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PROCEEDINGS AND DEBATES OF THE 91st CONGRESS, FIRST SESSION

SENATE—*Wednesday, July 2, 1969*

The Senate met at 12 o'clock noon and was called to order by the President pro tempore.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

We thank Thee, O God, that the freedom we celebrate in coming days is not an attainment, but an obtainment—that it is Thy precious gift to man as part of his createdness. We thank Thee for the daring of our forefathers in reclaiming their "ancient rights." We thank Thee, too, for the heroes' valor, the patriots' devotion, the prophets' vision, and for all the blood and sweat and toil by which our freedom was purchased. As we commemorate our national independence accept again the declaration of our everlasting dependence upon Thee. In all our joy and thanksgiving enable us to remain a nation "under God," and give us grace and goodness to minister to mankind in His name. Amen.

THE JOURNAL

Mr. KENNEDY. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, July 1, 1969, be dispensed with.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT, APPROVAL OF JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries, and he announced that on June 30, 1969, the President had approved and signed the joint resolution (S.J. Res. 122) to provide for a temporary extension of the authority conferred by the Export Control Act of 1949.

EXECUTIVE MESSAGES REFERRED

As in executive session, the President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

PUBLICATION OF EULOGIES TO DWIGHT DAVID EISENHOWER

Mr. JORDAN of North Carolina. Mr. President, the Joint Committee on Printing currently is receiving many calls in connection with the publication of congressional eulogies in tribute to former President Eisenhower. The joint committee now has set Friday, July 11, as the closing date for final acceptance of any further insertions in the CONGRESSIONAL RECORD. It must be noted that ample time has been extended to all Members who wished to express their sentiments. It is the joint committee's intention that these tributes be published and distributed later this year. For that reason, all copy must be submitted on or before the above-mentioned date.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House has passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1462. An act for the relief of Mrs. Vita Cusumano;

H.R. 1698. An act for the relief of Joeck Kuncek;

H.R. 1707. An act for the relief of Miss Jalileh Farah Salameh El Ahwal;

H.R. 3920. An act for the relief of Beverly Medlock and Ruth Lee Medlock; and

H.R. 5419. An act to provide relief for Comdr. Edwin J. Sabec, U.S. Navy.

The message also announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate.

H. Con. Res. 66. Concurrent resolution providing for the printing as a House document of certain maps and indicia relating to Vietnam and the Asian Continent;

H. Con. Res. 208. Concurrent resolution authorizing the printing of additional copies of parts 1, 2, and 3 of the publication entitled "Subversive Influences in Riots, Looting, and Burning";

H. Con. Res. 209. Concurrent resolution authorizing the printing of additional copies of the committee print "The Analysis and Evaluation of Public Expenditures: The PPB System";

H. Con. Res. 291. Concurrent resolution to provide for the printing of inaugural addresses from President George Washington to President Richard M. Nixon; and

H. Con. Res. 294. Concurrent resolution authorizing the printing as a House document of a representative sampling of the public speeches of former President Dwight D. Eisenhower.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on the Judiciary:

H.R. 1462. An act for the relief of Mrs. Vita Cusumano;

H.R. 1698. An act for the relief of Joeck Kuncek;

H.R. 1707. An act for the relief of Miss Jalileh Farah Salameh El Ahwal;

H.R. 3920. An act for the relief of Beverly Medlock and Ruth Lee Medlock; and

H.R. 5419. An act to provide relief for Comdr. Edwin J. Sabec, U.S. Navy.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The following concurrent resolutions were severally referred to the Committee on Rules and Administration:

H. Con. Res. 66. Concurrent resolution providing for the printing as a House document of certain maps and indicia relating to Vietnam and the Asian Continent;

H. Con. Res. 208. Concurrent resolution authorizing the printing of additional copies of parts 1, 2, and 3 of the publication entitled "Subversive Influences in Riots, Looting, and Burning";

H. Con. Res. 209. Concurrent resolution authorizing the printing of additional copies of the committee print "The Analysis and Evaluation of Public Expenditures: The PPB System";

H. Con. Res. 291. Concurrent resolution to provide for the printing of inaugural addresses from President George Washington to President Richard M. Nixon; and

H. Con. Res. 294. Concurrent resolution authorizing the printing as a House document of a representative sampling of the public speeches of former President Dwight D. Eisenhower.

ORDER OF BUSINESS

The **PRESIDENT** pro tempore. The Chair is advised that under the order entered yesterday, the Senator from Mississippi (Mr. STENNIS) is to be recognized for 1 hour at this time.

Mr. STENNIS. Mr. President, I should like to have the privilege to yield, if I may, without losing my right to the floor, to any Senator who has a matter which would customarily be taken up in the morning hour. However, of necessity, I shall have to ask that such matters be fairly brief. I understand that the Senator from Massachusetts has a statement that will not take long. How much time will the Senator require?

Mr. KENNEDY. About 4 minutes.

Mr. STENNIS. Mr. President, I ask unanimous consent that I may yield 4 minutes to the Senator from Massachusetts without losing my right to the floor and without that time being charged to my allotment of 1 hour.

The **PRESIDENT** pro tempore. The Senator from Mississippi asks unanimous consent that he may yield to the Senator from Massachusetts for 4 minutes, without that time being charged to the 1 hour allocated to him and without affecting his right to the floor. Is there objection?

Mr. GORE. Mr. President, reserving the right to object, I ask unanimous consent to have a statement printed at this point in the RECORD.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Tennessee?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

DEPLOYMENT OF ANTI-BALLISTIC MISSILE

Mr. GORE. Mr. President, the principal reason advanced by President Nixon and Secretary Laird in support of deployment of an Anti-Ballistic Missile weapon system is that such deployment is necessary "to preserve the integrity of our deterrents." Secretary Laird argued that an ABM protection of that portion of our Minutemen which are located in Montana and North Dakota was necessary because "with the large tonnage the Soviets have they are going for our missiles and they are going for a first strike capability." He added "There is no question about that."

This is the principal justification advanced in support of ABM deployment. Indeed, it is the only basis on which the Administration has seriously sought to justify it, unless one takes seriously the imaginary nuclear threat from Red China which has been occasionally mentioned.

When Secretary Laird appeared before the Disarmament Subcommittee on March 21, I opened the hearing with a brief statement in which I said:

"Your principal argument yesterday, Mr. Secretary, was that the deployment of the ABMs around two Minuteman missile sites, one in Montana and one in North Dakota, would 'preserve the integrity of our deterrents.'

"Mr. Secretary, on this your principal point, I wish to join issue."

Mr. President, the integrity of our nuclear deterrents must be maintained. This is true because our strategy to avoid nuclear war is based upon policies designed to deter any potential enemy from leveling a nuclear attack against the United States. We hope in this way to prevent nuclear war. The central question, thus, is whether a defensive missile system is needed "to preserve the integrity of our deterrents". If such a need could be established there would remain the question of whether the proposed Safeguard system would be a proper and an effective response.

But the first and foremost question is, and throughout this argument has been, whether deployment of a defensive nuclear missile weapons system is necessary or even advisable in order "to preserve the integrity of our deterrents".

The testimony of Secretary of Defense Melvin Laird before the Disarmament Subcommittee on March 21 in support of deployment of the so-called safeguard ABM Weapons System was in open session and was carried live by national television networks. After emphasizing that the United States had been and was still only "going for a second strike capability" he said:

"With the large tonnage the Soviets have they are going for our missiles and they are going for a first strike capability. There is no question about that".

This statement made headlines in newspapers throughout our country and, I am advised, in many parts of the world.

Herein, Mr. President, lies the heart of the ABM issue. If any nation possessed, or was about to achieve, or was seriously seeking to achieve a "first strike capability" against the United States, then the security interests of our country would require that we take action. In the present context of world tensions and dangers, it is necessary that we maintain a credible deterrent.

It might be well at this point to recognise that the terms "second strike capability" and "first strike capability" are words of art or more specifically, terms of art in military terminology. For the meaning of these terms I cite a "glossary of terms" prepared by the Library of Congress for the Subcommittee on National Security and Scientific Developments of the Committee on Foreign Affairs of the House of Representatives for its hearings in March of this year. Here is the definition given for the term "first strike capability":

First Strike Capability—For delivering the first blow against the enemy's forces and destroying his retaliatory capacity before he launches a counter-attack.

Now, Mr. President, if the Soviets are, in fact, without question, "going for a first strike capability" then, as I have said, it would be necessary to take such action as would then appear advisable to "preserve the integrity of our deterrents."

But Mr. President, at some time since March 21, Secretary Laird has altered his position. In his testimony before the House Appropriations Committee, he emphasized a "first strike weapon" instead of a "first strike capability." There is a vast difference.

The importance of the alteration of position by Secretary Laird will be revealed, I believe, in the testimony of Secretary Laird in closed session before the Senate Foreign Relations Committee which will be published soon. I think the testimony will show that this principal justification for deployment of the ABM Weapons System, the very foundation of this argument, is no longer advanced.

The PRESIDENT pro tempore. Does the Senator withdraw his reservation of objection?

Mr. GORE. I do.

The PRESIDENT pro tempore. Without objection it is so ordered.

The Chair now recognizes the Senator from Massachusetts.

EXECUTIVE SESSION

Mr. KENNEDY. Mr. President, the nominations on the Executive Calendar are to be considered. I ask unanimous consent that the Senate go into executive session to consider the nominations.

The PRESIDENT pro tempore. Without objection, the Senate will proceed to the consideration of executive business.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

The bill clerk read the nomination of Luther Holcomb, of Texas, to be a member of the Equal Employment Opportunity Commission for the term expiring July 1, 1974.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

THE DEPARTMENT OF TRANSPORTATION

The bill clerk read the nomination of James A. Washington, Jr., of the District of Columbia, to be general counsel of the Department of Transportation.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK IN THE PUBLIC HEALTH SERVICE

The bill clerk proceeded to read sundry nominations in the Public Health Service, placed on the Secretary's desk.

The PRESIDENT pro tempore. Without objection, the nominations in the Public Health Service, placed on the Secretary's desk, are confirmed en bloc.

Without objection, the President will be notified of all nominations confirmed today.

LEGISLATIVE SESSION

Mr. KENNEDY. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

PROGRAM FOR MONDAY NEXT

Mr. KENNEDY. Mr. President, I should like to have Senators know that when the Senate convenes at noon on Monday, the debate will continue on the Department of Agriculture appropriation bill, and that it is expected that votes will occur on Monday.

Senators should also understand that there will be some debate on the bill prior to 2 o'clock, but that as I understand, a number of votes will occur after 2 o'clock. So it is appropriate that Senators be on notice that that is the current plan, according to an agreement with the distinguished minority leader.

Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Massachusetts will state it.

Mr. KENNEDY. I should like to know whether the time I have used until now has been charged against the 4 minutes that were yielded to me.

The PRESIDENT pro tempore. The Chair regrets to advise the Senator that that is the case. The Senator from Mississippi can, of course, obtain unanimous consent to extend the time without the extension being charged to the hour allocated to him.

Mr. STENNIS. Mr. President, in order that the Senator from Massachusetts may now have 4 minutes for his own use, I ask unanimous consent that I may yield 4 minutes to him without the time being charged to me or without my losing my right to the floor.

The PRESIDENT pro tempore. Without objection, it is so ordered. The Senator from Massachusetts is recognized for 4 minutes.

Mr. KENNEDY. I thank the Senator from Mississippi.

THE SITUATION IN NIGERIA AND BIAFRA

Mr. KENNEDY. Mr. President, little of human dignity survives war in our time, but a meaningful peace can only be found in the civilized behavior of all toward their fellow man. By that measure, the situation in Nigeria-Biafra is headed for more chaos and battle, and an even greater destruction of human life.

The mercy airlift of food and medicine into Biafra has stopped. The 3 million people supported by the airlift face starvation and death.

No amount of verbiage from our own Government, or from any quarter, can disguise the simple fact that the Nigerian Federal Government, in its frustration over the continuing existence of Biafra, has decided to starve its people into submission.

And as the situation deteriorates into one of desperation and genocide, the active sense of urgency which is needed among governments to answer the pitiful cries of a suffering people seems further away than ever before.

The United Nations chooses silence over leadership. Governments stand paralyzed in disbelief and selfish political concern.

Our own Government, reflecting so much of our moral and humanitarian leadership in recent years, goes along with the crowd.

There is little public or private evidence to suggest that we are much concerned—let alone inclined to take some meaningful action in an effort to head off what is clearly developing into one of the greatest nightmares of modern times.

Admittedly, the situation in Nigeria-Biafra is difficult and complex. The feasibility of what might be done is always in question. And so we hesitate.

But should we be less concerned because our action to help might offend the political sensibilities of those who show too little human sensibilities?

Are we as a Nation so morally bankrupt that the threatened death of hundreds of thousands of innocent people can be swept under the rug and into the pages of history without an effort to save them by the United States?

Perhaps the mass starvation of people in Nigeria-Biafra is not in our vital interest.

But it is in our conscience. And that is reason enough for this Nation to act for peace and relief.

The United States has always found a way to make its weight felt in the affairs of others, when our political self-interest and national security have been at stake. In the historic tradition of this Nation, I would also hope that we can still exert our powerful influence when great human tragedy strikes our fellowman.

This influence is needed today in Nigeria-Biafra, and in the counsels of government throughout the world.

To carry out this effort, I make two recommendations:

First, I urge the President to seek the support of other governments in appealing to the Secretary General of the United Nations to use the power and prestige of his office to gain an immediate resumption of the mercy airlift into Biafra.

I appeal especially to those great powers—Great Britain, the Soviet Union, and France—that so willfully pour arms into the area and needlessly prolong violence at the expense of innocent millions, to join this effort for humanity.

Second, I urge the President to take the initiative in calling for early consultation among the ambassadors to the United Nations from Great Britain, the Soviet Union, France, our own country, and perhaps others, in the question of an arms embargo and a general de-escalation of the great powers involvement in the Nigerian conflict.

They should also pursue appropriate means to promote a cessation of hostilities, and negotiations leading to a political settlement under the auspices of an African heads of state committee.

Mr. President, we are conditioned in the world we have created to accept suffering and injustice, especially in our time, when violent conflict and oppression are active in so many areas.

But the newer world we seek will not evolve if we ignore these challenges to leadership, and take comfortable refuge in the mundane patterns and attitudes of the past.

So let us act with others to pursue peace and relief in a troubled area, because it is unconscionable to remain silent, and because the hope of all mankind for a better world will be strengthened.

Mr. President, I ask unanimous consent that press accounts of the current situation in Nigeria-Biafra be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, June 29, 1969]

CHURCHMAN SAYS BIAFRANS FACE NEW WAVE OF STARVATION DEATHS

(By R. W. Apple, Jr.)

LAGOS, NIGERIA, June 28—The rebel state of Biafra again faces critical food shortages. About 1.5 million people have died of starvation there during the two-year civil war, according to a Red Cross survey.

Dr. E. H. Johnson, moderator of the Presbyterian Church of Canada, said in London this week after a visit to the secessionist area that the situation would "soon reach, and possibly exceed, the proportions of last summer, when thousands, mostly children, were dying each day."

Authoritative reports reaching Lagos from Geneva and other sources indicate that stockpiles of high-protein foods, such as stockfish, dried milk and cornmeal, are almost exhausted, and that dispensaries are closing because they have no medicine.

In the fighting, heavy seasonal rains have somewhat restricted major operations.

However, at a news conference today, the Minister of information, Chief Anthony Enahoro, said that federal forces had cleared the rebels from an area west of the Niger River—a claim that has been made several times in the past—and had launched two new offensive operations.

REPORTED NEARING OWERRI

He refused to supply details. But military sources said the Third Marine Commando Division had been pushing north toward the city of Owerri, which it lost to the Biafrans in April, and that it had reached the outskirts of the city.

The sources also reported that Nigerian Air Force planes had strafed Owerri in support of the infantry.

In strategic terms, the balance in the war does not appear to have changed in the last two months. If the federal air force could succeed in permanently closing the Uli airstrip, however, the Biafrans would soon run desperately short of ammunition and weapons, as well as high-protein food.

The new crisis over food shortages has developed just when it seemed that Biafra's food problems had been brought under control. The region's recent maize harvest was a success, the "land army" program stimulated cassava and yam production, and the airlifts operated by the International Committee of the Red Cross and Joint Church Aid was efficiently supplementing these staple foods with protein.

Then came the air attacks led by Count Carl Gustav Von Rosen of Sweden, which humiliated the Nigerian federal Government and prompted it to strike out at the relief organizations. The raids, said a European army officer based here, "were the bee sting that made the horse go wild."

On June 1, the Nigerian Air Force began strafing and rocketing the airstrip between Uli and Ihiala, where the relief planes land. On June 5, a Swedish Red Cross DC–7 was shot down in daylight. On June 10 the airlift from Cotonou, Dahomey, and the islands of Fernando Po and São Tomé was temporarily halted.

On June 14, the Lagos Government announced that Dr. Auguste R. Lindt, the Red Cross relief coordinator for Nigeria, had been declared persona non grata.

Joint Church Aid officials said this week that their planes had resumed operations, but there has been no guarantee from the federal Government that they will not be shot down. Soviet radar stations are now believed to be operating at Port Harcourt and Calabar to aid federal Nigerian pilots, and a new consignment of Soviet-built jet fighters is reported to have arrived.

"ABSOLUTELY STYMIED"

"We're absolutely stymied at the moment," a relief official said today. "There is nothing we can do. And we have about tens of thousands of people in refugee camps who are not going to survive unless we can get enough protein food into Biafra soon."

President Nixon's relief coordinator, C. Clyde Ferguson, Jr., announced earlier this month that he had worked out a plan to take relief supplies up the Cross River from Calabar to Ikot Okporo, where they would be turned over to Biafran representatives.

Two United States-built, Colombian-owned landing ships, the Dona Mercedee and the Dona Maria, were to be used. One is already in Lagos and the second is due shortly. Each can carry 900 tons—the equivalent of three night flights by the airlift planes.

The federal government at first indicated approval of this project, but then began backing away. Authoritative sources say that a dispute has raged all week within the Government. It has apparently been resolved, and Government officials have promised to disclose their new policy on Monday at a meeting with representatives of relief agencies.

[From the New York Times, July 1, 1969]

RED CROSS RELIEF CURBED BY NIGERIA

(By R. W. Apple Jr.)

LAGOS, NIGERIA, June 30—The Government announced today that it had relieved the International Committee of the Red Cross, a Swiss organization, of responsibility for coordinating relief efforts on both sides of the lines in the two-year civil war.

From now on, the Government said in a statement, it will oversee the entire relief program itself, with outside agencies playing a sharply reduced role.

The Nigerian move was expected to lessen drastically the chances of renewed relief shipments to the rebel state of Biafra, where hundreds of thousands of civilians are reported to be facing malnutrition or starvation.

[In Geneva, the acting head of the International Red Cross said that the agency could not accept the Nigerian action.]

The Nigerian Government statement said all shipments to Biafra, "whether by air, sea, river or land, must be cleared by the armed forces and police after thorough inspection in Lagos or other approved points in federal areas."

Thus the Red Cross airlift from Cotonau, Dahomey, and Santa Isabel, Equatorial Guinea, and the joint church aid airlift from the Portuguese island of Sao Tome in the Gulf of Guinea were both proscribed. Until suspended this month after the shooting down of a Swedish Red Cross DC-6, the flights had taken as much as 300 tons of food and medicine into Biafra each night.

Despite their unhappiness, relief officials said they were determined not to give up. They said talks were under way to see how much of their operation could be salvaged.

The Government threatened to shoot down any plane that tried to defy its orders, asserting that it "will not bear responsibility for any attempt to break the blockade" of the rebel area.

Although the statement, read to officials of international relief organizations by Chief Anthony Enahoro, the federal Minister of Information and Labor, did not specifically mention an American proposal for a river supply route, the insistence on military inspection of all cargoes appeared to doom that plan as well.

The Biafrans have refused to accept any proposal that made them dependent on the federal Government, arguing that their security would be jeopardized.

Chief Enahoro also emphasized that the Government would forbid mercy-flight operators to transport fuel, spare parts for radios, vehicles or aircraft—even their own—"which the rebels can commandeer for military purposes." He said any future flights would not be permitted to carry Biafra officials or journalists into or out of the country, as they have done in the past.

For Biafra, a permanent cessation of relief flights would be a double disaster.

First, it would deprive Biafra's 8 million to 14 million people of almost all high-protein foods, such as salted fish and dried milk, which have been used to supplement locally grown carbohydrates. This would almost certainly lead to further deaths from starvation, in addition to the 1.5 million who have already died, according to a recent study made for the Red Cross.

Second, the absence of relief flights would make it far more difficult for arms and ammunition flights from Gabon and elsewhere to reach the Biafran airstrip without being intercepted and perhaps shot down.

The relief officials were appalled by the new federal policy. One described it as "a bombshell." A second said it was "as hard as it could possibly be." A third said it probably meant the end of relief operations on the Biafra side of the lines.

[From the Washington (D.C.) Post, July 1, 1969]

NIGERIA IMPOSES VIRTUAL BLOCKADE ON RELIEF TO BIAFRA

LAGOS, NIGERIA, June 30.—Nigeria announced new rules today that could choke off all relief supplies to secessionist Biafra.

Although the Nigerians did not spell out how they would enforce the rules, the effect could be a virtual blockade of Biafra, which has been reduced to 3000 square miles with an estimated population of 3 to 4 million.

The Nigerians announced that the federal government would take over control of all relief efforts for both sides in the civil war and that it would no longer allow the International Committee of the Red Cross (ICRC) to appeal for and accept donations on behalf of Nigeria.

The Biafrans have consistently rejected the idea of accepting supplies brought through federal ports or airfields, as the Nigerians now propose. The Red Cross and other agencies have been flying in supplies from outside the country.

[In Geneva, the ICRC said it refused to accept the Nigerian government decision until every avenue was explored. In Copenhagen, a spokesman for Joint Church Aid said that group would continue its mercy flights into Biafra from the island of Sao Tome.]

The Nigerian announcement was made by the government's commissioner for information and labor, Chief Anthony Enahoro, at a meeting attending by representatives of more than 20 relief agencies, including Bernhard Frey of the International Red Cross.

Frey, who appeared shaken, refused to comment, but other relief officials called the statement a "bombshell" and said, "This is the worst possible thing."

Enahoro said: "The federal government has decided that the coordinating role of the ICRC shall cease forthwith. The ICRC will therefore no longer be competent to appeal for any aid from the international community and foreign donor governments on behalf of the government and people of Nigeria."

He said relief would be allowed to continue to isolated Biafra, but only after prior approval and inspection by Nigerian authorities. Supplies, he added, would be restricted to basic essentials and could not include fuel or spare parts.

"Any foreign government or agency interested in assisting . . . must therefore deal with the National Rehabilitation Commission and the appropriate federal ministries," Enahoro said.

Nigeria has maintained that arms and equipment have slipped in on the relief flights to Biafra.

Observers felt the blockade could be maintained by Soviet-built Mig jets, which have proven their effectiveness by shooting down a Swedish Red Cross DC-7 on June 5. Federal authorities alleged that the Swedish plane was carrying arms.

"The federal government will not . . . bear responsibility for any attempt to break the blockade," Enahoro said.

Relief must continue because Biafra's Ibos must later be reintegrated into Nigeria, Enahoro said, but strict controls are necessary. He gave no details on how Biafra would be supplied.

Relief officials questioned not only whether the government could deal with the program, but also raised the following questions:

Will the government be able to provide the status of neutrality to relief teams working in the field?

Will donor governments be in a position to contribute directly to an agency of the federal government?

Will the new system allow for roughly the same distribution system, with only the top positions changing from foreign to Nigerian personnel?

The government announcement came a few days after Chief Awolowo, highest civilian in the federal administration, said starvation was a legitimate means of war.

Enahoro called the present relief program counterproductive because it has prolonged the war, killing more, "thus canceling out the value of saving some lives."

Since the downing of the Swedish Red Cross plane, the amount of supplies reaching Biafra has dropped drastically. Only aid to federal-controlled areas had been continuing normally.

Airlifts by the ICRC and Joint Church Aid reached about 3 million Biafrans at their peak. The ICRC is feeding another 1.3 million persons in federal territory.

[From the New York Times, July 1, 1969]

NEW HEAD OF RED CROSS ASSAILS NIGERIA'S AID CURB

(By Victor Lusinchi)

GENEVA, July 1.—Marcel A. Naville, new president of the Red Cross, denounced the Nigerian Government today for having relieved the organization of its Nigerian relief duties "in the same way that a faithless servant is shown the door."

Mr. Naville took over the presidency of the all-Swiss committee today. He said at a news conference that the Nigerian Government's announcement yesterday that it was taking over the committee's role as coordinator for international relief for Nigeria was a "deliberate insult" to the humanitarian ideal for which the Red Cross stood.

The 49-year-old former Swiss banker also said that because of the halt in the flow of relief supplies to Biafra three weeks ago "several hundred thousand children are going to die in the next few days."

The Red Cross president spoke in unusually strong terms in what was viewed as a deliberate departure from the traditional guarded statements of an organization that zealously preserves its neutrality because of its concern with the welfare of prisoners of war and the civilian victims of war.

While measuring his words carefully, he clearly showed that the Nigerian Government action rankled when he said: "It is surprising that a state representing a respectable and a respected people can think that a humanitarian organization can be dismissed in the same way that a faithless servant is shown the door."

Mr. Naville stressed that the committee did not challenge the Nigerian Government's right to call an end to the Red Cross action. But he made it clear that the committee was indignant at the manner in which it was done, without prior consultation or official warning.

Mr. Naville was critical of what he termed the "incomprehensible" role of "certain non-African powers" in the Nigerian conflict.

These powers, in weighing their policies in connection with Nigeria, "commit a tragic error of appreciation," he said. Though he did not identify the powers to which he was referring, it was assumed that he had in mind countries such as Britain, the Soviet Union and France, which have supplied arms to one or the other side in the conflict.

He also denounced unspecified "cannon merchants" and said that he wanted to remind some people that "all the oil in Nigeria would not provide enough detergent to enable them to cleanse themselves."

With the Red Cross relief supplies in Biafra now exhausted, "we are at the eve of a great tragedy," Mr. Naville said.

The Red Cross mercy night airlift to Biafra was halted by what the committee official termed the "deliberate" shooting down of a Red Cross plane by the Nigerian Air Force with the loss of four lives.

Mr. Naville did not appear to take seriously a new offer by the Nigerian Government to permit daylight flights of relief planes to Biafra from the federal capital of Lagos.

The Red Cross is transmitting the offer to the Biafran authorities although it is known that the offer is unacceptable to them, he said.

Mr. Naville said, however, that the committee was ready to resume flying relief supplies to Biafra at a moment's notice from its bases at Cotonou, Dahomey, and Santa Isabel, Equatorial Guinea.

BIAFRA REPORTS MILITARY GAINS

COTONOU, DAHOMEY, July 1.—A military comminiqué by the Biafran radio today said that more than 1,000 Nigerian soldiers were killed in clashes with Biafran forces in the Obaku sector northwest of Owerri during June.

Biafran soldiers have pushed back a general federal Nigerian offensive and are progressing west of the Niger River toward the south, the communiqué said.

It said that 23 attacks had been launched by the Nigerians in the war north of Onitsha and on the southwest front but that no gains had been made.

[From the New York Times, July 1, 1969]

STARVATION THE WEAPON

Nigeria's hardliners have won an important political debate in Lagos and the immediate result is likely to be the deaths of hundreds of thousands of innocents, mostly children, in the blockaded Biafran enclave. Mass starvation is a certainty if the relief

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airlifts, mounted by the International Committee of the Red Cross and Joint Church Aid, remain in suspension.

Lagos says it will continue to permit relief shipments into Biafra, but it knows full well that the stringent conditions it has imposed would block effective assistance indefinitely. It would be more honest to say what Chief Awolowo, the ranking civilian in the Federal Government, said last week: "All is fair in war, and starvation is one of the weapons of war."

As with so many tragedies in the Nigerian conflict, however, over-all blame cannot be assigned exclusively to one side. For months, the Federal Government offered immunity for daylight airlifts; but Biafra, citing security reasons, refused them. Lagos also accepted the proposal of some American members of Congress early this year for reactivating the Obilagu airstrip for around-the-clock flights, and trucking relief supplies a few miles into Biafra; General Ojukwu again refused.

The Biafran regime, time and again, has been willing to exploit starvation in order to advance its political ends. Lagos resented the fact that some relief agency workers, supposedly concerned only with humanitarian efforts, became political propagandists for the Biafran cause.

But none of this justified Nigeria in throwing out Dr. Auguste Lindt, the fairminded and incredibly patient Swiss coordinator for the International Red Cross, or in shooting down a Swedish Red Cross relief plane June 6. These were clearly blind, panicky reactions by Lagos to the unexpected Biafran bombing raids by the highly publicized "mini-air-force" of the Swedish Count, Carl Gustav von Rosen.

As a sovereign nation recognized by all but a handful of countries, Nigeria has a legal right to enforce a blockade in order to put down what it regards as a simple rebellion. But this is no longer primarily a matter of international law; and whatever Chief Awolowo may believe, world opinion will no longer accept the starvation of millions of innocent people.

The United States, which has supplied $70 million in relief supplies to both sides, should make this point forcefully to Lagos. It will help if the friends of Biafra, recognizing General Ojukwup's share in the responsibility for this appalling situation, will press equally hard for a more reasonable attitude by this regime in the interest of saving lives.

[From the Washington (D.C.) Post, July 2, 1969]

BIAFRA MILLIONS SEEN DYING IN FOOD CUTOFF

(By Spencer Rich)

The President's Special Consultant on Hunger said yesterday that 2 million Biafrans will die of starvation within the next three weeks if international relief for the hungry is cut off.

Dr. Jean Mayer, the Harvard professor and internationally known nutritionist who was chosen by President Nixon to organize the White House Conference on Food, Nutrition and Health, said there were nearly 3 million persons dependent on international food shipments, and most of these "already were hanging on a slender thread." A reduction of food now could send millions to their deaths, Mayer said.

Mayer, who went to Biafra on a study mission last February, made his comments in the wake of Monday's announcement by Nigeria that it was taking over from the International Committee of the Red Cross (ICRC) the function of coordinating food relief to the hungry in Nigerian-held areas of the civil war-torn country.

At the same time, Nigeria announced that it would allow food shipments into landlocked Biafra only if first cleared by Nigerian police or soldiers, and not when flown directly into Biafra from abroad.

Rescue agencies fear that the new regulations will be used to choke off food to Biafra. Chief Awolowo of Nigeria, highest civilian in the federal administration, said recently that starvation was a legitimate means of making war.

Mayer's sentiments were echoed yesterday by Marcel Naville, the new president of the ICRC, who predicted in Geneva, Switzerland, according to press reports, that "hundreds of thousands of children" will starve in the next few days alone unless international food relief to Biafra was allowed to continue.

Naville, like Mayer, said millions of persons could die of starvation.

In Washington, State Department spokesman said the U.S. was worried that relief operations might be hampered by the new Nigerian policy.

Dr. Mayer, referring to the Biafra situation, said, "We're really seeing the death of a nation right now." He said his study mission had concluded that 1.5 million persons had already died as a result of food shortages and "within the next three weeks, 2 million more people will die of starvation" unless international relief can be continued.

"There are three million people in refugee camps completely dependent on outside food supplies," he said. "So unless they get the food, they'll die."

A Nigerian spokesman said here yesterday that pending the takeover of relief coordination functions by a Nigerian government commission—which would be very soon and was already beginning—the ICRC would continue in that role.

He said direct night flights of food into Biafra from abroad would continue to be banned, and day flights allowed only if they first stopped at Lagos or other Nigerian areas to be sure cargoes did not include war materials.

[From the Washington (D.C.) Post, July 1, 1969]

GENOCIDE

One word now describes the policy of the Nigerian military government toward secessionist Biafra: genocide. It is ugly and extreme but it is the only word which fits Nigeria's decision to stop the International Committee of the Red Cross, and other foreign relief agencies, from flying in food to Biafra. Nigeria says it intends to take the control of all relief measures into its own hands. But lest there be any doubt of what that means, let it be noted that a few days ago Chief Awolowo, the highest civilian in the Lagos government, was quoted as saying that starvation was a legitimate means of war. Upward of a million people in Biafra have already died of starvation and its attendant ravages, and it now is likely—according to the President's consultant on nutrition, Professor Jean Mayer—that *two million* more may die within a matter of a few weeks.

For the Nixon Administration there should be no confusion or delay in deciding how to respond. The United States must immediately and unequivocally join in what we trust will be a worldwide demand that Nigeria not interrupt the flow of food and drugs to the civilian victims of the Nigerian civil war. As the principal relief donor Washington can do no less without becoming an accomplice to official genocide. Quite rightly, Nigeria states that providing relief to rebels is an act of political intervention. Nigeria is right too in claiming that Biafra's leadership has not hesitated to increase its own people's suffering as bait for world sympathy. It may be true that Red Cross flights have been misused as a cover for running arms. But so what? There are no diplomatic or political considerations so overwhelming that the United States must stand quietly by while another government murders a million or more souls.

Mr. PEARSON subsequently said: Mr. President, I wish to express my concurrence with the views stated by the senior Senator from Massachusetts in describing the terrible conditions existing in Biafra today.

The news accounts this morning indicate that the President's special consultant on hunger and malnutrition expects that 2 million people will die in that area in the next 3 weeks if the relief airlifts are not allowed to continue. Nigerian Government officials have indicated that no night flights may go in and only day flights that have been cleared may go into the area held by Nigeria and Biafra.

Mr. President, these are shocking figures, especially when added to the 1½ million people who have already starved in that country.

I wish to associate myself with the remarks made by the Senator from Massachusetts.

ORDER OF BUSINESS

Mr. STENNIS. Mr. President, I ask unanimous consent that I may yield to the Senator from Kansas (Mr. PEARSON) for 3 minutes without the time being charged to my time.

The PRESIDENT pro tempore. Without objection, it is so ordered. The Chair recognizes the Senator from Kansas for 3 minutes.

ORDER FOR RECOGNITION OF SENATOR JAVITS

Mr. PEARSON. Mr. President, I ask unanimous consent that the senior Senator from New York (Mr. JAVITS) be recognized for 20 minutes following the speech of the Senator from South Dakota (Mr. MCGOVERN).

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. STENNIS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. STENNIS. Mr. President, how much time under the unanimous-consent agreement do I have remaining?

The PRESIDENT pro tempore. Under the order heretofore entered, the Senator from Mississippi would still have the original hour granted yesterday.

Mr. STENNIS. One hour?

The PRESIDENT pro tempore. The Senator is correct.

Mr. STENNIS. Mr. President, I ask unanimous consent that I may yield to the Senator from West Virginia for 2 minutes, without losing my right to the floor, and under the usual request.

The PRESIDENT pro tempore. Without objection, it is so ordered. The Chair recognizes the Senator from West Virginia.

Mr. BYRD of West Virginia. I thank the able Senator for yielding.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the

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Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary and the Permanent Investigations Subcommittee on Government Operations be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

PAST EXPENDITURES ON MILITARY MISSILE PROGRAMS

Mr. STENNIS. Mr. President, it has been my purpose to make this statement for several weeks. The press of other matters, notably the hearings on and marking up of the fiscal year 1970 military authorization bill, has prevented me from doing so.

Mr. President, I shall refer to a table that was printed in the Record on March 7, 1969, at the request of the Senator from Missouri (Mr. Symington), and I shall also refer to remarks made by the Senator from Montana (Mr. Mansfield). I have discussed this matter with each of these gentlemen and they fully understand my purpose. I discussed with the Senator from Montana the remark I shall quote from a statement he made to the press. He agreed that the press had accurately requoted him. The Senator from Montana could not be present in the Chamber at this time but he unstands that I intended to make these remarks some time soon. The Senator from Missouri has been notified. I talked with him this morning. He understands that I am going to speak. I expect him to be in the Chamber within a few minutes.

Mr. President, I want to discuss today the recent allegations from various sources that there has been $23 billion of "waste" on military missile programs during the past 16 years. Some of the charges have come from responsible, conscientious, and usually well-informed Members of this body.

I commend all of those who have shown concern about this problem and for their interest in and zeal for economy in military programs. My concern is as great as theirs, and has been. I believe in governmental economy whether it be in the Department of Defense, the Department of Health, Education, and Welfare, or elsewhere, in or out of Government.

Since January of this year, the Senate Armed Services Committee and its staff has been searching earnestly for possible savings and appropriate decreases in military authcrizations. I am already convinced that our efforts will bear fruit and that this will be apparent when we send the military procurement bill to the floor.

As soon as we can get the actual figures together, I expect to issue a brief statement to the press, perhaps in the morning, giving a broad outline of the figures as they will appear in the military authorization bill that we will send to the floor.

At the same time, however, the charges of a "waste" of $23 billion in military missile programs should not go unchallenged; otherwise they gain credence both with Congress and the general public and bring the Military Establishment into unnecessary and unjustified disrepute. Therefore, I propose to examine the facts and lay them on the table for the purpose of putting this subject in its proper perspective.

I say with emphasis that I do this as a matter of duty as the chairman of the Committee on Armed Services, and to clear up some impressions that have arisen about waste in the missile programs referred to by the Senator from Missouri.

I believe the allegations in question stem from a statement made on the floor of the Senate on March 7, 1969, by the distinguished Senator from Missouri (Mr. Symington). This statement was entitled: "Over $23 Billion Already Expended in Abandoned Missile Programs." In the course of his statement the Senator from Missouri inserted two tables in the Record. One table, totaling $4.16 billion, was headed "Major Missile Projects Terminated During the Past 16 Years—Prior to Deployment." The second table, totaling $18.8 billion, was entitled "Total Investment Costs for Missile Systems No Longer Deployed." The resulting total of $23 billion is the subject matter of the charges of waste in military missile programs.

Mr. President, I ask unanimous consent that there be printed in the Record at this point the tables to which I have referred, with the same entitlements I have given, as they appear in the Congressional Record of March 7, 1969, at page 5602.

The PRESIDING OFFICER (Mr. Allen in the chair). Without objection, it is so ordered.

The tables ordered to be printed in the Record are as follows:

MAJOR MISSILE PROJECTS TERMINATED DURING THE PAST 16 YEARS (PRIOR TO DEPLOYMENT)

Project	Year started	Year canceled	Funds invested (millions)
Army:			
Bemmes	1944	1954	$96.4
Dart	1952	1958	44.0
Loki	1948	1956	21.9
Terrier, land based	1951	1956	18.6
Plato	1951	1958	18.5
Mauler	1960	1965	200.0
Total, Army			399.4
Navy:			
Sparrow I	1945	1958	195.6
Regulus II	1955	1958	144.4
Petrel	1945	1957	87.2
Corvus	1954	1960	80.0
Eagle	1959	1961	53.0
Meteor	1945	1954	52.6
Sparrow II	1945	1957	52.0
Rigel	1943	1953	38.0
Dove	1949	1955	33.7
Triton	1948	1957	19.4
Oriole	1947	1953	12.5
Typhon	1958	1964	225.0
Total, Navy			993.4
Air Force:			
Navaho	1954	1957	679.8
Snark	1947	1962	677.4
GAM–63 Rascal	1946	1958	448.0
GAM–87 Skybolt	1960	1963	440.0
Talos, land based	1954	1957	118.1
Mobile Minuteman	1959	1962	108.4
Q–4 Drone	1954	1959	84.4
SM–72 Goose	1955	1958	78.5
GAM–67 Crossbow	1957	1958	74.6
MMRBM	1962	1964	65.4
Total, Air Force			2,774.6
Grand total			4,167.4

Total investment costs for missile systems no longer deployed

	Millions
Army:	
Nike-Ajax	$2,256
Entac (antitank missile)	50
Redstone	586
Lacrosse	347
Corporal	534
Jupiter	327
Total, Army	4,100
Navy:	
Polaris A1	1,132
Regulus	413
Total, Navy	1,545
Air Force:	
Houndog A	255
Atlas D, E, F	5,206
Titan I	3,415
Bomarc A	1,405
Mace A	328
Jupiter	498
Thor	1,415
Total Air Force	13,241
Grand total	18,886
Plus missile systems terminated prior to deployment	4,167
Total	23,053

Mr. STENNIS. Mr. President, it should be noted that the Senator from Missouri did not categorize these expenditures as "waste." He merely specified the amount which the taxpayers have expended on "missile systems first placed in production, then deployed, then abandoned," and also on "additional missile systems which were abandoned in the research and development stage."

Taking off from this point, however, others have concluded that the $23 billion mentioned by the Senator from Missouri was wasted. Even our distinguished and respected—and I can say beloved—majority leader was quoted in the New York Times as saying:

> In the past decade on missile development and deployment we have *wasted* about $23 billion.

These charges have been echoed by others.

Mr. President, I would not have used that quotation, as I have said, without first checking it with the Senator from Montana. He fully understands the spirit of my speech. I think that I understand the spirit of his remark; that he had infered from the tables, and possibly from something said by others, not the Senator from Missouri, that this was all waste. The Senator from Missouri did not make that statement.

With all deference to the press, after the statement by the Senator from Montana especially, it was echoed and reechoed by the press, radio, and television, and by columnists throughout the land, over and over and over again, that $23 billion had been wasted on these missile programs. I do not blame anyone. I knew all the time that, as I saw things, the entire amount should not be characterized as waste. However, it took time to make a careful analysis, and, as I said, I have been working almost continuously on the military bill.

The analysis which I have now made of the projects contained in the tables inserted in the RECORD by the distinguished Senator from Missouri dispels the idea that waste in the amount of $23 billion, or anything approaching that amount, was involved. I do not think the distinguished Senator from Missouri meant to suggest or imply that all the projects which he listed were "wasted."

Mr. President, I want to make clear that this speech is made solely on my initiative; that it was written solely by me, with the help of a staff member; that it did not come from the Pentagon; nor was it proposed by the Pentagon, or anything of that kind. I speak on my own responsibility and give my own views.

The program listed by the Senator from Missouri fall into three main categories:

First. The majority of the programs listed, and by far the largest dollar amounts, were successfully developed, produced, placed in operation, served their functions, and in due time were replaced by more modern successors—just as automobiles have progressed since their inception, virtually all of which progress has passed before my eyes during my lifetime. This process continues. Just as Polaris A–1 was replaced by Polaris A–3, we expected Poseidon to replace Polaris, Minuteman I is now being replaced by Minuteman II and III. Nike-Ajax, Bomarc A and Titan I were all replaced by more advanced missiles of the same family. These systems contributed to the security of the United States, and were not wasted in the sense of mismanagement, poor planning, or because they were unnecessary during their lifetime.

Second. A second category includes those projects which were started in development competition with other programs, and which were terminated as the result of that competition. This practice was particularly common immediately after World War II, when a variety of missile programs was started. An example is the air-to-air missile competition among Orion, Meteor and Sparrow I, II, and III with Sparrow III the winner and survivor.

Mr. President, I do not claim to be an expert in this or any other field. However, it was my fate, under assignment by the Senate, to sit there at a table and hear testimony a great deal of the time as chairman of the Subcommittee on Military Construction during the years when these missile programs were being born.

The subcommittee was one of the first to take a look at missile programs, because they had to have sites when the missiles were ready for deployment. Over and over again, with my limited knowledge of the subject matter, I heard and re-heard the testimony of experts as to what was best, what would work best, and what was needed.

Let me refer to one of those experts, Dr. Wernher von Braun. After sputnik was launched everyone wanted us to have something similar, and the question arose as to what kind of missile it should be. Dr. von Braun had been testifying about the kind of ICBM that would most probably work better. I remember his testimony as to the need for solid fuel missiles, such as we now have in Minuteman. He also said that what was needed was a mobile missile. He told us how badly that was needed during World War II, how his operation would be located and then destroyed by bombing, and how this could have been avoided if he could have moved under cover of darkness.

At the time Dr. von Braun testified, the thought was that maybe a mobile missile could be developed. A railroad car was considered but was abandoned because it was found to be impractical and not feasible. We have not yet deployed a mobile ICBM.

This illustrates the problems in connection with these things. It illustrates the changes of mind and direction which occur in the light of developments. It also illustrates the so-called failures that inevitably occur in research efforts. But does this justify classifying all these expenditures as "waste"? Certainly not.

Third. The third category includes those programs that were canceled because the approach was found to be too difficult. They were overtaken by other approaches. Examples are Rigel, Navaho, and Rascal. There are risks involved in all research and development programs, and such failures will occur and recur. It is a function of management to discern such failures before excessive sums of money have been spent.

The sum of $4.16 billion was involved in missile systems falling in categories 2 and 3 above, which were abandoned in the research and development stage. The fine and distinguished Senator from Missouri was once Secretary of the Air Force. He did an outstanding job there. He has outstanding knowledge and great expertise in military matters in general and missile programs in particular. He fully understands, I am sure, that all research and development projects do not reach fruition as deployed weapon systems. Unavoidably, a certain number of the research and development projects do not pan out for technological reasons. Others are overtaken by time or events, as was true in the case of Skybolt, upon which the Air Force spent almost $450 million for research and development before it was canceled for reasons other than the technological feasibility of the weapon itself.

There was a lot of argument about the Skybolt. I do not know whether it was technically feasible, but I do not have any doubt that a great contributing factor in its cancellation had nothing to do with the missile and lay in fields of governmental and foreign policy.

The nature and uncertainty of research and development is a fact of life. It will always be so. The reason we have research and development is to know where we are going and to learn what can be done.

If there were certainty about weapons development, and if the technological feasibility of every project was clear at the outset, then the expensive research we engage in would not be necessary and the military facts of life with which we must live would not be quite so hard. All those who have an elementary understanding of both peaceful and military scientific pursuits should readily grasp this fact. Therefore, I cannot agree that the money spent on missile research and development on projects which were not deployed was "wasted" in its entirety.

There might have been some waste—I cannot and do not say there was not—but it was the system we had to follow and was followed. I think in most cases fairly good judgment was shown. But this does not deny the possibility that some waste occurred.

The category involving missile systems deployed and then phased out involves almost $19 billion of the $23 billion of alleged waste. A blanket condemnation of all of these weapon systems as "waste" simply ignores the facts and discredits the contribution which many of these weapon systems made to our national security—and perhaps our national survival—during the time they were deployed.

I have discussed many of the systems named in the first two categories. Many of those items were so small that an elaborate description of them was hardly justified. I am going to discuss now the missile systems deployed and then phased out at a cost of almost $19 billion.

Listed among them is Polaris A–1, with a total cost of $1.13 billion. I never saw a system start out with less promise than Polaris, according to my view, nor one that finished with finer results, according to my view, than Polaris. This Polaris A–1 Navy fleet ballistic missile system became operational in November 1960 and was phased out in October 1965. The Polaris program was one of the most successful military programs in American history and it was spurred largely by congressional insistence. It was phased out because of a growth version which produced a more modern and effective missile known as Polaris A–3, which is still deployed in the same submarines.

That took the place of Polaris A–1. We are all familiar with how the model T Ford came into being, was succeeded by the model A, and now we have the modern models. In a way, Polaris is a family, with one missile being succeeded by a more modern version, as the newer and better one is perfected. The old one is no longer used, although we are still using the same submarines as launching platforms.

The Polaris system, including Polaris A–1, has certainly been one of the major items of our deterrence since 1960 and it defies logic to label this as either a mistake or as waste.

One can assert that the Polaris weapon system was a mistake or constituted "waste," but I do not believe he can come before the American people and prove his case. If anyone intentionally means to say that Polaris was waste, I call upon him to prove his case or withdraw his charges, because the wrong impression in such a vital matter should not prevail in the views and thinking of the American people.

The Corporal Army surface-to-surface missile, involving a cost of about $535 million, is also cited in this table. This missile was operational for over 11 years, having been put in the hands of our troops for possible use in 1953 and phased out in 1964.

This is the missile the troops had with them as they moved along. This was a part of their artillery.

The liquid-fueled Corporal was a first generation missile and, as a result of improvements in technology, was replaced by the solid fueled Sergeant system which is more modern, more effective, and much easier to handle.

The advantages of a solid-fuel missile are very obvious for a moving army. It eliminates problems of reliability, intricacies and possibilities of explosions. However, liquid-fueled missiles do work. We are using liquid fuel in our big missiles in the space program. They are stationary and do not have to move about.

Would anyone call the Corporal missile that the Army relied on for 11 years waste? It is no longer deployed because we have replaced it for something better. But I do not see how anyone can call the military availability and usefulness of Corporal for 11 years as being waste.

Also on the list is Hounddog A. This was a high performance Air Force air-to-surface nuclear-tipped missile developed for use on the B–52 bomber. It involved a cost of about $255 million. It became operational in December 1959, and was phased out 8 years later, in December 1967, in favor of its higher performance successor Hounddog B, which is still operational and in use. Should we say that the cost of the Hounddog A was waste, when it was the father and mother, you might say, of Hounddog B, and served us for 8 long, critical years, including the Cuban crisis?

Atlas D, E, and F and Titan I are also on the list—a more or less blacklist, according to the allegations. They involved a total cost of $8.6 billion. These are the big missiles. They were developed essentially concurrently to provide increased assurance of deploying a credible deterrent; and who can tell how history would have been written if these missiles had not been operational during the Cuban missile crisis in October 1962? No one knows, but I shall always believe that the fact that the late President Kennedy had those missiles at his command tipped the scales in getting that matter settled. I have no doubt about that I was fairly close to that problem as it developed.

Still talking about this matter of waste, Atlas D became operational in 1960, Atlas E in 1961, Atlas F in 1962, and Titan I in 1962. They were phased out in June 1965. Why? Not because they were failures; not because they did not serve well; but because technology and science had produced the second generation solid-fuel Minuteman. They were liquid fueled, had a slow reaction time and presented problems with respect to handling, maintenance, and reliability. The improvements of missile technology, particular the solid-fueled Minuteman, permitted their retirement. Now, because Minuteman came along and could do a better job, can we charge the cost of its predecessors to waste? Or semiwaste, or uselessness? I think not.

Maybe we should never have had any ICBM's. But every President we have had, and every Congress, since this problem arose, have thought we should have these missiles. I, too, wish we had not had to have them.

However, Titan II, which shared the $1.6 billion of Titan development costs with Titan I, and uses storable liquid fuel, is still in the inventory.

It is not classified to say that that is the largest, strongest, most powerful of our ICBM family. I think one reason we kept it is for the assurance it gives. It uses storable liquid fuel, and is still in our inventory. I believe it will remain in the operational inventory for several years. If I am correct in that belief, you can hardly charge its creation, its research, and other costs things to waste or mismanagement.

Even in retrospect, it is difficult to classify these missiles as being a mistake or "waste." They were our first ICBM's to go operational and they had a strong deterrent effect for several years. Indeed, they may have been a crucial factor in maintaining the credibility of our deterrence in the first part of this decade. They may have contributed, and I believe did contribute, to our very survival.

Now, after all this is over and that part of the danger is past, and we have these better and more sophisticated weapons to meet in the inventory to counter the threat, are we going to turn around, then, and say all this was waste? I do not see how we can logically do this. No one at the time charged that the cost of a credible deterrent was waste. The threat looked very different then. My point is that when you put the microscope on and examine these matters, with the threat, the job they did, their availability, usefulness, the time they served, it ill behooves us to say in retrospect that the money expended was wasted.

The Jupiter IRBM involved a cost of about $825 million. It became operational in March 1959, being deployed in Italy and Turkey—we furnished it—and was phased out in April 1963. I remember when those bases were authorized. I remember questioning their need and their advisability. I remember going into the matter on one occasion in Turkey, when I was over there on Senate business.

Jupiter was a liquid fueled system and presented problems in reliability and maintainability; but another reason for the phaseout was international agreements and foreign policy considerations.

The Thor IRBM involved a cost of about $1.4 billion. It was developed by the Air Force as an interim strategic deterrence weapon and was deployed in England in 1958 and remained operational for about 5 years. This was a part of our active support of NATO. It was something peculiarly within our capability and ability. This also was a liquid fueled system and presented reliability and maintenance problems. Again, however, one reason for the phaseout was foreign policy considerations.

I remember the former Senator from Connecticut, Mr. Bush, and I got into the Thor question and made a special study of it, and its effectiveness and use. That was before there was talk about its being phased out. We thought perhaps some money could be saved; but when we got through, we decided that it was a chance that we did not want to take.

It should be mentioned that even though the Atlas series, Titan I, Jupiter, and Thor were phased out of the operational weapons inventory, they were all used in space programs and contributed substantially in that field.

As I mentioned in passing, I remember when sputnik was launched. That is what caused us finally to create NASA, and from that came the space program. But as we met around that table down there, in some of the most notable meetings in all of my years here, we were actually praying for something that we could do to offset what we feared might be the impact of sputnik.

No one knew what the impact of it would be. No one knew what weapons it was forerunner of, but we feared we could be destroyed because we had no offensive capacity and, of course, no defensive capacity in the long-range missile field. I remember vividly the testimony of some of those witnesses. I have already referred to Dr. von Braun.

I remember one witness testified that if we did not develop a missile with a thrust of 1 million pounds we would be lost in 5 or 10 years. At that time the largest thrust we had was about 300,000 pounds—the old Redstone, I believe. No one was certain what we could accomplish in that area.

We now have missiles that have a thrust of more than 6.5 million pounds. That is the liquid-fueled missile that is used in our space program. But I am talking about how things looked then when we started to spend the money that is now referred to as being spent uselessly, mismanaged, or wasted on our missile programs.

No one spoke up then against them. The weapons were as understandable then to others as they were to members of our committee. The joint committee was in the midst of this matter, as was the Committee on Appropriations.

I do not want to refer here particularly to anything I did. However, as far as getting behind some of these missiles and checking on duplication or possible duplication and matters of that kind and getting something done in some of the fields, I am proud that I did find time to do a little of that years ago. The printed records of appropriations and other committees will show that.

The Entac was a first-generation wire-guided antitank missile developed by France, purchased by the United States, and introduced into the inventory in fiscal year 1961 at a cost of about $60 million. It was phased out in fiscal year 1964 in favor of the SS–11, also developed by the French, also wire guided, and still in the inventory. The evolutionary process with weapons is stressed by the fact that the purchases of the SS–11 have now ceased and it will be replaced in the inventory by the U.S.-developed wire-guided Tow missile.

Tow is in the bill that will come up next week. We are in the first stages of stocking it. We have a small number in the inventory now that will be used this year in testing and training. Additional procurement will be at issue in the bill we will consider next week.

We have taken a very close look at it and questioned the inventory proposed over a period of years. We have not approved the proposed inventory objective, but there is procurement of a relatively small increment in the fiscal year 1970 bill. This is a very clear example of the evolution of weapons over a period of years.

Lacrosse was a short-range, command-guided system, radio controlled by a forward observer to provide accurate registration against fortified targets. It involved a cost of about $345 million and was operational from fiscal year 1959 to fiscal year 1964. Improving countermeasure technology made its command radio susceptible to jamming, and it, therefore, went out of the inventory. That is a case where they developed a defensive countermeasure and put it out of business. However, it was a good horse for a long while.

The Nike-Ajax involved a cost of about $2.2 billion. It was the world's first operational antiair missile system. It entered the inventory in fiscal year 1954 and remained operational for 8 years. Nike-Hercules, which replaced the Ajax, uses the same guidance technology and modified and improved ground-based hardware. Nike-Hercules is still in the inventory.

That is one that I thought we should cut down on to some extent. The committee did decline to authorize all of those requested about 10 years ago. It proved to be a saving. I can get the figures on that.

The Redstone system, involving a cost of about $585 million, was a first generation ballistic missile system, with a range of about 200 miles. It became operational in fiscal year 1956, remained operational for about 8 years, and was phased out and replaced in fiscal year 1964 by the second generation Pershing system, which uses a simple, solid-propellant motor instead of the nonstorable liquid fuels of Redstone.

That is another case where a solid fuel missile has made progress and has taken place of other more cumbersome ones using liquid fuel, although liquid fuels still are used in big boosters, as I said.

Redstone also provided support to the space program. As a matter of fact, our first man in space used the Redstone first stage. This was not an orbital short but it was the first time we put a human being in space. Also, Redstone was used to launch the first small object we put in space following the sputnik program.

Regulus I involved a cost of about $412 million and was turbojet-powered, pilot less aircraft developed to provide a nuclear attack capability with a 500-mile range for submarines. It became operational in 1955, but the plans for it were sharply curtailed with the advent of the Polaris program planning in 1956, which offered the advantage of submerged launch, increased range and increased numbers carried. The successful operation of Polaris I in 1960 brought an end to expansion plans for the tactical Regulus. That is another case of the better product replacing an older one.

Bomarc A involved a cost of about $1.4 billion. It was a long-range unmanned air-to-surface interceptor. It was the only U.S. surface-to-air missile designed with an effective range in excess of 200 miles. It was introduced into service in 1959 and was succeeded in 1964 by its higher performance successor, Bomarc B, which is currently operational in the United States and Canada.

Some argument might be made that Bomarc B is not needed now. However, these matters involve judgment. And it is the judgment of those that review the military needs that this missile does have a place in the defense program. My only point is that the cost of the Bomarc A should not be charged to waste.

Mace A was a turbojet-propelled winged missile. It involved a cost of about $328 million. It went into service in May 1958 and remained operational for more than 8 years, being replaced in August 1966 by an improved version, Mace B, with twice the range. Mace B is still operational.

Snark was a large, subsonic unmanned aircraft designed to carry large nuclear warheads to intercontinental ranges using inertial guidance—a different system. The development and procurement of this system proceeded during the decade before the ICBM was demonstrated to be feasible. It involved a cost of about $720 million and become operational in limited numbers in 1959. It was phased out the following year as Atlas proved itself and became operational.

Sparrow I involved a cost of about $195 million. The purpose of this program was to provide the Navy with an all-weather air-to-air missile system. The Sparrow I system became operational in 1955 in the F3–D night fighter naval aircraft. With the success of the more versatile Sparrow III, there was no further production of Sparrow I, and it was phased out of the inventory in 1958.

I have discussed in detail all of those missile systems listed by the Senator from Missouri (Mr. SYMINGTON) as having been deployed and later phased out. There is nothing unusual in this; in fact it is inevitable. In the natural course of events all weapon systems outlive their usefulness—or most do—and are replaced with more sophisticated operational hardware having greater capabilities. Obsolescence and the march of science and technology are inescapable facts of life.

I say all this based on the experience I have had in watching the development of these great weapons over the years, and considering what we have been and are up against. I think we would make a great mistake not to have frontline weapons. We must have the best. That is my general philosophy.

I have said to the military service that I feel we must follow a rule such as one controlling football; that is, when a man goes into a game, another man must come out. Likewise, when we install a new, modern weapon system, I should like to see an older system taken out, if at all possible. That will reduce costs, including manpower costs. In that way, we can find ways—and I believe that we shall find more ways—to reduce the cost of our military program.

It is the ever-growing cost of sophisticated weaponry that is keeping up the cost of the frontline weapons I have talked about. The cost is going to go up even more with newer types of aircraft.

Radar equipment and other electronics will go out of date, and the newer ones inevitably will cost more money. I will give an illustration.

I do not know of a more substantial, solid production than of the old B–52 bombers. We call them the "old B–52's" now. The first one came off the production line in 1952 at a cost, in round figures, of $1.5 million apiece. The last one came off the production line in October 1962. That is a long time ago, according to some standards. In 1962, they cost, in round numbers, $9.5 million, as contrasted with $1.5 million 10 years earlier.

We have had a great amount of inflation, and we have had increased competition for products of various kinds. We had both economic inflation and abnormal inflation, but a great deal of the increased cost was due to advanced technology and the added characteristics of the bomber as a weapon.

The new fighter that will be recommended in the bill soon to come up, with the strong support, I think, of virtually every Senator, so far as I know—the Navy's F–14—will cost something like $16 million per plane.

That is another illustration of how the cost of weapons is climbing. But we must have them. We must take action and reduce the personnel as soon as possible. Personnel, operation, and maintenance take about 60 percent of the military dollar anyway. Until we reduce that amount, we will not move too fast in decreasing the defense budget. Certainly I hope we will find every way we can to reduce the costs, and I will do whatever I can in this area.

But I do not want to let charge of "waste" go unchallenged. The Senator from Missouri (Mr. SYMINGTON), who placed the tables in the RECORD, did not make the charge. The charge was made by newspapers, columnists, and even by our beloved floor leader, who, when he used the phrase, had the wrong facts before him, or had them misinterpreted. We cannot let those statements go unchallenged, because I think the facts are bottomed on a different foundation.

We must, of course, avoid indiscriminate deployment of hardware, particularly the heavy deployment of weapon systems which become obsolete before their deployment is completed. However, I cannot agree that all or a major portion of the systems listed in the tables inserted in the RECORD by the distinguished Senator from Missouri can be so categorized. On the contrary, the great majority of those deployed were successful and workable systems which filled a specific need in our inventory of weapons at the time and, in my judgment, contributed substantially to our defense posture deterrence while deployed. I do not believe that anyone can say with certainty that the money spent on them was wasted.

It would be just as reasonable to say that the money spent on these deployed systems "was wasted" as it would be to say that we threw away the money spent on the B–36, which was the last propeller-driven bomber, and on the B-47 bomber, which was the first jet-propel bomber, neither of which ever saw combat.

The distinguished Senator from Missouri is justifiably proud that he was the Secretary of the Air Force who signed the contract for the B-47 bombers. They are gone with the wind now. Nevertheless, they served a purpose. They played a part in making our deterrent posture credible even though they were not called on to drop nuclear bombs.

To take a more recent instance, Minuteman I is being replaced with Minuteman II's and Minuteman III's and the Polaris system is being replaced by Poseidon. These systems, along with our manned bombers, have been the backbone of our strategic nuclear deterrence since the early 1960's, and I doubt that any of us would suggest that, from a military standpoint, the money spent on them was wasted. It has been not only our deterrence, but also the deterrence which protected on the part of the rest of the free world.

I say once again that I have made these remarks merely to set the record straight and to put into proper perspective the tables inserted in the RECORD by the distinguished Senator from Missouri and the conclusions which should be drawn from them. So far as I know, there is no disagreement between us about this matter. The problem has arisen primarily because of the interpretation of the Senator's remarks by others.

This is no defense of the military as such or of unnecessary military spending.

I do not represent the military; I represent Congress, the congressional branch of the Government, in my work in this field, and more particularly the Senate.

It is partly a defense of Congress itself because it was Congress which recognized the need for our IRBM, ICBM, Polaris, and other weapon programs at an early date. We insisted that some of these programs be expedited and provided money for the military so to do. Despite technological difficulties which seemed almost insurmountable at the time, these weapons were developed and deployed on a crash basis. In my opinion, they made a unique and historic contribution in maintaining the balance of power and, thus, contributed substantially to our deterrence at a very critical time in our history. It is a record in which the American people and Congress can well take pride.

Mr. President, I do not wish to prolong the discussion. I do have another matter I wish to present. I see the distinguished Senator from Missouri in the Chamber. Before I begin the presentation of my other matter does the Senator wish me to yield to him?

Mr. SYMINGTON. Mr. President, the able Senator from Mississippi, as usual, is very kind. We had a long meeting in the Committee on Foreign Relations this morning, so I did not have a chance to be in the Chamber during all of his remarks. But I have had the privilege of reading his excellent and well-prepared address. With most of it I agree; with some of it, I say in good spirit, I do not. Therefore, when the able Senator finishes what he wishes to take up next I will make a few remarks on my own time; and perhaps later shall say something in more detail after a chance to read his remarks more thoroughly.

I say to the Senator that I deeply appreciate the kind manner in which he refers to the statement I made. Although I cannot agree with all of his interpretations of the statement.

Mr. STENNIS. I thank the Senator.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER (Mr. EAGLETON in the chair). The Senator has 1 minute remaining.

Mr. STENNIS. Mr. President, I ask unanimous consent that I may proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

MILITARY SYSTEMS REPORTING PROCEDURES

Mr. STENNIS. Mr. President, cost overruns and cost increases on major weapon systems has been very much in the news during the past several months. Therefore, I want to advise the Senate what the Committee on Armed Services and Preparedness Investigating Subcommittee is doing in the procurement area and how we propose to monitor and surveil weapon systems programs and cost overruns in an effort to bring about needed improvements. First, however, I would like to give some of the background and history of the new reporting system which has been established at my direction under which we get periodic reports and information from the Pentagon on the cost, performance, and schedule status of major weapon systems.

For many years I have been interested in military procurement and in effecting needed economy in this field. Therefore, even before I officially assumed the chairmanship of the Committee on Armed Services last January, I had concluded in January that it would be of great assistance and serve the national interest for the committee and its staff to exercise and maintain a continuous and close surveillance over the larger and more important defense programs authorized by the Congress, and oversight over the manner and method by which funds authorized and appropriated for defense purposes are obligated and expended. I had a number of conferences with the staff of the full committee and the Preparedness Investigating Subcommittee about how we could best move forward in this field.

At a meeting of the Committee on Armed Services on January 23, 1969, I expressed my concern and discussed my plans about this matter. I emphasized that it was necessary for us to follow up on procurement to a greater extent than we had in the past and that the staff of the Preparedness Investigating Subcommittee could and should be very profitably utilized for this purpose. I mentioned that, in addition to examining and following existing programs; it was important that we keep a close check on new programs such as the F-14 and F-15 fighter aircraft which have been submitted to Congress for approval this year.

I amplified and enlarged upon this matter in a subsequent meeting of the Committee on Armed Services held on February 20, 1969. I told them that I had definitely determined to do more toward following the money which we authorize and appropriate and that I had made arrangements to augment the staff of the Preparedness Investigating Subcommittee with competent auditor-investigators.

On February 24, 1969, I wrote to the Secretary of Defense and told him of my decision to establish this reporting system so that the committee staff of the Preparedness Investigating Subcommittee and the full Committee on Armed Services would be able to follow and monitor ongoing and future defense and military programs.

I emphasize the word "future," because after things have happened it takes an army of auditors a long, long time to go back and reconstruct the thing. My idea is to try to follow everything from the word "go."

When we authorize a project and the first dollar is spent, we expect to have our committee staff members, qualified auditors, with all the background of their experience, there and to have them follow that contract from the standpoint of the contractor and from the standpoint of the Secretary of Defense.

We are getting these periodic reports already on 31 selected major weapon systems. That procedure will be followed in a more extensive way. The Secretary of Defense has cooperated fully. In fact, they have decided to start special periodic checks of their own with respect to some of these contracts.

I told the Secretary in my letter:

> Our interest will be in obtaining reports on a periodic basis which would indicate any significant changes in cost estimates, production schedules, performance characteristics, and other significant items connected with the program and the contractual obligations.

Subsequent discussions between the chairman, the staff members and representatives of the Department of Defense established as a requirement that the Defense Department submit quarterly reports covering the cost, performance and schedule status of 31 selected major weapon systems. This new and unique reporting system which was thus initiated is a part of our general and overall surveillance of defense procurement and contracting. They will contribute substantially to our effort to maintain a continuous and close surveillance over the larger and more important defense programs authorized by Congress and oversight over the manner and methods by which funds authorized and appropriated are obligated and expended. In other words, we are making every effort to follow the money we authorize if it is subsequently appropriated.

I have available a list of the 31 major weapon systems which are now on the

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reporting system list and ask unanimous consent that it be made a part of the record at the conclusion of these remarks. Additional weapon systems will be added as is appropriate from time to time. The weapon programs now on the list represent the major systems now underway and cover a substantial percentage of the funds authorized and requested.

Last week the initial group of 12 of these reports were furnished to the subcommittee. I ask unanimous consent that a list of these weapon systems also be made a part of the record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection it is so ordered.

(See exhibit 1.)

Mr. STENNIS. Mr. President, nine of the programs covered by the initial 12 reports, according to the Pentagon figures, are responsible for an aggregate cost growth or cost increase for the systems involved of approximately $3.5 billion. This is a very substantial amount and certainly is cause for grave concern. This total is based on the figures furnished by the Pentagon and we are already following up for the purpose of verification.

Mr. President, the matter of cost overruns will come up extensively during debate on the bill, I am sure. I shall not go into that matter in detail today. However, during debate and discussion of the military authorization bill, I shall outline more fully this system, and explain what we propose to do about it, and outline what the committee thinks is its special responsibility in the premises, the machinery we have set up to do it, and the plans we have made.

We are getting these reports declassified to every extent possible. They will be available to Congress, whether they are declassified or not, and they will be available to the public when they are declassified.

I think that this is a very valuable system and a very valuable program. The objectives of it are to attempt to identify cost overruns, and other problems in connection with weapon systems at an early date, and to keep both the Committee on Armed Services and Congress as a whole informed in this very important field. In addition, I think that this will result in improved and strengthened procedures in the Department of Defense and will assist the Pentagon in its internal management and control of weapon systems programs.

I appreciate the fact that in his letter to me transmitting the 12 reports to us, Deputy Secretary of Defense David Packard stated:

> It is our hope and belief that this new reporting procedure that your Subcommittee has initiated will not only be helpful to the Subcommittee, but also to the Department in its internal management.

I believe it will.

I should emphasize two other things. The first is that the reporting system which our committee has initiated is but a part of the general and overall surveillance of the defense procurement and contracting which we will pursue. As I have said, our primary interest will be in any indication of significant changes or slippages in cost estimates, production schedues, performance characteristics and other significant items connected with the major military programs and contractual obligations. I think it is very important that an arm of the Congress maintain this surveillance on a permanent and systematic basis.

Second, as additional reports are received covering other weapon systems, we propose to inform both the committee, the Congress, and the public as to the cost and performance situation revealed by these figures. I have already advised the Secretary of Defense that in future the reports should be submitted either in unclassified form or in a manner which will clearly indicate the material contained in the reports which is classified. In this manner we will be able to release a great deal of the pertinent material to the Congress and to the public.

This is a fine program and, although it took time to set up and formalize, it is working out well. It is my hope that it will prevent our being surprised by discoveries of huge cost overruns as has occurred in the past. I think all are interested in learning what the committee which has primary jurisdiction of military matters is doing in this field.

EXHIBIT 1

LIST 1—MAJOR WEAPONS SYSTEMS

ARMY

General Sheridan tank, armored reconnaissance.
Cheyenne, armed helicopter (gun ship).
Shillelagh, antitank missile.
Lance, surface-to-surface missile.
Safeguard (Sentinel), ABM.

NAVY

SSN-688 class, attack submarine.
DX-(By group), destroyer.
CVAN-68, nuclear-powered attack carrier.
CVAN-69, nuclear-powered attack carrier.
LHA, landing helicopter assault ship.
DXGN, nuclear-powered guided missile frigate.
Poseidon, sub-launched ballistic missile.
Phoenix, fire control and missile system for fleet defense.
Sparrow E/F, air-to-air missile.
Walleye, TV guided glide bomb.
F-14A, new Navy fighter plane.
P-3C, new Navy patrol bomber (land-based).
A-7E, Navy attack plane.
S-3, new Navy antisubmarine warfare plane (VSX).
MK-48 Torpedo O/1 Condor, air-to-surface missile.

AIR FORCE

SRAM, short-range attack missile (air-to-surface).
Maverick, air-to-ground missile.
Minuteman II, III, ICBM's.
F-111, Air Force fighter bomber.
C-5A, Air Force transport aircraft.
A-7D, Air Force attack plane.
AWACS, airborne warning and control system.
AMSA, new Air Force bomber.
F-15, new air superiority fighter.
MOL, manned orbiting laboratory.

LIST 2—MAJOR WEAPONS SYSTEMS

ARMY

Lance, surface-to-surface missile.
Safeguard (Sentinel), ABM.

NAVY

DX-(By Group), destroyer.
CVAN-68, nuclear-powered attack carrier.
CVAN-69, nuclear-powered attack carrier.
LHA, landing helicopter assault ship.
DXGN, nuclear-powered guided missile frigate.
P-3C, new Navy patrol bomber (land-based).

AIR FORCE

SRAM, short-range attack missile (air-to-surface).
C-5A, Air Force transport aircraft.
RF-111, Recce version of F-111.
FB-111, strategic bomber version of F-111.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, I thank the Senator for yielding. I think the Senator has performed a great duty in bringing this matter to the attention of the Senate.

I know weapon systems have to be revolutionary, and an effort made to be made adequate before their time. I think one question that will arise in the forthcoming debate is whether or not a new weapon system is adequate before its time.

Several years ago, in 1953 and 1954, I had an opportunity to serve on the Committee on Armed Services. I remember very well the responsibility of the Senator from Mississippi at that time, and how well he discharged it.

In 1959 I introduced a bill to reorganize the Department of Defense. My reasons for introducing the bill grew in part from my experience as a member of the Committee on Armed Services. One proposal I made at the time was that the procurement agency in the Department of Defense be merged into one. A similar proposal was made with respect to research and development. My bill was not approved. It was very bitterly opposed by all the services and the Secretary of Defense. I remember on one occasion the former Secretary of Defense, Mr. Gates, told me the proposals were fine and would be made effective administratively.

I should like to ask the Senator one or two questions. Does each branch of the Defense Department—that is, the Departments of the Navy, Army, and Air Force—have separate staffs dealing with research and development and procurement?

Mr. STENNIS. Yes, to a degree, but since the years the Senator mentioned, when he was on the committee—and I wish he were still on the committee—there has been an amendment giving the Secretary of Defense more responsibility. The overall contracting responsibility is vested in the Secretary of Defense and his assistants. Although the Secretaries of the services are the ones who sign their names, the power is above. But I do not believe we could say that they have complete research departments, completely separated, or completely amalgamated, frankly. It depends upon the subject matter.

Mr. COOPER. Does the Secretary of Defense have a staff available to him which is capable of reviewing proposals of the various services and making a judgment which it recommends to the Secretary of Defense?

Mr. STENNIS. Yes, I think so.

Mr. COOPER. Either in the field of research and development, proposals for weapons, or in the field of procurement?

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Mr. STENNIS. In the field of research and development, I answer emphatically yes. In the field of procurement, he certainly has the authority and, so far as I know, he has a competent staff. A contract concept is now, as the Senator knows, in controversy. It is known as the total package contract, and they are trying to get a better system there now.

As to the field of weapons, as I see it, the men in uniform are coming into that more, and to a degree they should. But the Secretary of Defense has a staff, too. He has a staff of military advisers and experts—not the Joint Chiefs of Staff, because, of course, they are military strategy men.

Mr. COOPER. The Senator is much more informed on the operations of the Department of Defense than I am; but I remember, at the time I introduced the bill that I had made certain inquiries, and it was said there was hardly any communication among the services as to their efforts in the field of research and development, and that there was none in procurement.

I know that the Senator from Mississippi wants to eliminate waste. I know his character and his training. I know something about his background because the Senator and I have served together for a long time now. But again and again, it does crop up in the news that, say, one department will procure a particular item—take a rough figure of $1.15—and another department will procure the very same item for only 2 cents. Those figures may be exaggerated, but it comes down to the question: Is there anybody, or any staff, directly responsible to the Secretary of Defense, which has the authority and the duty to review the departments on procurement in each branch, to see if they can find out if they are actually in contradictory positions, and if any one purchase can be made at the lowest feasible price; and, if not, why not, because that has been suggested by many people and, of course, by the news media. It seems simple to do so, unless there is some reason which is compelling against it.

The PRESIDING OFFICER. The time of the Senator from Mississippi has expired.

Mr. STENNIS. Mr. President, I ask unanimous consent to proceed for 3 additional minutes in order to finish this colloquy.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Let me say, briefly, that I do not believe there is any doubt, under the present arrangement, that the Secretary of Defense does have authority to move in on any situation and is properly staffed for it. Frankly, I have stated many times that Mr. McNamara's strongest point, perhaps, was in the contractual field. Things have happened that suggest that this field did not have as much surveillance as we thought. I am not here to blame him. The TFX—I do not bring that up because there have been aspersions cast upon it—but the grand idea was to have a biservice plane. This is an illustration of some of the problems involved. But the authority is, indeed, there, and the staff is available for the asking.

Mr. COOPER. I believe I heard the Senator say that the Armed Services Committee will now have a staff which will follow that, at any rate.

Mr. STENNIS. Yes. The Senator is correct. We will follow the money when it is authorized and appropriated by Congress. We will follow every one of those dollars from the legislative responsibility standpoint.

Mr. COOPER. I read this morning that the President will review the policies and procedures of the Department of Defense. Thus, it seems to indicate, at least, that there have been gaps.

Mr. STENNIS. I endorse the President's move, but Congress, after all, has its own responsibility. Presidential commissions come and go, but we stay. We have to face the problems, and our constituents as well.

Mr. COOPER. One further point. I appreciate what the Senator has said. I recognize that he has developed the theme of the evolution of weapons and that the need to develop them is great. I think that one of the points to be made in the coming debate will be the question of whether the defensive system is adequate and is necessary to defend our country.

Mr. STENNIS. I imagine we will get into that.

Mr. COOPER. I think so.

Mr. STENNIS. Mr. President, I yield the floor.

Mr. SYMINGTON. Mr. President, will the Senator from South Dakota yield?

Mr. McGOVERN. Mr. President, I ask unanimous consent that I may yield to the Senator from Missouri without losing my right to the floor, and without the time being deducted from my allotted time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SYMINGTON. Mr. President, first, let me thank the typically gracious kindness of the distinguished Senator from South Dakota for yielding to me at this time.

As mentioned, it was not possible for me to be in the Chamber all of the time when the distinguished chairman of the Armed Services Committee made his address, the thrust of which was, primarily, in reference to a list of various missiles which have been paid for by the American people, and thereupon abandoned either before or after they were put into operation.

May I say that the distinguished Senator from Mississippi told me unfortunately he could not remain in the Chamber at this time.

I will examine this well-gotten-together talk and perhaps make further remarks later on, but here are a few brief facts, thanks to the courtesy of the able Senator from South Dakota (Mr. McGOVERN) that I would bring to the attention of the Senate at this time.

From a budget of less than $10 billion in 1947 the price of defense has now soared to an annual $80 billion-plus, and this is one of the reasons why, although desirous of proceeding with research and development on the ABM project, I oppose its deployment at this time.

My identification with the missile industry goes back many years. Late in 1945, when testifying before the Senate Special Committee on Atomic Energy, Dr. Vannevar Bush, preeminent defense scientist of his day, made the following prediction:

> There has been a great deal said about a 3,000 mile high-angle rocket. In my opinion, such a thing is impossible today and will be impossible for many years.

That opinion, held by the Nation's No. 1 scientific adviser, temporarily terminated any real interest in a long-range missile. In the Air Force at that time, however, were followers of that pioneer, Dr. Robert Goddard; and after listening to them, I, too, became a convert. Thereupon, as Assistant Secretary of War, I made an arrangement with Convair whereby that company pursued, with its own money, the long-range missile program, which later became the Atlas, first of our ICBM's.

It became clear long-range missiles were here to stay; whereupon—and this reads upon what was said earlier—each of the three services began to devote much time and money to establishing position in this new field, with consequent typical service rivalry, duplication, and waste.

By the midfifties the missile industry was roaring.

Ringing speeches on the floor of the Senate and elsewhere presented why it was vital to the security of the United States to rush such installations as the Nike-Zeus. In January 1961, the Chief of Army Research and Development, made the following comments:

> We must face that if we want a missile defense system in this decade; Zeus is the only answer known to the free world . . . Today Zeus is the only practical system.
>
> We dare not become so criminally complacent that we don't even try to defend ourselves.

Six years later, however, Secretary McNamara testified:

> It is worth noting that had we produced and deployed the Nike-Zeus system proposed by the Army in 1959 at an estimated cost of $13 to $14 billion, most of it would have had to be torn out and replaced, almost before it became operational, by the new missiles and radars of the Nike-X system. By the same token, other technological developments in offensive forces over the next seven years may make obsolete or drastically degrade the Nike-X system as presently envisioned.

That prophecy made by Secretary McNamara turned out to be only too true. The Nike-Zeus was abandoned. The Nike X was abandoned. The Sentinel was created and then abandoned. And now we have the Safeguard.

In the fall of 1967 the Secretary of Defense announced a thin ABM system, designed to protect the United States against the Red Chinese. The rationale appeared absurd. I made an effort to find out what was behind the decision and learned to my satisfaction that it was political rather than military—a political compromise with respect to a military matter. Accordingly, over a year ago, on April 18, 1968, I announced my opposition, which was, in part, that if the arguments for developing the ABM to protect us against the Russians were sound, the arguments for developing it to protect us against the Chinese were unsound.

On February 5 last—and I think this is quite pertinent to what the able chairman of the Armed Services Committee brought up this afternoon—I wrote Deputy Secretary of Defense Packard, able and experienced businessman, as follows:

> Over 40 years ago I started my first electronic company.
>
> Since then, except for a short return to the steel business, my activities before coming down here were concentrated on the electric-electronic industry.
>
> It is from that background, plus various positions including Assistant Secretary of War, Secretary of Air, and 16 years on the Armed Services Committee, that I have come to the following conclusions:
>
> Some of these new and costly weapons systems, plausible in theory, will not work effectively in practice.
>
> Over the years, and time and again, purported threats which were presented as justification for the expenditure of additional billions later turned out to be either grossly exaggerated, or no threat at all. This in itself has cost the American taxpayer not a penny less than $20 billion.
>
> Some of the systems still being operated at a cost of billions of dollars annually are either obsolescent or obsolete.
>
> Able and completely sincere people—most of them especially articulate because of legal training—will argue the case for these current and planned highly technical systems; and possibly will succeed in having them all approved. The forces presenting said systems are deeply entrenched.
>
> As I see it, however, unless there is more discrimination practiced with respect to these weapons systems, the economic problems which can only occur as a result of these gigantic expenditures could well bring on the very conditions said systems are supposed to avoid.

That ends the letter of last February 5.

With respect to the talk of the distinguished chairman I would make this comment. Much of what was referred to was not waste, rather desirable and logical research which ended up in additional security for the United States. But much was waste, and I will give one illustration.

The able chairman referred to the Thor missile being installed on location in England. In 1959, as a member of the Senate Armed Services Committee, I went to England and went over this Thor installation. Never have I seen anything more absurd, more wasteful. After looking it over, I said to a distinguished general, who later became deputy chief of his service, "This is pretty ridiculous, isn't it?" He said, "It couldn't be more so." I said, "Anybody passing by in an automobile with a long-range rifle could destroy it from the road, could they not?" He replied, "Give me a .22 rifle and I will destroy it myself."

So the whole idea that there was an intermediate-range ballistic missile in a position to help defend the security of the United States, at a net cost of hundreds of millions of dollars was wrong. At that time I protested most vigorously the fact that this had been presented by the Defense Department as an important link in our defense chain of the United States.

As mentioned, there have been many of these listed weapons systems which were desirable, even if later they were superseded. During the years when we had all the gold as well as the bomb, and others had neither, it was not really important whether or not we wasted money here or there in the defense effort.

But, Mr. President, things have changed. One of the finest talks I have read recently was by a great American, former Gov. Alf M Landon, of Kansas, in which he stated in no uncertain terms:

> This Nation is overcommitted; overcommitted in our obligations abroad; overcommitted in our obligations from a military standpoint as well as a political standpoint, with serious and growing problems here at home.
>
> There is a woman in my home town who was making $90 a week working for the telephone company. She has two children. Her mother was taking care of the children. Then her mother died and now she gets $67 a month to take care of herself and her two children. The rent she is forced to pay in a Federal housing project is $60 a month, so she has $7 a month left.

It seems to me, Mr. President, that national security rests at least as much in the confidence of the people in their government and their belief in the wisdom of the decisions of their government as it does in any new weapons system.

I am proud that I did place the first order for the B-47; and I am proud that I also placed the first order for the B-52. But that has nothing to do with the new situations we are facing today. I hope from here on that when we consider various suggested new weapons systems, we also consider other priorities that are now growing all over these United States. We no longer have the resources to do everything regardless unless we are willing to risk destruction of the value of the dollar. From here on out, priorities are important.

Many believe the proposed ABM system will not work. No one denies it is the most complicated technical development in the history of mankind. I have letters from able computer engineers which state they do not believe the software, essential to this system, will work. In addition, the short-range radar was never designed to defend missile sites. It is almost completely vulnerable to the Soviet SS-11, a less accurate, less lethal missile than the SS-9; and, as everyone knows who is interested in this subject, inasmuch as the MSR radar guides both of the Safeguard missiles to target, if the radar is knocked out, the system is blinded and therefore becomes worthless.

Finally, and as is well proved in the chart which so many of us have devoted much time to getting declassified, even if the Safeguard works perfectly, with a slight addition in production by the Soviets of their SS-9 weapon, according to objective and capable scientists and engineers, there will be no increase in the security of the United States; so the money will be wasted.

These are some of the matters which should be considered, Mr. President, before we go ahead with this ABM system. Today, far more than 10 or 15 years ago, it embraces the matter of priorities. We are spending ourselves into deep trouble.

Another word for priorities is "values." With our increasingly limited resources, what do the American people think are the more and less important aspects of our economy and our way of life?

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. SYMINGTON. I should be happy to yield to the distinguished chairman of our Committee on Foreign Relations, but the Senator from South Dakota has the floor.

The PRESIDING OFFICER. The Senator from South Dakota has the floor.

Mr. McGOVERN. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. I simply wanted to say a few words and ask the Senator some questions about his comments.

First, I commend the Senator from Missouri for his very forthright discussion of this matter, which has become a highly emotional issue. His last remarks about the matter of priorities are most appropriate.

We held hearings, and during the hearings the other day I heard the testimony of Mr. Penkofsky, who, as the Senator knows, is recognized as a great authority in this field, especially in radar. He said, as the Senator from Missouri says, that even it it could be made to work—and if you wished to put enough attention and enough money into it, and every effort upon it, it is possible the system could be made to work—nevertheless there are many alternatives to this kind of approach—an all-out, regardless-of-cost approach—alternatives that would be more effective, and that I believe would cost less, be more effective, and should have priority. I believe the Senator has made this quite clear; so I do not wish to pursue it any longer, but there are some other matters in his statement to which I wish to respond.

First, I congratulate the Senator for his leadership in the Committee on Armed Services in connection with the vote by which this particular bill came out. This is the first time in my memory when the Armed Services Committee has taken seriously its responsibility for evaluating these missile programs. The vote, as I understand it, was 7 to 10. As I recall, past votes on missile systems have usually been without any dissent, or perhaps with one or two dissenting votes. I am quite certain, in my own mind, that the Senator from Missouri deserves a great deal of credit for having precipitated a genuine debate and discussion within the committee. I think one result will be consideration on the floor of the Senate of the same matters but in a spirit which has never prevailed before.

Mr. SYMINGTON. Mr. President, I thank the distinguished chairman of the Committee on Foreign Relations for his undeserved but deeply appreciated comments.

Mr. FULBRIGHT. The Senator is, I think, performing a very great service to the country.

I note that the Senator has become the target of an attack in the press—precipitated, apparently, by the Pentagon. I have in my hand an article from the Kansas City Star. The Senator may not wish me to use it; but it came to my attention, and I cannot refrain from referring to it, because I think it is a very serious matter, in our democracy, if a Senator cannot get up and render the type of service the Senator from Missouri has rendered without being subjected to the type of attack described in the article.

The article is written by Mr. William McGaffin, a reputable and experienced reporter for the Chicago Daily News. This particular article, published in the Kansas City Star of June 26, 1969, says:

> Authoritative sources report that the Pentagon is conducting a whispering campaign against two of its major critics—Sen. Stuart Symington (D-Mo), and Gen. David M. Shoup, retired former commandant of the Marine Corps.
>
> This type of campaign, launched to try to discredit their criticism of military spending and our Vietnam policy, was chosen because these critics are beyond the reach of Pentagon.

This is to me an extremely distressing development. This recalls to mind the so-called Starbird memorandum revealed by the Washington Post some weeks ago. General Starbird supplied a memorandum to Secretary Resor outlining an organized program for discrediting the critics of ABM or building up a case for it.

This press account of a whispering campaign is an example, I think, of part of the kind of program described in the Starbird memorandum—a well-organized program of public relations people spreading rumors and discrediting a great Senator who is not only trying to do his duty to protect the security of our country in a military sense but also to protect our very serious fiscal situation. I think this attack ought to be brought to the attention of the country and the Senate.

This is also similar to the attack upon employees of the Pentagon. The same article refers to the attacks upon Mr. John McGee, a civilian working for the Navy; a Mr. A. Ernest Fitzgerald, a civilian working for the Air Force; and Richard A. Stubbing, a military budget specialist for the Bureau of the Budget. They are employees of the Government who have been downgraded or have had their positions changed because they dared to tell the truth about the procurement policies of the Pentagon. This is an extremely dangerous procedure to be allowed to go unnoticed.

I hope the Senate will take this matter into consideration in assessing the debate and the arguments being made on behalf of the ABM or any other program emanating from the Defense Department.

I cannot believe that the Joint Chiefs would really approve of this kind of activity. It is hard for me to believe that they are aware of it. Yet, it is published in the newspapers.

There is an article in this morning's newspaper containing a statement made by the Vice President of the United States. It is so similar to statements previously made by the administration of President Johnson, and especially by the former Secretary of State and others representing that administration, that I am bound to say I am very distressed by this. It assumes a position of attack upon those who oppose the ABM system similar to the attack upon the Senator from Missouri.

This is to me going far beyond the bounds of legitimate debate or discussion of a highly controversial and extremely important matter. It attacks the integrity of the Senator from Missouri and spreads rumors about him and those who oppose his position, insinuating that we are responsible—and I include myself in this group—for prolonging the war simply because we raise questions about the validity of the circumstances under which the war was either started or pursued.

It strikes me as going beyond legitimate criticism or debate in a matter as important as the ABM or the war in Vietnam.

I could not refrain from making these comments because, of all the Senators who are entitled to make criticism of the military program, it is the Senator from Missouri.

As everyone knows, the Senator from Missouri served as a distinguished Secretary of the Air Force. He is the only Senator who has served on both the Armed Services Committee and the Committee on Foreign Relations. He has had an opportunity to hear at first hand the best available information with regard to foreign policy as well as with regard to our Armed Services.

I do hope these attacks will cease and that these matters can be judged upon their merits without personal attacks or rumors about the Senator from Missouri or any other Senator.

I wanted to take this opportunity to say a few words and congratulate the Senator from Missouri for his courage in standing up to attacks of this kind and defending the public interest, as he is doing so ably.

Mr. SYMINGTON. Mr. President, let me express my deep appreciation to the distinguished chairman for his remarks. I not only did not know the Senator was going to mention that article, I did not know he was going to be on the floor at this time.

I read the article, and believe the Secretary of Defense, the Honorable Melvin Laird, is an able man of integrity and high stature. I know he had nothing to do with it.

Many people live and work in the Pentagon. Some people live off the Pentagon. If I had to guess where criticism of General Shoup came from, the latter category might constitute some of the problem.

I do not agree with the good general on various matters, but this is America.

In any case, it is a privilege to have my name connected with a holder of the Congressional Medal of Honor.

In this connection, I noted a recent article stating those of us on the Armed Services Committee who voted against the ABM were doves. Inasmuch as the distinguished Senator from Hawaii (Mr. Inouye) and I agreed to file minority views, before anyone calls the great Senator from Hawaii a dove, he should look at the record of the Armed Services Committee, and note what Gen. Mark Clark volunteered about the gallant military service of this Senator when testifying before the committee.

I have worked for 25 years in Government to achieve a strong America so we can remain a free America. But what is the use of being a Member of the Senate and representing the people of my State unless I can come to the floor of the Senate and say what I honestly believe.

I thank the distinguished Senator from Arkansas for the privilege of serving on his committee. We do not agree on everything, but again, that is America; and serving with him has been an interesting, refreshing, and stimulating experience.

I think the fact we have this committee under the chairmanship of the distinguished Senator from Arkansas contributes more to the true security of the United States than many people realize today. We are overcommitted, and if we are not careful, we could go broke.

Mr. President, I thank most sincerely my able and very tolerant friend, the able Senator from South Dakota (Mr. McGovern), for yielding to me originally so I could make some remarks with respect to the address made earlier today by the distinguished Senator from Mississippi.

Mr. HUGHES subsequently said: Mr. President, I simply want to associate myself with the statement of the senior Senator from Missouri regarding the anti-ballistic-missile system and the conclusions he has reached over a long course of time, and from years of extensive experience in the Government and in both the executive and legislative branches of the Government. He was speaking out this afternoon in an attempt to keep before this body and the American people a vision of the great debate that is about to take place on the current position of the ABM system. I simply wanted the Record to show that the Senator from Iowa endorses the position of the senior Senator from Missouri and appreciated hearing his statements today.

Mr. McGOVERN. Mr. President, I was not only pleased to yield to the distinguished Senator from Missouri, but I am also pleased to associate myself with the significant and compelling remarks which the Senator has made.

VIETNAM AND THE DECLARATION OF INDEPENDENCE

Mr. McGOVERN. Mr. President, Friday, July 4, 1969, we Americans will observe the 193d anniversary of our Declaration of Independence. That eloquent document signed by Thomas Jefferson and his colleagues at Philadelphia on July 4, 1776, opens with the familiar lines:

> When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another . . . a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

Then comes the claim to "certain unalienable rights—life, liberty, and the pursuit of happiness."

A decade later, the Constitution of the new American Nation was framed at Philadelphia affirming the national purposes:

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> To form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity.

Taken together, the Declaration of Independence and the Constitution comprise an early statement of our country's priorities that still serves as an appropriate criterion of national excellence.

How well do we measure up to those priorities in 1969? Is the "pursuit of happiness" going well in America at the end of the 1960's—a decade which opened with John Kennedy's ringing assurance: "We can do better"?

Are we moving toward "a more perfect Union in this time which ranges black against white, youth against age, ghetto against suburb, poor against rich?

How fare "justice" and "tranquillity" in our troubled land where danger lurks in the street, campus and city are in turmoil, and the environment is being polluted?

Do we promote either the "common defense" or the "general welfare" when we budget more than $80 billion for the instruments of war while 15 million of our citizens are rendered defenseless by malnutrition?

I cannot accept the diagnosis of some that we are a "sick society"; yet, I cannot find assurance in the state of the Union on Independence Day, 1969. For our Nation is laboring under a double burden—a cruel, self-defeating war abroad and a profoundly troubled domestic society strained by the paradox of affluence and neglect.

It is doubtless simplistic to contend that the malaise of today stems from only one cause—war, racism, technological revolution, or the quickening pace of social change. Yet, I firmly believe that our involvement in the Vietnam war is at the base of the most acute troubles that beset us today.

Former Secretary of Defense Clark Clifford has recently said that his growing doubts about our Vietnam policy have taken on the character of an "obsession." It is obvious that our former great Ambassador and chief negotiator, Averell Harriman, and his brilliant deputy, Cyrus Vance, as well as such distinguished generals as Gavin and Shoup, share that obsession. I share it, too, and, indeed, for me the war in Vietnam has been a nagging obsession for several years. Early in 1967 I referred to our deepening war in Asia as "a policy of madness"—"the most tragic diplomatic, military, and moral blunder in our national history."

It may be ill-timed to repeat that verdict today when we are officially seeking a way out of the Vietnamese morass. But I am increasingly obsessed by the continuing folly that each week kills several hundred American youth and wounds several thousand others—that is daily devastating Vietnam while poisoning and dividing our own society.

I may add, parenthetically, that anyone who will take time to look through the current issue of Life magazine and see the faces of young Americans killed in 1 week of that war will, I think, come to an obsession, if he does not already have one, about the urgency of putting an end to such killing. The magazine contains the names of boys from every State in the Union, boys 18, 19, 20, or 21 years old, some older, all of them young men, all of them robbed of an opportunity to live out their lives by a war that many of us do not believe serves the national interest.

One would think that given more than a decade to witness the self-defeating efforts in Vietnam of previous administrations, the new administration would have moved quickly to stop the slaughter and extricate our troops.

But it increasingly appears that there is no real change of policy—that we simply have a new management of the old assumptions—that we are following the same strategy that has produced our earlier years of grief. It is incredible that we continue to pursue in an offensive strategy the Vietnamese by land, sea, and air—our troops killing and being killed although we long ago abandoned the dream of military victory.

It is equally incredible that we continue a virtually unqualified support of the Thieu-Ky regime while that regime jails its finest citizens and blocks the negotiating road to peace either in Paris or in Saigon. So long as we cling to our military policy of maximum pressure and our political embrace of General Thieu, the negotiations in Paris are a sham and a delusion. There is no peace ahead on the course we are now following; there is only more death and waste abroad and more serious crises in our own troubled land.

My views on the Vietnam issue are deeply held—forged by long years of reading and study, conversation and debate—sharpened in late 1965 by a first-hand view of the battle areas in Vietnam. They have recently been fortified by what I believe to be an important experience that heretofore I have shared only in confidence with the White House and the State Department.

In late May I presided as a Methodist layman over a consultation of the World Council of Churches in London. Before returning from that conference, I flew to Paris and after conferring with Ambassador Lodge and the State Department about my intentions, I devoted a long day to intensive discussions with the top negotiators in Paris representing Hanoi and the National Liberation Front.

After carefully explaining to the two delegations that under American law and practice, only authorized diplomatic officials may represent the negotiating position of our Government, I proceeded to interrogate these delegations from 10 a.m. until 10 p.m.—trying to get a better feeling and understanding of their position with respect to the issues now at stake. At one point I did depart from my questions to express strong disapproval of the North Vietnamese practice of withholding the names and conditions of American pilots captured or killed over North Vietnam. I made a special inquiry about Capt. Sam Fantle, Jr., of Sioux Falls, S. Dak., a distinguished constituent of mine whose family has heard nothing since he was shot down over North Vietnam many months ago. I told the North Vietnamese that I regarded their policy of refusing even to say whether Captain Fantle and his fellow pilots are alive or dead as both inhumane and foolish.

In spite of my disappointment on the prisoner information matter, I left Paris with enhanced respect for the intelligence, shrewdness, and the absolute devotion to their cause of both the North Vietnamese and their NLF allies. There is not the slightest doubt in my mind that however much some of our officials honestly believe we are repelling aggression in Vietnam, the North Vietnamese and the NLF just as sincerely see us as the aggressors—the foreign invaders—the despoilers of their country. They have been trying in their own way to achieve independence for generations—for a thousand years against the Chinese, for more than 80 years against the French, then the Japanese in World War II, then the French again, for 8 long years, and finally against the United States. When Ho Chi Minh first proclaimed the independence of the Democratic Republic of Vietnam on September 2, 1945, at the end of World War II, he borrowed from our own declaration. Ho's declaration opens as follows:

> All men are created equal. They are endowed by their Creator with certain inalienable rights, among these are Life, Liberty, and the pursuit of Happiness. This immortal statement was made in the Declaration of Independence of the United States of America in 1776. In a broader sense, this means: all the peoples of the earth are equal from birth, all the peoples have a right to live, to be happy and free.

These Vietnamese who follow Ho Chi Minh and the National Liberation Front see those Vietnamese who have resisted the "liberation" struggle—Bao Dai, the late President Diem, Ky, and Thieu—not as patriots but as Benedict Arnolds.

Beyond any resentment they feel toward us is their complete contempt for Generals Thieu and Ky. They regard them as the artificial creations of an outside power who are willing to slaughter their own fellow Vietnamese to maintain the lavish support of their foreign keeper.

Although Hanoi and the NLF have set forth a number of proposals, there are only two points that are central to their position, which we must evaluate and either accept or reject. First of all, they insist on the unconditional withdrawal of all American forces from Vietnam. Neither Hanoi nor the NLF is willing to talk about "mutual withdrawal" since they insist we are the only foreigners in Vietnam. I have no doubt, however, that if we began withdrawing our troops while moving toward a defensive, cease-fire strategy, the other side would quickly respond by easing off their military pressure. Let us remember that in spite of many predictions that North Vietnam would greatly accelerate their attacks on the ground if we stopped the bombing of North Vietnam, they did just the opposite. Following the bombing halt of last November 1, the North Vietnamese withdrew 22 of their 25 regiments from South Vietnam—from the so-called I Corps area in the northern part of South Vietnam. It is a tragedy of incalculable dimensions that we simultaneously stepped up all of our military operations in the south and thus missed an opportunity to

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reduce the killing, ease the military and diplomatic tensions, and open the way for a more hopeful negotiating atmosphere in both Paris and Saigon.

Let me say, parenthetically, that when I asked them if the withdrawal of 22 of their 25 regiments took place as a result of the bombing halt of November 1, they refused to give a direct answer, making it clear that they had insisted on the unconditional halt in the bombing of North Vietnam. I presume they did not want to leave the implication that they were attaching any conditions they were to meet following a halt in the bombing. The significant thing is that they did not escalate but deescalate dramatically, once the bombing of the north had halted.

I am certain that we should now notify Saigon, Hanoi, the NLF, and other interested parties that we are definitely moving out all of our forces and that the only consideration on the speed of the withdrawal will be the safety of our men.

When I suggested to the Hanoi and NLF delegations that some Americans fear a bloodbath during or after an American withdrawal, they replied that just the opposite would happen—the killing would stop—that bloodbath now in progress as the war continues, which could be stopped in the event of an American withdrawal. They suggested that I talk with some of the French officials who were involved in the withdrawal of 1954. They boast of the fact that they cooperated with the French during their withdrawal and took no reprisals. Minister Xuan Thuy, the chief North Vietnamese negotiator, told me that the former French High Commissioner for Vietnam during the period before the French withdrew is now living in Paris and occasionally visits Minister Thuy on a friendly, social basis. I verified this contention and, indeed, was assured by several well-informed French sources that the relations between France and Vietnam have steadily improved since the French withdrawal.

But let us be clear on this first point: There will be no negotiations in Paris or elsewhere worthy of the name until we stop our offensive military operations and begin the systematic withdrawal of all of our forces—preferably during the next 12 months.

Mr. President, I was told, especially by the North Vietnamese, and I am inclined to believe it, that there is a potentially strong reservoir of admiration and good will toward the people and the ideals of the United States on the part of most of the residents of Vietnam, North and South.

For example, during the heaviest of the bombing attacks upon North Vietnam, the schools in Hanoi continued to teach American history and American literature, always distinguishing between our great historic ideals, which they admire, and our current policy, which they deplore. They believe our present policy toward them was foisted upon the American people by mistaken, shortsighted leaders, who will be increasingly repudiated by the American electorate. They gave repeated expressions of their desire to end the war and to establish peaceful relations with the United States following the withdrawal of our forces.

As for reprisals against those Vietnamese who have stood with our forces, they said that it would be in the self-interest of any regime to try to broaden its support and unify the country which would call not for reprisals but accommodation. Nevertheless, I believe we should accompany our withdrawal from Vietnam with an offer of asylum to any Vietnamese who are worried about their safety.

Perhaps other Western countries will join in providing asylum. There are a great many Vietnamese now living in Paris who are there because they are afraid of our friends in Saigon. Doubtless there are some there who are afraid of the NLF or the North Vietnamese, but some provision should be made for asylum for those who feel threatened, in the event of a peaceful settlement of the war and the withdrawal of our forces.

The second point which Hanoi and the NLF make clear is that there will be no negotiations so long as we continue our unqualified embrace of the Thieu-Ky regime. In other words, they are not about to settle this war under conditions that will leave them with the Thieu-Ky regime in power, however that might be brought about. That is really what the question is all about; namely, the political future of South Vietnam.

Our adversaries believe, and I share their belief, as do many of our most qualified American observers, that the military regime do not really want an end to the war—they say they do not want the United States to withdraw; nor do they want an authentic process of self-determination. The reasons are clear: The Saigon regime has little real support or respect from its own people and would be quickly replaced by the local citizens were it not for the overwhelming presence of American power.

The fear of popular resentment of that regime is increasingly manifested by the Thieu-Ky regime as they imprison even their moderate, middle-of-the-road critics.

A recent survey team of distinguished Americans, including Methodist Bishop James Armstrong from my State, Father Drynan, Dean of the Boston College Law School, Admiral Thure, and others, have reported that the jails of Saigon are increasingly jammed with tens of thousands of political critics, most of them moderate citizens, journalists, clergymen, students, teachers, business and professional men—sincere South Vietnamese patriots whose only crime is to advocate a more democratic government devoted to peace.

Generals Thieu and Ky stoutly insist that they will never share their power, even provisionally, with the National Liberation Front.

That, Mr. President, is really at the base of our dilemma as we seek to win this war.

Furthermore, they will tolerate no dissent even from non-Communist moderates who favor a neutral, peaceful, independent South Vietnam. That is why the runner-up in the last presidential election is in jail. That is why the number two Buddhist in South Vietnam is in jail, because they favor, as I do, a neutral, independent, South Vietnam with a government representative of all the political groups in the south.

As long as these rigid, oppressive positions are held by Thieu and Ky with the backing of American power, there can be no peace. It is a delusion to believe that the South Vietnamese people and their army will really fight effectively to preserve a narrowly based mercenary regime of this kind. It is American troops that will do the effective fighting and the dying—and to what end? To buy time for a political tyranny that negates the very spirit of the Declaration of Independence which we will celebrate Friday?

I call today for us to declare our independence of a monstrous folly that is surely weakening our Nation at home and abroad. "A decent respect to the opinions of mankind" commands us "to dissolve the political bands" that have bound the Vietnamese albatross to our backs.

Having long ago asserted for ourselves the right to "throw off" a government guilty of "a long train of abuses and usurpations," history demands that we not deny to the people of Vietnam the right to resolve their own struggle with the rulers of Saigon.

If we truly seek for ourselves and for others "life, liberty, and the pursuit of happiness," let us in the name of God and our own history end the slaughter and devastation that at once drain the blood of both Vietnam and America.

As chairman of the Senate Select Committee on Nutrition and Human Needs, I have been profoundly moved by the inexcusable fact that 15 million of our fellow citizens suffer from malnutrition. It is past time for us to quit killing Asians and to begin feeding Americans.

If we cannot hear the anguished cries of Vietnam, let us at least look to what we are doing to our own beloved land: 200,000 young Americans killed or wounded; $100 billion swallowed in a blood-soaked jungle; millions of Americans, especially the young, confused, frustrated, or alienated from their own government; great American cities and universities caught up in turmoil, violence, and neglect; costly wartime inflation, high interest rates, rising taxes, and a continued drain on our dollar and gold reserves; perhaps, worst of all, a widespread loss of confidence in ourselves and on the part of others around the globe as to our prudence and humanity.

It is painful in our personal lives, in our business ventures, or in our social enterprises to confess error, to declare bankruptcy, or to seek a reordering of life. It is far easier to begin a war than to end it. It is sometimes more tempting to policymakers to save face than to save lives.

Yet, I am convinced that the overwhelming majority of our people, having taken so many risks for war, are now ready to follow leaders who will take some risks for peace. The one vindication that can console us is that our Vietnam involvement, for all its blood and heartache, may yet be redeemed if we learn from that bitter experience not to repeat it elsewhere. Those brave men who have died in Vietnam—American and Vietnamese alike—can teach us by their too great sacrifice that this is not the way for alien peoples to live on this shrinking planet.

The Biblical wisdom still challenges us: "I have set before you life and death, blessing and cursing; therefore choose life, that both thou and thy seed may live."

I would plead again today, on the eve of a meaningful historic date, that we throw off the curse of Vietnam, that we turn away from death and set our course toward blessing and life. And that "for the support of this declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor."

Mr. FULBRIGHT. Mr. President, will the Senator from South Dakota yield?

Mr. McGOVERN. I am happy to yield to the Senator from Arkansas.

Mr. FULBRIGHT. First, I wish to associate myself with the Senator's comments and to call attention to the fact that in 1967, which was long before the present administration came into power, the Senator voiced his criticism of our policy in Vietnam, as did other Senators, and as I did.

This calls to mind an attack upon those of us who are critics of the war by the present Vice President of the United States and President of the Senate. It was made in Wichita, Kans., yesterday, July 1, and reported in the New York Times and other newspapers of today. I shall read the first paragraph:

> Vice President Agnew told the Governors of 10 Middle Western States tonight that they could not expect any increases in Federal aid while the Vietnam war continued. He put the blame on the critics of President Nixon's war policies for prolonging the conflict.

The Vice President then repeated many of the same things that had been said so often by the previous administration. I ask the Senator from South Dakota if it is not unbecoming of the present administration, by its spokesman, the Vice President, to make statements of this kind, in view of the fact that the critics of President Nixon's war policy—certainly most of them—were also critics of President Johnson's war policies.

In other words, there is nothing partisan about the criticism of the President's war policies.

The Senator from South Dakota has drawn attention to the article in Life magazine and the obvious humane considerations which go into it. Does not the Senator agree with me that it is unbecoming for the present administration to take upon itself now the role of continuing the previous administration's policy by identifying itself with that policy, and by characterizing those of us who, long before the present administration took office, criticized the policy?

Mr. McGOVERN. Yes; the Senator's point is well taken. Frankly, I am a little puzzled as to why the Vice President is so eager to identify certain of those policies with President Nixon. I should not think that to do so would serve the best interests of either the President or the country.

I have not come to the Chamber today—and I know the Senator from Arkansas has not—with any partisan thought in mind. We have stood in this Chamber over the last 4 or 5 years deploring our country's deepening involvement in Vietnam. There is nothing particularly new about that.

We are not concerned about the obsession of a particular political party on this issue; we are concerned with what is in the interest of our country.

It is not in the interest of our country for us to lapse into silence about a policy that we think is damaging the national interest. I think that both private citizens and U.S. Senators have an obligation, when our Government follows a course which we think is not in our country's interest, to speak out and express our views.

Mr. FULBRIGHT. During the first 4 or 5 months of this administration, most of us who had formerly been criticizing the Vietnam policy of the previous administration voluntarily restrained ourselves from criticizing the lack of any progress by this administration in settling the war. We were told that secret talks were taking place, and we took that statement on faith. The majority leader of the Senate stated one day—I do not know whether I or some other Senator had made remarks slightly critical—that we should give the President time and should be patient.

I would say that most Members of this body have followed this admonition and have done everything they could do reasonably to encourage this administration to change its Vietnam policy from that of the previous administration.

There having been an election last fall, it was assumed under our procedure of democratic elections that normally, within a matter of this consequence, and especially a policy so intimately identified with the fortunes of the Democratic Party last year, there would be a change, and the Senator from South Dakota and I were entitled to expect a change in a reasonable time.

Now, for the Vice President to make this statement that we are to blame for aid not being provided to the States is going far beyond a reasonable interpretation of what our role has been.

Mr. McGOVERN. I agree with the Senator. I might say the Senator from Arkansas went out of his way, as I recall, in the first visits of the Secretary of Defense and the Secretary of State to urge them in a very broad and humane spirit not to accept this policy as their own, but to come in with a fresh approach and try to see if we could not find a more sensible course.

Mr. FULBRIGHT. Is it not a fact that after all, the Republican candidate last year said he was going to stop the war, that he had a way to stop the war, and that he was going to stop the war?

Mr. McGOVERN. That was my understanding. I think millions of people were influenced, at least in part, to support Mr. Nixon because they thought he would have a different approach. But if there has been a change in policy, I have not been able to detect it.

Maybe the Senator from Arkansas, as chairman of the Committee on Foreign Relations, is privy to material that I am not. I do not see any basic change either in the military policy or diplomatic policy that has taken place; neither do I see any evidence of progress in the negotiating efforts in Paris.

Mr. FULBRIGHT. Judging from the elections last fall I think one could reasonably say President Nixon was a critic of the then-policy of President Johnson. Was he a critic of that policy?

Mr. McGOVERN. That was my interpretation of it.

Mr. FULBRIGHT. Now, he would be classed as a critic of Nixon's war policies and one of those contributing to the fact that there is no aid for the States.

I agree with him that the great and excessive waste of money in the procurement policies of the Department of Defense is the principal reason there is no money for aid to the States. But I do not agree the critics of this policy are the reason and the blame. The blame is because they propose the same policy President Nixon criticized last year during the elections.

Mr. McGOVERN. I fully subscribe to the Senator's point of view.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. CHURCH. Mr. President, once again I commend the distinguished Senator from South Dakota for speaking up candidly and courageously on the issue of the war. He has done this many times in the past, when he stood nearly alone, in voicing his misgivings.

He has said in this address that it may seem ill timed to repeat his earlier indictment of our policy when we are officially seeking a way out of the Vietnamese morass.

I have also been faced with the same dilemma. I have a speech on Vietnam of my own, which I have left on my desk for months because the administration is officially committed to the objective of ending the war. Therefore, it is very difficult to take up the cudgels when the President has said in his inaugural address that the highest priority of his administration is to end the war in Asia. I think all of us feel constrained to stand back and say, "Mr. President, proceed." So, we have waited for some indication of substantial change in the policy that led us into this morass. I, too, have failed to detect that change.

When the President spoke on May 14, there were those who interpreted some nuance or innuendo in his language as evidence of a subtle shift in position. I must say, I was so hopeful that there might be such a shift in our bargaining position that I immediately took the floor to point out these interpretations and express the hope that they would prove to be accurate. But the confirmation has never come.

Instead, there came the Air Force Academy speech in which the President assumed an entirely different posture, one reminiscent of an earlier Nixon, in which he seemed to say that anyone who criticized the war policy or the military establishment was a kind of appeaser, a neoisolationist. All of the tired old phrases of the previous administration were in evidence in that speech.

But still the argument persisted that there was a change in the new administration's position; that presumably the real Nixon would reveal. If so, he has yet to disclose what it is. It certainly is not reflected in the general order given to our military forces in Vietnam. The nature of that order I am not at liberty to reveal on this floor, but it hasn't changed. The military objective, and the method for achieving it, remain the same today as when last laid down by President Johnson. So one cannot find here any indication of change with respect to American policy in Vietnam.

Next came the President's recent press conference, in which still another Nixon appeared, spurred by the remarks of Clark Clifford who had just called for the withdrawal of 100,000 American troops this year. Now, the President was saying that he not only took cognizance of the Clifford recommendation, but that he had hopes of besting it, and this after having said at Midway, only a week or two before, that the American withdrawal would be limited to 25,000 troops in the first instance, and that any subsequent withdrawals would depend upon Hanoi's response, upon a wind-down in the fighting, and, finally, upon the demonstrated ability of Saigon's troops to carry the load.

What I am saying to the distinguished Senator from South Dakota is that it is extremely difficult to wrestle with a shadow. The President suddenly materializes in front of us. One reaches for him and he disappears, and then materializes to the rear. One whirls around to reach out and again he disappears, only to reappear on the left side or on the right side, leaving one to wonder what, indeed, is his position. What is the policy? If the President's objective is to spread confusion within the country and throughout the world, I say he has succeeded. But there comes a time when those of us who have opposed the war from the outset must begin to speak up again. It is not enough, in view of the confusion, merely to say, "Keep quiet. The President will bring the war to a close in his own way."

So, once again, I commend the Senator from South Dakota for reaffirming his position and speaking his mind. This is in the best traditions of the Senate, of which the distinguished Senator from South Dakota is one of its finest Members.

I also commend him for the higher patriotism reflected in his concern for the well-being of the country, which he places above every other consideration.

Mr. McGOVERN. Mr. President, I thank the distinguished Senator from Idaho. His was, to the best of my recollection, one of the earliest voices to warn against the course we were beginning to pursue in Vietnam some 4½ years ago.

At the beginning of 1965, when the escalation policy really got underway, I think he wrote an article which was published even before Congress came back into session, warning against any further military buildup in Vietnam, warning that we were trying to resolve an essentially political problem by outside military forces, and that this would lead to a demand for more forces and for more and more and, in the end, we would be no closer to a stable and peaceful situation in Vietnam than before the enormous military effort began.

The distinguished Senator from Idaho will recall that he and I joined, in early 1965, in a rather lengthy colloquy on the floor of the Senate, in which we were calling not for the withdrawal of American forces, or anything that could be construed as a radical prescription, but merely suggesting that the administration make a public offer to try to negotiate an end to the war.

We were attacked at that time by at least one senior Member of this body for trying to run up the white flag of surrender. Yet, 60 days later, the President of the United States in fact adopted that as our official policy—and, let me say, to his credit.

I think we immediately improved our position before the world when we at least made some gesture in the direction of negotiations. It appears that many times Members of the Senate lapse into silence on the theory that perhaps we are undercutting some kind of secret policy under way in the administration, only to learn later that there is as much division and uncertainty within the administration on these issues as, perhaps, there is in the country and in the Senate.

The case of the distinguished former Secretary of Defense, Clark Clifford, is one in point. I had thought that he was the No. 1 hawk in the country at the time he became Secretary of Defense. Now it turns out that he had grave reservations about our policy as early as the summer of 1967, reservations which he said he evolved into an opinion, and then evolved into a conviction, and that conviction has now become an obsession that our policy is dead wrong and that we must reverse it.

When he suggests the withdrawal of our combat forces by the end of 1970, as the Senator from Idaho has said, the President says we should do better than that. So what began as a recommendation by some of us for a negotiated settlement of this war has now evolved to the point where even those who once were the strongest advocates of the policy are saying that we should get out. I think they are saying that in part because the Senator from Arkansas, the Senator from Idaho, and others, had the courage of their convictions and were willing to try to point out the error of our ways, and to stay with that conviction until a change was brought about. We need to pursue that course until there is some evidence of a fundamental change in policy.

Mr. President, I thank the Senator from Idaho for his remarks today, but beyond that, for the long and patient efforts he has made in this field for many years.

Mr. McGEE. Mr. President, will the Senator from South Dakota yield?

Mr. McGOVERN. I am happy to yield to the Senator from Wyoming, with whom I have had the privilege and the honor of engaging in a series of debates on this issue over the years. As I have said publicly on several occasions, he is a most articulate defender of our policy in Vietnam and it is a privilege to have an exchange of views with him at any time.

Mr. McGEE. Mr. President, as I have listened to the dialog, it calls back to mind those fateful days in January, February, and March of 1965, when the intensification of the conflict in Vietnam was steadily on the rise and when I think we were guilty of discussing in dialog and colloquy the implications of the decision made at that time.

I have been told by a member of the press that perhaps that dialog, in those days, failed primarily because of the fact that it was dropped too soon, that talking out loud, exploring out loud, was so important—then as now—that it should have reached a still higher crescendo.

I remember one member of the press saying, that he thought the dialog itself was conceived in Walter Lippmann's living room one late January afternoon when several Members, present here in the Chamber right now, were there and the importance of getting that conversation underway was a very pointed suggestion.

I would say to the Senator from South Dakota that, modest as he is in sharing the accolades for contributions made in those days and now—and rightfully so—with Members now in the Chamber, he was an extremely lonely figure in those days. To me, he was a figure of inspiration. I admired him as he stood for his convictions, for what he believes to be the right thing to do. Much as I disagreed with him at the time, I felt that his contribution would be important in the history of the evolution of our policy, and his contribution was of that character.

Mr. President, I cannot help recalling the times he and I debated this question on the campuses around the land. I have always felt our contribution was a singular one—not that his solution may turn out to be the right one in history, or that mine may turn out to be the right one, but rather that on campus they saw and heard this debate between two Senators with almost identical credentials. I suppose, without trying to downgrade the distinguished Senator from South Dakota, that he and I would come as close to being political twins in most every respect as any Members in this body. Sharing the same academic background, professoral background, and professional background, as well as liberal Democratic background and our geographical location, we are as close to twins as can be found in the Senate. Yet, on Vietnam, we turn out this way, on opposite sides. What this seemed to say on the campus was that this was tough and rough when it came to decisionmaking and, as many of the students have written to both of us, the contribution it made was that they, the students, should not be so absolute in their judgment as to which was the fundamentally right answer and which was the wrong one, that there was much to be said on both sides.

But, Mr. President, as I have listened to the discussion here this afternoon, it seems to me that we are leaving out one or two things which, in all fairness, belong also on the table of discussion.

I think these items reflect a part of the balance for judgment. One of those parts is that which we all take for granted in our history, and which we sometimes leave out; namely, that a candidate running for President, whether his name be Franklin D. Roosevelt, Lyndon Johnson, Jack Kennedy, or Richard Nixon, invariably finds it a far different matter if he is the winner and has to take the consequences of being President. I am sure all candidates on the trail speak to what they believe to be their sincere target, their sincere commitment, or their sincere goal, and find as President that the responsibilities of that high office pin upon them an even heavier burden than they ever expected and a considerably heavier sense of restraint than even they had imagined.

I am sure that this has happened in our time.

I say that, not alone to try to cast this President in some broader context, but I think, rather, to inject that again into the question that has troubled us all for so long in so many, almost impossible ways. Sometimes I fear we are guilty of shrinking the question to such simple dimensions that we oversimplify and make it appear to be easier in fact than is the case to arrive at some kind of decision on it.

Mr. McGOVERN. Mr. President, will the Senator yield on that specific point?

Mr. McGEE. I yield.

Mr. McGOVERN. I think it should be said that the Senator from Arkansas, who brought up this point with respect to President Nixon's campaign pledge, did that in connection with reading into the RECORD a statement by Vice President AGNEW, who attempted to turn the debate into a partisan issue.

What the Senator from Arkansas is saying is that it is not a partisan issue that those considerations ought to be left out of the debate; that we ought not to debate it as Republicans or Democrats who are seeking for themselves a political advantage, hitting it over the head as a campaign pledge; that it ought to be conducted in a nonpartisan way. So, in a slightly different way, the Senator from Arkansas was making the same point; that it is a debate which ought to be lifted up above merely partisan debate. I think that point may have been made before the Senator from Wyoming came into the Chamber.

This debate did not begin as an attack on President Nixon or on his policy. I do not think anyone on the floor believes that that present policy in Vietnam was developed, authored, or devised by President Nixon, although he has been a supporter of such a policy in Southeast Asia for 15 years and, to my knowledge, has always favored the military involvement of our forces there. I think that should be said against the background of the Senator's remarks.

Mr. McGEE. I appreciate what the Senator has said.

We come back, it seems to me, to those famous campaign pledges of Franklin Roosevelt made in 1940, when he promised fathers and mother, again and again and again, that no American boys would be sent overseas. He said that, I believe, in the context of the deepest sincerity, but the facts, which went beyond the control of either Democracts or Republicans, or Americans as a whole, took that statement away from him. He had to act according to the times.

I am sure that Lyndon Johnson's statement in 1964, which was uttered in the midst of a campaign, was uttered in sincerity. It was after that campaign that the escalation of events in South Vietnam got underway in a very extreme fashion and would have required a President, whether it had been GOLDWATER or Johnson, to act accordingly and respond in the national interest.

Thus, in the same context, Mr. Nixon's suggestion in the campaign that he had some little secret formula for ending the war in Vietnam was certainly part of the context of the campaign trail, where it was probably advanced in all genuineness.

Mr. McGOVERN. Would the Senator agree, then, that the President probably does not have any specific plans for ending the war?

Mr. McGEE. I would say any plan that any President would have for ending the war, short of an abrupt pulling out of all troops by unilateral action, would be subject to many other forces quite beyond the President's absolute control or predetermination. I would suppose that the one word that summarizes each of the steps that we have witnessed in the last 7 or 8 or 9 months is not "saneness" quite as much as "continuity"—and I think there is a difference.

I think the course of events Lyndon Johnson set in motion when he announced he was not going to run and that he was inviting the other side to negotiate, if they would—which reflected the basic, enlightening, and courageous decision of Clark Clifford that this was the time to try to turn it around—set in motion a series of sequential events that any President coming into office would have had to rise to.

Perhaps it would be going too far to suggest that anybody who had won in November 1968, including the candidates who were not nominated, probably would have been deeply committed by the force of events underway as President, not as a candidate.

What this says to me is that, as we cite Clark Clifford, as we cite President Johnson, as we cite Mr. Nixon's speeches in the campaign—to contrast them from the present—what we are now bringing back into the center of the stage is the distortion by imagery that was provoked largely by the press in the simple little description of a "dove" on the one hand and a "hawk" on the other. There were doves and hawks, to be sure. The dove was the person who wanted total withdrawal. The hawk was the type who advocated, "bomb the daylights out of them until they surrender."

The dominant note, it seems to me, in American policy was that of restraint, of limitation, of determining a very limited objective and trying not to go beyond those bounds.

I think that was a characteristic, and has remained a characteristic, of our policy in Vietnam. It is frustrating, and for many of the "way-out hawks," it is self-defeating. For many in the other extreme, it is ridiculous.

But I think, as Lyndon Johnson had occasion to say many times, his really toughest pressure was not from those who wanted to leave Asia; the toughest pressure he was under all the time was from those who wanted to go all out, to bomb the daylights out of North Vietnam, and then move on to China.

Trying to hold American policy to some semblance of reasonableness and restraint, but also to respond to the responsibilities of a great power, I think was the keynote in this whole approach. I think that is what we are leaving out in this debate.

I think any time we face the implications of the limited concept of the U.S. role in Southeast Asia, we have to face that ugly moment—and it is an ugly one—when we have to announce that this has gone as far as we can go militarily. We have to turn into political channels. We have to move into political directions. That decision was made on March 31, a year ago. That is the decision to which Clark Clifford contributed so much. He did not say we should not have been there. He did not say it was all a bad mistake. He did not say it was all a nightmare. He said that, after the shattering experience of the Tet offensive a year ago, we could afford the risk, not of further military involvement and crusades, but, rather, the risk of political negotiations for peace, for at least a deescalation of the violence.

I think this is where we find the present President now engaged. I would suspect that this President may have forfeited some of his openings when his intemperate comments were made in the live telecast, in his response to Mr. Clifford's very thoughtful piece on this interval; but I suspect we shall survive that over the long pull.

But I did want to inject this into the colloquy today: that we are there; whatever our explanations for being there, we are there, and if we were precipitously to pull back—which is the only clean, clear option that a President has—the consequences for a couple of million people, at least, in South Vietnam, who did work with the Americans, would be sobering indeed. And those consequences ought to be sobering to any President; and the consequences for a neighboring country like Thailand, which occupied the role she has on the flanks of this major American operation in Southeast Asia, likewise ought to give us pause, if we were to decide to pull back. And what it means for Laos, which stood its ground, and for Cambodia, caught in the middle, also ought not to be lost upon us. It certainly cannot be lost upon a President.

So I believe very genuinely that we have got to be a little more understanding of if not agreeable with, the spot in which a President finds himself—and I leave the name of the President out only because I think the office of President is what compels this kind of posture, rather than the particular man who is in it.

This is only my kind of general overview of where we are at the present time. I still believe we have got to exert this political pressure. I still think we have got to make some very deep and genuine efforts toward trying to find political pegs we can hang our credentials on, in this whole conflict in Southeast Asia.

I deeply appreciate the Senator's courtesy in letting me into this discussion.

Mr. McGOVERN. It is always a privilege and instructive to hear what the

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Senator from Wyoming has to say; and, of course, I appreciate the kind words that he had to say about me.

While I applaud the decisions that were made in March 1968, to move at a somewhat surer pace in the direction of a negotiated settlement, as outlined in the President's March 31 speech, and also applaud the halt in the bombing of November 1 of last year, I share the deep sense of regret that Ambassador Harriman has expressed repeatedly in recent months, that we accompanied the bombing halt with a step-up of military operations in the South.

That was done, I suspect, because of some of the fears that the Senator from Wyoming expresses here today, that any easing off on the military effort on our part might lead to more intensive military operations on the other side; whereas, as a matter of fact, when we halted the bombing of North Vietnam, all of the predictions of the great blood bath that was supposed to take place when we stopped the bombing and the North Vietnamese flooded down into the south proved to be wrong, and they did exactly the opposite. Instead of sending in additional forces to take advantage of the bombing halt, they pulled out 22 of the 25 regiments they had in South Vietnam. And I share, as I said earlier, the regret expressed by Mr. Harriman that we did not respond to that easing off of military pressure in the south by, in effect, ordering a de facto cease fire, and moving into a defensive posture, where our troops would not fight except in those cases where it was essential for their own defense.

We took a different course. The orders went out to General Abrams, as alluded to in general by the Senator from Idaho, to maintain a policy of maximum military pressure. That is well known. Ambassador Harriman has said it publicly on several occasions. All of the ground operations were stepped up in the south, the air operations were increased, the battalion-sized operations moved from about 800 a month in November to 1,100 a month in January; and then, apparently, to our surprise, there was another step-up in military operations earlier this year by the other side, and we began talking about what we had to do to respond to their increased military effort.

What I am pleading for here today is that, having halted the bombing, we take another step, which is to reverse the policy of offensive military operations, move into a de facto cease-fire and defensive strategy, and begin the systematic withdrawal of our forces, with, as I have said in my prepared text, only one consideration in mind with reference to the timetable, and that is the safety of our own forces, and the provision of political asylum for those Vietnamese who feel a genuine threat to their personal safety.

That is a course that, in broad outline, I think has the support of both Mr. Harriman and Mr. Clifford. They might not agree with some of the details on the timing of the proposal, but essentially I think it is what those two former high officials in the Johnson administration recommend.

I thank the Senator for his comments.

Mr. McGEE. I hope we do not leave out of our calculations, as we are looking at what the President can and must do next, that a firm timetable, in numbers at a specific date, probably is not possible. It remains a hope, but it is probably not possible in specifics.

Second, out of all of this experience of the past 4 years, there has been a considerable measure of gain in that part of the world, in terms of capability, in terms of a little more stable posture among most of the surrounding small, independent governments, and what this is heading toward still, and what we have already won, is the kind of time they have desperately needed in order to take over, in the long run, the responsibility for trying to maintain some kind of a balance in eastern Asia. The de-Americanization of the effort remains the constant goal of all of us.

It comes down, again, to the matter of timing; and I think this belongs in our assessment and calculation as we look at what the President might be free to do, or capable of doing, at this particular moment.

I thank the Senator very much for his courtesy.

Mr. McGOVERN. I note that the Senator has referred to the great pressure of the hard-liners on the previous President. I assume that the present President is still under such pressure, and I want to strive for a balance by applying a little pressure on the other side.

Mr. HUGHES. Mr. President, will the Senator yield?

Mr. McGOVERN. Now I am happy, Mr. President, to yield to the Senator from Iowa (Mr. HUGHES), who spoke so eloquently on the subject of Vietnam just a week ago.

Mr. HUGHES. Mr. President, the Senator from Iowa wishes to commend the distinguished Senator from South Dakota for again courageously expressing his conscience on the floor of the Senate.

I think that, as we review what has been said here today, we are all well aware of the distinguished Senator's courageous service to his country in both war and peace, and the early position he took in questioning the stance of our country in this vicious conflict in Southeast Asia.

I might state, having been present during the earlier colloquy between the Senator from Arkansas, the Senator from Utah, the Senator from Idaho, and the Senator from South Dakota, that I perhaps represent a different stance than any of those Senators. When I was first reading of the opposition of the Senator from South Dakota to the war in Vietnam and what was taking place there, I was a very strong advocate of our Nation's position in South Vietnam, and making speeches in support of the administration; and at approximately the same time that the Senator from South Dakota visited Vietnam and came back totally convinced that we were in the wrong there. I visited Vietnam as the Governor of the great State of Iowa, and came back totally convinced that our position there was right. That again, I believe, demonstrates what different conclusions we can reach while viewing basically the same sets of circumstances.

I have agonized, since I arrived in Washington this year, while maintaining my silence, as have other Senators. I was present at an earlier date when the Senator from South Dakota expressed his conscience on this subject matter, and there was not an additional word spoken—everyone, I think, wishing to give the President of the United States the time after which he implied and indicated something constructive would take place. But after these long weeks and months, without repeating what the other distinguished Senators have already stated here this afternoon, I reached the conclusion that once again on the floor of this great body there must be expressed, by those of us who feel as we do in our conscience, our opposition as well as our hopes for bringing to an end this tragic engagement in Southeast Asia.

As the Senator from South Dakota knows, I do not entirely agree with everything he has espoused here today. I certainly do agree that we now need, again, a major political breakthrough, a major decision which it seems to me must begin with a decision to cease fire and to end the assault in South Vietnam.

I have expressed my hopes that the President would announce to the people of the United States his intentions, and affirm that when he answered, at his press conference, that he hoped to be able to beat the timetable of the former Secretary of Defense for withdrawal of our combat forces from Vietnam, that though this might not be an immutable decision, it was a sincere intention, for that would certainly give hope to the hearts of Americans who so desperately desire an end to and a disengagement from this conflict.

So as we have searched our hearts and our souls today, and as the Senator has mentioned so eloquently and so ably and well in his address, there is great need, again, for a political decision and for breakthroughs in the direction the Senator indicated, noting that whenever such a major political decision had been made in the past, there had been a response that resulted in more hope and more indication that we might ultimately bring the conflict to an end.

I certainly concur that now is the time; and on this eve of the anniversary of the independence of this great Nation, we again must reaffirm affirmatively our intentions of disengaging from this conflict, our intentions of preserving the rights of the people of Vietnam, our hope that they can be afforded the right, under international supervision, to select the form of government that they desire; and our willingness to do everything within our power to encourage these aims and these goals.

Again I express to the distinguished Senator from South Dakota, who has been a leader for so many years in this field, and all of the other areas of the alleviation of human suffering, who has given so much of his time, his trouble, and his dedication, and who has actually given of his very soul in striving to realize his hopes for the American people, in all of their sufferings and not exclusively those in South Vietnam, my great appre-

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ciation for his great display, again today, of courage, at a time when there will undoubtedly be great criticism, but a time which I am sure is undoubtedly of the greatest significance.

Mr. McGOVERN. I thank the Senator for what he has said this afternoon. I think he demonstrates one of the greatest of all personal qualities—certainly an essential quality for greatness in the political arena—which is the capacity for personal change, the capacity to change one's views and convictions as conditions change, and as new insights develop. I think it is a mark of greatness when one not only has that capacity, but is willing to state publicly the fact of a change in his own views.

Beyond that, I had the privilege of working with the Senator from Iowa on a commission on change in the framework and the procedures of our party, in which he has led the way. His concern about developing the kind of political structures in this country that will enable us to achieve change in an orderly, peaceful manner, through our established political parties, is to my mind one of the most important priorities before the country. It is all well and good for us to talk about the need for change in foreign policy and national security policy, and about national priorities here at home; but if we do not have a responsive and flexible political instrument that is capable of bringing about such changes, then I suppose the alternative is deepening frustration, anxiety, and bitterness in the country, and more and more people turning to blocking the streets and barricading the University campuses rather than to our traditional political processes.

So I commend the Senator, not only for what he has said about the importance of change in the field of foreign policy and on this matter that affects the lives of so many Americans in Vietnam, but also for the leadership he has provided as a very important member and one of the authors and prime movers of the New Democratic Reform Commission upon which he and I are privileged to serve.

Mr. HUGHES. Mr. President, I thank the distinguished Senator from South Dakota.

I think when we talk about the necessity of political change, and revision so that the American people can better reflect their opinions, it is interesting to note that the three junior Senators present on the floor today represent the last expression of the people of America in our respective States.

Mr. EAGLETON. Mr. President, will the Senator yield?

Mr. McGOVERN. I am happy to yield to the Senator from Missouri.

Mr. EAGLETON. Mr. President, I wish to join with the Senator from Iowa in his expression of commendation for the intellectual and political courage of the Senator from South Dakota, which the Senator from South Dakota has displayed in such enormous abundance on so many occasions.

As has been pointed out, he has been courageous in war himself. Although he would not say it of himself, it is sometimes more difficult to be courageous in the pursuit of peace than it is in the waging of war.

As the Senator from Iowa has pointed out, it was a month or so ago that the Senator from South Dakota stood on this floor—alone—when others were maintaining a respectful honeymoon silence with reference to the conduct of the Vietnam war. He did it, in my opinion, not to bring publicity upon himself, but as a manifestation of how deeply he felt and how deeply he was moved by the conditions that give rise to the remarks he made on that occasion and likewise to the speech he has made here today.

I wish to say, Mr. President, that the Senator from South Dakota, in his analysis of the dilemma that we are in, is not so very much alone after all, as is shown by what some other very distinguished gentlemen are writing and observing.

I call the attention of the Senator and of the Senate to a recent book review prepared by Hans J. Morganthau that appeared in the June 29 issue of the New York Times. One of the books being reviewed was by Henry J. Kissinger entitled "American Foreign Policy."

If the Senator does not mind, I should like to read some excerpts from the book review.

Mr. Morgenthau said:

> The third essay, dealing with "The Vietnam Negotiations" and published last January in Foreign Affairs, is, of course, of the greatest current interest and has been widely scrutinized, in view of the author's eminent position as Special Assistant to the President for National Security Affairs in the Nixon Administration, for clues as to the new Administration's approach to the problem. This article provides an extremely shrewd appraisal of the issues likely to be raised in the negotiations, of the pitfalls to be avoided, and of the tactics to be employed.
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> Mr. Kissinger is rightly critical of the disjunction between our military strategy and our political aims and of our misunderstanding of the nature of guerrilla war. Yet his arguments, excellent as they are, remain throughout within the conceptual framework established by the Johnson Administration. He sees as the central issue "confidence in American promises." He never raises the issue, which to other observers appears to be central: Is the present Saigon Government capable of negotiating a settlement on the basis of equality with the Vietcong? Given its actual weakness, can it have an interest in a peace that would result in its extinction, and is it capable of remedying that weakness through the reforms which we have vainly urged upon a succession of Saigon Governments since 1954?
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> Mr. Kissinger's answer is the conventional one: "We should continue to strengthen the Vietnamese army to permit a gradual withdrawal of some American forces. Saigon should broaden its base so that it is stronger for the political contest with the Communists, which, sooner or later, it must undertake."
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> While it is untenable to assume the determination of a nation's foreign policy by its class structure, that class structure, that class structure indeed sets limits to what a government is able to do at home and abroad. A government which is in the main supported by the absentee landowners and the businessmen in the cities is incapable of instituting the reforms we urge upon it; for, by doing so, it would destroy its own political base. The issue of peace and war in Vietnam hinges upon our support for a government paralyzed by this dilemma.

I would like to point out that one of the observations made by the distinguished Senator from South Dakota in his speech here today is agreed to by Mr. Morgenthau, whom I consider to be one of the truly brilliant commentators on American foreign policy.

Let me add a thought or two of my own. The Senator mentioned in his speech that he, like Clark Clifford, has developed what is tantamount to an obsession on the Vietnam war. His obsession, in its incipient stage, began perhaps in the early months of 1965. As with all obsessions, it continued to fester, multiply, and expand as that which gave rise to the obsession—the Vietnam war—itself seemed to fester, multiply, and expand.

I cannot date back my deep concern over Vietnam to such an early date. In truth and in fact, if I could relate myself back to the early months of 1965, I, too, might have an identical obsession. However, to be perfectly frank about the matter—and since the Senator from Iowa (Mr. HUGHES) has engaged in that which is probably the healthiest of human endeavors, self-analysis, and public confession—my concern for the Vietnam war goes back to a very pragmatic date. It concerned itself with the time when I decided to be a candidate for the U.S. Senate. I decided, as a candidate for the U.S. Senate, that I ought to have some position and know something about that which was developing into the greatest issue of our time.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McGOVERN. Mr. President, I ask unanimous consent that I be permitted to have an additional 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. EAGLETON. So, in the summer of 1967, I, as a lay citizen, began to give some thought, to do some reading, some listening, and some watching with regard to that great national agony called the war in Vietnam.

Although I did a modest amount of thinking, reading, listening, studying, and watching, I readily confess that it did not create me into an instant expert. I nevertheless became convinced that our policies then were erroneous, as I am convinced now that our policies are erroneous.

In the first speech I gave as a candidate for the Senate in September of 1967, I addressed myself to the question of the war in Vietnam. And indeed, it is the one issue perhaps that I belabored to the point of boredom to many Missouri audiences throughout the campaign.

I gave a couple of speeches in the early months of 1968, advocating that which in part is suggested by the Senator from South Dakota and which has now recently been suggested in speeches given by former Vice President Humphrey and Ambassadors Vance and Harriman, with respect to a stand fast cease-fire. That suggestion is contained in the Senator's speech. I commend the Senator for it.

I also commend the Senator for pointing out that which is true beyond dispute, that there is not a new proposal by the present administration on Vietnam. Whether or not we wish to go into the historical analysis, as did the Senator from Wyoming (Mr. McGee), of the difference between what presidential candidates say when running for office and the obligations that are thrust upon them once they assume office, the fact remains that there is no new policy from the White House.

Interesting as I deem that to be, and as highly as I regard the Senator from Wyoming, I do not think his analysis is particularly germane to a war which is going on and has already taken thousands of American lives.

The American people were told that there was a new plan, a secret plan, that had been developed. The Senator from South Dakota adroitly inquired of the Senator from Wyoming, "Do you admit that there is no new plan for Southeast Asia?" to which the Senator from Wyoming had less than a satisfactory answer.

The truth is that there is no new plan. It is a redistillation, a rearticulation of that which had been repeatedly said by Secretary of State Dean Rusk so many times that memory cannot recall. It was said during the years 1965, again in 1966, again in 1967, and again in 1968.

I want to associate myself with another portion of speech of the Senator from South Dakota before I move on to the one portion with which I will disagree.

In the Senator's speech, he points to our overreliance on the Thieu-Ky regime. I agree with the Senator. I agree that it is not only an overreliance, but it also at times almost amounts to a subservience to the point of being more worried about offending Mr. Thieu and Mr. Ky than being concerned with what is right for America and what is morally right for Vietnam.

With respect to every conversation that takes place, whether it be at Midway or elsewhere, we are concerned about Mr. Thieu and ask, "Will it cause him any difficulty in his administration?"

The proper concern should be what is right for the American people and what is morally right for the South Vietnamese people of which Thieu and Ky are the technical leaders in an election that is certainly not what we view in our country as being a free and fully participatory national election.

Finally, I must say this, so as to make the record clear. There is a portion of the Senator's fine speech with which I cannot identify. I presume that the reason for my inability to adopt that portion is that his agony, his obsession, dates back longer than does mine and with a greater depth of perception than mine—his from early 1965, mine from the fall of 1967. The position the Senator from South Dakota has taken here today may well, in due course, be my position and that of other Senators if this war drones on, if it drones on with weekly issues of Life magazine containing the faces of hundreds of young Americans who are giving their lives, knowing that the war is not going to be won, knowing that it is ever so gradually being deescalated.

Mr. President, if you had a boy 17 or 18 years of age who was about to be drafted, and he came in to see you and said, "I'm going into the Army, and I will probably be sent to Vietnam," I guess if he asked you, you would have to tell him the truth: "Well, young man, you are going to a war that will end perhaps by the end of 1970, maybe in 1971. We are not going to win it, and you and maybe thousands of others are likely to die. But that is American policy, a policy that started way, way back. You know how foreign policy is, young man. It has a way of turning itself on and not turning itself off. But go forth and be a patriotic soldier. I hope you will get back. I hope your picture will not appear in a future issue of Life magazine."

But I would have to say that I am not prepared at this juncture to adopt the penultimate recommendation of the Senator from South Dakota; namely, that the United States should unilaterally withdraw its forces from South Vietnam. Before we reach that decision, I should like to exhaust such other remedies as a standfast cease-fire. I should like to exert more muscle on the Thieu-Ky regime to have it broaden its base considerably so as to include neutralists. I should like to have an opportunity to exhaust remedies such as these and have them shown to be fruitless before adopting the penultimate conclusion.

Finally, I repeat what I said at the outset. The Senator from South Dakota is owed a great debt of gratitude by the American people for his valor, his intellectual courage, and his integrity in doing what he has done here today, and has done so ably and nobly on numerous occasions in the past, speaking with a wholesome mind and a compassionate heart about the overriding, compelling issue of our time.

I am pleased that the Senator was so gracious in yielding this time to me.

Mr. McGOVERN. I thank the Senator from Missouri for his statement, which I regard as one of the most moving statements we have heard on the floor in a long time.

Without in any way qualifying the position outlined in my prepared remarks, I may say to the Senator that I regard the first order of business as not the exact timetable of our withdrawal, which I said in my speech would be determined largely by the considerations of safety of our troops; but I agree with him that perhaps the most urgent order of business—and the Senator from Iowa (Mr. Hughes) made this point—is to change the general order under which General Abrams is now operating, which is one of maximum military pressure on the enemy, and to move, instead, in the opposite direction, so as to avoid contact with the enemy, instead of chasing them out into the jungle. I think we should avoid that kind of tactic and adopt a purely defensive strategy, in which the only time that firepower would be used would be for the defense of any troops that were threatened by a massing of enemy forces.

So I quite agree with the Senator on the priority of orders, which is to move to something we can do immediately, and that is to change the standing orders to our field commanders. The President can do that with a stroke of the pen or by a telephone call. In my judgment, that better fits the official policy we now espouse, which is a policy of denouncing any hope of military victory, and a policy supposedly aimed at a negotiated settlement of the war.

Let us attach the highest sense of urgency to stopping the killing of American troops and the killing of Vietnamese. I see nothing to be served by offensive operations that do not really change the character of our negotiating position in Paris, but which do harden the lines on both sides and make it very difficult for negotiations to take place—which kill our forces, kill our troops, and lead to continued devastation in Vietnam.

I commend the Senator from Missouri for his sensitive perception of the political and personal issues involved in this struggle. They are perhaps far more significant than the diplomatic and military strategies that have been tried in Vietnam these many years.

I have often wondered why it is that the U.S. Senate has produced so many more critics of our foreign policy in Vietnam than have been produced in the State Department or in the Pentagon, although some of them, after they have left office, have become rather dramatic critics of our policy. I think one of the reasons is that Senators are sensitive, as political figures, to some of the dilemmas that our military personnel have faced in Vietnam when they have tried to make up for the political bankruptcy in South Vietnam. They have increased the inputs of American military power. Our basic mistake has been to try to make up for political weakness, a lack of political leadership in Vietnam, by substituting American military power. That has really been at the bottom of our dilemma for many years.

I congratulate the Senator from Missouri (Mr. Eagleton), the Senator from Iowa (Mr. Hughes), the Senator from California (Mr. Cranston), and other Senators who have had not only the good political judgment, but the good moral judgment, it seems to me, to call for a different course in Vietnam in the interest not only of ourselves but for the people of Vietnam, as well.

Mr. BYRD of Virginia. Mr. President, will the Senator from South Dakota yield?

Mr. McGOVERN. The Senator from California has been waiting for some time for me to yield to him, I should like to yield first to him.

Mr. CRANSTON. Mr. President, I thank the Senator from South Dakota for yielding, and I thank the Senator from Virginia for permitting me to speak first.

I am particularly pleased to share the floor at this time with two fellow freshmen, the Senator from Iowa (Mr. Hughes), and the Senator from Missouri (Mr. Eagleton). I am pleased also that we have followed, in this debate, Senators as knowledgeable and experienced as the Senator from Arkansas (Mr. Fulbright), the Senator from Missouri (Mr. Symington), and the Senator from Idaho (Mr. Church) in commenting on the fine statement made by the Senator from South Dakota (Mr. McGovern) and in speaking out on Vietnam and on the cause of peace.

I join them in admiring the conscience, compassion, courage, and creativity of the Senator from South Dakota over a long, long time in facing up, as an American, to the great responsibilities and problems we all face in Vietnam and in the world.

I totally share the Senator's anguish over the depth of American participation in what he so aptly calls the current and present blood bath in Vietnam. I share totally his grave concern over the price we pay at home in so many and varied ways for what is happening to us and to others in Vietnam. I share his deep concern over the nature of the orders that our military leaders are carrying out at present in Vietnam.

I noted the carefully guarded, yet alarming and rather veiled remarks of the Senator from Idaho (Mr. Church) about the nature of those orders.

I wish to say that I also share the hopes of the President that he will be able to beat the timetable set forth by Clark Clifford, the former Secretary of Defense. I have a hope of my own about what the President is seeking to accomplish. I hope he has done something very significant and not something symbolic; that it is something of substance, and that it will become plain with the beginning of the withdrawal of troops. I hope we all see that we are going beyond the 25,000 figure to something far more substantial.

The Senator remarked very appropriately of the need for an American Declaration of Independence on the eve of our holiday of independence. I would like to agree with that statement, also. I believe that the United States must proclaim its independence from the Communists in Hanoi and from the corrupt men in Saigon.

The PRESIDING OFFICER. The additional 15 minutes of the Senator have expired.

Mr. McGOVERN. Mr. President, I ask unanimous consent that I may proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRANSTON. I think it is outrageous that our policy, the present American policy, depends on the willingness of Communists to start making less war, and the willingness of a corrupt government in Saigon to start making more war. I think it is outrageous and unacceptable that our policy depends on the willingness of the Communists and the corrupt government in Saigon to discuss peace. Apparently we can only make significant moves toward peace if they make moves toward peace.

I think we have to take the decisionmaking process into our hands. I believe with the Senator that until we make clear that we are on our way out there is no reason to think the Communists will in any significant way diminish their determination to make war, nor is there any reason to believe the government of Saigon will make any move toward assuming its responsibility. Why should they assume the responsibility to do the major fighting when we seem so willing everlastingly to do that?

For these reasons I join in this general way in what the Senator has said. I think we have to apply these pressures. I feel, although I have much hope about the President's plan, we will not see progress until we move out of the jungles and swamps of Vietnam.

Mr. McGOVERN. Mr. President, in the interest of time I will not comment on the Senator's remarks other than to thank him for his splendid contribution to our discussion this afternoon.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. McGOVERN. I am happy to yield to the Senator from Virginia.

Mr. BYRD of Virginia. I realize how deep is the feeling of the Senator from South Dakota in regard to the war in Vietnam. We have discussed this personally. I have had the opportunity to hear him on the floor of the Senate and I know how deep is his conviction.

I might say that the Senator from Virginia has a very deep conviction in regard to Vietnam and has had for 3½ or 4 years.

I felt it was a great error in judgment to become involved in a ground war in Vietnam. I believe that, too, is the view of the Senator from South Dakota.

During the past 3½ or 4 years, however, since our country has committed a large number of troops to Vietnam, I have taken a course somewhat different than the Senator from South Dakota. I have felt the only course I could follow as a Member of the Senate was to give support to those troops through supporting the Commander in Chief, which I did when President Johnson was Commander in Chief, and which I do now when Richard Nixon is Commander in Chief.

So I shall not comment on the Senator's speech today except one aspect of it about which I would like to obtain a clearer understanding.

Did I understand the Senator to say that he had met with North Vietnamese negotiators in Paris?

Mr. McGOVERN. Yes. Let me say, in responding to the Senator, that I gave some thought to that matter over a period of months. I decided it would be a useful effort to make, if for no other reason than to satisfy myself as to what really was the position of Hanoi and the National Liberation Front.

The Senator knows something about the credibility problem we have had with respect to our Vietnamese policy. That was underscored recently by the article of former Secretary of Defense Clifford, in which he revealed that much of what we were told as a matter of official policy in 1967 and 1968 was actually a matter of the deepest reservations on his part even at that time.

I have felt there was a distinct possibility that we were not being given a full understanding with regard to the position of the North Vietnamese and the National Liberation Front, and I wanted to hear their position for myself.

In preparation for that trip I first read the Logan Act, to make sure I understood the law in this country with respect to Americans talking to representatives of foreign governments. Having read that, I advised the State Department and Ambassador Lodge of my intention to talk with the delegations from the other side.

Mr. Lodge expressed the view that it might turn out to be a helpful effort; that it might be one more line of communication; that it might be helpful in getting a better understanding of the other side.

I carefully explained to the delegations from Hanoi and the NLF that under American law and American practice no one other than authorized American personnel have the right to represent the position of the United States; that I was not there as a negotiator or to try to persuade them to do anything, or to interpret the position of our Government; but to interrogate them and draw them out as a concerned citizen and Member of the Senate as to what was in their minds, and what it was that was blocking the possibility of a negotiated settlement.

I give that information by way of background to the Senator's question.

Mr. BYRD of Virginia. That gives additional information which I am glad to have.

Frankly, I had wondered when I first heard it on the radio, and then, second, when I heard it in the Senator's address this afternoon, as to the appropriateness of a Member of the Senate meeting with the official representatives of the enemies of our country.

Mr. McGOVERN. I understand the Senator's concern. I debated the matter long and hard before I made the judgment to go. I should add one final point in response to the Senator's question. When I got back to the United States I called the White House and arranged for a lengthy "debriefing session" with Mr. Kissinger, the President's top adviser on national security affairs, with the understanding that he would also transmit my observations to the State Department.

Mr. BYRD of Virginia. What passes through my mind is: Are we going to attempt to have individual negotiations, so to speak, with the representatives of the enemy in Paris? If, as the Senator from South Dakota said, Mr. Lodge said it is a fine thing for him to do, I assume other Senators would be free to meet with them.

Mr. McGOVERN. Let me make clear to the Senator that it is absolutely improper for anyone other than authorized personnel to posture as a negotiator, to represent the negotiating position of the United States, or to try to persuade an enemy country, or any country, to a different view at a time when negotiations are in process. That is why I made perfectly clear both to the Hanoi delegation and to the National Liberation Front that I was there to ask questions and not to interpret the position of my country

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and not to try to persuade them to a different negotiating position; that I was there simply to enlarge my own understanding of what was in their minds and what was holding up the possibility of a negotiated settlement.

Mr. BYRD of Virginia. I understand the Senator's position. I am sure he acted in complete good faith.

I just feel that as a matter of policy, listening to the debate today, I have considerable question as to the appropriateness of a Member of the U.S. Senate meeting with the official representatives of a country with which we are at war.

I do not think there can be any doubt in anyone's mind that we are at war with North Vietnam. If there is any doubt, look at the casualty figures. We have suffered 273,000 casualties there. So there is no doubt that we are at war.

Mr. McGOVERN. Even though the Senator would quite agree that officially we are not at war?

Mr. BYRD of Virginia. While, of course, officially, we may not be at war, I think that any reasonable person—and I am sure the Senator from South Dakota—does not deny that we are at war.

Mr. McGOVERN. I deplore it.

Mr. BYRD of Virginia. The Senator deplores it, and I deplore it, but we are at war.

Mr. McGOVERN. I also deplore the casualties.

Mr. BYRD of Virginia. The fact is, we are at war. Officially we are not at war, but we are at war.

I think that all of us in the Senate admit we are at war.

The question in my mind is whether we are serving the best interests of our country by meeting privately with an official group from a nation with which we are at war.

One other comment. The Senator in his speech, mentioned—I think he mentioned it in the context of his discussion with the representatives of Hanoi in regard to the bombing halt. That was brought up in his speech, I believe.

Mr. McGOVERN. Yes.

Mr. BYRD of Virginia. That brings to mind this thought. Since April 1, 1968, which is 15 months ago almost to the day, that was the day President Johnson first began to restrict——

Mr. McGOVERN. Yes.

Mr. BYRD of Virginia. And then subsequently to eliminate all bombing of North Vietnam. Now, since that day, the United States, of all the casualties it has suffered in Vietnam, 45 percent of them have occurred during the past 15 months, since that bombing halt.

Another figure I want to bring out——

Mr. McGOVERN. Before the Senator leaves that point, I think that for the RECORD he should add that the bombing halt occurred on November 1, that there was only a reduction of the area bombed prior to that time.

Mr. BYRD of Virginia. I think the record will show I mentioned that.

Mr. McGOVERN. Yes. Although there was a reduction of the area bombed. As of April 1, the number of aerial missions flown over North Vietnam after April 1 actually increased rather than decreased, that is, the bombing of the Ho Chi Minh trail, where the infiltration was taking place, increased rather than decreased after the April 1 change referred to by the Senator. There was no real bombing halt of North Vietnam until November 1. That was followed by a dramatic and noticeable decrease in American casualties which continued through the fall and winter of 1968.

Mr. BYRD of Virginia. I had better restate the situation as I see it, then, to be certain of my accuracy.

I think what I said was that beginning April 1, 1968, President Johnson restricted——

Mr. McGOVERN. Yes.

Mr. BYRD of Virginia. And then subsequently eliminated——

Mr. McGOVERN. That is correct.

Mr. BYRD of Virginia. And the subsequent elimination came on November 1, so that between April 1 and November 1 all bombing north of the 19th parallel was eliminated. So there was an elimination of bombing above that parallel. There was still some bombing of North Vietnam——

Mr. McGOVERN. Yes.

Mr. BYRD of Virginia. Between the 19th parallel and the DMZ.

Mr. McGOVERN. Yes, very heavy, as a matter of fact.

Mr. BYRD of Virginia. But that was not the major part of North Vietnam, just a small part of North Vietnam.

I bring that up only to say and to repeat that in the past 15 months, since President Johnson on the night of March 31 made his TV speech and the statement that he would not be a candidate, and to show his good faith was halting the bombing of North Vietnam north of the 19th parallel, in order to get negotiations started.

Yet, that was 15 months ago that the bombing was restricted, and 45 percent of our casualties have occurred during those 15 months, and negotiations are not started yet. Yes, we have suffered some 121,000 casualties since April 1 of last year.

Mr. McGOVERN. If the Senator will yield at that point, let us make the RECORD clear that the longest delay in the start of negotiation in Paris can be laid at the door of the Thieu-Ky regime in Saigon, which refused to go to Paris and begin the negotiations long after the regime in Hanoi and the National Liberation Front had expressed their willingness to proceed with negotiations. Thus, if we are going to talk about who held up the negotiating process in Paris, let us not forget about the generals who control the government in Saigon. They were principally responsible for the delay.

Mr. BYRD of Virginia. In the first place, I say to the Senator from South Dakota that I do not attempt to assess the blame.

That is not the point I am concerned with on these negotiations as to where the blame lies. The fact is that although the United States, through President Johnson, took affirmative steps by eliminating the bombing of most of North Vietnam 15 months ago, we still are no better off, so far as I can see, than we were at that point.

Mr. President, I want to cite figures for 1969. For the first 6 months of 1969, the U.S. casualty figures in Vietnam have average 1,930 per week. So the casualties are still great.

We are still suffering severe casualties in Vietnam. We are still at war. We are still in a very precarious and difficult position. We have yet to find a way out of this tragic involvement.

My only purpose in rising was that since I was in the Chamber when the Senator was making his speech, I felt I wanted to comment on that one aspect of it; namely, to express the personal view that I question whether it is appropriate for a U.S. Senator to meet with the enemies of our country during a time of war.

I know that the Senator from South Dakota acted in good faith. I do not question that for a moment. I know that he did what he thought was best for our Nation.

But, as one Senator, I express doubt as to the wisdom of those of us in the Senate, in a position of high responsibility, meeting with the enemies of our Nation with whom we are at war.

Mr. McGOVERN. Mr. President, I want the Senator to know that I fully appreciate the concern that he expresses. Those same considerations went through my mind for many, many months before I finally decided to undertake this effort. I would not be able to rest if I thought anything I had done in reference to these discussions, or what I have said here on the floor this afternoon, or at any earlier time, had cost the life of one single American boy or had helped continue this war for 1 day. The only thing that motivates my interest in this issue is a desire to bring an end to this war and to try to understand what is delaying the negotiating process, and what it is that keeps this senseless killing going on on both sides. That was the reason for my explorations in Paris. It is my reason for speaking out today.

I do not know whether my decision at an earlier time was right or wrong in always voting for appropriations to support the war in Vietnam, even though I opposed the war; but, like the Senator from Virginia, I have always voted for the appropriations to supply the needs of that war, even though I felt we had ordered American boys into a conflict that was not in our national interest.

I am not sure how long I am going to continue to vote for appropriations to support that war—not because I am any less interested in the welfare of our troops there, but because I think we have perhaps reached the point where Congress is going to have to exercise the power of the purse, in order to bring about a change in the policy that is keeping our troops, our young men there, and which is not going to accomplish anything, in my opinion, in terms of advancing our national interest.

I thank the Senator.

Mr. HUGHES. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. HUGHES. I just ask one question. I know the answer. I know the Senator

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from South Dakota and the Senator from Iowa, and I believe all Senators who have spoken here this afternoon, have given unlimited and undying support to our American troops in Vietnam continually throughout this war. I want to ask if the United States, upon halting the bombing of North Vietnam from the air, proportionately increased air attacks and other attacks in the south, which contributed to the increase in casualties?

Mr. McGOVERN. There is not the slightest doubt about that. Almost concurrently with the halt of the bombing of North Vietnam, we stepped up the battalion-size operations from around 800 a month to something around 1,100 a month.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McGOVERN. I ask unanimous consent to proceed for an additional 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGOVERN. We increased very substantially the number of aerial bombing missions flown over South Vietnam. We increased the amphibious operations to a scale our commander said we had not reached anywhere in the world since World War II.

My own judgment is that those offensive operations on our part have had more to do with the continuing high casualty rate than the offensive operations on the other side.

We all deplore the killing and the terrorism and the brutality of the enemy troops. I think we can do something about reducing the violence and the killing by the strategy that we follow, and that is what I plead for here today.

Mr. President, since I believe they are significant in light of this debate, I ask unanimous consent to insert several documents in the RECORD.

The first is a brief excerpt from the memoirs of Gen. Matthew Ridgway, who was the Army Chief of Staff in the mid-1950's, at the time it was first proposed that we send American forces into Southeast Asia. General Ridgway was one of those great generals who helped to persuade General Eisenhower, also a great general, not to do that. He writes of that decision in his memoirs, in 1956.

How sad it is that that decision not to intervene in 1954 did not remain our policy from that day on.

I also ask unanimous consent that an article by the former Commandant of the Marine Corps, Gen. David M. Shoup, entitled "The New American Militarism," which appeared in the April 1969 edition of Atlantic magazine, be inserted in the RECORD, along with the article by former Secretary of Defense, Clark Clifford, which appeared in the July 1969 issue of Foreign Affairs.

Also, the report of a U.S. study team, including Bishop James Armstrong; Robert Drian, S.J., dean of the Boston College Law School; and Rear Adm. Arnold True.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXCERPT FROM RIDGWAY MEMOIRS

When the day comes for me to face my Maker and account for my actions, the thing I would be most humbly proud of was the fact that I fought against, and perhaps contributed to preventing the carrying out of some harebrained tactical schemes which would have cost the lives of thousands of men. To that list of tragic accidents that fortunately never happened I would add the Indochina intervention.—Army Chief of Staff, Gen. Matthew Ridgway; in his Memoirs, published in 1956.

THE NEW AMERICAN MILITARISM

(By Gen. David M. Shoup)

(NOTE.—Its roots are in the experience of World War II. The burgeoning military establishment and associated industries fuel it, Anti-Communism provides the climate which nurtures it. "It" is a "new American militarism." General Shoup, a hero of the Battle of Tarawa in 1943, who rose to become Commandant of the United States Marine Corps for four years until his retirement in December, 1963, doesn't like it. He has written this essay in collaboration with another retired Marine officer, Colonel James A. Donovan.)

America has become a militaristic and aggressive nation. Our massive and swift invasion of the Dominican Republic in 1965, concurrent with the rapid buildup of U.S. military power in Vietnam, constituted an impressive demonstration of America's readiness to execute military contingency plans and to seek military solutions to problems of political disorder and potential Communist threats in the areas of our interest.

This "military task force" type of diplomacy is in the tradition of our more primitive, pre-World War II "gunboat diplomacy," in which we landed small forces of Marines to protect American lives and property from the perils of native bandits and revolutionaries. In those days the U.S. Navy and its Marine landing forces were our chief means, short of war, for showing the flag, exercising American power, and protecting U.S. interests abroad. The Navy, enjoying the freedom of the seas, was a visible and effective power, The Marines could be employed ashore, "on such other duties as the President might direct" without congressional approval or a declaration of war. The U.S. Army was not then used so freely because it was rarely ready for expeditionary service without some degree of mobilization, and its use overseas normally required a declaration of emergency or war. Now, however, we have numerous contingency plans involving large joint Air Force-Army-Navy-Marine task forces to defend U.S. interests and to safeguard our allies wherever and whenever we suspect Communist aggression. We maintain more than 1,517,000 Americans in uniform overseas in 119 countries. We have 8 treaties to help defend 48 nations if they ask us to—or if we choose to intervene in their affairs. We have an immense and expensive military establishment, fueled by a gigantic defense industry, and millions of proud, patriotic, and frequently bellicose and militaristic citizens. How did this militarist culture evolve? How did this militarism steer us into the tragic military and political morass of Vietnam?

Prior to World War II, American attitudes were typically isolationist, pacifist, and generally antimilitary. The regular peacetime military establishment enjoyed small prestige and limited influence upon national affairs. The public knew little about the armed forces, and only a few thousand men were attracted to military service and careers. In 1940 there were but 428,000 officers and enlisted men in the Army and Navy. The scale of the war, and the world's power relationships which resulted, created the American military giant. Today the active armed forces contain over 3.4 million men and women, with an additional 1.6 million ready reserves and National Guardsmen.

America's vastly expanded world role after World War II hinged upon military power. The voice and views of the professional military people became increasingly prominent. During the postwar period, distinguished military leaders from the war years filled many top positions in government. Generals Marshall, Eisenhower, MacArthur, Taylor, Ridgway, LeMay, and others were not only popular heroes but respected opinion-makers. It was a time of international readjustment; military minds offered the benefits of firm views and problem-solving experience to the management of the nation's affairs. Military procedures—including the general staff system, briefings, estimates of the situation, and the organizational and operational techniques of the highly schooled, confident military professionals—spread throughout American culture.

World War II had been a long war. Millions of young American men had matured, been educated, and gained rank and stature during their years in uniform. In spite of themselves, many returned to civilian life as indoctrinated, combat-experienced military professionals. They were veterans, and for better or worse would never be the same again. America will never be the same either. We are now a nation of veterans. To the 14.9 million veterans of World War II, Korea added another 5.7 million five years later, and ever since, the large peacetime military establishment has been training and releasing draftees, enlistees, and short-term reservists by the hundreds of thousands each year. In 1968 the total living veterans of U.S. military service numbered over 23 million, or about 20 percent of the adult population.

Today, most middle-aged men, most business, government, civic, and professional leaders, have served some time in uniform. Whether they liked it or not, their military training and experience have affected them, for the creeds and attitudes of the armed forces are powerful medicine, and can become habit-forming. The military codes include all the virtues and beliefs used to motivate men of high principle: patriotism, duty and service to country, honor among fellowmen, courage in the face of danger, loyalty to organization and leaders, self-sacrifice for comrades, leadership, discipline, and physical fitness. For many veterans the military's efforts to train and indoctrinate them may well be the most impressive and influential experience they have ever had—especially so for the young and less educated.

In addition, each of the armed forces has its own special doctrinal beliefs and well-catalogued customs, traditions, rituals, and folklore upon which it strives to build a fiercely loyal military character and esprit de corps. All ranks are taught that their unit and their branch of the military service are the most elite, important, efficient, or effective in the military establishment. By believing in the superiority and importance of their own service they also provide themselves a degree of personal status, pride, and self-confidence.

As they get older, many veterans seem to romanticize and exaggerate their own military experience and loyalties. The policies, attitudes, and positions of the powerful veterans' organizations such as the American Legion, Veterans of Foreign Wars, and AMVETS, totaling over 4 million men, frequently reflect this pugnacious and chauvinistic tendency. Their memberships generally favor military solutions to world problems in the pattern of their own earlier experience, and often assert that their military service and sacrifice should be repeated by the younger generations.

Closely related to the attitudes and influence of America's millions of veterans is the vast and powerful complex of the defense industries, which have been described in detail many times in the eight years since General Eisenhower first warned of the military-industrial power complex in his farewell address as President. The relationship between the defense industry and the military establishment is closer than many citizens realize. Together they form a powerful public opinion lobby. The several military service associations provide both a forum and a meeting ground for the military and its industries. The associations also provide each of the armed services with a means of fostering their respective roles, objectives, and propaganda.

Each of the four services has its own association, and there are also additional military function associations, for ordnance, management, defense industry, and defense transportation, to name some of the more prominent. The Air Force Association and the Association of the U.S. Army are the largest, best organized, and most effective of the service associations. The Navy League, typical of the "silent service" traditions, is not as well coordinated in its public relations efforts, and the small Marine Corps Association is not even in the same arena with the other contenders, the Marine Association's main activity being the publication of a semiofficial monthly magazine. Actually, the service associations' respective magazines, with an estimated combined circulation of over 270,000, are the primary medium serving the several associations' purposes.

Air Force and Space Digest, to cite one example, is the magazine of the Air Force Association and the unofficial mouthpiece of the U.S. Air Force doctrine, "party line," and propaganda. It frequently promotes Air Force policy that has been officially frustrated or suppressed within the Department of Defense. It beats the tub for strength through aerospace power, interprets diplomatic, strategic, and tactical problems in terms of airpower, stresses the requirements for quantities of every type of aircraft, and frequently perpetuates the extravagant fictions about the effectiveness of bombing. This, of course, is well coordinated with and supported by the multibillion-dollar aerospace industry, which thrives upon the boundless desires of the Air Force. They reciprocate with lavish and expensive ads in every issue of *Air Force*. Over 96,000 members of the Air Force Association receive the magazine. Members include active, reserve, retired personnel, and veterans of the U.S. Air Force. Additional thousands of copies go to people engaged in the defense industry. The thick mixture of advertising, propaganda, and Air Force doctrine continuously repeated in this publication provides its readers and writers with a form of intellectual hypnosis, and they are prone to believe their own propaganda because they read it in *Air Force*.

The American people have also become more and more accustomed to militarism, to uniforms, to the cult of the gun, and to the violence of combat. Whole generations have been brought up on war news and wartime propaganda; the few years of peace since 1939 have seen a steady stream of war novels, war movies, comic strips, and television programs with war or military settings. To many Americans, military training, expeditionary service, and warfare are merely extensions of the entertainment and games of childhood. Even the weaponry and hardware they use at war are similar to the highly realistic toys of their youth. Soldiering loses appeal for some of the relatively few who experience the blood, terror, and filth of battle; for many, however, including far too many senior professional officers, war and combat are an exciting adventure, a competitive game, and an escape from the dull routines of peacetime.

It is this influential nucleus of aggressive, ambitious professional military leaders who are the root of America's evolving militarism. There are over 410,000 commissioned officers on active duty in the four armed services. Of these, well over half are junior ranking reserve officers on temporary active duty. Of the 150,000 or so regular career officers, only a portion are senior ranking colonels, generals, and admirals, but it is they who constitute the elite core of the military establishment. It is these few thousand top-ranking professionals who command and manage the armed forces and plan and formulate military policy and opinion. How is it, then, that in spite of civilian controls and the national desire for peace, this small group of men exert so much martial influence upon the government and life of the American people?

The military will disclaim any excess of power or influence on their part. They will point to their small numbers, low pay, and subordination to civilian masters as proof of their modest status and innocence. Nevertheless, the professional military, as a group, is probably one of the best organized and most influential of the various segments of the American scene. Three wars and six major contingencies since 1940 have forced the American people to become abnormally aware of the armed forces and their leaders. In turn the military services have produced an unending supply of distinguished, capable, articulate, and effective leaders. The sheer skill, energy, and dedication of America's military officers make them dominant in almost every government or civic organization they may inhabit, from the federal Cabinet to the local PTA.

The hard core of high-ranking professionals are, first of all, mostly service academy graduates: they had to be physically and intellectually above average among their peers just to gain entrance to an academy. Thereafter for the rest of their careers they are exposed to constant competition for selection and promotion. Attrition is high, and only the most capable survive to reach the elite senior ranks. Few other professions have such rigorous selection systems; as a result, the top military leaders are top-caliber men.

Not many industries, institutions, or civilian branches of government have the resources, techniques, or experience in training leaders such as are now employed by the armed forces in their excellent and elaborate school systems. Military leaders are taught to command large organizations and to plan big operations. They learn the techniques of influencing others. Their education is not, however, liberal or cultural. It stresses the tactics, doctrines, traditions, and cores of the military trade. It produces technicians and disciples, not philosophers.

The men who rise to the top of the military heirarchy have usually demonstrated their effectiveness as leaders, planners, and organization managers. They have perhaps performed heroically in combat, but most of all they have demonstrated, their loyalty as proponents of their own service's doctrine and their dedication to the defense establishment. The paramount sense of duty to follow orders is at the root of the military professional's performance. As a result the military often operate more efficiently and effectively in the arena of defense policy planning than do their civilian counterparts in the State Department. The military planners have their doctrinal beliefs, their loyalties, their discipline, and their typical desire to compete and win. The civilians in government can scarcely play the same policy-planning game. In general the military are better organized, they work harder, they think straighter, and they keep their eyes on the objective, which is to be instantly ready to solve the problem through military action while ensuring that their respective service gets its proper mission, role, and recognition in the operation. In an emergency the military usually have a ready plan; if not, their numerous doctrinal manuals provide firm guidelines for action. Politicians, civilian appointees, and diplomats do not normally have the same confidence about how to react to threats and violence as do the military.

The motivations behind these endeavors are difficult for civilians to understand. For example, military professionals cannot measure the success of their individual efforts in terms of personal financial gain. The armed forces are not profit-making organizations, and the rewards for excellence in the military profession are acquired in less tangible forms. Thus it is that promotion and the responsibilities of higher command, with the related fringe benefits of quarters, servants, privileges, and prestige, motivate most career officers. Promotions and choice job opportunities are attained by constantly performing well, conforming to the expected patterns, and pleasing the senior officers. Promotions and awards also frequently result from heroic and distinguished performance in combat, and it takes a war to become a military hero. Civilians can scarcely understand or even believe that many ambitious military professionals truly yearn for wars and the opportunities for glory and distinction afforded only in combat. A career of peacetime duty is a dull and frustrating prospect for the normal regular officer to contemplate.

The professional military leaders of the U.S. Armed Forces have some additional motivations which influence their readiness to involve their country in military ventures. Unlike some of the civilian policy-makers, the military has not been obsessed with the threat of Communism per se. Most military people know very little about Communism either as a doctrine or as a form of government. But they have been given reason enough to presume that it is bad and represents the force of evil. When they can identify "Communist aggression," however, the matter then becomes of direct concern to the armed forces. Aggressors are the enemy in the war games, the "bad guys," the "Reds." Defeating aggression is a gigantic combat-area competition rather than a crusade to save the world from Communism. In the military view, all "Communist aggression" is certain to be interpreted as a threat to the United States.

The armed forces' role in performing its part of the national security policy—in addition to defense against actual direct attack on the United States and to maintaining the strategic atomic deterrent forces—is to be prepared to employ its *General Purpose Forces* in support of our collective security policy and the related treaties and alliances. To do this it deploys certain forces to forward zones in the Unified Commands, and maintains an up-to-date file of scores of detailed contingency plans which have been thrashed out and approved by the Joint Chiefs of Staff. Important features of these are the movement or deployment schedules of task forces assigned to each plan. The various details of these plans continue to create intense rivalries between the Navy-Marine sea-lift forces and the Army-Air Force team of airmobility proponents. At the senior command levels parochial pride in service, personal ambitions, and old Army-Navy game rivalry stemming back to academy loyalties can influence strategic planning far more than most civilians would care to believe. The game is to be ready for deployment sooner than the other elements of the joint task force and to be so disposed as to be the "first to fight." The danger presented by this practice is that readiness and deployment speed become ends in themselves. This was clearly revealed in the massive and rapid intervention in the Dominican Republic in 1965 when the contingency plans and interservice rivalry appeared to supersede diplomacy. Before the world realized what was happening, the momentum and velocity of the military plans propelled almost 20,000 U.S. soldiers and Marines into the small turbulent republic in an impressive race to test the respective mo-

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bility of the Army and the Marines, and to attain overall command of "U.S. Forces Dom. Rep." Only a fraction of the force deployed was needed or justified. A small 1935-model Marine landing force could probably have handled the situation. But the Army airlifted much of the 82d Airborne Division, to the scene, included a lieutenant general, and took charge of the operation.

Simultaneously, in Vietnam during 1965 the four services were racing to build up combat strength in that hapless country. This effort was ostensibly to save South Vietnam from Viet Cong and North Vietnamese aggression. It should also be noted that it was motivated in part by the same old interservice rivalry to demonstrate respective importance and combat effectiveness.

The punitive air strikes immediately following the Tonkin Gulf incident in late 1964 revealed the readiness of naval air forces to bomb North Vietnam. (It now appears that the Navy actually had attack plans ready even before the alleged incident took place!) So by early 1965 the Navy carrier people and the Air Force initiated a contest of comparative strikes, sorties, tonnages dropped, "Killed by Air" claims, and target grabbing which continued up to the 1968 bombing pause. Much of the reporting on air action has consisted of misleading data or propaganda to serve Air Force and Navy purposes. In fact, it became increasingly apparent that the U.S. *bombing effort in both North and South Vietnam has been one of the most wasteful and expensive hoaxes ever to be put over on the American people*. Tactical and close air support of ground operations is essential, but air power use in general has to a large degree been a contest for the operations planners, "fine experience" for young pilots, and opportunity for career officers.

The higly trained professional and aggressive career officers of the Army and Marine Corps played a similar game. Prior to the decision to send combat units to South Vietnam in early 1965, both services were striving to increase their involvement. The Army already had over 16,000 military aid personnel serving in South Vietnam in the military adviser role, in training missions, logistic services, supporting helicopter companies, and in Special Forces teams. This investment of men and material justified a requirement for addtional U.S. combat units to provide local security and to help protect our growing commitment of aid to the South Vietnam regime.

There were also top-ranking Army officers who wanted to project Army ground combat units into the Vietnam struggle for a variety of other reasons; to test plans and new equipment, to test the new air-mobile theories and tactics, to try the tactics and techniques of counterinsurgency, and to gain combat experience for young officers and noncommissioned officers. It also appeared to be a case of the military's duty to stop "Communist aggression" in Vietnam.

The Marines had somewhat similar motivations, the least of which was any real concern about the political or social problems of the Vietnamese people. In early 1965 there was a shooting war going on and the Marines were being left out of it, contrary to all their traditions. The Army's military advisory people were hogging American participation—except for a Marine Corps transport helicopter squadron at Danang which was helping the Army of the Republic of Vietnam. For several years young Marine officers had been going to South Vietnam from the 3rd Marine Division on Okinawa for short tours of "on-the-job training" with the small South Vietnam Marine Corps. There was a growing concern, however, among some senior Marines that the Corps should get involved on a larger scale and be the "first to fight" in keeping with the Corps's traditions. This would help justify the Corps's continued existence, which many Marines seem to consider to be in constant jeopardy.

The Corps had also spent several years exploring the theories of counterinsurgency and as early as 1961 had developed an elaborate lecture-demonstration called Operation Cormorant, for school and Marine Corps promotion purposes, which depicted the Marines conducting a large-scale amphibious operation on the coast of Vietnam and thereby helping resolve a hypothetical aggressor-insurgency problem. As always it was important to Marine planners and doctrinaires to apply an amphibious operation to the Vietnam situation and provide justification for this special Marine functional responsibility. So Marine planners were seeking an acceptable excuse to thrust a landing force over the beaches of Vietnam when the Viet Cong attacked the U.S. Army Special Forces camp at Pleiku in February, 1965. It was considered unacceptable aggression, and the President was thereby prompted to put U.S. ground combat units into the war. Elements of the 3rd Marine Division at Okinawa were already aboard ship and eager to go, for the Marines also intended to get to Vietnam before their neighbor on Okinawa, the Army's 173rd Airborne Brigade, arrived. (Actually the initial Marine unit to deploy was an airlifted antiaircraft missile battalion which arrived to protect the Danang air base.) With these initial deployments the Army-Marine race to build forces in Vietnam began in earnest and did not slow down until both became overextended, overcommitted, and depleted at home.

For years up to 1964 the chiefs of the armed services, of whom the author was then one, deemed it unnecessary and unwise for U.S. forces to become involved in any ground war in Southeast Asia. In 1964, there were changes in the composition of the Joint Chiefs of Staff, and in a matter of a few months the Johnson Administration, encouraged by the aggressive military, hastened into what has become the quagmire of Vietnam. The intention at the time was that the war effort be kept small and "limited." But as the momentum and involvement built up, the military leaders rationalized a case that this was not a limited-objective exercise, but was a proper war in defense of the United States against "Communist aggression" and in honor of our area commitments.

The battle successes and heroic exploits of America's fine young fighting men have added to the military's traditions which extol service, bravery, and sacrifice, and so it has somehow become unpatriotic to question our military strategy and tactics or the motives of military leaders. Actually, however, the military commanders have directed the war in Vietnam, they have managed the details of its conduct; and more than most civilian officials, the top military planners were initially ready to become involved in Vietnam combat and have the opportunity to practice their trade. It has been popular to blame the civilian administration for the conduct and failures of the war rather than to question the motives of the military. But some of the generals and admirals are by no means without responsibility for the Vietnam miscalculations.

Some of the credibility difficulties experienced by the Johnson Administration over its war situation reports and Vietnam policy can also be blamed in part upon the military advisers. By its very nature most military activity falls under various degrees of security classification. Much that the military plans or does must be kept from the enemy. Thus the military is indoctrinated to be secretive, devious, and misleading in its plans and operations. It does not, however, always confine its security restrictions to purely military operations. Each of the services and all of the major commands practice techniques of controlling the news and the release of self-serving propaganda: in "the interests of national defense," to make the service look good, to cover up mistakes, to build up and publicize a distinguished military personality, or to win a round in the continuous gamesmanship of the interservice contest. If the Johnson Administration suffered from lack of credibility in its reporting of the war, the truth would reveal that much of the hocus-pocus stemmed from schemers in the military services, both at home and abroad.

Our militaristic culture was born of the necessities of World War II, nurtured by the Korean War, and became an accepted aspect of American life during the years of cold war emergencies and real or imagined threats from the Communist bloc. Both the philosophy and the institutions of militarism grew during these years because of the momentum of their own dynamism, the vigor of their ideas, their large size and scope, and because of the dedicated concentration of the emergent military leaders upon their doctrinal objectives. The dynamism of the defense establishment and its culture is also inspired and stimulated by vast amounts of money, by the new creations of military research and materiel development, and by the concepts of the Defense Department-supported "think factories." These latter are extravagantly funded civilian organizations of scientists, analysts, and retired military strategists who feed new militaristic philosophies into the Defense Department to help broaden the views of the single service doctrinaires, to create fresh policies and new requirements for ever larger, more expensive defense forces.

Somewhat like a religion, the basic appeals of anti-Communism, national defense, and patriotism provide the foundation for a powerful creed upon which the defense establishment can build, grow, and justify its cost. More so than many large bureaucratic organizations, the defense establishment now devotes a large share of its efforts to self-perpetuation, to justifying its organizations, to preaching its doctrines, and to self-maintenance and management. Warfare becomes an extension of war games and field tests. War justifies the existence of the establishment, provides experience for the military novice and challenges for the senior officer. Wars and emergencies put the military and their leaders on the front pages and give status and prestige to the professionals. Wars add to the military traditions, the self-nourishment of heroic deeds, and provide a new crop of military leaders who become the rededicated disciples of the code of service and military action. Being recognized public figures in a nation always seeking folk heroes, the military leaders have been largely exempt from the criticism experienced by the more plebeian politician. Flag officers are considered "experts," and their views are often accepted by press and Congress as the gospel. In turn, the distinguished military leader feels obligated not only to perpetuate loyally the doctrine of his service but to comply with the stereotyped military characteristics by being tough, aggressive, and firm in his resistance to Communist aggression and his belief in the military solutions to world problems. Standing closely behind these leaders, encouraging and prompting them are the rich and powerful defense industries. Standing in front, adorned with service caps, ribbons, and lapel emblems, is a nation of veterans—patriotic, belligerent, romantic, and well intentioned, finding a certain sublimation and excitement in their country's latest military venture. Militarism in America is in full bloom and promises a future of vigorous self-pollination—unless the blight of Vietnam reveals that militarism is more a poisonous weed than a glorious blossom.

A Vietnam Reappraisal—The Personal History of One Man's View and How It Evolved

(By Clark M. Clifford)

Viet Nam remains unquestionably the transcendent problem that confronts our nation. Though the escalation has ceased, we seem to be no closer to finding our way out of this infinitely complex difficulty. The confidence of the past has become the frustration of the present. Predictions of progress and of military success, made so often by so many, have proved to be illusory as the fighting and the dying continue at a tragic rate. Within our country, the dialogue quickens and the debate sharpens. There is a growing impatience among our people, and questions regarding the war and our participation in it are being asked with increasing vehemence.

Many individuals these past years have sought to make some contribution toward finding the answers that have been so elusive. It is with this hope in mind that I present herewith the case history of one man's attitude toward Viet Nam, and the various stages of thought he experienced as he plodded painfully from one point of view to another; and another, until he arrived at the unshakable opinion he possesses today.

Views on Viet Nam have become increasingly polarized as the war has gone on without visible progress toward the traditional American military triumph. There remain some who insist that we were right to intervene militarily and, because we were right, we have no choice but to press on until the enemy knuckles under and concedes defeat. At the other extreme, and in increasing numbers, there are those who maintain that the present unsatisfactory situation proves that our Viet Nam policy has been wrong from the very beginning. There are even those who suggest that our problems in Viet Nam cast doubt on the entire course of American foreign policy since World War II. Both schools share a common and, as I see it, an erroneous concept. They both would make military victory the ultimate test of the propriety of our participation in the conflict in Southeast Asia.

I find myself unable to agree with either extreme. At the time of our original involvement in Viet Nam, I considered it to be based upon sound and unassailable premises, thoroughly consistent with our self-interest and our responsibilities. There has been no change in the exemplary character of our intentions in Viet Nam. We intervened to help a new and small nation resist subjugation by a neighboring country—a neighboring country, incidentally, which was being assisted by the resources of the world's two largest communist powers.

I see on profit and no purpose in any divisive national debate about whether we were right or wrong initially to become involved in the struggle in Viet Nam. Such debate at the present time clouds the issue and obscures the pressing need for a clear and logical evaluation of our present predicament, and how we can extricate ourselves from it.

Only history will be able to tell whether or not our military presence in Southeast Asia was warranted. Certainly the decisions that brought it about were based upon a reasonable reading of the past three decades. We had seen the calamitous consequences of standing aside while totalitarian and expansionist nations moved successively against their weaker neighbors and accumulated a military might which left even the stronger nations uneasy and insecure. We had seen in the period immediately after World War II the seemingly insatiable urge of the Soviet Union to secure satellite states on its western periphery. We had seen in Asia itself the attempt by open invasion to extend communist control into the independent South of the Korean Peninsula. We had reason to feel that the fate averted in Korea through American and United Nations military force would overtake the independent countries of Asia, albeit in somewhat subtler form, were we to stand aside while the communist North sponsored subversion and terrorism in South Viet Nam.

The transformation that has taken place in my thinking has been brought about, however, by the conclusion that the world situation has changed dramatically, and that American involvement in Viet Nam can and must change with it. Important ingredients of this present situation include the manner in which South Viet Nam and its Asian neighbors have responded to the threat and to our own massive intervention. They also include internal developments both in Asian nations and elsewhere, and the changing relations among world powers.

The decisions which our nation faces today in Viet Nam should not be made on interpretations of the facts as they were perceived four or five or fifteen years ago, even if, through compromise, a consensus could be reached on these interpretations. They must instead be based upon our present view of our obligations as a world power; upon our current concept of our national security; upon our conclusions regarding our commitments as they exist today; upon our fervent desire to contribute to peace throughout the world; and, hopefully, upon our acceptance of the principle of enlightened self-interest.

But these are broad and general guidelines, subject to many constructions and misconstructions. They also have the obvious drawback of being remote and impersonal.

The purpose of this article is to present to the reader the intimate and highly personal experience of one man, in the hope that by so doing there will be a simpler and clearer understanding of where we are in Viet Nam today, and what we must do about it. I shall go back to the beginning and identify, as well as I can, the origins of my consciousness of the problem, the opportunities I had to obtain the facts, and the resulting evolution of what I shall guardedly refer to as my thought processes.

II

Although I had served President Truman in the White House from May 1945 until February 1950, I do not recall ever having had to focus on Southeast Asia. Indochina, as it was then universally known, was regarded by our government as a French problem. President Truman was prompted from time to time by the State Department to approve statements that seemed to me to be little more than reiterations of the long-standing American attitude against "colonialism." If any of those provoked extensive discussion at the White House, I cannot recall. For the next decade, I watched foreign affairs and the growing turbulence of Asia from the sidelines as a private citizen, increasingly concerned but not directly involved.

In the summer of 1960, Senator John Kennedy invited me to act as his transition planner, and later as liaison with the Eisenhower Administration in the interval between the election and January 20, 1961. Among the foreign policy problems that I encountered at once was a deteriorating situation in Southeast Asia. Major-General Wilton B. Persons, whom President Eisenhower had designated to work with me, explained the gravity of the situation as viewed by the outgoing Administration. I suggested to the President-elect that it would be well for him to hear President Eisenhower personally on the subject. He agreed, and accordingly General Persons and I placed Southeast Asia as the first item on the agenda of the final meeting between the outgoing and the incoming Presidents. This meeting, held on the morning of January 19, 1961, in the Cabinet Room, was attended by President Eisenhower, Secretary of State Christian Herter, Secretary of Defense Thomas Gates, Secretary of the Treasury Robert Anderson and General Persons. President-elect Kennedy had his counterparts present: Secretary of State-designate Dean Rusk, Secretary of Defense-designate Robert McNamara, Secretary of the Treasury-designate Douglas Dillon, and me.

At President-elect Kennedy's suggestion, I took notes of the important subjects discussed. Most of the time, the discussion centered on Southeast Asia, with emphasis upon Laos. At that particular time, January 1961, Laos had come sharply into focus and appeared to constitute the major danger in the area.

My notes disclose the following comments by the President:

At this point, President Eisenhower said, with considerable emotion, that Laos was the key to the entire area of Southeast Asia.

He said that if we permitted Laos to fall, then we would have to write off all the area. He stated we must not permit a Communist take-over. He reiterated that we should make every effort to persuade member nations of SEATO or the International Control Commission to accept the burden with us to defend the freedom of Laos.

As he concluded these remarks, President Eisenhower stated it was imperative that Laos be defended. He said that the United States should accept this task with our allies, if we could persuade them, and alone if we could not. He added, "Our unilateral intervention would be our last desperate hope in the event we were unable to prevail upon the other signatories to join us."

That morning's discussion, and the gravity with which President Eisenhower addressed the problem, had a substantial impact on me. He and his advisers were finishing eight years of responsible service to the nation. I had neither facts nor personal experience to challenge their assessment of the situation, even if I had the inclination to do so. The thrust of the presentation was the great importance to the United States of taking a firm stand in Southeast Asia, and I accepted that judgment.

On an earlier occasion, in speaking of Southeast Asia, President Eisenhower had said that South Viet Nam's capture by the communists would bring their power several hundred miles into a hitherto free region. The freedom of 12 million people would be lost immediately, and that of 150 million in adjacent lands would be seriously endangered. The loss of South Viet Nam would set in motion a crumbling process that could, as it progressed, have grave consequences for us and for freedom.

As I listened to him in the Cabinet Room that January morning, I recalled that it was President Eisenhower who had acquainted the public with the phrase "domino theory" by using it to describe how one country after another could be expected to fall under communist control once the process started in Southeast Asia.

In the spring of 1961, I was appointed to membership on the President's Foreign Intelligence Advisory Board. In this capacity, I received briefings from time to time on affairs in Asia. The information provided the Board supported the assessment of the previous Administration, with which President Kennedy concurred. "Withdrawal in the case of Vietnam," President Kennedy said in 1961, "and in the case of Thailand could mean the collapse of the whole area." He never wavered. A year later, he said of Vietnam: "We are not going to withdraw from that effort. In my opinion, for us to withdraw from that effort would mean a collapse not only of South Vietnam but Southeast Asia. So we are going to stay there." I had no occasion to question the collective opinion of our duly chosen officials.

After President Johnson took office, our involvement became greater, but so did most public and private assessments of the correctness of our course. The Tonkin Gulf resolution was adopted by the Congress in 1964 by a vote of 504 to 2. The language was stern: "The United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defence Treaty requesting assistance in defense of its freedom."

When decisions were made in 1965 to increase, in very substantial fashion, the American commitment in Vietnam, I accepted the judgment that such actions were necessary. That fall, I made a trip to Southeast Asia in my capacity as Chairman of the Foreign Intelligence Advisory Board. The optimism of our military and Vietnamese officials on the conduct of the war, together with the encouragement of our Asian allies, confirmed my belief in the correctness of our policy. In the absence at the time of indications that Hanoi had any interest in peace negotiations, I did not favor the 37-day bombing halt over the Christmas 1965–New Year 1966 holiday season. I felt such a halt could be construed by Hanoi as a sign of weakness on our part.

In 1966, I served as an adviser to President Johnson at the Manila Conference. It was an impressive gathering of the Chiefs of State and Heads of Government of the allied nations; it reassured me that we were on the right road and that our military progress was bringing us closer to the resolution of the conflict.

In the late summer of 1967, President Johnson asked me to go with his Special Assistant, General Maxwell Taylor, to review the situation in South Viet Nam, and then to visit some of our Pacific allies. We were to brief them on the war and to discuss with them the possibility of their increasing their troop commitments. Our briefings in South Viet Nam were extensive and encouraging. There were suggestions that the enemy was being hurt badly and that our bombing and superior firepower were beginning to achieve the expected results.

Our visits to the allied capitals, however, produced results that I had not foreseen. It was strikingly apparent to me that the other troop-contributing countries no longer shared our degree of concern about the war in South Viet Nam. General Taylor and I urged them to increase their participation. In the main, our plea fell on deaf ears.

Thailand, a near neighbor to South Viet Nam, with a population of some 30 million, had assigned only 2,500 men to South Viet Nam, and was in no hurry to allocate more.

The President of the Philippines advised President Johnson that he preferred we not stop there because of possible adverse public reaction. The Philippines, so close and ostensibly so vulnerable if they accepted the domino theory, had sent a hospital corps and an engineer battalion to Viet Nam, but no combat troops. It was also made clear to President Johnson that they had no intention of sending any combat personnel.

South Korea had the only sizable contingent of Asia troops assisting South Viet Nam, but officials argued that a higher level of activity on the part of the North Koreans prevented their increasing their support.

Disappointing though these visits were, I had high hopes for the success of our mission in Australia and New Zealand. I recalled that Australia, then with a much smaller population, had been able to maintain well over 300,000 troops overseas in World War II. They had sent only 7,000 to Viet Nam. Surely there was hope here. But Prime Minister Holt, who had been fully briefed, presented a long list of reasons why Australia was already close to its maximum effort.

In New Zealand, we spent the better part of a day conferring with the Prime Minister and his cabinet, while hundreds of students picketed the Parliament Building carrying signs bearing peace slogans. These officials were courteous and sympathetic, as all the others had been, but they made it clear that any appreciable increase was out of the question. New Zealand at one time had 70,000 troops overseas in the various theaters of World War II. They had 500 men in Viet Nam. I naturally wondered if this was their evaluation of the respective dangers of the two conflicts.

I returned home puzzled, troubled, concerned. Was it possible that our assessment of the danger to the stability of Southeast Asia and the Western Pacific was exaggerated? Was it possible that those nations which were neighbors of Viet Nam had a clearer perception of the tides of world events in 1967 than we? Was it possible that we were continuing to be guided by judgments that might once have had validity but were now obsolete? In short, although I still counted myself a staunch supporter of our policies, there were nagging, not-to-be-suppressed doubts in my mind.

These doubts were dramatized a short time later back in the United States when I attended a dinner at the White House for Prime Minister Lee Kuan Yew of Singapore. His country, which knew the bitterness of defeat and occupation in World War II, had declined to send any men at all to Viet Nam. In answer to my question as to when he thought troops might be sent, he stated he saw no possibility of that taking place because of the adverse political effect in Singapore.

Accordingly, I welcomed President Johnson's San Antonio speech of September 30, 1967, with far greater enthusiasm than I would have had I not so recently returned from the Pacific. I felt it marked a substantial step in the right direction because it offered an alternative to a military solution of the lengthy and costly conflict. Allied bombing of North Viet Nam had by now assumed a symbolic significance of enormous proportions and the President focused his attention on this. The essence of his proposal was an offer to stop the bombing of North Viet Nam if prompt and productive peace discussions with the other side would ensue. We would assume that the other side would "not take advantage" of the bombing cessation. By this formula, the President made an imaginative move to end the deadlock over the bombing and get negotiations started.

I, of course, shared the universal disappointment that the San Antonio offer evoked no favorable response from Hanoi, but my feelings were more complex than those of mere disappointment. As I listened to the official discussion in Washington, my feelings turned from disappointment to dismay. I found it was being quietly asserted that, in return for a bombing cessation in the North, the North Vietnamese must stop sending men and matèriel into South Viet Nam. On the surface, this might have seemed a fair exchange. To me, it was an unfortunate interpretation that—intentionally or not—rendered the San Antonio formula virtually meaningless. The North Vietnamese had more than 100,000 men in the South. It was totally unrealistic to expect them to abandon their men by not replacing casualties, and by failing to provide them with clothing, food, munitions and other supplies. We could never expect them to accept an offer to negotiate on those conditions.

III

In mid-January 1968, President Johnson asked me to serve as Secretary of Defense, succeeding Secretary McNamara, who was leaving to become President of the World Bank. In the confirmation hearing before the Senate Armed Services Committee on January 25, I was asked about the San Antonio formula. The interpretation I gave was in accord with President Johnson's intense desire to start negotiations, and it offered a possibility of acceptance which I was convinced did not exist with the extreme and rigid interpretations that so concerned me. I said that I assumed that the North Vietnamese would "continue to transport the normal amount of goods, munitions and men to South Viet Nam" at the levels that had prevailed prior to our bombing cessation. This was my understanding of what the President meant by "not take advantage."

The varying interpretations of the San Antonio formula raised in my mind the question as to whether all of us had the same objective in view. Some, it seemed, could envision as satisfactory no solution short of the complete military defeat of the enemy. I did not count myself in this group. Although I still accepted as valid the premises of our Viet Nam involvement, I was dissatisfied with the rigidities that so limited our course of action and our alternatives.

I took office on March 1, 1968. The enemy's Tet offensive of late January and early February had been beaten back at great cost. The confidence of the American people had been badly shaken. The ability of the South Vietnamese Government to restore order and morale in the populace, and discipline and esprit in the armed forces, was being questioned. At the President's direction, General Earle G. Wheeler, Chairman of the Joint Chiefs of Staff, had flown to Viet Nam in late February for an on-the-spot conference with General Westmoreland. He had just returned and presented the military's request that over 200,000 troops be prepared for deployment to Viet Nam. These troops would be in addition to the 525,000 previously authorized. I was directed, as my first assignment, to chair a task force named by the President to determine how this new requirement could be met. We were not instructed to assess the need for substantial increases in men and matériél; we were to devise the means by which they could be provided.

My work was cut out. The task force included Secretary Rusk, Secretary Henry Fowler, Under Secretary of State Nicholas Katzenbach, Deputy Secretary of Defense Paul Nitze, General Wheeler, CIA Director Richard Helms, the President's Special Assistant, Walt Rostow, General Maxwell Taylor and other skilled and highly capable officials. All of them had had long and direct experience with Vietnamese problems. I had not. I had attended various meetings in the past several years and I had been to Vietnam three times, but it was quickly apparent to me how little one knows if he has been on the periphery of a problem and not truly in it. Until the day-long sessions of early March, I had never had the opportunity of intensive analysis and fact-finding. Now I was thrust into a vigorous, ruthlessly frank assessment of our situation by the men who knew the most about it. Try though we would to stay with the assignment of devising means to meet the military's requests, fundamental questions began to recur over and over.

It is, of course, not possible to recall all the questions that were asked nor all of the answers that were given. Had a transcript of our discussions been made—one was not—it would have run to hundreds of closely printed pages. The documents brought to the table by participants would have totalled, if collected in one place—which they were not—many hundreds more. All that is pertinent to this essay are the impressions I formed, and the conclusions I ultimately reached in those days of exhausing scrutiny. In the colloquial style of those meetings, here are some of the principal issues raised and some of the answers as I understood them:

"Will 200,000 more men do the job?" I found no assurance that they would.

"If not, how many more might be needed—and when?" There was no way of knowing.

"What would be involved in committing 200,000 more men to Vietnam?" A reserve call-up of approximately 280,000, an increased draft call and an extension of tours of duty of most men then in service.

"Can the enemy respond with a build-up of his own?" He could and he probably would.

"What are the estimated costs of the latest requests?" First calculations were on the order of $2 billion for the remaining four months of that fiscal year, and an increase of $10 to $12 billion for the year beginning July 1, 1968.

"What will be the impact on the economy?" So great that we would face the possibility of credit restrictions, a tax increase and even wage and price controls. The balance of payments would be worsened by at least half a billion dollars a year.

"Can bombing stop the war?" Never by itself. It was inflicting heavy personnel and materiel losses, but bombing by itself would not stop the war.

"Will stepping up the bombing decrease American casualties?" Very little, if at all. Our casualties were due to the intensity of the ground fighting in the South. We had already dropped a heavier tonnage of bombs than in all the theaters of World War II. During 1967, an estimated 90,000 North Vietnamese had infiltrated into South Viet Nam. In the opening weeks of 1968, infiltrators were coming in at three to four times the rate of a year earlier, despite the ferocity and intensity of our campaign of aerial interdiction.

"How long must we keep on sending our men and carrying the main burden of combat?" The South Vietnamese were doing better, but they were not ready yet to replace our troops and we did not know when they would be.

When I asked for a presentation of the military plan for attaining victory in Viet Nam, I was told that there was no plan for victory in the historic American sense. Why not? Because our forces were operating under three major political restrictions: The President had forbidden the invasion of North Viet Nam because this could trigger the mutual assistance pact between North Viet Nam and China; the President had forbidden the mining of the harbor at Haiphong, the principal port through which the North received military supplies, because a Soviet vessel might be sunk; the President had forbidden our forces to pursue the enemy into Laos and Cambodia, for to do so would spread the war, politically and geographically, with no discernible advantage. These and other restrictions which precluded an all-out, no-holds-barred military effort were wisely designed to prevent our being drawn into a larger war. We had no inclination to recommend to the President their cancellation.

"Given these circumstances, how can we win?" We would, I was told, continue to evidence our superiority over the enemy; we would continue to attack in the belief that he would reach the stage where he would find it inadvisable to go on with the war. He could not afford the attrition we were inflicting on him. And we were improving our posture all the time.

I then asked, "What is the best estimate as to how long this course of action will take? Six months? One year? Two years?" There was no agreement on an answer. Not only was there no agreement, I could find no one willing to express any confidence in his guesses. Certainly, none of us was willing to assert that he could see "light at the end of the tunnel" or that American troops would be coming home by the end of the year.

After days of this type of analysis, my concern had greatly deepened. I could not find out when the war was going to end; I could not find out the manner in which it was going to end; I could not find out whether the new requests for men and equipment were going to be enough, or whether it would take more and, if more, when and how much; I could not find out how soon the South Vietnamese forces would be ready to take over. All I had was the statement, given with too little self-assurance to be comforting, that if we persisted for an indeterminate length of time, the enemy would choose not to go on.

And so I asked, "Does anyone see any diminution in the will of the enemy after four years of our having been there, after enormous casualties and after massive destruction from our bombing?"

The answer was that there appeared to be no diminution in the will of the enemy. This reply was doubly impressive, because I was more conscious each day of domestic unrest in our own country. Draft card burnings, marches in the streets, problems on school campuses, bitterness and divisiveness were rampant. Just as disturbing to me were the economic implications of a struggle to be indefinitely continued at ever-increasing cost. The dollar was already in trouble, prices were escalating far too fast and emergency controls on foreign investment imposed on New Year's Day would be only a prelude to more stringent controls, if we were to add another $12 billion to Viet Nam spending—with perhaps still more to follow.

I was also conscious of our obligations and involvements elsewhere in the world. There were certain hopeful signs in our relations with the Soviet Union, but both nations were hampered in moving toward vitally important talks on the limitation of strategic weapons so long as the United States was committed to a military solution in Viet Nam. We could not afford to disregard our interests in the Middle East, South Asia, Africa, Western Europe and elsewhere. Even accepting the validity of our objective in Viet Nam, that objective had to be viewed in the context of our overall national interest, and could not sensibly be pursued at a price so high as to impair our ability to achieve other, and perhaps even more important, foreign policy objectives.

Also, I could not free myself from the continuing nagging doubt left over from that August trip, that if the nations living in the shadow of Viet Nam were not now persuaded by the domino theory, perhaps it was time for us to take another look. Our efforts had given the nations in that area a number of years following independence to organize and build their security. I could see no reason at this time for us to continue to add to our commitment. Finally, there was no assurance that a 40 percent increase in American troops would place us within the next few weeks, months or even years in any substantially better military position than we were in then. All that could be predicted accurately was that more troops would raise the level of combat and automatically raise the level of casualties on both sides.

And so, after these exhausting days, I was convinced that the military course we were pursuing was not only endless, but hopeless. A further substantial increase in American forces could only increase the devastation and the Americanization of the war, and thus leave us even further from our goal of a peace that would permit the people of South Viet Nam to fashion their own political and economic institutions. Henceforth, I was also convinced, our primary goal should be to level off our involvement, and to work toward gradual disengagement.

IV

To reach a conclusion and to implement it are not the same, especially when one does not have the ultimate power of decision. It now became my purpose to emphasize to my colleagues and to the President that the United States had entered Viet Nam with a limited aim—to prevent its subjugation by the North and to enable the people of South Viet Nam to determine their own future. I also argued that we had largely accomplished that objective. Nothing required us to remain until the North had been ejected from the South, and the Saigon government had been established in complete military control of all South Viet Nam. An increase of over 200,000 in troop strength would mean that American forces would be twice the size of the regular South Vietnamese Army at that time. Our goal of building a stronger South Vietnamese Government, and an effective military force capable of ultimately taking over from us, would be frustrated rather than furthered. The more we continued to do in South Viet Nam, the less likely the South Vietnamese were to shoulder their own burden.

The debate continued at the White House for days. President Johnson encouraged me to report my findings and my views with total candor, but he was equally insistent on hearing the views of others. Finally, the President, in the closing hours of March, made his decisions and reported them to the people on the evening of the 31st. Three related directly to the month's review of the war. First, the President announced he was establishing a ceiling of 549,500 in the American commitment to Viet Nam; the only new troops going out would be support troops previously promised. Second, we would speed up our aid to the South Vietnamese armed forces. We would equip and train them to take over major combat responsibilities from us on a much accelerated schedule. Third, speaking to Hanoi, the President stated he was greatly restricting American bombing of the North as an invitation and an inducement to begin peace talks. We would no longer bomb north of the Twentieth Parallel. By this act of unilateral restraint, nearly 80 percent of the territory of North Viet Nam would no longer be subjected to our bombing.

I had taken office at the beginning of the month with one overriding immediate assignment—responding to the military request to strengthen our forces in Viet Nam so that we might prosecute the war more forcefully. Now my colleagues and I had two different and longer-range tasks—developing a plan for shifting the burden to the South Vietnamese as rapidly as they could be made ready, and supporting our government's diplomatic efforts to engage in peace talks.

To assess the rate of progress in the first task, I went to Viet Nam in July. I was heartened by the excellent spirit and the condition of our forces, but I found distressingly little evidence that the other troop-contributing countries, or the South Vietnamese, were straining to relieve us of our burdens. Although there had been nominal increases in troop contributions from Australia and Thailand since the preceding summer, the Philippines had actually withdrawn several hundred men. The troop-contributing countries were bearing no more of the combat burden; their casualty rates were actually falling.

As for South Vietnamese officials, in discussion after discussion, I found them professing unawareness of shortcomings in such matters as troops training, junior office strength and rate of desertions. They were, I felt, too complacent when the facts were laid before them. I asked Vice President Ky, for example, about the gross desertion rate of South Vietnamese combat personnel that was running at 30 percent a year. He responded that it was so large, in part, because their men were not paid enough. I asked what his government intended to do. He suggested that we could cut back our bombing, give the money thus saved to the Saigon government, and it would be used for troop pay. He was not jesting; his suggestion was a serious one. I returned home oppressed by the pervasive Americanization of the war: we were still giving the military instructions, still doing most of the fighting, still providing all the materiel, still paying most of the bills. Worst of all, I concluded that the South Vietnamese leaders seemed content to have it that way.

The North had responded to the President's speech of March 31 and meetings had begun

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in Paris in May. It was, however, a euphemism to call them peace talks. In mid-summer, substantive discussions had not yet begun. Our negotiators, the able and experienced Ambassador Averell Harriman and his talented associate, Cyrus Vance, were insisting that the Saigon government be a participant in the talks. Hanoi rejected this. President Johnson, rightly and understandably, refused to order a total bombing halt of the North until Hanoi would accept reciprocal restraints. Hanoi refused. With this unsatisfactory deadlock, the summer passed in Paris.

In Viet Nam, American casualty lists were tragically long, week after week. The enemy was not winning but, I felt, neither were we. There were many other areas in the world where our influence, moral force and economic contributions were sorely in demand and were limited because of our preoccupation with our involvement in Southeast Asia.

I returned from a NATO meeting in Bonn on Sunday evening, October 13, to find a summons to a White House meeting the following morning. There had been movement in Paris. There were no formal agreements, but certain "understandings" had been reached by our negotiating team and the North Vietnamese. At last the North had accepted the participation of the South in peace talks. We would stop all bombing of North Viet Nam. Substantive talks were to start promptly. We had made it clear to Hanoi that we could not continue such talks if there were indiscriminate shelling of major cities in the South, or if the demilitarized zone were violated so as to place our troops in jeopardy.

The President outlined the situation to his advisers. We spent a day of hard and full review. The Joint Chiefs of Staff were unanimous in stating that the bombing halt under these circumstances was acceptable. The State Department was authorized to report to Saigon that we had won a seat at the conference table for the Saigon government and to request the earliest possible presence of their delegation in Paris. I felt a sense of relief and hope; we were started down the road to peace.

These feelings were short-lived. The next three weeks were almost as agonizing to me as March had been. The cables from Saigon were stunning. The South Vietnamese Government, suddenly and unexpectedly, was not willing to go to Paris. First one reason, then another, then still another were cabled to Washington. As fast as one Saigon obstacle was overcome, another took it place. Incredulity turned to dismay. I felt that the President and the United States were being badly used. Even worse, I felt that Saigon was attempting to exert a veto power over our agreement to engage in peace negotiations. I admired greatly the President's ability to be patient under the most exasperating circumstances. Each day ran the risk that the North might change its mind, and that months of diligent effort at Paris would be in vain; each day saw a new effort on his part to meet the latest Saigon objection.

To satisfy himself that the bombing halt would neither jeopardize our own forces nor those of our allies, the President ordered General Creighton W. Abrams back from South Viet Nam for a personal report. Finally, on October 31, President Johnson announced that the bombing of North Viet Nam would cease, peace talks would begin promptly and Saigon was assured of a place at the conference table. However, it took weeks to get the Saigon government to Paris, and still additional weeks to get their agreement on seating arrangements.

By the time the various difficulties had been resolved, certain clear and unequivocal opinions regarding the attitude and posture of the Saigon government had crystalized in my mind. These opinions had been forming since my trip to South Viet Nam the preceding July.

The goal of the Saigon government and the goal of the United States were no longer one and the same, if indeed they ever had been. They were not in total conflict but they were clearly not identical. We had largely accomplished the objective for which we had entered the struggle. There was no longer any question about the desire of the American people to bring the Viet Nam adventure to a close.

As Ambassador Harriman observed, it is dangerous to let your aims be escalated in the middle of a war. Keep your objectives in mind, he advised, and as soon as they are attained, call a halt. The winning of the loyalty of villagers to the central government in Saigon, the form of a postwar government; who its leaders should be and how they are to be selected—these were clearly not among our original war objectives. But these were the precise areas of our differences with the Saigon government.

As Saigon authorities saw it, the longer the war went on, with the large-scale American involvement, the more stable was their régime, and the fewer concessions they would have to make to other political groupings. If the United States were to continue its military efforts for another two or three years, perhaps the North Vietnamese and the Viet Cong would be so decimated that no concessions would be needed at all. In the meantime, vast amounts of American wealth were being poured into the South Vietnamese economy. In short, grim and distasteful though it might be, I concluded during the bleak winter weeks that Saigon was in no hurry for the fighting to end and that the Saigon régime did not want us to reach an early settlement of military issues with Hanoi.

The fact is that the creation of strong political, social and economic institutions is a job that the Vietnamese must do for themselves. We cannot do it for them, nor can they do it while our presence hangs over them so massively. President Thieu, Vice President Ky, Prime Minister Huong and those who may follow them have the task of welding viable political institutions from the 100 or more splinter groups that call themselves political parties. It is up to us to let them get on with the job. Nothing we might do could be so beneficial or could so add to the political maturity of South Viet Nam as to begin to withdraw our combat troops. Moreover, in my opinion, we cannot realistically expect to achieve anything more through our military force, and the time has come to begin to disengage. That was my final conclusion as I left the Pentagon on January 20, 1969.

V

It remains my firm opinion today. It is based not only on my personal experiences, but on the many significant changes that have occurred in the world situation in the last four years.

In 1965, the forces supported by North Viet Nam were on the verge of a military take-over of South Viet Nam. Only by sending large numbers of American troops was it possible to prevent this from happening. The South Vietnamese were militarily weak and politically demoralized. They could not, at that time, be expected to preserve for themselves the right to determine their own future. Communist China had recently proclaimed its intention to implement the doctrine of "wars of national liberation." Krushchev's fall from power the preceding October and Chou En-lai's visit to Moscow in November 1964 posed the dire possibility of the two communist giants working together to spread disruption throughout the underdeveloped nations of the world. Indonesia, under Sukarno, presented a posture of implacable hostility toward Malaysia, and was a destabilizing element in the entire Pacific picture. Malaysia itself, as well as Thailand and Singapore, needed time for their governmental institutions to mature. Apparent American indifference to developments in Asia might, at that time, have had a disastrous impact on the independent countries of that area.

During the past four years, the situation has altered dramatically. The armed forces of South Viet Nam have increased in size and proficiency. The political situation there has become more stable, and the governmental institutions more representative. Elsewhere in Asia, conditions of greater security exist. The bloody defeat of the attempted communist coup in Indonesia removed Sukarno from power and changed the confrontation with Malaysia to cooperation between the two countries. The governments of Thailand and Singapore have made good use of these four years to increase their popular support. Australia and New Zealand have moved toward closer regional defense ties, while Japan, the Republic of Korea and Taiwan have exhibited a rate of economic growth and an improvement in living standards that discredit the teachings of Chairman Mao.

Of the least equal significance is the fact that, since 1965, relations between Russia and China have steadily worsened. The schism between these two powers is one of the watershed events of our time. Ironically, their joint support of Hanoi has contributed to the acrimony between them. It has brought into focus their competition for leadership in the communist camp. Conflicting positions on the desirability of the peace negotiations in Paris have provided a further divisive factor. In an analogous development, increased Soviet aid to North Korea has made Pyongyang less dependent on China. The Cultural Revolution and the depredations of the Red Guards have created in China a situation of internal unrest that presently preoccupies China's military forces. The recent border clashes on the Ussuri River further decrease the likelihood that China will, in the near future be able to devote its attention and resources to the export of revolution.

These considerations are augmented by another. It seems clear that the necessity to devote more of our minds and our means to our pressing domestic problems requires that we set a chronological limit on our Vietnamese involvement.

A year ago, we placed a numerical limit on this involvement, and did so without lessening the effectiveness of the total military effort. There will, undeniably, be many problems inherent in the replacement of American combat forces with South Vietnamese forces. But whatever these problems, they must be faced. *There is no way to achieve our goal of creating the conditions that will allow the South Vietnamese to determine their own future unless we begin, and begin promptly, to turn over to them the major responsibility for their own defense. This ability to defend themselves can never be developed so long as we continue to bear the brunt of the battle. Sooner or later, the test must be whether the South Vietnamese will serve their own country sufficiently well to guarantee its national survival. In my view, this test must be made sooner, rather than later.*

A first step would be to inform the South Vietnamese Government that we will withdraw about 100,000 troops before the end of this year. We should also make it clear that this is not an isolated action, but the beginning of a process under which all U.S. ground combat forces will have been withdrawn from Viet Nam by the end of 1970. The same information should, of course, be provided to the other countries who are contributing forces for the defense of South Viet Nam.

Strenuous political and military objections to this decision must be anticipated. Arguments will be made that such a withdrawal

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will cause the collapse of the Saigon government and jeopardize the security of our own and allied troops. Identical arguments, however, were urged against the decisions to restrict the bombing on March 31 of last year and to stop it completely on October 31. They have proven to be unfounded. There is, in fact, no magic and no specific military rationale for the number of American troops presently in South Viet Nam. The current figure represents only the level at which the escalator stopped.

It should also be noted that our military commanders have stated flatly since last summer that no additional American troops are needed. During these months the number of South Vietnamese under arms in the Government cause has increased substantially and we have received steady reports of their improved performance. Gradual withdrawal of American combat troops thus not only would be consistent with continued overall military strength, but also would serve to substantiate the claims of the growing combat effectiveness of the South Vietnamese forces.

Concurrently with the decision to begin withdrawal, orders should be issued to our military commanders to discontinue efforts to apply maximum military pressure on the enemy and to seek instead to reduce the level of combat. The public statements of our officials show that there has as yet been no change in our policy of maximum military effort. The result has been a continuation of the high level of American casualties, without any discernible impact on the peace negotiations in Paris.

While our combat troops are being withdrawn, we would continue to provide the armed forces of the Saigon government with logistic support and with our air resources. As the process goes on, we can appraise both friendly and enemy reactions. The pattern of our eventual withdrawal of non-combat troops and personnel engaged in air lift and air support can be determined on the basis of political and military developments. So long as we retain our air resources in South Viet Nam, with total air superiority, I do not believe that the lessening in the military pressure exerted by the ground forces would permit the enemy to make any significant gains. There is, moreover, the possibility of reciprocal reduction in North Vietnamese combat activity.

Our decision progressively to turn over the combat burden to the armed forces of South Viet Nam would confront the North Vietnamese leaders with a painful dilemma. Word that the Americans were beginning to withdraw might at first lead them to claims of victory. But even these initial claims could be expected to be tinged with apprehension. There has, in my view, long been considerable evidence that Hanoi fears the possibility that those whom they characterize as "puppet forces" may, with continued but gradually reduced American support, prove able to stand off the communist forces.

As American combat forces are withdrawn, Hanoi would be faced with the prospect of a prolonged and substantial presence of American air and logistics personnel in support of South Viet Nam's combat troops, which would be constantly improving in efficiency. Hanoi's only alternative would be to arrange, tacitly or explicitly, for a mutual withdrawal of all external forces. In either eventuality, the resulting balance of forces should avert any danger of a blood bath which some fear might occur in the aftermath of our withdrawal.

Once our withdrawal of combat troops commences, the Saigon government would recognize, probably for the first time, that American objectives do not demand the perpetuation in power of any one group of South Vietnamese. So long as we appear prepared to remain indefinitely, there is no pressure on Saigon to dilute the control of those presently in positions of power by making room for individuals represeentative of other nationalist elements in South Vietnamese society.

Accordingly, I anticipate no adverse impact on the Paris negotiations from the announcement and implementation of a program of American withdrawal. Instead, I would foresee the creation of circumstances under which true bargaining may proceed among the Vietnamese present in Paris. Unquestionably, the North Vietnamese and the National Liberation Front would do so in the hope that any political settlement would move them toward eventual domination in South Viet Nam. But their hopes and expectations necessarily will yield to the political realities, and these political realities are, in the final analysis, both beyond our control and beyond our ken. Moreover, they are basically none of our business. The one million South Vietnamese in the various components of the armed forces, with American logistics, air lift and air support, should be able, if they have the will, to prevent the imposition by force of a Hanoi-controlled régime. If they lack a sense or a sufficiency of national purpose, we can never force it on them.

In the long run, the security of the Pacific region will depend upon the ability of the countries there to meet the legitimate growing demands of their own people. No military strength we can bring to bear can give them internal stability or popular acceptance. In Southeast Asia, and elsewhere in the less developed regions of the world, our ability to understand and to control the basic forces that are at play is a very limited one. We can advise, we can urge, we can furnish economic aid. But American military power cannot build nations, any more than it can solve the social and economic problems that face us here at home.

This, then, is the case history of the evolution of one individual's thinking regarding Viet Nam. Throughout this entire period it has been difficult to cling closely to reality because of the constant recurrence of optimistic predictions that our task was nearly over, and that better times were just around the corner, or just over the next hill.

We cannot afford to lose sight of the fact that this is a limited war, for limited aims and employing limited power. The forces we now have deployed and the human and material costs we are now incurring have become, in my opinion, out of all proportion to our purpose. The present scale of military effort can bring us no closer to meaningful vctory. It can only continue to devastate the countryside and to prolong the suffering of the Vietnames people of every political persuasion.

Unless we have the imagination and the courage to adopt a different course, I am convinced that we will be in no better, and no different, a position a year from now than we are today.

At current casualty rates, 10,000 more American boys will have lost their lives.

We should reduce American casualties by reducing American combat forces. We should do so in accordancce with a definite schedule and with a specified end point.

Let us start to bring our men home—and let us start *now*.

Findings on Trip to Vietnam, May 25–June 10, 1969

(By U.S. study team on religious and political freedom in Vietnam)

INTRODUCTION

Background

The U.S. Study Team was sent to South Vietnam by an ad hoc committee organized in late 1968 by a group of well-known churchmen concerned about the war and the repression of those religious and political forces in South Vietnam who urge an end to hostilities. This committee has wide national interreligious representation. The officers named were: Chairman, Barton Hunter, Executive Secretary of the Department of Church in Society of the Christian Church; Secretary, Gerhard Elston of the National Council of Churches; Executive Director, Allan Brick, Associate Secretary for National Program of the Fellowship of Reconciliation, who also served as a member of the team.

The sponsoring committee defined the team's goals as follows: "First, they will seek to identify the variety of religious forces in South Vietnam and the range of political expression existing there. They will seek to investigate the situation of religious groups and the extent of the imprisonment of leaders of nonaligned groups who represent potentially important political sentiment. The team will be interested, for example, in visiting both Mr. Dzu and Thick Thien Minh. Second, the team will seek to investigate the situation of all prisoners in South Vietnam. Recognizing the difficulties of doing this in a wartime situation, the team will nonetheless attempt to obtain realistic information."

Team members

Members of the team were: Bishop James Armstrong of the United Methodist Church, Dakotas Area; Mrs. John C. Bennett, Protestant church woman; Allan Brick, Associate Secretary for National Program, Fellowship of Reconciliation; Hon. John Conyers, Jr., M.C. of Detroit, Michigan; Robert F. Drinan, S.J., Dean of the Boston College Law School; John de J. Pemberton, Executive Director of the American Civil Liberties Union; Rabbi Seymour Siegel, Professor of Theology at the Jewish Theological Seminary; and Rear Admiral Arnold E. True, United States Navy (retired).

Summary

A report issued by the team following the Vietnam trip documents police and military suppression of religious and political expression in South Vietnam under the Thieu-Ky Government. The chief findings of the team are:

1. Many thousands of persons are being arrested in South Vietnam are denied all procedural protection. Arrests are made by a variety of local and national officials—by District police, special security forces, military forces and intelligence units—each exercising "relatively unfettered discretion."

2. The Thieu-Ky Government's widespread and increasing use of the extra-constitutional Military Field Tribunal has been responsible for the sentencing and imprisonment of additional thousands of persons, denying them the fundamental elements of a fair hearing and often failure to serve prior notice of the charges against them. Many of these prisoners remain without trial in the hands of the arresting authorities while the remainder have been removed to prisons by administrative action without charges or trials.

3. The Study Team agrees with those who say that repression, though not as ovbious and violent as under the Diem Government, continues to be pervasive and brutal. While some persons visited appear to reflect modern notions of penal administration and certain prison officials seemed sensitive to the needs of inmates, the sheer weight of witnesses' statements concerning physical abuse seemed overwhelmingly conclusive. It became clear that whatever amelioration appeared in the formal correctional institutions, torture and brutality are widespread in the arresting and interrogation process.

4. Without question the Thieu-Ky Government uses the words "communism", "neutralism" and "coalition" to silence dissent and weaken political and religious opposition. Student peace movements, Buddhist pleas for nonviolence and a "third solution", and the freedom of the press have been systematically suppressed by an insecure gov-

ernment that relies more on police state tactics and American support than on true representation and popular support. As one Vietnamese attorney phrased it: "One connot fight for freedom without insuring freedom at home."

I. LIMITATIONS ON RELIGIOUS AND POLITICAL FREEDOM IN SOUTH VIETNAM

The eight member U.S. Study Team met with President Thieu, Minister of Interior Tran Thien Khiem and members of his staff, Ambassador Ellsworth Bunker and members of his staff, national religious leaders, lawmakers, intellectuals, attorneys, students, a variety of persons of different political persuasions and talked with scores of political prisoners. It visited prisons at Thu Duc, Chi Hao and on Con Son Island, as well as the National Police Headquarters. The Government of South Vietnam was helpful in providing data, in permitting Team members to visit prisons, and in making accessible certain prisoners.

Three things are readily apparent in South Vietnam: (1) A state of war exists and any meaningful study of freedom must be done against that background; (2) South Vietnam is poor and is unable to provide from its own resources institutional facilities and forms of care which are taken for granted in the Western world; and, (3) whereas the United States of America has lived under the guarantee of its present Constitution for nearly two hundred years, South Vietnam does not have a tradition of political liberty and its Constitution is only two years old. Notwithstanding this, in a message cabled directly to President Nixon from Saigon, the Study Team said:

"Speaking for peace or in any other way opposing the government (in South Vietnam) easily brings the charge of communist sympathy and subsequent arrest . . . There must be no illusion that this climate of religious and political suppression is compatible with either a representative or a stable government."

Many persons interviewed argued that President Thieu's government is less repressive than the ten years of brutal intimidation under Ngo Dinh Diem. Others, while agreeing that repression is not as obvious and violent, argued that it is equally pervasive though more subtle today. (Some of the following documentation will indicate that there is still unsubtle, violent intimidation.)

Three celebrated cases of political arrest have claimed international attention in recent months. They are the cases of Thich Thien Minh, one of the most influential Buddhist monks in South Vietnam; Truong Dinh Dzu, runner-up in the Presidential Election of 1967; and Nguyen Lau, wealthy publisher of the *Saigon Daily News*.

Thich Thien Minh was arrested on February 23, 1969, at the Buddhist Youth Center and charged with "harboring rebels, concealing weapons and illegal documents . . . harboring deserters and supporting draft dodgers". After appearing before a military field tribunal, he was sentenced to serve terms of ten and five years at hard labor, the sentences to run concurrently. Last month, his sentence was reduced to three years.

It is assumed by many that Thich Thien Minh was arrested not because of the specific crimes with which he was charged but for his public criticism of the Thieu-Ky government and his strong advocacy of peace.

In February, he was summoned to the Ministry of the Interior and warned to tone down his sermons which were said to be disrespectful to the government of President Thieu. He had earlier said that the people of South Vietnam could accept neither the "terrorist regime" of North Vietnam nor the "corrupt government" in Saigon. Replying to Thien Minh, President Thieu said, "My government can die because of those pacifists, but before we die, they will have to die first."

The Study Team visited both Thich Thien Minh and Quang Duc Buddhist Youth Center. The Youth Center, closed at the time of Thich Thien Minh's arrest (20 other Buddhists were arrested at the same time), was handed back by the Government and re-opened during the Team's stay in Saigon. Team members saw Thich Thien Minh's room, as well as the many hallways, rooms and stairways that separated him from the tiny room and wooden closet with the false back that were said to be the hiding place of the V.C. agent and a cache of small arms. Seeing the distances and buildings involved, it is not difficult to believe the monk's assertion that he had no personal knowledge of a V.C. agent's presence in that hidden room.

The Team talked with Thich Thien Minh, who has been held in military custody. They interviewed him in a small house, a part of a larger complex of carefully guarded government officials pointedly left the room that the discussion might be private. However, it had been determined during the conversations that there was a government agent only four feet from the Venerable, behind a thin wall. Thus, the interview was necessarily inhibited. Thich Thien Minh had been moved four times since his arrest and was kept under the strictest security. Though badly injured in 1966 by a hand grenade, said to have been thrown by a V.C., he said his health was good. He added, "My only offense is that I believe in peace."

On May 1, 1968, Truong Dinh Dzu was arrested "on charges of urging the formation of a coalition government as a step toward peace." In August, he was sentenced to five years of forced labor. Although the N.L.F. is now participating in the Paris peace talks and a coalition government is being widely discussed by responsible government officials in the United States, Mr. Dzu has not yet been released.

In a national election that denied certain candidates the right to run[1] because they were peace advocates, and that heavily favored the Thieu-Ky regime because of its domination of the military and political structures of South Vietnam and because of the well-known support of the American 'presence' in Vietnam Mr. Dzu ran second, polling 18 percent of the vote. He wisely did not announce his "white dove" platform until after his candidacy had been approved. (It is interesting to note that in the election the Thieu-Ky ticket gained only 35 percent of the vote. In May, 1968, Vice-President Ky told an Italian journalist, "Our last elections were a loss of time and money, a mockery.") Dzu has never been accused of being procommunist and is, as resident Thieu openly acknowledged, a "political prisoner." The fact that, running as a peace candidate and advocating direct talks with the N.L.F., he ran second only to the President, accounts more than anything else for his imprisonment. Mr. Dzu was moved from Con Son Prison Island to Chi Hoa Prison in Saigon during the last week in May, 1969. U.S. Study Team members saw him in his cell in Chi Hoa. Suffering from a heart condition, he looked well and various kinds of medicines were in evidence. He said he wanted to serve his country as a nationalist. On June 5, President Thieu told the Team that support for a coalition government cannot be tolerated.

On April 16, 1969, Nguyen Lau, publisher and owner of the Saigon Daily News was arrested for "having maintained private contacts with a Vietcong political agent." The agent, a boyhood friend of Lau, returned to Saigon in 1964 from North Vietnam. He talked with Lau many times during the past five years and had, at one time, asked him to supply information for the V.C. According to both Lau and Tran Ngoc Hiem, the agent, Lau had refused to supply the information.

In discussing Lau's case with a member of the Team, one of Saigon's most highly regarded foreign correspondents explained its background. In Vietnam, a culture influenced immeasurably by Confucianism, family ties and friendship are revered. Mr. Lau, in a press conference held by government officials at National Police Headquarters, made no attempt to deny his associations with Hiem. He said that Communism was poisoning the minds of many, but that Vietnam would surely survive Communism. He added, "Even today, sitting before you, I keep wondering if as a publisher and as a Vietnamese intellectual, I should denounce a friend who I have known since boyhood."

Mr. Lau was educated at Oxford and the Sorbonne. As a member of a old and important family of wealth he has no respect for war profiteers and little sympathy for corruption in the government. As a respected journalist and an avowed anti-Communist, he considered it part of his responsibility to be open to every facet of Vietnamese life. He once said, "If people are free to walk the streets, they are free to talk to me."

He insisted upon his right to criticize. On March 24, 1969, the New York Times quoted him as saying, "Diem said bluntly that he was not going to tolerate freedom of the press. There were no illusions then. We are living a lie now. People say they are giving you freedom and someone without experience in journalism may be innocent enough to believe that this is paradise. Now you may be carried away by your illusions and land in trouble." Less than a month later Nguyen Lau was arrested.

Members of the Study Team visited the National Police Headquarters. There, Lt. Col. Nguyen Mau, Chief of Special Branch, told them about the government's case against the publisher. The only "evidence" he produced was the photostat of a press card, allegedly issued by Mr. Lau to one Tan That Dong, the alleged V.C. alias of Tran Ngoc Hiem. Such "evidence," however, raises serious questions. Two days following Lau's arrest, police brought a "so-called Vietcong" to the Lau home. In Mrs. Lau's absence, they proceeded to take pictures of him in various positions around the house. When her two sons (aged 10 and 14) protested, they were handcuffed while the picture-taking continued. When told of the incident, Mrs. Lau courageously went to the authorities. A senior police official did admit that police had visited the house with a V.C. agent and camera to gather "evidence."

Members of the Study Team were not permitted to see Mr. Lau, still being held without sentence. Nor were they permitted to see thirteen other prisoners they had made specific requests to visit.

These three cases have not been isolated because they are more important than others, but because they are more well known. They are symptomatic of a climate of intellectual, religious and political repression that has led to the imprisonment, exile or silencing of thousands of loyal Vietnamese nationalists, persons who are not pro-Communist, but who are critical of the Thieu-Ky government and who insist upon the right to think for themselves.

The government's sensitivity at this point is revealed in its attitudes toward dissenters, so-called "militant Buddhists," students and intellectuals, political opponents and the press.

The religious picture in South Vietnam is confused. About one-tenth of the nation's population is Roman Catholic. Yet, from the time of Diem and the Nhu's on, Catholicism has played a dominant role in Vietnamese political life. (Actually, this goes back to the 18th Century French missionary-priest, Pigneau de Behaine, and the continuing influence of French Catholicism during colonial days.) President Thieu reminded the Study Team that, though he had trouble with Buddhists, Catholics had supported his administration. The former editor of a Catholic magazine, a friend and confidant of Archbishop Nguyen Van Binh, agrees that fewer than 10 percent of the Catholics in South Vietnam are critical of the war and of Thieu's government. It must be remembered that about 1,000,000 of South Vietnam's Catholics were born in what is now North Vietnam and came south following 1954. They are, for the most part, vigorous anti-Communists.

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[1] General "Big" Minh was kept in exile in Bangkok and Au Truong Thanh, the other leading contender was refused candidate status because of his alleged "neutralism." The Study Team talked with Au Truong Thanh in exile in Paris.

However, there are Catholics who want a closer tie with Buddhists and who are seeking what some call, a "third solution". They are trying to find answers between Communism and corrupt militarism. Father Hoang Quynh, an active leader of the All-Religion Citizen's Front, has worked with Buddhists in trying to prevent further friction between the Buddhist and Catholic communities. He has said, "Catholic faithful must learn to live a responsible political life." There are other Catholics who seem close to the Pope's views on meaningful negotiations and peace. They have won the confidence of Buddhist leaders.

When, in January, 1968, all of the bishops of South Vietnam released a four-page statement supporting Pope Paul's message on Vietnam and calling for a bombing halt in North Vietnam, it seemed that there had been a breakthrough. However, and without exception, those with whom Study Team members spoke indicated that the hierarchy in South Vietnam had confined themselves to what the Pope had said with no desire or inclination to supplement or further interpret the Vatican's plea concerning peace. There continues to be sharp feeling between Buddhists and Catholics. As one Buddhist complained, "When Catholics talk about peace, the Thieu government hears it one way. When we use the word, it is supposed to mean something else." Many Buddhists feel, and justifiably so, that they have been discriminated against by a succession of governments in Saigon.

There are two major Buddhist factions in South Vietnam; the "moderate" government-authorized faction of Thich Tam Chau, and the "activisit"[2] faction of Thich Tri Quang and the An Quang Pagoda. However, the Unified Buddhist Church of the An Quang Pagoda is made up of both Mahayana (northern) and Therevada (southern) Buddhists. Early in 1967, the government sought to fragment the Buddhists, withdrawing the charter of the Unified Church and recognizing the "moderate" wing of Thich Tam Chau. However, the An Quang Pagoda continues to be a major factor in the religious and political life of the country. On the Buddha's 2513th birthday, celebrated May 30, at the An Quang Pagoda, former Chief of State, Phan Khac Suu, Tran Ngoc Chau, General Secretary of the House of Representatives, other deputies and senators, Father Quynh, as well as Cao Dai and Hoa Hao leaders were present, indicating a broad base of popular support among disparate groups. During the ceremonies, white doves of peace were released as a crowd of more than 3,000 people looked on, and Thich Tinh Khiet, Supreme Patriarch of the Unified Buddhist Congregation said, "Every hostile tendency of the world has jostled its way into the Vietnam war in order to exploit it and seek for victory, whereas all the Vietnamese people—either on this side or on the other side of the 17th Parallel—are mere victims of this atrocious war. Our nation is thus forced to accept ready-made decisions without having any right to make our own choice." President Thieu and pro-government supporters may insist that such peace talk is "political". If so, it is an obvious expression of that freedom essential to an emerging democracy. And it is no more political than a caravan of government-owned cars driving Thich Tam Chau to the Saigon Airport on June 5, to meet the Nepalese delegation to a World Buddhist Conference on Social Welfare; no more political than the imprisonment of hundreds of Buddhist monks.

Often the Buddhists who protest government policy are students. Following the government-controlled elections of 1967, Buddhist students joined by some of their professors were promptly singled out by the government for retaliatory acts. A professor of law said, "Van Hanh University (Buddhist) was the chief target for attack . . . If students go to meetings, the police follow them and they can be arrested any time. Many times, they are drafted before the legal age or before their deferments as students expire."

As a result of a peace meeting held in September, 1968, in Saigon University, the Student Union was closed by police. Students, professors, deputies from the Lower House and some Buddhist monks had participated in the meeting. Thirty persons, mostly students, were arrested. More arrests followed.

At about the same time, a student in the Medical School was murdered. He had been kidnapped by the N.L.F. and later rescued by American troops. He was accused of having "leftist tendencies". He was found dead with his hands tied behind his back, having been pushed from a third floor window. The police called it "probable suicide" and made no investigation.

Student resistance continued. On Christmas Eve, responding to the Pope's plea for peace, 2,000 students, many of them Catholic, held a peace procession. In the aftermath, hundreds were arrested.

In spite of set-back and discouragement, spirit of the student peace movement remains unbroken. A Buddhist student stepped out of a sullen mass of prisoners at Camp No. 7 on Con Son Island and addressed members of the Team. The government translator said, "He is here because he refuses to be drafted. He says he doesn't want to serve the United States. As a Vietnamese citizen he will go into the Army only when we have independence." A student, recently released from Con Son, reacting to the devastation visited on his country by modern instruments of war, said much the same thing: "I will not serve a country that has done so much to my own."

Students, intellectuals and Buddhist monks do not comprise the only opponents who threaten President Thieu's government.

There is a growing mood of independence in the Lower House. It is only found in a few deputies, but they are voicing increasing opposition to the policies and practices of the Thieu-Ky government. There have been criticisms of Operation Phoenix in the National Assembly. Two members of the Lower House raised serious questions about prison policies early in May. The president's tax program has been challenged. Constitutional questions challenging the prerogatives of the executive branch are frequently raised.

President Thieu proudly points to the "new alliance" of political parties in South Vietnam as an indication of the breadth of his support. This alliance includes the Greater Union Force, the political arm of militant Roman Catholic refugees, the Social Humanist Party, a rebirth of Ngo Dinh Nhu's Can Lao party, the Dai Vet, an erstwhile grouping of anti-French nationalists, a faction of the Hoa Hao sect based in the Delta and the Viet Kuomingtang, a pro-government bloc formed after the Tet offensive in 1968. All of these parties together, combined with the Thieu-Ky vote, failed to capture half of the popular vote in the 1967 elections.[3]

While there is genuine political opposition, most of it has been driven underground. Members of the Study Team met with leaders of five old-line political parties no longer permitted to function as recognized entities. These men had all been active in the resistance movement against the French and were ardent nationalists. Their parties have been outlawed, their requests to publish a newspaper have gone unanswered and their voices have been muted. These men, and they reflect a vast middle-position in South Vietnam, struggled against the French and consider the Americans their new colonial masters. Over the past twenty-five years, they have known imprisonment and sacrifice. (A retired general present had been in prison eleven times.) They argue that unity and independence cannot be achieved under present circumstances. One of them said, "We know the American government is anti-Communist and they help us fight Communism. But when they look at Viet Communists, they think of them as western Communists. That is a bad mistake." It is the conviction of the Study Team that there will be no truly representative government in South Vietnam until voices such as these can be legitimatized and participate in the democratic processes of the republic.

One further evidence of political oppression is the government's attitude toward the press. Although it seems reasonably tolerant of foreign correspondents, and they are permitted to function without too many instances of censorship, the government's relationship to the Vietnamese press is far more direct and inhibiting. Twelve months ago, censorship was officially eliminated in South Vietnam. Since then, at least twenty-five newspapers and two magazines have been suspended. Mr. Lau's *Daily News* has been suspended for thirty days for hinting that Thich Thien Minh's trial might have been unfair. *Tin Sang* was closed when it suggested that Prime Minister Huong (one of the more highly regarded members of the Thieu government and a former political prisoner himself) once yielded to pressure in a cabinet appointment.[4] Nguyen Thanh Tai, a UPI combat photographer, was arrested in May, 1968, for taking pictures "detrimental" to South Vietnam.

One of the most credible and influential anti-government nationalist leaders with whom we talked prepared a three-page position paper for the Team. The English translation was his own. In part, he said:

"The range of political expression as legally exists here is narrow indeed . . .

"Let us imagine for a moment that those people are given a chance. What would they do?

"They would firstly negotiate with the Government of the United States an agreement on the Allied Forces Establishment in Viet Nam which would provide for progressive withdrawals when the situation warrants it. Of course, they would bear in mind the security and the honor of the Allied troops who came here to protect ourselves and prevent a Communist domination.

"They would secondly invite the Vietnamese people to actively participate in national affairs and take their share of responsibility. Democratic freedom would be enforced without restrictions, how adventurous this might first look. Live forces such as students, intellectuals, religious leaders and workers' unions would be given an authorized say. Unjust treatment would be redeemed. One cannot fight for freedom without ensuring freedom at home . . ."

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[2] The term "militant" is usually applied to the An Quang Pagoda faction. However, Buddhists are committed to nonviolence. In French, "militant" means an "active supporter or worker in a political group."

[3] The United States sent election "observers" to Vietnam to report on election procedures. As one cynical Vietnamese put it: "We are planning to send twenty-two Vietnamese observers who don't speak English to the United States . . . for four days to see if your elections are fair."

[4] See: New York Times, March 24, 1969.

Many, not all, of the nationalist leaders with whom the Study Team talked believed that a continuing American presence in South Vietnam is an unfortunate necessity until the political situation can be stabilized and made more representative. One student leader who had been imprisoned twice by the Thieu government for his activities on behalf of peace argued that no *truly* representative democracy can come into being as long as U.S. troops are present and U.S. policy is being enforced. He said, "By now, we should have learned the irony of having any Vietnamese government that is embraced by U.S. power. The Americans must depart leaving us to decide our own future." He spoke those words with anguish, obviously knowing the problems that Vietnamese nationalism and many of its long-suffering advocates would face in dealing with the N.L.F. in the wake of an American withdrawal. Yet, he bitterly insisted that after many years of American military presence and American good intentions, there was no other way.

At the luncheon given the Team by members of the Lower House, Deputy Duong Minh Kinh talked about the vast expenditures poured into North Vietnam by the Soviet Union and China, and into South Vietnam by America. He said, "We are beggars from all of the people in the world in order to destroy ourselves. That is the greatest tragedy of all."

II. DETENTION, INTERROGATION, IMPRISONMENT AND TREATMENT OF PRISONERS

The large majority of those imprisoned in South Vietnam are held because they oppose the government; they are "political prisoners". Undoubtedy, a great many of these are, as the government classifies them, "Viet Cong". Legally speaking, they are properly prisoners of war—although they are kept in a separate category from military prisoners. Others are "civilians related to Communist activities;" i.e., V.C. agents, and are accurately classified as such. Still others, many of them detained without hearing or trial, should be classified differently. Some of these have been picked up in "search and destroy" sweeps and are innocent of anything save being present in an area of military operations. Others are clearly political prisoners. They are nationalists and not Communists, but are seen by the government as inimical to its continuing control. In the official statistics very few "detainees" and "political prisoners" are so classified. The government places the vast majority of prisoners in either the "communist" or the "criminal" category.

The classification of prisoners in 41 Correctional Centers as given by Col. Nguyen Psu Sanh, Director of Correctional Institutions is:

[In percent]

Criminals	16.98
Communists	64.25
Civilians related to Communist activities	4.16
Military	11.91
Political activities harmful to national interest	.21
War prisoners temporarily in correctional centers	2.49

Colonel Sanh said that there are 35,000 prisoners in these Correctional Centers. The senior American advisor to Col. Sanh, Mr. Don Bordenkercher, estimated that, in addition, there are 10,000 held in interrogation centers. He reported that the number had gone up gradually since the Tet offensive of 1968 when the jump was precipitate. Ambassador Colby, General Abrams' Deputy for Pacification, said that the number of prisoners had gone up and will continue to go up as the pacification program (Civil Operations and Revolutionary Development Support) develops.

The national police in Saigon and in the provinces are the official organ for making arrests. In addition, there appear to be many other arrests and detention agencies.[5] It is clear that those arrested are taken to a variety of detention centers for interrogation and that many are held in these centers for periods of time up to two years. According to the U.S. Mission, American advisors are involved only with cases of Viet Cong or suspected Viet Cong sympathizers and with persons apprehended during military operations; e.g., "Operation Phoenix", the 18-month-old program which pools information from half a dozen U.S. and South Vietnamese intelligence and security agencies with the purpose of identifying and capturing Viet Cong political agents.

Doubtless the total number of political prisoners in South Vietnam—including those held as prisoners of war by intelligence agencies and in military prisons, as well as those in the correctional institutions and those held by various other arresting agencies—far exceeds the official statistics and estimates. Due to the wide range of arresting and detention agencies, and the inadequacy of statistical methods, no accurate count of prisoners can be made.

In addition to the provincial Correctional Centers, there are four large prisons for essentially civilian prisoners. These are Chi Hoa in Saigon, Phu Nu in Thu Duc (for female prisoners), Tan Hiep near Bien Hoa, and Con Son on an island off the southeastern coast. Team members were enabled by the Ministry of the Interior to visit Chi Hoa, Thu Duc, and Con Son Island Prison. They were also shown through the interrogation center at National Police Headquarters.

The following statistics, provided by prison officials, further illustrate the government's desire to de-emphasize the so-called "political prisoner" category.

Warden Pham Van Lien of Chi Hoa prison reported to Team members on June 3, 1969, this prisoner classification:

[In percent]

Criminals	45.0
Communists	40.0
Civilians condemned by military court	4.0
Military	10.0
Political, nop-Communist	.6

Prison Governor Minh, of Thu Duc prison, classified the 1,126 prisoners held by him on June 3, 1969 as:

Criminal offenders	265
Communists	843
Civilians condemned by military courts	15
Military prisoners	3
Political prisoners	0
Prisoners of war	0

The Warden of Con Son Island prison reported that there were 7,021 men and boys in Con Son, of whom:

Soldiers who committed political offenses (helped or sympathized with the V.C.)	984
Civilians who had worked directly with the V.C	2,700
Soldiers who committed criminal offenses	769
Civilians who committed criminal offenses	252
Detainees, never tried or sentenced	2,316

(Note that only the Warden of Con Son Island prison separately identified unsentenced detaines in his statistics. The rest of the breakdowns presumably distribute the detainees among the classifications according to file, or dossier, information.)

There are no figures available on the religious affiliation of prisoners. Warden Lien reported that there were about 120 Buddhist monks in Chi Hoa prison on June 3 when Team members visited.

Thu Duc (women's prison)

Members of the Study Team spent several hours at the Women's Prison, where the staff, headed by Prison Governor Minh, explained the prison's operation and enabled members to see what they requested. The administration of the prison seemed commendable in many respects. The dispensary was reasonably clean. There were two large rooms filled with power sewing machines where the inmates made military uniforms. There were sewing classes, classes in English and other educational opportunities provided.

The cells and large prison rooms were over crowded. This was especially hard on nursing mothers and those with small children. Fifty women, some with babies, lived in a crude building 40′ by 30′. Sanitation was primitive and inadequate. There was evidence that some prisoners had not received needed medical attention.

Team members were especially concerned about the large number of prisoners who had not been sentenced after many months of detention, the looseness and inaccuracy of prisoner classification, the inhumanity of some sentences (one slight old woman who, according to her dossier had passed V.C. letters, had served ten years of a fifteen year sentence), and the extreme youthfulness of many of the inmates. Governor Minh told the Team that there were fifty children from birth to 13 years of age in prison (the very youngest, of course, belonged to the women prisoners), and forty young offenders from 13 to 17 years.

To judge from both interviews and official explanations, the circumstances of many classified as "Communist" did not justify this classification. Two students who were called "Communist" were found by the Team members to be unsentenced detainees. Their dossiers said that they were being held because they had exhibited "leftist tendencies" and had written for a Saigon University paper which was later suspended. In another building twenty percent of the women said they had not been tried or sentenced. It seemed obvious that prisoners who had been accused of "leftist tendencies" or who had not yet been tried could not justly be categorized as "Communist". Yet they were and were forced to live with persons who were considered "hard core Communists".

Chi Hoa

Chi Hoa is often referred to as the "showcase prison". Since 1963 American funds have been available for the improvement of facilities, and American advisors have helped set up rehabilitation programs. The Team was given an attractive brochure with pictures of prisoners in classes, at worship, and enjoying recreational activities. The brochure states that "the present Vietnamese system of corrections is . . . based on the principles of humanity, charity and equality."

The Warden said that there were about 5,500 men and boys now in prison of whom 40% were "Communist" and only .6% were "non-Communist political" prisoners. Each prisoner wore a colored badge indicating his classification. The Warden estimated that 40% of the inmates had not yet been tried or sentenced. He said someone from the Ministry checked the lists every month and an effort was made to have those prisoners who had been in longer than six months brought to trial and sentenced.

The Team members were taken on a tour of the prison. Wherever they went, they found the halls and cells clean. They were shown the vocational classes in which about

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[5] See Section III, B.

300 prisoners were enrolled and met daily over a six-month period.

Team members saw the Catholic Chapel, a Buddhist shrine and a Buddhist pagoda. In the pagoda, they talked with several monks who are in prison for resisting the draft. These monks were the only prisoners in any of the institutions who did not stand at rigid attention. Sometimes prisoners shouted ear-splitting anti-Communist slogans when Team members stopped to see them.

The Warden estimated that there were 200 children from 10 to 14 years of age and 200 from 14 to 18 in the prison not yet sentenced. All children, he said, were in a separate section and given education. Team members asked to see the children's section and were shown two cells. In one room, about 40′ by 25′, there were 47 children *under 8 years of age*. One child, 4 years old, said he was in prison because he had been caught stealing a necklace. The children were squatting in one end of the room eating when the Team members entered. They live in a bare room, with sanitary facilities at one end. No materials for play or study were in evidence. The food was rice with vegetables and fish. It looked adequate. The children seemed to be well physically. When the Team entered, the children left their bowls of food and assembled in lines without any order from the adult in the room or from the Warden. All, even the 4 year old, stood at attention and did not move or speak; only their eyes followed the visitor's moves. In the next cell, similar in size, there were 67 children slightly older but under 10 years. The situation was the same in all respects.

The Team members saw three cells in the men's section, the same size as the cells for children. There were about 50 men in each of the rooms viewed. Some of the men were preparing over tiny burners various kinds of food which had been brought by friends or relatives. None of the men in these three cells had been sentenced.

Upon asking to see the disciplinary cells, the Team members were shown a room with iron rings for shackling prisoners, which, we were told, were seldom used. The iron looked rusty. Team members did not get to see any of the 100 prisoners who the Warden said were in solitary.

The prison is in the form of a hexagon, four stories high facing inside. The wedge-shaped area in front of each of the six sections contains water tanks for bathing and washing clothes and an open space. The Warden said that after 5 p.m. the inmates are allowed here for sports and bathing. Since there is an average of about 1000 inmates in each section, it is obvious that only a very small proportion of the inmates could play soccer, volley ball, bathe or wash clothes at one time.

Con Son Island Prison

Con Son Island Prison, an escape-proof prison about 50 miles off the southeast coast is said by officials to contain 7021 prisoners, most of them "political". In many of the barracks, the majority of the prisoners were "political" prisoners who had been "tried" before a Military Field Court, usually without legal representation. They wore red tags which identified them as either V.C. or V.C. sympathizers. Those with yellow badges (detainees) presented another kind of problem. A show of hands, taken in a number of barracks, revealed that many detainees had been imprisoned as long as a year and a half with little hope of being released unless, conceivably, a place was required for new prisoners. It was explained that frequently the means or records necessary to determine whether charges should be brought were unavailable. There was a failure to observe even a minimum amount of due process in the overwhelming majority of cases. The same circumstances were recited over and over by the prisoners; they were either being held on charges of sympathizing with or aiding the enemy, or they had been rounded up after a military action in their village and were held. Others were students who had indicated their support for peace.

The tour had been carefully arranged by prison officials. The only time the Team members deviated from the prepared pattern, successfully demanding to see Camp No. 4 instead of the camp that the prison authorities had scheduled, they saw something of significance. There were large dark dormitory cells (three out of about ten such cells were inspected) in which there were from 70 to 90 prisoners each, all of whom (as determined by a show of hands) were condemned to life in prison. None had had lawyers or any trial other than a judgment by a military tribunal.

The prison authorities denied the existence of "tiger cages", reputed small barred cells in which prisoners being disciplined were chained to the floor in a prone position. Although recently released prisoners referred to this practice from actual experience, the Team members were unable to elicit any more from the prison officials than that the "tiger cages" were no longer in existence. (At first any knowledge of such things was denied). One prisoner, however, speaking surreptitiously to the Team members said, in answer to a question, "Yes, the 'tiger cages' are here, behind Camp No. 2 and Camp No. 3. You looked in the wrong place." The Team members had looked behind Camp No. 4.

Taking into consideration the conditions under which such a prison had to operate, it seemed that an attempt was being made by the prison officials to conduct as clean and sanitary an operation as they could. There was a 1.3 million dollar expansion underway (funded and supervised by the U.S.A.) which would provide 72 additional barracks.

Pursuing further the question of how prisoners were disciplined, the Team members were told that only 10 out of the 7021 prisoners were under discipline. On request, the visitors were shown two of these ten. They had been in solitary for six months because of their refusal to salute the flag. One said he would never salute it. His legs were deeply marked, the Colonel in charge explained this was the result of a past disease. Questioned directly, the prisoner said it was the result of a long period in leg irons.

Although Team members observed no brutality, they felt that to have no disciplinary barracks other than a small number of maximum security cells was highly unusual. The Team members noted the fearful reaction of the inmates whenever prison officials appeared, surmising that there must exist a high degree of punitive regimentation.

A disturbing aspect of the prison situation in Vietnam is physical abuse of prisoners. U.S. officials (there are American advisors at every level of Vietnamese bureaucracy) agree that there is torture, but insist that it does not take place in the correctional centers but in the interrogation and detention centers where the prisoners are taken first. Accounts by ex-prisoners verified the fact that torture in detention and interrogation centers is general procedure.

Frequently, the interrogation center at the National Police Headquarters in Saigon was mentioned as a scene of torture. However, many informants said that the types and extent of torture administered in some of the detention centers in the provinces were far worse than in the National Police Interrogation Center in Saigon.

Although Team members were allowed to visit the National Police Headquarters in Saigon, it was an arranged visit. There was no evidence of the forms of torture here described. Colonel Mau said that modern interrogation techniques ruled out the need for physical violence. Team members saw the interrogation rooms but no prisoners were being questioned. The Team's evidence for the tortures described come from interviews with ex-prisoners testifying to what they had endured and seen, together with the statements of doctors and others who had treated the victims. While the testimony of prison officials and the appearances of the National Police Headquarters cannot be lightly dismissed, the sheer weight of witnesses' statements seemed overwhelming and conclusive to Team members.

All prisoners are oppressed by conditions of overcrowding. Sometimes, however, many prisoners are stuffed into small cells which do not allow for lying down or, sometimes, even for sitting; and this, when it is steaming hot, when excrement accumulates, and when the prisoners are seldom released for exercise, is torture indeed.

Beating is the most common form of abuse. Intellectuals appear to receive "favored" treatment and seldom are subjected to torture other than beating. This is done with woodensticks and clubs. ("Metal" was mentioned by one observer.) The blows are applied to the back and to the bony parts of the legs, to the hands, and, in a particularly painful form, to the elevated soles of the feet when the body is in a prone position. Beating of the genitals also occurs. A number of commentators also described the immersion of prisoners into tanks of water which are then beaten with a stick on the outside. The pain is said to be particularly intense and the resultant injuries are internal.

Another type of water torture in which a soaked cloth is placed over the nose and mouth of a prisoner tied back-down to a bench is said to be very common. The cloth is removed at the last moment before the victim chokes to death, and then is reapplied. In a related form, water is pumped into the nose.

The most common procedure is said to be the elevation of the victim on a rope bound to his hands which are crossed behind his back. One witness described a "bicycle torture" used in this center. For about a week the prisoner is forced to maintain a squat position with an iron bar locking his wrists to his ankles; "afterwards he cannot walk or even straighten up", it was said.

An intellectual who was arrested in 1966 and spent the first six months of his two and one-half years term in an interrogation center described what he called the "typical case" of a woman law student in a nearby cell. She had been in the interrogation center for six months when he arrived and stayed for the next six months during his own imprisonment there. Throughout this year, she was tortured mostly by beating. When she was finally called before a tribunal to hear the charges, she had to be carried by two fellow prisoners. The tribunal, apparently because of her status, heard her case carefully and determined that it was a case of misidentification. Someone in Zone D had reported a V.C. returnee or spy who looked like her.

The same informant said, as a number of others did, that sexual torture was common. Though apparently it was not used on this woman student, it is used on many women. Frequently coke and beer bottles were prodded into the vagina. Also, there were a number of accounts of electrical wires applied to the genitals of males and females, as well as to other sensitive parts of the body. Another informant told of the torture by electricity of an eight-year old girl for the purpose of finding her father: "She said her father was dead and they just kept torturing her . . . They tortured her mother too." This was said to have occurred in the National Police Interrogation Center (Saigon) during 1968. Several ex-prisoners testified that it is not unusual to torture family members, including children, before the eyes of the prisoner. "Then", explained a woman teacher who had been imprisoned twice, "the prisoner will tell anything."

A respected physician told Team members that recently police brought a dead girl from an interrogation center to a city hospital and asked the Doctor there to certify to death from natural causes. On examination of the cadaver, the Doctor found signs of beating and sexual violation. He refused to so certify. Pressure was brought on the head of the hospital to issue the certificate. Such incidents are not unusual.

III. LEGAL STANDARDS AND PROCEDURES

The heart of the problem of assessing the conditions of political imprisonment in South Vietnam lies in the matters of standards and procedures. The key questions are: who is subject to arrest and imprisonment; and, how in each case is this determination made? If either the standards for determining who is subject to arrest, or the procedures for making the determination is loose, then enormous potential for official capriciousness exists and the freedoms of those subject to such caprice are ephemeral.

The Study Team found both the standards and the procedures to be loose by any measure, even by the most generous measure of allowance for the exigencies of civil and guerilla warfare. The evidence is more than adequate to sustain the conviction of the Study Team that this looseness is used deliberately to suppress political dissent and to oppress some religious groups. In particular, loyal nationalists who are in basic disagreement with the government fear with good reason retaliation for expressing their views.

Naturally, the particular kind of war being waged in South Vietnam bears upon the judgments of the Team. Government of Vietnam officials quite properly see an analogy between the civilians arrested for guerilla war activities—sabotage, espionage and the organization and support of National Liberation Front military cadres—and soldiers taken as prisoners in more conventional war. The validity of the analogy should be granted. We cannot class as suppression of political freedoms the imprisonment of those actively engaged in conducting war against the government. Moreover, the need for procedures to permit speedy imprisonment without exposing the government to the risk of further war like activity on the part of the arrested persons must be conceded.

It is humbling for Americans to be reminded that their own history is replete with invasions of individual rights made in the name of wartime emergency: the suspension of the writ of habeas corpus during the Civil War, for instance, and the evacuation of persons of Japanese ancestry from the West Coast during World War II. An American cannot presume to sit with clean hands in judgment upon the Government of South Vietnam. But both the principles of justice to which their constitutions commit the United States and the Republic of Vietnam, and the pragmatic concern for winning popular support for democratic principles compels this Team to confine the restrictions on freedom made in the name of wartime exigency to those actually necessitated by war.

Loose and inadequate standards and procedures do not represent concessions to those wartime exigencies. Minimization of risk of war-like activities against the government is not achieved by the imprisonment, for instance, of loyal nationalists who advocate forming a coalition government with N.L.F. representatives. Nor does minimization of such risks require imprisonment of powerless people who scurry to avoid exposure to the demands of both N.L.F. and government forces, in so-called "insecure" areas, and are arrested on suspicion with the expectation that brutal interrogation may yield a "confession" which will warrant detention.[6]

In fact, imprisonments of this kind create the unnecessary risk of alienating loyalties; a hazard made doubly severe by the highly political character of a war in Vietnam. The seriousness of this hazard is underscored by the statement to the Team of one young man, a resident of a rural province, that probably a majority of the men his age who reside in "secure" areas (under Government of South Vietnam control) of that province have experienced arrest and detention at least once during their lives. The evidence available to the Team suggests that the number of such arrests is steadily and continuously increasing.

The limits of the "war exigencies" justification are well illustrated by Article 29 of the Republic of Vietnam Constitution which clearly contemplates the existence of exceptional circumstances such as war. It provides:

"Any restriction upon the basic rights of the citizens must be prescribed by law and the time and place within which such a restriction is in force must be clearly specified. In any event the essence of all basic freedoms cannot be violated."

A. Standards

Authority for imprisonment of non-conventional criminals is found in the State of War Laws, Law No. 10/68, adopted by the National Assembly and promulgated by the President on November 5, 1968. It amends the State of War Decree promulgated prior to the present Constitution, on June 24, 1965, and as amended authorizes, among other things:

"The search of private houses, both by day and night;

"Fixing the place of residence of those elements judged dangerous to national security;

"Prohibition of all demonstrations or gatherings harmful to public security and order;

"Prohibition of the distribution of all printed matter harmful to national security;

"Control and restriction of communications and travel, consonant with security requirements; . . ."

In particular, the euphemistic language of the second paragraph quoted requires elaboration. Under it, numbers of persons are "assigned residence" in one or another of the provincial or national prisons by action of a Provincial Security Committee for specified but renewable terms, not exceeding two years, because they are "judged" to be "elements . . . dangerous to national security". Such a standard patently abdicates to the judging body the determination of who is to be subject to such imprisonments, with little, if any, legislative guidance or control. In fact, it was determined that students with nothing more than the notation in their files that they exhibited "left-wing tendencies" were being incarcerated in national prisons whose administrator classified them in his census as "Communists"; i.e., in the same category with individuals found to have assumed leadership roles in organizing war-like activity for the N.L.F. Others claimed to the Team that they had been detained for no other reason than the local officials responsible for their arrests expected to extort bribes as conditions for their release.

Under the heading of "prohibition of . . . gatherings", the Team learned of a Saigon political leader who was sentenced by a military field court to imprisonment for one year because he called a press conference without proper advance clearance from Republic of Vietnam authorities. (In this man's case, a known requirement appeared to have been deliberately violated, but the sentence suggests that the State of War Law is being used for more than minimization of military risks to national security.)

The standards just quoted should be read in conjunction with Article 4 of the Constitution which provides:

"Article 4. (1) The Republic of Vietnam opposes Communism in any form.

"(2) Every activity designed to publicize or carry out Communism is prohibited."

The looseness of the prohibition against activity designed to "publicize or carry out" Communism parallels that inherent in the other standards we have discussed. Under it, President Thieu, in an interview he generously afforded the members of the Team, justified the detention of Truong Dinh Dzu as a "political prisoner" on the ground that he had allegedly advocated the formation of a coalition government in which the N.L.F. would participate. This would violate Article 4, President Thieu reasoned, since such advocacy is *ipso facto* prohibited by that article. It may be unnecessary to point out, in response to this reasoning, that the Constitution also provides machinery for its own amendment, a process hardly likely to be completed without someone having first advocated a result barred by the language of the provisions being amended.

B. Procedure

1. Arrest, Detention, and Interrogation

Because of the long periods for which individuals are often held and interrogated prior to any disposition, often for six months or more—the procedures for determining who is to be arrested and for how long he is to be detained and interrogated take on a special importance. Moreover, the frequent and serious physical abuses about which the Team heard most often occur during this period. Although they seem to be employed as "aids" to interrogation, they are forms of cruel and barbarous punishment against which the citizen needs every conceivable procedural protection.

In fact, procedural protections are essentially nonexistent at the arrest and interrogation stage. Arrests are made by a wide variety of local and national officials—by district police, special security forces, military forces and intelligence units—each exercising a relatively unfettered discretion. The arrest may occur for no other reason than that the arrestee was found near the scene of a guerilla raid. Unless the arrested person is of exceptional importance, he will usually be detained by the arresting unit or by the district or security police in the district or province where arrested, and subjected to whatever interrogation methods authorities in that unit choose to apply.

Such detention for interrogation frequently continues for many months and it is at this stage that the bestial brutality the Team encountered occurs.

Despite the constitutional provision that:

"(6) A defendant has the right to a defense lawyer for counsel in every phase of interrogation, including the preliminary investigation."

the Team was unequivocally assured by Colonel Mau, Chief of the Special Branch of the National Police Forces, that no one within his knowledge ever saw a lawyer at this stage—certainly never when detained at the Interrogation Center of the National Directorate of Police in Saigon. All of the Team's information tended to confirm that this generalization applied to other places of interrogation, both in Saigon and in the provinces.

Not only is the arrestee denied a right to counsel at this stage, he is frequently denied all contact with outsiders, including members of his family. Often families are not notified of the arrest, and they may go for days or months in ignorance of any fact save that their loved-one has disappeared. In one instance, when occasional visits were stopped after several weeks on the ground that they interfered with the interrogation. Isolation itself may be used as an interrogation "aid" or technique.

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[6] Credible testimony of instances of arrests fitting both these examples was given the Study Team from many sources. (See Section II)

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2. "Assigned Residence" by Provincial Security Councils

An unknown proportion of the persons held in the correctional system—the four national and thirty-seven provincial prisons of the system—are assigned there by action of Provincial Security Councils rather than by the judgment and sentence of any court. An official of one province reported that 50 percent of the 1,400 occupants of the local provincial prison were assigned there by the action of the Provincial Security Council.

When Prime Minister Huong took office in May, 1968, the Team was told he made a major effort to improve the functioning of these bodies, enlarging them to include an elected official (in the provinces where elections have been held) and causing them to pare their backlogs of undisposed business. As a result, it may be assumed that dispositions in some provinces show a greater sensitivity to local opinion and that the periods of preliminary detentions—to the extent they exceed the length of interrogation desired—have been reduced.

One of the Prime Minister Huong's first acts was to initiate a remarkable admission of wrongdoing on the part of the Thieu government in the release and commutation of the sentences of a number of political prisoners whose total has been variously estimated from 2,000 to 6,000.

On another occasion Deputy Prime Minister Khiem commendably acknowledged in response to questions raised in the National Assembly the arbitrary nature of the arrest and interrogation procedures and the official fear of repercussions which could result from the conditions of brutality.

When a Team member shared with Minister Khiem a preliminary sketch of team findings; i.e., loose prisoner classification, denial of due process and the arbitrary action of military field courts, he agreed that these were concerns he and his staff had been considering.

But these steps only sweeten a system that is intolerable. No society can pretend to be free that permits "administrative" detentions of the kind handled by Provincial Security Councils. One Team member was privileged to visit the members of one such Council as its regular weekly session was being concluded. Members of the Council each possessed a typewritten list of the names of the individuals whose cases were being considered; approximately 100 names were on the list for a single afternoon's consideration. He was told that on heavy business days the Council sometimes continued to meet into the evening. An officer brought the relevant files to the meeting and read to the Council the information required for consideration. Without notice to the arrested person, without his presence or that of witnesses to the facts relevant for determination, without confrontation or opportunity for rebuttal, to say nothing of rights of counsel or to appeal, the liberty of each of the 100 persons listed was summarily determined and detentions in prison were ordered for periods—renewable by like procedure—of up to two years. No wartime conditions, nor any other justification, can be offered to reconcile such a procedure with the democracy which is claimed to be the object of the Constitution of the Republic of Vietnam. Undoubtedly, the system succeeds in detaining some people for whom a real connection with the activities of the N.L.F. has been shown, although the Team was told that all serious wartime offenses are referred to a Military Field Court for disposition. But no other purpose than convenience to the interests of local or national officials which are adverse to those of the detainees—whether to suppress political opposition or otherwise—can really be served by this mechanism.

3. Military Field Tribunals

The Study Team has reached the conclusion that the Thieu-Ky Government has, through the extensive and increasing use of the extra-constitutional Military Field Courts, imprisoned thousands of persons without the most fundamental elements of a fair hearing and, in a shocking number of instances, without even apprising the imprisoned persons of the charges against them. This extraordinary development has had such a devastating effect on the people of South Vietnam and such a chilling impact on all political activities that it seems important to chronicle in some detail the process by which the present Saigon Government, in the name of a wartime emergency, can deny persons arrested for political "offenses" all of the guarantees which Vietnamese constitutional and statutory law gives to persons accused of crime.

The Constitution of the Republic of Vietnam, promulgated on April 1, 1967, confers in Article 7 a series of guarantees upon those accused of crime which are among the most generous and progressive of any democracy in the world. Because these rights have been denied to probably 65 to 75 percent of all of the persons committed to prisons in South Vietnam, it is important to set them forth in some detail. Article 7 reads as follows:

"(1) The State respects and protects the security of each individual and the right of every citizen to plead his case before a court of law.

"(2) No one can be arrested or detained without a legal order issued by an agency with judicial powers conferred upon it by law, except in case of flagrant violation of the law.

"(3) The accused and his next of kin must be informed of the accusation against him within the time limit prescribed by law. Detentions must be controlled by an agency of the judiciary.

"(4) No citizen can be tortured, threatened or forced to confess. A confession obtained by torture, threat or coercion will not be considered as valid evidence.

"(5) A defendant is entitled to a speedy and public trial.

"(6) A defendant has the right to a defense lawyer for counsel in every phase of the interrogation, including the preliminary investigation.

"(7) Any person accused of a minor offense who does not have a record of more than three months' imprisonment for an intentional crime may be released pending trial, provided that he or she is employed and has a fixed residence. Women pregnant more than three months accused of minor offenses who are employed and have fixed residence can be released pending trial.

"(8) Accused persons will be considered innocent until sentence recognizing their guilt is handed down.

"In the event of doubt, the court will rule in favor of the accused.

"(9) If unjustly detained, a person has the right to demand compensation for damages from the State after he has been pronounced innocent, in accordance with the provisions of law."

All of these carefully spelled-out guarantees were nullified for political offenders by Law No. 10/68 of November 5, 1968, which we have earlier described. This law amends and revitalizes a pre-constitutional decree issued June 24, 1965. By its legitimation of the Military Field Courts, this law, in effect, amended the Constitution although none of the Articles of the Constitution related to amending the document (Nos. 103–107) were complied with.

The November 5, 1968 law, in addition to authorizing the invasions of individual rights previously recited authorizes local proclamations of martial law and in its Article 2 declares that:

"All violations of the law related to national security fall within the Military Field Courts which will try them in accordance with emergency procedures."

The creation of these "Military Field Courts" is nowhere authorized in Article 76 through Article 87 of the Constitution, which provide in detail for the structure of Vietnam's jurisdiction. Nor is the "Military Field Courts" related to military tribunals which exist in the armed forces of South Vietnam for the prosecution of offenses committed by military personnel. *The "Military Field Courts" are not really courts at all.*

The Study Team is convinced that the number of arrests and imprisonments continues to grow larger under the law of November 5, 1968. Moreover, it is clear that the 1968 law, unlike the 1965 decree, abrogates and amends the 1967 Constitution of South Vietnam in an illegal way. Indeed, the 1968 law eviscerates that Constitution and suggests that the President and the National Assembly disregarded the Constitution in several respects and, relying on "a state of war", undertook to legitimize the Military Field Courts which imprison persons in proceedings having few if any of the features of a real trial. No matter how favorably they are viewed, these courts serve as the instrument by which the Thieu government imprisons and thereby silences its critics.

The inadequacies of the Military Field Courts are many. Among their more glaring defects are the following:

(1) These courts violate Articles 77 of the Constitution which stipulates that every court should be composed of "an element that judges and an element that prosecutes, both of which are professionally qualified." In the Military Field Court, the judge is a military official not necessarily trained in law.

(2) The offenses triable by the Military Field Courts are non-appealable. The denial of these basic rights violates the Vietnam Constitution as well as the practices which have become customary in most of the judicial processes in the civilized world.

(3) The Military Field Courts also violate Article 9 of the Universal Declaration of Human Rights which states that, "No one shall be subjected to arbitrary arrest or detention." This statement is now incorporated in the draft Covenant on Civil and Political Rights and is broadened to read as follows:

"Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest and detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedures as are established by law."

These provisions are being violated in South Vietnam. Their violation is thus a violation of the Constitution of South Vietnam which states in Article 5 that "the Republic of Vietnam will comply with provisions of international law which are not contrary to its national sovereignty and the principle of equality between nations."

IV. APPENDIX

A. U.S. study team on religious and political freedom in Vietnam

James Armstrong, Bishop of the United Methodist Church, Dakotas Area. Bishop Armstrong received his A.B. from Florida Southern College, a B.D. from Emory University, and D.D. from Florida Southern and DePauw University. Elected to the episcopacy in 1968, James Armstrong is the youngest United Methodist Bishop in the United States. He taught for eight years at the Christian Theological Seminary (Disciples of Christ) in Indianapolis, served for ten years as minister of the Broadway United Methodist Church in Indianapolis. Known for his interest in public affairs, he was a board member of the Community Service Council, the Urban League and the Indianapolis Progress Committee, and was singled out as "one of the leaders who builds cities" by Time-Life in its book *The Heartland*. He himself is the author of the book, *The Journey That Men Make*, published by Abingdon Press.

Mrs. John C. Bennett (Anne McGrew Bennett). Mrs. Bennett received a B.Sc. in Education from the University of Nebraska and M.R.E. from Auburn Theological Seminary.

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She taught for several years in country schools in Nebraska, was married in 1931 to John C. Bennett, now President of the Union Theological Seminary in New York City. Mrs. Bennett has been active in denominational and interdenominational affairs for many years. She is a member of the U.S. Inter-Religious Committee on Peace, a former board member of the Council for Christian Social Action of the United Church of Christ, and served from 1960 to 1964 on the General Board of the National Council of Churches.

Allan Brick, Associate Secretary for National Program, Fellowship of Reconciliation. Dr. Brick received an A.B. from Haverford College, an M.A. and a Ph.D. in English from Yale University. A former professor of English at Dartmouth and Goucher Colleges, Dr. Brick served as Peace Education Director for the American Friends Service Committee, Middle Atlantic Region, from 1966 to 1968. He has published articles on English and American literature, as well as articles on student and protest movements and is co-author of *The Draft*, a report by the American Friends Service Committee, published by Hill and Wang, New York.

John Conyers, Jr., Representative in Congress of the First Congressional District, Detroit, Michigan. Congressman Conyers received his B.A. and his law degree from Wayne State University. Currently serving his third term both as a Representative and a member of the Judiciary Committee, he has been an active supporter of civil rights legislation in Congress. In this capacity he has made trips to Selma, Charleston, Mississippi and other places to investigate cases of civil rights violations. Prior to election to Congress, Mr. Conyers was a labor and civil rights lawyer, also serving as Director of Education for Local 900 of the United Auto Workers, an executive board member of the Detroit NAACP and an advisory council member of the Michigan Civil Liberties Union. During the Korean conflict, he served as a Second Lieutenant in the Corps of Engineers.

Robert F. Drinan, S.J., Dean, Boston College Law School, and Professor of Family Law and Church-State Relations. Father Drinan received his A.B. and M.A. from Boston College, his LL.B. and LL.M. from Georgetown University Law Center, an S.T.L. (Licentiate in Sacred Theology) from Gregorian University in Rome. He is author of several books, the latest of which is *Democracy and Disorder*, published on 1969 by the Seabury Press, and is a contributor to many publications, including *Commonweal* and the *Harvard Law Review*. Father Drinan has served widely in legal, civic and education organizations and committees. He is a former vice-president of the Massachusetts Bar Association, is currently chairman of the M.B.A.'s Committee on the Administration of Justice and chairman of the Advisory Committee for Massachusetts to the United States Commission on Civil Rights.

John de J. Pemberton, Jr., Executive Director of the American Civil Liberties Union. Mr. Pemberton received his B.A. at Swarthmore in 1940, an LL.B. *cum laude* at Harvard in 1947. As a student at Harvard Law School, Mr. Pemberton served on the board of editors of the *Harvard Law Review;* after graduation, taught commercial and bankruptcy law at Duke University until 1950. From 1950 to 1962, he practiced law in Rochester, Minnesota, as a member of the firm of Pemberton, Michaels, Bishop and Seeger. In Rochester, he served on the Minnesota Advisory Committee to the United States Civil Rights Commission and the Minnesota Fair Employment Practices Commission. An active member of the ACLU since 1950, Mr. Pemberton was appointed its Executive Director in 1962.

Seymour Siegel, Professor of Theology in The Jewish Theological Seminary of America and Assistant Dean of its Herman H. Lehman Institute of Ethics. Dr. Siegel graduated from the University of Chicago. In 1951 he was ordained by the Jewish Theological Seminary and in 1958 received the Seminary's degree of Doctor of Hebrew Literature. As representative of the World Council of Synagogues, Dr. Siegel has traveled widely to Jewish communities abroad; in 1962, he became the first Visiting Professor from the Seminary to serve at the Seminario Rabbinico Latinoamericano in Buenos Aires. He is a member of the editorial boards of *Conservative Judaism, Jewish Heritage,* and editorial consultant to Benziger Brothers Publishing Company. Now completing work on his second book, *Jewish Theology Today,* he has also contributed many articles and reviews to both scholarly and popular journals, among them the *Saturday Review* and *Commentary.*

Arnold E. True, Rear Admiral, United States Navy, Retired; Professor Emeritus of Meteorology, San Jose College. Admiral True received a B.S. at the U.S. Naval Academy in 1920, and M.S. from M.I.T. in 1931, and graduated from the U.S. Naval War College in 1939. He served in the United States Asiatic Fleet in the Far East, commanded the USS Hammann and two destroyers in World War II, and was on the staff of the Commander-in-Chief of the United States Atlantic Fleet between 1944 and 1946. During the Battle of Midway he received injuries which necessitated his retirement. From 1947 to 1967 he was professor of meteorology at San Jose College. Admiral True recently presented testimony to the Senate Armed Services Committee concerning budget requests of the Department of Defense.

The Reverend Peter Jenkins, of Congregational Church, Wimbledon, England and Treasurer of Eirene International Christian Service for Peace Organization, met the team in Paris and accompanied them to Saigon.

CABLE FROM U.S. STUDY TEAM TO PRESIDENT NIXON

SAIGON,
June 5, 1969.

President NIXON,
Washington, D.C.:

The Independent Study Team on Religious and Political Freedom in Vietnam has completed its study here and is preparing a detailed report. The team met with South Vietnamese and United States officials, various Buddhist and Roman Catholic leaders, representatives of other principal sects, members of the National Assembly, attorneys and other specialists in jurisprudence as well as numerous private individuals, including some prisoners.

The team inspected prisons in Saigon, Thu Duc and Con Son. Our final report will be related to the following firm impressions:

The Government of South Vietnam does not presently exemplify at least one of the goals set forth in your May 14th statement. "There should be an opportunity for full participation in the political life of South Vietnam for all political elements that are prepared to do so without the use of force or intimidation."

Religious and political suppression is widespread. Speaking for peace or in any other way opposing the Government easily brings the charge of communist sympathy and subsequent arrest. Long detention without trial is frequently the result.

The number of political prisoners continues to increase.

There must be no illusion that this climate of political and religious suppression is compatible with either a representative or stable government.

We respectfully request that you consider this in weighing any commitments to the Thieu Government.

On behalf of the Study Team on Religious and Political Freedom in Vietnam,

JOHN CONYERS, Jr.,
Member of Congress.

MEMBERS OF THE U.S. STUDY TEAM ON RELIGIOUS AND POLITICAL FREEDOM IN VIETNAM*

James Armstrong, Bishop, United Methodist Church.

Anne M. Bennett (Mrs. John C.)

Allen Brick, Director of National Program, Fellowship of Reconciliation.

John Conyers, Jr., Member of Congress.

Robert Drinan, S.J., Dean, Boston College Law School.

Peter W. Jenkins, Pastor, Congregational Church, Wimbledon, England.

John de J. Pemberton, Executive Director, American Civil Liberties Union.

Seymour Siegel, Rabbi, Professor of Theology, Jewish Theological Seminary.

Arnold E. True, Rear Admiral, U.S.N. (Ret.)

PROSPECTS FOR ATLANTIC UNITY, MIDEAST PEACE

Mr. JAVITS. Mr. President, I wish to report to the Senate on my trip to Israel and to five major capitals of Europe undertaken during the period of May 24 to June 9. My trip had dual, and interrelated, purposes. As Chairman of the Political Committee of the North Atlantic Assembly—the NATO Parliamentarians' Assembly—it was my duty to chair the Political Committee's spring meeting at NATO headquarters in Brussels on June 9. Preceding the Political Committee meeting, I made short visits to the major European capitals, as is my practice, to meet with government leaders and to confer with our own American Ambassadors.

Also, I used the occasion of my trip to Europe to visit Israel for several days en route. In Israel I had intensive discussions with the U.S. Ambassador and his staff and with Israel's Government leaders dealing with the hopes for peace between Israel and the Arab States which is of direct concern to the United States and to NATO.

I summarize my findings herewith and report my conclusions and offer recommendations.

In Europe, I visited, in order, Paris, Bonn, Frankfurt, Rome, London, and Brussels. My visit to Paris immediately preceded the first round of France's presidential election. I met with a number of highly placed private persons who were able to acquaint me with the full spectrum of French opinion with regard to the significance of General de Gaulle's departure from the Presidency.

In addition to my meeting with a number of distinguished citizens and parliamentarians of France, I met with Ambassador Shriver and his senior staff. I also had a fine discussion with Ambassador Henry Cabot Lodge—the chief U.S. negotiator at the Paris Vietnam negotiations—and his principal aide.

An additional major reason for my visit to Paris was to fulfill a longstanding commitment to address the American Club in Paris. My speech, entitled "The Atlantic Community: Return to the Mainstream," was prominently reported in the European press. I shall ask unanimous consent that its text be printed in the RECORD at the conclusion of my remarks.

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*Organizational associations listed for purposes of identification only.

From Paris I traveled to Bonn, where I had an extensive conversation with Chancellor of the Federal Republic, Dr. Kurt Kiesinger. I also had a most interesting and useful luncheon conversation with Mr. von Hase and Mr. Duckwitz, the Under Secretaries of the German Defense and Foreign Ministries, respectively. This took place at the residence of our able Chargé d'Affairs, the Honorable Russell Fessenden.

The following day, I chaired a 3-hour meeting at the Deutsche Bank in Frankfurt concerning the work of the Eastern Mediterranean Development Institute—EMDI. The meeting was attended by leading German bankers, university figures, foundation officials, industrialists, and airline officials who have participated in the work of EMDI. EMDI is a project which began under the auspices of the Economic Committee of the North Atlantic Assembly in 1965, when I was Chairman of that Committee.

EMDI, initially known as "the Greek-Turkish project," was inaugurated at the request of the Greek and Turkish Governments with the purpose of promoting economic development and cooperation in the two eastern Mediterranean members of NATO. This project has now been converted into an institute which has no formal connection with the North Atlantic Assembly. I am chairman of the board of directors. I ask unanimous consent that a copy of the latest EMDI status report be printed at the conclusion of my remarks.

In Rome, I had an extremely useful meeting with Dr. Guido Carli, the distinguished Governor of the Bank of Italy, covering the entire range of issues concerning international monetary problems and prospects for reform. I also met the Vice Prime Minister, Mr. de Martino, who provided me with a most interesting assessment of Italian, European, and world issue as seen from his own political perspective as a left Socialist. In Rome I also had helpful briefings and conversations with key members of the U.S. embassy staff, and with informed and highly placed private citizens.

In London I had a wide range of meetings and discussions with senior government and opposition leaders, distinguished private citizens and the American Ambassador and his senior staff. It was my privilege to call upon Prime Minister Harold Wilson at 10 Downing Street and to call upon Chancellor of the Exchequer Roy Jenkins at 11 Downing Street. The leader of the opposition, the Honorable Edward Heath, was out of town, but I was able to learn the thinking of the Conservative Party on key issues from conservationists with the chairman of the party, Mr. Anthony Barber, and other senior associates of Mr. Heath.

The Political Committee meeting in Brussels was attended by a distinguished group of parliamentarians from all the NATO countries excepting Greece—where democratic institutions have been overthrown by the military regime—and Italy—which has not yet reconstituted its NATO parliamentary delegation following the last elections. In addition to intensive day long discussions with my parliamentary colleagues in Brussels, it was also my privilege to have a most interesting meeting with the Honorable Manlio Brosio, the distinguished Secretary General of the North Atlantic Council.

FINDINGS AND CONCLUSIONS IN EUROPE

My principal findings and conclusions regarding the policy situation in Europe may be summarized as follows:

First. I found widespread alertness to the new possibilities for European unity resulting from the change of leadership in France. Immediate attention is focused specifically on the issue of expanding the European Common Market, or EEC, to include Britain and other applicants of the EFTA. I consider this to be free Europe's No. 1 priority for the near term.

But, while there is a strong general disposition to move ahead, both with the expansion of the EEC and on the longer range problem of European political unification, the question of leadership for these moves remains to be decided. While it is recognized that the United States has an important role, it is recognized also on both sides of the Atlantic that the United States cannot be the leader. For varying reasons, Germany, Britain, Italy and France all feel momentarily inhibited from playing a determined leadership role in the revival of the historic postwar movement toward European unity. I am satisfied that with the United Kingdom in the EEC, the objective of present decisionmaking will have been realized and collective leadership will be adequately effective.

The priority which President Nixon has restored to Europe in U.S. foreign policy, his emphasis on a meaningful allied consultative process, his Western European trip and the initiatives he proposed at the 20th anniversary celebration of NATO—all have struck deeply responsive chords in Europe and have helped reverse the erosion of confidence and esteem for U.S. policy notable in recent years in the eyes of our European allies, and largely attributable to Vietnam.

Second. U.S. moves to bring the Vietnam war to an early conclusion have renewed the disposition of our traditional European allies to accept U.S. leadership and to participate again in multilateral efforts to deal with the pressing issues of war and peace.

Third. On the vital question of international monetary problems, I found broad awareness of the need for major reforms. But there was also a curious preoccupation with the tactical and political problems and difficulties—at the expense of the substantial and vital long-term benefits to be gained from comprehensive, multilateral measures. International monetary reform is the No. 2 priority of the Atlantic developed nations.

Fourth. The U.S. preoccupation with Vietnam, and the concurrent Gaullist-led opposition to European and Atlantic Community unification, have left a residue to parochialism and protectionism in trade and other policies of Western Europe. Boldness, and breadth of vision have been eroded, while the habits of traditional nationalism have been strengthened. The No. 3 priority must be further trade liberalization and reduction of nontariff barriers to trade.

Fifth. Considerable interest has been evoked by President Nixon's proposal regarding the undertaking of joint efforts in the Atlantic community with respect to the environmental problems of modern industrial societies—questions of the quality of life in the context of such factors as air pollution, high-density living, mass housing and transport problems. This is the No. 4 priority for the Atlantic developed nations.

Sixth. I found less awareness in Europe than I had expected of the significance of internal U.S. debates with respect to the nuclear arms race, the Vietnam war and national priorities, and United States-U.S.S.R. negotiations with respect to strategic arms limitations, the Middle East and other subjects. It seemed to be taken for granted that ultimately the Federal Republic of Germany too would adhere to the Nuclear Nonproliferation Treaty.

RECOMMENDATIONS

My four principal policy recommendations are as follows:

First. The United States should adopt an active, supportive policy with respect to the expansion of the EEC, by including Britain and the other EFTA applicants, within a coordinated policy framework directed toward eliminating nontariff barriers to trade.

Second. The United States should take the leadership in convening a new Bretton Woods-type of conference to effect major reforms in the international monetary system. In my judgment, major reforms are needed urgently and can only be achieved by an international conference of this nature. These are some of the prime considerations:

The industrial nations can no longer afford to lurch from one weekend currency crisis to the next—with disaster narrowly averted by ad hoc rescue parties.

The political problems of unilateral adjustments of currency parities are too great to be handled effectively on a case-by-case basis; but multilateral adjustments can help overcome the political problems of all.

The present and anticipated future supply of monetary gold is just too small as a base for expanding international trade and meeting the problems of liquidity on a long-term rather than short-term basis.

The International Monetary Fund should be given new authority to permit it to function more as a world central bank, empowered to create new reserves as needed—through special drawing rights and possible revaluation of monetary gold—and related central-bank functions including the provisions of large-scale credits for the developing nations of the southern zone.

Third. The United States should take the leadership in creating new patterns and institutions to expand trade through a large new grouping of industrial nations including the United States, Canada, Japan, the EEC, and other advanced nations. In addition, the United States should pursue a policy of greater Atlantic community economic consultation and unity, and harmonization of policy on East-West trade.

Fourth. Specific programs should be adopted to implement President Nixon's proposals for joint planning and consultations within the Atlantic community with respect to the environmental problems of life in advanced industrial societies. We must seize this imaginative new approach to improving the quality of life for all our citizens through a sharing of experience, knowledge, and research on the problems of air and water polution, public health problems in a changing environment with changing population patterns, and problems related to high-density living such as mass housing and transport systems.

CONCLUSIONS AND RECOMMENDATIONS CONCERNING MIDEAST

I wish to report the following conclusions and recommendations with respect to Mideast policy.

First. It is essential the United States strive for a permanent peace in the Mideast with the terms mutually supportive, and that the United States not once again be a party to armistices or cease-fire lines. This entails a willingness to sweat it out in the months ahead until a meaningful peace is attainable through negotiations principally between the parties concerned—Israel and its Arab neighbors. The United States must resist attempts to achieve an imposed peace forged under the pressure of Arab and Soviet propaganda efforts to portray the Mideast as being on the verge of explosion into another war endangering world peace.

Second. In the absence of a change of heart by the United Arab Republic Government with respect to acceptance of the fact of Israel as a nation, and of the need for a meaningful peace agreement, there may be little prospect of reopening the Suez Canal. The United States and its European allies should proceed with long-term plans on the basis that the Suez Canal may not be reopened in the immediate future, but efforts should continue to be made to reopen the canal as as international waterway available to all and not the exclusive property of the United Arab Republic.

Third. Efforts should continue to achieve an international agreement on the limitation of arms shipments into the Mideast from outside sources. Such agreement should, of course, be consistent with the legitimate security needs of the nations of the area, including Israel's requirements for deterrent strength in the supersonic aircraft field and the supply of the supersonic jets agreed to be delivered by the U.S.

Fourth. A new look should be taken at the Arab-refugee situation, and the international support so long given to keep them in a refugee status.

Fifth. The possibilities of an economic self-help organization in the Middle East, with United States and free Europe's support, should again be explored.

Mr. President, I ask unanimous consent that there be printed at this point in the Record a speech entitled, "The Atlantic Community: Return to the Mainstream," delivered by me before the American Club in Paris and a status report to the board of directors of the Eastern Mediterranean Development Institute, of which I am chairman, and remarks by me in the Congressional Record of January 28, 1960.

There being no objection, the material was ordered to be printed in the Record. as follows:

The Atlantic Community: Return to the Mainstream

(Speech by Senator Jacob K. Javits, before the American Club, Paris, May 29, 1969)

We are about to witness the dawn of a new era of Atlantic community cooperation and purpose and therefore of hopes for world peace. Conditions are propitious for a renewal of Western unity and a return to common action in the mainstream from which both Western Europe and the United States were diverted so tragically in the mid-1960's.

In the United States, our preoccupation with Vietnam is drawing to an end. In Western Europe, the disengagement of France from the forces striving for European unity is coming to an end.

At this particularly sensitive moment on the eve of an historic Presidential election in France even the best-intentioned American must take special pains to avoid in his comments any reference to the election. But I do feel that it is proper for a U.S. Senator to express his views as to what he sees as the best future for U.S.-Western European relations and the peace of the world.

Also, it is appropriate to state, as I see it, what Western Europe can expect from the United States under the Nixon Administration; and what the United States hopes it can expect from Western Europe.

President Nixon has made it unmistakably clear that he regards our Atlantic Community ties as the fulcrum of his entire concept of America's role in the world. In my judgment, it is of great significance that President Nixon has chosen—of all the possible roles open to him—to conduct the vital, upcoming negotiations with the USSR on strategic nuclear arms limitation in his capacity as a leader of NATO.

President Nixon has been quite specific in this regard. Here are his words addressed to the North Atlantic Council:

"I pledge to you today that in any negotiations affecting the interests of the NATO nations, there will be full and genuine consultation before and during those negotiations."

On a subsequent occasion he stated: ". . . the forthcoming arms talks will be a test of the ability of the Western nations to shape a common strategy."

The significance of President Nixon's approach to nuclear arms limitation talks with the Soviet Union—the premium placed on NATO interests and consultations—is not yet adequately appreciated in Europe, in my judgment, to understand its significance one must also have a familiarity with the current political situation in the United States.

The forthcoming Strategic Arms Limitation (SALT) negotiations with the USSR, and related questions concerning ABM and MIRV, have been the subject of the most important public debate in the United States since the NATO debate of the late 1940's. This public debate in the United States has been concerned with the very fundamentals of our American society and aspirations. I have been an active participant in this debate.

For the fundamental theme of the debate concerning the nuclear arms race has been the question of U.S. national priorities and the allocation of U.S. resources between civilian and military requirements. But, in the U.S. domestic debate, virtually no attention has been given to the NATO aspect of the American approach to, and negotiating posture in, the strategic arms limitation negotiations. This is uniquely President Nixon's contribution—and he runs the risk of encountering later misunderstanding and criticism at home for placing the emphasis he does upon NATO interests and an allied consultative approach. Those who have opposed his timing on the Safeguard ABM have been concerned mainly with highly urgent, but essentially domestic civilian needs. The crisis in our great cities, the tensions between whites and blacks, the seething unrest at some of our major universities—these are the burning issues which compel immediate political attention and which set the framework for the debate over U.S. national priorities.

Yet the U.S. President has not been diverted by this issue but has taken account of Europe's dual fear about future U.S. policy—that the U.S. would strike a deal with the USSR over the heads of our allies, and that the U.S. would retreat into some form of neoisolationism. These fears ought now to be allayed by the strongly expressed views of President Nixon as to consultations with our allies and following a NATO-oriented approach.

That portion of responsibility which rests on the U.S. for the deterioration and devitalization of the Atlantic Community in the mid-1960's is related most directly to the Vietnam war. Here too I believe the moment is auspicious for countering the factors which worked against the interests of the U.S.-Western Europe alliance.

There can be no mistaking the determination of the American people to end the Vietnam war as rapidly as possible. Nor, can there be any doubt now that President Nixon accords priority on the nation's agenda to that task. He was speaking with every understanding of the situation when he recently told the nation in a televised address:

"In my campaign for the Presidency, I pledged to end this war . . . I am determined to keep that pledge. If I fail to do so, I expect the American people to hold me accountable for that failure."

In my judgment, it is clear from the factors I have just cited that the United States is reordering its affairs to enable us to play our full role in a revitalized Atlantic Community which is now again within our grasp.

And it is a most fortunate coincidence of timing that Western Europe, too, now has a comparable opportunity to reorder its policies and redirect its energies in ways that can make possible the achievement of European unity within a revitalized Atlantic Community.

For the Atlantic Alliance has suffered grievous strains militarily, politically or economically whch have induced many to believe that our Atlantic Community is no longer a realistic possibility. But I disagree and believe that even the removal of SHAPE from France, the exclusion of the U.K. from the E.E.C., the arresting of progress toward the political unity of Western Europe and the recurring monetary crises can be overcome and the Atlantic Community revitalized.

In saying this I want to make it clear that I am not trying to exonerate other members of the alliance for their acts of omission and commission—least of all my own United States which allowed itself to become entrapped in a costly military stalemate in Vietnam which appeared increasingly irrelevant to the nation's true interests, even in the eyes of its own people.

I have spoken and written personally on a number of occasions concerning the objectives and the potentialities of a fully developed Atlantic Community. Now I find hope that many of my views may well be shared by President Nixon. And, I wish now to quote his words, instead of my own because he speaks with an authority unrivalled, by virtue of his office. In pondering his words, it should be borne in mind that President Nixon is not a man given to uttering lofty words lightly.

XUM

Speaking to the NATO Council of Ministers on the Twentieth Anniversary of the signing of the NATO Treaty he said:

"Now the Alliance of the West needs a third dimension . . . a social dimension to deal with our concern for the quality of life in this last third of the 20th century.

"The industrial nations share no challenge more urgent than that of bringing 20th Century man and his environment to terms with one another—of making the world fit for man, and helping man to learn how to remain in harmony with the rapidly changing world.

"To discover what this Western Alliance means today, we have to reach back, not across two decades, but through the centuries to the very roots of the Western experience. When we do, we find that we touch a set of elemental ideals, eloquent in their simplicity, majestic in their humanity, ideals of decency and justice and liberty and respect for the rights of our fellow men. Simple, yes; and to us obvious. But our forebears struggled for centuries to win them and in our own lifetimes we have had to fight to defend them."

It would be a mistake, in my judgment, for Europe to discount the President's words as the rhetoric of a ceremonial occasion. They should rather be understood as an authoritative expression of what the United States is prepared to do within an Atlantic Community, and the almost limitless aspirations we hold in that regard.

An air of cynicism and *ennui* has grown up on both sides of the Atlantic over the past decade in an accompaniment to the unprecedented material prosperity in Europe and the United States. And the present generation of students on both sides of the Atlantic has been profoundly alienated by this apparent lack of meaning and idealism in life.

The Western peoples are very ripe in my judgment for new ideals and bold, exciting designs which transcend mundane preoccupations with force levels, nuclear megatonnage, Gross National Product. They yearn for adventures of the spirit—for vision—and I believe that undertaking again construction of an Atlantic Community in its fullest and highest sense can provide the spirit which is needed.

Idealism does not have to be impractical. There are a number of very specific steps which can and ought to be taken to give effect to the objectives and potentiality of the Atlantic Community. These steps are in the mainstream of a return to the continued construction of the Atlantic Community which was abandoned so precipitously in the mid 1960's.

In the field of trade, the trend toward protectionism and exclusion—even in the European Economic Community, erected as the very model of liberal trade—needs to be reversed. The division of Western Europe into rival trade blocs—EEC and EFTA—should be undone through the expansion of the EEC to include the U.K. and other EFTA applicants. Non-tariff barriers to trade should be dismantled on a reciprocal basis, and the issues of trade expansion not addressed by the historic Kennedy Round especially in agriculture now should be tackled. The United States must, for its part, move away from restrictions on overseas capital investments and efforts to secure "voluntary" export quotas to protect selected domestic industries. Other forms of government assistance to embattled domestic industries are feasible and more appropriate.

New measures of cooperation in technology and education are already widely forecast for the Atlantic Community. These include an Atlantic Technology Pool and a University of the Atlantic including professional schools in law, medicine and other disciplines for the Atlantic Community.

Reforms are needed urgently in the international monetary system, so that the industrial nations do not have to lurch insecurely from one-week-end balance-of-payments crisis to the next, while currency speculators circle like sharks around the weakened currencies of that particular crisis. Surely it is not beyond the wit of man to devise orderly and rational mechanisms to adjust fluctuations in currency exchange values and to rationalize the position of so relatively slim a gold stock in the total picture.

The ancient and irrational tyranny of gold must be overthrown so that the nations can provide, based on their own productivity for the expansion of reserves needed to finance the constant expansion of trade and the accelerated development of the crucial developing Southern zone of the world.

A harmonization of trade policy within the Alliance with respect to Eastern Europe and the Soviet Union should be an element of the expanded political consultations and harmonization of policy on East-West issues in general. Each can reinforce the other and give added leverage to common policies.

A revitalized and purposeful Atlantic Community would certainly accelerate the movement toward closer understandings and agreements with the Soviet Union—as for example in space exploration and research in medicine and biology and physics—and its Eastern European allies—making possible the relief of tensions in Europe and preparing for a way the handling of a potentially disruptive new superpower—mainland China.

Collective consideration of the problems of the Middle East and the entire Mediterranean basin will be essential, in my judgment, if peace and economic development in the Mideast is to be secured over the long run. Soviet hegemony over the land, sea and air links between Europe, Asia and Africa, and Soviet control over the supply of Mideast petroleum which currently supplies 50% of the energy resources for Western Europe, pose potential, completely unacceptable, long-run threats to Western security. Something more than a defensive "policy of denial" will be required and nothing less than a positive "concert" of Western action to achieve affirmative goals must be evolved.

With the conclusion of the Vietnam war, Asia presents enormous opportunities for Atlantic Community collaboration, in a partnership with Pacific and Asian nations, heavily concentrated in the economic and cultural fields. A dynamic Japan and growing Australia and New Zealand offers us unparalleled agencies for communicating industrial technology and techniques to this vast and heavily populated region.

Europe has a major role to play in the development and evolution of Latin America—the success of my own ADELA experiment points the way. Latin America provides an excellent opportunity for the United States to demonstrate, by inviting Europe "in", that we do not seek a position of domination or exclusiveness of American interests within a broader Atlantic Community. If our instincts were imperial, we would seek to exclude, rather than enlist, European investment and influence in Latin America.

The whole world awaits the golden touch of Atlantic Community cooperation. We should not forfeit the hopes and aspirations of all mankind by failing to grasp the opportunity now available to us for the second time following World War II.

Eastern Mediterranean Development Institute Status Report

To: Board of Directors.

I am addressing this status report on the Eastern Mediterranean Development Institute to the Board of Directors. Copies are also being sent to the Ford Foundation, the Thyssen and Volkswagen Foundations, and other supporters of the project for Greek-Turkish economic cooperation. I first take this opportunity to express, in behalf of Senator Javits, Chairman of the EMDI Board, and for myself a strong-felt appreciation of the support of the individuals and institutions who contribute in time and money, interest and counsel, to the work of assisting economic cooperation and well-being in Greece and Turkey.

A brief resume follows:

1. ORGANIZATIONAL MATTERS

On November 14–15, 1968, the first meeting of the Board of Directors of the Institute was held at the Hotel Amigo, in Brussels. It was attended by the Chairman, the Deputy Chairmen, Mr. Kasim Gülek and Mr. C. C. Arliotis, nine nominee-Directors (whose names are included on the attached list), the Executive Director, the Special Consultant from Turkey Mr. Ramazanoglu, and guests. Observers at the general session on November 15 included: Messrs. Andresen and Missir of the EEC, Messrs. Domergue and Parsons of the OECD, Mr. de Lacombe of NATO, Mr. Akbil representing the Government of Turkey, Mr. Mameletzis representing the Government of Greece, Mr. Van Dyke, the U.S. Representative to the DAC, Mr. Drouhin of the UNDP, Mr. Broumis (Athens Technological Institute) and Mr. Jenson of the U.S. Department of the Interior (the last three having a special concern with the Meric/Evros project).

The meeting formed a Board of Directors of 17 members: five from Greece, five from Turkey, three from the United States, two representing Canada, one each from Italy and the Federal Republic of Germany; and four Alternative Directors, two from England and two from the U.S. An Executive Committee was elected consisting of: Mr. George James (Chairman), Mr. Resat Aksan, Mr. H. A. R. Powell, and Mr. Alexandre Zullas. A complete list of the Board of Directors is attached.

2. PROGRAM

The Board of Directors agreed to put special emphasis on its continuing plans for cooperative activities in tourism development and for advancing the Meric/Evros project; and to continue to investigate the feasibility of developing complementary investment policies in Greece and Turkey. Work in the areas of fisheries and agriculture will also continue as time and circumstance permit.

a. Tourism

The Board agreed that the most promising field for early returns in cooperative development is tourism. In line with decisions taken at the meeting, discussions have been held looking toward a tourism meeting between high-level administrative officials of Greece and Turkey. On the consequent invitation of the Turkish Ministry of Information and Tourism, a meeting will be held in Istanbul on March 7 through 9, 1969. It is anticipated that, in addition to a useful exchange of views, plans may be there discussed for an expanded, international tourism conference, centered on the Aegean regions of Greece and Turkey, in which representatives of transport, accommodation and travel agencies and organizations would be represented.

b. Meric/Evros

(1) The preliminary study of the area, conducted and reported by the study teams under the direction of Professor Hans Wilbrandt assisted by Dr. Korküt Özal and Mr. John Broumis (and financed as a special project by the Thyssen and Volkswagen Foundations) was completed in 1968. The United Nations agencies, the World Bank, the European Investment Bank, the OECD and other organizations have been kept fully informed about the project since it began. The United Nations Development Programme has indicated its willingness to assist in carrying the project forward if Greece and Turkey request such assistance.

In October of 1968 the UNDP sent an unofficial exploratory mission to Bulgaria, where the Meric/Evros rises, to ascertain the Bulgarian attitude toward cooperative development on the River. Further discussions were then held in Ankara and Athens between the UNDP and the respective Governments. EMDI assisted in preparing those meetings, and has been closely in touch with the UNDP, both at its European headquarters in Geneva and in New York.

Mr. Georgs Drouhin, Senior Water Consultant of the UNDP, reported at the November meeting of the EMDI Board of Directors that the Bulgarians had shown themselves willing to cooperate unofficially without participating in the joint venture. A receptive attitude had been shown both in Athens and Ankara. The UNDP plans next to send a small mission to the Meric/Evros area in Thrace, and to Athens and Ankara, as soon as an official request is received from the Governments of Greece and Turkey. The mission would assist in the preparation of a request for a full feasibility study. The UNDP and EMDI have both initiated discussions on the basis of which it is hoped that prompt progress will be made along these lines.

(ii) It has been suggested that the Water-for-Peace program being conducted by the United Nations (and member countries) and the Meric/Evros project might be able to benefit mutually by exchanges of information on research techniques and modern technology in the field of data storage and retrieval. A series of meetings has been held in Washington with officials of the Water-for-Peace Office of the U.S. State Department, and the Office of the Science Adviser to the President, the most recent on November 26, 1968. EMDI has put forward two proposals, both of which have received considerable encouragement: (1) a proposal to hold a seminar dealing with development of international waterways, at which the Meric/Evros tecnhiques and those of other projects for developing international waterways will be studied, and (2) investigation into the possibility of establishing a computerized research center on water resources in the Eastern Mediterranean. It was with respect to the latter possibility that the Director of the U.S. Water-for-Peace Office proposed that Mr. Raymond Jenson, of the Water Resources Office of the Department of the Interior, participate in the November meeting of the EMDI Board. Mr. Jenson did so and gave an informative and interesting talk on computerization techniques and results in water resources data.

(c) *Proposed study of complementary investment policies*

This proposals was discussed with officials of the National Industrial Development Bank of Greece, the Hellenic Industrial Development Bank and the Turkish Industrial Development Bank at meetings in Washington in October of 1968. It was agreed to explore the possibilities of cooperating on projects of mutual or complementary interest to the economies of Greece and Turkey and to consider the feasibility of mixed Greek-Turkish companies in which the Development Banks and possibly outside companies might participate. As a start, there was to be an exchange of information on investment laws and regulations in the two countries. At the November Board meeting there was further discussion, in which representatives of outside companies participated. Mr. Kenneth Mueller, Chairman of AGRIDCO, an agri-business consortium, attended the Brussels meeting at the invitation of EMDI, for these discussions. Other organizations have also shown interest in these possibilities. Exchanges and contracts are being continued. It is hoped that special-project funds can be obtained to fund the proposed study.

(d) Arrangements for a delegation of Greek industrialists to visit Istanbul, returning a similar visit to Turkish industrialists to Athens some three years ago, are being discussed. The visit has been agreed in principle on both sides, the only remaining question being a convenient date. In this connection, it has been noted that the World Congress of International Chambers of Commerce is scheduled to be held in June of 1969 in Istanbul.

3. FINANCES

In June of 1968 the Ford Foundation made a grant of $150,000 on a matching-fund basis, for support of the Eastern Mediterranean Development Institute through 1969.

The Governments of Greece and Turkey have each guaranteed the sum of $50,000 to the Institute. In addition, in 1968 and to date, a total of $30,750 has been contributed by private organizations. These sums, plus the contribution of services and facilities by Mobil Oil, Pechiney and the Bank of Greece, more than fulfill the matching-funds requirement.

The financial contributors in 1968 to date are: American Standard, American Tobacco Company, Bank of America, IBM World Trade Corporation, Manufacturers Hanover Trust Company, Massey-Ferguson, Mobil Oil Corporation, Morgan Guaranty Trust Company, Morrison-Knudsen Company, Prudential Lines, Arthur and Gloria F. Ross Foundation, Singer Company, and Standard Oil Company (N.J.).

Other contributors prior to 1968 have been listed in previous reports.

4. PROSPECTS FOR THE FUTURE

As agreed at the Board of Directors' meeting, the Deputy Chairmen, Mr. Kasim Gülek and Mr. C. C. Arliotis, are to submit plans on the organization of the Greek and the Turkish bureaux of the EMDI. Organizational decisions in Greece and Turkey are, of course, to be left to local decision, it being understood that it would be desirable to have a general similarity in organization, but that legal and other requirements may dictate some differences in the institutional arrangements.

The Governments of Greece and Turkey have been kept fully advised of the Institute's activities and have unfailingly given their support.

The international organizations have, ever since the inception of the Greek-Turkish Economic Cooperation Project shown the liveliest interest. At the November meeting of the Board, representatives of these organizations contributed valuable counsel and indicated their willingness to cooperate in future, and the Institute will continue to work closely with them.

As noted, the EMDI and its predecessor organization have been funded by foundation grants and a relatively small number of substantial corporate (or individual) contributions. It is hoped to transform the EMDI, during 1969, into a broadly-based permanent institution devoted to the betterment of Greco-Turkish economic and cultural relations, mainly in the private sector. Discussions looking toward this objective are under way, and will hopefully be discussed at a mid-year meeting of the Board of Directors, when it is hoped that specific proposals can be presented for consideration.

Respectfully submitted.

SEYMOUR J. RUBIN,
Executive Director.
ALBERT ZUMBIEHL,
European Director.

FEBRUARY 1969

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* Mr. Ahmet Ramazanoglu (Special Consultant, Turkey); Public Relations Manager, Mobil Oil, Turkey.

Mr. Arthur Ross; Exec. Vice President, Central National Corporation.

* Mr. Seymour J. Rubin (Executive Director); Attorney—Surrey, Karasik, Gould & Greene.

Dr. Celestino Segni; Director, Italconsult.

Mr. G. Siniosoglou; Member of Board, Federation of Greek Industries.

Mr. Spyros Skouras; Chairman, Twentieth Century-Fox.

Mr. Samuel P. Smith; President, Smith Transport Ltd.

Professor Hans Wilbrandt; Director, Instituts für Auslandische Landwirtschaft, Univ. of Göttingen.

Mr. Alexandre Zullas (Executive Committee); Member of Board, Federation of Greek Industries.

* Mr. Albert Zumbiehl (European Director); Financial Counselor, Péchiney.

ALTERNATE MEMBERS AND AFFILIATION

Mr. George Bridge; Manager, Frank Fehr Company.

Mr. R. C. Coleman; Consultant, Ottoman Bank.

Mr. Rodney B. Wagner; Vice Pres. Morgan Guaranty Trust Co.

Mr. S. H. Willner; Vice Pres., Hilton Hotels Intl.

* Ex officio member.

[From the CONGRESSIONAL RECORD, Jan. 28, 1969]

GREEK-TURKISH ECONOMIC COOPERATION PROJECT

Mr. JAVITS. Mr. President, I have on several previous occasions brought to the attention of the Senate the work of the project for Greek-Turkish economic cooperation. Reports on this matter were presented on June 3, 1965, on October 20, 1965, on January 19, 1967, and on December 15, 1967.

I now present a report on this important project through the calendar year 1968.

Mr. President, first I should like to submit for the RECORD the substantive text of a report which I presented to the North Atlantic Assembly on November 20, 1968. That report was presented to the North Atlantic Assembly in my capacity as trustee of the Special Committee on Developing NATO Countries, of which I was chairman, and which has now been dissolved, its principal functions having been successfully discharged. I have been requested by the North Atlantic Assembly to act as the custodian of the responsibilities of that committee and it is in this capacity that I have presented my report to the North Atlantic Assembly itself.

Several developments, falling outside of the scope of the report presented to the North Atlantic Assembly, should be reported. Chief among these is the fact of a highly successful meeting of the Eastern Mediterranean Development Institute, which took place in Brussels on November 14 and 15, 1968. The meeting was attended by a representative group of industrialists, bankers, and businessmen from Greece and Turkey, and also from the other countries of the North Atlantic Alliance. A broadly representative board of directors of the Eastern Mediterranean Development Institute was elected, and that institute was launched on what promises to be an extremely successful career.

Second, in December 1968, the work which has been done on the development of the basin of the Meric-Evros River was carried a further step forward, in the course of meetings between myself, Mr. Rubin, executive director of EMDI, and Mr. Paul Hoffman, director, and Mr. Paul-Marc Henry, deputy director of the United Nations Development Program. It is anticipated that a UNDP project team will be visiting Greece and Turkey shortly, and that further steps in the development of mutually desirable relationships between Greece and Turkey will thus have been taken.

Mr. President, I ask unanimous consent that the report be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

"REPORT OF SENATOR JACOB K. JAVITS, AS TRUSTEE FOR THE SPECIAL COMMITTEE ON DEVELOPING NATO COUNTRIES, OF THE NORTH ATLANTIC ASSEMBLY, NOVEMBER 1968

"It may be said at the outset that initiative taken by the Assembly (then the NATO Parliamentarians' Conference) has been demonstrated to have been a valuable contribution to development and to amelioration of relations between two important countries of NATO. The work of the Project and of the Institute have been founded on the conviction that an enterprise which is essentially private in its nature, and which has relied on the mutuality of interest in the private sector on both sides, can carry on important functions even during a period marked by a variety of governmental difficulities. That this is so is, of course, attributable largely to the fact that both of the directly interested nations have continued to give their interest and their support to the project. It is also due to the willingness of businessmen, industrialists and bankers, not only of Greece and Turkey, but also of North America and Western Europe, to make a strenuous effort toward cooperative and mutually beneficial results. In great measure, the benefits of this project go beyond its own limits, and demonstrate the feasibility of mobilizing the great resources of private enterprise toward a broadly statesmanlike end.

"The technique here used may therefore suggest possibilities for much useful work, beyond the parameters of the Greek-Turkish enterprise itself. I should therefore mention at the outset the important role played by my former colleagues on the Special Committee, particularly the Deputy Chairmen of that Committee, Messrs. Spanorrigas of Greece and Gülek of Turkey, and its Rapporteur, Mr. Westerterp of the Netherlands. In the work of the Institute, of which (as was the case with the Special Committee), I have the honor to be Chairman, Messrs. Gülek and Governor Karol Arliotis of Greece, and Mr. George James of the United States, have given time, energy, and skilled guidance. Much credit is due to them, and to the devoted service of former Ambassador Seymour Rubin, the Executive Director of the project, and Mr. Albert Zumbiehl, his European associate.

"Finally, the Honorable Seymour J. Rubin of the United States and M. Albert Zumbiehl of France have consented to continue with the Institute as Executive and European Directors, respectively. Much is owed to them for the success of the project so far.

"I may come now to the organizational framework as it presently exists.

"As was reported in November 1967 to be the intention, the Eastern Mediterranean Development Institute was in fact organized as a non-profit corporation under the laws of the District of Columbia of the United States. A meeting of the nucleus of its Board of Directors was held in Athens, in May, 1968. At that meeting a number of important organizational decisions were taken.

"It was decided, first of all, that branches or sister organizations, depending on the legal and other relevant considerations in the two countries, should be established in Greece and Turkey. Informally, steps have already been taken in this direction, continuing and expanding upon the systems of liaison which has proved its merit. In both Greece and Turkey, assurances of financial support for these national operations have been given, with a special fund already created in Greece and partially contributed in Turkey.

"Secondly, it was decided to expand the Board of Directors so as to include important and representative business and financial interests in North America and Western Europe. I am glad to be able to report that invitations extended by me to a number of such persons have been accepted, and that the first order of business of the current meeting of the Institute (in Brussels on Nov. 15, 1968) will be to fill out the Board. Those who have been offered and have accepted membership on the Board have shown past interest in the project, have expressed willingness to help in the future, and are indeed a distinguished group.

"Thirdly, it was emphasized at the Athens meeting that important decisions of the Institute must reflect also the agreement of the Turkish and Greek members. This is an obvious requirement, but one which nonetheless deserves mention specifically. It reflects my strong personal conviction, shared by my colleagues, that useful work in this—as in many other areas of international activity—must rest on the interest, and involvement, indeed, the commitment of those directly affected, and with most at stake. The Institute must not, and will not, be an organization which seeks to tell our Greek and Turkish friends what is good for them. Its work must arise out of their conviction that they wish done what the Institute can do, and out of their full participation in its work, at all stages from planning to implementation. In such circumstances, the Institute can perform a valuable catalytic function, can help to mobilize outside resources, can act as a liaison with various international and national organizations. But a basic responsibility for decision must be recognized to rest with the Greek and Turkish participants.

"Brief mention may be made of the financial arrangements for the Institute, and of plans for the future.

"A generous grant has again been made by the Ford Foundation to help in the establishment of the Institute. I have already mentioned the financial support given or committed on the Greek and Turkish sides. Mr. George James of the Mobil Corporation of the United States has carried to other American and Canadian companies his own conviction in the worth of this work, and has mobilized substantial financial assistance. As a result, the matching requirement of the Ford Foundation grant has already been met. It is hoped that interest in Western Europe, where connections with Greece and Turkey are strong and traditional, will be reflected in additional support.

"Since the Institute plans to have no substantial staff of its own, but to rely heavily on the expertise available to its membership, these arrangements should carry the Institute through calendar year 1969. During 1969, it is hoped to transform the Institute into a broadly based organization, with a substantial membership in the business and financial communities, as well as in professional circles. Hopefully, the Institute would then be supported by numerous but relatively smaller contributions with individual projects being the beneficiaries of collateral financing by foundations or others—as was, for example, the case with the generous financing of the studies of the Meric/Evros River by the Thyssen and Volkswagen Foundations. Administrative costs will thus be kept to a minimum, with available resources being used for directly productive projects.

"As will be recalled, at the meetings of November, 1967, both of the Assembly and of the International Advisory Commission of the Project for Greek-Turkish Economic Cooperation, a Work Program was approved. This document suggested that the work of the Institute might be divided into two main categories; in the general category was the continuation of efforts to encourage fruitful contacts and discussions, in the context of the international organizations of which Greece and Turkey are both members, and with emphasis on the private sector; in the specific category was work on the various projects already or to be undertaken—the Meric/Evros work, tourism, agriculture, cultural exchange, and so forth.

"I am pleased to be able to report that much has been done, in both categories.

"New contacts have been established and existing ones strengthened. During the meetings in Athens of May, 1968, for example, special sessions, both formal and informal, were arranged between members of the Greek and Turkish investment banking communities, and between institutions financing economic development. These meetings were a more specific followup of meetings which it has been my practice to arrange in Washington during the meetings there of the Governors of the World Bank and the International Monetary Fund. Thus, the May meetings in Athens, with a few but deeply interested participants, were followed by a useful breakfast meeting held at my invitation in the Capitol in Washington, where participation included not only the official representatives of Greece and Turkey, members of the investment banking communities in both countries, and in the United States, but also representatives of the World Bank and the International Finance Corporation.

"Nor have these sessions been merely discussions, useful though discussion of this sort is. Specific proposals have been elaborated for a study of complementary investment opportunities and policies. Here a memorandum was prepared by Mr. Rubin, but only after consultation with and strong encouragement from the financiers of industrial development in Greece and Turkey. The memorandum was subsequently circulated to and discussed with the World Bank and the IFC. The breakfast meeting to which I have alluded, of October 3, 1968, was thus held on the basis of much preparatory work, and has resulted in specific proposals being elaborated in consultation with the Turkish and Greek sides. An informal agreement has been reached to exchange information relating to laws and practices which might affect complementary or even joint financing of projects. As a further step toward implementation of these proposals, and again with the full participation of the Greek and Turkish investment bankers, a survey is being discussed with the Agro-Industrial Development Company, an American-based organization which combines the resources of several companies in the agricultural-industrial field, and which has also the participation of Adela—a highly successful enterprise in whose initiation I and the NATO Parliamentarians' Conference played a vital role.

"I go into this matter in some detail for

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several reasons. The proposal to bring together the investment and banking interests concerned with economic development is important in itself, since it cuts across all fields of economic development, and not merely a single industry, however important. But this project also illustrates the progress of a project, from a general discussion arranged by the Institute to the elaboration in close consultation with all concerned of a proposal, the revision of that proposal after consultation with the competent international organizations, subsequent discussion of methods of implementation, and then placing the proposal before capable private organizations. It is of course too early to say what will be the outcome. It is not too early to say that the working out of a project in this manner is, in and of itself, important.

"With respect to specific projects, I am unfortunately not able to report much advance in our projected work on tourism, a field which is by all objective appraisals an extremely desirable one for cooperation, with much mutual benefit to be derived. Despite much work, and many assurances of willingness to meet, it has been difficult to follow up on the useful meeting of November, 1966, and the subsequent informal talks in the following year. Nonetheless, it may be reported that this was one of the subjects discussed during the May visit of the Greek Minister of Commerce to Ankara, and it may be said that the difficulties appear to be procedural rather than substantive.

"On other fronts, work is progressing, with organizations such as the FAO and the OECD participating. The most important and indeed dramatic results, however, have been achieved in connection with the Meric/Evros project.

"In October, 1967 at a conference in Frankfurt Germany the report was finalized of the tripartite (German, Greek, Turkish) expert commission set up to make a reconnaissance survey of the Meric/Evros River basin. The economic—and political—significance of this cooperative work on this border between Greece and Turkey is evident. Although the work on the study was done by private experts, under private auspices, it received the full support of governmental authorities on both sides. The report, when completed, was forwarded to several international institutions, notably the World Bank and the United Nations Development Programme, which had taken a strong interest in this project from the outset.

"As I have previously indicated, I received some months ago the visit of the Bulgarian Ambassador in Washington, who expressed the interest of his government in the matter—an interest which is both natural and useful, since the river originates and flows for almost 60% of its length in Bulgaria. As has been indicated in the report made by our own tripartite expert commission, Bulgarian cooperation would substantially improve the cost-benefit ratios of work to be done on the Greek-Turkish segment of the river. The Bulgarian authorities having further indicated their interest, and after this interest having been made known both to the United Nations Development Programme and the Greek and Turkish authorities, a further meeting took place between myself and the Bulgarian Permanent Representatives to the United Nations in Geneva, under the auspices of the UNDP. In early October of this year, Mr. Rubin was informed by the UNDP that the Bulgarians would be pleased to receive a UNDP exploratory mission.

"During the week of October 30-November 6, thus, a small UNDP mission has visited Sofia, Athens and Ankara. It should be underscored that this is an exploratory mission, particularly insofar as any plans beyond the boundaries of Greece and Turkey are concerned. It is nevertheless an important fact that the UNDP is discussing with Greece and Turkey the possibility of further steps looking toward a full scale feasibility study of the Meric/Evros region, that Bulgaria, as one of the riparian states, has been informed, and that this important regional and multinational project continues to progress, with United Nations participation.

"It may be further pointed out that discussions in Washington growing out of the interest in the United States in a Water for Peace programme have centered on the Meric/Evros and the work of the Institute. After the international Water for Peace Conference in Washington, in the summer of 1967, much attention has been focused on multinational projects. In this context, the work of the Institute has attracted attention, and it has been suggested that this work might provide the starting point for two fields of investigation. One such field would be the utilisation of the *technique* of the Meric/Evros study—that is, the use of private scientists, privately sponsored, but with full governmental support and approval. Here it may be that in certain cases more can be achieved, to the greater satisfaction of all, than would be the case if rigorous channelization through governmental departments were the rule. The second such field is the possibility of experimenting with computerization, in order to keep data both current and immediately available. Here work done by the FAO is relevant, and the establishment of a data storage, information retrieval and possibly a research center has been preliminarily discussed, with it having been suggested that a start might be made in a seminar on the subject of international river basins, which could be sponsored jointly by the Water for Peace office and the Institute. As a measure of the interest in this matter, a representative of the Water for Peace Programme will address the November 15, 1968 meeting of the Institute.

"All of this represents much useful and tangible work. But I feel that most important, among the achievements to which the Special Committee, the Project for Greek-Turkish Economic Cooperation and the Institute can lay claim to a greater or lesser degree, is the greater measure of confidence in Greek-Turkish relations, both in the private and the governmental sector. Mr. Rubin has recently been able to inform the Greek business and industrial community that an invitation to come to Turkey for friendly discussions on matters of common interest will shortly be extended. Contacts in the cultural sphere, which would have been out of the question not long ago, are now under discussion. This is substantial and meaningful progress, on the basis of which a solid and continuing relationship between Greece and Turkey may be built."

S. 2545—INTRODUCTION OF A BILL RELATING TO URBAN PROGRAM FOR COLLEGES AND UNIVERSITIES

Mr. JAVITS. Mr. President, in its most recent report, the National Advisory Council on Extension and Continuing Education emphasized the need for major community service and continuing education programs to aid universities to conduct research, planning, and program operations—including national or regional demonstration projects—to help our cities solve their complex problems. These are multiple problems associated with rapid urbanization and technological and social change.

I introduce, for myself and Mr. Scott, Mr. Goodell, Mr. Mondale, Mr. Nelson, and Mr. Williams of New Jersey, a bill to accomplish this objective by providing a 15-percent set-aside, with 90-percent matching funds, of title I—community service and continuing education programs—of the Higher Education Act. Presently, programs under title I qualify for only 66⅔-percent Federal funds. By allowing a special set-aside at 90-percent matching, colleges and universities will be greatly assisted within their financial means toward making a sustained commitment to urban problem solving.

The university in our society can become more creative—strengthening economic and social links between the university complex and the environment in which it is situated. The old days of separation between town and gown are gone. Last year at Columbia University we observed the tragic results of the failure to recognize in this respect the difference between yesterday and today, and the seeds of student discontent with the limited involvement of universities in the urban problems surrounding them have taken root in several of our major campuses. Faculty, administration, and student body must be encouraged to develop programs that produce solutions to complex urban problems in the community and the country at large.

This bill would involve no additional cost to the Federal Government, since funds would be drawn from title I of the Higher Education Act. Authorizations for title I stand at $50,000,000 for the current fiscal year and $60,000,000 for the next fiscal year, which begins July 1, 1970.

Mr. President, I ask unanimous consent that the bill be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2545), to amend title I of the Higher Education Act of 1965 in order to authorize the Commissioner of Education to arrange for community service programs seeking solutions to national and regional problems, introduced by Mr. Javits (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 2545

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title I of the Higher Education Act of 1965 is amended by inserting at the end thereof a new section as follows:

"DISCRETIONARY FUND FOR SOLUTION OF NATIONAL AND REGIONAL PROBLEMS

"Sec. 112. Fifteen per centum of the amount appropriated pursuant to section 101 for each fiscal year shall be available to the Commissioner for paying 90 per centum of the cost of community service programs which are carried out by institutions of higher education and which are for the purpose of seeking solutions to problems resulting from rapid urbanization and technological and social changes in the nation, including national or regional demonstration projects."

Sec. 2. Section 103(a) of the Higher Education Act of 1965 is amended by inserting after "Of" the following: "85 per centum of".

Sec. 3. The amendment made by this Act shall be effective for fiscal years beginning after June 30, 1969.

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MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 1010. An act for the relief of Mrs. Aili Kallio;

S. 1011. An act to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes; and

H.R. 12167. An act to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

SAWTOOTH NATIONAL RECREATION AREA

Mr. CHURCH. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 250, S. 853.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 853) to establish the Sawtooth National Recreation Area in the State of Idaho, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Idaho?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 2, line 12, after the word "Area" insert "in accordance with the laws, rules and regulations applicable to the National Forests"; on page 3, line 25, after the word "Act." insert "Lands acquired by the Secretary or transferred to his administrative jurisdiction within the recreation area shall become parts of the recreation area and of the national forest within or adjacent to which they are located."; in line 10, after the word "owner" strike out "fails" and insert "is unwilling"; in line 14, after the word "property" insert "and land for recreation and other administrative facilities"; on page 5, line 7, after the word "this" strike out "Act" and insert "section"; and on page 8, at the beginning of line 23, strike out "There is hereby authorized to be appropriated not more than $27,380,000 to carry out the provisions of this Act," and insert "There is hereby authorized to be appropriated $30,000,000 for the development of recreation and related facilities and for the acquisition of land and interest in land pursuant to this Act,"; so as to make the bill read:

S. 853

A bill to establish the Sawtooth National Recreation Area in the State of Idaho, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to assure the preservation of, and to protect the scenic, historic, pastoral, fish and wildlife, and other recreational values of the Sawtooth Mountains and adjacent valley lands, there is hereby established, subject to valid existing rights, the Sawtooth National Recreation Area.

SEC. 2. The boundaries of the recreation area shall be those shown on the map entitled "Proposed Sawtooth National Recreation Area", dated April 1, 1966, which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture. The Secretary of Agriculture (hereinafter called the "Secretary") shall, as soon as practicable after the date this Act takes effect, publish in the Federal Register a notice of the establishment of the Sawtooth National Recreation Area, together with a detailed description and map showing the boundaries thereof.

SEC. 3. The Secretary shall administer the Sawtooth National Recreation Area in accordance with the laws, rules, and regulations applicable to the National Forests in such manner as will best provide for (1) the protection and conservation of the salmon and other fisheries; (2) the conservation and development of scenic, historic, pastoral, wildlife, and other values contributing to and available for public enjoyment, including the preservation of sites associated with and typifying the economic and social history of the American West; and (3) on federally owned lands, the management, utilization, and disposal of natural resources, such as lumbering, grazing, and mining, that will not substantially impair the purposes for which the recreation area is established.

SEC. 4. Subject to the limitations hereinafter set forth, the Secretary may acquire by purchase with donated or appropriated funds, by gift, exchange, bequest, or otherwise, such lands or interests therein within the boundaries of the recreation area as he determines to be needed for the purposes of this Act. But any property or interest within the recreation area owned by the State of Idaho or any political subdivision thereof may be acquired under the authority of this Act only with the concurrence of the owner.

In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property or interests therein located within the boundaries of the recreation area and convey to the grantor of such property any federally owned property or interests therein within the State of Idaho under the jurisdiction of the Secretary, notwithstanding any other provision of law. The properties so exchanged shall be approximately equal in fair market value: *Provided,* That the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

Notwithstanding any other provision of law, any Federal property located within the recreation area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the purposes of this Act. Lands acquired by the Secretary or transferred to his administrative jurisdiction within the recreation area shall become parts of the recreation area and of the national forest within or adjacent to which they are located.

SEC. 5. (a) The authority of the Secretary to acquire an interest in private property within the recreation area without the owner's consent and by means of condemnation shall be limited to—

(1) the acquisition of scenic easements when the private owner is unwilling to use his property in conformance with the standards of a use provided for in subsection (b) of this section, and

(2) the acquisition of easements for access to and utilization of public property and land for recreation and other administrative facilities: *Provided,* That such acquisition shall not exceed 5 per centum of the total acreage of all private property within the recreation area as of the effective date of this Act.

(b) The Secretary shall make and publish regulations setting standards for the use, subdivision and development of privately owned property within the boundaries of the recreation area. Such regulations shall be generally in furtherance of the purposes of this Act and shall have the object of assuring that the highest and best private use, subdivision, and development of such privately owned property is consistent with the purposes of this Act and with the overall general plan of the Sawtooth National Recreation Area. Such regulations shall be as detailed and specific as is reasonably required to accomplish such objective and purpose. Such regulations may differ amongst the several parcels of private land in the boundaries and may from time to time be amended by the Secretary. All regulations adopted under this section shall be promulgated in conformity with the provisions of the Administrative Procedure Act. The United States District Court for the District of Idaho shall have jurisdiction to review such regulations after their effective date, upon a complaint filed by any affected landowner, in an action for a declaratory judgment.

(c) To assure that private land within the boundaries of the national recreation area is used in a manner which is not detrimental to the purposes of this Act, the Secretary is authorized to procure by gift, purchase with donated or appropriated funds, or otherwise, scenic easements within the boundaries of the recreation area.

As used in this Act the term "scenic easement" means the right to control the use of land in order to protect the esthetic values for the purposes of this Act, but shall not preclude the continuation of any use exercised by the owner as of the date of this Act.

(d) Where an owner of private property within the exterior boundaries of the recreation area as of the date of this Act, or his heirs and devisees, desires to dispose of such property to the Federal Government, the Secretary shall purchase said property at a price that shall include compensation for any decrease in the value thereof not previously compensated for under the provisions of this Act that may have resulted from the promulgation of regulations, standards, or other consequences of the establishment of the recreation area. In the event the Secretary and the owner are unable to agree upon the purchase price, and the Secretary declines to complete the purchase, the owner may file a complaint setting out these facts, together with a good and sufficient deed to the property, in the United States District Court for the District of Idaho. After the filing of an answer by the United States, the case shall be treated to the extent possible, in the same manner as an action for the condemnation of property brought by the United States: *Provided, however,* That the provisions of this subsection shall cease to be in effect after a period of ten years from the date of the enactment of this Act.

SEC. 6. Nothing in this Act shall affect the applicability of the United States mining and mineral leasing laws on the federally owned lands within the recreation area, except that all mining claims located or leases issued after the effective date of this Act shall be subject to regulations the Secretary may prescribe to effectuate the purposes of this Act. Any patent issued on any mining claim located after the effective date of this Act shall recite this limitation and continue to be subject to such regulations. All such regulations shall provide, among other things, for such measures as may be reasonable to protect the scenic and esthetic values of the recreation area and to assure against pollution of the Salmon River and other streams and waters within the recreation area.

SEC. 7. Provisions for review, recommendations, and other procedures of the Wilderness Act of September 3, 1964, shall apply to the Sawtooth Primitive Area and adjacent public lands within the national forests. The Secretary of Agriculture shall comply with the requirements of section 3 of said Act in relation to such primitive area in an expeditious manner.

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SEC. 8. The Secretary may cooperate with other Federal agencies, with State and local public agencies, and with private individuals and agencies in the development and operation of facilities and services in the area in furtherance of the purposes of this Act, including, but not limited to, the restoration and maintenance of the historic setting and background of the old mining town of Atlanta and the frontier ranch-type town of Stanley.

SEC. 9. Nothing in this Act shall diminish, enlarge, or modify any right of the State of Idaho, or any political subdivision thereof, to exercise civil and criminal jurisdiction within the recreation area or of rights to tax persons, corporations, franchises, or property, including mineral or other interests, in or on lands or waters within the recreation area.

SEC. 10. Nothing in this Act shall affect the jurisdiction or responsibilities of the State of Idaho under other provisions of law with respect to hunting and fishing.

SEC. 11. The jurisdiction of the State and the United States over waters of any stream included in the Sawtooth National Recreation Area shall be determined by established principles of law. Under the provisions of this Act, any taking by the United States of water right which is vested under either State or Federal law at the time of enactment of this Act shall entitle the owner thereof to just compensation. Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

SEC. 12. Money appropriated from the land and water conservation funds shall be available for the acquisition of lands and scenic easements for the purposes of this Act. There is hereby authorized to be appropriated $30,000,000 for the development of recreation and related facilities and for the acquisition of land and interest in land pursuant to this Act.

Mr. CHURCH. Mr. President, on behalf of myself and my distinguished colleague, Mr. JORDAN of Idaho, I send to the desk a proposed amendment to this bill, S. 853, to establish the Sawtooth National Recreation Area in Idaho. The amendment would add another beautiful mountain section, the White Clouds, to the proposed recreation area.

The bill as now drawn is similar to one which the Senate passed in the 90th Congress, but which was not acted upon by the House. It is the culmination of many years of legislative work, including hearings both in the field and in Washington, and twice has been favorably reported by the Committee on Interior and Insular Affairs.

As drawn, it would assure the preservation of the Upland Sawtooth Mountains—a jagged range of snow-capped peaks, which like the White Clouds rise above numerous glacier-type lakes in an unspoiled forest setting. This proposed legislation would also protect the scenic, historic, pastoral, fish and wildlife, and other recreational values of adjoining valley lowlands. The present bill calls for a recreation area of approximately 351,000 acres. With the inclusion of the White Clouds, the area will embrace approximately 508,000 acres.

Mr. President, this is a different concept for a national recreation area. The foreground of valley lands between these two mountain chains comprise pasture and grazing lands, with herds of cattle and sheep, pole fences, log ranchhouses—a colorful "Old West" setting. The purpose of the legislation is not to eliminate these private holdings, but rather to encourage their preservation, and at the same time prevent the unsightly subdivision of the valley, which is already threatened. The bill does not authorize general condemnation, but contains a scenic easement power that will enable the Forest Service, which will administer the area, to implement reasonable zoning regulations for these private lands. On the southwestern edge of the proposed recreation area is the historic mining town of Atlanta, dating back to 1864, and on its northeastern edge, the tiny frontier ranch town of Stanley. The Forest Service would hope to work with these communities, property owners, and State and Federal agencies in preserving their unique historic values.

East of the Sawtooth National Recreation Area, as it would be established by S. 853, are the White Cloud peaks and surrounding alpine lands which would be added to the area by the amendment we propose. As in the Sawtooths, the waters of the White Clouds also feed the Salmon River, noted as a spawning stream for salmon and steelhead trout. The White Clouds are enjoyed by many who seek unspoiled country and the opportunity for solitude.

This is wilderness de facto, and the habitat of bighorn sheep, mountain goats, elk, and mule deer. However, recent developments threaten to change all this. Major prospecting of molybdenum deposits is taking place east and north of Castle Peak, the highest of the White Clouds. Active mining operations raise issues of road access, of mining waste disposal, and other impacts on the land. Large-scale mining, particularly surface mining, can greatly impair the scenic and recreation values of this beautiful mountain country unless there is adequate authority to require of the miners all feasible measures to protect the streams and fisheries, minimize surface disturbances, restore so far as practical the surface resources, and otherwise preserve the naturalness cherished by so many of our citizens. Unfortunately, that authority apparently does not now exist for the Forest Service, which administers these lands.

Senator JORDAN, Representative HANSEN, and I held several conferences with the Forest Service after this problem arose. Following one of these conferences, we submitted a letter to the Forest Service seeking its definitive views on the extent of the administrative and statutory authority available to it under present law. I ask unanimous consent, Mr. President, that this letter, under date of May 23, 1969, along with the reply of the Forest Service, dated June 6, 1969, be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MAY 23, 1969.

Mr. EDWARD P. CLIFF,
Chief, U.S. Forest Service,
Department of Agriculture,
Washington, D.C.

DEAR ED: As you will recall from our recent meeting with you and other Forest Service officials, it was decided that, as members of the Idaho Congressional delegation, we would submit to you a list of questions for answers concerning the proposed development of a molybdenum mine at Castle Peak in the White Cloud Mountains of Idaho.

We seek the answers to these questions in order that we might have the definitive views of the Forest Service on the extent of administrative and statutory authority available to it under present mining law.

First, it is our understanding that regional Forest Service officials currently have under review the possibility of designating the White Clouds area for a special management program, such as a scenic or pioneer area. In view of this, is it the intention of the Forest Service to withhold acting upon the American Smelting and Refining Company's application for a road permit—which the company seeks to facilitate further prospecting—until the present management study is completed?

Second, if the company proceeds with its plans for further prospecting, what authority, if any, does the Forest Service have to control the methods by which such prospecting is undertaken, in order to protect surface areas, water quality, fish, wildlife, timber and soil resources?

Third, if the company establishes a valid mining claim, does the Forest Service have authority under present law to:

(a) Prohibit or restrict ingress or egress to or from the claim?

(b) Prohibit or restrict actual mining operations?

(c) Regulate or control the type of mining involved, such as "open pit," "strip," or "sub-surface?"

(d) Regulate or control the location on public land of mill buildings or "slag piles?"

Fourth, does the Forest Service possess administrative authority to withdraw the land in question from mineral entry? If so, could such a withdrawal abrogate a valid mining claim previously located within the area?

Fifth, if the statutory law were changed to empower the Forest Service to prohibit mining in the White Clouds, could such a prohibition be made applicable to a valid mining claim previously located within the area?

Your early response is appreciated.

With best wishes,

Sincerely,

FRANK CHURCH,
U.S. Senator.
LEN B. JORDAN,
U.S. Senator.
ORVAL HANSEN,
Member of Congress.

U.S. DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Washington, D.C., June 6, 1969.

Hon. FRANK CHURCH,
U.S. Senate.

DEAR SENATOR CHURCH: As indicated in our May 27 acknowledgement of your May 23 letter, we are pleased to submit answers to your questions. These concerned the extent of authority available to the Forest Service relative to proposed development of a molybdenum mine at Castle Peak in the White Cloud Mountains of Idaho.

First. The planned study of management alternatives announced by the Regional Office will cover a much larger area than just the White Cloud Mountains and will take several summers to complete. Action on the application of American Smelting and Refining Company for a road permit is a separate matter and we do not plan to withhold its consideration pending completion of the broad study.

Second. Except for those covering areas designated by Congress as Wilderness which were promulgated following enactment of

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the special provisions of the Wilderness Act, no regulations have been promulgated to enable the Forest Service to control methods by which prospecting is undertaken under the mining laws in order to protect surface areas, water quality, fish, wildlife, timber and soil resources.

Third. (a) The Forest Service does not have authority to prohibit ingress and egress to and from a valid mining claim. It does have authority to restrict or control such ingress and egress. In doing so, alternative means may be considered and, where roads or trails are necessary, the location and design may be controlled to protect the various National Forest resources.

(b) and (c). The Forest Service has no authority to prohibit or restrict actual mining operations on a valid claim or to regulate or control the type of mining involved, such as "open pit", "strip", or "subsurface".

(d) The Forest Service would have no authority to regulate or control the location of mill buildings of "slag piles" as long as they are within the boundaries of valid mining claims or millsites. The claimant may locate such buildings or piles on National Forest land outside the boundaries of his valid mining claim or millsite only if he obtains a permit to do so. Any such permit would not be issued as a matter of right and, if issued, could contain necessary conditions to protect the various National Forest resources.

Fourth. National Forest land may be withdrawn from the operation of the mining laws. Such withdrawals are made by the Department of the Interior under E.O. 10355 of May 26, 1952, by Public Land Orders issued upon request of the Department of Agriculture initiated by the Forest Service.

The Act of June 4, 1897 (30 Stat. 11) contained provisions applicable to the National Forests which are commonly referred to as the Organic Act. In setting forth originally the purposes for which National Forests are established and providing for their administration and protection it said in part "And any mineral lands in any forest reservation [national forest] which have been or which may be shown to be such, and subject to entry under the existing mining laws of the United States and the rules and regulations applying thereto, shall continue to be subject to such location and entry, notwithstanding any provisions herein contained." (30 Stat. 36; 16 U.S.C. 482).

Through the years it has been our practice to request withdrawals to protect sites for administrative and other facilities or for other authorized needs over and above protection for relatively undeveloped administration as National Forests.

The office of the General Counsel advises us that this is a sound interpretation of the authority to withdraw and that it would be highly questionable if we attempted to have the National Forest land withdrawn in the White Cloud Peaks area.

If such a withdrawal were made, it could not in any event abrogate a valid mining claim previously located within the area.

In this latter connection we should mention that we have a long-standing and firm arrangement with the Committee on Interior and Insular Affairs of the House that before requesting a withdrawal of 5,000 acres or more we will give to the Committee not less than 60 days advance notice.

Fifth. To be made applicable to an existing, valid mining claim, authority to prohibit mining thereon would need to provide for compensation to the claimant since such action would be tantamount to a taking of property rights.

This same letter is being sent to the other cosigners of the May 23 letter. Please let us know if we can be of further assistance.

Sincerely,

EDWARD P. CLIFF,
Chief, Forest Service.

Mr. CHURCH. As the letter illustrates, Mr. President, the Forest Service believes its hands to be tied in this situation.

We have, accordingly, proposed this amendment to add 157,000 acres of the White Cloud mountains to the Sawtooth National Recreation Area. It is a splendid and altogether suitable addition to a national recreation area which I am confident will come to have a prominent place in the heritage of this great Nation.

The White Clouds offer a majestic mountain stage for outdoor recreation of singular quality.

By including this area under S. 853, added authority to regulate both mining and prospecting in the White Clouds will be provided upon the enactment of the bill.

Mr. President, mineral development certainly makes its contribution to the economic well-being of nearby communities and the State of Idaho. I have long supported the industry, and will continue to do so. At the same time, there has been increasing public demand, both in Idaho and throughout the Nation, that the mining industry assume more responsibility in ordering its activities to minimize the damage done to our outdoor environment.

As for the holders of existing valid mining claims in the White Clouds, they already possess the right to mine them. It is to be hoped that they, too, are desirous of developing the mineral resources in such a way as to cause a minimum of adverse impact on the area. In this regard, I have been assured by top executives of the American Smelting & Refining Co. that they will cooperate with the Forest Service in the development of their operating plants and make them as compatible as possible with protection of other resource values.

Our amendment makes it clear that the Forest Service would acquire added authority, within the boundaries of the recreation area, to regulate prospecting prior to location as well as mining subsequent to location.

At present, a prospecting rush is commencing in the White Clouds which threatens to desecrate the steep and fragile terrain. The heedless use of tractors to tear off the top soil not only could cause serious erosion and siltation, but could leave these beautiful mountains permanently scarred. Above the timberline, nature furnishes no new growth to heal the wounds inflicted by mindless men.

Although the bill makes no attempt to repeal the mining and mineral leasing laws, it empowers the Forest Service to protect this gorgeous, high mountain country by adequate regulation of prospecting and mining activities. With the amendment, the pertinent provision will read as follows, beginning on page 6, line 25: "all mining claims located or leases issued after the effective date of this Act shall be subject to regulations the Secretary may prescribe to effectuate the purposes of this Act. Any patent issued on any mining claim located after the effective date of this Act shall recite this limitation and continue to be subject to such regulations. All such regulations shall provide, among other things, that prospecting, exploration, development, mining, and related activities shall be carried out under such measures as may be reasonable to protect the scenic and esthetic values of the recreation area and to assure against pollution of the Salmon River and other streams and waters within the recreation area."

Under this statutory language and regulations which the Secretary of Agriculture would promulgate, the Forest Service could require that prospecting and mining be carried out, both before and after patents are issued, in such a way as to protect the scenery and to assure that the vitally important salmon spawning waters of the area will not be damaged. These regulations would include measures to prevent mine pollutants from entering the streams. Erosion would be controlled. Essential access roads would be so located and designed as to have minimum adverse effects. Restoration of disturbed areas to the extent feasible, appropriate disposal of waste, removal of mine and mill buildings after operations cease, all would be provided for.

Mr. President, I urge the adoption of the amendment.

Mr. JORDAN of Idaho. Mr. President, the bill before the Senate today represents the culmination of months of study and efforts to solve a difficult and complex problem of resources management. The controversy engendered epitomizes the strains and stresses being directed against the administrators of our public lands in the face of increasing population, land use pressures and escalating demands for outdoor recreation—all against the backdrop of numerous antiquated and frequently overlapping laws and regulations dealing with our public lands.

Congress is trying to do something about improving and updating the public land laws, as I can personally testify from my participation in the herculean assignment given to the Public Land Law Review Commission. However, this Commission, of which I am a member, is not required to render its report until 1970, and then, presumably, considerable time and effort will be required to make needed changes in our basic public land laws. And this is as it should be, considering that some of this basic legislation has been in existence for much of the past century.

Meanwhile, there are some public land problems that cannot wait until there are basic changes made in the statutes. My distinguished colleague from Idaho (Mr. CHURCH) has described some of the problems that have been clamoring for an answer in the superlatively beautiful Sawtooth-White Clouds area of south-central Idaho. He also reviewed the collective efforts of the Idaho congressional delegation to solve those problems in the national interest. We think such a fortuitous solution is reached in the proposed legislation which is before the Senate today.

In the interests of time, I shall not retrace the same ground covered by Senator CHURCH in his statement. Rather, I shall attempt to point up some of the matters he covered and bring in some complementary testimony.

Before doing so, however, I should like to concur in his judgment that this Sawtooth-White Clouds country is a superlative mix of rugged peaks, wooded slopes, mountain lakes and streams, verdant valleys, genuine western ranches, mining camps and ghost towns, and historic shrines. Having covered most of the accessible parts of Idaho by car and horseback and visited many of the national parks and forests, I can assure my colleagues that this is a nationally significant recreational area in a superb setting, eminently worthy of this action we propose today.

Here then, in brief, are some of the major reasons why I feel that this body should act affirmatively and expedite this proposal to create the Sawtooth National Recreation Area:

First. It would give national recognition to the recreational aspects of this area—its principal resource value. Located 40 miles north of Sun Valley and 75 miles east of Boise, it is immediately accessible to the largest metropolitan areas of Idaho and Utah and located on or accessible to major air, rail, and highway routes. Actually this area is closer to major tourist sources on the west coast than are Yellowstone and Grand Teton Parks, and the new national status of the area conceivably would help to ease the heavily overloaded visitor pressure on these two parks. The economic importance of these visitor magnets is illustrated by the fact that annual tourist expenditures at Grand Teton in 1964 exceeded $13 million.

Second. Establishment of the national recreation area would give the Forest Service needed administrative authority to preserve adequately both the fragile alpine upland country, the western ranching scene of the Sawtooth Valley, and the area's long-established mining industry.

As Chief Forester Ed Cliff told the Senate Interior and Insular Affairs Committee, the timing of this needed administrative authority is growing more and more critical. Subdivision activity on private lands is increasing and threats to the scenic integrity of this area are growing apace as new developments are contemplated and as prospecting activity by large bulldozers is stepped up in fragile parts of the scenic area.

Another concern, as Mr. Cliff pointed out, is the prompt protection of portions of the upper reaches of the Salmon River, which heads in this area along with the Lost, Boise, and Payette Rivers.

The Church-Jordan amendments add 157,000 acres of forest lands in the White Clouds area to the Sawtooth National Recreation Area. This will make a better recreation area and help to conserve and maintain the many recreational and scenic assets of this upland area.

Third. The proposed legislation makes it possible to harmonize acceptably future mining and recreation through reasonable regulation of the uses of valid mining claims and through reasonable requirements for the use and restoration of the surface where mining activities are undertaken on such claims. Of equal importance is the new authority to prevent prospecting with bulldozers and like practices not in conformity with the purposes of the act.

Mining is a historic industry in Idaho and has contributed greatly to the growth and prosperity of this great State and to the Nation as a whole. These resources are basic to our standard of living and to our total defense capacity and they should be beneficially utilized. Our measure would not prohibit a valid mining activity in the multipurpose portion of the recreation area provided such activity will have the least possible impact upon the other values which these wonderful areas offer to the citizens of Idaho and the Nation. I support this approach to the concept of multiple use in this instance.

Under the amendments proposed today, the Secretary of Agriculture is authorized to issue regulations which will apply to prospecting and mining activities carried out either before or after patents are issued. Such requirements would be designed to protect the scenic and esthetic values of these lands and assure against pollution of the waters that flow from them and which are so vitally important to continued reproduction of salmon and steelhead trout. The requirements would include measures to prevent mine pollutants from reaching the stream, steps to control erosion, and the routing and design of needed roads to provide minimum adverse impacts upon the scenery and the watershed. Provision could be made for the restoration of safe and usable conditions of land surfaces disturbed through mining or related activities.

From my experience as a Governor of a Western State, I believe this degree of authority to help preserve the beauty of the Idaho landscape is desirable. I hope that the owners of mining properties in the area will cooperate with the Forest Service in the development of their operating plans so that mining and all other uses in this great multiple-use area can go forward harmoniously.

The proposed legislation will not interfere with existing grazing, much of which occurs on private lands. In the White Cloud addition, Forest Service grazing permits are held by five local ranchers, involving only 700 cattle and 2,500 sheep. The grazing season on the area public lands normally extends for about 2½ months.

Inasmuch as most of the land involved in this proposed national recreation area is already in a Federal status, acquisition costs for an area of this size will be held to a minimum. Only about 5 percent of the total acreage involved—or some 23,000 acres—is presently in private ownership, largely in attractive ranches on the valley floor. The bill contemplates that, in general, scenic easements will be acquired on this privately owned land, in order to maintain the ranching activity as a colorful feature of the valley floor. The Forest Service estimates that it will be necessary to purchase in fee title only 700 acres of land, essential for recreational and administrative use. Ultimately, scenic easements would be sought for some 20,000 acres within the recreation area.

The availability of the ranches and their ranch hands and stock in the heart of the recreation area also would reduce the need for many of the concessions, and related administrative costs, normally associated with national parks.

Mr. President, I urge adoption of these amendments and the passage of the bill.

Mr. CHURCH. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER (Mr. FANNIN in the chair). Without objection, the committee amendments are considered and agreed to en bloc.

The amendments of the Senator from Idaho will be stated.

The assistant legislative clerk read as follows:

On page 1, line 6, after the word "valley" insert "and mountain";

On page 2, line 2, after the word "dated" strike out "April 1, 1966," and insert "June 1969,"; and on page 7, line 6, after the word "things," strike out the word "for" and insert "that prospecting, exploration, development, mining, and related activities shall be carried out under".

Mr. CHURCH. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments are considered and agreed to en bloc.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 853) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 853

An Act to establish the Sawtooth National Recreation Area in the State of Idaho, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to assure the preservation of, and to protect the scenic, historic, pastoral, fish and wildlife, and other recreational values of the Sawtooth Mountains and adjacent valley and mountain lands, there is hereby established, subject to valid existing rights, the Sawtooth National Recreation Area.

Sec. 2. The boundaries of the recreation area shall be those shown on the map entitled "Proposed Sawtooth National Recreation Area", dated June 1969, which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture. The Secretary of Agriculture (hereinafter called the "Secretary") shall, as soon as practicable after the date this Act takes effect, publish in the Federal Register a notice of the establishment of the Sawtooth National Recreation Area, together with a detailed description and map showing the boundaries thereof.

Sec. 3. The Secretary shall administer the Sawtooth National Recreation Area *in accordance wtih the laws, rules, and regulations applicable to the National Forests* in such manner as will best provide for (1) the protection and conservation of the salmon and other fisheries; (2) the conservation and development of scenic, historic, pastoral, wildlife, and other values contributing to and available for public enjoyment, including the preservation of sites associated with and typifying the economic and social history of the American West; and (3) on federally owned lands, the management, utilization, and disposal of natural resources, such as lumbering, grazing, and mining, that will not substantially impair the purposes for which the recreation area is established.

Sec. 4. Subject to the limitations hereinafter set forth, the Secretary may acquire

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by purchase with donated or appropriated funds, by gift, exchange, bequest, or otherwise, such lands or interests therein within the boundaries of the recreation area as he determines to be needed for the purposes of this Act. But any property or interest within the recreation area owned by the State of Idaho or any political subdivision thereof may be acquired under the authority of this Act only with the concurrence of the owner.

In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property or interests therein located within the boundaries of the recreation area and convey to the grantor of such property any federally owned property or interests therein within the State of Idaho under the jurisdiction of the Secretary, notwithstanding any other provision of law. The properties so exchanged shall be approximately equal in fair market value: *Provided*, That the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

Notwithstanding any other provision of law, any Federal property located within the recreation area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the purposes of this Act. Lands acquired by the Secretary or transferred to his administrative jurisdiction within the recreation area shall become part of the recreation area and of the national forest within or adjacent to which they are located.

Sec. 5. (a) The authority of the Secretary to acquire an interest in private property within the recreation area without the owner's consent and by means of condemnation shall be limited to—

(1) the acquisition of scenic easements when the private owner is unwilling to use his property in conformance with the standards of a use provided for in subsection (b) of this section, and

(2) the acquisition of easements for access to and utilization of public property and land for recreation and other administrative facilities: *Provided*, That such acquisition shall not exceed 5 per centum of the total acreage of all private property within the recreation area as of the effective date of this Act.

(b) The Secretary shall make and publish regulations setting standards for the use, subdivision, and development of privately owned property within the boundaries of the recreation area. Such regulations shall be generally in furtherance of the purposes of this Act and shall have the object of assuring that the highest and best private use, subdivision, and development of such privately owned property is consistent with the purposes of this Act and with the overall general plan of the Sawtooth National Recreation Area. Such regulations shall be as detailed and specific as is reasonably required to accomplish such objective and purpose. Such regulations may differ amongst the several parcels of private land in the boundaries and may from time to time be amended by the Secretary. All regulations adopted under this section shall be promulgated in conformity with the provisions of the Administrative Procedure Act. The United States District Court for the District of Idaho shall have jurisdiction to review such regulations after their effective date, upon a complaint filed by any affected landowner, in an action for a declaratory judgment.

(c) To assure that private land within the boundaries of the national recreation area is used in a manner which is not detrimental to the purposes of this Act, the Secretary is authorized to procure by gift, purchase with donated or appropriated funds, or otherwise, scenic easements within the boundaries of the recreation area.

As used in this Act the term "scenic easement" means the right to control the use of land in order to protect the esthetic values for the purposes of this Act, but shall not preclude the continuation of any use exercised by the owner as of the date of this Act.

(d) Where an owner of private property within the exterior boundaries of the recreation area as of the date of this Act, or his heirs and devisees, desires to dispose of such property to the Federal Government, the Secretary shall purchase said property at a price that shall include compensation for any decrease in the value thereof not previously compensated for under the provisions of this Act that may have resulted from the promulgation of regulations, standards, or other consequences of the establishment of the recreation area. In the event the Secretary and the owner are unable to agree upon the purchase price, and the Secretary declines to complete the purchase, the owner may file a complaint setting out these facts, together with a good and sufficient deed to the property, in the United States District Court for the District of Idaho. After the filing of an answer by the United States, the case shall be treated to the extent possible, in the same manner as an action for the condemnation of property brought by the United States: *Provided, however*, That the provisions of this subsection shall cease to be in effect after a period of ten years from the date of the enactment of this Act.

Sec. 6. Nothing in this Act shall affect the applicability of the United States mining and mineral leasing laws on the federally owned lands within the recreation area, except that all mining claims located or leases issued after the effective date of this Act shall be subject to regulations the Secretary may prescribe to effectuate the purposes of this Act. Any patent issued on any mining claim located after the effective date of this Act shall recite this limitation and continue to be subject to such regulations. All such regulations shall provide, among other things, that prospecting, exploration, development, mining, and related activities shall be carried out under such measures as may be reasonable to protect the scenic and esthetic values of the recreation area and to assure against pollution of the Salmon River and other streams and waters within the recreation area.

Sec. 7. Provisions for review, recommendations, and other procedures of the Wilderness Act of September 3, 1964, shall apply to the Sawtooth Primitive Area and adjacent public lands within the national forests. The Secretary of Agriculture shall comply with the requirements of section 3 of said Act in relation to such primitive area in an expeditious manner.

Sec. 8. The Secretary may cooperate with other Federal agencies, with State and local public agencies, and with private individuals and agencies in the development and operation of facilities and services in the area in furtherance of the purposes of this Act, including, but not limited to, the restoration and maintenance of this historic setting and background of the old mining town of Atlanta and the frontier ranch-type town of Stanley.

Sec. 9. Nothing in this Act shall diminish, enlarge, or modify any right of the State of Idaho, or any political subdivision thereof, to exercise civil and criminal jurisdiction within the recreation area or of rights to tax persons, corporations, franchises, or property, including mineral or other interests, in or on lands or waters within the recreation area.

Sec. 10. Nothing in this Act shall affect the jurisdiction or responsibilities of the State of Idaho under other provisions of law with respect to hunting and fishing.

Sec. 11. The jurisdiction of the State and the United States over waters of any stream included in the Sawtooth National Recreation Area shall be determined by established principles of law. Under the provisions of this Act, any taking by the United States of water right which is vested under either State or Federal law at the time of enactment of this Act shall entitle the owner thereof to just compensation. Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

Sec. 12. Money appropriated from the land and water conservation funds shall be available for the acquisition of lands and scenic easements for the purposes of this Act. There is hereby authorized to be appropriated $30,000,000 for the development of recreation and related facilities and for the acquisition of land and interest in land pursuant to this Act.

Mr. CHURCH. I thank the Senator from South Dakota for his generosity in yielding.

Mr. JORDAN of Idaho. I also thank the Senator for yielding.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that there be a brief period for the transaction of routine morning business, and that statements therein be limited to 3 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Senator from South Dakota is recognized for 30 additional minutes.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report of the Commission on Mortgage Interest Rates

A letter from the Chairman of the Commission on Mortgage Interest Rates, Department of Housing and Urban Development, reporting, pursuant to law, on their analysis of problems in the mortgage market, dated July 1, 1969; to the Committee on Banking and Currency.

Report on Relative Cost of Shipbuilding in the Various Coastal Districts of the United States

A letter from the Secretary of Commerce, transmitting, pursuant to law, the annual report on the relative cost of shipbuilding in the various coastal districts of the United States, dated June 1969 (with an accompanying report); to the Committee on Commerce.

Proposed Legislation To Secure Bulk Power Supplies Adequate To Satisfy the Mounting Demands of the People of the United States, Consistent With Environmental Protection

A letter from the Chairman, Federal Power Commission, transmitting a draft of proposed legislation to secure bulk power supplies adequate to satisfy the mounting demands of the people of the United States, consistent with environmental protection (with accompanying papers); to the Committee on Commerce.

Proposed Legislation To Amend the Act for the Retirement of Public School Teachers in the District of Columbia

A letter from the Assistant to the Commissioner, Government of the District of Columbia, transmitting a draft of proposed legislation to amend the act for the retirement of public school teachers in the District of Columbia to change the method of calculat-

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ing each year's appropriation for the Teachers' Retirement Fund; to the Committee on the District of Columbia.

Proposed Legislation Canceling Franchise of the D.C. Transit System, Inc.

A letter from the Chairman, City Council, Government of the District of Columbia, transmitting a draft of proposed legislation in the nature of an amendment to bills relating to the D.C. Transit System, Inc. (with an accompanying paper); to the Committee on the District of Columbia.

Proposed Amendment of the Foreign Military Sales Act

A letter from the Secretary of State, transmitting a draft of proposed legislation to amend the Foreign Military Sales Act (with accompanying papers); to the Committee on Foreign Relations.

Reports of the Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the effectiveness and administration of the Community Action Program under title II of the Economic Opportunity Act of 1964, Grand Rapids, Mich., Area, Office of Economic Opportunity, dated June 30, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on Army and Air Force controls over inventories in Europe, dated June 30, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the effectiveness and administration of the Community Action Program under title II of the Economic Opportunity Act of 1964, Becker, Hubbard, and Mahnomen Counties, Minnesota, Office of Economic Opportunity, dated June 30, 1969 (with an accompanying report); to the Committee on the Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the effectiveness and administration of the Eight Canyon Job Corps Civilian Conservation Center under the Economic Opportunity Act of 1964, Mescalero, N. Mex., Department of the Interior, Office of Economic Opportunity, dated June 30, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the effectiveness and administration of the Community Action Program under title II of the Economic Opportunity Act of 1964, Carroll, Chariton, Lafayette, Ray, and Saline Counties, Mo., Office of Economic Opportunity, dated June 30, 1969 (with an accompanying report); to the Committee on Government Operations.

First Phase, Lower Teton Division, Teton Basin Project, Idaho

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a certification that an adequate soil survey and land classification has been made of the lands in the First Phase, Lower Teton Division, Teton Basin project, and that the lands to be irrigated are susceptible to the production of agricultural crops by means of irrigation (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Suspension of the Deportation of Certain Aliens

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

Third Preference and Sixth Preference Classifications for Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third preference and sixth preference classifications for certain aliens (with accompanying papers); to the Committee on the Judiciary.

Admission Into the United States of Certain Alien Defectors

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain alien defectors (with accompanying papers); to the Committee on the Judiciary.

Temporary Admission Into the United States of Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

Report of Rochester Institute of Technology

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, the second annual report of the Rochester Institute of Technology, concerning the establishment and operation of the National Technical Institute for the Deaf for the period ended December 31, 1968 (with an accompanying report); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by the Marine Corps Reserve Officers Association, praying for the enactment of legislation to remove the discrimination against older retirees by equalizing the compensation of all retired members of the uniformed services who have served in the same rank and for an equal period of time; to the Committee on Armed Services.

ENROLLED BILL SIGNED

The PRESIDENT pro tempore announced that on today he had signed the enrolled bill (H.R. 11069) to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes, which had previously been signed by the Speaker of the House of Representatives.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McGEE, from the Committee on Post Office and Civil Service, without amendment:

S. 1583. A bill to provide that appointments and promotions in the Post Office Department, including the postal field service, be made on the basis of merit and fitness (Rept. No. 91-283).

By Mr. CRANSTON, from the Committee on Labor and Public Welfare, without amendment:

H.R. 3689. An act to cede to the State of Montana concurrent jurisdiction with the United States over the real property comprising the Veterans' Administration Center, Fort Harrison, Mont. (Rept. No. 91-284).

By Mr. KENNEDY, from the Committee on Labor and Public Welfare, with an amendment:

S. 1857. A bill to authorize appropriations for activities of the National Science Foundation pursuant to Public Law 87-507, as amended (Rept. No. 91-285).

By Mr. BYRD of West Virginia, for Mr. RANDOLPH, from the Committee on Public Works, without amendment:

S. 2276. A bill to extend for 1 year the authorization for research relating to fuels and vehicles under the provisions of the Clean Air Act (Rept. No. 91-286).

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. GURNEY:

S. 2528. A bill to amend the Internal Revenue Code of 1954 to restore to individuals who have attained the age of 65 the right to deduct all expenses for their medical care, and for other purposes; to the Committee on Finance.

(The remarks of Mr. GURNEY when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. BYRD of West Virginia:

S. 2529. A bill for the relief of Maribel S. Verzosa; and

S. 2530. A bill for the relief of Dr. Alfredo R. Soliva; to the Committee on the Judiciary.

By Mr. PROXMIRE:

S. 2531. A bill for the relief of Bruce M. Richards; to the Committee on the Judiciary.

By Mr. EAGLETON (by request):

S. 2532. A bill to amend the act entitled "An act to regulate the hours of employment and safeguard the health of females employed in the District of Columbia", approved February 24, 1914; to the Committee on the District of Columbia.

(The remarks of Mr. EAGLETON when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. HARTKE:

S. 2533. A bill to amend section 415 of title 38, United States Code, to standardize the computation of income of dependent parents;

S. 2534. A bill to amend title 38, United States Code, to enable certain permanently and totally disabled veterans to receive the full rate of disability compensation payable for service-connected disabilities, and also a proportionate amount of disability pension under a specified formula; and

S. 2535. A bill to provide for the payment of aid and attendance benefits to certain totally disabled veterans; to the Committee on Finance.

(The remarks of Mr. HARTKE when he introduced the bills appear later in the RECORD under the appropriate heading.)

By Mr. SCHWEIKER:

S. 2536. A bill for the relief of Yeh Tai Heung; to the Committee on the Judiciary.

By Mr. GOODELL:

S. 2537. A bill for the relief of Man Ming Li, his wife and family; to the Committee on the Judiciary.

By Mr. TALMADGE:

S. 2538. A bill for the relief of Lillie B. Watson; to the Committee on the Judiciary.

By Mr. SPONG:

S. 2539. A bill to amend the Public Health Service Act to combat the problem of malnutrition through research and through specialized training in malnutrition for physicians and nurses, and to assist States in providing health services especially designed to prevent malnutrition and to detect and effectively treat malnutrition and conditions resulting therefrom; to the Committee on Labor and Public Welfare.

(The remarks of Mr. SPONG when he introduced the bill appear later in the RECORD under the appropriate heading.)

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By Mr. McINTYRE (for himself and Mr. Percy):

S. 2540. A bill to amend the Small Business Investment Act of 1958; to the Committee on Banking and Currency.

By Mr. McGOVERN:

S. 2541. A bill to limit imposition of State taxes on the transfer of corporate securities held by nonresidents of the State; and

S. 2542. A bill to amend section 105 of title 38 of the United States Code to provide that a person's own willful misconduct during active service which results in his death shall not bar his survivors from benefits under such title; to the Committee on Finance.

By Mr. TYDINGS (for himself, Mr. Case, Mr. Goodell, Mr. Gravel, Mr. Moss, Mr. Nelson, Mr. Proxmire, Mr. Pell, Mr. Randolph, Mr. Spong, Mr. Thurmond, Mr. Yarborough, and Mr. Young of Ohio):

S. 2543. A bill to protect interstate and foreign commerce by prohibiting the movement in such commerce of horses which are "sored," and for other purposes; to the Committee on Commerce.

(The remarks of Mr. Tydings when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. HART (for himself and Mr. Kennedy):

S. 2544. A bill to provide greater opportunity for participation in rulemaking by and on behalf of persons of limited means; to the Committee on the Judiciary.

(The remarks of Mr. Hart when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. JAVITS (for himself, Mr. Goodell, Mr. Mondale, Mr. Nelson, Mr. Scott, and Mr. Williams of New Jersey):

S. 2545. A bill to amend title I of the Higher Education Act of 1965 in order to authorize the Commissioner of Education to arrange for community service programs seeking solutions to national and regional problems; to the Committee on Labor and Public Welfare.

(The remarks of Mr. Javits when he introduced the bill appear earlier in the Record under the appropriate heading.)

S. 2528—INTRODUCTION OF A BILL TO RESTORE TO SENIOR CITIZENS THE RIGHT TO DEDUCT ALL EXPENSES FOR THEIR MEDICAL CARE

Mr. GURNEY. Mr. President, I am today introducing legislation to restore the 100-percent medical expense tax deduction for senior citizens.

Since January 1, 1967, persons over 65 have not been allowed to deduct all medical expenses from their income tax. The Social Security Amendments of 1965 eliminated the privilege the elderly enjoyed of deducting all medical expenses from their income tax. It should be mentioned that the amendments were enacted over the opposition of the Finance Committee and the full Senate.

The rationale of the 1965 amendments hinged on the fact that medicare would provide adequate reimbursement for medical expenses incurred by the elderly. This reasoning is faulty considering medicare only covers items like hospital room and board, physical, occupational, or speech therapy—all general—but not private care. Consequently, medicare does not cover physicians' services, private nursing care, drugs used for care in one's home, and treatment of mental illness. In the end, our elders pay 55 to 60 percent of their own medical expenses.

In addition, there are groups in our society who do not benefit from either the basic hospital insurance plan financed through social security or the voluntary supplemental medical plan financed from premium contributions and general reserves. Although the largest group of these individuals are Federal employees, there are many State and local governmental employees who are in the same situation.

Also, there are taxpayers who are not registered to receive medical benefits but who have medical expenses.

Evidently the elderly have not been adequately protected and something needs to be done to correct the oversight. Our older people are hit the heaviest with medical expenses during a time of their life when their income is the least. We must also take into account that most of these citizens are living on a fixed income and the cost of medical attention is rising, not decreasing.

The revenue loss for allowing these persons to deduct all medical expenses would be small. But more important, it would be justified. The few dollars the senior citizen could save in income tax would mean a great deal to him.

I hope every Member will support my efforts to correct this defect in the law.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2528) to amend the Internal Revenue Code of 1954 to restore to individuals who have attained the age of 65 the right to deduct all expenses for their medical care, and for other purposes, introduced by Mr. Gurney, was received, read twice by its title, and referred to the Committee on Finance.

S. 2532—INTRODUCTION OF A BILL TO AMEND THE ACT RELATING TO HOURS OF EMPLOYMENT AND SAFEGUARDING THE HEALTH OF FEMALES EMPLOYED IN THE DISTRICT OF COLUMBIA

Mr. EAGLETON. Mr. President, I introduce, by request, a bill to amend the 1914 act governing employment conditions of women in the District of Columbia. I ask unanimous consent that a covering letter of Deputy Mayor Thomas W. Fletcher dated January 17, 1969, explaining the bill and the bill itself be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the Record.

The bill (S. 2532) to amend the act entitled "An act to regulate the hours of employment and safeguard the health of females employed in the District of Columbia," approved February 24, 1914, introduced by Mr. Eagleton, by request, was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the Record, as follows:

S. 2532

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act to regulate the hours of employment and safeguard the health of females employed in the District of Columbia", approved February 24, 1914 (38 Stat. 291), as amended (D.C. Code, sec. 36–301), is amended by striking out the two provisos and inserting in lieu thereof the following: "*Provided,* That nothing contained herein shall preclude the employment of any female employee for more than eight hours in any one day or for more than six days or more than forty-eight hours in any one week, if such overtime work is voluntarily agreed to in writing by such employee, on a form prescribed by the Commissioner of the District of Columbia, such agreement to be valid for such period of time as may be specified by the employee, and if such employee receives compensation at a rate not less than one and one-half times the regular rate at which she is employed for her employment in excess of eight hours in any workday and in excess of forty hours in any workweek."

The letter presented by Mr. Eagleton is as follows:

January 17, 1969.

The President,
U.S. Senate,
Washington, D.C.

My Dear Mr. President: The Government of the District of Columbia has the honor to submit for consideration by the 91st Congress a draft bill "To amend the Act entitled 'An Act to regulate the hours of employment and safeguard the health of female employees in the District of Columbia', approved February 24, 1914."

The purpose of the bill is to allow female employees of certain business establishments in the District of Columbia to perform, on a voluntary basis, overtime work. Existing law, as set out in section 1 of the aforesaid Act (38 Stat. 291; D.C. Code, sec. 36–301), forbids the employment of women in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment, or by any express or transportation company in the District of Columbia for more than eight hours in any one day or more than six days or more than forty-eight hours in any one week. These restrictions severely limit the amount of wages women in certain occupations may earn, and have the effect of handicapping them in securing equal employment opportunities with men.

The bill amends section 1 of the Act approved February 24, 1914, so as to enable a female employee of any of the specified businesses, when her willingness to engage in overtime work is evidenced by her agreement in writing, on a form prescribed by the Commissioner of the District of Columbia, such agreement to be valid for such period of time as may be specified by the employee, to work an unlimited amount of overtime, provided she is compensated by her employer at a rate not less than one and one-half times her regular rate of pay for such employment in excess of eight hours in any workday and in excess of forty hours in any workweek. The amendment proposed by the bill does not remove present limitations on the maximum number of hours female employees are permitted to work, and thus no woman may be compelled or required, against her wish, to perform labor in excess of existing time limitations. The bill also has the effect of repealing the existing two provisos of section 1 of the Act. These provisos relate to the issuance of temporary permits for the performance of overtime work by female employees during World War II and are no longer applicable.

Since enactment of the Female Eight-Hour Law in 1914—almost fifty-five years ago—conditions of employment affecting women have undergone drastic changes. Excessive working hours, intolerable physical surroundings, "sweatshop" conditions, and other abuses are no longer prevalent. Modification of the special protective features of present law to permit overtime work on a

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purely voluntary basis should have no adverse effects upon the physical well-being of women nor result in any widespread exploitation of female employees. Moreover, the amendment proposed by the bill should minimize the possibilities of discrimination in employment because of sex, a practice which is forbidden under both the District of Columbia Fair Employment Regulations and Title VII of the Civil Rights Act of 1964. Of significance also is the fact that women employed in a bona fide executive, administrative, or professional capacity, or in the capacity of an outside salesperson, are presently exempt from the maximum hours provisions of the Female Eight-Hour Law, as are females employed by the District and Federal Governments and in the many occupations and industries not specifically covered. The bill, therefore, will help to achieve equality in working hours among all females employed in the District of Columbia. Finally, it is pointed out that most State laws allow some degree of flexibility in working hours so as to permit, under specified conditions, the performance of overtime work by women.

For these reasons the District Government strongly urges favorable consideration of the attached proposed legislation during this session of the Congress.

Sincerely yours,
THOMAS W. FLETCHER,
Assistant to the Commissioner.
(For Walter E. Washington,
Commissioner).

S. 2533, S. 2534, AND S. 2535—INTRODUCTION OF VETERANS' BENEFITS BILLS

Mr. HARTKE. Mr. President, I am today introducing for appropriate reference three bills which are designed to extend and improve the benefits which are presently provided for our veterans and their dependents. These bills are intended to supplement S. 2503, S. 2504, and S. 2505 which I introduced on Thursday of last week.

The first of the bills to be introduced today is intended to standardize the computation of countable income received by dependent parents in determining their right to dependency and indemnity compensation—DIC—benefits.

As you know, Mr. President, the parents of a serviceman who dies while on active duty or a veteran who dies as the result of a service-connected disability are required to meet an extremely strict test of financial need. Income limits under existing law are so stringent that the receipt of any income in excess of $3,200 per year is sufficient to bar a parent from receiving DIC payments.

Although it has been argued that the present income limits are reasonable inasmuch as they are comparable to non-service-connected mortality pension programs, I believe that the dependent parents of veterans who die from service-connected causes should be entitled to greater consideration.

I propose, therefore, that for the purpose of the DIC program, dependency should be held to exist in instances where the surviving parents do not have income sufficient to provide reasonable maintenance for themselves and the members of their family. The term "reasonable maintenance" should be defined so as to include not only necessities such as housing, food, clothing, and medical care, but those other requirements which are commonly viewed as necessary to provide the conveniences and comforts consistent with a reasonable mode of life.

The second bill which I am introducing would liberalize the service-connected disability benefits program by amending section 3104 of title 38 of the United States Code so as to allow certain permanently and totally disabled veterans to receive the full rate of disability compensation for their wartime service-connected disabilities and to also receive a proportionate amount of a non-service-connected pension in accordance with a specified formula.

The amount payable under the formula is determined by deducting from 100 percent the compensation rating evaluation, the result representing the percentage of pension payable in any specific case. For example, a veteran rated at 40 percent for compensation purposes would receive his full rate of payment—$89 per month—for his service-connected disability and in addition, an amount equivalent to 60 percent of the non-service-connected pension ordinarily payable.

Existing law contains a prohibition against such payments. However, it is my considered belief that the amendment proposed by my bill offers an adjustment which is sound and reasonable.

Non-service-connected pensions are paid to veterans who were discharged under other than dishonorable condition after completing 90 or more days of active wartime service and who are then permanently and totally disabled from causes not traceable to such service. In short, pension payments represent an award given in return for performing 90 days of military service during a period of war.

On the other hand disability compensation is payment for personal injuries suffered, or diseases contracted, in the line of duty. Clearly, there is no logical similarity between the two benefits. They are separate, distinct and unrelated.

I do not ask that the totally disabled veteran be given full compensation and pension benefits, and my bill contains no such provision. Nor do I ask that the veteran be paid twice for the same disability. I only propose, and I believe with complete justification, that the veteran who is disabled as a direct result of his service be permitted to participate in the non-service-connected pension program.

My third bill is designed to correct an obvious inequity in existing law which arose with the enactment of Public Law 90–77. This law expanded the Veterans' pension program by adding a new concept with regard to the payment of aid and attendance allowance to veterans who are patients in nursing homes.

Section 521(d) of title 38, of the United States Code, as amended by Public Law 90–77, now provides that the monthly rate of pension payable to a veteran who is a patient in a nursing home should be increased by $100. This amendment has created a situation in which some veterans who are totally disabled as the direct result of service-incurred disabilities, are not furnished an important financial benefit which is nevertheless available to certain veterans whose disability was in no way connected with the performance of military service, since pension benefits are currently not payable to veterans who already receive disability compensation.

Enactment of this bill, Mr. President, would rectify this discriminatory feature of the law in question and reemphasize the priority that service incurred benefits should receive.

Mr. President, I ask unanimous consent that the text of these bills be printed in the RECORD immediately following my remarks.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the RECORD.

The bills, introduced by Mr. HARTKE, were received, read twice by their titles, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2533

A bill to amend section 415 of title 38, United States Code, to standardize the computation of income dependent parents

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 415 of title 38 of the United States Code is amended—

(1) by striking out "The Administrator" in subsection (c) and inserting in lieu thereof "The Administrator shall, in determining annual income under this section, apply the income standards used in determining the dependency of a mother or father under section 315 and" and

(2) by striking out subsection (g).

S. 2534

A bill to amend title 38, United States Code, to enable certain permanently and totally disabled veterans to receive the full rate of disability compensation payable for service-connected disabilities, and also a proportionate amount of disability pension under a specified formula

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3104 of title 38, United States Code, is amended by (a) inserting immediately after "law" in subsection (a) thereof the following ", or as provided by subsection (d) of this section"; and (b) adding at the end of such section the following new subsection:

"(d) Where a veteran is found to be permanently and totally disabled for pension purposes without regard to section 523 of this title, and also has a service-connected disability rated at 10 per centum or more, but not in excess of 90 per centum, the Administrator shall pay him the full amount of disability compensation provided by chapter 11 of this title plus a proportionate share of the pension otherwise payable under chapter 15 of this title computed as follows: Deduct from 100 per centum the compensation rating evaluation, the result representing the percentage of pension payable in the case."

SEC. 2. The amendments made by this Act shall take effect on the first day of the second calendar month which begins after the date of enactment of this Act.

S. 2535

A bill to provide for the payment of aid and attendance benefits to certain totally disabled veterans

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 11 of title 38, United States Code, is amended by adding at the end thereof the following new section:

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"§ 361. Determination with respect to need for aid and attendance

"For purposes of this chapter, a veteran rated as totally disabled as the result of service-connected disability and who is a patient in a nursing home shall be considered to be so helpless as to be in need of regular aid and attendance."

SEC. 2. The table of sections of chapter 11 of title 38, United States Code, is amended by adding at the end thereof the following:

"361. Determination with respect to need for aid and attendance."

S. 2539—INTRODUCTION OF BILL RELATING TO MALNUTRITION

Mr. SPONG. Mr. President, the bill I am introducing today results from a recent tour of Virginia which I made to study the extent of hunger and malnutrition which existed in my State. During that tour I saw and heard reports of persons who were at times without food; I saw and heard reports of many other persons who had poor and inadequate diets.

Again and again, however, I heard of the difficulties in determining the extent and medical consequences of undernutrition and malnutrition. Personnel from the two medical colleges in my State, as well as from private medical practices, spoke of the dearth of scientific information.

Gradually, data has accumulated to indicate a direct relationship between malnutrition and physical and mental development, but much still needs to be done. Nutrition education needs to be expanded in medical schools.

As Dr. Jean Mayer, who was recently appointed Chairman of the White House Conference on Food, Nutrition and Health, noted in testimony before the Senate Committee on Agriculture and Forestry:

> As long as nutrition is as poorly and as little taught in our medical schools as it is, it is very unlikely that nutrition education for the poor and disadvantaged is going to be very effective.

Additional research on the specific types of malnutrition and the best means of treating it needs to be conducted. Surveys of the nutritional conditions in specific areas need to be conducted.

These are basic steps toward improving the nutrition of our people. The bill I am introducing today would provide funds to pursue these goals. It would provide funds to provide courses in nutrition at medical schools; it would provide funds for research into the various aspects of nutrition; and it would provide funds to conduct surveys in defined areas.

Loudoun County, Va., will soon begin a detailed survey of the nutritional status of its residents. Instigated by county residents, the survey will be conducted with State funds. I believe well planned and conducted surveys similar to this can be beneficial to cities and counties, especially in those areas not covered by the National Nutrition Survey. Under this bill, Federal funds could be granted to localities to assist them in conducting, on their own, surveys and studies which would enable them to combat malnutrition.

In addition, the bill would direct the Secretary of Health, Education, and Welfare to collect the data derived from research and survey activities and make it available to those interested in improved nutrition.

The development of this information, however, is only a first step. Education, research, and surveys are only useful if they lead to direct improvement in the nutritional status of our citizens. In other words, scientific and medical information will accomplish the goals which we seek only when it is directly applied to the needs of our people. For this reason, my bill would also require 10 percent of the funds granted to States under the comprehensive health services program to be used for activities designed to improve directly the nutritional status of Americans. Implementation of this section would, however, be delayed a year beyond the effective date of the section on education, research, and surveys in order for the basic efforts to have a headstart.

During my tour numerous officials, especially public health personnel, noted that even with existing knowledge, they could expand their educational activities in low-income areas to the benefit of low-income families. With the new information to be developed and disseminated under this bill, they could do even more. Educational programs for low-income families are one type of activity which could be funded under the second section of the bill. They are, however, only one and the way is open for creative efforts on the part of State and local officials.

As I have said before, we must reform the existing food assistance programs in order to make them more available and more accessible. But reform of the food assistance programs is only part of the answer. We must also understand why we are attempting to change such a personal habit as diet; we must understand the implications of the new diets we are proposing; we must be aware of the extent of our problems; and we must know the best means of overcoming the problems which do exist. Finally, we must make use of the knowledge and resources which are available to educate those who need help to make the best use of existing programs and foods. I believe this bill will help accomplish these purposes.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2539) to amend the Public Health Service Act to combat the problem of malnutrition through research and through specialized training in malnutrition for physicians and nurses, and to assist States in providing health services especially designed to prevent malnutrition and to detect and effectively treat malnutrition and conditions resulting therefrom, introduced by Mr. SPONG, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

S. 2543—INTRODUCTION OF TENNESSEE WALKING HORSE BILL

Mr. TYDINGS. Mr. President, I introduce today a bill designed to end the cruel and unnecessary practice of deliberately making sore the feet of the Tennessee walking horse in order to alter its natural gait.

Man's inhumanity to man is both well known and widely evident. We need but look around us to witness its scope. Man's inhumanity to animals is equally well known yet perhaps less evident. Take, for example, the case of the Tennessee walking horse.

Many of us at one time in our lives have attended a horse show and were thrilled to see these magnificent animals prancing proudly around a show ring. The Tennessee walking horse's back stride is long; its front feet barely touch the ground, springing upward for a long and dignified step or walk.

With careful training the gait of a Tennessee walker can be developed and instilled in the animal so that its movement is not a trot or gallop, but rather a quick and highstepping walk. Hence the name.

However, unscrupulous owners and trainers of these horses have discovered that if the front feet of the Tennessee walking horse are deliberately made sore, he will lift them quickly and take a long striding step forward. This of course is the desired gait. The practice of purposely making the feet sore, commonly termed "soring," makes unnecessary the long and difficult training period usually required for the Tennessee walker. Why bother to train a horse when you can induce the gait artificially?

Soring is done by use of chains or tacks on the feet, or by applying a burning agent to the pastern, the area just above the hoof. These burning agents vary, but the most common are an oxide of mercury salve known as "creeping cream," and an oil of mustard mixture called "scooting juice." Other techniques recently developed involve driving nails into the feet, or injecting irritants into the sole area near the heel. These are more difficult to detect, especially as the trainers often then cover the wound with a pad and place an artificial foot over that. The horse moves in extreme agony, crouching on his hind feet with his head drawn back and the ears back. Often the pain is so severe that the horse will try to lie down in the ring.

Soring is a cruel practice and deserves to be prohibited.

The bill I am introducing today does this. It makes unlawful the shipping in commerce of any sored horse for the purpose of exhibition. It prohibits the showing of sored horses that have moved in commerce. It provides that any horse show in which sored horses, that have moved in commerce, participate is forbidden.

The bill carefully defines soring and declares it to be a cruel and inhumane practice. The bill provides that the Secretary of Agriculture may prescribe regulations necessary for proper administration of the act. He may make inspections of horses or horse shows. He is directed to notify the Attorney General of violations and may utilize State officials in carrying out the act if he so desires.

The bill provides a fine of not more than $500 and/or imprisonment of not more than 6 months for violations of the act.

The thrust of the bill is to focus on

the horse shows rather than simply the interstate shipment of the sored horses in order to provide the Secretary of Agriculture with a legal vehicle that can be administered without unreasonable difficulty.

On May 11, 1967, in the first session of the 90th Congress I introduced legislation designed to eliminate the practice of soring. The measure was unfavorably received due to the opposition of the Department of Agriculture.

The Department objected on two counts. The first was substantive: The practice was limited and the States would soon prevent the soring that was taking place. The second was administrative: A prohibition on interstate shipments alone would make it difficult, if not impossible, for the Department to carry out the act. It could not post officials at railroad stations or on highways to check for sored horses.

After reviewing the situation, however, the Department now feels that the deliberate soring of horses to affect their natural gait is a widespread practice, sufficient to warrant national attention. It recognizes the failure of the States to act and can now justify the need for Federal legislation.

The second objection of the Department has been met by redrafting the legislation. With the helpful assistance of the USDA, the bill is now worded to focus attention on the showing and exhibition of sored horses rather than restricting the prohibition strictly to the interstate shipment of such animals. The constitutional basis of Federal jurisdiction remains the same, interstate commerce, but the administrative focus has been switched.

It is true, Mr. President, that officially the relevant, responsible private organizations prohibit soring. The American Horse Show Association and the Tennessee Walking Horse Breeders and Exhibitors Association of America both condemn the practice.

But soring continues nevertheless. The exhibitors and trainers who practice this cruelty claim that they have to do it in order to win a blue ribbon. If they do not, others will, and in any case some judges preferred sore gaits, it is claimed. The judges say the practice has always been permitted. The local organization says it is up to the national organization which of course wants to do something, but says it is bucking a stone wall.

It is time to move beyond the buck passing and inaction and simply prohibit the practice of soring. It is a particularly cruel practice, harmful to the animal and denigrating to the individual inflicting the pain.

It is not even necessary as Tom Fullerton, executive secretary of the Tennessee Walking Horse and Breeders and Exhibitors Association of America has stated. Soring is a cheap substitute for careful training. By no stretch of the imagination is it necessary.

I should like to add that in neither intent nor language does the bill I introduce today prohibit the blistering of race horses for medicinal purposes. The bill is limited to soring which as I have said is clearly defined in the bill itself.

Soring as a practice should have been outlawed years ago. It is a debasing and unnecessary cruelty. It requires Federal prohibition.

Mr. President, I ask unanimous consent that at the conclusion of my remarks the text of my bill be printed in the Record as well as an article by Alice Higgins in the January 11, 1960, issue of Sports Illustrated; a January 6, 1966, New York World Telegram and Sun article by George Coleman; and a statement by Mr. H. M. Oler, representing the American Humane Association at a Tennessee walking horse show on September 4, 1965.

Mr. President, I am delighted that Senators Case, Goodell, Gravel, Moss, Nelson, Proxmire, Pell, Randolph, Spong, Thurmond, Yarborough, and Young of Ohio join me in cosponsoring this important legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and articles will be printed in the Record.

The bill (S. 2543) to protect interstate and foreign commerce by prohibiting the movement in such commerce of horses which are "sored," and for other purposes, introduced by Mr. Tydings (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 2543

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Horse Protection Act of 1969."

Sec. 2. (a) A horse shall be considered to be sored if, for the purpose of affecting its gait, a blistering agent has been applied internally or externally to any of the legs, ankles, feet, or other parts of the horse, or if burns, cuts, or lacerations have been inflicted on the horse, or if a chemical agent, or tacks, nails, or wedges have been used on the horse, or if any other method or devices has been used on the horse, including, but not limited to chains or boots; which may reasonably be expected currently (1) to result in physical pain to the horse when walking, trotting, or otherwise moving, or (2) to cause extreme fear or distress to the horse.

(b) As used in this Act, the term "commerce" means commerce between a point in any State or possession of the United States (including the District of Columbia and the Commonwealth of Puerto Rico) and any point outside thereof, or between points within the same State or possession of the United States (including the District of Columbia and the Commonwealth of Puerto Rico) but through any place outside thereof, or within the District of Columbia, or from any foreign country to any point within the United States.

Sec. 3. The Congress hereby finds (1) that the practice of soring horses for the purposes of affecting their natural gait is cruel and inhumane treatment of such animals; (2) that the movement of sored horses in commerce adversely affects and burdens commerce; (3) that horses which are sored compete unfairly with horses moved in commerce which are not sored.

Sec. 4. (a) It shall be unlawful for any person to ship, transport or otherwise move, or deliver or receive for movement, in commerce, for the purpose of showing or exhibition, any horse which such person has reason to believe is sored.

(b) It shall be unlawful for any person to show or exhibit, or enter for the purpose of showing or exhibiting, in any horse show or exhibition, any horse which is sored if that horse or any other horse was moved to such show or exhibition in commerce.

(c) It shall be unlawful for any person to conduct any horse show or exhibition in which there is shown or exhibited a horse which is sored, if any horse was moved to such show or exhibition in commerce.

Sec. 5. (a) Any representative of the Secretary of Agriculture is authorized to make such inspections of any horses which are being moved, or have been moved, in commerce and to make such inspections of any horses at any horse show or exhibition within the United States to which any horse was moved in commerce, as he deems necessary for the effective enforcement of this Act, and the owner or other person having custody of any such horse shall afford such representative access to and opportunity to so inspect such horse.

(b) The person or persons in charge of any horse show or exhibition within the United States shall keep such records as the Secretary of Agriculture may by regulation prescribe in order to enable the representatives of said Secretary to determine whether any horses were moved to or from such show or exhibition in commerce, the identity of the owner or exhibitor of any horse at the show or exhibition, and other facts necessary for the effective enforcement of this Act, and the person or persons in charge of any horse show or exhibition shall afford the representatives of the Secretary of Agriculture access to and opportunity to inspect and copy such records at all reasonable times.

Sec. 6. Any person who violates any provision of this Act shall be fined not more than $500 or imprisoned not more than six months, or both.

Sec. 7. Whenever the Secretary of Agriculture believes that a violation of this Act has occurred and that prosecution is needed to obtain compliance with the Act, he shall inform the Attorney General and the Attorney General shall take such action with respect to such matter as he deems appropriate.

Sec. 8. The Secretary of Agriculture shall, in carrying out the provisions of this Act, to the maximum extent practicable, utilize the existing personnel and facilities of the Department of Agriculture. The Secretary of Agriculture is further authorized to utilize the officers and employees of any State, with its consent, to assist him in carrying out the provisions of this Act.

Sec. 9. The Secretary of Agriculture is authorized to issue such rules and regulations as he deems necessary to carry out the provisions of this Act.

Sec. 10. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The articles presented by Mr. Tydings are as follows:

[From Sports Illustrated, Jan. 11, 1960]

THE TORTURE MUST END

(By Alice Higgins)

No sportsmen have practiced such systematic cruelty to horses for the sake of a blue ribbon as is being perpetrated today. Shamefully brutal treatment of the Tennessee Walking Horse is generally practiced by breeders, trainers and exhibitors and is tolerated by the ASPCA, a society founded primarily to protect the horse. Worst of all, it is ignored by the American Horse Shows Association, the governing body of the sport, which is currently meeting in Detroit. I say worst of all because the AHSA could stop most of it this week if it chose to do so.

When I first described these abuses (SI, July 23, 1956), I was optimistic that measures were going to be taken to halt this horse torture. The various associations concerned piously expressed a desire to aid in the clean-up, rolling their collective eyes heavenward—apparently to avoid the ugly sight of quarter boots covered with blood, for they have taken no real action and the situation is now far worse than it ever was.

The quarter boot, designed to protect the horse against injury as he executes his unique running walk with its long-reaching hind stride, is still being used either to injure or to cover up deliberately inflicted injuries. Unfortunately for the breed, it was discovered that if the horse's front feet are sore he will lift them quickly from the ground, shift his weight to his sound hindquarters and take the much desired long-striding step. This "soreing" usually is done by using chains or tacks inside the quarter boot or by applying a burning agent to the pastern area, which is covered by the boot. These agents vary, but of the two most common, one, an oxide of mercury salve, is known as creeping cream, and the other, an oil of mustard mixture, is called scooting juice. The so-called "big lick" so coveted for show ring purposes is now almost completely the "sore lick."

One Walking Horse breeder hotly asserts that most of the recent world champions were made with a hot iron. A few others, among them the president of the American Walking Horse Association, H. Karl Yenser of Washington, D.C., are also incensed. Yenser recently sent an open letter to his members which read in part:

"The feeling against the continued soreing and chaining of horses has reached a point where something must be done to correct it. . . . Perhaps getting back to more closely defined gaits as a standard for judging would do the job. . . . Exhibitors have decried the use of inhumane devices for years and yet allowed their trainers to continue their use. Judges have been criticized for tying [placing] 'sore' horses, and yet the judge's hands were tied. In my own personal experience if I had disqualified all of the sore horses shown in front of me, I am afraid I would have wound up many times with no horses in the class to judge. So I, too, am guilty of accepting, even though I did not condone, the 'sore lick.' I know, too, that every Walking Horse judge has been confronted with the same situation."

Yenser received some lively and approving response from his membership. But C. C. Turner, of Broadway, Va., a vice-president in Yenser's organization and also a vice-president of the powerful Tennessee Walking Horse Breeders' Association, received anonymous and abusive mail after acting as a judge at Dallas. Turner removed the boots in the ring and examined the horses for soreness. He judged the class accordingly, with the sorest farthest down the line. Apparently awakened by this show of courage, the SPCA attempted to intervene, but J. Glenn Turner, boss of the Dallas show and president of the Tennessee Walking Horse Breeders' Association (and no kin to C. C. Turner), refused to allow an SPCA inspection.

EXPEDIENCY VERSUS PRINCIPLE

Recently C. C. Turner and John H. Amos, chairman of the executive committee of the TWHBA, plus the other directing officers, held a meeting to seek agreement on corrective recommendations to be proposed at the current Detroit session of the American Horse Shows Association, which controls more than 400 recognized shows. Amos advocated the complete elimination of boots and severe punishment of owners or trainers who use any torture device. (Some defenders of the boot contend its elimination would lead unscrupulous trainers to drive nails or wedges into the tender frog of the hoof, a method of soreing difficult to detect.) But as is so often the case, the interested parties were forced to act on the low ground of expediency rather than the lofty plateau of principle, and one of those compromises was reached that seem to satisfy all sides and actually settle nothing.

The group agreed to recommend a new boot that reveals the front of the hoof, protects the tender coronet band, and, because of an extra long hinge, drops back when the horse is at rest to expose the pastern area for inspection. The only other recommendation—that a judge be authorized to penalize or even disqualify offenders—would, even if adopted, amount to no more than a tap on the wrist in a situation where a hard blow to the heart (perhaps I should say pocketbook) is indicated.

And even these mild suggestions may not get into the new rule book of the American Horse Shows Association. For one thing, J. Glenn Turner, who is no enemy of the trainer, has been selected as the new chairman of the Walking Horse Committee for the AHSA. Turner has never shown any disposition to change the present rules, which are either so vaguely worded as to be uninterpretable, or simply misstate the situation. For example, the rule book says: "Horses must be serviceably sound." Under present practice, that means only that if they don't fall down they can show. The book also says: "Judges shall disqualify horses equipped with artificial appliances such as . . . leg chains, wires or tacks, blistering or any other cruel and inhumane devices. . . . White boots may be used, but they shall be subject to examination by show officials." Which officials? In practice, the manager leaves the job to the steward (the person who must be present at every recognized show to see that the association's rules are upheld), and the steward passes the buck right back to the manager or to the show veterinarian or to the judge. If, by some chance, an offender is caught he is disqualified from the class, but he is free to ship his horse off to the next show.

If the AHSA had the nerve to make the punishment fit the crime, a lot of trainers would be on crutches. The trainers, of course, blame pressure from the owners, and the owners say the trainers are at fault. (One owner quoted his trainer: "Just don't watch while I put the boots on—you'll feel better when you ride up to get that ribbon.")

So, despite the courage of men like Yenser, C. C. Turner and Amos, there is little to be hoped for from the self-interested, ribbon-seeking trainer or owner. That leaves the matter squarely in the hands of the American Horse Shows Association, which has yet to enforce or even clarify its own tepid rules. If the AHSA at its current meeting fails to redefine its rules, make clear who is responsible for enforcing them and provide stringent penalties for offenders, a few courageous show managers are ready to drop the Walking Horse division entirely. This may seem a drastic remedy, but the various Walking Horse societies have had ample time to clean their own stable. They have failed to do so. The AHSA must have the courage to do it for them.

[From the New York World-Telegram and the Sun, Jan. 6, 1966]

SPUR OF THE MOMENT—TORTURE STILL GOADS THE WALKING HORSE

(By George Coleman)

The Tennessee walking horse cruelty is set to hobble into the 1966 annual convention of the American Horse Shows Assn. opening at Lexington, Ky., a week from today.

There's a new rule that's supposed to hog-tie any trainers messing around with walking horses: "Any horse foaled after Jan. 1, 1965, with scars around the coronet or pastern area (Just above the hoof) is ineligible for competition." Plus, "The use of any substance on the coronet or pastern area which is evident during show performance is prohibited . . ."

For five years, since this newspaper and Sports Illustrated exposed the bloody business, the AHSA has been passing noose-tightening rules and the cruelty continues.

A MATTER FOR RHYME?

At that time despite published photos of horses bleeding to the extent of staining the tanbark of show rings, the AHSA officers didn't believe what they saw. The late Adrian Van Sinderen, then AHSA president, at the 1960 convention whitewashed the cruelty with a 32-line poem in his report:

> "If you desire a saddle horse,
> A horse that's sure to please
> Just buy yourself a walking horse,
> And ride along with ease . . ."

But before the three-day meeting ended the AHSA took its initial halting steps to curb the torture of the walking horse. Three months later at the Nashville (Tenn.) TWH breeders' annual dinner, Tennessee's Gov. Buford Ellington told 500 owners and trainers, "Either you stop messin' with walking horse cruelty or I'll chase every last one of you over the Great Smoky Mountains." Everybody smiled.

A TYPICAL PENALTY

Despite dozens of anti-cruelty rules in the AHSA book, the cruelty goes on. Here's an example why: Three trainers were found guilty of showing bleeding horses at Kansas City's American Royal Horse Show. So the AHSA directors suspended the three for three months until April 1, 1966, during the winter time when the horsemen wouldn't be showing anyway. That's a penalty?

In the walking horse, the longer and higher the stride, the better the ride and performance. Instead of taking months to teach the animal and being content with its best, the trainers apply a burning mercury ointment above the hooves. Soon the flesh is blistered.

On top of the hooves go upside-down cups of rubber called boots and inside the boots on top of the blisters are tacks. As the boots and tacks rub the flesh rawer, the horse, to relieve the pain, barely touches the front feet to the ground. To keep his balance he increases the back stride. That's the way some show ribbons are won.

THE NEWEST DODGE

The latest trick is deliberately to drive a nail, in shoeing, into the horse's foot. That accomplishes the same result as the burning ointment and tacks. And there's no rule in the AHSA book about a nail in the foot.

STATEMENT BY MRS. H. M. OLER, REPRESENTING THE AMERICAN HUMANE ASSOCIATION AND THE CHATTANOOGA, TENN., HUMANE EDUCATIONAL SOCIETY

(At the national celebration of the walking horse, Shelbyville, Tenn., September 4, 1965)

I arrived at the horse show on Friday night, August 28, 1965.

SATURDAY, AUGUST 29, 1965

My first experience was seeing a sore mare. She was very stiff and sore and could barely walk.

I saw the blacksmith applying some chemical to a horse's hoof. The horse reacted violently to the pain. When the owner saw my identification, he took the horse and rode off. I could not follow and could not get the identity of the owner.

The horses were used constantly wearing heavy chains which tore their pastern badly wearing the hair off—some were bleeding.

WEDNESDAY, SEPTEMBER 1

I saw a man cut a walking horse's foot at the coronet band with a razor blade, and rub salt in the wound. I asked him what he did that for, he did not answer and when he saw my identification, he rode rapidly away.

Every night at the horse show, the horses were shown stiff and sore. After working and getting warmed up, they did not show so much stiffness. However, after standing, they moved sore after being judged. This seems to be routine.

In one class one of the exhibitors who had not been pinned, or tied, was angry and he jumped the gate (about 2 feet) out of the ring without getting permission to leave and without waiting for the gate to be opened. A policeman told me that when the rider got outside, he hit the horse in the head in anger.

H. M. Oler,
Humane Agent, Humane Educational Society of Chattanooga, Tenn.

S. 2544—INTRODUCTION OF A BILL TO PROVIDE GREATER OPPORTUNITY FOR PARTICIPATION IN RULEMAKING BY AND ON BEHALF OF PERSONS OF LIMITED MEANS

Mr. HART. Mr. President, I introduce for myself and the senior Senator from Massachusetts (Mr. Kennedy), a bill to provide greater participation in rulemaking by persons of limited means.

It is axiomatic that the Government of a free and open society should strive to involve as many of its citizens as possible in governmental decisions affecting them.

As we seek to preserve and refine our political system, we are witnessing a growing tendency among some Federal agencies to open their proceedings more to the public.

The purpose of the bill we introduce today is to insure that persons of limited means are able to take full advantage of this trend as are persons of affluence.

The bill, identical to S. 3703 which I introduced in the last Congress, directs the Attorney General to contract with or to make grants to such nonprofit organizations as the National Legal Aid and Defender Association to represent the poor in Federal rulemaking procedures which will affect them.

The bill also authorizes the Attorney General to arrange for representation of the poor with Federal departments on questions affecting the poor. This would enable people of limited means to have the same opportunity to express their views to Federal departments as others now do.

This is not to say that the poor will always be correct, but rather that the poor, right or wrong, have the right to be heard.

The bill seeks to insure that efforts to advance the principle of freedom of information include the poor.

I ask unanimous consent that the text of the bill be printed in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2544) to provide greater opportunity for participation in rulemaking by and on behalf of persons of limited means, introduced by Mr. Hart (for himself and Mr. Kennedy), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 2544

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is fundamental to wise administrative rulemaking that, except in limited or unusual circumstances, persons whose interests may be affected be assured of an opportunity to participate in rulemaking through submission of data, views, or arguments to the responsible rulemaking agency. Rulemaking frequently affects persons without the resources necessary to keep themselves informed concerning proposed rules or to petition for rules or amendment or repeal of rules. Hence it is necessary that means be provided whereby, insofar as feasible, the interests of such persons may be protected in rulemaking and whereby the rulemaking process may be benefited by advocacy on behalf of such interests.

Sec. 2. Section 553, in chapter 5, Administrative Procedure, of title 5, United States Code, is hereby amended by adding thereto the following subsection:

"(f) The Attorney General is directed to enter into contracts with, or to make grants subject to appropriate conditions to, the National Legal Aid and Defender Association, or such other nationally organized nonprofit bodies with generally similar objectives as he may deem desirable, whereby such body or bodies may be provided with funds to enable them to participate in rulemaking in accordance with this section on behalf of interested persons who, because of their lack of personal resources, are unable effectively to do so. Any such body shall be deemed to be an interested person for the purpose of this section. Such body or bodies may contract with other persons to aid in effectuating the purposes of such contract or grant. The Attorney General is authorized to adopt such rules or regulations as may be appropriate to the administration of this subsection. He is authorized, further, after consultation with the agency involved, by order to make this section applicable to matters relating to public property, loans, grants, benefits, or contracts in circumstances where he determines that such matters so affect the interests of persons of limited means as to make it appropriate that, in connection with rulemaking with respect to such matters, a body or bodies receiving a contract or grant under this subsection should have an opportunity to represent such interests."

Sec. 3. There are hereby authorized to be appropriated such funds as are necessary to carry out the provisions of section 2.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

S. 740

Mr. BYRD of West Virginia. Mr. President, on behalf of my very close friend the Senator from New Mexico (Mr. Montoya), I ask unanimous consent that, at its next printing, the names of the Senator from Nevada (Mr. Bible), the Senator from Connecticut (Mr. Dodd), the Senator from Missouri (Mr. Eagleton), the Senator from New York (Mr. Goodell), the Senator from Hawaii (Mr. Inouye), the Senator from Oregon (Mr. Packwood), and the Senator from West Virginia (Mr. Randolph) be added as cosponsors of the bill (S. 740) to permanently establish the Interagency Committee on Mexican-American Affairs.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 1761

Mr. PEARSON. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Nebraska (Mr. Hruska) be added as a cosponsor of the bill (S. 1761) designating the Interstate Highway System of the United States as the Eisenhower Interstate System.

The PRESIDENT pro tempore. Without objection, it is so ordered.

S. 1872

Mr. BYRD of West Virginia. Mr. President, at the request of the distinguished Senator from Hawaii (Mr. Inouye), I ask unanimous consent that, at its next printing, the name of the Senator from Oregon (Mr. Hatfield) be added as a cosponsor of the bill (S.1872) to repeal the Emergency Detention Act of 1950 (title II of the Internal Security Act of 1950).

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2264

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Alaska (Mr. Gravel) be added as an additional cosponsor of the bill (S. 2264) to amend the Public Health Service Act to provide authorization for grants for communicable disease control.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2276

Mr. BYRD of West Virginia. Mr. President, at the request of my distinguished senior colleague from West Virginia, (Mr. Randolph), I ask unanimous consent that, at its next printing, the names of the Senator from Maine (Mr. Muskie), the Senator from Kentucky (Mr. Cooper), and the Senator from Tennessee (Mr. Baker), he added as cosponsors of the bill (S. 2276) to extend for 1 year the authorization for research relating to fuels and vehicles under the provisions of the Clean Air Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2315

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at its next printing, the name of the senior Senator from New Mexico (Mr. Anderson), be added as a cosponsor of the bill (S. 2315) to restore the Golden Eagle program to the Land and Water Conservation Fund Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2452

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Alaska (Mr. Stevens) be added as a cosponsor of S. 2452, providing retirement benefits for commissioned officers of the Public Health Service.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2457

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Indiana (Mr. Bayh) be added as a cosponsor of the bill (S. 2457), the National Kidney Disease Act of 1969.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2518

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Indiana (Mr. Hartke), I ask unanimous consent that, at its next printing, the names of the Senator from Kentucky

(Mr. Cooper), and the Senator from Maine (Mr. Muskie) be added as cosponsors of the bill (S. 2518) to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder.

The PRESIDING OFFICER. Without objection, it is so ordered.

S.J. RES. 120

Mr. MOSS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from North Dakota (Mr. Burdick) be added as a cosponsor of the joint resolution (S. J. Res. 120) providing for the preparation and submission to the Congress of a master ground transportation plan for the United States.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF STAR PRINT OF BILL

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from New Jersey (Mr. Case), I ask unanimous consent that the following Senators be listed as cosponsors of the star print of the bill (S. 1993) to promote public confidence in the integrity of the branches of the Government, which was requested by him on June 30 and which appears on page 17745 of the Congressional Record: Mr. Case, Mr. Hart, Mr. Bellmon, Mr. Church, Mr. Cook, Mr. Goodell, Mr. Harris, Mr. Hatfield, Mr. Javits, Mr. Kennedy, Mr. Mansfield, Mr. Mathias, Mr. Mondale, Mr. Moss, Mr. Muskie, Mr. Percy, Mr. Proxmire, Mr. Scott, Mr. Spong, and Mr. Tydings.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, July 2, 1969, he presented to the President of the United States the following enrolled bills:

S. 1010. An act for the relief of Mrs. Aili Kallio; and

S. 1011. An act to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes.

NOTICES OF MOTIONS TO SUSPEND THE RULE—AMENDMENTS TO DEPARTMENT OF AGRICULTURE APPROPIATION BILL, 1970

AMENDMENT NO. 61

Mr. JAVITS submitted the following notice in writing:

In accordance with the rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraphs 1 and 4 of rule XVI for the purpose of proposing to the bill (H.R. 11612), an Act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1970, and for other purposes the following amendment; namely: On page 19, line 12 delete "$84,000,000" and insert in lieu thereof the following: "$104,000,000, *Provided,* That $20,000,000 shall be available for milk for needy children in nonprofit high schools and schools of lower levels, child-care centers, summer camps, and similar nonprofit institutions devoted to the care and training of children."

Mr. JAVITS also submitted an amendment (No. 61), intended to be proposed by him, to House bill 11612, making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1970, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

AMENDMENT NO. 62

Mr. JAVITS (for himself, Mr. Brooke, and Mr. Hart) submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 1 of rule XVI for the purpose of proposing to the bill (H.R. 11612), an act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1970, and for other purposes; the following amendment, namely: on page 20, line 2 delete "$100,000,000" and insert in lieu thereof the following: "$120,000,000."

Mr. JAVITS (for himself, Mr. Brooke, and Mr. Hart) also submitted an amendment, intended to be proposed by him, to House bill 11612, supra, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1970—AMENDMENT

AMENDMENT NO. 63

Mr. JAVITS (for himself, Mr. Brooke, Mr. Hart, and Mr. Kennedy) submitted an amendment, intended to be proposed by them, jointly, to the bill (H.R. 11612) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1970, and for other purposes, which was ordered to lie on the table and to be printed.

NOTICE OF HEARINGS BEFORE SPECIAL SUBCOMMITTEE ON EVALUATION AND PLANNING OF SOCIAL PROGRAMS

Mr. MONDALE. Mr. President, as chairman of the Special Subcommittee on the Evaluation and Planning of Social Programs, of the Committee on Labor and Public Welfare, I wish to give notice that public hearings have been scheduled for Monday and Tuesday, July 7 and 8, at 10 a.m. in room 4202 of the New Senate Office Building. An additional hearing will be held in room 4232 at 1:30 p.m. on Thursday, July 10.

Consideration will be given during these sessions to the recent report of the HEW Social Indicators Panel entitled "Toward a Social Report." The subcommittee will also receive testimony on S. 5, the proposed Full Opportunity Act.

The subcommittee consists of the Senator from Wisconsin (Mr. Nelson), the Senator from California (Mr. Cranston), the Senator from Missouri (Mr. Eagleton), the Senator from New York (Mr. Javits), the Senator from Vermont (Mr. Prouty), and the Senator from Pennsylvania (Mr. Schweiker).

NOTICE OF HEARINGS

Mr. KENNEDY. Mr. President, on June 16, 1969, Senator Sparkman, chairman of the Subcommittee on Housing and Urban Affairs, announced that the subcommittee would begin hearings on July 15 on 1969 housing, urban development and mass transportation legislation. He announced at that time that he would submit at a later date a list of the bills pending before the subcommittee upon which the hearings would be held.

In Senator Sparkman's absence, I should like to announce the list of bills as follows:

S. 201, S. 415, S. 527, S. 669, S. 676, S. 1032, S. 1048, S. 1474, S. 2207, S. 2368 and S. 2440.

The hearings will commence on July 15 and run through July 25, 1969. They will be held in room 5302, New Senate Office Building, and will begin at 10 a.m., each day.

Should additional bills be introduced prior to July 15, they will also be made a part of the subcommittee hearings.

ACQUISITION OF AIR CARRIERS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 173, S. 1373.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 1373) to amend the Federal Aviation Act of 1958.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment to strike out all after the enacting clause and insert:

(1) Section 407(b) is amended by adding the following additional sentence: "Any person owning, beneficially or as trustee, more than 5 per centum of any class of the capital stock or capital, as the case may be, of an air carrier shall submit annually, and at such other times as the Board may require, a description of the shares of stock or other interest owned by such person, and the amount thereof."

(2) Section 408 is amended by striking subsection 408(a)(5) in its entirety, and inserting in lieu thereof the following:

"(5) For any air carrier or person controlling an air carrier, any other common carrier, any person engaged in any other phase of aeronautics, or any other person to acquire control of any air carrier in any manner whatsoever: *Provided,* That the Board may by order exempt any acquisition from this requirement to the extent and for such periods as may be in the public interest;"

(3) Section 408(b) is amended by striking the period at the end thereof and adding a colon and by adding the following: "*Provided, further,* That in any case in which an order of approval is required hereunder only by reason of the requirements of section 408(a)(5), the Board may enter such order pursuant to such procedures as it by regulation may prescribe."

(4) Section 408 is further amended by adding the following new subsection 408(f):

"For the purposes of this section any person owning beneficially 10 per centum or more of any class of the capital stock or capital of an air carrier shall be presumed

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to be in control of such air carrier unless the Board finds otherwise."

SEC. 2. The amendments made by this Act shall be effective as of March 7, 1969: *Provided, however,* That no criminal penalties shall be applicable to any person who acquired control of an air carrier between March 7, 1969, and the actual date of enactment of these amendments.

Mr. BYRD of West Virginia, Mr. President, on behalf of the distinguished and very able senior Senator from Washington (Mr. MAGNUSON), I have called this bill up before the Senate today, and on his behalf I wish to make the following statement with reference to two amendments to be offered.

The first amendment is merely technical in nature and would insert after the enacting clause the following:

That the Federal Aviation Act of 1958, as amended, be further amended as follows:

Thus, the first amendment is nonsubstantive in nature and merely supplies a description of the appropriate act being amended by the bill.

The purpose of the second amendment is to clarify that the provision of the bill creating a presumption of control applies only to ownership of voting stock having 10 percent of the total vote. Under the proposed amendment, the presumption of control would not apply to owners of 10 percent of the aggregate number of shares having some type of voting power if the shares owned do not carry 10 percent of the vote. Conversely, the presumption would apply to ownership of less than 10 percent of the aggregate number of voting shares if the shares owned carried 10 percent or more of the vote. This clarifying language is entirely consistent with the purposes of S. 1373 and the specific language of the amendment has been worked out with the Securities and Exchange Commission, the Civil Aeronautics Board, and the concerned industry.

I ask unanimous consent to insert in the RECORD at this point a letter from the Chairman of the Civil Aeronautics Board dated June 27, 1969 addressed to the chairman of the Senate Commerce Committee (Mr. MAGNUSON), commenting upon the second proposed amendment, and a letter dated June 6, 1969, from the Chairman of the Securities and Exchange Commission, also addressed to the chairman of the Senate Commerce Committee (Mr. MAGNUSON) and also relating to the language of the second proposed amendment.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

CIVIL AERONAUTICS BOARD,
Washington, D.C., June 27, 1969.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce
U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: Your staff has requested the Board's views on the Securities and Exchange Commission's suggested revision of a proposed amendment of S. 1373 as reported. The amendment in question, on which the Board commented by letter dated June 10, proposes to modify S. 1373 by limiting the presumption of control (Section 4) to cases involving 10 percent of "the aggregate of all classes of the voting stock of an air carrier or capital of an air carrier * * *." The Securities and Exchange Commission proposes substitute language for the purpose of eliminating an ambiguity and deleting the phrase "or capital."

The Board has no objection to the substitute language proposed by the Securities and Exchange Commission, except for the deletion of the term "or capital." The primary purpose of the suggested language is to clarify that the presumption of control applies only to ownership of voting stock having 10 percent of the total vote. It does not apply to ownership of 10 percent of the aggregate number of shares having some type of voting power, if the shares owned do not carry 10 percent of the vote. Conversely, the presumption applies to ownership of less than 10 percent of the aggregate number of voting shares if the shares owned carry 10 percent or more of the vote. This clarification appears in keeping with the purpose of the proposed amendment of S. 1373, to which the Board had no objection.

The Board, however, suggests that the Securities and Exchange Commission's proposed language be modified to read: "* * * any person owning beneficially 10 per centum or more of the voting securities *or capital, as the case may be,* of an air carrier shall be presumed to be in control of such air carrier unless the Board finds otherwise. * * *"

The phrase "or capital" appears in Section 407 of the Act, S. 1373 as reported, and the proposed amendment of S. 1373. The purpose of the phrase is to cover ownership interests in air carriers which are not organized as corporations and which do not have stock, voting or otherwise. Not only does the Act define "air carrier" to include "an individual" or "a partnership," as well as a corporation [§101(3) and (13)], but many air carriers such as air taxi operators and air freight forwarders actually operate as single proprietorships or partnerships. While the Board's regulations exempt air taxi operators and air freight forwarders from Section 408 for the most part, they do not exempt other persons acquiring such carriers from the need to comply with Section 408. To eliminate the "or capital" provision would thus cause an undesirable gap in S. 1373's coverage.

The Securities and Exchange Commission is of the opinion that the significance of the words "or capital," as used in the proposed amendment, is unclear. In suggesting that the reference be to "voting securities "or capital, as the case may be," the Board notes that the quoted language is now used in Section 407. In any event, the legislative history can clarify the significance of the phraseology.

The Board appreciates the opportunity to submit its comments.

Sincerely,

JOHN H. CROOKER, Jr.,
Chairman.

SECURITIES AND EXCHANGE
COMMISSION,
Washington, D.C.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your letter of May 28 regarding S. 1373. As indicated in the Committee Report, the purpose of the bill is to assure that no one will acquire control of an air carrier without prior approval of the Civil Aeronautics Board unless the Board grants an exemption.

As you point out, to accomplish this purpose without unnecessary obstruction of airline financing, or undue complications in the statute, presents some difficulties because of the variety of ways in which control of a company may be obtained and the great variety of capital structures which air carriers may have.

Similar problems confronted the draftsmen of the Public Utility Holding Company Act of 1935 and the Investment Company Act of 1940. It both statutes the concept of "control" is important. In some instances, the question of whether or not a company has to register under the statute and become subject to regulation thereunder, depends upon the presence or absence of control relationships between it and other companies. Both the Holding Company Act and the Investment Company Act deal with the problem of defining "control" in a manner rather similar to that chosen in S. 1373. They refer to "control" as meaning control in fact, in a manner similar to Section 408(a)(5) of the Federal Aviation Act as proposed to be amended by Section 2 of S. 1373, and then they create a presumption that a person owning a specified percentage of the voting securities of a company is in control unless the Commission determines otherwise. For the sake of clarity, both of these Acts also define the term "voting security." The definition contained in Section 2(a)(40) of the Investment Company Act of 1940 reads in pertinent part as follows:

"(40) 'Voting security' means any security presently entitling the owner or holder thereof to vote for the election of directors of a company. A specified percentage of the outstanding voting securities of a company means such amount of its outstanding voting securities as entitles the holder or holders thereof to cast said specified percentage of the aggregate votes which the holders of all the outstanding voting securities of such company are entitled to cast. . . ."

Section 2(a)(17) of the Public Utility Holding Company Act of 1935 is similar. In general, our experience with this approach has been satisfactory.

It is true, as you point out, that control of a company can be acquired in other ways than through the ownership of voting securities. Indeed, it can be acquired without the ownership of any securities, as for example, by a management or other contract. It remains true, however, that the usual method of acquiring control of a company is to acquire a controlling block of voting securities and to utilize the voting power so obtained to take over control of the board of directors and the management. We believe, therefore, that for the purposes of a presumption based on the ownership of securities, such as that proposed to be provided in new subsection (f) of Section 408, as added by Section 4 of S. 1373, reference to voting securities, as in done in the corresponding presumptive provisions of the Holding Company Act and the Investment Company Act, would be satisfactory. It would, for example, be somewhat unreasonable to presume the existence of control because of the ownership of 10 per cent of a small class of nonvoting preferred stock which might be an insignificant part of the total capitalization of the air carrier and carry little or no influence in its management and, as the aviation industry has apparently represented to you, this might interfere with airline financing without corresponding protection against a change in control. In the relatively unusual situation where control may be acquired otherwise than through the ownership of voting securities, the general prohibition to be contained in amended Section 408(a)(5) would appear to meet the problem. The purpose of the presumption is to provide certainty in the relatively common situation where a person makes a relatively significant investment in securities of a carrier and needs to know whether or not this may place him in violation of amended Section 408(a)(5) of the Federal Aviation Act of 1958. Thus, we see some merit in the suggested amendment to S. 1373 which you enclosed.

On the other hand, that amendment, as it stands, is somewhat ambiguous. It is not clear whether "owning beneficially 10 percentum or more of the aggregate of all classes of the voting stock of an air carrier" means ownership of stock having 10 per cent of the vote, or ownership of 10 per cent of stock having some type of voting power, whether or not this ownership carries 10 per cent of the vote. For example, if a carrier has outstanding a thousand shares of common stock having one vote per share and a thousand shares of preferred stock having ten votes per share, it would not be clear whether ownership of a hundred shares of each class would create the statutory presumption or whether the presumption would arise only from ownership of shares having, in the aggregate, eleven hundred votes. The significance of the words "or capital" in the proposed amendment is also unclear. The term "capital," when used with respect to corporations, apparently means, in some instances, all of the outstanding capital stock, whether or not voting, while in other contexts it is said to refer to the assets or property of the corporation.

I attach hereto a copy of a proposed revision of Paragraph (4) of S. 1373 which might be used in case your Committee should conclude to follow the general pattern found in the Public Utility Holding Company Act of 1935 and the Investment Company Act of 1940.

I hope that the foregoing will be of some assistance and if we can provide any further help, please let us know.

Sincerely,

HAMER H. BUDGE,
Chairman.

AMENDMENT TO S. 1373

At page 3, line 18, strike all of paragraph 4 and in lieu thereof insert the following:

"(4) Section 408 is further amended by adding the following new subsection 408(f):

" 'For the purposes of this section, any person owning beneficially 10 per centum or more of the voting securities or capital, as the case may be, of an air carrier shall be presumed to be in control of such air carrier unless the Board finds otherwise. As used herein, beneficial ownership of 10 per centum of the voting securities of a carrier means ownership of such amount of its outstanding voting securities as entitles the holder thereof to cast 10 per centum of the aggregate votes which the holders of all the outstanding voting securities of such carrier are entitled to cast.' "

Mr. BYRD of West Virginia. Mr. President, in behalf of the Senator from Washington (Mr. MAGNUSON), I send to the desk two amendments to the committee amendment, and ask unanimous consent that they be considered en bloc.

The PRESIDING OFFICER. The amendments will be stated.

The legislative clerk read as follows:

That the Federal Aviation Act of 1958, as amended, be further amended as follows:

(1) Section 407(b) is amended by adding the following additional sentence: "Any person owning, beneficially or as trustee, more than 5 per centum of any class of the capital stock or capital, as the case may be, of an air carrier shall submit annually, and at such other times as the Board may require, a description of the shares of stock or other interest owned by such person, and the amount thereof."

(2) Section 408 is amended by striking subsection 408(a)(5) in its entirety, and inserting in lieu thereof the following:

"(5) For any air carrier or person controlling an air carrier, any other common carrier, any person engaged in any other phase of aeronautics, or any other person to acquire control of any air carrier in any manner whatsoever: *Provided*, That the Board may by order exempt any acquisition from this requirement to the extent and for such periods as may be in the public interest;"

(3) Section 408(b) is amended by striking the period at the end thereof and adding a colon and by adding the following: '*Provided, further*, That in any case in which an order of approval is required hereunder only by reason of the requirments of section 408(a)(5), the Board may enter such order pursuant to such procedures as it by regulation may prescribe."

On page 3, line 18, strike all of paragraph (4) and in lieu thereof insert the following:

"(4) Section 408 is further amended by adding the following new subsection 408(f):

" 'For the purposes of this section, any person owning beneficially 10 per centum or more of the voting securities or capital, as the case may be, of an air carrier shall be presumed to be in control of such air carrier unless the Board finds otherwise. As used herein, beneficial ownership of 10 per centum of the voting securities of a carrier means ownership of such amount of its outstanding voting securities as entitles the holder thereof to cast 10 per centum of the aggregate votes which the holders of all the outstanding voting securities of such carrier are entitled to cast.' "

The PRESIDING OFFICER. Without objection, the amendments to the committee amendment are considered and agreed to en bloc.

The question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 1373) was passed, as follows:

S. 1373

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Aviation Act of 1958, as amended, be further amended as follows:

(1) Section 407(b) is amended by adding the following additional sentence: "Any person owning, beneficially or as trustee, more than 5 per centum of any class of the capital stock or capital, as the case may be, of an air carrier shall submit annually, and at such other times as the Board may require, a description of the shares of stock or other interest owned by such person, and the amount thereof."

(2) Section 408 is amended by striking subsection 408(a)(5) in its entirety, and inserting in lieu thereof the following:

"(5) For any air carrier or person controlling an air carrier, any other common carrier, any person engaged in any other phase of aeronautics, or any other person to acquire control of any air carrier in any manner whatsoever: *Provided*, That the Board may by order exempt any acquisition from this requirement to the extent and for such periods as may be in the public interest;".

(3) Section 408(b) is amended by striking the period at the end thereof and adding a colon and by adding the following: "*Provided, further*, That in any case in which an order of approval is required hereunder only by reason of the requirements of section 408(a)(5), the Board may enter such order pursuant to such procedures as it by regulation may prescribe."

(4) Section 408 is further amended by adding the following new subsection 408(f):

"For the purposes of this section, any person owning beneficially 10 per centum or more of the voting securities or capital, as the case may be, of an air carrier shall be presumed to be in control of such air carrier unless the Board finds otherwise. As used herein, beneficial ownership of 10 per centum of the voting securities of a carrier means ownership of such amount of its outstanding voting securities as entitles the holder thereof to cast 10 per centum of the aggregate votes which the holders of all the outstanding voting securities of such carrier are entitled to cast."

SEC. 2. The amendments made by this Act shall be effective as of March 7, 1969: *Provided, however*, That no criminal penalties shall be applicable to any person who acquired control of an air carrier between March 7, 1969, and the actual date of enactment of these amendments.

The title was amended, so as to read: "A bill to amend the Federal Aviation Act of 1958, as amended, and for other purposes."

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–185), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

THE AMENDMENT

On the basis of the hearing record, departmental reports, and other communications received for the record, the committee concluded that certain changes and additions would clarify the intent of the bill and better serve the legislative objective of obtaining review of any acquisition of an air carrier by the Civil Aeronautics Board when the public interest so requires. Accordingly, the committee ordered the bill reported with an amendment in the nature of a substitute text.

The amendments are as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

(1) Section 407(b) is amended by adding the following additional sentence: "Any person owning, beneficiary or as trustee, more than 5 per centum of any class of the capital stock or capital, as the case may be, of an air carrier shall submit annually, and at such other times as the Board may require, a description of the shares of stock or other interest owned by such person, and the amount thereof."

(2) Section 408 is amended by striking subsection 408(a)(5) in its entirety, and inserting in lieu thereof the following:

"(5) For any air carrier or person controlling an air carrier, any other common carrier, any person engaged in any other phase of aeronautics, or any other person to acquire control of any air carrier in any manner whatsoever: *Provided*, That the Board may by order exempt any acquisition from this requirement to the extent and for such periods as may be in the public interest;".

(3) Section 408(b) is amended by striking the period at the end thereof and adding a colon and by adding the following: "*Provided, further*, That in any case in which an order of approval is required hereunder only by reason of the requirements of section 408(a)(5), the Board may enter such order pursuant to such procedures as it by regulation may prescribe."

(4) Section 408 is further amended by adding the following new subsection 408(f):

"(f) For the purposes of this section any person owning beneficially 10 per centum or more of any class of the capital stock or capital or an air carrier shall be presumed to be in control of such air carrier unless the Board finds otherwise."

SEC. 2. The amendments made by this Act shall be effective as of March 7, 1969: *Provided, however,* That no criminal penalties shall be applicable to any person who acquired control of an air carrier between March 7, 1969, and the actual date of enactment of these amendments.

The committee has also amended the title so as to read:

A bill to amend the Federal Aviation Act of 1958, as amended, and for other purposes.

PURPOSE OF THE BILL

The purpose of this bill is to assure that no person shall acquire control of an air carrier without first obtaining the approval of the Civil Aeronautics Board unless such acquisition has been exempted by the Board from that requirement as consistent with the public interest.

PROVISIONS OF THE BILL

Paragraph (1) of the bill would amend section 407(b) of the Federal Aviation Act of 1958, as amended, to provide that any person owning beneficially or as trustee more than 5 percent of any class of the capital stock or capital of an air carrier must submit annually, and at such other times as the Civil Aeronautics Board may require, a description of the shares of stock or other interest owned and the amount thereof. Existing law requires the air carrier to report the interest of any recordholder of more than 5 percent of the capital stock or capital of the carrier. This amendment is intended to provide a better basis for determining actual ownership of controlling interests in air carriers.

Paragraph (2) of the bill amends section 408(a)(5) of the Federal Aviation Act of 1958, as amended, by adding "any person" to those who must obtain Civil Aeronautics Board approval to acquire control of an air carrier in any manner whatsoever, but provides that the Board may by order exempt any acquisition from the prior approval requirement to the extent and for such periods as may be in the public interest. The committee feels that it may prove to be inappropriate to require section 408 proceedings as a uniform prerequisite to acquisition of a controlling interest in any class or type of air carrier, and this legislation should not be utilized to unreasonably inhibit the financial security and growth of the smaller carriers. Accordingly, the committee has provided the Board with permissive authority to exempt from the prior approval requirement air taxis, air freight forwarders, smaller supplemental carriers, or any other air carrier if such exemption will be consistent with the objectives of the Federal Aviation Act, this legislation, and the public interest.

Paragraph (3) of the bill would amend section 408(b) of the Federal Aviation Act of 1958, as amended, to provide that in any case in which an order of approval by the Board is required by reason of section 408(a)(5), the Board may enter such order pursuant to such procedures as it by regulation may prescribe. This provision of the bill is intended to provide the Board with a degree of flexibility in the procedures by which approval of acquisitions of control of air carriers may be sought and granted. When this provision is read in conjunction with the prior paragraph it is clear that the Board should not be unreasonably burdened by the requirement that all acquisitions of control be subject to the prior approval of the Board. Under the previous paragraph the Board is empowered to exempt any acquisition from the prior approval requirement if such would be consistent with the public interest and the objectives of this bill. Additionally, this paragraph of the bill would allow the Board to adopt expediting procedures for consideration of acquisitions not so exempted when such procedures would be fair and equitable to all parties of interest.

Paragraph (4) of the bill would add a new subsection (f) to section 408 of the Federal Aviation Act of 1958, as amended, to provide that any person owning beneficially 10 per centum or more of any class of the capital stock or capital of an air carrier shall be presumed to be in control of such air carrier unless the Board should find otherwise. Thus, a legal presumption of control is created by ownership of 10 per centum or more of an air carrier, but that presumption would be rebuttable with the burden of proof in such a case on the party alleging lack of control. Conversely, ownership of less than 10 per centum of an air carrier could not be presumed to be control by the Board, but that presumption could as well be overcome by proof to the contrary, such burden to be borne by the Board.

Section 2 of the bill provides that the effective date of the legislation would be March 7, 1969, the date this measure was introduced in the Senate. However, no criminal penalties could attach for any violation of the provisions of this legislation occurring between March 7, 1969, and the actual date of enactment of the bill.

It is the view of the committee that all persons received notice on March 7, 1969, of the pendency of this proposed legislation and that any acquisition of control occurring on or subsequent to that date should be subject to the provisions of this legislation. However, the committee does not intend for any provision of this legislation to be applied retroactively beyond March 7, 1969. This legislation is not intended to authorize or require review by the Civil Aeronautics Board of any acquisition of control of an air carrier by any person if such acquisition was completed prior to March 7, 1969. The committee is of the opinion that any acquisition of control of an air carrier not presently requiring approval of the Board under section 408 of the Federal Aviation Act, as amended, completed prior to the effective date of this legislation shall not be subject to review and approval by the Board by reason of this legislation. It is the understanding and belief of the committee that the Civil Aeronautics Board concurs in the view that this legislation shall be applied only to acquisitions of control not completed prior to March 7, 1969, as is well indicated by the letter of Chairman Crooker dated March 25, 1969, printed subsequently in this report. The committee does recognize, however, that although Board approval would not be a condition precedent to the continued holding of control acquired prior to March 7, 1969, approval would be necessary in a situation where, prior to that date, a contract had been entered into for acquisition of control of an air carrier but control had not in fact been acquired before March 7, 1969.

BACKGROUND AND NEED FOR LEGISLATION

Existing law required prior Civil Aeronautics Board approval of an acquisition of an air carrier in any manner whatsoever by another air carrier or person controlling an air carrier, any other common carrier, or any person engaged in any other phase of aeronautics. But the state of existing law is such that any noncarrier attempting to acquire an air carrier may do so without the approval of the Civil Aeronautics Board so long as control is sought through acquisition of stock without a technical transfer of the air carrier's certificate. This bill would enlarge the prior approval requirement to include acquisition of an air carrier by any person, and reflects the conviction of the committee that entry into the transportation field by noncarrier interests should be accompanied by appropriate safeguards to protect the interest of the public in our air transportation system.

In considerable measure this proposed legislation is prompted by the widespread effort of many large business entities to diversify their economic interests. This trend toward acqusition of control of many diverse economic interests by single-corporate entities has accelerated markedly in recent months. Many air carriers have now reached a point where they are attractive to large financial enterprises and several acquisitions involving air carriers have been recently proposed or attempted.

Transportation services are provided upon the basis of public convenience and necessity. The regulation of transportation entities by the appropriate governmental agencies attempts to assure safe, efficient, and economical service by a well-balanced and developed transportation system designed to serve the needs of the public. To further such development, we have not only regulated the economic activity of carriers, but have, as well, extended subsidies and other aids to facilitate appropriate development. The interest and investment of the public in our transportation system must be protected.

The development of a sound air transportation system is not only of prime importance to the proper growth of foreign and domestic commerce and the daily movement of persons and goods but is, as well, an essential attribute in times of national emergency. Thus, when the Civil Aeronautics Board initially determines whether to issue a certificate to a given carrier it takes into account the nature and qualifications of the persons controlling it in determining whether the carrier is fit, willing, and able to provide the desired transportation services. These same considerations are taken into account where a technical transfer of the carriers is proposed, which, as previously noted, requires Board approval. Consistent with this protection of the national interest the proposed legislation would provide the Civil Aeronautics Board with the similar opportunity to consider whether a person seeking acquisition of the controlling interest in an air carrier is fit, willing, and able to operate the carrier in accord with the public interest.

The committee wishes to make absolutely clear that by this proposed legislation it does not intend to either diminish or increase in any manner whatsoever the scope of relief from operation of the antitrust laws or other restraints or prohibitions made by, or imposed under, authority of law presently afforded by section 414 of the Federal Aviation Act, as amended. While the committee acknowledges that approval of an acquisition of an air carrier under section 408 of the act results in relief pursuant to section 414, we are as well mindful that such relief is limited and is afforded "* * * insofar as may be necessary to enable such person to do anything authorized, approved, or required by such order."

COST OF LEGISLATION

Enactment of this bill would involve no additional cost to the Government other than possible additional administration expense attributable to reviewing a greater number of proposed acquisitions of control of air carriers.

THE BYRDS OF VIRGINIA

Mr. BYRD of West Virginia. Mr. President, one of my predecessors as U.S. Senator from the State of West Virginia was Charles James Faulkner of Martinsburg, W. Va. He served in the Senate for 12 years, from March 4, 1887, to March 3, 1899.

But it is not Senator Faulkner whom I wish to discuss today. It is his niece who I believe has a unique position in American politics.

She was born Eleanor Bolling Flood in Appomattox County, Va., and was married in 1886 to Richard Evelyn Byrd.

To me, her connection with politics is fascinating.

XUM

Her mother was educated in a Catholic convent in France, while her grandfather was serving as minister to France during the administration of President Buchanan.

Both of her grandfathers served in the Virginia Legislature, as did her father, her husband, her brother, her son, and her grandson.

Mrs. Byrd's husband served as Speaker of the Virginia House of Delegates; her brother, Henry DeLaWarr Flood, served in the Virginia Senate, as did her son, Harry Flood Byrd, and her grandson, HARRY F. BYRD, JR.

In the Congress, her uncle served as U.S. Senator, as previously noted. Her brother, Henry DeLaWarr Flood, later served in the U.S. House of Representatives, and as chairman of the Foreign Affairs Committee in that body. Another brother, Joel West Flood, also served in the U.S. House of Representatives. Her son, Harry Flood Byrd, after serving in the Virginia Senate and as Governor of Virginia, represented Virginia in the U.S. Senate longer than any other Virginian, 32 years. Her grandson, HARRY F. BYRD, JR., after serving several years in the Virginia Senate, is now Virginia's senior U.S. Senator. A close and warm friend of mine, he is serving his great State with honor and distinction, and is performing a great service to his people and to the people of the Nation.

It is with pride that I call attention to the distinguished—truly distinguished—service that has been rendered by this great and distinguished family—the Byrd family of Virginia.

THE WARREN COURT—THE OTHER SIDE OF THE STORY

Mr. BYRD of West Virginia. Mr. President, numerous encomiums dealing with the service of Chief Justice Warren on the U.S. Supreme Court have been delivered following his retirement.

There is, of course, another side to the story. Many Americans, including myself, were not admirers of Mr. Warren.

The activist Court which he headed, in my opinion, by its unsound and unconstitutional excursions into the legislative realm, has caused much of the unrest and unhappiness that currently exists in our country.

Instead of interpreting the statutes and the Constitution as they are written—which should be the Supreme Court's only function—Mr. Warren and his libertarian majority on the Court all too often substituted personal notions of what they thought the Constitution and laws ought to say.

Austin V. Wood, publisher of the Wheeling, W. Va. newspapers, has articulated this criticism of Mr. Warren in a succinct article in the Wheeling News-Register of Sunday, June 29, entitled "Warren the 'Great Destroyer.'"

Mr. Wood points out that the Warren Court is the only U.S. Supreme Court in our history to be publicly and formally criticized by the American Bar Association and the Conference of State Chief Justices. Mr. Wood himself is a lawyer.

Mr. Wood begins his article in this way:

> Chief Justice Warren retired last week. Contrary to all precedents, President Nixon showed up at the last session to deliver a ten minute encomium of the Chief Justice. Said Mr. Nixon, "He has helped keep America on the continuity and change so essential for our progress . . . The nation owes a debt of gratitude to the Chief Justice for his example."

Mr. Wood goes on to say:

> I could not disagree with the President more violently.

Mr. President, parenthetically, let me say the same for myself.

Continuing to read from the article:

> Far from setting an example leading to progress, Mr. Warren, in my estimation, has been the most destructive high official in our entire history.

Mr. Wood continues:

> Through decisions admittedly based upon social philosophy, rather than upon legal precedence, he literally destroyed the basic legal foundation of our country built up over the years and substituted therefor changing and changeable whims which left us with no foundation upon which to evolve a nation of law and order and property rights. The law of today might well not be the law of tomorrow.
>
> The result has been the complete undermining of the confidence of our people in the Court as the guardian of their rights. The Justices which once were regarded with respect bordering upon reverence are now regarded with fear and contempt.

He goes on to say:

> Getting away from the sweeping policies of Mr. Warren's administration and viewing the obvious results, can there be any doubt that thousands of dangerous criminals are today walking our streets and terrorizing our people as the result of Mr. Warren's radical conception of the Constitutional protections due individuals? Can there be any doubt that Mr. Warren's social conceptions enacted, yes, enacted, into law by our Supreme Court have stimulated campus uprisings and ghetto riots we are witnessing? Can there be any doubt that Mr. Warren more than any other man is responsible for the deterioration of our three-division system of government resulting in overwhelming power in the Executive branch—

And, may I add, in the judicial branch—

> and the almost abdication of responsibility by our Congress? Is this not the man who more than anyone else has cast doubt upon our religious conceptions by forbidding prayer in our schools and contributed to our moral deterioration through permitting the dissemination of pornographic materials?
>
> The nation owes a "debt of gratitude" to this man? Not in my book—

And, Mr. President, I say, "Nor in my book."

And I hope not really in President Nixon's book.

I say the same, Mr. President—

> Nixon, during his campaign, said time after time he wanted Supreme Court Justices who would interpret rather than legislate. Chief Justice Burger appears to be that sort of man. Let us hope that Mr. Nixon's future appointments will be equally promising.

Mr. President, the article expresses my viewpoint succinctly and precisely with regard to Mr. Warren. The stability of the Nation, the dependability of legal precedent, the maintenance of law and good order, and, indeed, the respect for the Court itself have never at any previous time in our country's history been so grievously damaged as they have been during Mr. Warren's tenure and, ironically, by the destructive decisions in which he often spoke for the majority, albeit frequently a majority of one. The minority on the Court was moved many times to scathingly denounce and bitterly dissent from the decisions reached by Mr. Warren and his activist majority.

Mr. Warren will be proclaimed by some as a great Chief Justice, Mr. President, but in the judgment of many Americans, including myself, constitutional government and American constitutional liberty have never suffered so greatly as they have from his hand.

In the belief that a balanced picture of Mr. Warren's tenure on the Court should be presented, I ask unanimous consent that the commentary by Mr. Austin Wood be printed in the RECORD.

There being no objection the article was ordered to be printed in the RECORD as follows:

[From the Wheeling News-Register, June 29, 1969]

WARREN THE "GREAT DESTROYER"

(Commentary by Austin V. Wood)

Chief Justice Warren retired last week. Contrary to all precedents, President Nixon showed up at the last session to deliver a ten minute encomium of the Chief Justice. Said Mr. Nixon, "He has helped keep America on the continuity and change so essential for our progress . . . The nation owes a debt of gratitude to the Chief Justice for his example."

I could not disagree with the President more violently. Far from setting an example leading to progress, Mr. Warren, in my estimation, has been the most destructive high official in our entire history. His appointment and the political maneuvering which led to it was the most reckless, irresponsible political chicanery ever imposed upon the American people. You will remember that it grew out of the 1952 Republican convention and was the price paid for the support of the California delegation for the Eisenhower-Nixon ticket. Here was the most important office in our government. Probably even more important than the Presidency in view of the fact that the appointment is for life and the Supreme Court was designed to be the ultimate protection of our people against impositions by the Executive or Legislative branch. That Mr. Warren was completely unsuited for the position was obvious. Upon graduating from law school, he had practiced for only three years and then had become and remained a professional politician. It is fair to say that Mr. Eisenhower had little to do with the maneuver. It was handled largely by Cabot Lodge who later became Mr. Nixon's running mate in his unsuccessful candidacy for the Presidency and now is our chief negotiator in Paris.

Mr. Warren's performance on the bench was what might well have been anticipated. He had no conception of the Constitutional functioning of the Supreme Court and having been an extreme liberal in California soon converted that body to a legislative organ for the righting of what he conceived to be the wrongs which inflicted our nation. Through decisions admittedly based upon social philosophy, rather than upon legal precedence, he literally destroyed the basic legal foundation of our country built up over the years and substituted therefor changing and changeable whims which left us with no foundation upon which to evolve a nation of law and order and property rights. The law of today might well not be the law of tomorrow.

The result has been the complete undermining of the confidence of our people in the Court as the guardian of their rights. The Justices which once were regarded with respect bordering upon reverence are now regarded with fear and contempt. And lest this be regarded as one man's opinion, let it be remembered that Mr. Warren's Court, as it came to be known, is the only Supreme Court in all our history to be publicly and formally criticized by the American Bar Association and the Conference of State Chief Justices.

Getting away from the sweeping policies of Mr. Warren's administration and viewing the obvious results, can there be any doubt that thousands of dangerous criminals are today walking our streets and terrorizing our people as the result of Mr. Warren's radical conception of the Constitutional protections due individuals? Can there be any doubt that Mr. Warren's social conceptions enacted, yes enacted, into law by our Supreme Court have stimulated the campus uprisings and ghetto riots we are witnessing? Can there be any doubt that Mr. Warren more than any other man is responsible for the deterioration of our three-division system of government resulting in overwhelming power in the Executive branch and the almost complete abdication of responsibility by our Congress? Is this not the man who more than anyone else has cast doubt upon our religious conceptions by forbidding prayer in our schools and contributed to our moral deterioration through permitting the dissemination of pornographic materials?

The nation owes a "debt of gratitude" to this man? Not in my book. And I hope not really, in President Nixon's book. Mr. Nixon, during his campaign, said time after time he wanted Supreme Court Justices who would interpret rather than legislate. Chief Justice Burger appears to be that sort of man. Let us hope that Mr. Nixon's future appointments will be equally promising.

THE ABUSE OF LIBERTY

Mr. BYRD of West Virginia. Mr. President, when we think of the Fourth of July, we realize that a single word holds the essence of its meaning—the word "liberty."

In America today we are witnessing a perversion of liberty in many areas of our national life. It is not too much to say, I believe, that the future of freedom in our Nation is threatened by the militants' gross distortion of freedom.

The near-treasonable denunciation of our Government, the radicals' plans to infiltrate and hamstring our economic system, the unholy invasion of our churches, the destructive disorder on our college and university campuses are examples of the perversion of liberty to which I refer.

All of these things have been committed under the guise of free speech and assembly and the rights enjoyed by a free people under our Constitution. They have been possible, and they have been tolerated, because of the guarantees of liberty in our fundamental law. Unless checked, they will become the greatest threat to the continuation of our liberty.

Many years ago when our republic was young, Mr. President, James Madison, the fourth President of the United States, recognized the kind of danger the Nation faces today when he said:

> Liberty may be endangered by the abuse of liberty as well as by the abuse of power.

That truth needs to be understood by all Americans in this age, and most especially by those who would refrain from the proper use of power, or who have counseled restraint and leniency in dealing with disorder and unlawful activities, wherever they may occur.

Madison knew a century and a half ago, as of course any reader of history knows, that the misuse of power can lead to tyranny. But it is equally true that the misuse of liberty and the nonuse of legitimate authority and power can lead to chaos and anarchy. Freedom can be stifled as effectively by one means as by the other. That is the great lesson that history should teach us as we approach this Fourth of July.

The recent elections in which law and order and domestic tranquillity were once again revealed as predominant national issues should tell us a great deal. They made it very clear that the average citizen is deeply concerned about the abuse of liberty that has become so prevalent in America and the lack of action by government or other proper authority to counteract it.

The vast majority of our people, I believe, are dismayed at the widespread effort of militants to undermine and overthrow our form of government. They are angered by the moves of DRUM and the SDS to disrupt industrial plants. They are outraged by the radicals' desecration of worship services. And they are thoroughly and completely fed up with civil disorder of all kinds, whether in the inner city, the suburbs, in the streets, or on the college campus.

Treasonable talk is an abuse of liberty. So-called "work-in" plans that aim at subversion and disruption of business and industry are an abuse of liberty. Disruption of religious worship is an abuse of liberty. Seizure of college buildings and the willful disruption of education activities is an abuse of liberty.

Abraham Lincoln said:

> There is no grievance that is a fit object of redress by mob action.

He also said:

> It is safe to assert that no government proper ever had a provision in its organic law for its own termination.

Our Declaration of Independence and our Constitution are not charters for self-destruction. Permissiveness will not preserve freedom. Indecisiveness by legally constituted authority is the enemy of independence.

This Fourth of July should be a time for the American people, and for all in positions of authority, to rededicate themselves to the concepts and practices of a lawful and orderly society.

Our Nation has the right, Mr. President, and the duty to protect itself, by whatever lawful means are necessary, against those who would destroy it. And a first duty of government is to enforce the law and maintain order.

Continued appeasement of those who abuse liberty can only lead to the destruction of liberty for all.

FEDERAL VACCINATION CAMPAIGN TO ERADICATE GERMAN MEASLES

Mr. KENNEDY. Mr. President, yesterday, the Wall Street Journal carried an important and informative article on the Federal Government's campaign to eradicate German measles, or rubella as it is technically known. The need for intensive new efforts to immunize our population against the severe consequences of this disease was clearly brought out this week in the course of Senator Yarborough's hearings before the Health Subcommittee on proposals to extend the Federal Vaccination Assistance Act, and I welcome the current campaign as an indication of our commitment to firm action.

As numerous medical experts have repeatedly warned in recent months, the United States faces the prospect of another grave epidemic of German measles in 1970 or 1971, and we must take action now if our immunization programs are to be effective in preventing the ravages that will otherwise ensue from the disease. As the report in the Wall Street Journal states, in the epidemic of 1964–65, 20,000 children were born with birth defects and over 6,000 stillbirths were caused by the disease.

Today in the United States, 50 million children and child-bearing women are unprotected against German measles. Unless adequate precautions are taken to eradicate this disease, thousands of additional children will be born blind, deaf, or with severe heart defects or mental retardation because their mothers contracted the disease during pregnancy.

Mr. President, because of the importance of the issues involved in promoting an effective vaccination campaign against German measles, I ask unanimous consent that the article to which I have referred be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Vaccination Attack Against German Measles Aimed at Eradicating Disease in 5 Years

(By Jonathan Spivak)

Washington.—A major Federal campaign to eliminate German measles, a leading cause of birth defects, will soon be set in motion.

Though starting slowly, the effort is designed to eradicate the disease within five years and to prevent a repetition of the 1964–65 German measles epidemic, when 20,000 infants suffered birth defects. After birth, children commonly contract the disease without harm, but when transmitted to a woman early in pregnancy it causes severe damage to the developing embryo.

With special Federal grants from the Health, Education, and Welfare Department's Communicable Disease Center in Atlanta, vaccination programs will begin this fall in most states and major cities, including Chicago, New York and Philadelphia, officials say. Some states, such as Massachusetts, already have appropriated their own funds to begin vaccine purchases and immunization programs.

"We would expect to begin to have an impact certainly next year, and probably, if things go as we expect, a major impact would be made in two years, although it won't finish the job," says Dr. F. Robert Freckleton of the Atlanta center. The Federal goal is eventually to immunize 50 million to 60 million children one year old to about 10 or 11 years old.

AVAILABILITY FACTOR

But health officials plan to proceed cautiously. While the vaccine, currently licensed for sale only by Merck & Co , doesn't pose any known risks to children, much remains to be learned about its use in large-scale campaigns. For one thing "you aren't sure how many kids you need to vaccinate to prevent the prevalence of rubella (German measles)," says Dr. Harry M. Meyer Jr. of the National Institutes of Health, who pioneered in developing the vaccine.

Further, availability of the vaccine may be a limiting factor, at least at the start. "Initial supplies will be small, but there will be no problem as far as shortages by the end of the year," says Dr. Freckleton. "It will then be coming off in sufficient quantities," he notes.

The vaccine, which is made from a weakened form of the live German measles virus, takes about six months to produce. Thus, Merck's output will increase progressively by the end of the year. In addition, Federal experts anticipate that one or two other drug makers—Philips Roxane Laboratories Inc. and Smith Kline & French Laboratories—will be cleared for public marketing this year.

Another problem is money. Federal plans currently call for spending $26 million in the first year, enough to immunize perhaps 20% of the total goal. HEW's strategy will be to concentrate efforts initially in groups of children where the biggest social and medical benefits will result.

Federal guidelines will urge state and city health departments, which actually will run the immunization campaigns, to give first call to low-income children. The poor are usually the least well immunized and often the most difficult to reach with health care programs, say experts at the Communicable Disease Center. It's expected that, in the fall and winter, immunizing efforts will be concentrated on such groups as Head Start preschool children and pupils enrolled in Federally aided Title I elementary school programs, which are limited to poverty areas.

"We are being more restricted in the use of this vaccine than polio," says Dr. Alan Donaldson of HEW's Health Services and Mental Health Administration. "The feeling is that it can be handled through the school systems to reach the target population more effectively."

AIMING AT CHILDREN

There's little scientific dispute over focusing the campaign on children. If the vaccine were given routinely to adults, it might pose the same hazards for expectant mothers as the disease-causing virus; it isn't known if the weakened vaccine virus is still potent enough to cross the placental barrier and damage the unborn fetus. With German measles infections, the greatest period of risk for women is during the first few months of pregnancy, when still birth or a variety of congenital defects, such as sight and hearing loss, often result.

"No one in this country is willing to recommend immunization of young women who could potentially be pregnant," notes Dr. Donaldson. Instead, U.S. experts are assuming a different kind of risk: That protecting children against German measles will reduce the spread of disease rapidly enough to avert serious health hazards to women during the next epidemic.

Experts are uncertain when German measles will peak again. The last epidemic in 1964–1965 was of major proportions, with 12.5 million cases, probably about 10 times the current level. Cyclical increases appear to occur every six to nine years, but many aren't of the magnitude of the last epidemic.

Thus, if all goes well, health authorities will have sufficient time to immunize most youngsters. If so, it's believed, a phenomenon known as "herd immunity" will take effect. Unvaccinated individuals will be protected because the virus will no longer be able to spread easily from one susceptible person to another.

CAUTION FOR PREGNANT WOMEN

But if a sharp increase in German measles occurs in 1970 or 1971 many expectant women may face serious risks. It's estimated that 10% to 20% of women of child-bearing age are susceptible to German measles. The 1964–1965 epidemic resulted in 6,250 still births or other infant deaths, 5,000 therapeutic abortions and 20,000 birth-damaged infants, experts say. The total cost in medical, education and other special services for these handicapped children is estimated at $1 billion.

Thus, a lively private demand for the vaccine is likely to arise for protection of women. These immunization efforts, of course, will require a great deal more medical caution than public campaigns directed at children. Federal health officials and the vaccine makers are worried that oversights might needlessly discredit the vaccine.

The prime precaution is to prevent immunization of pregnant women and to insure that those vaccinated don't become pregnant for several months. Physicians are being advised, for example, to make certain that women practice an effective form of contraception after vaccination.

Even so, some experts are convinced that public misunderstandings will arise if the vaccine is widely used with women. About 2% to 3% of all children are born with congenital defects. Thus, the German measles vaccine may be improperly associated with birth hazards. "The first deformed child born of a woman who received the vaccine will hit the headlines," warns one public health specialist.

Side effects produced by the vaccine in women are another difficulty. A significant proportion of those immunized, particularly older women, experience joint pain or arthritis lasting for several weeks. This reaction doesn't occur among children.

As most women are already immune to German measles from natural exposure, it's considered essential to identify specifically those who are susceptible and need protection. While a highly accurate laboratory test is available, there is a shortage of trained technicians and facilities to perform it.

THE ROLE OF MANPOWER IN THE FUTURE OF COAL

Mr. BYRD of West Virginia. Mr. President, on Monday, June 30, 1969, I delivered the keynote address at the 65th regular meeting of the Rocky Mountain Coal Mining Institute. The annual meeting took place at Estes Park, Colo.

I ask unanimous consent to insert the text of my speech in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD as follows:

THE ROLE OF MANPOWER IN THE FUTURE OF COAL

(By ROBERT C. BYRD, U.S. Senator from West Virginia)

President Shubart, members of the Rocky Mountain Coal Mining Institute, guests, ladies and gentlemen: I want to thank George Judy for his kind introduction, and also to express my appreciation to your program chairman, Oren Bridwell, for inviting me to make the keynote address here today.

Perhaps, I should also include a word of gratitude to those farsighted individuals who initially selected such a delightful location as Estes Park as the permanent site of this meeting. The climate here is a welcome contrast to that of the traditional Washington, D.C., summers.

I am glad to have this opportunity to discuss coal's problems with coal people. As you know, my State of West Virginia is the Nation's leading producer of coal. Consequently, it is a subject that holds real interest for me.

Because you are coal oriented, because coal has been much on the mind of the public of late, I can perform my role as keynoter and enunciate the issues of interest only in serious terms.

The titles of the addresses you have scheduled reflect a forward-looking attitude. You are searching for the latest knowledge available in all sectors of the coal industry. Your speakers have been given the task of bringing you up-to-date by stressing "What's new"—*What's New* in Coal; *What's New* in Production; Our *New* plants and Coal; *What's New* in Safety Regulation; *What's New* with the Manufacturers.

You are looking, of course, for information and ideas that can benefit your individual operations. There certainly is nothing reprehensible in that. In fact, your bosses, the stockholders, would soon set you back on course if you did otherwise. Nevertheless, a glance at some of the topics scheduled in your sessions leads me to believe that you hope to gain from this meeting something beyond more efficient methods and procedures for your own company operations. The emphasis that has been placed on reclamation, safety, research, and dust control indicates a determination to come to grips with problems that are affecting the total image of the coal industry.

This determination gives evidence of an introspective mood that has come over the coal industry in recent years. You are beginning to examine yourselves and your activities with some of the detachment of an outsider. Such a perspective is always good. In your case, it has brought you face to face with some of the most important issues to challenge any industry in this century.

In acknowledging the need to solve the problems these issues pose, however, you must acknowledge the existence of a bigger, more fundamental problem—one that underlies the others. That problem is the shortage of professional manpower.

Today, a rapidly growing, affluent society is demanding products that will provide it with the kind of living it wants. The minerals industry, which, with agriculture, supplies the raw materials and energy for such products, is expanding to meet the challenge—and problems always accompany expansion.

Problems in production, transportation, marketing, and the environment are common, in varying degrees, throughout the minerals sector. They come, are solved, and they go, but the bigger problem—that of obtaining the trained manpower needed to provide both socially and economically acceptable solutions to industry problems—has become a constant companion. In fact, in the coal industry the shortage of professionals is fast becoming critical.

I am not now speaking of production workers, although I am aware of estimates, indicating that, to meet projected demand, the coal industry will need to recruit thousands of such workers in years to come.

My concern, rather, is about the minerals engineers and scientists which that expansion will require. In too many instances, our colleges and universities are graduating decreasing numbers of these professionals at the very time when demand for their services is accelerating. Let us take a quick look at one important example.

In the past 15 years, the number of schools with accredited programs in mining engineering has dwindled from 36 to 17. Twenty years ago nearly 500 mining engineers were graduated each year in this country; ten years ago that number had dropped to 238. This year we are graduating only 110! W. Va. University graduated 3!

Along with mining enigneers, graduates with degrees in such disciplines as chemistry and physics are indispensable to a healthy, progressive coal industry. But coal is competing for such graduates with other mineral industries, and without much success. In turn, the minerals industry as a whole is competing for scientific talent against the glamour fields of aerospace, defense, and nuclear science—again without much success.

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While society calls for an increase in the output of raw materials, the professional manpower needed to accomplish the increase is being attracted instead into the fields that consume this output.

Recent congressional testimony reveals that the professional manpower problem is becoming more and more acute in government mineral agencies, which also need young innovative minds to cope with problems too large and too fundamental to be funded by the private sector. The Bureau of Mines offers a striking example of this manpower shortage. While the Bureau has some of the outstanding scientists and engineers in the Nation, its success in attracting young professionals has been very limited.

As a result, the Bureau of Mines is an aging organization. Bureau officials tell me that out of a staff of several hundred professionals in the Bureau's coal research division at the beginning of 1969; only four persons under 41 years of age held Ph.D degrees. There was just one person under 30 with this degree.

Now, I am not implying that young Ph. D's have a monopoly on brains; however, I submit that they are on closer terms with the latest in academic knowledge. It is to them that we must turn to ask, in the words of your program, "what's new" in the disciplines on which progress in the coal industry depends. Further, I contend that the inquisitiveness and fresh approaches needed for progress are more likely to be found in young minds, unfettered by the frustrations of a long career and unhampered by the barriers imposed on a well-entrenched professional.

What kind of "progress" is threatened by the coal industry's manpower shortage? Three kinds of progress which together constitute the industry's hope for future vitality. Let me discuss them in some detail.

The first kind of progress would consist of expanding the coal industry's capacity to meet electric utility demands—which are certain to grow.

New coal-fired generating units on order in 1967 will, when completed, result in additional demand for almost 157 million tons of coal a year. As for the future, reliable estimates are that the demand for bituminous coal for all purposes could be on the order of 700 million tons a year by 1980, with some 500 million tons of this amount or more being used for the production of electricity.

Your success in this market, however, depends on coal's ability to beat the price of competing fuels. The close relationship between the growth of electric utilities and the growth of the coal industry will continue only as long as this price advantage exists.

How long will it exist, without fresh technological talent to solve the perennial problems of rising costs?

The second kind of progress would be represented by a significant improvement in the industry's ability to deal with problems of health, safety, and the environment. We must recognize these problems, and the threat they pose to the fullest future use of America's coal resources. The industry is beginning to commit itself to a search for solutions, and the Government, I believe, is committed to help it. But neither Government nor industry will get to first base without a transfusion of new professional talent.

Coal mine health and safety problems, for example, cannot be solved in the long run except through research. Legislation may ameliorate the effects of these problems, in the short run, but it cannot solve them. Research is needed to develop radically new mining systems that incorporate more effective provisions for health and safety. Such a research effort, properly conducted, will require the services of many scientists and engineers. Not enough of them are available today.

Likewise, research is the best and ultimate answer to the industry's environmental problems—air and water pollution, and land damage. These problems, like those of health and safety, are intimately related to the current technology of the coal industry. Lasting solutions will come only with dramatic improvements in that technology.

Finally, the third type of progress on which the coal industry's future depends is progress in the conversion of coal to electric power and fluid fuels. In spite of the optimistic predictions for the electric utility market, operators can ill afford to stand pat, tying their future to the steam generating market. This market is noted for flexibility in relation to the fuel it uses. Either economics or customer preference—and by the latter I mean social pressures against pollution and inadequate working conditions as judged by today's standards—could cause this market to turn to other fuels. These factors should encourage a search for greater diversification in markets for coal.

One form this diversification could take would be the development of new ways to convert coal to electricity—ways that do not share the disadvantages of steam generation. One of the most promising of these is MHD, magneto hydrodynamic power. This exotic technological development, if perfected, promises to extract more electricity from a ton of coal than do today's best steam plants, and also promises to produce far fewer pollutants in the bargain.

Another form of diversification, of course, would be the conversion of coal to liquid and gaseous fuels. Economic methods for converting coal to synthetic liquid and gaseous fuels have long been a desirable goal of coal research, but the day when synthetic fuels will become a necessity to the U.S. energy market may be much closer than we think. A recent issue of *Chemical and Engineering News* quotes Dr. John E. Kircher, an executive of Continental Oil Co., as saying, "This Nation is not finding petroleum reserves fast enough to keep pace with the rising demand."

Dr. Kircher believes that, if domestic sources continue to supply their present percentages of total demand, the U.S. oil industry will have to be producing about 14 million barrels a day in 1980. To achieve this production rate, the industry must discover about 5 billion barrels of oil each year. But such a discovery rate has been attained only three times before in our history—most recently on the Arctic Slope.

Natural gas, the premium fuel for the expanding home-heating market, is also facing the possibility of supply shortages. The Director of the Bureau of Mines—a former head of the Federal Power Commission's Bureau of Natural Gas—has predicted that a pinch in certain areas could develop as early as next winter.

Nuclear power may become a competitor in tomorrow's energy markets, but, as of now, that is by no means certain. Fabulous sums have been spent by the Government to develop peaceful uses for nuclear energy. The nuclear reactor for commercial generation of electricity has so far involved public expenditure of well over $2 billion research and development, and expenditures to this end continue to be made at a rate of well over $200 million annually. But reactors for generating electric power have not become operational as rapidly as was once expected. Thermal pollution and nuclear waste disposal have posed especially thorny barriers, and supplies of raw materials for nuclear fuels may not be as plentiful as was once believed.

Having a choice of fuels aids the economy by stimulating the competition that helps to keep prices stable. Converting solid energy sources to liquid or gaseous forms is a way of extending and perpetuating the consumer's freedom of choice. On the other hand, relying wholly on new discoveries of oil, natural gas, and uranium could lead to costly slow-downs should those discoveries fail to materialize.

Of the three solid energy sources available for fuel synthesis—oil shale, tar sands, and coal—coal is the most attractive. Its reserves are huge and its deposits are distributed closest to the major markets, giving coal an important cost-of-transportation advantage.

Nearly ten years ago the Congress recognized the enormous potential contained in this Nation's coal deposits, and acted to insure the wise utilization of that potential by establishing an Office of Coal Research in the Bureau of Mines. In nine years, the Congress has appropriated slightly over $57 million dollars to be used in coal research. The fiscal 1970 budget carries a request for another $13.3 million dollars.

It is, of course, a truism that in times of high taxes and tight budgets we must be highly selective in establishing priorities for spending. With this in mind, I still feel strongly that, coal research, like coal itself, is one of America's best investment expenditure bargains.

As of today, conversion of coal to gas and gasoline is technically feasible, but not commercially practicable in America. We recall that in World War II, when Germany was short of petroleum, the Nazi war machine operated successfully on fuel synthesized from coal. As a war measure, the U.S. also did extensive work on coal conversion. We may well ask, in light of these demonstrations, why synthetic fuels have never become competitive.

The answer is involved, but it can be explained partly, at least, in terms of mistaken priorities. Today, conversion of coal to gasoline remains largely captive to the old German technology. Before and during the war the Germans withdrew from the scientific community, and there was no exchange of research results. At the war's end, when details of their technology became available, their advances in synthetic fuels production gave our scientists much material for study. This material, however, was deemed of less immediate importance than was missile, jet, and other military technology.

At this time, too, we were anticipating petroleum surpluses as new production capacity, developed to meet wartime needs, became available as a source of peacetime supplies. There was, in consequence, no pressing demand for coal conversion research, and many scientists preferred to associate themselves with aircraft, rocket, electronic, and nuclear work. Then the United States decided to "shoot for the moon," and space programs became a powerful new magnet for young scientific talent.

Virtually the only efforts devoted to fuels synthesis, meanwhile, have been those of the Bureau of Mines and the Office of Coal Research in its "Project Gasoline" pilot plant operated by Consolidation Coal Company at Cresap, West Virginia.

The Bureau scientists, hampered by a plethora of priorities and a paucity of funds, have been able to do little more than add small increments to German wartime technology. Although efficiencies have been gradually improved, the cost reductions have been small, resulting chiefly from refinement of German techniques and modernization of German equipment.

True, there have been some encouraging investigations on the use of modern catalysts for coal conversion, suggested in part by the petroleum industry's successes with catalytic processes. But these developments derive from the transfer of knowledge, rather than from entirely new concepts.

To provide synthetic fuels on a fully competitive basis in any foreseeable future, we should plan now to promote swift technological improvements. And to do that, we must have the new ideas and fresh approaches that can be supplied only by inquisitive, well-educated minds. Our progress

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in space has shown what can be accomplished by such talent when it is enlisted in a decade of intensive scientific effort. There is no reason to believe that coal, and the nation it serves, could not enjoy similar benefits from far less effort and cost.

To a great extent, then, progress in the coal industry depends upon research of one kind or another. What do we really mean by "research"? For my purpose today I can think of no more appropriate definition than the one given by the late Charles F. Kettering. He said:

"Research is a high-hat word that scares a lot of people. It needn't. It is rather simple. Essentially, it is nothing but a state of mind—a friendly welcoming attitude toward change. Going out to look for a change instead of waiting for it to come. It is the problem-solving mind as contrasted with the let-well-enough-alone mind. It is the 'tomorrow' mind instead of the 'yesterday' mind."

When the coal industry seeks to employ men with minds such as Kettering describes, there is, of course, the question of incentive. What combination of desires will motivate a high school or college student to choose a career in mineral engineering or science? And after that choice has been made, what will motivate the engineer or scientist to enlist his knowledge and talents in the struggles faced by the coal industry?

The future of coal depends on successful competition for professional services just as much as it depends on markets. How can we influence the "research-minded" individual in his choice, first, of a career, and second, of an employer?

I do not pretend to have all the answers, but some of the immediate needs stand out clearly.

To influence a young person's choice of a career, leverage must be applied on the colleges and universities where this choice is made. The minerals industries, therefore, must become as skillful as the aerospace industries are at persuading educational institutions to set up appropriate courses of study. To you and to me, the reasons why this should be done are obvious. Minerals are the foundation stones of industrial development, and supplying them is becoming more difficult every year.

But I do not believe the schools are sufficiently aware of this yet. Some seem to be mesmerized by the glamour of space exploration and defense projects. As a mining engineer recently said, speaking of his field, "It's the same curriculum taught in the same way it was taught 33 years ago when I graduated."

Perhaps this is an example of the lack of "relevance" we so frequently hear college students complain about today.

In dealing with the second problem, however—influencing scientists and engineers to work for the coal industry—coal men must look to themselves and their own image for the solution. Coal's public image to many may be tarnished. Attempts at improvement must come from the industry itself.

The most impressive step forward the industry could take, in my judgment, would be a genuine, all-out commitment to technological progress. The industry will have to demonstrate that it is not contributing to more problems than it is solving. Forums like this one offer excellent opportunities for such demonstrations, opportunities to establish a climate that will attract a bigger share of the Nation's best students. That is why I am encouraged by your emphasis on "what's new."

I believe there are intelligent, energetic, ambitious young people in our colleges and universities who can be attracted to pursue careers in the coal industry. It is up to all of us to show them how the industry can offer them a meaningful and relevant way to express themselves and to utilize their abilities for the good of all.

Let us enlist this manpower in the bright future of coal.

HOSPITAL CONSTRUCTION

Mr. CURTIS. Mr. President, we have heard some talk, perhaps more speculative than factual, about the need for some rather far-reaching changes in the Hill-Burton hospital construction program.

The allegation has been made that people in the rural areas of America have been wasteful and have built far more hospital rooms than they have patients to occupy them.

It has been suggested that perhaps some funds should be diverted from hospital construction to the building of clinics such as private physicians regularly provide as part of their services in the treatment of patients.

I do not pretent to know about the situation in all of the States, Mr. President, but I do know that my own State of Nebraska has not wasted any Hill-Burton funds.

Nebraskans have been good stewards of the funds they have received, as evidenced by the facts reported in an article in the Lincoln Evening Journal and Nebraska State Journal on Wednesday, June 18.

I respectfully request permission to place the text of this article, entitled "Nebraska's Rural Hospitals More Than Half Full," in the Record.

I wish to call attention especially to the statement by Mr. Joe R. Seacrest, past president of the Lincoln Hospital and Health Council and now a member of the State hospital advisory council. He points out, very appropriately, that State and local hospital councils have authority to see that Hill-Burton funds go to projects with highest priorities based on State and local needs.

I am pleased to submit this report on Nebraska's stewardship in managing its hospital construction funds.

There being no objection, the article was ordered to be printed in the Record, as follows:

Nebraska's Rural Hospitals More Than Half Full

Washington critics of half empty rural hospitals built with federal Hill-Burton aid would find slim pickings in Nebraska to help their current case of diverting more money to metropolitan hospitals.

Only a dozen had less than 50% average daily occupancy during 1968, according to statistics in the 1969 State Hospital Plan by which the federal aid is granted. Another source, the American Hospital Assn. listing as of last February, shows 10 Nebraska hospitals half empty on any given day.

Of the 12, only five were built with federal aid, early in the hospital construction program years. All but the Lutheran in Beatrice are in smaller rural areas.

The other 11 are Broken Bow, Chappell, West Point, Oxford, Mullen, Bridgeport, Pawnee City, Rushville, Franklin, Spalding and Genoa.

Verne Pangborn State Health Dept. hospital and medical facility division chief, says Nebraska has built more outstate hospitals but those aided in metropolitan Omaha and Lincoln are much bigger.

A compilation April 1 this year on total spending since Hill-Burton emerged in 1947 supports his claim.

Of $29,535,266 federal funds received in 22 years, $14,173,898 has gone to Lincoln and Omaha and the remaining $15,361,368 to outstate projects. This has generated more than $100.5 million of construction throughout Nebraska.

This flow of funds wasn't happenstance but had controls, a point brought out Tuesday when Washington complaints on Hill-Burton aid patterns were discussed by the Lincoln Hospital and Health Council.

Members agreed with past president Joe R. Seacrest that all states have authority through such groups as hospital councils and health boards, plus documented state hospital plans, to see that Hill-Burton funds go to highest priority projects.

Seacrest, now on the state advisory hospital council, said Nebraska metropolitan hospitals have not suffered from rural overbuilding. Modernization money, a new category in the aid program, was added specifically to help update larger, older hospitals.

Pangborn points out the federal government's regulation two years ago that 80% would be used as ideal occupancy in all state aid plans applies to all hospitals, regardless of size or location. Nebraska's overall daily occupancy was 72%.

He says the 80% works against smaller hospitals and favors larger metropolitan hospitals.

In his opinion, Nebraska hospitals with less than 25 beds are most efficient around 65% occupancy; the 25 to 75 bed hospital at 70 to 75% occupancy; 65–150 bed units when 75 to 85% full, and 150 and up bed hospitals, 90%.

Twenty-eight of the state's hospitals have less than 25 beds, 48 from 25 to 49 beds; 15 from 50 to 99 beds; 14 have 100 to 199 beds and eight have 200 more.

Hospitals are just as vital to rural Nebraskans as to New Yorkers when they are sick, Pangborn observed.

He says there's no doubt that some built early in Hill-Burton history with or without this aid may ultimately have their roles changed to, for example, nursing homes. This doesn't mean they are wasted structures, he added, because the character of service changes as all-weather roads make other larger hospitals more accessible.

GREATER DALLAS WOMEN'S CHAMBER OF COMMERCE CALLS FOR 100,000-ACRE BIG THICKET NATIONAL PARK

Mr. YARBOROUGH. Mr. President, the Greater Dallas Women's Chamber of Commerce, on May 21, 1969, unanimously passed a resolution calling for a 100,000-acre Big Thicket National Park in southeast Texas.

The members of the Greater Dallas Women's Chamber of Commerce recognize that the Big Thicket is unparalleled in the richness and diversity of its plant and animal life. A National Park Service study states:

> The forest contains elements common to the Florida everglades, the Okefenokee Swamp, the Appalachian region, the Piedmont forests, and the open woodlands of the coastal plains.

The Big Thicket is disappearing at a rate of more than 50 acres per day. Once it is gone, it will be gone forever. Unless it is saved soon, it will be gone forever.

Mr. President, I ask unanimous consent that the Greater Dallas Women's Chamber of Commerce resolution of May 21, 1969, be printed in its entirety at this point in the Record, together with the names of the officers certifying the resolution.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

GREATER DALLAS WOMEN'S
CHAMBER OF COMMERCE,
May 21, 1969.

Senator RALPH YARBOROUGH,
Washington, D.C.

DEAR SIR: I am happy to report to you that the Greater Dallas Women's Chamber of Commerce, Dallas, Texas had their business meeting May 21, 1969 and the following resolution concerning the Big Thicket, this vote was one hundred percent in favor:

"Whereas, the Big Thicket of Texas is a meeting place for eastern, western and northern ecological elements; and

"Whereas, this is the last stand in Texas of the nearly extinct Ivory-billed Woodpecker; and

"Whereas, this beautiful and unique area is rapidly being destroyed by bulldozer and chain saw; therefore

Be it resolved that the Greater Dallas Women's Chamber of Commerce of Dallas, Texas, urges the preservation of at least 100,000 acres containing the most unique areas of the Big Thicket, these areas to be connected by environmental corridors; and

"Be it Further Resolved that the Interior and Insular Affairs committee of the Senate of the United States be requested to set Immediate hearings on S4 which would create a Big Thicket National Area.

"Mrs. STATHAKOS CONDOS,
"President
"Mrs. FRANK R. PHILLIPS,
"Chairman, Big Thicket."

THE MANNED ORBITING LABORATORY

Mr. McGOVERN. Mr. President, I applaud the Nixon administration's decision not to proceed with the manned orbiting laboratory.

If it had any substantial military objectives it is probable that this program violated the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space. If it had no military objectives, on the other hand, then certainly it should have been carried out, if at all, by the National Aeronautics and Space Administration. Moreover, the broad program goals stated by Defense Department spokesmen leave a great deal of doubt whether it will achieve anything justifying the $3 billion price.

This cancellation was, in my view, richly and warmly deserved.

While standing as evidence of sound judgment on the use of national resources, the MOL decision also has another significance. Its impact on the people involved underscores the urgent need for planning in advance for the conversion of military resources to peaceful pursuits.

In a recent article in the New York Times, Correspondent Steven Roberts discussed the impact of the MOL contract termination on skilled workers who had been employed on the project. A combination of circumstances—this cancellation, declining demands of the space program, and a general uneasiness about the prospects for military spending in general—have created unemployment difficulties for large numbers of highly skilled aerospace workers.

Mr. Roberts found that an employment counseling concern set up near the McDonnell-Douglas plant after the termination has already interviewed some 2,000 men. They are among more than 10,000 workers affected by the decision.

The article is of special interest because it discloses problems for people whose skills are generally thought to be at a premium in today's economy. If the transition is painful for highly trained specialists with advanced scientific training, it is certainly not difficult to envision the troubled times ahead for lower skilled workers if larger military spending adjustments occur. At a time when we most need productive, remunerative employment for more Americans, we may find ourselves putting more Americans on the streets.

The outlook for workers is but one of a wide range of challenges associated with economic conversion. The National Economic Conversion Act which I am sponsoring along with 34 cosponsors is offered as an effort to deal with these dislocations before they are upon us.

We are doing our best to see that the defense outlays associated with the war in Vietnam will be ended—eliminating $16 to $19 billion and some 1.3 million jobs within 18 months. At the same time many Members of Congress, among whom I count myself, are demanding that non-Vietnam military spending be held to prudent levels, certainly far below some of the extensive post-Vietnam projections. The administration's decision on MOL indicates that the President is not entirely unsympathetic.

In such circumstances I believe we have an important responsibility to begin the planning process now.

Mr. President, I ask unanimous consent that Mr. Roberts' article, "In Defense Industry Cutback, Affluent Worker Becomes Just Another Job Hunter," be inserted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IN DEFENSE INDUSTRY CUTBACK, AFFLUENT WORKER BECOMES JUST ANOTHER JOB HUNTER

(By Steven V. Roberts)

HUNTINGTON BEACH, Calif., June 21—Robert Hunter is a 46-year-old man with thinning hair, a wife, four kids, a mortgage and, until 10 days ago, a good job as a hydraulic engineer at the huge McDonnell-Douglas plant in this seaside town south of Los Angeles.

On June 10 the Federal Government, under Congressional pressure to cut defense spending, canceled all contracts for the Air Force's Manned Orbiting Laboratory projects. The $3-billion program was designed to gather military intelligence from an orbiting space station.

Robert Hunter was one of more than 10,000 workers affected by the sudden decision, including at least 3,600 at the McDonnell-Douglas plant here, 1,700 at the plant in Santa Monica and 1,800 more in St. Louis. Numerous other contractors from Sacramento to Philadelphia suffered as well.

"You kind of expect something like this in the aerospace industry, but when it finally comes it's a hell of a shock," said Mr. Hunter (the name is fictitious, because he did not want his real name used).

"The company has given me two weeks notice, and if I don't find something by then, I'll start collecting unemployment compensation.

HARDSHIP FOR KIDS

"I've always tried to put some money aside, and if worse comes to worse, we can carry on for quite a while. But the real hardship will be for the kids. If my savings go, they'll have to pay their own way through college."

Mr. Hunter's prospects for finding another job are dimmed by several factors. Many major defense contracts are now phasing out, and layoffs are prevalent throughout the industry. The North American Rockwell plant near here, one of the main contractors for the Apollo space program, has dismissed more than 20,000 men in the last two years.

Moreover, Congressional criticism of such programs as the Safeguard antiballistic-missile system and the C–5A jet transport has made everybody jittery.

"Contractors for a lot of these programs are not hiring people. They're waiting to see what happens," said Jerome Hirsch of Career Specialists, Inc., an employment counseling concern that set up an office in a motel near the McDonnell plant after the cutbacks were announced.

The men who build the nation's rockets and missiles are a mobile breed, used to moving every few years according to the changing fortunes of different companies.

Mr. Hunter moved here from North Carolina three years ago. A random sampling of a dozen McDonnell workers showed that only one was a native of California and that her last job had been in Washington.

"We're used to seeing people come and go," said Donald Brown, a newspaper editor in Sunnyvale, Calif., the home of the United Technology Center. "The Chamber of Commerce says the average stay in Sunnyvale is only four years."

Most of the companies involved are trying to find jobs for people who were working on the orbiting laboratory The General Electric plant in Valley Forge, Pa., for example, is already applying for new Government contracts that could utilize some of the workers.

Nevertheless, for the individuals who find themselves out of work, the experience can be traumatic. This was evident at the makeshift office of Career Specialists, where more than 2,000 men have already been interviewed.

The applicants sat on a row of folding chairs in the crowded motel room, clasping their résumés in their hands as Mr. Hirsch hastily interviewed them and set up appointments with companies who had sent recruiters to look over the available talent.

"I've had Ph.D.'s walk in here and say they were looking for a job," said Mr. Hirsch, a frenetic young man with a lock of sandy hair falling over his face. "They've spent all that time in school and now they're out on the street. Do you know what that does to a man?"

One of these was Richard Etters, a 35-year-old physicist, who had worked in a special research laboratory he had thought was immune to seasonal cutbacks.

Dr. Etters, the father of one child, said he was faced with a choice:

"It's almost impossible to find a basic research job in industry these days. Private industry is just not willing or able to support research unless it shows a quick profit. So I have two choices: I can go back to a university and do research, and take a 25 per cent pay cut. Or I can stay in industry, but leave research and shift to applied physics."

PAY IS A PROBLEM

The problem of pay is a pervasive one, according to Robert Parker, a recruiter for the Control Data Corporation.

"A lot of these men who have a few years of experience in aerospace have priced themselves out of the market," he said. "There aren't many equivalent positions for them in private industry, and often they pay several thousand dollars less."

"Usually you can negotiate a salary when you change jobs," added Ben Strick, a technical adviser in McDonnell's purchasing department. "But when you're laid off they can hire you for virtually whatever they want."

XUM

Each age group has its own problem. Most companies are not interested in men over 40, and Mr. Hirsch did not even bother to set up interviews for several older men who did not have particularly desirable specialties.

Men between 25 and 40 are more attractive to employers, but they are usually heavily committed financially and do not have the savings older men do.

"If I don't find something in a month, I'll be bankrupt," said Dr. Etters.

Men younger than 26 have a special problem—the draft. Many can still receive deferments for working in a defense plant, and dozens of young engineers and computer programmers are scrambling for jobs that will appease their draft boards.

The impact on communities surrounding the affected plants is not expected to be too severe. Men who work in Huntington Beach, for example, are spread out over half of Southern California. Even those who live nearby shop in huge regional centers that can more easily absorb a decline in business.

One field that is feeling the pinch is home building. Ray Long, a sales representative for Four Seasons Homes, one of dozens of tracts springing up out of the beanfields of Huntington Beach, said:

"One guy signed up Sunday and then the news came on Monday, and I gave him his money back. Two other prospects were also laid off. You can't buy a home if you don't have a job."

FEARS FOR THE FUTURE

The cutback in the space program has frightened a number of people about the future of areas like Orange County, which depends very heavily on defense contracts for its economic well-being.

"The ever present danger is a contract cancellation or spending cutback," the Los Angeles Times said in a recent editorial. "This could lead to job layoffs and resultant problems in such areas as retail sales, housing, property values and local tax loss."

The paper urged defense contractors to diversify into other fields.

The cutback has also prompted some men to think about their own future.

"One man in the tract told me that he was selling his house and going back to Detroit. He couldn't take the uncertainty any more," Mr. Long said.

Several men noted that a vast complex to launch the laboratory and millions of dollars worth of support services were nearing completion at Vandenburg Air Force Base in Lompoc, Calif. Fourteen men who had trained more than two years to operate the laboratory now have to find other jobs.

JUST WASTEFUL

"There must be a better system," said a scientist. "This company is laying off thousands of men, but in the near future they might get another contract, and they'll have to build up their staff all over again. This is just wasteful."

Yet many of the workers, particularly younger ones, find a special challenge in the aerospace industry that they don't want to give up. Mrs. Birenbaum, who is 25, put it this way:

"I don't do this for the salary, and many of the younger people don't either. They can always make money and they know it, and they want something more. I remember when I heard on the radio that a satellite I had worked on was launched. I almost had a wreck—it was one of the greatest things in my life. In a commercial company you measure success by sales figures—well, so what. Here we're really doing something important."

OPERATION MAINSTREAM

Mr. PERCY. Mr. President, the very active Administrator of the Small Business Administration, Hilary Sandoval, Jr., recently addressed the Cosmopolitan Chamber of Commerce in Chicago. His address is a most perceptive look at the problem of helping establish minority-owned businesses and a very forthright report of the efforts that have been made and are currently being made by the Small Business Administration to promote minority enterprise. I think the statements of Mr. Sandoval reflect the concern that President Nixon's administration has for furthering the development of minority enterprise in the Nation, and the sincere efforts the President is making to achieve that goal.

I request unanimous consent to have the statement reprinted in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ADDRESS BY HILARY SANDOVAL, JR., ADMINISTRATOR, SMALL BUSINESS ADMINISTRATION, BEFORE THE COSMOPOLITAN CHAMBER OF COMMERCE, CHICAGO, ILL., JUNE 7, 1969

Thank you for inviting me here today to talk with you.

I believe we have a great deal in common.

You are businessmen, or men vitally concerned with business, and commerce. So am I.

You are members of a minority group. So am I.

You are interested in seeing more members of minority groups become businessmen. So am I.

And, as you know I am responsible for directing a program that can go a long way toward helping us achieve that goal.

So it is that program that I would like to talk with you about today. We call it Operation Mainstream and we hope it will provide opportunities for more members of minority groups to establish sound businesses.

There has been some speculation in the press recently that we have cut back SBA's program to help minorities.

I can tell you that's not true.

We're not cutting back our efforts, we're increasing them.

There have been reports in the press that SBA is making fewer loans to minorities now than it did a few months ago.

I can tell you that's not true.

I've said that I won't play a numbers game and I mean it. But for those who rely heavily on numbers, I can say that we are making more minority loans today than at any time since the program was started last August.

There has been some criticism of certain methods we are using in running the program. I don't mind constructive criticism. I welcome it. Because through constructive criticism we are able to see our weak spots and are able to take steps to correct them.

I suppose a comparison between what we are doing and the manner in which the program was operated by our predecessors is inevitable.

But I don't believe such a comparison is fair to either our predecessors or us. It serves no useful purpose. Let me tell you why.

In the first place, this is not a personal test to see which of us can achieve the best record. It's a long-range program to truly help the minorities. I think this was the goal of the people who started the program and it certainly is what we are working for.

Secondly, the people who started the program had seven months experience with it. We have had less than half that time—three months experience to date.

Conversely, we have had the advantage of building on what already has been done. The people who began the program had the disadvantage of having to develop the program and put it into operation.

So I don't feel that comparison are valid or serve any purpose.

And let me say that I believe the people who started the program made a good start.

They stimulated the interest of the banking community. We are continuing these efforts.

They started to develop liaison with community organizations to find the people among the minorities who could run a business.

We are continuing to do this.

They realized the necessity of getting business and industry to provide the management training and advice that new businesses require if they are to succeed. We agree this is necessary. We found this was one area that was lagging in development and we are really concentrating on it.

However, we can and must improve on what has been started so we have made some changes which we believe will accomplish that improvement.

I think the fact we have made some changes may possibly have led to the incorrect conclusion that we are lessening our efforts in the minority enterprise program.

Let me say again, that's not true.

I found that the minority program was split off from the rest of the Agency's operations. We felt we should make it a vital part of our overall operations and so we changed that. I found a dozen people in Washington and 60 or 70 "team" members in certain cities working apart from our field offices on the minority program. The teams had responsibility but no authority. And our field offices had the authority but no responsibility.

We felt a different approach would be more effective and we changed that.

You know, we have nearly 900 people in our Washington office and some 3,000 more in our field offices.

I want all of these people to be concerned with the minority program. More important—I want them to be concerned and working in our effort.

So I've made our regional offices responsible for the program and have given them the authority to carry it out.

We are going to continue sending our people into the inner cities and ghettos and the communities across the country where the minorities live. And we are going to have more minority staff members working to help the minorities.

I don't think anyone knows the problems of the Black-American or understands him better than another Black-American—a soul brother.

I don't think anyone knows the problems of a Mexican-American or understands him better than a Mexican-American, a compadre.

So we are going to have more Black staff members going into Black communities. And we are going to have more Spanish-speaking staff members going into Spanish speaking sections than we had before.

And we are going to have more minorities in top jobs in SBA helping set policy and advising us on how we can best run a minority program.

When we took office, our "team" in Los Angeles had only one person that could speak Spanish. That's just not good enough in the city with the largest Spanish-speaking population in the country. We've changed that.

I found that the "team" in New York City had only two Black and one Puerto Rican member. That's not enough in the city with the largest Black population in the nation and a large group of Puerto Rican people. So we've added six new minority team members already—four Spanish speaking and two Black members and two other Black members are going to join the team shortly. And, we'll add more.

We have heard some criticism because I said we will make sound loans. This in some way has been misconstrued to mean we are tightening up on our criteria and it will be difficult for minorities to get loans.

That's not true. I haven't changed any of the existing criteria for minorities to qualify for a loan.

When I say I want our offices to make sound loans, I mean that when we help put a man in business we want to be reasonably certain we have all the back-up help—both management and technical—that he is going to need so that he will own a going business a year or two years or five years from now, and not become merely a statistic on our loan reports for the month we make the loan.

It doesn't mean, because I want a sound loan, that we won't take risks. We will take risks. And I can tell you that we are going to make some mistakes along the way.

But I'm not afraid of making mistakes if we can learn from them. So I say to you that we are going to take risks, and we are going to make mistakes. But that is the only way we can make progress.

As I said earlier, I don't believe the success of our efforts will be found in any score sheet or statistical report.

We're not dealing in numbers. We're dealing with human beings. We're dealing with people's lives and perhaps the life of the nation.

I don't believe that the proof of our success will be found in the number of loans we make.

I believe the success will be found in a store you can see like the franchise business we helped open in Bedford-Stuyvesant in Brooklyn yesterday.

I don't believe the proof of our efforts will be in the dollar volume of loans we can report.

I believe the success will be found in the black trucker and the black and Mexican-American auto parts dealers that International Harvester, Safeway Truck Lines, Chrysler Corporation, local banks and SBA all helped put in business in Kansas City two weeks ago.

I don't believe the proof of our success will be found in annual loan rates we set or can quote to the press.

I believe the proof of our success will be found in the Martin Luther King Sr. Nursing Home that the Martin Luther King Jr., Foundation, local banks and SBA all helped establish in Atlanta, Georgia.

I don't believe the proof of our success will be found in the number of news releases we issue on the program.

I believe the proof of our success will be found in the dry cleaning store located in the Chicago ghetto that a local development company, a local bank and SBA helped minority people buy from white owners this week.

I can say to you truthfully my friends: We are not lessening our efforts. We are increasing them.

We are not cutting back on our program. We are expanding it.

We are not less concerned. We are more concerned with how we can improve our program to make it serve the minorities better.

I have been a member of the second largest minority group in the nation for 39 years now. I've been the route. I know the problems the minorities face and I can tell you I mean to face up to those problems with all the resources at my command.

I hope that when it comes time for us to turn the program over to our successors, that they will look for improvements and will seek new methods of increasing the effectiveness of the program and that they will be able to improve on our record.

And if, when it comes time for us to pass the baton to the next man, we can walk past a new Black or Mexican-American or Indian or other minority-owned business and say we had a little something to do with helping a fellow American become a successful businessman, then I think we will be able to say we achieved some success.

I hope all of you will join us at SBA in working toward that day.

INTERPRETATION OF RIGHT TO STRIKE PROVISION IN FORCED LABOR CONVENTION

Mr. PROXMIRE. Mr. President, yesterday I spoke on the floor about the Forced Labor Convention. Included in my remarks was a substantial quote from former Secretary of Labor Arthur J. Goldberg concerning the application of this convention to existing constitutional law. Mr. Goldberg's analysis demonstrates clearly why ratification of the Forced Labor Convention would not conflict with our own laws governing labor-management relations.

Opponents of ratification have suggested that adoption of this treaty might raise havoc with State and Federal laws which prohibit certain types of employees from striking—for example, New York's Conlin-Wadlin Act. They contend that there would then be two conflicting clauses in our legal framework concerning the procedure for handling strikers and what would constitute sufficient grounds for arresting them.

But as Mr. Goldberg made abundantly clear in his remarks before a Human Rights Subcommittee of the Foreign Relations Committee, this convention would not be applicable to criminal sanctions invoked for violations of court orders such as the ones which are issued under the National Labor Relations Act. Currently, when one is sent to prison for violating a valid injunction issued under the National Labor Relations Act, one is incarcerated for contempt of court. One is not jailed for striking even though the terms of the statute may forbid or prohibit certain types of activities. One is jailed for defying a court order.

Similarly, when one commits an assault, even though it might be in connection with a perfectly legal strike, one is not entitled to immunity. The offense for which the indictment is issued is not for exercising one's constitutional right to engage in strike activities. Rather, one is sent to jail under those circumstances for violating our criminal statutes outlawing assaults.

Thus, in both these instances, one cannot be jailed under our existing legal code for participating in a strike. The right to strike is considered to be one of the basic freedoms of those who work. One can be, however, sent to prison for violating a court order. Hence, Mr. Goldberg's interpretation is correct when he enunciates that the Forced Labor Convention would not contravene with any of our own legal rights or statutes.

We have been looking at Mr. Goldberg's analysis. But another former Secretary of Labor, Willard Wirtz, has also taken the position that the ratification of this convention would definitely not conflict with our existing legal code. One would be hard put to challenge the legal expertise of these eminent lawyers and therefore their position on this convention seems most cogent and convincing to me.

Mr. President, if we believe in these conventions, then let us demonstrate this to the world by letting our actions correspond to our lipservice. Our inertia in acting upon this and the other Human Rights Conventions have dismayed those concerned citizens of the world sensitive to the plight of mankind while providing our adversaries with sufficient fodder for their propaganda machines. These conventions should be one of the most important items on our agenda.

As Arthur Goldberg has said:

> Without the support of the United States, these agreements may appear insignificant to many other countries. If *we* do not consider it important to sign the conventions, why should they? Or more importantly, why should they implement the conventions?

FULBRIGHT PROGRAM FUNDING

Mr. MOSS. Mr. President, as this body well knows, one of the most successful and imaginative programs of our times has been the one devised by the distinguished chairman of the Senate Foreign Relations Committee (Mr. FULBRIGHT) and given his name. Under it thousands of American scholars have had the opportunity to study and teach in foreign lands, and many thousands from other countries have had a similar opportunity to study and teach in the United States.

At a recent meeting in April in Philadelphia, the executive board of the Organization of American Historians, whose executive secretary is David E. Miller of the University of Utah, passed a resolution asking that the Fulbright program be expanded. I feel this is a very desirable objective, and ask unanimous consent that the resolution be carried in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

THE ORGANIZATION OF
AMERICAN HISTORIANS,
June 3, 1969.

DR. FRANCIS YOUNG,
Executive Secretary, Committee on International Exchange of Persons, Washington, D.C.

DEAR DR. YOUNG: In the name of the Organization of American Historians, an association representing nine thousand professional historians, and upon instructions of its Executive Board meeting in Philadelphia, April 16, 1969, I David E. Miller respectfully submit the following:

"Resolved: Whereas the Fulbright program affords opportunity for study and teaching in foreign countries and also affords foreign scholars a similar oppotrunity to study and teach in the United States, the Organization of American Historians vigorously urges that the Fulbright program be *expanded* to encourage more of this high quality international exchange;

"That one major obstacle to world peace has always been the lack of understanding among peoples of various nations, and the exchange of scholars under the Fulbright program is one of the best ways to overcome this lack of understanding and thus promote better realtions between the United States and other nations;

"That funds to support an expansion of this important program are vital to the best interests of the United States."

Respectfully submitted.

DAVID E. MILLER,
Executive Secretary.

THE AGRICULTURAL APPROPRIATIONS BILL FOR FISCAL YEAR 1970

Mr. YARBOROUGH. Mr. President, Texas is one of this country's greatest agricultural States. Texas leads all others in the production of cattle, sheep, cotton, and rice. Texas stood fourth in value of agricultural receipts for 1967 with $2.5 billion. Fifty-two percent of this came from livestock products and the rest came from crops.

More important than all of these, Texas has more farm families than any other State in the Union. It is the greatest stronghold of the family farmer in the United States. Great corporate agriculture has not liquidated the family farmer in Texas. There are over half a million users of REA power in my State alone.

I have always been a strong supporter of our farm programs, believing that a sound agricultural economy is basic to a sound national economy.

American agriculture is easily the most successful on earth. The contrast to the Soviet Union is inevitable; and such a comparison clearly demonstrates the superior productivity, given nearly equal resources, of our approach to farming. Our agricultural produce represents our biggest class of exports and is one of our greatest resources in the struggle to achieve a favorable balance of payments.

If we are to maintain the high levels of success of our agricultural programs, we must continue to finance them adequately.

On June 25, 1969, the Senate Committee on Appropriations, of which I am a member, reported out H.R. 11612, the appropriations bill for the Department of Agriculture and related agencies for fiscal year 1970.

This committee recognized its responsibility to determine national priorities and recommended $750 million for the food stamp program, an increase of $410 million over the administration's budget request.

The committee also recommended an appropriation of $6,036,200 for the cooperative fire ant program. This is an increase of $1 million over the budget request and will provide for an acceleration of eradication activities for this very serious pest introduced from other countries, and now exploding in the United States.

In some cases, however, the committee did not go far enough. The committee recommended $185 million for the agricultural conservation program, a program which the administration had dropped from its budget. This is one of the most worthwhile programs I know, and I have supported it fully from the time I first came to the Senate in 1957. It reaches over a million farms each year and results in the application of the greatest amount of conservation measures to the land at the lowest cost per acre of any similar program—$185 million is too low. It should have been at least $220 million. But this is $185 million over the Bureau of the Budget recommendation, and I very strongly commend the very able chairman of the Senate Agriculture Appropriations Subcommittee, Senator SPESSARD HOLLAND, of Florida, whose thorough work and thorough understanding of agriculture has led to this restoration and much other good in this bill.

The Senate committee also resurrected the special milk program, which provides milk for school children, a program which the administration had abolished in its budget. The committee recommended a direct appropriation of $84 million. This amount plus $20 million available from section 32 funds will provide a total level of $104 million for this program. This committee should have made at least a total of $120 million available for milk for the schoolchildren of America. Milk is an indispensable part of the diet of children, and in this bountiful land none should go without it. But since the administration and its budgeteers tried to cut out the entire program, I think that the restoration of $104 million was a great benefit, though a retreat from last year.

I have also been a long-time supporter of the Rural Electrification Administration program. This program has made an almost unbelievable contribution to the development of rural America. The Senate bill calls for $340 million for the rural electrification program loans, an increase of $20 million, and $123.3 million for the rural telephone program loans. With an expected backlog of applications for $440 million at the end of fiscal year 1969 and about $275 million in applications anticipated in fiscal year 1970, a full $715 million for loans is needed. The $340 million in the rural electrification loans falls far short of what is needed to keep our rural economy growing. And the strength of this country is in growth, not in backing up.

The committee recommended $46 million for rural water and waste disposal grants under the Farmers Home Administration, an increase of $18 million over the Nixon administration's budget request. This program is essential to the development of rural America and is well below what is needed. The full $52 million requested by the Johnson administration should have been recommended, but we did succeed in improving both the Budget Bureau requests and the House of Representative's appropriations.

The Great Plains conservation program is one of the real success stories. It has enabled farmers in the 10 Great Plains States to stabilize their farms and ranches and to reclaim their land which had been laid bare by high winds during the droughts of the 1930's and the mid-1950's. There are now 421 counties covered by this program. However, the job is not yet done. A recent survey in Texas indicated that the work accomplished under the program in the 98 counties in the 11 years of activity amounts only to from 10 to 15 percent of the conservation work needed in the area. Achievements would have been even greater had the funds been sufficient to meet the requests of all of the applicants. Over $16 million were appropriated in fiscal year 1969. The administration had requested only $14 million for this program which is critically important to the 20 million people living in the Great Plains area. The Senate committee recommended $15 million. At least $16 million should have been recommended, but the Senate committee recommendation is a distinct improvement over the Nixon budget.

Mr. President, I strongly regret that the war in Vietnam and our other defense activities put such a drain on our national resources that we cannot adequately finance all of our badly needed domestic programs.

It is difficult to judge the loss we as a whole people sustain when we provide too little funds and resources for programs such as the schoolchildren's milk program, the agricultural conservation program, the rural electrification program, and programs to provide water and sewer systems in rural areas. Frankly, I am shocked that the Nixon administration and the Bureau of the Budget would attempt to appropriate nothing, absolutely nothing, for milk for American schoolchildren and for the agricultrual conservation program. I have been protesting the manner in which this administration has ordered its priorities, and their agricultural budget recommendations are a good illustration of the basis of my protest.

I would like to see the day when the Budget Bureau would apply the same paring knife to the military adventures overseas as it does to our agricultural and domestic budget at home. The great tragedy that results from this kind of emphasis is that we in the Congress, and we as a people, begin to lose sight of the true values and the desperate need of our society—our people—our economy. However, I also fully understand that we must economize in every way we can to protect our economy from the disastrous effects caused by rapidly increasing inflation. Although the Senate agricultural appropriations bill for fiscal year 1970 is not as complete as I would like to have it, I am thankful that it is far better than the administration's recommendations, and better than the House bill.

U.S. MEDICAL CARE FRONT

Mr. JAVITS. Mr. President, an article in Washington's Evening Star of June 23, 1969, depicts a recent conference of hospital administrators, health economists, and medical students concerned with the subject "medicine in the ghettos." The gross inadequacies in the health care afforded to the slum dwellers, of which the participants and we ourselves have become sadly cognizant, was once again reported upon. The frustration and unrest among the medical students and slum workers represented at the meetings was most significant. The time has come, they stressed, for action, not words, and for some immediate relief to the wretched conditions that the poor face in health care. I, too, am convinced that we cannot delay any longer in meaningful action to cure these problems and in seeking to assure every American of proper health service and facilities. We must give added priority to overcoming the severe shortages of health manpower and the obsolete conditions of hospitals, and to developing new programs for disease and malnutrition; so that the cry of the conference's participants will be heard by all. Mr. President, I ask unanimous consent that this newspaper article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Unrest on the U.S. Medical Care Front

(By Judith Randal)

If a three-day meeting at an old resort hotel in New Hampshire is any valid indication, the nation is in for a confrontation on the health front much like those that have already arisen over housing, education and jobs.

It was an improbable encounter of the smooth-shaven establishment of medical school deans, hospital administrators and health economists with the bearded young, the blacks, plus a few older participants and inner-city poor thrown in for good measure. Wentworth-on-the-Sea hadn't seen so much action since 1905 when Theodore Roosevelt convened the talks there that led to ending the Russo-Japanese War.

The theme of the meeting was medicine in the ghettos. Its sponsors were the Harvard medical school, the Boston Globe newspaper, and an arm of the Department of Health, Education and Welfare.

The meeting got off to a somewhat inauspicious start when Melvin H. King, a black Bostonian who directs the New Urban League there, charged that a neighborhood health center in Mississippi operated by Boston's Tufts Medical School with funds from the poverty program was latter-day "carpetbagging of the most racist sort."

The predominantly white liberal audience, accustomed to such scolding from black militants, held its peace. But as the session wore on, emotions built up.

Medical students and others in the audience rose to say that the conference as planned wasn't telling them anything about the lack of health care in the ghettos that they didn't already know.

Said one participant, "Listening to the speakers, I'm reminded of the World War II kamikaze pilot who had flown 40 missions—too many of us are involved but not committed." Why not, he suggested, outline some plan for action that would come to grips with these all-too-familiar problems.

In an evening session that lasted well past 1 a.m., a group of young Negroes led by Dr. Rodney N. Powell, director of a neighborhood health center in the Watts section of Los Angeles, backed two high federal officials into a corner. They wanted to know whether HEW's health efforts for the inner city were as far as the department was prepared to go.

Dr. Joseph T. English, administrator of HEW's Health Services and Mental Health Administration, and his deputy, Irving J. Lewis, went through their budget line by line. By the time they had finished it was clear that they have little discretion on spending because most of the money was designated years in advance for projects that have little or nothing to do with slums.

"Ladies and gentlemen," Powell interjected, "we are having a conference on medicine in the ghetto and there is no money available—that speaks for itself."

Rashi Fein, a Harvard economist with broad experience in Washington, saw the melancholy rendition of facts and figures in a different light.

"As I listen to the moneys that aren't available," he said, "I conclude that the single most important vote on health legislation that will come up in Congress this year is the vote on the ABM (antiballistic missile)."

There was, as the dialogue progressed, something of the old-fashioned revival meeting about the proceedings. Blacks wanted to know what white professionals were prepared to do about racism and lack of opportunity for Negroes working at menial hospital jobs. A spokesman for the American Hospital Association said his organization deplored such conditions as provoked the current hospital workers' strike in Charleston, S.C., but was powerless to do much about them.

On the other hand, Dr. Leonard Cronkhite, administrator of Children's Hospital Medical Center in Boston, said that at his institution blacks are not only paid standard wages, but also are encouraged with a tuition assistance program to improve their skills so they can move up.

What is more, Cronkhite said, he makes sure department heads are giving Negro subordinates a fair shake. "In the last 12 months," he said "I have fired four department heads for pure and simple racism."

The medical students and others, many of them veterans of the battle for medical reform, had drafted a set of resolutions designed to end the present disparities in health care available to the indigent and the solvent.

Ranging from proposals to train more black doctors and put more emphasis on preventive medicine to plans that would allow ghetto physicians to treat their patients in hospitals, the resolutions dealt fundamentally with efforts to change a costly and discriminatory system that makes second-class citizens, medically, of the poor and bleeds the middle class.

Tomorrow or the day after, participants kept saying, Wentworth-on-the-Sea will again fade into obscurity and the first nationwide conference on ghetto medicine, together with its resolutions and rhetoric, will probably be forgotten.

This well may be. But perhaps Dr. John Knowles, the original choice for assistant secretary for health and the final luncheon speaker, was closer to the mark. Speaking of the inequality in health care the poor now face, he warned that "the fires of revolution have not been banked in this country and the smoke is still rising."

THE LITTLE THINGS THAT COUNT

Mr. HART. Mr. President, J. Edgar Hoover, Director of the Federal Bureau of Investigation, kindly sent me an advance copy of the July issue of the FBI Law Enforcement Bulletin.

The issue contains an article written by Loren M. Pittman, River Rouge police chief, entitled "It's the Little Things That Count."

The story commends the alertness of River Rouge Patrolmen Ted Washington and Arthur Welch, Jr., in solving an assault case.

Chief Pittman makes two points:

That police officers work under the strain of remaining constantly alert, and that crimes can be solved and airtight cases built by such alertness.

The article by Chief Pittman is a refreshing commentary on police methods in this day of complaints about restraints put on the ability of the police to solve crimes.

This importance, the difficulties and the demands on the policeman in our troubled days, is one everyone should recognize and give constructive aid.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

It's the Little Things That Count

(By Loren M. Pittman)

Everything was quiet and peaceful on the wintry Sunday evening in River Rouge, Mich.—quieter than usual perhaps, for few persons ventured outside their warm homes after a storm had dumped nearly a foot of fresh snow on the ground earlier in the day.

The snow made driving extremely hazardous, and the police on the afternoon shift of this cold, blustery day had been kept busy answering distress calls of motorists involved in minor traffic accidents caused by icy road conditions.

Two River Rouge patrolmen, Ted Washington, a veteran of 9 years, and his partner, Arthur Welch, Jr., with 7 months on the force, had already handled a number of traffic tieups, so they were not too surprised when they saw a white sedan sliding through a stop sign at an intersection ahead of them.

OFFICERS WARN MOTORIST

Motioning the driver over, the officers warned him about the icy roads and cautioned him to go slowly and carefully. They issued no ticket because there was no traffic in the area.

Although issuing only a warning, the officers did record the driver's name and address and that of his passenger. They also logged the make, license number, and description of the automobile, and the time, 9:15 p.m. All this was routine police procedure.

A few minutes later another young male motorist drove up in front of a church in River Rouge. Accompanied by his 20-year-old fiancee and his sister, this young man had risked the icy roads in order to provide transportation for a priest who was awaiting them at the parish rectory. He let his fiancee and sister off in front of the rectory and dutifully drove around the corner to park his car because there was a "No Standing" sign in front of the church

MAN STABBED ON STREET

While walking back to the rectory, he noticed a car pulling to the curb near him and watched as a man got out from the passenger side and approached him. He attempted to walk around the stranger, who suddenly, and for no apparent reason, plunged a knife into his chest—once, twice, three times, and, as he fell forward, the assailant struck a fourth blow, this time into his victim's back, before turning and fleeing back to the waiting automobile.

Although seriously wounded and unable to call out, the victim somehow managed to drag himself through the snow to the rectory before collapsing on the floor.

A telephone call quickly brought Det. Lt. Edgar O'Hara and Det. Sgt. Gene Barnes to the scene.

The victim of the brutal attack was unable to give the detectives more than a brief description of his assailant, but he said the car was "old and a dirty white."

This information gave the two detectives little to work with, but they quickly put out a police broadcast to watch for a car matching that description.

Advised by our police dispatcher that a 22-year-old man had just been brutally stabbed and left lying on the street in front of a church rectory he was about to enter, we knew that we were confronted with the type of vicious, wanton, senseless street crime that is almost impossible to prevent—and nearly as impossible to solve.

Where do you begin?

There was no apparent motive, because the victim was not robbed. He lived miles away from the area where he was attacked and was a complete stranger to the neighborhood. The vicinity around the church is a quiet,

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residential area from which relatively few police calls are received.

The victim was a law-abiding young man with no known enemies and was assaulted without provocation. There had been no argument or contact between the victim and his assailant prior to the stabbing.

ATTENTION TO DETAILS

Fortunately, we solved this case in less than a day because two police officers paid attention to routine details and never relaxed for a moment as they performed their daily police duties. The assailant pled guilty to assault to commit great bodily harm less than murder.

Even the extraordinary can become routine if it is done over and over enough times. And this is often where a policeman gets into trouble. He can stop a thousand speeders and go through the routine of issuing tickets again and again. He can relax on ticket 1,001 and get his head blown off. He can answer 500 family arguments, and just about the time he considers 501 a "routine" call, he's met at the door by an irate husband jabbing a shotgun in his face.

Two officers who heard the radio broadcast of the stabbing were Patrolmen Washington and Welch, who were still on routine patrol duty. Both officers recalled the car they had stopped a few minutes before. It, too, was "old and a dirty white" and a 1959 model of a popular make.

The officers knew that the traffic offender had had sufficient time to reach the vicinity of the assault scene and that his car matched the description of the wanted vehicle.

The two patrolmen relayed their information to the detectives and, suddenly, the pieces of the mystery began to fall into place.

Meanwhile, the victim, lying in critical condition in a nearby hospital, began to recall additional details of the attack. He was "nearly certain" that his assailant had dropped his knife in the snow as he fled to the car.

Detectives O'Hara and Barnes, with the help of other officers, began a slow and careful search in the foot of fresh snow, and after several hours of shoveling and sifting, they found a switchblade knife.

They also checked with the records bureau and learned that a 1959 white car was registered in the name of a Detroit woman, who was later identified as the traffic violator's mother.

ARREST MADE

By Monday afternoon the detectives had located the car and arrested the driver, 19, and his passenger, 21, at the latter's home in River Rouge.

When questioned by officers, the 21-year-old man signed a voluntary statement confessing the stabbing.

The success of solving this case only reinforces the old adage. "It's the little things that count."

Law enforcement authorities across the Nation constantly stress that the police officer leads a hazardous life and that his greatest danger is carelessness.

A policeman can never afford to relax, to skip details, or to look the other way, when, for example, a motorist fails to stop at an icy intersection.

Because two River Rouge patrolmen did their job correctly—even though they had no intention of issuing a ticket—our detectives had the names and addresses of two men as well as the license number of a car matching that of a vehicle possibly used in an attempted murder.

Again, attention to routine matters paid off—a valuable lesson to remember.

On May 12, 1969, the circuit court in River Rouge sentenced the subject in this case to 5 years' probation on condition that he receive psychiatric treatment.

THE ENVIRONMENTAL QUALITY COUNCIL

Mr. MOSS. Mr. President, on May 29 President Nixon created the Environmental Quality Council. It was described as "a Cabinet-level advisory group which will provide a focal point for this administration's efforts to protect all of our natural resources."

Commenting on the Council's establishment, the Salt Lake Tribune makes the point that it amounts to another layer imposed upon an already complex Federal structure. Moreover, says the Tribune, the members of the Environmental Quality Council—the President, the Vice President, and Cabinet officers—already have too much to do.

I commend the Tribune's view that a more effective approach to conducting the fight to preserve the environment would be to "group the agencies concerned with pollution under one Federal department," or appoint a special anti-pollution commission. I favor the first alternative, and believe the proper department to handle this matter is one I am proposing—a Department of Natural Resources and Environment.

It should also be pointed out that many of the members of the Cabinet are already on another council which has a great deal to do with pollution, the Water Resources Council. Its chairman is the Secretary of the Interior, and the members are the Secretaries of: Agriculture; Army; Health, Education, and Welfare; and Transportation; as well as the Chairman of the Federal Power Commission. So we now have four cabinet secretaries—Health, Education and Welfare, Agriculture, Interior, and Transportation—holding membership on both the Water Resources Council and the Environmental Quality Council, both of which must concern themselves, for example, with water pollution.

There are other ramifications, but I will not go into them at this time. This superimposing of committee upon committee—made up of many of the same men—gives us the appearance of doing something without establishing the administrative structure required to solve one of the Nation's most pressing problems. But it is my hope that the creation of the Environmental Quality Council is a step toward the expeditious formation of an effective Department of Natural Resources and Environment.

I ask unanimous consent that the editorial from the Salt Lake Tribune entitled "Fine Motive, Faulty Plan" be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FINE MOTIVE, FAULTY PLAN

Environmental pollution is a many-headed monster that must be slain. And many a hero, sword in hand, has gone forth to do battle with it. They are flailing away at the serpent's smoky breath, its clawing feet, its unbeautiful eyes. Sometimes they fight each other instead of the brute.

President Nixon has sought to bring some order to the onslaught, to discipline the warriors and bring the dragon to its knees. The vehicle for this giant task is to be the new Environmental Quality Council which the President himself will head as chairman. Other members are the vice president and Cabinet officers whose departments currently are engaged in separate anti-pollution programs.

The council's mandate from the President is clear: 1—Propose improved measures for the control of pollution. 2—Coordinate anti-pollution efforts in the different levels of government. 3—Anticipate new problems that will arise. In addition the council is supposed to give the President more administrative machinery in the anti-pollution field.

If the council manages to carry out the President's assignment, it will have to impose another administrative layer on top of the several already functioning in the various federal departments and in state and local governments. There is a real chance this will further complicate rather than simplify the anti-pollution campaign.

We have no argument with the President's desire to roll back the inroads of pollution and poor use of resources. But we wonder if a council of busy men, each of whom already have more problems than he can solve, can do justice to the challenge posed by great and growing environmental despoilment.

A better way of coordinating anti-pollution efforts would be to group them under one major federal department or else ask Congress to give a special anti-pollution commission broad powers to implement a coordinated effort. The President and his Cabinet officers are spread too thin now. Assigning them additional duties in improving the environment is not likely to produce the most effective action.

OUR GOVERNMENT MUST NOT GIVE PRIORITY TO ANY ONE AGE GROUP OVER ANOTHER

Mr. YARBOROUGH. Mr. President, I was troubled by an article I recently read in the Wall Street Journal. In the June 10, 1969, issue of this paper, Jonathan Spivak, staff reporter of the Wall Street Journal, presented an article entitled "Nixon Aims To Switch Emphasis in Welfare From Aged to Children." The article begins with the ominous statement:

> The Nixon Administration is embarking on a determined but politically difficult campaign to shift the Federal welfare focus from aiding the aged to caring for kids.

Mr. President, I do not think it is wise, nor economical, nor equitable to give priority to one age group over another. I certainly agree with the Nixon administration that a great deal more needs to be spent and done on behalf of the children of our country, particularly poor children. Certainly our Government should do more to prevent educational and health handicaps in children. For instance, Congress should enact, and the administration should support, my bill, S. 1190, Children With Learning Disabilities. But, to reason, or even imply, as the administration has apparently done, that this direly needed assistance to the children of our country can be provided only at the expense of programs for the elderly is to engage in the worst kind of sophistry.

What will it take to convince President Nixon that it would be better to take the $7 billion his administration wants to spend on the anti-ballistic-missile sys-

tem frolic and spend it instead on the young people of our country?

I certainly will oppose, with all the vigor at my command, any efforts to reduce assistance to the aged of America. I and other Members of this distinguished body worked too long and too hard to secure minimum benefits and assistance to the aged to stand by and see them swept away by this kind of budget juggling. But I will support all efforts to help the youth of America.

At the 22d annual University of Michigan Conference on Aging, held on June 11, 1969, a resolution was passed, recognizing the danger of the Nixon administration's designs to rob from elderly Peter to pay young Paul. I concur in the sentiments there expressed and ask unanimous consent that this resolution, together with the article to which it refers, contained in the issue of the Wall Street Journal dated June 10, 1969, and entitled "Nixon Aims To Switch Emphasis in Welfare From Aged to Children," be printed at this point in the Record.

Their being no objection, the resolution and article were ordered to be printed in the Record, as follows:

Resolution

Whereas newspaper accounts within recent weeks have described officials of the present Administration as subscribing to a policy of holding the line or even reducing the level of support for programs which serve Older Americans, and

Whereas such attitudes are usually expressed within a context of concern about the need for providing an increased Administration-wide emphasis on programs for youth, and

Whereas such sentiments are usually accompanied by misleading statements which convey the impression that far more in federal funds is committed per aged person, as opposed to per capita expenditures for young persons, and

Whereas such cost estimates disregard the fact that most federal expenditures for the elderly are actually derived from trust funds into which employee-employer payments have been made over a period of years (more than a third of a century in the case of Social Security), and

Whereas such statements are resulting in unfortunate and damaging "either-or" attitudes which assume that youth cannot be served unless the elderly are neglected in this, the richest nation in the world.

Now, therefore, be it resolved, That conferees at the closing session of the 22nd Annual University of Michigan Conference on Aging—an assemblage to which national, state, and local organizations and agencies have sent representatives—do hereby call upon you, Mr. President, to express the philosophy and the commitment of the present Administration to the interests and problems of the more than 20 million Americans now age 65 or over and the many other millions soon to reach that age, and

Be it further resolved, That representatives at this conference shall seek from their organizations or agencies an expression of concern similar to that of this resolution, with special reference to a Wall Street Journal article of June 10, 1969, bearing this headline: "Nixon Aims to Switch Emphasis on Welfare From Aged to Children."

Nixon Aims To Switch Emphasis in Welfare From Aged to Children

(By Jonathan Spivak)

Washington.—The Nixon Administration is embarking on a determined but politically difficult campaign to shift the Federal welfare focus from aiding the aged to caring for kids.

The basic concept: Tax dollars can be better spent preventing educational and health handicaps in children—particularly poor children—than treating such disabilities later in life.

"The President is deadly serious about this—a national commitment to the first five years of life. He wants to make this a central theme of this Administration," declares a high-ranking White House official.

As one result, the President already has ruled out reductions in programs for children in the current round of anti-inflation belt-tightening. But the broader impact is envisioned when the Vietnam war ends, permitting expansion of domestic programs. The Administration's expressed objective is gradually to funnel a steadily larger share of ever-growing Federal revenues to youngsters, though not disregarding the needs of the aged.

HIGHER HEW OUTLAYS

Such an approach could require a significant increase in outlays by the Department of Health, Education and Welfare, whose budget for the coming fiscal year totals $50.5 billion even after a downward revision by the Nixon Administration. Says HEW Secretary Robert Finch: "I'd like to see a great chunk of resources put in at the lower end of the age spectrum and hold (spending) at the top end."

The obstacles are substantial. Congress' approval would be required for such a reordering of priorities, and the old folks exert immense influence there. The AFL–CIO and senior citizens' organizations are active lobbyists for the aged. Voting cloud aside, many lawmakers feel sincere concern for the plight of the typical senior citizen.

Other well-established social welfare programs also have powerful constituencies who could feel short-changed by a new concentration on children ("It implies writing off the present generation" a planner in the poverty war complains). Finally, although a Federal campaign for children could have wide popular appeal, its major beneficiaries at least at the start would likely be Negro children and jobless parents. Thus, conservative forces in the Cabinet and in the Republican Party might prevail on the President to moderate the change.

PROPOSED POLICIES

Whatever the difficulties, here are some of the youth-oriented policies the Nixon Administration will probably attempt to pursue:

Enlargement of cash payments for needy children, either through a guaranteed annual family income, as favored by Secretary Finch, or a more conventional bolstering of existing public welfare programs. In any case, the emphasis will be on aiding poverty-stricken parents, in the hope that more Federal money will hold families together and enable adults to provide more adequately for their children. The sharpest increases would occur in the South, where welfare payments for children now are the lowest.

Restraints on increases in Social Security payments. Many Nixon Administration officials question the need for regularly raising these retirement benefits every few years. Mr. Nixon has called for a 7% rise in Social Security outlays next year, sufficient only to cover cost-of-living increases since February 1968, in contrast to the 10% boost proposed by the Johnson Administration.

Expansion of health care programs for mothers and children, in hopes of preventing costly medical problems by early treatment. For example, HEW's high command will enthusiastically underwrite free immunization campaigns with a new German measles vaccine soon to be available, in an effort to curtail crippling birth defects from that disease. More broadly, the long-range goal would be to expand comprehensive maternal care for all poverty-stricken mothers. Now only about 125,000, or less than 20%, receive such Federally financed help.

More spending for family-planning services, particularly information about contraception, so that an impoverished mother could avoid too-frequent child-bearing and the accompanying risk of birth defects, while lightening the economic load on her family. In the coming year, an estimated $67 million will be spent on family-planning aid for about 1.3 million women. To reach all five million poor women of child-bearing age would cost about $90 million more annually, experts estimate.

Enlargement of day-care programs, not to only enable mothers to work but to educate and otherwise help their young children. Present Federal services reach about 45,000 children at a cost of $27 million annually; communities already are being encouraged to pool day-care funds from various Government agencies, with the aim of making the service more effective and more comprehensive.

Improvement of preschool education efforts, particularly Head Start. Recent studies find youngsters without Head Start doing as well academically as those who participated, and the experts' conclusion is that even earlier and more sustained "intervention" in the life of the impoverished child is essential to prevent lifelong learning disabilities. Thus, preschooling will be provided at least experimentally, to children under age three; more followup services will be furnished to Head Start graduates through their early grade-school years, and the search for ways to stimulate infant intelligence will be intensified.

It would be misleading to suggest that a sudden shift in Federal spending from the aged to the very young is imminent. The Administration's intent is a gradual expansion of programs for kids while holding down increases in expenditures on the aged. However, it's likely that the old folks will get the lion's share of Federal social welfare expenditures for many years to come.

In the fiscal year starting July 1, Uncle Sam will spend an estimated $35 billion (much of it in Social Security benefits) on the 20 million Americans 65 and older, or $1,750 per capita. In contrast, $15 billion is earmarked for the 81.5 million Americans under 21, or $190 per capita (for the aged, per-capita outlays for health care alone will be more than double this amount).

The imbalance has diminished somewhat in the last decade, as the Kennedy and Johnson Administration sought to emphasize programs for children as part of their push against poverty. But the new Administration may find it difficult to depart further from the traditional priority for the aged. One reason is that doling out more cash to old folks is automatically achieved through Social Security and Medicare benefits. "It is easier to write bigger Social Security checks for the aged; it is much harder to deliver better educational services to children," observes a Budget Bureau expert.

POTENTIAL PROBLEMS

Some of the Administration's specific ideas could provoke criticism, too. Welfare experts worry about big day-care centers providing nothing more than baby-sitting, ignoring the children's educational needs. Conservatives on Capitol Hill could attack increasing Federal involvement in family affairs and infant training. Militant Negroes might claim that expansion of Federal birth control programs is aimed at reducing the black population.

The most fundamental uncertainty of all centers on the new Administration's willingness to expand spending on social programs. All signs now point to substantial post-Vietnam increases in Federal domestic outlays, but other demands could interfere—military needs for new equipment, public pressure for tax relief, state insistence on revenue-sharing.

Nonetheless, the Finch forces appear firmly committed to expanding early-childhood programs. "When you start talking about breaking the poverty cycle . . . the emphasis has to be on the child and changing his attitude and environment, and I don't think you can start too young in that respect," declares John Veneman, HEW Under Secretary and a key Finch confident.

A new office of child development has just been established to give impetus to HEW's programs for children. Supervised by Assistant HEW Secretary James Farmer, the veteran civil rights leader, the office's first challenge will be to remedy the shortcomings of the $338-million-a-year Head Start program, which now enrolls more than 700,000 kids annually in full-year or summer programs. The President is shifting Head Start out of the Office of Economic Opportunity as of July 1.

THE SAFEGUARD SYSTEM

Mr. McGOVERN. Mr. President, I am deeply disturbed by the disclosure made yesterday by our colleague from Wisconsin (Mr. NELSON) that the administration has spent some $400 million on the Safeguard anti-ballistic-missile system, a project which has not yet been approved by the Congress.

Even more disturbing are the reports this morning that the Pentagon has responded with assertions that these expenditures are "completely legal."

No one has suggested that last year's authorization for the discarded Sentinel program was not broad enough to allow construction of the new system. Indeed, the fact that Safeguard could fit nicely under the Sentinel authorization is a good illustration of how little the program has been changed.

Presumably, this is why Senator FULBRIGHT on May 14 asked for, and obtained, explicit assurances from Deputy Defense Secretary Packard that the Congress would have an opportunity to examine the new system prior to construction. Certainly it is legal to proceed. It is legal because Mr. Packard's words—his positive response to the question whether the new program had to await authorization—cannot be enforced.

The Pentagon's reply to Senator NELSON represents a disheartening disregard for the prerogatives and the responsibilities of the Congress. I suspect that Mr. Packard recognized our difficulties in maintaining democratic control over complex arms programs in his appearance before the Disarmament Subcommittee. It is apparent, however, that he has been overruled by those who feel that the views of the Congress deserve no more than cursory attention unless they happen to coincide with military preconceptions.

Mr. President, in line with the information supplied by Senator NELSON yesterday, there appears in the readers' column of the New York Times this morning a letter noting that from June 13 to 23 the Safeguard Systems Command awarded contracts totaling $3.5 million. I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the New York Times, July 2, 1969]

SAFEGUARD CONTRACTS

TO THE EDITOR:

On June 13 the Safeguard System Command at Huntsville, Ala. awarded a research and development (R & D) contract for $28,224 to the Stanford Research Institute. On June 19 there were eight contract awards, as follows (all R & D): Lockheed, $399,405; Kaman Nuclear, $1;255,561; University of New Mexico, $207,407; Kaman Nuclear, $80,000; Kaman Nuclear, $73,801; Everett Research Laboratories, $67,728; Keystone Computer Associates, $29,524; Battelle Memorial Institute, $45,035. On June 20, an award in the amount of $1,313,254 was made to Boeing Aircraft for "Analysis of Ballistic Missile Defense Alternatives." On June 23, the General Electric Co. was forwarded $17,500 for a study of a study. All of the foregoing is taken from the pages of Commerce Business Daily, a Federal publication for listing jobs and awards for procurement. Notices in this publication are restricted to unclassified awards exceeding $25,000; thus there is good reason to believe that these contracts only scratch the surface.

Simple addition of this information indicates that in the span of these eleven days more than $3.5 million has been allocated for a program which has yet to be approved by the Congress and of which is of debatable effectiveness, to say the least. It is particularly perplexing that such a large award should be made to study ballistic missile defense alternatives to such a biased contractor, especially at a time when our Administration is claiming that it already has all the answers it needs.

RICHARD A. ELLIS.

YONKERS, N.Y., June 24, 1969.

THE RIGHT OF THE PUBLIC TO KNOW

Mr. CURTIS. Mr. President, American people are entitled to have full information concerning all matters relating to their Government. The only exceptions should be as to such information that would in reality jeopardize the security of our country. Government departments should in their dealings with the press make an effort to reveal all the facts and not to conceal.

A champion of freedom of the press and full information for the American people is Mr. Clark Mollenhoff, a distinguished member of the Washington press corps, who has received many well deserved honors. Mr. Mollenhoff has written an article entitled "Press Failure at the Pentagon," which appeared in the bulletin which is published by the American Society of Newspaper Editors.

Mr. President, I believe Mr. Mollenhoff's article is very timely and important. I believe it will contribute much to the deliberations of the Congress. I therefore ask unanimous consent that it be incorporated into the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Bulletin of the American Society of Newspaper Editors, July 1969]

PRESS FAILURE AT THE PENTAGON

(By Clark R. Mollenhoff)

In the spring of 1969, it was fashionable to assign a reporter or a group of reporters to do what was considered "an in-depth series" on the military-industrial complex, and the multibillion-dollar Pentagon bungles of the last few years. Newspapers, magazines, radio and television suddenly were busy trying to catch up with the important task of reporting, interpreting and policing a department that had been spending between $40 billion and $80 billion a year for a decade.

In the light of the handicap imposed in being suddenly tossed into this impossible job, many of the reporters did a useful but somewhat tardy job in calling public attention to a decade of corruption, mismanagement and waste in the operations of the Defense Department.

The research was not too difficult on the major problems, for a few of us have written books and extensive articles spelling out the details of the blundering on the TFX, the X–22, the decision to make the U.S.S. John F. Kennedy a conventional carrier and a wide range of cases of minor blundering, "conflicts of interest" and misrepresentations to the public and Congress on military problems. The hearings and reports of Congressional committees, and the debates on military budget provided considerable information that many of us had been writing about for years.

The public and many editors were suddenly hit with a shocking picture of the misuse of the tremendous power of the Pentagon's multibillion-dollar budget. There appears to be a sudden realization that regional political favortism, "conflicts of interest" and cozy dealings with big or little defense contractors can be a drain on the taxpayers and detrimental to the goal of producing the best weapons systems for the best price. There could have been an understanding years earlier if the press had done its job.

There was a sudden realization that there are certain inherent problems in any easy flow of personnel, military or civilian, between the major defense industries and the highest policy positions in the Pentagon. And, there was new understanding of the evil influence across the entire Defense Department when the highest officials—some civilian and some military—give false testimony under oath, force subordinate officials to give false or slanted testimony and use the full power of the bureaucracy to demote, discipline or fire the dissenters who insist upon telling the truth.

Also, a part of the power picture that is now appearing in many publications is the interplay of forces in the Congress and the Defense Department, with cooperative senators and congressmen receiving favored treatment while uncooperative senators and congressmen are punished and maligned.

While the picture of corruption and mismanagement at the Pentagon is shocking, it is equally shocking to examine the record of the American press during the last decade. Why has it just dawned upon the press—newspapers, magazines, radio and television—that the spending of half of the national budget and the status of our national defense is worth covering week by week? Why did the press permit itself to be dominated and overwhelmed in many cases by the propaganda of a centralized Pentagon press office that claimed a new scientific "cost effectiveness" system was saving billions of dollars every year?

It would be rather easy to do a devastating series of articles on the superficially and the laxity of the American press in dealing with the corruption and mismanagement in the Pentagon. Congressional investigations of Pentagon corruption and mismanagement were virtually ignored by the wire services, Washington specials and radio and television. Where there was coverage it was usually short, superficial and more confusing than enlightening.

The editorial comment by most major newspapers was influenced by the lack of coverage in the news columns, or the superficiality of the coverage by commentators on radio and television, the columnists or the barrage of propaganda flowing from the new centralized Pentagon press office. The self-serving declarations of the Defense Secretary were accepted and printed as truths, even when they were clearly contradicted by a body of testimony and documentation. The evidence of the clearest "conflicts of interest" was ignored or excused by reporters and by the editorial writers who found it easier to accept the unsupported statements or conclusions of a President, a Defense Secretary or other political figure with an obvious stake in the story than to be concerned with other evidence.

Editors cannot come to grips with the Pentagon from a point several hundred or several thousand miles from Washington unless they have reliable and tough-minded channels of information. Many influences have cluttered and contaminated those channels in recent years. Not the least of these has been the radio and television coverage.

While radio and television can do a great job on some subjects, there has been a glaring weakness in the manner in which the broadcast industry has dealt with the hard problems of covering corruption, mismanagement and waste at the Defense Department as well as in other government agencies.

Television is show business, and the show business aspect influences news coverage and public affairs programs. A big news story may get two or three minutes, which is for the most part confined to the most colorful or provocative statements on one or on both sides of an issue. Corruption or mismanagement is charged and denied with no real effort to explore the depth of proof beyond the self-serving statements of the spokesmen for the two sides. Viewers are influenced by the looks, the brief comment or by the facial expression of the commentator as much as they are by facts and depth of proof. It is not unusual for such programs to be devoid of facts or documentation on even the most important Defense Department issue.

While most editors are aware of these weaknesses in broadcast journalism, they are (like most of us) influenced to some degree by this most powerful medium in their assessment of the wire services and their own Washington correspondent.

While television seldom leads the way in challenging the press office or a government agency, particularly the Defense Department, it can be a tremendous influence in the way it takes up the fight on some issue or treats the issue as inconsequential and unworthy of air time.

Seldom do editors give any thought to the influences that have tended to keep the network newsmen and commentators from challenging the Defense Department's bosses or the White House. Broadcast journalism requires special access to the Defense Secretary, other high Defense officials and White House personnel. Certainly everyone can cover the regular press conferences, but it is a coup to arrange one of those "special" interviews on an exclusive basis. Such "specials" go to a favorite network or even a favorite newsman, usually the apologists. Specials seldom are arranged for men who question the honesty, integrity or judgment of high officials of the Defense Department.

Since there is really no effective way to change this system, editors should in most instances disregard the television news shows in making their judgments about either the wire service coverage or the coverage by their own Washington correspondent.

Wire service reporters assigned to the Pentagon are usually overworked with routine, and faced with ground rules that make it difficult to dig beyond the self-serving statements of the Defense press office.

The penalties for being a few minutes behind on a routine news story are such that they force bright, able and energetic reporters to accept Pentagon discipline and avoid rocking the boat. Aggressive independence can represent a serious handicap with too few compensations.

The Washington special correspondent, operating out of a one- or two-man bureau, can lead an even more harried life than the wire service reporter who is permanently assigned to the Pentagon. Editors who would never expect one local reporter to be expert on city, county and state affairs, think nothing of expecting "instant expertise" from the one or two men they assign to Washington. Most correspondents understand their inability to be instant experts on all they are asked to do, but do develop a fine facility for quick research and fast, smooth writing that often passes for expertise.

But this kind of an operation is superficial and relies too much upon quick information from government press offices or Washington lobbyists. It is easier to go along with the viewpoint of the White House or a big agency in most cases, and it can take tremendous time and energy to carry the burden of an assault on the opinions or decisions of a government agency. The task can seem overwhelming when it involves a challenge to the biggest and most complicated Washington establishment, the Pentagon. A few make periodic challenges to the Pentagon propaganda position, but most give up in frustration after concluding that few in the press really see or care about the implications of mismanagement, corruption and waste that have been unearthed.

Although I am sympathetic with the problems faced in covering Defense spending, I do not want this sympathy to be interpreted as a justification for a continuation of the incompetence and superficiality of the past press performance. While the problems of covering an $80-billion-a-year agency are too numerous to mention here, we cannot afford to let the size of the problems be used to excuse future press failure. The press has a great responsibility that cannot be brushed aside.

The Pentagon spends half of our federal budget and has the responsibility for providing a modern defense system to protect this nation from all its enemies. Every bit of corruption, political favoritism, mismanagement or waste steals money from the taxpayers. More important, it cuts into the muscle of real defenses, saps the strength of the nation and could leave us as a second-rate power even as we spend our way into bankruptcy.

In the face of a host of international problems, and the turmoil at home over real and imagined wrongs in our society, it is essential that we take stringent measures to eliminate corruption. Honest government is not only practical, it is vital to our future. It is time for the press to eliminate some of the smart cynicism that tolerates corruption and mismanagement. It is time to exhibit some outrage at dishonest or political administration of the Defense Department, or any other agency of government including the courts.

Every story of Defense Department corruption is worth total pursuit by the press until the corrupter pays a penalty, or the mismanager is exposed and labeled for what he is.

Those who lie or misrepresent to hide the corruption and mismanagement should be exposed and criticized for precisely what they have done as accomplices after the fact. The point must be made that liars and falsifiers cannot be tolerated in high government office, and that the higher the office the man holds the higher the price he must pay for his falsification. This has not been the case.

The political defenders of those engaged in either crime or the coverup of crime should be held accountable for either lack of judgment or for knowingly condoning dishonesty in government. Nothing less than such a massive assault on corruption and mismanagement will have any more than minor impact upon the problem facing the United States today.

The present press emphasis on coverage of the Pentagon might lead one to believe that newspapers, magazines, radio and television have finally learned the vital lessons after a decade of swallowing big chunks of Pentagon propaganda. Certainly no one can now say that the press is "soft on the Pentagon," but even that coverage is superficial. Week after week the stories pour out on the evil "military-industrial complex" with statistics on the number of generals and admirals who work for major defense contractors, and statistics on the increased concentration of defense contracts in the hands of fewer and fewer contractors. Always there is mention of the billions wasted through cancellation of major defense contracts that failed to meet standards, and there are the stories of the $2 billion overruns on the C–5A cargo plane contract, the mismanagement on the Cheyenne helicopter contract, and of course, the multibillion-dollar bungle on the infamous TFX contract. But there is little effort to report details of specific crimes and trace the responsibility.

Reporters who should know better have painted with a broad brush of truth, half-truth and distortion. There is a lack of precision in placing the responsibility for the Pentagon decisions on the civilian boss or the military officer who sold out the public trust. Usually there are only the broadest hints that something is wrong without specifying the crime.

With the broad sweep and lack of precision of a cartoonist, reporters have placed the blame for waste, corruption and mismanagement at the feet of "the military-industrial complex." Without using names, admirals and generals are pictured as corrupt or stupid. Senators and congressmen are often characterized as incompetent or corrupt parties to the waste of millions or billions, though no details are spelled out.

The facts are usually accurate, but a close reading of many of these series shows continuation of much of the same superficiality that permeated the Pentagon coverage in the period prior to 1969. Some of the writers seemed bent upon proving a preconceived notion that the generals and admirals, the senior men on the Armed Services committees of the House and the Senate and the bosses of defense industries have conspired to push the United States into the Vietnam war and other confrontations for the sake of business profits, promotions and political deals.

Certainly there has been waste and mismanagement, but the evidence hardly sustains the general conspiracy theory. There are instances of corruption and mismanagement involving generals, admirals, members of the Senate and House, officials of defense industries and the politically-appointed civilian bosses of the Pentagon. But, somehow many of the stories either ignore the dominant role of the political bosses at the Pentagon or tend to absolve them from blame for what has gone wrong.

Often the reporting of scandals is handled in such a loose manner that blame is placed on "the Pentagon" or "the Air Force" or "the Navy." The impression is given that the Nixon Administration or Defense Secretary Melvin Laird has the resonsibility for what has taken place in 1963 or 1968. Seldom, if ever, is the name of former Defense Secretary Robert S. McNamara mentioned in a critical manner, even when he was personally involved in the questionable decision or when the decision was dictated out of his office under some much-heralded new system that was to save billions of tax dollars.

Frequently, the whole mess of scandals

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originating under the Kennedy or Johnson administrations are lumped together and presented as evidence of a general Pentagon laxity. Then this Pentagon laxity is projected into certain waste of money if President Nixon's Safeguard antiballistic missile program is permitted to move forward. Certainly past scandals should serve as a warning about what could happen to the ABM in the future, but unless there is direct connection these should not serve as arguments for rejecting a program that the President and the Defense Secretary believe is essential.

The merits of constructing the Safeguard ABM should be considered by the press and the public without regard for scandals of an earlier administration, unless there is some evidence of misjudgments or misrepresentations of the Safeguard decision that are clearly linked to the past scandals.

The press cannot be permitted to plead that secrecy hid the scandals that originated in the McNamara years. Certainly the Defense Secretary and his press office tried to hide the record, issued orders to bar honest disclosure of the record and even misrepresented the facts to the committees of Congress.

However, over a period of months the facts did become available on such major scandals as the award of the TFX contract, and a dozen lesser scandals. The implications were obvious. The facts were available in the hearings of the McClellan Permanent Investigating Subcommittee, and in the testimony of Secretary McNamara and other high Defense Department officials who reluctantly testified under oath. I wrote detailed accounts on the TFX, the X–22 and the nuclear carrier dispute in a book called "Despoilers of Democracy" that was published in 1965, and covered a host of other scandals in depth in "The Pentagon" published in 1967. Millions of words were written for The Des Moines Register on these and other Pentagon problems.

This reporter was not alone in writing of detailed evidence of scandals and mismanagement. Hanson Baldwin, the distinguished Pulitzer Prize-winning military analyst of The New York Times, reported periodically on a host of serious Pentagon problems under the "McNamara Monarchy." George Wilson, of Aviation Week, and later with The Washington Post, did a consistent, tough-minded job on the TFX and other Air Force projects despite the propaganda flow from the Pentagon press office. Sanford Watzman of the Washington Bureau of the Cleveland Plain Dealer did a brilliant and thorough job of exposing the manner in which the McNamara Pentagon was failing to enforce the so-called Truth-in-Negotiations law of 1962. Charles Nicodemus of the Chicago Daily News was persistent as well as imaginative as he unearthed the entire series of scandals that poisoned the M–16 rifle program. Richard Elliott of Barron's Weekly did a great job of following up on the TFX contract and exposing the troubles that plagued the Navy version, the F–111B, until it was killed by Congress in 1968.

If there had been a dozen more reporters digging into the Pentagon to pull out the facts on scandals and reporting on the top level responsibility for those scandals, it could have forced some early reassessment of many of those programs and would have resulted in better decisions on later programs. As it was, the critics of the McNamara Pentagon were drowned out by the noncritical and fawning coverage of McNamara by many magazine writers, columnists and Pentagon specialists who apparently believed they needed a continuing pleasant personal relationship with the Defense Secretary.

It is the job of the American editors to create the conditions in which reporters covering government can exhibit aggressive independence without having their heads chopped off because they do not have rapport with the Defense Secretary for the intimate backgrounders. Wire service executives and the editors who deal with them must make certain the Pentagon reporter is motivated more by the necessity for doing a tough job than with the necessity for being fed routine stories at the same time a competing service receives it.

If the reporter believes he works for an organization that believes in aggressive independence, then the reporter will probably be aggressive and independent. If editors want the routine bunk that is fed out through the press office, then that is what they will get from the wire services and from their own specials.

The record of past press blunders has been available for years:

1. Control of the Pentagon was centralized in the Office of Defense Secretary. Instead of examining this action with a critical eye, the press applauded it and viewed it as some move that would put the professional military men in their place.

2. The press office was centralized under the Office of Defense Secretary, and a broad range of practices instituted that tended to crush dissent. There were a few whimpers by the press, but many were unconcerned.

3. The TFX was awarded arbitrarily to the high bidder with the second best plane and over the unanimous recommendations of the Pentagon source selection board. Many editors bought the McNamara explanation without close examination and even managed to applaud an arbitrary award to General Dynamics (the embodiment of the military-industrial complex) as a blow against the complex.

4. The "conflicts of interest" in the TFX contract were documented fully as early as 1963, but most newspapers ignored it. Some even defended it editorially and followed a line that was right out of the mouth of a top Pentagon press spokesman.

5. Defense Secretary McNamara's claim of billions in savings were accepted and praised without careful examination, yet there was little or no coverage by most newspapers of the details of House hearings that proved most of the claimed "savings" were hogwash.

6. There was wide coverage of McNamara's establishment of the Defense Contract Audit Agency, and acceptance of the fact that this was to be a big money saver. There was little attention to the huge costs this added to the Pentagon budget, and no concern over the fact that the existence of the Defense Contract Audit Agency was used to justify cutting the scope of the outside audit by the GAO.

These are only a few of the blunders of the Defense Department and of the press in the last decade. Although I have hit them briefly here, I have covered them in detail in books, speeches and in news stories over the last eight years.

I believe it should be sufficient here to make the point that the press let itself be caught up in depth coverage of a lot of glamour projects, but failed to do a thorough job of going behind the Pentagon press line on the vital issues of honesty and integrity.

A FELLOW TEXAN ENDORSES THE AMERICAN FOLKLIFE BILL

Mr. YARBOROUGH. Mr. President, I received instantly another letter in support of my bill S. 1591, to establish an American Folklife Foundation. This proposal has been endorsed by many leading public figures and by some of the Nation's leading folk artists.

Impressive and encouraging as these endorsements may be, Mr. President, I am still happy when I find that my proposal also is gaining support at the grassroots level. I have a letter from a constituent of mine, Mr. Ralph D. Wright of Austin, Tex., nephew of famed Dr. Walter P. Webb, which warmly endorses my bill.

Mr. President, I ask unanimous consent that the letter from Mr. Ralph D. Wright, dated June 19, 1969, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AUSTIN, TEX.,
June 19, 1969.

Senator RALPH W. YARBOROUGH,
Senate Office Building,
Washington, D.C.

DEAR SENATOR YARBOROUGH: On your weekly radio report of June 15, I heard you announce your plans to introduce a bill establishing an Institute of American Folklife. As an individual constituent, I would like to express my appreciation to you for your interest in the documentation and preservation of our folk culture.

As a nephew of Dr. Webb, I was fortunate during my childhood to be along on several evenings when he, Mr. Dobie and Mr. Bedichek recounted tales of early Texas and the west. I am afraid that many of these tales, even the printable ones, are now lost. Hopefully, the establishment of an institute such as you propose would make possible the preservation of such folklore for future generations. I am sure that these men would applaud your efforts in this area.

Should more information become available regarding the institute, I would be grateful to receive it.

Sincerely,

RALPH D. WRIGHT.

THE HEALTH GAP

Mr. JAVITS. Mr. President, the Nation's citizens and administrators are becoming increasingly aware of the growing disparity between America's great advances in medical science and the adequacy of our health care and facilities. A recent article in the Ambassador, a publication by the Blue Cross and Blue Shield of New York, reports on one portion of this acute problem—the sorrowful health conditions and services afforded to one-fifth of our people, those who live in poverty. I and other Members of this Congress have cited these facts again and again—the problems of malnutrition and unsanitary conditions, the outmoded, insufficient hospital and clinic services. This article stresses the vicious cycle caused by the close relationship between these conditions and poverty—the poor get sicker and the sick get poorer, as malnutrition takes its toll in energy and morale, and the lack of proper care generates more disease and despair. We must continue in our fight to eliminate these tragedies through legislation and education, and to break this cycle. We must assure to all the means to attain comprehensive health care if we are to maintain our responsibility as Americans. Mr. President, I ask unanimous consent that this report be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE HEALTH GAP

In the wealthiest and most productive country in the world, there is an enormous and growing gap between the health care available to the poor and to the non-poor:

A child born to poor parents is *twice* as likely to die in infancy.

Should he survive the first year of life, his chance of dying before reaching the age of 35 is *four times* greater.

He is *five times* more likely to suffer mental illness, *three times* more likely to have a disabling heart disease, *seven times* more likely to have visual impairment.

Two questions are basic to an understanding of this national health problem: Who are the poor and what is the relationship between poverty and ill health?

THE POOR ARE EVERYWHERE

Poverty knows neither geographic nor racial lines. A federal study estimates that about one-fifth of all people in the U.S. live in poverty, with the poverty level set by the Social Security Administration at $3,335 annual income for a family of four and the near-poor level at $4,345.

Of the total number of Americans designated as poor in 1966, two out of three were white. Among the near-poor four out of five were white. The Negro, however, is twice as likely to be poor as his fellow white citizens. For Indians living on reservations and for migrant workers, the percentage is even higher. Poor families are moving to the cities in increasing numbers, but there remains a large proportion of rural poor, particularly in the South although by no means confined to that area.

The poor are everywhere and they are of all ages. Included among the poor and near-poor are 18 to 28 per cent of the nation's children and from 30 to 43 per cent of the aged—figures that belie a popular misconception that the cure for poverty is for poor people to "get out and work."

THE VICIOUS CYCLE

The poor get sicker and the sick get poorer in a vicious circle as poverty breeds disease and disease in turn breeds poverty. The close relationship between poverty and ill health is abundantly evident in the graph prepared by the National Center for Health Studies.

Poverty breeds sickness in many ways, both environmentally and socially. Inadequate housing, overcrowding, and lack of sanitary facilities generate disease as well as prevent or prolong recovery. Diet is a tremendously important factor in both mental and physical health, and the poor, as a rule, are poorly fed. Even where actual hunger does not exist, malnutrition is widespread. As just one example, a national nutrition survey taken by the United States Public Health Service in 10 states revealed that 34 per cent of the pre-school children examined exhibited anemia, 33 per cent of children under six suffered vitamin A deficiency and growth retardation was common.

A disturbing body of scientific information indicates a direct connection between malnutrition in children, especially insufficient protein, and permanent brain damage. Seventy-five per cent of the mental retardation in this country occurs in areas of urban and rural poverty.

Malnutrition also takes its toll in a general feeling of malaise, a lack of the well being and energy necessary to break out of the vicious circle. Why don't the poor eat a better diet? The answer is simple; they are woefully uninformed about what foods constitute good nutrition, and the primary sources of protein and vitamins—meat, milk, fresh vegetables and fruits—are in general the most expensive items in the food budget.

Why don't the poor get more medical help for their health problems? Again, part of the answer lies in lack of information; they do not know about the free health services available to them, and in many areas of the country there are none within a reasonable distance. Even in large cities, where free clinics or health-care centers offer many services, they are frequently located far from the ghetto areas. Availability and accessibility are two different things and easily accessible facilities, where they do exist, are grossly inadequate.

Alonzo S. Yerby, M.D., professor of health services administration, Howard University School of Public Health made this comment in referring to the relationship between poverty and ill health, "Strange as it may seem, many otherwise well-informed Americans tend to attribute much of the problem to the alleged failure of the poor to use the services that are available. Few of these critics of the behavior of the poor have been inside the health facilities which serve the poor, few have sought care from marginal practitioners who have not kept up with medical progress and who conduct an assembly-line practice in slum neighborhoods."

Dr. Yerby described what he called "the gross inadequacies of the clinics that serve the poor, the antiquated, decayed physical plants, a multiplicity of unrelated specialty services, overworked and often underpaid personnel with no time, and often no interest, in the complex problems which beset the people who huddle for hours on the hard benches. I have often felt that such descriptions were inadequate to fully portray this slice of man's inhumanity to man."

Just as poverty breeds sickness, sickness in turn breeds poverty. Unable to afford or obtain adequate medical care, the poor are more likely to become ill, more likely to be subject to chronic ill health, and consequently less able to work regularly or at peak efficiency. As a result they are less likely to be able to obtain employment, they make less money, and frequent absence from work sends them deeper into poverty and the vicious circle is repeated.

AN OPTIMUM EFFORT

Dr. Hollis S. Ingraham, Commissioner of the New York State Department of Health, has called for "an optimum effort to break the cycle process by which the poor get sicker and the sick get poorer." The problems of public health and the poor, he says, "are the problems of a nation grappling with the crisis of its own identity."

An optimum effort requires resourceful and imaginative action on many fronts:

A massive attack on hunger and malnutrition.

A concerted educational campaign to inform the poor about nutritional requirements, about free medical services available to them, about the genesis and prevention of disease.

Construction and staffing of neighborhood clinics where comprehensive care is available to all members of a family.

Accelerated programs to train more doctors and nurses as well as a broadening of the use of allied health professionals and services.

Enforcement of building and sanitation codes.

Elimination of overlapping agencies and the incorporation of health care of the poor into a general health system.

Expansion of programs for prenatal care, immunization and family planning.

A realistic method of financing health care.

Acceptance of neighborhood participation and leadership in solving the problems.

If these and other measures are taken soon enough and wholeheartedly enough, we may yet be able to quote Aristotle with a sense of national identity: "Health of mind and body is so fundamental to the good life that we believe that if men have any personal rights at all as human beings, they have an absolute moral right to such a measure of good health that society alone is able to give them."

THE OIL INDUSTRY

Mr. HART. Mr. President, this Nation's press performs many extremely vital functions for which it is frequently lauded. Not on that list—but extremely valuable as a time-saver for Members of this body—is the press' talent for summarizing complex material in a readable form.

An excellent example is the May 17, Business Week article on questions being raised about past and current governmental treatment of the oil industry.

As chairman of the Senate Antitrust and Monopoly Subcommittee which has been investigating the effect of Government intervention on this market, I am particularly impressed with the summary of opinions expressed at those hearings.

I call my colleagues' attention to the article and recommend it as a valuable tool to those attempting to understand the complexities involved, and ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Year Oil Gets Its Lumps

Eight weeks ago the president of Gulf Oil Corp., the chairman of Humble Oil & Refining Co. and independent operators from Michigan, Ohio, and Pennsylvania—as well as Texas and Oklahoma—flew into Washington for what they trusted would be a ritualistic defense of oil's special position in the Internal Revenue code.

Presidential candidate Richard Nixon had publicly backed the 27½% depletion allowance, mainstay of a system of tax preference worth (depending on who's counting) anything from $1.6-billion to $3-billion a year. And taking the oath of office had had no discernible effect on his views. Though Treasury officials were hard at work on a tax reform package, the word had quietly gotten around that oil would not be one of their major targets.

Ranged before the House Ways & Means Committee, the oilmen comfortably expected that their traditional arguments would get traditionally friendly reception on Capitol Hill. Never in the 43 years since the depletion provision was first written into the tax code had the Ways & Means Committee made the slightest threatening gesture toward it.

Before long, however, the oilmen were not feeling so comfortable.

REVOLT

"I don't think I have ever been so startled," one major company vice-president recalls. "There was Johnny Byrnes acting just like Bill Proxmire." Representative John W. Byrnes of Wisconsin, the ranking Republican member of the tax writing group, long had been considered a tested "friend of oil." Now, like his fellow Wisconsinite, Senator William Proxmire, he was complaining about giant oil companies that paid little or no taxes.

In recent weeks, Ways & Means Chairman Wilbur D. Mills (D-Ark.) has taken the same line. In public statements and in private talks with oil lobbyists, he has made quite clear that the petroleum industry will figure prominently in any broad move toward tax reform. "Depletion has become a symbol," Mills says, and must get at least a "symbolic reduction."

NOTHING SAFE

The defection of Byrnes and Mills is only the most recent, if perhaps most serious, evidence of oil's ebbing political fortunes. A "taxpayers' revolt" focusing on the industry's privileged tax position; a raucous public fight with New England over a foreign trade zone at Machiasport, Me.; an off-shore drilling accident that spilled thousands of barrels of crude into the Santa Barbara channel,

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all these have turned the tide against the industry that once had the most formidable position in Washington.

"There has been a sharp change in the political environment facing the oil industry," says Frank Ikard, a former Texas congressman who left a seat on Ways & Means seven years ago for the presidency of the American Petroleum Institute. Another old Washington hand put the matter more succinctly: "This is the year we get our lumps."

Nothing appears to be safe in the boiling controversy that surrounds the politics of oil. The tax incentives that have sustained the industry since 1926, the prorationing system that since 1933 has kept surplus crude off the market, the import quotas that have insulated domestic producers from foreign pressures for the past decade, all suddenly have become very open questions. And how well they stand up in Washington over the next six months or so may determine the shape of the oil business for years to come.

More than anything else, it has been the "Battle of Machiasport" that has given critics of oil their rallying ground. But in return no issue in years has so united the often feuding segments of the industry.

It started last May with a complex proposal by Occidental Petroleum Co. to build a 300,000-bbl.-a-day refinery at the tiny fishing village of Machiasport, Me. Stripped to essentials, it was a bold plan to use the device of a foreign trade zone to carve out a special place in the oil import program for New England—and, of course, for Occidental itself. Somehow, it seemed to stretch all of the weak seams in a quota system that had already developed almost intolerable strains.

CURE FOR SURPLUS

That system—officially, the Mandatory Oil Import Program—was instituted in 1959 to insulate the U.S. domestic industry from the effects of a world-wide oil glut.

By the late 1950s the Middle East had come into its own, with major finds in Kuwait and Saudi Arabia and the rapid buildup of production in Iran and Iraq. The European market had been pretty well saturated; Japan was being taken care of. The next logical move for Arab oil was to the U.S. East Coast.

The prospect appalled the purely domestic producers, who were groaning under surplus capacity themselves.

Oil reserves

[Billion barrels]

United States:	
1958	33
1968[1]	31
Free world:	
1958	215
1968	372

[1] Excludes Alaskan Arctic.

Source: American Petroleum Institute, Oil and Gas Journal.

DISAPPOINTED

The quota system provided a breakwater against the expected wave of foreign crude. Imports were restricted to a set proportion of domestic demand—12.2% for the area east of the Rockies, for example. Import licenses, or "tickets," were widely dispersed among refiners so that it was no longer feasible to design a plant to run entirely on foreign crude.

One after another, the majors junked plans to build refineries on the East Coast. Without guaranteed access to foreign crude it was better to build near the oilfields and ship the products.

It was natural for New England to resent the oil import program. It found itself on the tail end of a long, expensive transportation line that began, New Englanders figured, at refineries they had lost to Texas. As the price of home heating oil, the major petroleum product sold in the region, rose from 15.37¢ a gal. in 1964 to 17.57¢ in 1968; New England seethed.

BATTLE CRY

Into this emotional cauldron came Occidental Chairman Armand Hammer, with a promise to build one of the world's largest refineries and to reduce heating oil prices by a healthy 10%. New England welcomed him with open arms—and its politicians agreed to fight for his plan in Washington. A major battle was inevitable.

The oil import "ticket" is a valuable commodity being, in effect, a license to import oil at $2 a bbl. that is worth about $3.25 as soon as it clears customs (the duty is only 10½¢). With about 1.5-million bbl. a day allowed, this means that domestic refiners—who get tickets in rough proportion to their plant capacity—share a subsidy worth about $600-million a year.

Occidental's Machiasport proposal was widely regarded as a bold raid on this kitty. Under the existing program Occidental could have looked for a quota equal to about 9% of its refinery runs. Now it was asking for tickets equal to about one-third. This could be done by reducing the share of the other companies.

TURNABOUT

Almost without exception, oil companies jumped on Machiasport to prevent the oil import program from collapsing in a competitive melee for import tickets. Independent producers were worried about maintaining prices; independent refiners were worried about the subsidy, which for some represents their margin of profit; and the giant international oil companies were as anxious as anyone else to maintain the import wall around the U.S. market.

This somewhat surprising turnabout by the internationals stems from a basic change in the world market—international oil's version of the cost-price squeeze.

STRANGE BEDFELLOWS

The enormous oil reserves of the Middle East, together with major finds in Libya and now Nigeria, have had their inevitable effect on prices. Posted prices have remained steady, largely because of pressure from the Organization of Petroleum Exporting Countries. But the price at which crude actually is traded internationally has dropped to as low as $1.20 a barrel—and product prices have followed in Europe and Japan.

The cost of production from the Middle East fields has remained ridiculously low—no more than 12¢ a bbl., figures MIT economist Morris A. Adelman. But the Arabs have proved demanding hosts. Their take now is about 85¢ a bbl. and due to rise under a recent agreement. According to First National City Bank, the earnings on Middle East oil dropped from 77.1¢ a bbl. in 1957 to 37.5¢ in 1967.

The upshot is obvious. Suddenly, even to the free-trading international oil companies, a protected U.S. market looks good. What they lose by having their excess crude kept out of this country, they gain back by having a profits floor under their extensive U.S operations. Besides, keeping the U.S. nearly self-sufficient in oil enhances their bargaining position with the producing governments.

UPPING THE ANTE

So crucial is the U.S. oil import program now to the international majors that some appear ready to give up the $600-million import quota subsidy as the price for maintaining the restrictions intact. It is not one the majors want to embrace publicly for fear of stirring up independent refiners.

Many in the industry also are convinced that it would be politic to do something special for New England—if, as one corporate president puts it privately "we don't have to swallow Armand Hammer." Meanwhile, however, the New Englanders have raised the ante and now seem more interested in knocking out the import program itself than in getting a single refinery built in Maine.

WHO PAYS THE BILL?

The debate over Machiasport has underscored how expensive the oil import program is for consumers. As most economists and anti-oil politicians see it, the restrictions cut the U.S. off from economic forces that might otherwise halve the price of crude oil In effect, says MIT's Adelman, consumers pay $4-billion a year more for oil than they would in a free market.

"There must be a more efficient and more equitable way to safeguard the national security," says Senator Edward Kennedy (D-Mass.). "This is the only legal purpose the program has."

CONFRONTATION

In hearings before the Senate antitrust subcommittee last March, leading academic experts on the oil industry questioned whether the national security required the current high-cost protection of the domestic oil industry.

"It is not just the consumer who pays the cost," says Walter Adams, professor of economics and acting president of Michigan State University. "The restrictions also hurt those American industries which use oil as a raw material and must then sell their finished products in competitive world markets."

The petrochemical industry has, in fact, begun to take its case against the oil import program to Washington—and this is another reason for oil's political difficulties. Petrochemical people have made a strong pitch to the Nixon Administration that unless they get access to cheap foreign feedstocks in the U.S. they will be forced to build plants abroad.

Next week the oil companies go before the antitrust subcommittee chaired by Michigan Senator Philip Hart, who has no particular love for them. They will be trying to answer the economists on Capitol Hill. But their real target will be Labor Secretary George P. Schultz, former dean of the School of Business at the University of Chicago.

Nixon has given Schultz a broad franchise to take a "fresh look" at the import program—and six months to come up with recommendations. It is a ticklish job, even for a skilled mediator. And, sooner or later, he will have to come to grips with the essential question of whether maintaining the present size and shape of the domestic oil industry is worth the cost to consumers.

This issue—the social cost of government policies that encourage and protect U.S. oil production—is at the root of the political turmoil surrounding the petroleum industry. Washington seems to have rediscovered the basic economic fact that if oil is getting special treatment, it's getting it at the expense of other sectors of the economy.

THE WALLS AROUND DOMESTIC PRODUCERS

Both the import program and the tax incentives that center around the 27½% depletion allowance are designed to foster the domestic oil producing industry. The first involves a transfer of $4-billion from consumers, in the form of higher prices; the second, according to Treasury estimates, involves a transfer of $1.6-billion from other taxpayers. Together, they total close to the net profits for the entire industry.

Yet, despite all the subsidies, direct and indirect, profits in petroleum are not inordinately high. The rate of return on equity for oil companies is about average for manufacturing—13%.

What does the industry do with all that money? Both economists and oil men come up with the same answer—though they draw strikingly different policy conclusions: most-

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ly, it is "drilled up" in the search for excess reserves.

STATE REGULATION

With tax breaks and high prices, people have been encouraged to hunt for oil in less promising areas and to maintain production from marginal wells. The economic results are predictable: Since World War II there has been a persistent surplus of crude production capacity. And the burden of carrying this excess has steadily pushed average costs closer and closer to prices.

Most of the industry argues that this spare capacity is essential to national security—and well worth the public cost.

Still, few deny that the management of surplus reserves in the U.S. has unnecessarily reduced the economic efficiency of the industry. Market demand prorationing, says Alfred E. Kahn of Cornell University, "raises costs as well as prices."

CONSERVATION

Prorationing is just about the only surviving descendent of the New Deal's National Recovery Act, which sponsored industry codes to put a floor under depression-era prices. The complex system is run by oil-producing states but enforced nationally through the Connally "hot oil" Act, which makes it illegal to transport across state lines oil produced in excess of state allowables.

There is a conservation purpose behind much of the state regulation. Without some controls, operators tapping the same pool of oil would try to get the jump on each other. They would pump as fast as possible even if it meant decreasing pressures—and reducing eventual recovery. This is exactly what happened in East Texas before 1933.

But the two major oil states, Texas and Louisiana, regulate with one eye on the well pressures and the other on crude prices. They make sure that oil is not produced in excess of actual market demand—meaning that surpluses do not affect prices.

What oil companies make
out of import quotas

[The 1969 value of "tickets" in millions of dollars]

Company:	
Gulf Oil	17.4
Standard Oil (New Jersey)	16.3
Standard Oil (Indiana)	13.7
Texaco	13.3
Mobil	11.0
Shell	10.4
Standard Oil (California)	10.4
Sinclair	9.7
Atlantic Richfield	9.2
Sun	8.8
Phillips	7.0
Cities Service	5.8
Continental	5.7
Union	5.4
Ashland	5.1

Data: Interior Department, Business Week estimates.

LOW EFFICIENCY

Ultimately, the consumers pay through higher prices for keeping surplus oil in the ground. But producers also share the burden by not being able to extract oil at the optimum rate. High-cost "stripper wells," those running no more than 10 bbl. per day, are given full rein; low-cost flowing wells are shut in a good part of the time (about 50% in Texas). Oilmen say that this arrangement is necessary to prevent the loss of oil from marginal wells. But it also has the effect of raising the average cost of producing a barrel of crude.

Obviously, anything that knocked off the marginal producers would increase the economic efficiency of the industry. And this is just what opponents of the oil import program and percentage depletion are urging, even though many admit it means reducing the effective level of U.S. oil reserves. Ending import restrictions would lower domestic crude prices by as much as $1.25 a bbl. Ending depletion and other special tax incentives would, Treasury economists figure, have the same effect on oil profits as a price drop of 90¢ a bbl.

THE INDEPENDENT MIND

Everyone in the oil industry would be thrown for a loop. But the sector that would really take it in the neck would be the independent producers who have carved out a position in an industry that made the term "vertical integration" a household word only because of high crude prices and special tax privileges.

Most independents are, as Netus A Steed, president of the Texas Independent Producers and Royalty Owners Assn. told the House Ways & Means Committee, "caretakers of the nation's . . . marginal production operations." By and large, they search for oil in places the integrated majors don't bother to look. (Partly this is because few can swing the huge outlays needed to explore in the most promising areas offshore and in the Arctic.) Already their importance is declining. Anything that disturbs the existing delicate balance will push many of them out.

Interestingly enough, the independents are less wedded to the 27½% depletion allowance than other oilmen. Recently Steed wrote President Nixon that if oil had to be the object of tax reform, "some reduction in the 27½% depletion factor might well be sustained without irreparable injury."

This departure from an industry article of faith is a tipoff that independents, like the majors, think that something may well be done about oil's special tax position. As long as everyone could assume that nothing would happen, the industry could present a united front. Now, as one Washington lobbyist sees it: "Everyone is going into the back room with a deal."

LITTLE HURT

A small cut in the percentage would not hurt independents much because they are high-cost producers.

As the law reads, operators can deduct 27½% of the gross value of oil at the wellhead, but only up to 50% of the net income of the property. Marginal producers tend to bump up against this ceiling so that the actual depletion rate is less than the formal limit. It is not unusual for owners of secondary recovery wells to realize only a 10% depletion allowance.

The major oil companies, and some of the larger independents, own the "flush" wells where the margin between net and gross income is narrow. For them the 50% of net income limit is not a serious problem, and a cut in the official depletion rate would have an immediate impact.

INTANGIBLES

The majors would like quietly to turn Washington's attention to the second strand in the web of oil tax provisions—the option of deducting intangible drilling costs (such as wages involved in operating a rig) as a business expense rather than depreciating them as capital charges.

To the independents, however, "intangibles are the best thing they have going for them. They do a disproportionate share of exploratory drilling, and get a bigger chunk of the $300-million a year the industry saves in taxes through intangibles than they do of the $1.3 billion it nets through depletion.

Moreover, the intangible option allows them to write off costs in the first year, when the net income from newly discovered wells is relatively high. This gives them more leeway for the 50% depletion limit in later years when the ratio of net to gross income widens. All of this is in addition to the cash flow effect of fast write-offs, which is important to small businesses with restricted access to external financing.

LOOPHOLES

For similar reasons, the independents are dead against the two reforms that the Nixon Administration is sponsoring—changes in the tax treatment of "carved-out production payments" and "ABC transaction."

According to the Treasury Dept., the oil industry uses production payments to evade the 50% limit on depletion. By selling a claim on future production in a year in which the ceiling is a real limit, an operator can boost his net income and realize more on depletion. The deal is frequently made so that the operator can take a tax loss while the carve-out is being paid.

Treasury figures that it will gain $200-million a year if the carve-out loophole is closed. The independents say that they will lose a valuable source of liquid capital. Similarly, independent producers claim that they would have the most to lose by restrictions on ABC transactions—complex tripartite deals in which wealthy individuals agree to finance for access to the depletion allowance.

TIME AND EVENTS WORK AGAINST OIL

There was a time when reformers' discussions of these loopholes would have been academic. Oil had so many powerful "friends in court" that for every Proxmire that questioned the industry's tax status, a dozen congressmen of both political parties would have risen to oil's defense.

Today, oil confronts its political crisis with a power base that is considerably diminished, the result both of the vicissitudes of time and some basic changes in U.S. politics.

TURNOVER

Historically, the countryside had given the industry its muscle in Washington. With much of the nation's farmland under lease and some 30 states with producing wells, rural congressmen never had far to look to find a constituent interest in oil. And lobbyists carefully cultivated the sense of identity with campaign contributions and support for key committee assignments for the faithful.

Now Capitol Hill is showing the effects of court-ordered redistricting. The one man-one vote doctrine has replaced rural politicians with urban congressmen who just can't afford to be identified with the oil industry.

Turnovers in Congressional leadership also have weakened the industry's position. A decade ago, House Speaker Sam Rayburn, Senate Majority Leader Lyndon Johnson and Senator Robert S. Kerr (D-Okla.) formed a powerful triumvirate for the protection of oil's interests on Capitol Hill. Now about the only committed friend whose position makes him much of a help is Russell B. Long of Louisiana, the mercurial chairman of the Senate Finance Committee.

NEW GROUP

The shift in Congressional make-up and the change in leadership are both reflected in the oil industry's inhospitable reception at the tax-writing Ways & Means Committee. It was always an open secret in Washington that Rayburn quizzed applicants on depletion before making assignments to Ways & Means—and the committee's vote always showed it. Since Rayburn's death in 1961, however, 11 of 15 Democrats have been replaced and 7 of 10 Republicans.

"It's a new group down there," says one lobbyist, "and they couldn't care less about the oil industry." Congressional insiders are convinced that in deciding to do something "symbolic" about depletion. Mills is reacting more to changes in his committee than to the thousands of letters from irate taxpayers.

THE ANTIS

It is not, however, the steady erosion of its friends that spells real political trouble for the oil industry. A much more foreboding development has been growth of a powerful

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Congressional bloc that is consciously and actively hostile to oil's interests.

Dozens of congressmen and senators seem eager to put their names on any piece of legislation—so long as it chips away at what they consider the structure of oil industry privilege. There are bills floating around Capitol Hill that would reduce the 27½% depletion provision, deny it on foreign operations, end federal cooperation with state prorationing, phase out the import control program. And there have been a stream of round-robin letters asking the Justice Dept. to investigate alleged "monopolistic" practices of the oil industry, with particular emphasis on the recent round of gasoline price increases.

The anti-oil forces include such perennial gadflys as Senator Proxmire and Senator John Williams (R-Del.). But they also include some of the most powerful men in American politics, such as Senators Kennedy of Massachusetts and Muskie of Maine.

Probably no other industry in the U.S. has had to withstand the political heat these men have generated over the past several months. But if current activity on Capitol Hill is any criterion, the oil industry hasn't seen anything yet.

The politics of oil will never again be quite the same.

ADDRESS BY THE VICE PRESIDENT BEFORE THE STATE DINNER OF THE MIDWESTERN GOVERNORS' CONFERENCE, WICHITA, KANS.

Mr. THURMOND. Mr. President, last night the Vice President addressed the Midwestern Governors' Conference in Wichita, and reported to the Governors on the progress the administration is making in Vietnam.

He did not promise that the solution to the Vietnam problem would be easy, or that it would be possible to increase spending on domestic problems as long as the Vietnam problem exists.

Vice President said:

He did say that the self-appointed experts were not helping the situation. The

> The more removed the neo-experts are from the decision-making responsibility, the more simple and inflexible their proposals become. The less they know about the history of the war, the more illogical are their supererogatory urgings.

The Vice President pointed out that, if there had been an easy way out of the war, the previous administration would have found it. He said:

> The bitter irony of criticism by officials of the past Administration lies in their absence of achievement when the opportunity and the responsibility rested with them.

Mr. President, I think we are making progress in coming to grips with the international confrontation in Vietnam. For the first time, we have an administration that has the courage to look at the situation in Vietnam realistically. We have an administration that is not afraid to look at the role that the Soviet Union is playing in Southeast Asia. We have given up the dangerous illusions that the Soviet Union is an innocent bystander, merely helping Hanoi so that such "help" will be an influence for "peace." The first condition of achieving peace in Vietnam is to recognize that the Soviets bear the chief responsibility for the continuation of this war. We must realize that the real roadblock to peace is not in Paris, or even Hanoi, but in Moscow.

The words of the Vice President show that we do not maintain these dangerous illusions about the Soviet role any longer. In his report to the Governors, the Vice President said:

> The most extraordinary myth is the presumption that the Soviet Union bears no responsibility for events in Southeast Asia. With Communist China an increasing threat to Communist Russia, the new nations of Southeast Asia become a force to counter Peking. Since 1965, China's aid to North Vietnam has decreased while Soviet aid has increased. The recently signed Moscow-Hanoi annual aid pact gives evidence to Soviet interest in Southeast Asia.
>
> It is clear that Khrushchev's successors are not passive. They have accelerated rocket production; established an ABM system; tested multiple warhead weapons and orbital bombs; multiplied missile-launching submarines; developed an impressive "blue water" fleet; increased paratrooper and marine forces; and last summer, mobilized army reserves for East European maneuvers which have yet to end. The Czechoslovakian invasion gave proof that the Soviet Union has not gone soft on liberalism. Their impressive nuclear build-up reveals the USSR has outspent the USA on strategic nuclear forces during the 1960's.

Mr. President, this assessment by the Vice President of the Soviet record will be judged accurate by all those who have followed Soviet strategic and military policy closely over the past few years. I congratulate the Vice President on his fine presentation.

Mr. President, I ask unanimous consent that the Vice President's speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY THE VICE PRESIDENT BEFORE THE MIDWESTERN GOVERNOR'S CONFERENCE, WICHITA, KANS.

Tonight I am going to depart from the traditional discussion of domestic affairs and discuss America's role in Vietnam.

Each of you is, of course, aware that the cost of the war severely affects domestic policy. Along with inflation, our involvement in Vietnam makes it presently impossible to increase our assistance to state and local governments to the desired level. Therefore, you have a stake in our policy and a right to know our prospects.

There are many self-professed experts on the Vietnam War. Hardly a day passes that doesn't produce what is advertised as a quick, easy, unilateral solution to the frustrating, seemingly endless conflict.

Unfortunately, the more removed the neo-experts are from the decision-making responsibility, the more simple and inflexible their proposals become. The less they know about the history of the war, the more illogical are their superderogatory urgings.

These experts, caught in the deep emotional desire to end human suffering, are mainly honest and sincere in purpose. They want to end the struggle—at any cost—so long as the payment may be deferred. They vaguely hope that somehow the bill will never be presented. Bluntly, they want the United States to default on the commitments of four Presidents.

I suppose it would be easier for this Administration to take the position that we inherited the war; that the United State's presence in Vietnam was not our decision; that the escalation of our involvement was not our policy; that whatever miscalculation and mismanagement have resulted are not our responsibility. But this escape begs the fundamental issue. President Nixon has the responsibility of bringing this frustrating war to a successful conclusion. Blaming the war on someone else contributes nothing to the solution of the problem.

So much time has elapsed since our initial interest in the Vietnam struggle that a brief review may serve to sweep aside the clouds of emotion and help us focus on the facts.

With the collapse of French Indo-China and the partitioning of Vietnam near the 17th Parallel, the Hanoi leaders began a systematic attempt to overthrow the fledgling government by violence. The efforts were stepped up after Viet Cong cadres were augmented by people from the North.

Calculated terrorist tactics, which included the cold-blooded elimination of government officials, teachers, doctors, public health workers and village chieftains, stripped South Vietnam of its most productive citizens. Over 15,000 educated, respected leaders—those who could be depended upon to give this new nation stability and maturity—were murdered.

In 1964 Hanoi introduced battle-ready North Vietnam Army Regulars. This brought about additional escalation. The nations of the free world publicly condemned the Communist aggression in South Vietnam. President Johnson urged them to come to the assistance of the tiny Republic. By 1967, the South Koreans, Australians, New Zealanders and Thais had responded with military personnel.

Over thirty other countries have furnished economic and technical assistance.

As early as 1966, allied initiatives had forced most of the Viet Cong main forces back toward the border areas sanctuaries in Laos, Cambodia and North Vietnam. Using these sanctuaries, warfare was intensified with soldiers from the North infiltrating to replace losses.

In 1967, the Communists intensified their full-scale propaganda campaign to stop United States bombing and force settlement on their terms. This war of words met with greater success than their war of weapons. In 1967, the enemy did not win a major battle in South Vietnam.

Also in that year, the South Vietnamese promulgated a new constitution and elected a new national government, instituting for the first time representative government at the village and hamlet levels.

Cognizant of the growing anti-war sentiment among some elements in the United States, the Communists launched an offensive in 1968, violating the cease-fire of the Tet holidays. New Soviet rockets were used in savage assaults on forty-four cities which had heretofore been relatively free from attack. Moreover, during the month that the Communists held part of Hue, the old cultural center of Vietnam, over 3,000 civilians were massacred.

The frustrating, debilitating and unbelievably rigid position of Ho Chi Minh in the recent past is well known to us all. Limited bombing halts were followed by the shelling of South Vietnamese cities and other belligerent actions.

Hanoi refuses to admit its presence in South Vietnam. Yet as many as ten regular divisions have been observed. A supervisory role for the United Nations or any international agency has been consistently rejected. All attempts at a negotiated settlement have been disdained. Hanoi has insisted on an imposed settlement.

This was the history of the Vietnamese conflict inherited by the Nixon Administration—a history clouded by the frustrations of limited war and the myths of limitless propaganda.

It is myth, rather than fact, that dominates even the most august debate.

What are these myths? First, that the easy way out of Vietnam is unilateral withdrawal. There is no easy way out of Vietnam. If there had been an easy way out, the previous Administrations would have found it. The bitter irony of criticism by officials of the past Administration lies in their absence of achievement when the opportunity and the responsibility rested with them.

In the six months that the responsibility has been President Nixon's, we have made progress. We have put forth realistic, definitive proposals as a basis for negotiation. We have begun to replace United States with South Vietnamese forces.

We are both Vietnamizing the war. At the same time, we have not compromised our commitment to the South Vietnamese people. I can assure you that our progress and success depend on the staying power of the American people. For the North Vietnamese see in American self-doubt and uncertainty the hope to hold out for complete victory. Just a few months, they believe, and the President will be forced to cave-in to public pressure.

With the jaundiced eye of a totalitarian regime, they overestimate anti-war sentiment and its ability to undermine our government. The tragedy is that, in some cases, since opposition is undermining our negotiations for peace and prolonging the war.

The second great myth—a favorite of the least responsible dissidents—is the delusion that the Vietnamese Communists are moral and compassionate. The international press has almost uniformly condemned Hanoi's inhumane attitude toward prisoners of war and its disregard of The Geneva Convention in this respect.

One fact more than any other obligates us to aid the South Vietnamese—Vietnamese communists have deliberately murdered over 15,000 South Vietnamese leaders. Communists come to a village, and, as a matter of routine, kill, kidnap or intimidate anyone who has any education—any respect—any responsibility—and ability to help the people of that village. The village chief, teachers, doctors, priests, nurses are slaughtered in spite of their ability because they refuse to conform to a totalitarian system.

Another favored myth is the failure of South Vietnam to achieve democracy. Here, one fact is all too often lost. In little more than ten years—in the midst of continuous guerrilla warfare—the Vietnamese people have moved from feudal economic and political institutions toward democratic ones. They have compressed three centuries of European evolution into one wrenching decade.

So if their democracy has not yet attained our degree of perfection, this should not be surprising. What is startling is South Vietnam's ability to sustain any democratic institutions in the face of violence and after a history of purely autocratic traditions.

In its struggle toward a national identity, South Vietnam is no different from the many other new nations of Southeast Asia which seek recognition of their fundamental integrity. All are fiercely interested in preserving their newly won independence. All are conscious of the foreboding presence of the Communist giants to the North and West. Certainly a movement to extend the dictatorial influence to any of these new countries by these giants would be regarded with grave apprehension by the others. The basis of diplomacy is credibility, which frequently depends on the reasoned demonstration of strength.

The fibre of a nation can be undermined by an ominous presence fully capable of bringing about a feared result. If the free Southeast Asian nations believe the great Communist powers have the ability and inclination to subvert them without risking the intercession of the United States, they will certainly fall prey to subversion.

The most extraordinary myth is the presumption that the Soviet Union bears no responsibility for events in Southeast Asia. With Communist China an increasing threat to Communist Russia, the new nations of Southeast Asia become a force to counter Peking. Since 1965, China's aid to North Vietnam has decreased while Soviet aid has increased. The recently signed Moscow-Hanoi annual aid pact gives evidence to Soviet interest in Southeast Asia.

It is clear that Khrushchev's successors are not passive. They have accelerated rocket production; established an ABM system; tested multiple warhead weapons and orbital bombs; multiplied missile-launching submarines; developed an impressive "blue water" fleet; increased paratrooper and marine forces; and last summer, mobilized army reserves for Eastern European maneuvers which have yet to end. The Czechoslavakian invasion gave proof that the Soviet Union had not gone soft on liberalism. Their impressive nuclear build-up reveals the USSR has outspent the USA on strategic nuclear forces during the 1960's.

Finally, we come to our presence in Southeast Asia. First, we have an obligation to give aid under the SEATO compact. Second, we have the commitment which comes from the fact that we have more than 500,000 men in Vietnam. If we are to achieve the strong regional defense alliances that will reduce our post-World War II responsibilities, we must give those commitments credence.

What value will the United States' word have if it is regarded the word of a fair-weather ally? Our diplomatic credibility is as much at stake as the independence of South Vietnam.

What are our prospects for the future? I believe they are good. The strengthened army of South Vietnam is growing ever more capable of assuming larger combat responsibilities. Secretary of State Rogers reports that the free Asian nations individually are better prepared and more willing to defend the national integrity. This lends hope that once peace comes to Vietnam, it will be a permanent peace for Southeast Asia. Only this kind of peace implies that once our troops are disengaged from Vietnam, American military forces need not return again to Southeast Asia.

But—all this depends on our ability to share in a just—honorable—permanent settlement in Paris.

All this depends upon a peace that does not reward war. In Korea, the United States showed Communist forces they could not march across a border and seize a country. In Vietnam, we are proving they cannot seize power through externally supported subversion.

In his May 14th speech to the nation, the President summed up the strategy to permanent peace:

"If we are to move successfully from an era of confrontation to an era of negotiation, then we have to demonstrate—at the point at which conftontation is being tested—that confrontation with the United States is costly and unrewarding."

We have invested more than 35,000 American lives to prove confrontation is costly. The Viet Cong remains intransigent because of the slender hope that the voices of dissent at home will force us to alter—perhaps even abdicate—this policy.

This Administration wants peace, but not at that price. Our resolution is firm. The President wants to end this war. This means we must stay long enough to secure the self-determination for the people of South Vietnam.

Certainly the President's commitment to a free Asia is obvious. His recently announced trip to five Asian nations represents his tireless initiatives to peace through personal diplomacy.

You, as Midwestern Governors, represent the heartland of America. Governors, except in time of crisis, are not routinely concerned with foreign policy. As a former Governor, I know the pressure of domestic problems.

But what we are concerned with here is a time of crisis—a time for unity—a time to remember that America belongs to all of us, regardless of party or philosophy, who believe in a free system.

Finally we must remember that no great nation achieved greatness in placid comfort, nor maintained greatness in continual compromise with reality. Once again we stand at a crossroad of history for our country. In 1953 Dwight David Eisenhower, a great leader who was no stranger to fighting and winning battles against adversity, came forward to end the war in Korea. In 1969 Richard Nixon is fighting a battle to find an honorable solution to the war in Vietnam. I can assure you that Richard Nixon, like Eisenhower, will win this battle.

NATIONAL PRIORITIES AND THE NEED FOR FLOOD CONTROL IMPROVEMENTS

Mr. EAGLETON. Mr. President, we hear much talk these days about a reexamination of national priorities, particularly with regard to military and defense-related expenditures of the Federal Government. I think there is much merit to this discussion. And in this reexamination, the needs of projects which provide flood control, water supply, and recreation benefits should be carefully considered.

Heavy rains have been falling sporadically in western Missouri and eastern Kansas for several weeks. Flooding has occurred in many areas, and the potential for destructive flooding is great if more rain falls during the next few days. Much of this threat would not exist if more of our resources had been expended on needed water resource projects rather than wasteful military programs during the last few years.

These projects, such as the ones pointed out in the following editorial from the Kansas City Star, are of tremendous importance to the economy and prosperity of scores of communities. They are fundamental investments in the future of this Nation and financial support for them should be increasing, rather than remaining constant or declining.

Mr. President, I ask unanimous consent that the following editorial from the Kansas City Star be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

It's Too Late To Plan Flood Control When the Rivers Are Rising

To those who still vividly recall Kansas City's Kaw river flood disaster of July 1951, the recent weather has been ominously familiar. Bright, sunny but hot and muggy days followed by torrents of rain virtually every night. When the ground finally has absorbed all the moisture it can hold, the next rainstorm water runs off almost as from a paved surface into the drainage watercourses. And the stage is set for a severe flood.

Today, a man can look only despairingly at the sky, and hope the pattern soon will break. When it does, it will be none too soon. Here in Kansas City, both the Blue and Little Blue rivers raced out of their banks, as did the Marais des Cygnes from west of Ottawa to the Kansas-Missouri line at Trading Post. Workbound motorists here yesterday morning suddenly found U.S. 71 and other low-lying South Side routes closed by highwater. Overflows were substantial at Bannister road and Eighty-fifth, but as the Blue spread out it eased the pressure farther downstream in the vulnerable Blue Valley industrial district near the river's mouth. This morning, but without heavy rush-hour traffic, there were similar problems.

When the high water roars it is too late to begin pushing for flood protection in a given area; the floods quickly separate the haves from the have-nots in this respect. At Ottawa, where the Marais des Cygnes rolled over 111 city blocks in 1951, punishing the city with 5.5 million dollars in damages, residents happily rolled shut the gates on their 5.3-million-dollar levee and floodwall barrier, completed in 1962. To the west, the reservoir level at Pomona dam, finished two years later, was rising by 13 feet with the gates closed to protect Ottawa.

But downstream at Osawatomie, where a similar protective system has encountered delays and is not yet completed, the town was bracing for its third worst flood. For the Blue and Little Blue at Kansas City, also, it was a sad case of not yet—get wet. The Army engineers' 39-million-dollar package of two reservoirs, levees and channel work for the Little Blue was authorized only last year and is in the budget for its first planning funds this year. And the Nixon administration, in line with the Washington spending pinch, recently cut the Little Blue item from $800,000 down to $500,000.

The newer Blue river project, four reservoirs (three of them in Johnson County on the Kansas side) plus channel modifications at a cost of 106 million dollars, has not yet been authorized by Congress. And the plan survived this year only after a furious fight in the Kansas Legislature sparked by opponents of one of the Johnson County dams. This week's flooding was a sobering reminder for Blue Valley businesses and residents that those proposed lakes have a much more useful purpose than just recreation and decoration.

It was a reminder, too, that Mid-Western summer weather takes no account of man's delays, disputes or budget cutting. When the storm pattern locks onto an area the floods are coming, ready or not.

AL CAPP DRAWS GRAPHIC WORD PICTURE OF STUDENT DISORDERS

Mr. MUNDT. Mr. President, yesterday before the Senate Permanent Investigating Subcommittee, Al Capp, renowned cartoonist and campus lecturer extraordinary, appeared as a witness and presented a report and recommendations on current campus disorders which should be read and carefully considered by every college administrator in the country. Likewise, it should be read by Governors, by members of State boards of regents, by the governing boards of State and private colleges and universities, and by those who help create endowment funds for educational purposes.

Mr. President, we need to know from as many reputable sources as possible the causes and cures of these campus disorders.

Mr. Capp, who has visited probably as many college and university campuses as a lecturer during the past few years as any other widely known American, has some interesting viewpoints and recommendations. Some may be unworkable or unwanted and others may point the way to permanent solutions to these temporary problems. However, all who read the Capp testimony must agree that it is never dull and never obtuse. He is to be congratulated on having contributed effectively to the available information on the causes and cures of current campus disorders.

I ask unanimous consent that the Capp testimony appear at this point in the RECORD.

There being no objection, the transcript of testimony was ordered to be printed in the RECORD, as follows:

AL CAPP TESTIMONY BEFORE MCCLELLAN COMMITTEE

In the past few years I have spoken at something approaching two hundred colleges and universities. I think I am the most expensive campus speaker, and I know I am the roughest. All my invitations, nonetheless, come from student organizations.

I have just completed an 11-month tour of college campuses—the same amount of time the crew of the Pueblo was gone . . . They met a better class of people and there was another difference: If a man in uniform strikes back at his tormentors in North Korea, he's called a patriot: if he does it at Berkeley, he's called a pig. But I managed to survive all my student audiences; and it would be comforting to say they all survived me. It's *more* comforting, tho, to tell you that some of them didn't.

The AP story of one recent appearance—that at Penn State, carried in it a lesson that may help guide this Committee.

A liberal paper gave it this headline: "Capp Angers Students."

A conservative paper put it this way: "Students Anger Capp."

"UNIVERSITY PARK, PA.—Cartoonist Al Capp had just finished the speech at Pennsylvania State University Saturday night and it was time to present the originator of the comic strip, Li'l Abner, with a statue of the Nittany Lion, the school's mascot.

"But Don Schall, a junior, who organized a three-day program of talks by national figures on controversial subjects, held the statue in his hand and suddenly announced that Capp would not receive the statue because of his critical comments toward student demonstrators, and his unsatisfactory answers to their questions. Schall set the statue on the podium and waited for Capp to walk off the stage. (I'm afraid I didn't. I stayed and laughed at him.)

"Then, Michael Gehling, a senior and a member of the Men's Honorary Society, strode up to the stage, grabbed the statue and presented it to Capp.

"The crowd of 5,500 gave Gehling a standing ovation." I don't deny it. My answers *were* unsatisfactory. I tape all my appearances and the transcript from Penn State and other campuses proves it.

For instance, when a student with a beard asked why I objected to students with beards I said what *I* objected to was the student who felt that because he could raise a beard he could also walk on water. When another asked me what I thought of the Black student Union's eleven non-negotiable demands I said I was grateful to them for bringing back a fine old American custom; the last time any non-negotiable demands were made in this country was the last time Simon Legree spoke to Uncle Tom.

When a drama major asked why my generation couldn't understand drama students at the U. of Wisconsin performing Peter Pan in the nude, I said—on the contrary, we *did* understand the passion of adolescents to prove they had achieved pubic hair.

The editor of Penn State's underground newspaper, "The Water Tunnel" asked me if I had read it and I said yes, and I was grateful to live in a society so affluent that our kids can now publish the sort of stuff they once had to scrawl on toilet walls; and, speaking of the affluent society, there was a question about Ken Galbraith, my neighbor in Cambridge and former friend. Galbraith had said that those who criticised Harvard most were those who were non-professionals in the field—like J. Edgar Hoover.

I replied that Mr. Hoover has as distinguished credentials as an educator as he had: He earned his Bachelor of Laws Degree and Master of Laws Degree from George Washington University. He also founded one of the nation's great graduate schools, the FBI National Academy, in 1935. He has been its director ever since. No student of Hoover's ever burned his country's flag, beat up his instructors, or screeched obscenities at his school the day he graduated. And I said that anyone who educated students to think that they could rob, wreck and rape and get away with it as they did where Galbraith teaches, was the same sort of professional in *his* field as Fagin was in *his*.

I admitted it was amateurs like us who couldn't believe our eyes when we read last week that the professionals at Princeton had just elected the 22-year-old student who led the obscene and brutal takeover there last spring, to the University's Board of Trustees. To millions of us know-nothings, it seemed as sensible as making Richard Speck night watchman at the nurses' dormitory. Or Adolf Eichmann Chief Rabbi of Tel Aviv.

Another one asked me why I didn't admire student activists when Senator McGovern himself, just a nite or two before, had said students were just as competent to solve the nation's problems as he was; and I said that any man over forty who told a bunch of kids under twenty they were just as smart as he was, was probably right.

It was then that the student Chairman stormed onto the platform with the Penn State Nittany Lion and announced to the crowd he wasn't going to award it to me because my answers had not been responsive.

I said I didn't think that was what bugged him at all—my answers had been too damned responsive, but they hadn't been the responses he was accustomed to getting . . .I didn't get to finish because by that time, young Gehling, the Honor Student, followed by hundreds of other angry kids, who looked more interested in onslaught than honor, rushed up on stage, snatched the lion from the Chairman's hand, shoved him on his fanny, and gave it to me. The 5,500 kids in the audience gave us an ovation, but it didn't cheer me.

It frightened me, because that was the whole nation in microcosm. The silent moderates, finally driven by the arrogant excesses of the immoderate fringe, to frenzy—and forming a mob.

It happened at Penn State a few weeks ago. It could happen all over the country tomorrow.

I am, myself, not afraid of what the campus rioters and those on their faculties who encourage them, can do to us.

I am afraid of what all the rest of us may be goaded into doing, if our chance for decency and dignified discussion is destroyed.

Because when that goes, Fascism comes in—and every man who loves freedom must eternally watch for any signs of it, and cure it. I think it can be cured at its source—the college campus—and I will call your attention to some of the areas of infection I've observed, some of the causes, and I will recommend some possible cure.

THE CAUSES OF CAMPUS VIOLENCE

Once the underprivileged and uneducated young in our slums formed gangs who mugged and stole and carried concealed weapons. Today, the privileged and educated young on our campuses form our most violent gangs of muggers and thieves. They don't conceal their guns. They proudly pose for pictures carrying them. Once we sent our kids to college hoping they'd come out acting like ladies and gentlemen.

Now we send our young ladies and gentlemen to college and they come out acting like apes.

A couple of weeks ago, a student speaker at the Harvard commencement called his university an obscenity. Not long before that . . . at Harvard's sister school, Radcliffe, a

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group of young ladies educated there, stormed into the office of President Mary Bunting, and screamed filth at her that a mob of Liverpool prostitutes wouldn't use on a madam who'd short-changed them.

At about the same time, the President of the United States was interrupted by a student in the audience who shouted an obscenity at him that would have gotten him tarred and feathered if the President were Andrew Jackson. But our President went calmly on as if it hadn't happened.

But it did happen, and, from my observations, it will go on happening more frequently, more savagely, and more uncontrollably. In my opinion, beating a man into silence with filth is as brutal as beating him into silence with a club.

This is, however, a form of brutality, the professional anti-brutality shouters aren't noticeably anti.

Yet if we aren't as vigorous in stopping this form of brutality we will lose freedom of speech in this country. As our presidential candidates nearly lost their freedom to campaign in the last election.

If TV continues to show only the reaction of those who have been so brutalized—as they did when they showed the reaction of the police in Chicago without showing the brutality of their tormentors they reacted to—the unsayable, the animal filth directed not only at them personally but at their mothers and wives—all of it in the Walker report which so few people read, including Walker—if he had the summary he wrote, wouldn't have excoriated the Chicago police, but exalted them as models of saintly restraint. If we permit this sort of brutality to human spirit and dignity to go on unchecked, we will give to any loud and foul-mouthed mob the right to decide who in America can be heard and who cannot.

The phenomenon is that this new, and most cowardly form of brutality—because you can't show the scars they inflict on your manhood or your reverence for your mother in court and collect damages—this doesn't come from the traditional brute class, the bums. It comes from the leisure class—our students.

Who trained those kids at Harvard and Radcliffe in this form of brutality?

They came from civilized homes: They were prepared for Harvard and Radcliffe, at schools where they obeyed the disciplines of human discourse, or they wouldn't have been recommended.

Who trained them in the violence of words that is the cause and inspiration of all other forms of violence, as Adolf Hitler knew yesterday, as Mark Rudd knows today?

Professor George Wald, who teaches at Harvard and Radcliffe, was one who helped. In a celebrated lecture to students last year, which has been repeated until it's become a minor "Mein Kampf" of student activists, he called a U.S. Senator, who had expressed the hope that in the event of a nuclear war, Americans would survive—a criminal maniac.

He was given an ovation for that.

How, then, could that gentle Mr. Chips, and those others on the Harvard faculty who applauded him, have been so naive as to have been surprised when, a few months later, those same students were screaming the same sort of filth at them, while they were tossing them bodily out of their offices?

Former Harvard Dean Munro was given an honorary degree at nearby Brandeis University this year. That was like the American Legion making an honorary member of Tokyo Rose.

It was Dean Munro, when he was at Harvard, three years ago, who gave the SDS the encouragement that strengthened them into an organization capable of making a shambles of Brandeis this winter and a national disgrace of Harvard this spring.

The SDS, then an organization of the Harvard campus, that could have been demolished with a slap on the wrist, made its first major try at disruption when Secretary McNamara was invited to speak there by another group. They silenced him with roars of obscenity, they drove him from the hall, they stopped the car in which he was attempting to escape, and when the police arrived they were flailing at him with the poles on which their peace placards were nailed.

Dean Munro, the next morning, was asked what sort of punishment he would give those students. He replied, "I see no reason for punishing students for what was purely a political event."

You give me a dean who calls that a political event and I'll give you a dean who'll call rape an act of love, and arson an act of urban renewal.

The Nation was surprised at the filth heaped on Radcliffe's president and the violent abuse Harvard's commencement guests were subjected to, but I, as a lifelong resident of the community, wasn't.

Once there was no intellectual pleasure greater than public discussion with the Harvard faculty. Thousands of alumni, over the last 25 years have heard me, at their forums, their smokers, in their residence halls, at the business, law, and medical school. But the types of the Harvard faculty have changed. Today, anyone who gets into a discussion with the new type has to bury his clothes, later.

For example, some time ago I took public issue with a member of the faculty with a lifelong record of knuckling under to hoodlums and then leaving the community when they began to tear it apart. I took the point of view of one who had to *remain* in the community. Now there is another point of view one can sensibly take on such a matter and that is a professor who gives in to students who threaten him doesn't get mugged; and that, when those students go on from their campus triumph to make a whole town unlivable, a practical professor moves to another town.

One can even argue, and in this case, it was *argued*, that the giving-in and moving-out type of professor is a man of honor and courage. Yes, there was an area of reasonable dissent.

May I submit to this committee a specimen of reasonable dissent set as an example to students by one member of the Harvard faculty, as published in *The Boston Globe* on June 27th. It is headlined "Scurrilous and Vicious." That's not the Globe's comment. It is a quote from the professor's reasonable dissent. There is little point in discussing the argument the professor makes—one would have to compare it with my statement—and then with the known facts. Mainly it was a question of interpretation of facts. The professor dissented with mine, and here is how he dissented: He called me a liar, he called me gross, he called me immoral, he called me infamous, he called me vicious, he called me scurrilous—he called me lots more, but I think you get the drift. What puzzles me is that he signed himself professor of economics. I could have sworn he was the drama coach for the SDS.

There is an old Jewish saying. I know it well. Caplin is my maiden name. It goes: "What the elders spew the younger chew . . ."

The intemperate abuse of all who dare to dissent with them by an academic establishment, drunk with that passing taste of power when they were transported from campus to Camelot and back, has set an example of brutality which their students have mastered so successfully they are now brutalizing their masters.

From my observations, not more than two percent of the student body on even our most turbulent campuses have been infected by such men, but a two percent infection of any body can eventually destroy it all, if it isn't checked.

How do we restore debate and discussion—instead of disruption and defecation, to our campuses? How do we teach our young all over again the give and take of ideas rather than of rocks and broken bottles? I recommend that we educate our educators. And we could begin at Harvard, where they need it most.

Dr. Wald may know enough about his science to have become a Nobel laureate, but he doesn't know enough about not goading kids into animal frenzy, to teach first grade.

Let's educate this sort of Nobel laureate in the science of dissenting with a U.S. Senator in some more noble way than to befoul him with obecenities.

Let's educate our professor Arrows to teach their students how to hit the mark with reason rather than profanity . . . or, sharp as he is, Arrow himself may one day be the bulls-eye. And it's Dr. Wald they'll put up against the wall.

Let's remember the old Jewish saying: Let's restructure the manners of our faculties—not restructure the skulls of students with nightsticks.

Those young who were entrusted to the Walds and the Arrows and their like on campuses all over, have done nothing more than chewed what they have spewed.

And the institutions they're destroying are no less than the human experimentation laboratories that created them. Today we see how tragically the experimenters abused the freedom society gave them.

It is the experimenters who need this committee's help—more even than their young victims. As for their victims—the rampaging students.

First, let us stop saying they are the brightest kids on our campuses, or listening to the puberty-worshippers who say it. They may be bright enough to get high marks in the never-never land of the classroom, but once they step into real life they're not bright enough to know that if you hit a cop with a rock, he's apt to hit you back. They're always so surprised when that happens.

They are bright enough to know that serving in the Army is a drag, but they're not bright enough to know that if their fathers had been as bright as they are, they themselves would have been baked in ovens.

Let me give you a story from my most reliable gag-file—Harvard. After the takeover there, a mass meeting was held in the stadium. It was televised. Several members of the faculty spoke, and then an SDS leader. I could tell he was a leader because he wore Leon Trotsky's beard and the suit they found Che Guevara dead in. He had a compelling, positive style—a crackling, machine gun delivery. First he told the six thousand in the stadium and the hundreds of thousands of TV exactly how Harvard must be run; then, how the Nation should be run; then how the world—a neighbor of mine who was watching with us said to her husband, "Haven't we seen that kid before?" He said, "Of course, that's the one we hired last year to run our dog. Every night the dog would come home alone, remember? Every night he'd call us frantically and tell us the dog had outsmarted him. So we had to fire him. Last year he couldn't run a dog, this year he can run the world."

And that's my final recommendation to this committee. Let us see the campus disrupter clearly as the absurd thing he is. When he has a tantrum, slap his fanny, when he throws a fit of temper, lock him up until he cools off, but while we punish the brat, let's remember that is all he is.

RADIO AND TV TALK SHOWS

I've been astonished at how many in my college audiences know my views more from my appearances on TV talk shows, than from my comic strip. I rarely do more than a dozen of the TV shows a year. Yet my comic strip appears 365 times a year. It is my own measurement of the immense influence of talk shows on the young and their ideas.

Now most of the men in charge of those shows—and I've appeared on most of them—are sharp and knowledgeable as comedians. But they are not apt to be as sharp and knowledgeable in other areas. So they can be used, and are used, by those in the business of spreading racial hate and misinformation.

Their treatment of their black guests is, in my opinion, particularly offensive. They rarely treat them as equals . . . as men capable of error or open to argument, but, as inferiors, whose mistakes must be glossed over, and who aren't mature enough to be argued with. I have heard sweeping condemnations of the racism of southern whites made on TV talk shows—entire states damned on them—but I have seldom heard any defense made by a TV talk show star, of the millions of southerners who have devoted their lives and careers to fighting racism.

I once was present on a show in which a comedian, a perfectly sincere guy, who had visited Washington during the Poor People's March, told of the desperate need of the poor in Resurrection City. Our host either didn't know, or didn't think it was relevant to mention, that nearly 40 percent of those desperately needy were able-bodied men around 21, and that what Washington desperately needed at the time were able-bodied men to fill jobs.

And that during that period, the employment rates in Washington didn't go up but the crime rate did.

The talk show star didn't mention that, but I did, and I was able to straighten out several millions in his audience.

I also added that I couldn't understand how any able-bodied man at the age of 21, no matter how broke he was, could decide on poverty as a profession unless, of course, it paid better than any other. I recalled that I didn't have a bean when I was 21, and neither did the comedian, but we decided not to stay that way—and we didn't. Well, that night one talk show audience heard the other side, for once but only once. The comedian was asked back innumerable times. I was not.

I once heard a famous girl protest singer tell the star of an afternoon TV talk show that if she had her way, she'd disband all our armed forces and dismantle all our defense industries. The talk show star displayed a burst of unprecedented brilliance. He said, "but suppose the enemy invaded—supposed you saw them about to land on our coast. What would you do?"

The protest singer said, "Why I'd go out and meet them—with a cup of tea."

The studio audience of housewives not cleaning their houses and high school dropouts burst into thunderous applause, the star joined in, and I heard that "cup of tea" plan for the defense of the nation, quoted reverently for months on campuses.

By placing such charming but unaware guardians over so much of our TV time, a time, when so many young people watch, we give priceless help to those whose purpose it is to misinform, and to spread race-hate-for hatred of the white race is as vile as hatred of the black, and as dangerous to both.

I wouldn't suggest that any of the popular talk show stars be subjected to any sort of questioning, or even advice by this committee. They can, however, be helped. I know them all, and I assure you that they are all fine, talented men and handle matters that come before them, in the best way they know. The trouble is that they often don't know.

They can be helped to know—even unpopular truths, even truths that may jar their free-wheeling guests, and that don't get bursts of applause from their audiences.

And this committee needn't supply these truths. Their networks, or stations, research and news departments can do it. There is not a man among them who will lack the courage to speak the truth—if only he knows it, and he should.

Each TV talk show host knows beforehand, generally, the ground his guests plan to cover, and he can be prepared with a fact sheet on those subjects to give the talk balance. It is not now time, nor will it ever be time, to stop any sort of talk on TV.

It is time, it is long past time, to stop permitting misinformation and race-hate to go on unchecked and unbalanced on TV talk shows.

COLLEGE PLATFORM SPEAKERS

I suggest that this committee look into the type of speaker most frequently heard on college lecture platforms. Without, in any way, discouraging students from inviting whoever they please, but to provide them with intellectual balance.

Today the professional hater rather than the critic of American Democratic processes, American morals, and American standards is the most heard of campus speakers.

There is a difference, you know, between the hater—and the critic. The critic acts from love for his country, and disappointment that it isn't a better one, sooner.

The hater acts from hate for his country and disappointment that it isn't being destroyed, faster.

The hater, of course, is a far more dramatic performer, and urging young and impressionable audiences to defy the Democratic process and tear down institutions is far more stimulating than urging them to use the Democratic process to make their institutions stronger. But there are, I'm sure, fine speakers on the other side of hate, and I urge you to turn them up and offer them to our colleges. It would be helpful to the Nation, to the Nation's young, and to me. It's mighty lonely out there.

Let me give you two short illustrations. I was on a lecture series at Chapel Hill, at the University of North Carolina. After I left, a student called me in Cambridge—I live about a mile from Harvard as the crow flies, but lately they've been replaced by flying deans—and he said he wished to apologize in advance for the university newspaper which included an obscenity used to describe me, by the next speaker.

I asked him what the obscenity was—I could think of any number of appropriate ones—but the kid was a li'l southern gentleman: He said he was sending me a copy of the campus paper and I could read it there.

Well, it arrived. This was what that speaker had said: "Al Capp was once a liberal, but now he's a flagwaver."

That was the obscenity: Flagwaver.

I wrote those kids and told them I wasn't offended. I said I still thought our Flag looked better being waved than being burned, and if that made me not a liberal, then that wasn't the sort of liberal I wanted to be.

The second incident happened at Franklin Pierce College in New Hampshire. I delivered their commencement address this year, and I ended by saying that I believed that even the humblest American is born with a privilege that places him ahead of anyone else, anywhere else: the privilege of living and working in America, of repairing and renewing America, and one more privilege no one seems to get much fun out of lately: the privilege of loving America.

When I'd finished, a student came up to me and said, "Mr. Capp—it must have taken a lot of courage for you to stand in front of a student audience and tell them you loved this country." Well—it didn't take any courage. I didn't feel any, at least. It came naturally. But that kid's remark emphasized one truth about our college platforms—which shapes so much of their thinking. So seldom do they ever hear any words of love for America from those platforms—so accustomed are they to the endless procession of haters, that they now think it takes courage for an American to stand on a platform and tell other Americans he loves America. I suggest that this committee have the courage—and the wisdom, to help our students find other types to balance the haters who now dominate their platforms, and their thinking.

RACISM ON THE COLLEGE PLATFORM

I wish I could tell you that I have never heard a racial slur uttered by a student in a college auditorium, but I have. I have, however, never heard a student of the race that was slurred stand up in meeting and say he resented it.

Possibly because the only racist talk I have ever heard in colleges . . . was antiwhite race.

I have heard whites in every arm of government referred to as "pigs" on nearly every campus I've spoken.

I have never heard any student on any campus use the word "nigger." From my observations, any student who did, would be thrown out of the hall by his fellow students. Aided, I might add, by the speaker. I have heard white candidates for public office who received more votes than their black opponents called "racists", and all who voted for them called "bigots."

I have never heard any white student, or black one, offer the slightest objection.

I suggest that this committee recommend more vigilance by our colleges in teaching our young to respect all races.

Why does the average college kid have such a distorted idea of the world he lives in?

The amount of misinformation rattling around in the average 20-year old student's head is enough to drive him half-crazy, and being twenty takes care of the other half.

Here are some typical questions asked by students. These are from the tapes of a lecture at Millersville State College in Pennsylvania, but they're the same all over:

"STUDENT. Mr. Capp, it's a well-known fact that this government is building concentration camps for political dissenters in California, Nevada, and Colorado. What is your comment?

"CAPP. I've never heard of any concentration camps for political prisoners in this country. But there are plenty of them in the countries that sort of muck is piped in from.

"STUDENT. What do you suggest we do about the genocide being practised on blacks by the U.S. Government?

"CAPP. The U.S. black birthrate far outdistances the white. The amount we spend on underprivileged black kids every year is more per capita than we spend on whites. Accusing the U.S. Government of practising genocide is like accusing the Smothers Brothers of practising fratricide."

There is only one place on earth where black genocide is being practised today and that is by the Nigerians on the Biafrans.

Because the truth isn't easy to come by on our campuses. The average college student seldom reads the local paper. He prefers Playboy to the newsmagazines. Most of them, however, read the campus paper, and all of them read the underground paper because it's even filthier.

I estimated that there are no more than 2 percent of hardcore wreckers and rioters and haters on even our most turbulent campuses. I've observed, however, that 100 percent of the editorial staff of the underground newspapers comes from that 2 percent, and, on all but a few campuses, they dominate the campus paper too, the campus magazines, the campus TV and radio facilities.

They are largely fed by "liberated" news services. They seem to me to be liberated only

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from the laws of libel and obscenity, which makes the AP and UP news services so much less thrilling reading.

Two of the most aromatic examples of campus newspapers are the *Daily* at the University of Colorado and the *Egyptian* at Southern Illinois. There may be more asphyxiating specimens, but I can personally vouch for these two. In both cases they were nailed for faking statements. And it was easy. They're too new in the business of fakery to realize that their faked quotes could later be compared with the actual statements, on audio tape.

A new type of campus newspaper, however, is appearing. The Honest One, published by honest kids. The best of them, in my opinion, is "Ergo" at *MIT*.

I recommend that no attempt be made to liberate the campus press from the 2 percent who dominate it. I do recommend that the college encourage participation by the other 98 percent, and compel *all* of them to respect the laws of libel and factual reporting, as rigidly as they will have to, if they pursue journalism, out in the real world.

EDUCATIONAL TV

I recommend that this committee take a long hard look at the programming of educational TV. Much of it emanates from our campuses and it has a considerable campus audience.

Educational TV has given endless hours of time to such singers as Joan Baez and Pete Seeger. I must concede these programs fairly reflect all their attitudes about America, which range from plain dismay to outright disgust.

I have never seen a (and I'm going to use a word considered in bad taste in educational TV circles) . . . I have never seen a patriotic singer on educational TV.

And yet more Americans love their country than loathe it.

PLANS FOR THE FUTURE

After my lectures I am usually visited in my living quarters by small delegations of activists, and militants. They have better manners, in small groups in motel sitting rooms, than when they form mobs in auditoriums, and I don't mind their visits much except that after they leave, I need fresh air. At these sessions they tell me, with childish frankness, of their plans for the future.

They have learned that their greatest asset is the publicity given them by TV, and their sympathetic treatment by TV commentators. They learned a lot from the TV handling of their takeover of the "People's Park" at Berkeley. They appropriated a million dollars of the University's property, and when they were handled as firmly by the police as another mob of bandits who stole a million—the Brink's gang—the slobbering over them by TV softened much of the more soft-headed public into slobbering over them, too.

The lesson wasn't lost on them. They know the value of TV. And so come this fall, they're going to try to take it over. New objective but same methods. Instead of locking a dean in a toilet, they'll lock Frank Stanton in his art gallery; instead of throwing rocks at a police sergeant, they'll try for General Sarnoff. They have already had one moderately successful dress rehearsal. Namely, the takeover—for an hour or so—of Channel 13 in New York last year. They rushed the studio, roughed up the staff, demolished the equipment, and screamed filth into the transmitters. They feel that they have even a more persuasive case for their right to takeover of TV than universities and parks. They know that TV is the people's property, returnable to the people, at the demand of the people, and they're the people who are going to demand it, in the robust style that TV has so often sympathized with.

What new solutions do we need for campus unrest? I think the old solutions will do, as soon as we stop calling campus unrest campus unrest. And call it by its proper name.

When a gang of punks beat up an elderly man at Columbia—it's called "campus unrest" and they're sent to graduate school. If they did the same thing in an alley, it would be called mugging—and they'd be sent to reform school.

When a ghetto kid is caught looting a store it's called thievery, and he's given six months because he should *know* better. When the editors of Harvard's Old Mole looted Dean Ford's safe, it was called journalism and they were given amnesty—because they are better. No, we don't need any new solutions for campus unrest.

Once we call it by its proper name, we'll find there are plenty of tried and true *old* solutions—and it's time we had the sanity to use them.

HANNIBAL, MISSOURI, SESQUICENTENNIAL CELEBRATION

Mr. EAGLETON. Mr. President, I would like to call to the attention of this body the sesquicentennial celebration that is currently taking place in the great Midwestern city of Hannibal, Mo.

Among the many outstanding events of this 10-day celebration, which runs through July 6, is a historical pageant depicting the many unique and notable events in the colorful 150-year history of Hannibal.

Hannibal is perhaps best known for its legendary literary figure, Samuel Clemens, better known to all as Mark Twain. During the celebration, Mark Twain is being honored through such activities as the National Tom Sawyer Day fence painting contest, the "Tom and Huck raft race" and a frog jumping contest.

Besides Mark Twain, Hannibal has produced many other notables. James Carrol Beckwith, one of America's foremost portrait artists in the latter part of the 19th century, and Margaret Tobin Brown, known by millions in 1912 as "the Unsinkable Molly Brown," are also products of Hannibal.

From a pioneer village located on the banks of the mighty Mississippi River, Hannibal has grown and prospered into a thriving, industrial city in the very center of the United States.

Mr. President, I ask unanimous consent that two articles from the sesquicentennial edition of the Hannibal Courier-Post of June 29, 1969, be inserted in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Mark Twain's Disastrous 2 Weeks of Army Life

(By John Lyng)

In the summer of 1861 as the Civil War moved into serious conflict, Samuel Clemens put in two weeks of service as a soldier for the Southern cause. Years later after the river pilot had become Mark Twain, the author, he wrote a half-truthful account of his adventures in a short essay "The Private History of a Campaign That Failed."

The story of the "campaign" without Twain's special coloring is perhaps funnier and more interesting than the yarn the author spun himself.

Sam Clemens, then a 26-year-old river pilot, arrived in Hannibal shortly after mid-June, 1861. He had been in New Orleans in May, and had made the trip back upriver to St. Louis aboard the last river steamer before the closing of the river traffic from North to South. The steamboat, "Nebraska," was halted at Jefferson Barracks below St. Louis by cannon fire and forced into port for inspection. It was the last to be granted free passage to the upper Mississippi by the Union troops at St. Louis.

Clemens was inducted into the Polar Star Lodge of the Masonic order in St. Louis the day after his arrival. Before leaving to return to Hannibal he was listed as passing the fellowcraft degree of the lodge. Back in Hannibal his short engagement in the Civil War began.

Several independent groups of soldiers on both sides were organized in the Hannibal area at that early period of the war, including the Marion Artillery, the Silver Grays, the Palmyra Guards, and the W. E. Dennis Company.

The Ralls County Rangers, which Clemens joined, was organized in a "secret place" on Bear Creek Hill in the same area where Tom Sawyer's red-handed bandits carried out their adventures in Twain's classic novel. The organizing was done in secret for fear of the Union militia across the river in Illinois.

There has been a historical disagreement as to whether the band called themselves the "Ralls County Rangers" or the "Marion Rangers." Both names have been alluded to by members of the brigade in later writing. The Ralls County name seems closer to the truth since so many of the men came from that county.

The first maneuver of the band was an all-night march to New London, Mo., and the home of Col. John Ralls, a well respected veteran of the Mexican War.

According to the Clemen's biographer Albert Bigelow Paine, Sam Clemens and his lifelong friend, Sam Bowen, visited their sweethearts on the eve of their departure and invited the girls to "walk through the pickets' with them to see them off. However, the "pickets" were off visiting their own sweethearts.

The army marched south all night and arrived, exhausted, for a hearty breakfast and "swearing in" ceremony at the home of Col. Ralls. Ralls, who was authorized by Gov. Claiborne Fox Jackson to swear in troops for the rebel army made the brigade official. When apprised of the presence of the Confederate troops in the area, local sympathizers in the New London Vicinity donated steeds and provisions to be returned after the conflict—a period estimated then to last no longer than three months at the most.

Sam Clemens was given a frisky yellow mule, whose bobbed tail moved its master to christen it "Paint Brush." Along with the mule, Clemens received an extra pair of boots, two gray blankets, a home-made quilt, frying pan, one carpet sack, one small valise, an overcoat, an old Kentucky squirrel rifle, approximately 20 yards of seagrass rope, and an umbrella.

The army moved out and made camp near Goodwin's Mill on Salt River and made a large log barn its headquarters. In Twain's "Private History" the barn became a corncrib.

During the encampment a member of the band was appointed official barber to shorten each man's hair in preparation for any hand-to-hand combat to come. Armed with a pair of sheep-shears, the barber tortured each man in his turn. Any hair that escaped cutting was pulled out by the shears.

By popular vote, officers of the brigade were elected. William Ely was elected captain; Asa Glascock, first lieutenant; Clemens himself was chosen as second lieutenant; and Sam Bowen was made a sergeant. One by one each member of the band was elected to one position or another until there were only two or three men left to serve as privates.

XUM

Rain rather than Union troops was the major enemy encountered by the Ralls County Rangers. Heavy rains swelled Salt River, making the camp into a quagmire and forcing the soldiers to higher ground. A false alarm now and then forced the small band to retreat into the mud and brush, only to return, cursing the soldier's lot, after the Yankee invaders failed to appear.

The foul weather and sodden conditions also dampened the once-high enthusiasm of the troopers. Lieutenant Clemens once had to threaten Sam Bowen with court martial and death before the latter would take his guard position. Once on duty Bowen probably fell asleep, according to a custom that was developed by the Rangers' sentinels.

The Rangers saw little "action" during their tour of duty. One night a patch of mullein stalks waving on the top of a hill were fired upon when they were mistaken for patrolling enemy forces. The pickets who did the shooting returned to camp, and the whole brigade was quickly roused and prepared for battle. But the mullein stalks made no advance.

Another such instance was recorded when one sentinel's horse plodded toward its master in the dark and was fatally shot when it did not answer the call to identify itself.

Sam Clemens' misery was compounded by a boil which he developed during the encampment. His affliction made it painful for him to move with the troops when they finally decided to break camp.

Another sore was "Paint Brush." At one juncture the lieutenant's steed refused to swim the swollen Salt River as the Rangers moved on toward Monroe City. Ab Grimes, a colleague of Lt. Clemens who later became famous as a Confederate mail runner and spy, recalls in his autobiography that in order to aid the officer, he threw a rope around the stubborn mule's neck and rode ahead of it, forcing "Paint Brush" to leap into the stream.

As he approached the other side, Grimes looked back to see no sign of mule or rider behind him. Horrified, he spurred his horse toward the opposite bank, pulling furiously at the rope. Soon Clemens' old slouch hat appeared above the surface along with the ears of the mule, then the lieutenant's head and the head and neck of the mule emerged, and finally the remainder of both.

When Clemens had caught up on his breathing, Grimes reports, he choked out, "Ab, that infernal mule waded every step of the way across that river!"

Enroute away from their disastrous encampment, the Ralls County Rangers met Brig. Gen. Tom Harris, the commander of the rebel forces in the Northeast Missouri District, and a man several of them knew from Hannibal. General Harris at first ordered the men to return to their camp. When this order met with laugher and general hostility, the general asked the men to return. When this, too, failed he begged them to return, but to no avail. The Rangers told him that they had been there and knew all about it, and were going to where there was food. They were deeply resentful of the high life Gen. Harris had been living off area farms, while they suffered in the swamp of the Salt River valley.

The Rangers later encounter with the wife of a Yankee colonel was no more successful than Gen. Harris' encounter with the Rangers. Unaware that the woman held sympathies for the Union, the brigade stopped at her farmhouse and Clemens was appointed to ask if they could buy some food. The irate woman unceremoniously chased off the future literary giant with a hickory hoop stick which she kept strategically placed behind the door. The lieutenant's retreat was accompanied by the tremendous laugher of his comrades.

At around 1 a.m. that same night, the company arrived at the home of Col. Bill Splawn, another well-known Ralls County Southern sympathizer. Wishing not to disturb the Splawn family at that late hour, the men commandeered the use of the farmer's hayloft for their barracks.

It wasn't too much later that a cry of "Fire!" upset the quietude of the early morning hours. Clemens, sleeping near the gable door, instinctively rolled out the door and dropped ten or twelve feet to the rocky ground outside the barn, spraining his ankle and arousing his boil. In the meantime, the men inside the loft rolled up the burning hay and tossed it out the same door on top of the poor lieutenant. Sam scrambled furiously from under the burning hay, and proceeded to curse his comrades, the war, and the human race in general to the amusement of his fellow soldiers.

After a large meal the next day at the Splawn home, the troop left for New London. Sam Clemens, however, made it only so far as the home of Nuck Matson, another area farmer with Confederate leanings. At the Matson home Sam retired from the Army to nurse his ankle and boil.

He later wrote, "I resigned after two weeks' service in the field, explaining that I was 'incapacitated by fatigue' through persistent retreating."

The Matsons' assigned a young Negro lad to stand guard duty to keep an eye out for approaching Union troops. When the Yankees moved into the neighborhood, the lad would warn Sam in time for him to scurry into the nearby woods and hide until the danger passed. In time his wound healed and Sam Clemens left for Keokuk to join his abolitionist brother, Orion, to move on to Nevada territory where his adventures were later recounted in "Roughing It."

The rest of the Rangers also soon parted company, some joining other, more official groups; others dropping out of the war altogether.

About two weeks after Sam Clemens' departure, a company of Union troops moved into the area under the command of Captain Ulysses S. Grant. Grant stayed at a house in Florida, Mo., while his unit was clearing the area of bands like the Rangers.

Clemens and Grant met later when Clemens was Mark Twain and Grant was a former President. Twain's publishing firm, American Publishing Company, printed Grant's autobiography, earning royalties of $500,000 for Grant's estate. The general died four days after completing the manuscript.

Other than the story of his adventures which he wrote, Mark Twain gained little from his war experience. His brother changed his philosophy to sympathy for the Union, and later in life it is said he even voted Republican. However, judging from the activities of the Ralls County Rangers in general, perhaps the South was just as well off without them.

Molly Brown—Hannibal's "Unsinkable" Spirit

(By Rev. Williard Heimbeck)

One of the most colorful, semi-legendary characters of low and high society in America and abroad during the late 1800's and the early 1900's, "The Unsinkable Molly Brown," was born in Hannibal on July 18th, 1867.

Her real name was Margaret Tobin, but everyone called her Maggie. Her childhood home on the corner of Butler and Seventh Street (Denkler's Alley in the old days) is currently being restored by the Marion County Historical Society.

This daughter of a poor Irish ditchdigger was in her early days allergic to education and given to being a tomboy and playing with her brother Daniel's gang. Naturally, the lot of such a child in the late 1870's and early 1880's pointed toward early employment and hard work.

By her mid-teens Maggie was a most attractive, bosomy, red head with an aggressive personality and exaggerated ambitions. After working in a tobacco factory she secured employment in the fashionable Park Hotel dining room as a waitress.

When Hannibal's native son, Mark Twain, came home in May, 1882, for the first time in 17 years and was lionized by local society as he sought material for his forthcoming book, "Life on the Mississippi", Maggie managed to arrange to wait on him, and since she loved celebrities and he loved an audience, even one attractive and worshipful waitress, Clemens regaled her with tales of his days in the mining camps and the wealth of the west.

Nothing would do for Maggie but the West. First she persuaded brother Daniel to go to Leadville, Colorado, in 1883. The next year she left for the same destination with food for three days in shoe boxes and all her possessions in a carpet bag and a satchel.

The roaring community of Leadville saw Maggie Tobin start her life there as a dish washer and table waitress in a boarding house, but she was soon clerking in the Emporium and flashing her personality around with the result that she gained the attention of James J. Brown, manager of the Louisville mine.

His courtship was slowed by the fact that Maggie thought him too old; he was thirty and thirteen years her senior.

Fast horses, stories of the wealth he would gain through his investments and his determination to marry her finally culminated in their wedding on September 1st, 1886, in the Church of the Annunciation. Their first home was in Stumpville three miles east of Leadville and close to Jim's mines.

The new family lived in a two-room log cabin. The myth about Maggie's burning up a fortune got its start. The "Unsinkable Molly Brown" makes it appear that a sum of money in paper currency was hidden in a stove and burned during the night when Molly lit the stove to keep warm.

The facts appear to be that Jim brought the cash box with about $75 in specie (hard money) home and hid it in the stove for safe keeping. Molly did light the fire, but all the money was recovered. In later years our heroine fabricated the tale from these facts until the amount of paper money destroyed finally reached $300,000.00. When corrected she would laugh and say, "Well, it was a—good story anyway!"

The family prospered and moved to Leadville when their two children, Lawrence and Helen, were born.

Still Maggie was a social nobody.

Then the Little Jonny mine Jim was managing struck a rich vein of gold during the days of the 1893 depression when silver was extremely depressed in price. The mine owners were so grateful that they gave Jim Brown a one-eighth interest in the mine. This propelled the Brown fortune upward, so that they could move to Denver, when Maggie set out to conquer the "Sacred Thirty-Six", the top social and economic set.

Soon she was known to those she would have as her friends as "The Impossible Mrs. Brown".

Her manners were barbaric, her English laughable, her spending profligate, her seeking for publicity constant, but she kept trying. She took to traveling, which found her ability as an entertainer and her open purse the key to acceptance in European and Eastern United States society. Still the "Sacred Thirty-Six" laughed at her and locked her out of their activities.

When she paraded up and down Denver's main streets in expensive furs the natives began to call her "Colorado's unique fur-bearing animal".

She and Jim fought over her expensive tastes and frequent trips away from home . . . and his roving eye.

Maggie took lessons in English, French, German, manners, dramatics, voice, yodeling, and the guitar. All of this plus her flaming red hair and aggressive manner made her a personage of striking flamboyance.

XUM

She was in Europe during the winter of 1911–1912 and managed to book passage on the new, unsinkable ship, the "Titanic" for its maiden voyage. When an iceberg sliced a mortal wound in the hull of the unsinkable ship, Maggie was the heroine of life boat No. 6. She calmed the panic stricken women by her example and her singing and helped row the life boat out of the area where the downsuck of the sinking ship would have drawn it down with the Titanic. When a stoker was borrowed from another lifeboat to help with the rowing, she gave him her sable stole and, according to some, saved the man's life.

Once aboard the rescue ship "S.S. Carpathia" Maggie worked unceasingly as a nurse and interpreter for the widows of the many immigrants. Caught up in the horrors of the needs of these unfortunates, she proposed that the more fortunate passengers on the "Carpathia" raise $10,000 for the relief of the survivors, and she did raise $7,000.

Since the sinking of the "Titanic" was a story of human failures, the heartwarming heroism of Maggie Tobin Brown caught the public's eye. A medal was struck for her; and it was recorded that she told the reporters who met the boat and commented on her survival, "Typical Brown luck. I'm unsinkable". So, from that day on, she was the "Unsinkable Mrs. Brown."

An enormously popular stage musical by Meredith Willson, "The Unsinkable Molly Brown," based on this incident and her entire life played to packed houses on Broadway during the 1950's.

Denver society opened its doors for her on May 1st, 1912, when with Mrs. George E. Berger she shared honors at a luncheon at the home of Mrs. Crawford Hill, Queen of the "Sacred Thirty-Six."

The same doors closed shortly on Maggie Tobin Brown, then age forty-four. The rest of her life was anticlimatic and increasingly tragic. She got people to call her Molly or Peggy instead of the inelegant Maggie. The family struggled over her husband's shrinking fortune. She tried to maintain her precarious social position and her fleeing youth and succeeded in neither.

However, her latter years did witness not only scattered returns via private railroad car to Hannibal, but several high spots. In 1927 she spearheaded the saving of the Denver home of author Eugene Field. During this campaign of historic importance, similar to the Marion County Historical Society's effort to save and restore her own home in Hannibal, "The Unsinkable" gave an amateur program in the Civic Auditorium. Only one hundred people sat in the seats that could have held twenty-five hundred. One of the high and fearful spots on that program was Maggie's reading of Eugene Field's poems.

A few weeks before she died she visited Leadville and was shocked by the plight of the miners' children during the winter of 1932. She proposed a great Christmas party for them with presents of warm clothing and other things dear to children. While her death came on October 25, her nephew, Ted Brown, quietly distributed her gifts that Christmastide.

Maggie Tobin Brown was one of the uniquely frontier characters related by birth or residence to Hannibal and Marion County and northeast Missouri. With the others her dreams, adventures, misadventures, and interaction with American life remind us of our historic past and its significant part in the Nineteenth Century.

NEED FOR RIVER SAFETY LEGISLATION

Mr. SYMINGTON. Mr. President, a significant increase in the number of serious accidents on the Mississippi River has underlined the need for a concerted program of river safety legislation, especially Federal licensing standards.

A driver's license is required to operate a motor vehicle on public streets, but no standards of competency or experience are required for a towboat pilot on our inland waterways even though the pilot often moves barges which contain lethal chlorine or other explosive cargoes.

Continued failure to enact adequate safety requirements for our navigable rivers and lakes is to court disaster.

In a recent series of informative articles in the St. Louis Globe-Democrat, Mr. Allan Hale reported some of the hazards which threaten life and property both on the water and along the shores, calling particular attention to the outstanding work of Congresswoman Leonor K. Sullivan, of Missouri, in her efforts to obtain badly needed safety regulations. I ask unanimous consent that the three of Mr. Hale's articles and an editorial from the May 29 Globe-Democrat be introduced into the Record.

Through news articles and editorials, the St. Louis Post-Dispatch has also given notable public service in calling attention to the danger, and I ask unanimous consent that an editorial from the June 28 issue also be printed in the Record at this point.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the St. Louis (Mo.) Globe-Democrat, May 24, 1969]

A RIVER TRAGEDY POINTS UP A NEED

(By Allan Hale)

"It's not me I'm afraid of, or the river. It's the fact that the man I meet coming down may not know what he's doing."

Dave Carlton is a licensed Mississippi River pilot. The Marine Officers Association, of which he is a member, said that perhaps half of the pilots on the river are licensed.

"The public would really be surprised if they were informed," said another pilot. "There are no requirements at all. Anybody can be a pilot, no matter what kind of cargo he's got . . . you can take a taxi-cab driver, put him on the boat and tell him to be a pilot, and you're not breaking any law."

The men who move the big cargoes on the river, the long strings of barges with 20 to 40 thousand tons of cargo get a certain grim amusement out of the fact that the people of the river cities like St. Louis don't know what's floating past their front windows—or what might happen if something went wrong.

On May 12 a barge explosion which killed several at La Grange, Mo., underlined the reason for an increase of interest among the river cities in what's going on in front of them.

The city of New Orleans got a demonstration in April when a towboat pushing three barges was involved in collision with a Chinese nationalist freighter one midnight, directly under the Greater New Orleans Mississippi River Bridge. The lead barge, loaded with 9,000 barrels of crude oil caught fire.

Flames soaring 100 feet into the air seared an 80-foot area of the bridge, buckled the steel rails of the sidewalk guards and damaged the understructure. Twenty-five Chinese crewmen aboard the freighter died.

It could happen any day, in any river city, say the towboat men.

"Now if his boat had also—I might mention that there were thousands of people gathered to watch this burning ship and barges—if this boat had also had a barge of chlorine in the tow, which you do sometimes have, and it had exploded in downtown New Orleans, maybe 1,300 tons of it, it would have wiped out no telling how many," says Carlton. "This could happen at Alton, anyplace."

Carlton works out of St. Louis, lives at Cape Girardeau and mostly handles the two biggest towboats of the river, the 1,000-ton twins "America" and the "United States," owned by Federal Barge Lines here.

It was a deputation of St. Louis towboat men which in 1962 went to U.S. Congresswoman Leonor K. Sullivan, 3rd District. They were deeply concerned, she said. "They said they were working under great hazards and with no safety regulations," she said.

The river men convinced her that there was a case for regulations requiring the licensing of pilots and the inspection of boats. The result was a two-month session of hearings before a subcommittee of the Congressional Committee of Merchant Marine and Fisheries.

There had been similar hearings on the same subject before. In 1935, when nothing was done. In 1951, when nothing was done. In 1965 the same thing happened.

The record of the hearings fills a book three-quarters of an inch thick. The book is so far the sole concrete result.

The regulations were blocked solid, Mrs. Sullivan explained, by the opposition of the majority of towboat operators. The men who work the boats came forward and spoke for a regulation. The towboat operators, with the exception of some of the largest and most reputable firms, were against it.

This week a barge explosion at La Grange, Mo., killed several persons. This and the April disaster at New Orleans, coupled with an earlier one near New Orleans last year when 21 died in a towboat-freighter collision have convinced Mrs. Sullivan that the time has come to try again.

She has now asked the chairman of her committee to request those in favor of regulation and those against to sit down and reason out together what provisions of the bill they can and cannot live with. This will be no ordinary house hearing, she points out. "This is not the normal way legislation is written, but I think it's an effective way when it's stymied," she says.

[From the St. Louis (Mo.) Globe-Democrat, May 26, 1969]

INEPT RIVER PILOTS—INVITATION TO DISASTER

(By Allan Hale)

On a fine day, it's a pretty sight to watch the towboats, painted in crude, bright colors, pushing their strings of barges up and down the river.

From the St. Louis levee, from the tall office buildings of downtown you can look and turn away with a renewed sense of America's industrial capacity, as demonstrated by those great, heavy-laden barges.

From the river overlooks dotted along the shore, from the gardens of homes that edge the water, the children wave at the pretty boat. Sometimes the man in the pilothouse waves back.

He knows something they don't.

That a wrong touch on the steering levers, a sudden current or a wrong decision . . . and he could send a wave of burning gasoline and crude oil boiling into the city like a huge napalm bomb. Or flood the streets with chlorine gas.

He knows something else, also.

That no regulations exist to require him or any other pilot he may meet on the river to pass an examination of competency.

There is an examination, set by the Coast Guard, and many men take it. Large barge lines like to use certificated men. Before taking the examination a man must produce letters of recommendation from employers he has worked for, usually as a mate.

For years now, and more particularly for the last five years, the licensed pilots and some of the larger companies have been trying to get legislation through Congress requiring examinations for towboat officers and inspection of boats.

Tows of barges on the Mississippi are growing larger all the time.

Such pilots work a 12 hour day, divided into two watches, six on, six off. They earn around $15,000 a year and are entitled to a day of rest for every day they work, which means a man may, if he wishes, work six months, rest six months.

Capt. Bill Jackson is a licensed pilot and a member of the executive board of the Marine Officers Association.

He explains: "Originally boats were placed under the marine inspection law by the steamboat inspection service of the Commerce Department. Now, slowly and methodically, steam has been replaced by diesel."

Few steamboats are left on the river today. The only commercial steamboat which now visits St. Louis is the excursion steamer "Delta Queen."

When steam changed to diesel Capt. Jackson says, the regulations died with steam. Diesel-boats are not required to have licensed officers or be subject to inspection while under construction or in use.

"The lobby of the diesel engine manufacturers, the industry, as represented by the American Waterway Operators—a powerful lobby in itself, which far supersedes anything we have to offer in the way of a lobbying group—have become so powerful that we can't even really be heard, so far as the need for inspection laws is concerned," Jackson says.

One of the arguments of the towboat operators against the regulation and licensing of officers is that the examinations set by the Coast Guard—the regulatory agency which administers the examinations—are unrealistic, involving river men in subjects like celestial navigation which they will never need.

"There is a small degree of truth in this," Jackson admits.

"The Coast Guard are mainly salt water people and there is a certain degree of salt water interrogation in the examination for a pilot. It's not a thing that couldn't be overcome with compromise in a committee."

Compromise in a committee is the thing now being sought by U.S. Congresswoman Leonor K. Sullivan (Dem.), St. Louis, who, after being approached by a deputation of river men in 1962, introduced a bill which would have required the regulation of key personnnel aboard towboats and inspection of the boats.

Hearings were held on it in 1965 and nothing happened. Small operators came forward and said it would ruin them, Mrs. Sullivan says.

One argument put forward by the operators is that they have pilots who are perfectly competent, but have no talent for taking formal examinations.

Asked about this at a recent meeting of the Marine Officers executive board, Jackson waved his hand around the table.

"Each and every man in this room has passed a Coast Guard license examination," he said. "We've all made it. There's quite a few people for whom it takes a little longer, but they have made it. It's simply a matter of studying and knowing your job."

Mrs. Sullivan, whose bill has made no progress, is now asking that both sides sit down round a table and discuss what sort of regulation they could or could not live with.

Meanwhile, night and day, the cargoes pass up and down the river. In many wheelhouses there hangs a thin, printed pamphlet, listing the dangerous cargoes which a pilot, experienced or inexperienced, licensed or not may suddenly find included in his tow.

Where a page is marked with a skull and cross bones—and many are—it means that the cargo is deadly.

Nor does the pilot get any choice about what goes into the makeup of his tow. He is told by radio-telephone to pick up, at some designated point, barge XYZ-12.

The river men pay their toll in life. In two major accidents since March last year a total of 46 men have died. At La Grange, Mo., May 12 four died and two are missing in a tanker barge explosion.

Dave Carlton, another board member of the Marine Officers Association was talking to another pilot about it the other day. "What would people think if you allowed trucking companies to operate with men without a driver's license or any training whatsoever? Just put a man on a big diesel rig and send him out on the highway where you're driving up and down with your family?"

"Yeah," said the other pilot. "But you know? One day, one Saturday afternoon when the St. Louis downtown is crowded with shoppers, there's going to be a chlorine barge hit a pier of one of the bridges and rupture."

Carlton takes it up "If he hit the Eads Bridge on Saturday afternoon . . . pouf! Thirteen hundred tons of chlorine and here it all comes in a big green cloud. Remember the barge that sank at Natchez? They said if it ruptured and released that 1,100 tons of chlorine it would, with proper atmospheric conditions, have killed everything within 40 miles."

[From the St. Louis (Mo.) Globe-Democrat, June 17, 1969]

VALLEY LINE HEAD SCORES LACK OF U.S. LAWS FOR TOWBOATS

(By Allan Hale)

"There are things going on, on these rivers today that shouldn't be allowed," says Wesley J. Barta, flatly.

"I can tell you of a company carrying the most dangerous cargo which used to have an engineer sleep on a cot in the engine-room, on duty 24 hours a day. Inexperienced men in the pilot house, I believe it's doing the same thing today."

Barta is no disgruntled deck-hand or hired union official. He is president on one of the six biggest towboating firms on the rivers of America, the Valley Line, with 800 hands on the payroll, 17 towboats of its own and a fleet of 500 barges.

BARTA has for years supported rigorous standards of crewing, licensing and inspection which are opposed by probably every other towboat company in the nation.

He was the only towboat owner out of about 50 who testified at a Congressional hearing in 1965 to speak out in favor of federal laws for the towboat industry.

The argument has started again, following a series of Globe-Democrat articles and an editorial, and Barta has been asked by U.S. Rep. Leonor K. Sullivan if he would testify again. He says he will.

"I have felt this way for all of the 21 years I have been associated with the towboat industry," he says. Barta has been 34 years in shipping, starting on the Great Lakes.

He served a shipyard apprenticeship, later sailed as a licensed marine engineer, was six years a ship surveyor for the American Bureau of Shipping and joined the old Mississippi Valley Barge Line, now the St. Louis-based Valley Line, as superintendent of maintenance in 1947.

"This is a matter of public interest," he says, "Perhaps some of that comes from the fact that my background is that of an engineer and a shipbuilder. I haven't changed my views.

"I'm particularly interested in proper vessel construction and inspection," he goes on. "If you want to build any kind of a building there are building codes and regulations established for the general public safety. It is through a series of unfortunate circumstances that we don't have this."

He specifies two of these circumstances—the replacement of steamboats subject to strict regulation by diesel boats subject to no regulations; and the transfer of control over the inland waterways from the Bureau of Marine Inspection and Navigation of the Commerce Department to the Coast Guard. The Coast Guard, he says, and he doesn't blame them, had to familiarize itself with the business.

"It became obvious to many of us that we did need regulation," he says. "We recognized this in this company when we made the change from steam to diesel, and we've always built our vessels in accordance with American Bureau of Shipping Standards and the known rules of the Coast Guard.

"We have always maintained a policy of hiring licensed engineers and licensed pilots and masters."

To his knowledge, Barta estimates, the leading common carriers, perhaps six out of several hundred companies, make a policy of building their boats in accordance with Coast Guard regulations and American Bureau of Shipping regulations.

"So far as I know," he says, "only three of those adhere to the licensing principle.

"I made a conservative estimate, I thought, 10 years or so ago that reasonable rules for construction and operation were only being followed on about 15 per cent of the boats operating. I think that percentage has gone down since then."

Why are other companies against towboat regulation? "I can see some increased costs that come with it," Barta says. "But at the same time I see better operations and a better industry in which we have some hope of reducing insurance costs and many other costs of business so that the cost of doing business as a result of being embarrassed by the Coast Guard will probably be offset in some other areas."

To inspect a perfectly sound vessel, he admits, is time-consuming and costly. There would probably also be regulations imposed that are not completely acceptable to even the best companies.

"I recognize that, but the gain is having a much better industry, that's the way I look at it."

[From the St. Louis (Mo.) Globe-Democrat, May 29, 1969]

DISASTER ON THE WAY TO HAPPEN

The federal government has strict laws protecting migratory game birds and other waterfowl that use the nation's rivers. Why, then, is not the same concern shown for people?

Globe-Democrat staff writer Allan Hale, in two articles on river pilots, has revealed gross dereliction which exists toward regulation of this exacting occupation.

The shocking truth is that there are no requirements at all, with the result that only about half of the pilots on the river are licensed.

Dave Carlton, licensed Mississippi river pilot and a board member of the Marine Officers Association, aptly compares the situation to allowing trucking companies to operate with men who have no driver's license or any training whatsoever.

It would be like putting a man with absolutely no experience on a big diesel rig and sending him out on a crowded highway.

As another licensed pilot puts it, "Anybody can be a pilot, no matter what kind of cargo he's got . . . you can take a taxicab driver, put him on a boat and tell him to be a pilot, and you're not breaking any law."

It's a potentially deadly situation—literally.

The slightest mistake by an inexperienced towboat pilot could cause barges to crash into a bridge, sending a wave of burning gasoline or crude oil into a city like a huge napalm bomb, or a lethal blanket of chlorine gas over a wide area.

Residents of the river city of LaGrange, Mo., know about such things. On May 12 a barge—operated by an unlicensed pilot—hit a bridge pier there after getting caught in a current. Four persons died in the explosion that followed.

Carlton and other licensed pilots say the same thing could happen on any day at any river city.

In the face of this grim possibility, the need for rigid regulations for river pilots is obvious.

Such legislation has been proposed by United States Rep. Leonor K. Sullivan of St. Louis, who in 1962 introduced a bill to require the regulation of key personnel aboard towboats and inspection of the boats.

Nearly seven years have passed and still Congress has taken no action on Mrs. Sullivan's bill.

How many more disasters such as the one at LaGrange, or the recent explosion at New Orleans—when three barges and a Nationalist China freighter collided, killing 25 Chinese crewmen—will occur before the nation's lawmakers decide it's time to give people the same protection as fowl?

[From the St. Louis (Mo.) Post-Dispatch, June 28, 1969]

Keeping the Rivers Safe

The measures Representative Leonor K. Sullivan of St. Louis is proposing for the safe operation of towboats and their barges on the inland waterways seem to us reasonable and prudent; we hope Congress will delay no further in legislating on the subject. Basically what Mrs. Sullivan wants is examination and licensing of pilots and inspection of towboats and barges during construction and at regular intervals during operation.

Pilots would already be subject to regulation by the United States Coast Guard were it not for the fluke that laws covering them apply to steam vessels, and steam has been almost entirely replaced by diesel power.

Inspection of towboats has become necessary principally because small occasional builders can build almost any kind of vessel and call it a towboat in the absence of regulation. It is at this type of construction, rather than that of the large standard shipyards, that the inspection provisions are aimed.

The essentials of this legislation do not break new ground but rather restore old ground that has eroded away. The principle of safety regulation on the rivers has long been recognized. Even if its absence had not been accompanied by a rise in accidents the legislation would be fully justified as a preventive measure. Accidents are, however, on the increase, partly owing to increases in the numbers of towboats and barges in service.

On the Mississippi River system between 1958 and 1968 collisions increased from 39 to 66, groundings from 7 to 18, and sinkings from 16 to 38. To the credit of the construction and shipping industries, fatalities in accidents actually decreased slightly, from 23 to 21. Carriage of increasing types and quantities of dangerous cargo also argues the wisdom of more adequate regulation.

We should think the inland shipyards and the barge lines would have been making themselves more of a force for the advancement of this legislation than they apparently have been. Their industries stand to benefit substantially from it, in enhanced prestige and public approval. The more responsible elements already operate of their own initiative with safe craft and qualified key men; it is to their interest as well that the less responsible should be required to do so.

THE ABM WHITE PAPER

Mr. KENNEDY. Mr. President, among the most consistent and articulate critics of the ABM are a number of distinguished members of the academic community in Massachusetts. Three of these men have just completed a detailed analysis of the transcript of a hearing held on May 22 by the House Committee on Armed Services. Included in that transcript is the so-called Pentagon White Paper on the ABM, as well as a lengthy series of questions and answers among the members of the committee and the Secretary of Defense, Mr. Laird, and members of his staff.

The analysis was prepared by Dr. Jerome Wiesner, Dr. George Rathgens, and Dr. Steven Weinberg, all of the Massachusetts Institute of Technology. Drs. Wiesner and Rathgens have both served in the highest levels of our Government, working on critical matters of national security. Their expertise too is a matter of record. Dr. Weinberg has served as a consultant to the Government on matters similarly related to the national security.

Because I think this analysis is so relevent to the upcoming debate on the Safeguard ABM, I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the critique was ordered to be printed in the Record, as follows:

A Critique of Pentagon ABM White Paper

(By George W. Rathjens, Jerome B. Wiesner, and Steven Weinberg)

INTRODUCTION

In recent weeks the Defense Department has released additional information pertaining to the Safeguard ABM system and to the threat against which it might have to perform. To some extent there seems to have been a serious attempt to respond to many of the criticisms regarding the systems. This is particularly evident in Secretary Laird's testimony of May 22 before the Subcommittees on the Department of Defense and on Military Construction of the Committee on Appropriations, House of Representatives. For example, he deals at some length with the vulnerability of the Minuteman force to a Soviet SS–9 missile attack, the problem of the vulnerability of the Safeguard radars, and alternatives to Safeguard.

However, despite this response we feel that many fundamental objections to Safeguard remain unanswered. Others of the answers that have been given we feel are misleading. For these reasons, and because Secretary Laird regards his May 22 statement as the most complete statement on the subject, we have felt that it would be useful to reexamine some of the problems with Safeguard, drawing particularly on Mr. Laird's May 22 appearance. Page references, unless otherwise noted, are to the report of the May 22 hearings.

SUMMARY

I. Safeguard and the defense of our retaliatory forces

We are not persuaded of the likelihood of the Soviet Union's achieving a first strike capability by the mid-1970's. In order to launch a first strike of the sort envisioned by Secretary Laird, with the force size assumed by him, the Soviets would need SS–9's with extraordinary accuracy and high reliability; they would need a reprograming capability for SS–9 failures; they would need to solve the problem of coordinating an attack on our bombers and Minutemen; they would need to deal with our nuclear armed tactical aircraft; they would need an effective ASW system; and they would need a wide-spread ABM system. We find it unlikely that they will achieve any one of these capabilities much less all of them.

Safeguard still seems to us to be ill-designed for defense of our deterrent. Long-range high-altitude Spartan missiles and expensive soft high-power radars might make sense in a thin area defense of our population, but not in a terminal defense system for our ICBM's.

We find that Safeguard is ineffective as a defense of Minuteman. Even with perfect ABM performance, the offense could, by striking first at our radars, keep the number of Minutemen saved by the full Safeguard system down to 20–80. This defense could be entirely offset by an increase in the Soviet SS–9 force from the figure of 420 projected by Secretary Laird to less than 465 missiles.

Two alternative responses to the possibility of a Soviet first strike threat seem to us to be greatly superior to Safeguard. One is to wait until the threat actually begins to materialize, and then increase our ICBM or SLBM forces which takes much less time than an ABM deployment. The other is to super-harden our ICBM's, which would be more effective than an ABM deployment even if Soviet ICBM accuracies improve to ⅙ mile.

Table I summarizes our quantitative analyses of the effectiveness of Safeguard and alternatives for enhancing the survivability of our Minuteman missile force.

II. Safeguard and the Chinese threat

We are disturbed that the role of Safeguard in a possible confrontation with the Chinese was described by Secretary Laird in terms which would make sense only if Safeguard were 100 percent effective which it surely will not be.

III. Safeguard and accidentally launched missiles

We do not see how an ABM system under Presidential control can protect us from accidentally launched missiles with very short flight times, including depressed trajectory SLBM's.

IV. Research and development for Safeguard

We believe that research, development, and testing can proceed more effectively at Kwajalein than in the continental United States.

In carrying out the analysis of Safeguard report here we have assumed that the system will perform in accord with specification (or better). We have grave doubts that the performance of the system would approach the design estimates, considering its complexity and particularly considering that the system will never be tested in an environment that stimulates that in which it will have to operate.

I. SAFEGUARD AND THE DEFENSE OF OUR RETALIATORY FORCES

The nature of the threat

Secretary Laird continues to argue (p. 42) that the only possible explanation for reactivation of the Soviet SS–9 program is to be able to knock out our hardened Minuteman sites. He fails to consider the possibility that a desire to deliver large numbers of multiple warheads to penetrate a possible U.S. ABM system could also be a motivation. The timing of both the reactivation of the SS–9 program and the initiation of multiple warheads tests by the Russians is just about what one would expect if those actions were responses to Secretary McNamara's announcement of the Sentinel decision of September, 1967, and to the subsequent development of support for it as a basis for a na-

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tionwide defense of population and industry against possible Soviet attack.

Having decided that the rationale for the SS–9 program is a Soviet desire to have a counterforce capability against Minuteman, it is hardly surprising that Secretary Laird then produces quantitative estimates to prove that it could be sufficiently effective threat so that it would be useful as a rationale for our Safeguard deployment.

In this he has followed Dr. John Foster and Mr. Albert Wohlstetter in estimating that as few as 420 SS–9 missiles, each carrying three 5 MT warheads, could destroy 95 per cent of our Minuteman force (p. 9).

The calculation is based on an assumption of ¼ mile accuracy. (from which he derives a kill probability of about 95 per cent for a single 5 MT warhead delivered against a Minuteman silo), a failure rate of only 20 per cent and a capability to retarget missiles for those that fail. Each of the several assumptions seem questionable, at least for the mid–70's.

First, it is by no means clear that the Soviet Union can achieve an accuracy (CEP) of ¼ mile with SS–9 MIRV warheads. Unfortunately, Mr. Laird does not give us any information regarding the ballistic coefficient of the multiple warheads now being tested. If it is low (employing a rather blunt re-entry vehicle) it will be very difficult to achieve very good accuracy. Local winds in the re-entry area may have a significant effect on where the warheads will impact. Terminal guidance of some sort may then be required to achieve the hypothesized ¼ mile CEP. If such guidance is included, it is questionable whether the SS–9 could carry three 5 MT warheads to full range.

Second, it is extremely doubtful that an 80 per cent overall reliability can be achieved, and that the Soviet Union could count on it, with a system as complicated as the SS–9 with MIRV's.

Third, the most dubious assumption of all is a full retargeting capability. Mr. Laird has stated that his figure is based on the Russians' having "a capability to retarget a second missile for those that fail" (p. 9). Difficult as it would be to do so, even that would not be sufficient to destroy 95 per cent of our Minuteman, given his other assumptions. The Russians would in addition have to be able to target a third salvo of missiles to compensate for those in the second salvo that failed and so on; and all this quickly enough after the initial salvo so that we could not launch ICBM's between the impact time for the first salvo and the time of arrival of their last salvo. Clearly this would be extremely difficult even if one were concerned only about retargeting to compensate for launch pad and boost phase failures, but Mr. Laird apparently postulates reprograming to compensate for other failures as well, including presumably those that occur during separation of the several multiple warheads, which may occur fairly late in the trajectory. The United States rejected the retargeting concept for its own single-warhead missiles some years ago. Yet, Mr. Laird assumes the Soviet Union may adopt, and be willing to rely on, such a concept with multiple warheads where the problems are much more difficult than for single warheads. Implicit in his estimate is the idea that if one of the three re-entry vehicles carried by an SS–9 is not on its planned trajectory but the other two are, the "bad" warhead can be replaced by a single warhead carried by a replacement SS–9, *and* that the other two warheads carried by that replacement SS–9 can be efficiently used to replace other re-entry vehicles that have failed but whose targets may be widely separated. Clearly implementing such a concept would be difficult even if the Russians were building a MIRV system in which the separate warheads could be directed to widely separated targets. That they are not doing so is strongly suggested by the fact that there is ambiguity as to whether their recent tests involve simple multiple warheads or MIRV's.

There is no intelligence information whatever to suggest that the Soviet Union has, or plans to implement, a retargeting concept anything like the one Mr. Laird has assumed (or been sold). The technical problems involved in their doing reprograming for failures that occur after the boost phase seem truly insurmountable, at least for the mid-70's.

Secretary Laird hypothesizes a threat to our bomber force (p. 10) from SLBM's. However, he fails to address the problem of how the Soviet Union could coordinate an attack against both the bombers and the ICBM's. If the bombers are destroyed by surprise as he suggests they might be, he must explain why the Minuteman force could not be launched in the 20 to 30 minutes before the arrival of the presumed Soviet ICBM attack; if the arrival time for weapons delivered against our bombers and our ICBM's is arranged to coincide, he must explain why the bombers would not have been flushed from their bases, given that we would have had 20 to 30 minutes warning that ICBM's were headed toward our Minuteman sites.

It is to be noted that Mr. Laird does not mention at all the fact that the Soviet Union would have to destroy not only our strategic bomber force, but also simultaneously our land-based and carrier-based tactical bombers as well, if it were to avoid a retaliatory bomber attack. While these tactical bombers do not have as a primary role attacking targets in the Soviet Union, many would have that capability, and were our other retaliatory forces to be in jeopardy the Russians would certainly have to assume that some of our tactical bombers could have a strategic retaliatory mission.

In hypothesizing a possible threat to our SLBM force, Mr. Laird fails to consider that with the Polaris-to-Poseidon conversion our missiles will be able to carry a substantial payload to greater distances than they now can, that therefore the amount of ocean in which they could operate would be enlarged, and that therefore the Soviet ASW problem might be even more difficult than it now is.

While Secretary Laird has indicated that the Soviet Union is continuing R & D on ABM systems, he has not been able to claim any expansion in Soviet ABM systems. Given our own long lead time for a full operational capability for such a *limited* system as Safeguard—1976 according to Mr. Laird (p. 24)—it hardly seems reasonable that the Soviet Union will have an *extensive* and effective ABM system by the mid-1970's.

In summary, Mr. Laird has not supported his contention that "the potential Soviet threat to the survival of our strategic offensive forces in the mid-70's is clearly evident" (p. 11). Ultimately, our Minuteman force will be vulnerable to preemptive attack if the Soviet Union proceeds to build up its missile force and if it achieves sufficient reliability and accuracy with those forces. For the reasons given above we believe that the Soviet force level required will be larger, and that the time period when the threat would be great would be later than Mr. Laird estimates, if it ever develops at all. More important, we believe Mr. Laird has unduly discounted the problem that the Soviet Union would have in developing a capability for a coordinated knock-out attack against all our retaliatory forces; and he has greatly overestimated the effectiveness of Safeguard in reducing any possible threat to our retaliation capabilities (see below).

Whether Safeguard is well designed to defend hard targets

On page 75 Mr. Laird claims that the Safeguard components were designed for defense of both soft and hard targets.

"Mr. Long. The Safeguard ABM, I understand, uses the same components and systems for hard point defense that were designed to provide protection for our cities in the Sentinel system. Can one design serve all purposes?

"Secretary Laird. Yes; these were designed all along for the two purposes. I want to make it clear that in the Sentinel system there was an option for the defense of the Minuteman. These two particular sites that we have in Phase I were also included in the Sentinel system. The Spartan and Sprint were designed for both purposes, city defense against the Chinese ICBM threat and Minuteman defense against the Soviet ICBM threat." (p. 76–77)

But on page 18 he traces more carefully the origins of the Safeguard components back to the old Nike X system—a system whose rationale was primarily and unambiguously to defend U.S. population and industry against a massive Soviet missile attack.

One can accurately say that in adopting the Nike X components for Sentinel, there was a mismatch to the extent that Sentinel envisaged a possible later stage defense of Minuteman, but that the primary purpose, defense of population, would have employed the components for purposes reasonably consistent with their design criteria. With the primary emphasis of Safeguard being defense of Minuteman, the components are to be used for purposes for which they were never designed.

For defense of population, an extraordinarily high level of effectiveness is required against a threat that could be very great and focused on quite a small target area. Intercept must be accomplished quite far away from the defended city if the city is to be saved. There is presumably some value in including Spartan missiles in the defense and in being able to control intercepts at considerable distances, a requirement that has a bearing on radar power needed.

For defense of Minuteman near misses can be tolerated, Spartans have hardly any role, any the Minuteman field is much more spread out. The Sprint missile has too short a range to defend a whole Minuteman complex, but far more than is needed to defend a single silo. The Missile Site Radar (MSR) is an Achilles' heel in that it is a very "soft" target compared to the Minuteman silos it must defend (although an appropriately "hard" target compared to cities), and yet is so expensive that only one is planned per site.

In a sense we may get the worst of all worlds with Safeguard: a poor defense of Minuteman; no significant defense for our cities; and yet because Safeguard uses the same components as Nike X and because the production lines for those components will have been established, the Russians may react to our decision by expanding their offense just as if we were deploying a large scale defense for our population.

The effectiveness of Safeguard

Mr. Laird claims that, given the attack which he hypothesized and which is discussed above, Safeguard would be highly effective in saving Minuteman missiles. He states that, with implementation of Phase I of Safeguard 100 to 150 Minutemen would survive (p. 27), and that with implementation of Phase IIA perhaps 250 to 300 would survive (p. 28) compared to only 50 survivors with no ABM defense. Unfortunately, Mr. Laird has not seen fit to make public the number of interceptor missiles that will be deployed with Safeguard; so it is difficult to calculate the effectiveness of the system with any precision. However, we can make some plausible upper limit estimates.

Mr. Laird states (p. 29) that the costs of producing the warheads for Safeguard would be $0.2 billion. This suggests that the number of interceptors would not be over 1,000, a figure fairly consistent with various un-

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official estimates. Considering that the four ICBM sites would have almost ⅔ of the Sprints (p. 25), it is probably reasonable to assume at most 150 interceptors at each Minuteman site, perhaps 40 Spartans and 110 Sprints. For Phase I the number per Minuteman site would be less, perhaps half as large. The most conservative, highest confidence (but not the only) kind of Soviet attack would exhaust the interceptors. In discussing such an attack (p. 67) Mr. Laird claims, "the defender wins the engagement. The defense has forced an attrition of the attack force which, of course, is the defense goal, so that a sufficient number of Minutemen can survive." How much is there in Mr. Laird's claim? Almost certainly the offense would not have to exhaust the Spartan interceptors. They are by general consensus held to be quite ineffective against a sophisticated attack such as that of which the Soviet Union is capable. To an extent Mr. Laird concedes this on page 66, stating, "the Minuteman defense against a Soviet attack is primarily based on the Sprint missile backup which with the Missile Site Radar (MSR) will perform adequately in spite of interrupted Perimiter Acquisition Radar (PAR) data during the engagement", and on page 78 where he states "the area defense of our cities . . . would have little effect on the Soviet's capabilities to attack those cities." But let us assume that the Spartans as well as the Sprints have to be exhausted, an extreme assumption that favors the defense, and compute how much Soviet effort would be required.

Mr. Laird has stated (p. 7) that "the Soviet Union has the technical and economic capability to develop and install large numbers of multiple independently targeted reentry vehicles (MIRV's) on each of its larger ICBM's, the SS–9 type, and perhaps several warheads in each of its smaller SS–11 and SS–13 ICBM's." Assuming that, and Mr. Laird's assumption of a ¼ mile CEP, each SS–9 could plausibly carry 20 to 30 warheads of sufficient size to destroy our MSR radars. Since the defense would obviously have to defend its radars, (and Mr. Laird agrees that it would, p. 66–67), at most five to eight delivered SS–9's payloads would then suffice to exhaust our hypothesized Phase I defenses, and at most 20 to 30 would suffice for Phase IIA.[1] Actually these numbers are almost certainly high by at least 50 percent—perhaps more—because some of the interceptors may be deployed so far from the MSR's as to be unable to defend them,[2] and since the defense would have to commit more than one interceptor to each incoming re-entry vehicle to take account of interceptor failures.[3] But giving the defense the benefit of every doubt—i.e. assuming all interceptors, both Sprint and Spartan, function with 100 per cent effectiveness and assuming them all deployed so that they can be used for radar defense—we find that the defense might force the Soviets to allocate at most 1½ to 2½ percent of its SS–9's to counter the Phase I defenses and at most 6–9 percent to counter the Phase IIA defenses. The number of Minutemen that survive the hypothesized Soviet attack will not be increased from 50 to 100 or 150 as Secretary Laird has claimed but to *at most* 60 or 65. His claims for Phase IIA are similarly exaggerated: the defense will not save an additional 200 to 250 Minutemen but *at most* 50 to 80.

And if one makes assumptions about Soviet tactics which we believe more realistic than Mr. Laird's, e.g. discounting wholly or partially the retargeting idea, the defense looks even worse. Using the aforementioned assumptions of extreme effectiveness for the defense, and accepting all of Mr. Laird's assumptions about a Soviet attack with 420 SS–9's except the retargeting assumption, one calculates the following numbers of survivors for our Minuteman force: no defense, 195; with Phase I of Safeguard, 200; with Phase IIA, 215–220.

At the rate of SS–9 growth assumed by Mr. Laird, *at most* three additional months of production would completely offset Phase I of the Safeguard deployment, and *at most* one year's production would completely negate the Phase II deployment.

What Mr. Laird has apparently done is to assume the Russians are diabolically clever in developing a capability to attack Minuteman, but not very clever in exploiting the weaknesses of the Safeguard defense (the vulnerability of the radar and the limited number of interceptors). If one makes internally consistent assumptions about the state of Soviet technology and their use of it, one's impression of the effectiveness of the defense is very different from Mr. Laird's. Safeguard looks very bad if the Russians are twelve feet tall, but even worse if they are only six feet tall.

Some Safeguard advocates concede that even Phase II is just too thin a defense to be of much use if the Soviet Union should decide that it wants to make a determined effort to build a counterforce capability against Minuteman. They support it on the grounds that it will form a basis on which to build a more effective defense by adding more interceptors and redundant radars. Secretary Laird has not yet suggested this, although he has made it clear that he considers Phase I "as insurance against the possibility that we will need the full system in the mid-70's" (p. 85). As the limitations of Safeguard become more apparent, we should not be surprised to hear arguments that Phases I and II are needed as insurance against the possibility that we will need a Phase III for the late 1970's. Thus, if it appropriates money for Safeguard this year, the Congress should be aware of the fact that it may be embarking on a venture that will cost several times the quoted $10.3 billion cost.

Alternatives to Safeguard

It seems clear that any consideration by the Administration of alternatives other than Safeguard for reducing the vulnerability of our retaliatory forces was an afterthought introduced, discussed, and rejected primarily as part of the effort to still the critics of ABM. Indeed, Mr. Laird admits that "the first question which had to be answered by the Nixon Administration was whether an ABM should be deployed at all" (p. 7). The Administration's case would appear stronger if its interest in ABM had had its origins in a determination that there was a serious possibility of a threat to our retaliatory force rather than vice versa. Had it really concluded there might be a threat and then systematically, and without prejudice, considered alternative means for coping with it, it seems clear that alternatives other than Safeguard would have commanded more attention and would almost certainly have been judged preferable.

In its defense of Safeguard, the Administration rejected further ICBM deployment as an alternative means of enhancing our retaliatory capability, arguing that such a choice by us would be more likely to provoke an escalation in the arms race. Yet Mr. Laird admits (p. 7) that "it only takes 18 to 24 months from the start of construction to the operational availability of an ICBM in a silo." A fully operational Safeguard will, on the other hand, not be available until 1976 (p. 24). Obviously, we could wait until about 1972 or 1973 before we would have to begin deploying additional ICBM's if we elected that as a response to a possible mid-70 threat. Waiting would save us billions and would obviously not be provocative. If it proved necessary to do something in, say, 1972, we would almost certainly have passed the point where we need be very concerned about provoking an escalation in the arms race. And in buying more ICBM's (or SLBM's or whatever) we would have a far less expensive, much higher confidence, less rapidly obsolescent response than Safeguard to any possible Soviet threat. We could certainly at least double the size of our ICBM force for the price of Safeguard, in which case over a thousand Minutemen would survive Mr. Laird's hypothesized attack.[4]

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[1] Mr. Laird has conceded the importance of defending the MSR (p. 67), but in his statement he focuses primarily on the possibilty that the offense would attempt to destroy the radar by delivering enough warheads against it so that there would be a chance that one would leak through simply because of intercept failures. That is a completely plausible tactic, one that would probably work, and one which would require fewer offensive warheads than exhaustion of the interceptors. However, an adversary could not have complete confidence in it. The defense *might* prevent leakage. Mr. Laird is obviously not prepared to concede that the number of interceptors to be deployed with Safeguard is so small that exhausting them would be a plausible (and 100% effective) Soviet tactic, although this is what our calculations show, and despite the fact that his colleague, Dr. Foster, points out that "we propose to go through that system (the Moscow ABM system) by sheer exhaustion of the defenses" (p. 62).

[2] There is a lack of clarity in Mr. Laird's statement on this point (p. 25). He states "the four Safeguard sites planned for these fields (the Minuteman fields) would account for almost two-thirds of the Sprints. More than half of these Sprints would be deployed at so-called remote sites around the MSR to provide better coverage of the Minuteman forces." If the MSR is remote from the Minuteman force, how does deployment then provide better coverage for the Minuteman force? If the MSR is located in or very near the Minuteman field, from what is it remote? Where are the other Sprints deployed? Are we to infer that they are near Minutemen, but too far away from the MSR to defend it?

[3] The Administration claims that it can compensate for less-than-perfect Sprint performance by launching a second Sprint if one fails, and that this can be done "early enough so that a re-entry vehicle will not get through" (p. 67). In principle, this tactic will undoubtedly be feasible, but there is an added question, how will we know if intercept has been successful? The Sprint will achieve destruction of an adversary warhead primarily by producing a large enough neutron flux to melt the core of the adversary's weapon. There may well be no discernible indication of whether or not the intercept has been successful until it is time for the adversary warhead to detonate—obviously too late for a second attempt to destroy it. Thus, determination as to whether an intercept has been successful will almost certainly have to be based simply on estimates of the closeness of approach of the two warheads at the time the interceptor warhead is detonated, and on estimates regarding the construction of the adversary warhead. Whether we would have enough confidence in such calculations to rely on a single Sprint to destroy an adversary warhead is probably somewhat questionable, particularly if that warhead could knock out our radar. But apparently the Administration assumes such confidence and the calculations here do too.

[4] Administration spokesmen (e.g. Dr. John Foster in an address before the Aviation/Space Writer's Association, Dayton, Ohio, May 12, 1969) have suggested that "the present cost to the U.S. . . . for an offensive R/V is in excess of $10 M." It is not clear how this figure was derived. It may involve simply dividing the Minuteman program costs by the number of Minuteman missiles. If so, it is hardly the correct cost to use since it would include R. & D. costs which are "sunk", maintenance costs for a long period of time, and replacement of many Minuteman I by Minuteman II missiles. From testimony by former Secretary of Defense McNamara, House Appropriations Subcom-

Mr. Laird rejects the possibility of an air borne alert as a means of insuring survival of our bomber force citing a cost of "almost $1 billion per year" (p. 45). That cost seems small compared to the costs of Safeguard, and particularly as it would probably never have to be incurred since in fact it is unlikely that a real threat would develop.

He argues that super-hardening of Minuteman is of limited utility because of possible improvements in missile accuracy (p. 14), and claims "near term and relative costs to keep an adequate ABM defense of Minuteman will be less expensive in the initial years and probably less expensive overall than other options" (p. 44) citing the cost for super-hardening of 1,000 Minuteman missiles as $6 to $7 billion (p. 48). He is right, super-hardening will be of limited utility considering plausible improvements in missile accuracy, but so is ABM of limited utility for the same reason. Let us compare the two alternatives again using Mr. Laird's hypothesized 430 SS-9 threat.

We have shown earlier that Safeguard phase I at a cost of perhaps $4 billion—[$2.1 billion (p. 26) plus a larger fraction of $2.5 billion for RDT & E (p. 29) and some indeterminate amount of AEC costs] will increase the number of surviving Minutemen from 50 to at most 60 to 65; and that the full Safeguard program [$10.3 billion (p. 29)] will increase the number of surviving to at most 100 to 130. If we triple the hardness of the Minuteman, which almost certainly should be possible for $6 or $7 billion, then the number of surviving Minutemen would increase from 50 to at least 185 if the Soviet Union continued to rely on three 5 MT warheads on each SS-9.[5] If instead, it chose to maintain the same kill probability against our Minuteman silos with each warhead, it would have to increase the yield from about 5 to about 20 MT in which case more than half the Minuteman force would survive since each Soviet SS-9 could then carry only a single warhead. Obviously we would do better to harden Minuteman than to buy Safeguard regardless of how the Russians might react to our hardening program.

The improvement in our posture as a result of superhardening could be offset by an improvement in Soviet missile accuracy from Mr. Laird's hypothesized ¼ mile to about ⅙ of a mile. However, if the Russians achieved that accuracy, they could reduce their yield against a Minuteman with present hardness from 5 MT to about 1½ MT and still have the same kill probability. If the SS-9 can carry three 5 MT warheads it could surely carry four or five 1½ MT warheads; thus only ¾ or ⅗ as many SS-9's would be required to destroy our Minutemen (using Mr. Laird's assumptions), if they were not super-hardened, and the remaining SS-9's would be far more than adequate to offset either Phase I or the full Safeguard defenses. Indeed, the Soviet Union could target enough warheads against the radar to exhaust the defenses, and have enough left over so that it could inflict a very high level of damage against Minuteman (see Table I). Thus, it is clear that although superhardening could be offset by improvements in Soviet missile accuracy, so could Safeguard be offset.

Almost all the obvious alternatives to Safeguard seem preferable as a means of hedging against a possible threat to our retaliatory capability. This is certainly true of buying more ICBM's (much later on *if* needed); and super-hardening.

Table I summarizes some of the relevant effectiveness estimates for Safeguard and alternatives to it.

II. SAFEGUARD AND THE CHINESE THREAT

The Administration continues to argue the effectiveness (p. 28) and utility (p. 31 and 52) of Safeguard against a possible Chinese threat. In so doing Mr. Laird raises the spectre of American cities being risked on the highly questionable assumption that Safeguard will work:

"Once Communist China acquires a force of medium range bombers and/or ballistic missiles, all of her neighbors would be open to nuclear blackmail. Should Communist China then also acquire an ICBM force with which it can threaten our cities, and we have no defense against it, the President of the United States would have no alternative but to back down or risk the destruction of several of our major cities in any serious confrontation with Communist China." (p. 31)

Clearly the implication of this statement is that we would be prepared to take a tougher line in dealing with the Chinese if we had Safeguard than if we did not because our cities would then be protected from the risk of nuclear attack. After all of the expert testimony casting doubt on whether Safeguard would be effective against a Chinese missile attack, it is frightening to hear Mr. Laird espousing views that would make sense only if we had essentially 100 per cent confidence in the system.

III. SAFEGUARD AND ACCIDENTALLY LAUNCHED MISSILES

Mr. Laird contends that the President will be provided "the means to maintain personal control of the situation in the event of such (a missile) an attack" (p. 73). But he also raises the possibility of reduced flight times for an adversary missile attack (p. 10), pointing out that the Soviets could "design their SLBM's for depressed trajectory launch, which it is not very difficult to do," and pointing out that we would then have considerably less than 12–15 minutes warning. Actually, with such attacks against our coastal cities, the warning could be as little as 3 to 5 minutes. Mr. Laird does not explain (on the unclassified record) how the President could maintain personal control in the event of a missile launched against us if the warning time should be that short. Does he or does he not intend that firing responsibility for Safeguard be delegated to low echelons of command? If not, does he contend that the system will be able to cope with accidentally launched missiles if the warning time is only a few minutes?

IV. RESEARCH AND DEVELOPMENT FOR SAFEGUARD

On the one hand Mr. Laird claims, "I believe it is clear from my discussion of the status of the major components, that the system as a whole is ready for production and deployment" (p. 23); but on the other he states, "I must tell you very frankly that if the Congress this year does not approve the deployment of Phase I of this system, we would not only have to terminate production, but also drastically revise the R & D effort uniquely related to the deployment of this particular system" (p. 23), and on page 29 he estimates that $2.5 billion more will be required for "RDT & E costs specifically associated with the Safeguard Program." One would hope that if we are ready for deployment, the R & D has largely been done. If so, how can there be a possibility of "drastic revision in the R & D effort," and a need for such large additional RDT & E expenditures?

Not only do Mr. Laird's remarks make it clear that a great deal of RDT & E has yet to be done on Safeguard, but also that we are considerably further along with production than had been commonly realized. His remark about terminating production (see above) makes that clear. In addition, he states (p. 23) that $434 million has been obligated for procurement including $146 million for production facilities, production engineering, etc., and that "about 15,000 employees in the prime and major sub-contractor plants, alone, are engaged in this ABM development and production effort." One cannot but wonder about the wisdom of going so far with production while so much R & D remains to be done on such a complex system, particularly when the threat against which it must work is so poorly defined.

Mr. Laird states (p. 26) that "although we plan to install an R & D prototype system (except for the PAR) at Kwajalein, that system would still not be the one we would install at an operational base. We feel it is absolutely essential to deploy at an operational site in order to check out the entire system under realistic conditions . . .". This statement raises a number of questions. What can be learned in North Dakota and Montana that can't be learned at Kwajalein? Possibly, the reaction of a local enfranchised populace, but what else? If it is necessary to simulate exactly an operational site to check out the system, why not install a PAR at Kwajalein at a cost of perhaps $150 million compared with $2.1 billion cost for the Phase I deployment? Mr. Laird rejects a PAR deployment as being wasteful (p. 56). It might be, but it would give him exactly what he demands, "a prototype operational site" (p 33) at far less cost than starting from scratch in North Dakota or Montana. Can one "check out" the system under as realistic conditions in the northern U.S. as one can at Kwajalein considering that ICBM's and SLBM's can be fired into Kwajalein and that interceptor missiles can be fired from there? It is doubtful that either can be done in North Dakota or Montana. On this point Mr. Laird is, to say the least, confusing.

"Mr. LIPSCOMB. How will we be able to test the deployed Safeguard in the United States to assure ourselves that it will work?

"Secretary LAIRD. Mr. Lipscomb, the problem with testing missiles in the United States is not insoluble, as you know. I can tell this committee that we are hopeful we can go forward with such testing, even of the Minuteman missile within the United States. We are looking at that right now, because we feel it is a good idea to make some tests in operational sites. But this would have to be done, of course, without the warhead, and with our computers we can make the calculations as to whether the intercept would actually have taken place. But I wouldn't want anyone to read this record and think that we were talking about making any kind of tests with nuclear warheads. We can test the missiles from operational sites without the nuclear warheads." (p. 63–64)

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mittee Hearings for FY 1964, part I, p. 115, one gets a marginal cost for Minuteman I (including silos) of $4 million per missile, and from the source for FY 1966, part 3, p. 44, $6.5 million for Minuteman II, the latter figure, however, including 5 years' operating costs. It is to be noted that these figures were computed *after* the programs in question were well along, and can therefore be regarded as relatively "hard" figures, unlike the estimates for Safeguard, and for that matter for super-hardening for Minuteman.

[5] The interpretation of Mr. Laird's 95% probability of destroying a Minuteman silo with a 5 MT warhead is open to some ambiguity. One reads a figure very close to that from Mr. Laird's chart (p. 34), but it is inconsistent with more accurate data relating probability of destruction to yield and accuracy unless one assumes a hardness for Minuteman of greater than 500 psi. The 95% can perhaps be interpreted as the product of two factors: a kill probability, given that the warhead functions properly; and a non-reprogramable reliability factor for the warhead. The figure of 185 surviving Minutemen is based on the assumption that the first factor is 0.99 and the second 0.96. If the first factor is less, and the second correspondingly larger, then hardening is then more effective than the calculation indicates.

It is not at all clear whether Mr. Laird is talking here about firing Minuteman from North Dakota and Montana or about firing Minuteman into those two states, or whether he is talking about firing interceptors from them. It would be useful to know, and probably very disturbing to the citizens of North Dakota and Montana, and possibly Canada as well, if he does believe that the same kinds of tests can be conducted there that are carried out at Kwajalein.

Mr. Laird rationalizes deployment at two sites instead of just one because "they would be mutually supporting in an area defense role since the PAR and Spartan coverage would overlap to some extent" (p. 26). This argument is open to several criticisms. First, the only real problem and the only real utility in the kind of integration he describes is in the event of nuclear blackout of one of the PAR's (p. 62), but we will hardly get any opportunity to check that assuming we continue to adhere to the nuclear test ban treaty. Second, as Mr. Laird clearly implies (p. 66 and 67), we don't count much on PAR's and Spartans anyway for defense against a Soviet attack; they will be really useful (if at all) primarily against a Chinese threat, and that is their primary rationale. Considering both Administration statements and the decision to deploy the initial defenses in North Dakota and Montana, defense against China is a low priority objective; so why spend large sums to learn about PAR-PAR integration at this time? Third, unless Spartans are actually fired from North Dakota under a control of the PAR in Montana, or vice versa, and that seems unlikely, it is hard to see how we will get any experience at all of the kind which Secretary Laird claims is his rationale for a two site initial deployment.

One cannot but wonder if all of the recent emphasis on the advantages of the Phase I deployment for check-out and R & D purposes is an afterthought—an effort to find an acceptable rationale for the Safeguard decision, arrived at after it had become apparent that both the threat to our retaliatory force and Safeguard's actual utility as a defense for Minuteman had been much overstated.

Although informative, Mr. Laird's May 22nd statement does not instill confidence in either Safeguard or in the processes by which the decision was reached and by which it is being defended. We still see Safeguard as a system looking for a convincing rationale. Each heroic defense that fails, such as Mr. Laird's May 22nd effort, reinforces our conviction that that rationale is not to be found.

TABLE I.—SUMMARY OF EFFECTIVENESS CALCULATIONS—MINUTEMEN SURVIVING A SOVIET ATTACK WITH 420 SS-9's

	Cost (billions)	Secretary Laird's claims	Full retargeting	Retargeting—one replacement salvo only	No retargeting
(1)	(2)	(3)	(4)	(5)	(6)
Accuracy for SS-9's, ¼ mile:					
No defense	0	50	50	75	195
Phase I Safeguard	$4	100-150	60-65 (6-9)	80-85 (3-10)	200 (8-10)
Phase II Safeguard	10.3	250-300	100-130 (25-38)	105-145 (28-44)	215-220 (28-44)
Hardening of Minuteman increased by a factor of 3	6-8	------------	185 (370)	205 (300)	290 (140)
Doubling the Minuteman force, no defense, standard hardening	4-10	------------	1040 (850)	1040 (710)	1040 (770)
Soviet missile accuracy improved to ⅙ mile:					
Superhard Minuteman	6-8	------------	50	75	195
Standard Minuteman:					
No defense	0	------------	20-35	20-40	55-120
Or phase I	4	------------	------------	------------	------------
Phase II	10.3	------------	20-40	25-45	55-140

Note: Figures in parentheses are number of additional SS-9's required to offset indicated U.S. expenditure.

COMMENTS

1. Secretary Laird has described his hypothesized Soviet attack as involving "a capability to retarget a second missile for those that fail" (p. 9). The results in column V are based on the assumption that the Soviets can do that, but that they cannot retarget third missiles for those in the second Salvo that fail, etc.

2. Secretary Laird's results, column III, for no defense suggest that in fact he assumed that a second failure could be replaced by a third reentry vehicle, a third failure by a fourth, etc. Estimates given in column IV are computed on that basis.

3. Regardless of what one assumes about Soviet retargeting capability, the Safeguard defense appears to be much less effective than Secretary Laird claims. It is least effective with the Soviet targeting tactics that are probably the most realistic, column VI.

4. In all cases estimates of Safeguard effectiveness have been based on highly conservative assumptions. It would in fact undoubtedly be far less effective than the figures in columns IV, V, VI suggest.

5. Super-hardening of Minuteman, though far less expensive than the Phase II Safeguard, and probably less costly than even Phase I when one takes account of the much higher operating costs of an ABM system, is far more effective than Safeguard in saving Minuteman for all sets of Soviet tactics considered.

6. The Soviet Union could offset the effect of hardening Minuteman by improvements in missile accuracy (that would be modest but probably achievable only with considerable difficulty).

7. However, with such accuracy improvements super-hardening of Minuteman would still appear to be a far more attractive option than defense as a means of increasing Minuteman survivability.

8. In fact, Safeguard is so ineffective under these circumstances that the number of Minutemen that survive with Safeguard phase I is not noticeably larger than with no defense at all.

9. Doubling the Minuteman force would be far more effective as a means of increasing the number of surviving ICBM's than either defense or superhardening.

10. It is to be noted that the estimates of surviving numbers of Minutemen in table I and in the text differ somewhat from those we have given elsewhere, e.g. in "ABM: An Evaluation of the Decision to Deploy an Antiballistic Missile System", and in testimony before Congressional Committees. This is because somewhat different assumptions about both the threat and the U.S. target system were made in those cases.

BUDGET BUREAU RIGHT TO SLOW DOWN GOVERNMENT INVESTMENT

Mr. PROXMIRE. Mr. President, I have just received a copy of the Bureau of the Budget's new instructions to agencies on the application of discounting analysis to Government expenditure programs which have deferred costs and benefits. These new instructions are found in Budget Bureau Circular No. A-94, which is effective July 1, 1969.

As one who has long advocated improved procedures in evaluating public expenditures, I applaud this decision by the Bureau of the Budget to upgrade the application of benefit-cost analysis in the executive agencies. This new circular instructs all agencies to, first use consistent procedures for evaluating Federal investment; second, use a minimum interest rate based on the current yield on Government bonds; and third, calculate explicitly the uncertainty and risk-taking nature of each investment. Moreover, the circular encourages agencies to use higher rates of discount and suggests a 10-percent rate as an illustration. Finally, the circular identifies a study now being conducted by the Bureau to measure "the interest rate representing opportunities forgone in the private sector" because of public investments. The study will be available later this year. It is essential that this study develop a sound basis for undertaking the on-going estimation of the opportunity cost interest rate.

I want to emphasize that these improved procedures are in direct response to the investigation of my Subcommittee on Economy in Government of the Joint Economic Committee. Last year, my subcommittee held hearings on discounting practices in Government agencies and heard evidence of substantial and unwarranted inconsistencies in discounting practices. In September 1968, the subcommittee issued its report on "Economic Analysis of Public Investment Decisions: Interest Rate Policy and Discounting Analysis." This report offered the following recommendations:

First. The Bureau of the Budget should undertake to require all agencies to develop and implement consistent and appropriate discounting procedures on all Federal investments entailing future costs and benefits.

Second. The Bureau of the Budget should, in conjunction with other appropriate Government agencies, immediately undertake a study to estimate the weighted average opportunity cost of private spending which is displaced when the Federal Government finances its expenditures.

Third. Some appropriate Federal Government agency should estimate and publish on a continuing basis the weighted average opportunity cost interest rate for guidance to all Federal agencies in undertaking the analysis of public investments. This published rate should be adopted by the Bureau of the Budget and specified as a guideline for

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agencies on budget and program submissions.

While I am pleased to report to the Congress that this new Bureau of the Budget policy moves in the direction of the subcommittee recommendations, I must emphasize that recent increases in interest rates make the new policy out of date, even before it is adopted. The circular appears to accept the discount rate established by the Water Resources Council formula. This formula bases the discount rate calculation on an average of past current yields on Government bonds and is less than 5 percent at the present time. This should be compared with the actual current yield on Government bonds of 6¼ percent. The new Budget Bureau procedures, while surely a step in the right direction, hardly go far enough. I urge Director Mayo of the Bureau of the Budget to immediately undertake a revision of Circular No. A-94, now in effect for 1 day, to make it consistent with the subcommittee's conclusion that the minimum rate consistent with the opportunity cost of displaced private spending is the current yield on Government bonds.

I request that the Bureau of the Budget Circular No. A-94 be printed in the RECORD.

There being no objection, the circular was ordered to be printed in the RECORD, as follows:

[Circular No. A-94]

EXECUTIVE OFFICE OF THE PRESIDENT, BUREAU OF THE BUDGET,
Washington, D.C., June 26, 1969.

To the heads of executive departments and establishments.

Subject: Discount rates and procedures to be used in evaluating deferred costs and benefits.

1. *Purpose.* This Circular prescribes standard discount rates and procedures to be used in evaluating the measurable costs, benefits, or outputs of programs or projects when these costs, benefits, or outputs occur over time and when they can be estimated. It is prepared to further the continuing efforts to improve evaluation of Government activities.

2. *Scope.* The discount rates and procedures prescribed in this Circular apply to:

a. All programs or projects whose adoption is expected to commit the Government to a series of measurable costs extending over three or more years; and

b. All programs or projects resulting in a series of measurable benefits or outputs that extend three or more years beyond the inception date.

The techniques used to estimate costs, benefits, and outputs often are unique to individual programs or projects and are outside the scope of this Circular. When, however, cost, benefit, and output estimates are available and occur over a time period of three or more years, they are to be discounted and evaluated in accordance with the provisions of this Circular.

3. *Agency coverage.* The discount rates and procedures prescribed in this Circular are to be included in:

a. The internal planning documents of the agencies in the executive branch;

b. Program analyses submitted to the Bureau of the Budget in support of legislative and budget programs.

This Circular does not supersede agency practices which are prescribed by or pursuant to law, Presidential directive, or Bureau of the Budget Circular No. A-76. Except for situations covered by Circular A-76, agencies should evaluate their programs and projects in accordance with existing requirements and prepare an additional evaluation performed in accordance with the procedures and policies prescribed in this Circular. Evaluation of programs or projects covered under Circular A-76 need not be accompanied with an additional evaluation.

4. *Preparation and presentation.* Analytic documents submitted to the Bureau of the Budget should contain the following information as needed to evaluate and compare programs or projects:

a. *Expected yearly cost.* The expected annual dollar value of goods and services required to establish and carry out a program or project. Estimates of expected yearly costs will be based on established definitions and practices developed by agencies for program and project evaluation.

b. *Expected yearly benefit.* The dollar value of goods and services expected to result from a program or project for each of the years it is in operation. Estimates of expected yearly benefits will be based on established definitions and practices developed by agencies for program and project evaluation.

c. *Expected yearly output.* An objective, nonmonetary measure of program performance expected for each of the years a program or project is in operation. When dollar value cannot be placed on the performance of comparable programs or projects, an objective measure of output may be available and useful. For example, the pounds of meat and meat products inspected could be used as an output measure when evaluating alternative Federal meat inspection programs.

For some programs or projects, estimation of expected yearly costs, benefits, or outputs will not be feasible or appropriate. Consultation with the Bureau of the Budget is recommended in these cases.

d. *Discount rate.* The interest rate used in calculating the present value of expected yearly costs and benefits or outputs.

e. *Discount factor.* The coefficient which translates expected cost and benefit or output in any specific future year under any specific discount rate into its present value. (The discount factor is more specifically defined as $1/(1+r)^t$, where r is the discount rate and t is the number of years since the inception date of a program or project.)

f. *Present value cost.* Each year's expected yearly cost multiplied by its discount factor and then summed over all future program years.

g. *Present value benefit.* Each year's expected yearly benefit multiplied by its discount factor and then summed over all future program years.

h. *Present value output.* Each year's expected yearly output multiplied by its discount factor and then summed over all future program years. This information may be useful when the performance of comparable programs or projects cannot be valued in dollar terms and when these programs or projects have different patterns of output distribution over time. Units of expected yearly output can be adjusted to reflect changes in the value of physical output over time.

i. *Present value net benefit.* The difference between present value benefit (item g) and present value cost (item f).

j. *Benefit-cost ratio.* Present value benefit (item g) divided by present value cost (item f). (For water resource project evaluation, the benefit-cost ratio is defined as "annual benefits" divided by "annual costs.")

k. *Output-cost ratio.* Present value output (item h) divided by present value cost (item f). Estimation of the output-cost ratio may be useful subject to the qualifications in item h above.

l. *Internal rate of return.* The discount rate which equates present value cost and present value benefit. Estimation of the internal rate of return is recommended but not required. In most instances, ranking of alternatives according to internal rate of return will be identical to their ranking according to benefit-cost ratio.

Attachment A contains an example which illustrates calculation of the present value information.

5. *Discount rate policy.* a. The discount rate used to evaluate programs and projects should not be lower than the discount rate established by the Water Resources Council, related to the current yield on Government bonds. The formula used to compute this rate is defined in the December 24, 1968, issue of the *Federal Register,* Volume 33, page 19170.

b. The Bureau of the Budget will request specific higher rates for particular projects or program evaluation efforts. Agencies should include in their analyses present value estimates of costs, benefits, and outputs based on these rates. (A study of the interest rate representing opportunities foregone in the private sector is being made and will be available later in the year.)

To assist in calculation, Attachment B contains discount factors for discount rates of 4⅞ percent—the discount rate established by the Water Resources Council for fiscal year 1970, and of 10.0 percent for each of the years from one to fifty.

6. *Uncertainty and risk.* Since future events cannot be predicted with certainty, yearly costs and benefits actually realized in the future are liable to differ from the values expected for them in the present. In some cases, the range of variation can be anticipated and the sensitivity of proposed programs or projects to future contingencies can be evaluated.

a. The "most likely" estimates of expected yearly costs and benefits should be supplemented with minimum and maximum estimates. Present value total cost and benefit should be calculated for each of these estimates. The likelihood that each of the possible benefit and cost estimates will occur also should be discussed.

b. Uncertainty and risk should be treated explicity in alternative calculations of expected yearly benefits and costs. Generally, uncertainty should not be reflected in the discount rate.

7. *Interpretation.* Questions concerning interpretation of this Circular should be addressed to the Assistant Director for Program Evaluation, Bureau of the Budget.

8. *Effective date.* The provisions of this Circular are effective July 1, 1969.

ROBERT P. MAYO,
Director.

[Attachment A, Circular No. A-94]

SAMPLE FORMAT FOR DISCOUNTING DEFERRED COSTS AND BENEFITS

Assume a ten-year program which will commit the Government to the stream of expenditures appearing in column (2) of the table below and which will result in a series of benefits appearing in column (3). The discount factor for a 10 percent discount rate is presented in column (4). Present value cost for each of the ten years is calculated by multiplying column (2) by column (4); present value benefit for each of the ten years is calculated by multiplying column (3) by column (4). Present value costs and benefits are presented in columns (5) and (6), respectively.

Year of operation (1)	Expected yearly cost (2)	Expected yearly benefit (3)	Discount factor for 10 percent (4)	Present value cost (col. (2) × col. (4)) (5)	Present value benefit (col. (3) × col. (4)) (6)
1	$10	0	0.909	$9.1	0
2	20	0	.826	16.5	0
3	30	$5	.751	22.5	$3.8
4	30	10	.683	20.5	6.8
5	20	30	.621	12.4	18.6
6	10	40	.564	5.6	22.6
7	5	40	.513	2.6	20.5
8	5	40	.467	2.3	18.7
9	5	40	.424	2.1	17.0
10	5	25	.386	1.9	9.7
Total				95.5	117.7

The sum of col (5) is present value cost: $95.5.
The sum of col (6) is present value benefit: $117.7.
Present value net benefit is the difference between present value total benefit and present value total cost: $117.7—$95.5=$22.2.
The benefit-cost ration is 117.7/95.5=1.23.

Note: For more difficult discounting problems, a recommended reference is "Principles of Engineering Economy," by Eugene L. Grant and W. G. Ireson, Ronald Press Co., 1960.

ATTACHMENT B—CIRCULAR NO. A-94

DISCOUNT FACTORS

Year of operation	Discount factors for alternative discount rates [1]	
	4⅞	10
1	0.953516	0.909091
2	.909193	.826446
3	.866930	.751315
4	.826632	.683013
5	.788207	.620921
6	.751568	.564474
7	.716632	.513158
8	.683320	.466507
9	.651557	.424098
10	.621270	.385543
11	.592391	.350494
12	.564854	.318631
13	.538598	.289664
14	.513561	.263331
15	.489689	.239392
16	.466926	.217629
17	.445222	.197845
18	.424526	.179859
19	.404793	.163508
20	.385976	.148644
21	.368035	.135131
22	.350927	.122846
23	.334614	.111678
24	.319060	.101526
25	.304229	.092296
26	.290087	.083905
27	.276603	.076278
28	.263745	.069343
29	.251485	.063039
30	.239795	.057309
31	.228649	.052099
32	.218020	.047362
33	.207886	.043057
34	.198222	.039143
35	.189008	.035584
36	.180222	.032349
37	.171845	.029408
38	.163857	.026735
39	.156240	.024304
40	.148978	.022095
41	.142053	.020086
42	.135449	.018260
43	.129153	.016600
44	.123150	.015091
45	.117425	.013719
46	.111967	.012472
47	.106762	.011338
48	.101799	.010307
49	.097067	.009370
50	.092555	.008519

[1] The discount factors presented in the table above implicitly assume end-of-year lump-sum costs and returns. When costs and returns occur in a steady stream, applying midyear discount factors may be more appropriate. Present value cost and benefit computed from this table can be converted to a midyear discounting basis by multiplying them by the following adjustment factors:

For a 4⅞ percent discount rate: 1.024085.

For a 10 percent discount rate: 1.048809.

For example, if the present value cost of a series of annual expenditures computed from the above table at a 10 percent discount rate is $1,200, the present value cost on a midyear discounting basis is $1,200 x 1.048809 or $1,258.57.

Note: When applied to both costs and benefits, this adjustment does not affect benefit-cost ratios.

SENATOR BYRD OF WEST VIRGINIA DISCUSSES NEW MARKETING PROSPECTS FOR COAL

Mr. BYRD of West Virginia. Mr. President, I made a statement for radio broadcast regarding the magnetohydrodynamics process for producing electricity.

I ask unanimous consent that the transcript of that statement be printed in the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

A NEW PROSPECT FOR COAL

West Virginians have long been hopeful that increased markets for coal could be found to provide more employment in the mines and to provide larger payrolls. A long campaign has been carried on to reduce the flow of foreign residual oil into the United States. Efforts have been made to win back industrial plants from other fuels. And now research is being pushed to make the conversion of coal into fuel gas and into gasoline commercially practical.

All of these things have merit. The efforts should continue, especially those that seek to produce fuel gas and gasoline from coal. I am confident that undertakings such as "Project Gasoline," which I have long been pushing at Cresap, in Marshall County, W. Va., in an effort to produce a commercial gasoline that is competitive in price with petroleum gasoline, hold great promise for the future.

But I am also very much encouraged at this point by two developments in the electric utility field that I believe augur well for coal and its future.

The first is the fact that the widely-held belief of a few years ago that nuclear-powered electric generating plants might replace coal-fired plants is fading. It is very difficult to dispose of the water that must be used to cool such nuclear-powered electric generating plants. The cooling water becomes heated to temperatures so high that returning it to lakes and rivers kills the fish and other aquatic life. The number of applications from utilities to build nuclear power plants has declined, instead of increasing.

The second development involves the so-called MHD process for producing electricity. MHD stands for magnetohydrodynamics—quite a mouthful to say—but it is a word, nevertheless, which may become much more familiar in the next few years.

The new possibility of producing electricity by this method stems from our space-flight research—so here is a sort of side benefit of America's efforts to put a man on the moon. This research has produced new metals and ceramics that can withstand extremely high temperatures.

The MHD process for producing electricity, it is believed, could be adapted to present steam generating plants, considerably increasing their efficiency in the use of coal. The theory was established by Michael Faraday, the great electrical pioneer, more than a hundred years ago. But it has never been practical up to now because there were no metals or other materials that could withstand the very high temperatures that would be necessary.

What is needed now is additional research on the practical, commercial application of the process. A federal study just completed favors government fundings of MHD research and development.

It is my intention to press for such research. Nearly three billion dollars has already been expended by the federal government on nuclear research and development, and the current annual expenditure for nuclear research is approximately 290 million dollars, compared with only twenty million dollars for coal research. It is believed that only a few million dollars would be needed to make the MHD process for producing electricity a reality.

I shall make every effort to open the door to this new use for coal.

LIMITATION ON FARM PAYMENTS TO $10,000 PER PRODUCER FOR EACH 1970 PROGRAM IN COTTON, WHEAT, AND FEED GRAINS

Mr. GOODELL. Mr. President, yesterday I submitted an amendment to H.R. 11612, the Agriculture Appropriations Act for 1970, which would limit the price support and acreage diversion payments under each of the 1970 price support and adjustment programs of upland cotton, extra long staple cotton, wheat, and feed grains to a single producer to $10,000.

For the benefit of my colleagues who will be considering this amendment, I ask unanimous consent to insert in the RECORD a table provided by the Department of Agriculture which lists by State those producers receiving $10,000 or more from specified programs in 1968.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 2C.—PRODUCERS RECEIVING $10,000 OR MORE FROM SPECIFIED PROGRAMS, 1968

	All programs	Cotton	Feed grain	Wheat	Wool	Sugar
Alabama	900	723	21			
Arizona	886	802	38	6	21	14
Arkansas	1,612	1,571		5		
California	2,018	1,564	31	75	110	271
Colorado	887		107	324	67	37
Connecticut						
Delaware	9		4			
Florida	152	14	17			96
Georgia	1,021	555	100	1		
Idaho	532			310	67	72

TABLE 2C.—PRODUCERS RECEIVING $10.000 OR MORE FROM SPECIFIED PROGRAMS. 1968—Continued

	All programs	Cotton	Feed grain	Wheat	Wool	Sugar
Illinois	808	1	570	6	52	
Indiana	570		369	2		
Iowa	858		759	1	1	
Kansas	1,891		222	615		15
Kentucky	82	6	42	1		
Louisiana	973	682	4	1		243
Maine						
Maryland	20		11			
Massachusetts						
Michigan	149		40	2		4
Minnesota	384		191	26		14
Mississippi	2,308	2,202	5	2		
Missouri	942	231	352	5		
Montana	1,044		3	796	47	8
Nebraska	1,008		509	78	3	5
Nevada	37	11		4	20	
New Hampshire						
New Jersey	10		3			
New Mexico	819	224	221	76	40	2
New York	27		7	1		
North Carolina	325	163	52			
North Dakota	649		4	330	1	9
Ohio	273		129	4		3
Oklahoma	745	144	18	219		
Oregon	360		1	303	18	12
Pennsylvania	27		16			
Rhode Island						
South Carolina	735	519	20			
South Dakota	374		57	84	20	
Tennessee	459	341	16			
Texas	10,542	5,342	1,411	562	326	8
Utah	141			39	81	2
Vermont						
Virginia	32	2	13			
Washington	1,103		3	964	9	30
West Virginia						
Wisconsin	91		62			
Wyoming	176			19	128	11
Alaska	2				2	
Hawaii	27					27
U.S. total	36,008	15,097	5,428	4,861	963	883

AMERICANS SHOULD REMEMBER ON THIS JULY 4 "THE RUGGED ROAD TO INDEPENDENCE"

Mr. RANDOLPH. Mr. President, we observe again on this July 4 the anniversary of the date on which men of ideals and sacrifices formally proclaimed our struggle for independence 193 years ago in Philadelphia. Those patriots of the Continental Congress endorsed the principle of the unalienable rights of "Life, Liberty, and the Pursuit of Happiness."

What sort of men were the 56 Members of the Continental Congress who pledged their "Lives, Fortunes, and Sacred Honor," even while a British fleet was at anchor in New York Harbor?

July 4, 1776, Thomas Jefferson's immortal document was adopted without a dissenting vote. John Hancock signed it as President of Congress.

Four days later, July 8, 1776, freedom was proclaimed throughout the land.

The Declaration of Independence was engrossed on parchment. It can be viewed in the National Archives building in Washington, D.C. August 2, 1776, was set for its formal signing by the 56 Members of Congress.

The actual signing of such a document, under British or any other law of the time, was an act of treason against the Crown. But every Member eventually—some were absent on August 2—yes, every Member eventually signed in spite of the consequences.

What happened to the men who signed the Declaration of Independence? Few people know the terrible penalties that many of the signers were made to pay.

The 56 Members of Congress who signed the Declaration of Independence, were an unusual breed. Almost all of them had a profusion of the "Lives, Fortunes, and Sacred Honor" they pledged.

Ben Franklin was the only really old man: 18 were under 40, and three in their twenties. Twenty-four were jurists and lawyers. Eleven were merchants and nine were landowners or rich farmers. The others were doctors, ministers, or politicians.

With only a few exceptions, like Samuel Adams—whom wellwishers furnished a new suit so he might be presentable in Congress—the 56 Members of the Continental Congress were men of substantial property.

All but two had families, and the majority were men of education and cultural standing. In general, each came from what would now be called the "power structure." Actually, the Members of that Congress—the signers—had security as few men had it in the 18th century.

Each had more to lose than he had to gain—except where principle and honor were concerned. It was principle—not property—that brought those men together.

John Hancock, who had inherited a great fortune and who already had a price of 500 pounds on his head, signed the Declaration in enormous letters, so, as he said, "His Majesty could now read his name without glasses and could now double the reward."

Benjamin Franklin warned, "Indeed we must all hang together. Otherwise, we shall most assuredly hang separately."

The signers knew what they risked. The penalty for treason was death by hanging.

Stephen Hopkins of Rhode Island was past 60 and signed with a shaking hand. But he snapped, "My hand trembles, but my heart does not."

Most of the 56 Members who signed the Declaration were later called "reluctant" rebels. Most of them had not wanted trouble with the British Crown. But they had willingly pledged their lives, their fortunes, and their sacred honor.

It was no idle pledge. Of the 56 who signed that noble document, nine died of wounds or hardships during the Revolutionary War.

Five were captured and imprisoned, in each case with brutal treatment.

Several lost wives, sons, or family. One lost his 13 children. All were, at one time or another, the victims of manhunts, and driven from their homes.

Twelve signers had their houses burned. Seventeen lost everything they had.

No signers defected or went back on his pledged word.

Their honor and the Nation they did so much to create, are still intact. Let us keep it so.

Mr. President, the July issue of Reader's Digest contains an excellent article by Thomas Fleming, "The Rugged Road to Independence." It is an important reminder that the struggle for independence and the Declaration by the Continental Congress were not embraced immediately and totally by all delegates, as one might believe today. There was protracted debate. There was dissension. Some participants had grave reservations that words of independence would be just that—words—and that the people would not bear up in an all-out war. Disunity and division rather than unity among the colonies might result. Weeks of agonizing preceded the Declaration of Independence.

This is the lesson for us today as we look to another July 4. The road to independence was indeed rugged. As a nation, we will do well to remember this fact as we continue the struggle to fulfill the promise that "all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness."

Mr. President, I ask unanimous consent that the article, "Rugged Road to Independence," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Rugged Road to Independence

Thomas Jefferson awoke as usual with the first faint streaks of dawn. From his second-floor rented rooms, above Seventh and Market Streets, the tall, redheaded Virginian looked out over the city of Philadelphia with foreboding. Today, July 1, 1776, he would find out if for the last three weeks he had wasted his time in the writing and rewriting of a document he had titled: "A Declaration by the Representatives of the United States of America, in General Congress assembled."

Doubting the future of the Declaration of Independence seems almost laughable now. With comfortable hindsight we ask: Could there really have been any question? The fact is that history as men experience it is totally different from the way those who follow them relive it.

Again and again, America has found itself racked by agonizing decision-making. It is so racked today. Thus it may help to realize that there was the same kind of agonizing over the decision that created our nation. Standing at his window that July 1, the 33-year-old Jefferson could not be sure that his Declaration was even going to be read, much less ultimately immortalized. The Continental Congress had first to decide whether the very idea of independence was acceptable; only then could the members worry about how to phrase it.

THREAT OF DESTRUCTION

Down at the City Tavern, 26-year-old Edward Rutledge, of South Carolina, was also awakening. His thoughts and feelings were dominated by an inflexible detestation of a declaration of independence. On June 7, when one of Jefferson's fellow Virginians, Richard Henry Lee, had introduced a resolution declaring that "these united colonies are, and of right ought to be, free and independent states," Rutledge had leaped to his feet to heap scorn on the idea. It was, he shrilled, "a blind, precipitous measure." It would accomplish only two things, both bad. It would reveal America's intentions to the enemy, and it would make the unborn nation look "ridiculous in the eyes of foreign powers."

In a manor house five miles outside Philadelphia, an even more powerful foe of independence was arising—43-year-old John Dickinson, political leader of Pennsylvania. A year before, almost single-handed, Dickinson had beaten back a surge toward independence, persuading the Congress to present instead a petition to George III, begging His Majesty to redress America's grivances. Although the king had callously rejected the petition, Dickinson believed, that to make a declaration now would be like "destroying a house before we have got another, in winter, with a small family."

Thus Dickinson had joined Rutledge in vehemently opposing the June 7 resolution. After three days of wrangling, the Congress had compromised. It ordered Jefferson to begin drafting a declaration—but there would be no vote on independence until July 1. By then, perhaps, opinions might be closer to unanimity.

Both sides were acutely aware that near-unanimity was called for. John Dickinson had already threatened John Adams, of Massachusetts, one of the most outspoken independence men, with a weapon that could make a mockery of the whole idea of independence. "Concur with us," Dickinson had snapped, "or we'll break off from New England." If powerful Pennsylvania made such a decision, New York, New Jersey, Maryland and Delaware might follow suit. Thus, instead of uniting the colonies, independence might well destroy them.

TEMPERATURE: HIGH

These and other gloomy thoughts were in the minds of Thomas Jefferson and his fellow delegates as they made their way down dusty Chestnut Street to the handsome red-brick Pennsylvania State House, where Congress was sitting. There, as the tower clock struck nine, tall, elegant John Hancock strode to the President's chair and gaveled the Congress into session. (Jefferson, with his scientist's curiosity, noted that the temperature stood at 81.5 degrees.)

First came reports from American armies in the field. None of them was likely to inspire a waverer to vote for independence. In the North, the once-proud army that had invaded Canada was in headlong retreat, ridden by disease and dissension. In New York, Commander in Chief George Washington's army of 19,000 was desperately short of ammunition—and a huge British fleet had been sighted off Sandy Hook. In the South, a British army supported by a naval squadron was battering at Charleston. British forces attacking from three directions—and some men of Congress wanted a vote for independence!

By noon the tension in the room was almost unbearable, and the Congressmen gratefully escaped into the State House yard for an hour's recess. On their return, they resolved into "a committee of the whole," under the chairmanship of Virginia's Benjamin Harrison, so that everything said or voted would be unofficial. The purpose was to encourage every man to speak his mind.

ALL-OUT WAR

Instantly, John Dickinson was on his feet. What was there to gain from declaring independence, he asked. Would it add a single man to the cause? Would it impress the nations of Europe? Or would it make them think that the Americans were blustering windbags, proclaiming as a fact something they had yet to prove against the British armies?

Outside, nature added to the drama of Dickinson's powerful speech. Huge clouds had formed above the city. Now thunder crashed, and lightning streaked the sky. Candles were lighted against the room's sudden gloom.

Dickinson spoke on. A declaration of independence was a declaration of all-out war. Did the members know what that meant? "The burning of our towns. The setting loose of the Indians." War against the richest, most powerful empire in the world. Could America depend on her own people to stand firm in a war "rendered more cruel" by this declaration? "In bitterness of soul, would they not complain against it as madness, rashness?"

In the momentary stillness that followed these ringing words, rain could be heard lashing against the windows. John Dickinson sat down. All eyes in the silent room turned to the stumpy, 41-year-old delegate from Massachusetts, John Adams. Only he could answer Dickinson.

Wearily, Adams rose to his feet. For months he had been living on four hours' sleep a night, serving on more committees than anyone else in Congress, writing endless letters and reports, battling each day on the floor for independence. For a moment he wondered if he could go through with another repetition of "what had been repeated and hackneyed a hundred times, for six months past." But the moment he began, the immense importance of the subject gripped him again, and weariness vanished from his voice. In the pqunding, vehement style that had made him one of the dominant voices in Congress, he gave the greatest speech of his career. Of that speech, Thomas Jefferson would later say that it had "a power of thought and expression that moved us from our seats."

How many times, Adams asked, did Americans have to see their humble petitions scorned, before they realized that George III was an enemy? With armies invading from three directions, who could still be deluded by rumors of reconciliation? The hour had come, said Adams, for the people of America to decide whether to submit as slaves or to fight as free men. At Lexington and Bunker Hill, George III had destroyed the loyalty of most Americans forever. A declaration would tell this to the world, win friends, perhaps allies. More important, it would rally thousands of men and women who were temporizing. As for himself, Adams cried, "All that I have, all that I am, and all that I hope for in this life, I am now ready to stake on this resolution. Live or die, survive or perish, I am for the Declaration."

NIGHT OF NEGOTIATION

Benjamin Harrison called for a vote. Around the room the ayes and nays went. The results were grim: only nine colonies were in favor of a declaration. Pennsylvania and South Carolina had followed their leaders into opposition. Delaware had split, one to one thereby canceling its vote. New York had abstained. Four delegations, almost a third of the 13, not voting for independence! Quickly, Edward Rutledge moved that an official vote be postponed until the following day.

A night of frantic negotiation and desperate action began. Thomas McKean, of Delaware, hired an express rider with the fastest horse in Philadelphia to cover the 80 miles to Dover. There he was to find Caesar Rodney, a pro-independence delegate who had gone home on business. If he could be got back to Philadelphia in time, he would swing Delaware's vote.

At the City Tavern, Edward Rutlege debated far into the night with his fellow Carolinians. He was still against a declaration of independence. But he was statesman enough to see that a split of even one colony could be a first step toward disunion and disaster.

New Yorkers, conferring with pro-independence men, admitted that they were in favor of a declaration. But they were under specific instructions from home *not* to vote for independence. They would continue to abstain.

This left Pennsylvania. For sleepless hours, John Dickinson struggled with his conscience. One of his chief Pennsylvania supporters, Robert Morris, had urged him to submit to the will of the majority. But Dickinson, Quaker-bred, could not vote war's suffering on his people, whatever the majority willed. He sent word to Robert Morris that he was staying home from Congress on July 2, and that perhaps Morris should do the same thing. This meant that Pennsylvania's delegation would be reduced to five. Two were for independence, two opposed; one, John Morton, was undecided.

THROUGH GLOOM TO GLORY

July 2 dawned rainy and cooler. Through the muddy streets the delegates clumped to the familiar chamber. The absence of Dickinson and Morris was instantly noted. But the independence men grimly noted another absence: Caesar Rodney's. Had the messenger failed in his mission? All morning and into the afternoon, President John Hancock delayed the vote with other business. Finally, further delay was impossible.

Name by name, Secretary Charles Thomson called the roll of the delegates. The nine yeas of the previous day caused no suspense. New York politely declared its abstention. Pennsylvania's vote split two-two until John Morton rose, weak from the disease that was to kill him a few months later.

Morton shared John Dickinson's dread of the impending war. Only a month earlier, he had said: "The contest is horrid. Parents against children, children against parents." But now he voted, in a voice tight with anguish, for independence. John Adams had convinced him.

And Delaware? Outside, Thomas McKean had spent most of the day straining eyes and ears for sight or sound of a horseman. As the vote rolled away inside, McKean at last saw what he was praying for. Covered with mud after an all-night ride, Caesar Rodney slid off his horse. Minutes later, he arose in the meeting room to declare, "The voice of my people at home is for independence. I concur."

Now it was South Carolina's turn, and the independence men sighed approval when Edward Rutledge announced that his state was joining their ranks.

In a voice that trembled with suppressed excitement, President John Hancock read the result: for independence—12; against—none. The great decision had been made.

Everyone present in Congress that day, July 2, assumed that thenceforth it would be known as Independence Day. "I believe that it will be celebrated by succeeding generations as the great anniversary festival," John Adams wrote to his wife, Abigail. But he and the others did not reckon with the power of the written word. Little of John Adams' magnificent speech was recorded. Congress, after debating various deletions and additions to Jefferson's Declaration of Independence, voted approval of the edited document on the evening of July 4. And thus Jefferson's brilliant prose has been indissolubly linked in American minds with independence.

Yet some of sturdy John Adams' praise of independence deserves to be remembered by Americans forever. "I am well aware of the toil and blood and treasure that it will cost us to maintain this declaration," he wrote to his wife. "Yet through all the gloom I can see the rays of ravishing light and glory. I can see that the end is more than worth all the means; and that posterity will triumph in that day's transactions, even though we should rue it, which I trust in God we shall not."

MILWAUKEE JOURNAL DOCUMENTS ST. LAWRENCE SEAWAY NEEDS

Mr. PROXMIRE. Mr. President, just this past week, the St. Lawrence Seaway observed its 10th anniversary. President Nixon journeyed up to the Canadian border to commemorate this event, and met with Canadian Prime Minister Pierre Trudeau. Their meeting is a symbol of the cooperation that has helped to make the St. Lawrence Seaway one of the world's great waterways.

In the 10 years since the Seaway opened on June 26, 1959, enormous strides have been made. New locks have been built and put into operation. Research into methods of combatting ice formation has been carried forward. The shipping season on the Seaway has been extended—last year the Seaway remained open for shipping until December 15. And, most important of all, commercial and governmental traffic on the Seaway has climbed steadily, with the long-sought goal of 50 million tons now just around the corner.

But as the Seaway enters its second decade of operations there are still problems to be solved. Funds are needed to widen and deepen the Seaway so that it can handle the newer and wider ships of the 1970's. Efforts must be made to extend the Seaway's shipping season—the Department of Transportation has said that it is now feasible to extend the season by 4 weeks. Of course, with improved technology, and modern ice-breaking procedures, it should be possible in the not too distant future to keep the Seaway open on a year-round basis. And, something must be done about the Seaway's present debt structure, which now weighs heavily on the Seaway like a mighty albatross.

Mr. President, the Milwaukee Journal of June 30, 1969, ran an excellent editorial entitled "Helping the Seaway," which pinpoints a number of the problems currently facing the Seaway. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HELPING THE SEAWAY

Since it is the only major waterway expected to be self-supporting, measuring the St. Lawrence seaway's success or failure on the basis of what it puts in the government till obviously is unfair.

True, in its 10 years of operation, the seaway has failed to pay off bonds of its development corporation; the "debt" to the United States treasury now stands at $143 million, $11.4 million more than when the deepened channel opened.

However, the seaway, in addition to bringing a wave of new shipping to lake ports—including Milwaukee—made it possible to tap Labrador's rich iron fields for United States steel mills. And Canada, which stood 63% of the cost of the seaway, has become the world's largest grain exporter.

Although he did not suggest as he might justifiably have done, that the seaway's "debt" be wiped out, Michigan's Representative Ruppe (R) made these good points recently: That the United States consider allocating funds to widen and deepen the seaway, that the problem of discriminatory freight rates be resolved, that the development corporation be allowed to advertise its "low cost transportation" and that efforts be made to extend the seaway's season.

Clifford H. Mortimer, director of the Center for Great Lakes Studies of the University of Wisconsin—Milwaukee, recently pointed up one possible way to a longer season. He suggested that the judicious location of nuclear power plants, together with improved lock design, might utilize waste heat to cut down icing. This already is being done, with a steam plan, to keep the Erie (Pa.) harbor open.

There might be problems with fish and other marine life, and the proposal needs thorough study. However, it is more practical than using the warmed water from nuclear plants to improve swimming along the beaches, as a federal park official has suggested.

RADIO STATEMENT BY SENATOR BYRD, OF WEST VIRGINIA, ON INCREASING SOCIAL SECURITY BENEFITS

Mr. BYRD of West Virginia. Mr. President, on June 19, 1969, I made a statement for radio regarding social security benefits.

I ask unanimous consent that the transcript of that statement be printed in the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

SOCIAL SECURITY

Today, 25 million Americans depend on social security. For them, social security benefits provide the sole source of income, or a major part of it. The benefits now paid to our senior citizens under this program are somewhat meager at best. The fact is that among these 25 million Americans, many, depending solely on social security, now live below the poverty level. Another fact is that social security recipients make up one-fourth of all poor Americans. This is the picture today.

Furthermore, I have estimates showing that by 1970, if no increase is made in payments, the number of social security beneficiaries with incomes below the poverty level will increase to 8.5 million. Why will this occur? The reason is this: inflation.

Inflation, readily seen in the rising cost of living, strikes hardest at those living on fixed incomes such as social security. While this economic sneak-thief robs also the pockets of every worker and every businessman, its pilfering is felt even more by those persons who are dependent on fixed incomes—incomes that are not going to keep pace with inflation's upward spiral.

Because of inflation, the cost of living has increased more than 7 percent since the Congress last raised social security benefits a year and a half ago. This means, in effect, that before a person receiving social security gets his monthly payment, 7 percent of that check has been cancelled out by the cost of living increase which has occurred during the last 18 months.

That is why I am urging Congress to enact an immediate increase in social security benefits. As the situation now stands, an increase is absolutely necessary as a stopgap—a measure to fill the rut in social security payments caused by the continual erosion from inflation. I believe that such a step should not be put off until next year. Even if the Congress agreed to an increase of, say, 10 percent today, that increase could not get to the beneficiaries of social security before September or October. By that time, at the present rate of inflation, the cost of living will have taken still another bite out of any new payment.

Ideally, social security payments should be figured on a sliding scale so that as the cost of living goes up, payments would keep pace. Unfortunately, this is not yet the case, and our senior citizens will continue to suffer.

Admittedly, raising social security benefits will feed the inflationary trend. But halting inflation is a problem in itself, and action must be taken to halt and control it. A social security increase is needed now—not next year. And while the Federal Government must take drastic action to halt inflation (in view of the fact that the major cause of inflation is excessive federal spending) it remains a fact, nevertheless, that our elderly citizens must have an increase in social security payments if nothing more than to break even with the ever-rising cost of living.

And so, for this reason, I am urging my colleagues in the United States Senate to join with me in pressing for an immediate increase in these social security retirement payments now—not next year—for our senior citizens.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO MONDAY, JULY 7, 1969

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the provisions of House Concurrent Resolution 296, that the Senate stand in adjournment until Monday, July 7, 1969, at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 53 minutes p.m.) the Senate adjourned until Monday, July 7, 1969, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate July 2, 1969:

DIPLOMATIC AND FOREIGN SERVICE

Eileen R. Donovan, of Massachusetts, a Foreign Service officer of class 2, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Barbados.

Kenneth Franzheim II, of Texas, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to New Zealand.

HEALTH, EDUCATION, AND WELFARE

Dr. Roger O. Egeberg, of California, to be an Assistant Secretary of Health, Education, and Welfare.

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The following-named persons to be members of the advisory board of the St. Lawrence Seaway Development Corporation:

Jacob L. Bernheim, of Wisconsin.

Foster S. Brown, of New York.

William W. Knight, Jr., of Ohio.

Miles F. McKee, of Michigan (Reappointment).

Joseph N. Thomas, of Indiana.

IN THE MARINE CORPS

The following-named (staff noncommissioned officers) for temporary appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Bishop, Garland S.
Bryant, Murray W.
Byerly, Harold D.
Calvin, Donald A.
Cano, Guadalupe L., Jr.
Clardy, Bobbie J., Sr.
Class, George N.
Crooker, Carol S.
Dowty, Grady R., Jr.
Ehringer, Michael A.
Fales, John E.
Francis, George M.
Graves, James W.
Hemphill, Clive W.
Howell, Randle H.
Hunter, Randolph S.
McGuirk, Gordon R.
Mills, Dexter
Ouellette, Donald M.
Owens, John L.
Quinn, Paul F.
Slaughter, Thomas L.
Stoltz, Kimble
Terrell, Charles A.
Thomas, Wesley L.
Thorpe, Joseph
Walker, Henry F.
Windsor, Bruce M.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 2, 1969:

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Luther Holcomb, of Texas, to be a member of the Equal Employment Opportunity Commission for the term expiring July 1, 1974.

DEPARTMENT OF TRANSPORTATION

James A. Washington, Jr., of the District of Columbia, to be General Counsel of the Department of Transportation.

IN THE PUBLIC HEALTH SERVICE

The nominations beginning Hilary H. Connor, to be senior surgeon. and ending Edwin P. Yarnell, to be senior assistant health services officer, which nominations were received by the Senate and appeared in CONGRESSIONAL RECORD on May 21, 1969.

HOUSE OF REPRESENTATIVES—*Wednesday, July 2, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The fruit of the spirit is love, joy, peace, patience, kindness, goodness and faithfulness.—Galatians 5: 22.

Almighty God, Father of all men and Ruler of nations, without whom no country can be great and no people can be good, we thank Thee for the blessings bestowed so abundantly upon us as a nation of free people. By our faith in Thee and Thy faith in us may we keep the spirit of freedom alive in our day realizing that it is a gift to be earned by just and good men of every generation.

Make us as the representatives of our Nation more responsive to Thee and more responsible to our people that we may sincerely seek the good of all and endeavor to maintain our freedom in righteousness and peace.

Awaken in our citizens a willingness to make sacrifices for peace as well as for war. To this end we pray that they and we may think clearly, plan courageously, decide confidently, and by Thy grace achieve creatively for the good of man and the glory of Thy holy name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1011) entitled "An act to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes."

POLITICS OUT OF LAW ENFORCEMENT

(Mr. WALDIE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WALDIE. Mr. Speaker, this administration has instituted a most commendable practice of removing partisanship from the appointment of postmasters, and it is a practice with which I am wholeheartedly in agreement.

I would suggest to the administration that another department in the administration, the Department of Justice, has not gotten the message that partisanship is an undesirable means by which departments should be administered, and particularly that partisanship in the sensitive area of law enforcement is detrimental to the health of the Nation.

I have been informed the U.S. marshal in my particular area in California is to be removed from office though he has 3 years of his term to go, because his party registration does not fit the registration of the party in control. I am similarly advised that every other U.S. marshal and U.S. attorney in the United States whose party registration does not meet that of the present administration will be removed from office.

Mr. Speaker, I can think of nothing more deleterious to the proper administration of justice and law and order than to interfere in this manner with the proper administration of the Department of Justice.

Mr. Speaker, as a member of the Select Committee on Crime and as a concerned citizen of this Nation, I am most concerned about the need for effective law enforcement. I am concerned about any effort to undermine this Nation's ability to enforce the law and to administer justice. Mr. Speaker, one of the factors contributing to the erosion of these abilities is the continuation of the practice of basing the appointment of U.S. marshals solely on political affiliation. I have written a letter to the President on this matter and include it in the RECORD to reinforce my previous remarks on this subject:

JUNE 30, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I call to your attention what appears to be a serious policy difference between two Departments in your Administration.

Postmaster General Blount has courageously taken a strong position against "politics" in the Postal System. He has recommended that Postmasters be appointed solely on merit and without regard to Political Affiliation. I fully support General Blount on this long overdue reform and have supported this position in the past Administration.

On the other hand, the Patronage Committee in the Department of Justice has apparently determined to continue "politics as usual" in the sensitive appointments involving law enforcement, the U.S. Marshals.

The Department of Justice has recommended a successor be appointed in the case of the incumbent Marshal of the Northern District of California. The incumbent, Marshal Lou Martin, is remarkably qualified bearing among his distinctions a recent commendation from the Department of Justice as well as a strong endorsement for reappointment by the Presiding Federal Judge, George B. Harris.

Yet, I am told by Senator Murphy that "all Marshals are to be replaced" by the new Administration.

Surely, if political appointments to local Postmasterships are destructive of good Postal Administration, then most assuredly political appointments to Marshal positions are equally, and far more destructive of good Government and of good law enforcement.

I hope you will be able to respond that you have recommended that the Department of Justice remove "politics" from their appointments and remove only those Marshals whose records so indicate their inability to perform. The fact that they, in turn, were political appointments does not seem to me to excuse any continuation of that practice.

I cannot help but believe that Attorney General Mitchell would be the first to agree with this policy. His laudable determination to strengthen the professional aspects of law enforcement would surely be undermined and defeated by a policy of ousting exceptional and capable men merely because of their political party registration.

Sincerely yours,

JEROME R. WALDIE.

GOON SQUAD BARBARISM MUST STOP

(Mr. HECHLER of West Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HECHLER of West Virginia. Mr. Speaker, last Saturday night in Springfield, Ill., Joseph A. Yablonski, candidate for president of the United Mine Workers of America, was leaving a meeting of UMW district leaders when he was knocked unconscious by a blow from behind. I have sent a telegram to W. A. Boyle, the current president of the United Mine Workers of America, asking whether he condones the goon squad barbarism involved in this physical force and intimidation used on one of Mr. Boyle's opponents for the presidency. At the same time, unsigned smear sheets are being distributed to defame Mr. Yablonski's character. I have also asked Mr. Boyle to issue instructions through his top officials, executive board and district officials that this kind of despicable tactics must stop.

I talked with Mr. Yablonski this morning in his Clarksville, Pa., home, where he is confined by doctor's orders. Mr. Yablonski's doctor, Dr. Emil Spasoto of Washington, Pa., reports that Yablonski was unconscious for nearly 30 minutes as a result of a sort of karate chop behind his right ear, which also injured the third and fourth vertebrae of his neck. He had a very bad day yesterday, and is still dizzy and woozy from the attack, with numbness in his arms, hands, and in one leg. He had a neurologist in yesterday for consultation.

Mr. Yablonski told me that "the attack must have been the work of a professional, because the karate blow hit right at the nerve center." Following the attack last Saturday, Mr. Yablonski issued a statement charging that UMW President Boyle's men have been "doing everything they can" to get him to withdraw from the race for president of the UMW. Yablonski in his statement proclaimed he would stay in the race, and added: "They gotta kill me to get me out."

Likewise, last Sunday, at a meeting in Shenandoah, Pa., Mr. Yablonski's vice-presidential candidate, Elmer Brown, was addressing a meeting of coal miners, and the meeting was interrupted, disrupted, and forced to conclude.

Mr. Speaker, the breaking up of meetings, the distribution of sneak attacks through unsigned smear sheets, attempts at intimidation by force or attacks from behind are symbolic of the type of union leadership which must be changed not only in the name of fairness and decency but also in order to protect the rank and file of coal miners. I trust that we may in the future have a clean, responsible, and forthright union to represent the rank and file of coal miners all over this country.

PRESIDENT NIXON URGED TO CALL FOR CEASE-FIRE AND TO ESCALATE TROOP WITHDRAWALS FROM VIETNAM

(Mr. **KOCH** asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. **KOCH**. Mr. Speaker, I am reintroducing today my resolution calling on the President to propose an immediate cease-fire and to direct the immediate withdrawal of 100,000 troops from Vietnam.

When I first introduced this resolution on May 15 with seven cosponsors, the proposal seemed radical to many. But, since that time, there have been several developments which make clear that it is in fact a most modest proposal.

Two of our Nation's past negotiators in Paris who are among the best informed on the Vietnam peace talks, Cyrus Vance and Ambassador Harriman, have called for a cease-fire. In addition, the former Defense Secretary, Clark Clifford, proposed just a few weeks ago that there be a withdrawal of at least 100,000 combat soldiers this year and that the withdrawal escalate so that next year a comparable or even larger number would leave. President Nixon has directed the withdrawal of 25,000 U.S. troops at this time and has indicated that he hopes to improve upon the figures recommended by Mr. Clifford.

On Monday, the results of a Gallup poll were released which show the following: The large majority of the American people favor withdrawal of U.S. troops from Vietnam and 42 percent believe such withdrawal should be at a rate faster than that ordered by President Nixon. In addition, 53 percent of the American people support a U.S. call for an immediate cease-fire.

I truly believe that it would be helpful to the President if Members were to indicate their support for a prompt withdrawal of troops from Vietnam and a cease-fire in Vietnam by cosponsoring this resolution.

Today's reintroduction of my resolution adds seven Members to its sponsorship. I hope that the list of sponsors grows in the House so that the casualty list in Vietnam can be reduced and ended.

AIR FARE CRISIS CONTINUES—WHERE IS THE CAB?

(Mr. **MOSS** asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. **MOSS**. Mr. Speaker, in a recent address to the Society of Air Line Analysts, Mr. Richard W. Klabzuba stressed the importance of "load factor" guidelines in establishing airline fares. He noted that in competitive markets higher fare levels produce greater costs, less efficiency and smaller economies in the form of overcapacity, overscheduling, low load factors, smaller operating margins and numerous ancillary services.

Similarly the CAB's Bureau of Economics noted in its staff study last year:

> The fare level affects the volume of service offered . . . and that a fare set well above cost, based on a reasonable load factor, may contribute to the operation of excessive capacity and resulting inefficient use of resources.

Now it has come to my attention that Mahlon R. Straszheim, assistant professor, Department of Economics, Harvard University, has said the same thing:

> For any fare agreed upon, the competitive adjustment is to bid up costs to that point, either through additional in flight passenger services or by adding additional capacity to the route.

Mr. Speaker, for the last 2 years we have been repeatedly warned by the Board's staff and others of the relationship between airline fares, capacity, and costs.

We have watched with horror as the skies over our major cities have become more and more congested by overscheduling of flights while load factors have declined to historically low levels and the financial position of our air carriers has deteriorated.

What has been the answer of the Board to this crisis? An investigation, such as that suggested by 20 Members of Congress? No. Rather higher fares agreed to at an informal session between the Board and the carriers. Higher fares that support lower load factors and greater inefficiency.

Mr. Speaker, I believe Professor Streszheim's paper before the International Symposium of Transportation Pricing at American University, Washington, D.C., on June 19, 1969, may add significantly to our understanding of this problem. Because of its length and technical nature, I have taken the liberty of placing emphasis upon those passages referring more specifically to fares, capacity, and costs. The emphasis is indicated by being printed in italic:

PRICING INTERNATIONAL AIR SERVICE: OLIGOPOLY MODELS AND THE ROLE OF STATE INFLUENCE

(Preliminary Paper to be presented before International Symposium on Transportation Pricing, American University, Washington, D.C., June 19, 1969, by Mahlon R. Straszheim, assistant professor, Department of Economics, Harvard University, May 1, 1969)

I. INTRODUCTION

The performance of the international airline industry in serving a rapidly increasing demand for passenger and cargo service has been notable, with substantial reductions in travel time and real costs having accrued to shipper and traveler and with the network of service having grown extensively. Air carrier profits have turned sharply upward from their depressed level in the early 1960's, largely as a result of jet technology.

This record notwithstanding, the industry currently faces difficult problems. Perhaps most obvious are those at airports and terminals, which are increasingly becoming the focal point of congestion costs and delay. The introduction of larger aircraft also presents some pressing planning questions. During periods of transition to new equipment, a year or two of lower equipment utilization rates and higher operating costs have sometimes occurred. There has also been a history of excessive concentration in the time staging of equipment deliveries, with unusually large increases in capacity for short periods of time reducing realized load factors and profit levels. The introduction of the jumbo jets and airbus will present this sort of challenge to the industry. The potential long run technological economies of larger aircraft could well be dissipated for several years if capacity increases are excessive and the transition to new equipment leads to poor equipment utilization.

The introduction of the jumbo jet and airbus technologies come at a time when the industry is again experiencing a decline in profits. The passenger load factor in the North Atlantic was 53% in 1968, down from 57%. Whereas aircraft deliveries have become somewhat bunched in 1968 and 1969, so that capacity increases are above average, the principal cause of the decline in load factors is the lowest growth in demand for almost a decade. Scheduled traffic in the

North Atlantic for IATA carriers increased only 5.8% in 1968, while charter traffic in the same market grew 24%. Thus, whereas the current profit squeeze for the U.S. domestic airline industry has its explanation almost entirely in overcapacity,[1] prospects in the international airline industry rest heavily on the demand side. Interestingly, a 5% increase in regular air fares was recently proposed, and at the same time sharp reductions in charter fares. The wisdom of this proposal or other recommendations about price or service (for example, for the SST), will depend both on the nature of demand functions and the airlines' decisions about fares and service.

The international airline market is far from the economists' model of a competitive market.[2] Governments play an important role, determining entry, negotiating pooling agreements, and approving fares. They are motivated by a variety of non-economic considerations. Fares are set by the International Air Transport Association, a trade organization of almost all the major airlines. Fare determination is thus a complicated process involving both carrier bargaining within IATA and state influence and approval of the results. A conference procedure for negotiating fares in an industry with so many actors spanning a wide range of economic and political viewpoints clearly presents difficult problems. The rapid pace of changes in technology and market conditions only complicates the task, and will seriously undermine marketing procedures which are not continually updated. Service and capacity adjustments in particular markets to agreed upon prices depend on the terms of the existing bilateral entry agreements. In some cases capacity and service decisions are made in a competitive environment while in other cases tacit or explicit agreements are made.

II. PRICE AND SERVICE DETERMINATION IN OLIGOPOLY MARKETS

As in most transportation industries, the fact that demand is stochastic and has daily and seasonal peaks while capacity cannot be stored implies a tradeoff between the level of prices and frequency of their change, and the amount of capacity offered. Variation in demand for a given level of capacity will be perceived as variation in the level of capacity utilization, in the case of the airlines, the "load factor." *A clear tradeoff exists between the level of fares and the load factor since a higher level of capacity and hence lower realized load factors can only be financed by higher fares. Specification of any given fare level implies an equilibrium level of capacity, determined by the break even load factor. A high level of capacity implies more frequent departures and more convenient schedules, lower load factors, and hence a higher probability of a seat being available. The pricing strategy consistent with the objective of financing the highest capacity level is to price so as to maximize revenue. The alternative is to reduce prices below that point, which implies a lower average yield per seat and hence a lower level of capacity and higher realized load factors.*

The appropriate choice depends upon the characteristics of demand in each particular market. There are likely to be considerable differences. In markets where tourist rather than business travelers predominate, demand will be more price elastic at any given fare and hence fares at which the elasticity equals or exceeds unity will be lower. Travelers will tend to prefer the combination of high density seating, higher load factors, and lower fares. Travelers with lower incomes who travel less frequently will also tend to prefer this sort of service. Conversely, business travelers flying more frequently will be willing to pay for greater schedule frequency and a higher probability of a seat being available, and apparently for more comfort. Since markets serve travelers with a range of preferences, there will not generally be a nice segregation of particular markets into the above sort of classification according to the level of fares and type of service desired.

The actual determination of price and type of service is a result of interaction of all carriers, influenced both by the backing of their governments and by their participation in IATA. A carrier's bargaining in this environment derives from its perception of a profit maximizing price, based on its own costs and the demand characteristics in the markets it serves. *For any fare agreed upon, the competitive adjustment is to bid up costs to that point, either through additional in flight passenger services or adding additional capacity to the route. Which alternative is chosen depends on each carrier's perception of its comparative advantage in one or the other forms of service competition. There are some distinct differences. Carriers with lower labor costs have a comparative advantage in competition in passenger "amenities," whereas the U.S. carriers and others with lower capital costs and higher labor costs find it in their best interest to compete on the basis of schedule frequency and a utilitarian service on board.* These sorts of competitive responses have occurred in some city-pair markets, while in others pooling agreements have led to a non competitive outcome, usually an agreement to restrict capacity.

The basis for comparative cost differences and the bargaining process by which IATA determines the overall level of fares are discussed in the following sections. The interaction of carriers in particular markets, competitive or otherwise, in making scheduling or capacity adjustments to fixed fares is discussed here. The several possible processes of this interaction and the outcomes can be illustrated by some simple oligopoly or "small numbers" models. These essentially indicate how the market will be shared by the carriers.

Use of the term "determination" in the title of this section may be misleading if it suggests that answers will be offered to a problem which economists have labored unsuccessfully over for years, namely, that of finding a deterministic solution of price and output in oligopoly or "small numbers" markets. Such an answer surely does not exist in its strict sense. The existence of small numbers of sellers implies an interdependence among actors such that to adopt a well defined course of action with regard to price or product type is almost surely a losing strategy. The situation where all firms' actions are based on expectations as to others actions and reactions, the case of *"mutual dependence recognized"* in the jargon of the profession,[3] does not lead to a determinant solution. This situation is the arena for game theory. The major advantage of a "game theoretic" approach to modeling situations where the actors have both common and conflicting interests is that it aids in analyzing the interactions of actors in such circumstances.[4] Which models or modes of behavior are appropriate for particular markets will depend on the particular circumstances.

One set of models begins with the assumption that any given number of passengers, as determined by the level of fares, will divide among carriers in proportion to capacity offered. The assumption is that passengers have no preference for one carrier or another (and in particular, do not respond to schedule frequency). Such an assumption is realistic only if each carrier's capacity is above a fairly substantial minimum, implying some minimal level of schedule convenience, so that schedules are not an inducement for travelers to consider one airline over another in making their choice.

Profits for one carrier as a function of its capacity and that of its competitors is as follows: Let—

c_i=capacity of carrier i
C=total capacity ($\Sigma_i\, c_i$)
P=number of passengers
F=fare
L_i=breakeven load factor for carrier i (i.e. unit costs/fare)

Profits for carrier i are

$$\pi_i=F\cdot P\left(\frac{c_i}{C}\right)-F\cdot l_i\cdot c_i$$

Profit maximization occurs when $\delta\pi/\delta c_i=0$, a solution c_i to the following:

$$\left(1-\frac{c_i}{C}\right)\left(\frac{P}{C}\right)=1,$$

The solution c_i for any set of c_j $(j=i)$ indicates how carrier i maximizes profits given capacity levels of all other carriers j. The meaning of this expression (a quadratic in c_i) is straightforward. The first term in brackets is the share of the market by all carriers other than i, the second term the prevailing load factor; *carrier i expands capacity as long as the net addition to his traffic (the product of the two terms on the left side) exceeds its break even load factor.* If he is not in the market

$$\left(\frac{C_i}{C}=0\right)$$

he simply examines the prevailing market load factor. One extreme of this is the purely competitive case, in which a firm assumes the market load factor is constant, irrespective of its own decision about capacity. Conversely, the larger is carrier i's prevailing share of the market, the less traffic there is available which he can obtain from other carriers by adding to his capacity.

Assuming only two carriers are involved permits these profit-capacity relationships to be depicted graphically (the analysis and the character of the solution depend only on the interrelationships of capacity, not the number of carriers). The points c_i which are a solution to the above represent the peaks of a set of "iso-profit contours" relating profits for carrier i as a function of capacity offered by each. An illustrative set is shown in Figure 1, where π_{i1}, π_{i2} . . . π_{i5} represent increasing profit levels for carrier i. Carrier i maximizes profits if carrier j offers no capacity. If total capacity exceeds a level where the realized load factor drops below carrier i's break even load factor, that firm exists. Similar contours exists for j, which may differ in shape if j's cost level is different than i's.

The original assumption about the demand side can easily be relaxed; if each carrier has a certain number of passengers who will choose it rather than simply choosing randomly in response to the two competitors' capacity levels (e.g. nationality, passenger services, safety reputation, type of equipment), this will shift the isoprofit contours toward the origin, and will raise the profit maximizing load factor. (This can be included by altering the market sharing term, c_i/c_j in the above expression.)

FIGURE 1 (not printed in RECORD). *Isoprofit contours and reaction curves.*

FIGURE 2 (not printed in RECORD). *Leader-follower solutions.*

FIGURE 3 (not printed in RECORD). *Schedule competition and instability.*

Several behavioral variations can be illustrated using this simple model, each leading to a different outcome. One possibility is the "naive" Cournot model of oligopoly,[4a] in which each seller takes the other's capacity decision as given. His optimal strategy is then to seek the higher isoprofit contour; the locus of all those peaks has been labeled carrier i's "reaction curve."[5] Based on this behavioral assumption, only a point along that curve will leave carrier i in equilibrium, given

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Footnotes at end of article.

a decision by j. If carrier j behaves similarly, the intersection of the two reaction curves will produce a stable equilibrium. This is shown in Figure 2. In the example here with identical costs, equal break even load factors will lead to an equilibrium in which they share the market equally and capacity just equals demand. All other points are unstable. If carrier i has lower costs and hence a low break even load factor the market equilibrium will involve carrier i providing more capacity. Retaining the Cournot behavioral premise but introducing more carriers into the market does not change the solution, which derives from the assumption that each (naively) takes the aggregate capacity of all other carriers as given.

Some alternative behavioral premises suggest themselves. One possibility is some form of leader-follower arrangement, in which the capacity of one carrier influences the other, but not vice versa. This possibility is clearly suggested by the existence of well defined "reaction curves;" if one carrier is known to act on that basis the other can "lead" the former to the leaders' preferred position by its action. Figure 2 illustrates how carrier j maximizes profits (given carrier i acting according to i's reaction curve) by picking a point tangent to j's highest isoprofit contour (Point X). Such a phenomenon is, of course, symmetric; if both attempt to be "leaders" the resultant outcome will leave both badly off (Point Y).

Another behavior variant of interest is that of schedule competition and in the extreme, a "scheduling war." This derives from an alternative assumption about the demand side. The assumption is that passengers tend to choose the carrier offering more (*or the most*) *capacity* (*perhaps higher capacity implying more flights motivates passengers to attempt to schedule passage on that one airline*). This *premise is probably most applicable when carriers are small—a carrier may well have to achieve a certain level of schedule frequency relative to its competitors before it can effectively compete.* (*The choice of passengers is likely related both to the level of capacity and the realized load factor of all carriers. Differences in the latter imply differences in the probability of receiving service when stochastic or peaking elements are introduced.*) *The result is that "reaction curves" have a range in which they are both positively sloped. The reader will probably find it unnecessary to refer to Figure 3 for the consequences, an unstable supply likely; the dynamics of such a "scheduling war" are quite analogous to the "arms race" models suggested by Schelling, Boulding, and others.* In some instances the motives for schedule competition are uneconomic—for example, the desire to "show the flag" or offer as frequent flights as certain competitors.

This "reaction curve" apparatus has something of a history in economics. While suggesting "deterministic" results given the premises of the models, much of the critical behavioral story remains to be told. At best the models are illustrative and educational, a means for sorting out one's thinking about interaction in such markets. The critical issues are whether or not carriers act as pure competitors, or as Cournot suggested what size in a market must carriers assume before "capacity wars" do not yield huge swings in market shares? (i.e. at what point does the first demand premise that passengers divide in proportion to capacity become realistic?) and if leadership occurs, who becomes the leader and how is information transmitted? And if collusion occurs, is it tacit or explicit, and how arranged?

Examination of airline markets suggests that almost every variant exists. In a great many of the denser international markets the competitive model seems realistic, with the market largely shared in (approximately) equal proportions by a number of large, well established carriers who offer approximately equal schedule frequency and achieve essentially comparable load factors. There may or may not be one or more smaller carriers, usually newer entrants, who serve some smaller share, usually relying heavily on the affinity of its own nationals and public officials for survival. The North Atlantic seems a good example.

What one observes in many markets is a rather unsteady equilibrium in which each offers about the same amount of capacity and the market load factor approximates the break even level. The "stability" of this circumstance would appear to rest rather critically on the number of carriers involved and their attitudes with regard to entry and exit. If interdependence can be ignored, carriers would have no incentive to add capacity if it will depress the market load factor below a break even point.

However, once the possibility of driving out competitors arises, and carriers perceive reaction curves of the shape in Figure 3, the threat of instability tends to arise. Several reasons explain why the instability suggested by this model is not prevalent. One is that of collusion. The joint-monopoly solution is to restrict joint capacity to equal demand. The real life variant of this case is the market-sharing pools in many of the intra-European and long-haul markets from Europe to Africa and the Far East, in which the pooling partners restrict capacity and share the proceeds according to some agreed formula. While the terms of such pools are generally not public information, it would appear that one of their major motives is that of restricting capacity. In many instances their historical origins lie in the sort of scheduling war noted above. A close variant is the case where capacity is determined explicitly in the bilateral agreements.

In some instances there is no formal collusion and capacity decisions approximate a competitive result. In this circumstance the threat of state intervention serves to define some sort of mutual understanding about appropriate capacity levels. It seems unlikely that "predatory economic warfare" among firms will result given the role of governments. The understanding by all competitors that none is likely to exist tends to define bounds on how much capacity is offered. Misjudgment only leads to recurring periods of excess capacity in which load factors are low. Profits recover only over time as demand catches up with capacity. Essentially this "stability" exists because the role of governments has removed extreme competition in schedule frequency or capacity from the arena.

Finally, of course, the case of multiple "leaders" and aggressive competition in the form of capacity increases, often at the expense of all concerned after the fact, is sometimes in evidence. The competition from the Northeastern United States to Miami and the Caribbean often seems to assume that character, and indeed, the overcapacity plaguing the entire U.S. domestic trunkline industry in 1968–69 might in a very simplified way be so characterized.[6]

III. THE BASIS FOR COMPARATIVE COST DIFFERENCES [7]

The nature of airline cost functions, especially their differences among carriers, is critical in defining the competitive position of each, which in turn has much to do with carriers bargaining over prices and nations' attitudes concerning entry rights. The sources of comparative advantage in the industry are several. Differences in both factor prices and production functions are considerable. In addition, there are large differences in route systems, and these affect costs as well.

The most important source of comparative advantage arising from input price variation is labor costs, which make up about one half of total expenses. Aircraft and fuel are purchased in world markets with little or no discrimination. In some cases landing charges are discriminatory, but the total effect on costs tends to be small. Differences in wages are dramatic. Pilots with comparable training and performing the same task as pilots of U.S. carriers may be paid a wage in some countries only half the U.S. level. Wage differences among lesser skilled personnel are even greater. U.S. labor's wages may be three or more times as high as that of their counterparts for carriers of many of the less developed countries. Some portion of this is surely accounted for by differences in productivity; however, for inflight cabin crew personnel it is hard to believe any differences in productivity are very significant. Capital and foreign exchange prices are also an important source of differences in costs, but the willingness of states to subsidize their carriers is such that real differences among countries in capital costs are not translated to industry participants.

These differences in factor prices much overstate the comparative disadvantage that U.S. and other nation's carriers with high wages face. Input substitution occurs in the choice of aircraft, the type of service offered. and the nature of ground operations. Actual differences in labor costs per seat mile are modest in comparison to wage differences.

Perhaps the most important source of inherent comparative cost differences lies in the production function, and that somewhat intangible, "management expertise." This is meant to denote an excellence in handling some fundamental scheduling problems, in particular, achieving effective utilization of aircraft and flight crews and other flight personnel. Efficient management of an airline requires the solution to a larger number of scheduling problems, many of an operations research nature. How to most effectively route aircraft over a network so as to achieve high utilization and at the same time most effectively serve the peak hour demand is a difficult optimization problem. There are many other examples. Effective scheduling of engine overhauls and maintenance can yield large cost savings. Many of these sorts of scheduling problems are most acute during periods of equipment change.

These sorts of differences in scheduling and wage differences are the fundamental basis for comparative advantage. Statistical estimation of production and cost functions using cross section data indicates the relative importance of these several factors. *The author's estimates suggest that route density has far more important implications for costs than stage length, whose effects can be mitigated by proper choice of aircraft.* The effect of wage rate differences on costs is much reduced by input substitution. The estimated effect on total costs of a difference in wages of $4000 versus $2000 to non flight crew personnel is to raise costs by only 22 percent. Input scheduling differences appear to be the more important source of comparative cost differences.[8]

The structure of comparative costs has not been static, having changed very substantially since World War II. Documenting its evolution is a considerable task. U.S. carriers had a headstart immediately after World War II because of the availability of equipment and trained personnel and their relative ease in obtaining public financial support. This advantage was gradually dissipated as Europe rebuilt and as European and other areas' governments became more inclined and able to resort to public subsidy. During the 1950's and 1960's many countries provided low cost capital financing to their flag carriers and became more aggressive in their entry policies. The public subsidy received by all carriers during the fifties was substantial.

Footnotes at end of article.

Fundamentally, U.S. and later the Canadian carriers assumed the lead in managing the most rational and efficient operations internationally, with the larger European carriers through the 1950's well financed and equipped, but not able to achieve cost levels comparable to their North American counterparts. The jet transition of the early 1960's saw many of the European and a few isolated cases such as El Al, Air India and Avianca making the transition and emerging as close cost competitors to U.S. carriers. The carriers of the less developed countries remained far behind, often sustaining huge losses. While forecasting in this industry is hazardous given the pace of technological advance, it seems likely that we are fast approaching a time when there will be two dozen odd carriers efficiently managing an all jet operation, with nearly comparable costs. Management efficiencies of U.S. carriers will do little more than offset the higher wages they must pay for labor.

IV. THE INFLUENCE OF THE INTERNATIONAL AIR TRANSPORT ASSOCIATION

IATA fare agreements are made independently for several broad geographic regions covering the world, with all carriers providing service in any one region a party to the bargaining. Agreements must have the unanimous consent of all carriers. Fares receive official sanction when approved by all governments.

This procedure originated shortly after World War II. The political stake of all countries in participation in the industry and the very marked differences in competitive ability at the time were such that some form of conference procedure for price determination was necessary. The prospect of multilateral state negotiation over the details of international airline fares with all the associated problems of multilateral diplomacy involving large numbers of countries was such that a private carrier cartel, somehow publicly supervised, seemed far the more attractive alternative. Nations' perceptions of that political stake have persisted, perhaps even been magnified in the early 60's as the less developed countries become eager entrants into international airline markets with jet service. Whereas entry rights have been closely guarded by all governments and granted only on a bilateral basis, governments have seen fit to entrust to IATA this very considerable role in determining fares, and have seen fit to intervene by vetoing fare agreements or by some other means only very infrequently.

State sanction of IATA as an industry price cartel and the only limited supervision implied by the threat of state veto over fare agreements has produced fare agreements and a market environment very much following the outlines that the economic theory of "more conventional" market cartels would suggest. The secrecy associated with IATA proceedings makes it difficult to document the behavior and motives of participants and the dynamics of the bargaining interaction. However, that fragmentary evidence which is available is sufficient to sustain the credibility of a model in which individual carriers are bagaining for their own profit maximization, based on each carrier's perception of its and its competitors cost curves and comparative advantages and disadvantages, the demand for various types of services, and the extent of inherent preferences of travelers to be served by particular carriers.

How these bargaining positions are reconciled depends both on the size and economic strength of carriers and on the credibility of the threat of state action in support of its flag carrier, or perhaps in support of some other alternative.

Probably the primary basis for a carrier's bargaining position is its perception of its comparative cost position vis-a-vis its competitors. The brief sketch above of comparative costs suggests much about IATA bargaining. Again, IATA bargaining is not part of the public record. Generally, U.S. carriers have bargained for lower fares, higher density seating, and a minimum of passenger services—that sort of product in which they have a clear comparative advantage and the type most favorably received by U.S. travelers. Given their cost position, U.S. carriers obviously stand to gain in a pricing and entry environment as nearly competitive and unrestricted as possible. European carriers (and their governments) have generally championed higher fares and a higher level of passenger amenities, a product consistent with their comparative advantage. The less developed countries' carriers represent an even further extreme of this view. Many have been so far from commercially viable operators in anything resembling a competitive market environment that their governments have assumed a very protectionist posture, in entry negotiations as well as fares.

These bargaining positions have evolved over time as comparative costs have changed. As the European carriers have made progress in rationalizing their operations and presumably have begun to perceive their own advantages vis-a-vis many of the younger carriers of the less developed countries in a more rational and less restricted market environment, some of the European carriers have tended to opt to bargain for lower prices and more marketing flexibility.

The level and structure of fares which have emerged from IATA negotiations very much assumes the character of a private cartel's reconciliation of these (very) divergent objectives and views. Prices have been held well above the level suggested by costs of the more efficient carriers. Since the introduction of jets, U.S. carriers have earned high returns in international operations. Rates of return on total investment (interest plus after tax profit/debt plus equity) are shown in Table 1. With debt-equity ratios generally well above one, and interest costs about comparable to the rate of other corporate borrowing, returns to equity have varied far more dramatically than the return on investment shown in Table 1. A ten percent return on total investment generally implies an equity return in excess of 20%. *The extent of excess profits in these ex-post rates of return is far less significant than the dynamic consequences of the market environment with fixed prices set by IATA; this has led to the obvious strategy of service competition, in which costs tend to be bid up to the level of prices by competition in passenger amenities or additional capacity. This service competition continually pressing costs upward to the level of fares is probably the biggest price the traveling public and taxpayers in many countries who are saddled with subsidy supports have incurred as a result of the virtual absence of price competition and the prices established by IATA.*

TABLE 1.—RATE OF RETURN ON INVESTMENT IN INTERNATIONAL AND TERRITORIAL SERVICE, SELECTED U.S. CARRIERS

Region and carrier	Canada-Mexico, American	Caribbean, Eastern	Latin America			Atlantic and Middle East		Pacific	
			Braniff	Panagra	PAA	PAA	TWA	PAA	Northwest
1951	3.5	10.1	−10.7	9.2	3.2	4.8	10.0	14.1	5.2
1952	−5.9	23.8	−32.8	−17.3	1.9	6.0	−1.1	18.9	12.2
1953	4.8	25.2	20.3	19.7	9.7	5.2	1.4	12.2	7.7
1954	−4.0	7.0	14.2	24.1	15.3	5.4	11.8	12.5	10.1
1955	14.4	17.4	−7.1	9.3	4.4	15.0	3.5	−12.7	−.2
1956	12.0	25.8	9.5	8.0	7.6	9.6	.4	6.1	10.8
1957	6.4	22.2	6.0	7.9	2.2	9.2	2.9	9.1	23.1
1958	−1.4	7.7	−2.3	.2	−2.0	3.8	−5.9	10.7	19.1
1959	−1.5	17.4	0	4.6	−2.7	6.7	−8.6	5.8	13.1
1960	−5.3	2.6	−1.8	1.9	−2.3	6.5	15.8	10.4	4.5
1961	−.7	4.7	−3.4	2.6	1.6	4.3	−11.2	10.8	13.0
1962	19.3	7.7	−10.4	5.4	3.0	5.6	12.8	15.6	14.2
1963	23.3	3.0	−8.6	4.1	5.2	11.8	23.6	21.5	17.8
1964	32.4	−1.6	1.8	5.4	5.9	10.7	20.2	20.0	29.4
1965 [1]	35.7	10.9	7.9	10.9	4.5	8.8	23.6	15.2	32.1
1966 [1]	29.2	23.8	−1.6	.7	6.0	12.5	23.0	22.8	37.8
1967 [1]	34.1	17.6	8.9	....	5.2	12.4	13.9	22.8	28.7
1968 [1]	33.9	19.0	15.8	....	3.6	6.2	15.9	14.2	29.0

[1] Fiscal year.

Source: U.S Civil Aeronautics Board, Handbook of Airline Statistics, various editions, and U.S. Civil Aeronautics, annual report, various editions.

In the early post-war years service competition tended to be centered on passenger amenities, and was very labor intensive. *Over the last two decades there has occurred some shift toward more capital intensive means of competition, a predominant form than of more frequent schedules and lower load factors. There have been several reasons for this shift. The traveling public has indicated a considerable preference for higher density seating and less services. Schedule frequency and reliability also seem important in a successful marketing strategy. And as noted, increasing schedule frequency and accepting lower load factors rather than competing in passenger amenities is the dominant competitive strategy for carriers of the United States and several of the European countries who are least subject to capital constraints and who face high labor costs.* Political motives leading to state subsidy support of flag carriers to enter the industry and expand also result in a downward pressure on load factors. Military support of much research in aircraft technology and tax laws in the United States tends to support a high rate of new aircraft development. Finally, with fixed prices, the availability of new equipment makes rapid reequipment a necessity for those carriers who are serving competitive markets. All of these factors have hastened the evolution toward equipment competition and the fast development of new equipment.

IATA's virtual free reign to maintain prices well above competitive levels for the more efficient carriers leaves the traveling public's interest in lower fares virtually unrepresented. *Fare reductions and the introduction of less luxurious service has occurred only after considerable outcry and debate within IATA, and usually has been done very reluctantly. Yet such changes have been commercially very successful*—despite the outcries from the Chandler fare crisis, when the U.S. veto of IATA fares led to threats to close entry and seize aircraft, the resultant reduction led to large increases in demand and carrier profits.

Rather, the tendency has been for fare reductions and service innovations to arise from outside the IATA framework. Many marketing innovations have arisen through the determined action of particular carriers or governments acting outside IATA, usually with considerable opposition. Charter and inclusive tour services are notable examples of services which arose "under the umbrella"

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of regular IATA rates, and, which eventually became part of the regular fare structure after proving quite successful. The appearance of such special services is the expected competitive response in a market where regulated fares provide profitable market opportunities but where entry barriers permit outside competition. In some notable instances it has been the stance of a particular government behind a special charter or group fare which eventually has undermined regular fares and produced a wholesale change in the fare structure in that particular market. Fares from New York to the Middle East are a prime example.

Non-regulated competition has made its inroads only in particular, limited markets. IATA bargaining has produced a discriminatory fare structure in which particular markets are a source of internal subsidy for others. Longer haul and denser routes have generally been overpriced relative to shorter haul service. The particular pattern of price discrimination emerging from IATA has its explanation in the relative bargaining strength of particular carriers and the support of their governments for price discrimination via entry control. The North Atlantic has historically been one of the most profitable major markets. Entry was thus a source of profits to cross subsidize other less profitable and often very politically oriented routes. The U.S. and major European gateway countries tried to protect their market position as best they could by entry restrictions, but the necessity of these countries to obtain entry rights elsewhere necessarily placed them in a position of having to concede some of their share of the North Atlantic market.[9] Since the early 1960's, the North Atlantic has also been the arena for considerable marketing experimentation and new entry, especially from U.S. supplemental carriers and non IATA carriers in Europe. That competition has resulted in fare reductions which have reduced much of the excess profit earned in the North Atlantic in the 1950's.

The Pacific now stands as the most profitable major international air market. High prices and high profits are a very tempting target for fare cutting and charter entry. However, the limited number of gateways and the seemingly much stronger stance against more entry by the governments of Australia, the Philippines, Japan, and the United States than that which has occurred in the North Atlantic is such that these high prices and profits are likely to persist. The United States has repeatedly indicated concern over IATA fares and an open fare in the Pacific has prevailed for long periods of time. However, the carriers involved have not seen fit to engage in price competition during these periods. It seems likely that state intervention would be prompt. The United States has chosen not to provoke such a direct confrontation in the Pacific as they did in 1964 in the Atlantic. It appears likely that more extensive charter operations and selective fare reductions by special tour arrangements in the Pacific over a period of another year or two will be necessary before the responsiveness of tourist travel and growth in non-tourist demand is sufficiently clear for carriers and governments to reduce fares.

V. PROSPECTS FOR FARE RATIONALIZATION AND POLICY REDIRECTION

The above description of pricing under IATA coupled with the commitment of governments to maintain their own flag carriers position in the industry does not suggest a very promising future. Indeed, it seems that fare rationalization occurs almost in spite of rather than because of IATA proceedings. However, there are market pressures working toward a rationalization of the industry. Despite the fact that state policies with regard to entry seem destined to embrace the concept of a very restricted entry environment for some years to come, with negotiations on a bilateral basis, there may be some chance to achieve a more liberal pricing environment. IATA is likely to come under increasing pressure if it is not responsive in this direction.

Several market forces should lead to more rational entry and pricing policies. Perhaps most obvious is the increasing number of international carriers who are essentially viable competitors in a competitive market. It is surely becoming increasingly clear to a large number of governments that international air operations are profitable and can be sustained without subsidy support. Unlike the early post-war period, there are now many carriers who stand to gain by a more competitive and less restrictive market environment. Pressures from the "demand" side lead in the same direction. Rising incomes in Europe and Japan are producing a rapidly expanding tourist market. The prospect of attracting tourists and the associated balance of payments gains are also relevant. Gradual relaxation of restrictions on trade and capital flows indicates a public stake in a less restrictive world community.

What this is suggesting, essentially, is that the pressures both within and outside the industry almost surely are for a transformation from a very protectionist market environment, in which governments define the "public interest" very narrowly in terms of their own flag carrier's market position, to one in which the "public" being referred to is the traveler. The United States has for some time had a stake in encouraging this trend. Government pressure toward a less restrictive market environment is clearly the critical element in such a transformation since government attitudes with regard to entry rights, pooling agreements and fares ultimately determine the overall configuration of the industry.

In this regard, whereas a relaxation of entry rights in the formal bilateral negotiation process seems unlikely, more latitude in granting charter and special services is appearing. Also, price and marketing policies sanctioned by governments seem increasingly susceptible to a general philosophy of more experimentation and flexibility.

It is in IATA's own interest to shift its position in this direction as well. It is, of course, hardly customary for industry trade organizations to be given a strong mandate to pursue the public interest since this will often substantially conflict with what the industry participants collectively deem their own private interests. Nevertheless, both government interest and market forces within the industry represent a present and increasing pressure on the industry to devote more attention to the traveler and shipper. This tends to imply the need for a less restrictive market environment, with more flexibility in the pricing and marketing of airline service, and certainly more attention both to cost levels and the type of service.

Whether one favors cross-subsidy within the price structure, a practice all too familiar in transportation, often depends on whether you are recipient or payee. Leaving this sort of equity question aside, the efficacy of cross subsidy pricing schemes is almost invariably brought into question if there are competitive elements prepared to enter wherever abnormal profits exist. In this case it would appear that IATA can expect increasing pressure from both outside and within to erode "abnormal" profits through additional service. Indeed, if the availability of entry rights for charter and supplemental carriers remains as liberal as today, IATA as a trade organization may not be able to sustain a price structure over the long run which is not in reasonable conformity with costs. Thus, the "public interest" to which both governments and IATA should be striving in the area of pricing is fares based on full marginal social costs of efficient carriers, neither requiring subsidy nor discriminatory in nature. As noted above, this involves complex relationships between costs, fares, and service and capacity levels. Capacity and service are obviously closely related to costs, with seating density and schedule frequency the service determinants principally affecting costs.

The relationship of current international airline fares to these pricing alternatives requires a detailed analysis of demand characteristics in each particular market. There are likely to be considerable differences due to the mix of tourist and business travel. Without more basic research into the characteristics of market demand, forecasting travelers' preferences for higher or lower fares or more or less schedule frequency will be an uncertain process. IATA should undertake this basic market research; its recent symposium on airline demand indicated just how extensive this research task is. Recent deliberations in the United States over the economic feasibility of the SST are noteworthy in this regard. The SST is likely to be at a cost disadvantage relative to subsonic competition. Just how much travelers will pay for the time savings involved in supersonic service is critical in evaluating the SST's potential.[10] Very little satisfactory research has been done on this subject, and considerable disagreement among the profession exists concerning travelers' valuation of time.

While the evidence on demand characteristics is fragmentary, there is a strong suggestion that demand is price elastic in many markets.[11] This implies that fare reductions would increase carrier revenues. In the North Atlantic, for example, fare reductions and the introduction of less luxurious classes of service have been quite successful historically. If this is the case, the present proposal to increase fares by eliminating the five percent round trip discount seems particularly inappropriate.

Seating density is also an important issue, particularly timely given the current discussion of seating configurations for the Boeing 747. The lower density seating being discussed, 350–360 seats, implies a substantial upgrading in service over present standards, which would entail 450–490 seats. While the prospect of low density seating has been favorably received by many, it would be a serious mistake at this point to preclude higher density seating configurations in the 747 (or the air bus). High density seating has proven very successful. There may well be a considerable market for this sort of service at the lower rates which would be possible. For IATA to foreclose on this possibility would be a restriction on the realization of one of the potentially important benefits of this new technology. If historical precedence is of any relevance, it seems almost certain that pressure will exist within or outside IATA to offer high density service, perhaps of a charter type. Such service will likely be commercially profitable.

Brief mention need be made of the preponderance in recent years in the use of special rates and services and the associated problems, increasing complexity in the fare structure and the difficulty of enforcing adherence. It is clearly in the public interest to alter fares in conformity with costs. Reducing fares in "off peak" periods is both economically sound and commercially profitable. Since directional, seasonal, and daily peaking are all relevant, this can obviously complicate the fare structure. Much of the recent complexity in the fare structure has its ori-

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Footnotes at end of article.

gin in the demand side. The variety of inclusive tour, charter and other special fares is essentially a means of tailoring service to demand in particular submarkets. There is clearly a tradeoff between reducing fares through selective rate cutting versus wider ranging, perhaps over-all fare reductions. As noted, as the umbrella of standard fares creates more marketing opportunities, pressure for special services is likely to arise, both within and outside IATA; to the extent that the associated complexity of the fare structure is deemed a problem, IATA should seriously consider more broad scale fare adjustments. Enforcement problems with inclusive tour and other special services are part of the price that the airlines sustain by shifting the marketing burden to tour operators and agents rather than more aggressively marketing their service themselves. Weighing these tradeoffs is clearly part of the critical IATA business at hand.

This should not be construed as an endorsement of any particular limits on pricing strategies. To the extent that capacity increases over the near term turn out to be quite large, imagination and flexibility within IATA in its marketing will be critical, with promotional and off peak discounts perhaps assuming special importance over an interim period. The proposed "bulk rates" offered to tour operators at considerably lower levels is an important innovation along these lines.

In general, this amounts to a considerable exhortation for IATA to shift its position toward more marketing flexibility. More importantly, it is time for IATA to start to formulate its own conception of what the broader "public interest" is all about. The changes in market conditions and the improvements in technology are such that this is in IATA's own interest as well—nothing short of this forward-seeking, flexible viewpoint will suffice to serve the demand of shippers, carriers, or governments involved.

FOOTNOTES

[1] Mahlon R. Straszheim, "Airline Profitability, Financing, and Public Regulation," *The Transportation Journal*, forthcoming, Summer 1.

[2] For a more thorough discussion of this market environment, see the author's *The International Airline Industry, Brookings* Institution, Washington, D.C., 1969.

[3] Edward Chamberlin, *The Theory of Monopolists Competition*, 7th (Cambridge, Mass.: Harvard University Press, 1960).

[4] Thomas Schelling. "What is Game Theory?" in *Contemporary Political Analysis*, (ed.) James C. Charlesworth (New York: Free Press, 1967).

[4a] A. Cournot, *Researches into the Mathematical Principles of the Theory of Wealth*, trans. Nathaniel T. Bacon., Chapter VII, (New York: MacMillan, 1897).

[5] Stackelberg and Edgeworth developed reaction curve analysis of small numbers markets. The best exposition is in William Fellner. *Competition Among the Few*, (Cambridge: Harvard University Press, 1949).

[6] Straszheim, "Airline Profitability, Financing, and Public Regulation," *op. cit.*

[7] This section draws heavily on, and summarizes, the author's analysis in *The International Airline Industry*, op. cit., Chs. 4 and 5.

[8] Straszheim, *op. cit.*, Ch. 5.

[9] Straszheim, *The International Airline Industry, op. cit.*, Ch. 3.

[10] Charles River Associates. "Review of the Economic Feasibility Report for the SST and Supporting Materials," Report Number 122–1, prepared for the Federal Aviation Agency, Department of Transportation. Cambridge, Mass.: Charles River Associates, April 3, 1967.

[11] Straszheim, *The International Airline Industry, op. cit.*, Chapter 6 and Appendix C.

EQUAL EMPLOYMENT OPPORTUNITY IN THE AMERICAN UTILITY INDUSTRY

(Mr. MOSS asked and was given permission to extend his remarks at this point in the RECORD and to include a speech.)

Mr. MOSS. Mr. Speaker, on May 15, Chairman William H. Brown III, of the U.S. Equal Employment Opportunity Commission, addressed the Edison Electric Institute's Affirmative Action Conference in Denver, Colo. He withheld no punches and went straight to the facts with reference to the role of the utility industry in America as an equal opportunity employer.

The importance of Chairman Brown's remarks is in my opinion so great that I here insert that speech for the benefit of my colleagues and the public:

REMARKS BY WILLIAM H. BROWN III, CHAIRMAN, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, MAY 15, 1969

Ladies and gentlemen, I am happy to be able to address this gathering today, a gathering designed to realize in meaningful terms one of the most important ideals of our times—equal opportunity for employment for all people. I say ideal without reservation, for equal employment is certainly not a reality today; not in our times, not in your industry.

The electrical power industry is of particular significance for many reasons—the large number of people employed; the geographical spread of the employment; the monopolistic nature of the industry; the tremendous value of your assets.

The significance of the utilities industry to American business and American life intensifies its importance as an equal opportunity employer. I am sure that everyone in this audience subscribes to the concept of equal employment opportunity; the fact of your inviting me to speak here today indicates your concern.

You should, then be concerned to learn that the electrical power industry has had one of the worst equal employment records of all industry groupings in America. The findings and statistics supplied to me—based on the reports that you yourselves submitted—will graphically demonstrate that the most effective methods of discrimination and exclusion are being practiced in your industry. The case histories give living shape to the story of exclusion and the hard facts of discrimination become glaring in the light of cold statistics.

The Equal Employment Opportunity Commission has used and will continue to use statistics, not for the purposes of punishment, but to illuminate the effects of discrimination where it exists and spotlight imaginative, affirmative employment policies where they exist. EEOC dwells on differences in employment patterns to prove that in almost every industry, every city, one or more employers who concentrate on affirmative action— not just affirmative motion—themselves destroy the myth that qualified and qualifiable minorities are not available.

When we publicize such disparities we are not setting quotas for the employers on the short end of the comparison. But we are throwing down the gauntlet, and certainly firms which pride themselves on being EEO employers, or send representatives to meetings such as this, should take a hard look at themselves. And this look *has* to be quantitative.

You as businessmen would not applaud the salesman who writes copious sales plans each quarter and then doesn't deliver the sales. You would call him in, show him how Mike in the next sales unit in the same district is doing much better and challenge him to do likewise. That is essentially what EEOC does with employment statistics in a context such as a White House meeting, a public hearing or this session.

In June of 1968, the facts of exclusion and underutilization were presented to representatives of the electric power and natural gas industries at a White House meeting sponsored jointly by the Federal Power Commission and the EEOC. At that time, the utilities industries—and particularly the electric power companies—were informed that according to 1966 and 1967 data, they were the worst employer of minorities of any industry grouping.

At that time—

Electric companies employed only 41 black managers out of almost 30,000.

Out of 15,000 technicians, only 59 were black.

Of over 6,000 sales workers, 27 were black.

In the nation's 11 largest electric companies, employing over 8,000 officials and managers, in 1966, 13 were black; in 1967, 12 were black—and both years 6 were employed by one company.

And for Spanish Americans, the picture was no less bleak—these 11 largest companies employed them as only 0.3% of their total workforce. . .

At that time these statistics were presented to your industry—possibly to many of you personally, my predecessor as Chairman of EEOC said, "We do not believe this is a picture of which you will be proud, collectively or—with few exceptions—individually. The exceptions to the patterns are encouraging in kind but discouraging in number. One matter is clear; these hours we spend today in conference will mean very little if they do not lead to action. Such action is possible only with the commitment of top industry management. Your presence here today, I think, implies that commitment. But commitment which is unfulfilled may be apathy, if not self-deception. And that is why we hope that the programs we will discuss today will help you translate your commitment into action."

The Chairmanship of the EEOC has now changed; the patterns of minority exclusion and under-utilization in the electric companies, apparently and unfortunately, has changed only marginally at best. Based on reports for 1968 and 1969 submitted to the EEOC by 115 members of the Edison Electrical Institute employing the large majority of the total workforce in the electric power industry, your industry still inhabits the bottom of the list in terms of minority utilization.

This conference is devoted to affirmative *action*. I hope it will not celebrate the affirmative *motion* that results of the past year indicate has been going on.

The figures I will relate will show better than any words the continuing failure of the electric power industry to comply with the letter and spirit of the law.

Blacks, who comprise almost 12 percent of the nation, make up only 4.8 percent of 115 electric companies' employment and hold only 2.8 percent of white collar jobs in 1969. These figures are up only slightly from 4.1% and 2.1% a year ago.

As one descends the job scale, as the jobs become less desirable—and lower paying—and as upward mobility becomes increasingly difficult, suddenly, there the black workers show up. Thus, less than half of one percent of managerial and professional jobs are filled by blacks compared to over 5 percent of the clerical jobs. The same is true in the blue collar area; while fully a quarter of the laborers are black, less than 2% of craftsmen, foremen and kindred workers are.

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Gross underutilization of minorities in your industry is not limited to blacks alone—Spanish Surnamed Americans hold only 1.2% of total jobs and comprise only one-half of one percent of the officials, managers and professionals. Women are almost entirely restricted to the clerical category—almost 40,000 are employed in that category compared to about 3,000 for all other categories combined.

It is quite obvious from this recital of statistics that in the aggregate, your industry is one of the poorest performers in the field of minority and female employment. However, I have hardly begun; the scene is actually much more frightening because a few isolated companies hide the inexcusable records of the rest:

Eighty-three of 115 reporting companies in your Institute have no blacks classified as officials or managers; 34 have no women.

In 64 of the companies, there are no black professionals and no female professionals in 26.

There are no black technicians in 64 companies, no black sales personnel in 72.

Women are completely absent from the technician category in 35 companies; from the craftsmen category in 104 companies.

I cannot accept the excuse, from any of these companies which are such painfully good examples of exclusion, that qualified minorities and women just could not be found.

One large company in a southern town which is 35% black reports *no blacks in any of its white collar* positions.

In a midwestern city with 17.5% of its population black, the electric company has no black manager, professional or salesman.

A major Western utility company in a city whose black population is over 10 percent has only 1 black manager out of almost 1900 and only 20 professionals out of 2,000.

In a Southwestern city in which almost 5% of the labor force is Spanish American, one electric company has no official, no salesman, one professional and three technicians who are Spanish Surnamed Americans out of 624 employees in those categories.

Another company in the same town has *not one Spanish Surnamed American employee.*

These statistics for the major portion of the electric power industry, which show one or two or ten or twenty blacks—and often none—in job classifications which encompass thousands of workers, cast more than a shadow on your industry's protestation of vigorous policies and progress. Words and good intentions cannot act as a substitute for the provision of better jobs with better prospects for minorities and women.

In the 1968 White House meeting, one company was singled out. Although it was far from a model employer of minorities at higher job levels, it was at least far ahead of the rest of the industry. It still is and it is the *only* company which goes a way towards proving that qualified and qualifiable minorities and women can be found.

Almost half of the increase in minority employment at the managerial level between 1968 and 1969 as among all 115 companies is accounted for by this one company.

This company employs 40% of all black craftsmen in the industry while employing less than 10% of total craftsmen.

Blacks accounted for almost half of its new hires in the craftsmen category which encompasses more than ¼ of its total workforce.

If this company is removed from the aggregate data, there is an almost total absence of change in minority employment for the other 114 companies from 1968 to 1969.

One of the excuses offered for this state is the practices of unions. Undoubtedly, unions do contribute to this picture. But I want to point out that unions have nothing to do with the white collar situation, and the white collar situation is infinitely worse than the blue collar situation. If the companies which profess equal employment policies were to implement such policies in the white collar categories, is there really any doubt that the unions would believe the companies were serious in the areas where collective bargaining agreements prevail?

I would like now to take this audience one step further along the road of illumination. Instead of overwhelming you with numbers, I want to paint for you the picture of actual cases of discrimination in the electric power industry.

Recently, the EEOC ruled on complaints lodged against some of the largest electrical power companies in this country. Their policies and practices were found to be in direct violation of Title VII. The companies were perfect examples of institutionalized discrimination, in both their physical plant and their job structure. Investigators found segregated rest rooms, segregated lines of progression and separate employee benefits such as retirement plans and pension funds.

Carelessness or lack of awareness can create the same results as overt discrimination. Seniority lines, testing procedures, training programs and promotion systems often operate to keep out minorities or freeze them at the lowest job levels with no upward mobility.

Isn't it all a little unbelievable in America in 1969?

Unbelievable that by design or by negligence human beings still don't have the right to use facilities freely; or to be promoted on merit; or to compete freely for jobs; or to accrue the benefits others receive—all merely because of race or religion or national origin or sex? Regardless of whether the *intent* of the President of those utilities was for all employees to have equal employment opportunity, his failure—by virtue of unconcern or negligence—to see that his intentions were effected, produced the situation I have described.

Just as top management must be held ultimately responsible for company profits and quality of output, so must they be for personnel action and employee relations. In addition to the concern for keeping expenses down, there must be an equal concern that non-discriminatory employment standards are being adequately maintained throughout the total organization.

Your companies should establish whatever procedures and periodic checks are necessary to enforce those standards just as you establish cost accounting procedures. And each company should take the same vigorous and severe action against employees whose discriminatory behavior violates company policy as it would against employees who carelessly squander profits.

The depressing array of statistics I have just finished relating outlines the debilitating lack of effective EEO policies in your industry by detailing the lack of real results. You met with the EEOC last year in an attempt to find avenues for improvement; they have obviously not yet been found. It is my hope that this meeting will give you the impetus to change and the tools with which to effect that change.

When top management of the electric companies applies itself seriously to implementation of EEO policies; when it responds to the statistics in its own companies, and the unlawful practices which exist in its offices and create those statistics, then and only then will the bleak employment picture of the present change—and very quickly.

And once it has *really* begun to change—at all levels, not just at the entry level—the going is easy. Improvement, in terms of numbers of minorities in meaningful jobs, is in itself a tool. Under-representation of minorities bears heavily on credibility—how can a company be an Equal Opportunity Employer, as so many advertise, when their workforce above the lowest blue collar level is virtually all white? Minority representation in the workforce today bears heavily on the chances of recruitment success in the future. Just as there is a "take-off" point for an underdeveloped economy, when it will start to prosper without extra aid, there is one for a company, when it will no longer need to make a special effort at "communication" because the minority contingent of its workforce will recruit through the informal channels by which word of most job openings is disseminated. This work must be started; we cannot accept excuses any longer; the statistics must change and the "take-off" point must be reached.

The White House meeting last year was a call to action—a recital of grim statistics and a challenge to change them. You have not met that challenge.

You cannot in all conscience continue to attend such meetings as this and then return to your offices to do what results in nothing.

A year ago at the White House, it was noted that the time-consuming compliance process might be the inevitable alternative if real action were not forthcoming from your industry on a less formal basis. I do not mean to threaten—and the Commission presently lacks real enforcement power—but do want to make a simple statement of fact. We have seen in the intervening year what must have been more motion than action by most of you, and I am not disposed to see another such year go by.

CAPITOL HILL RESTAURANT WORKERS

(Mr. JACOBS asked and was given permission to address the House for 1 minute, and to revise and extend his remarks, and include extraneous matter.)

Mr. JACOBS. Mr. Speaker, the Capitol Hill food workers have formed an association for the purpose of achieving some semblance of justice in their wages and working conditions.

True to the unenlightened labor policies of the last century from which most of his policies spring, the Capitol Architect, through his agent has, on trumped up charges, fired Wendell Quinn, a leader of the employees association. How can Congress keep a straight face when this outrage is permitted here and other employers are required by congressional act to bargain in good faith and not fire people for belonging to a union?

The plain fact is that while the Capitol Architect squanders millions of the taxpayers dollars on wasteful projects, he has denied to these food workers not only what the very lowest standards call a living wage, but also the slight increase he himself promised them last November.

Mr. Speaker, people who serve food to Senators who "have to eat too" have to eat too, also.

CAPITOL HILL RESTAURANT WORKERS

(Mr. DIGGS asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. DIGGS. Mr. Speaker, yesterday's walkout of cafeteria employees in the other body is a prelude of disruptive action we must also anticipate on the House side if their legitimate grievances continue to go unheeded. These grievances are as follows:

GRIEVANCES

Failure to comply with prevailing wage rates of Federal Wage Board.

Executive Order No. 10988, violated with threats of dismissals and reprisals if employees join association.

Monday sick rule.

No job security.

No written record of employees' rights.

Employees working 6 days a week to have a 40-hour workweek.

Employing part time employees to avoid paying overtime for Saturday work.

Coffee shop workers denied privilege of working every other week on Saturday.

Job description not specified as to duties.

A grievance board to file complaints that are not connected with the Senate Rules Committee.

Lunch period inadequate.

No telephone calls between noon and 2 p.m.

Receiving pay in the afternoon.

Complaints to management with resignation slips.

Bus girl working in counter position and not justly compensated.

Racial bias in pay scale, lunch and coffee breaks.

In promotions, ample consideration is not given to seniority.

Cafeteria workers are not given chance at job openings in accounting section.

Cafeteria staff should be increased.

The Architect of the Capitol, who supervises all restaurants on the Hill and the legislative committees of jurisdiction, must face the fact that their employees are at the end of their patience. The public policy of our Federal Government supports fair labor standards and these employees are entitled to the protection of their rights within this context. For too long racism, cronyism, and plantationism have brought discredit upon the administration of the Capitol's restaurants. This can no longer be tolerated.

Mr. WALDIE. Mr. Speaker, the Capitol Hill food workers have formed an association for the purpose of achieving some semblance of justice in their wages and working conditions.

True to the unenlightened labor policies of the last century from which most of the Federal Government labor policies spring, the Capitol Architect, through his agent has on flimsy and unsubstantiated charges, fired Wendell Quinn, a leader of the employees' association. How can Congress justify this outrage when private and public employers are required by congressional act to bargain in good faith and not fire people for belonging to a union?

Mr. Speaker, people who serve food to Senators who "have to eat, too" are equally entitled to a living wage that they, too "might eat."

Mr. STOKES. Mr. Speaker, I think it a tragedy that in this day and age—the employees of the restaurant serving the top officials of this country—should have to resort to a walkout to dramatize their poor working conditions. This incident takes on the shape of the Charleston Hospital strike—in its absurdity. A man being fired for protesting or for organizing workers in pursuit of decent working conditions and wages—is an echo of a day we have believed was far past. That it should happen in the Congress of the United States, charged with the protection of the general welfare of the people, is beyond my understanding. It invalidates all our so-called nobel attempts to represent and to serve the laboring man as well as the special interest groups. Now, in this incident, we have become our own special interest group, so where does one go to find a concern for the public interest when the Congress itself has failed to be responsive to its duty?

Surely the Congress should reward their loyal employees who serve them—and this reward need not be extraordinary—but it should be within the accepted notion of fringe benefits, decent wages, hours and working conditions. The credibility of the Congress legislating for the welfare of the common man becomes totally meaningless when the workers in its own cafeteria cannot find audience for reasonable demands.

In these troublesome times of urban strife and discontent, I think it would be a noble gesture if this great body would set precedent by settling these differences as soon as possible.

CAPITOL HILL RESTAURANT WORKERS

(Mr. CLAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLAY. Mr. Speaker, I rise to address myself to the hardship and difficulties now being experienced by the employees of the Senate cafeteria and the employees of the House of Representatives cafeteria. I further wish to add my voice to that of others who decry the questionable and arbitrary act of the Capitol Architect who fired Wendell Quinn for his activities in organizing cafeteria workers to improve their working conditions in the Senate cafeteria.

Mr. Speaker, I vehemently oppose the exploitation of laboring people everywhere in the world. I especially deplore the exploitation of laboring people by the U.S. Congress. Wages of many cafeteria employees of this Congress are less than the national minimum wages. This body has an obligation to provide decent working conditions and living wages to its employees. This body should instruct the Capitol Architect to rehire Mr. Quinn immediately and begin negotiations with the cafeteria employees to improve their conditions.

CAPITOL HILL RESTAURANT WORKERS

(Mr. MIKVA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MIKVA. Mr. Speaker, it is paradoxical that Congress, which tells other employers the minimum terms and conditions under which they should bargain with their employees, itself is unwilling to recognize those conditions and terms.

I find it difficult to understand why the Capitol Hill food workers are not guaranteed these minimum rights that we insist other employers of our country recognize and protect. I believe Congress ought to be purer than Caesar's wife. I think we ought to instruct the Capitol Architect to recognize the rights of these employees, and protect those rights, rather than to derogate them.

CAFETERIA WORKERS PROTEST WORKING CONDITIONS

(Mr. BRADEMAS asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. BRADEMAS. Mr. Speaker, I rise to associate myself with the remarks of my colleague, the gentleman from Indiana (Mr. JACOBS), and those who have followed the gentleman here in the well of the House, in commenting on the disgraceful conditions under which the food workers on Capitol Hill are compelled to work. This is supposed to be 1969, but when one views the shocking wages and employment conditions of those who serve the Members of the House of Representatives and the Senate—employees of the Congress of the United States—one would think that the year was 1869.

It seems to me, Mr. Speaker, that it is time for the House to put its own house in order.

PROJECT COMMITMENT

(Mr. BRADEMAS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BRADEMAS. Mr. Speaker, I would like to bring to the attention of my colleagues in the House a project in my congressional district that may point some useful directions for coping with the conflict-ridden area of race relations in our country. Solutions to problems of race are not simple as the Kerner report of little more than a year ago made clear.

Mr. Speaker, one effort to meet this challenge is Project Commitment, an interfaith human relations program launched in January of this year at the Center for Continuing Education of the University of Notre Dame.

Headed by Dr. James P. Danehy, a University of Notre Dame chemistry professor and chairman of the South Bend-Fort Wayne Diocesan Human Relations Commission, Project Commitment is directed toward mobilizing the energies and ideas of representatives of some 34 selected Catholic, Protestant, and Jewish congregations in the South Bend-Mishawaka-Elkhart area of Indiana—people chosen by pastors, rabbis, and lay boards for their capacity for leadership.

As Dr. Danehy explains it:

> This project is an attempt to take white people who have not yet developed convictions concerning their responsibilities for interracial and interreligious justice, and

> to give them the motivation to go back to their congregations and parishes and change prejudicial social patterns. And, although it is an "integrated" program, it is primarily a program aimed at changing whites; black people taking part primarily as resource people.

Dr. Danehy explains that Project Commitment is based on two assumptions:

> One is that white people have the responsibility of hastening the change in attitude of their brothers toward the black minority. The other is that full advantage must be taken of religious motivation.

Project Commitment has had staff assistance from the South Bend-Mishawaka chapter of the National Conference of Christians and Jews—NCCJ—and financing through participating congregations and other interested groups and individuals in the area.

Recently, Project Commitment concluded a series of eight consecutive weekly meetings attended by up to 20 representatives of different denominations and faiths. At each meeting expert speakers—black and white, young and old—addressed themselves to some phase of community life in which racial attitudes play a significant part; this was followed by group discussion.

In this program topics included: "The Psychology of Prejudice," "Power and the Lack of Power," "Education," "Housing," "Employment," "Examples of Community Effort in the Area of Race Relations," "The Responsibility of Religious Communities To Facilitate Social Change," and "The Crime Behind the Crime in the Streets."

A similar program with its fresh approach to racial issues was first tried out by the archdiocese of Detroit, under the leadership of Cardinal-designate John Dearden. Since then the concept has been tested in other cities, usually under Catholic auspices.

The South Bend project, however, is the first ever attempted on an interfaith basis. Eventually, Project Commitment hopes to involve every congregation in the Indiana counties of St. Joseph, Elkhart, Marshall, and Kosciusko, as well as Cass and Berrien Counties in Michigan.

I might add, Mr. Speaker, that religious and lay leaders in Fort Wayne, Ind., are planning a Project Commitment program there, and the Indiana Interdenominational Commission on Human Equality, based in Indianapolis, is promoting the project on a statewide basis.

Mr. Speaker, the overall goal of Project Commitment is to develop a sense of solidarity and common responsibility among people of all races and religious denominations. It represents a constructive, grassroots approach to racial problems.

Mr. Speaker, I want to commend the Project Commitment effort. It is a tangible followup to the warnings issued by the National Advisory Commission on Civil Disorders last year. Other communities in America may find the Project Commitment approach worthy of emulation.

CAFETERIA WORKERS PROTEST WORKING CONDITIONS

(Mr. ADAMS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ADAMS. Mr. Speaker, I want to join my colleagues who have spoken on the problems of the workers in both the Senate cafeteria and in the other food services on Capitol Hill. I believe—and I am sure that my colleagues who have spoken will join with me in this thought—that we should request the appropriate committees of the House and of the other body to report to this body on what is occurring in terms of wages being paid, the hours being worked, and the services that are being required of these workers.

We have heard from time to time, and there have been many comments, as to the fact that these men are not being paid any more than the bare minimum wage of $1.25 an hour, and that often they are required to hold two jobs. This becomes impossible when they are required to serve the House of Representatives and the other body on a very irregular schedule.

Mr. Speaker, I hope that these appropriate committees of the House and of the other body will report to the Members of the House on this situation.

I join with my colleagues in saying that we must put our house in order. It is certainly a disgrace that we are trying to tell the other employers in the United States what they should be paying their people, and defining wage and hour laws, and then find that we are not complying with them ourselves.

CAFETERIA WORKERS PROTEST WORKING CONDITIONS

(Mr. JOELSON asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. JOELSON. Mr. Speaker, I merely want to join my colleagues on this subject. I think that it is necessary to do justice to our restaurant and the cafeteria employees. I rise to urge justice, and also to assure myself quicker service when I go downstairs for lunch in a few moments.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Mr. Speaker, I thank the gentleman for yielding.

I was advised of the situation, and talked to the man who has charge of the Wage Board setup in the District of Columbia to try to find out what the wage orders for the cafeteria employees are. At one time he did recommend to the Architect of the Capitol what the Wage Board rates should be, but he informed me that at the present time he is not even required, and does not certify to the Architect of the Capitol what the Wage Board employees of the District of Columbia receive. So I think that we should take some steps to see that at least the employees of the cafeteria and the other parts of the Capitol are receiving Wage Board rates, at least, that are paid in the District of Columbia.

Mr. JOELSON. I believe they should receive that at least, but I also believe they should not just be made to take what is thrust upon them. There should be some meaningful labor relations legislation that will protect their rights to do so.

I think we are too patronizing to them. They are entitled to present their requests and they are entitled to be bargained with. I do not think they are entitled to be fired when they speak up for their rights.

SEEK A MUTUAL MORATORIUM ON MIRV

(Mr. COHELAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHELAN. Mr. Speaker, today I am introducing with Representative JOHN ANDERSON and 102 cosponsors a resolution urging the President to seek a mutual moratorium with the Soviet Union on development of MIRV's—multiple independently-targetable re-entry vehicles.

This resolution further urges the President to promptly enter into strategic arms limitation discussions with the Soviets. It also urges him to declare the intention of the United States to refrain from further flight testing of MIRV's so long as the Soviets do so.

The United States defends against nuclear attack by deterrence. The greatest current threat to our deterrent forces is the possibility that the Soviets might deploy enough missiles with sufficiently large and accurate warheads to threaten the ability of our land based forces to survive a surprise attack. To defend against this threat President Nixon had proposed the deployment of the Safeguard ABM to protect our ICBM's and air bases. But there is a safer and more sure method of protecting our forces against the threat of Soviet MIRV's.

That method is to secure an enforceable arms control agreement with the Soviets prohibiting either side from deploying these multiple warheads on their missiles.

Whether we will be able to achieve such an enforceable ban on MIRV deployment depends in part on how far both nations proceed with development and testing of these weapons.

At the present time satellites can count and locate missile silos and other military targets. But these satellites cannot see through the concrete silo doors or the shrouds which cover missile nose cones. Thus satellites cannot determine whether a missile is equipped with a single warhead or with multiple warheads.

Thus intrusive on-site inspection will be required to police an agreement limiting MIRV deployment if either side proceeds so far with its testing that the other side cannot be certain that the MIRV warheads are not being secretly deployed.

Because both the United States and the U.S.S.R. are well along in their testing programs for these weapons, the point at which they may be deployable is very near. As this time runs out, it is increasingly urgent that both sides, the United States and the U.S.S.R. seek a moratorium on further testing. If they do not, the possibility of an enforceable agreement limiting MIRV may be foreclosed.

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Accordingly, it is urgent that we seek such a moratorium.

I believe that the fact that we have more than 100 cosponsors for this resolution indicates the recognition of both Democrats and Republicans in the House of the gravity of the MIRV issue and the urgency with which it must be regarded.

I believe that the President and the public should note this congressional concern and proceed as expeditiously as possible to seek agreement with the Soviets on the banning of MIRV's.

I would like to insert at the close of my remarks a summary of the remarks I delivered on the MIRV issue last week, and the press statement, resolution text, and complete list of cosponsors of this resolution:

Summary Statement on MIRV by Jeffery Cohelan, June 24, 1969

I would like to state at the outset that it is my firm conviction that the United States should at this time halt all testing of our MIRV system, and that further testing should be deferred at least until the arms limitation talks begin, and longer if the Soviets refrain from testing their multiple warhead systems. And in any event the United States should strongly press for mutual mortatorium on MIRV's in these talks.

I recognize that not all Members of this body share this conviction. Moreover, I recognize that not all Members of this body are as familiar with the MIRV issues as they would like to be. Accordingly, I would like to take a few minutes to outline the issues as I see them, and to explain the reasons underlying my conclusions.

THE STATE OF THE ART

At the outset it is important to understand how very far along in MIRV development we are, and to understand what it is that we know about Soviet developments in this area.

The United States has present plans to use MIRV's on two types of missiles—the Minuteman III land-based ICBM's and the Poseidon submarine-based missiles. These plans call for the deployment of MIRV's on 500 out of 1,054 of our ICBM's and on 496 of the 656 missiles on our nuclear submarines. The Minuteman III is a new last stage which will be fitted on the existing missile launchers for the Minuteman force. The Minuteman III will carry one to three warheads and is assumed to contain sophisticated penetration aids like chaff and decoys. The Poseidon will carry 10 to 15 warheads, and can apparently also carry penetration aids.

Minuteman III missiles are expected to cost about $10 million each. The Poseidon missiles are expected to cost between $7 and $10 million each. It will also cost about $80 million to overhaul and convert each of the 31 Polaris nuclear submarines to carry the large Poseidon missiles. Thus total MIRV costs may be on the order of $10 to $15 billion, without including research and development costs.

In the current fiscal year 1970 budget there is $2,074,000,000 for the Minuteman III and Poseidon programs. This is more than twice the amounts in the budget for the Safeguard ABM.

The Poseidon and Minuteman III MIRV's both employ a bus concept. This means that one propulsion and guidance mechanism directs all of the individual warheads carried by the missiles. After the main missile boosters have cut off, the propulsion unit on the bus makes minute adjustments in speed and direction, and after each of these adjustments releases another warhead, directing it to a different target.

The Soviet Union is at the present time testing at least two different concepts employing multiple warheads. In one concept, three warheads each in the 5-megaton range can be delivered in a pattern. Intelligence data available in the United States has not conclusively determined whether these warheads are independently targetable or whether they are merely multiple warheads like the ones we have had on our Polaris missiles since 1962 which deliver three warheads in a fixed shotgun-like pattern. President Nixon indicated last week, however, that even if the Soviet warheads are not independently targetable, he regards them as a threat to our ICBM's because the pattern of the Soviet warheads is much like the layout of our Minuteman fields.

The second Soviet concept being tested involves the delivery of a string of up to 10 warheads. Each of these warheads would land in a separate location, but they would not be capable of being independently targeted.

THE STRATEGIC SITUATION

MIRV's have at least two strategic roles. MIRV's can increase the number of targets which can be struck by a given missile launcher force. And MIRV's can increase the probability that an enemy ABM will be penetrated.

MIRV's will affect the strategic balance only if one side perceives the MIRV warheads of the other to be either so large, or so accurate, or so numerous, as to be able to destroy a significant portion of its land-based ICBM's in a first strike, and thereby threaten the credibility of its deterrent.

Thus the crucial question with regard to the MIRV is whether one side sees its adversary's MIRV as a hard target—ICBM—killer. If so that side may perceive a threat to its deterrent and may have to take steps to maintain its assured destruction capability.

The U.S. Defense Department and the President have seen the possible Soviet deployment of large numbers of SS–9 ICBM's with MIRV's as potential hard target killers and not as mere ABM penetrators. Accordingly, the administration has perceived a threat to the land-based portion of our deterrent forces, and has recommended the deployment of an ABM to add to the credibility of our deterrent.

It is not clear how the Soviet views our plans to deploy MIRV warheads on our Minuteman III ICBM's and on our Poseidon submarine-launched missiles. There is information in the public domain which might induce the Soviets to fear our MIRV's as first-strike weapons, and there is other evidence which might convince the Soviets our MIRV's did not pose such a threat.

It is clear that U.S. experimentation with MIRV began, not to develop a system to penetrate antimissile defenses, but to develop a system to increase the number of military targets we could strike with our given force of missile launches. In July 1968, Dr. John Foster testified to the Senate:

"The MIRV concept was originally generated to increase our targeting capability rather than to penetrate ABM defenses. In 1961–62 planning for targeting the Minuteman force, it was found that the total number of aim points exceeded the number of Minuteman missiles."

Since there are scarcely 200 Soviet cities worth targeting, and there were their plans for 800 Minuteman missiles, it must be assumed that these numerous "aim points" were missile sites and other military targets. However, experimentation in the early 1960's showed that with the guidance systems then available, MIRV's could not be made accurate enough to effectively take out these military targets. Accordingly, the early MIRV concept was dropped. But today both the Pentagon and the Soviets are aware of the hard target kill potential of MIRV's.

As far back as November 1967, Paul Nitze testified to the Joint Committee on Atomic Energy that with the same accuracies, ten 50-kiloton warheads were 1.2 to 1.7 times more effective in destroying hardened missile silos than was a single 10-megaton warhead. And since 1967, high defense officials have been making public statements indicating that the MIRV's now being developed will have greater accuracies than any of the single warhead missiles now deployed. Public reports have indicated that our MIRV's are designed to accuracies of less than a quarter of a mile. Furthermore, public reports also indicate that we are working on guidance technology which would permit warheads to actually home in on missile silos.

And perhaps most convincingly of all from the Soviet's point of view is the statement made at least three times this year by Secretary Laird in support of the $12.4 million request for improved guidance for the Poseidon MIRV. Secretary Laird testified:

This is an important program since it promises to improve the accuracy of the Poseidon missile, thus enhancing its effectiveness against hard targets."

Thus, there are a good many reasons for the Soviets to fear that our MIRV is a first-strike weapon—just as we fear their MIRV is a first-strike weapon.

Recently, perhaps in an effort to allay Soviet apprehensions, the Pentagon has been putting out information on the size of our MIRV warheads—Minuteman III, 200 kilotons; Poseidon, 50 kilotons, and their expected accuracies—one-quarter mile—which indicates that our MIRV's are not particularly good weapons for destroying missile silos. But it is not at all clear that the Soviets either believe the information as to the size of the warheads or as to the expected accuracies. Moreover, conservative Soviet defense planners would have to assume that our MIRV's were both larger and more accurate than we claim them to be.

Thus, there is good reason to believe that the Soviets will see our MIRV deployment as a threat to their land-based deterrent and that they will thus have to take further action to expand or project their ICBM forces.

In presenting this evidence on the first-strike capabilities of our MIRV's, I do not contend that we are trying to achieve a first-strike posture with regard to the Soviets. But I do contend that it is perfectly plausible, if not exceedingly likely, that the Soviets fear our MIRV as a potential first-strike weapon.

If they do not feel threatened by our MIRV's they will certainly respond with further deployments, just as we have done with the Safeguard ABM. And thus the arms race will be escalated another costly notch.

FIRST STRIKE

One more point is worth making about MIRV and the possibility of a first strike. Not only is MIRV deployment likely to escalate the arms race by forcing the other side to deploy offsetting offensive or defensive weapons, but MIRV deployment actually makes the likelihood of a first strike greater.

If a MIRV-equipped missile is destroyed on the ground in its silo, several warheads will be destroyed. Thus, there is a considerable advantage to an attacker if he can destroy MIRV missiles in their silos, as in a first-strike attack.

Furthermore, once a MIRV-equipped missile is launched, it has the potential to destroy several of the enemy's missiles in their silos. Thus, again there is an advantage to the side that launches first.

This foreboding pressure to strike first is further heightened when one or both sides have city defense ABM systems. That side which has both MIRV and ABM might conclude that by attacking first, enough of the

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other side's missile force would be destroyed so that the ABM would be effective in meeting the diminished retaliatory attack by the other side.

Thus, should one or both sides deploy MIRV's or both MIRV's and ABM, in times of high tension, there will be greater pressure to strike first than there is now.

ARMS CONTROL

If MIRV deployment both makes the threat of a first strike greater and further escalates the arms race, it seems fair to ask what can be done to stop its deployment by both sides.

This question is, of course, the subject of the arms limitation talks. But whether those talks will ever have a realistic opportunity to discuss and decide the possibility of a mutual moratorium on MIRV deployment is in doubt. This doubt arises for two causes.

First, surveillance satellites which are capable of counting and locating ABM and ICBM missile sites, are not capable of distinguishing missiles with MIRV warheads from those with single warheads. The photographic and other equipment carried by these satellites is not capable of piercing the shroud covering the missile, nor of seeing through the concrete covers of the missile silos. Thus without on-site inspection, it is not possible to police an arms control agreement barring MIRV development.

Second, if a MIRV deployment moratorium cannot be enforced through satellite verification, and on-site inspection is not allowed, such a mutual moratorium could only be enforced if both sides were convinced that the other side had not proceeded far enough with its MIRV testing to justify deployment in secret of the MIRV warheads.

This point—the time at which one side is observing the MIRV test of the other concludes that even if tests were halted immediately they could no longer have high confidence that the tests had not proceeded far enough that the MIRV might be deployed secretly—is the point generally referred to as the point of no return in MIRV testing.

There is a good deal of controversy as to whether the point of no return has already been passed in the U.S. testing program. If it has not already been passed, it seems certain that it will be passed if the tests are continued successfully through this summer. By that time the tests will be better than half over, and most of the major tests will have been completed.

At this point the United States has conducted at least 13 MIRV flight tests. The tests of the Poseidon MIRV have been called "highly successful" by the Pentagon. The Minuteman III tests have been stretched out, but Secretary Laird still expressed confidence that the system would perform as intended by the time it is deployed in 1971.

Thus, there is some question as to whether the Soviets could ever be convinced that we were not secretly deploying MIRV's even if we were to stop testing right now. However, there is a chance that they might be so convinced. In order to offer them that chance in the arms talks, it might be that we have to halt testing of MIRV's now and provide the Soviets with the opportunity to agree to a MIRV moratorium before the point of no return is passed.

TIMING

In deciding whether the United States can afford to defer MIRV testing and therefore MIRV deployment for a while longer, it is important to remember that the Pentagon justifies the MIRV as an ABM penetration system. In fact in this year's posture statement, the Pentagon notes:

"MIRV deployment is necessary because we must continue to plan our strategic offensive forces on the assumption that they (USSR) will have deployed some sort of an ABM around their major cities by the mid-1970's."

Yet at this time we have no intelligence estimate which indicates that the Soviet Union will have such a city defense ABM deployed in 1971 when the first U.S. MIRV's will become operational. In fact, the lead time for city defense ABM deployment is considerably longer than the lead time for MIRV deployment. Thus, we could actually wait until there was firm evidence of a Soviet nationwide ABM before we put MIRV's on our missiles.

These leadtime differentials, and the fact that the U.S. MIRV deployment is scheduled for several years in advance of the threat it is said to meet, indicate that we could tolerate a few months delay in MIRV development with no loss in security.

CONCLUSION

Thus, Mr. Chairman, with MIRV development we face another costly escalation in the arms race which will not contribute to the increased security of either side. Moreover, this development will make a nuclear first strike strategy considerably more attractive than it is now.

These awesome prospects can be voided if we can get a mutual moratorium on MIRV testing and deployment with the Soviet Union. Whether we can work out such a moratorium depends in part on not going too far in our MIRV testing. Since deferring these tests for a few months would not jeopardize the national security, and might actually contribute to that security should an agreement be reached. I strongly urge the members of this body to advocate and support a halt on U.S. MIRV development pending the commencement of the SALT talks and continuing thereafter so long as the Soviet Union refrains from testing its multiple warheads, and in any event pressing for a mutual moratorium on MIRV development in these talks.

ANDERSON AND COHELAN OFFER MIRV RESOLUTION

WASHINGTON, D.C.—More than one-hundred members of the House of Representatives today joined in introducing a bipartisan resolution urging the President to propose to the Soviet Union a mutual moratorium on the flight testing of MIRV (multiple independently-targetable reentry vehicles).

The resolution was jointly introduced by Congressman John B. Anderson (R-Ill.), who is chairman of the House Republican Conference, and Congressman Jefferey Cohelan (D-Calif.). It is identical to a resolution introduced in the Senate by Senator Brooke and cosponsored by 40 other Senators.

Anderson and Cohelan told their colleagues, "The greatest current threat to our ability to deter nuclear war is the possible deployment by the Soviet Union of missiles with multiple warheads capable of destroying our land based ICBM force. In order to induce the Soviets to halt their MIRV deployment, we are urging the President to propose a mutual moratorium on MIRV testing.

"We believe this is a safe and sure manner in which to protect our deterrent force. Certainly it is worth a try."

Satellites cannot distinguish between missiles with single warheads and those with multiple warheads. Thus, once these MIRV warheads are fully developed and tested, it will require intrusive on-site inspection to assure that multiple warheads are not being secretly deployed. It is probably not possible to negotiate an agreement which would call for mutual on-site inspection of ICBM forces. Thus, to have the opportunity to negotiate an enforceable limitation on the deployment of MIRV, it must be done before either side is so far along in its testing that the other side might think that even if tests were halted, MIRV's might still be deployed in secret.

Cohelan and Anderson warned, "Since both the US and USSR have been conducting tests of these weapons for some time, the point at which we may no longer be able to achieve an enforceable ban on MIRV's is very close."

The two Congressmen said, "MIRV could put the arms race on a perpetual one-way escalator. Each side may perceive the other side's MIRV as a threat to its ICBM force, and thus to its deterrent. If such a threat is perceived, new deployments of offensive or defensive weapons will be required."

"The Pentagon justifies the MIRV as an ABM penetration system. Yet at this time we have no intelligence estimate which indicates that the Soviet Union will have such a city defense ABM deployed in 1971 when the first MIRV will become operational," Cohelan noted. "These lead time differentials indicate we could tolerate a few months delay in MIRV development with no loss in security," he added.

Anderson said he was pleased by President Nixon's reference to the resolution as "a very constructive proposal" and the willingness of the Administration to consider a mutual moratorium. "We are in no way attempting to dictate to the President," Anderson added, "But we do want to convey to him the sense of urgency which we in the Congress attach to the MIRV issue."

Anderson and Cohelan concluded, "The thesis of the MIRV moratorium resolution is that both sides must stop development of MIRV before it is deployable and impossible to inspect unilaterally.

"Because the possibility of deployment is only a few months off—because the point of no return is imminent—we must act with a sense of mission and urgency.

"The unusually large number of cosponsors indicates the strong and bipartisan concern over this crucial issue.

"We urge the President to promptly propose a mutual moratorium to the Soviets on further MIRV testing."

H. RES. 467

Whereas the competition to develop and deploy strategic weapons has reached a new and dangerous phase, which threatens to frustrate attempts to negotiate significant arms limitation and weaken the stability of nuclear deterrence as a barrier to war; and

Whereas development of multiple independently-targetable re-entry vehicles by both the United States and the Soviet Union represents a fundamental and radical challenge to such stability; and

Whereas the possibility of agreed controls over strategic forces appears likely to diminish greatly if testing and deployment of multiple independently-targetable re-entry vehicles proceed; and

Whereas a suspension of flight tests of multiple independently-targetable re-entry vehicles promises to forestall deployment of such provocative weapons; and

Whereas a suspension of such tests could contribute substantially to the success of prospective strategic arms negotiations between the United States and the Soviet Union; Now, therefore be it

Resolved, That the Government of the United States should seek prompt negotiations with the Union of Soviet Socialist Republics to reach agreement on limiting both offensive and defensive strategic weapons; and

Resolved further, That it is the sense of the House of Representatives that the President should urgently propose to the Government of the Union of Soviet Socialist Republics an immediate suspension by the United States and the Union of Soviet Socialist Republics of flight tests of multiple re-entry vehicles, subject to national verification or such other measures of observation and inspection as may be appropriate; and

Resolved further, That the Government of the United States should declare its intention to refrain from additional flight tests of multiple independently-targetable reentry vehicles so long as the Soviet Union does so.

COSPONSORS

Addabbo, Joseph P. (D., N.Y.).
Anderson, Glenn M. (D., Calif.).
Anderson, John (R., Ill.).
Ashley, Thomas L. (D., Ohio).
Beall, Glenn (R., Md.).
Biester, Edward (R., Pa.).
Blatnik, John A. (D., Minn.).
Boland, Edward P. (D., Mass.).
Bolling, Richard (D., Mo.).
Brademas, John (D., Ind.).
Brasco, Frank J. (D., N.Y.).
Broomfield, William (R., Mich.).
Brown, George (D., Calif.).
Burton, Phillip (D., Calif.).
Button, Dan (R., N.Y.).
Cahill, William T. (R., N.J.).
Carey, Hugh L. (D., N.Y.).
Chisholm, Shirley (D., N.Y.).
Cohelan, Jeffery (D., Calif.).
Collier, Harold R. (R., Ill.).
Conte, Silvio (R., Mass.).
Conyers, John (D., Mich.).
Dellenback, John (R., Ill.).
Dent, John H. (D., Pa.).
Diggs, Charles C. (D., Mich.).
Edwards, Don (D., Calif.).
Erlenborn, John N. (R., Ill.).
Esch, Marvin L. (R., Mich.).
Eshleman, Edwin D. (R., Pa.).
Farbstein, Leonard (D., N.Y.).
Fraser, Donald M. (D., Minn.).
Frelinghuysen, Peter H. B. (R., N.J.).
Friedel, Samuel N. (D., Md.).
Gilbert, Jacob (D., N.Y.).
Halpern, Seymour (R., N.Y.).
Hamilton, Lee H. (D., Ind.).
Harvey, James (R., Mich.).
Hastings, James (R., N.Y.).
Hathaway, William D. (D., Maine).
Hawkins, Augustus F. (D., Calif.).
Hechler, Ken (D., W. Va.).
Helstoski, Henry (D., N.J.).
Horton, Frank (R., N.Y.).
Jacobs, Andrew (D., Ind.).
Joelson, Charles (D., N.J.).
Karth, Joseph E. (D., Minn.).
Kastenmeier, Robert W. (D., Wis.).
Keith, Hastings (R., Mass.).
Koch, Edward I. (D., N.Y.).
Lloyd, Sherman (R., Utah).
Lowenstein, Allard (D., N.Y.).
McCarthy, Richard D. (D., N.Y.).
McCloskey, Paul (R., Calif.).
McDade, Joseph (R., Pa.).
McDonald, Jack H. (R., Mich.).
McEwen, Robert C. (R., N.Y.).
Macdonald, Torbert H. (D., Mass.).
Matsunaga, Spark M. (D., Hawaii).
Meskill, Thomas J. (R., Conn.).
Michel, Robert H. (R., Ill.).
Mikva, Abner J. (D., Ill.).
Mink, Patsy T. (D., Hawaii).
Mize, Chester L. (R., Kans.).
Moorhead, William S. (D., Pa.).
Morse, F. Bradford (R., Mass.).
Mosher, Charles (R., Ohio).
Moss, John E. (D., Calif.).
Obey, David R. (D., Wis.).
Olsen, Arnold (D., Mont.).
O'Neill, Thomas P. (D., Mass.).
Ottinger, Richard L. (D., N.Y.).
Pike, Otis G. (D., N.Y.).
Podell, Bertram L. (D., N.Y.).
Powell, Adam C. (D., N.Y.).
Preyer, Richardson (D., N.C.).
Railsback, Tom (R., Ill.).
Rees, Thomas (D., Calif.).
Reid, Ogden R. (R., N.Y.).
Reuss, Henry S. (D., Wis.).
Rodino, Peter W. (D., N.J.).
Rosenthal, Benjamin S. (D., N.Y.).
Roybal, Edward (D., Calif.).
Ruppe, Philip E. (R., Mich.).
St Germain, Fernand J. (D., R.I.).
Scheuer, James (D., N.Y.).
Schneebeli, Herman T. (R., Pa.).
Schwengel, Fred (R., Iowa).
Stanton, J. William (R., Ohio).
Steiger, William C. (R., Wis.).
Stokes, Louis (D., Ohio).
Thompson, Frank (D., N.J.).
Tiernan, Robert O. (D., R.I.).
Tunney, John V. (D., Calif.).
Udall, Morris K. (D., Ariz.).
Van Deerlin, Lionel (D., Calif.).
Vanik, Charles A. (D., Ohio).
Whalen, Charles (R., Ohio).
Williams, Lawrence G. (R., Pa.).
Wilson, Charles H. (D., Calif.).
Yates, Sidney R. (D., Ill.).
Yatron, Gus (D., Pa.).
Zwach, John M. (R., Minn.).

HOUSE RESTAURANT WORKERS DESERVE FAIR TREATMENT

(Mr. LOWENSTEIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LOWENSTEIN. Mr. Speaker, I want to associate myself with the remarks of the gentleman from Indiana (Mr. JACOBS), and to indicate my great concern about the dismissal of Wendell Quinn. The inadequacy of the wage level of those who work so hard in the restaurants of the Capitols buildings is an embarrassment to the Congress, and an unacceptable hardship to those who have endured it for so long.

As the gentleman from Indiana (Mr. JACOBS) pointed out, the people who work in the restaurants must also be able to eat. It is time we face up to our responsibilities for the conditions of employment of those who work in these buildings.

The sense that Mr. Quinn was dismissed because of his activities on behalf of cafeteria workers hovers over this episode and makes his abrupt dismissal profoundly unacceptable to many of us who are concerned about fairplay and about the rights of working people.

Beyond the immediate question of Mr. Quinn's employment it should be clear by now that Congress ought not to pockmark its processes by condoning demeaning and inadequate wages and working conditions for people who give dedicated service here, at the same time that we seek to legislate the end to such conditions in the rest of the country.

I am confident that the Speaker of the House, whose record of concern for the working conditions of his fellow men has made him one of the outstanding figures in the enactment of progressive legislation for more years than many of us have been alive—I am sure that the Speaker will share the concern of many Members of both parties about this situation.

I do not believe there is a public figure in American life who cares more about the right of American working people or who wants more earnestly to see that all Americans get paid a living wage. I cannot believe that the Architect of the Capitol will not see to it that Mr. Quinn is restored to his job. I cannot believe that it will be long before steps are taken to assure that the cafeteria employees are accorded treatment in the humane and wise tradition personified by the Speaker.

TERMINATION OF THE EMPLOYMENT OF WENDELL QUINN

(Mrs. MINK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MINK. Mr. Speaker, I also wish to join with our distinguished colleagues led by Congressman JACOBS of Indiana in decrying the action of the Architect in terminating the employment of Wendell Quinn on the grounds that he was leading the organization of an employees' association over in the Senate. As a member of the House Committee on Education and Labor, we have been charged with the responsibility of setting forth minimum working conditions and pay scales for working people throughout this Nation, and yet we find that within the very Halls of this Congress we are unable to maintain those very basic minimum standards for our own employees.

I would like to join my colleagues in calling upon the leadership of this House to make certain that these minimum guarantees are made available to all of our employees and, most appropriately, to the employees of our restaurants.

THE 1965 VOTING RIGHTS ACT

(Mr. CONYERS asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. CONYERS. Mr. Speaker, I take this time to insert in the RECORD the excellent testimony of Mr. Clarence Mitchell, who heads up the Washington bureau of the National Association for the Advancement of Colored People, and who is also legislative chairman of the Leadership Conference on Civil Rights.

Subcommittee No. 5 of the Judiciary Committee has been hearing testimony on the extension of the Voting Rights Act of 1965. I want to congratulate the many members of the Judiciary Committee on both sides of the aisle who have joined in opposing the administration version, which would distract the Nation from the central issue of extending the Voting Rights Act of 1965. I think it is urgent that this Congress make certain that this very simple, basic civil rights bill is continued for at least 5 more years.

I would like to include the following material: Clarence Mitchell's testimony before the subcommittee and three news articles relating to the current dialog on the extension of the Voting Rights Act.

The testimony of Clarence Mitchell and the other material is as follows:

Mr. Chairman and members of the subcommittee, I am Clarence Mitchell, director of the Washington Bureau of the NAACP. I appear here today on behalf of our organization and also as the legistlative chairman of the Leadership Conference on Civil Rights. We urge that the 1965 Voting Rights Act's ban against literacy tests be extended for an additional five year period as pro-

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vided in bills introduced by Chairman Emanuel Celler and ranking committee member William M. McCulloch.

These bills would strike out the words "five years" in each place where they appear in the first and third paragraphs of Section 4 of the Voting Rights Act of 1965 (42 U.S.C. 1973b(a)) and "inserting in lieu thereof 'ten years.'"

In order that there will be no mistake about what we support, we cite 42 USC 1973b subsection (b) in full:

"(b) The provisions of subsection (a) of this section shall apply in any State or in any political subdivision of a state which (1) the Attorney General determines maintained on November 1, 1964, any test or device, and with respect to which (2) the Director of the Census determines that less than 50 per centum of the persons of voting age residing therein were registered on November 1, 1964, or that less than 50 per centum of such persons voted in the presidential election of November, 1964.

"A determination or certification of the Attorney General or of the Director of the Census under this section or under section 1973d or 1973k of this title shall not be reviewable in any court and shall be effective upon publication in the Federal Register."

The wording of this subsection would remain unchanged. We have heard of several suggestions to change the date of November 1, 1964, in subsection (b) to a later date. Such a change would be a travesty in that it would reduce the coverage of the law—especially in those areas where diligent effort by citizens has increased the voter registration in the face of great odds.

Perhaps the most dramatic example of the effectiveness of the 1965 Voting Rights Act is the recent victory of Charles Evers in his race for Mayor of Fayette, Mississippi. For many years the State of Mississippi has been synonymous with terror, oppression and total deprivation of all of the Negro's constitutional rights. Mr. Evers' own brother, Medgar, was murdered by an assassin. There is a long, tragic and bloody history of how that state has tolerated and encouraged the consignment of colored Americans to a subhuman status.

Although the great and small cities of Mississippi were notorious for their mistreatment of colored people, the small towns justly earned the reputation of being worse than the large cities of that state. It is, therefore, especially gratifying that Mr. Evers won in a small community and that the entire campaign was conducted in a spirit of fairness.

I would like to state for the record that immediately after he won, Mr. Evers announced that he would work to make his community a place of fairness and prosperity for all people without regard to race or color. He has already embarked on a campaign to attract business and money to his town in order that it may be a credit to the state and to the Nation.

Mr. Evers is one of approximately 400 men and women who have been elected to public office in the South. Most of these office holders won because of the 1965 Voting Rights Act. In contrast to the turmoil and hostility that plagues some areas of the country, many of the men and women, white and black, who live in the states affected by the act are making quiet but determined efforts to move forward in a spirit of brotherhood and good will.

These elections have provided high drama in many communities. For example, while the mayor of Leesville, Louisiana, was personally leading his police force in arresting NAACP officials on May 17, a colored man, Rufus Mayfield, was being elected as the first of his race to serve in the city council of Lake Charles, Louisiana. It is important to note that the NAACP officials were being arrested because they had set up a tent for the purpose of receiving complaints of Negro servicemen stationed at Fort Polk in Louisiana.

The Evers victory and the action of the Leesville mayor should serve to remind us that while the 1965 Voting Rights Act opened the door for progress, the battle is by no means over. It is still possible to be jailed for exercising even the most obvious constitutional rights in many of the states of the so-called Old South. Vernon Dahmer, who died from injuries after his store was burned to the ground and peppered with a hail of bullets in Hattiesburg, Mississippi, was a leader of a registration and vote drive. Like many others before him he paid with his life for the right to vote.

Mr. Dahmer had announced on January 9, 1966, that he would receive poll tax payments at his grocery store from persons wishing to register to vote. On January 10 he was dead of wounds received in the firebombing of his store, his home and his car. Those who have been determined to deny the right to vote have not spared victims merely because they were white. Let us not forget that on August 20, 1965, Jonathan M. Daniels, a white man, was shot and killed just after he had been freed from jail in Lowndes County, Alabama. A Roman Catholic priest with him was also severely wounded but recovered. Mrs. Viola Liuzzo, who was also white, was shot and killed on the night of March 25, 1965, while ferrying marchers in her car from Montgomery, Alabama, to their homes in Selma, Alabama.

These crimes have been supplemented by official state action designed to prevent Negroes from voting. This subcommittee, and especially the senior members, know the long and shameful record of state sanctioned obstruction. Immediately after passage of the 1965 Voting Rights Act the Mississippi Legislature, meeting in regular and special sessions, passed twelve bills and resolutions which substantially altered the state's election laws. Alabama, Louisiana, Mississippi and South Carolina have all resorted to various devices to slow down or prevent registration, voting and election to public office. These devices include abolishing offices, switching to so-called "at large elections," consolidation of counties, "full slate voting," barring or intimidating poll watchers and giving misleading information to would-be voters.

The continuity of these attempts to defy the law is illustrated by a recent happening in Friar's Point, Mississippi. On May 17, 1969, the Department of Justice asked a federal court to block a June 3 town election in Friar's Point unless a slate of Negro candidates is placed on the ballot.

The Department of Justice charges that the Municipal Election Commission changed the qualification procedure for candidates and the city clerk failed to notify the Negroes of the change in time for them to be placed on the ballot, in violation of the Voting Rights Act of 1965 and the 15th Amendment to the Constitution.

Prior to this year, candidates for city offices have qualified to be placed on the ballot by notifying the clerk and filing a statement that they were not subversives.

After a slate of six Negroes complied with this procedure to be placed on the ballots as candidates for mayor, town marshal, and four alderman posts, the defendants "without general notice to the public, altered the procedure for qualifying."

The new procedure required petitions to be filed by candidates and the clerk failed to notify the slate of Negro candidates and did not furnish them forms for the petitions as she did for the other candidates.

The change in procedure was made without the approval of the Attorney General, as required by the Voting Rights Act of 1965, and will "deny and abridge the right of Negroes to vote on account of their race by denying them the right to vote for the candidates of their choice."

Even without the sanction of law, slow downs, indifference and hostility have been used to keep down registration. Barnwell County, South Carolina, is a good illustration of how unofficial efforts to intimidate have been used to back up official action. In 1965, large numbers of would be colored registrants were kept waiting in a line and finally not permitted to register. Some of those who were not permitted to register began picketing and were arrested on a charge of parading without a permit. The Negroes then staged a register and vote rally in an open field. At the same time the Ku Klux Klan held a rally beside the main road that the Negroes had to use going to and coming from the rally.

The Virginia State Conference of NAACP branches made a statewide check on registration conditions in 1967, two years after the Voting Rights Act became law. Insufficient time to register and inconvenience of the place of registration were the most common complaints. In Lancaster County it was necessary to make an appointment in order to register. In Southampton County registration was on Thursdays only. In Halifax County the registration dates were set at the "convenience of the registrars." In one county a "registrar stopped registering to go play golf."

With so many risks of losing the progress that has been made since the 1965 Voting Rights Act became law, it is imperative that the ban against literacy tests be extended before the end of this session of the Congress. There are those who suggest that the law can be improved. This may be so, but let us extend the law that we know can and does work before seeking a change that may not get through Congress until after the present ban against literacy tests has expired.

Just to illustrate one of the pitfalls that may lie ahead if we consider new legislation without first extending the present law, let us consider one proposal which is said to be under consideration. It provides that a sixth grade education would establish proof of literacy.

I invite the subcommittee's attention to the cover photograph on the Washington Post Magazine Potomac, for Sunday, May 25, 1969. It is the picture of a fine looking white man and his two children. Inside the story relates that "Ten years ago Brother Leonard Barton came out of the hills with a fifth grade education and a hungry family . . . he rose to a full time job as the $9,000 a year shop foreman for an engineering firm in College Park, Maryland." Mr. Barton is a relatively young man. There are thousands of Americans like him and many of them live in areas where they would be lucky if they could get a third grade education. What a travesty it would be to say to these people that although the Internal Revenue Service does not care whether you finished kindergarten—you must pay your taxes. But when it comes to electing the officials who impose the taxes on your property, on your necessities of life and on your income you have got to prove that you have finished the sixth grade.

It would serve no useful purpose to take up this subcommittee's time with other illustrations. However, I would like to close with a reference to a story that appeared in Jet Magazine on page 14 of the March 20, 1969, issue.

When President Johnson left office a number of persons decided to pay a tribute to him by presenting a replica of the first voting certificate issued under the provisions of the 1965 Voting Rights Act. It turned out that the certificate was issued to Mrs. Ardies Mauldin of Selma, Alabama. Mrs. Mauldin is a practical nurse in a Selma hospital and the mother of seven children. I offer her words as a plea for prompt action in extending the present law. She said:

"It is hard for people in the North to know how we feel about voting. It's changed everything in the South and we'll not forget it. We in Selma have seen a lot of hard times but a lot of good has come from the struggle of our young people."

The voice and words of Mrs. Mauldin cannot always be heard above the cries of racists and demagogues who say that laws are worthless. Yet, she is one of an overwhelming majority of Americans who still rely upon the law for redress of wrongs. Let us vindicate her faith by extending the statute which made it possible for her to vote.

[From the New York Times, July 2, 1969]

Nixon Rights Bill Appears Doomed by a GOP Attack—Mitchell Defense of Plan To Revise Voting Law Meets House Panel Hostility—Both Parties Critical—McCulloch Urges Fight for Compliance With Present Act and Not Repeal

Washington, July 1.—The Nixon Administration's five-day-old voting rights proposal ran into such uniform and intense opposition on Capitol Hill today that it was regarded as all but dead.

Completing the testimony he began last week before a House Judiciary subcommittee, Attorney General John N. Mitchell won a response that ranged from criticism through outright hostility to near abuse, with members of both parties chiming in.

As a result, any prospect that the Administration bill would be substituted for the extension of the present voting rights act favored by many Congressmen appeared to have dwindled to the vanishing point.

Asked after the hearing whether the Administration would fight an extension of the 1965 law on the House floor if its own bill lost in committee, Mr. Mitchell replied with his customary tartness: "I've made my pitch here."

When the Administration voting rights package was sent to Congress, there was speculation that President Nixon's strategists were aware that substantial numbers of Republicans would oppose it. This led some Capitol Hill observers to conclude that its purpose was largely political, aimed at increasing Republican popularity in the South.

M'CULLOCH LEADS ATTACK

Leading the attack on the Nixon proposal was the ranking Republican on the Judiciary Committee, Representative William M. McCulloch of Ohio, a courtly conservative with strong views on the importance of civil rights legislation.

The Administration proposal, Mr. McCulloch declared, "creates a remedy for which there is no wrong and leaves grievous wrongs without adequate remedy." "I ask you, what kind of civil rights bill is that?" he said.

Mr. Mitchell had recommended radically revising the section in the present law under which the Justice Department or a Washington-based Federal court must clear state or local changes in Southern election laws.

CALLS FOR HARDER FIGHT

"The bad jurisdictions have not obeyed it, he says," Mr. McCulloch continued. "But I would have hoped that the party of civil rights, the party of human rights, the party that voted 82 per cent in the Senate and 94 per cent in the House for the 1965 act, would not have thrown up its hands in surrender.

"There is an alternative to surrender, and that's to fight harder. Noncompliance does not justify repeal. That's not the way to promote law and order throughout the land."

A letter of protest against the Administration proposal from the Rev. Theodore M. Hesburgh, who was named chairman of the Civil Rights Commission by President Nixon three months ago, was put in the record by Representative Emanuel Celler, Brooklyn Democrat who is chairman of the Judiciary Committee.

Father Hesburgh, who is also president of the University of Notre Dame, called the Nixon proposal "a distinct retreat" that would "turn back the clock to 1957" in providing protection for the registration and voting rights of Southern Negroes.

"It is an open invitation to those states which denied the vote to minority citizens in the past to resume doing so in the future through insertion of disingenuous technicalities and changes in their election laws," he wrote.

In a letter to Chairman Celler, John W. Gardner, chairman of the Urban Coalition Action Council, strongly urged extending the present voting rights law before dealing with any of the "complicated issues" raised by the Administration proposal.

One of the sharpest rejoinders to Mr. Mitchell came from Representative John J. Conyers Jr., Democrat of Michigan who is the unofficial leader of the House Negro delegation.

In supplementary testimony today. Mr. Mitchell had maintained that a major beneficiary of the Administration bill would be the "under-educated ghetto Negro" in the North, whose voting rights, he said, are obstructed by literacy tests that the Nixon program would ban.

"I suggest to this committee," the Attorney General said, "that it is the psychological barrier of the literacy test, long associated with the poll tax is a discriminatory tool to keep the Negro from the ballot box, that may be responsible for much of the low Negro voter registration in some of our major cities."

Mr. Conyers charged that "for this Administration to discuss psychological barriers to the Negro is the most presumptious act I've ever heard."

"Black people in the North are not being prevented from voting because of their education," Mr. Conyers continued. "But I can tell you that black people are losing faith in large numbers every day that this system had the promise of being what is says it is."

Following Representative McCulloch's lead, the Republicans on the subcommittee one by one registered their preference for a five-year extension of the present law or their objections to various aspects of the Administration bill, or both.

Representative Clark MacGregor of Minnesota spoke favorably of a national ban on literacy tests but made it clear he would vote for a renewal of the present law first.

Even Representative Edward Hutchinson of Michigan, who had been regarded as likely to back the Administration bill, objected because it included what he regarded an unrelated material on residency requirements for voting.

[From the Washington Post, June 29, 1969]

Monkey Wrench

The operative, conspicuous and altogether damning fact about the Attorney General's statement on Thursday before a House Judiciary subcommittee is that it opposes the extension of the Voting Rights Act of 1965. That act expires in August, 1970. There is no doubt whatever that, with Administration support, the act could be extended for five years. With Administration opposition, a simple extension bill may well be defeated. The extended hearings and bitter controversy to which Attorney General Mitchell's proposals will surely give rise may end by leaving the country without any Federal voting rights legislation at all.

There is much to be said for some of Mr. Mitchell's proposals. Unfortunately, there is also much to be said against them. For our part, we heartily agree with the Attorney General that "all adult citizens who are of sound mind and who have not been convicted of a felony should be free to and encouraged to participate in the electoral process." We would, therefore, support Federal legislation to ban literacy tests everywhere in the United States. But some states are going to resist such legislation.

We are no less heartily in favor of the ban suggested by Mr. Mitchell on state residency requirements for national elections. In this mobile Nation, such parochial and artificial restraints on the basic right of national citizenship should long ago have been abandoned. But the reform is likely to engender a lot of opposition. Similarly, there are substantial arguments to support the change recommended by the Attorney General in the mode of attacking state legislation which may operate to deprive minorities of voting opportunities. But the change is an extremely complex one calling for the most careful analysis and debate. Let Congress take up these proposed improvements at leisure and on their individual merits—and not when they can be used as devices for preventing the enactment of any voting rights legislation whatever.

The most cogent argument for continuance of the 1965 act was stated by Mr. Mitchell himself. "Since 1965," he testified, "more than 800,000 Negro voters have been registered in the seven states covered by the Act." And a few of them, he might have added, have been elected to public office. The Voting Rights Act of 1965 has given to black Americans the means to make themselves felt and heeded politically where they were previously ignored. And that, of course, is precisely why there is such bitter opposition to it among so many white Southerners.

The Attorney General can dress his proposals up as much as he likes in high-sounding phrases about putting voting rights on a national rather than a regional basis; but he is not going to fool any of the poeple who have fought the long hard battle to make voting a reality for Negroes in the South. He is not going to fool Clarence Mitchell of the NAACP who said with characteristic straightforwardness that the Justice Department bill is "a sophisticated but nonetheless deadly way of thwarting the progress we have made." He is not going to fool Joseph L. Rauh, the seasoned counsel of the Civil Rights Leadership Conference, who called the Administration measure "a monkey wrench." He is not going to fool Rep. William M. McCullough, ranking Republican on the House Judiciary Committee and a stalwart champion of civil rights who said he favors a simple extension of the present law.

These men have implored the Attorney General not to open the way now for prolonged, divisive debate and the ugly possibility of a Southern filibuster if the voting rights issue carries over into next year. The country is not going to be fooled, either. It knows that the Southern stratagem now embraced by the Administration poses two tragic dangers. One is the danger that if Negroes are deprived of a chance to advance their welfare through orderly political action, they will be pushed toward disorder and violence. The other is the danger that the country will find itself in default on a moral commitment it has undertaken in the name of democracy and justice.

[From the New York Times, July 2, 1969]

Excerpts From Statements by Mitchell and McCulloch on the Voting Rights Bill

Attorney General Mitchell. The proposal for a simple five-year extension of the 1965 Voting Rights Act leaves the undereducated ghetto Negro as today's forgotten man in voting rights legislation.

He would be forgotten both in the 13 States outside the South which have literacy tests now and in the 30 other states which have the ability, at any time, to impose them.

It is not enough to continue to protect Negro voters in seven states. That consideration may have been the justification for the 1965 act. But it is unrealistic today to ignore the ghettos of Harlem, Watts, Roxbury, Seattle, Hartford and Portland, Ore.—all of which are located in states which have literacy tests.

I believe the literacy test is an unreasonable physical obstruction to voting even if it is administered in an even-handed manner. It unrealistically denies the franchise to those who have no schooling. It unfairly denies the franchise to those who have been denied an equal educational opportunity because of inferior schooling in the North and the South.

PSYCHOLOGICAL BARRIER

But perhaps most importantly, it is a psychological obstruction in the minds of many of our minority citizens. I don't have all the answers. But I suggest to this committee that it is the psychological barrier of the literacy test—long associated with the poll tax as a discriminatory tool to keep the Negro from the ballot box—that may be responsible for much of the low Negro voter registration in some of our major cities.

A higher percentage of Negroes voted in South Carolina and Mississippi, where literacy tests are suspended, than in Watts or Harlem, where literacy tests are enforced. A higher percentage of Negroes vote in Philadelphia and Chicago where there are no literacy tests, than in majority Negro neighborhoods in New York City and Los Angeles.

I want to encourage black people to vote. I want to encourage Mexican-American and Puerto Rican citizens to vote. I especially believe that minority citizens, who may feel alienated from our society, should be given every opportunity to participate in our electoral processes.

CALLS VOTE IMPORTANT

I want to encourage our Negro citizens to take out their alienations at the ballot box, and not elsewhere. I want them to know that their ballot is important and will be significant in determining the policies of the officials who govern.

It has also been suggested before this committee that our proposal to extend the coverage of the Voting Rights Act would result in weakening some of its provisions.

This criticism is untrue. Our proposal would broaden the act but would, in many ways, considerably strengthen it.

Our bill would maintain the authority of the 1965 Voting Rights Act for the Attorney General to send examiners and observers into the seven Southern states. But it would extend this authority to all states and counties where the Attorney General had received any complaints of possible violations of 15th Amendment rights.

Under the 1965 act, the Attorney General is required to go to court to request voting examiners and observers in non-Southern states. Under our bill, he has the authority to send the observers and examiners any place without first applying to the court. Our proposed bill would authorize the courts, on the application of the Attorney General, to temporarily enjoin discriminatory voting laws and to freeze any new voting laws passed by the state or county against whom the lawsuit is filed.

Representative McCULLOUGH. I regret the necessity of opposing the Administration proposal as a substitute for the Voting Rights Act of 1965. As a Republican, I would like nothing more than to embrace and support a program sponsored by the present Administration. But in good conscience, I cannot support the one outlined last Thursday for two reasons:

The Administration bill is actually a weaker bill. It also jeopardizes the chances of passage of voting rights legislation.

As I understand the provisions of the Administration bill which pertain to the heart of this controversy, they sweep broadly into those areas where the need is the least and retreat from those areas where the need is greatest.

We are asked to extend the Section 4 ban on literacy tests or devices outside the South into 14 other states from which the Justice Department and the N.A.A.C.P. have never to this day received a complaint alleging the discriminatory use of literacy tests or devices.

We are asked to repeal the Section 5 requirement that the covered states must clear their new voting laws and practices with the Attorney General or the District Court of Columbia in the face of spellbinding evidence of unflagging Southern dedication to the cause of creating an ever more sophisticated legal machinery for discriminating against the black voter.

GRIEVOUS WRONGS

In short, the Administration creates a remedy for which there is no wrong and leaves grievous wrongs without adequate remedy. I ask you, what kind of civil rights bill is that?

That is not the kind of civil rights legislation that gives hope to black America. It is the kind of civil rights legislation that is favored by Attorney General Summer of Mississippi. It is the kind of civil rights legislation that is opposed by the Leadership Conference on Civil Rights and by the Civil Rights Commission. I repeat, what kind of civil rights legislation is that?

The Attorney General of Mississippi came all the way to Washington for only one reason. He well understood that Section 5 finally had to be obeyed. He wanted it scuttled. Discrimination will find it hard to survive under Section 5 if it is retained. But it will thrive again under the Administraton proposal.

The Attorney General testified that Section 5 cannot work. The bad jurisdictions have not obeyed it, he says. But I would have hoped that the party of civil rights—the party that voted 82 per cent in the House and 94 per cent in the Senate for the 1965 act—would not have thrown up its hands in surrender.

URGES FIGHTING HARDER

There is an alternative to surrender, and that's to fight harder.

Noncompliance does not justify repeal. That's not the way to promote law and order throughout the land.

In considering the Administration proposal, it is equally important to note how its various provisions increase the number of "no" votes. No matter how many protests are voiced, the issue under the Administration bill is whether literacy tests as a philosophical question are desirable, whereas under the Voting Rights Act of 1965 the issue is whether discrimination in voting is desirable. The broad philosophical question would be far more divisive than a simple extension of the act would be.

Therefore, those who believe that only intelligent people should be allowed to vote, those who believe in either a strict or a moderate construction of the Constitution, and those who believe in economy in Government may—even if they favor civil rights—vote against the Administration package.

I do not know what others may think, but as for me, I find the cause of civil rights too dear to jeopardize the chances of success. And if the risk were taken, what is the prize? A weaker civil rights law.

What kind of civil rights legislation is that?

HEARINGS ON BILL TO INCREASE THE SIZE AND WEIGHT OF TRUCKS ON INTERSTATE HIGHWAYS

(Mr. SCHWENGEL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. SCHWENGEL. Mr. Speaker, on July 8 the House Public Works Committee will begin hearings on H.R. 11870, a bill to increase the size and weight of trucks on Interstate Highways.

As was the case last year, I am strongly opposed to the enactment of this legislation. Since I will be going into more detail on this legislation during the hearings, I will briefly outline the reasons for my opposition.

During the election campaign last fall President Nixon said about the truck bill:

> This proposal raises serious issues, including the safety and convenience of the motoring public.

There is no doubt that this is true, and is the key issue. In addition, President Nixon stated during the campaign:

> I would direct the Secretary of Transportation to take a hard look to make certain that the interest of the traveling public and also the life of our highways are fully protected as we facilitate the vital movement of goods in the Nation's commerce.

Up to now I have not been able to find any evidence that the "hard look" called for by the President has taken place. There have been no new studies or research projects undertaken. I have talked to officials in the Federal Highway Administration, the Bureau of Public Roads, the Bureau of Motor Carrier Safety, and the National Highway Safety Bureau at great length. None of those to whom I have talked has any knowledge of any restudy or review of the situation. They have not been able to produce any reliable data.

In fact, Dr. Robert Brenner, Acting Director of the National Highway Safety Bureau, stated before the Public Works Committee recently that—

> As to the specific of what extra width does or does not do in the safety picture, I am unaware of any work specifically in that area.

Therefore, it is incredible to me that there have been published reports recently indicating that the Department of Transportation is going to support the big truck bill. This is an irresponsible position to take for two obvious and compelling reasons. First, President Nixon's own directive for a complete restudy of the bill and its effects has not been undertaken, and second, the administration's own top safety people say there is no credible research on what effect this will have on highway safety.

It seems to me the Department of Transportation has given absolutely no consideration to the important issue of the "safety and convenience of the traveling public" to use President Nixon's own words.

Mr. Speaker, in spite of this unreasonable position of the Department of

Transportation, I will continue to fight this special interest legislation, I find it difficult to understand how this legislation can be considered at all until we know what effect a wider and heavier truck will have on safety.

It is my hope that the rumors and press reports are in error and that the Department of Transportation will instead call for postponement of consideration until the studies ordered by the President are started and completed. To do anything else would violate President Nixon's campaign statement and pledge.

Now Mr. Speaker the House should know that at 6:30 p.m. last night, after I had prepared the statement I just made and after I had notified the Department of Transportation as a matter of courtesy indicating the contents of the statement, I received a phone call from the Department of Transportation that the study mandated by President Nixon supposedly began on Monday.

It is my understanding that the Department of Transportation has requested a 30-day extension from the House Public Works Committee on its date for testifying on the bill.

Mr. Speaker, it is utterly unrealistic to think that the kind of credible research data, needed to be reliable, can be gathered in 30 days and be used as a basis for making a recommendation on this big truck bill.

At this point Mr. Speaker, I include a letter I wrote to Secretary John Volpe last February 5 in the RECORD, along with a newspaper article which appeared in the Washington Daily News on June 21:

FEBRUARY 5, 1969.

Hon. JOHN VOLPE,
Secretary, Department of Transportation,
Washington, D.C.

DEAR MR. SECRETARY: As you may recall, a rather substantial effort was made last year in the Congress to pass a bill to increase the size and weight of trucks.

Dubious about the merits of the bill and completely at odds with the tactics used by its supporters, I led the opposition to the legislation. Standing alone at first, my efforts gained support and the bill never reached the floor of the House.

During the campaign, President Nixon was asked about his position on the legislation. His response was heartening. In it he called for a thorough review by the Department of Transportation of the entire matter of truck size and weight and related issues such as user tax and safety.

It seems to me that it would be appropriate to begin the re-evaluation and review called for by the President in the very near future.

Undoubtedly, efforts will be made again during this Congress on behalf of the truck bill. The position and attitude taken by the last Administration was less than friendly. They exhibited a closed mind attitude. Therefore, a fresh study and evaluation would be of great value.

The opportunity to discuss the entire matter with you or one of your staff certainly would be appreciated.

With warmest regards,
Sincerely yours,
FRED SCHWENGEL,
Member of Congress.

HINT WHITE HOUSE MAY BACK BIG TRUCK BILL

(By William Steif)

Federal Highway Administrator Francis C. Turner strongly hinted today that the Nixon Administration will endorse a new bill permitting larger, heavier trucks on the Interstate Highway System.

In an interview, Mr. Turner said "we haven't endorsed any bill yet," but noted that the revised measure introduced two weeks ago by Rep. John C. Kluczynski, D-Ill., was "close" to what he recommended last year.

"That's a pretty good tipoff," he said.

Rep. Kluczynski's bill would permit states to increase truck width limits on the interstate system from 96 to 102 inches, increase maximum single-axle weight from 18,000 to 20,000 pounds, and increase maximum tandem-axle weight from 32,000 to 34,000 pounds.

It would eliminate the Federal weight limit of 73,280 pounds, substituting in its place a formula based on axle spacing.

The new feature, which last year's defeated bill did not have, is a 70-foot length limit on trucks, thus limiting a vehicle's greatest possible weight to about 92,000 pounds. Previously, there was no Federal length limit.

The proposed new bill would permit double trailers to be operated in tandem on the interstate system in states which go along with the 70-foot length limit. But it would bar triple-trailer truck trains such as would have been possible under last year's bill.

The effect probably would be to permit double trailer trucks to continue to operate in Western states, but leave it to the state legislatures to determine whether they would be permitted in most Eastern states which now ban them except on a few toll roads.

Mr. Turner pointed out that his agency last year recommended a 65-foot length limit under the axle-spacing formula. The formula is designed to spread weight safely.

Mr. Turner also had recommended horsepower, braking and linkage standards, but now feels his National Highway Safety Bureau has sufficient power to set these standards without legislative authority. There are indications the bureau will set such standards soon, just as it recently set new fitness standards for truck and bus drivers.

Mr. Speaker, it seems to me that the unreasonable and undue delay of DOT in beginning the study ordered by the President and the newspaper article indicating support by DOT of the present truck bill indicates some hesitancy, to say the least, by DOT to seriously attack this problem.

I am apprehensive about the sincerity of the Department of Transportation in dealing with this whole issue, especially in light of the 30-day wonder or quickie study evidently underway. It does not appear to me that this kind of procedure carries out either the spirit or the letter of President Nixon's directive.

COMPUTERS FOR CONGRESS

(Mr. SCHWENGEL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SCHWENGEL. Mr. Speaker, the importance of modernizing the Congress is a matter of continuing concern to all of us. We must avail ourselves of every possible tool and technique if we are to function effectively. One powerful asset which has not been adapted to any appreciable extent in the congressional struggle for survival is the computer. In my chapter of the book "We Propose: A Modern Congress," I stressed the fact that "knowledge is power." Every Member of both Chambers is aware of this, but all too often we fail to take those steps which will lead to an upgrading of our inadequate resources. Knowledge is based on information—information that is timely, accurate, and relevant—and the computer can be instrumental in providing the information which we need in our decisionmaking, committee work, and constituent support.

The House Subcommittee on Electrical and Mechanical Office Equipment, chaired by the gentleman from Louisiana, Hon. JOE D. WAGGONNER, has been assigned the responsibility for charting a course which will allow the Congress to utilize fully the power of the computer. As a member of that group, I believe it is imperative that all Members of the Congress be cognizant of the legislative applications where automatic data processing can help. To this end, I should like to call to the attention of my colleagues a recent study prepared by Robert L. Chartrand, the specialist in information sciences of the Legislative Reference Service. This report, entitled "Computers for Congress," is a succinct, factual discussion of the information needs of the Congress, legislation which has been introduced to create a computer support for the Federal Legislature, private sector studies of the information problems facing us, and commentary on those legislative tasks which might be carried out better with computer support and those already being implemented through the efforts of the Clerk of the House, the Senate Sergeant at Arms Office, and the Legislative Reference Service of the Library of Congress. I include this excellent study in the RECORD:

COMPUTERS FOR CONGRESS

(By Robert L. Chartrand)

INTRODUCTION

The United States Congress, as it prepares to enter the 1970's, is confronted with governing problems of unprecedented severity and complexity. Each of its Members must function effectively in three roles: as a legislator rendering decisions on national and international issues, as the prime representative of his State or district, and as an unofficial ombudsman accessible to every constituent. The ability of the Congressmen and their committees to perform responsively often is impeded by the sheer volume of routine tasks to be performed, the almost infinite variety of information to be acquired, and the diverse issues to be considered.

The stresses upon the Members and their staffs have been augmented by the effects of the "information explosion." The profusion of books, articles, analytical reports, and miscellany threatens to overwhelm even the most sophisticated information handling centers. The Federal legislator, in discharging his many duties, must be able to obtain information relevant to a variety of topics in a timely fashion. All too often, traditional procedures for acquiring, indexing, abstracting, storing, processing, retrieving, and disseminating priority information do not suffice. This condition is causing the Congressman to seek out new techniques and tools which can assist him in the performance of his legislative and administrative tasks. Computer technology, developed only during the past quarter-century, now possesses the proven potential to support the Congress in a number of application areas.

Not only is Congress considering the ways in which automatic data processing (ADP) can enhance chamber, committee, and indi-

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vidual Member performance, but it is examining how this innovative technology can be applied to societal problems. The social and community problems of our times have, in many instances, reached a critical point. Transportation planning, environmental pollution control, systematic urban design—these and other equally important issues are taxing the capacities of the government. Information concerning the nature and status of numerous issues, plus possible approaches for their analysis and solution, is needed both by the executive branch and the Congress.

The burden imposed by an expanding Nation and increasingly intricate technology is awesome, and in turn places demands upon the human beings responsible for establishing the policies and programs of the future. In the volume *The Year 2000*, the focus is placed upon the projected man-machine balance which must be achieved: "Greater wealth and improved technology give us a wider range of alternatives; but once an alternative has been chosen, much regulation and imposed order is needed. Thus with geometric increases in the complexity and organization of modern life, corresponding, even if not directly proportional, increases in the scope and complexity of human and organizational controls will become necessary." [1]

The role which computers play in western civilization is enormous, and growing in quantum steps. Today, more than 70,000 computers are in operation in the United States alone.[2] The Federal Government, a heavy user of electronic computers and punched card equipment, now has an inventory of more than 4,200 computers.[3] These are utilized by virtually all departments and agencies in hundreds of routine and exotic applications. The Congress did evince an awareness of the growing use of computers by the executive branch, and passed a bill introduced by Representative Jack Brooks providing for "the economic and efficient purchase, lease, maintenance, operation, and utilization of automatic data processing equipment" by Federal elements.[4] Public Law 89–306 also directed the National Bureau of Standards to develop data processing standards, conduct research in computer sciences, and render technical assistance to Federal agencies.

CONGRESSIONAL INFORMATION REQUIREMENTS

An awareness of the acute need for improved information handling and the possible use of ADP was not articulated within the Congress until the early part of this decade. A series of statements by the then Senator Hubert H. Humphrey emphasized the needs of his colleagues for "more, better or more varied information." [5] A discussion of the importance of having the right information at the right time gradually developed. Dialogue involving Congressmen, scholars, industrial systems analysts, and governmental planners took place in congressional hearings, debates, professional journals, and the popular communications media.

One much discussed aspect of the problem was that of equal access to narrative and statistical information by all three branches of the Federal Government. Especial attention was paid to the effect upon the balance between the executive branch and the Congress. Interplay between these functioning elements can be affected by many factors, among which are access to vital information and the time to assimilate, weigh, and apply it. The typical legislator, working a 60-hour week which includes multiple committee duties, chamber debates and votes, and the omnipresent constituents demands, increasingly operates at a disadvantage. The seriousness of the problem is noted in this statement by a management consultant team studying congressional functioning:

"Congress is burdened by an ever-increasing workload, caused by continuing growth of the nation and the government, and Congress' failure to relieve itself of unnecessary work detail. The weight of this workload as felt personally by legislators is a serious impediment to a greater Congressional effectiveness." [6]

The Congressman spends a great deal of time and energy making decisions. His staff must be highly selective in screening out and preparing information for his use. The problem usually is not too little information, but *too much*. The Member needs information with which to consider alternatives. While his own files may be bulging—and are seldom purged except under the threat of leaving no space for staff existence—the need for yet more information is insatiable.

The sources of information for the legislator are many, and often the greatest single resource is his own staff. The diversity of issues confronting any Congressman today, however, rules out the possibility that any congressional office or committee staff can perform effectively without external assistance from time to time. In many instances, information will be solicited from executive branch agencies, many of which maintain liaison personnel responsible for fulfilling congressional needs. Lobbyist groups, universities, and the business community are also tapped for advice and source information. One of the major sources of information support for the Congress is the Legislative Reference Service located in the Library of Congress. This non-partisan research facility has a staff of more than 200 specialists and reference librarians responsible for preparing special studies and furnishing background material in an almost infinite variety of topical fields. In 1968, more than 130,000 Member, committee, and constituent requests for information were sent to LRS for action.

While specific requests for facts, discussions, or judgments allow greater precision in the fulfillment of the inquiries, quite often there is a requirement for an information seeker to simply "browse" through a file or bookshelf. A classical statement on this situation was made by Malcolm Rigby:

"For subject searches, no system can yield just what, and only what, is desired, no matter how carefully the question is formulated. There will always be some element of subjective judgment. Hence the need for browsing to find (or eliminate) what is most probably relevant (or irrelevant). The user sometimes looks for very specific data by subject; but more often he has vague or ill-defined or not definable ideas, or is merely looking for interesting information." [7]

The potential of the computer in assisting the Congressman is not unlimited, but there are many repetitive tasks which consume unwarranted amounts of Member and staff time which might be better performed through ADP techniques, Cognizance of the innovative tools and techniques has led to congressional action to harness such technology in coping with both legislative and administrative problems.

LEGISLATIVE PROPOSALS TO CREATE A CONGRESSIONAL ADP CAPABILITY

Sensitivity to the potential of the computer and systems methodology led to the introduction of the first bill calling for the creation of an ADP facility exclusively dedicated to serving the Congress, by Representative Robert McClory late in 1966. This bill provided for the Legislative Reference Service to "make use of automatic data processing techniques and equipment in the performance of its functions." [8] A similar provision was inserted in the Reorganization Act of 1967 (S. 355) by Senator Hugh Scott. This bill, which passed the Senate in 1968, also provided for the establishment of a Joint Committee on Congressional Operations, which would be responsible for "continuing study of automatic data processing and information retrieval systems for Congress." [9] Another section dealt with the creation of a "standardized information and data processing system for budgeting and fiscal data for use by all Federal agencies" [10] by the Comptroller General, the Secretary of the Treasury, and the Director of the Bureau of the Budget. The recommedations contained in S. 355 resulted in large part from the staff work and hearings conducted by the Joint Committee on the Organization of the Congress.

During the 90th Congress, a group of House Members from both parties supported the McClory concept and introduced similar bills. In a separate piece of legislation, Representative John D. Dow placed emphasis on the selection of information to be handled in any computer facility servicing the Congress, charging the Joint Committee on the Library with being attentive to: ". . . the policies and procedures governing the use of automatic data processing by the Legislative Reference Service, and the appropriateness and effectiveness of such policies and procedures not only in promoting the beneficial utilization of the capability but also in restraining; wasteful use thereof.[11]

A proposal to establish an independent facility was sponsored late in the 90th Congress by Representative William S. Moorhead. His approach was to have an ADP center under the jurisdiction of a Joint Committee on Legislative Data Processing. Reintroduced in the 91st Congress as H.R. 7012, the bill provided for a professional staff to operate the facility, and an independent Advisory Board comprised of key legislative branch individuals and outside data processing experts.

Activity in the 91st Congress has reflected a transition from a period devoted to the development of tentative proposals and a greater understanding of the nature of computer hardware and software to one featuring a resolve to create a tangible computer-centered support capability. Early in the first session, Representative John Brademas originated a resolution which later was endorsed by the Democratic Study Group and the Democratic Caucus:

"Resolved, that the Committee on House Administration be fully supported by Democratic members in efforts to improve the efficiency of operations of the House of Representatives, and we urge that these efforts include, but not be limited to, the use of computers and of a centralized mail processing system." [12]

This course of action stressed the careful review of existing ADP activities within the legislative branch and provided for a coordinated planning of their future development and mutual supportability. The Committee on House Administration has assigned the responsibility for investigating the potential of ADP for Congress to the Special Subcommittee on Electrical and Mechanical Office Equipment.

The importance of assigning authority and responsibility for the development of a congressional capability resulted in the introduction of a bill by Representative Jack Brooks requiring the Comptroller General to:

"(1) cooperate with the Director of the Bureau of the Budget in the development, establishment, and maintenance of a standard data processing and information system (including uniform classifications of programs, activities, receipts, costs, and expenditures, as well as other necessary standards) for budgetary and fiscal data for use of the Federal Government.

"(2) coordinate the development, establishment, maintenance, and operation of data processing systems necessary for the effective and efficient fulfillment of the substantive responsibilities of the Congress. Other units of the Congress utilizing data processing techniques to carry out the re-

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sponsibilities Congress has delegated to them shall adhere to the guidelines the Comptroller General may establish to assure optimum effectiveness and efficiency in the overall acquisition and use of computers by the Congress." [13]

The final version of this bill, H.R. 10791, was co-sponsored by a group of House Members of both parties, and approved by the House Committee on Government Operations on May 14, 1969. The Comptroller General, Elmer B. Staats, in testimony before the Subcommittee on Government Activities reflected an understanding of the complexity of the projected assignment for GAO, and noted that the creation of such a system perhaps should be "the responsibility of the Congress itself in order that it could have complete control over the system and thus be assured that its needs will be fully served." [14]

Both chambers of the Congress, then, will have an opportunity to consider the various options for planning, establishing, and operating a computer capability dedicated to the support of all Members and committees.

PRIVATE SECTOR GROUPS CONSIDER THE PROBLEM

In the 1965–1966 period, a few private sector groups began to address themselves to the problem of congressional information—its sources, acquisition, handling, use, and political ramifications. Twelve scholarly monographs were commissioned by the American Enterprise Institute for Public Policy Research. These focused on various facets of legislative functioning and were published as *Congress: The First Branch of Government*. Discussion of congressional decision-making, key aspects of committee and Member information requirements, and the possible application of computer methodology were featured in the writings of political scientists James A. Robinson, Charles R. Dechert, and Kenneth Janda.

A "Management Study of the U.S. Congress" was prepared by a team from Arthur D. Little, Inc., concerned with the problems of organization, staff support, committee procedures, and the need for analytical resources of the Congress. These recommendations were transformed into a special television presentation by NBC News called "Congress Needs Help," and subsequently were published under that title in book form. As the topic of congressional effectiveness attracted wider attention, several writings began to appear containing observations on the implications of the use of advanced equipments and techniques by the Congress.

Industrial firms prepared proposals for designing and implementing a computer system to serve the entire Congress. Management studies of individual office operations (e.g., mailing operations and correspondence files) were undertaken by consultants. A concurrent effort meriting mention was the book entitled *We Propose: A Modern Congress* prepared by the Republican Task Force on Congressional Reform and Minority Staffing, which contained a chapter on the potential of ADP for Congress by Representative Fred Schwengel.

At the beginning of the 90th Congress, the Brookings Institution sponsored a special seminar for a score of House Members who desired to discuss informally the need for improved means of carrying out their legislative and constituent support responsibilities. At the request of congressional offices, seminars were organized for staff members by the Legislative Reference Service, which also was called upon to prepare general studies on the application of computer technology and systems analysis to various problems. These ranged from "Automatic Data Processing and the Small Businessman" and "The Federal Data Center: Proposals and Reactions" to "Systems Technology Applied to Social and Community Problems."

As a broader group of responsible individuals became oriented to the problem of congressional needs for and use of information, the utility of a forum was recognized by the American Enterprise Institute. A two-day seminar designed to encourage exploratory discussion—involving government information specialists, industrial analysts, and academicians—was held, with these primary objectives: to examine the information requirements of the Congress, including the possible use of computers, and secondly, to discuss the impact of the Federal Planning-Programming-Budgeting System on congressional authorization-appropriations' functions. The formal papers and edited dialogue were published in the volume *Information Support, Program Budgeting, and the Congress*.

During 1968 and 1969, the Washington Operations Research Council, supported by The Institute for Management Sciences, sponsored a series of evening meetings in an effort to establish communication between the legislators and the systems analysis community. Featured topics at these "Congressional Seminars" included "Improving Congressional Operations," "Crime Prevention and Law Enforcement," and "A Systematic Approach to Urban Planning."

The increased awareness and involvement of Members regarding "like systems approach" are reflected in their willingness to participate in such symposia and seminars. Dr. John S. Saloma, in "System Politics: The Presidency and Congress in the Future," stresses yet another aspect of the emergent situation. He points out that a "number of competitive dimensions in Congress are likely to accelerate acceptance of innovations in decision-making" developed elsewhere; these are enumerated:

"1. the built-in tension between authorizing and appropriations committees both eager to control program decision;

"2. the publicity incentive for committee and subcommittee chairmen generally to identify themselves with innovations and to push for their implementation;

"3. the perennial congressional fear that Congress is yielding initiative and authority to the President;

"4. party competition; and

"5. the generational divide between "activist" and high seniority congressmen." [15]

Decision-makers, whether in Congress, the executive branch, or the private sector, are feeling the effects of the computerization of data. A warning has been voiced by Dr. Donald N. Michael *not* to ignore those problem elements which defy machine handling:

"Already planners and administrators are tending to place undue emphasis on—that is, coming to value most—those aspects of reality which the computer can deal with just because the computer can do so. The individual—the point off the curve—becomes an annoyance." [16]

CANDIDATE APPLICATIONS FOR CONGRESSIONAL USE OF ADP

With the concurrent advancements in the state-of-the-art of electronic technology and the level of understanding of the role of ADP by legislators, it has been possible to identify a spectrum of applications where systems technology could be useful. The exercise of discovering and discussing these applications has not been limited to the Congress. State legislatures have initiated a number of improvements involving the use of automatic data processing and systems methodology. In States such as New York, Pennsylvania, Florida, Iowa, Wisconsin, Hawaii, and North Carolina, the computer has been used to index, store, and retrieve statutory information, draft bills, maintain key data on the status and content of pending legislation, trace appropriations activity, and record committee schedules of hearings.

A thorough review of candidate applications for congressional use of ADP and systems techniques was conducted during the hearings held by the Joint Committee on the Organization of the Congress. Students of the legislative process such as the late Dr. George B. Galloway [17] have offered suggestions as to which tasks and procedures might benefit from technological support. In some cases, computer-oriented information would be most valuable on the basis of chamber operations, in other instances, the committees (or subcommittees) or the individual Congressman might be the best point of receipt for information from the system. Dr. Charles R. Dechert enunciates several questions which may arise when the desirability of furnishing computer-stored data to the Congress is considered:

"The problem of congressional access to information might be better defined as a problem of information management. What specific elements of information are needed to make what judgments? Where are these elements located? How are they to be retrieved? And how should they be presented in order to be meaningful?" [18]

There are certain legislative and administrative functions of the Congress which might be improved by a modification of traditional procedures, the establishment of a one-line capability for immediate access to data files, or provision for ADP services performed on a less accelerated basis (e.g., the grouping or "batching" of requests to be handled by the system). A discussion of specific applications follows.

The advantages of maintaining a centralized, computer-oriented store of information have been proven in countless government and business environments. In the case of the Congress, there is a recurring need for such information as that on the *contents and status of bills*. With more than 29,000 bills and resolutions introduced during the 90th Congress, the problem of knowing even the most rudimentary facts about a given piece of legislation is significant. Action to improve the quality and timeliness of the *Digest of Public General Bills* through the use of computer techniques is discussed later.

Another type of information of recurring utility is that on *committee activity*. Not only are the time and place of committee and subcommittee sessions sometimes difficult to find out about, but related information such as the names of witnesses to appear and the topics to be discussed may not be available.

Congressional needs for *topical research information* are endless and highly varied. Since the establishment of the Congress, complaints have arisen concerning the availability of subject-oriented information, both narrative and statistical, that is comprehensive, accurate, timely, and *relevant*. The usefulness of a "Selective Dissemination of Information" (SDI) system has received much favorable comment. The concept of creating an "interest profile" for each individual Congressman or committee, and placing that profile in computerized form, first was developed in industry. The system featured the matching of profile keyword descriptors against a set of keyword descriptors which reflects the contents of books, articles, and other types of documents. The flexibility of the SDI system has been scrutinized in the light of the changing nature of congressional activities. Each recipient is informed of the new acquisitions which match his interest criteria; then he may indicate his desire to acquire the document for review. Figure 1 (not printed in RECORD) depicts the SDI process.[19] For example, a Congressman might wish to be provided with material related to his committee assignments or a committee staff might wish to monitor new information pertinent to a certain category of bills being considered by the committee.

The difficulty of obtaining access to certain categories of *Federal fiscal and budgetary data* long has bothered many Congressmen with responsibilities in the authorization-appropriations cycle. With the advent of

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PPBS, the outlook is for additional confusion as program versus agency activities are presented for review. Appropriations subcommittees often have had to make their decisions on the basis of sampling information. Dr. Richard F. Fenno categorizes this as (1) program information, (2) confidence information, and (3) support information.[20] At the present time, the Bureau of the Budget prepares certain selected aggregate budget data in ADP form, but there are indications that heavier use of computer analysis will be made in the future. As the executive branch use of ADP in handling these data increases, it will become imperative that Congress have timely access to comparable information. The importance attached to enhancing congressional knowledge about budgetary proposals and the status of program funding is indicated both in the Brooks Bill for a computer facility for Congress and the Reorganization Act of 1969.[21]

Information about *Federal assistance programs* often is not readily available, hence a number of proposals to place such information in machineable form and provide regular listings. Representative William V. Roth has introduced legislation providing for the issuance of a catalog on Federal assistance programs, and has been joined by a large number of House Members. Concern over the absence of assertive control of Federal programs, and in particular a lack of measurement of program performance, has led to a number of bills being introduced in the 90th and 91st Congresses calling for the use of "objective, scientific, and empirical analysis" in evaluating all Federal programs and activities. This would be achieved through the establishment of an Office of Program Analysis and Evaluation and its legislative counter-mechanism, a Joint Committee of Congress on Program Analysis and Evaluation.

Information on *Federal contract awards* (by subject, contract recipient, and congressional district) often is requested, and if maintained in ADP formats could be used for periodical listings and to respond to special inquiries which might arise during debates on R & D appropriations. Also, these data could allow an examination of industrial resources applied to Government projects.

The handling of various committee information, such as *legislative calendar material* and historical documentation on committee and subcommittee legislation, meetings, memoranda, and other memorabilia, continues to be the subject of study for possible ADP support. With the development of reliable computer terminals, as discussed below, committee staffs may now maintain up-to-the-minute status information on information ranging from bills before the committee to related bibliographic items of value to Members.

Repeated criticism of the *indexing of key congressional documents*—the *Congressional Record,* for example—has focused on the limited and often arbitrary retrieval word list available to the users. In many instances, hearings are not indexed at all, or only in such general terms as to be almost useless. Members and other interested parties have pled for the improvement of such indexing, pointing out that the utility of the document should dictate where the costs are to be allocated: in the data collection, conversion, indexing, processing, or retrieval.

A related but discrete area allowing improvement is that of creating, through the computer, *a master listing of all congressional documents.* Incomplete listings are prepared by the Government Printing Office, the Library of Congress, and other establishments, but the importance of developing such a data base cannot be denied. Here again, the criticality of devising and publicizing a listing (i.e., thesaurus) of retrieval terms which will allow public and private users to find that which they seek is all-important. A commercial enterprise[22] has initiated a "Congressional Information Service" on an experimental basis to cover all committee hearings, prints, and reports; the monthly abstracting and indexing service will deal with other essential congressional documents, but will not include the *Congressional Record.* .

Information on the *status of activities in each chamber* of the Congress would be of value according to the comment of various analysts. Congressmen often are summoned to the floor to vote with virtually no information as to the legislation under consideration. A new service provided Members of the House allows them to dial a special number and be given the number and title of a bill next to be voted upon or related information on current legislation. This system was established by the Office of the Clerk of the House, and is being studied by the Senate for possible implementation.

Registration data on lobbyist groups and individuals, described as "one of the most valuable sources of independent information available to Congress,"[23] would lend itself to computerization. Such a file could contain the name of the individual (or group), the name and address of his employer, the area of his special concern, the amount of contributions made during the calendar year, and any papers, periodicals, or publications in which he has caused editorials or articles to be published.

Legal information of several types is much used by the Congress. Available today in machineable form are numerous bodies of data, in full text or abstract form. The Department of Defense, through its Air Force Accounting and Finance Center in Denver, maintains the Project LITE (Legal Information Through Electronics) file of more than 60 million words, including the contents of:[24]

"United States Code (1964 ed.).

"Unpublished Comptroller decisions (from June 1955 to January 1967).

"Published Comptroller General decisions (vols. 1–45).

"Armed Services Procurement Regulations (through revision 22).

"Appropriation acts of 1966 and 1967.

"DOD international law material (treaties and agreements of interest to DOD)."

In addition, the data base includes numerous Air Force manuals and regulations, Court of Military Appeals material, and certain directives.

Other types of legal information are obtainable through the services of the ASPEN Systems Corporation, an outgrowth of the University of Pittsburgh Health Law Center group which pioneered full text retrieval using computers. This capability makes available the Internal Revenue Code and Regulations, decisions of the United States Supreme Court and Circuit Court of Appeals, the United States Code, the statutes of all fifty States, and other Federal, State, and municipal legal opinions and rules.

Exclusive files for each Congressman also may be established and maintained with the help of ADP. Information related to a given issue or bill, including the Member's recorded statements, can be stored in the computer, and made available either through a terminal or regular printout form. It may be useful to file electronically pronouncements on an issue made by national party figures, opposition spokesmen, outside opinion makers, and leading newspapers. Procedural and equipment safeguards make it possible for the integrity of the individual office file to be assured.

Each Member has files on certain groups of constituents, and the maintenance of these in a current fashion requires following a procedure which consumes much staff time. Many Congressmen are commencing to have mailing lists prepared on magnetic tape, sometimes at their own expense and often with the assistance of a party facility (such as the Democratic National Committee ADP center). The retention and retrieval of *key constituent information*—name, address, family composition, vocation, voting record (if known), extent of political activity—are expedited through the use of computers. Certain types of mailing operations also may be performed with computer and ancillary equipment.

There are some basic housekeeping functions, such as payroll preparation and the maintenance of current telephone directories, which are suitable for ADP execution. As the performance qualities of the equipment and programs increase, other applications are possible, and the Congress must become knowledgeable about what technology can do for it. During his visit to the United States, The Lord Snow remarked to the House of Representatives Committee on Science and Astronautics:

"We must get the ideas of what is happening to us because of the computers, and of what is going to happen, right into the open world of the Congress and of Parliament; for it is their duty not to be supine, not to be just carried along dumbly by the technological tide."[25]

During the past few years, steps have been taken to use ADP in support of certain congressional activities, thus fulfilling the expressed need for action on the part of a growing number of public and private proponents of progress through the proper use of technology.

CURRENT LEGISLATIVE BRANCH ADP ACTIVITIES

There have been three points of developmental activity within the legislative branch insofar as the use of computers is concerned: the Office of the Clerk of the House of Representatives, the Office of the Sergeant-at-Arms of the Senate, and the Legislative Reference Service. In each case, a computer facility has been established, programs for selected applications obtained or prepared, and an operational capability established. Similarly, each facility has followed a pattern of growth in terms of size of equipment, number of software elements, and services provided.

The initiative taken by the Clerk of the House resulted in the installation of a small computer (NCR–500 system) in the Rayburn House Office Building in September, 1967, to be used primarily for the purposes of handling payroll, special accounting, and inventory applications. At present, this configuration is providing full-time, operational service for: a payroll of 7,000 employees, an inventory and accounting for 8,000 items of electrical and mechanical equipment, and an inventory of 43,000 pieces of furniture and property. In addition, the staff of the Clerk plans to implement during 1969: inventory and accounting procedures in the House Stationery Room, an accounts payable application for the House Recording Studio, and a budgeting application in the Finance Office.

With the acquisition of a larger computer, the NCR Century Series Model 100—with a speed of operation allowing a five-fold increase in production and greater storage capacity—in January of 1969, the Office of the Clerk will be positioned to undertake more extensive ADP services. Three major applications reportedly are under study and investigation:

1. A computerized addressing service, similar to that being implemented in the Senate, which will allow mailing list conversion, address printouts, and envelope preparation. Systems design and implementation would be accomplished by an external (commercial) group.

2. An electronic voting system for the House Chamber has been under considera-

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tion for more than a year, and has included a study of possible display devices capable of presenting statistical data, running totals, and proposed amendments, as well as allowing key House officials to monitor proceedings from remote locations.

3. An information retrieval system capable of providing Members with rapid access to information related to the status of legislation, committees, budget, Federal agencies, and other significant subject areas. The staff of the Office of the Clerk was assisted in its study of this system by a consultant group, and a demonstration was held for a two-week period featuring a CDC–200 CRT terminal and several sample applications.

The Senate, in undertaking to apply ADP to some of its information handling problems, has focused upon the development of an automated mailing system, featuring an IBM 360 Model 20 computer. With data conversion and programming support by a commercial firm, the Office of the Sergeant-at-Arms has converted more than one-third of the mailing addresses of Senate Members to magnetic tape. Expansion of the computer configuration to a large Model 40 system is planned, which will allow improved service of the kind planned by the Office of the Clerk of the House.

The Legislative Reference Service began providing support to congressional Members and committees in the information sciences in 1966. Late in 1967, the first application of ADP to a product for the Congress was effected. The *Digest of Public General Bills*, summarizing the essential features of all public bills and resolutions, was prepared by inserting essential identifying information on each piece of legislation—name of sponsor(s), date introduced, bill number, and committee to which assigned—plus synoptic and indexing information into the computer via an ATS (special electric typewriter) unit. In addition to these data, published biweekly, certain information on the status of the bill appeared in the five or more cumulative issues each year. Experience has shown that preparation time has been reduced significantly, and that the textual material can be edited with greater flexibility during the pre-publication phase.

Six computer terminals currently are used for insertion, recall, and editing of the "Bill Digest" information. Once the copy is ready in final form, the computer types out the completed page which then is ready for offset reproduction. The system is advantageous since it allows simultaneous alteration of already stored data and the addition of new textual entries; in addition, copy with justified margins and selected type fonts is ready for the Government Printing Office operation. The next step will be to deliver the "Bill Digest" tapes to GPO for direct insertion into the Linotron photo-composition system.

The *Legislative Status Report*, which serves as a handbook of major (i. e., approximately 250 bills and resolutions) legislation of the current Congress, also is prepared with computer support. The ability to add data elements without regard to sequence and to rapidly change obsolete material has proven to be particularly useful. A typical entry in this publication is shown below:

"DEPARTMENT OF PEACE

"S. 953:

"H.R. 6501:

"To promote the peaceful resolution of international conflict through the establishment of a Department of Peace, including an International Peace Institute for the preparation of U.S. citizens to work in programs which promote international peace and understanding; and through the establishment of a Joint Committee of Congress on Peace and International Cooperation.

"Status: S. 953 referred to Senate Committee on Foreign Relations, Senate Committee on Foreign Relations, February 7, 1969; when reported therefrom it is to be referred to Committee on Government Operations. H.R. 6501 referred to House Committee on Government Operations, February 6, 1969."

Another use of ADP within the Legislative Reference Service is the preparation of an index to the several hundred reports and memoranda of general interest to the Congress which are authored and stockpiled by LRS. The range of subjects is quite broad and although monthly notices are sent to each congressional office, it has been found useful to prepare with the assistance of the computer network a cumulative index by subject, as shown below, and a separate listing by originating LRS division (e. g., Economics, Foreign Affairs):

"Arab-Israeli Conflict:

"U.S.S.R. involvement, F 271.

"United Nations involvement, F 254.

"Arab Refugees, Bibliography on, F 108.

"Arab Republic, Political parties in the United, F 289.

"Arabs and the arm race, F 334.

"Area Redevelopment, E 125 Rev.

"Armed Services:

"Retired pay recomputation, S 100.

"Strength of components in principal U.S. wars, F 309.

"By states since World War I, F 309.

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"Automatic Data Processing:

"Judicial process, SP 134.

"Bibliography on, SP 124.

"Legal information application, SP 108.

"Legislative use, Bibliography on, SP 123.

"Redistricting of political boundaries, Bibliography of use in, SP 125.

"Small business application, Bibliography on, SP 135.

"Automation and employment, E 114.

"Bibliography on, Ed 182.

"Aviation Noise, Background and legal problems on, A 256."

Use of the ATS network allows this type of material to be added to, revised and updated frequently, with the final result that camera-ready copy can be recalled at will.

Another application of ADP with a great long-range potential for the Congress is enhancing research control of publishing on congressional issues. In January 1969, a modular developmental project was begun which was designed to give the LRS research staff bibliographic control over all English-language books, government publications, magazines, and private sector (i.e., universities, lobbyist groups) studies related to congressional issues. More than 30,000 items are involved in the process annually. Basic bibliographic entries such as subject and author plus a brief, descriptive paragraph on the contents of the piece, are entered via ATS into the computer. Each week separate subject and author catalogues are printed. During the "pilot project" phase, this has been done for two of the LRS divisions. Perhaps the most valuable aspect of this new service, however, is the establishment of a "Current Awareness" procedure, similar to that found in a Selective Dissemination of Information (SDI) system. Each research analyst in the two divisions has prepared a list of terms reflecting his areas of interests, and this "profile" has been matched against the descriptors which reflect the contents of the publications entered into the system.

If the utility of the project is as high as now anticipated, it will be expanded to all LRS divisions during mid-1969. A study of congressional office requirements for similar information then would allow expansion of the service to selected committees and Members.

A requirement has developed for LRS to provide certain ADP support to congressional committees. Beginning early in 1969, the House Banking and Currency Committee has worked with LRS to develop a computer-supported system for the preparation and maintenance of its official calendar. A typewriter terminal in the committee office is linked with the Library of Congress computer, to which the committee has access during any working day. Not only can the committee operator enter, recall, and edit any data belonging to the committee, but with permission can call out certain types of information maintained in the computer by LRS, such as the Legislative States Report.

Emphasis is being placed within LRS upon the development of other ADP-centered services with a high utility factor to the Congress. With a computer-supported network of 20 typewriter terminals, and plans for a more-powerful equipment capability, services are being planned for providing Congress with quick responses to such questions as: "Send me a list of all legislation dealing with 'demonstration cities' ". "Provide a selection of articles on 'gun control' ". "Which Senators have introduced bills on solid waste disposal?" The intention is to replace current manual research with computer searching either of full text material or selected citations and abstracts. Legislative histories often are needed by the Congress and their preparation was stated as a priority item for LRS action in the final report of the Joint Committee on the Organization of the Congress.[26] The two-fold objective in this area will be, then, to have the ability to search bodies of textual information on the basis of keyword (retrieval) descriptors, and second, to provide current information on where a bill is in the legislative process.

THE POTENTIAL AND THE RESPONSIBILITY

Cognizance of the value of ADP to the legislative branch now has reached the stage where there is serious consideration as to the resources to be allocated, the need to designate areas of responsibility, and above all the requirement for sustained coordination of the burgeoning ADP activities. Both chambers of the Congress, the Legislative Reference Service, and the General Accounting Office—which has created a Systems Analysis Section in its Office of Policy and Special Studies—share the responsibility to use innovative devices and techniques in every way possible. The concomitant burden is, of course, to understand their limitations. Dr. Jerome Wiesner, formerly the Special Assistant to Presidents Kennedy and Johnson in the realm of science and technology, offered his judgment that: ". . . the computer, with its promise of a million-fold increase in man's capacity to handle information, will undoubtedly have the most far-reaching consequences of any contemporary technical development. The potential for good in the computer, and the danger inherent in its misuse, exceed our ability to imagine."[27]

As the complexity and diversity of the tasks confronting the Congress increase, the importance of utilizing every possible means of acquiring and analyzing selected priority information preparatory to making decisions will grow apace. The role of electronic technology will assume broader proportions as the legislator strives to fulfill his responsibilities and is willing to rely where appropriate upon the support possible from such systems.

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RAPID RAIL SYSTEM IN THE DISTRICT OF COLUMBIA

(Mr. GUDE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUDE. Mr. Speaker, speaking from the perspective of a Member whose first official involvement with Washington's proposed rapid rail transit was as a Maryland State senator drafting the legislative language of the interstate compact for the regional transit, I am personally grieved today that H.R. 11400, Second Supplemental Appropriations Act, fiscal year 1969, lacks the basic transit funding. I have urged the Appropriations Committee to include these funds. I have worked with equal vigor for the construction of both subway and freeway systems here.

The Appropriations Committee should not obstruct these funds. But I want it to be crystal clear that the real cause for this impasse is with the failure of the local District government to execute its responsibilities to comply with the Highway Act of 1968. This act directed construction of certain freeway sections and links in our interstate highway system. The city government has shown no intention of complying with the law. It has taken a cavalier attitude toward its responsibilities as a part of a regional complex of jurisdictions. A study called for in the 1968 act has not ever begun.

This mess today, for a long time the responsibility of Federal agencies, is the product of the previous Department of Transportation leadership and the federally appointed National Capital Planning Commission.

While Secretary Volpe must be commended for his dedication to resolve this situation, even greater Federal direction will be required if we are to get our transit and freeway program going in the National Capital area. It is unfortunate that in order to straighten out the mess of the previous Department of Transportation the administration must intervene and give positive direction to the appointed officials, both local and national.

An obdurate, recalcitrant City Council has failed to recognize the real needs of the city for freeways and transit. The Council and city government have capitulated to extremists who have demonstrated absolutely no affirmative support or a healthy interest in our rapid rail system. Recognizing this, the President and the federally appointed officials can and must end the impasse and unlock these subway funds.

HOUSE CAFETERIA EMPLOYEES

Mr. Speaker, I would like to associate myself with the remarks of the gentleman from Indiana (Mr. JACOBS) in regard to the fair treatment of employees in the House cafeteria.

SECRETARY LAIRD COMMENDED FOR COMBAT ZONE SERVICE POLICY

(Mr. RUPPE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. RUPPE. Mr. Speaker, I want to take this opportunity to commend Secretary of Defense Melvin R. Laird for his decision to establish a mandatory policy of allowing surviving members of a family which suffered a death in a combat zone to be given a noncombat assignment and a permanent exemption from combat areas.

I am particularly pleased with this humanitarian directive because it implements a policy called for in legislation I authored and introduced last year.

My legislation was the result of a letter I received from a mother who lost a son in Vietnam, only to be faced with the prospect of another son, already in the service, being sent to Vietnam. I agreed with her that no family should be required to sustain two or more of these tragic losses. More than 50 Congressmen joined in the introduction of similar legislation.

At the time I introduced my legislation, I felt—and I still believe—that no American family that has lost a son in combat should be required to send another son into a combat zone. I was appalled when the Pentagon gave my bill a negative report last year on the grounds that it would create administrative difficulties. Certainly, Secretary Laird is to be commended for implementing this humanitarian policy despite apparent objections within the Department of Defense.

There is precedence for this directive in that there is a military regulation which allows a young man to apply for a 1-year deferment from duty in Vietnam when an immediate member of his family has died as a result of duty there. Also, there is a public law allowing military exemption for the sole surviving son of a family when another male member of a family has died as a result of hostile action. There is a further military regulation which prohibits a young man from being sent to a combat zone when a brother or father is already fighting in such an area. However, prior to Secretary Laird's new family assignment policy, when a young man had been killed in combat, there was nothing to prevent his brother from being shipped to a combat zone. In fact, the practice seemed to be fairly common.

Under this new policy, where a member of a family has been killed or dies from injuries or disease as a result of serving in the Republic of Vietnam or other currently designated hostile fire zones, such as specified areas in the Republic of Korea, a surviving family member need only submit a request for a noncombat assignment, which will be honored. If the surviving member is serving in a hostile fire zone, he will, upon his request, be reassigned therefrom. These exemptions also apply where a member of the family is listed as missing in action or as a prisoner of war.

We are all prayerful that the present negotiations in Paris will lead to lasting peace in the very near future. But, so long as we do not enjoy the blessings of peace, we should do our utmost to see that our policies reflect human compassion to the highest possible degree. With this in mind, I find it particularly gratifying that Secretary Laird has promulgated this humanitarian directive.

HOUSE RESOLUTION ON MIRV TEST MORATORIUM

(Mr. ANDERSON of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ANDERSON of Illinois. Mr. Speaker, today Congressman COHELAN and I are introducing, for appropriate reference, a resolution calling on the President to propose to the Soviet Union a mutual moratorium on the flight testing of multiple warhead missiles. We are being joined by 102 cosponsors from both sides of the aisle. An identical resolution has been introduced in that other body by Senator BROOKE and is being cosponsored by 40 other Senators.

Mr. Speaker, those of us who are sponsoring this resolution feel very strongly that we have reached a critical juncture in the arms race, one from which there will be no turning back. The deployment of MIRV by both the United States and the Soviet Union promises to set off a new escalation in the arms race, one which will be characterized by mutual suspicion and fear, instability, and the expenditure of vast sums.

Our sense of the House resolution is not an attempt to dictate to the President or to usurp his powers in this area; rather it is our intention to indicate to the President our vital concern over the MIRV issue and our support for a mutual moratorium until such time as a formal agreement can be arrived at in the upcoming strategic arms limitation talks with the Soviets. We hope to convey to the President the urgency of such an initiative. If MIRV is not halted in the test stages, it may be too late since the system does not lend itself to easy detection once it is deployed. With the possibility of MIRV deployment only a few months off, it is most vital that we act now to at least delay its deployment until the possibility of a formal agreement on MIRV has been thoroughly explored at the arms talks.

The object of American strategic policy is to deter nuclear war. The greatest current threat to the American deterrent force is the Soviet deployment of multiple warhead missiles capable of destroying our land-based ICBM force. We are therefore naturally interested in halting Soviet deployment of such a multiple warhead system. The Soviets are likewise concerned about American deployment of MIRV as a potential counterforce weapon. Both sides thus perceive MIRV as a threat to mutual deterrence and both should realize that a MIRV moratorium is mutually beneficial.

Some critics of this resolution have expressed both doubts and fears over Soviet good faith in abiding by such a moratorium, should they initially agree to it. In support of this argument, they point to the Soviet violation of the nuclear test ban moratorium of the late 1950's. I would agree that we cannot and should not accept the Soviets at their word on such a crucial strategic issue. However, after carefully studying this matter I have become convinced that it is not necessary to rely on blind faith and trust in the case of a MIRV flight test moratorium. Nor are the Soviets likely to accept us at our word. We are both capable of unilaterally policing a short-term MIRV moratorium since neither side would be able to conduct significant flight testing without exposing themselves to the others sophisticated surveillance systems. MIRV development is dependent upon a sequence of tests, each of which depends upon successful completion of the prior test for operational confidence. Although there is a possibility for a minor degree of deception through clandestine testing, only minimal advances in MIRV technology could be made before detection. These would not be significant enough to jeopardize our national security.

What we are concerned about is the apparent lack of means available to count warheads, short of detailed on-site inspections, once MIRV is deployed. Both sides will then be forced to assume that the other side has fully MIRVed each missile. As a consequence, both sides will have to drastically revise effective force level estimates upward and the arms race will make a quantum jump to a new plateau. This "Mad Momentum," as it has been called, can only detract from the margin of security which both sides now enjoy since the vulnerability of either side's retaliatory forces will always be a matter of speculation. This in turn increases the risks of a preemptive counterforce strike in a time of crisis. MIRV should thus be seen for what it is: A dangerous destabilizer in the strategic balance we have attempted to maintain.

Mr. Speaker, for these reasons we have offered this resolution with a sense of mission and urgency which we hope will not be lost on this administration. At this point in the RECORD I include the bipartisan list of cosponsors and the resolution we are introducing:

LIST OF MIRV MUTUAL MORATORIUM COSPONSORS

Addabbo, Joseph
Anderson, John
Ashley, Thomas
Beall, Glenn
Biester, Edward
Blatnik, John
Boland, Edward
Bolling, Richard
Brademas, John
Brasco, Frank
Broomfield, William
Brown, George
Burton, Phillip
Button, Dan
Cahill, William
Carey, Hugh
Chisholm, Shirley
Cohelan, Jeffery

Collier, Harold
Conte, Silvio
Conyers, John
Dellenback, John
Dent, John
Diggs, Charles
Edwards, Don
Erlenborn, John
Esch, Marvin
Eshleman, Ed
Farbstein, Leonard
Fraser, Donald
Frelinghuysen, Peter
Gilbert, Jacob
Halpern, Seymour
Hamilton, Lee
Harvey, Jim
Hastings, James
Hathaway, William
Hawkins, Augustus
Hechler, Ken
Helstoski, Henry
Horton, Frank
Jacobs, Andrew
Joelson, Charles
Karth, Joseph
Kastenmeier, Robert
Keith, Hastings
Koch, Edward
Lloyd, Sherman
Lowenstein, Allard
McCarthy, Richard
McCloskey, Paul
McDade, Joe
McDonald, Jack
McEwen, Robert
Macdonald, Torbert
Matsunaga, Spark
Meskill, Thomas
Michel, Robert
Mikva, Abner
Mink, Patsy
Mize, Chester
Moorhead, William
Morse, Bradford
Mosher, Charles
Moss, John
Obey, David
Olsen, Arnold
O'Neill, Thomas
Ottinger, Richard
Pike, Otis
Podell, Bertram
Powell, Adam
Preyer, Richardson
Railsback, Thomas
Rees, Thomas
Reid, Ogden
Reuss, Henry
Rodino, Peter
Rosenthal, Benjamin
Roybal, Edward
Ruppe, Philip
St Germain, Fernand
Scheuer, James
Schneebeli, Herman
Schwengel, Fred
Stanton, William
Steiger, William
Stokes, Louis
Thompson, Frank
Tiernan, Robert
Tunney, John
Udall, Morris
Van Deerlin, Lionel
Vanik, Charles
Whalen, Charles
Williams, Lawrence
Wilson, Charles
Yates, Sidney
Yatron, Gus
Zwach, John

Mr. KEITH. Mr. Speaker, I am joining today in cosponsoring a resolution which calls upon the President to effect with the Soviet Union a mutual freeze on flight testing of multiple independently targeted reentry vehicles—MIRV's. Additionally, this proposal indicates my support of the administration's efforts to begin arms control talks with the Soviets.

While I harbor no illusions about Soviet intentions and know that a MIRV moratorium must be closely policed by our intelligence agencies, I also strongly believe that the need for a cessation of the arms race indicates prompt congressional and Presidential concurrence in this resolution. As testing of MIRV continues, we are rapidly approaching a new and dangerous threshold in the arms race. Once this weapon is operational, arms control talks may prove to be fruitless, having no effective surveillance method to enforce any decision which may be reached at such talks.

In filing this resolution, Mr. Speaker, I hope to indicate both my support and that of my district for the President's efforts to slow the arms race. Furthermore, I wish to applaud Senator BROOKE and his colleagues in the Senate for the initiative which they have shown in originating this resolution. I hope that this initiative, and the bipartisan support evidenced in the House for this resolution, will serve to indicate to both the administration and to the world the concern of the Congress with MIRV and other aspects of the arms race.

GENERAL LEAVE

Mr. ANDERSON of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject just discussed, namely this resolution.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

CONGRESSMAN SEYMOUR HALPERN'S HEALTH INFORMATION PROPOSAL

(Mr. HALPERN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HALPERN. Mr. Speaker, certainly without good health the American people cannot make their full contribution to society. But as we all know, medical costs have skyrocketed 45 percent in the last decade and they continue to rise. Indeed, the cost of health services is prohibitive for many and very often medical care simply is not available in some communities.

And yet, America spends more than any other nation for medical research; we boast of modern laboratories and we have more Nobel Peace Prize winners for medicine than any other nation.

What is happening to all this research, and the prolific outpouring of new scientific findings we hear so much about? The truth is that America is suffering from a health-information overload. We simply have failed to provide a mechanism for transmitting modern medical and health findings to the American people.

The surest, swiftest, and least expensive way of overcoming the grave shortage of doctors and nurses and rising hospital costs today is to prevent their need.

The public should be constantly given the latest, up-to-the-minute information on how to prevent diseases and protect themselves.

Indeed, without providing the average citizen with health information, America's wonder-drug discoveries, medical advances, and new remedies have only limited impact on the Nation's health. Unfortunately, the statistics bare this out:

In 1950, only five nations had a lower infant-mortality rate than the United States. By 1966, we had fallen to 15th place, surpassed by many so-called underdeveloped countries.

The United States ranks 13th in life expectancy among nations.

Half of all American men examined for military service are rejected because of poor health, very often because of medical disorders that could have been corrected if adequate health information was available.

And recently, some 2,000 children, aged 4 to 16 years, in Boston, were tested and between 35 and 70 percent of them had severe physical, emotional, hearing, visual, or dental disorders.

In addition, the poor suffer even more than most Americans because of their lack of health information and medical care. Since the poor have little access to information, their disease and mortality rates are almost twice that of more prosperous Americans.

What is needed then, for all Americans, is access to health information and the latest public health thinking to prevent needless suffering. For about 1 penny per citizen per year, we could become the most health-informed people in the world.

Unfortunately, there has been a studied indifference to the informational needs of the public in this time of health crisis. The Public Health Service, in effect, has abandoned the health indoctrination of the people to the private sector, which quite naturally sees more profit in remedies than in prevention.

I say, let us do something to make simple, basic, primer-like health information easily available to all.

There is most persuasive and inspiring evidence of what can be done if the Department of Health, Education, and Welfare and the Public Health Service effectively utilize broadcasting media to promote good health habits in this country. The Public Health Service now has more than 150 pamphlets on health topics that are made available through some 2,000 Government health offices, schools, doctors, and visiting nurses. There are also a number of antipoverty programs that try to instill suggestions on better-health habits to residents of ghetto communities.

All this is commendable, but it does not go far enough. It seems to me that we should be taking a page out of the advertising industry's book. The same technique that produces the awesome spectacle of hammers clanging away inside someone's head, or the rundown "blah" feeling of tired blood, can be just as effective in selling the idea of guarding one's health be heeding nature's early warning system.

Broadcasting—radio and television—especially, has become the major medium by which people learn to live and acquire their health habits today. Commercials increasingly induce response to their messages, often creating new behavior patterns among viewers and listeners.

Consumers buy pain killers, tranquilizers, and relief medicines not because physicians and health officials urge them to, but because they have been persuaded by commercials.

Another major untapped health information outlet is the corner drugstore. In 1964, the Public Health Service did a study on "The Pharmacy as a Health Education Center." The purpose was to gage the usefulness of a pilot project of free health literature available to everyone at their corner drugstore. The results were impressive: the public saw and took the leaflets, became concerned, and asked questions; and the doctors, pharmacists and health officials involved found themselves rendering more service to the community.

Since then the American Pharmaceutical Association has induced about 600 of its member druggists to continue this leaflet service—using literature contributed by voluntary health agencies, public health agencies and the Public Health Service. Unfortunately, this is only about 1 percent of the Nation's drugstores.

What is really required is a Government-sponsored leaflet program reaching

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all of the Nation's 57,000 drugstores and pharmacies, and a broadcasting campaign to make people aware that their suffering can be stopped—and to send them to their drugstores to obtain more detailed information in leaflet form.

We already know that the average citizen visits a drugstore once a week on some health errand or other purpose. The task now is to provide health information for him there and alert him to the need for it and its availability—just as effectively as television alerts consumers to the need for, and availability of, a remedy for bad breath.

To this end, I am today introducing a bill to authorize the Secretary of Health, Education, and Welfare to make available to the Nation's 5,000 radio and TV stations, filmed and taped messages for frequent airing, designed to draw and hold the attention of the public to wholesome health habits, and to create a demand for health advice to be found in leaflets to be located in drugstores and pharmacies.

I estimate that about $2 million—as I say, approximately a penny per citizen—would be sufficient to put this program on its feet, to cover the cost of producing the radio and TV spots and of printing and distributing enough literature to cover 10,000 pharmacies located in impoverished areas of the United States where there is a high priority need for this information. The printed material would be written by doctors and other health experts, and would cover everything from cancer, arthritis, multiple sclerosis and emphysema to rats, malnutrition, pesticides, and garbage.

For an additional $2 million, making a total of 2 cents per citizen per year, we could probably provide every drugstore in the country with lifesaving and health-inducing leaflets. Is that too much to pay?

How much is the Nation's health worth?

I should point out that the immediate cost of this program will be paid back many times over in the future as it reduces the needless overload of our already overburdened medical and health facilities.

I earnestly urge that this measure be given prompt consideration by this House.

THE FACES OF AMERICA'S DEAD YOUTH

(Mr. HALPERN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. HALPERN. Mr. Speaker, I wish to call the attention of the Members and the American people to the June 27 issue of Life magazine, in which the names and pictures of 242 young Americans who died in Vietnam the week of May 28 to June 3 appeared. The number of fatalities, 242, has no special significance, Life says. It is simply an "average for any 7-day period during this stage of the war."

How callous, how inured to this litany of death have we become? A great American magazine publishes the roll of death in this tragic war, and where is the public outcry? Where is the reason why they fought and died?

For each of these faces staring out at us—page after page—represents America's youth: senselessly, needlessly, and purposelessly removed from their families, friends, and community.

But while our anguish returns the stare at the "gallery of young American eyes" peering forth from Life's pages—another incredulous horror seizes the mind. Just look at how young and innocent-looking these soldiers are.

Over half of them are 20 years of age or younger, and almost a third are teenagers—17, 18, and 19 years of age.

How many of them were cut down in the brilliance of their youth? How many of them would have been tomorrow's doctors, tomorrow's builders of our cities and the teachers of yet unborn generations of Americans?

"It is," the late John F. Kennedy once said at a war memorial, "against the law of nature for parents to bury their children—a son with all of his life before him."

In the past young Americans willingly fought and died for their Nation. Today, they fight and die, but are not doing so willingly.

They are "selected" by a system whose inequities are notorious. Indeed, the draft is a device difficult to justify under any circumstances, but when it operates to send American boys to die in a war in which many of them do not believe in and in which our official aim has never been clarified, then it becomes outrageous.

As I said, more than half of these young men were 20 years of age or younger. Too young to vote, too young to have a voice in public policymaking, they nevertheless lie dead now. And we wonder why youth questions the credibility of our Nation's policies and leadership today.

How do we tell our discontented youth that the society whose foundations they are questioning is good and just?

Is it any wonder that youth today is rebelling against the draft, against the war, against the society which produced both and sent them to fight without asking what they thought?

Mr. Speaker, I renew my call for the lowering of the voting age to 18 as a step toward restoring the confidence of the young in this Nation by giving them a voice in its affairs.

I renew my call for the abolition of the draft, and the substitution of an all-volunteer army.

And I renew my plea for the immediate ending of this unjustifiable war in Vietnam which is dividing the American people.

MORALE OF OUR FORCES IN VIETNAM

(Mrs. GREEN of Oregon asked and was given permission to address the House for 1 minute, to revise and extend her remarks and include extraneous matter.)

Mrs. GREEN of Oregon. Mr. Speaker, I would like to place in the RECORD two moving and distressing letters concerning the Vietnam war. One is a copy of a letter which a very depressed young private sent to his parents from the jungles of Vietnam. Quite simply the boy cannot understand why he or any other American troops are engaged in that unfortunate conflict.

The other letter is from the boy's father; he asks that I try to raise his son's morale by explaining to him just exactly why he is fighting men he has no quarrel with, over issues he feels have been distorted, for goals that bear little relation to the realities of the war. This I cannot do.

The human suffering that daily defines the lives of thousands of Americans and Vietnamese alike can have no justification in political rhetoric. Children are rendered homeless, while men perish needlessly for the sake of obscure motives. Villagers are uprooted, housing and crops destroyed, the natural beauty of the countryside brutally scarred by the agents of modern warfare.

Over 13,000 American soldiers, not to mention countless native civilians, have been killed since the Paris peace talks began; the list of the wounded is equally as disheartening. The time is long overdue to marshall our resources not for further destruction and killing, but for a peaceful settlement to this regrettable entanglement.

Nonetheless, it remains my deep conviction that one does not contribute much in this society toward ending the war by refusing to be inducted, or by disappearing into Canada or Sweden, or by burning one's draft card or pouring blood on selective service files. Individual conscience may indeed require such action, but the reaction of the population at large is likely to assist in perpetuating the very objects of dissent. We will end the war and produce an equitable system for military service by working together to change policies—not by breaking the law.

Mr. Speaker, what has been minimized as a "small war in a small country in a distant land" threatens to unravel the inner fabric and paralyze the will of one of the most advanced societies in human history. The two letters which I offer today attest to the terrible damage which this war may do to the soul and the conscience of the American people. The mounting disillusionment within the American population about the objectives and the results of this war coupled with the serious erosion of U.S. programs for meeting human needs both at home and abroad must give us a renewed sense of urgency.

I fear for a nation that experiences such immense difficulty in reversing misguided courses of conduct. We must "get back from the shadows of war and search out the ways of peace," as John Kennedy so eloquently expressed our feelings in an appeal to the conscience of this Nation.

The letters follows:

MAY 27, 1969.

DEAR FOLKS: Today is Tuesday, I'm sure of that but I'm not sure of the date. I want to recount for you as best I can the events of last Saturday 24 May.

Our company was shuttled by choppers to a nearby mountain ridge (this is called a combat assault, C.A.). Running up and down the coast of Vietnam is the country's only major road known as Highway No. 1 or the "Red Ball." We use the Red Ball extensively ourselves for moving truck convoys, and during the past couple of weeks numerous convoys have been getting ambushed along the highway. Anyway our company was lifted to a ridge to the west of Red Ball and were to sweep east attempting to flush out snipers. On the south side of the ridge and the west side were brush fires and they dropped us right in between them. Due to our position we had to move north down across a small valley and then uphill again to another ridgetop. And the fire was burning right on our heels. Everyone was covered with soot and cinders and the sun shone yellow through the smoke. The heat was intense and the fire made it noticeably hotter. We reached the second ridgetop and everyone hoped that we had some sanctuary from the fire. We already had taken a couple of heat casualties but nothing serious so far.

We had no more than dropped our gear when suddenly strong gusty winds whipped the fire up towards our position. The word went out to move down to the Red Ball which was directly below us but we were so high up that it looked 10 miles down. This time we moved due east down the side of this mountain through some jungle vegetation. Do you have any idea how thick semi-jungle vegetation is? It didn't matter much at the time because the fire had closed in so rapidly the company was near panic. I was up towards the front and we could hear those in the back yelling to move faster. But we were in high gear as it was. If the fire had gotton onto the east slope of that mountain, well, Alpha Company would be no more. It took two hours to work our way down to the Red Ball through the heavy foliage. When the whole company was finally down, all kinds of gear and ammo were missing; we had something around a dozen heat casualties, and the worst part was that we didn't have any water as it had been almost 24 hours since our last resupply. Somebody found a nearby stagnant pond and everybody starting drinking water, stagnant water. As far as I know, no one has gotten sick from that water but we were just lucky, that's all. By this time, it was about mid-afternoon. There is no effective way to describe the total and complete exhaustion that we all experienced. Not only from the physical exertion but the tense fear of being caught in that fire.

Now comes the killer, we received orders from battalion to move back up and secure that same ridgetop overlooking the Red Ball. The company at that point reflected the epitome of demoralization. We moved out latter part of the afternoon and step by agonizing step worked our way back up the same slopes that had earlier chased us off by fire. I want to tell you, that night when we finally reached the top of that hill I was just about at the end of the line. Not from just fatigue but morale-wise, too. I didn't give a damn about anything, and most others felt the same as me.

Three days later we are still sitting on the same mountain top with the purpose of observing truck convoys passing below us. They brought up an 81mm. mortar with the hope of zeroing in quickly on any snipers that may start shooting at convoys. Our company is providing security for the mountain. But Charlie is no idiot, like most of our military people, he knows exactly what we are up here for, so yesterday the V.C. moved their ambush site to the north of our range and attacked three convoys. But we go on about our work of securing this hill; clearing brush, laying barbed wire and digging gun positions. Probably within a week or so we'll move off the hill and all our work will be for nothing. "Mine is not to question why, mine is to do or die."

In your last letter you made some statement about dropping an atomic bomb on N. Vietnam. It has become my opinion that our best course of action would be just the opposite. Pack up and get the hell out of this God-forsaken place. I do not know one GI over here who would trade even as much as a single teaspoon of U.S. soil for this entire country. I sincerely feel that just the mere presence of U.S. military forces are doing more to perpetuate this war than any other single factor. I am not a conscientious objector because I cannot say that *all* wars are futile, but this is futile. If I should die over here there is no way that I could justify or anyone could justify the loss of my life. I have not seen nor even heard of any military objective over here that warrants the loss of an American life. The propaganda argument that we are fighting for our country in Vietnam is the biggest bunch of ———— I've ever heard. If you were over here and could see the way the people respond to us and the way we respond to them you'd fully understand. I also fail to see how "aggressive Communism" in a backwards, very primitive country like Vietnam, on the other side of the world poses a threat to the security of the United States.

I guess I've racked Vietnam over the coals long enough. The manner in which the army conducts operations in Vietnam and just the fact that we are in Vietnam, it is quite easy for me to understand why there is so much dissent and rebellion among the youth of our country today. The resentment is deep and it's going to get worse before it gets better. Frankly I'm resentful against my commanding officers for some of their decisions and orders. I place too much value on my life to allow the U.S. Army to sacrifice it for some obscure and totally meaningless objective in Vietnam. I think this is perhaps at least part of the root of the rebellion against the 'military-industrial' complex of today. Gotta go now, write later.

Love,

CHUCK.

P.S. Please send me one dozen packages of un-sweetened Kool-Aid. All flavors except Lime.

PORTLAND, OREG.,
June 11, 1969.

DEAR MRS. GREEN: I am enclosing a copy of a letter which I have received from my son in Vietnam.

After a year of training and specializing in personnel work, he is now an infantryman. He has been there since the last of March and as you can see by the letter, I don't believe he knows just why he is there. He has asked questions in his letter which I am unable to answer. I don't believe the army has educated the boys as to why we are fighting there because if they had I think they would have at least some understanding of the situation.

Some in civilian life understand as to our original purpose over there but the boys can't understand why they are sent out in squad strength to be sitting ducks for the V.C. ambush.

I am sure the morale of my son would be greatly increased if he were to receive some communication from you giving him some answers to his questions or the possibility of transfer to his specialty.

I ask this in spite of the fact that I know how busy you are with Congressional duties.

Sincerely yours,

A.C.

LEGISLATIVE PROGRAM

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader the program for the remainder of this week and the agenda for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, we have finished the business for this week.

The business for next week is as follows:

Monday is Consent Calendar day. There are no suspensions.

For Tuesday we have scheduled for consideration H.R. 11249, to amend the John F. Kennedy Center Act to authorize additional funds for such Center, under an open rule with 1 hour of debate; and H.R. 6508, California Disaster Relief Act of 1969, under an open rule with 1 hour of debate.

For Wednesday and the balance of the week the following are scheduled:

H.R. 11400, Second Supplemental Appropriation Act, fiscal year 1969, conference report. We are not exactly sure what day that conference report will be ready.

House Joint Resolution 247, relating to the administration of the national park system, under an open rule with 1 hour of debate.

H.R. 471, to hold in trust certain lands for the Pueblo de Taos Indians in New Mexico, under an open rule with 1 hour of debate.

H.R. 11702, Medical Library Assistance Extension Act of 1969, under an open rule with 1 hour of debate.

H.R. 4284, authorizing appropriations for the Standard Reference Data Act, under an open rule with 1 hour of debate.

This announcement is made subject to the usual reservation that conference reports may be brought up at any time and that any further program may be announced later.

Mr. GERALD R. FORD. I should like to ask the distinguished majority leader two questions.

Did I correctly understand it is not certain and positive that the conference report on the second supplemental appropriation bill will come on Wednesday; it could come on any one of the days, Wednesday or the remainder of the week?

Mr. ALBERT. The gentleman is correct. My understanding is that the conference committee will meet on Tuesday. Of course, until it does meet we are not sure what the disposition of this matter will be.

Mr. GERALD R. FORD. Second, in looking at the agenda on the whip notice, is it likely or is it problematical that we will have a session on Friday?

Mr. ALBERT. I should not like to be bound by any statement in that regard. I do not anticipate it at this time.

Mr. GERALD R. FORD. I thank the gentleman.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that any business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SOME REFLECTIONS ON THE SURTAX VOTE

The SPEAKER. Under a previous order of the House the gentleman from Ohio (Mr. ASHBROOK) is recognized for 10 minutes.

Mr. ASHBROOK. Mr. Speaker, in the aftermath of the 210 to 205 vote by which the House of Representatives extended the 10-percent surtax for 1 year, some interesting questions arise. A number of debates continue. There are many important issues involved here—tax reform, probably Senate action, the sweeteners contained in the bill. The argument continues as to whether this is really a check on inflation. I would still argue that taking $10 billion away from the people who might spend it and giving it to the Federal Government which will absolutely spend it is no check on inflation. However, there is one really crucial issue which has received very little attention. Has the Republican Party here and now abdicated its historic role as the party of economy in Government, fiscal responsibility and straight dealing with the American people? I have enough concern about this fundamental issue that I must raise some questions.

No amount of semantics can gloss over the central issue here. I listened to my party leaders talk about this as a "unity vote" for Republicans and the "responsible" position. As for unity, this is great and needed but when the unity is for purposes which are questionable this is little more than a call to abdicate principle. If all you are interested in is unity, you might as well emulate the Mafia. They have cohesion, unity of purpose and discipline. The principles must come first unity then follows on these principles.

I heard the word "responsible" used over and over. Was it responsible to vote for the surtax extension? I think not. It was a carte blanche, a full-steam-ahead signal to the spenders to proceed with their plans for bigger programs which will ultimately be heaped on the backs of the American taxpayer. It was sad indeed to listen to Republican speaker after Republican speaker call this extension a responsible action but then pay only scant attention to the biggest need of all, the responsibility of the Republican Party to cut unnecessary spending, to dampen the fires of inflation by restraining Federal extravagance. As I have said so many times, our problem is not that we are undertaxed as a people it is that the Government has overspent, overpromised, overprogramed and followed pie-in-the-sky panaceas created by the liberal pied pipers. To take the position that it was responsible to overtax to cut inflationary pressures rather than to support—indeed, force if necessary—cuts in the many Federal programs on the books seems to me to present a strategic juncture in the history of our Grand Old Party.

I would remind many of our Republican leaders, including the President, that the history of the Republican Party did not commence on January 20, 1969. The solid legacy and record of the Republican Party is one of the central reasons we elected a Republican President in 1968.

It is that record that most of us have run on in the past and have been elected on. That legacy was given to us by responsible leaders like Senator Robert A. Taft, Senator Bill Knowland, Representative James Reed, Representative Dick Simpson, Representative Carrol Reece, and scores of others who fought for economy in Government, limited Government, checks and balances, increased responsibility by the States and solid conservative programs. To indicate that it was a breach of Republican solidarity to oppose the surtax extension and a vote against the President would have been humorous had it not been so ironic.

I think it is fair to say that the great majority of Republicans and independents who supported President Nixon last year did so for the reason that they were fed up with Democrat-style super spending and because he held out to them the promise of a change. I sincerely supported him on this basis. I believed him when he said he would clean out the State Department, reduce Government spending, phase out the Job Corps, change the direction of the politically dominated Poverty program, knock out the surtax, and so forth. I supported him and cheered when he indicated he would not tolerate a coalition government in Vietnam.

Thus far we have increased Federal salaries, increased the national debt, increased the IDA authorization and, just last Monday, we voted to extend the surtax. The Job Corps will apparently continue despite its record and there is already an effort to extend the poverty program as is—just for starters. A coalition government in Vietnam may be just around the corner in one form or another. All of these supposedly will become Republican positions if that is what the White House wants. If this is so, count me out.

Are we Republicans talking about cutting the bloated Federal payrolls which found several hundred thousand new employees added during the Johnson administration alone? No. I read in the newspaper yesterday that there is a general feeling of relief in bureaucratic circles now that the hiring freeze has expired and they can start building their empires once more. What was happened to our Republican principles?

Admittedly, the Republican administration took over at a time when many of the Democrat chickens were coming home to roost. The spectre of overspending, inflation, high taxes, and general unrest throughout the Nation were not of our making. However, we knew the situation and we made promises as to what we would do. We simply have not given any honest indication that we are willing to do what we told the people we would do. No meaningful effort has been made to cut spending. This is why I think a vote to extend the surtax was irresponsible—it merely assured the spenders that the money would be there to continue business as usual.

A few months after a hard-fought and close national election, it appears that some Republican leaders would make you believe that it is a question of "not supporting" the President or the party when you vote against him when he fails to carry out his campaign promises. I will support him steadfastly in his efforts to bring about the changes he promised the American people. I will just as vigorously oppose him if he endeavors to go in the opposite direction. I am not one of those Republicans—and they are apparently in the majority—who could view with alarm under Johnson last year and point with pride to the same thing under President Nixon this year. There are always changing factors to consider but some things are clearly central and basic to our Republican philosophy. If as a part of our basic philosophy we opposed something last year, it should still be wrong this year. If it was right last year, it should be right this year.

It is this matter of basic philosophy which worries me. Are we abdicating the traditional role of the Republican Party? I have heard precious little during these past 6 months about making necessary and substantial cuts in the Democrat spending programs. In fact, every indication seems to point in the opposite direction. For example, Health, Education, and Welfare Secretary Bob Finch has given us very little change over the Cohen brand of spending. In fact he is asking for hundreds of millions more in some areas and seems bent on trying to implement some sort of guaranteed annual income program and a national welfare floor which would negate the rights of the 50 States to set their own standards. Will our Republican leaders call these non-Republican programs a matter of "responsible party loyalty" at some time in the not too distant future?

U.S. News & World Report, in its June 23 issue, made the following statement on page 34:

> Unless Mr. Nixon rejects the counsel of most of his advisers on domestic affairs, he will soon be sending to Congress the most liberal welfare program ever proposed by a President of either major party.

If this is true, and I have no reason to doubt, does anybody honestly think this is what people voted for last November?

What had happened to the basic philosophic thrust of the Republican Party? Is there any doubt in anyone's mind that if we had told the American people last fall that we would promote more spending programs, a renewal of the surtax, increases in the national debt, and a guaranteed annual income program that they would have stuck to the party that has demonstrated real expertise in these matters, the Democratic Party? It is clear to me that the people wanted the Republican Party to take them in a different direction, in the direction of our historic mandate. They voted for a change. What will we tell them if we do not give it to them? I have a pretty good idea what they will tell us and I suppose that is what really bothers me the most. Not so much that we might lose but that we will have missed a rare historic opportunity to move the Government in the very direction which we have through the years advocated. We can and should restore some balance and sanity to the Federal Government but will we?

There is frustration everywhere about politicians and Government. This is a central factor in the unrest which permeates the cities and the campuses. Are we Republicans going to add to this frustration? I believe we will if we follow the course of action which we seem locked into. There is always the argument that you can ride the waves, that people get upset for a while but soon forget. I would caution our Republican leaders not to bank on this hope. The people do remember and will remember us. Our not-too-sterling performance at the special elections thus far should be some sort of a reminder that the people may be trying to tell us something. They spoke in Los Angeles, Minneapolis, and New York this year. They spoke last year. There is already one liberal party, we do not need another one.

In my opinion, most people have had a belly full of politicians. Not Democrat politicians, just politicians. We Republicans can just as easily fit into that mould as those big government advocates who have worn out their welcome with their constituencies. It may not be popular to point this out but I am certain that it is a fact of life for us in 1970 and 1972.

We have always held ourselves out to the public as a responsible, conservative party. We did this in the last election as we have done it throughout the years when it appeared public opinion might be going the other way. We lost many elections but we held our principles. Last year we won a great victory. People everywhere have begun to see the fallacy of the liberal panaceas and we had a true conservative mandate.

If our Republican leaders have decided that we do not want to be the type of party we have been—and most of us in Congress ran on Republican principles and Republican records—let us at least be honest enough to tell the people this in direct and clear language. At least that much of our proud historic heritage could be respected.

REASSESSING OUR NATIONAL PRIORITIES—CAN WE AFFORD PEACE?

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, a week ago a bipartisan group of Congressmen and Senators convened an extraordinary conference of distinguished scholars, diplomats and experts to start a national dialog on how America can redirect its wealth and resources. I was privileged to be one of the four House sponsors of the conference, my colleagues being the distinguished gentlemen from New York (Mr. BINGHAM and Mr. OTTINGER) and the able gentleman from California (Mr. BROWN). In the other body, the sponsors were the distinguished Senators COOK of Kentucky, SAXBE of Ohio, CRANSTON of California and HUGHES of Iowa.

In my keynote address before the panel discussion on domestic policy, I stressed that if we are going to rebuild urban America, creating a decent life for rich and poor, black and white, alike, then Congress should re-evaluate how it allocates the Nation's resources.

The Priorities Conference, held in the auditorium of the New Senate Office Building, had no legislative standing as a functioning body of Congress. But what it did have was the legitimacy of U.S. Congressmen and Senators banding together to use their moral persuasion and prestige to sponsor a forum where the public could express its views on how its tax dollar is spent. Because although almost 50 percent of public spending today is financed from the earnings of working Americans, the Nation actually spends less than 8 percent of its wealth on social benefits for the population.

Of course, one could not expect a carefully structured syllabus specifying how we should redirect the Nation's wealth from a senselessly escalating military machine and an indefensible war in Vietnam to socially beneficial outputs that emphasize human needs to emerge from a 2-day conference. Obviously, such an undertaking will require the full expertise and commitment of Congress and its standing committees. But what we participated in last week symbolized to the American people that the democratic process does work—that citizens' petitions and students' protests are not anguished cries of despair.

In effect then, the Priorities Conference was a reaffirmation of our democratic values—relaying to the public that their representatives in Government are sensitive to their needs and desires.

For as taxes bite deeper and deeper into the buying power of the average American, and he realizes less and less for his tax dollar—he is justifiably seized by frustration and wonders what Government is doing for him. Indeed, it seems a certain malaise has crept into the hearts of Americans, reflected by the disruption, fear, and violence of today's headlines.

For there is an uneasy feeling adrift in the Nation today that suggests people have no control over their own lives. In the ghetto disorders, the student rebellions and in the protests against the ABM and the Vietnam war, people are saying that events have become too enormous to control.

Indeed, the current upheaval reflects the Nation's frustration over its inability to cope with a rapidly changing urban society. Nobody ever questioned the availability of fiscal resources for financing the Vietnam war and the Nation's military machine. Yet curiously, we operate with different accounting methods when it comes to meeting domestic social needs.

In such an atmosphere, hope and confidence in society slowly erode when human needs are subordinated to military spending. The question we should be asking then, is: Can we afford not to rebuild our cities and reaffirm our traditional American values of decency and compassion?

But even though our first priority in reassessing our resources must be to make democracy work at home, I believe the Nation's security still must be given top priority. The problem though, is that the old ways have been tried and retried without success. Neither cold war diplomacy or military aggressiveness have guaranteed international tranquility or achieved peace.

For peace and tranquility among mankind cannot be willed and it cannot be imposed by force. It can only be achieved by hard work, by performance, and by understanding. Yet who is really working toward attaining peace today? Indeed, peace seems to be everyone's concern, yet no one's job.

The Pentagon has over 300 legislative liaisons—that is, lobbyists—spending $4 million annually to secure defense contracts for the military.

But who is lobbying for peace?

And I understand, it was recently disclosed that some 2,000 retired military officers were working for 100 major aerospace and defense-oriented industrial firms that had over 67 percent of the Nation's prime military contracts last year.

But how many retired military officers are working for peace?

The Nation expended $49.6 billion in 1965 on national defense, and it is estimated that defense spending will skyrocket to $81.5 billion in the coming fiscal year.

And what have we got for our money, in addition to following the generals into blunder after blunder—an Asian folly that has become a human disaster; building multi-million-dollar bombers that cannot fly; exhausting human resources on rockets that are now obsolete, and wasting an estimated $10 billion of this year's Pentagon budget for useless military hardware?

The answer is: Very little. As the world is increasingly learning, you can do just so much with bombs and military might.

Military force can quell outbreaks; it can crush and ravage foreign lands. But it cannot bring tranquillity or peace or make friends for America. The walls of isolation separating American resources from world poverty and despair cannot be buttressed by merely allocating 1 percent of our Federal budget for foreign aid.

What is needed to foster a climate of peace are more substantive on-going programs of development and cultural understanding that are beneficial to people, and not tied to any current, expedient foreign-policy design. The U.S. Arms Control and Disarmament Agency reports that between America, the Soviet Union, and other global powers, we are spending 40 percent more for armaments than we are for education, and over three times as much as world spending for public health.

Is it any wonder then, that the attainment of peace still eludes us?

In all, America is spending less than one and two-tenths of a percent of the Federal budget on peace activities. The $2.9 billion the Pentagon spends an-

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nually merely purchasing ammunition is more than the entire Federal budget for functioning peacekeeping programs that are oriented toward achieving world stability.

For instance, we spent only 6 cents out of every $100 of Federal funds this year on the Peace Corps.

We spent only $1.9 billion for the Agency for International Development this year.

And while no one questioned whether we could afford space research—it soared from $100 million a decade ago to almost $6 billion in fiscal 1966—when it came to disarmament the funds vanished. Incredibly, the U.S. Arms Control and Disarmament Agency has been hobbling along these years spending something like one-half cent out of every $100 of Federal money expended.

Clearly, the time has come to re-evaluate our national priorities and assign part of the defense dollar for activities in the name of peace.

What we need is a policy of peace. Our foreign policy and military policy must be overhauled, but its time we adopted a fresh perspective on peace. I would like to see a fulltime top-level, Cabinet-rank branch of Government devoted exclusively to the cause of peace.

Toward that end, along with Senator HARTKE, I have proposed creating a new Department of Peace within the Federal executive—bringing together those operating agencies that are now functioning in an atmosphere not conducive to promoting their peaceful objectives.

So far, some 80 Congressmen and Senators from both parties have cosponsored our proposal. Of course, the idea for a Department of Peace is as old as the founding of the Nation. But as Victor Hugo said:

> There is nothing more powerful than an idea whose time has come.

The Founding Fathers never intended that a vast, institutionalized military and diplomatic establishment should develop practically independent of congressional control. In matters of war, Congress was to initiate armed force. Otherwise, foreign affairs were intended to promote the attainment of peaceful relations among nations.

We must recapture control of that distant vision now, if we are to regain the confidence of the public and stem the frustration I spoke of earlier.

I believe that only in a national atmosphere that provides for a fresh initiative on peace—free of monetary, diplomatic and political strife—can ongoing programs of international development prosper and lend themselves to the pursuit of peace. Indeed, it is imperative that we distinguish between foreign policymaking and peacekeeping programs of world development and cultural understanding in any reordering of national priorities.

SOME CRITICS ARE OUT OF TUNE WITH "MUSIC"

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. TALCOTT) is recognized for 15 minutes.

Mr. TALCOTT. Mr. Speaker, the current attacks upon the "military-industrial complex" require more study, exposure, and understanding. I will be the first to demand the same scrutiny of the budget of the Department of Defense that I demand of the budget of every other agency of the Government—but malicious malignment is quite another thing. Unless some sense of perspective is interposed in the current clamor, this careless political demagogy could reduce our Nation to a second-rate world power.

Those segments of our society involved in military procurement and our national security are not just the military and the industrialists. Equally involved are the universities, the unions, and the scientists. If there be any such complex, it should be described as MUSIC—"military, university-union, science, industrial complex." Others may deserve inclusion, but certainly MIC—military-industrial complex—is clearly too narrow and misleading.

Military, university-union, science, industrial complex (MUSIC), should be subject to the strictest surveillance. Waste in the Department of Defense is not excusable; we ought to do better. Civilian control of the military is essential.

But, Mr. Speaker, let us look at some indicative facts and history. During a recent war, one of our then less distinguished presidents was able to fire one of our then most distinguished generals and make it stick. "Civilian control" is quite secure, then and now.

During the last 8 years the Department of Defense has made some procurement mistakes and some excessive overruns, but remember all of the serious mistakes and overruns were due to the procurement judgments and practices of civilian Secretary McNamara often overriding his Pentagon advisers. For these errors, mistakes, and overruns, we must fault the civilian secretary and his "whiz kids"—not the military or any "complex." Certainly we cannot, and should not, condemn Secretary Laird or President Nixon for the mistakes of Secretary McNamara and Clifford or of President Kennedy and Johnson.

Many antiwar, ban-the-bomb zealots strike out vituperatively at the Pentagon and will make any wild allegation. But any reasonable person must recognize that the military would be the last to recommend a war in which they will be the first to die, in which they will sustain the gravest casualties and their families endure the greatest suffering.

There are solons and columnists who, with some tortuous logic, malign the military for somehow causing Vietnam; yet our foreign policymakers, the State Department, the CIA, the Foreign Relations Committee, the World Federalists, the internationalists, and many others are far more responsible than the military for our early and present presence in Vietnam. Indubitably, the military would have the most self-interest in leaving Vietnam immediately. What could delight the combat GI, the marine, or the airman in Vietnam more than for the State Department and the civilian leadership and the negotiators to say, "come on home."

No reasonable person could "buy" the nonsense that the military was responsible for Vietnam, Korea, World War II, or World War I. But each time when the military was called, they performed magnificently. No knowledgeable critic faults the performance, the dedication or the desire for peace of our military personnel—from Chief of Staff to newest enlistee.

Not only is much of the current criticism plain demagoguery—it is cheap demagogy. It is somewhat comparable to a false claim of rape—easy to allege; highly inflammatory and likely to degrade the accused; difficult to disprove; impossible for the accused, no matter how innocent, to recoup his reputation; and no penalty or embarrassment is imposed upon the wrongful accuser. In the case of the military being accused by a Member of the Congress—with immunity—or by the news columnist—with the "last word" and extensive circulation—the false or careless allegation is doubly reprehensible. The military is shackled in several ways. They cannot "talk back." It would be unseemly, and unmilitary, for the generals to argue publicly with their civilian or congressional superiors. Their oath of office deters them. Their concept of "duty" deters them. "Their's is but to do and die; their's is not to answer why."

The military covered by regulations is effectively removed from the political area except as easy prey from the protected critics who can "hit and hide."

Military, university-union, science, industrial complex (MUSIC), is responsible for our lunar landing program—and this is no less a spectacular success than our military, naval, and air accomplishments of World War II or the writing of our Constitution. The moon landing may be our Nation's most successful technological and scientific achievement—yet it was done by that same "military, university-union, science, industrial complex." If for some psychological reason we must malign, we ought to also give credit where credit is due.

There have been overruns in the NASA programs—enormous overruns, 100 percent overruns. Whenever you are dealing with new, sophisticated, complex ideas and instruments, overruns seem to have been the rule rather than the exception.

There have been mistakes and overruns in every agency of the Federal Government. The overruns in the social security program, medicare and war on poverty would put the overruns of the Defense Department to shame comparatively.

I personally do not like the war or the way it has been conducted, but when our Government—civilian controlled—asks a man to fight and risk death by service in the military—whether drafted or not—I believe we should give him every weapon, every vehicle and all the material and facilities he needs—when he needs it—to protect himself and to carry out his mission. Furthermore, I believe the weapons, materials, and facilities should be the very best we can possibly devise, produce, and provide. If we are not willing to spend the money—even if it requires consider-

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able monetary sacrifice—then we should bring the men home immediately. We insist that NASA build in every practicable safety factor—redundancy after redundancy—to protect the small flight crews in our space exploration program. I believe the same safety factor, the same redundancy, the same attitude toward human life and the expenditure of money should be applied whenever we ask or demand that military personnel risk their lives for our future freedom and security.

I believe that when we are at war and one man is required to risk his life in our behalf or cause, we should all make some sacrifice. One of the immoral aspects of this war is that only a few have sacrificed while most of us have remained secure, cozy, and better off. The military and their families have really been the principal sufferers. Some who have suffered or sacrificed the least are now condemning the sufferers the loudest.

To be sure some contractors, colleges, scientists, and industrialists have received large lucrative contracts. To be sure many businesses have made money; all should have made a reasonable profit. My complaint would be based not upon the dollar amount of their contracts, but upon their excess profits, if any. We have a Renegotiation Board, charged with the responsibility of reviewing defense contracts, to make certain that no defense contractor has made any excess profit.

I am certain that huge numbers of craftsmen in almost every building and construction trade have enjoyed extraordinarily high employment at the highest wages. Neither the unions nor the union leadership is going to complain about the high level of work and wages permitted under the defense contracts—but I am convinced they would much prefer to see the hostilities terminated.

I am certain that numerous university professors, graduate students, and scientists have discovered lucrative sources of income and new fascinations in the use of exotic equipment and improved facilities via defense-related research and development grants, fellowships, and studies. I am aware that many of their projects have resulted in fabulous discoveries and developments which will inure to the benefit of all mankind. For instance, I am advised that certain surgical techniques developed during the war will require medical schools and the medical profession to completely revise certain surgical procedures. For every near-miracle which will benefit mankind, hundreds of university research projects were useless sink holes of the taxpayers' money. These, too, were "overruns." Many "researchers" dawdled while the grants lasted. The university researchers and the scientists know this but seldom complain or reject a "research grant." But I am confident that they, too, would prefer that their talents, laboratories, and facilities be used for peaceful pursuits.

I am confident that the university covets no more ambition to form a "complex" with the Government or the military than industry or business desires to become involved in any sort of a "complex" with the military or the Government. An overwhelming portion of each group cherishes its freedom and independence more than it nurtures any avarice for power or control of society.

I am certain that many company executives and officials may have enjoyed some of the highest challenges, salaries, and fringe benefits in the history of their life's work because of their defense-related contracts, but I also believe these men, and their families, would prefer that their energies and talents be directed to more peaceful and domestic achievements.

Many of these industrial craftsmen, executives, and officials have worked hard and long and are entitled to be paid fairly for their services. The shirkers and wrongdoers of every ilk ought to be penalized although probably they will not. But when heavy and urgent demands are made upon designers, planners, builders, managers, scientists, auditors, craftsmen, inspectors; when crash programs are required; when new projects are introduced; when experiment is indicated; when innovations, even inventions, are demanded; when the state of the art is stretched to the bursting point, overruns and some useless experimentation will ensue.

Try to avoid overruns, yes; punish wrongdoing, yes; correct mistakes as quickly as possible, yes; utilize new systems, new materials, new ideas, yes; criticize and complain, yes; but be fair and honest. If you can do better, make your proposal. It is your country; your tax dollar; your MUSIC; your sons and husbands who are dying; your sons, husbands, and fathers who are working in the military, university-union, science, industrial part of this "complex" also.

As imperfect as MUSIC may have been, the latter-day conscience-stricken crusaders ought to remember—if they now decline to rejoice or be grateful—that this beleaguered "complex" permitted our Nation and the free world to flourish since 1945 and saved it from oblivion in World Wars I and II. Not only were our own citizens once most grateful and proud but so were many other nations and peoples of this planet.

When the overruns were in the welfare programs, the basic research programs, Federal aid to education, the colleges, medicare, NASA, the construction of a post office or a bank building or a housing project, where was the outcry? Only a few Members of the Congress worried about overruns in general. Now some Members of Congress, the public and the news media are complaining about the most difficult of all procurement—procurement of military supplies, weapons, and vehicles which must be obtained most rapidly under the most difficult conditions and in the largest amounts.

The Kennedy Center for the Performing Arts here in Washington will overrun the cost estimate and exceed—percentagewise—the largest overrun of any military procurement. But will the Pentagon maligners say a word in a protest against such an overrun? Nary a word. In fact, they will probably be back urging the Congress to make up the growing and scandalous deficit. Compare the difficulties, compare the logistics, compare the rush, compare the state of the art and compare the need. There is no comparison whatsoever; yet the same group that condones the Kennedy Center overrun will condemn the Defense Department overruns. Actually, I can understand both overruns and I would not assess wrongdoing or conspiracy or greed as the cause of either. Both should have been avoided. To criticize and demagog on one and ignore or condone the other is hypocrisy which ought to be exposed and understood by the public.

Just to make certain that another view of this rather crucial matter is better known, I include the column of James J. Kilpatrick carried in the Washington Star on June 1, 1969:

Defense Costs Not Excessive

(By James J. Kilpatrick)

The tidal wave rolls on as May goes into June: It is impossible to pick up a newspaper without reading fresh blasts against the pentagon—against the generals, the admirals, the top brass—against the whole "military-industrial complex" that is said to be dominating our society and exhausting its wealth.

Everyone is jumping aboard this juggernaut—peacenik students, conscience-stricken colleges, whole coveys of U.S. Senators. A House subcommittee publishes a damning report on Pentagon procurement procedures. Such gifted cartoonists as Herblock and Oliphant treat us daily to caricatures of bloated generals playing billion-dollar games. The military budget, we are told, is no longer sacrosanct: Defense spending will be cut to the bone.

In the midst of this orchestrated howling, it is not easy to raise a small voice of reason. Yet the voice has to be raised: This nation is not spending too much on defense. We probably are spending too little.

Sure enough, vast sums have been spent badly, on tanks that won't run, and planes that won't perform, and missiles that go awry. Defense Secretary Laird has a prodigious task ahead of him, in cracking down on defense contractors who have been taking advantage of the government. Laird is a tough hombre, and will do what has to be done.

But the demand that the U.S. spend less for national security is a demand that makes no sense—not at a time when the Soviet Union is upgrading its navy and expanding its missile program. Regardless of the outcome in Vietnam, our general purpose forces must be kept at high levels. To permit their erosion, in effect, is to abandon commitments; eventually, such a course involves the piecemeal yielding of most of the world to advancing Soviet power.

Sad to say, that is the course the false economizers are pursuing. The consequences of this folly already are appearing.

For a case in point, consider the critical situation that has developed in the field of naval aviation. The Navy maintains an inventory of roughly 8,250 planes. Six years ago, the average age of a Navy plane was about three years. Today the average age is more than seven.

Upwards of 2,400 naval aircraft already have outlived their service life; another 2,000 will reach that point of obsolescence within three years. Naval Reserve wings have been stripped of planes and parts. Nothing remains in mothballs. The Navy's inventory of fighters has dropped from 1,700 to 1,100 in eight years. Vice Admiral Thomas F. Connolly, head of naval aviation, has a blunt phrase that sums it up: We are engaged, he says, in "unilateral fiscal disarmament."

It will be five years before the Navy's proud new multipurpose plane, the swept-wing F-14, begins to arrive in significant numbers.

> Grumman Aircraft is building this beauty; and in view of the outcry over Lockheed's runaway costs on the C5A, it may be in order to note some of the hard-nosed provisions of Grumman's contract on the F–14.
>
> The Navy wrote into that contract certain specific requirements on design and performance—weight, range, acceleration, landing speed, and the like. Penalty clauses are attached. If Grumman goes over the maximum weight by as much as a hundred pounds, a $440,000 penalty will be imposed. Grumman will have to pay $1 million for every 10 miles of range by which it misses. The penalty for missing the maximum approach speed is $1 million a knot. The company is confident that it will meet these requirements, on time, within the target price.
>
> The Navy ought to be ordering, 1,000 planes a year at a cost of $4.8 billion. The economizers threaten to whack this replenishment schedule almost in half—and the Navy is not alone in its appropriation troubles. All our basic defense forces are in the same fix. This way lies disaster; that's where we're headed now.

He calls our attention to a prospective major disaster. He mentions only a small portion of the problems and deficiencies of the Department of the Navy. The Air Force, Army, Marine Corps, Coast Guard, and merchant marines are in similar serious straits.

Some critics of course will claim I am being too sympathetic with the problems and deficiencies of the Department of Defense. Most people know better. I have been and will continue to be hardnosed with respect to any agency that spends the taxpayers' dollars. The dollars are too hard to earn and even more difficult to save. We have a very special fiduciary responsibility when we spend somebody else's money. I intend to be just as hardnosed and careful about spending dollars for defense as I am in spending any other Federal revenues. No department is sacrosanct. The same criteria should apply to all Federal spending.

In an attempt to assure that this criteria is applied, I have introduced a bill—H.R. 4857—which will require a certified "price tag" on each new legislative proposal requiring more than $1,000,000 in total expenditure, whether in the Department of Defense or elsewhere.

Under my proposal a proforma profit and loss statement or balance sheet certified by the General Accounting Office as being a true and total cost would be required before any new legislative proposal can be reported out of committee for floor consideration.

Some of the MUSIC critics fail to remember that more than $6 billion was cut from President Johnson's fiscal year 1969 budget request for the DOD, even at a time when our casualties were increasing. If all agencies and departments had been curtailed as much, we would have a better handle on inflation right now.

Nevertheless, it should be remembered that national security is not cheap and freedom is not free. So long as we have international marauders, we must maintain a sufficient defense. When we ask men to risk death, we owe them the best weapons and equipment we can provide.

Some of the critics of MUSIC would have us believe that we can simply go to a shop and order the newest, most sophisticated aircraft ever dreamed of—which will perform perfectly many functions which have never been performed before—and expect delivery the next month—yet pay the "shelf price." If they were the contractor, if they were the scientist, if they were the industrial manager, how would they perform? Dozens of contracting procedures and techniques have been used. Perhaps we have not yet devised the perfect contracting mechanism or instrument to guarantee fairness and efficiency for all parties, but no one can honestly say that all parties have not tried.

Some of the carping about "MIC" and the "exposure" of military procurement overruns and worthless experiments is somewhat akin to publicity seeking Monday morning quarterbacks who do not know a hotdog from a "red dog."

Many vituperative critics of MUSIC have alluded to a conspiracy. None will say it directly because the law is clear and effective to cope with any such conspiracy or collusion. This suggestion always disintegrates when it comes to the evidential stage because then the integrity of the accused usually exceeds the integrity of the accuser. Of course the critics never permit their suggestions of collusion, wrongdoing or criminality to proceed to the evidential or proof stage because then their opportunity for demagogy evaporates.

Some of the "military maligners" may be mystified by the myths that "if we do not do anything to the enemy, he will not do anything to us" or that "if we ignore communism, the Communists will ignore us." These myths are just as deluding as the belief that "if we want peace, we can have it—simply by doing nothing."

Those who bolster their demagogic attacks upon the "military-industrial complex" with quotations from General Eisenhower, usually quote the general out of context and only partially as follows:

> In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist.
>
> We must never let the weight of this combination endanger our liberties or democratic processes. We should take nothing for granted. Only an alert and knowledgeable citizenry can compel the proper meshing of the huge industrial and military machinery of defense with our peaceful methods and goals, so that security and liberty may prosper together.

As I read President Eisenhower's farewell address in full, he was equally concerned about the potential evil of the university-Government axis.

> In the same fashion, the free university, historically the fountainhead of free ideas and scientific discovery, has experienced a revolution in the conduct of research. Partly because of the huge costs involved, a government contract becomes virtually a substitute for intellectual curiosity. For every old blackboard there are now hundreds of new electronic computers.
>
> The prospect of domination of the nation's scholars by Federal employment, project allocations, and the power of money is ever present—and is gravely to be regarded.
>
> Yet, in holding scientific research and discovery in respect, as we should, we must also be alert to the equal and opposite danger that public policy could itself become captive of a scientific-technological elite.

This admonition should be remembered in the context of the current clamor. The relationship, even dependency, between the Government and the university is much closer than any alleged clique between the military and the industrial.

Today the university, almost every university, could not function without the subsidy—in numerous forms—of the Federal Government. Many universities which claim to be private or parochial or independent are none of these—they are dependent upon, and subservient to, the Federal Government for funds, for scholars, for fellowships, for facilities, for research grants, and much more. If you do not believe this, I will show you my files of letters from universities and colleges from throughout our land saying that, if this or that Federal program is not "fully funded" their collapse is imminent.

General Eisenhower was reminding us of something which is very dear to us. We Americans want no segment, or no alliance of segments, of our society to dominate our society. I, for one, do not want the Government, or any combination of governments, to dominate our society. I do not want an "intellectual-scientific" clique to dominate our society. I do not want the news media, or any coalition of the news media, to dominate our society. General Eisenhower's warning should be heeded. But to use a limited portion of his wise admonition as a clarion call to malign, degrade, and demogog is a great and grave distortion of his meaning and can be a serious detriment to our national security.

General Eisenhower also said something that was more significent, more topical now and which he considered to be more crucial to our survival as a nation of free men and women; namely:

> We face a hostile ideology—global in scope, atheistic in character, ruthless in purpose, and insidious in method. Unhappily the danger it poses promises to be of indefinite duration.
>
> Throughout America's adventure in free government, our basic purposes have been to keep the peace; to foster progress in human achievement; and to enhance liberty, dignity and integrity among people and among nations. To strive for less would be unworthy of a free and religious people. Any failure traceable to arrogance, or our lack of comprehension or readiness to sacrifice would inflict upon us grievous hurt both at home aand abroad.
>
> A vital element in keeping the peace is our Military Establishment. Our arms must be mighty, ready for instant action, so that no potential aggressor may be tempted to risk his own destruction.
>
> We can no longer risk emergency improvisation of national defense.

Thus General Eisenhower said in clear language that to insure our freedom we must remain strong; weakness invites aggression or bullying; current conditions and weapons will no longer allow us time—as in the past—to gear up from cozy complacency to emergency situations; reliance upon hasty improvisations in matters of national defense is ineffective, perhaps fatal, and terribly costly in lives and resources. MUSIC needs perfecting, not wrecking.

There must be effective cooperation and coordination between the military-research-industrial segments of our society. There must be more complete integration of the civilian and military components of our society. This cooperative objective ought to be encouraged, not maligned. Certainly the cooperation ought to be in the public, rather than the private, interest. But we should keep our eye on the real target—wrongdoing for private aggrandizement at public expense, not the cooperative association of the various segments of our society in our collective interest of national security.

As we tenaciously reserve our right and responsibility to scrutinize and criticize the spending of tax dollars by every Federal agency, especially by the Department of Defense, I believe we have a concomitant responsibility to use facts and draw reasonable conclusions without bias and without seeking personal attention of self aggrandizement at the expense of other innocent or defenseless persons or groups.

There are several other general areas of inquiry which could be pursued by those desirous of obtaining better comparisons and truer perspectives:

First, what is the percentage of our gross national product that we are committing to national security today, 10, 25, or 50 years ago? How does our percentage compare with the percentage of other world powers with comparable security responsibilities?

Second, what is the condition or state of "maintenance and repair" of our defense system today? Compared to 10, 25 or 50 years ago? Compared with other world powers?

Third, visit any military base—notice its condition and state of repair. Compare its condition and state of repair to other Federal agency buildings and facilities, or with State, county, or city governmental facilities.

Fourth, what are the central governments of other countries spending for housing, medical care, education, crime prevention, welfare? What percentage of their GNP are other countries spending for these needs of their citizens? How does the quality of these and other citizen comfort items compare with ours?

Do not accept everything you hear from the critics. They usually are given extraordinary space and time in the mass media. They usually are more vocal. But we should insist that they prove their allegations. Then, if they can prove their allegations, join them, support them until the deficiency or wrongdoing is corrected.

Our military strength has preserved our freedom and liberty for almost two centuries. The construction of our representative system of government and our free enterprise system of business and industry has permitted us to achieve a position of superiority, security and affluence unequaled in the world. The industrial segment of our Nation has always responded with competence and alacrity to every war or other national emergency. We should not be ashamed or worried about MUSIC, we should encourage this cooperative venture in our continued quest for peace with freedom and justice. We should never tolerate any wrongdoing; we should vigilantly oppose all waste and extravagance; we should work assiduously to improve the system and to quickly correct deficiencies.

We should expose, isolate, and refuse to aid and abet the carping critics who make no constructive contributions. We should know and understand why some critics emerge now rather than during the last 8 years. There is no opportune time for partisan political carping when American lives and our national security is at stake.

The critics seem to be suffering a psychological complex about complexes. These critics offer no practical alternative. One suggestion is complete socialization of the Department of Defense. This would eliminate any "complex", of course, but simply convert our defense system to the Russian-style totalitarian system—the most expensive, least effective method for obtaining sufficient weaponry and facilities to respond to any crisis.

Another system sometimes suggested is to employ numerous inspectors general. This could be much more expensive and redundant with less benefit. With the constant probers of the Congress, the intrepid news media, the reports of disappointed contractors and viligant employees, the publicity-seeking politicians, the proficient GAO, and the persistent Renegotiation Board, the true story and the facts will out.

Additionally, Secretary of Defense Melvin Laird has wisely proposed the formation of a blue-ribbon investigation committee to be chaired by Mr. Gilbert W. Fitzhugh, chairman of the board, Metropolitan Life Insurance Co. Mr. Fitzhugh appears eminently qualified to undertake this critical task. He appears to be assuming the responsibility with an unbiased and open mind and an earnestness which will redound to the credit of the committee, the benefit of our national security, the improvement of our procurement practices and the excellence of our research and development programs.

I would hope that someday there will be no international marauders and that no Department of Defense would be necessary, but that wondrous day has not yet dawned. Until that day dawns, MUSIC may save our Nation, our way of life, from being buried.

We must save it from being vilified, dismantled, or disbanded.

CIVIL SERVICE RETIREMENT BENEFITS

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. Tunney) is recognized for 10 minutes.

Mr. TUNNEY. Mr. Speaker, I have today introduced legislation directed toward increasing the security of the retiring Federal employee. This bill is designed to strengthen the civil service employees' retirement system.

Through the improvements which this bill will make in the civil service retirement and disability fund will come assurances that sufficient funds will always be available to pay in full and on time the annuities of the Government's retirees and survivor annuitants. This bill is designed to rehabilitate the sad condition of the retirement system—a program which is a vital part of the Federal employment system, and one of paramount importance to the Government's millions of retired, active, and future employees and their families.

This measure recognizes the problems resulting from past and present funding practices, resolves doubts of the system's financial integrity, and develops a definite plan of action to insure its ability to fulfill its obligations.

The problems of which I speak did not develop overnight. The system's inability to meet future commitments is attributable to funding practices that have been grossly inadequate since the program's very inception in 1920. Employees have always paid their full share of retirement costs as set by law. Government has appropriated substantial sums to the civil service retirement and disability fund from time to time; but it has not contributed, regularly and systematically, in amounts sufficient to meet that portion of accruing costs not covered by employee contributions.

None of the several methods of financing proposed from 1920 through 1957 provided for an automatic reflection of the Government's share of retirement costs in annual appropriation. Because employee contributions annually exceded benefit payments, the expansion of Federal employment during the 1930's and 1940's further obscured the potential impact of an ever-increasing unfunded liability. However, the stabilization of employment during the early fifties, combined with inadequate and sporadic employer contributions, made it apparent that as the system matured, annual trust fund revenues would soon be less than benefit payments.

Projections show that the deficiency will increase and that the fund will ultimately be depleted unless action is taken. By increasing the Government's contributions my bill will generate sufficient revenue to properly support the benefit and retirement program.

Comptroller General of the United States, Elmer B. Staats, speaking for the General Accounting Office, has stated:

> We believe that, in furtherance of the objective of prudent management of the Government's financial affairs, a consistent method of financing the system should be established that will recognize and provide for all costs of maintaining the system from year to year as the costs are incurred.

He further states:

> It is our view that, regardless of the approach the Congress may choose to follow, it is important that a definite plan be adopted to improve the financing of the system at an early date.

This bill proposes such a "definite plan."

Additionally, Mr. Speaker, this bill improves the benefit structure of the civil service retirement system. The improvements include reducing the number of years considered in deciding an employee's "average pay" from 5 to 3. Similar adjustments in the actual computation of annuities will likewise favor the Government employee.

The civil service retirement system is a most important responsibility. It is an essential part of a modern employment system designed to attract and retain employees of the caliber required to conduct the complex business of Government. It contributes importantly toward financial security of millions of people. There should never exist the slightest doubt of the system's ability to meet its commitments to these people. That doubt now exists.

The Government's financial obligation is clear. The Government's recognition of, and action to meet, that obligation is imperative. The situation has been studied intensively during the past few years. It is time now, that Government face the problem realistically and adopt some definite program to meet it. Passage of this measure will be adoption of such a program.

"GHETTO KIDS" PROPAGATE A TRADITION OF REGARD FOR TEACHERS

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. Farbstein) is recognized for 30 minutes.

Mr. FARBSTEIN. Mr. Speaker, a constituent of mine, Attorney Aaron Fishman in New York City, believes that the Congressional Record has served a wonderful purpose in disseminating matters of a cultural interest to the Nation and he writes to report on the continuity and development of matters that were reported here before. The interest of alumni in the children of an elementary school is rare since we find alumni interest directed to schools of higher learning. But it is well directed when we consider the importance to young children of an awareness of affiliation with a tradition and with alumni of importance. In these perilous days of our educational system the efforts of alumni "to give a damn" as they say in New York City, about the disadvantaged have impressed the board of education which had our last Congressional Record report distributed to the almost 1,000 schools so that they could follow good example. Items like the following may serve as guidelines of commendable conduct that the Nation should know about as being in the national interest. It is about what is probably the best known elementary school alumni group in the country. The item follows:

Alumnus Charles H. Silver a former member of the Board of Education of New York City and now an assistant to the mayor of New York City is the president of the Beth Israel Medical Center which has just celebrated its 80th anniversary by tendering a testimonial dinner to Dr. Albert Sabin of antipolio vaccine fame.

At the medical center is inscribed a credo which will be a permanent statement of the philosophy of Charles H. Silver—"I know of no phase of human endeavor which is nobler in purpose than the healing of the sick and the alleviation of suffering. I know of no institution that serves a community with such utter unselfishness and such great effectiveness as a modern hospital. I know of no personal relationship that is more genuine and tender than that which exists between the patients in a hospital and the men and women in white who function within its walls. This, our credo for more than half a century, will endure long after those who now serve Beth Israel Hospital have passed on."

For the past 20 years Mr. Silver has also served as chairman of the annual Alfred E. Smith Memorial Foundation Dinner. The dinner raises funds to provide for the poor, the sick, and the underprivileged regardless of race, creed, or color, contributing millions of dollars to hospitals, especially St. Vincent's and Beth Israel and to Catholic Relief Services and other charitable organizations.

In the past Francis Cardinal Spellman headed the Foundation as president and Mr. Silver was the vice president. At the last dinner Archbishop Terrence J. Cooke, now a cardinal, succeeded as the president. The occasion was an historic one which Charles H. Silver presided over. In an unrehearsed, brilliant display of wit, good taste, and good will appeared the President of the United States, Lyndon B. Johnson, Vice President Hubert H. Humphrey, and Richard Nixon. Assembled on a six-tier dais were among others Mayor John V. Lindsay, Governor Rockefeller, Governor Hughes of New Jersey, Senators Javits and Goodell, ex-Governor of New York Thomas E. Dewey. The guest of honor was James A. Farley.

Referring to these guests in his remarks Dinner Chairman Silver said: They are leaders in the human parish that fuses men of all faiths in search for a way of life to ease the tensions of today and to meet the trials of tomorrow. They are leaders and followers, too, of those who minister to the human spirit—those men of God who will give us the strength to carry on despite seemingly overwhelming odds—despite the rage and riot in our streets and the bitterness and bloodshed between men and nations . . . . Today's frustrations and anger—today's injustice and insecurity—should remind us that American is what we make it—for ourselves—and for our children."

When Archbishop Cooke travelled to Rome to receive from Pope Paul VI the pallium, the symbol of the fullness of episcopal office included in the party that travelled to Rome was his good friend, Charles H. Silver.

Alumnus Israel Cummings who is the president of the Shamokin Woolen Mills refers to his schoolmates as "Those ghetto kids." He is very proud of them since in addition to Charles H. Silver, their names include Senator Javits, Ben Javits, George and Ira Gershwin, Paul Muni, Edward G. Robinson, Irving Jacobson, Irvin Caesar, Harry Golden, Surrogate Silverman, Judge Simon Silver and Judge Samuel J. Leibowtz. "A half century ago we referred to the ghetto children as 'underprivileged.' Today we speak of the 'disadvantaged.' But semantics aside, an editorial entitled "A Clue to Decency" that appeared in the New York Journal-American said: They grew up in a neighborhood of immigrant parents huddled in tenements, and they rose above their environment. Perhaps the reason was summed up best by Charles H. Silver, former president of the board of education, and alumnus, when he said: 'Maybe we do not know all the answers to the problems of delinquency * * * but we know that the regard we had for our teachers and the love we had for our parents made a great difference in our lives. We believe that a new generation can find inspiration in these words.' "

A big event in New York was the occasion of Cummings 80th birthday when Mayor Lindsay, Borough President Percy Sutton, Attorney General Lefkowitz, Congressman Leonard Farbstein, Samuel Silberman, president of the Federation of Jewish Philanthropies and Frank Weil, president of the Education Alliance joined representatives of community organizations in honoring him. Part of this event was the gift of a building to the Education Alliance of a Recreational Center containing a new gymnasium, 15 recreational rooms and a roof playground by Israel and Leah Cummings. An honor paid to Mrs. Cummings on this occasion was the renaming of one of the summer camps which they founded to be known as Camp Leah.

Because his beneficence remembered the place he came from he has been stamped as The Man Who Did Not Forget. He has discovered a great personal satisfaction in establishing Israel Cummings Day at the Circus. He recently sent down 8 buses to the East Side and picked up over 500 children from the Anna Silver School, the Education Alliance, the Rabbi Jacob Joseph School, the University Settlement and the Henrietta Szold School and a police squad car led them up to the new Madison Square Garden. Ice cream was as always part of the visit.

Because to help support his family he had to drop out of elementary school, aiding dropouts became a specialty of his. For his generosity to the U.S. Navy League he was presented with an admiral's sword. Many groups have honored him but he had an overwhelming desire for that elementary school diploma which he had left behind. After 65 years the Board of Education decided that he had probably earned one and it was presented to him by schoolmate U.S. Senator Jacob K. Javits at an alumni reunion dinner. He says, "I have made it my business throughout my whole life to help others to help themselves and I have felt that the satisfaction of giving has paid me back manyfold." Good habits and his selflessness are probably the reasons for his longevity.

We pay a last tribute to some of the "Ghetto Kids" who have just left our midst; Charles Guttman, president of the Paddington Corporation whose philanthropy included gifts of a building for the Henry Settlement and the Beth Israel Medical Center; Dr. William F. Rosenblum, community and religious leader; Irving Alpert who worked for better housing legislation; Human A. Meltzer who spent a lifetime in the Immigration Service and George Levy, the oldest alumnus, Spanish-American war veteran and famous ball park announcer.

An illustration of the enterprise and imaginative behavior of East Side teenagers who were part of the "disadvantaged" living of that early era is that of the Forton Club. Made up largely of boys of P.S. 20 who lived in the school area of Forsyth and Rivington Streets—a group which had Irving Mandell (later a chancellor commander of the Grand Lodge of the Knights of Pythias of the State of New York), Murray Fishman, William Alpert and Jack Kamlet as the leaders of this social club in 1910. The name Forton stemmed from the two streets, and they first met at the corner of "the streets where they lived", at times in the University Settlement at the other corner, and most of the time in each other's homes. With their small dues they later hired a clubroom for their dances and socials, away from dance halls. The group stuck together and when family relationships came into their lives, they formed a lodge, bought cemetery land and became pretty well established when under the leadership of Judge Max Meltzer, Harry Perlis, Lou Seltz, Sam Stackell, William Alpert, Irving Alpert, William Steirman, Moe Hellman, Irving Mandel and Allan Bienstock they incorporated their lodge.

They were a community minded group and community welfare was their program. They shared in the relief of disasters that occurred on the East Side. The Forton Ladies Auxiliary have taken on the project of distributing Passover baskets to the needy. The lodge has created a scholarship fund for the deserving of the community and has concerned itself with the committee working for better housing. After some sixty years the lodge now has 320 members, among them Attorney General Louis Lefkowitz and Supreme Court Judge Samuel Spiegel. Harry Perlis a recent 20 alumni association president has been slated as the Forton Man of the Year for 1969. They maintain their club house at 301 East 14th St. in New York City.

Alumnus Irving Jacobson has developed an international reputation by his portrayal of Sancho Panza in Man of La Mancha. He has within a period of fours years of the play's run, used up eleven Don Quixotes. Jacobson, despite a lifetime of comedy background chose not to present Sancho Panza as a funny man but as Miguel de Cervantes intended him, a simple peasant whose love and loyalty to his master Don Quixote moved many viewers to tears, watching them set out on their glorious quest to right wrongs, dreaming impossible dreams and reaching for unreachable stars.

When Lynda Johnson and her mother visited with Jacobson backstage Lynda remarked that her father could use a Sancho Panza in Washington, he answered with the now famous remark, "Well, I'm off on Mondays". Ethel and Robert Kennedy were both very much moved by Sancho and the senator was very much interested in Jacobson memorabilia which revealed him as a schoolmate of the senior senator Jacob Javits. When Ethel urged Sancho to persuade Robert to take a much needed haircut, Jacobson said, "Don't you do it Senator, you may yet have to play Sancho!" When Congressman Celler visited with him he revealed an in depth acquaintance with Cervantes.

Sensing the importance to the children of meeting and mixing with professional actors, Jacobson brought down to his school the principals of his Men of La Mancha company, Don Quixote (David Atkinson) and Dulcinea (Bernice Massey) to watch the children's glee club put on a miniature performance of the play and to mix with them, join in their singing and talk "theater". He also traveled to the St. Albans Hospital with members of the company to entertain service men returned from Vietnam.

Ben Bloom, alumnus and music publisher is proud of the photo of George Gershwin an old time student which reads "To Ben Bloom who gave me my first job in the music business". Ben Bloom delights in organizing with the help of the Brandt Pictures offices, parties to the movies for groups of children.

Out in Las Vegas alumnus Charles Kandel is one of the Sands Hotel executives. At the request of the Hon. Walter S. Baring M.C. one of the flags which had flown over the U.S. Capitol was presented to Kandel "in recognition of your outstanding service to your former comrades in arms and your patriotic service to your country". Kandel sent it to his old public school in New York City where it is exhibited for the children to see.

Kandel has made a special project of veteran welfare, rehabilitation and hospital assistance, and scholarships for youngsters of all faiths. He is national deputy rehabilitation officer of the Jewish War Veterans and a national aide de camp of Veterans of World War I. His interests have also included the American Cancer Society and the Shrine Club. He is a brother of the well known writer Aben Kandel.

Ralph D. Cole who heads the Consolidated Lithographing Corporation has made a special project of a multiple purposes certificate of commendation which carrys on the very important recognition program which the alumni have fostered among faculty and alumni to intensify interest in the aims of their tradition. The principal uses them to encourage excellence in every direction by presenting them in public to the deserving.

The last reunion of the alumni held at the Statler-Hilton in New York City featured a tribute in honor of the birthday of the organization's founder, attorney and old time teacher, Nathaniel Phillips. The evening also paid tribute to its illustrious alumnus, Irving Caesar, world famous lyricist of "Swanee" and "Tea For Two". Participating in the tribute were Congressmen Leonard Farbstein and Emanuel Celler, and Harry Hershfield and Harry (Only in America) Golden and representatives of ASCAP.

The Pledge to the Flag used the music which Caesar had written and presented to the Congress in behalf of ASCAP. It was recalled that when the new song for the Pledge was introduced to the country at a joint session of Congress the Marine and Air Force Bands and the Singing Marine Sargeants participated. The entire Congress assembled faced towards the gallery and applauded a little East Side boy now grown to full manhood, Irving Caesar, the author of the nation's new song.

Principal Benjamin Falon continued the tradition of reissuing the diplomas to the 50th anniversary graduating class. The alumni are teacher minded and rose in recognition of the 90th birthday of their old principal. Dr. I. Edwin Goldwasser and the 80th birthday of their physical ed instructor Herman Brown. Peter J. Massaro, happy about the reunion offered this tribute to his home town New York City:

"She's mine—no matter where I roam. My well being is secure in knowing that she will be there when I return. Despite the hustle and bustle which annoy strangers, to me her sounds are the beat I need."

He is the proud possessor of a letter of appreciation from His Holiness Pope Paul VI for the Christmas prayer that he composed and sent titled "Carrillons on High Ring in His Praise." The reunion dinner was chaired by Jack Kamlet and m'c'd by Judge Simon Silver, president of the organization.

You will recall the fact that Carl Sandburg, the poet laureate, was made part of the tradition of a New York East Side school. In impressive ceremonies a tablet was erected at the Anna Silver P.S. 20. The statement was obtained by alumnus Harry Golden, Sandburg's neighbor and biographer. It reads, "The restless and venturing human spirit of youth may perform tomorrow with exploits today called visionary and impossible. What the young people want and dream across the next hundred years will shape history and more than any other motivation to be named. The walls of this school might be saying, 'youth when lighted and alive and given a sporting chance is strong for struggle and not afraid of any toils or punishments or dangers or death.' " That statement prepared in 1961 reveals a timely admonition of the importance of our maintaining confidence in youth. To perpetuate the memory and ideals of the great poet laureate the Alumni will yearly vie for the honor of being the donors of the Carl Sandburg Memorial Prize to the student selected by the teachers as one who characterizes the teachings of the great poet laureate.

Margaret Sandburg, a daughter, writes from Connemara Farms in Flatrock, North Carolina that the resolution of North Carolina's Senator Ervin to make a national historic site of the Sandburg homestead passed both Houses by voice vote and obtained the President's signature. The Secretary of the Interior was authorized to acquire it. From Cleveland Helga Sandburg, the wife of Dr. Crile, has come a letter containing a poem "Addressed To A Father". It is a beautiful poem in tribute to Carl Sandburg and it is comforting to know that he has left us a heritage in a daughter who inherits his own great talent. She has sent it to the children of the school where a permanent Sandburg exhibit is being set-up. Part of the display in addition to the Sandburg plaque are the color photo sent by President Johnson of himself with Carl Sandburg. Through the kindness of Kate Rodina Steichen there has been added a copy of the famous Sandburg Profiles which her father Edward Steichen took of his brother-in-law Sandburg. This is the poem "Addressed To A Father".

"I remember you in various ways;
The picture I have of you of those days
Differs perhaps from what you'd think it is.
Living is an unprobed game that children play
Since everyone else is doing it too.

"You sat on the house'stop above three stairways,
Your skin caging the sun with brassed felicity,
And spoke to me father's counsel
To which I gave little mind,
Though admiring your glad attitude, and being
Sure that the world was firm, since you held
Its reins so exceeding well. The smoke
Had gone from your cold clenched cigar; the wood
Of the orange crate was hot to touch; in back
Of you the iron grill was flooded by a trumpet vine;
The tropical blooms hid clustering from
The sun which was stamped with your name,
Which belonged I knew to you.

"That was one thing, the sun; another was
Your voice humming as you descended uncounted stairs
To where the rest of us were at table.
Two mad beautiful Irish setters howling joy
Prefaced your arrival. A song started lusty
When you reached the second staircase; it might be,
'Everybody works at our house! But my old man!'
The faces in the room went wheeling to your voice. Then

"Your affection for night, your walking through it,
Into its blackness where occasionally glowed
One evening star like a tiny sun
Or the beginning moon like a cobweb looped
Or an old sated one in a blue baze.

"For these thanks: the globe and bugle blooms, the red dogs
And song; the night that I hold on temporary loan."

A visit to the school would show that its corridor referred to as the P.S. 20 Alumni Hall contains a museum of the tradition that the alumni are so proud of and which they believe should serve as a shrine and a source of inspiration to the generations of children who will follow and will be guided by the standards which have been set.

The Hall of Fame tablet contains the 100 best names in the history of the school, honoring those who have succeeded in their vocations and who have served the community, and it is intended to acquaint future generations with the alumni with whom they share the school's tradition.

Exhibit cases show the works and the story of achievement of many of the alumni. The internationally famous muralist Lumen Martin Winter who designed the murals for the Air Force Chapel in Colorado Springs and the AFL–CIO Building in Washington created the mosaic glass Immigration mural which tells the story of the background of the students who came to the school. It contains the famous lines of Emma Lazarus—"Give me your tired, your poor, your huddled masses yearning to breathe free." John F. Kennedy's statement "America is a nation of immigrants, descendants of immigrants" emphasizes the ideology behind the school's

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tradition. The most valued statement is probably the one that gave rise to the school's anthem "Ecce Quam Bonum, Quamque Jucundum Habitare Fratres In Unum" which are the Latin words for that ideal that we all strive for—"Behold, How Good and How Pleasant It Is For Bretheren To Dwell Together In Unity." Lumen Martin Winter recently donated a sketch of the late Senator Robert F. Kennedy with the inscription that he was so proud of "Some men see things as they are and say why. I dream things that never were and say why not."

Noteworthy are the legends in brass on the marble walls by Emerson, Lincoln, John F. Kennedy and Silver. Uncannily the legends of presidents Lincoln and Kennedy were set together on the same wall, long before the tragic Kennedy incident—two men whose presidential lives contained many parallels. Worthy are the Lincoln statement "Let Us Have Faith That Right Makes Might And In That Faith Let Us To The End Date To Do Our Duty As We Understand It," and the Kennedy statement "And So My Fellow Americans, Ask Not What Your Country Can Do For you—Ask What You Can Do For Your Country."

The statement of Charles H. Silver who served for many years as president of the Board of Education contains a rich message—"Human Aspiration Reaches One Of The Highest Expressions In The Sacred And Noble Act Of Building A School. Because The Children Of Today Are The Parents Of Tomorrow There Are No Limits Of Time Or Distance To The Enrichment Of All Mankind Everywhere That Begins In a Single Classroom."

"Reaching the unreachable star" has become part of an inspiring vernacular. The inspiration of such an idea was already present in the school's slogan engraved on every graduation pin—Per Aspera Ad Astra.

Over 50 years ago the school had instituted the Davis School State. It honored a superintendent and its purpose was to give the children an opportunity to learn live civics by having them select judges and mayors for the upper grades and a governor, secretary of state and prosecuting attorneys. In a sense it catered to the desires of the immigrant population that was so anxious to do things the American way. As alumnus Harry (Only in America) Golden said in his New York Daily Column, "P.S. 20 is more than the repository for the names of successful sons sprung from the lower East Side. It represents one of the most visionary experiments in the history of human relationships, the making of an immigrant population into a citizen body politic. The teachers in public school 20 not only taught American History but shared it."

Note should be taken of the program of recognition and awards which were effective as an incentive to building alumni interest. The creation of the "Our Teacher Award" called attention to the service which retired men and women had given in a lifetime of teaching of children. At the instance of Senator Javits a joint resolution was introduced in the senate establishing National Teachers Recognition Day on the 4th Wednesday in April.

Alumni who had achieved notability and had served the community were awarded a "Certificate of Appreciation." The nostalgic sentiment of the alumni was captured by the idea of "Time for Another Diploma" when the members of the 50th Anniversary Class each yere were presented with a duplicate of their elementary school diploma very few of which were still extant among the alumni.

At the school restored as the Anna Silver P.S. 20 the faculty is tendered a luncheon annually by Mr. Silver and there is presented a community award by the faculty. Most recently Mrs. Rose Shapiro formerly the president of the Board of Education was presented with the award for her great interest in the children of the New York City school system.

The Sandburg statement which the poet laureate had prepared for the school inspired other friends of the school to do some writing for presentation. Theodore Reade Nathan, the aide of Charles H. Silver, and Director of the Lincoln Square Academy which is interested in children talented in writing, composing, music, art and the performing arts, has created the poem "East Side Mother" in keeping with the concept of the school which was dedicated to Anna Silver the symbol of all East Side mothers.

"I'd gladly give up gold or fame
To seek again that poor place
Where when the hour of bedtime came,
I gazed up at my mother's face.

"The hours have gone, the days have fled
The years have washed away like sand . . .
I stand upon the shore of dread
And cannot find my mother's hand.

"What wisdom—oh, what wealth is there
To change that rumpled little fool—
Who pushed her fingers from his hair
Before he hurried off to school.

"She watched him on his way to class
Admonishing from up above:
'Be sure to let the horse-car pass'—
And so we heard the voice of love.

"The East Side Mother long ago
Gave us her strength, her faith, her youth—
Gave us the will to learn and grow
And so we know the voice of truth.

"Look down once more from where you are
To watch the children of our day,
And be again their guiding star—
Mother, help us find our way."

Smith and Dale, the internationally famous comedians and founders of the Avon Comedy Four, with its Dr. Kronkite and Mr. Dubious, met at the site of the original P.S. 20 when they ran into each other while riding on bicycles. They never graduated from their elementary school but they had many friends at the old school. In recent years they were made honorary members of the Alumni Association. In 1963 on the occasion of the dedication ceremonies of the new school building, after some sixty years, the Board of Education decided that their accomplishments had fulfilled the requirement for an elementary school diploma and Supt. Dr. Donovan presented them with a special diploma.

One of the honored guests participating in the dedication program was His Eminence, Francis Cardinal Spellman. In his remarks he congratulated Joe Smith and Charles Dale and referring to the elementary school diplomas which they had just received said, with a twinkle in his eye, "I hope that someday I will merit one of those."

Joe Smith who is an artist with a brush and with the poetic line was inspired by the Sandburg effort to add his contribution to the poetry of the day with his poem "Mothers of The East Side". "Go children, hurry! Don't be late for school. Be a steady scholar—learn the golden rule. Listen to your teachers—they are your safety shields. Helping to mold your youth, leading on to higher fields. We mothers of the East Side wholeheartedly attest to the integrity of your teachers to do their level best. We have faith in their system for better education. We have faith in their wisdom and allegiance to our Nation. So go children, hurry! Don't be late for school. Be a steady scholar and learn the golden rule."

So that we may joyfully sing "America, The Beautiful" and as has been our practice in the past, we pass on some words of value to our school successors. The full meaning maybe a bit advanced, yet deserving of enlightenment and explanation by their teachers.

"If each of us can be helped by science to live a hundred years, what will it profit us if our hates and fears, our loneliness and remorse will not permit us to enjoy them?"—David Neiswanger (Menninger Foundation)

"In approaching your fellow men hold these principles as your foremost guides—Sincerity, Kindness, Graciousness."

When Robert F. Kennedy was asked what he thought leadership was, he said it was the ability to inspire people to develop their best talents.

"Be mindful of the thoughtful courtesies of a gracious heart. It is strongly understanding of the feeling of others, never too busy to protect and enlarge the self-respect of the others person and build his ego."—Elizabeth Byrd.

"We want a better America, an America that will give its citizens, first of all, a higher and higher standard of living so that no child will cry for food in the midst of plenty. We want to have an America where the inventions of science will be at the disposal of every American family, not merely for the few who can afford them; an America that will have no sense of insecurity and which will make it possible for all groups, regardless of race, creed or color to live in friendship, to be real neighbors; an America that will carry its great mission of helping other countries to help themselves"—Sidney Hillman

The Reverend Theodore M. Hesburgh, President of the University of Notre Dame, and Chairman of the United States Commission on Civil Rights speaks of the need of a vision. "Part of that vision must certainly include law and order. But, curiously enough one cannot really have law and order without another part of the vision: greater achievement of justice in our times, more compassion for all, real love between generations."

AIR SERVICE TO HAWAII

The **SPEAKER**. Under a previous order of the House, the gentleman from Hawaii (Mr. MATSUNAGA) is recognized for 10 minutes.

Mr. **MATSUNAGA**. Mr. Speaker, the State of Hawaii has again been dealt a serious setback by still another delay, the fifth in as many months, in the advent of much-needed additional air service between the mainland and Hawaii. Other States have similarly suffered, the Congress and the American people deserve to know the cause of the delay, and to receive the administration's assurance that this delay will not continue indefinitely.

New mainland-Hawaii service can be implemented immediately as soon as the President decides the last remaining part of the international phase of the Trans-Pacific route case. The Civil Aeronautics Board made its recommendation weeks ago, but the administration's failure to act has resulted in repeated postponement of new additional service.

The administration, in one of its first official acts, decided to intervene in the Trans-Pacific route case on January 24, 1969—over 5 months ago. It asked the CAB for a further recommendation on April 11. After receiving that recommendation, it still has not acted.

To put this matter in perspective, it is ironic that it is taking the Nixon administration longer to decide the Trans-Pacific route case than to establish its position on the ABM.

There are literally thousands of people on the mainland United States who would like to visit Hawaii, but who are unable to do so because of a lack of adequate airline capacity. Hotel occupancy in Hawaii is falling, and the economy of the State is being injured—needlessly. The airlines are prepared to provide the service which the Civil Aeronautics Board has determined is required in the public interest. Summer is usually the height of Hawaii's tourist season. Millions of dollars have been invested in tourist plant facilities. The employment of thousands of people are dependent upon an expansion of Hawaii's lifeline; namely, air service. An important segment of our Nation's travel economy is seriously threatened because of continued indecision by the administration.

In the meantime, none of the newly designated carriers has been able to fly a single mile. In anticipation of the starting date, airlines have kept offices open and staffs operating in Hawaii. However, the inauguration of the new carrier routes appears to be as uncertain and elusive today as it was in the days when Dwight D. Eisenhower was President and the original Pacific route case was canceled after being handed down.

A recent editorial in one of the Honolulu dailies sums up the entire situation very aptly in these words: "We deserve better from our Government."

Mr. Speaker, I am sure thousands of Americans share my sincere hope that the President will act promptly so that the Civil Aeronautics Board can proceed without further delay to authorize new mainland-Hawaii air service.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Weicker), to revise and extend their remarks and include extraneous matter:)

Mr. Halpern, for 15 minutes, today.
Mr. Talcott, for 15 minutes, today.

(The following Members (at the request of Mr. Clay), to revise and extend their remarks and include extraneous matter:)

Mr. Tunney, for 10 minutes, today.
Mr. Gonzalez, for 15 minutes, today.
Mr. Farbstein, for 30 minutes, today.
Mr. Matsunaga, for 10 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Gross and to include extraneous matter.

(The following Members (at the request of Mr. Weicker) and to include extraneous matter:)

Mr. Schadeberg.
Mr. Taft in four instances.
Mr. Wyman.
Mr. Pettis.
Mr. Ruppe.
Mr. Whalen in three instances.
Mr. Zwach.
Mr. Mize.
Mr. Pollock.
Mr. Ashbrook.
Mr. Cramer in two instances.
Mr. Schwengel in two instances.
Mr. Mathias.
Mr. Frey.
Mr. Steiger of Wisconsin.

(The following Members (at the request of Mr. Clay) and to include extraneous matter:)

Mr. Culver.
Mr. Dent in two instances.
Mr. Joelson.
Mr. Gonzalez in two instances.
Mr. Rivers in six instances.
Mr. Long of Maryland.
Mr. Fallon in two instances.
Mr. Rarick in four instances.
Mr. Ottinger.
Mr. Waggonner in two instances.
Mr. O'Hara.
Mr. Charles H. Wilson.
Mr. Roybal in six instances.
Mr. Boland in three instances.
Mr. Dulski in four instances.
Mr. Blatnik.
Mr. Stephens.
Mr. Conyers in five instances.
Mr. Marsh in two instances.
Mr. Pepper.
Mr. Mikva in two instances.
Mr. Bingham in two instances.
Mr. Helstoski in two instances.
Mr. Koch.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1010. An act for the relief of Mrs. Alli Kallio; and

S. 1011. An act to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes.

ADJOURNMENT

Mr. CLAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER. Pursuant to the provisions of House Concurrent Resolution 296, 91st Congress, the Chair declares the House adjourned until 12 o'clock noon on Monday, July 7, 1969.

Thereupon (at 12 o'clock and 42 minutes p.m.), pursuant to House Concurrent Resolution 296, the House adjourned until Monday, July 7, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

908. A letter from the Comptroller General of the United States, transmitting a report on the effectiveness and administration of the community action program in Becker, Hubbard, and Mahnomen Counties, Minn., under title II of the Economic Opportunity Act of 1954, as amended, Office of Economic Opportunity; to the Committee on Education and Labor.

909. A letter from the Assistant Secretary of Health, Education, and Welfare, transmitting the second annual report of the Rochester Institute of Technology concerning the establishment and operation of the National Technical Institute for the Deaf, pursuant to the provisions of section 5(b)(3) of Public Law 89–36; to the Committee on Education and Labor.

910. A letter from the Comptroller General of the United States, transmitting a report on Army and Air Force controls over inventories in Europe; to the Committee on Government Operations.

911. A letter from the Acting Chairman, Council of Economic Advisers, transmitting notification that the Council, operating for the Task Force on Uranium Enrichment, has commissioned a study on market aspects of possible future disposition of the U.S. Atomic Energy Commission uranium enrichment facilities, pursuant to the provisions of 41 U.S.C. 252(c)(11); to the Committee on Government Operations.

912. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in behalf of certain aliens, together with a list of the persons involved, pursuant to the provisions of section 212(d)(6) of the act; to the Committee on the Judiciary.

913. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to the provisions of section 244(a)(1) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

914. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to the provisions of section 244(a)(2) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

915. A letter from the executive director, Military Chaplains Association of the United States of America, transmitting notification that the association's annual audit for 1968 will be delayed beyond the specified filing date; to the Committee on the Judiciary.

916. A letter from the Secretary of Commerce, transmitting the annual report on the relative cost of shipbuilding in the various coastal districts of the United States, pursuant to the provisions of section 213(c) of the Merchant Marine Act of 1936, as amended; to the Committee on Merchant Marine and Fisheries.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASHLEY:

H.R. 12570. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer, spouse, or dependent who is mentally retarded; to the Committee on Ways and Means.

By Mr. BEALL of Maryland:

H.R. 12571. A bill to amend the Public Health Service Act so as to add to such act a new title dealing especially with kidney disease and kidney-related diseases; to the Committee on Interstate and Foreign Commerce.

By Mr. CASEY (by request):

H.R. 12572. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. COHELAN:

H.R. 12573. A bill to amend the Fish and Wildlife Coordination Act to provide for the establishment of a Council on Environmental Quality, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DELLENBACK:

H.R. 12574. A bill to amend the Military Selective Service Act of 1967; to the Committee on Armed Services.

By Mr. FARBSTEIN:

H.R. 12575. A bill to amend title II of the Social Security Act to provide that the reduction presently required on account of governmental pensions in the special monthly benefits payable thereunder to uninsured individuals at age 72 shall be made only to the extent that such pensions exceed specified amounts; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 12576. A bill to amend the Public Health Service Act to direct the Secretary of Health, Education, and Welfare to make health information available to the public; to the Committee on Interstate and Foreign Commerce.

By Mr. HASTINGS:

H.R. 12577. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. JOHNSON of California:

H.R. 12578. A bill relating to age limits in connection with appointments to the U.S. Park Police; to the Committee on Interior and Insular Affairs.

By Mr. KARTH:

H.R. 12579. A bill to amend the Fish and Wildlife Coordination Act to provide for more effective protection of fish and wildlife resources from the effects of projects licensed by Federal agencies, and projects undertaken with Federal financial assistance, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. KASTENMEIER:

H.R. 12580. A bill to amend chapter 89 of title 5, United States Code, relating to enrollment charges for Federal employees' health benefits; to the Committee on Post Office and Civil Service.

By Mr. KOCH (for himself, Mr. Clay, Mr. Dent, Mr. Gaydos, Mr. Holifield, Mr. Joelson, Mr. Morgan, and Mr. Nix):

H.R. 12581. A bill to establish an urban mass transportation trust fund, and for other purposes; to the Committee on Banking and Currency.

By Mr. McCLURE:

H.R. 12582. A bill to protect the privacy of depositors at insured banks and other institutions; to the Committee on Banking and Currency.

By Mr. McFALL:

H.R. 12583. A bill to amend section 3402 of the Internal Revenue Code relating to income tax collected at the source; to the Committee on Ways and Means.

By Mr. McKNEALLY:

H.R. 12584. A bill to amend the Internal Revenue Code of 1954 to provide a basic $5,000 exemption from income tax for amounts received as annuities, pensions, or other retirement benefits; to the Committee on Ways and Means.

By Mr. MACDONALD of Massachusetts:

H.R. 12585. A bill to secure bulk power supplies adequate to satisfy the mounting demands of the people of the United States, consistent with environmental protection; to the Committee on Interstate and Foreign Commerce.

By Mr. REES (for himself, Mr. Anderson of California, Mr. Bingham, Mr. Brown of California, Mrs. Chisholm, Mr. Edwards of California, Mr. Koch, Mr. Kyros, Mr. Mikva, Mr. Ottinger, Mr. Podell, Mr. Roybal, Mr. Scheuer, and Mr. Symington):

H.R. 12586. A bill to improve the operation of the legislative branch of the Federal Government, and for other purposes; to the Committee on Rules.

By Mr. ST GERMAIN:

H.R. 12587. A bill to amend the Communications Act of 1934 to prohibit the granting of authority by the Federal Communications Commission for the broadcast of pay television programs; to the Committee on Interstate and Foreign Commerce.

By Mr. SISK:

H.R. 12588. A bill to amend the Agricultural Act of 1949 with regard to the use of dairy products, and for other purposes; to the Committee on Agriculture.

By Mr. TUNNEY:

H.R. 12589. A bill to provide for payments in lieu of taxes to States in which Indian trust lands are located; to the Committee on Interior and Insular Affairs.

H.R. 12590. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WOLD:

H.R. 12591. A bill to establish the Fossil Butte National Monument in the State of Wyoming, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WYDLER:

H.R. 12592. A bill to require certification of operators of certain vessels on navigable waters of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. MARSH:

H.J. Res. 804. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.J. Res. 805. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. KOCH (for himself, Mr. Bingham, Mr. Blatnik, Mr. Brown of California, Mr. Edwards of California, Mr. Hawkins, Mr. Helstoski, and Mr. Rosenthal):

H. Con. Res. 298. Concurrent resolution that it is the sense of Congress that the President should direct an immediate unconditional withdrawal of 100,000 U.S. troops from Vietnam; to the Committee on Foreign Affairs.

By Mr. COHELAN (for himself, Mr. Addabbo, Mr. Anderson of California, Mr. Ashley, Mr. Blatnik, Mr. Boland, Mr. Bolling, Mr. Brademas, Mr. Brasco, Mr. Brown of California, Mr. Burton of California, Mr. Carey, Mrs. Chisholm, Mr. Conyers, Mr. Dent, Mr. Diggs, Mr. Edwards of California, Mr. Farbstein, Mr. Fraser, Mr. Friedel, Mr. Gilbert, Mr. Hamilton, Mr. Hathaway, and Mr. Hawkins):

H. Res. 465. Resolution seeking agreement with the Union of Soviet Socialist Republics on limiting offensive and defensive strategic weapons and the suspension of test flights of reentry vehicles; to the Committee on Foreign Affairs.

By Mr. COHELAN (for himself, Mr. Preyer of North Carolina, Mr. Rees, Mr. Reuss, Mr. Rodino, Mr. Rosenthal, Mr. Roybal, Mr. St Germain, Mr. Scheuer, Mr. Stokes, Mr. Thompson of New Jersey, Mr. Tiernan, Mr. Tunney, Mr. Udall, Mr. Van Deerlin, Mr. Vanik, Mr. Charles H. Wilson, Mr. Yates, and Mr. Yatron):

H. Res. 466. Resolution seeking agreement with the Union of Soviet Socialist Republics on limiting offensive and defensive strategic weapons and the suspension of test flights of reentry vehicles; to the Committee on Foreign Affairs.

By Mr. COHELAN (for himself, Mr. Hechler of West Virginia, Mr. Helstoski, Mr. Jacobs, Mr. Joelson, Mr. Karth, Mr. Kastenmeier, Mr. Koch, Mr. Lowenstein, Mr. McCarthy, Mr. Macdonald of Massachusetts, Mr. Matsunaga, Mr. Mikva, Mrs. Mink, Mr. Moorhead, Mr. Moss, Mr. Obey, Mr. Olsen, Mr. O'Neill of Massachusetts, Mr. Ottinger, Mr. Pike, Mr. Podell, and Mr. Powell):

H. Res. 467. Resolution seeking agreement with the Union of Soviet Socialist Republics on limiting offensive and defensive strategic weapons and the suspension of test flights of reentry vehicles; to the Committee on Foreign Affairs.

By Mr. ANDERSON of Illinois (for himself, Mr. Beall of Maryland, Mr. Biester, Mr. Broomfield, Mr. Button, Mr. Cahill, Mr. Collier, Mr. Conte, Mr. Dellenback, Mr. Erlenborn, Mr. Esch, Mr. Eshleman, Mr. Frelinghuysen, Mr. Halpern, Mr. Harvey, Mr. Hastings, Mr. Horton, Mr. Keith, Mr. Lloyd, Mr. McCloskey, Mr. McDade, Mr. McDonald of Michigan, Mr. McEwen, and Mr. Meskill):

H. Res. 468. Resolution seeking agreement with the Union of Soviet Socialist Republics on limiting offensive and defensive strategic weapons and the suspension of test flights of reentry vehicles; to the Committee on Foreign Affairs.

By Mr. ANDERSON of Illinois (for himself, Mr. Michel, Mr. Mize, Mr. Morse, Mr. Mosher, Mr. Railsback, Mr. Reid of New York, Mr. Ruppe, Mr. Schneebeli, Mr. Scwengel, Mr. Stanton, Mr. Steiger of Wisconsin, Mr. Whalen, Mr. Williams, and Mr. Zwach):

H. Res. 469. Resolution seeking agreement with the Union of Soviet Socialist Republics on limiting offensive and defensive strategic weapons and the suspension of test flights of reentry vehicles; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of California:

H.R. 12593. A bill for the relief of Mrs. Francisca Llobet Nogueral; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 12594. A bill for the relief of Mary E. Gregory Levin; to the Committee on the Judiciary.

By Mr. RARICK:

H.R. 12595. A bill for the relief of Maria Alicia Melindez; to the Committee on the Judiciary.

H.R. 12596. A bill for the relief of Rosa Emilia Morales Molina; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

RESOLUTION OF THE DISABLED AMERICAN VETERANS OF SOUTH CAROLINA WHICH SUPPORTS DEPLOYMENT OF THE ABM SAFEGUARD SYSTEM

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, July 2, 1969

Mr. THURMOND. Mr. President, it is reassuring to note that more and more Americans everyday are expressing their support of the President's proposal to deploy the ABM Safeguard system. There are many organizations that have reached the same conclusion after evaluating the increasing Soviet threat.

Mr. President, it is a pleasure to announce that the Disabled American Veterans of South Carolina have strongly endorsed deployment of the ABM. The public is beginning to realize that the growth of the Soviet nuclear threat was kept from them by the past administration. They were not told that the Soviets were getting ahead of the United States in ICBM's until this administration revealed the actual facts which some of us have been advocating for sometime.

I would like to quote one significant part of the resolution adopted by the South Carolina's Disabled Veterans organization:

> Between the years 1962 and 1965 the Soviets have increased their nuclear striking power 300 percent, while the United States was decreasing its nuclear striking power by 50 percent.

I congratulate my friends in South Carolina for not being willing to risk our security. They recognize this dangerous threat. The ABM is a minimal defensive measure that is vital to our survival.

Mr. President, I ask unanimous consent that this resolution be printed in the Extensions of Remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION

Whereas since World War II the communists have done little that would indicate that they truly desire peaceful coexistence; and

Whereas between the years 1962 and 1965 the Soviets have increased their nuclear striking power 300 percent, while the United States was decreasing its nuclear striking power by 50 percent; and

Whereas it is reported that the Soviet Union has more than 200 nuclear missiles aimed at the United States of multi-megaton destructive power; and

Whereas informed sources advise that the Soviets have surpassed the United States in numbers of land-based inter-continental ballistic missiles and are continuing to deploy ICBM's at a more rapid rate; and

Whereas the Soviets are building a Polaris-type submarine fleet at such a rate that they are expected to surpass the United States in the next five years; and

Whereas the Soviet Union now has a defensive missile of its own; and

Whereas Communist China is following the same pattern of nuclear development as that of the Russians; and

Whereas the past eight years have seen the United States move from a vast superiority in military might to a position that leaves our nation so vulnerable as to endanger the survival of the Free World; Now, therefore, be it

Resolved, That the Disabled American Veterans, Department of South Carolina, in convention assembled this seventh day of June, 1969, does hereby unanimously commend the President of the United States for proposing the development of an anti-ballistic missile system to protect our homes and does hereby urge that the Congress of the United States implement the proposed missile defensive system, and, be it further

Resolved, That copies of this resolution be forwarded to The President of the United States, to all members of the South Carolina delegation in Congress and to National Headquarters, Disabled American Veterans, for appropriate action by the National Convention.

PAUL H. GREER,
Commander, Disabled American Veterans, Department of South Carolina.

DAIRY MONTH

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. SCHWENGEL. Mr. Speaker, the month of June is probably best known as the month of weddings. It is, however, also noted by many as "National Dairy Month." In this connection, Mr. William Petersen, of Davenport, Iowa, recently discussed the problems and new developments in the dairy industry in a guest editorial in the Davenport Times-Democrat.

TRENDS IN DAIRY FARMING

Mr. and Mrs. William Petersen, R. R. 2, Davenport, are co-chairmen of the Scott County Dairy Promotion Committee for 1969. They have been working with eight other couples and representatives of the dairy handlers and processors in preparation for the 10th annual Dairy Day, June 13. The Petersens farm 380 acres near Davenport and milk 26 Holsteins. Their children include William, 16, Cynthia, 13, and David, 10, who assist in the farming operation.

June is Dairy Month, a time to emphasize the promotion of the dairy industry and perhaps to reflect on the stake dairying plays in our economic growth and well-being.

According to ancient records, man was milking cows as early as 9000 B.C. Since then, the cow has become known as the "Foster Mother of the Human Race" and her contribution to humanity, milk, is still considered nature's most nearly perfect food, a highly nutritious combination of proteins, carbohydrates, minerals and vitamins.

As one might well expect a lot of milk has flowed since that time, and changes in dairying have been phenomenal.

From the time the cow was towed behind the prairie schooner, heading west, on through the 1940s, most farms had at least a few milk cows and dairying played an important part in the livelihood of the farm family. But since that period, the number of farms with dairy cows has been declining steadily. In 1968 we had 569,000 milk cows in Iowa, down 39,000 from the previous year.

One reason for many men quitting the dairy business is the inability to obtain dependable help. Many youth today do not have the inclination to work long hours with a twice a day routine of milking, 365 days a year. They can find easier work with better pay at other employment.

Another reason is the high investment cost of updating the dairy operation. A bare minimum of capital investment for a modern milking-parlor and free-stall operation would be in the $30,000 range. This could easily run $50,000 or more depending on type of facilities, number and type of silos and other equipment.

Because of these factors it can be expected that small side-line dairy operations will continue to phase out as the farmer finds better alternatives, such as switching to grain farming, other livestock enterprises requiring less labor, and employment off the farm.

Factors determining who will be the dairymen of the future include a dedication and love of dairy animals by the dairyman, and a desire to improve on the genetic potential of the dairy cow. It takes a special kind of man to meet these requirements, and once he has committed himself to this cause, the high investment cost requires that he make this his life work, as some of the facilities, such as the milking parlor, can not be utilized for any other purpose.

The type of land also plays an important role in dairying. Hilly, marginal land is best suited to forage production and cows can utilize large quantities of forage and convert it into milk efficiently.

An adequate labor force also enters the picture. The farmer with sufficient family labor, such as a father-son partnership, definitely has an advantage over a dairyman depending on hired help, which is nearly impossible to obtain.

So as dairy farms become fewer the remaining ones become larger, this trend is expected to continue and some observers feel that most herds will be in the 60 to 100 cow size. The larger herds are made possible through the introduction of automation in the feeding and forage handling operation from the field to the feed bunk. New machines are continually being developed to increase efficiency and quality of the feed and forage that we have to provide for the herd.

In the case of handling bales, conveyers are available to move bales to any spot in the mow and dump them. Some balers can be equipped with kickers which throw the bales directly into the wagon, eliminating one man from loading.

With chopped hay or silage, self-unloading wagons are available to move large volumes of forage with less hand labor.

Silo unloaders bring the forage out of storage and drop it into automatic feed bunks.

In the milking operation itself, milking-parlors are becoming more numerous and popular. These make it possible to handle more cows in less time, with less walking and hand labor. The milk flows in a stainless steel or glass pipe-line to the stainless-steel bulk-tank, where it is stored for every other day pickup. Clean-up operations in the parlor are faster and easier.

Changes also are taking place in dairy cow housing. Free-stalls are replacing the old stall barns and loose-housing. In some setups the herd is housed in total confinement with environment control. For manure handling, slot-floors sometimes are used with liquid manure pits underneath. This eliminates a dairy chore and makes it possible to haul the waste when time and field conditions are suitable.

There no doubt will be many more changes. But one thing will not change. The cow must be milked twice a day, 365 days a year, and someone—the dairy-farmer—has to be on deck to do it. All these new facilities and electro-brained gadgets help him, but he must still be there to supervise the operation. In the busy season, his day will be dawn to dusk.

LOVE LETTER TO IDAHO

HON. FRANK CHURCH

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Wednesday, July 2, 1969

Mr. CHURCH. Mr. President, Idahoans know that our State is something special. From its lush, green farmlands to its rugged, alpine mountains and lakes, Idaho is a place of spectacular beauty. Her people are open and friendly. Her cities are clean.

Because Idahoans know what our State is like, we are always more than pleased when others discover it for themselves.

Recently, Dan Valentine, a columnist for the Salt Lake Tribune, rediscovered Idaho. He summed up his impressions in a "Love Letter to Idaho." Idahoans, he said, "have a wonderful product. It sells itself."

I ask unanimous consent, Mr. President, that Dan Valentine's column be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NOTHING SERIOUS

(By Dan Valentine)

The gem State: This is my annual love letter to Idaho.

At the risk of peeving Utah boosters and at the risk of making Wyoming and Nevada readers a little miffed, I try to write one column each year about the beauty and the flavor of the Gem State.

I recently made a 500-mile trek through Idaho . . . across the lush farm lands, past the rolling green hills . . . The Idaho streams were frothing in their own special way . . . and the Idaho sky was as clear and blue as ever . . .

And the people were friendly.

Idaho people have a special brand of friendliness. They are honest, open and smiling.

As a state, Idaho has a lot going for it. It ranges from the farmlands to the mountains in the north . . . It has woods and snow and timber and fish and deer . . . and just about anything else you'd want.

And the Idaho air is extra breathable . . . It lacks the pollution taint of much of the air these days.

Much of Idaho is beautiful . . . all of it is pleasing.

Idaho has one of the prettiest state songs—"Here We Have Idaho"—of all the 50 states. Even to a stranger, it sends a tingle up the spine when it is sung by proud Idahoans.

Idaho people don't beat the publicity tom-toms like some states. They allow the land to speak for itself. Unlike Texas, they feel no need for bragging.

They know they have a wonderful product. It sells itself.

Along the route of my recent Idaho jaunt, I picked up some interesting Idaho nuggets, some little-known scraps of knowledge about the fabulous state.

Such as:

No less than 72 different varieties of gems and precious stones can be found within Idaho's borders—the gem wealth of Idaho is second only to that of Africa, the experts say . . .

Idaho is a good cow state, too. At last count, there were 156,000 producing cows in Idaho, giving an average of 9,300 pounds of milk annually.

Idaho's State Capitol in Boise is one of the most impressive in the West. It was patterned after the Capitol in Washington, D.C., and is built of marble from Alaska and Vermont . . . One of the highlights of the Capitol is a statue of George Washington—carved from an Idaho Ponderosa pine tree.

There is nothing dry about the state of Idaho (except some of the humor of its citizens). It has water coming out of its beautiful ears. All told, there are more than 35,000 miles of gushing, rushing streams and rivers within the borders of the state—and no less than 2,000 lakes.

Idaho is famous for its lakes. Lake Coeur d'Alene is regarded by experts as one of the five most beautiful lakes in the entire world. Largest Idaho lake, boasting 180 square miles of surface, is Lake Pend Oreille.

Water is one of Idaho's most important products—more than 3 million acres of Idaho's lush farmland is irrigated . . . Idahoans love the water. There are more than 32,000 outboard motors in the state . . .

Idaho is a sportsman's paradise. Idaho fish practically leap out of the stream onto a waiting hook (if you can believe the stories around the Salmon River) . . . and it is very hard, indeed, for a hunter who knows his business not to get a deer in season.

Last year, Idaho hunters bagged 70,000 deer . . . and no less than 15,000 elk . . .

Idaho potatoes, of course, are the best in the world—and command premium prices from shoppers all over the nation.

Idaho! Its women are beautiful, its mountains tall . . . the hills are green, its rivers clean . . .

And its skies are always extra blue.

A very nice state to have as a neighbor.

CUTS OF ESSENTIAL FEDERAL FUNDS

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. DENT. Mr. Speaker, the following is the text of a letter I sent in response to a constituent's wire regarding the cuts of essential Federal funds:

JULY 1, 1969.

ALFRED J. HOLZMAN,
Redevelopment authority,
New Kensington, Pa.

DEAR AL: Your telegram points out a very serious problem we are facing in Congress.

As far as we know, there is no less revenue coming in this year than there was last year. In fact, all indications point to increased revenue from the taxes we now have.

Last year, we were asked to pass a 10% surtax. The revenue from this tax was earmarked for Vietnam needs. This year, we are told the war is being phased out and many of the troops will be home before Christmas. It is also our understanding that our inventory material will be sufficient to carry us through this period.

Even in view of this, we are still being bludgeoned by the economists within the Administration into re-enacting the surtax, which last year produced a surplus of 4½ billion dollars.

The question before us is how can we be asked to support this legislation when the President is determined to cut back on social reforms, education needs and community services and requirements. Incidentally, last year we only received some Republican support for the surtax by writing in a stipulation that President Johnson cut his spending by $6 billion, making a net gain of 3 billion. This year we find ourselves with the same tax and no corresponding cut by Congress.

You will note that the cuts so far proposed have been in education, anti-poverty programs, water pollution, and urban and rural developments and rehabilitation funds.

We are experiencing the most politically oriented budget juggling since I started in government 36 years ago. Like any other normal legislator, I refrained from criticizing the Administration since the President was elected by the people on his platform. I believe he is entitled to do that which he believes is right, and that which is in keeping with his pledges, and presumed desires of the people. Time is running out for this position to be maintained.

We are definitely given a promise by "Candidate" Nixon that the surtax would and should be removed. Yesterday, in the last five minutes of debate, a personal letter from President Nixon was read. It threatened the people and the Congress of dire results if the Congress did not pass the tax. He said this would give the Administration money to keep our domestic programs going. Two hundred and five of us did not believe him; two hundred and ten did. Even with the full power of the Democratic leadership lending a hand, the victors were only able to muster a 5 vote majority.

Today I will be on the House floor to make a privileged one minute speech calling upon the Democratic leadership to have the President make his position clear on programs, such as yours, before a vote of confidence is given him by passing the tax bill in the Senate.

I always have and will continue to talk about the double standard in politics. Some excuse it and say that it has always been here; but some of us believe that this is no excuse.

The American people are not to be hoodwinked by the rule of this Administration. Believe me, Al, you will note from the record that I have been bipartisan in this matter, and have not criticized or thrown any blockage into the President's wishes. Now, unless the President spells out what he wants to do and how he intends to do it, I will become a critic in order that the people may hear the other side of a story not now being portrayed by the news media.

The political situation is very simple. The big plum next year is control over the House and Senate. The plan, of course, is an old one, but it has worked before. Cuts will be made this year and taxes will be maintained this year; next year cuts will be restored, and the surtax will be dropped and the people will forget this years injury for next year's ball. Politicians know it is not the performance or keeping of promises that keep a man in office: it is the making of new promises that gets him elected.

I can only say to you that when legislation to restore cuts reaches the floor, it is probably the toughest assignment to fulfill. I will, however, keep trying.

Sincerely yours,

JOHN H. DENT,
Member of Congress.

A NATIONAL POLL FAVORING ABM

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, July 2, 1969

Mr. THURMOND. Mr. President, I would like to call the attention of Congress, the American people and the press to a nationwide poll which shows that 84 percent of all Americans support an ABM system. The Opinion Research Corp., of Princeton, N.J., which conducted this poll is a leading independent research organization. I congratulate my distinguished colleague from Pennsylvania, Senator HUGH SCOTT, who released this information to let the Congress and America know how the voters feel about our country's security.

Mr. President, this poll reveals that only a bare 8 percent of 200 million Americans feel that the ABM is not necessary. The 84 percent for the ABM is overwhelming evidence of what the American people want, and I commend their wisdom. As President Nixon said:

> If we do too much, it will cost us our money; if we do too little it will cost us our lives.

Mr. President, I ask unanimous consent that all the information and the results of this favorable poll which was published in a page advertisement of the Washington Post on June 30, 1969, be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EIGHTY-FOUR PERCENT OF ALL AMERICANS SUPPORT AN ABM SYSTEM

(National poll conducted by Opinion Research Corp., Princeton, N.J.)

A nationwide opinion poll representing adults throughout the continental United States reveals overwhelming support for a U.S. Anti-Ballistic Missile defense system . . . Only 8% believe that no ABM system is needed.

This revealing poll, conducted by a leading independent research organization, Opinion Research Corporation of Princeton, N.J., covered a representative cross-section of the nation. According to the survey, released by U.S. Senator Hugh Scott, 84 per cent of all Americans (Democrats, Republicans and Independents) agree that the U.S. should have an ABM system. What's more, almost three-fourths (73%) of the public want Congress to approve President Nixon's specific safeguard ABM system.

Here is how America responded:

1. "Do you think the United States should have some sort of ABM defense system, or should not?"

[In percent]

Total public:	
Yes, should	84
No, should not	8
No opinion	8

2. "President Nixon has come out for a limited ABM system—called the Safeguard System—which is supposed to protect our ability to strike back at an attacker. Do you think Congress should approve this system, or should not?"

[In percent]

Total public:	
Yes, should approve	73
No, should not approve	10
Depends	3
No opinion	14

3. "As far as you know, does Russia already have some ABM's in place and ready to use?"

[In percent]

Total public:	
Yes	63
No	3
Not yet, but will	1
Don't know	33

Now, for the first time we are hearing the real voice of America . . . and not what the noisy 10 percent, opposed to the plan, would like Congress and the country to believe!

The overwhelming support of the ABM proposal and the desire of the voters to have Congress enact such legislation have been obscured by the clamor of a minority. An organized campaign of letter writing to Congress, directed by a small group of militant opponents, has created an erroneous impression. The real voice of America is not being heard! Largely through the activities of these organizations, representing the attitudes of the 10 per cent opposed to the plan, Congressional mail is running against the Safeguard program. Obviously a severe information gap exists! It is time for Americans to speak up!

Now you know the facts—become an active member of the 84% majority—let your voice be heard!

Write today! Don't put it off! We need a flood of majority mail to offset the mail of the organized minority. If you don't act now it may be too late! So the minute you stop reading this ad—pick up your pen and write your Senator and Congressman!

HOW WILL PRESIDENT NIXON'S SAFEGUARD ABM SYSTEM PROTECT US . . . WHAT WILL IT COST?

It is not necessary to understand all the scientific facts about the ABM (Anti-Ballistic Missile) System. What is important for you to know is what it will do to deter nuclear war between the super-powers.

In the northern part of the United States we have Minuteman sites. There are underground silos where we keep our advanced nuclear strike arsenal—ready for launching in case of attack. The Safeguard ABM System is a system to protect our Minuteman sites from being blown up by an enemy's initial missile assault. In case of enemy attack, our radar would spot the incoming missiles and our ABM's would be launched to seek them out and explode them high in the atmosphere. That would mean that we would still have our Minuteman force virtually intact and ready to launch against the enemy!

Since the Russians already have deployed their own ABM system—giving protection to their strike force—it would seem suicidal for the U.S. not to start on a system at once!

What will the Safeguard ABM System cost? There's been a lot of reckless talk on this subject. What President Nixon is asking for is a system that will cost less than 2% of our defense budget (or about $6.00 per U.S. citizen yearly) . . . a small price to pay for such vital protection for our country.

Remember these two vital points: (1) The Safeguard program will contribute significantly to the deterrence of nuclear war and (2) it will contribute significantly to meaningful arms control talks with the Soviet Union.

WHERE DOES AMERICA REALLY STAND IN THE NUCLEAR BALANCE OF POWER?

During the "Cuban Crisis" of 1962, Russian nuclear missiles were aimed at the U.S. President Kennedy's ability to maintain world peace came at a time when the U.S. held a vast nuclear advantage. This advantage no longer exists.

By the end of this year the Kremlin will have deployed as many land-based intercontinental ballistic missiles (ICBM's) as we will have—*or more*—and with a substantially greater megatonnage.

The truth is: The Soviet Union has developed and tested a 60-megaton bomb; it is the only nation to possess a terror weapon of this size.

The truth is: The Soviet Union is the only nation to have built and installed ICBM's of the SS–9 size (with 1,000 times the yield of the Hiroshima bomb) and to be testing multiple warheads on it.

The truth is: The Soviet Union has developed and tested a Fractional Orbital Bombardment System (FOBS), a first-strike-oriented weapon; it is the only nation to have available such an orbital weapon.

The truth is: The Soviet Union—in 1962—test fired an anti-ballistic missile (ABM) against an incoming nuclear-armed missile; it is the only nation to have conducted such a test.

The truth is: The Soviet Union acted first to deploy ABM's and has already installed 60 ABM launchers, and is testing an improved model . . . Whereas the United States has not yet deployed ABM's of any kind.

Faced with threats like these our Presidents have continually emphasized the necessity for a strong nuclear defense:

Richard M. Nixon: "If we do too much (with the Safeguard ABM system) it will cost us our money; if we do too little it will cost us our lives."

John F. Kennedy: "First . . . we must take immediate steps to protect our present nuclear striking force from surprise attack."

Dwight D. Eisenhower: "Our nuclear weapons and our ability to employ them constitute the most effective deterrent to an attack on the free nations."

We believe:

1. That the President with all of our nation's military, scientific and intelligence skills at his disposal is best equipped to evaluate the need for this protection.
2. That as long as Soviet Russia has the capability to annihilate us with nuclear missiles no step that will protect our country can be prudently delayed.
3. That very soon Red China will have a nuclear missile capacity and that both the Soviet Union and the United States will want protection against it.
4. That peace can be obtained and maintained only if it is coupled with security.
5. That an American missile defense capability will make our negotiating posture more flexible in arms talks and improve the prospect for meaningful arms limitations.

Organizing committee: William J. Casey, Chairman; George Champion, Leo M. Cherne, William Elmer, Cy Laughter, Barry T. Leithead, Morris I. Leibman, Clare Boothe Luce, Vince Lombardi, John A. Mulcahy. William J. O'Hara, secretary.

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COMMUNIST SUMMIT TRYING TO PICK UP PIECES

HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. WAGGONNER. Mr. Speaker, Time magazine last week carried an exceptionally informative cover story, "Communist Summit Trying To Pick Up Pieces." The associate editor responsible in large measure for this report is the son of a constituent of mine and I am proud to share in his pride.

Time Publisher James R. Shepley describes in a foreword how this story came about and I would like to include that as well as Mr. David B. Tinnin's story:

A LETTER FROM THE PUBLISHER

(By James R. Shepley)

Associate Editor David B. Tinnin spent three weeks last month traveling through Eastern Europe and the Soviet Union before tackling the job of writing this week's cover story on the state of world Communism. Tinnin's tour amounted to a cram course in the style and strains of life in the East bloc. To his surprise, the biggest payoff came during a cocktail party in Bucharest. There he overheard a Communist official say that copies of a detailed secret document spelling out the agenda for the summit meeting in Moscow had been sent to party central committees all over the world. Tinnin quickly sent a cable informing the Time-Life News Service, urging correspondents working on the cover to be alert for any opportunity to examine the document. One correspondent eventually succeeded.

In Moscow, Bureau Chief Jerrold Schecter was one of four American newsmen who were allowed to look at the meeting hall. To help Schecter with the preparations, Rome Bureau Chief James Bell flew to Russia—on the same Aeroflot plane with members of the Italian delegation. Washington Correspondent Gregory Wierzynski talked with Government officials, foreign diplomats and academic experts. From Hong Kong, Correspondent Bruce Nelan sent an analysis of the Sino-Soviet split. Other Time bureaus throughout the world also weighed in with reports. In addition to Writer Tinnin, the New York staff that worked on the cover included Senior Editor Jason McManus, Researchers Sara Collins and Hanne Meister.

COMMUNISM: A HOUSE DIVIDED, A FAITH FRAGMENTED

St. George's Hall in the Great Kremlin Palace in Moscow remains a magnificent monument to the glories of the Czars, a sculpted hymn to Russia's historic national interests. The only concession to the Communist era is a giant painting of Lenin in the antechamber. Inside the hall itself, huge chandeliers illumine white marble wall plaques celebrating the knights who won fame and honor in the Czarist army; shaped in stucco are Russian victories from the 15th to the 19th century. It was amid those trappings last week that the Soviet Union, in quest of another, far more difficult victory, assembled some 300 leaders of 75 Communist parties from around the world for the third postwar summit meeting in the history of the Communist movement.

According to the official program, the leaders had come to consider "the most urgent question of our time—the tasks of the anti-imperialist struggle at the present stage and the unity of action of Communist and workers' parties, of all anti-imperialist forces." But the participants knew the real purpose of the meeting. Alarmed by divisions and defiance within Communism, the Soviet Union was out to salvage as much as possible of its once uncontested primacy over the movement.

The task that the Kremlin had undertaken in convening the summit was formidable. There was considerable suspicion that the conference, expected to last two or three weeks, would turn out to be a debacle for the Soviets. Never has the Communist movement been in greater disarray. Once the undisputed fountainhead of Communism, Moscow has seen many parties grow distant and independent and others turn violently against Soviet primacy. It is not too much to say that the Russians can now command unquestioning obedience only in those countries where their soldiers can enforce it.

HEIRS OF LENIN

As TIME Correspondent Jerrold Schecter filed on the eve of the conference: "The issue is no longer unity. It is finding the lowest common denominator on which there can be limited agreement in the world Communist movement. Observers in Moscow believe that the meeting, and how it is carried off, holds the key to the success or failure of the current Kremlin leadership. Faced with a border war with China, the Soviet Union today must defend its national interests at the same time that it tries to justify them under the banner of 'proletarian internationalism.' In Eastern Europe, the invasion of Czechoslovakia has polarized the struggle for economic and political reform within the Communist movement. The diversity of Communist parties, the lack of relevance of the doctrine to specific problems, and the internal pressures—economic, military and political—within the Soviet Union have raised the question: What is Communism today? Some Kremlinologists suggest that the best way to seek an answer is to view the Soviet Union as a latter-day empire seeking to maintain its sway."

Many of Moscow's guests were unabashedly reluctant about their presence, and ready to resist any Soviet attempt to railroad unpalatable resolutions through the assembly. Over the conference hung the shadow of Russia's intervention in Czechoslovakia—a shadow that even the presence of a docile Czechoslovak delegation led by new Party First Secretary Gustav Husák was unlikely to dispel. Still echoing were the gunshots exchanged by Soviet and Chinese soldiers along the Ussuri River. Then there were the ghosts at the banquet, the men who had refused to come: China's Mao Tse-tung, North Viet Nam's Ho Chi Minh, Yugoslavia's Josip Broz Tito, Cuba's Fidel Castro. They are the most famous figures of contemporary Communism; their stature, by any measure, dwarfs Russia's present leadership.

Soviet Party Boss Leonid Brezhnev and his co-ruler, Premier Aleksei Kosygin, obviously decided that the summit, for all its perils, was worth the gamble. In the complicated mystique of Communism, the right of the Soviet leaders to rule, in their empire and at home, is intimately linked to their ability to command the obedience and fealty of Communists abroad.

Their legitimacy derives from their role as custodians of the Communist faith. One important measure of their stewardship is the maintenance of Moscow's primacy as the leader of world Communism. The Soviet leaders need a successful conference to prove to their own people that they are indeed the legitimate heirs of Lenin. "To justify one-party rule," says Kremlinologist Victor Zorza, "you must have an international sanction." The Soviet leaders also need the international endorsement to reassert their primacy within Eastern Europe. For all these reasons, Leo Labedz, editor of *Survey*, a London quarterly on Communist affairs, calls the conference an attempt to find "an ideological fig leaf" to cover Russia's own self-interest. None of this, of course, would be so brazenly expressed in St. George's Hall in the days ahead.

The Soviets made careful housekeeping preparations for the conference. In the Kremlin gardens, the beds of long-stemmed tulips and multicolored pansies were especially neatly tended, and squads of plainclothes security agents checked passes and guided the delegates to the huge hall. For several days, Brezhnev, Kosygin and other ranking officials shuttled to Moscow's four airports welcoming arriving delegations. For trusted comrades like East Germany's Walter Ulbricht and Mongolia's Yumzhagin Tsedenbal, there were Slavic smacks on the cheek. There were no kisses for the arriving Rumanians. Brezhnev proffered a perfunctory hand to Rumania's independent-minded President and Party Boss Nicolae Ceausescu, who has often opposed Soviet plans.

CHINESE CRITICISM

The Italians, widely billed as most likely to make trouble, had a hard trip. Their crowded Aeroflot Il–62 from Rome was inexplicably delayed several hours. Announcements over the plane's public-address system were made in Russian, English, French and German—but not Italian. Someone asked Enrico Berlinguer, who led the delegation in place of ailing Luigi Longo, what he thought of the linguistic lapse. "It's their airline," he shrugged. On his arrival in Moscow, Berlinguer was met with a handshake by a second-level Soviet official, then hustled off to the Sovietskaya Hotel.

At the opening session, Brezhnev sat at the center of the long table of delegates in St. George's Hall, serenely sipping Borzhomi

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mineral water. Kosygin buried his head in conversation. Party Ideologue Mikhail Suslov, the man most responsible for the organization of the summit, fidgeted, tapping his red pencil. In his opening speech, Brezhnev merely exhorted the foreign comrades to close ranks behind the Soviet Union because "the attention of the whole world is now focused on this hall." The pooling of Communist "efforts was and remains an important condition of success in the anti-imperialist revolutionary struggle." On that jargon-laden, altruistic note, the deliberations began. The tone changed quickly; the jargon remained, but the altruism gave way to acrimony.

That the summit was taking place at all was no small achievement for the Russians. As long ago as 1962, Nikita Khrushchev had conceived the idea of convening the leaders of the world Communist parties. Already China was vigorously contesting Russia's claim to primacy and hitting the Kremlin where it hurt—on points of theology. On one level, Khrushchev's espousal of the principle of "peaceful coexistence" with the capitalist nations was a sellout, said Peking's theoreticians; his emphasis on more consumer goods for ordinary Russians was "revisionism" of the kind that could only destroy the spartan muscle that a revolutionary society needed. One good charge of heresy deserved another, Khrushchev felt, and his aim was nothing less than a Communist Council of Trent to read the Chinese out of the world movement, excommunicate them from the Red fraternity. But what really mattered was Mao's demand that Russia's immense military and economic power should be used not merely to further Soviet national interests but to promote the cause of world revolution. The Soviets' power should be shared, Mao said, with other Communist nations, notably China, so that they might build up their own strength and challenge the imperialist forces—even at the risk of war.

PRAGUE DETOUR

Other Communist parties wanted no part of the Sino-Soviet quarrel, and Khrushchev never got his summit before he was ousted in 1964. His successors, Brezhnev and Kosygin, shelved the conference plan while they tried to effect a reconciliation with China. After Mao rejected their overtures and embarked on the Cultural Revolution, whose xenophobic excesses alienated much of his earlier support among other Communist countries, the Soviets sensed that the proper psychological moment had come to summon the comrades to Moscow.

The initial preparatory meeting. held in Budapest in February 1968, ended on an ominous note as the Rumanians, on orders from Ceausescu, walked out because they were criticized for not following the Soviet line of condemning Israel. An infinitely greater disruption came a few months later, when the forces of five Warsaw Pact nations, led by the Soviet Union, crashed into Czechoslovakia. Russia only outraged the majority of foreign Communists by stamping out a liberal experiment with which they sympathized and one that could have helped them win votes in the free world. At the same time, Russia once again ground under the tank treads one of Communism's dearest dogmas: Socialism brings everlasting peace among Socialist nations.

Foreign Communist reaction was an indication of both the Soviet Union's waning authority and the villany of the deed. Twelve years earlier, in the much bloodier suppression of the Hungarian uprising, nearly every Communist Party in the world had supported the Soviet action. This time every major foreign party expressed disapproval, ranging from violent protest (Italy, Sweden, Yugoslavia) to distaste tempered by expediency (France and Cuba). Even Rumania, a member of the Warsaw Pact, though it did not take part in the invasion, censured the action. Only insignificant parties that depend on the Soviet dole (such as those in the U.S. and most in Latin America and the Middle East) endorsed the move.

Because of the uproar, the conference, originally set for November 1968, had to be rescheduled for May 1969; it was then postponed again to last week. One indication of the magnitude of the disagreement was the formulation of the working document for the conference. At Soviet instigation, a joint draft was drawn up by a committee of eight parties and submitted to a preparatory session attended by 65 parties in Budapest last February. Other parties offered some 300 amendments, at least 100 of which were incorporated in the text. In order to hold a conference at all, the Soviets had to scratch out the old claim, reaffirmed by the 1960 world conference, that they were the leaders of the world Communist movement. Further, they had to delete any critical reference to China or any wording that could be construed as approval of the invasion of Czechoslovakia.

SOCIALIST COMMONWEALTH

Despite their exclusion from the agenda, it was plain that China and Czechoslovakia were the real issues at the conference. On both, the Russians had tried to cover their positions in advance. Moscow propagandists a month ago performed their own unilateral excommunication of China by pronouncing that Mao's party now had "nothing in common with international Communism" and was merely the apparatus of a "military clique" ruling China and masquerading as Communists. Since the shooting on the Ussuri River last March, the Russians have been trying to enlist the sympathy of foreign parties and the world by saying that Russia is not only defending its Far Eastern borders but also holding back the Maoist yellow peril that threatens humanity. For the Russians, who have so long regarded themselves as the providers of aid and arms to other Communist countries, the response has been deeply disappointing. Requests for token military units or even observers to come to Siberia to join the Red Army in its vigil on the long, lonely border have reportedly been refused. No other Communists want to be caught in the thrashings of the two giants.

Besides a condemnation of China, Russia has something else that it would dearly love to extract from the delegates. That is an endorsement of the principle of limited sovereignty as expressed in the Brezhnev Doctrine. As a justification for the invasion of Czechoslovakia, the Soviet party boss last November expounded a new policy asserting that members of the Socialist Commonwealth have the right to intervene in the affairs of another member whenever the purity and primacy of socialism are endangered in that country. Foreign Communists who feel most threatened by the policy, notably the Rumanians and Yugoslavs, fear that the Soviets will use the doctrine not only to keep any socialist country from defecting to the Western camp, but also to enforce their own brand of politcial orthodoxy. As *Lumea*, the Rumanian foreign-news weekly, declared: "Limited sovereignty makes no more sense than limited honesty."

Aware of the opposition, the Soviets enlisted support for the doctrine from its first victims. Shortly before leaving for Moscow, Czechoslovak Party First Secretary Gustav Husák, who in April replaced Alexander Dubcek, declared that "anti-Communist and anti-Soviet instigations" had justified the intervention of Czechoslovakia's Warsaw Pact neighbors. In Moscow, Husák, accompanied by new hard-line officials who only the week before had accomplished a purge of most of the prominent liberals on the Czechoslovak Central Committee, pleaded with the Italians and other foreign Communists not to discuss the Czechoslovakia issue in the conference.

His request was likely to go unhonored, if for no other reason than that the Italian Communists, who have great hopes for doing well in the next general elections, fear the influence that the Brezhnev Doctrine would have on Italian voters. They can foresee their opponents' campaign slogan: "Put the Communists in power and the Red Army will keep them there!"

FIRST CONTROVERSY

The conference had hardly got under way when the ground rules were shattered and the fumes of controversy began to leak to the outside world. The opening speaker on the second day was a delegate from Paraguay, who launched an attack on the Chinese. The first nasty epithet was scarcely out of his mouth before Rumania's Ceausescu was scribbling a reply on the notepad in front of him and demanding the floor. The Rumanians had made clear that they would attend the summit only on the understanding that the internal affairs of any Communist Party, present or absent, would not be discussed.

When the Paraguayan finished, Ceausescu broke in to issue a blunt, 500-word warning that the discussion was taking an unwelcome and unwise turn. "To our regret, in today's speech by the representative of the Communist Party of Paraguay, attacks and condemnations were included against one party that is not attending the conference. We consider that if other parties follow this procedure, this will lead to a course fraught with danger for the success of our conference," he said. Undeterred, Polish First Secretary Wladyslaw Gomulka resumed the Soviet-orchestrated attacks on the Chinese: "The principles of internationalism have been betrayed by the present leaders of the Communist Party of China, who have, from positions of anti-Soviet nationalism and great-power chauvinism, violated the solidarity of the international Communist movement."

The next day Brezhnev added the Soviet voice to the anti-Chinese chorus. In a bitter speech the Soviet party boss warned that the Chinese were preparing to start a war and charged that "the damage caused by the breakaway activities of Peking to the Common cause of Communists cannot be underestimated." Said he: "The practical activities of Peking in the international arena more and more convince us of the fact that China has actually broken with proletarian internationalism and lost its class Socialist content." It sounded as if the Soviets had decided after all to press on with their original plans to excommunicate the Chinese from the movement. But such a move was certain to lead in the conference to heated debates and perhaps even walkouts and further divisions within world Communism.

As a myth and a generalized faith, Marxism has proved remarkably durable, partly because it has been interpreted and stretched so broadly that widely different political movements can and do invoke it (*see* Time Essay, *page 35*). In its specific applications, the faith is hopelessly split. Within little more than a decade, Communism has undergone a great schism (Moscow *v.* Peking), experienced an abortive reformation (Dubcek's Czechoslovakia), and developed a plethora of protestant sects (Yugoslavia and Rumania, among others). The once vaunted and feared unity of Communism has shattered into a bewildering, quarrelsome, logic- and dogma-defying set of parties.

Mirroring the larger schisms within Communism, the individual parties have divided, subdivided and often split into opposing parties. The Australian and Israeli Communists are divided into two parties. The Swedes, Indians, and Greeks all are split three ways. Labedz has propounded a rule that Communist politics "are complicated in inverse proportion to the party's importance in the country"; thus the Ceylonese Communists, who number only 2,300, have proliferated into eight discernible factions.

THE FOUR VARIANTS

In the squabbling, all sense is turned upside down. By any measure, Yugoslavia is as "revisionist" as a Red state can be; yet China, keeper of the purist faith, is now making some indirect conciliatory gestures toward Tito. Even though China branded the Dubcek regime revisionist, it condemned the Soviet invasion of Czechoslovakia.

Out of the welter of cross-currents, at least four principal variants of Communism are alive in the world today. They are 1) Soviet Communism, 2) Maoism, 3) Castroism and 4) reformist Communism as it occurs in two subvariants; Western Communist parties out of power and ruling parties within the Red world.

Soviet Communism is now among the world's most conservative systems. Its overriding theme is the preservation of the status quo within the Soviet sphere of influence. Watering down Leninist eschatology, Soviet Communism no longer believes in an inevitable violent clash with capitalism and has shown in practice that the worldwide revolution is the least of its concerns. Soviet Communism has long been called "bureaucratic dictatorship," and the description is apt. A party-controlled bureaucratic bossism pervades every area of life, with stultifying results. Art and literature must conform to the precepts of "socialist realism," that means they must provide didactic uplift about Communism. There are few civil rights for individuals. Dissent from party and government is severely punished. Even so, a small band of dissenters continues to protest against the growing repression.

On the economic front, limited innovation, such as the introduction of a form of the profit motive and expansion of managerial authority, is being attempted to improve output and efficiency. But Soviet-style Communists resist any thoroughgoing reform for fear that economic liberalization might spill over into social and political areas. Soviet Communism remains in command throughout most of Eastern Europe, constitutes the major influence on the French party, and controls a number of minor "pocket parties" such as the one in the U.S. and nearly all of the small Middle Eastern and Latin American parties.

Maoism, the antithesis, is wildly revolutionary in word if not in deed. It is also highly emotional. A modern echo of classic Chinese opera, Maoism whines in shrill hyperbole. Rigidly doctrinaire, Chinese Communism retains the traditional belief that a clash with capitalism is inevitable; it calls for wars of national liberation throughout Africa, Asia and Latin America. Mao, who immodestly considers himself a Communist innovator on a par with Marx and Lenin, sees the development of world revolution as a repetition of the strategy used by the Chinese Communists to achieve power in 1949. At that time, mass peasant armies surrounded the cities where the government held power, and finally seized them. Mao envisions the peasant masses of the underdeveloped world encircling and ultimately conquering the industrial nations. As the Cultural Revolution illustrated, Maoism within China glorifies perpetual revolution to enable the party to avoid the barnacles of bureaucracy that have encrusted Soviet Communism.

Mao did succeed in destroying the bureaucratic system, but it is an open question whether he can now create an alternative system through which he can govern China and promote its industrialization. At present, he must rely largely on the army to help him run the country. Outside China, Maoism commands the allegiance of only one ruling party, in Albania, and a handful of insignificant parties (including those in New Zealand, Burma, Thailand). But Maoist factions and splinter parties exist in many countries, and Mao has become a hero to the New Left.

Castroism is essentially romantic, evoking the image of the lone defiant man, bristling with *machismo*, who dares to shake his fist at the citadel of capitalism. Castro competes with Mao in dedication to fomenting revolution. Like Mao, he generalizes from his own success when he and a small band of guerrillas from the Sierra Maestra were able to take power. But unlike Mao, Castro contends that not a mass party, but a handful of armed intellectuals is sufficient to spark revolution among the Latin American peasantry. Bragging that he would turn the Andes into the Sierra Maestra of South America, Castro hoped to export revolution to all of Latin America. Indeed, twelve governments have accused him of exporting subversion and supplying arms to guerrillas in their countries; nowhere did he score a real success. In 1967, his dream of victory was punctured by the Bolivian army bullets that killed Che Guevara, his longtime aide and strategist. In the wake of Che's death, Fidel slowed down his revolutionary activity, and his threat to Latin America began to wane. One reason was that local Communists regarded Castro as a competitor and did not help his guerrillas. Also, Russia was not sympathetic to Castro's calls for drastic action. Its strategy calls for a *via pacifica* in Latin America. The Soviets hope that local conditions, abetted by U.S. blunders, will play into their scheme of things. At present, their great hope is for making serious inroads in Peru, where the nationalistic military junta is pointedly turning to the Soviets to step up its feud with the U.S. over the American-owned International Petroleum Company. Though Castroism has caused fewer factions in Communism than the other currents, Fidel remains an important influence and a hero to many of the world's youth.

Reformism exists in the Communist parties and of both the West, where they are out of power, and Eastern Europe, where they are in power. Best exemplified in the West by the Italian Communist Party, the reformist strain is rational and reassuring. According to their pronouncements, the reformers aim to do what Alexander Dubcek attempted: to give Socialism a human face. The reformers reflect the trend toward *embourgeoisement* of the party members. Recognizing that voters are no longer gripped by old revolutionary slogans and that today's prosperous workers are more interested in Mercedes-Benz than Marx, many Communists have changed their tactics. Accepting the rules of the political game in their countries, the reformers vow to seek power only by legal means. If they ever get into it, they promise, they will reform the society, not violently tear it down. They will, so they say, respect civil rights and freedom of the press while bringing about a more equitable distribution of wealth. Some Western European reformers even envisage allowing political opposition. It is a notion that outrages orthodox Communists, who insist above all on the paramount control of the party.

Among the ruling Communist parties, the reformist showcase is the Yugoslavia of Joseph Broz Tito, Communism's first heretic. There is far more freedom of expression and action in Yugoslavia than in any other country of Eastern Euope. Newsstands and bookshops offer Yugoslavs easy access to Western publications without fear of reprisals. There is, of course, censorship; certain books, like Milovan Djilas' works, are not available, and the press is controlled. Yugoslavs, if they can afford it, can travel abroad freely, in the East or West. Conversly, Westerners, whether tourists, businessmen or journalists, gain ready admission to Yugoslavia. By scrapping Communism's harshest dictates, the Yugoslavs have created a thriving market-oriented Socialist economy in which the workers share profits and managerial responsibility.

All this is a far cry from the days of Lenin and Stalin, when Moscow was truly the capital of the world revolution. Housed in a dingy building just across the street from the Kremlin, the Comintern ran a shadowy, tightly organized network of agents and conspirators who carried Moscow's orders to parties far and near. In those days, the first duty of a Communist anywhere in the world was to support the Soviet Union. Stalin said: "A revolutionary is one who without arguments, unconditionally, openly and honestly is ready to defend and strengthen the U.S.S.R."

The Russians still spend billions of dollars annually in furthering the Communist cause abroad. The bulk of the money goes for arms for North Viet Nam and oil for Cuba, which are items that advance Soviet diplomatic aims. The U.S.S.R. until recently supplied one-fifth of the Italian party's $10 million budget, helps the Indians financially, subsidizes the illegal party of West Germany and supports the Latin American parties. Danish Communist leaders get three free suits a year made in East Germany, and some parties get a rake-off on whatever trade or tourism their countries do with the Soviet Union.

Central Committee Secretary Konstantin Katushev is in charge of relations with ruling Communist parties, while Boris Ponomarev attends to the affairs of the nonruling parties, and both are busy all year long as hosts or traveling salesmen. Their emissaries try to influence developments within the parties. After Luigi Longo's strong stand against the invasion of Czechoslovakia, the Soviet Embassy in Rome distributed a pamphlet criticizing the Italian party leader—and cut back on aid to the Italians.

Russia might have done better in maintaining its leadership of the Communist world if the Soviet model were more attractive. Despite the Soviets' excellence in weaponry, space, aeronautics and many other scientific pursuits, they have failed to build either an effective, well-balanced economy or a pleasing life style. Soviet economic weakness is, in fact, a major reason that the Russians must use force in order to keep their grip on Eastern Europe. The Eastern European countries badly need outside aid in order to overhaul and modernize their industries. Since the Soviets cannot provide the aid without harming their own economic plans, the Eastern Europeans want to seek technical and financial assistance from the West. Fearing that economic ties with the West might loosen political allegiance, the Soviets oppose such links. One manifestation of the Soviets' attitude is their denunciation of the West's attempts to "build bridges" of tourism, culture and trade to Eastern Europe.

On a global scale, Russia's reliance on force and authoritarianism hurts its role as a Communist leader. Partly for that very reason, the movement's fission has proved to be a downright political advantage to many Communist parties. The image of Communism's being run by an alien despotism in Moscow has faded to a great extent as individual parties have become more independent. The French party for years cringed under Socialist Guy Mollet's indictment that "the Communists are not of the Left but of the East"; by asserting a moderate amount of independence, the French Communists have gained a new respectability in French political life. The Italian party, which is the largest European Communist Party outside the East bloc, which is likely to share power in an Italian government sooner rather than later, stresses its independence of the Soviet way of doing things. Long the lepers of Finnish politics, Communists now participate in the coalition government in Helsinki. By campaigning on an independent

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platform, Indian Communists have gained power through free elections; they now head coalition Cabinets in the states of Keral and West Bengal. One reason that the Communists are the fastest-growing political party in Japan is that they refuse to identify with either Peking or Moscow, insisting on the priority of their own interests over those of Russia and China.

Except in Southeast Asia and parts of Latin America and West Germany, public fear of Communism has noticeably declined. The change in the public climate offers an opportunity to the reformist parties. If they actually do achieve power through elections, the test for the reformists will be to show that Communism can indeed be the liberating, uplifting force that Marx envisioned and not the tyranny that the Soviets and Chinese made it. To judge from all past evidence, it would be dangerous and foolhardy for any Western voter to bet his liberty in the expectation that this will ever happen. But if it did, would Communism still be Communism?

LEGACY OF MOSCOW

In a way, that question is really what the Moscow summit is all about, though perhaps none of those present in St. George's Hall would frame their purpose in such a transparent way. Certainly not Brezhnev, Kosygin and the other Russian hosts. Judging by the initial head-on assault against China, they have cast aside the promises made to many of the delegations and are determined to wrench from the parties the long sought writ of excommunication against Mao Tse-tung. It seems a reckless act, and having embarked on it, the Soviet leaders have little more to lose by also demanding from the conference an endorsement of the Brezhnev Doctrine—and gaining expiation for their invasion of Czechoslovakia.

That, too, would be reckless, for on neither China nor Czechoslovakia are the Russians likely to have their way at the conference. Communism has existed too long, embraced too many diverse peoples, adapted to too many local needs and seen too many second- and third-generation visions for the monolith ever to be reassembled again. The descendants of the 1917 Revolution are mutants, dedicated to making Communism—their Communism—safe in a world of diversity. It is disturbing that the men in the Kremlin do not understand that, or cannot accept it. In demanding that the parties of the world fall into line, they are virtually guaranteeing that the legacy of Moscow, 1969, will be a Communist world more at odds than ever before.

CRANSTON LEADS SOFTBALL CLUB TO CRUSHING DEFEAT

HON. ALAN CRANSTON

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Wednesday, July 2, 1969

Mr. CRANSTON. Mr. President, when I sought election to this august body, I knew well that being a U.S. Senator would be an arduous task. But I had no concept of the magnitude of the challenge until my staff and I took the field last week in our first Senate softball game.

The details of this inglorious episode were reported by an erstwhile sports reporter for the McClatchy newspapers, Michael Green, and printed in the Modesto Bee.

I ask unanimous consent to have the story printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Modesto (Calif.) Bee,
June 25, 1969]

Cranston Leads Softball Club to Crushing Defeat

(By Michael Green)

Washington.—Sen. Alan Cranston, D-Calif., whose heroes include Broadway Joe Namath ("What a blow to clean living," he chortles) led his office softball team to a crushing loss here last night.

It was the first game of the season for Alan's Angels. It was very nearly the last. They were whipped 12–3 in seven innings by Fulbright's Dissenters, captained by the Arkansas Democrat who heads the dissenters in the Senate as well.

Cranstons' team, however, claimed a "moral victory."

"It could have been 12–0," beamed a shapely secretary who had graced but scarcely defended second base for the Angels.

"You know, Ted Kennedy flies in professional baseball players from Boston for these office games," a teammate whispered. "If we could just figure out how he gets away with it . . ."

Despite the staggering loss, Cranston led his team with "style". He showed up for the game an hour late. That was saying more than for the rest of his team, most of whom showed up after the game was over—four tall, muscular figures with brawny forearms and one short, powerful press secretary.

Cranston arrived wearing track shoes.

"I'm really a long distance runner," he explained.

"Your late!" cried Fulbright, who graciously did not invoke a vague rule that a team forfeits if its senator fails to appear. He didn't need to.

"We carefully followed the map you gave our team," Cranston said, looking like a man holding a bill of sale for the Washington Monument who has suddenly become older and wiser.

"Oh, you got lost?" Fulbright cried, his cocked head sporting a smile of delicious enjoyment. "What's the matter, you don't know your way around yet, boy? You been around six months now and you don't know your way around yet? Eh? Eh?

Cranston replied with a calm, deliberate stride to the batter's box.

"Easy out! Easy out!" jeered a pimple-faced stock clerk playing shortstop for the Dissenters.

The pitcher wound up.

"Hold on now," Fulbright drawled. Slowly, he slipped off his dark blue Foreign Relations Committee Chairman suit coat to the admiring murmurs of his office staff.

They broke into cheers as he donned a blue baseball cap. When he slowly ambled out to the mound with a sort of salty, contemptuous swagger, even Cranston, whose mind had wandered to pending legislation in Congress during the long wait in the batter's box, looked up and took notice.

"Go, Alan!" an Angel shouted.

A silence fell across the humid field. The two teams waited tensely, sweltering under the gray, overcast, early-evening sky.

Fulbright swiveled slightly and lobbed a high, wide pitch lazily past the batter's box.

Cranston let it pass.

His team cheered wildly.

They cheered even more ecstatically when he hit an unimpressive ground ball that bounced through the waiting arms of the first baseman, good for a two-base hit.

But the other Angel batters weren't up to Cranston's performance. The wily Fulbright licked his lips and swallowed them in a shut-out.

"You're losing," he informed Cranston when the score stood at 9–3.

Cranston nodded. He decided to get in some running practice for a track meet he's entering in San Diego on the 4th of July weekend. As his team lost another inning, his tiny figure could be seen jogging away from the field in the distance. By the time he jogged back, it was all over.

Fulbright led his victorious team off the field to a celebration dinner at the Hawk and Dove restaurant.

Cranston, taking off his track shoes and laughing, expansively, shouted to his team, "Nobody goes home before dark! Practice! Practice! Practice!

What style.

What a blow to clean living.

EDUARDO MONDLANE: A MARTYR FOR MOZAMBIQUE

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. MIKVA. Mr. Speaker, the struggle for human liberty and freedom is far bigger than any one man. Yet, throughout history, individuals have emerged who so passionately brought the human spirit to that struggle that their names have become synonymous with freedom itself. To over 30 million politically exploited Africans in Mozambique, Angola, Rhodesia, and South Africa, Eduardo Mondlane was such a man.

Born the son of a Tonga tribal chief in the remote bush country of Mozambique, Mondlane rose to academic heights in the United States earning a B.A. from Oberlin College and an M.A. and Ph. D. from Northwestern University. He became a brilliant United Nations spokesman and leader before returning to his own homeland to lead the heroic, though still incomplete, struggle for his people's liberation. It was with a sense of shock and irreparable loss that the world learned of his assassination earlier this year.

We in this country are all too aware of the senselessness and inhumanity of the politics of violence. But, as Robert Kennedy reminded us after the world lost Martin Luther King:

> No martyr's cause has ever been stilled by his assassin's bullet.

And so it is with Eduardo Mondlane. Though his own contributions and his own humanity are irreplaceable, the struggle he so nobly led goes ever on. It is with great admiration for a great human adventurer that I submit for insertion into the Record the following article on Eduardo Mondlane from the March/April issue of Africa Report:

A Martyr for Mozambique

(By John A. Marcum)

At age 10, Eduardo Mondlane was still an unschooled goat herder in the remote bush country of Mozambique's Limpopo Valley. Some 32 years later, by then an internationally respected educator, Dr. Mondlane took the improbable step of renouncing the ease and security of an academic career in the

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United States for the risks and rigors of leadership in an African revolution. A sunny, didactic man who relished intellectual debate, he decided to put his booming voice and irrepressible energy into organizing a political and military struggle for the independence of his homeland. Just how successful he made the difficult transition from professor of anthropology to revolutionary may now be deduced from the chill words of the *Financial Times'* commentary on Portuguese reactions to his assassination in Dar es Salaam on February 3: "That Lisbon is overjoyed by Mondlane's death is an understatement."

Eduardo had known for a long time that he was a likely target for assassination. The July 1966 murder in Zambia of Jaime Sigauke, another top official of the Frente de Libertacão de Mocambique (Frelimo), had been interpreted by the Frelimo leadership as a signal that liberation movements with only thin layers of educated leadership could be emasculated by assassination. Writing of Sigauke's murder reportedly by a Portuguese "friend"), John de St. Jorre of *The Observer* (London) had concluded: "The killing was a salutary lesson to Frelimo and, I believe, the first time that the Portuguese have resorted to anything as daring and cold-blooded as this. It is a measure of how seriously they are taking Frelimo these days: the movement evidently now warrants General Delgado-type operations—political killings by Portuguese agents in foreign countries." More recently, just six weeks before Mondlane's death, Frelimo's deputy military commander, Samuel Kankombe, was shot dead by an unidentified assassin near Tanzania's southern port of Mtwara. In addition to these somber indirect warnings, Monlane received regular and direct threats to his own life from a variety of sources, African as well as Portuguese. The recognized need for maximum security precautions conflicted, however, with a naturally open life style that made him a tragically easy target.

Born on June 20, 1920, Eduardo Chivambo Mondlane was the son of a Tonga chief and the sole member of his large family to receive a primary education. This he owed to the vision of a "very determined and persistent" mother. (See "Conversation with Eduardo Mondlane," by Helen Kitchen, *Africa Report*, November 1967, p. 31.) Once launched, Eduardo took advantage of every possibility available to him to extend his educational experience. The colonial school system was European-oriented and offered little scope for a bright African, so he moved through the open doors of a series of Protestant institutions: a Swiss primary school, an American Methodist agricultural school (where he learned English), and then a Swiss secondary school in South Africa's Transvaal. In 1948, he was admitted to Witwatersrand University in Johannesburg—the first African from Mozambique to enter a South African university. This was one of many pioneer undertakings in his lifetime that would bring him into direct confrontation with socio-political forces hostile to his ambition and effervescence.

In 1949, some 15 days before the examinations at the end of his second year, Mondlane was found to be an unwanted "foreign native" in a white university, and his student permit was cancelled. Returned to Lourenco Marques in Mozambique, he was promptly arrested and interrogated because of his role there in the organization of a local student group (Nucleo dos Estudantes de Mocambique) critical of Portuguese colonial and racial policies. In June 1950, however, the authorities allowed him to go to Portugual to enter the University of Lisbon on a scholarship arranged through Protestant channels and the Phelps Stokes Fund in New York

After a year of harassment by the Portuguese secret police (PIDE) in Lisbon, where he was one of some 25 Africans in the university's student body of about 3,000, Mondlane asked that his scholarship be transferred to the United States. He entered Oberlin College in Ohio in September 1951, at age 31. Supplementing his scholarship by summer work, he thrived academically in his characteristic manner, received his BA from Oberlin in 1953, and went on to do graduate work in sociology and anthropology under the late Professor Melville Herskovits at Northwestern University, where he earned both an MA and a PhD. The significance of these achievements may be better appreciated if it is recallěd that as few as 10 of the nearly six million Africans in Mozambique in 1955 were attending academic high schools (*liceus*), and slightly more than 200 were enrolled in technical schools and seminaries.

In 1957, as he was preparing his doctoral dissertion on "Role Conflict in Intergroup Relations," Mondlane joined the secretariat of the United Nations as a member of the research section of the Trusteeship Council. While working for the United Nations, he later recounted, he turned down various offers of academic positions in Portugal, because he considered these offers to be motivated by a desire to remove him from the East River's den of anti-colonialism.

In early 1961, Eduardo went to Africa as part of a United Nations team that supervised a plebiscite to determine the future of the British Cameroons. Taking advantage of his legitimate presence in Africa and his status as a United Nations employee, Mondlane took his American wife, Janet, to visit Mozambique—his last "legal" entry into the country. He later recalled the welcome he received after an 11-year absence: "As hard as they tried, the police could not keep the people from me, thousands of people asked me to organize a national movement. I was well known because of my education, my time in jail, my UN job, and, I suppose, because I had married a white woman."

The year 1961 was a heady one for Africa, and Mondlane was caught up in the new sense of urgency. A series of violent encounters earlier in the year has marked the official beginning of a state of rebellion in Angola, the huge Portuguese colonial holding in the Western side of the continent. When Tanganyika's independence in December made physical access to northern Mozambique possible. Mondlane's intermediate step was to resign from the UN and take a politically permissive post teaching in the East African program at Syracuse University. From this base, he lectured to university, church and other groups throughout the United States on the subject of Portuguese colonialism. In June 1962, he took the final plunge and flew to Dar es Salaam, where he worked to bring fractious groups of Mozambican nationalists into a single liberation front. He was promptly named president of the resulting Frente de Libertâçao de Moçambique.

While working at the United Nations, Mondlane had cooperated with American Protestants and other groups and private individuals to funnel scholarship funds to African students in Mozambique who wanted to attend secondary schools. Similarly, he made education one of the priority concerns of Frelimo, having created a Mozambiqus Institute in Dar es Salaam to receive refugee students, obtain scholarships, and ultimately to develop a new Mozambique primary and secondary school curriculum. Meanwhile, in the face of Portugal's intransigence on the principle of self-determination, Frelimo began sending volunteers for military training to Algeria and the United Arab Republic, as well as to camps within Tanzania. By September 1964, a small cadrė of 250 trained men was ready to launch initial guerrilla operations in the north.

In the beginning, Mondlane was hopeful of getting American assistance in persuading Portugal to grant self-government to Mozambique. He found a particularly sympathetic listener in Attorney General Robert F. Kennedy. The United States should realistically accept, Mondlane told the late President's brother, that Portuguese rule in Africa was bound to collapse. "The needs of the liberation forces are many," he told Kennedy, "but none is so great as a change in United States policy toward Portuguese colonialism. Friends of freedom and democracy throughout the world cannot comprehend why the United States does not move to the forefront in this struggle for freedom. It is inconceivable to us that the United States must remain silent and secretive to placate Portugal."

Even before President John F. Kennedy's death, however, Washington had given in to what Mondlane (and also Theodore Sorensen) subsequently termed "diplomatic blackmail." When Lisbon threatened to deny the United States use of air and naval bases in the Azores, they pointed out, Washington changed its censorious tone, declined to vote with African and Asian states in support of a proposed UN arms embargo designed to force Lisbon to negotiate with African nationalists, and continued to provide military assistance to Portugal under the terms of its NATO commitments. Private American support for Mondlane's cause also proved to be vulnerable to Lisbon's displeasure. In late 1964, the Portuguese subsidiary of the Ford Motor Company, Ford-Lusitania, announced in Lisbon that the Ford Foundation had promised to consult the Salazar government on future grants relating to Portuguese Africa; subsequently, the foundation withdrew its financial support of the Mozambique Institute. (Some of the costs of this project were taken over by the World Council of Churches in Geneva.)

Although Mondlane stridently denounced American and NATO ties with Portugal in striving to protect his own revolutionary credibility, American journalists persistently embarrassed him within his own movement by describing him as a staunchly pro-American "moderate" living in a luxurious villa (it was not) in Dar es Salaam. Equally simplistically, they portrayed Frelimo Vice-President Uria T. Somango, a former Protestant minister from Beira, as "pro-Chinese," and party foreign secretary Marcelino dos Santos as "pro-Soviet." A press bent upon analyzing everything in terms of attitudes toward or alliances with communist powers failed to consider the possibility that these three men could be working together as a team both "loyal" and plausible in the African context, subordinating ideological and personal differences to the overriding goal of national independence.

In spite of the American albatross, Mondlane managed to survive the intrigues of exile politics and retained party leadership until his death. Under his presidency, Frelimo was built into a solid, if heterogeneous, organization. With funds and training from the Organization of African Unity's Liberation Committee as well as from Soviet, Chinese, and Scandinavian sources, the party's political and military apparatus expanded rapidly. By early 1969, several thousand guerrillas were operating in wide areas of northern Mozambique and had entered the Tete district, not far from the Cabora Bassa site where a huge hydroelectric and irrigation dam is to be built on the Zambezi River. Tanzania remained a firm friend to Mondlane and host to Frelimo's exiled leadership. And with the new, more temperate, if not more liberal Lisbon government of Marcello Caetano succeeding that of the stricken strongman, António Salazar, Eduardo was able to greet 1969 with even more than his normal measure of optimism.

Four years after fighting had begun, however, Mondlane could not and did not promise that victory was within sight. Instead, he talked to Frelimo cadres of a prolonged, costly campaign of political education and guerrilla insurgency against numerically and technically superior Portuguese forces. The resulting frustration and impatience developed into an open challenge to his policies early in 1968, under the leadership of a militant and bitter African priest who had escaped from central Mozambique the previous year. Father Mateus Gwenjere tended to identify all Portuguese (whites) with colonial repression and took strong exception to Frelimo's policy of multiracialism—a policy which permitted mulattoes and Goans to assume positions of party leadership and even tolerated anti-Salazarist Portuguese in teaching positions at the Mozambique Institute. Influenced by Gwenjere—and, according to some reports, by a desire to avoid a stint of obligatory military service—students at the Mozambique Institute went on strike in March 1968. Frelimo had to close down the Institute, and the Tanzanian Government expelled from the country all of the European teachers on the staff. In May, an attack by some 20 dissidents on party headquarters resulted in the death of one official and intervention by Tanzanian police.

Despite these manifestations of dissidence, Eduardo Mondlane was re-elected to the presidency by an overwhelming majority at a party congress held with rather spectacular advance publicity inside the Niassa district of northern Mozambique in July. Attended and reported by outside observers, including the widely published British writer Basil Davidson, the congress gave a new luster of revolutionary legitimacy to Frelimo. It also worried the Portuguese, who reportedly discovered (and bombed) the site of the congress only after it had been safely adjourned.

The assassination of Mondlane deprived Frelimo of a leader who could work across ideological, racial, and regional lines and command a broad range of support among Mozambique nationalists. Frelimo lost a leader who enjoyed the vital confidence of Tanzania's President Julius Nyerere and who gave to the Mozambique revolution a nationalist image that no amount of rhetoric from Lisbon could transform into communist conspiracy. And Mondlane's pioneering role in education and international politics gave him a prestige throughout the world that no successor could soon match.

Without prejudging the results of inquiries underway, a few assessments and predictions seem warranted. First, Mondlane's death will resolve nothing. African insurgency is likely to continue as long as Lisbon denies Africans self-rule. And new leadership will emerge, whether that of a veteran nationalist such as acting president Uria Simango or new personalities thrown up by the growing ranks of youthful, educated party militants. Second, if the investigations do not succeed in establishing responsibility for the murder, debilitating suspicions and morale problems are likely to complicate the issue of political succession and party cohesion. If a power struggle should develop reflecting Sino-Soviet competition for influence in southern Africa, Frei Imo could be seriously weakened. Third, the assassination is likely to have more than a passing effect in both Tanzania and Zambia. These two states are host to a wide assortment of liberation movements whose internecine quarrel or propensity to provoke retaliatory acts by nettled white regimes in southern Africa are creating a growing threat to local security. The bomb that ended Mondlane's life might just as easily have exploded in the bustling Chinese restaurant where he frequently expounded, argued, and laughed over lunch with friends, journalists, and colleagues as in the private residence where he regularly sought a quiet place to deal with nagging piles of paperwork and correspondence.

Whoever took Mondlane's life, the only obvious beneficiaries from the murder are the Portuguese and their Rhodesian and South African allies. The effect upon African nationalists inside Mozambique may be presumed to have been demoralizing, at least in the short term. And with Mondlane gone, it is now even less likely than before that the new administration of President Nixon will develop a policy more congenial to the aims of southern African nationalists.

Without the traumatizing experience of a televised funeral to set forth the man and his cause, few Americans could be expected to recognize the meaning for them of this tragic death in distant East Africa. Yet just as Martin Luther King represented a fragile and beleaguered bridge between blacks and whites within America, Eduardo Mondlane constituted an irreplaceable link between African nationalists and those Americans who wished to avoid total rupture with the revolutionary leadership of over 30 million white-ruled Africans in Mozambique, Angola, Rhodesia, and South Africa.

When the American Ambassador to Portugal, Admiral George Anderson, visited Angola and Mozambique in 1964 and praised Portuguese colonial achievements, Mondlane issued a rueful warning from Dar es Salaam. He said that the admiral's remarks led him to conclude that the United States "cannot identify itself with our ideals for self-determination and independence." Mozambique nationalists might thus assume, he mused, that "when our people finally rise to take up arms against Portuguese imperialism, the United States of America, like the Republic of South Africa, will intervene against us in support of Portugal." In so predicting, he probably hoped to dissuade. It remains for those Americans who fear his prophecy, but wish to honor his life, to prove him wrong. If efforts to change American policy are doomed to fail, perhaps all that is left for those who respected Dr. Mondlane and his cause is to work to prepare the American public to expect, understand, and live with the massive hostility of southern Africans that can be the only logical result of protracted American military, economic, and technological support for an oppressive status quo.

TWO GREAT LABOR LEADERS, TWO GREAT AMERICANS: ROY SIEMILLER AND MATTHEW DEMORE OF THE INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Wednesday, July 2, 1969

Mr. YARBOROUGH. Mr. President, Saturday night, June 28, 1969, the International Association of Machinists and Aerospace Workers paid tribute to two men who have been instrumental in advancing the cause of the workingman in America—Roy Siemiller and Matthew DeMore.

The tribute was paid as Mr. Siemiller retired as international president of the Machinists and Mr. DeMore retired as general secretary-treasurer of the IAM, one of the Nation's largest and most important trade unions.

The International Association of Machinists and Aerospace Workers under the leadership of Mr. Siemiller and Mr. DeMore has grown to include over 1 million workers. It is a large union and it is a fast-growing union, for its membership extends into some of the most advanced technological industries in the Nation. And these are some of our fastest-growing industries.

During the 4 years Mr. Siemiller served as president of the machinists, he very ably represented the members and demonstrated time and time again his ability as the advocate for their causes. Mr. Siemiller stood firm against many pressures in order to secure for the members of the IAM increased security and better working conditions.

In addition to improving the lot of members of his own union, Mr. Siemiller, like many other great union leaders of this Nation, supported and actively worked for programs and legislation to improve the life of the poor, the underprivileged, the elderly.

Mr. Siemiller's actions demonstrated once again that as the living and working conditions of the working men and women improve, as the quality of life for the needy improves, the Nation is strengthened and every American benefits.

Mr. DeMore has been a strong right arm for Mr. Siemiller these past years. He has worked to strengthen the IAM, to make it a greater force in the trade union councils, not just of America, but of the world. He has been instrumental in aiding in the growing prominence of the International Association of Machinists and Aerospace Workers.

Mr. President, I believe the best testimony to the devotion of these two gentlemen to helping their fellowman is in their plans for retirement.

Retirement for Mr. Siemiller and Mr. DeMore will be time to continue to work for their fellow countrymen.

Mr. Siemiller will serve as the liaison man of the AFL–CIO to the JOBS program of the National Alliance of Businessmen. Mr. DeMore is now serving as vice president of the National Association of Senior Citizens.

Mr. President, I ask unanimous consent that the program of the banquet along with the remarks of Mr. Paul Burnsky, IAM Grand Lodge representative, and of William W. Winpisinger, general vice president of the IAM, made at the retirement banquet for Mr. Roy Siemiller and Mr. Matthew DeMore be printed in the Extensions of Remarks today.

There being no objection, the material was ordered to be printed in the Record, as follows:

P. L. (Roy) Siemiller, International President 1965–1969, and Matthew DeMore, General Secretary-Treasurer 1965–1969—A Tribute From the International Association of Machinists and Aerospace Workers AFL–CIO, June 28, 1969, Washington, D.C.

PROGRAM

Presiding: Floyd E. Smith, *International President-Elect*.

Invocation: Rt. Rev. Msgr. George Higgins, *National Catholic Welfare Conference*.

The National Anthems—*"The Star Spangled Banner,"* and *"Oh Canada"*: Barbara Noel.

Music: Gene Donati.

Remarks: William W. Winpisinger, *General Vice President;* Paul J. Burnsky, *Grand Lodge Representative*.

Address: I. W. Abel, *President, United Steelworkers of America, AFL–CIO*.

Presentations: L. Ross Mathews, *General Vice President*.

Responses: Matthew DeMore, *General Secretary-Treasurer;* P. L. Siemiller, *International President*.

Benediction: Rev. W. Gerald Flinn, *Grand Lodge Representative*.

Dancing until 12:30.

REMARKS BY PAUL BURNSKY

On the tenth floor of the Machinists Building—in a small lobby outside the Executive Council Room—there are pictures of the men who have served as International Presidents of the Machinists Union since 1888.

There is old Tom Talbot—the founding father—with his full and luxurious beard and his eyes stern with strength and character.

There is James J. Creamer and John O'Day—the personification of 1890's propriety—flowing mustaches and all.

There is big Jim O'Connell—plain, proud and practical—the man who gave the Machinists Union its early tradition of bread and butter unionism.

There is William Johnston—bald, eagle-eyed and imbued with the idealism of grass roots populism.

There is Arthur Wharton—who somehow managed to hold our union together through the worst depression in our nation's history.

There is Harvey Brown—who many people still remember as one of the toughest, stubbornest, and stormiest characters of his time.

There is Al Hayes—who was President for 16 years—who not only led our union with rare eloquence and inspiration—but who played a key role in bringing about greater unification and higher standards of ethical conduct in the American labor movement.

These are the men who led our union—through good times and bad—in the years of the past.

Each of these men left their own indelible mark—their own imprint of character and personality on this unique organization that is known today as the International Association of Machinists and Aerospace Workers.

Each was a working man—a man who rose from the ranks on the strength of his own character and the breadth of his own ability.

Each had something to bring.

Each had something to give.

Some were more successful than others but it can fairly be said that none gave the Machinists Union less than the best that was in them.

And because they did, each is rightfully honored in the annals of our organization.

Tonight we are here because we are preparing to open a new chapter in the pages of the Machinists Union.

In about 48 hours a new International President and a new General Secretary-Treasurer will be sworn in and the incumbents, Roy Siemiller and Matt DeMore, will become—like those who have gone before them—a part of our union's history.

Like all the others who have gone before they too will leave a legacy to those who follow.

Four years ago—when Roy Siemiller stood where Floyd Smith now stands—he knew he would have but one term to serve as International President.

After 17 years as a general vice president—preceded by 10 years as a grand lodge representative he came to the International Presidency in the twilight of his career.

This meant that he had to move fast—that he had to preside over what he called "An administration in a hurry."

At a time when most men are beginning to slow down Roy Siemiller went into high speed.

The years of his administration—the four years that will be known in the records of our union as the Siemiller years—have been as fast, furious, and frantic as any other four years in our history.

They have been years in which the Fighting Machinists have more than lived up to this time-honored name.

As the nationally syndicated labor columnist, Victor Riesel, has pointed out, Roy Siemiller has led more dramatic and significant strikes in four years than John L. Lewis did in a decade.

As a result of his militance Roy has become what is known as a "controversial figure."

He has made a lot of people mad.

He has infuriated management, frustrated cabinet members, aggravated senators, enraged congressmen and irritated Presidents.

After four years of public scrutiny he is still a puzzle to the press.

They don't quite know how to characterize him.

While one reporter says he is "rough-cut and soft-spoken" another says he is "blunt and outspoken."

Time Magazine says he is "Craggy . . . and steel-hard" but the *Washington News* says he is "Tall and well-dressed."

The Wall Street Journal says he "is as subtle as a bass drum" but *Life Magazine* says, "He is just a straight ahead guy."

Whatever the press may say—or others may think—one rather astute commentator has noted—and I quote—"His members love him—for he is the dynamic symbol of their kind of trade unionism." *Unquote*.

It isn't surprising that Roy Siemiller accurately reflects the sentiments of the working people.

In his heart he has never forgotten the long journey he had to travel from a dirt farm in Gothenberg, Nebraska to the 10th floor of the Machinists Building in Washington, D.C.

He has never forgotten what it is like for a man to earn his bread by the sweat of his brow.

When he was little more than a boy he was out earning his own way in life.

He has never forgotten the hard years—the years he knocked about as a news boy, bowling pin setter, shoe shine boy, and messenger boy.

Neither has he forgotten when he—as a young machinist apprentice—had to work nine hours a day for 11 cents an hour.

And out of these memories has come this man who has devoted his life to the union cause.

It is not easy to adequately and accurately sum up the contributions and the career of a man as complex as Roy Siemiller.

Recently, however, the Institute of Collective Bargaining and Group Relations did about as well as anyone could.

In recognition of Roy's long service in the labor movement they presented him with a special citation.

And since I think it is particularly appropriate I would like to read it.

In the words of the Institute "Paul Leroy Siemiller is a man who:

"Has given a life of unstinting service to the American labor movement and thereby the American people;

"Has advanced the cause of working people everywhere with unswerving dedication;

"Has proven himself the devoted servant and leader of thousands of American workers;

"Has proven himself worthy in every crisis of the trust these workers have reposed in him;

"Has been a living example of courage and probity for the American labor movement and labor throughout the world;

"Has by his life's work made collective bargaining a firmer bulwark of our American system of democracy."

That is the citation of the Institute of Collective Bargaining and Group Relations.

Roy Siemiller has received many honors and awards in his life.

But I have read this particular citation because I think it is an especially apt description of the legacy he leaves to his union and his country.

For the Machinists Union the Siemiller years are drawing to a close.

But for Roy Siemiller himself the years of action and enjoyment are far from over.

In fact as Roy gets ready to close the book on his career in the IAM he is already preparing to open a new chapter in a new book.

At the personal request of George Meany he is going to serve as the AFL–CIO's liaison man to the JOBS Program of the National Alliance of Business.

Though we might think that his years of service have earned him a right to rest and relax Roy is like an old fire horse who smells smoke.

He sees before him a new challenge—and a new opportunity.

So it doesn't look like there is going to be any rocking chair or sunset years in Roy's future—at least not for quite a while.

But wherever Roy Siemiller goes—whatever he does—he will carry with him the affection, the respect, and the gratitude of a million IAM members.

No man *deserves* it more.

No man could *wish* for more.

REMARKS BY WILLIAM W. WINPISINGER

On the 5th of April in the year 1903 in the section of east side Cleveland, known as "Little Italy" a child was born to Domenico and Carmela DeMore. He was the fourth of their eight children and it is recorded that he was born with a full head of hair and a fat little belly.

They named him Matteo. And it was agreed by all the paesanos that no bambino in the history of Little Italy ever possessed a more bountiful and powerful pair of lungs.

It is said that when little Matteo let out a howl—chianti glasses were shattered and the fog horns on Lake Erie fell silent.

Time passed and the infant grew into a child. In those days a child was expected to do a man's work. And so when Matt was 9 years old he set out to make use of his mighty lungs. In the true Horatio Alger tradition he started out by selling newspapers on the streets of east side Cleveland. Some say Matt was a fine little newspaper boy. Others contend that the manner in which he boomed forth the headlines was little more than a disturbance of the peace. Time passed. The seasons changed. And when Matt had reached the ripe maturity of 11 years he embarked on a new career. On the basis of his unusual executive ability he was offered an important executive position as a part-time clerk in a local emporium known as Paleusky's Hardware Store.

To his tasks he devoted the dedication, the zip and the zeal for which he has long since become noted. Day after day he "pusha-da-cart, up and down the aisle—all the time singing 'Santa Lucia,' 'O Sole Mio' and all four parts of the Quartet from Rigoletto." Who knows to what heights of business or the opera our hero might have ascended had not fate—in the form of the local nickelodean—intervened. To put it mildly, Matt in those early days of the silent cinema, was a movie nut. He especially loved the Saturday afternoon serials that once upon a time kept youngsters returning—week after week—to witness the harrowing Perils of Pauline and other feats of daring.

Matt wanted to go to the movies—along with all the other kids. But he didn't want to spend his own hard-earned cash. So he resorted to a technique that is time honored in the mercantile establishments of our great land. Somehow—as he would be walking from customer to cash register—an occasional nickel would slip almost miraculously out of his hand and into his pocket.

Old Mr. Paleusky, the owner, was sorely tried. Time after time he'd fire the young lad. But time after time he'd rehire him the following morning. And Saturday after Saturday day there was our hero—rooting for the good guys and booing the bad guys at the old Venice Theater on the east side of Cleveland.

Thus did Matt forge on in life. He attended East High School. And in the long annals of that venerable institution of secondary education seldom has there been a less studious student. It is recorded that he was more often absent than present. And finally the authorities requested that he make his absence permanent.

By now Matt was 16 years of age. And like millions of other lusty American youths he determined to follow the advice and counsel of Horace Greeley—who some years earlier had said "Go west, young man". And so, armed with a bag full of salami sandwiches he set off for the wild and woolly West—traveling all the way from Cleveland, Ohio to the wide open spaces of Detroit, Michigan. There on the old Michigan Central Railroad—with his uncle as his boss—he went to work as a blacksmith's helper.

In the heat of the furnace and the hammering of the forge Matt pondered many philosophic questions—like, "What the hell am I doing here?" Unable to devise an answer of sufficient metaphysical satisfaction he bid the West good-bye and hightailed it back to Little Italy.

And it was at this point that romance came into his life. He fell madly in love with a tiny-dark-eyed beauty named Mary Teresa Bacha. And so once more he changed careers. He accepted—as the saying goes—a position as a maintenance machinist with the Electric Vacuum Cleaner Company. He received a magnificent wage—40c an hour. With an income like this it didn't take him long—not more than a couple of years to save enough money to buy a wedding ring for his Mary Teresa. On October 27, 1923 they were joined in holy wedlock. The 20 year old Matt was now a man. As a man he immediately and happily set out to carry on the ancient and honorable traditions of the DeMore family. In the original Italian form DeMore means "of love". And so it was with love that he and Mary started to produce a fine crop of bambinos of their own. First came the girls—Dorothy, Marie and Delores. And Matt began to think that perhaps he was the last of the DeMores. But he kept at the job like the true journeyman he is until finally Matt II came along to carry on the family name. But even that wasn't quite final. There was still Alice to be heard from.

With all those small and hungry mouths to be fed—Matt met a reversal of fate and fortune when—in the cold and damp of the machine shop he developed a form of rheumatism which he called "a pain in the neck."

And so he had to find another way to support his growing brood. He became a motorman for the Cleveland Railway System. How well he remembers those happy days when he was Matt, the happy trolley man, merrily ringing his motorman's bell up and down the Old Woodhill Station-105th Street Line. That's when he joined his first union—The Amalgamated Association of Street and Electric Railway Employees of America, Division 268.

But then came the Great Depression. And being low on the seniority list Matt could no longer earn enough as a motorman to buy pasta for all the hungry little DeMores. Again fate intervened. His old boss at the Electric Vacuum Cleaner Company—Louie Siefert—asked him to come back as a maintenance machinist. Matt did. And he joined an independent, so-called union known by the fancy and high-sounding title of the Mechanics Education Society of America. After hitting the bricks in two unsuccessful strikes Matt and his co-workers in the tool room and maintenance department came to the brilliant conclusion that an educational society ain't no substitute for a union.

Thus, it came to pass in the summer of 1935—in the 32nd year of his life—that Matt DeMore became a true blue, bonafide card-carrying dues-paying, faithful and fearless member of the International Association of Machinists. He was one of the original organizers and founders of IAM Lodge 439.

At that time the IAM was a far different—and certainly a far smaller—organization than it is today. It had no more than 70,000 members in all of the United States and Canada. When Card Number 95708—which is Matt's card number—was issued, District 54 had about 4,000 members.

Obviously, both Matt and the Machinists had no place to go but up. And that's exactly where they have been headed ever since. Possessed of the only human voice in captivity that can be heard from Cleveland to Toledo without the aid of electronic devices Matt met the primary pre-requisite of a union business representative. He could be heard above the tumult and shouting of the union hall. He could be heard over the hubub of a union convention. More important he could even be heard through the screams of anguish at the bargaining table.

When Matt spoke people listened. And when people listened they found he always had something to say. And so, through the passing years Matt DeMore, the kid from Little Italy—became President and Directing Business Representative of District 54. He became Secretary of the IAM Law Committee—which he served for 20 years—longer than any other man in the history of our union. In 1961 he became General Vice President and was posted to the Northeastern Territory. A few months later—when someone asked his opinion as a mid-westerner of all those sharpies in New York—he replied—both loud and clear—"I wish we had a hell of a lot more just like them." Not only did Matt love New York but it has been rumored that New York loved him. Had he stayed there he would probably be known today as "Broadway Matt" but instead he was recalled to the Grand Lodge to serve first as a Resident Vice President and later General Secretary Treasurer.

Recently Matt received a delightful letter from an old comrade-in-arms, a retired Business Representative from District 15 in New York named Joe Long.

Brother Long congratulated Matt on entering a new world where clocks and calendars are obsolete. In this new world, he said, "you will abandon conformity, eat when you are hungry, sleep when you are tired, go where you want, dress as you please and spend a great deal of time pushing a shopping cart."

It sounds like an ideal existence. But in addition to pushing a shopping cart Matt will also be pushing for the welfare and well-being of his fellow members of the National Council of Senior Citizens. As of July 1, he will be serving as a Vice President for that organization. We are happy to note that even retirement will not still his booming voice.

This, then, is a brief summarization of the times and tribulations of Matt DeMore. And though I have made a few joking and exaggerated comments along the way I know—and you know—that he has served The Machinists Union with dignity—and the labor movement with distinction. As he nears the end of his long and illustrious career I am pleased to note that he will end up just as he started out—with a full head of hair and a fat little belly.

Like a lot of the leaders of labor who were tough enough to survive the battles of the 30's Matt has shed his blood in the fight for the working man. There was a time—many years ago—when he rushed instinctively to the defense of one of his picket captains who was being pushed around by the police. Matt, being a bit of a hothead found himself on the wrong end of a police club.

He recalls that just a split second before his head was busted wide open he heard one of the policemen snarl, "This is for you, Matt." That time he ended up in a hospital. Tonight we again say—in the words of that long-forgotten Cleveland cop:

"This is for you, Matt."

But tonight instead of a hospital, you—Matt DeMore—end up secure and beloved in the hearts of your union brothers, your family and your fellow men.

GENERATION GAP

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. MIZE. Mr. Speaker, much has been said about the "generation gap" in recent months. While I am not convinced that the so-called gap is more pronounced or awesome or visible today than at any other time in this century, it persists as it always has and must be understood.

Roadsters, raccoon coats, bathtub gin, and goldfish swallowing are out—beads and beards and social protest are in—and the hardy homesteaders who built cabins on the plains and farmed with horses and broke the ice in the wash basin at 4 a.m. have been replaced by the good citizens of our generation who can remember the ravages of climate unchecked by proper conservation measures, the steel-wheeled tractors that shook our kidneys, the sobering times of our youth in the 1930's and beyond.

We are outraged sometimes, as were our fathers before us, for approximately the same reasons.

But wait—some 3 million young men serve honorably today in our Armed Forces, and some 200 of them die each week and the war goes on to what we all hope will be a negotiated settlement without resort to more widespread war.

A total war effort, such as this Nation experienced in World War II, carries an emotional explosion with it—every red-blooded American joins in the cause "till it's over over there."

A limited war effort, such as we endure in Vietnam and endured in Korea in the past decade, calls forth the full measure of devotion—a willingness to make the supreme sacrifice—from each soldier and sailor. It requires that measure of devotion until "some future time" when the political process can come to terms with a foreign policy that has turned sour—a foreign policy that many of its prime architects from the previous administration now declare to be in serious error.

There are those who say that such limited wars, coupling savage fighting with self-imposed restraint in weapon employment and manpower deployment, require a sophistication, dedication, and perseverance which was unknown in earlier, simpler times. Perhaps they are right.

There are those young people who have not measured up to the degree of commitment required in these difficult times. But remember, always remember, those who quietly serve in uniform abroad and those who diligently study more exhaustive curricula than ever before imposed in higher education.

Remember those who volunteer for the VISTA and the Peace Corps, those who work within the system for peace and relaxation of tension at home, for little pay and even less recognition.

We deplore those who escape to Canada or Sweden in evasion of the draft. Perhaps the only time in our history when the situation was worse was in the American Revolution—or perhaps the

War Between the States. Those, too, were difficult times. But then, as now, the deserters were a small and pitiful minority.

Under leave to extend my remarks, I insert in the RECORD at this point an editorial from the St. Marys, Kans., Star on the generation gap.

This thoughtful editorial concludes with a message that all of us should pause to consider.

[From the St. Marys (Kans.) Star, June 26, 1969]

GENERATION GAP

One can better understand the gap (if a gap exists) between the generations when he recalls that those under 30 have never been tempered in the fires of depression, drouth, and global war, which deeply influenced the lives of their elders.

Try to explain to a teenager what it was like to work for a dollar a day, if you could find work. Tell your son that 50 cents would finance a Saturday night date with all of the trimmings; he will be tolerant but he won't believe you.

Explain to a person under 30 what it was like in the dry years when dust filled the air and drifted like snow along the fence rows; when meat animals were shot in the pastures while millions of Americans were really hungry.

Explain, if you can, the wave of patriotism which engulfed the country after Pearl Harbor, when thousands of young men, impatient of the draft, lined up at the recruiting stations and a draft evader was considered to be less than a man.

It's difficult for my generation to comprehend that these remarkable events, so important in the molding of our ideas and values, mean absolutely nothing to the young men and women of the present day.

Those under 30 have never known other than affluent times. There have always been jobs available if they were inclined to work. A college education which was a rare and precious thing in the thirties, is within the reach of any who have the ability and desire.

The wars the present youngsters remember have never commanded a total national effort or presented a clear-cut objective. Although very real and very deadly, they have failed to sound a great clarion call for young Americans to rally to the defense of their country.

Understanding is a two-way street and while we may rightfully expect more respect on the part of the young, yet we owe them more understanding than we normally give. This is a generation which was reared in entirely different circumstances. We can condemn the young for scornfully accepting the fruits of our labors, but we must listen when they argue that affluence has purchased neither peace nor happiness.

PRESIDENT NIXON BREAKS DEADLOCK ON SMALL RECLAMATION FUNDS

HON. ROBERT B. (BOB) MATHIAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. MATHIAS. Mr. Speaker, I commend President Nixon for the decision he made on June 23, 1969, to end the 3-year deadlock that has stalled the funding of small reclamation projects. The President's decision is good news to the thousands of farmers who are in need of small projects and the benefits they provide. For 3 years now, these farmers have had to forego the development of small projects they have needed.

This decision now makes possible the funding of small reclamation projects that were halted because of the freeze.

The deadlock came about in 1966 when President Johnson issued an Executive order that prohibited the Bureau of Reclamation from seeking appropriations for new small reclamation project loans. President Johnson thought the provisions of section 4-D of the Small Reclamation Projects Act were contrary to the doctrine of separation of powers between the legislative and executive branches of our Government.

The objection raised by President Johnson had been raised by the Eisenhower administration and was settled to the satisfaction of President Eisenhower in 1956, at the inception of the program.

The small reclamation program has worked wonderfully since 1956, and in 1965 Congress extended the program and authorized an additional $100 million in appropriations. At that time, President Johnson did not raise his question on the separation of powers.

President Johnson's freeze directly affected eight small reclamation projects throughout the country and prevented many others from being developed. The Buttonwillow Improvement District in Kern County, Calif., was one of the projects directly hit by the freeze.

I congratulate President Nixon for recognizing that a grave situation existed and for taking the necessary action to correct it. His action is in agreement with the type of solution I have sought and worked for since the freeze became effective.

LT. COL. CHARLES E. WOODS

HON. PHILIP E. RUPPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. RUPPE. Mr. Speaker, as a Member of Congress, one of my most important functions is to assist servicemen and their families in their dealings with the Armed Forces. This is an even more vital responsibility at a time when we have so many servicemen involved in armed conflict. In this respect, I have had the opportunity to work with liaison officers in all branches of the service and have been impressed with the assistance these officers have rendered me and, in turn, my constituents.

I would like to take this opportunity to publicly express my gratitude to a liaison officer who has been of invaluable assistance to me in my dealings with the U.S. Air Force.

For the past year and a half, Lt. Col. Charles E. Woods has served as congressional liaison officer for the State of Michigan as well as the States of Kansas, Minnesota, North Carolina, Oklahoma, and Wisconsin. Colonel Woods' knowledge of Air Force policy and procedure has been instrumental in the expeditious handling of Air Force cases. His interest, not only in the cases for which he is responsible, but also in legislation which affects Air Force personnel has been most helpful to me—especially since there are two Air Force bases located in my congressional district.

Receiving his commission in 1950, Colonel Woods' Air Force career has been exemplary. Just prior to his assignment to the Congressional Liaison Office at the Pentagon, Colonel Woods was squadron operations officer of the 433d Tactical Fighter Squadron in Udorn, Thailand. On July 11, Colonel Woods will be leaving the Pentagon to attend the Industrial College of the Armed Forces at Fort McNair.

I want to take this opportunity to thank Colonel Woods for his outstanding service and to wish him continued success in his Air Force career.

FTC COMMISSIONER MARY GARDINER JONES CITES TREMENDOUS COOPERATION BY BUSINESS IN PREPARING FOR TRUTH IN LENDING

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mrs. SULLIVAN. Mr. Speaker, all of us who had a part in the drafting of the Consumer Credit Protection Act of 1968 knew that between the time of enactment of this far-reaching legislation on May 29, 1968, and the effective date of the disclosure requirements of the truth in lending title of the act on July 1, 1969, there would be a tremendous task in alerting businessmen to the provisions of the law and of the regulations. Even at this late date, calls and letters are coming into many congressional offices from constituents asking if the law applies to their businesses and what they should do in order to make sure they are in compliance.

Undoubtedly, the first days' or weeks' operations under the Truth in Lending Act will be marked with some confusion, particularly among very small business firms, in providing their customers with the required information on the dollars-and-cents costs of all charges which are part of a residential real estate, or consumer loan or consumer credit sale, and with the proper figure in each instance for the "annual percentage rate of the finance charge."

The Board of Governors of the Federal Reserve System has done a truly remarkable job in writing regulation Z spelling out the requirements of the Truth in Lending Act and interpreting its many provisions. The other agencies of the Government which share enforcement responsibilities under the Truth in Lending Act have all been diligent in getting the necessary information to the lending and credit-granting firms under their administrative jurisdiction, particularly the Federal Trade Commission, which will have the greatest share of this enforcement and administrative responsibility.

I was particularly interested, therefore, in reading a recent address by Federal Trade Commissioner Mary Gardiner Jones on the scope of this preparatory work, and the fine cooperation which was

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given by trade associations, better business bureaus, chambers of commerce, and other business groups in advising their own members and also nonmember firms on the necessary details of compliance with this landmark piece of legislation.

In a talk on Monday, June 23, before the International Consumer Credit Association's 57th annual conference, held in Pittsburgh, Pa., Miss Jones described this cooperative effort by business and government and said:

> You can see why I find the past few months' joint activities so exciting. I cannot recall a comparable occasion since World War II when business and government have so completely shared and carried out a common objective.

THE DAWN OF "Z-DAY," AND 10 A.M.

In testimony last March before my Subcommittee on Consumer Affairs of the House Committee on Banking and Currency, Vice Chairman J. L. Robertson of the Federal Reserve, who headed the Board's task force in drafting and promulgating regulation Z, predicted that "Z-Day," as he described July 1, will "dawn bright and clear" in view of the tremendous effort which had gone into the preparation for the start of truth in lending operations.

This prompted me to say to Mr. Robertson:

> I think your statement is excellent and we appreciate having it. If I were to be critical of anything in it, it would be your optimism in predicting that Z-day, as you call July 1, "will dawn bright and clear." True, it might dawn that way, but I am wondering what 10 a.m. will be like, when the TV and appliance salesmen, and the furniture credit offices, and the savings and loan executives and the others who will have to put Truth in Lending into effect that day, start filling in the forms and begin for the first time to give their customers the kind of information which has almost never been given before.
>
> Let's hope it is not chaotic. But I think that what you are doing in trying to get the information out to every credit firm will be extremely useful and helpful. But there will still be those who haven't gotten the word, so to speak, and there will be suspicious customers also who are sure they are not getting all the information or protection they feel the law is supposed to give them.

BUSINESS AND GOVERNMENT IN CONSUMER CREDIT PROBLEMS

Mr. Speaker, I am sure the Members will be interested, as I was, in the discussion of administrative and enforcement and educational problems relating to truth in lending made by Federal Trade Commissioner Mary Gardiner Jones in her speech on June 23 before the International Consumer Credit Association, an organization whose headquarters are in St. Louis, and I submit it herewith, as part of my remarks, as follows:

BUSINESS AND GOVERNMENT IN CONSUMER CREDIT PROBLEMS

(Address by Mary Gardiner Jones)

You have taken as the general theme of your conference this year "The Consumer Credit Industry on Trial". I think an appropriate subtitle might be "Industry Self-Regulation on Trial."

Business and government are deeply involved in working together on a truly cooperative basis to achieve full and complete compliance with the Consumer Credit Protection Act due to go into effect on July 1st. Ultimate achievement of the long range objectives of the Act will depend on a continuation of this joint government-business cooperation and on a sustained and effective program of self-regulation by the consumer credit industry.

Yet, recent criticism levelled at the broadcast industry's self-regulation of cigarette advertising—or apparent lack of it—may result in casting a general pall on the public confidence in industry self-regulation attempts. It also may create a backlash for business-government relations. The timing of this cigarette controversy is unfortunate—or perhaps it is fortunate. Perhaps it serves as a reminder to all of us that the road to public responsibility and to the development of effective and creative business-government relationships is long and arduous and even rocky at times and that it demands from both business and government a special effort and the building of mutual trust and respect.

Unless business and government genuinely appreciate the need for closer relationships in the context of their own self-interest, then it is far better for business and government to go their separate ways—and even to treat each other as adversaries. I do not suggest such a bleak—and what I regard as truly bankrupt course of action. Indeed my feeling is that it is the record of industry associations like yours which demonstrates that entire industries have a clear view of both their personal, i.e. business responsibilities and their public responsibilities, that they appreciate the indivisibility of these responsibilities in many areas and that they understand that working with government on those problems which are of mutual concern not only works but makes good business sense and good public sense as well.

Recent polls and studies of students' reactions to business indicate quite clearly that businessmen more than other institution—educational, non-profit or governmental—earn the highest respect of the nation's young people for their intelligence, competence and progressiveness. Business comes in for criticism by these young people, however, when it comes to matters of social responsibility and exercise of disproportionate power. In part, this attitude on the part of the students surveyed may still be a product of the stereotype of the businessman which they have built in their minds from many sources and which is hard to dislodge regardless of how unreal it may be. In part it undoubtedly also comes from insufficient information about what many businesses are doing. But in part I am sure that it also derives from a vision of what the businessman and the large corporation can and should be doing in society today which is not yet part of the businessman's conventional wisdom. Young people today, as I read them, are not asking us to change the basic economic facts of life. They are looking at us to see if we are reexamining how we are responding to and implementing these basic facts of life. They are looking to see if we are aware of the limitations of our past performance in today's world with its very different needs and of the serious economic inequalities which persist in our society as a result of too blind adherence to traditional policies and practices which have worked well in the past, but which seem outdated today. I suspect much of the young people's vision of what the corporate role could be is both valid and feasible and indeed is in fact being played by individual businesses throughout our nation.

So despite its acknowledged performance and contributions to the public welfare, business like government and every other established institution in today's volatile and exciting society is on trial. Yet it is a trial which we should welcome because we are in a unique position to dictate—and I use the word advisably—the outcome of the battle. It is our day-to-day actions which will determine whether as businessmen, and for my part as a government official, we can make our social and economic system work for the needs of people as they exist in 1970 and beyond even though these needs are perceived very differently today from the way they have been perceived in the past.

You have asked me to address myself to the specific topic of Business and Government in the Consumer Credit Industry. I suspect ten years ago the topic might have been framed as a queston: Business or Government in the Consumer Credit Industry? Two years ago, it might have been formulated as Business-Government Relations. But we have come a long way in the last decade and even in the last year. We know that it is not Business-Government Relations as such with which we are concerned. We know that our relationship is no longer a goal in itself but simply an essential means of tackling some of the problems which must be solved if the society we believe in so deeply can ever really become a reality for everyone. We also know that our respective roles vis-a-vis your industry are no longer an either-or proposition.

Ten years ago I think we would probably have agreed that almost every facet of the relationship between the consumer and the retailer or credit agency was a proper and exclusive sphere of the private sector. If the consumer wanted more information or didn't like a particular creditor's practices, the technique for meeting these demands lay essentially within the mechanism of the competitive system. Consumers had but to find the particular creditor who responded to their particular needs and if their demands were shared by a sufficient number of consumers, there was little doubt that the competitive system would produce a response. On the other hand, if there was trickery or deceit in the marketplace, this was essentially a legal question and therefore a problem for government to solve.

Today, the society in which we live has very different needs and problems and we are required to rethink most of our old approaches to our respective responsibilities. With credit a part of almost every significant purchase and sale transaction, the terms of the credit transaction are of almost greater importance to the consumer than the purchase price of the merchandise. Indeed as you well know many products are advertised in the daily press exclusively as respects the credit terms which will be extended to the purchaser and many do not even mention purchase prices, guarantees or other more traditional promotional features. With credit frequently extended through retailers rather than directly by the finance company, consumers have usually very little contact with professional lenders. Credit becomes a commodity to sell and for some retailers their margin of profit is as much accounted for by their credit transactions as it is by their sales of merchandise. Thus government's traditional concern with the effective functioning of our competitive system of necessity had to extend to a relatively new regard for the degree of credit sophistication of consumers and their ability to compare and understand the credit terms being offered to them—matters which had never before been regarded as within the province of government.

By the same token, as consumers confronted deception and dishonesty—as well as indifference—in the marketplace and increasingly vented their frustrations on the entire community, business, too, began to recognize that it had a stake in maintaining the integrity of the marketplace and in seeing to it that consumers' needs for information were responded to. Thus the problems which you as the businessman and I as a government official have been traditionally concerned with are inextricably merged. Consumer protection is no more regarded as the exclusive province of government as is the extension of credit thought of as the sole concern of business. This type of compartmentalization of problems and programs is out of date and obsolete. Problems are total and each part is so inextricably related to every other part that nothing short of a systems type approach to these problems in which every institution in society is involved can offer any hope to any of us that we can and will in fact find viable solutions.

Today your industry and my agency are working hand in hand in seeing to it that all creditors understand their obligations under the Consumer Credit Protection Act and will indeed comply fully with both the letter and the spirit of these obligations. The endeavor is an exciting one and I hope one which will create between government and industry such long lasting bonds that the cooperative working out of mutual problems will become a permanent phenomenon in all of our future relationships.

Let me give you just a little flavor of our work with the consumer credit industry so that you can appreciate the day to day problems which are arising under the law and which hopefully are being effectively and realistically solved.

Since January of this year, our staff estimates that the Commission has committed an average of approximately three attorneys per field office to the job of participating in workshop or panel discussion sessions and in responding to inquiries about the reach and scope of the law and the propriety of various credit forms and other credit transaction papers. Our staff also estimates that Commission personnel both in Washington and throughout our eleven field offices have averaged at least one panel discussion or workshop session a day in meeting with different industry groups to discuss the requirements of the law and the problems which are involved. Our Washington office alone averages approximately 100 letters a day asking for advice of one kind or another. We have received inquiries from such disparate persons as hospitals and dentists, cooperatives and major oil companies, real estate boards and builders and contractors associations, automobile and tire dealers associations, the National Association of Cemeteries, the National Plant Food Institute, and the National Association of Music Merchants. Our staff has met with local Chambers of Commerce, Better Business Bureaus and bar associations throughout the 50 states. They have met with member groups of the American Retail Federation, the Mortgage Bankers Association, the Industrial Bankers Association, the Credit Managers Association, the Retail Credit Association, state retail merchant associations, the Consumer Finance Association, and with a variety of local banking and other retailer institutions and associations.

Our major problems have been concerned with resolving questions of the applicability of the Act to various retailers and individuals, problems of whether retailers' charges for delayed payments constitute a credit charge or a late charge, problems of whether credit is being extended when an individual does not pay his bill in one lump sum although no formal agreement permitting this was ever entered into, and just recently, we had to resolve the question of whether funeral directors were subject to the Act when they extended credit to the deceased's estate.

Most of this educational program would not have been possible without the tremendous effort put into this work by industry groups themselves. Some of the panel and workshop discussions in which we have participated were initiated by Commission personnel. But the great bulk of them were organized and sponsored by the business community. Again, many times in responding to inquiries our staff is able to direct the inquiror to one or other of the major trade associations which has a particular expertise in the substantive area inquired into. For example, inquiries respecting real estate credit problems we can direct to the Mortgage Bankers Association. Similiarly, when we encountered problems involving the duration of the credit extended by a pawnbroker, we could turn to the pawnbroker's trade association for assistance in finding a solution which would carry out the spirit of the law and conform to the realities of the pawnbroker's business.

The Commission, as you know, disseminated on as wide a basis as possible copies of Regulation Z together with various explanatory notes and sample forms prepared by the Federal Reserve Board in order to assist business in bringing its credit practices into full conformity with the law. But the business community has done even more. Most of the trade associations have prepared their kit of educational materials expressly tailored to the particular needs of their members. Both the National Better Business Bureau as well as many of the local bureaus are also disseminating information about the basic reach of the law and of the regulations. Many Local Chambers of Commerce are becoming active in this field. In many instances, particularly for many small retailers and lenders who are not members of any trade associations, the educational material disseminated by the BBBs and the local chambers may constitute the first notice they have received of the existence of the law and its application to their business.

In addition to our work with industry, we have also worked closely with the Federal Reserve Board and with the other seven governmental agencies also charged with enforcing this law vis-a-vis their particular constituents. We have been meeting with these various agencies at least once a month and of course with the Federal Reserve Board our contacts are almost daily.

As you know the Board is the only body authorized to furnish official interpretations of the Act. However, banks receiving inquiries from retailers and finance companies usually refer these to the Commission and only infrequently have we encountered situations where we and the Board have taken inconsistent positions on the applicability of the Act to the companies subject to our jurisdiction. The responses which our staff gives are technically only informal opinions and not officially binding on either the Commission or the Board. Nevertheless, our staff opinions are based on their complete familiarity with the law and the regulation. It is extremely unlikely that their expertise on these issues would not in every case be endorsed both by the Commission and by the Board with whom they work so closely.

It is our impression that the enforcement programs of each of the seven federal agencies are uniformly strong and their interpretations of the law vis-a-vis their constituents completely consistent one with the other. I recall some fears expressed last winter at the NCFA conference in Florida as to whether the different enforcing agencies might approach their responsibilities with different intensities. It is my impression that no basis for this fear has materialized and that all creditors can rely on the fact that the compliance required of them will be uniform regardless of which agency is charged with their supervision.

You can see why I find the past few months' joint activities so exciting. I cannot recall a comparable occasion since World War II when business and government have so completely shared and carried out a common objective. July 1st is only seven days away. On that day the law will become a reality for all of us. In part our problems will probably only just begin. For your part, you will not only want to be sure that your credit practices are in full compliance but you will have an equal concern that your competitors are not advertently or inadvertently violating any of the strictures of the law to your competitive disadvantage. On our part, we will be starting on a long range enforcement program the first step of which will be to complete our universe of all of the creditors and retailers who extend credit who will be subject to our jurisdiction.

I hope that you will start now to consider just what role you can and want to play in protecting yourselves from the competitive disadvantages which can accrue to you if any of your competitors fail to comply with the law. Here again it seems to me that your industry and my Commission share a mutual concern in evenhanded and effective enforcement of the Consumer Credit Protection Act. You and we have several alternative courses of action which we can take either separately or cooperatively in order to ensure the success of such evenhanded enforcement.

On your part, you can ignore the credit disclosure practices of your competitors and instead tend strictly to your own knitting. Or you can as an industry or within your own community or trading areas develop informal machinery—through a local chamber or Better Business Bureau or through a special ad hoc committee composed of men and women whose integrity, judgment and knowhow about your industry is recognized by all or through a local trade association chapter—to examine complaints which a consumer or a businessman raises about possible noncomplying credit advertisements or credit documentation. At this point your truth in lending investigating group—however constituted—could seek to resolve the problem itself. If this effort proved unsuccessful, the group could decide to do nothing further. Or it could turn either the original complaint or its investigating file together with its findings to the applicable state regulatory official where he has power to act or to the nearest Federal Trade Commission field office or both.

On our part, we can proceed as we usually do to police compliance on our own. Or we could, in the first instance, refer certain types of complaints to an industry authority if one were created, with a request for a report within a defined period as to whatever action was taken. We would not be foreclosed in any way by the action, if any, taken by the private group. However, if the action was deemed adequate we would be enabled to allocate our sparse resources to those compliance problems requiring our intervention. Presumably different types of procedures could be experimented with, with different groups depending on their desires and capability to take effective investigative or remedial steps.

Whatever the degree of self-regulation which may be adopted, it is my hope that your industry will continue, in the enforcement stages of this law, to play a creative and effective role in furthering full compliance with this law. I am convinced that it is as much in your industry's interest as it is in the public interest. It is obvious that this area of business activity is of equal concern to government and business and that both of us, therefore, should continue to work cooperatively to solve whatever problems may arise as the law goes into effect.

There is one further aspect to the enforcement of this law which I would like to touch upon briefly before closing. In my judgment, this law—perhaps more than any other—depends for its real effectiveness on consumers' understanding of the credit information required to be disclosed. Its success, therefore, in the long run requires the same affirmative effort on the part of consumers to *use* the information as the Act requires of creditors to *disclose* this data.

The Board is preparing a consumer's film strip which will be ready in August. The Commission, too, is preparing to move into the area of consumer education. It is our hope that we can achieve the same success in stimulating consumers to appreciate their responsibilities under the law as I believe has been achieved in helping the business community to appreciate their obligations under this law. But our resources and skills in this area are of necessity limited.

It is possible that credit counselling, with the Consumer Protection Act credit disclosures particularly in mind, can be one of the projects which President Nixon's newly formed Cabinet Committee on Voluntary Action could sponsor as a high priority item. But in the last analysis, I am convinced that the business community has such an important stake in ensuring that consumers use this information intelligently and rationally, that they too must play a major role in helping to organize and sustain a long range educational campaign directed at consumers of all income levels and educational backgrounds.

I hope that your association and each of you in your own communities will initiate, organize and help others to organize continuing programs of workshop and panel discussion sessions directed specifically at assisting consumers to appreciate the absolute necessity of reading and understanding the credit information which will now be available to them every time they enter into a credit transaction. The format of these sessions cannot be the same as that used for businessmen. The materials used must be provocative and must stress the importance to the consumer of taking the extra few minutes which is required to think about the significance of the various items involved in the credit charge. The education campaign cannot be regarded as a one shot operation. The media, the schools, the women's organizations, the labor unions, the Better Business Bureaus and local chambers must be encouraged to follow through for some continuing period of time so that evaluating different credit terms becomes as automatic for consumers as deciding which brand to purchase or which retailer to patronize.

Your participation in this aspect of the enforcement of the Consumer Credit Protection Act can be as important in ensuring its effectiveness as has been your work in helping your own members to understand their obligations under the law.

Your industry can take the lead both in organizing the initial stages of this consumer education program and in seeing to it that other groups in the community will continue the project. In every community in which your members are located, it should be the responsibility of each of you to make sure that every citizen learns about the existence of this law, how it can assist them in their day to day living, who they can turn to if they encounter problems and in general to provide the community with visible evidence that the power structure or the establishment, if you will, is vitally concerned to serve their needs in concrete practical ways not necessarily immediately related to its primary function of selling goods and services and providing credit.

FLAG DAY

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. SCHWENGEL. Mr. Speaker, Robert R. White, commander of the Iowa Department of the American Legion, recently wrote the guest editorial for the Davenport Times-Democrat. His subject, "Flag Day," is not unusual, in view of his position with the Legion. He did, however, present his subject with unusual meaning and sincerity. For this reason, I would like to include it in the RECORD for the benefit of the other Members and the public:

HUMAN HOPE IN BLOOM

This is Flag Day and our guest editorialist on the subject is Robert R. White, 46, of Davenport, Iowa department commander of the American Legion. White has completed 27 years of service and is operations chief of transportation at the Rock Island Arsenal. He served in World War II February, 1943, through November, 1945, with the 612th Engineers Light Equipment Company in the European theater and took part in the invasion of France June 6, 1944. He and his wife Norine have two sons and a daughter. The family lives at 614 E. 14th St.

My fellow Americans, we celebrate an historic, a remarkable event today, the 192nd anniversary of the adoption of the Stars and Stripes as the symbol and flag of the United States.

This means the U.S. has had basically the same flag for nearly two centuries. Our flag is in fact just a year short of being the same age as our republic, whose 200th anniversary is just seven years away on July 4.

Hopefully, well before either the nation's or the flag's 200th anniversary, we will see Flag Day as not just a holiday established each year by proclamation but by law as a legal, patriotic, federal holiday.

This at least is the aim of the American Legion which recently committed itself, in the organization's golden anniversary, to working toward this end. We believe it is safe to say our flag, "Old Glory," will have its day, a truly national holiday, firmly and legally secured.

I say this not alone out of pride in our flag, and we certainly have that, but in faith as well in the basic good sense of the American people who will find this a firm response to those of recent date who have sought to dishonor this noble symbol of our country and her great traditions.

While we live in a time when some parade under all types of banners, I believe sincerely that we are coming upon new times when our nation will again insist upon a return to the old fashioned ideals, and, of course, a strong pride in our flag and all it stands for, all the hope and promise of this nation.

The flag flies today as a sign that Americans, proud of their stirring heritage, are determined to carry forward the American dream. Let us have faith in America, her ideals and her institutions. Let us strengthen this nation and her institutions by our personal example.

We have come into difficult times and occasionally Old Glory would seem to have fallen into hard times. Some have even termed our flag a "rag." But we predict a time will come when Americans will say from their hearts that this piece of red, white and blue bunting symbolizes thousands of years of struggle upwards. It is the full-grown flower of ages of fighting for liberty. It is the century plant of human hope in bloom.

We celebrate Flag Day because this flag which we honor and under which many have served is the emblem of our unity, our power, our thought and our purpose as a nation.

It has no other character than that which we give it from generation to generation—the choice is ours. It floats in majestic silence above those who execute these choices whether in peace or in war. And yet, though silent, it speaks to us—of the past, of the men and women who have gone before us and of the records they have written upon it.

We celebrate the day of its birth, and from its birth until now it has witnessed a great history, has flown on high the symbol of great events, of a great plan of life worked out by a great people.

The flag is a symbol of freedom, of victory over incredible forces, of right over might. It represents the greatest causes ever undertaken by mortal men, a cause to which mankind must rally if the concepts of individual dignity and man's right to self-determination are to be universally attained and preserved.

Should we, here at home, do less than recognize the sacrifice of the men and women wearing our nation's uniform through display of the flag and the showing of proper resepct for the living symbol of our nation?

Display of the flag is a privilege. It emphasizes the basic freedom of choice which is the very foundation of mankind's only hope for a better tomorrow.

Revere our flag and ideals not just one day but on all days and join with me as we study and repeat, "I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

THE NORTHWEST PASSAGE

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. POLLOCK. Mr. Speaker, I received the May–June 1969 issue of the King Resources Co. magazine at my office the other day. This magazine carries two articles of extreme interest to all Alaskans and of general historical note to all Americans. This summer there will be a voyage from New York to Prudhoe Bay. This is through the Northwest Passage. The voyage this summer named the "Manhattan project," will involve America's largest tanker reoutfitted as an icebreaker. Mr. Speaker, this is exploration. This is a challenge and hopefully history will be made this summer. The two articles that I mention deal with the Northwest Passage, one is the story of the Northwest Passage and the other the story of the tanker SS *Manhattan*. I include the articles in the RECORD at this point:

THE NORTHWEST PASSAGE

It was a dazzling bright day in late July, 1845, and the two sturdy little barks lay motionless in a calm sea off the west coast of Greenland. Lacking a wind to fill their sails they had moored to an iceberg.

The 129 officers and men aboard were led by the aging Sir John Franklin, 59, who in recent years had been governor of Van Diemen's Land (Tasmania) and whose three previous expeditions to the Polar Sea had won him a knighthood from King George IV. That didn't mean his earlier trips, over a 10-year span between 1818 and 1827, had been without mishap. Franklin had been severely criticized in some quarters for the disaster that befell his first independent command. It was a land and water expedition in 1819–1822 on which he had instructions to map previously unexplored areas of Canada's northern coast from the Coppermine River east to Hudson Bay.

Thwarted by ice and threatening weather, the party on September 1, 1821, struck out on foot from Point Turnagain across the

Barren Lands, hoping to reach the safety of a previously established camp on the Coppermine. Eleven men out of the 20 died in the attempt, with at least one resorting to cannibalism toward the last. The rest were saved only through the courage and daring of one man, Midshipman George Back. With two reluctant Indian companions he slogged hundreds of miles to Fort Providence on Great Slave Lake, sustaining himself at times on carrion from which he drove feeding wolves and flocks of crows.

Many of his contemporaries felt Franklin was too old to go on the 1845 expedition. But now, after nearly three and a half centuries of dogged searching by men of a half dozen nations, it was regarded as only a matter of a year or two before someone would unlock the puzzle of a new trade route to China and the East Indies. Explorers from Elizabethan times had sought a shorter route to the fabled land of which Marco Polo wrote on his return to Italy in the 13th century. The passage of time had made the route itself less important than the knowledge being gained in the search. Franklin had been adamant. He wanted to go, and the Admiralty finally consented: "Arctic work gets into the blood of these men," Lord Brougham had observed. "They *can't help* going again if they get a chance."

Neither Franklin nor his men on that summer day in 1845 were impatient at the calm that had overtaken them. It was one of those small annoyances to be waited out; they had no need to worry. The ships, both converted bomb vessels, were veterans of earlier expeditions. Recently refitted, provisioned for a three-year voyage and equipped with screws and auxiliary steam engines of 20 horsepower, they were the most modern vessels that shipwrights of the world's greatest maritime nation could provide.

Besides, they had company. A Scottish whaler, the *Prince of Wales*, lay close by. In good spirits as he habitually was, Franklin ordered a boat lowered and sent a party of 10 officers over to invite her captain to dinner aboard his flagship that evening. But the dinner date was never kept. Soon after the boat was hauled back on board, the sails of all three ships began to flap in a gently rising wind. When the canvas snapped taut, Franklin eagerly directed his crews to cast off from the iceberg and shape a course toward Lancaster Sound and the elusive Northwest Passage.

Sailors on the *Prince of Wales* watched them go. Casks of stores were even lashed to the open decks. They were so heavily laden that they drew 17 feet of water and wallowed clumsily as they made sail westward and disappeared below the horizon on Baffin Bay. Captain Dannett on the *Prince of Wales* noted the date and their position in his log: 26 July, latitude 74° 48′ north, longitude 66° 13′ west. More than two years later the whaling master would begin to realize he had written the epitaph of the Franklin party. He and his crew were the last to see them alive. Some of them—even the ships—would vanish forever into the unrelenting Arctic.

Franklin's ensign flew from the *Erebus*, named for the god of darkness in classical Greek mythology and displacing 370 tons. But for this particular voyage her 340-ton consort was more appropriately named: *Terror*. As Franklin well knew, ice could do awesome things to sailing ships. In 1830 a westerly gale had blown the icebergs of Baffin Bay in against the Greenland coast, crushing a fleet of 19 whaling ships in one massive blow.

Six years later the *Terror*, with Franklin's old friend George Back in command, had been so badly beset by pack ice that her keel cracked; her bow, sternpost and cabin doors split; copper fittings in her galley twisted out of shape; her decks buckled amidships and turpentine squeezed out of the pitch along every seam. Over a period of 10 months she drifted helpless for 234 miles, frozen in.

A similar fate now awaited Franklin's little flotilla, but one from which no one would escape. He was to make the greatest human sacrifice in the history of Arctic exploration and give his name posthumously to the vast Canadian Arctic Archipelago that is known today as the District of Franklin, Northwest Territories.

The Arctic and the Northwest Passage had always treated intruders badly. Henry Hudson and loyal members of his crew were abandoned by mutineers and died together in 1611 on the shores of the bay that now bears his name. A Danish expedition led by Jens Munck in 1619 was nearly wiped out by scurvy and exposure while wintering at the Churchill River's mouth on the west shore of Hudson Bay. Munck and two other survivors out of 64 in the original party managed to sail one of the ships back to Denmark. James Knight, an official of the Hudson's Bay Company, lost his own life, two ships and all hands aboard on a hastily contrived gold-seeking mission to the vicinity of Marble Island in 1719–1720. These all entered the Arctic from the Atlantic side, but Vitus Bering, the Danish-born explorer for whom the Bering Strait is named, was no luckier approaching from the west. After sighting Alaska in 1741 he became lost in the fog-shrouded Aleutian Islands and finally died of scurvy on a tiny island off the Siberian coast.

Most historians agree the quest for the Northwest Passage began with Christopher Columbus before the dawn of the 16th century. But like Columbus, earlier explorers for more than 250 years were searching too far south. The St. Lawrence seaway and Hudson Strait-Hudson Bay regions occupied much of their time. It took 160 years to determine that there was no western outlet to Hudson Bay.

With sailing ships at the mercy of winds, tides and ice, progress was slow. At times they could proceed only by "warping," which meant running a line forward to an iceberg or floe known to be heavier than the ship and winding the vessel toward it with a capstan. Short stretches of pack ice were sometimes conquered by sending the crews forward with saws to cut a channel. Simple errors in human judgment added to the delays. Working in poor light and miserable weather, many an early adventurer saw no distinction between where land ended and ice began. Several of the larger Arctic islands for years were thought to be extensions of the continent. Captain John Ross, who led one of the first expeditions sent out after the close of the Napoleonic wars, made such a mistake. Ross was ordered by the Admiralty in 1818 to take two ships into Baffin Bay and resurvey for a possible ocean passage to the west. His second in command was a young naval lieutenant destined to become one of the most famous of Arctic explorers, William Edward Parry. Ross found no western exit from Baffin Bay because he mistakenly assumed that neither Jones nor Lancaster Sounds were through channels. Lieutenant Parry, believing the "mountains" Ross had seen at the western end of Lancaster Sound didn't really exist, reported his opinion to the Admiralty when he returned to England that fall, and was promptly appointed to head an 1819 expedition. His orders were to try and navigate the sound and proceed west to Bering Strait.

Thus it was that after 327 years the true eastern approach to the Northwest Passage was discovered. Parry almost made it through to the western sea, and won a prize of £5,000 for being the first navigator to reach 110° west longitude. Had he broken through to the Beaufort Sea and proceeded to Bering Strait, he would have come in for another £5,000. But Parry was stopped, as Franklin would later be stopped, by a stream of pack ice that flows easterly and southeasterly from the edges of the permanent pack in the Beaufort Sea north of Alaska.

Parry did reach the south coast of Melville Island, which itself was a remarkable accomplishment. No other sailing ship made it that far west without the use of auxiliary steam power and blasting powder. No sailing ship ever crossed the ice stream that confronted Parry. It was finally crossed more than 100 years later, in 1944, by the Royal Canadian Mounted Police's 80-ton Arctic schooner. *St. Roch*, commanded by Sergeant Henry A. Larsen.

The ice stream flows eastward through M'Clure Strait and Viscount Melville Sound south of Melville Island, where part of it spilts off and wheels southward into the M'Clintock Channel between Victoria and Prince of Wales Islands. At the south end of this channel is King William Island, whose northwest coast is heavily bombarded by moving ice and where Franklin's ships were to become trapped in 1846.

After sailing out of Baffin Bay and into Lancaster Sound in 1845, the Franklin party beat westward past Devon Island and then turned north into the Wellington Channel to circumnavigate Cornwallis Island, west of Devon. As they returned to the southwest tip of Devon Island it was apparent the navigation season would soon be over, Franklin decided to winter on tiny Beechey Island. There two members of the *Erebus*' crew and one man from the *Terror* died—perhaps of scurvy, perhaps from eating tinned meat that was found to be tainted. More than 700 tins of the meat were consumed or destroyed that winter; the empty tins were filled with gravel to build a cairn, but no written records were ever found in it.

The following spring the expedition, now numbering 126 men, set sail west and south along the east coast of Prince of Wales Island to a point off Cape Felix, the northernmost tip of King William Island. Here, for whatever the reason, Franklin made his fatal mistake.

Had he continued down the east coast of King William Island he might have found the Northwest Passage and arrived safely in Bering Strait. Instead he took a westerly course and ran headlong into the ice stream from the Beaufort Sea. The ships were helplessly frozen in by early September 1846, and not for one winter but for two.

Sir John Franklin died of heart disease on June 11, 1847. By then 20 more members of the expedition had succumbed to scurvy. The remaining 105 men suffered through one more winter, apparently not lacking for food but despairing of ever freeing the ships. On April 22, 1848, both vessels were abandoned. The crews set out overland for Hudson's Bay Company posts hundreds of miles to the south, dragging the ships' boats with them as they went. *Erebus* and *Terror* had been outfitted with all the comforts, including a 1,200-book library and two barrel organs, but none of the equipment that the crews needed now. There were no snowshoes, no sleds, no survival clothing, no tents.

Eskimo hunters told search parties months later that they had seen some of Franklin's men struggling southward, many falling beside the trail and dying where they lay. Some reached the south shore of King William Island and crossed to the continent. About 40 were found in a place that came to be known as Starvation Cove. The man who found them, Dr. John Rae of the Hudson's Bay Company, reported on his return to civilization in 1855 that "From the mutilated state of many of the corpses and the contents of the kettles, it is evident that our miserable countrymen had been driven to the last resources." Cannibalism had again taken its toll of a John Franklin expedition.

But the Franklin disaster finally unlocked the Canadian Arctic. Thirty-four expeditions by sea and six overland search parties, some motivated by patriotism or compassion for Lady Franklin, others by an Admiralty reward of £20,000, spent more than six years crisscrossing the Arctic islands from east and west. In doing so, they filled the remaining gaps in man's knowledge of the Arctic coastline and discovered two variants of the true Northwest Passage.

Commander Robert McClure of the *Investigator,* which had entered the Beaufort Sea along the Alaska coast from the west sailed within 30 miles of the farthest point sighted by Parry on his 1819–1820 voyage into Viscount Melville Sound. McClure's ship was trapped and eventually abandoned to the Beaufort Sea ice stream; early in their third winter in the Arctic one crewman and the ship's demolition officer lost their sanity.

In 1853, however, rescue appeared in the form of a young lieutenant off *HMS Herald,* which was anchored near Melville Island 160 miles northeast of the place where *Investigator* was trapped. McClure and his crew, led by the young *Herald* officer, walked across the ice to the rescue ship and thus became the first men to complete the Northwest Passage—even though part of it was on foot.

An 1857 expedition paid for by Lady Franklin and commanded by Captain Leopold McClintock finally discovered the only written record of the Franklin party's fate. In a cairn on King William Island was found a standard Admiralty form, printed in six languages, and with handwritten notes in the margins:

"April 25, 1848.—H.M. ships Terror *and* Erebus *were deserted on the 22nd of April, 5 leagues NNW of this, having been beset since 12th September, 1846 . . ."*

The McClintock party also established the certainty that King William Island was actually an island—not a cape or headland as was previously believed. So it was that in 1903–1906, the Norwegian explorer Roald Amundsen sailed around King William Island to the *east* and *south*, keeping it between him and the Beaufort Sea ice stream, and became the first man to complete the entire passage on shipboard.

Amundsen demonstrated once and for all that there did exist a shorter route from Atlantic to Pacific than by way of Cape Horn or the Cape of Good Hope. It had taken more than 400 years and scores of lives to find. The last bitter irony was that it never became the commercially useful route Elizabethan adventurers had hoped for. Eight years after Amundsen's historic voyage the Panama Canal was opened.

DO OIL AND ICE MIX?—TANKER MANHATTAN WILL SEEK ROUTE TO ALASKA'S NORTH SLOPE

This July or August, man will make a bold new foray into the icy wastes of the Northwest Passage. It will be in hope of finding and developing a year-round commercial sea route over which to distribute Alaskan oil to world markets—oil that may exist in greater quantity there than in any other place in the Western Hemisphere.

Problems to be overcome are no less formidable today than they were 400 years ago. A Seattle, Washington, newspaperman specializing in maritime affairs probably wasn't far wrong when he called it "a great gamble in sea transportation." The stakes are high, with the initial ante measured in millions of dollars. But with an endless variety of sophisticated navigation and sounding gear, helicopters to scout the way, and the combined knowledge of U.S. and Canadian Coast Guards and Arctic experts to draw upon, backers of this new Northwest Passage adventure are confident they will at least find the answers they seek, even if the answers turn out to be the wrong ones. And the answers will come in a matter of weeks instead of years.

The joint plan of Humble Oil & Refining Company, Atlantic Richfield Company (ARCO) and British Petroleum Exploration U.S.A., Inc., is to send a 115,000-ton oil tanker, the *SS Manhattan*, from New York through the Northwest Passage across the roof of Canada to Prudhoe Bay, Alaska—a distance of 4,427 miles. If the experiment is successful (Humble's marine experts give it a 50–50 chance) the company would build a fleet of icebreaker-equipped tankers even larger than the *Manhattan* to bring the crude oil out to East Coast and perhaps European refineries. A Humble spokesman said the larger ships would be in the 250,000-ton class, and enough of them would be built to double the present total tonnage of the U.S. merchant fleet.

The *Manhattan,* owned by Seatrain Lines, Inc., is the largest merchant ship that sails under the American flag. In recent months it has been getting bigger. Brought to the United States from East Pakistan in December, it was cut into four sections for refitting and modifications. Owing to a specially designed icebreaker bow and hull strengthening along the waterline, its length increased by 65 feet, its beam by 16 feet and its draft by about 20 inches. Hull modifications, more powerful engines and protective gear for rudders and screws increased its displacement by 9,000 tons.

The bow and stern sections were modified at the Sun Shipbuilding & Drydock Yard in Chester, Pennsylvania. The forward section went to Newport News, Virginia, and the midship section to Mobile, Alabama. Final assembly was to be done in the Pennsylvania yard. When ready to sail, the *Manhattan* will have a length of 1,005 feet, a beam of 148 feet and a draft of 52 feet. Her engines will generate 43,000 horsepower, or about half again as much as the power plants installed in 250,000-ton tankers built for routine ocean travel.

Massachusetts Institute of Technology and the U.S. Coast Guard developed the special icebreaker bow that was being fitted to the *Manhattan.* While conventional icebreaker bows cut the ice at an angle of 30 degrees, this one tapers to about a 15-degree angle of incidence and should make for easier going through sheet ice. It has been tested at about 40 to 70 per cent greater effectiveness than conventional icebreaker bows, though the *Manhattan's* voyage will be its first comprehensive trial.

Two S–62 Sikorsky helicopters will accompany the *Manhattan* to spot the best "leads" through the ice, and two Coast Guard icebreakers—one Canadian, one American—will follow in its wake. Pads for the helicopters will be available on all three ships. The route is expected to be through Davis Strait and Baffin Bay from New York; west through Lancaster Sound, Barrow Strait and Viscount Melville Sound; and then south to Prudhoe Bay, either passing through Prince of Wales Strait to Amundsen Gulf or heading west and south through the Beaufort Sea.

Prince of Wales Strait runs along the east side of Banks Island, which is the westernmost island in the Canadian Arctic Archipelago. That variant of the route would give better shelter from ice than heading south along the unprotected west side of Banks Island.

Even if the Arctic route does prove feasible, there will be monumental engineering problems involved in building a tanker loading terminal on the North Slope of Alaska. Humble's Arctic task force is now studying two massive ice islands that have grounded in the Beaufort Sea about 25 miles north and 10 miles east of Prudhoe Bay. They hope to learn how the flow of other ice around the islands would affect an offshore terminal. Because of shallow water, the loading terminal might have to be built anywhere from seven to 30 miles offshore. By comparison, Gulf Oil Corporation's giant terminal in the Persian Gulf off Mina Al Ahmadi, Kuwait, is nine and one-half miles offshore. But there is no floating ice to contend with in the Persian Gulf. One suggestion has been to dredge a channel and harbor closer to shore and build a breakwater to shelter the Alaskan location from floating ice. But as Admiral Willard J. Smith, U.S. Coast Guard commandant, noted in a speech at Washington in mid-February, building a strong enough breakwater would be no small task—especially since there is no source of usable rock for hundreds of miles.

Humble and its partners in the *Manhattan* adventure are hedging their bets, however. Plans already have been announced for an 800-mile Trans Alaska Pipeline System to run from Prudhoe Bay south to a location on the Gulf of Alaska, probably near Valdez or Whittier. Preliminary engineering studies are under way and a tentative completion date (1972) has been set. The 48-inch pipeline, with an initial capacity of 500,000 barrels a day, would be the largest in the Western Hemisphere. Estimated cost is $900 million.

SOUTH AFRICA EVADES MONEY CONTROLS

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. **MIKVA**. Mr. Speaker, in recent days, we in this Chamber have addressed ourselves to the urgency of the dollar crisis and the need for fiscal stabilization. That crisis and that need is of course of the utmost international as well as domestic significance. It is therefore with concern that I read of the abusive exploitation being practiced by South Africa in demanding ever higher prices for its gold. It appears that the South Africans have been avoiding the controls of the International Monetary Fund, and attempting in effect to hold the Western economics up for ransom. I urge congressional cognizance and condemnation of this serious abuse, and to that end I wish to insert the following article from Toward Freedom magazine into the RECORD:

SOUTH AFRICA EVADES MONEY CONTROLS

The apartheid regime of the Republic of South Africa may be boycotted by the longshoremen of Denmark, attacked by a wide spectrum of human rights organizations throughout the world and criticized even by the establishment-oriented AFL–CIO, but its stock is surprisingly high with one of the most powerful institutions of the Western world—the International Monetary Fund, with headquarters in Washington.

The International Monetary Fund (IMF) was launched at the end of World War II with the objective of stabilizing national currencies. As the West's major gold producer, South Africa on the contrary wants to get a higher price for its gold, which means upsetting currency stabilization and bringing about the devaluation of the pound, dollar and franc.

One might expect, in these circumstances, that the IMF would be taking the lead in attempting to bring South Africa back into a responsible course of action.

SOUTH AFRICAN EMERGENCY

Unfortunately the IMF has just turned in the other direction by permitting the South African government to take advantage of "drawing rights" intended to provide help for a currency threatened by some sudden emergency. This provision is used to permit a country to obtain convertible currencies without subjecting its own currency to the sag in value which would be imposed by the private money market. But South African stocks are bulging with gold—the most convertible currency of all. This gold could easily be sold on the private gold market, as intended in last fall's tacit stabilization agreement among Western central banks to the effect that they would not buy South African gold in order to force sales on the private market and thus keep the price there from mounting too far above the official rate of $35 an ounce.

The United States has taken the lead in dissuading the IMF and European central banks from purchasing South African gold, in order to hold the line on stabilization. Yet Washington did agree to a European plan to establish a "floor" under the price of gold at $35 an ounce, in order to give South Africa reasonable price protection. Under this plan, monetary authorities would purchase gold on the free market whenever it fell close to the official price.

South Africa has rejected this plan in what seems to be a calculated effort to exploit the rest of the world along with its black majority at home.

The United States and other Western governments should firmly reject being held up for ransom by the South Africa regime, and make their opposition known to the IMF.

BLATNIK WATER POLLUTION—RECORD SET STRAIGHT

HON. GEORGE H. FALLON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. FALLON. Mr. Speaker, recent editorials in the New York Times and the Washington Post have implied that Congressman John A. Blatnik, of Minnesota, attempted to suppress a report concerning pollution in Lake Superior.

I have worked side by side with Mr. Blatnik on the Public Works Committee since he first came to Congress and I know how he singlehandedly initiated the first permanent national legislation establishing an effective program of water pollution control.

Mr. Blatnik was a leading advocate for water pollution control legislation years ago when pollution was not the popular issue it is today. He had the foresight to recognize that man's environment was being threatened, and he went to work to do something about it. And, he continues to be "Mr. Water Pollution Control" in the Congress.

The Times and Post allegations, therefore, come as a complete surprise, and as chairman of the House Committee on Public Works I felt it was important to establish the facts accurately for the public record. I asked Stewart L. Udall, who was Secretary of the Interior at the time the Lake Superior report was being prepared, to give me a factual account of what happened.

Mr. Speaker, I submit for the Record the following letter I received from Mr. Udall. I call the attention of my colleagues to his forthright statement of the facts, which absolutely clears Mr. Blatnik of any improper activities in this matter.

The letter follows:

Washington, D.C.
June 11, 1969.

Hon. George H. Fallon,
Chairman, Public Works Committee,
Rayburn Building,
Washington, D.C.

Dear Mr. Chairman: This is in response to your telephone call concerning news stories and editorials which appeared a few days ago in *The New York Times* and the the *Washington Post* carrying the implication that Congressman John A. Blatnik of Minnesota had exerted pressure on the Interior Department last winter to "suppress" a memorandum concerning Lake Superior pollution, dated December 31, 1968, from Interior's regional Field Coordinator to the District Director of the Corps of Engineers.

I have reconstructed the events of that period and am writing this letter to straighten out the record. The December 31 memorandum was prepared pursuant to a Corps-Interior agreement giving Interior a right to be heard on applications to the Corps for permits to dredge or fill in certain navigable waters. It related in part to the disposal of taconite tailings in Lake Superior by Reserve Mining Company.

Interior's then Assistant Secretary for Water Quality and Research, Max N. Edwards, ordered the memo sent to Washington for review by the Federal Water Pollution Control Administration. Edwards informs me that he made this decision because Reserve's operations were then under intensive study as part of my earlier decision to call an enforcement conference on taconite tailings in Lake Superior. This study was prepared in the usual fashion by FWPCA as the basic document which always serves as the background paper for any enforcement conference.

On January 16, 1969, I signed a notice setting up such a Lake Superior Enforcement Conference on May 13, 1969, in Duluth, Minnesota. To put it in proper perspective, then, the memorandum of December 31 was a preliminary staff report relating to an application to revalidate a 1947 permit from the Corps to Reserve Mining Company. The findings of Interior's enforcement study were therefore incorporated into the FWPCA background report. It was not practice to release such staff reports to the public in advance of any hearing, but rather to assemble all pertinent materials in a background paper for the use of all conferees at the conference.

In anticipation of the May 13 conference, FWPCA therefore issued its report, *An Appraisal of Water Pollution in the Lake Superior Basin,* which was publicly distributed at the Conference. Naturally, this report represented the official position of the Department on the overall issue.

I can state to you categorically, that neither Rep. Blatnik nor any other member of Congress intervened or attempted to influence the calling of the Conference or to "suppress" any part of the Department's report on Lake Superior.

Most sincerely,

Stewart L. Udall.

TELL ME NOT IN MOURNFUL NUMBERS

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. JOHNSON of California. Mr. Speaker, as we approach the 193d anniversary of the creation of this great Nation of ours, one of the basic concepts under which our Nation was developed is the freedom of speech which permits the people of our Nation to join in healthy and productive debate about our Nation's goals and policies and the solution of our problems.

A short time ago our colleague, the Honorable John J. McFall, addressed the graduating class of Modesto Junior College from which he was graduated just 33 years ago. In that commencement address John McFall emphasized—

> Intelligent discussion of the complex issues that face us is the very life blood of our democratic system.

Practicing what he preached, John McFall outlined his views on many of the problems and issues which this Nation faces today. This summary of his evaluation of these difficult times concluded with the following statement:

> America's greatest natural resource, more valuable than any other with which our rich and prosperous country is blessed, is your generation of young people. In your hands and hearts we know our future is secure.

Mr. Speaker, I include in the Congressional Record the commencement address at this point:

Tell Me Not in Mournful Numbers

Mr. President, Members of the Faculty, Proud Parents and Members of the Graduating Class of 1969.

It is indeed a privilege for me to address you on this proud and happy occasion, just as 33 years ago it was my proud privilege to be a member of the graduating class of 1936.

My pride in speaking to you is tempered somewhat by the realization that I cannot remember who my commencement speaker was or what he said. Perhaps it is the nature of things that to the graduate this speech is only an insignificant part of these proceedings and the world will not remember long what we say here.

But graduation ceremonies have been the occasion, and more especially it seems this year, for our President, Senators, Representatives, Students and even Cartoonists, to join in a healthy and productive debate about our nation's goals and policies.

Intelligent discussion of the complex issues that face us is the very life blood of our democratic system: an understanding of the issues that face our country is vital to the democratic process. A few slogans have crept in like isolationist and neo-isolationist and also some of the most pungent sarcasm that ever came out of Dogpatch.

But on the whole, the debate continues to be most instructive and I hope it will cause understanding and purpose to replace the confusion and anger and violent reaction that has crept in to our national life.

It is my hopeful objective tonight in joining that discussion to add, rather than detract from that understanding and purpose.

There are those who would tell us in "mournful members" that yours is a generation that is by no means sure it has a future. Will you have a reasonable chance to live, to work out your destiny in peace and decency and not go down in history as the apocalyptic generation?

I believe you will.

The penetrating and definitive interim statement on campus disorder issued by the National Commission on the Causes and Prevention of Violence, discussing the reasons for student discontent, describes the dissatisfaction of many Americans, both young and old, student and nonstudent, with our society.

It says: "Students are unwilling to accept the gaps between professed ideals and actual performance. They see afresh the injustices that remain unremedied. They are not impressed by the dangers that previous generations have overcome and the problems they have solved." It means little to them that the present adult generation found the way out of a major depression to unparalleled heights of economic abundance, or that it defeated a massive wave of vicious totalitarianism and preserved the essential elements of freedom for the youth of today. To students, these triumphs over serious dangers serve primarily to emphasize other problems we are just beginning to solve.

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Today's intelligent, idealistic students see a nation which has achieved the physical ability to provide food, shelter and education for all, but has not yet devised social institutions that do so. They see a society, built on the principle that all men are created equal, that has not yet assured equal opportunity in life. They see a world of nation-states with the technical brilliance to harness the ultimate energy but without the common sense to agree on methods of preventing mutual destruction. With the fresh energy and idealism of the young, they are impatient with the progress that has been made but seems to them to be indefensibly slow.

At a time when students are eager to attack these and other key problems, they face the prospect of being compelled to fight in a war most of them believe is "unjustified."

Let me attempt to speak with as little of the smugness that the young attribute to their elders as may be possible for a member of the adult generation, who has either witnessed or participated in or simply marveled at those triumphs over depression and totalitarianism, the preservation of those essential elements of freedom and the harnessing of that ultimate energy. Energy and idealism, like intelligence, judgment and true emotional response, is not confined to the young, but manifests itself in men and women of any age in varying degrees.

With sufficient confidence in a retention of those desirable qualities, I say we will attain those goals within the basic structure of our democratic system, which most of us, except for a tiny few anarchists and nihilists now at large, accept not only as valid, but as the most perfect system of government available in the world today despite whatever failures it may be presently experiencing.

We have presently before us the greatest opportunity to construct a peaceful world, since the beginning of the cold war, corresponding with the end of World War II. Our objective in that cold war, it seems to me, has been to find a way to live peacefully in the world with nuclear armed Russia. This search has consumed 23 years, many of our finest youth in Korea and South Vietnam and surely more than 500 billion dollars of the nation's resources.

Probably sometime in September, disarmament talks will begin with the Soviet Union for which secret preparations were begun following the Glassboro Conference in June of 1967 and which originally were scheduled to be announced on August 21, the day after the Russian march into Czechoslovakia. I believe that over the next several years of arduous negotiation our government will be able to reach some kind of agreement, not only on the reduction of nuclear armament but also on trade, the status of Europe and the Iron Curtain countries and Southeast Asia and some kind of joint approach to bringing China into the family of civilized nations. All of this can be the foundation for a peaceful world structure.

There are those who say we cannot trust the Russians and therefore even a beginning of talks is in vain. I still remember the man with the Wallace tie, who on our introduction refused to shake my hand because he said I favored "building bridges to the Russians." I am sure he was sincere in his conviction, but I believe not only that the survival of mankind depends upon this detente but also world conditions make it just as imperative for the Soviet Union to make and keep as it is for the United States. Such a detente or, if you wish, arrangement grudgingly arrived at, will have built-in incentives that will make it profitable on both sides to observe.

Even now we find the Russians helping to bring about an end to the Vietnam War, which many would not believe until President Nixon said it was true. Why? Because not only do they wish to avoid a nuclear confrontation with the United States, but the cost to them is excessively burdensome and because they share our need for halting the expansion of Chinese influence in Southeast Asia. They share our concern over Chinese nuclear progress and the blackmail political effect it will have on the world when it becomes a jarring reality in the mid-1970's.

They are helping us to find a peaceful solution to the Arab-Israeli crisis not out of a spirit of universal tolerance but because of the intolerable burden of providing billions in arms for Arab countries, they seem neither to admire or trust.

Both of us must find an alternative to the expensive burdens of a divided Germany and Korea. Our citizens rightfully groan at the expense of NATO and the occupation of Korea. However, they must remember that each results from our decision to retain an unarmed Germany and Japan after World War II. I personally would rather bear the expense than give these nations access to nuclear weapons. Without NATO, Germany would demand them. So would Japan without the existence of South Korea and if we do not find the way to protect them against a nuclear armed China.

And both of our countries must find an answer to China.

But as we move toward serious negotiation with the Soviet Union we must not permit the existence of these incentives to mask the realities of advancing Russian strength—their increasing nuclear power, their ABM, their use of force in Czechoslovakia and a government by committee that seems not unanimously convinced that doing business with the United States is possible or that Communist world domination is still not impossible.

Because of this, I support the initial deployment of the ABM system to protect our deterrent against a possible Russian first strike and Chinese nuclear blackmail that should develop in the mid-1970's.

But this opportunity to construct a peaceful world is marred by the continuance of hostilities in Vietnam. That war is coming to an end. Each day military and political developments bring us closer to the opportunity for the South Vietnamese to exercise their right of self-determination in a free election.

In my opinion what sustains the North Vietnamese effort is the continued hope that criticism of the war in the United States will cause us to quit and permit them victory by default even after our tremendous expenditure of lives and resources. Surely, Ho Chi Minh remembers that in 1954 the French were not defeated militarily, but quit, because of civil disorders caused in Paris. It is not inconceivable to me that such an attempt is now being made again by the Mao-inspired few revolutionaries that are the leaders in the Students for a Democratic Society.

At this time in the negotiations, lives will be saved if the enemy is convinced the nation is behind the President in his efforts to bring the fighting to an end. I intend to continue to give him every support in his search for peace.

With an end to hostilities in Vietnam and a beginning of talks with the Soviet Union that will permit agreement on methods of preventing mutual destruction that must be given every opportunity to succeed, we can with your help continue to press toward ever more progress in devising social institutions that will more adequately provide food, shelter and education for all and that will assure equal opportunity for all.

Our country has made much progress already on these urgent requirements especially in the last ten years but with your energy and idealism, we can accelerate that progress.

Let me conclude with a comment on the "Generation Gap." I am not certain what it is or if there is such a gap. But if it means that Americans of your age are stronger, smarter and better equipped to handle the problems and opportunities of our nuclear age, to begin the exploration of space and of bringing the blessings, liberty and abundance to the people of the world than any generation of Americans before you, as I am confident you are, then I give thanks for that "Generation Gap."

America's greatest natural resource, more valuable than any other with which our rich and prosperous country is blessed, is your generation of young people.

In your hands and hearts we know our future is secure.

ADDRESS OF ELMER L. WINTER AT ANNUAL MANAGEMENT CONFERENCE OF SOCIETY FOR ADVANCEMENT OF MANAGEMENT

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. REUSS. Mr. Speaker, Elmer L. Winter, a fellow Milwaukeean and president of Manpower, Inc., has outlined some of the things the business community is doing to help remedy today's grave social ills. His address, titled "I Am an Encouraged American," and delivered at the recent management conference of the Society for Advancement of Management in San Francisco, is instructive in this regard, and I commend its contents to my colleagues:

I AM AN ENCOURAGED AMERICAN

(Address by Elmer L. Winter)

Our country has a surplus—a surplus of prophets of doom. Hardly a day goes by without a new statement by another prophet that America lacks the ability to cope with her admittedly serious urban and racial problems. These prophets are intellectual and ordinary, black and white, rich and poor. And, they are having their effect. As I returned from New York recently, I sat on the plane, next to a man who was reading a magazine article on the crises in our cities. He read for a while, then turned to me and said: "Things sure are going to hell in this country. It looks to me like in a few years we won't have any cities at all."

His statement reminded me of an old poem by an unknown author, who apparently had encountered his share of doomsday prophets. The poem says:

"My granddad, viewing earth's worn cogs,
Said things were going to the dogs.
His granddad in his house of logs
Swore things were going to the dogs.
His granddad in the Flemish bogs
Vowed things were going to the dogs.
Well, there's one thing I have to state:
Those dogs have had a good long wait."

Yes, those dogs have had a good long wait. And I submit to you, ladies and gentlemen, that they have a longer wait still ahead of them. Our nation has had crises before, and its brief periods when many people in the country believed chaos and doom were inevitable. It would be naive to say that our difficulties are not serious; pollyanish to believe that they will go away without substantial effort on our part. But saying our troubles are serious, and saying they are impossible to solve, are two quite different things.

I know there is the temptation to throw one's hands up in desperation—especially when we see, hear and read the news of campus turmoil, ghetto riots and strident

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cries for revolution. But these things are only a part of the total picture, a total picture that is basically sound although the paint may be peeling here and there.

GRAVITATING TO NEGATIVE

We need to remind ourselves sometimes that the television camera that brings violence into our living room can only focus on a few square feet at a time—that the newspaper which tells us tales of woe is basically oriented toward the negative. This is not necessarily intended as a denunciation of these media, merely a statement of what is fact, and what, in fact, is human nature. Human beings, by nature, tend to gravitate toward the negative.

A recession always provokes more interest, analysis and conversation than a boom period; indeed, in a boom period the topic of conversation, more often than not, centers on worries about when it will all end—again, a negative view.

I'd like to say here and now that I am encouraged because of the many positive steps that are being taken by business leaders of this country to correct some of our ills. These business leaders are saying, "We have the expertise, the knowledge, the capital, and the will to wage our own war against poverty and to rebuild our cities." They are saying loud and clear, "The time has come now when we have to recognize that our role, as leaders, is not confined within our corporate gates. We must and will rebuild our cities so that there is equal opportunity for all of the citizens of our communities."

Dan Parker, Chairman of the Executive Committee of the National Association of Manufacturers, has urged businessmen to be "innovators and instigators" and "not just reactors to circumstances not of our own making." Dan Parker pointed out that businessmen must approach social problems within the standard framework of doing business—that is, activity generating profits. "Social responsibility and profits are completely compatible," he said, as he warned against ignoring problems until they ripen into screeching crises.

BUSINESSMEN ARE INVOLVED

Yes, many businessmen are saying these things. Not only are they saying them, but they are becoming involved actively in the solution of key local and national problems.

A strong case in point is the National Alliance of Businessmen, formed 15 months ago by former President Lyndon B. Johnson. Let me go back for a moment to February, 1968.

I was down in Florida, enjoying a vacation I had been looking forward to for quite some time, when I received a telephone call from the White House. I was asked to join a group of businessmen in a program to find jobs for 500,000 hard-core unemployed people over a three-year period. My first reaction was to do the easiest thing and say: "Thanks for asking me, but I am so busy with so many other community programs that I would like to pass this one."

But there was some pretty good arm twisting at the other end. I flew to Washington that night. The following morning, I joined forty-nine other business executives of the major corporations of this country, who, under the leadership of Henry Ford, agreed to take on one of the toughest problems facing America. The problem was finding jobs for the hard-core unemployed—the people who had been out of the work force for many years. We received our marching orders from President Johnson to go back to our communities to turn these people into productive citizens once again.

President Johnson and Vice President Hubert Humphrey, along with Labor Secretary Willard Wirtz, admitted to us then that government alone could not solve the problem. They pointed out that we, in industry, had the jobs and expertise, and that it is our capacity to "get things done" which made this massive task possible.

LAYING IT ON THE TABLE

I went back to Milwaukee and called the business leadership of our city together. I laid it on the table. I asked industry to give jobs to 1,100 men and women who were out of work, out of money, and out of hope. I asked Milwaukee businessmen to hire people they would have turned away the day before—those with criminal records, no skills, no high school diplomas, poor work records. I made it crystal-clear to the businessmen of Milwaukee that, through our NAB effort, we were going to help reverse the poverty cycle, get people off relief and give them a chance to regain their self-respect.

Talk about encouraged! I was thrilled when business firm after business firm responded with pledges. In a few weeks, we had exceeded our goal by more than 300. You are probably saying that it is easy to pledge a job. But we not only pledged jobs, we placed people on jobs, and about 55 per cent of them are still on the job and are making excellent workers. The turnover we experienced was not any greater than the same companies had experienced in their regular hiring of people off the street. Indeed, some of our companies found that the hard-core trainees were, on the average, a cut above other new employees.

Were there problems? Certainly there were. As Charles F. Luge, Consolidated Edison's Chairman, said recently: "It is not easy for a company to train the disadvantaged, for both sides approach each other out of ignorance. After all, how many companies, in their traditional hiring practices, ever come in contact with young people from the ghetto who are actually considered employable. Conversely, the world of the large corporation is a new and frightening experience to a man who left school after, say, the fourth grade and has probably had no real contact with the white world. Yet industry must train the 'hard-core.' While it cannot solve the entire problem of the unskilled, it can certainly do its share."

NEED TO ADJUST

In Milwaukee, our Association of Commerce did its share by quickly developing what we call a "sensitivity training program," which provided an in-depth training program on race relations and minority problems for supervisors who were coming face-to-face with the newly-arrived, former hard-core unemployed. They learned many things about the special problems of black people and other minorities. They learned, for example, that a minority group employee might work a few days and then not return because of fear—real or imagined—of the company or its foreman or supervisor; not, as some thought, because he was too lazy to work. More than 1,000 supervisors in the Milwaukee area voluntarily participated in these sensitivity courses. The result was that they were better prepared to make a success of the program to hire the hard-core unemployed.

The program has been a success nationally, too. In February, the Urban Coalition and Urban America issued their report titled, "One Year Later," which assessed the nation's response in the year following the report by the President's Advisory Commission on Civil Disorders on the 1967 urban riots. While much of the tone of the report was bleak, it did have bright spots. One of these was the private sector's efforts to provide jobs for the hard-core unemployed.

The report noted that in the past year there had been increased cooperation between the public and private sectors in the areas of job training and job creation. It said that progress in job creation was almost all in the private sector—not, as one might imagine, in the public sector. The report also pointed out that the National Alliance of Businessmen had created job opportunities for 125,000 of the hard-core unemployed in 12,500 firms. Of these, 85,000 were still on the job as of January 10 of this year—a retention rate of 68 per cent.

The very existence of Urban America, Inc., the Urban Coalition and the National Alliance of Businessmen also is reason for optimism. All of these important organizations, vitally concerned as they are with urban problems, came out of the business community. Urban America was organized in 1965 by the late Stephen Currier. It was Urban America that helped in the formation of the Urban Coalition. And I have just described how the National Alliance of Businessmen was organized.

Recently I attended a meeting in Washington at wihch President Richard Nixon expressed his full support of, and commitment to, the National Alliance of Businessmen and its program. At that time he asked American industry to double its quota of the previous year. This means an additional 200,000 pledges of jobs for the hard-core unemployed in America. I'm optimistic that the NAB will meet this goal and that industry will do a better job of retention and training compared to its effort last year.

THINGS ARE HAPPENING

There are countless other examples of how industry has responded to the urban crisis. In Cleveland, Ohio, the school system, area business and industry will use a former General Electric warehouse in a ghetto district as a center for a works study program to train school drop-outs. Western Electric has donated the use of its Kearney, N.J., tool and die shop for a program in which volunteer instructors teach higher skills to the unemployed and underemployed. The Wisconsin Telephone Company has adopted a predominantly Negro high school and makes available to the students various training programs, many of which lead to jobs in the company. Controlled Data Corporation is building a computer parts factory in Minneapolis' northside ghetto area. The facility will eventually employ 275 people, and area residents will be trained solely at the company's expenses to make precision computer parts. In the Roxbury section of Boston, Avco Corporation is investing $2.3 million, plus a $1,148,000 government subsidy, to build a printing plant. This plant will initially train 250 people formerly considered unemployable. Leaders of the insurance industry have diverted $1 billion of their investment funds from former channels and applied them instead to the cause of upgrading real estate in the hard-core urban slums. The industry already has pledged a second $1 billion to this effort.

I could continue to give you many additional examples of where companies, in their own individual ways, are attempting to solve the crises in our cities. Results like these are what help to make me "An Encouraged American."

AN INTEGRATED VIEW

I am also encouraged by certain aspects of what is happening in the black communities across the country. Positive, constructive statements are now coming forth from many quarters of the black community. Bayard Rustin, for example, in commenting on student demands for separate black studies in colleges and universities, said recently: "There is no Italian history in the United States. There's no Jewish history, there's no black history—but there is American history, and whatever role Jews, Italians and blacks have played in it ought to be written as it occurs and integrated into the whole picture. Therefore, you have American history. The problem is we have not yet had American history because blacks have been excluded. I believe there should be the integration of Negro contributions into the American historical forces, into the economic forces, and into other forces."

Roy Wilkins, Executive Director of the National Association for the Advancement of Colored People, urged Negroes to speak out loud and clear against extremists who are espousing apartheid racism, intimidation and violence. Bayard Rustin and Roy Wilkins,

among many others, believe in an integrated society—just as, I'm sure, we all do.

All of this, however, does not exclude the values which flow to America from black pride. As Urban Americans and the Urban Coalition said in "One Year Later":

"Black pride need not mean black racism; separatism can be a means rather than an end, a way of getting things together so blacks can negotiate their place in society more as equals in strength; black rage can turn to a constructive action rather than violence."

A poll by the Survey Research Center at the University of Michigan, taken for the President's Advisory Commission on Civil Disorders in July, 1968, revealed that only a very few black people in the country favor separatism—the range in the survey is from 5 to 18 percent. "The most apparent fact," the researchers said, "is that the mood is not yet revolutionary. The great majority do not propose to withdraw from America; they want equal status in it. They do not talk of tearing down the economic and political institutions of the nation; they seek to share equally in the benefit."

BLACK POWER: ANOTHER LOOK

Regardless of the sentiment for it, I cannot subscribe to separatism. Nor, apparently, can most black people. But I can and do believe in self-pride and self-respect. These are necessary elements for all human beings. Fortunately, these intrinsic forces are becoming stronger among black people, many of whom have become mentally emasculated by slavery and generations of second-class status. "One Year Later" concluded that the most hopeful part of the University of Michigan survey was "an indication that the black community was making a distinction between the negative and positive aspects of black power: Violence and separatism on the one hand, pride and identity on the other." The report said that the assertion of black identity was something quite different from separatism, and well within the tradition of American pluralism. "This seems not to turn so much on the rejection of whites as on the acceptance of things black," the report said. "It involves a commitment to the development of Negro identity as a valid basis for cultural life within a larger interracial and, if possible, integrated society."

I think we have all seen indications of the resurgence of black pride and self-respect in this country. So-called "natural" hairdos grace the pages of *Ebony* magazine and the heads, not only of junior high school blacks, but of black college professors as well. Cosmetic companies that once produced a wide variety of products to straighten hair because Negroes wanted to look like whites now are busy producing products that make naturally kinky hair easier to comb. And, if there were a substantial number of black people at this conference, it is likely that they would have a black caucus. They would not try to melt into the crowd to hide their blackness; they would show us that they are proud of being black.

As managers and executives, I think we can all see the advantages in the new black pride. We understand competition. We relate well to a man of pride and bearing; we have little respect for the person who reacts to us in a sycophantic or inferior fashion. Your golf game and mine improve with competition. I daresay each of you, for example, would play far better golf against Arnie Palmer than against me.

The difference here is that we are in the somewhat unusual position of having to help improve the competition before we can play against it. But even this has precedent. After all, didn't the National Football League ultimately agree to merge with the American League?

DISSATISFACTION OF YOUTH

Unfortunately, the strongest sentiment for separatism among black people is expressed by the young. The survey for the Kerner Commission found that the percentage of teen-age Negroes who believed in a separate black nation was more than double the percentage of their elders. Almost a third of them said they were ready to use violence to gain their rights. Not surprisingly, the survey found a similar acceptance of violence among young whites, and the report to the Commission said this might be explained in terms of a conception of "teen-age masculine daring that has little to do with race." But the survey also acknowledged that there was no way to tell whether this means that the country was faced with the rise of a truly revolutionary generation.

Regardless of the implications in that survey, one thing is clear. We need to reach our young people, black, white or other. Let me take a page from my company to tell you one way of getting through. Five years ago, we organized a new non-profit company which we called "Youthpower." We wanted to help young people help themselves find jobs. Manpower, Inc., as a company, provided the space, telephones, overall mangement and advertising. We used volunteer young people to staff the Youthpower offices. Last summer Youthpower operated in 25 cities, and its volunteers found summer jobs for 12,500 young people. We had 900 volunteers who worked more than 40,000 hours. If you are tempted to write off the younger generation, give me the time, and I'll tell you about the great work that these 900 young people performed last summer to help other young people get jobs. They are another reason for my being "An Encouraged American."

But as I said at the outset: "To be encouraged is one thing; to be naive is another. Just because some encouraging things have happened, and are happening, or because there is reason for optimism, does not mean that we can all forget about the many problems confronting us which are, as yet, unsolved."

SOME NEW APPROACHES

I certainly believe that, although businessmen have done a great deal about the problems of race and poverty in the cities, a great deal more needs to be done. There are many approaches that can be taken. One avenue, which I suggested in a speech in Washington last November, would be for President Nixon to appoint a new alliance of businessmen to build housing in the ghettos. As I said then, we need to enroll the businessmen of this country in a program in which they, working together with government, could rebuild areas of America. There may be possibilities for this sort of business-government cooperation in the new housing program, "Operation Breakthrough," announced recently by George Romney, Secretary of Housing and Urban Development.

The time has passed when business and industry could take a narrow view of its responsibilities. Not too many years ago, businessmen were saying that they could become involved only in areas in which they had expertise, such as employment. But then we discovered that we can be affected by, and can affect, other areas as well.

Education is one example. If you are unhappy with the educational level of high school graduates, black or white, coming into your company for employment, start asking some hard questions in your community. Never mind that you will be accused of meddling where you have no business. You have a vested interest in education. There is no question but that business already is having a profound influence upon education, through the development of curriculums, textbooks, teaching machines and other materials. You will not be on uncharted ground.

Send your young executives out to contact the vocational schools and predominantly black high schools. Let them find out about the quality of education that is being provided. Make it the business of your company to expand vocational programs to help to upgrade the quality of education that is being provided to our young people.

The students who will benefit from these programs, once properly trained, will help solve some of your labor needs in the years to come. Obviously, you have a vested interest in these potential workers and in the quality of education that is being provided them. The better trained they are, the better quality your work force will have in years to come.

NEW STUDENT COALITIONS?

Moreover, in our institutions of higher learning, perhaps we should take a more active interest in what our students are doing, thinking and saying. When I say "students" in this context, I am talking about *all* students, not just those militant dissidents who have captured most of the headlines of late. It seems to me that what we need on our college and university campuses is a coalition of students representing the majority, positive viewpoint.

It must be stressed that only a small percentage of our students are bent on completely overthrowing "the system." The overwhelming majority do not want to destroy our society, but to improve it. These students of the majority, by and large, do not commit the sensational acts which ordinarily command headlines. For that reason, if for no other, should we not take an active interest in seeing to it that they have a vehicle for expression by which they also can be heard?

WHAT IS ALTERNATIVE?

Is not the alternative to the establishment of such majority coalitions to continue to breed those situations from which violence occurs?

I am convinced that with the backing of the business community, such coalitions could be formed and that they could engage in any number of constructive programs. Such groups, it would seem to me, would be as concerned with the right of all students to attend classes as with the right of others to peacefully demonstrate. By working to open up new lines of student communication, both on campus and in the total community, they would, it seems to me, work to prevent those situations from occurring which result in violence. I, personally, am strongly opposed to violence and takeovers. So, too, I believe, are the vast majority of our students. It is to these students that we in the business community must trumpet the message: "We *do* care. We *are* interested in you and your activities, not only as individuals, but as our world leaders of tomorrow." And we must demonstrate our interest by backing any positive, constructive proposals they might develop.

A NEW BLUEPRINT

Now let me talk briefly to you about your Society for the Advancement of Management and what I believe its role must be now and in the years ahead. I say to you, in all candor, that the day has passed when any business or trade association can live within the blueprint of the past. It can no longer be "business as usual" in our voluntary organizations. I suggest that we must expand SAM's area of concern so that it will come to grips with our urban problems. I urge you to call upon the Board of Directors of SAM to appoint a special task force to devise ways and means whereby your society can be in the forefront of the social revolution that is taking place. This task force should not be designed to compete with existing government programs, but to come up with some new, imaginative and constructive programs for SAM's membership to develop at the local level. This task force might well design new job analyses to break down jobs so that the unskilled and semiskilled can be used to a greater degree. It might lobby for social legislation and design plans to improve our schools and housing in the central city. It could well devise plans for assisting blacks and members of other minority groups to become entrepreneurs. It might develop plans to provide sub-contracts to members of minority groups to get them started in the manufacturing field. I believe that within your organization there is the desire, the will and the knowledge to create a model for social change and improvement that will be the envy of many other trade associations. I would hope that SAM will urgently consider the appointment of a task force along the lines that I have indicated.

WE CAN DO IT

I suppose many of you are saying to yourselves, "This fellow Winter is certainly giving us a super challenge—one that may well be beyond our competence and the time that we can give." I doubt that. In our own businesses, each of us has demonstrated that we can accomplish just about anything we set our minds to. The task that face all of us in this room as we move forward to rebuild our cities will not be an easy one. There will be frustration and disappointments. Yet what is the heritage that you would like to leave to your children and your children's children? Isn't this an America where peace and the good life exist for *all* of us—not just for those of us who live in the white community? Don't we want to look our children squarely in the eye and say, "We not only care but we are doing something about our community problems!"

Yes, it is going to be hard work, but we are used to that. It seems to me that you might gain encouragement by looking to Don Quixote who was always reaching for that unreachable star. Yes, let's listen for a moment to Don Quixote as he describes our quest:

"To dream the impossible dream,
To fight the unbeatable foe,
To bear with unbearable sorrow,
To run where the brave dare not go.
To right the unrightable wrong,
To love, pure and chaste from afar.
To try, when your arms are too weary,
To reach the unreachable star."

CAMPUS UNREST—WHY?

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. WHALEN. Mr. Speaker, there has been extensive discussion about the disturbances that have occurred on many of the Nation's campuses.

The dialog has broadened and doubtless will continue in the months ahead because of the importance of this issue.

I was very pleased to have obtained a copy of a speech on this subject delivered by one of Ohio's most eminent educators. He is Dr. Brage Golding, president of Wright State University, Dayton, Ohio.

On May 5, 1969, Dr. Golding addressed the Society of Plastic Engineers at the group's education luncheon in Chicago. His topic was "Campus Unrest—Why?"

I believe Dr. Golding's remarks are instructive and would be of great interest to my colleagues, Mr. Speaker, I, therefore, insert the full text of Dr. Golding's speech at this point in the RECORD:

CAMPUS UNREST—WHY?

By Brage Golding)

Prior to two or three years ago my public remarks were more likely to concern polymers, their technology and applications. Unfortunately, that pleasant and self-rewarding era of my professional career has passed, hopefully temporarily, and I now find my career turned to quite a different task—to one that all university presidents must perforce turn—that of a mediator.

Because most of you are parents and either are academicians or have children in school, I think a frank discussion of student and faculty unrest is not only of interest but of importance. No brief talk can do the subject justice but I shall try. Having read omnivorously on this subject, so as to prepare myself for what appears to be an inevitable occurrence on almost every campus, I shall offer you my opinions and those of many distinguished writers, most of whom have said something in a better way than I could have done.

Let me begin with the general observation that the ultimate goal of all educators should be to educate the people to the realities of the late 20th century and the early 21st century, in such a way that the critical issues facing them can be understood and resolved in time to avoid real chaos.

Let me review them briefly:

The most important issues to be resolved in the immediate future are:

A. The population explosion

B. The threat of nuclear annihilation

C. The attainment of civil rights for all

D. Conservation and preservation of natural resources

E. Development of cultural commodities

Rational and humane solutions to these problems are the real objectives of education, in addition to the preparation of individuals for professional duties. Every educator must be willing to amend any curriculum which does not aid in reaching these objectives. This is the true meaning of curricular relevance to me.

We will have to change curricula very quickly in order that our students do not become victims of "skill" obsolescence. We will have to operate schools where there are no groups receiving inferior education because of the geographic location of their schools. We will have to do away with what has been the school systems' bugaboo—the standardized tests for all who come from widely differing economic, social, and ethnic backgrounds. Every child is going to have to be accepted for what he is and taught from his entering level. The greatest mistake is the promotion of pupils out of a grade before they can read and comprehend at that grade level.

These are some of the problems facing elementary and secondary school educators.

In the institutions of higher learning, the challenges are quite different. We should be able to assume that our students come to us able to read, write, and calculate at some minimum level of competence. This is true for about 40% of them. In addition to spending much time and effort bringing so many students up to a beginning college level, we are beset by special problems with faculty and students that are not encountered in elementary and secondary schools. I think it is important that we talk about them. But first we must answer the question: What is the role of the universities in American society? Joseph Kraft recently had this to say:

"One of the few things we know about the power structure in this country is that it is run by a relatively small number of large hierarchically organized institutions.

"By democratic principle—and to a surprising degree even in practice—admission to these institutions does not come by 'pull' or family connections. Merit decides. But who defines merit and selects those who have it?

"The answer is that the universities are the certifying agencies."

Therefore, universities wield power! And one important fact, like it or not, is that power is a prime motive force in the present revolution. Now let us talk about faculties—and what kinds of power motivate *them*.

I would like to make clear to you one area of authority and power which resides in a university faculty which is not generally understood by the press and the lay public. By long standing tradition and, in many cases, by direct delegation, faculties are charged with almost complete responsibility and authority for the academic programs of the university. The faculty may change the programs, add to, and take from, change the nature of courses, set requirements for graduation, determine curricula, etc., all without direct intervention by university administration. I believe this is proper, so long as faculties collectively exercise proper *responsibility* commensurate with the great authority granted them in this area. Faculties also, in many universities, have the power to deal with student matters, including student discipline. This then is why many recommendations for student amnesty, after actions by some students, are made by faculty or student-faculty committees. It seems to me that the often incomprehensible attitudes of some faculties, collectively, regarding amnesty, such as we have seen recently at Harvard and Cornell, may be the result of two strong feelings on the part of large numbers of faculty members. One is a feeling of guilt for having neglected their students and their students' education on the part of many faculties, particularly those in the humanities and social sciences. The other may be the identification that many faculty members seek with students from whom they may not be chronologically far removed.

It has been amply demonstrated that while faculties of many universities are relatively young, highly educated, and often extremely liberal in their political and social outlooks, in matters pertaining to their particular disciplines they are notoriously conservative. By and large, sweeping and desirable changes in educational philosophy are, in my opinion, far less likely to come from faculties than from either administrators or students.

Further, it must be borne in mind that a large majority of our faculties (and student bodies) are marginally concerned with or involved in the present academic revolution. As has been true since time immemorial, in every society it has been a relatively small, dissident group of whatever complexion which, while looked down upon by the majority and eventually feared by them, has prodded the latter into change. On the other hand, I believe it fortunate that there has been sufficient resistance—inertia if you prefer—by the majority to slow down the very disruptive changes continually proposed.

A university is a microcosm of society, containing essentially all the elements of the whole society. Within its community are the same small activist groups—and the large ponderous mass of status quos. Because of the long standing traditions of free speech, academic freedom, and tenure—for better or for worse—universities emit a proportionally larger sound per unit population than other groups.

One cannot discuss changes in faculty attitudes without remarking on the effect these changes have had on education and consequently on students. As John Fisher has said, we are in the midst of a counterrevolution, by students (liberal arts undergraduates particularly) against a quiet, almost unremarked, revolution which has changed the whole structure of American education in the last 20–30 years. The main beneficiaries of the earlier revolution were the faculty—the victims were the liberal arts undergraduates: The latter are now beginning to understand how they've been victimized.

Professionally-oriented students cause no great problems. They follow highly structured curricula for purposeful uses—this is, in part, skill learning, albeit of a sophisticated character. However, many of the very bright young people come to college not yet sure what to do with their lives, and they hope to find out there. They want to learn about the world and themselves, and how to come to terms with our terribly complex civilization: For this they want a traditional liberal arts education—and find it no longer exists.

It is gone because the professors in our increasingly complex technological society found themselves, particularly after World War II, in a highly strategic position—as the producers of university trained specialists. As a result, the diploma has become the combination of meal ticket, union card, and passport to upper middle class life. Faculty have become the sole purveyors of a scarce and precious commodity and, like all monopolists, have used this new-found power to enhance their own wealth, prestige, and authority.

Many professors couldn't care less about the interests of undergraduates, since today a professor's status is often defined by his relation to the graduate program—this is true also in small liberal arts colleges which feed graduate programs elsewhere. A professor who cares seldom is rewarded by universities. (This means by his peers, not by the administrators.)

Bright undergraduates ask what *is* the good life, the nature of justice, the remedy for the evils of society? Such queries are a bore and an embarrassment to many professors, since few profess to have the answers to such large and "unscholarly" questions—each professes his own narrow specialty—e.g., minor British poets of the 18th century. So says Fisher, referring to Jencks and Riesman in their book, *The Academic Revolution*.

For many years now education for the doctorate has involved an increasingly narrow specialization in order to produce or discover something "original"—needed for the degree. This requires learning more and more about less and less. Also, while many of the faculty today in the *professional* areas have experienced and adjusted to what I shall call the "real world," a large proportion of *liberal arts* faculties go from graduate school *directly* to teaching. For what else can the latter do today outside the academic field?

These faculty attitudes and backgrounds have wrought a dramatic change in the minds of many young people who, as remarked earlier, did not find the answers they were seeking in college. Out of this confusion eventually has come resentment, then anger at their teachers, their parents, and society in general for not providing them in their bewilderment with idealistic solutions to the ills of the world.

Out of them came the new leftists, a term of recent origin and one which you have been hearing with increasing frequency.

Arthur Schlesinger has this to say:

"The new leftists believe in the omnipotence of the deed and the irrevelance of the goal. The political process is no longer seen as the deliberate choice of means to move toward a desired end. Where libertarian democracy had ideally demanded means consistent with the end, and where the Stalinist left of the 30's intended that the end justified the means, the new left propounds a different doctrine: that the means create the end!" Anarchy (my conclusion).

In the vanguard of the new left is a relatively small, but well-recognized group, the SDS: the Students for a Democratic Society. SDS was formed in 1962 when young members of the old "Socialist League for Industrial Democracy" quit the parent group and set up their own unit. Out of its first meeting in Port Huron, Michigan (59 people from 11 colleges) came the Port Huron statement: ". . . We seek the establishment of a democracy of individual participation, governed by two central aims: That the individual share in those social decisions determining the quality and direction of his life: That society be organized to encourage independence in man, and provide the media for their common participation." The statement advocated "participatory democracy," a leaderless decentralized system in which every man's view would be as important as that of his fellow.

SDS's central theme is that the present American corporate capitalist system manipulates and oppresses the individual and is run by a corporate/military elite that profits, while the rest of the citizenry are only depersonalized pawns in the game. Basic to this thesis is the accusation that the nation's universities are key accomplices in this process, furnishing research and ideas to the military/industrial complex and psychologically conditioning students to take their places submissively in the corporate slots that await them.

SDS is out to overturn and destroy this set-up, starting where the system's strategic resources are located: in the universities.

SDS's ranks contain activists of almost all political varieties: Marxists, Anarchists, Socialists, Democrats, Communists (pro-Moscow, pro-Peking, pro-Castro), as well as the alienated apolitical types and hippie exotics.

Mindful that a college generation of the 50's had been frightened into silence by communist witch-hunts, the organizers of SDS deliberately opened their ranks to all political creeds to remove the Red-baiting weapon from its enemy's arsenal. (It may be noted that only Republicans are conspicuous by their absence.)

It has become apparent, to me at least, after studying the tactics of SDS at various colleges and universities this past year, that a practically unvarying and successful technique is being used against university administrations and faculties. The technique has been simple and has been hard to resist. It consists merely of making a series of demands of the university which are not too unreasonable, most of which can and should be met. The university dares not refuse to discuss and negotiate these requests, in part because they are reasonable, in part because it feels guilty for not having anticipated these requests, and in part because it naively believes that by granting these requests these students will be satisfied. However, as soon as some public announcement of agreement or progress is made by the university, a fresh series of *non-negotiable* demands are made which are of such a nature that the university has no choice but to refuse them. This puts the administration and faculty in the position of first bending toward the student demands and later being in such a position that they cannot either retreat or go forward—an impossible situation. This technique has been used repeatedly with great success and, in my opinion, should be resisted by refusing to bargain with the SDS in the first place. *This* however puts the university in the unpopular position of appearing to be unreasonable and unwilling to listen to *any* student requests—precisely the alternate position these students have maneuvered for.

The only remotely possible resolution to this dilemma, it seems to me, is for faculties and the administrators to make it unmistakeably clear that they work in concert and refuse to accede to "non-negotiable" demands while under duress. Unfortunately, few universities have shown the common sense to do this.

While the SDS is the most acute manifestation of student dissatisfaction, there are two other groups with which we are concerned, Albert W. Levi, distinguished professor in the humanities, Washington University, has this to say in part:

"A second class of students who participate in violent protest is considerably larger, relatively unorganized, more heterogeneous and amorphous in its composition. It is made up of those who have a burning concern for such aspects of American foreign policy as the Vietnam War and our defense commitments around the world, as well as our ongoing internal social problems; justice for the black community and poverty. It is also composed of those who have concretely suffered from these evils—students anxiously awaiting a draft for a war to which they are profoundly opposed, black students feeling the burning injustices to their kind, representatives of disinherited and disadvantaged minorities of every stripe.

"How are we to view the protesting acts of student dissenters of this second class? with considerable sympathy, I think, for in most cases their moral credentials are high. The Vietnam war is a dirty and immoral war, he says. The condition of our negro population and the way it has been deprived of economic opportunity and civil rights is a disgrace. The level of political morality and of simple honesty in speech and intention of those who govern our nation and who aspire to its governance is dangerously low.

"The last or third class of student protesters is enormous in number and is composed of almost all the undergraduates and graduate students in the school of arts and sciences. These are the 8,000 who sat down outside Sproul Hall at the University of California in 1964, the 4,000 who milled about in front of Low Library at Columbia last spring. These are the ones who initially are politically uninvolved, who stand curiously around the small group of militant protesters watching to see what will happen. Only in the face of truly monumental administrative unconcern or outside police brutality do they join the ranks of the violent minority. Why are they prepared to do so? Why is their loyalty almost never to the university as such? This class of third-act walk-on (without a particle of disrespect), I shall call 'the sheep.'

"Thirty-five years ago Robert Maynard Hutchins, then President of the University of Chicago, delivered a lecture whose message was to be prophetic. His text and his title was taken from a line of John Milton: 'The sheep look up and are not fed,' and he used this text to illustrate the plight of students whose real needs for liberal and humane education were thwarted by crude vocationalism in the universities, the absence of properly equipped and dedicated teachers of the liberal arts, and the many impediments which a noisy and unenlightened business civilization had put in the way of the only kind of education worthy of a liberal democracy—one which should produce not technological trainees or narrow specialists, but intelligent citizens, broadly educated and with minds prepared to deliberate the course of intelligent social action.

"Hutchins' message was, as I say, prophetic, and it is entirely in the meaning of his Miltonic text that I refer to the third class of student protesters as sheep. For it may precisely be that when the sheep look up and are not fed, not given that type of nourishment which they have every right to expect from an 'alma mater,' then it is not so infinitely puzzling that they should from time to time become wolves in sheep's clothing, roving the campuses of the 20th century and joining the violent minority at the last moment out of the suppressed sense of outrage that their legitimate educational demands have not been met.

"For the first class, the hard core of radical students whose aim is nothing less than the destruction of the university—their violence should be dealt with justly but determinedly. Their aim is not improvement but disruption, and their offenses, if continuous, should be met with permanent expulsion from the academic community.

"For the second class, those who have a burning concern for social justice in general, or are members of militant minorities, we must say: We have sympathy for your motivation, but your acts are misdirected. For the university is not a political institution nor the underwriter of social policy at large. Your business here is learning in one of the few environments left in the modern world where some objectivity is possible, where freedom of expression and inquiry are actively encouraged, where rational debate is permitted to follow wherever the argument leads. Be thankful for your opportunity and take your violence elsewhere. Do not use it to destroy one of the few remaining centers of liberal democracy in the modern world.

"For the third class, the vast majority, who feel rightfully that somehow the modern university has gone astray in its neglect of undergraduate teaching and student concern, we must be most attentive of all. For this is criticism from within, directed to the one thing which we within the university have the power to affect and to improve. Here we all have something at stake and a rededicated faculty and wisely leading administration will do everything in their power to reduce the educational environment to manageable size, to promote fruitful interaction, and to make the campus, indeed a family of learning."

Many educators have been indignant—"Holier than thou"—in the face of student unrest. Others have tried to recapture their own misremembered youth, by assuming an adolescent stance and a penitence for their own academgic sins, by becoming apologists for all student activists. Professor Joseph Schwab of the University of Chicago is not. He says in his recent book, College Curriculum and Student Protest:

"Student activists, like many assistant professors, do not know who makes decisions. They do not know how decisions are made well. The students have been mistaught. They are victims of specious freedoms such as "constitutional" student government; they are hemmed in against thought by a plethora of opaque "elective" courses; they are forced to make early (and often meaningless) commitment to a "major." Worst of all, the students suffer from a poverty of models of mature men and women professing their disciplines and living lives that are visibly productive and satisfying even while they are occasonally disturbed, confused, and frustrated by disorder and nastiness in the only real world we can know.

"In the absence of such models and before a constricting and sterile academic community, a tiny percentage of the student activists become vicious junior demagogues and corn-belt storm troopers bent on attaining a following by kicking their father surrogates in the teeth . . . They combine ignorance of worldly conditions, handicaps of appearance and manner, considerable native ability and equally considerable interpersonal incompetence in such a fashion as to produce an enormous greed for power and prestige, an infinite capacity for generating righteous indignation, and the entirely correct conviction that only the destruction of public faith in legality and the shattering of social order will produce the success to which they are sure they are entitled."

And now a few words about black students, in particular, and their increasingly militant and isolationist demands. Robert M. Hutchins just ten days ago wrote:

"It is doubtful whether colleges and universities are doing black students a favor by admitting them when they are not prepared to do the work.

"They come from poor schools and, at the opening of the freshman year in college, it is late to repair the losses of the previous 12 years.

"Suggestions that black colleges might be established within the universities and that these colleges might have different standards from those attended by whites fail to take into account the world in which the black graduate is going to live. His 9-to-5 world is going to be predominantly white.

"Instead of admitting blacks who are not ready for college, the universities should conduct a nationwide search for those who are. They will demonstrate their capacity in college and afterward and will put an end to the supremacist notion that members of their race are all congentially handicapped.

"At the same time the country must renew the attack on poverty, on slums, on racial discrimination—on all the factors that have prevented blacks from making the educational progress expected of whites. The schools will have to do more, too, and they will have to start much earlier than the age of six to develop the intellectual potenitial of black children.

"Sir Arthur Lewis, a black West Indian, who has held many important educational and diplomatic posts, recently addressed himself to these problems in a talk to Negro students at Princeton.

"His concern was the 9-to-5 world, the integrated world of American business. He rejected black studies for black students. He was in favor of such courses—for whites.

"He felt that black studies in college came too late to be even of psychological benefit to blacks. He hoped the black students at Princeton would find better uses for their time."

And just a week ago today in a public address, Bayard Rustin, the Negro civil rights leader, called on college and university officials to "stop capitulating to the stupid demands of Negro students" and instead to "see that they get the need." Rustin criticized student demands for courses "in soul music and poetry." Pleading for courses for Negro students which would stress mathematics and English, Rustin said:

"What in —— are soul courses worth in the real world? No one gives a damn if you've taken soul courses. They want to know if you can do mathematics and write a correct sentence.

"Everyone knows that education for the Negro is inferior. Bring them into the university with the understanding that they must have the remedial work they require.

"The *easy* way out is to let them have black courses and their own dormitories and give them degrees.

"However, a multiple society cannot exist where an element in that society, out of its own sense of guilt and masochism, permits another segment of that society to hold guns at their heads in the name of justice."

Mr. Rustin, the civil rights leader who organized the 1963 march on Washington, said that Negro students "are suffering from the shock of integration and the searching for an easy way out of their problems with their demands for separate dormitories and study programs."

Strong words, indeed, but a refreshing bit of candor after the many guilt-ridden and emotional outbursts we have witnessed.

To many of us—reluctant, unwilling, or unable to adapt to these rapidly changing social forces, the present I have brefly described appears grim indeed. What of the future?

I have little hesitation in forecasting more of the same turmoil, until the troubled majority, in the name of law and order, as so often in the past, forces the movement underground. The changes unleashed will not stop, however, but will continue at a more moderate pace and, I predict, will result in a continuing evolution, hopefully for the good of our society.

Since we are all of roughly the same generation and certainly not of "the younger generation," I can think of no more fitting way to end my remarks here and add a note of cheer than to leave with you the remarks by Chancellor D. B. Varner to the graduating class of 1968 at the sixth annual commencement of Oakland University, April 20, 1968:

"If we were to follow the tradition of the occasion, the script would not call for me to point out to you, the graduates of 1968, the deplorable mess which my generation has made of things in general and to challenge you—the graduates—to go forth with your newly won degrees and put society back in shape. Tradition is not easy to abandon—especially at such a tradition-oriented ceremony as commencement—but we've done it before so let's try again.

"Certainly you may look about you and compile a pretty impressive tally of the malfunctions in our society. I would not deny this for a moment. As a matter of fact, for the past few years this has been an obsession of your generation—to point out the glaring failure of the adult generation. The criticism has been both searching and, at times, searing. We have heard much of 'phony adults,' of 'plastic values,' of hypocrisy. There has been talk of the 'generation gap' and 'alienation' and the 'credibility gap.'

"Two comments would seem to be in order.

"The first is quite brief—it is simply this: effective today you change your role from that of a critical observer to a participant in the game—I am pleased to welcome you to the ranks.

"The second comment is not quite so brief. I have heard a continuing commentary for the past few years—growing in intensity with each year that passes—that our society is in a deplorable condition. Our international involvements have led us into a war in Asia that is generally described as the most unpopular war in the history of the nation. Domestically we find that in an economy of abundance we permit pockets of abject poverty to exist. Further and worse—it is pointed out—we have permitted the racial problems of our society to lead us to the brink of civil disaster if not civil war. The clear and unmistable conclusion is drawn that the present generation of adults has unconscionably permitted—if not promoted—this near-catastrophic condition.

"For purposes of clear identification, let me put myself squarely in the ranks of this decadent generation. I graduated 28 years ago—almost a full generation—and I make no apologies for this generation of mine. I only hope yours does as well.

"You say that we have permitted pockets of poverty to exist in an affluent society. The charge is unfortunately true and it should not be so. Yet when I sat in your chair—those 28 years ago—there was no concern with 'pockets of poverty.' The entire landscape was one of poverty! We were just spinning out of a debilitating depression that had tried the souls of men. Bankruptcy, hunger, unemployment, hopelessness—those were the trademarks of the times. The problem being conveyed to your new generation is a totally different one—in the most affluent society mankind has ever known, you have the assignment of eliminating those remaining pockets of poverty. We wish you well!

"You say that we hand over to you a complicated, confused, and depressing international scene. Again, the charge is unfortunately true. But when my generation graduated those 28 years ago, the international scene was anything but bright. A totalitarian regime had taken firm control of Germany and the peace of the world was doomed. Small nations were being mercilessly overrun, Jews massacred by the thousands, France was tottering, and England threatened. Japan was joining the Nazi forces and Russia was an unknown quantity. My generation fought a massive war—one that lasted almost four years—and with a staggering cost in human lives. A cleaner war? Perhaps. A more purposeful war? Probably. But an unpleasant prospect, nevertheless for *that* group of graduates too! The war was fought and a peace was established—even though it was destined to be an uneasy peace. And that generation—my generation—created

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and implemented the most massive post-war reconstruction program ever devised by man. I trust that you will do as well.

"You say that we hand you a nation so torn with racial strife that it may literally explode in your face. Alas, the charge is true! But on behalf of the generation which has just preceded yours, and in its defense, permit me to point out that it was this generation which had the courage to identify the problem, to label it as a problem, to focus public attention on a topic which had been ignored for almost 100 years. Admittedly, the problem of today is acute—but it is so precisely because this generation had been willing to put the issue in the center of the stage and has placed the spotlight squarely on it. It is from this point—and only from this point—that a workable solution can be found. And that is your charge!

"Why have I elected on this, your graduation day, to enter this brief defense of this older generation?

"I have done so for two reasons. First, I have detected a noticeable tendency on the part of many young people to apply large quantities of a magic and satisfying balm—one that provides temporary relief for all pain—by transferring the faults of society to the generation just ahead. While there is obviously an element of justification in this, let me urge you—as new graduates—to avoid the temptation to go wading off into this exciting world through a sea of self-pity. Second, I have done so because, if you will forgive the immodesty, it is my conviction that our generation has taken substantial strides toward the ultimate achievement of a world of justice, of dignity, and of equality for mankind. The accomplishments of my generation have been impressive—even staggering. The work in human medicine, in increasing food production, in lengthening human life, in reducing infant mortality, in technological advances in transportation, communication, manufacturing, in economic improvements in birth control—all these reflect astounding accomplishments. More than this—the creation of the United Nations—the best hope of society for world peace and understanding: The approximate doubling of the fund of organized knowledge in this world: The dramatic moves to eliminate poverty and racial discrimination among our people: These are the landmarks of that generation which passed through just ahead of yours.

"It is my hope that your class, and your generation, with all the tools at your disposal, will carry on the good work of my generation. My generation had handed to yours a level of physical comfort and economic affluency never before achieved in all the history of mankind. Tools for achieving peace are available. The tools for eliminating poverty in our country are at hand. The techniques for achieving human dignity are here. You are inheriting not a sorry and decadent state of affairs, but an exciting and challenging opportunity to find permanent solutions to problems which have perplexed mankind forever.

"Again, we wish you well!"

I only wish I had said this first.

PARITY CONTINUES UPWARD

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. ZWACH. Mr. Speaker, I am happy to report that farm parity has continued its slow upward climb this past month. Starting with 72 percent in January, parity this month hit 76 percent, the highest monthly index since January 1967.

Livestock prices were the chief factor in raising the farm income share as beef finally came within 5 points of the "fair" farm price. A year ago steer prices averaged $25.50 a hundredweight, or 80 percent of the average full parity value.

Farm expenses hit another record high this past month. The index is now 375 of the fair-price base period of 100. The USDA report noted that this increase was the sixth consecutive new high. This index is 20 points or 6 percent higher than 1 year ago.

The following table provides a 2-month comparison of the parity price percentages on some farm commodities for April and May 1969:

[In percent]

Commodity:	*April*	*May*
Cotton	42	44
Wheat	46	44
Corn	69	69
Butterfat	74	74
Milk	86	86
Wool	45	45
Barley	69	73
Flax	65	66
Oats	66	66
Sorghum	65	65
Beef	92	95
Chicken	67	69
Eggs	67	70
Hogs	86	92
Lamb	92	91
Turkey	63	64
Soybeans	70	69
Average	75	76

NEW JERSEY—THE NATION'S MEDICINE CHEST

HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mrs. DWYER. Mr. Speaker, the State of New Jersey's dominance in the pharmaceutical manufacturing industry has long been apparent, to the extent that our State is often termed "The Nation's Medicine Chest."

The term is a very appropriate one, what with New Jersey's 120 pharmaceutical companies accounting for more than 20 percent of the total U.S. production of pharmaceutical products. What is not so well known, however, is the fact that drug manufacturing is still the State's fastest growing industry and has exercised an important impact on New Jersey's economy and society in a variety of ways.

A recent study of this impact by Prof. Hal P. Eastman of the Rutgers University Graduate School of Business Administration has attracted a great deal of well-deserved attention.

In view of the importance of this industry both to New Jersey and the Nation, Mr. Speaker, I feel sure our colleagues will find most enlightening the results of Professor Eastman's study as reported in recent articles in the New York Times and the Newark Star-Ledger.

The articles follow:

[From the New York Times, May 18, 1969]

Drug Making Is a Boon to Jersey

New Jersey's pharmaceutical companies, numbering 120 in all, account for more than 20 per cent of all pharmaceutical products manufactured in the United States, according to a new study of the economic contributions of the industry in the Garden State.

New Jersey drug manufacturers shipped products valued at $1.05 billion in 1967, the most recent full year figures available when the study was made.

The study was prepared by Prof. H. P. Eastman of the Graduate School of Public Administration, Rutgers University. It is entitled "The Economic and Social Impact of Pharmaceutical Manufacturers in the State of New Jersey." The study itself was sponsored by the New Jersey Pharmaceutical Information Committee consisting of the information officers of the 13 major drug companies in the state.

The study shows that the industry employs more than 19,000 persons in the state and has a payroll in excess of $160-million a year.

It was also noted in the study that the drug industry in New Jersey invests $140-million a year in research and development, about 25 per cent of the total for the entire industry.

The 20-page booklet, being distributed throughout the state, says New Jersey is sometimes referred to as "the nation's medicine chest."

[From the Newark Star Ledger, May 30, 1969]

Industry: Drug Study Highlights

Jersey's Contributions

(By John Soloway)

New Jersey's pharmaceutical manufacturing business—the state's fastest-growing industry—has finally put its best foot forward, in impressive fashion.

"The Economic and Social Impact of Pharmaceutical Manufacturers in the State of New Jersey," a study by Hal P. Eastman, a professor at Rutgers University's Graduate School of Business Administration, goes a long way to tell it like it is in the drug business in the Garden State.

It is the story of the 120 drug manufacturers in Jersey, their composite contributions in research and production, and what they mean to the state's economy, and their commitment to civic and community affairs.

Aptly written and smartly illustrated, the authoritative booklet is recommended reading for lawmakers in Washington and in Trenton who may be inclined to pick on the industry in headline-hunting forays.

From an economic standpoint, the drug industry in Jersey is important indeed. The state's drug-producing facilities account for more than $1 billion of product per year—about 20 per cent of all pharmaceutical products manufactured in the U.S.

Jersey's drug firms employ more than 19,000, pay wages and salaries in excess of $160 million, and invest $140 million a year in research—about one-quarter of all U.S. industry investment in pharmaceutical research and development. This research has made major contributions to medical science helping patients all over the world.

The civic-community activities of the New Jersey pharmaceutical companies are also reviewed in the report.

The industry plays a leading role in efforts to provide both jobs and training for hard-core unemployed, to upgrade training and job opportunities for minority groups and to provide challenging training in local hospitals.

Additionally, Jersey's drug industry is actively supporting higher education, cultural activities, voluntary health agencies, and efforts to assist the handicapped.

The report also shows that the pharmaceutical industry in Jersey paid $67 million a year in taxes to local, state and federal governments and invested about $60 million in new plants and equipment in the state.

The study, a year-long project, was sponsored by the New Jersey Pharmaceutical In-

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formation Committee, composed of the information officers of 13 major drug firms in the state.

Headed by Donald J. Storch of Summit, the director of public relations for CIBA Corp., the group included the following firms: American Cyanamid's Lederle Labs, Bristol-Myers' Products Division, CIBA Pharmaceutical, Hoffman-La Roche, Johnson & Johnson's Ethicon and Ortho Divisions, Merck & Co., Organon, Chas. Pfizer's Leeming Pacquin Division, Sandoz Pharmaceuticals, Schering's Pharmaco and White Laboratories Division, Smith, Miller & Patch, E. R. Squibb & Sons and Warner-Lambert's Warner-Chilcott Laboratories.

The survey booklet is being distributed to legislators, libraries, schools and opinion leaders throughout the state.

JOBS AND THE POOR

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. CLAY. Mr. Speaker, we hear much talk about the effort to take the people where the jobs are by instilling in private industry and business its conscientious duty to open its doors to the untrained and unemployed sector of society. President Johnson responded to this call and initiated the JOBS program through the National Alliance for Businessmen. Even with some of the Nation's most outstanding businessmen serving to head the program, results fell far short of expectations through the first year.

Under the present administration, this effort continues. I am anxiously following the progress of the program in hopes there will be some evidence of real concern on the part of those who do the hiring—for the people who need jobs. Once employers embark upon a new course whereby they will train the people they need for productivity, this country will share in the benefits—both in terms of the gross national product and in terms of domestic welfare. It is a long-term investment, an investment which has not yet seemed necessary to major business and industry.

I insert and commend to my colleagues' attention this editorial directed to the NAB program. It appeared in the Washington Post, June 26, 1969.

The editorial follows:

JOBS AND THE POOR

Finding jobs for the unemployed poor is like finding mates for the unmarried: getting them together is easy, but who can make them stay together? Every day, the help-wanted sections of the newspapers announce that this many mechanics are needed, this many cooks, this many carpenters, waitresses, key punch operators, secretaries, plumbers and dozens of other openings. Smug believers in the bootstrap philosophy argue that there cannot be an unemployment problem—"the poor are just too lazy to work"—when the help-wanted sections are filled with job openings.

The answer is that employing the poor means much more than getting the man and the job together. First, you must get the *man* together: gather him psychologically, motivationally and socially so that he is able to get to work on time and, once there, be reasonably even-tempered, cooperative, productive, and content to work his way up—assuming there is a path leading upward.

It is true that 30 or 40 years ago, people with little money or education could make it the hard way. But today, automation and competition have largely made the hard way a lot harder. What appears like bending over backward to get the poor into jobs is really standing up to the fact that conditions of employment are much different than in the days following the depression. Thus, it is no longer a matter of getting jobs for those out of work; today jobs are needed for people who don't know *how* to work.

It is only recently that private industry has begun to concern itself actively about jobs for the poor. Among the more prominent groups is the National Alliance of Businessmen: an 18-month-old program that is commited to finding 614,000 jobs for the worst-off poor by 1971 in 125 metropolitan areas. To date, according to the NAB, 102,235 are on the job, out of 177,868 hired.

What *Washington Post* reporter Paul W. Valentine observed the other day about the local NAB efforts—a "rocky, sometimes disappointing, sometimes rewarding experience"—is generally true nationally. The main success of the NAB, aside from creating and filling jobs, has been in waking up the business community to its responsibility to the poor. On a Saturday morning last March, 500 company presidents, board chairmen and executives—representing by one estimate a trillion dollars in corporate assets—met in Washington to discuss what they had learned after a year in NAB and what still needed to be done. Representative of the middle and upper class, they have accepted a fact the middle and upper class have long refused to face: that the poor are not "lazy and shiftless," that they do want jobs, that they can and will work.

The main failure of the NAB is to get across its message to the entire business community. Perhaps this is asking too much. But the uncooperative businessmen, the ones who train and hire only sure-thing prospects and ignore the people who often need consideration the most, ought to consider a basic economic fact: when the NAB finds jobs for 100,000 poor Americans, affluent America benefits also. That many people are off welfare, out of jail, off the streets; they now pay, rather than consume, taxes. In short, eliminating joblessness can benefit the employer as much as the employed.

THE NIGERIAN WAR

HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. TAFT. Mr. Speaker, the current developments in the Nigerian war are deeply disturbing to anyone who possesses a vestige of humanitarian sentiment. The interference with the relief efforts of the International Red Cross threatens to result in the starvation of many thousands. The U.S. Government must continue to assert every possible pressure upon the Federal Government of Nigeria and upon the Biafran regime to work out some method of continued delivery of food and medical supplies. Placing the blame is not important. The method of delivery and its timing are impediments that somehow must be overcome, despite the deep-seated fears of each side that the other may gain some advantage. Our Department of State and other representatives who are trying to effect a solution must omit no effort to achieve the result of restoring deliveries at the earliest possible time.

CHALLENGE TO AMERICA, 1969

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. RARICK. Mr. Speaker, we Americans in 1969 are under attack by every force which can be marshaled by the international Communist conspiracy—that is, from propaganda, infiltration, sabotage, to armed guerrillas.

Many Americans dislike admitting to reality and all of us wish it were not true but the facts are incontrovertible.

The game is rapidly approaching a climax. Our people must tak a stand or be overcome.

"America, 1969" prepared by Gary Allen which appeared in the July-August American Opinion probably best explains "why the score is so high." It follows:

AMERICA, 1969—WHY THE SCORE IS SO HIGH

(NOTE.—Gary Allen, a graduate of Stanford University and one of the nation's top authorities on civil turmoil and the New Left, is author of Communist Revolution In The Streets—a highly praised and definitive volume on revolutionary tactics and strategies, published by Western Islands. Mr. Allen, a former instructor of both history and English, is active in anti-Communist and other humanitarian causes. Now a film writer, author, and journalist, he is a Contributing Editor to American Opinion. Mr. Allen is also nationally celebrated as a lecturer.)

You probably wouldn't believe the past year if you hadn't lived through it. If some would-be Nostradamus had submitted a history of it to a science-fiction magazine five years ago it would have been returned with a curt note of rejection stating that the story was too fantastic even for the buffs of science fiction. Indeed, it was a year in which the Fickle Finger of Fate Award went to America.

It was a year of assassinations and gun laws; of repeated international monetary crises; of roaring inflation and increased taxation; of escalated guerrilla warfare on our nation's campuses and in our streets; of increasingly violent criminals and increasingly permissive judges; and, of meaningless negotiations over Vietnam while American aid to the Communist arsenal of the Vietcong continued and American soldiers died in ever greater numbers. It was a year in which political personalities changed but political policies remained the same.

But, it was also a year in which it was increasingly difficult to be a "Liberal" keeping up with the latest Leftist line. Many "progressives" found it traumatically difficult to adjust to the switch from advocating forced integration to forced separatism. It was especially disconcerting to "Liberals" to have to advocate integration in some instances and segregation in others—according to the whims of whatever "Civil Rights" leader was momentarily in vogue. This situation caused more schizophrenia in the ranks of the Left than any event since the Hitler-Stalin pact. But, alas, America's "Liberals" seem always to have felt that consistency is the hobgoblin of small minds, and many actually adjusted to their madly shifting double standards without the absolute necessity of a strait-jacket.

During the past year we have moved more than twelve months closer to George Orwell's *1984*—which keeps threatening to arrive early. As the gothic Professor Russell Kirk was moved to write:

"Just now, let me inquire whether we are indeed only fifteen years away from a hideous totalist society ruled by brutes who enjoy stamping upon a human face; a society in which 'war is peace' and in which history and literature are corrupted to serve the interest of the total state. . . ."

Yes, this was the year that "Liberals" offered "positive proof" that God was dead—and our astronauts reminded us from outer space that He is not only alive but Lord over a vastness beyond even "Liberal" imagination. It was a year nonetheless, when the American Left continued to "whore after false gods," endowing the State with the qualities of Vishnu—thought by Hindus to be both man's preserver and destroyer—as their satrap politicians and guru social scientists moved to implement plans for 1984. Typical of those plans is one discussed by New Jersey Congressman Cornelius Gallagher:

"The social scientists, in their zeal to discover more and more about disadvantaged citizens, proposed to use low-cost housing as a great pool of research—and those who lived in it, as guinea pigs.

"They seriously proposed to bug each room in each apartment of a federally-sponsored low rent project.

"They would then feed every single sentence uttered by the apartment dwellers into a computer. This computer would then deliver a profile of these Americans and their habits—and compare these statistical profiles to Americans who have 'made it.' "

Congressman Gallagher became so outraged at the project that it was stopped, but the example does provide an insight into the mentality of contemporary social scientists and what they can accomplish by working in alliance with totalitarian bureaucrats and politicians. There is no end to how far it might all have gone: If we are going to bug the poor, surely we should bug the rich to find out how they got that way. And, after all, since most Americans are of the middle class, one can't make accurate comparisons unless he has extensive information on them as well. So, Big Brother, or Big Mommy, or Super Sibling, as our expanding State is sometimes called, might soon have been our ever-present electronic companion. After all, we might be reading magazines like American Opinion, or muttering anti-social thoughts, or discriminating as to sex with our wives or husbands. The social scientists should *know* about it.

One remembers that in Orwell's *1984*, also, every citizen was assigned a number so that the government could keep track of all his activities. *U.S. News & World Report* revealed this year that on July 1, 1969, the armed forces of the United States will help Big Brother by assigning numbers to our servicemen that are the same as their Social Security numbers. *U.S. News* explained as follows:

"First major agency to fall in line was the Internal Revenue Service, which has already reassigned individual tax numbers that are, in fact, the same as Social Security numbers.

"And the Federal Government is not the only body to take such action. Some State and local governments, schools and private firms are using the numbers to help cut back the flood of digits assigned to the average American.

"A wider use. Some officials foresee the Social Security number as the all-inclusive identification—on drivers' licenses, bank accounts, employee personnel records, credit cards, and dozens of other numbered documents.

"Some federal officials are considering a plan to make Social Security numbers the ultimate in identification—by putting them on new-born babies' birth certificates."

This was also a great year for Newspeak,[1] the Esperanto of the Orwellian set. As my colleague Alan Stang is so fond of saying: *Observe!* In America those who would continue to move us towards the all-powerful State, or Communism, are called "Liberals." Those who are anti-Communist, who oppose collectivism in all its forms, are called (at best) "conservatives." Yet, in Czecho-Slovakia those who allegedly want to reduce the power of the State and move away from Communism are called "Liberals." Those who want to magnify the terrors of Stalinism are called "conservatives." Are you confused? Well, you are supposed to be. Just remember that, in the vernacular of Newspeak, the "Liberals" are always the good guys and the conservatives are always the bad guys.

The war in Vietnam, which is now the longest war in U.S. history, is also right out of 1984. During the past year of "peace talks," American casualties have accelerated and now total 34,835 killed, 223,525 wounded, and more than 1,300 listed as missing or captured. Since America has stopped bombing the North, Ho Chi Minh is no longer under any pressure to reach a settlement, and talks drag.

Meanwhile, through aid and trade with the nations of the Soviet bloc, America continues to equip our enemies by proxy. *Human Events* of March 15, 1969 quoted President Nixon as stressing that the Soviets "furnish . . . 85 per cent of the sophisticated military equipment for the North Vietnamese forces. Without that assistance, North Vietnam would not have the capabilities to wage the major war they are against the United States." *Human Events* of May 17, 1969, reports that "word has leaked from the White House that the President wants to loosen restrictions and promote the flow of goods between Communist nations and the United States. Key officials recently picked by Nixon [*all members of the Council on Foreign Relations*], moreover, have been vigorous advocates of expanded Red trade." This report was confirmed in *Business Week* for May 24, 1969.

During his campaign, Richard Nixon promised faithfully and vigorously to stop aid and trade with the enemy. But, in the Newspeak of 1984, things mean just the opposite of what they appear to mean, and "War is Peace."[2]

It is obvious that to make the nightmare of Orwell's *1984* a reality in America, we must be driven to reduce ourselves to a totally socialist State. And, to do that, the *Insiders* and their puppet politicians and bureaucrats must wage war on private ownership. Karl Marx said it, oh so succinctly, in the Communist Manifesto of 1848: "Our objective can be summed up in one sentence—'abolition of private property.' " Most Americans think of the Soviet Union when Marx or Communism is discussed, but the deadly principles of Communism have nothing to do with geography, and could as easily be applied to Burnt Mattress, Idaho, or Elephant Breath, Arkansas, as in Moscow or Peking. It was the sagacious Admiral Ben Moreell who observed:

"Communism with a 'Made in Moscow' label is not popular in America. It doesn't need to be, if only we can be induced to accept Marxism under some other label. This we are now doing. . . . Slavery is commonly thought of as ownership of one man by another. But no slaveholder would quibble about owning the man if he can own the products of the man's labor. A slave is a person to whom economic freedom is denied. From this premise, the denial of all other freedoms follows." [2]

The bench-marks on that road to the sort of total government foreseen by Admiral Moreell mark our progress toward 1984. One such bench-mark is the number of those directly employed by the federal government—persons who are not likely to ever vote for the abolition of their own slot at the trough. In mid-1930, civilian personnel employed by the Hoover Administration totaled 605,000—a ratio of one to every 203 Americans. At the beginning of the current year, there were 3,055,000 civilians on the payroll (excluding "hush-hush" agencies like the C.I.A., of whom the Civil Service Commission keeps no record). This represents a ratio of one employee for every sixty-seven Americans, and does not include military, state, and local workers who are now for all practical purposes federal employees.

In short, the national bureaucracy has grown by five hundred percent during a period in which the population has increased by only sixty-three percent. According to the authoritative *Weekly Labor Forecast*, total government employment now runs over 14 million—meaning that at least one out of every five employed persons in the United States must be totally supported by the other four.

Not only are government employees multiplying like Welfare Mothers, their pay is skyrocketing. According to *U.S. News & World Report:*

"Working for the U.S. Government is getting to be more and more rewarding. Federal employees have just been told details of a new pay raise being proposed for them—averaging 9.1 percent for white-collar workers. . . . If the boosts go through on July 1, as expected, the typical employee's pay check will have risen 19.5 per cent in 21 months."

This little boondoggle will cost those of us who work for a living an extra $3 billion, and will make a total of $6 billion given to government "workers" in three separate raises since September of 1967. A federal employee rated at "G.S. 18" (Government Service), for example, will receive a fat $33,495 a year. This becomes alarming when one realizes that percentage-wise, there are more bureaucrats now at top-rated G.S. jobs than ever before in our nation's history. Is it any wonder that more and more of our fellow citizens want to quit work and take a job with the government, where it is almost impossible to get fired? Some of these people will be in for a real shock when, as in ancient Rome, they learn that it is an economic impossibility for the entire population to live as certified government pick-pockets.

In discussing the federal pay hikes, we would certainly be remiss not to mention our Congressmen, those gallant inflation fighters who this year voted themselves an annual pay raise of $12,500. Don't you wish that *you* could vote yourself a raise? Try telling your boss tomorrow morning that your family took a vote and it was unanimously decided that this year your salary will be raised by $12,500. Senators now receive $42,500 in salary, with benefits amounting to something like $10,000, plus junkets and various "insider deals." Sorry, can't end the surtax this year. We've got to keep the trough full you know.

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[1] Not to be confused with *Newsweek*, a weekly magazine published in Newspeak.

[2] How are things done in "the Workers Paradise"? The *Los Angeles Times* recently reported that the "Soviet people were jubilant over the news that minimum wage for factory and office workers had been raised to the equivalent of $66 a month. That is about 55 cents an hour for a 40-hour, four-week month." In an America rapidly becoming the "Loafers' Paradise," shiftless bums do four times as well by simply applying for Welfare.

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Naturally, all of these expensive government employees take up office space. According to *U.S. News & World Report,* the federal bureaucracy has offices in more than 421,000 buildings—and, "Nobody quite knows what all the civil servants in these buildings are doing or trying to do." Of course, even our federal bureaucrats know that you can't just hang all of those buildings in thin air . . . so, with admirable foresight, the U.S. Government has managed to obtain 760 million acres of land—ownership of a mere one-third of the nation. Then, too, all of those bureaucrats in the 421,000 office buildings must also sit at desks and pound on typewriters or other machines. *U.S. News* admits that nobody knows their number or value. It has been established, however, that the government does own 380,000 motor vehicles—since our precious bureaucrats cannot be expected to walk or use public transportation.

How successful are these bureaucrats at spending your money? Just at the federal level they manage to tip-toe through your fiscal tulips at the rate of $350,000 a minute, or $3.5 billion dollars a week, and $184 billion last year.

The Tax Foundation has computed that to pay his tax bill the average American had to work twelve more days for Uncle Sam this year than he did last year. The Foundation revealed that the average American must labor 117 days—from January first through April twenty-seventh, to meet all tax "obligations." Of this, eighty-one days of work go to pay federal taxes, and thirty-six days of labor must be devoted to the benefit of state and local bureaucrats.

This year Americans will spend eight minutes more of their average eight-hour working day earning the money to pay the additional tax bills they did not have in 1968. The time consumed this year working to pay the tax man will be more than an hour and a half longer than the estimated working time required to pay for housing and household operations, and an hour and thirty-eight minutes more than the time needed to earn money for food, tobacco, and liquor.

Thirteen years ago, according to the Tax Foundation, taxes collected by all governments were only $1,897 per family. Taxes now come to about $3,927 per American family—up $370 from fiscal 1968. Of course, not every family is average. "Liberal" economist Sylvia Porter recently pointed out that many Americans in the middle-income brackets are now paying almost half their earnings in taxes. Part of the escalating tax loads is made up of Social Security taxes—which started out at two percent and now amount to 9.6 percent, with a proposal currently pending to raise Social Security taxes to 10.4 percent in 1970. The "free goodies" are getting a little expensive.

The Tax Foundation estimates that the total government tax take will be $247 billion in fiscal 1969—$147 billion higher than in 1956. Tax receipts of $170 billion in fiscal 1969, for the federal government alone, will exceed those of fiscal 1968 by $24 billion, and will have more than doubled since 1956. Meanwhile, state and local collections ($77 billion in 1969) will have increased about $5 billion over the previous fiscal year, and will be about $13 billion greater than in fiscal 1957. The state and local tax take for fiscal 1969 will come close to tripling that of 1956.

The staggering amount of money being spent raises the question of whether it is being spent wisely and frugally.

According to U.P.I. Senior Editor Louis Cassels, no Rightwing Extremist by a country mile:

"The U.S. government is wasting huge sums—at least $10 billion a year and probably much more than that—by spending money blindly. That is the conclusion of a month-long investigation of federal budgetary practices by United Press International."

One official of the General Accounting Office estimated that as much as $30 billion a year is being wasted—even by *federal* standards.

At a time when we are reminded by the *Wall Street Journal* that the jobless rate is at a fifteen-year low, that there is a manpower squeeze and a labor shortage with many Americans moonlighting at two jobs, and countless jobs going begging, the number of those on Welfare continues to multiply. The *Wall Street Journal* of April 24, 1969, revealed that "the relief rolls are rising almost 10% a year, with no letup in sight. . . . " The *Journal* continues: In short, the Great Society enlarged the demand for welfare and also increased its supply." Then, the *Wall Street Journal* quotes an official of the Nixon Administration: "My main conclusion is that the increase in the caseload is a good thing. More eligible families are getting assistance, so that system is in this sense working better." The *Journal* added: "This judgment is shared by many other Nixon Administration officials."

That hardly sounds like last year's electioneering rhetoric, but one must keep in mind that spending is flagrantly wasteful only when the other gang is in office, but vitally necessary when your mob takes power.

An example of what is happening to Welfare, nationwide, is to be found in the case of New York City. The Department of Social Services there has asked for $1.7 billion for aid to New York City's "needy" during the next fiscal year. This is $600 million over the current Welfare budget, and four times the budget for 1964–1965, the last full year before John Lindsay became Mayor. It is more than seven times as large as the Welfare budget of only a decade ago.

According to *U.S. News & World Report,* New York State will spend about $2.2 *billion* on Welfare this year, whereas in 1965–1966, the cost was $983 million. Still, New York trails California in the Welfare Grand Prix. California, where the state Budget is up thirty-three percent since voters there elected a "tight-fisted conservative" Governor, will this year spend $2.3 billion on Welfare handouts. And, now that the Supreme Court has held that when writing the Constitution the Founding Fathers intended that there be no residency requirements for Welfare payoffs, California is preparing to be blitzed by the nation's indigents. What "Welfare client" would not delight in wintering in sunny California at the expense of generous California taxpayers? The result will undoubtedly be the establishment of "federal Welfare standards," followed by federal financing of state Welfare programs. Secretary of Health, Education and Welfare Robert Finch (sometimes known as Nixon's "Seventh Crisis"), has already accepted the recommendations of a committe set up by President Nixon and announced his belief that the federal government should impose minimum standard payments to the nation's 8.5 million "Welfare clients."

In the eight years of the Kennedy-Johnson Administrations, according to a Johnson aide, the number of domestic federal aid programs increased from 45 to 435. In his Budget for 1970, President Johnson told us that the estimated $27.2 billion for aid to the poor "represents . . . almost three times the level of 1961." Also, "Outlays for health and welfare programs are estimated at $55 billion in 1970. . . . This represents an increase of $6.1 billion over the 1969 level and is more than double the level prevailing in 1964."

Economist Henry Hazlitt reveals:

"In the fiscal year 1968 the federal government spent for education, old-age pensions, veterans pensions, health, relief and all other major 'social welfare' and 'antipoverty' programs a total of $61 billion. If we add the cost of similar programs to the states and cities in 1968 of $51 billion, we get a total government welfare cost in 1968 of $112 billion.

"It is officially estimated that the costs to the federal government alone of these programs will increase from $61 billion in fiscal 1968 to $68 billion in 1969 and $76 billion in 1970. There will no doubt be a similar increase in state and local costs."

Hazlitt makes no guestimate of Welfare spending by 1984.

Naturally, the politicians and bureaucrats want to expand history's biggest leachathon. As a recent U.P.I. release noted: "President Nixon's chief urban affairs advisor [*William Moynihan*] suggested Thursday that the federal government double its aid to state and local governments after the Vietnam war ends. He said this would amount to about $40 billion per year." So far no politician from whom we have heard has suggested that after the Vietnam War ends (if it ever does, or if we are not soon in another) producers be left with the product of their own toil by reducing taxes.

It seems ironic that in last year's political campaign Republicans were giving dire warning that only Richard Nixon could save the nation from the socialism of Hubert Humphrey. Now we read a report in the *Wall Street Journal* of May 7, 1969, which informs us:

"In a message to Congress . . . Mr. Nixon called for a massive increase in food-stamp spending to provide free stamps for families in the lowest income brackets . . . The package would cost 'something in excess of '$1 billion a year beyond present food-aid spending, the President said . . . . Mr. Nixon's proposals would seem to go along way toward satisfying liberal demands for a bigger Federal antimalnutrition role. They certainly exceed by far the food spending approved by President Johnson, who had voiced skepticism about the extent of malnutrition in this country."

Now, Heaven help us, Big Mommy is preparing to spend better than $2 billion a year of our money to run about making certain that every last Appalachian gets the "minimum daily requirements" of things like leafy vegetables and cod-liver oil. One can only gasp at the thought of a federally enforced menu, with hordes of new female bureaucrats screeching things like, "Eat your spinach, Luke!"

Last year President Johnson's Budget was $183.7 billion, and represented an increase in the federal Budget of eighty-eight percent during the Kennedy-Johnson years. "Reckless spending," shouted Republican Congressmen; "Dangerous fiscal madness," echoed Republican Senators. During the ensuing political campaign Americans were treated to the usual oratorical bunkum and political promises about slashing wasteful government spending. Now, with the frugal Republicans controlling the White House, last year's profligate spending is this year's bare-bones Budget. It all depends on whose gang of socialists is doing the spending. Of course, Mr. Nixon *is* cutting down here and there. For instance, he noted that President Johnson kept seventy official Presidential photographers around the White House to record for whatever history we have left to us L.B.J.'s every itch, smirk, and ear-wiggle. Mr. Nixon finds that to take his photograph he requires only forty official photographers—no doubt at a considerable "savings" to the taxpayer.

The *Los Angeles Times* of May 14, 1969, tells us that "The Nixon Administration and House Democratic leaders have agreed to place a $192.9 billion ceiling on the amount of federal spending in the fiscal year starting July 1." The article goes on to state that the Nixon Administration "would have preferred none [*no ceiling*] at all." The net result was a $9.2 billion *increase* over L.B.J.'s last Budget, which the Republicans had denounced over and over again for its extravagant wastefulness.

House Ways and Means Committee Chairman Wilbur Mills argues that the Budget will windup being even higher than this. As the *Los Angeles Times* reported on May twenty-first: "Mills argued that if Congress approved a 1970 budget total of $192.9 billion, as the President has asked, 'before the end of the year, there would still have to be $5 to $6 billion more appropriated.'" This would mean that Republican Nixon would in but one year have boosted spending over the Johnson expenditures by $15 billion. Irreverent wags in Washington are saying that those who still call Richard Nixon a cheap phony have not seen his Budget.

The Republicans have denounced every increase in spending by the Democrats since Ike's last Budget of $99.5 billion. After all, only $500 million of that increase was for defense costs. The balance was for domestic spending, with an extra $800 million added in increased interest costs on the swelling national debt. It is curious to note that the newspapers played up the Nixon Budget as a *cut* from L.B.J.'s proposed Budget of $195.3 billion—and made no mention of the fact that the Budget represents an actual visible increase of $9.2 billion in spending over last year.

The deficit for the fiscal year ending June 30, 1968, was an enormous $25.4 billion—the biggest since World War II. President Johnson, the man who wanted Honest Abe Fortas to be Chief Justice, claimed that there would be no deficit for the year ending June 30, 1969. Most monetary students were extremely skeptical about this claim, but the Republicans, apparently hoping to open the Nixon Administration on a harmonious note, did not challenge this absurdity from the man who last year predicted a deficit of $8 billion and delivered one amounting to $25 billion. President Nixon, as I have noted, has already persuaded Congress to raise the limit on the national debt by $12 billion! When the Democrat socialists were in power, Republican Congressmen voted consistently against raising the national debt; but, now that the pink elephants are stampeding into fiscal irresponsibility, the tune has changed.

President Nixon didn't even blush when he claimed that the raise in the debt limit was "in the interest of responsible management." If it were already 1984, all of Nixon's old speeches about the government squandering our money could be shoved into the "memory hole."

This government borrowing, which has ballooned the national debt, is the prime cause of inflation, since banks buy government bonds and then present them to the Treasury, which issues new fiat cash against them. The official cost of living escalated 4.4 percent during 1968. During the first quarter of 1969, the government reported a 1.5 percent increase in the cost of living—the sharpest rise of any three-month period since May–July 1956. In March, the consumer price index rose eight-tenths of one percent, the biggest monthly gain in eighteen years. This rise, at the rate of 9.6 percent annually, shows that inflation has not been slowed but is actually *gaining* momentum. Commenting on this inflation in the *World Currency Report*, Franz Pick writes:

"If we accept this fact [a 1.5 percent rise in the cost of living during the first quarter of 1969] and apply it to the purchasing power of total public and private debt, conservatively estimated at 3 trillion Minidollars, we have to conclude that not less than $45 billion of purchasing power of this debt has been wiped out during the first 90 days of 1969."

As of April seventh, the cost of day-to-day loans soared to 9.5 percent, the highest since 1929. If a Nixon tight money policy leads to a decline in the stock market (as it did in 1929), a slow-down in demand for goods, and rising un-employment, the President and the Federal Reserve will likely turn on the printing presses full blast under the resulting political and social pressures. Retired persons, widows, and others on fixed income may be decimated by inflation, but *they* suffer in relative silence while unemployed urban minorities are being agitated in their displeasure to hurl Molotov cocktails. If it comes to a choice between these voting blocs, the aged or the urban minorities (as it probably will), it is obvious which one will win. The elderly will, however, be consoled with an insufficient rise in Social Security "payments" which will only add to inflation and further weaken the bankrupt agency.

It is not just the aged and minorities who are victims of inflation. Articles are already appearing in newspapers and the finance journals suggesting that home ownership may in the future be the perquisite of the rich only. (Two years ago we were being told that within a decade most Amreican families would own two homes.) A recent Associated Press release states:

"Higher interest charges on mortgages, higher taxes and insurance and rising costs of lumber and other materials have sent house prices skyrocketing. More increases are in prospect. . . .

"Bernard Janis, president of Janis Corp., of Miami, Fla., estimated the cost of a $30,000 home has risen 20 per cent in the past year and will rise 10 per cent more to about $39,500 in the next six months."

U.S. News & World Report says that while labor's wages rose 6.2 percent last year, "Rising living costs and the fedearl tax boost designed to hold down consumer spending have more than offset the extra pay."[3]

Understandably, all this inflation is destroying America's ability to compete in world trade. In 1964, says *U.S. News & World Report*, the United States *sold* $3.6 billion more than it bought abroad. By 1968, the U.S. was *buying* $2.5 billion more abroad than it was selling (not counting foreign aid giveaways). The stimulation of imports caused by inflation, defense spending overseas, and foreign aid have combined to create a simply horrendous American imbalance of payments.

Our government has claimed that America did not last year have a balance of payments deficit; but, it is a case of where figures don't lie, liars figure. As *Barron's*, the influential financial weekly, notes:

"Last year's so-called payments surplus largely reflected a series of bookkeeping devices designed to put the national accounts in a more flattering light; without such cosmetic treatment (which the new Administration vows to shun), an ugly deficit upwards of $2 billion would have surfaced."

Proof of the pudding came when the *Wall Street Journal* announced that, during the *first quarter* of 1969, the U.S. ran its only first-quarter trade deficit since 1950, causing the worst three-months imbalance in nineteen years. Canadian financial analyst C. V. Myers observes:

"The U.S. suffered a B.O.P. deficit of $1.8 billion in the first quarter—highest since 1950. At the same time Europeans invested $1.3 billion [in the stock market]. Except for this good luck the deficit would have been $3.1 billion in a single quarter. What happens when foreign D. J. investors decide not only to quit buying, but decide to sell?"

It was the $3.5 billion deficit for *all* of 1967 which prompted the Johnson Administration to institute panicked controls. The 1969 first-quarter deficit amounted to a staggering $6.8 billion on an annualized basis, and the Nixon Administration is openly admitting we are in for a bad year. This means more strains on the faltering dollar and potentially disastrous claims against our seriously diminished gold supply.

Most conservative analysts did not think the dollar would survive 1968 intact, or that the world's currencies could avoid severe devaluations. Although nothing has changed, and none of the problems have been solved, the international monetary structure still staggers along as it was. Predicting the date when the monetary mess will hit the air conditioning is very difficult because of unknown political considerations. That it will do so is now simply a matter of time.

Meanwhile, the monetary time-bomb which was handed by President Johnson to President Nixon ticks away. Nobody knows the exact time of the explosion, because nobody knows the length of the fuse. But Calvin Coolidge, who chose not to run, may have had better foresight than Richard Milhous Nixon.

A sure sign of a decaying civilization is a rising crime rate. And, we are rapidly learning that the wages of "Liberalism" is anarchy. The latest crime statistics divulge a twenty-one per cent overall increase in crime during the first six months of 1968, as compared to the same period in 1967. The figure becomes even more meaningful when one realizes that it is piled on top of a sixteen percent increase for the same period of the previous year, and an eleven percent increase for the year before that. These statistics represent an increase in crime amounting to 109 percent in just eight years.

The new statistics reveal that seventy-six police officers were killed in the line of duty during 1967—bringing the total killed since 1960 to 411. A startling aspect of these figures is that, of the 539 offenders in the slaying of policemen, seventy-seven percent had prior arrest records; two-thirds had been granted leniency in the form of parole or probation, and *thirty percent* were actually on *parole* when they murdered a police officer.

Are America's professional "Liberals" upset by the hideous permissivesness these statistics represent? A typical attitude was displayed by the late *Saturday Evening Post*, which this year decried the "American obsession" with increasing crime. The *Post* editors exclaimed:

"According to a Louis Harris survey, 8 out 10 Americans agree that law and order have broken down in this country. Politicians have exploited this fear . . .

"We are now in the midst of several momentous revolutions that are exerting majestic forces on us but creating little bloodshed. American Negroes are breaking out of thralldom that ranges from prejudice to near slavery, our young people are breaking away from the Establishment. . . . This has been a fierce struggle, but most of the violence has been committed against property, and it is really extraordinary that these convulsive efforts could be as peaceful as they are. . . ."

Young people, absorbing the "Liberal" attitude that mere property need not be respected, are now annually doing $200 million in damage to America's school buildings alone. "Liberals" might properly concern themselves over how many ditches must be dug, nails pounded, or bricks stacked by honest working people to earn the extra $200 million in taxes required to replace such senselessly destroyed property.

Coming in on the same swell as the rising tide of crime statistics, though less susceptible to physical measurement, is the Leftist promotion of perversion among the young. With the Leftist mass media glamorizing the drug cults, for example, a *two thousand* percent increase in juvenile drug arrests in the last eight years has been reported by California Attorney General Thomas Lynch. Mr. Lynch disclosed that juvenile drug arrests so far this year have jumped 165 percent above the first half of 1967. The figures, alas, are typical.

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[3] The following letter is reported to have been recently received by the Federal Reserve Board: "I understand that there is a move to replace the image of George Washington on the quarter with that of General Eisenhower. Since we already have Kennedy on the phony half dollar and F.D.R. on the phony dime, may I suggest we go along and put Ike on the phony quarter, Martin Luther King on a phoney nickel, Earl Warren on a phony penny, and Walter Jenkins and L.B.J. on opposite sides of a three dollar bill. This entire move now seems to present another problem. There is an apparent overwhelming shortage of phony money on which to immortalize all the phonies."

Robert Betts of the Copley News Service researched the effect on young people of the growing degeneracy in the mass media. He concluded:

"Beneath the flood of revolutionary propaganda and exhortations to violence aimed at today's youth is an undercurrent of filth which goes far deeper than most Americans realize.

"For parents to be shocked at youthful pranks is nothing new. What is sinister, however, about the present student preoccupation with sex, drugs and perversion is that it is largely the result of planning and organization. It is the most sinister aspect of the Red youth subversion program. . . .

"The coupling with political propaganda of blasphemous, sacrilegious and vulgar sexual terms used with regard to religious themes and family relationships is a deadly weapon, blatantly used to demoralize and destroy."

Some might assume that the liberation of the young radicals from conventional morality would give them a tremendous feeling of freedom and happiness. That's what *they* would have you believe; but, having interviewed hundreds of them, my experience has been that hippies and New Left activists are as a group enormously unhappy people. This has been confirmed in a less subjective way by a number of studies concluding that the promotion of free love and revolution among the young has contributed to a rapidly ascending suicide rate. Harvard psychiatrist Dr. Matthew Ross, for example, has reported to the American College of Physicians that currently, "Adolescents of college age are the highest potential suicide risk within the population." The professor noted that the suicide rate for college students is now fifty percent higher than for Americans in general of a comparable age. Among all youths in the fifteen to twenty-four age group, suicide is the fourth-ranking cause of death. During 1966, nearly a hundred thousand of our ever more radicalized college students threatened suicide, one in ten of these actually tried it, and a thousand succeeded.

Even though statistics show rising drug usage, vandalism, venereal disease, and suicide among America's radicalized youth, the "Liberals" are pointing proudly to the fact that this is the most politically committed generation ever. They are especially happy because that commitment has been directed Leftward.

The January 1969 issue of *Fortune* magazine revealed the results of a survey of youths conducted for the magazine by Daniel Yankelovich, Inc., an attitude-research concern. *Fortune* reported that what would have been "fairly characterized as a lunatic fringe on the campuses" a few years ago has grown into an "important and militant minority." It estimated that about 750,000 American college students now "identify with the New Left." *Fortune* did not note that F.B.I. Director J. Edgar Hoover has revealed: "the objective of both New Left and old-time Communists and their adherents in our society is to completely destroy our form of government."

Young persons between eighteen and twenty-four were divided up in the *Fortune* survey into three groups: those who had not been to college; those who go to college for pragmatic reasons (fifty-eight percent of college students), and a group with less tangible goals (forty-two perecnt). *Fortune* calls the latter group the "forerunners," because it "foresees their number and influence growing in the years ahead." According to *Fortune,* these student critics of America "represent the principal intellectual thrust of the oncoming generation." In every category surveyed, the "forerunners" were far to the Left of the "pragmatics," who were in turn to the Left of those who did not attend college.

Since *Fortune* sees the "forerunner" group growing in "numbers and influence" in the coming years, their attitudes are most significant. They "identify themselves as 'doves' who are anti-Vietnam and anti-war in general, who believe the U.S. is a 'sick society.' " Obviously, the "forerunners" listen attentively in class. Eugene McCarthy is the most admired man within this group—followed by Teddy Kennedy, John Kenneth Galbraith, Allen Ginsberg, Communist "Che" Guevara, and Communist Stokely Carmichael. The man most despised by the "forerunners" (and, by a country mile) is George Wallace (seventy-eight percent).

Only nine percent feel strongly against the late Communist murderer "Che" Guevara, and only six percent deeply oppose Marxist Professor Herbert Marcuse. Only eight percent of the "forerunner" group intend to enter business, while fifty-three percent want to enter teaching at some level.

Not everyone is quite as impressed with the "forerunners" as is *Fortune*. Dr. Bruno Bettelheim, a University of Chicago psychologist, told a Congressional Committee recently that the campus revolutionaries are "truants from life . . . fixated at the age of the temper tantrum." Dr. Bettelheim compares the schoolboy Lenins to the Hitler youth. The ideology of the revolutionary German students who helped in the rise of Hitler, he said, "pitted the sons against the fathers," insisted that "the generations cannot understand each other" and are, in fact, enemies; and, in short, "said exactly the same as our rebellious students who insist that nobody over thirty is trustworthy."

Not surprisingly, these "forerunners" have a strong tendency to react in any situation like so many Pavlovian dogs. Recently at Fresno State College a leadership class decided to determine how far the misleaders can lead. This class formed a group named the Malaperts—which means nothing—and then the Malaperts called a campus rally and demanded the most absurd things they could conjure up. They demanded trolleys to transfer students from dorms to classrooms; flood control for the high and dry campus; free beer in the student union; and, that students be allowed to choose their own roommates in the dorms, male or female. Two hundred and fifty students showed up for the rally and 150 signed up with the Malaperts. Campus leaders of the Marxist Students for a Democratic Society announced: "We're with you all the way." When one student shouted, "I stay in touch with campus activities and I've never heard of any outfit called the Malaperts," he was booed off the stage.

The whole situation would be hilarious if the hardcore activists weren't growing more psychotic, and therefore increasingly dangerous, day by day. The militant young Marxists really don't understand that the real Communist revolution is taking place within the Establishment, using their street-bunder activities as an excuse to pull the strings of dictatorship tighter and tighter. The young Leninist types can't understand why the revolution didn't start yesterday, and they are growing more frustrated and organizing for sabotage and other forms of violence. (See American Opinion for May 1969.)

Providing what the Communists call the *agit-prop* for this revolutionary effort is the so-called "underground press," which now publishes five hundred youth-oriented Marxist papers across the country. Another way of spreading the virus of revolution is through classes such as those given by the "Free University" using a building of the University of California at Santa Barbara. One class there is called "The Tactics and Practice of Guerrilla Warfare at U.C.S.B. and in the Santa Barbara Community." A mimeographed sheet announcing the program states that it "will cover strategies and will hold drills"—providing instruction in "how to hold a building against police attack; to conduct hit and run missions; to defend against police harassment; to sabotage military-industrial-police functions; and, to get the community involved through terrorism."

At the first meeting of the above training center an outline was distributed which stated that "it is the purpose of this class to give the people who are already convinced that the government needs to be overthrown a method of overthrowing it. . . . The method of teaching this class will be to take abstract strategies of guerrilla warfare and to apply them, in the classroom and in the field, to the environment of Santa Barbara and the UCSB campus specifically."

Never to be outdone, the University of California at Berkeley is offering a course in urban revolution, with the opportunity to receive academic credit. Professors for this effort are S.D.S. founder Tom Hayden, and Dr. Herbert Marcuse, an avowed Marxist popular with European student Leftists who coined the chant "Marx, Marcuse and Mao." The course is sponsored by the Center for Participant Education, which last fall sponsored lectures by Communist Black Panther Eldridge Cleaver.

Robert Betts recently prepared a six-part series on how the Communists organize and manipulate campus disorder. In that nationally syndicated series, appearing in the *San Francisco Examiner* and a number of other major newspapers, Mr. Betts noted:

"Americans don't have to look for Reds under the bed. They can be seen almost any night on television—leading a college riot or mingling in the melee like extras in a movie crowd scene. They're not all card-carrying members of the Communist Party. They are defined not by whether they pay party dues, but by their actions, their vocabulary, and the way they always manage to be where the trouble is.

"Those who keep close watch on the unfolding pattern of subversion [law enforcement Intelligence personnel] in this country can pick them out easily.

"The average American sees only turmoil and shakes his head over the 'impetuousness of youth.' "

The primary organization of the New Left is the Students for a Democratic Society, about which F.B.I. Director J. Edgar Hoover has stated:

"Unfortunately, much of this unrest and violence was instigated and precipitated by a subversive force which is growing in numbers and militancy. It is called the New Left, and at its core is the organization known as the Students for a Democratic Society.

"The concept of violence as an instrument to destroy the existing social order is as inherent in the philosophy of the New Left movement as it is in the philosophy of the old-line Communists who have worked for years to undermine this nation from within.

"This was particularly evident at the national convention of the Students for a Democratic Society."

Associated Press recently quoted S.D.S. National Secretary Mike Klonsky as reporting that S.D.S. membership now stands at 100,000.

In addition to its normal routine of driving spineless deans to distraction, Students for a Democratic Society has three stated projects. One is to abolish R.O.T.C. on the nation's college campuses. It has already forced many schools to deny academic credit

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for the military training courses. What is it all about? Simple: The Army gets half its new officers from R.O.T.C., the Air Force forty percent, and the Navy thirty percent. Columnist John Chamberlin explains:

"If they had their way, the S.D.S. authoritarians would render a nation of 200 million prey to the blackmail of Soviet Russia on its eastern flanks, Maoist China in the Pacific, and Fidel Castro anywhere south of the Caribbean.

Project Two of the S.D.S. is to bring the revolution down from the universities into the high schools. Much of the propaganda for this movement comes from the so-called "underground" newspapers now published by many high school revolutionaries. The number of such Marxist papers is confirmed at *five hundred* by Dr. B. Frank Brown, director of the Institute for Development of Education Activities, Inc.

The third major S.D.S. project is to infiltrate factories for the purpose of "achieving solidarity with the working class" and to propagate sabotage. Labor columnist Victor Riesel writes of the S.D.S. plan:

"There are regional and group 'coordinators.' Last year they sent 130 students into the shops, stores and mills in New York, Rochester, Boston, San Francisco, Los Angeles, Chicago, Baltimore and Newark. Now the coordinators, operating on the theory that there can be no American revolution without the working class, and war material shipments cannot be halted without this same proletariat, are escalating their infiltration."

Still it is the college campus which absorbs the overwhelming effort of the New Left. Thus, when the Reverend Theodore M. Hesburgh, President of Notre Dame, said that rioters there would be expelled, one could hear a collective gasp from the halls of ivy to the shores of 'Frisco Bay. It is said that the mass inhalation caused vacuous low pressure areas resulting in windstorms from high above Cayuga's waters to Cal's symbolic Campanile.

The *Wall Street Journal* cites a "typical reaction" to Hesburgh's position from an administrator at California's San Fernando Valley State College: "If we had taken Father Hesburgh's stand, the place would probably have burned down." As it was, Black Militants only did $100,000 in damages, held a Dean overnight at knife point, and forced a written promise of no reprisals. The President of a "prominent liberal arts college in the East," who refused to allow the *Journal* to use his name, stated in impeccable Liberalese: "He has taken a simplistic approach to a complicated problem. It isn't fair to mislead so many people—including the President of the United States—into thinking that this hard line will result in restoration of peace on the campus. I haven't talked to a single college or university president who feels this is a good solution." That gives you a pretty good idea where the administrators of our schools stand, and why the student revolutionaries dare be so bold.

Dozens of universities during the current year have been besieged by arson, bombings, beatings, kidnappings of administrators, and the capturing of school buildings by renegade students. Yet the Neville Chamberlains in the halls of ivy only purse their lips and wring their hands. It is obvious that many of the student revolutionaries know that they either have a soft touch or a secret ally in the administration and push accordingly.

Dr. Charles B. Huggins, Nobel laureate in physiology and medicine at the University of Chicago, has made these perceptive comments on the handling of student demonstrators:

"Liberals are famously capable of handling demands that originate from their right. Their defenses are well organized, their responses are facile yet firm, their knowledge of what is negotiable and what is non-negotiable is unmistakably clear. In contrast, liberals are almost completely incapable of handling demands that issue from their left. Complaints from the left confuse the liberal. Complaints from the left automatically weaken him by implication that he is not liberal enough. Demands from the left make him feel illegit. And the liberal feels this way regardless of the actual, substantive character of the demands.

"Facing left, the liberal frankly cannot distinguish a good demand from a bad one, for voices from the left remove his bearing. . . . The liberal faces right with a forthrightness and honesty. He faces left with hypocrisy."[4]

Time and again the campus Leninists have instituted revolutionary activities only to go unpunished. Columbia University, for example, arranged to have those students arrested during last spring's siege turned over to the school for "punishment." Despite the fact that the students proudly admitted violating both civil law and University regulations, Columbia's disciplinary tribunal imposed no penalties whatsoever on the young revolutionaries. This incredible decision was taken in order "to re-establish student relationship to the University." The campus Reds won complete amnesty for actions that, when they occurred, had been deemed worthy of criminal prosecution by civil authorities. Do you think any of those students quit S.D.S. because of Columbia's leniency? Or, is it more likely to have augmented their contempt for the poltroons who run the school?

Stanford recently suspended a number of students for an academic quarter. The crime was invading the Stanford Research Institute and occupying it for over a week; but, again, the punishment was mere tokenism to calm alumni and public opinion. Suspended students were not even restricted from campus. Now, the suspended revolutionaries can devote full time to agitation at the school. The fact that it will take them an extra quarter to graduate undoubtedly leaves them less than heartbroken.

Then there is *Hahvaad*, sometimes mispronounced "Harvard" by middle brows, home of the crème de la crème of the Liberal Establishment. National F. Review Jr., the Establishment's favorite conservative and a Yale man, lampooned Harvard's President Nathan Pusey and his fellow administrators for the spinelessness they displayed during the April unpleasantness at that institution. Even a Yale graduate could see that as an Administrator Dr. Pusey has a limp wrist. He tried to get his deah, deah revolutionaries released, but a local judge refused to grant a University request to drop charges against 169 ersatz Lenins. Those found guilty were fined (hold your breath) the grand sum of twenty dollars. One hundred thirty-nine are appealing the "sentence." Certainly the Pusey-cats are smiling. But, not everyone at Harvard is smiling. As J. C. Helms, a Harvard graduate student, wrote to the *Wall Street Journal:*

"The problem at Harvard is not SDS. The problem is not the use of police, nor is it the student strike. The problem is the Harvard faculty: Its lenience, its blindness and its cowardice.

"On April 9 several hundred students seized University Hall by force. They came armed with crowbars for smashing windows and chains to secure the doors once they were inside. They evicted nine deans, dragging some of them through the halls: One was even carried out, slung over a student's shoulder. They physically beat an undergraduate in University Hall who was not in sympathy with their action: He was alone, and five of them held his arms and his hands while two others beat him . . . the next morning one of their leaders urged a mob of many hundreds to pelt President Pusey's house with rocks.

". . . How can it surprise us that such an incident occurs, when last year a mob of students held an interviewer from Dow Chemical Co. prisoner for seven hours, and the university did next to nothing . . . ?

"Can our faculty not see the damage that will surely come to this university if it is not made crystal clear that lawless force can never be permitted here? Or is the faculty always blinded by the argument that these militant moralists are fighting in a good cause?

"I think it's time somebody called nonsense nonsense. I think it's time somebody called nuts nuts. Isn't this the generation that wants to tell it like it is? Why, then, is everyone mincing words? The students who occupied University Hall are violent people; they do not belong here. Their wrongdoing is not just youthful restlessness; it is not just misdirected idealism. It is a crime, and those who committed this crime should be expelled immediately and never allowed to return."

If students faced expulsion for participating in such violent demonstrations, the chaos would dry up faster than water in the Sahara. Yet, the National Student Association has reported that of 39,000 students who were involved in rioting during the first half of 1968, only thirty-nine were permanently suspended. The Fire and Police Research Association reveals that, in more than twenty-five years, no student has ever been expelled from the University of California—the focal point of the national student revolution.

Many are wondering why the alumni of our harassed colleges don't temper their benevolence until such time as college administrators move and move hard against the campus revolutionaries. Harvard went so far in provoking its alumni over the student strikes there this spring that the issue of *Harvard Alumni Bulletin* for April 28, 1969, was bound in a cover displaying a red, clenched fist—the international symbol of Communist revolution.

The truth of the matter is that most universities, including many private ones, are now getting so much money in federal grants that they are no longer dependent upon the benevolence of old grads. Mr. C. L. Dickinson of the Institute of Humane Studies, and a former employee of the Stanford University business office, relates that Stanford now receives nearly $50 million a year—seventy percent of its total income in government research grants. Like so many other prestigious schools, Stanford is no longer a private institution, but for all practical purposes a federal university.

Stanford's situation is not atypical. "Liberal" columnist Joseph Alsop writes that the federal government paid Harvard just under $64 million last year—of which $20 million went to the faculty of arts and sciences. "As to the U.S. academic world as a whole," Alsop says, "the overall federal subvention to the universities has now reached $4.4 billion a year, even after subtracting all funds for defense contracts. Of this huge sum (far, far bigger than the federal subsidies to education of poor children) $3.3 billion takes the form of student aid and other straight subventions that have nothing to do with any kind of research."

Congressman Paul Rogers of Florida has demanded that Secretary of Health, Education and Welfare Robert Finch stop financing those arrested in demonstrations. Rogers ascertained that "of the 549 students arrested this school year for participating in campus disorders at San Francisco State College, 122 were receiving federal financial assistance. . . . Yet there has been no indication that this assistance has been terminated."

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[4] When dissidents took over the administration building at the University of Chicago, Dr. Huggins called a press conference and denounced the invaders as "adolescent ugly ducklings." He called the takeover a "criminal act" and said: "This was a hijacking and we are on our way to Cuba." The "hardcore," Dr. Huggins told newsmen, is part of the International Communist Conspiracy which seeks "to bring America to its knees."

Who is financing the revolution against the U.S. Government? Why, the U.S. Government, of course.

Revolutionary Black Nationalism spread during the year from the inner cities onto the campus as the most militant of ghetto youth were provided with government scholarships. Once on campus, these Black thugs, far from appreciating the opportunity provided them, formed coalitions with white thugs to disrupt the schools. If university administrations were loathe to enforce discipline against white radicals, they were positively appalled at the thought that Blacks should have to obey the rules. This year the Blacks brandished weapons—including guns, spears, and clubs. Next year, you may assume, they will probably use those weapons as the radical movement requires constant escalation to maintain its momentum.

Who is to blame? Clearly, the school administrators who waived entrance requirements to bring the academically unqualified militants onto the campus in the first place. Demands made by the Black Student Unions and similar organizations varied only slightly from school to school. Typical demands included: all Black flunk-outs are to be reinstated; abolition of the indignity of grades for Black students; admission of Blacks to the college without meeting *any* entrance requirements; that Blacks be allowed to attend classes when and if they feel like it; and, that after four years all collegiately registered Blacks be awarded a degree. Such requests are deemed quite reasonable by many "Liberals," but some cynics have suggested that it would be infinitely cheaper to issue every Negro child a college diploma at birth.

Of course, those who suffer most from such demands are the qualified Negro students who earned their way into school, most of whom are in the library or laboratory while their dullard brothers are threatening to torch the "racist honky college." The qualified Negro student realizes that if Negroes are given college degrees, without having to earn them, his own diploma becomes worthless.

When the above demands are met, the tribal chiefs among the militants cook up a few more "non-negotiable" demands for Whitey. A standard demand is for the establishment of "Black Studies" departments. White college administrators have been falling all over themselves establishing these little horrors. Black Studies are so ludicrous that even oldtime Negro Leftists like Bayard Rustin have ridiculed them. Rustin actually asked college officials to "stop capitulating to the stupid demands of Negro students . . . and see that they get the remedial training that they need." Bayard claimed the Black militants are looking for "an easy way out of their problems." As he phrased it: "What the hell are soul courses worth in the real world? In the real world, no one gives a damn if you've taken soul courses. They want to know if you can do mathematics and write a correct sentence." Rustin added: some white professors desire a "revolution by proxy" and are using unwitting Negroes to this end.[5]

It is possible to have legitimate courses on African history and culture, although the field is somewhat limited by the absence of primary written sources. Nonetheless, most of what is masquerading as Black Studies amounts to no more than courses in Hate Whitey. Even "Liberal" columnist Joseph Alsop is concerned about Black Studies becoming studies in Black Mythology and revolutionary propaganda. "In short," Alsop writes, "the question is whether 'black studies' are going to be historically truthful and therefore intellectually respectable and academically valuable. . . . Unhappily, any practical-minded person can foresee that 'black studies' will too often fail to meet the above mentioned tests . . . if they are commonly organized in the way now demanded. Hate-promoting readings in Frantz Fanon are more likely to be emphasized. And so will black-racist bosh like the claim once made by the New York leader of the Revolutionary Action Movement, Herman Ferguson, that there had been 'an Anglo-Semitic plot to conceal the leading role of the universities of Timbuktu' in all of Western progress and science."[6]

Earlier this year, two U.C.L.A. students who were members of the Communist Black Panthers were shot to death with .38 magnums in a campus building while participating in a "discussion session" over who would control the U.C.L.A. Black Studies program. The two executioners were members of a rival Black Communist group called *US* (for Us Slaves) headed by psycho-fanatic Ron Karenga, an officer in the Republic of New Africa.

Ironically, the two dead Panthers were attending U.C.L.A. on government scholarships in a program which, other than being Black, had but two primary qualifications: first, you must *not* have graduated from high school; and second, you must have spent time in prison on a felony charge. Those qualifying, believe it or not, are called "high potential students."

Naturally Cornell, the victim of the most brazen takeover by armed scholarship students, is now in the process of instituting a Black Studies program. Cornell President James A. Perkins, you will recall, caved in to all the Black demands. The *Chicago Tribune* reports that Cornell is considering hiring James Turner, a graduate student in sociology and African studies at Northwestern, to be director for Afro-American studies. Turner is described by Perkins as "militant but responsible." The *Chicago Tribune*, however, seems to know a great deal more about Mr. Turner than does President Perkins. It notes:

"[James Turner] manifested his militancy in May, 1968, by leading more than 120 black students in the occupation of Northwestern's old administration building, housing its costly data processing equipment and financial records, and demonstrated his responsibility by marching them out when Northwestern accepted all their demands, confessed guilt of white racism, apologized, and begged forgiveness . . . . If he declines the offer, Cornell might try to get [Communists] Robert F. Williams or Eldridge Cleaver . . . ."

In the meantime, other revolutionary savages are raising money by blackmailing the masochist leadership of our "Liberal" churches. Communist James Forman, an officer in the Maoist Black Panther Party and also S.N.C.C.'s Director of International Affairs, has presented demands to the Episcopal Church for $500 million in "reparations" for Negroes—to come from all white churches and synagogues. The demand is contained in a "black manifesto" adopted in Detroit during May by the National Black Economic Development Conference (N.B.E.D.C.). The Conference was sponsored by the Interreligious Foundation for Community Organization (I.F.C.D.). According to the official Communist newspaper, *The Daily World*, speakers at the affair included Communist Milton Henry of the Republic of New Africa; radical socialist Julian Bond of the Georgia State Legislature; former football star Jim Brown, whose specialty is beating-up women; Fannie Lou Hamer, of the Marxist Mississippi Freedom Democratic Party; and Marxist James Boggs, writer for a Mau-Maoist Communist sheet called *The Liberator*.

As you might guess, the money collected is not to be distributed on a pro-rata basis to Negroes, but is earmarked for specific N.B.E.D.C. projects like the establishment of Maoist collective farms in the South—a Republic of New Africa project.

Reception of the demands has been mixed. Bishop Stephen Bayne, First Vice President of the Episcopal Executive Council, declared: "I welcome the manifesto because any sinful man, black or white or any other color, needs to be confronted with a demand for justice." California Episcopal Bishop C. Kilmer Myers described the demands by these Communists as reasonable, and added: "I do think the figure is a little low. I think the church is far more wealthy than you imagine. You are so right respecting the miserable response the church has made to this terrible injustice." As would be expected, the Union Theological Seminary is also supporting the reparations demands. The United Presbyterian Church flew Comrade Forman to its convention and applauded his speech, and top leaders of the National Council of Churches also expressed an appreciative tolerance.

"We're not begging," Communist Forman told the N.C.C.'s 250-member board, "we have a right to demand." Forman is candid about what he advocates. The *New York Times* quotes him as stating, "Whether it takes a thousand years, the economic problems of black people—and whites, too, for that matter—are not going to be solved unless there's a revolution that takes money away from the few rich whites who run this country." Since his demands have received such sympathetic backing from church leaders, Forman has upped the ante by an unspecified amount. His goal has been shifted above the $500 million mark, "to ask for a percentage of the assets from stocks, bonds, capital investment and unrelated business incomes of all the churches."

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[5] Typical of the concessions of which Rustin speaks is the recent approval by the Academic Senate of the University of California at Santa Cruz to name the seventh college of the school after Communists Malcolm X as demanded by Black militants and their supporters.

Corroboration of Rustin's thesis of whites promoting "revolution by proxy" came recently from S. I. Hayakawa in testimony before a Senate Subcommittee. Dr. Hayakawa accused rich white radicals of recruiting black militants on American campuses to be "cannon fodder in a revolution." He told the Senators: "To use a phrase I detest, but which in this instance is all too descriptive, white revolutionaries, by their largesse, are making 'house niggers' of their black allies."

"And when the crackdown on revolutionary activities comes," he said, "it will be the black who will go to prison, not the whites who fed them, taught them their Marxism and egged them on." Hayakawa contends "that many of today's black militants are being pushed into revolution by white revolutionaries, including wealthy people from outside the college community.

The acting president of San Francisco State told the committee that black militant rhetoric stems from Communist classics dating back a half century or more: "But whites are doing much more than giving them words to recite and arguments to use. . . . They help blacks with money, food, jobs and transportation. Blacks in trouble with the police at San Francisco State are usualy bailed out promptly and given expert legal help. By these means blacks are recruited to be cannon fodder in a revolution planned by whites."

[6] Not all of the Black Studies curricula are academic. Federal City College in Washington, D.C., offers a course in physical development to "strengthen the body and discipline the mind," including akikdo, karate, and the African hunt and dance.

XUM

Comrade Forman's parent I.F.C.O. group is naturally a tax-exempt organization which, according to the *Chicago Tribune*, has distributed $885,831 since its founding 2.5 years ago—eighty-three percent of which went to groups involved in militant or disruptive activities.[7]

James Forman, you will remember, is the Minister of Foreign Affairs of the Black Panthers, a paramilitary Communist organization. Panthers are required to carry their "little Red book," *Quotations From Chairman Mao Tse-tung*, with them at all times. Like the New Left, the Panther movement is growing rapidly. Assistant F.B.I. Director William C. Sullivan recently reported that less than a year ago the Panthers claimed 125 members, all in Oakland, California. Today, they are operating in twenty-four cities with more than sixty thousand sympathizers. Their publication, *The Black Panther* (whose specialty is advocating mass assassination of police), has doubled its circulation in just a few months and now boasts forty thousand subscribers from coast to coast.

True, the Panthers are having *some* trouble. For example, twenty-one Panthers have been indicted on charges of conspiracy to murder, arson, and weapons violations stemming from their plot to set off bombs in the New York department stores of Macy's, Bloomingdale's, E. J. Korvette, Alexander's, and Abercrombie & Fitch. The bombs were to have been detonated at the height of the Easter shopping rush. In addition, the Panthers planned to dynamite the tracks of the New Haven branch of the Penn Central Railroad at six points, and to bomb the Morrisania Police Station in the Bronx as a diversionary action. As New York Supreme Court Justice Charles Marks put it: "The crime here, if carried out, could have resulted in the deaths of hundreds, even thousands." It almost *was* carried out. Police who had infiltrated the Panthers foiled the operation but *one* day before it was set to be triggered.

The Republic of New Africa is another organization very similar to the Black Panthers. The principle object of R.N.A. is the establishment of a Negro Soviet Republic in the South—a Communist Party project which dates back to at least 1928.[8] The demands of R.N.A. are simple. All it wants is the states of Louisiana, Mississippi, Alabama, Georgia and South Carolina, plus $400 billion in reparations. Remember that R.N.A. founder Milton Henry is part of Forman's group seeking reparations from the churches.

The R.N.A. is only a little over a year old and its membership is limited, but the Communist line behind it has many adherents. Robert M. Hutchins, Director of the Center for the Study of Democratic Institutions in Santa Barbara, says ghettologists estimate that about thirty percent of the Negro slum-dwellers are now advocates of such black separatism. According to Robert Sherrill, writing on R.N.A. in *Esquire* for January 1969, this "comes to a millon or so Negroes eager to make the break and who are—according to the timetable of New Africa's politicians-in-exile—ready right now to get things started with guns."

According to Sherrill, Comrade Milton Henry's strategy seeks to establish the Republic of New Africa in these steps:

"(1) Arm the black communities of the North and West, and if whitey tries anything rough, blast hell out of him. . . . (2) Ship about a million well-armed blacks into Mississippi, take over all of the sheriffs' jobs through the ballot box, seize the government, and then move on to Alabama and repeat the process; the next three Southern states would be seized in no special order, but it would be done in the same way, by shipping in armed blacks who would first try to grab the government by voting and, if that didn't work, by guerrilla warfare."

According to Milton Henry, the shift of black Comrades to Mississippi has already begun. He states:

"We have bought a hundred acres in Mississippi. That isn't much land but it is sufficient for a base headquarters. Like the Jews moving into Israel we will start to organize along the lines of cooperative and collective farms. You have to be able to feed your people. But the collective farm does more than just provide food. It's a center where people can get together, can politic themselves and can protect themselves."

You will recall that $200 million of the money Communist James Forman hopes to blackmail from the churches is earmarked for buying property for collective farms in the South. You will also recall that Communist Milton Henry is a charter member of Forman's extortion gang. In fact, he may really be the head of it. Are the pieces starting to fit?

They *should* be!

According to Henry:

"The reason we are setting up a Black Legion [R.N.A.'s army] is so we will get our votes counted. If you bring in enough voters to take over a county, that gives you a sheriff. If you are wise in selecting your county—particularly in the Mississippi delta—you will have a large number of blacks to build with. Then we will have a legitimate military force, legitimate under U.S. law, made up of people who can be deputized and armed. The influence we will then exercise over the whole area of Mississippi will immediately be disproportionate to the numbers under our command. If we had only four sheriffs down there, with all that can be done with deputizing, we could change the state of Mississippi."

The R.N.A. is convinced that with the U.S. Army tied down in Vietnam or elsewhere, and the threat of major guerrilla warfare in all major cities, the government will negotiate. Says Henry:

"We've got second-strike power now in our guerrillas within the metropolitan areas—black men, armed. Say we started taking over Mississippi—which we are capable of doing right now—and the United States started to interfere. Well, our guerrillas all over the country would strike. Our second-strike capability would be to prevent the United States Armed Forces from working us over, not the local forces. The local forces couldn't compete with our forces. . . . They [the U.S. government] can't win in Vietnam and they can't win in the United States. We can fight from within. How are they going to get us out of here? Where would they make the guns to shoot us—in the United States? Do you think we are just going to let them keep on making guns? How will they transport their guns and soldiers—on railroad trains? The United States can be destroyed [by sabotage and guerrilla warfare]."

What happens to the industries and farms of the South? Henry replies:

"We keep them. We take them and we keep them. The United States would pay reparations. . . ."

Author Robert Sherrill asked a number of white Southerners whether they would stay if R.N.A. took over. A typical reply came from former Mississippi Governor Paul Johnson, who said: "I would stay. I surely would. For one thing, I own a great deal of property here. It's not hard to make a real fine living for your family and loved ones." With all due respect, former Governor Johnson doesn't quite get the picture.

And, alas, that's just the problem. Americans *don't* get the picture. On Easter weekend, revolutionaries marched fifty-thousand strong in the streets of New York City to support the Communist Vietcong; our politicians are already preparing to turn Vietnam over to the Communists; Communist-led riots in our streets and colleges have become commonplace; inflation is eating up the American dollar; the socialist dole has reached an all-time high; judicial permissiveness has tied the hands of our police as crime explodes all over America; smut, revolution, and pornography are pushed at our children from every conceivable source; Communist sabotage and violence are sweeping the country.

What is happening is that the Communists are moving in on America—and doing it fast. It's time we *all* "got the picture." When we do, we will stop them and stop them cold. Until we do, however, the *Scoreboard* figure for the United States is going to continue to be frighteningly high.

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[7] The *Chicago Tribune* lists the following organizations as financing I.F.C.O., which in turn is presenting the demands of the Black Communists to American churches: American Baptist Home Missions Society; Board of Homeland Ministries of the Church of Christ; Board of Missions of the Methodist Church; Board of National Missions of the United Presbyterian Church; Executive Council of the Episcopal Church; General Board of Social Concerns of the Methodist Church; American Jewish Committee; Catholic Committee for Urban Ministry; National Catholic Conference for Interracial Justice; and Foundation for Voluntary Service.

[8] And, the line is still a part of the official Communist program. The November 1968 issue of *Political Affairs*, official theoretical journal of the Communist Party, U.S.A., carried an article credited to top Comrade Claude Lightfoot entitled "The Right of Black America to Create a Nation," identified as material discussed at the Special Convention of the Communist Party, U.S.A., held in July of 1968. As the title implies, the article supports the establishment of a Negro Soviet Republic in the American South.

GREAT LAKES AREA TRANSPORTATION PROBLEMS

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. BLATNIK. Mr. Speaker, the decline in the Great Lakes shipping fleet over the past decade is alarming leaders of business and industry in the States bordering the lakes. Mr. John J. Dwyer, executive vice president of Oglebay Norton Co. of Cleveland, now points out that both lake steamship and railroads in the Great Lakes region are in serious trouble. In brief, not enough new investment is going into either rail or lake transportation to keep up with the economic growth of the region. A new program of business cooperation and improved coordination between railroads and lake vessels is badly needed if investment in new ships and additional rail equipment is to be unblocked. In a recent address to the Toledo Chamber of Commerce, Mr. Dwyer offered some thoughtful suggestions on how this might be accomplished. Following is the complete text of Mr. Dwyer's remarks:

TRANSPORT EFFICIENCY AND OUR LAGGING REGIONAL ECONOMY

In the traditional spirit of business optimism in a time of affluence and prosperity when we are worrying about too much demand, I should be talking to you this afternoon about the onward and upward trend of the general economy. If the gross national product continues to increase at its present rate of about 4 per cent a year, we will be turning out double the amount of goods and services in 15 years than we are today.

We read these figures and we look at our order books and the fantastic capacity of the American economy to absorb goods and services and we relax. It's all coming our way—all we have to do is keep on doing what we're doing and the flood tide of expansion will continue.

I am here today to say to you that in the Great Lakes Region there are signs of a perceptable, but apparently inexorable, trend that is beginning to worry some of us. The plain fact is that other parts of the country are growing faster than we are. The rate of growth of the states bordering the Great Lakes is slowing down. We are losing out in the fierce competition for the location of new industry and the expansion of old. We are losing out mainly to the South, the Gulf Region, the Southwest and the West Coast.

One important measure of growth is the trend in personal income. The U.S. Department of Commerce periodically analyzes regional changes in personal income. The latest analysis published in April of this year shows the Great Lakes Region lagging slightly behind the national rate and substantially behind gains registered for the Southwest, Far West and Southeast.

The article in the Department's "Survey of Current Business" commented: "The Great Lakes region, which had been classified as either trendless or as having a slightly declining trend on the basis of developments during the 1930's and 1940's, evidenced a persistent and significant downtrend during the 1950's. In retrospect, it appears that the increased demands that the Great Lakes economy received as a result of World War II and the subsequent durable goods boom provided a powerful but short-term boost to the region. This was only partially repeated (and to a significantly lesser extent) during the 1960's, under similar circumstances of increased war production and another durable goods boom."

Another indicator is the growth in human resources. Whereas the U.S. as a whole showed an increase of 8.1 per cent in population 1965 over 1960, according to the Bureau of Census, the Great Lakes Region increased 5.5 per cent. A census projection shows our region increasing 4.3 per cent between 1965 and 1970 compared to a 6.5 per cent increase for the nation as a whole. The projection runs out to 1985 and shows our regional increase to be consistently less than the national average.

Through 1966, our region also lags the U.S. average in expenditures for new plant and equipment. An index of Bureau of Census figure using 1952 as a base year, shows expenditures for new plant and equipment in 1966 at 254 per cent of the 1952 level for the U.S. as a whole and 239 per cent for the Great Lakes Region.

The Great Lakes Region is justly proud to be the nation's industrial heartland. In value added by manufacture the Great Lakes states account for almost as much of the total value added by manufacture as all the other regions put together, again according to the Bureau of Census. But there is a disturbing trend. In the *non* Great Lakes states, the value added by manufacture in 1966 amounted to $129 billion dollars, up 400 per cent since 1947. For the Great Lakes states, the comparable figure was $122 billion, an increase of 289 per cent since 1947. Over the same period, California increased its value added by manufacture 534 per cent. At the end of 1947, our region accounted for 57 per cent of the total for the nation; by 1966 that percentage had fallen to 49.

Is the Great Lakes Region maintaining its competitive position versus other regions of this country? And, also, I should add, versus other countries in the struggle for world markets? Will current trends accelerate? What chances are there for a reversal of unfavorable trends and what do we need to do about them?

I do not propose to answer all these questions, here, but I hope others will consider them as we are doing in my company. Our region has great advantages. Not least is a skilled and work-minded labor force. We are close to rich supplies of raw materials and close to the largest markets in the nation. We have the management know-how to out-produce and out-compete other regions of the nation. All the means to hold and improve our competitive advantage seem to be available to us, provided we use those advantages expertly and efficiently.

But there is one important aspect of the economy which is in serious trouble—the lowest cost modes of transportation, lake vessel and railroad. I suggest that in the employment of rail and water transportation major inefficiencies are developing. For a region committed to heavy industry, which requires, if it is to maintain its competitive edge, the lowest possible cost transport for large volumes of raw materials and heavy volumes of semifinished products, trouble among the low cost modes of transportation is indeed bad news for the region. Some idea of the importance of transportation to the competitive efficiency of the region may be obtained from the fact that 10 cents of every dollar of gross national product goes into the cost of transporting freight. And for low value commodities such as coal, freight costs may go as high as 40 cents on the dollar. What is the problem? First, investment is not going into either lake or rail transportation in sufficient volume to keep up with the growth of the region. And second, rail and water coordination of service, which traditionally contributed so much to the growth of the region, is being abandoned. As a result our region is failing to make use of the most efficient organization of its transport resources. A major change in this crucial area of the regional economy could well make for more efficient use of existing resources and, at the same time, unblock the way for much-needed investment in transportation and thus repair the weakest part of the region's economy.

Our company operates a fleet of lake ships but we are also, for other segments of our business, heavy users of rail transportation. For example, Oglebay Norton loaded 176,527 rail cars with 12,000,000 tons of traffic last year. A rail industry in trouble is of great concern to us because railroads are essential to the competitive marketing of the commodities we manufacture and mine. It is of no comfort to us to hear that the railroads in our territory are falling far behind the needs of the region in new investment in cars and facilities. For heavy industry, which both rail and water serve, this lag is critical. Lake transportation can't expect to be healthy, if industry finds rail freight cars unavailable and turns to more expensive means of transportation, adversely affecting its costs and therefore its ability to compete in domestic and foreign markets.

It is disturbing to hear Mr. Stuart Saunders, Chairman of the Penn Central, say of his new investment needs, as he did before the Railroad Progress Institute recently, and I quote: "We are not spending nearly enough. We ought to be spending 50 per cent or 75 per cent more than we are now. And I think that is true of every railroad in this country. The reason we are doing so is because we do not have the resources to do it with. Our rate of return is so poor, our financing possibilities so meager because of the low rate of return, and this applies generally to the railroad industry, we are not able to acquire the equipment we should. And furthermore, we are not able to carry on the research that is necessary to develop new types of equipment because our earnings are not average."

That's bad news for the Great Lakes Region.

It does not please us to hear William B. Johnson, President of the Illinois Central Industries, testify in recent ICC hearings, and I quote: "It is thus clear that many of our investment dollars have been made to maintain present service and that we have been unable to make the added investment that is necessary to keep pace with the industrial growth of the region."

That's bad news for the region.

We do not like to read that the C&O–B&O suffers from an "inability to replace or modernize equipment facilities" and that even such a relatively prosperous line as the N&W has been "forced to postpone investment needs in covered hopper and coiled steel cars."

That's bad news for the region.

Incidentally, our company testified in support of the C&O–B&O merger in the belief that adequate investment resources would be made available.

If one were to stand back and look at all the competitive advantages of one region over another in this country—climate, access to market, skilled workers, capital resources, raw materials, transportation—the single advantage that would or should jump out at you about the Great Lakes Region is the simple fact of the broad water highways of the lakes themselves. To say that lake transportation is as cheap as pipeline transportation is really to understate the advantages of the lake vessel. It has been customary to talk about lake transportation as a system which can deliver freight at 2/10ths of a cent per ton-mile, about the same as the charges for pipeline transport. This should also be compared with the lowest cost land transportation—by rail—of half a cent a ton-mile. I am talking here of the most efficient "unit train" service. Under the "unit train" concept, the train is in almost continuous movement stopping only four hours to load and four hours to unload. According to a Department of Transportation study, cars under the "unit train" system move 75 per cent of the time compared with 10 per cent of the time for ordinary rail movements which have an average rate per ton-mile of 1.3 cents. A 100-car train moving 75 per cent of the time over 2 to 3 hundred miles will deliver in a 12-month year about 1,000.000 tons of coal at half a cent a ton-mile.

Mile-for-mile, a modern 20,000-ton capacity lake vessel is more efficient. It will deliver 2,000,000 tons over similar distances in a nine-month season for less than half the rate of the most efficient rail service.

That's the economic advantage of the floated ton in the most modern vessel currently in operation. However, no new vessels have been built since 1959 and in the intervening decade much has happened. Ten years ago the Sault St. Marie locks limited the size and therefore the capacity of lake vessels to about 27,000 tons. Today, the new Poe locks permit vessels with a carrying capacity of 40,000 to 50,000 tons. The most efficient self-unloader today puts 3,000 tons of coal an hour on the shore. New equipment now under design could put 10,000 to 15,000 tons an hour on the shore, shortening vessel time in port from 8 to 12 hours to about four hours, greatly improving turn-around time and vessel capacity. Automated engine rooms, better designed hulls, and many other refinements would, on a new Great Lakes self-unloader built today, make possible a piece of floating machinery at least twice as efficient as the ones now operating.

But you will be astonished to hear that, despite a willingness on the part of managements throughout the Great Lakes Region to invest in new ships, no new ships are being built other than one for U.S. Steel and one for Bethlehem Steel, both of which are intended for private use. Unless we change some of our current transportation policies, they cannot and will not be built.

We must join efforts to maximize the use of the region's transport resources by connecting the most efficient rail service with the most efficient water service. The ready availability of coal, ore and limestone at very low cost has long been the region's principal competitive advantage. A program of enlightened cooperation, rather than conflict, between rail and water would seem to be most in the region's interests.

Despite all the potential for improved efficiency of the Great Lakes steamship, the fact is that lake transportation is declining as a factor in the regional economy. Admiral James A. Hirshfield, president of the Lake Carriers' Association, recently testified that while in 1953 there were 403 American-flag bulk cargo ships with a lift capacity of 3.5 million tons, in the current season, there are only 228 vessels with a total carrying capacity of 2.7 million tons. The reduction in number of vessels is 43 per cent and in carrying capacity 23 per cent.

This is bad news for the region.

But this is only part of the story. The fact is that, unless present regulatory policies are changed, as I believe they are certain to be if we all work together to change them, the self-unloader fleet, almost certainly the most efficient dry-bulk transport system ever devised, is in danger of being phased out of existence by the mid-1970's.

That would be bad news for the region.

The reason for this situation is older than civilization. Everyone is taking the short term view. The railroads, the coal companies, the steel companies, the auto manufacturers, the electric utilities—all without exception are failing to see the advantage that can be achieved in the long run if we work together in accordance with sensible economic principles for the advantage of the region. As a result, our livelihood is beginning to drift away from us—not significantly yet, but still perceptibly.

What is the answer? I can tell you what it is in the transportation field. And I don't have to spell it out for Toledo or any other Great Lakes port which continually suffers from rail rate discrimination.

We simply have to make a permanent breakthrough *now* on improving rail and water coordination at the lake ports both for domestic commerce and international commerce, and achieve new and sounder standards for rail and water competition and cooperation.

Let's not criticize past actions of the railroads. But I do think we have a new situation, new pressures and new opportunities which call for new policies and new methods of attack.

First, we have the beginning of an undeniable drift of industry away from the region. Second, the railroads themselves say that they cannot afford to make the investment in transport equipment that is necessary to maintain the growth of the region.

The crucial new principle to be established is that competitive success should depend on superiority in economic performance, not in the abuse of economic power. An example of such abuse is the refusal of railroads to provide their most efficient service to lake ports with the purpose of excluding lake carriers from participation in the market.

If a fair principle is established we can use the facilities we have to the best advantage and the capital resources at our command to re-establish the region's competitive edge. If it is not, an important asset of the region will remain unused and further slippage of our livelihood will occur.

As one major effort in this direction, the Lake Carriers' Association has launched a landmark case before the Interstate Commerce Commission to require railroads to provide a parity of service, distance considered, from Southeastern Ohio coal mines to Toledo, Sandusky, Lorain and Ashtabula as they provide for their all-rail service.

Cost study after cost study has demonstrated that the most efficient use of transport resources is achieved when there is a combination of the most efficient rail and the most efficient water services. We need not go into detail here about the rail rate structure which prefers Atlantic ports to Great Lakes ports on foreign commerce, and adds to our costs of competing for foreign markets. This is a well-known problem. Less well-known is the problem our company and others have recently been facing in attempting to persuade the railroads to give "unit train" service on coal to the Great Lakes ports for transhipment to U.S. destinations. The railroads regularly provide such service for Canadian destinations. Our problem is simple. A rate of $2.15 a ton from the coal mines of southeastern Ohio is charged for a 355 miles all-rail haul to Detroit. A higher charge of $2.635 per ton is made for a much shorter haul, the 191 mile haul to Ashtabula. No matter how efficient the lake vessel is, there is obviously no way it can share in this traffic, despite the fact that the rail plus lake service is more efficient—that is, lower in overall cost—than the all-rail service. By maintaining an artifically high rate to the port, the rail-lake route is squeezed out of the picture.

The lake vessel industry is dependent on reasonably priced railroad service to the lake ports to perform its essential function. Manipulation of rates to the ports which forecloses any opportunity for the lake fleets to participate in the traffic regardless of efficiency removes both the lake industry and the prod of competition of water transportation to the railroads. Without the prod of competition, rail rates inevitably will drift upward. The more they are allowed to increase, the less competitive the region becomes with regions where effective barge or ocean vessel competition exists.

The facts are now too well established for this issue to be ignored. Toledo, which in 1968 shipped 19,239,086 tons of coal out of total Lake Erie shipments of 27,995,163 tons, has the most to lose if rail-lake coordination falls apart. Toledo-Lucas County Port Authority and all the Great Lake ports are active in our support in the Lake Carriers' Association case. But we must have clear understanding of the problem among the business community in the Great Lakes Region. Our company and other companies are today prepared to begin the construction of even more efficient Great Lakes vessels than now exist which could make an even greater contribution to the improvement of the efficiency of production of the region than is possible today. But, as a detailed study by the well-known accounting firm of Ernst & Ernst recently demonstrated, any investment in new Great Lakes vessels would be foolish unless the principle of parity of rates, distance considered, by railroads to Great Lake ports is clearly and permanently established.

On the one hand the railroads complain that they lack resources to provide the service the region needs. Except where they feel the competition of water transportation, they are embarking on a program of rate increases which adversely affect the competitive position of the region. On the other hand, the steamship interests would willingly invest tens of millions of dollars in new steamships using the most advanced and efficient technology to carry essential freight at less than half the lowest rail charge, a service which would materially improve the competitive position of the Great Lakes industries.

I come back to my basic theme. All of us need to take the long view of the best interests of the region. We need better cooperation between rail and lake interests from the standpoint of the enlightened self-interest of each as well as the region as a whole.

I think that rail-water cooperation could readily be produced, if organizations such as yours and individual corporations with a major long-term stake in the prosperity and growth of the region could appreciate, as our grandfathers did, that the number one asset of this region is the low cost water highway of the Great Lakes.

It may well be that a new determination by the ICC to enforce present laws requiring rail and water coordination is the remedy needed. It may be that new legislation must be developed.

In our country, however, by far the most effective channel for getting things done has always been voluntary action by business groups which are concerned with the long range interests of the public. In the water carrier industry, we are dedicated to finding new ways to cooperate with railroads, but it takes two to make cooperation work. I am confident that those interested in maintaining sound growth of the Great Lakes Region can make meaningful progress on this vital issue of using the region's transport resources in the most efficient manner possible. Perhaps the best way to get this launched would be to have a special fact-finding Commission of business leaders appointed by the Governors of the Great Lakes states with an urgent charge to make early recommendations or perhaps special hearings by the Great Lakes congressional delegation would bring out both the facts and the needed remedies. Solving this problem will, I am sure, go a long way to revising the lag that is beginning to show up in the region's growth.

MANPOWER REQUIREMENTS FOR NATIONAL OBJECTIVES IN THE 1970'S

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, it is no longer enough to think of manpower programs and policies solely in terms of the Nation's current public and private employment needs. The scope of our social problems, the rapid pace of technological change, and the pressure to set national priorities for the years ahead compel us to take a broader view of our manpower resources and requirements. However rudimentary the effort may be, it is becoming increasingly important to make projections of our manpower needs for as much as a decade ahead and more.

The National Planning Association has made one of the more ambitious attempts to pull together and analyze the information involved in such projections. Leonard Lecht, a staff member of the association's center for priority analysis and author of several previous books on manpower policy, has recently written "Manpower Requirements for National Objectives in the 1970's."

Recognizing that the successful implementation of each of our national goals will require not only money but also employees skilled in specialized occupations, Lecht has attempted to relate the series of goals listed by President Eisenhower's Commission on National Goals to the civilian labor force necessary to carry out those goals.

Both the size and quality of the labor force needed for such a monumental task point up once again that we must move from a hodgepodge of categorical programs to a comprehensive manpower policy and that we must develop manpower training programs designed to meet the needs of tomorrow as well as of today. As the various public and private agencies involved in formulating our national goals set forth their priorities, it will then be necessary to adjust our manpower resources accordingly. Whatever the priorities turn out to be, it is difficult to see how they will be achieved, unless we develop the skilled manpower without which those goals cannot be achieved. A sustained manpower development and training effort of this magnitude will require an approach such as the one recommended in my "Comprehensive Manpower Act of 1969," H.R. 10908.

I would like to introduce into the RECORD at this point the chapter in which Mr. Lecht spells out some of our basic goals and indicates the manpower resources needed to implement them successfully.

The chapter follows:

MANPOWER NEEDS FOR NATIONAL GOALS IN THE 1970's

(By Leonard Abe Lecht)

GOALS ANALYSIS AND MANPOWER NEEDS: A SUMMARY VIEW

The nation's goals can significantly affect manpower requirements and employment opportunities. The impact of Medicare and Medicaid in enlarging needs in the health occupations or the role of the space program, in the early 1960's, in increasing the demand for engineers, and scientists, offer recent, and sometimes striking, illustrations. Similarly, pursuit of national objectives, as in education or manpower training, can add to the supply of manpower in a variety of occupations and skill levels. The activities we undertake to make progress toward achieving our society's goals, accordingly, can be expected to constitute an important influence in the coming decade in determining the volume of employment, the occupational composition of employment, and the prospects for bottlenecks or surpluses in specific occupational fields.

Many organizations and many agencies are concerned with the nation's future manpower needs. The U.S. Department of Labor, for example, publishes projections indicating the probable level of employment in a number of occupations in the next ten years.[1] The U.S. Office of Education prepares estimates of requirements for teachers in the coming decade, and the National Science Foundation has published similar projections for scientists, engineers, and technicians.[2] These estimates represent expected manpower needs to meet coming production requirements, or growth in school enrollments, or the anticipated increases in spending for research and development by universities, industry, and government.

This report is also concerned with projections of future manpower requirements, but it analyzes them from a different standpoint than that of other organizations and agencies—namely, from the perspective of the manpower needed for the achievement, by 1975, of an illustrative set of national goals designed to provide over-all improvement in the pattern of American life. The findings are based on a study conducted by the National Planning Association's Center for Priority Analysis and undertaken for the Manpower Research Office of the Manpower Administration of the U.S. Department of Labor. Implicit in the study is the recognition that manpower bottlenecks in critical occupations can constitute as serious a barrier in achieving goals as insufficient funds.

Concern with the nation's goals, as with manpower needs, is, of course, nothing new. What is new is the degree of concern with our society's purposes, with the quality of life, and with narrowing the differentials in opportunities for fulfillment available to individuals in the United States. This concern is evident in the quadrupling (in current dollars) of federal expenditures for skill development and social welfare in the 1955–67 period,[3] in the establishment of a cabinet-level Department of Housing and Urban Development, and in the decisions of private groups, as in Detroit, to sponsor programs for rebuilding and revitalizing their strife-torn cities. The same interest is present in the past administration's choice of terms such as "The Great Society" to describe its long-range domestic goals, and in the work of a host of voluntary organizations that educate, lobby, and publicize for better education, for measures to cope more effectively with poverty, for programs in mental health, for the preservation of our parks and wilderness areas, and for a variety of other purposes.

The activities described as the pursuit of national goals typically represent activities we select piecemeal as pragmatic responses to specific individual and national problems, activities we sometimes blunder into, rather than constituting programs consciously selected because they contribute to our society's goals. Home builders, developers of industrial parks, or local mass-transit authorities, to cite examples, seldom view what they are doing as part of a massive aggregate of expenditures and resource commitments concerned with the nation's urban development objectives. All told, the private and public outlays that contribute to urban development were probably larger than the expenditures for national defense in the years before the increase in defense spending caused by the war in Vietnam. In 1962, the most recent year for which comprehensive information is available, the total spending for urban facilities in the United States was nearly $68 billion (in 1964 dollars) or about 25 per cent larger than expenditures for national defense, which amounted to almost $54 billion (see chapter 2, Table 2–2). However, this total included a mass of individual details that were frequently unrelated to an over-all concept of metropolitan area needs and the means for serving them. The net result of these expenditures, in a number of instances, has been to make the city less hospitable to human habitation by adding to congested traffic, to patterns of residential segregation, or to polluted air. In the absence of a framework of information about the costs, benefits, manpower needs, and side effects of individual programs, which relates them to the over-all objectives they may further or frustrate, the choices implemented often create unanticipated problems that cancel out the anticipated benefits, or they reflect the options of narrowly based pressure groups and special interests.

Where and how we assign priorities in a democracy is determined by the decisions of firms, trade unions, and consumers, and by legislation enacted at all levels of government, rather than by experts. Goals research attempts to contribute to these decisions by increasing the information available for making choices. In this regard, goals analysis can indicate the probable dollar costs and resource requirements for particular goals, and whether our output is likely to be adequate for our aspirations. Research can demonstrate where rapid expansion in the pursuit of different goals in the same period of time is likely to create serious competition for the same manpower and material resources. Education and research and development are instances. Goals analysis can also highlight the areas where greater progress toward the achievement of some objectives such as transportation and health, can add, over time, to the resources available for other purposes by eliminating costly bottlenecks or by increasing the productivity of the labor force.

This kind of research becomes increasingly pertinent as the successful blending of fiscal, monetary, and manpower policies gives evidence of a significant breakthrough in the nation's ability to realize full production and full employment on a continuing basis. With these advances, our society has become more concerned with utilizing the enlarged potentials created by the economy's growth in resources for the pursuit of specific social and economic goals directed at furthering individual well-being and meeting national needs. It has also come to be generally recognized that public programs and private activities aimed at narrowing the gap between our achievements and our aspirations in health and education, in modernizing and expanding our industrial plant, in research and development, and in other areas can contribute substantially to over-all economic and employment growth.

In 1960, the President's Commission on National Goals issued a report listing a series of goals in fifteen areas affecting most aspects of American life.[4] The commission's report was significant in that a group of outstanding leaders from different walks of life reflected in it a growing concern with the nation's objectives and recognized the importance of a critical examination of our goals. The list was increased to sixteen with the addition of space exploration after the late President Kennedy proposed, in 1961, that it become a national objective "to put men on the moon and bring them back."

The NPA, recognizing the need for providing information about national goals and their interrelationships, established the Center for Priority Analyses in 1962. Later, standards for achieving goals in each of the sixteen areas were formulated by the NPA from special studies, recommendations of bodies such as the National Academy of Sciences, legislative hearings legislation, and national policy. The standards for the goals reflect current developments and current opinion in these areas and, separately, they represent levels of achievement regarded as reasonable and within reach on the basis of present knowledge and within a free enterprise system.

The sixteen areas of concern defined as goals include virtually all sectors of the private and public economy, and they account for almost all of the national production. They offer a framework, therefore, for relating the use of the nation's resources to its aspirations. As the initial step in developing this framework, the NPA's Center for Priority Analysis undertook a two-year study of the dollar cost of achieving all sixteen goals in the 1970's.[5] These dollar estimates provide the point of departure for the projections of manpower requirements in this report.

The areas for which goals have been defined and "priced out" are as follows:

1. Agriculture. 2. Area redevelopment. 3. Consumer expenditures. 4. Education. 5. Health. 6. Housing. 7. International aid. 8. Manpower retraining. 9. National defense. 10. Natural resources. 11. Private plant and equipment. 12. Research and development. 13. Social welfare. 14. Space. 15. Transportation. 16. Urban development.

Some of the goals such as consumer expenditures or housing, are concerned with individual well-being. Others—education is

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an instance—involve the well-being of individuals, and they also affect the economy's potential for growth in productivity and output. Several of the goals are directed at removing the adverse effects of economic change on groups of individuals. Area redevelopment and manpower retraining are illustrations. Others—for example, the private plant and equipment goal—make their contribution by increasing the productive capacity available to provide the additional output needed to achieve the other goals.

In many areas, the role of public authority is minimal; for example, consumers determine the manner in which they spend their income. In others, public authority alone determines the standard and makes decisions controlling expenditures; national defense is an example. In still others, the federal government uses its resources to encourage private firms and municipalities to undertake more adequate programs; rebuilding the blighted areas of the central cities—urban development—is often such an instance.

Most of the activities for pursuing national objectives involve expenditures in the private or the state and local government sectors of the economy. Nonetheless, they presuppose the combined use of the federal government's fiscal, manpower, and monetary policies as a means of translating the economy's potential output into a larger volume of disposable resources so as to realize social and economic goals more effectively. If the nation were to accord a high priority to rebuilding urban facilities, both as a social goal and in order to sustain economic growth in the next decade, shortages of skilled manpower in strategic building trades could create bottlenecks that would frustrate the effects of enlarging public and private expenditures. Similarly, the absence of policies assuring a sufficient supply of long-term credit at reasonably low interest rates could negate the attempts of private groups or state and local governments to use available manpower to reduce significantly the backlog of facility needs in urban areas. Training and employing the manpower required for urban development, in turn, could itself be a major factor in reducing the unemployment and poverty among nonwhites that has contributed so substantially to the decay of the inner city. Rebuilding the nation's cities, as indicated in the projections for the urban-development goal, could create an estimated 1 million jobs for nonwhites in the coming decade (see chapter 4).

The estimates of dollar costs and manpower requirements for the aspiration goals have been derived from the quantitative relationships their achievement would require. The improvements considered in the education goal, to cite an instance, have taken into account such factors as the ratio of teachers and related professionals to students, increases in the compensation of faculty, and the additional classroom, laboratory, and dormitory space needed to accommodate the larger percentage of the school-attending age groups who are expected to be in school. The standard for the housing goal includes the cost of rehabilitating or replacing the substandard housing units, estimated at 6 per cent of the total, that are expected to remain in the housing inventory in the mid-1970's. The dollar-cost projections for the specific goals are listed in chapter 2 (see Table 2–2). A summary of the standards for the sixteen goals can be found in Appendix C.

In the budgets of governments and private organizations, requirements for attaining future objectives are usually stated in terms of dollars, and dollars serve as the common denominator for adding up and comparing the manpower and capital needs involved in the alternative courses of action available for pursuing objectives. Similarly, the estimates of dollar costs for the aspiration goals provide a useful first step in determining the claims on resources involved in the achievement of different national objectives. However, dollars and the GNP represent an incomplete and sometimes misleading picture of the bottlenecks and feedback effects likely to arise from pursuing goals that frequently require different kinds of resources drawn from many segments of both the public and the private economy.

The limiting factor in attaining a goal such as health is very likely to be an insufficiency of doctors, scientists, nurses, laboratory technicians, and other trained personnel. Moreover, the kinds of manpower problems that must be considered depend on the particular program involved. Thus, $1 billion spent for the space program entails radically different manpower requirements and, consequently, education and training needs, than the same amount spent to eliminate slums. This implies that we must also consider time as an important factor since it typically takes between five and ten years before plans for significantly increasing the nation's supply of scientists, teachers, or physicians can be translated into additional facilities in higher education and into larger enrollments and more degrees awarded in these fields. On the other hand, goals whose manpower requirements consist largely of semiskilled factory operatives or service workers will usually require training courses of considerably less than a year's duration.

The techniques used in arriving at the manpower projections consist basically of translating the dollar-cost estimates for the aspiration goals into expenditures for the output of the industries that contribute to their pursuit (see Appendix A). The relationship between output and employment in each of these industries in the early 1960's, together with the anticipated changes in productivity, supply a basis for estimating the total employment in the different industries in the mid-1970's needed to produce the output each would contribute to the various goals. The employment levels estimated in this way have been distributed, by industry, into approximately eighty detailed occupations, with additional estimates of the distribution of employment by race and sex in each occupation. The occupational distributions reflect the changes in the composition of employment during the 1950–64 period. They also reflect judgments based on the available evidence concerning the probable impact of technological advances, such as the use of modern data-processing equipment, for employment in the occupations likely to be affected by these changes. The NPA's projections of the GNP, labor force, hours of work, productivity changes by industry, and similar variables have provided the economic framework for the estimates of output and employment in this report.[6]

The over-all conclusions of the study can be summarized as follows:

1. Full achievement of the sixteen goals by the mid-1970's would require an employed civilian labor force of more than 100 million—some 10 million more than are expected to be in the civilian labor force in 1975.

2. Vigorous pursuit of these objectives in the next decade, therefore, would probably be associated with an insufficiency, rather than a surplus, of manpower. The resulting manpower problems are likely to focus on upgrading through education and training, making better use of existing manpower potentials, and improving mobility, rather than concentrating on the issues posed by a high rate of unemployment and underemployment.

3. Substantial progress toward achieving the goals considered could be a major factor in creating more and better job opportunities for the country's unutilized and underutilized human resources, especially nonwhites, women, older workers, and the handicapped.

4. The kinds of jobs the economy will need in the 1970's will be significantly influenced by the nation's choice of priorities. Assigning a high priority to objectives in health or education would primarily increase the demand for white-collar workers. Emphasis on goals in urban development or transportation would largely increase the demand for blue-collar workers.

The projections of manpower requirements in this report represent the anticipated consequences for manpower utilization of attempting to attain, in the next ten years, a series of national objectives as they are currently conceived. In this sense, the estimates refer to social rather than to market demand. Yet, in a society in which priorities and expenditures often undergo marked changes in response to emerging problems and opportunities, many of the unmet social demands of the present are likely to be translated into market demands for manpower and other resources in the next five or ten years. Employment projections that attempt to take these aspirations into account can often provide a basis for anticipating future changes in job opportunities and manpower needs, which would be lacking in extrapolations reflecting the nation's current priorities and expenditure patterns.

The assumed GNP, labor force, or productivity estimates that provide the economic framework for the projections are "best guesses" as to how the forces that have shaped the economy in the past decade are likely to change in the next one. The introduction of different standards that are also reasonable could result in a somewhat different structure of manpower requirements. The historical data on which the estimates are based is sometimes conflicting and often surrounded with a considerable, and partially unknown, margin of error. Yet, after allowing for these uncertainties, what the estimates fundamentally test are two hypotheses. The first is that our society faces a problem of defining its priorities in the use of manpower resources because, in the next decade, these resources are unlikely to be sufficient to achieve all goals fully. The second hypothesis is that the nation's choice of priorities, and the weight assigned to each, can make for significant differences in the occupational composition of employment and, to a lesser extent, in the total volume of employment. The findings of the study are consistent with these hypotheses.

Looking toward the next decade, it is anticipated that, with growth in GNP approximating 4.5 per cent a year between 1964–75 (in constant dollars), total civilian employment will reach a level of approximately 88 million in the mid-1970's.[7] This implies an average growth in civilian employment of 2 per cent a year over the decade. Achieving all sixteen goals is estimated to require the employment of 101 million people by 1975, or an annual increase in civilian employment averaging 3.4 per cent. In the absence of major productivity increases considerably beyond those of the recent past (see chapter 2), the measures to obtain the labor output of the equivalent of an additional 13 million people could involve such changes as a longer work week, shorter vacations, postponement of retirement, recruitment of more female heads of families into the labor force, or if these measures prove inadequate, government wage policies to encourage increases in the supply of labor and in its allocation by industry and occupation. While a small part of the deficit in manpower could be compensated for by reducing the unemployment rate to its peacetime minimum of between 3 and 4 per cent of the labor force,[8] the magnitude of the required increases in manpower make it reasonable to anticipate that achieving all goals simultaneously would entail "forced draft" pro-

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grams unlikely to be acceptable in peacetime.

It is apparent that our society possesses the resources to make substantial progress in attaining most, if not all, goals in the next decade. With advance planning to develop the manpower potentials and technology for pursuing more effectively our social and economic goals, we could reconstruct the central cities, significantly reduce, if not eliminate, poverty, and increase the availability of medical care for Americans to the degree necessary to render obsolete present statistics indicating that almost a dozen nations have lower infant mortality rates than the United States. Yet, it is unlikely that our manpower resources would be adequate to realize the targets for all goals at the same time. If this were our objective, the anticipated shortages of manpower would be paralleled by a deficit in output estimated, in 1964 dollars, at about $150 billion by 1975 (see chapter 2). Hence, the need for priorities—for choices—to determine what is to come first as a claim on our manpower and material resources.

Consideration of the barriers to realizing national objectives posed by manpower limitations also points to the need for seeking ways and means to reduce the discrepancies between aspirations and resources. Full utilization of the economy's manpower is probably the least costly step in increasing the volume of output available for whatever priorities the nation chooses in the coming decade. Even in the year 1964, to cite a recent example of a "prosperity" year before the impact of the Vietnam buildup on the economy, the unemployment rate for those in the 16–24 year ago group who were not enrolled in school was nearly 10 per cent.[9] If this rate had been reduced to 4 per cent, an additional 570,000 young people would have been at work. The output produced by the employees in this age group, largely made up of less-skilled and experienced workers, was probably smaller than the 1964 average GNP produced per worker of $8,700. Assuming that the average output of the younger workers was one-fourth less, reducing their unemployment rate to 4 per cent would have added $3.7 billion to the nation's output. Similarly, the persistence for over a decade of an unemployment rate among nonwhites double or more the white rate represents opportunities foregone for increasing the resources at the nation's disposal to expand the pursuit of our objectives as well as a source of simmering discontent in a large and rapidly growing segment of the population.

Emphasis on the gap in resources for attaining goals underscores the necessity for making choices rather than the desirability of diminishing aspirations. From this viewpoint, the task of policy and, essentially, of politics is to reconcile the claims arising from different objectives and to keep a multitude of competing claims within the constraints set by the nation's resources. Current differences of opinion concerning the weights to be assigned to these claims are apparent in the discussions of the desirability of concentrating scientific and engineering recources on landing a man on the moon by 1970 and in the widespread concern that the scope of the resources required by the military operations in Vietnam will continue to lessen significantly the resources at hand to pursue "Great Society" programs at home.

As a democratic and relatively wealthy nation, we shall very probably, in the 1970's, be pursuing all sixteen goals considered in this study. The choices in pursuing national objectives in the next decade are not as likely to concern the global manpower or dollar totals for each goal as they are to involve the consequences of a greater or a lesser priority assigned to a variety of objectives in the public and private sectors of our society. Should urban land be used for more highways and parking lots or for additional parks and other recreation areas? Should the federal government hasten the advent of the supersonic and, eventually the hypersonic transport plane by underwriting their development, or would the same expenditures and the claims on manpower they represent yield a greater return if used to expand programs for developing the nation's vast undersea resources or for perfecting an automobile powered by electricity, steam, or perhaps, by fuel cells, which would be free of the contaminants currently polluting the air? Will the world role of the United States in the coming decade require a larger proportion of the economy's resources for national defense and economic aid to the developing nations, or should a larger percentage of the nation's output be allocated to higher levels of personal consumption or to more effective elimination of the blighted areas in the central cities? Each of these choices has its particular pattern of manpower requirements.

The available choices and the manpower needs they are likely to generate suggest the need for advance planning to make possible the increases in manpower supply that are significant for realizing national objectives receiving a high priority without creating bottlenecks elsewhere in the economy. For example, according to the Task Force on Social Work Education and Manpower, to fulfill the purposes of the 1962 amendments to the Social Security Act extending family and child welfare services would require 49,000 more social workers by 1970 than were employed in these programs in the mid-1960's.[10] By contrast, employment in social work increased by an average of only 4,000 a year between 1950–60.[11] Attaining the objectives included in the urban-development goal would involve an estimated annual growth in employment for carpenters, to cite an instance, of about 7,000 a year over the next ten years. Yet, the pool of people employed as carpenters decreased by 50,000 between 1957–65.[12] Planning to enlarge opportunities for education and training and to increase efficiency in the use of our manpower resources, as these illustrations indicate, is a strategic ingredient in the programs for implementing national priorities in the next decade.

FOOTNOTES

[1] For a recent example of these projections, see Allan F. Salt, "The Need for Skilled Workers in 1975," *Monthly Labor Review*, April, 1966, pp. 365–71.

[2] See U.S., Department of Health, Education, and Welfare, Office of Education, *Projections of Educational Statistics to 1974–75* (1965); and National Science Foundation, *Scientists, Engineers, and Technicians in the 1960's* (1964).

[3] National Planning Association, Center for Economic Projections [NPA, CEP], *National Economic Projections to 1976–77* (1966), p. 18, Table III.

[4] See the American Assembly, *Goals for Americans: The Report of the President's Commission on National Goals* (Englewood, N.J.: Prentice-Hall, 1960).

[5] See Leonard A. Lecht, *The Dollar Cost of Our National Goals* (Washington, D.C.: National Planning Association, 1965); and his *Goals, Priorities, and Dollars: The Next Decade* (New York: The Free Press, 1966).

[6] See NPA, CEP, *American Industry in 1976 and 1985* (1964); *Revised Statistics of Output, Employment, and Productivity, 1947–1985* (1965); *National Economic Projections to 1974* (1964); and *National Economic Projections to 1975–76* (1965).

[7] This estimate assumes an unemployment rate of 3.9 per cent in 1975.

[8] A reduction of 1 per cent in the unemployment rate is estimated to increase civilian employment by 900,000 in the mid-1970's.

[9] *Manpower Report of the President* (1965), p. 187.

[10] U.S., Department of Health, Education, and Welfare, *Closing the Gap in Social Work Manpower: Report of the Department Task Force on Social Work Education and Manpower* (1965), p. 3.

[11] U.S., Department of Commerce, Bureau of the Census, *Census of Population, Detailed Characteristics*, PC(1) ID (1960), p. 528, Table 202. Estimate refers to social, group, and welfare workers.

[12] U.S., Department of Labor, Bureau of Labor Statistics, *Occupational Employment Statistics: Sources and Data* (1966), p. 8 (mimeo.).

WORD MERCHANTS

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. GROSS. Mr. Speaker, it would appear from the following advertisement in the New York Times that if Congress will only adopt the O'Brien-Kappel-Johnson-Nixon-Blount bill to establish a corporation to operate the postal service, never again will a letter be late; never again will a package or letter be lost or damaged; never again will deliveries be cut, and never again will postage rates go up.

If only citizens will open their purses, say the Madison Avenue word-slingers, and contribute to the Citizens Committee for Postal Reform, Inc., utopia in the form of a postal corporation will await them, and if you do not believe that write to your nearest Congressman for a copy of the O'Brien-Kappel-Johnson-Nixon-Blount bill.

Here is the Madison Avenue approach:

THIS COUPON AND A 6-CENT STAMP MAY SAVE YOU $1,000,000,000

Every year, the U.S. Post Office runs a deficit of over one billion dollars.

One billion dollars.

That's about five dollars for each and every man, woman and child in the United States.

That's one billion dollars that could be used to rebuild our cities, educate our children, lower our taxes, feed our hungry, improve our medical care, retrain and upgrade our police.

And yet, despite the billion-dollars-a-year deficit, our postal service seems to get progressively worse. Mail is late, letters and packages are lost or damaged, rates go up, deliveries are cut back.

Changes are obviously—and desperately—needed. How can we get them?

A BIPARTISAN ANSWER: TOTAL REFORM

President Nixon and Postmaster General Blount have sent to Congress legislation for total postal reform: H.R. 11750. This legislation includes proposals originally made by Lawrence F. O'Brien when he was Postmaster General. These proposals were later endorsed by the President's Commission on Postal Organization appointed by President Johnson, of which Fred Kappel, former Chairman of AT&T, was Chairman.

The objectives of HR 11750 are:

Reorganization of the Post Office Department on a self-supporting basis as a non-profit TVA-type government agency under a charter from Congress.

Dependable and efficient mail service at reasonable prices with modernization of outdated facilities.

Better working conditions and increased career opportunities for postal employees with true collective bargaining between labor and management.

HR 11750 stands for total postal reform.

Total postal reform is essential to provide better mail service, better jobs for postal employees—and lower costs for taxpayers.

HOW YOU CAN HELP

Various special interests, for one reason or another, are opposed to the O'Brien-Kappel-Johnson-Nixon-Blount proposals in HR 11750. They would keep the deficit-ridden, inefficient, antiquated postal service as it is with very little change. These opponents of efficient mail service are making a lot of noise. It is time that the tax-paying, mail-using public is heard from, too.

YOU HELP IN THESE WAYS

1. Write your congressmen in support of total postal reform: specifically HR 11750, on which hearings are now being held in the House of Representatives.

2. Fill out the coupon and join our Citizens Committee for Postal Reform.

3. Contribute to the Citizens Committee, so that we can have the funds to wage a true grass-roots campaign for a modern, dependable, reliable, economical United States Postal Service.

As a former Postmaster General and Chairman of the Democratic National Committee and as a former U.S. Senator and Chairman of the Republican National Committee, we have joined hands in a bipartisan spirit to save the mails. Will you help us—and yourself?

LAWRENCE F. O'BRIEN,
THRUSTON B. MORTON,
Cochairman, Citizens Committee for Postal Reforms, Inc.

[Coupon]

To: Citizens Committee for Postal Reform.
Post Office Box 19321
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WAITING FOR THIEU

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. BINGHAM. Mr. Speaker, the necessity for real political negotiation if the Paris talks are to succeed is admirably underlined in the following editorial from the New York Times of June 30:

WAITING FOR THIEU

The tendency in Washington and Paris to ascribe the stalemate in the Vietnam peace talks to the intransigence on the part of Hanoi and the Vietcong is a sound bargaining tactic, but not necessarily accurate. The lack of a Communist response—so far—to President Nixon's 25,000-man troop reduction and his expressed hope of withdrawing all American ground combat forces before 1971 was to be expected.

From the beginning of the Paris talks, the United States has tried to discuss troop withdrawal. The Communists have insisted that the political future of South Vietnam be settled first. In their ten-point peace plan, the Vietcong made a concrete proposal on how to do it; coalition government, both to conduct elections and to rule the country afterward. President Nixon, in his eight-point reply on May 14, agreed to discuss both issues together. But neither then, at Midway nor since has President Thieu produced the long-awaited counterproposal for a political settlement. Mr. Nixon rightly wants Saigon, rather than Washington, to advance it.

"I know," Mr. Nixon said on June 19, that President Thieu "will be making an offer of his own with regard to a political settlement." Saigon resented this needle, but until that offer is forthcoming—and unless it contains a real basis for negotiation—the other side is unlikely to open serious substantive discussions in private.

Mr. Thieu undoubtedly faces complex problems at home in attempting to devise a political proposal adventurous enough to entice the Communists into talks yet conservative enough to achieve a concensus in Saigon. But until he overcomes those problems, progress in Paris is unlikely. Mr. Thieu reportedly is contemplating a proposal for a mixed electoral commission, with Vietcong participation, to conduct elections in 1970—all of which requires amendment of the South Vietnamese constitution by an absolute two-thirds majority of Senators and Congressmen.

The White House is recruiting a panel of experts to study detailed proposals by Cyrus Vance, the former American deputy negotiator in Paris, for a standstill ceasefire.

The attraction of this proposal would be three-fold if the Communists agreed. It would halt the killing. It implies a division of power through negotiation confirmed by elections—which is more realistic than expecting either side in South Vietnam to stake its future on the outcome of a truly free election (even if such a Western concept could be applied in Asia). Finally, it indicates in advance the outcome of the political negotiation: local control by the forces on the ground—a kind of provisional partition of South Vietnam leading to a federal structure. With local autonomy leaving the Vietcong secure in regions they now control, they might settle for a minority role at the center.

President Nixon's moves to reduce American forces should encourage the Communists, as well as Saigon, to get on with peace negotiations. Unilateral American troop cuts lessen the domestic political pressure on Mr. Nixon to end the war. A Gallup poll shows 40 per cent of Americans in favor of a more-rapid pullout than the President has ordered against only 16 per cent who favor a slower rate.) Yet the withdrawals would leave American aid and logistical support for the South Vietnamese Army—and, probably, some ground combat forces in reserve. To get American troops out completely, the Communists will have to negotiate a reasonable settlement.

But those negotiations cannot begin until Saigon and Washington put their political proposals on the table. A second and more substantial American troop cutback may be needed to get Saigon to face its responsibilities.

TAX REFORM PROPOSAL ON MUNICIPAL BONDS

HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. TAFT. Mr. Speaker, one of the tax reform proposals now under consideration in the Ways and Means Committee is whether or not to change the tax-exempt status of interest paid on municipal bonds. Legislation on this same subject was introduced in the 90th Congress. At that time I stated:

> The financial plight of the State and local governments in America today is one of fiscal poverty.

We are still faced with this great need to strengthen the fiscal base at the local level. The tax reform proposal either to limit or remove the tax-exempt status of municipal bonds would hamper capital improvements and discourage local initiative and innovation. The problem of excessive use of loopholes by some taxpayers is one the Congress must face and act upon early and effectively, but this is not the way to do so.

I have received a resolution adopted by the council of the city of Cincinnati, expressing opposition to this proposal and, I submit it for insertion in the RECORD:

RESOLUTION BY COUNCIL OF CINCINNATI

Whereas, the Congress of the United States has under consideration several proposed plans which would remove entirely or limit the exempt status for Federal income tax purposes of interest paid on bonds issued by state and local governments; and

Whereas, among those suggestions under consideration by the Congress are proposals which would

(1) include interest paid on state and local bonds in the base income for a proposed minimum income tax,

(2) require allocation of deductions between taxable income and income from interest paid on state and local government bonds,

(3) include interest paid on state and local bonds among income which would have tax preference limitations,

(4) provide a guaranty subsidy in exchange for the surrender of all or part of such traditional tax exemption; and

Whereas, it has long been considered unconstitutional for the Federal government to tax a state or local government; and

Whereas, any of the foregoing plans or any other plan which would directly or indirectly tax interest paid on state or local government bonds would be an impairment of such constitutional immunity; and

Whereas, any limitation on tax exemption of interest paid on state and local government bonds would result in higher interest rates to be paid by state and local governments in their borrowing, pushing the cost of money beyond tolerable economic limits and in many cases beyond legal maximum interest rates; and

Whereas, any increase in cost of borrowing is paid directly by the taxpayers of the community borrowing or by the users of publicly owned facilities, thus shifting the burden of additional cost directly onto local property taxpayers, who would be unwilling or unable to carry such additional burdens; and

Whereas, any limitation on tax exemption of interest paid on state and local bonds would limit the market for such bonds; and

Whereas, any limitation of the market in which state and local bonds are sold would handicap state and local governments in providing funds for urgently needed public improvements; now, therefore,

Be it resolved by the Council of the City of Cincinnati, State of Ohio:

That Council by this resolution expresses its opposition to any plan by the Congress of the United States that would in any way limit the tax exempt status of interest paid on bonds issued by state or local governments.

Be it further resolved that this resolution be spread upon the minutes of Council and that the Clerk of Council send copies thereof to the President of the United States, the Senators from Ohio, Representatives from Hamilton County, and to the appropriate committees of the House of Representatives and the United States Senate.

Passed June 18, 1969.

EUGENE P. KUEBLER,
Mayor.

Attest:

R. A. MACDONALD,
Clerk.

CONGRESSMAN HOGAN TACKLES CRITICAL INDUSTRY LEGISLATION

HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. FREY. Mr. Speaker, In the June issue of Contractor News, I have read a timely article in which my good friend and colleague, the Honorable LAWRENCE J. HOGAN, of the Fifth Congressional District of Maryland, expresses his views on various issues which will confront the Congress in the months to come. Because these matters are of concern to us all, I would like to bring this message to all the Members of the House and, therefore, commend the following article to my colleagues:

U.S. CONGRESSMAN HOGAN TACKLES CRITICAL INDUSTRY LEGISLATION

Lawrence J. Hogan (R-Maryland) is one of the few United States Congressmen who can discuss construction industry problems with authority.

Before winning a seat on Capitol Hill last year, Hogan was a familiar figure in construction industry circles. His list of industry clients included the National Council of Specialty Contractors, the Washington Association of Plumbing Contractors, the Associated Builders and Contractors, Inc. and the Washington Building Congress.

Hogan, an ex-FBI agent, also found time for politics in his busy schedule. After leaving the FBI in 1958, he worked in various campaigns including John F. Kennedy's last senatorial campaign and Kennedy's pre-convention presidential drive.

Residing in a predominantly Democratic county, Hogan set out to "even up the odds" as a Republican candidate for Congress. Last year he became the first Republican in his county elected to any office in 16 years. Hogan garnered more votes than any candidate from either party had ever received—in the history of the county.

After Hogan's election, Contractor News' editor, Pete Cockshaw, called the congressman for an interview. Cockshaw, who had worked with Hogan on industry problems before his election, asked the Maryland lawmaker to speak out on critical legislative proposals that affect construction.

The Cockshaw-Hogan question-and-answer interview follows:

Congressman, what major legislation do you think will be considered by this Congress that directly affects construction?

Common situs picketing is one bill under study. There may be some activity regarding construction safety. Multi-employer certification, bi-lateral promotion, general contractor certification, retention of 14(b) in Taft-Hartley, and a bid-listing bill may receive action.

I understand that upwards of 12,000 bills are introduced each Congress. This means that only a relative handful can possibly receive serious consideration. That being the case, which of the construction industry proposals do you feel will get serious consideration?

The two to watch are situs picketing and construction industry safety. During his campaign last year, the President called for some form of safety legislation affecting the construction industry. Safety is an emotional issue. Everyone favors safety just as everyone opposes crime but we have to be careful that we don't create more problems than we solve by calling for unrealistic changes.

I plan to study the proposed safety bill recently brought to the attention of the House Education and Labor Committee by the Associated General Contractors. I understand that this bill has been endorsed by a number of management groups in the industry, including the Contracting Plasterers' and Lathers' International Association and others.

I don't think I could go along with the safety bill which some labor unions are pushing. It is vague, all punitive and it gives the Secretary of Labor too much power in my opinion. I am all for safety as everyone is. But I won't vote for a bill just because it is labeled a "safety bill." I want to make sure it is a good bill.

I hope the AGC proposal is workable. There's no question about it; we do need safer working conditions on construction jobs. It's a serious problem. I hope that we can come up with a solution in this Congress.

What about situs picketing?

Situs picketing is definitely going to be an important piece of legislation this year as it has been for eighteen years. But I don't intend to support situs picketing in any form—because the principle of situs picketing is repugnant to me. It is just not right to say that because one small trade of say, two men, walk off a multi-million-dollar project, that other workers on other aspects of the job can walk off and shut down the whole project until the dispute in question is settled.

How about multi-employer certification? Will it go anywhere this year?

Well, first, the contractors will have to agree on *something*. In the last Congress, a bill was introduced in the Senate by Senator Dominick at the request of the plasterers' Joe Baker. However, the various management groups could not get together to support the proposal and it did not even come up for hearings.

Right now the various contractor associations are floundering on this proposal. Frankly, unless there is an unanimity of expression by the overwhelming majority of contractor associations, I don't give multi-employer certification much of a chance. I am in favor of the multi-employer certification principle, but I only have one vote out of 435 in the House. And I would have to see the specific piece of legislation before I decide how to vote.

What other proposals do you think will be of major importance?

I expect to see the building trades give bi-lateral promotion a big push again. They've come quite close to getting this passed twice now. The House has agreed to it in the 89th and again in the 90th Congresses. I think the House will go along again in this Congress, but I don't know where the Senate stands.

Will you vote for bi-lateral promotion?

Not in its present form, I won't.

Then what is your feeling on this?

Frankly, I haven't made up my mind. The idea has merit, but it also has its drawbacks. Now I know that there is hardly ever any proposal that doesn't have two or more sides, but this particular one has more than two sides.

First, look at the industry itself. The building trades support the suggestion. In fact, the building trades are unanimous in their support. On the other hand, the construction contractor associations are badly divided. Here, we should ask ourselves just what there is in the promotion bills that splits up management so badly? If the industry's national management associations cannot get together, then maybe the bills aren't what they are cracked up to be.

I know only two management associations that support bi-lateral promotion: the painters and the plasterers. The AGC, the mechanical associations, and the Chamber of Commerce are opposed. I would prefer to have this legislation held in abeyance until we come up with something fairly acceptable to all.

In view of that statement, Congressman, how do you stand on bid listing? Here is a proposal which has management split right down the middle.

I don't expect to see the management associations 100% together on all legislative proposals. Bid listing is one of those that might not draw unanimity from management.

Even so, I strongly endorse bid listing as a requirement on Federal construction. It has worked out very well on GSA and Interior projects; we now have had several years of experimentation. The time has arrived to put what we have learned into law. I co-sponsored a bid listing bill with Congressmen Bob Leggett (D-California) and Bill Hungate (D-Missouri).

Do you think that all or most of management could possibly get together on this?

Well, to the best of my knowledge every one of the specialty contracting groups has endorsed the bid-listing idea—although some of them disagree on specific details. The general contractors, for the most part, are opposed.

The blame for bid shopping is not entirely on the shoulders of the general contractor. The subcontractor associations admitted this in their testimony before the Judiciary Committee. Several subcontracting representatives used the words: "It takes two to tango." There will probably always be subs hungry enough or stupid enough to allow themselves to underbid to a bid shopper just to get a job.

I suggest that the general contractor associations get together with the subcontractor groups. They should try for a workable solution so that the Congress can go ahead and pass a good and acceptable bid listing law—which will get at the core of this vicious trade practice.

What would you call "workable" and "acceptable"?

Well, for one thing, there has been an attempt in the past to cover only the mechanical trades in bid listing legislation. To me, this is ridiculous. If we are going to afford protection on federal projects, then *all* trades must share that umbrella of protection.

Further, we can't saddle the government with a mountain of paperwork, so the various subcontracting trades have to realize that, when they constitute a very small percentage of a job, it is just not feasible to be covered under bid-listing procedures.

How small would you say a trade can be to be covered?

This is a tough problem, I could support any level, but I think that the Interior Department's listing procedure of 2% is fair. But perhaps we should consider extending the coverage to second tier subs and to suppliers who come under the 2% guidelines.

Sub-subs and suppliers? Don't you think that that might bring about opposition from the first tier subcontractors?

If it does, then they are not being honest about this. They would then be guilty of the same thing they accuse the generals of. They can't have their cake and eat it too. If we work out a means of protecting sub-subs and suppliers, then I should think that the first tier subs would welcome this.

Mr. Hogan, on behalf of Contractor News, I want to thank you for your time and wish you every success in Congress.

DWIGHT D. EISENHOWER LIBRARY

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. MARSH. Mr. Speaker, although the Dwight D. Eisenhower Library in Abilene, Kans., has been an entity for some time, the death of President Eisenhower has intensified the interest of scholars in the full development of this repository of the papers related to the remarkable career of this soldier and President who served his country for so many years.

It is generally known, of course, that the Eisenhower Library, as are other Presidential libraries, is administered under the direction of the National Archives and Records Service.

Private funds were required, however, for the construction and equipping of the library, and additional private funds will be needed to establish fellowship programs for scholars and other projects related to President Eisenhower's hope that the library would become a continuing center for historical study of the period during which he was active in public life. It has not been the intent of the trustees of the library, however, to mount an aggressive fundraising campaign, and the contributions which have been made, large and small, have been a grassroots expression of the regard in which President Eisenhower was held by his countrymen.

I take this time, Mr. Speaker, to recognize one modest and spontaneous effort which has been underway in Charlottesville, Va.

Four banking institutions in Charlottesville have agreed to accept contributions for forwarding to the Eisenhower Library and, in May, Mayor G. A. Vogt, of Charlottesville, proclaimed Dwight D. Eisenhower Memorial Fund Week.

Impetus for the community effort was provided initially by Lewis Glaser, who has achieved a measure of personal fame as a full-time craftsman in the making of quill pens.

I might mention that it is fitting that Charlottesville, in the Seventh Virginia Congressional District, which I have the honor to represent, has taken this community notice of the Eisenhower Library, because, across the Blue Ridge in Augusta County, also in the seventh district, President Eisenhower's mother was born.

Under leave to extend my remarks, Mr. Speaker, I enclose several newspaper articles, as follows:

[From the Daily Progress, Charlottesville (Va.), May 12, 1969]

EISENHOWER LIBRARY FUND DRIVE OPENS

A memorial fund drive for contributions for the Dwight D. Eisenhower Library in Abilene, Kans., began today in Charlottesville and Albemarle.

The fund in memory of the late president has been established at four banks in Charlottesville to be forwarded to the Eisenhower Library.

Lewis Glaser of Charlottesville initiated the memorial fund drive here and has received the endorsement of John E. Wickman, director of the Eisenhower Library. Glaser visited Eisenhower while he was president in 1955 and was given a knife by Eisenhower to be used to make the points of quill pens which Glaser makes.

In conjunction with the start of the memorial drive, Mayor G. A. Vogt has declared this week as "Dwight D. Eisenhower Memorial Fund Week" in Charlottesville.

In a proclamation, the mayor says:

"Gen. Dwight David Eisenhower was a great president and a great leader of our nation, and a man greatly beloved and admired by all his people. We would seek to have a meaningful share in a memorial which will perpetuate his memory and honor his name.

"It is only fitting and proper that the citizens of this city and this community have an opportunity to express their feelings by being the launching point of a movement which may want to be shared by all the people of this land."

Mayor Vogt called on all the citizens of Charlottesville to participate.

Glaser said the fund will not be collected by solicitation. Contributions will be received by the following banks which will serve as trustees for the fund, Glaser said:

The Virginia National Bank, National Bank and Trust Company, Citizens Bank and Trust Company and Monticello National Bank.

[From the Richmond (Va.) Times Dispatch, June 10, 1969]

MYRIAD HONORS FOR GREAT MAN

Upon opening the neatly handwritten envelope from Northampton, Mass., dated May 27, I read:

Dear Mr. Glaser:

David and I are so happy to learn of your great success with the Eisenhower Library. I know that General Eisenhower would have been so proud and glad that the people of Charlottesville are honoring him in such a special way. I want to thank you for your devoted work in this project.

With deep appreciation,
Sincerely,
Julie Nixon Eisenhower.

Julie, as you know, is the younger of the two lovely daughters of President and Mrs. Nixon, and David is their son-in-law who is showing the remarkable qualities of his illustrious grandfather.

David's father, Ambassador John Eisenhower, has written from the United States Embassy in Brussels:

All my family join me in sending thanks to you for your work and diligence in connection with the Memorial Funds drive for the Eisenhower Library in Abilene.

The Dwight D. Eisenhower Library in Abilene, Kan., was established to preserve the papers, books, and other historical materials relating to former President Eisenhower. Much of the material relates to his service as Supreme Commander of the Allied Armed Forces in World War II. It was built and equipped through contributions from many thousands of friends and admirers of Dwight D. Eisenhower.

It was dedicated on May 1, 1962. The library is part of the Eisenhower Center which includes the museum, the family home, and the Place of Meditation. These properties, including their contents, were given to the United States by the Eisenhower Foundation in 1966.

On May 12 the Charlottesville Memorial Fund for contributions to the Dwight D. Eisenhower Library in Abilene began with a proclamation by Mayor G. A. Vogt. The Virginia National Bank, the National Bank and Trust Co., the Citizens Bank and Trust Co., and the Monticello National Bank agreed to act as trustees for any contributions. I felt at the time that our Charlottesville and Albemarle citizens would be generous in their response but the results have exceeded my most optimistic expectations. Dr. John W. Wickman, director of the Dwight D. Eisenhower Library, informed me that the enthusiasm from the Charlottesville community inspired a $5,000 contribution from a well-known national foundation.

By honoring the memory of a great and good man we honor ourselves.

HOUSE JUDICIARY CALLED ON TO SCHEDULE HEARINGS ON CAMPUS DISORDER LEGISLATION

HON. WILLIAM C. CRAMER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. CRAMER. Mr. Speaker, it has come to my attention that the House Committee on Education and Labor has today effectively killed any hopes for reporting out legislation from the committee dealing with the subject of campus disorders.

I believe the refusal of that committee to report out legislation on this subject flies in the face of a growing public demand for congressional action. The disturbances that have taken the very foundations of higher learning in America, and which are creeping down to this Nation's elementary and high schools, must be dealt with if the interests of law-abiding students and the broader public interest are to be protected.

On June 2, along with 19 colleagues, I introduced H.R. 11802, a bill designed to give law-abiding students the right to file a complaint with the Justice Department when they are denied free access to their schools' facilities by disruptive students.

The measure also permits the Attorney General to proceed on his own motion without such a complaint "whenever he determines that prosecution by the United States is in the public interest and necessary to secure substantial justice." The bill was referred to the House Judiciary Committee and I am sorry to report that no hearings have been scheduled.

In view of the action by the House Education and Labor Committee today, I am asking that the House Judiciary Committee make my bill the subject of immediate hearings. I believe it is imperative that the question of student disorders be fully aired and responsible legislation enacted to protect the rights of the majority of this Nation's students.

Passage of my bill, coupled with the administration's proposal, calling for injunctive relief for students and universities which are threatened with disorders provides a two-pronged attack on this increasingly serious problem. Both proposals have the virtue of permitting the schools and serious-minded students to institute legal action to protect their interests when they are threatened by revolutionaries whose disruptive activities have the effect of denying an education.

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IN THE FACE OF WAR AND DEATH, WHAT IS THE FUTURE OF LIFE AND HEALTH UNDER THE NIXON ADMINISTRATION?

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, the distinguished former Vice President of the United States recently contributed a thoughtful but unsettling article to the Washington Daily News concerning the achievements, thus far, of the Nixon administration in the critical area of medical care. While conceding that the new administration should be granted a fair chance to come up with new ideas and programs, the Honorable Hubert Humphrey writes that he can only conclude that the new administration's record in the health care area is "poor."

The facts and figures in the article offer a disturbing picture of the most affluent nation in the world failing to insure that its citizens will have access to adequate, quality medical care. What is worse, as the article points out, is that at a time when we ought to be moving ahead to meet our crucial medical needs, the Nixon administration is actually cutting back in this area.

While thousands of American boys continue to die in Vietnam and billions of dollars continue to be spent on that conflict, the President continues to push ahead with efforts to persuade Congressmen and Senators to ratify an investment of billions of dollars for the disputed ABM weapons system.

The American people last November clearly indicated their dissatisfaction with a set of priorities which puts war ahead of people, missiles ahead of medicine, and military needs ahead of human needs. Yet, almost 8 months later, what really has changed? With no end to the war in sight and a dangerously provocative weapons system on the horizon, it would appear that there has been no change in our policies. In fact, however, there appears to be a substantial change—a change for the worse. Under President Johnson, the previous Democratic administration made a strong commitment to improving the quality of American life for all Americans, young, old, black, white, rich, and poor. The great efforts made to improve education, erase poverty, expand health care, insure civil rights, and rebuild our cities were the brightest spots on the Johnson horizon, but now they are the very areas which President Nixon seems to be willing to forsake in favor of the unfortunate, less constructive wars and weapons policies which are causing this Nation so much anguish.

Mr. Speaker, a clear outline of Republican policies is not yet evident, but some writing is on the wall and I do not think it augurs well for the domestic and human needs of our society as we enter the critical 1970's. I sincerely hope that the picture will change but, in the meantime, I intend to continue observing the new administration's decisions and directions and noting the opinions of such outstanding Americans as the Honorable Hubert H. Humphrey. The former Vice President's article follows:

IT'S TIME FOR A POOR REPORT CARD ON NIXON ADMINISTRATION

(By Hubert Humphrey)

Since January, as one of the leaders of the loyal opposition, I have tried to put forth my ideas in as positive and constructive a way as possible. Like most Americans, I think the new administration deserves a chance to come up with new programs and put its stamp on our foreign and domestic policies.

But the Nixon administration now may be graded in two areas:

Improvement of the quality of education.

Improvement and availability of quality medical care.

In both areas, I believe the Nixon administration deserves a grade of "poor." The Nixon formula in both education and health has been to drift, to cut expenditures, to do nothing to solve the difficult problems that we face.

Let us look this week at the health and medical care record of the new administration. The question should be asked: who has been speaking for the public interest in the field of health and medical care?

The answer is: nobody.

For five months, with medical costs soaring, the Nixon administration has had no top health official to represent the public interest.

For five months, with growing evidence of abuses by physicians, dentists, and druggists in the Medicaid and Medicare program, Secretary of Health, Education and Welfare Robert H. Finch had battled with Senate Republican Leader Everett M. Dirksen over who should fill the important post of assistant secretary of health and scientific affairs.

Back in January, Secretary Finch said he wanted Dr. John Knowles, director of Massachusetts General Hospital, as his assistant secretary. Back in January, the young, energetic Dr. Knowles said he was willing to take the job, and he attracted widespread support from groups such as the American Hospital Association and American Nurses Association.

The opposition to Dr. Knowles has been some conservative wing of the American Medical Association—some of the same doctors who fought Medicare for so many years.

By threatening to fight the Knowles nomination on the Senate floor, Senator Dirksen was able to hold up the appointment for five months, thereby creating a serious leadership vacuum at HEW.

Former HEW Secretary Wilbur J. Cohen has called the delay "a calamity" for HEW and the nation. He is right.

At stake is the $10 billion a year federal investment in health and medical care.

At stake is the $50 billion a year we pay for medical care, an average of over $200 for every man, woman, and child.

At stake is the leadership and coordination of the many health and medical care efforts scattered thruout HEW and other federal agencies.

Where do we stand on health and medical care in this country?

Despite the miracles of science and the drama of heart transplants, many of our 30 million poor do not receive minimum medical care.

The United States ranks 15th in the world in infant mortality. For our nonwhite babies, the infant mortality rate is almost twice that of white babies. If we could bring our rate in line with that of Sweden, we would save the lives of 50,000 babies a year.

In 20 countries, men live longer than they do here. In 11 countries, women live longer.

The problem is not that we do not know how to provide top quality health and medical care. The problem is one of planning, leadership, coordination, and commitment.

We know we need more physicians and nurses. For many people, no family doctor is available, and for others the shortages of doctors has caused a sharp rise in their medical care bills. While we are graduating 8,000 doctors a year, the Soviet Union is graduating 35,000 a year.

We know neighborhood health centers can reduce hospital use by as much as 80 per cent by preventing serious illness. The cooperative relationship of physicians, nurses, dentists, and social workers at these neighborhood centers can be America's first big step toward providing equal health opportunity to every citizen.

We know there are less costly alternatives to hospital care such as outpatient care, home health services, extended care facilities, and nursing homes.

We know the quality of health care in many rural areas is becoming a critical problem. Enlightened doctors, such as those at the Mayo Clinic in Rochester, Minn., are experimenting in providing health care to rural areas.

We know mental patients respond better if treated in community mental health centers rather than being put away in state mental hospitals. We have 330 of these centers now, and in the past eight years, they have helped reduce the number of patients in state mental hospitals from 536,000 to 426,000.

We know prepayment programs can help reduce hospital use by encouraging people to take advantage of preventive and diagnostic health services. Yet 30 million Americans have no health insurance at all, and two-thirds of our personal health costs are not covered by insurance.

We know many children are permanently damaged by inadequate prenatal and infant care.

We know we are paying a heavy price for the disorganization and fragmentation of our health services. Better planning and use of biomedical communications networks can help end expensive duplication and provide better medical care at lower cost.

Federal leadership is needed. The Federal Government must play a much needed supportive role. I do not advocate federal control, or federal interference in the doctor-patient relationship or in the setting of fees.

What kind of leadership are we getting?

President Nixon has ordered $300 million in Medicare and Medicaid cuts which will lower mental health care and nursing home benefits. He advocates a $100 million cut in Hill-Burton grants for hospital construction. He is not expanding neighborhood health center or medical education programs.

And worst of all, for five months the Republican administration will not take the lead, it is up to the Democratic majority in Congress to take over the leadership responsibility of helping to provide better health care to every American.

The sick, the elderly, the babies—every American—deserve better treatment than they are getting.

THE BUCK STOPS HERE

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. KOCH. Mr. Speaker, I want to commend and join with my colleague Congressman ANDREW JACOBS from Indiana and those others who have stood up this morning to draw our attention

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to an injustice taking place on this Hill for which the Congress must be held responsible. It is outrageous that the food service employees working in the cafeterias which we use everyday are being thwarted in their efforts to organize by the firing of Wendell Quinn, leader of the Capitol Hill Employees' Association. Yesterday, the workers, in support of their leadership gathered on the Capitol steps to protest the firing of Mr. Quinn.

The workers in private industry of this country have been given the right to collectively bargain. Many Federal employees have similarly organized and are accorded that right. Only those least able to demonstrate muscle are intimidated when they try to exercise that right. We cannot take the position that someone else is responsible. In this case, the buck stops here.

CHARLES J. BELLAMY, EDITOR AND GENTLEMAN, RETIRES FROM THE SPRINGFIELD DAILY NEWS, WHICH HIS FAMILY FOUNDED IN 1880

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. BOLAND. Mr. Speaker, Charles J. Bellamy, one of the most witty and perceptive newspaper editors I have ever known, and the descendant of a distinguished family in American journalism, has retired from the staff of the Springfield, Mass., Daily News, which his father and uncle founded 89 years ago for the benefit and enlightenment of the common man and immigrant class then coming to our great country.

Mr. Bellamy's first service to the newspaper was in 1893 when he broke ground for the new Springfield Daily News building at Dwight and Worthington Streets in Springfield.

His father, Charles J. Bellamy, Sr., was cofounder of the Daily News with his brother, Edward, who later left the newspaper to write his famous "Looking Backward," one of the most influential books ever written.

Mr. Bellamy succeeded his father as editor and publisher upon his graduation from Yale University in 1913, and 2 years later, in 1915, sold the majority interest in the Daily News to Sherman H. Bowles.

Mr. Speaker, I take this opportunity to wish Mr. Bellamy, who has always remained young in heart and mind and spirit, a healthful and long life in retirement. He has always been a great gentleman in the true sense of the word. I include an editorial on Mr. Bellamy and a news story, published in the Daily News on June 28 and June 30, with my remarks in the RECORD:

CHARLES BELLAMY, A GENTLEMAN

Charles Bellamy, father and son, served The Daily News for all but 18 of our 89 years.

The father founded the newspaper and was its editor and publisher for 31 years. The son served as an officer of the publishing company and a member of the editorial department for 37 years until his retirement Saturday.

Charles Bellamy Jr. has been more than our newspaper's link with its origins, and more than our "old families' editor" as he allowed us to call him.

In fact, Mr. Bellamy always made friends with the youngest members of our staff. He has the appeal of the master raconteur. Also, some older writers here have noticed that only the young could engage Mr. Bellamy in repartee and rely blissfully on his mercy.

However, these are but the superficial reasons for his rapport with the young. He has always been more interested in tomorrow than in yesterday, and has been optimistic that change will lead to improvement.

Indeed, it is not what is old about Mr. Bellamy, but what is young about him, that we shall miss.

When he founded this newspaper, Charles Bellamy Sr. said that he intended it to be a gentleman. He raised his son the same way.

CHARLES BELLAMY RETIRES FROM DAILY NEWS STAFF

Charles J. Bellamy, 78, retired today after 37 years on the staff of The Daily News, which his father and uncle founded 89 years ago.

Bellamy's first service to the newspaper was in 1893 when he broke ground for The Daily News building at Dwight and Worthington Streets where the Telephone Building now stands. Last year, he broke ground for The Springfield Newspapers Building now nearing completion at Main and Cypress Streets.

His father, Charles J. Bellamy, Sr., was cofounder of The Daily News with his brother, Edward, who left the newspaper to write "Looking Backward," one of the most influential books ever written.

Charles Bellamy, Sr., remained as editor and publisher until his death in 1911. His son and namesake became publisher in 1913, the year of his graduation from Yale, and sold the majority interest to Sherman H. Bowles in 1915.

After World War I, in which Bellamy served as an Army captain, he became assistant telegraph editor of The Daily News where he remained until 1926, when he entered the brokerage business. He returned to The Daily News editorial department in 1941 and remained until today.

Bellamy has served in several community positions, including campaign chairman and president of Springfield Community Chest, trustee and president of City Library Association, president of the Adult Education Council and a member of the Police Commission. He is a member of the Colony Club.

Bellamy, who has lived at Kimball Towers since the Colony Club's Wesson Mansion was destroyed by fire, will now make his home with his daughter, Mrs. Jo Bellamy Shuart, and family in East Longmeadow.

CAPITOL RESTAURANT EMPLOYEES

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. CONYERS. Mr. Speaker, I am glad to find that a number of other Members of this body are refusing to remain silent on the serious matter of employee relations in the Congress. Situations have now deteriorated to a point where none of us can afford to ignore them any longer. The Architect of the Capitol has now fired an employee who would dare attempt to raise for discussion the subject of adequate wages and working conditions for restaurant workers.

It seems to me more than an accident that these employees who are in a very weak bargaining position are now being intimidated by conduct on the part of the Architect which would be repugnant by any normal labor relations standards, but is nothing less than scandalous when it occurs here in the U.S. Congress over minimal adjustments in wages and working conditions.

I think the question raised here is basic. In my opinion everyone who works on the Hill ought to be able to join any union or association of his or her choice. This is too fundamental a principle for anyone to surrender in order to be employed by the U.S. Congress.

HAZARDOUS TOYS

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. EDWARDS of California. Mr. Speaker, one of the great joys of life is giving a small child a toy, but today it is all too possible that such a gift can bring death or serious injury, instead of happiness.

Recent hearings of the National Commission on Product Safety vividly illustrated the dangers of many common toys, given to children in innocence, concealing their hidden hazards under bright colorings.

The dangers vary. Some toys contain spikes underneath an easily destroyed covering; other toys burn easily; still others are explosive or sharply pointed. Even toys designed for cribs often can strangle or smother a tiny baby.

Many of these hazards were described recently by Mrs. Joanne Lopez in a series of articles published in the San Jose News from June 15 through June 20, 1969. Mrs. Lopez, a reporter for the Mercury-News, discovered some of these hazardous toys on sale in the Santa Clara Valley. Her warnings to parents were timely and much needed. The readership response was immediate and parents added to the list of dangerous toys with their discoveries in their own homes. I would like to share Mrs. Lopez' series of articles with all who are interested in the safety of children and I include the series of stories in the RECORD at the close of my remarks.

The hazards are real. Examples crop up every day. Children are being injured and even killed by these toys. Therefore, today I am joining other Congressmen and Senators in introducing the Child Protection Act of 1969.

The bill closes existing gaps in the Federal Hazardous Substances Act and protects children from toys and other articles for their use which are hazardous due to the presence of electrical, mechanical, or thermal hazards.

My action today is a direct result of the stories written by Mrs. Lopez, and published in the San Jose News, and I wish to thank her and her newspaper for bringing this problem to my attention and to the attention of its thousands of readers. The series of articles follow:

UNSAFE TOYS—EVEN THE DOLL YOU BUY COULD BE LETHAL

(By Joanne Lopez)

A few moments after giving her 16-month-old child a new doll, a young mother in Lexington, Mass., returned to find that the child had removed the legs, exposing three-inch spikes which the mother described as "lethal weapons."

In Greenwich, Conn., a 13-month-old boy hanged himself from the string of a musical toy designed "to entertain infants in their cribs."

Eleven Philadelphia, Pa., children had to have small one-inch plastic darts removed from their lungs when they inhaled them instead of blowing them out of a small plastic blowgun.

These are but three of the many case histories taken from the files of the National Commmission on Product Safety, a seven-member team that is seeking passage of a Toy Safety Act that would give the Secretary of Health, Education and Welfare the power to ban lethal toys and infants' furniture from the market.

It is ironic that despite the large number of federal agencies involved in consumer protection, there presently exists no single agency to which consumers can direct complaints.

Furthermore, there presently exists no set of uniform safety standards with which to screen and govern toys manufactured in the United States.

THE CASE OF THE LETHAL CRIB

A tragic example of the need for immediate legislation is the case of the Rev. John R. Dryer, pastor of Convenant Presbyterian Church in Wellsville, Ohio, and the father of a crib death victim.

At the age of one year and 17 days, his first child Johnny became entangled in a lidded "Kiddie Koop" and was strangled to death.

According to Rev. Mr. Dryer, the tragedy was attributable to a long metal hinge so constructed that the more his infant son tried to pull away, the tighter it clamped his throat between the lid and side of the crib.

Efforts were made by the National Commission on Product Safety to have representatives of the crib manufacturer testify, but written and telephoned invitations to appear were summarily rejected with the notation that "We will not be able to testify. . . "

The firm, which continues to market the crib, is one of the largest in the infant furniture industry, with showrooms in Chicago, Los Angeles, New York City, San Francisco and Seattle.

The company's slogan, ironically set forth in its catalog, is: "Since 1912. Your baby's health, safety and comfort . . . our only business."

THE FIRM EXPRESSED SYMPATHY

The Rev. Mr. Dryer explained to the commission how, upon the death of his son, he pleaded with the manufacturer either to make the crib safe or stop selling it.

The firm expressed "sympathy."

In frustration and grief, the Rev. Mr. Dryer subsequently instituted civil action for damages and finally settled out of court for $15,000.

He sorrowfully told the commission how dismaying this kind of "compensation" was, and urged adoption of federal safety standards or federal laws which might prevent the recurrence of such a tragedy.

Dr. Brian D. Blackbourne, assistant medical examiner of Dade County, Fla., told the commission that only three and one-half weeks before the death of Johnny Dryer, the nine-month-old son of a Coral Gables, Fla., policeman died in an identical manner.

Blackbourne further testified before the commission on the mis-design of certain slatted cribs and playpens—the "Kiddy Koop" is not a slatted crib.

He informed the commission that in a period of 12 years; 11 infants in the Miami area had died of strangulation accidents. Projected nationally, the Miami statistics would indicate that there are at least 200 such crib deaths a year.

IRONICALLY THERE'S NO STANDARD

According to Larry A. Schott, chief of the National Commission on Product Safety's investigations unit, officials in Los Angeles estimated that 15 to 20 of the 250 deaths each year due to crib strangulation could be attributed to "mechanical compression of infants."

Schott described for the commission how cribs can be dangerous if the slats are too wide apart. His analysis indicated that where slats are three and one-half inches or more apart, an infant can get his head entangled between them and strangle while trying to free himself.

As a parent, do you find it ironic that there presently exists no industry or government standard to govern this and other such crucial factors of design?

UNSAFE TOYS—MANY ON THE MARKET CAN MAIM—AND EVEN KILL

(By Joanne Lopez)

"The little toy dog is covered with dust, but sturdy and staunch he stands . . ."

If Eugene Field were alive and well and living in the 20th Century, as the saying goes, he might well feel compelled to revise that first stanza of his poignant "Little Boy Blue."

Any little toy dog that remains around long enough to collect dust these days, more than likely does not "sturdy and staunch" stand.

Usually, an eye or two is missing, an ear or a tail, and sometimes, a leg or three.

Toys today come complete with timed obsolescence, as do most all consumer goods. The public has been educated to accept the fact that "they just don't make 'em like they used to."

TOYS THAT CAN MAIM AND KILL

American parents, however, should be appalled that they are, albeit unknowingly, accepting the fact that there are a number of toys on the market today that can maim, and, in some cases kill.

For instance:

A baby rattle with eight sharp inflexible spikes.

A stuffed rabbit whose ears are fitted on sharp wire.

A doll whose hair ribbon is attached with a straight pin.

A "toy" oven that heats up to 600 degrees.

Party balloon whistles that can be inhaled.

"Magic" candles that reignite after being blown out.

The aforementioned "toys" were among the ten potentially lethal playthings presented by Dr. Arnold B. Elkind, chairman of the National Commission on Product Safety, during a recent U.S. Senate consumer subcommittee hearing on the proposed Toy Safety Act that would give the Secretary of Health, Education and Welfare the power to ban such lethal toys from the market.

The National Commission on Product Safety, which was established in the 90th Congress, was directed to develop means to protect the American consumer from unreasonable hazards in products commonly used in and around the home today.

In carrying out its primary job, the commission became acutely aware of grave inadequacies in the protection of children against death and injury from hazardous toys and other articles intended for use by children.

PROTECTION FOR OUR CHILDREN

On the basis of its findings, the seven-member commission is recommending legislation to strengthen the Child Protection Act of 1966 to include protection against hazards not now subject to regulation.

Specifically the commission is seeking enactment of the Child Protection Act of 1969 which would allow for protection against electrical, mechanical and thermal hazards.

The act would amend the Federal Hazardous Substances Act of June 1967 which was limited primarily to toxic, extremely flammable and corrosive substances.

Since the commission's first public hearing last October in New York, its fact-finding efforts have produced some shocking statistics.

Of the nearly 56 million children under 15 years of age in the United States, more than 15,000 die each year from accidents at a rate of 28 per 100,000 population. This figure is higher than the deaths from cancer, contagious diseases, heart diseases and gastroenteritis combined.

Another 17 million children annually are injured severely enough to restrict normal activity or require medical attention—at a rate of 300 per 1000 population.

CAN WE EDUCATE FOR SAFETY?

Questioned about the most urgent need in accident prevention, Dr. Allan B. Coleman, chairman of the Committee on Accident Prevention of the American Academy of Pediatrics, stated, "It is probably not education."

Dr. Coleman, who testified at the commission's New York hearing, admitted that he and his colleagues are getting somewhat disenchanted with the idea that one can educate for safety.

"Education is useful" he maintained. "But as I have written in the past, the person who pays the most heed to educated effort doesn't need it and didn't need it in the first place. The biggest need is probably engineering for safety, built-in safety, fail-safe products and fail-safe designs."

Morris Kaplan, for the past 22 years technical director for Consumers Union of the United States, Inc., a non-profit organization that publishes Consumer Reports, almost echoes Dr. Coleman's opinion.

In a statement before the commission, Kaplan pointed out that toys are different from any other product on the market in several significant ways.

"They (toys) are usually bought FOR the user, not BY the user," Kaplan stated, "and the user usually can't read instructions and cautions."

Therefore, he contended, the education of the consumer of the toys, the child, presents a serious problem.

"A toy manufacturer can't educate the child in the safe use of a toy; he must educate the purchaser. That's hard enough if it's a parent," maintained Kaplan, "but if it's a doting grandparent who has long forgotten the many ways a child can interact with a toy it's doubly difficult."

Kaplan further emphasized the uniqueness of toys from the point of view of product safety in this manner: "Toys are not necessities of life but embellishments of it, so that the argument that can be made about trading off some safety risk against some vital human need cannot be made for toys as it has been for other consumer products."

He concluded that in designing a toy the manufacturer has a responsibility (even beyond that of the manufacturer of a product bought and used by an adult) to choose materials and methods of construction that require a minimum of education on the part of the user to make it safe.

"Ideally," Kaplan opined, "it (a toy) should be child-proof—that is, no imaginable use or abuse by a child should make it unsafe. And anyone who has children can appreciate what a task that is!"

BABY RATTLES

Last Thursday evening on the way home from work, this reporter stopped at her neighborhood supermarket to pick up a few items, one of which happened to be baby food. Right next to the baby food display, she spotted a number of baby rattles that resembled ones ordered off the market on May 6 in New York by Bess Myerson Grant, consumer affairs commissioner. This reporter purchased the rattle, brought it home and discovered inside: Eight sharp inflexible metal prongs protruding from a disc inside the handle. Intact, the prongs are surrounded only by a thin cardboard and plastic cylinder decorated with various animals. Made in Japan and distributed by Reliance Products Corp. in Woonsocket, R.I., this particular rattle sells for the discount price of 48 cents. Ironically, it includes a guarantee: "This toy is made of the purest materials and unconditionally guaranteed to be completely safe." This reporter would like to point out that the rattles were not on display Monday of last week, thus indicating that they are part of a recent shipment.

Unreported Incidents Create Distorted View of Injuries

(By Joanne Lopez)

Luckily, a young couple in Flushing, Mich., heard the choking and crying of their six-month-old son in time to rescue him when he managed to twist the long cord of his toy telephone—the telephone had been advertised as a "crib" toy—around his neck.

In Downey, Calif., a mother discovered, while attempting to replace loosened ornaments, that the bow on her child's doll was secured by an inch-long spike with a handle that made it easily removable.

A Philadelphia, Pa., mother was horrified to discover that after a few minutes play with a new musical rattle, her baby had removed the plastic and cardboard top from the handle and uncovered seven spikes, ranging from one and one-half to three inches in length.

These additional case histories from the files of the National Commission on Product Safety point up the fact that many parents have not been educated to realize the dangerous potential of the toys they buy.

When their child innocently injures himself, they tend to blame their own inattention, or accept the accident fatalistically, rather than look to the manufacturer's negligence as the true source of injury.

A DISTORTED VIEW OF INJURIES

Testifying before the National Commission on Product Safety, Boston attorney Edward M. Swartz produced an armload of toys purchased during a half-hour shopping trip through Boston.

He proceeded to pull the suction tips from an assortment of "toy" arrows; then, with the accompanying bow, fired the arrows through two thicknesses of corrugated cardboard.

He also showed the commission a doll's hair-ribbon attached with dangerous protruding pins, sharp metal fins on a toy rocket, and a number of other potentially lethal "toys."

Ironically, Swartz stated: "The number of reported decisions which involve injuries caused by defective toys is surprisingly small."

Most likely, many cases never even get into court; then too, a number of injuries are not serious enough to warrant litigation. Cost alone, in some cases, makes lawsuits prohibitive.

Law professor F. Reed Dickerson of Indiana University cited for the commission one case that would require $10,000 just to go to trial.

The result is a rather distorted view of the number of children's injuries caused by toys.

THE CASES OF THE RED HERRING

Swartz, who prepared a report on unsafe toys at the request of the commission, terms a "red herring" the case involving a mother who purchased a plastic "Blo-Yr-Top" for her 13-year-old daughter. The store clerk specifically told her the top was safe.

The mother put it in a paper bag underneath many groceries, and when the daughter spun the top for the first time, it exploded and shattered, cutting her nose and eye.

The child lost the sight of her right eye.

The mother, however, was denied recovery because the retailer—action was against the retailer only—without calling any witnesses, successfully contended that the mother failed to prove the top was not in the same condition as when it was purchased and that it was not damaged by being carried home under the groceries.

AN IRONIC DECISION

The final case Swartz presented in his report involved that of a 14-year-old student who made a whip from a rolled bed sheet bounded with pieces of wire.

The boy gave the "whip" to a teenage friend to use, and as the second boy was using it a piece of wire flew off and struck him in the eye. The injured lad brought suit on negligence against the boy who made the whip.

Recovery for the injured lad was sustained.

The court held that the boy who made the whip was in the same position as one who manufactures or owns an instrument he knows to be dangerous.

If he disposes of this dangerous instrument in a way which he ought to foresee as causing harm to a third person, he owes a legal duty to such third person to prevent injury to him.

"In effect," marvels Swartz, "this case holds a private individual who makes a dangerous toy from homemade materials to the same standards of due care imposed on commercial manufacturers."

Ironic?

Toy Safety—Should They Be Safe Only If Used as Intended?

(By Joanne Lopez)

In 1967, Congress recognized a new human "right"—the right of the consumer "to be protected against unreasonable risk of bodily harm from products purchased on the open market for the use of himself and his family."

William G. Cole of Shelbourne Falls, Mass., is one consumer who justly feels he has been denied this new human "right."

His nine-year-old son, Ronald, was blinded when an exploding cap device—it was advertised as "harmless"—hurtled a feathered projectile into his eye.

Immediatley following the accident, the elder Cole went to the retailer from whom the toy had been purchased and asked that it be taken off the shelves.

Checking at a later date, the distraught father found that the item was still being sold.

The National Commission on Product Safety decided to investigate the incident and enlisted the aid of the Cornell Aeronautical Laboratories.

The Cornell study revealed that when a single ordinary cap is used and the missile thrown down onto a surface, the upper part of the toy will move at 54 miles an hour.

However, the study pointed out, "it is common practice for children to put more than one cap into these toys."

When two caps are inserted, the upper part (that which caused the Cole boy's blindness) will fly at a velocity approaching 79 miles per hour, and with three caps it will move at a speed in excess of 80 miles per hour.

It is obvious, as the report notes, that "the most important potential hazard may be vested in the inventiveness of the user."

ALL AGREE SOMETHING MUST BE DONE

Presently, it would appear that this new human "right" is in the hands of the manufacturers of America who have exclusive power over standards that apply to a vast variety of products—one of which is the toys we buy for our children.

The seven-member National Commission on Product Safety, in recommending a Toy Safety Act to remedy the situation, cites the fact that there are "a number of toys on the market today that can maim, and, in some cases, kill."

Whether the proposed legislation will abolish the present system of voluntary standards in favor of government-controlled pre-marketing clearance, remains to be seen.

All concerned, however, seem to agree that something must be done—and soon!

NATIONAL SAFETY COUNCIL TAKES A STAND

The Toy Manufacturers of America, at present, maintain a Safety Standards Committee which it claims works in conjunction with the National Safety Council to eliminate specific hazards in toys that are brought to its attention by the consuming public.

Richard J. Manuell, child safety consultant of the National Safety Council, however, told the commission that "the National Safety Council is not a clearing-house for toys," and that, in fact, there is no systematic review by the council of toys that come into the marketplace.

Commenting that "you can't completely protect the child," Manuell stated that the results of a study conducted by the council concluded that "toy injuries are most often the result of a lack of parental supervision and instruction rather than a defect in manufacturing."

Manuell further advised the commission that "we (the National Safety Council) are quite satisfied with what the toy industry has been doing in the United States."

He added that "A child has to experience some minor injuries, some minor experiences of trauma in order to learn."

However, upon being informed of the failure of the Federal Hazardous Substances Act to cover many of the hazards presently found in toys, Manuell admitted that the act was in need of amendment to remedy the situation with respect to children's toys.

Subsequently, a letter addressed to the commission stated the official position of the National Safety Council on the matter of the proposed Toy Safety Act:

"The National Safety Council welcomes the opportunity to go on record as supporting a need for an amendment to the Child Protection Act, 1966, extending the act to cover electrical, mechanical and thermal hazards with appropriate exemptions similar to those in the present act covering chemistry sets, etc."

Testifying before the commission on behalf of the Toy Manufacturers of America, Aaron Locker, a New York attorney, informed the commission that the toy industry's annual sales range from $2.5 to $3 billion.

He went on to disagree with a number of observations of prior witnesses who had identified particular toys as hazardous, but he conceded that hazardous toys do occasionally come into the channels of commerce.

"As far as the (toy) industry is concerned, if there are hazardous toys which are not covered by the present definition under the Child Protection Act of what is a hazardous toy, and I believe there are—I think electric shock hazard is a good example of this—we

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should have no opposition to the extension of the legislation to prohibit such known hazards."

In conclusion, Locker observed that "most of the safety work of toy manufacturers is concentrated on making playthings that are safe when used as intended."

However, in F. Reed Dickerson's "Product Safety in Household Goods," in the section on toys, a 1961 study on safety states: "The survey concluded that, with respect to commercial toys, injuries usually resulted from misuse."

And, as any parent knows, "misuse" is the order of the day with a toy.

Unsafe Toys—Is It Enough To Ban Them Only After They Hurt Someone?

(By Joanne Lopez)

A seventh-grade science enthusiast in Ohio who used matchheads to power toy "rockets" was killed before his young sister's eyes when the missile blew up prematurely and "launched" itself through his throat.

A two-and-one-half-year-old boy in Strafford, Pa., lost an eye when he fell against the unprotected metal handgrip of the toddler's tricycle on which he was riding.

A two-year-old San Jose boy required brain surgery when he fell onto a sharp steel spike used to secure the wheels of a toy wagon designed for toddlers.

A lawsuit—which, unfortunately, can only compensate a victim, not prevent marketing of unsafe products—is pending in the San Jose case.

These and other case histories taken from the files of the National Commission on Product Safety adds up to one thing—that there are a number of toys on the American market today that can maim, and, in some cases, kill.

Furthermore, there is such a gap in existing legislation that physical hazards such as electric shock, burn, cut and puncture with regard to children's toys are not covered by the present Federal Hazardous Substances Act.

OUR MOST TRAUMATIZED INDIVIDUALS?

Boston attorney Edward M. Swartz, who displayed a number of toys that could inflict grievous injury or death before a hearing of the National Commission on Product Safety, was prompted to comment:

"It is interesting that recently, with the new regulations we have regarding the automobile industry, they (the auto makers) finally recognized the danger of protrusions. Now, who are most traumatized individuals, aside from parents, in our society?

"Obviously, they are children," he continued.

"They fall countless numbers of times each day, and if they are given anything with protrusions on it, the risk of injury is seriously increased."

Isn't the fact that it took a law to force the auto industry to recall defective cars indicative of the action that must be taken in regard to unsafe toys?

According to Aaron Locker, the New York attorney who testified before the commission on behalf of the Toy Manufacturers of America, "Most of the safety work of toy manufacturers is concentrated on making playthings that are safe when used as intended."

However, as Morris Kaplan, technical director of Consumers Union of the U.S. Inc., noted: "They (toys) are usually bought for the user, not by the user."

WARNING NOT ENOUGH

"Let the buyer beware," you say?

Never has the old Latin proverb been more meaningful than today—in the face of the massive annual toll of deaths and injuries in American households.

"Let the buyer beware" alone, however, provides no protection for the adult consumer, much less the child, in this day and age when certain "seals of approval" have been found to be worth about as much as the paper on which they are printed.

It is also rather idealistic for parents to assume that pride, self-interest and stiff competition are enough to motivate manufacturers to produce safe products for our children.

Is, then, the answer some sort of standard pre-clearance regulated by the government?

Kaplan, speaking for Consumers Union, believes a system of pre-clearance is the answer.

"We hold that no product, toy or otherwise, should be allowed on sale until it has been judged safe by reasonable standards."

Kaplan also said that CU is pleased to note that passage of the Toy Safety Act won't close the books on hazardous toys as far as the commission is concerned.

Commission Chairman Arnold B. Elkind contends that it might not be enough protection to remove hazardous products from the market only after they have hurt someone.

The Toy Safety Act being sought by the National Commission on Product Safety would enable the Secretary of Health, Education and Welfare to ban toys from the market that pose hazards from "sharp or protruding edges, fragmentation, etc."

Since the commission's recommendation for the enactment of the Child Protection Act of 1969, legislation to carry it out has been endorsed by the Administration and introduced in both the House and Senate.

And the seven-member commission has high hopes that the 91st Congress will see fit to pass such legislation so that American children may be protected from such unnecessary hazards.

But, what to do in the meantime?

First and foremost, "Let the buyer beware."

Secondly, concerned parents might do well to follow the advice of Swartz, the aforementioned Boston attorney who also prepared a report on unsafe toys at the request of the commission.

If an accident occurs, parents should question the manufacturer's negligence as a possible source of injury—not just their own inattention.

Lastly, it might be well for parents to remember: "The wheel that squeaks the loudest is the one that gets the grease."

UTAH HONORS HANDICAPPED CITIZENS

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. BURTON of Utah. Mr. Speaker, I have always been impressed with individuals who have conquered personal handicaps to become productive members of society. Unfortunately, too many times these accomplishments go unnoticed by the general public. I hope to change that in a small way today.

I bring to the attention of my colleagues the recent meeting of the Governor's Committee on Employment and the Handicapped in the State of Utah. At this meeting two of my constituents were given State and National recognition for their contribution to furthering development and understanding in this area. Miss Kathy DeAnn Saxton won the Utah "Ability Counts" writing contest. Miss Saxton is a junior at Bonneville High School in Ogden. Her report went on to take first place in the national ability counts contest. She was here in Washington a few weeks ago to accept this award at the annual meeting of the President's Committee on Employment of the Handicapped. Kathy visited my office and proudly displayed the picture she had been given of President Nixon congratulating her.

Mr. Richard Thomas, a Logan, Utah, jeweler, received the Utah Handicapped Citizen of the Year Award. Dick, as he is known by all his associates, is a victim of polio. This handicap has not, however, lessened his activities. Dick Thomas is an active member of his community and is an avid supporter of Utah State University where he is known as a friend by all students who associate with him in purchasing jewelry. He is indeed a model citizen.

These two fine people have done more than their share to promote and develop opportunities for the handicapped. I salute them today and urge all responsible citizens to follow their outstanding example.

HON. WILLIAM H. BATES

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. RIVERS. Mr. Speaker, encomiums concerning the late William H. Bates continue to come in. In this connection, I am in receipt of a letter from our former colleague, the Honorable A. Sydney Herlong, Jr.

I insert his letter at this point:

ASSOCIATION OF
SOUTHEASTERN RAILROADS,
Washington, D.C., June 23, 1969.

Hon. L. MENDEL RIVERS,
Chairman, House Committee on Armed Services, Rayburn Building, Washington, D.C.

DEAR MR. CHAIRMAN: I heard your remarks on the floor of the House today in tribute to the memory of our dear friend Bill Bates. They were most fitting and beautifully delivered. I know you were under a great emotional strain because your heart was so heavy. I know how well you two worked together and what a loss his passing is to the Committee on Armed Services, to our country and to you personally.

I just want you to know that I share your sorrow. Having served with Bill in the House of Representatives for 19 years I had come to love him as a brother. We were in each other's homes often and truly the Good Lord never made a finer man. I have not known one who had more genuinely outstanding qualities than Bill Bates. He spent a weekend with me and some other friends just before he went into the hospital. I had the opportunity to visit him several times during his illness. He was, of course, most uncomfortable, but he never lost that ebullient spirit which endeared him to all who knew him. I came away from my visits feeling enriched by the very fact that I had been in his presence. Of him it can truly be said this world is a better place because he passed this way. As you said, your Committee, the Congress and our country are poorer because of this great loss—but we have some wonderful memories that we will carry with us always.

Thank you for the fine job you did.

Most sincerely,

A. SYDNEY HERLONG, Jr.

XUM

TAXPAYERS DEMAND LAW AND ORDER ON CAMPUS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. RARICK. Mr. Speaker, Federal funds are the taxes which hard-working Americans have paid to their Government. They are used for the good of the Nation—not as a private source of private income. When Federal grants are made to assist an individual in a program of education or research, and that individual is either unable or unwilling to do his part, there is no justification for the continued subsidy.

The ultimate absurdity is the case where students who, with Federal aid, are studying English fail their courses. They then feloniously seize the buildings of their college, steal foodstuffs from the cafeteria, rename the buildings after a convicted pimp, arm themselves, and proclaim "nonnegotiable" demands. Among their demands is one to the effect that they all get passing grades in English in any class where they have a white instructor.

To terminate the subsidy to such "students" is far from a violation of any possible freedom of either speech or assembly which they might claim. It is simply a matter of refusing to throw good money after bad. The people to whom the money belongs—who earned it and paid it in taxes—understand this simple situation perfectly, and they demand that crime, anarchy, and sedition no longer be subsidized and rewarded with their hard-earned money.

A news article follows:

[From the Washington (D.C.) Evening Star, Apr. 29, 1969]

NIXON "LINE" ON COLLEGES REPORTED SET

President Nixon has circulated a Michigan professor's traditionalist view on higher education to top administration figures and directed them to "follow this line," the American Council of Education says.

The University of Michigan professor, S. J. Tonsor, made his comments at an April 1 meeting of the National Association of Manufacturers in Washington which the President attended.

"I am sure the establishment reaction to this speech will be 'tut, tut, this is old hat,'" the Council quoted Nixon as saying in his memo to administration officials.

"HAPPENS TO BE MY VIEW"

"However, this happens to be my view. It will be a view that I will increasingly express very vigorously in the months ahead. I want everybody who has anything to do with education to read this speech carefully and to follow this line in their public announcements."

Nixon's reported strong endorsement of Tonsor's views is the first clear evidence of a definitive White House stance on higher education's role. There seems to be no doubt among educational authorities of the authenticity of the White House memo, as reported by the council yesterday.

Tonsor, a historian, expressed a basically conservative, traditional view of higher education's role and urged institutions of higher learning to stick closely to teaching and avoid fields and projects for which they are unequipped, including some types of research.

BLAMES EXTREMISTS

In one passage of his speech, Tonsor said: "Student and professor activists inside the university and certain ideological groups outside the university no longer believe the truth must be essential to the academy. Both the extreme right and the extreme left hold the same destructive view.

"Both Mark Rudd of Columbia and Gov. Wallace of Alabama stand in the schoolroom door, and seen from the vantage point of the academy they both hold the same low view of reasoned discourse.

"These groups cannot be permitted to disrupt and destroy the institutions they so obviously do not understand. They constitute a small minority and it is possible that had university administrations not been long accustomed by their faculties to bearing fools gladly, these groups would already have disappeared from the campus scene."

CANNOT BE ALL THINGS

Tonsor stressed his conviction that today's universities cannot be all things to all men. He added that the idea of a multiversity is rightfully rejected by most students and by perceptive faculties.

"They reject it not simply because it is impossible to administer but because it is an institution without goals. It does not know its own mind. . . . To compound the problem now by expecting the university to become a court of last resort for the solution of the major social problems of our times will only deepen the crisis which the university faces," Tonsor declared.

"Higher education," Tonsor said, "has as its chief goals the education of young men and young women."

PITTSBURGH BLACK CONTRACTORS FIGHT BOND, CAPITAL PROBLEMS

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. MOORHEAD. Mr. Speaker, the construction business, like many large industries, is fraught with failures and bankruptcies. But for those companies who stick it out and make a success of their efforts, the construction field can be a very rewarding financial venture.

The black contractor faces all of the obstacles to success that his white contemporary encounters, plus a few more.

Chief among these is the problem the minority contractor has in securing a performance bond, a guarantee that the work contracted for will be carried out to the specifics of the contract.

The black contractor, often new to the business, has little experience and even less capital—the two ingredients that make him a poor risk for a surety company.

His failure to get a bond means infrequent work and this in turn hinders the future issuance of a bond. Thus the familiar vicious circle forces the small contractor into a marginal job market. In other words, he takes anything he can get, often barely making a reasonable profit.

The relation of these factors to the contractor's credit is also inescapable. No jobs, no bonds equals no credit. No credit means no jobs or bonds. It is simplistic, but it is telling.

United Skillcraft, Inc., a Pittsburgh black contracting firm, is attempting to bust out of the mold and become a permanent, successful fixture in the construction industry.

A recent article in the Pittsburgh Post-Gazette tells of the company's efforts. At this point I would like to introduce this story into the RECORD:

TOO BUSY WIELDING HAMMERS, SAWS—SKILLCRAFT "EXECS" DON'T RIDE DESKS

(By Dave McConnell)

When you hear the corporation president ordered to run down and fetch a hammer or climb out the window and lend a hand with the roofer it sounds mixed up.

It's like a swab jockey telling the Admiral to stand by to take a line, but it's going on every day at 610–12 Somer St., Hill District, where United Skillcrafts Inc., is remodeling an old four-apartment building.

"We can't afford an office full of executives—too much overhead," says Chester Perkins, corporation president and carpenter.

Peter Baker, vice president and plumber nodded and curtly said: "Work or get out."

The Skillcrafts men have come a long hard way to get where they are and, as Perkins says: "We have a rough road ahead but we'll make it."

Each of the group is skilled in one or another phase of the tricky, hard and dirty job of old home remodeling and repair. It's a job where a man has to be a jack of all trades, one moment a plumber, the next plasterer or carpenter.

In the past each got by taking on jobs here and there. They made just enough "to live on" and to purchase tools and a truck to cart their supplies.

"No one would look at us for a contract job," Perkins said. "We all were stuck with odds and ends, but it was dirty work and you couldn't get skilled union journeymen to do it."

"They wouldn't know how to go about resetting a sagging window or jammed door frame," Waller Claybrook, corporation secretary and electrician, said with a knowing chuckle.

The group formed United Skillcrafts and in a city crying for housing, virtually begging for crews to rehabilitate run down old houses, Perkins and his fellow officers went out to bid for contracts.

Into the picture cropped: "They," business with financial know-how. It provoked a dialogue between Perkins, Baker and Claybrook which ran as follows:

"It used to be they wouldn't touch this work.

"It's tough. It means a hard day's work tearing out and then a skilled day's work putting it back together.

"Now Uncle Sam's puting a buck into it they want to take it but want us to do the work."

Skillcrafts found no room in the market for a new corporation with less than tiny assets. Even if their bids were low there was the problem of obtaining performance bonds. Companies were reluctant to cover a brand new firm with no experience record and assets which amounted only to a skilled work force composed of men determined to earn enough to pay their own way in life.

"We need financing and can't get it," Perkins said.

Men of the Chamber of Commerce of Greater Pittsburgh and the National Alliance of Businessmen, working to put the job training program across, heard of Perkin's problem. On their own time they searched the nooks and crannies of the cavernous Federal money cave for ways to get assistance—U.S. loans or government guarantees on loans from banks.

"No soap," Perkins said and shrugged shoulders broadened by hard work.

XUM

Help did come but not from the hodge-podge maze of Federal do-gooding. Quietly the United Methodist Church Union, Downtown, went to work.

The church had been bequeathed four run-down buildings at 2017-31 DeRuad St., Uptown.

"At first," said Perkins, "they contracted with us to put the buildings in shape. We went to work. They liked the job we were were doing and offered to sell us the buildings. Then when they saw we really meant business they gave up the buildings and several thousand in 'seed money' to keep going."

United Skillcrafts is converting the buildings into 16 three bedroom apartments and will use the income to advance other business enterprises.

The renewal project is about half done and much of the profits from the contract on Somers street will go towards finishing it.

But even the Somers Street job was hard to get. The Urban League of Pittsburgh offered a contract for the rehabilitation work. It looked good but no one would write a performance bond for United Skillcrafts.

It looked hopeless until Interfaith Housing Inc., composed of an alliance of churches, stepped forward to guarantee the bond.

With the successful completion of the Somers Street job Perkins hopes to show a good performance record which will make it easier next time to get a bond. But working capital still is the new corporation's bug-a-boo. As Perkins explains:

"Someone writes specifications but when we get to work we find rotten boards that must be replaced. While we're waiting for an order covering the additional work we have a payroll to meet and additional supplies to buy. That takes cash."

That's why the president, officers and directors of United Skillcrafts are chasing hammers, helping shingle and running errands. They're scrouging every penny to build up a financial reserve.

They may be chiefs, but they can't afford Indians—yet.

But when the long hard work day is done they can go back to their office and put in a few white collar hours after dinner keeping the books up to date and planning the next day's schedule.

"Like to be a corporation executive?" Perkins asks.

CAPTAIN DeMEY DIES IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. LONG of Maryland. Mr. Speaker, Capt. John DeMey, an outstanding young man from my district, was killed recently in Vietnam. I would like to commend his courage and honor his memory by including the following article in the RECORD:

CAPT. DEMEY, IN VIETNAM COMBAT

The Army announced yesterday that Capt. John DeMey of 611 Mulberry Lane, Edgewood, was killed June 20 in combat around a helicopter landing zone near the Cambodian border in South Vietnam.

Captain DeMey, a 1962 graduate of Western Maryland College, was a career officer who returned to Vietnam March 8 for a second tour of duty.

He was a company commander in the 1st Air Cavalry Division in Tay Ninh province northwest of Saigon.

Captain DeMey, 29, received a Purple Heart and was decorated by the South Vietnamese government while serving as an adviser to the South Vietnamese Army from September, 1966, to June, 1967.

ADMIRED TROOPS

His wife, Joan, 26, recalled yesterday that he frequently spoke of his "admiration for the young boys" he was leading. She added that he had intended to volunteer for a record tour in Vietnam if he had not been assigned there.

Funeral services will be held at 11 A.M. Thursday at Eastport Methodist Church, Annapolis, with burial at Annapolis National Cemetery.

Captain DeMey is survived by his parents, Chief Petty Officer and Mrs. Martin DeMey, USN (Ret.) of Annapolis; his paternal grandmother, Mrs. John DeMey, of Sheboygan, Wis.; a brother, Martin DeMey, Jr., 21, of the Navy, and a sister, Miss Marie DeMey, of San Diego.

He is also survived by his wife and two children, Craig, 6, and Mara, 3.

A VETERAN SPEAKS ON ABM

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. WYMAN. Mr. Speaker, in the turmoil of the present ABM controversy, opinions by veterans assume added importance. Mr. Walter W. Burtt, Americanism chairman of the Department of New Hampshire Veterans of Foreign Wars, has expressed his opinion in an interesting and challenging manner in a letter to the editor appearing recently in the Concord Daily Monitor. The letter follows:

[From the Concord (N.H.) Daily Monitor, Apr. 24, 1969]

VETERAN ANSWERS AN ABM CRITIC

SIR: This letter is in response to a letter signed by Edith Kissine of Silver Spring, Md., which appeared in your paper April 17, 1969.

In that letter Mrs. Kissine said the ABM anti-missile system proposed by President Nixon would be provocative and lead our nation on a suicide race. Such a statement is not true, so let's face facts.

The anti-missile is a fantastic achievement of American scientific and electronic genius which can shoot down enemy missiles hurtling through space at 18,000 miles per hour. In a matter of seconds, the anti-missile can sort out real warheads from among clouds of decoys, and then destroy the enemy warheads before they can destory us with blast, radiation or fallout. The anti-missile has only one objective: to save American lives against enemy attack. The anti-missile is made up of three parts: the multi-function array radar, which is the radar computer complex that identifies and tracks the attacking missile; the Spartan, which is the long-range anti-missile that destroys attacking missiles hundreds of miles out into space; the Sprint, which is the higher speed short range anti-missile that destroys attacking missiles at the edge of the atmosphere.

There is not room here to go into all the technical aspects of the ABM defensive system, but there are a few points to be understood: Firstly, the Safeguard ABM defensive system proposed by President Nixon is defensive in nature and designed to protect the nation's retaliatory strike capability. Secondly, by deploying its own ABM system, the U.S. will strengthen its bargaining hand in any negotiations with Russia or Red China. The Soviet Union had already deployed an ABM system, which certainly tells us something. If we proceed with our own system it will serve as an added incentive for the Russians to negotiate a meaningful agreement on arms limitation. Thirdly, in deploying the Safeguard ABM system, we are letting Russia know that we do have retaliatory capability, and this in itself will serve as a deterrent to any aggressor. Fourthly, we believe the Safeguard system will work. It is interesting to note that most of those scientists who have stated otherwise are men who have not been actively engaged in working on the ABM system. The great bulk of the critics of the system are the sociological intellectuals who dream of a world that is not yet a reality.

In the last eight years the Soviet nuclear striking power has increased 300 per cent. In the last two years the Soviet missile force has nearly quadrupled. Yet, in the face of such enemy power, we still have to be treated to emotional outbursts against a weapon whose sole purpose is to save American lives. One wonders why.

Let's examine the arguments made against the anti-missile system.

False argument No. 1: "The anti-missile costs too much and those billions should be spent on urban problems, etc." Our answer: If we fail to deter or repel a nuclear attack, most Americans would not be alive to enjoy any money spent on other projects. Also, the anti-missile could be the cheapest life and property insurance anyone ever bought.

False Argument No. 2: "The anti-missile is provocative." Our answer: There is nothing more provocative about anti-missile system than there is about a burglar system. The only one who thinks the burglar alarm system is "provocative" is the burglar. A burglar alarm system is purely defensive, and never goes into action until the burglar is on your premises.

False Argument No. 3: "The anti-missile is unnecessary because the Soviets are deterred from attacking us by the assured destruction capability of our offensive nuclear forces." Our Answer: Since Russia already has an anti-missile system, we have no "assured destruction capability" against the U.S.S.R. But, as long as we have no anti-missile system the Soviets do have an "assured destruction capability" against us.

False Argument No. 4: "It would be a waste of money to build the anti-missile because we might have something better in ten years." Our Answer: If anyone can look into a crystal ball and tell us the precise moment when the Soviets or Chinese Reds will attack, then we could build weapons for exactly that date and not waste earlier preparations. In the absence of such precise knowledge of the future, the only sensible policy is to follow the advice of President George Washington who said, "If we desire to secure peace . . . it must be known that we are at all times ready for war."

America cannot be protected by weapons which are on the drawing board—only by weapons which we actually have. At the time of Pearl Harbor, the Pentagon knew that in three or four years we would build a better airplane than the B–17 and B–24. The improved, larger B–29 went into action in 1945. But meanwhile, the war had to be fought with the B–17 and the B–24. If we had waited for the B–29, we might have lost World War II. In the case of a nuclear attack, we will not have any time to reopen plants and build weapons—as we did after Pearl Harbor. In the nuclear age, the only weapons which count are those which are on alert at the moment of attack.

WALTER W. BURTT,
Americanism Chairman,
V.F.W. Dept. of N.H.

EARTH BENEFITS FROM SPACE PROGRAM

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. PETTIS. Mr. Speaker, today I am proud to share with my colleagues an editorial from one of my district's finest newspapers, the Fontana, Calif., Herald-News which succinctly and dramatically capsulates the meaning of our space program in terms the average American can understand.

Too often Americans, even Members of this House, think of our space activities only in terms of spacecraft, 25,000 miles an hour speeds, heroic astronauts, and precise navigation, and exploration in outer space. This editorial takes another tack—an important one which all of us should consider.

The editorial follows:

MOON PROGRAM PAYS DIVIDENDS

For those who view the planned lunar landing next month with mixed emotions—proud of the U.S. accomplishment but dubious about the cost—Rep. Jerry Pettis (R-Calif.) has some reassuring words.

Pettis is in a position to know whereof he speaks as a member of the Science and Astronautics committee of the House. This committee oversees the operations of the National Aeronautics and Space Administration (NSA).

According to Pettis the moon program, which has captured the imagination of millions, has also provided benefits for the nation and its citizens. Pettis says he has insisted highest consideration be given to earth-oriented benefits.

From the laboratories funded through the space program have come more than 2,750 technological advances that have been shared wtih industry.

According to Pettis some of these discoveries have medical application. Others have brought about improvements in power conversion systems, structural and fabrication techniques, and metallurgical processes. Still others have improved television and other electronic equipment, new lubricants, better insulation, longer lasting house paints, welding and galvanizing methods, fireproof materials and safety measures.

Purely on a dollar basis, says Pettis, the potential benefits are stupendous. Nimbus III, a new weather satellite, is furnishing detailed information for long range weather forecasts that can save billions of dollars a year and countless lives now lost to hurricanes, tornadoes, floods and other weather disasters. The Communications Satellite Corp., which makes it possible to witness overseas events in your homes, already is operating at a profit. The space program needs have been a principal stimulus to the computer industry which grosses $20 billion a year and provides 800,000 jobs that didn't exist 20 years ago.

Pettis lists many other benefits in medical and scientific fields.

And, as he concludes, the space program will go on improving the quality of our lives on earth. Future generations may look upon our vast investment in this research as the biggest bargain of our time.

HALT MIRV TESTS

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. McCARTHY. Mr. Speaker, today I am joining Mr. COHELAN and others in sponsoring a resolution calling on the United States to declare a temporary moratorium on the testing of the MIRV strategic missile warheads. This is the single most important arms-limitation problem now faced by the major nations of the world. Completion of the MIRV tests before the United States and Russia sit down at the strategic arms limitation talks this summer would close a major avenue to effective arms control and rapidly escalate the nuclear arms race.

On April 15, 1969, I spoke to the House of Representatives on the subject of MIRV testing. I pointed out at that time that testing of MIRV warheads by both the United States and Russia threatened a major escalation in the nuclear arms race. The United States now has about 2,400 targetable warheads in its arsenals. A conversion to MIRV warheads would raise this total to 10,000 or more. A single MIRV warhead for the Poseidon missile, for example, might carry as many as 14 40-kiloton nuclear bombs. If both countries arm their strategic missiles with MIRV warheads, the threat of a first strike would become a serious threat. It would probably lead to the development of a new series of strategic missiles, such as a mobile land based system or a sea-bottom mounted system, posing new problems for arms control and placing crippling economic costs on both countries.

The importance of the test phase of the MIRV program is that it is the last point where the use of this warhead can be checked without actually physically inspecting a missile. Both the United States and Russia have the capability to observe the MIRV tests that are conducted over the Atlantic or Pacific Oceans. Without having to place inspectors on the territory of the other nation, both the United States and the U.S.S.R. are able to verify whether the other nation has completed MIRV tests. Once the tests are completed, however, each nation must assume that MIRV warheads are being used.

I understand that a temporary halt of from 2 to 3 months in MIRV testing, until the United States and Russia sit down to discuss strategic arms limitations, would not prevent resumption of the tests should it be impossible to reach a mutual agreement on a test ban at the talks. I urge President Nixon to take the initiative and declare a test moratorium now. It would be a major step on the road to effective arms limitations. Not to do so would be a major setback in attempting to control the nuclear arms race.

I am including in the RECORD an article and an editorial that appeared in the June 18 ,1969, issue of the Wall Street Journal on MIRV that I believe would be informative to my colleagues.

The article follows:

MISSILE DEBATE: THE REAL VILLAIN IS MIRV

(By Robert L. Bartley)

The great missile debate of 1969 has been a debate about the wrong missile.

Or anyway, that's the strongest impression that sticks as a journalistic onlooker comes up for air after immersion in the literature the strategic controversy has engendered. Prospects of avoiding a nuclear exchange between the United States and the Soviet Union are not directly menaced by defensive antiballistic missiles. From the standpoint of avoiding this holocaust a far more serious threat arises from the offensive multiple warhead missiles both sides apparently are developing.

This week multiple warheads have finally been brought to the forefront of the strategic debate, at least momentarily. A halt in U.S. tests of MIRV (for multiple independently targetable re-entry vehicles) is being sought by a group of Senators led by Clifford Case and Edward Brooke. At best, though, MIRV remains a side issue in the ABM debate, which has spawned political, emotional and personal impedimenta that seem to make it unlikely any MIRV decision will rest on especially rational grounds.

The problem is that it's not enough to work the wonder of stopping the nuclear arms race; the additional trick is to stop it at a level conducive to future stability. It will make an enormous difference, to take a pointed example, whether nuclear arms are frozen when both sides have second-strike capability, or when both have first-strike capability.

Mutual second-strike capability, the current posture between the U.S. and USSR, means that each side can absorb the worst nuclear blow the other can mount, then still retaliate overwhelmingly. Since a first blow would be suicidal, this posture helps promote stability.

UTTER DESTRUCTION

Mutual first-strike capability, by contrast, would mean each side could so utterly destroy the other that the attacked power could not even effectively retaliate. Each would know that if it shot first it would win, but that it would lose if the other got off the first salvo. The deterrence that has so far helped prevent nuclear war would no longer pertain; in any crisis the present pressure toward stability would be quite reversed.

To preserve any pretense of deterrence in such a situation, each side probably would have to adopt fire-at-warning policies, threatening to fire its retaliatory forces in the 15-to-30 minutes between when a first strike would appear on radar and when it would hit. This constant state of alert would involve an obvious and destabilizing increase in the risks of nuclear war by accident.

The distinction between these postures is by no means academic, for it appears there's a real chance that the advance of technology will take us out of the era of mutual second-strike capability and into an era of mutual first-strike capability. If anything like this does happen, the principal villain will not be ABM but MIRV.

With MIRV each rocket launcher would have, say, three warheads. Thus it could attack three of the enemy's launchers. In other words, one missile with three warheads could take out three missiles with nine warheads. Theoretically, two sides with equal numbers of missiles could wipe out the other's retaliatory missiles with only a third of its own force. Whoever fired first would win.

In practice, to give thanks for small favors, a first strike is scarcely so simple. Since no missile system works perfectly, for one thing, such a blow would require many more missiles than simple arithmetic suggests. Opponents of the ABM have argued that because of unreliability and other factors, the possible mid-1970s force of 500 Soviet SS–9 missiles with MIRV would not be enough for a first strike against the approximately 1,000 U.S. Minutemen.

Such calculations, though, have been impressively attacked by Albert Wohlstetter, a leading strategic specialist at the University of Chicago. He notes, to take one example, that ABM opponents have ignored that most missiles that prove unreliable do so either at launch or shortly thereafter. So a power mounting a first strike would know almost immediately which missiles failed, and could quickly send a second salvo against the remaining targets. Thus he calculates only 5% of the 1,000 Minutemen would survive an attack by 500 SS–9s, an impressive testimonial to the essential effect of MIRV.

Even total destruction of the Minuteman force, however, would not in itself prevent retaliation. The U.S. deterrent forces are "mixed," including not only land-based Minutemen, but also aircraft and Polaris submarines. This mixed posture is specifically intended to complicate any attacker's problems, and also to guard against sudden breakthroughs in any one field. A true first strike against the U.S., as Dr. George W. Rathjens has recently written, would require not only that the Soviets destroy the Minutemen, but also that they be "highly confident of also destroying the other components of our retaliatory strength essentially simultaneously, a possibility that is all but incredible."

Faced with such argument, Secretary of Defense Melvin Laird has retreated somewhat from his earlier invocations of a Soviet first strike. He now says that if the Russians continue their present developments, "the survival of two of the three major elements of our strategic offensive forces, namely the bombers and the land-based ICBMs, could be gravely endangered. To rely on only one of the three major elements would, in my considered judgment, be far too risky, considering the stake involved, which is the very survival of our nation."

In other words, the Secretary currently argues that the U.S. cannot ignore a threat to the Minuteman missiles if it wants to preserve the full stabilizing effects of a mixed force. If Minuteman were neutralized, a technical breakthrough in anti-submarine warfare would open thoughts of a successful first strike. The mixed force is in jeopardy because one of its components, the land-based missiles, is already obviously subject to that kind of destabilizing breakthrough, which is MIRV.

MR. PACKARD'S TESTIMONY

To be entirely precise, MIRV is a large step toward first-strike capability only when combined with warheads large and accurate enough to attack hardened launcher silos. While the U.S. is ahead in MIRV technology, the multiple warheads it's developing for Minuteman III and Poseidon missiles are apparently not large enough to be especially useful as a counterforce weapon. In Congressional testimony, Deputy Defense Secretary David Packard said the Minuteman is not a first-strike weapon with or without MIRV, and elaborated, "some of the considerations involve estimates of accuracy and weapons size, and I would be very glad to go into that with you in detail. I cannot do it in open session."

The Soviet SS–9 missile apparently can carry a warhead load some 25 times greater than the Minuteman can. Estimates of a MIRV system for SS–9 center on three warheads, each of 5 megatons, or 250 times the size of the bomb dropped on Hiroshima. The Soviets have other smaller ICBMs, and apparently U.S. intelligence once mistakenly expected them to taper off SS–9 deployment. Since the 5-megaton warheads would seem superfluous in a second strike against cities but ideal for a first strike against missile silos, Defense Department planners find continued deployment of the SS–9 highly threatening.

Both sides have long known how to make larger rockets and larger warheads, though, and the technical key to a first strike against land-based missiles is MIRV. Senators now starting to stress a curb on MIRV developments also stress its inspection difficulties. At present, with both sides still testing MIRV, each can monitor the other's efforts. A moratorium could be easily supervised. But once the systems are perfected, no agreed limitation could be easily enforced without unlikely on-site inspections. MIRV would be a reality, and all of its destabilizing effects would be upon us.

The missile debate has not concentrated on MIRV, of course, but on the ABM. The effects of ABM on stability are far less clear-cut. An all-out defense of cities is uniformly considered destabilizing, because it could facilitate a first strike by shooting down the few retaliatory missiles to survive an initial onslaught.

Proponents of the ABM nonetheless consider a light city defense a stabilizing factor, because it would guard against attack by a minor nuclear force such as Mainland China is expected to develop by the mid-1970s, and against a small accidental launch. An ABM can also be considered stabilizing if it protects missile forces, as the current Safeguard is supposed to do. Indeed, ABM proponents believe it would help offset the destabilizing three-for-one effect of MIRV, because an attacker would have to insure penetration of the defense by targeting several warheads on each of his enemy's launchers.

Opponents of the ABM often agree that a defense of the deterrent would not upset the strategic balance. But they contend the Safeguard program is not actually adapted to that end, because it is a carryover from city defense plans and tries to combine defense of the deterrent with a light shield over cities. They seem to feel any defense of the cities is destabilizing; for one thing, it would force the other side to counteract it by developing MIRV.

The latter argument, in a sense, only stresses that the emphasis in the strategic debate has been misplaced. The reasons ABM became the focus of the debate seem largely political and personal. MIRV was the cost-effective pet of former Secretary of Defense Robert McNamara, whom the ABM critics generally consider an ally of sorts. Secretary McNamara also proposed the first ABM deployment, but with an obvious distaste that hardly prevented his Congressional friends from attacking it.

More generally, critics of the ABM actually are less interested in any particular missile system than in establishing effective Congressional control of the Pentagon budget. They want to demonstrate that Congress can intelligently review and even reject Pentagon proposals. MIRV, an ongoing program for some time, would be an inconvenient target for such a demonstration. ABM development is not so far along, and the attack on it was all the more convenient because of suburban displeasure with ABM sites under the old Sentinel program.

Some leading ABM foes do not want to sacrifice the momentum they have gained on that issue by taking on MIRV as well or instead. Sen. William Fulbright recently told the Washington Post that the ABM has "become a symbol of this body's attempt to control the spending on arms." Rather than confuse the issue with MIRV, he suggested, "we should stay right on the ABM until it's disposed of."

A PRESIDENTIAL TEST?

On the other side of the debate, President Nixon seems to have permitted the ABM issue to shape up as a test of his Presidential leadership. A suspension of the MIRV tests with the ABM vote still pending would make it look as if the President had been faced down. It might endanger his prospects in the ABM fight, as opponents of the system would probably assume the Soviets would reciprocate with their own MIRV slowdown, and would use this as an argument against the ABM.

MIRV has become prominent in the debate, in short, only after positions on both sides have been pretty well frozen. Yet if MIRV development continues both here and in the Soviet Union, it would seem that little stability will be gained by stopping ABM development. And if MIRV development is stopped by agreement or mutual example, the current mutual second-strike capability will be preserved regardless of what the two sides decide about limited ABM deployment for such reasons as protection against minor nuclear powers.

The ABM may be a technical flop and an enormous waste of money, as its opponents contend. But in promoting stability in the nuclear arms race, the ABM does not matter nearly as much as the intensity of the debate has suggested. What does matter is MIRV.

THE ARMS RACE AND MIRV

In nearby columns the reader will find an attempt to untangle some of the skeins of the debate over strategic nuclear posture in general and multiple warheads in particular. One does not need to run with the outspoken doves to recognize that MIRV is a highly dangerous technical development and a very special case.

As a matter of fact, we have never subscribed to the fuzzy notion that the key to progress on arms control is for the U.S. to demonstrate its good faith. Rather, we think the chance of a really meaningful arms agreement rests on a strictly hardnosed bargain between the U.S. and the Soviet Union.

Nor do we think much of the vaunted "action-reaction cycle" as the ultimate explanation of the arms race. Certainly it's true that both the U.S. and the Soviets react to the other's arms advances, but in a deeper sense each is reacting to the inexorable advance of technology. The "action-reaction" explanation is not one that can be turned on its head; who will say straightaway, as this talk so often hints, that if the U.S. unilaterally stops its developments the Soviets will automatically do likewise?

We do strongly believe, however, that the U.S. and the Soviets must do whatever they can to stop the arms race. Even allowing that the actual chances of an eventual agreement can be improved by a certain amount of preparation, we have not been happy with the Administration's apparent slowness in completing arrangements for Soviet-American arms talks. It is encouraging that the U.S. has now reportedly proposed a starting date of July 31.

MIRV would be a logical first item in any arms talks, since future stability depends on both sides possessing a secure deterrent, and MIRV is a large step toward the ability for each to destroy the other's deterrent forces. But the U.S. development of MIRV is already in its final flight tests. Once the tests are completed, a MIRV limitation agreement would be vastly complicated by inspection issues. Thus a number of Senators have asked that the Administration halt the tests pending the forthcoming negotiations.

In reply, Dr. John S. Foster, Pentagon research chief, has argued that the U.S. needs to proceed with its present MIRV schedule because the Soviets might upgrade their aircraft defenses into a full-scale ABM. Yet such upgrading surely would require some amount of lead time, and apparently we already can start to deploy MIRV within a few months.

Defenders of MIRV also argue that a mutual moratorium might have been a good idea at one time, but that it is now too late to stop at a point where both sides are confident the other does not already have the weapon. While there is some disagreement about the precise status of the Soviet MIRV program, everyone seems to agree the U.S. is substantially ahead. At this point, in other words, it is the Soviets who would suspect that the U.S. has perfected the weapon.

That means that the U.S. could experiment with an announcement that it is suspending its tests for a limited period contingent on Soviet reciprocation. It could also stress that, whatever its progress in separating and targeting the warheads, it has not experimented with multiple warheads of the huge size necessary to attack Soviet deterrent forces. In this situation, the Soviet reaction would tell us whether it's already true that "the genie is out of the bottle."

Thus we think the Senators trying to shift the debate away from ABM and toward MIRV have a strong case. If the political obstacles to a MIRV holdback prove too high, indeed, they may want to consider offering to defer to the Administration's judgment on ABM provided it postpones the MIRV tests. Because of its huge destabilizing potential, MIRV is the truly urgent issue.

For multiple warhead technology is more dangerous than other arms developments now on the public horizon, and at the same time one on which a suspension seems reasonably feasible. The United States has a lead in the key technology. As long as development remains in the testing stage, a moratorium by mutual example could be unilaterally supervised merely by watching Soviet tests. Since arms talks are about to start, an announced moratorium could be for a limited period, pending formalization through negotiations.

We do not think much of the prospects of disarmament by mutual example as a general rule, and still less of unilateral holdbacks as a method of arms control. But the case for a carefully designed exception is seldom likely to be stronger than it is regarding MIRV.

HON. WILLIAM BATES

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. RIVERS. Mr. Speaker, there is little that can be added to the tributes that have been paid to the memory of the late Honorable William Bates.

To say that he will be missed is an understatement of the highest order. But I would like to include in the RECORD at this time a letter I have received from one of the most outstanding naval officers in the history of our Nation, Vice Adm. Hyman G. Rickover.

Admiral Rickover's tribute is eloquent and sincere and I know that it will bring comfort to Mr. Bates' family to know of the high esteem which Admiral Rickover held for Bill Bates.

The letter follows:

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., June 24, 1969.

Hon. MENDELL L. RIVERS,
Chairman, Committee on Armed Services, U.S. House of Representatives, Washington, D.C.

DEAR MR. RIVERS: It is my understanding that members of the House of Representatives are planning to include in the Record comments concerning the distinguished service Congressman William Henry Bates gave his country during his 19 years as a member of the House. If it is appropriate, I would appreciate it greatly if you could include this letter.

I have known and respected Congressman Bates since his election two decades ago, and it is with deep sorrow that I learned of his death. All of us in the naval program who have been in any way associated with him, as well as many others, have reason to regret his death.

Over the many years that I have been responsible for the Navy's nuclear propulsion program, my respect for this distinguished American has continuously grown. He was always available when I asked to visit with him. No matter how pressed he was for time he befriended and helped me. It was a comfort to be able to go to him for his wisdom, his objectivity, and his kindly advice. I am proud to have been associated with so fine a gentleman and patriot who did such honor to his country and to his state.

I speak from personal experience when I say that the support he unfailingly gave as a member of the House Armed Services Committee and of the Joint Committee on Atomic Energy contributed immeasurably to our nuclear Navy—which is today a major factor in preserving peace. He was a wise man, a good friend; kind and warmhearted. His accomplishments will be better understood in the future.

Expressions of condolence always sound hollow and inadequate. But Congressman Bates was so unusual a man in every respect that I can't help writing to say that I feel his death as a personal loss.

Respectfully,

H. G. RICKOVER.

VOTING RIGHTS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. RARICK. Mr. Speaker, it appears to be the policy of the egalitarians that justice cannot be equally punitive in our land.

We of the seven Southern States who have had our State constitutions suspended at will by the U.S. Attorney General, under the Voting Rights Act of 1965, were amazed to overhear the screams of anguish and prejudice against the present administration's initial proposal to extend the Voting Rights Act uniformly into all 50 States. Noteworthy, some who were the most violent objectors to the Nixon Voting Rights Act led the fight to pass the Johnson Voting Rights Act—a dual standard of equality—acceptable so long as it applied only to the citizens of the Southern States.

We, of the often-persecuted and colonized South have—for 5 years—pointed out the inequities of the unconstitutional, highhanded Federal intervention into the rights of our people to have some voice in our voting laws—denying us the self-determination enjoyed by other States but which was denied us by the Voting Rights Act—reducing our States to the condition of conquered provinces.

The Voting Rights Act was but the spite work of unconscionable power politics in 1965 under the Democrats and no more right in 1969 under the Republicans merely because it would extend the long arm of the centralized Government into the registration offices and the voting booths of all States. But at least the tyranny against statehood and citizens would have been equally applied.

Mr. Speaker, I include several news clippings which can but conclude a hypocritical scheme of prejudice against the South:

[From the Washington (D.C.) Evening Star, July 2, 1969]

NIXON YIELDS ON VOTING RIGHTS—GIVES APPROVAL FOR EXTENSION OF PRESENT LAW

(By John Beckler)

The Nixon administration, apparently moving to head off a potential revolt by House Republican civil rights supporters, has indicated it will not oppose a compromise that could clear the way for extending the 1965 Voting Rights Act.

Under the compromise, originally suggested a week ago, the House will first act on extending the 1965 law, then consider the broader package voting legislation sought by the administration.

First indication the administration would not insist on a total substitution of its own program for the 1965 act came yesterday after a White House meeting between House Republican Leader Gerald R. Ford and President Nixon.

MATTER OF TACTICS

The dispute over the legislation was "just a matter of tactics," Ford told reporters after the meeting. "You know there will be an extension. It's just a question of whether it will be done in a package or in a two-step procedure."

The 1965 act is narrowly drawn to protect Negro voting rights in seven Southern states. The administration bill would expand its provisions—with one major change—to all 50 states and also ban state residency requirements for voters in presidential elections.

The major change in the administration proposal from existing law is in a provision designed to prevent states from changing their voting procedures to make it more difficult for Negroes to vote or run for office.

LIBERALS RAP MOVE

The present law requires the states to get prior approval from the attorney general before any change in procedures can go into effect. The administration bill would leave it up to the attorney general to uncover such changes and then institute any action to block a procedure.

The administration's attempt to replace the 1965 act brought a strong reaction from liberal Democrats and Republican civil rights advocates, who complained the new bill would weaken Negro voting rights by diluting the law's effect where it is needed most—in the South.

Some civil rights groups also have charged President Nixon agreed to take the sectional character from voting rights legislation in order to obtain Southern support in last year's presidential election.

MITCHELL IN HOUSE

And some critics say Atty. Gen. John N. Mitchell would not be particularly inclined to search out discriminatory changes made by the states in voting procedure.

The strength of the opposition, which had taken on the dimensions of a revolt within Republican ranks, was brought home forcefully yesterday when Mitchell appeared before the House Judiciary Committee.

[From the Washington (D.C.) Evening Star, June 30, 1969]

VOTING RIGHTS

The 1965 Voting Rights Act is bad legislation in the sense that it seeks to remedy in-

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justice by embracing inequity. If it were to lapse this year, at the end of its five-year statutory life, there would be no occasion for mourning.

The 1965 law moves along two main lines. It bans literacy tests in certain Southern states as a prerequisite to voting. And it requires those states to come to Washington and obtain the O.K. of the attorney general or a federal judge before any change can be made in their voting laws.

Now there is no doubt that literacy tests had been misused in the South in some instances to discriminate against potential Negro voters. And this certainly should not be tolerated. But the impact of the 1965 law is not based on any claim or showing of voter discrimination. Instead, its authors merely decreed that the law would become effective in any state or county in which fewer than 50 percent of the people of voting age failed to vote or were not registered to vote in the 1964 election. If 50 percent voted, a state was in the clear. But not so if only 49.9 percent of the eligibles went to the polls.

It turned out, by coincidence if one likes to believe in fairy tales, that this formula covered Alabama, Mississippi, Georgia, Louisiana, South Carolina, Virginia and 39 of 100 counties in North Carolina. Literacy tests in 13 non-Southern states were not affected.

Condemning this as "regional" legislation, Attorney General Mitchell has opposed a simple renewal of the 1965 law. He prefers new legislation which would ban all literacy tests and which would drop the requirement that Southern states come hat-in-hand to Washington for approval of any change in their election laws. As an alternative, Mitchell advocated legislation empowering the Justice Department to obtain injunctions against any discriminatory state law affecting voting, and which would also authorize the Attorney General to send observers and examiners into any state to guard against discrimination or voting frauds.

It has not been our view that a simple literacy test, given without discrimination, is an evil thing. Illiteracy and an informed electorate hardly go hand in hand. This country needs more rather than fewer voters who can at least read and write their names.

Since Congress obviously will take some action, however, we think the Mitchell approach is much better than perpetuation of the existing law. By all means, discrimination whether in tests or state laws should be struck down. But this should not be done through a federal statute which is both disingenuous and singularly invidious in its own discriminatory application.

CLARKE COLLEGE NAMES NEW PRESIDENT, ROBERT J. GIROUX

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. CULVER. Mr. Speaker, this is a most significant day in the 126-year history of Clarke College in Dubuque, Iowa, as Dr. Robert J. Giroux takes over as the first lay president of the institution.

Clarke, one of the oldest colleges for women in the country, was founded in 1843 by the Sisters of Charity of the Blessed Virgin Mary. In 1895, when the school was drawing students from as far away as Massachusetts, Canada, Hawaii, and Mexico, it began offering postgraduate courses. Chartered by the State of Iowa in 1901 as Mount St. Joseph Academy and College, it conferred its first bachelor of arts degree in 1904. In 1928, the academy was closed and the name was changed to Clarke College in honor of Mother Clarke.

Still largely a residence college, Clarke now has a steadily growing enrollment of day students who commute from a 40-mile area in Illinois, Wisconsin, and Iowa.

Dr. Giroux, formerly vice president for academic affairs and academic dean at St. Michael's College in Winooski, Vt., was elected by a predominantly lay board of trustees to succeed Sister Mary Benedict Phelan, B.V.M., who has held the office since August 1957 but who announced in May of this year that she would not be available for another term.

During the 12 years Sister Mary Benedict has served Clarke College, student enrollment has increased by more than 50 percent—from 713 to 1,075. Part of that increase resulted from the expansion of one residence hall in 1961 and construction of a new dormitory in 1965. The college has also opened in the past 5 years a $2.3 million science-classroom building and a maintenance services center.

In 1966, Clarke converted its 12-year-old lay advisory board into a board of trustees, with legal control of the college. In 1967, it became a charter member of a tri-State consortium including Aquinas Institute, Loras College for men, the coeducational University of Dubuque, and the University of Wisconsin at Platteville. The following year, it established with Loras and the University of Dubuque a tri-college cooperative effort, which now has a $200,000 Federal grant for study of curriculum coordination and faculty-student exchange.

A graduate of St. Michael's College, Dr. Giroux holds a master of arts in teaching degree from that school and a doctor of philosophy degree from the School of Psychology and Education at the University of Ottawa, Canada. He has also studied at the University of Notre Dame and the C. W. Post College of Long Island University.

Before joining the faculty at St. Michael's in 1962, as Director of Extension Services, Dr. Giroux taught in schools in Vermont, Connecticut, and New York. He designed and directed the first NDEA Guidance Workshop in Vermont, was appointed by the Governor to the Vermont Technical Services Board, and served as president of the Vermont Personnel and Guidance Association and consultant to the Vermont Personnel Board.

He was active in the preparation of the Bilingual Education Act in the last Congress, and has also served as consultant to the secretary of education of the diocese of Ogdensburg, N.Y.; as a member of the State advisory board for the religious education of the retarded; and as a consultant to the provincial association of Catholic Teachers of Montreal. He designed and initially directed an Upward Bound project at St. Michael's and a program for black students from New York City, through Mayor Lindsay and Governor Hoff of Vermont.

Mr. Speaker, as Dr. Giroux assumes the presidency of Clarke, it is an appropriate time to give recognition to the contributions which the institution has made for more than a century, and which Sister Mary Benedict has made for the past 12 years, to the excellence of higher education for which eastern Iowa is noted, and to the development of young women throughout the Middle West. We wish Dr. Giroux every success as he continues the high standards and traditions which have marked Clarke College through the years.

WASHINGTON WORKSHOPS WORK FOR YOUTH

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. PEPPER. Mr. Speaker, I just had the pleasure of meeting and talking with 150 high school students who have come here to the Nation's Capital to participate in the Washington Workshops on the U.S. Congress. The purpose of these Washington Workshops—to be carried on throughout the summer—is twofold: To offer in-depth study and on-the-scene involvement in the American legislative and political process and, at the same time, to improve the lines of communication between the Nation's leaders and its young people—the leaders of tomorrow.

I have participated in the workshops both last year and at the present time, and I am so encouraged by the program that I would like to tell my colleagues more about it.

The workshops sessions are built around daily Capitol Hill conversations with Members of Congress. Some 50 Democratic and Republican Congressmen and Senators, representing a broad spectrum of political thought, will meet with the students. Some of this summer's participants include Senator MUSKIE, Democrat, of Maine; Senator MCGOVERN, Democrat, of South Dakota; Senator GOLDWATER, Republican, of Arizona; Senator HATFIELD, Republican, of Oregon; Senator JAVITS, Republican, of New York; and House Members, Speaker MCCORMACK, Democrat, of Massachusetts; Minority Leader FORD, Republican, of Michigan; Mr. PEPPER, Democrat, of Florida; Mr. ROSENTHAL, Democrat, of New York; Mr. MCDADE, Republican, of Pennsylvania; and Mr. MCCLOSKEY, Republican, of California. Preceding these sessions, morning campus seminars at Mount Vernon Junior College on the legislative process are led by Washington Workshops instructors who are college and graduate school government majors, and teachers of the American Government.

One focal point of this summer will be congressional and governmental proposals concerning college unrest. The students will discuss and consider various responses to this problem, analyze pending legislation and administration proposals dealing with campus unrest, and hold dialog discussions in this vital area of American concern.

Additional activities include guest lectures and discussions with Cabinet members and Government officials, evening panel discussions with visiting international students, as well as social events featuring Embassy receptions, a congressional pages party, and concerts.

Washington Workshops, a nonprofit educational foundation, founded by my friend Leo Tonkin, offers the only study program on the U.S. Congress for high school students in the Nation's Capital, and has received the cooperation of the National Council on Social Studies of the National Education Association, the National Catholic Education Association, and the National Association of Independent Schools.

Applicants are selected on the basis of their interest in American Government and the U.S. Congress and on recommendations of their high school government teachers and guidance counselors. This summer's seminars will include nearly 1,000 participants from every State of the country and every social and economic background. I am especially pleased to find that Miguel Guillermo Guilarte, valedictorian of Miami Senior High School, participated in this event. Many students come with scholarship assistance provided by the Washington Workshops Foundation, schools, local civic and business groups, and title I—disadvantaged student assistance—of the Elementary and Secondary Education Act.

As I previously mentioned, I have just met with the first group of students and it was an experience that reinforced my confidence in America's young people. They are concerned and involved, and determined to find solutions to the problems that frustrate all of society today. Many of these splendid young Americans will be here for the remaining 2-week Workshops this summer.

As a Member of the House of Representatives, I want to welcome them, and to say that I know the Washington Workshops will prove to be an educational and challenging experience for both them and the Members of Congress.

THE DRAFT

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. SCHADEBERG. Mr. Speaker, I am currently undertaking a survey of the views and attitudes of high school principals, college presidents, and members of selective service draft boards in my district on the draft and draft-reform proposals. Being of the belief that there is much value in Congress going directly to those citizens who are directly involved with a particular issue, I have requested the assistance of these persons in formulating some attitudes for upcoming consideration of selective service revision.

I have just received a most beneficial and informative letter from Mr. Calvin Hewitt, of Kenosha, Wis., expressing some observations of local board No. 31, Kenosha County, Wis. As evidence of the national concern of my constituents, and as an expression of much significance, I am including the letter in the RECORD and commend its reading to Members of Congress:

VETERANS SERVICE OFFICE,
Kenosha, Wis., June 26, 1969.

Congressman HENRY SCHADEBERG,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN SCHADEBERG: Your letter to Stanley Przlomski, Chairman of Local Board No. 31, was read with interest by the five board members, and I was informally designated as the one to reply. I am in my fifth year of service on the board and as a part-time board member who contributes eight, ten or more hours each month to my uncompensated responsibility to administer the Selective Service laws, and as a full-time local citizen who is fully aware of the effect of the "draft" upon the local community, I trust my observations may be of some interest to you.

Even though the local board member is knowledgable about the "draft," he finds that joining the debate about the "draft" could impede his effectiveness as an administrator. Generally, we quietly observe, and listen to the bias, half-truths, and condemnations espoused by the uninformed and/or malcontents. Too often persons of considerable stature in government, educational institutions and the news media, display shameful ignorance of the selective service system.

As an administrator of the selective service laws, my perspective must be oriented to my understanding of national interests as it affects all the registrants under Local Board 31's jurisdiction, and how this in turn effects the individual registrants who are being considered for classification. I presume that your perspective as a Congressman charged with the responsibility of providing for our national security, must begin at this point of issue, and after you decide the needs of our national security, must then consider the best way of providing security and finally a system that affects all of your constituents consistent with fullest equity and justice.

I believe that until such time as our military commitments may be appreciably reduced, the present draft system should continue to serve as a flexible supply of men to the armed services. Improvement in the procedures are always possible and desirable. The present system of local boards exercising very limited discretionary powers for granting deferments is both democratic and more uniformly practiced than is generally believed. Stricter guidelines for deferments for critical employment, graduate level education and for concientious objectors could be an improvement. It may also help if Congress would appropriate sufficient funds to examine all 19 year olds so that acceptability can be determined at an early date. I believe the present selection of the oldest first should be continued for the present and for the forseeable future. The idea of random selection may make sense at some future date, but it would create greater inequities than presently exist if instituted at this time.

One must consider the fact that the present system of selection has been built upon both the successes and the failures experienced throughout the history of our country. The fact of military service is certainly more disruptive to an individual's life than the fact of obligation to serve. One incontestable fact is the military mission is best served by male youths in the 19 to 26 year age bracket. By imposing reasonable standards for acceptance into military service, a certain percentage of this age group will be found physically, mentally, or morally unacceptable. It is obvious that inequity in the 19 to 26 year age group is impossible to avoid.

It is my belief that our Republic form of government places a specific burden of responsibility upon each citizen. In our pluralistic free society, the degree of individual responsibility must increase in proportion to the increase in the social and economic diversity of our citizens, and the task of achieving greater justice and equity under the law becomes increasingly difficult to attain. Those citizens who are physically, mentally, or morally disadvantaged must necessarily assume a lesser share of the burden and thus a greater share of responsibility must be borne by those more favorably endowed. It seems there is considerable shirking of responsibility by some young people and too much pampering of this attitude by some adults. The present selective service system continues to serve its mission in spite of the physical and verbal barbs hurled at it by self-seeking, misguided, people who display little understanding of or concern for our national interests. It is my opinion that this session of Congress should spend very little time on this matter because it has already been studied more than adequately. I strongly recommend little or no statutory change in the system in this session of Congress.

For your information I am enclosing a copy of a letter I wrote in January, 1968, which covers some of my attitudes and opinions about the draft. One additional subject should be touched upon, that of the so called voluntary military service. The some 1,400 men and women presently in the armed services from Local Board #31's area of jurisdiction (Kenosha County) represents approximately 4 enlistees for every 1 inductee. The board members are aware of many enlistments motivated by the draft, but there is no realistic measure of how many are primarily motivated by the "draft." A feasibility study of the voluntary military should begin with the present retention rates of the various services. In my opinion, due to a lack of a military tradition (ours is a concept of the civilian oriented "citizen soldier") and unfortunately modest to low status of military careers, an all volunteer force is impractical. Even if it was practical, I would question the desirability of an institutionalized professional military as being out of character with our very successful experience with the civilian oriented military. It is paradoxal to hear the same people bewailing the "military-industrial complex" and at the same instance strongly urging the abolishment of the draft in favor of an all volunteer professional military. I pray that Congress will be able to consider this matter in its proper perspective.

Yours truly,

CALVIN HEWITT,
Member of Local Board No. 31.

BROADCASTING IN THE PUBLIC INTEREST

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. OTTINGER. Mr. Speaker, for a wide variety of reasons, the Federal Communications Commission has been a toothless watchdog over the public interest in radio and television broadcasting. Most of the responsibility, of course, lies with the FCC, but Congress itself must share in the blame.

Recent developments, however, give us a small degree of hope for the future. The FCC, with an 11th-hour exhibition of bureaucratic legerdemain reversed the precipitous action of its staff in the

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WPIX case, and at the same time was ordered by the U.S. Court of Appeals for the District of Columbia to invite new applicants for WLBT's broadcast license in Jackson, Miss. WLBT had a long history of biased reporting of civil rights news, but the FCC's bureaucratic blinders denied the possibility of an effective challenge, except through the courts.

The New York Times in a June 25 editorial presented an encouraging perspective of the broad issue these two cases present. I commend the editorial to the attention of my colleagues:

THE PUBLIC AIRWAVES

The ruling by the United States Court of Appeals for the District of Columbia denying the license renewal of WLBT-TV in Jackson, Miss., is a decision of major significance not only for broadcasting but for other Federally regulated businesses.

For the court has held that wherever the public interest is at stake, the public has standing before the Federal agencies and can challenge licenses and franchises without legal apologies. This concept, which underscores an interim ruling of a few years ago in this TV license case, already has had the effect of encouraging conservationists, for example, in matters before the Federal Power Commission.

Five years ago, Dr. Everett C. Parker, director of communication for the United Church of Christ, initiated a method of monitoring Southern TV stations to see if they were carrying the whole civil rights story. WLBT-TV appeared to be one of the worst offenders in failing to report fully on civil rights developments. The United Church of Christ, leaders of the local National Association for the Advancement of Colored People and other private citizens accused this station of racist programing practices before the Federal Communications Commission. But they were regarded as interlopers and slapped down.

Last summer the F.C.C. went through its usual motions of allowing this station to stay on the air and denying a challenge by the civil rights groups. In a strong dissent, Commissioners Nicholas Johnson and Kenneth Cox declared that "it is simply undeniable that bigotry was a watchword at WLBT."

Now that dissenting view has been upheld by none other than the new Chief Justice of the United States, Warren E. Burger. In his final opinion as an Appeals Court judge, he encouraged the challengers, rebuked the F.C.C., withdrew WLBT's license and invited new applicants for this station's franchise.

The decision means that TV and radio stations holding franchises of the public air do not have, in the cynical phrase, "a license to print money." As Judge Burger put it, "Broadcasters are temporary permitees—fiduciaries—of a great public resource and they must meet the highest standards which are embraced in the public interest concept."

Broadly, this decision will help educate the Federal regulatory agencies and the courts as to the inherent rights of public challenges against licensed private interests.

WHAT AMERICANISM MEANS TO KATHLEEN O'HARA

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. JOELSON. Mr. Speaker, I am pleased to bring to the attention of my colleagues a prize-winning essay, written by an eighth grader, containing a statement of principles we all should like to see practiced. Its author, Miss Kathleen O'Hara of Bloomingdale, N.J., was named State champion in the New Jersey Jaycee essay contest.

Kathleen, obviously, is not among the "alienated youth" we hear so much about these days. It is good for us to be reminded that there are young people like Kathleen, who are outspoken for the principles on which this Nation was conceived and dedicated.

I think it particularly appropriate to insert Kathleen's essay in the RECORD this week, as we prepare to mark the 193d anniversary of the adoption of the Declaration of Independence.

The essay follows:

WHAT AMERICANISM MEANS TO ME

(By Kathleen O'Hara)

The baby toddling his first steps, the boy on his way to baseball practice, the young man of twenty-one voting for the first time, are all American citizens.

Citizenship is your privilege, your right—no one can take it away from you. You are a citizen, now, this very minute. But because America so generously bestows its citizenship upon you, you owe it to your country to become a good citizen, and you can do this by practicing Americanism, the best way to do this is first to know and then to do.

America is a land, a people, and a way of life. By getting to know your country you will come to love it. Learn how your country, your own state, your city, town, or village are governed and find out how you fit into that government. Discover where that government is strong and where it is weak. Do your part as a citizen in the big task of upholding its strength and overcoming its weaknesses.

But be prepared as well to do your part in the smaller tasks—in such everyday things as obeying traffic regulations, living up to game laws when you go hunting or fishing, serving on jury duty when called, and many other things.

Find out about our political parties and what they stand for—all of them, not just one. Study all sides of a question that concerns the welfare of your community, your state, your country, then take your stand and vote as your conscience bids you. Vote those people into public office you feel best fitted to do what you think is right that's the way to make democracy work.

But don't stop here.

Remember that America is not a gift that is freely given us. Each of us must deserve it. We must work for America, live for it and, if the call should come, die for it.

"A chain is as strong as its weakest link." A nation is as strong as each of its citizens. America is as strong as you are!

JUNIOR ACHIEVEMENT'S "OPERATION ARUBA"

HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mrs. DWYER. Mr. Speaker, earlier this year I brought to the attention of our colleagues through the CONGRESSIONAL RECORD the plans of Junior Achievement of Union County, Inc., for its 1969 youth incentive and economic education award project, Operation Aruba.

I am now delighted to report to our colleagues that Operation Aruba was a complete success and deserves to rank as one of the finest international public relations and youth education projects yet executed.

As a part of my remarks, therefore, I am pleased to include Junior Achievement's official report on Operation Aruba. I do so not only because I am deeply proud of the accomplishments of these young achievers and of the guidance and encouragement provided them by outstanding business and industrial leaders in my area, but also because I am convinced that the experience of our own junior achievement program can be an important incentive to similar programs, both real and potential, in other parts of the country.

Learning by doing, Mr. Speaker, is still the most effective kind of education, and as our colleagues will discover from the report, Junior Achievers of Union County, N.J., have demonstrated impressively the great potential of young Americans to develop the competence and self-reliance that will benefit them and our country in the years ahead.

The report follows:

JUNIOR ACHIEVEMENT OF UNION COUNTY, INC.—REPORT ON OPERATION ARUBA

1968–1969 YOUTH EDUCATION AND ECONOMIC EDUCATION PROJECT

Tenth in a series of unique youth incentive and economic education projects developed and executed by Junior Achievement of Union County, Inc., which comprises Union County, New Jersey and the nearby communities of Carteret and Holmdel, Operation Aruba was an unqualified success. The 8-month project was designed to develop competence and to stimulate outstanding performance in all phases of Junior Achievement. All objectives were attained and Operation Aruba has been acclaimed for its contribution to international understanding and goodwill.

Products of the 31 Junior Achievement companies were well designed and attractively packaged.

Production was efficient, quality good, and production goals established and met, keeping pace with sales.

Dollar sales of the junior companies totaled $45,031, the highest to date.

140 Junior Achievers earned membership in the JA $100 Sales Club. Top dollar sales winner had sales of $1,449. The aggregate sales by this group was $22,705.

The attendance record of the Junior Achievers was excellent and the highest in the Eastern Region, ranking among the highest in the nation.

30 of our 31 Junior Achievement companies operated at a profit. 27 of them paid dividends to their stockholders—one company operated at a loss—3 operated at about a break-even, but were able to return 100% of their stockholder's investment upon liquidation.

49 Junior Achievers were nominated for participation in the Operation Aruba award trip to industrial, educational, and cultural sites in Aruba in the Netherlands Antilles, May 4 through May 10, 1969. 33 award winners and 2 alternates were selected by a panel of business and community leaders after probing individual interviews. They were questioned about their performance in Junior Achievement, their understanding of the principles, functions, risks and rewards of free enterprise, their extracurricular interests and activities, and their knowledge of the history and economic development of Aruba.

FREE ENTERPRISE ESSAYS

As part of the Operation Aruba competition the Junior Achievers were required to write an essay on the subject "Why I Believe in

Free Enterprise and What Junior Achievement Has Taught Me About It". Biographies of the award winning Junior Achievers, which were sent to Aruban hosts and to newspaper, radio and television editors and programmers prior to arrival in Aruba, included excerpts from their essays and information about the young people's extracurricular activities.

Typical is the essay of Thomas Zepko, 16 year old sophomore at Rahway High School who is President of JARCA, sponsored by Radio Corporation of America. He wrote:

"My original intentions in joining Junior Achievement centered around the desire to be involved in something truly worthwhile. I have not been disappointed.

"Junior Achievement has helped me to develop those character traits which I feel are most important in a successful career, and has strengthened my trust in this nation and its free enterprise system.

"Since I have been involved only in purely academic courses in school, Junior Achievement has given me valuable experience in understanding the business world. By operating a junior company, I have seen first hand the mechanics behind our free enterprise system. By actually performing all the same tasks required of a real company, I have become better acquainted with the problems faced by a large corporation and can understand the motives behind many of the actions of such companies.

"In the business atmosphere of Junior Achievement, I have learned a great deal about the qualities of leadership, productivity, and personal initiative and their importance in all walks of life. It has been necessary for me to become aware of the company policies, to form my own opinions and to present these at Board of Directors meetings. I have tried to display leadership in convincing others of the importance of presenting their ideas in helping to determine the success of our company.

"All members are directly exposed to the problems of producing a saleable product, since this is the chief goal of any company, large or small. The Achiever soon finds that the success of the company product depends on how well members can work together in getting a job done properly. Getting along with fellow workers in an amiable atmosphere is of great importance and fosters quality production.

"I gained the most, however, in my job as salesman. Since selling is entirely up to the Achiever himself, a successful salesman must show drive and initiative in completing a sale. An Achiever must know how to effectively present himself to his customers and must learn what character traits others find appealing in him and what he can best do and say to impress them with his product. This knowledge about himself can help any Achiever greatly in the future when he must rely on self-confidence to sell himself at interviews for college entrance, employment etc.

"During the Operation Industry visit to our sponsoring company I was able to relate my experience as a Junior Achiever to the full scale operation of a large factory. We were not only shown the details of the production line, but also spoke with company executives, all of whom seemed very interested in our junior company.

"For the first time I really became involved in the operations of such a plant. This visit showed me in what ways our own company was similar to almost any industrial firm. For this day, at least, I felt I was no longer a high school student, but a functioning member of our industrial society.

"All in all, this year in Junior Achievement has proved to be richly rewarding. It has given me valuable experience in understanding the business world. It has aided me in gaining a better insight of myself and has inspired inner confidence and determination to be an active and responsible citizen."

Diane McVey, 15 year old sophomore at Orange Avenue High School and Purchasing Agent of PURCO, sponsored by Purolator Inc., said: "Ours is the best economic system tried to date, the only one concerned with the creation of wealth, and through incentives and rewards it encourages good work". In concluding her essay she summed up her convictions: "If the youth of America *really* want to do something for the world—they might go to work! That's what created and built this country, and that's what developed the highest standard of living in history."

The Junior Achievers were well prepared to meet businessmen in Aruba and to discuss their Junior Achievement activities.

BROAD COMMUNITY INVOLVEMENT CONTRIBUTES TO INTERNATIONAL GOOD WILL

Although Operation Aruba was planned and executed by the Board of Directors and staff of Junior Achievement of Union County, its success can only be attributed to the total involvement of the business, financial, and professional communities, government leaders, educators, clergy, and the civic and business organizations in the home community and in Aruba.

Upon arrival in Aruba at mid-day, the young people were greeted by host families with whom they visited overnight. The following day was spent observing normal business activities of the hosts, who were primarily businessmen but included members of the clergy, professionals, government officials, and an officer of the U.S. Navy.

Well groomed, interested to learn, articulate about their Junior Achievement activities and career interests, the young people made a fine impression causing some, accustomed to reading headlines about civil disobedience and unrest on university campuses, to inquire if the Junior Achievers were "the cream of the crop". Elizabeth's Mayor Thomas G. Dunn explained at a Rotary Club of Aruba dinner that this was "not true". He said, "These Junior Achievers are typical of millions of young Americans. We are proud of them, but we are also proud of the overwhelming majority of young men and women in our country. An unfair amount of publicity has been given to a ridiculous minority of young people who cause so much trouble in our universities and elsewhere. I assure you, they are a small minority and these Junior Achievers more typically represent American youth."

J. W. Digby, President, Aruba Chemical Industries, N. V., wrote: "It was a pleasure to be able to be of some service to such bright young people and their dedicated sponsors."

Lieutenant Governor Oscar S. Henriquez wrote: "It has been a great pleasure for us to have those young people here in Aruba. They were genuinely interested in learning as much as possible about our Island, the people, and the industries. The contact between them and the pupils of Colegio Arubano has been mutually instructive. Wishing you much success with the good work being done."

ENLIGHTENING VISITS TO ARUBAN INDUSTRIES

After Lieutenant Governor Henriquez had addressed them and reviewed the history, government system, and economic development of Aruba at the dinner hosted by the Rotary Club of Aruba, the Junior Achievers visited the major industrial installations on the Island: Lago Oil & Transport Co. Ltd. and Aruba Chemical Industries, N. V., affiliates of Standard Oil Company of New Jersey; Web (Water-Energiebedrijf), the $11 million seawater evaporator plant and power station owned by the Island Territory; and several important trading companies. They also had a behind-the-scenes inspection tour of the Aruba Sheraton Hotel where they were headquartered, and of the Grace Line cruise ship, Santa Paula, escorted by the Captain and First Officer. They learned how the deep water harbors have enhanced trade, commerce and tourism. They learned how the decision to locate the refinery on Aruba has affected the Island, resulting in a complete change in the economic structure, population growth, expansion of the educational system, harbor improvement and expansion, the promotion of industrial development through incentive plans, and hotel construction.

Witnessing first-hand the prosperous growth of the Island economy emphasized the importance of cooperative, long-term planning not only within the Island Territory but also with foreign corporations and investors, and also the far-reaching effects on trade and commerce of the European Common Market.

Also, by contrast, it emphasized to the young people the strength of the American economy and the scope of opportunities available to them at home.

Their reactions are reflected in a letter from Dennis Branden, 16 year old junior at A. L. Johnson Regional High School and Purchasing Agent of BURRY'HO, sponsored by Burry Biscuit Division of The Quaker Oats Company. To his host, David Lennard, Manager of S. E. L. Maduro & Sons, he wrote: ". . . thank you for your generous hospitality . . . This past week has been one of the greatest times of my life . . . I really appreciated the day I spent with you in your office and I would like to thank everyone who helped me to get a basic understanding of the operation of S. E. L. Maduro & Son."

STUDENTS COMPARE EDUCATIONAL SYSTEMS

The Junior Achievers spent a day at Colegio Arubano where Rector J. A. M. van Roosmalen reviewed the new system of higher education instituted in 1968 in the Netherlands Antilles. He emphasized its major advantages: better opportunities for every student to choose from a wide range of subjects those best for him; opportunity within the system for correction if errors of selection are made; and opportunities to progress in relation to one's capabilities. The upper classes at this school achieve the equivalent of college level credits elsewhere.

The Junior Achievers were amazed to learn that all students are required to take a range of subjects including at least four languages, mathematics, biology, physics, chemistry, geography, history, drawing, music and physical education, and to attend school year-round with only about 50 holidays.

Despite some differences in their educational patterns, including more leisure time for the American students, the young people found common ground in the sports arena. The Junior Achievers trounced the Aruban boys at soft ball, but lost to them in their national sport, soccer, known there as football.

Symbolic of their visit, the students exchanged flags of the Netherlands Antilles and the State of New Jersey. The New Jersey flag flew at the Colegio Arubano throughout the week of the Junior Achievers' visit in Aruba. The students also exchanged books on Aruba and the American way of life and an autographed soccer ball was presented to the Aruban students by the Junior Achievers.

The Junior Achievers returned home with great respect for the dedication to education of the Aruban teenagers. Also, they are now more conscious and proud of the scope of opportunities for higher education available to them throughout the United States.

INDUSTRIALISTS EXCHANGE IDEAS WITH ACHIEVERS

A dinner honoring the Junior Achievers was hosted by members of the Kiwanis Club of Aruba. Conducting a regular meeting, James Downey, President, opened up a broad discussion between the young people and the professionals and businessmen members ranging from how the Junior Achievement companies calculated taxes to an evaluation of the capacity of the local hospital to meet extraordinary emergency needs of the community. Junior Achievement has long believed that frank questions and responses, and a free exchange of opinions between the younger and the older generations are possible, welcome, and constructive and enlightening. This occasion was unique because of the diverse backgrounds of the participants.

At a dinner hosted by Arturo Arends, President, and members of the Chamber of Commerce & Industry of Aruba, there was a report of Junior Achievement activities launched in Aruba in the early Sixties by businessmen there. This emphasized to the Junior Achievers how fortunate they are to live in an industrial community which for almost a quarter of a century has provided this learn-by-doing educational advantage not available to them through other educational or extracurricular channels.

ARUBAN HOSPITALITY ACKNOWLEDGED

The Junior Achievers were impressed and overwhelmed by the friendship and hospitality extended to them by the Aruban people. This was expressed sincerely in newspaper and television interviews and in letters to their hosts.

Typical is the following letter from Thomas Tomalavage, 17 year old senior at Roselle Catholic High School, to Mr. and Mrs. K. D. Seeger. Mr. Seeger is Comptroller, Lago Oil & Transport Co. Ltd.

"I owe you a great debt for helping to bring about one of the most enjoyable experiences of my life. Your home became my home, your little son like my little brother. Your so patiently and sincerely explaining to me the life on Aruba helped transform this business and educational trip into a warm personal understanding of the Aruban way of life. I cannot repay you for everything that was done for my sake, but perhaps I can reflect an honest gratitude to you for making my stay as pleasant as it was.

"Please thank Lors for treating me as a friend rather than as an overnight visitor."

Another enthusiastic Junior Achiever, Mitchell Gardiner, 17 year old Linden High School junior, in a letter to B. E. Nixon, Manager of Employee and Industrial Relations at Lago, who helped coordinate the program for the award trip, wrote: ". . . I can truly say that you helped make Operation Aruba a success. The trip had definite educational advantages and the goodwill that was spread was really great."

To Lieutenant Governor Henriquez, Thomas Zepko wrote: "Thank you for the time spent with me and the two others from our group. By participating in the official business of your Island's government I was directly exposed to a facet of international relations, an experience which has helped me to understand some of the world's problems." Tom and two other Junior Achievers had been invited to spend the day with the Governor and his Minister for Finance observing their normal day's activities.

In goodwill gestures Mayor Dunn and the Junior Achievers, representing the City of Elizabeth and residents of all of the New Jersey communities from which the young people came, presented to the Lieutenant Governor and other hosts keys to the City of Elizabeth, Junior Achievement Distinguished Service Awards, products manufactured by Junior Achievement companies, libraries of business books including biographies of great Americans, and an oil painting, "Ships at Rest", by artist Arthur Golding of Cranford, New Jersey.

The hosts reciprocated with a silver cigarette box engraved with a map of Aruba and other products of local origin for Mayor Dunn; books, souvenir coins and other mementos for the Junior Achievers. Most important, the Junior Achievers received appropriate literature about Colegio Arubano, the industries visited, and the civic organizations which participated. These were used by the young people in preparing their reports to high school classes and civic organizations upon their return.

In a special gesture of appreciation and respect toward the Aruba Trade & Industry Association, after presentation of the Junior Achievement Distinguished Service Award to Gustave Nouel, President, the Junior Achievers stood and repeated the Association's Code of Ethics, engraved on a plaque presented to them as they were made honorary members of the Association:

"1. To promote community economic progress through enlightened business practices.

"2. To provide customer satisfaction through good quality products and service for value received.

"3. To display integrity and fairness in dealing with customers, employees, suppliers and competitors.

"4. To retain high standards of good taste, ethics and honesty in advertising."

This they recognized as being comparable to the Performance Standards set forth for their junior companies as the basis for the Operation Aruba incentive award competition.

CULTURE AND ENTERTAINMENT

Michael Kuiperi, Director of Tourism, who is credited with the recent successful effort to direct American tourist attention to Aruba, made certain that the Junior Achievers had more than a casual tourist view of the Island. Opportunities were provided for them to visit the Cultural Center in Oranjestad, the historic century old Church of Santa Anna at Noord and new churches of modern architectural style. They saw old pastel-tinted dwellings trimmed with lace-like ornaments which dot the countryside, modern ranch style private houses being constructed as vacation residences and retirement homes by residents of the U.S., Venezuela and other countries, ancient monoliths, ruins of the gold smelting plant abandoned when the gold find was exhausted, the authentic Dutch windmill shipped from Holland.

At the Kiwanis Club dinner the Junior Achievers were treated to a color motion picture of the 1967 Carnival and, at the Chamber of Commerce dinner, a performance by Eddie Laaf and his Carnival group, the Incas, accompanied by the Dakota Steel Band gave the visitors a real-life sample of the color, conviviality and excitement which characterize Aruba's Carnival.

TELEVISION AND PRESS COVERAGE EXTENSIVE

The press in the metropolitan New York area and in Aruba was most cooperative and gave extensive and favorably publicity to the entire 8-month Operation Aruba project.

Prior to arrival in Aruba of the Junior Achievement group, the color sound motion picture "Opportunity Unlimited" was shown on Tele-Aruba. This award-winning film, written and produced by Junior Achievement of Union County and Henry Charles Motion Picture Studio, included activities on a previous award trip. Mr. Charles accompanied the group and filmed replacement scenes of activities in Aruba.

Mayor Dunn, John LeMaire, Editor of New Jersey Business Magazine, J. Kenneth Roden, Executive Vice President of Junior Achievement of Union County, and Harlan Gardiner, President of KIM–CO, Junior Achievement company sponsored by Peter J. Schweitzer Division of Kimberly-Clark Corporation, were invited to appear on Tele-Aruba. Moderators on a half hour television program sponsored by Lago were Gustave Nouel, President, Aruba Trade & Industry Association, and Arturo Arends, President of the Chamber of Commerce of Aruba.

There was a wide-ranging discussion of the Junior Achievement program, the reasons why Aruba was selected as the site for the award trip, the method of selection of award winners, and reactions of the Junior Achievers to Aruba.

At the end of the program Mayor Dunn recalled that over the years many residents of his New Jersey community where the Humble Oil & Refining Company Bayway refinery is located had transferred from that installation to Lago and he extended greetings to them.

PARTICIPANTS IN OPERATION ARUBA

Industrial sponsors and other organizations and individuals who participated in Operation Aruba are:

Airco Welding.
Anchor Corporation.
Arthur Andersen & Co.
Aruba Chemical Industries, N. V.
Aruba Island Administrative Council.
Aruba Sheraton Hotel.
Aruba Tourist Bureau.
The Austin Company.
Ben Bayne.
Beckman Instruments, Inc.
Bell Telephone Laboratories, Inc.—Murray Hill and Holmdel, N.J.
Bishop Industries, Inc.
Bristol-Myers Products, Bristol-Meyers Company.
Burry Biscuit Division, The Quaker Oats Company.
Chamber of Commerce of Aruba.
Chevron Oil Company.
Colegio Arubano, Oranjestad, Aruba.
De Palm's Sightseeing Tours.
Enjay Chemical Company.
FMC Corporation.
GAF Corporation.
GM Assembly Division, General Motors Corporation.
General Electric Company.
Honorable Oscar S. Henriquez, Lieutenant Governor, Aruba.
Humble Oil & Refining Company.
Industrial Management Club.
International Business Machines Corporation.
KLM Royal Dutch Airlines.
Lago Oil & Transport Co. Ltd.
Merck & Co., Inc.
New Departure-Hyatt Bearing Division, General Motors Corporation.
New Jersey Bell Telephone Company.
New Jersey Manufacturers Association.
P. C. Osterman.
Phelps Dodge Copper Products Corporation.
Public Relations Society of America, New Jersey Chapter.
Public Service Electric & Gas Company.
Purchasing Management Association of North Jersey, Inc.
Purolator, Inc.
Quinn & Boden Company, Inc.
Radio Corporation of America.
Harry Rosenblum.
Rotary Club of Aruba.
Schering Laboratories Division, Schering Corporation.
Peter J. Schweitzer Division, Kimberly-Clark Corporation.
Simmons Company.

The Singer Company.

Union County Chapter, Society of Certified Public Accountants.

WEB (Water-Energibedrijf).

Weston Instruments, Inc.

White-Pharmaco.

Young Presidents' Organization.

CONGRESSMAN WHALEN COMMENDS CHIEF JUSTICE EARL WARREN UPON HIS RETIREMENT

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. WHALEN. Mr. Speaker, I would like to add my remarks to those already made by many of my distinguished colleagues on the retirement of Chief Justice of the United States Earl Warren.

During his 16-year tenure, Chief Justice Warren presided over our highest Court during one of the most turbulent periods in its history and that of the Nation. The high tribunal made many important decisions which generated both praise and criticism. It was indeed a fearless and forthright body whose imprint on the life of this country will be visible and remembered for generations to come.

Chief Justice Warren now has concluded, formally at least, literally a lifetime in the service of the public. I have no doubt that he will continue to contribute his talents to the betterment of all of our citizens even in his retired status.

President Richard Nixon, a member of the bar himself, quite clearly was mindful of the great service rendered by Chief Justice Warren. The fact that the President became the first Chief Executive to address the Court on the occasion of Chief Justice Warren's retirement indicates this acknowledgment.

Mr. Speaker, I was highly impressed by the President's words before the Court and I share his sentiments. Commenting on the 16 years that Justice Warren spent in presiding over the Court, Mr. Nixon noted that there have been great debates and even disagreements within the Court:

> But standing above these debates has been the symbol of the Court as represented by the Chief Justice of the United States: fairness, integrity, dignity.

I would like to add also, Mr. Speaker, the editorial reflections of two daily newspapers from my district on Chief Justice Warren's departure from the Court:

[From the Dayton (Ohio) Journal Herald, June 25, 1969]

END OF WARREN ERA—CHIEF JUSTICE REPLACED BY WARREN EARL BURGER

Earl Warren, 14th chief justice of the United States, has ended a career on the Supreme Court that defies comparison with any save that of John Marshall, chief justice from 1801 until his death in 1835.

The tenure of Warren Earl Burger begins at a time when intense social tumoil promises to keep the high court returning again and again to the Bill of Rights to arbitrate disputes between society and its dissidents.

Marshall, the fourth chief justice, presided over the court in its formative years; his great decisions reminded the states that they had become a nation, that the Constitution was the law of the land and that the Supreme Court interpreted the Constitution.

The court under Earl Warren reminded the nation that the Constitution was ordained and established by the people, whose fundamental concern was to secure for themselves protection against the state they were creating. In explicating this constitutional philosophy the Warren court added new dimension to the civil liberty amendments.

Great controversy attended many of the court's major decisions—school desegregation, the so-called one-man, one-vote ruling and the various rulings dealing with criminal procedures.

Warren Burger comes to the court with the reputation of interpreting the civil liberty amendments somewhat more narrowly than did Earl Warren, but the consensus among legal scholars is that the high court will not retreat significantly from the frontiers explored by the court under Earl Warren.

It has been the fate of most chief justices to be less remembered than their more brilliant colleagues. Thus, such articulate legal scholars as Associate Justices Oliver Wendell Holmes Jr., Louis Brandeis and Felix Frankfurter overshadow the chief justices they served with.

Yet, despite the presence on the court of such men as William O. Douglas, Hugo L. Black and Arthur Goldberg (briefly), the last 16 years have been Warren years, and will be remembered so.

[From the Dayton (Ohio) Daily News, June 23, 1968]

CONTROVERSIAL CHIEF JUSTICE GUARDED EVERYONE'S RIGHTS

Well, the "Impeach Earl Warren" billboards can come down now, and the view may be improved more than scenically. With the chief justice retired, perhaps a calmed population will be able to see his contribution in perspective. The impeachment campaign never was more than embarrassment to the nation and always was silly, for what its backers really wanted was to repeal an era.

The "Warren" court, which oddly piqued ultraconservatives by carefully watchdogging citizen rights, was misnamed. Certainly the chief justice played a key role, but the opposition that fastened on Earl Warren as devil-in-residence missed the point that the Supreme Court rules by majority.

Many of the controversial decisions of that majority were "liberal" only according to a slant that sees all ideas as either/or propositions, holding that if they aren't classically conservative, they therefore must be liberal.

When it pulled the teeth of much anti-Communist legislation that had been enacted amid panic, when it held out against compulsory school prayers, corralled censorship vigilantes, required police to inform the accused of their rights and to respect those rights—when it did all those "liberal" things, the court in fact was strengthening us all against a state which might mean well now but which with unchecked power, could give in to the temptation for convenient repression in the future.

It was the strength—and the trouble—of the court during Justice Warren's tenure that it took the long view of the American potential, refusing to run with passing passions.

From the school desegregation decision that opened the Warren era to the open housing ruling that closed it, the court consistently stood against the tyranny of the majority. It insisted that when the state is unfair to one man, it potentially is unfair to all. It held open the possibility that the majority, after all, may not always be right. Without that reservation, democracy can be lamed to faltering.

Chief Justice Warren built his own monument with the principles he helped mortar into the national structure. It is the nation's shame that he sometimes was so vilely heckled while doing it.

A FATHER'S DAY MESSAGE

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. HELSTOSKI. Mr. Speaker, the Sunday Record Call of Bergen County, N.J., on June 15, 1969, printed an excellent expression and analysis of the "generation gap" from the pen of an articulate writer of the young generation, Miss Lynn Litterine.

Miss Litterine is a 23-year-old staff writer in the Record's Rockland bureau. Her father, Louis Litterine, Jr., 59, of Edgewater, is an Army Air Corps veteran of the European and African campaigns of World War II. Of this Father's Day letter to her dad, Lynn says:

> It sounds like there's more conflict between us than there really is. He's the kind of guy I can say this kind of thing to. He listens.

Never have I read such an excellent analysis and relations of the problems as expressed in this article. I feel that every member of this honorable body should have the opportunity to read this Father's Day message from a daughter to her father.

Mr. Speaker, this article was brought to my attention by Judge Arthur J. O'Dea, judge of the Bergen County Court in Hackensack, N.J.

As a criminal court judge of considerable experience in this urban community, and a father of seven children, he has had much experience and constant inquiring and study of the social problems which give rise to the generation gap.

Because of the importance of this subject and the timely and thoughtful comments presented by Miss Litterine, I place into the RECORD the full text of her Father's Day message.

The article follows:

TO MY DAD ON FATHER'S DAY

(By Lynn Litterine)

Let's drop the lip service gifts of ties, slippers, and handkerchiefs this Father's Day, Dad, and give each other an hour. Maybe with some talk across the generation gap we can shorten the distance of 36 years, two World Wars, and an economic depression that separates us.

Mine has been called a materially spoiled generation, but I don't hear us asking for material things. A bigger car or another television set just isn't a part of my dreams.

I've had them and I know they're no cure for individual or social ills.

When Kenneth Kenniston says you have to grow up in Scarsdale to know how bad things really are, he's not being flip.

When you've known the comforts of Scarsdale and still find yourself unhappy and alienated, you know we can't buy our way out of our problems. I don't dream about things I can buy.

I dream of seeing my government quickly respond to an obvious injustice. The Civil Rights Act was passed in 1952, but de-facto segregation still exists.

I dream of a society that considers love valid with or without a marriage license. The new morality is condemned as hedonistic.

I dream of the people of each nation determining their own destiny. We are still interfering in what should be a Vietnamese civil war.

I dream of voting for a politician without feeling as though I've compromised myself. Government scandals are in the news every day.

Are my ideas radical, Dad? Communist-inspired? I learned them from you—justice, the right of self-determination, the beauty of honest love, the principles of democracy.

And I'm alienated because the principles you taught me don't fit the realities I have to live with.

The glorious experiment of 1776 turns into Mayor Richard J. Daley's yelling "fink" at duly-elected political representatives.

The Bill of Rights and the Emancipation Proclamation turn into white backlash and black power.

The spirit of the American Revolution turns into CIA support of Asian and Latin American dictators.

The government lies to me. The physical environment chokes me with pollution. Society suspects me because I'm under 30. Oh boy, am I alienated.

But I'm not prepared to leave it at that, accept the situation, and conform. I've kept my dreams relatively intact for 23 years and I'm not about to drop them now. If that means going against the system, I'm ready.

I shrink from violence, Dad, but the hugeness and immediacy of our problems may require a real upheaval to be cleared away.

Suppose that happens? What comes after destruction?

My generation hasn't proposed much in the way of a different type of government. Perhaps we are ill prepared.

I have no theories. I can only tell you the general beliefs with which I face the uncertain future.

First, I have a great fear of all-out, international war. I'm not a pacifist. There are freedoms so important to me that I would both kill and die to preserve them.

I would, however, take a long, hard look before entering any situation that could result in nuclear war.

You see, Dad, I've had the bomb around all my life. Sirens have terrified me since I was very young, because they reminded me of air raids and H-bombs. I've grown up knowing man has the power to wipe himself off Earth in a day. That makes my attitudes about war very different from yours.

I also find it hard to think in terms of The Enemy or The Communist Threat or The Little Yellow Men.

Communications have made the world smaller since you were young.

This has stretched my loyalties beyond the boundaries of the nation to an interest in the well-being of all men.

I define myself first as a human being, second as an American. To me, the welfare of all men comes before the more limited welfare of the nation. Is that disloyal, Dad?

I was taught not that just all Americans were created equal but that all men were created equal. That belief is hyprocrisy until we match it with fact.

Fear of new ideas, fear of poverty, fear of crime, fear of social condemnation—they're all killers of the individual expression of life.

When I raise two fingers in a V I'm not playing games, I'm affirming those belief—"Peace and love to you, brother. You have nothing to fear from me. I respect the life in you."

That's my spiritual monolith now, Dad. I can't live on promises of an unreal life after death. This troubled world is real to me and I want to make it better. I want life during life.

I have a special tool to use in the attempt to better life, something I've been taught to trust as a child of the scientific age—objective truth and proof.

Tell me not to take LSD because it's against the law and I'll tell you laws can be wrong. Alcohol was illegal once too. Alcohol didn't change; the law did.

Tell me not to take it because it can cause chromosome damage and monster babies, and I'll listen. You've given me objective proof of its dangers.

Try to lump heroin, marijuana, pep pills, and LSD together in your explanation, and you'll lose my attention again.

I know people who have tried each one, and I know they don't all have the same effect, should not carry the same legal penalty, and cannot all be bunched under the same general heading of narcotic.

If you do that, you're ignoring objective proof, something I've been taught to hold dear. You're functioning outside my value structure and you can't expect me to honor your conclusions.

Along with my insistence of proof, I feel a deep distrust of dogma and a strong affection for individualism.

Our world is changing more rapidly every day and organized dogma—religious, political, or moral—is notoriously slow to adapt.

Initials, symbols, mottos—they all stand for an identifiable credo and that to me, means danger, Rigor mortis of the mind! I'm as wary of SDS as I am of the CIA.

My goal is to keep my lifeview, my religion, my politics, and all my thoughts and feelings personal, flexible, and ready to incorporate tomorrow's discoveries. This influences my feelings about law and civil disobedience too.

Law is made by men according to the knowledge and value systems of their times. It should not be immutably carved on stone, but should flow with the nation.

I won't run a STOP sign or speed. I understand the danger in doing that. The law is logical and I can accept it.

But I refuse to accept a life imprisonment for possession of marijuana. Grass isn't a thing to outlaw, much less to equate in penalty with murder.

I also refuse to accept a state legislature's suggesting death sentence for murder. Killing is as wrong for the state as it is for a citizen. The law must be changed. It must grow with us.

I'm calling to you across quite a chasm, Dad. Would you like to know how it looks from my side?

Most of the beliefs I've mentioned are things we agree on in principle. The difference begins with my insistence on putting the principles into action.

My insistence involves changes in a society in which you, as an established citizen, have vested interests.

I can attack material values—I haven't invested a life in earning a house, car, or business; you have.

I can attack the political and economic establishment—I don't belong to it, you do.

After two World Wars and a severe economic depression, your generation opted for material security.

Working for that security meant letting some other things slide—integregation, backward nations, urban ghettos, industrial pollution.

We've had material security all our lives and we've decided to work for some different goals—the very ones shelved during the industrial advancement your generation worked for.

We want to practice the abstract ideals we were taught at home and in school.

Why would you invest in our learning them if you didn't want us to apply them? Did you think you could teach us the principles and not hear us ask for the substance for everyone?

If you believed the things you taught us, we are your voice of conscience. If you didn't we are your Frankenstein's monster. The judgment is yours. The future, however, is ours.

MAURICE COHEN: A LEGEND IN HIS TIME

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. GONZALEZ. Mr. Speaker, recently, the Cattleman magazine carried an article by Paul W. Horn on a long-time friend and constituent of mine, very properly entitled "Maurice Cohen, a Legend in His Time." Maurice's life, as beautifully captured by Mr. Horn, not only epitomizes the maverick tradition of the Texas cattleman, but gives a look at the fine qualities that made Maurice a living legend not to be easily forgotten.

At this time I wish to share this article with my colleagues, as I pay tribute to a great man:

MAURICE COHEN, A LEGEND IN HIS TIME

(By Paul W. Horn)

Maurice Cohen the legend and Maurice Cohen the man fuse into one when he tells you that three times in his life he couldn't change a quarter. Speculator, producer, feeder, purebred operator and packer, Maurice has moved so many thousands of cattle north, he has forgotten more than most men knew about the Texas cattle business.

Now, at 73, Maurice Cohen looks back on some 60 years of buying and selling, of making money on nickel and dime cattle, of going broke when the bottom fell out, then coming back, of borrowing without a scrap of paper and selling without a dollar down. "I couldn't have done it without credit," he says.

Uncle Jesse Oppenheimer was his credit. San Antonio remembers this grand old banker and so does Maurice with a tear in his eye. "I went to him one day shaking and stuttering. The market fell out and I had no money to pay for what I'd bought. I told him I was going crazy."

"How many cattle did you buy?" asked Uncle Jesse.

"About 35,000," said Maurice.

"You're not going. You *are* crazy," said Uncle Jesse. But he paid for them like he had done so often and Maurice, with the luck of the trader he was, sold them and came home smiling.

When Maurice was 10, after the century just turned, he went to work for his uncle in his father's San Antonio packing plant. "My father's the one who started me out in the packing business and I wound up doing all his buying. When his plant burned down I went to work for Kruz Lozano at Quality Packing Co. and stayed with him for 25 years. "Kruz could do more business with less money than anyone in the world."

One day Kruz and Maurice went to see old Mr. Frost at the bank about borrowing another $5,000 for the company. "You've got too much of my money already," said Mr. Frost. But that didn't keep Maurice from his regular trip to Mexico to buy corriente steers, with more luck in his pocket than money. With a sharp eye, he picked them by the thousands, put them on pear and cake in South Texas for the winter and then sent them to Kansas for grass.

But Maurice was too much of a speculator to keep from dabbling in this buy-sell business on his own. He and his brother-in-law, Jamie Brook of Brady, started shipping steers too thin to kill to the Cornbelt. Maurice wore out his first banker in a week, but the Oppenheimers who still operate a private bank in San Antonio stepped in to finance the Cohen and Brooks firm. Soon Maurice was on his own, looking at cattle all over Texas. The phone was always ringing, beginning at 4 o'clock in the morning.

"Some people are dope fiends," said his wife. "You're a cattle fiend."

There were lots of good years from the '20's on but the bad ones always came along to wipe away the results. Whatever happened usually found Maurice far out on a limb since he always had thousands of steers on contract. Many a time he had blocked the train with 20 loads ready to ship north at Brady. He spent most of the 30's building up a $90,000 surplus, then lost it in a week in 1937. Again in 1948 he lost $100,000 in a week along with 17 lbs. The Oppenheimers, Uncle Jesse and his nephew Dan, were always trying to get Maurice to slow down—for both their sakes.

Maurice and Dan usually had lunch together. When they crossed the street, Dan always took his friend's arm with "We don't want any accident to happen to Maurice."

But plenty of them did, as Maurice remembers back today. Raymond Bell, the owner of the famous Atotonilco Ranch in Durango, Mexico, sent word that he had 13,000 head of cows scattered around South Texas that he needed to dispose of. Maurice was a bit skeptical of such a deal due to the money that was going to be required, but he knew Uncle Jesse would respect his judgment. Mr. Bell wasn't easy to do business with, since he had odd sleeping hours and also he celebrated some occasion or other most every evening. Maurice spent some while inspecting some of the cows and testing out where he could move them, then approached Mr. Bell with his first offer. The usual juggling of price and conditions went on for a long while but Mr. Bell's secretary finally got the contract down in black and white to the agreement of both. Just as Maurice was about to sign, Mr. Bell said:

"Oh, one more little thing. I owe Milton Friedland $400,000 on these cattle. You pay Milton off first and then pay me as you sell them."

What do you do at a time like this? Maurice signed. He made out a check to Friedland's bank in Kansas City for $400,000 just like he had the money waiting. "I couldn't wait until the Oppenheimer bank opened—I had to run see Uncle Jesse but I didn't know what I was going to tell him."

When Maurice walked in, Uncle Jesse looked up at the new $20 hat Maurice was wearing and asked, "What did you pay for that hat?"

"Oh, six dollars," lied Maurice.

"I got one just as good for a dollar and a half," said the banker. "Now what did you want to see me about?"

Maurice beat around the bush quite a bit in explaining the Bell deal but he never could bring himself around to mentioning the $400,000. Finally Mr. Oppenheimer said "OK, Maurice, I know it's going to take a lot of money. But after this, stay out of these big deals."

It's no wonder that Maurice was paying $100 a day interest for years and years back when interest rates were low.

"You can be the smartest man in the world but if you haven't got credit, you're just Willie the Weep," says Maurice Cohen.

This Milton Friedland of Kansas City who got the $400,000 check was one of Maurice's backers. When Maurice and Joe Straus of San Antonio were dealing to purchase the Painter purebred Hereford herd at Roggen, Colo., they got a tentative agreement from Friedland to put up the $75,000 down payment. "This was back when Joe didn't have any more money than I had," said Maurice. "Before we closed the deal, I put in a call to Milton and we had to get him away from his lunch. I asked him, with Joe right at my elbow, if we could put the bank down for the $75,000 and he assured me I could. I thanked him and hung up. Then Joe asked me if I had asked about what interest we were paying.

"Joe," I told him. "I didn't have the nerve. If you want to know, you call him, I'm not."

Joe didn't have the nerve, either.

"Milton Friedland, by the way," adds Maurice, "backed probably 90 per cent of the ranches in Texas. His was the City National Bank and Trust Co. in Kansas City. He was a big help to all of us."

Dan Oppenheimer went in partnership with Maurice on cattle many a time. Once they along with Damon Smith had 2,500 cows up in Kansas that went through one of the worst winters on record. "We kept putting up money and losing everything we had just to keep them alive. The market was terrible and the weather was worse. Finally the three of us went up to Kansas to see what could be done but there was nothing we could do. That night Dan suggested we get something to drink to forget our troubles. I bought some champaign and when it was about half gone, Dan said:

"We're going broke and drinking champaign? What would we drink if we were making money?

It was on one of these sorties into Kansas that Jim Corley of the Texas Livestock Marketing Association in Fort Worth first met Maurice Cohen. "He had a couple thousand head up there and was losing $100 a head. I met him in the Broadview Hotel in Emporia The dining room was full of couples—cattlemen and their wives. Maurice had the waiters lock the door and he paid the entire bill. He's a legend in his own time."

"Maurice has the compulsion to feed everybody," remarks Louis Moorman of San Antonio. "He won't eat himself but he'll stuff the rest of us. If there's no restaurant around, he'll haul in food enough for an army. And his word is the way it will be. You never need to get anything in writing from Maurice Cohen."

The market has had its ups as well as downs. "It's been a wonderful life," says Maurice, "full of the world's best people. I still get lots of calls but I have to turn most of them down. I can always tell how the market is in the Cornbelt. If they call me and say, 'Maurice, how are you feeling? You need to slow down and take care of yourself.' Then I know the market's good. But if they could care less how I'm feeling, then I know the market's bad."

Some say Maurice hasn't really dealt in cattle all his life, but in people. He handled the Catto-Gage cattle for 30 years, back when they were shipping 6,000 to 7,000 calves, bought from King Ranch (including one shipment of 2,000 cows at 80 cents a hundred delivered in San Antonio), Jack Bowman, Rollie and Charlie White around Brady, the Kokernot cattle and hundreds and hundreds more. Then add 4,000 to 5,000 steers out of Mexico every year. He started buying these at 4 cents a lb.

"I've seen Maurice year after year buy 75 to 80 per cent of the cattle out of the San Saba-Llano-Brady-Menard country," says A. J. Lindsay of the Texas Livestock Marketing Association in San Antonio. "I've known him since I was just a kid. Maurice never bought anything but the best he could find and he's one who always stayed hitched, even though the market broke and he lost on everything he handled."

The telephone was a mighty instrument for selling calves for Maurice. Cornbelt buyers used to tell him "You're the only one I know who can make me see cattle over the phone." He didn't like to deal with less than 750 head for he felt he couldn't shape them up properly unless he had at least that many. So, he needed to sell in big numbers, too, and he would deal with the buyers who bought by the thousands. Wisebark Bros. in Denver was one who bought thousands of cattle every year through Maurice. And the telephone was their major communication.

"About 80 per cent of my business I made over the phone and the other 20 per cent just came to San Antonio to see some girlfriend."

At first, though, before his reputation grew, he showed Midwest buyers thousands of cattle. A Mr. Skinner from Kansas City and a Lee Devine who represented Producers in St. Louis came to Maurice who took them to Brady to select 1,000 steers and 1,000 heifers. Devine who wanted the steers asked how much down was required and since this was their first dealing, Maurice asked $5,000. On the train home, Devine told his wife: "That's the craziest thing I ever did. I'll never see that money or the steers or that man again."

But in a few years, Devine was ordering 10,000 to 15,000 calves a year from Maurice, all over the phone.

A. J. Lindsay who ought to know says: "I'll put Maurice up against anyone for guessing the weight of a calf."

That was a requirement on many a deal Maurice got into. Thousands had to be bought by the head and sold by the pound. Dan Harrison of Harrison and Abercrombie who ranched at Campbellton simply would not deal by the pound. Jim Abercrombie was a lifelong friend of Maurice's but Harrison didn't seem to trust any speculator. Rather than accept a dime a pound, he insisted on $100 a head, figuring that they would do well to reach 1,000 lbs. Maurice sized up the several thousand head and bought as offered. He had the Missouri Pacific to build pens and put in scales on the spot. The cattle averaged right at 1,150.

Maurice would sell Jim Abercrombie 5,000 calves a year and line up the trucks for blocks delivering. Claude McCan of Victoria would take 3,500 top steers a year. "Every time I sold Claude a load," says Maurice, "he'd kick about it. One time I got a heifer in there by mistake and he swore I did it purposely to show him how good my heifers were."

Claude remembers back then, too. "We've dealt with Maurice for many, many years, both buying and selling. I remember once when we were dickering around the nickle figure on some calves. I was trying hard for $5.05 but Maurice told me, 'Claude, I swear to God I can't give it to you now but I'll give you a nickle more than they're worth on the next trade.' And I'm still waiting for my nickle."

H. A. Fitzsimons was one who sold by the pound and about every pound of calf he ever produced went to Maurice. "A finer man never owned a cow," says Maurice. "When delivery time would come, he always brought his boy Hugh Jr. I would give little Hugh a dollar to stand on the water trough to keep the cattle from drinking. Now I do the same thing with Hugh's boys."

Maurice emphasizes that he never was an order buyer but rather a speculator. He bought first and then looked for a home for them. Jamie Brook would shake his head and exclaim: "Where are they all going?" But they always went somewhere. Maurice had some good men working for him, men like Damon Smith at Llano, A. M. Hark at Mason, Roy Barton at Brady, Walt Copeland at Menard, Cleve Jones at Sonora and then Walker White who managed all his leased land around that country.

Francis Kothman was his head sorter. In fact, Maurice was probably the first man to sort cattle by quality and weight for buyers. He and Francis by eyeballing would sort hundreds into weights within 50 lbs. This was a treat for buyers back in those days.

Maurice hasn't any idea how many cattle he has handled—it might well run into the millions. He leased a lot of land in the Brady-Llano-Menard country and was running as many as 2,500 cows at one time. He kept his interest in packing and today owns the Apache Packing Co. in San Antonio and he is in partnership with George Lucky in feeding heifers, with 3,000 to 4,000 head on feed right along. Maurice has also fed cattle at San Marcos and up in Illinois. Besides buying the Planter herd of purebred Herefords with Joe Straus, the two also bought the Jamie Brooks registered herd.

"And I'm in the chicken business with Dick Kleberg," says Maurice. His apartment at the St. Anthony Hotel where he lived for 47 years is decorated with many prints and statutary of fighting cocks. "We've got half-a-mile or more of birds we fly around here and there" he says with a smile. Maurice has been known to bet a little.

In fact some people might think Maurice Cohen's whole life has been a gamble. But he was dealing with a good product and with good people and those two big factors threw the odds in his favor over the last 60 years.

"It's a different world today," says Maurice. "I couldn't buy and sell the way they do it nowadays." Not everybody quite believes that he couldn't get right back into the swing of things.

PRESS ETHICS

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. RIVERS. Mr. Speaker, the Military Establishment has apparently become fair game for everyone who is interested in attributing everything that is wrong with the United States as being a product of the Military Establishment.

The calculated effort on the part of some newspaper columnists to disparage the millitary image and our efforts in Vietnam reached a new low on May 30, 1969, when the Washington Star carried an article, entitled "Vietnam 'Duty' Becomes Tax Dodge." The article, written by Columnist Carl T. Rowan, illustrates an utter disregard for the facts. It suggests, at the very least, that the columnist violated the precept of every good newsman by not checking the accuracy of his sources.

The article in its entirety follows:

[From the Washington (D.C.) Star, May 30, 1969]

VIETNAM "DUTY" BECOMES TAX DODGE

(By Carl T. Rowan)

High-ranking military men not remotely involved in fighting have been using the Vietnam war as a tax dodge.

By the thousands, officers posted in the U.S. and Asia have been flocking to Saigon to take advantage of special "combat zone" tax deductions.

The U.S. Embassy in Saigon has complained bitterly, this columnist has learned exclusively, because the number of VIP tax-deduction hunters has been so large as to impede the war effort.

But the Pentagon has done nothing to stop the influx because use of the special tax loophole is legal—although it is being abused rather cynically by many officers and men.

At issue in this behind-the-scenes contretemps is a special tax law providing that a military man of warrant officer rank or below need not declare or pay taxes on his pay for any month in which he served any time in a combat zone, or for any month during which he was hospitalized for any time as a result of wounds, disease, or injury incurred while serving in a combat zone.

Officers of higher rank may deduct $500 of pay for each month in which either of the above conditions is applicable.

This is a laudable provision enacted a few years ago to boost the morale and economic condition of those unfortunate GIs who are being shot at, wounded, and killed in Vietnam.

But the "smart" military men stationed in the Philippines, Japan, Okinawa, Hawaii, and even Washington have learned how to take advantage of the law.

A Washington colonel can see Tokyo, Hong Kong, and points east then visit Saigon on May 31 and leave June 1 and deduct $1,000—or $500 for each month in which he endured a partial day of "combat zone" exposure. The military services have informed their members, with Internal Revenue Service approval, that "the combat zone exclusion is applicable to members traveling on authorized leave in aircraft and ships which pass through or make an intermediate stop in the combat zone."

Thus a soldier on leave, vacationing in the Far East, may find it financially advantageous to take an airliner that stops in Saigon. Many do.

The U.S. Embassy has complained that some 5,000 VIPS's a year, many of them military men looking for tax savings, have been descending upon Saigon. Aside from the extra burden these VIPs put upon embassy personnel, the "tax loophole" invasion is regarded as an insult to the officers and men who are clearly involved in the war and who deserve even more than this tax break.

Thus, there is another and larger reason why some Embassy, State Department, and Pentagon people have agonized over the widespread abuse of this tax exclusion: it adds to the evidence that the war is an "immoral" undertaking which drags on because thousands of Americans and South Vietnamese profit from it in myriad clever ways.

The U.S. Post Exchange (PX) waste and abuse detailed two years ago in this column was never really corrected and it could make ugly headlines again soon.

Flagrant corruption by some Vietnamese, most often with an American accomplice, is still commonplace, although the current Saigon government has imposed some curbs.

In the interest of maintaining support in the United States and understanding elsewhere, it is incumbent upon the allies to remove every possible taint from this war.

Someone ought to move soon to insure that a Navy captain, living graciously in his Hawaii assignment, cannot take a month's end vacation jaunt to Saigon and seize benefits meant for people like the poor soldiers who risk everything to hold a hill overlooking the A Shau Valley.

To the tax reformers, this may look like chicken feed compared with the millions lost through the shrewd manipulations of the rich and super-rich.

But the large issues of national honor and integrity of purpose in Vietnam lift the "combat pay" dodge to a level where it begs for Congressional attention.

Let me tell the story.

The Rowan article alleges:

> Thousands of officers posted in the U.S. and Asia have been flocking to Saigon to take advantage of special "combat zone" tax deductions.
>
> The U.S. Embassy in Saigon has complained bitterly, this columnist has learned exclusively, because the number of VIP tax-deduction hunters has been so large as to impede the war effort.

The article goes on to say that the Pentagon, despite the "bitter" protestations of the U.S. Embassy in Saigon, has done nothing to stop this alleged abuse of tax benefits.

Mr. Rowan then concludes his article by saying:

> The large issues of national honor and integrity of purpose in Vietnam lift the "combat pay" dodge to a level where it begs for Congressional attention.

The clear implication of the concluding paragraph is that Congress is either unaware or indifferent to this alleged problem.

More than a month before the Rowan article, the Committee on Armed Services made an inquiry to the Department of Defense concerning allegations that a problem of this kind existed in Vietnam.

The Department of Defense, by letter of April 22, 1969, denied the existence of any large-scale abuses of this kind and pointed out the controls which have been designed by the Department to prevent such abuses. I will insert the Department's letter in the RECORD at this point:

ASSISTANT SECRETARY OF DEFENSE,
MANPOWER AND RESERVE AFFAIRS,
Washington, D.C., April 22, 1969.

HON. L. MENDEL RIVERS,
Chairman, Committee on Armed Services, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your letter of April 10, 1969 regarding abuses of combat pay and tax deductions by unnecessary TDY rotation to the Vietnam area.

As you are aware, it is the responsibility of every Commanding Officer to insure that all pay entitlements are administered properly in accordance with both the letter and spirit of the governing regulations.

I am certain that abuses such as those alleged by [deleted], as well as others, would not knowingly be tolerated by officials who are in a position to take corrective action. I am equally certain that if the facts and circumstances of any deliberate circumvention of the statutes or military regulations were brought to the attention of proper local officials, such charges would be thoroughly investigated and appropriate disciplinary action would be taken against the offender or offenders. The general nature of [deleted] allegations, however, do not provide sufficient information or basis for the initiation of an official investigation of the matter.

Military personnel may travel to the Vietnam combat zone only under competent orders, copies of which, appropriately certified by a designated individual or the unit's personnel officer, must be filed with the disbursing officer to obtain credit for the income tax exclusion or the entitlement to hostile pay (combat pay). These controls are de-

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signed to prevent abuses such as those reported by [deleted]. In this connection, it should be noted that efforts are made by the Department of Defense to restrict U.S. travel to the Vietnam combat zone to that absolutely essential to the war effort and to also restrict visits which overlap two consecutive months. I have enclosed copies of two policy memorandums which pertain to these imposed restrictions. Similar policy directives have been issued by the military departments.

The alleged abuse of the hostile fire pay entitlement under the circumstances described by [deleted] does not appear conceivable since a minimum period of 6 days in the hostile fire area is normally required to qualify for hostile fire pay. As a matter of fact, a member who performs assigned duties in a designated hostile fire area, for a minimum of 6 consecutive days, beginning in one month and ending in the following month, qualifies for hostile fire pay for the month in which the duties end and not for 2 months pay as asserted by [deleted]. I have enclosed a copy of Department of Defense Directive 1340.6 which governs the eligibility of members for hostile fire pay. Also, I have enclosed a copy of Chapter 10 from the Department of Defense Military Pay and Allowances Entitlements Manual, which governs the conditions of entitlement to hostile fire pay.

We appreciate your bringing this matter to our attention. Please be assured that the Department of Defense will take all feasible steps to insure that pay entitlements are properly administered in accordance with the intent of the Congress, the law and applicable directives.

Sincerely,

Brig. Gen. LEO E. BENADE,
Deputy Assistant Secretary of Defense.

In view of the response from the Department of Defense, I was understandably shocked by the subsequent article in the Washington Star on May 30 which stated:

> Thousands of officers were flocking to Saigon to take advantage of these special combat zone tax deductions and the U.S. Embassy in Saigon had complained bitterly that the VIP tax deduction hunters had been so large so as to impede the war effort.

I therefore directed an inquiry to the American Embassy in Saigon to determine the validity, among other things, of Mr. Rowan's claim that the U.S. Embassy in Saigon had lodged a bitter complaint over this practice, which allegedly the Pentagon had ignored.

My letter to the Ambassador follows:

U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., June 9. 1969.

Ambassador ELLSWORTH BUNKER,
Embassy of the United States,
Saigon, South Vietnam.

DEAR MR. AMBASSADOR: On May 30th of this year the Washington *Evening Star* carried an article by Carl T. Rowan, entitled "Vietnam 'Duty' Becomes Tax Dodge." A copy of the article is enclosed for your information.

The burden of the allegation is contained in the first four paragraphs of the article. Briefly, it is alleged that—

"thousands [of] officers posted in the U.S. and Asia have been flocking to Saigon to take advantage of special 'combat zone' tax deduction.

"The U.S. Embassy in Saigon has complained bitterly, this columnist has learned exclusively, because the number of VIP tax-deduction hunters has been so large as to impede the war effort."

The article goes on to say that the Pentagon, despite the protestations of the U.S. Embassy in Saigon, has done nothing to stop this alleged abuse of tax benefits.

As a matter of possible interest to you, on April 10th of this year, I directed an inquiry to the Department of Defense on a similar type allegation. The Department of Defense replied, by letter dated 22 April 1969, which, in effect, denies the existence of any large-scale abuses of this kind.

Since the information contained in the Rowan article appears to contradict the statement of the Department of Defense and identifies your Embassy as the source of its information, I would appreciate being advised as to the accuracy of the allegations contained in the Rowan article.

I particularly wish to be advised as to whether your Embassy has either officially or unofficially made a complaint of the type cited in the news article and whether these alleged "abuses" run into the "thousands" as indicated in the article.

I will be looking forward to an early response.

Sincerely,

L. MENDEL RIVERS,
Chairman.

I have now received a letter from our Ambassador to Vietnam, Ellsworth Bunker, which categorically denies the statements made in the Rowan article. Since the letter from Ambassador Bunker speaks for itself, I will include it in the RECORD, at this point:

SAIGON, VIETNAM,
June 21, 1969.

Hon. L. MENDEL RIVERS,
Chairman, Committee on Armed Services, U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSMAN RIVERS: This is in response to your letter of June 9 asking whether the Embassy complained about the "abuses" alleged in the May 30 article in the Washington Evening Star by Carl T. Rowan, entitled "Vietnam 'Duty' Becomes Tax Dodge." You also asked whether the alleged "abuses" run into the "thousands" as indicated in the article.

We have been unable to substantiate the charges made in the Rowan articles. The U.S. military has established elaborate rules to insure that visits to Vietnam by military personnel are strictly limited to essential missions. These rules permit visits only after a determination has been made that there is no other satisfactory method of obtaining the desired information or rendering the service required. and require that visits by senior Defense officials be held to the absolute minimum.

Current directives also seek to insure that the persons involved cannot use the special "combat zone" tax deduction as a tax dodge. Thus, where a proposed trip would overlap two consecutive months, it is carefully screened to determine whether it is justified and cannot be accomplished within a calendar month period.

All such visits to Vietnam by military personnel are closely coordinated with the U.S. Embassy in Saigon, and this Embassy has never complained about the practice as alleged in the Rowan article.

I hope that this information will be helpful to you.

With kind regards,

Sincerely,

ELLSWORTH BUNKER,
American Ambassador.

At a time when some segments of the press are expressing "lofty judgments" on the behavior and ethics of Members of Congress and the executive branch, it appears that perhaps the time has now come for these "gentlemen of the press" to take a long and hard look at their own ethics and practices.

In the vernacular of the sport's arena, it is easy for a newspaper columnist to take a "cheap shot" at a public figure or the military when such individuals do not have the same opportunity to present their side of the story to the reading public.

Perhaps old-fashioned concepts of "fair play" and honest reporting no longer applies in American journalism. If that is the case, every American has very good reason to fear for the future of this country.

INDEPENDENCE DAY, 1969

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. RARICK. Mr. Speaker, on July 4, millions of Americans will celebrate the historic date of the signing of the Declaration of Independence from Britain. To others, the significance of the day will be nil but another day off work.

Defusing patriotism and downgrading national holidays is a goal of those small groups—heavily financed—who would destroy all recognition of national sovereignty, our historic statehood, and the culture that we cherish as traditional American.

One such movement is called "Metro Government" or "1313." An interesting account on the "devolution" of the United States by Metro through its Federal Advisory Commission on Intergovernmental Relations—ACIR—by Jo Hindman which appeared in the Yakima Eagle of June 26 follows:

WILL METRO DEVOLUTION PHASE OUT U.S. INDEPENDENCE DAY?

(By Jo Hindman)

On the Fourth of July, many Americans will celebrate the tradition of Independence Day. At the same time ironically, a certain segment of the population will accelerate the "devolution" of the United States.

Dictionary-defined as "retrograde revolution," devolution is equated as "a search for a new federalism" in the tenth (1969) report of the federal Advisory Commission on Intergovernmental Relations (ACIR). For almost two decades, perceptive citizens have resisted the deterioration as Metropolitan Government, or Metro, now called devolution.

A current stage of devolution is visible in legislation that moves in Congress as this is written. Metrocrats are buys daubing last year's framework—Public Law 90–577, with Metro mud—amendments.

The Intergovernmental Cooperation Act of 1968 (PL 90–577) is the eight-title frame, with Title VII knocked out Enough lawmakers had balked to quash the grant consolidation authority therein proposed for the U.S. President.

Under PL 90–577, regions pre-empt state and county governments, illustrating devolution in another sense ACIR which created the measure, is placed in a key power position.

PL 90–577 came from one of ACIR's numerous studies. Ideas from the "Fiscal Balance in the American Federal System" (publication A–31, 1967) blossomed in bills introduced by members of the Senate and House Subcommittees on Intergovernmental Relations of the two congressional Government Operations Committees. PL 90–577 resulted.

Now, with the same backing, The Intergovernmental Cooperation Act of 1969 (H.R. 7366) is ready to daub in Title VII and add new Title IX to PL 90–577, featuring auditing and joint funding respectively.

The Grant Consolidation Act of 1969 may become the new Title X of PL 90–577; S. 2035 reintroduces the kicked out consolidation authority. Companion bill is H.R. 10954. House and Senate Subcommittees which approved the original PL 90–577 will hear both pending bills.

Grant packaging (consolidation) by The President is falsely ballyhooed as a correction of bureaucratic bungling and waste. Actually, the measure veils a devolutionary technique that switches legislative and executive powers. Whereas Congress constitutionally makes the laws, and the President signs or vetoes them, the pending bill, Sec. 1005(a), S. 2035 calls for the House and Senate to veto by resolutions of disapproval, or by silence permit the Executive Law to go into effect.

The chain of events typify the revolution incubated by Syndicate 1313, self-named from the communal address, 1313 E. 60th St. Chicago. The Metro syndicate units are too numerous to list here, but include National Municipal League of New York and the Council of State Governments (CSG) which is relocating in Lexington, Kentucky.

ACIR conceived, packed and controlled by 1313*, expedites the self-seeking syndicate's monopoly over U.S. Government. ACIR, funded by congressional appropriations, also accepts money from the U.S. Treasury** direct, also the Housing and Urban Development Dept., and Ford Foundation.

One of 1313–CSG's fifty state links, The Louisiana Commission on Intergovernmental Relations is designated as that state's agency to fulfill a requirement of Title II Sec. 201 of PL 90–577.***

1313 groups are backing the new PL 90–577 titles.

It is shocking that the U.S. Government can be kept under that type of syndicate attack while an oblivious American public celebrates an independence that is fast vanishing under 1313.

Re. *"ACIR Federal Beachhead" in Blame Metro by Jo Hindman; **ACIR 10th Report 1–31–69 and "Fiscal Balance in the American Federal System, Vol. I, 1967; ***Louisiana Memorial To Congress Sen. Concurrent Res. 35, Louisiana Legislature, Cf. Congressional Record Jan. 6, 1969, p. 93.

HOUSE OF REPRESENTATIVES—*Monday, July 7, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Rest in the Lord, and wait patiently for him.—Psalms 37: 7.

O God, our Father, grant that we may have so enjoyed our holiday that our bodies have been renewed and our spirits restored, making us ready for the responsibilities of these days.

Give us steadfast hearts that no trouble may overcome, strong spirits that no temptation may overwhelm, and steady minds that worthy thoughts may keep wholesome.

Teach us to serve Thee and our Nation faithfully and fully, to give and not to count the cost, to fight and not to heed the wounds, to labor and not seek for rewards, save that of doing Thy will and seeking the best for our people.

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Wednesday, July 2, 1969, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 853. An act to establish the Sawtooth National Recreation Area in the State of Idaho, and for other purposes; and

S. 1373. An act to amend the Federal Aviation Act of 1958, as amended, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to the authority granted him on Monday, June 30, 1969, he did on July 2, 1969, sign the following enrolled bill of the House:

H.R. 12167. An act to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

PUBLICATION OF EULOGIES TO DWIGHT DAVID EISENHOWER

(Mr. FRIEDEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FRIEDEL. Mr. Speaker, the Joint Committee on Printing currently is receiving many calls in connection with the publication of congressional eulogies in tribute to former President Eisenhower. The joint committee now has set Friday, July 11, as the closing date for final acceptance of any further insertions in the CONGRESSIONAL RECORD. It must be noted that ample time has been extended to all Members who wished to express their sentiments. It is the joint committee's intention that these tributes be published and distributed later this year. For that reason, all copy must be submitted on or before the above-mentioned date.

TRIBUTE TO CHIEF JUSTICE EARL WARREN UPON HIS RETIREMENT

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Speaker, I join with many of my colleagues in the Congress and with President Nixon in wishing Chief Justice Warren well upon his retirement from the highest judicial bench in the land.

The former Chief Justice has concluded a long and distinguished career of public service—as a member of the California Legislature, as attorney general of the State of California, as Governor of California for 10 years, and as Chief Justice of the United States for nearly 16 years.

Many Americans may have forgotten that prior to his being named to the U.S. Supreme Court by the late President Eisenhower in September 1953, Governor Warren was the Republican candidate for Vice President in 1948.

I was privileged to serve with the former Chief Justice on the special Presidential commission named by President Johnson to investigate the assassination of President John F. Kennedy. I want to commend the former Chief Justice once again for assuming that heavy and extraordinary burden. In his capacity as head of that Presidential commission, Chief Justice Warren displayed exemplary leadership in a time of national crisis.

Mr. Speaker, I salute Chief Justice Warren as he begins his retirement and wish him many years of good health and happiness.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

DISCONTINUANCE OF ANNUAL REPORT TO CONGRESS AS TO ADMINISTRATIVE SETTLEMENT OF PERSONAL PROPERTY CLAIMS

The Clerk called the bill (H.R. 4246) to discontinue the annual report to Congress as to the administrative settlement of personal property claims of military personnel and civilian employees.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, the question has been asked as to whether this relaxation of the reports to Congress would be in fact delegating additional authority of the Congress to the executive branch, and, at the other end of the stick, it has been maintained that these reports are of no real value, and that few read them.

Certainly the gentleman from Missouri, who has reserved the right to object, wants to expedite the business of the Government, and we do not need unnecessary reports, but from time to time we have found additional and valuable material available in connection with such reports.

I would like to ask my friend, the distinguished gentleman from Massachusetts, who has visited with me concerning his subcommittee report on the bill H.R. 4246, if in view of the next Consent Calendar bill, H.R. 4247, increasing the amount for administrative settlements to $15,000, we would thereafter have no reports on any case that is settled under $15,000?

Mr. **DONOHUE**. Mr. Speaker, will the gentleman yield?

Mr. **HALL**. I will be glad to yield to my friend from Massachusetts.

Mr. **DONOHUE**. Mr. Speaker, in answer to the gentleman's first question, may I advise that the bill H.R. 4246 does not increase the limitation for the settlement or adjustment of claims under this particular act. H.R. 4246 merely has to do with the settlement and the adjustment of property damage sustained by military and civilian personnel, for instance, in the loss or damage done to their personal property while in transit from one station to another.

Mr. **HALL**. Mr. Speaker, I appreciate the response made by the gentleman from Massachusetts, but the gentleman apparently did not get the full impact of my question.

My question is: Will the same lack of rendering of detailed reports apply between the area of $5,000 and $15,000?

The $5,000 being now authorized for administrative settlement, and after H.R. 4247 passes, if we give unanimous consent that it do pass without amendments and debate, then will there be a lack of reports up through the $15,000 range of administrative settlements, also?

Mr. **DONOHUE**. If the gentleman will yield further, I am sorry that I did not make myself as clear as I possibly could or should.

Under the settlement of claims under H.R. 4246 there is no limitation of $5,000 at the present time. The limitation in the settlement and administrative adjustment of property damage claims for personnel of the military departments has a limitation of $10,000. In the settlement or adjustment administratively of claims of employees of other departments, this is solely for property damage, now, it is $6,500.

Insofar as reports are concerned, may I say that the repeal of this particular section is in line with prior acts which eliminated the reporting requirements under other claims statutes.

Mr. Speaker, I might also mention that the elimination of this annual report will not prevent the auditing of claims payments or the proper agencies from furnishing to the Congress any information concerning individual claims or the total amounts presented, and the amounts of such claims and the amounts awarded. These figures are compiled in connection with the annual reports, appropriate reports to the Committee on Appropriations of the Congress, and are available in the months of August and September of each year.

Mr. Speaker, I might also mention further that these figures and these reports are furnished to the Bureau of the Budget each year.

Mr. **HALL**. Mr. Speaker, again I appreciate the statement made by the gentleman, and the gentleman has anticipated my next, and I hope my last question.

In the committee report on page 3 at the top of the page, in the top paragraph, it does say that witnesses at the hearing pointed out complete data as to each claim settled by the department and agency under this relaxation of the Military Personnel and Civilian Claims Act of 1964—31 U.S.C. 240, 241, and 242—would be available to the Congress; is that correct?

Mr. **DONOHUE**. Yes.

I might mention also to the gentleman from Missouri that in the fact sheets that we have prepared, there is a fact that I think may be of great value to the gentleman and to the Congress. It goes on to say that in preparing and in furnishing statutory reports to the Congress, the agencies are duplicating individual claim reports or files of paid claims that are forwarded for review by the General Accounting Office. That agency is the watchdog of the Government and an agency of the legislative branch. It makes an annual report of the executive departments of their operations to the Congress. These files are retained by the GAO for 12 years according to the information received or sent through channels.

Mr. **HALL**. Mr. Speaker, in view of the gentleman's explanation, and in view of the further study of this committee report on the bill, plus the departmental staff recommendations for its passage, I withdraw my reservation of objection.

The **SPEAKER**. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 4246

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(e) of the Military Personnel and Civilian Employees' Claims Act of 1964, as amended (31 U.S.C. 241(e)), is repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING TITLE 10, UNITED STATES CODE, TO AUTHORIZE THE SECRETARY CONCERNED TO MAKE PARTIAL PAYMENTS ON CERTAIN CLAIMS

The Clerk called the bill (H.R. 4247) to amend section 2734 of title 10, United States Code, to authorize the Secretary concerned to make partial payments on certain claims which are certified to Congress.

The **SPEAKER**. Is there objection to the present consideration of the bill?

Mr. **HALL**. Mr. Speaker, reserving the right to object, we have been deferring action on this new bill since at least May 19 of this year, primarily because of the belief of some of us that a bill of this scope probably should not be on this particular calendar even though it may meet the technical criteria established by the objectors at the beginning of this Congress; under the principle that it might need more debate and/or amendment.

However, the distinguished gentleman from Massachusetts has conferred with those of us on this side and although it increases the amount that can be settled administratively from $5,000 to $15,000, I wonder if the gentleman can give us the same assurance as it applies to this different type of bill that he did to the one on the Consent Calendar, No. 17, just passed.

Mr. **DONOHUE**. Mr. Speaker, will the gentleman yield?

Mr. **HALL**. I am glad to yield to the gentleman.

Mr. **DONOHUE**. I might say to the gentleman by way of preface, this bill has to do with the settlement and adjustment of personnal injury and death claims as distinguished from the previous bill which was limited to the settlement and adjustment of property damage claims.

This bill as amended by the committee has two aims: The first is to provide authority for partial payment of settled claims under section 2734 of title 10, commonly known as the Foreign Claims Act. These claims are filed by foreigners as a result of noncombat activity on the part of our Armed Forces in foreign countries.

The second is to increase the settlement authority under section 2733 of title 10, the Military Claims Act, and section 715 of title 32, the National Guard Claims Act, from the present $5,000 to $15,000. This is the amount provided, as I stated before, in the Foreign Claims Act.

The committee feels that claims for personal injuries and death or property damage caused by military activities are a category of claims that should be subject to smiliar procedures. This bill as amended would have this effect in the aspects just mentioned.

Section 2733 of title 10, which is the section which includes authority to settle claims of our own people, presently contains a provision for a partial payment. In other words, if the parties involved and the Government agreed on a settlement, insofar as claims arising in this country, the Government would be in a position to make a partial payment up to $5,000. If the claim should involve, say, $10,000, they would make a payment in part for $5,000, and then the balance would be certified to Congress for the payment or the other $5,000. That is not so with foreign claims.

Let us assume for a moment that a person suffers serious injuries in a foreign country in an incident involving our military, and the amount agreed upon for settlement was $25,000. Under present law our Government could not make any partial settlement with them. Those people would have to wait until the $25,000 was appropriated by the Congress. As a result, a strained relationship has developed in foreign countries toward our Government, and particularly toward our military.

This bill would permit the department involved to make a settlement up to $15,000 and appease them for the moment until such time as Congress reached the point of paying them the remainder.

Mr. **HALL**. Mr. Speaker, would what the gentleman has stated be applicable to claims filed by citizens of other sovereign nations where they had a claim against our Government, or because of an accident as a result of military action or our military equipment, even in peacetime?

Mr. DONOHUE. It is my understanding, in answer to the gentleman from Missouri, that it would.

Mr. HALL. Mr. Speaker, furthermore, in the opinion of the gentleman from Massachusetts, is the Congress completely relinquishing its prerogative and, indeed, its responsibility by allowing this increase of foreign claims up to $15,000 without individual review?

Mr. DONOHUE. Congress always retains the right of review. I would say, however, that Congress would probably not reverse the decision of the military in the event that they had made a partial payment. It would, however, insofar as the excess is concerned, retain the right to disapprove the excess.

Mr. HALL. Mr. Speaker, as I understand the gentleman from Massachusetts, this bill would allow a partial or full payment up to $15,000 for any foreign claim, whether by one of our nationals or a citizen of another nation, caused and agreed upon by our Government overseas, be it the armed services responsible or whatever, up to $15,000 with practically no recourse.

Mr. DONOHUE. Under present law they have the right to adjust up to $15,000 at the present time. The only other aspect of it is that for the 2-year waiting period, probably before the Congress reached the point of approving it, we would have a strained relationship between the foreign government involved, or a citizen of the foreign government involved, with our military and with our Government.

Mr. HALL. Mr. Speaker, I appreciate that statement. I think that throws new light on the subject.

Do I understand also that this will simply make available for our own citizens of the United States in fairness and equity the same prerogatives that are now available to foreign nationals?

Mr. DONOHUE. The gentleman is absolutely correct.

Mr. HALL. Mr. Speaker, I will ask the same question I did about the preceding bill on the Consent Calendar: Will individual Members of the Congress be able to obtain individual reports, in spite of the action on the other bill or under this bill, of cases so settled?

Mr. DONOHUE. I am informed that the Judiciary Committee or the Appropriations Committee and, if necessary, the General Accounting Office will have that information available.

Mr. HALL. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

Mr. MONTGOMERY. Mr. Speaker, further reserving the right to object, I would like to ask the gentleman from Massachusetts several questions. I believe the gentleman mentioned this bill extends to the National Guard certain coverage that has not been given before. Would this cover cases similar to a situation which recently occurred in my home State when two National Guard aircraft were involved in a midair collision and one aircraft crashed into someone's house? As I understand it, presently the Government has no obligation. If we pass this bill, would the Government be permitted to pay up to $15,000 in personal property damage resulting from a midair collision between two National Guard aircraft?

Mr. DONOHUE. If they were engaged in a maneuver at the time which was approved by the United States, the United States would be responsible.

Mr. MONTGOMERY. At any time they go up they are flying Government property. I do not believe we could classify it as a maneuver. One of these planes was on a mission to the north, and one was on a mission to the south, and they ran into each other on approach to the airfield, and a house was destroyed. Luckily no one was killed. Neither of the pilots nor any of the people in the residence lost their lives, although the home was destroyed and there was approximately $12,000 to $13,000 in property damages.

Mr. DONOHUE. First, it would have to be determined if the mission the planes were engaged in at the time was a federally authorized mission. In other words, we all recognize that the National Guard is under the jurisdiction of the respective States. Does the gentleman agree?

Mr. MONTGOMERY. Yes, the hiring and firing of National Guard personnel is under the direction of the States as it is generally, but the missions, funds, and authorization of the National Guard is under jurisdiction of the Federal Government, under the National Guard Bureau in Washington.

Mr. DONOHUE. I would say to the gentleman that in my opinion before the Federal Government would assume the responsibility for any damage caused by National Guard facilities, there would first have to be the determination as to whether the mission they were engaged in at the time was federally authorized. When that determination is made and if it is made, on the basis that it was a federally authorized mission, under the existing law and under this law the Federal Government would assume the responsibility of satisfying the damage.

Mr. MONTGOMERY. What the gentleman is saying—and I appreciate what he is saying—and as I actually interpret it, this situation would be covered unless it could be proven that such a mission was not federally authorized. To take a truck out without permission and crash into a house or automobile—this would not be an authorized mission. But certainly I would think if two military aircraft were involved in a midair collision, that would be a proper mission and would be covered under this bill the gentleman is presenting before the House today.

Mr. DONOHUE. Mr. Speaker, giving the gentleman an off-the-cuff opinion, I would have to go back to my original premise, that it would have to be a federally authorized mission.

That of course would be determined, in my opinion again, probably through legislation which might emanate from the Armed Services Committee.

Mr. MONTGOMERY. Mr. Speaker, I withdraw my reservation of objection.

Mr. GROSS. Mr. Speaker, further reserving the right to object, do I correctly understand that this bill provides for a tripling of the amount of administrative settlement, from $5,000 to $15,000?

Mr. DONOHUE. The gentleman is correct insofar as claims arising through the fault of our military here in this country involving our own citizens are concerned, to bring it in line and to make it parallel with the adjustment of claims which arise in foreign countries involving foreign nationals. In other words, we are trying to treat our own citizens the same as we treat foreign nationals.

Mr. GROSS. Inflation has been more than even I thought, if we are here about to triple the amount of administrative settlement.

The question has been asked as to who is going to provide oversight concerning what happens from the tripling of the amounts settlements damage, and the gentleman said that we could get a report from the General Accounting Office. I do not recall where else. Why not at the source, from the Defense Department?

Do we have complete assurance that somebody is going to ride herd on what happens with this tremendously increased administrative settlement procedure?

Mr. DONOHUE. It is my hope, I say to the gentleman from Iowa, that the people in the military—the legal officers and those who have jurisdiction over adjusting these claims—might be deeply concerned about the fiscal policy of our country and would not make exorbitant settlements or out-of-line settlements with the increase involved.

Mr. GROSS. Will the gentleman's subcommittee give some oversight to what transpires?

Not "some," but will the subcommittee give oversight to what transpires? Let me eliminate the word "some." I want some real, downright, good assurance today that in exchange for this tremendous increase in administrative settlement somebody is going to watch to see what happens in the future with respect to these claim settlements.

Mr. DONOHUE. I personally want to say to the gentleman from Iowa that I would be deeply concerned about these settlements, and I know that every member of the Judiciary Committee feels the same way.

To give the gentleman an idea of how prudent the military have been in other years on the matter of settling property damage claims, the Air Force had private claims submitted in the amount of $12,269,000, and those claims were adjusted in an amount of less than 50 percent of the amount claimed actually being paid. The same is true insofar as the Army and the Navy are concerned.

Mr. GROSS. Let me say to the gentleman, I have had some experience reading the bills with respect to property settlements in the military in days gone by. I can recall a high-ranking officer who tried to get compensation of $40,000 or $50,000 for antique and other furniture he picked up somewhere overseas and was bringing back when his shipment was damaged.

I can go down the list with the gentleman on several other claims bills in the past and I can tell him that it was not all lovely but the goose was hanging high with respect to some settlements that were made by the military.

Mr. DONOHUE. Of course, as the gentleman from Iowa appreciates, under existing law the military authorities have administrative authority to settle these claims.

Mr. GROSS. I know they have authority.

Mr. DONOHUE. Up to the amount of $10,000 in the matter of claims by personnel of the military departments under the Military Personnel and Civilian Employees Claims Act of 1964.

Mr. GROSS. And I think that legislation came out of your committee, too. Did it not?

Mr. DONOHUE. I would say that it undoubtedly did.

Mr. GROSS. And, having come out of your committee, are you conducting oversight on what they are doing by way of administrative settlements?

Mr. DONOHUE. I would say to the gentleman that we do and that we will continue.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER.** Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 4247

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsections (d) and (e) of section 2734 of title 10, United States Code, are amended to read as follows:

"(d) If the Secretary concerned considers that a claim in excess of $15,000 is meritorious and would otherwise be covered by this section, he may pay the claimant $15,000 and certify the excess as a legal claim for payment from appropriations made by Congress therefor, together with a brief statement of the claim, the amount claimed, the amounts allowed, and the amount paid.

"(e) Except as provided in subsection (d), no claim may be paid under this section unless the amount tendered is accepted by the claimant in full satisfaction."

With the following committee amendments:

On page 1, line 8, after "excess" insert "to Congress."

On page 2, after line 5, add the following:

"SEC. 2. (a) Subsection (a) of section 2733 of title 10, United States Code, is amended by striking '$5,000' and inserting '$15,000'.

"(b) Subsection (d) of section 2733 of title 10, United States Code, is amended to read as follows:

" '(d) If the Secretary concerned considers that a claim in excess of $15,000 is meritorious and would otherwise be covered by this section, he may pay the claimant $15,000 and report the excess to Congress for its consideration.'

"SEC. 3. (a) Subsection (a) of section 715 of title 32, United States Code, is amended by striking '$5,000' and inserting '$15,000'.

"(b) Subsection (d) of section 715 of title 32, United States Code, is amended to read as follows:

" '(d) If the Secretary of the military department concerned considers that a claim in excess of $15,000 is meritorious and would otherwise be covered by this section, he may pay the claimant $15,000 and report the excess to Congress for its consideration.' "

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend section 2734 of title 10, United States Code, to authorize the Secretary concerned to make partial payments on certain claims which are certified to Congress and to provide equivalent authority for administrative settlement and payment of claims under section 2733 of title 10 and section 715 of title 32, United States Code."

A motion to reconsider was laid on the table.

AUTHORIZING SECRETARY OF THE INTERIOR TO CONVEY CERTAIN LANDS

The Clerk called the bill (H.R. 2785) to authorize the Secretary of the Interior to convey to the State of Tennessee certain lands within Great Smoky Mountains National Park and certain lands comprising the Gatlinburg spur of the Foothills Parkway, and for other purposes.

The **SPEAKER.** Is there objection to the present consideration of the bill?

Mr. KYL. Mr. Speaker, I reserve the right to object.

I would like to direct a question to the gentleman from Colorado (Mr. ASPINALL), the chairman of the Committee on Interior and Insular Affairs, on this bill.

This bill I notice does not explicitly revise the boundaries of the Great Smoky Mountains National Park. Does the chairman think that the legislation should include metes and bounds descriptions in order that we might prevent some future misinterpretations of the boundaries?

Mr. ASPINALL. Will my colleague from Iowa yield?

Mr. KYL. I am glad to yield to the chairman of the committee.

Mr. ASPINALL. In response, I want to say that I raised this precise question during the consideration of this bill by the Subcommittee on National Parks and Recreation. At that time, the Director of the National Park Service indicated that he felt that the general language would be adequate. Subsequently, because the question had been discussed, the matter was referred to the Solicitor's Office of the Department of the Interior and we were advised by letter on June 3, 1969:

> The perimeter boundary of the park has not been defined by statute; accordingly there is no need in this regulation to redefine a boundary for the purpose of excluding the lands from the park. Upon the conveyance they would be so excluded.

With this legislative history, I feel that there can be no mistake that we intend only to authorize the conveyance of these specific segments of the existing roadways to the State of Tennessee. In implementing this legislation, the boundary of the Great Smoky Mountains National Park will be revised accordingly.

Mr. KYL. Mr. Speaker, I thank the gentleman and I withdraw my reservation of objection.

Mr. ASPINALL. Mr. Speaker, H.R. 2785, by my colleague the gentleman from Tennessee (Mr. QUILLEN), is not a complex bill. It seeks, simply, to convey to the State of Tennessee some existing roadways under the jurisdiction of the National Park Service which are not needed for park purposes. These lands cannot, of course, be conveyed without congressional authorization.

Two of the roads involved are Tennessee Highway 73 and Tennessee Highway 72 which skirt a portion of the Great Smoky Mountains National Park. Four segments of Route 73, totaling 3.38 miles, and 2.33 miles of the northbound lane of Route 72 are presently located within the park. They were constructed by the State pursuant to special use permits.

Conveyance of these portions of the highways will enable the State to exercise uniform jurisdiction over them. At the present time, those portions of the roadways within the park are under the exclusive legislative jurisdiction of the United States, thus making traffic control and accident investigation unduly complicated and inefficient. On the other hand, the highways are not necessary for park purposes and the conveyance of them will not isolate any parklands from the main body of the park.

In conclusion, I want to emphasize that H.R. 2785 does not involve any new construction. It provides that the Secretary shall convey the roadways subject to such conditions as he deems necessary to protect the park environment. And, I hasten to add, it will save the Federal Government approximately $25,000 per year in administrative and maintenance costs.

Mr. Speaker, on the basis of these facts, I urge the Members of the House to approve H.R. 2785.

Mr. TAYLOR. Mr. Speaker, it is a pleasure for me to join in support of H.R. 2785 which was introduced by my friend the gentleman from Tennessee (Mr. QUILLEN).

The Subcommittee on National Parks and Recreation conducted hearings on this proposal and concluded that its enactment would be in the best interests of all concerned. Not only will it simplify the administration and maintenance of the highways involved, but it will save the Federal Government a few dollars.

I want to emphasize that the conveyance of these roadways will leave the park intact. All of the parklands will remain contiguous. The Gatlinburg spur is merely an appendage to the park and the boundary with respect to the other two highways will merely be moved so as to exclude the roads from the park. In doing so, H.R. 2785, if enacted, will clearly define the park boundaries in this area.

So far as I know, there is no controversy concerning this legislation. The roads are in place and the legislation explicitly authorizes the Secretary to make the conveyances subject to such conditions as he deems necessary to protect the natural and scenic values of the adjacent parklands.

Mr. Speaker, it is always pleasing to have an opportunity to bring a bill before the House that will result in a savings to the Federal Government. This one cannot balance the national debt, but it is always encouraging to note that a few dollars are being saved—especially when the economy can be effected without impairing the program.

As one who is familiar with the Great Smoky Mountains National Park and as one who recognizes its natural and scenic values to the people of the Nation, I am confident that H.R. 2785 is in the best interests of sound administration and I recommend its favorable consideration by the Members of the House.

Mr. QUILLEN. Mr. Speaker, the purpose of this bill—H.R. 2785—is to cede back to the State of Tennessee the Gatlinburg spur of the Foothills Parkway, between Gatlinburg and Pigeon Forge, and jurisdiction over two State highways along the borders of this park.

There is at present an agreement between the State of Tennessee and the National Park Service that this section of the parkway known as the Gatlinburg spur will be returned to the State upon completion of the Gatlinburg bypass, which will remain a National Park Service road.

The State highways which should be excluded from the park are Tennessee Highway 73 from Gatlinburg toward the Cocke County line, and a portion of Tennessee Highway 72, also known as U.S. 129, along the western boundary of this park.

My reasons for desiring the return of jurisdiction over portions of State highways 72 and 73 to the State of Tennessee stem from the following circumstances:

In 1951, the State of Tennessee commenced construction of an extension of State Highway 73 from Gatlinburg to join Highway 32 at Cosby; and the National Park Service issued three special use permits to the State for construction of the road through portions of the Great Smoky Mountains National Park.

By act of Congress approved May 16, 1958—United States Code, title 16, section 403g-1—the National Park Service was authorized to exchange governmental land north of the newly constructed Highway 73 for privately owned lands lying south of that highway. The exchanges have been completed and the north right-of-way line of Highway 73 is now the park boundary in some five different places aggregating 3.3 miles.

In 1956, the Aluminum Co. of America commenced construction of the Chilhowie Dam on the Little Tennessee River which made it necessary to relocate a portion of U.S. 129—Tennessee Highway 72. In making this relocation, the northbound lane of that highway is inside the Great Smoky Mountains National Park from Tabcat Creek to Abrams Creek, a distance of some 2¼ miles. This construction was also under special use permit from the National Park Service.

As the National Park Service has exclusive police jurisdiction within the park, you can readily see the complications of accident investigation and traffic control which these two situations pose. There is, because of these situations, a duplication of effort since the highway patrol must cover portions of both highways on both sides of the park while park rangers must also patrol these segments of the highways that are inside the park.

For these reasons I have asked for this legislation authorizing the reconveyance—or the retrocession of jurisdiction—from the United States to the State of Tennessee of such portions of these highways as now lie within this national park. In short, to make the south right-of-way line of Tennessee Highway 73 east of Gatlinburg and the east right-of-way line of Tennessee Highway 72 between Tabcat Creek and Abrams Creek the park boundary.

I believe that the retrocession or reconveyance of the Gatlinburg spur and the elimination of the above-mentioned portions of Tennessee Highways 72 and 73 from the park should be realized, and I urge your favorable consideration on my bill to accomplish this.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 2785

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to convey to the State of Tennessee, subject to such conditions as he may deem necessary to preserve the natural beauty of the adjacent park lands, approximately twenty-eight acres of land comprising a portion of the right-of-way of Tennessee State Route 72 (U.S. 129), and approximately forty-one acres comprising portions of the right-of-way of Tennessee State Route 73 east of Gatlinburg, which are within the boundary of Great Smoky Mountains National Park.

SEC. 2. The Secretary is further authorized to convey to the State of Tennessee, subject to such conditions as he may deem necessary to assure administration and maintenance thereof by the State and to preserve the existing parkway character of the conveyed lands, the rights-of-way heretofore conveyed to the United States for the purposes of the Gatlinburg Spur of the Foothills Parkway together with any and all parcels of land heretofore conveyed by the State of Tennessee to the United States for the control and stabilization of landslides along said Gatlinburg Spur, except such lands as the Secretary determines may be necessary to provide for (1) the interchange between the road known as the Gatlinburg bypass and United States 441, (2) the interchange between United States Highway 441 and the Foothills Parkway in the vicinity of Caney Creek, and (3) the management and administration of the Foothills Parkway: *Provided,* That such reconveyance shall not be effected until construction of the Gatlinburg bypass and of two rock retaining walls to control erosion on the Gatlinburg Spur are completed, and Interstate Route 40 is open to public travel from Newport, Tennessee to United States Route 19 near Waynesville, North Carolina.

SEC. 3. The conveyance of the lands described in sections 1 and 2 of this Act shall eliminate them from the park and parkway. Upon such conveyance and upon acceptance by the State of Tennessee of legislative jurisdiction over the lands and notification of such acceptance being given to the Secretary of the Interior, such jurisdiction is retroceded to the State.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO COMPENSATE CERTAIN INDIANS OF CALIFORNIA

The Clerk called the bill (H.R. 671) to compensate the Indians of California for the value of land erroneously used as an offset in a judgment against the United States obtained by said Indians.

There being no objection, the Clerk read the bill, as follows:

H.R. 671

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of September 21, 1968 (82 Stat. 860; Public Law 90–507), is redesignated as subsection (a) of section 3 and a new subsection (b) is added as follows:

"(b) The Secretary of the Treasury is authorized and directed to credit to the judgment account referred to in subsection (a), for distribution as a part of such account, the sum of $83,275, plus interest at 4 per centum per anum from December 4, 1944, which sum represents the value of sixty-six thousand six hundred and twenty acres of land erroneously used as an offset against said judgment."

(Mr. ASPINALL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ASPINALL. Mr. Speaker, in 1944 the Indians of California obtained a judgment against the United States for slightly more than $17 million. Setoffs allowed against the judgment amounted to about $12 million, which left a net judgment of about $5 million.

The setoffs allowed against the judgment contained an error. They included $83,275, representing the value of 66,620 acres of public domain that were thought to be reserved for Indian use. In fact, however, the Executive order reserving the land for Indian use had been revoked before the judgment was rendered by the Court of Claims, and the Indians had never had the use of the land. This part of the setoff was therefore an administrative error.

H.R. 671 will correct the error by crediting to the balance still in the judgment fund amount of the erroneous setoff, $83,275 plus interest from the date of the 1944 judgment. The judgment itself, when credited to the account of the Indians, bore interest at the rate of 4 percent and the erroneous setoff should bear the same interest. Four percent interest for 25 years—1944 to 1969—will double the principal, making the total amount of the credit approximately $166,550.

A much larger judgment recovered by the Indians of California in 1964 is now in the process of being distributed. The balance in the 1944 fund, including the credit authorized by H.R. 671, will be included in this distribution.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Consent Calendar.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one

of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On June 18, 1969:

H.R. 3480. An act for the relief of the New Bedford Storage Warehouse Co.; and

H.J. Res. 782. Joint resolution making further continuing appropriations for the fiscal year 1969, and for other purposes.

On June 23, 1969:

H.R. 4622. An act to amend section 110 of title 38, United States Code, to insure preservation of all disability compensation evaluations in effect for 20 or more years.

On June 30, 1969:

H.R. 1437. An act for the relief of Cosmina Ruggiero;

H.R. 2667. An act to revise the pay structure of the police force of the National Zoological Park, and for other purposes;

H.R. 4229. An act to continue for a temporary period the existing suspension of duty on heptanoic acid, and to continue for 1 month the existing rates of withholding of income tax;

H.R. 4600. An act to amend the act entitled "An act to incorporate the National Education Association of the United States," approved June 30, 1906 (34 Stat. 804);

H.R. 6607. An act to confer U.S. citizenship posthumously upon Sp4c. Klaus Josef Strauss; and

H.J. Res. 790. Joint resolution making continuing appropriations for the fiscal year 1970, and for other purposes.

On July 1, 1969:

H.R. 1939. An act for the relief of Mrs. Marjorie J. Hottenroth.

H.R. 1960. An act for the relief of Mario Santos Gomes.

H.R. 2005. An act for the relief of Lourdes M. Arrant; and

H.R. 5136. An act for the relief of George Tilson Weed.

SECRETARY KENNEDY MEETS IN SECRET WITH THE JET-AGE BILLIONAIRES

(Mr. PATMAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, the jet set of the banking industry—the really big boys of the financial world—are arriving in Washington today to meet with the Secretary of the Treasury, David Kennedy, in secret behind locked doors at the Treasury Department.

These jet-age billionaires, according to the Treasury Department news release, are scheduled to talk to the Secretary about inflation and high interest rates. It appears that the big bankers are coming to Washington to tell the Federal Government how to run monetary affairs—how to run them to suit the bankers.

Mr. Speaker, the Secretary of the Treasury should stand up and demand that these bankers roll back the latest prime rate increase. It should be done tomorrow morning when the banks open for business. The Secretary has the power to do this if he will use it in the public interest.

Mr. Speaker, the bankers arriving on the jet specials today are the elite of the world's financial community.

As a group, these 25 bankers hold more than $148 billion of the Nation's bank deposits. In addition, they hold more than $131 billion in assets in their trust departments.

In short, Mr. Speaker, these 25 bankers—25 out of more than 13,000 commercial banks—control 36 percent of the Nation's bank deposits. And they also control one-half of the trust assets.

Mr. Speaker, this is the greatest mass of financial power that has ever been gathered in one room at the Treasury Department.

Yet, Secretary Kennedy persists in his plans to hold this meeting in secret with the press and the public barred. The questions of high interest rates and inflation are in the public domain and there is absolutely no excuse for the meeting to be held in secret.

Secrecy has created most of our problems in the monetary field over the past years. The Federal Reserve operates in secret and this is one of the reasons we have such outlandish and poorly administered monetary policy and high interest rates.

Mr. Speaker, it is a disgrace for a Secretary of the Treasury to go behind closed doors with billionaire bankers to decide public policy.

Mr. Speaker, here are the list of banks that will participate in the meeting and a list of their trust assets and bank deposits:

	Market value of trust assets (1968)	Deposits, Dec. 31, 1968
Chief executive officer, Bank of America National Trust & Savings Association, San Francisco, Calif	$4,988,265,148	$21,502,892,000
Chief executive officer, Chase Manhattan Bank, N.A., New York, N.Y	14,579,093,000	16,709,925,657
Chief executive officer, First National City Bank, New York, N.Y	11,930,777,493	16,643,247,000
Chief executive officer, Manufacturers Hanvoer Trust Co., New York, N.Y	7,959,479,000	9.202,391,539
Chief executive officer, Morgan Guaranty Trust Co., New York, N.Y	18,575,119,000	8,211,715,952
Chief executive officer, Chemical Bank-New York Trust Co., New York, N.Y	5,658,125,000	7,640,935,069
Chief executive officer, Bankers Trust Co., New York, N.Y	13,319,707,504	6,827,713,405
Chief executive officer, Continental Illinois National Bank & Trust Co., Chicago, Ill	6,192,052,485	6,301,503,000
Chief executive officer, First National Bank, Chicago, Ill	6,499,551,217	5,746,162,000
Chief executive officer, Security Pacific National Bank, Los Angeles, Calif	2,718,018,000	5,711,376,229
Chief executive officer, Wells Fargo Bank, N.A., San Francisco, Calif	2,165,627,000	4,734,097,623
Chief executive officer, Irving Trust Co., New York, N.Y	1,976,864,572	4,412,980,656
Chief executive officer, Crocker-Citizens National Bank, San Francisco, Calif	2,210,234,458	4,207,243,461
Chief executive officer, United California Bank, Los Angeles, Calif	2,784,728,000	3,765,607,866
Chief executive officer, Mellon National Bank & Trust Co., Pittsburgh, Pa	$8,218,705,778	$3,748,752,656
Chief executive officer, First National Bank, Boston, Mass	[1] 5,323,411,245	3,260,839,600
Chief executive officer, Franklin National Bank, Mineola, N.Y	[2] 177,212,000	2,301,163,116
Chief executive officer, Marine Midland Grace Trust Co., New York, N.Y	1,493,662,406	2,280,847,318
Chief executive officer, First Pennsylvania Banking & Trust Co., Philadelphia, Pa	3,157,213,000	2,173,968,000
Chief executive officer, Cleveland Trust Co., Cleveland, Ohin	3,690,492,000	2,129,999,331
Chief executive officer, Detroit Bank & Trust Co., Detroit, Mich	1,972,334,206	1,899,344,777
Chief executive officer, Philadelphia National Bank, Philadelphia, Pa	703,477,986	1,723,053,059
Chief executive officer, Seattle-First National Bank, Seattle, Wash	862,364,676	1,692,349,092
Chief executive officer, National Bank of Detroit, Detroit, Mich	[2] 3,427,431,000	3,443,048,504
Chief executive officer, Manufacturers National Bank, Detroit, Mich	[2] 1,282,614,000	1,772,165,266
Total	[3] 131,929,469,174	[4] 148,042,922,166

[1] Includes Old Colony Trust Co.

[2] As of December 1967.

[3] This figure represents approximately ½ of all trust assets in the 13,000 commercial banks in the United States.

[4] This figure represents 36 percent of all bank deposits in the 13,000 commercial banks in the United States.

Mr. Speaker, this morning I sent Secretary Kennedy the following telegram asking that he seek an immediate rollback in the interest rate and urging that the meeting be opened to the public and the press:

JULY 7, 1969.

DAVID M. KENNEDY,
Secretary of the Treasury, U.S. Treasury Department, Washington, D.C.:

Your meeting today with the 25 giants of the banking industry gives you an unparalleled opportunity to roll back the prime interest rate to a reasonable level.

A simple statement that this is the Nixon administration's policy will bring a rollback in the interest rates before the banks open their doors tomorrow morning. I urge you to make this the number one item on the meeting agenda and to use the fullest powers of your office to enforce the rollback.

I urge you in the strongest possible terms to open this meeting to the press and the public. The entire agenda is clearly in the public domain and there is no reason to exclude the public from this deliberation. There should be no secret discussions of public policy between the big bankers and the Secretary of the Treasury.

An open session, fully reported by the Nation's press, would do much to clear the air of suspicion about the relationship of the Treasury Department and the big banks. As the former chief executive of one of the participants in the meeting—Continental Illinois National Bank of Chicago—it is particularly inappropriate for you to go behind closed doors to discuss public policy with leaders of the banking industry.

This fact is heightened by your continuing financial ties to this bank, and the American public can only be highly suspicious of any attempt by you to go behind closed doors to discuss Treasury Department policy with the executive officers of the bank.

A press briefing, carefully cleansed of controversy, is inadequate when the public is so vitally affected and concerned by the issues before the meeting.

I also urge that all of the monetary authorities, particularly the Federal Reserve and the Federal Open Market Committee, have adequate representation at the meet-

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ing. It is also essential that the Attorney General be represented. As you know, the Attorney General is conducting a full-scale investigation of the last prime rate increase for possible antitrust violations by the very banks you have invited. It is important that nothing be done at this meeting which might prejudice the Attorney General's case. I also urge you to make a full transcript of the meeting available to facilitate investigations being carried out by the Attorney General and the House Banking and Currency Committee.

WRIGHT PATMAN,
Member of Congress.

EMPLOYMENT OF NATION'S PEOPLE ESSENTIAL TO FUTURE GROWTH AND STABILITY OF OUR ECONOMY

(Mr. BLACKBURN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous material.)

Mr. BLACKBURN. Mr. Speaker, adequate employment of the Nation's people has been held to be essential to the future growth and stability of our economy. Only when our valuable labor resources are employed at their full potential can the goal of eliminating poverty in this great land of ours be attained.

Today I am introducing the Human Investment and the Federal Government and Private Employers Partnership Act of 1969. This bill provides for a two-pronged attack on the problem of hard-core unemployment.

First, the Human Investment Act would provide a 15-percent tax credit of all allowable training expenses, with a maximum of $100,000 plus 50 percent of the taxpayers' tax liability in excess of $100,000. This act would be aimed at business with income in excess of $500,000 per year.

Second, the Federal Government and Private Employers Partnership Act of 1969 would provide a 50-percent subsidy on the wages paid to any person receiving on-the-job training provided that the wage being earned is equal to the Federal minimum wage. This act would be aimed at businesses with incomes below $500,000 per year.

The reason for two-pronged attack is simple. Large businesses with its sophisticated accounting departments would be better able to handle a training program which was initiated at the inducement of the tax credit. The idea behind this tax credit is similar to that which was used in the highly successful 7-percent investment tax credit.

On the other hand, the subsidy approach has proven to be very successful in inducing small businessmen in service industries to provide on-the-job training. The JOBS program which is administered by the National Alliance of Businessmen use this approach and it has been highly successful in the few cities in which it has been operating.

The underlying philosophy behind this concept is that American business must be brought into the fight against poverty. Recently, assistant to the Presidential Assistant for Urban Affairs, Daniel P. Moynihan stated:

> Finally it is also reasonably clear that we must begin getting private business involved in domestic programs in a much more systematic purposeful manner. Making money is one thing Americans are good at, and the corporation is their favorite device for doing so. What aerospace corporations have done for getting us to the moon, urban housing corporations can do for the slums. All that is necessary, one fears, is to enable enough men to make enough money out of doing so.

I agree with Mr. Moynihan's observation and believe that my bill gives businessmen the incentive to invest in job training. As the 7-percent investment tax credit guaranteed the prosperity of the 1960's, my bill could guarantee employment for the unemployed and underemployed of the 1970's.

The basic provisions of the Human Investment Act provide that allowable employee training expenses shall be the following:

First, the wages and salaries of employees who are appprentices in an apprenticeship program registered with a State apprenticeship agency or the Federal Bureau of Apprenticeship and Training;

Second, the wages and salaries of employees who are enrolled in an on-the-job training program pursuant to section 204 of the Manpower Development and Training Act of 1962.

Third, the wages and salaries of employees who are participating in a cooperative education program involving alternate periods of academic study and employment in cooperation with a secondary school, college, university, business school, trade school, or vocational school;

Fourth, tuition and course fees paid by the taxpayer for the instruction of any individual by a college, university, business school, trade school, or vocational school in job skills necessary for his employment by the taxpayer or for his continued employment with the taxpayer;

Fifth, home study course fees paid by the taxpayer for the instruction of any individual by a college, university, or accredited home study school in job skills necessary for his employment by the taxpayer or for his continued employment with the taxpayer;

Sixth, expenses to the taxpayer of organized job training—including classroom instruction—including expenses for the purchase or lease of books, testing and training materials, classroom equipment, and instructors' fees and salaries, incurred in training any individual in job skills necessary for his employment by the taxpayer or for his continued employment with the taxpayer; and

Seventh, expenses to the taxpayer of organized job training provided by a business or trade association, joint labor-management apprenticeship committee, or other similar nonprofit association.

Title II of my bill is the Federal Government and Private Employers Partnership Act of 1969. The basic purpose of this measure is to provide training and employment opportunities for those individuals whose lack of skills and education acts as a barrier to their employment at or above the Federal minimum wage. By means of subsidies to employers on a decreasing scale in order to compensate such employers for the risk of hiring the poor and unskilled in their local communities, I hope to decrease the number of hard-core unemployed.

America's unemployment rate is lower than it has ever been in our history. However, businessmen have constantly reported that trained skilled workers are needed and our domestic industries are suffering shortages of these workers. The main thrust of my bill is to provide on-the-job training to unemployed persons who could be productive citizens if they had proper skills.

The small, service-oriented and ofttimes one- or two-man controlled operation would find small advantage in the tax credit approach. This leaves a large segment of the business community, that is the small business venture, particularly in the service-oriented industry without financial incentive to engage in training programs. I firmly believe that the greatest opportunity for the greatest numbers of trainee-employees lies in this business area; thus I propose this measure.

The large corporations should be involved in job training, however, I would like to point out that there is a need for skilled workers in occupations such as barbershops, automobile repair shops, cobbler shops, plumbing establishments, and homebuilding concerns. These are the small individual businesses which cannot effectively utilize the 15-percent tax credit provided in the Human Investment Act.

Recently the Office of Economic Opportunity, in cooperation with the National Alliance of Businessmen, established the JOBS—job opportunities in the business sector—program. This program has some characteristics which are similar to mine, in that it does provide wage subsidies for businessmen who engage in on-the-job training. While some, including myself, question the legal authority for OEO—which is using some of the broad language under title II of the Economic Opportunity Act—for this venture, yet, those who suggested this program are to be complimented on their innovation and imagination. I personally await keenly to learn the results of this program so that this experience can be fully utilized in implementing the legislation which I now propose today.

I think it appropriate to briefly outline the mechanics of the operation of the proposal which I make today. Under my proposal an employer will be certified by the Administrator of the Wage, Hour, and Public Contracts Division of the Department of Labor provided that:

First, he will abide by the minimum wage provision of the Fair Labor Standards Act of 1938;

Second, the employer has not raised his hiring requirements in expectation of or after passage of the act;

Third, despite reasonable recruitment efforts, no adequate supply of qualified workers is available;

Fourth, there are no strikes, lockouts, or other abnormal labor conditions at the employer's establishment;

Fifth, the employer agrees to afford each certified employee opportunity for continued employment after expiration of the certificate for a period equal to the duration of the certificate. Such employee could still be fired for any reasons which would justify firing a noncertified employee;

Sixth, the employer's on-the-job-training program is one to which admission is based in part, on aptitude tests, and which provides not less than 3 nor more than 12 months of training reasonably calculated to result in the qualification of trainees for suitable employment at or above the minimum wage;

Seventh, the refunds to the employer will not have the effect of depressing the wages, working standards, or opportunities for full employment of existing employees; and

Eighth, to insure that the funds for this program will be directed into small business, the employer in business receiving a refund under this act must not have gross receipts in excess of $500,000 per year.

The refund granted to a certified employer shall be an amount equal to, first, 50 percent of the statutory minimum wages paid to all certified employees for the first half of the employee's certification period; and, second, 25 percent of the wages paid for the second half of the certification period.

No more than 25 percent of an employer's labor force may be certified employees.

This measure contains a provision to authorize the appropriation of $72 million for the fiscal year ending June 30, 1970, and authorization for $144 million for the fiscal year ending June 30, 1971. It is estimated, based upon the Department of Labor's research, that the first year's authorization would provide job training opportunities for approximately 100,000 persons, and the second year authorization will provide job training for 200,000 persons.

My bill provides a system of priorities be established to guide the Administrator in certifying employers:

First. Great weight will be given to early certification of employers in areas containing a high concentration of unemployed and underemployed.

Second. Those employers who have the greater need for the greatest numbers of those persons having low job skills, where opportunities for increasing job skills during the course of employment at the greatest rate will be given a high priority.

Third. Those business concerns having gross receipts of less than $250,000 would enjoy a high priority.

The main thrust of title II is to encourage the small businessman to take an active hand in helping to retrain America's hard-core unemployed. Small business provides much-needed service upon which each individual community depends. I feel that the small businessman's contribution to the war against unemployment could be of utmost importance.

The effect on the individual is a very important aspect of this legislation. One of the major faults of past programs is that after the individual is trained, there is not any gainful employment available for him. My program insures that a trainee will have employment after he is trained. Further, the trainee is receiving the minimum wage and is able to care for his family. This program helps restore the dignity of the individual.

I would also propose that trainees under this program have their training supplemented by formal lectures on job attitudes, punctuality, dependability, and other basic qualities so necessary if any employer-employee relationship is to be long lived.

After the Watts riot of 1965, Los Angeles established a management council for merit employment, training, and research. This council employs a program which is similar to the one that I am proposing today. At the present time, the council is working with approximately 1,267 companies in the Los Angeles area and has reported the placement of 17,903 individuals in full-time employment.

Mr. H. C. McClellan, head of the council, stated in a U.S. News & World Report interview:

> This man cannot go back to the traditional school. He is a dropout, so he has to be accommodated in some surroundings that to him appear to offer promise—something he can see that will justify his effort and doesn't require several years.
>
> Such a man needs a subsistence allowance to enable him and his family to live while he is learning.
>
> To motivate this kind of man, he must be able to see that the man who preceded him in training got a decent job and kept it.

Furthermore, the Watts program has shown that most trainees stayed on the job and progressed at a rapid rate.

I believe that my program will provide the needed employment incentives while helping small businessmen obtain the needed skilled workers.

FAIR FARM PRICE ACHIEVEMENT ACT

(Mr. LANGEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEN. Mr. Speaker, Congress, in its role as spokesman for the people of this country, is quickly approaching the point where it will no longer accept farm programs which rely primarily on Government price supports and subsidy payments. The recent action by this body in adding the $20,000 limitation per farm for farm subsidy payments is indicative of the present public sentiment. I think it fair to say that this public attitude demands a complete change in the means used to compensate farmers for production.

Those of us in this body who give the matter adequate reflection will agree that farmers deserve sufficient gross income to cover their expenses as well as a modest profit. The whole fabric of capitalism, to which most of us subscribe, is based on the profit principle—and farmers have just about been squeezed out of the profit picture altogether by rising costs and constant prices. However, no matter how much we may want to help the farmer, no one—including the farmer—wants to be forced to accept a handout from the Federal Government or anyone else.

I am introducing today a bill that would virtually end subsidy payments and save the Federal Government millions of dollars while helping farmers achieve modest profits on a businesslike basis. Many farmers are operating on a deficit basis today, a fact which will one day keep us from maintaining our position as the world's most efficient and largest producer of food and fiber if the situation is not speedily rectified.

Although we would like to put the farmer on a more businesslike basis, the farmer deals in nonunique, fungible goods which require governmental regulation of pricing and marketing. Farmer Jones in Kansas cannot get a higher price by refusing to sell No. 2 wheat at an artificially low price, because the buyer could probably get No. 2 wheat at his asking price from a poor farmer in Oklahoma who needed the money. Thus, without governmental regulation, the farmers would be at the mercy of the buyers or wholesalers. Most of our Nation recognizes and accepts this need for the regulation of fungible goods pricing.

More important, however, than the protection of the farmer is the protection of the public in the commodity pricing program. The need for food and fiber continues beyond the normal seasonal supply and demand for the consumer. This renders the normal supply and demand formulas useless, for present demand cannot anticipate a drought the following season any more than it can anticipate a bumper crop. Our national policy has been, and ought to continue to be, to keep farmers on the land to produce in these fat years of apparent abundance a store of commodities for those lean years that inevitably come. If the consumer is to be protected from fantastic price increases in time of drought, there has to be enough food and fiber stored up now to take up the slack in those lean years.

Mr. Speaker, my bill goes to the heart of this problem. Although seemingly a radical approach, my bill would cost the Government and hence the consumers less money while putting the farmers on a profitable, and therefore more businesslike, basis. Called the Fair Farm Price Achievement Act, my bill would return prices to parity levels while simultaneously reducing Federal subsidies and total Federal agricultural expenditures. Essentially, the bill guarantees full parity to wheat and feed grain farmers in return for voluntarily withholding a modest acreage from production. A key feature is that the farmer receives a price only for what he produces. Money may be expended under this bill only when the farmer tills the land and raises the crops; thus no one is paid for not doing anything.

I have detailed figures to back up my claims of savings for the American people. The large size of these benefits is startling, and the first question is: Why did someone not point this out before? The figures are even more startling when you realize that they are actually on the conservative side. I will present these figures and explain the various complex features of this bill, such as payments in kind, cross-compliance and foreign import requirements, in detail in a later report. However, just as an example of

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the tremendous benefit to the American people, the $2.16 billion in payments to farmers which would have been eliminated in fiscal year 1968 if my bill had been in effect then or the estimated $2.56 billion for fiscal year 1969 would more than pay the total cost of the whole poverty program in either of these years or in the President's proposed budget for fiscal year 1970. The savings to this program just in terms of interest on the national debt alone is staggering.

Obtaining a fair price from the marketplace is far superior to pouring Federal tax dollars into programs that fail in their objective of adequately supporting our vital and necessary farms. However, the time to act is now while there is still time to solve the problem. It would be well for us to remember that our country has always gained in periods of prosperity by tenaciously tackling the most difficult problems and thus accomplishing what seemed like almost impossible solutions. And to solve the farm problem now would put us far on the road out of inflation and on to national economic stability.

COUNCIL ON ENVIRONMENTAL QUALITY

(Mr. FASCELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FASCELL. Mr. Speaker, I am today adding my name to the growing list of Congressmen who are deeply concerned about the quality of our lives as we move into the last 25 years of this millennium, by submitting legislation which would create a Council on Environmental Quality in the Executive Office of the President.

In doing so I become cosponsor of H.R. 12549, originally introduced by my distinguished colleague, Congressman JOHN DINGELL, of Michigan. Congressman DINGELL, as chairman of the House Merchant Marine and Fisheries Committee and its Subcommittee on Fisheries and Wildlife Conservation, has performed an outstanding service for the people of the United States and their Congress. The hearings which he has conducted and which he is continuing to hold, have brought the enormous problem of environmental pollution to the attention of Congress and the American public.

Mr. Speaker, we can no longer ignore the warning signals of the environmental cancer which threatens our very existence. Like men everywhere who only fully appreciate their health when they have lost it, we take for granted the air we breathe, the water we drink, and even the land on which we walk.

But as the inhabitants of the European banks of the Rhine discovered in the last few days, there are silent, often invisible, but very deadly, toxicants which have been loosed in our water and air. These agents, whether they be insecticides, pesticides, phosphate and nitrate effluents, gases, or the exhaust from automobiles and jet aircraft, threaten to poison us in hundreds of subtle and unrecognizable ways.

While scientists are not unanimous in their predictions of what this ever-increasing pollution portends for mankind, they are in agreement on one thing: without preventive action immediately, we are going to face what Secretary-General U Thant recently called a crisis of the human environment.

Is it really possible that, as Alfred Hulstrunk of the Atmospheric Sciences Research Center suggests, the next generation will never see the sun? Will we face a new ice age because the excess carbon dioxide in the upper atmosphere reflects the sunlight away from the earth? Or will the radiation from the earth's surface, unable to escape through that same carbon dioxide, turn this planet into a gigantic hothouse? Will our children and their children be required to wear gas masks as part of their everyday attire?

Absurd, you say. And yet these are precisely the terms in which scientists are now thinking. Despite their persistent warnings, our factories continue to spew forth smoke and soot, our industries continue to upset the ecology of rivers and streams with chemical and heat pollution, and every single human being contributes about 5 pounds of garbage to the environment daily. When you combine this with the projected doubling of the earth's population by the end of the century, it is truly frightening.

Mr. Speaker, I commend President Nixon for the interest and concern he has shown by his creation of the Cabinet-level Environmental Quality Council; but I must agree with Helmut K. Buechner of the Smithsonian Institution that—

> This intergovernmental council is to a large extent subject to the traditional modes of action that have evolved within and between federal agencies over a long period of time. A separate council, free from the constraints of governmental processes is needed to provide objective reviews, evaluations, and recommendations from the private sector of our society as a counterbalance to governmental approaches.

H.R. 12549 provides such an independent body of environmental advisers, charged with no other responsibilities, and with the power to review the environmental picture and to recommend action and legislation. This must be the first step in a nationwide effort to control the pollutants that would poison us.

Mr. Speaker, I call on our colleagues in the House to join me in rising to the support of this urgently needed legislation. It is the duty of Congress to "stand on the shoulders of giants" in order to foresee the perils facing this Nation and take preventive action.

Surely the fantastic technology which this country has exhibited in its triumphant journey to the moon can be put to the task of saving this globe from environmental disaster.

NIXON'S WISDOM IN REFUSING TO APPOINT KNOWLES

(Mr. BRAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRAY. Mr. Speaker, Dr. John H. Knowles' recent actions and statements, following the failure of the President to appoint him as Assistant Health, Education, and Welfare Secretary, has clearly demonstrated President Nixon's wisdom in refusing to appoint him. Knowles' petulant, spoiled, crybaby attacks on the President shows him as a man totally lacking in the qualities of fairness, capability, dedication, and objectivity so necessary to this important post.

COUNTERVAILING DUTIES ON IMPORTED DAIRY PRODUCTS

(Mr. QUIE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include a letter.)

Mr. QUIE. Mr. Speaker, it has been brought to my attention that section 1303 of United States Code 19, is not being enforced as it applies to dairy producers. Under this law, duties on imports subsidized by foreign countries are to be increased, in addition to the regular duty, by the amount of the subsidy. The law is mandatory, not permissive.

I have written a letter to the Secretary of the Treasury, the Honorable David M. Kennedy, drawing this problem to his attention, a copy of which I will place in the RECORD at this point:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 2, 1969.

Hon. DAVID M. KENNEDY,
Secretary of the Treasury,
Washington, D.C.

DEAR MR. SECRETARY: It has been brought to my attention that the U.S. Treasury is not imposing countervailing duties on imported dairy products. As I understand the Tariff Act of 1930, you are required to impose countervailing duties whenever it is determined that a bounty or grant is paid on any commodity imported into the United States which is subject to duty. The law is mandatory and the problem exists in the dairy industry.

Subsidies are being paid on butter and non-fat dry milk in some of the European Economic Community countries as high as 67¢ a pound on butter and 9¢ a pound on non-fat dry milk. It is reported that surplus butter production amounts to approximately one billion pounds and surplus non-fat dry milk amounts to five-hundred million pounds in the E.E.C. nations. With excess production of this magnitude, these countries will be seeking markets abroad for these commodities.

I have no objection to this if it is on an equitable basis with U.S. producers and within the quota. As you know, under Section 22 of the Agricultural Adjustment Act, quotas on dairy products are now in force. We are watching closely that these quotas are not circumvented by changing the composition of products so that the new item is not defined within the quota limitations.

The price support law is designed to benefit domestic producers. If excess imports are allowed, either above the quota or within the quota but by some means unfair to American producers, the U.S. taxpayer then is placed in a situation of supporting the world market which I expect he is unwilling to do.

Since the Tariff Act of 1930 requiring countervailing duties is being enforced on other commodities, I believe that it should be enforced on dairy products as well.

If there is some reason why it should not be enforced, an amendment to the law should be submitted for Congressional consideration and the reasons for such change documented. It should only be through Congress changing the policy as laid down in the law that the law should ever not be enforced as it is now written.

Sincerely yours,
ALBERT H. QUIE,
Member of Congress.

Mr. Speaker, failure to enforce the law is an invitation for importation of large quantities of dairy products in a way which will prove costly to the Treasury, the U.S. taxpayer, and the U.S. dairy industry.

PLUMBERS, NOT DOLLARS, IS LATIN AMERICAN NEED

(Mr. FEIGHAN asked and was given permission to address the House for 1 minute, and to revise and extend his remarks and include extraneous matter.)

Mr. FEIGHAN. Mr. Speaker, South American countries need American know-how, not dollars, says Richard L. Maher, politics editor of the Cleveland Press. Maher visited South America this year and in a series of articles for his paper said that a couple of American plumbers would be of more help to Latin American countries than handing out dollars or lectures from professors on their theories.

Some good American technicians to teach South Americans how to do practical things would be far better United States aid than throwing money around on impractical programs. Maher writes.

Mr. Maher has long been recognized by associates in the newspaper field and the reading public as the foremost political editor in Ohio and recognized nationally for his political acumen.

Included in my remarks are the last three of a series of four articles by Mr. Richard L. Maher. I commend the reading of these articles by my colleagues and members of the Department of State and the administration:

[From the Cleveland (Ohio) Press, Apr. 10, 1969]

South America Needs U.S. Know-How More Than It Needs Our Aid in Dollars

(By Richard L. Maher)

The best kind of aid the United States could send to South America—in fact to all Latin America—would be a couple of good American plumbers.

Everywhere in South America, even in the best hotels, the plumbing is horrible. Faucets drip, toilets don't flush properly, shower water fluctuates in temperature.

It isn't safe to drink the water—even in such big cities as Buenos Aires and Rio. The same is true in most of Mexico.

In much of South America, sanitary conditions are bad. Water is contaminated by leaking sewers, which are old and deteriorating. Some must have been laid by Cortez.

Here is where those American plumbers could do a great job. They could teach the people how to do things right, to make plumbing work and teach the local craftsmen how to maintain the installations.

The average fellow on the streets is unaware that the United States has been pouring billions in aid into the countries. Those who do know are cynical about it.

There was the bright young woman in Uruguay who remarked:

"American aid! Too much sticks on the way down from the top."

In Ecuador, where I found American embassy officials more understanding than any other place outside Mexico City—an aide told me:

"What these people need is not a handout, but some education." And Ecuador, small, weak and poor, gets very little aid.

A corps of agricultural advisers, not theorists, but successful farmers, to tell the Ecuadorian how to get more crops out of his land, a corps of technical advisers, just ordinary craftsmen, bricklayers, plumbers, electricians—there is the need of South America today.

The need is not for money to be handed out indiscriminately; not for professors of theory who can't put their ideas into practice. The need is for good, practical down-to-earth education in how to do things.

It is difficult, of course, to do business with heads of South American republics. They are not republics as we know them. Most are dictatorships. Governments change fast, and diplomats walk a tight rope.

Natural resources abound in these countries, particularly oil. They don't have the money, nor the know-how to develop those resources. American business interests have moved in to do the developing. They have been guilty of playing politics; also they have been at times the victims of government greed.

Peru has seized an American oil company. Chile is badgering American fishermen. The United States has suspended aid to Brazil, which has been running $250,000,000 to $300,000,000 a year. It is threatening to suspend aid to Peru because of its seizure of American owned property.

In Ecuador, Texaco and Gulf have discovered a rich, untapped oil supply. It will take $200,000,000 to develop and build a pipeline to get the oil out. Still the Ecuadorian government is threatening to seize the oil property, though it hasn't the money or the technical knowledge to get the oil out of the ground and to the market.

On the top governmental level in Ecuador, there is little regard for the United States. There is a simmering antagonism growing out of a land incident of 25 years ago. Powerful neighbors of Ecuador seized and occupied one-third of its territory.

The United States, beset by a war in the Pacific and in Europe, sided with the aggressor nations. Thus the small, weak nation of Ecuador lost a lot. Her leaders have never forgotten.

In Brazil we had no ambassador for months Only last week the President finally named one. The attitude of government officials is that the United States doesn't care about their country, that the failure to name an ambassador for so long was a snub and indicates a contempt for them.

And what is the United States doing about her plunging popularity in South America? Nothing—at least nothing that can be seen and noted.

The largest and most powerful nation in the world, which has given 13 billions in aid since 1949 to South America, has failed to let the little people know how they have received aid from this country.

No one, least of all the U.S. embassies, tries to get across the story of what we have done, tries to blow our own horn. Yet the people are eager to hear, are friendly and like Americans. An illustration:

On a Sunday morning in Quito, Ecuador, my wife and I attended Mass in the downtown area, some distance from our hotel. We took a cab and thought it would be easy to get a cab to return. Leaving church, we could find but one.

The driver indicated he was not for hire, pointed to the church. Soon two women emerged, an elderly senora and her daughter. In my meager Spanish and their equally meager English, we were able to communicate.

They graciously agreed to have the driver take us to our hotel. They were most cordial and pleased to meet someone from the United States and to be of help.

[From the Cleveland (Ohio) Press, Apr. 14, 1969]

Germans Numerous in Brazil, Give United States Stiff Competition

(By Richard L. Maher)

In Rio de Janeiro nearly every car on the streets is a Volkswagen.

In Buenos Aires, the Ford Falcon seems to be the popular car.

I asked an American embassy official in Rio why so few American cars on the streets and why so many Volkswagens. His answer was that American built cars can't compete with the German made cars.

I pointed out that Ford seemed to be able to compete in Argentina, asking: "Why not Brazil?" I didn't get a good answer.

A little digging developed that a Volkswagen sells for $3300 in Rio. Much of this is government tax. A small American car runs close to $6000.

Volkswagen maintains an assembly plant in Brazil. Also Germany seems to have much better rapport with the Brazilian government than we do.

I gathered that the preference for Volkswagens was due in a large part to the aggressiveness of the Germans. Germany has put its stamp on South American republics with a big thump.

Germans have moved into Brazil in large numbers. They are everywhere. There has been inter-marriage, and the second generation is growing up. They are more German than Brazilian.

I asked a blond tour guide where she got her light hair.

"From my mother. She's German," she replied. This young girl, scarcely 20, spoke Portuguese, English and German.

Rio is doing much building, particularly roads and modern streets within the city with complicated interchanges. The hands of German engineers are evident in this.

With all their ingenuity, the Germans can't overcome the manana atmosphere that pervades all of South America. Many in the U.S. complain about building tradesmen and featherbedding practices. They ought to see Brazil. Here they say the average bricklayer lays 16 bricks a day—on a good day.

Labor is cheap. Often one would see four men doing what one man in the United States would do—and do it more efficiently. The hotel in which the Ohio touring group was housed was undergoing a major remodeling.

It was to have been finished in January. Already it was two months behind schedule. The management blamed American suppliers and the East Coast dock strike for the delay. But what I saw laborers doing had nothing to do with any equipment delay. The delay was right there with the workmen. One took a whole day to plaster the archway at the main entrance to the lobby.

Rio and Buenos Aires are not South American cities. They are oriented to Europe. They ape Paris with their sidewalk cafes and hotel and restaurant food.

U.S. officials seem to think they can't fight this.

But the young people are not oriented to Europe. Their music comes from the United States. They play hit tunes from America all the time.

Their mini skirts aren't from Europe. They are American and quite popular with the young girls.

I saw few hippies. I did see many young men and women strolling hand-in-hand as one would see on the streets of any U.S. city. The old Spanish and European custom that a duenna must accompany a girl on her dates no longer prevails. Argentinian and Brazilian youths want the same freedom to date and love as their American cousins have.

Youths in South America are looking to the United States—but here again, it was obvious we are making no effort to woo these folks who in a few years will be running their governments.

U.S. propaganda machines should be tuned into these young people.

Brazil is an interesting country—but not one where living could be entirely pleasant.

President Costa e Silva apparently runs a democratic government. But in fact it is far from democratic. Costa e Silva is pretty much a dictator. Though the government is not a military one, it is militarily oriented. Soldiers, in pairs, patrol the streets everywhere.

There are no civil rights in Brazil. Use of habeas corpus has been suspended. Protestors against the regime just disappear. Every day some one disappears, and isn't heard from again.

There have been some student riots—but the leaders were quickly picked off and whisked away—to where no one knows.

Eighty members of Congress, including two former presidents, have been removed from their seats by executive order of Costa e Silva. Another 15 are due to get the axe soon. Congress is in "recess," sent home by the president.

It's a crime to send a nasty card or letter to a government official. One citizen sent a Christmas card to an official. The official regarded it as objectionable. So the sender wound up in jail for 30 days.

The government has clamped down on money exchange to keep Yankee dollars in the country. You can't, for instance, get more than $30 in U.S. money if you try to cash a check or a traveler's check. For a $100 check, you get $30 American and $70 Brazilian.

But if you want to spend the $100 for Brazilian goods, you can. That way the entire U.S. $100 stays in Brazil. Brazilian merchants often will take a personal check from a tourist. That way, too, American dollars stay there.

All this gives one an idea of how hard it is to deal with South American republics. But Germany, which gives no foreign aid, does it well. The United States, which has passed out billions, does it badly.

URUGUAY IS FULL OF AGED U.S. CARS

(By Richard L. Maher)

The streets of Montevideo, the capital of Uruguay, abound with American cars—old ones, that is.

An old car buff would have a picnic in this South American city.

I saw 20-year-old cars in use. They were dated, looked pretty well beaten, but the motors purred well.

I even saw a Model A Ford that was still running.

I rode in an English bus that was 30 years old. It was a bit noisy, I must admit.

I was puzzled and amazed by the number of old cars still in use. On inquiring I learned that there are in Uruguay young mechanics who can do miracles with old American cars. They keep them running long beyond the time they would have been in a junk heap in the U.S.

They have an advantage so far as weather goes. There never is snow in Uruguay; hence no salted streets. So bodies don't rust out.

If one could get his old car down to Uruguay he could sell it for a good price.

However, obsolescence is catching up with the operation of the old cars. The Uruguay mechanics complain cars are not being built the way they once were.

Uruguay is one of the poorest of South American countries. Ten per cent of its population work for the government—including the army. Another 10% is unemployed.

They have forms of social security, medicare and other such benefits—but there is a complaint that workers who retire don't get much in benefits. Some told me they run to about $15 a month.

It is weak, like Ecuador. Argentina has occupied an island in the 140-mile-wide river which separates the two nations. Uruguay will do nothing but protest since Argentina is too big and powerful to oppose more violently.

Of all South American countries I have seen, Uruguay is the poorest. Its shops pretty generally are shabby and merchandise is shoddy.

Its unemployment problem is evidenced by the numbers of men who appear to be just loitering on the downtown streets at midafternoon.

The Uruguayans were the least friendly of all South Americans I encountered. Here again the average person has no idea that aid has come to the nation from the United States. Those who do know seem cynical about it.

Uruguay's government has been dictatorial like most others, although the president has relaxed many of the tight regulations.

Like in other nations of the South American continent, the United States needs to do a massive propaganda job.

The opportunity for Americans is there in South America—but it is rapidly slipping away through indifference, apathy and failure to grasp it.

THIRD ANNUAL REPORT ON IMPLEMENTATION OF AUTOMOTIVE PRODUCTS TRADE ACT OF 1965—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The **SPEAKER** laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Ways and Means:

To the Congress of the United States:

I hereby transmit the third annual report on the implementation of the Automotive Products Trade Act of 1965. The report contains information with respect to the United States-Canada Automotive Products Agreement, including automotive trade, production, prices and employment in 1968. Also included is other information relating to activities under the Act.

RICHARD NIXON.

THE WHITE HOUSE, *July 7, 1969.*

LEGAL PROFESSIONS DEVELOPMENT ACT

The **SPEAKER**. Under a previous order of the House the gentleman from Illinois (Mr. PUCINSKI) is recognized for 30 minutes.

(Mr. **PUCINSKI** asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. **PUCINSKI**. Mr. Speaker, in 1835, Alexis De Tocqueville wrote:

> The power vested in the American courts of justice of pronouncing at statute to be unconstitutional forms one of the most powerful barriers that have ever been devised against the tyranny of political assemblies.

That statement is pertinent to America today.

Ours is a nation of laws. It was founded by men who believed their own legal rights had been taken away by the Government. In order to insure that a system of just laws guaranteeing the rights of the individual was made available to all, the United States of America was declared a free and independent republic.

On last Friday we celebrated the 193d anniversary of the signing of the Declaration of Independence. We have come a long way on the road to justice and equality for all. Our forefathers had to turn to violence and revolution because there was no other machinery available to redress the grievances. But that is no longer the case today. There is in the law today a solution for every conceivable grievance an American might have and it is available through the orderly process of judicial review.

In short, Mr. Speaker, there is no reason for citizens to turn to violence for redress of their grievances, if the full machinery of our judicial system is made available to such citizens.

Mr. Speaker, 22 years before he became President of the United States Abraham Lincoln reinforced this belief in his statement on American law in a speech at Springfield, Ill. He said:

> Let reverence for the law, be breathed by every American mother to the lisping babe that prattles in her lap. Let it be taught in the schools, in seminaries, and in colleges.
>
> In short, let it become the political religion of the Nation and let the old and the young, the rich and the poor, the grave and the gay, of all sexes, tongues, and colors, and conditions sacrifice unceasingly upon its altars.

Throughout the decades since the early days of our Nation, the Congress and the separate States which entered the Union, enacted laws to protect and benefit all American citizens. Those laws have been challenged and changed as time passed and as the conditions of the time required new interpretations of existing law.

Now, in the last third of the 20th century, we are encountering problems in our legal system; problems which could be solved with a fresh approach and a new outlook. Problems that could be solved if the citizen—every citizen—could have recourse to the advice of an attorney even if he could not afford to retain such an attorney with his own resources.

To do this we will need more lawyers.

The method of educating lawyers in America today could, I believe, be speeded up to provide the needs of our communities.

Our population has increased substantially in recent years. Our society as a whole is more and more concerned with helping those less privileged and less fortunate to obtain what is rightfully theirs in a democratic system.

This has placed an overwhelming burden on our courts and upon individual lawyers. As a result, the backlog of cases has contributed markedly to the unrest and the violence that has all too tragically characterized the petitioning for redress of grievances on the part of many Americans.

In order to reinforce confidence in our legal code and the legal system itself, I am today introducing legislation which I hope will help solve the crisis in our courts. This legislation would be known as the Legal Professions Development Act of 1969.

My bill would amend the Higher Education Act of 1965 to provide a comprehensive program for the training of attorneys and related personnel in order to improve legal services available to the people of the United States.

I hope a companion measure may soon be introduced to enlarge and improve the judiciary in America to handle the increased caseload my legislation would generate.

In brief, Mr. Speaker, the purpose of this bill is to accelerate the training of lawyers and, through a series of grants provide them with clinical experience that will train them and, at the same time, benefit the community at large.

Education is costly; it costs the student and it costs the society. I believe it is possible to reduce the time of formal education and place the purpose of education in perspective with the needs of our society.

Dr. Levi, president of the University of Chicago, pinpointed this problem when he said recently:

> We must find a way to shorten this period (of formal education), to provide easier means for entrance and exit from the system with time out for doing, and we must find a way to give it renewed seriousness.

Dr. Levi proposed a 4-year course for lawyers and I believe there is great merit in his proposal. My legislation is designed to implement Dr. Levi's suggestion.

The bill I am introducing today does indeed give renewed seriousness to the problem of legal education and training.

The bill provides for an accelerated legal training program. This program would include 2 years of liberal arts, 2 years of intensive law studies, and 2 years in a neighborhood legal clinic.

Most law schools today admit only those students who have successfully completed 4 years of undergraduate work in liberal arts. The law school curriculum itself consumes another 3 years. Thus, a total of 7 years is spent in training a young man or woman to practice before the bar.

By accelerating the training and requiring only 2 years of liberal arts, followed by 2 years of intensive legal studies, I believe the law student benefiting from such an experience could—with hard work—equal today's student who has had 7 years of study before encountering any actual legal experience.

Under the provisions of my bill, through a system of grants supported by the Federal Government, a student would be accepted into this accelerated legal training program.

At the end of his 2 years of liberal arts and 2 years of law studies and upon successful completion of the bar of his State, he would enter a neighborhood legal clinic for a period of at least 2 years at a salary to be determined by the Commissioner of Education.

These 2 years of actual clinical experience would constitute repayment of his obligation for his earlier formal education in the law. It would result in thousands of young attorneys being made immediately available for service to the community through legal aid programs, the legal services program under title II of the Economic Opportunity Act of 1964, the clinical experience program carried on in this title—title XI of the Higher Education Act—or in any program operated by a public or private nonprofit agency to provide legal services to the community.

Americans today, too many of them, have become cynical about the law.

The neighborhood legal clinics which I propose as part of this legislation would make available to the citizen who otherwise cannot afford legal advice and legal assistance—such legal advice. These clinics would in no way compete with legal services now provided by the legal profession.

Mr. Speaker, we have medical clinics, dental clinics, optometric clinics, and we even have birth control clinics in some communities of America available to the citizens to take care of their needs. Why not a neighborhood legal clinic to help a citizen get legal help to correct his grievances?

I propose a network of legal neighborhood clinics which would make available to the citizens the very things he needs, advice, so that he can seek his redress in the orderly process of judicial review instead of turning to violence and turmoil because he becomes disenchanted with the avenues of relief that are available to him.

Many of our citizens believe that laws protect other people. I contend that our American system of law is sound and workable and enduring.

There is recourse in our laws for full redress of grievances on the part of every American citizen. Our problem in this mobile, technocratic, and increasingly impersonal society is to provide circuits of communication between the aggrieved petitioner and the courts.

A Supreme Court Justice wrote recently:

> How wonderful it is that freedom's instruments—the rights to speak, to publish, to protest, to assemble peaceably, and to participate in the electoral process—have so demonstrated their power and vitality. These are our alternatives to violence; and so long as they are used forcefully but prudently, we shall continue as a vital, free society.

Writing further, the Justice said:

> *Procedure* is the bone structure of a democratic society; and the quality of procedural standards which meet general acceptance—the quality of what is tolerable and permissible and acceptable conduct—determines the durability of the Society and the survival possibilities of freedom within the society.

It is because I agree wholeheartedly with this point of view that I propose this legislation today.

This bill would provide a mechanism whereby accredited law schools could work together in planning for, developing, and carrying out accelerated legal training programs.

A participant in the program would be required to obligate himself to accept and engage in the legal employment arranged for him by the institution of higher education for a period of not less than 2 years.

This principle of requiring young people whom we educate to devote some of their time to the service of their Government is not a new principle. We now do this with doctors. We train many doctors at Federal expense, under one condition—that whatever time we supply them in education, they furnish back to the Government by service in the Armed Forces medical units. Many of our fine doctors today worked in the Armed Forces for the number of years they had been paid while being educated in the medical schools at the expense of the Government.

So, Mr. Speaker, there is a precedent for a program like this, but more important there is a need. I submit that these neighborhood legal clinics could perform an impressive service to the individual citizen. I am not talking about services such as we saw recently as part of the Economic Opportunity Act. I, myself, 2 years ago severely criticized a group of young lawyers, graduates from eastern law schools, who came to Chicago as part of the legal service program of the OEO, and then proceeded to instruct young high school students on their rights against prosecution for participating in a rebellion and their constitutional rights to participate in strikes against their teachers. This is not the kind of service I am talking about. I am talking about legitimate legal services to citizens, citizens who for instance are being taken advantage of by local businessmen who charge them usurious interest rates on loans they make on purchase items on credit; citizens who are being exploited by an unscrupulous landlord, or citizens whose rights are being denied in the pursuit of their livelihood.

My proposal here is an extension of the very limited legal aid program we have in many cities operated by local bar associations and charitable organizations. These legal aid societies have done an excellent job but with the rapid growth of our urban areas, their limited facilities cannot even begin to tackle the enormous job.

These are the kind of things that I believe neighborhood legal clinics could provide, legal aid for citizens, and in that way make a contribution toward the orderly process of seeking redress under the law.

This accelerated legal training will provide a method and an avenue to reach out to the people of this Nation who are sorely in need of legal assistance, but who have no access to information that might solve their problems without resorting to endless litigation or needless violence.

Our younger generation is sincere in looking for ways to help society grow and develop. America should constantly be in a state of "becoming." Our Nation should never be complacent and self-satisfied, for our very striving to improve our system has made us the foremost government in the world.

The law grows as we mature as a people and as a republic. We have in this Congress done more to enrich the lives of our fellow Americans in recent years than most of the Congresses that preceded us.

Our Supreme Court has proved in the last 15 years that the rights of the individual American, regardless of his birth or station in life, are precious. Those rights and the protection of them largely determine the sort of people we are.

There is a majesty in the law which transcends generations.

By introducing this bill today it is my hope to encourage greater numbers of young people to seek a career in the law, if you will, and to render their talents in service to their community.

In an earlier day Oliver Wendell Holmes wrote of his vocation to the law thus:

> If a man has the soul of Sancho Panza, the world to him will be Sancho Panza's world; but if he has the soul of an idealist, he will make—I do not say find—his world ideal.

The law is the calling of thinkers. But to those who believe with me that not the least godlike of men's activities is the large survey of causes, that to know is not less than to feel, I say that a man may live greatly in the law as well as elsewhere; that there as well as elsewhere his thought may find its unity in an infinite perspective; that there as well as elsewhere he may plunge himself into life, may drink the bitter cup of heroism, may wear his heart out after the unattainable.

By augmenting the very worthwhile legislation that has already been enacted providing for legal services and legal clinics, my legislation would speed up the process of educating young attorneys and help to provide them with the best education of all—practical experience in a legal office.

This bill provides a means whereby educational institutions which seek to be relevant to the turbulence of our modern times can serve, not only the students who yearn for the challenge of hard and practical experience, but the community at large, which can only benefit from having greater access to the law and to lawyers.

I urge my colleagues to read this legislation carefully and to give it their support, for indeed we are now at a juncture in time when many Americans are losing confidence in the nobility of our democratic cause—Americans who do not believe that they can find recourse, redress for their grievances, Americans who become easy prey for those who would try to tell them that this great Republic does not offer an American the protection he is entitled to.

Mr. Speaker, I think despite the impressive job the legal profession already has done, much more needs to be done, and I believe neighborhood legal clinics, available to every citizen, young or old, for whatever may be his grievance, may indeed be our answer to the violence and to the temptation by citizens to take the law into their own hands. I honestly and sincerely believe that there is redress for every single grievance that any citizen might have in this country, but it is in the orderly process of court and judicial review.

I believe one reason why people turn to violence is that they do not have access to the machinery of our law, simply because either there are not any lawyers available in a community, or if there are, the lawyers are busy in other pursuits. I certainly do not intend for this legislation in any way to compete with existing lawyers. I believe there is enough work in this country, with the growth of population and the growth of the complexity of our society, for all present lawyers and all future lawyers.

Obviously, under this program those who can afford legal counsel will continue to take advantage of such private counsel.

But those who cannot, for whatever reason, afford legal counsel, will have access to professional legal advice as to their rights, within the neighborhood legal clinics. It is for this reason, Mr. Speaker, I hope this proposal will get careful consideration and study by the legal profession itself, by the bar associations of the various States, and the American Bar Association, and by the responsible law schools of this country.

I have great confidence in Dr. Levi who recently proposed that we ought to consider seriously a 4-year course for lawyers.

My bill goes one step further. We require that the first 2 years after graduation and after successfully taking the bar examination, the fledgling lawyer would give those 2 years of his service in the neighborhood legal clinic. This would give him vast experience and at the same time would give the people of that community the knowledge that if they have a grievance, and if they do not understand some aspect of the complex structure of our society, they can indeed get legal counsel in such a clinic to clear up the situation for them and to advise them whether they should pursue their grievance any further, or whether they have exhausted their rights under the law.

Of course, those eligible for military service upon graduation would not be excused, but they could serve in the adjutant general's office to fulfill their 2-year requirement of 2 years of legal service to the Government.

Mr. Speaker, unless we provide this kind of assistance for the citizens of this country, we will see turmoil flourish, we will see more and more violence in the cities. There is no need for violence in America today if every citizen will have access to the majesty of the law.

Mr. Speaker, a copy of the Legal Profession Development Act follows:

H.R. 12617

A bill to amend the Higher Education Act of 1965 to provide a comprehensive program for the training of attorneys and related personnel in order to improve the legal services available to the community and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title XI of the Higher Education Act of 1965 is amended to read as follows:

"TITLE XI—LEGAL PROFESSION DEVELOPMENT

"PART A—ACCELERATED LEGAL TRAINING PROGRAMS

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 1101. There is authorized to be appropriated for making grants to enable institutions of higher education to carry on accelerated legal training programs as provided in this part, the sum of $50,000,000 for the fiscal year ending June 30, 1970, and there is authorized to be appropriated for each of the nine succeeding fiscal years such sums as the Congress may determine to be necessary for making such grants.

"DESCRIPTION OF ACCELERATED LEGAL TRAINING PROGRAM

"SEC. 1102. To qualify for assistance under this part as an accelerated legal training program, a program shall—

"(1) be carried on by an institution of higher education which has as a constituent part thereof a law school which is accredited by a nationally recognized accrediting agency or association approved by the Commissioner for this purpose,

"(2) admit as participants in the program only students who have successfully completed at least their secondary education,

"(3) provide participants with a program of education, consisting of courses at the undergraduate level and of ccurses in law, which is designed to provide them with the education and training necessary to qualify them to practice law in the States, after passing whatever examinations the State may require as proof of competency,

"(4) provide the participant, upon successful completion of his accelerated legal training program and his admission to the bar of the State, with employment as an attorney in a legal aid program, a legal services program carried on under title II of the Economic Opportunity Act of 1964, a clinical experience program carried on under part B of this title, or in any other program operated by a public or private nonprofit agency to provide legal services to the community.

"QUALIFICATIONS FOR GRANTS

"SEC. 1103. Grants may be made by the Commissioner under this part to institutions of higher education to assist them in planning for, developing, and carrying out accelerated legal training programs described in section 1102. Such grants shall be made only upon application to the Commissioner at such time or times and containing such information as he deems necessary. The Commissioner shall not approve an application unless it—

"(1) provides that while a participant is pursuing his program, he will be paid a stipend at the rate fixed by the institution, but not higher than the rate of $2,000 per academic year, plus $500 per academic year for each of his dependents,

"(2) requires each participant in the program to obligate himself (in such manner as the Commissioner may prescribe) to accept and engage for not less than two years in the legal employment arranged for him by the institution of higher education,

"(3) provides that during his two-year period of required legal employment, the participant will be compensated for his services at a rate prescribed by the Commissioner,

"(4) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this part, and

"(5) provides for making such reports, in such form and containing such information, as the Commissioner may require to carry out his functions under this part, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"PARTICIPANT'S FAILURE TO MEET OBLIGATION

"SEC. 1104. If a participant in a program assisted under this part fails to fulfill the obligation described in paragraph (2) of section 1103 to provide legal services, he shall be liable to the United States in an amount equal to the stipends paid him during his participation in the accelerated legal training program.

"ELIGIBILITY FOR ADMISSION TO PRACTICE

"SEC. 1105. No grant shall be made under this part to an institution of higher education which is located in a State which will not permit persons who have successfully completed an accelerated legal training program assisted under this part to practice law in that State, even after they have, through regular bar examination procedures, demonstrated their professional qualifications.

"PART B—LAW SCHOOL CLINICAL EXPERIENCE PROGRAM

"PROGRAM AUTHORIZATION

"SEC. 1121. (a) The Commissioner is authorized to enter into contracts with accredited law schools in the States for the purpose of paying not to exceed 90 per centum of the cost of establishing or expanding programs in such schools to provide clinical experience to students in the practice of law, with preference being given to programs providing such experience, to the extent practicable, in the preparation and trial of cases.

"(b) Such costs may include necessary expenditures incurred for—

"(1) planning;

"(2) training of faculty members and salary for additional faculty members;

"(3) travel and per diem for faculty and students;

"(4) reasonable stipends for students for work in the public service performed as part of any such program at a time other than during the regular academic year;

"(5) equipment; and

"(6) such other items as are allowed pursuant to regulations issued by the Commissioner.

"(c) No law school may receive more than $75,000 in any fiscal year pursuant to this part.

"(d) For the purpose of this part the term 'accredited law school' means any law school which is accredited by a nationally recognized accrediting agency or association approved by the Commissioner for this purpose.

"APPLICATIONS

"SEC. 1122. (a) A contract authorized by this part may be made by the Commissioner upon application which—

"(1) is made at such time or times and contains such information as he may prescribe:

"(2) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this part; and

"(3) provides for making such reports, in such form and containing such information as the Commissioner may require to carry out his functions under this part, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(b) The Commissioner shall allocate contracts under this part in such manner as will provide an equitable distribution of such contracts throughout the United States among law schools which show promise of being able to use funds effectively for the purposes of this part.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 1123. There are authorized to be appropriated $7,500,000 for each of the fiscal years ending June 30, 1970, and each of the nine succeeding fiscal years to carry out the purposes of this part (and planning and related activities in the initial fiscal year for such purposes).

"PART C—LEGAL INTERNSHIP PROGRAM

"ESTABLISHMENT OF PROGRAM

"SEC. 1131. The Commisisoner shall establish and carry out a legal internship program under which persons who have recently been admitted to the bar are provided with employment as legal interns providing legal services in a legal aid program, in a legal services program carried on under title II of the Economic Opportunity Act of 1964, in a clinical experience program carried on under part B of this title, or in any other program operated by a public or private nonprofit agency to provide legal services to the community.

"REQUIREMENTS FOR PROGRAMS

"SEC. 1132. The program provided for under the preceding section shall be carried on through grants or contracts with public or private nonprofit agencies. Persons shall receive compensation as legal interns at rates prescribed by the Commissioner. No person shall serve as a legal intern for more than two years. The Commissioner, in cooperation with other Federal agencies, shall develop employment opportunities for persons who have completed their participation in the legal internship program.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 1133. There are authorized to be appropriated for carrying out this part $5,000,000 for the fiscal year ending June 30, 1970, and $10,000,000 for each of the nine succeeding fiscal years.

"PART D—COOPERATIVE LEGAL EDUCATION PROGRAMS

"APPROPRIATIONS AUTHORIZED

"SEC. 1141. (a) There are authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1970, and $10,000,000 for each of the nine succeeding fiscal years, to enable the Commissioner to make grants pursuant to section 1142 to institutions of higher educations for the planning, establishment, expansion, or carrying out by such institutions of programs of cooperative legal education that alternate periods of full-time law school study with periods of full-time public or private employment that will not only afford students the opportunity to earn through employment funds required toward continuing and completing their legal education but will, so far as practicable, give them work experience related to their future professional activities. Such amount for the fiscal year ending June 30, 1970, shall also be available for planning related activities for the purpose of this part.

"(c) Appropriations under this part shall not be available for the payment of compensation of law students for employment by employers under arrangements pursuant to this part.

"GRANTS FOR PROGRAMS OF COOPERATIVE LEGAL EDUCATION

"SEC. 1142. (a) From the sums appropriated pursuant to subsection (a) of section 1151, and for the purposes set forth therein, the Commissioner is authorized to make grants to institutions of higher education that have applied therefor in accordance with subsection (b) of this section, in amounts not in excess of $50,000 to any one such institution for any fiscal year.

"(b) Each application for a grant authorized by subsection (a) of this section shall be filed with the Commissioner at such time or times as he may prescribe and shall—

"(1) set forth programs or activities for which a grant is authorized under this section;

"(2) provide that the applicant will expend during such fiscal year for the purpose of such program or activity not less than was expended for such purpose during the previous fiscal year;

"(3) provide for the making of such reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this part, and for the keeping of such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports;

"(4) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the applicant under this part; and

"(5) include such other information as the Commissioner may determine necessary to carry out the purposes of this part.

"(c) No institution of higher education may receive grants under this section for more than three fiscal years.

"(d) In the development of criteria for approval of applications under this section, the Commissioner shall consult with the Advisory Council on Financial Aid to Students.

"PART E—NEW CAREERS PROGRAM

"SEC. 1151. The Commissioner shall develop and carry out a new careers program under which persons are provided with jobs leading to career opportunities in the legal profession, including new types of careers, in programs designed to make legal services more readily available in the community being served, which (1) provide maximum prospects for advancement and continued employment without Federal assistance, (2) give promise of contributing to the broader adoption of new methods of structuring jobs in the legal profession and new methods of providing job ladder opportunities, and (3) provide opportunities for further occupational training to facilitate career advancement. Programs carried on under this part shall be of an experimental or demonstration nature, and shall be conducted on such terms and conditions and with such persons, organizations, and agencies as the Commissioner may determine."

SEC. 1152. Section 202 of the Higher Education Facilities Act of 1963 is amended by adding at the end thereof the following new subsection:

"(e) Of the sums appropriated to carry out this Act for a fiscal year, not less than 5 per centum shall be used only for the construction of law schools."

SEC. 1153. Section 522 of the Higher Education Act of 1965 is amended by adding at the end thereof the following new sentence: "Not less than 5 per centum of the fellowships awarded in any fiscal year shall be awarded for study for persons who are pursuing or plan to pursue a career as a law school teacher."

NO LOGICAL ALTERNATIVE TO ABM DEPLOYMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alaska (Mr. POLLOCK) is recognized for 60 minutes.

Mr. POLLOCK. Mr. Speaker, we are approaching the moment of truth when we must decide whether or not this Congress will authorize the funding of the defensive Safeguard anti-ballistic-missile system. The naked issue for decision is simply this: Shall the United States develop a capability for defending itself against an attack by an offensive intercontinental ballistic missile?

There is much confusion in thinking and many conflicting opinions voiced by self-styled experts on President Nixon's proposed anti-ballistic-missile program—ABM. From some of the statements that are made, it is obvious that many persons voicing emotional opinions do not understand one fundamental point that should be unmistakably clear in the mind of everyone. The ABM is a defensive and not an offensive missile system.

I have just received a letter signed by a group of educators asking that all public-spirited citizens exert every democratic procedure to discontinue the ABM system. The letter went on to say:

> The use of these weapons in war can inflict massive and indiscriminate destruction far exceeding the bounds of legitimate defense.

This is utterly ridiculous. Once an enemy ICBM is launched for a target in the United States, there is no way to call that offensive missile back to its launching pad. It continues on its lethal way to bring death and destruction to a selected target area here in the United States. Either this lethal offensive weapon is destroyed en route to the target by an antimissile missile—ABM—or it will reach its target and indeed inflict massive and indiscriminate destruction.

Currently there is an undeniable vulnerability of the United States, because we do not have any defense against an enemy ICBM attack. Soviet Russia decided long ago that an ABM system was essential for its overall military posture, so it already has installed one. Of course, nobody either in Russia or the United States opposed the move as a threat to peace. The weakest argument offered by opponents of the Safeguard anti-ballistic missile is that such a defensive system against a nuclear "first strike" by the Soviet Union would be "provocative." This is sheer nonsense. Why should the Soviet Union care whether America has a defense against a nuclear first strike—unless it is planning one?

William Randolph Hearst, Jr., the editor in chief of the Hearst newspapers, recently said:

> If there is one thing about our dove-minded popoffs which never ceases to amaze me, it is how they excuse everything the Russians do and sneer at the very idea that the Communists are a threat.

I could not agree more. I would add that I am also continuously amazed that these same people never utter a comment of criticism when Russia engages in provocative warlike activities or accelerates the arms race by constructing more and more offensive weapons of holocaust and destruction, but these individuals are poised to vigorously criticize our efforts to merely defend the United States by developing the capability of destroying attacking missiles, not enemy nations.

The anti-ballistic-missile system that has been proposed by President Nixon and which is now before the Congress is the so-called Safeguard system, which is essentially a modification of what used to be called the Sentinel system as proposed by President Johnson. It is defensive, not offensive.

Initially, I think a few comments on the history of this program may be in order. It has long been recognized, ever since the advent of long-range ballistic missiles, that the greatest danger this country faced was a possible attack with ballistic missiles by another country, more particularly the Soviet Union. To meet the earlier bomber threat we had gone to great effort to provide an air defense of this country by aircraft and with missiles. While these defenses against bomber attack could not be expected to be perfect, they could contribute substantially to the defense of this country in the event of an air attack.

With the advent of the intercontinental ballistic missile in the late fifties—some 10 years ago—it became apparent that this country would become increasingly vulnerable to missile attack. Accordingly, we initiated a high priority research and development effort to produce some sort of a weapon system to defend this country against attack by ballistic missiles. For a number of years we worked to develop what was called the Nike-Zeus system, building on the experience of the earlier Nike-Ajax and Nike-Hercules, antibomber defense systems. The Nike-Hercules, in fact, is still an important component of our present defenses against attack by aircraft.

In the development and testing of the Nike-Zeus system, the general concept of an anti-ballistic-missile defense system was proved out. We proved that it was possible—as the saying goes—to hit a bullet with a bullet. However, the Zeus system had very serious limitations, and was never actually put into operation. I should mention, in this connection that the ABM system that has been deployed around Moscow by the Soviet Union—about which I will say more in a moment—is generally thought to be roughly comparable to our old Nike-Zeus system. The principal weakness of the system is that it has what is referred to as a mechanically slewed radar—with the kind of revolving antenna you normally picture when you visualize a radar. And the trouble with this kind of a radar is that it is inherently incapable of handling enough targets simultaneously to cope with a heavy attack. There were other shortcomings in the Zeus system, but it was this radar problem which made it inadvisable to deploy the system.

To get around this problem and others, a new research and development project was undertaken to replace the Nike-Zeus. This was the so-called Nike X system. I will not dwell on the differences between the two systems, except to say that instead of the one Nike-Zeus missile, the Nike X system called for the use of two missiles. One is known as the Spartan missile, replacing the old Zeus missile, which had a longer range and which was intended to engage the incoming enemy nuclear warhead at great altitude, outside the atmosphere. The other is the so-called Sprint missile, which as the name implies, can be fired at great speed to engage warheads which get by the Spartan for one reason or another. In the case of the Sprint, however, the engagement takes place at relatively low altitudes, within the atmosphere. In effect, this amounts to a last-ditch defense—almost a last-second defense—which explains why the Sprint is such a high-speed missile, and must accelerate rapidly after firing to reach the point of intercept. If you will just imagine a missile firing at the speed of a bullet, you will have a general picture of the Sprint.

The other great difference between the Nike X and the old Nike-Zeus system is that instead of the mechanically slewed radar, the Nike X employs what amounts to an electronically slewed radar—the so-called phased array radar. Instead of a revolving antenna, this radar can search for and acquire potential targets by electronically scanning the sky. This can be done at high speed, and the radar is capable of handling a great many targets simultaneously. This marks a great advance over the Nike-Zeus radar, where each radar could handle only one target at a time.

Now it was from these basic components—the Spartan and Sprint missiles and the new phased array radar—that it was proposed to construct the so-called Sentinel system, as recommended by the Johnson administration. Similarly, the Safeguard system now proposed by President Nixon builds on these same developments. There are, however, rather distinctive differences between the Sentinel and Safeguard systems with respect to their purposes. And it is important that these differences be understood.

Perhaps the best way to illustrate these differences is to put the matter in perspective by indicating the alternatives visualized for the Nike X system from the early stages of its development:

First, it was generally recognized that there was no feasible way, with known technology, of providing the United States with such a strong defense against missile attack as to provide a high degree of protection against an intense and highly sophisticated missile attack, of the kind that the Soviet Union was capable of delivering against this country. It was felt that any attempt by the United States to defend our urban areas could easily be negated by the Soviet Union simply by expanding their offensive capabilities and by using penetration aids so as to saturate the defense. Moreover, it was believed virtually certain that the Soviets would react in this way in order to preserve their deterrent against the United States. It should be noted that there were some who did not accept this assessment as a foregone conclusion. They believed that the Soviet Union would find it very difficult, for a variety of reasons—military, technological, and economic—to easily overcome such a missile defense of this country; and so they favored deployment of the Nike X to defend our population centers because it might save many lives if war should come. On balance of considerations, then—notably the great cost for such a conjectural gain—the deployment of the Nike X system for a city defense of this country did not appear the prudent course.

Second, while this kind of heavy or thick ABM defense of this country did not appear warranted, it was believed that the Nike X could provide a meaningful level of defense for our population against the kind of less intense attack that the Chinese Communists might be capable of mounting at some time in the future—say in the 1970's. Initially, it was felt that we had not yet reached the point where this prospect was so discernible as to require that we proceed immediately with deploying the Nike X system. It was felt that there was sufficient time to defer this decision for at least a time because it would take the Chinese Communists longer to develop and deploy an ICBM than it would take us to put in an ABM defense if later developments should warrant. Accordingly, we could defer this decision for some period. However, by September 1967, it was decided that we should go ahead with a system to provide a defense against the possibility of Chinese attack in the 1970's, and it was on this basis that the Johnson administration proposed and the Congress supported the so-called Sentinel system to provide what was characterized as a "thin" defense of this country against the kind of low-level attack which the Chinese Communists might be capable of launching by the mid 1970's. It was believed that the Sentinel system could afford a high degree of protection to our population against this kind of attack, for at least an interim period. And it was also thought that the system could be improved through time to provide a substantial defense of this country as Chinese Communist capabilities were improved. It is for these reasons that the Sentinel system was commonly referred to as being China-oriented. There were some who also believed that the Sentinel would introduce additional complications for the Soviet Union should they ever decide to attack this country.

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And finally, of course, the Sentinel would provide protection against the possibility of an accidental missile attack from any source.

A third possible role for an ABM—beyond those of providing either a thick or thin defense of our population—was that of protecting our land-based ICBM's, especially the Minuteman, in the event they should become vulnerable to attack by Soviet missiles. It had long been recognized that Soviet weapons might become so powerful and so accurate, that our Minuteman might some day be threatened with destruction, despite the protection afforded by the concrete silos in which they are emplaced. It was not believed that this danger was so imminent as to require immediate steps to provide an ABM defense for Minuteman. But at the time the Sentinel system was announced, and thereafter, this option was always preserved against the day when it might become necessary to provide such a defense.

These, then, are the factors which have long entered into the consideration of this whole ABM question: First, a thick defense to protect our population from a heavy attack—a course judged to be infeasible with present technology; second, a thin defense to protect against a light attack, whether deliberate or accidental—a course judged to be feasible; and, third, protection of our retaliatory force as a means of strengthening deterrence—an option that it might become necessary to exercise at some time if the Soviet threat were to develop in ways which might threaten the survivability of our Minuteman ICBM's. In the Sentinel proposal, it was decided to go for the thin defense of our population against a Chinese Communist attack, and to preserve the option of later extending the system to protect the Minuteman force. Moreover, the actual deployment proposed for the Sentinel would have provided the basis for subsequently thickening the system so as to provide a higher level of protection for our urban centers against a heavy attack.

It is against this background that we can better understand exactly what is involved in the ABM system now proposed by the present administration; that is, the so-called Safeguard system. What it amounts to is that with the passage of time and our altered perception of the Soviet threat, it is now proposed that we pick up the option of deploying an ABM system to protect our Minuteman force, with this purpose now becoming a primary justification for the system. The Safeguard system will retain that purpose which was the primary justification for the Sentinel proposal; namely, protection of our population against a light attack from any source, more particularly Communist China. And finally, the Safeguard deployment is designed so as to avoid the suggestion that the system has been designed as the first stage of thicker defense of our urban areas against a heavy attack by the Soviet Union, an option built into the Sentinel system as it had been proposed. In this way, it is believed that the U.S.S.R. is less likely to misinterpret the intent of the Safeguard system, and react accordingly by increasing their own offensive capabilities.

What this all amounts to is that there are real differences between the Sentinel and Safeguard systems, but they are principally a matter of emphasis, timing, and atmospherics. The Safeguard proposal, for example, is visualized as a phased, and measured deployment, depending upon developments in technology, changes in the Soviet threat, and progress in the expected talks with the U.S.S.R. on limiting strategic arms. The first phase, as you know, is the deployment of ABM defenses to protect the Minuteman forces centered at Great Falls, Mont., and Grand Forks, N. Dak. If necessary, later phases of the deployment would be intended to provide protection for additional Minutemen missiles, for our strategic bombers, for the command and control system of our strategic forces, and finally for the thin defense of our entire population. Sentinel, on the other hand, was visualized at the outset as a complete system, although further construction could obviously have been terminated at any time, if conditions had so warranted.

Another conceptual difference between the two systems should be noted. The difficulty with trying to provide a defense for our cities is that to be effective, the defense must be perfect. Cities are soft targets, and it is not enough to knock out—say 90 percent of the incoming warheads. If the enemy attacks you with 10 weapons, and you knock out nine but the 10th one gets through, the defense has not really provided a meaningful protection. In the case of hard targets, however, such as our Minuteman silos, we have a very different story. Here, you have contributed to the protection of your deterrent force in direct proportion to your success in destroying enemy warheads before they impact.

Now, I have gone into this rather substantial background with respect to the Safeguard anti-ballistic-missile system because the issue now before the country is so little understood, and because there is so much misinformation. The real question now before us whether we should go ahead with this ABM deployment at this time, when there are so many demands upon available resources. Concretely, we are talking about a system which in this and the next fiscal years would amount to an estimated cost of $1.7 billion. The entire Safeguard system, if deployed in all its phases, would represent an investment on the order of $7 billion. We would, of course, be deceiving ourselves if we took these estimates too literally. From past experience we know full well that military hardware turns out to cost much more than we had originally anticipated. We should not be surprised that this is the case, particularly if we are to take advantage of new technological developments as the project goes forward. But it nonetheless is a fact.

Now, I think our constituents are entitled to know where their representatives in Congress stand on this most important issue. After long and careful study, I have concluded that President Nixon's proposal to deploy an ABM system for the primary purpose of protecting our retaliatory forces merits the support of the Congress, and I mean to cast my votes accordingly. I have not arrived at this conclusion lightly, and I fully respect most of the contrary opinions of others. As Mr. McNamara stated in September 1967, at San Francisco when he announced the original decision to deploy the Sentinel system, it was a marginal decision. Clearly, it is still a marginal decision. But if there is any chance that this decision could make the margin of difference as to whether or not this country is ever subjected to nuclear attack, then I for one have no difficulty in deciding where I stand. If the administration is wrong and we deploy Safeguard, all that is lost is money. On the other hand if the opponents of ABM are wrong and we do not deploy Safeguard then the United States faces outright destruction or nuclear blackmail. And it is because I can conceive of circumstances in which this deployment could represent that margin of difference, that I will support the Safeguard system when it comes up for a vote in the House of Representatives.

Time does not permit me to describe all the reasons why I have arrived at this judgment. Let me only say that the most important reasons have to do with the growing threat represented by Soviet strategic forces. I also believe that a thin ABM defense of this country against Communist China will be important if the United States is to be able to conduct what President Nixon has referred to as a "credible diplomacy" in East Asia and the Western Pacific.

But it is the developments in the Soviet Union which give me principal concern. This is where the real threat to our security is to be found. Quite apart from political developments in the U.S.S.R., which can only be described as disquieting—notably a quality of "unpredictability" since the Czechoslovakian invasion of August 1968—it is possible to view military developments in the Soviet Union with equanimity. The present and growing strength of the Soviet navy and merchant fleet, along with other developments, can only be interpreted as portending a new and expanded capability on the part of the Soviet Union to project its influence around the world in ways which are almost certainly calculated to endanger U.S. national interests. The Soviet Union knows from all prior history that this Nation is not going to attack them. So why do they keep arming themselves? Why do they keep building bigger and deadlier missiles, nuclear subs, supersonic jets? The ominous reason should not be too hard to figure out.

It is the threat presented by Soviet strategic forces which is of most immediate relevance for the ABM decision facing this country, and it is on this aspect of Soviet military strength that I want to focus. First, let me briefly summarize some of the information made public in recent weeks in the course of the ABM debate. At the present time, the Soviets either have in place or under construction more ICBM's than we do; you may recall we have a total of 1,000 Minuteman and 54 Titan missiles. Secretary of Defense Laird recently announced that the Soviet Union has "about 1,000" ICBM's in hardened silos, along with 140 older ICBM's on exposed launchers. Even more significantly, he indicates that at the rate they are building missiles now, the Russians, by the mid-1970's, could have as many as 2,500 missiles in hardened silos. How many more ICBM's they will actually deploy, we have no way of knowing. That is fact No. 1.

Fact No. 2 is that something over 200 of these Soviet ICBM's are the so-called SS-9 missile, which is capable of carrying a very large payload—much larger than in the case of our own ICBM's. That payload can either be in the form of a single warhead, estimated at 20 to 25 megatons, or a number of smaller warheads, estimated to be three or four warheads of about 5 megatons each. We can have every expectation that these multiple warheads will in time be independently targetable. Here again, we have no way of knowing where this SS-9 program will level off. But they clearly have the capability of building a force of 500 such missiles by the mid-1970's, if they elect to do so, and if each one could launch three warheads accurately against separate targets, they would have a capability with the SS-9 force alone—not counting other ICBM's such as the SS-11's and SS-13's—of launching up to 1,500 warheads against our ICBM force of 1,054 missiles. It is this possibility that has led the President to conclude that this Nation must make a start now to safeguard our ICBM's against such a danger, and proceed with the program as may be necessary to cope with whatever Soviet ICBM threat may evolve. There are limits to the protection that can be provided by further hardening of our missiles. We could, of course, build more strategic missiles of one kind or another, but we are hopeful that we can arrest, through arms control talks, an additional substantial deployment of offensive weapons. This leaves us only with the option of protecting our Minuteman missiles with an ABM defense to the extent judged necessary to insure the survival of a sufficient force so as to deter the Soviet Union from ever gambling on a first strike against this country.

But in addition to the great and growing Soviet ICBM capability, we now know that they are going ahead with a massive program to build Polaris-type submarines, each with 16 missile tubes, just as in our own. They are reported to have built seven of these vessels this past year, and to be capable of building at the rate of 12 a year. Secretary Laird has noted that the Russians could, by the mid-1970's, pass the United States in Polaris-type submarines. At present, we have no plans to go beyond the current force of 41 submarines, for a total of 656 Polaris missiles. Programs are going forward to convert 31 of these submarines to the Poseidon missile, which is commonly credited with a design capability of 10 independently targetable reentry vehicles, or MIRV's.

We have no way of knowing just how far the Soviets may proceed with their program, but it is obvious that if they were to build to their full capability, it would not be many years before they would exceed our present strength in submarine-launched ballistic missiles. Moreover, there is no reason why the Soviet Polaris-type missiles could not have multiple independently targetable reentry vehicles—or MIRV's—just as we are planning for our own Polaris boats as they are converted to the Poseidon missile. These current developments in Soviet ballistic missile submarines are quite apart from the continuing growth of the Soviet attack submarines force, which it is also feared might come to present a serious threat to our Polaris force.

One could go on to describe other potential developments in the Soviet strategic forces, such as the possibility of their deploying what is called a fractional orbiting bombardment system—or FOBS—a system which they have apparently been testing for some time, and which might come to threaten our bomber forces.

Of particular importance is the longstanding Soviet interest in developing an ABM defense. At one stage they deployed a first-generation system around Leningrad, and then abandoned it. More recently they have been deploying a system around Moscow—the so-called Galosh system. It is believed that this system called for the establishment of some 100 missiles sites around Moscow which could defend not only the city itself but which could also provide a substantial missile defense for a rather large area in European U.S.S.R. At the present stage of construction, apparently 67 such sites are in place, but it is believed that further construction has been held up. The reason for this slowdown is not known, but it is widely suspected that the reason is to introduce a more sophisticated radar, presumably of the phased array type, to overcome the weaknesses of the mechanically slewed radar to which I referred earlier. If this should prove to be the case, the modified Galosh system would obviously acquire a capability significantly greater than that with which it is now credited.

Then there is the so-called Tallinn system which is widely deployed throughout the Soviet Union. There has long been a division of opinion as to the purpose of this system. The majority view is that the Tallinn system is designed for defense against bomber aircraft and air-launched missiles. Others believe that the system has a growth potential that could give it an ABM capability. If the minority view should prove to be correct, it could represent a significant shift in the overall strategic balance. In any event, we know that research and development on the ABM, is proceeding at a pace in the U.S.S.R. According to Secretary Laird, the Soviets could by the mid-1970's deploy anywhere from 200 to 2,000 ABM missiles.

Now I do not believe that out of all these developments in Soviet strategic forces we can conclude that the leadership of the U.S.S.R. is very likely now, or in the future, to conclude that a first strike against the United States could be undertaken at acceptable cost. We have heard a lot of debate in recent weeks over whether the Soviet Union may be attempting to achieve such a first-strike capability. Personally, I find this whole question highly irrelevant. I know of no way to divine what their intentions may be.

But even if one assumes that the Soviet strategic forces are being built up as a second-strike deterrent—which I believe to be their fundamental purpose—the fact remains that this essentially second-strike force could be used in a first-strike role if circumstances should ever seem to warrant. Moreover, the evolving character of the Soviet offensive forces, including especially the SS-9 missiles to which I have referred, are admirably suited for a counterforce strike against our ICBM force if such an option should ever be adopted by the Soviets, for whatever reason. It is against this possible danger that I feel we have no alternative but to move now toward providing additional protection for our Minuteman missiles, so as to strengthen this component of the deterrent against the possibility that other components may become increasingly vulnerable in ways which we cannot now clearly foresee. I do not find this a happy choice. But I cannot in good conscience take a stand which might produce a "deterrence gap" somewhere in the mid-1970's and conceivably bring on a nuclear war.

In summary, several points should be emphasized: the proposed Safeguard system is a defensive system, not an offensive system. Once fired, an ICBM cannot be recalled. It either has to destroy or be destroyed. An offensive ICBM in our arsenal cannot be used to seek out and destroy an incoming enemy offensive ICBM. It is not designed as an antimissile missile. It is an attack and retaliation weapon of destruction. Without an ABM defense the United States faces outright destruction with reliance only on retaliatory measures. With the development of an effective antimissile system the Russians have the capacity for an all-out first strike and a shield at home against U.S. missiles, so that they could probably absorb U.S. retaliatory efforts with little damage.

One final comment in closing. I would hope that we might find it unnecessary to move on to later phases in the proposed Safeguard system, either because the Soviet threat does not materialize to the extent that now seems possible, or because we are able through arms limitation talks with the U.S.S.R. to stabilize the strategic balance at lower levels, to include both offensive and defensive weapons. It is most important that we proceed with such talks as rapidly as possible.

But we would only be deceiving ourselves, it seems to me, if we proceed on the assumption that these talks have a high prospect for producing a successful outcome. At the very least, they are likely to be long drawn out. We simply cannot accept, unilaterally, a moratorium on whatever strengthening of our strategic forces may be necessary to preserve the deterrent balance, simply in the hope that the strategic arms talks will result in the desired outcome. And in my opinion there is a better chance that such talks will be successful if we do not neglect our strategic ramparts while the negotiations go forward.

I have tried in these remarks to explain the reasons why I have come to the conclusion that the ABM system pro-

posed by the Nixon administration merits public support, and why it will receive my vote in Congress. I would not expect that everyone would agree with these views, for there is clearly a large element of subjectivity in this kind of a judgment. I would much prefer that the economic resources be used in getting on with other important aspects of the Nation's business. But I must be concerned first of all that the Nation stays in business. In my judgment, this additional element of insurance is well worth the cost, if there is any danger that the alternative could prove fatal. I, for one, will not take that chance.

DAN SMOOT—AMERICAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. RARICK) is recognized for 10 minutes.

Mr. RARICK. Mr. Speaker, last night the New England Rally for God, Family, and Country meeting at Boston, Mass., honored Dan Smoot of Dallas, Tex., founder and publisher of the Dan Smoot Report, "for a life of dedication to America and her liberty."

I think that our colleagues will find the remarks of this highly respected constitutionalist of great interest, so I include a short biography on Dan Smoot and the full text of his speech in the RECORD:

DAN SMOOT

Dan Smoot, author, lecturer, historian, and patriot, was born on a farm near East Prairie, Missouri. Although as a small boy he had little formal education, his father taught him to read and to love reading even before he entered the one-room country schoolhouse near their place. Because his parents died when he was very young, he found himself as a young man in his early teens traveling the length and breadth of America working at one type of job after another. He shined shoes, mined coal, chopped cotton, rode fence, and even stirred mash for a Kentucky moonshiner, and while he worked, he saw and learned to love America. He finally settled in Dallas where he married his lovely wife Mabeth. The Smoots now have two children.

In Dallas he started his academic career earning first a high school diploma and then a Bachelors and later a Masters Degree at Southern Methodist University. In 1941 Dan Smoot was granted a Teaching Fellowship in English at Harvard where he began work on a doctorate of philosophy in American Civilization. At Harvard he first became aware that not everyone shared his love for America and American principles. "Some of my friends in the graduate school and associates on the faculty at Harvard had an attitude toward America which I had never encountered before," he writes. But his career at Harvard was cut short when Pearl Harbor shocked the nation, and putting aside everything to come to the aid of his country, he took a leave of absence to join the Federal Bureau of Investigation.

Dan Smoot began his nine and one-half years with the FBI as an agent working on a variety of cases. Then for three and one-half years he worked solely on cases involving communist investigations. It was then that he became acutely aware of communism and its advance in the United States. He calls the experience a shattering one. His last two years, he worked at FBI headquarters in Washington, D.C. as administrative assistant to J. Edgar Hoover.

In 1951 he resigned from the FBI to join the Facts Forum of Dallas. He was to choose important national issues and to present both sides of these issues on broadcasts carried on 350 radio stations and 80 television channels. But Dan Smoot is a political constitutionalist and a fundamental Christian and to him issues could only be looked at and presented from their moral and constitutional side. To this end, he resigned from the Facts Forum to begin his own publication, "The Dan Smoot Report."

Resolving to rely completely on the free enterprise system, Dan Smoot and his wife used their entire savings to send out the first trial issue of his report. The overwhelming response of Americans grateful for what he was doing encouraged them to continue and today not only does he present his report as a fine publication, he broadcasts a condensed version over national radio and television. In addition to "The Dan Smoot Report," he has written three excellent books: *The Hope of the World, America's Promise,* and *The Invisible Government.*

Tonight we gather to honor Mr. Dan Smoot, founder and publisher of "The Dan Smoot Report" and courageous patriot, for a life of dedication to America and her liberty.

SPEECH BY DAN SMOOT IN BOSTON, MASS., JULY 7, 1969, BEFORE THE NEW ENGLAND RALLY FOR GOD, FAMILY AND COUNTRY

It would be unrealistic of me to wish I were worthy of your tribute; but I do wish I were adequate to the task of thanking you properly.

I am very grateful—to Colonel Bunker and Mrs. McKinney and all the others, for their enormous expenditure of time, talent, energy, and money to provide us this exhilarating Fourth-of-July occasion every year.

I am grateful that there are so many of us, from every corner of the land, who share an unabashed pride in rallying to honor God, family, and country.

I am grateful that our lives have been enriched by dedication in a Cause to which we can rally with honor.

I am grateful to Pat Manion for that eulogy which made me long to get acquainted with the unique fellow he was talking about.

And, of course, I am grateful to all of you for this exciting moment in my life.

We are supposed to be living in an age when the generation gap is a yawning chasm, and youth has no respect for age.

I have not found it so in my personal experience. In fact, I have been around so long I have become venerable.

On my last speaking trip, I had an experience that is commonplace with me nowadays. I met a young lady—in her middle-thirties—who looked at me searchingly and spoke to me—in respectful tone, I thought. She told me that when she was a kid in school, her parents used to make her watch my television program.

Young parents reared in non-permissive homes often become even sterner disciplinarians than their own parents were. I don't know whether this is because they learned the value of discipline, or whether, subconsciously, they are retaliating against their children for what their parents did to them. At any rate, this one now makes her youngster read my Report.

Many prerequisites go with age. One is the fun of giving advice, whether solicited or not.

The young woman I mentioned (like many other parents), wanted my advice on a college for her son, where he would not be exposed to liberal-socialist distortions of history and debasement of learning.

I suggested she equip him with a suit of armor and let him go where he please. If we parents wait for the colleges to form the character of our children, it may be too late to expect anything worthwhile. I believe a youngster whose home life gave him a sufficient exposure to love of God and country, who has enough native intelligence to understand liberty, and who was endowed with enough courage to value it, will be impregnable to the asininities and stupidities of liberal professors.

If he *has* an appetite for Galbraithian swill dished up as higher-learning, I don't think his parents will make a major contribution to civilization—or do him much good either—by pauperizing themselves to keep him in college. I'd suggest they take him off the dole. Let him get a job and pay for his own brainwashing.

Young people dedicated to our noble cause of restoring the American constitutional Republic often ask me what they ought to do about liberal professors and the socialist propaganda assigned as required reading. I suggest they listen to the professors and read the required books—if they want to get passing grades. The broad-minded objectivity that liberal intellectuals boast is not something they practice. It's something they talk about when condemning us constitutionalists for being narrow and prejudiced.

Some of our fine youngsters, of course, feel obligated to try to convert their liberal professors. I don't recommend that. If he's old enough to be a professor and is still a liberal, he's probably hopeless and possibly retarded.

My own son Larry has had some experience with liberal teachers. Because Larry has grown up in an environment of books and writing, most people *assume* he is a scholar.

That is not entirely accurate. Larry has an allergic condition which textbooks seem to aggravate.

Nonetheless, he was selected in his school last year to take an advanced course in World History. His mother did not think he was ready, at age 15, for an *advanced* course in anything; I didn't either; but I reckoned he was about as ready as he would ever be. So, he took it.

About the middle of the first semester, Mrs. Smoot suggested I look at Larry's report card. I didn't want to do it. I don't believe in compulsory education. I don't think it should be forced on anyone. It's a privilege that should be available to all those who value it enough to asume the responsibility that goes *with* privilege.

But I've been married to Mrs. Smoot 36 years, and I have learned that when she *suggests* something to me—well, I looked at Larry's report card. He was doing all right in other subjects, but was on the ragged edge of failure in World History.

Mrs. Smoot suggested I have a talk with him. I didn't want to do that either; but I did. I cornered him in the backyard where I found him building a complicated cage to trap a racoon painlessly and simultaneously trigger my best tape recorder so he could learn the vocal-emotional reaction of a trapped coon.

I asked him how he built the contraption. He said he just used his head. That gave me a pretty good opening. I asked him why he wasn't using his head in World History. He replied: "My teacher is a nut."

I was prepared to believe that, because he had been relaying some of his teacher's ideas to me—about how we needn't worry over the national debt, because we just owe it to ourselves; and about our war in Vietnam being imperialistic aggression against women and children and agrarian reformers.

But I thought I ought to be broad-minded and ask for more evidence. Larry produced it. He told me about the teacher's recent lecture on the theory of evolution—the biblical account of creation is a fable, because man obviously descended from the primates, and so on. I'd never really discussed that subject with Larry; so, I asked him how he felt about it. He said:

"Well, it doesn't make much sense to me, because if we all came from monkeys, I can't understand why the monkeys are still around."

And then he added:

XUM

"I'd think all the monkeys would be evoluted into World History teachers."

I did not feel that my discussion with Larry about his World History grade was taking exactly the course his mother had in mind.

I told him it did not matter how idiotic his teacher was: he had a textbook, and it was his responsibility to study it. Larry said:

"The book's nutty, too."

I sometimes think the late W. C. Fields was partially right: Any man who hates kids and dogs can't be *all* bad.

Seeing that it was impossible to have a productive discourse with the boy, I did what all sensible parents eventually learn to do. I stopped the discussion and gave him a lecture.

I thought I did a good job, too. One line I hit upon—though it did not seem to dazzle Larry—pleased me enormously. I plan to use it when giving advice to other kids:

"Integrity in clinging to your high principles as a patriot and a constitutionalist is no justification for sloppy work and failing grades."

The privilege of saying something like that without having to listen to a lot of back-talk is one of those perquisites of age I mentioned.

Though I have been around long enough to see the elephant and hear the owl, I missed one experience that would have been worth circling the globe to enjoy: I never got to see what my Aunt Blanche would do if some pubescent semi-literate tried to push her out of a pulpit and deliver obscene extortion demands to her congregation.

Aunt Blanche was a spinster, a biblical scholar, and a traveling evangelist.

I did not have the privilege of being around her after I was about 9 years old; but she is still vivid in my memory. When I was a very small child, I spent one entire summer traveling with her while she preached. Occasionally, we stayed for a week at a city church; but mostly, we made one-night stands at tent meetings, country churches, and village meeting places.

All that summer, we went up and down the Mississippi, from as far north as St. Louis to as far South as Memphis. Once, we ventured eastward, toward the land of Sodom and Gomorrah. We got as far as Cincinnati. I still remember quivering on the back row of a country church, listening to the powerful voice of Aunt Blanche, delivering devastating assault on sin and sinners.

She was not merely persuasive; she was terrifying. The fires of hell never burned more brightly than when she described them. The moaning of lost souls echoed in her wake.

Her image of God's heaven was simple and beautiful: it was the *only* Utopia; and no *easy* roads led to it.

Aunt Blanche did not compromise or have *dialogues* with the devil. She *smote* him front and rear, took him on both flanks, and drove him from the field.

She was not objective; she was *prejudiced*. She did not have tolerance; she had *conviction*.

What a magnificently healing experience it would be to hear Aunt Blanche thundering from some major pulpit today.

When Aunt Blanche died, she did not have much of an estate; but she had a will, and I was in it. She left me her Bible. I remembered her well enough to realize why: she figured I needed it.

I have derived much pleasure from thumbing through Aunt Blanche's *Bible*, examining the passages she had heavily underscored, and reading her marginal comments.

Recently, I found a passage which gave me a clue to what Aunt Blanche's attitude would have been toward the young neo-Neanderthals now blackmailing the churches, the government, the colleges, and telling us that America is a worn out failure that must bow down to their demands.

The passage is in Job. Elihu, a young man, is berating Job, who is very old. Elihu says:

"I am young in years, and you are aged; therefore I was timid and afraid to declare my opinion to you.

"I said, 'Let days speak, and many years teach wisdom.'

"But it is the spirit in a man. . . . that makes him understand.

"Therefore I say, 'Listen to *me*; let *me* also declare *my* opinion.' "

Aunt Blanche had circled that passage; and in the margin, she had written: *"Smart Aleck."*

Aunt Blanche lived in a world rather well attuned to her. That was fortunate, because, otherwise, there would have been jarring disharmony.

I, on the other hand, seem to have some capacity for being right at the wrong time. For example, jogging has been a universal fad the last two or three years. I was running five miles a day on the streets of Dallas nearly forty years ago. I was not acclaimed a pioneer; I was considered a lunatic. I was not put on the President's physical-fitness commission, but I came perilously close to being put in the Dallas city jail.

It was a fine spring day in 1932. Bonnie Parker and Clyde Barrow (Dallas' two most heralded celebrities) were at large and at the peak of their career. The night before, on the outskirts of Dallas, they had murdered a couple of men just for the fun of it, and were believed to be still in the area. I was taking my daily run.

Suddenly, a prowl car screeched to a stop in front of me. Two police officers leaped out with guns drawn. Before I could ask what it was all about, they had me in the car with my hands cuffed behind me, and we were headed for police headquarters with sirens screeming. They later told me, apologetically, that I was a dead-ringer for Clyde Barrow.

The sins of the father are sometimes visited upon the son, in strange ways. We have two sons, you know. The older boy looks like Billie Sol Estes.

The world of Aunt Blanche has gone with the wind. In that yesteryear of history, the United States was a nation on the North American continent, contiguous to only two other nations—Mexico and Canada. Now, thanks to foreign aid, every other nation on earth *touches* the United States. This must be what liberals mean when they say the world is shrinking so fast that we can no longer survive as an independent nation. We can carry the world on our backs, but we cannot stand alone.

I first became acquainted with the complicated rationale and semantics of totalitarian liberalism, and of the new values and attitudes they were producing, when I came up here to study and teach at Harvard. I bring this in to remind you of my badge of respectability.

As a boy, I had spent a great deal of time making a living in an occupation which, today, would have me classified both as a Child Laborer and a Migrant Farm Worker. I did not find out until years later when I went to Harvard that rich people like the Roosevelts and the Rockefellers and the Kennedys, and learned intellectuals like Justice William O. Douglas, the Court jester, felt sorry for folks like me. They considered us a shameful blight on the American scene, and wanted to improve us.

Yet, I did notice, then and later, that wealthy liberals who want to uplift us downtrodden never want to do it with their own money.

I will not deny that I probably needed some improving and uplifting when I went to Harvard. There *were* advantages I had been denied. Having been a Child Laborer and a Migrant Farm Worker, I had never enjoyed enough leisure to become a juvenile delinquent. I never had an opportunity to join a communist youth group. I never even had the privilege of associating with communists and fellow-travellers: there weren't any among the black and brown and medium white farm hands and the truckdrivers I worked with.

I was so disadvantaged I didn't even know four letter words were literature.

I had so much to learn and so far to go that my Harvard indoctrination in the complexities of liberalism was not altogether easy and painless.

At a faculty tea one afternoon, I fell to talking with a great scholar who was writing a dissertation for his doctorate on what he called "A Societal Study of Latin Americans in the United States."

So, I tried to tell him about an old Mexican friend of mine in Dallas. I was not trying to show off, really. I knew I was not competent in this scholar's special field of study. In fact, I could hardly pronounce the *name* of his special field. But from listening to him, I did feel that, by living and working among Mexicans, I had acquired certain information which his research had overlooked.

He did not appreciate my contribution to his learning. He looked at me as if I were something laundered in Brand X.

Oh, he might have welcomed my help, if I had gone about it correctly. He was, as all modern liberals say of themselves, *open-minded*—which means he would gladly accept any new idea or information which reinforced a prejudice he already had.

My effort to add a point to "A Societal Study of Latin Americans in the United States" was wrong, because I used what the Harvard Scholar called hate-inciting language: that is, I called Mexicans *Mexicans*—which is what Mexicans called themselves in Dallas. I learned from him that that is a term of contempt, and that I ought to say "Latin Americans."

It was hard for me to keep such subtle distinctions in mind, because I had grown up in a free and friendly America where *healthy* people had little sensitive, self-consciousness about race and creed—where the class-conscious hatreds of the old world had not yet taken roots.

Now times are altered.

Old Stephen Foster melodies must be rewritten, because their affectionate commentaries on darkies are considered hateful.

Those that cannot be revised to suit the homogenized taste of modern liberalism must be banned. Old Black Joe has to go, because no one has found a way to preserve the melody and the rhythm after Old Black Joe has been translated into Ancient Afro-American Joseph.

But why did they banish *Little Black Sambo?* I liked that intelligent, brave little African; and I hated to see him leave. The contradictions of totalitarian liberals dumbfound me. While angrily demanding something they call Black Culture studies, they suppress a delightful children's classic about a little Negro boy. It doesn't make sense. *We* are supposed to be the book burners?

As you know, I left Harvard to go into the FBI.

There is much interest in the FBI and wonder about the glamour of service in it. Since this is a relaxed gathering of friends, I will tell you about an important case I worked on. In fact, it was my first case.

From training school on the Marine Corps base at Quantico and in Washington, I went directly to my first office of assignment—Portland, Oregon. When I arrived, I found that a case had already been assigned me. They wanted *me* to find a man the FBI had been hunting, in vain, for five years. He was *mean*. He was wanted not only by the FBI but by police departments all over the United States, for everything from bigamy to bank robbery.

I was pleased that my first Special Agent in Charge had assigned me such a case. I supposed he had read my personnel file and perceived my true worth as a sleuth. Later, I learned that that is just the kind of dog-eared case to give a new agent. There is so little he can do with it that he will have minimum possibilities of doing something wrong.

But I had luck. Before I had finished reviewing the old file, the Portland FBI toffice got an anonymous telephone call from someone who had seen the fugitive's picture on an FBI wanted notice and who knew the man. He had worked with him just a few months before, at a logging camp way back in the heart of the Willamette National Forest.

I set out to find him. My hardest job was finding the logging camp.

But I did; and as I drove in, I rehearsed some of the lessons I had learned in training school—especially the proper use of credentials so that the person interviewed would have no doubt about who I was.

I was careful, and rather elaborate about it. When I found the foreman of the logging camp, I handed him my FBI credentials and let him examine them while I was talking.

The FBI credentials fold, like a wallet. FBI is displayed in large blue letters. There is text telling briefly what an FBI agent's duties are. There are signatures of J. Edgar Hoover, of the U.S. Attorney General, and of the agent himself. And there is a *picture* of the agent.

While I was explaining my mission to the foreman, he was staring at my credentials. I thought he was reading all that stuff about my duties. But when I paused and gave him a chance to say something, he pointed at my picture on the credentials and said: "yes, that's the varmit right there. I could tell from lookin' at him he was no good."

Reminiscing instead of making a speech is another one of the perquisites of age. I promise, however, to skip a few episodes—though none of the really important ones.

After nearly ten years, I resigned from the FBI and went into my present line of work. In 1955, Mrs. Smoot and I started the *Report;* and in that same year, we bought a home: something I had been dreaming about for years—a house and a little piece of earth that belong to us.

We found a sprawling, aging, two-story colonial, sitting back from a wide lawn, protected from the Texas sun by giant elms and oaks, pecan and crabapple trees, a silver maple and a magnolia—and one little sweetgum that turns brilliant yellow in the autumn.

Certain freeloading tenants went with the place, all with inalienable squatters' rights: a colony of squirrels, a family of raccoons, a few vain cardinals, a brace of mourning doves, some raucous blue jays, a bevy of mockingbirds, and one possum.

I wanted the whole package: wildlife and all—especially after we examined the old blueprints and found that the foundation of the house rested on solid rock. It would endure, for *us and* our posterity.

We have modernized it a little through the years; but we haven't altered the basic plan, or tinkered with the foundation. It is by no means a perfect dream house. I know its weaknesses and its strength.

But I do sometimes wonder whether I own the place or it owns me.

I guess I thought, if I thought at all, that it was sturdy enough to take care of itself. The paint would always be gleaming white, the grass forever neat and green, and the trees would flourish unattended as they apparently had done, many of them for more than a hundred years.

I have learned a lot about the responsibility that comes with the fulfillment of a dream—and about some other things too.

I now know, for example, why you never see an *old* tree surgeon: before the age of 40, they all retire rich.

I have discovered that every October—precisely in the month when I get one year older—everyone of those trees sheds 10 million leaves.

I found out about a mysterious, invisible, voracious bug which, overnight, can kill a wide swath of grass across the lawn, and leave your front yard looking like Sherman's march to the sea.

I have learned that upstairs plumbing always erupts in the middle of the winter night, or when you have guests for dinner. All expensive household appliances collapse the day after the warranty expires.

If we leave town for the weekend, squirrels burrow into the attic, ivy clogs the rain spouts, aphids, attack the roses, and the possum scatters garbage in the alley.

But I have to leave town every once in a while, to get some rest. Yet—when I return—when I round the corner and see my home—the great trees towering over the old house, still standing tall and straight and proud—I get a lump in my throat.

As I see it, this land—this place of infinite variety (from the Bering Strait to the Florida Keys; from the potato farms of Maine to the silent, sun-baked beauty of El Centro—this beloved America is not unlike my home. This Republic was the culmination of a dream—not of one man, but of many.

Its foundation rested on the solid rock of the Constitution; and the superstructure seemed sturdy enough to take care of itself. So, it was neglected and taken for granted.

Today it is plagued with human parasites; it is flooded with lawlessness.

A foreign fungus blights it with unholy ideology.

Its streets—the halls of its institutions—are ravished with the flames of destruction.

Its proud banner is despoiled by scavengers.

Corruption eats at its moral fiber.

But it is still our land.

We must protect it, defend it, rescue it. If necessary, we must rebuild it.

It is our country! We *have* none other! We *want* none other! Anything else for us is unthinkable.

Not one of us will rest until this Republic stands straight and tall and proud on its firm foundation once again.

That is the price of freedom!

God bless you!

FEAST DAY OF STS. CYRIL AND METHODIUS—1100TH ANNIVERSARY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. Flood) is recognized for 15 minutes.

Mr. FLOOD. Mr. Speaker, on July 5, the 1100th anniversary of Sts. Cyril and Methodius was observed by Slovaks throughout the world. In recognition of that event I would like to submit for the Record a letter I received from Dr. V. Stephen Krajcovic, president of the National Committee for the Liberation of Slovakia, a concurrent resolution that I introduced in the second session of the 82d Congress, and an article entitled "The Martyrdom of Slovak Catholicism," by Thomas J. Veteska, which appeared in Triumph magazine in the July 1969 issue. The material follows:

Washington, D.C., *June 26, 1969*.

Hon. Daniel J. Flood,
House of Representatives,
Washington, D.C.

My Dear Congressman: To you belongs the great merit for having introduced in the 82nd Congress, 2nd Session, the enclosed H. Con. Res. 238, House of Representatives, July 3, 1952, to demand for the Slovaks already then, what the Slovaks reached only this year, i.e. 16 years later, when in the spirit of the liberalization of Alexander Dubcek the Slovak right for self-determination and Slovak right to be governed by their own consent culminated in the federalization of Czecho-Slovakia early this year 1969.

Since the world ought to be reminded of your prophetic vision of the year 1952, I am enclosing a most excellent article concerning the Martyrdom of Slovak Catholicism, published in the July issue, 1969, of the Triumph Magazine, which most perfectly sums up the history of the Slovaks, not only to the Catholics. Each member of Congress should read it and each member should be reminded of how right you have been all along, when in the most crucial days of that Slovak Martyrdom you have valliantly stood by the Slovaks.

As the date for the insert I would propose July 5, because that is the day when the Slovaks throughout the world—from the Tatra Mountains in Slovakia across Europe, in Rome and Munich, and in Chicago, Cleveland and Pittsburgh, even in Sidney, Australia—will celebrate the feast day of Sts. Cyril and Methodius, who caused the * * * * * in 869, the Holy Father recognized the **OLD SLOVAK** language as the fourth liturgical language of the Church, after Hebrew, Greek and Latin. Hence, this is a 1,100 years anniversary of that great event in the history of the Slovaks.

With kindest regards, I am,
Very sincerely yours,
Dr. V. Stephen Krajcovic.

H. Con. Res. 238

(Introduced by Mr. Flood on July 3, 1952, and referred to the Committee on Foreign Affairs)

Resolved by the House of Representatives (the Senate concurring), That the Congress hereby reaffirms the historic friendship of the American people and the Slovak peoples, with whom we share innumerable ties of kinship as well as mutual aspirations for democracy, liberty, and justice deeply felt by the American people because of the fact that the United States was founded and largely built by oppressed peoples from all countries.

Sec. 2. (a) The Congress hereby expresses the firm conviction of the American people that the Slovak peoples have the right of self-determination and the right to be governed by their own consent based on the free expression of popular will in free elections, and that no nation may deprive them of their territory by force or threat of force or keep their territory by force.

(b) The Congress further expresses the firm conviction of the American people that the Slovak peoples have the right to the basic freedoms for which they have long struggled and for which, together with other free peoples in World War II, they shed their blood.

Sec. 3. To give meaning to our historic friendship for the Slovak peoples, the Congress of the United States hereby expresses the strong hope of the American people for the early liberation of the Slovak peoples from their Communist enslavement. To assist in bringing about this liberation at the earliest possible date, the President is requested—

(1) to demand that free election be held for the Slovak peoples, under police supervision of the United Nations, in order that they may, without pressure, organize their own government founded on such principles as may seem to them most likely to effect their safety and happiness and secure for themselves the blessings of liberty; and

(2) to explore the methods whereby the American people, through their Government and by private means with Government assistance, and otherwise, may offer aid and moral support to active fighters now struggling for the liberation of the Slovak peoples and other Communist-dominated countries.

[From Triumph magazine, July 1969]

THE MARTYRDOM OF SLOVAK CATHOLICISM

(By Tomas J. Veteska)

For almost a year now, world public opinion has been mourning the crushing of "Czech liberalization" by Soviet tanks. And yet there is another dimension to the tragedy, one that has been unfolding for centuries within what is now called Czechoslovakia. While the Czechs are now in the position of victim, they have for decades themselves played the oppressor and persecutor of their fellow Slavs, the Slovaks. Russian tanks crushed not only the libertine Marxism of the Czechs, last August, but, more tragically, the genuine resurgence of freedom in Catholic Slovakia, which had just begun to assert again its national aspirations and to cast off the twin fetters of atheistic Communism and Czech domination.

Slovakia, one of the old Christian nations of Central Europe, has often been ignored in the West. In literature and the press, the name "Slovak" is often used interchangeably with "Czech." Professor Kurt Glazer, a noted expert on Central Europe and author of the book *Szecho-Slovakia, A Critical History*, who for long years studied the internal problems of this state, described the confussion well:

More wrong information has been spread concerning Czecho-Slovakia than almost any other country. Misstatements of fact have not been limited to newspapers and speeches, but have crept into history books and encyclopedias. There is an entire "Czechoslovak legend," originated by Masaryk and Benes during World War I and then elaborated and propagated over thirty-five years by the government they founded, which appropriated millions of dollars for public relations. With secret funds the Czecho-Slovak Foreign Office bought reporters and professors, and sometimes entire newspapers. During World War II, key positions in [the U.S.] Department of State and the Office of War Information were held by adherents of the "legend," which became the basis for United States policy in Central Europe. . . The fully developed "Czechoslovak Legend" has numerous facets. It includes, among other things, the following propositions, none of which is true: That there is a "Czecho-Slovak nation"; that the Slovak language is a dialect of Czech; that a Czecho-Slovak state existed in the early Middle Ages. . .

Slovaks, who inhabit the eastern part of Czecho-Slovakia, are an independent nation in terms of language, culture, history, religion, political convictions, folklore and mentality. Out of a total membership of 1,700,000 in the ruling Communist Party of Czecho-Slovakia, there are only 125,000 Slovaks; the Czechs have a membership of 1,400,000 and the balance is accounted for by the national minorities, largely Ukrainians and Magyars. Proportionately, the Slovaks have the smallest Communist Party behind the Iron Curtain while the Czechs have the largest. Out of fourteen million inhabitants of Czecho-Slovakia, there are five million Slovaks and eight million Czechs; the remaining million is composed of Germans, Magyars, Poles and Ruthenians-Ukrainians.

The arrival of the Slovaks in Central Europe is not precisely recorded in history. The first written report of the Slovaks is found in Greek sources of the year 548. The Slovaks received Christianity from Irish and German missionaries during the 8th century. The first historically known church on the territory of Slovakia was built by the Slovak prince Probina in Nitra in the year 830.

In those remote days the territories inhabited by Slovaks were under the jurisdiction of German bishops, who were not only Christianizing the Slovaks, but also Germanizing them. To counteract this, the Slovak ruler Rastislav in the year 863 invited two apostles from Byzantium, the brothers Sts. Cyril and Methodius, to proselytize among his people. They translated Holy Scriptures and the Catholic liturgy into the native langauge, and thus Old Slovak became the fourth literary language used in Church liturgy.

SLOVAKS CONTRA BARBARIANS

About the year 1000, Slovakia was annexed to Hungary. In the following centuries, Slovakia was a bastion of Christianity against barbarian invasions from the east by Tatars and Kumans. In the 15th century, Catholic Slovakia was often attacked, burned and devastated by the heretical Czech Hussites. During the Turkish occupation of Hungary in the 16th and 17th centuries, Slovakia remained unconquered. In 1848 the Slovaks declared their independence from Hungary, but the revolt was ultimately unsuccessful. During the second half of the 19th century the Magyars went so far as to declare the nonexistence of the Slovak nation. They eliminated Slovak national institutions and schools. The intelligentsia was imprisoned or persecuted and its great majority escaped abroad, particularly into the United States. Among the educated, only the clergy remained to stand up for the defense of national and religious rights of the Slovak nation. In those times a priest was often also doctor, judge, mayor and teacher.

During World War I, the eminent Slovak scientist, statesman and general, Dr. Milan R. Stefanik, organized a movement to gain independence from Magyar rule. When he found no support among Western European nations, General Stefanik conceived the idea of a temporary alliance with the Czechs in jointly seeking independence from Austria-Hungary. He introduced to the West two little known Czechs, Tomas Masaryk and Eduard Benes. However, there were frequent disputes between Masaryk and Benes on the one side, and Stefanik on the other. Stefanik was an anti-Communist and a deeply religious man, while Masaryk and Benes were "free-thinkers" and Marxists.

On May 30, 1918, Masaryk signed an agreement with the representatives of the Slovak League of America in Pittsburgh, Pa. This agreement guaranteed political and cultural autonomy to Slovakia in a new bi-national Slovak and Czech State, but Stefanik refused to sign it, because he believed that the Czechs would not keep their promises. On May 4, 1919, after long years of exile, General Stefanik flew from Italy to Slovakia to mobilize the Slovaks against the Hungarian Communists who had just invaded Slovakia and to warn his compatriots of Czech duplicity. His airplane crashed; some have charged it was shot down by secret order of Masaryk and Benes.

After the death of Stefanik, the Czechs imposed colonial rule over Slovakia. They dismantled Slovak industry and transferred it to Bohemia. Thousands of Czechs were placed in key positions in Slovakia. At the same time about 300,000 Slovaks were forced to emigrate abroad. Then began an attack against Catholicism. Crosses were removed from schools, churches were desecrated and priests ridiculed. Masaryk renewed the Hussite heresy, which he called the "Czechoslovak Church." The slogan of the New Church was "Away from Rome—for Rome must be indicted and sentenced." About three hundred Czech priests and over a half a million Czech Catholics joined the new Church, but in Slovakia there were no gains, not even from the ranks of Slovak Lutherans.

This situation lasted until October 5, 1938, when all the Slovak political parties, with the exception of a tiny Communist Party, proclaimed the political autonomy of Slovakia in the framework of Czecho-Slovakia. On March 14, 1939 the Slovak Parliament unanimously proclaimed the independent Slovak Republic, which was recognized by 31 states, including Great Britain, France, the Vatican, Sweden, Switzerland, and even the USSR. Special Report No. 8 of the Select Committee, U.S. House of Representatives, Eighty-third Congress, second session, stated that the Slovak State "corresponded to the aspirations of the Slovak people for freedom and the principle of self-determination and self-government. . ."

During the existence of the Slovak Republic there was not a single political execution in Slovakia. Slovak leaders resisted both Nazi and Communist influence. Independent foreign observers designated this state as an island of peace, prosperity and order within the sea of Nazism. However, in the year 1945 Eduard Benes, with the help of domestic Communists and Soviet guns, recaptured power and renewed the colonial, but now Communist rule over Slovakia.

In 1945 all Catholic institutions, associations and schools became institutions of the State. The Catholic press was severely restricted. Slovak newspapers from America were banned. From 1945 until 1949 fully 10% of the Slovak population was imprisoned.

In 1945 the Czech Catholic clergy issued a tragic Memorandum—"Under the protection of the brotherly Russian nation a happy future is being opened to Slavs"—in which they praised the Red Army and Stalin. This Memorandum was signed by, among others, the late Cardinal Beran and two representatives of the Czech Catholic Party, members of the Benes Government, Msgr. Sramek and Msgr. Hala. Msgr. Sramek was quoted in the press as having said that "it is necessary for Russia to take over permanently the management of European policy." At the time of these declarations, two Slovak Catholic bishops and 170 Slovak priests were arrested.

SLOVAKS CONTRA COMMUNISTS

In the year 1946, during the only free elections ever held in Czechosolvakia, the Slovak nation, of which one third was disenfranchised, cast its votes in absolute majority against Communism. The elections were secret and free, even in spite of the fact that only such political parties were allowed to exist were approved by Prague. Slovak Catholics (85% of the population) were not allowed by the Czech government to form their own party, so they concluded an agreement with the Democratic Party, as a result of which that party obtained 62% of all Slovak votes. During the same election 56% of the Czechs cast their votes for the Communist bloc. Thus the Czech nation, on a national scale, ratified the Stalin-Benes pact of 1943.

After the 1946 elections, the Catholics in Slovakia began to organize themselves, and to demand their political rights. But in September of 1947 Moscow and Prague agreed that the Slovak Democratic Party should be eliminated. Under the pretext of having discovered a conspiracy against the national government, Prague decided to liquidate the Party. Several deputies of the Catholic wing of the Party were imprisoned, as were several thousand Slovak patriots. By November of 1947, after considerable parliamentary maneuvering, the Democratic Party was relegated to minority status in the government of Slovakia, and by February 1948 the Czech Communists were able to consolidate their hold over the entire country into a full-scale Communist dictatorship.

In August and September of 1949 Slovakia experienced a wave of anti-Communist revolts, caused by the mass arrest of Catholic priests. In hundreds of Slovak villages the peasants resisted the military might of the Red forces. In 1950 four Slovak Catholic bishops were arrested and the Greek Catholic Church, with 305,000 faithful, was formally suppressed and forcibly merged with the Orthodox Church and subordinated to the Patriarchate of Moscow. As a result of this a Slovak Underground Church was born, with hundreds of secret priests and nine secret bishops. Also in 1950 the government at Prague purged the Slovak Communist Party. Several members were sentenced to death and many more to long years in prison. In the meantime, Archbishop Beran was confined to a castle outside of Prague, and many Czech bishops and priests were imprisoned. As a result of such measures as these, the Faith began to erode among the Czech people; the majority of Czech children went unbaptized. Yet in Slovakia, where the Faith could not be professed publicly, baptisms, weddings and confessions were administered by secret priests and confirmations by secret bishops. Even at this time of most bitter persecution, 98% of all children born in Slovakia were still being baptized.

In the period of 1950–51 the management of the Communist Party in Slovakia was taken oven by Czechs and by members of national minorities in Slovakia, especially Magyars and Ruthenians-Ukrainians, who as non-Slovaks ruled the Slovaks.

From the year 1945 up to 1963 Slovakia was ruled by a most oppressive regime. A change came about only after the discrediting of Stalin, during 1963, when Slovak intellectuals and journalists demanded de-stalinization of Slovakia. These were the actions that were responsible for the rise of Alexander Dubcek. The arrests stopped, criticism of the government and of the Party was allowed and the Slovaks gained more and more power. This process culminated in January 1968, when the combined Slovak-Moravian forces succeeded in the removal of Czech Stalinists within the Communist Party.

In May of 1968 Slovakia witnessed one of the greatest political manifestations in its history. Over 150,000 Slovaks gathered at the foot of the Stefanik Monument, where they demanded free elections, their own statehood, and a full democratization of Slovakia. Shortly thereafter, the suppressed Greek Catholic Church was freed from subordination to Moscow's Patriarchate. Priests and bishops were openly allowed, and the Moscow trained Orthodox priests were suspended and even recalled from the parishes. The Church as such began to re-emerge as a force in public life.

It was the progress of such reforms as these, and not simply the "liberalization of Communism," that was interrupted when the occupational armies of the Warsaw Pact marched into Czecho-Slovakia last August. From the Christian and anti-Communist point of view, the fate of Catholic Slovakia was the deep tragedy of that invasion.

INTER-AMERICAN IMPROVEMENT ASSOCIATION, INC.

(Mr. WALDIE asked and was given permission to extend his remarks at this point in the Record and to include extraneous material.)

Mr. WALDIE. Mr. Speaker, the Inter-American Improvement Association, Inc., is a nonprofit California organization seeking to improve educational opportunities for a group of young people in Jamaica.

The genesis of this dream began with the group's founder and present president, Rev. Moses L. Mayne, of Richmond, Calif., in my district. I have watched and participated to a limited degree in the unfolding of the promise of Reverend Mayne's vision and have seen this effort move from a beautiful idea to a conscious reality.

Much yet needs be done to assist this worthy project, but I call it to your attention as an example of what individuals who are strongly and selflessly motivated can do in the private area to accomplish social reform.

Reverend Mayne recently wrote me outlining progress of this worthy effort to date, and I include his letter with my remarks. I also include a letter from E. Frederic Morrow, vice president of the Bank of America, who has visited the Jamaican school. The material follows:

Inter-American Improvement
Association, Inc.,
Richmond, Calif., Jnue 24, 1969.

Hon. Jerome R. Waldie,
House of Representatives,
Washington, D.C.

Dear Congressman Waldie: I herewith express my thanks to you for the help you have given our Association as a Member of our Board since we contacted you in early 1966.

From the "dreams only" with which we started, I am happy to report a quick growth especially since I gave up my profession to concentrate on its development. The following things have been accomplished as you are aware.

1. Start of the school in Jamaica, W.I. on the small grants of $15,500 which were given us.
2. Acquisition of 25 acres of good land and an old hotel as a gift from Kaiser Bauxite Company, a subsidiary of Kaiser Aluminum and Chemical Corp., for the school site.
3. Transportation of school furniture by the said Kaiser Bauxite to Jamaica, free of charge, in addition to free engineering and supervisory service.
4. Enrollment of 267 students with present attendance of 230 grateful students.
5. Increase of the teaching staff from two to five.

Please bear in mind that all of this has been done on the $15,500.

Since that time we have purchased at tremendous savings 450 chair-desks, have been given about 300 more, and 2500 volumes of books for the school library. 475 of these chair-desks, the 2500 volumes of books and 9 cartons of used clothing have been crated and are now on their way to Baton Rouge, Louisiana via Southern Pacific at half-rate prices, from which point Kaiser Bauxite will again trans-ship these 29 large containers to the school at no expense.

Our great needs now are for classrooms, additional teachers, and industries for these students so that they may secure education not only academically, but also industrially and at the same time provide revenue for the school to keep it on a self-sustaining basis. This is a self-help school doing much for Jamaica's underprivileged youth and will profit these United States abundantly as the preparation of, these young people for life gainfully will foreclose the possibility of this country's Foreign Aid to what would or could be another area of desperate need.

The accompanying letters testify to our success. Again, I am happy for your participation with us in this tremendously important "Pilot Program" in a developing nation.

Sincerely yours,
Moses L. Mayne.

Bank of America,
New York, N.Y., March 4, 1969.

Mr. Joseph R. Mixer,
Gifts and Endowment Officer, University of California, Berkeley, Office of the Chancellor, Berkeley, Calif.

Dear Mr. Mixer: I too have been very impressed by the great energy and dedication with which Moses Mayne has endeavored to establish a school in Jamaica. Two years ago, when he was sent to me by an officer of the Bank in California for my appraisal and decision as to whether I would be interested in helping him, I had no knowledge of the man nor his project. However, his zeal intrigued me, and I promised to serve on his Board on a trial basis.

My trip to Jamaica to inspect the school was a very rewarding one. The need in the island for education is great, and if Jamaicans are to enjoy any of the efforts of self-determination, thousands who are now denied opportunities for education must be brought under some kind of umbrella where they can secure the rudiments of learning.

There is a great deal to be done on this school that Mr. Mayne and his colleagues have founded, but the ground is there, the spirit is there, and the obvious hunger for education of the two hundred-odd students who are attending the school is deeply appealing.

I was encouraged by the fact that Kaiser Bauxite is interested to the extent of having provided an old building and ample ground, and that the executive officer of the company in charge of the plant in Jamaica is the treasurer of the local governing board. Dr. N. E. Gallimore, a prominent member of Parliament, has given his blessings to the project and it is my understanding that the government looks with favor upon the effort. What meager funds were available have been used wisely in trying to strengthen the rather dilapidated structure already provided for classrooms, and plans call for additional classrooms as soon as there are enough funds to safely go ahead with the work involved.

Mrs. Morrow and I returned from Jamaica with a sincere hope of trying to give more than lip service to this ideal and to try to seek friends and financial assistance for the project wherever we could.

I am sure you can appreciate the fact that, with similar problems obtaining in our own country as regards our Negro citizens, heavy demands are also made upon me to use whatever influence available to see that funds are collected for similar projects here in the United States. This adds to the difficulty of trying to assist Mr. Mayne in his program.

However, as a member of the Board of the Inter-American Improvement Association it would please me to know that you are contributing whatever efforts you can in helping foster this school. Anyone sharing the experience I had of looking into the eyes of these hopeful, eager young people assembled at the school would be impelled to make some effort toward giving them a hand.

I feel certain that Mr. Peterson would be interested in your observations with regard to this project, since Mr. Mayne was originally referred to me by Mr. Frank Young, who is Mr. Peterson's assistant.

When I am next in California, which I hope will be in the next month or two, I would like very much to have the opportunity to talk with you personally about this project of mutual interest.

Kind regards.
Sincerely,
E. Frederic Morrow,
Vice President.

NEED FOR NEW LOOK AT COST-BENEFIT RATIOS

(Mr. WALDIE asked and was given permission to extend his remarks at this point in the Record and to include extraneous material.)

Mr. WALDIE. Mr. Speaker, one of the vital parts of public works considerations is the method of determining the relative benefits of a particular project against its costs. Each dam, canal, ship channel, for example, that is studied by the Congress for funding has its own cost-benefit ratio.

With interest rates skyrocketing and new elements of cost and benefit to be taken into consideration, mainly ecological, there is a crying need for a new look at cost-benefit ratios.

The Natural Resources Policy Center at the George Washington University has prepared a study on this matter entitled "Federal Natural Resources Development: Basic Issues in Benefit and Cost Measurement."

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Mr. Speaker, I would like to have this study inserted into the RECORD for the edification and enlightenment of Congress:

Federal Natural Resources Development: Basic Issues in Benefit and Cost Measurement

(By Jack L. Knetsch, George Washington University; Robert H. Haveman, Grinnell College, on leave with the Joint Economic Committee, U.S. Congress; and Charles W. Howe, John V. Krutilla, and Michael F. Brewer, Resources for the Future, Inc.)

(NOTE.—The views are those of individual economists and not necessarily those of their organizations.)

For well over one hundred and fifty years now, the federal government has undertaken expenditures to develop the nation's natural resources. Federal spending in these areas currently totals over $3.5 billion per year and accounts for some of the nation's largest physical structures.

Water resource installations have productive potentials similar to those of industrial investments generally. These projects absorb inputs and produce outputs. Among the primary "products" which these installations produce are irrigation water, the reduction of flood hazards, the provision of transportation services, hydroelectric energy, and the provision of municipal water supply. The inputs which they use are similar of those used in common industrial enterprises: skilled and unskilled labor, steel, cement, bulldozers, and complex electrical generating equipment.

The fact that these projects absorb valuable inputs and produce valuable outputs provides the opportunity of measuring the benefits from such government undertakings as well as the costs which they entail. The comparison of the resulting benefits and costs is necessary if prudent public expenditure policy is to prevail.

Interest in procedures to determine the contributions of natural resource projects to the nation's economic welfare is not a new one. Indeed, explicit efforts to account for the expected benefits and costs of projects have been made for over 30 years. The basic criterion for determining the worth of proposed projects was formally outlined in the Flood Control Act of 1936, which stated that the federal government was prepared to undertake such investments "if the benefits to whomsoever they accrue exceed the costs." This criterion still guides evaluation efforts in the natural resources development area.

Both the Senate Committee on Interior and Insular Affairs and the Senate Public Works Committee have stated that: "The economic analyses of projects should reflect the broadest scope of potential benefits and costs," and that project evaluations "should accurately reflect all primary direct and indirect benefits as well as secondary benefits." We share this concern. It is our *special* concern, however, that current deliberations to broaden the concept of project benefits not take place in isolation from some basic principles pertaining to appropriate economic concepts of social benefits and social costs.

In both the private sector and the public sector, decision-makers who strive to develop good policy for their organizations evaluate uses of funds to insure that the expected returns exceed the costs. While the basic notion of benefit and cost evaluation is similar for both the private and public sectors, there is one basic difference. When decision-makers in the private sector, say in a private business, evaluate the benefits of investing in a new production facility and compare those benefits with associated costs, they are concerned only with the gains and losses which accrue to their firm. Because any other gains and losses which may accrue to outside parties do not show up in the revenues and costs of their firm, they are typically ignored in private investment evaluation. On the other hand, a responsible decision-maker in the public sector cannot adopt so restricted a view. He must conceive of his investment project in a more comprehensive way so that all of the costs and gains associated with the undertaking are accounted for in the investment decision whether or not all appear as receipts of, or disbursements by, his particular agency. Indeed, it is just because market-governed private organizations cannot charge for third-party benefits or be held liable for third-party costs that the public sector must undertake so many resource development activities.

But even when some agency of the public sector undertakes a resource devleopment or management project, it is not clear that all impacts on third parties will be accounted for. First it is necessary the the "project" be defined so that all physical impacts are included in the scope of the "project." For example, a hydro power project must be defined to include all downstream effects of the dam's storage and release cycle, as well as effects on the quality of water in the reservoir and downstream from the project. An irrigation project must be defined to include the downstream effects of quantity and quality diminution as well as all drainage facilities which will be needed to keep the project in operation—even if they will not be needed for some period following initial project construction.

The second difficulty which can stand in the way of a complete evaluation of a project's impacts even when undertaken by a public body is a jurisdictional one, namely the "accounting stance" or geographical scope of concern assumed by the decision-making body. The "accounting stance" may or may not incorporate all of the effects of the project (properly defined). As an example, downstream impacts of waste treatment may lie entirely outside the jurisdiction of the city responsible for the treatment plant. If a project induces significant changes in market prices, regions quite remote from and possibly even non-contiguous with the project site may incur significant benefits or costs, especially if there are problems of chronic unemployment or immobility of human and capital resources. If, for example, a proposed Bureau of Reclamation irrigation project located in Nevada is evaluated from the state's point of view, it is likely to have an enormous benefit-cost ratio. Clearly, most of the benefits from the project in the form of increased farm incomes will accrue to residents of Nevada. Because of existing repayments (pricing) policies for federal irrigation projects, much of the costs are federal government costs and only a small proportion of them will fall on people living in Nevada. If the increased agricultural production in Nevada lowers farm products prices and displaces agricultural output in other regions with subsequent temporary or long term income losses (a real national cost), the vast majority of the losers are likely to be in other parts of the country. Thus, if evaluation were made from a broader perspective, the benefit-cost ratio obviously would be reduced. Evaluated from this broader view, the project might or might not be in the national interest. When the project is evaluated from the national point of view, gains to all the beneficiaries and losses sustained by all the cost-bearers will be included in the calculation. It is, therefore, not necessarily true that what is good for Region X is good for the United States.

One elemental principle for benefit-cost measurement of *federal* natural resource development expenditures derives immediately from this discussion of accounting stance. By definition, federal natural resources development is sponsored and financed by the national government, which represents all of the people of the United States. For this reason, we conclude that:

I. *Federally-financed investments require a national accounting stance in evaluating social benefits and social costs:* While citing this as a basic principle, we are not arguing that analyses of the benefits and costs accruing to more localized regions should not be estimated. We are arguing, however, that federal natural resource agencies have a *primary* obligation to weigh the costs and benefits of projects from a national point of view and a significantly smaller responsibility to weigh the impacts of projects on regional economies where such local impacts are in fact offset elsewhere in the economy.

While this definition of an appropriate federal accounting stance is a primary principle in establishing a correct benefit-cost criterion, it does not provide many clues to the accurate measurement of these national benefits and costs. To address this measurement problem, we require some notion of the basic underlying characteristics of the economy.

In large measure, the U.S. economy relies on the freely-arrived-at decisions of consumers and producers in getting private goods and services produced. Under these market arrangements, the economy has repeatedly shown a fluid response to changed conditions and has demonstrated an enormous potential for growth. Changing demands elicit a changed pattern of supply with little time lag, without the need for some central authority first to recognize the existence of the new demands, and then convey them to the production managers in the form of new production orders. Similarly, changes in technology or in resource availability are usually quickly recorded by the market through altered relative prices.

This mechanism of conveying information about changes in tastes, technologies, and resource availabilities throughout the rest of the economy is a simple one. If parties with altered demands place additional orders for a commodity, producers will be faced with decreasing inventories or a backlog of unfilled orders. Viewing these as opportunities for increasing sales and profits, producers will increase their output. If, in the process of generating these increased outputs, profits rise, an added inducement to producers to increase production will be provided. Resources are thus diverted from producing other things to the production of the commodity with an increased demand. This response is accomplished without central guidance.

Such output responses occur fairly quickly and will usually yield outputs confronting to the patterns of demand at minimum cost. Naturally, the facility with which such responses are made is dependent upon quick communication of market information and the push of effective competition.

It is on the basis of this reasoning that we conclude that an economy which has well-functioning markets as the mechanism to allocate resources produces maximum national output (and income) for the society.

The economic efficiency characteristic of a smoothly functioning market economy has implications for public investment policy in the natural resource area. It suggests that the outputs of public investments should be evaluated by the actual or simulated market demands of users in terms of their willingness to pay, that is, to forego other products, and that the costs must measure the value of the opportunities foregone by diverting inputs to the public investment from other uses. Were public sector inevstments to be chosen on other grounds, they would be employing resources which could be producing a greater value in other uses. Such public undertakings, by diverting resources from a higher to a lower valued use would cause a decrease in society's economic well-being. Indeed, if it is assumed that the market system is operating smoothly, it follows that the federal government should not consider a proposed project as adding to the nation's

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economic well-being unless the observed or simulated willingness to pay for the output exceeds the social value of the resources required to produce the output. These concepts of benefits and costs correspond to what are commonly known as primary benefits and primary costs. We therefore conclude as a second basic principle that:

II. *Unless there are serious market failures and obstacles to the smooth functioning of the market system, total national economic benefits equal the real outputs of a public project valued at observed or simulated market prices and total national economic costs equal the real inputs employed in a project valued at observed or simulated market prices:* Having set forth a definition of relevant economic benefits and costs for a market economy without serious imperfections, we would do well to state the conditions which must prevail if Proposition II above is to be logically valid. The conditions which must be met in the economy are:

1. Reasonably full employment of labor and capital;

2. Labor and capital mobility, i.e., the ability of units of labor and capital to shift to new jobs and uses;

3. No significant economies from large-scale production of pertinent commodities; and

4. Generally competitive conditions.

If these conditions are met to a reasonable approximation, then any *secondary* beneficial impacts by a project on market-related activities are simply local or regional in nature with *offsetting effects* occurring elsewhere in the economy. If funds are diverted from the private sector for purposes of public investment, not only are primary impacts of the foreclosed private investment foregone, but so are any net secondary impacts. If we wish to credit public investments with their own secondary benefits, we must also take into account the net secondary impacts which would have been experienced through the foregone private spending. There is no more reason to anticipate positive *net* national gains from secondary impacts than to expect negative net changes.

Suppose, for example, that a federal irrigation scheme producing water for various crops is constructed. Certain regional industries will expand, both to supply fertilizer and machinery to the irrigation scheme, and to process and merchandise the crops. If the economy exhibits efficient operation characterized by the above-stated conditions, competition and mobility will provide additional labor and capital to these industries which will eliminate whatever temporarily higher profit rates they experience from the expansion. After the influx of labor and capital stimulated by the temporarily higher profit rates, profitability will fall to a normal rate in short order, and before long, this capital will be earning approximately what it had earned elsewhere prior to the project.

The people newly employed in these activities were bid away from other jobs, implying the existence of higher wages and incomes, but again, competition among mobile workers will tend to reduce and ultimately eliminate wage differentials. Therefore, in the absence of significant departures from the four above conditions, secondary gains, if significant at all, will be temporary.

In the context of a national accounting stance and assuming that the economy can be characterized as a smoothly functioning market economy, relevant national secondary impacts will be negligible on both the benefit and cost side. This leads us to a third principle:

III. *If the conditions for a smoothly functioning market economy prevail, there is no justification from a national point of view for the recording of secondary benefits which would accrue to the region of project location, nor for the recording of secondary costs which are experienced elsewhere in the economy due to the financing of the public project:* The logic of the two preceding principles also generates the conclusion that where serious market imperfections are present, there may be secondary effects which do entail changes in the nation's net income and which will require either the measurement of secondary benefits and costs or adjustments to the observed values of primary benefits and costs. For example, when serious and intractable regional unemployment exists or when the nation as a whole is confronted with unemployed resources, or where a region with immobile labor and capital is confronted by a loss of some vital resource base, then a natural resources development project may result in secondary local income gains which are also net national gains. Adjustments to observed market prices of project inputs and outputs may also be required.

As an example of how secondary effects which accrue to a region may represent changes in national income, consider the case of immobile labor and capital. If labor and capital cannot (or do not) move quickly out of industries which are forced to contract as a result of the construction of a natural resources project (e.g. the displacement of non-irrigation agriculture by irrigated acreage), they will experience a decrease in their net incomes. This decrease in net incomes represents a reduction in national output over the period of the unemployment of these resources. Because a loss in the nation's income is experienced as a result of this immobility, federal planners should legitimately account for the loss in estimating project costs.

A second example of how secondary effects may lead to national increases in income relates to the existence of increasing efficiencies of large-scale production in some pertinent production sectors. Assume that because of a natural resources development project, certain industries expand while others contract. If the expanding industries experience decreasing unit costs while the industries experiencing contraction have constant product costs, and if the degrees of expansion and contraction are approximately equal, then a similar volume of output will be produced at a smaller total input cost. The reduction in input cost constitutes a net national benefit and, like the above examples, represents a case in which real *secondary* economic gains occur for the nation.

An example of how an imperfectly working economy may require an adjustment of observed market values of project inputs and outputs can be cited in terms of the impact of, say, a dam building project whose construction period coincides with substantial unemployment of labor. If the on-site labor used would otherwise have been unemployed, its true social cost will lie below the apparent market cost. If off-site procurement requires production which utilizes otherwise unemployed labor, even in far-away regions, the cost of those off-site procurements must be reduced. Appropriate techniques for these adjustments have been developed.

From these examples, a further basic principle of benefit-cost measurement is derived. This principle, which is a corollary of the previous principle, can be stated as follows:

IV. *When the economy is characterized by unemployment, resource immobility, decreasing costs, or a lack of competition, it is appropriate to investigate net national benefits and costs which derive from secondary effects. Such benefits, when found and quantified, should enter the benefit-cost analysis:* Having offered this principle, however, we would also emphasize a few *caveats* which relate to it. First, it should be pointed out that the unemployment relevant to the existence of real national secondary benefits generated by project construction must be long-term, structural unemployment, and not just that from a temporary recession. The planning-construction period and the operating life of natural resources projects each will exceed the duration of cyclical unemployment.

Second, we would also emphasize that labor and capital immobility should not be presumed to be a permanent feature of the social landscape. It is often on the basis of such immobility that "rescue operations" are proposed to bring water to established agricultural areas to replace exhausted ground water supplies. Because business complexes which specialize in agriculturally related activities as well as agriculture itself would be left idle if the area were forced to revert to dry farming or to abandon farming altogether, the existence of substantial net secondary benefits for such investment has often been claimed. Surely over the period when capital and labor would otherwise have remained idle, the newly generated capital and labor income should be counted as a net national gain, as should any difference in land rent. It must be pointed out, however, that units of capital and labor will be immobile for a far shorter period than the life of the project. For this reason the incomes from avoided unemployment should be attributed as benefits to the water supply project only over the appropriate periods of immobility. The fact that technological and market changes would be inducing changes in employment and capital structure independent of matters of water supply makes it doubly difficult to apply the "with-without" criterion.

A third caveat pertains to longer term growth which might be induced by the project and the relationship of this growth to national gains. Clearly, the question of the contribution which such growth makes to national economic gain hinges on the possible advantages which exist for, say, processing primary products in that region relative to other areas. It is not warranted to assume that any particular project will automatically generate such related investments or that the incomes generated by such investments represent net additions to the national income. What is needed is a careful analysis of the extent to which the project creates in the region a comparative advantage relative to other regions in terms of basic raw materials, power, process water, or transportation. Moreover, if it is concluded that project, induced investment is likely to occur in the project area, the portion of the incomes created by this new activity representing net additions to the national income and the portion representing transfers from other areas must be determined. Only the net additions are countable as benefits.

Any such analysis of project-induced investment should be approached with care in the case of presently depressed area, since it is reasonable to presume that the conditions which have resulted in a declining area's depressed economic condition will continue to inhibit further investment. It is unlikely, for example, that the provision of flood-free land or an improved water supply will suffice to make private investments profitable.

Finally, if the federal government is interested in inducing development in a particular region or set of regions, it should not be restricted in its choice of instruments to water resource or, more generally, natural resource development investments. Indeed, there is no presumption whatsoever that natural resource investments are more likely to be significant employment or investment generators than labor training programs, housing programs, recreation programs funded by the federal government, or federally subsidized private investments in the region, or federal investment in programs to relocate population groups presently immobilized in low potential regions. In appraising any particular natural resource investment as an instrument for regional development, the analyst should be fully aware of the other alternative policy measures, and should recognize that, while some development impacts derive from the project, the same or even greater effects may be attributable to other types of public (or publicly-encouraged private) investments.

While there exist, then, conditions under which secondary benefits can legitimately be included in benefit-cost calculations, or under which project costs may have to be adjusted to reflect deviations from social cost, it must be realized that the knife which cuts on the benefit side also cuts on the cost side. When the necessary conditions for the existence of secondary benefits hold, it is equally likely that project financing or project output will induce secondary costs. Consider the impact of the reclamation of arid lands on the remainder of agriculture. It has been demonstrated that the reclamation program in the western states by encouraging increased western cotton production has displaced a significant portion of the cotton production previously grown in southern states. Indeed, it has been estimated that the result of the western program has been to displace one out of every twenty farmers remaining in southern agriculture*. The displaced southern farm family not only remains unemployed for some period (a national income loss), but, like other displaced laborers, migrates to the city. If providing opportunities in the West to permit rural families to remain in the countryside or to permit urban families to leave the cities is to be attributed as a (non-quantifiable) benefit, then providing the inducement for rural families in other regions to migrate to the cities must be tallied as a cost.

The point of this example, then, is a clear one. Namely:

V. *If market imperfections cause projects to generate secondary benefits which coincide with national income gains, they also generate secondary costs. The existence of market imperfections requires that both secondary benefits and costs be accounted for in benefit-cost calculations.* The importance of this principle, then, is that it points up the need for the development of information on both the secondary benefits and the secondary costs of natural resource development projects if market imperfections are present.

Next, it must be noted with emphasis that natural resource development projects have some real impacts, both beneficial and detrimental, which are of social concern and which are not in practice included in the measurably primary and secondary benefits and costs discussed above nor even described in the typical project report. The most important of these impacts might be:

1. types of benefits or costs which, while conceptually belonging in the national income accounts, are not at present quantified. Examples might be the benefits from water quality improvement beyond those associated with changed municipal and industrial water costs, the values from preserving a scenic stretch of natural river, or the preservation or destruction of fish and wildlife.

2. regional income impacts which, while not reflecting net national gains, reflects the regional distribution of project benefits and costs. If the gains and losses to all regions were fully accounted for, their sum would equal the project's net national benefits. Such information should clearly be of interest to decision-makers concerned with regional progress and matters of equity among regions.

3. impacts on the inter-personal distribution of income and other effects on human well-being such as the saving of life and the reduction of risk and uncertainty.

Non-marketed outputs of the first type have economic values to society no less than do irrigated crops or transportation cost savings. Attempts should continue to develop methods for stimulating values for such outputs in the absence of markets. When such values cannot reasonably be computed, full descriptions of these impacts should be included in the project report. The same can be said for the other classes of beneficial and detrimental impacts.

Because quantifiable economic benefits still predominate among the outputs of natural resource developments, it is argued here that primary emphasis in the design and selection of natural resource projects should still be placed upon the national income impacts. At the very minimum, if projects whose national income costs exceed their national income benefits are to be undertaken in order to serve these other social goals, the corresponding *national income benefits and costs should still be carefully assessed*. No attempt should be made to allocate any part of the national income costs of the project to the attainment of other social goals, for such a partitioning of costs would leave the national income benefit-cost comparison meaningless. It might be helpful to note in the project report approximately what portion of the project cost was attributable to "over-design" as a means of achieving other goals, but provision of such information must not be permitted to obscure the comparison of *total* national income benefits and costs.

On the basis of these considerations we conclude that:

VI. *The basic economic rationale justifying public sector responsibility for natural resource development requires that the criterion of national income enhancement serve as the primary criterion for choice among investment alternatives, and that the extent to which natural resource investments contribute to the attainment of other social objectives be expressed in side displays of information and analyses. There should be no allocation of national income costs to the attainment of other objectives.* Within the framework of these basic economic principles, there exists a great deal of room for improvement in the procedures and methods for evaluating benefits and costs. By way of conclusion, we would offer two suggestions consistent with the above principles on which future efforts for improving benefit and cost measurements should be concentrated.

First, it was noted above that there is a need to account more fully for the direct or primary consequences of natural resource investment projects. Mentioned, for example, were scenic amenities, recreational opportunities, and the preservation of fish, wildlife, and free-flowing streams, all "outputs" which have value, even though they are not priced in the market. Surely the fuller evaluation of these direct, identifiable outputs represents a better application of the limited research resources available to agency planning staffs than probing for much less obvious and difficult-to-measure secondary effects.

Reasonably good methods are continually being developed for the evaluation of these important but difficult-to-quantify primary benefits. Examples are the methods now available to estimate recreation benefits and procedures for the measurement of flood damage reduction in the case of flood control installations. We would urge renewed efforts to develop and gain consensus on appropriate methodologies for the estimation of values for these nonmarketed outputs. In our judgment, this is the first order of business.

Second, it is recommended that policies covering the pricing of outputs of national resource projects and other aspects of cost-sharing by benefited parties and regions be reconsidered. The objective should be greater efficiency in the design and use of resource projects and their outputs by imposing appropriate cost on the users. Since all costs must be borne by someone, such a policy will probably be not only more efficient than current policies but substantially more equitable.

PETITION PROTESTING OUR AID TO COMMUNISTS

(Mr. POLLOCK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous material.)

Mr. POLLOCK. Mr. Speaker, there are many citizens of the United States gravely concerned today because of our insistence on giving U.S. aid to our Communist enemies who have vowed to bury us.

Recently I was presented with 1,229 petitions containing 20,017 original signatures of concerned citizens from all over the United States, protesting our aid to the Communists. Each of the petitions reads as follows:

A PETITION TO THE CONGRESS OF THE UNITED STATES

We respectfully urge every Senator, every member of the House of Representatives, and both the Senate and the House as a whole, to exert their authority and use their influence in all honorable ways for the following purpose:

To have this Administration stop, promptly and completely, giving aid in any form, dierctly or indirectly, to our Communist enemies.

In support of this petition we submit the considerations listed below. The examples and the documentation given to substantiate these statements are only tiny fragments, by way of illustration, of those that are available.

1. We are at war: Our President himself has said "this is war." In actual fact, when measured as to costs, as to the number of our men engaged in the combat area, and as to the current rate of casualties, it is already the third largest war in American history—and is steadily getting larger. (*See article by Clayton Fritchey,* Boston Globe, *October 12, 1966.*)

2. Our enemy is the total Communist bloc of nations: Our Congress has not declared war against any nation. No nation has declared war on us. But the fighting is taking place between North Vietnam and the United States. The officials of Soviet Russia and of one Communist regime after another have repeatedly declared their complete solidarity with North Vietnam. So that, for all practical purposes, we are at war in Southeast Asia with Soviet Russia and its satellites all over the world. (*See* World Marxist Review, *November, 1965*; U.S. News and World Report, *January 30, 1967;* Congressional Record—vol. 112, pt. 20, pp. 27154–27158.)

3. At least eighty percent of the sinews of war are being provided North Vietnam by Soviet Russia and its European Satellites: On May 24, 1965, Premier Pham Van Dong of North Vietnam said: "We shall defeat the Americans with Soviet weapons." (*See,* National Guardian, *January 28, 1967*.) It was not an idle boast. Our Air Force Chief of Staff has called the Communist defenses in North Vietnam "the greatest concentration of anti-aircraft weapons that has ever been known in the history of defense of any town or any area in the world." These installations, and the training and supervision to make them effective, have been provided by Soviet Russia. (*See* New York Times Magazine, *October 16, 1966.*)

"The North Vietnamese war machine runs almost entirely on Russian oil. In the past eighteen months the Russians shipped 300,-

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*George S. Tolley, "Reclamation's Influence on the Rest of Agriculture," *Land Economics,* May 1959, pp. 176–80.

000 tons. The Chinese provided almost none. Last month alone, the Soviets shipped nearly 25,000 metric tons of gasoline and oil into Haiphong." (*See* U.S. News and World Report, *January 30, 1967, Page 28.*) During the last months of 1966 the Soviet Union shipped one hundred new MIG jet fighters to Hanoi, thus doubling the size of North Vietnam's airforce. (*See* New York Times, *December 13, 1966.*) A full list of similar items would be almost endless.

4. This help to North Vietnam has been made possible almost entirely by our help to the Soviet Union and its satellites.

On October 7, 1966, a speech by the President to the National Conference of Editorial Writers included the following statements:

"We intend to press for legislative authority to negotiate trade agreements which could extend *most-favored nation* tariff treatment to European Communist states. (The emphasis is ours.) And today I am announcing the following steps:

"We will reduce export controls on East-West trade with respect to hundreds of nonstrategic items.

"I have just today signed a determination that will allow the Export-Import Bank to guarantee commercial credits to four additional Eastern European countries—*Poland* (emphasis ours) and Hungary, Bulgaria and Czechoslovakia . . .

"The Secretary of State is now reviewing the possibility of easing the burden of Polish debts to the United States . . .

"The Export-Import Bank is prepared to finance exports for the Soviet-Italian Fiat auto plant . . ."

This was not mere oratory. With regard to just one part of such comprehensive assistance to our enemies (who have vowed to bury us), the *New York Times* reported, one week later, on October 13:

"The United States put into effect today one of President Johnson's proposals for stimulating East-West trade by removing restrictions on the export of more than four hundred commodities to the Soviet Union and Eastern Europe . . .

"Poland and Rumania have been given special treatment, and in general, the result of today's measure will be to extend such treatment to the Soviet Union, Hungary, Bulgaria, Czechoslovakia, Albania, and Mongolia.

"Among the categories from which items have been selected for export relaxation are vegetables, cereals, fodder, hides, crude and manufactured rubber, pulp and waste paper, textiles and textile fibers, crude fertilizers, metal ores and scrap, *petroleum* (our emphasis), gas and derivatives, chemical compounds and products, dyes, medicines, fireworks, detergents, plastic materials, metal products and machinery, and scientific and professional instruments."

And two weeks later, on October 27, 1966, the *Times* informed us that "The Soviet Union and its allies agreed at the conference of their leaders in Moscow last week to grant North Vietnam assistance in material and money amounting to about one billion dollars. . . . Poland's contribution will be thirty million dollars, it was said. . . ." The Soviets had correctly interpreted all of this contemplated additional *trade* with the United States as simply a subterfuge for *aid* to themselves—through loans by the Export-Import Bank, the repeated scaling down or cancellation of previous loans of all kinds, and a general subsidization in the usual wide variety of forms. And they were quick to show their appreciation by promising to pass on to our enemies in North Vietnam this additional help which our aid to themselves would make possible.

Again this is but a sample. We believe that with adequate space it could be demonstrated that many of these Communist regimes would not even be able to maintain themselves in power, and much less to do their part in sustaining worldwide Communist aggression, but for the constant transfusion into their systems of economic aid from the United States. (*See continuous information on this subject in various issues of* The Review of The News *throughout 1966.*) Yet hundreds of our boys are now being killed in Vietnam every week, supposedly to prevent the aggression and advance of this Communist octopus.

5. And "none dare call it treason": At least, we do not, because we are in no position to identify the traitors. But the Constitution of the United States clearly does. (*Article III, Section 3.*) And regardless of the wide variety of specious excuses and deceptive double-talk which are advanced to justify such criminal folly (or worse), we urge that this constant flow of "aid and comfort" to our normal enemies be cut off completely, and at once.

Respectfully but emphatically,

(Signature.)

Mr. Speaker, the above is signed by 20,017 concerned American citizens and their signatures are available for inspection in my office.

BACALL VERSUS ABM

(Mr. POLLOCK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous material.)

Mr. POLLOCK. Mr. Speaker, on June 29, 1969, William Randolph Hearst, Jr., published an excellent editorial in the Hearst newspapers in defense of the ABM. Mr. Hearst wrote the article in response to a rally staged at Madison Square Garden the last week in June by opponents of President Nixon's proposed anti-ballistic-missile program.

I think the comments of Mr. Hearst should be read by every American. As we in Congress finally come to grips with the ABM issue, we have a critically important decision to make, and, in my humble opinion, the security of the United States hangs in the balance. In my view we have no logical alternative to deployment of the ABM, and I never cease to be amazed at those who excuse every offensive activity of the Communists, but sneer and protest at a defensive plan of the United States that would protect us from those who have continuously sworn to destroy us.

Mr. Speaker, I will address this body more fully later on the vital need for ABM defense. Meanwhile, I respectfully submit the following editorial and call it to the attention of my congressional colleagues and to all of America:

BACALL VERSUS ABM

(By William Randolph Hearst, Jr.)

NEW YORK, June 28.—A rally staged here this week by opponents of President Nixon's proposed Anti-Ballistic Missile program (ABM) causes me to return again to that subject. It's much too important a topic to let the tom toms being pounded by these people go unchallenged.

Naturally the whoop-it-up was staged in Madison Square Garden, where "anti" rallies almost inevitably are held. Following the traditional pattern of such gatherings it featured speeches by a number of public officials and professors and—of course—had the usual array of screen and stage personalities as drawing cards.

Among the latter who joined in lambasting our military establishment in general, and the ABM in particular, were such military authorities as Paul Newman, Dustin Hoffman, Tony Randall and Lauren Bacall. Which leads me to pose a pertinent question:

I ask you, in a matter which involves the basic security of this nation, whose advice would you be more inclined to follow—Lauren Bacall's or Richard Nixon's?

It is to laugh. Lauren Bacall's qualifications to pass unbiased, informed judgment on the Safeguard ABM system, of course, are totally non-existent. Yet those of the two principal speakers of the evening—Mayor Lindsay and Sen. Albert Gore—are hardly much better.

Lindsay, for example, filled the air with a lot of high-sounding oratory about how the money needed for military expenditures "belongs in the streets, the homes and the hopes of the cities." I maintain that this witness, as mayor of the largest and most money-hungry city of them all, is quite naturally and quite obviously prejudiced by self-interest.

And so is Sen. Gore and a third speaker, Prof. George Wald of Harvard. The highly doubtful objectivity of the lawmaker from Tennessee is demonstrated by the fact that he is one of our senators most frequently quoted by Hanoi, Prof. Wald, quite simply, is an expert in physiology and medicine—not military matters.

Thus, none of the big guns at the rally have any rightful claim to speak with unbiased expertise on a subject of vital importance to 200 million Americans.

All they have in common is the notion that further development of our national defenses—and especially the ABM program—is unnecessary and somehow a threat to peace.

Soviet Russia decided long ago that an ABM system was essential for its over-all military posture, so it already has installed one. Needless to say, nobody either in Russia or the United States stood up on his hind legs and opposed the move as a threat to peace.

If there is one thing about our dove-minded popoffs which never ceases to amaze me, it is how they excuse everything the Russians do and sneer at the very idea that the Communists are a threat. This attitude was reflected time and again at the Garden rally.

My answer to that is—if Russia were not a threat to us, then we could do a lot more besides scrapping our ABM program. We could go ahead and scrap our Army, Navy and Air Force as well. We wouldn't need them.

The fact is that the Soviet Union and its minions are our only real enemy. Red China can't get at us. So who else IS there? Uruguay? Somaliland? Luxembourg? Tibet?

And here's another question. Why, do you suppose, Russia backed down in the Cuban missile crisis? Was it because President Jack Kennedy was so persuasive with idealistic arguments? Just read Bobby's hair-raising book on what really happened.

We were forced to go to the brink of war to avoid war. If we had not met the Communist challenge Cuba would be a bristling armed camp today, with nuclear Big Berthas pointed at our vitals. Or maybe, by this time, we wouldn't be here at all.

What stopped the Russians was one thing and one thing only—fear of and respect for the military might of the United States. They knew they were not being called with cap pistols.

Now since the Soviets can pull a chilling showdown like the Cuba test, the whole question of how we spend our money around this country for social improvements becomes secondary. Improvements will mean nothing if we do not have the military means to protect them from international bandits.

The United States is the richest, most desirable piece of real estate in the world. It is simple-minded nonsense not to believe that the Communists would like to take us over. All you have to do is listen to them. They have said often enough that our destruction is their fondest dream—and the main thing they are working for.

At the same time they know that this nation is not going to attack them. So why do they keep arming themselves? Why do they keep building bigger and deadlier missiles, nuclear subs, supersonic jets?

There can be only one reason, and I think you're smart enough to figure it out for yourself.

The nearest thing to truth to ever come out of the mouth of a Soviet diplomat was said to Henry Cabot Lodge in 1950 when this country went into Korea to stop a would-be Red takeover.

The Russian ambassador to the UN, Jacob Malik, was genuinely astonished at our reaction. He plaintively asked Cab "how come?", pointing out that our secretary of state had said that our sphere of vital interest in the Far East did not include the mainland. Our action, he implied, was a violation of the rules.

What could be clearer? Under the Communist code, it is perfectly proper to take over any country the Russians want so long as they think we are not concerned. And that most certainly wouldn't stop them if they thought we didn't have the strength and will to call a halt.

In his typical speech at the Garden, Sen. Gore said flatly that the ABM is not needed. "By stimulating the arms race," he added, "it makes us less rather than more secure."

There are two points to be made here.

First, who is Sen. Gore to say the ABM is not needed? When the plumbing goes on the fritz you call a plumber. If the roof leaks you call a carpenter. And in a matter of military need you had better call an experienced military man, not a pacifist politician.

(Editor's Note.—There is a curious bond between editors and military men. For some obscure reason, almost everybody thinks he can do the highly professional work required in each case without any training whatever.)

The second point about Gore's remarks is that they are what I will call a bare-faced misstatement, although there is a shorter word for it. He must know he's not telling the truth when he says that by doing what Russia already has done "we will stimulate the arms race."

Where was Gore and all the rest of his ilk when the Communists were deploying their ABM's? That was the time for them to say stop—but who heard a peep out of any of them? Nobody, that's who.

The greatest force for peace in the world has been and is today the superior armed might of America. It is the only thing the Communists respect; the only thing that keeps the free world free, and the only guarantee of our own safety.

In this divided world of ours the second strongest nation is like the second best hand in poker—it loses.

On re-reading the above, the thought occurs to me that I am possibly unduly exercised about these anti-ABM voices.

Their arguments can't be too persuasive. Only 4,000 showed for their Garden rally. By contrast, some 20,000 packed the place the night before to watch a punk prizefight.

Besides, I guess there really is nothing to worry about, anyway.

Lauren Bacall says so.

LEAVE OF ABSENCE

By unanimous request, leave of absence was granted to:

Mr. Mailliard (at the request of Mr. Gerald R. Ford), for today through July 9, 1969, on account of official business.

Mr. Mosher (at the request of Mr. Gerald R. Ford), for July 7, 8, and 9, 1969, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Pucinski, for 30 minutes, today, to revise and extend his remarks and to include extraneous matter.

Mr. Pollock (at the request of Mr. Hutchinson), for 1 hour, today, to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. Caffery) and to revise and extend their remarks and include extraneous matter:)

Mr. Rarick, for 10 minutes, today.

Mr. Flood, for 15 minutes, today.

Mr. Dent, for 60 minutes, on July 9.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Donohue to revise and extend his remarks on H.R. 4246 and H.R. 4247.

Mr. Don H. Clausen and to include extraneous matter.

(The following Members (at the request of Mr. Hutchinson) to extend their remarks and include extraneous matter:)

Mr. Hansen of Idaho.

Mrs. Heckler of Massachusetts.

Mr. Derwinski.

Mr. Hutchinson.

Mr. Foreman in two instances.

Mr. Schwengel.

Mr. Pollock.

(The following Members (at the request of Mr. Caffery) and to include extraneous matter:)

Mr. Friedel in two instances.

Mr. Biaggi.

Mr. Pucinski in 10 instances.

Mr. Powell in three instances.

Mr. Dingell.

Mr. Ullman in five instances.

Mr. Podell in three instances.

Mr. Murphy of New York.

Mr. Rarick in three instances.

Mr. Bingham in two instances.

Mr. Bolling in two instances.

Mr. O'Hara in two instances.

Mr. Daniel of Virginia.

Mr. Conyers in three instances.

Mr. Rodino in two instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 853. An act to establish the Sawtooth National Recreation Area in the State of Idaho, and for other purposes; to the Committee on Interior and Insular Affairs.

ENROLLED BILL SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that the committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 12167. An act to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on July 2, 1969, present to the President, for his approval bills of the House of the following titles:

H.R. 11069. An act to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes; and

H.R. 12167. An act to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

ADJOURNMENT

Mr. CAFFERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 6 minutes p.m.) the House adjourned until tomorrow, Tuesday, July 8, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

917. A letter from the Assistant Secretary of the Air Force, Manpower and Reserve Affairs, transmitting a draft of proposed legislation, to amend section 401 of title 37, United States Code, to include parents-in-law in the definition of dependents of members of the uniformed services, and for other purposes, to the Committee on Armed Services.

918. A letter from the assistant to the Commissioner, government of the District of Columbia, transmitting a draft of proposed legislation to amend the act for the retirement of public school teachers in the District of Columbia to change the method of calculating each year's appropriation for the teachers' retirement fund; to the Committee on the District of Columbia.

919. A letter from the assistant to the Commissioner, government of the District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Street Readjustment Act, and eliminate guarantee clauses in pavement construction contracts for streets in the District of Columbia; to the Committee on the District of Columbia.

920. A letter from the Comptroller General of the United States, transmitting a report of the effectiveness and administration of the community action program in Carroll, Chariton, Lafayette, Ray, and Saline Counties, Mo., under title II of the Economic Opportunity Act of 1964, Office of Economic Opportunity; to the Committee on Education and Labor.

921. A letter from the Comptroller General of the United States, transmitting a report of the effectiveness and administration of the Wellfleet Job Corps Civilian Conservation Center under the Economic Opportunity Act of 1964, South Wellfleet, Mass., Department of the Interior, Office of Economic Opportunity; to the Committee on Education and Labor.

922. A letter from the Secretary of State, transmitting a draft of proposed legislation to amend the Foreign Military Sales Act; to the Committee on Foreign Affairs.

923. A letter from the Comptroller General of the United States, transmitting a report of the improvements needed in Army supply

management and stock fund activities in Korea, Department of the Army; to the Committee on Government Operations.

924. A letter from the Comptroller General of the United States, transmitting a report of the savings attainable through improved application of the economic order principle in the procurement of military supplies, Department of Defense; to the Committee on Government Operations.

925. A letter from the Comptroller General of the United States, transmitting a report on savings in shipments of printed matter from Japan to points in the Pacific, Department of Defense; to the Committee on Government Operations.

926. A letter from the Comptroller General of the United States, transmitting a report on opportunities for better service and economies through standardization of pharmacy items and consolidation of bulk compounding facilities, Veterans' Administration; to the Committee on Government Operations.

927. A letter from the Comptroller General of the United States, transmitting a report on the activities of the office of the government comptroller of the Virgin Islands fiscal years 1966 and 1967, Department of the Interior; to the Committee on Government Operations.

928. A letter from the Chairman and the Commissioner, Federal Power Commission, transmitting a draft of proposed legislation to secure bulk power supplies adequate to satisfy the mounting demands of the people of the United States, consistent with environmental protection; to the Committee on Interstate and Foreign Commerce.

929. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according beneficiaries third- and sixth-preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

930. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in the cases of certain aliens found admissible to the United States under the provisions of section 212(a) 28(I) (ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

931. A letter from the Administrator, General Services Administration, transmitting a prospectus proposing construction of a Federal correctional center and Federal parking facility at Chicago, Ill., pursuant to section 7a of the Public Buildings Act of 1959 (73 Stat. 480), as amended; to the Committee on Public Works.

932. A letter from the Chairman, Commission on Mortgage Interest Rates, transmitting an interim report pursuant to Public Law 90–301 (82 Stat. 115); to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 12085. A bill to amend the Clean Air Act to extend the program of research relating to fuel and vehicles; with amendment (Rept. No. 91–349). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT:

H.R. 12597. A bill to amend the Military Selective Service Act of 1967 to provide that young men serve 1-year memberships on local boards; to the Committee on Armed Services.

By Mr. BLACKBURN (for himself, Mr. Halpern, Mr. Hosmer, Mr. Robison, Mr. Whitehurst, Mr. Friedel, Mr. Michel, Mr. McClory, Mr. Buchanan, and Mr. Kuykendall):

H.R. 12598. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs, and to provide training and employment opportunities for those individuals whose lack of skills and education acts as a barrier to their employment at or above the Federal minimum wage, by means of subsidies to employers engaged in small business on a decreasing scale in order to compensate such employers for the risk of hiring the poor and unskilled in their local communities; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.R. 12599. A bill to provide for the equalization of the retired pay of members of the uniformed services of equal grade and years of service; to the Committee on Armed Services.

H.R. 12600. A bill to make certain revisions in the retirement benefits of District of Columbia public school teachers and other educational employees, and for other purposes; to the Committee on the District of Columbia.

By Mr. DERWINSKI:

H.R. 12601. A bill to amend title 13, United States Code, with respect to charges for certain census records, compilations, and surveys, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. EDWARDS of California:

H.R. 12602. A bill to amend the Railroad Retirement Act of 1937 to provide for equal treatment of men and women with respect to eligibility for annuities on the basis of age 60 and 30 years of service; to the Committee on Interstate and Foreign Commerce.

By Mr. FASCELL:

H.R. 12603. A bill to amend the Fish and Wildlife Coordination Act to provide for the establishment of a Council on Environmental Quality, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. GALLAGHER:

H.R. 12604. A bill to authorize the Commissioner of Education to make grants for local education programs designed to dissuade young people from using narcotic drugs; to the committee on Education and Labor.

By Mr. GARMATZ:

H.R. 12605. A bill to amend section 613 of the Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. KING:

H.R. 12606. A bill to adjust agricultural production, to provide a transitional program for farmers, and for other purposes; to the Committee on Agriculture.

By Mr. LANGEN:

H.R. 12607. A bill to amend the Agricultural Act of 1949 to provide full parity price supports with respect to wheat, corn, barley, oats, rye, soybeans, flax, and grain sorghums, and reduced production of such crops by voluntary participation, and for other purposes; to the Committee on Agriculture.

By Mr. MATSUNAGA:

H.R. 12608. A bill to provide for the conveyance of certain real property situated in the State of Hawaii to the State of Hawaii; to the Committee on Government Operations.

By Mr. MATSUNAGA (for himself, Mr. Holifield, Mr. Burton of California, and Mr. Cohelan):

H.R. 12609. A bill to repeal the Emergency Detention Act of 1950 (title II of the Internal Security Act of 1950); to the Committee on Internal Security.

By Mr. MURPHY of New York:

H.R. 12610. A bill to amend the Internal Revenue Code of 1954 to encourage higher education, and particularly the private funding thereof, by authorizing a deduction from gross income of reasonable amounts contributed to a qualified higher education fund established by the taxpayer for the purpose of funding the higher education of his dependents; to the Committee on Ways and Means.

By Mr. PEPPER:

H.R. 12611. A bill to amend the Federal Aviation Act of 1958 to require foreign air carriers to file policies of insurance with the Civil Aeronautics Board, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 12612. A bill to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; to the Committee on Post Office and Civil Service.

H.R. 12613. A bill to permit State agreements for coverage under the hospital insurance program for the aged; to the Committee on Ways and Means.

By Mr. POLLOCK:

H.R. 12614. A bill to provide that the likeness of the late Dwight David Eisenhower shall appear on the quarter dollar; to the Committee on Banking and Currency.

H.R. 12615. A bill to authorize the minting of clad silver dollars bearing the likeness of the late Dwight David Eisenhower; to the Committee on Banking and Currency.

By Mr. POWELL:

H.R. 12616. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, so as to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PUCINSKI:

H.R. 12617. A bill to amend the Higher Education Act of 1965 to provide a comprehensive program for the training of attorneys and related personnel in order to improve the legal services available to the community; to the Committee on Education and Labor.

By Mr. ROBISON:

H.R. 12618. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. THOMPSON of New Jersey:

H.R. 12619. A bill to amend section 11 of an act approved August 4, 1950, entitled "An act relating to the policing of the buildings and grounds of the Library of Congress"; to the Committee on House Administration.

By. Mr. DON H. CLAUSEN:

H.J. Res. 806. Joint resolution to authorize the President to issue a proclamation designating the 30th day of September 1969 as "Bible Translation Day"; to the Committee on the Judiciary.

By Mr. WINN:

H.J. Res. 807. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII,

233. The SPEAKER presented a memorial of the Legislature of the Commonwealth of Massachusetts, relative to enactment of legislation providing for a substantial increase in social security payments to elderly persons, which was referred to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL of Virginia (by request):

H.R. 12620. A bill for the relief of James B. Wright; to the Committee on the Judiciary.

H.R. 12621. A bill for the relief of Lt. Robert J. Scanlon; to the Committee on the Judiciary.

H.R. 12622. A bill for the relief of Russell L. Chandler; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 12623. A bill for the relief of Julian G. Carr; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

162. By the SPEAKER: Petition of the 21st Saipan Legislature, Trust Territory of the Pacific Islands, Saipan, Marianas Islands, relative to assignment of Peace Corps volunteer attorneys to assist the people of the municipality of Saipan; to the Committee on Foreign Affairs.

163. Also, petition of the 21st Saipan Legislature, Trust Territory of the Pacific Islands, Saipan, Marianas Islands, relative to enactment of an official plebiscite for the people of the Marianas not later than June 30, 1972; to the Committee on Interior and Insular Affairs.

164. Also, petition of the American Legion, Washington, D.C., relative to a resolution of the national executive committee assembled in St. Louis, Mo., commending Congress for granting educational benefits to veterans; to the Committee on Veterans' Affairs.

165. Also, petition of the Board of Supervisors, Santa Cruz County, Calif., relative to a resolution opposing taxation of income from municipal bonds; to the Committee on Ways and Means.

166. Also, petition of the City Council, Harrisonburg, Va., relative to taxation of State and local government obligations; to the Committee on Ways and Means.

167. Also, petition of the Association of County Treasurers of California, Oroville, Calif., relative to retaining the tax-exempt status of State and local government bond issues; to the Committee on Ways and Means.

168. Also, petition of Henry Stoner, York, Pa., relative to Charles A. Lindbergh; to the Committee on Foreign Affairs.

SENATE—*Monday, July 7, 1969*

The Senate met at 12 o'clock noon and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Trust in the Lord with all thine heart; and lean not upon thine own understanding. In all thy ways acknowledge Him and He shall direct thy paths. Proverbs 3:5 and 6.

Teach us, O Lord, in the coming crucial days not simply to acknowledge Thee, but in the depths of our nature to trust Thee for wisdom, for judgment, and for strength. Deliver us from the coldness of heart, the indolence of attitude, and the indifference of mind that shuts Thee out, or the busy-ness that will not let Thee in. As we move from this sacred interlude to take up our duties, preserve in us a sense of Thy pervading presence and the assurance of the quiet direction of Thy spirit in the work of this Chamber and in the affairs of the Nation.

Rekindle in all the people the flame of holy living and let the bright light of a glowing patriotism shine throughout the land. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, July 2, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of July 1, 1969, the following reports of committees were submitted on July 3, 1969:

By Mr. TYDINGS, from the Committee on the District of Columbia, without amendment:

S. 1458. A bill to prohibit the business of debt adjusting in the District of Columbia except as an incident to the lawful practice of law or as an activity engaged in by a nonprofit corporation or association (Rept. No. 91–288).

By Mr. TYDINGS, from the Committee on the District of Columbia, with amendments:

S. 545. A bill to amend section 9 of the District of Columbia Bail Agency Act (Rept. No. 91–287); and

S. 2185. A bill to authorize a Federal contribution for the effectuation of a transit development program for the National Capital region, and to further the objectives of the National Capital Transportation Act of 1965 (79 Stat. 663) and Public Law 89–774 (80 Stat. 1324) (Rept. No. 91–289).

By Mr. RANDOLPH, from the Committee on Public Works, with amendments:

S. 1072. A bill to authorize funds to carry out the purposes of the Appalachian Regional Development Act of 1965, as amended, and title V of the Public Works and Economic Development Act of 1965, as amended (Rept. No. 91–291).

By Mr. STENNIS, from the Committee on Armed Services:

S. 2546. An original bill to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes (Rept. No. 91–290).

Under authority of the order of the Senate of July 1, 1969, the following report of a committee was submitted on July 7, 1969:

By Mr. ELLENDER, from the Committee on Agriculture and Forestry:

S. 2547. An original bill to amend the Food Stamp Act of 1964 (Rept. No. 91–292).

WAIVER OF CALL OF THE CALENDAR UNDER RULE VIII

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the calendar of unobjected to bills under rule VIII be waived.

The VICE PRESIDENT. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Proposed Legislation To Include Parents-in-Law in the Definition of Dependents of Members of the Uniformed Services

A letter from the Assistant Secretary of the Air Force, Manpower and Reserve Affairs, transmitting a draft of proposed legislation to amend section 401 of title 37, United States Code, to include parents-in-law in the definition of dependents of members of the uniformed services, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

Proposed Legislation To Amend the District of Columbia Street Readjustment Act

A letter from the Assistant to the Commissioner, government of the District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Street Readjustment Act, and eliminate guarantee clauses in pavement construction contracts for streets in the District of Columbia (with an accompanying paper); to the Committee on the District of Columbia.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on savings in shipments of printed matter from Japan to points in the Pacific, Department of Defense, dated June 30, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on improvements needed in Army supply management and stock fund activities in Korea, Department of the Army, dated June 30, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on savings attainable through improved application of the economic order principle in the procurement of military supplies, Department of Defense, dated June 30, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on opportunities for better service and economies through standardization of pharmacy items and consolidation of bulk compounding facilities, Veterans' Administration, dated June 30, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, reporting, pursuant to law, on activities of the Office of the Government Comptroller of the Virgin Islands, fiscal years 1966 and 1967, Department of the Interior, dated June 30, 1969; to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law a report on the effectiveness and administration of the Wellfleet Job Corps Civilian Conservation Center under the Economic Opportunity Act of 1964, South Wellfleet, Mass., Department of the Interior, Office of Economic Opportunity, dated June 30, 1969 (with an accompanying report); to the Committee on Government Operations.

Proposed Federal Correctional Center and Federal Parking Facility, Chicago, Ill.

A letter from the Administrator, General Services Administration, transmitting, pursuant to law, a prospectus which proposes construction of a Federal Correctional Center and Federal Parking Facility at Chicago, Ill. (with an accompanying paper); to the Committee on Public Works.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the House of Representatives, North Carolina General Assembly; to the Committee on the Judiciary:

"House Resolution 11

"A House resolution withdrawing the concurrence of the North Carolina House of Representatives in a joint resolution memorializing Congress to call a convention for the purpose of proposing an amendment to the constitution of the United States relating to the apportionment of State legislatures;

"Whereas, a resolution was introduced in and passed by the House of Representatives during its 1965 Session, wherein the Senate concurred, which resolution was designated as 'Resolution 60', which resolution memorialized Congress to call a Constitutional Convention for the purpose of proposing an amendment to the Congress of the United States relating to the apportionment of state legislatures; and

"Whereas, certified copies of such 1965 resolution were transmitted to both houses of the United States Congress and to certain other federal officials as provided in such resolution; and

"Whereas, such resolution has not been acted upon by the United States Congress and is still pending before that body at the time of the passage of this resolution; and

"Whereas, at the time of the passage of this resolution the requisite number of states have not passed similar resolutions in order to require the call of a Constitutional Convention as provided by the Constitution of the United States; and

"Whereas, the North Carolina House of Representatives does desire to withdraw its concurrence in 'Resolution 60' referred to above: Now, therefore, be it resolved by the North Carolina House of Representatives:

"Section 1. That this House of Representatives does hereby withdraw its concurrence in a resolution adopted by the House of Representatives and Senate during the 1965 Session of the General Assembly of North Carolina, which resolution is designated as 'Resolution 60', which resolution was ratified on the 12th day of May, 1965, and does hereby declare that its action in this regard is rescinded, revoked and repealed as of the date of the passage of this resolution, and this House of Representatives does memorialize the Congress of the United States not to call a Constitutional Convention under present circumstances or until such time as the Congress of the United States has prescribed regulations relative to the call, agenda and conduct of such Convention and until members of the public and the legislative bodies of the various states of the United States have had an opportunity to consider such acts of the Congress in this regard.

"Sec. 2. The Secretary of State is hereby directed to transmit certified copies of this Resolution immediately to the Senate and House of Representatives of the Congress, to all members of Congress, to the President of the United States and to the presiding officers of the legislatures of the other forty-nine states.

"Sec. 3. This Resolution shall become effective upon its adoption.

"Earl W. Vaughan,
"Speaker, North Carolina House of Representatives, 1969.

"Attest:

"Thad Eure,
"Secretary of State, State of North Carolina."

A resolution adopted by the Legislature of the Trust Territory of the Pacific Islands, urging that Peace Corps volunteer attorneys continue to be assigned to assist the people of the Municipality of Saipan; to the Committee on Foreign Relations.

A resolution adopted by the Legislature of the Trust Territory of the Pacific Islands, praying for the enactment of an official plebiscite for the people of the Marianas; to the Committee on Foreign Relations.

A resolution adopted by the Board of Supervisors of the County of Santa Cruz, Calif., remonstrating against legislation that would deprive State and local government obligations of their traditional immunity from Federal taxation; to the Committee on Finance.

A resolution adopted by the Association of County Treasurers of California, praying for the enactment of legislation to strengthen State and local governments by assisting local government to meet the ever increasing operating costs; to the Committee on Finance.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. WILLIAMS of New Jersey, from the Committee on Labor and Public Welfare, with an amendment:

S. 2068. A bill to amend section 302(c) of the Labor-Management Relations Act of 1947 to permit employer contributions to trust funds to provide employees, their families, and dependents with scholarships for study at educational institutions or the establishment of child-care centers for preschool and school-age dependents of employees (Rept. No. 91–293).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session, the following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

William F. Buckley, Jr., of Connecticut, to be a member of the U.S. Advisory Commission on Information;

John A. Calhoun, of California, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to the Republic of Tunisia;

Joseph J. Jova, of Florida, a Foreign Service officer of class 1, to be the representative on the Council of the Organization of American States, with the rank of Ambassador;

Ridgway B. Knight, of New York, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Portugal;

David D. Newsom, of California, a Foreign Service officer of class 1, to be an Assistant Secretary of State;

Joseph Palmer 2d, of Maryland, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to the Kingdom of Libya;

John C. Pritzlaff, Jr., of Arizona, to be Ambassador Extraordinary and Plenipotentiary to Malta;

Luther I. Replogle, of Illinois, to be Ambassador Extraordinary and Plenipotentiary to Iceland;

John Richardson, Jr., of New York, to be an Assistant Secretary of State;

Kenneth Rush, of New York, to be Ambassador Extraordinary to the Federal Republic of Germany;

Adolph W. Schmidt, of Pennsylvania, to be Ambassador Extraordinary to Canada;

John R. Stevenson, of New York, to be Legal Adviser of the Department of State;

J. Fife Symington, Jr., of Maryland, to be Ambassador Extraordinary and Plenipotentiary to Trinidad and Tobago;

Terence A. Todman, of the Virgin Islands, a Foreign Service officer of class 2, to be Ambassador Extraordinary and Plenipotentiary to the Republic of Chad;

Philip H. Trezise, of Michigan, a Foreign Service officer of the class of career minister, to be an Assistant Secretary of State; and

Samuel Z. Westerfield, Jr., of the District of Columbia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to Liberia.

By Mr. TYDINGS, from the Committee on the District of Columbia:

W. Byron Sorrell, of Maryland, to be an associate judge of the District of Columbia Court of General Sessions.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. TALMADGE:

S. 2548. A bill to amend the National School Lunch Act and the Child Nutrition Act of 1966 to strengthen and improve the food service programs provided for children under such Acts; to the Committee on Agriculture and Forestry.

(The remarks of Mr. Talmadge when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. YARBOROUGH:

S. 2549. A bill to amend the Public Health Service Act to improve and extend the provisions relating to assistance to medical libraries and related instrumentalities, and for other purposes; to the Committee on Labor and Public Welfare.

(The remarks of Mr. Yarborough when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. DOMINICK:

S. 2550. A bill to require that State programs approved under part A of title IV of the Social Security Act make the aid available thereunder to children in need thereof because of the unemployment of their father; to the Committee on Finance.

(The remarks of Mr. Dominick when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. HARTKE:

S. 2551. A bill to amend title 5, United States Code, with respect to civil service retirement credit for employees injured in

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line of duty, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SYMINGTON (for himself and Mr. EAGLETON):

S. 2552. A bill to amend the Act of April 22, 1960, providing for the establishment of the Wilson's Creek Battlefield National Park; to the Committee on Interior and Insular Affairs.

(The remarks of Mr. SYMINGTON when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. McINTYRE:

S. 2553. A bill for the relief of Giovanni Cerrato; to the Committee on the Judiciary.

By Mr. MONDALE (for himself, Mr. WILLIAMS of New Jersey, Mr. RANDOLPH, Mr. CHURCH, and Mr. PROUTY):

S. 2554. A bill to provide certain services for Government employees in order to assist them in preparing for retirement; to the Committee on Post Office and Civil Service.

(The remarks of Mr. MONDALE when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. FONG:

S. 2555. A bill for the relief of Renato Geliza Ramil;

S. 2556. A bill for the relief of Chung Ja Nohara;

S. 2557. A bill for the relief of Erminia Ancheta Mandac; and

S. 2558. A bill for the relief of Manuel Paris Guerrero; to the Committee on the Judiciary.

By Mr. MONTOYA:

S. 2559. A bill to amend section 901 of the Merchant Marine Act, 1936, with respect to the transportation in U.S.-flag commercial vessels of certain cargoes related to the activities of the Federal Government; to the Committee on Commerce.

(The remarks of Mr. MONTOYA when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. PERCY (by request):

S. 2560. A bill to authorize additional appropriations to the Small Business Administration for economic opportunity management assistance, and for other purposes; to the Committee on Banking and Currency.

By Mr. MURPHY (for himself, Mr. CRANSTON, Mr. ALLOTT, and Mr. DOMINICK):

S.J. Res. 131. Joint resolution to welcome to the United States all Olympic athletes and authorized Olympic delegations, and for other purposes; to the Committee on Foreign Relations.

(The remarks of Mr. MURPHY when he introduced the joint resolution appear later in the RECORD under the appropriate heading.)

By Mr. BROOKE (for himself and Mr. KENNEDY):

S.J. Res. 132. A joint resolution to authorize the President to proclaim the period beginning August 3, 1969, and ending August 10, 1969, as "National Shorthand and Stenotype Reporters Week"; to the Committee on the Judiciary.

(The remarks of Mr. BROOKE when he introduced the joint resolution appear later in the RECORD under the appropriate heading.)

S. 2548—INTRODUCTION OF A BILL TO STRENGTHEN AND IMPROVE THE FOOD SERVICE PROGRAMS FOR CHILDREN

Mr. TALMADGE. Mr. President, recent efforts to combat hunger and malnutrition in this country have been quite gratifying. The Senate Committee on Agriculture's action in reporting to the floor a bill for the comprehensive revision of the food-stamp program is illustrative of a new sense of commitment on the part of the Congress—a commitment to stamp out hunger and malnutrition in this Nation of great agricultural abundance.

The committee markup shows that many of us are determined to do something now to provide adequate nutrition for the hungry of the Nation. I am extremely pleased that the major parts of my own food-stamp bill have been incorporated in our committee bill. However, we cannot allow ourselves to become complacent and self-satisfied. We must not delude ourselves into thinking that the enactment of a comprehensive food-stamp law will completely solve the problem of hunger and malnutrition.

Throughout my examination of the problem, I have felt that our efforts should be directed toward seeing that hungry children receive the proper diet.

In far too many cases, lack of adequate food has already left its mark on poverty-stricken adults. An improper diet in the formative years has resulted in mental retardation and habitual lack of energy and initiative in an unknown segment of our adult population. The most tragic aspect of this problem is that many of these deprived adults are producing offspring who must endure the same unfortunate cycle of poverty.

We must break this cycle. We must do everything within the power of the Government to see that all the children of this Nation are given adequate nutrition.

Of course, a major instrument for achieving this objective can be the food-stamp program. Hopefully, expansion of the food-stamp program will provide improved nutrition for the majority of deprived children of the Nation.

We are deluding ourselves, however, if we think that the food-stamp program can, by itself, provide sufficient nutrition for all children who are not now receiving an adequate diet.

Although a liberalization of the food-stamp program will bring millions of additional families into the program, there are many families who will never participate. Many needy families will have too much pride to ask for any form of public assistance—including food stamps.

Many families—those in the upper limits of eligibility—will feel that the bonus to be gained by participation in the food-stamp program is not enough to warrant the trouble.

Furthermore, we must face the harsh fact that in a small minority of cases, mothers are too ignorant, too lazy, or too callous to prepare adequate food for their children, even where such food is available.

Therefore, I believe that we must enact legislation which will insure that appetizing, nutritious school lunches are available to all deprived children.

We must use food as a tool of education. A child cannot learn if he is hungry. It has been the experience of school administrators in economically deprived areas that there is a marked improvement in school attendance when children can look forward to the prospect of a good meal at school.

During my tour of the school lunch program of Georgia in April, I was made aware of the importance of food as an educational device. While in Macon, Ga., I visited a school in which a very successful breakfast program was operating. The teachers of that school were extremely pleased with the program, for they had found that children who had taken advantage of this breakfast program were much more apt pupils and were less of a discipline problem. The principal of the school told me:

> Before we got the breakfast program, we could not teach some of these kids anything until after lunch. Now they are eager to learn throughout the day.

I am delighted that the public conscience has awakened in many areas to the need to insure that no hungry child should go without a school lunch. In both Macon and Atlanta, of my own State, and in other areas, ambitious service organizations, working with news media, have been able to raise thousands of dollars to provide free lunches for needy kids.

However, I do not believe that a Nation as wealthy as ours can afford to rely on sporadic efforts of good will to provide adequate nutrition for our greatest resource, our children.

As I toured Georgia's school lunch programs—both urban and rural—I was taken by the incongruity of hungry children in a Nation with so much wealth, so much agricultural abundance as ours. I do not believe that anyone who has stood as I have stood in Alexander II Elementary School, in Macon, Ga., and watched eager little children file in to eat their breakfast with obvious enjoyment, can feel that we should not spend more for the nutrition of our children.

As I made a thorough study of this problem—by a tour of my own State and by reading data and testimony from other States—I was surprised and shocked by the great unmet need for additional funding and services in our school lunch programs. I think most middle-class Americans assume that every child who is in need gets a free lunch through the school lunch program.

Nothing could be further from the truth. By the most conservative estimates, the odds are 3 to 1 against the needy child getting his free lunch. According to an Elementary and Secondary Education Act statistical study, there are 6 million school-age children in this country who belong to families in the lowest poverty level—families earning less than $2,000 a year and/or are receiving aid to families with dependent children. But fewer than 2 million children receive free or reduced-price lunches under the national school lunch program.

Make no mistake—the national school lunch program has been a wonderful instrument for good. It has provided badly needed nutrition for millions of hungry American children. This program, enacted into law in 1946, stands as a great legislative achievement of two of our most beloved colleagues, Senator RUSSELL and Senator ELLENDER.

The whole Nation has been richer because of the foresight displayed by these gentlemen back in 1946.

However, there has been a great deal of change since the late 1940's. Although originally there were sufficient funds to pay the maximum allowable reimburse-

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ment rate of 9 cents per lunch, the average cash reimbursement nationally is now only 4½ cents per lunch.

There have been many additions and improvements made to the School Lunch Act since 1946, but they have not been adequate. We have come to realize that a special effort must be made to provide assistance to low-income schools. The special assistance section added to the School Lunch Act in 1962 has greatly increased funding for free and reduced-price lunches served to the needy.

The passage of the Child Nutrition Act of 1966 provided for pilot breakfast programs and other improvements in child nutrition. Other programs, such as the special milk program, utilization of section 32 surplus foods, and funds under title I of the Elementary and Secondary Education Act—all of these have improved the school lunch programs and child nutrition.

While all of these programs have made a difference, they have not provided a comprehensive solution to the problem. They have not solved the problem for a number of reasons. However, the primary shortcoming of all of these programs is a shortage of funding.

During my study and analysis of the different child feeding programs over the past two months, I have also realized that there is a great need for revision of the laws which have set up the child feeding programs. In all too many cases, funds now appropriated do not go to children who need help the most.

In many cases where free or reduced-price lunches are available, the embarrassment with which the programs are administered prevents the full utilization of school lunches by children in bad need of adequate nutrition.

In many schools, such as those in Boston, Mass., there are no facilities for the preparation of hot lunches.

In some areas of the country, there is no desire to participate in the school lunch program, for it is thought that adequate child feeding is not a responsibility of public education. For example, Los Angeles, a city of almost 3 million people, does not participate in the school lunch program.

In other areas where there is participation in the school lunch program, the price of lunches is pegged so high that children of low-income families do not participate.

With these facts in mind, I am today introducing legislation to expand and improve school lunch services throughout the country.

My proposed legislation would:

First. Provide for increased funding.

Second. Allow advance planning by authorizing the appropriations of funds a year in advance.

Third. Insure that the funds appropriated reach the children who need it most.

Fourth. Provide that there would be no overt identification of children receiving free or reduced-price meals.

Fifth. Where there is no equipment for the preparation of food, my bill would provide additional funding to purchase the necessary equipment.

Sixth. Where these facilities and equipment cannot be installed immediately, my bill would allow the utilization of private food services for purposes of providing nutrition for schoolchildren.

Seventh. The bill would require greater State participation in the funding of the school lunch program. It would insure that the States would pay part of the cost of child nutrition out of general revenue.

Eighth. The bill will make available additional money for the payment of operating expenses in needy schools.

Ninth. My bill provides for special development projects to experiment in new methods of improving food service for children.

Tenth. The bill provides for elimination of a discriminatory aspect of the present law in regard to payment of State administrative expenses.

Eleventh. I provide for the employment of experts specially trained in child nutrition for assistance on the State and local level.

Twelfth. In order to assist State educational agencies in carrying out the purpose of child feeding acts, my bill would provide the Secretary of Agriculture with funds for research surveys and demonstration projects in the field of school food service and for the dissemination of information obtained from these research programs.

Thirteenth. In order to encourage continued improvement and innovation in our child feeding programs, I would establish a National Advisory Council on Child Nutrition.

Last April, I toured school lunchrooms of my State to investigate the breakfast and lunch programs. At that time I made a commitment to not only my people of Georgia, but of the entire Nation. I promised that I would introduce legislation in an effort to insure that no child who came to school hungry would go home hungry.

The legislation I introduced today indicates my readiness to fulfill this commitment.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2548) to amend the National School Lunch Act and the Child Nutrition Act of 1966 to strengthen and improve the food service programs provided for children under such acts introduced by Mr. TALMADGE, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. TALMADGE. Mr. President, my bill would improve child feeding programs by making 13 important changes.

PROVISIONS FOR ADDITIONAL FUNDING

My bill provides $38 million for the purchase of food service equipment in fiscal year 1970. As the equipment need is met, funding would be decreased to the level of $10 million per year.

I would provide for funding of $200 million for special assistance to needy children in fiscal year 1970. This amount would be increased to $250 million in fiscal year 1971, and $300 million in fiscal year 1972.

ADVANCE FUNDING

Under the present system school districts have great difficulty in planning for the oncoming school year. My bill authorized the appropriation of funds a year in advance of the beginning of the fiscal year in which the funds would become available to the States.

PROPER UTILIZATION OF FUNDS

Under present law a needy child is benefited by special assistance funds only if he happens to attend a school designated as a "special assistance school." My bill requires that special assistance funds follow the needy child. Under my plan these funds would be available to needy children regardless of the school they attend.

OVERT IDENTIFICATION

Due to embarrassing and insensitive administration of the school lunch program by some school officials, needy children in some schools refuse to take advantage of free lunches. My bill would insure that there would be no overt identification of children receiving free or reduced-price lunches.

EQUIPMENT ASSISTANCE

In many areas school systems have no facilities or equipment for the preparation of school lunches. To meet the urgent need in this area, my bill would provide $38 million for equipment funding during 1970. This sum would be reduced as the need is met. It would be $33 million in 1971; $15 million in 1972; and $10 million every year thereafter.

UTILIZATION OF PRIVATE FOOD SERVICES

Where the school system is unwilling or unable to obtain the necessary facilities and equipment immediately, my bill would provide that private food services could be utilized.

GREATER STATE PARTICIPATION

At present, the States match each dollar of Federal money with $3 of State money. However, there is no requirement that any part of the State money be obtained from State revenue sources. The $3 matching requirement may be met solely from revenue obtained from child and adult payments for school lunches. My bill would provide a new matching formula of $1 of State money for every $1 of Federal money. However, the States would be required to meet a percentage of their matching funds from State revenue sources. Initially, States will be required to obtain 10 percent of the matching requirement from State sources, and eventually this matching requirement will be raised to 50 percent.

OPERATING EXPENSES

For needy schools, my bill would provide for additional Federal assistance in the payment of operating expenses. It would allow the USDA to pay up to 80 percent of the operating cost of the feeding program, including the cost of obtaining, preparing and serving food.

SPECIAL DEVELOPMENT PROJECTS

There is a need for innovation and for improvement of child feeding programs. The bill would provide for special development projects which would experiment in the utilization of special fabricated food items, attractive packaging, and new delivery systems.

STATE ADMINISTRATIVE EXPENSES

Present law restricts the States in utilization of funds for administrative expenses. My bill would eliminate the discriminatory aspect of the present law

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which differentiates among States purely on organizational differences.

CHILD NUTRITION EXPERTS

There is a need for personnel specially trained and educated in matters related to the diet and nutrition of children. My bill allows the Secretary of Agriculture to determine the number of personnel needed and to make money available for their employment.

RESEARCH AND TRAINING

There is a need to encourage additional research and surveys in the area of school food service. My bill allows the Secretary to make funds available to State educational agencies for this purpose.

NATIONAL ADVISORY COUNCIL ON CHILD NUTRITION

There is a need for continued examination of our child feeding programs. The need is great for elimination of overlapping and for coordination of the various feeding programs. It shall be the function of this council to make continuous studies and to recommend substantive changes in the child nutrition programs.

S. 2549—INTRODUCTION OF MEDICAL LIBRARY AND HEALTH COMMUNICATIONS ASSISTANCE AMENDMENTS OF 1969

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, legislation to improve and extend those provisions of the Public Health Service Act authorizing assistance to medical libraries and related facilities. This bill—the Medical Library and Health Communications Assistance Amendments of 1969—would extend and expand an essential national program for improving communications throughout the health field.

There is a vital need to assist the orderly growth of our country's health communication resources. Biomedical libraries constitute a fundamental "knowledge bank" for our national health effort in patient care, biomedical research, and professional education. When the Medical Library Assistance Act of 1965 was passed, Congress recognized that the massive growth of biomedical knowledge had wholly outstripped our facilities for collecting and disseminating information in the health sciences. At that time American medical libraries, to which all other biomedical communications media must relate, were in a deplorable condition—inadequately housed, equipped, and staffed.

Under the Medical Library Assistance Act of 1965, a total of $95 million for fiscal years 1966–70 was authorized for the seven programs funded under this legislation. But a total of only $34 million has been appropriated through fiscal year 1969 for these seven programs, not half of the money Congress authorized.

Grants totaling $11.2 million have been awarded to assist the construction of 11 health libraries in educational institutions throughout the country.

For the purpose of increasing and organizing the health library resources of the Nation, 392 resource grants totaling over $11 million will have been awarded by the close of fiscal year 1970 for improved and expanded services in health libraries.

During the same period, nine regional library awards totaling $5 million will have been made, thus organizing health information services under regional cooperative arrangements designed to utilize available resources more effectively.

To expedite access, availability, and utility of health information through research and development, 64 projects, totaling some $5.9 million, will have been supported. In addition, 67 awards have been made, totaling $2.9 million for 29 projects, to prepare, synthesize, and distribute secondary literature resources in a wide spectrum of the health sciences.

In 1965, there were less than 3,000 trained medical librarians. With just under $4.5 million appropriated under the Medical Library Assistance Act, some 20 graduate and postgraduate training programs have been initiated, and 309 persons will have received training through 1970. These programs have gone beyond traditional training in their orientation to innovative technology to serve information processing. To present legislation has brought to the attention of health leaders the potential contribution well-organized biomedical communications has for more effective use of scarce manpower resources.

The Medical Library Assistance Act of 1965 has made a good beginning toward the solution of health information problems. However, I am impressed by the magnitude of the problems which remain.

At the present time we need 5,000 trained medical librarians and other health communication specialists. Less than 20 percent of the 7,200 accredited hospitals in the United States have library facilities that are in any way adequate for their needs.

Without continued and expanded support through the Medical Library Assistance Act, our health information problems will only grow worse. On the basis of current progress and future plans, it is estimated that over 10,000 physicians will graduate from medical school in 1975, an increase of one-third over the present time. Leaders in other health professions are also preparing for greatly expanded personal requirements in the coming decade. To meet the instructional requirements this expansion will impose, more educational leaders are turning to greater use of medical library resources, particularly to programed learning in specifically designed learning resource centers. It is hoped that this combination of bibliographic resources, technological apparatus, and educational research will make teaching of the future more effective and more responsive.

The extension of the Medical Library Assistance Act that I am introducing, while similar to the present act, incorporates several changes to take advantage of the experience and progress gained so far. This legislation would authorize a 5-year program with an increased authorization funding level from $21 million to $41 million per year, or $205 million over 5 years, a level commensurate with the need we must attempt to meet. Language changes are proposed to allow greater flexibility in administration and to permit more equitable and efficient utilization of funds.

The Medical Library and Health Communications Assistance Amendments of 1969 will not resolve all the needs and problems in health communications. They will, however, provide assistance where needed and stimulate the formulation and adaptation of new ideas and new concepts for making health information available.

Mr. President, I ask unanimous consent that the text of this bill with a summary of the bill be printed at this point in the RECORD. I also ask unanimous consent to have a number of letters requesting this legislation, printed in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, summary, and letters will be printed in the RECORD.

The bill (S. 2549) to amend the Public Health Service Act to improve and extend the provisions relating to assistance to medical libraries and related instrumentalities, and for other purposes, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2549

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Medical Library and Health Communications Assistance Amendments of 1969".

CLARIFYING AND TECHNICAL AMENDMENTS

DECLARATION OF POLICY AND STATEMENT OF PURPOSE

SEC. 2. (a) (1) Clause (3) of subsection (b) of section 390 (42 U.S.C. 280(b)) of the Public Health Service Act is amended by striking out "the awarding of special fellowships to physicians and other practitioners in the sciences related to health and scientists," and inserting in lieu thereof "grants to physicians and other practitioners in the sciences related to health, and scientists, and public or nonprofit private institutions on behalf of such individuals,"; and

(2) Clause (5) of such subsection is amended by striking out "improving" and inserting in lieu thereof "establishing, improving,".

ASSISTANCE FOR CONSTRUCTION OF FACILITIES

(b) (1) Subsection (b) (1) (B) of section 393 of such Act (42 U.S.C. 280b–3) is amended by striking out "subject to subsection (c),".

(2) Section 393 of such Act is further amended by striking out subsection (c) thereof and redesignating subsections (d), (e), (f), (g), (h), and (i) as subsections (c), (d), (e), (f), (g), and (h), respectively.

ASSISTANCE TO SPECIAL SCIENTIFIC PROJECTS

(c) (1) The heading of section 395 of such Act (42 U.S.C. 280b–5) is amended to read:

"ASSISTANCE FOR SPECIAL SCIENTIFIC PROJECTS, AND FOR RESEARCH AND DEVELOPMENT IN MEDICAL LIBRARY SCIENCE AND RELATED FIELDS"

(2) The second sentence of section 395 of such Act is amended by striking out "Surgeon General for the establishment of special fellowships to be awarded to physicians and other practitioners in the sciences related to health and scientists" and inserting in lieu thereof "Secretary to make grants to

physicians and other practitioners in the sciences related to health, and scientists, and public or nonprofit private institutions on behalf of such individuals".

(3) The third sentence of such section is amended (A) by striking out "In establishing such fellowships, the Surgeon General" and inserting in lieu thereof "In making such grants, the Secretary"; and (B) by striking out "fellowships are established" and inserting in lieu thereof "grants are made".

RESEARCH AND DEVELOPMENT IN MEDICAL LIBRARY SCIENCE AND RELATED FIELDS

(d) Subsection (a) of section 396 of such Act (42 U.S.C. 280b–6) is amended by striking out "research and investigations in the field of medical library science" and inserting in lieu thereof "research, investigations, and demonstrations in the field of medical library science".

GRANTS FOR IMPROVING AND EXPANDING THE BASIC RESOURCES OF MEDICAL LIBRARIES AND RELATED INSTRUMENTALITIES

(e)(1) The heading of section 397 of such Act (42 U.S.C. 280b–7) is amended to read:

"GRANTS FOR ESTABLISHING, IMPROVING, AND EXPANDING THE BASIC RESOURCES OF MEDICAL LIBRARIES AND RELATED INSTRUMENTALITIES"

(2) The first sentence of subsection (b) of such section is amended by striking out "expanding" and inserting in lieu thereof "establishing, expanding,".

(3) Subsection (c)(2) of such section is amended to read as follows:

"(2) In no case shall any grant under this section to a medical library or related instrumentality for any fiscal year exceed $200,000; and grants to such medical libraries or related instrumentalities shall be in such amounts as the Secretary may by regulation prescribe with a view to assuring adequate continuing financial support for such libraries or instrumentalities from other sources during and after the period for which Federal assistance is provided."

GRANTS FOR ESTABLISHMENT OF REGIONAL MEDICAL LIBRARIES

(f)(1) Subsection (b) of section 398 of such Act (42 U.S.C. 280b–8) is amended by striking out "and" at the end of clause (4), by redesignating clause (5) as clause (6), and by inserting a new clause (5) to read as follows:

"(5) planning for services and activities under this section; and"

(2) Subsection (c)(1) of such section is amended by striking out "(A) to modify and increase their library resources so as to be able to provide supportive services to other libraries in the region as well as individual users of library services" and inserting in lieu thereof "(A) to modify and increase their library resources and to supplement the resources of cooperating libraries in the region so as to be able to provide adequate supportive services to all libraries in the region as well as to individual users of library services".

(3) Subsection (c)(2) of such section is amended by striking out clause (A) and redesignating clauses (B) and (C) as clauses (A) and (B), respectively.

(4) Such section is further amended by adding at the end thereof the following new subsection:

"(f) The Secretary may also carry out the purposes of this section through contracts as well as grants, and such contracts shall be subject to the same limitations as are provided in this section for grants."

FINANCIAL SUPPORT FOR BIOMEDICAL PUBLICATIONS

(g)(1) The second sentence of subsection (a) of section 399 of such Act (42 U.S.C. 280b–9) is amended by striking out ", public or private nonprofit institutions of higher education and individual scientists" and inserting in lieu thereof "public or nonprofit private institutions and organizations, and individual scientists".

(2) Subsection (b) of such section is repealed.

(3) Subsection (c) of such section is redesignated as subsection (b).

Authorization of Appropriations

EXTENSIONS OF DURATION

SEC. 3. (a) Section 399a of the Public Health Service Act (42 U.S.C. 280b–10) is amended to read as follows:

"SEC. 399a. Funds appropriated to carry out any of the purposes of this part for any fiscal year shall remain available for such purposes for the fiscal year immediately following the fiscal year for which they were appropriated. Funds appropriated under this part for grants for construction shall remain available until expended".

ASSISTANCE FOR CONSTRUCTION OF FACILITIES

(b) Effective with respect to fiscal years ending after June 30, 1970, subsection (i) of section 393 of such Act is amended to read as follows:

"(i) For the purposes of carrying out the provisions of this section, there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1971, and ending with the fiscal year ending June 30, 1975, such sums, not to exceed $20,000,000 for any fiscal year, as may be necessary".

GRANTS FOR TRAINING IN MEDICAL LIBRARY SCIENCES

(c) Effective with respect to fiscal years ending after June 30, 1970, subsection (a) of section 394 of such Act is amended by striking out "In order to enable the Surgeon General to carry out the purposes of section 390(b)(2), there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1966, and ending with the fiscal year ending June 30, 1970, such sums not to exceed $1,000,000, for any fiscal year, as may be necessary. Sums made available under this section shall be utilized by the Surgeon General in making grants—" and inserting in lieu thereof "In order to enable the Secretary to carry out the purposes of section 390(b)(2), there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1971, and ending with the fiscal year ending June 30, 1975, such sums, not to exceed $3,000,000 for any fiscal year, as may be necessary. Sums made available under this section shall be utilized by the Secretary in making grants—".

ASSISTANCE FOR SPECIAL SCIENTIFIC PROJECTS

(d)(1) Effective with respect to fiscal years ending after June 30, 1970, the first sentence of section 395 of such Act is amended to read as follows: "In order to enable the Secretary to carry out the purposes of section 390(b)(3), there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1971, and ending with the fiscal year ending June 30, 1975, such sums, not to exceed $500,000 for any fiscal year, as may be necessary."

(2) The second sentence of such section is amended by striking out "Surgeon General" and inserting in lieu thereof "Secretary".

RESEARCH AND DEVELOPMENT IN MEDICAL LIBRARY SCIENCE AND RELATED FIELDS

(e)(1) Effective with respect to fiscal years ending after June 30, 1970, the first sentence of subsection (a) of section 396 of such Act is amended to read as follows: "In order to enable the Secretary to carry out the purposes of section 390(b)(4), there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1971, and ending with the fiscal year ending June 30, 1975, such sums, not to exceed $3,000,000 for any fiscal year, as may be necessary."

(2) The second sentence of subsection (a) of such section is amended by striking out "Surgeon General" and inserting in lieu thereof "Secretary".

GRANTS FOR IMPROVING AND EXPANDING THE BASIC RESOURCES OF MEDICAL LIBRARIES AND RELATED INSTRUMENTALITIES

(f)(1) Effective with respect to fiscal years ending after June 30, 1970, subsection (a) of section 397 of such Act is amended to read as follows:

"(a) In order to enable the Secretary to carry out the purposes of section 390(b)(5), there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1971, and ending with the fiscal year ending June 30, 1975, such sums, not to exceed $6,000,000 for any fiscal year, as may be necessary."

(2) Subsection (b) of section 397 of such Act is amended by striking out "Surgeon General" and inserting in lieu thereof "Secretary".

GRANTS FOR ESTABLISHMENT OF REGIONAL MEDICAL LIBRARIES

(g)(1) Effective with respect to fiscal years ending after June 30, 1970, the first sentence of subsection (a) of section 398 of such Act is amended to read as follows: "In order to enable the Secretary to carry out the purposes of section 390(b)(6), there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1971, and ending with the fiscal year ending June 30, 1975, such sums, not to exceed $6,500,000 for any fiscal year, as may be necessary."

(2) The second sentence of such subsection (a) is amended by striking out "Surgeon General" and inserting in lieu thereof "Secretary".

FINANCIAL SUPPORT FOR BIOMEDICAL PUBLICATIONS

(h)(1) Effective with respect to fiscal years ending after June 30, 1970, the first sentence of subsection (a) of section 399 of such Act is amended to read as follows: "In order to enable the Secretary to carry out the purposes of section 390(b)(7), there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1971, and ending with the fiscal year ending June 30, 1975, such sums, not to exceed $2,000,000 for any fiscal year, as may be necessary".

(2) The second sentence of such subsection (a) is amended by striking out "Surgeon General" and inserting in lieu thereof "Secretary".

REDESIGNATIONS

Sec. 4 (a)(1) Title III of the Public Health Service Act is amended by redesignating (A) part I as part J, (B) part II which has the heading "Part II—National Library of Medicine" as part I, and (C) sections 371 through 378 in such part as sections 381 through 388, respectively.

(2) Clause (2) of section 391 of such Act (42 U.S.C. 280b–1) is amended by striking ous "section 373(a)" and inserting in lieu thereof "section 383(a)".

(3)(A) Subsection (a) of section 392 of such Act (42 U.S.C. 280b–2) is amended (i) by striking out "373(a)" and inserting in lieu thereof "383(a)" and (ii) by striking out "373" and inserting in lieu thereof "383".

(B) Subsection (b) of such section 392 is amended by striking out "part II which deals with the National Library of Medicine" and inserting in lieu thereof "part I".

(b)(1) Section 395 of the Public Health Service Act is amended by inserting "(a)" immediately under "Sec. 395.".

(2) Section 396 of such Act is amended (A) by striking out the heading thereto, (B) by striking out "Sec. 396.", and (C) by re-

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designating subsections (a) and (b) thereof as subsections (b) and (c), respectively.

(3) Sections 397, 398, 399, 399a, and 399b of such Act (and all references thereto) are redesignated as sections 396, 397, 398, 399, and 399a, respectively.

EFFECTIVE DATE

Sec. 5. Except as otherwise provided, the amendments made by the preceding provisions of this Act shall take effect July 1, 1970, and shall be effective with respect to grants and contracts made after June 30, 1970.

The summary and letters, presented by Mr. YARBOROUGH, are as follows:

SUMMARY OF MEDICAL LIBRARY AND HEALTH COMMUNICATIONS ASSISTANCE AMENDMENTS OF 1969

This bill would amend the Public Health Service Act to improve and extend the provisions relating to assistance to medical libraries and related instrumentalities. The Act is cited as the "Medical Library and Health Communications Assistance Amendments of 1969."

The bill proposes a five-year extension of these provisions of the Act (through fiscal year 1975); increases the maximum appropriation authorization from $21 million per year to $41 million per year; and makes a number of clarifying and technical amendments to facilitate its administration.

These amendments would allow the Secretary to make grants for special scientific projects to institutions on behalf of qualified individuals as well as to such individuals directly. They would consolidate similar authorities of this section (Section 395) and the research and development authorities of Section 396 and permit the use of funds for demonstration projects, as well as research and development of new techniques in medical library science and health communications.

Under grants for medical library resources (Section 397 of the Public Health Service Act), the proposal would continue the limitation of $200,000 for any single grant. However, it would permit the Secretary to prescribe by regulation the amount of the grant, in order to assure adequate, continued financial support from other sources during and after the period of Federal assistance. This would be in place of the present provision under which grant amounts are required to be reduced annually by a prescribed percentage of either the prior year's grant or the institution's annual operating budget.

The Act would also authorize planning grants and provide contracting authority with respect to regional medical libraries. In order to obviate any administrative difficulty caused by the wording of the law, the bill deletes a provision requiring the Secretary to give priority on the basis of "need" to applications for grants for regional medical libraries since by the same provision the Secretary is also required to base his main consideration in making grants on the potential of the grantee library in meeting "needs" for services.

The amendments would expand the categories of eligible recipients for biomedical publication projects to public or nonprofit institutions or organizations (now restricted to institutions of higher education) as well as to scientists and would extend the permissible grant period for publication support beyond the current three-year maximum to any such publication as the Secretary may determine will be advantageous to carry out the purposes of this Act.

THE UNIVERSITY OF TEXAS, M. D.
ANDERSON HOSPITAL AND TUMOR
INSTITUTE,
Houston, Tex., May 1, 1969.

Hon. RALPH YARBOROUGH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR YARBOROUGH: A vital part of the progress in medicine is concerned with continuing and intimate contact with medical information by way of medical libraries in a given region. We are very concerned about the status of the Medical Library Assistance Act renewal legislation and the effect any further reductions in the funding would have upon this progress.

At my request, a member of our staff has prepared a review of the present status of programs funded through this legislation and specifically the benefits which have been derived from it in Texas. A copy of this review is forwarded for your information.

Sincerely yours,

R. LEE CLARK, M.D.
President.

REVIEW OF MEDICAL LIBRARY ASSISTANCE PROGRAM

The need for medical library assistance from the federal level was created largely by the heavy Public Health Service research grant funding beginning after World War II and continuing to the present. As more research money was made available, more requests for medical library materials and services were generated by the investigators. In addition, the published papers from the federally-funded research has resulted in an exponential increase in the amount of available medical and scientific information. Inadequately budgeted medical libraries could not acquire and organize this "flood" of material for use by the producer/consumer, i.e., the physician and the investigator.

The Medical Library Assistance Act of 1965 (PL 89-291) authorized the following amounts for each fiscal year of a 5-year period:

Construction	$10,000,000
Training	1,000,000
Special projects	500,000
Research	3,000,000
Resources	3,000,000
Regional Medical Libraries	2,500,000
Total	20,000,000

Since its enactment, all sections of the Act have been funded only to about half of the level authorized. In the two year period from 1966 through 1968, approximately $20,000,000 have been granted to medical libraries in the United States. This level of funding cannot close the gap created by the 20-odd years of research support before the Medical Library Assistance Act was written.

Funds for two sections of the Act have proven particularly inadequate: Construction, and Regional Medical Libraries.

Through June 30, 1968, only 8 grants for construction of medical libraries had been awarded. Most of the 90 older university medical schools maintain only over-crowded areas for their libraries. Many have resorted to heavy withdrawals of volumes or to storing volumes in areas unavailable for use. The advent of rapid, long-distance access to information via television and on-line computers is still more or less promissory. Undergraduate and postgraduate education in the biomedical sciences still relies primarily on printed materials to supplement laboratory and bed-side teaching. Approximately 30 approved medical library construction applications are now on file at the National Library of Medicine awaiting funding.

To date six Regional Medical Libraries have been approved. None has received funding to meet fully the minimum requirements of the Act itself, e.g., to supply free photocopy to all medical libraries in a given region and to all health science personnel requesting it. The Act requires a MEDLARS station in each official Region. None of these six Regional Libraries has received support for computer operation of the MEDLARS program. This results in unacceptable delays in the receipt of MEDLARS printouts by the local physician, while his request is processed in Bethesda at the National Library of Medicine.

Four applications for Regional Medical Libraries remain to be approved. All have been informed that their funding will be at the same low level as the six operating regions.

The local physician and the investigator are expected to provide a higher level of health care each year. Unless the Medical Library Assistance Act is renewed in 1970 and all its sections funded at the level authorized, the nation's basic biomedical information resource will become even more unable to supply the literature necessary to assist the health scientist in this achievement.

Institutions in Texas have received the following amounts under the Medical Library Assistance Act of 1965:

Construction:	
The University of Texas Medical Branch, Galveston, for construction of a new library	$1,598,406
Resources:	
The University of Texas Southwestern Medical School, Dallas	$39,577
The University of Texas Medical Branch, Galveston	39,808
The University of Texas Medical School, San Antonio	50,179
The University of Texas M.D. Anderson Hospital and Tumor Institute at Houston	36,520
The University of Texas Dental Branch, Houston	8,195
The University of Texas College of Pharmacy, Austin	3,949
University of Houston College of Pharmacy	7,204
Austin State Hospital, Austin	4,110
Baylor University, Dallas	11,940
Southwest Foundation for Research and Education, San Antonio	5,084
Total resources	206,566
Total	1,804,972

ST. LOUIS STATE HOSPITAL,
St. Louis, Mo., April 29, 1969.

Re Medical Library Assistance Act of 1965, category 6.

Hon. RALPH YARBOROUGH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR YARBOROUGH: This is to let you know of my personal interest and need for the continuing funding for the projects carried out under this act. I would find it possible to keep up with the printed material which comes out monthly in the areas for which I have responsibility in this hospital. I find it very important to receive selected articles in the fields of religion and mental health, group therapy, and community mental health.

To research for articles, collect the magazines, and keep up with the reading would be impossible. With the present program which regularly sends me excerpts of all of the articles in the fields for which I have responsibility, I find that I can just barely keep up with the necessary reading. Without this program I would fall hopelessly behind in my professional field. I urge you to support the continuing funding of these programs.

Sincerely,

JON WAGNER,
Chaplain-Counselor, Southwest Mental Health Center, St. Louis State Hospital Complex.

THE FRANCIS A. COUNTWAY
LIBRARY OF MEDICINE,
Boston, Mass., May 14, 1969.

Hon. RALPH YARBOROUGH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR YARBOROUGH: We medical librarians are conscious of the fact that re-

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newal legislation for the Medical Library Assistance Act of 1965 (PL 89–291) will be coming before Congress soon. We feel that renewal of the Act and, indeed, increased funding are essential to the continuing effective dissemination of biomedical information to health scientists in this country. I hope that I can give you some examples of how funds provided by the Medical Library Assistance Act have concretely benefited the health science community served by the Countway Library, namely, the health scientists of Harvard University, all physicians in the Commonwealth of Massachusetts, and as you will see later, all health scientists and practitioners in the six New England states.

The Countway Library has received funds from two parts of the Assistance Act: a Resources Grant and a Regional Library Grant. With Resources Grant funds we were able to strengthen our library resources and to make our resources more available to the health community in the following ways:

1. We mounted a project to merge and improve the records of periodical sets belonging to the Harvard Medical Library and the Boston Medical Library, the two institutions which came together in the Countway building in 1965. This unparalleled collection of biomedical periodicals is now, for the first time, in efficiently retrievable order on our shelves and is keyed to records which accurately describe our holdings.

2. We completed the programming effort necessary to produce a computer-printed list of health-related periodicals in the Countway Library from the above-mentioned records. This immensely valuable holdings list of Countway's 17,000 periodical titles has subsequently been made available to all health-science libraries in New England.

3. We hired an Oriental Language Cataloger to initiate a program of acquisition and cataloging of materials from mainland China and to catalog and process our valuable but unprocessed backlog of materials in the Chinese, Japanese, and Korean languages.

4. We hired a Slavic Language Cataloger to process a large and unique collection of Slavic materials and to keep up with our ongoing program of acquiring these materials.

5. We purchased backfiles of ninety periodical titles. These costly files were identified as the most urgently needed lacunae in the Library's collection through a study of requests from our health community.

None of these projects could have been completed or even begun in the context of the Library's regular sources of income.

The Countway Library was designated in 1967 as the country's first Regional Medical Library, serving the six New England states. This designation by the National Library of Medicine followed on a long tradition of library service to the general community by the two component parts of the Countway Library. The Regional Library Grant, however, provided funds for the first time to enable us to attack the problem of regional service in a creative and realistic way.

Our basic goal has been to equalize the opportunity for medical library services between the health science practitioner at a distance from a large medical center and his counterpart who, by accident of geography, works in or near such a center. The focus in this endeavor is the community hospital—the single agency which can act universally as a local learning center, center for continuing education, and center for library service.

To this end we have supported the development of a Core Medical Library for community hospitals, a basic minimum standard collection which is financially within reach of every hospital library in New England. (This list appeared in the *New England Journal of Medicine on* February 27, 1969, and is receiving wide acceptance). Consultation from the Countway Library to hospitals in the region has been made available to aid in the solution of a variety of library problems. An educational program, designed to teach untrained persons to become effective hospital library supervisors, has been initiated.

Communication channels have been optimized: a monthly *Newsletter* listing Countway acquisitions and news of interest in the region reaches 20,000 health scientists. Wide Area Telephone Service (WATS) and Teletypewriter Exchange (TWX) have removed the subtle communication barriers of long distance telephoning.

The Countway provides rapid loans of library materials needed in hospitals but not in their collections. Regional reference librarians ferret out answers to questions posed by health scientists in the region.

This program, made possible only through the Medical Library Assistance Act, has had a visible impact on the provision of medical library services in New England and, thereby, on efforts for the continuing education of health professionals.

We sincerely hope that you will agree with us as to the importance of these exciting programs and will lend your support to renewal legislation.

Sincerely,
Harold Bloomquist,
Librarian.

Medical Society of the County
of Kings and the Academy of
Medicine of Brooklyn, Inc.,
Brooklyn, N.Y., June 5, 1969.

Hon. Ralph Yarborough,
Chairman, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

Dear Senator Yarborough: I am writing to urge your support of the Medical Library Assistance Act.

The Academy of Medicine of Brooklyn is the owner of one of the greatest complete medical libraries in the country. It is now housed at the Downstate Medical Center, State University of New York. Five full-time personnel are employed whose sole function is to handle interlibrary loans. We have been able to satisfy 87 percent of the requests sent in for material.

This function is extremely important both to medical education and medical research. It is a costly function and one which we could not continue without federal funds under the Medical Library Assistance Act.

We strongly urge your support of this legislation.

Sincerely yours,
Matthew Brody, M.D.,
President.

University of Los Angeles,
Los Angeles, June 2, 1969.

Hon. Ralph Yarborough,
Chairman, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

Dear Senator Yarborough: We are writing to tell you how much the Medical Library Assistance Act has contributed to the programs of the UCLA Center for the Health Sciences and to urge that it be extended for at least three years, with higher appropriation authorizations. We have been most concerned to learn that the Administration has proposed only a one year extension in place of the five year extension we had confidently expected. Anything less than the three year extension proposed in HR 11223 is almost certain to prove wasteful because it would prevent adequate planning in terms of personnel, materiel and sound development of projects.

The Biomedical Library here, and through it the health sciences community it serves, has benefited directly from the Act's provisions for training, resources, research, and regional libraries.

Support for training has enabled us to continue and expand the medical library internship program begun as a pilot project funded by the National Institute of General Medical Sciences. Through this program four recent library school graduates, chosen on a national basis, spent a year at UCLA in a program combining further academic work in the biological sciences and other appropriate fields with rotating assignments in each department of the Biomedical Library. Graduates have gone out from this program to responsible positions in many parts of the country. Those who have elected to accept positions in our own library have added strength to it at a time when qualified personnel are in desperately short supply.

The Medical Library Resource Grant awarded three years ago to the Biomedical Library has enabled us to make substantial progress in reducing our cataloging backlog, in an extensive and much needed revision of the subject catalog, and in developing practical computerized procedures for processing materials and improving bibliographic access to them. A research grant recently approved, but not yet funded, will allow us to experiment with on-line access to computerized records.

Obviously the programs of our schools at UCLA are significantly improved by improved access to the health sciences record, but the effects go far beyond our own walls. The Biomedical Library, as a training center, influences students in the School of Library Service, local librarians and librarians visiting from many more distant areas. In line with University policy, the Library has long been a resource available to and widely used by the health sciences community of Southern California. Now, with its designation this month as the Pacific Southwest Regional Medical Library, under provision of the Medical Library Assistance Act, and in cooperation with the medical libraries of Arizona, California, Hawaii and Nevada, it is beginning the organization of a regional network with lines to the National Library of Medicine and other national and regional resources. The aim of this network will be directed to taking information to health professionals rather than passively waiting for them to find their way to it as has been necessary in the past.

The actual dollar amount spent thus far on implementing the Medical Library Assistance Act has not been great (less than half of the modest authorization allowed), but judging by what it has already done for our own library and the libraries in this area, the returns have been large. The job of establishing an adequate health sciences information service, however, has just begun. We strongly believe that completion of this task is essential to the ultimate success of the national effort in health research and health care.

Very sincerely yours,
John W. Knutson, D.D.S.,
Acting Dean, School of Dentistry.
Sherman M. Mellinkoff, M.D.,
Dean, School of Medicine.
Louise Darling,
Biomedical Librarian.
Frank J. Massey, Jr., M.D.,
Acting Dean, School of Public Health.
Miss Agnes A. O'Leary,
Acting Dean, School of Nursing.
Robert Vosper,
University Librarian.

New England Regional Medical
Library Service,
June 3, 1969.

Hon. Ralph Yarborough,
U.S. Senate,
Washington, D.C.

Dear Sir: Renewal legislation for the Medical Library Assistance Act of 1965 (PL 89–291) will soon be coming before Congress.

I understand that the Librarian of the Countway Library has described to you in some detail the important activities we have been able to perform, and the services that we have been able to provide to New England medicine, as a result of funds received under PL 89–291.

As the Department Head charged with the responsibility of administering the Regional Service program, I have been made aware of the benefits that the Service has brought to health professionals. I think particularly of

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those who live and work at some distance from urban centers and who have great difficulty securing the bibliographical material they need. If only for their sakes I urge your support for renewal legislation.

I am, Sir,

Sincerely yours,

T. MARK HODGES,
Director, NERMLS.

YALE UNIVERSITY SCHOOL OF NURSING,
New Haven, Conn., June 20, 1969.

Hon. RALPH YARBOROUGH,
Chairman, Committee on Labor and Public Welfare, Subcommittee on Health, U.S. Senate, Washington, D.C.

DEAR MR. YARBOROUGH: For nurses and nursing librarians to urge renewal of the Medical Library Assistance Act of 1965 will be no surprise to discerning legislators, who know that improved library service is essential to the expansion of knowledge necessary to the improvement of health care in the United States. And for the nursing profession to plead for greater attention in the new legislation to *nurses'* needs for library service may also be thought inevitable.

You may be less prepared, however, for our expression of concern that the present legislation's provisions for funding regional medical libraries are being interpreted in some regions of the country in a manner that impedes the development of the best kind of library service for nursing and certain allied health professions. We believe that the law should be broadened to correct this situation.

Specifically, the National Library of Medicine has required that some regional medical libraries (e.g., in Boston and Philadelphia) rely on nursing collections in other institutions rather than build strong nursing collections in the central regional library itself. This refusal to fund central collections in all health fields encourages perpetuation of the present fragmentation and scattering of health literature collections. As a result, a nurse or other health worker in search of a comprehensive health library has no single place where her library needs can be met. It is not enough to coordinate mail service from a variety of back-up libraries, as is done at present. Strong centralized collections are needed in each region to serve visiting library users according to their special health interests.

We ask that divisions of the Medical Library Assistance Act of 1965 contain clear directives that, while existing library resources continue to share through cooperative arrangements in providing better health library service for all, positive steps be taken to build up one central, comprehensive health library colllection in each region for the in-house use of visiting health scholars.

Sincerely,

VIRGINIA HENDERSEN,
Chairman, Advisory Committee on Library Resources for Nurses in the New England Region (*ad hoc*).

EMORY UNIVERSITY,
SCHOOL OF DENTISTRY.
Atlanta, June 5, 1969.

Senator RALPH YARBOROUGH,
U.S. Senate Office Building,
Washington, D.C.

DEAR SENATOR YARBOROUGH: I would like to take this opportunity to provide you with information that may help you in your decisions pertaining to the renewal of the Medical Library Assistance Act. I am associate professor of dentistry at Emory University and am presently Chairman of the Council on Dental Research of the American Dental Association.

I have seen how our library has used funds from this Act and see changes that will certainly increase the need for improved dental libraries throughout the nation. Our grant for the first year amounted to $6550.00. This money was spent for new stacks, a reference table, binding of older dental journals, buying needed books and to supplement the salary of a full-time library assistant. We are still not able to supply duplicated copies of journals to our recent graduates who live out in the state and are studying for their speciality boards or who need specific information.

We will be moving into our new dental school building soon with increased space for the library that will need furnishing and equipping. The limited budget of private institutions (especially) will not adequately cover these sorts of expenses.

I believe that practicing dentists will be required to attend specified numbers of hours of continuing education course work in the near future. Several states are already requiring physicians and dentists to produce evidence of such education in order to participate in certain health programs. This new requirement will certainly add to the use of dental libraries by dentists from private offices who come in to the schools for these courses.

The interest of our Council on Dental Research in promoting more practical research in methods of diagnosing and treating oral and dental disease, certainly includes our concern for the support and expansion of dental library facilities. Little progress can be made in research without adequate communication and information sources.

There is typically a 5 to 10 year lag between the publication of research in the Journals and the inclusion of this information in standard textbooks. The alert practitioner needs access to dental journals to avoid practicing dentistry that is 5 to 10 years obsolete.

I would therefore like to urge your full support of renewal of the Medical Library Assistance Act.

Sincerely yours,

PARKER E. MAHAN, D.D.S., Ph. D.,
Chairman, Council on Dental Research.

S. 2550—INTRODUCTION OF A BILL RELATING TO WELFARE REFORM

Mr. DOMINICK. Mr. President, among the many problems in our outmoded welfare system, one must stand alone as an unparalleled oddity.

Where a man is living in the home in the 25 States which do not have an AFDC—unemployed fathers program: First, if the mother is married to him, she and the children are not eligible for assistance; and second, they are eligible, however, if the man and woman are not married.

This can and should be changed at once.

The largest and fastest growing group of welfare recipients is that of aid to families with dependent children—AFDC. It accounted for three-fourths of the increase in money payments in 1968, and is made up of:

First, 4.6 million children; and second, 1.6 million adults, 1.3 million of which are mothers.

The Department of Health, Education, and Welfare estimates that there are three or fewer children in two-thirds of the families. Almost half of the families have two children or less. More than three-fourths of the children are under 13 years old.

What about the fathers? Where are they and why are they not working to support their families?

The best estimate of HEW is that: First, 5½ percent are dead; second, 12 percent are incapacitated: third, 5 percent are unemployed; and fourth, over 75 percent are "absent" from home.

Until last year 28 States and the District of Columbia denied assistance if there was a man in the house. As a result, many fathers who were unable to find employment abandoned their families so the mothers and children could qualify for welfare.

In the 1968 case of King against Smith, the Supreme Court struck down the man-in-the-house rule. The Court held that States may not deny eligibility on the basis that there is an unrelated man living in the home.

The irony is that we are faced with the situation I described above. This hardly seems the sensible way to encourage some of those "absent" fathers to return home, and assume their responsibilities.

At the present time the unemployed fathers program is optional with the States. Only 25 have chosen to implement it in the 8 years since it was created.

For the family to receive help under this program, the child's father must not have been employed for at least 30 days prior to receipt of aid. The father must not have refused "without good cause" a bona fide offer of employment or training during that period. He must have had six or more quarters of work during any 13 calendar quarters ending within 1 year prior to his application, or in the alternative, received or been qualified for unemployment compensation during that time.

What makes the unemployed father program noteworthy, however, is that: First, the father must be referred to the work incentive program within 30 days after receipt of aid; second, aid is denied if, and for so long as, the father is not currently registered with the public employment office, or if the father receives unemployment compensation; and third, the State welfare agency must enter into a cooperative arrangement with the State vocational education agency to encourage retraining of individuals capable of being retrained.

I believe this program, if made available in all States, may significantly contribute to family stability, bring more families into the mainstream of American economic life, and aid in the prevention of extreme economic and social strain. It certainly could assist measurably in avoiding situations which lead to the desertion of a husband and father to qualify the family for assistance on other grounds.

Colorado already has some experience under the work incentive program, under which welfare payments to an individual are decreased as his or her earnings increase, and the unemployed fathers program. In Denver, for instance, they were able to reduce welfare payments under the unemployed fathers program by $25 per case during the first 3 months of this year.

I think the approach of the unemployed fathers program is eminently sound, and I hope the Senate will act expeditiously to make its provisions available to these families in the remaining States.

My bill, which I am introducing, would accomplish this, and I ask that it be referred to the appropriate committee.

The **VICE PRESIDENT**. The bill will be received and appropriately referred.

The bill (S. 2550) to require that State programs approved under part A of title IV of the Social Security Act make the aid available thereunder to children in need thereof because of the unemployment of their father, introduced by Mr. DOMINICK, was received, read twice by its title, and referred to the Committee on Finance.

S. 2552—INTRODUCTION OF A BILL TO ESTABLISH WILSON'S CREEK NATIONAL BATTLEFIELD, SPRINGFIELD, MO.

Mr. **SYMINGTON**. Mr. President, on behalf of Senator EAGLETON and myself, I introduce, for appropriate reference, a bill to amend the act of April 22, 1960, providing for the establishment of the Wilson's Creek Battlefield National Park.

The battle at Wilson's Creek, 12 miles southwest of Springfield, Mo., was the first major Civil War battle west of the Mississippi River. On August 9, 1861, Brig. Gen. Nathaniel Lyon of the Union Army marched his troops to Wilson's Creek to meet the Southern force. The battle that ensued was one of the most furious in the war. Confederate casualties in that battle were 1,242; Union casualties were 1,302. General Lyon was among those killed.

This history of legislative proposals to establish a national park at Wilson's Creek dates back to 1917 and the 65th Congress. In 1960, efforts were finally successful; however, that authorization placed a limit on appropriations for development that, according to the Department of the Interior, "has precluded the National Park Service from carrying out an adequate development plan for this area."

The bill introduced today would increase the authorization of funds to $2,300,000, as recommended by the Interior Department, and would change the name to Wilson's Creek National Battlefield.

Establishment of a national park at the Wilson's Creek Battlefield site is supported by local interests as well as the Missouri General Assembly which has appropriated funds for land acquisition. In May 1968, the Advisory Board on National Parks of the U.S. Interior Department endorsed the provisions of the bill presented today.

In view of present budgetary limitations, it would not be realistic to expect appropriation of the recommended authorization in the near future; nevertheless, passage of this bill would enable local interests who have continued in their strong support to proceed with plans with the assurance that when Federal funds are available their efforts to preserve the site at Wilson's Creek as a national park will be realized.

The **VICE PRESIDENT**. The bill will be received and appropriately referred.

The bill (S. 2552) to amend the act of April 22, 1960, providing for the establishment of the Wilson's Creek Battlefield National Park, introduced by Mr. SYMINGTON (for himself and Mr. EAGLETON) was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 2554—INTRODUCTION OF THE FEDERAL EMPLOYEES PRERETIREMENT ASSISTANCE ACT OF 1969

Mr. **MONDALE**. Mr. President, I introduce for myself, the Senator from New Jersey (Mr. WILLIAMS), the Senator from West Virginia (Mr. RANDOLPH), the Senator from Idaho (Mr. CHURCH), and the Senator from Vermont (Mr. PROUTY), a bill to provide Federal employees with a comprehensive program of preretirement counseling and assistance. I introduced a similar proposal in 1967 as S. 2295 of the 90th Congress.

The bill I propose today is modified in significant detail and I am very hopeful that it will receive early and favorable consideration in the Senate. Enactment of this proposal will, I believe, take us far toward the goal articulated by President Kennedy—the objective of adding new life to the new years which science is adding to man's lifespan.

The institution of retirement has been described as one of the most difficult adjustments in life. Physicians have testified that one of the most common syndromes treated by general practitioners is that known as retirement shock. This underscores the preplexing combination of confusion and anxiety which afflicts many about to end their working careers.

Most retirees know something about the experiences they will encounter as retirees. Yet very few know more than a little about the actual dimensions of the psychological and physical adjustments which retirement necessitates. For the average retiree, the end of work brings a new awareness that ours is a society which is both youth-oriented and work-oriented. For many, therefore, retirement brings a loss of identity and incentive. For a few, retirement also results in a loss of interest in living.

I believe that retirement from a job need not lead to retirement from life. Scientists tell us that as a man slows physically he often matures mentally; as one's capacity for productive output decreases his facility for creative work often increases. Yet to maximize retirement potential one must prepare himself in advance; he must develop his interests and resources over the years against the day of his retirement. He must learn the importance of remaining active and of maintaining the vital, lifegiving interest in others. He must, in a phrase, learn the technique which John Gardner has called self-renewal. That technique encourages an openness and flexibility in personal life which facilitates fulfillment and growth in every situation.

It has been said that "today, education is for life on the job, but more and more we need education for life off the job, so that we can derive the most from our leisure." I share that conviction. Education on the job for life off the job can, in my judgment, facilitate the kind of self-renewal which is essential to meaningful retirement.

At one of the hearings in 1967 before the Subcommittee on Retirement and the Individual, Mr. Gardner, then Secretary of Health, Education, and Welfare said:

> Sometime during the middle years of life, preferably several years before retirement . . . every person should have access to effective preretirement information and education about some of the common problems and adjustments that are experienced in the retirement period.

He added:

> I would like to stress here again the importance of tailoring preretirement training to the needs of persons about to retire. Merely offering a series of lectures or classes will accomplish little. There must be individual counseling so that the special concerns of each person may be discussed privately and dealt with. And there must be a concerted effort to maintain contact with the older person as he nears the age of retirement and after he retires.

In his report to President Johnson in December 1968, Mr. Wilbur J. Cohen, then Secretary of Health, Education, and Welfare, proposed a bill of rights for older people. Under one of the 10 proposed rights he included, "preretirement counseling of high quality to assist in meeting the problems of retirement."

The American Association of Retired Persons is keenly aware of the importance of preretirement programs. As a result of its 1967 study which disclosed that relatively few Federal employees had access to an adequate program of preretirement counseling, it recently prepared and published an excellent guide entitled "Preparation for Retirement." This guide is designed to assist agencies in developing appropriate programs for Government employees, and offers a practical outline of the subjects and factors that should be considered.

Universities have devoted a great deal of attention to the problems of adjustments to retirement; and organized labor, industry, and business have begun to recognize the need and desirability of preretirement planning. Many have established retirement programs. The United Steel Workers of America and the United Automobile Workers of America in cooperation with universities, have developed and introduced comprehensive programs and have trained union representatives to conduct them. Moreover, there is a growing belief that it is an employer's responsibility to provide such programs. It is my belief that this is a responsibility that the Federal Government can no longer shirk.

In order to ascertain the need for retirement planning programs, the U.S. Civil Service Commission conducted a study last summer in which a large sample of Federal employees nearing retirement or retired 1 to 3 years was asked to respond to a number of questions. Among other things, the study disclosed that almost all those interviewed liked the idea of a preretirement planning program and thought that a good program could help people enjoy retirement more; that less than 18 percent had a preretirement planning program available to them; and that most of those who did attend found the program useful.

Acting on this study, Chairman Robert Hampton of the Civil Service Commission announced in April that the Commission's position on preretirement counseling of Federal employees had changed "from one of neutrality to one of promoting, encouraging, and assisting in the establishment of retirement planning services throughout the Federal community." He also stated that the Commission planned to offer a program of training for agency retirement advisers.

The bill I am introducing today provides the statutory muscle for the Civil Service Commission by requiring that all Federal employees who are eligible for or approaching retirement shall have available an appropriate program of retirement assistance. It also calls upon the Civil Service Commission to establish standards for such programs, provide training for agency retirement advisers, and study and publish guidelines about related work-life programs such as phased retirement, trial retirement, new kinds of part-time work, and sabbaticals.

Enactment of this bill will, I believe, greatly reduce the anxiety and dread of Federal employees who approach retirement. Hopefully, it will stimulate positive thinking about retirement by providing employees with the factual information and counseling which will enable them to understand the nature of retirement problems and to plan their leisure years intelligently.

Mr. President, I believe that the preretirement training and counseling programs developed as a result of this proposal will enable the Federal Government to assume a leadership position in an important but largely neglected area. I am hopeful, moreover, that the programs engendered by this bill will serve as models for adoption by State and local governments and by industry and business.

I ask unanimous consent, Mr. President, that the text of my bill be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2554) to provide certain services for Government employees in order to assist them in preparing for retirement, introduced by Mr. MONDALE, for himself and other Senators, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

S. 2554

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Employees Preretirement Assistance Act of 1969."

That subchapter I of chapter 83 of title 5, United States Code, is amended—

(1) by inserting at the end thereof the following new section:

"SEC. 8302. PRERETIREMENT ASSISTANCE.

"(a) For the purpose of this section, 'agency' means an Executive agency or the government of the District of Columbia.

"(b) Except as otherwise provided in subsection (d)(3) of this section, the head of each agency shall formulate and carry out a program to provide comprehensive preretirement assistance to employees of such agency who are eligible, or approaching eligibility, for retirement.

"(c) Each such program shall provide for furnishing to interested employees such educational or informational materials, group training sessions, group and individual counseling services, and other assistance as may be necessary to aid them in preparing for and adjusting to a retirement status.

"(d)(1) Each such program shall be conducted in accordance with standards prescribed in regulations to be promulgated by the Civil Service Commission. The Commission shall provide appropriate training for any employee of an agency which is to provide preretirement assistance under such program. If deemed advisable, the Commission may enter into contracts with educational and other institutions to provide such training.

"(2) The Secretary of Health, Education, and Welfare may provide—

"(A) such training and other assistance in the development and evaluation of such programs as the Commission may request; and

"(B) technical assistance and formulate such program models as may be necessary to meet the specific needs of an agency subject to the provisions of this section. Such models may be used in formulating the standards prescribed in the regulations promulgated by the Commission under paragraph (1) of this subsection.

"(3)(A) If the Commission determines, upon request of an agency, that it is not practicable for the agency to comply with the provisions of subsection (b) of this section, the Commission may grant such agency an exemption from providing a program of retirement assistance for its employees. Such exemption shall be reviewed at least once every six months and shall remain in effect if, at the time of each review, there is a determination by the Commission that it continues to be impracticable for the agency to provide such a program.

"(B) If an exception is granted under this paragraph, the Commission shall take such measures as may be necessary to provide employees of such agency with an appropriate program of preretirement assistance.

"(e) Such interagency cooperation as is necessary to obtain maximum utilization of resources shall be undertaken to achieve the purposes of this section. The head of an agency is authorized and requested to provide informational materials, group training services, group and individual counseling services, and other assistance to another such agency or to employees of such other agency when it is more economical or feasible to do so"; and

(2) by adding at the end of the analysis of such subchapter, preceding section 8301, the following new item: "8302. Preretirement assistance."

SEC. 2. The Civil Service Commission shall make a study of existing and recommended practices, both within and outside the Government of the United States, which relate to work-life and study programs, including phased retirement, trial retirement, new kinds of part-time work, and sabbaticals. With the assistance of agencies and officers of the Government of the United States, including the Secretary of Health, Education, and Welfare, and educational institutions, the Commission shall, based on such study, establish guidelines concerning such programs for the information and use of such agencies.

SEC. 3. Within 18 months after the date of enactment of this Act, the Civil Service Commission shall submit a report to the President and the Congress on the program of retirement assistance required by the amendment made by the first section of this Act and on the development of new work-life and study programs by agencies of the Government of the United States.

SEC. 4. Not later than 90 days after the date of enactment of this Act, the Civil Service Commission shall promulgate regulations to establish standards for conducting programs of retirement assistance as authorized by the first section of this Act. Not later than 6 months after such date of enactment, the Commission shall place into operation a program for providing the training required by section 8302 (d)(1) of title 5, United States Code (as added by the first section of this Act).

SEC. 5. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Mr. WILLIAMS of New Jersey. Mr. President, I wish to associate myself with comments made by Senator MONDALE concerning introduction of a bill to provide programs of preretirement counseling and planning for Federal employees.

The need for this legislation has become clear in studies conducted by the U.S. Senate Special Committee on Aging. As chairman of that committee I am especially aware of the contribution made by Senator MONDALE and his Subcommittee on Retirement and the Individual in conducting hearings which clearly established that an emerging "retirement revolution" is taking place in this Nation, even though this Nation is not prepared for all the consequences of that revolution.

Hearings conducted by the subcommittee in June and July 1967 showed conclusively that most retirees experienced great difficulty in adjusting to retirement, and that not only the individual but society also were generally unaware of the seriousness and complexity of the program.

Indeed, expert witnesses at committee hearings have described a "shock syndrome" which accompanies retirement. Many workers are only vaguely aware of the psychological and social changes they will experience after they leave the job. When they actually retire, they experience trauma that could have been avoided if they had prepared adequately.

We must find ways to begin thinking and planning for retirement well in advance of the actual date. Fortunately, the bill introduced today offers Federal employees a variety of services and programs designed to smooth the transition between work and retirement. They can look at retirement from a distance, prepare for it, and meet it well and wisely when it comes.

With the help of this bill, the Federal Government can at last become a model for other, similar efforts in business and in industry. This bill will set the stage for expanded programs of preretirement preparation, and those programs in turn, will set the stage for a more satisfying life after work is through.

S. 2559—INTRODUCTION OF A BILL TO AMEND SECTION 901 OF THE MERCHANT MARINE ACT, 1936

Mr. MONTOYA. Mr. President, I introduce, for appropriate reference, a bill to clarify and strengthen the maritime cargo-preference laws of the United States and put an end to the wasteful practice of paying double subsidies to certain shipping interests.

Section 1 of the bill deals with cargo generated by agencies of the U.S. Government and shipped to foreign nations under the provisions of Public Law 480.

Public Law 480 is the means by which the United States uses its abundant agricultural productivity to combat hunger and malnutrition in friendly countries. Since its inception in 1954, through 1967, over $12 million worth of foodstuffs have been shipped to needy nations. The program has been highly effective in opening up outlets for American surplus food and commodities. This has helped stabilize the U.S. agricultural economy and so lessen the public tax burden of storing surplus food.

Though the humanitarian objectives of the law are commendable, the law was also designed to assist the U.S. economy. The act states that the foreign currencies which accrue under title I sales—goods sold for local currencies—are to be used to "expand international trade" and to "encourage economic development."

The program, through its secondary grants of food receipts, is supposed to open up markets to American exports and eventually return dollars to the United States. From 1954 through 1967, $159,746,000, or 17.5 percent, of local currency receipts from Public Law 480 were used for U.S. obligations in the recipient nation such as payment of U.S. Embassy expenses. Since these expenses would otherwise have been paid in dollars this practice has exerted a favorable effect on the U.S. balance-of-payments position.

During the 10-year period, 1957–66, however, the American balance-of-payments deficit amounted to $23 billion. Without the contribution of $5.7 billion to the balance during this same period by the U.S. merchant marine the deficit would have been $28.7 billion.

The balance of payments is an accounting summary of transactions between the United States and foreign countries. The greatest gross value segment is the exchange of goods and services, including transportation. Commodity exports, under Public Law 480's title IV must be paid for in U.S. dollars. When these dollars are paid there is a positive and direct effect on our balance of payments.

However, the favorable effects of these transactions are diluted by the fact that 50 percent or more of the Public Law 480 cargo is carried on foreign ships. If the 50 percent were being shipped on the recipient nation's flag vessels one might argue that this practice was further strengthening the economy of these underdeveloped countries. However, the principal recipients of Public Law 480 cargo do not have the ships to carry this trade.

The third flag carriers are the highly developed nations of Japan, Norway, Germany, and England. In addition, 28.4 percent of all U.S. oceanborne commerce is carried by ships registered under the Liberian flag. A large share of these ships are American "runaways." The combined competition of these nations on the high seas has been so effective that the American merchant marine now carries only about 5 percent of our commercial imports and exports.

Each dollar spent on foreign-flag shipping has a negative impact on our balance of payments. Each dollar spent on shipping American flag has a positive impact. In the 3-year period 1964–66, American-flag carriage of Government-sponsored cargo resulted in a positive impact of approximately $1.3 billion to our balance of payments. Without the use of American bottoms our deficit would have been significantly worse.

Under the Cargo Preference Act, at least 50 percent of Government cargoes is required to be shipped on American-flag vessels. The present cargo preference system, as it is administered, has made this 50 percent a maximum, in contravention of the law and congressional intent, and ignored the formidable contribution American shipping can make toward solving our balance-of-payments position. For example, in 1967—the most recent year for which complete figures are available—only 39.7 percent of Public Law 480 shipments were on U.S.-flag ships.

Though it is true that American shipping rates are greater and frequently more than double foreign rates, the comparison, without considering the beneficial results of conserving U.S. dollars, would be incomplete. Although it is difficult to obtain complete information, the Economic Research Service of the Department of Agriculture has computed that the average 1968 ocean freight rates from U.S. gulf ports to the west coast of India was $11.65 per ton of grain on foreign ships, and $27.50 per ton of grain on U.S. ships.

Through March 1969, 810,000 tons have been shipped in India under a Public Law 480 grain agreement signed December 23, 1968, for 2.3 million tons; 408,000 tons have been carried on U.S.-flag ships, and 402,000 tons on foreign ships. These figures do not reflect the 1969 ratio of all Public Law 480 cargo carried by U.S. ships vis-a-vis foreign vessels.

The specific freight costs for these shipments to India are not available. However, based on the Agriculture Department's average rates for shipments to India from U.S. gulf ports, we can come up with an approximate freight cost of $4,683,300 for the portion shipped via foreign vessels, and $11,220,000 for American-flag shipments; or a total freight cost of $15,903,300. If foreign ships were exclusively used, the total freight bill would have been $9,436,500.

On the surface, American flag shipping might look like a $6-million extravagance. However, a Harbridge House study on the balance of payments and the U.S. merchant marine points out that there is a 35-percent gain in our balance of payments from using U.S. versus foreign-flag ships. This means that paying the higher U.S. rate actually contributed around $4 million to our balance of payments.

After taking the balance-of-payments contribution into consideration, it would appear the Government still paid out $2.5 million more than necessary. But this is not the case. The $4 million consists primarily of wages paid to American crewmen and relatively inadequate profits to American shipowners. This money enters America's economic bloodstream and is pumped into American consumer products, and taxes to Federal, State, and local government.

Every dollar spent by someone in the economy is also a dollar of income to somebody else. About two-thirds of income is spent on personal consumption. In light of the critical shortage of State and local funds for education, urban renewal, and so forth, the increased revenue generated through sales tax is particularly important. The remaining third is apportioned to savings and income and property taxes. Therefore, after each round of spending a smaller amount of personal income is generated. However, after several rounds of spending the total income generated will amount to approximately three times the amount originally injected into the economy. The $4 million contributed to the Nation's payments receipts will eventually generate around $12 million worth of income to American citizens.

A conservative estimate would be that the average American consumer pays approximately 16 percent Federal income tax and 8 percent State and local tax. Based on this figure, of the $12 million of generated income, close to $2 million will be returned to the Federal Government in income tax, and another million will be paid in tax to State and local governments.

This is only one example of the immediate economic effect of using American shipping. The unsubsidized segment of the American merchant marine is almost entirely dependent upon Government cargo for its existence. However, currently the unsubsidized ships are not earning enough to warrant replacing obsolete ships. There is no question that if the percentage of U.S. Government generated cargo shipped in American bottoms were increased, unsubsidized shipowners would be in a better position to build new ships. This investment in capital equipment would have an even greater effect on the economy and substantially increase the amount of money returned to the Government in taxes.

In 1967, 9,490,000 tons were shipped on foreign-flag vessels. Complete figures are not available as to the destination of these shipments or the freight costs incurred. However, if we assume an average American shipping costs of $15 per ton, about $142 million could have been spent on American shipping. This American-flag shipping investment would have represented an input of about $50 million to our balance-of-payments receipts. Experience in the United States has shown that an input of 50 million will generate about $150 million worth of additional American income. However, under existing cargo administrative practices, this additional income has been denied the American people.

The economic welfare of American industry is not based upon the artificially induced foreign aid markets, but is based upon the buying power of the American consumer. This is specially true of the American farmer. The American businessman and farmer can remain the wealthiest in the world only if there is a strong American dollar, and only if the American people, including the merchant seaman, have the economic ability to buy American goods.

Section 2 of the bill would put an end to the present practice of paying subsidy to the U.S.-flag lines to meet foreign-flag competition, and then permitting the subsidized lines to use the subsidy to bid against unsubsidized American operators for carriage of cargoes reserved for U.S.-flagships. In this way, the subsidy paid is wasted, the U.S.-flag share of our foreign commerce is reduced, and unsubsidized operators are deprived of the cargoes they need if they are to survive without direct Government subsidy.

Despite Government subsidy payments of over $300 million a year, the American-flag merchant marine has been constantly declining. This decline can be attributed, in part, to administrative policies and practices which permit the misapplication of a large portion of the subsidy money appropriated each year. Much of the Government subsidy each year is not used to sustain American-flag competition with foreign-flag ships. Instead, and contrary to congressional intent, the subsidy paid is used by the favored few subsidized operators to compete against unsubsidized Americans for cargoes which are already reserved for U.S.-flag ships. This bill would plug up the loopholes in the law which permit this annual waste of scarce subsidy funds.

Instead of strengthening the entire American merchant marine, Government subsidies are now being used to destroy the unsubsidized portion of our fleet. This bill would stop the payments of double subsidies, and assure that all segments of our fleet can survive and grow.

According to the Maritime Administration—"Maritime Subsidies," 1969:

> Operating-differential subsidy is given operators to place American vessels on a par with those of foreign competitors.

The need for subsidy to meet foreign competition is obvious: American vessels cost in excess of $2,000 a day more to operate than foreign-flag vessels. Without subsidy, American vessels cannot meet this low-cost foreign competition for commercial cargoes. Only 14 U.S.-flag operators have subsidy contracts; they draw operating subsidies of about $200 million a year, and construction subsidies of over $100 million a year.

Unfortunately, instead of using their subsidies to carry cargo in competition with foreign lines, many of the subsidized lines carry huge quantities of military and other cargoes reserved only for American-flag ships. This is a complete waste of Government money, because direct subsidy is not needed to carry these cargoes for which there is no foreign competition.

Our American merchant marine needs all the support it can get. But, Government funds are scarce, and we cannot afford to waste $50 to $100 million a year on subsidy to carry cargoes which already are reserved for American-flag ships at premium rates.

This bill deals directly with this waste. It requires that direct subsidy payments be reduced in proportion to the amount of reserved cargo—that is cargo reserved for U.S.-flag ships—carried on any voyage. This is a direct and simple remedy for the subsidy waste. It has precedent in the Merchant Marine Act of 1936—the subsidy law. Under the 1936 act, any subsidized line which carries domestic cargoes coastwise from U.S. port to U.S. port on a voyage has its subsidy reduced by the amount of such domestic coastwise cargoes. The logic of this is that domestic cargoes are reserved for U.S.-flag ships. Foreign ships cannot compete for this cargo and therefore no subsidy is needed.

The 1936 act has no similar provision for U.S. Government-generated cargoes—carried in foreign commerce—because these cargoes were not moving in any volume in 1936. Today they are, and the subsidy waste is evident. We cannot afford to let this waste continue.

American-flag steamship operators who do not receive subsidy are dependent for their survival on carriage of Government-sponsored cargoes. Without these cargoes, our unsubsidized fleet would disappear. We need these unsubsidized ships to maintain a balanced merchant fleet, but we cannot keep them operating and provide for their replacement if they are to be denied Government-generated cargoes as the result of unfair competition financed by subsidy payments which were intended to be used to make the 14 subsidized U.S. companies competitive with foreign-flag operators.

The procurement practices of the agencies now shipping military and other Government-sponsored cargoes require unsubsidized operators to bid against subsidized lines. For example, all our military cargoes are reserved by law for U.S.-flag ships. Yet, the subsidized lines are able to use their subsidies, intended to make them competitive with foreigners to underbid unsubsidized American operators for military cargoes. What is happening is that the Government is paying some lines subsidy to destroy the services of the unsubsidized lines.

This bill would stop this destructive use of our existing maritime subsidy system. Subsidized lines would not be paid subsidy to carry military and other reserved cargoes. A fair basis for bidding for these Government-sponsored cargoes would be provided; U.S. unsubsidized operators would be able to survive and American subsidized operators would be encouraged to compete for commercial cargoes on the essential trade routes for which they were granted their subsidies in the first place.

Obviously, the enactment of this bill would serve as a great incentive for the development of a revitalized and balanced U.S. merchant fleet with attendant benefits to all Americans in terms of a more favorable balance-of-payments account and a strengthened domestic economy.

Mr. President, I ask unanimous consent that the text of my bill be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2559) to amend section 901 of the Merchant Marine Act, 1936, with respect to the transportation in U.S.-flag commercial vessels of certain cargoes related to the activities of the Federal Government, introduced by Mr. MONTOYA, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 2559

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 901 of the Merchant Marine Act, 1936 (46 U.S.C. 1241 (b)), is amended (1) by striking out "50 per centum" and inserting in lieu thereof "75 per centum", and (2) by inserting at the end thereof the following: "For the purpose of this subsection rates charged privately-owned United States-flag commercial vessels shall be considered to be fair and reasonable if such rates are not greater than necessary to provide, taking into consideration American capital and operating costs, a reasonable profit on investment on an annual or longer basis and such additional amount as is necessary for vessel replacement. In any case in which equipment, materials, or commodities subject to this subsection are transported on vessels other than privately-owned United States-flag commercial vessels, the appropriate Government agency shall file a report with the Secretary of Commerce setting forth the reason or reasons such a United States-flag commercial vessel was not used for such transportation."

SEC. 2. Subsection (b) of section 901 of the Merchant Marine Act, 1936 is further amended by inserting "(1)" after "(b)" designating such subsection, and inserting at the end of such subsection a new paragraph as follows:

"(2) (A) No vessel for which an operating-differential subsidy pursuant to title VI of this Act is being received may be used to transport on any voyage any equipment, material, or commodity subject to this section (including supplies subject to the provisions of section 2631 of title 10 of the United States Code) unless the operator of such vessel agrees that any such subsidy payable on account of such voyage shall be reduced by an amount which bears the same ratio to the amount of such subsidy as the revenue from transporting such equipment, material, or commodity bears to the total revenue from such voyage. For the purpose of this paragraph revenue shall be calculated net of cargo loading and discharging cost. The Secretary of Commerce shall make any such reduction agreed to pursuant to this paragraph.

"(B) No vessel for which a construction-differential subsidy was paid pursuant to title V of this Act may be used to transport any such equipment, material, or commodity (i) on liner terms unless the operator of such vessel agrees to pay to the Secretary of Commerce an amount equal to that proportion of one twenty-fifth of such subsidy, plus interest thereon at 6 per centum per annum computed on a level basis for twenty-five years, which the revenue derived from such transportation bears to the revenue derived from such vessel during the entire calendar year during which such transportation was provided, or (ii) on charter terms unless the operator of such vessel agrees to pay to the Secretary of Commerce an amount equal to that proportion of such subsidy, plus interest thereon at 6 per centum per annum computed on a level basis for twenty-five years, which the duration of such charter bears to twenty-five years. Amounts received by the Secretary of Commerce pursuant to this subparagraph shall be deposited in the Treasury as miscellaneous receipts."

SENATE JOINT RESOLUTION 131—INTRODUCTION OF A JOINT RESOLUTION WELCOMING TO THE UNITED STATES OLYMPIC ATHLETES AND DELEGATIONS

Mr. MURPHY. Mr. President, the year 1976 will mark the 200th anniversary of the independence of our Nation. In that year we will with just pride recognize and commemorate the spirit of freedom which has permitted our people, individually and collectively, to gain preeminence in such a wide range of man's pursuits.

One area in which our citizens have distinguished themselves, and which our people as a whole enjoy with a passion, is in the field of sports. It seems, therefore, particularly appropriate that the U.S. Olympic Committee should be attempting to bring to our country the Olympic games of 1976. The city of Los Angeles has been authorized to seek the summer Olympic games and the city of Denver has been authorized to seek the winter Olympic games in that year.

As the senior Senator from California, and more personally as the son of our Nation's first Olympic coach, I want to do anything I can to help the Olympic committee bring the games to the United States in 1976. I know my colleagues will share this wish, and it is for that reason that I, with the junior Senator from California and the Senators from Colorado, am introducing now a joint resolution expressing our interest in the Olympic games and asking that the President issue a Proclamation welcoming the Olympic delegations to our country in 1976 and assuring that appropriate and convenient entry procedures will be provided.

The **VICE PRESIDENT**. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 131) to welcome to the United States all Olympic athletes and authorized Olympic delegations, and for other purposes, introduced by Mr. Murphy, for himself and other Senators, was received, read twice by its title, and referrred to the Committee on Foreign Relations.

SENATE JOINT RESOLUTION 132—INTRODUCTION OF A JOINT RESOLUTION RELATING TO "NATIONAL SHORTHAND AND STENOTYPE REPORTERS WEEK"

Mr. **BROOKE**. Mr. President, the first week in August the city of Boston, Mass., will host the National Convention of the Shorthand and Reporters Association.

All of us who have practiced in court, or spent much time in meetings of congressional committees or in other meetings where witnesses are heard and cross-examinations conducted, are well aware of the vital work performed by shorthand and stenotype reporters. They truly are the silent transcribers of progress and effective government. Without them, the entire legislative process, our economy, and justice as we know it today would surely falter. No society has ever had a greater need for accurate and prompt recordings of its proceedings; and no society could ever be more ably served than by today's highly trained and skilled shorthand and stenotype reporters.

In recogntion of their invaluable services, I introduce, for myself and Senator Kennedy, a joint resolution, and ask that it receive the prompt consideration of the Senate.

I ask unanimous consent that the joint resolution be printed in the Record.

The **VICE PRESIDENT**. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the Record.

The joint resolution (S.J. Res. 132) to authorize the President to proclaim the period beginning August 3, 1969, and ending August 10, 1969, as "National Shorthand and Stenotype Reporters Week," introduced by Mr. Brooke (for himself and Mr. Kennedy), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S.J. Res. 132

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That, in honor of persons engaged in shorthand and stenotype reporting and in recognition of the contribution made by such persons to the administration of justice and the performance of executive and legislative duties, the President is authorized and requested to issue a proclamation designating the period beginning August 3, 1969, and ending August 10, 1969, as "National Shorthand and Stenotype Reporters Week", and calling upon the people of the United States and interested groups and organizations to observe such week with appropriate ceremonies and activities.

ADDITIONAL COSPONSORS OF BILLS

S. 835

Mr. **HART**. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from New Jersey (Mr. Case) and the Senator from Minnesota (Mr. Mondale) be added as cosponsors of the bill (S. 835) amending the act authorizing funds for restoration of the Frederick Douglass home in Anacostia.

The **VICE PRESIDENT**. Without objection, it is so ordered.

Mr. **CASE**. Mr. President, I am glad to join with Senator Hart in sponsoring his bill, S. 835, to authorize sufficient funds to finance the restoration of the Washington home of Frederick Douglass, a slave who rose to national prominence as an eloquent fighter for Negro freedom and equality in the last century.

In 1962 Congress ordered the Douglass home, located in the Anacostia section of the District of Columbia, preserved as part of the park system of our National Capital. It was the intention of Congress that the Douglass estate, known as Cedar Hill, be restored, refurbished, and developed as a "historic home museum," with proper safeguards to protect the furnishings and library.

While Congress authorized $25,000 for this work, the figure has proven to be insufficient, largely because of unanticipated storm and other damage to the home. Last August the Department of the Interior estimated that it will take at least $450,000 to complete the job.

S. 835 authorizes this increase in expenditures and I urge that it be approved promptly.

In preserving the Douglass home we will provide for future generations a tangible reminder of the life of this exceptional man.

Douglass was born, probably in February 1817, on a plantation in Talbot County, Md. His childhood as a slave on the plantation was a nightmare of privation. In his twenties he escaped to Massachusetts where he worked as a shipyard laborer for $1 a day. Douglass was a self-educated man and, by anyone's measure, a brilliant one.

In 1841 Douglass entered the abolitionist movement where he became a paid lecturer and organizer. Later in Rochester, N.Y., he published the newspaper "The North Star," which demanded emancipation and elevation of the Negro.

As an orator, Douglass probably was unsurpassed in his time. Eloquence, a fearless demeanor, and an irrefutable logic contributed to his success in rallying white as well as black to the cause of antislavery.

It is a measure of his vision that his spoken and written words are relevant even today.

In 1865 Douglass declared that "slavery is not abolished until the black man has the ballot." It is tragic that more than a century later the battle fully to enfranchise the Negro is incomplete.

Much is heard today about black separatism. A century ago Douglass addressed this point when he stated that "a nation within a nation is an anomaly. There can be but one nation—and we are Americans."

Frederick Douglass did not advocate reliance only on words to carry the struggle against discrimination. He believed that at times physical force may be necessary. But his general prescription for success in the civil rights movement was: "Agitate! Agitate! Agitate!"

Douglass befriended Lincoln and served him as an adviser. He also served under later Presidents as marshal and recorder of deeds in the District of Columbia. In 1888 he was appointed minister of Haiti and held that post for 2 years.

Douglass purchased Cedar Hill in 1877 and lived there until his death in 1895. The substantial house and grounds symbolized his achievements, including a measure of affluence. In the home Douglass kept the bill of sale which released him from slavery at a cost to English friends of $710.96; an order signed by Lincoln; and a gift of silver from Queen Victoria.

Together with the Frederick Douglass Memorial and Historical Association, the National Association of Colored Women's Clubs wisely and generously undertook to preserve the Douglass home so that future generations, both black and white, can be reminded of the enduring contribution that one exslave made to his country.

A grateful nation can do no less than complete this work without further delay.

S. 2076

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Michigan (Mr. Hart) be added as a cosponsor of the bill (S. 2076) to provide for the establishment and administration of a National Disaster Control Fund.

The **VICE PRESIDENT**. Without objection, it is so ordered.

S. 2114

Mr. **KENNEDY**. Mr. President, at the request of the Senator from Hawaii (Mr. Inouye), I ask unanimous consent that, at its next printing, the name of the Senator from Hawaii (Mr. Fong) be added as a cosponsor of the bill (S. 2114) to provide for the conveyance of certain real property situated in the State of Hawaii to the State of Hawaii

The VICE PRESIDENT. Without objection, it is so ordered.

S. 2488

Mr. CURTIS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Iowa (Mr. Miller) be added as a cosponsor of the bill (S. 2488) to amend section 4(h) of the Commodity Credit Corporation Charter Act so as to authorize the Commodity Credit Corporation to insure loans made to farmers for the construction or purchase of grain storage facilities for storage of grain on the farm.

The VICE PRESIDENT. Without objection, it is so ordered.

COLLECTION OF FEDERAL UNEMPLOYMENT TAX IN QUARTERLY INSTALLMENTS—AMENDMENTS

AMENDMENT NO. 64

Mr. CURTIS submitted an amendment, intended to be proposed by him, to the bill (H.R. 9951), to provide for the collection of the Federal unemployment tax in quarterly installments during each taxable year; to make status of employer depend on employment during preceding as well as current taxable year; to exclude from the computation of the excess the balance in the employment security administration account as of the close of fiscal years 1970 through 1972; to raise the limitation on the amount authorized to be made available for expenditure out of the employment security administration account by the amounts so excluded; and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENTS NOS. 65 AND 66

Mr. GOODELL submitted two amendments, intended to be proposed by him, to House bill 9951, supra, which were ordered to lie on the table and to be printed.

ANNOUNCEMENT OF HEARINGS ON VETERANS HOSPITAL AND MEDICAL CARE BILLS

Mr. CRANSTON. Mr. President, for the information of Senators, I wish to announce at this time that the Subcommittee on Veterans' Affairs, of which I am chairman, of the Labor and Public Welfare Committee, will hold hearings on July 17, beginning at 9:30 a.m., on nine bills which would amend title 38, United States Code, so as to broaden hospital and medical care benefits for certain veterans.

The bills to be considered are S. 345, introduced by Senator Joseph M. Montoya, to eliminate the 6-month limitation on the furnishing of nursing home care in the case of veterans with service-connected disabilities; S. 1279, also introduced by the distinguished Senator from New Mexico, to provide that any disability of a veteran who is a former prisoner of war is presumed to be service-connected for purposes of hospitalization and outpatient care; S. 1949, introduced by Senator Daniel Inouye, to permit the Administrator of Veterans' Affairs to share with public or private persons the cost of nursing home care for veterans in Alaska and Hawaii; and six House-passed bills—H.R. 692, to extend the length of time community nursing home care may be provided at the expense of the United States; H.R. 693, to provide that veterans who are 70 years of age or older shall be deemed to be unable to defray the expenses of necessary hospital or domiciliary care; H.R. 2768, to eliminate the 6-month limitation on the furnishing of nursing home care for veterans with service-connected disabilities; H.R. 3130, to provide that the Administrator of Veterans' Affairs may furnish medical services for non-service-connected disability to any war veteran who has total disability from a service-connected disability; H.R. 9334, to promote the care and treatment of veterans in State veterans homes; and H.R. 9634, to improve and make more effective the Veterans' Administration program of sharing specialized medical resources.

ANNOUNCEMENT OF HEARING ON NOMINATIONS

Mr. YARBOROUGH. Mr. President, I wish to announce the scheduling of a hearing before the Labor and Public Welfare Committee on Wednesday, July 9, at 9:30 a.m. in room 4232 on the following pending nominations for executive appointments:

Dr. Roger O. Egeberg, of California, to be an Assistant Secretary of Health, Education, and Welfare.

Mr. Hubert B. Heffner, of California, to be Deputy Director of the Office of Science and Technology.

Mr. William David McElroy, of Maryland, to be Director of the National Science Foundation.

ANNOUNCEMENT OF HEARINGS ON AMENDMENTS TO THE VOTING RIGHTS ACT OF 1965

Mr. ERVIN. Mr. President, I wish to announce that the Subcommittee on Constitutional Rights will hold hearings on S. 818, S. 2507, and S. 2456, bills to amend the Voting Rights Act of 1965, and has changed the hearings rooms as follows:

July 9 and 10 at 10 a.m., room 324, Senate Office Building.

July 11 at 10 a.m., room 2228, New Senate Office Building.

Anyone wishing further information, please contact the subcommittee office.

NOTICE CONCERNING NOMINATION BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Bethel B. Larey, of Arkansas, to be U.S. attorney for the western district of Arkansas for the term of 4 years, vice Charles M. Conway, resigned.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Monday, July 14, 1969, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

ANNOUNCEMENT OF SHOWING OF DOCUMENTARY ENTITLED "THE FACES OF RUSSIA"

Mr. ELLENDER. Mr. President, I wish to announce that there will be a showing of the films I took in Russia during the latter part of last year. The film will be shown on Thursday and Friday in the Senate auditorium at 4 p.m., 6:30 p.m., and 8 p.m. on each day.

Mr. President, I ask unanimous consent that the notice be printed in the Record at this point.

There being no objection, the notice was ordered to be printed in the Record, as follows:

Senator Allen J. Ellender (D. La.) announces the first showing of his documentary film entitled "The Faces of Russia" on Thursday and Friday, July 10th and 11th. The film will be shown in the Senate auditorium, G–308, at 4:00, 6:30, and 8:00 p.m. on each day.

"The Faces of Russia" was photographed by Senator Ellender while visiting virtually every part of the U.S.S.R. last fall. The film is in color, with sound.

Senator Ellender, the Senate's second-ranking Democrat, said that the film should be helpful and instructive to the Congress during the ABM debate, and in the drafting of policies in the context of the cold war.

Members of Congress, their families, staff, guests, and the general public are cordially invited to attend.

CITIZENS CRUSADE FOR CLEAN WATER

Mr. MUSKIE. Mr. President, as never before in our history Congress and the American people are deeply concerned about the assaults being made on our environment by pollution. This concern surfaced again last week when a major and unprecedented coalition of industry, labor, consumers, professional and conservation organizations, launched a citizens crusade for clean water.

The crusade was the spontaneous reaction of these groups to the woefully inadequate budget request for clean water appropriations. Their common action speaks eloquently of their conviction of the American people—that we must begin now to improve the quality of our environment. Each day others join their ranks, and I ask unanimous consent that a current listing of these organizations be printed in the Record along with press accounts of their activities.

There being no objection, the list and articles were ordered to be printed in the Record, as follows:

American Association of University Women.
AFL/CIO.
American Fisheries Society.
American Institute of Architects.
American Paper Institute.
Association of Interpretive Naturalists.
Citizens Committee on Natural Resources.
Consumer Federation of America.
Izaak Walton League of America.
Monsanto Biodize Systems, Monsanto Chemical.
National Association of Counties.
National Audubon Society.

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National Fisheries Institute.

National Rifle Association.

National Wildlife Federation.

Society of American Foresters.

South Jersey Shellfishermans Association.

Sport Fishing Institute.

The American Forestry Association.

The Conservation Foundation.

The League of Women Voters of the United States.

The National Association of Soil and Water Conservation Districts.

The Sierra Club.

The Wilderness Society.

The American Institute of Planners.

The Wildlife Society.

Trout Unlimited.

United Auto Workers.

United Steelworkers of America.

U.S. Conference of City Health Officers.

U.S. Conference of Mayors.

Wildlife Management Institute.

[From the Washington Post, June 9, 1969]

One Billion Dollars for Clean Water Urged

Maryland Gov. Marvin Mandel pleaded with a U.S. Senate subcommittee yesterday to appropriate a full $1 billion authorized for community sewage plants next year, instead of the $214 million sought by the Nixon Administration.

Mandel was a key witness for the Citizens Crusade for Clean Water, a group of three dozen national and local organizations that opened a clean water campaign yesterday.

Budgetary stresses resulting from the Vietnam war have kept Federal outlay slow, despite large authorizations voted by Congress in the 1966 Clean Water Restoration Act.

Mandel said his State's water cleanup program "will die" unless the Federal Government begins giving the states and communities the money it promised them under the 1966 law.

Maryland, he said, had planned community treatment plants and set up a sanitary facilities fund on the basis of an anticipated $57.5 million in Federal grants from fiscal 1968 to 1971, but would get only $14 million at the current rate of Federal appropriations.

"The sanitary facilities fund will go broke early in fiscal 1970 unless Federal appropriations are increased," the Democratic Governor said. He added, "Our people are fed up with billion-dollar talk and million-dollar action."

Mandel's demand for the full appropriation was echoed by Douglas Merrifield, of St. Joseph, Md., who spoke for the National League of Cities and U.S. Conference of Mayors, and by spokesmen for other groups sponsoring the crusade.

The grants would actually generate far more than $1 billion in construction, since communities normally match them 50–50 or better. Municipal sewage is one of the major sources of water pollution in the United States.

The request for $1 billion in appropriations was endorsed by Senate Air and Water Pollution Subcommittee Chairman Edmund S. Muskie (D-Me.) and senior Republican J. Caleb Boggs (R-Del.).

When Allen J. Ellender (D-La.), presiding at the hearing as chairman of the Senate Public Works Appropriations Subcommittee, asked Muskie for a figure that would have a "realistic" chance of getting through Congress, Muskie said, "Some $600 million can be effectively spent, I'm informed."

The three-dozen groups that have come together to form the Citizens Crusade for Clean Water include the Conservation Foundation, Wilderness Society, U.S. Conference of Mayors, Natural Resources Council of America, United Auto Workers, AFL–CIO, National League of Cities, League of Women Voters, National Association of Counties, Izaak Walton League, Sierra Club, National Wildlife Federation and National Audubon Society.

[From the Evening Star, June 9, 1969]

One Billion Dollars To Clean Up Water Asked by Citizens Crusade

(By Roberta Hornig)

A coalition of conservation and labor groups and state and local government officials today opened a campaign to put pressure on the Nixon administration to come up with the money needed to clean up the nation's water.

The "Citizens Crusade for Clean Water" will seek immediately to get Congress to appropriate $1 billion to help states and municipalities build sewage treatment plants. This represents the dollar gap between what Congress said it would spend to combat water pollution when it passed a clean water act in 1966 and what it has appropriated.

The group already has sent a telegram to President Nixon, pleading for more funds for cleaner water.

MANDEL TO TESTIFY

Delegates from the group, which represents more than 35 organizations having a membership estimated at about 10 million, were appearing at a special hearing before the Senate subcommittee on public works:

Among those scheduled to testify was Maryland Gov. Marvin Mandel.

The coalition is made up of groups that often disagree, but have joined forces on the clean-water issue to galvanize public support.

PUT ASIDE DIFFERENCES

The committee's coordinator, J. W. Penfold, head of the Izaak Walton League of America, told a press conference:

"Our differences in objectives, programs, purposes, policies and procedures have all been put aside for the moment so as to join our voices in a single demand upon which we all agree."

The organizations represented include the AFL–CIO, American Fisheries Society, American Forestry Association, American Institute of Architects, Association of Interpretative Naturalists, Association of State and Interstate Water Pollution Control Administrators, Citizens Committee on Natural Resources, and Conservation Foundation.

Also, the Consumer Federation of America, Izaak Walton League, League of Women Voters, National Association of Counties, National Audubon Society, National League of Cities, National Wildlife Federation, Sierra Club, Sport Fishing Institute, United Auto Workers, U.S. Conference of City Health Officers, U.S. Conference of Mayors, United Steelworkers of America, Wilderness Society, Wildlife Management Institute, and Wildlife Society.

SUPPLY STAFF AID

Penfold said the coalition has no budget, but that each organization is providing some staff aid.

The Federal Water Pollution Control Act authorizes $1 billion to be spent for treatment-plant construction in fiscal 1970 alone. It begins July 1.

But in budgets proposed by both the Johnson and Nixon administrations, only $214 million in spending was recommended.

Interior Secretary Walter J. Hickel, who is in charge of cleaning up waters, made a special plea for $600 million, but got nowhere.

At today's press conference, a spokesman for the coalition released a tabulation by states showing that local governments have grant applications totaling $2.5 billion on file with the Federal Water Pollution Control Administration.

[From the Christian Science Monitor, June 12, 1969]

Coalition Promotes Clean Water

(By Robert Cahn)

WASHINGTON.—A new nationwide coalition of citizen groups organized to fight water pollution is making its presence felt in places that count.

Representing 35 organizations—with more joining every day—the Citizens Crusade for Clean Water has made its first goal getting some of the money due cities to help finance waste-treatment plants.

On June 6, citizen groups which represent more than 6 million people sent a telegram to President Nixon.

They urged the President to increase his 1970 budget request for waste-treatment construction from $214 million to the full congressional authorization of $1 billion.

On June 9, leaders of the crusade took their cause to the Senate public works appropriations subcommittee.

VARIETY OF INTERESTS

Now they are working in their communities, explaining the problem to citizens and urging that the pressure of public opinion be brought to bear on the President and on Congress through thousands of telegrams and letters.

The coalition is a mixture of groups that often are not on the same side of issues. Among organizations in the crusade are the AFL-CIO, United Automobile Workers, United Steel Workers of America, National Association of Counties, National League of Cities, United States Conference of Mayors, League of Women Voters of America, Wilderness Society, National Audubon Society, National Rifle Association, National Wildlife Federation, Conservation Foundation, Consumer Federation of America, Izaak Walton League, and Citizens Committee on Natural Resources.

In addition, several industrial corporations including Monsanto Chemical Company and the American Paper Institute are lending their support to the coalition.

The problem, which is being severely felt in delays for construction of waste-treatment plants in many cities, exists because of a growing money gap between what Congress has authorized, and what the administration recommends and what Congress appropriates.

The Federal Government, under the Clean Water Restoration Act of 1966 and later amendments, agreed to put up from 35 to 85 percent of construction funds for city sewage-disposal plant construction. In many cases, the city puts up 25 percent, the state matches with 25 percent, and the Federal Government puts up the remainder.

HUGE BACKLOG OF REQUESTS

As of March 31 this year, a backlog of $3.2 billion existed in requests from states on pending applications to the Federal Water Pollution Control Administration (FWPCA) for assistance. The Johnson Administration had requested only $214 million, and despite the urging of Interior Secretary Walter J. Hickel for $600 million, the Nixon administration's 1970 budget kept to the $214 million figure.

Meanwhile, 14 states that have been advancing the federal share to cities in anticipation of federal funding, are being left in difficult positions. At the present time these states, including New York, Connecticut, Massachusetts, Maine, Pennsylvania and Michigan, are out $635 million in these advances.

Miss Olga M. Madar, United Automobile Workers representative on the citizen crusade, explained the plight of her own state, Michigan.

"Last November, the people of Michigan, with a 70 percent 'yes' vote, passed a $335 bond issue for treatment abatement, Miss Madar said. Legislation has just been enacted by the state as to how the money shall be appropriated. But under the present federal request totaling $214 million, Michigan would be allowed only a little over $7 million.

MOBILIZATION URGED

"This is the time to mobilize citizen support. The people are willing to pay for the pollution problem that has accumulated through no fault of their own.

"The UAW intends to work in all of our communities through political-action lines. We will be getting out the information to our membership and asking them to exert pressure on the federal government.

"In testimony before the Senate Appropriations Committee, Maryland Gov. Marvin Mandel said even though the state had set up a sanitary-facilities fund, so much money had to be advanced to cities that the fund would go broke early in fiscal 1970 unless federal appropriations were increased.

"If the reason for deferring construction of these plants is so save money, this is shortsighted," Governor Mandel said. "Costs are increasing about 15 percent a year. If we delay five years, the cost will be double."

The new citizens crusade was organized following a meeting last April of the Natural Resources Council of America, a society of major national and regional conservation organizations. The meeting had been briefed by David Dominick, new director of the Federal Water Pollution Control Administration, who had explained the shortage of federal funds and the effects on states and cities.

IDEA SPREADS QUICKLY

After the meeting, the executive committee of the resources council decided to look into the possibilities of forming a citizen coalition. The idea caught on, and by early June, 26 organizations had joined in the effort. The citizens crusade is being coordinated by Joseph W. Penfold.

The shortage of funds for water-pollution control is somewhat embarrassing to President Nixon, who has been stressing the urgency of cleaning up pollution, both before and after his election.

Mr. Nixon's own postelection task force on resources and the environment had been highly critical of funding for water pollution control.

"The gap between need and appropriations in the air and water pollution programs is critical and growing," the task force advised Mr. Nixon in its report.

"We attach the highest importance to these programs, and believe that adequate funding will remain a major key to their effectiveness," the report continued. "The annual uncertainty of appropriations of adequate funds for the cost share disrupts orderly local planning and financial arrangements and breeds distrust of the federal government."

OUR PRISONERS IN NORTH VIETNAM

Mr. MUNDT. Mr. President, one of the gravest atrocities being committed in the war in Vietnam is the manner in which the North Vietnamese hold virtually incommunicado all prisoners of war which they have taken. They permit very little information to leak out from behind their self-imposed bamboo curtain about prisoners of war. This has left the families of these prisoners of war in suspense about the health and safety of their husbands.

I am pleased that Secretary of State Rogers has designated Under Secretary Richardson the specific task of negotiating with the North Vietnam Government on release and care of Americans who are prisoners of war. It is an encouraging step in a continuing effort to secure needed information on these men.

There is also another effort being made by the POW wives from all over the country who are sending cablegrams to the North Vietnam delegation at the Paris peace talks. Recently in the Aberdeen American News there appeared an article about Mrs. Charles Lane, the wife of a South Dakotan, who is a prisoner of war, which tells about these activities of the wives of the prisoners of war. I ask unanimous consent to have the article printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Pleas From POW Wives Go to Paris

(By Fran Vandervelde)

Cablegrams have been delivered to the North Vietnam delegation at the Paris peace talks at the rate of 10 to 20 a week since mid-March.

So what? At any international conference there are many messages sent to delegates daily.

But these particular cablegrams are different. They come from a special group. They are a plea for fair treatment of prisoners of war, treatment specified by the Geneva Convention and guaranteeing such things as neutral inspection of POW camps, the release of sick and wounded, release of mail, and fair and proper treatment of all prisoners.

These wives have had no mail, no direct word from their husbands since the beginning of the Paris peace talks.

"My husband has been missing in action for 22 months. His plane was shot down over North Vietnam and he is supposedly a prisoner of war," says the Dakota Midland woman who sent a cablegram bound for Paris in June.

She is Mrs. Charles Lane, whose husband is a pilot in the Air Force, and from whom she has had no direct word since his plane was downed by a MIG.

She and other POW wives over the country are sending the cablegrams (enough have been arranged to keep going through September), and requesting newspapers to publish editorials and stories to try to bring about North Vietnam's observance of Geneva Convention rulings in dealing with prisoners of war in that land.

"We hope that through the cablegrams, editorials and artcles in newspapers and magazines. North Vietnam might respond to evidence that the free world feels that a respectable government in the world community should treat its prisoners of war humanely, and abide by the Geneva rulings in relation to treatment of war prisoners," says Mrs. Lane.

This concerted effort by POW wives over the country started in March in California. A POW wife hadn't received a Christmas letter from her husband, as she had in former years. She decided to send a cablegram to Paris, and asked her friends to do likewise, and to ask their friends to join in.

So it was that this California start was brought to the attention of a Pennsylvania friend of Mrs. Lane. That friend wrote to Mrs. Lane.

The cable message program continues, and so does the group's plea to others to bring pressure on "the powers that be" to help the POW's plight.

It was after Secretary of Defense Laird made his appeal to North Vietnam that the women started their requests to newspapers on the local, national and international levels, and their pleas to others to join in their efforts.

"No one wants war," she asserts. "I'm a loyal American, and I hope President Nixon can solve the Vietnam problems. But we can't leave until the South Vietnam government is strong enough to carry on against Communism."

Patriotism to Mrs. Lane has been a natural part of growing up. "It starts in the home. It's the responsibility of the parents to teach it."

She is proud to be patriotic. She is proud that President Nixon praised South Dakota students in his recent talk at Madison, said he was glad to see that these Midwestern young people consider education a privilege, and that it is good to see both parents and students working to further their educational opportunities. But she thinks the student protesters in other parts of the U.S. have done more harm than good, especially in regards to goals of peace.

"President Nixon is going to bring my Daddy home," expresses the hope of the Lanes' two little daughters, Julie, who is 3½, and JoAnne, to be 2 in July. In fact, an American-News clipping which included Nixon's picture was about in shreds by the time Julie had carried it around for several weeks and told friends about her hopes for Daddy's return.

The little girls keep Mom well occupied. "A lot of our time is spent at the parks," she says. A lot is spent in playing games, working with jig-saw puzzles for tots, and story hours. Mrs. Lane isn't working—outside her home, that is—for she feels that with the girls' Daddy gone, "they would be cheated with a part-time mother."

The three were having a good time together Wednesday afternoon, the day that storm clouds and sunshine kept playing tag in the sky, and trips outdoors to play in the sun resulted in a return of rain and wet clothes for the girls. "Yes, they keep me busy, especially on rainy days," laughs this pretty young mother of two sweet little girls.

A RETURN TO THE THREE R'S ON THE COLLEGE CAMPUS

Mr. PELL. Mr. President, I was particularly struck by a commencement address given at Wagner College on June 1, 1969, by Francis H. Horn, president, the Commission on Independent Colleges and Universities of the State of New York. Dr. Horn was also president of the University of Rhode Island, Kingston, R.I., where he did an outstanding job.

Dr. Horn spoke of campus unrest and relates this all-pervading subject to the role and status of the smaller private institutions. I was also especially interested in a sentence of Dr. Horn's where he stated:

> I do, however, want to urge the necessity of a return to the three R's on the college campus. These collegiate three R's are respect, responsibility, and rationality.

Perhaps if both students and school administrators took heed of Dr. Horn's address they would find it most beneficial.

I ask unanimous consent that the statement be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Needed on the College Campus: A Return to the Three R's

(By Dr. Francis H. Horn)

It is a pleasure to be here at these commencement exercises on this lovely hilltop campus, just a short ferry ride from downtown Manhattan, or a quick trip across the Verrazano Bridge to the center of Brooklyn, yet seemingly so remote from the hurly-burly, the tensions, and the crushing problems of metropolitan New York. You Wagner graduates are fortunate in having spent your college years here in an almost bucolic environment, yet close enough to the big city to enable you to share its educational and cultural advantages, to participate in its bustle and movement, and to feel a part of its all-pervasive dynamism. In effect, you have had the best of two worlds and the thought of giving up this pleasant life, of terminating your Wagner experience, must temper the joy you feel at receiving your degrees today.

But commencement is a time to be happy and I appreciate the opportunity to share with you graduates and your families and friends the satisfaction of this occasion. It is an important and memorable event in your lives, but with the joy you feel that you have finally "made it" must go thankfulness to Almighty God and a commitment to use your education in His service and that of your fellowmen.

I need scarcely remind you graduates how proud your parents are today and how much you owe to them, many of whom have made sacrifices to enable you to enjoy the advantages of a college education. You owe much also to your professors, who have helped you lay the foundation for your further education or your occupational career. For them, your teachers, and for myself, I congratulate you warmly on your graduation today.

It is always a pleasure for me to participate in commencement exercises. I delivered a commencement address last night in Syracuse (It was quite different from this one) and I have two more to go, one of them, incidentally, in Las Vegas! But I am especially pleased to have been invited by your president to come to Wagner today. Dr. Davidson is an old friend. In addition, he was a member of the Commission on Independent Colleges and Universities when it brought me back to New York from Rhode Island to be its president. I have enjoyed working with Dr. Davidson and have learned to admire and respect his sound professional competence and his high personal integrity. Wagner is fortunate that at this time of crisis in American higher education, it has Arthur Davidson as its president.

Because of my position as a spokesman for the private sector of higher education, I want to say a word about the importance of preserving in this country its dual system of public and private colleges and universities. Fortunately, both the Governor and the legislature in New York have demonstrated that they want this states to continue its strong dual system. Governor Rockefeller, a year ago, after commenting on the phenomenal growth of the State university, declared "we must also have vigorous private colleges and universities standing alongside our public system. For our private institutions have special qualities that are irreplaceable and must be preserved."

The Governor had acted on that conviction two years ago, when in conjunction with the Board of Regents, he appointed the Select Committee on the Future of Private and Independent Higher Education in New York State, headed by Ford Foundation President McGeorge Bundy. The Governor charged the Committee to advise "how the state can help preserve the strength and vitality of our private and independent institutions of higher education, yet at the same time keep them free." The Committee, as you know, concluded that these objectives could best be met by a program of direct State aid to institutions of higher education, including when constitutionally possible, the church-related institutions like Wagner. The Governor then submitted bills, backed by the Board of Regents, to implement the recommendations of the Bundy Committee. A year ago the legislation establishing the principle of State support for private higher education became law. This year's legislature appropriated over $20,000,000 for this support. In addition, the legislature passed a bill making the church-related colleges eligible for such aid. The Governor's action on this bill is not yet known, but our Commission urged his approval. The Bundy Committee made a strong and thoroughly convincing case for including the church-related institutions, Catholic and Protestant—although, obviously, not the theological seminaries—in the state-aid program. Colleges like Wagner serve the public interest just as do branches of the State University or of City University. Soon, it is hoped, these colleges will benefit from the program of state assistance to private institutions.

If by any chance, however, church-related colleges like Wagner do not become eligible for direct state aid, they should not, in my opinion, so modify their legal and organizational structure in order to qualify as a nonsectarian institution that they repudiate their religious orientation and perhaps compromise their basic Christian character. One Lutheran College in New York State has already officially severed its connection with the Church. I am not criticizing the College's decision; but I believe it would be a great loss for American higher education if similar action were taken by many other church-related colleges—Catholic or Protestant.

Many colleges founded as church colleges have become non-denominational and nonsectarian, including my own alma mater, Dartmouth, where President Davidson was a professor for some years. But something important has disappeared in the process: the positive cultivation of moral and spiritual values, the encouragement of a religious commitment.

In an avowedly church-related college like Wagner, there is a definite emphasis, as your catalogue states, on quickening "the student's understanding of Christian beliefs and values," and on encouraging "the growth of religious convictions." I do not argue for a narrow sectarianism, intolerant or neglectful of other points of view or perhaps limiting faculty and students to adherents of one religious creed or denomination. But I do argue that our system of higher education will be much the poorer if we do not have a fair number of church-related colleges where the commitment to Christian values is emphasized and significant.

Convinced as I am of the importance of the Christian College, I believe that the sponsoring churches should strengthen their ties to their colleges, increase their financial support—alas, in all too many cases today, a mere pittance of what should be supplied, and take such other positive steps as will assist the institutions in making their Christian emphasis a meaningful and inspiring influence on the campus.

This, it seems to me, is especially important in these days of the confusion and change and discontent that surround the lives of all of us, but which effect the young most of all. Not only are our traditional values under attack, especially by college students, but also by many of their teachers as well, but indeed all of society, our whole way of life, seems threatened by the more militant activists in our colleges and universities. One is shocked by the resort to violence—in our cities but especially on our campuses. I want to devote the rest of these remarks this afternoon to some observations about the student revolt, noting, incidentally, that the trouble is not exclusively a revolt of our college students, but involves a minority of the faculty, though like the student radicals, a very active minority. It is somewhat surprising, in my opinion, that the growing public disenchantment with colleges and universities seems directed almost exclusively at the students. It is seldom aimed at the militant faculty members for whom the rejection of rational action is a repudiation of their professional commitment to things of the mind. In the long run, I am persuaded, higher education may suffer more deeply from the irresponsibility and tactics of faculties than from the demands and the destruction of students. In any case, it is imperative that the violence be stopped and the campus returned to what it is intended to be—a place of teaching and learning.

Violence is not, as Rap Brown and the Black Panthers are saying, "as American as cherry pie." If it is true, as a leader of the Panthers said last Sunday in a church in my neighborhood, "power comes from the barrel of a gun" and "you put a .38 on your hip and you get respect," and people act on that theory, then our society is as surely doomed as if someone dropped a nuclear bomb. A year ago this week when Senator Robert Kennedy was dead, a victim of gun power, President Johnson pleaded in a nationwide television address: "So let us—for God's sake—resolve to live under the law. Let us put an end to violence and the preaching of violence."

We must begin on the campuses, for it is the colleges and universities which have stood for many centuries as the citadels of reason, for the very opposite of emotion and passion which erupt into violence. The SDS and other militants are right, given their assumptions, in attacking the Establishment through institutions of higher education. If they can bring down the colleges and universities, the collapse of society is inevitable. I was appalled a year ago when in a commencement address, historian Will Durant cautioned educators not to become unduly alarmed over campus turbulence, which he referred to as just the "measles of intellectual growth."

The past year has been the most turmoil-filled in the whole history of American higher education. Serious violence has occurred at dozens of institutions. In one two-week period last month, over 200 fires broke out, apparently set, in New York City colleges and universities. Institutions have been closed by violence or to avoid violence and thousands of students denied the instruction they came to college to get.

If this violence is not curbed, and the campuses brought under control—and that quickly—the damage to higher education and ultimately to society may be irreparable. Professor Sidney Hook of N.Y.U., a noted radical over the years, has pointed out that "When black students and SDS radicals use the same methods Nazi students employed to destroy the Weimar Republic and trample into the dust traditional ideals of academic freedom, then no matter how different their rhetoric may be, fundamentally both are enemies of the rational process and of those values of civilization which have developed over the centuries against the forces of obscurantism and barbarism."

It is apparent that if the colleges and universities do not put their houses in order, outside forces will try to do it for them. Legislatures and the Congress have already moved not only to penalize students involved in campus violence, but also to take punitive measures against the institutions. Alumni and friends of higher education are curtailing, or threatening to curtail their financial support if the disturbances are not stopped. If student revolt continues as it has this past year, I am convinced that the American public will increasingly deny the support and the freedom which are essential to the health and vitality of American higher education.

What must we do if we are to avoid catastrophe? It is not my purpose to analyze the causes of today's student unrest. Nor do I intend to expound my views that students must be involved more directly in the affairs of alma mater without turning the control or operation of the institution over to them. I do, however, want to urge the necessity of a return to the three R's on the college campus. These collegiate three R's are respect, responsibility, and rationality.

All in the academic community must reestablish respect for one another. We elders must learn to respect our students, to try to understand them, and to work with them to improve our educational institutions and our society in general. Conversely, you of the younger generation must learn to respect us of the older generation. You must recognize that those of us over thirty are not all hypocritical, venal self-seekers, that we have learned some useful and practical things from experience, that some of us at least have acquired a little wisdom about life that is worth heeding, and that we too have hopes and ideals and are committed to a better world for all individuals and all nations. Somehow we must find through mutual respect the means to bridge the generation gap and to join forces to work for the better world which we all desire.

In this process, we must recognize the need to treat others with the respect we expect others to show to us. Shouting obscenities, shoving speakers from the microphone, refusing to hear out someone with whom one disagrees, carrying people bodily from their offices—such rudeness and incivility are to be deplored and hopefully will soon disappear from the college scene. This is not to inhibit freedom of speech and dissent or the right of peaceful protest. It is to eschew the barbarities that characterize too many campus confrontations.

We also need to re-establish a sense of responsibility, not only on the part of student, but also on the part of faculties and administrations. Too many institutions of higher education have neglected their responsibility to their students, especially the responsibility for good teaching. If our students had enjoyed better teaching, we would hear much less about the relevancy of the curriculum—since a good teacher makes any subject relevant to his students—and have much less student discontent capable of being whipped up into violence.

But on the student side there has also been a serious lack of responsibility. There is too little concern for the rights of other students, or, indeed for the rights of faculty to teach undisturbed by hecklers, for example. The ruthless and senseless detruction of college property is nothing short of criminal. Such destruction serves no useful purpose—it is not a case of property having priority over human need. It is especially difficult to understand what motivates students to destroy a professor's notes, burn a dean's correspondence, overturn library card catalogues, set fire to the library itself. Last month a fire set at the Indiana University graduate library destroyed books valued at $600,000. The breaking of windows and similar vandalism are bad enough; the destruction of scholarly or historical material is the work of savages and its perpetrators have no place in an institution of higher learning. It is time for the academic community to regain its sense of responsibility.

And finally, there must be a return to rationality, to the process of reason. Today's student generation increasingly repudiates reason. There was a time, Robert Hutchins has said, when "rational living was the goal of life." This no longer is a goal of the young. They are suspicious of reason unless, as one N.Y. *Times* commentator put it, it is "adorned with emotion's clappings." They believe one must feel and act before one thinks. Typical is the reported statement of a Stanford student leader: "It's time we stopped thinking and started feeling." Sincerity, not rationality has become the goal.

But this way lies catastrophe. In his recent inaugural address at the University of Chicago, President Edward Levi warned: "We should reaffirm our commitment to the way of reason, without which a university becomes a menace and a caricature." And Professor Arthur Schlesinger recently said, "I can imagine nothing worse for our society than a rejection of reasoned analysis by the young. In the long run," he wrote in an important little book on violence, "any sane society must rest on freedom and reason. If we abandon this, we abandon everything."

If somehow in the year or years ahead we can on our campuses reestablish the rule of reason and restore law and order—and I realize the unhappy visions of George Wallace and Mayor Daley's police that the phrase conjures up—there is a greater likelihood that we can begin to rebuild our society, which seems to be falling apart. It will not be easy. Campus violence has seeped into high schools and even into the junior highs. The tactics of disruption and revolt are being learned all too well by our adolescents, and the SDS is actively working to teach them its tactics. The eighteen-year-old chairman of the New York Afro-American Students Association (a high-school group) recently stated: "If you think there are militant people in the high schools, you've seen nothing until you've seen the 11- and 12-year-olds in the next few years."

The outlook is terrifying. Unless ways are found to reverse this trend toward violence—to return our students—and our faculties as well—to respect, responsibility, and rationality—the future is as bleak as if, as I have said, someone triggered us into nuclear war. I wish I had the formula for bringing order and peace, and the freedom to teach and to learn, back into our colleges and universities. I do know that it must somehow be found—and soon.

I also know that students must be involved in finding the answer. I am convinced, moreover, that the voting age must be reduced to eighteen, so that our young people can make their influence felt through normal democratic channels. Unquestionably, some of the demonstrations and rioting that have occurred on campuses springs from youth's frustrations at their inability under existing political circumstances to influence policy on the war in Vietnam and the lack of war on poverty and racism here at home. Giving young people the vote might substantially decrease their recourse to riot and violence. The participation of college students in the McCarthy and Bobby Kennedy campaigns prior to the last election demonstrates their eagerness to work for the improvement of society through establishd political channels.

In any case, I know that discouraged as we elders may be about our present-day students, they are our sons and daughters, and the students whom we have taught, and the shape of tomorrow's world lies with them, with young people like you graduates. In many respects you graduates are smarter than our generation, and better prepared than we were to take your places in society. In addition, you have a greater opportunity than any previous generation to make this a better world. The world could be on the threshold of its greatest development in recorded history. Soon men will set foot on the moon and in the 80's, on Mars; they will also set up housekeeping on the ocean floor. Man holds within his grasp the possibility of ending everywhere the age-old scourges of hunger, disease and war. Given individuals with the intelligence and good will and moral courage to bring it about, the world can, with Divine help, achieve a new era of peace and prosperity and justice such as it has hitherto never known.

So it's an exciting time to be graduating from college. It's exciting because the future, despite my pessimistic observations on violence, which will, I know, eventually be overcome, holds out great promise for you. It is a future needing and demanding as never before, your talents and your energies and your dedication to something bigger than yourself. You enjoy unusual opportunities for service and achievement and happiness. So I congratulate you again upon your graduation today and urge you to remain true to the high ideals and the Christian commitment you have experienced here at Wagner. I wish you good luck and Godspeed in whatever lies ahead for you.

REPORT TO TEXANS ON THE AMERICAN FOLKLIFE FOUNDATION BILL

Mr. YARBOROUGH. Mr. President, the Richardson, Tex., Daily News of June 23, 1969, carried my report to my fellow Texans on S. 1591, a bill to create an American Folklife Foundation, which I have introduced in this Congress. This article sets forth my reasons for introducing this proposal. I hope my colleagues in the Senate will support the measure.

Mr. President, I ask unanimous consent that the article entitled "Senator Yarborough's Newsletter," from the Richardson, Tex., Daily News of June 23, 1969, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SENATOR YARBOROUGH'S NEWSLETTER

We in the United States are fortunate to stand in the midst of a vast and varied cultural heritage. Not only does each American enjoy the distinctive ways of his family, his ethnic group, his region and occupation which comprise his personal folk culture, but he also shares with all Americans a common body of customs and traditions.

This folk culture—the folk tales, the folk songs, the dances, the art forms, the legends and traditions—have been passed on from generation to generation with very few attempts to bring all the folk culture of any group together in one collection.

The tragedy of this situation is that much of the folkcustoms and culture has been lost. As each year goes by we are in danger of losing even more and those that study folklore now say that a greater danger is the threat of radio and television taking it and changing it into something else so that our true folkculture is lost.

This country has depended on private citizens to preserve the quality of folk culture for us. All Americans owe a great debt to men like Carl Sandburg and to our own fellow Texans John and Allan Lomax, Walter Prescott Webb, J. Frank Dobie, and Roy Bedichek. We are thankful for the contributions of these men, but we need to do something more to insure that our folkculture is saved and not lost from us. We must do more than depend on the work of a few individuals. Just as Texas, with its varied ethnic and cultural background, as a great body of folklore, so Texas has produced some of the greatest folklore in America. The legends of the land and its people, the cowboy ballads, the Negro spirituals, the country music, the Mexican corrido, all are worthy of preservation.

It was with this in mind that I introduced in the Senate a bill to establish an American Folklife Foundation. This Foundation will be an agency of the Smithsonian Institution.

This Folklife Foundation will sponsor programs of research and scholarship in American folklife. It will make grants and award scholarships for the study and preservation of American folkculture.

The Smithsonian Institution was the first to endorse this bill. Dr. S. Dillon Ripley, secretary of the Smithsonian, said, "There is much to be done in this country in the area of American folk tradition, through both study and public presentation, and these Senator Yarborough's bill will certainly encourage."

When Allan Lomax heard of the bill, he sent a telegram to me saying that he was proud that it was a fellow Texan who introduced the bill, the first bill in Congress to establish the American Folklife Foundation. Mr. Lomax expressed his concern that without the support of the federal government, and the platforms the Folklife Foundation would provide that we are in danger of losing much of the cultural treasure of this nation.

DIFFERENCES BETWEEN JUDAISM AND OTHER RELIGIONS IN THE SOVIET UNION

Mr. JAVITS. Mr. President, although antireligious, the Soviet Union does guarantee through its laws certain rights to religious groups within its borders and does permit certain practices. However, to Soviet citizens the Jewish faith is denied rights and practices permitted other religions within the U.S.S.R.

There has been compiled a comparison of the status of Judaism and the Soviet's other religious faiths and I ask unanimous consent to have it printed in the Record.

There being no objection, the comparison was ordered to be printed in the Record, as follows:

Differences Between Judaism and Other Religions in the U.S.S.R.

Judaism: No central organization, no federation of congregations.

Other religions: The Russian Orthodox Church, the Greek Orthodox Church, Islam, Buddhism, each have central coordinating bodies.

Judaism: No kinds of communication permitted among the various Jewish communities in the USSR.

Other religions: Legally authorized to convoke congresses and conference of clergy and lay representatives.

Judaism: Not a single religious publication is authorized.

Other religions: The Russian Orthodox Church publishes an official *Review of the Patriarchate of Moscow,* which emanates from the highest body of its hierarchy. It also publishes religious texts. The same is true for Islam.

Judaism: No Hebrew Bible authorized since 1917.

Other religions: The Bible in Russian, of which a first edition was published in 1926 for the Russian Orthodox Church, was reprinted in 1957. Another Bible in Russian was published for Baptists. The Koran was published for Muslims in 1958.

Judaism: No edition of *Siddur* between 1917 and 1955. In 1956, a single printing of 3000 copies was published.

Other religions: Relatively large quantities are available for the various religions.

Judaism: No government aid.

Other religions: The government makes publishing houses and paper available.

Judaism: Manufacture of prayer shawls, phylacteries, matzo is practically forbidden.

Other religions: Permitted to produce the entire gamut of ritual objects—candles, crucifixes, rosaries, etc.

Judaism: One synagogue and one rabbi for each 25,000 worshippers. (Based on estimate made in 1960; since then, the number of synagogues and rabbis has declined.

Other religions: One church for each 1800 practicing Orthodox, one priest for each 1100 practicing Orthodox, one church and one minister for each 500 Baptists.

Judaism: A single so-called yeshiva in Moscow, with four students.

Other religions: The Orthodox Church has two Academies and eight seminaries. Islam has four training centers.

Judaism: No foreign contacts permitted.

Other religions: Moslem students study in El-Azhar in Cairo; Baptists in Great Britain. The Russian Orthodox Church is affiliated with the Ecumenical Council of Churches and has sent observers to the Council.

VIOLENCE IS NOT THE ANSWER

Mr. HART. Mr. President, Roy Wilkins, executive director of the NAACP, has been the source of courageous and sound counsel for the community of America for many years. His address on March 11, 1969, delivered at the National Conference on the Church and Violence, at Atlanta, is a clear case in point. That many more than were in attendance at Atlanta may have the opportunity to hear Mr. Wilkins, I ask unanimous consent that his remarks be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Violence Is Not the Answer[*]

(By Roy Wilkins)

Despite the concessions being made in this uneasy season to advocates and practitioners of violence to compel change in race relations in this country, the fact remains that violence as a weapon, as a technique, as a major instrument of social change, is not the weapon of success.

There is a kind of embarrassment in maintaining this position because our political officeholders and lately our educators, have been vying with one another in yielding to naked threats of violence and acts of not only aggression, but of destruction. Even our churchmen, caught up in their religious tenets, have rationalized the bowing to a stick-up type of "demand." The popular excuse with all of these has been the umbrella contention of deprivation.

Their capitulation has been all the more remarkable when it is remembered that every important poll of public opinion—*Fortune*, CBS, Harris, Gallup, *Newsweek*—has shown the black extremists to be but a tiny minority of the total Negro population. The polls reveals, too, that a goodly percentage of young people under 30 believe progress is being made and want to go on for better schools, better jobs and better neighborhoods.

It is true that the Negro American has been crassly deprived of his rights and opportunities in a deliberate and systematic fashion for decades and generations. He has been exploited, robbed, beaten and killed. Politically he was long disfranchised and left defenseless in the society of his fellows.

This political disfranchisement made it much easier to limit his employment and income. It facilitated his being herded into ghetto compounds with all the denials of municipal services and privileges enjoyed by others. It left him prey to the maladministration of the law and to whimsical interpretations of his citizenship under the Constitution of the United States. Above all, it put him and his children completely at the mercy of an inferior Jim Crow school system.

A great part (but by no means all) of the present-day agitation on the school front is the result of this massive cheating on schooling. The young black opportunists of the day, spanning the period from the tenth grade through the graduate school, feel justified in demanding all the conditions that will guarantee their not being cheated as were their forebears. They are, therefore, insisting on new rules, on shortcuts, on key control spots and on a variety of other standards and procedures which not only will protect them in their advancement, but will actually insure their preferential status.

In their attempt to secure this status, which they regard as a mere evening of the score to make up for past inequities, they do not rule out the use of violence. According to reports which, understandably, are hard to verify through the mouths of the people most closely concerned, they have used threats of immediate physical assault.

The blunt, abrasive, revolutionary action of young black people is stimulated primarily by the treatment accorded their race by the dominant majority population, certainly over the past 100 years after slavery was supposedly abolished and citizenship instituted. But it stems, also, from the worldwide upheavals of youth in every land against the old rules, the old mores, the old moral values—against the Establishment. Except in some areas of calculation, young black Americans are not very different from the youth of any other origin.

It is in these areas of calculation of their chances of achieving their goals that the Achilles' heel of the black movement seems to lie. Unlike the Negro of the Reconstruction period and of the post-Reconstruction era, the young blacks today choose to ignore in their campaign plotting the inescapable fact that they are a very small numerical minority, unlike their kinsmen in the Congo or Nigeria or Senegal or Kenya or Trinidad or Jamaica.

This numerical position, this powerlessness, is enough to influence sound planning by any sound leadership. When there is added to this the political disfranchisement and fragmentation, even where there is little or no disfranchisement, the economic throttling, the hobbling in public education and the pervasive social ostracism rigidly imposed, the realities (which are, in truth and not merely rhetorically, hard) make it imperative that black folk, in planning for effective ethnic group advancement, plot a course which a minority so situated can profitably pursue.

The Negro American has been severely limited in employment, being confined to "Negro jobs" and Negro pay rates in the South, with similar, but less harshly labeled, policies in effect in the North. White collar jobs have been rare. Exclusion from organized labor has been either unequivocal and in writing or equivocal, laced with trickery, double talk and meager, highly restricted job opportunities. Farm and home ownership were undertaken at considerably more than the usual peril, with color bonuses, high interest rates, technical fine print and even nightrides all a part of the high-risk enterprise.

It is a soft indictment, indeed, to classify public education as discouraging. The statistics on funds spent per capita for the education of white and black children in the Southern states in 1900, 1910 and 1920 make one weep. There were heartbreaking differences in the length of the school years, in educational facilities, and in teaching standards.

These differences make one shudder today at the boycotts, school closings, strikes and shutdowns of one kind or another in our schools: for the payoff results are not in the heady confrontations and dialogues of the day, but in the glaring inadequacies that will be manifest 30 years from now.

The pressing, life-and-death condition faced by the Negro American was in the maladministration of justice. He was in plantation peonage, subject to a judicial machinery which he neither created nor influenced. If he could get as high as the United States Supreme Court, he found there the precedent of "separate-but-equal" constitutionality, set in 1896 in *Plessy v. Ferguson,* blocking his way. He was encircled with segregation boundaries in Northern cities and widely barred from public accommodations there. Worst of all, the ultimate in physical intimidation was his lot: he was lynched and for decades and decades no man was arrested or tried for this crime.

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[*] Adapted from an address delivered at the National Conference on the Church of Violence sponsored by the Interdenominational Theological Center, Atlanta, March 11, 1969.

So the NAACP dealt with the hard and bloody realities. We took the long, slow road that led to strength and growth and survival of both white and black populations. It took 30 years to turn the tide against lynching. With the help of World War I, migration to the North was stimulated and the base was laid for the black political strength that came later. This strength battered at the doors of proscription through the use of the ballot to build representation in Washington and in the city halls and state houses of the North.

With the rise of industrial unionism in the Thirties, organized labor, the toughest nut, was cracked. Today the battle is not by any means won. The access to, and upward mobility in, the unions is as yet only partially achieved, but the progress is definitely there. White collar and technical work is here today for the taking, in both the North and the South.

In public education racial segregation has been declared unconstitutional. What we worked for day and night since the enthronement of the iniquitous *Plessy* doctrine has come to pass: the Negro American has come under the umbrella of mandatory—not permissive—constitutional protection. The way is now open for him to finish the task of achieving citizenship.

When we look back on the sixty-odd years of uphill struggle against the *Plessy* doctrine of racial segregation and inequality, the performance of young blacks today is at best disquieting. The ultimate objective enters in, of course. Are we for reform of the present system or are we for the destruction of it? There is little doubt that the overwhelming majority of Negro Americans is for reform. It wants in, not out. It wants to build, perhaps on an altered pattern, but it does not wish to destroy. The young people who do destroy are certainly not listening to their elders. They are not even listening to their fellow students. In fact, in seeking an all-black society, they are running from the hard competition with other groups. They prefer the comfort of their familiar segregation.

Whatever has been accomplished has been through non-violence. This tack did not require the meek turning of the other cheek. It required an inner conviction of the rightness of the cause, a sense of the dignity of the human person, a fierce determination to hold the nation to its tenet of individual freedom, and a dedication to the use of any weapon of persuasion and competition in the democratic arsenal that was suited to the task at hand.

There is a popular but mistaken notion today that hard and insulting talk, profanity, obscenity and some of the most obscure tortuous and fallacious reasoning in all literature constitutes militancy. Nothing could be farther from the truth. True militancy consists of the pressing of a righteous cause with all suitable weapons and with due regard for the strength of the attackers, the terrain and the strength and deployment of opposing forces.

No general worth his salt would send his men, armed with swords, against a regiment armed with rifles and machine guns. Nor would a general plunge his army forward with its flanks exposed.

The preachers of violent action on the race relations front are hypnotized with the concept of guerrilla warfare. Perhaps they have to be thus mesmerized since they are so few in number among the 22 millions of black Americans. But the guerrilla tactics and the guerrilla mentality can cause only harassment, frustration and eventually the iron control that seems to be the objective of certain provocative leaders. Alone, they can win only skirmishes, not wars.

Negro Americans are not afraid of conflict. A people with a history like ours, going back to the slave rebellions and running up to the bruising encounters of yesterday cannot be branded cowardly simply because it refuses to adopt suicidal methods. We have overcome obstacles and forged ahead in situations that the black militants of today meet only with four-letter words, childish tearing up of schools and the naked (and simple) threat of assault.

The violence of our times has underscored with shock, and sometimes with blood, the glaring inequities that still exist. This is helpful and the exposure, in frank language, has won approval from millions of blacks who are nonviolent. Abrasive and even violent confrontation, however, cannot solve a problem; they can only uncover the festering. They must leave to the scalpels and the drugs and the skills of the non-violent the corrections and cures in social maladjustment.

The church is the ideal agency to make an evaluation, for it has passed through many cycles in its ministry to mankind. The debate is still proceeding on birth control, on social involvement, on forms of worship. Catholics, Protestants and Jews are caught up in this struggle.

But one thing is certain from any history of religious thought: violence was unable to destroy it. The Jewish faith has survived and grown stronger through thousands of years of persecution. The lions and the gladiators did not halt the growth of the young Christian church. Violence could submerge, but not crush a faith, a belief, a love that often failed, but more often succeeded, in including all men.

Today there is a tendency to deplore all aspects of militancy. In the on-going battle for life and growth this does not seem the wise course.

Assuming a unity on the goal of reforming this faulty society, there should be a working unity between the militants and the rest of the ethnic group. All organizations, institutions and individuals over 30 years of age are not evil and useless, just as all people under 30 are not wild men.

There is much to be done where the knowledge, ingenuity, fresh approach and, above all, energy of our youth can be of vital service in advancing the cause. We need voter registration and voting to build the political machinery that will bring about change. We need improvements in welfare and health services, in the entire education system.

We need to build our own racial inner strength through a knowledge of our history and a preparation, through excellence, of our young people for service. There are but two black lawyers in Mississippi. Our doctors and dentists are fading away. We need tens of thousands of retailers and thousands of entrepreneurs.

And we need these if we are to live in a world—not a black world or a white world, but the world of today. It is silly to disdain the training for life on the ground of some alleged mystique of skin color.

Let there be a partnership in mutual respect between all our people and let us go forward at a time when all systems, as the astronauts say, are go!

We can and do deplore the excess of militancy. We condemn the dogmatism and cruelty that accompany slavish service to a doctrinaire, impersonal philosophy or procedure. The people and institutions that the rampaging young people so sweepingly condemn may contain a few slothful ones, or some sickeningly subservient ones who raise not even a whimper of protest, but the vast majority is composed of warriors-with-a-purpose, of men and women who want to go somewhere and, importantly, who want others to go with them.

This is the kernel of the militancy of free men, whether they be white or black: to want genuinely for others to benefit also. For this reason, the exclusion of white people from the Fight for Freedom is cruel idiocy. Inherent in this desire is the dedication to a change in the operation of society so that all may benefit. And inherent in this latter is the realization that social changes do not occur among masses of humanity overnight.

Fifty years after the October Revolution the Soviet Union is still imperfect, still changing. After 900 years, Britain is still seeking change. After more than 5,000 years and many changes, China has changed again. After nearly 200 years, our young country is challenging some of its practices.

Militant, truly radical, unrelenting and uncompromising pressure for social change is the way to life and growth. For a minority, violence, whose handmaidens are death and destruction, is only a reprieve on the way to suicide.

THE 50TH ANNIVERSARY COMMEMORATION OF THE ORDER OF DEMOLAY

Mr. GOLDWATER. Mr. President, last Friday, the Fourth of July in Kansas City, it was my privilege to address the 50th anniversary commemoration of the Order of DeMolay. It was a real thrill to stand before those young men who so completely challenge the popular idea that the youth of this country is no good. It is refreshing, as it always is, to visit with these exemplary young groups.

I ask unanimous consent to have my remarks printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR BARRY GOLDWATER, OF ARIZONA, TO THE 50TH ANNIVERSARY COMMEMORATION OF THE ORDER OF DEMOLAY'S, KANSAS CITY, MO., JULY 4, 1969

Mr. Chairman, distinguished guests and members of the Order of DeMolay's: It is an extreme honor for me to be with you here today on the 50th anniversary of your fine order and on our Nation's day of Independence.

I fully realize that in light of today's current events involving campus disorders and protest demonstrations against the war in Vietnam, the U.S. Selective Service System, the ROTC, etc., it is more or less expected of public officials when speaking to a group of younger Americans to dwell on these developments.

When Henry Dormann, the Executive Vice Chairman of your International Supreme Order, asked me to make this address he emphasized that I would be speaking to several thousand young men between the ages of 14 and 21 and he added this very significant sentence:

"These are the young men who don't rip up draft cards, who don't riot and who are interested in getting a fine education and leading exemplary lives."

I naturally have always known about the fine caliber of young men which the DeMolay's attract. And I just want to say that Mr. Dormann's description places you young men among the vast majority of this nation's youth. I know the radicals, the SDS and all the rest of the agitators and protesters gain so many headlines and so much attention that it is easy to confuse their actions and their attitudes with those of American youth generally. And I am here to say that if there is one thing that I do almost constantly is travel throughout this country talking to young people in colleges, universities and high schools. And I can tell you that the vast majority of the young people I meet today are serious, dedicated, patriotic and well-behaved members of our society.

This isn't to say that I don't have strong views on the activities which have turned many of our seats of learning into virtual battlegrounds. I do have strong opinions but these have been aired many times and I believe that we have, over the recent Commencement period, had an adequate flow of oratory and expression about these events.

In another vein, I realize that public speakers—especially members of the United States Senate—are more or less expected to fashion any remarks they might make on this particular date in our history in a patriotic vein usually referred to as "flag-waving." I hope you will understand well that I am not against such rhetorical exercises on the anniversary date of our freedom. On the contrary, I believe in these days of super-sophistication that we could use much more of the kind of spread-eagle, arm waving appeals to flag and country that marked most observances of July 4 in the earlier years of this century. It has concerned and worried me that many of our young people in the days of liberalism's greatest advances began to feel that appeals to our patriotic senses were somehow outdated and "square." It is my considered opinion that bombast has a very definite purpose to serve when the subject is the celebration of those precious freedoms which were handed down to us on this day in history some 200 years ago.

Today, if I may, I should like to discuss with you the overall situation in which this free nation finds itself today in the world community. This has a very direct bearing on our continued independence. I don't mean to suggest that events are transpiring which might overnight overturn our independence and our freedoms and reduce us to slavery. However, I do want to discuss with you a situation which could easily and in the near future place our own liberty and the independence of the entire free world in more jeopardy than it has ever before known.

I am sure you have all heard the great hue and cry which is presently being raised against the so-called military industrial complex. This campaign has reached such a level of intensity that it becomes more difficult every day to place this nation's security and its defense effort in proper perspective.

The attack on the so-called military-industrial complex is very plainly an attack on the American defense system itself. For none of the critics of the MIC have ever suggested or proposed that it could be replaced. These critics have made a big thing out of semantics. They have given a name to a system of corporations, companies and suppliers and added it to the defense establishment of this nation made up of the Army, Navy and Air Force. They have made every attempt to invest this very necessary system of independently run companies and services with an implied evil. They would have you think that if what they call the military-industrial complex could be abolished there would be no war in Vietnam or threat of war in the future.

Unfortunately, they made no reference to military-industrial complexes that exist in the Soviet Union and Communist China. They rarely mention the fact that without the complex they complain about we would today be a third rate nation at the very best. They don't share with their listeners the plain fact that the MIC is the only thing that enable this nation to maintain a level of strength sufficient to defend western Europe while it rehabilitated itself after World War II. It is the only thing, of course, that enables this nation today to maintain its position of leadership in the free world. You have only to ask yourselves where we would stand "vis-a-vis" the Soviet Union and Red China if President Truman had accepted the advice of the scientific Left Wing in this country and refused to develop the H bomb. It is easy also to understand what a subservient role we could be cast in today if our leaders had failed to go ahead with the development of the Inter-Continental Ballistic Missiles (ICBM). The same goes for almost every advance in military weaponry, from atomic submarines to the M–16 rifle. All of this is true enough and plain enough. Yet the critics of the American military system still believe that if we refuse to go ahead with necessary defense projects, our potential adversaries will somehow be shamed into doing likewise. This is a fine, idealistic concept which has no foundation in reality and is extremely dangerous to the security of this country.

Along these lines we are told, for example, that the way to reach an understanding with the Soviet Union on arms limitations is to refuse President Nixon's request for the Safeguard missile defense system. The argument overlooks the fact that the Russians already have an ABM system which is now in the third phase of deployment. It also ignores the fact that if the Safeguard system is defeated in Congress, the United States will be forced to escalate drastically the international arms race and begin erecting a gigantic nuclear capacity.

In this whole discussion of the ABM only one consideration can possibly be paramount and it is this: *That the safety of 200 million Americans is non-negotiable.*

Whether the ABM opponents and the critics of the MIC like it or not, this government—no matter what the political persuasion of its President may be—is entirely committed to defending the security of its population and the protection of its national strategic interests. If the Congress of the United States refuses to provide a defense for its deterrent capability, the only course left is to build an offensive force of ICBM's and multiple warheads so powerful that it will be able to overcome any type of a first strike attack.

The "doves" in the U.S. Senate will have to understand that they cannot have it both ways. They cannot force the rejection of a missile defense such as Safeguard unless they are willing to accept the concept of an expanded offense based on multiple warheads. If the American people are to enjoy a measure of military security, they must have one system or the other. To reject both Safeguard and MIRV would be an act of unilateral disarmament so stark that any potential enemy would regard it as an open invitation to move against us.

I suggest that the coming Senate battle over the ABM could well determine this nation's future course in world affairs forever. It could also have a drastic, long-term effect on our domestic needs.

Contrary to popular belief, the fact remains that the most expensive course open to the United States government would be guaranteed by Congressional rejection of the ABM. Those people who argue against the ABM by stating that its rejection would make additional billions available for sorely needed projects in our intercity areas are neglecting to consider the alternative. For if we don't have a missile defense, we must have an overpowering missile offense. And I can tell you from my experience on the Armed Services Committee that the cost of a defensive system would be far cheaper in the long run than the other alternative.

The American people have made it abundantly clear that they are in favor of President Nixon's Safeguard proposal. And I can assure you that those who do not favor it, do not base their objection on a desire for no defense. Many of the opponents of the ABM honestly believe that its cost would be prohibitive and its effectiveness would be doubtful. They haven't examined carefully the other side of the coin.

I should like to ask the opponents of the ABM this question: If you are opposed to the ABM and to the MIRV, how do you propose to protect the American people in future years?

I should also like to ask the opponents of ABM if they have any tangible reasons to believe that the Soviet Union is honestly interested in reaching an agreement with us based on a limitation of defensive and offensive military weapon systems?

I should like to call attention to a ten-part series of articles which have just concluded in the *Washington Post*. They are entitled "Russia Turns Back the Clock," and they tell a frightening story of the Soviet Union turning back to the bloody, anti-American policies which characterized the U.S.S.R. during the reign of Stalin.

I want to say to you that every bit of evidence which is coming out of the Soviet Union today—even that reported by such liberal newspapers as the *Washington Post*—tells the story of a different kind of Russia than the one that the ABM opponents and the Senate "doves" would like us to believe exists.

It tells the story of a nation reaching strenuously for world domination in all areas. It tells the story of a nation which has now extended its naval might into every ocean and strategic waterway in the world. It tells the story of a nation rushing expanded production of ICBMs and SS–9 missiles at a capacity rate. It tells the story of a nation which has moved into the power vacuum in the Middle East.

It tells the story of a nation which is planting its feet and preparing to move forcibly into any vacuum which may occur throughout the Western world by the withdrawal of American concern. I believe the masters of the Kremlin are counting heavily on the ABM opponents and the American "doves" to push their new-found policy on neo-isolationism to such an extent that a vast power vacuum will be created.

There can be no doubt that at a time when the U.S. is being urged to pull in its horns the Soviet Union has embarked on a bold gamble to dominate the world politically, militarily and psychologically. At the present time the major feature of this determined Communist thrust is the large and expanding Soviet naval strength. And I should like to take a few minutes here today to explore this one facet of increased Russian military activity. As I have pointed out there are many other phases but the development of naval strength marks a departure of sorts in the policy of the landlocked Soviet Union.

After years of steady buildup, the Soviet fleet is now moving to challenge U.S. supremacy in all major oceans and sea lanes. Its fleet in the Mediterranean is comprised of between 40 and 50 warships and is rapidly approaching the size of the U.S. 6th fleet which at one time held complete domination of this strategic area of the Middle East.

In addition, Soviet naval might has extended into the Indian Ocean where two large task forces have engaged in "showing the flag" while the British fleet makes plans to withdraw.

At the same time, the North Atlantic, the North Sea, the Baltic Sea, the Sea of Japan, the South China Sea, the Bearing Sea and all major sea routes in the Western Pacific have become regular cruising areas for Soviet warships.

The situation has recently led to these developments:

The Joint Atomic Energy Committee has warned President Nixon that unless the Administration speeds up its nuclear shipbuilding program the Soviet Union will soon dominate the seas of the world.

Admiral Thomas H. Moorer, the U.S. Chief of Naval Operations, has warned that Soviet ocean operations are becoming "unmistakably more aggressive, more varied and are being conducted at ever increasing distances from their home base."

Admiral George W. Anderson, Jr. (Ret.), former Chief of Naval Operations, warned that the meaning of increased Soviet sea power is an attempt at world domination. He explained that the Russians are striving for a posture which will make the principal nations of the world either accommodate or be subservient to the Soviet Union in matters that they consider of importance to them.

It is increasingly vital to American security to understand that as the Soviet Union becomes dominant on the waterways of the world, the United States will become dominated. In other words, with our present naval strength—which has been described as "the obsolescence, rust and decay of what is basically still a World War II fleet"—we are well on the way to becoming a second rate military power in the world.

The Russians, as Admiral Anderson points out, are not interested in a world of domination that would mean putting troops in New York or Washington or any other specific place around the world. Rather, they are reaching for a level of military and naval supremacy which will have the effect of making other nations accede to their strategic interests without having to resort to force.

For example, a Soviet-inspired Communist coup could threaten a Western power—say France, for the sake of assumption—and the threat of overwhelming Soviet military strength in that area of Europe could easily prevent NATO or other Western nations from coming to the rescue.

By controlling the waterways of the world, Russia could establish a supremacy comparable to that enjoyed by the English during the period known in history as "Pax Britannica." That era was one in which Britain held undisputed world supremacy through the mere maintenance of the most powerful navy ever seen. No nations in that period dared to challenge any policy or extend their own interests if either ran counter to British concerns.

This is the way a world can be dominated through fear—fear of what could happen rather than through the exercise of actual armed conquest.

Every report we receive these days from independent organizations, such as the British Institute for Strategic Studies and Georgetown University's Center for Strategic and International Studies, remind us that the hour is late and growing later.

And I want to caution you all on this very important fact: The condition that I have described here today could easily set the stage for the outbreak of World War III. The dynamics of this situation strongly indicate that if the United States pulls in its horns and covers itself in a type of neo-isolationism and the U.S.S.R. continues its policy of military advancement, World War III could easily become a contest between the Soviets and the Red Chinese. Because if we turn inward and default on our commitments the vacuum thus created will quickly be filled by the Soviet Union. She will then be in a position to exert undisputed world leadership. And this is something the Chinese Communists cannot permit to happen. We must begin to understand that Russia fears China more than she does the United States. By the same token China fears Russia more than she does the United States.

The ironic part of this is that if World War III should become a struggle to the death between the Communist governments of Russia and China, the United States could well end up fighting alongside her World War II ally, the Soviet Union.

In any case, unless we take a completely realistic view of the events transpiring today, the world balance of power could shift away from us and leave us in the position of an ineffectual second or third rate power in a world which respects only one type of influence—the influence of military power backed up by a national will to utilize that power to accomplish strategic objectives.

I realize that I have painted a rather disturbing picture of our position in today's world. However, I want you to know that I am convinced that the Nixon Administration will win its fight to keep this nation defended and strong.

THE ABM

Mr. GORE. Mr. President, on June 30, several prominent members of the computer profession held a press conference in New York at which they released the text of a statement drawn up by a group of experts who have banded together as "Computer Professionals Against ABM." Daniel D. McCracken, who has written 10 books on computer programing, is chairman of the group. The members of the executive committee are Paul Armer, director of the computation center at Stanford University and president of the American Federation of Information Processing Societies; Joseph Weizenbaum, professor of electrical engineering at MIT; and Gregory P. Williams, a leader in the application of computers to the solution of problems in industry.

The statement released on June 30, signed by over 200 computer experts, expressed "grave doubts as to the technical feasibility of the computer portion of the Safeguard anti-ballistic-missile system" and concluded that "on technical grounds alone the project does not deserve the support of Congress."

I ask unanimous consent that the full text of the statement of the "Computer Professionals Against ABM" be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Computer Professionals Against ABM

We, the undersigned members of the computing profession, wish to record our professional judgment that there are grave doubts as to the technical feasibility of the computer portion of the Safeguard Antiballistic Missile system. These doubts range from a profound skepticism that the computing system could be made to work, to a conviction that it could not.

Although no project of precisely this nature has ever been attempted before, the difficulty may be understood in terms of a close analogy. Suppose the task were to design and implement the computer portion of a national air traffic control system, and that it were part of the design requirement that at some unspecified instant the control of the air traffic of the entire nation would be transferred to the computer, without any period of parallel operation, testing under actual operating conditions, or evolutionary development. This, by analogy, is what Safeguard would require. Our experience with large-scale computer systems convinces us that such a pattern of development is highly unlikely to lead to a successful computer system.

Another analogy that may be instructive is the use of computers in predicting and reporting election results. These have been used in presidential elections since 1956 and in many local contests, allowing steady evolutionary development. The task is well defined. Realistic testing is possible and is done. It is known in advance exactly when the system will be required to act.

Despite these favorable factors the election systems often fail. In 1968 the data-gathering computer malfunctioned, delaying results by hours. One computer, because of a programming error, reported a total vote exceeding 100%.

If such systems produce blunders, we must conclude that the Safeguard computer probably could not be made to work at all, since the conditions for it are much less favorable:

1. The computing task is much more complex than those of the examples cited.

2. The precise nature of the computing task cannot be defined. It cannot be known what kinds of electronic and other countermeasures would be used, for example, or what evasive maneuvers the attacker might employ. The offense has more strategic options than the defense in any case, and the defensive reactions have to be programmed and tested well in advance of an attack.

3. Realistic testing is impossible since it would require nuclear explosions in the atmosphere. Only artificial test data could be used.

4. Evolutionary development is out of the question. The computer systems for elections are used every four years or oftener and are improved on the basis of experience. The Safeguard computer would never get a second chance.

It is important to realize that the computer would have virtually all of the decision-making power, because the warning time in a nuclear attack would be so short—minutes at most—that presidential or senior military review would be almost impossible. Our experience with the failures of large computers (not to mention those that send out department store bills) makes us extremely reluctant to place so much life-and-death power in the control of a complex and untested machine.

Worse, the ABM system could by itself initiate a firing sequence without any attack taking place. This could happen through misinterpretation of radar signals from harmless objects, or because of machine malfunction or programming error. Since the defensive missiles themselves would carry nuclear weapons, destruction of American cities might result, or the action might be misinterpreted by other nations as hostile.

Our grave doubts as to the technical feasibility of the Safeguard computer system, coupled with our recognition of the possible consequences of system failure, lead us to the view that the project is a dangerous mistake. Whatever other arguments may be brought to bear, for or against Safeguard, our conviction is that on technical grounds alone the project does not deserve the support of the Congress.

Daniel D. McCracken,
Chairman.

Paul Armer,
Prof. Joseph Weizenbaum,
Gregory P. Williams,
Executive Committee.

RICHARD NIXON, KIWANIAN

Mr. MUNDT. Mr. President, in the June issue of the Kiwanis magazine there appeared an interesting and heartwarming article by Doug Coleman that portrayed the activities of an ordinary smalltown lawyer from La Habra, Calif.; whose civic contributions as a citizen and a member of the local Kiwanis chapter is worthy of calling to the attention of all Members of the Senate.

I speak of the article entitled "Richard Nixon, Kiwanian." As a fellow Kiwanian, I am proud to associate myself with this great American and his contributions to his community during his early years as a struggling, practicing young attorney.

I ask unanimous consent to have this moving article printed in the Record, as well as the accompanying list of members of Kiwanis International who are Members of the Congress be included.

There being no objection, the article and list were ordered to be printed in the RECORD, as follow:

RICHARD NIXON, KIWANIAN

(By Doug Coleman)

It was very much a quiet little country town in the late 1930's. La Habra wouldn't really experience anything resembling a boom for at least a decade. Much of the valley was in citrus, and the business district—what there was of it—extended for only a few blocks along Central Street on either side of Hiatt.

There were some signs of expansion, though. Dr. I. N. Kraushaar set up practice there in the late 1930's, as did Dr. Harold Stone, a dentist. Walter Caplinger bought a local pharmacy right on the corner of Central and Hiatt. J. W. Burch, the local Ford dealer, was situated on Central a block east of Hiatt.

It was a folksy time, when La Habra's small newspaper, *The Star*, could report such events as a family on Erna Street having Sunday dinner with friends on Florence. So when a new attorney moved into town in mid-August of 1939, the announcement was front page news.

"LAWYER LOCATES HERE

"A new law office in La Habra is that of Richard Nixon, a young man well known to many La Habrans, being a member of the family of that name long residents of the Lowell district. Nixon has located in part of the B. J. Roberts real estate office. He is a graduate of the union high school, Whittier college and took his law at Duke university. He began practicing with Wingert & Bewley at Whittier and will continue as a member of that firm. He is also deputy city attorney of Whittier, and has been active in various organizations and civic groups." (*Friday, August 18, 1939*)

The new attorney had considered taking a room in the back of Dr. Stone's office, but he and the doctor—they had been schoolmates—decided against it, figuring that the frightened screams of children echoing from the doctor's section of the building might frighten away potential legal customers. So Nixon rented some space in Roberts' building, which was centrally located in La Habra.

When things were quiet in town, as they often were in those days, schoolmates Stone and Nixon would cross Central Avenue to Caplinger's for a cup of coffee. And when the young attorney, fresh from Duke University's school of law, had a sore tooth, he'd slip out the back door of Roberts' building and down the alley to Stone's office.

The Nixon name was well known in La Habra Valley. The young attorney's parents, Frank and Hanna Nixon, ran a store up on Whittier Avenue and were well thought of.

From the beginning, Dick was a good student. "I remember he finished his final project for trigonometry first in school," says Dr. Stone. "He got an 'A' in that course. Even in those school days people said he would be President. 'He can speak so well,' they said."

"He won every debate he was in," remembers another long-time acquaintance.

Dr. Kraushaar recalls his first meeting with the young man:

"It was early in '38. He was working for his folks making deliveries while going to college. He made a delivery of some meat to a home up on Solejar while I happened to be there, and the lady of the house said that the cut wasn't exactly what she had wanted. Richard asked to borrow the phone, called his dad at the store, went back down the hill, and got exactly the cut of meat the woman wanted and brought it back. He was a very serious young man."

Soon after locating in La Habra, lawyer Nixon took out an ad in *The Star*'s business directory. It was what advertising men call a "one by one," measuring one inch deep and one column wide.

"Richard Nixon, Attorney at Law, 135 West Central, Phone Whittier 81-265."

The ad first appeared in the August 18, 1939, edition, and was to run continuously in the directory for almost two and a half years.

Joining a service club is a good way for an up-and-coming young professional man to get acquainted in town. Nixon became a member of the Kiwanis Club of La Habra shortly after setting up his practice. The Kiwanians held their Wednesday evening meetings in the Legion Hall, which had just been completed a few years earlier. Nixon attended regularly.

On Tuesday, February 20, 1940, the lieutenant governorship of Division 30 changed hands. C. Jack Zinn of La Habra was yielding the office to Dr. H. L. Planette of Whittier at a special inter-club meeting.

"The speaker was Richard Nixon of the local club, whose topic was 'Nine Young Men,' a discussion of the supreme court of the United States," reported *The Star*.

The newspaper also recorded another of the young lawyer's speaking engagements. In 1940 some citizens from the Heights section of La Habra were objecting to Union Oil Company's plans to drill for oil in the hills. Two attorneys, a lawyer named Phelps from Los Angeles and Richard Nixon, were asked to address the Heights Citizens' Oil Committee, an action group, concerning the impending blight.

"Mr. Nixon presented to the meeting a very clear exposition of the fact that there would be no reasonable chance of attacking the Union Oil Company to its mineral rights in the Heights tract, or its present right to drill there," reported *The Star*. Phelps, the attorney from the big city, got about six times the news space.

On Wednesday, June 12, 1940, the paper noted that the La Habra Kiwanians had hosted Boy Scout ceremonies and that member Nixon had presented tenderfoot badges to Gerhard Witt and John Upton.

Later that year, in the traditional month for brides, Nixon traveled to Riverside for a very special event. Reported *The Star:*

"RYAN-NIXON WEDDING SOLEMNIZED IN RIVERSIDE

"The marriage of Miss Patricia Ryan and Richard Nixon of Whittier was solemnized Friday afternoon in the Mission Inn at Riverside. Dr. W. O. Mendenhall, president of Whittier College, officiated at the ceremony.

"Members of the families of the bride and groom were present. Favorite organ selections of the couple were played during the wedding reception, which was held in the Spanish art gallery of the inn.

"Miss Ryan attended Columbia university, New York City, and is a graduate of the University of Southern California.

"Mr. Nixon, who is an attorney at law in La Habra, is a graduate of Whittier college and Duke university law school.

"Mr. and Mrs. Nixon are honeymooning in Mexico City." (*From the society section, Friday, June 28, 1940*)

The "slow days" were becoming few and far between for the up-and-coming attorney; the leisurely walks across to Caplinger's became farther and farther apart.

In September Nixon was named by the Kiwanis nominating committee to serve on the club's board of directors. Also, he was named by the chamber of commerce to head the welcoming committee for La Habra's Pioneer Fiesta in October.

In November he presented a Kiwanis program:

"RARE BOOK COLLECTION SHOWN TO KIWANIANS

Richard Nixon was demonstrator at the showing of a number of rare books and manuscripts, part of the collection of Louis Davenport of the Heights, before the Kiwanis club meeting Wednesday night. Included was one of the earliest King James versions of the Bible, published in 1638, of which only a few are known. Another work by a rather obscure author, published in 1851, is said to be one of two known copies extant, the other being in the British museum. A document signed by Abraham Lincoln also attracted much attention." (*Page one, Friday, November 15, 1940*)

December 11, 1940, saw the installation of "R. M. Nixon" as a director of the Kiwanis Club of La Habra. Glenn Lewis, the new lieutenant governor of the district and a former teacher of Nixon's, installed the new officers.

In May of 1941 Nixon was named to head an Orange County group.

"LA HABRA MAN HEADS CITIES ASSOCIATION

"Richard Nixon, La Habra attorney, will head the Association of Northern Orange County Cities, according to plans made at a meeting of the nominating committee last Friday evening. The committee consisted of one member from each of the nine communities represented in the association." (*Page one, Friday, May 30, 1941.*)

And in the midst of all this activity, Nixon was speaking before as many groups as he could.

"I remember driving back with him from one speaking engagement," recalls a friend. "He talked of having to give up the speeches because he couldn't afford the time or the money for the gasoline they were taking."

The Star carried the following item on August 1, 1941: ". . . The [Kiwanis club] president reported on a visit of some of the members of the club to the San Clemente club Tuesday night, when Richard Nixon of La Habra was the speaker."

Time was becoming more and more scarce. Success—and politics—was cutting into the young attorney's time for service club work. Dr. Stone tells of being a dinner guest at the home of food products magnate Laura Scudder in the Heights one evening. "A Dr. Nixon, Dick's uncle, was there," he recalls. "He told of offering Dick several thousand acres of potato land in Pennsylvania. All Dick had to do was manage the business. But he turned it down. He always wanted to be a politician. I think he saw what lay ahead."

It wasn't long after this that Nixon took his leave of La Habra. Reported *The Star*:

"LOCAL ATTORNEY GOES TO CAPITAL

"Richard M. Nixon, who has maintained a law office in La Habra for the past two years, will leave in a few days for Washington city, where he has been called to take a position on the legal staff of the Office of Price Administration, one of the departments of the OPM. Mr. Nixon does not know definitely how long he will be on duty there, but it is thought probable that it will be for the duration of the emergency.

"Mr. Nixon's La Habra business during his absence will be handled by Thos. Bewley, city attorney of Whittier, with whom Nixon has been associated in the past. Mr. Bewley will not maintain a regular office here, however.

"Mr. Nixon's new job was told of at the Kiwanis club meeting Wednesday, and he was given cordial wishes by his fellow-members." (*Page one, Friday, January 2, 1942.*)

The Nixon office in La Habra was closed that very day in 1942.

Those strolls across Central Avenue for coffee . . . the long drives at night across Orange County's bumpy rural roads to deliver speeches to small groups . . . the trips to the Heights from his father's store to deliver a customer's order . . . Kiwanis club meetings in the Legion Hall—how far away those events must seem today to the President of the United States.

Many years ago a customer entered the Nixon store to buy some pies. As she looked

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over the selection in the case she spoke to Frank Nixon.

"That Dick certainly has a way with words," she said. "He might just become President some of these days."

Frank smiled across the counter. "Several folks have said that. And you know what? I think you're right.

The Nixon store is gone now. Caplingers Pharmacy of that day is gone, too. But Ben Roberts' building is still there, though changed considerably. And Dr. Stone continues to thrive, as does Dr. Kraushaar. The Legion Hall still stands as a temporary meeting hall for civic bodies.

The valley really hasn't changed much. While neighboring communities fuss at each other about which is the President's hometown, La Habra takes it all with a grain of Yankee salt.

It's not a lack of pride. Perhaps a note in last weeks Kiwanis club bulletin sums it up:

"Birthdays—Dean Day, January 6, and Richard Nixon, January 9. Lota paid Dean's fine but Dick was not here to pay his."

Richard Nixon is still a part of La Habra.

CONGRATULATIONS GO TO KIWANIANS NIXON, AGNEW

International Secretary R. P. Merridew has sent telegrams of congratulations to President-elect Richard M. Nixon and Vice-President-elect Spiro T. Agnew, both Kiwanians.

In his wires Secretary Reg expressed the pride taken by all Kiwanians in the accomplishments of these two distinguished fellow members and expressed his hope that "God may guide and help you in the discharge of your duties."

President-elect Nixon is an honorary member of the Kiwanis Club of La Habra, California. Joining the club in January of 1940, he held an active membership until December 1941, when he left to join the Navy. He was made an honorary member of the club in 1949.

Vice-President-elect Agnew is an active member of the Kiwanis Club of Loch Raven, Maryland. A Kiwanian for fifteen years, Agnew served as president of his club in 1961 and has been active on many of the club's committees, including Program and International Relations. Sam Kimmel, current president of the Loch Raven club, joined Kiwanis at the urging of Agnew, an old friend and law partner.

KIWANIANS IN THE 91ST CONGRESS

SENATE

Baker, Howard H., Jr., Oneida, Huntsville, Tennessee.[1]
Bellmon, Henry, Oklahoma City, Okla.[1]
Boggs, J. Caleb, Wilmington, Delaware.
Case, Clifford P., Rahway, New Jersey.[2]
Dole, Robert, Russell, Kansas.[1]
Dominick, Peter H., Littleton, Colorado.[2]
Ervin, Sam J., Morgantown, North Carolina.[1]
Fannin, Paul J., Camelback, Phoenix, Arizona.[2]
Goldwater, Barry, Valley of the Sun, Phoenix, Arizona.[2]
Griffin, Robert P., Traverse City, Michigan.[1]
Hansen, Clifford P., Cheyenne, Wyoming.[2]
Harris, Fred R., Lawton, Oklahoma.[2]
Hatfield, Mark O., Salem, Oregon.[2]
Hruska, Roman L., Omaha, Nebraska.[1]
Javits, Jacob K., Manhattan West, New York City, New York.[1]
Mathias, Charles McC., Jr., Frederick, Maryland.[2]
McGovern, George S., Mitchell, South Dakota.[2]
McIntyre, Thomas J., Laconia, New Hampshire.[1]
Mundt, Karl E., Madison, South Dakota.[2]
Pastore, John O., Providence, Rhode Island.[1]
Randolph, Jennings, Elkins, West Virginia.[2]
Russell, Richard B., Winder, Georgia.[2]
Schweiker, Richard S., Lansdale, Pennsylvania.[2]
Sparkman, John J., Huntsville, Alabama.[1]
Talmadge, Herman E., Hampton, Lovejoy, Georgia.[2]
Tower, John G., University, Wichita Falls, Texas.[1]
Young, Milton R., North Dakota.
Holland, Spessard L., Bartow, Florida.[2]

HOUSE OF REPRESENTATIVES

Adair, E. Ross, Fort Wayne, Indiana.[2]
Addabbo, Joseph P., Ozone Park, New York.[1]
Anderson, Glenn M., Hawthorne, California.[1]
Anderson, William, Tennessee.
Ashbrook, John M., Northwest Licking County, Johnstown, Ohio.[1]
Ayres, William H., West Akron, Ohio.[2]
Baring, Walter S., Nevada.
Bates, William H., Salem, Massachusetts.[2]
Belcher, Page, Tulsa, Oklahoma.[1]
Berry, E. Y., Pierre, South Dakota.[2]
Bevill, Tom, Jasper, Alabama.[2]
Biester, Edward G., Jr., Doylestown, Furlong, Pennsylvania.[1]
Blanton, Ray, Jackson, Tennessee.[1]
Blatnik, John A., Chisholm, Minnesota.[2]
Brinkley, Jack T., Columbus, Georgia.[2]
Broomfield, William S., Royal Oak, Michigan.[2]
Brown, George E., Jr., Lincoln Heights, Los Angeles, Monterey Park, California.[1]
Broyhill, James T., Lenoir, North Carolina.[2]
Buchanan, John H., Birmingham, Alabama.[2]
Burke, J. Herbert, Hollywood Beach, Hollywood, Florida.[1]
Burton, Laurence J., Ogden, Utah.[2]
Chamberlain, Charles E., Lansing, Michigan.[1]
Clausen, Don H., Crescent City, California.[2]
Clawson, Del, Compton, California.[1]
Cleveland, James C., Concord, New Hampshire.[2]
Colmer, William M., Pascagoula, Mississippi.[2]
Conte, Silvo O., Pittsfield, Massachusetts.[2]
Corbett, Robert J., Pittsburgh, Pennsylvania.[1]
Cramer, William C., Boca Ciega, St. Petersburg, Florida.[2]
Daniel, W. C., Danville, Virginia.[1]
Davis, Glenn R., Waukesha, New Berlin, Wisconsin.[1]
Dellenback, John R., Medford, Oregon.[1]
Derwinski, Edward J., South Holland, Chicago, Illinois.[1]
Devine, Samuel L., Columbus, Ohio.[2]
Dickinson, William L., Montgomery, Alabama.[1]
Duncan, John J., Northside, Knoxville, Tennessee.[1]
Edmondson, Ed, Muskogee, Oklahoma.[1]
Edwards, Jack, West Mobile, Alabama.[2]
Eshleman, Edwin D., Lancaster, Pennsylvania.[2]
Evans, Frank, Pueblo, Colorado.[1]
Fisher, O. Clark, Alamo, San Antonio, Texas.[2]
Flynt, John J., Jr., Griffin, Georgia.[1]
Ford, Gerald R., Grand Rapids-Southkent, Michigan.[2]
Fountain, L. H., Tarboro, North Carolina.[1]
Galifianakis, Nick, Durham, North Carolina.[1]
Gray, Kenneth J., West Frankfort, Illinois.[1]
Halpern, Seymour, Bellerose-Queens Village, Forest Hills, New York.[2]
Hammerschmitt, John Paul, Harrison, Arkansas.[2]
Harsha, William H., Portsmouth, Ohio.[2]
Hébert, F. Edward, Mid-City, New Orleans, Louisiana.[2]
Hicks, Floyd V., Parkland Area, Tacoma, Washington.[1]
Hosmer, Craig, Long Beach, California.[2]
Mungate, William L., Troy, Missouri.[1]
Jarman, John, Oklahoma City, Oklahoma.[2]
Keith, Hastings, Brockton, Massachusetts.[2]
Landrum, Phil, Canton, Jasper, Georgia.[2]
Latta, Delbert L., Bowling Green, Ohio.[1]
Leggett, Robert L., Greater Vallejo, California.[1]
Lennon, Alton, Wilmington, North Carolina.[2]
Lipscomb, Glenard P., Los Feliz District, Hollywood, Los Angeles, California.[1]
Lloyd, Sherman P., Salt Lake City, Utah.[2]
Lukens, Donald E., Middletown, Ohio.[2]
Lujan, Manuel, Jr., Albuquerque, New Mexico.[1]
Macdonald, Torbert H., Malden, Massachusetts.[2]
Mahon, George, Lubbock, Texas.[2]
Mann, James R., Greenville, South Carolina.[1]
Marsh, John O., Waynesboro, Strasburg, Virginia.[2]
McClure, James A., Payette, Idaho.[1]
McCulloch, William M., Pique, Ohio.[2]
McEwen, Robert C., Ogdensburg, New York.[2]
McFall, John J., Manteca, California.[2]
Meeds, Lloyd, Everett, Washington.[1]
Miller, Clarence E., Lancaster, Ohio.[2]
Mills, Wilbur D., Searcy, Kensett, Arkansas.[2]
Mosher, Charles A., Oberlin, Ohio.[2]
Natcher, William H., Bowling Green, Kentucky.[1]
Nichols, William, Sylacauga, Alabama.[2]
Patten, Edward J., Perth Amboy, New Jersey.[1]
Pepper, Claude D., Coral Gables, Miami, Florida.[1]
Pollock, Howard W., Anchorage, Alaska.[1]
Preyer, Richardson, Greensboro, North Carolina.[2]
Price, Melvin, East St. Louis, Illinois.[2]
Price, Robert, Texas.
Quillen, James H., Kingsport, Tennessee.[2]
Rhodes, John J., Mesa, Arizona.[2]
Robison, Howard W., Oswego, New York.[2]
Rogers, Paul G., West Palm Beach, Florida.[1]
Rostenkowski, Dan, Northwest Town, Chicago, Illinois.[1]
Roudebush, Richard L., Noblesville, Indiana.[1]
Roybal, Edward R., Boyle Heights, Los Angeles, California.[2]
Satterfield, David E., III, Richmond, Virginia.[1]
Schadeberg, Henry C., Burlington, Wisconsin.[2]
Schneebeli, Herman T., Williamsport, Pennsylvania.[1]
Shriver, Garner E., East Wichita, Kansas.[1]
Sikes, Robert L. F., Crestview, Florida.[2]
Sisk, B. F., North Fresno, California.[1]
Smith, H. Allen, Glendale, California.[2]
Springer, William L., Champaign-Urbana, Illinois.[1]
Staggers, Harley O., Keyser, West Virginia.[2]
Stanton, J. William, Painesville, Ohio.[2]
Steiger, Sam, Mile-Hi, Prescott, Arizona.[1]
Stephens, Robert G., Jr., Athens, Georgia.[2]
Stratton, Samuel S., Amsterdam, New York.[1]
Stubblefield, Frank A., Murray, Kentucky.[2]
Taft, Robert, Jr., Silverton, Ohio.[2]
Van Deerlin, Lionel, Chula Vista, San Diego, California.[2]
White, Richard C., El Paso, Texas.[2]
Wilson, Bob, San Diego, California.[2]
Wilson, Charles H., Inglewood, California.[2]
Wright, Jim, Fort Worth, Texas.[2]
Wylie, Chalmers P., Columbus, Worthington, Ohio.[1]
Young, John, Corpus Christie, Texas.[2]
Zwach, John M., Tracy, Minnesota.[2]

TEXAS GARDEN CLUBS, INC., SEEK 100,000-ACRE BIG THICKET NATIONAL PARK

Mr. YARBOROUGH. Mr. President, the Texas Garden Clubs, Inc., adopted a

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[1] Active.
[2] Honorary.

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resolution at the general session of their annual spring convention in Austin, Tex., on May 28, 1969, calling for a 100,000-acre Big Thicket National Park. They recognize the values of this beautiful and unique wilderness in southeast Texas and are doing what they can to preserve them for the use and enjoyment of future generations.

This organization has studied the Big Thicket carefully. Their policy statement makes specific recommendations for areas which should be included in this park.

In addition to the Big Thicket National Park, they recommend:

The establishment of a national wildlife refuge near Dam "B" on the Neches River west of Jasper, Tex.

A State historical area encompassing communities of typical pioneer dwellings, farms, et cetera.

Other State parks to supplement the national reserve.

The Texas Garden Clubs, Inc., are also absolutely opposed to any trading or cession of any national forest areas in the formation of the Big Thicket National Park.

Mr. President, I ask unanimous consent that the Texas Garden Clubs' resolution and policy statement be printed in their entirety at this point in the Record.

There being no objection, the resolution and statement were ordered to be printed in the Record, as follows:

Resolution of Texas Garden Clubs, Inc., on the Big Thicket National Area

Texas Garden Clubs, Inc., does hereby adopt the Policy Statement on the Big Thicket National Area, a copy of which is attached hereto and made a part hereof for all purposes, and urges the President of the United States, the Congress, the Department of the Interior, the U.S. Corps of Engineers (as to Dam B), and the appropriate state agencies (as to supplemental state and historic parks) to take appropriate action to implement this policy as soon as possible.

Mrs. E. O. Barton,
President.
Mrs. K. C. Warford,
Corresponding Secretary.

The above Resolution was adopted by Texas Garden Clubs, Inc. in General Session at the Annual Spring Convention in Austin, Texas, May 28th, 1969.

Policy Statement on Big Thicket National Area

We favor a Big Thicket National Park or area which would include a minimum of the 35,500 acres proposed in the Preliminary Report by the National Park Service study team, with the following modifications and additions:

1. Extend the Pine Island Bayou section southward and eastward down both sides of Pine Island Bayou to its confluence with the Neches River.

2. Extend the Neche Bottom Unit to cover a strip, a maximum of three miles, but not less than four hundred feet, wide on both sides of the Neches River from Highway 1746, just below Dam B, down to the confluence of Pine Island Bayou.

3. Extend the Beaumont Unit northward to include all the area between the LNVA Canal and the Neches.

4. Incorporate a Village Creek Unit, comprising a strip up to one mile wide where feasible, and no less than 400 feet wide on each side of Big Sandy-Village Creek from the proposed Profile Unit down to the Neches confluence. Wherever residences have already been constructed, an effort should be made to reach agreement with the owners for scenic easements, limiting further development on such tracts and preserving the natural environment. Pioneer architecture within these areas should also be preserved.

5. Incorporate a squarish area of at least 20,000 acres so that larger species such as black bear, puma and red wolf may survive there. An ideal area for this purpose would be the area southeast of Saratoga, surrounded by Highways 770, 326 and 105. Although there are pipeline crossings in this area, they do not destroy the ecosystem; therefore the National Park Service should revise its standards pertaining to such incumbrances, in this case, leaving them under scenic easement rules instead of acquiring them.

6. Connect the major units with corridors at least one-half mile wide, with a hiking trail along each corridor but without new public roads cutting any forests. A portion of Menard Creek would be good for one such corridor.

The entire watershed of Rush Creek would be excellent for another.

Such additions would form a connected two-looped green belt of about 100,000 acres (there are more than 3 million acres in the overall Big Thicket area) through which widlife and people could move along a continuous circle of more than 100 miles.

We recommend that the headwaters be in or near the line of the Profile Unit.

We are absolutely opposed to any training or cession of any National Forest areas in the formation of the Big Thicket National Park or Monument.

In addition, but not as a part of the Big Thicket National Monument, we recommend: (a) the establishment of a National Wildlife Refuge comprising the lands of the U.S. Corps of Engineers around Dam B, (b) a state historical area encompassing communities of typical pioneer dwellings, farms, etc., such as that between Beech and Theuvenins Creek off Road 1943 in Tyler County, and (c) other state parks to supplement the national reserve.

GAO RECOMMENDATION ON LAND ACQUISITION MERITS ACTION

Mr. SYMINGTON. Mr. President, in February 1962, the Departments of Army and Interior adopted a new joint policy for reservoir land acquisition. Basically this new policy was an all fee policy and meant that the Government would purchase nearly all of the land in the proposed flood pool, despite the fact that much of the land in the flood pool would be flooded on the average of only once every 20, 50, or 100 years.

Under the previous policy, fee title was purchased only for that land in the normal pool and up to the 5- or 10-year average flood level. Flowage easements were purchased on the remainder of the property which best estimates indicated would be flooded at less frequent intervals.

The new land acquisition policy came under the scrutiny of the General Accounting Office—GAO—and in February of this year GAO submitted a report to Congress pointing out what the auditors believed to be errors in the current policies.

The GAO maintains that millions of taxpayer dollars could be saved by employing a combination fee and flowage easement policy for lands needed for water control purposes. This would not necessarily apply, however, if the lands were to be used for recreation, wildlife enhancement, or for some other purpose.

In support of their proposal, the GAO cited the fact that at the present time the corps is successfully operating 52 reservoirs "under a land acquisition policy where flowage easements had been acquired to a far greater degree than they are being acquired under the present policy." Moreover, large tracts of land would not have to be retired from local tax rolls and many families could be spared the hardship of relocating their farming operations.

The Corps of Engineers had stated that they were not necessarily buying this periphery land for flood control purposes, but for recreation and conservation as well. The GAO objected, saying that lands set aside for recreation should be designated as such, and an attempt should be made to arrange purchase on a cost-sharing basis with the local area.

Today, in the fiscal 1970 budget, we are again faced with cutbacks on our badly needed water projects; cutbacks which place in jeopardy water supplies and flood protection needed now and in the future for this Nation's progress and well-being. It is imperative then that we do not waste the limited funds that the Congress appropriates by needlessly purchasing vast tracts of land for flood pools, where in fact we could more economically take these lands under easement.

With the money saved by this change in policy, it would be possible to finance new starts now halted by lack of Federal funds.

Earlier this year I sent a copy of the GAO report to Judge Haysler Poague, chairman of the Missouri Water Resources Board, for his comments.

Judge Poague and the Missouri Water Resources Board reviewed the report and concur with the GAO findings, stating that in their opinion, the present reservoir land acquisition policy being followed by the Corps of Engineers should be modified.

Mr. President, I ask unanimous consent to have Judge Poague's letter printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

State of Missouri,
Water Resources Board,
Jefferson City, Mo., April 11, 1969.

Hon. Stuart Symington,
Senate Office Building,
Washington, D.C.

My Dear Senator: Your letter of February 5 enclosing the report to Congress by the Comptroller General entitled, "Review of Policies and Practices for Acquisition Land and Reservoir Purposes" B 118–634 dated February 3, 1969, has been carefully reviewed by our Missouri Water Resources Board. I believe that you are familiar with our attitude in respect to land acquisition in this state as indicated by our previous letters, personal conferences, and also the letter of our Governor, Warren E. Hearnes. However, since this matter has now been properly raised by the Accounting Office, our Board in meeting in Jefferson City this 11th day of April 1969 desires to make the following comments for your attention and also in the belief that they will be presented to the General Accounting Office and other interested parties.

As you are aware in Missouri we have tremendous water problems. We have more miles of navigable streams than any other

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state and some 17,000 miles of non-navigable flowing streams which range from clear rapid flowing streams of the Ozark area to the sluggish streams of Southeastern, Central, Western, and North Missouri that flow through gently sloping thickly populated areas.

The problems of flooding and management are somewhat similar to those streams irrespective of the terrain. However, we do desire to point out that the land acquisition problem does materially differ in respect to the different areas in which an impoundment is proposed. All of the flood control impoundments in Missouri to this date have been constructed in the mountainous terrain of the Ozark region and in each instance they have been located on streams of narrow bottom lands and precipitous flow. This enables a substantial permanent reservoir with additional impoundment available for flood control without materially extending any distance upstream and resulting in any dislocation of established economy. In the instances of Bull Shoals, Pomme de Terre, Stockton, and Table Rock, we have not been confronted with particular problems on flood pool area acquisition.

However, we are now greatly interested in the development of those much needed impoundments in Southeastern, Central, Western, and Northern Missouri. Actual construction has been commenced on two of these impoundments, the Kaysinger Bluff which has a projected permanent reservoir of 55,000 acres and a flood pool in excess of 200,000 acres, and the Cannon (Joanna) Reservoir which has a permanent reservoir of 18,600 acres and a flood pool of 38,400 acres. There are many other projects which have either been approved or will necessarily be approved. If this program is completed, there will be at least 8 or 10 reservoirs located North of the Missouri River and probably as many South of the River.

In relation to these projects, the majority of them are or will be located on streams that have a gradual fall and flow through gently sloping terrain, heavily populated and of a high degree of agricultural development.

Because of the sloping terrain, it is necessary to extend, as a precautionary measure, the flood pool at a comparatively greater distance above the permanent pool than that found necessary in the more rugged terrain noted above. These valleys are largely occupied by resident owners and there is little tenant farming. They could contain in many instances quite valuable improvements and these improvements are generally situated at levels above the flood pool. However, the area falling below the flood pool is a very vital part of the agricultural operation in connection with the improvements and remainder of the farms. In view of the gentle slope of the terrain, a very large portion of the land estimated to be in the flood pool will be located in those areas where the incidence of flooding is quite remote and to such a slight degree as not to materially affect the continual agricultural operations of the farms on which the same is located.

To use the Kaysinger Project, as an example, it is estimated that approximately 50% of the entire acreage lies above the flood incidence of once in five years. When we consider that the estimated flood pool exceeds the permanent pool by about 150,000 acres, it is obvious that this flood pool extends a great distance above the permanent pool and extends up branches and low lying terrain not considering fingers extending out into the upper reaches in the highly agricultural areas.

It is our position that the present policy of the Corps certainly should be modified for the following reasons:

1. In purchasing easements, the same would follow the contour of the easement elevation. That would limit the acreage necessary for the easement as well as reducing the cost as distinguished from fee purchase of that lying in the upper portion of the basin.

2. In connection with the purchase of easements, it would not be necessary to go above the flood pool line at government expense to acquire additional lands. If the fee purchase is projected within the upper elevations of the flood pool then it is necessary to block along section or fractional section lines. This extends the amount of land necessary to be acquired in fee to those lines above the flood pool. This necessitates the purchase by the federal government of a very large amount of land not lying within the flood pool and not necessary in the operation of the project. This increases the cost of the project by many million dollars.

3. The economic effect on the fee purchase area is quite disturbing. The landowners can continue in operation of its lands under the easement program without dislocation, and with compensation for the incidence of flooding, which in many cases, will probably never occur. But to purchase in fee with blocking and the additional land severed from the whole tract, and the effect of dislocation will result in the removal of this land, will result in loss to the economy of the area, and will result in damages to their improvements for which, of course, the government would be compelled to reimburse them.

4. The only argument that has been presented has been that these areas would be acquired in the upper reaches of the flood pools which could be used for fish and wildlife. In that respect it is obvious that it could not be used for fish because that land would not be within or near the permanent pool. As with the wildlife, in this category of impoundments, the only wildlife now existing or which would exist would be small game and which now are being produced and probably as plentiful as would exist under the acquisition of these tracts by the federal government and would certainly not afford recreational possibilities consistent with the cost.

5. The acquisition by the federal government of the areas of land in the upper reaches of the flood pool and additional lands by blocking would be difficult of administration since those tracts would not be contiguous but would extend in fingers radiating from the upper portion of the flood pool and bounded and separated by privately owned areas.

6. For those who would propose areas for fish and wildlife, it might be suggested that the program of acquisition with blocking around the permanent reservoir will not be disputed unless it is found that the blocking is excessive and acquires land some distance from the permanent pool. But as to game and recreational areas, a far greater service could be performed by an expenditure much less in funds by the acquisition of reservations of contiguous areas in terrain of both scenic and general game management adaptability.

The Board agrees generally with the findings contained in the report. We would point out, however, that any land acquired in fee in the flood pool adjacent to or reasonably near the permanent pool to permit the recreation and fish and wildlife use and access to permanent water should be borne by the federal government since joint or multi-purpose use of land is involved.

Sincerely,

HAYSLER A. POAGUE,
Chairman.

VOTING RIGHTS AND SCHOOL DESEGREGATION

Mr. HART. Mr. President, the 1965 Voting Rights Act is a commitment to full participation in our electoral process which must not be broken or diluted.

For one brief moment last week, it appeared as if that commitment would have the backing of the administration.

That moment came when a Washington newspaper reported that the administration had switched positions and would back extension of that 1965 act.

My reaction was: "Great. Now, let's extend it."

Unhappily, the next day another Washington newspaper carried a story which reported the President's continued support for the voting legislation outlined by the Attorney General before a House committee—a proposal which I fear would seriously weaken the commitment embodied in the 1965 act.

Mr. President, I realize that a Chief Executive does not like to undercut a Cabinet officer, but if the President could do that on behalf of the AMA, he ought to be able to do it on behalf of the 800,000 Negroes who have been registered to vote since 1965 in Southern States.

He ought to be able to do that on behalf of the Negroes yet to be registered, on behalf of Negroes who will reach voting age within the next 5 years.

I have no quarrel with the proposed additions the administration seeks to insure fuller participation in elections across the Nation.

I must take exception, however, to any proposal which dilutes the effectiveness of a law under which more than 800,000 persons have registered to vote.

That figure indicates the effectiveness of the Voting Rights Act of 1965, and I believe the effectiveness was due in large part to the automatic triggering of the act's provisions.

The U.S. Commission on Civil Rights reported that not one black candidate running in a local primary last month in one of the States affected by the act "believed the election would have been run in an honest manner were it not for the presence" of Federal observers required by the Voting Rights Act.

Many of the laws used to discriminate against black voters before 1965 are still on the books in many of the affected States.

They could easily become the law of a State once the 1965 act expires.

Even if the U.S. Justice Department moved as quickly as possible, under the administration's proposed bill, it could not move fast enough to prevent the return of all possible discrimination practices.

It makes no sense to weaken an act which has worked in the name of broadening its coverage.

It makes no sense at a time when persons of all ages and races are questioning the strength of the Nation's commitment to its democratic ideals to dilute one of the strongest commitments this Nation has made to insure full participation in the electoral process.

Let us get on with extending this commitment, for at least 5 more years.

Mr. President, shortly after the administration spelled out its position on voting rights legislation, it made public its policy on enforcing school desegregation guidelines.

Different persons give different interpretations of what that announcement means:

For one interpretation—an interpretation I share—I ask unanimous consent that an article in yesterday's Washington Post by Prof. Gary Orfield of the University of Virginia, a student of education in the South, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PRESIDENT KEEPS PROMISE OF HIS "SOUTHERN STRATEGY"

(By Gary Orfield)

(NOTE.—Orfield is a professor in the Department of Government and Foreign Affairs at the University of Virginia and author of "The Reconstruction of Southern Education.")

During his campaign and since his inauguration, President Nixon has been engaged in elaborate and sensitive diplomacy with the Deep South. Conducted in the code words of Southern conservatives, its full significance has escaped much of the rest of the country.

Southerners who secured Mr. Nixon's nomination and delivered electoral votes in November were convinced that his Southern speeches contained implied promises about civil rights policy. The policy change announced Thursday confirmed this interpretation. The President has decided to allow Southern whites to defy the 1954 Supreme Court decision and the 1964 Civil Rights Act.

The President's "Southern strategy" succeeded in Miami and in November, but the bill has now come due. After months of uncertainty, the President has made his first great civil rights decision, and its outcome will profoundly affect the future of Southern education.

After 15 years, unnumbered court battles, legislative victory in 1964 and success in fighting off repeated ambushes by congressional conservatives, the Federal desegregation effort was near success in the South. Nine-tenths of Southern and border state school districts have eliminated the separate school systems found unconstitutional by the Supreme Court.

If Mr. Nixon had unambiguously supported the Department of Health, Education and Welfare, the task would have been largely completed during the coming school year. Since the President has changed the rules, however, progress is likely to stop in the Deep South. The whole question will be reopened in hundreds of communities which earlier agreed to comply.

U.S. FUNDS AT STAKE

HEW announced in October, 1967, that Southern school systems, with few exceptions, would have to complete desegregation by next fall. This clear deadline has been the principal bargaining tool of HEW enforcement officials. The realization that urgently needed Federal funds would be lost forced local leaders to think the unthinkable and seriously begin the transition. The more ambiguous, uncertain and politicized the enforcement program, the more likely that local schoolmen will refuse to take the risks involved in preparing plans.

Administration officials, talking about granting additional time to the South, speak of "arbitrary deadlines" and the need for "conciliation" and for greater efforts to understand local conditions. This sounds fine until one considers that they are talking about further delays in implementing legal principles laid down when next year's high school seniors were two years old. School districts still holding out after a decade and a half are not willing to integrate voluntarily.

Southern hopes generated by campaign statements and Administration vacillation have already increased the number of communities openly defying the guidelines. A number of Texas school districts, spurred by an organization called Freedom Inc., have gone so far as to withdraw desegregation plans. Political resistance to racial change is most intense when change seems possible but not inevitable.

When the GOP presidential nominee attacked Federal bureaucrats and told a Southern television audience last September that withholding funds was "going too far," resistance was encouraged. In spite of later attempts at clarification, the impression stuck, and after the inauguration, the Administration was bombarded with thousands of letters from Dixie asking an end to civil rights enforcement.

Months passed without a clear response to Southern pressure. Contradictory tendencies, mixing some aggressive civil rights litigation with spotty enforcement activities and confusing changes of regulations, suggested indecision.

Attention focused on HEW Secretary Robert H. Finch, but he proved hard to pin down. His many statements gave him room to move in any direction he wished.

LENIENT FROM OUTSET

From the outset, Finch made known his unhappiness at the prospect of cutting off funds. Days after taking office, he granted two-month delays to five districts scheduled to lose funds. One of the five was a South Carolina school system 93 per cent segregated and in open violation of the HEW requirements. Another was a Mississippi district almost 96 per cent segregated, with black students lacking the curriculum, the library facilities and the accreditation enjoyed by the white schools.

In still another of the districts, Martin County, N.C., HEW's general counsel approved a desegregation plan attacked as unsound and inadequate by the head of the education branch of HEW's Office for Civil Rights. The plan's acceptance was announced by the county GOP chairman, who said he had been informed from "within the White House."

Finch charged his predecessors with overzealous enforcement and announced that HEW files showed they had sacrificed education to push integration. In a U.S. News and World Report interview, he accepted the Southern view that Federal law required only an end to overt obvious discrimination rather than actual integration. He suggested that HEW would concentrate less on integration and more on making sure that separate schools were actually equal, something the Supreme Court concluded was impossible 15 years ago.

At the same time, Finch managed to encourage liberals. A delegation from the Leadership Conference on Civil Rights went away from a March 16 meeting convinced that the law would be enforced. In early April, he reassured a group of worried GOP Senators, and after a mid-April session with the President, he said that there would be no policy changes.

HEW's actions were ambiguous. When the HEW civil rights chief resigned with an expression of worry, Finch replaced her with Leon Panetta, a strong civil rights supporter. The appointment was balanced, however, by the choice of a stanch conservative, Robert Mardian, as HEW's chief legal adviser. Mardian advised Finch to scuttle the desegregation deadline and argued that a 1968 Supreme Court decision ordering school boards to act now to convert to a "unitary, nonracial school system" only required a prompt beginning by local authorities.

FINANCIAL LEVER APPLIED

HEW avoided collapse of the enforcement program by finally withholding funds from three of the original five districts which remained recalcitrant. In mid-February, three other districts were threatened with immediate loss of Federal aid. Under pressure from the Tennessee GOP, however, Finch stretched the guidelines considerably to negotiate a last minute arrangement with Chester County, Tenn.

HEW officials talked hopefully of shifting the enforcement burden to the Federal courts. A Federal court opened this possibility when it directed 21 South Carolina districts to negotiate plans with HEW. These plans would then be enforced by court order rather than through the fund-withholding machinery.

HEW experts were called into South Carolina. They drafted desegregation plans which generally called for completely unified school systems next fall. When the great majority of the districts resisted the HEW proposals, the department's civil rights staff was overruled. HEW allowed 18 of the 21 districts another year of delay and suspended the normal requirement of substantial interim progress.

The South Carolina decision set a precedent of intense interest to some 400 other districts under court orders. HEW is now involved in a similar case involving 42 Louisiana districts. It would be extremely difficult to make more stringent standards stick in other similar districts.

The news of the South Carolina actions was soon followed by multiple leaks from HEW indicating that the desegregation deadline would be eliminated. Jerris Leonard, head of the Justice Department's Civil Rights Division, explained that "it's wrong to set an arbitrary deadline we can't meet." When Panetta issued a statement opposing any weakening of the guidelines, he was critized by Justice officials.

Roy Wilkins issued a statement for the Leadership Conference on Civil Rights accusing the Administration of "helping to thwart implementation of the Supreme Court's school decisions." Wilkins said that extending the deadline would be "evasion of the law" and he threatened a lawsuit against renewal of Federal subsidies to local governments violating the Constitution.

A RECONSTRUCTION PARALLEL

The President's decision on the Southern school issue is immensely important for the future of Southern race relations. It could signal the beginning of a new period paralleling the gradual erosion in the 1870s and 1880s of the rights granted to freedmen during Reconstruction. Since most enforcement policies are based on interpretations of broad statutes, it is quite possible that they could be quietly nullified by gradual reinterpretation and executive inaction.

The first step, destruction of the clarity and credibility of enforcement standards, has begun. From the perspective of the black man told to wait indefinitely for his constitutional rights, there is a disturbing similarity between current actions ending to turn power back to Deep South politicians and President Hayes' famous 1877 talk to Atlanta Negroes assuring them that their "rights and interests would be safer" in the hands of Southern whites than with the national Government.

Gutting the school guidelines is the clearest possible notice to Southern segregationists that they can ignore the rights of black children. The Federal backdown rewards resisters. Schoolmen who have staked their careers on developing sound desegregation plans will be denounced as "race mixers" doing more than even Federal bureaucrats really want. Strom Thurmond has another victory and Southern progressives a very serious defeat.

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The fragile fabric of integrated education, woven at immense cost during the past 15 years, will begin to unravel. Schools that the Supreme Court found "inherently unequal" and damaging to the "hearts and minds" of black children will receive a new lease on life. The overwhelming 8-to-1 majority of black parents who, according to a national survey in Newsweek, desire integrated schools for their children will again be frustrated the momentum of change will be lost at a time when just a few months of firm enforcement could largely finish the task.

President Nixon's concessions to the South have stalled one of the most successful movements toward racial justice in American history.

ANNIVERSARY OF POZNAN WORKERS' REVOLT SHOULD REMIND US OF IMPORTANCE OF RATIFYING HUMAN RIGHTS CONVENTIONS

Mr. PROXMIRE. Mr. President, all too often we as Americans are accused of having big hearts but short memories. I hope that all of us have not forgotten the historic date of June 28, 1956, when thousands of workers in Poznan, Poland, summoned courage to defy a dictatorial Communist regime. The news of their revolt thrilled every freedom-loving person throughout the world. Most of us felt a strong bond of sympathy for these brave workers. All of us were saddened to read of the Soviet action to throttle the revolt through the speedy use of troops. All of us felt deep sorrow when we read of the deaths and the punishment suffered by those who defied Communist rule.

Today we can recognize that the Poznan workers made a lasting contribution not only to the improvement of the lot of themselves and their fellow countrymen, but to the situation of the people of other countries similarly living under Communist domination. We rejoice that the courageous acts of the workers in Poznan have led to some lessening of the indignities which people living under the shadow of the Kremlin have had to suffer. We rejoice that the revolt spawned increasing pressures for a lessening of Communist control. We look back over the span of 13 years since the workers defied their bosses and we realize the extent to which the Soviet Union is meeting increased acts of resistance by peoples striving for free institutions.

Mr. President, it is essential that we keep alive our memory of the totalitarianism of the Soviet Union. We must never forget that even today millions of people are denied even a semblance of self-determination. It seems easier for us to remember the thousands upon thousands of refugees who still wander the face of the globe in search of a place to call home—men and women along with their children who fled oppression and tyranny in the hopes of finding a place to live and breathe in freedom.

I am proud of the way we have lived up to our reputation of having a big heart. We have fed the hungry. We have clothed the naked. We have granted sanctuary to more than a fair share of the homeless. But we must not forget. We must continue to deny recognition of the illegal claims of the Russians to the countries they overran with military might and the countries which fell victim to their political machinations.

We must remember and we must show our friends in these subjugated countries that we do remember. Their belief in us and their hope in our help is all too often the only straw which they can grasp to keep from sinking into utter despair.

One immediate reassurance we could give them would be to ratify at once the Human Rights Conventions. An immediate move on the part of this powerful Nation to join the host of other nations who have already ratified the conventions would do much to dispel the notion that our memories are too short. I hope that this body will give serious consideration to an early ratification. It is one more way to convince a doubting world that we are sincere in wanting freedom for all people—the kind of freedom for which the Poznan workers rose in revolt.

THE CONCERT CHOIR AND MADRIGAL CHORUS OF ALBERT S. JOHNSTON HIGH SCHOOL, AUSTIN, TEX.

Mr. TOWER. Mr. President, the concert choir and madrigal chorus of Albert S. Johnston High School in Austin, Tex., have had the wonderful opportunity this month of touring and performing in several Mexican cities as the guests of the Mexican Government. This is the second such tour for this group under the direction of Mr. Josemaria Gonzales.

Initially planned as a short tour to Mexico City, the visit was expanded to include several other cities through the efforts of the Honorable Miguel Alvarez Acosta, Cultural Ambassador of the Republic of Mexico and his assistant, Gabriel Saldivar Osorio. The tour was largely sponsored by the Mexican Government.

Included in the intinerary were 7 days in Mexico City, 2 days in Acapulco, and 1 day each in Cuenavaca and San Luis Potosi. The group was scheduled to perform all but 2 nights of the tour in theaters and auditoriums as well as at a service at the Episcopal Cathedral in Mexico City. Faculty members accompanying the group were Miss Jacquelyn McGee, Miss Naomi Martinez, Mr. Robert Newell, and Mr. and Mrs. Douglas Wright. Also traveling with the group were Mr. Stephen Dunlap, as pianist, and Miss Marlene Anglin, as bassist and percussion instructor.

I am certain that this tour was a most enjoyable and worthwhile experience for this excellent group of young people. Such tours as this are invaluable in the promotion of international good will, and I feel that Mr. Gonzales and his choir are to be congratulated.

THE LINCOLN CENTER FOR THE PERFORMING ARTS

Mr. FULBRIGHT. Mr. President, recently in the New York Times, there appeared an account of the final status of the funding of the Lincoln Center for the Performing Arts. During the 13-year campaign for capital funds, the sponsors raised $184 million from 11,474 individuals, foundations, corporations, and governments. Compared to the Kennedy Center for which it has taken 10 years to raise something over $60 million, more than half of which was contributed by the Federal Government, this is an outstanding achievement by the sponsors of the Lincoln Center.

Through this entire period, Mr. John D. Rockefeller III has been one of the most important sponsors. Recently, he and Mr. Lawrence A. Wien made the final contribution to complete the capital fund drive.

I wish to call attention to the fact that this center has not been solely for the rich and aristocratic. During the past year, as a part of the student program, 1,200 performances were given in schools, and more than 100,000 students attended performances at the center.

Recently, a local columnist attacked the concept of the Kennedy Center on the ground that it was dedicated solely to the rich and powerful, and to the perpetuation of ancient and outmoded artistic concepts. He was, I think, greatly offended by the local authorities' closing of some centers for young people in Washington, and with his position on this I thoroughly agree. But I do not agree that the Kennedy Center need be, or is intended to be, or will be dedicated solely to the entertainment of the plutocratic oligarchy. On the contrary, it is intended to be, and it will be, a place where students, young people, and any artists with imagination and originality will be welcomed and given an opportunity to demonstrate their talents.

I wish to congratulate the sponsors of the Lincoln Center and also all of those who have participated in the building of the Kennedy Center. Both of these great institutions will help our country return to its traditional role of a humane and civilizing influence in the world, after we have finally concluded this tragic era of military intervention and preoccupation with irrelevant, ideological fantasies.

I ask unanimous consent to insert the article in the RECORD.

There be no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, July 2, 1969]

LINCOLN CENTER ENDS ITS CAPITAL FUND DRIVE

(By Howard Taubman)

Gifts of $1.25-million each by John D. Rockefeller 3d and Lawrence A. Wien yesterday enabled the Lincoln Center for the Performing Arts to successfully end its 13-year campaign for capital funds of $184-million.

Although the Juilliard School and its theaters and concert halls will not be opened formally until September, the campaign's completion signals the physical completion of the center. Almost a decade has been required to build it.

Mr. Rockefeller, chairman of the center's board and the man who has led in creation of the project, and Mr. Wien, lawyer, real estate man and a board member, made their gifts because they wished to free the cultural complex to concentrate entirely on its mission—the service of the performing arts.

Under the leadership of Amyas Ames, the chairman of Lincoln Center's executive committee, Mr. Rockefeller said, "the center's serious financial problems have been realistically faced and order has been brought out of impending chaos."

WORK FOR THE ARTIST

"With our capital needs finally met, we are now in a position to devote our time and energy to the attainment of the center's full potential. The validity of our efforts will be determined by the use that is made of our several stages and many classrooms. In the years ahead only the artist and his art can fulfill the aspirations of the planners and justify the confidence of the donors."

"I thought it was time for the center to finish its capital requirements," said Mr. Wien, "so that it could go forward to do things for the benefit of New York. I have lived all my life in the city and its vicinity, and I have substantial holdings in it. I think the completion of Lincoln Center provides the city with the third of its three outstanding centers. The other two are the United Nations complex and Rockefeller Center."

Mr. Wien heads the syndicate that owns the Empire State Building and owns major office buildings.

To complete the capital campaign, the center needed not only Mr. Rockefeller and Mr. Wien's gifts, but also the elimination of about $4-million of planned capital expenditures.

One of the largest items cut was $500,000 for an administration building. The officers and staff of Lincoln Center for the Performing Arts, Inc., the entity that built and administers the cultural complex, have been working out of rented quarters in a building south of the center. It has been decided that they will remain in these offices.

Another item that went was projection equipment for Alice Tully Hall, one of the four auditoriums in the new Juilliard School. This equipment would have cost $75,000. Center officials found that the City Center, which occupies the New York State Theater in the cultural complex, had almost comparable equipment and decided that it could be borrowed when needed for a Tully Hall production.

For a time the Lincoln Center executive committee thought of borrowing $6.5-million needed to pay for the completion and equipment of the complex. But it faced the prospect of paying interest of 8 per cent or more than $500,000 a year on such a loan. In view of the large operating deficit the center had incurred in the last few years, it was decided that such interest payments would have posed a grave obstacle in the way of balancing the budget and allowing the center to make significant artistic contributions.

Mr. Ames called the closing of the center's building fund drive "a most important event in its history."

"Ironically," he said, "one of the problems of Lincoln Center arose from its drive for capital funds. Although this fund-raising greatly benefited the constituent companies, since it paid for their new homes, it finally became competitive with their own fund-raising."

Mr. Ames said that 11,474 individuals, foundations, corporations and governments had given $184-million.

"Ten years ago," he said, "President Eisenhower broke ground for Lincoln Center. Over this decade six new homes have been built and given to the performing arts companies of New York—the Metropolitan Opera, New York Philharmonic, New York City Opera and Ballet, Music Theater, Juilliard School and the Repertory Theater. In addition, we have the Library and Museum of the Performing Arts. The 11 theaters and halls in these buildings contain over 12,000 seats, which attract over 3.5 million people each year.

TAX BENEFITS FOR CITY

"Two aspects of this building record are often overlooked. The 35 million cubic feet of space that make up the center cost only 20 per cent more than the 1960 estimate. This occurred in a period when building costs rose 38 per cent. Also, the building of Lincoln Center has revitalized its environs, with the result that close to $20-millions more in taxes are coming to the City of New York each year."

Another aspect of Lincoln Center that, in Mr. Ames's view, does not get the attention and credit it deserves is the educational program.

"This past year," he said, "as a part of the Lincoln Center student program, 1,200 performances were given in the schools before an estimated total attendance of 1.2 million. In addition, 100,000 students attended performances at the center.

"To help teachers prepare their students for these performances, the center and the New York State Department of Education have developed a new curriculum centering around the performing arts. At the heart of this effort is a cooperative endeavor with the constituent companies of Lincoln Center."

DEATH OF FORMER GOVERNOR PERCIVAL P. BAXTER OF MAINE

Mr. MUSKIE. Mr. President, my distinguished colleague from Maine, Senator Smith, joins me in paying respects to the memory of former Maine Gov. Percival P. Baxter, who died recently at the age of 92.

Governor Baxter was an outstanding citizen of Maine and the Nation. His philanthropies and his leadership in the area of conservation are living memories to this public servant. His contributions to the people of his State were described by many citizens of Maine at the time of his death, and were reported in the Maine papers. These reports give an insight into the quality of the character of Governor Baxter, and I ask, on behalf of myself and Senator Smith, that they be included in the Record at this time.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Portland (Maine) Press Herald, June 13, 1969]

Ex-Governor Percival Baxter Dies After Brief Illness

Former Maine Governor Percival P. Baxter, financier, conservationist and philanthropist, died Thursday evening at his home at 92 West St. after a brief illness. He was 92.

He had requested that he have no funeral, no flowers or no memorial services. The family will respect his wishes.

Called Maine's foremost benefactor, the millionaire bachelor has his name attached to a variety of gifts. They include the Baxter School for the Deaf and Mackworth Island, Falmouth, paintings and historic documents at Bowdoin, funds for the Baxter Library at Gorham, a wildlife sanctuary in Portland and other land preserves.

His chief work of a lifetime of giving, however, is the 200,000-acre wilderness reserve in north central Maine, including Mount Katahdin, now Baxter State Park. An ardent conservationist, the former governor anxiously followed five sessions in which the state legislature failed to set aside the Katahdin area as a state park. He then began purchase of the tracts which he deeded over to the state.

He specified that the park was to be "kept forever in its natural wild state" and gave a half million dollar trust fund for its care and operation. His action in acquiring the vast unspoiled area has been called an example of conservationist foresight not duplicated anywhere else in this country by one man.

The park is criss-crossed by well-marked foot trails but there are no automobile roads. Outboard motors are banned from its streams and ponds.

Gov. Baxter thought of his creation of the park as "my life work." He was saluted for it in 1962 with a Department of Interior conservation service award.

"The governor," as he came to be known for almost a half century after he had left the Blaine House, was born Nov. 22, 1876, in Portland, the son of wealthy James Phinney Baxter, businessman who served six terms as mayor of Portland, and Mehetabel Cummings Proctor Baxter.

Gov. Baxter attended Portland public schools and was a Phi Beta Kappa graduate of Bowdoin in 1898. He graduated from Harvard Law School in 1901, and came back to his hometown to practice law. His chores also included management of family properties.

The governor's political apprenticeship included three terms (1905, 1917 and 1919) in the State House of Representatives and two (1909 and 1921) in the State Senate.

He was president of the Senate in 1921 when Frederick Parkhurst died a few weeks after becoming governor. Baxter automatically advanced to the governorship for the remainder of Parkhurst's term, then was reelected in his own right in 1923. He served another term as governor, leaving office in 1925. He run unsuccessfully for the U.S. Senate in 1926 and never again tried for public office.

His influence in the councils of the Republican party in the state, however, were felt for more than half a century, and he was generally thought of as the party's elder statesman.

The governor was devoted throughout his life to animals and in his younger years had a succession of Irish setters.

When one of these pets, a setter named Garry, died while Baxter was governor, he stirred a storm of protest from veterans' organizations by ordering the capital flag lowered to half staff. The governor retorted to claims that his gesture was an "insult to our flag" with a passionate defense of dogs and a chronicle of their roles in war and peace.

The incident apparently was of no concern to the U.S. Flag Association, for Baxter the next year was elected to its national council.

Gov. Baxter had an animal cemetery on Mackworth Island, the former family summer home, where a number of his dogs and horses are buried. The burial plot is unique in this section of the country.

Though he left political office in 1925, he maintained his interest in politics, and was a delegate to three Republican conventions, the last in 1928. As late as 1948, Gov. Baxter was being urged to become once again an active campaigner for public office. He put aside the suggestion gently.

In 1958, however, he lent his influence to Republican forces within the state by backing the successful candidacy of Dwight D. Eisenhower against the late Sen. Robert A. Taft for the GOP presidential nomination. Gov. Baxter served as honorary chairman of the Maine for Eisenhower Committee.

In his middle and later years, Gov. Baxter traveled widely.

He was a big man, standing more that six feet in height, with broad shoulders, white hair and a ruddy complexion and enjoyed a vigorous old age. In his 70s, he continued his travels, especially in the Caribbean area, and became an air travel enthusiast during a flying trip to Europe when he was 77.

One of Gov. Baxter's close companions in his later years was the late Guy P. Gannett, Maine newspaper publisher.

In his 70s, the governor bore a striking resemblance to the General of the Armies George C. Marshall, and was often amused to be mistaken for the general during his travels.

Gov. Baxter won numerous honors and awards during his long career, among them the Cumberland County American Legion award for humanitarianism and child welfare work, the Amvets community service award and the National Disabled American Veterans award for work in rehabilitation. He was a former member of the College of Electors to the Hall of Fame for Great Americans.

He was a member of Delta Kappa Epsilon the Bowdoin Alumni Association, the Harvard Clubs of Boston and New York, and the Cumberland Club. He was a 32nd degree Mason.

[From the Portland (Maine) Press Herald, June 14, 1969]

MAINE MOURNS BAXTER'S DEATH

The flags on state buildings will fly at half staff for one week in honor of former Gov. Percival P. Baxter, the millionaire and philanthropist who endeared himself to Maine through his selfless generosity.

Upon issuing the executive order Friday, the day after Gov. Baxter died at the age of 92, Gov. Curtis called the former chief executive "a man who practiced humility and never spent any time seeking the credit he so often deserved for his many great works of charity."

State forestry Commission Austin H. Wilkins said he was awaiting word from the family regarding Baxter's wish that his body be laid to rest on mile-high Mt. Katahdin. No decision on funeral plans is expected until Sunday night.

In the hall of flags in the State House, the bronze burst of Baxter and surrounding rail were draped in black and a wreath of flowers was laid alongside.

Senate President Kenneth P. MacLeod, R-Brewer, said he will propose a joint memorial convention of the Senate and House Monday for the reading and adoption of a memorial resolution.

The Senate, of which Baxter was president in 1921, adjourned Friday without mention of Baxter's death. A House resolution was being prepared, but was not introduced in view of the fact that the Senate already had adjourned.

Maine's political leaders joined in expressing sorrow over the former governor's death and praising him as a person.

Maine's senior Sen. Margaret Chase Smith noted that ". . . while he will be remembered for his magnificent gifts to the state, countless individuals have benefited by his kindnesses."

Sen. Edmund S. Muskie, vacationing at Kennebunk Beach, called Baxter a "friend and a wise counselor," and a man with a commitment to conservation "unparalleled in Maine's history."

First District Rep. Peter N. Kyros said Baxter had proved that "the best effort of any man is to cherish the life of his fellow man."

Rep. William D. Hathaway of Maine's 2nd District said, "It is difficult to think of anyone who has contributed more to the state of Maine."

Former Gov. Horace A. Hildreth Sr. said, "All Maine citizens will feel a deep loss at the death of this great citizen of Maine and the Nation."

Robert Hale, a long-time GOP congressman from Maine, commented, "No one will ever surpass him in love for the state, and I doubt if the state ever had a greater benefactor."

Former Maine Gov. John H. Reed, now chairman of the National Transportation Safety Board in Washington, said:

"I am deeply saddened to learn of the passing of former Gov. Percival P. Baxter. He was one of Maine's greatest citizens. His generous gift of Baxter State Park will forever stand as a monument to his genuine concern for conservation and the preservation of our great natural resources. As a warm, compassionate human being, he had no peer.

"Percy Baxter gave Maine an outstanding administration during his tenure as governor. I know of no person more admired and revered by the people of Maine. His memory and good works will never be forgotten."

Most prominent on the list of gifts from Gov. Baxter is the 200,000-acre Baxter State Park in the north central part of the state. With mile-high Mount Katahdin in the middle, the ardent conservationist deeded the land to the state with only one string—that the park "be kept forever in its natural wild state . . ."

Baxter once commented that man is born to die and material things eventually vanish, "but Katahdin in all its glory forever shall remain the mountain of the people of Maine."

The former governor also gave the state Mackworth Island, off Falmouth, and donated $675,000 to help build the Maine School for the Deaf there.

Besides this, he gave a park to his native city of Portland, and financed a lighting system around the city's Baxter Boulevard, named for this father.

Baxter was a 1898 graduate of Bowdoin College and Harvard Law School in 1901.

He was elected to the Maine House in 1905 and later served in the Senate.

Gov. Baxter is survived by two nephews, John L. Baxter, Brunswick, and James P. Baxter III, Williamstown, Mass.; six nieces, Mrs. Ellen B. Moyer, Cape Elizabeth; Mrs. Mary B. White, Brunswick; Mrs. Lydia B. Durney, Bath; Mrs. Nellie B. Bruce, Tucson, Ariz.; Mrs. Emily W. Holmes, Topsham, and Mrs. Ellen B. Morrell, Brunswick, and several grandnieces and grandnephews.

[From the Portland (Maine) Evening Express, June 13, 1969]

EX-GOVERNOR BAXTER MAY BE BURIED ATOP MOUNT KATAHDIN

(By Maxwell Wiesenthal)

Former Gov. Percival P. Baxter may be buried atop mile-high Mount Katahdin overlooking the 200,000-acre wilderness preserve in north central Maine which is his memorial.

Gov. Baxter died last night in his home at 92 West St., after a brief illness. He was 92.

Members of his family were to meet late this afternoon to make arrangements for the governor's burial. He had requested that there be no funeral, no flowers or no memorial service.

Maine citizens, led by Gov. Kenneth M. Curtis, mourned the loss of the state's foremost benefactor.

Gov. Curtis ordered that flags on state buildings be flown at half staff for a week and the bronze bust of Baxter in the State House Hall of Flags be suitably draped.

Said Gov. Curtis:

"All Maine citizens are saddened by the death of former Gov. Percival P. Baxter. His selfless devotion to our state for more than six decades has enriched all our lives.

"His gift to Maine—the Mackworth Island School for the Deaf in Casco Bay, his series of gifts that created to 200,000-acre Baxter State Park and his $1.5 million trust fund to administer the park—are but a few of the many gifts for which he was responsible.

"Gov. Baxter was a man who practiced humility and never spent any time seeking the credit he so often deserved for his many great works of charity. Nevertheless, he has been signally honored on numerous occasions, including a tribute from the Maine Legislature, and from the national government with its "outstanding conservation award of the year" for his gift to the people of Baxter State Park. The area has become a national monument recognized by the United States of America as one of a few in the nation.

"He served his state in the legislature and as its governor and he leaves a legacy for all. It can be epitomized by his own words:

"'Man is born to die, his works are short-lived,

'Buildings crumble, monuments decay, wealth vanishes.

'But Katahdin in all its glory forever shall remain the mountain of the people of Maine.'"

Maine's senior U.S. Sen. Margaret Chase Smith said:

"Percival P. Baxter has been one of the outstanding private citizens and one of her greatest governors. While he will be remembered for his magnificent gifts to the state, countless individuals have benefited by his kindnesses."

U.S. Sen. Edmund S. Muskie, vacationing at Kennebunk Beach, expressed his sorrow at Gov. Baxter's passing.

"I am deeply saddened by the death of Gov. Baxter. He was a friend and a wise counselor.

"Gov. Baxter was an extraordinary human being, committed to public service, and generous and compassionate in that service. His commitment to conservation was unparalleled in Maine's history. His gift to Maine of Baxter State Park, encompassing 201,018 acres, will provide generations of Maine people with the opportunity to enjoy unspoiled timber land as well as Mt. Katahdin, our highest mountain.

"Gov. Baxter recognized long ago that Maine's natural beauty and resources were not without limits and could be spoiled if not protected.

"His gift of Baxter School for the Deaf was another example of his generosity and concern for the needs of people.

"Mr. Baxter was a progressive governor of Maine. His intelligence and integrity set a moral tone in Maine public life long after he retired from it.

"He was a thoroughly decent man who we all will miss. Maine is a far better place in which to live and work because he chose to live here and help guide it."

U.S. Rep. William Hathaway said:

"Gov. Baxter had lived a long and useful life and his contributions to the state will always be remembered and appreciated. It's difficult to think of anyone who has contributed more to the State of Maine."

U.S. Rep. Peter N. Kyros eulogized Gov. Baxter as follows:

"I deeply regret the death of Gov. Baxter. I think the memorial that he left to us is his complete understanding of the dignity of human life. In his efforts for conservation, where he was an early pioneer, in his concern for children, in his love of animals, in his gifts to the state that he loved, he proved forever that the best effort of any man is to cherish the life of his fellow man. We will miss him."

Former U.S. Rep. Robert Hale, a personal friend, said:

"In the death of Percival P. Baxter, Maine loses one of its most distinguished citizens. No one ever surpassed him in love for the state and I doubt if the state ever had a greater benefactor. I served in the legislature when he was governor and I have valued his friendship ever since. I shall miss him and I honor his memory."

Dr. Roger Howell Jr., president of Bowdoin College said: "Bowdoin mourns with the state and the nation the loss of a distinguished son and elder statesman. Gov. Baxter's concern for his native state and all his fellows has distinguished his career from the time of his Bowdoin days throughout his long life of public service."

Federal Maritime Commissioner James V. Day said in Washington:

"Our State and nation have just lost a great and significant citizen, a man whose sense of the public interest was so well exemplified by his service as governor and his many philanthropies on behalf of the public. I, of course, have also a deep sense of personal loss upon the passing of such a true friend and advisor but I recognize foremost what Gov. Baxter has meant, and what his having lived will continue to mean to the people of Maine."

Former Gov. John H. Reed, chairman of the National Transportation Safety Board, was conducting a hearing and was unavailable for comment.

Called Maine's foremost benefactor, the millionaire bachelor has his name attached to a variety of gifts. They include the Baxter School for the Deaf and Mackworth Island, Falmouth, paintings and historic documents at Bowdoin, funds for the Baxter Library at Gorham, a wildlife sanctuary in Portland and other land preserves.

His chief work of a lifetime of giving, however, is the 200,000-acre wilderness reserve in north central Maine, including Mount Katahdin, now Baxter State Park. An ardent conservationist, the former governor anxiously followed five sessions in which the state legislature failed to set aside the Katahdin area as a state park. He then began purchase of the tracts which he deeded over to the state.

He specified that the park was to be "kept forever in its natural wild state" and gave a half million dollar trust fund for its care and operation. His action in acquiring the vast unspoiled area has been called an example of conservationist foresight not duplicated anywhere else in this country by one man.

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Gov. Baxter thought of his creation of the park as "my life work." He was saluted for it in 1962 with a Department of Interior conservation service award.

"The governor," as he came to be known for almost a half century after he had left the Blaine House, was born Nov. 22, 1876, in Portland, the son of wealthy James Phinney Baxter, businessman who served six terms as mayor of Portland, and Mehetabel Cummings Proctor Baxter.

Gov. Baxter attended Portland public schools and was a Phi Beta Kappa graduate of Bowdoin in 1898. He graduated from Harvard Law School in 1901, and came back to his hometown to practice law. His chores also included management of family properties.

The governor's political apprenticeship included three terms (1905, 1917 and 1919) in the State House of Representatives and two (1909 and 1921) in the State Senate.

He was president of the Senate in 1921 when Frederick Parkhurst died a few weeks after becoming governor. Baxter automatically advanced to the governorship for the remainder of Parkhurst's term, then was reelected in his own right in 1923. He served another term as governor, leaving office in 1925. He ran unsuccessfully for the U.S. Senate in 1926 and never again tried for public office.

His influence in the councils of the Republican party in the state, however, were felt for more than half a century, and he was generally thought of as the party's elder statesman.

The Governor was devoted throughout his life to animals and in his younger years had a succession of Irish setters.

When one of these pets, a setter named Garry, died while Baxter was governor, he stirred a storm of protest from veterans' organizations by ordering the capital flag lowered to half staff. The governor retorted to claims that his gesture was an "insult to our flag" with a passionate defense of dogs and a chronicle of their roles in war and peace.

The incident apparently was of no concern to the U.S. Flag Association, for Baxter the next year was elected to its national council.

Gov. Baxter had an animal cemetery on Mackworth Island, the former family summer home; where a number of his dogs and horses are buried. The burial plot is unique in this section of the country.

As a young state lawmaker he authored the nation's first antivivisection law.

Though he left political office in 1925, he maintained his interest in politics, and was a delegate to three Republican conventions, the last in 1928. As late as 1948, Gov. Baxter was being urged to become once again an active campaigner for public office. He put aside the suggestion gently.

In 1958, however, he lent his influence to Republican forces within the state by backing the successful candidacy of Dwight D. Eisenhower against the late Sen. Robert A. Taft for the GOP presidential nomination. Gov. Baxter served as honorary chairman of the Maine for Eisenhower Committee.

In his middle and later years, Gov. Baxter traveled widely.

He was a big man, standing more than six feet in height, with broad shoulders, white hair and a ruddy complexion and enjoyed a vigorous old age. In his 70s, he continued his travels, especially in the Caribbean area, and became an air travel enthusiast during a flying trip to Europe when he was 77.

One of Gov. Baxter's close companions in his later years was the late Guy P. Gannett, Maine newspaper publisher.

In his 70s, the governor bore a striking resemblance to General of the Armies George C. Marshall, and was often amused to be mistaken for the general during his travels.

Gov. Baxter won numerous honors and awards during his long career, among them the Cumberland County American Legion award for humanitarianism and child welware work, the Amvets community service award and the National Disabled American Veterans award for work in rehabilitation. He was a former member of the College of Electors to the Hall of Fame for Great Americans.

Gov. Baxter also gave a park to his native city of Portland and financed a brilliant lighting system, similar to that in Rio de Janeiro, Brazil, around Baxter Boulevard. named after his father.

He was a member of Delta Kappa Epsilon, the Bowdoin Alumni Association, the Harvard Clubs of Boston and New York, the Cumberland Club, the Portland Club and an honorary member of the Rotary Club. He was a 32nd degree Mason.

Gov. Baxter is survived by two nephews, John L. Baxter, Brunswick, and James P. Baxter III, Williamstown, Mass.; six nieces, Mrs. Ellen B. Moyer, Cape Elizabeth; Mrs. Mary B. White, Brunswick; Mrs. Lydia B. Durney, Bath; Mrs. Nelly B. Bruce, Tucson, Ariz.; Mrs. Emily W. Holmes, Topsham, and Mrs. Ellen B. Morrell, Brunswick, and several grandnieces and grandnephews.

[From the Waterville (Maine) Sunday Telegram, June 22, 1969]

11-YEAR-OLD COLUMN TELLS GOV. BAXTER STORY BEST

(By Gene Letourneau)

WATERVILLE.—A Sportsmen Say column written 11 years ago when the late former Governor Percival P. Baxter was 81 years old became "privileged" material upon his recent death.

The column concerns an eight-pound Eastern Brook Trout caught by Mr. Baxter in the Rangeley region when he was seven years old. At the time, he related the story to the writer he requested that publication be withheld until after his death.

The man who made more than 200,000 acres of wilderness a paradise for outdoors and wildlife enthusiasts must have been gifted with wisdom at an early age. He made Baxter State Park possible. His trophy trout could well become the foundation of a fund to finance production of such fish for the same area from which his prize was taken.

Following is that column:

"Percival P. Baxter, fish account." So reads the title of one of the savings accounts at a Portland bank. Behind it is a 73-year-old story of sound management, thrift and good sportsmanship.

The account was opened in 1884, when the former governor of Maine was seven years of age.

The account actually was started at Toothacher Cove, Cupsuptic Lake, in the Rangeley region, where young Baxter accompanied his father on many fishing trips.

On this particular occasion, the fish weren't biting too well. As it does with any active youngster, time weighed heavily on the boy who was eventually destined to become one of Maine's outstanding benefactors. Only the swish of the oars pulled by the guide disturbed the surroundings. The sun was beaming upon the still, motionless water.

Young Baxter was contemplating asking to return to camp when his father beat him to the punch. An enthusiastic and tireless angler, the elder Baxter told his son that if he should catch a trout weighing five pounds or more on this day he would honor the trophy by giving him ten dollars for each pound.

The offer, appealing but little under the circumstances to young Baxter, had hardly been made when the rod in the lad's hands almost was ripped from from his grasp. A huge fish had struck.

The boy now was all enthusiasm and action. Following carefully the advice of his father, and their guide, he played the great fish until his arms became weary.

The guide, undoubtedly more excited than either of his sports, felt sure this was a great trout, as it kept lunging for deep water and battling under the surface. As it kept calling for line, the boy played it out reluctantly, regaining it whenever the tension slackened.

It was a memorable fight, one that a boy would recall many times. Eventually, the speckled beauty, rolling on the surface near the boat, was netted by the guide. the fish was a trophy, an Eastern Brook Trout that weighed exactly eight pounds. It was the largest Mr. Baxter ever caught.

That evening, at the community dining room of the sporting camp, the trout was the center of attraction. Word had spread about the fund it had brought to young Baxter. One of the sportsmen asked the lad what he planned to do with his newly acquired "Fortune" of eighty dollars.

"When I get back home," young Baxter replied, "I am going to open a savings account in the bank." And that is exactly what he did.

Today (1958) the Percival P. Baxter fish account has grown to almost $1,100 as the interest accumulated. The former governor, donor of the famous Baxter Park in the Katahdin region, feels it should be used for the purpose his father originally must have had in mind.

The Baxters have been successful business people. They also have championed many things for others to enjoy. The former governor's contributions have been myriad, many directly affecting the life and the natural beauty of his beloved state.

Mr. Baxter lives quietly at his home in Portland. One of the pictures on the walls before which he frequently pauses, shows him holding his great catch. It represents more than an ordinary trophy in the den of an unusual personality.

Some day, Maine will benefit by that trophy. The money it raises, Mr. Baxter sincerely hopes, will be used for the protection of wildlife, possibly for the propagation of several comparable trout that will benefit others as did his own trophy. (End Baxter column written 11 years ago.)

THE SAFEGUARD SYSTEM

Mr. BAKER. Mr. President, later this week the Senate will begin consideration of the fiscal 1970 Department of Defense procurement authorization bill. Although there are many important items in that piece of legislation, it is no secret that the proposed Safeguard anti-ballistic-missile system will be the focus of the most intensive debate and controversy.

This morning I received a letter from two eminent proponents of the Safeguard system. The letter is jointly signed by James C. Bresee, Director of Civil Defense at the Oak Ridge National Laboratory, and Eugene P. Wigner, professor of mathematical physics at Princeton University, Nobel laureate, and unquestionably one of the great scientific figures of our time.

Mr. President, this letter simply but powerfully makes the case of many of us who support deployment of the Safeguard system. It speaks directly and unemotionally to objections raised in good faith by opponents of the system, and I strongly urge each of my colleagues to give this letter the careful attention that I feel it deserves.

Mr. President, I ask unanimous consent that a letter from Messrs. Bresee and Wigner dated July 3 be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 3, 1969.

Hon. HOWARD H. BAKER, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BAKER: We strongly prefer defense of our people against an attack to retaliation for such an attack. However, quite disregarding this preference, we feel that the arguments in favor of ballistic missile defense, and in particular in favor of the Safeguard system, are strong, and many arguments against it are fallacious. Some examples to support these claims follow:

1. The strongest argument against the Safeguard system is that it will be provocative and will make it necessary for the USSR to further strengthen its defenses and retaliatory power. Since the Safeguard is designed primarily to protect our own retaliatory power, and since its principal effectiveness is in this area, its installation can affect the USSR only if it wishes to eliminate our retaliatory power. If it has no such intentions, the installation of Safeguard will be irrelevant from its point of view.

2. The second argument against the Safeguard system is that it will make arms control negotiations more difficult.

According to Dr. Wiesner in congressional testimony last March, the ability of either the U.S. or the Soviets to destroy approximately ten major cities (or even fewer) in the other country would deter that country. Less than 1 per cent of the USSR missile strength would be needed. No plan acceptable to the Soviets has been proposed which could assure the elimination of more than 99 per cent of USSR missile strength. Less assurance might be mutually acceptable if both sides could provide protection for their population. Admittedly, the Safeguard system does not provide significant protection of the U.S. population against a Soviet attack; its installation would provide, however, a pilot plant for the possible later development of such protection.

It is curious that opponents of ABM automatically assume that a massive buildup of offense must occur if either side seeks to reduce its enormous vulnerability to missile attack, and yet freely admit that much lower vulnerability would still be adequate for deterrence.

3. On the contrary, it appears to us that the reluctance on our part to take the steps which would strengthen our defenses might encourage the most aggressive part of the USSR leadership and would provide a temptation for all that leadership, thus delaying efforts toward mutual accommodation.

4. It is claimed that our ABM will be inefficient because it has to be in readiness for years but then be fired at the correct time after only a few minutes' warning. The same argument could be used against our ICBM's. Both arguments are inaccurate. Our present missile systems are continually tested and Safeguard would be also.

5. Dr. York claims that our deployment of missile defense would lead to more steps in that awesome direction of placing greater reliance on automatic devices. However, the harm done by the unnecessary use of these devices would be entirely negligible as compared with the harm resulting from the unavailability of these devices should the need for their use arise.

6. Some opponents advocate, instead of the missile defense, a superhardening of our missile bases. It is entirely unclear why this would be preferable to defending our present bases. It surely is less practicable, since improved accuracy can reduce the effectiveness of the former more rapidly than the latter. Others advocate multiplying our retaliatory power—a measure more provocative because more likely to threaten a first strike.

7. Some opponents doubt the technical effectiveness of Safeguard. However, Dr. Kistiakowsky, in another context, admits that defense is essentially successful if its functioning appears probable or at least possible to the opponent. The way such statements are made in one context, but forgotten when they strengthen the case for Safeguard, is very disturbing.

8. Dr. Panofsky admits, with some approval, that we had and have a first strike capability against communist China but have chosen not to use it. Similarly, we do not believe that the USSR is afraid of a first strike by us. The most convincing proof of the lack of fear of our malevolent intent is the character of the Soviet civil defense program. Although some blast protection is being installed in their major cities—in particular, in their new subway systems—most urban dwellers will be protected by evacuation during a crisis. Since it is particularly vulnerable to a first strike, the U.S. (we think, properly) has decided *not* to base its civil defense on evacuation. The lack of symmetry is obvious.

9. A final and perhaps less obvious reason for the deployment of missile defense is the ineffectiveness of the retaliatory capability if, as will be increasingly possible, the identity of the attacker is uncertain. It would be immoral to punish people on the mere suspicion of an attack instituted by their leadership. Some opponents of ABM protection favor "launch-on-warning" (that is, firing all our missiles as soon as enemy missiles appear on our radar). ABM allows us to ride out an attack without the need for precipitous action, surely a stabilizing factor in an increasing unstable world.

Sincerely,

EUGENE P. WIGNER.
JAMES C. BRESEE.

THE BIAFRAN CRISIS: A TIME FOR FREE WORLD ACTION

Mr. DODD. Mr. President, the moral philosophy of all civilized peoples recognizes the fact that there are crimes of omission as well as crimes of commission.

Not so many years ago, every newspaper in our country reacted with horror to the story of Kitty Genovese, the Queens, N.Y., woman who was attacked on the street and repeatedly stabbed, while some 30 people who saw the attack or heard the woman's cries did not lift a finger to help her, and, for that matter, did not even trouble to notify the police.

The neighbors who saw Kitty Genovese being attacked or heard her cries but did nothing, disobeyed no law, and were guilty of no crime. But their silence and inaction, nevertheless, made them moral abettors of the criminal.

I believe that we are now confronted in Biafra with a situation that resembles the ghastly story of Kitty Genovese, multiplied a million times over.

According to the International Red Cross, more than 1,500,000 civilians, the majority of them women and children, have already perished in this cruel and genocidal conflict.

Millions more would have died had it not been for the emergency relief operations of the International Red Cross and of the various religious agencies operating through Joint Church Aid.

But now tragedy threatens on an even more horrifying scale than the tragedy of the past.

On June 6, the Nigerian air force shot down a Red Cross DC–7 transport plane ferrying relief supplies to Biafra. In consequence of this incident, the Red Cross suspended all mercy flights into Biafra.

The Red Cross hoped that a new agreement could be worked out with the Nigerian authorities. But this morning it was announecd from Lagos that the Nigerian Government would permit no outside relief activities in Biafra, unless the efforts were channeled through the official Nigerian Government agency.

What this means is that the Nigerian Government has now committed itself to the total blockade of Biafra in an effort to starve the Biafran people into submission. That this is so was underscored by the recent statement of Chief Awolowo, a high-ranking Nigerian official, who said publicly that starvation was a legitimate means of war.

It has been estimated that if all food shipments to Biafra are cut off, the death rate from starvation may go as high as 500,000 or one million a month.

In this situation, there are only two options open to our own country and to the other countries of the free world.

Either we can stand idly by, watching this horrifying massacre of the innocents and rationalizing our inaction with much the same kind of self-justification that Kitty Genovese' neighbors used to justify their own inaction; or else we accept our moral responsibility and do what must be done to prevent the murder through starvation of millions of Biafran civilians.

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I say that we cannot stand idly by, that our moral responsibility in this situation is clear and imperative.

If the Nigerian Government refuses to permit the International Red Cross and Joint Church Aid to continue their mercy flights into Biafra, then there is only one way to deal with the situation.

Concretely, I would propose that the United States take the initiative in inviting other free world nations to join in an emergency mercy airlift, operated under international supervision.

All of the participating nations would contribute cargo aircraft, either commercial aircraft, or unarmed military transports.

To satisfy the Nigerian authorities that the airlift was being used to transport food only, the Nigerian Government would be invited to participate in an international inspection unit, operating either under United Nations or Red Cross auspices. But whether the Nigerian Government agrees or refuses to agree to this proposal, it should be advised that we plan to go ahead with it, in concert with other free nations.

I am convinced that such a proposal would meet an immediate affirmative response from countries like Britain, Ireland, France, West Germany, Canada, Australia, Sweden, Switzerland, Italy, and other free world countries.

It is still my hope that the coming days will bring news of a renewed agreement between the Nigerian Government and the Red Cross and church agencies.

But if such an agreement does not emerge by the end of this week, I believe that our Government should move immediately on the proposal I have here outlined.

RESOLUTIONS ADOPTED BY THE 1969 TEXAS YOUNG REPUBLICAN FEDERATION CONVENTION

Mr. TOWER. Mr. President, at their recent convention, the Texas Young Republican Federation passed several resolutions concerning subjects which are being very seriously discussed by the youth of Texas, as well as by the youth of the entire Nation. I believe that their analyses of the Safeguard anti-ballistic-missile system and the chaotic situation on many of our college campuses are both rational and correct.

It is my belief that it is most important that the voice of such a viable youth-oriented political group as the Texas Young Republican Federation be heard. It occurs too often that the only young voice that reaches the public forum is that of the unlawful and violent minority whose access to the communications media is due to their continued civil disobedience.

I feel that the Texas Young Republican Federation is in many ways representative of the "silent majority" of American youth who believe in free and nonviolent expression of both sides of a particular issue. The opinion of such a group as this one will aid my colleagues in the Congress in measuring the opinion of the youth of America. For this reason, I ask unanimous consent to insert into the Record the text of these resolutions passed at the 1969 Texas Young Republican Convention.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

Resolutions—1969

Whereas the United States has no effective anti-ballistic missile defense system, and

Whereas the Soviet Union possesses a highly-sophisticated anti-ballistic missile system, and

Whereas the Nixon administration has proposed installing an anti-ballistic missile defense in the United States, and

Whereas the Soviet-Chinese nuclear threat shows no evidence of dissipating in the future, and

Whereas the U.S.S.R. and China are actively improving and enlarging their offensive and defensive nuclear systems, and

Whereas Red China will soon have the nuclear capability to destroy the United States, and

Whereas the Soviet Union has given no indication of keeping their side of nuclear treaties, and

Whereas the avowed object of communist world activities is to conquer the United States,

Therefore be it resolved, that the Texas Young Republican Federation supports President Nixon's stand on the installment of the anti-ballistic missile defense system and the continuance of military defense research for more sophisticated defense equipment to insure the security of the United States.

Whereas college campuses across the nation have been besieged by disorders, and

Whereas such disorders have assumed the nature of force and violence, and

Whereas constructive, lasting change can better be accomplished in a stable, peaceful atmosphere, and

Whereas President Nixon has stated, "A fundamental governing principle of any great university is that the will of reason and not the will of force prevail."

Whereas the flagrant violation of existing laws and rules is essential and inevitable for such violent disorders to occur, and

Whereas the enforcement of rules is the most effective means of preventing such disorders before they occur,

Therefore be it resolved, that the Texas Young Republican Federation urge that student groups, recognized and unrecognized, that flagrantly violate university rules and disregard the rights of the student majority to a peaceful and orderly education be held responsible for their illegal actions and be dealt with according to the law. We further commend the positions taken by Governor Reagan of California and Dr. S. I. Hayakawa.

THE ABM

Mr. HARRIS. Mr. President, the Daily Oklahoman recently carried an editorial, entitled "The ABM Questions," which is typical of the sound and concerned questions being raised by more and more thoughtful citizens throughout the country about this very serious subject.

The editorial calls attention to the continued controversy surrounding this proposed defense system. It points out:

> Unfortunately, we know that defense estimates are always too low and the actual cost might be $15 billion.

The central question raised by the editorial is in regard to the length of time that may be required to get the proposed ABM system into operation, and the concluding paragraph of the editorial states:

> The Defense Department ought to advise the public as to how many years it will take to install the ABM systems and give us some assurance that it really would be effecitve in preventing the destruction of our Minuteman missiles.

Because this editorial raises some very serious questions which need asking—and answering, I wanted to call it to the attention of Senators, and I ask unanimous consent that it may be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The ABM Questions

There is a persistent controversy about the attempt to build an ABM defense system. By a close vote, a congressional committee has recommended the undertaking.

The United States has never built an ABM system and some scientists say it would work and others are doubtful. It might require a year to develop plans and specifications before beginning construction of the necessary machinery.

The first estimates of cost varied from $4 billion to $9 billion and recently a figure of $7 billion seems to be a more definite estimate. Unfortunately, we know that defense estimates are always too low and the actual cost might be $15 billion.

Perhaps the most important element has never been publicly discussed. That is the number of years that may be required to construct the defense machinery. It must be assumed that a large number of installations would be required, scattered perhaps in many states.

The device would be intended to shoot down nuclear missiles which were already in space or in the air, and there is no certainty that the ABM's could shoot down even as much as half the incoming nuclear missiles. The ABM's would be of no damage to Russia other than perhaps destroying half of the ammunition which they aimed at this country. The ABM is not an offensive weapon.

It would be fine if we already had such devices, properly placed, to intercept as many as possible of Russian warheads, but if it requires four or five years or longer to create the ABM machinery it may be too late.

We know how to make Polaris submarines, but Admiral Rickover says none is being made or planned. Senator Symington says we are woefully lacking in attack submarines, but Russia is making three to our one and we can't catch up with them that way. Russia is manning its surface ships with guided nuclear missiles with a range of from 100 to 300 miles. We are not putting guided missiles on any of our surface ships.

Russia would have concern about our offensive ability, but they could ignore purely defensive weapons.

The Defense Department ought to advise the public as to how many years it will take to install the ABM systems and give us some assurance that it really would be effective in preventing the destruction of our Minuteman missiles.

SCHOOL DESEGREGATION POLICY

Mr. SCOTT. Mr. President, I urge the Department of Health, Education, and Welfare to clarify its desegregation policy regarding intransigent school districts. I do not support a relaxation of the guidelines which have done more to bring educational equality to students within the past 4 years than in all the years since the 1954 Supreme Court decision.

HEW should move quickly to clarify its new statement on school desegregation guidelines so that all will understand the general requirement that all school districts are to abolish segregation by September 1969, and in a few cases September 1970, is still in effect. HEW should make clear to school superintendents that already desegregated districts or those with plans to desegregate by September of this year must live up to their commitments.

It is hard to understand that after 15 years there is still delay in providing equal education to all American students. I am not opposed to the use of reason in enforcing desegregation guidelines. It may be necessary to grant a few districts—and emphasis must be on the few which I understand is about 10—an additional short extension of time because of a lack of facilities or teachers to accomplish integration. In this instance, perhaps the Federal Government should provide funds to the district in order to speed up the acquisition of classrooms and teachers.

DEATH OF TOM MBOYA

Mr. TOWER. Mr. President, it is with a great sense of sorrow that I note the untimely death, last Saturday, of Tom Mboya, the Minister of Planning and Economic Development in the Government of Kenya. I had the privilege of knowing Mr. Mboya personally and greatly admired his ability as a leader in a troubled land and his dedication to his country.

Ideologically it would be hard to place Tom Mboya. On some issues he was on the left, on others he was on the right, and sometimes he was in the middle; but he always did what he thought best for Kenya without regard to personal philosophy—his country was his belief. His unmatched ability to distil the fine points of African politics, blending them with democratic ideals and then through his influential post in the Government bringing about a basis of democratic stability, was among his many contributions to the birth of the nation.

His rejection of tribalism in an area where it had been a way of life for countless decades was a progressive step that has made the survival of Kenya possible and has set an example for other African statesmen to follow.

In an age when other second-generation African leaders are turning to radicalism as a method for solving the ills of their nation, Mr. Mboya stressed hard work and far-sighted planning. In his important Ministry of Planning and Economic Development, he laid the groundwork for Kenya's future growth while helping to stabilize the economic situation of the newly independent nation. His rejection of dialectics made the Ministry function well and again set an example for other ministries.

In the final analysis, Tom Mboya, who was assassinated at the early age of 38, will best be remembered for his dedication to honesty, integrity, and efficiency that made him a standard, not only for his nation and Africa, but for the rest of the world as well. His accomplishments will guide others as they seek to emulate him. As Tom Mboya joins the pantheon of Kenyan heroes, I have lost a friend, Kenya a great leader, and the world a fine statesman.

THE SAFEGUARD ABM SYSTEM

Mr. BYRD of Virginia. Mr. President, for the past 3 months, I have been giving a great deal of thought to President Nixon's proposal for the development of an anti-ballistic-missile defense system.

I have listened to a great deal of testimony by outstanding scientists, both those who favor deployment of ABM and those who oppose it.

The scientific community is sharply divided, with the majority of the scientists opposing it.

Our professional military leaders strongly favor an ABM system.

The amount of money involved in the 1970 budget for President Nixon's Safeguard system is $891.5 million. The total system over a period of 6 years is estimated by the Defense Department to cost approximately $7 billion. The total cost, in my judgment, will be substantially greater than the Defense Department estimate.

The program represents 13 years of intense research and development effort at a cost of more than $3 billion. The question now is whether this 13 years of research and development shall be put to use?

First, we must consider what the proposed system will and will not do.

The missile defense system is not an offensive weapon; it is purely a defensive one.

It is not a warmaking weapon—it's only use is to protect the United States in the event of an attack.

It does not add to our Nation's offensive potential—but it does add to our Nation's protection.

President Nixon believes that the Safeguard system will strengthen the hand of the United States in any arms control talks with the Soviet Union—and I believe that history teaches us that the Russians respect strength and despise weakness.

Before it is completed, this system will be a costly one. Balanced against the cost is this: In this imperfect world of international violence and instability, can we afford not to develop some defense against nuclear attack?

Most witnesses testifying either for an ABM system or against one, agree that the Soviet Union has been, and is, substantially increasing its offensive capability.

The evidence seems conclusive that the Soviets, with the SS–9, have the capability to knock out land-based strategic U.S. missiles. Basically, the United States is relying on a strong offensive capability as the best deterrent against aggression. But if U.S. missile sites are knocked out, then U.S. retaliatory power is reduced.

Those who oppose deployment of ABM seem to put considerable faith in the possibility of arms control talks. Most of those who oppose deployment of ABM feel that the Soviet Union has no intention of using its giant SS–9 to attack U.S. missile sites.

No one really knows what Russia's intentions are; most seem agreed, however, as to the magnitude of Russia's growing capability.

To me, this is the most significant evidence obtained from the multitude of testimony regarding the ABM. Opposition witnesses admitted that an increase in our offensive capability may, at a future date, be necessary.

Another fact recognized by all scientists is that a long leadtime is required for the deployment of a defensive system. There is a difference of opinion as to the precise number of years, but all scientists agree that the leadtime is substantial.

So, if the United States is to have an anti-ballistic-missile defense system by 1975, then deployment must be begun now.

None can say whether world conditions will be better or worse 6 years from now.

All of us hope that somehow the statesmen of the world will find a formula for world peace, but there is no evidence to suggest that such a formula is in sight.

Last year, I voted for substantial reductions in non-Vietnam defense costs—and probably will do so again this year.

I have reached the conclusion, however, that it would be unwise to eliminate construction and procurement funds for development of a system to protect the United States in the event of nuclear attack.

Frankly, for the past 4 years, I have had doubts about an ABM program. Two years ago, however, I concluded to support it as a result of the strong recommendation of the Commander in Chief, President Johnson, and his Secretary of Defense, Robert S. McNamara.

Since the Johnson-McNamara recommendation, deployment of an ABM system has been endorsed by President Nixon and by two other Secretaries of Defense, Clark M. Clifford and Melvin R. Laird.

They have differed about details, but each of these men has strongly urged the importance of developing a defensive capability against foreign missiles.

The Soviet Union has deployed a missile defense system.

The military and civilian leaders of the U.S. Government—those charged with the responsibility of the defense of our Nation—are firm in their belief that the United States likewise must develop a defense against foreign missiles.

The deployment of an ABM system would give to the President of the United States, whoever he may be in 1976, an additional option in meeting a reported missile attack.

The scientists are in general agreement that were the President to receive electronic warning that Soviet missiles had been launched against the United States, he would have about 20 minutes to decide whether to fire our intercontinental ballistic missiles.

If the report of enemy firing proved to be an error—not likely, but possible—and the President on the best available information concluded to fire our missiles, then a thermonuclear war would unnecessarily have been started.

But if an ABM system is developed, the President could exercise the option of firing the ABM's as a protection against our missile sites—and if the re-

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port proved to be in error, no harm would have been done. The defensive missiles would have deteriorated in the atmosphere and would not hit any other nation.

So while I have doubts concerning the ABM proposal, I have decided to resolve the doubts in favor of defense.

In the light of world developments, I have concluded it would be wise to support the Commander in Chief in his firm belief that our missile bases must be protected against foreign attack.

In recent years, the world has made great strides in almost every line of endeavor—in medicine, in scientific achievements, in space.

But in learning to live in peace with one another, the nations have made little progress. During the past quarter of a century, the United States has been involved in three major wars.

Until a more peaceful world is at hand, it seems to me we have little choice but to spend the necessary funds in an effort to deter an attack on the two hundred million people in the United States.

In such complex and technical matters as the ABM deployment question, it is not possible to be certain, but it is possible to be prudent. I support prudence.

THE 7-PERCENT INVESTMENT TAX CREDIT

Mr. PERCY. Mr. President, in the near future the question of repeal of the 7-percent investment tax credit will be before us as part of the surtax extension package. I recently solicited the views of businessmen on this question. Responses have come from both large and small businesses in Illinois as well as from other States.

Eighty-four percent of all those who responded are against suspension or repeal of the 7-percent investment tax credit, feeling in the main that repeal would adversely affect their need to modernize and expand plant and equipment.

So that Senators can see a representative sample of thinking on this issue for and against repeal, I ask unanimous consent to place a number of these responses in the RECORD along with the original letter I sent out asking for advice on this issue.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., June 16, 1969.

DEAR FRIEND: I am writing to seek your advice on the investment tax credit. As you are aware, the proposal to repeal the 7% credit will be coming up on the Senate floor for a vote in the near future.

Each year, the Joint Economic Committee, of which I am a member, submits a report on the Annual Economic Report of the President. This year, the Republican members of the committee stated, "We believe that the very nature of the 7-percent investment tax credit makes it an inappropriate tool for short-run economic stabilization and oppose its suspension in 1969." A copy of our full statement is enclosed for your information.

I strongly believe that we must have ways to insure that plant modernization and purchases of productive equipment can be more feasibly made. Unit cost must be held down in order for U.S.. industry to better compete with industries of other nations.

American industry also needs more realistic and rapid depreciation schedules. The Adminstration shares this view, and is studying the desirability of implementing accelerated write-offs to encourage modernization programs.

More consideration should be given to the possibility of using the Federal corporate income tax structure to enable small and growing companies to utilize more of their internally generated earnings for expansion. In this connection, I am investigating the desirability and feasibility of expanding the investment tax credit to include depreciable property, inventory, and accounts receivable.

I wish to actively support every reasonable step being taken by the Administration to hold down inflation and keep interest rates in line, but want to be certain that action taken does not injure the long range competitive position of American industry.

Your advice would assist me greatly in arriving at the best possible decisions on these important matters. Incidentally, I would appreciate your indicating whether you would give me permission to print your reply in the Congressional Record.

Sincerely,

CHARLES H. PERCY,
U.S. Senator.

REPUBLICAN VIEWS ON THE PRESIDENT'S ECONOMIC REPORT

THE INVESTMENT TAX CREDIT

In view of the inflationary increase in business capital investment projected for this year, some have advocated suspending the 7-percent investment tax credit for machinery and equipment. We believe, however, that the very nature of the 7-percent investment tax credit makes it an inappropriate tool for short-run economic stabilization, and oppose its suspension in 1969.

The investment tax credit was originally designed to stimulate business modernization and expansion of capital equipment. The Kennedy administration's objective in proposing it in 1962 was to improve American business competitiveness in international markets, and increase the growth of the economy's productive potential.

The business community originally opposed the tax credit on the grounds that it would be used as an anticyclical device, to be turned off or on depending on the destabilizing pressures in the economy. They felt such manipulations of the tax treatment of investment would play havoc with investment planning, which by nature is based on long-run considerations and involves a great deal of uncertainty.

Business objections, however, were quieted by the Democratic administration's promise that, once enacted, the 7-percent investment tax credit would never be tampered with. This pledge was, of course, broken in September 1966 when the Johnson administration recommended suspension of the credit to fight a "capital goods boom".

Removal of the investment tax credit would operate to reduce investment demand only after a substantial period of time. The immediate impact is small because of the substantial lag between an original capital authorization or appropriation by business and the completion of the productive facilities, when the credit can actually be applied against the business income tax liability. A business firm will not, and indeed in many cases cannot, reduce its capital spending immediately because it has already committed funds to long-term investment projects. This means that inflationary investment demand will not be reduced immediately as is required for stabilization this year. Further, the restrictive effect of suspending the credit may not be felt until a later period when the economy may actually require stimulus, rather than restraint.

BERGSTROM, ROHDE, DAHLGREN & OLSON,
June 24, 1969.

Hon. CHARLES H. PERCY,
U.S. Senator,
U.S. Senate, Washington, D.C.

DEAR SENATOR PERCY: Thank you for your letter of June 16 asking my views with regard to the 7 percent investment tax credit and as to depreciation of capital equipment. There is a central issue here as to the essential nature of our free, competitive, open-market economy which I believe has been missed by (1) the Kennedy administration in proposing the investment credit in the first place; (2) the report of the Republican members of the Joint Economic Committee in referring to the investment tax credit as a "tool" and discussing merely its "suspension" as a part of "stabilization"; and (3) your letter, in classing as the same or similar issues, the granting of freedom of decision as to depreciation rates, on the one hand, and the expansion of the investment tax credit to other types of business property, on the other hand.

In explanation, let me make three basic points:

1. In a free economy, the purpose of taxes should simply be to raise revenue in a manner that will neither "discourage" nor "encourage" specific business decisions to be made for tax-saving reasons alone.

The Russian economic system is based upon the premise that government planners can most suitably determine from the top how resources of the country shall be allocated. The competitive free market system of the United States, on the contrary, is based on the theory that the economic votes of consumers, expressed in their dollars through the price system, will cause the channeling of materials and capital investment through the most efficient companies and workers by reason of their competition to be the most efficient suppliers, rendering what is needed at the lowest possible price.

Tampering with the tax system to persuade someone to use investment or natural resources in some specific manner just because he receives a rebate on taxes—instead of because it is the most economical and efficient thing to do in the competitive market—erodes our economic efficiency and moves it one step closer to the "government-planned" allocation of resources such as is practised in Eastern Europe, and one step away from our free market economy, in which economic decisions as to investment are determined by those stern umpires, competitive efficiency and consumer demand.

Because our tax laws have been drafted without full comprehension of the workings of this competitive market economy which has made the United States the industrial giant of the world, the tax laws contain many provisions which influence investment decisions for the sake of obtaining a tax rebate or allowance, without regard to whether they add to the efficiency of our economy. The tax-free status of municipal bonds, the proceeds of which are then lent to induce plants to located within a specific area, induces investments to be made in areas for mere tax-saving reasons, without regard to whether the productive facilities might be more efficient and more productive if such a factory were somewhere else. The heavy impact of the progressive income tax upon earned income as contrasted with taxes upon capital gains and other investments tends to discourage individuals from working hard in productive occupations, and to encourage them instead to turn their attention to stock market and real estate sales, in which their dollar will be taxed less than if they had earned it by producing what they are most capable of producing. The distorting effect of this upon the stock market, and hence upon our country's entire investment program, can only be guessed.

Enclosed for your information is a copy of my articles from the *Illinois Bar Journal* for May 1967, entitled "Marxism, Senator Sherman, and our Economic System", together with a copy of the editorial from the *Chicago Tribune* for July 3, 1967 summarizing my article. At pages 8–11 of that article I set forth some of the distortions in our economy created by governmental policies which "discourage" or "encourage" economic decisions without regard to their productivity and efficiency.

2. The 7 percent tax credit is a rebate of taxes to induce investment in capital equipment, without regard to whether a free market would determine that it is best for the economy to divert those resources into that particular investment.

The 7 percent investment tax credit is nothing more nor less than a rebate directly from taxes which is given to a certain type of taxpayer and not to others. It gives him this rebate if he decides to invest money in certain capital equipment, regardless of whether the proper economic decision in his case might be to invest that money in research or in sales. Thus it changes the tax structure from that of a simple money-raising activity to that of tinkering with the economy to give special rewards to those who invest in capital equipment whether those investments are in fact economically desirable or not. As I have said, if investments are economically desirable the demand created by consumers should bring the correct amount of investment money into this sector without the aid of this artificial shot in the arm.

3. However, owners of capital equipment should be given the right to determine their own depreciation write-off periods.

There is, however, a reform which would aid investors in capital equipment and which would be fair and would make economic sense. This reform would grant to investors more flexibility in their depreciation rates and in determining the depreciable life of their equipment.

An undesirable side-effect of our heavy income tax rate is that it makes the government feel that it is a proprietor or partner in the business and has the right to control business decisions without regard to their efficiency, in order to protect its tax revenue slice of gross profits. Thus the Internal Revenue Service has set up detailed depreciation schedules, determining that certain machines can be written off under depreciation expense in ten years, other items in fifteen years, and so forth.

This tends to depress initiative, innovations, and the right to make mistakes in new ventures which have helped to make our economy great. There is no real reason why a manufacturer should not be allowed to determine that he will write off certain equipment in three years or one year if he sees fit, as long as the total depreciation allowance he receives does not exceed the cost of the equipment. Any premature write-off by him would be compensated for in the succeeding tax year in which he would have no depreciation deduction as to that equipment. He would thus be allowed the freedom to make his own business judgments as to investment and replacement.

This is a totally different creature from the 7 percent investment credit. The investment credit gives the manufacturer an actual subsidy in the form of a tax rebate that others do not receive. The proposal to allow the manufacturer to determine his own depreciation schedule simply allows him to deduct as his expense, at his own speed, the money he has actually paid out in expenses; and it is deducted only from gross income and not from taxes.

There are scholarly discussions documenting the advisability of this reform. Its initial introduction might require more complexity than I have indicated, because of the necessity of guarding against too large an unpredicted variation in the government's tax income in the first year in which such a reform went into effect (and one would also have to provide against a loophole permitting a sale at capital gains rates to create instantly a new depreciation base for the fully-depreciated equipment); but it is obvious that such a reform is consonant with the freedom envisaged in the American system and does not represent a subsidy to anyone. It represents only the freedom to make business judgments and to make one's own mistakes, in an effort to compete efficiently for the purpose of supplying to Americans the most and best goods and services at the lowest possible prices.

Yours sincerely,

Robert W. Bergstrom.

Inland Steel Co.,
June 9, 1969.

Senator Charles H. Percy,
Senate Office Building,
Washington, D.C.

Dear Chuck: I appreciate very much your painstaking letter commenting on the letter which I had written to Congressman Wilbur Mills on the repeal of the 7% investment tax credit.

I would certainly have no objection if you would want to insert it in the Congressional Record.

After you have completed your deliberations, I do hope that you will oppose the repeal.

With kind personal regards, I remain,
Sincerely yours,

Phil.

Inland Steel Co.,
May 19, 1969.

Hon. Wilbur D. Mills,
Chairman, Committee on Ways and Means, U.S. House of Representatives, Washington, D.C.

Dear Mr. Chairman: Inland Steel Company strongly opposes the proposed repeal of the 7% investment credit, not only from the standpoint of the damaging effects such repeal would have on the necessary maintenance and modernization of the country's industrial plant, but also because of the inflationary effect of such an action.

The investment tax credit was conceived, proposed, and adopted as a permanent feature of our tax structure. The credit and accompanying reforms in depreciation rules were adopted as a joint program to insure the continuous growth and modernization of industrial production and to provide a more equitable competitive position for producers of our nation with those of foreign nations. The credit has been productive, stimulating a steady investment for the improvement of plant and equipment in the United States. But, the needs for this stimulus remain as compelling today as when the credit was originally enacted.

The steel industry provides a prime example of these needs. Since 1962, spurred by the investment tax credit, annual capital expenditures of domestic steel companies have more than doubled. As important as these expenditures have been in modernizing this country's steel facilities, much more remains to be done in order to place the domestic steel industry in a more favorable position with respect to its foreign competitors. In 1962, steel imports into the United States totaled 4,100,000 tons or 5.6% of domestic steel consumption; since 1962 steel imports have been steadily rising, reaching an all-time high in 1968 of 17,960,000 tons or 16.7% of domestic steel consumption. In this latter year, steel imports exceeded exports by 15,790,000 tons. The severe adverse effects of this situation upon the United States' balance of payments and upon the job opportunities for the work force of the United States are obvious.

While there are a number of factors contributing to the steel trade deficit, it is clear that any solution must include continued modernization of domestic facilities in order to further increase production efficiency and reduce costs. While it might be argued that an even larger percentage of investment tax credit than the 7% is required to assist the steel industry, we believe that continuation of at least the present 7% investment tax credit is vital in this competitive struggle.

Proposals for repeal of the investment credit have been advanced on the grounds that it is required by governmental efforts to control the present inflationary forces. We believe this argument to be erroneous. In the first place, the investment tax credit encourages new investment in productive machinery and equipment, thus causing either improvement of existing capacity or expansion of capacity or both. The results are an expanded stock of goods and lower unit costs, both of which are clearly deflationary in nature, not inflationary. And secondly, we do not believe that repeal would provide an immediate general slowing down of business spending because of the necessity to complete existing committed projects. The earlier temporary suspension of the credit demonstrated that it is not an apt tool for "fine-tuning" the economy. For both of these reasons, therefore, we believe that repeal of the credit would be not helpful but rather would be harmful with respect to the laudable governmental efforts to combat current domestic inflation.

Regardless of the disposition of the investment tax credit *generally,* we urge that the investment credit should be retained for certain important domestic industries whose vitality is now threatened by competition from industries of foreign countries, many of which are subsidized in these competitive efforts by their governments. Among the special "trade-deficit" industries which merit this treatment is the steel industry of the United States. Further, there should be special consideration given to investments in facilities for the abatement of air and water pollution, such as were exempted from the recent investment credit suspension. These investments provide particular social benefits without offerinig any return whatsoever to the investor.

We appreciate this opportunity to present our views to you.

Sincerely yours,

Philip D. Block, Jr.

National Lock Fasteners,
Rockford, Ill., June 24, 1969.

Hon. Charles H. Percy,
U.S. Senator,
New Senate Office Building,
Washington, D.C.

Dear Chuck: Thank you very much for including me in your letter of June 16, 1969, regarding the appeal to 7% investment tax credit. We, at National Lock, must forecast our machinery and equipment requirements six years out into the future in order that we may have sufficient floor space with a two year lead time, machinery with eight months to eighteen months lead time, and man-power with one and one-half years training time.

Whether or not we get a 7% credit has little bearing on whether or not we order equipment. The equipment is ordered to meet our forecasted customer requirements and the 7% investment credit has only a bearing on the price we have to charge for our product, not whether or not we make it.

I hope this is helpful in your fight against the repeal of this. You are welcome to use this information and my name in any way you see fit, including recording in the Congressional Record.

Sincerely,

R. W. Erkert.

XUM

Nationwide Leasing Co.,
June 24, 1969.

Senator Charles H. Percy,
U.S. Senate,
Washington, D.C.

Dear Senator Percy: We are pleased to respond to your inquiry of June 16, 1969, with regard to the repeal of the investment tax credit.

In our opinion, the 7% investment tax credit carries such a substantial impact for investment planning that the necessity for its use as an anticyclical device is inescapable.

If we could be certain that the economic stabilization required could be accomplished in a "short-run" it might be possible to avoid the use of the credit as a tool for economic stabilization. However, at the present time, as has been the case before and will so in the future be, no one can assume that the economic stabilization required can be accomplished in the "short-run". Therefore, we must conclude that the credit should be repealed in order to foster stabilization at the earliest possible time.

If the investment tax credit should ever be reenacted, it should be done upon the admission that its use as a tool for anticyclical corrections is unavoidable.

Generally, we agree with the need for more realistic and rapid depreciation schedules, and also with the use of the Federal corporate income tax structure to facilitate the expansion of small and growing companies.

You are more than welcome to print our reply in the Congressional Record.

Respectfully yours,
Norman M. Brown,
President.

Liberty Trucking Co.,
Chicago, Ill., June 24, 1969.

Re 7-percent investment tax credit allowance
Hon. Charles H. Percy,
U.S. Senator,
Senate Office Building,
Washington, D.C.

Dear Senator Percy: In answer to your letter of recent date with respect to the above matter, we can only state briefly that continuation of the 7% tax credit is a dire necessity in many businesses, particularly in the trucking industry in which practically 90% or more of our assets are in rolling stock that must be replaced for various reasons periodically and our net earnings are not sufficient to adequately keep up with the necessary replacements. We could submit several pages of illustrations and good reasons for this need. However, we are confident you know what we mean from a business standpoint.

We respectfully urge you Senator Percy, to retain this 7% tax credit in the same manner and for the same purpose that it was originally intended because the trucking industry and particularly the short line carriers such as ourselves need it as much and perhaps more than any other industry that we know of.

Thanking you kindly in advance for utmost consideration, remain

Respectfully yours,
Wm. S. Barranco,
President.

USM Corp.,
Boston, Mass., June 24, 1969.

Hon. Charles H. Percy,
U.S. Senate,
Washington, D.C.

Dear Senator Percy: Thank you for your note of June 16 requesting our views on the repeal of the 7-percent investment tax credit.

I am enclosing copy of a letter which our President, Mr. Herbert W. Jarvis, sent to the Honorable Wilbur D. Mills on May 21 on behalf of the Greater Boston Chamber of Commerce. These views also represent this Corporation's and my own feeling on this very important measure.

We have no objection to having this appear in the Congressional Record.

Sincerely yours,
William S. Brewster,
Chairman of the Board.

May 21, 1969.

Hon. Wilbur D. Mills,
Chairman, U.S. House Ways and Means Committee, Longworth House Office Building, Washington, D.C.

Dear Mr. Chairman: Since the high ratio of capital investment seems to be one of the most significant factors in the United States' position as a world leader in economic production, a continuation of a policy to stimulate and expand plant improvement should be encouraged to further economic growth and, in the long run, combat inflation. The Greater Boston Chamber of Commerce, therefore, urges the Congress, as it contemplates the repeal of investment credit recommended by the Administration, to give consideration to related matters bearing directly on the issue of economic expansion and equitable tax credit and liability.

Legislation modifying the investment credit should include a liberalization of the existing tax laws with regard to the deduction for depreciation and a specific provision for triple declining balance. Special consideration should be given to the air and rail commuter industries, including the possibility of retaining the investment credit for those industries.

If the Congress finds it necessary to make any changes in investment credit, the changes should include provisions for an orderly and fair transition. An abrupt retroactive repeal would disrupt the orderly flow of business—specifically in the capital goods industry and for many other small businesses.

Changes should be made on a gradual or prospective basis, perhaps on a schedule of decreasing percentages over a period of time, or timed to coincide with a reduction of the surcharge. Such action would allow for orderly planning and would minimize the imposition of any resulting hardships on certain classes of taxpayers.

We believe that no change should be undertaken in the method of utilizing presently existing or pre cut-off carryover. Changes in these provisions would have unconscionable discriminatory effect against those taxpayers who have made substantial capital expenditures but have not yet enjoyed sufficient earnings to enable them to use the full amount of the credit as compared with other taxpayers who have made expenditures at the same time, but have already realized the benefit of the credit.

We respectfully request that our views on the investment credit, as expressed in this letter, be made a part of the permanent record.

Sincerely,
Herbert W. Jarvis,
Chairman, National Affairs Committee.

Chicago-Latrobe,
Chicago, Ill., June 24, 1969.

Hon. Charles H. Percy,
U.S. Senator, Senate Office Building,
Washington, D.C.

Dear Senator Percy: This is in reply to your letter of June 16th specifically referring to the investment tax credit and the proposal to suspend it.

As a manufacturing firm with over 400 employees located in the city of Chicago, we are sure that you can recognize the necessity for continuation of support of investment credit. Quite obviously, with the continuation of increased wage rates, real estate, and personal property taxes, we must modernize our facilities if we are to remain competitive with imports of our type of product.

We sincerely hope that you will make a decision to support the continuance of the 7% Investment Tax Program.

Sincerely yours,
Robert G. Burson,
Vice President, General Manager.

P.S.—If you desire, you have our permission to place this letter on record.

Ross Flower Shop,
Centralia, Ill., June 23, 1969.

Charles H. Percy,
U.S. Senator.

Mr. Senator: I am indeed in favor of retaining the 7 percent investment tax credit. Being a small business man myself with limited amount of money to spend on modernization and replacement of equipment the investment tax credit is an inducement to replace old and worn equipment rather than continue on with the old.

I believe that both small and larger businesses will spend more on modernization and equipment if the investment tax credit is retained.

You most certainly have my permission to use this reply in the Congressional Record and in any way that may help to retain the 7 percent investment tax credit.

Sincerely,
Carl Thalman.

Continental Machine Co.,
Chicago, Ill., June 24, 1969.

Hon. Charles H. Percy,
U.S. Senate,
Senate Office Building,
Washington, D.C.

Dear Senator Percy: I whole heartedly support your thinking regarding the 7% investment tax credit. You are undoubtedly aware of the fact that over 50% of the corporations located in Illinois employ less than 20 people and some 70% employ less than 50 employees.

Continental Machine Company falls in this category and it is most difficult for small companies such as ours to retain enough earnings for expansion just to keep up with the competition. If a company wishes to keep their top potential talent, as well as attract new creative blood to their corporation, they must grow even at a faster rate, expanding into the new technical fields of numerical and computer controls.

Even a company with a million dollar sales that can realize a profit of 10% has only about fifty thousand dollars left in retained earnings after taxes. The new sophisticated equipment required in today's manufacturing plants begin at $50,000.00 and go up from there. With the 7% investment credit we have had the incentive *and* the capital to make a major investment every year since this program was initiated in 1962. This tax program and consequent capital investment on our part has allowed Continental to increase its production by 400%, created 100% more jobs, and produced a greater dollar profit, so that this year we were finally able to step into the numerical control production field.

If the 7% investment tax credit is to be repealed, our management feels it will cause at least a 20% drop in our sales next year because we build capital investment machinery. This will force us to lay-off a corresponding number of employees. It would also cause us to defer our plans for capital investments in the near future. The effect of eliminating the 7% investment tax credit would have a much greater reaction to business in our field and Illinois than just acting as a deterrent to further inflation. It will mean a recession and unemployment to the machinery manufacturers in the United States.

Finally, Senator Percy, you are more than welcome to use this letter or any part thereof in your fight to keep this desirable law on the books. Your statement refers to the undesirable use of the investment tax credit as an inflationary control, as it affects larger businesses with committed funds and long term projects, but it will have even a greater effect on the smaller corporations such as ours.

Yours very truly,

H. O. Barten,
President.

Carson Pirie Scott & Co.,
Chicago, Ill., June 24, 1969.

Hon. Charles H. Percy,
U.S. Senate, Senate Office Building,
Washington, D.C.

Dear Senator Percy: I am flattered that you would seek my advice on such an important issue as the repeal of the 7% Investment Tax Credit, which will be coming to the Senate floor for a vote in the near future.

I am in full accord with your views on this issue and, as an advocate of the Keynesian view on economic growth, I would like to submit the following for the Congressional Record.

In these times of uncertainty, I believe that a growing economy in proper proportion is of highest priority. The percentage of total investment must increase in greater proportion than the total percentage increase in gross national product, in order to maintain this growth. Any incentive for investment granted by the Government to business is a stimulus for the total economy and tampering with the 7% Investment Tax Credit could be disastrous in the long run. I agree with the view that, in the short run, the repeal of the 7% Credit would have little effect, However, in the long run it could be detrimental to the economy, as actual investment often tends to lag behind the opening of new business opportunities.

With, hopefully, an end to the Viet Nam crisis in view, many businesses will have to turn to other investment opportunities and, in order to maintain healthy growth, any stimulus for investment would be most helpful.

I strongly urge that you and your colleagues actively support the maintenance of the 7% Investment Tax Credit.

Sincerely yours,

Robert A. Procknow,
Corporate Import Manager.

The Edward Gray Corp.,
Chicago, Ill., June 24, 1969.

Re Investment credit.

Hon. Charles H. Percy,
Member of the U.S. Senate, Senate Office Building, Washington, D.C.

Dear Senator Percy: I think every necessary step should be taken to stop inflation. If economists were in agreement on removal of the investment credit as one of these necessary steps, I would accept that. However, the evidence is otherwise. Much better alternatives for dealing with the problem are available.

American industry is in an adverse position internationally, and no wonder when you look at our wage rates compared to the rest of the world. According to recently published figures, wages in our steel industry are nearly four times those of workers in the Japanese steel industry. In my industry (construction) some journeymen now earn more annually than the superintendents responsible for the projects on which these men work. A correction of the imbalance at the bargaining table would yield far better results in dealing with inflation than removal of the investment credit.

Fantastic wage increases have become so widespread in the construction industry that we scarcely notice when contracts are "negotiated" with increases of 25% per year and more. In Denver the bricklayers just settled (after a 42-day strike) for an increase of $4.00 per hour in wages and fringe benefits over a three-year period. The previous wage-fringe total was $5.25. That's a 76% increase! Obviously these increases are reflected in the cost of new homes and factories.

Industry needs every possible incentive to invest in new technology, because we can hope to bridge the wage gap only through greater efficiency than is attained by competing economies. The investment credit is such an incentive and should not be removed when other more immediate and effective measures can be taken to stem inflation.

You are free to print this reply in the Congressional Record if you so desire.

Your very truly,

Melvin Gray.

Socar Trading Co., Inc.,
Greenville, S.C., June 21, 1969.

Hon. Charles H. Percy,
Committee on Banking and Currency,
Washington, D.C.

Dear Senator Percy: I have today received your letter relative your stand on the 7% investment tax credit proposal. Never before have I ever written to my Senator or anyone relative transactions in our Government. However, in view of very coincidental happening thought it might be timely for me to write you, particularly since I wear "two shoes" in this program, but more since, this is vital to my own and many, many other Americans who are trying to do whatever they can to strengthen our countries financial position and trade abroad.

For eighteen years up until March 31, 1969 the writer was the District Sales Manager for the South Carolina State Ports Authority of Charleston, South Carolina and headquarters for sixteen of those years were in his home of his birth Chicago and coverage of seven midsection states and Canada. Two of those years were just completed in Greenville, South Carolina, my new home. It should be particularly interesting to note that I resigned from a sound position with excellent fringe and retirement privileges to do something more direct relative promoting export and foreign trade to help in some little way on our Balance of Trade deficit position etc.

In two years of contacting some 971 different manufacturers in this Southeast area, I learned that most of these firms would not engage in doing business abroad with their products due to their unfamiliarity and inability from lack of exposure to take on the, as they put it, "mysteries of doing business in foreign markets".

I formed a trading company, to help these firms wherein, they merely are dealing with another American firm and we do all the foreign marketing and selling etc., for them, without their having to become involved in something they refuse to try to overcome on their own.

Now as a small corporation, naturally I do not relish further increase in corporate structures, but even more so I oppose the elimination of the tax investment credit. These smaller industries, will have all of their incentive for expansion and growth destroyed without some way of predicting what capital expenditures they can bear for expansion on a far ahead projected basis.

More closely am I opposed, since I have done what most individuals are afraid of, that is to recognize a situation, make a decision and then have enough guts and confidence to put the shoulder to the wheel and do it on your own. Money and earnings have always been and always become secondary to me. I am not wealthy by any means, but the opportunity to do something is here and that is the impetus for my present status. status. Now, since. I am 100% exclusively in the export field, and have many years experience in this international picture, it is apparent that daily we are being eked out of markets by foreign high tariffs, even with the Kennedy Round Table adjustments, by individual hardship rulings on their importers, and many other obstacles. The suspension of the investment credit will only place another mountain to climb to overcome the many blockades now in effect to stop our getting our foreign balance of trade picture in its rightful position. It will have impact on everyone, directly or indirectly engaged in trying to help this situation. Airlines, steamship lines, foreign freight forwarders, exporters, agents firms etc., as less goods will be shipped in free commercial selling markets as opposed to AID and Government subsidized food programs which of course would not be materially affected.

In my opinion the effect of suspension of the investment credit is so far reaching in its disadvantages, that it would be much better to continue it and not upset all of the earning corporations from their increased tax obligations by increased business, which would certainly in the long run of suspension completely reverse the tax earnings picture and then the entire situation would be many times worse, than it presently is.

Please feel free to reprint any part of my letter you may believe is worthy to your crusade to stop this non-thinking stratagem that someone is trying to blanket over the eyes of the American Citizens.

Respectfully,

Ralph R. Higgins,
President.

Poulter Implement Co., Inc.,
Belvidere, Ill., June 21, 1969.

Hon. Charles H. Percy,
U.S. Senate Office Building,
Washington, D.C.

Sir: Thank you for your letter asking for opinions on the 7% investment credit. I look at the investment tax credit from two different points of view. First, as a small businessman, and secondly, from the point of view of the farmers in our immediate area.

As a businessman, I have used the investment credit to help to update our line of delivery equipment, shop equipment and office equipment. Without the investment credit, much of this modernization would not be possible. I certainly hope that the investment credit remains in tact, and not stopped and started at random. Accelerated write-offs would encourage this modernization even more, however, I do feel that the investment credit has an even greater effect to the average small business operation.

If the investment credit is discontinued, I feel that we definitely need an exception for agricultural purchases. The trend in farming is towards larger, more economical operations, with the necessity to spread expenses over a larger number of acres. Heavy investment in equipment goes along with this trend, and without the investment credit, much of this would not be possible. While we are asking the farmers to produce more food, by maintaining a low level of prices for farm produce, we are telling them to buy less machinery.

But most important of all—the investment tax program must either be in the plan indefinitely, or be out completely, so there would be no hedging and waiting for it to be reinstated. I personally believe that getting into and out of the program at random, does more harm than either being completely in the program, or having no such program available. An expansion of the existing program which might include inventory and accounts receivable would be an added boost for our business and others like it.

Sincerely yours,

Joseph C. Poulter.

Bishop Freeman Co.,
Evanston, Ill., June 23, 1969.

Re your letter of June 16, Re Investment Tax Credit.

Hon. Charles H. Percy,
Committee on Banking and Currency,
Washington, D.C.

Dear Sir: I am pleased to have the opportunity to give you my views on the discussions presently taking place in the Senate on the possible repeal of the 7% investment tax credit.

As I view this question, the decision to repeal has to be viewed with the overall budget in mind. While I feel that the 7% investment tax credit does serve as an incentive to industry to encourage modernization programs, I am inclined to feel that the modernization programs will be entered into regardless whether the 7% credit is extended or repealed.

As a businessman and as a private taxpayer, I am more concerned with the inflation that has affected the value of the American dollar. Personally, I would rather have the corporations pay more taxes than the individuals and would not oppose the repeal of the 7% credit.

If you wish to print this reply in any Congressional Records, you have my permission to do so.

Yours very truly,

Bishop Freeman Co.,
Harvey L. Davis.

The Mendota Reporter,
Mendota, Ill., June 23, 1969.

Senator Charles Percy,
Washington, D.C.

Dear Senator Percy: I urge you to vote to retain the 7% investment tax credit. The repeal of this tax would be a "blow" to small businesses such as The Mendota Reporter, a weekly newspaper already hit hard by need of modern machinery, rising costs and continuous labor increases. Just as other businesses have to hold down the cost of their products to be competitive, so do the small newspapers which are losing much of their advertising revenue to radio, television and shoppers.

While I am in favor of taking steps to curb inflation, I am also interested in preventing the elimination of small businesses, the backbone of our nation. If we hope to maintain private ownership of small businesses, our government will have to make the prospect more attractive and profitable to encourage our younger generation to participate.

Feel free to use this reply any way you wish.

Sincerely,

Dick Leiser.

The Public Relations Board, Inc.,
Chicago, Ill., June 23, 1969.

Hon. Charles H. Percy,
U.S. Senate,
Washington, D.C.

Dear Senator Percy: In response to your June 16 letter, I would like to go on record as supporting the Republican members of the Joint Economic Committee in opposing the suspension of the 7-percent investment tax credit.

As an individual involved with foreign trade, I am aware of the need for American industry to modernize its facilities in order to compete in the world marketplace. It is imperative, too, in my view, that more realistic and rapid depreciation schedules be studied to encourage modernization programs.

Anything which will make the U.S. more competitive internationally seems to me to be a must. To do less will substantially injure our country's foreign trade position. Quotas and higher tariffs are not the answer. Plant modernization is. And, if the 7-percent investment tax credit is one technique, then I believe it should be continued.

You have my permission to publish this reply in the Congressional Record.

Cordially,

Ivan Fuldauer,
Senior Vice President.

Pain & Sutherlin, Inc.,
Chicago, Ill., June 23, 1969.

Senator Charles H. Percy,
U.S. Senate,
Washington, D.C.

Dear Senator Percy: It is my sincere belief that the repeal of the 7% investment credit would hinder the real estate business to a great extent and that in both the long and short run, it would be a very poor attempt to a solution to a portion of our country's overall economic problem.

Industry must be allowed certain benefits to give them the incentive to modernize and continue our pattern of growth throughout the country.

As you may or may not be aware, large real estate investors have been considering pulling out of the real estate market in favor of other investment opportunities because the benefits accruing to the real estate investor have gradually been diminishing. Any steps along the line of repealing the investment credit would place further pressure on the investor market going to other greener pastures.

I am a member of the Society of Industrial Realtors and have been in the real estate business for over ten years and I am positive that many people in my industry share the same beliefs.

I certainly would feel it a privilege if you felt that you wanted this letter printed in your Congressional Record.

Very truly yours,

C. Robert Sutherlin.

Pain & Sutherlin, Inc.,
Chicago, Ill., June 23, 1969.

Senator Charles H. Percy,
U.S. Senate,
Washington, D.C.

Dear Senator Percy: It is my sincere belief that the repeal of the 7% investment credit would hinder the real estate business to a great extent and that in both the long and short run, it would be a very poor attempt at a solution to a portion of our country's overall economic problem.

Industry must be allowed certain benefits to give them the incentive to modernize and continue our pattern of growth throughout the country. •

As you may or may not be aware, large real estate investors have been considering pulling out of the real estate market in favor of other investment opportunities because the benefits accruing to the real estate investor have gradually been diminishing. Any steps along the line of repealing the investment credit would place further pressure on the investor market going to other greener pastures.

I have been an active member of the Society of Industrial Realtors for four years and a real estate broker for over eleven years and I am positive that many people in my industry share the same beliefs.

I certainly would feel it a privilege if you felt that you wanted this letter printed in your Congressional Record.

Sincerely,

Richard A. Pain,
Member, Society of Industrial Relations.

LPM Parts and Service,
Chicago, Ill., June 23, 1969..

Senator Charles H. Percy,
Committee on Banking & Currency,
Washington, D.C.

Dear Senator: LPM is one of the many small businesses in the United States. The 7% investment tax credit is a very important part of our capital goods acquistion program. Once we set up a program and acquire the equipment we lack the flexibility of larger firms to alter our programs.

For instance we recently decided to enter a market supplementary to our main effort. To effect this we spent $10,000.00 on capital equipment subject to the 7% credit and another $10,000.00 on inventory. This will constitute about 15% of our business. We do not have the freedom to abandon this program as such a decision would soon bankrupt us.

The effect of our entry into a new market will increase competition and tend to bring a downward pressure on prices. Seems to us this is what you want and this is the long term effect of increased capacity.

Of course you may enter these thoughts in the Congressional Record.

Sincerely,

R. D. Golden,
President.

Myers-Sherman Co.,
Streator, Ill., June 23, 1969.

Hon. Charles H. Percy,
U.S. Senate,
Washington, D.C.

Dear Senator Percy: I am in accord with your letter of June 16th and oppose the suspension of the 7 per cent investment tax credit and agree that it is ridiculous to try to use this phase of the tax structure for controlling the economy.

The 7 per cent investment tax credit was established as an incentive to industry to modernize their productive equipment and many particularly small companies take this into consideration when studying the cost of modernization.

To turn it off and on, to speed up and slow down the economy negates the purpose for which it was intended. If any thing, it should be extended to include other depreciable property of companies.

I fully recognize that we must hold down inflation and get the government back on the pay as you go basis, but I believe there are many other areas where much greater savings can be realized. I personally have witnessed some of the terrific waste that is inherent in our foreign aid program. The only solace in this mess is that approximately 80 per cent of the money lent to foreign countries is returned to the United States through purchases of equipment and services. Now, of course, they are talking about eliminating the necessity of foreign borrowers of U.S. foreign aid buying United States products. If and when this happens, the United States will simply be giving money to foreign governments and foreign firms to buy from our competitors in other nations and completely eliminate U.S. producers as competitors in the export market.

Yours truly,

C. Robert Myers,
President.

Walgreen Drug Stores,
Chicago, Ill., June 24, 1969.

Hon. Charles H. Percy,
U.S. Senate, Committee on Banking and Currency, Washington, D.C.

Dear Sir: Having listened to you speak at some of the U. of C. Management Conference sessions, I know you do not need the advice you asked for in your June 16 letter, but here goes. I leave it to you to decide whether it deserves Congressional Recording.

You will recall that when the investment credit was first proposed in 1961, many businessmen opposed it, preferring a drastic liberalization of depreciation policy, and fearing that such a credit which does not enter into the computation of net income, would become a political football.

The suspension in Oct. 1966, and quick restoration in March 1967 indicate that either the business men were right. . . . that the credit had become a political football, or that the planners were wrong. . . . that the suspension was ill-advised.

My reading makes me doubtful that the investment credit or any other specific provision in the federal tax structure can or should be used to prevent or moderate short-term economic disturbances. I know that our company would prefer more permanency in the tax structure. . . . it makes for better long-range planning.

I would retain the credit because I do not believe it has been in long enough to do the job it was intended to do, which is to enable producers to modernize their plants and catch up, in lowering production costs, with their counterparts in foreign countries, who are taking away from us the foreign trade which we should expect from our vast industrial complex.

The credit is needed more than ever right now, in view of the tight money situation threatening the capital goods industry.

Sincerely,

W. K. Miske,
Tax Department Manager.

Great Lakes Mortgage Corp.,
Chicago, Ill., June 23, 1969.

Senator Charles H. Percy,
U.S. Senate,
Washington, D.C.

Dear Senator Percy: I disagree that insuring plant modernization and purchases of productive equipment depends on the investment credit. From the announced backlog of industrial commitments, it is clear that we are at the threshold of rampant, runaway inflation. Therefore, if inflation does persist, unit costs are going to a level completely pricing the United States out of foreign markets.

When enacted, there was need for the investment credit. However, with demand at an all-time high, it should now be repealed. Gauging impact on both industry and the economy would best be served through depreciation schedules as suggested in your letter of June 16th.

You may print my reply in the Congressional Record.

Sincerely,

John W. Williams,
Vice President.

Rempert, Sim & Schmitt,
Chicago, Ill., June 25, 1969.

Hon. Charles H. Percy,
U.S. Senate,
Washington, D.C.

Dear Senator Percy: We are happy to respond to your request for our advice on the investment tax credit.

As a relatively small Certified Public Accounting firm, we serve relatively small business organizations, the bulk of which are incorporated. We believe that such small corporations represent a significant factor in the private enterprise system of our country.

As with large publicly held corporations, our clients must plan plant modernization well in advance. In such planning, reliance upon the investment credit becomes a necessary part of the decision for modernization, quite often representing the means of providing the initial funds with which to finance such modernization. While the elimination of the investment credit would undoubtedly create hardship in the entire business community, in our opinion, such elimination would be particularly detrimental to the small or medium size business organization. The publicly held corporations would have various means of securing the funds necessary to finance plant improvements in the event of the elimination of the credit. Our clients, with less available sources of credit, could be financially embarrassed upon elimination of the investment credit on committed improvements. We believe that the views of the Joint Economic Committee are correct. The confidence of the business community is essential in any long range growth and would suffer considerably if the investment tax credit were employed for short-run economic stabilization.

We believe that an extension or revision of the tax surcharge is a more appropriate tool for short range action if one is required. It bears upon the entire public, and thus would have a more immediate effect upon curbing or promoting spending, one of the prime factors in inflation and deflation. It appears unreasonable to expect that one factor of the economy, that being the business community in its acquisitions for plant modernization, should be singled out as a primary cause of inflation or deflation.

If specific sections of the income tax code are to be investigated for factors influencing economic stabilization, we believe that Section 531 warrants some consideration. This is a particularly burdensome section preventing small corporations from financing their expansion from retained funds generated from operations without fear of drastic "penalty" tax exposure. While the intention of the section to prevent retention of earnings by a corporation to prevent imposition of surtax on its shareholders has merit, in our experience, it frequently acts to promote unnecessary evpenditures by such corporations in the desire to find a use for retained earnings rather than distribute them to the shareholders. Even the distribution is in itself inflationary, by furnishing spendable dividends to shareholders that should be retained unspent in the corporation for future expansion.

If you believe that our views have merit and would aid your cause, you have our permission to print them in the Congressional Record.

Respectfully submitted,

Rempert, Sim & Schmitt,
Certified Public Accountants.

E. A. Esterl & Associates,
Chicago, Ill., June 25, 1969.

Hon. Charles H. Percy,
U.S. Senate,
Committee on Banking and Currency,
Washington, D.C.

Dear Mr. Percy: I strongly urge that you oppose the repeal of the 7% investment tax credit. It is my opinion that this method of attempting to reduce our country's inflationary spiral is ineffective for short-term economic stabilization of the economy.

My opinion has been formed by an analysis of the real estate activity which I have garnered in the appraisal of real estate for over 23 years.

My experience indicates that the only segments of the industry that the repeal of the 7% investment tax credit will hurt is the medium and small business organizations who contribute very little to our spiraling inflation. It is also my opinion that the suspension of the 7% investment tax credit would not affect big business one iota as their capital spending programs are projected for from 1 to 3 years in advance. These opinions may be easily verified by an analysis of current projected spending programs for multimillion dollar business concerns as well as by discussions with medium and small businesses.

I also believe that the repeal of the 7% investment tax credit would reduce the competitiveness of medium and small businesses with large business concerns at a time when our government is very much concerned about the merger of large corporations.

The parallels I have used (big business versus small business) are definitely not an indictment of big business as I also believe that government controls also "hamstring" big business in general and specifically in dealing with foreign competition. These comparisons merely indicate that small and medium businesses will suffer the most and some may not survive.

I am also extremely concerned about why our representatives in Washington have done nothing about the current prime interest rate. This high prime rate has affected only the medium and small business concerns as the large corporations are well able to afford the new high rates. If this high prime rate continues, it is my opinion that it will put small businessmen out of business and add to the need of large business corporations to merge with other large concerns or "gobble up" small businesses who cannot afford to pay these costs.

Sincerely,

Ernest A. Esterl.

P.S.—You have my permission to print this letter in the Congressional Record.

U-Do-It Rental Co.,
Urbana, Ill., June 25, 1969.

Hon. Charles H. Percy,
U.S. Senate,
Committee on Banking and Currency,
Washington, D.C.

Dear Senator Percy: In answer to your letter of June 16, on the investment tax credit, please be advised that I am in accord with your opinion that this tax should not be repealed.

I feel that small business men such as myself could feel the pinch from such a move much more rapidly than the larger firms, and I can see not noticeable effect on inflation.

All reasonable business men know that our runaway economy must be checked, and restraint does not always come easy, however, business seems to be bearing the brunt of actions intended to curb inflation.

It would seem to me it is time for government to become reasonable in its views on what it will take in order to slow down our inflationary trend of the last several years, before it topples business altogether.

A view such as yours is not only refreshing in today's hubbub of misguided economists in government but deserves support of every rational minded business man in the country, and you have mine.

Sincerely,

Mac D. Drysdale.

P.S.—Permission to reprint granted.

Ideal Industries, Inc.,
June 24, 1969.

Re your letter of June 16 regarding the 7% Investment Tax Credit.

Hon. Charles H. Percy,
U.S. Senate,
Washington, D.C.

Dear Senator Percy: Whereas the 7% investment tax credit does have certain beneficial effects on the United States economy, I favor the abolition of the tax credit. However, I would favor a modified version of allowing up to $25,000 to $50,000 of investment in capital goods subject to the 7% credit.

To encourage exports, a part of the money remitted to corporations on the 7% tax credit could be returned to them as a percentage of the tariffs they pay for exporting products to foreign countries. This would directly attack the manufacture-for-export problem.

I further strongly feel that corporation and all business taxes should be decreased and personal income taxes increased accordingly. Basically, a corporate tax of any kind is purely and simply a sales tax wherein either the people buying the product pay the tax in increased prices or employees pay the tax in decreased wages, or both.

High corporate taxes encourage no end of financial manipulation to save taxes and considering the vast amount of detailed work required to fill out such taxes, much waste is incurred in non-productive activity on the part of all business.

Individual income taxes should be increased to compensate for the loss incorporate income taxes. By this move all of us would be made to realize the true cost of running our government. It is, in my opinion, wrong to delude the people into thinking that some abstract corporation is paying

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the taxes instead of individuals. Perhaps we would get more efficient government if people not only paid the bill as they do now but more clearly saw the amount of that bill.

The ups and downs of the economy might well be partially controlled through varying corporate and personal income taxes. However, the corporate taxes should be varied from a lower base than the present level.

You may use this letter or any part of it for whatever purpose you see fit.

Again, I urge you to do whatever you can to stop deceiving people as to who are the final payers of the cost of government!

Yours very truly,

IDEAL INDUSTRIES, INC.,
E. T. JUDAY, *President*.

CONTINENTAL ILLINOIS NATIONAL
BANK AND TRUST CO. OF CHICAGO,
Chicago, Ill., June 25, 1969.

Hon. CHARLES H. PERCY,
Committee on Banking and Currency,
Washington, D.C.

DEAR SENATOR PERCY: I am writing in reply to your letter of June 16, 1969, with regard to the 7-percent investment tax credit and its proposed suspension in 1969.

I feel that a suspension would be a step in the wrong direction. It is my impression that this tax credit was designed to assist industry to expand its production capability in order to produce more products at a lower unit cost. Such a concept certainly appears to be anti-inflationary, since it helps to increase the supply of goods while satisfying overall demand at lower prices. I believe that increased production, and more importantly, increased productivity, are vital factors in the war against inflation and the rising cost of doing business. Therefore, I am not in favor of suspending the 7-percent investment tax credit.

I further agree that more consideration should be given to alternate measures of tax exemption, particularly for small and growing firms, which would help to encourage expansion of this important segment of industry.

I do believe that when restraints are necessary to combat inflation, they should be in the form of uniform restraints, which apply to the major part of the economy rather than to only a relatively small sector of it. I also feel that the best example of financial restraint can be provided by the government itself, restraining its own operations, through the more judicious use of tax revenues and a long-overdue trend away from deficit spending. So long as governmental bodies, from federal down to local, continue the modern trend of spending for the sake of spending, whether the economy can afford it or not, all in the face of waste and mismanagement, I feel that the tax-paying public is far from convinced of the sincerity of the government and the compatibility of what it says and what it does.

I would be happy to have my reply printed in the Congressional Record, if you so desire.

Sincerely,

ROBERT G. LOVELL,
Area Development Officer.

MONTGOMERY WARD,
Chicago, Ill., June 24, 1969.

Re repeal of investment tax credit.

Hon. CHARLES H. PERCY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR PERCY: I received your request dated June 16, 1969, for my views on the proposed repeal of the investment tax credit. Your support of every reasonable program to restrain inflation is highly commendable. The question is how best to achieve the stability of the dollar. We can pursue policies of either decreasing demand or alternatively increasing productivity.

One of the major causes of inflation has been the imbalance produced by policies that tend to manipulate demand in the consumer economy without stimulating a corresponding increase in the volume of goods and services. The investment tax credit has served as a powerful incentive to achieve increased productivity with greater efficiency through implementing improved technology. Any superficial program undertaken to curtail inflation but which in fact impedes genuine growth could likely produce the result that the program was designed to prevent.

The offsetting loss of productivity presents a more serious threat, in my opinion, than the benefit of the selective reduction in demand that removal of the investment tax credit would produce.

You may feel free to use this statement.

Very truly yours,

PHILLIP LIPSCHULTZ,
Vice President, Taxes.

TRIBUTE TO TOM MBOYA

Mr. BROOKE. Mr. President, once again I rise in this body for the sad purpose of paying tribute to a great leader who has been ripped from our midst in a most untimely and unnatural way.

Tom Mboya loved life and lived it fully. Only 38 years old, he had been Secretary General of Kenya's ruling party, the Kenya African National Union, since its founding in 1960. He had served in his country's Cabinet since Kenya gained its independence in 1963. As Minister of Economic Development, a post he had held since 1964, he put the people of Kenya to work in local development projects, and sent hundreds of young Kenyans to study in the West so that they might return and be of service to their nation. It was Tom Mboya who helped spur the creation of the East African Community, who represented his nation at numerous Pan-African and world development conferences. He was among the first to warn the world of the alarming rise in capital outflow from the developing countries, to plead for "trade, not aid," and to urge the creation of a world food bank to meet both the emergency and long-range needs of an increasingly underfed world.

Tom Mboya was too young to participate in Kenya's revolutionary struggle. He did not participate in all the pains of a people striving to be free in the manner of its venerable President Jomo Kenyatta or his loyal companion in arms, Vice President Daniel Arap Moi.

For many Westerners he was a key contact with an emerging continent and came to represent for them the dynamism and the promise of that giant and complex land.

Tom Mboya, in many ways, represented the best that is young and vigorous in Kenya and in Africa. Within his own country he was able to transcend tribal lines, to become a truly national leader where a lesser man might so easily have fallen into the dead-end road of representing only his minority tribesmen. Within Africa itself he argued long and strongly for putting aside political differences and pursuing the immediate goal of economic progress through international cooperation. And within the world at large, where he moved with ease and grace and joy seldom seen in men of any culture, he saw the dangers inherent in a divided world and pleaded with all people to recognize the needs of their brothers and to help them to fuller achievement.

Mr. President, Tom Mboya was a man I was proud to call "friend." I do not know the specific cause of his death; the general cause is all too clear—by his leadership he placed himself in the exposed position which all such people risk. And a smaller mind, beseiged by hate or conflict of ideas, used the only method it knew to silence him forever.

Tom Mboya left a rich legacy to Kenya, to Africa, and to the world. To his family and multitude of friends I offer my deep condolences. To the people of Kenya I can find no finer words that those of President Kenyatta, the national slogan of Kenya itself so often used by Tom Mboya himself: "Harambee"—"Let's Pull Together."

And finally, Mr. President, I ask unanimous consent that a number of perceptive articles and editorials which appears this week in the Washington Post and New York Times be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MBOYA IS SLAIN IN KENYA—KILLER FLEES AFTER ATTACK IN NAIROBI

(By Stanley Meisler)

NAIROBI, July 5—Tom Mboya, the African politician who seemed to represent all that was modern in Africa to the rest of the world, was shot and killed today on a busy shopping street in Nairobi.

Mboya, 38, Minister of Economic Planning and Development in the Kenya government, had just stepped out of a drugstore on Government Road. The street was crowded with shoppers trying to make their last purchases before stores closed for the weekend. The road was clogged with cars caught in the Saturday lunchtime traffic jam.

Eyewitnesses said an assassin sitting in a black car parked near the drugstore fired at Mboya three times. He was hit in the chest.

Mrs. Mohini Sehmi, wife of the drug store owner, said Mboya snapped back from the impact of the bullets. "I pulled him back into the shop," she said. "He staggered and fell down. He did not utter a word. It was a very terrible end."

Eyewitnesses said the black car then sped out of sight. It was not clear how the assassin managed to get away so quickly in such heavy traffic.

Mboya was rushed to Nairobi Hospital, but he was dead on arrival. Doctors said he died from bleeding of the chest wounds.

News of Mboya's death provoked some disturbances. In Kisumu on Lake Victoria in Western Kenya, some members of Mboya's Luo tribe stoned shops owned by Kikuyu businessmen.

The Kikuyus the dominant tribe of Kenya, are the tribe of President Jomo Kenyatta.

In Nairobi, Africans stoned the cars of motorists passing Nairobi Hospital. The Africans were evidently angered because the hospital refused to let them enter and see Mboya's body.

["This was no political killing," said Achieng Oneko, spokesman of the opposition Kenya People's Union, UPI reported. "There is no question of parties . . . Mboya belonged to us all."]

Foreigners admired Mboya. He was one of the few politicians in Africa who never appealed to tribal chauvinism. He tried to rise above tribal politics and to organize support across the nation. He was so successful that some members of his own tribe, the Luos, looked on him as a traitor.

Mboya also won respect as an administrator An American adviser to his ministry once said Mboya was the only minister in Kenya who had the ability to fill a cabinet post in Washington. He also had a shrewd sense of politics and a flair for meainingful oratory.

This admiration from foreigners, however, did not help Mboy at home. Other African politicians resented his popularity abroad. To them, it seemed the rest of the world looked on Mboya as the magazine cover boy of Africa. They were jealous and annoyed.

Mboya also lost political friends because of his arrogant manner. He was well-dressed, almost dapper, making clear to others that he felt superior. He was cold and tough and seemed to frighten or enrage his colleagues.

Outsiders in Narobi often played a game that could be called "Is Tom Up or Down" The game centered on guessing whether Mboya had the inside track to sucede President Kenyatta, 76, or had lost it.

PERSONAL ENEMIES

Logically, Mboya never seemed to have a chance. Too many politicians seemed ready to gang up to him. Too many could appeal to tribal sentiments and set them against Mboya—the man who always was a tribal outsider.

Yet he had advantages in the constant jostling for succession. His organizational nerve and drive outclassed anyone else's. Politicians, even if they did not like him, needed him to run their campaigns. Ministers, even when drafting legislation aimed at hurting him, often needed his skills to push the legislation through parliament.

Because he stood above tribes, Mboya might have been the only politician capable of uniting the country in the dislocation expected to follow the end of Kenyatta's reign.

The test of Mboya's chances was to come sometime within the next year. Kenyatta had promised the country general elections before the spring of 1970. No one doubted the government party would win. But the primary elections before the general vote were to reveal whether Mboya or his opponents in the government party would control the succession. The assassin's bullet ended the guessing.

Mboya was born in 1930 on a small island in Lake Victoria and educated in Catholic mission schools. He was a 22-year-old health inspector in Nairobi when the Mau Mau rebellion disrupted colonial Kenya in 1952. During the four-year war that followed, the British banned all Kikuyu from taking part in politics, for they were the main force behind Mau Mau.

Political leadership fell to members of other tribes. In 1953, Mboya, a Luo, became head of the Kenya Federation of Labor. Since all political parties had been banned, trade union leaderships gave Mboya one of the few avenues to political power left in Kenya.

RESENTED BY KIKUYU

Because of this background, the Kikuyu who languished in jails during Mau Mau and its aftermath or studied in exile in American and British schools saw Mboya as an usurper.

After the British allowed political parties again, Mboya led the African National Union to victory. The election, however, was fought with all African candidates demanding Kenyatta's release from detention. When Kenyatta was released. Mboya had to step aside and let him take the presidency of the party.

In 1963, when Kenya became independent, Kenyatta became the first Prime Minister and then President of the new country. Mboya was named Minister for Justice, then Minister for Economic Planning and Development.

Mboya had many friends in the United States. The AFL–CIO supported his trade union financially. This support later proved embarrassing. Rivals believed the AFL–CIO kept sending money to Mboya long after he left the trade union movement. Mboya denied this, however.

Mboya is likely to stand in modern African history as one of the first politicians to reject tribalism.

Yet, the immediate legacy of his death is likely to be more tribal conflict in Kenya. Luo tribesmen, who were annoyed by his nontribal sentiments when he was alive, now seem to view his death as a tribal slaying.

The Kenya police in Luo areas have decided to put Kikuyu tribesmen in custody for their own protection.

[From the Washington Post]

MBOYA ENVISIONED A GREATER AFRICA

(By Anthony Astrachan)

LONDON, July 5.—The assassination of Tom Mboya is a tragedy for Kenya and for Africa in ways far beyond his association with the West, where he was one of the continent's best-known public figures.

It is a tragedy because it strikes a note of individual violence that has left upheaval in its echoes every time it has been heard in Africa—as in the assassination of Patrice Lumumba in the Congo in 1961 and four of Nigeria's civilian leaders in 1966.

It is a tragedy because it deprives the country and the continent, new to modern statehood, of a leader young enough to provide continuity when the elder generation of nationalists passes from the scene. Mboya at 38 was a leading contender for the succession to elderly, ailing President Jomo Kenyatta of Kenya, who is 76. It is a rare country in Africa whose second generation of leaders shows promise of improving on the first.

BUILT INSTITUTIONS

Mboya's death is a tragedy because, in a continent where politics is usually personal and tribal, he was one of the few leaders with a well-articulated concept of the need for building institutions in the state that would outlast any individual or generation—that would provide at least the chance of viability for countries that need every chance they can get.

His friends in the West will mourn his supposed attachment to Western style democracy. His understanding of the uses of power and of African politics made many observers doubt the depth of the attachment.

Others will mourn the death of the man whose vital Ministry—economic development—often seemed one of only two or three in Kenya to function with anything remotely approaching efficiency.

Others will wonder about and perhaps shudder at, the prospects of Kenya's future without Mboya. None of his allies in Kenya's faction-fighting seems strong enough to fight for an institution-building regime without him. None of his enemies has shown the capacity to do as much for the country as he could.

IRONIC LEGACY

Mboya knew that, and the way he showed his knowledge made him more enemies. Still, if his assassin is found and turns out to be politically motivated, the bitterness could poison Kenya's already troubled air for years.

That would be an ironic legacy from the man who first made Kenya's trade unions an irritant, but a feared irritant, to the British colonial rulers—i.e., made them an African national force: from a man who organized an airlift of hundreds of students to America in a crash attempt to provide the trained manpower Kenya lacked for the independence she received in 1963: from a man who deferred his own vast ambition in devotion to Kenyatta, the prime leader brought from prison to power.

There is also something personal to regret about Mboya apart from the tragic violence of his death. He was a man who enjoyed life in both African and Western styles, who could combine serious talk with cocktail chat, who moved from quasi-revolutionary to realist-reformist with a minimum of trauma and maximum of vibrancy.

[From the New York Times]

GUNMAN KILLS TOM MBOYA, KENYAN LEADER, IN NAIROBI—ASSASSIN FLEES IN AUTO AFTER ATTACK ON BUSY DOWNTOWN STREET

NAIROBI, KENYA, July 5.—Tom Mboya, Kenya's Minister of Economic Affairs, was shot and killed by an unidentified assassin today as he emerged from a drugstore on a busy downtown street.

As Mr. Mboya appeared in the doorway, an auto pulled up in front of him, three men jumped out and one of them fired three shots, two of which are believed to have struck the Kenyan leader.

The three men then got back into their car and sped away. Mr. Mboya was rushed to Nairobi Hospital, where he was pronounced dead.

Mr. Mboya, who was 38 years old, was also Secretary General of the governing Kenyan African National Union (KANU), and was regarded as the third most powerful man in the Government behind President Jomo-Kenyatta and Vice President Daniel Arap Moi.

When the shots were fired, there were hundreds of shoppers in the area, many of whom fled. Mr. Mboya's bodyguard, who had preceded him through the doorway, crouched over his body weeping.

The police quickly put a cordon around the area and began questioning passersby. A widespread search for the three men was launched.

There were fears among Kenya's political leaders that the assassination might be regarded as the work of Mr. Mboya's political enemies and that the murder might spark reprisals.

The death of Tom, as he was known to thousands of his supporters, was greeted with sorrow throughout the nation, where he was regarded by many as Kenya's greatest hope for the future.

He had been active recently in organizing his party's campaign for general elections scheduled to be held in the next few months.

Mr. Mboya returned yesterday from Addis Abbaba, Ethiopia, where he had attended a meeting of the Economic Commission for Africa, a group sponsored by the United Nations.

His assassination was the first in Kenya since 1966, when Pio Gama Pinto, a supporter of Oginga Odinga, the opposition leader, was shot down at his home in Nairobi.

Mr. Mboya was a Luo tribesman, and bystanders told the police that the three assassins appeared to be Luos also.

CROWDS COME TO HOSPITAL

NAIROBI, July 5.—After the shooting, policemen ringed Nairobi Hospital to keep out grieving crowds trying to force their way into the casualty ward where Mr. Mboya's body lay. Some were cleared away by policemen wielding clubs.

Shocked leaders of the Kenyan African National Union also arrived at the hospital to see the body.

Joseph Ouma Nisa, Mr. Mboya's bodyguard, arrived and collapsed in the road crying: "It's not true! It's not true!"

Achieng Oneko, publicity secretary of the opposition party, the Kenya People's Union, arrived at the hospital in tears, saying: "This is not a political assassination. There is no question of parties here. He belonged to us all."

WIFE IS TAKEN TO HOSPITAL

NAIROBI, July 5.—News of Mr. Mboya's death was broken to his wife, Pamela, by an assistant in the drugstore who drove to the Mboya home in a borrowed car with a police officer. They accompanied her to the Nairobi Hospital.

Mrs. Mboya attended Western College for women at Oxford, Ohio.

TOM MBOYA

Tom Mboya was one of the most intelligent and attractive of the New Africa's leaders. He also had unusual capacity for hard work and especially for the tough political slogging necessary to win Kenya's independence and then to build a nation.

It was to Mr. Mboya that President Kenyatta invariably turned for the most taxing tasks: Shaping Kenya's republican Constitution, writing of what may prove a historic blueprint for "African Socialism," planning economic development, the removal of Oginga Odinga as Vice President of the country and the KANU party.

Mr. Mboya probably would never have become President. He was a Luo—and one without substantial tribal strength—in a country where Mr. Kenyatta's Kikuyus are likely to remain the dominant political factor. His early ties with the A.F.L.-C.I.O. unfairly gave him the political liability of the "American" label. His arrogance offended lesser politicians unnecessarily.

But his murder at 38 is a staggering loss for Kenya and will be felt around the world, particularly in new nations struggling for economic and political viability.

CONSUMER FEDERATION OF AMERICA OPPOSES UTILITY TAX LOOPHOLE

Mr. METCALF. Mr. President, I ask unanimous consent to have printed in the RECORD a recent press release from the Consumer Federation of America. The release includes the text of the excellent statement submitted to the House Ways and Means and Senate Finance Committees by Mrs. Erma Angevine, executive director of the organization, in opposition to the tax loophole permitting utilities to issue tax-free dividends to stockholders.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

NEWS FROM THE CONSUMER FEDERATION OF AMERICA, JUNE 26, 1969

WASHINGTON, D.C.—A national consumer organization has urged Congress to close a tax law loophole which permits private utilities to pay stockholders tax-free dividends.

In a statement to members of the tax-writing House Ways and Means Committee and the Senate Finance Committee, Mrs. Erma Angevine, Executive Director of the Consumer Federation of America, said that "continuation of provisions . . . which permit tax avoidance can only feed consumer discontent and disillusionment—and create, inevitably, a lack of faith in the fairness and credibility of government."

CFA documented its appeal with a new study showing that 36 private power companies paid their stockholders $259 million in tax-free dividends in 1968. The study also showed that private power companies have paid a total of $1.6 *billion* in tax-free dividends since Congress passed the 1954 tax law which made such payments possible.

CFA described the tax-free dividend practice as "legalized financial legerdemain and double bookkeeping."

It said the practice "deprives the federal treasury of revenue which it would receive if these dividends were subject to normal taxation" and also results in the payment of "phantom taxes" by consumers in their utility bills.

The text of the CFA statement sent to members of the House Ways and Means Committee and the Senate Finance Committee follows:

"The Consumer Federation of America, a voluntary federation of national, regional, state, and local consumer organizations, respectfully submits for your consideration the results of a new study. We believe that study shows that tax reform legislation is long overdue. We believe the study provides additional evidence of inequities in the tax code which permit some corporations and some individuals to avoid paying their fair share of income taxes.

"The new CFA study reveals that 36 private power companies paid their stockholders $259,328,287 in tax-free dividends in 1968. This means that more than one-quarter of a *billion* dollars in income received by the stockholders of these utilities escaped taxation. Since the enactment of the 1954 tax law—which makes this windfall possible—the total of such tax-free dividend payments to stockholders of private power companies has been $1,558,754,138.

"Stockholders enjoy these tax-free windfalls primarily as a result of the use by utilities of the rapid depreciation provisions of the 1954 tax law. Companies subject to federal or state regulation often are permitted to compute net income two different ways—once for tax purposes and once for regulatory purposes. When regulatory income exceeds tax income, the difference, if the company sees fit, may be paid to shareholders as a tax-free return of capital. The Internal Revenue Code considers any distribution in excess of accumulated or current earnings as a return of capital. Hence, payments made from sources other than profits are tax-free.

"Barron's, a weekly financial publication, headlined a story on this practice in these words as long ago as 1963: 'Foiling the IRS.' That was and still is all too true, for this practice deprives the federal treasury of revenue which it would receive if these dividends were subject to normal taxation.

"But consumers are also 'foiled,' for consumers are the ones who supply the money which power companies use to pay taxes and dividends. Specifically, power companies are really tax *collectors*, not tax payers. By long established regulatory principle, utility rates are designed to provide enough revenue to cover all operating expenses, including taxes, plus a supposedly reasonable return on investment. However, inconsistencies between the tax law and the interpretations of utility regulatory agencies permit utilities to charge consumers for more income taxes than they, the utilities, actually relay to the government. The power companies keep the difference and it is this difference between taxes actually paid, and funds collected from consumers—supposedly for taxes—which is distributed each year as tax-free dividends to stockholders.

"Consumers thus pay 'phantom taxes' to utilities. Utilities use this 'phantom tax' accumulation to benefit stockholders. The losers are both the federal treasury and consumers.

"The Consumer Federation of America believes the tax law should be reformed to eliminate this and other inequities which permit corporations and individuals to escape paying their full share of taxes. These forms of legalized financial legerdemain and double bookkeeping should be ended. Continuation of provisions in the law which permit tax avoidance can only feed consumer discontent and disillusionment—and create, inevitably, a lack of faith in the fairness and credibility of government.

"A list of power companies which paid tax-free dividends in 1968, and a company by company breakdown of such tax-free dividend payments since 1954, is attached. We will be pleased to provide additional documentation at your request."

CONSUMER FEDERATION OF AMERICA STUDY OF TAX-FREE DIVIDENDS PAID BY PRIVATE POWER COMPANIES IN 1968

	Tax-free dividends paid in 1968	Percent of total dividends tax free in 1968	Total tax-free dividends since 1954 [1]
Arizona Public Service	$5,100,000	60.0	$36,996,989
Atlantic City Electric	3,663,038	46.0	31,518,668
Black Hills Power & Light Co	86,223	(2)	245,227
Brockton Edison			2,074,694
Central Hudson Gas & Electric	1,439,250	28.8	9,758,873
Central Lousiana Electric	2,302,324	44.1	13,965,621
Central Maine Power			4,812,492
Central Vermont Public Service	1,124,092	71.0	1,124,092
Consolidated Edison (C)	67,102,000	100.0	300,596,974
Consolidated Edison (5¼ B)	3,071,250	78.0	3,071,250
Detroit Edison	4,643,106	(3)	91,131,507
Duquesne Light	7,598,286	34.68	27,300,321
El Paso Electric			2,958,458
Exeter & Hampton Electric			7,565
Fall River Electric Light			1,022,110
Fitchburg Gas & Electric Light	59,412	13.79	737,955
Florida Power			760,396
Florida Public Utilities			222,724
Green Mountain Power	575,575	65.0	1,313,179
Gulf States Utilities			8,535,997
Hawaiian Electric Co	346,894	7.9	3,761,771
Idaho Power	3,580,505	35.0	23,657,249
Illinois Power (C)			3,201,000
Illinois Power (P)			1,877,064
Interstate Power			2,404,220
Long Island Lighting	6,982,510	31.0	11,621,740
Maine Public Service	149,124	20.0	1,572,922
Missouri Public Service			339,300
New England Electric System	9,738,855	45.0	58,754,431
New England Power (P)			$347,568
Niagara Mohawk	$22,208,200	70.0	135,987,831
Northeast Utilities	18,108,537	59.0	28,124,392
Northern States Power (Minnesota)	14,525,840	56.0	14,525,840
Oklahoma Gas & Electric			10,161,303
Orange & Rockland Utilities	3,809,416	81.93	12,598,021
Pacific Gas & Electric	13,243,724	(4)	68,841,977
Pacific Power & Light (C)	11,797,760	64.0	121,924,916
Pacific Power & Light (P)			8,788,658
Portland General Electric	3,539,200	(5)	38,615,471
Potomac Electric Power Co	11,077,369	53.0	40,410,000
Public Service Electric & Gas Co	14,875,266	29.8	47,415,002
Public Service of Indiana			25,340,454
Public Service of New Hampshire			13,456,472
Puget Sound Power & Light (C)	3,310,248	51.0	29,627,896
Puget Sound Power & Light (P)			1,910,019
Rochester Gas & Electric	4,577,100	66.0	4,577,100
Savannah Electric & Power	305,531	15.0	2,410,500
Sierra Pacific Power Co	2,229,920	77.0	9,124,035
South Carolina Electric & Gas Co			1,244,431
Southwestern Electric Service Co	205,083	(6)	2,741,998
Southwestern Public Service Co	2,394,110	(7)	20,049,161
Union Electric	12,397,474	43.0	112,220,664
Upper Peninsula Power	81,736	(8)	81,736
Utah Power & Light	1,652,846	(9)	9,148,337
Virginia Electric & Power			4,062,107
Washington Water Power	1,426,483	20.29	42,939,399
Total	259,328,287		1,452,020,077

Footnotes at end of table.

CONSUMER FEDERATION OF AMERICA STUDY OF TAX-FREE DIVIDENDS PAID BY PRIVATE POWER COMPANIES IN 1968—Continued

	Tax-free dividends paid in 1968	Percent of total dividends tax free in 1968	Total tax-free dividends since 1954[1]
The following power companies have been merged into other utility systems:			
California Electric Power[10]			$15,345,062
California Oregon Power[11]			18,333,924
Connecticut Light & Power[12]			26,348,153
Connecticut Power[13]			1,340,731
Essex County Electric[14]			565,796
Hartford Electric Light[12]			30,977,031
Haverhill Electric[15]			176,474
Lawrence Electric[15]			466,917
Lowell Electric Light[15]			522,886
The following power companies have been mereged—Continued			
Merrimack-Essex Electric[16]			$2,649,636
Rockland Light & Power[17]			2,783,439
Southern Berkshire Power & Electric[18]			190,646
Suburban Electric[16]			1,480,291
Weymouth Light & Power[18]			435,990
Worcester County Electric[18]			5,117,085
Total			106,734,061
Total tax-free dividends since 1954			1,558,754,138

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[1] Not all companies paid tax-free dividends in all years from 1954 through 1968. For year-by-year breakdown, see Nov. 30, 1961, Jan. 7, 1963, Oct. 21, 1963, July 20, 1964, July 23, 1965, ECIC Newsletters; Oct. 25, 1966, and July 25, 1967, CIC Newsletters; and CFA "Consumers, Taxes, and Utilities," Sept. 16, 1968.

[2] 12.3 percent of Mar. 1, June 1, and Sept. 1 dividends only.

[3] 21 percent of July dividend; 25 percent of October dividend.

[4] 3.4 percent of January dividend; 19.6 percent of April, July, and Ootober dividends.

[5] Estimated 40 to 45 percent; for purposes of this study, 40 percent has been used.

[6] 51.37 percent of Mar. 15 and June 15 dividends; 49.86 percent of Sept. 15 and Dec. 15 dividends.

[7] 22.12 percent of Mar. 1, June 1, and Sept. 1 dividends; 13.5 percent of Dec. 1 dividend.

[8] 14 percent of August dividend; 21 percent of November dividend.

[9] 16.71 percent of January dividend; 21.62 percent of April, July, and October dividends.

[10] Merged with Southern California Edison Co., 1963.

[11] Merged with Pacific Power and Light, 1961.

[12] Subsidiary of Northeast Utilities, 1967.

[13] Merged with Hartford Electric Light, 1956.

[14] Name changed to Merrimack-Essex, 1957.

[15] Merged with Merrimack-Essex, 1957.

[16] Merged with Massachusetts Electric Co. (part of New England Electric System), 1962.

[17] Name changed to Orange & Rockland Utilities, 1958.

[18] Merged with Massachusetts Electric Co. (part of New England Electric System), 1961.

Sources: For percent of divident payments considered tax free by companies, Prentice-Hall's "Capital Adjustments" and Moody's "Public Utilities" and "Divident Record" services. For total divident payments, company reports to FPC and Moody's services. Computations by Consumer Federation of America, Inc. Dividend payments are those made on common stock, except where noted. Where company paid tax-free dividends on both common and preferred, each is identified: (C) on common stock; (P) on preferred stock.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1970

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 11612) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1970, and for other purposes.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

UNANIMOUS CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at 2 o'clock a vote be taken on the committee amendment relating to the $20,000 limitation on farm payments.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. Mr. President, I think the Senator's request also should cover the matter of taking up the committee amendment on limitations now, out of order, because in the regular order it would come after some other amendments, inasmuch as there are several amendments which we have not approved which precede that amendment.

Mr. MANSFIELD. The Senator is correct. Mr. President, I amend my unanimous-consent request accordingly.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I also ask unanimous consent that the time until 2 o'clock be equally divided between the distinguished Senator from Florida (Mr. HOLLAND) and the distinguished Senator from Delaware (Mr. WILLIAMS).

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. There should be added to the unanimous consent agreement that beginning at 2 o'clock there will be a live quorum.

Mr. HOLLAND. I suggest the live quorum be called now.

Mr. DIRKSEN. Yes.

Mr. MANSFIELD. Very well; the vote at 2 o'clock and the time divided.

Mr. President, I suggest the absence of a quorum. Attachés should notify Senators that it will be a live quorum.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). The clerk will call the roll.

The bill clerk called the roll, and the following Senators answered to their names:

[No. 52 Leg.]

Aiken
Allen
Baker
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cook
Curtis
Dirksen
Dominick
Eagleton
Ellender
Fannin
Goldwater
Goodell
Hansen
Hart
Holland
Hollings
Hruska
Inouye
Javits
Jordan, N.C.
Jordan, Idaho
Mansfield
McGee
Moss
Murphy
Pastore
Pell
Randolph
Saxbe
Sparkman
Stennis
Talmadge
Williams, N.J.
Williams, Del.
Young, N. Dak.
Young, Ohio

Mr. KENNEDY. I announce that the Senator from Washington (Mr. MAGNUSON), and the Senator from Wisconsin (Mr. NELSON) are absent on official business.

I also announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Nevada (Mr. CANNON), the Senator from Alaska (Mr. GRAVEL), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Maryland (Mr. TYDINGS) are necessarily absent.

Mr. SCOTT. I announce that the Senator from Michigan (Mr. GRIFFIN) is absent on official business.

The Senator from Vermont (Mr. PROUTY) is necessarily absent.

The Senator from Massachusetts (Mr. BROOKE), the Senator of New Hampshire (Mr. COTTON), the Senator of Florida (Mr. GURNEY), and the Senator of Pennsylvania (Mr. SCHWEIKER) are detained on official business.

The PRESDIING OFFICER (Mr. HOLLINGS in the chair). A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the presence of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana. The motion is agreed to, and the Sergeant at Arms will carry out the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Allott
Bayh
Bellmon
Bennett
Bible
Case
Church
Cooper
Cranston
Dodd
Dole
Eastland
Ervin
Fong
Fulbright
Gore
Harris
Hartke
Hatfield
Hughes
Jackson
Kennedy
Long
Mathias
McCarthy
McClellan
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Mundt
Muskie
Packwood
Pearson
Percy
Proxmire
Russell
Scott
Smith
Spong
Stevens
Symington
Thurmond
Tower
Yarborough

The PRESIDING OFFICER. A quorum is present.

The Chair lays before the Senate the committee amendment having to do with the limitation on payments which the clerk will read.

The legislative clerk read as follows:

On page 23, line 14, after the word "regulations", strike out the colon and "*Provided further,* That no part of the funds appropriated by this act shall be used to formulate or carry out any price support program (other than for sugar) under which payments aggregating more than $20,000 under all such programs are made to any producer on any crop planted in the fiscal year 1970.".

The **PRESIDING OFFICER**. Under the previous unanimous-consent agreement, the vote on this amendment will occur at the hour of 2 o'clock p.m. today, the time between now and 2 p.m. to be equally divided between the Senator from Florida (Mr. HOLLAND) and the Senator from Delaware (Mr. WILLIAMS).

Mr. **HOLLAND**. Mr. President, I first yield 2 minutes to the distinguished junior Senator from North Dakota (Mr. BURDICK).

Mr. **BURDICK**. Mr. President, some of us have been rather disturbed by the fact that there is now the largest backlog of REA applications in history; estimated at $714 million; yet the House Appropriations Committee appropriated only $320 million for this purpose. The Senate committee raised that figure by $20 million, for which we are grateful. I wish to call your attention to the language in the committee report on page 35 which reads as follows:

> The committee takes note of the large backlog of loan applications pending at the agency and has provided the additional authorization to meet a part of this backlog. It requests that the REA Administrator file with the committee, not later than next January 31, a full report on the exact situation in terms of firm loan applications on hand as of December 31, 1969, together with the best estimate of additional applications to be received during the balance of fiscal 1970.

That seems to suggest that as of that time, January 31 of next year, after the report has been filed by the administrator of the agency, the committee will give further consideration to this backlog in connection with the next supplemental appropriation.

Mr. **HOLLAND**. Mr. President, replying to the distinguished Senator's question, I wish to say that there is no commitment of the committee, of course, as to what it will do at that time; but the committee felt that we should have information available at that time as to the size of the backlog, so that we would be free, if it seemed wise, to consider it in connection with the supplemental bill or in any other way that we felt it should be considered.

I might say that the committee bill added $20 million over the House amount, making a total $340 million. In addition, there is a $25 million carryover, making $365 million available for the fiscal year 1970 electrification program.

Mr. **BURDICK**. I thank the Senator. Those of us who are concerned can expect that the committee will give serious consideration to this backlog at that time.

Mr. **HOLLAND**. That is correct.

Mr. **BURDICK**. I ask unanimous consent that the portion of the committee report (No. 91-277) under the subheading "Loan Authorization for Electrification Loans," on page 35 of the report, be printed in the RECORD at this point.

There being no objection, the excerpt from the report was ordered to be printed in the RECORD, as follows:

Loan authorization for electrification loans

1969 new budget (obligational) authority to date	$329,000,000
1970 budget estimates—New (obligational) authority	320,000,000
House bill—New (obligational) authority	320,000,000
Committee recommendation—new (obligational) authority	340,000,000

> The committee recommends a loan authorization of $340 million for the electrification program in fiscal year 1970. The new authorization, plus an estimated carryover of $25 million will provide a lending program of $365 million, which is $20 million over the current year level. The new authorization is thus $20 million over the budget estimate and the House bill and $11 million over the amount authorized a year ago.
>
> The committee takes note of the large backlog of loan applications pending at the agency and has provided the additional authorization to meet a part of this backlog. It requests that the REA Administrator file with the committee, not later than next January 31, a full report on the exact situation in terms of firm loan applications on hand as of December 31, 1969, together with the best estimate of additional applications to be received during the balance of fiscal 1970. This report should also indicate clearly the sufficiency of loan authorization to meet the orderly requirements of the electrification program for the entire fiscal year.
>
> The committee concurs in the statement in the House report that in view of the urgent need for "heavying-up" distribution facilities, that first consideration shall be given to the critical needs of distribution-type loans, and that generation and transmission loans be held to a minimum in the coming fiscal year.

Mr. **HARRIS**. Mr. President, on page 35 of the committee report, under loan authorization for electrification loans the committee requests that the REA Administrator "file with the committee not later than next January 31 a full report on the exact situation in terms of farm loan applications on and as of December 31, 1969, together with the best estimate of additional applications to be received during the balance of fiscal year 1970." I am glad the Senator from Florida (Mr. HOLLAND), indicated that the committee will give consideration to a supplemental appropriation if loan demands as stated in the report of the REA Administrator filed with the committee on January 31 warrant it. Rural Electric Cooperatives both distribution and G. & T. have done an outstanding job of providing central station electric power to rural America. Demands for electricity in rural America continue to grow and both distribution and G. & T. cooperatives are faced with the need to heavy-up and expand their systems in order to fulfill the provisions of the REA Act for complete area coverage and to meet the growing demands of their consumers.

Mr. **HOLLAND**. Mr. President, I next yield such time as he may require—which I understand will be approximately 7 minutes—to the distinguished senior Senator from North Dakota (Mr. YOUNG).

Mr. **YOUNG** of North Dakota. Mr. President, I want to express my strong opposition to the current proposal to place a $20,000 limitation on payments to any producer under our farm programs for crops planted during fiscal year 1970.

To the average person, particularly those not familiar with the operation of our present farm programs, a $20,000 payment limitation might seem reasonable. A close study of the problems of agriculture and of the need to maintain a sound agriculture should reveal that such a limit would be a cripling blow to the American agricultural economy.

The stated purposes of our Federal farm programs are to assist in maintaining and improving farm income, to assure abundant supplies of low cost, high-quality food and fiber, and to preserve and protect the soil resources of the Nation.

In seeking to improve farm income Congress has enacted our present farm price support programs. Under them producers voluntarily limit their plantings and, in return, receive income protection in the form of low-level price support loans and production payments in the case of feed grants and cotton and wheat certificate payments in the case of wheat.

All of the payments made to farmers, large and small, are either for some service they have performed or are in lieu of price support in another form. For years prior to the enactment of our current programs, we maintained a system of high price supports. With all of their shortcomings, these were successful in maintaining farm prices at reasonable levels.

Cash market prices for most commodities have fallen as price support loan levels under the new programs have been reduced. Wheat, for example, is now bringing the farmer an average of $1.27 per bushel. This is practically the same as we sold wheat for back in the 1920's.

Even with voluntary production control programs, we are faced with the prospect of big surpluses. In the case of some commodities, we must rely heavily on the export market as an outlet for a large part of our production. Almost two out of every three bushels of wheat produced in this country, for example, must be exported.

Even with voluntary production control programs, we are faced with the prospect of big surpluses. Farmers have cut back their crop acreages and are still faced with further planting reductions. Next year wheat producers will be asked to reduce plantings by another 10 to 15 percent in order to be eligible for diversion and certificate payments.

This proposal would limit total payments to a producer under all of these programs. A sizable wheat producer, who may also be a participant in the feed grain or cotton program, faced with the prospect of a payments limitation, would be presented with an impossible choice. His alternative to program participation would be to stay out of the program altogether and try to greatly increase his production in order to meet his costs and provide a living for his family. The result of such action would be to add to the already burdensome surpluses and further depress farm prices.

It is necessary for all farmers to participate in these programs if they are to be successful in securing decent farm prices in the marketplace. Price depressing surpluses must be avoided if we are to maintain farm income, hold down Government costs, and prevent a collapse of the agricultural economy.

If the proposed limitation is approved, the present cotton program would cease to be in effect and, under the so-called "snap back" provision, would be replaced by a program requiring price support loans at levels between 65 and 90 percent of parity. The present loan level on cotton is about 45 percent of parity. Under this, most, if not all, of the savings claimed by the proponents of the limitation would be lost. Worse than this, however, would be critical damage that would be done to the cotton industry. This would inevitably place cotton at a price disadvantage and would mean further loss of markets to synthetics.

As I have indicated, our farm programs are also aimed at preserving our soil resources and providing abundant food at reasonable prices. The conservation of our soil is something of utmost concern, not only to farmers, but to all of us. In fact, it would seem that any effort to maintain soil fertility and productivity would be more important to nonfarm people. This is the surest way for us to assure the availability of adequate food supplies for years to come.

Throughout history, there are examples of great nations that have declined and fallen simply because they failed to conserve their soil and could no longer provide the most basic needs of their people.

Mr. President, one of the better discussions of the question of the payments limitation that has come to my attention is an editorial that appeared in the June 1, 1969, issue of the Fargo Forum, North Dakota's largest daily newspaper. This editorial was written by the paper's editor, Mr. John Paulson. I would like to read part of that editorial and I ask unanimous consent that it appear in its entirety at the conclusion of my remarks.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 1.)

Mr. **YOUNG** of North Dakota. Mr. President, the editorial in part reads as follows:

> What the politically minded congressmen who vote for such a curb don't seem to realize is that the farm payments are not a subsidy; they are a payment by the government for specific performance by the farmers. If Congress did not believe that the price support programs and the conservation programs were necessary to the sound economic health of the United States itself, they should not have been approved in the first place.
>
> The purpose of the farm programs is to keep the total crop production under control, so that the market place will bring to the farmer a sufficient cash return to keep the farmer and his family on the farm, instead of forcing them off the farm into the big cities as potential relief clients.
>
> If the farm programs were a relief program, then the top payment should be limited to $3,000, the federal government's dividing line between the poor and the not-so-poor.
>
> When the federal government attempts to limit production, it must limit the production on all land, not just on those lands owned by the average family farmer.
>
> But if the $20,000 ceiling were successfully imposed, next year the ceiling would be cut to $15,000 and then to $10,000 and probably even lower.
>
> This would be one effective way of killing all farm programs, and offer no substitutes. As a result there would be a threat of a potential glut on the market of some of the crops now under the control programs, and the net result would be the elimination of more and more family farmers who simply could not stand the economic pressure.
>
> The big farms would grab up more and more land, and the United States would find itself with a massive farm-tenant operation calling for massive land reforms.

I firmly feel that the time and place to deal with the question of payments limitation is when general farm legislation is considered by Congress. Our present farm programs expire at the end of the 1970 crop year. That means that we must write new legislation either late this session or early next year.

Secretary of Agriculture Clifford Hardin has been working on this and I understand that he will be making some proposals for establishing reasonable and workable limitations without crippling the programs themselves.

In 1968, only 46 North Dakota farmers received payments under these programs in excess of $20,000. Only three of these received more than $50,000. The largest payment in my State was only $72,504. It would be the popular thing in my State for me to vote for this limitation. I would do so if I could disassociate myself from the feeling that it is not in the bset interest of farmers and farm programs and all people in this country who are concerned over the need for abundant food at reasonable prices now and for years to come.

Mr. President, I shall support the deletion of the limitation of payments.

EXHIBIT 1

CURB ON FARM PROGRAMS POLITICALLY INSPIRED

Once again the U.S. House of Representatives has approved a politically-inspired proposal to put a ceiling of $20,000 a year on the amount any one farmer may receive from the federal farm price support program, the Agricultural Conservation program, the Croplands Adjustment program and the old Soil Bank program.

We call the proposal politically-inspired because the attempt to curb the U.S. Department of Agriculture programs comes primarily from the big city congressmen who delight in singling out the very few farmers who have received payment of $100,000 to over $1 million from the USDA, and complain at the same time that the poor in the big city ghettoes are being denied food for the hungry by the same Department of Agriculture.

What the politically minded congressmen who vote for such a curb don't seem to realize is that the farm payments are not a subsidy; they are a payment by the government for specific performance by the farmers. If Congress did not believe that the price support programs and the conservation programs were necessary to the sound economic health of the United States itself, they should not have been approved in the first place.

The purpose of the farm program is to keep the total crop production under control, so that the market place will bring to the farmer a sufficient cash return to keep the farmer and his family on the farm, instead of forcing them off the farm into the big cities as potential relief clients.

If the farm programs were a relief program, then the top payment should be limited to $3,000, the federal government's dividing line between the poor and the not-so-poor.

When the federal government attempts to limit production, it must limit the production on all land, not just on those lands owned by the average family farmer.

The same congressmen who tried to limit farmers' income will turn around and vote for minimum wage laws and other labor legislation which act to give the transportation agency, the processor and the retailers a greater and greater share of the consumer dollar.

Fortunately, the new secretary of Agriculture appointed by President Richard M. Nixon, Clifford M. Hardin, has already urged the Senate to kill the House-approved ceiling.

He said he was not judging the moral or the ethics of big payments to some larger farms, but was considering how government programs can be operated so that they hold down surplus production. Quite simply, he said that the government was getting value received for the payments made to farmers, and that the payments were not a subsidy in the true sense of the word.

Mr. Hardin said the administration believes that a sound program of payment limitations to some of the larger farm operations can be drafted later, but should not be tacked on to programs now being carried out. He said the entire subject should be considered when Congress takes up general farm program revisions which will take effect in 1971

"As long as we are not talking about specific dollar limitations, we think a sound program can be devised that will certainly modify the payment structure that we now have, and modify it downward," he said.

The records show that relatively few farmers in Minnesota and the Dakotas get over the $20,000 total in annual payments. The collections in the million dollar classification generally come from the Deep South, the land of the old plantations and the huge land owning families, and from Texas and California. But if the $20,000 ceiling were successfully imposed, next year the ceiling would be cut to $15,000 and then to $10,000 and probably even lower.

This would be one effective way of killing all farm programs, and offer no substitutes. As a result there would be a threat of a potential glut on the market of some of the crops now under the control programs, and the net result would be the elimination of more and more family farmers who simply could not stand the economic pressure.

The big farms would grab up more and more land, and the United States would find itself with a massive farm-tenant operation calling for massive land reforms.

The Senate wiped out the $20,000 limitation a year ago, and certainly it should do so again, particularly with the rewriting of the farm programs slated for the next crop year.

Mr. **WILLIAMS** of Delaware. Mr. President, I yield myself 5 minutes.

The **PRESIDING OFFICER**. The Senator from Delaware is recognized for 5 minutes.

Mr. **WILLIAMS** of Delaware. Mr. President, the pending business is the amendment the House of Representatives included in H.R. 11612, an amendment which provided as follows:

> No part of the funds appropriated by this Act shall be used to formulate or carry out any price support program (other than for sugar) under which payments aggregating more than $20,000 under all such programs are made to any producer on any crop planted in the fiscal year 1970.

The Senate Appropriations Committee amendment proposes to strike that language from the committee bill. Therefore, the parliamentary situation is that the committee amendment is now the pending business, and those who favor the retention of the $20,000 ceiling will vote no, against the committee amendment. I am proposing that we defeat the committee amendment and thereby retain the House amendment which places a limitation of $20,000 on these payments.

The argument has been made, as it is every time this matter comes up, that if we place a ceiling on these payments, it will cost more money to administer the program.

I disagree completely. That is a falacious argument. There is no substance which would substantiate that argument.

However, rather than debate the point I have a second amendment which will be offered immediately following the vote on the pending amendment. The purpose of this second amendment is to repeal the so-called snap-back provision under which the Secretary said he would have to support cotton as one commodity at higher rates than under the regular act. Therefore the argument about the so-called snap-back provisions need not bother anybody on voting on the $20,000 limitation because if we can defeat the committee amendment the next vote will be to eliminate the snap-back provision.

As far as the broad agricultural program is concerned I think it would be well to review the history of this law. It started at 90 percent support for certain agriculture commodities during World War II. It was initiated at that time as a wartime measure for encouraging and increasing wartime production on the farms so that we might have that production for our own use and for supporting and feeding our allies in Europe.

This high, rigid support of 90 percent was initiated during World War II with the understanding that it was to drop back within 1 year after the end of the war. However, now, 24 years later, these high support programs are still being continued on an even more expensive basis.

At some point, somewhere, I think we must face up to the problem and cut down on the cost of this agriculture program. There is no justification for continuing these large payments at this time. Both the Congress and every administration that has ever been in power, either Democratic or Republican, have always expressed a lot of sympathy for the small farmer. Yet these larger payments do not help the small farmer. Quite the contrary, they place the small farmer at a decided disadvantage from a subsidy standpoint, because the small farmer today has to have a certain minimum amount of equipment—a combine, tractors, and other types of large equipment—to carry on the work on the family-size farm and utilize his own labor and the equipment to capacity. If he has a one-family farm and puts a portion of his acreage under the soil bank or in one of the acreage diversion programs it means that he cannot efficiently utilize either his labor or his equipment.

Therefore, it becomes a less efficient operation, whereas the larger corporate-type operation, with several thousand acres, can place a portion of its acreage in the reserve program, take the payments, put the machinery in the shed, lay off a number of its employees, and still have an efficient operation.

The programs would help the small farmers if we placed a reasonable limitation on the amount. If we impose a limitation of $20,000 it would give an advantage to the small farmer. Then the large operator who is now getting in excess of $20,000 would certainly be at some disadvantage as regards the small farmer.

Besides, limiting the payments to $20,000 would cut the cost of the program by around $300 million annually.

The argument is made that if we impose this limitation it would completely destroy the agricultural program and that we will not be able to feed ourselves. I hope that that is not a serious argument. Certainly we have not drifted so far from our belief in the free enterprise system as to think we cannot operate an agriculture program successfully without continued paternalistic control from Washington.

Have Members of Congress forgotten that many of our agricultural products today are not receiving and over the years have never received benefits of Government subsidies or Government support programs; yet they have succeeded just as well in the free market as have some of the products which have been the beneficiaries of large subsidies. Also, smaller farmers have fared better in these uncontrolled programs.

Another argument that is made is, Why discontinue the subsidy for the agricultural program when there are so many other subsidies for private industry which should likewise be stopped?

That is no argument. If there are other subsidies that need correcting then let us do it.

It is true that there are many subsidy programs for various segments of industry, and they are long overdue for a change. I shall be the first to try to help to change them.

Nevertheless, whenever we have before us one of these other subsidy programs that is sought to be changed we get that same argument. The argument is always made, "Why not hit some of the other subsidies?" My answer is that the time to review any subsidy is when it is before the Senate. The subsidy for agriculture is before us today.

As to the fairness of the limitation, there are precedents for limiting the payments to small farmers. The ACP payments are limited to the small farmers, only with a $3,000 or $5,000 limit.

I placed in the RECORD on June 26 a list of those farmers who in 1968 received in excess of $60,000 under the present law. It was a partial list, taken from the committee's report; but it is significant to note that five farming operations received payments in excess of $1 million each. Thirteen recipients were drawing payments between $500,000 and $1 million. Certainly, those payments cannot be justified as having been made to small farmers

One of the payments under this program was to the Delta Pine Land Co., Scott, Miss., in the amount of $605,796. That organization is a group of British stockholders who own farmland in this country. Yet they are classified as a farmer and receive a cash payment of over $600,000 from American taxpayers. I see no justification for that payment, nor do I see why we should continue to support that type of corporate farm operation.

I cite another example of some of the so-called larger farming operations. The Texas Department of Corrections is classified as a "farmer" under this program and received two payments, one of $294,301, the other of $75,619.

The Arkansas State Penitentiary also is classified as a "farmer" under this program and received a cash payment of $154,412.

The State of Washington, classified as a "farmer," draws $146,764.

The Louisiana State Penitentiary is classified as a "farmer" under the program and collected $114,363.

I have previously said that an interesting question arises in those cases. Suppose a penitentiary violated the law with respect to the quota system and were indicted and prosecuted. I wonder how the penitentiary would be punished. Certainly it could not be put in a penitentiary.

These examples merely point up the absurdity of the whole program.

Certainly the smallest step the Senate could take would be to reject the committee amendment and retain the language of the House bill, thereby placing a $20,000 ceiling on these payments. Then the Senate should repeal the so-called snap back. Following this, Congress should get busy and write a good farm program, one which will be fair to the small farmer and far less costly to the taxpayers.

Some would now argue, why not defer this discussion until a bill from the Committee on Agriculture and Forestry is before us?

An agriculture appropriations bill is before us now. There will never be a better time.

Today we are in this very fortunate position in that the House of Representatives has already voted for a $20,000 limitation. In order that it may become law the only step necessary to be taken now is to have the Senate reject the committee amendment and support the position of the House. Then we shall be well on the road toward saving the taxpayers nearly $300 million.

The PRESIDING OFFICER (Mr. EAGLETON in the chair). The additional time of the Senator from Delaware has expired.

Mr. HOLLAND. Mr. President, I yield 5 minutes to the Senator from Nebraska.

Mr. HRUSKA. I thank the Senator from Florida.

Mr. President, the issue before the Senate is whether to delete the House-approved limitation by the amendment which is now before the Senate. I support the Senate committee amendment to delete the House-approved amendment.

Mr. President, farm payments limitation is neither a new nor a novel question for most Senators. Last year, when the Senate debated a bill to extend the Food and Agriculture Act of 1965, one issue which received considerable attention was whether a limitation on payments to individual farmers was proper. Two amendments to the bill were offered, one limiting payments per farm to $25,000, and the other limiting payments per farm to $75,000. After useful debate, both amendments were defeated.

The amendment before the Senate today is similar to the amendments of last year, with similar arguments marshalled for and against. The only differences from the amendments of last year are the amount of the limitation and the fact that the amendment this year is proposed to an appropriations bill rather than a legislative bill.

A $20,000-a-year ceiling on payments to individual farmers was imposed by the House recently as an amendment to the 1970 agriculture appropriations bill, H.R. 11612. The bill passed the House and was sent to the Senate. The Agriculture Appropriations Subcommittee and the full Appropriations Committee considered and, on a number of items, amended H.R. 11612, and reported the bill favorably to the Senate. That bill is before the Senate now. After careful consideration, the Appropriations Committee deleted the limitation of $20,000 which had been added on the floor of the House. Whether or not to restore that House-approved limitation at this time by amendment on the Senate floor is the issue before us.

Mr. President, the present farm programs are not helping the small farmers of America; on the other hand, if this amendment were adopted under the existing programs, the small farmer would be even more adversely affected. The proper way to improve the present program is by enactment of a new comprehensive program. A limitation of payments only undermines the existing program without offering any effective substitute.

On the surface, it might appear reasonable to limit the payments that can be received by a single farm operator under the price-support programs. This view prevailed in the House of Representatives when it voted 224 to 142 to place the ceiling of $20,000 a year on such payments. However, closer study reveals how unreasonable the proposal would be.

Our farms have great capacity for overproduction, and large producers will have to use that capacity if the ability to pay them to limit production is abolished. Then we will have to look to smaller farmers for the needed production adjustment. This will force the small farmers off the farms which become uneconomic to operate. Also, the increased production would force the low prices even lower, and make the impact even more severe on farmers having smaller holdings. The result would be injurious to agriculture, and disruptive to the economy of my home State of Nebraska, and to that of the Midwest generally.

Let us examine three arguments that have been made in favor of a farm payments limitation: that it will save the Government money; that it will remove an inequity of large producers receiving large sums of money while small producers receive pittances; that it will permit the farm program to concentrate on helping the small farmers.

First, the plain fact is that a simple limitation on payments as contained in the legislation passed by the House would not result in a savings to the Federal Government. The savings argument, which has been the peg on which the proponents of the limitation amendment have hung their case, simply does not stand up.

A payments limitation would trigger a snapback provision for cotton, for example, making the cotton program subject to a loan-and-redemption or buy-and-sell-back arrangement that would actually increase the cost to the Federal Government, besides the increased cost of the limitation program.

Every cotton cooperator would be entitled to receive either a loan on or to have purchased all of the cotton produced within his farm acreage allotment. When the Agriculture Appropriations Subcommittee held a hearing on June 4, 1969, on the proposed payments limitation, Secretary Hardin testified on this point. He stated:

> We feel that we would be required to carry it out in a manner which will make available to all cooperators price support at not less than 65 percent of parity through loan or purchase on all cotton produced on their 1970 acreage allotments.

Besides increasing the cost of the cotton program, the limitation would cause increased administrative expenses for all of the farm programs, because with the elimination of the large producers many more farms would be involved in the programs in order to control production.

A good example of the increased administrative costs would be the predicted impact of the limitation on the feed grain program. Participation in the program would drop, primarily because the economic incentive to participate in the program is considerably weaker than the incentive to participate in the cotton and wheat programs. A ceiling of $20,000 would reduce feed grain diversion by about 1.5 million acres and reduce Government payments by about $50 million. However in order to encourage the remaining participants in the program to absorb those 1.5 million acres to maintain a stable program, it would require an increase in payment rate costing the Government about $50 million. So, no gain would accrue to the Government by limiting payments. In fact, if some of the wheat producers who have their payments limited switch over to feed grains, it might cost the Government an additional $10 to $15 million to maintain the proper production level for feed grains.

It is also possible that the large farmers might, rather than dropping out of the programs, just change their mode of operation or ownership and still receive the same amount of payment as they do today, but at a greatly increased administrative cost to the Government. A considerable proportion of the farms subject to the limitation would undoubtedly be split up or leased out in such a fashion as to escape the limitation. Legally, these changes would not be difficult to accomplish, and it would be extremely difficult for the Department of Agriculture to prevent them.

The Department has estimated that as much as 75 to 85 percent of the potential cotton acreage affected by the $20,000 limit would be able to maintain its eligibility for full payment in this way.

The increased cost to the Government of the proposed payment limitation, considering all of the effects, has been estimated at about $160 million. I underline this point. Without other changes in the agricultural legislation, a payment limitation will increase the cost of our farm programs.

The second argument is that a payment limitation will remove the inequity of large producers receiving large sums of money while small producers receive pittances. This argument is based on the erroneous notion that farm payments are entirely subsidies or income supplements. This is not true, particularly for feed grains and wheat.

Where a feed grain farmer gives up the right to grow feed grains or any other crop for sale or use on 20 percent of his feed grain base under the farm program, in all fairness he has a right to be reimbursed for his contribution of this property right, regardless of his income status. Remember, the farm programs are based on the premise of voluntary participation to achieve an end of public policy; to be voluntary, the program must offer the proper incentive to the farmer who has committed his livelihood to his land.

Since America recognizes private property, the Government must pay for any public acquisition of property or any utilization thereof. If the Government were to limit the use of the land of a few owners without payment, this would be tantamount to confiscation of a property right of the owners. If we leave those owners the option of receiving only a partial value for diverting the productive use of their land, this would clearly drive most larger owners out of the program.

The amount of payment that smaller farmers receive is proportionate to the amount of land that they divert. This is the same standard applied against the larger farmers. The difference in payment is due only to the difference in land diverted.

Mr. President, the third argument in favor of a limitation is that a payment ceiling of $20,000 would return the advantage of the farm programs to the small farmers. This argument is fallacious. It would instead place an increased burden on the small farmers. The Government would be compelled to induce the small farmers to participate even more extensively in the programs in order to keep the production level stable. If the farmers did not, farm prices for crops would fall due to overproduction. If they did, it would become even harder for them to operate efficiently because their machinery and labor would be less economical for smaller production levels. They are damned if they do, and damned if they do not.

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The adverse economic impact on the small farmers if they must carry the entire burden of production control is clear.

Mr. President, although the three arguments in favor of a payments limitation are made in good faith and with the best interests of the public well-being high in mind. They are misleading and erroneous. The costs to the Federal Government will be higher, not lower. The inequity alleged is imaginary, not real. The small farmers will be affected adversely, not favorably.

For Nebraskans, a payment limitation would have two detrimental effects. Because the biggest impact of the payments limitation would be on the large cotton producers in the South who would be restricted in their compensation for leaving land idle, it is quite likely that they would turn to other crops in direct competition with the primary crops of the Midwest.

This threat is real. A Department of Agriculture study stated:

> If payments were reduced or eliminated, a chain reaction most likely would occur as farmers began seeking alternative crops which give promise of enhancing their income position.

Besides this direct crop competition, if the farmers of the South turned to feed grains and grass for cattle raising this could seriously challenge the livestock industry of the Midwest. Cheap and available feed for cattle would not only induce increased cattle raising in the South as new competition but might also cause the disastrous overproduction of meat animals. This would undermine the hard price gains only recently achieved by the industry through restraint and orderly marketing.

My last point goes not to sound Government economy, nor to stable agriculture production, but rather to sound legislative procedure. I do not believe the agriculture appropriations bill is the proper place for an amendment such as the payments limitation, especially as an amendment from the floor of the Senate. Legislative changes are needed, not simple expedients as substitutes for sound legislation.

The wise and judicious course for the Congress to follow is to wait until the Department of Agriculture submits new farm legislation. The Department is expected to submit it early in the fall of this year. Secretary Hardin said during the Agriculture Appropriations Subcommittee hearings that the Department is ready to work with the legislative committee on basic changes in farm legislation. The committees should do so, and I recommend to Senators that rather than destroying the existing programs by adopting the payment limitation amendment, that we wait until this question of payment limitation can be considered in the context of new programs.

Last year the Senate voted to extend the 1965 act for 1 year until December 1970, in order to give the new administration an opportunity to devise sound and thoughtful legislation to replace the existing programs. Doing so, the Senate and ultimately the Congress rejected a payments limitation to permit present programs to operate until the new programs were proposed. The situation has not changed, and now that the new programs are imminent, it would be foolish to undo all that was so wisely done last year.

Mr. President, I urge that the vote on the amendment be in the affirmative, and that the amendment submitted by the committee be agreed to.

Mr. HOLLAND. Mr. President, I yield to the distinguished chairman of the Committee on Agriculture and Forestry, the Senator from Louisiana (Mr. ELLENDER).

Mr. ELLENDER. Mr. President, I have served on the Committee on Agriculture and Forestry since I first came to Washington almost 33 years ago. At that time the Committee on Agriculture and Forestry was a very popular committee. Everyone desired to be a member, as is the case now with the Committee on Appropriations. However, in the last two sessions of Congress in order to get a sufficient number to serve on the committee, we have had to reduce the membership of the committee from 17 to 15 members, and then from 15 to 13, which is now the number of Senators serving on the committee.

Mr. President, to me the Committee on Agriculture and Forestry deals with the most important segment of our economy. Agriculture and related industries employ more people and spend more money than any other segment of our economy. Under the programs we have had in effect the amount of money that is spent for food from the average income of citizens is 17 percent. When I first came to Washington 26 percent of the income of families was required to buy food.

No segment of our economic society has made more progress than farming. The farmer does not ask for anything. If he were in the same category as other segments of our society the farmer would need no protection. In other words, if minimum wages and various tariffs that are now on the statute books and which protect various segments of our industry were removed, the farmer would need no protection. He could protect himself.

When we started this program back in 1937 it was based on acreage controls. A farmer was guaranteed price supports at a certain percentage of parity and required to reduce acres and, thereby, reduce production in keeping with our requirements. That program worked very well for quite awhile, or until after World War II. It also worked well during the Korean war. But increases in yields per acre, or increased efficiency if you wish, did much to undo acreage controls.

Mr. President, in 1961 the time came when excesses in production, notwithstanding acreage controls for some crops, were simply too much. Our surpluses were great and the cost of storage was tremendous.

The Committee on Agriculture and Forestry worked on another program beginning in 1969. The objective of that program was to reduce the enormous surpluses that had come about because of the previous program wherein we had had acreage controls. For instance, in the case of wheat we had 1.4 billion bushels of wheat, which was a carryover, over and above what we needed. In the case of feed grains we had 84.7 million tons over and above what we needed. In cotton we had 7.1 million bales.

As this new program developed, the purpose was to reduce acres further and enable farmers to plant in keeping with our requirements, both domestic and foreign. We set upon a new method of attaining that goal. The goal was to divert acres. In other words, instead of producing and storing, the department, as well as the committee, felt that it was better not to produce and plant only the acres necessary in order to meet our needs. That is the way this program has been operated since its inception in 1961 and its renewal on a 4-year basis in 1965.

Mr. President, the effect of the present law has been to reduce surpluses. For instance, in the case of cotton we had a carryover of 16.6 million bales. We now have an estimated 6.6 million bales in carryover, which is the proper amount. In the case of feed grain, the surplus has been reduced almost in half. We have now an estimated carryover of 44 million tons. In the case of wheat the estimated carryover is a little larger because of an error that I say the Secretary of Agriculture made in 1967 in increasing the acreage because he felt that there might be a shortage of wheat. But in any event the wheat acreage was increased by about 30 percent.

Mr. President, I ask unanimous consent to place in the RECORD at this point the tables on Carryover and Acres Harvested.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

CARRYOVER AT BEGINNING OF MARKETING YEAR

Crop year	Wheat (million bushels)	Feed grains (million tons)	Cotton (million bales)
1961	1,411	84.7	7.1
1962	1,321	71.8	7.7
1963	1,195	63.9	11.0
1964	901	69.2	12.1
1965	817	54.9	14.0
1966	535	42.1	16.6
1967	425	37.1	12.3
1968	539	48.3	6.3
1969	[1] 794	[1] 44.0	[1] 6.6

[1] Estimated.

ACRES HARVESTED

[In million acres]

Crop year	Wheat	Feed grains	Cotton
1961	51.6	105.3	15.6
1962	43.7	101.9	15.5
1963	45.5	105.1	14.1
1964	49.8	97.1	14.0
1965	49.6	96.0	13.5
1966	49.9	97.8	9.5
1967	58.8	100.8	7.9
1968	55.3	96.6	10.1

Mr. ELLENDER. Therefore, our surplus for 1969 is greater than it should be but still about only one-half of what it was in 1961. If Congress desires to wreck the farm program, then vote with the Senator from Delaware. On many occasions, when the bills were up, he has pro-

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posed these amendments to limit payments and the Senate, as well as the House, has voted against such limitations. Why? Because the bill gives the Secretary of Agriculture much flexibility in providing the number of acres necessary in order to produce the amount of wheat, corn, and other feed grains, as well as cotton and other commodities, that we can consume domestically and that we can export. In order to attain that goal under the law acres are diverted from production and farmers are paid not to plant. It has been determined that it is cheaper to pay the farmers not to plant than to let them plant and store the commodities.

Mr. TALMADGE. Will the distinguished chairman of the committee yield at that point?

Mr. ELLENDER. I yield.

Mr. TALMADGE. Is it not true that if this limitation on payments is agreed to, price supports would remain the same?

Mr. ELLENDER. Yes.

Mr. TALMADGE. And the Government cost would be greater and not less?

Mr. ELLENDER. Well, let me say to my good friend that under the theory of the bill, it is the number of acres that counts.

The **PRESIDING OFFICER.** The time of the Senator from Louisiana has expired.

Mr. HOLLAND. Mr. President, I yield 2 additional minutes to the Senator from Louisiana.

The **PRESIDING OFFICER.** The Senator from Louisiana is recognized for 2 more minutes.

Mr. ELLENDER. Under the bill, it is the number of acres diverted that counts. Whether those acres come from a small farmer or a large farmer makes no difference because the purpose of the bill is to reduce production in keeping with our requirements. If this limitation is slapped on the farmer, it will mean that the large farmer will not participate.

Mr. TALMADGE. Will the Senator yield further?

Mr. ELLENDER. I have only 2 minutes, but I yield.

Mr. TALMADGE. Is it not true, in the cotton program alone, that this amendment, if not agreed to, will cost the Government $160 million more a year?

Mr. ELLENDER. That is the estimate of the Department of Agriculture. The Senator is correct about that.

Mr. President, as I said, we will be wrecking the program if we put limitations on now. I plead with the Senate to wait until we meet next year in order to work on a new agriculture program. There will then be time to put on such limitations, if Congress agrees to them. But the law permitting payments is now on the statute books and the program has worked well in reducing our surpluses. I am, therefore, hopeful that Congress will sustain the Committee on Appropriations.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 1 minute.

The **PRESIDING OFFICER.** The Senator from Delaware is recognized for 1 minute.

Mr. WILLIAMS of Delaware. And then I shall yield to the Senator from Illinois (Mr. PERCY).

Mr. President, the claim that if the Senate adopts this amendment it will cost the Government $160 million additional above existing programs, as the result of the so-called snapback provision, is not an argument at all. If that were true we would be seeing the Senators from the cotton-producing areas enthusiastically embracing it. The fact that they are solidly opposed to this $20,000 limitation disputes that argument.

Besides the cotton farmer is not the only farmer getting these large payments. What about the large payments to the producers of wheat, corn, and feed grains? Furthermore, all we need to do to refute that argument is to repeal the snapback provision.

The next amendment that would be called up immediately after this vote would be the one repealing the snapback provision. So do not let that worry anyone. We can roll back the cost of this farm subsidy program by several hundred million dollars a year solely by rejecting the committee amendment.

Now, Mr. President, I yield 3 minutes to the Senator from Illinois (Mr. PERCY), and then I yield 5 minutes to the Senator from Vermont (Mr. AIKEN).

The **PRESIDING OFFICER.** The Senator from Illinois is recognized for 3 minutes.

Mr. PERCY. Mr. President, it is with considerable temerity that I speak on an agriculture matter when the distinguished Senator from Florida (Mr. HOLLAND) of my native State, and a man whose judgment I admire so much, takes a strong position, as well as when the distinguished Senator from Louisiana (Mr. ELLENDER) takes an opposite position to the one I take.

As a man raised in urban areas, I find it hard to try to understand the agricultural problems of this country. All I know is that they are deep-seated problems and we must face them. Many feel that we must wait until next year to find a real solution to them. I have come to the conclusion that we had better start this year to find at least a partial solution and then set a trend in a different direction. I take this position because of several impressions.

When I married my wife, she had a farm in her family in Livingston County, Ill. It has been in her family for about 125 years. I said to her at the time, "I do not really know enough about farming. Don't you think that you should sell it and go out of production? Wouldn't it be better to sell it?"

She replied, "Well, I am still left with the impression my father gave me that as long as you are a farmer, the Government will guarantee you an income, and I think we had better keep it, because I know of no other income which is guaranteed that way."

Well, Mr. President, that may true. I do not know. I know that I did go down and talk to the manager of that farm, years ago, after a new agriculture bill had been proposed by the administration, and I asked him what he thought of the control program.

He said, "I will tell you, Chuck. There is not a dirt farmer in the State, with a stub pencil and writing on the back of a brown envelope, that can't figure out in 15 minutes how to beat that control program."

I have been left with the impression that people are producing now who should not be producing and should have gone into other occupations because we have, somehow, induced them to stay on the farms instead of migrating off.

I think we have induced large scale capital enterprises to come in to produce a great many operations, and we would now simply continue Government intervention. I am impressed with the fact that we do not seem to have a great deal of difficulty with hundreds of crops not under limitation and control.

The **PRESIDING OFFICER.** The time of the Senator from Illinois has expired.

Mr. WILLIAMS of Delaware. I yield 2 additional minutes to the Senator from Illinois.

The **PRESIDING OFFICER.** The Senator from Illinois is recognized for 2 additional minutes.

Mr. PERCY. It is the sick crops that are under controls. The six basic supported crops, so-called, are sick agricultural areas.

It is for that reason I rise to support the position taken by the distinguished Senator from Delaware (Mr. WILLIAMS), to place an annual limitation of $20,000 on total payments that any farmer may receive from Government programs. I therefore support the position taken by the House and the fight which has been led by my distinguished colleague from the agricultural area in central Illinois, Representative PAUL FINDLEY. I believe he really represents the strong feelings of the overwhelming majority of Illinois farmers—and we are the largest agricultural exporting State in the Union—who now want to get away from control programs, and have more decisions made on the farm, and fewer decisions made in Washington.

I also serve with the distinguished Senator from Louisiana (Mr. ELLENDER) on the Select Committee on Nutrition and Human Needs. We are finding increasing evidence of hunger in this country and yet we are grappling with a shortage of funds to provide food for hungry Americans. It makes no sense to pay large Government subsidies to farmers not to produce food, when we have this situation. We are failing to meet the needs of the hungry, yet year after year we continue to pay these excessively large farm payments.

I recognize that with inflation rampant and unchecked in this country at the present time, we need to achieve budget savings in order to run a substantial budget surplus in fiscal 1970 to help slow down inflation.

On June 4, before the Senate Appropriations Subcommittee, Secretary Hardin estimated that the $20,000 payment limitation can save $335 million for cotton, feed grains, and wheat. To limit payments would stop this unnecessary drain on the U.S. Treasury.

I am aware of the "snapback" provision of the present cotton program which provides that if as a result of payment limitations the Department of Agriculture is unable to provide to farmers the full amount of price support to which they would otherwise be entitled, then the Department is obligated to provide price support at not less than 65 percent of parity. Some estimate that this provision would increase the cost of direct payments programs by $160 million, not decrease them. However, there is an easy answer to this objection. I also intend to vote for Senator WILLIAMS' amendment to repeal the snapback provision, thus effecting full savings of over $300 million.

Another reason to pass the payments limitations before us is that these large payments put small farmers at a disadvantage. Small farmers cannot afford to idle acreage in order to take advantage of these payments programs. What these programs really do is to subsidize large farmers and perpetuate the trend toward driving small farmers off the land, leaving agriculture in the hands of ever larger producers.

I concur completely with the Senator from Delaware when he indicates that the "snapback" provision is not a barrier.

For all the above reasons, I urge opposition to the pending committee amendment, thereby giving us the opportunity to limit farm payments to $20,000 annually, and I intend to support the position of the distinguished Senator from Delaware.

The **PRESIDING OFFICER**. The Senator from Vermont (Mr. AIKEN) is recognized.

Mr. **AIKEN**. Mr. President, I never heard my father talking the way the distinguished father-in-law of the Senator from Illinois talked.

Mr. **PASTORE**. Mr. President, will the Senator speak a little louder? We cannot hear him.

Mr. **AIKEN**. My father never received a Government payment of any kind. Since I have been in the Senate, I have never accepted payments of any kind for agricultural crop reduction or for any other purpose. My father used to tell me that so long as we had enough farmers that our country and our Government would be safe. I think it is most unfortunate that agriculture should become the whipping boy of today. There are reasons for this. One reason is that the vote of the farmer has been reduced from a very large percentage down to 5 or 6 percent, as the number of people who live on the farm today. The other reason is that farmers, particularly family farmers, are notoriously poor campaign contributors, and that is an important item in many places these days. But agriculture is still the most important industry in the United States.

Not too long ago I checked on the percentage of people in this country who are dependent on agriculture, and found it was a little over 30 percent of all the people who were engaged in gainful employment. Many of them were producing supplies and equipment. Farmers are said to be the largest consumers of petroleum products of any industry in the United States. Then we have those who are living on the farms themselves—as I say, only 5 or 6 percent of the population. After that, we have twice as many in the processing and handling, domestic distribution and sales, and the exporting of farm products.

Another matter which concerns me is the fact that approximately half of the money in our agricultural appropriation bills that are charged to farmers is devoted to the welfare of people who do not live on the farm. Of the school lunch program, 5 or 6 percent of it goes to farm children. Then there are the special milk programs and the extension service. Most of the funds spent for extension service now are spent for nonfarm people, and the percentage is increasing every day. In the foreign aid program, the program under Public Law 480, roughly $1 billion a year that is charged to agriculture is spent to help our country help other countries get along.

We have got to look out for our own agriculture, or we will be a decadent Nation. There are those who today would like to see agriculture in the United States deteriorate. Among them are importers of subsidized agricultural commodities from other countries. Only last summer the Common Market countries undertook to dump into the United States subsidized dairy products at 25 percent less than the cost of producing them here in the United States.

Some of our chainstores are reported to join in the effort to reduce American agricultural production since it is to their advantage to place more foreign agricultural commodities on their shelves.

Then, perhaps most important of all, certain industrial manufacturers want to sell their products abroad and accept their pay in foreign-produced agricultural commodities.

So it is very formidable opposition that the American farmer faces today.

I would vote to abolish all subsidies in the United States if someone will make the motion to do so. That would certainly include the enormous subsidies given the petroleum interests, the public utilities, the power people, the transportation companies, and the mail advertisers, who had their rate reduced from 18 to 2.75 cents a pound so long as the advertising was slipped as special supplements inside a local newspaper.

The **PRESIDING OFFICER**. The time of the Senator has expired.

Mr. **AIKEN**. May I have 1 additional minute?

Mr. **HOLLAND**. I yield 1 minute to the Senator from Vermont.

Mr. **YOUNG** of North Dakota. Mr. President, will the Senator yield?

Mr. **AIKEN**. I do not have time to yield.

I will say this, however: I have never been completely happy over the farm programs we have had over the last 30 years. I have done the best I could to help make them work, but I have felt they could be improved. I realize that our present program is subject to abuses and it could be improved. But the way to improve the present program is to revise the farm legislation to the extent necessary during this session or the next session of this Congress, rather than to undertake to revise it to any extent in an appropriation bill.

I want to point out just one item. Last year—and this report came to me this morning—the payments on cotton for 1968 were $1,479,000,000 plus. For fiscal year 1969, they are $1,302,000,000 plus. There were repayments of approximately $275 million on loans each year, leaving over $1 billion in subsidies. That subsidy was given to the cotton farmers so they could sell their cotton abroad and to industrial producers at home for 8 cents a pound less than what was supposed to be the fair cost of production. Certainly that situation needs to be corrected.

That is all I have to say.

Mr. **HOLLAND**. Mr. President, I yield 5 minutes to the distinguished Senator from California (Mr. CRANSTON).

Mr. **CRANSTON**. Mr. President, I thank the distinguished Senator from Florida.

In many respects our national agricultural policy is indefensible. The huge price-support payments to a few large growers are but one example of what is wrong with our farm program.

A far more serious failure is our inability to devise a way to encourage farmers to produce more. When poor people in our Nation and the world are ravaged by hunger and destitution, it is contemptible to pay farmers not to grow food and fiber. Yet, in both the price-support program, which subsidizes underplanting, and in the cropland adjustment program—the soil bank—we pay farmers not to produce.

I believe the food needs of the Nation should determine how much our farmers grow, and I pledge my efforts to achieve a rational farm policy.

But no amount of dissatisfaction with our present policies can justify the ill-conceived and imprudent $20,000 limit on price supports. It has long been an axiom of rational men that the cure should not kill the patient.

The simple facts are that the precipitate limitation of price supports would wreak chaos on California's farm economy, as I pointed out to this body 3 weeks ago.

Two weeks ago, the author of the $20,000 limitation amendment in the House responded to my statement by inserting in the RECORD an article on cotton by Grover C. Chappell, a staff economist in the Department of Agriculture, which appeared to invalidate my warnings. Three days later, on June 27, Dr. Chappell very kindly wrote to me, saying that his article "was written in the summer of 1968 and the prices used were those prevailing in the market in the spring of 1968."

Dr. Chappell continued:

> As you know, cotton prices in California particularly have declined sharply since that time.

In his article, Dr. Chappell used the cotton price of 31 cents a pound, which was just under the average 1967 California cotton lint price. In 1968, according to Department of Agriculture figures, California cotton fell to 23½ cents a pound, a staggering drop of better than 25 percent under the previous year. Thus while it is fair to say that 2 years ago the agricultural economy of California might have survived an abrupt termination of price supports, it is not true today.

For example, in Fresno County, one of California's two largest cotton producing counties, it costs slightly more than $300 to produce an acre of cotton while at 1968 prices the grower received about

$265 per acre. Under present policies, only the price support program keeps our current farm economy from foundering.

In Kern County, the other of our cotton giants, I have received figures showing that high-cost cotton producers are losing better than $100 per acre even with price supports.

This troubled cotton situation has led growers to cast about for other, more profitable crops. Thus, in Kern County, a new crop, carrots, is being expanded where cotton previously grew. But it should be noted that with Kern County, carrots, as with all changes in farming, it takes several years to prove out the crop in the soil, to test growing conditions, and to try out farming techniques of a new area. Agriculture cannot change overnight, and any proposal which fails to take into account this need for gradualism can cause hardship for entire areas.

I think it is clear that this overly hasty limitation proposal would adversely affect tens of thousands of Californians, not only farmers, but all of the people whose jobs depend on a profitable agricultural economy.

One other aspect of the farm problem, which should temper the zeal for immediate support limitation, is the effect our Government's policy of raising interest rates to fight inflation has on the farmer. Almost every other segment of our economy can respond to higher interest rates either by borrowing less or by passing on the higher interest rates in the form of higher prices for their product. The farmer can do neither.

Higher interest rates simply eat into the farmer's profit. There is no way out for him. He must borrow money to produce his crop and he has no control over the price the crop will bring. Since high interest rates are a premeditated governmental policy, we should be discussing ways to help the farmers and other unfortunate victims of this policy, rather than consorting to bury the farmer even deeper in a profitless morass.

In this age of violence and revolt, when slipshod mentalities would blindly destroy our institutions both good and bad without any critical evaluation of the alternatives, in such a time this Senate must set a standard for deliberate and constructive change. The $20,000 limitation proposal satisfies neither criterion.

It is precipitous and destructive.

I urge that it be defeated.

Mr. HOLLAND. Mr. President, I now yield 5 minutes to the junior Senator from Missouri (Mr. EAGLETON).

The PRESIDING OFFICER. The Senator from Missouri is recognized, but the Senator from Florida does not have that much time remaining. The Senator from Florida has 3 minutes remaining.

Mr. HOLLAND. Mr. President, the distinguished Senator from Delaware (Mr. WILLIAMS) assured me that he would yield me some of his time if I needed it. I yield the Senator from Missouri 3 minutes now, and I will talk with the Senator from Delaware about securing additional time if it becomes necessary.

Mr. EAGLETON. Mr. President, we have before us a series of amendments dealing with payment limitations on farm programs. I particularly wish to address myself to the two amendments (No. 53 and No. 54) as offered by the Senator from Delaware (Mr. WILLIAMS) and the amendment (No. 60) as offered by the Senator from New York (Mr. GOODELL).

First of all, I want to make it clear that I believe the present farm program is not free of serious inequities and inefficiencies and I am not insensitive to the grim facts of rural poverty and hunger in America.

However, these amendments will not feed hungry people. They will not improve the condition of the small farmer who today does business on a profit margin no urban businessman could endure. They will not encourage the more economical production of food and fibre for the American consumer, nor improve the competitive position of American farmers in the world market.

I think we can all agree that our farm program needs a major overhaul. According to Secretary Hardin, only 35 percent of payments under the cotton program can be ascribed to resource adjustment, while 65 percent are, in truth, income supplements. His figures for the wheat program are 51 percent and 49 percent, respectively. At a time when there are many others in our society whose need and claim for income supplements are greater than that of our largest farmers, the Secretary's estimates suggest the need to carefully sort out the economic and social aspects of our programs and review our priorities on the basis of the findings.

Moreover, it appears that our pattern of acreage allotments may be so out of date that it has created serious dis-economies in agriculture without coresponding social benefits.

The PRESIDING OFFICER. The Senator's 3 minutes have expired.

Mr. HOLLAND. I yield the Senator 2 additional minutes.

The PRESIDING OFFICER. The Senator from Missouri is recognized for 2 additional minutes.

Mr. EAGLETON. If the Congress were to adopt a payment limitation as proposed by the Senator from Delaware in amendment No. 53 and were unable to muster the sufficient two-thirds vote to repeal the so-called snapback provision as contained in amendment No. 54, then it would actually cost the Government more money than we are currently spending on the programs in question, as both Secretaries Hardin and Freeman have convincingly argued.

The amendment as proposed by the Senator from New York, originally recommended by former Under Secretary of Agriculture John A. Schnittker, is certainly worthy of some indepth analysis.

I emphasize the words "indepth analysis."

I do not think that a series of amendments to an appropriations bill constitutes such "indepth analysis."

These are matters which cannot be adequately handled on a piecemeal basis on the floor of the Senate. They must be dealt with by the Department of Agriculture, the Agriculture Committees of the respective Houses of Congress, and the farmers themselves, before the farm program comes up for renewal next year. Therefore, if we vote down these amendments—as I believe we must—let us also make it clear that we expect to be able to vote on a carefully considered, more equitable and more efficient farm program by this time next year.

The PRESIDING OFFICER. Who yields time?

Mr. HOLLAND. Mr. President, I yield 2 minutes to the distinguished Senator from Kentucky (Mr. COOK).

Mr. COOK. Mr. President, for a number of years there has been considerable sentiment in this country to impose payment limitations of varying amounts on producers of cotton, feed grain, and wheat.

Statistics from the Department of Agriculture indicate that individual and corporate farms are receiving many thousands of dollars to limit their production.

I am concerned about these facts. However, a close examination reveals that the proposed limitations would have a far-reaching effect on our entire farm program.

Secretary Hardin has stated that under present law a payment limitation of $20,000 on the cotton program would automatically implement the "snapback" provision requiring price support at a level of 65 to 90 percent parity. This could also result in additional cotton production causing increased costs for storage facilities and transportation. For the cotton program alone, there would be an increase of $167 million in 1970. It is also estimated that this amount, together with additional expenditures required by the payment limitation on wheat and feed grain programs, might be approximately $200 million in 1970. It is apparent that, contrary to popular opinion, it would cost the Federal Government more in price supports and warehousing of cotton, feed grains, and wheat than it now does to pay farmers not to grow these items. Obviously, there is no rational argument for the enactment of a payment limitation without repeal of the snapback provision.

Therefore, since the repeal of the snapback provision is absolutely essential for a sound fiscal approach to payment limitations—responsible thinking dictates that snapback should be acted upon first.

Of course, Senate rules prohibit legislating in an appropriations bill. I would, therefore, support any appropriate motion for suspending the rules in order to consider repeal of the snapback provision first.

Mr. President, it is for this reason that I oppose a $20,000 payment limitation unless the snapback provision is first acted upon and repealed.

Mr. HOLLAND. Mr. President, on July 1, 1969, during the debate on this bill, I stated for the record why I oppose the House limitation. I refer to pages 18033-18040 of the RECORD for July 1, 1969. At this time, I obviously cannot repeat all of those arguments. I merely wish to say that the present Secretary of Agriculture, Mr. Hardin, and the former Secretary of Agriculture, Mr. Freeman, both oppose the limitation. We had a special hearing at which the Secretary of

Agriculture appeared before the committee, in which he made it very clear, first, that the snapback provision was mandatory, and that it would require $160 million additional to support cotton at 31 cents rather than at 21 cents under the present law. In addition, he stated it would immediately begin to build back the surpluses which we have been getting rid of over these recent years.

He also made it so very clear that in addition to the havoc it would constitute for the whole cotton program, it would also wreak havoc with other programs not in the price support classifications or not within the crops we are considering now. For instance, if wheat payments above $20,000, were limited here, it would mean that there would either have to be more acres of wheat or that those acres of wheat would have to be diverted to feedgrains or other crops. Many agricultural industries will be affected when they take hundreds of thousands of acres out of the production of wheat and require people to put them into some other kind of money-producing crop production.

The same thing applies with feed grains. If we cut out the feed grain payments for the very considerable number of people who receive more than $20,000 under the present program, they would have to divert acreage to other crops. That means trouble for vegetables, soybeans, cattle, and other industries which I could mention here.

Mr. President, I ask at this point to insert in the RECORD a memorandum prepared for me by the Chief Counsel of the Senate Committee on Agriculture and Forestry.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM FOR SENATOR HOLLAND

The so-called snap-back cotton provision (section 103(d)(12) of the Agricultural Act of 1949, 7 U.S.C. 1444(d)(12)) is as follows:

"(12) Notwithstanding any other provision of this Act, if, as a result of limitations hereafter enacted with respect to price support under this subsection, the Secretary is unable to make available to all cooperators the full amount of price support to which they would otherwise be entitled under paragraphs (2) and (3) of this subsection for any crop of upland cotton (A) price support to cooperators shall be made available for such crop (if marketing quotas have not been disapproved) through loans or purchases at such level not less than 65 per centum nor more than 90 per centum of the parity price therefor as the Secretary determines appropriate; (B) in order to keep upland cotton to the maximum extent practicable in the normal channels of trade, such price support may be carried out through the simultaneous purchase of cotton at the support price therefor and resale at a lower price or through loans under which the cotton would be redeemable by payment of a price therefor lower than the amount of the loan thereon; and (C) such resale or redemption price shall be such as the Secretary determines will provide orderly marketing of cotton during the harvest season and will retain an adequate share of the world market for cotton produced in the United States."

A price support limitation which prevented the Secretary from making full price support available to any producer would trigger this provision, requiring that the program be changed with respect to *all* cooperators, large and small. Price support for *all* cooperators would have to be made as provided in clause (A) through loans and purchases at 65 to 90 percent of parity.

Clause (B) authorizes the Secretary to provide for simultaneous sales and repurchases at lower prices, or loans and redemptions for lesser amounts, which would have have the same effect as payments. While Secretary Hardin, in his testimony before your subcommittee, points out that it may be argued that the difference between such sale and repurchase prices is a payment subject to any limitation on payments; it can certainly be argued that it is not a payment for such purpose, since the snap-back provision was intended by Congress to provide a price support method which would not be subject to a payment limitation. In any event, Secretary Hardin stated that he would feel required to carry out the provision in a manner which would make available to all cooperators not less than 65 percent of parity through loan or purchase on all cotton produced on their 1970 acreage allotments.

Since effectuation of the provision would result in a change from the existing program to a completely new one, there would be a number of problems, and a number of alternatives available to the Secretary. No one knows exactly what type of program might result.

One question we have discussed informally with the Department concerns the small farm and diversion payments provided by section 103 (d) (4) of the Act. While a literal interpretation of section 103 (d) (12) would leave section 103 (d)(4) in effect, the Department advised that it would probably look to the Comptroller General for an opinion to resolve the question.

It would appear that the program would be more expensive since the price support level would remain at the same level, but in order to obtain the full amount of support available to him, the producer would have to produce as much cotton as he could. At present the producer may limit his production to 65 percent of his allotment and receive his full share of price support payments, since at present price support payments are made on the projected yield of the farm domestic allotment. Under the snap-back provision price support would be limited to cotton actually produced.

Section 407 of the Agricultural Act of 1949 provides a limitation on Commodity Credit Corporation sales as follows:

"Notwithstanding any other provision of this section, for the period August 1, 1966, through July 31, 1971, (1) the Commodity Credit Corporation shall sell upland cotton for unrestricted use at the same prices as it sells cotton for export, in no event, however, at less than 110 per centum of the loan rate, and (2) the Commodity Credit Corporation shall sell or make available for unrestricted use at current market prices in each marketing year a quantity of upland cotton equal to the amount by which the production of upland cotton is less than the estimated requirements for domestic use and for export for such marketing year."

If the Secretary were to decide, as suggested by his testimony before your subcommittee, that he could not use the method of price support provided for by section 103(d)(12)(B), then the minimum price at which Commodity Credit Corporation could sell cotton for domestic use might be 110 percent of 65 percent of parity. If this were the case, producers might exceed the cooperator percentages fixed for them under section 408(b) of the Act in order to benefit from the enhanced market price, even though they could not qualify for price support as cooperators. There may also be some question as to whether the cooperator percentage provision of section 408(b) would be applicable if the snap-back provision became effective. While literally it would appear to be effective, Secretary Hardin's use of a 16.2 million acre national allotment in cost estimates given to your subcommittee suggests that he may regard this provision as superseded by effectuation of the snap-back provision. In addition to violating any cooperator percentage which might be fixed under section 408(b) if such section remains effective, some producers might find it advantageous, as they have under past program which provided higher domestic market prices, to exceed their acreage allotments.

The time you have allowed for this memorandum does not permit the careful and exhaustive analysis this section requires. In his testimony before your subcommittee, Secretary Hardin indicates that a number of questions have been raised that could not be answered by the Department, and that he was requesting an opinion from the Comptroller General.

Respectfully submitted.

HARKER T. STANTON,
Counsel, Senate Committee on Agriculture and Forestry.

Mr. HOLLAND. Mr. President, I have had printed in the RECORD of July 1, 1969, starting on page 18038, the written statements of the American Farm Bureau Federation, the National Grange, and the National Milk Producers' Association and other farm organizations opposing the limitation on payments and giving excellent reasons why they did so. I also made it clear that as to the National Farmers Union, while they oppose this limitation, support a graduated limitation starting at $37,500.

I now ask unanimous consent that there be printed in the RECORD a statement by the National Farmers Organization which strongly opposes the House amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

NATIONAL FARMERS ORGANIZATION,
Corning, Iowa, July 5, 1969.

Hon. SPESSARD L. HOLLAND,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HOLLAND: The question of limitation on payments to farmers which is agitating and troubling many Senators is also of deep concern to most of the farm organizations. It is of serious concern to the National Farmer's Organization.

The action by the House in attaching a limitation of payments to the appropriations bill did not solve that problem. The Agricultural Act of 1965 provides that, if a limitation is applied to cotton payments, the cotton program would then revert to the previous program, which incidentally had proved too costly to maintain. So this does not put any real limitation on payments to cotton producers, which constitute over 85% of all the payments in excess of $20,000.

However, it does apply to the wheat and feed grain programs, approved by both Houses of Congress, which rely upon voluntary compliance for their effectiveness. This again was a substitution for an unworkable support program. The participation in these programs and their acceptability is now at their highest level.

With hearings scheduled next month on a Farm Bill in the House, it seems to us that it is procedurally preferable to legislate on this problem by using the regular procedures, remembering that the committee reports are always subject to amendments.

We submit that the problem of payments to the corporate and private farms constitute a complicated social-economic problem which does not lend itself to such simple answers as a limitation of payments. It rather involves the whole national policy toward ownership and use of the land. Let's begin to attack, the total problem, not just the obvious manifestation.

It should also be noted that one of the most persuasive arguments for the payment limitations has been the past unwillingness of the Agriculture Committees to authorize and the Appropriations Committees to appropriate funds for the Food Stamps and other food programs.

I shared this conviction and led the efforts of farm organizations to increase these funds to the level demanded by both our rural and urban friends. This was not a real popular position in the past. However, I am pleased to note that both the House and Senate Appropriations Committees substantially increased the amount for Food Stamps over the amount requested by the budget.

We also noted with approval that the Senate approved and sent to the other body a bill authorizing $750 million for this purpose. Your own distinguished leadership in this effort is appreciated by the NFO and should be appreciated by those who have been critical of the low level of funding for the food programs.

We also note the approval that the legislation to extend the Agricultural Act of 1965 which Chairman Poage has introduced in the House includes an open end authorization for Food Stamps. We shall support this legislation. We think that these actions should be considered as a positive indication that the Congress is giving very sympathetic consideration to this problem and that the level and volume of their complaints should be reduced, and the rebellion against farm programs should be diminished in return.

We would also like to remind those who oppose farm payments that most of these payments are for compliance with programs approved by the Congress in both 1965 and 1968.

It should also be remembered by those who would limit farm payments that the wheat certificates payments were first substituted in 1964 for the higher support levels which had previously prevailed. These support prices were both expensive to the taxpayers and doubly expensive in that a very substantial export subsidy was required for the wheat which was exported for cash. The same thing was true in cotton.

As a result of this legislation, our wheat exports for cash steadily increased to the highest level in history, earning over $1 billion in 1966, with only a minor expenditure for export subsidies.

In 1965, the Congress recognized the long standing injustice of holding price for wheat at approximately $2.10 when parity was about $2.50. They increased the certificates for wheat to enable it to bring a parity price, but only for that part of the crop which was consumed for food domestically, about 45% of the total crop.

The rest was sold for the support level of 50% of parity. This was the wheat which constituted both our international relief contributions and soft currency sales, as well as our commercial exports, expand our foreign trade and dollar earnings and to validate our foreign policy commitments and to prevent mass starvation in several countries.

In other words American wheat producers subsidized the total wheat exports by about $1.25 per bushel. No other segment of our economy has been asked to provide to our government over one-half of its production *at less than the cost to the producer*.

When the value of the certificates were increased to represent a parity price for the domestically consumed wheat, most of the farm organizations supported the bill to require that this additional amount should also come from the market instead of from the general fund.

The other body decided against us in the face of our warnings that this would be resented by the tax payers. The only farm organization to support the final bill is now the only one seeking a limitation of payments.

When the Congress decides, as it frequently does, that minimum wages should be increased to provide a more equitable return for labor, they do not take this increase from the general funds, but from the consumers. Thus they have added very substantially to the burdens of agriculture.

In the defense industries, which are no more vital to our national security than is our food supply, they guarantee a return of cost plus a reasonable profit. No one mentions putting a limitation on these profits, although they amount to billions.

The same is true about subsidies to airlines, junk mail, and the whole field of subsidies.

We would submit a proposition to those who advocate a limitation on payments to farmers: "We will accept a limitation on government payments if you will apply the same limitation to all individuals and corporations." Let's limit the profit from federal contracts to $20,000 too, apply that rule to General Motors, Lockheed Aircraft, E. I. DuPont, Mohawk Airlines, et al.

We hope the Senate will permit us to work out this problem in the regular legislative processes. If the proposed legislation does not meet with your approval, it can always be modified on the floor. In the meantime the action of the Congress in 1965 will remain, as it should, a commitment of honor upon which farmers have made their own commitments in good faith.

Again let me express to you the gratitude of the NFO for your intelligent and fair-minded leadership on this and other issues.

Respectfully yours,

HARRY L. GRAHAM,
Legislative Representative.

Mr. HOLLAND. Mr. President, in closing, I want to make it very clear that I did not support the 1965 farm program or its extension last year. I stated both times that it was an expensive program and would cost too much money.

In spite of the fact that subsequent developments have sustained much of the opinion of the Senator from Florida at that time, it is also very clear that the Senator from Florida, in order to take the position that is taken by the House amendment, would have to be a wrecker of the only program we have.

The Senator from Florida may be many things, but he is not a wrecker. That is exactly what we would do if we were to agree to the House amendment.

We would wreck not only the outstanding programs, the programs seeking to cut down the surplus, but we would also wreck the programs which seek to divert acreage at Government expense in such a way that acreage would be diverted at the expense of other producing industries. We would wreck the only program we have on the books at this time.

Mr. President, the Senator from Florida himself is not a wrecker, and he does not believe that many other Senators want to be wreckers.

I am sorry that some of them do not see the situation clearly. However, when Secretary Hardin testified, as he did, the Senator from Florida suggested that he get an opinion from the General Accounting Office. The Secretary did that, and that opinion is in the RECORD. It shows clearly that the General Accounting Office, after some 2 or 3 weeks' study by the counsel, said that the Secretary of Agriculture was exactly right and that the cotton program under the snapback provision would go back to the old high-price support which meant that not only the production of cotton would cost the Government $160 million more than the present program, but it would immediately start rebuilding the terrible surplus of cotton which had been built up in past years and were slowly cut down.

The Senator from Florida could not vote for the House amendment, as much as he wishes for a better program.

I would prefer to work it out this fall or next spring, I have attempted to follow this course in years past. I am sorry that some of those so devoted now to the limitation did not devote their intelligence to the working out of a better program heretofore. However, they will have that chance this fall or next spring.

Mr. President, I agreed with the Senator from Delaware that we would both ask for an extension of 5 minutes so that both the Senator from Delaware and the Senator from Illinois might be heard.

I make that unanimous-consent request at this time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FONG. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. FONG. Mr. President, I strongly support the committee amendment which would delete the language of the Conte amendment approved by the House in passing H.R. 11612, the Agriculture Appropriations Act for fiscal year 1970.

The Conte amendment would establish a $20,000 ceiling on payments under any price support program, other than for sugar, to producers on any crop planted in the fiscal year 1970.

As the language is written, the ceiling is designed to apply to feed grains, wheat, and cotton. Sugar is specifically excluded, and wool payments are not covered because wool is not a "crop planted."

In the case of cotton, however, testimony by Secretary of Agriculture Clifford M. Hardin before the Senate Appropriations Subcommittee on Agriculture, on which I have the honor to serve, indicated that the proposed limitation on payments would trigger the so-called snapback provision for cotton. Secretary Hardin estimated the increased cost to the taxpayers for the cotton program, should the $20,000 limitation go into effect, at about $160 million.

The snapback provision—section 103 (d) (12)—of the Agricultural Act of 1949, as amended, which was enacted as part of the Food and Agriculture Act of 1965, provides as follows: If, as a result of payment limitations, the Department of Agriculture is unable to make available to all cotton cooperators through payments, the full amount of price support to which they would otherwise be entitled, then the Department is obligated to provide price support at not less than 65 percent of parity through loans or purchases, and the payment limitation would not be applicable.

The Secretary of Agriculture testified that his Department believes the snapback provision is mandatory and not discretionary with the Secretary. The Comptroller General of the United

States, in a letter dated June 19, agreed. He said that the "clear purpose" of the snapback provision was to "assure cotton producers that they would not be deprived of a total return from their cotton crops of at least 65 percent of parity if limitations on price support payments were later enacted." He said the legislative history of this provision "makes this purpose clear beyond doubt."

I am convinced that the snapback provision would come into play if the Conte limitation is approved, and thereby increase the cost of the cotton program by some $160 million.

In other words, instead of saving the taxpayers money, the $20,000 limitation would cost more more than the present price support program for cotton.

In addition, Secretary Hardin testified that other effects of the $20,000 limitation "would bring about very little savings, if any, and might result in a net increase in cost."

He said:

> First, a considerable proportion of the farms subject to the limitation would undoubtedly be split up or leased out in such a fashion as to escape the limitation.

Secretary Hardin said some of this could be prevented but not all by any means. He said many such changes are constantly occurring and are entirely legal.

He estimated:

> Perhaps as much as 70 to 85 per cent of the potential cotton acreage affected by the $20,000 limit would be able to maintain its eligibility for full payment.

Second, Secretary Hardin testified:

> If a given acreage is to be retired from crops and if payments are the means of doing this, and if a payment limit is in effect, we would have to divert more acreage out of the smaller farms, which would be the only likely cooperators.

In the case of feed grains, which have resource adjustment as the dominant feature, Secretary Hardin said:

> It would cost considerably more to run the program with payment limitations than without.

I believe the people of America would be astonished to know that the $20,000 limitation offered in the name of economy would in reality cost the taxpayers even more than the present program.

The extra burden imposed on taxpayers by the House-approved limitation would be sufficient reason, in my judgment, for rejecting it.

There are other reasons, however, for voting against this ill-advised proposal.

Although the House provision qualifies technically as a limitation on an appropriation, its effects would be much broader. The impact would be significantly to alter the intent of Congress so laboriously fashioned in the legislative process of enacting the Agricultural Act of 1968.

During Senate consideration of the farm bill last year, a $25,000 limitation proposal was offered as an amendment. It was rejected by the Senate on a 47-to-25 rollcall. Another amendment, with a $75,000 limitation, was rejected by 40 nays to 30 yeas.

The House $20,000 limitation this year is an attempt to accomplish in an appropriation bill what failed of accomplishment in connection with the farm authorization bill last year.

Such a provision should not be considered in connection with this appropriation bill. It has substantive ramifications and should properly be considered in connection with farm legislation which has received the thorough consideration of the Senate and House Committees on Agriculture.

Secretary Hardin has assured the Senate Agriculture Appropriations Subcommittee, as he has assured Members of the House of Representatives, that he "believes it is possible to design a sound farm program that limits the number of dollars that can be paid to any one farmer for programs following the 1970 crop year."

He has stated that the administration plans to submit new farm legislation proposals, including alternative payments plans, to the Congress later this year.

These can be given thorough consideration by the appropriate legislative committees in preparation for consideration by Congress of a new farm law. The present law expires next year and a new law should be enacted by next spring in order to be effective for crops planted in 1971.

This is the sensible and orderly procedure.

Our Nation's farm programs are too complex to tinker with by means of a payments ceiling such as proposed in the House provision.

That is a second important reason for rejecting the House limitation.

Let me cite additional reasons against the $20,000 ceiling.

It would keep controls on large farmers but would deny them payments of over $20,000 for complying with these controls.

It discriminates against large farmers and legal entities. While individual farmers could collect up to $20,000, it would prevent farmers in partnerships or other joint organizations from collecting more than $20,000.

It discriminates against stockholders of companies who operate large farm enterprises. While an individual farmer could receive as much as $20,000, the individual stockholder could not. A farm enterprise owned by 100 stockholders, for example, could not be eligible for more than $20,000. Stockholders would get the short end of the stick.

It would very likely invite subterfuge. A large individual farmer who is now entitled to more than $20,000 might decide to break up his farm. His wife could own one part of it, he could own another, and if he had any adult children, they could own other segments. In this way, each could perhaps qualify for the maximum of $20,000. The intent of the House-passed Conte amendment could thereby be evaded.

Similarly, large company-owned farms might be able to subdivide the ownership in order to qualify for separate agricultural payments, thereby circumventing the intent of the House provision. Those large companies unable to subdivide their ownership would be discriminated against and possibly could be forced out of business.

Such a limit, which fails to provide any substitute program for the protection of farm industries affected by the amendment would seriously disrupt several of America's basic farm programs which help provide a cornucopia of foodstuffs and fibers at moderate prices.

As the House limitation is written, sugar producers are exempt from the $20,000 ceiling. But all my colleagues should understand that if approved, the House provision would be followed by an amendment to place a similar $20,000 limitation on compliance payments to sugar producers. Proponents of the limitation have made this clear in the past.

Such a limitation would be grossly unfair to sugar farmers in America. It would deny them an important part of their farm income by cutting back on their compliance payments under the Sugar Act. Yet it would not allow them to recoup this loss through price adjustments in the marketplace or through repeal of the Federal excise tax of 50 cents per hundredweight on all sugar refined in the United States.

The fact is, the proposed $20,000 limitation if extended to sugar would leave standing the Federal excise tax. It would also leave standing the provision in the Sugar Act which effectively provides a ceiling on the price of sugar a domestic sugar farmer can obtain for his crop.

The Sugar Act controls sugar prices. It controls sugar production. It establishes sources of sugar supply. It includes tax and payback provisions—compliance payments—which are not subsidies, but are part of Federal regulations of the sugar industry.

Payments are made to domestic sugar producers who comply with production restrictions, pay "fair" wages to workers, agree not to employ child labor, and if they are processors pay "fair" prices for sugar cane.

These payments are made out of the U.S. Treasury out of funds obtained from the Treasury's collection of the excise tax on all sugar, foreign and domestic, processed in the United States.

Over the life of the Sugar Act, the Federal Government has profited to the tune of $549 million on the sugar program. In other words, the Federal Government has collected more than half a billion dollars more in sugar excise taxes than it has paid out in compliance payments to domestic sugar producers.

Under the Sugar Act, smaller producers of sugar receive more per ton in compliance payments than large producers. Growers who produce 350 tons of sugar or less are entitled to the maximum authorized compliance payment of $16 a ton—or 80 cents per hundredweight. Large growers receive less per ton, with largest producers paid $6 a ton.

Last year, compliance payments to Hawaii producers totaled $10,840,000 whereas the excise tax paid on Hawaii sugar totaled $12,319,060. So even under the present Sugar Act, excise taxes on Hawaii sugar exceeded compliance payments to Hawaii sugar producers.

If a $20,000 limitation on payments were imposed, the excise tax on Hawaii sugar would still be collected—approximately $12 million—and Hawaii sugar producers could collect in compliance payments only about $1,639,000.

The consequence of such a limitation in my State of Hawaii, which produces one-sixth of all the sugar produced in America, would be destruction of the sugar industry in Hawaii. It would destroy the jobs of some 11,300 year-round sugar workers in my State. Hawaii's sugar workers are the highest paid agricultural workers in the world, earning $30 a day with fringe benefits. The sugar payroll in Hawaii annually runs about $71,700,000 including fringe benefits.

Where would so many workers find substitute jobs? Where would Hawaii sugar producers find a new source of income? There are no alternative agricultural uses for most of the acreage now devoted to sugarcane in Hawaii. Only a tiny fraction of the land could be converted to produce income.

Last year, the payment made to Hawaii's largest sugar producers was $7 a ton; whereas the payment to Hawaii's smallest producer was $16 per ton.

Total compliance payments last year to Hawaiian sugar companies ranged from a low of $53,542 to a high of $1,311,267, with the majority of companies, who are large sugar producers, receiving over $200,000.

These large payments are necessitated by the special nature of sugarcane production. Unlike many other agricultural commodities, sugarcane needs vast acreages in order to attain high efficiency. Hawaii sugar producers must plant enormous acreage before they can produce a high output of cane and achieve the efficiency of labor that will make Hawaii's sugar competitive in the marketplace.

There are about 240,000 acres devoted to cane, and at least one-half of this acreage must be irrigated. Because of Hawaii's mountainous terrain, expansion of acreage is limited and costly. Sugar producers have spent large sums of their own money—none Federal—to develop and operate wells, reservoirs, ditches, and tunnels of the elaborate irrigation systems now in use. Hawaii's sugar industry also spends more than $2½ million annually on sugar research—an activity financed by the producers since 1895. We have had a sugar research program for more than 70 years. As a result of the Hawaii sugar industry's own efforts, Hawaii has one of the highest sugar yields per acre of any area of the world.

Efficiency per acre is a "must" for Hawaii's sugar producers, considering the cost of modern equipment, the cost of its skilled labor, and the great distance of Hawaii from mainland markets. Hawaii's closest market for sugar is San Francisco, some 2,400 miles away. Most of the Hawaiian sugar is refined at Crockett, near San Francisco, and is marketed in 26 Western and Midwestern States, including Alaska.

These are some of the compelling reasons for development and operation of large farming units in Hawaii. There are 24 large sugar plantations which produce some 93 percent of Hawaii's sugar. The other 7 percent is produced by 750 small independent growers. As I have already stated, the small producers receive higher compliance payments per ton than the large producers; that is, $16 per ton as compared to $7 for large producers. Since compliance payments are based on total farm production and most Hawaiian sugar is produced on the large plantation company farms, many of the total payments are large.

In every year since the inception of the Sugar Act 35 years ago, the excise tax paid on sugar produced in Hawaii has substantially exceeded the compliance payments to our sugar companies.

Over the period of the last 10 years, a majority of the sugar producers in Hawaii would have operated at a net loss if there were no compliance payments. In fact, many of our companies were in the red even with these payments. Any lowering of the ceiling on compliance payments would sound the death knell for Hawaii's sugar industry.

It would be an economic disaster for my State, which is the largest sugar producing State.

The $20,000 limitation, if extended to sugar, which it will be if the House provision on cotton, feed grains, and wheat is approved, would plunge the economy of Hawaii into a tailspin from which it would be very difficult to recover.

It would destroy the jobs of more than 11,300 sugar workers and the investment of 12,500 individual stockholders in Hawaii's $200,000,000 sugar industry. More than two-thirds of the stockholders live in Hawaii.

While I have spoken in some detail about the adverse effect of a $20,000 ceiling on payments to sugar producers in Hawaii, there is no question the limitation would also place the sugar industry in other domestic areas in serious jeopardy.

I remind my colleagues that the sugar program has been in operation for 35 years. Congress has reexamined and extended the basic legislation some 12 times during these 35 years. Yet the program has remained substantially unchanged. This is proof of how well it has worked.

From the standpoint of the American consumer, the sugar program has worked exceptionally well. American consumers today pay less for their sugar than consumers in practically all of the developed nations of the world and less than is paid in some of the undeveloped countries of Africa and Asia. The retail price of sugar has gone up less in recent years in America than the price of most other staples on the grocery shelf. And, remember, the sugar program is self-financing, even returning a profit of $549 million to the U.S. Treasury.

In conclusion, I shall summarize my strong opposition to the House provision to impose a $20,000 limitation on payments to cotton, feed grains, and wheat producers.

First, it will cost $160 million more for the cotton program than existing law and may well cost more for the other programs. It may well hurt small farmers far more than large producers.

Second, it would use the agriculture appropriations bill to effect substantive changes in farm programs, which if changed at all should be done in the agriculture authorizing legislation. The Department of Agriculture is currently at work on new farm authorization proposals and expects to submit them to Congress this fall for consideration in time to complete congressional action by next spring at the latest.

Third, it would keep controls on large farmers but would deny them payments of more than $20,000 for complying with these controls.

Fourth, it discriminates against large farmers and legal entities.

Fifth, it discriminates against stockholders of companies who operate large farm enterprises.

Sixth, it would very likely invite subterfuge.

Seventh, it would seriously disrupt some of America's major farm programs, which help provide a cornucopia of foodstuffs and fibers at moderate prices. It fails to provide any substitute program for the protection of American farmers affected by the amendment.

Eighth, if adopted, the House limitation of $20,000 would lead to a similar limitation on payments to sugar producers. This would cause the death of the sugar industry in Hawaii and would seriously disrupt the sugar industry elsewhere in America.

I strongly urge support of the committee amendment striking the House provisions setting a $20,000 ceiling on payments to farm producers of cotton, feed grains, and wheat.

Mr. DIRKSEN. Mr. President, I was around here 35 years ago when we enacted the Agricultural Adjustment Act. Henry Wallace was the Secretary of Agriculture and Marvin Jones, now the chief justice of the Court of Claims, was the chairman of the House Committee on Agriculture.

The logic of what we tried to do was to cut the surplus and raise prices. Those were the days of the campaign that caused 15 million little pigs to go into the rendering basket.

Today it is not exactly the same. It is land retirement. The subsidy policies have been rather costly, and they have not been very satisfactory. However, the program had one virtue. It was uniformly applied.

In this world we do not get something for nothing. We may put on a ceiling of $20,000, but we will get $20,000 worth of acreage taken out of cultivation.

What about the remainder? We either take it out or it goes back into cultivation. In that event up goes the surplus, down goes the price, and up go the subsidies.

We cannot beat it. We cannot beat it with this kind of gimmick. That is why I am opposed to it. The Farm Bureau is opposed to it. And I think that those who understand the program are opposed to it.

What would be the justification? I think I know. Of course, this is politically distasteful. It does not sound good that a farmer gets $100,000 or $200,000 or $400,000 for not growing things. However, it is forgotten that he surrendered that much acreage. This is no one-way street.

If the Senate wants to dump this program, all right; but let us dump the

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whole business and be through with it. This is a good way to dump it. If this acreage is taken out in any other way, it will go into some other kind of program. There will be competition and surpluses, and then we will be back to the old grind.

I think this proposal is a colossal blunder. That is one reason why, together with 20 other Senators, I introduced the Farm Bureau bill last week, the idea being to get rid of these acreages, to get rid of quotas, to get rid of this and that, and finally to give the Department of Agriculture a chance to take 10 million acres out of cultivation every year, even if it is necessary to do it on a bid basis and do it for entire farms. To me, that is a better approach.

Then if we phase out all the ideas that we pursue at the present time, it can be done over a 5-year period, and we can finally get around to a market economy. But this way is not the proper approach.

I earnestly hope that the Senate will not approve either this ceiling or any other ceiling that may be offered in the course of the debate on the bill.

Mr. **WILLIAMS** of Delaware. Mr. President, on the amendment I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. **YARBOROUGH**. Mr. President, on June 4, 1969, I testified before the Senate Appropriations Subcommittee on the Agriculture and Related Agencies, of which I am a member, against the placing of a limit of $20,000 on the amount of money a farmer can receive under our agricultural programs. After a comprehensive hearing, this subcommittee recommended that this hastily conceived provision be dropped from H.R. 11612. The full committee concurred with this recommendation.

Our agricultural programs were designed to meet the problems created in our farm community by a depression, a world war, a booming economy, spiraling inflation, increasing technology, and many other factors. They are extremely complex. Any effort to limit payments or to change any segment of these programs should be well thought out and carefully planned to be sure that the family farmer is receiving an adequate and just income. An across-the-board limitation, such as the one dropped from H.R. 11612, effected without sufficient groundwork and exhaustive study, would indiscriminately have eliminated many family farmers and destroyed the voluntary crop limitation programs.

In reply to a questionnaire sent out by the University of Texas as a part of an extensive study that their cotton economic research unit was conducting on the effects of a $20,000 payment limitation, some cotton farmers stated that they could not stay in business if such a limitation, or any limitation, should go into effect. They would not be able to pay the high prices for equipment, parts, and labor. Without subsidy payments and loan programs, they would lose their bank credit and would be out of business.

Because of the snapback provision under section 402 of the Agricultural Act of 1965, a limitation such as the one under H.R. 11612 and dropped by the Senate Committee on Appropriations would not accomplish the purpose for which it was intended. This kind of a limitation would place the cotton program into a loan-and-redemption or a buy-and-sell situation which would only increase the Government's cost of administering the program.

The present wheat supply management program requires farmers to divert a specified number of acres from wheat production each year to balance supply with demand. If the program does not attract sufficient acres into the diverted pool, the management of supply fails; and the program will not work. If one farmer is required to divert 10 times as many acres as another, he should be compensated accordingly. If he is not proportionately compensated, he will not participate. If he does not participate and a specified number of acres must still be diverted, then they must necessarily come by additional reductions in allotments to the smaller farmers remaining in compliance. This would unnecessarily penalize the smaller farmer as well as defeat the intent of the program. I should also point out that the farmer diverting 10 times as many acres also has 10 times the investment in his diverted acres, pays 10 times as much taxes on these acres, and has surrendered 10 times as much productive capacity.

Mr. President, it is possible to design a sound farm program that limits the number of dollars paid to any one farmer. However, legislative changes are needed. A simple amendment to the appropriations bill will not suffice.

The present agricultural programs are scheduled to expire after the 1970 crop. I sincerely hope that this distinguished body will set aside any effort to limit payments until such time as our agricultural programs have been carefully and fully studied as a whole. Any revision should be carefully worked out in the Agriculture Committee and based on sound judgment and valid data to be certain that it will effectively accomplish the purpose for which it is intended. To rashly slap it on an appropriations bill without hearings by the legislative committee charged with initial responsibility for studying this complicated policy, would be unwise at this time. This is particularly so when the basic law will expire in 1 year and is now under study both by the Department of Agriculture and the legislative committees of Congress.

Mr. **METCALF**. Mr. President, over the past decade, the United States has witnessed revolutionary changes in rural America which transformed agriculture from an industry of 4 million units to 3 million units, with a greater and greater number of these owned by large corporations or wealthy individuals. What this means in terms of human lives is even more profound. In the mere 7 years from 1960 to 1967, farm population decreased 31 percent—from 15.6 million to 10.8 million. At the same time, Federal loan programs originally intended to assist and promote the family farm have been slighted because of tight budgetary demands brought on, principally, by our military commitments in almost every corner of the world.

Policymakers have judged, I fear, that what they would define as an "efficient" agriculture serves our national welfare better and calls less upon Federal resources than the small family owned unit. They have thus encouraged the migration of millions of rural people into urban centers. I believe we are discovering that this mass migration into megalopolis is far more expensive in social costs—and if we were able to measure accurately, in actual dollar costs—than programs which should have preserved the family farm; encouraged individually owned, small-town businesses, and resulted in the preservation and growth of rural communities. We are not doing this, but we have not lost the opportunity.

We need to turn the tide of rural migration, without slighting urban needs. In fact, I believe we must take immediate and effective measures to eliminate urban slums, educate people for meaningful employment which will produce living wages, and create hope for them and their children. Urban and rural problems are a part of the same problem and vigorous attention to revitalizing the rural economy will lift some of the pressure upon our urban complexes.

It is to this purpose that I believe we must take greater advantage of existing farm programs. For example, although the rural electrification program is only one of the many Federal programs that need to be beefed up in order to improve rural areas, it is a vital and strategically placed program. The locally elected directors of the nearly 1,000 rural electric systems in the country and the managers they hire, are well acquainted with the needs of their local rural communities. These rural systems have the means of accelerating rural growth. They are providing essential electric service in most rural areas and through dependable low-cost electric service can encourage new developments. The rural electric loan program has demonstrated the wisdom of Federal loans to locally organized, locally controlled groups.

I wish to stress the loan aspect of the REA program. The rural electric systems have a nearly unparalled record of repayment of their Federal loans. Their record is ample proof that the people of the United States are making a wise investment in rural areas with this program, ample proof that local people can direct their own programs for community development. It is the acceleration of this kind of program—a catching up—that I wish to encourage. I believe, incidentally, that urban leaders should design and seek similar programs to solve some of the problems of the central city—for example, to provide decent housing for millions of low-income families.

So I support the $365 million REA loan fund appropriation before us as recommended by the Appropriations Committee Subcommittee on Agriculture and Related Agencies. In addition, I believe that the survey requested of REA Administrator David Hamil by the subcommittee will show that the Nation's rural electric systems have a very large backlog of unmet loan-fund needs—in the order of $400 million—which have accumulated over the past several years of budgetary drought. When the Administrator's report is in, I will support a meaningful and substantial supplemental appropriation for the rural electrification program which will begin to help rural areas catch up with the economic development which has been allowed to slip by. A strong, growing rural electrification program is essential to rural development. The Congress will do well to start to direct its attention to crucial domestic needs by catching up with this and other programs which make Federal moneys available to local people striving to build their communities.

In conclusion, I believe we face critical domestic problems because we have been preoccupied by foreign commitments which have bloated one segment of our economy to the deep injury of other segments. Our military spending must be put to the test of sound policy and prudent administration. Our economic life has been dominated by massive military procurement over the past decade, and we will have to pay dearly for the inflation this kind of prolonged, unproductive expenditure has created.

Congress must, I believe, distinguish between vital defense needs and those unjustified programs developed by a military-industrial segment of the economy ever ready to expand its domination of our society. I believe we must begin to fashion new plowshares of social progress for America. We can save our cities from chaos. We can revitalize our rural areas. And we can begin this effort with proven programs like REA to nurture peace in the world through greater achievements of our agriculture.

Mr. FULBRIGHT. Mr. President, during debate upon the pending appropriation bill, amendments may be offered to establish arbitrary limitations on payments authorized by law to those who participate in various agricultural programs. I intend to oppose these amendments and I hope that they may be defeated.

I will not take the time of the Senate to discuss the considerations which justify provisions of law authorizing various types of payments to cooperating farmers. It is sufficient to say at this time that these payments come about because of public policy developed over a long period of time to stabilize agricultural production and the agricultural sector of our national economy.

The principal purpose of these payments is to induce farmers—large and small—to refrain from using their lands to produce agricultural commodities which would otherwise be grown and marketed. Without this inducement no one knows what products would be grown by which farmers and in what amounts. One possible result would be chaos throughout the agricultural sector of our economy as farmers might shift from one commodity to another or as they might glut the marketplace with an overproduction of one or more of many commodities. The National Grange has estimated that imposition of limitations on payments under existing law might, in fact, cost the Federal Government an additional $160 million in 1970 by activating other provisions of law with respect to the production of cotton.

Present farm policies have been adopted after thorough and careful consideration by the Agricultural Committees of the Senate and the House of Representatives, by the Department of Agriculture, and by the votes of both Houses of the Congress.

Amendments to an appropriation bill do not provide the proper forum for determination of basic agricultural policy. The amendments to which I refer are opposed by the Secretary of Agriculture and by the Senate Appropriations Committee which reported the pending bill to the Senate.

The proper forum for consideration of agricultural policy is the Senate Committee on Agriculture and Forestry. During the 91st Congress modifications of agricultural policy will be proposed by the President and by Members of the Senate. These proposals will be carefully considered by the Agriculture Committee and recommendations will be made to the Senate. Among other proposals, a bill was introduced last week by Senator DIRKSEN for himself and other Senators. No doubt other proposals will be made later during the present session of the Congress.

I urge the Senate to reject amendments to place arbitrary limitations upon payments under farm programs which were designed to benefit the Nation as a whole and were intended to affect all agricultural producers in the same way.

Mr. HOLLINGS. Mr. President, on June 4, 1969, the Honorable Clifford M. Hardin, Secretary of Agriculture, appeared before the Subcommittee on Appropriations of the Senate Agriculture Committee. At that time, he testified on the proposed payment limitations under the commodity programs, now under consideration.

In his testimony, Secretary Hardin offered a list of 10 specific questions concerning this program, such as how many farms and how many dollars and what share of the production would be affected by a $20,000 limitation. Additionally, he discussed the issue of any possible savings and the aspects of the so-called snapback provisions.

I think Secretary Hardin's statement in opposition to limitations was clear, concise, and complete, and I would respectfully recommend that every Member of this body give it close study. Therefore, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF THE HONORABLE CLIFFORD M. HARDIN, SECRETARY OF AGRICULTURE

Mr. Chairman, Members of the Subcommittee, I am here in response to your invitation to clarify, if I can, a number of issues regarding the effect of placing limitations on the amount of money that can be paid to any one producer in connection with our commodity programs. Many such issues, some of them quite technical, were raised in the House debate on the agricultural appropriations bill. Presumably similar questions will be raised when the appropriations bill comes before the Senate.

The questions to which I address myself are these:

1. How many farmers and how many dollars and what share of the production would be affected by a $20,000 payment limit.

2. Would a limitation on payments result in a saving to the government and if so, how much?

3. Approximately what share of the payment, crop by crop, consists of inducements to limit acreage and what share consists of income supplements?

4. Specifically, what is the snap-back provision for cotton?

5. What options are open to the Secretary under the snap-back provision?

6. What would be the added cost of running the cotton program under the snap-back provision?

7. Would it be possible to operate a successful cotton program if payment limitations were in effect and if the snap-back provision were repealed?

8. Would it be possible to finance payments in excess of $20,000 from certain CCC funds which are not directly covered by the appropriations bill?

9. Would a payment limitation, written into the 1970 Appropriations Act, be specifically restricted to payments made during fiscal 1970?

10. Finally, what position does the Department of Agriculture take on the matter of payment limitations?

I now address myself to these questions. My answers will be as factual as I can make them.

1. How many farmers and how many dollars and what share of the production of various crops would be affected by a $20,000 limit on payments?

We have studied the payments made during calendar year 1968 for all programs, particularly for cotton wheat and feed grains. Our analysis, which was begun before the recent House debate, has been primarily in terms of individual commodity programs. The Conte limitation relates to the individual producer, who may be in more than one commodity program. Therefore, our figures will not show the exact effect of the Conte amendment. But we have done enough additional work so that we know that our presentation reflects the general situation reasonably well. We will continue our studies and will be in position to report further if you wish.

Payment limitations of $20,000 in 1968 would have affected, for cotton alone, 5,159 cotton farmers, 1.2 percent of those cotton farmers to whom we make payments. For feed grains alone, 877 feed grain producers would have been affected, one-tenth of one percent of those feed grain farmers who received payments. And for wheat alone, 702 wheat growers would have been affected, again one-tenth of one percent of those in the program. The number of dollars paid to these three groups receiving more than $20,000 totaled $215 million for cotton, $26 million for feed grain, and $21 million for wheat, a total of $262 million. The proportion of production that would have been affected was 28 percent of the cotton crop, 2 percent of the feed grain crop, and 3 percent of the wheat crop. These and related facts are summarized in tables 1 and 2.

TABLE 1.—NUMBER OF PRODUCERS AND AMOUNT OF PAYMENTS BY SIZE OF PAYMENT, FOR EACH OF 3 PROGRAMS, UNITED STATES, 1968

[Dollars in thousands]

Payments in excess of—	Cotton		Feed grain		Wheat	
	Number of producers	Amount of payment	Number of producers	Amount of payment	Number of producers	Certificates
$3,000	55,045	$560,282	79,422	$431,995	52,395	$305,121
$5,000	33,526	477,931	29,120	241,566	21,866	188,333
$10,000	14,790	347,211	5,335	83,858	4,663	72,748
$20,000	5,159	214,585	877	25,765	702	20,843
$30,000	2,455	149,270	233	10,448	213	9,211

TABLE 2.—DISTRIBUTION OF PRODUCERS AND AMOUNT OF PAYMENTS BY PROGRAMS TO PRODUCERS RECEIVING IN EXCESS OF SPECIFIED AMOUNTS, UNITED STATES, 1968

[In percent]

Payment in excess of—	Number of producers			Amount of payment		
	Cotton program	Feed grain program	Wheat program	Cotton program	Feed grain program	Wheat program
$3,000	12.4	5.4	6.4	72.2	31.8	41.8
$5,000	7.7	2.0	2.7	61.5	17.8	25.8
$10,000	3.4	.4	.6	44.7	6.2	10.0
$20,000	1.2	.1	.1	27.6	1.9	2.9

The above discussion relates to those producers who would be affected by the limitation on a single commodity basis. In addition there are other producers affected by the $20,000 limitation because of a combination of cotton, feed grain and wheat program payments. Under 1968 programs 8,890 producers were so affected, constituting four-tenths of one percent of all producers receiving payments under these programs. This group of producers received payments totaling $240 million for cotton, $56 million for feed grains, and $39 million for wheat, or a total of $335 million. Table 3 shows the figures:

TABLE 3.—NUMBER OF PAYEES RECEIVING $20,000 OR MORE[1] AND THEIR TOTAL PAYMENTS BY KIND OF PROGRAM OR COMBINATION OF PROGRAMS, 1968

Programs	Number of payees	Amount of payment (millions)
Cotton	7,063	$240.4
Feed grain	5,201	55.9
Wheat	3,794	38.9
Cotton, feed grain, or wheat	[2] 8,890	335.3

[1] Payments from the 3 commodity programs listed. Entries for each program shown refer to payees receiving a payment of some size for that program.

[2] Net number of payees; some payees appear in 2 or all programs listed above.

Table 4 indicates the incidence of the payment limitations by states and by crops. This table includes wool and sugar. Half of the producers receiving payments in excess of $20,000 were cotton growers. The states most affected were in the South and in the West.

2. Would the limitation on payments result in a saving to the government? As I shall shortly show, the limitation on payments would trigger a snap-back provision for cotton that would increase the cost to government for the cotton program. We estimate this increased cost at about $160 million.

There are other reasons to support the conclusion that the limitation on payments would bring about very little savings, if any, and might result in a net increase in cost. First, a considerable proportion of the farms subject to the limitation would undoubtedly be split up or leased out in such a fashion as to escape the limitation. We could prevent some of this but not all by any means. Many such changes are constantly occurring and are entirely legal. We estimate, for example, that perhaps as much as 70 to 85 percent of the potential cotton acreage affected by the $20,000 limit would be able to maintain its eligibility for full payment.

Secondly, if a given acreage is to be retired from crops and if payments are the means of doing this, and if a payment limit is in effect, we would have to divert more acreage out of the smaller farms, which would be the only likely cooperators. With feed grain, which is the best example of a program having resource adjustment as its dominant feature, it would cost considerably more to run the program with payment limitations than without.

TABLE 4.—PRODUCERS RECEIVING $20,000 OR MORE FROM SPECIFIED PROGRAMS, 1968

State	All programs	Cotton		Feed grain	Wheat	Wool[1]	Sugar[1]
		Price support	Total				
Alabama	279	118	204	2			
Arizona	568	442	504	15	1	12	74
Arkansas	599	461	558	2	2		1
California	972	681	773	8	23	49	328
Colorado	195		1	19	50	26	52
Delaware	1						
Florida	69	3	3	2			59
Georgia	255	75	120	12			
Idaho	115				51	35	37
Illinois	108	2	2	76	1	8	
Indiana	95			63	1	2	
Iowa	88			76	1	3	
Kansas	301			31	69	6	50
Kentucky	7	2	2	5			
Louisiana	340	189	228	1	2	6	90
Maryland	2						
Michigan	17			7		1	4
Minnesota	32			17	2	2	11
Mississippi	1,145	901	1,074	2		9	
Missouri	178	37	51	59		3	
Montana	131				89	24	3
Nebraska	152			74	11	8	14
Nevada	16	2	3		2	10	
New Mexico	233	45	52	54	14	27	24
New York	3			1			1
North Carolina	77	28	45	8			
North Dakota	66			3	34	1	14
Ohio	35			17		4	4
Oklahoma	95	16	30	8	21	1	
Oregon	72				58	8	4
Pennsylvania	8			7			
South Carolina	225	91	152	4			
South Dakota	42			9	11	9	
Tennessee	104	45	63	1			
Texas	3,122	824	1,297	282	96	122	183
Utah	29				5	22	3
Virginia	3			2			
Washington	197	1	1	1	157	8	14
Wisconsin	15			9			
Wyoming	66				1	65	5
Alaska	1					1	
Hawaii	21						21
U.S. Total	10,079	3,963	5,163	877	702	472	996

[1] Includes payments to payees receiving $20,000 or more from all programs and includes some wool (or sugar) payments.

3. Approximately what share of these payments, crop by crop, consists of inducements to limit acreage and what share consists of income supplements?

There are two myths floating about, one to the effect that these payments are wholly for resource adjustment and the other that they are entirely income supplements.

It is easier to refute these two myths than it is to establish what are indeed the facts, because the matter is very complex. Our judgment is that for the 1968 crop, the breakdown was about as follows:

	Percent of payments	
	For resource adjustment	For income supplement
Cotton	35	65
Wheat	51	49
Feed grain	89	11
Total	65	35

Thus it will be seen that a limitation on payments would have a sharply different program effect, crop by crop. The method by which this breakdown was made is too complex to include in my testimony. The basic idea is that all payments made for diversion were in fact payments for resource adjustment, and that some part of the payments for price support or certificates were also an inducement to restrict planting. I can supply the background material for the record if you wish.

4. Specifically, what is the snap-back provision for cotton?

The enactment of a payment limitation would bring into effect the so-called "snap-back" provision in the cotton legislation. The snap-back provision (Section 103(d)(12) of the Agricultural Act of 1949, as amended, which was enacted as a part of the Food and Agriculture Act of 1965) provides that if as a result of payment limitations the Department is unable to make available to all cooperators through payments the full amount of price support to which they would otherwise be entitled, then the Department is obligated to provide price support at not less than 65 percent of parity though loans or purchases and the payment limitation would not be applicable.

5. What options are open to the Secretary under the snap-back provision?

The question has been raised whether the snap-back provision could be carried out in a manner which will still make cotton producers subject to the payment limitation. The question arises out of the existence of language in the snap-back provision which gives the Secretary permissive authority, as one method of providing the price support, to carry out a simultaneous purchase of cotton from producers at the support price and resale to them at a lower price. The argument is that such a transaction would constitute a payment and that if the program were carried out exclusively through that method, the limitation would still apply. It is our conclusion, however, that we could not legally restrict the method of providing price support to one to which the payment limitation would be applicable since that would defeat the very purpose for which the provision was enacted. We feel that we would be required to carry it out in a manner which will make available to all cooperators price support at not less than 65 percent of parity through loan or purchase on all cotton produced on their 1970 acreage allotments.

6. What would be the added cost of running the cotton program under the snap-back provision?

The snap-back provisions for cotton, which would be activated in the event payment limitations are invoked by the Congress, would provide that:

A. Price support for cotton would be not less than 65 percent or more than 90 percent of parity.

B. Price support may be carried out through simultaneous purchase of cotton at the support level and resale at a lower level—or through loans under which the cotton could be redeemed by the grower at a price lower than the amount of the loan.

C. Such resale or redemption price would be that which the Secretary determines will provide orderly marketing of cotton during the harvest season and will retain an adequate share of the world market for cotton produced in the U.S.

If the snap-back provision is invoked, CCC operations would be affected as follows:

A. It is estimated that production would amount to 14 million bales or about 2 million bales above the current crop. This is based on the 16.2 million acre national allotment with an allowance for some voluntary diversion.

B. The 1970 crop loan rate, basis middling 1-inch cotton, would increase from 20.25 cents per pound (90 percent of the estimated world price) to around 31.5 to 32 cents per pound (65 percent of the current parity price).

C. Practically all cotton would be placed under the CCC loan or purchase program. The cotton would either be redeemed by producers at a lower price or acquired by CCC and sold at a lower price.

D. The work load in the county offices and in the New Orleans Commodity Office would probably be expanded in the proportion of 14 million bales to the 4.4 million bales of the 1968 crop placed under loan.

E. More storage facilities would be required to handle the larger production. Storage costs, reconcentration activity, and transportation costs would increase substantially.

F. The total increase in CCC inventory would be an estimated 2.1 million bales.

G. The additional cotton production (1.5 million bales) would add materially to our problem of surplus cottonseed oil and surplus cottonseed meal.

Table 5 provides the pertinent statistics.

7. Would it be possible to operate a successful cotton program if payment limitations were in effect and if the snap-back provision were repealed?

This would be very difficult. Under present legislation, marketing quotas are in effect for cotton. Heavy penalties are provided for overplanting, about 23.6 cents per pound. With quotas in effect and a limit on payments, large growers would be compelled to stay in the program but would be denied the advantages of the program.

TABLE 5.—UPLAND COTTON: ESTIMATES OF BASIC DATA FOR 1968 THROUGH 1970 CROPS (BASED ON PRESENT PROGRAM) AND 1970 UNDER THE SNAPBACK PROVISION

Item	1968 crop (1)	1969 crop (2)	1970 crop (present program) (3)	1970 crop (snapback) (4)
Acreage (thousands):				
Allotted	16.2	16.2	16.2	16.2
CAP, CR, Adjustment, etc	1.0	.9	.9	.9
Diverted for payment	3.2			2.4
Planted	10.9	11.9	11.9	12.7
Harvested	10.1	11.1	11.2	12.1
Field: Pound per acre harvested	515	520	530	550
Supply and utilization (1,000 bales):				
Production (including imports and city crop)	10.9	12.1	12.5	14.0
Beginning stocks (including preseason ginnings)	6.3	6.6	7.2	7.2
Domestic disappearance	8.1	8.3	8.4	8.4
Exports	2.5	3.2	3.5	3.5
Ending stocks	6.6	7.2	7.8	9.3
CCC stocks July 31	3.0	3.6	4.2	6.3
Support price per pound (Middling 1 inch) (cents)	20.25	20.25	20.25	32.0
Support price per pound (average of crops) (cents)	19.69	19.71	19.71	31.25
Price support payment rate (cents)	12.24	14.73	17.31	
Diversion payment rate (cents)	10.76+6.0			[1] 10
Producer payments	784	−826	966	156
Farm value of production (million dollars)	1,192	1,290	1,302	2,172
Total (million dollars)	1,976	2,116	2,268	2,328
Major receipts or expenditures (million dollars):				
Net change in stocks at loan rate	−230	−60	−60	−432
Storage, handling, and loan settlement	−3	−18	−20	−30
Producer payments	[2] −742	−826	−966	−156
Snapback loss on sales or loan repayments				−595
Subtotal, price support expenditures	−975	−904	−1,046	−1,213
Public Law 480	−82	−70	−70	−70
Estimated major expenditures	−1,057	−974	−1,116	+1,283
Change in CCC stocks (million bales) (from June 30 of prior year)	+2.2	+0.6	+0.6	+2.7

[1] Vol.
[2] F.Y.

Some people have suggested that payment limitations could be made operable for cotton if the snap-back provision were repealed. Our studies indicate that greater changes than these are required if payment limitations are to be made workable.

8. Would it be possible to finance payments in excess of $20,000 from certain CCC funds which are not directly covered by the appropriations bill?

The suggestion has been made that since the limitation is only a limit on the funds appropriated by this Act, it could be avoided by using funds of the Commodity Credit Corporation which are on hand or those funds which are received from the repayment of loans or sale of commodities to administer the program. It is our view, however, that the limitation would be an effective legal limitation upon us, and that we could not use other funds to avoid it.

9. Would a payment limitation, written into the 1970 Appropriations Act, be specifically limited to payments made during fiscal 1970?

The question has also been raised whether the payment limitation would expire on June 30, 1970, or whether it would continue to apply after June 30, 1970, to the crops planted during the fiscal year 1970. This question assumes, of course, that the payment limitation might not be continued in the appropriation for fiscal year 1971. A similar question arose in connection with the $50,000 limitation on price support which was included in the Appropriation Act for fiscal year 1960. The Comptroller General of the United States ruled that such limitation applied to all of the 1960 production of those commodities for which the 1960 program was approved on or before June 30, 1960, notwithstanding that the regulations implementing such programs were not completed until after June 30, 1960, and notwithstanding that the actual loans and purchases were not made until after June 30, 1960. That decision would appear to be applicable to this limitation.

In view of the importance of the questions of legal interpretation which have arisen in connection with the limitation, I am asking the Comptroller General for his opinion on such questions. Our submission develops at some length the basis for the views I have just expressed concerning these questions. I can supply it for the record if you wish.

10. What position does the Department of Agriculture take on payment limitations?

My position is as stated during the debate in the House. At that time I sent the following message to members of the House of Representatives:

"The Department of Agriculture believes it is possible to design a sound farm program that limits the number of dollars that can be paid to any one farmer for programs following the 1970 crop year.

"However, to make such a limitation effective, legislative changes are needed. With only the simple amendment that is possible in connection with appropriation bills, the so-called 'snap-back' provision for cotton would come into effect. The cotton program would then become subject to a loan-and-redemption or a buy-and-sell-back arrangement that would increase costs while the large producers would escape the intent of the payment limitation.

"A simple amendment to the appropriations bill will not suffice. The Department is ready to work with the legislative committees on basic changes in the legislation and has modifications to suggest.

"The preferred time for considering these changes would be later in this session or early next session, when consideration must be given to the type of legislation that is to replace present laws. These laws are scheduled to expire after the 1970 crop."

I have not discussed limitations on payments under the wool and sugar programs. I have excluded wool because the expressed intent of the payments is to increase production. Sugar is excluded because it already has a limitation on payments, albeit a very moderate one. Additionally sugar, along with wool, has an element of production incentive.

Appended to my statement are a number of tables that will provide added factual background, in the event that you should wish it. I assure you, gentlemen, that we have examined and are examining the whole question of payment limitations with great care, having been quite sure that the question would arise, and being equally sure that the best judgments would emerge if all the known facts were made available.

TABLE 6.—FREQUENCY DISTRIBUTION OF PRODUCER PAYMENTS,[1] EXCLUDING WOOL AND SUGAR PROGRAM PAYMENTS, UNITED STATES, CALENDAR YEAR 1968

Payment range	Producers: Number	Producers: Percent distribution	Producers: Cumulative percent distribution	Total amount of payments: Million dollars	Total amount of payments: Percent distribution	Total amount of payments: Cumulative percent distribution
Less than $100	281,413	11.9	11.9	13.6	0.4	0.4
$100 to $199	258,762	10.9	22.8	38.3	1.2	1.6
$200 to $499	543,822	22.9	45.7	182.8	5.7	7.3
$500 to $699	244,819	10.3	56.0	145.4	4.6	11.9
$700 to $999	257,576	10.9	66.9	216.3	6.8	18.7
$1,000 to $1,999	397,360	16.8	83.7	555.8	17.4	36.1
$2,000 to $2,999	154,187	6.5	90.2	376.0	11.8	47.9
$3,000 to $3,999	79,591	3.4	93.6	274.6	8.6	56.5
$4,000 to $4,999	46,359	2.0	95.6	206.9	6.5	63.0
$5,000 to $7,499	52,908	2.2	97.8	319.1	10.0	73.0
$7,500 to $9,999	21,342	.9	98.7	183.6	5.8	78.8
$10,000 to $14,999	17,290	.7	99.4	208.2	6.5	85.3
$15,000 to $24,999	10,320	0.4	99.8	194.5	6.1	91.4
$25,000 to $49,999	4,611	.2	100.0	153.5	4.8	96.2
$50,000 to $99,999	1,010	(2)	100.0	66.7	2.1	98.3
$100,000 to $499,999	255	(2)	100.0	41.2	1.3	99.6
$500,000 to $999,999	6	(2)	100.0	3.9	.1	99.7
$1,000,000 and over	3	(2)	100.0	7.0	.2	99.9
Subtotal	2,371,634	100.0		3,187.3	100.0	
Wool payments				69.4		
Sugar payments				83.4		
Undistributed funds [3]				122.7		
Total	2,371,634			3,462.9		

[1] Includes payments under following ASCS programs: cotton, feed grain, wheat, milk indemnity, agricultural conservation, emergency conservation, Appalachia, cropland conversion, conservation reserve, and cropland adjustment.

[2] Less than 0.05 percent.

[3] Includes approximately $90 to $100,000,000 ACP (CMS advances) cost sharing made directly to vendors and not accountable to individual farm operators, payments to unidentified producers, etc.

Note: Sum of individual percentages and individual total amount of payments may differ from totals shown because of rounding.

TABLE 7.—MAJOR PROGRAM CHANGES HAVING A BEARING ON TOTAL PAYMENTS EARNED BY PROGRAM PARTICIPANTS, 1967 TO 1969

Item	1967	1968	1969
	Cotton, upland		
Price-support payment rate on 65 percent of farm allotment (cents per pound)	11.53	12.24	14.73
Diversion payment rate (cents per pound):			
Required diversion	10.78	10.76	0
Additional diversion	10.78	6.00	0
Diversion acreage [1] (percent allotment):			
Required diversion	12.5	5.0	0
Maximum diversion (percent allotment):			
Planting	35	35	0
Not planting [2]	12.5	5	0
	Feed grains		
	Corn, grain sorghum	Corn, grain sorghum	Corn, grain sorghum, barley
Grains included:			
Price-support payment on 50 percent of farm base (cents per bushel):			
Corn	30	30	30
Grain sorghum	30	30	30
Barley	0	0	20
Diversion payment rate [1] (percent county support):			
Required diversion	0	0	0
Additional diversion	0	45	45
Diversion acreage (percent of base):			
Required diversion	20	20	20
Maximum diversion [3]	0	50	50

Item	1967	1968	1969
	Wheat		
National acreage allotment	68,200,000	59,300,000	51,600,000
Domestic certificate allocation on projected production (percent)	35	40	43
Domestic certificate value (per bushel)	$1.36	$1.38	[4] $1.50
Diversion payment rate:			
Minimum diversion	0	0	0
Additional diversion	0	0	(5)
Diversion acreage (amount equal to percent of allotment:			
Minimum	0	0	15
Maximum	0	0	50
	Wool		
Price-support payment rate (cents per pound):			
Wool	.129	.262	.270
Mohair	.221	.355	.324
	Cotton ELS		
National acreage allotment	70,500	70,500	79,700
Price-support payment rate on actual production (cents per pound)	0	8.69	8.88

[1] Small farm provisions differ, but have not been outlined.

[2] Farms not desiring to plant cotton will earn diversion payments based on the required diversion percentage times the effective allotment.

[3] Except farms with bases of 26 to 125 acres could divert 25 acres for payment if they do not plant feed grains.

[4] Based on May 1969 parity.

[5] 50 percent of county loan rate.

TABLE 8.—NUMBER OF PAYEES, TOTAL PAYMENTS, AND AVERAGE PAYMENTS, BY KIND OF PROGRAM AND BY PAYMENT SIZE FOR 1968

Program	For payees receiving total payments of—[1]								
	More than $4,999			More than $9,999			More than $19,999		
	Number of payees	Amount of payments (in thousands)	Average payment	Number of payees	Amount of payments (in thousands)	Average payment	Number of payees	Amount of payments (in thousands)	Average payment
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Cotton	46,016	$520,107	$11,303	21,045	$389,782	$18,521	7,401	$244,477	$33,033
Feed grain	74,720	332,803	4,454	21,875	148,843	6,804	5,705	58,948	10,333
Wheat	63,552	273,654	4,306	17,691	120,414	6,807	4,285	42,237	9,857
Wool	7,414	31,363	4,230	1,986	20,570	10,358	472	10,317	21,858
Feed grain wheat[2]	56	50	893	16	39	2,438	7	24	3,429
Cotton, feed grain, wheat, or wool	111,600	1,157,977	10,376	35,385	679,648	19,207	9,916	356,003	35,902

See footnotes at end of table.

TABLE 8.—NUMBER OF PAYEES, TOTAL PAYMENTS, AND AVERAGE PAYMENTS, BY KIND OF PROGRAM AND BY PAYMENT SIZE FOR 1968—Continued

Program	For payees receiving total payments of—[1]								
	More than $4,999			More than $9,999			More than $19,999		
	Number of payees	Amount of payments (in thousands)	Average payment	Number of payees	Amount of payments (in thousands)	Average payment	Number of payees	Amount of payments (in thousands)	Average payment
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
CAP	4,287	$24,348	$5,679	1,228	$10,682	$8,699	292	$3,784	$12,959
Sugar	5,476	47,360	8,649	2,430	35,060	14,428	996	25,044	25,145
ACP	41,241	17,947	435	12,335	7,314	593	3,194	2,497	782
ECM	1,386	1,513	1,092	535	735	1,374	188	323	1,718
Appalachia	13	6	462	2					
CCP	212	629	2,967	44	154	3,500	5	15	3,000
CRP	7,672	20,442	2,664	2,285	5,966	2,611	564	1,481	2,626
All programs	114,334	1,270,222	11,110	36,008	739,559	20,539	10,079	389,147	38,610

[1] "Total payments" refers to all programs shown in col. 1. Entries for each program shown refer to payees receiving a payment of some size for that program.

[2] Payments were occasionally combined in 1 check.

TABLE 9.—PAYMENTS TO FARMERS OF $20,000 OR MORE UNDER COTTON, WHEAT, AND FEED GRAIN PROGRAMS, 1968, 25 LEADING STATES

State	Total (millions)	Excess (millions)	Average per payee (thousands)	Wheat		Feedgrains		Cotton		Class
				Total (millions)	Average (thousands)	Total (millions)	Average (thousands)	Total (millions)	Average (thousands)	
1. Texas	$96.3	$38.3	$33.2	$10.2	$6.9	$26.0	$11.2	$60.2	$23.6	Cotton, feed grain, wheat.
2. California	51.5	35.0	62.3	1.3	12.1	.8	5.1	49.4	61.5	Cotton.
3. Mississippi	45.4	22.6	39.8	.3	2.2	.8	1.7	44.2	38.8	Do.
4. Arizona	30.6	19.7	56.3	.5	2.5	1.0	8.1	29.1	53.8	Do.
5. Arkansas	21.2	9.5	36.1	.3	4.2	.1	1.2	20.8	35.5	Do.
6. Alabama	8.8	3.4	32.7	.1	1.5	.8	3.7	7.9	29.1	Do.
7. Louisiana	8.4	3.4	33.1	.1	3.1	.2	2.1	8.0	32.3	Do.
8. Kansas	7.4	2.3	28.7	4.4	17.0	3.1	12.2		2.0	Wheat, feed grain.
9. Georgia	6.6	2.3	30.3	.1	2.5	1.5	8.6	5.0	23.2	Cotton, feed grain.
10. South Carolina	6.5	2.4	32.1	.1	1.3	.7	4.2	5.8	28.2	Cotton.
11. New Mexico	6.1	2.3	32.6	1.4	11.4	2.8	18.8	1.9	18.5	Feed grain, wheat, cotton.
12. Washington	5.3	1.9	30.7	5.2	30.5		8.0			Wheat.
13. Missouri	5.1	1.9	32.3	.4	3.8	2.7	19.9	2.0	21.6	Feed grain, cotton.
14. Colorado	4.1	1.6	32.8	2.6	21.1	1.4	12.4		3.7	Wheat, feed grain.
15. Nebraska	3.8	1.1	27.7	.8	7.5	3.0	21.7			Feed grain, wheat.
16. Montana	3.4	1.4	34.8	3.4	34.5		2.7			Wheat.
17. Tennessee	3.0	1.0	30.5		2.4	.4	5.6	2.5	26.2	Cotton.
18. Illinois	2.7	.8	28.7	.2	4.5	2.4	25.9		13.0	Feed grain.
19. North Carolina	2.7	1.2	36.8		.9	.7	10.4	2.0	29.3	Cotton, feed grain.
20. Indiana	2.6	.9	31.5	.2	3.6	2.4	28.7			Feed grain.
21. Oklahoma	2.5	.8	29.3	1.0	12.9	.3	5.5	1.2	18.3	Cotton, wheat.
22. Iowa	2.3	.8	29.0		3.1	2.2	28.4			Feed grain.
23. Oregon	1.8	.6	29.4	1.8	29.2		15.0			Wheat.
24. Idaho	1.7	.6	30.3	1.7	30.2		2.0			Do.
25. North Dakota	1.2	.3	26.3	1.1	23.7	.1	3.4			Do.
Total	331.0	156.1		37.2		53.4		240.0		
Cotton/grain States		46.8		13.1		34.0		72.3		
Cotton States		97.0		2.7		4.8		167.7		
Wheat, feed grain States		5.0		7.8		7.5		0		
Wheat States		4.8		13.2		.1		0		
Feed grain States		2.5		.4		7.0		0		
Subtotal		156.1		37.2		53.4		240.0		
United States	335.3	157.5	37.7	38.9	10.2	55.9	10.8	240.4	34.0	

Mr. WILLIAMS of Delaware. Mr. President, I shall be ready to vote in a minute.

The argument has been presented that this bill is not the proper vehicle for the Senate to deal with this proposal for a limit on farm subsidy payments. I call attention to the fact that this is not an amendment from the floor of the Senate. The Senate will be voting on an amendment that was included in the bill as it passed the House of Representatives. The Senate Committee on Appropriations proposes to delete the language of the House amendment. What I am opposing is a Senate committee amendment and am thereby trying to retain the $20,000 ceiling on the subsidy payments.

It has been conservatively estimated that the rejection of the Senate committee amendment would save about $335 million that is now being paid to those so-called farmers who are drawing in excess of $20,000.

The next amendment that will be proposed if this Senate amendment is rejected will be a proposal to repeal the snapback provision.

I remind Senators that tomorrow hearings will begin in the Senate Finance Committee on the bill to continue the 10 percent surcharge tax. If today we can save $335 million this is even more important than increasing taxes. Before we increase taxes it is equally important that we discontinue some of the spending.

This present farm program does not help the small farmer. The small farmer who must maintain the efficiency of his operation, cannot afford to take advantage of the acreage reserve program.

I listened to the argument that the Secretary of Agriculture is against any limitation of these large payments. The former Secretary of Agriculture, likewise, opposed any ceiling or any limitation. Both Secretaries, unfortunately in my opinion, are more interested in supporting the large corporate-type operations. I do not see how any Senator can justify payments involving half a million dollars and some of more than a million dollars to so-called farmers not to cultivate their land.

Most of the cultivating those corporations are doing is not on the farm but in the Federal Treasury. The American taxpayers cannot afford this giveaway program.

I hope the Senate will reject the committee amendment and thereby retain the House provision with its $20,000 ceiling on these payments, both in the interest of economy and in the interest of fair play for the American farmer. I speak as a Senator from the East, but I also point out that I come from a county that recently ranked fifth in agricultural production among counties east of the Rocky Mountains. So I think I can say that I understand some of the problems of the farmers. I repeat, the county in which I live, even though small, will outrank many of the farm counties of Midwestern States.

I do not think these large payments, ofttimes to absentee owners, can be justified under any circumstances. I hope that the committee amendment will be rejected and that we can hold the ceiling at $20,000. The next order of business, then, will be to repeal the so-called snapback provision.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. Eagleton in the chair). The Senator from Florida will state it.

Mr. HOLLAND. Do I correctly understand that the vote about to be taken will be on the committee amendment to eliminate from the bill the House provision relating to a limitation of payments?

The PRESIDING OFFICER. The Senator is correct; beginning with line 14 and extending through line 19 on page 23.

Mr. HOLLAND. A vote "yea" will be a vote for the committee amendment which strikes the House limitation?

The PRESIDING OFFICER. That is correct, to eliminate the limitation.

Mr. HOLLAND. I thank the Presiding Officer.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment beginning with line 14 and continuing through line 19 on page 23. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. METCALF (after having voted in the affirmative). Mr. President, on this vote I have a pair with the Senator from Wisconsin (Mr. Nelson). If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." Therefore, I withdraw my vote.

Mr. KENNEDY. I announce that the Senator from Washington (Mr. Magnuson), and the Senator from Wisconsin (Mr. Nelson) are absent on official business.

I also announce that the Senator from New Mexico (Mr. Anderson), the Sentor from Nevada (Mr. Cannon), the Senator from Alaska (Mr. Gravel), the Senator from Connecticut (Mr. Ribicoff), and the Senator from Maryland (Mr. Tydings) are necessarily absent.

On this vote, the Senator from Alaska (Mr. Gravel) is paired with the Senator from Connecticut (Mr. Ribicoff). If present and voting, the Senator from Alaska would vote "yea" and the Senator from Connecticut would vote "nay."

On this vote, the Senator from Washington (Mr. Magnuson) is paired with the Senator from Maryland (Mr. Tydings). If present and voting, the Senator from Washington would vote "yea" and the Senator from Maryland would vote "nay."

I further announce that, if present and voting, the Senator from Nevada (Mr. Cannon), would vote "yea."

Mr. SCOTT. I announce that the Senator from Michigan (Mr. Griffin) is absent on official business.

The Senator from Vermont (Mr. Prouty) is necessarily absent.

The Senator from Massachusetts (Mr. Brooke), the Senator from New Hampshire (Mr. Cotton), and the Senator from Florida (Mr. Gurney) are detained on official business.

If present and voting, the Senator from Massachusetts (Mr. Brooke) and the Senator from Michigan (Mr. Griffin) would each vote "nay."

On this vote, the Senator from Florida (Mr. Gurney) is paired with the Senator from Vermont (Mr. Prouty). If present and voting, the Senator from Florida would vote "yea" and the Senator from Vermont would vote "nay."

The result was announced—yeas 53, nays 34, as follows:

[No. 53 Leg.]

YEAS—53

Aiken
Allen
Allott
Baker
Bennett
Bible
Burdick
Byrd, W. Va.
Cook
Cooper
Cranston
Curtis
Dirksen
Dodd
Dole
Dominick
Eagleton
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Goldwater
Hansen
Holland
Hollings
Hruska
Inouye
Jordan, N.C.
Jordan, Idaho
Long
McCarthy
McClellan
McGee
Miller
Montoya
Mundt
Murphy
Muskie
Pearson
Randolph
Russell
Smith
Sparkman
Stennis
Stevens
Symington
Talmadge
Thurmond
Tower
Yarborough
Young, N. Dak.

NAYS—34

Bayh
Bellmon
Boggs
Byrd, Va.
Case
Church
Goodell
Gore
Harris
Hart
Hartke
Hatfield
Hughes
Jackson
Javits
Kennedy
Mansfield
Mathias
McGovern
McIntyre
Mondale
Moss
Packwood
Pastore
Pell
Percy
Proxmire
Saxbe
Schweiker
Scott
Spong
Williams, N.J.
Williams, Del.
Young, Ohio

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Mr. Metcalf, for.

NOT VOTING—12

Anderson
Brooke
Cannon
Cotton
Gravel
Griffin
Gurney
Magnuson
Nelson
Prouty
Ribicoff
Tydings

So the committee amendment was agreed to.

Mr. HOLLAND. Mr. President, I move that the vote by which the committee amendment was agreed to be reconsidered.

Mr. HRUSKA. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

Mr. HOLLAND. Mr. President, I have agreed to yield to the distinguished Senator from Delaware at this stage and gladly do so at this time.

Mr. WILLIAMS of Delaware. Mr. President, I indicated that I was going to offer the next amendment which would repeal the so-called statute of limitations. However, I recognize that it would be the same vote as the preceding one and, therefore, I see no need to delay the time of the Senate and I shall not offer it at this time.

The PRESIDING OFFICER. The clerk will state the next amendment.

The Legislative Clerk. On page 4, line 11, after "(21 U.S.C. 114b–c)", strike out "$89,493,000" and insert "$92,126,500"; and, in line 19, after the word "exceed", strike out "$1,000,000" and insert "$2,000,000".

Mr. HOLLAND. Mr. President, if the Senator from New York (Mr. Javits) has any preference among his amendments as to which ones he would like to call up first, I would have no objection.

Mr. JAVITS. Mr. President, I believe that this matter can be settled.

The committee amendment on page 4, line 11, and the committee amendment, on page 4, lines 19 and 20, go together and relate to the facility at Fort Tilden, N.Y. This amendment relates to the construction of a replacement on the animal quarantine station presently located at Clifton, N.J. I have received a letter from the Department of Agriculture concurred in by Under Secretary of the Interior Russell E. Train on this subject which I should like to read into the Record. I have already consulted with the two Senators interested; namely, the Senator from Florida (Mr. Holland) and the Senator from New Jersey (Mr. Case).

This letter is signed by the Under Secretary of Agriculture, J. Phil Campbell, and is concurred in by Under Secretary Train, of the Department of the Interior.

Mr. President, I ask unanimous consent to have the letter printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Department of Agriculture,
Washington, July 1, 1969.

Hon. Jacob K. Javits,
U.S. Senate

Dear Senator Javits: This has reference to proposed relocation of U.S. Animal Quarantine Station, now located at Clifton, New Jersey, to a site at the Fort Tilden Military Reservation, Queens County, Long Island, New York. The relocation of the Clifton facility was authorized by Act of September 12, 164 (P.L. 88–592, 78 Stat. 939).

The $2 million provided in the 1970 Agricultural Appropriation Bill (H.R. 11612) as reported by the Senate Committee on Appropriations will be used for construction of animal quarantine facilities at Fort Tilden, New York, only if the Secretaries of Agriculture and Interior agree that such facilities are compatible with the use of Fort Tilden and its environs for public outdoor recreation purposes.

If such agreement cannot be reached, these funds would be used for construction of animal quarantine facilities at an alternative location yet to be selected. The Department of Agriculture would advise the House and Senate Committees on Appropriations before final decision is made on such alternative location.

I have discussed the above proposal with Under Secretary of Interior Russell Train and our two departments are in agreement with this arrangement.

Identical letters are being sent to Senators Spessard L. Holland and Roman L. Hruska and Congressmen Jamie L. Whitten and Odin Langen.

Sincerely,

J. Phil Campbell.

Mr. JAVITS. Mr. President, the important paragraph is as follows:

> The $2 million provided in the 1970 Agricultural Appropriation Bill (H.R. 11612) as reported by the Senate Committee on Appropriations will be used for construction of animal quarantine facilities at Fort Tilden, New York, only if the Secretaries of Agriculture and Interior agree that such facilities are compatible with the use of Fort Tilden and its environs for public outdoor recreation purposes. If such agreement cannot be reached, these funds would be used for construction of animal quarantine facilities at an alternative location yet to be selected.

Mr. President, I am satisfied with that disposition and I gather that other Senators are. The committee amendment should be agreed to, with the understanding of both departments as expressed in the letter which I have just placed in the RECORD.

Mr. HOLLAND. Mr. President, I would have no objection to that course being followed but I want the RECORD to show two things: First, that the island on which Fort Tilden is located contains 311 acres. It is proposed by the Department of Agriculture, after a long search over the past several years, for a site, to locate its quarantine facilities for imported livestock, and birds, and other imported species will require only 27 acres of that 311 acres. The Department of Agriculture, as I understand it, is quite willing to see the rest of the island used for park or recreational purposes.

I think I should state, as the Senator from New Jersey (Mr. CASE) is not in the Chamber at the moment, that the town of Clifton, N.J., where the old quarantine facilities are located, has been trying for years to get rid of those facilities, and already has the financing and the plans available to build a civic and community center at the location of the old quarantine station. The Department of Agriculture has found the existing facility is not adequate by any means for the handling of imported animals and other living things which pass through that station.

I am quite agreeable to the solution reached between the two departments. I think we will have to leave it up to them to work out.

Mr. JAVITS. I thank my colleague from Florida. I merely point out, as the letter states, that the question is really one of possibility of accommodating both the quarantine station and the Gateway National Seashore. I, too, am content that the relevant departments should share this determination.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 4, line 11.

The committee amendment was agreed to.

Mr. HOLLAND. Mr. President, I move that the vote by which the amendment was agreed to be reconsidered.

Mr. HRUSKA. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The LEGISLATIVE CLERK. On page 4, line 19, strike "$1 million" and insert "$2 million."

Mr. HOLLAND. Mr. President, both of these amendments, as I understood from the Senator from New York, were covered by the letter which he had placed in the RECORD, and it now becomes a matter of agreeing to the committee amendment.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. HOLLAND. Mr. President, I move that the vote by which the committee amendment was agreed to be reconsidered.

Mr. HRUSKA. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The LEGISLATIVE CLERK. On page 19, after line 7, insert:

SPECIAL MILK PROGRAM

For necessary expenses to carry out the provisions of the Special Milk Program, as authorized by section 3 of the Child Nutrition Act of 1966 (42 U.S.C. 1772) $84,000,000.

AMENDMENT NO. 63

Mr. JAVITS. Mr. President, at my request, the Senator from Florida withheld unanimous consent on this amendment. He was kind enough to ask me which of my amendments I would like to bring up first, and I should like, with the Senator's permission, to ask unanimous consent that, at this stage of the proceedings, I may bring up amendment No. 63, changing that figure from $10 million to $20 million.

Mr. President, I should like to explain the reason for my request. The reason is that it would be more logical to bring up this amendment before dealing with the specialized question of milk. If it is agreeable with the Senator, I would ask unanimous consent that amendment No. 63 may now be considered out of order. It would only be in order, as I understand it, after all committee amendments have been dealt with.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

Mr. JAVITS. Mr. President, I call up amendment No. 63 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 18, line 18, delete "$10,000,000" and insert in lieu thereof "$20,000,000".

Mr. JAVITS. Mr. President, I am joined in offering this amendment by Senators BROOKE, HART, KENNEDY, and MONDALE. We have prepared a memorandum which is available to such Members as are in the Chamber and are interested in this particular amendment. This amendment would restore the amount requested by the previous administration. This administration cut this particular item by 50 percent, or $10 million. The previous administration had recommended $20 million. We are proposing in this amendment to go back to the figure of $20 million.

This is the so-called Vanik program which relates to special food service for children not in school but in day care centers, recreational centers, settlement houses and other child-care centers. Our interest in this question goes directly to the question of day care about which I have had very deep concern during the years I have been in Congress and which has come into focus now, when we talk about the rearrangement of national priorities.

One of the great national priorities is reform of the welfare system, and endemic in the welfare system is the question of jobs. We all know, because we have heard it now so many, many times, that the greatest reservoir of jobs is among the AFDC mothers—that is, relatively young women who could work if some way were found to look after their children.

The fact is that the day care programs of the United States reach perhaps, at the most, about 25 percent of the children of mothers who are working or could work. Children whose mothers do work are deprived and, in communities like mine, children will often wander around with keys on strings around their necks so they can get into their apartments, if they need to, with the help of neighbors; moreover, many mothers do not work and are on welfare when they do not have to be.

Resources allocated to the nonschool food program are inadequate. This program has an authorization this year of $32 million. I repeat, the authorization is $32 million for 1969, 1970, and 1971. The previous administration recommended $20 million. This administration reduced that to $10 million. The sponsors of this amendment propose that it be restored to $20 million.

The nonschool food program is a new program. It is an effort to encourage day-care centers by having available adequate food to make it desirable to establish day-care centers. This, as it were, is an inducement, an incentive, to establish more day-care centers. The program is flexible, so that food services may be available on a year-round basis as well as in summer programs.

It is a fact that this program has just started. Indeed, it has had to date hardly a year of operation, so much so that last year there was a $3 million carryover. So there would be carried over to this year, if we appropriated the $10 million as it came from the House a total of $13 million.

Interestingly enough, though it is a new program, its growth is phenomenal. It seems to have touched a chord of particular interest in the country. To indicate the size of its growth, may I give this figure? On February 19 last, only 4 months ago, the Department of Agriculture had contracted with 300 institutions, serving 16,000 children. Yet only 4 months later, the program had already grown to include 1,200 institutions, with 115,000 children. Hence, in 4 months, there were 900 additional institutions, serving nearly 100,000 more children.

The Children's Bureau estimates that there are 150,000 children in year-around day-care centers now. All we are reaching through this food program is, according to the Agriculture Department, 28,000 and, according to the testimony to the appropriations committee, 50,000.

We may also expect a very large increase in the potential number of children to be served, because we are putting into effect certain provisions of the law regarding AFDC mothers. This will bring about a much greater work force among AFDC mothers than we have had up to now. This was the major change in the welfare laws adopted by the last Congress.

The experts in the Children's Bureau of the Department of Health, Education, and Welfare estimate that 1,380,000 children from infancy through age 14 need day-care service in the United States. Of this number, something like 500,000, exclusive of Headstart, are in the poverty category.

As of March 1967, we had over 4 million working mothers with children under 6 years of age, and 6.4 million working mothers with children of 6 to 17 years of age, whereas licensed day-care centers were available for under half a million.

In short, my argument is that here is an extremely desirable program, which gives an incentive for the establishment of day-care centers so urgently needed in the country and supports the very policies which we ourselves are offering, to wit, a basic policy to bring as many AFDC mothers as we possibly can into the work force. This particular appropriation should not be an object of economy. There should not be a 50-percent cut in the recommendation of the previous administration that $20 million is necessary for this program.

Through doubling this amount, we will contribute to a policy which we have ourselves legislated, the policy of the Social Security Act, title IV, which requires States to provide AFDC mothers with training and employment opportunities, and which will accordingly, materially increase the child population in day-care centers.

We have proposed a $20 million appropriation, because these changes, which are gradually biting in and taking effect, will mean that there are likely to be 200,000 children in day-care centers in 1970.

Based upon that estimate of day-care enrollments, the amount needed will be, in round figures, $20 million. It is that upon which this amendment is based.

Just one more comment, Mr. President. The reason I said I would like to call this amendment up before the committee amendment on the use of section 32 funds for milk is that that amendment is intended to reach some of the same children.

Frankly, having served with the distinguished Senator from Florida on the conference committee last year, and knowing of his very deep devotion to the section 32 concept, I would like to avoid getting into what I know is a very difficult subject.

Certainly, I hope that we can amend this particular item that should appeal, it seems to me, to Senators of all points of view—liberal, conservative, or middle of the road—because the nonschool food program conducive to encouraging a kind of activity which is indispensable to adequate welfare reform. It will enable young women to work rather than to remain on welfare.

Mr. HOLLAND. Mr. President, I thank the Senator from New York for referring to my particular sensitivity to anything that raids section 32 funds.

After all, these funds are the main anchor to windward for protecting between 70 and 80 percent of the agricultural dollar production of this Nation. These nonprice supported perishables include livestock, poultry, vegetables, fruits, and even some dairy items.

I am not unsympathetic with the objective of the bill which we passed last year and which I supported—Public Law 90–302—which provided this special food service program. In the Appropriations Committee, I was not unsympathetic to the request, in the 1968 supplemental appropriation bill, for a $10 million appropriation to be available throughout 1969.

Now we are through 1969, and instead of spending that $10 million in this very worthy program, or even spending as much as they thought would be spent when they submitted the budget, I am advised now, in this letter dated today from Mr. John M. Buhl, Director of the Budget division handling this nonschool food program, better known as the Vanik bill, that there is now $5.7 million carried over from the $10 million of last year, and that amount will last throughout the summer.

I have two proposals to make to the Senator, either one of which I am willing to accept, provided my distinguished friend from Nebraska will approve.

Mr. Buhl and Mr. Davis, who are handling this program, both suggest that we wait for the last supplemental bill, and see what progress they can make this summer. They doubt if they can spend the entire $5.7 million carryover from the 1969 available funds. I am willing to state to the distinguished Senator that if the $5.7 million proves to be insufficient, as chairman of the subcommittee and as the ranking member of the supplemental committee, I would be agreeable to add into that last supplemental bill any sum that was within reason and which could be absorbed by the program.

I think that is the more reasonable way to support the Senator's objective. If the Senator insists upon an amendment, I would have to insist that it be greatly reduced from the $10 million which he proposes to add, and I think he will get more, in the long run, if he will stay with the Senator from Nebraska and myself—and I see the Senator from Nebraska nodding his head in agreement on this—and await the consideration of the last supplemental bill. At that time we will be under obligation to do whatever seems to be reasonable to meet the program as it then exists.

As it now exists, the program cannot even use this $5.7 million carryover during the summer months—at least we are so advised by Mr. Davis and Mr. Buhl; and of course, they have the knowledge in the Bureau of the Budget and in the Department of Agriculture which we do not have here, of how much the program can usefully absorb.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. HOLLAND. I now yield to the Senator from Nebraska.

Mr. HRUSKA. The Senator from Florida has pretty well outlined my position. There is a carryover of $5.7 million. We do have advice that they have not been able to use the appropriation of $10 million in fiscal 1969. Certainly the next 60 days will pretty well give indication of the extent to which they can use that carryover, and what might come about by way of a deficiency which would require a supplemental at that time.

The Senator from Florida and I have discussed the matter. We do believe it would be in better keeping with sound appropriation practices and procedures to await the developments in the next 60 days, and then take the matter up in the Supplemental Appropriations Subcommittee, of which both the Senator from Florida and I are members. I should prefer that first alternative.

Mr. HOLLAND. The second alternative, Mr. President, which I have not discussed with my distinguished friend from Nebraska, but which has now been suggested to me by the distinguished Senator from New York, is that we add $5 million, with the understanding that this will be for the full fiscal year, and we will not have to deal with this matter again in a later supplemental for 1970.

Mr. JAVITS. Will the Senator yield, so that I may explain that?

Mr. HOLLAND. Let me simply add that I think the Senator is taking the less desirable course, because if they proceed with this program as quickly as the Senator thinks, they would be justifying the larger amount anyway.

Mr. JAVITS. Mr. President, I believe that I know the parameters of planning. If the two Senators—and I am convinced that they will—smile upon this program, as it were, then I think a modest increase would be giving the Department the encouragement needed. The Senate would have complete control of the process throughout.

This program has been functioning for less than a year, and there has been a phenomenal rate of growth from February to July in the number of States and children covered. I would hope very much that the Senators could go along with this figure. As I say, they fully control the process. It would give the Department an indication of the fact that this is a program with which we find favor. That, I think, would go a long way toward encouraging the process of extending it throughout the country. Having been on the Appropriations Committee, and knowing both Senators, I know their word is as good as gold. That is not my point. I have no doubt whatever that if the Senators are faced with a supplementary appropriation, having said what they have, they will handle it properly.

I think that it would be much more salutary to give an indication that this program does find favor with the Congress and we are willing to encourage it by allowing somewhat more money for it.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. HRUSKA. I would think, Mr. President, that an appropriation of $10 million, plus the $5.7 million, amounts to a fairly substantial fullsome smile in and of itself. The operations are then open, and the supplemental process will address itself to whatever the situation is when we get into the August or September conditions as they then will exist.

But I should think this colloquy on the floor, together with an amount available of $15.7 million, should be ample for the purpose.

Mr. HOLLAND. Mr. President, this committee—including, I am sure, the Senator from Nebraska—has been as sympathetic to this action as any other Senators, and I believe the Senator from New York also has been sympathetic to it. The committee has already recommended the amount for the entire feeding program be raised from $1.243 billion-plus for fiscal 1969 to $1.955 billion-plus for 1970, or a total increase of $711 million. Mr. President, I do not think we need to state anything more to show the fact that this committee has shown great sympathy for all these feeding programs.

I hope that our distinguished friend, recognizing that fact, which speaks louder than words, will permit this matter to go on to the supplemental bill. I agree completely with the distinguished Senator from Nebraska that the $10 million already in the bill, plus the $5.7 million which we have as a carryover, or a total of $15.7 million, makes more than three times as much as has been spent all through 1969 on this particular program. It seems to me that fact shows that we should proceed rather slowly in making any additional increase. I hope the Senator will accept that proposition. Certainly the offer is made in good faith by the Senator from Nebraska and me. We simply want to see what is done in this program, and we think that our record in jumping the total of the feeding program—Senators will find it on page 18 of our report—from $1.243 billion to $1.955 billion speaks rather loudly for the sympathy which the committee has felt in the support of these feeding programs, which go to the poverty stricken, the schoolchildren, and the children in the disadvantaged spots of which the Senator has just spoken.

I hope the Senator will leave the matter as it is on this basis, which is much more nearly in accord with our feelings than any other disposition which could be made.

Mr. JAVITS. Mr. President, I can understand the desire of the chairman and the ranking minority member of the committee to stay with the figures which they have brought to the Senate and not have them increased.

I have three answers to the points which have been made. First, as to the overall total with respect to the feeding programs, surely $10 million is not anything when compared to $1,243,332,000. That is why one has to move item by item in respect to this matter and analyze what is and is not being done.

The $10 million figure is exactly the same as advanced last year on this particular program, notwithstanding the fact that this program is growing by leaps and bounds. The program got started just last year. We can understand that there is a carryover. If the Senate were to appropriate $20,000,000, there would be a totally different view of this program.

I have no doubt of the good faith of my colleagues. I would be the first to affirm it. But we direct this amendment to the frame of reference in which the program is handled within the Department of Agriculture and in which it goes to the country.

Thus, my first answer is that this program has shown such growth as to deserve an increase in the program as recommended by the previous administration. Second, we are, ourselves, enforcing under the Social Security Act, title IV, a requirement which would place infinitely more children in the day-care centers. We are now insisting that the AFDC mothers put the children in day-care centers. That will very materially increase the child day care population.

Third, I felt that it was desirable not to press the amendment on special milk, in view of the fact that the Senator from Florida (Mr. HOLLAND) and the Senator from Nebraska (Mr. HRUSKA) had a passionate devotion to the section 32 equation. So I offered the pending amendment in the hope of thereby wrapping up everything I had to say and to propose in one package.

Mr. HOLLAND. Mr. President, does the Senator mean that, if we appropriate the $5 million here, the Senator will withdraw the amendment to increase the transfers from section 32?

Mr. JAVITS. The Senator is correct.

Mr. HRUSKA. Mr. President, as I understood the proposal of the Senator from Florida, if the $5 million is added now, it is conditioned upon the idea that there would be no further request this fiscal year for any additions to the fund.

If that is what the Senator from New York wants, I think he ought to have it. However, I suggest to the Senator that the Senator from Florida is correct. The wiser course would be to allow $15.7 million, which is the $10 million plus the carryover from last year.

There would be no prejudice to the full-steam-ahead development of the program to which the Senator referred. That would see us through the calendar year. And there is a supplemental coming up within the next 60 days. The options would be more generous and liberal by acceding to that than by calling for $5 million additional now and calling for a supplemental for the balance of the year.

Mr. JAVITS. Mr. President, I do not believe—and the Senator does not have to agree with me—that it is desired to hold the children hostage for me or vice versa.

Mr. HRUSKA. I have no desire to do so.

Mr. JAVITS. If the amount should be more than $15 million and we can convince the Senator that we need more than $15 million, I am convinced we can get it. As far as I am concerned, I will not ask for it, and I will not press the matter of the special milk if the amount is increased to $15 million.

Mr. HOLLAND. Mr. President, the Senator from New York, as usual, has exhibited a heart as big as a Georgia watermelon, and that is all right. The Senators on the committee also have rather large hearts. We will agree to the $5 million increase, and we understand the Senator will not press his other amendments.

Mr. JAVITS. Mr. President, I revise my amendment to make it read $15 million instead of $10 million.

The PRESIDING OFFICER. The amendment is modified accordingly.

Mr. JAVITS. I understand that another place in the bill needs to be amended.

Mr. HOLLAND. Mr. President, the increase of $5 million on line 18 from $10 million to $15 million would require also an increase of $5 million on line 11 from $247 million to $252 million.

Mr. JAVITS. I modify my amendment accordingly.

The PRESIDING OFFICER. The amendment is accordingly modified.

The question is on agreeing to the modified amendment of the Senator from New York.

The amendment was agreed to.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. HOLLAND. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PERCY. Mr. President, I commend the distinguished Senator from Florida and the distinguished Senator from New York.

I want to relate one instance which will reaffirm the tremendous need for this new program. A week ago Friday in East St. Louis the Select Committee on Nutrition and Human Needs held hearings. We had testifying before the committee a man who indicated that he had 11 or 12 children and that he had been on welfare, but that he was now able to get a job that paid him $50 a week. However, he was immediately taken off welfare. He had to feed 12 children on $50 a week.

The man indicated that he was able to get good, nourishing, hot lunches and breakfast for 25 cents for his children in school, but that the children who were eligible to go to day-care centers did not have the benefit of the breakfast or lunch program.

Mr. President, a program such as has been agreed on will help us accelerate meeting the needs of many Americans, millions of them children, for whom we have not provided a delivery service for getting meals to them in day-care centers, recreation centers, and other community centers which have the physical facilities but need the financial support that the accelerated program will help us provide.

Mr. President, I commend the Senators for providing the aditional $5 million.

Mr. JAVITS. Mr. President, it sometimes might sound as if we are matching things together very quickly here. However, I join with the Senator from Illinois (Mr. PERCY) in thanking my colleagues, men of conviction, on the Appropriations Committee who feel very deeply and fight very hard for far less than $5 million, as they should.

I am very grateful that we were able to work the matter out to everybody's satisfaction.

Mr. PERCY. Mr. President, the Senator from South Dakota (Mr. MCGOVERN) and I listened to the man testify, along with members of our staff. We were deeply moved by his statement.

I said, "What will you do if you cannot get the food with which to feed your children?"

He said, "Senator, I will tell you now, I will go out and rob. I will go out and steal. I will somehow get the money to feed my children if I cannot get it any other way."

Here was a man who did not have an education and who could not read or write. He finally got a job paying $50 a week but then was taken off the welfare roll. He was penalized because his children received less as a result of his wanting to go out and earn his living rather than to accept welfare. Under that kind of program, adequate food was not available for his children in day-care centers.

We have much to learn about welfare and how to handle these programs. I think that this year Congress, will move forward dramatically in meeting these great human needs.

I thank the distinguished Senator from Florida and the distinguished Senator from New York.

Mr. HOLLAND. Mr. President, I am advised by the clerks at the desk that two committee amendments not yet acted upon remain. Both deal with the special milk program, recently discussed by the Senator from Nebraska and me with the Senator from New York. They appear on page 19, lines 8 through 12.

The **PRESIDING OFFICER.** That is the pending amendment.

Mr. JAVITS. Mr. President, may I ask the Senator from Florida about one point?

Mr. HOLLAND. Certainly. First, let me describe the other amendment, because I think the two amendments should be considered en bloc. The first amendment begins on line 17 through line 20 on page 20.

The second amendment begins at the end of line 20 and continues on lines 21, 22, and 23 of page 20, and on lines 1 and 2 of page 21.

I ask that the two committee amendments be considered en bloc.

The **PRESIDING OFFICER.** Without objection, it is so ordered. The last committee amendment will be stated.

The amendment was read, as follows:

On page 20, line 17, after the word "employability", insert "and (c) milk for children in nonprofit high schools and schools of lower levels, child-care centers, summer camps, and similar nonprofit institutions devoted to the care and training of children"; and, in line 20, after the amendment just above stated, strike out "For necessary expenses to carry out the provisions of the Special Milk Program, as authorized by section 3 of the Child Nutrition Act of 1966 (42 U.S.C. 1772) $120,000,000, to be transferred from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c).".

Mr. JAVITS. Mr. President, I have no objection to the amendments being considered en bloc, nor do I have any objection to their being agreed to.

I think the real issue involved in these amendments is, Shall the milk for children in nonprofit high schools and in the other places mentioned in the amendment be paid for by section 32 funds, as the House provided, or shall it be paid for from the general revenue? The House has opted for section 32 funds. The Senate, it will be noted from the amendment on page 19, lines 8 through 12, has opted, for the most part, for general revenues.

It is a fact that the Senate amendment is a little less liberal in terms of money.

The House provided $120 million, all chargeable to section 32.

It is my feeling, of course, that whatever develops in conference will represent a struggle. I know that the House will insist on its position, and the Senate on its position, and that a compromise will be effected. That is why I was willing to forgo action here, but I want to ask the Senator this question:

I do not know what the intention of the committee was, and I think it would be useful to find out for the administrators. It will be noted that there was no qualification of the word "children" in lines 18 to 20, inclusive. The language refers to "milk for children in nonprofit institutions devoted to the care and training of children."

Have we the right to assume, without its necessarily being locked into the amendment, that the Committee on Appropriations contemplated that the issue of need should be a factor; in other words we were really talking about needy children?

Mr. HOLLAND. The answer is "Yes."

Mr. JAVITS. I thank the Senator.

Mr. HOLLAND. In addition, to answer the earlier question of the Senator, the provision in the Senate bill of $20 million for needy children in day-care camps, and the like, is to come from section 32 funds. I want the Senator from New York to recognize that the Senator from Florida is not always ungenerous when it comes to the use of section 32 funds.

Mr. JAVITS. I know the Committee on Appropriations had in mind the needy children. I thought it would be useful to have this explanation in the RECORD.

The **PRESIDING OFFICER.** The question is on agreeing to the two committee amendments en bloc.

The amendments were agreed to en bloc.

Mr. HOLLAND. Mr. President, I understand that completes the discussion of all committee amendments and that the bill is now open to amendments from the floor.

I move that the Senate reconsider the votes by which the last two committee amendments on pages 19, 20, and 21 were agreed to.

Mr. HRUSKA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 60

Mr. GOODELL. Mr. President, I call up my amendment No. 60 and ask that it be read.

The **PRESIDING OFFICER.** The amendment will be stated.

The assistant legislative clerk read as follows:

On page 23, line 14, after the colon, insert the following: "*Provided further*, That—

"(1) None of the funds appropriated by this Act of any funds available to the Commodity Credit Corporation shall be used to make price support payments or acreage diversion payments which will result in a total of such payments to any producer in excess of $10,000 for each of the 1970 crops of upland cotton, extra long staple cotton, wheat, and feed grains.

"(2) If the foregoing payment limitation reduces the payments which otherwise would be made to a producer of feed grains (which for the purposes hereof shall be considered as a single commodity) and wheat on any farm, the minimum acreage diversion requirements for such commodity on the farm or farms shall be reduced by the same percentage as the payment to the producer of such commodity on the farm are reduced by the limitation. The term "payment" includes payments-in-kind, wheat marketing certificates and export marketing certificates, but does not include loans or purchases.

"(3) If the foregoing payment limitation reduces by 20 percent or more the payments which otherwise would be made to a producer of either upland or extra long staple cotton on any farm, such producer, without affecting his status as a cooperator and without being subject to marketing quota penalties, may be permitted by the Secretary of Agriculture to exceed the applicable cotton acreage allotment for the farm by not more than 30 percent.

"(4) The Secretary may not permit the owner and operator of any farm, for which the foregoing cotton payment limitation reduces the payment that otherwise would be made, to sell or lease all or any part of the right to all or any part of such allotment, to any other owner or operator of a farm, unless he finds the lease or sale is not for the purpose of evading the foregoing payment limitation.

"(5) Acreage planted to the 1970 crop of cotton in excess of the acreage allotment for the farm established under section 344 of the Agricultural Adjustment Act of 1938, as amended, shall not be taken into account in establishing future state, county, and farm acreage allotments and shall not be considered as part of any acreage allotment.

"(6) Section 103(d)(12) of the Agricultural Act of 1949, as amended shall not be applicable to the 1970 crop of cotton.

"(7) The Secretary of Agriculture shall provide such regulations as he determines necessary to effectuate the purposes of this section and to prevent evasion of the limitations contained in this section."

Mr. HOLLAND. Mr. President, will the Senator from New York yield?

Mr. GOODELL. I yield.

Mr. HOLLAND. I shall, of course, have to raise a point of order against this amendment at the proper time. I do not wish to do so in such a way as to prevent the Senator from explaining his amendment or making any other statement he wishes to make. I simply wish to give notice that since the amendment contains several items of legislation pure and simple, I shall be forced, under the rules of the Committee on Appropriations, to raise a point of order.

Mr. GOODELL. I intend, as I gave notice on July 1, to move to suspend the rule and to allow the amendment to be offered. So if the Senator from Florida wishes to move to suspend the rule at this time, he may do so.

Mr. HOLLAND. I am trying to be courteous and helpful to my distinguished friend by reserving the point of order, and shall make it at a future time. However, I shall be glad to make it at this time, if he wishes me to do so.

Mr. GOODELL. Since the motion is debatable, it does not make any difference. I shall be glad to explain the amendment, and then the Senator can make his point of order.

Mr. HOLLAND. I shall not make the point of order now.

Mr. GOODELL. Mr. President, the amendment would accomplish a simple change in the Agriculture Act. It could be administered quite simply.

This amendment in its entirety is germane to the Agricultural Appropriation Act for 1970 as it provides for a reduction in annual Government expenditures of well over $200 million, without interfering with the basic purposes of the farm programs financed by these appropriations. It is not long-term legislation. All provisions of this amendment apply only to the price support and acreage diversion payments relative to the 1970 crops.

This amendment limits the price support and acreage diversion payments under each of the 1970 price support and adjustment programs of upland cotton, extra long staple cotton, wheat, and feed grains, to a single producer to $10,000.

This amendment is to be distinguished from the so-called Conte-Findley amendment which provided for an overall limitation of $20,000 per producer. This amendment would limit each crop covered, each commodity, to $10,000 per producer.

The Conte-Findley amendment approved May 27 by the House limited total payments for all price supported crops planted in fiscal year 1970 to $20,000 on any farm. I have been advised that farm program administrators conclude that a lower limitation on the payments taking each major price support program separately would accomplish similar overall savings and would greatly simplify the administration of such a limitation. For this reason I am offering an amendment which limits the payments under each major crop program.

Department of Agriculture statistics report that 15,097 cotton producers, 5,428 feed grain producers and 4,861 wheat producers received payments in 1968 in excess of $10,000. These 25,386 producers received payments totaling $515,196,000. Had a $10,000 limitation been in effect their payments would have been reduced by well over $200 million.

According to the Department of Agriculture, a payment limitation at this level would affect only 3.4 percent of the cotton producers, 0.4 percent of the feed grain producers and 0.6 percent of the wheat producers, yet would reduce payments to those producers by over $200 million.

In his June 4 testimony before the Appropriations Committee, Secretary Hardin estimated that 65 percent of the cotton payments, 49 percent of the wheat payment and 11 percent of the feed grain payments in 1968 were simply income supplements rather than payments for acreage diversion. These figures would change somewhat from year to year. In other words, a large part of these large payments are a net addition to the large producers' substantial incomes from farm products marketed rather than payment for leaving land out of production to balance supplies with market outlets available.

Paragraphs (2) and (3) of the amendment are germane to the Agriculture Appropriation Act for 1970 in that they provide for changes in 1970 only in the production or acreage diversion requirements of producers who have their payments limited in order to achieve equity for them and provide the same incentives for them to cooperate in the voluntary wheat and feed grain programs as they have had in the absence of payment limitations.

Paragraph (2) provides that any wheat or feed grain producer who has his 1970 Government payment limited by the $10,000 limitation would have his minimum acreage diversion requirements reduced by the same percentage as his payment is reduced. As an example, a feed grain producer whose payments are reduced by one-third by the $10,000 limitation would have his feed grain base acreage diversion requirements reduced by one-third.

Paragraph (3), which is a modification of the earlier Schnittker amendment, provides that any cotton producer who has his 1970 cotton program payments reduced by the $10,000 limitation by 20 percent or more, may, at the discretion of the Secretary, be permitted to plant up to 30 percent additional cotton acreage without being subject to marketing quota penalties. This is to provide a measure of equity of treatment under the program to the large producer whose payment is limited. Under the export acreage section of existing legislation, producers who wish to forgo all price support payments and loans, and plant for export a larger acreage of cotton than their allotment, may do so.

The provisions of paragraph (2) and (3) are germane to H.R. 11612 in that they make it possible to reduce Government fiscal year 1970 expenditures over $200 million, yet continue equitable provisions for large producers and achieve the goals of the programs financed by these appropriations.

Admittedly, paragraphs (2) and (3) would permit large-scale producers of wheat and feed grains to cooperate in the voluntary programs for these crops although diverting less land and receiving smaller payments than in the absence of a payment limitation. The differential in diverted acreage would be so small, however, that small adjustments in the program could easily offset the smaller acreage diversion on the large farms.

It is my understanding that permitting the large cotton producers affected by payment limitations to increase their acreages of cotton would not create a serious problem in balancing cotton supplies with market outlets. At prevailing world prices most cotton producers would not increase their cotton acreage even though given the opportunity. Although the announced national cotton acreage allotment for 1969 was approximately 16,000,000 acres, fewer than 12,000,000 acres were planted. Except for provisions in the cotton program regulations relative to cotton acreage planting requirements in order to be eligible to collect the Government subsidy of 14.7 cents a pound, even fewer acres of cotton would have been planted in 1969.

In the Mississippi Delta and in the irrigated areas of Texas and of States farther west, cotton returns far more per acre than competing crops. Some would increase their acreage of cotton if their payments were limited and their cotton allotments were increased. Producers in other sections, however, would reduce their acreage of cotton if cotton program regulations were changed somewhat.

Paragraphs (4) and (7) of the proposed amendment are germane to H.R. 11612 in that they authorize the Secretary to provide regulations as he determines necessary to prevent the evasion of the limitation specified in paragraph (1).

Paragraph (5) is self-explanatory. Any excess acreage planted to cotton in 1970 as a result of these provisions shall not be taken into account in establishing future cotton allotments.

Paragraph (6) is a vital provision and it is germane in that it repeals the so-called snap-back provisions in the 1965 act insofar as they would apply to the 1970 crop year. As Secretary Hardin clearly pointed out in his Senate testimony, unless section 103(d)(12) is amended eliminating its application to the 1970 crop of cotton, the savings achieved by the application of paragraph (1)(a)—$10,000 limitation on payments under specified farm commodity price support programs—could be dissipated under the program provisions authorized by the present section 103(d)(12) of the Agricultural Act of 1949, as amended.

I refer to the major argument raised by those who earlier supported the committee amendment, and those who wanted to raise the $20,000 limitation on farm payments. That problem would be eliminated by my amendment in that the snap-back provisions in the present law would be repealed and the cotton producers would be taken care of in the flexibility provided for in my amendment.

In summary, this amendment in its entirety is germane to H.R. 11612, Agricultural Appropriation Act for 1970, in that it is limited to the crop year 1970 and restricts the expenditures of funds appropriated for 1970 in an equitable manner, providing potential Government savings in excess of $200 million. Yet it does not interfere with the attainment of the real goals of the programs financed by these appropriations.

At a time when important rural development, educational, health, housing, and nutritional programs, to mention only a few, are being limited because of our inability to adequately finance them, it does not make sense to make farm program subsidy payments in excess of $10,000 to some 25,000 large farmers who, by any reasonable standards, already have high incomes and substantial equities in property.

In the absence of this amendment, in 1970 some 2,000 giant farms, many of them corporations, will collect $150 million in subsidies. Five to 10 large corporations may each receive subsidies of $1 million or more. One large corporation received over $4 million in farm subsidies in 1967 and over $3 million in 1968.

It is therefore imperative that a limitation affecting the 1970 crop be enacted. We cannot afford to wait any longer to eliminate the inequities which this program represents. This is an effective interim measure while broader revision in the farm program is being worked out.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. GOODELL. I will yield to the Senator in just a moment. First, I wish to make several other points.

The amendment I offer is based on a study made under the direction of former Under Secretary of Agriculture, John A. Schnittker.

It was completed in the Department of Agriculture last November. It did not come to our attention until this spring. In that study I think that Mr. Schnittker effectively answered the arguments which have been raised against a payments limitation here today. He stated:

> Payments to producers under existing price support and acreage control programs for feed grains, wheat, cotton, wool, and sugar, could be limited to around $20,000 per farm for all payments, or to $10,000 per program without serious adverse effects on production or on the effectiveness of production adjustment programs.

The Schnittker report also points out that the savings would be from $200 million to nearly $300 million. It concluded that the various arguments against this proposal and the difficulty of administration are not decisive, and are not good reasons for opposing a payments limitation. I would make it clear that the Department of Agriculture opposes all amendments to the basic legislation at this time. This is said without prejudice to what programs they may present in the future as a part of the general farm program. I am advised that the Department of Agriculture prefers my amendment to a straight $20,000 limitation. They prefer it in the sense that it would be far simpler to administer. I believe it is a simpler provision to administer because it would save over $200 million and would do equity to the farm program in the interim period, before we are able to deal with overall farm legislation at a later time.

Now I am happy to yield to my colleague from New York.

Mr. JAVITS. Mr. President, I feel that this is a most constructive way in which to put the matter before us. Let me say that the Senator from Delaware (Mr. WILLIAMS) has been a longstanding champion in this field and I, generally speaking, have supported him. I think that my colleague from New York has rendered a signal service in the refinement which he has introduced in his amendment, especially in the informed backing given by an official who has had long experience with the program. One thing it should do is to awaken us to the realities.

I should like to address a question to my colleague: Does he not agree that the basic philosophy of his amendment is that the whole concept which dictates these payments, unless a limitation is imposed such as he has described, has become obsolescent? The program is not necessary to encourage production because, as he himself has pointed out, there would be even less production than there is now and more conformable, probably, to the demand if there had not been a program. Whether justified or not, this program has hung on, and hung on, and hung on, because, somehow or other, we still feel in America that rural America represents the backbone of the country and whether it needs it or wants it, it is still subsidized without any regard for the realities which have long since overtaken them, and us, and everyone else.

Mr. GOODELL. I agree with my colleague. I think that rural America has contributed vitally to this country's backbone, but I do not think this kind of program strengthens the farmers of this country as presently constituted. I would point out, in this respect, that my amendment on income supplement goes largely to the very big producers who do not need it and who can conform under flexible provisions that I have provided on the basis of Mr. Schnittker's current study, and still not reap the $200 million bonanza from the taxpayers each year.

Mr. JAVITS. I thank my colleague.

Mr. DOLE. Mr. President, will the Senator from New York yield?

Mr. GOODELL. I yield.

Mr. DOLE. I cannot speak with any great authority with reference to cotton, but, coming from the greatest wheat-producing State in America, I can touch on that commodity.

With reference to the percent of producers, the six-tenths of 1 percent referred to, how much wheat production is represented in this figure? This, in my opinion, is the key to the entire argument; that is, wheat production, not numbers of wheat farmers. As one who opposed the original mandatory programs when they were advocated by former Secretary of Agriculture Orville Freeman as well as Under Secretary Schnittker, I feel farmers might be better off if programs moved in some other directions. Presently, as is illustrated here today, farmers are at the mercy of Congress.

This is an appropriation bill and your amendment is perhaps subject to a point of order. The point is, however, that we have a program and it is a mistake to say or even suggest that certain farmers receive $10,000 or $20,000 because of our gratitude, because he happens to participate in a farm program. The key questions are, How much land does a man own, how much does it produce, and how many acres will be diverted if he goes into the program?

I have no quarrel with the general intent and believe the amendment of the Senator from New York is far superior to the so-called Findley amendment.

We may need new farm legislation but it is late in the day now to impose certain restrictions on farmers who participate in a program. Does the Senator have information as to the amount of wheat produced by the farmers the Senator referred to earlier?

Mr. GOODELL. I would want to be completely accurate to answer the Senator's question. I will get the exact figures on that. In any event, under the provisions of my amendment, changes in production or in acreage diversion requirements on farms which have their payments limited would go a long way toward achieving equity and we would not have to reduce production any more than the reduction in the payments.

Mr. DOLE. It is the superior part of the amendment because it would not force them completely out of the program. Living in a farm State, I know payment limitation may sound good in the press, but many who will report these proceedings do not know a Jersey cow from the Washington Monument. They know little about the limitation of payments, and less about farm programs but I would guess the large producers would benefit more by being outside the program, and not accepting any payments. They could produce all they wished and still be protected by the price umbrella. The result would be more surpluses and more costly programs to dispose of surpluses.

If the program is bad, let us change the basic program. Let us not change it by trying to impose restrictions on the farmer just because of his size.

Mr. GOODELL. The Senator from Kansas is aware of the reason I enforced suspending the rule. I am following exactly this procedure so as not to put on a straight limitation without changing the program, whether changing it in a minor way, or if it would need adjustment so that the big producers who are substantially affected would be able to operate effectively and would be dealt with on an equitable basis. There is a maximum flexibility here placed at the discretion of the Secretary of Agriculture to deal with this situation. If we do not act now, as the Senator is well aware, we will have no opportunity to put a payment limitation on this year's farm program. This amendment would give ample notice to the producers for the next plantings and we can save over $200 million in the interim.

Mr. DOLE. While I doubt whether it would save anything—it would probably cost more money—the amendment has some merit. I would hope the committee would this year consider changing the basic agriculture act. That would be a good and proper time to offer the amendment but not on an appropriation bill. Perhaps the American public and the farmers have about reached the end, so far as subsidies are concerned but this can better be determined when considering basic farm legislation.

Mr. WILLIAMS of Delaware. Mr. President, I am glad the Senator from New York has offered the amendment. I shall certainly support it. It is a realistic approach to the problem of controlling these large payments. One argument used on the previous amendment was that it did not repeal at the same time the so-called snapback provisions.

The Senator has included that in his amendment. I certainly hope his amendment can be approved because it is the very least we can do at this time when we are having a major job trying to raise enough money to support the essential programs of our country.

Mr. GOODELL. Mr. President, I thank the Senator from Delaware for his support. The repeal of the "snapback" provision which was placed in the law of 1965 would really take us back to obsolete price supports, by which the Commodity Credit Corporation would acquire most of the cotton and sell it on the market. That would disrupt the cotton market and would avoid the intent of the Congress.

That was the argument which was made on the $20,000 limitation. Because of the rules which exist, in order to avoid having a two-thirds vote on suspending the rules, we were unable to repeal the "snapback" language. My amendment would do that. It is a clean, compact amendment, and I think it would be easy to administer.

Mr. President, in answer to the question raised earlier by the Senator from Kansas (Mr. DOLE), less than 10 percent of the wheat produced in this country is produced by the wheat farmers affected by my amendment.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. GOODELL. I yield to the Senator from Colorado.

Mr. ALLOTT. I think we all realize we need some reform in our farm legislation. As long as 5 years ago, I advocated a reassessment of our subsidy program on a definite term basis, 5 or 6 years, included in one act, to see if we could not get our whole farm program back on a more practical basis.

On page 1 of his statement the Senator says:

> These figures would change somewhat from year to year. In other words, a large part of these large payments are a net addition to the large producers' substantial incomes from farm products marketed rather than payment for leaving land out of production to balance supplies with market outlets available.

That is confusing to me. It is not in conformity with what I understand the law to be. With all due deference to my friend from Kansas, we raise a few bushels of wheat in Colorado, too.

The Senator certainly is not implying, is he, that those who raise wheat, for example, or feed grains, do not have to take land out of production in order to get these payments?

Mr. GOODELL. No. The point I make——

Mr. ALLOTT. Perhaps the phrasing of the sentence is a little unfortunate, but I think that is the implication of this particular sentence. I think it ought to be made perfectly clear that if a man draws payments of more than $20,000 a year, for example, he still has to take land out of production in order to get those subsidy payments.

Mr. GOODELL. Yes. Technically, 49 percent of the wheat payments are simply income supplements rather than payments for acreage diversion. Sixty-five percent of the cotton payments are income supplements rather than payments for acreage diversion. Eleven percent of feed grain payments are income supplements rather than payments for acreage diversion.

Mr. ALLOTT. I do not know where the Senator gets his figures.

Mr. GOODELL. These are figures given on June 4 by Secretary Hardin.

Mr. ALLOTT. Unless he reports them some other way, I do not think they are necessarily true even if the Secretary of Agriculture gives them. If a man takes land out of production, no matter whether he is farming 640 acres or 10,000 acres, he still has to take some land out of production in order to get the subsidy payments. In the case of a wheat allotment, for example, which, again, is not the way I have ever thought it should be—I have always thought if there is any subsidy, it should be on a unit basis such as a bushel, rather than acres; they have taken the unit measurement, reduced it to production, and then converted it to acres—the farmer still has to take acreage out of production. That is the point that should be made, because the inference can be read into the statement that it is not done that way. I hope the Senator understands.

Mr. GOODELL. I understand.

Mr. COOK. Mr. President, will the Senator yield?

Mr. GOODELL. I yield.

Mr. COOK. With regard to the remarks I made earlier on the motion of the Senator from Delaware, my main objection was that we were voting on a limitation without consideration of the repeal of the snapback provision. I merely would like to say I shall be delighted to support the Senator from New York in voting to suspend the rules in regard to the amendment that he has presently before the Senate.

Mr. GOODELL. I thank the Senator.

Mr. HOLLAND. Mr. President, after a few remarks, I shall raise a point of order.

I want to call to the attention of Senators that the proposed amendment amounts to general legislation on an annual appropriation bill in three different fields.

The first is in regard to feed grains and wheat, which are conveniently incorporated in paragraph 2 of the proposed amendment, which reads:

> If the foregoing payment limitation reduces the payments which otherwise would be made to a producer of feed grains . . . and wheat on any farm, the minimum acreage diversion requirements for such commodity on the farm or farms shall be reduced by the same percentage as the payment to the producer of such commodity on the farm are reduced by the limitation.

In other words, here is a provision which, if it went into effect as to the so-called voluntary programs—which are not too voluntary, because they have both a carrot and a stick—would immediately encourage or require the return to production of substantial acreage of both wheat and feed grains; and there is no way to avoid that interpretation. This is obviously general legislation.

Paragraph (3) of the amendment reads:

> If the foregoing payment limitation reduces by 20 percent or more the payments which otherwise would be made to a producer of either upland or extra long staple cotton on any farm, such producer, without affecting his status as a cooperator and without being subject to marketing quota penalties, may be permitted by the Secretary of Agriculture to exceed the applicable cotton acreage allotment for the farm by not more than 30 percent.

In other words, there would immediately return into production 30 percent more acreage of cotton, if that provision went into effect.

The fourth paragraph of the amendment reads:

> The Secretary may not permit—

And Mr. President I certainly do not know by what authority—

> the owner and operator of any farm, for which the foregoing cotton payment limitation reduces the payment that otherwise would be made, to sell or lease all or any part of the right to all or any part of such allotment, to any other owner or operator of a farm, unless he finds the lease or sale is not for the purpose of evading the foregoing payment limitation.

In other words, with respect to cotton, it is proposed to give to the Secretary authority to refuse the right to an owner of cotton producing acreage to sell or lease any part of his acreage for the production of cotton.

Paragraph (5) of the amendment reads:

> Acreage planted to the 1970 crop of cotton in excess of the acreage allotment for the farm established under section 344 of the Agricultural Adjustment Act of 1938, as amended, shall not be taken into account in establishing future State, county and farm acreage allotments and shall not be considered as part of any acreage allotment.

This paragraph acknowledges that they are going to have to produce more cotton, but it says it shall not be taken into account in giving him his future allotments.

Paragraph (6) is, of course, the one we have been talking about all during the earlier debate. That would repeal the snapback provision of the law, which would require, as I think all Senators now know, going back to the old law. Under that law, the price support for cotton would go from about 21 cents, as of now, to about 31 cents under the 65-percent price-support program, which is the lowest price-support program under the old law.

We all know that the snapback provision not only would prevent any saving, but would require that about $160 million more be paid out to the producers of cotton.

The seventh section simply gives the Secretary the right to provide any regulation necessary to enforce these new laws in the fields of wheat production, seed grain production, and cotton production.

Mr. President, I do not see how a fuller change of legislation could possibly be suggested in any proposed amendment to this bill. I therefore make the point of order now that this amendment proposes to add general legislation on an annual appropriation bill, and is therefore out of order.

The PRESIDING OFFICER (Mr. MATHIAS in the chair). The Chair sustains the point of order made by the Senator from Florida, on the ground that the amendment would constitute legislation on an appropriation bill.

Mr. HOLLAND. I thank the Chair.

Mr. GOODELL. Mr. President, pursuant to the notice I filed on July 1, I now move to suspend the rules and permit my amendment (No. 60) to be voted upon, and I ask for a rollcall vote.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New York to suspend the rules. On this question, the yeas and nays have been ordered.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HOLLAND. To sustain this motion would require a two-thirds vote of the Senate, would it not?

The PRESIDING OFFICER. The Senator is correct.

Mr. HOLLAND. I thank the Presiding Officer.

The PRESIDING OFFICER. The clerk will call the roll.

XUM

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Washington (Mr. MAGNUSON) and the Senator from Wisconsin (Mr. NELSON) are absent on official business.

I also announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Nevada (Mr. CANNON), the Senator from Alaska (Mr. GRAVEL), the Senator from Louisiana (Mr. LONG), and the Senator from Connecticut (Mr. RIBICOFF), are necessarily absent.

On this vote, the Senator from Connecticut (Mr. RIBICOFF) is paired with the Senator from Alaska (Mr. GRAVEL). If present and voting, the Senator from Connecticut would vote "yea" and the Senator from Alaska would vote "nay."

On this vote, the Senator from Wisconsin (Mr. NELSON) is paired with the Senator from Washington (Mr. MAGNUSON). If present and voting, the Senator from Wisconsin would vote "yea" and the Senator from Washington would vote "nay."

I further announce that, if present and voting, the Senator from Nevada (Mr. CANNON) would vote "nay."

Mr. SCOTT. I announce that the Senator from Michigan (Mr. GRIFFIN) is absent on official business.

The Senator from Vermont (Mr. PROUTY) is necessarily absent, and, if present and voting, would vote "nay."

The yeas and nays resulted—yeas 26, nays 65, as follows:

[No. 54 Leg.]

YEAS—26

Bayh
Boggs
Brooke
Case
Cook
Cooper
Goodell
Gore
Hart
Hartke
Hatfield
Javits
Kennedy
Mathias
Miller
Packwood
Pastore
Pell
Percy
Proxmire
Saxbe
Schweiker
Scott
Williams, N.J.
Williams, Del.
Young, Ohio

NAYS—65

Aiken
Allen
Allott
Baker
Bellmon
Bennett
Bible
Burdick
Byrd, Va.
Byrd, W. Va.
Church
Cotton
Cranston
Curtis
Dirksen
Dodd
Dole
Dominick
Eagleton
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Goldwater
Gurney
Hansen
Harris
Holland
Hollings
Hruska
Hughes
Inouye
Jackson
Jordan, N.C.
Jordan, Idaho
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Mundt
Murphy
Muskie
Pearson
Randolph
Russell
Smith
Sparkman
Spong
Stennis
Stevens
Symington
Talmadge
Thurmond
Tower
Tydings
Yarborough
Young, N. Dak.

NOT VOTING—9

Anderson
Cannon
Gravel
Griffin
Long
Magnuson
Nelson
Prouty
Ribicoff

The PRESIDING OFFICER. Fewer than two-thirds of the Senators present and voting having voted in the affirmative, the motion is rejected.

The bill is open to further amendment.

Mr. HOLLAND. Mr. President, I move that we reconsider the vote by which the motion was defeated.

Mr. HRUSKA. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the third reading of the bill.

Mr. MILLER. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. The Senator from Iowa (Mr. MILLER) proposes an amendment:

On page 20, line 16, after the word "location" add a semicolon and the word "resources".

Mr. MILLER. Mr. President, this is a very simple amendment. It merely adds the word "resources" to the factors to be taken into account in connection with the low-income families.

On page 20 of the bill, line 16, are certain factors that are to be taken into consideration in determining what are low-income families. These factors include location and in the case of a minor, income of parents. My amendment would merely add the word "resources," so that that part of line 16 would read "location, resources, and income."

The reason for the amendment is simply that income by itself may cause the Secretary to make a determination, in the case of someone who may not, in a particular year, have very much income but may have a great amount of personal resources and property, or who may have a large sum of money in the bank or may have a large inventory of grain or other agricultural products. I believe this factor ought to be taken into account.

I have discussed the amendment informally with the Senator from Florida (Mr. HOLLAND), the manager of the bill, and I hope he will agree to take the amendment to conference.

Mr. HOLLAND. Provided my distinguished friend from Nebraska, the ranking minority member of the subcommittee, has no unwillingness to take it to conference, I am willing to take the amendment.

I am perfectly aware that resources sometimes can make the difference between poverty and affluence. Sometimes it will not. I think we ought to emphasize the fact that it is poverty and an inability to take care of oneself that is the real issue. A person can own a home and still be without income or resources.

With that explanation, I am willing to take the amendment of the Senator from Iowa.

Mr. HRUSKA. I would have no objection to the amendment and am willing to accept it on the basis that the chairman of the subcommittee has outlined.

Mr. MILLER. I thank the Senator from Nebraska.

Mr. HOLLAND. Mr. President, the committee will accept the amendment.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum. I do so for this reason. This is a totally new matter, and I would like to have a few minutes to discuss it and understand its purpose.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, on the passage of the bill, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DIRKSEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I have no desire to raise a capricious question, but with respect to this amendment, it seems on its face to be innocuous. It does puzzle me, and I would like to hear the answer of the author of the amendment and the answers of the people who will manage the measure in conference, the Senator from Florida (Mr. HOLLAND), and the Senator from Nebraska (Mr. HRUSKA), with respect to this matter, as I read it, and interpret its meaning.

If the Senators will address themselves to the language on page 20, lines 6 through 17, inclusive, they will find that this language deals with certain moneys which are authorized, not for individuals, but for an area in which individuals live. In other words, it is money for an area, in which individuals live, which includes "needy children and low income persons whom the Secretary determines to be suffering, through no fault of their own, from general and continued hunger resulting from insufficient food."

The Secretary can dip into this $100 million which is provided for at the top of that page for additional direct distribution or other programs in such area, whether or not it is under the food stamp program or direct food distribution. So he is determining whether that area deserves an additional distribution program. This is strictly a relief-of-hunger proposition.

Then, in reading further, he is to decide that in that area—I would assume although it does not say so—there are enough needy children and low-income persons who, through no fault of their own, suffer from general and continued hunger resulting from insufficient food, and whether he should put in a program directly, moving over the heads of local and city officials, and so forth. Then, in making such determination, whether he is in that kind of area, he is determining the nature of the area as to certain conditions with respect to needy children and low-income people in that area; and in making that determination he must decide questions such as the age, income, location and income of parents, if a minor. That is rather indefinite language but I assume he must look at the income of the parents as well in order to determine if this is a suitable area for him to go into.

The Senator from Iowa would add "resources" to the income of the parents. By that addition I am sure he means furniture, fixtures, money in the bank, and so forth. I would assume that if they have a few iron bedsteads that would not disqualify the area. However, that is not what concerns me. I am worried about this situation. If it is an area determination how can the Secretary arrive at the resources? He can determine age, income, and location figures. Income would include the income of the parents because that is a census figure. However, with respect to a figure for resources, I do not know where that would exist.

By including "resources" will we strip the Secretary from making any determination to put in an additional program because we are giving him a standard he could not possibly meet?

I am not raising this question because I am trying to defeat the Senator's amendment, but I would like to know what the Senator has in mind and how to meet the questions I raised.

Mr. MILLER. Mr. President, responding to the questions raised by the Senator from New York, I think it is fortunate that he is troubled by this language because now that he has raised the matter we can make legislative history on the floor of the Senate.

As I understand the language it would not require any area determination at all. It would require merely a determination by the Secretary as to whether there are any of these needy children and low-income persons. If he determines that there are, then he has the authority for this additional direct distribution and for other programs which the bill provides for. I do not see anything here that would require any area determination on his part.

I suggest the way the language reads to me is that if he finds one person who is needy in any area that is not covered by a food distribution program or a food stamp program, then he has the authority to see that that one needy person can be helped. The word "resources" describes the condition of the parents if there is a minor needy child.

All we are trying to do by this amendment is to make clear that we are not going to have abuses of the program which have caused such a great amount of agitation in some areas. The Senator from North Dakota pointed out during the course of the food stamp hearings that there are some cases where farmers may have no income during the course of a year but have considerable farmland, a large livestock inventory, and crops.

If these people are entitled to some individual assistance it should go to genuine needy families. It is a matter of some concern on the part of the people paying the bill. That is all the amendment is designed to do, Mr. President, and I suggest to my colleague from New York that there is no area of determination involved; although I am happy now to yield to the Senator from Nebraska (Mr. HRUSKA) or to the Senator from Florida (Mr. HOLLAND), who are on the committee and have considered the whole language in the bill and can explain it further.

Mr. HRUSKA. Mr. President, I do not believe that the construction contended for by the Senator from New York applied at all. The word "determinations" applies in the next preceding reference to determination. If, however, there would be any doubt about it, may I suggest to the Senator from Iowa that there be inserted after the word "determinations" in line 15 these few words, which will nail it down:

> As to such children and such persons—

So that the sentence will read:

> In making such determinations as to such children and such persons, the Secretary shall take into consideration * * *

Then we have no question about it, and instead of legislative history we have legislative language.

Mr. JAVITS. Does the Senator from Iowa accept that?

Mr. MILLER. I think that clarifies what we are talking about beyond question and I hope that if this would satisfy the Senator from New York, I would be more than happy to modify my amendment. I ask the Senator from New York, does that satisfy him?

Mr. JAVITS. When the Senator says, does it satisfy me, I am not satisfied at all with the need for evaluating resources in a welfare situation, but I believe that if we have income anyhow, and we do confine it to the individual and make it a test of whether a single individual shall have the benefit of the program that the Secretary of Agriculture puts into an area, I have no objection.

Therefore, if the Senator will modify his amendment, I have nothing further to say against it.

Mr. MILLER. Mr. President, I ask unanimous consent that my amendment may be modified as suggested by the Senator from Nebraska.

Mr. HOLLAND. Mr. President, I certainly have no objection to the amendment as modified, but I want to repeat what I said a while ago, that I do not believe resources can always be a test, because I know of cases of very poor people who have a home to live in, a roof over their heads, but who, nevertheless, are completely without any viable means of existence.

The PRESIDING OFFICER. The clerk will state the amendment as modified.

The legislative clerk read as follows:

> On page 20, line 16, insert after the word "location" the following: "; resources".
>
> On line 15, after "determinations" insert "as to such children and such persons".

Mr. HOLLAND. Mr. President, with that understanding, I am very glad to accept the amendment.

Mr. MILLER. Mr. President, I thank my colleague from Florida. Let me say that I am sure the Department of Agriculture will interpret such a term reasonably. I think it would be most unfortunate, if it did otherwise. I cannot conceive of an interpretation in such a strict manner. Thus, I do not think the Senator from Florida would have to worry about how the Department will administer this one provision.

Mr. HOLLAND. I am not worried about it because we have put it in the legislative history that we are not expecting people who are really poor and without means of sustenance to be deprived simply because they have shelter over their heads.

Mr. BAKER. Mr. President, will the Senator from Iowa yield for a question on the amendment?

Mr. MILLER. I yield.

Mr. BAKER. Mr. President, I have tried to follow the debate as it has related to the amendment proposed by the Senator from Iowa and the modification that was made to it.

May I make sure I understand that by inserting the word "resources" we are really talking about a test of assets for eligibility?

Mr. HOLLAND. That is the understanding of the Senator from Florida plus the additional fact that if the word "resources" consists of mere shelter, or a mere place to be sheltered from the weather, but without really any means of living or any means of acquiring food in the house, and so forth, the possession of that mere resource would not be considered as disqualifying.

Mr. BAKER. We have had a situation in my State of Tennessee that is somewhat similar, I am afraid, to the dilemma we are heading for by including the word "resources." That is the rather sad situation of finding, as an example, an elderly couple who own their own home and its furnishings but that is the only resource and assets they have. They have no income, but they would be deprived of any aid, because of a change in our statute, because they owned a home unencumbered and they refused to sell it. But even if they did, they would be out on the street in 3 or 4 years, or however long it might take to dissipate the funds derived from the sale of their house. I do not think that the legislative history we have made today is sufficient to assure me that mere shelter is all we are referring to.

When we say "resources," resources mean generally the assets of the recipient. I intend to oppose this amendment and do so not because I think it is bad, but rather because I think in the present state of affairs it is so imprecise that we cannot tell what the consequences of it will be.

Mr. MILLER. Perhaps the Senator did not hear the explanation of the amendment, but I pointed out as an example of what we are trying to get at here a situation where there could be a great amount of farmland owned by a parent, or a large amount of livestock inventory on hand, or a large amount of crops in the bins which have not been sold, or a considerable amount of money in the bank. That is all I am suggesting we are trying to get at here; and certainly I think, as the Senator from Florida pointed out, we are not trying to get into the situation that the Senator from Tennessee describes.

We have to leave it up to the administration, to the sound and reasonable discretion on the part of the Department of Agriculture. I cannot imagine any administrator worthy of his name reducing the meaning of this amendment to exclude a person such as the Senator from Tennessee has described. I would certainly think they would read the remarks in the CONGRESSIONAL RECORD during discussion of this amendment and understand, loud and clear that they are not to get into that kind of area.

Mr. BAKER. Mr. President, I said earlier—and, by the way, I have listened to the explanation given by the Senator from Iowa—that I proposed to vote against this amendment because of its imprecision. If we can put some other specific directive into the amendment to eliminate that imprecision, I might see it in a different light, but it does not do that. It simply says "if there are resources," then the Secretary and the administrator at their discretion could deny the benefits of this act. If some perfecting amendment could be drafted to that effect, I would have no objection, but, Mr. President, I, for one, am not willing to leave that imprecision to the executive branch at this time.

Mr. HRUSKA. Mr. President, there is no limitation. The Secretary is enjoined to take into consideration the income of those persons. It does not say whether it is an income of $50,000, nor does it say whether it is $500. We are assuming that the administrator of the program is a man of good faith and intelligence, will decide if it is income, and if it is too small to make an impact, then there will be no denial of the benefits. If it is large enough to encompass a situation where we have to spell all these things out, let us enlarge the lines in the bill and put in some regulations in the form of law to be used, and adopt them administratively.

Mr. BAKER. I am not speaking of income. I am speaking of the proposed inclusion of the words "assets and resources." Then, after we have defined that, I think I could withdraw my objection, but as it stands now, there is absolutely no question that there is total discretion on the part of the administrator. We are leaving too much unsaid. It should be changed, or the amendment should be defeated.

Mr. PASTORE. Mr. President, I think we are becoming involved in a web of words that mean nothing. If it is within the discretion of the Secretary of Agriculture to feed people—who are suffering through no fault of their own—who are suffering from continued hunger, then why do we need a proviso at all? Why do we have to find out what the age is? Why do we have to determine if they are minors? If they are suffering from prolonged hunger, through no fault of their own, and the Secretary of Agriculture feels, in his discretion, that an affluent society should feed them, why do we have to have all these provisos?

Mr. BAKER. Let me say to the Senator from Rhode Island, that is precisely my point. I do not want to see the opportunity to feed hungry people abrogated or prohibited merely because they have some resources.

I think the committee version of this matter is far superior to what it would be with the amendment.

Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. HOLLAND. Mr. President, I think, as a member of the committee, I ought to share with the Senate some information which I happen to have. The conference considered this last year, at great length, and the words which are presently in the bill were proposed by the distinguished chairman of the House conferees, Mr. WHITTEN, of Mississippi. We found no particular fault with them. We saw no particular use in them, but we agreed with them. They have not imposed any hardship on anybody that I have heard of. I do not believe the addition of the word "resources," with the explanation we have had on the floor, would itself produce any additional difficulty.

So far as the Senator from Florida is concerned, he is not sold upon the proviso at all in any irredeemable way, and if the Senate wishes to strike the entire proviso, we would still have it in conference. But as I stated, that is the origin of this proviso, which was agreed to after considerable argument in conference, extending several hours. All of you who have been in conference on a feeding item for poor people know it is not a simple matter to reach an agreement.

I hope we will not strike the formula, because it was agreed upon and has not proved to be hurtful in any way that I know of. Nobody has complained to me about that formula, and I do not believe anybody would complain of it, even with the word "resources" added, with the explanation that has been made on the floor; but as to that, the Senate will have to be the judge.

I just wanted to share this information with the Senate, because in submitting the budget this year, the Bureau of the Budget included the exact formula agreed upon in conference last year, and which was advanced, as the Senator from Nebraska will recall, by the distinguished Congressman from Mississippi who is the chairman of the House Appropriations Subcommittee for Agriculture.

Mr. BAKER. Mr. President, will the Senator yield so I may make a parliamentary inquiry?

Mr. HOLLAND. I yield.

The PRESIDING OFFICER. Does the Senator from Tennessee insist on his request for the yeas and nays?

Mr. BAKER. I ask for the yeas and nays on the Miller amendment.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. PASTORE. Mr. President——

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Rhode Island will state his parliamentary inquiry.

Mr. PASTORE. Is the pending amendment open to further amendment?

The PRESIDING OFFICER. It is open to amendment in one degree.

Mr. PASTORE. Mr. President, I send to the desk a further amendment.

The PRESIDING OFFICER. The clerk will state the amendment to the amendment.

Mr. PASTORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. STENNIS. Mr. President, will the Senator withhold his request? I have a few words, if the Senator from Montana is present.

Mr. PASTORE. Mr. President, I withhold my request.

The PRESIDING OFFICER. Does the Senator from Rhode Island yield?

Mr. PASTORE. I yield.

The PRESIDING OFFICER. The Senator from Rhode Island makes a unanimous-consent request to suspend the suggestion of the absence of a quorum. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, as I understood it, the Senator from Rhode Island wanted a little time.

I thought the Senator from Montana was on the floor. He has been waiting here to make an announcement about the probable calendar for tomorrow. I would not attempt, of course, to speak for him. If other Senators wish the floor, I shall yield to them.

Mr. CRANSTON. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. CRANSTON. Mr. President, I would like to speak in the same vein as the Senator from Rhode Island and the Senator from Tennessee with respect to the Miller amendment to add the word "resources." We have a situation in rural poverty areas in California, which I suspect prevails in other States, although I do not know that, where owners of homes that are ramshackle and do not meet the building codes transfer the ownership of those homes to impoverished people, with no downpayments, get out from under the obligation of either having to tear them down or repair them, and during the time the ownership is transferred, briefly, elsewhere, they escape that liability. This presents the actually impoverished person with property that may be determined to be of some value and affects his eligibility under this provision. During the time he is working on a farm there, or in a community, he loses title and it goes back to the former owner; but that situation has not been taken into account in the suggested amendment and, to me, is an adequate reason to reject the word "resources" as a test of qualification here.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Iowa.

Mr. MILLER. I must reply to the Senator from California and repeat what I said to the Senator from Tennessee just a few moments ago. I cannot imagine any administrator worthy of the name interpreting this language so restrictively. I think we have made plenty of history on the floor of the Senate so that anybody who looks at the CONGRESSIONAL RECORD would not dream of interpreting it so that he would be going contrary to the intention of the author of the amendment or the manager of the bill. I think it ought to be made very clear that that interpretation could not be made in any such situation.

Mr. BAKER. In reply, Mr. President, I cannot visualize it, either, except I saw it happen to one extent or another in my home State of Tennessee. I saw the pitifully sad situation in which elderly people were declared to be ineligible for benefits because they owned homes. A home was their only resource. The wel-

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fare people frankly told them, "Sell your home or you will not receive benefits." I am afraid that the word "resources" in that language would give rise to the possibility of misinterpretation. If it is to be in that language, we might have a different situation if the words were "resources in excess of X" or "resources in addition to homestead."

Mr. MILLER. Mr. President, will the Senator yield?

Mr. BAKER. I am willing to yield the floor.

Mr. MILLER. I am not sure who denied the relief under the conditions the Senator from Tennessee has described, but I would interpret it to be a matter for local welfare authorities rather than the Department of Agriculture. I think all of us come from States where in some cases some local welfare officials may have been unduly arbitrary or restrictive. We are talking about the Agriculture Department now, not some local agencies where personalities may be involved.

As the Senator from Nebraska pointed out, the same argument the Senator from Tennessee is making could be applied with reference to the standard of income. Let us be fair—if we are concerned about lack of information on resources, why are we not concerned about standards of income? The same standards would apply, except I think the Department is going to be reasonable and not go off the deep end that the Senator from Tennessee described, especially in view of what has been said on the floor of the Senate.

Mr. PASTORE. Mr. President, do I correctly understand that whether or not this amendment carries, I can then move for my amendment to delete the whole proviso clause?

The PRESIDING OFFICER. The Senator is correct.

Mr. PASTORE. I shall do that in due time.

Mr. JAVITS. Mr. President, may I have the attention of the Senator from Rhode Island?

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. JAVITS. I hope that the Senator will not let it go at that now, because we are very much in the argument, there is good attendance, and I hope very much that he will elucidate his point. I think it extremely valid and well taken.

I had not intended to say anything further about the matter, but with a new amendment coming up, I think it is vital that we understand exactly what this paragraph means.

As I understood it, it would allow the Secretary of Agriculture to put a program into an area. When I objected to the amendment of the Senator from Iowa, it seemed to me that, if the qualification for putting this program into an area was to be an appraisal by the Secretary of resources of certain children or their parents, there was no way to obtain such information, and therefore no means by which the Secretary could make the determination.

As a practical matter, all the proviso really does is to provide an opportunity, either to the Secretary of Agriculture or to municipal officials or other local authorities, if the Secretary chooses to delegate that authority to them, perhaps to deny the benefits of a direct distribution program which he puts into effect, based upon a determination as to a general situation in that area, to certain individuals because they do not qualify under this proviso.

Otherwise, it has no meaning at all.

I believe it is completely impracticable for the Secretary of Agriculture to deal with this matter from Washington on an individual child or individual family basis. I do not think the Miller amendment, as clarified, applies in personam, or is particularly meaningful or adds anything special by way of a solution.

But I heartily agree with the Senator from Rhode Island that this evaluation really has no place where you give the Secretary of Agriculture the power to move into an area, which is the only power he could practically carry out. Therefore, the right way to pursue this issue and present it to the Senate is by striking the whole proviso.

Mr. STENNIS. Mr. President, I yield the floor.

Mr. PASTORE. Mr. President, may I have the attention of the Senator from New York? Is he suggesting now that he disagrees with the removal of the proviso clause?

Mr. JAVITS. No, I am suggesting that I agree with it.

Mr. PASTORE. The point I make is very simple. We all agree here that the Secretary of Agriculture, in this critical time, is being given certain discretionary power to step in, in certain situations, where they do not have these programs already organized, to make sure that no American goes hungry through no fault of his own. That is how I understand the matter.

I do not think any determination as to age is needed. What difference does it make whether you are 2 years old or 80 years old, if you are suffering continued hunger through no fault of your own, and cannot help yourself? What is wrong with this affluent society feeding such an individual?

That is all this is intended to do. So it does not make any difference. Naturally, if you are well off and have resources and money in the bank, then, of course, if you are hungry it is through a fault of your own.

This says specifically "through no fault of your own." That is the criterion, and that is the only criterion.

All I am saying is that it is nonsense here to attempt to establish a formula which to me means nothing at all, and naturally subjects the Secretary to a determination that he may never be able to make.

When a person is hungry through no fault of his own, whether he is young, old, middle-aged, or whatever the case may be, that person ought to be fed, and the Secretary has the discretion to do it. As practically every Senator here has said, we hope we have a Secretary who knows what he is doing. The whole issue is about that simple.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I understand that the Senator from Iowa is willing to accept my amendment as a substitute for his amendment. Is that correct?

Mr. MILLER. Mr. President, I could not more thoroughly agree with what the Senator from Rhode Island has said; and if he wishes to amend my amendments so that it will take care of the point he is making, I shall be more than happy to accept that.

Mr. PASTORE. All the Senator from Iowa has to do is withdraw his amendment, and I will put mine in.

The PRESIDING OFFICER. The Chair advises the Senator from Iowa that he would have to ask unanimous consent to withdraw his amendment, and then, at that time, the Senator from Rhode Island could press for his.

Mr. MILLER. Mr. President, I ask unanimous consent to withdraw my amendment, that the order for the yeas and nays be rescinded, and that the Senate proceed to the consideration of the amendment of the Senator from Rhode Island.

The PRESIDING OFFICER. Without objection, the order for the yeas and nays is rescinded and the amendment of the Senator from Iowa is withdrawn.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Will the Senator from Rhode Island send his amendment to the desk?

Mr. PASTORE. I did not take it back, Mr. President. I left it at the desk.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. The Senator from Rhode Island (Mr. PASTORE) proposes an amendment as follows:

On page 20 line 14 strike the proviso cown to and including the word "employability" in line 17.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Rhode Island.

The amendment was agreed to.

Mr. JAVITS. I move to reconsider the vote by which the amendment was agreed to.

Mr. HOLLAND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. HART. Mr. President, in behalf of myself and the Senator from Wisconsin (Mr. NELSON) I send to the desk an amendment, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative clerk proceeded to read the amendment.

Mr. HART. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HART's amendment is as follows:

On page 5, line 10, change the semicolon to a colon and add the following: "*provided further*, That no appropriation contained in this Act shall be used for the purchase or application of chemical pesticides, except for small quantities for testing purposes, within or substantially affecting States in circumstances in which the purchase or application of such pesticides would be prohibited by State law or regulation, for any citizen or instrumentality of State or local government;".

Mr. HART. Mr. President, first of all, I apologize to the Senate, and most particularly to the Senator from Florida (Mr. HOLLAND), for raising this proposed amendment so late. I hope that I can, nonetheless, persuade the Senate that it is sound and prudent to add it to the bill.

There is contained in this bill an authorization for the Department of Agriculture to purchase certain chemical pesticides to be used in pest control. Very late in the day, we are awakening to the fact that there are some very damaging side effects, particularly in the cumulative results, from the use of certain of these hard pesticides.

At least one State, Michigan, and I am advised a second State, Arizona, have sought by regulation to prohibit the use of certain pesticides. My amendment would make clear that no moneys authorized to be appropriated hereunder shall be used for the application of pesticides in any State which by regulation or law would prevent the use of such pesticide within its borders by any citizen or instrumentality of that State.

My first reaction, when the matter was brought to my attention, was that surely the Federal Government is not going to use a pesticide in Michigan or anywhere else if State regulation or law should prevent its use there.

On further study, however, I find that while the probability is great that no Secretary would use such a pesticide, the possibility of his doing so nonetheless remains.

There are two general types of pest control programs which the Department engages in within various States. The first is one where there is very little likelihood that any of these moneys would be used in derogation of a State's wishes. These are the cooperative programs to control specific types of pests within the State. In these cases, the determination of which pesticides should be used is normally arrived at by consensus.

It may well be, however, that as more and more States come to regard the use of pesticides as being a threat, even in these cooperative programs a true consensus will be difficult to achieve.

The greater hazard, however, attaches to the second type of program conducted by the Agriculture Department. These are the programs in which protection of Federal lands, particularly national forests, is involved. Again, I am told that the Department normally consults with the State authorities before launching a pest control program on Federal lands located within a particular State. However, the State has no veto over the type of chemical which the Department ultimately decides to use.

Except where the Federal Government has prohibited certain uses of a pesticide, I think the State should be the ultimate arbiter of the type of chemical compounds which are actually applied within its borders for the purposes of pest control, for the State authorities are most attuned to their specific environmental problems. This is the purpose of the amendment.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled, "Obituary for DDT—in Michigan," written by Hal Higdon, and published in the New York Times magazine section of July 6, 1969, and an article entitled, "AF to Ban Pesticide Dieldrin," published in the Washington Post of July 4, 1969.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times Magazine,
July 6, 1969]

OBITUARY FOR DDT—IN MICHIGAN

(By Hal Higdon)

Died. DDT, age 95, a persistent pesticide and onetime humanitarian. Considered to be one of World War II's greatest heroes, DDT saw its reputation fade after it was charged with murder by author Rachel Carson. Death came on June 27 in Michigan after a lingering illness. Survived by dieldrin, aldrin, endrin, chlordane, heptachlor, lindane and toxaphene. Please omit flowers.

LANSING, MICH.—In early spring, 1968, the coho salmon began their gradual migration up the eastern shore of Lake Michigan, feeding as they went, growing as they fed. Along with them came the army of sport fishermen, casting from piers and trolling from boats, pulling the fighting silver fish out of the water by the thousands. Yet thousands still survived until September, when the coho reached the mouths of the Manistee and Platte Rivers and Bear Creek in the north and started upstream to spawn.

Awaiting them was Marvin Blackport of Grand Rapids, Mich. Earlier in the year his Blackport Packing Company had outbid 25 others for the right to harvest salmon from the spawning streams. As the coho moved upstream state fishery workers trapped them in weirs. They stripped some of the fish of their eggs for use in nearby hatcheries; then as fast as the fish were caught they were trucked to Grand Rapids for dressing, canning or storage in a freezer. The operation continued well into December, when two million pounds of fish (for which the state would be paid 15.6 cents a pound) had been pulled from the rivers.

The first hint of trouble came in February, when the Michigan Department of Agriculture examined some cans of salmon and discovered a relatively high level of dieldrin, like DDT a member of the chlorinated hydrocarbon family of chemicals. (It is more toxic than DDT, but because it is much less frequently used poses a less serious threat.) Then the U.S. Food and Drug Administration examined several interstate shipments of coho salmon, found high levels of DDT and seized 28,000 pounds of fish. Eventually the state agriculture department embargoed 500,000 pounds of salmon that had been canned or was awaiting processing. Marvin Blackport, who had contracted for the fish with one government department only to see them confiscated by another, had cause to feel perturbed. If he was upset, he wouldn't admit it: "I'm not planning any lawsuits. There's DDT in everything we eat. Nobody's ever died of it. We're going to wait this thing out. In fact, I'm going fishing tomorrow and I plan to eat anything I catch."

While Blackport was probably correct in saying that nobody had died from an excess of DDT in food, the pesticide itself was in the throes of a fatal illness, partly because of the controversy arising from its discovery in the coho salmon. At no time since the publication in 1962 of the late Rachel Carson's best-selling book "Silent Spring" had DDT, the miracle chemical of World War II, faced such a concentrated attack. Sweden declared a two-year moratorium on its use (including a complete ban on home use of DDT and all uses of aldrin, lindane and dieldrin, its close relatives). After another DDT relative, endosulfan, was blamed for the deaths of millions of fish in the Rhine River late last month, French conservationists demanded that pollution by chlorinated hydrocarbons be ended. The pesticide boards of Maine and Massachusetts have banned DDT as a weapon to control Dutch elm disease. Arizona has halted agricultural use of the chemical for a year to prevent contamination of dairy products. In Wisconsin, DDT is on trial before the state Department of Natural Resources, charged with being a water pollutant. The California Agriculture Director has issued an order that will ultimately prohibit the use of DDT in households and home gardens and restrict its use on farms. At least a half dozen states have anti-DDT legislation pending; Senator Philip A. Hart of Michigan has begun subcommittee hearings in Washington on DDT (he plans further sessions in his home state this week); Senator Gaylord Nelson of Wisconsin has introduced a bill that would restrict the pesticide, and the National Audubon Society has announced a campaign to ban its use in the United States.

Parke Brinkley, president of the National Agricultural Chemical Association, says the DDT market in the United States has dropped by a third. In 1968 the five American manufacturers of DDT produced more than 125 million pounds of the pesticide, valued at more than $20-million,[1] but 90 million pounds went to overseas markets.

To protect this profitable business, the five American DDT manufacturer (Montrose Chemical Corporation, Olin Mathieson Chemical Corporation, Allied Chemical Corporation, Diamond Shamrock Corporation and Lebanon Chemical Corporation) have organized a task force to defend their products against what they call "emotional" attacks. The DDT task force provided a number of witnesses at the hearings in Wisconsin. They testified that DDT does not harm humans and warned that its complete elimination would leave the state vulnerable to outbreaks of such diseases as encephalitis. In Michigan, meanwhile, the state Department of Agriculture moved to cancel licenses for the sale of the pesticide. Those interested in preserving DDT were given 60 days to present their case; the deadline was June 27.

DDT (dichloro-diphenyl-trichloroethane) was originally synthesized in a laboratory by Othmar Zeidlar, a German chemistry student working on a doctoral thesis, in 1874. It was a lesson in pure chemistry, he had no idea what this new compound would do. The chemical is one of a number of so-called chlorinated hydrocarbons, many of which have been used as insecticides. The insecticidal properties of DDT didn't become apparent until 1939. A Swiss chemist, Paul Mueller, while searching for a plant-contact insecticide—one that need not be ingested by the insect—discovered that DDT when it contacted an insect's nerve endings caused muscle spasms and, eventually, death. For his work, Mueller received the Nobel Prize in 1948.

In 1942, the U.S. Army began testing the insecticide, and when the tests proved successful DDT played a significant part in World War II, particularly in malaria-control programs in the South Pacific. Largely because of DDT, it was the first war in history in which fewer soldiers died of typhus than of bullet wounds.

DDT was used to reduce the incidence of 27 diseases, saving perhaps 10 million lives and eliminating an estimated 200 million illnesses in the human population. DDT was cheap. It was persistent; the chlorinated hydrocarbons are very stable compounds with half-lives as long as 15 years. This persistence contributed to DDT's low cost as well as its efficiency: a single spraying frequently produced lasting effects. It was the same charac-

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[1] DDT now sells for 17 cents a pound, compared with $1.19 a pound shortly after its discovery. A spokesman for the National Agricultural Chemical Association says the profit margin is relatively small because of competition and declining markets.

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teristic, however, that was to cause most of DDT's problems.

After its military baptism the pesticide became available for civilian use, and Michigan, with its large number of fruit farms, was one of the first states to utilize it. One early use was to control flies on Mackinac Island, at the juncture of Lakes Michigan and Huron.

The first hint that DDT might prove a mixed blessing came around 1949. Traces of the chemical began to appear in milk. DDT sprayed on crop-producing lands drifted onto neighboring alfalfa fields where cows grazed and the chemical was also used in dairy barns. Nobody then—or now—could prove that DDT harms humans, but reckless and excessive spraying seemed unwise. As early as May 16, 1950, the Michigan State University Agricultural Experiment Station recommended in a newsletter: "DDT should be used in moderation on crops, only in amounts sufficient to get the job done." Since most Michigan farmers plant their crops, spray for insects and probably even shave in tune with the Agriculture Experiment Station, this recommendation reduced DDT usage. "There was concern over DDT contamination 20 years ago," says Dr. Gordon Guyer, director of M.S.U.'s pesticide-research center. "We haven't changed our philosophy at all. Research on this problem has been going on constantly. We have attempted to phase out DDT wherever substitute materials become available."

But the blame for polluting the environment, and particularly the Great Lakes, cannot be hung entirely on farmers. DDT is virtually insoluble in water; it will move downstream only if it is clinging to something else—most often a soil particle. And farmers are careful about their soil; they ordinarily take pains to guard against erosion. Many cities in Michigan—and even conservationists—are partly responsible for pollution. DDT seemed the perfect means for eliminating pesky mosquitoes. Conservationists sprayed it in the state parks (many of which, in Michigan, are near water), homeowners sprayed it in their back yards and municipalities used it along streets, where it often found its way into sewers, then rivers and eventually the Great Lakes. Slowly, the DDT residues built up in the Lakes, and Gordon Guyer admits, "We are all involved."

In the nineteen-fifties Dutch elm disease threatened some of the lofty trees that lined the streets of many Midwest towns. In 1954, Michigan State University, which has a large number of elms on its East Lansing campus, began DDT spraying to kill elm bark beetles, which spread the disease. The beetles began dying, but so did large numbers of robins. Within a few years robins virtually disappeared from the campus. Soon zoologists discovered why. Leaves covered with DDT fell to the ground to become food matter for earthworms; the worms in turn were eaten by the robins. When the robins had eaten a sufficient number of earthworms their DDT levels rose to a point where they died of nerve poisoning.

Michigan State's experience is a demonstration of the phenomenon known as biological magnification. Although the DDT concentration in one area may be microscopically low, it can multiply through the food chain. Thus in the Green Bay area of Lake Michigan, the bottom muds contained 0.014 parts per million of DDT. Tiny amphipods living in the mud absorbed the chemical, concentrating it to 0.41 parts per million. Fish fed on the amphipods and, because of the volume of food they ate, soon had concentrations of 3 to 6 parts per million. Herring gulls ate large numbers of fish and their DDT level reached 99 parts per million. This won't kill the gulls (except under stress or starvation conditions), but it will impair their ability to reproduce, thus diminishing their numbers.

Several bird species along the Great Lakes, including the American eagle, are threatened with extinction because of DDT, which causes the liver to produce enzymes that attack the hormones governing calcium production. When the eagle's system produces less calcium, the egg shells become thinner and thinner, causing more frequent breakage and fewer baby eagles. (Sergei Postupalsky of the University of Wisconsin has reported having found an eagle egg without any shell on the shores of Lake Superior in northern Michigan. The embryo was enclosed only by a membrane, which had broken, allowing the contents to ooze through the bottom of the nest.) The osprey, peregrine falcon and mallard duck have problems similar to those of the eagle. And the Mink Ranchers' Association believes that DDT may be affecting mink reproduction.

Birds suffer the most because they cannot excrete liquids as rapidly as mammals can. When the DDT is not excreted it builds up in the birds' bodies. Humans, on the other hand, seem to eliminate DDT once it reaches a level of 10 or 12 parts per million. (Most Americans apparently have that level in their bodies.) Experiments in feeding prisoners massive DDT doses have uncovered no measurable dangers, and workers in DDT plants survive in apparent normal health. No human has died from DDT—yet. But there are hints that DDT may be more injurious to human health than current evidence indicates. Researchers at the University of Miami have discovered that people with several diseases, including leukemia, have high residues of pesticides. The National Cancer Institute has found a greater tendency for tumors in DDT-fed experimental mice. No reputable scientist will yet condemn DDT as poisonous to humans, but the pesticide has been in use less than three decades. Measurable effects could appear in two or three generations.

The publication of "Silent Spring" in 1962 brought to public attention the dangers of environmental poisoning by DDT. "You could see people standing around in the garden stores reading labels," says Paul Flink of the Michigan Department of Natural Resources. "They were aware there was a problem. That's the first step to cleaning things up: get people aware." According to Gordon Guyer of M.S.U., "Some of the things Rachel Carson said lacked perspective, but hers was an important book. It made people look at the issues." Robert Reinert of the Michigan Bureau of Commercial Fisheries adds: "Scientific progress and public pressure seem to go hand in hand."

Scientific progress appeared in the form of the gas chromatograph, which enabled scientists to measure minute levels of DDT in the environment. Some of the problems caused by DDT in the Great Lakes, for example, come from concentrations as low as two parts per *trillion*. One part per *million* is the contents of a single one-ounce shot glass in that of a small railroad tank car; one part per *trillion* is the contents of a single one-ounce shot glass in that of a million tank cars. Yet such concentrations, through the process of biological magnification, have far-reaching effects.

The mounting evidence of DDT's hazards led to an increased threat of regulation. In addition, many insects began to develop resistance to DDT. This prodded the chemical companies to find substitute pesticides. Many of the substitutes are organophosphates and carbamates, which also attack insect nervous systems but have shorter lives than the chlorinated hydrocarbons—often a matter of days or weeks instead of years. Because the substitutes are less persistent, they must be used more frequently than DDT and are therefore more expensive.

As other insecticides became available, the Michigan State University Agricultural Experiment Station gradually eliminated DDT from its recommendations for insect control. It suggested the other chlorinated hydrocarbons only in cases in which no adequate substitute was available. Between 1962 and 1967, DDT was dropped from half the recommendations for control of vegetable insects. Where it was still recommended, prescribed dosages were reduced. In 1967, M.S.U. suggested that methoxychlor, a chlorinated hydrocarbon but a much less persistent chemical, be substituted for DDT in Dutch elm disease control programs. At about the same time, the Environmental Defense Fund, a New York group, took 56 Michigan cities into Federal court in an effort to halt their use of DDT in fighting Dutch elm disease. Detroit rebelled at first but eventually capitulated. The following year, M.S.U. removed DDT from its mosquito-spray recommendations and the Michigan Department of Agriculture moved to guarantee that the recommendations would be followed.

Under Michigan law, the agriculture department can, upon the recommendation of the M.S.U. Agricultural Experiment Station, cancel the license under which a pesticide is sold in the state. The department can't prohibit the use of a pesticide, but the cancellation of its license has the same effect. When the department moved against DDT in April, those involved in its sale appealed to the state agriculture commission. The commission has agreed to only three minor exceptions to the ban: it said DDT powder could be used against bats or mice in buildings, against body lice or in "emergency" conditions (an encephalitis epidemic, for instance). The sale of DDT for all other uses was forbidden, and the order became final on June 27. Michigan conservationists expected, however, that the chemical companies would ultimately test the prohibition in the courts.

As DDT was taking its toll in Michigan and the other Great Lakes states, the area was suffering another—and totally unrelated—ecological disaster. Since the glacial era, sea lampreys—sucker-mouthed eels that feed on fish—had lived in Lake Ontario. Until the opening of Welland Canal in 1833, the lamprey and another ocean resident, the herring-like alewife, had been unable to bypass Niagara Falls and enter the upper Great Lakes. The lampreys didn't reach Lakes Huron and Michigan until the nineteen-thirties, but within a decade they and overfishing had virtually eliminated the lakes' large commercial and sport fish. In the process, the lampreys killed off the predators that would have controlled the alewives, which multiplied rapidly. When the alewives died (from the stresses of overpopulation, not from DDT, as some have suggested), their bodies washed up by the millions on beaches. The problem reached its peak in 1967.

Meanwhile, aquatic biologists at the University of Michigan discovered that they could control the lamprey by pouring the pesticide TFM (which is not related to DDT and does not, if properly used, harm other fish) into its spawning streams. With the lamprey threat eliminated, biologists sought to restock Lake Michigan with sport fish: coho salmon, Chinook salmon and lake trout. The quickly maturing coho salmon, released as fingerlings in the spring of 1966, found a ready source of food in the alewives, all part of the plan. By the following spring the coho had grown to a size of two to four pounds. When the ice broke in 1967 they were congregated, along with the alewives, in the warmer southern waters of Lake Michigan. Through the summer they moved gradually north toward their spawning streams. They grew rapidly, and that fall fishermen pulled in 15-pound and 20-pound fish. The word spread fast. By 1968 most of the fishermen in the Midwest had been transformed into coho maniacs.

The result was a bonanza for the Great Lakes states, particularly Michigan. Fishermen descended by the thousands on Michigan lake villages, buying bait, tackle and gasoline, renting boats and motel rooms. One survey by the Michigan Department of Natural Resources indicated that expenses for the average angler amounted to $19.50 a day. The department estimated that by 1972 the sport would bring close to $100-million into the state, largely because of the coho salmon. The coho would also control the alewife population, which would no longer wash up on the beaches.

But that optimistic prediction failed to take into account the factor of biological magnification. The coho fed on the alewives, which fed on the micro-organisms that lived in the mud that came from the house that DDT built. In the spring coho salmon contain relatively low concentrations of DDT—around 1 or 2 parts per million—but the fat cohos of the fall may have DDT levels as high as 20 parts per million. (The Food and Drug Administration had not then set up maximum allowable levels for DDT in salmon, but the established level for the fat of beef and pork was 7 parts per million.) And while large coho don't die of DDT poisoning, in early 1968 11 per cent of the salmon fry in Michigan hatcheries (or 700,000 young fish) *did* die at a time when the mortality was expected to be low. The "most probable cause": DDT. Of the three fish newly introduced to Lake Michigan, the coho had spawned first. Marine biologists theorized that the lake trout and Chinook salmon, which have longer lives, would eventually absorb sufficient quantities of DDT to prevent a natural reproduction cycle.

A few dead robins or eagle eggs without shells are one thing, but $100-million worth of tourist trade is another, and that's what seemed to be at stake when state and Federal officials seized the fish that Marvin Blackport harvested last September under contract with the state.

Seven months later, on April 20, when the Governors of Minnesota, Wisconsin, Illinois, Indiana and Michigan met in a motel near O'Hare International Airport outside Chicago, visions of cranberries danced in their heads—the cranberries that, having been sprayed with a cancer-inducing chemical, caused the bottom to drop out of the cranberry market for Thanksgiving, 1959. Each governor drank a glass of water reportedly drawn from Lake Michigan to prove he had no fear of high DDT levels. What the Governors did fear was a diminishing of the coho mania. They requested that the Food and Drug Administration not establish maximum levels for DDT in coho salmon until it had received "all available scientific information." They also asked the Secretary of Health, Education and Welfare, Robert H. Finch, to meet with them at the Republican Governors' Conference in Lexington, Ky., on May 1. Finch chose to ignore their request.

When the Governors met, they had no one to complain to but poor old Spiro Agnew. Harsh words were said to have filled the air at a closed meeting with the Vice President, Governor Harold LeVander of Minnesota pounded the table; Governor Richard Ogilvie of Illinois said he'd been made to look like an ass before his constituents. An aide to another Governor grumbled: "This is one of the first breakdowns between the states and the Nixon Administration." All the Governors could get was a commitment from Under Secretary John Veneman of the Department of Health, Education and Welfare that they would be consulted before permanent tolerance levels were set.

On May 23 the F.D.A. established 5 parts per million as a temporary "action" level; until a permanent level can be established, in about six months, no fish containing more than 5 parts per million of DDT can be transported across state lines. Should the temporary level become fixed, and should DDT levels in the lake remain constant, it could eliminate about 80 per cent of the commercial catch in Lake Michigan.

In February, three months before the Governors besieged the Vice President, the staff at M.S.U.'s Agricultural Experiment Station agreed that DDT should be eliminated from agricultural recommendations. Gordon Guyer expected to complete the phasing out of DDT gradually over a period of six months. As the station's publications were reprinted, DDT would simply disappear from the recommendations; and as Michigan farmers followed the recommendations, DDT would disappear. It had already disappeared as a Dutch elm disease control and mosquito spray. In time the compound might even decompose and disappear from the lake. Purity would reign. But when Guyer notified the Michigan Department of Agriculture of this plan, its director, Dale Ball, assumed the initiative; his department announced the cancellation of all DDT licenses. Except for the three minor exclusions agreed upon later, DDT is dead in Michigan.

According to Dr. C. T. Black of the Michigan Department of Natural Resources: "If we knew as much about DDT in 1945 as we know now, it probably would not have been registered by the U.S. Department of Agriculture. But it was the miracle chemical of the war. It was in use and people were not dropping dead. We had to learn slowly." Dan Reed of the Michigan Farm Bureau says farmers will not mourn the passing of DDT: "It was an important pesticide for a long time, but we now have other means of control." And Governor William G. Milliken says: "Certainly pesticides have been a boon, to civilization as well as a potential threat. Our problem is to understand that threat and to deal with it in a responsible way. There can be a danger of overreaction, but up to this time I think we have tended to underestimate the threat rather than overestimate it."

The concern of the five American manufacturers of DDT is not merely over a loss of business in one state. DDT sales in Michigan have been declining severely for the last few years. The question is whether the elimination of DDT in Michigan will have a domino effect. Wisconsin seems on the verge of declaring the pesticide a pollutant. The other Great Lakes states will almost have to follow their lead. This could ultimately mean a national ban on DDT for most uses, and other countries may have second thoughts about purchasing it. Moreover, if DDT falls, can the other chlorinated hydrocarbons be far behind?"

The other members of the group (among them are lindane, toxaphene, dieldrin, aldrin, chlordane, heptachlor and endrin) vary in toxicity and persistence. Dieldrin and endrin, for instance, are markedly more toxic than DDT and probably as persistent, while heptachlor and chlordane are both less toxic and less persistent. Even the worst offenders, however, present a lesser threat than DDT because they are specialized and more expensive compounds and are therefore much less widely used.

One example of the specialized pesticide is endosulfan, the chlorinated hydrocarbon detected in the Rhine after millions of dead fish floated to the surface. Unlike DDT, endosulfan breaks down quickly when it is applied properly. It is used by growers of fruit, vegetables and other specialty crops to combat aphids and peach tree borers, among other things. Dr. Black of the Michigan Department of Natural Resources calls it "a Dr. Jekyll and Mr. Hyde chemical." On the one hand, he says it is possible in some cases to market the produce a few days after endosulfan has been applied. But workers are advised to use protective clothing for 24 hours in a field where the pesticide has been used. "It's hazardous if it get out of hand," Black says, "and it's terrifically toxic to fish."

Outside the chlorinated hydrocarbon family, there are highly toxic pesticides—some of them more hazardous than DDT's relatives to the person using them—but, in Dr. Black's words, "they don't have this devilish persistence. They do their job and get out." Offensive pesticides are still used, Black says, where adequate substitutes have not been found. Termites and such soil insects as white grubs can at this stage be controlled only by persistent chemicals, according to the experts, and dieldrin and chlordane are the answers.

"I can see DDT out of the picture within a decade," says Black, "and we should be able to get most of the others reduced sharply by then. We're preparing to move on dieldrin shortly—we're gathering evidence to present to the responsible officials."

The critical factor, says another expert, is the availability of substitute compounds: "I'd rather die of DDT poisoning at 70 than of malaria or encephalitis—or even starvation, which is possible if you ban the effective pesticides—at 35. We can't ban chlordane until we find another way to control the white grub." Like everything else, Black explains, it becomes a question of economics: "The cost of developing and bringing out a substitute is now up in the millions of dollars. Only massive public pressure will drive the chemical industry to produce a new pesticide, and unfortunately industry is not yet convinced that it will come to that. Businessmen may feel that they can't afford to develop costly substitutes, but we feel that society can't afford the incalculable costs of the havoc produced in our environment by persistent pesticides."

Gordon Guyer believes that we will be using twice as many pesticides in 1975 as we are now, although generally they will be different groups. "We're not banning DDT," he emphasizes. "We're just putting it on the shelf. There may very well be situations down the road where we need it for specific pest-control problems. I feel we should avoid any legislation which would tend to categorically prohibit DDT."

Despite such reservations, if Rachel Carson is looking down from an unpolluted heaven, she is probably smiling.

[From the Washington (D.C.) Post, July 4, 1969]

Air Force To Ban Pesticide Dieldrin

The Air Force has agreed to suspend all further use of the pesticide dieldrin to control insects at major Air Force bases, pending further study, Senate Interior Committee Chairman Henry M. Jackson (D-Wash.) announced yesterday.

Jackson, who said dieldrin is "five to fifty times as toxic as DDT," asserted that an earlier recommendation by a regional office of the Department of Agriculture called for dieldrin applications at Kelly Air Force Base, Texas, in highly dangerous amounts.

"Previous applications of this chemical in substantially the same dosages recommended for use at Kelly AFB have been shown to have devastating effects upon fish, wildlife, poultry and livestock," said Jackson.

In another suspension action, the Agriculture has cautioned that insect strips like Shell's No-Pest Strip Insecticide should not be hung where infants or ill or aged people are confined.

Shell has been notified to include on all future strips a cautionary statement to this effect, and to stop distributing any already-manufactured strips that do not carry such a statement.

Mr. HOLLAND. Mr. President, I have consulted with the Senator from Nebraska and we are willing to take the amendment to conference except that we want an understanding of the words in the fourth line of the Senator's amendment, "or substantially affected."

If we understand the Senator wants this to apply to the use of these prohibited pesticides within States, that is all right. However, what does he mean by the words, "or substantially affected."

Mr. HART. Mr. President, that language is intended to respond to the problem—and let me localize it to Michigan—where if there were a national forest immediately adjoining the State of Michigan in Ohio, and there was no prohibition in Ohio against DDT, for example, and the application of DDT that close to our border would substantially affect the fish and wildlife in Michigan, then Michigan would be able to object to its use and persuade the Department to seek an alternative.

Mr. HOLLAND. Mr. President, I doubt if we could go that far in conference. However, I am willing to take the whole amendment to conference, having voiced my doubts about the words, "or substantially affected."

Mr. HART. Mr. President, I thank the Senator very much.

Mr. HRUSKA. Mr. President, I know the amendment comes at a late hour, but I do not object to its being accepted with the understanding that we might refine it further if necessary.

Mr. HART. I am very grateful.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MUNDT. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 34, line 15, strike out "$2,000,000" and insert "$3,000,000."

Mr. MUNDT. Mr. President, I have discussed the amendment with the distinguished chairman of the subcommittee and the ranking Republican member, both of whom have agreed to its merit and I think they are willing to accept it.

In the 1970 budget the administration recommended an appropriation of $3 million to enlarge the important new phase of the rural housing program, the so-called mutual self-help housing program for low income rural people.

The House reduced that amount to $1,250,000. In our committee it was increased to $2 million. My amendment brings the amount to the $3 million recommended by the budget.

I point out that this is a new program and that about 3,000 additional low-income families can be helped if we provide the $3 million.

In this housing, a lot of "sweat equity" is involved because farmers for low income land people not only take the assistance that is made available to them, but they also put into the housing a lot of their own effort, collectively and individually. I think that in terms of pride and dignity it is a very small investment in responsible citizenship. I heartily recommend that we increase the amount to the $3 million recommended by the budget.

Mr. HOLLAND.. Mr. President, the Senator from Nebraska and I are willing to accept the amendment and take it to conference.

I recently had a communication from the county agent of Collier County, Fla., in which Immokalee is located. The county agent tells me that the principal help in the way of housing for the migrant workers there in the last year has been from this particular program. He gave me the number of new homes created through this self-help machinery. Perhaps it has real meaning in places that are not big enough to have housing authorities.

I am glad to take the amendment to conference. I understand that my distinguished friend, the Senator from Nebraska, joins me.

Mr. HRUSKA. Mr. President, I am glad to join the distinguished Senator from Florida in accepting the amendment. I believe the matter should be given further consideration.

Mr. MUNDT. I thank the Senators.

The PRESIDING OFFICER. The Chair advises the Senator that the amendment would not be in order at this time.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the former action of the Senate in agreeing to the committee amendment be reconsidered so that the Mundt amendment may be considered at this time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is now on agreeing to the amendment of the Senator from South Dakota to the committee amendment.

The amendment was agreed to.

The committee amendment, as amended, was agreed to.

TEXAS LEGISLATURE ASKS $220 MILLION FOR AGRICULTURAL CONSERVATION PROGRAM

Mr. YARBOROUGH. Mr. President, the agricultural conservation program is one of the most worthwhile programs I know, and I have supported it fully from the time I first came to the Senate in 1957. It reaches over a million farms each year and results in the application of the greatest amount of conservation measures to the land at the lowest cost per acre of any similar program.

I pointed out on July 2 in my statement before the Senate on the agricultural appropriations bill for fiscal year 1970 that the $185 million recommended by the Senate Committee on Appropriations was too low and that at least $220 million should have been recommended. However, I also pointed out that the committee's recommendation was $185 million over the administration's request, but lower than the House allowance.

I have a duly authenticated copy of Senate Concurrent Resolution 116 from the State of Texas which was passed and properly certified by both the senate and the house of the Texas Legislature. This resolution shows the value of this program to Texas and the Nation. It also questions the wisdom of the attempted elimination of this program by the present administration and asks that the agricultural conservation program be reinstated at its former allocation level of $220 million for fiscal year 1970. I agree with this resolution from the Texas Legislature, and think the $220 million should have been allowed for the agricultural conservation program.

Mr. President, I ask unanimous consent that Senate Concurrent Resolution 116 as passed and certified by the Texas Legislature be printed in its entirety along with the names of its signers at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

SENATE CONCURRENT RESOLUTION 116

Whereas, President Nixon's 1970 fiscal year Budget proposes complete elimination of funds for the National Agricultural Conservation Program; and

Whereas, The Texas Legislature, through their appropriation and law making processes have always recognized the absolute necessity for state and national conservation programs; and

Whereas, The National ACP is the only conservation program available to all farms and ranches of the nation with its cost-share provisions designed to get widespread conservation participation from a maximum number of farmers and ranchers; and

Whereas, Spiraling population growth emphasizes the urgency for our land uses to be in accordance with the very best conservation measures; and

Whereas, This program more specifically affects approximately 300,000 Texas Farms and Ranches, consisting of approximately 150,000,000 acres of land; now, therefore, be it

Resolved, By the Senate of the 61st Legislature, the House of Representatives concurring, that the Agricultural Conservation Program of the United States be reinstated at its former allocation level of $220,000,000 for the year 1970, that funds for this program be updated annually to meet the increasing costs of carrying out conservation measures, and that emphasis be placed on the need for these funds to reach as many farmers as possible in order to assure that the conservation message is fully reflected to the entire nation; and be it further

Resolved, That copies of this Resolution be sent to the President of the United States, the Secretary of Agriculture, Members of the House and Senate Agricultural Committees and to the entire Texas Congressional Delegation.

BEN BARNES,
Lieutenant Governor.

———, ———,
Speaker of the House.

I hereby certify that S.C.R. No. 116 was adopted by the Senate on May 30, 1969.

CHARLES SCHNABEL,
Secretary of the Senate.

I hereby certify that S.C.R. No. 116 was adopted by the House on May 31, 1969.

DOROTHY HALLMAN,
Chief Clerk of the House.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 11612) was read the third time.

THE MILITARY AUTHORIZATION BILL

Mr. STENNIS. Mr. President, I shall not delay the Senate. However, for the information of Senators present, the majority leader, the Senator from Montana, as I understand, if the pending bill is completed today, will be ready to make an announcement that the military authorization bill, with one slight exception, will be the next order of business. I would rather he make the announcement.

I shall have a few remarks to make about the debate on that bill. I hope that the Senators will stay after the rollcall.

MESSAGES FROM THE PRESIDENT—APPROVAL OF JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries, and he announced that on July 1, 1969, the President had approved and signed the joint resolution (S.J. Res. 123) to extend the time for the making of a final report by the Commission To Study Mortgage Interest Rates.

REPORT ON THE IMPLEMENTATION OF THE AUTOMOTIVE PRODUCTS TRADE ACT OF 1965—MESSAGE FROM THE PRESIDENT

The **VICE PRESIDENT** laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Finance:

To the Congress of the United States:

I hereby transmit the third annual report on the implementation of the Automotive Products Trade Act of 1965. The report contains information with respect to the United States-Canada Automotive Products Agreement, including automotive trade, production, prices and employment in 1968. Also included is other information relating to activities under the Act.

RICHARD NIXON.

THE WHITE HOUSE, *July 7, 1969.*

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1970

The Senate resumed the consideration of the bill (H.R. 11612) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1970, and for other purposes.

The **PRESIDING OFFICER**. The bill having been read the third time, the question is, Shall the bill pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. **KENNEDY**. I announce that the Senator from Washington (Mr. MAGNUSON), and the Senator from Wisconsin (Mr. NELSON) are absent on official business.

I also announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Nevada (Mr. CANNON), the Senator from Hawaii (Mr. INOUYE), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Alaska (Mr. GRAVEL) are necessarily absent.

On this vote, the Senator from Alaska (Mr. GRAVEL) is paired with the Senator from Connecticut (Mr. RIBICOFF). If present and voting, the Senator from Alaska would vote "yea," and the Senator from Connecticut would vote "nay."

I further announce that, if present and voting, the Senator from Hawaii (Mr. INOUYE), the Senator from Washington (Mr. MAGNUSON), the Senator from Wisconsin (Mr. NELSON), and the Senator from Nevada (Mr. CANNON) would each vote "yea."

Mr. **SCOTT**. I announce that the Senator from Michigan (Mr. GRIFFIN) is absent on official business.

The Senator from Vermont (Mr. PROUTY) is necessarily absent, and if present and voting, would vote "yea."

The Senator from Delaware (Mr. WILLIAMS) is detained on official business.

The result was announced—yeas 88, nays 2, as follows:

[No. 55 Leg.]

YEAS—88

Aiken
Allen
Allott
Baker
Bayh
Bellmon
Bennett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Case
Church
Cook
Cooper
Cotton
Cranston
Curtis
Dirksen
Dodd
Dole
Dominick
Eagleton
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Goldwater
Gore
Gurney
Hansen
Harris
Hart
Hartke
Hatfield
Holland
Hollings
Hruska
Hughes
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy
Long
Mansfield
Mathias
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Mundt
Murphy
Muskie
Packwood
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Russell
Schweiker
Scott
Smith
Sparkman
Spong
Stennis
Stevens
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—2

Goodell
Saxbe

NOT VOTING—10

Anderson
Cannon
Gravel
Griffin
Inouye
Magnuson
Nelson
Prouty
Ribicoff
Williams, Del.

So the bill (H.R. 11612) was passed.

Mr. **HOLLAND**. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. **MANSFIELD**. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. **HOLLAND**. Mr. President, I move that the Senate insist upon its amendments and request a conference with the House of Representatives thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HOLLAND, Mr. RUSSELL, Mr. STENNIS, Mr. ELLENDER, Mr. HRUSKA, Mr. YOUNG of North Dakota, and Mr. MUNDT conferees on the part of the Senate.

Mr. **MANSFIELD**. Mr. President, it has been a great pleasure to witness again the handling of a measure by the distinguished senior Senator from Florida (Mr. HOLLAND). As the chairman of the Agriculture Subcommittee of the Committee on Appropriations, he has exhibited once more his superior managerial skill and ability.

This funding measure is designed to maintain our present farm program. May I say that as extensive and broad as that program is, every one of its many facets and features are thoroughly known and well understood by Senator HOLLAND. His outstanding advocacy, his great legislative skill and ability, his strong persuasive capacities were exhibited on this measure as they have been on all proposals that gain his endorsement. The Senate is grateful once again to Senator HOLLAND. The Senate's overwhelming approval of this funding bill adds another outstanding achievement to his already abundant record of public service.

Of course the swift and efficient disposition of this measure was aided immensely by the senior Senator from Nebraska (Mr. HRUSKA). His strong advocacy and his splendid cooperation were essential to this great success.

Others, too, should be singled out for their participation. The Senator from Delaware (Mr. WILLIAMS) is to be commended especially for his contribution in offering and urging his amendment. That may also be said for the distinguished Senators from New York (Mr. GOODELL and Mr. JAVITS), the Senator from Iowa (Mr. MILLER), and the Senator from Michigan (Mr. HART). These and other Senators joined to assure expeditious and efficient action today on this measure. The Senate is deeply grateful.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

Mr. **MANSFIELD**. Mr. President, I move that the Senate turn to the consideration of Calendar No. 281, S. 2546.

The **PRESIDING OFFICER** (Mr. ALLEN in the chair). The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The **PRESIDING OFFICER**. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. **STENNIS**. Mr. President, will the Senator yield to me?

Mr. **MANSFIELD**. I yield to the Senator from Mississippi.

Mr. **STENNIS**. Mr. President, I wish to make a brief statement about what the committee has done in connection with this bill.

I think we are going to have a good solid debate about the bill on the floor, but I merely wish to point out now that it is a most important bill not only because it involves $20 billion or more but also because it will necessarily greatly affect, perhaps to a large extent, the level of our national security in years to come.

During several months the Committee on Armed Services held hearings on the bill and then for several days, over a period of 2 weeks, the committee carefully considered the entire testimony, all of the items in the bill of any substance were passed on separately, and the committee has reported the bill to the Senate. The full test of the hearings, the index, together with the report and the bill in final form have been passed by the committee. This is a Senate bill which was delivered this morning at 10 o'clock or at 10:30 to the office of each Senator.

I shall present this matter tomorrow, and in a reasonable time, but going somewhat into detail as to the high points. I shall present the entire matter to the Senate.

We heard a great deal of testimony that was classified. That is true with respect to any bill that has important items in it such as this bill, which pertain to our security and conditions all over the world. There was a great deal of classified testimony of necessity about what may be the trend and success or failure of weapons developments by our potential adversaries or those that might be aggressors against us. The committee went into those matters more fully than usual. We received classified documents. Much of the testimony and debate had within the committee could be of the greatest benefit to any potential enemy.

It is apparent from press reports that there will be attacks on certain provisions of the bill. There are provisions in the bill which some Senators oppose, and there are provisions which some Senators favor. Other Senators oppose generally the military amounts, the general total amount; and they have expressed an intention to move to reduce that military authorization.

I wish to emphasize that I believe in the right of every Senator to oppose any bill in its entirety or any part of any bill. There is nothing finer than to have a real and genuine debate. Each Senator is entitled to all relevant facts. Each Senator is not only entitled to know the relevant and pertinent facts to reach a decision on how to vote, but each Senator has a duty to become informed of the facts. Likewise, I have a duty as the so-called floor manager of the bill to inform Senators of anything I know to help them fully understand the reasons, circumstances, and justification of the authorization request.

What I am leading up to is this. Unfortunately, it is not possible to present all of those matters in open session. We cannot present fully the testimony we acted on in making these recommendations, and I say that for the same reason I have stated heretofore: This material would be of great benefit to our adversaries and compromise security to the extent that our military forces might now or in the future be placed in jeopardy.

It is for that reason that after I make my best efforts to bring out the whole issue and place it on the table, so to speak, I will make a motion under rule XXXV for a closed session. I have no doubt that a closed session will expedite the debate greatly, so that we may get all the facts before the Senate. As far as I am concerned, a closed session would not have to be extended, but the duration would be determined by Members of the Senate.

To refresh the recollection of Senators, rule XXXV merely provides:

> On a motion made and seconded to close the doors of the Senate, on the discussion of any business which may, in the opinion of a Senator, require secrecy, the Presiding Officer shall direct the galleries to be cleared; and during the discussion of such motion the doors shall remain closed.

Mr. President, it will be with some reluctance that I shall make that motion. I have never done so before, but the comprehensive facts that have been developed and the far-reaching questions that are involved, the development of far-reaching weapons, the air and sea missiles all involve extremely sensitive testimony. For that reason I will make that motion at the proper time. I thought I should bring that to the attention of Senators today.

I have one other point that will involve a matter of security. The general rule, as Senators will recall, is that only those persons can be present in the Chamber who meet security requirements and have approval. Of course, that includes all Senators. Some of this information will be of the highest classification. Therefore, I give that notice now.

I thank the Senator from Montana for his consideration in yielding.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. STENNIS. I shall yield to the Senator in a moment.

I thank the Senator from Montana for yielding so that this matter may be placed before the Senate. I am not going to try to rush it but I hope we can have attendance that is better than average. I hope we can have nearly full attendance. I believe if we really get the facts we can pass on them in view of the enlightenment we have. I believe sound decisions will prevail. The committee membership is familiar with this matter and they will help present the bill. We have subcommittees that conducted hearings and they will be called on.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. MANSFIELD. Mr. President, I am delighted that the chairman of the committee in charge of the bill which has just been laid before the Senate has indicated that he intends to move for an executive session. It will be my pleasure to second that motion because I think it is almost mandatory that there be a motion to that effect in view of developments which have occurred over the past several years, and not just this year.

I am pleased also to note that on this day 91 Senators are present. I would hope, health permitting, we would have attendance of nearly 100 Senators until the bill is disposed of one way or the other, because this will be the most important bill which will come before Congress this session. It therefore behooves all Senators, regardless of their feelings, to be here and if they feel like it to participate in the debate which will be undertaken.

The bill will not be disposed of this week. I doubt that it will be disposed of next week. I hope it will be disposed of before the end of the month.

Thus, I join the distinguished Senator from Mississippi in what he had to say in urging that all Senators be here, because this is a most important and worthwhile bill and certainly merits the attention of every Senator.

I thank the gracious Senator from Mississippi for making the announcement he did today so that the Senate is now on notice as to what to expect in the days and perhaps the weeks ahead.

Mr. STENNIS. I thank the distinguished Senator from Montana.

Mr. SYMINGTON. Mr. President, may I ask the distinguished Senator from Mississippi if he plans to give his position on the bill and, before there is further discussion, to ask for a closed session. I ask that because if there is to be a closed session, those of us who are apprehensive about certain aspects of the bill might like to present charts which could not be presented in an open session. Of course, it will take a little time to prepare those charts.

Mr. STENNIS. Yes. I was going to make a motion as the final part of my presentation of the bill on the major items in the bill that we would go on into a closed session.

Mr. SYMINGTON. Then would the able Senator yield for this further question: After he has presented the bill and had the closed session, would he have any objection if we had another closed session based on the testimony taken up to that time?

Mr. STENNIS. Well, does the Senator mean an additional closed session?

Mr. SYMINGTON. Yes.

Mr. STENNIS. I could not object to that. I would have no basis on which to object, even if I wanted to, but I would not object to that at all. I want a closed session for the reasons I have already given.

Mr. SYMINGTON. I appreciate the sentiments of the Senator from Mississippi.

Mr. STENNIS. I thank the Senator.

Mr. PERCY. Mr. President, I have one brief question. I also commend the distinguished Senator from Mississippi for the procedure he has adopted. It will be extremely helpful.

My question is: We have staff members with classified clearance who could be of great help to us. In previous executive sessions, the Chamber has been cleared of all staff members. Would it be the intention of the chairman of the Committee on Armed Services to have staff members present if they have been cleared for classified material, and if so, whether classified, secret, top secret, whatever it may be?

Mr. MANSFIELD. Mr. President, I would have to object, much as I would dislike doing so. If anyone aside from those under the rules of the Senate were to be in attenance, I would wish to put him on notice now that I will object to any such consideration. I hate to do that, but I think there is no choice.

Mr. HOLLAND. Mr. President, first I wish to express thanks to the distinguished Senator from Mississippi for clearing today so that we could dispose of the agriculture bill. My question is:

How long a notice does the Senator think we will have about a closed session? I ask this question because a week from Wednesday of this week is the beginning of the Apollo 11 voyage to the moon. I happen to know that many Senators have already indicated—and this would include the Senator from Florida—that they want to be there. Hence, we would like to have a couple of days notice ahead of time, because it would aid us materially in making our plans.

The Senator from Mississippi knows that I am not one to be away from the Senate, but I would certainly want to be on hand for that particular occasion so that I could plan with reference to the time limit ahead of the actual closed session.

Mr. STENNIS. Mr. President, with all deference to the Apollo 11 mission's going to the moon, I do not wish to offer a way we can stop some time next week. That is a matter to be worked out by the Senate. I think, I do not contemplate any secret session that will last later on into next week. My time will be fairly limited; but as to the other 99 Senators, of course, that would have to be determined by the Senate.

Mr. HOLLAND. All I am suggesting is that a couple of days' leeway or notice would be very helpful to me and to other Senators. If I have to be here, I shall be here. The Senator knows that. But a couple of days' notice would enable us to make our plans. We have all been asked. We have all been requested. Each Senator has been allowed to bring one member of his family if he cares to do so. I wish to bring my oldest son, who happens to be a marine veteran, subject to possible clearances, of course. But I would want to know if I could have a couple of days' notice ahead of time, because it would be very helpful to me and I know to other Senators.

Mr. STENNIS. That does not come until the middle of next week, does it?

Mr. HOLLAND. A week from Wednesday.

Mr. STENNIS. I think that is a matter solely for the Senate to determine, as to whether we recess for that day or what the Senate will do. I know that the secret session to which I refer will not last that long. At least I think it will not. I do not think there is any likelihood of it.

Mr. HOLLAND. All I am suggesting is that we have a day or two notice. It would be very helpful to me. I hope that the Senator will make some advance notice available to us.

Mr. STENNIS. I thank the Senator.

Mr. President, I yield the floor.

Mr. SYMINGTON. If the Senator from Mississippi will yield for just one more question, I was impressed with the suggestion made by the distinguished Senator from Illinois (Mr. PERCY), because this is a complicated matter. The books which are roughly comparable to the books now on Senator's desks today on the subject of the agriculture bill present in considerable detail the pros and cons of all the weapons systems. Those Senators who have the good fortune—as do I—to have listened to the hearings, and to have had the opportunity to study these weapons systems, and the pros and cons incident thereto, are in a fortunate position. But those Senators and their staffs who may not have been interested in it are in a less fortunate position. Therefore, if there is a closed session prior to discussion of the bill, it would appear to me that some Senators would not have the same advantage as others do in considering this very important bill.

Therefore, although I am entirely willing to accede, of course, to the position taken by the majority leader, I am in full agreement with the logic of the suggestion made by the Senator from Illinois.

Mr. MANSFIELD. May I say to the distinguished Senator from Missouri that the matter which he raised will, of course, be given consideration. I am fearful, however, that if we break the rule for one, we must break the rule for all. Hence, I am sure the Senator will understand, because of the peculiar situation in which a Member of the Senate finds himself in a closed session.

Mr. SYMINGTON. My position is not one of disagreement, but one of distress, because as we move to consideration of the bill on the floor, many Members are not as cognizant of the bill as members of the committee are.

Mr. MANSFIELD. With Senators like the Senator from Missouri, our experts will be available.

Mr. SYMINGTON. I would hope that staff people could be considered. Nevertheless, I accept the position of the Senator from Montana. My position was one of sympathy for the Senator from Illinois.

Mr. MANSFIELD. I understand.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, with the permission of the distinguished minority leader, concerning the request that the Senate come in tomorrow at 11:30 a.m., because both parties will have policy luncheons, I think it is better to ask unanimous consent that when the Senate completes its business today, it adjourn until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 1647—AUTHORIZATION FOR RELEASE OF 100,000 SHORT TONS OF LEAD FROM THE NATIONAL STOCKPILE AND THE SUPPLEMENTARY STOCKPILE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that after the prayer and the reading of the Journal tomorrow, the Senate proceed to the consideration of House amendment to S. 1647, a bill having to do with the release of 100,000 tons of lead from the national stockpile and the supplementary stockpile. The bill passed this body but was amended in the House.

UNANIMOUS-CONSENT AGREEMENT

I ask unanimous consent that consideration of this amendment take place for not to exceed one-half hour, the time to be equally divided between the distinguished Senator from Missouri (Mr. SYMINGTON) and the distinguished Senator from Delaware (Mr. WILLIAMS).

The PRESIDING OFFICER. The Chair would ask the Senator from Montana, does that include any amendments thereto?

Mr. MANSFIELD. For the information of the Senate, there is a possibility that there may be a rollcall vote on the House amendment.

The PRESIDING OFFICER. The Chair would inquire of the Senator from Montana if it is a 1-hour limitation.

Mr. MANSFIELD. It is a one-half hour limitation, with 15 minutes to a side. There is only one amendment. That will be it.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Montana? The Chair hears none, and it is so ordered.

The unanimous-consent agreement reduced to writing is as follows:

Ordered, That during the consideration of the House amendment to S. 1647, an Act to authorize the release of 100,000 short tons of lead from the national stockpile and the supplemental stockpile, on Tuesday, July 8, 1969, after the prayer and approval of the Journal, debate on that amendment and all amendments thereto shall be limited to one-half hour to be equally divided and controlled by the Senator from Missouri (Mr. SYMINGTON) and the Senator from Delaware (Mr. WILLIAMS).

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS ON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that after disposal of the House amendment to S. 1647, there be a period for the transaction of routine morning business, with statements in relation thereto to be limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

"WHY ABM?"—A FORTHCOMING BOOK BY HUDSON INSTITUTE

Mr. KENNEDY. Mr. President, later this month, on July 17, Pergamon Press plans to publish a book entitled "Why ABM?" The book is authored largely by members of the Hudson Institute of Croton-on-Hudson, New York.

All of us involved in the debate on the Safeguard ABM welcome additions to the already extensive literature on ABM. This literature includes numerous statements by the Department of Defense before the appropriate congressional committees; a detailed series of questions-and-answers releases by the White House office; an extensive nongovernment analysis organized by Dr. Jerome Wiesner and Prof. Abram Chayes; continued reports by the Council for a Livable World; a pamphlet by the American Security Council; and numerous others.

We are best served at this point in the debate over ABM, I think, by credible, independent analyses seeking to answer the troublesome questions raised over the past 5 months. These include the ABM's workability; its arms race implications; its necessity; and other matters. Unfortunately, however, the Hudson Institute book does not appear to be an independent analysis. Rather, it appears to be one financed in part by the Department of Defense.

On March 27, 1969, the Hudson Institute signed a contract with the Pentagon's Safeguard Systems Command for a study effort entitled "Strategic Implications of BMD Response." The letters "BMD" stand for ballistic missile defense; the ABM, of course, is the principal measure proposed as a defense against ballistic missiles. The price of this study was set at $34,973. Three months later, on June 20, 1969, this same contract was extended for an additional 4 months period, at a further cost of $35,280. Thus, the Pentagon has contracted with the Hudson Institute for some $70,253 for a short-range study of the strategic implications of responses to ballistic missile defenses. In other words, the Hudson Institute is examining, in part, what steps our adversaries might take in response to our ABM, and then what steps we would be forced to take in response to their steps, et cetera. Actually, the scope of work under this contract is classified secret—and thus not subject to public discussion.

This raises a number of serious questions.

Mr. Donald Brennan of the Hudson Institute testified in favor of the ABM before the Senate Foreign Relations Committee on March 28, 1969, ostensibly as an independent expert. Yet at that time the institute was under contract to the Pentagon for studies relating to the ABM.

The Hudson Institute, while under a Pentagon contract for this study, has apparently sponsored a book in favor of ABM deployment. Yet nowhere in the press reports is there an indication that Hudson Institute prepared this book while under Pentagon contract.

Only a few years ago there were revelations that the Government had, through contracts of this sort, arranged for the publication of books favorable to its positions without indicating the fact of Government support. The Congress acted at that time with an intent to forestall similar abuses in the future.

I do not think that the efficacy of the ABM debate is raised by this activity. We do not need more information from vested interests; rather, we need independent, objective, and skilled judgments. The Hudson ABM book does not appear to reflect this need.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. MANSFIELD. When I read in this morning's paper that a book on behalf of the ABM was being published by the Hudson Institute, I recalled that, for at least a decade, and very likely more, this institute has been under contract for research projects with the Pentagon. I have asked for some figures as to just how much the Hudson Institute has received as remuneration. Let me make it clear that I have no fault to find with the institute's publishing this book. But, at the same time, I think the special connection involved ought to be made very clear also. In going back only 3 years, including this year, the figures show that in 1967, this organization received from the Department of Defense $713,000. In 1968 it received $444,000, under a Democratic administration, I might say. So far in 1969, under both a Democratic and Republican administration, I would assume, it received $873,000. That comes to about $2 million covering 3 years, and the third year has not been completed.

I am wondering how much the Hudson Institute has received over the past decade or more, and I wonder how much it has produced in return. Aside from books and monographs such as this, I wonder what it has given to the Government for the money expended. I wonder how much of the research money, which comes to $8 billion last year for the Department of Defense alone, has been siphoned to the Hudson Institute, the Rand Corp., colleges and universities, and other institutes in this country. I think that would make a most interesting study. And I would like to know the results, not to mention the subjects covered.

Mr. KENNEDY. Mr. President, in brief response, I think the figures that were placed in the RECORD by the majority leader are extremely important and significant. What troubled me in this regard, and what led me to comment on this matter, was the fact that Mr. Donald Brennan, of the Hudson Institute, testified on the question of the ABM before the Senate Foreign Relations Committee, ostensibly as an independent expert. I am sure some very serious questions are raised in the minds of all of us with respect to the relationship between the studies of the institute on the strategic implications of the ABM response for the Pentagon, which services were contracted for, and then the States given the later testimony of Mr. Brennan as an independent expert when he testified in support of the ABM. Now we have the announcement that the institute is going to publish this book.

As we begin what the majority leader has described as perhaps the most significant and important matter that will come before the Senate this year, we must come to grips with the problem of evaluation of evidence. It is timely that those questions be raised in order to evaluate the weight we ought to give various documents, statistics, and data as they are presented to us.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. GOLDWATER. In regard to the comments of both the Senator from Massachusetts and the Senator from Montana, I am sure they do not imply that we cannot trust the Hudson Institute. If we take that approach during the course of the debate, the Senate is going to be rather shocked at the tremendous amount of money that, under the guise of research and development, has been pumped into institutions in this country. From what I know about it, we might even talk about a 30-percent cut across the board without being hurt at all.

For example, Dr. Wiesner, of the Massachusetts Institute of Technology, is one of the receivers of Government money, but I do not for one moment regard Dr. Wiesner as having his judgment affected by the fact that he is one of the biggest contractors under the research and development funds.

I would feel very remiss in my concern about this whole question if I allowed the influence to stand that the Hudson Institute had done something under the table or something bad. Dr. Wiesner has testified in opposition to the ABM, I know Herman Kahn is for it and has testified in that manner.

It would be very difficult, in fact, at this stage of the game, to find some academic type who has not been on record publicly either for or against the ABM.

I am glad that the majority leader mentioned this matter. I hope I shall be able to present a complete inventory of these funds. I doubt that I shall be able to, because I can assure the Senator it is a tremendous outlay. But I think it is subject to some of the biggest cuts we can make in the military outlay.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield.

Mr. MANSFIELD. I agree with the distinguished Senator from Arizona. I hope that he will not gather the impression that what was said by the distinguished assistant majority leader and the Senator from Montana carried any imputation or implication along the lines which the Senator thought he detected.

I was one of those who tried last year, and tried mightily, to bring about a 25-percent reduction in overhead cost for all of such research activity carried on by corporations and by universities and colleges. I had sweeping success in the Appropriations Committee, and resounding success on the Senate floor; but when the bill came back from conference, it was just another amendment which had lost its way.

The Massachusetts Institute of Technology is, I think, the recipient of the largest overall grant total for research from the Department of Defense; but I daresay that it is a rare university in this country which has not participated to some extent, which may or may not be a good thing. I should be happy to join the Senator this year in an effort to bring about a sizable reduction in cost of the research and development aspect of the Defense Department's activities, aside from missile projects and the like, and I would be hopeful that what the Committee on Armed Services has already accomplished—that is, to cut research by approximately $1 billion—could be doubled on the floor this week or next.

I think the Senator understands the situation clearly. It is not a matter of imputation or implication; it is a matter of interest in how these funds are being spent, and what is achieved as a result of the spending.

Mr. GOLDWATER. I might say for the information of the Senate, and this will be brought out if it has not already been, that the full Senate Committee on Armed Services is divided into a number of subcommittees this year for the first time; and the Subcommittee on Research and Development, under the able leadership of the Senator from New Hampshire (Mr. MCINTYRE), has turned in what in my opinion has been an outstanding job; but there is so much to uncover and to cover that it could not be done, in my opinion, in the time we have spent on it, which is about 5 months.

Mr. MANSFIELD. Will the Senator yield further at that point?

Mr. GOLDWATER. I yield.

Mr. MANSFIELD. I have boxes of documents this high, this long, and this wide [indicating]. I think it costs the Pentagon something on the order of $100,000 to collect this information. May I say that when the Appropriations Committee became interested last year in the subject it did not know at the time what was being done in the middle and lower echelons as far as research was concerned. That was how widespread the problem was. It is very difficult to look into, because we can only make a start. There are as the Senator has pointed out, a terrific number of research projects which, in years gone by, the Pentagon has undertaken.

I do not blame the Pentagon. The blame must rest with us, here in the Congress, because all that had to be done, up until this year, was to ask, and the Pentagon received.

I am delighted that the subcommittee of which the distinguished Senator from Arizona is a member, and the full Armed Services Committee, were able to cut approximately $1 billion from the research funds this year.

Mr. GOLDWATER. Mr. President, I should like to make a slight correction. I am not a member of that subcommittee.

Mr. MANSFIELD. The Senator should be.

Mr. GOLDWATER. But I am very much intrigued by it, because I had no idea of the extent of it. During my self-imposed sabbatical for 4 years, my former colleagues seemingly went rather wild on this subject of academic research and development. I do not mean research and development on such matters as bending iron or aluminum, or building things, but the kind of research and development for which I can find no relationship to the needs of the Defense Department. I hope—and this suggestion has been made to the chairman of the committee, who has shown great willingness to cooperate—that this subcommittee will be made permanent, with an adequate staff to go into these things, not just every year, but on a day-by-day basis.

I do not want the Senator from Massachusetts or the Senator from Montana to think I was reading into their comments anything that might imply dishonesty on the part of the Hudson Institute, but this can become a very emotional issue. I hope and pray it will not.

I think this is probably the most important issue this body will vote upon in many years. I believe the whole future of our country, nationally and internationally, rests upon what we can wisely do here, without permitting emotion to get into it.

I recall just the other day a citizen of our country, at his own expense, ran a full page advertisement in the newspapers, and was bitterly attacked on the floor of the Senate, even being called a liar. I hope we can discuss this matter in a gentle and scholarly way. It will have to be discussed, and I know it will be.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. KENNEDY. In regard to the earlier reference to Mr. Weisner and MIT, the RECORD should reflect, that if there is a conflict of interest, Mr. Weisner's position on this subject would be likely to be against his own professional interests and those of MIT. In regard to Mr. Brennan and Mr. Kahn on the other hand, the record indicates that they decided matters consistent with the position and interests of the institution they represent.

I should also like to make just a further brief comment about MIT. Just last week, as a matter of fact, President Johnson and Dr. Killian came down to see me about the results of a rather extensive report that had been prepared by members of the student body, the faculty and certain select members of the alumni relative to the institute's position to the Lincoln Laboratories. The Lincoln Laboratories, as a matter of record, receives extensive funding from the Defense Department. The study indicates great interest in trying to find new directions to move in, away from the heavy dependence upon the Defense Department for funding of its activities. Many other great universities have similar connections with institutions which depend in significant measure upon Defense Department Research and Development funds and it is a source of concern to students, faculty and alumni.

Another example of this conflict is Stanford University and the Stanford Research Institute, with the latter receiving approximately half its operating budget of $64 million from the Department of Defense.

I think it was to the credit of MIT, the faculty, and student body as well as the alumni, that they have really taken the bit in their teeth in seeking to determine what can be done to solve this dilemma. I think the position they have taken is a wise one, and the universities should be assured that we who are in Congress are going to have to try to find ways that we can help assist those institutions which have developed this dependency, to move out into other fields.

Mr. GOLDWATER. Mr. President, I am glad that the Senator has that attitude. I know that MIT has it; and I know that Stanford and many of our top universities engaged in nuclear research, physical research, and so forth, will want to take another look at the problem.

But I think we also have to keep in mind that a lot of weapons are being dreamed up in the laboratories of these institutions. Though rarely do weapons systems come flowering full blown off the drawing boards of astronomical or aeronautical researchers, I think the future of our country will depend more and more upon the academic sector. I think our job is to help them determine what their guidelines should be as to their participation and what they should do, and get along further with handling the buck which, to paraphase an old friend, stops here.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield to the Senator from Colorado.

Mr. DOMINICK. I wish to add one thing to what the Senator from Arizona has said, and that is that, while I can understand why we should oversee carefully the work carried on by the academic community under Defense Department auspices, I think it well to remember that until we can achieve a world in which everyone lays down his arms, we will have to continue doing research and development work.

If we do not have the academic community for assistance, it means we will have to do it in haste which, once again, means that the cost and the imagination and the ability to get this done as economically and feasibly as possible would be lost.

I would hate to see us do that. I have heard it said on the floor that we ought to get the ROTC out of the colleges. Yet young people whom I have talked to say they do not want the military, because they do not think the people are educated enough. I say, "If you want that, why do you not let the ROTC go through the colleges and get them into the military?"

It makes no sense to me to throw them out when we need educated officers.

We have to be careful in our analysis and not let emotion run away with us and say that we do not want a war and so we are going to get out of the whole situation.

Mr. PELL. Mr. President, in connection with what portion of the Hudson Institute funds comes from the Department of Defense, I happened to ask Dr. Donald Brennan of the Hudson Institute that very question when he appeared before us in open session.

Dr. Brennan's reply quoted on page 383 of the hearings before the Subcommittee on International Organizational Disarmament Affairs for March 28, 1969, was:

> The proportion would be perhaps three-fourths.

That would mean that only one-fourth of the funds of the Hudson Institute come from any sources anywhere, private or governmental, in the United States other than from the Defense Department.

Mr. GORE. Mr. President, the more Senators know about the ABM question, the more Senators in my opinion will oppose the deployment of an ABM weapon system.

When the question was before Congress heretofore, my subcommittee held extensive secret hearings. So far as I know, no secrets were withheld from the committee. But much information essential for a public judgment upon the issue was withheld from the public and from the Senate generally, except that any Senator, of course, could go to the committee rooms and obtain from the vaults the secret testimony and there read it.

This year, upon my recommendation, the subcommittee concluded to have public hearings. We felt that it was essential to involve the American people in this very important, very basic decision.

The hearings, as Senators know, have been extended. Members of the intelligence community and the universities, scientists, engineers, and authorities made themselves available by the hundreds to testify.

It has been, I believe, truly an educational experience. At the beginning of that hearing the opposition to the deployment of ABM was very much in the minority. As information accumulated, so did opposition.

So far as I know, no secret information has now been withheld from my committee. Therefore, we are fully prepared to debate it in secret session. I shall bring to the floor of the Senate numerous secret documents, including the testimony of the CIA. Nothing will be withheld from the Chamber. The more Senators know about the ABM, the more Senators will be opposed to it. I intend to afford them the opportunity to know the full story.

I know what the secrets are. What are they? They involve intelligence, intelligence estimates, sources of intelligence. They involve the yield of weapons, the geometry of weapons, trajectory, time elements, details of computers, radar, and so forth.

The secret information is largely technical.

Mr. President, there is ample information available not only to the Senate but also to the American people with which to reach a decision upon the central issue involved.

What is the central issue? It is whether or not it is necessary to deploy an antiballistic defensive weapon system, the ABM, in order to preserve the integrity of the U.S. deterrence against a nuclear war.

This is the principal basis upon which this deployment is advanced. In the words of both the President and the Secretary of Defense, ABM deployment is necessary, "to preserve the integrity of our deterrence."

Is it? Is it? That is the central issue, and on that we have joined issue. It is neither necessary nor advisable.

Why is it not necessary? It is not necessary because our country has massive power of retaliation in a variety of categories—Minutemen, the ICBM's in our Minute silos, intercontinental airplane bombers, our nuclear submarine fleet, missiles on foreign bases, planes on foreign bases, tactical weapons under our command in the NATO forces, nuclear missile launches aboard surface vessels

There are so many and so much that our country has the power to lay 48 weapons—each one 50 times as powerful as the one that destroyed Hiroshima—on each of Russia's 50 largest cities. But Mr. Laird in public testimony on television before the American people, with millions of people listening and watching, said the Soviets are going for a first strike capability. Then he added, "There is no question about that."

Mr. President, there has been no intelligence estimate of the National Board of Intelligence to support that conclusion. And that information will be brought here in detail before the Senate.

Throughout this fight, there has been an attempt to spread an aura around the ABM, an aura of secrecy and thus win by secrecy what cannot be won in public debate in the light for all to see.

The Pentagon and the Pentagon projects thrive on secrecy. But Senators shall know.

I say the essential facts necessary to reach a judgment upon the central issue are publicly known, and I am proud to have had a part in making them publicly known.

Oh, yes. Mr. Laird says that deployment of ABM is necessary to preserve the integrity of our deterrence; therefore, he says, we must deploy ABM.

Is it necessary? The answer is "No," because of the magnitude of this country's retaliatory capacity. Deterrence has two parts: First, the power to retaliate with devastation upon an enemy who should attack the United States; second, the will to use that power. There is no question that the United States has the power; and if this country should be attacked with nuclear weapons, I have no doubt that it has the will to use that power. The important question is, What is the estimate of the Soviets of these two elements? What is their estimate of our power to retaliate if they should launch a nuclear war against us? I think they know what our power is.

What is their estimate of our will? This I do not know. But I surely do not wish to plant any questions in their mind. They are not frightened with ABM's. ABM's are not a deterrent.

Right in the beginning of this debate, let it be known that the senior Senator from Tennessee believes that we need to preserve the integrity of our deterrents. There will be no victory in a nuclear war. We would lose; they would lose; civilization would lose; everything would be lost in a nuclear exchange between Russia and the United States.

The way to win this battle is to prevent nuclear war; and to prevent it we need to have a deterrent—an unquestioned deterrent—not only the power to retaliate, but the will to retaliate. The important place for that to be rested is in the mind of anyone thinking to attack the United States with nuclear weapons. This is the central question.

Secretary Laird, in more recent testimony, has not again repeated his view that the Soviets were going for a first-strike capability. A first-strike capability, as the senior Senator from Missouri knows, is a word or term of art to the military. I placed in the Record an official interpretation of the term. It means, in laymen's language, the capability of striking a country a first blow with such devastation that that country will not have the power to retaliate with unacceptable risk.

I ask the Senator from Missouri if that is a correct statement.

Mr. SYMINGTON. I would say that it is a correct interpretation.

If the Senator from Tennessee will yield to me for a brief remark, I would hope that every Member of the Senate would realize that for many years the distinguished senior Senator from Tennessee has been a member of the Joint Committee on Atomic Energy.

Mr. GORE. I thank the Senator from Missouri. I was a member of a small subcommittee that handled the appropriation for the Manhattan District when Oak Ridge, Tenn., was still a wilderness. I have been involved in nuclear energy since its very beginning. So far as I know, no secrets have ever been withheld from me. No secrets will be withheld from the Senate in this debate.

Mr. SYMINGTON. Mr. President, will the Senator further yield?

Mr. GORE. I yield.

Mr. SYMINGTON. I am glad that the able Senator brought up that fact, because he was deeply interested in the atomic picture when he was a Member of the House of Representatives for many years prior to his coming to the Senate. Therefore, I say without fear of contradiction that his position in this matter is at least as experienced as that of any other Member of the Senate.

Mr. GORE. I thank the Senator.

I wanted to say at this time, right in the very beginning, that we need to keep our minds on the central question: Is the deployment of ABM necessary to preserve the integrity of our deterrence? I think the answer, unquestionably, is No. Then the question is, If unnecessary, or though unnecessary, is it advisable? This leads to the involvement of our will and the estimate of our will. But more important, perhaps, it leads to the third point, which is that our deployment of ABM will stimulate and accelerate another round in the nuclear armaments race, out of which will come not more but less security for our country; less opportunity, not more, to avoid a nuclear war. So let us start the debate on this level.

I know there are questions as to whether it will work; questions about the computers; questions about the radar; questions about accidental detonations; many questions and doubts. These are mostly tangential and secondary issues.

The fundamental issue, let me repeat, is this: Is the deployment of ABM necessary for the Soviets to know that we have the power to retaliate with devastation if they should level an atomic attack against us? And is it necessary or advisable to deploy ABM to convince them of our will to do so if they start a war? Or would ABM deployment affect their estimate of our will to retaliate?

We have no intention of starting nuclear war. Our strategy has been postulated on the thesis that the way to prevent a nuclear war is to have the power to retaliate. This is the deterrence. This is what Winston Churchill called the balance of terror.

So, Mr. President, let the Senate examine these basic questions. We can argue all day and all week about the technicalities, about the computers, about the programing of computers, about the geometry of the weapons, the yield of weapons, projectile timing, and so forth. These things will have a bearing upon the issue. But the essential facts are already available, not only to the Senate, but, fortunately, to the American people, to reach a decision on the basic question.

Mr. HART. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. HART. I merely wish to thank the Senator for opening the debate in the fashion he has—effective, restrained, thoughtful, and, I think, magnificent. I wish all Senators could have heard it.

Mr. GORE. I thank the Senator from Michigan.

Mr. PELL. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. PELL. I wish to add my own word of accord and to add that I wish all Senators could read the thrust of the argument of the Senator from Tennessee which, I think, is well digested from many hours of testimony.

Mr. GORE. I thank the Senator.

Mr. President, I call attention to the fact that the secret hearing with Secretary Laird on the question of intelligence estimates, after the making of certain deletions, is going to the printer tonight.

It will be available to the public on Wednesday or Thursday and then the Senate and, fortunately, the American people can determine for themselves whether the Secretary now maintains that the "Soviets are going for a first-strike capability."

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. KENNEDY. Mr. President, I wish to join with Senators in commending the distinguished Senator from Tennessee on his most eloquent and well-reasoned presentation this evening. I think the Senator, not only this evening but also during the conduct of the hearings he held, with the quality of the witnesses and the thrust of his questions, performed an extremely important service to this body and to the people.

I wish to join him and commend him this evening. I wish to say that I am certainly hopeful that his voice will be heard often during the course of discussion and debate because there are few Members of the Senate who have his understanding, background, and experience in this subject.

I thank the Senator for his comments. My only regret is that more Senators did not hear him.

GREECE

Mr. PELL. Mr. President, Rowland Evans and Robert Novak have written three excellent columns that appeared in the Washington Post on the present situation in Greece. The first of these articles, entitled "Greece Facing Grim Alternatives: Salazar-Type Rule or Bloody Revolt," appeared in the Post on June 19. The second, entitled "U.S. Action Against Greek Junta Is Prevented by Military Needs," appeared on June 23. The third, entitled "Nature of Greek Junta Underscored by Arrest of Distinguished General," appeared on June 26.

I ask unanimous consent that these three articles be printed in the Record at the conclusion of my remarks.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 1.)

Mr. PELL. Mr. President, Mr. Evans and Mr. Novak make statements that deserve close attention. They note that if the colonels who seized power in 1967 ever intended any partial return to representative government, that intention is dead. They quote the Deputy Premier as saying, when asked about popular elections, "Nobody wants elections" and theorize that this attitude may be due to the fact that the military regime's popular base is so low that calling elections "would be equivalent to surrendering power." They characterize Greece as a "huge political pressure cooker" which they say may explode into insurrection with Communists in leading roles. Messrs, Evans and Novak argue that the need for a tough U.S. stand against the military dictatorship "is being undermined by the Pentagon's military requirements in the eastern Mediterranean." They report that the commander of the U.S. Military Advisory Group and his subordinate officers "have exercised little discretion in telling their Greek counterparts how they oppose the Embassy's fastidiousness about democracy." In their last column, they point to the case of the imprisoned General Koumanakos against whom no formal charge is pending, no trial is scheduled, and no limit of imprisonment has been placed. The implications of the sentiments aroused by the Koumanakos case, according to Messrs. Evans and Novak, include the possibility that many Greeks who have viewed Communists as their blood enemies now see the colonels ruling Greece as their real foes.

The three columns by Messrs. Evans and Novak do not paint a pretty picture but they do portray the political situation in Greece today with its very real dangers for Greece tomorrow.

This also brings to our minds the need that there be appointed to Athens a tough-minded, strong-willed, civilian-oriented ambassador who will express the wishes of the United States the best he can and will nudge Greece a little further along toward democracy.

Exhibit 1

Greece Facing Grim Alternatives: Salazar-Type Rule or Bloody Revolt

Athens.—The Greek military dictatorship, after two years of bland assurances to Washington about restoring democracy, intends to retain power indefinitely without free elections—posing immense danger to long-range stability in the strategic eastern Mediterranean.

If the colonels who seized power April 21, 1967, on the pretext of preventing communism here ever intended any partial return to representative government, that intention is dead. Even the few politicians who have tried to cooperate with the colonels now concede that Col. George Papadopoulos, the Premier, envisions an institutionalized tyranny modeled after Salazar's 37-year dictatorship in Portugal.

Unlike our last visit there two years ago when the freshly installed junta pledged an early return to constitutional forms, the regime now regards itself as permanent. Brig. Gen. Stylianos Pattakos, Deputy Premier and the junta's No. 2 man, bristled when we asked about popular elections. "That is an internal matter that you cannot inquire about," he said. "Go ask the people on the street. Nobody wants elections."

Indeed, all objective sources here agree that the military regime would lose badly in free elections. The colonels' "revolution," attempting by edict to transform the Greeks into work-oriented puritans, has depleted what popularity the regime enjoyed in 1967. Although past Greek governments have had excellent success in rigging elections, the military regime's popular base is so low—perhaps 10 per cent—that calling elections would be equivalent to surrendering power.

Unwilling to surrender power, the colonels have turned Greece into a huge political pressure-cooker with the true feeling of the Greeks suppressed by the local gendarmerie's watchful eye. An election today probably would show a sharp leftward swing. More ominously, after two or three additional years, the pressure-cooker may explode into insurrection with Communists in leading roles.

These ominous prospects have their source in perhaps the tightest police state this side of Moscow. Violating the colonels' own new constitution, non-Communist potential foes of the regime—mainly army officers and intellectuals—are imprisoned without indictment or trials. Reports of torture are impossible to verify in detail, but maltreatment and brutalization of law-level political prisoners continue.

Former political leaders are watched constantly. They cannot speak their view, are denied passports to travel abroad, and have their mail and telephone calls monitored. One former Premier cannot move without a car full of police agents following him. All former cabinet members are tailed when they visit their old constituencies.

The regime's iron vise is even tighter on the academic world. So many teachers have been purged that the educational system is crippled. Distinguished professors are subject to humiliating interrogation by Col. John Ladas, hard-line secretary general of the Interior Ministry. University students, solidly against the regime, are intimidated by police agents attending their very classes. A further deterrent is formed by severe prison sentences given six young teaching assistants (two of whom later were tortured) for distributing anti-junta propaganda.

The first armed resistance against this tyranny has come from the right: clandestine supporters of exiled King Constantine. Infrequently reported in the controlled Greek press are daily bombing incidents in the heart of Athens (forcing the government court martial to change buildings): There have been unconfirmed reports that the royalist resistance was responsible for the recent deaths of three pro-junta officers.

Thus, 16 retired officers arrested recently are all royalists with anti-Communist records (two of them with service in the Korean war). The regime's contention that the arrested officers participated in a left-wing army plot is only a propaganda smokescreen.

Harassing though it may be, however, the royalist resistance is incapable of overthrowing a regime so vigilant against potential opposition. Remembering the existence of the anti-Nazi resistance in World War II, Greeks fear that the Communists—better organized than ever—will dominate if and when the resistance assumes major proportions.

That day remains relatively distant. Greek Communists, badly fragmented into rival segments, are passive. The Soviet Ambassador here is circumspect, declining to discuss Greek internal affairs during a recent two-hour luncheon with an anti-junta politician. The Communists know the time is not ripe for insurrection.

But heavy government borrowing and stagnant investment here the last two years are storm signals for the modest prosperity now enjoyed by Greece. If an economic recession and rising discontent with dictatorship intersect some years from now, the dismal alternatives may be these: an institutionalized police state along Salazar lines or a bloody insurrection with Red overtones. Before that happens, however, the colonels might yet be

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turned out by a strong stand against them from Washington—a prospect, even though unlikely, worthy of discussion in a later column.

U.S. Action Against Greek Junta Is Prevented by Military Needs

Athens.—The growing need by U.S. foreign policy for a tough stand against the Greek military dictatorship to avert ultimate political tragedy here is being undermined by the Pentagon's military requirements in the eastern Mediterranean.

Indeed, Greece poses a critical dilemma in American foreign policy. A return to Greek democracy may well depend upon U.S. repudiation of the colonels and halting all military aid. But such action conceivably could deprive the U.S., in the short run at least, of naval bases and communications guidance for the 6th Fleet and Polaris submarines vital to the nuclear deterrent.

Those military considerations prevent sharp U.S. action against the junta. But the long-run cost could be immense. At worst, perpetuated dictatorship here could trigger a popular insurrection led by the Communists. At best, U.S. permissiveness toward the military regime already is building intense anti-American sentiment which will surface in any regime that replaces the colonels without Washington's help. Thus, the long-range U.S. military position in the eastern Mediterranean is becoming dependent on permanent tyranny in Athens.

Even though military needs inhibit American diplomats, relations between the Greek government and the U.S. Embassy here—so intimate for 20 years—are icy. The junta deeply resents the absence of an American ambassador since January. U.S. diplomats do not hide their displeasure with the colonels' aim of institutionalized dictatorship.

But whatever impact this official American frigidity might have is counteracted by the U.S. Military Advisory Group here whose commander, Maj. Gen. Samuel Eaton and his subordinate officers have exercised little discretion in telling their Greek counterparts how they oppose the Embassy's fastidiousness about democracy.

Any psychological influence of the vacant Ambassador's chair is obliterated by constant shuttling in and out of Athens by U.S. officers assigned to NATO. Their photographs in friendly poses with Col. George Papadopoulos, the Prime Minister, almost daily adorn the controlled Greek newspapers. Most notorious was the reply to a Papadopoulos toast by Gen. Lyman Lemnitzer, retiring NATO commander, in which Lemnitzer conveniently omitted phrases about democracy and the rule of law while quoting from the NATO Treaty's preamble.

The same impression was given by President Nixon's shabby treatment of King Constantine, self-exiled in Rome since his bungled counter-coup in December, 1967. A tentative visit with the King during Mr. Nixon's visit to Rome early this year was cancelled after pressure from the junta. Constantine was denied a meeting with the President while in Washington for the Eisenhower funeral (although Brig. Gen. Stylianos Pattakos, the Deputy Prime Minister, had a few minutes with Mr. Nixon).

Moreover, the Greek colonels are expert at disregarding signs of displeasure from Washington. In an interview, Gen. Pattakos told us that the portion of military aid which has remained suspended since the coup of April 21 will be resumed soon. When we asked the basis for this forecast, Pattakos replied with a statement that simply is untrue: "President Nixon has promised it."

In fact, Pattakos's triumphant account of his Washington visit was so removed from reality that the State Department on April 24 issued a sharp statement indicating Pattakos had been urged to restore representative government and civil liberties. When we asked about that statement, Pattakos told us it did not represent the U.S. Government's position. Then who wrote it? "Some Communists," he snapped.

Summoning up, a conservative Greek politician says: "Everybody I know thinks the American Government participated in the coup." Old-line politicians such as former Prime Minister Panagiotis Canellopoulos argue with friends that Washington cannot be blamed. But among the younger generation and particularly students, anti-American feeling is rising steadily in a land where once it was almost unknown.

Nevertheless, the United States might yet put itself on the side of democracy. The three elements whose maneuvering degraded Greek political life before the coup—the King and the two major political parties—are belatedly cooperating and ready to form an interim unity government.

Tentatively, King Constantine would return as rallying point for all Greeks with the government headed by conservative Constantine Karamanlis, who provided stability during eight years as Prime Minister and is now exiled in Paris. But neither the King, nor, more important, Karamanlis will return to Athens without Washington's repudiation of the junta.

Few realistic Greeks, however, believe the Nixon Administration will move decisively against the colonels. That accounts for skepticism among gloomy Greek democrats that the dictatorship can be terminated peacefully. Worse yet, they feel preoccupation with naval bases is wedding the United States to the fate of the colonels, be it a generation of tyranny or their violent overthrow and the dangerous days that would lie beyond.

Nature of Greek Junta Underscored by Arrest of Distinguished General

Athens.—The true nature of the Greek military dictatorship is revealed in the fate of Maj. Gen. George E. Koumanakos, who gained international renown fighting Communists on the field of battle and is now completing his 17th month of imprisonment by the colonels who claim they have saved Greece from communism.

The Koumanakos case is another example, dismally frequent in this generation, of Kafka come to life. No formal charge is pending, no trial is scheduled, no fixed limit has been put on his captivity. Underlining the Kafkaesque touch, Koumanakos had kept scrupulously free of political connections—unlike many fellow Greek officers.

Why then is he imprisoned? For precautionary reasons. Koumanakos, a living legend in the Korean War as the fearless commander of the Hellenic Expeditionary Forces, is a patriot who some day conceivably might oppose the present tyrants. Thus, the junta took no chances with a potential rebel.

Koumanakos is one of many. The distinguished Adm. Athanasios Spanides, 66, is beginning his 14th consecutive month of detention in a Greek village. A brigadier, one of the army's most daring officers, is in poor health after suffering head injuries (supposedly in a diving accident) while in captivity. A highly respected retired major general who responded to his recent early morning arrest by slapping the face of the arresting officer was beaten bloody by security troops.

But the case of Koumanakos is perhaps closest to Kafka because of his valorous and wholly nonpolitical career. As a youth in World War II, Koumanakos won a battlefield commission and later escaped the Nazi occupation to join Free Greek bombing squadrons. He was in combat against the Communists throughout the bloody Greek Civil War of 1947–49, winning special commendation from Lt. Gen. James Van Fleet as the conqueror of Mount Cleftis.

But Koumanakos's greatest fame as a soldier came in the mountains of Korea in exploits that inspired his U.S. comrades in an official report of March 25, 1953. Koumanakos's American superior officer, Col. R. E. Akers, Jr., said:

"The Greeks are truly fierce soldiers . . . Yet all their individual courage and resolution is best symbolized in their commander, Lt. Col. Koumanakos. He has constructed for himself an outlook . . . which is higher and nearer the enemy than any other post of a senior commander in Korea. Col. Koumanakos is my eagle. He goes to his battle position high above his soldiers each evening . . . Col. Koumanakos would welcome a Communist attack."

After winning the U.S. Silver Star and Legion of Merit, Koumanakos commanded the Greek military detachment on Cyprus in the 1960 crisis, headed general staff operations in 1964–65, and then retired. So circumspect was he about keeping out of politics that he purposely went abroad in the spring of 1967 to avoid the national election campaign that was canceled by the colonels' coup of April 27, 1967.

Assuming that he had nothing to fear from anti-Communist fellow officers, Koumanakos returned to Greece May 17. Seven days later he was arrested at his home without charge. The General was held for five months at the police station, then transferred to a small, damp prison cell for common criminals where he suffered a heart attack three days later. After a week in the prison hospital, Koumanakos was released in a Christmas amnesty. The charge, made five months after his arrest and never substantiated, was a misdemeanor: "calumniating another officer in 1963."

Koumanakos lived quietly after his release, still refraining from politics. Nevertheless, he was pulled from his bed last Aug. 13 and rearrested following the assassination attempt against Col. George Papadopoulos, the Prime Minister. Charged only with being "dangerous for the country's security," Koumanakos has spent nine months in closely-guarded exile in three villages.

He is now at Deskati in northern Thessaly, sometimes confined for days to his room in a peasant house. He is forbidden to talk to officers or foreigners and the local gendarmerie warns the villagers not to talk to the General. He is given a private soldier's pay of 17 drachmae (about 60 cents) a day for food and shelter.

Col. Nicholas Makarezos, a key member of the junta who served under Koumanakos against the Communist guerrillas, has privately expressed shock at his imprisonment but has done nothing about it. When Koumanakos's wife appealed to the U.S. Embassy, she was informed by a high-ranking diplomat that this was not an American concern. Koumanakos has refused to write his old American comrades-in-arms because he does not want to criticize Greek officers to foreigners.

Those sentiments reveal an officer of the old school, which may be why the colonels have imprisoned him. But the precautionary detention is producing one side effect. Gen. Koumanakos's friends and family for a generation have viewed the Communists as their blood enemies, but now see their real foes as the colonels reigning in Athens. The profound implications of that change in outlook are yet to be felt.

ADJOURNMENT

Mr. KENNEDY. Mr. President, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 14 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, July 8, 1969, at 12 o'clock noon.

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EXTENSIONS OF REMARKS

THE FOURTH OF JULY

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. BIAGGI. Mr. Speaker, our national holidays are occasions of more than passing interest to anyone familiar with American traditions, for they represent the wisdom of the past, all of which is vital to our current understanding.

There is, for instance, a lesson to be learned from the grand tradition of the Fourth of July: That the magnificence of American nationality could never have been secured without unity—the willingness to submerge all minor disagreements in the interest of the common good.

This surely is one lesson that we, as a people, have learned.

On this occasion—Independence Day, 1969—all Americans close ranks, free of discord, in response to the stirring pressures of the moment and the clarion call of our national destiny. Political factions mean nothing on this day, for there is in the air the sound of universal rejoicing that this land, our Nation, remains free and unswervingly devoted to defense of freedom everywhere.

In keeping with the bipartisan nature of the day, it is appropriate, I think, to recall the views of Abraham Lincoln, the first Republican President of the United States, respecting the basic political ideals of Thomas Jefferson, the first Democratic President. In setting forth, as author of the Declaration of Independence, the proposition that "all men are created equal," Jefferson won the undying respect of Lincoln who said in this regard:

> All honor to Jefferson—to the man who, in the concrete pressure of a struggle for national independence by a single people, had the coolness, foresight, and capacity to introduce into a merely revolutionary document, an abstract truth, applicable to all men and all times, and so to embalm it there, that today, and in all coming days, it shall be a rebuke and a stumbling block to the very harbingers of reappearing tyranny and oppression.

No one could say it better than Abraham Lincoln; many have seen fit to second his remarks and to join in his praise of Jefferson, who in fact sounded a rallying cry for all mankind, that is still, today, heard around the world.

We all are well aware that the forces of evil and corruption are fully as energetic as those of peace and decency, law and order. We all are well aware that from the moment this country was founded, the forces of hate, of privilege, of outrage and mischief have endeavored—sometimes openly, sometimes covertly—to seize control of our Government. That they have not succeeded is the result of a thousand battles and a thousand victories by those to whom the views of Lincoln and the views of Jefferson stand as monumental truth.

What is the battle cry today? The same as it was in 1776, in 1865, and all the great years of American history: "That all men are created equal, that they are endowed by their Creator with certain unalienable rights."

Let us go forth to insure the realization of this noble idea, in the name of the men it is a God-given honor to recall and revere, today and every day.

TRIBUTE TO JUDGE PAUL J. KILDAY

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Monday, July 7, 1969

Mr. YARBOROUGH. Mr. President, I call to the attention of the Senate the passing of a former Member of Congress and a great Texan, Judge Paul J. Kilday. His record of public service stands as a tribute to patriotism and love of his country. His preeminence on military affairs and military justice while serving from 1939 to 1961 on the House Armed Services Committee was earned through his efforts for the major military measures of our time, among them historic paybills and the extremely important Uniform Code of Military Justice. His proven knowledge, ability, and fairness led to his appointment by President John F. Kennedy in 1961 to the Court of Military Appeals. His synthesis of the need for law and order in military organizations with the equally pressing need for fair trial and due process has earned for him a place in the hearts of men serving in the military.

His honors, befitting his labors, were many: the Air Force Association's Citation of Honor, the Army Times Accomplishment Award, honorary membership in the Fleet Reserve Association, the Honor Bell by the Military Order of the Carabao, honorary life membership in the Reserve Officers Association, the Veterans' of Foreign Wars Gold Medal of Merit and an honorary doctor of laws degree from St. Mary's University in San Antonio, Tex.

He was a man of stature, strength, courage, patience, and wisdom. He was a man of great love for his family, his community, his State, his country, indeed, for all men. He was a great American.

Mr. President, I ask unanimous consent that the article, "Paul J. Kilday, a Texas Portrait" by Leroy Jeffers, published in the May 1969 issue of the Texas Bar Journal be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PAUL J. KILDAY

(By Leroy Jeffers)

Paul J. Kilday, born in Sabinal of Irish immigrant parents who came to Texas through the old port of Idianola, brought up in a devout Catholic home with five brothers and two sisters on the banks of San Pedro Creek in the near West Side of San Antonio, was a late living embodiment of the greatness that is America. When he died suddenly and peacefully on Columbus Day, 1968, at the height of a brilliant career, he entered not only into the rolls of Saints of God, which was his first concern, but into the halls of honor especially reserved for those who combine the great lawyer, the great public servant, the great judge, the great Texan and the great American.

Educated after Catholic secondary schools at St. Mary's University in San Antonio and Georgetown University Law School in Washington, D.C., Paul Kilday returned to his beloved San Antonio to begin his professional career, in which he was soon joined by his lovely, delightful and able wife, Cecile Newton. From his marriage to this charming and highly competent woman, sister of the fabled former San Antonio sheriff Alfonso Newton Jr., he was blessed with two loving and lovely daughters, Mary Catherine and Betty Ann, who were always his love and his delight.

As a dynamic and effective practitioner in the firm of Kilday and Howard, his performance was such that he was the obvious and only conceivable choice for the post of First Assistant Criminal District Attorney at the beginning of the reform administration of Criminal District Attorney John R. Shook on January 1, 1935. It was then that I became his colleague and his intimate and devoted friend while we were fellow prosecutors in the Criminal District Court of Judge W. W. McCrory. Those were great days with a great lawyer. Paul Kilday was first and last a lawyer. His reverence for the law; his high dedication to the noblest ideals of the profession; his energy and imagination in investigation and preparation; his almost clairvoyant brilliance in tactics, strategy, and cross-examination; and his Old Testament prophet force and sincerity in summation made him the greatest trial lawyer I have ever known—looking back over this now three and one-half decades at the bar. Our work together through more than three hundred contested jury trials of *hand-picked cases* saw less than a dozen acquittals—and with severe prison sentences and seven death penalties saw a dramatic decline in the crime rate and the murder rate in Bexar County. When they tell you punishment doesn't deter, don't you believe it. Paul Kilday knew better.

Yet he was a man of great kindness, warmth and compassion. There lives in San Antonio today a good, sound citizen who was under a death penalty for a senseless, unprovoked murder in an East Commerce Street bar. Paul Kilday called me in the late hours one night and said: "That is not a death penalty case. We can't live with ourselves if he dies. We must go to the Board of Pardons and Parole." We left in the hours before dawn the next morning for Austin. We asked the Board to commute the sentence and they did.

In a fabulous campaign in which he assumed the familiar role of prosecutor and made his opponent and the incumbent, the late and fiery Maury Maverick, the defendant, Paul was elected to Congress in 1938. My principal contribution was a volume of an actually delightful (though most tactless) autobiography entitled "A Maverick American" which I autographed: "To my great friend, Paul J. Kilday, on the occasion of his candidacy for Congress. 'Would that mine adversary would write a book.'" Paul, like a prosecutor, harried Maury with extracts from his intemperate volume throughout the campaign. In a final flurry he concluded his closing campaign address in Maverick Park by shouting "It's trash" and flinging the book into the audience (where through pre-arrangement it was retrieved for posterity). Though it was desperately close—and in the days before voting machines, hung on a thread until late Sunday afternoon—Paul won to the strains of his great campaign refrain "When Irish Eyes Are Smiling."

Paul Kilday, always the lawyer, served his district, his country, and his God in the Congress of the United States and especially on its House Armed Services Committee from 1939 to 1961. Congressional colleagues far and wide have always said that members always came in and filled their seats when it became known that Paul Kilday was to address the House, which he did sparingly, because they knew that they were going to hear a great lawyer who would have something scholarly and valuable to say.

On his Committee he became the preeminent authority on military affairs and military justice in the United States government. He drafted and sponsored to passage the primary military measures of our time, including historic pay bills which provided our men in uniform with living wages. This great lawyer perceived and ferreted out the abuses of justice contained in an authoritarian military system. It was his hand that drafted the Uniform Code of Military Justice. He was the architect of the Court of Military Appeals that applies and enforces it. Most fittingly President Kennedy appointed Paul Kilday to that court in 1961 where he attained the acme of his great career. With the clear, incisive, logical reasoning and rhetoric of his trial lawyer days, the craftsman-like opinions of Judge Kilday have asserted law—have declared order—have confirmed authority—but have required *fair trial and due process*. Generations of military men, living and dead, can rise up and call him blessed.

The honors that Paul Kilday received during his brilliant career would fill many pages. To name only a few: in 1955 he was awarded the Air Force Association's "Citation of Honor" for his tireless efforts in building our national armed strength and enhancing military service as a career; in 1957 he was awarded the "Army Times Accomplishment Award" in recognition of his outstanding leadership in military personnel legislation; in 1958 he was awarded honorary membership in the Fleet Reserve Association; in 1960 he was awarded the "Honor Bell" by the Military Order of The Carabao; in 1961 he was elected an Honorary Life Member of the Reserve Officers Association; also in 1961 he was awarded the Veterans of Foreign Wars Gold Medal of Merit "in recognition of his many outstanding, historic contributions to national security"; and in 1963 he was awarded an honorary doctor of laws degree from St. Mary's University in San Antonio.

On October 12, 1968, a multitude of Judge Kilday's former Congressional colleagues paid moving tributes to him on the floor of the House of Representatives. Congressman Poage of Texas declared that he had "never known a man in this Congress or elsewhere who had so fine an ability to make other people understand the substance of complicated matters" and that he had "never known a Member of this House on whom the Members could more completely rely." Speaker McCormack stressed the great contributions that Judge Kilday "has made to the strength, the dignity, the stability, and the progress of our country." Minority Whip Arends described Paul Kilday as "a wise man, a very intelligent person, and a determined individual with conviction and principle." Congressman Mahon declared "Paul loved his country, he loved its military services, he loved its courts of law." Chairman Rivers of the Committee on Armed Services extolled him thus:

"He was a great lawyer. He had a great analytical mind. He loved the law. He could see the innermost things in the thinking of those who wrote it, and he too wrote good law. He was at home on the court, because he knew the military law. He was an authority on the tactics and the strategies of the military armies of all civilizations, particularly our own, and our own military. A most unusual man was Paul Kilday, thoroughly dedicated to what was good for America."

Congressman Gonzalez, who succeeded Paul Kilday in Congress, declared that the name of Paul Kilday "invokes everything that is symbolic of good government, loyalty, efficiency, and absolute integrity and trustworthiness." Like tributes of admiration and affection flowed on and on.

The life of this great Texas lawyer, prosecutor, Congressman, and judge exemplifies the great American ideal. From his humble home of Irish immigrant parents, devoted to their Catholic faith, there came not only this great man and his two lovely sisters but his beloved brothers Jim—outstanding lawyer and transportation authority; Owen, legendary Chief of Police and Sheriff of San Antonio; Pat, a foremost business executive; Frank (the delightful "Father Pete" of the Catholic priesthood); and Tom, West Point All-American and a hero of the Normandy invasion.

When the cynics ask: "Isn't the United States set up to serve the privileged?" and when the iconoclasts declare: "The American system is obsolete and doomed to destruction"—the voice of faith answers: Look at the Kildays!

Paul Joseph Kilday—lawyer, gentleman, friend, prosecutor, Congressman, judge—great Texan and great American—God Rest His Noble Soul!

AIRPORT AND AIRWAY BILL NEEDED NOW

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. PICKLE. Mr. Speaker, I was glad to see recently that the President sent us his executive message concerning air transportation. In general, the approach taken there is good and I commend the administration.

At the same time, I am keenly disappointed that this message is some 6 months late in getting here; that it was sent only after subcommittees in the other body scheduled hearings on the subject; and that it came after my own subcommittee had postponed hearings when it became apparent in March that an administration agreement on this vital question was not imminent.

As I said on March 20, in introducing two bills dealing with this subject, this is a critical problem, and it is one which demands immediate attention. The lead-time required to implement the changes deemed necessary is at least 2 to 3 years, and events almost weekly since the first of this year have given us reason to know that we must address aviation on a stepped-up scale.

Mr. Speaker, I would like to take a moment to review the major provisions contained in my bill, and compare them with the proposal sent up last week.

Briefly, the bills I introduced with my able colleague, the gentleman from California, DON CLAUSEN, call for the creation of an aviation trust fund, similar to the highway trust fund we now have. Contributions into this fund would come from virtually all classes of aviation users, and include increasing the passenger tax from 5 to 8 percent; levying a 2-cent-per-gallon fuel and gasoline tax on commercial airlines; and an 8-cent-per-gallon tax on general aviation; creating a 3-percent air freight tax; and authorizing a U.S. Treasury contribution into the trust fund of an amount of $300 million per year.

Expenditures out of the fund are authorized in five ways: First, $150 million for funding the provisions of the Federal Airport Act; second, $250 million for development of air navigation facilities under section 307(a) of the Federal Aviation Act of 1958; third, half of the collections on the general aviation fuel taxes for the development of State aviation programs; fourth, half of the collections from the commercial aviation fuel taxes for operational grants to airports served by commercial airlines; and fifth, the balance of funds for administrative expenses, maintenance of air navigation facilities, and research and development.

Mr. Speaker, it is the broad purpose of these bills to assess user charges as broadly as possible, and to create a Federal program which will give us the assurance that this problem will be confronted on a continuing basis.

Now, in comparing this approach with that sent to us by the administration, I am not sure that the goals, in fact, are the same, but I approve of their efforts to spread the tax and strengthen the State aviation agencies. Other points, however, need attention.

In the first place, there is no provision for a trust fund. Instead, we are asked to create a "designated account" in the Treasury. Apparently, this account would not be protected from assaults, by other programs competing for funds, and there is no assurance that fees collected from aviation users, in fact, would be used to rehabilitate our crippled aviation systems.

I would even go on to say that to my knowledge, there is nothing now in existence which could be termed a "designated account." The understanding I have of it is that it is rare, offbeat item not generally recognized in usage today.

Mr. Speaker, the other point I would like to make about the plan submitted by the President is that it does not practically deal with the political problems existing in the field of aviation. It is no secret that the factionalized field of aviation has prohibited us for several years from taking any effective action. The only way, in my view, to overcome this standoff is simply to assess the fees as fairly as possible, and make it clear to all concerned parties that the country will not tolerate further delay.

As you know, the problem, most bluntly stated, is that general aviation resents being assessed almost any fuel tax, and they avidly strive to maintain the right of access of all classes of users to all airports, big or small. On the other hand, the commercial carriers are distressed over the major hub congestion and schedule delays resulting from the popularity of general aviation; moreover,

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they strongly protest the imposition of any commercial fuel or gasoline tax which would not be distinguishable on a passenger's fare.

This is the standoff, and this basically, is the problem which has left us with no effective legislation to date.

I feel that the only way to overcome this probem is to face it directly. This is the reason I have recommended the imposition of all types of fuel taxes, and assessments on all conceivable classes of aviation users.

I was distressed to see that the administration recommendation relies in major part simply on a general aviation fuel tax of 9 cents a gallon, an increased passenger tax from 5 to 8 percent, while avoiding completely the issue of a fuel tax on commercial flights.

In my view, this approach does not respond to the political problems and does not provide any leadership to get the issue off dead center. More importantly, this recommendation will not inspire in all parties the feeling that the others are paying their fair share.

In January of this year, shortly after the new Cabinet was installed, we heard that aviation was to be one of the major projects of the new administration. I would venture to say that the hopes we heard expressed then have been bent considerably during the interim.

Presently, I am anxious that we proceed now in committee to study all of the alternatives presented. We already have waited too long, and the responsibility now falls on us to make up the lost time.

Time is of the essence. The American people are not going to accept further delay. If a great national air tragedy were to occur, we the Congress would have to share part of the blame. Air congestion; air travel delays; poor access to and from airports; slow handling of baggage; outdated navigational and control equipment; and delayed construction of landing facilities—these are the critical problems we face in the area, and these are the important elements to examine in any airport bill. Let us get on with the hearings.

CAPITOL HILL RESTAURANT WORKERS

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. UDALL. Mr. Speaker, as one who has worked long for the cause of adequate compensation for Congressmen and Senators and their staffs, I wish to associate myself with the remarks of my colleague, the gentleman from Indiana (Mr. JACOBS) and others who have spoken out concerning the plight of food workers on Capitol Hill.

To an outsider it must seem unusually cruel and unjust for Members of Congress to have allowed their own salaries to rise substantially while, at the same time, they are taking steps to hold down the pathetically low pay of the people who work in their restaurants and cafeterias. I am sure it would never occur to anyone outside these Halls that individual Members have so little to say about such matters.

Mr. Speaker, I have looked into the manner in which the wages of our food workers are determined, and I will frankly state that I believe the Architect of the Capitol, who has this administrative responsibility, has gone out of his way to prevent reasonable increases in the employees' pay. At some point it was decided to fix these wages by the wage board approach. However, the Architect has rejected the Federal wage board and the District of Columbia wage board, either of which would have meant substantial increases to our restaurant workers, and instead set up his own, unofficial, hip-pocket wage board to decide on the proper level of restaurant wages.

In my judgment, there is absolutely no justification for the wage policy now in force for these workers. It is my very strong recommendation that such policy matters be removed from the Architect and made the responsibility of appropriate committees of the House and Senate. If we are to bear the criticism for injustice to our employees, we at least ought to have some voice in the policies that are made.

It has come to my attention, Mr. Speaker, that the Architect has dismissed Mr. Wendell Quinn, a restaurant employee who had the audacity to exercise some leadership in organizing the employees into an association. It was not my understanding, Mr. Speaker, that the Congress of the United States was antiunion, or that it opposed voluntary associations of employees seeking to redress grievances or improve their conditions. I want to make it clear that I strongly object to this firing, and I urge that Mr. Quinn be reemployed without delay.

I hope and trust that the House will take prompt steps to correct the injustices being done the good people who serve us so faithfully and well and with such good cheer day after day.

A STUDENT SPEAKS

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. GAYDOS. Mr. Speaker, contrary to popular belief, the vast majority of students attending our colleges today do not subscribe to the riotous tactics and insurrection so prevalent on our campuses today. There are those who prefer to call attention to their grievances, whether real or imaginary, by means of peaceful demonstration. They want to be heard but deplore the use of violence and destruction as a means of achieving their ends.

I submit for the RECORD and call the attention of my colleagues to a letter from Richard N. Lettieri which was editorialized in the McKeesport Daily News on Friday, June 27:

A STUDENT SPEAKS

Richard N. Lettieri, son of Mr. and Mrs. John Lettieri, 613 Laurel St., Versailles, is a graduate of McKeesport Area High School where he was president of the senior class and a captain of the football team. He went to Lafayette College in Easton, Pa., where he was graduated this month. He plans to enter law school this fall.

While at Lafayette, where he majored in philosophy, he was president of the senior class and captain of the football team. He also led a peaceful and successful student demonstration in behalf of a greater student voice in his college's affairs.

In an article written for the Los Angeles Times news service, he outlined some of his thoughts about his country and his generation's attitude toward our times. We thought they were worth reading and we offer them here.

"In a recent letter to graduating classes, President Nixon touched on the major question of our time—'Why?' It is a question that haunts the student throughout his college career.

"Since generations before us have shown how to build a nation and of what that nation should be built, we are left to judge how well the job has been done.

"Sometimes we are overcritical, attempting to destroy and undermine the core of our society, a society that has enabled us to ask the question 'Why?'

"Sometimes we are impatient, showing intolerance and scorn instead of reason and respect.

"Sometimes we are arrogant, making demands when requests might be more appropriate.

"But despite our criticism, despite our impatience or our arrogance, this generation is bringing a new honesty and sincerity into society.

"We are asking moral questions in the spirit of justice, not of self-interest, and for the most part in the spirit of conflict but not of violence.

"I feel that most students would like to remain within the framework of the democratic system, using the tools of petition, protest, and confrontation but stopping short of violence.

"In sharp contrast are those who have rejected democratic change and have resorted to violence, intimidation and even terror. These 'wreckers,' as Yippie leader Jerry Rubin has so appropriately called them, offer solutions no more clearly defined than the name 'wreckers' implies.

"Herbert Marcuse, considered by many the philosopher of the New Left, also has doubted the success of democratic means in rectifying injustice. He believes the situation calls for more drastic means but admits uncertainty as to the possible outcome of violent revolt.

"However, he and the student radicals believe that this uncertainty is not sufficient to delay destruction of evil in our society. They believe that their 'great refusal,' as Marcuse calls it, is the correct starting point and they feel no responsibility to supply something to replace what they destroy.

"Responsible students refuse to accept this. The basic asumption of social reform is that improvement can be made. Condoning change without a substitute leaves no assurance that the result will be an improvement.

"Those who have resorted to violence and have violated the spirit of constructive conflict have lost the respect and support of their fellow students who hold similar idealistic goals. However, this is not merely a dispute over tactics, since the radicals' pessimism undercuts the belief in successful democratic reform: the division becomes one of basic political ideology.

Now we must ask to whom we owe allegiance—our form of government which slows the realization of our goals, or our

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consciences which demand that we settle our moral questions without delay. The majority of today's graduates do not view the question as one of either-or.

"They are convinced, instead that the two can be reconciled by utilizing democratic processes and achieving social remodeling quickly but within our governmental framework and without violence or disruption.

"But we must work together. As President Nixon wrote in his letter. 'These are not problems to be faced by one generation and ignored by another. All of us must face them.' "

Young Richard Lettieri, it seems to us, represents the kind of student who "has something to say" and deserves to be heard.

If we fail to take the opportunity to deal with students who share his views, we will eventually have to deal with the "wreckers."

BIBLE TRANSLATION DAY

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. DON H. CLAUSEN. Mr. Speaker, today I am introducing a House joint resolution calling on the President to issue a proclamation designating the 30th day of September as "Bible Translation Day."

I am also inserting herewith an article which appeared in the June 21 issue of the New York Times and which spells out the purpose for and the true meaning behind the legislation I am introducing here today. I encourage my colleagues to read this very stimulating and exciting article.

During our congressional prayer breakfast meeting in Las Vegas at the International Exposition of Flight, 2 years ago, which Arthur Godfrey and I chaired, Dr. Cameron Townsend was one of the group discussion leaders wherein the emphasis was placed on a number of missionary-aviation programs organized and working in various sections of the world.

The Wycliffe Bible Translators, Inc., is but one of the "flying peace corps" operations which I am associated with. This organization has effectively used the aircraft in transporting Bibles that have been written and translated into over 400 languages, into some of the most remote sections of the world; many of which would not be accessible except for the ability to use small aircraft.

The Summer Institute of Linguistics, which is likewise involved in this worthy project, is headed by Prof. Kenneth L. Pike, who is working with Dr. Townsend's organization in providing primers, dictionaries, and textbooks written in tribal languages and dialects.

People throughout the world desperately need to improve their ability to communicate and this is the purpose and intent of this legislative proposal—to tell the world that we in the U.S.A. are a Nation under God, dedicated to advancing the principles embodied in the "Golden Rule."

Certainly, the airplane has once again demonstrated its flexibility toward helping people to better understand each other through the medium of communication. These "flying missionaries" are, indeed, carrying the "Word of God" to a very needed segment of our world's population.

In recognition of their great work, I am introducing this resolution today and urging its passage.

I include an article from the New York Times that succinctly details the progress of this great and growing international multilingual effort:

EXPERT LINGUIST SPREADS THE WORD WITH MISSIONARY ZEAL

(By Israel Shenker)

STANFORD, CALIF.—In "My Fair Lady," Prof. Henry Higgins taught a primitive Cockney named Eliza Doolittle to speak correctly. Prof. Kenneth L. Pike of the University of Michigan has taken the whole world of primitive tribes for his province, and he is trying to understand what they say.

He wants to give their languages a written form and printed materials—above all, the Bible.

An unusual amalgam of scholastic and divine, Professor Pike is an authority on linguistic and one of the most zealous of missionaries.

As he explained in an interview here at the Center for Advanced Study in the Behavioral Sciences, where he has been spending the last year, the linguistic-missionary work is carried on by two organizations with interlocking directorates: the Summer Institute of Linguistics, and the Wycliffe Bible Translators, Inc.

FIVE-HUNDRED STUDENTS A SUMMER

Professor Pike is president of the 35-year-old institute—which holds courses each summer for a total of about 500 students at the University of Oklahoma, Washington and North Dakota, and in four foreign countries.

Graduates, who often continue as members of the Wycliffe group, constitute the corporation, based in Santa Ana, Calif. Their work is sustained by their personal funds and by donations from church groups and others.

Named to honor John Wycliffe, who first translated Old and New Testaments into that primitive language called English, the corporation began as a single man—William Cameron Townsend, a self-trained linguist who communicated his fervor to others.

"We recruit for motive," said Professor Pike," and the first has to be religious motive.

"We're starting on the assumption that God is very much there, and very much running things in a way we don't understand. He's the boss, and He wants us to use our abilities. Among these abilities are intellectual pursuits, and among these intellectual pursuits is the study of language."

SOUNDS STUDIED

For the study of languages, in the beginning is not only the Word, but also the sound. As Professor Pike put it: "The sounds we speak are those we make by moving something above the thorax—lips, tongue, soft palate, vocal chords, and once in a while something else in the back of the throat.

"In Asia, a belch—rattling the mouth of the esophagus—expresses appreciation, as for a good dinner. I included belches in my book of sounds, and I tried to learn belch talk.

"My 'Phonetics,' published in 1943, was an attempt to exhaust all sounds the human voice could make except whistles and trills, which my technique couldn't include." (Professor Pike has nothing against whistles—he has even whistled up a Cheyenne conversation with modulations on a sliding tube.)

"With sounds you can produce an infinite variety," he said. "Take 'eee.' Talk through your tongue and it doubles the number of sounds, double up your tongue and there are more, talk through your nose—still more. Eventually, repeating this procedure with other sounds, you get several million altogether."

In Mazatec, a Mexican tribal language, "father," "devil," and "Lord" sound wondrously alike; in Guatemala's Cakchiquel, "our Saviour" and "a deceiver" are hard to tell apart.

Mexico's Mixtec, one of many tongues which Professor Pike set out to scale, had pitfalls galore. The sound "chaa" had difference meanings depending on its pitch: it could signify "come," "man," and "will you smoke a cigarette?" When the pitch was less than perfect, the result could be blasphemy, as in Matthew, VIII, 7: "And Jesus said unto him, I will come and heal him."

From the millions of sounds available, Professor Pike drew up a list of 300 to help train linguist-missionaries. In 25 years of practicing and preaching, he has found only about five sounds not included in his 300.

"One of them we encountered in Africa," he said. "You take the lower lip and flip it against the upper."

From simple sounds it is a hop, lip and jump to deeper knowledge. "After we've got the students aware of the kinds of sounds they may meet," said Professor Pike, "it's up to them to write these sounds down in a crude approximation. But then they don't know what's important and what's not important in what they've heard.

"Our problem is that we must train students for languages which they don't know, which no one else knows, and for which there are no teachers.

The linguist-missionaries must be capable of handling not only sounds and grammar, but also dramatic form. With the Baribas of Dahomey, the third person is used for introductions, the first person for action.

But the choice of person also depends on who is hero, who villain. Person-to-person niceties help in translating lines such as: "Jesus said, 'No one can come to the Father but through Me' " or (perhaps) "Jesus said that no one can go to the Father but through Him."

ANTHROPOLOGY IMPORTANT

Bible translators have to appreciate anthropology as well. It is essential, for example, to know that the Mnong Rolom people of Vietnam, if they are still there, consider the ear not only a hearing instrument, but also the seat of memory and emotion.

The institutes give students two summers' work in linguistics, and then three months of training in primitive living at a jungle camp.

"When we turn our people loose in the jungle on a language," noted Professor Pike, "they often get started all right, and then run into problems. At this point I come into the picture. I often work on 20 languages at once, and think of it as code-cracking.

"Though we have 2,000 people for 440 languages they aren't all Ph.D.'s in linguistics—there aren't that many in the world. Even if there were, they wouldn't want to live in the jungle for 20 years."

LANGUAGES ON FIVE CONTINENTS

Wycliffe-Institute men have dealt with tribal languages in 18 countries on five continents. In the most recent institute bibliography of work by its members, subjects range from the parochial ("Tonomechanics of Northern Tepehuan") to popular ("The snake that gives money: a Totonac myth") to pedagogic ("Tiipmayamoonawi naowa kapoma gavat yiba vat"—"How the coconut tree and sago tree came to grow in different places").

Languages run the gamut, from such obscure families as Enga-Huli-Pole-Wiru to such little-exercised tongues as Amarakaeri, Dogrib, and Izi—which is not as simple as it sounds.

To help decipher this complex mix, Professor Pike leaves Michigan every third year to

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work abroad, where missionaries deal also with classic matters such as health, schools and preaching. He points out that primitive peoples who come into contact with modern civilizations often lose hope and—as he put it—"disintegrate morally."

"If we can get the Bible to them in their language," he insisted, "and get them to try to read it, and take it as a source of hope and courage, they may be able to survive the transition."

Wycliffe-Institute men have put out eight New Testaments in as many primitive languages, and at least a gospel in about 130 additional tongues. There are about 2,000 languages to go. Translating the New Testament into any one of them usually takes about 15 years. A gospel can be rushed into print after a mere five years of tribal living.

REWARDS SYSTEM HELPING THE RETARDED HERE TO READ

Two months ago, 12-year-old Noreen thought that the letters B-A-L-L spelled "doll." David, 10, could not read his name. And Sandra, at 11, stared at the word "look" and told her teacher:

"I know it, I recognize it—we learned it in class. But I can't say it. I don't remember what it means."

Today, because of a state-funded experimental program in which a child is given extra playtime for doing well in his schoolwork, these youngsters no longer fidget through class periods, staring hopelessly at the letters that crowd their books or gazing listlessly out the windows.

And each one can now read a short essay or story and then answer questions on what he has read.

With 147 other children, most of them from the slum areas of South Jamaica, these three are enrolled in a remedial reading and mathematics course organized by District 28 in Queens—which includes Forest Hills and Rego Park as well as South Jamaica.

CONVERTED STUDIO USED

Each school-day afternoon since April 7, in a converted dance studio on Merrick Boulevard, they rushed back and forth between the lavendar and gold-colored playroom on the first floor and the mirror-lined classrooms on the second floor.

And after nine weeks of being rewarded for high test scores with a game of table tennis or pool, they have begun to grasp the fundamental concepts they failed to learn in nine school terms.

The students in this program are among thousands of New York City school children who are seriously retarded in reading. Of 582,000 elementary, intermediate and junior high school students tested last year, one out of three was one year behind the national norm and one out of five was at least two years behind.

And the program itself—operated by the Educational Advancement Center, 89–28 Merrick Boulevard—is one of nearly 300 projects being operated by the Board of Education in an effort to correct retardation. As Seelig L. Lester, deputy superintendent of schools in charge of instruction, put it, "we want to try everything that comes to our attention, any approach at all."

STRATEGY DEFENDED

To critics, the center's reward theory is a thinly disguised form of bribery. To parents who promise their offspring money or trips to Europe in return for high grades or giving up cigarettes, it is simply common sense.

To behavioral psychologists—and to the 13-member staff of the center—it is a strategy for changing behavior patterns.

"I'm sick and tired of people asking why Johnny can't read," Polo C'deBaca, the center's founder, explained. "What I care about is not why, but how to teach him to read."

Whether or not the gains of such children as Noreen and David and Sandra are more than temporary remains to be seen. In the meantime the teachers at the center are not only encouraged by the children's rising test scores but also by their increasing enthusiasm.

"I like to come early—then I can finish my lessons and do some extra reading," Noreen explained one recent rainy afternoon as she pushed open the front door and slipped into the still empty building.

Then she hurried up the stairs and into her classroom. She hung up her raincoat, went to a bookcase on the side of the room and pulled from a large stack of manila folders the one marked with her name. Inside were her assignments for the day—several reading selections, a pronunciation exercise, a mathematics lesson and a quiz.

Then she picked up the equipment she needed—a tape recorder on which to play her pronunciation lesson, earphones and books—and chose a desk in the corner to work. After Noreen turned in her lesson she got her reward, calculated according to the center's rather elaborate scoring system.

The center, which is financed by the state under the Urban Education Act of 1968, was established by the Westinghouse Learning Corporation, one of a number of companies in the field of educational technology. The center's creation and subsequent operation have cost $244,000—the amount allotted by the state—and of this, $90,000 went to Westinghouse.

OPINION POLL—FOURTH DISTRICT OF MICHIGAN

HON. EDWARD HUTCHINSON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. HUTCHINSON. Mr. Speaker, during the first week in June, I mailed to all postal patrons in the Fourth Congressional District of Michigan my fifth annual opinion poll. Of 140,000 questionnaires sent out, to date 16,250 have been returned. The ballot was so arranged that both husband and wife could express their preferences separately. A total of 29,087 citizens voted in the poll.

There were nine issues listed. In seven of them the participation was practically 100 percent. That is, there were almost no blank ballots. On two issues, however, the number of blank ballots were sizable; and these two issues were Vietnam and the draft. 4.10 percent of the people chose to leave their ballots blank on the Vietnam issue and 5.26 percent did not answer the question on the draft.

Tabulation of the returns was made by an independent data processing firm in the Washington, D.C., area and the results are as follows:

[Answers in percent]

1. Do you favor the Safeguard Anti-Ballistic Missile Defense System proposed by President Nixon?

Yes	52. 25
No	27. 02
Undecided	20. 70

2. Should the Federal Government guarantee an annual income to heads of families, whether or not they are working?

Yes	7. 62
No	87. 13
Undecided	5. 24

3. Should Congress establish the Sleeping Bear Dunes National Lakeshore in Benzie and Leelanau Counties, Michigan?

Yes	57. 52
No	21. 01
Undecided	21. 41

4. How would you deal with the war in Vietnam now?

Pull our forces out and come home, even if this means a Communist takeover	12. 13
Increase our forces there to achieve a military victory?	23. 61
Withdraw our troops as quickly as they can be replaced by South Vietnamese, even though our withdrawal is unilateral?	39. 38
Continue the present level of American participation and the Paris peace talks, seeking a negotiated settlement for stable peace in Southeast Asia	15. 88
None of these	4. 90

5. Do you favor cancellation of Federal scholarships to college students participating in campus disorders?

Yes	91. 28
No	6. 60
Undecided	2. 09

6. Would you at this time—

Abolish the military draft and rely on a career army obtained through voluntary enlistment for our national defense?	20. 91
Draft men by random selection with quotas to be filled out of the youngest age groups, as President Nixon recommends?	42. 01
Continue the present Selective Service System?	31. 82

7. In 1966 the people of Michigan turned down an Amendment to our State Constitution lowering the voting age to 18. Should Congress submit to the State legislatures for ratification an Amendment to the Constitution of the United States lowering the voting age to 18 across the country?

Yes	30. 00
No	64. 88
Undecided	5. 09

8. The Supreme Court recently struck down State laws requiring a year's residency in a State to qualify for benefits under its welfare laws. Do you think welfare programs should now be taken over by the Federal Government and made uniform throughout the United States?

Yes	48. 41
No	41. 22
Undecided	10. 31

9. Do you favor the proposal to turn the Post Office over to a Government owned Corporation?

Yes	56. 14
No	27. 42
Undecided	16. 40

INDEPENDENCE DAY OF THE PHILIPPINES

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. POWELL. Mr. Speaker, on the Fourth of July the Philippine Islands is celebrating the 23d anniversary of the independence of their country.

Throughout the 20th century, the ties between our two countries have been very

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close. During the 48 years when the Philippines were under our flag, the U.S. Government helped the island become a showplace for democracy. World War II served to strengthen our union, for the Filipinos fought alongside American soldiers in the defense of their island homeland.

As a member of the Southeast Asia Treaty Organization the Islands form a part of the chain of free countries containing the spread of communism.

The Philippine Government is rightfully taking a place of leadership in Asia and the Pacific. Today the Islands are the world's largest producer of coconuts and manila hemp.

Stability in areas such as Southeast Asia depends largely on the success registered by countries like the Philippines. It is my fervent hope that the Philippines, entering a new year of independence under the guidance of President Ferdinand Marcos, will continue to register the achievement and progress it so earnestly seeks.

I am very pleased to extend best wishes to the Government and people of the Philippines and congratulate them on their anniversary.

THE CITIZEN-SOLDIER

HON. W. C. (DAN) DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. DANIEL of Virginia. Mr. Speaker, on July 5, a distinguished citizen-soldier, Maj. Gen. Rowland F. Kirks, whose 97th U.S. Army Reserve Command embraces the States of Delaware, Maryland, Virginia, the eastern portion of West Virginia, and the District of Columbia, delivered the commencement address to the graduating class at the U.S. Army Command and General Staff College at Fort Leavenworth, Kans.

The appropriateness of his most timely address is all the more significant because of the example set by General Kirks in fulfilling the challenge he presented to his audience.

Under unanimous consent, I include General Clay's introduction of General Kirks, as well as General Kirks' address, in the RECORD:

INTRODUCTORY REMARKS BY BRIG. GEN. FRANK B. CLAY

Major General Rowland Falconer Kirks attended the Virginia Military Institute from which he was commissioned a Second Lieutenant of Cavalry in 1935. His five university degrees include two doctorates. He holds five diplomas from United States Army institutions including two from the Command and General Staff College and one from the Industrial College of the Armed Forces.

He entered World War II as a First Lieutenant of Cavalry, and was progressively promoted to Captain, Major and Lieutenant Colonel. He served in the European Theatre of Operations as Chief of Combat Intelligence for the United States Ninth Army and concluded his overseas duty in the military government as Chief of Foreign Trade, Headquarters United States Group Control for Germany.

Subsequent to World War II, General Kirks served as Commanding Officer of the 354th Civil Affairs Area Headquarters B, Ft. Myer, Virginia and then was assigned to the mobilization designation as Deputy Director of the Civil Affairs Directorate, Office of the Deputy of Staff for Military Operations, Department of the Army.

General Kirks was promoted to Major General on the 6th of December 1966 and was assigned on the 22nd of December 1967 to his present command as Commanding General of the 97th United States Army Reserve Command, First United States Army.

Prior to his appointment by President Truman as Assistant Attorney General of the United States, General Kirks served successively as Professor of Law, Dean of the School of Law and President of National University.

General Kirks served on the Board of Education of the District of Columbia from 1953–1962.

He is an attorney practicing in the District of Columbia.

Active in civic, charitable and religious affairs of the nation's capital, General Kirks is past Chairman and current member of the Salvation Army Advisory Board; he is presently the President of the Board of Trustees of the New York Avenue Presbyterian Church, and is a member of the Kiwanis Club of Washington, the District of Columbia and Federal Bar Association, the Barristers, and the Metropolitan Washington Board of Trade.

It is with a great deal of pleasure that I present a distinguished citizen-soldier, Major General Rowland F. Kirks.

REMARKS BY MAJ. GEN. ROWLAND F. KIRKS

General Clay, staff and faculty of the Command and General Staff College, members of the graduating class and honored guests.

It is a pleasure to visit this beautiful post. I am indeed honored to be invited to address this graduating class of the Command and General Staff College and to share this significant day with you.

There is a perfectly justifiable feeling of comfortable satisfaction in reaching today's ceremonies, for you have scaled the heights of military achievement. You well deserve the accolades of military attainment which will be conferred upon you this morning. You have demonstrated the finest traits of competence, dedication, perseverance and determination to perfect yourselves militarily. You have my most sincere congratulations on your significant accomplishments, the more so because I know that you have given to the correspondence portion of this course many hours which you could have devoted to leisure time pursuits, to being with your wives and families. Your completion of this course reflects the "true grit" possessed by each of you as Army Officers.

At one point in history, being graduated from the Command and General Staff College was considered the end of formal professional education. But, such is not the case today. I commend to your most careful consideration seizing the opportunities that still lie ahead of you. Advances in theory, as well as in the science and technology of war are so rapid and continuous no one in uniform dare indulge himself the illusion of complacency and self-satisfaction of believing, "I know it all" or "I know enough to safely ride out the rest of my service career to retirement without learning anything new."

Even if the latter is a personal possibility your obligation to the service and those who are in your footsteps and whose education and training is your responsibility demand more of you.

Of course, you are entitled to a sixty day breather before the next academic year begins in September and I trust you enjoy it to its fullest.

Remember that the fine courses presented by The Army War College, the Industrial College of the Armed Forces, and The Army Logistics Management Center will challenge your interest as well as your talents.

This recommendation compliments your outstanding achievement for a job well done and in no way detracts from the fulfillment of a major goal in your career. I suggest that there are even higher goals ahead which in turn hold their rewards.

In the moments afforded me this morning, I shall seek to challenge your vision of what I conceive to be a neglected, if not overlooked, aspect of the dual life which you lead—that is the civilian responsibility of a citizen-soldier. My remarks are applicable to the professional soldier as well and are to be distinguished only in degree.

An appropriate point of origin for my thesis is to be found in the oath of office you took when you were commissioned, to ". . . support and defend the Constitution of the United States against all enemies, foreign and domestic . . . without any mental reservation. . . ."

The prime threat to the United States in the next decade, as far as can be discerned at this moment, is not external but internal. There is no single world power, or combination of world powers, which can subdue the United States by force of arms or will be so bold or indiscrete to even attempt it.

But there are internal forces which have already hurled down the gauntlet of self-destruction. They are bold enough to attempt to execute that which no foreign power is willing to contemplate.

The United States is involved in an internal crisis. Some even refer to it as our third revolution. The first being the revolution when we gained our independence; the second, the War Between the States; and the third, today's turmoil and turbulence which is besmirching and solely straining our social fabric.

We are witnessing our cities convulsed with senseless destruction in the name of "civil rights" . . . universities disrupted and even closed by self-styled revolutionaries in the name of "academic rights" . . . honorable military service scorned and avoided by cowards and self-proclaimed intellectuals in the name of "morality" . . . democratic processes impeded and distored by advocates of anarchy in the name of "freedom" . . . youth anesthetized or artifically exhilarated by drugs, in the name of "self-expression" . . . public places littered and defaced by aimlessly wandering hippies and yippies in the name of "love and peace".

In the world of the pseudo-intellectual, washed and unwashed, it is the in thing to be against every manifestation of anything of value in America. The cry of those who have abandoned their responsibilities to our society is: Down with the American Society!

As a citizen-soldier you are a unique individual, and as such, your Government and your fellow citizens look to you for a unique type of performance as a citizen. You are a dual personality. You possess the best of two worlds—that of being a civilian as well as being a soldier.

You have achieved a high goal as military officers. Have you achieved equivalent heights in your civilian activities? You deserve the accolades of military attainment which will be conferred upon you this morning. Do you deserve equal accolades for your attainments as a civilian?

Are you in civvies as professionally trained to meet this internal challenge as you are in uniform to meet the external threat?

Are you as dedicated to the preservation of this land of ours from internal ills when you wear a grey flannel suit as you are dedicated to preserve it from external assaults when you wear combat greens?

Have you put the same number of hours into the perfection of the civilian tools of citizenship as you have into the professional tools of war?

Specifically—have you exercised the most cherished privilege of citizenship in a democracy—that of voting? Have you voted in every election—local, state and national—in which you were entitled to vote? In the Presidential election last November, 120 millicn citizens were eligible to vote and only 72 million voted; 48 million did not. Were you one of these who did not?

Have you served as a member of your local, state or national government in addition to practicing your profession or pursuing your trade?

Are you involved in your Church's activities? Do you participate in any way in its governance? There is a wave of amazing conduct surging through many religious institutions of this land which shake the very foundations of our respective faiths. It is becoming the vogue apparently to acquiesce in threats of blackmail and extortion. There are some national Church leaders who because of sheer cowardice are giving in to threats, relinquishing their Church properties and abandoning their religious services to interruption by thugs and hoodlums. These clerics rationalize such cowardice with a glib and facile tongue in the name of forbearance, reasonableness, conscience, love of our enemies, cleansing our souls of racial arrogance and callous smugness.

Do you actively and vigorously demand and work for the preservation of your religious inheritance whatever it may be?

Do you serve as a member of your local Board of Education or on the Board of Trustees of the university from which you were graduated?

Have you served as a member of the jury or on the local crime commission? Or, have you begged off or maneuvered out of it when afforded the privilege and opportunity to serve?

There is a cult of violence in the land, in the cities and on the campuses. Today we find scholars, writers, poets, artists and students glorying in the apocalyptic spectacle of burned and looted cities, in the anarchic turmoil on campuses, and in the general disruption of law and order. Yet no society can tolerate a breakdown of its laws and expect to survive. This is so regardless of how misguided idealists or spineless educational and governmental leaders rant about freedom and democracy, crying aloud the myth that violence is an inevitable result of correcting just grievances and civil rights issue.

It is true that a just society must strive with all its might to right every wrong even if righting wrongs is a highly perilous undertaking. We need mayors of cities and presidents of universities who will delight in battle. They have to be encouraged and supported by an informed and aroused citizenry. You have the talent and training and you have taken an oath to act. I am sure you have been awaiting the clarion call. It has been sounded.

Do you take to the press, radio and television in support of justice and domestic tranquility in our streets and on our campuses?

Have you the courage to denounce crime and corruption in government and in business? You have courage when you are in military green—do you when you are in civilian grey?

Do you demand respect and obedience in your home and in your office as you do in your military unit?

Do you exercise the same forthrightness in stamping out permissiveness and incomepetence in your civilian environment as you do in your military command?

Today the ROTC program is under attack from many quarters and on many campuses. What have you done to combat this stupid manifestation of muddleheaded thinking? What have you done to assure the future of this program in your alma mater or in the college in your community so that young men who believe our nation worthy of protection may prepare themselves to defend it, should the need arise?

On the 2nd of June of this year the Secretary of the Army in the commencement address at my alma mater, The Virginia Military Institute, referred to this national asset in this way: "ROTC has proven itself the most successful way to assure a broad representation of backgrounds and philosophies in our officer ranks. It is fortunate that no single institution can meet the Services' requirements for officers. The Army alone commissions over 15,000 new officers through the ROTC program annually. They come from all over the nation. They are educated in some 350 different colleges and universities and in a wide variety of academic disciplines. Thus the ROTC officers entering the Services each year provide the best possible guarantee of a truly representative and diverse officer corps. To be strong and healthy, our Service leadership must be as varied in background as the nation itself. ROTC assures that it will be."

This program, challenged and derided by irresponsible individuals within our civilian community, is the primary source of officers for the active Army. Do you realize that as of 1 February 1969 of 520 U.S. Army generals on active duty 154 were commissioned through the ROTC program? At one point, both of the United States Feld Force Headquarters in Vietnam were commanded by lieutenant generals who started their careers as ROTC cadets. Five of our divisions in Vietnam, at another time, were commanded by major generals with ROTC backgrounds. Today the Assistant Vice Chief of Staff of the Army, the principal military advisor to the Paris negotiating team, and the recently appointed Deputy Commanding General of our forces in Vietnam were commissioned via the ROTC program. During World War II more than 100,000 ROTC graduates served as officers.

As a member of this elite segment of our citizenry—the citizen-soldier—are you doing all that you are capable of to insure the preservation of this single most valuable asset of our Army—the principal source of its officer personnel?

In asking you these questions, I seek to stimulate in each of you a dedication in your civilian approach to life equal to the dedication inherent in your military outlook, and to urge you to take positive, constructive action to counteract those forces that would destory our society. You must stimulate to action and lead the silent majority of our nation.

Become involved! Seek elective or appointive government office. Speak up for law enforcement. Fight crime and corruption. Be proud to express your patriotism. Strive to eliminate incompetence in your offices as you do in your units. Educate those with whom you come in contact to be alert to those forces which are eroding us from within and to join you in the fight to destroy them. Set the example for your children and other young people by showing them you care enough to give of your time and thought by serving on the Board of Education, by being active in your Church, by acting as an advisor to youth groups.

Speaking from personal experience, I can assure you that you will benefit by becoming involved. I have grown in maturity and depth as a result of my participation in the activities of my Church. In the process of working with others on the Advisory Board of the Salvation Army, I have learned compassion and an appreciation of the problems of those who have, in many instances, reached the depths of despair and frustration.

Many of my associates have found deep fulfillment in their social and civic work with such groups as the Boy Scouts of America. The opportunity to help a young boy develop moral fibre, learn the true meaning of principle and experience the spirit of teamwork, has enabled many a man to better appreciate what youth can do when it is motivated and dedicated to building the Nation, rather than destroying it.

Have you the courage to set the example in your own homes? Our determination to teach our children values, to give them principles, to instill in them self-discipline—will reap many benefits for the nation as well as for them as human beings—for they are the future of America. Our best defense against the internal enemy.

The role you play in your community as a citizen-soldier sets you apart from all others as an instrument of competence, balance, organization, dedicated service to God and country. Your non-militarily trained neighbor looks up to you, he expects more from you because you have more to give.

Do you recognize this unique status which you have in the eyes of your fellow citizen? By heritage and the mores of our culture we look upon the men of the cloth with reverence and we have been seldom disappointed; we respect those in the judicial black robe as the dispensers of justice and our respect is well placed; we set apart doctors as those who by training and dedication are charged with the health and welfare of our people and what a remarkable service they perform.

And how is the citizen-soldier viewed in this panorama of those who are set apart from the mases?

This is how I visualize this unique citizen. As a civilian he is a civic leader in every facet of our daily life. He provides the balance and trained judgment, the loyalty and the dedication which has been the very essence of his military training. He grasps the reins of leadership in every phase of his community life; in his Church; in his local government; in his institutions of learning; in civic and charitable activities.

As Army officers you are the inheritors of the finest military traditions that the mightiest nation in the history of man has hammered out on the anvil of more than 150 military campaigns. You take your place beside men who have written illustrious pages in American history and have acquired a common heritage and bond with Washington and the men of the Continental Army; with Grant and Lee; with Teddy Roosevelt; with Pershing, MacArthur, Marshall, and Eisenhower. As military men you are helping to write history.

You are charged today with the obligation of preserving this heritage, instilling it in your successors so that this nation of ours and the hopes and aspirations of all free men shall not perish from this earth from want of professional military excellence. As long as you are in uniform, I have no fear of your dedication to Duty, Honor, Country. As long as you fill your role as soldiers, I have an abiding faith in your capacity and willingness to pay the supreme sacrifice to preserve this nation of ours from all external enemies. By being graduated today from the Command and General Staff College you confirm the fulfillment of the motto of this institution "in time of peace prepare for war."

Of him to whom more is given, more is expected. To you my fellow officers more shall be given today, tomorrow more shall be expected. This morning you are the elite of the Army. Tomorrow morning you shall be the elite of our civilian communities.

I salute you—the citizen soldier.

THE BLESSINGS OF LIBERTY

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. BOLLING. Mr. Speaker, recently Federal District Court Judge John W. Oliver of Kansas City, Mo., a very able judge, spoke on the subject of law, order, the courts, and students. It is a useful speech because like so many good ones it asks provocative questions and avoids easy answers. It makes the listener, or the reader, think—a condition that needs to be cultivated more in these messy days. At one point, Judge Oliver appropriately quotes from the great Federal Judge Learned Hand, who said:

> Liberty is the product, not of institutions, but of a temper, of an attitude toward life; of that mood that looks before and after and pines for what is not . . . it is idle to look to laws, or courts, or principalities, or powers to secure it. You may write into your constitutions not ten, but fifty, amendments, and it shall not help a farthing . . . if it have no stay but law.

Judge Hand went on to say that the blessings of liberty rest upon broad public acceptance of concepts "of fairplay, of give and take, of the uncertainty of human hypothesis, of how changeable, and passing are our surest convictions, which have so hard a chance to survive in any times, perhaps especially in our own."

It is an unusual speech and worth reading. It follows:

REMARKS OF THE HONORABLE JOHN W. OLIVER OF KANSAS CITY, MO., FEDERAL DISTRICT COURT JUDGE, ON RECEIVING THE AMERICANISM AWARD OF THE JEWISH WAR VETERANS, DEPARTMENT OF MISSOURI AT KANSAS CITY, MO., JUNE 28, 1969

I gratefully accept your Award as a representative of the judicial branch of our government. I do so with some misgivings because Justice Holmes once said that "the best service we [judges] can do for our country and for ourselves [is] to hammer out as compact and solid a piece of work as one can, to try to make it first rate, and to leave it unadvertized."

Most of the day by day work that judges perform certainly is unadvertized; it is practically unknown. Public judgment of the administration of justice must rest upon fragmentary reports of the unusual and the exceptional case which, for reasons neither apparent nor explained, are deemed to be newsworthy.

I therefore consider your recognition of a member of the judiciary as a recognition of all judges who toil in the vineyard. I assure you that it makes all judges feel that their work may be worth while to know that there are at least some who hold opinions different from those from whom judges not infrequently hear.

It comes as a matter of surprise to many people, for example, that Justice Holmes once was moved to speak publicly about letters, not always anonymous, he received which reflected a deep hatred and distrust of the Supreme Court of the United States. It may surprise some of you that in 1913, as today, and indeed as in all the days since the time of Chief Justice John Marshall, the Supreme Court was not the most popular institution in the United States. Somehow we get the idea that everyone loved the Supreme Court in the good old days.

In 1913, Mr. Justice Holmes had been on the Court for ten years. He confessed that it was painful "to know that many see sinister motives" in a judge's action "when one spends all the energies of one's soul in trying to do good work, with no thought but that of solving a problem according to the rules by which one is bound."

He philosophically suggested that "the attacks upon the Court are merely an expression of the unrest that seems to wonder vaguely whether law and order pay." He, of course, added that a judge worth his salt "must take things philosophically" and to understand that "no one can complain if any institution, system or belief is called upon to justify its continuance in life." And so it is today. The designation of a judge as the recipient of your award makes it easier for judges to be philosophical and I thank you on behalf of all my brethren on the bench.

I have been asked to talk about an unrest that is current today; the unrest of students which has erupted into violence. This has happened not only in the leading universities of France, Germany, Italy, and South America, but in many of our own American universities.

When I read last night's Kansas City Star I thought I was going to have to shorten what I had been thinking about saying this evening. A columnist ended his column devoted to a convention of college administrators with the statement that although "more questions were raised than settled at the convention, . . . it is apparent the colleges are facing their problems honestly and doing everything within their power to resolve them." I almost gave a sigh of relief because I have long believed that if appropriate identification is made of our real problems, and if those problems are in fact honestly faced, we can, in a relatively short period of time, turn our attention to the new set of problems which always seem to take the place of the old.

A closer reading of the entire column, however, revealed that two full newspaper columns were devoted to an inquiry into, among other things, "the proper relation of athletics to academic life." It seems that the recommended solution to the apparently major problem faced by our educational institutions would be solved if college athletic directors would simply "forget the pros, . . . and merchandise college athletics as pros merchandise their products." "They must sell the public on the fun of college football and the enjoyment of returning to the campus on a football Saturday." "They must appeal to the blue collar worker." In other words, colleges should work to get their share of the entertainment buck.

A single sentence in the column was devoted to the admittedly unsatisfactory effort "to see that the student-athlete is graduated."

Another single sentence stated: "A better effort is being made to understand the Negro athlete, his background, and his needs."

I could not help wonder whether the students involved would place a like emphasis on the problems of higher education discussed on last night's sport page. I even wondered whether a good many students are not questioning the relevancy of having an educational institution in the business of competing at all with professional athletics.

A prophet I have always thought to be wise once taught that "one generation passeth away, and another generation cometh, but the earth abideth forever." He maintained that "there is no new thing under the sun." I suppose the question we should ask ourselves tonight is whether Ecclesiasters really knew what he was talking about.

A man with whom you all are familiar was able to write one August, apparently after the close of summer school, that "our University goes on well. . . . As yet it has been a model of order and good behavior, having never yet has occasion for the exercise of a single act of authority." In fact, that well known man was able to say in August that "all is well" at his University.

The following October, however, presented an entirely different picture. The same man stated that "a serious incident has just taken place." He said that fourteen students had gathered on the lawn of the University; that two professors who went to investigate the noise and uproar were "received with insult, and even brick-bats were thrown at them." When two of the students were seized they refused to give their names. Instead, they called on their companions "for a rescue, got loose, and withdrew to their chambers." It was reported that the Faculty met the next day "to denounce the offenders."

The students, however, answered the faculty "in writing and in the rudest terms, and charged the Professors themselves with false statements." Other students, so went the report, who were in "no way implicated in the riot, and knowing nothing about it, immediately signed the answer, making common cause with the rioters, and declaring their belief of their assertions in opposition to those of the Professors."

What a difference between the serenity of August and the violence of October. But how much difference is there between the students of today and those of 1825, the year of the riot at the University of Virginia, which Thomas Jefferson was describing in his letter of August 27, 1825 to Ellen W. Coolidge, and that of October 13, 1825 to Joseph Coolidge, Jr!

There are, I feel reasonably sure, some very substantial differences between the 1825 riot of the University of Virginia and those which we read about on the front pages of our newspapers today. Mr. Jefferson intimated that the original fourteen University of Virginia students were "animated with wine" and that at first they had "no intention, it is believed, but of childish noise and uproar." Those of you who were students during Prohibition Days probably at least saw a fellow student animated with something at least as strong as wine become involved in what could well be described as "noise and uproar." But the fact that student unrest in the 1930's and even in the 1940's may have followed the pattern of the 1825 riot does not mean that the same thing is true today.

The most recent 172 page staff study of the National Commission on the Causes and Prevention of Violence, entitled "Shut It Down: A College in Crisis," could well be said to present an entirely different picture. That study was devoted to San Francisco State College. That study currently reports that "it is misleading to attribute the cause of violence to outside agitators." It suggested that "the causes lie much deeper." "The students," the report continued, "see themselves as noble people fighting battles to uplift nonwhite races and promote reforms or revolution that will produce a better way of life." But, the report stated, students must come to recognize "that the language of the gutter, the shock rhetoric, a willingness to mount barricades, vandalism and personal assault do not constitute a valid or effective means of getting a better education."

The Cox report on the trouble at Columbia University points out that some of today's students seek to create unrest whereas the student of your day and mine got into trouble quite accidentally.

Additionally of interest is the way students rally behind their colleagues in time of stress. Although only a group of students violate regulations which are acceptable to the student majority, the use of particular police and national guard forces to enforce those regulations, rather than use of other means of maintaining order, has apparently united an entire campus in a manner quite similar to the reaction produced in 1825 when two professors tried to get the names of a couple of wine-bibbers. Whether this is right or wrong is not the question; the question is whether action and over-reaction is part of the complexity of the problems that must be faced.

The study and reflection I have been able to give the problems inherent in the student unrest of today suggests that students in the 1960's react with quite a similar sense of solidarity as that apparently demonstrated by the students of Mr. Jefferson's beloved University of Virginia in the year 1825. The biggest difference, I believe, between the students of 1825 and those of 1969 lies in the causes of discontent which prompted and prompt their respective confrontations with authority. It is one thing to become excited about whether students are to be permitted to become animated with wine and engage in what students of all ages have considered to be a bit of innocent noise and uproar. It is quite another thing to share a profound unrest which grips not only students but their parents and grandparents.

Morton Kondracke's column "New Perspective on Campus Turmoil from Young G.O.P.", also in last night's Kansas City Star, quotes generously from the report made by the 22 Congressmen who recently visited a number of colleges and from the individual comments of several of the Congressmen who participated in the study. That report noted a genuine concern of large numbers of today's students "over what they feel is the difference between the promise and performance of America." "For the most part," said the report, "we found a perceived neglect of human problems to be the single largest motivating force behind the alienation of today's student."

This revolutionary country of ours did ordain and establish the Constitution under which we still live "in order to form a more perfect Union, establish Justice, insure domestic tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity." Those beyond the apparently magic age of thirty are convinced that our Union is more perfect than it was in the time of our fathers and particularly in the time of our grandfathers. But today's students ask just how perfect is our Union?

Those who have followed the past forty years of decisions of the Supreme Court of the United States, as distinguished from the sound and fury produced by those decisions, know that we gradually move closer to a civilized system of administration of Justice. But today's student asks what are we doing about the casuses of crime. They ask whether we are really interested in the reformation and rehabilitation of offenders. How many of you, they ask, have even seen the inside of a jail or a prison? Do you, they ask, really know anything about even the physical conditions of such institutions?

Domestic Tranquility?—Common Defense?—General Welfare? They ask us whether we have read a newspaper lately.

It is possible that today's students are not content with the parental answer that things are better now than they were when you and I were, I like to say, younger? Is it possible that today's students believe more deeply in the ideals expressed in the Preamble of the Constitution than their parents and that they do not believe that there are valid answers to why our Nation must move so slowly to attain those ideals?

Perhaps this may be a part of the generation gap because history teaches that revolutions are not built on new ideas; they draw upon older values and visions. Many of the ideals eventually expressed in our eighteenth century Constitution and Bill of Rights originated as long ago as the Athens of Pericles. What happened was that Americans of Colonial Days began to take those old ideas and ideals seriously. And perhaps something of that sort is again happening; in a different time and in a different way.

But, is it not fair to ask, whether all that sort of talk is inconsistent with the actions of today's students who take over buildings, kidnap faculty members, and destroy property in general? Of course, those actions are inconsistent with the ideals stated, but is it not also fair to ask whether university administrations and faculties have been able to develop administrative procedures which anticipate and appropriately deal with those minority of students whom they know will attempt to provoke a confrontation, which, if improperly handled, will solidify a majority of the student body against those responsible for the administration of an educational institution?

We can ask appropriate questions but I suggest we must go very slow about coming to any conclusion that any easy answers are readily available. Judges serve posts not dissimilar to those served by persons responsible for the administration of an educational institution. They, of all people, know that answers to difficult problems are not easy to come by. They know, for example, that many members of the public are fully convinced, on the basis of the most meager factual information and without any knowledge of the complexity of the problems involved, that they could have imposed a better sentence than the judge charged with that awsome responsibility. The same people, I suspect, are fully convinced that they could have figured out a better way to deal with a student confrontation than any university chancellor.

Are no all of us tempted, for further example, to have rather firm ideas about what should and should not have been done at San Francisco State? Do not many people sincerely believe that a judgment may validly be based on the six sentences quoted last week by the Associated Press from the 172 page report recently made to the National Commission on the Causes and Prevention of Violence?

If those six sentences fit our preconceived ideas we commend the Study Group for its insight and wisdom. If those six sentences do not jibe with what we already think, are we not sufficiently confident of our preconceived judgment that we easily dismiss those six sentences on the theory that the people who wrote them are so uninformed that they are in favor of coddling hippies.

I suggest that there is a great deal of wisdom in what Judge Learned Hand said over thirty years ago when he stated that "while it is proper that people should find fault when their judges fail, it is only reasonable that they should recognize the difficulties." The same thing may be said of university administrators.

"Perhaps," he added, "it is also fair to ask before the judges are blamed they shall be given credit of having tried to do their best. Let them severely be brought to book, when they go wrong, but by those who will take the trouble to understand." Before we assess blame on university administrators in regard to student unrest should we not take the trouble to understand the problems involved?

I recently listened to a university chancellor describe the reasons that controlled his decision in regard to a recent student confrontation. In the discussion that followed the question of what part new laws and courts could and should play in controlling current student unrest was raised. The suggestion that courts should not be counted on for any long term solution was not received with enthusiasm. Indeed, it was clear that many were convinced that if someone would just pass a law, preferably a very tough criminal law, and if courts would just put enough students in jail, all the other students would send home for their father's coonskin coat, his silver gin flask, become concerned about the football team and who should be elected queen of the R.O.T.C. ball, and the unrest on the campus would go away.

The suggestion that constitutions, courts, and laws are not enough to maintain the Blessings of Liberty to ourselves and to our Posterity is not an original idea. William James stated the idea implicitly in 1907 when he said "the civic genius of our people is [the] only bulwark" of a democracy which he believed was "still upon its trial." He suggested that American democracy could not withstand the test unless we, the people, develop the "habit of trained and disciplined good temper toward the opopsite party" and the habit of "fierce and merciless resentment toward every man or set of men who break the public peace." The latter idea suggested community disapproval rather than resort to criminal or other punitive sanction.

Judge Learned Hand expressed the same idea explicitly throughout his long and distinguished career. In 1930 he said that "liberty was a plant which is slow growing and needs [an] equitable climate." He said that liberty is "the product, not of institutions, but of a temper, of an attitude toward life; of that mood that looks before and after and pines for what is not."

And he said, "it is idle to look to laws, or courts, or principalities, or powers to secure it. You may write into your constitutions not ten, but fifty, amendments, and it shall not help a farthing, . . . if it have no stay but law." The Blessings of Liberty, he said, rest upon broad public acceptance of concepts "of fair play, of give and take, of the uncertainty of human hypothesis, of how changeable, and passing are our surest convictions, which have so hard a chance to survive in any times, pehraps especially in our own."

During World War II he told us that it is false to "rest our hopes too much upon constitutions, upon laws, upon courts." "Liberty," he said, "lies in the hearts of men and women; when it dies there, no constitution, no law, no court can save it; no constitution, now law, no court can even do much to help it."

In 1952, when witch hunts were in vogue, Judge Hand again reiterated that "the powers of courts are too limited to reach the more controversial questions that arise" in times of strain and conflict. Judge Hand deeply belived that we, the people, must develop "an informed sympathy with, and understanding of, the desires and values of others."

Learned Hand, as William James before him, urged that we must develop the habit of an open mind and a recognition that "the deepest convictions of one generation are the rejects of the next." He stated that:

"I believe that that community is already in process of dissolution where each man begins to eye his neighbor as a possible enemy, where non-conformity with the accepted creed, political as well as religious, is a mark of disaffection; where denunciation, without specification or backing, takes the place of evidence; where orthodoxy chokes freedom of dissent; where faith in the eventual supremacy of reason has become so timid that we dare not enter our convictions in the open lists, to win or lose."

There are those, both young and old, who today reject the principle that all ideas should be given a fair field and an honest race. There are those who say I am free to curse and shout down all who disagree with me. The Blessings of Liberty do not legitimate "the ruthless, the unbridled will; it is not freedom to do as one likes." "That," Judge Hand told us over a quarter of a century ago, is a "denial of liberty, and leads straight to its overthrow. A society in which men recognize no check upon their freedom soon becomes a society where freedom is the possession of only a savage few; as we have learned to our sorrow."

There are, of course, ample provisions in existing laws which provides penalties for all illegal conduct that has occurred on particular campuses throughout the country. Existing laws vest ample power in available courts to issue injunctions, if injunctive relief is deemed an appropriate remedy by those responsible for the maintenance of the peace on a particular campus. And courts are available for the protection of the rights of any student who may be illegally treated by a particular university administration.

Those laws have either been used or not used dependent upon the judgment of the authorities responsible. Whether appropriate administrative disciplinary procedures have been adopted and enforced in a particular institution is a question which we can ask but not answer because we do not know enough about what is taking place on any particular campus.

I am confident that there is no magic easy solution to the problems that exist on any campus. Indeed, experience suggests that the report of the 22 Congressmen is probably correct. That report concluded that both radical and moderate students alike brought home that "the end to the Vietnam war would not mean an end to campus unrest." Students are deeply concerned, said the report, not only about Vietnam and the draft, but also about problems of "racism, the military-industrial complex, poverty and hunger, the 'police state,' economic oppression, and misplaced priorities." Can we say that it is wrong for anyone, including students, to feel and express concern about those questions?

If it is true that today's student is more committed to getting on with the public business of making the ideals expressed in the Preamble to the Constitution more of a reality than is presently true today, I would think that it would follow that today's students will join us in our declaration of faith in our constitutional institutions, provided those institutions produce reasonable movement toward the attainment of our long-standing commitments.

If today's students do not come to share our faith in America, and if the performance of your generation and mine does not reasonably warrant acceptance of that faith, are we not doomed to see something new under the sun? It will not be new so far as other countries are concerned, but liberty's last best hope would vanish from the earth should we fail in our endeavor.

I am afraid that, like the meeting of the athletic directors, we have raised more problems than we have solved. Perhaps the advice from the Sports' editor is valid. He suggested that we face our problems honestly and do everything in our power to resolve them.

The power of America lies in the hearts of her people. We must never forget that America's greatest asset is the young people of this Nation, many of whom are students. Indeed, there are more students today than there are farmers, a fact that emphasizes the number of people who give every evidence of being restless. The challenge that young and old must face together, attended as it will be with a considerable amount of noise and uproar, is to make the system of government in which we believe work with the appropriate speed and effectiveness that the times within which we live demand.

I hope you share my faith that we can and will meet that challenge.

SUBCOMMITTEE ON CENSUS AND STATISTICS HEARINGS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. DERWINSKI. Mr. Speaker, during its field hearing in California a few weeks ago, our Subcommittee on Census and Statistics heard some interesting comments from Mr. Don M. Muchmore, chairman of the board of Opinion Research of California, which is in the business of conducting public opinion polls.

Said Mr. Muchmore:

> I believe that considering the amount of information provided, considering its exhaustiveness and accuracy, the cost for the Census is extremely small. In addition, I would like to suggest that even this low cost could substantially be reduced if Census materials were to be sold to users at much higher prices than is presently done. Even if prices were to be raised many times over, price levels would remain reasonable, so low are the prices presently charged.

Mr. Muchmore elaborated on this later in the hearing, as follows:

> I would say this also, a critical factor, if the Census is going to cost $250 million, is to do something so that the cost is reduced, and to me the most effective thing that can be done is to evaluate what product you have. If you have a product which is worthwhile, which the census is, then talk to the companies that you are selling it to, look at your publications, decide what a fair cost is going to be in your evaluation, talk to these companies and see if they will pay that price. In most instances you will find that these companies are willing to pay more without any question whatsoever.

Mr. Speaker, I think Mr. Muchmore has offered an excellent suggestion, and today I am introducing legislation to carry it out.

Presently, the Secretary of Commerce may furnish census tables and other data and make special surveys for State and local officials, and private concerns and indivduals, upon payment of the actual cost of such work.

My bill will amend this section of census law to continue this arrangement for State and local governments, but private concerns and individuals will be charged the actual cost of these special services plus 50 percent. I think, in view of Mr. Muchmore's testimony this is a fair charge for information which private concerns probably could not develop except at a much higher cost. The additional 50-percent surcharge is based on the precedent of the law governing the sale of additional copies of Government documents offered for sale by the Superintendent of Documents. Under this law—section 1708 of title 44, United States Code—the Superintendent of Documents may sell such documents at a price based on the cost as determined by the Public Printer plus 50 percent.

I think, Mr. Speaker, that the amendments to the census law which I have introduced are fair and are based on sound practices both in and out of Government.

THE ALBERT G. LANE MEMORIAL AWARD FOR OUTSTANDING CITIZENSHIP

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. PUCINSKI. Mr. Speaker, last week Lane Technical High School in Chicago graduated its largest graduating class in the city with some 1,300 young men receiving their diplomas. It was my privilege to be honored at this commencement ceremony when I was presented the Albert G. Lane Memorial Award for Outstanding Citizenship by the school's principal, Dr. Donald J. Racky.

Lane Technical today stands out as a symbol of excellence in education and it is a tribute to the outstanding programs maintained by Dr. Donald J. Racky, the school's principal, that most of the young men who received their diplomas are going on to colleges and to universities.

Dr. Racky and the entire faculty at Lane Tech can take pride in the fact that the young men they have guided through high school are today among the best educated young people in Chicago.

I am grateful to the faculty, the student body, and Dr. Racky himself for the award bestowed upon me.

Following is my commencement address prepared for this occasion:

> Dr. Racky, members of the faculty, graduates, parents, and guests, I am honored to accept this Albert G. Lane Memorial award for outstanding citizenship.
>
> In these tumultuous times, it is an enriching and humbling experience for an American to be reminded that good citizenship is not a static thing. We grow as citizens as we mature as individual human beings.
>
> I am deeply grateful for this award. As a representative in the Congress for almost eleven years now, I know this award should be shared by the people of Chicago's 11th District who reflect their outstanding citizenship by their own actions every day. They, and millions of Americans like them, make this award meaningful and I accept it on their behalf, in trust for the future.
>
> As I look out over this assembly tonight, I am reminded of a line I once read that said:
>
> "Perhaps the most valuable result of all education is the ability to make yourself do the thing you have to do, when it ought to be done, whether you like it or not."
>
> This quotation comes to mind because it is traditional at commencements to try looking into the future, making a guess or two at what lies ahead for graduates. Almost invariably, commencement speakers take the easy route and paint rosy pictures of that future.
>
> But in these times I don't think it would be either wise or kind for me to make that kind of speech. I think instead I will treat you as your very presence here today has entitled you to be treated, and that is as adults graduating from one of the finest schools in America, who are capable of hearing the truth.
>
> Your education prepares you for the future, but it can do little to help you face it honestly unless you can perceive yourselves as people who are a real extension of the lives of all those who existed before you.
>
> This is a complex idea to get across because it is not in our American tradition, as a rule, to dwell too strenuously on our past when we contemplate our future.
>
> Very few of us—young people in particular—think of the "Founding Fathers" or the "pioneers" or the early settlers of this Nation as specific people with aspirations that perhaps were unfulfilled, with goals that possibly were never met in their lifetime.
>
> The men and women who lived before had problems in their own lives, but each succeeding generation represented a greater step forward in human development, just as you do today.
>
> As you are all perhaps painfully aware, the giant hang-up of my generation was the Great Depression of the 1930's, followed almost immediately by the holocaust of World War II.
>
> The depression and the war affected all

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of us when we were in school and memories of those years continue to shape us, for no one ever forgets his own youth.

No son or daughter of our affluent society today can know what it cost in individual effort for a boy or girl to complete high school in those times. And only the very brightest or the very richest were admitted to college.

Today, a college education is considered virtually an American birthright, but millions of bright and hungry-to-learn students were forced by the circumstances of their point in time to leave school forever and go to work in those depression years.

One-third of America then was ill-housed, ill-clothed, and ill-fed. We, who had been hungry and who had seen our parents even hungrier, vowed that our children would not inherit a world without hope.

Today more than 80% of Americans share fully in the benefits of America's abundance and progress. It is not enough—not nearly enough—but it is a beginning.

Our children face polluted, overcrowded cities and a world in turmoil, but they also share in unprecedented facilities for health and education—Unheard of and even unyearned for opportunities to create a world of beauty and possibly even one of peace.

Our parents gave us less, and their parents before them less yet. You young people should not be persuaded to blame your parents for not furnishing the world with wall to wall perfection, for your own children will soon be judging you.

Once upon a time a generation meant a span of about 20 to 25 years. Not Today. Today knowledge is *doubling* every 10 years. Youngsters now in the 7th and 8th grades will be profoundly affected by this information explosion, as will their younger brothers and sisters in the first and second grades.

So, for all practical purposes, there is now a span of only 5 years between generations. This will have a momentous effect on your lives, for you will be considered "young" for an even briefer time than we were.

And—make no mistake about it—you will be accepted as realistic, relevant, and aware only so long as you outdistance those bright young people crowding in so closely behind you.

I do not mean to frighten you, only to ask you to look at the truths of your own point in time as intently as you can and to make a mature judgment of your real place in a rapidly changing world.

President Kennedy said on many occasions that life is unfair.

To millions of Americans, old and young, it is unfair. To tens of millions beyond our shores, it is not only unfair, it is *intolerable*.

Yet now is a time when professional handwringers pity the poor American youngster who has no one to look up to because his parents are so materialistic—interested only in new color television sets and wrapping the world up in plastic.

"Poor boy," they say. "How can he find himself in a world made by others?"

Well, I suggest that this popular notion of "finding yourself" is both naive and dishonest. It is a hoax being played on those who refuse to think for themselves, and to shoulder their own responsibilities.

Life is not a game of hide and seek, where the *true you* is hidden. We *make* not *find* a self.

And all the copping-out and blaming others for all the ills of our supposedly corrupt society cannot remove the ultimate necessity of facing yourself, as a person, and deciding what effort you will make to give your life strength and value.

Therefore, since I cannot speak for anyone but myself, I plead for leadership—the strong and imperative leadership—of reason.

I plead for freedom of expression for everyone as long as it is free from force and violence.

Above all, I plead for civility and compassion and love, even for those whose deeds and words are "unlovable."

We—your generation and mine—will, I hope, be sharing this Nation at least for a few more years. Together we must be willing to experiment and make some mistakes.

I look at this very different world from the one I inherited from my parents and I am troubled.

Fanaticism and unreality clamor for attention on all sides. There is rigidity in ideas. Points of view are becoming polarized and differences are rarely discussed, let alone faced.

As ridiculous as it is to hear young people insist that "You can't trust anyone over thirty," it is equally unfair to listen to adults branding everyone of school age as "crazy kids."

As you leave the protection and solidity of this great institution, I caution you not to sacrifice your independence to anyone—young or old—who seeks to imprison your mind with a single set of ideas of right and wrong.

The world has never suffered from a shortage of fools because reason is not the exclusive prerogative of any age group.

In discussing reason and its application to our lives, we must also mention violence, for somehow *violence* is becoming a characteristic of your generation—a hallmark of our youth today.

If it persists, you—all of you—will be blamed for not stopping it, merely because you lived and were educated as a product of this point in time.

Those who protest that the younger generation is merely "trying to communicate" are blind to the dangers in accepting violence as the first, and therefore the only effective means, of communication.

Force never communicates when we are striving for understanding. You can't hear what anyone is saying if you persist in shouting yourself.

Power may come out of a gun barrel, but not insight or truth.

It must be your individual responsibility to think clearly about *effects*, as well as about *causes*, for you make a mockery of your independence if you do not.

The changes taking place in the world today cannot be stopped or turned aside. Sixty-five nations have been established since the end of World War II—a total of 136 nations in the world today.

The desire for all people to share in that progress has produced a social upheaval known as the "Revolution of Rising Expectations."

You will be hearing more of it in the future.

The voices are undeniably eloquent and whether originating in the slums of Calcutta or London or in the ghettos of our own blighted cities, those voices demand a response.

The information explosion further contributes to the turmoil and excitement of these times.

It has been estimated that, starting with the time of Christ, the first doubling of the world's knowledge occurred about 1750; the second in 1900; the third, 50 years later, in 1950; and the fourth, only 10 years later, in 1960.

More than 90% of all the scientists who ever lived on earth are alive today. Their numbers increase daily. And many of you in this class will shortly join this avalanche of scientific brains and achievements.

The world's scientists estimate they will learn as much in the next 15 years as man has learned in all preceding centuries, since the very beginning of time.

The effects of this sheer technological whirlwind will influence and ultimately alter the living conditions of everyone in your world of tomorrow.

And with all of this we are confronted with the horror of a world that increases in population and pollution faster than our ability to cope with them.

Today there are 3 billion people on earth. By the year 2000, when you will be witnessing the graduation of your own children as parents, this number will have jumped to more than 7 billion.

Keeping these people housed, clothed, and fed—and hopefully away from one another's throats—will be the overriding concern of the prosperous nations.

The United States, by virtue of its size and immense reservoirs of natural resources, must have some answers ready. Our Nation's position of leadership is secure and you, through the outstanding education you received here at Lane, will play an important role as individuals in preserving that leadership.

As a world leader, the United States must start providing an answer to man's greatest dilemma—why it is that since intellect gained dominance over instinct, man, the human animal, has become the most destructive of all living creatures?

Some of you here tonight may provide a small measure of help for these questions that cannot remain unanswered much longer.

Governments are supposed to solve question, but governments are only as good as the people they serve. And that's where each of you has the capacity to provide growth and intelligence and concern toward resolving these questions.

As a generation, mine has been judged selfish and materialistic. Perhaps we were, and are.

But we were shaped by seeing too many people suffer too much from material want. We remember too many starving childen, and children who had to work.

We have walked too many miles through too many cold mornings to work long hours at low pay and returned home at night to parents with fear and worry in their eyes, and pain in their hearts.

Somewhere along the line, your parents here tonight decided it would not happen to you.

Somehow they would provide you with the vitamins and milk, the warm clothes, the comfortable home and the good schools to give you a running start at an independent life of your own.

Because of it, you are here today, the biggest, healthiest, brightest, handsomest generation to inhabit this or any land—ever.

You are going to live longer, suffer sickness less often, work fewer hours, learn more, see more of the world's grandeur and have more choice in selecting your life's work than any other generation who ever existed before you.

You will have more leisure, more chance to achieve, more opportunity to pursue goals that will enhance your development as individuals and contribute markedly to the environment around you.

My generation has failed, as all those that have gone before have failed, to find a method of insuring lasting peace for all the world.

Despite all our efforts, we have not found an alternative to war.

Perhaps your generation can create a world in which we will no longer need either laws or police to enforce them, or armies to prevent men of one belief from transgressing against others.

I would be foolish not to wish you this power to persuade the world that peace can be achieved while there are yet men here to enjoy it.

But I would be unrealistic if I didn't express *doubt* that violence of men and nations will be erased forever during your lifetime.

Rather, I think you must endure the clamor and the confusion and the injustice, as we have.

But no man of conscience, regardless of his age, should ever give up striving for peace, whether in his relatioinships with his fellowman; with others, or in association with nations.

I urge you to learn to hate injustice without hating the unjust, for once you brush aside the humanity you have in common with all other men, you forsake your ability to reason.

No generation confers power on the next. You will grow into it, regardless of us.

I would be disappointed if you were not impatient with the tediously slow working of representative democracy. Winston Churchill correctly said that it is an impossible system of government, but the best that man has yet devised.

Guard your right to disagree with your public officials and public institutions. Take an interest in your community and refuse to be complacent with the status quo.

But do not advocate frequent changes in laws and institutions merely for the sake of change. As Thomas Jefferson said: "Laws and institutions must go hand in hand with progress of the human mind.

"As that becomes more developed, more enlightened, as new discoveries are made, new truths discovered, and manners and opinions change, with the change of circumstances, institutions must advance also to keep pace with the times. We might as well require a man to wear still the coat which fitted him when a boy as a civilized society to remain ever under the regimen of their barbarous ancestors."

Seek to give some of the time and leisure that will be so abundantly available to you in service to your fellowman—to your brothers.

And never weary of thinking for yourselves and questioning those in authority. In that way, the separate efforts of each of you—however small and seemingly insignificant—will insure a future secure enough to protect all human life and compassionate enough to value it.

Above all, as you leave Lane Tech tonight and assume the challenges to be dictated by the days and years of your own life, you might give some thought to these words that were written in a much earlier century by a man who was also trying to communicate across the generation gap of his own time. He said:

"Go placidly amid the noise and the haste, and remember what peace there may be in silence . . . speak your truth quietly and clearly.

"Listen to others, even to the dull and the ignorant, for they too have their story.

"If you compare yourself with others, you may become vain or bitter, for always there will be greater and lesser persons than yourself.

"Enjoy your achievements as well as your plans. Keep interested in your own career, however humble: it is a real possession in the changing fortunes of time.

"Exercise caution in your business affairs, for the world is full of trickery. But let this not blind you to what virtue there is; many persons strive for high ideals, and everywhere life is full of heroism.

"Be yourself. Especially do not feign affection. Neither be cynical about love, for in the face of disenchantment, love is as perennial as the grass.

"Take kindly the counsel of the years, gracefully surrendering the things of youth.

"Nurture strength of spirit to shield you in sudden misfortune. But do not distress yourself with dark imaginings. Many fears are born of fatigue and loneliness.

"Beyond a wholesome discipline, be gentle with yourself. You are a child of the universe no less than the trees and the stars; you have a right to be here.

"And whether or not it is clear to you, no doubt the universe is unfolding as it should."

Good luck and thank you!

INDEPENDENCE DAY OF ALGERIA

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. POWELL. Mr. Speaker, 7 years have passed since the free and independent state of Algeria received her independence from France on July 5, 1962. Since that time tremendous economic advances have been made by the Algerian people.

The government of President Houari Boumedieune has pressed for a state-controlled economy despite shortcomings and setbacks. A healthy sign is the self-criticism published occasionally in the pages of the government-controlled press, pointing either to mismanagement or to deficiencies in sectors of the economy. Thus Mr. Boumedieune has given the Algerian people a clear indication that he wants to close the gap between the affluent and the destitute by illuminating the various problem areas.

For the third consecutive year efforts are being mainly directed to the development of industry. Algeria is basically an agricultural country, but the Government contends that without modern tools and chemicals the land cannot be properly developed. Instead of spending their foreign currency for importing these items and other commodities, the Algerians want to create domestic industries for such products.

Published figures show an ambitious industrialization program for 1969. About $700 million was marked for industrialization, with 80 projects on the list. Some of the projects include:

First, a tractor and diesel plant; textiles, sugar, cement, and canning factories.

Second, a contract for the construction of a natural gas liquidation plant at Skickada in eastern Algeria, concluded with a French firm in December 1968.

Third, a multi-million-dollar iron and steel complex at El-Hadjar, also in eastern Algeria, scheduled to partial production this year.

Algeria is in an enviable position compared with that of many other developing countries in that she has a steady and almost guaranteed income in hard currencies. The sophisticated position of her economy enables Algeria to initiate long-range industrial and other development projects.

United States and Algerian relations were enhanced in October 1968. The Algerians signed an agreement with the Getty Petroleum Co. of the United States. Under the partnership between Getty and the Algerian state oil concern, the Algerians have maintained major control of the company.

Algeria's future looks bright. On its 7th anniversary of independence, let us in the United States extend our greetings to the people of this democratic North African state and wish them rapid progress and prosperity during the forthcoming years.

REMAKING SOCIETY

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. BOLLING. Mr. Speaker, "Message for Revolutionary Generation: You Can Remake This Society," which appears in the July 15 Look magazine, offers sound advice. Its author, the chairman of the Urban Coalition and former Secretary of Health, Education, and Welfare, John W. Gardner, is one of our wisest leaders.

Mr. Gardner points out that many of our institutions need to be changed. One institution which urgently requires change is the U.S. House of Representatives. That is where the real power of the conservative who wears the label Democrat is. There he benefits from the outmoded system of unmodified seniority. There the conservative Democrats with their allies on the Republican side dominate the key committees on Appropriations and Ways and Means and generally slow the whole legislative process.

In two books, "House Out of Order" and "Power in the House," I have urged specific reforms which would modernize the House. This is not a major element in the reform of one of the two parties but the most important reform necessary to make the Democratic Party truly responsive to our society's needs.

Mr. Gardner's article follows:

MESSAGE FOR REVOLUTIONARY GENERATION: YOU CAN REMAKE THIS SOCIETY

(By John W. Gardner)

This Spring, I received a letter signed by three undergraduates at a major university. They said, "We don't like the fanaticism, the coercive tactics and the ego games of the extremist leaders. But we think things have to change in this society. What can we do?"

I have had the same inquiry—"What can we do?"—from many young people. The quick answer is "Plenty!"

But first, you are right to say there are things that must be changed. Our nation is in deep trouble. There are intolerable injustices to be corrected, outworn institutions to be over-hauled, new solutions to be found—and you can't live placidly as though you hadn't noticed.

If we are to root out the evils, deal with the swift pace of change, meet new conceptions of human need and preserve the vitality of this society, our institutions must undergo quick, far-reaching adaptation.

As young people, you are well fitted to renew human institutions. You have the necessary freshness of vision. You have the necessary impatience. And you are not yet entrapped in custom.

But if you are to benefit from those assets, you are going to have to think hard about the realities of social change. The extremist student leaders have devised some theatrical and destructive games that provide the thrill of conflict (and great ego inflation for the leaders themselves) but accomplish virtually nothing in the way of real social change. The extremists are dependent for their success on the permissive atmosphere of academic life. For all their talk of changing the world, they are playpen revolutionaries, imprisoned by their own tactics in the only world that will tolerate them.

The weaknesses of most political action by youth, here and throughout the world, have been inexperienced and futile assaults on the wrong targets, aimless and destructive bursts of anger and violence, and the willingness of many to be exploited by irrational, narcissistic and cynically manipulative leaders. Over and over, we have seen that violence and coercion do not lead forward to constructive change but backward to repressive countermeasures.

What are the alternatives for you? To my mind, they are many and exciting. The best proof that they exist may be found in last year's political campaigns.

Those of you who served as campaign workers committed yourselves to disciplined endeavor to cope with the world on its own terms. In doing so, you left an indelible mark on the year 1968. You may have started something that will change everything.

What I propose is that you now bring your enthusiasm and commitment to a very specific set of tasks that *must* be carried through if this nation is to measure up to the challenge ahead: 1) *reform of the major parties;* 2) *reform of the electoral process;* 3) *reform of state and local government.*

What you have seen in the past year must have whetted your interest in the machinery of party politics and the workings of the electoral process. Some of you have been so repelled or discouraged that you have given up both on the parties and the process. But others, perhaps most of you, are not discouraged because you sense that you have really set some changes in motion. Few professional politicians would have predicted that the Democratic convention of 1968 would outlaw the unit rule not only at the national convention but down to the state and local levels. Few would have believed the convention would require that delegates be chosen under procedures open to the public. Yet those revolutionary steps were taken—and you played a major role.

At the local level, thanks in part to your efforts, new candidates with fresh views appeared in many places. Incumbents were forced to reassess their positions on important issues, including the war. Local party chairmen were in some instances replaced. School boards have been forced to reexamine their policies.

That is only a taste of what can come. You know how badly a fresh breeze is needed. You know that we need to shake up the means by which the parties manage their affairs, choose their delegates, run their conventions. You know what peril for democracy lies in the skyrocketing expenses of political campaigns. You understand how archaic are the processes of the electoral college.

Similarly, you have gotten at least a glimpse of the critical need for reforming state and local government. You care about the idea of participation, and you know that most participation must necessarily be at the grass roots, a level dominated today by antiquated and creaky political machinery. State and local governments are ripe for major changes. You can have a major hand in bringing about those changes.

Here are some of the activities young people could engage in (and I would include many age levels and many kinds of people: ghetto youth with natural leadership capacities but not much education, college undergraduates, graduate students, young professionals, teachers and businessmen):

Sign up for work in your own party: write Sen. Fred Harris or Rep. Rogers Morton, chairmen, respectively, of the Democratic and Republican national committees, and ask what plans they have for involving young people in party work. (They have such plans.)

Run for elective office, or do volunteer staff work for someone running for office.

Enter government service at state or local levels.

Help design and participate in publicly or privately financed internship programs that will enable young people to get a taste of public life before entering it as a career.

Form a local group to study in depth the social problems that confront your community, and present your findings to appropriate legislators and administrators.

Insist on participation by youth in civic organizations concerned with social problems. Say to civic leaders. "You don't like it when we take unconventional action; then give us a piece of the conventional action."

Do volunteer work for organizations dedicated to good government, and recruit others of your age group to do likewise; if you find no organization that suits your purposes, form your own.

Form a local youth organization to study the processes of state and local government, to discover practical means of improving it and to take action.

These suggestions stress state and local politics, but I'm not suggesting you forsake the national arena. Every member of Congress has roots "back home," has ties with local party machinery and worries about what his constituents say. You can reach him.

College and university professors of government can help you explore the realities of the world you hope to change, through courses for credit, field projects and extracurricular action. Law school professors can advise you on model-state legislation, conflict of interest, new instrumentalities for citizen action and so on.

Mayors, governors, state legislators and members of Congress can give you counsel on the workings of government. (I know that only a few such public figures will have the adventurousness—or is it shrewdness?—to do so, but a few may be enough!)

All civic organizations should make a point of bringing young people into the heart of their activities. Foundations should provide funds for action-oriented research and programs.

I propose that you form local organizations to pursue these matters. I do not wish to suggest the form the organizations should take, because your purposes will vary. Some of you will wish to work through the Young Democratic or Young Republican organizations. Others will be inclined to form new organizations.

Just the fact of your participation in local politics and government will in itself have a powerful and beneficial effect. It will be good for the community and good for you. But mere participation is *not* the goal. You could enter the system, adjust to it perfectly, end up at the top—and leave us exactly where we are now. The purpose is not just to enter the system. The purpose is to change it for the better. Your elders have shamefully neglected the task of improving state and local government. You can correct that.

The object is the redesign of institutions, the renewal of society. It will take all the intelligence and energy and shrewdness you bring to bear. But the stakes are high.

The object is to win—not to make yourselves feel noble, not to indulge your anger, not to pad your vanity but to renew the society.

Human institutions can be changed, if you care enough to work at it, if you care enough to study the machinery you want to change and find the points of leverage.

At this critical point in our history, we can less and less afford to limit ourselves to routine repair of breakdowns in our social processes. More and more, we must undertake the imaginative redesign of those processes. We see in all clarity that many of our institutions are ill-fitted for the tasks the modern world presses on them; yet they stubbornly resist change, even in the face of savage attacks by those who would destroy them.

Unless we are willing to see a final confrontation between institutions that refuse to change and critics bent on destruction, we had better get on with the business of redesigning our society.

You can renew this society. But not in a fit of impatience and not wtihout effort. You must be discriminating critics of your society, seeking to identify, coolly and precisely, those things about it that thwart or limit human potentialities, and therefore need modification. And so must you be discriminating protectors of your society, preserving those features that strengthen the individual and make him more free. To fit yourselves for such tasks, you must be sufficiently serious to study your institutions, sufficiently dedicated to become expert in the art of modifying them.

The time is ripe for constructive and far-reaching improvement in our institutions. No one person, obviously, can do it alone. But young people all over the country, working together, might produce just the leaven, just the stimulus, just the lift of spirit that this nation needs to move on to the next stage of development.

THE BUDGE COMMISSION TAKES OVER IN WASHINGTON

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. HANSEN. Mr. Speaker, I would like to call the attention of my colleagues to an article in the June issue of the Institutional Investor about Hamer H. Budge, a distinguished former Member of this body who is now serving with equal distinction as Chairman of the Securities and Exchange Commission. For 10 years from 1951 to 1961 Hamer Budge was a Member of Congress from the Second District of Idaho, the district I am now privileged to represent. He earned a reputation as one of the ablest and most effective Members of the House. Following service as a district judge in Idaho, Hamer Budge was appointed to the Securities and Exchange Commission in 1964 by former President Johnson. He was appointed Chairman earlier this year by President Nixon. His leadership as a member and Chairman of the Commission has won him wide acclaim. As part of my remarks, I include the article by Heide S. Fiske:

THE BUDGE COMMISSION TAKES OVER IN WASHINGTON

(By Heidi S. Fiske)

(NOTE.—When Hamer H. Budge was appointed chairman of the Securities & Exchange Commission last February, about all that most Street observers knew about him was that he was the senior Republican on the Commission and that his earlier record as a congressman from Idaho qualified him as a conservative Republican at that. (The AFL–CIO judged that Budge voted "wrong" on 13 out of 13 major bills in 1957 and 1958.) Today they know little more, for Budge tends to keep his views to himself and to stress that they are his views, not necessarily those of the Commission as a whole.

(In an attempt to learn how he approaches his new task and what he thinks about the major issues facing the investment industry today, Senior Editor Heidi Fiske conducted a two-hour taped interview with the chairman in late April. In addition, discussions were held with the other three commissioners and several important members of the staff. Here, and in the interview excerpts which follow, is an attempt to round out the picture of the man who is at the helm in a time when the investment world is undergoing profound changes.)

Hamer Budge is a quiet, smiling man of considerable charm and no pretentiousness. He perches precariously on the very edge of a chair and leans forward attentively when you talk to him. Rather than go to the trouble of moving to a bigger, fancier office when he became chairman, he stayed in his old one, which is smaller than those of some of his colleagues. He just had a few walls knocked out in adjacent quarters to make room for extra secretaries. The main decorations in his office are an American flag, four large photos of Idaho countryside, and a picture of his daughter (an only child, who is now 9 years old) raising her right hand with him when he was sworn in as an SEC commissioner five years ago.

In the opinion of one fellow commissioner at least, Budge will have a tougher job than his predecessor. "Manny was chairman at an easier time," this commissioner says. "For one thing, he worked with brand new commissioners who, so to speak, didn't yet have ideological bases from which to operate. And he had highly visible issues to deal with, issues that could be inveighed against. The judge, on the other hand, will have to face broad, vague, structural problems."

The new chairman of the SEC is called "the judge" as universally as former chairman Cohen was called "Manny." The reason is not just the euphony of the phrase Judge Budge. Nor, for that matter, is it simply that, in the three years before he joined the Commission in mid-1964, Budge served as a district judge in his native Idaho. He is called "the judge" because of his entire approach to his job.

The contrast with Cohen was perhaps best put by a commissioner who said that "his is more of a judicious than an advocate nature." Where Cohen initiated action and rode herd on it to the end, Budge seems to sit more at the end of the line, deciding on his stand when all the facts and other verdicts have been assembled.

There is also a difference in the emotional temperature of the two men. "There is less table pounding now," says another commissioner. "We talk less and the tempo is slower; there isn't the staccato there used to be." Ironically, though Budge is considered more interested in the opinions of his fellow commissioners than was his predecessor, he holds fewer meetings: three a week instead of one or more a day. And in sharp contrast to Manny Cohen, Budge seems to want less SEC intervention and more of the fundamental decisions made in the courts, the Congress, or the marketplace—at least as far as his fellow commissioners now see it.

There are differences between the present chairman and Cohen which proceed from their very different backgrounds, too. Brooklyn-born-and-bred Cohen spent his entire working life at the SEC, moving up to director of the Corporation Finance Division before his appointment to the Commission late in 1961. One commissioner sees the result this way: "Manny had grown up with these acts and had developed an attachment to some particular interpretations." On the other hand, Budge, formerly a congressman in his state and in the U.S. House of Representatives, proceeds without these attachments. Because he knew the laws so intimately, Cohen tended to be concerned with the technical intricacies of some measures; Budge takes a broader-brush approach. Above all, Cohen, in the words of one of his colleagues, "was Mr. SEC and he felt it very strongly. Other views were kind of an attack on the institution." Budge occasionally seems more inclined to discuss views other than his own.

Not that he doesn't have strong views—rather he tries to soft pedal them. They can be discerned, however, in his colleagues consensus about his approach and in his dissents from SEC opinions. His fellow commissioners agree with the way his views have been represented in the press so far; he is, they say, against concentrations of power; and for the small broker-dealer and the regional firm.

Hamer Budge's dissents from the Commission's recommendations over his five years at the SEC would tend to bear this out. Surprisingly, this consensus man has dissented on more cases than any of the other present commissioners, eight times in all. Four of his dissents have asked that sanctions against small—and in all but one case non-New York-based—broker-dealers be lightened. One strong dissent came up when the First National City Bank asked to market its special equity fund to the public. Budge said no; the other four commissioners said yes. The remaining three dissents involved utility holding companies. For instance, in one case Budge felt that the act did not permit such a company to put up low-cost housing. In the other two he objected to proposed mergers of utility companies.

The Institutional Investor questioned Budge on every major issue facing the investment world today. He replied very cautiously, like a judge asked to comment on a case before all the evidence is in. Thus, he refused to discuss the pending mutual fund legislation, noting that the SEC's views are available in any case, since the Commission supported S 34, the Sparkman Bill. He also declined to comment on the interlocking issues that the commission rate hearings would discuss: volume discounts, institutional membership, and so forth—although he made a few guarded comments on the industry's need for capital and the merits of public ownership. Quite often, he asked to defer his judgment on an issue, such as the market effect of hedge funds, until the institutional study the Commission has just embarked on is over.

Where he did voice his opinions, he tended to do so—much as does the man who appointed him chairman—in very broad terms. It was not clear whether this was another expression of his caution, or came about because he cares more about the broad aspects of an issue, or because he is not conversant with some of the ramifications of the issues. Consequently, the following excerpts from the interview serve more to provide an overall view of Budge's approach, and to indicate where his feelings are strong, rather than to detail exactly what he intends to do about the industry's problems.

Question. Is it your general approach to try to avoid putting restrictions on how a man should run his business?

BUDGE. Just as an across-the-board statement, I feel the government should not tell people how to conduct their affairs. We should look at the end result and see that the purposes which the Government is seeking to achieve are achieved, and not the mechanics that are followed to achieve them.

Now, for example, in the back office, I think that the brokerage houses should get their affairs in order and get them in order as soon as they can. Otherwise, they have to get out of business. By the same token, I would not be honest with them or with myself if I were to say: "I think you should do this and do this and do this to solve your problems," because I don't know one-tenth as much about how to solve their problems as they do. I would want to insist that they achieve the result, but how they do it, I would rather leave to their judgment, because I think they are better informed.

Question. Some people have said yours will be a "cops-and-robbers" commission—that is to say more oriented towards enforcement where criminality is concerned than towards the industry-structure issues. Do you agree?

BUDGE. Well, I was a judge for three years; a congressman for ten and for six years a member of the legislature. I think my legislative leanings are perhaps stronger than my judicial ones, which is just the opposite of what these people say is true. When new types of mutual funds or letter stock, for example, come in, when there are changes in circumstances which require new rules of the game within the ambit of the regulations which the Commission has adopted historically under the Act, then I would like to have the Commission look on it as a continuing obligation to legislate, to keep up to date, to see that it is meeting the current situation with the rules under which it wants me to operate.

THE VALUE OF REGIONAL FIRMS AND REGIONAL EXCHANGES

Question. How accurate do you think are these widespread characterizations of you as someone who is for the small guy over the big, and the regional guy over the central?

BUDGE. I would like to see the regional broker-dealer, the smaller broker-dealer, stay in office, not only because he performs a service to the community as a broker-dealer, but also because he fulfills a very real need of getting equity capital for the small businesses around the country. Now, that does not mean that I am against the New York-based firm, because I am not. I think everybody in this industry should be treated the same way. I am not for the big or the little, but I do feel that the small broker-dealer is disappearing from the scene—the regional broker-dealer—and I think that that is not a good thing for the regional investor or the regional company.

Question. Are you concerned that the regional exchanges should stay alive or are you not sure that that is necessary?

BUDGE. This is rather a difficult area because there are regional exchanges and regional exchanges, as you know. There is as much difference among some of the regional exchanges as there is between the central market and the regional exchange. (Budge would not comment further on this; he would not say in what terms he saw the difference, or what effect it would have on his thinking about the need for regional exchanges.)

Question. Do you think that regional exchanges are an essential part of a healthy functioning set of securities markets, or could they be eliminated without ultimately harming the investor?

BUDGE. It seems to me that in today's markets they have all had plenty of business. I think it is a question of whether or not they can adapt themselves to the conditions and survive on their own rather than a question of what we think they should do.

THE BACK OFFICE PROBLEM

Question. Do you think that the back-office problem is going to get worse before it gets better?

BUDGE. No. The statistics that I have seen indicate that the conditions are considerably improved. That does not mean that we are, by any means, out of the woods.

Question. Are you considering restricting member firms trading for their own accounts as one way of goading them into speeding up their back-office efforts?

BUDGE. It is not under present consideration, but it certainly is one of the things that could very easily be reversed unless the back-office problem continues to improve.

Question. Do you consider it a misuse of a firm's prerogatives for it to say: "We have too much work; we are going to cut the smaller customers out of our business rather than the bigger?"

BUDGE. I have misgivings, certainly, and particularly on the New York Stock Exchange firms, because one of the elements that they have stressed in defending the present commission rate structure is that it permits them to take care of the small investor. So it would seem to me that the member firms have an obligation to take care of the small investor.

I don't know just what causes it, but it seems to me that the small investor is going into the market in increasing numbers through an intermediary, a mutual fund or something else.

Question. And doesn't this snowball the problems for those small investors who do not choose to do that?

BUDGE. I think that is true. I am not sure that it is in the investor's best interest to go through an intermediary to get a share in American business. I have some misgivings about that.

Question. Do your misgivings focus exclusively on the concentration of power this creates?

BUDGE. No. I think that if a person wants to buy some AT&T—or whatever else it might be—that he should be able to do it directly without going through any intermediary. I would hate to see that privilege disappear. Where is the Monthly Investment Plan, which Merrill Lynch was promoting a few years back, today?

PUBLIC OWNERSHIP OF NYSE MEMBER FIRMS

Question. What are your personal feelings about the value of public ownership of member firms?

BUDGE. These firms need more capital—there is no question about that. I don't know whether this is the right and only way to furnish that capital, and I won't know until these rate hearings are over.

Question. Suppose the commission rates were to stay exactly as they are now. Do you think they could raise this capital internally under the present commission schedule?

BUDGE. I don't know. Actually, the commitments that some of these institutional firms have are just terrific.

Question. Do you mean the amount of money they have tied up in positions and things like that?

BUDGE. Yes. The borrowing is tremendous just to carry the supplies that they have.

Question. You speak as if you might be a little concerned that it is a house-of-cards in some cases—that if the market reversed and these positions were worth a lot less, this borrowing power could boomerang. Do you feel that way?

BUDGE. I do. Getting back to the public ownership question, I think it might raise important conflicts of interest.

Question. Do you mean because the firm would tend to get into other businesses?

BUDGE. Yes. Also, from a regulatory standpoint, considering how quickly companies can be taken over under the present mechanism, it may be pretty hard to tell just who holds the establishment from day to day. There might be people moving in, buying a controlling interest in a company, that the regulators—the self-regulators or the Commission—would not want in that business and controlling that house. It would be pretty hard to do at the present time. We pretty much know who is in control of the brokerage firms today, and we are expecting a very high degree of integrity from those people. If we are to know and expect the same degree under public ownership, we would pretty near have to know who is buying a control position or an influencing position in a publicly-owned brokerage house.

Question. How would you feel about publicly-owned brokerage houses getting into other financial businesses, to **the extent that they are not prohibited by law from so doing?**

BUDGE. I don't know. I would want to give that a lot of thought. It is an area where I would start out with a reservation.

Question. What about the crucial question of institutional ownership of a publicly-owned brokerage firm? How would you feel about Fidelity owning 20 per cent of Merrill Lynch?

BUDGE. From the regulatory standpoint it gets to be pretty difficult to expect the same degree of reliability and the same degree of performance when too many people get to be acting as their own brokers. I would certainly want to be convinced that we could get the same degree of integrity and compliance with the rules of the self-regulatory agencies and our own rules as we now expect from the houses which are divorced from those customers. If the partners of the house are not free agents, if they are just employees of someone else to whom the Commission would have to look, I think from a regulatory standpoint that I would want to know more, to feel a little more comfortable that that is a good stance.

Question. What about the rather basic change in the general concept of what is a mutual fund, such changes as hedge funds and other things bring to the industry?

BUDGE. I have always envisioned the mutual fund as being an investment for the long pull. I had never envisioned it as being an instrument for in-and-out trading.

Question. Do you feel that it would be appropriate for the Commission to take any kind of action against the formation of this sort of fund?

BUDGE. There again I think the institutional study is going to give us and the industry a lot of information as to just what the effects of the activities of these new types of funds are—and our conclusions as to whether they should be legislated out of existence would have to wait till then.

Question. It is interesting that you consider it a genuine question that it might be of value to legislate these out of existence.

BUDGE. I don't know.

HOW INSTITUTIONS USE THEIR COMMISSIONS

Question. Do you think that it is justifiable for an institution to use commissions for any other purpose than getting an order executed as well as possible, say, for research?

BUDGE. I think that is a business decision. If the firm wants to use its resources for research, that is a bona fide operation. I don't know why we would question it.

Question. Would you consider it also a business decision for a mutual fund to use its commissions so as to promote the sale of its funds?

BUDGE. Assuming that they got the best execution, I don't see that the Commission should start telling people to whom they should take their business.

CORPORATE TAKEOVERS: THE ROLE OF INSTITUTIONS

Question. What role do you think institutional investors are playing today in corporate takeovers?

BUDGE. There is a tendency, although it is very hard to pin down, for institutions to act together in a rough alliance in connection with conglomerate takeovers. Personally, it troubles me whether that is a proper role of, say, mutual funds. I think it is not, but that is just a personal opinion.

It seems to me if you could show that a group of financial institutions did act in concert there might very well result from that concerted action an effect on the market which we would deem to be malignant. That would be the way I would approach it, I think. It also could be reached, if the evidence were good enough, under the tender offer bill, showing that they were a group. It might be that we should endeavor to learn **more about what they are doing in this area. Maybe the institutional study will get into this.**

It might even be possible to see whether 10(b)(5) action would be pertinent, if they know other people are going in with the purchase. But that presents a lot of problems. It would change the theoretical foundation we proceeded on in the insider trading cases. My own inclination would be, if we move in this area, to use some vehicle other than 10 (b)(5) to avoid adding to the concern that exists as to the scope of 10(b)(5).

Question. Let's suppose the institution doesn't know other people are going in on the purchase. Suppose Company X's management tells the institution it wants to take over Company Y, and says that it is going to pay a certain price above the current market for Y's stock when it tenders. Would you consider it a misuse of inside information if the institution then bought Company Y stock?

BUDGE. Yes. And I think that is what is going on at the present time. But we have not brought such a law suit, and, as I say, it would change the theoretical foundation of the insider trading laws since the person has no relationship to the target company.

Question. Are you concerned that institutions could act in such a manner as to move whole companies around, not just big blocks of stock?

BUDGE. They are doing that now. I don't know that it is our responsibility or our concern who owns the company and what they do with it, unless there is manipulation or fraud. Take this Pan American case. A lot of other people in the government became concerned that a company that owned a hotel and a casino in the Bahamas was now about to control Pan American Airways; but that is no violation of the laws that we administer as far as I am concerned.

I am also concerned about the securities which are being issued in connection with takeovers. I cannot understand what their value is. I can see that the dividend rate is promised to be substantially greater, but the securities that are being offered are usually new securities where no markets have been established for them. I don't know how anybody puts a dollar value on those packages. We in the Commission, and I as an individual, have made no conclusion that a conglomerate, as such, is a thing of evil. But after about the fourth layer of convertible preferreds, it is pretty hard to tell—when you don't know how many people are going to convert.

JUDGE BUDGE

Question. Which of your decisions as a judge are you proudest of or do you think had the most importance?

BUDGE. When I was in the state capitol the suits against the state officials came before me. I found all of those to be very interesting—even reviews from the state tax commission, or habeas corpus actions against the warden in the penitentiary.

Question. That sounds like a pattern—as if you liked actions where someone who, by being voted into office, or just by the nature of the position he held, was almost in a fiduciary capacity and misused that capacity.

BUDGE. That was the contention in a lot of those cases.

One law suit of a different nature also sticks in my mind. When I was practicing, I filed a complaint and I got an attachment, including garnishment of assets of a general agent for an insurance company, and I had about $18,000 tied up under that garnishment in the bank. The attorney for the person I had sued went into the courthouse and convinced the judge in an ex parte hearing, without giving me any notice of it, that that attachment should be discharged. The judge signed an order about 2:30 in the afternoon discharging that attachment.

XUM

I learned about it when the bank called me at ten minutes to 3:00 p.m. I rushed up to the courthouse and the judge immediately knew that he had made a mistake. He reinstated the attachment, but the $18,000 was out of the bank.

For that reason, and some other experiences that I had while practicing, and while I was on the bench, I just don't like to proceed on an ex parte basis—that is what we call it in law; just coming from one party, from one side. I like to hear the other side before I take any action that I think might really get that $18,000 out of the bank.

JOURNALISTS STUDY CAMPUS DISORDERS

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. BRADEMAS. Mr. Speaker, one of the most thoughtful articles I have seen dealing with the problem of disorders on the American college campus and touching particularly on coverage by the news media of such disorders is the following article by Jack Colwell of the South Bend Tribune published in the June 27, 1969, issue of that newspaper.

Mr. Colwell's article follows:

JOURNALISTS STUDY CAMPUS DISORDERS

(By Jack Colwell)

PALO ALTO, CALIF.—"Ignorance Was Bliss." So reads a slogan painted on a fence here at Stanford.

It is a slogan of a generation afforded so much education and opportunity that it found out what's going on and, in many cases, decided that it doesn't like it.

What this means for America—advancement, repression or chaos or maybe some of all three—is a topic of a Stanford Journalism Conference on "The Second American Revolution; Social Ferment 1969."

The site is appropriate, here in the state where, if frequency and severity of student unrest is a measuring stick, Reagan-type hard-line repression is a total failure.

TIME IS APPROPRIATE

The time is appropriate. This conference comes in the wake of a Students for a Democratic Society convention in Chicago which showed that SDS could conduct a convention more disorderly and undemocratic than could the Democratic Party.

It is appropriate too that newspaper editors and writers and television newscasters and commentators are attending.

While Gov. Reagan and the SDS are guilty of offering some simplistic solutions, each playing into the hands of the other and widening the generation gap, the news media surely have failed at times to go beyond quoting extremist statements and surface reporting of major clashes.

Commentator Edward P. Morgan, a conference participant, warns that a "dangerously garbled message" will go forth to a public with a desperate need to understand what is happening unless there is concentration on the journalistic "why" as well as the "what."

INVOLVE SOME CRITICISM

And Prof. John R. Searle, of the University of California in troubled Berkeley, is among those suggesting that there are many "whys" for student protests, some silly but many involving just criticism.

As have other faculty speakers here, Searle directed much of his criticism at tenure-protected faculty members who sometimes seem so pre-occupied with their own quest for academic-world status and the search for grants from government and industry that they have no time to offer students instruction which is meaningful in a modern world.

University administrations too slow to respond to just complaints and too quick to throw up their hands and call in police for the confrontation sought by radical students also have come in for less than favorable comment.

CAN SWAY LARGE NUMBERS

Because of such an atmosphere, Searle notes, it often has been possible for a limited number of radical students to sway vast numbers of moderate students to their side in a battle over a symbolic issue, often an issue selected not for negotiation and solution but because it probably can't be negotiated and likely will lead to confrontation.

"Radicals in Berkeley all wanted Reagan to win," said Searle. "They were glad he used the National Guard. They were glad the police killed somebody."

There is nothing like police marching on campus or tear gas falling from a helicopter to stir up anti-administration sentiment among students who initially had no sympathy for the demands of radicals.

ADDS TO DOUBTS

And when peaceful student protesters with legitimate issues, such as Indiana and Purdue University students protesting huge tuition increases, find they are regarded by segments of older generations with the same respect accorded the SDS, this also undoubtedly adds to doubts about responsiveness of society.

In the campus arena, it may well be true that a Ronald Reagan is getting what he needs, a confrontation in which he can play the role of a tough law and order advocate, and the SDS is getting what it wants, a confrontation in which too harsh suppression will provide it with issues and support.

It may be comforting for much of the public lump all campus issues and students protests in a simple Reagan-against-SDS type package.

But, no matter what the slogan on the sign suggests about the past, ignorance may not be bliss in the future.

FRIGHTENING PROOF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. DINGELL. Mr. Speaker, the Detroit, Mich., television station WXYZ–TV broadcast a call for action to combat the pollution of the environment by its vice president and general manager, Dean McCarthy, on June 20, 21, and 23, 1969. So that my colleagues may be aware of Mr. McCarthy's comments, I insert the text of his editorial comment at this point in the RECORD:

FRIGHTENING PROOF

We're destroying our own world. The statistics on our air, water and land pollution mentioned in Channel 7 editorials all this week, give us frightening proof. It's a question, now, whether our corrective efforts will ever be able to catch up with the damage already done.

The people are our only hope. As they are the biggest contributor to the pollution problems . . . so, too, are they most guilty of dragging their feet on efforts to solve the problems. Just last week, Governor Milliken said that the people had spoken, firmly, in demanding that action be taken to combat our pollution threats. We frankly question that such a statement is really justified.

Certainly, we've all expressed our concern. But, far too often the people resist the efforts that could be made in their behalf . . . either because they cost too much . . . or because they feel they're being asked to give up too much in return.

Government has reached the point when they can now begin to make some meaningful progress in reversing the destructive process. But, until all of us begin really meaning what we say about wanting our world saved . . . there's still little hope of doing it.

RESULTS OF QUESTIONNAIRE—THE FOLKS AT HOME EXPRESS THEIR OPINIONS

HON. ED FOREMAN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. FOREMAN. Mr. Speaker, it has long been my feeling that, too many times the opinions of the people have been overlooked or disregarded by their elected representatives. Too often, I fear, we are inclined to let those immediately surrounding us—the professional pollsters, the newswriters, interpreters, and columnists, and the bureaucrats—have more influence on our decisions than the folks back home. With this thought in mind, and with the help of volunteer workers, I recently mailed out my first annual legislative questionnaire to the citizens of the Second Congressional District of New Mexico, inviting them, individually, to advise me of their views and opinions on some of the major issues facing Congress and the Nation.

The response to this questionnaire was tremendous. Almost 30,000 answers have already been received, and approximately 10,000 of them had additional comments attached. Answers came from every single community and all of the 18 counties in my district—from people in all walks of life—from Democrats, Republicans, and independents alike. Because of this diversified and widespread response, I believe that this poll is a reasonably accurate expression of public opinion. I am pleased to report the results of these replies for the information and review of my colleagues:

[Answers in percent]

1. Should the Federal Government develop laws to prevent strikes by public employees?

Yes	61.0
No	32.6
No response	6.4

2. Do you favor lowering the voting age to 18?

Yes	30.0
No	66.7
No response	3.3

3. Do you favor legislation which would return to the States and local governments for use as they see fit, a percentage of the money now collected in Federal income taxes?

Yes	70.2
No	23.0
No response	6.8

4. Do you believe the Federal Government should guarantee an annual income to heads of families, whether or not they are working?

Yes	5.2
No	90.5
No response	4.3

5. Do you support the proposal to convert the Post Office into a Government-owned corporation on a self-supporting operation?

Yes	70.9
No	21.3
No response	7.8

6. Red China—Do you favor U.S. support for admission of Peking to the United Nations?

Yes	21.2
No	72.4
No response	6.4

7. Do you agree with President Nixon's desire to install a network of anti-ballistic missiles to protect our ability to strike back at an aggressor?

Yes	74.6
No	19.0
No response	6.4

8. Should Congress approve a constitutional amendment to permit voluntary nondenominational prayer in public schools?

Yes	84.3
No	12.0
No response	3.7

9. Do you favor the Administration's action which takes postal appointments, promotions and transfers out of politics and puts them on a merit basis?

Yes	92.3
No	4.0
No response	3.7

10. Do you favor the Foreman bill which would cut off all U.S. aid and trade with nations trading with or aiding North Vietnam?

Yes	88.7
No	7.5
No response	3.7

11. Concerning Vietnam, should we—

Continue the Paris negotiations	15.7
Commence the withdrawal of U.S. troops	21.7
Move to win militarily	56.7
No response	6.0

12. Would you rate President Nixon's overall performance since he took office?

Excellent	25.5
Good	56.3
Not so good	13.7

Mr. Speaker, these views and results speak strongly and forcefully for a concerned American people—God-fearing, taxpaying citizens—people who believe in the free enterprise system and in the preservation of our representative form of government. They are the kind of people who believe two and two still make four, and that all that glitters is not necessarily gold.

From the results of this questionnaire, it is evident that the people of New Mexico fully realize that every dollar that is received from Washington must be paid for by them or borrowed and paid for later by their children or grandchildren, with interest added. They know, too, that government has no money or income that it does not first take from the people. Most of these folks feel that they are getting more government than they need, and more government than they want.

A sound, down-to-earth thinker—a farmer, he was—said:

> I reckon that taxes and death are inevitable . . . but it's a good thing that death doesn't get worse everytime Congress meets!"

I hope Americans never forget, or stray away from these fundamental, basic principles that made us what we are today. New Mexico folks have not, and I do not think the American people have, or will, but we could fail if we ever stopped relying on ourselves and started looking to government to solve all our problems and make all our decisions for us. Yes, America could go down, but if we ever do, it will not be because the world developed a hydrogen bomb—it would be because we have developed a philosophy that says the individual is no longer economically responsible for his own welfare, or morally responsible for his own conduct.

Mr. Speaker, I respectfully urge my colleagues in the Congress and our national leaders, regardless of their political party affiliations, to give heed to these opinions, this feeling, this voice of the American people. Let us rededicate ourselves to the task of preserving our freedom, our heritage, our constitutional rights and principles and our great Nation "under God." Let us stop our continually increasing Government spending programs, let us initiate some tough, tight-fisted management over our wasteful, irresponsible foreign aid give-away programs, let us get back in balance again, economically and spiritually, and let us place the welfare of this great country ahead of political considerations.

WHAT THE WAR COSTS

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. SCHWENGEL. Mr. Speaker, the costs of the war in Vietnam continue to mount. It is draining our country of vital resources, in lives of young men and funds needed here at home.

Recently the Davenport Times-Democrat editorialized on the cost of the war. Frankly, Mr. Speaker, it is my feeling the editorial reflects the thinking of a large number of our people.

It is for this reason that I strongly support President Nixon's withdrawal of 25,000 troops from Vietnam and his determination to extricate this Nation honorably from the war in the near future.

The editorial follows:

WHAT THE WAR COSTS

When the fiscal year ends Monday, the United States will have poured out more than $81 billion on "special Southeast Asia" military spending in five years. The term in quotation is a euphemism from the Pentagon for the Vietnam War.

How much is $81 billion?

To U.S. taxpayers, it has meant spending an average of $44.3 million per day.

Here are other ways of looking at what otherwise is a mind-boggling figure:

If the $81 billion were distributed equally among the 203 million men, women and children in the U.S. today, each would get a check from the U.S. treasury for $399.01.

If distributed among the 26 million Americans estimated to be living under the "poverty line," each would get a windfall of $3,115.38.

For a poor family of four, the total would be $12,461.52.

It took the federal government 136 years—from 1789 to 1925—to spend its first $81 billion, and that included the costs of waging both the Civil War and World War I.

Of course, a dollar went a lot further in those days. Many accused the Franklin Roosevent Administration of wild spending. But from fiscal year 1934 through 1941 the New Deal managed to spend just $68 billion, and part of that was the pre-Pearl Harbor military buildup.

The $81 billion spent so far on Vietnam can be measured in other ways. All currency in circulation in this country today totals no more than $50 billion.

And if 81-billion one-dollar bills were placed end to end, they would form a chain 7.7 million miles long—the equivalent of 15 round trips between earth and moon.

And even the exorbitant costs in dollars are not the worst part. Too many lives have been lost—more than 36,000 Americans, more than half a million Communists. And the $81 billion doesn't include physical loss sustained by the Vietnamese and Vietnam.

A large and apparently growing group of our citizens now feels we ought to stop this outlay in lucre and lives. That widening consensus is based upon an altered view of the globe—a discard of the presumption that we have to police the world; a revision of our old convictions about monolithic communism; and the testimony of a host of informed observers, former Defense Secretary Clark Clifford the latest among them. Ending those staggering expenditures merits highest priority from those who run this nation.

THE EMERGENCY DETENTION ACT

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. ULLMAN. Mr. Speaker, as a cosponsor of proposed legislation to repeal the Emergency Detention Act of 1950, I urge that expeditious steps be taken to improve the national record for fairness and justice by removing this stain from our law books. The law in question, title II of the Internal Security Act of 1950, authorizes the Attorney General, upon declaration of an "internal security emergency" by the President, to arrest and hold citizens on grounds of suspicion that they might be capable of acts of espionage or sabotage. The fundamentals of due process of law are disregarded under the act. Access to the courts for trial or appeal is denied.

This law, which fortunately has so far not been implemented, serves no purpose today except to recall a dark moment during World War II when more than 100,000 American residents of Japanese ancestry were rounded up and held in U.S. concentration camps. Many of these citizens, swept up in a wave of fear and suspicion unique to American history, were native born. When the Korean war began in 1950, these same forces of fear and suspicion motivated the enactment of the Emergency Detention Act, which was passed over the veto of President Truman.

It is inconceivable that a law should still be on the books that permits the rights of U.S. citizenship to be extinguished without cause, but rather simply on the basis of national origin or other indiscriminate reasons.

As would be expected, the Japanese-American Citizens League is in the vanguard of those fighting to repeal this measure. My distinguished colleague, Congressman SPARK MATSUNAGA of Hawaii, cosponsor of this repeal bill, is calling for speedy action. I join in urging early hearings before the Committee on Internal Security.

UNFORTUNATELY, EVANS AND NOVAK WERE RIGHT ON DESEGREGATION GUIDELINES

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. CLAY. Mr. Speaker, Evans and Novak wrote their column on desegregation guidelines a full week before the fateful announcement of the administration position was made official. Their predictions—that Secretary Finch would give in to the overwhelming pressures within the White House and among those influencing the White House—has proven correct. I commend now, for the attention of my colleagues, these comments by Evans and Novak carried in the Washington Post, June 27—wherein the pressures applied for the ominous statement issued last Thursday, are clearly indicated:

FINCH PRESSURED INTO RETREATING ON SCHOOL DESEGREGATION GUIDELINES

(By Rowland Evans and Robert Novak)

The imminent surrender of Robert Finch, Secretary of Health, Education, and Welfare (HEW), on school desegregation guidelines comes after months of vicious backstage struggling and pressure from the White House and Southern Republicans.

Finch had been standing almost alone against the rest of the Administration, including at least one HEW official—conservative Robert Mardian, the Department's General Counsel. Now Mardian's influence is on the rise.

The effect of Finch's retreat—over passionate opposition from his own Department's civil rights officials—will be repeal of HEW's power to impose deadlines on school desegregation, mainly on Southern school districts.

Thus, when the new guidelines take effect. Southern school districts will be able to stall desegregation beyond the present deadlines of September 1969 in some cases and September 1970 in others without losing Federal school funds.

This fund cutoff authority is the Federal Government's ultimate weapon to enforce desegregation. Without it, some Southern school districts will continue separate public schools for black and white well beyond the present deadlines and perhaps indefinitely.

That is only the immediate effect of the guidelines change. More difficult is its effect on Southern school districts that have agreed in the past or are in process of agreeing to accept the HEW guidelines and desegregate.

A dramatic case is a telephone call to the HEW's civil rights division on June 24 from the School Board in Austin, Tex. Austin has dragged its heels on desegregation for years. But last month, under pressure from HEW, the entire school board sat in all-day session with HEW officials here to devise a desegregation plan. Also present were staff aides of Republican Sen. John Tower of Texas and Rep. Jake Pickle, Austin's Democratic Congressman.

On returning to Austin, the School Board wrestled for three weeks with a new plan and finally adopted one that even included some pupil bussing to assure racial balance in primary and secondary schools.

That June 24 call, however, notified HEW that the School Board had heard from Tower that a "major change" in the guidelines was impending. Therefore, the Board would stand pat until the change was announced and then "reappraise" its plans. That shattered the Austin model which HEW officials had hoped would pave the way for a desegregation break-through in Texas, starting with San Antonio and Lubbock.

Furthermore, when the new guidelines are announced, HEW will either agree to backsliding in desegregation plans already accepted in scores of school districts or risk a revolution. These districts, naturally will refuse to be penalized by their agreement to desegregate before the guidelines were changed.

Actually, the decision to change was made several weeks ago and was to be announced before Finch left on his recent vacation (from which he returned last Sunday night). But turmoil inside HEW delayed that announcement, and civil rights officials there are still fighting.

At this writing, however, there is little chance of stopping the new guidelines. The pressures are too strong from Southern Republicans, from Attorney General John Mitchell's Justice Department (which strongly favors the relaxation), and from the Republican National Committee (where they have the blessing of the chairman, Rep. Rogers Morton of Maryland).

The pressures have been intense. One Republican, Rep. Fletcher Thompson of Atlanta, Ga., flatly warned the White House that some Southern Republicans could not support President Nixon's tax bill unless HEW slowed down desegregation. In Thompson's own district, a new school was recently ordered closed on grounds that it was specifically located in a Negro neighborhood to avoid sending Negro students to white schools.

Perhaps more important, the Finch retreat fits the basic Southern political strategy that elected Mr. Nixon. Ever since he took office, the South has been demanding fulfillment of campaign pledges to ease desegregation. Only Finch and HEW's civil rights division stood in the way. Now Finch, too, has yielded.

THE ADMINISTRATION BREAKS ITS PROMISES WITH EDUCATION PROGRAM BUDGET REQUESTS

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. EILBERG. Mr. Speaker, when the Republican Party adopted its party platform plank on education and their candidate pledged that his administration would be second to none in its concern for education, I am sure that many of us anticipated something quite different than what we got when we received the administration's first education budget. We did not expect that this budget would be $5 billion below the level of appropriations which we authorized for education programs nor did we expect that this budget would be cut $400 million from the bare bones education budget which was submitted by the previous administration in January.

I believe that, when the Congress votes by overwhelming majorities to approve education program authorizations, we act on the basis of a close assessment of the Nation's needs and resources and that portion of these resources which we believe should be used for education as opposed to other needs. Yet, from the education budget which the administration has submitted to us it would appear that it believes it has a better grasp of what is needed after only 6 months in office than the Congress had over the years when we authorized expenditures for the programs in question. Another interesting fact is that the programs which have been cut by the administration are the very ones which are designed to assist our urban centers such as my congressional district in northeast Philadelphia. These budget reductions will deprive children in these areas of the best possible education and the right to achieve their highest possible educational potential.

The Republican platform makes many pledges with respect to education. It begins with the high sounding statement, "The birthplace of American opportunity has been in the classrooms of our schools and colleges. From early childhood through college years, American schools must offer programs of education which are sufficient to meet the needs of all Americans—the advantaged, the average, the disadvantaged, and the handicapped alike." It then goes on to list the top priority education items for the party. It calls for expanded and better programs for preschool children, encouragement of State, local, and private programs of teacher training, the development and use of better teaching methods and modern instructional techniques such as educational television and voluntary bilingual education. It also urges that the States present plans for aid to be distributed to nonpublic schoolchildren and the inclusion of nonprofit private schools in the program planning process, as well as for greater emphasis on vocational education in the high school and post high school years and for increased grant and loan programs for additional higher education facilities.

In looking over the administration's budget requests for educational programs, it is appalling to find the lack of emphasis there has been on carrying out their platform pledges.

In the field of elementary and secondary education assistance, the administration's budget requests are $2.5 billion below the level of expenditures which the Congress has authorized for these programs and $233 million below the bare bones budget which was submitted by the previous administration. Budget reductions have been made in such areas as title I, Elementary and Secondary Education Act assistance where the amounts requested are about $1 billion below authorized levels and the dropout prevention program. The program of assistance for the establishment of supplemental educational centers has been reduced $58 million from the Johnson requests and is $450 million below the authorized expenditure level. No money whatever has been requested to fund the title II library resources program which has enabled public and nonprofit private schools in the city of Philadelphia and across the Nation to improve their library resources. No money has been requested for the guidance counseling and testing programs authorized under title V of the National Defense Education Act. No money has been requested for the equipment and minor remodeling programs authorized under title II of the National Defense Education Act and no money has been requested for the program of loans to elementary and secondary nonprofit private schools.

I am sure that you all are only too aware of the action which the House took this year in spite of objections of many of us combining the supplemental educational centers program, the title II library resources program, the NDEA title V guidance and counseling as well as testing programs authorized under title II of the NDEA effective in 1971. With only $116 million requested by the administration for all these programs for the 1970 fiscal year while their authorized levels are over $1 billion, I am sure you can see what a tug of war will occur when the States are faced with a choice as to the allocation of the meager funds which they will get for these programs if the administration budget requests are approved.

You will recall that one of the priority areas in the Republican platform's education plank called for increased assistance for bilingual education. Yet, we note that the administration's budget requests for this purpose are some $30 million below the level which has been authorized by the Congress. We can also note that the platform pledge of support for education professions development has been ignored since the administration has requested sums which are $15 million less than the Johnson budget and some $350 million below the level of expenditures which we have authorized. Further, the budget requests for vocational education activities which got such a high priority in the Republican platform got no such priority in making up their first education budget. Requests for these programs fall some $487 million below authorized levels. The requests for these programs completely ignore the 1968 report of the Advisory Council of Vocational Education, "The Bridge Between Man and His Work."

In addition, the administration has acted to reduce the amount of funds which will be available to our colleges and universities for facilities construction and, in a related development, the administration has ignored the needs of the various programs which provide assistance to low- and middle-income students who wish to continue their educations. I have already elaborated on my feelings with respect to the administration's budget cuts in the higher education facilities programs and the student financial aid programs.

One of the programs which the administration has emasculated and which contributes very greatly to the school budget in my congressional district which is a part of the school district of Philadelphia is its reduction of $499 million in the program of Federal aid to impacted school districts. There are millions of dollars involved for the city in this program; and, consequently we will lose millions if it is not funded at 100 percent of entitlements. We now have a crisis in the city with respect to school construction. Recently the oppressive tax burden which the citizens have had to bear evidenced itself in their refusal to approve an education bond issue. Luckily some banks in the city have agreed to make the city the necessary loans. I need not tell you what a crisis will result if the city does not receive 100 percent of its entitlement under the impacted areas program.

The administration budget for education has singled out libraries for particularly heavy cuts in the 1970 fiscal year. In addition to the elimination of the title II ESEA library resources program, which I have indicated has been eliminated completely, grants for public libraries under title I of the Library Service and Construction Act will be cut in half, construction of public libraries will be cut out completely, aid to college libraries will be cut in half, funds for training librarians have been cut in half and even acquisition and cataloging by the Library of Congress has been cut substantially.

These proposed cuts are appalling. They will stop Federal assistance for the construction of many new public libraries in the future—and may well jeopardize projects which are now receiving Federal funds. At least 276 projects which are pending in locations throughout the country will not be funded. In some instances these libraries do not now have their own buildings. In other instances the buildings are in a dilapidated condition and do not invite extensive public use. In still other instances, there is a real need for branch libraries to bring library services within the reach of more people.

The fund cuts which the administration has proposed will make it difficult for public libraries to expand, and in some cases maintain, existing services. Expansion of collections will be impaired as it becomes necessary to curtail acquisitions. In some instances services will be diminished. Mobile libraries, which often mean the difference between service and no service, will be curtailed. Many libraries will have to adopt shorter hours. Planning for new and better service will decrease. The reduction in college library resources will also decrease the ability of these libraries to make new acquisitions, to bring old collections up to date, and to acquire the latest research reports.

As I have indicated previously, the cuts in the budget which are proposed for the various programs providing library resource assistance to elementary and secondary schools is likely to be particularly damaging. It will severely limit these schools in acquiring up-to-date instructional materials, textbooks, and music materials for use in educational activities.

All of these proposed budget reductions must be considered in the light of the function of libraries in the educational experience. They are the storehouse of basic materials. They can literally make the difference between a mediocre and a high quality education. They can provide a source of stimulation to an otherwise muffled existence—helping children to develop aspirations and to acquire knowledge they otherwise would not have. Libraries in my view have an extremely important role to play in the educational process and I believe that the devil-may-care way in which the administration has made wholesale cuts in the programs of Federal assistance for the development of this needed educational resource are unwarranted and foolhardy.

Mr. Speaker, the cuts which the administration would make in the educational budget will prove disastrous to our elementary and secondary schools as well as our colleges and universities. If all education programs were funded at their authorized levels, we would still only be spending 2.5 percent of the total Federal budget and a half percent of the gross national product. Certainly this is not too large an investment to make in the welfare of our children and the future of our country. Therefore, I urge all my colleagues on both sides of the aisle to study the administration's education program budget requests and ask themselves if this is really all we in the Congress can do for the schoolchildren of the Nation. I think we can do better.

INDEPENDENCE DAY OF MALAWI

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. POWELL. Mr. Speaker, I take this time today to extend congratulations to Malawi on the fifth anniversary, on July 6, of her independence from Great Britain. Malawi is a small mountain-girted land of great beauty and pervasive poverty. While it has been desperately poor, no one starves. Pawpaw, bananas, peanuts, maize, and vegetables grow in sufficient quantity to fill stomachs if not pockets.

Before independence a villager could do no more than grow enough maize to feed himself and his family. But in the last 5 years Malawi's economic development has grown at an average yearly rate of 10-percent.

A key factor has been the introduction of better farming methods. The villagers' standard of living has risen. They are now able to buy better clothes and household goods. Many own radios and good furniture. Soon after independence adult literacy classes were introduced, and now after work in the morning, villagers attend classes where they are taught how to read and write. The adult classes have helped reduce superstition. Men, women, and children used to regard the witch doctor with awe, even if he did not cure their ills.

New factories have been established to produce products formerly imported: Cotton textiles, blankets, paper bags, shoes, and farm implements; sugar and distilled spirits. Among the newest addition to Malawian industries is the country's first oil company.

Much of the recent progress of Malawi may be attributed to President Hastings Kamuzu Banda, who has actively and energetically led his people since their independence. The ancient hostility and suspicion between tribes and villages is lessening and there is a new unity and friendliness among the people. I wish them continued success in their enterprise of building a strong and prosperous nation.

CRISIS IN WORLD STRATEGY: SHOULD PRESIDENT NIXON CHANGE MILITARY ADVISERS?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. RARICK. Mr. Speaker, the more I observe the unfolding of world power relationships the more I am impressed with the vision and courage of Gen. Douglas MacArthur.

In his testimony on May 3 and 4, 1951, before joint meetings of the Senate Committees on Armed Services and Foreign Affairs, he made three significant statements—pages 55 and 145 of those hearings—as follows:

> If the United States doesn't bring the Korean War to a decisive and victorious end, she will have to accept all the consequences of a disastrous defeat.
>
> It is my belief that if you bring the Korean War to a successful conclusion, you will put off the possibility and diminish the possibility of a third world war;
>
> If you continue this (war) indefinitely, it will eventually overtake you. It will spread.

Mr. Speaker, the historical facts are that General MacArthur's warnings were disregarded. The war in Korea did spread to Vietnam just as he predicted, and what amounts to a war for the world on many fronts, foreign and domestic—including so-called wars of national liberation—is now in progress, with even the United States marked for destruction.

In a statement in the daily CONGRESSIONAL RECORD of April 18, 1967, page A1879, on "Crisis in World Strategy: An Appraisal," I listed crucial strategy spots and commented upon them: Suez Canal-Red Sea route to the Indian Ocean, Southeast Asia, Southern Africa, and the Isthmus of Panama.

Since 1967 much has happened. Communist power has secured control of the Suez Canal-Red Sea route in the Near East, extended its naval power into the eastern Mediterranean, endangered U.S. control of the Panama Canal without firing a shot, and currently threatens to force our withdrawal from the Vietnam war after the loss of nearly 40,000 of our finest youth.

More recently, North Korea has returned to the war picture with the capture of one of our naval vessels on the high seas and the shooting down of one of our naval aircraft over the Sea of Japan—both with impunity. Moreover, recently released officers of the *Pueblo* believe that the North Koreans are preparing to invade South Korea again.

Certainly, Mr. Speaker, the time has come to question the quality of the military advice that has guided our Presidents in vital strategic policy matters.

Fortunately, we have experienced professional officers of our Armed Forces who have served with distinction, both in peace and at war and who are qualified to evaluate the military judgment of Presidential advisers—among them Maj. Gen. Thomas A. Lane. In a recent illuminating report General Lane asks, in effect, whether the present administration will continue on the negative course that has brought repeated costly defeats for our country.

Mr. Speaker, in order that the indicated article by General Lane may be more widely read, I insert it as part of my remarks:

[From Human Events, July 12, 1969]

SHOULD NIXON CHANGE MILITARY ADVISERS?

(By Gen. Thomas A. Lane)

The apologia of Clark M. Clifford published in the July issue of *Foreign Affairs* magazine under the title "A Viet Nam Appraisal" offers fascinating fare for observers of the national scene. He does not tell all, but he surely reveals more than he intended. He recounts the transformation of Clark Clifford from hawk to dove.

The former secretary of defense is a man of many talents. As a young lawyer he had been counsel and close adviser to President Truman. During the Eisenhower years he established a successful law practice. With the return of the Democrats to power, he became an influential adviser to the Kennedy and Johnson Administrations. On March 1, 1968, he became secretary of defense. His suave political presence has been in service to the Democratic party and American industry for 30 years.

As a loyal member of the Johnson entourage, Clifford had accepted the rationale of the President's war policy. Late in 1967 he undertook jointly with Gen. Maxwell Taylor a special mission to Viet Nam and to our Asian allies with a view to increasing allied participation in combat operations. Clifford was discouraged to find our allies supporting the war, but unwilling to increase their combat participation.

The reluctance of our allies influenced Clifford to question the going justification of our war policy. He could not understand that our allies were naturally opposed to expending their youth in a war of attrition which the United States did not want to win. Allied spokesmen were too polite to criticize U.S. policy as long as the United States was paying the bill. Mr. Clifford concluded that world conditions had changed!

Secretary Clifford took office soon after the Tet offensive of 1968 which so surprised and taxed allied military forces in South Viet Nam. Gen. Earle Wheeler, chairman of the Joint Chiefs of Staff, had returned from Saigon with a request for 200,000 additional troops. A special task force chaired by Secretary Clifford set to work to plan the force increase. The group included Secretaries Rusk, Fowler, Katzenbach and Nitze; CIA Director Helms; Rostow of the White House staff; and Generals Taylor and Wheeler.

It appeared that the proposed troop increase would require a reserve call-up; possibly wage and price controls and other distasteful measures. But Clifford could get no assurance that even these measures would end the war. He asked the questions which a good lawyer should ask. What is our goal? How do we get there? What will these measures accomplish?

Clifford received vague and unsatisfactory answers to his inquiries. No one could give any assurance that the troop increase would achieve specific results, not even that the situation would be improved when the troop increase was made.

"When I asked for a presentation of the military plan for attaining victory in Viet Nam," he writes, "I was told that there was no plan for victory in the historic American sense. Why not? Because our forces were operating under three major political restrictions: The President had forbidden the invasion of North Viet Nam because this could trigger the mutual assistance pact between North Viet Nam and China; the President had forbidden the mining of the harbor of Haiphong, the principal port through which the north received military supplies, because a Soviet vessel might be sunk; the President had forbidden our forces to pursue the enemy into Laos and Cambodia, for to do so would spread the war, politically and geographically, with no discernible advantage.

"These and other restrictions which precluded an all-out, no-holds-barred military effort were wisely designed to prevent our being drawn into a larger war. We had no inclination to recommend to the President their cancellation."

There it is: government in paralysis! How shocking it is to learn that in that brilliant company, no one comprehended that the presidential restrictions spelled defeat. There was no one to demand that the rules of war be changed.

The presidential restrictions may have been intended to avoid being drawn into a larger war, but they were not designed to that purpose. Rather they assured conditions necessary for the success of the Soviet-backed "war of liberation."

It is naive to suppose that Red China would risk attack by U.S. air power rather than have Ho Chi Minh cease his attacks on South Viet Nam. And if the Soviet Union chose to enter a mined harbor, why should the United States be concerned about the consequences? Could no one see a discernible advantage in entering Laos and Cambodia to defeat the enemy and end the war?

Secretary Clifford and his company embraced without question these basic errors of war policy and sought other resolution of the conflict. There is no other solution. The substitute for victory is defeat.

Secretary Clifford reached some strange conclusions. People do when they refuse to face up to the truth. "I was convinced that the military course we were pursuing was not only endless, but hopeless." Right! But instead of correcting the military policy, he decided to disengage. Why? To reduce American casualties. Wouldn't South Viet Nam then be defeated? No, the increased responsibility for their own defense would be good for them.

The then-current South Viet Nam mobilization of 750,000 was equivalent to an American mobilization of nine million! Not since World War II had we borne such a burden. To suppose that South Viet Nam could then take over the U.S. combat role was preposterous. The arming and equiping of the South Viet Nam military forces was a good program too long delayed. But an

American pull-out when the war was at its peak could not be explained with platitudes.

President Johnson and Clark Clifford were well aware that President Kennedy had planned in 1963 to set up a coalition government in South Viet Nam and withdraw U.S. forces. But after the Vietnamese general threw out the Minh junta in January 1964 and condemned the Minh plan to neutralize the country, it became politically infeasible to pursue the coalition plan. President Johnson had to continue our support of the South. In 1965 he introduced U.S. combat forces to the battle to forestall North Vietnamese victory.

By 1968 the Johnson policy was in disrepute. He was engaged in a war of attrition which he seemed powerless to resolve. Casualties were mounting. Senators McCarthy and Kennedy were attacking the Johnson war policy. They talked guardedly but openly about imposing a coalition government on South Viet Nam.

Secretary Clifford has concealed this part of the story. His decision to turn combat responsibility over to South Viet Nam could be related only to the Kennedy plan for a coalition government. In his examination of war policy, his instinct to heal the divisions of the Democratic party led him to accept the pleading of Ambassador Harriman and others that coalition government would offer a face-saving formula for United States withdrawal.

What Clifford brought to the issue was a lawyer's brief which would conceal the betrayal of an ally by pretending that South Viet Nam could take over the combat role.

This is why Clifford and other Democratic critics are impatient with President Nixon. Having made the decision to pull out, they want to do the job as quickly as possible. Pull out all combat troops by the end of 1970, they say. They believe the cry to end the fighting, even at the price of sacrificing the goal for which so many have died, will please the people.

But President Nixon has not made the commitment to impose a coalition government on South Viet Nam. He seems to believe that he can build up South Viet Nam to defend itself even as South Korea is doing. Such a program would allow a gradual and controlled reduction of U.S. combat forces. It would certainly involve continuing confrontation with the Soviet Union, a prospect distasteful to the Democratic doves.

By persuading President Johnson to his thesis of withdrawal, Clifford had bridged the gap in the Democratic party. The President would withdraw from the election campaign and would start the party on a course to diminish its differences about the war. Ambassador Harriman, chief architect of the Kennedy coalition policy, would become chief negotiator in Paris.

When, after negotiations extending from May to October, the North Vietnamese agreed to South Vietnamese participation in the Paris talks, South Viet Nam demurred at the conditions. Clark Clifford was outraged. Suddenly Saigon became responsible for the loss of American lives in the war. The secretary lost his cool and vented his frustration.

No doubt the Clifford impatience was related to the impending election. The Democrats needed an apparent breakthrough at Paris to help the election of Hubert Humphrey. Finally, on October 31, President Johnson brushed aside the Saigon reservations and announced the cessation of all bombing of North Viet Nam. It was a grand stand play to mislead the American people into believing that the war would soon be over. It failed, but only narrowly.

In rationalizing his conversion to withdrawal, Secretary Clifford subscribes to some patently unrealistic thesis which compromised the intellectual integrity of his analysis. For all his seeming candor, he is no less a politician.

Clifford argues that a fast withdrawal of U.S. combat forces would not jeopardize the security of South Viet Nam. He claims that our air and sea power could, with the South Vietnamese Army, secure the country. He forgets that our intervention with ground combat forces in 1965 was necessary because air and sea power with the South Vietnamese Army were not enough. Surely a fast pull-out of our forces could reduce the country to those straits again. This would be the condition requisite for coalition government.

Clifford writes: "There is, in fact, no magic and no specific military rationale for the number of American troops presently in South Viet Nam. The current figure represents only the level at which the escalation stopped."

The secretary is quibbling. Of course the military strength required to protect a country is not subject to precise formulation. But to imply that troop strength is not rationally related to military requirements is to misrepresent seriously the situation in South Viet Nam.

Clifford expresses the dovish view that "a high level of American casualties" is caused by our application of maximum military effort in South Viet Nam. A former secretary of defense should know better. He sustained the policy while he was in office. President Nixon has correctly ordered Gen. Abrams to minimize casualties. It is this purpose which requires maximum pressure on the enemy. By preventing the enemy from building up major forces in the south, Gen. Abrams increases the security and reduces the casualties of his own forces.

Clifford writes: "In the long run, the security of the Pacific region will depend upon the ability of the countries there to meet the legitimate growing demands of their people. . . ." This is misleading cant. The security of the region will depend upon the capacity of the free countries to repel Communist aggression. There is no other threat to the security of the region.

He writes further: "We cannot afford to lose sight of the fact that this is a limited war, for limited aims and employing limited power." This is the familiar and specious plea for restraint of U.S. power. Is the independence of an ally a "limited aim"? If the enemy raises the price, do we quit? Tell that to NATO. This kind of talk is used to conceal the confusion of leaders who are intimidated by Soviet aggression.

Perhaps the most significant revelation made by Secretary Clifford is the role of our military leaders in policy making. If he reported correctly that Generals Taylor and Wheeler accepted without challenge the President's three restrictions on the conduct of the war, this is the crux of our continuing failure in Viet Nam.

We cannot expect civilian leaders to distinguish between sound and disastrous military policy when their top military advisers fail to do so.

This war stems entirely from the three presidential restrictions. Without them, there would be no war. South Viet Nam could defend itself with only materiel support. To end the war, South Viet Nam must be allowed to destroy the aggressors where they are—in Laos, Cambodia and North Viet Nam.

The task can be accomplished without risk of Soviet or Red Chinese intervention if the operations are soundly projected. It is the military responsibility to chart sound military policy.

This observer had assumed that military leaders were recommending the denial of sanctuary and unrestricted counterattack against enemy forces waging war against South Viet Nam. It seemed probable that these recommendations had been overruled by the President on advice of the State Department.

Clark Clifford now tells us that whatever the recommendations of subordinate military commanders in the inner councils of government, the top military leaders have embraced the presidential restraints as "wisely designed to prevent our being drawn into a larger war." He gives the public a new view of our Viet Nam tragedy. The senior military leaders are responsible.

It was distinctly the responsibility of the military leaders to foresee that the presidential directives would condemn us and our allies to a bloody, endless war of attrition which could not be won.

It was distinctly the military responsibility to show that the enemy forces could be decisively repulsed and defeated when our side could strike across the borders at the aggressors, and that such action would sharply reduce force requirements for the defense of South Viet Nam.

It was distinctly the military responsibility to show the President that such response, clearly authorized in international law, would not provoke Soviet or Red Chinese intervention as long as the clear consequence of such intervention would be war with the United States.

Who else in government is qualified to judge these questions?

Clark Clifford's article tells us that our senior military leaders have failed in their duty to the country. They have embraced the civilian rationalization of appeasement. They have in truth betrayed the political leaders whom they thought to accommodate.

This kind of military default is not rare in history. It has caused the fall of nations.

Abraham Lincoln fired the generals who failed. It took him three years to find in Grant a general who could win. There aren't many who can.

In this hour, the tragedy of Viet Nam is extended by President Nixon's retention of the Johnson generals. With them, he will flounder as Clifford did.

Presidents Kennedy and Johnson were satisfied with losers. Will Richard Nixon continue on their course? This is the crucial question of American policy today.

SCHOOLS OF THE URBAN CRISIS

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. BRADEMAS. Mr. Speaker, last week I had the privilege of addressing the annual convention of the National Education Association in Philadelphia, Pa.

During the convention, the task force on urban education issued a report entitled, "Schools of the Urban Crisis," which I think is worthy of the attention of all the Members of the House of Representatives and the Senate. It is for this reason that I insert the text of this report at this point in the RECORD:

SCHOOLS OF THE URBAN CRISIS

(Report by Task Force on Urban Education)

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PREFACE

In August 1967, the Executive Committee of the National Education Association directed that the president and executive secretary of the NEA appoint a high-level committee "to develop plans for a forward-looking program for education and teachers in the big cities" and that this committee "recommend a program of action in this field . . . as early as possible."

In March 1968, the NEA Task Force on Urban Education was established and charged with a threefold responsibility: (1) to identify and explore the most critical problems of urban education; (2) to design immediate and long-range plans through which the 1.1 million-member NEA, in cooperation with its departments, 50 state associations, and hundreds of large urban locals, can most effectively contribute to the solution of urban education problems; (3) to recommend to other appropriate agencies, public and private, contributions they can make to help alleviate these problems.

The Task Force on Urban Education was composed of 18 educators, broadly representative of the education profession: classroom teachers, supervisory and guidance personnel, administrators, college and state department of education personnel, as well as representatives from the U.S. Office of Economic Opportunity. The Task Force members come from major urban areas throughout the country. They are people who struggle daily to improve the character and quality of education offered in the schools of our cities.

Because of the magnitude of the problems of urban education, the president and executive secretary of the NEA specified that this Task Force Report be a *total* NEA endeavor. In light of this, five departments contributed both staff time and financial assistance. The American Association of School Administrators, the Association of Classroom Teachers, the Association for Supervision and Curriculum Development, the Department of Elementary School Principals, and the National Association of Secondary School Principals enthusiastically supported the work of the Task Force. It also received help from the NEA Center for Human Relations, the Center for the Study of Instruction, the Division of Field Services, the Research Division, other NEA departments and divisions, state and local affiliates, and interested outside organizations. Without the help and constant interest of these groups the Task Force could not have done its work with effectiveness or in depth.

The Task Force met several times from April 1968 to April 1969, examining research data and utilizing the services of special consultants, including parents, while developing this report. After a year of study and thorough deliberation, the Task Force formulated recommendations for positive actions that the NEA and other appropriate agencies should take to improve the conditions of education in the inner cities of this nation. Notable among these is the proposed creation of an NEA Special Project on Urban Education to be responsible for originating and coordinating urban education activities. The recommendations, together with a discussion of the forces in American society which make them necessary, appear in the following report.

This report is addressed to the National Education Association and its state and local affiliates. It will be of use also to other educators and citizens concerned about improving the conditions of urban education. The central focus the Task Force has chosen is the urban child. Each chapter discusses the present problems of urban education, what the Task Force sees as desirable, and strategies to remove the barriers and bridge the gap between the present reality and the ideal—the ideal which will allow each urban child to develop into a thinking, compassionate, decision-making human being.

INTRODUCTION

This report deals with urban education, or, more specifically, with public education in urban America. It focuses on the character and equality of education offered to millions of poor children—black, Spanish-speaking, and white—who inhabit the inner cores of our metropolitan areas. These are the children who attend the schools of the urban crisis. This report deals with schools: schools which are now undergoing a state of unparalleled emergency, suffering from decay, neglect, and continuing deterioration. Not every school in every large city is facing this crisis, but too many schools are.

Some school systems have undertaken, with some success, the reformation of their inner-city schools. Nor is the emergency confined only to the large cities. Many smaller cities with dense concentrations of black, Spanish-speaking, and poor white children have schools which are embroiled in the urban school crisis. This urban crisis extends beyond the schools and is inextricably related to other factors which determine the quality of life available to the citizens of the city. In most of our major cities, housing and job opportunities also are inadequate. A poor man who did not receive an adequate education and is without marketable skills finds himself unable to get any job at all or gets one which does not pay him enough to provide adequate housing, food, or medical assistance for his family. His children, already suffering from poverty, often attend the inadequate schools of the urban crisis.

By whatever criteria are used, research indicates that those schools which this report deals with are clearly inferior to the other schools located within the city or in neighboring suburbs. One standard of measurement that can be applied is the availability and distribution of the human and physical resources which are generally considered essential factors in education. In comparison to other schools, the schools of the urban crisis have a greater number of pupils per teacher, a smaller amount of money to spend per pupil, fewer textbooks and other teaching materials per pupil, a greater proportion of teachers who are not fully certificated, a greater proportion of teachers with fewer years of experience, and many more older school buildings. Criteria involving results also illustrate the immensity of the crisis: These particular schools have more dropouts, more students who read at lower levels and perform less well on standardized tests, fewer students who graduate from high school, fewer who attend college, fewer who get jobs.[1]

There is a cycle of inadequacy, created by many factors. As increasing mechanization of agriculture drove farm workers, many of them black people from the South, to seek new livelihoods in the cities, they occupied the core areas being vacated by middle class families, who were beginning to migrate to the suburbs. In addition, in the Southwest, many Mexican-Americans came to the cities to seek jobs. Simultaneously, the development of technology contributed to job scarcity for the unskilled labor market, which economic activity shifted to outlying, newly developing suburban areas. Racial and socioeconomic biases prevented the new urban poor from obtaining jobs.

It must be pointed out that the hearts of America's cities are rich undeveloped territories, as some Americans are aware and more are discovering. Beauty is there—grace of architectural line, the freshness of tiny unexpected parks, imaginatively designed gardens created from scanty resources. There art lives, in established museums and galleries, theaters and cinemas, but also in storefront playhouses, mural-covered fences and buildings, and the studies and studios of those whose spirits are nourished by the vitality of the city. The life of the city is well-known to offer terror and despair, the dullness of too little for too long, and the isolation of those who have nothing left to give. Little noticed are the vitality and self-reliance of those who have survived hardship and danger and the community of feeling and action that is growing from the sharing of new hope. The cities offer the possibility of finding new ways for Americans to live with one another because it is here that one may find the richness of the cultural diversity which is America.

Our cities, like other parts of the country, need good schools. The kind of education city children need is good education—education that works. City parents, like other parents, want their children to have good education. They want their children to be prepared to survive and compete as equals in our civilization. The schools of the urban crisis must offer their students the opportunity to construct a self-respect that will free them from insecurity. They must offer students the opportunity at the end of their school experience to choose freely between further education and entry into an occupa-

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tion with a future. The schools must develop their students as individuals.

Schools that do these things are good schools, wherever they are located. The principles of good education are constant, but their application differs in different environments and for different student populations. In fact, one of the most basic elements of good education is adaptability to the situation and the individual student—an element all too uncommon in the American educational institution and generally lacking in the schools of the urban crisis.

This Task Force recognizes that the United States, since its beginnings, has been composed of separate and unequal societies. There is the Western European society of the white majority; there are the societies of the black, poor white, Mexican-American, Puerto Rican, and Indian minorities. To fulfill the principles upon which this country was founded, America will have to reform its institutions so that all the cultures within it will be accorded equal respect; all citizens, equal rights.

The task

The schools of the urban crisis, as they now exist, perpetuate the cycle of poverty, the merry-go-round of despair and frustration. They consciously or inadvertently continue to discriminate against the poor and powerless. Many concerned Americans, educators and noneducators alike, have already taken steps to improve the schools, to eradicate the inadequacies, and to develop programs which will afford the citizens of urban America the same opportunities that other Americans have. The efforts of those who have been trying are commendable. Yet the situation remains critical. It is the responsibility of all those concerned with the future of this nation to accelerate efforts to improve inner-city schools.

America's central challenge remains: to develop its human resources, its children, so that they in turn can develop America.

The urban school crisis is not an isolated phenomenon but affects and is affected by the education offered in all schools in this country, whether suburban or rural. Children frequently come into the urban schools from rural areas. Educators frequently come into urban schools from suburban or rural backgrounds; many hope to leave urban schools for positions elsewhere. Too often the goals and methods of urban schools are based on those developed in suburban schools. The children whom these schools fail to educate affect schools in other areas by their negative impact upon the national economy. They are likely to be unemployed and thus compete for, rather than contribute to, public funds.

Desegregation

The students who attend the schools of the urban crisis suffer from the effects of racial discrimination. Racial strife, mistrust, and bigotry affect the schools and all other institutions not only in our urban areas but in the rest of the country as well.[2] One of the greatest problems facing America is that of ending racial and economic discrimination.

The first step in attacking this problem is the eradication of segregation. Forced segregation of minority groups by the majority is the denial of Constitutional rights, as recent court decisions and common sense indicate. Desegregation therefore means breaking down barriers which limit the freedom and opportunity of groups of citizens to exercise the privileges ensured by the Constitution. Some of these barriers are legal, but most are more subtle. Some are de jure; others, de facto. In public education, desegregation means getting rid of separate and unequal schools which are still sanctioned by boards of education and state legislatures and which prohibit children from multiracial and multicultural experiences. It means breaking down housing patterns which arbitrarily limit the choices of the poor and the powerless, imprisoning them in areas others have abandoned and yet control. Opening up housing in the suburbs to black citizens also means that suburban students will no longer be segregated through the design of acquiescense of their parents.

The federal government has taken some steps since the 1954 Supreme Court decision, yet many people of this country—administrators and teachers, public officials, and citizens alike—have blocked efforts to remove once and for all legal and social barriers which impinge upon the rights of minority group citizens. It does little good to develop desegregation plans for our major cities if citizens of a state vote down open-housing laws. Recent studies have shown that the pace of school desegregation in America has been snail-like. The public schools are more segregated now than they were in 1954.[3] America seems to be unwilling to accept even coexistence; unwilling to provide some Americans with the rights all Americans are entitled to. When one American suffers, all suffer. Denial of justice to one man or group is a denial of justice to all men. It is in each citizen's interest to work to assure all Americans the rights to which they are entitled under law.

Integration

The word integration is frequently used, but seldom understood. People say it is essential for *quality education* but rarely define either term. Does integration mean giving a white child a locker next to a black child? Does it mean bussing 60 five-year-olds from slum to suburbs? Does it mean hiring one Puerto Rican or Mexican-American professional staff member to improve the public relations image of a school or an education association?

Integration is not only racial but cultural, a coming together of different peoples in a social, esthetic, emotional, and philosophical manner—not a mechanical juxtaposition. It is pluralism rather than assimilation, based on respect for differences rather than on a desire for amalgamation. Respect does not try to "save" a person from the "mistaken" values that have always guided his life; integration is a salad bowl rather than a melting pot.

The kinds of experiences which would produce the mutual understanding and respect that constitutes integration among children of different races and backgrounds are necessary elements of education for life in this nation.[4] Such truly integrated experiences can, fürthermore, be provided every child of a metropolitan area, no matter how culturally isolated his situation.

In cities whose populations are now more than 50 percent black, in cities from which white parents are fleeing, in suburbs where black citizens do not live or are refused entrance, there will be schools which are all-black and all-white. Good education can and must be provided for children and youth in these schools: the staff can provide educational experiences which lead children to a greater understanding and acceptance of all of America's societies.[5] The Task Force believes that this understanding would be more easily developed through integration of student populations.

There are many ways to provide integrated educational experiences.[6] The school system may use one or a combination of the following options or decide upon others: (a) two-way bussing, (b) exchange programs involving students and teachers, (c) cross-racial experiences sponsored by the schools but outside the regular school program, (d) the redrawing of district lines, or (e) the construction of educational parks.

No matter which means citizens choose, the Task Force believes that the following principles must serve as a basis for developing an effective sequence of integrated experiences.

The chief purpose of school integration is to give each child the opportunity to have experiences with children from different cultural and racial backgrounds. The decisions to develop integrated programs must be made jointly by the parents of the children involved. School staffs and teachers organizations have a responsibility to inform the parents of the educational value of such experiences. The parents should have a permanent role in developing and assessing the programs and the experiences of their children. The parents of the majority—whether black or white or Spanish-speaking—must not dictate to the minority group parents. Neither should small special interest groups dictate to all the others what should be done. All should work as partners.

A child who is going into an integrated situation must be provided special assistance *before* he enters it. Children cannot be subjected to a situation in which they might be destroyed as persons psychologically. Children cannot enter situations in which they will be subjected to bigotry, hatred, racism. The educational experiences provided must not reinforce stereotypes but eliminate them.

Before and during the development of integrated experiences, the superintendent and his staff should provide the faculties involved the kinds of experiences which will assist them to examine their own racial attitudes and make them sensitive to children of different races and backgrounds. The personnel specifically involved in such programs must work along with the parents in the planning and development of these experiences.

Desegregation—the destruction of barriers—and integration—the construction of mutual respect—must be accomplished if children are to be offered a complete education and the nation is to enjoy a decrease in intercultural tension.

Conclusion

It is unfortunate that a recipe for good education for the children of the urban crisis cannot be adapted from the educational programs provided in the suburbs with a few minor changes made. But the kind of education students need is not being generally offered children of any geographic or socioeconomic region. The health of the national economy requires that the schools of America prepare students to be self-supporting, to contribute to the national income rather than to the cost of public services. The survival of American democracy requires that schools help students become self-respecting and self-determined individuals. The need for schools that accomplish these things is particularly acute among the poor and the powerless.

The children of the urban crisis have a right to an education as fully funded and carefully planned and carried out as other American students. If they are to have an equal start at the end of their public schooling, their schools must receive more funds and attention than others. But, if they are to compete successfully, if they are to survive, the funds and the thought and imagination must be better spent than in most of our schools at present. In four areas which determine the quality of education—organization, experiences, staffing, financing—the Task Force has examined the requirements of the schools of the urban crisis and designed strategies to bridge the gap between the real and the ideal, the present and the future of urban education in America.

CHAPTER 1—URBAN SCHOOL REORGANIZATION

The process by which the schools of the urban crisis are governed is increasingly unsatisfactory to those groups whom the institution affects most. Overgrown and ponderous, most big-city school systems are slow, inefficient, and inflexible in operation. Every decision or request for action must go

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through various levels and planes of the hierarchy, through forms and red tape which remove most traces of uniqueness or urgency. Routine supplies may be delivered months, even years, after they are ordered. Attempts at creative teaching that require materials or permission from outside the classroom are likely to be stifled because of rigidly applied rules, since the system makes so little provision for special cases. Unresponsive to staff members, the bureaucracy of most big-city systems is impervious to the demands of parents and can be influenced only with difficulty by the school board or superintendent.

The system of governance no longer goes unchallenged. Because staff members feel decisions are made arbitrarily and rules apply rigidly in disregard of the uniqueness of any individual case, they are frustrated and angered. Students are becoming aware that an education better suited to their needs could be provided if the structure of governments permitted. Parents who see their children miseducated or uneducated are claiming the right of parents in smaller school systems—to govern the schools through a board that represents *their* interests because they are not competing for representation with more powerful cultural or economic blocs. The form of governance they want is commonly described as "community control"; however, "the rhetoric of control is more widespread than its practice; few parents want to *run* their schools. But they do want something called *accountability*, where they can look at and assess what the schools are accomplishing."[7]

Many groups agree that the organization of urban school systems must be altered if city children are to receive suitable and sufficient education. But no better pattern has been established. New structures of decision making must be developed for each city according to its particular situation.

In order to reexamine the structure of organization of an urban school system, educators and citizens must begin to clarify (a) the various types of tasks which the schools now perform, (b) the levels at which the tasks can be carried out most efficiently, and (c) the difference between decisions which should be public and those which should be professional. Decisions about school programs and administration should be made at several different levels: the local (an individual school or cluster of schools), the regional (several clusters within a city or crossing metropolitan boundaries), the metropolitan, the state, the multistate, and the national. Although there will, of course, be overlapping areas of responsibility among levels and between the public and the educational staff, the Task Force is concerned with primary responsibility. Clear delineation of roles and responsibilities is absolutely essential for urban school reorganization, in order to prevent duplication of efforts or abdication of responsibility.

Within the broad criteria established by the state and the nation, most decisions about the educational experiences children receive should be made at a level which can involve both the parents and the children most directly. Although it is the right of the parent and the citizen to make the policy and priority decisions about what their children learn, educators and citizens must realize that parents do not exercise this right in a vacuum.

The school staff, consulting with parents and students, is the logical group to make decisions about scheduling, teaching methods, and so forth.[8] At the same time, there must be a relationship between state and national educational objectives and personal, parental, and community ones. The state, which has a legal right to intrude into any public school system, acts as a check and balance for the public. The city, state, region, or nation may conduct programs of research, provide special consultants, and disseminate new ideas and developments to the staff and public. Teachers organizations have a role in presenting educational alternatives at each level of decision making.

Educational personnel translate policy into program, idea into action. In the individual school setting, for example, the parents might establish policy and priorities, present these to the staff, and ask them to propose several alternative ways of getting the job done. The parents, then, might decide which of these alternatives best fit into the total scheme of the school's priorities and delegate authority to the staff to carry out the program. In another situation the parents might simply tell the staff to do a particular thing without specifying any particular way. In either case, the public has a responsibility to assess the programs to judge whether they are effectively attaining the goals of the school. It has a further responsibility to demand that the programs be changed if they are not.

While education needs the largest possible financial base, allocation decisions are made most appropriately by public agencies closest to home base. Allocations, then, can be used to align expenditures with the priorities of individual schools and cities. Instead of city-wide procurement of supplies, the school may want to purchase paper, supplies, and paperbacks from a local firm. In this way the school can establish better community relations and, at the same time, obtain needed supplies quickly and efficiently. Placing greater responsibility and authority for spending money within the individual school enables persons who are closest to the children's learning situation to translate feelings into programs, ideas into action. It allows education to be more responsive, more accountable.

One of the greatest problems Americans will face as cities are built and rebuilt is adequate planning for future school facilities to keep pace with jobs and housing and for replacing outdated and condemned buildings. The basis for decisions in this case obviously must be larger than the individual school attendance area. One mammoth problem America now faces is urban sprawl, for "cities" often embrace many independent governing units and often even cross state boundaries. The only way we can deal effectively with this problem will be through metropolitan planning, incorporating these independent governing units into a cohesive group for decision making and action.[9] This will create another area where educational decisions must be made. Involving parents will be difficult at this level; but as metropolitan governments grow stronger and as multistate bodies develop, it will be absolutely essential to find ways to make these units responsive and accountable to parental concerns.

It is at a more local level, however, that the difficulties of securing accountability are at present being confronted. Proponents of school reorganization have developed or are calling for plans to decentralize the school systems of many of our major cities. This drive for decentralization of schools and for increased parental involvement is one element of a logical step in the development of American democracy. Before the American Revolution, decisions were made by monarchs. Ever since the American people won the right to govern themselves, the basis of decision making has gradually broadened as more and more segments of the population have obtained the right to vote. In 1920, women won the franchise; in the sixties, civil rights activities helped to extend voting rights to more black people; now the young are pressing strongly for the right to vote at the age of 18.

More and more of the people are eligible to vote for the representatives who make decisions, but the search for more responsive government is far from over. Many people no longer seem to trust their representatives to make policy for them in every area. They are demanding an ever-increasing role in making the decisions themselves: Emphasis is being placed on participatory rather than representative democracy. This shift from indirect to direct responsibility for decisions is the newest development in the continuing attempt of the American people to create a just and workable method of governing themselves.

Several elements in contemporary American life explain partially why this step is being taken now. During the past 20 years, this country has undergone the most rapid and thorough technological and social transformation in the history of man. Today, sheer bigness, expanded population, and increased concentrations of people are contributing to the feeling of alienation man experiences during such periods of rapid change. People are, therefore, reaching out to control and direct their economic religious, political, and social institutions. They are attempting to make institutions which were developed during an agricultural or industrial period perform their functions in a technological society. This attempt often must involve changes in institutional structures.

The media explosion has contributed in an unprecedented way to the decentralization movement in cities throughout the country. Media are constantly bringing the actions of our representatives and the "products" of our institutions into view, and the average citizen is unsatisfied. The media have brought the institutions so close to us that we can see how "remote" they really are. They have also illustrated how frighteningly inept these institutions are in dealing with the problems that society faces today. They have made us more sophisticated. They have shown the poor and the powerless the riches of America.

The failure of urban schools to educate children from all cultures has made the schools the main arena in which the battle for institutional accountability is being fought. Many of the poor parents now believe that their children are being controlled and sorted by a centralized system which responds only to other elements in the population. They demand to help make policy for the schools which their children attend. Thus the demand for school accountability and for decentralization is intrinsically connected to the movement for participatory democracy and self-determination in this country.

Decentralization

The Task Force on Urban Education defines *decentralization* as a method of distributing authority in such a way as to give parents, citizens, and local school officials greater involvement in or control over the educational decisions which affect children.[10] The Task Force supports and endorses this concept. It believes that new and different efforts must be exerted to create *people-centered schools*, and that decentralization may be the best way to accomplish this in urban areas.[11] The education profession and the community together should assess the problems and needs of the children, determine educational programs, establish educational priorities, develop programs and methods of evaluation, and select staff. The Task Force urges that thoughtful planning by all of those involved precede every attempt to implement this concept in order to safeguard the educational standards and the general welfare of students and educators. Individuals and groups concerned about the future of urban children—city and state boards of education, individual teachers and administrators, education organizations, business and community groups—should begin immediately to examine all aspects of decen-

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tralization to decide whether this method of reorganization is feasible.[12]

The Task Force recommends that all those initiating and developing decentralized school systems closely examine the following questions and issues.[13]

Although neither the NEA nor any other national group can develop one decentralization plan that will be applicable to all of America's major cities, we feel a clear responsibility to raise some of the relevant questions which must be considered. In every city it will be essential for all those involved and affected by decentralization—administrative staffs and teaching personnel, city officials, city boards of education, individual parents, citizens, community groups, and teachers organizations—to examine these and other questions with care and to agree mutually on the important issues. There should be widespread participation and involvement of all those concerned in developing any plans, and every decentralization plan must be designed to make urban schools more responsive and accountable to the people they serve.

A. What size should decentralized school districts be?

One of the major purposes in decentralization is to develop adequate ways of involving parents and citizens in school decision making. All those involved in developing decentralization plans will have to pay particular attention to developing patterns of participation which will allow the schools to respond effectively to the parents of individual children and the citizens of particular communities. As the Task Force has indicated, many decisions about educational programs may be made most appropriately within an individual school no matter what size the district may be.

Ultimately, the size of decentralized school districts should be determined by the needs and demands of particular communities. It will also depend on the definition of the term community: the residents of a geographic area, an ethnic group, people with the same interests and goals, and so forth.

1. There may be a tendency to separate large districts from the city. Districts like Harlem, large enough to be "cities" themselves, may wish to secede from the city structure completely. Within such districts effective community participation would be limited by size, and further decentralization may be necessary. However, a governing board of such a district may be able to be more responsive to the needs of citizens, especially if the system includes a population which is relatively homogeneous.

2. Another alternative is the development of clusters of schools governed by a community board. Such a cluster might include a high school and its feeder elementary and junior high schools; it might involve between 7,000 and 10,000 students.

3. The Morgan Community School in Washington, D.C., suggests still another model—an individual school controlled by a local governing board.

It is possible that within a city some sections of the public are satisfied with the present centralized board and will not press for community-controlled schools. Thus some of the schools might be governed by a central board and others by local boards. It is also possible that several different-sized "districts" may develop within a city. (In Washington, D.C., the Morgan Board governs one school, but the residents of Anacostia are developing a governing unit which would have jurisdiction over 10 schools.)

The size of the districts will be important in determining other structural arrangements. For example, a very large district may be tied directly to the state, circumventing the central board entirely. In other cases, schools may receive some service or direction from a central board of education while developing governing units within individual schools or within clusters of schools.

B. How will representative lay participation be ensured in decentralized school systems?

Decentralized school plans call for involving parents and citizens as members of advisory councils or community school boards. Several structures of representation on such councils or boards are emerging.

1. The one constant factor in each plan is the presence of a majority of parents on the board. Some plans specify that teen-agers should be involved; others include businessmen, educators, and representatives of community organizations. The possible advantages and disadvantages of involving representatives from each of these groups on the policy-making boards should be weighed carefully.

2. Most plans provide for the election of board members either (a) by the population of a specific geographic area, and/or (b) by the parents of the school children.

3. Some plans (i.e., San Francisco SEED Project) call for the election of individuals to a decision-making committee in a particular school. Those committees then elect some representatives to a coordinating board which establishes policies for a cluster of schools. The clusters could, in turn, elect representatives to participate in citywide planning. This model might present a vehicle to coordinate decisions from the individual school level to the citywide area.

Participation on boards of education has traditionally been restricted to those of our citizens who have both money and time. Consideration might be given to compensating members of local governing boards, to paying for expenses incurred in participating, and to assisting the members to acquire expertise and factual information which will enable them to govern in fact.

C. What powers might community boards or councils have?

The specific powers and authority which are assumed by such boards or councils will be determined by the structural arrangements developed in each city. Some communities are demanding authority for setting priorities for the school program, allocating budget on the basis of these priorities, and hiring and firing personnel. They are seeking such powers within the limits of *state* law, but with a greater degree of freedom than centralized boards of education now permit.

Lines of authority and responsibility between centralized school boards and community boards and between community boards and educators must be *clearly* delineated. For example: A community board might have the responsibility for determining program priorities within a school or cluster of schools; a central board might conduct research and evaluation for the community board; faculty members of an individual school might develop several alternatives for implementing a program priority; and the community board might then decide which among the alternatives is most feasible in the light of other priorities. Purchasing of some items might be done more easily by a central board; purchasing of other items might be done more easily by a local board.

Personnel needs and staff deployment should be determined at a local level as much as possible. The major responsibility for hiring and firing personnel might be placed with a governing board which has advice from the administration and faculty. On the other hand, major responsibility might be placed with the administrator assisted by the faculty and an advisory council. Whoever is responsible and accountable for personnel decisions must have the authority to carry out these decisions.

The following example shows how a community board and school staff could work together to hire personnel: New personnel are interviewed by the principal and representatives of the faculty and by a personnel committee of the board. The principal and faculty representatives examine the person's *professional credentials and competence*. The board's personnel committee reviews the applicant's views toward the community and the children. If either of the two groups feels the applicant is not suited for working in the particular school, the person is not hired.

Procedures for firing personnel must incorporate a system of due process acceptable to both the public representatives and the professional ones. Basic procedures might be developed at a broader level than the individual school.

If more hiring is done at the individual school level, there may be a more satisfactory initial assignment of personnel. If a person seeks transfer, however, he should receive assistance.

A more centralized agency might be responsible for establishing general procedures in the area of personnel practices and for recruiting personnel.

D. How should decentralized schools and school systems be financed?

Any discussion of the financing of decentralized school districts must take into account the fact that urban school systems currently do not have the funds necessary to educate children adequately. Decentralizing urban schools without providing each district with the resources it needs to conduct programs and pay personnel would be tantamount to criminal negligence.

The base for resources for urban schools must be broader than the city—it must include both the state and the nation. Plans for distributing resources must take into account the extra needs of urban areas and the fact that proportionately greater amounts will be needed by those schools which have large numbers of poorer children.

A decentralized school district, then, will have to depend upon a broader area—city, metropolis, state, nation—for its revenues. However, decisions about how funds will be spent should be made as much as possible within individual schools or school clusters.

E. How might decentralization affect professional negotiations?

In an abstract sense, at least, there is little difference between negotiation in a decentralized school system and most bargaining in private industry. The classic bargaining pattern provides for hammering out a master contract with a nation-wide industry, for example, and submitting it to members for ratification. However, final acceptance at any particular plant of that industry is contingent upon successful local negotiation over relevant local issues, which may vary widely from plant to plant because of local conditions. Many existing master contracts of teacher organizations already provide for a mild form of multi-unit bargaining, by requiring the formation of faculty councils or senates in each building or unit. The purpose of such councils is to resolve local issues that may arise because of unique conditions. For this type of bargaining to succeed, each local board must fully accept the responsibility to bargain with its employees.

Teacher organizations, then, would continue to negotiate. They would, however, have to examine which items could be negotiated at a centralized level and which could be negotiated at a more local level. In general, basic salaries and fringe benefits might be negotiated at a centralized level while decisions relating to educational programs might be made at the more local level. One of the items which teacher organizations might negotiate at the decentralized level is the procedure for involving faculty members in decision making within an individual school.

Negotiating under a decentralized plan would necessarily involve more members of

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the teachers organizations. These organizations themselves might become restructured along the same lines of a decentralization plan. They would need to consider and develop ways to coordinate the expressed needs of members in each decentralized district when developing a master contract covering a larger area. In short, they must find ways to be responsive to their own members in the decentralized system.

Conclusion

The Task Force believes that a careful and thoughtful consideration of the above questions will be necessary for all school systems that attempt to reorganize and reform to meet the exigencies of a new and challenging century.[14] The real value of the current surge toward decentralization and reorganization is that it focuses on allowing both parents and educators to be a part of the decision-making process. The realization of this drive toward decentralization and reorganization will provide in urban education the pluralism that we, as Americans, say we cherish. This news system will offer educational alternatives to parents and educators in our cities as well as in our suburbs. It could, in fact, save public education in America from obsolescence.

CHAPTER 2—THE EDUCATIONAL EXPERIENCE

The number of students who leave urban schools, with or without diplomas, prepared neither for further formal schooling nor for immediate employment has been repeatedly documented. That any students leave any schools in this condition is deplorable; when the proportion rises above 85 percent, as it has done in Harlem, the schools may be regarded as functionally inoperative in preparing students for economic self-sufficiency.[15] Far from equipping students to support themselves in any way at all—let alone giving them a choice of occupations—the schools of the urban crisis do not teach many students even to read or calculate.

Urban students are deprived, not only of useful academic and vocational education possible for others to obtain in the educational system, but of the kind of educational program that develops a child's confidence in his ability and worth—a confidence that is necessary for both survival and productive participation in our civilizaton.[16]

The educational program presently offered the children of the urban crisis is suitable to neither our time nor their situation. Until it is replaced by an approprate form and content, urban schools will continue to crush their students into the mold of social liabilities. To educate, a school must adapt itself to its environment and to the academic, psychological, and physical needs of its students. Many urban schools are unique only in the degree of their inappropriateness to the student population. It is the enormity of their irrelevance that makes such schools a single, identifiable problem—the most pressing problem—of the American educational institution today.

Education for the time

Emotional Development: The pressures and tensions of the present are great; those of the next few decades may well be greater. Already many Americans do not feel able to deal comfortably with the stresses our civilization presents. To prepare students to function competently, our schools must offer them sufficient knowledge of the processes of emotional response so that they can understand their feelings rather than fear them. The school situation should present the opportunity to practice channeling and expressing feelings in ways that will prevent inner tensions from accumulating and yet keep behavior within the limits set by society. More important, the educational experience must provide students with the materials for an enduring self-respect on which to rely in times of external stress.

All the elements of the educational experience—staff, curriculum, materials, facilities—should be organized to contribute to the child's feeling that he is valuable both as a member of the human race and as himself—a unique combination of qualities. Those in the schools must neither ignore nor malign nor patronize any child's race, culture, or background. They must not imply that academic or social standing is an accurate standard of the worth of the individual. Rather, the educational experience must encourage each student to value his strengths, while considering his weaknesses to be challenges, not sins or faults.

Career Development: Most children in the schools today will need to work to support themselves as adults. Many will need to seek employment as soon as they complete their public school education. But employment is increasingly scarce for the unskilled; machines perform or may even direct physical labor, and economy requires that human beings perform only the tasks demanding more knowledge and skills. If the schools are not to contribute to the number of unemployed citizens, and thereby to all the social and personal waste and misery attendant on joblessness, they must offer effective programs for career development.

The educational program must first ensure that students possess the basic skills required for survival in our civilization: the ability to read, write, and calculate; to think logically; to make decisions; to work with others; and to deal with stress. Students further need to develop concepts which they can apply to a whole cluster of occupations, in order to move from one specific job to another as requirements and demands shift. It is the responsibility of the school to keep itself constantly informed on occupations that are likely to need more, or fewer, employees in the near future. For example, because of the automation of industry and agriculture, the present trend is toward a concentration of employment in service-oriented, rather than good-producing, occupations. A close relationship with business and industry is essential in vocational programs because students must have access to the latest machinery and techniques; training on obsolete equipment may even prove to be a liability to a prospective employee.

Local business, industry, and government and other service agencies can be valuable sources of assistance to the schools in providing vocational experience; their aid should be sought in the selection of suitable courses, the planning of course content, and the provision of actual working experience. Establishment of work-study programs is desirable for several reasons: Such programs permit students who must begin work immediately after graduation to continue their formal education and prepare themselves for occupations that offer advancement; they provide students the opportunity to observe the practice and working conditions in a variety of occupations; they maintain a close relationship between school and community that enables the school to keep its vocational program realistic; and they provide the student with contacts in the field he intends to enter. Through this last, they provide the schools one means of fulfilling what should be one of their major responsibilities in vocational education: student placement and follow-up. Neglect of this responsibility makes it difficult for the school to determine whether it is, in fact preparing students to compete in the job market. Yet this is an aspect of its performance that should interest the school most highly, since unemployable students become a burden to themselves and a threat to the society. The relationship between the schools and the employers of the community—and beyond—must begin at the beginning of the student's training and continue until he is established in his occupation.

Individualized Programs: The schools of the urban crisis must develop programs of individualized instruction. The Task Force defines *individualized instruction* as instruction which creates the school situation most favorable to the development of each child as an independent, self-reliant, self-teaching, creative individual. Individualized instruction is designed to develop the child's personal and academic potential to a greater degree than is possible when learning is prescribed for groups of students as though they were identical. An educational program tailored to fit the needs and abilities of each student provides him more experience of success, thus increasing his self-esteem and his willingness to risk further confrontation with unknown facts and situations. Giving him the length of time, the kind of materials, and the method of approach suited to his own learning style increases the amount he can learn, because his time is not spent grappling with irrelevancies.

In a truly individualized program, the human skill and development of each child are diagnosed. Each child has a program of activities planned with and for him to order to reach specific objectives, and assessment is conducted to see if the activities have assisted the child in meeting those specific objectives. Individualized education is concerned with behavior and how people feel about themselves and others; its objectives are behavioral. Children help determine the objectives they want ot attain, and they have different experiences for accomplishing a stated goal. They learn in different environments, and their vicarious experiences are broadened. Children learn from all types of people and mechanisms. They are required to spend only as much time acquiring a given skill as it takes to demonstrate achievement of a desired goal, and then they can establish new goals and concentrate on the attainment of these.

This individualized education program is designed to ensure that no child leaves school without skills enabling him to move into another productive environment. It includes careful and continual diagnosis by both teacher and student of what the student knows, what he thinks he wants to know, how he learns, what he wants to learn, and what he is motivated to learn. It involves counseling about alternatives in learning, recognizing various levels of learning, and examining the degree to which learning has transfer value, is generalized or synthesized.[17]

All the educational experience provided in such a program is process-oriented.[18] The child not only learns facts but understands and uses the theory, process, reasoning, and concepts which go into any discipline. Not only do children learn history, they learn how to be historians; they not only read the poetry of Langston Hughes and T. S. Eliot, they learn how to be poets; they not only read and study the novels of Saul Bellow and James Baldwin, they learn how to become novelists. A child does not just study about reason and humanity but incorporates them into his character.

In many areas of learning, particularly where performance goals can be identified specifically—as in typing, spelling, or mathematics—requirements are in terms of achievement rather than time. Flexibility in all subjects and areas of study eliminates the school schedule as we now know it. School need not begin and end at the same time for all children. On some days students might not even attend school. They might go to a museum, the mayor's office, the grocery store, the ball park, the newspaper office, the automobile factory, the police station. They might even take a leave of absence from the school for three months or a year.

Not only instruction, but evaluation can be individualized. Testing is used to determine to what extent each student under-

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stands what he has studied rather than how many facts he has memorized. Each child is compared with his own standards of performance; class or national standings are not considered indicative of the student's increasing grasp of concepts and ideas. As the school program can be designed to assist the child to learn, so the evaluation program can be structured to inform the student about the nature and extent of his progress.

Plant and Facilities. Many of the schools of the urban crisis were built during the last century and are so unsafe for both children and educators that they should be torn down. These schools lack many basic items which most teachers take for granted: There are not enough desks; many of the windows are broken; blackboards are falling apart; doors will not close; radiators will not work; there are no adequate toilet facilities. These buildings are also simply too small for the number of people they are required to hold.[19]

What is worse, structural limitations prohibit the use of new learning techniques—such as large- and small-group instruction, independent study, and the use of new media—thus making individualized instruction impossible. Supplies are equally inadequate. These schools do not even provide enough textbooks for the students.

The Task Force urges that a new and different view be taken of learning facilities for urban students. Facilities for learning may extend much farther than the school yard, and these should be made more accessible to the urban child. School systems do not have to wait for more buildings to be built. They can rent space in stores, housing projects, warehouses, apartment buildings, churches. These structures might offer more flexibility than many of the present inner-city school buildings.

A school building may represent the greatest single investment in a poor city neighborhood or a poor community. School buildings should and will serve many more purposes than they do at present. School systems should keep buildings open during evenings, weekends, and summers. If the schools were open, children who have no place at home to study could use the classrooms and the libraries. Individuals and groups from the community, using the school facilities for their own projects, would begin to feel a sense of participation and ownership toward the school which would reduce the fear and hostility now created by mutual defensiveness and misunderstanding. The inadequacy of many urban school buildings offers the opportunity to exercise a degree of imagination and creativity unnecessary in schools whose flexibility is built in.

Education for the situation

Our country bases its education on a culture, traditions, and a set of values inherited from Western Europe; it has not incorporated the contributions of other groups of people who make up the many societies we call America.[20] This basis must be changed. In urban schools the black child and the Spanish-speaking child must be given materials which document their history and their uniqueness. Similarly, the white child, as well as learning about the achievements of his race, must also be offered the perspective that learning about other people and other races provides. The curriculum of the city school must be designed to help the child of the urban crisis come to grips with the grim reality of his daily life and to present him with a future which might be his—rather than cause him to cringe with shame because of the present or despair of ever attaining the future. The curriculum of every school must refrain from reinforcing in children society's tendency to make judgments about the worth of individuals on the basis of wealth, possessions, or race. Rather, judgments of individual worth must be based on the child's own values and experiences as a person and as a member of a particular community. Such an approach to curriculum must be manifested in materials in all fields of study—natural sciences and mathematics as well as literature and the social sciences—which present realistically and fairly the various components of our nation and our world. All-white illustrations and examples in an arithmetic book are as untruthful and as unrealistic as an all-white history of the United States. The curriculum must also be cosmopolitan in outlook, emphasizing the interrelationships among an individual, his community, and his world. It must be relevant to the child's needs and to the needs of society. It must prepare him to perform effectively, economically, socially, occupationally, and psychologically; it must prepare him to do this as an individual, a parent, a member of a group, a citizen of his country and of the world.

Recommendations

Despite the poverty of their educational programs, the schools of the urban crisis present a great challenge, if anyone is willing to accept it: They offer the opportunity for the construction of an entirely new form of education unbounded by the restrictions which a degree of success has placed on other schools. At this point the Task Force suggests some directions in which the educational experience might be developed.

1. School staffs, students, and parents should participate in the definition of the goals and objectives of the schools and review the current programs offered to accomplish these goals.

The broad overall goals of the schools must be further spelled out in terms of expected student behavior, (i.e., operationalized objectives). As partners in this process, staff, students, and parents must decide what they want to happen in the school and examine what actually is happening. The school system and the board of education should provide time in the school calendar for this activity so that it can be carried out on a regular and continuing basis. In the review of the program the following areas should be examined:

The Curriculum: What is being taught?

Instructional Methods: How is the curriculum being taught? How is the school organized?

Materials Used: Are they multi-ethnic? Is there wide use of varying materials?

Learning Problems: What are the major difficulties students are experiencing?

Student Involvement: Are the students allowed/encouraged to make decisions about their own education?

Evaluation of Students, Program, and Staff: Are the methods and procedures adequate and accurate?

School systems should place great emphasis on developing methods of student assessment which focus on the child's progress and not on his ability to meet predetermined group norms. Programs should be evaluated continually to ensure that they are doing what they were designed to do. Every new program should have built-in provisions for funds to ensure that this evaluation takes place.

2. Individualized approaches to learning should be developed, implemented, continually evaluated, and refined.

In each city, boards of education through the superintendent and staff, teachers organizations, and public and student groups should work together to develop a master plan for assuring the highest quality of individual experiences for each child. State departments of education and the U.S. Office of Education must provide financial resources, consultant assistance, and pertinent research and information. The NEA should provide assistance and leadership to those who are attempting to develop such a plan.

3. Schools must develop realistic programs which recognize that education will be a lifelong experience.

Lifelong productivity in the world of work requires periodic retraining, if not continual education. In the life span of an individual much of his education will occur outside of the elementary and secondary school years. It may be logical and beneficial for some youth to become employed as early as possible and then to continue their education under the direction of their employer. Guidance and counseling services should be available to provide placement and follow-up services for students moving into jobs, technical training programs, universities, and colleges. In addition, the school should take leadership in helping agencies and institutions in the community develop rich and varied educational offerings for adults of all ages.

4. High priority must be placed on extending, expanding, and improving programs available for young children.

One way to attend to the needs of young children would be to establish public kindergarten and day-care centers; another solution would be to establish programs for mothers to assist them in providing early educational experiences for their children. Because youngsters develop concepts of race at early ages (i.e., two to four years of age) it is extremely important that contacts be provided outside segregated neighborhoods. This early childhood education should be designed to develop in the youngster an ability to come to grips with himself honestly and to develop a clear perception of other people.

5. The school should provide more assistance to the urban child, directly or through community agencies, to attend to his physical well-being.

Children who are hungry or in need of medical or dental care cannot be expected to learn in the manner desired by parents, teachers, or the community. Consequently, the physical needs of our children must be met. For example, the school lunch program should be provided for all who need it. If medical, dental, and other services are thus to be provided by the school, the patrons must realize that additional staff and facilities will need to be provided.

6. Programs which reflect the true history and accomplishments of Afro-Americans, American Indians, Mexican-Americans, and Puerto Ricans should be incorporated into the school program.

These programs must be available to all students, for their importance is as great to children from a white neighborhood as those from any other. Historians and publishers are urged to provide teacher organizations, schools, and colleges with information and materials which will enable them to develop their own programs for all age levels.

7. Students should be expected to share in the responsibility for determining their educational program and to participate in making decisions about their own educational and human growth.

School officials and local teachers organizations should work with students to devise strategies to accomplish shared decision making. Teachers have a unique opportunity to develop leadership skills in young people, but it must not be left to incidental or occasional experiences. Student responsibilities must be broadened in a deliberate and articulate manner throughout the entire elementary and secondary years. One component of such a program might be to have students assist in the education of their peers through paired learning and cross-age tutoring.

8. The school should encourage students to take an active part in shaping their own destinies.

Schools should recognize the unwillingness of young people to accept the errors of the past and respond accordingly to the general

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desire of students to participate in shaping their destinies. Two of the forces helping to create this change are the surge in black awareness and student activism.

9. The school must work in a cooperative manner with young people and the police and courts to improve their relationship.

The relationship between law enforcement agencies and youth is disintegrating. Teachers and other school staff members should work with the police to help them improve their contacts with young people. Because of the natural gravitation of youth into social clubs or gangs, teachers should be helped to understand the dynamics of the gang and the realities of gang life.

10. Local teacher organizations, urban and suburban, should develop an attack on socioeconomic biases, prejudice, and racism.

"Shortchanged" educators, parents, students, and other citizens must be helped to respect racial, social, ethnic, and religious differences; to appreciate, understand, and accept the rich diversity of American life. Local affiliates should work with boards of education, city officials, and civil rights organizations in their own communities—and with their counterparts in neighboring communities—to develop programs which will provide truly integrated experiences for children.

11. A wider variety of instructional materials should be made available and used by teachers and students.

Utilization of the products of the new instructional technology should be encouraged. These include closed-circuit television, teaching machines, talking typewriters, computer installations, media centers, single-concept film packages, and overhead transparencies. School systems should place greater emphasis on using teacher-developed and student-developed materials. Assistance should be provided to staffs in using or developing new materials, and incentives given for creative use of materials. For example, teachers could be rewarded for preparing materials which would be of use to other teachers in the city. The school system could establish a materials library in each school to facilitate the sharing of materials among teachers. The teachers association could itself establish a materials center and a professional library for its members.

12. Instructional materials used in all areas of the curriculum must accurately reflect the different ethnic, economic, racial, and social backgrounds and attitudes of America's pluralistic composition.

These materials must be positively related to the experiential backgrounds of children. Producers and potential producers of instructional materials must develop materials which reflect the above concerns and cease to create and distribute ones that do not. School systems must purchase only those instructional materials which accurately reflect these concerns; teacher organizations at the local, state, and national levels must insist that only such accurate materials be developed and utilized in the schools. It is essential that the materials produced by the National Education Association and its affiliates also reflect the true diversity of the American heritage.

13. Condemned buildings and educationally inadequate structures now in use should be replaced by facilities which accommodate a wide variety of learning experiences for all members of the community.

All new buildings should incorporate the latest in architectural design and educational technology. These facilities should be open during the evenings, weekends and summers to provide maximum use. They could be used as locations for adult education programs, consumer buying courses, recreational and cultural programs, and community meetings. School systems should make better use of existing facilities which may not be owned by the city but are located there—museums, colleges and universities, business enterprises, and so forth.

14. Increased attention must be paid to the mobility of urban children across arbitrary school boundaries in our large urban school systems.

Among schools which have a high student turnover, special efforts should be made to coordinate programs and conduct joint social and recreational activities so that children are disoriented as little as possible by the mobility of their families. Administrative regulations might be changed to allow children to remain in a particular school when their familes move to another neighborhood near enough to make transportation arrangements practical.

CHAPTER 3—STAFFING

The staff, like the program, of the schools of the urban crisis represents an intensification of the racial, cultural, and educational problems plaguing the rest of the nation. In most inner-city schools there is a serious deficiency of personnel, in both numbers and quality. Many of the teachers in these schools are not fully certified and have had little or no teaching experience. In addition, some of those teachers who have formal credentials and experienec are prevented from being effective because of overt or subtle prejudices: They feel that the students are less capable, even less human, than others; or they feel that they are bearers of a higher civilization that will bring the students success and happiness.

These attitudes, of course, are prevalent in our society. Their existence in teachers illustrates how ineffective teacher education institutions have been in eradicating them. For the most part, inner-city educators have been trained in institutions which are middle-class oriented, and they have not had much exposure as part of their training program to persons of different cultural or socioeconomic backgrounds. Even when this exposure occurs through student teaching programs or other preteaching experiences, teachers are not usually helped to interpret, analyze, or understand what they see or think they see.[21] Furthermore, they are often not made aware of the beauty, strength, and value of other cultures.

The effectiveness of the many experienced, competent, and sensitive teachers and administrators in the schools of the urban crisis is limited because of the conditions under which they must work. Their salaries are in many cases below U.S. Department of Labor standards of reasonable comfort.[22] The obsolescence and inappropriateness of the school program, rigidified by the inflexible structure of governance, prevents them from working at a level of competence which they can respect. Inadequate funding saddles them with a dearth of materials and with buildings which often are physically hazardous and which, in any case, make imaginative and vigorous teaching more, not less, difficult.

The schools of the urban crisis must be staffed by a corps of educators who possess sufficient talent and training to offer students an excellent education. To this end, immediate steps must be taken to improve the initial preparation as well as the continued development of educational personnel. It is also imperative that school systems improve conditions of work and develop a climate in which effective teaching-learning can take place.

The educator

Urban schools need educators who are competent, i.e., sensitive, productive, and decisive; educators who demonstrate their belief in the real worth of each child, who respect children of different racial and socioeconomic backgrounds, and who know and respect the values and customs of these backgrounds. Schools need educators who are themselves secure. Prospective educators and those who are currently in service must be continually provided experience and knowledge that will enable them to be aware of their own emotions and reactions. It is crucially important, furthermore, that educators have opportunities for self-renewal, for relief from the tensions and frustrations that accompany them daily.

An educator should be able to facilitate learning, or assist the child to think logically, as well as to understand and express his inner feelings. He should be able to establish and work comfortably in different kinds of learning situations—small groups and large, within the school setting or outside it. He must recognize that learning takes place all the time, wherever the child is; and that to affect the student positively, the school must work with, not against, the teachers and classrooms of the home and the street. The teacher must be willing and able to use the questions and suggestions of parents to improve his own method of approaching students. Similarly, he must be able to use various kinds of materials—traditional, newly developed, and available in the community or created by students, parents, or other staff members.

It is, therefore, necessary that the teacher be able to understand and make himself understood among the people of the school and community. He must understand the primary language of the students and community and avoid using professional argot, which will mark him as defensive and insecure. He must know how his own words and actions will be interpreted. A sensible and productive idea inaccurately expressed may appear patronizing or defensive and create hostility or disdain in the listener. The educator in the urban school must not be horrified by either the students' language or their experiences and feelings. He should be able to communicate and work not only with students but with other educators, specialists, parents, aides, and administrators. The principal and teachers of an urban school must be able to carry on the important process of communication with the total community in which they work.

To prepare students for the world in which they will live as adults, educators must unceasingly search for new answers to old questions, be thoroughly familiar with their areas of specialization, and keep themselves informed of new developments in the practice of teaching. They must be able to help students inquire rather than memorize. Teaching means assisting students in setting aims and goals, raising questions, developing hypotheses, testing solutions, noticing the people and the world around them. Teaching means encouraging students to solve problems effectively and to examine all hypotheses rigorously.

Educators must also know and understand the learning process. Each teacher should know how children learn. He should recognize that learning is not the same for all. He should know the place of drill and repetition and basic skills in the learning process. His role is to help the students use their own minds, develop their own reasoning powers so that they can differentiate between the relevant and the irrelevant. His goal is to help the students recognize their own insights as different and valuable perceptions even though greater minds might have seen more clearly.

If our educational programs are to provide each student the education that will most benefit him, educators must understand and use a process which includes the elements of (a) diagnosing, (b) planning, and (c) evaluating.[23] The competent educator using this process will recognize the difference between a temporary and a permanent

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need in a child. He will recognize the difference between what one child needs and what an entire group of children need. He will know what to look for when observing each child: Is the child falling asleep, fighting, whining, angry? He will be able to distinguish between healthy behavior and symptoms of emotional illness. He will observe how a child attacks a problem. He will look, listen, ask questions, and remember what he heard and saw. Once he collects these data, he will organize, analyze, and separate the relevant from the irrelevant, planning possible ways to meet a particular child's needs and problems.

After this necessary diagnosis, he is ready to prescribe; so he sets goals and objectives involving all students individually and as a group; selects and organizes people, materials, and content to meet the goals; and conducts activities. He will also set limits, identify and interpret expectations, and know the purpose of all the activities and their relationship to the goals. The educator will ensure adequate supervision, use materials and activities as creatively as possible, and help the children to help one another. He will know when to stop an activity and when to begin one; he will understand how to make a transition from one activity to another. He will know when the goal of an activity has been achieved because he will know what evidence shows him that it has been achieved.

The competent educator using this three-part process will know exactly what to evaluate. (1) Did the child accomplish the task or activity successfully? (2) Was the activity relevant to the objective? (3) Was the objective appropriate for the child? He will define what is being evaluated and select appropriate criteria for measurement. He will involve the child in self-evaluation, use consultants, observe the behavior of the child, and evaluate his own behavior as a teacher. After all these data, he will interpret the results, knowing what to accept or reject, compare his assessment with that of the child, recognize unrealistic goals, and judge the cause of success or failure as objectively as possible.

The Education of the Educator: If teacher education programs in colleges and universities are to prepare teachers who are capable of developing students into thinking human beings, radical changes are needed in both the content and the organization of present programs.[24] An individual who wishes to become a teacher must be treated as an individual: His strengths and weaknesses must be diagnosed, and he must receive experiences planned with and for him. Just as behavioral objectives must be developed for each child, they must also be developed for teachers in training. Young men and women who plan to enter teaching must be evaluated on the basis of their possession of certain skills, as well as on how much they know about philosophies and psychologies of learning and teaching, child development, and subject matter fields. They must be far more involved in making vital decisions about their college programs than are today's students. They must have opportunities to decide, choose, make mistakes; thus they will learn how to make wise decisions.

A teacher in the schools of the urban crisis cannot be really effective unless he derives from study and from his own experience sufficient knowledge and understanding of urban sociology, anthropology, and behavioral psychology to have some insight into the values and the goals of his children and their families. He must understand the effect of the environment on the learning styles of students. Educators must never forget that if they treat a child as one who cannot learn anything, it is unlikely that they will ever teach him anything worth learning. Ways must be found to determine and develop a prospective teacher's ability to understand and accept people of different races and socioeconomic classes. Preparation programs must give every prospective educator the opportunity to work with children of different races and backgrounds and thus to attain a perspective and an openness which will be valuable not only in his teaching but in his life.[25]

His program of preparation must focus heavily on the development of teaching behavior and skills. He needs experience in setting objectives, deciding what behavior is appropriate in a given situation, and practicing that behavior in both real and simulated situations. Part of his preparation should deal with developing research skills and theory—the concepts which will enable him to interpret what he sees and does; to analyze, conceptualize, plan, and adapt theory to present situations as well as to future ones. Another part of his preparation should teach him how to work with adults in various roles in the learning process. He needs experience in working with parents, aides, and other teachers to enable him to teach more effectively in concrete situations. He also needs to be familiar with community agencies and how they affect children.

A much closer relationship must be developed between the colleges which prepare teachers and the urban schools in which they will teach.[26] Urban school systems and educators must work with college personnel to ensure the development of courses which will be helpful. College professors must from time to time teach in urban schools in order to become more sensitive to the needs of future teachers. Teacher education must become a continuing process. The lines between selection, initial preparation, induction into the profession, and graduate and continuing education should disappear. Entrance into the profession must be based on an evaluation of an individual's ability to perform specific actions and his potential for improving his abilities. Similarly, judgment of competency must be based on performance, on what one does rather than only on what one knows. Since competency is not a static thing, opportunities for an educator's continued growth should be maximized. Educators, too, need career guidance to assist them in planning their professional development.[27]

The Environment of the Educator: Improvements must be made in the climate and organization of urban schools.

For high morale, teachers need a feeling of achievement, of success in the task they regard as all important. Teachers need professional help when they encounter serious adjustment problems in their classes. They need adequate instructional materials and assistance from administrators and supervisors. They need relief from time-consuming clerical and housekeeping chores that can be performed by others. They need good working conditions, including opportunity for a breathing spell in the course of a long and strenuous day. Above all, they want their superintendents and principals to respect them as people and treat them as fellow-professionals. No amount of lecturing on the importance of teaching means much to the young person who is treated as a hired hand by a petty bureaucrat, regardless of whether the pettiness is shown by a principal, by a supervisor, or by a clerk in the superintendent's office. If we want teachers to feel that they are professionals, they must be treated as professionals.[28]

Within the school, many different people perform many different tasks. Just as each child is unique, so too is each educator. The child should be the center of the educational program; and each person on the staff—the janitor, the principal, the aides, the secretary, the teacher, the specialist—must be allowed to work in a way in which he can best contribute his unique skills to the education of each individual child.

Educators need more time to teach, plan, learn, make decisions, and talk with colleagues and students. They must spend a far greater part of the school day in planning and learning. It has been said that from 15 to 20 percent of the teacher's time should be spent in *self-learning.*[29] That is, he must continually educate himself by studying the insights offered by his classroom teaching and by designing experiences to provide needed insights. For years, of course, lip service has been paid to this belief. If change is to take place in urban schools, however, we cannot continue "business as usual": We must begin by freeing our teachers so they can begin developing and instituting needed improvements. Individual educators must assume a far greater decision-making role in determining what methods of instruction and what resources they will use. Furthermore, they must have the skills and emotional strength necessary to work for improvement of the program and continuous reorganization of the school and school system.

During the coming years, teachers will be demanding higher salaries. The Task Force believes that this is inevitable and fitting. Teachers must be paid more. A competent staff is the most important factor in the education of children. If education is to be accorded high priority in this country, it can no longer be financed by paying educators poorly and then expecting Mr. Chips-like performances. Rising expectations of educators must be taken into account in the staffing of urban schools.

Recommendations

Recruiting, preparing, and retraining competent educational personnel is essential if the schools of the urban crisis are to develop adequate educational programs. School systems, state departments of education, state professional standards commissions, the federal government, the various accrediting agencies, and the universities which train educators should all assume greater responsibilities toward this end. Educators themselves, through their national, state, and local organizations, bear grave responsibility for promoting actions which will ensure that the schools of the urban crisis do secure, support, and retain the kinds of competent personnel they need—skilled and sensitive educators who are committed to providing the kind of education necessary for the survival of urban youth.

The Task Force makes the following recommendations to the above groups:

1. Greater freedom and decision-making responsibility should be placed with teachers and administrators in individual schools throughout the city.

The staffs of these schools should have the opportunity to plan at regular intervals and implement new programs which meet the needs of children in particular schools.

2. Overburdened teachers and administrators should receive more assistance from nonprofessional personnel who are capable of performing many of the tasks which teachers and administrators must now assume.

Introduction of new personnel must, of course, be accompanied by adequate training and continued training programs which involve the professionals as well as the nonprofessionals. School systems should develop programs which encourage nonprofessional staff members to move into careers in the education profession.

3. Special emphasis should be placed on assisting new and beginning urban teachers.

Beginning teachers should not be asked to assume the same amount or type of responsibility that experienced teachers have, and they should be provided with a great deal more assistance during their first year of teaching. Orientation programs for new and beginning teachers could be held before the beginning of the school year, with follow-up programs held intermittently throughout

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the year. Such programs might involve experienced teachers as well. The staff should be paid for attending such programs.

4. School systems should sponsor and pay for extensive inservice staff training programs.

These programs should be broad in scope. Principals, teachers, and specialists should decide what kinds of programs they need, and the school systems should provide programs that are designed and initiated to meet those expressed needs. In-service training should be considered a regular part of the educator's job, and school personnel should receive time and remuneration for attendance at such programs. These programs should draw more upon the skills and expertise of the faculty members of individual schools and people with special skills who live in the community, as well as college personnel and other consultants. Many more opportunities must be provided for teachers to visit other schools and cities, attend professional conferences, and do other things which would give them new ideas and strengthen their professional competence.

5. There should be widespread staff involvement in developing staff evaluation techniques. Evaluation should be used to improve rather than to criticize or condemn the teacher's performance.

Schools must provide the time and the resources necessary for staffs to improve their performance. The evaluation techniques used should measure both the educator's teaching skills and his personal relationship with the children and with other staff members.

6. Urban school systems and teacher education institutions should develop closer ties in order to develop more effective preservice training programs in the colleges and inservice training programs in the school systems.

Institutions which prepare undergraduates for careers in education should place a far greater emphasis on selecting and preparing persons who are capable of working in inner-city schools. Their programs should be geared toward providing these persons with the teaching skills and sensitivities they will need to be effective. Opportunities must be presented for them to understand and come into contact with people who live in the inner city. Colleges could establish programs which involve the students in summer jobs in the inner city or participation with an inner-city school staff as aides or assistants. In college programs, emphasis should be placed on a person's ability to perform specific teaching behaviors. The programs themselves must provide for far greater student responsibility and decision-making involvement.

Graduate programs aimed at preparing teachers to work in inner-city school situations should be improved and expanded. The federal government should increase appropriation to the Teacher Corps. School systems and universities should cooperatively develop Master of Arts in Teaching programs to recruit and train capable personnel who have not had undergraduate training in teacher education for educational careers.

7. School systems should initiate programs which will provide incentives and inducements for attracting capable and competent persons to enter urban school systems.

One type of program would be an arrangement whereby the school system hired a beginning teacher, in cooperation with the university developed a special graduate training program tailored to his needs, and paid for the teacher's graduate training. Another program would be the recruitment of returned Peace Corps and VISTA workers, accompanied by special orientation and training programs. There could be programs established which focus on hiring and preparing persons who have college degrees and have been employed in other fields but who now want to enter the teaching profession (especially women who wish to enter teaching after their children have grown up). Another approach would be to send young, attractive, articulate teachers from the school system to recruit additional staff members from colleges and universities.

8. Provisions should be made in retirement and benefit programs and certification laws which will allow competent personnel to move into inner-city school situations without losing status or benefits.

Local and state education associations should examine benefit programs and certification and licensing requirements and should negotiate agreements or establish the legislation necessary to make the required changes. State departments of education and school systems should review existing regulations and change them as necessary.

9. More representatives of ethnic and racial minority groups must be employed in professional and executive staff positions in all phases of education.

State and local education associations must make a special effort to ensure that these representatives serve on appointed or elected governing boards, policy-making groups, committees, and commissions. The NEA, as well as working with its state and local affiliates toward this goal, must also improve its own employment policies and appointment procedures.

10. All segments of the education profession must receive training and experiences which will enable them to work effectively with parent, citizen, and community groups.

Boards of education; local, state, and national teachers organizations; colleges; and state departments of education should establish such programs for their personnel.

11. Persons within each community who are not now involved in the formal educational process but who have special skills—mothers, businessmen, industrialists, retired people, artists, electricians, plumbers, and others—should be included in the on-going educational program.

School systems should encourage and interest their staffs in using these resource persons. The school staff should have the freedom to decide how such personnel can best be used to augment the school program.

CHAPTER 4—FINANCING URBAN EDUCATION

Money—much more money—is needed to provide the children of American cities with the education they must have. Money alone will not solve the problems, but without money most of the problems cannot be solved. Money is needed to make reality of the education programs which the children of the urban crisis deserve. Without sufficient funds—ideas, plans, and possible solutions to problems remain untried or, at best, implemented on a limited and inadequate basis. The goals that have been outlined in the preceding chapters of this report cannot be effectively pursued without a solid foundation of financial support.

Money for urban education must be provided on such a scale and in such a way as to meet recognized needs. The amount of funds must be geared to the purposes they are intended to serve; the purposes should not be adjusted to fit funds readily available. Tailoring educational programs to fit existing funds results in a series of seemingly small educational economies which rapidly compound into educational disaster. The financial needs of schools of the urban crisis are too pressing to receive less than full support.

Nor can money do the job assigned to it unless the needs it must serve are properly understood. Financing programs of secondary importance while neglecting primary needs, funding the obvious costs of a program but overlooking essential auxiliary costs, failing to recognize the need for planning procedures that will ensure effective use of funds—all leave the problems unsolved and waste the money that was allocated to solve them. Effective financing involves procedures both for acquiring sufficient funds and for directing the funds to the proper purposes.

Therefore, in considering the financing of urban education, it is necessary to give attention both to the needs for which funds must be provided and to the means of providing these funds.

The financial needs of urban education can be divided into two broad categories: remedies for problems of the past and responses to the challenge of the future. The foremost need for funds is to corect the deficiencies of the past and upgrade the regular educational program to the level of the best practices of contemporary education. In addition, it is necessary to develop new types of programs and apply new approaches and techniques to meet the special needs created by recent changes in the urban community. Providing funds adequate to the total financial need of urban education requires utilization of all three sources of financial support—federal, state, and local—in an appropriate and equitable manner. Suitable procedures need to be used for securing the input of sufficient funds into urban school systems and for securing the application of these funds to the specific needs of various communities within urban school systems.

Remedies for problems of the past

The major financial need of the schools of the urban crisis is a massive injection of funds to raise the regular educational program to a satisfactory level. There are certain things which any school system must provide if it is to offer an educational program to students: teachers, classrooms, equipment and supplies, pupil transportation, and other such basic services. Schools of the urban crisis must have the funds to provide these for the number and kind of students they have today, in accordance with today's educational standards, and at today's prices. However, years of neglect have produced a situation in which the schools of the urban crisis have fallen behind.[30] Pressure to economize, the temptation to postpone solving problems in the mistaken belief that time would solve them, and failure to foresee future developments have resulted in a gradual decline which now leaves the regular educational program of the city schools below minimum acceptable standards. To make up for this lapse, a great deal of money is needed, and it is needed at once. Even small changes will be costly, and important changes will be more costly; but not to change would be disastrous. The problem is not one that can be solved gradually—by putting in small amounts over a period of time. Unless the schools of the urban crisis receive an infusion of funds sufficient to catch up to where they should be, they will fall farther and farther behind. Without such a first step, other measures to finance the education of city children will be futile.

Once the accumulated deficiencies of the past have been remedied, the urban schools must have the means to maintain a regular educational program at a desirable level. Unless the funds are forthcoming to provide the essential elements of the educational program, the urban schools will again begin to fall behind and the pattern of decline will repeat itself. The most crucial of these essential elements is the teacher. To recruit and retain qualified teachers in urban schools, funds must be available to offer competitive salaries. To realize the objectives of reduced class size and individualized instruction city schools must have enough money to employ enough teachers for their pupils.

Funds must also be available to maintain suitable school facilities. At present many urban school buildings are inadequate: some because of structural unsoundness; others because, although structurally sound, they are unsuited to the types of programs which urban pupils need today. City schools must

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have the means to replace such outdated facilities and to add new facilities when and where they are needed.

Urban schools must also have the funds to provide pupil transportation services necessitated by the changed physical and social make-up of the cities, which has created dangers to the safety of children on their way to and from school and has produced an environment of cultural isolation inimical to the best education. All these pupil services will require, on a continuing basis, the input of more funds than are currently being expended for such aspects of urban education.

However, in spite of present deficiencies, not all the needs of urban education have been neglected. Ideas and possible solutions do exist. Experimental and enrichment programs have been developed, and some have been put into operation on a limited basis. Frequently, however, lack of resources has prevented their full and effecive implementation. One major obstacle to the success of such programs is the tendency to sacrifice existing programs for the sake of adding new ones. Experimental programs which are already in operation and show promise of success should receive continued financing and not be forced out of existence by the funding of new and more favored, but as yet untried and unproven, experiments.

Another financial problem of experimental programs is failure to fund the total cost of the program.[31] A successful educational program requires a curriculum, sufficient space in a school building, appropriate staff, and supplies. If funds are provided for curriculum and supplies but not for the building and staff, a school that is already overcrowded and understaffed will not be able to implement the program. In funding experimental programs, it is particularly important to recognize the initial costs of preparing for and launching a new program. A new program cannot be introduced into a school overnight and begin functioning immediately. The present staff may not be trained to operate the new program, and other arrangements may be needed before it can be started. Time and money should be allowed to provide for these preparations in advance of initiating the program.

It is also important to recognize the need for maintaining experimental programs at a level beyond the regular program of the schools. Experimental programs often begin well, but in succeeding years the funds devoted to them are not increased sufficiently to permit them to continue in the status of experimental programs. When rising costs require an increase in the funds devoted to the regular program, a comparable increase in funds for the experimental program is frequently denied. Thus the distance between the experimental and the regular program begins to narrow and eventually reaches a point where the experimental program does not have the resources to do anything more than or different from the regular school program.

In addition, funds are needed to apply successful experiments on a wider basis so that their benefits will reach more children. The purpose of an experimental program is as a preliminary test. If the program is never implemented beyond the preliminary small-scale test, the purpose of the experiment is defeated and the majority of the pupils for whom it was intended never benefit from it. Increased funds need to be devoted to experimental programs of proven value so that they can be expanded to include greater numbers of children.

Responses to the challenge of the future

Although additional funds can do much to improve urban education within the framework of existing programs, much more is needed to provide for the special needs of the inner-city community and its children. Socioeconomic conditions in the inner city make it necessary for the school to go outside the limits of the regular educational program and provide additional services without which education cannot accomplish its ends. Many needs which in communities with more money and more leisure are met by citizens and families at their own expense must be financed from public funds for residents of inner-city areas. Funds for city schools must be sufficient to provide for extending the school day, school week, and school year to compensate for lack of educational and recreational opportunities with suitable supervision for children during out-of-school hours. Similarly, more funds are needed to expand school services to include younger and older age groups through providing day care for pre-school-age children and developing the school as a community center for the adults of the community. Auxiliary services, such as health and nutritional programs for children whose parents cannot afford to provide these adequately, are other needs that should be met by the inner-city school system.

Other new areas of operation important to urban school systems also require financing. Among the most important are research and staff development. The need for educational programs developed at the local level to meet the specific needs of the urban community requires an extensive research operation staffed with qualified personnel to provide scientific analysis and evaluation. The demands on teachers and other professional staff members to implement new programs and respond to special needs of urban children make it necessary for the school system to provide special training to equip them for these tasks. Urban school systems should be undertaking extensive work in both these areas and need to receive funds specifically earmarked for these purposes.

Municipal overburden

The special and extensive needs of urban education described in the preceding chapters demand a greatly increased input of funds by local, state, and federal governments. City school districts alone do not have sufficient resources to effect the necessary changes and take on the new responsibilities they must meet. Not only do cities have extraordinary needs in the area of education, but the proportion of resources that they can devote to education is restricted by the need for other public services created by the concentration of population. The conditions of urban life require provision of extensive police and fire protection, water and sewage systems, and other services at public expense. In addition, the changing composition of the urban population has increased the need for welfare assistance provided at city expense. All these public services consume municipal revenue and limit the local funds available for education.[32]

The special financial needs of cities should be recognized in providing state and federal aid to urban education. Just as sparsely populated areas have difficulty in amassing enough resources to provide an adequate educational program, so population density in cities creates financial problems which inhibit the development of an adequate educational program. It is necessary to compensate for both types of limitations and to distribute funds so as to achieve an optimum relationship between the extent of population and the amount of resources for an area. To achieve this, the higher cost of sparsity and density should be recognized in a double-ended approach to educational costs which will give appropriate weight to the special financial problems produced by the population density of urban areas.

State distribution formulas

Present formulas for the distribution of state funds to local school districts do not take account of special urban needs.[33] These formulas are based on two factors: the educational need of the local district and the financial ability of the local district. Traditionally, need has been measured in terms of the number of children in the district and ability in terms of the assessed valuation per pupil enrolled in schools. These measures do not respond adequately to the urban situation as it exists today.

In considering the need of urban school districts, the number of pupils alone does not reflect the magnitude of the educational task to be fulfilled. It is necessary also to consider the cost of educating the kind of pupils who are located in urban areas. The concentration of children of lower socioeconomic background and oppressed minorities in the central cities has created an urban population which is more costly to educate. These children have special educational needs which require the extensive development of special programs at considerable expense to the school district. Under these conditions, more money must be expended per child to reach the same level of educational achievement that can be attained at less expense in communities of higher socioeconomic status.

Consideration should also be given to the geographical distribution of pupils in urban areas. This factor has traditionally been considered in the cost of educating pupils in rural areas where transportation to centralized school facilities is necessary. The comparable, though different, kind of needs created by the geographical location of urban pupils should receive similar consideration in the allotment of state funds.

In regard to financial ability, the assessed valuation per pupil does not properly reflect the problem of municipal overburden. A measure is needed that will give due weight to the financial demands on local resources created by population density. This might be done by calculating financial ability as assessed valuation on a per capita basis or per weighted measure of local government service need.

A revision of state distribution formulas is necessary to reflect these considerations. The need factor should be developed to include the kind of pupils to be educated and the geographical distribution of pupils in urban areas as well as the number of pupils. The ability factor should be altered to respond to municipal overburden.

Federal aid to urban education

The financial needs of urban education should not be regarded as a situation to be met exclusively or even primarily by the resources of state and local governments. Urban education is not just a problem of the cities, or even of the states. It is a national problem, confined to no one locality or region of the country. Although urban problems have been most noticeable in the older cities of the Northeast and Middle West, similar situations are developing in other parts of the country as a result of urbanization on a national scale. Not only is the financial problem of urban education national in scope, but it is also of such magnitude and seriousness that only the resources of the federal government are adequate to meet it satisfactorily. Without extensive federal contributions, the efforts of state and local governments to meet the needs of education in the cities will be unequal to the task.

It is necessary for the federal government to assume a full share of the responsibility for providing education to the children of the nation's cities and to bear at least one-third of the financial burdens which urban education needs impose. Existing federal programs providing funds for specific purposes are not an adequate vehicle for this task. The entire urban educational program needs to be undergirded with the resources of the federal government. Once such basic support is provided, categorical aids can be used effectively to meet specific problems; but without a solid financial foundation for the total edu-

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Footnotes at end of article.

cational program, specific aid programs cannot reasonably be expected to have the desired impact.

To provide the needed support, a substantial increase will have to be made in the federal expenditure for education. This expense cannot be overlooked or curtailed without an adverse effect on an already adverse situation. Urban education represents one of the nation's most pressing financial needs. If other demands on the federal budget preclude the allocation of sufficient funds for this purpose, the federal income tax surcharge should be extended, or even increased, to provide the necessary revenues.

Federal funds are needed not only in greater quantity but also on a basis that will permit their effective application to the educational needs of the local community. Although common urban characteristics create a similarity of urban education needs throughout the country in general terms, there exists no exact uniformity among the cities in regard to the educational programs best suited to their purposes. Decision making about specific expenditures is most effectively made at the local or community level, and inappropriate restrictions imposed by the federal government on the use of federal funds hinder rather than help the cause of urban education. Such limitations should not be attached to new funds allocated to urban school districts.

Similarly, limitations on existing federal programs for specific purposes which create bottlenecks and interfere with the implementation of these programs need to be revised. Funds should be made available to finance the total cost of such programs so that the inability to meet certain cost items locally will not inhibit participation by schools which need the program. One way of meeting this problem would be the addition of a percentage overhead to funds provided under such programs which the local district could apply to specific impediments to implementation.

Since decisions about expenditures should be made at the local level, the local school district must also have time to plan for the wise use of funds it receives from the state and federal governments. Funds from different sources need to be coordinated and a total budget developed that will make the most effective use of all money. Appropriation of federal funds, therefore, needs to be made far enough in advance of local budgeting that the local district will have time for this planning.

Local financial operations

Perhaps the most important step in the financing process is the application of funds to meet needs. To ensure the development of effective programs adapted to the needs of specific urban communities, decisions about the use of funds should be made by those who know and understand the specific situation best. There is no single blueprint for success in urban education which can be dictated from outside the immediate situation. Local school systems should have the authority and take the responsibility for developing programs directed to the children in the area. For example, it might be discovered that the chief impediment to educational achievement by pupils in certain schools was rapid pupil turnover and that the best way to help these pupils would be an arrangement to keep them with the same teachers; this could involve developing a transportation program and making suitable administrative arrangements. School systems should have enough flexibility in handling their funds to be able to work out original programs like this to serve the needs of their pupils.

An effective means of ensuring that school funds are going where they are needed and assuring and reassuring citizens and taxpayers that their money is being used wisely is the development of a local program planning/budgeting system (PP/BS). Such systems focus upon the needs to be met by programs and relate expenditures directly to the teaching-learning situation.[34] The development of a PP/BS requires the knowledge and expertise of different kinds of local school system personnel: the classroom teacher, who has direct contact with student needs and is responsible for the ultimate implementation of educational programs, research and analytical personnel with specialized knowledge of curriculum, and financial managers. This combination of specialized talents provides two-way communication between teachers working with pupils in the classroom and the central administration and puts the financial operations of the school system in direct touch with pupil needs.

Within the large and complex structure that is an urban school system, decisions about expenditure need to be made at the appropriate level so that the financial operation of the schools will bear a constructive relationship to the communities they serve. One way in which urban schools can participate in the life of the community and establish better community relations is through the purchase of supplies from community businesses. However, the advantages of mass purchasing and competitive bidding on a systemwide basis should not be forfeited in pursuit of this goal. One way of reconciling these aims would be to have contracts made on a competitive systemwide basis with the actual disbursement of the actual disbursement of the allotted funds and purchases made at the option of the local school to businessmen in its community.

Budgetary operations must also be directed to the needs of the local community; parents and citizens must be assured that their schools are responding to their needs. Although centralized coordination of financial operations is necessary, the principle of decision making by those who know the situation best should be maintained within the school system. An urban school district is too large and includes within its boundaries too many different schools and different types of communities for all budget decisions to be made effectively by a somewhat remote central authority. It is the local school building and its professional staff that should serve as the center of budgetary planning and execution. This will secure the last link in the chain of transmitting the needed amount of money to the benefit of the individual pupils in the schools.

Recommendations

1. More funds are needed to finance urban education programs.

Tax systems of federal, state, and local governments should share equally the cost of financing urban education.

No one tax should bear a disproportionate share of the cost: property, sales, and income taxes should be utilized in an equitable manner.

2. The federal government should be a full partner in the continuing support of education. Without federal funds, state and local resources will be insufficient to meet these pressing needs.

The federal share should be increased to equal one-third of the total revenues for education.

Federal funds should be provided for the support of the general educational program, without which categorical aid is not effective.

Categorical aids should be provided for special urban programs.

The priority of urban education needs is such as to call for a federal income tax surcharge for education.

3. State distribution formulas should be revised to take account of (a) special urban needs not generally recognized and (b) the reduced ability to support schools because of the increased requirement for public services created by the concentration of large numbers of people in urban areas.

4. Massive amounts of money should be made available for compensatory adjustment to meet the accumulated problems of past neglect and to raise the regular educational program of urban schools at least to the level of acceptable practice.

5. To maintain the regular educational program of cities on a par with the best practice in the nation, adequate resources should be made available for—

The upgrading of professional salaries.

Increasing the number of professional and paraprofessional staff members.

The replacement of structurally unsound or educationally inadequate (even if structurally sound) buildings and facilities.

Transportation adapted to the special needs of pupils in metropolitan areas.

6. Increased funds should be made available for the expansion of existing experimental programs.

Existing programs developed by local city school districts to meet the special needs of pupils should be eligible for categorical federal and state aid aimed at such target populations.

Provisions for experimental programs should take account of the total cost of the program, including facilities, staff, curriculum, and supplies, and not be limited to one aspect of the cost.

The extra cost of experimental programs should continue to be recognized after the initial funding.

Funds should be made available for the extension of proven experiments to more children and schools.

7. Funds available to urban schools should be sufficient to permit local school systems to develop extensions of the school program necessary to meet the special needs of pupils and citizens in the urban community, including the following:

Extension of the school day, school week, and school year.

Development of the school to include day-care centers for preschool-age children and to serve as community centers for adults.

Health and nutritional programs.

8. Specific aid should be provided so that local school systems can develop adequate services for research and staff development programs without which urban education cannot meet the challenge of rapid change.

9. Appropriation of state and federal funds should be made sufficiently in advance of budgeting by local school districts so that they can plan for efficient use of funds.

10. Funding of urban educational programs should be flexible, permitting the application of resources to the areas of greatest need as analyzed and determined at the local and community level.

The use of state and federal funds should be determined by the local school district.

A program planning/budgeting system should be developed on a local basis, utilizing the cooperative talents of classroom teachers, local research and analytical personnel, and financial managers.

Within limits of the principles of mass purchasing and competitive bidding, steps should be taken to facilitate the purchase of supplies and services from community businesses.

The local school building and its staff should be the unit for the analysis, planning and evaluation of programs and for the development and execution of budget.

CHAPTER 5—URBAN EDUCATION: CHALLENGE TO THE NEA

The problems of urban America are the problems of every citizen is this country, of every member of the National Education Association. The NEA has great ability—and equally great responsibility—to do all it can immediately to improve the conditions of education in urban areas. In light of this,

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Footnotes at end of article.

the Task Force on Urban Education makes the following recommendation: **The National Education Association should establish a Special Project on Urban Education.**

The NEA has already demonstrated its concern for the quality of education provided the poor and the powerless by such actions as the establishment of its Center for Human Relations. Now in accordance with the high priority it has assigned urban education, it should allocate staff and resources commensurate with the degree of emergency which now exists in urban areas. This Project should be staffed with knowledgeable persons who are sensitive to the problems identified in this report. We suggest that the Project (a) report directly to the executive secretary or to his deputy, (b) be organized to fulfill a facilitating function for the NEA and to provide external assistance to local associations and other groups, and (c) have the ability to respond when asked for assistance.

The Special Project should work with all NEA units and departments, as well as outside agencies, to attack head-on the problems of education of children and youth in big cities; develop where feasible and when requested programs with state and local associations and other groups to illustrate what can be done to improve teacher education, staffing patterns, curriculum, instructional approaches, parent-citizen involvement in decision making, and other elements in the operation of the schools; work as closely as possible with NEA's urban and metropolitan area affiliates on requests to provide appropriate tools, materials, guidelines, and other forms of assistance in dealing more effectively with problems of urban education.

We recommend that the Special Project design an ideal innercity school and put it into operation.[35] Planning of the school should involve both authorities on urban education and the community where the school is located. The staff should be selected from among volunteers on the basis of standards of competence in urban education. The Project could seek funding for the model school from the federal government and/or a private foundation and could develop ancillary projects in cooperation with colleges and universities.

This Project might also help affiliates in urban areas develop proposals for legislation to improve urban education. It might further (a) maintain contact with resources that could be used to solve various specific problems in urban education and mobilize these to provide information and assistance both to NEA affiliates and to other groups as needed, (b) assist the NEA Staff Development Academy to develop in-service programs which will help NEA become more sensitive to and aware of the problems of urban schools, and (c) work with NEA's Office of Communications and Public Relations to make the public and the profession aware of the problems and promises of urban education.

FOOTNOTES

[1] National Advisory Commission on Civil Disorders. Report. Washington, D.C.: Government Printing Office, 1968. pp. 236–41.

[2] Grier, William H., and Cobbs, Price M. Black Rage. New York: Basic Books, 1968.

[3] *See* Southern Regional Council. Lawlessness and Disorder: Fourteen Years of Failure, in Southern School Desegregation. Atlanta, Ga.: the Council, 1968; and U.S. Commission on Civil Rights. Racial Isolation in the Public Schools. Washington, D.C.: Government Printing Office, 1967.

[4] *See* Udall, Stewart. 1976: Agenda for Tomorrow. New York: Harcourt, Brace & World, 1968; Faltermayer, Edmund K. Redoing America: A Nationwide Report on How To Make Our Cities and Suburbs Livable. New York: Harper & Row, 1968; Advisory Commission on Intergovernmental Relations. Urban and Rural America: Policies for Future Growth. Washington, D.C.: Government Printing Office, 1968; and Graubard, Stephen R., editor. "The Conscience of the City." Daedalus 97: 1091–1430; Fall 1968.

[5] Miel, Alice, and Keister, Edwin, Jr. The Shortchanged Children of Suburbia: What Schools Don't Teach About Human Differences and What Can Be Done About It. New York: Institute of Human Relations Press, 1967.

[6] *See* Halpern, Ray. "Tactics for Integration." Saturday Review 51:47–49, 66; December 21, 1968.

[7] Canty, Donald. One Year Later: An Assessment of the Nation's Response to the Crisis Described by the National Advisory Commission on Civil Disorders. Washington, D.C.: Urban America, Inc., and the Urban Coalition, 1969. p. 35.

[8] *See* National Education Association. Schools for the Sixties. A Report of the Project on Instruction. New York: McGraw-Hill Book Co., 1963. This volume offers a wealth of information on all aspects of decision making. The NEA's Center for the Study of Instruction is working currently on a companion volume, Schools for the Seventies.

[9] *See* Havighurst, Robert J. "Metropolitanism and the Schools." Urban Review 3: 7–9; November 1968; and Elderedge, H. Wentworth. Taming Megalopolis: What Is and What Could Be. New York: Doubleday and Co., 1967.

[10] This is a definition, not of *decentralization* in its strict sense, which describes an administrative device, but of *decentralization* as it has been used in recent discussions of the distribution of authority and as it is used in this publication.

[11] *See* Fantini, Mario D. "Alternatives for Urban School Reform." Harvard Educational Review 38: 173–75; Winter 1968.

[12] *See* Council of Chief State School Officers. State and Local Responsibilities for Education. Washington, D.C.: the Council, 1968. p. 90. The list of books and articles on decentralization is extensive. The Task Force refers the reader to the comprehensive Bibliography on Decentralization published by the Center for Urban Education, New York, N.Y. *See* Bundy, McGeorge. Reconnection for Learning: A Community School System for New York City. New York: Mayor's Advisory Panel, 1967. The Economic Studies Program of the Brookings Institution held a Conference on the Community School in December 1968. The papers, prepared by leading educators throughout the country, will be published shortly by the Brookings Institution, Washington, D.C.

[13] Examination of these questions and issues is the sole action recommendation of this chapter, as the Task Force believes it is the relevant and necessary response to the difficulties of urban school reorganization.

[14] Examination of the preceding questions and issues is the sole action recommendation of this chapter, as the Task Force believes it is the relevant and necessary response to the difficulties of urban school reorganization.

[15] National Education Association, Task Force on Human Rights. Report. Washington, D.C.: the Association, 1968. p. 37. (Adapted from Clark, Kenneth. Dark Ghetto. New York: Harper & Row, 1965. p. 121.)

[16] Cheek, Donald, vice-president, Lincoln University, Oxford, Pa. Testimony before the Task Force on Urban Education, Washington, D.C., October 12, 1968.

[17] Edelfelt, Roy A. "A Possible Dream: A New Education and New Models of Teachers." The Teacher and His Staff: Differentiating Teaching Roles. Washington, D.C.: National Commission on Teacher Education and Professional Standards, National Education Association, 1968. p. 115.

See Committee for Economic Development. Innovation in Education: New Directions for the American School. New York: the Committee, 1968; and Goodlad, John I. The Changing School Curriculum. New York: Fund for the Advancement of Education, 1966.

[18] *See* Frazier, Alexander, editor. Educating the Children of the Poor. Washington, D.C.: Association for Supervision and Curriculum Development, a department of the National Education Association, 1968. 41 pp.

[19] National Education Association, Commission on Professional Rights and Responsibilities. Baltimore, Maryland: Change and Contrast—The Children and the Public Schools. Washington, D.C.: the Association, 1967. p. 42.

[20] National Education Association, Task Force on Human Rights. Op.cit. pp. 40–43.

[21] Smith, B. Othanel, in collaboration with Saul B., and Pearl, Arthur. Teachers for the Real World. Washington, D.C.: American Association of Colleges for Teacher Education, 1969.

[22] Rice, Arthur H., Jr. "Where the Action Is." Today's Education: NEA Journal 57:75–82; September 1968.

[23] *Drawn from* "Teacher Preparation for Early Childhood Education: A New Appraisal." Paper prepared by an ACEI-EKNE-TEPS Ad Hoc Joint Committee on the Preparation of Nursery and Kindergarten Teachers. Washington, D.C., June 26, 1968. pp. 7–9 (Mimeo.)

[24] Smith, B. Othanel. Op. cit.

[25] *See* Taylor, Harold. The World and the American Teacher. Washington, D.C.: American Association of Colleges for Teacher Education, 1968. pp. 292–305.

[26] *See* National Education Association, National Commission on Teacher Education and Professional Standards. A White Paper: Recommendations of the Student NEA Executive Committee on Priorities and Programs for 1968–1969. Washington, D.C.: the Association, 1968.

[27] Koontz, Elizabeth D. A Consumer's Hopes and Dreams for Teacher Education. The Tenth Charles W. Hunt Lecture. (Presented at the twenty-first annual meeting of the American Association of Colleges for Teacher Education, Chicago, Ill., February 26, 1969.) Washington, D.C.: the Association, 1969.

[28] Rivilin, Harry N. Teachers for Our Big City Schools. New York: Anti-Defamation League of B'nai B'rith, 1955. p. 30.

[29] Passow, A. Harry. Toward Creating a Model School System: A Study of the Washington, D.C., Public Schools. New York: Teachers College Press, Columbia University, 1967. p. 5.

[30] Campbell, Alan K. "Inequities of School Finance." Saturday Review 52: 44–48; January 11, 1969.

[31] *See* Fairfax, Jean. (Chairman, Committee on School Lunch Participation.) Their Daily Bread: A National School Lunch Program. Atlanta, Ga.: Church Women United, National Board of the YWCA, National Council of Catholic Women, National Council of Jewish Women, and National Council of Negro Women, 1968.

[32] McLoone, Eugene P. "Modernizing State School Finance Programs: Six Selected Areas." Interdependence in School Finance: The City, the State, the Nation. Washington, D.C.: Committee on Educational Finance, National Education Association, 1968.

[33] National School Boards Association. State School Finance Laws Handbook. Proceedings of the 1968 Workshop, Detroit, Michigan, March 28–31, 1968.

[34] Burkhead, Jesse, with Fox, Thomas G., and Holland, John W., Input and Output in Large City High Schools. Syracuse, N.Y.: Syracuse University Press, 1967. Ch. 6, pp. 87–107.

[35] This assigns the Project specific responsibility for implementing a recommendation of the Task Force on Human Rights which appears on page 72 of its *Report* of 1968, published by the National Education Association, Washington, D.C.

XUM

TAKE A MODEST STEP

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. MOORHEAD. Mr. Speaker, I should like to bring to the attention of the Members of the House a public-spirited leadership move being made by one of America's largest companies which, I think, should hearten those of us who believe in both the free enterprise system and helping those in need.

I am referring to a new program called "take a modest step" which has been instituted by Olivetti Underwood Corp. The program, announced just a few weeks ago by Gianluigi Gabetti, president of the firm, appeals to the company's 6,000 employees throughout the United States to individually and voluntarily take it upon themselves to try to help alleviate urban ills in this country.

In a talk to 500 company management personnel, Mr. Gabetti urged them, and all Olivetti employees:

> Enter some doorway in human life in the community where that life can be heartened and improved and to reach out to the underprivileged, the minorities, the lost, the lonely who make up what has come to be called the urban crisis in America.

The program depends on individual personal motivation and can take place privately or through already established organizations, such as churches, or other groups, which have been formed to tackle contemporary social and environmental problems. As stated by Mr. Gabetti:

> We must lead the way in confronting community problems that must be solved if all of us are to survive as decent, healthy, hopeful human beings in our time.

Certainly this type of leadership effort in an area so critical today deserves the applause and support of all of us concerned with the welfare and progress of our Nation and its people. I am pleased to say that this company, although related to Olivetti of Italy, contributes significantly to the economic welfare and the balance of payments of this country through heavy investment in manufacturing, marketing, and servicing facilities in the United States.

The following editorial from the Coatesville, Pa., Record of Friday, May 23, is an example of the comments being made throughout the country on this noteworthy program:

TAKE A MODEST STEP

One of the most heartening stories we've come across in weeks was an account of a new concept in applied good citizenship to be carried out, on a voluntary basis, by employes of an American corporation.

The Olivetti Underwood Corporation is a large and progressive organization numbering some 6,000 employes, with many offices throughout the country. Olivetti President Gianluigi Gabetti recently announced a community action program to be undertaken by company employes in cities where Olivetti has offices.

Urging Olivetti Underwood people "to enter some doorway in human life in the community where that life can be heartened and improved," Gabetti emphasized the need for reaching out to "the underprivileged, the minorities, the lost, the lonely who make up what has come to be called the urban crisis in America."

The unusual aspect of the program lies in its being launched through completely * * * hours and unpaid service. It can take place in a community organization to which an employe already belongs, in newer organizations formed to tackle contemporary social and environmental problems, or in individual service to a neighbor.

The program, called "Take a Modest Step," carries awards for meaningful work. These will, however, be non-monetary. "How can we put a price tag that means anything on an award to a person who will really work at this?" Gabetti asked.

"There is a shortage of simplicity about us," Gabetti continued. "We make a giant, incredible leap to the moon, but we appear to have forgotten how to cross the streets to a neighbor in need. Certainly this must change, and those of us who can must be the instruments of change, effected through simple, direct approaches to others."

We applaud this kind of thoughtful leadership from business leaders. They seem to understand that kind acts, helpful service to others, and genuine concern for the unfortunate carry rich and lasting satisfactions for those who are willing to work selflessly. We hope other corporation heads will see the worth of the kind of program Olivetti Underwood is sponsoring.

CONGRESSMAN MOORHEAD UNCOVERS HIDDEN MIRV CONTRACT IN PENTAGON

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. CONYERS. Mr. Speaker, the distinguished Member from Pennsylvania (Mr. Moorhead) is responsible for uncovering a contract signed by the Pentagon with General Electric for the production of MIRV's—multiple independently targetable reentry vehicles. The contract was signed despite the administration's consideration of a moratorium on the building of such weapons as part of an arms agreement with Russia. The signing of the $87 million contract, on the same day that the President announced his consideration of not deploying such weapons is but another in a series of indices of the vast and steadily increasing influence of the military-industrial complex on our foreign policy, our Government, and ultimately on all of our lives.

We can thank Mr. Moorhead for bringing this contract into the open before it is too late to prevent the construction of the MIRV's. The following editorial from the Monday, June 30, 1969, Detroit Free Press commends our colleague for his detective skills and amplifies the question to which we all seek an answer—"Just who is conducting our foreign policy, the President or the Pentagon?"

The editorial follows:

EIGHTY-SEVEN MILLION DOLLAR MISSILES HIDDEN IN THE PENTAGON

Rep. William S. Moorhead of Pennsylvania could do worse than to ask President Nixon one simple question: "Who the hell is conducting foreign policy, the President, with the advice and consent of Congress, or the Pentagon?"

Moorhead, a member of the Joint Economic Committee studying defense spending, has discovered that the Pentagon, without a word to anyone, signed an $87 million contract with General Electric to build 68 MIRV's, the multiple independently targetable re-entry vehicles. GE builds what the Pentagon calls the "bus" for the nuclear warheads.

What's more, the Pentagon: signed the contract on June 20, the same day that President Nixon said in his news conference that he was considering a MIRV moratorium as part of an arms control agreement with Russia. And it was in the same week that the resolution was introduced, signed by 41 members of the Senate, calling for a moratorium. Mr. Nixon called the resolution a "very constructive proposal."

The Pentagon, without question, is guilty of the "willful concealment" Moorhead charged. It made no mention of the contract in its press release, and did not even report it to the Commerce Department which issues a daily list of contracts in excess of $25,000.

When pressed, the Pentagon admitted that Moorhead had his facts straight.

What's more, the Pentagon had slipped the appropriation measure through Congress. When the Appropriations and Armed Services committees went over the budget, there was no mention of MIRV. It was one line—"Missile procurement—Air Force."

Unless this contract is stopped and stopped fast, any MIRV moratorium will be down the drain. Russia will of necessity, have to conclude that we are MIRVing all our Minuteman missiles, which will at least triple our offensive striking power.

A MIRVed Minuteman will carry three or more warheads, each with the power of nearly one megaton, or one million tons of TNT.

Russia, looking at us with the same jaundiced view we take of them, will be forced to MIRV its own SS9 missiles, increase its ABM deployment, and this in turn with typical Pentagon logic, will compel us to escalate again.

The first stage alone will cost an estimated $11 billion. And the more missiles one nation has, the greater the likelihood that some general is going to decide they ought to be used.

Then the question becomes: If one nation is going to use them, why shouldn't we be first? The time to stop it is now.

TIME FOR U.S. ACTION IN THE MIDDLE EAST CRISIS

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. FRIEDEL. Mr. Speaker, daily the headlines in our Nation's newspapers announce continuing Arab attacks and further aggressions against our true friends in the important Middle East—the State of Israel. We read of warlike preparations being made by Egypt and other Arab countries which gives credence to the often proclaimed intention of Nasser to drive Israel into the sea.

It is needless for me, Mr. Speaker, to allude to the well-known fact that our world is clearly divided between free world and the Communist slave world. We quite naturally want peace and desire that nations shall live amicably together; however, such ideal cannot be achieved when the flames that are being lit in the Middle East are being fueled with Russian guns and ammunition supplied to Egypt and other Arab countries.

It is also unfortunate that some Americans, both white and black extremists, are assisting in making the already tense situation become more explosive. In this connection, I read a very illuminating article in the Northwest Star of Pikesville, Baltimore County, Md., dated June 5, 1969 which sheds light on the situation. This is the area's only independent community paper published for families in Baltimore's lively northwestern suburb.

Because of the importance of the subject and also of the national interest in this matter, I submit this informative article for inclusion in the CONGRESSIONAL RECORD, as follows:

AMERICAN WHITE AND BLACK EXTREMISTS HELP TO FUEL THE MIDDLE EAST FLAMES

The anti-war sentiments in the United States are growing. Yet armed conflicts to settle international differences have become a way of life, regardless of the supposed civilization of the human races. While attempts are being made to douse the danger in Korea, the seemingly endless jungle warfare involving half-a-million of our boys in South Vietnam goes on and on and on. And in Paris they are sparring with diarrheal abandon while each week several hundred more young Americans are buried and maimed.

There are minor brush fires in Nigeria, Sudan, India and Siberia. But they seem remote at this time at least. However, the continuing 21-year-old conflict in the Middle East is anything but remote. Israel, a new country that came into being through a majority United Nations vote, and with the decided blessings of the United States, is continuing to be the center of a world-wide time fuse.

The United States has international commitments that it seems honor-bound to sustain—and salvage. When the French lost their shirts and their pride at Dien Bien Phu, they handed the hot potato to Uncle Sam (or Sugar, or Sucker). We picked it up. We're still trying to dump it after a decade. Is then Israel any less important?

If our Big Brother attitude is official, it would seem that our concern for a country like Israel should be much greater. As Americans we admire progress, industriousness, directness, aggressiveness, self-reliance. This Israel has displayed with abandon. It has a thoroughly Europeanized (rather than Oriental or Asiastic) way of life and philisophy—just like Americans have. It has ties to America not only because of its 2½ million Jews to the 6 million Jews of the U.S., but because it has exhibited its bootstraps, pioneer determination—a thoroughly familiar reflection of our own American traditions.

By contrast, the Arab attitudes, philosophy, rhetoric and logic is completely alien to our way of life and thinking. They speak in parables and analogies. They say "we will kill them" and mean that they want to overwhelm them. They threaten genocide but mean to eliminate a thousand soldiers. They say that they shoot down the Israeli air force, and mean that they downed two planes and crippled a third. King Hussein's two-faced diplomacy is typical—not at all surprising. He recently came to this country to plead for peace—yet was the first to start 3 wars in 21 years; first to lend defacto encouragement to El Fatah terrorists!

Life is cheap and achievement for most Arabs is a foreign term to be avoided. But they do have oil. And we do have American capital invested in Arab oil wells and pipe lines.

COMMUNIST LEANINGS

Clearly, the Arabs in the Middle East have aligned themselves with the Russians, and more recently, with Maoist China. In the United States and in the Western hemisphere, Arab students have formed organizations in alliance with Communist and Trotskyite bands, with Black Panthers and Mohammed X followers. They are collecting funds to perpetuate Middle East unrest and terror—and their very associates spell out who their friends are: the Russian-supported and China-supported communists on the one side, and the far-right Nazi-fringe on the other.

Arab ideology is probably counter to everything the United States stands for and aims for. Our stand in Korea and Vietnam has been far less pussyfooting than in the Middle East, and it is an enigma to be sure. Peace in Israel can mean much to many people—and the Israelis have proven it by their own progress and by the way their commercial, agricultural and industrial missions are helping underdeveloped countries all through Africa. They can, and offered, to do the same for the underdeveloped Arab areas adjacent to Israel.

Yet stupid pride has prevented the Arab countries from accepting Israel's help. Meanwhile, here in our own country, subversive, Anti-American groups marshall minds and money to perpetuate the strife in the Middle East.

Here are excerpts from an in-depth study by the Anti-Defamation League that point to facts and figures of this growing problem within our shores:

Supporters include the 10,000-member Organization of Arab Students, groups on the Communist "old left," New Left radicals and some black extremist and revolutionary organizations.

El Fatah, which has claimed "credit," directly or through subsidiary organizations, for terrorist acts both in Israel and against Israel jetliners at Athens and Zurich airports, bases its American operations in the offices of the Palestine Liberation Organization at 801 Second Ave., New York. El Fatah merged with the PLO in Cairo early this year.

The office is directed by Saadat Hassan, a long-time Arab propagandist in the U.S.

Until recently, "Free Palestine," El Fatah monthly, was available only in England and France. Now subscriptions to the English-language edition are available through a Washington, D.C. post office box number. (Spanish and German editions are planned.)

Activities of the Fatah guerrillas have received substantial and favorable treatment, according to the ADL, in "The Black Panther," official publication of the Black Panther Party, and "Muhammad Speaks," organ of the Black Muslim movement led by Elijah Muhammad. "The Black Conscience," published in Detroit by the Organization for African American Education, carried an article in its first issue, dated April–May 1968, that glorified El Fatah and denounced Israel. The article had been reprinted from the "Militant," organ of the Trotskyist Socialist Workers Party.

Pro-Fatah positions also have been taken repeatedly by other extremist elements, the ADL said, notably by: Youth Against War and Fascism, youth arm of the pro-Peking Workers World Party; the Committee to Support Middle East Liberation; and the U.S. Committee to Aid the National Liberation Front, a pro-Viet Cong group—all of whom picketed the U.S. mission to the UN this February in support of El Fatah. Other extremist supporters of El Fatah include: the pro-Peking Progressive Labor Party—formed in the early 1960s by Communist Party disidents—whose "World Revolution" quarterly published the first international communique issued by El Fatah; the Militant Labor Forum, and arm of the Trotskyist Socialist Workers Party, which sponsored a pro-Arab, pro-Fatah program at party headquarters in Philadelphia in March. The main speaker was Charles Massoud, a member of the Organization of Arab Students at the University of Pennsylvania.

There have been recent indications, the league said, that Students for a Democratic Society, strongest of the student New Left organizations, may be moving toward "acceptance of old-line, anti-Zionist Arab propaganda, overlaid with support for the new Third World-vs-colonialism line of Arab revolutionaries—and toward a pro-Fatah position."

It is said that two recent issues of "New Left Notes," the official weekly published by S.D.S., presented a long series headlined "History of Middle East liberation struggle."

In addition to Fatah activities in the U. S. the ADL is concerned, Forster said, with reports of Fatah mobilization elsewhere around the world. England, where "Free Palestine," the Fatah publication, began to appear last June; and France, where Fatah propagandists have been gaining support in the French student left, are among the European locations of efforts on behalf of Fatah that the League is watching, he said.

OUR PRIORITIES

The explosive Middle East situation is a fight not only between Israelis and Arabs, between medievalism vs modernism, Eastern and Western ideologies, but between the two prime protagonists: America and Russia. Israel has often been referred to as the "bastion of Democracy in the Middle East", but rarely of late have we heard this fact brought out unequivocally. We have pushed billions of made-in-U.S.A. dollars into pest-holes in East and Southeast Asia, squandered more billions in nursing former enemies back to national health, but have lavished precious little on Israel, simply because American bonds-for-Israel investors, Jewish contributions, and Israeli self-help combined to make charity needless.

From where we stand, it is a matter of priorities. It seems in the interest of the United States to take a firm and honest stand in favor of our friends who pay for their purchases and look to America for technical, political and moral guidance—and not encourage those who falsely accuse us of shooting down their planes, of who spitefully cut off oil from American-financed wells, and who praise the killer of a U.S. Senator as a Fatah hero!

MANY PEOPLE COMPLAIN THE QUALITY OF PRODUCTS IS DETERIORATING RAPIDLY

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. O'HARA. Mr. Speaker, I want to bring to the attention of the Members of the House an article from the Wall Street Journal which illustrates dissatisfaction among consumers over the malfunctioning of new appliances and other products.

The article correctly reports upon the consumer crisis in this Nation, pinpointing the cause of the problem—the inadequate control by a number of manufacturers. The problems with poorly made consumer products, as uncovered by the Wall Street Journal, range from simple kites to color televisions.

In too many cases, purchasers of a defective product are unable to have it repaired or replaced without a lot of effort, and in many cases, the payment of a substantial service charge.

To correct this situation, I have introduced legislation designed to provide consumers the protection they need. It establishes a minimum 1-year warranty period, and requires that if the product

XUM

fails during that period, the retailer must either repair or replace it quickly, and at no cost to the buyer.

The article, "Caveat Emptor—Many People Complain the Quality of Products is Deteriorating Rapidly," from the Wall Street Journal follows:

[From the Wall Street Journal, June 26, 1969]

Caveat Emptor—Many People Complain the Quality of Products Is Deteriorating Rapidly—Frequent Changes in Design, Price Rivalry Are Factors; Kites, Shoes, TV's Criticized—"People Expect Too Much"

Roofs leak. Shirts shrink. Toys maim. Toasters don't toast. Mowers don't mow. Kites don't fly. Radios emit no sounds, and television sets and cameras yield no pictures.

Isn't *anything* well made these days?

Yes, some things are. A man at Consumers Union, the publisher of Consumer Reports magazine, says that refrigerators are better than ever, for instance, and that wringer washing machines are becoming much safer. But he agrees that shoddy goods abound, and Wall Street Journal reporters' talks with Americans from coast to coast indicate that quality of merchandise is worse than ever.

Price is no factor. Expensive goods fall apart or fail to work or have missing parts with the same regularity as cheap goods, buyers say. What's more, they complain that it's often a long, hard fight—sometimes a long, hard, costly fight—to get the merchandise repaired or replaced. They say salesmen and factory representatives have become masters of doubletalk and artists of the runaround.

For their part, sellers and manufacturers see things differently. Most companies contacted say their complaints are actually declining (though most Better Business Bureaus report the opposite), and they say that many of the complaints they do get are due to stupid customers. "Customer knowledge isn't as good as it should be. People don't read instructions. They just try to plug things in and make them work," maintains L. G. Borgeson, a vice president of RCA Service Co.

A BUZZ, A BLURR AND A HISS

But Mr. and Mrs. Howard C. Tillman of Memphis aren't dumb, and they say it isn't their fault that the Magnavox television set hasn't worked right since they bought it three years ago. They paid $1,200 for their console, but Mrs. Tillman says the world of color hasn't been so wonderful for them.

"The longest we've gone without a service call is three months," she says. The problem: "When you turned the set on, it sounded like a buzzer at a basketball game. You could see the picture, but it was like the times in a movie when the picture just flips up and down. We had to keep it unplugged, because it hissed whenever it was plugged in, even if it was off."

The people at Scott Appliances Inc., where the Tillmans bought the set, refused to replace it, Mrs. Tillman says, and so finally the Tillmans hired a lawyer this spring. No suit was filed, but the lawyer did get some action. Three weeks ago Magnavox replaced everything in the set except the speakers. Mrs. Tillman isn't completely happy—she says the speakers were a major problem—but so far she has no more complaints "So far, it's been working fine," she says. "But I haven't really played it much. We've been out of town."

A spokesman at Scott Appliances won't comment on Mrs. Tillman's case, except to say that Scott stands behind its products even though "it's a headache and a cost to us." A spokesman at Magnavox in Skokie, Ill., says he is aware of the Tillman case. He doesn't explain the Tillman's long wait for replacement parts, but he says, "We try to show interest in a customer's inquiry."

WHY ARE THINGS SO SHODDY?

It isn't difficult to find people like the Tillmans who have complaints. Not so long ago, eight employes in a small Chicago office of CNA Financial Corp. were comparing notes on new purchases they had recently made. The most common thread: Six of them had bought defective goods. The Consumer Reports man to the contrary, the finish on a $425 GE refrigerator was peeling. A $400 Admiral color TV set required a two-week factory overhaul. A $20 pair of women's shoes ripped at the seam during the first wearing. The chain fell off a $32 training bike. A Roper dishwasher was installed incorrectly and had a defective timer. And a Roper gas range had a defective pilot light.

Why does this happen? Morris Kaplan, technical director of Consumers Union, says there are a couple of reasons for quality deterioration. First of all, he says, there is simply less quality control at many factories. He blames this in part on "the annual model change" in appliances and other goods. "The drive to get the new model out will frequently make it impossible for the manufacturer to do anything in the way of quality control," he says.

A second reason for poor quality is tough price competition, Mr. Kaplan says. "Makers try to reduce quality as much as possible to reduce price," he says. As an example, he cites black-and-white television sets, which recently have come down in price but "precious few" of which now have horizontal control knobs or knobs to adjust brightness levels.

Mr. Kaplan, a 58-year-old man who has been at Consumers Union for 23 years, says it is very difficult to generalize and say that products are shoddier now than in the past. In some areas, quality has improved, he asserts. But he maintains that those products that are bad seem worse than ever, and he says that among bad products a greater percentage of the output is faulty now than in the past.

A NEW PHENOMENON

He says, for instance, that Consumers Union bought 25 or so instant-load, automatic-exposure cameras not so long ago. They cost $30 to $70, he says, and they included brands made by 15 to 20 manufacturers. "One half of them as received were not operable or became inoperable shortly after we got them," he says. Similarly, he says, the organization recently bought 15 or so hi-fi tape recorders costing several hundred dollars each, and discovered that one third of them were faulty.

"This is a new phenomenon—so many bad items," says Mr. Kaplan.

Mr. Kaplan will reel off a list of products that he says are better than ever. Clothes washers have improved, he says, and he maintains that the durable press innovation has made clothing better. But he also will list what he considers bad products. "Frozen fish has been lousy for a long time and is still lousy," he says, "the quality is abominable."

Mrs. Michael J. Espok of Irwin, Pa., isn't too concerned about frozen fish, but you won't find her singing the praises of GE irons or K-Mart discount stores. Last Feb. 13, Mr. Espok bought his wife a GE steam iron, which K-Mart had marked down to $8.97 from its regular price of $11.97. After a week of use, says Mrs. Espok, "all the water ran out the bottom and spotted my clothes."

She called a local GE service center, where a "very nice" man told her to take it back to K-Mart. She did. But K-Mart refused to take it back, since it had been sold more than 10 days before. "He told us to take it back to GE," says Mrs. Espok. Mrs. Espok finally did mail it to GE, and four weeks later she received a replacement, which she says is working fine. But she still isn't happy. She was without an iron for a month, and she had to make a special trip to the K-Mart.

The manager of the K-Mart store now says the store should have taken back the iron. "There was a slight misunderstanding," he says. "If she had come to me, we would have exchanged it. GE probably should have taken it, too." Mrs. Espok says the man she talked to at K-Mart had a bad attitude. "My husband never swears," she says, "but he said, 'We'll never buy another —— thing at K-Mart again.'"

Though General Electric replaced the iron, a GE service representative can't get too excited about Mrs. Espok's complaint. "It's a cheap iron. People expect too much from them," he says.

ONE IN A MILLION? OR 74 OF 100

But expensive things aren't faultless. A Boston salesman says his Brooks Brothers suit began to deteriorate two weeks after he bought it. The store took it back and gave him credit. Similarly a woman says that she bought a skirt at posh I. Magnin in Los Angeles and that after two hours it became completely wrinkled. "It looked like I'd slept in it. The belt became completely shriveled," she said. The store returned her money.

Another Los Angeles store, when asked about a customer's complaint about a bedspread, confirms the problem but says "this kind of thing is really one in a million." Perhaps, but other statistics indicate the ratio is a bit different. In the May issue of Consumer Reports, for example, the magazine discloses results of a survey of 90,000 owners of color TV sets. Seventy-four per cent of the color sets reported on "had required repairs of some sort," the magazine says. Most of the sets were three years old or less. The article also says that 6% of the sets bought in 1968 had to have their picture tubes replaced before the year was out.

If the magazine "had a dime for every complaint we've received about color TV . . . well, we could afford another color set. But we wouldn't be anxious to take on the headaches that seem to come with color," the article states.

TV sets have lots of parts, and it's possible to understand how they can break down. You'd think kites would be different, but William Ryder of Findlay, Ohio, says that isn't the case. He plunked down a dollar not so long ago for a plastic kite shaped like a bat. The first time he and his five-year-old son tried the kite, the keel, to which the string is attached, tore off and the kite plummeted earthward.

Back to the toy store, where he got another one free. Another try, another torn-off keel, and another kite crash. Back to the toy store for a third one, which he tried in gentler breezes. When the keel began to tear away, he patched it with plastic tape—and it's been flying great ever since.

A spokesman for the kite maker, Gayla Industries of Houston, says Mr. Ryder probably didn't read the directions, which admonish users not to fly the kite in high winds or cold weather, both common to Ohio. And he adds, "You expect kites to break up sometimes." He says, however, that complaints have declined while sales have quadrupled.

PROBLEMS WITH A PACEMAKER

A much more serious complaint comes from some doctors who implant pacemakers in patients to regulate their heartbeats. For a while, some pacemakers made by the Electrodyne subsidiary of Becton, Dickinson & Co. were inferior, some doctors allege.

"The problem was that the pacemaker, which was supposed to operate for 18 to 24 months, would stop in three or four months," says a Texas doctor. "The patient would then have to undergo surgery for us to replace the defective instrument, and sometimes the new one we put in would stop after two or three days." The new operation would cost the patient $3,000 to $4,000, this doctor says, not to mention the pain and suffering.

An official of Electrodyne concedes the company had trouble with its pacemakers, but he says that that is "ancient history" now and that it's been "well over a year" since the company received complaints about the instruments. The Texas doctor says he and his colleagues complained repeatedly before anything was done. The Electrodyne official replies: "If something is wrong with a piece of equipment, that does not mean we can immediately correct it. We took immediate action to find what was causing the problem. We found it and corrected it."

There was little the heart patients could do, of course, but submit to a new operation. In other areas, though, consumers have found ways to get back at the manufacturers or sellers. Many, like Mr. Espok, the dissatisfied K-Mart shopper, simply refuse to shop any more at the store where they bought the faulty merchandise. Many complain to Consumers Union or to Better Business Bureaus in hopes of giving the offender a bad name. And many just start word-of-mouth campaigns against the stores or products.

An Iowa grandfather, for instance, who has been arguing for years with Sears-Roebuck about what he says is a leaky roof the retailer put on his house, signs all of his frequent letters to his children this way:

"Love, and don't buy anything at Sears."

THE BEST WAY IS: LET THEM TALK

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mrs. HECKLER of Massachusetts. Mr. Speaker, "The Best Way Is: Let Them Talk" was the title of a very penetrating column in the Boston Globe recently. It reminded us all of the importance of free and open discussion of views on the student crisis. Sometimes it is very hard to hear the plea for unpleasant views to be presented. But Mr. Healy of the Globe makes clear that the only way for a democratic society to deal with the diverse views of its members is to permit all of those views to be presented to succeed or fail on their merits. I offer the full text for consideration by my colleagues who I know are concerned about the problems of our universities and young people today:

[From the Boston Globe, June 13, 1969]

THE BEST WAY IS: LET THEM TALK

In the end the good tradition at Harvard prevailed. The Students for Democratic Society had their say and were unconvincing.

This was the important lesson that some in the Harvard administration took a long time learning.

The main body of the students were not asked to make a choice between an SDS body denied free speech and an administration that denied that speech.

Instead, they were, at the commencement exercises, served up a speech which the Harvard Crimson called "a long harangue explaining the SDS demands."

They were allowed to make their own judgments on the substance of that speech and its presentation.

It was also significant that the SDS was given the podium as a result of the suggestion by the class marshals.

It was 8:45 a.m., and Pres. Pusey was meeting with the corporation in University Hall, where traditionally the corporation gives its approval to the awarding of degrees. The marshals told Pusey that if he did not let the SDS member speak the group would seize the microphone and someone would speak anyway.

Pusey told them they had been elected by their class and that they represented their class. He would take the matter up with the corporation.

How easy or difficult was the decision to allow the SDS member to speak is impossible to say, but it was not until about five minutes before the ceremony began and two thirds of the class were seated that the decision was made, according to one reliable report.

It appeared not to come easily. It did come, and that is what was important.

The struggle at Harvard for the last two months, as at other universities throughout the nation, has not been between the administrations and the SDS. The real struggle is for that large body of students who are just as concerned about the role of the university, the faculty and the role the Defense Department plays in the universities as are the SDS members.

The easiest thing in the world to say is that the SDS members do not speak for the student body. The fact is there is great sympathy for many positions taken on the campuses by the SDS. The main body is equally concerned about the final disposition of the Vietnam war and the problems of the city. The only real difference is that they do not haul deans down flights of stairs to make their points. Nor do many approve of this kind of manners.

Just because the main student body is not totally in accord with the actions of SDS does not automatically mean that they oppose the SDS on the issues.

Given a polarized situation, as they were given in April when the main student body had to make a choice between the administration and the SDS, they will take the SDS nearly every time.

That's the lesson for the Harvard administration and, for that matter, every college administration these days.

Those were not hollow words spoken by Yale chaplain William Sloane Coffin and Katherine Kaufer, a senior, at the Radcliffe commencement on Wednesday.

They said it well: "Why, even as Rome burns, far from criticizing Nero for fiddling, no end of American scholars are busy examining his fiddle," Rev. Mr. Coffin declared.

That is what the cry of relevancy on the campus is all about these days.

THE GREATEST DREAM—A WALK ON THE MOON—PART I

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. MURPHY of New York. Mr. Speaker, it is now only 9 days before man's most ambitious leap into the future, the mission of Apollo 11. But, for centuries, visionaries, from Lucian of Samosata to Jules Verne, have dreamed and written of interplanetary travel. Each day, from now until the blastoff from Cape Kennedy on July 16, the New York Daily News will present an article by its superlative science editor, Mark Bloom, tracing the history, sometimes funny, sometimes tragic, of the fantastic achievement leading up to a walk on the moon. Mr. Speaker, under leave to extend my remarks in the Record, I include the first article of this fascinating series which could appropriately be called "Blastoff Minus 9":

[From the New York Daily News, July 7, 1969]

THE GREAT DREAM—IT ALL STARTED IN 190 A.D.

(By Mark Bloom)

There is no one among you, gentlemen, who has not gazed long and carefully on the moon, or at least who has not heard of those who have, said J. P. (Impey) Barbicane, president of the Baltimore Gun Club, a century ago.

"Do not be surprised if I have to say a few words tonight regarding the queen of the starry sky.

"For to us is perhaps reserved the glory of being the Columbuses of another new world. Have confidence in me, and second me by all means in your power, and I shall lead you to its conquest, which we shall annex to all the other states and territories that form the totality of our glorious union.

"Three cheers for the moon, cried the gun club in one voice, and the wild hurrahs almost blew the roof off."

And so, with Barbicane's impassioned speech to the gun club, preparation began for America's first manned voyage to the moon.

This was Jules Verne's account of the epic lunar voyage of the Columbiad, carrying Barbicane, Capt. Joshua D. McNicholl of Philadelphia and a Frenchman, Michel Ardan (upon whom the President of the United States conferred the title Citizen of the United States of America).

Incredibly, the three-man crew of the Columbiad blasted off from Tampa, just 100 miles to the west of what is now Cape Kennedy. Also, there was consideration of using Galveston Bay area, about 30 miles from what is now the Manned Spacecraft Center, as a launch site.

It was, in short, an astounding preview of the Apollo project, right down to a U.S. Navy vessel, the Susquehanna, recovering the crew after splashdown in the Pacific.

But Verne was far from the first to write about such journeys—or dream of them. Believed to be the first was "True History," written by a Syrian-born Greek satirist named Lucian of Samosata (125–190 A.D.).

Marjorie Hope Nicholson, whose "Voyages to the Moon" is the most complete compilation of these early fictionalized accounts of lunar travel, notes that Lucian's voyager made the trip "by mere chance" and "there is no stirring here of the modern scientific imagination."

In this first voyage, "a most violent whirlwind arose, and carried the (sailing) ship above 3,000 stadia, lifting it up above the water, from whence it did not let us down again into the seas but kept us suspended in midair."

After "True History," Lucian wrote another tale of celestial travel, called Icaromenippus.

Menippus, the hero, wearing two wings, one of an eagle and the other a vulture, launched himself from the top of Mount Olympus.

Not content with simply reaching the moon, he used it as a base to travel to the stars and to heaven—a three-day trip from the moon.

For many centuries the tales of flight above the earth remained in the same vein, helped by such literary devices as having devils conveniently anesthesize the celestial travelers so they would not remember too many details, details which were beyond the writers' imagination.

As it remained through Verne and even H. G. Wells, the big problem lay with launch power; there was nothing in the fertile imaginations of these authors which could have actually overcome the earth's gravity.

Verne used a cannon. Wells, in his "The First Men in the Moon," used an anti-gravity substance called Cavorite. But they were of the modern ilk; most before them were relegated to demons, flying horses and great birds.

At the close of the 16th century, Lodovico Ariosto published "Orlando Furioso," a hero who traveled to the moon aboard a chariot drawn by four red horses and came upon a moon "where stately cities, towns and castles rise."

But in 1610 there was an event which changed the tone of science fiction, just as it changed the thinking of the world of science. Galileo turned the newly invented telescope toward the heavens, and became the first man to see the lunar landscape as it is—a terrestrial body.

"It is a most beautiful and delightful sight to behold the body of the moon," he wrote noting that the moon, like the earth, "is everywhere varied by lofty mountains and deep valleys."

From these views, it was logical to suppose that since the moon looked something like the earth, perhaps it was populated.

About this time, an early version of the space race emerged, a theme which was to pop up repeatedly in literature until Russia's Sputnik 1 in 1957 launched the competition in realistic terms.

Before he died in 1630, Johanns Kepler, a German scientist, suggested that as soon as men learned to fly, a German colony might be set up on the moon. British scientist John Wilkins was annoyed by Kepler's "over-partial affection" for his countrymen.

In "Discovery of a New World on the Moon," Wilkins wrote in 1638 that "it is not altogether improbable that some other may be successful in this attempt." In other words, if any flag flew over the moon, it would be the Union Jack.

In later fictionalized accounts of lunar travel, Spanish, Italian, Dutch and many other flags flew on the moon. The American flag first reached lunar orbit with Verne, a Frenchman.

Kepler realized that if life existed on the moon, it could not be earthly because of the difference in environment. His heroes found creatures of a "serpentine nature" which were sub-civilized.

His description of moon-dwellers living mostly under the surface to escape the extremes in temperature was a popular theme in science fiction, carried forth through Wells' "The First Men in the Moon" (1901).

The first to use rocket power for a trip to the moon was the possessors of history's most famous nose, the redoubtable Savinien de Cyrano de Bergerac, a part-time science fiction writer.

Cyrano believed what, to a large extent, is true; that the earth and the moon are a double planet system. As Cyrano described it in "Voyage to the Moon," published in 1649, "the moon is a world like ours, to which this of ours serves likewise for a moon."

For the next century and a half, trips to the moon remained popular in literature, but there was little new in the way of inventiveness.

In 1827, however, Joseph Atterlay published "A Voyage to the Moon with Some Account of the Manners and Customs of the People of Morosofia and other Lunarians." Distinctive about this work was the advent of the "anti-gravity" concept for propulsion, moving away from demons and great birds.

Less than a decade later, Edgar Allan Poe wrote "Hans Pfall," a hero who flew to the moon by balloon to escape creditors on the earth.

The same year, the moon was the focus of one of the great hoaxes of journalism history—the New York Sun's "exclusive" reports of British astronomer Sir John Herschel's incredible discovery of life on the moon.

Herschel at the time was the world's best known astronomer, and was conveniently in South Africa when the Sun, in a circulation stunt devised by its editor, Richard Adams Locke, blazed forth about Herschel's "observations" through a giant, new telescope.

By the time Herschel could be reached in South Africa for his denial, both sides of the Atlantic had totally swallowed Locke's articles about a thriving lunar civilization populated by "bat-woman" and "bat-men."

"The account of the wonderful discoveries in the moon," declared the New York Times in an editorial, "are all probable and plausible, and have an air of intense verisimilitude."

The next great step in science fiction were the works of Jules Verne in the latter half of the 1800s, and H. G. Wells in the early part of this century.

But then, modern rocket theory was beginning to be developed, and travel to the moon—Buck Rogers, Flash Gordon and Dick Tracy not withstanding—began edging faster and faster toward fact.

For many years now, science fiction has been delving into the deeper corners of the solar system, and out into the far reaches of the universe. Man's bent toward tempting his fellow man's curiosity shows no signs of waning.

As the 16th century English poet Edmund Spencer put it:

"Yet he at last contending to excell
"The reach of men, through flight into fond mischief fell."

PRIDE IN AMERICA—IN NEW MEXICO

HON. ED FOREMAN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. FOREMAN. Mr. Speaker, while visiting my constituents in New Mexico last week during the Independence Day recess, I had the pleasure of participating in a most interesting and meaningful "pride in America" program in Artesia, N. Mex. Organized by the community leadership, and participated in by the entire community citizenship, the program consisted of a downtown parade with the marching military 62d Army Band from Fort Bliss, Boy Scout and Girl Scout troop units, various civic club groups, merchants' and clubs' floats, decorated bicycles, antique, old, and new automobiles, church groups, and many, many just plain good all-American citizens carrying American flags and proudly marching and demonstrating their love and appreciation for our country, our constitutional principles of individual initiative, freedom, and our pride in America.

I could not help but stand a little straighter, and a little taller, with a proud gleam in my eyes from a happy tear or two, and a lump in my throat as I listened to the band playing and the folks singing the "Star Spangled Banner." It was a glorious, heart-warming sight as I looked into the face of America: wide-eyed youngsters, barefooted tanned, happy, one with a melting popsicle dripping down his arm off his elbow onto his tanned little tummy; another with a big, friendly mongrel dog playfully jumping and yelping in time and tune with "the gang"; a thoughtful young mother with a baby in her arms and a little son holding on to her dress with one hand and waving a tiny flag with the other; an elderly, gray-haired farmer, his face wrinkled and worn with time, his back bent from his labor and toil, and a far away look in his eyes reflecting the memory of a son who gave his life in a far-off land for a country and a family he loved; an oil field worker, tanned and soiled, intently watching and thinking, from his pickup truck; a white-haired grandmother, gleaming, humming a thankful hymn as she watches from her front porch rocking chair, tapping her cane to the beat of the marching band; a service station attendant with the gasoline hose in his left hand, his right hand over his heart, standing at rapt attention as the color guard marches past; a small-town merchant with his apron tucked up to the side, and a prayer of grateful appreciation reflected on his face; a veteran with a square-set jaw, his right hand raised in a sharp salute; clean, alert, well-mannered, neatly dressed young people, high school and college, proud of their country, grateful for their opportunity, confident of their future and cognizant of their responsibility to themselves, their parents and their country; people from all walks of life, every race, color, and creed, all religious faiths, and different political parties, with one strong common denominator—a deep love, respect, and appreciation for the flag of the greatest Nation ever known in the history of mankind, the United States of America.

This pride in America program presented by the citizens of Artesia, N. Mex., stressing our love and respect for our country and the good in America, should be adopted and presented by every single community in America. It revives the spirit and instills the pride of every individual in himself, his ancestors, and this great country.

I sincerely express my heartfelt appreciation and grateful thanks to the fine citizens of Artesia, N. Mex., particularly to Program Chairman Joe Fenn, Parade Marshal John Simons, Mayor Glen Clem, Chamber of Commerce President Paul Frost, Chamber Manager Harold Baer, Master of Ceremonies Ron Eubank, First Baptist Minister Rev. J. Wayland Edwards, Mr. Tom Brown, KSVP Radio Manager Dave Button, Mrs. Phillip Royal, ENMU Student Leader Rick Brown, and many, many others for their thoughtful, dedicated leadership and work in making this great program such a meaningful success.

Undoubtedly, the most appropriate climax that could have been presented for such a memorable occasion, was a thought-provoking, challenging, and informative address, most eloquently delivered by a distinguished New Mexico citizen, Mr. Billie Holder, president and publisher of the Alamogordo Daily News, Alamogordo, N. Mex. Mr. Holder—a respected, highly recognized community leader, newsman, author, businessman, and world traveler—very appropriately described "what's right" with America and laid down an important challenge to all Americans, in his keynote speech, "A Little More Backbone—A Little Less

Wishbone." I insert his speech at this point in the RECORD:

A LITTLE MORE BACKBONE—A LITTLE LESS WISHBONE

(By Mr. Billie Holder)

Thanks for the invitation, makes my heart big, with pride, seeing a parade, bands playing, flags waving, makes me proud to be an American—Nostalgia for days of the past—"Good Old Days."

Many people have said during recent years, that America faces trying, vexing and troublesome times. It's true. But I can't recall a time in history, nor can I find in recorded history a time when the world didn't have troubles, troubles comparable to those of today. Even the vote to adopt the Declaration of Independence by a fledgling Congress was imperiled . . . and the vote was delayed from the date of preparation of that document for four days in order that some political maneuvering to muster support for this great document could be done. We have had our enemies within our own ranks, people without the faith it takes to be free, without the courage to stand up and be heard, without the dedication it takes to maintain a free nation, since the very outset of this nation. But, thank God, the innovators, the men of courage have thus far won out, and America has taken her place as the leader of the world, the greatest nation ever seen on the face of this earth. I have never seen a time when I wasn't proud to be called an American, when I wanted to remain silent, and I have been in countries of this world where Americans were unpopular, and at times when they were unwanted in that part of the world.

I was in Russia when newspapers showed large, glaring pictures of race riots in America. It was about the only news their newspapers carried. They tried to use this information to embarrass us during interviews, but I was proud to explain that America is a *big* country, 200 million people, with races of people from all over the globe, who have lived together and have gotten along for nearly 200 years, admittedly with some mistakes and with some tensions that come to the front with regularity, and we will continue to get along. Our troubles will be fought out. Our mistakes will be rectified. We will continue to forge our nation into ONE nation, and we will do it with pride.

The big difference, I pointed out, is that our troubles are *open,* they are recorded on the cameras of the television networks, they are daily pictured and recorded in the newspapers of the world. The world, everyone, knows of our troubles. And it simply isn't that way in Russia, nor in other Iron Curtain Countries of the world.

Don't let anyone tell you they don't have troubles in Communist countries, because they do. They have racial problems. They treat some of their citizens brutally. They don't tolerate dissenters. I've seen some of the treatment, and yet, their news media do not show these facts to the world. They simply are not allowed to.

We do face troubles, and problems. We've seen some of the problems grow into festering sores, dangerous ones, and they seem to be contagious. I am referring to race riots, campus demonstrations, an increase in crime, and the lot. I do not need to mention them all. You know, too, and you are aware that we have seen a great deal of our American solidarity fractured, cracked, and many people wondering what the future holds for America. The timetable outlined in the Communist Manifesto regarding America is progressing right on schedule, so many Americans are wondering just what can be done. "Can we cope with the problems?" they ask.

We have people on the far left, seeking to destroy. We have people on the far right seeking to excite America. They would have you believe we are a nation falling to pieces.

Despite these troubles, and despite the mistakes we've made, I still see America as the greatest country on the face of this globe, still able to cope with her problems, still able to lead men to believe in individual freedom, and to halt the spread of the communist octapus that is trying to engulf the world.

Ever since my return from a Study Mission behind the Iron Curtain, where we visited every Iron Curtain Country in Europe except Albania, I have been saying to audiences, You are the luckiest people in the world. And it's true. You are the most fortunate civilization in the world, simply because you were born in America. You had nothing to do with it, but you are American citizens, you are free, and freedom is the most precious thing in the world to much of the world's population. I have had many, many young people ask me, in Europe and in Asia, ask me how they could come to America. They want to be a part of this great land of ours. And yet, we have far too little appreciation for what has been handed to us, given to us in most cases without a struggle on our part, and what is yet so precious we don't know its true value.

People in many of the world's countries seek freedom. They don't have it, and in many cases they've fought for it. Some have lost the battles. Some have spilled their blood and sacrificed, but they don't have that freedom which we take so much for granted and fail to have proper appreciation for.

You are lucky because you are free. . . .

You are lucky because you have plenty of food, and more than half of the world's population go to bed hungry every night. I've seen thousands of little children in Asia, begging for crumbs, or just something to eat.

You are lucky because you have a home. . . .

You are lucky because you have ample clothing. . . .

You are lucky because you have job opportunities. . . . you can be anything you want to be, and find a vocation that will take you to the top. You can because you have the opportunities offered only in America, be anything you want to be. You can be on top, if you want to badly enough.

You are lucky because you can vote.

I sponsored a young man who I met in Czechoslovakia, to come to the United States. It was a visit I made to his home that caused him months of persecution, months of heartache, months of beatings and questioning sessions. I had been watched as I attempted to tell a cab 'driver where to take me in Prague. When I did finally communicate, I was reported—as a foreign visitor in the home of a Czech citizen. He had the courage to escape, to risk death if he were caught, or a sentence in a prison camp which would be worse than death. . . . he risked the gunfire of border guards to escape to Italy where he contacted me. He is now in Los Angeles, where he is happy, working, earning more in a week than he could make in his native land in two months time. In fact, he earned $70 per month and was at the top of the scale over there. He went to work in America for $3 per hour doing the same kind of work. He's making more than that now, and is in a supervisory capacity. He is going to be an American citizen by choice. He will be a proud American. He appreciates freedom.

What is America? What is it about this land that causes a tear to well up within when we hear bands playing? When we stand at attention at appearance of our Flag? What is it that causes us to sing, to the top of our voices, "God Bless America," or the "Star Spangled Banner?" What is it that prompts men to want to fight to keep this country of ours free, unfettered, uninvaded, a composite of mankind? What is it? Let me turn poetic, and read to you something I ran across recently. I don't know who wrote it, but it's beautiful. Here it is:

"I am a nation. I was born on July 4, 1776, and the Declaration of Independence is my birth certificate. The bloodlines of the world run in my veins, because I offered freedom to the oppressed. I am many things, and many people. I am the nation. I am 202 million living souls—and the ghost of millions who have lived and died for me. I am Nathan Hale, and Paul Revere. I stood at Lexington and fired the 'shot heard around the world.' I am Washington, Jefferson and Patrick Henry. I am John Paul Jones, the Green Mountain Boys and Davey Crockett. I am Lee and Grant, Abe Lincoln. I remember the Alamo, the Maine and Pearl Harbor. When freedom called, I answered and stayed until it was over, over there. I left my heroic dead in Flanders Fields, on the rocks of Corregidor, on the bleak slopes of Korea and in the steaming jungle of Vietnam. I am the Brooklyn Bridge, the wheat lands of Kansas and the granite hills of Vermont. I am the coal fields of the Virginias and Pennsylvania, the fertile lands of the West, the Golden Gate and the Grand Canyon. I am Independence Hall, the Monitor and the Merrimac. I am big. I sprawl from the Atlantic to the Pacific. My arms reach out to embrace Alaska and Hawaii—three million square miles throbbing with industry. I am more than five million farms. I am forest, fields, mountain, and desert. I am quiet villages, and cities that never sleep. You can look at me and see Ben Franklin walking down the streets of Philadelphia with his bread loaf under his arm. You can see Betsy Ross with her needle. You can see the lights of Christmas and hear the strains of "Auld Lang Syne" as the calendar turns. I am Babe Ruth, and the World Series, I am 130,000 schools and colleges and 320,000 churches where my people worship God as they think best. I am a ballot dropped in a box, a roar of a crowd in a stadium and the voice of a choir in a cathedral. I am an editorial in an newspaper, and a letter to a Congressman. I am Eli Whitney and Stephen Foster. I am Tom Edison, Albert Eienstein, and Billy Graham. I am Horace Greeley, Will Rogers and the Wright Brothers. I am George Washington Carver, Daniel Webster and Jonas Salk. I am Longfellow, Harriett Beecher Stowe, Walt Whitman and Thomas Paine. Yes, I am the nation and these are the things I am. I was conceived in freedom, and God Willing, in freedom I will spend the rest of my days. May I possess always the integrity, the courage and the strength to keep myself unshackled, to remain a citadel of freedom and a beacon of hope to the world. This is my wish, my goal, my prayer, in this year of 1969—193 years after I was born."

Isn't it beautiful?

That is a word picture of America . . . and surely there is more.

Is it worth keeping? Is it worth preserving? Is it worth fighting for?

Of course it is!

Now, let me make some observations. I would be deceitful if I were to attempt to lead you to believe all is sweetness and light . . . that America is doing fine.

One of the most distressing things I see in our country today is the lessening of our moral values, the sag in our faith, the diminishing influence of our churches, the failure of this generation of parents to teach our youngsters about God, and the failure to impress upon them the values of prayer.

I think I understand these things. I think I can see why this is happening to us. I can see our generation as a victim of a great economic depression. I can see this generation as one relieved and pleased to see the war years of World War II because it then became possible to get a job . . . a job that paid money, that made it possible for us to begin earning something. I know the depths of economic depression. I know the anguish of parents who dedicated themselves to care for their children in a manner better than their parents were able to do for them. I know what need is.

I believe the great depression produced a generation of parents who wanted their children to have the better things of life which they couldn't share in. They didn't want their children to have to work as hard as they did. In other words, they said: "I am going to deprive my children of the very things that made a man out of me." They didn't teach them to work, nor the value of learning to work. They didn't teach them to appreciate love, they didn't make them mind, and therefore didn't teach them respect for authority, and the cycle goes on and on.

They didn't teach them the value of honesty, integrity, of a clean record, of cleanliness and neatness of appearance.

I think the *time is late,* and that it is high time we began to show some examples. We can begin to change some of our own habits.

We can quit *taking* the kids to Sunday School, and letting them out of the car so we can go back home to finish reading the comics, or to work on the lawn, or to head out for the mountains, or to the fishing holes or camp grounds.

We can't teach our children there's value in Sunday School when we don't ever go.

We can't teach our children there's value in prayer, if you never pray.

We can't teach our children there's any value in faith in God, if we never attend a worship service.

We need to *lead* the way. One of the very basic foundations of this country is a faith in God, a need to worship. Our freedom is freedom *to* worship, not freedom *from* worship.

Another distressing thing that appears on the American scene is our constant search for easier ways to do things. We have automated machinery, we have instant coffee, frozen foods, drip-dry clothes and even artificial insemination. Americans, it seems, strive to do everything the easiest possible way—without work, without hard thought, without hard exertion of any kind.

Living of life itself cannot be made painlessly easy. We're not that lazy. Human relationships and problems are too complex, too varied, too personal, too urgent and indeed, too human to be subjected to instant, drip-dry, automated solutions.

Too many of us won't accept this truth. Too many of us seek the easy way. Too many of us seek the popular way, the least painful way of running our lives. In short, too many of us have replaced the traditional American backbone with a modern American wishbone.

It is my contention that America as a nation, and freedom as a practicality, cannot long endure without the traditional backbone which permits endurance. It is my contention further that this backbone must be encouraged and fused with leadership which is unfettered by the great social and economic restrictions of modern life, without the laziness of retirement—which seems to be the goal of life for so many people.

We must have the backbone to be dedicated Americans.

Who has ever promised that the life of a free man would be an easy one?

Who has ever promised that a good citizen can be of benefit to his country in retirement, living in ease, taking life easy, not bothering to assume the responsibilities of citizenship? We have no reason to complain about what public officials do if we make no effort to see that right, honesty and integrity prevail in public life.

We must have the backbone to teach our children to pray, to cultivate some callouses on their knees, to have some moral dignity, to learn to have respect for others.

We must have the backbone to meet the challenges of those who would destroy our democratic way of life. We must face them, and make them understand their rights cease when they infringe upon the rights of others. Their rights end where the rights of others begin.

We must have the backbone to pull our families back together into an identifiable group of people who enjoy being with one another, to have conversation, to listen, to suggest, to discuss—to enjoy!

We must have the backbone to feel sympathy for those peoples around the world who do not have enough to eat, to share with them, to teach them how to produce food from their own land. . . .

We must have the backbone to go to the rescue and lend assistance to those countries of the world endangered by communism.

We must have the backbone to become involved in local politics, in local issues, and to do so as enlightened citizens, knowing the issues and speaking out for right.

We must have the backbone to clean up the newsstands, and protest the sale of pornography and other filth that is being circulated. By protest, I do not mean to march on the stores, burn them down and create havoc. I mean talk to the man, let him know that you don't like the situation, and refuse to patronize him as long as he sells such filthy literature.

We must have the backbone to follow the service of public officials, and express our sentiment to them. We must let them know when we think they're wrong. We must write to our legislators, giving our views. And when they do act contrary to the public interest, relieve them of their job when voting time comes.

We must have the backbone to write to our law enforcement officials—local, state and in fact to the United States Attorney General when necessary, insisting on fair enforcement of the laws of this land.

We must have the backbone to write letters, by the thousands, to NASA, in Houston, supporting the reading of Scripture from our astronauts. Did you know a move, with considerable support, is underway asking that our men be publicly censured for having read from the Bible last Christmas day while they were circling the globe, in orbit? And they have other plans, too.

We must have the backbone to write to our governor protesting the use of filth and pornography as material to teach our youth on the campus of the University of New Mexico.

We must have the backbone to teach our youth to have pride in our country . . . to teach them to support our government, "My Country . . . right or wrong," and then have the backbone to right the wrongs.

We must have the backbone to teach respect for our flag . . . a backbone that develops a tingle of pride when we see the flag, to salute it, and to look upon it as a Grand Old Flag, A High Flying Flag.

We must throw aside the wishbone . . . develop the backbone, to be good citizens and to carry the light of freedom before the people of the world. . . .

FREEDOM BECOMES ILLEGAL ILL

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. RARICK. Mr. Speaker, the educators in 42 school systems in my State directly affected by the Federal court's denial of freedom of choice in schools met and adopted a resolution.

Because the educators are interested in quality education—instead of sociological or philosophical programs to appease the Supreme Court—they feel that freedom of choice in the only workable plan to maintain an educational system.

To comply with HEW and the Court decree outlawing freedom will also destroy education.

Our Louisiana educators appeal to this body to adopt specific legislation maintaining freedom of choice—which is redundant since individual freedom is already secured by the U.S. Constitution, but ignored by the Court.

The Court's highhanded action must be considered not only as a denial of the people's freedom but a repudiation of the constitutional protection of these rights as well.

Mr. Speaker, I insert the resolution adopted by the Louisiana School Board Association on June 30, following my remarks:

Resolution

Whereas, a large representative number of school board members and superintendents from all over Louisiana who have worked with various HEW teams and considered carefully various alternatives to Freedom of Choice, met for a joint discussion of their common problem, and

Whereas, all of the educators and school board members present were unanimously of the opinion that Freedom of Choice is the only feasible educationally sound, and administratively workable method of disestablishing the local system while maintaining and improving quality education throughout our State for all children, both Negro and white, and

Whereas, they were also of the opinion that zoning and/or pairing plans such as proposed by HEW are totally unworkable, educationally unsound and will destroy all progress in race relations made under Freedom of Choice and ultimately destroy public education, and

Whereas, freedom of Choice most nearly embraces constitutional and democratic principles, particularly as taught to our children for better than 150 years, and

Whereas, no provision of any of the Civil Rights Acts passed by the Congress of the United States prohibits Freedom of Choice as a plan of desegregation, and

Whereas, certain provisions of suggested HEW plans appear to run directly contrary to certain provisions of the Civil Rights Acts prohibiting "busing" and the deliberate "assignment of students to overcome racial imbalance", and

Whereas, all present indications foretell an immediate traumatic disruption of our educational system which will adversely affect every parent, every child and every teacher, whether Negro or white, now

Therefore be it resolved, That every possible effort be made by the Congress of the United States to adopt specific legislation which will maintain Freedom of Choice as an acceptable plan of desegregation of schools, and

Be it further resolved, That all interested citizens including every affected parent or teacher, be requested to contact immediately, by telephone or telegram, their Congressmen and Senators and the President of the United States to urge and implore their help.

TEN YEARS AFTER THE SEAWAY DREAM

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 7, 1969

Mr. PUCINSKI. Mr. Speaker, the Chicago Tribune has written an excellent editorial marking the 10th anniversary of the opening of the St. Lawrence Seaway, which I would like to place in the Record today. It follows:

Ten Years After the Seaway Dream

When Britain's Queen Elizabeth came to Chicago in June, 1959, to mark the opening of the St. Lawrence seaway there was much optimistic talk about its effects on Chicago's future. Almost every city on the Great Lakes expected to become a port of the first magnitude.

The extravagant hopes were not realized immediately, and in recent years not much attention has been paid to the seaway by city planners and civic boosters. On the 10th anniversary of its opening, however, it should be noted that it has been a better than fair success and that its future is promising.

For one thing, the money spent on it—about a billion dollars, including power developments—was a bargain. The United States treasury supplied 131 million dollars for this country's share of the construction costs charged to navigation. These sums do not seem so large nowadays, especially when they are compared with the billion-dollar cost of the projected development of the Arkansas river. Unlike other American waterways, the seaway is required by law to pay for its operational costs and the debt charged to navigation. Income from tolls has been sufficient to meet operating expenses, but interest charges have been earned in only one year [1966] and the total debt has risen to 143 million dollars. Earnings declined in 1967 and 1968, primarily because of strikes.

One great benefit of the seaway has been the opening of iron ore deposits in Quebec and Labrador to midwest steel mills. Iron ore accounted for 37 per cent of the total traffic on the international section last year. About 85 per cent of all traffic consisted of bulk cargoes.

The disappointment of the seaway has been the failure to develop larger volumes of general merchandise cargo. This has resulted from the failure of the lake cities to provide adequate port facilities and to go after the general cargo business.

Chicago, which had more to gain than any other port, has been conspicuous in its failure to take advantage of its opportunities, Instead of consolidating port facilities into a single operation, it has two operating agencies—the city, which runs Navy pier, and the Chicago regional port district, which runs Calumet harbor.

Chicago also has failed to promote port business adequately, it has lagged in building container handling facilities, and it has neglected to develop equitable import-export rail and truck freight rates between the port and midwest importing and exporting companies.

In an editorial on April 27, 1959, when the first ships began moving thru the new seaway, The Tribune noted:

"Chicago has the largest, richest, and most diversified hinterland of any lake port. It is the only lake port with a major waterway [the Illinois-Mississippi system] leading into the hinterland. But the great growth in commerce expected from the seaway is not going to come overnight, and much of it is not going to come at all if Chicago fails to take the steps necessary to meet powerful competition. . . .

"If the Chicago area is to get all the benefits it should from the seaway, no time or energy can be wasted in squabbling between the various public and private port interests, or between the public officials charged with port developments."

The same advice is applicable today.

SENATE—*Tuesday, July 8, 1969*

The Senate met at 12 o' clock noon and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, may there fall upon us now a great sense of Thy presence and Thy power. Deliver the Members of this body from all personal worries and anxieties that they may give themselves wholly to the crucial issues of the day. Teach us how to speak, how to listen, how to wait, and how to work, holding ever before us the vision of the higher way and the more perfect order for which men strive, that we may be worthy workmen in Thy kingdom—for Thine alone is the kingdom and the power and the glory forever. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

UNEMPLOYMENT INSURANCE—A MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was referred to the Committee on Finance:

To the Congress of the United States:

The best time to strengthen our unemployment insurance system is during a period of relatively full employment.

The Secretary of Labor is sending to the Congress today proposed legislation to extend unemployment insurance to 4,800,000 workers not now covered; to end the shortsighted restrictions that stand in the way of needed retraining efforts; and to add a Federal program automatically extending the duration of benefits in periods of high unemployment.

There are three principles to be considered as we move to make the unemployment insurance system responsive to our times.

Unemployment insurance is an earned benefit. When a man covered by unemployment insurance is working, the employer pays a tax on his wages to insure against the day when the employee may be between jobs. That insurance is like a mandatory fringe benefit; it is insurance bought in the employee's behalf, and the worker therefore is entitled to the benefits he receives when he is unemployed. Accordingly, there is no demeaning of human dignity, no feeling of being "on the dole," when the insured worker receives benefits due.

Unemployment insurance is one of the foremost examples of creative Federal-State partnership. Although the system was created by Federal law, most decisions about the nature of the program are left to the States, which administer the system with State employees. This makes the system far more flexible and attuned to local needs and special circumstances of local economies.

Unemployment insurance is an economic stabilizer. If, for example, the economy were ever to slow and unemployment were to rise, this program automatically would act to sustain personal income. This would help prevent a downturn from gathering momentum resulting from declines in purchasing power. When employment is at a high level, and greater stimulation of consumer demand is unwanted, relatively little money flows into the economy from unemployment insurance.

With these principles in mind, I am making these recommendations for both Federal and State action:

1. We should act together to extend unemployment protection to more employees, including many highly vulnerable to layoffs who are not now covered.

2. The States should make certain that workers throughout the United States receive enough money for a long enough period of time to sustain them while they seek new jobs.

3. We should end the restrictions imposed by almost half the States on payments to unemployed workers undergoing retraining and, instead, follow the lead of those States which encourage retraining.

4. We should better protect the investment made on behalf of the insured by seeing to it that the funds are paid only to those who should receive them.

5. We should increase the responsiveness of the system to major changes in national economic conditions.

6. We should strengthen the financing of the system which presently discriminates against the low-wage worker and the steady employer.

1. PROTECTING MORE EMPLOYEES

Over 57 million workers are protected by unemployment insurance. However, almost 17 million are not covered; more than half of these are employees of State and local governments. The last extension of coverage was enacted during the Eisenhower Administration, when 6 million additional workers were included; there is a clear social need today to cover as many more employees as we can.

I propose that an additional 4.8 million workers be covered by unemployment insurance. These include:

—1,600,000 workers in *small firms* with less than four employees;

—400,000 on large farms employing four or more workers in each of 20 weeks;

—200,000 in *agricultural processing* activities;

—1,800,000 in *non-profit organizations*;

—600,000 in *State hospitals* and *universities*;

—200,000 salesmen, delivery tradesmen, and others who are not currently defined as employees.

These 4,800,000 workers are in real need of protection against unemployment. Many of them are low wage workers with little job security and no prospect of termination pay if they are laid off.

The present gaps in coverage work a disproportionate hardship on minority workers, since a higher percentage of the 4,800,000 are non-white, compared to the entire labor force.

To cushion the immediate impact of this extension on employers, I recommend that States be permitted to lower the tax rates on newly covered employers until such time as a record of employment experience can be compiled to determine what their true rate should be.

With the passage of this legislation, the majority of those remaining uncovered will be employees of State and local governments. I urge the States and localities to take action, in the light of their local circumstances, to include their own employees in unemployment insurance coverage.

2. MAKING BENEFITS ADEQUATE

The basic purpose of the Unemployment Insurance Program is to pay weekly benefits high enough to prevent a severe cut in a worker's standard of living when he is between jobs. The principle is generally accepted that it takes at least 50% of the worker's wage to meet this purpose.

Almost every State subscribes to this general principle, but benefit ceilings in their legislation have in fact made this principle largely ineffective, especially for the family breadwinner. At least two out of five claimants currently fail to get a benefit equal to one-half their wages.

In 1954, President Eisenhower recommended to States that they provide a maximum high enough to permit the great majority of covered workers to receive one-half their wages. This means that at least 80% of insured workers should be able to receive a benefit of one-half their wages if unemployed.

Men are most adversely affected by the limit on weekly benefits. In one large industrial State, for example, only 23% of the men receive benefits equal to as much as one-half their weekly wages.

If the program is to fulfill its role, it is essential that the benefit maximum be raised. A maximum of two-thirds of the average wage in the State would result in benefits of 50% in wages to at least 80% of insured workers.

Up to now, the responsibility for determining benefit amounts has been the responsibility of the States. There are advantages in States having that freedom. However, the overriding consideration is that the objective of adequate benefits be achieved. I call upon the States to act within the next two years to meet this goal, thereby averting the need for Federal action.

3. ENCOURAGING RETRAINING

During the present decade, many manpower programs were launched in the United States. We have seen how unemployed workers can be equipped with new skills and started on new careers. When the decade began, only three States permitted workers who enrolled in retraining programs to continue to receive benefit payments. All the rest disqualified them upon entry into training.

During the early 1960's, many States recognized the potential of training for employment rehabilitation, and by 1969 twenty-five States, plus Puerto Rico and the District of Columbia, had removed such restrictive requirements.

However, twenty-five States continue to discourage retraining by denying benefits to workers in such programs on the theory that they are not "available for work." On the contrary, the workers are trying to keep themselves available by learning new techniques and technologies, and government should certainly stop penalizing them for doing something that government, business and labor all want to encourage.

I propose a requirement that the remaining States permit workers to continue to receive benefits while enrolled in training programs designed to increase their employability.

4. PROTECTING THE INSURANCE SYSTEM

We must also be sure that benefits are going only to those people the system is designed to protect. The funds must not be dissipated.

Attachment to the Labor Force. The unemployment insurance system is designed to protect workers whose attachment to the labor force is more than casual. A worker's attachment is measured by both his past employment history and his present situation. He must be ready, willing and able to work and trying to find work while he is claiming benefits; and he must have had at least a certain amount of employment in the recent past. Generally, from fourteen to twenty weeks of work is required, depending on the employment patterns of the State and the minimum duration of benefits.

A few States, however, measure past employment by a flat dollar amount. This discriminates against the low-wage worker, because it means he must work for a longer period to be eligible. Also, it permits other high wage workers to become eligible on the basis of very short seasonal work. *I recommend that a standard based on a minimum period of 15 weeks' employment be required as a condition of benefit eligibility, and that no flat dollar amount be permitted as the only yardstick.*

Workers on Strike. The unemployment tax we require employers to pay was never intended to supplement strike funds to be used against them. A worker who chooses to exercise his right to strike is not involuntarily unemployed.

In two States, workers on strike are paid unemployment insurance benefits after a certain period. This is not the purpose of the unemployment insurance system.

I propose a requirement that this practice of paying unemployment insurance benefits to workers directly engaged in a strike be discontinued.

5. IMPROVING RESPONSIVENESS TO ECONOMIC CONDITIONS

Difficult times are far less likely to occur in nations that take the trouble to prepare for them. The presence of a strong, anti-recessionary arsenal will in itself help prevent the need for its ever being used.

In normal times, the duration of benefit payments may be adequate. Most State programs now provide around twenty-six weeks of benefits; for the great majority of claimants, this is enough to see them through to another job. However, if the economy were ever to falter, the number of persons exhausting benefits would grow rapidly.

In each of the last two periods of high unemployment, the President proposed, and the Congress enacted, legislation to extend the duration of benefits temporarily. However, while this process was taking place, many workers were without income, and the economy was exposed to sharp declines in personal income due to unemployment.

I am proposing legislation that would automatically extend the length of time benefits are paid in all States when the national jobless rate of those covered by insurance equals or exceeds 4.5% for three consecutive months. If periods of high unemployment were ever to occur, individuals would receive benefits for an additional period up to 13 weeks; this extension would end when the national unemployment rate of those in the system (currently 2.2%) fell back below 4.5%, and when the number exhausting their benefits in a three-month period dropped below 1% of those covered. These additional payments would be financed out of that portion of the unemployment tax that is now retained by the Federal government.

6. STRENGTHENING AND REFORMING FINANCING

We must enable the Federal government to finance its share of the improvements proposed in this message, along with the costs of administering the Employment Security System. In addition, there will be a need to improve the ability of States to finance the higher benefit levels I am urging.

I propose that the taxable wage base be raised over a five-year period to $6,000 and thereafter be reviewed periodically to make certain the adequacy of financing.

In the majority of States, the taxable wage base for the Unemployment Insurance Tax is the first $3,000 of wages—exactly what it was three decades ago. In that same period, average wages in employment covered by the system have increased almost five-fold. The low tax base places obstacles in the way of hiring low-wage workers because a substantially higher proportion of their wage is taxed. In addition, the impact of the tax tends to encourage use of overtime rather than adding workers.

The higher base will have the desirable effect of allocating costs more equitably among employers. Particularly at the State level, overall benefit costs will represent a lower per cent of taxable wages, and allow rates to reflect employer experience more accurately.

An Anchor to Windward. Unemployment insurance was begun as an answer to the human need for sustenance of the unemployed workingman seeking another job. It was designed to reduce the element of economic panic in job-hunting.

But as we move now to extend that

insurance and meet that need more fully, we discover—not quite by accident—the bonus of serendipity. Here is insurance purchased through a tax on the employers of America in behalf of their employees that can be a potent counter to a downturn in the business cycle. This proves that well-conceived social legislation can be a great boon to business and to all Americans affected by the state of the economy.

The success of this system can be a great example of the relationship between the States and the Federal government.

The Federal government brought this unemployment insurance system into being—but the States have rightly adopted it as their own. The Federal government has traditionally established minimum coverage—but many States have expanded that coverage to fit their own needs.

Now the Federal-State system of unemployment insurance should move to provide adequate benefits in accordance with the goal that has been set and with full recognition of the diversity of economic conditions among States. Such action is most important to protect the individual and to achieve the anti-recessionary potential of unemployment insurance.

The Federal and State actions recommended will help advance the economy of each State and in protecting the economy of the nation. In human terms, the recommended changes will better enable a worker to weather the adversity of unemployment and to find a suitable job.

I urge that the Congress and the States enact the legislation proposed to carry out these improvements.

RICHARD NIXON.

THE WHITE HOUSE, *July 8, 1969.*

EXECUTIVE MESSAGES REFERRED

As in executive session, the Vice President laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 671. An act to compensate the Indians of California for the value of land erroneously used as an offset in a judgment against the United States obtained by said Indians;

H.R. 2785. An act to authorize the Secretary of the Interior to convey to the State of Tennessee certain lands within Great Smoky Mountains National Park and certain lands comprising the Gatlinburg Spur of the Foothills Parkway, and for other purposes;

H.R. 4246. An act to discontinue the annual report to Congress as to the administrative settlement of personal property claims of military personnel and civilian employees; and

H.R. 4247. An act to amend section 2734 of title 10, United States Code, to authorize the Secretary concerned to make partial payments on certain claims which are certified to Congress and to provide equivalent authority for administrative settlement and payment of claims under section 2733 of title 10 and section 715 of title 32, United States Code.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 671. An act to compensate the Indians of California for the value of land erroneously used as an offset in a judgment against the United States obtained by said Indians; and

H.R. 2785. An act to authorize the Secretary of the Interior to convey to the State of Tennessee certain lands within Great Smoky Mountains National Park and certain lands comprising the Gatlinburg Spur of the Foothills Parkway, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 4246. An act to discontinue the annual report to Congress as to the administrative settlement of personal property claims of military personnel and civilian employees; and

H.R. 4247. An act to amend section 2734 of title 10, United States Code, to authorize the Secretary concerned to make partial payments on certain claims which are certified to Congress and to provide equivalent authority for administrative settlement and payment of claims under section 2733 of title 10 and section 715 of title 32, United States Code; to the Committee on the Judiciary.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, July 7, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Finance, the Subcommittee on Education and the Subcommittee on Evaluation and Planning of Social Programs of the Committee on Labor and Public Welfare, and the Permanent Subcommittee on Investigations of the Committee on Government Operations be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

RELEASE OF CERTAIN LEAD FROM THE NATIONAL STOCKPILE AND SUPPLEMENTAL STOCKPILE

Mr. SYMINGTON. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 1647.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1647) an act to authorize the release of one hundred thousand short tons of lead from the national stockpile and the supplemental stockpile which was to strike out all after the enacting clause and insert:

That the Administrator of General Services is hereby authorized to dispose of approximately one hundred thousand short tons of lead now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (68 Stat. 456, as amended by 73 Stat. 607). Such disposition may be made without regard to the requirements of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

SEC. 2. (a) Disposals of the material covered by this Act may be made only after publicly advertising for bids, except as provided in subsection (b) of this section or as otherwise authorized by law. All bids may be rejected when it is in the public interest to do so.

(b) The material covered by this Act may be disposed of without advertising for bids if—

(1) the material is to be transferred to an agency of the United States;

(2) the Administrator determines that methods of disposal other than by advertising are necessary to protect the United States against avoidable loss or to protect producers, processors, and consumers against avoidable disruption of their usual markets; or

(3) sales are to be made pursuant to requests received from other agencies of the United States in furtherance of authorized program objectives of such agencies.

The VICE PRESIDENT. Under the unanimous-consent agreement entered yesterday, the Senate will proceed to the consideration of the House amendment to S. 1647. Under the agreement, the time on that amendment and all subsequent amendments will be limited to one-half hour, the time to be controlled equally by the Senator from Missouri (Mr. SYMINGTON) and the Senator from Delaware (Mr. WILLIAMS).

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, notwithstanding that order, and with the approval of the Senator from Missouri and the Senator from Delaware, I may at this time call up certain unobjected-to bills on the calendar.

The VICE PRESIDENT. Without objection, it is so ordered.

CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of bills on the calendar, beginning with Calendar 274, S. 1583.

The VICE PRESIDENT. Without objection, it is so ordered.

The clerk will state the first bill.

POSTMASTER APPOINTMENTS

The bill (S. 1583) to provide that appointments and promotions in the Post Office Department, including the postal service, be made on the basis of merit and fitness was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1583

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3311 of title 39, United States Code, is amended to read as follows:

"§ 3311. Method of appointment

"The Postmaster General shall appoint postmasters in the competitive civil service."

Sec. 2. The amendment made by the first section of this Act shall not affect the status or tenure of postmasters in office on the date of enactment of this Act.

Sec. 3. (a) Chapter 41 of title 39, United States Code, is amended by inserting after section 3108 the following new section:

"§ 3109. Nonpolitical appointments and promotions

"(a) In the selection, appointment, and promotion of employees of the Department, no political test or qualification shall be permitted or given consideration, and all such personnel actions shall be taken on the basis of merit and fitness. Any officer or employee of the Department who violates this section shall be removed from office or otherwise disciplined in accordance with procedures for disciplinary action established pursuant to law.

"(b) This section does not apply to the selection and appointment of officers whose appointment is vested in the President, by and with the advice and consent of the Senate, or to the selection, appointment, or promotion to a position designated by the Civil Service Commission as a position of a confidential or policy-determining character or as a position to be filled by a noncareer executive assignment."

(b) The analysis of chapter 41 of title 39, United States Code, is amended by inserting after item 3108 the following new item:

"3109. Nonpolitical appointments and promotions."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–283), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

This legislation will eliminate Presidential nomination and Senate confirmation of postmasters at post offices of the first, second, and third class. In lieu of the present method of appointing postmasters, all appointments will be made by the Postmaster General. The bill contains language prohibiting political recommendations from being taken into account in the appointment of any person to any position in the Post Office Department other than Presidential nominees and policy-making employees.

STATEMENT

The bill is a recommendation of the Postmaster General to eliminate politics as a primary factor in the selection of some 25,000 postmasters throughout the Nation. The historic method of making these appointments has been that a political adviser (usually a Congressman or a Senator of the same political party as the administration in power) indicates his preference in filling a postmastership by choosing either the noncompetitive promotion of a qualified career employee in the postal service, or an open competitive examination administered by the Civil Service Commission and subject to civil service laws, rules, and regulations.

This system has produced many fine postmasters, but it has also proved to be a problem in some cases because of conflicting political pressures in the town where the postmaster vacancy exists. It has not contributed toward improving the career postal service because postal employees generally recognize that, regardless of their achievement, the opportunity for becoming postmaster is limited because politics is a primary factor in selecting the nominee.

Legislation to abolish the political system has been introduced in the Senate for many years. In 1967 the Senate approved a provision in S. 355, the Legislative Reorganization Act of 1967, eliminating the system, but the bill failed in the House of Representatives. In 1968, a provision similar to that included in S. 355 was favorably reported from the Committee on Post Office and Civil Service in the House of Representatives, but was not acted upon on the floor before adjournment of the 90th Congress. Earlier this year, President Nixon and Postmaster General Winton M. Blount announced that political recommendations would no longer be taken into account in the selection of nominees. To provide legislative sanction for this new policy, the committee recommends enactment of legislation doing away with Senate confirmation and vesting the authority for selecting postmasters in the Postmaster General exclusively.

The new procedure will be a very significant departure from past practice. The committee has carefully considered the impact of this legislation as well as alternatives to the administration's recommendations. Finally, however, the committee decided to approve the administration recommendations without guidelines written into law so that the Postmaster General will have a free hand in establishing the new system. The committee expects the Postmaster General to report on the success of the new system at the conclusion of the first session of the 91st Congress so that further consideration may be given in the event the program does not fulfill expectations.

THE CONCURRENT JURISDICTION (UNITED STATES AND STATE OF MONTANA) AT FORT HARRISON, MONT.

The bill (H.R. 3689) to cede to the State of Montana concurrent jurisdiction with the United States over the real property comprising the Veterans' Administration Center, Fort Harrison, Mont., was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–284), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

EXPLANATION OF THE BILL

The bill would cede to the State of Montana concurrent jurisdiction with the United States over the real property comprising the Veterans' Administration Center, Fort Harrison, Mont. The cession would be effective upon acceptance by that State.

Exclusive Federal jurisdiction has created difficulty in obtaining certain services adjunct to operation of the center. Local authorities have furnished various services even though there has been doubt expressed as to the legality of actions taken. For example, on one occasion it was necessary for a local deputy sheriff to come to the center to disarm a former patient who had returned to the center armed, threatening several employees. On another occasion a patient in the center apparently committed suicide and it became necessary to hold an inquest. The local authority held the inquest as a matter of courtesy, although expressing doubts as to its authority. The bill would remove that doubt by providing concurrent jurisdiction and authority in such cases.

The director of the center has advised that the matter has been discussed at the local level with the Federal Bureau of Investigation, the U.S. attorney, the county attorney, county sheriff, and judges of the State court. All recommend concurrent jurisdiction.

Exclusive jurisdiction over the Fort William Harrison military reservation vested in the United States under the Montana General Act of Cession of February 14, 1891. Beginning April 29, 1922, the hospital on the reservation was operated by the then Veterans Bureau and later by the Veterans' Administration. On November 14, 1946, the then Secretary of War formally transferred approximately 180 acres of the reservation to the Veterans' Administration under the provisions of the act of June 22, 1944 (Public Law 346, 78th Cong.), as amended. The Veterans' Administration Center, which is composed of a regional office and a general medical and surgical hospital, is located on such acreage.

There would be no cost insofar as Federal expenditures are involved by the approval of this proposal.

BILL PASSED OVER

The bill (S. 1857) to authorize appropriations for activities of the National Science Foundation pursuant to Public Law 87–507, as amended, was announced as next in order.

Mr. MANSFIELD. Over.

The VICE PRESIDENT. The bill will be passed over.

CLEAN AIR ACT AMENDMENTS OF 1969

The Senate proceeded to consider the bill (S. 2276) to extend for 1 year the authorization for research relating to fuels and vehicles under the provisions of the Clean Air Act.

Mr. RANDOLPH. Mr. President, S. 2276, the pending measure, amends the Clean Air Act, as amended, and would extend for 1 year the authorization for research relating to fuels and vehicles at the current level of $90,000,000.

Mr. President, with the passage of the Air Quality Act of 1967, this Nation entered a new phase in the national effort to control and abate air pollution. In that legislation the Congress set forth a blueprint for a truly systematic effort to deal with the long-term threat of air pollution to public health and welfare.

The Department of Health, Education, and Welfare, the lead agency in this effort, has made substantial progress in implementing the provisions of the Air Quality Act. It was gratifying to note that Secretary Finch, as one of his first official tasks, issued air quality criteria, summarizing available medical and scientific knowledge on the effects on public health and welfare of two air contaminants—sulfur oxides and particulates. At the same time he also issued reports on the control techniques applicable to these atmospheric contaminants.

Thus, the stage has been set for the States to adopt regional air quality standards for sulfur oxides and particulate matter. In the next several months

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State governments will begin adopting standards and plans for implementing sulfur oxides and particulate standards, in accordance with the provisions of the Air Quality Act of 1967.

Initial attention will be devoted to the air quality control regions designated by the Secretary of Health, Education, and Welfare. He has already designated several of the Nation's largest metropolitan areas, and is expected to designate 32 such regions before the end of the year and an additional 25 by the summer of 1970.

The total population of these 57 regions is 97 million persons, or 70 percent of the Nation's urban population. All 50 States are represented, as well as the District of Columbia, Puerto Rico, and the Virgin Islands.

Once criteria and control data for a contaminant or group of contaminants are issued and an air quality control region is designated, the States represented have 90 days to signify their intent to set air quality standards for that contaminant and the designated area. They then have 180 days to hold public hearings and adopt standards, and another 180 days to adopt plans and schedules to implement and enforce these standards.

The objective of the Air Quality Act of 1967 clearly is to promote and encourage public participation in the development of public policies and air quality standards geared to the regional nature of air pollution problems. Whether or not the Air Quality Act is successful depends upon the degree of commitment and cooperation the Federal Government receives from State and local government, from industry, and from the taxpayer and citizen. As the knowledgeable junior Senator from Maine (Mr. MUSKIE), chairman of the Subcommittee on Air and Water Pollution, so eloquently stated at the New England Conference on Air Pollution:

> If the public welfare becomes in the future as it has so often been in the past, the concern on a daily basis of only those who are elected to public office or who hold appointive office in government, then we can indeed be concerned about the future of participatory politics in the American system.

Once public policies are established which reflect desired air qualities in terms of health, comfort, convenience, cleanliness, and beauty, they must be implemented. To do so requires control methods adequate to meet long-term needs. Current control technologies are insufficient to meet these long-term needs. Therefore, new and improved methods must be developed to insure the maintenance, and, where necessary or desirable, the enhancement of existing air quality.

Section 104 of the Air Pollution Act of 1967 is designed to meet this insufficiency by providing for research and development activities into new and improved methods for the prevention and control of air pollution resulting from the combustion of fuels.

Significant advancements have been made in the implementation of these research and development activities. System studies have been conducted to define needed research and development to cope with stationary sources. These activities should now be expanded into motor vehicle research and development to reduce emissions which account for over 60 percent of the current air pollution. Such activities should be designed to encourage industry to reduce the emissions from internal combustion engines, as well as to develop alternative methods of propulsion.

While program advances are encouraging, the committee is concerned about the inadequacies in funding. For the purpose of carrying out the provisions of section 104, the Congress authorized $35 million for fiscal year 1968 and $90 million for fiscal year 1969. Unfortunately, programs and activities carried out under section 104 provisions have not been adequately funded, with approximately $9 million and $14 million have been expended for fiscal years 1968 and 1969, respectively.

The effect has been to delay severely the development of much needed control technologies. A typical example is the area of sulfur oxides control. The study of sulfur oxide control methods, developed with the assistance of the Stanford Research Institute, entitled "Sulfur Oxides Pollution Control, Federal Research and Development Planning and Programing, 1968–72," indicates that if the development of sulfur oxide control methods is to be phased to meet the abatement and control needs of the country in 5 years then Federal appropriations for this purpose should have been $41 million and $56 million for fiscal years 1969 and 1970. Yet the appropriation for all purposes was $23 million or $74 million short of meeting the need regarding sulfur oxides alone.

This failure, however, is not due solely to Government lethargy. The testimony of industry, in particular the electric utilities, coal and oil industries, on the Air Quality Act of 1967 indicated a desire to participate in joint Government-industry efforts in control technology development. To this end the Congress enacted section 104 of the Air Quality Act of 1967, the authorization of which would be extended by S. 2276 through fiscal year 1970.

This section contains two special features not contained in section 103, the general research provisions. First, funds made available under section 104 would remain available until expended. This flexibility is useful in the planning and scheduling of research and development and demonstration projects which may extend beyond the end of a fiscal year. Second, section 104 authorizes supporting projects which involve construction and installation of pollution control equipment on private property for the purpose of testing.

Section 104 is useful to both Government and industry, yet, it has been inadequately funded to meet the need defined by the Congress.

If private industry is truly interested in participating in this program, we have a right to expect more effective support for and interest in the provisions of section 104 of the Air Quality Act of 1969. The pending bill, S. 2276, provides for continuation of all of these vital activities for 1 year. The measure extends section 104 authorization through fiscal year 1970 at the currently authorized level of expenditure, $90 million, and is vital to the continuance of these joint Government-industry activities.

Later this year the committee will consider extending authorizations for all sections of the Air Quality Act beyond fiscal year 1970. The authorization for other than section 104 through fiscal year 1970 is provided for in current statutes.

At this time, as chairman of the Committee on Public Works, and on behalf of the committee's members, I recommend enactment of S. 2276.

Mr. COOPER. Mr. President, I am glad to join with Senator RANDOLPH, chairman of the Committee on Public Works, on which I serve as ranking minority member, in urging adoption by the Senate of S. 2276, to extend certain research provisions of the Clean Air Act.

Great and urgent environmental problems face this and other nations. The problems are real and we must look now to the development of adequate remedies. The bill before the Senate today represents a small portion of a legislative program designed to reverse the trend of deteriorating air quality. It is a simple extension for 1 fiscal year of research authority to continue this authorization through fiscal year 1970, when all the authorizations of the Air Quality Act are subject to review and reauthorization.

Although this bill is a simple extension of existing authority, it does illustrate a difficulty in developing control methods and techniques at a time when air pollution continues to increase. I refer to the gap between authorization and appropriation for the pollution control efforts.

Section 104 of the Clean Air Act, proposed to be extended by S. 2276, authorized for fiscal 1968 and 1969 appropriations, not to exceed $125 million. However, in those 2 years only $23 million has been appropriated for research into fuels combustion under section 104—less than one-fifth of the authorized amount. I urge the Senate to consider this fact as they pass upon this bill and, more importantly, when the several appropriation bills relating to environmental quality reach the Senate floor.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 286), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

I. GENERAL STATEMENT

With the passage of the Air Quality Act of 1967, this Nation entered a new phase in the national effort to control and abate air pollution. In that legislation the Congress set forth a blueprint for a truly systematic effort to deal with the long-term threat of air pollution to public health and welfare.

The Department of Health, Education, and Welfare, the lead agency in this effort, has made substantial progress in implementing the provisions of the Air Quality Act. It was gratifying to note that Secretary Finch, as one of his first official tasks, issued air quality criteria, summarizing available medical

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and scientific knowledge on the effects on public health and welfare of two air contaminants—sulfur oxides and particulates. At the same time he also issued reports on the control techniques applicable to these atmospheric contaminants.

Thus, the stage has been set for the States to adopt regional air quality standards for sulfur oxides and particulate matter. In the next several months State governments will begin adopting standards for sulfur oxides and particulate and plans for their implementation in accordance with the provisions of the Air Quality Act of 1967.

Initial attention have been devoted to the air quality control regions designated by the Secretary of Health, Education, and Welfare. He has already designated several of the Nation's largest metropolitan areas, and is expected to designate 32 such regions before the end of the year and an additional 25 by the summer of 1970.

The total population of these 57 regions is 97 million persons, or 70 percent of the Nation's urban population. All 50 States are represented, as well as the District of Columbia, Puerto Rico, and the Virgin Islands.

Once criteria and control data for a contaminant or group of contaminants are issued and an air quality control region is designated, the States represented have 90 days to signify their intent to set air quality standards for that contaminant and the designated area. They then have 180 days to hold public hearings and adopt standards, and another 180 days to adopt plans and schedules to implement and enforce these standards and requisite emission standards.

The success of this approach is contingent on the development of control technologies adequate to achieve established standards within a reasonable time. The report entitled "Control Techniques for Sulfur Oxide Air Pollutants" represents a vital, integral part in a program designed to assist the States. The report, however, reflects current control technologies which are insufficient to meet long-term needs. Therefore, new and improved methods must be developed to insure the maintenance and, where necessary or desirable, the enhancement of existing air quality.

Section 104 of the Air Quality Act of 1967 is designed to meet this objective and provides for research and development activities into new and improved methods for the prevention and control of air pollution resulting from the combustion of fuels. Much of this research could be accomplished under section 103, but there are two special features in section 104.

First, funds made available under section 104 can remain available until expended. This flexibility is useful in the planning and scheduling of research and development and demonstration projects which may extend beyond the end of a fiscal year.

Second, section 104 defines a legal basis for supporting projects involving construction and installation of pollution control equipment on private property for the purpose of testing. This is very useful since industrial plants often are the best possible sites for making a realistic evaluation of the economic and technological feasibility of new processes for the control of problems such as sulfur oxides pollution.

For this purpose the Congress authorized $35 million for fiscal year 1968 and $90 million for fiscal year 1969. Unfortunately, programs and activities carried out under section 104 provisions have not been adequately funded, with approximately $9 million and $14 million having been expended for fiscal years 1968 and 1969, respectively. This is considerably less than the $225 million authorization, for the same period, which passed the Senate unanimously on July 18, 1967, and the $125 million authorization contained in the act.

Despite inadequacies in funding, the National Air Pollution Control Administration has moved forward in a concerted effort to improve air pollution control technology. Programs to develop the large-scale equipment studies necessary to firmly evaluate first-generation processes for control of pollution from combustion have been given continued high priority, and programs to develop new processes have been expanded to give increased attention to pollutants other than sulfur oxides originating from combustion of fuels.

The committee is encouraged by the increased emphasis being devoted to systems studies to provide better definition of the research and development needed to cope with any major segment of the air pollution problem presented by stationary sources.

These studies include:

(1) Industrywide surveys of basic industries such as primary smelters, pulp and paper, iron and steel, etc. In all these surveys, combustion processes will be given special attention.

(2) Devise oriented studies to assess problems that must be solved to permit wider application of electrostatic precipitators, fabric filters, scrubbers, and afterburners.

(3) Pollutant oriented studies to provide better definition of the relative contributions of and control problems associated with important pollutants such as nitrogen oxides, particulates, and odors on a nationwide basis.

The study of sulfur oxide control methods, developed with the assistance of the Stanford Research Institute, entitled "Sulfur Oxides Pollution Control, Federal Research and Development Planning and Programing, 1968–72," was impressive. This report should prove an invaluable assistance in the development of control technologies for sulfur oxides.

All these systems studies involve certain common characteristics, whether they are pollutant oriented, device oriented, or industry oriented. In all, the intent is to accumulate the best possible data to provide a broad base of information that can be used by any groups interested in analysis of any segment of the problems. The availability of such information will eliminate the need for considerable duplication of effort.

These plans and similar plans and programs are needed for other problem areas. For example, national research and development plans should be developed to control nitrogen oxides emissions, to control particulate materials that are so small they elude current control efforts, and to reduce the emissions from moving sources such as automobiles, buses, trucks, ships, and airplanes.

The committee believes that increased emphasis is needed on motor vehicle research. Motor vehicles contribute to the general levels of noise in urban areas, as well as, 60 percent of the atmospheric pollution. A balanced research and development program is needed on alternatives to the internal combustion engine; a program which stimulates industry to more rapidly develop low-pollution vehicles.

This bill, S. 2276, provides for continuation of all of these vital activities. The bill extends section 104 authorization through fiscal year 1970 at the currently authorized level of expenditure, and is vital to the continuance of these joint Government-industry activities. Passage of this legislation is a necessity. Later this year the committee will look to extending authorizations for all sections of the Air Quality Act beyond fiscal year 1970. The authorization for other than section 104 through fiscal year 1970 is provided for in current statutes.

II. NEED FOR LEGISLATION

The successful implementation of this national effort to control and abate air pollution depends on the development of adequate control technology. Adequate control technology is necessary not only to reduce the atmospheric emissions from existing sources, but also to counteract the increasing number of new sources.

There is already knowledge to reduce air pollution by a significant degree, but there are many control problems for which long-term solutions do not exist. In particular, the effective control of air pollution emissions from motor vehicles and sulfur oxides pollution from the combustion of fossil fuels will require intensive research and development over the next several years. Section 104 of the Air Quality Act of 1967 is designed to meet these needs.

This section directs the Secretary of Health, Education, and Welfare to—

(1) Conduct and accelerate research programs directed toward development of improved, low-cost techniques for control of combustion byproducts of fuels, for removal of potential pollutants from fuels, and for control of emissions from evaporation of fuels;

(2) Provide for Federal grants or contract with public or private agencies, institutions, or persons for (A) part of the cost of acquiring, constructing, or otherwise securing for research and development purposes, new or improved devices or methods having industrywide application of preventing or controlling discharges into the air of various types of pollutants; and (B) carrying out the other provisions of this section, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5);

(3) Determine, by laboratory and pilot plant testing, the results of air pollution research and studies in order to develop new or improved processes and plant designs to the point where they can be demonstrated on a large and practical scale;

(4) Construct, operate, and maintain, or participate in the construction, operation, and maintenance of new or improved demonstration plants or processes which have promise of accomplishing the purposes of this act;

(5) Study new or improved methods for the recovery and marketing of commercially valuable byproducts resulting from the removal of pollutions; and

(6) Establish technical advisory committees composed of recognized experts in various aspects of air pollution and its control to assist in the examination and evaluation of research progress and of all research proposals and contracts and to insure the avoidance of duplication of research.

For this purpose the Congress authorized $35 million for fiscal year 1968 and $90 million for fiscal year 1969, with the appropriated sums for section 104 to remain available until expended. In this way projects initiated for more than 1-year terms would be assured of continuing support. However, the authorization for the research and development activities under section 104 expire at the end of fiscal year 1969.

Among all the provisions of the Clean Air Act, section 104 most clearly reflects the Nation's pressing need for practical solutions to the very serious air pollution problems associated with fuel combustion and motor vehicles. This section also reflects the need for involvement of the private sector in the search for solutions to these complex problems. Section 104 provides authorities contained nowhere else in the Clean Air Act.

First, funds appropriated under section 104 remain available until expended. This flexibility is important in the planning and operation of large-scale research and development projects. Permitting funds to be carried over from one year to the next allows the National Air Pollution Control Administration to select the most promising projects and the best qualified contractors and grantees and to initiate projects at the times most advantageous to the Government.

Second, section 104 allows for the construction and testing of demonstration control equipment on private property. The consequence is to ease the legal problems

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associated with supporting large-scale development and demonstration projects involving construction on private property. The construction and operation of demonstration plants at industrial sites is often the best means of making a realistic evaluation of the economic and technical feasibility of new processes, for example, sulfur oxides control methods. Two such projects are scheduled to get underway in fiscal 1970.

For these reasons it is important that the funding under section 104 be uninterrupted, as provided for in S. 2276.

REVIEW OF PROGRAM ACCOMPLISHMENTS

Despite inadequacies in funding, the administration has moved forward in implementing the provisions of section 104. A description of these activities has been provided by the Secretary of Health, Education, and Welfare to the Congress in two reports entitled "Progress in the Prevention and Control of Air Pollution," on June 28, 1968 (S. Doc. 90–22), and March 4, 1969 (S. Doc. 91–11).

The National Air Pollution Control Administration's research and development program for dealing with stationary sources consists of a three-pronged attack:

1. The development of systems and processes to control specific pollutants; for example, sulfur oxides, nitrogen oxides, and particulates.

2. Systems surveys to define the pollution problems of specific industries and to cooperatively develop control approaches for these industries; for example, primary smelters, pulp and paper manufacturers, and waste disposal plants.

3. The continuous development of new and improved control devices for use in the various control systems.

In achieving these goals the NAPCA has moved forward in a number of areas. An outline of these areas is presented below. Details are given in the two progress reports cited earlier.

I. Control of Sulfur Oxide Pollution:
A. Removal of sulfur from coal.
1. Coal washing studies.
B. Removal of sulfur from fuel oil.
C. Removal of sulfur from flue gas:
1. Limestone-injection process.
2. Alkalized alumina process.
D. New process development:
1. Aqueous scrubbing.
2. Solid metal oxides.
3. Inorganic liquids.
4. Organic liquids.
5. Inorganic solids excluding metal oxides.
6. Organic solids.
7. Catalytic oxidation to sulfuric acid.
8. Reduction to sulfur.
9. Physical methods of separation.
II. Control of nitrogen oxides pollution.
III. Control of particulate pollution.
IV. Control of pollution from specific industries.
V. Control of pollution from solid waste disposal.
VI. Control device improvement studies.

Of these areas, two deserve particular attention: The first is fuel combustion research; the second is motor vehicle research and development.

FUEL COMBUSTION RESEARCH AND DEVELOPMENT

Efforts to develop and demonstrate techniques for the prevention and control of sulfur oxides pollution constitute a major part of the National Air Pollution Control Administration's research and development on air pollution problems arising from fuel combustion.

Over the past 2 years, NAPCA has completed the development of a comprehensive 5-year plan for sulfur oxides research and development and has moved ahead on implementation of the plan to the extent permitted by available funds. Thus, NAPCA is now managing a national program involving the participation of several other Federal agencies and more than 70 groups in the private sector and in universities. The program also includes cooperative activities with organizations in several foreign countries.

This program encompasses basic and applied research, laboratory testing, studies of economic and technical feasibility, and pilot-plant and prototype testing of sulfux oxides control techniques. NAPCA is placing increasing emphasis on full-scale prototype testing of techniques which have reached advanced stages of development. A substantial portion of the program is supported by NAPCA contracts with non-Federal organizations, but it is expected that projects involving cost sharing by industry will account for an increasing share of the program in the months and years ahead, particularly in the area of prototype testing.

The development and demonstration of techniques for removing sulfur oxides from combustion gases represent one of the principal work areas of the program. Availability of such techniques would help to pave the way for achieving effective control of sulfur oxides pollution without imposing widespread restrictions on fuel use. NAPCA has initiated work leading to full-scale prototype testing of limestone injection processes, which potentially are applicable to many existing steam-electric powerplants. Prototype testing of the dry limestone process is scheduled to begin in fiscal 1970 at a Tennessee Valley Authority plant. A site for testing of the limestone injection-and-wet scrubbing process has not been selected as yet. Agreements regarding the handling of proprietary information have been negotiated to pave the way for evaluation of flue-gas treatment processes developed by Wellman-Lord and the Monsanto Co.

Also with respect to flue-gas treatment, NAPCA has begun work on techniques that previously have not been applied to the control of air pollution but have potential for such application. Emphasis in this work is being placed on techniques that would permit recovery of sulfur byproducts. NAPCA already has initiated work on design of a small pilot plant for testing of one such process—the molten carbonate process; construction of the pilot plant is scheduled to begin in fiscal 1970. Early initiation of work on three other new processes is under consideration.

The application of techniques for removing sulfur from fuels before they are burned offers another satisfactory way of dealing with the sulfur oxides problem. In the past 2 years, in cooperation with the Bureau of Mines and other organizations, NAPCA has initiated studies of the extent to which sulfur can be removed from coals mined in various parts of the country, and in fiscal 1969, two studies were initiated to establish design parameters for prototype sulfur-removal plants.

The amount of coal lost when sulfur-containing pyrites are removed from coal constitutes an economic limitation on the extent to which sulfur can be removed. A process that would permit burning of the pyrite-coal mixtures to produce heat and sulfur byproducts is being inevstigated by NAPCA as an approach to maximizing the extent to which coal can be economically desulfurized.

Exploration of new combustion processes that might drastically reduce the release of sulfur oxides is an important part of NAPCA's program. One of the most promising of such processes is fluidized bed combustion. The Bureau of Mines has been evaluating the basic technology of fluidized bed combustion. NAPCA's efforts are focused on evaluating its potential for sulfur-oxides reduction. NAPCA's work on this process includes cooperative activity with several foreign groups; just recently an agreement was reached with the National Coal Board of Great Britain for exchanges of information on fluidized bed combustion.

New energy conversion techniques offer still another approach to dealing with the sulfur oxides problem. NAPCA is beginning to explore the extent to which such techniques, possibly coupled with fuel conversion-desulfurization processes, can make a contribution to future implementation of sulfur oxides control programs.

Motor vehicle research and development

The National Air Pollution Control Administration has initiated development of a comprehensive 5-year plan for research and development on motor vehicle pollution control. This plan will define specific goals and outline alternative pathways toward those goals. It will encompass not only NAPCA's research and development activities but also the related work of other Federal agencies. In addition, it will define the relationship between Federal and industry research and development work on the motor vehicle pollution problem.

Over the past 2 years, NAPCA has initiated or intensified its research and development on many aspects of motor vehicle pollution control. Areas in which significant new or intensified activity is underway include advanced control systems applicable to carbon monoxide and hydrocarbon emissions from internal combustion engines; nitrogen oxides control systems; techniques for controlling emissions of particulate matter, particularly lead; alternative fuels for internal combustion engines; nature and control of diesel odors; and unconventional engines for use in passenger cars.

Examples of specific projects initiated under section 104 include:

1. A cooperative project with the National Aeronautics and Space Administration to develop a thermal afterburner for the control of carbon monoxide and hydrocarbon emissions. The project takes advantage of NASA's experience in the development and use of materials capable of withstanding extremely high temperatures. Progress in this work has a direct bearing on the technical feasibility of compliance with increasingly stringent emission standards for motor vehicles.

2. Two projects to test the feasibility of first-generation, exhaust-gas recirculation devices for the control of nitrogen oxides emissions. A demonstration grant has been awarded to the State of California to support road testing of one type of device. Tests of another type are underway in NAPCA's own laboratories; this one was developed by Esso Research and Engineering under a contract with NAPCA. NAPCA also has initiated studies of the potential value of catalytic afterburners for control of nitrogen oxides emissions and of ways to minimize nitrogen oxides formation in designing engines.

3. Particulate matter emitted from motor vehicles includes lead, smoke, and polynuclear hydrocarbons. Fuel modification may be the most direct way to reduce or eliminate lead emissions, but NAPCA also is exploring the potential value of devices that would remove all types of particulate matter from automobile exhaust gases. NAPCA has established specifications for acceptable devices and, following review of various proposals, is negotiating a research and development contract in this area. This project will be the first step in a 3- to 4-year program of laboratory work, prototype hardware development, and on-the-road demonstrations.

4. NAPCA is participating in a 3-year, Government-industry research program to develop new knowledge of factors that have a bearing on the nature, effects, and control of motor vehicle pollution. This program is sponsored by the Coordinating Research Council; the other participants are the Automobile Manufacturers Association and the American Petroleum Institute. NAPCA pro-

vides funding for selected projects on the basis of their relationship to its own program. Projects for which NAPCA is contributing funds include studies of fuel volatility, gasoline additives, diesel odor composition, urban driving patterns, and maintenance of exhaust control systems.

5. NAPCA is contributing to the support of research by the Bureau of Mines on the relationship of fuel composition to total emissions from gasoline-fueled engines and the photochemical reactivity of such emissions. This work includes studies of fuel-emission relationships in both gasoline-fueled and diesel engines.

6. NAPCA's efforts relating to unconventional engines began more than 2 years ago with contract-supported studies to evaluate the potential of a variety of possible propulsion systems for motor vehicles. These studies identified the Rankine-cycle (steam) engine as one of the most promising. Accordingly, NAPCA currently is negotiating a contract for the development of a conceptual design of a Rankine-cycle engine intended specifically for use in passenger cars.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2276

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 104(c) of the Clean Air Act is amended by striking out "the fiscal year ending June 30, 1969" and inserting in lieu thereof "each of the fiscal years ending June 30, 1969, and June 30, 1970".

TO AMEND THE DISTRICT OF COLUMBIA BAIL AGENCY ACT

The Senate proceeded to consider the bill (S. 545) to amend section 9 of the District of Columbia Bail Agency Act which had been reported from the Committee on the District of Columbia, with an amendment, strike out all after the enacting clause and insert:

That section 4 of the District of Columbia Bail Agency Act (80 Stat. 327) is amended by adding at the end thereof the following new subsections:

"(g) The Agency shall assume the responsibility for supervising all persons released on nonsurety release, including but not limited to, release on personal recognizance, personal bond, other nonfinancial conditions, cash deposit with the registry of the court or percentage deposit with the registry of the court, and shall receive written notice of such releases from and by the appropriate court. Such supervision may include but not be limited to that necessary to maintain adequate contact with the release to insure notification as provided in subsection (h) of this section and compliance with other conditions of release, and the Agency shall report where applicable noncompliance with such other conditions of release to the appropriate court.

"(h) The Agency shall assume the responsibility for notifying all persons released on nonsurety releases, including but not limited to, release on personal recognizance, personal bond, other nonfinancial conditions, cash deposit with the registry of the court or percentage deposit with the registry of the court, of their next required court appearance date which shall be made available to the Agency within a reasonable time not less than five working days prior to such appearance date by the court having the responsibility for the next required court appearance date. In addition to the above this section shall apply to those persons indicted as Grand Jury Originals for whom no release condition has yet been determined."

SEC. 2. Section 9 of the District of Columbia Bail Agency Act is amended by deleting "$130,000" and inserting in lieu thereof "$360,000".

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill to amend the District of Columbia Bail Agency Act (80 Stat. 327)."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–287), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to require the District of Columbia Bail Agency to supervise criminal defendants released under the Bail Agency Act to insure that they conform to the conditions of their release and actually appear for trial. In addition, the bill requires courts in the District of Columbia to notify the Bail Agency when defendants are released and whenever a court appearance date is set for such a defendant. The bill would increase the Bail Agency's authorization from the present $130,000 per year to $360,000 a year in order to provide sufficient personnel to carry out the purposes of that act and this bill.

BACKGROUND OF THE LEGISLATION

S. 545 would fill a critical gap in the District of Columbia Bail Agency procedures. The District of Columbia Bail Agency was created in 1966 to prepare prebail reports to any judicial officer in the District concerning defendants seeking release under nonmoney bail conditions.

Presently, however, the agency has no authority to supervise anyone who is actually released subsequent to such a report. As it now stands in the District, no one is required to follow up on defendants on nonfinancial pretrial release to assure they conform to the release conditions imposed by the judge, or even that they show up for trial.

S. 545 would help remedy this gap. It would increase from $130,000 to $360,000 the authorization for employing bail agency personnel. The present bail agency staff of 15 includes 10 field workers. This bill would permit, as funds were appropriated, adequate increases in the Agency staff to meet the new requirements imposed by this bill.

S. 545 would require the Bail Agency to supervise all persons released under the Bail Act to assure they conform to the conditions of their release and appear for trial. Last year, about 3,800 defendants were released on nonmoney bail. These are the defendants this bill authorizes the Bail Agency to supervise.

COMMITTEE AMENDMENT

As introduced, S. 545 merely increases the Agency authorization from $130,000 to $360,000. The hearing adduced the need for a substantive amendment which the committee has made to the Bail Act to authorize the Agency to use the additional funds for post release supervision of defendants prior to trial.

PROHIBITING THE BUSINESS OF DEBT ADJUSTING IN THE DISTRICT OF COLUMBIA

The bill (S. 1458) to prohibit the business of debt adjusting in the District of Columbia except as an incident to the lawful practice of law or as an activity engaged in by a nonprofit corporation or association was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1458

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, as used in this Act, the term—

(1) "Debt adjusting" means an activity whether referred to by the term "budget counseling", "budget planning", budget service", "credit advising", "debt adjusting", "debt counseling", "debt help", "financial adjusting", "financial arranging", "prorating", or some other term of like import, which involves a particular debtor's entering into an express or implied contract whereby the debtor agrees to pay an amount or amounts of money periodically or otherwise to a person who agrees, for a consideration, to distribute such money among specified creditors in accordance with a plan agreed upon between the debtor and the person to whom the debtor makes or agrees to make such payments.

(2) "Person" does not include an individual admitted to the bar of the United States District Court for the District of Columbia.

(3) "Partnership" does not include a partnership all the members of which are admitted to the bar of the United States District Court for the District of Columbia.

SEC. 2. Except as provided in section 3, no person, partnership, association, or corporation shall engage in the business of debt adjusting in the District of Columbia.

SEC. 3. The provisions of this Act shall not apply to those situations involving debt adjusting incurred incidentally in the lawful practice of law in the District of Columbia nor shall anything in this Act be construed to apply to any nonprofit or charitable corporation or association which engages in debt adjusting even though the nonprofit corporation or association may charge and collect nominal sums as reimbursement for expenses in connection with such services.

SEC. 4. (a) Whoever violates section 2 of this Act shall be subject to a fine of not more than $1,000 and to imprisonment for not more than six months, or to both.

(b) Prosecutions for violations of this Act shall be conducted in the name of the District of Columbia by the Corporation Counsel or any of his assistants.

Mr. MANSFIED. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–288), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of S. 1458 is to prohibit the business of "debt adjusting" in the District of Columbia.

The business of debt adjusting, also known by several other names, involves an agreement by a debtor to pay money periodically to the adjuster who agrees in return for a fee paid by the debtor to apportion the money among the creditors of his client. The adjuster does not advance or lend money to the debtor.

This bill is identical to S. 1739, passed by the Senate July 19, 1968.

HEARINGS

Public hearings on this legislation were held by the Subcommittee on Business and Commerce on August 25, 1967, and February 1, 1969.

NEED FOR THE LEGISLATION

A series of articles appearing in the Washington Star in 1967 called attention to the deceptive commercial practices of many so-called debt consolidators in the Washington area.

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Debt adjusters persuade debtors to refrain from making direct payments to their creditors and instead to make payments to the adjuster. They, in turn, pay the creditors but only after taking a substantial premium from the debtor's payments. The debtor receives no real benefit from this arrangement. Instead he adds a new creditor—the adjuster—to an overwhelming list of his creditors.

Debt consolidation has nothing in common with moneylending institutions or credit-counseling services. A debt adjuster lends no money; he only takes it. In the process, he may mislead the harried debtor into believing that his creditors will all be repaid at once.

As a result of its hearings on S. 1458, the committee has concluded that the business of debt adjusting should be prohibited in the District of Columbia. Several facts have influenced the committee to reach this result:

1. The fee charged by the adjuster for his services, which may be 10 or 12 percent of each payment in addition to an initial conference fee, adds to the financial burden of the debtor and thereby postpones the day when the client will be debt-free.

2. The benefits to the debtor from using a debt adjuster are questionable. Debt adjusters do not lend money, nor do they stop the imposition of finance charges by paying off the creditors immediately. Most debt consolidators do not make any attempt to counsel their clients or set up budgets for them. It is sometimes the case that the adjusters do not assure that the debt payment plan they devise will meet the demands of the creditors or leave the debtors enough money on which to live.

3. By promising quick results that cannot be attained, debt adjusters deter debtors from seeking the financial counseling they need. The committee was informed that in many situations debtors need counseling and assistance in setting up a budget more than they need prorating of outstanding debts. The adjuster charges a fee based on his prorating activity, so it follows that many adjusters concern themselves only with this aspect of the task of helping the clients climb out of debt.

4. Deceptive advertising is often used to obtain clients. Copies of newspaper advertisements presented to the committee imply incorrectly that the consolidator would pay off the debtor's bills immediately and collect from the debtor in small installments. Significantly, these advertisements often fail to specify the total number of installments, the amount of the service charge, or the portion of each installment that would be applied to the outstanding debts. The potential client sees only a quick and easy way out of debt through payment of one weekly installment.

Witnesses representing the debt adjusting business testified that they favored regulation of the industry to eliminate some objectionable features and to control other practices. They testified that in the 10 States where the debt adjusting business is regulated, adjusters perfom a useful public service free from sharp dealing and corrupt practices.

The committee believes that simple regulation of debt adjusting cannot adequately protect the public. To be effective, regulation would require detailed and constant auditing of accounts of the numerous small debtors doing business with the adjusters. Moreover, the committee does not believe that debt consolidators offer any useful service that should be fostered by the official approval implied by regulation.

The practices of the debt-adjusting business have proved to be of sufficient concern in other parts of the country that it has been prohibited in 25 States, including Maryland and Virginia, and the city of Baltimore, and regulated in 10 other States.

PROVISIONS OF THE BILL

The first section of S. 1458 defines the term "debt adjusting" and other terms sometimes used for this activity. This section excludes attorneys and law partnerships from the definition in accordance with the provisions of section 3.

Section 2 prohibits the business of debt adjusting in the District of Columbia, except as provided in section 3.

Section 3 excludes from the prohibition those situations involving debt adjusting incurred incidentally in the lawful practice of law in the District.

The committee believes that debtors finding themselves in situations approaching insolvency often need legal assistance to marshal assets and to advise them on the legality of various claims, legal remedies governing the debtor-creditor relationship, and the applicability of the Bankruptcy Act.

Section 3 also provides that the act shall not apply to debt adjusting services performed by nonprofit or charitable organizations, even though the organization may charge nominal amounts as reimbursement for expenses.

In many States where the debt adjusting business is prohibited, private or public nonprofit agencies provide needed counseling to debtors who encounter difficulty in meeting their obligations. The committee was impressed by testimony concerning the successful operation of the Consumer Credit Counseling Service of Greater Baltimore, Inc., which is a nonprofit counseling service in that city. The Baltimore service is supported by contributions from finance companies, banks, credit unions, merchants, savings and loan companies, and other community-minded companies and individuals. Its policies are established and directed by a board of trustees representing broad community inter ests and diversified business and professional backgrounds.

The committee believes that counseling, as performed by the Baltimore organization, and to some extent in Washington by the Community Services Committee of the Central Labor Council and other nonprofit groups, can be a valuable service that could aid consumers who have gotten into trouble. The committee believes that such nonprofit service is useful to debtors seeking advice on how to manage their debts, without increasing them further.

Section 4 makes a violation of the act a misdemeanor punishable by a fine of not more than $1,000, imprisonment for not more than 6 months, or both.

CONSTITUTIONALITY

The Supreme Court of the United States, in the case of *Ferguson* v. *Skrupa*, 372 U.S. 726 (1963) upheld the constitutionality of a similar statute enacted in Kansas. The Court decision upheld specifically the prohibition and the exception for lawyers contained in this bill.

CONCLUSION

The committee believes that the business of debt adjusting is of such a nature as to lend itself to grave abuses against distressed debtors. The committee did not find economic justification for the so-called service provided by professional debt adjusters.

Accordingly, the committee urges that S. 1458 be enacted.

THE NATIONAL CAPITAL TRANSPORTATION ACT OF 1969

The Senate proceeded to consider the bill S. 2185 to authorize a Federal contribution for the effectuation of a transit development program for the National Capital region, and to further the objectives of the National Capital Transportation Act of 1965 (79 Stat. 663) and Public Law 89–774 (80 Stat. 1324), which had been reported from the Committee on the District of Columbia, with amendments, on page 2, line 23, after the word "contributions" strike out "shall not exceed the lower amount of $1,047,044,000, or two-thirds of the net project cost of the adopted regional system less the $100,000,000 authorized to be appropriated in section 5(a)(1) of the Act of September 8, 1965 (Public Law 89–173; 79 Stat. 663)." and insert, "including the $100,000,000 authorized to be appropriated in section 5(a)(1) of the Act of September 8, 1965 (Public Law 89–173; 79 Stat. 663), shall not exceed the lower amount of $1,147,044,000, or two-thirds of the net project cost of the adopted regional system."; on page 5, line 23, after the word "Columbia" strike out "such amounts necessary" and insert "$166,500,000"; and on page 7, after line 8, insert a new section, as follows:

STUDY OF DULLES AIRPORT EXTENSION

SEC. 9. (a) The Secretary of the Department of Transportation is hereby authorized to contract with the Transit Authority for a comprehensive study of the feasibility, including preliminary engineering, of extending a transit line in the median of the Dulles Airport Road from the vicinity of Route 7 on the I–66 Route of the adopted regional system to the Dulles International Airport.

(b) The study to be undertaken pursuant to subsection (a) of this section shall be completed within six months after execution of the contract authorized therein at a cost not in excess of $150,000, and there is authorized to be appropriated not to exceed $150,000 to carry out the purposes of this section.

So as to make the bill read:

S. 2185

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. That this Act may be cited as the "National Capital Transportation Act of 1969".

DEFINITION

SEC. 2. For the purposes of this Act—

(a) "Transit Authority" means the Washington Metropolitan Area Transit Authority established by title III of the Washington Metropolitan Area Transit Regulation Compact (80 Stat. 1324).

(b) "Adopted Regional System" means that system described in the Transit Authority's report entitled "Adopted Regional Rapid Rail Transit Plan and Program, March 1, 1968 (Revised February 7, 1969)", as the same may hereafter be altered, revised, or amended in accordance with Public Law 89–774 (80 Stat. 1324).

AUTHORIZATION FOR FEDERAL CONTRIBUTIONS

SEC. 3. (a) In order to provide for the Federal share of the cost of the adopted regional system, which system supersedes that heretofore authorized by the Congress in the National Capital Transportation Act of 1965, as amended, the Secretary of the Department of Transportation is authorized to make annual contributions to the Transit Authority under this section in amounts sufficient to finance in part the construction of the adopted regional system by the Transit Authority: *Provided*, That the aggregate amount of such Federal contributions, including the $100,000,000 authorized to be appropriated in section 5(a)(1) of the Act of September 8, 1965 (Public Law 89–173: 79 Stat. 663), shall not exceed the lower amount of $1,147,044,000, or two-thirds of the net project cost of the adopted regional system.

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(b) Such Federal contributions shall be subject to the following limitations and conditions:

(1) The work for which appropriations are authorized herein shall be subject to the provisions of Public Law 89–774 and shall be carried out substantially in accordance with the plans and schedules for the adopted regional system.

(2) The aggregate amount of such Federal contributions on or prior to the last day of any given fiscal year shall be matched by the local participating governments by payment of the local share of capital contributions required for the period ending with the last day of such year in a total amount not less than 50 per centum of the amount of such Federal contributions.

Sec. 4. There is hereby authorized to be appropriated to the Department of Transportation, without fiscal year limitation, not to exceed $1,047,044,000 to carry out the purposes of this Act: *Provided*, That the appropriations authorized herein shall be in addition to the appropriations authorized in section 5(a)(1) of the National Capital Transportation Act of 1965 (79 Stat. 665).

CONSTRUCTION APPROVALS

Sec. 5. (a) No portion of any rail rapid transit line or related facility authorized hereunder shall be constructed within the United States Capitol Grounds except upon approval of the Commission for Extension of the United States Capitol.

(b) All construction pursuant to this Act in, on, under, or over public space in the District of Columbia under the jurisdiction of the Commissioner of the District of Columbia shall, in the interest of public convenience and safety, be performed in accordance with schedules agreed upon between the Transit Authority and the Commissioner of the District of Columbia, to the end that such construction work will be coordinated with other construction work in such public space, and the Commissioner shall so exercise his jurisdiction and control over such public space as to facilitate the Transit Authority's use and occupation thereof for the purposes of this Act.

REPAYMENT FROM EXCESS REVENUES

Sec. 6. To the extent that revenues or other receipts derived from or in connection with the ownership or operation of the adopted regional system (other than service payments under transit service agreements executed between the Transit Authority and local political subdivisions, the proceeds of bonds or other evidences of indebtedness; and capital contributions received by the Transit Authority), are excess to the amounts necessary to make all payments and deposits, including debt service, operating and maintenance expenses, and deposits in reserves, required or permitted by the terms of any contract of the Transit Authority with or for the benefit of holders of its bonds, notes, or other evidences of indebtedness issued for any purpose relating to the transit system, other than extensions thereof, two-thirds of such excess revenues shall, at the end of each fiscal year, beginning with the fiscal year in which the adopted regional system (exclusive of extensions) is first put into substantially full revenue service, be paid into the Treasury of the United States as miscellaneous receipts.

DISTRICT OF COLUMBIA AUTHORIZATIONS

Sec. 7. (a) To finance the District of Columbia share of the cost of the adopted regional system, the Commissioner of the District of Columbia is authorized to contract with the Transit Authority to make annual capital contributions under this section aggregating not to exceed $216,500,000, and there is hereby authorized to be appropriated out of the general fund of the District of Columbia $166,500,000 to carry out the purposes of this section, and to remain available until expended.

(b) Section 9–220(b)(3) of the District of Columbia Code is amended by striking the first clause of the last sentence and inserting in lieu thereof the following: "$216,500,000 of the principal amount of the loans authorized to be made to the Commissioner under this subsection shall be utilized to carry out the purposes of the National Capital Transportation Act of 1969: *Provided*, That the District of Columbia may exceed by an amount of not more than $166,500,000, the limitation on the aggregate indebtedness established pursuant to this Act;".

(c) The appropriations authorized in subsection (a) of this section shall be in addition to the appropriations authorized on behalf of the District of Columbia in section 5(a)(2) of the National Capital Transportation Act of 1965.

(d) The Commissioner of the District of Columbia is further authorized to contract with the Transit Authority for the service to be provided by the adopted regional system and to pay in accordance with the terms thereof the District of Columbia's share of any operating deficiency of the adopted regional system.

REPEAL AND AMENDMENT OF EXISTING LAWS

Sec. 8. (a) The following laws are repealed:

(1) The Act of December 20, 1967 (Public Law 90–220; 81 Stat. 670).

(2) Sections 3, 4, and 5(b) of the Act of September 8, 1965 (Public Law 89–173; 79 Stat. 664–666).

(3) The Act of July 14, 1960 (Public Law 86–669; 74 Stat. 537).

(b) Section 5(a) of the Act of September 8, 1965 (Public Law 89–173; 76 Stat. 665), is amended by striking the phrase "authorized in section 3 hereof" and inserting in lieu thereof the following: "of the adopted regional system".

STUDY OF DULLES AIRPORT EXTENSION

Sec. 9. (a) The Secretary of the Department of Transportation is hereby authorized to contract with the Transit Authority for a comprehensive study of the feasibility, including preliminary engineering, of extending a transit line in the median of the Dulles Airport Road from the vicinity of Route 7 on the I–66 Route of the adopted regional system to the Dulles International Airport.

(b) The study to be undertaken pursuant to subsection (a) of this section shall be completed within six months after execution of the contract authorized therein at a cost not in excess of $150,000, and there is authorized to be appropriated not to exceed $150,000 to carry out the purposes of this section.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 289), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record as follows:

SUMMARY AND PURPOSE OF BILL

The purpose of this bill, unanimously approved by your committee, is to authorize a Federal contribution for the effectuation of a Transit Development Program for the National Capital region, and to further the objectives of the National Capital Transportation Act of 1965 (79 Stat. 663) and Public Law 89–774 (80 Stat. 1324).

The bill would authorize the Secretary of the Department of Transportation to make annual contributions to the Washington Metropolitan Area Transit Authority to provide for the Federal share of the cost of the "Adopted Regional Rapid Rail Transit Plan and Program, March 1, 1968 (revised February 7, 1969)." The aggregate amount of the Federal contributions under the bill would be limited to the lower amount of $1,147,044,000 including $100 million authorized to be appropriated in the National Capital Transportation Act of 1965, or two-thirds of the net project cost of the adopted regional system.

BACKGROUND OF THE LEGISLATION

This legislation is the product of nearly two decades of congressional concern over oppressive traffic congestion and its negative effects on the physical character, economic growth, and social well-being of the Nation's Capital.

This concern has been in constant evidence since 1952 when the Congress approved the National Capital Planning Act authorizing studies of the transportation need of the National Capital region. Three years later, Congress approved and funded a half-million -dollar survey, the results of which recommended rapid rail transit facilities as an integral part of a balanced transportation system.

In 1960, with the results of that survey before it, the Congress enacted the National Capital Transportation Act of 1960 creating the National Capital Transportation Agency. In taking this action, however, the Congress indicated that the ultimate responsible body should be an interstate authority. Pending creation of the Washington Metropolitan Area Transit Authority, the National Capital Transportation Agency went ahead with plans for a rapid rail transit system. In 1962, the NCTA submitted a transit development program to President Kennedy. This program underwent substantial revision during the ensuing years and ultimately a 25 mile basic system was approved by Congress in 1965 along with authorization of $150 million of Federal and District of Columbia funds to initiate work on the system.

As NCTA pursued its responsibility for development of the rapid rail transit system authorized by Congress, representatives of Maryland, Virginia, the District of Columbia, and the Federal Government continued their efforts to create an interstate compact to establish a successor regional agency in accordance with the desire expressed by Congress in the National Capital Transportation Act of 1960. These efforts resulted, in 1966, in the creation of the Washington Metropolitan Area Transit Authority WMATA by interstate compact among Maryland, Virginia, and the District of Columbia with the consent of Congress. The newly created WMATA assumed the functions and duties—and most of the staff—of NCTA on October 1, 1967. By March 1, 1968, the WMATA had adopted a regional rapid rail transit plan and program with the concurrence of all of the local political subdivisions. The WMATA then embarked on a net income analysis and a preliminary engineering study of the plan adopted on March 1. On February 7, 1969, the WMATA adopted a slightly revised physical plan and a financial plan as a proposal to all of the interested governmental entities.

COMMITTEE HEARINGS AND PUBLIC REACTION TO THE PROGRAM

S. 2185 was introduced in the Senate on May 16, 1969, by Senator Joseph D. Tydings, for himself, Senators Bible, Eagleton, Goodell, Mathias, Prouty, and Spong, the entire membership of the Senate Committee on the District of Columbia. A companion bill, H.R. 11193, was introduced in the House of Representatives on May 13, 1969, by Congressman Fuqua for himself and nine other members of the House Committee on the District of Columbia. Joint hearings were held before both committees on June 10 and 11, 1969. Testimony was heard from the Deputy Director of the Bureau of the Budget, the Undersecretary, Department of Transporta-

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tion, the Commissioner of the District of Columbia, the Chairman of the Board of Directors of the Washington Metropolitan Area Transit Authority, representatives of the suburban transit commissions and of the Washington business community.

Supporting statements were filed by labor organizations, citizens groups, and representatives of local governments.

At an executive session of your committee on July 1, 1969, the bill won unanimous approval of all members of the committee, when it was ordered reported with amendments to the Senate.

It is your committee's belief that the joint hearings held by the Senate and House Committees on the District of Columbia, as well as the entire legislative history behind this project, demonstrate beyond doubt that the regional rapid rail transit plan and program has the overwhelming support of the Federal and District of Columbia governments. The local governments of the National Capital region have expressed their support of the program by committing themselves to millions of dollars both for the planning and the construction of the transit system. The people of the Washington metropolitan area have demonstrated their support of the program by voting overwhelmingly to tax themselves to bring rapid rail to the region.

URGENCY OF THE SITUATION

The streets and highways of the Nation's Capital and of the suburbs are beset by massive traffic congestion during the rush hours. The delays encountered in moving from home to work and back are becoming enormous. The statistics emphasize the magnitude of the problem. In 1960 this region had a population of some 2 million. By 1980 there will be 3.5 million, and by the year 2000, a population of some 5 million people is projected. There are more than 800,000 automobiles in the region today. It is estimated that by 1980, there will be an additional 1 million vehicles traversing the streets and highways of the region.

Traffic congestion is extremely serious today. It will become appalling in the years ahead, unless we move forward promptly with the development of an areawide system of exclusive right-of-way, high-speed, high-capacity rapid rail transit.

THE ADOPTED REGIONAL TRANSIT PLAN

The routes and related facilities of the regional rapid rail transit system authorized by this bill are described in some detail elsewhere in this report and even more fully in the report of the Washington Metropolitan Area Transit Authority entitled "Adopted Regional Rapid Rail Transit Plan and Program, March 1, 1968 (revised Feb. 7, 1969)." This report, together with documents entitled "Preliminary Design and Capital Costs, Adopted Regional System, 1968, Revised February 1969," and "Traffic Revenues and Operating Costs, Adopted Regional System, 1968, Revised February 1969" have been submitted by the Authority for the files of the committee.

Briefly, the transit system which would be authorized by this bill is a 97.7-mile network of rapid rail transit facilities serving the Nation's Capital and the nearby areas of Maryland and Virginia. It includes 37.7 miles of service within the District of Columbia, 29.9 miles in Maryland, and 30.1 miles in Virginia.

The system has 86 stations. Forty-four stations are in the District of Columbia. Twenty-two are in Maryland and the remaining 20 are in Virginia. Fifty-three stations will be in subway. The remaining 33 will be at surface or on aerial structures.

Metro will operate entirely on exclusive rights-of-way uninterrupted by other rail vehicles or at-grade traffic crossings.

Forty-seven miles of the system, mostly in the highly developed central portion, will be constructed below surface. Forty-two miles will be on surface utilizing, wherever feasible, existing rights-of-way along established rail lines or in the medians of highways. The remaining 8 miles will be on aerial structure, mostly for the purpose of grade separation.

Metro contains three principal through routes. All three traverse the District of Columbia. In certain instances, the routes branch as they reach into suburban areas to permit broader coverage of the region.

Convenient transfer points linking the three independent lines are provided at four double-level stations: Metro Center at 12th and G Streets NW.; Gallery Place at Seventh and G Streets NW.; L'Enfant Plaza at Seventh and D Streets SW.; and Fort Totten at Riggs Road and B. & O. Railroad. Transfer will also be possible by means of a walkway connecting the two stations at Farragut Square.

Facilities for parking 30,000 automobiles will be provided at 37 Metro stations. Spaces will be available for 5,000 vehicles in the District of Columbia, 11,000 in Virginia, and 14,000 in Maryland.

The equipment to be used in the Metro system will be the most modern. The Metro passenger car will be a comfortable, air conditioned, reliable, high-performance vehicle incorporating the latest proven engineering advances. A total of 658 vehicles will be required for full operation of the 97.7-mile system.

The train control and communications system will reflect the ultimate proven technique of the state of the art. Automatic train control will permit the trains to operate with high precision and efficiency. Each train will be attended by an operator who can override the electronics when necessary. The capability for automatic operation will permit the operator to answer questions and supervise passenger activity. The operator will also be able to communicate by radio with the train control supervisor. The automatic train control and communications systems will have three subsystems: (1) automatic train protection which guarantees the safety of passengers and equipment by regulating train speed and spacing; (2) automatic train operation which starts and stops trains and opens doors; and (3) automatic train supervision which monitors train performance throughout the system.

The automatic fare collection system will have fare vending equipment, money changers, fare gates, and coders as basic equipment.

Metro will be a visual asset to the National Capital region. All elements of the system will be designed to enhance the appearance of the area. The architectural concept has received the endorsement of the Commission of Fine Arts. It calls for station design in the District of Columbia to be in keeping with the classic public architecture of the Federal City. The stations will be air conditioned and extensive acoustical treatment will dampen the sounds of trains. Escalators will transport passengers from surface to mezzanine and then to platforms for boarding.

Service will be fast, frequent, and comfortable. Trains will run every 2 minutes on the main lines during peak hours. The system is expected to carry 293 million riders annually by 1990. Service will be provided over a 20-hour period from 5 a.m. to 1 a.m. Train schedules during typical weekday peak periods will consist of 2- to 4-minute service. During the base day, trains will run every 6 minutes and, during early morning and late evening hours, every 10 minutes.

OPERATION TIMETABLE

Your committee was advised that within 75 days after receipt of construction funds, the Authority will commence construction of the regional transit system. Its 10-year timetable for construction of the entire system establishes 1972 as the target date for initial operation of the regional system. That schedule anticipates that the entire 97.7-mile system will be in full operation by the end of 1979. Operations will commence in six phases. The phased operation technique will allow people to use the system as early as possible, thus maximizing revenues. The Authority's schedule contemplates six construction and operational phases of the 97.7-mile system for which all preliminary engineering is complete. By December 1972, phase I will be operational from north of Rhode Island Station to Union Station and across to Connecticut Avenue and north to Dupont Circle. In December 1973, service will be extended from north of Rhode Island Station to north of Silver Spring Station; and from south of 12th and Independence Station to the Pentagon City Station—1 year later, December 1974, the Huntington route south of Pentagon City the I–66 route from Rosslyn to the Courthouse Station; the Rockville route between Dupont Circle and Parkside and the entire Ardmore route will be operational—phase 4 will be complete by December 1976, from Courthouse Station to Route 7; Chillum Station to Pentagon Station (including the second river crossing) and from L'Enfant Plaza to Waterfront Station—phase 5, to be operational by December 1978, extends the system from Waterfront station to Branch Avenue; from Parkside Station to Rockville; and from Route 7 Station to Nutley Road Station. The final segments will be complete and operational by December 1979, from Chillum to Greenbelt Station; from north of Silver Spring to Glenmont; from Kenilworth to Addison Road; from Telegraph Road Yard to Backlick Road and the Franconia route.

FINANCING THE SYSTEM

The plan adopted by the WMATA for financing construction of the regional rapid rail transit plan calls for capital costs to be financed, to the extent possible, through revenues from the operation of the system. The remaining costs are to be shared among the Federal Government and the local jurisdictions within the Washington Metropolitan Area Transit Zone.

The cost of the system is estimated at $2,494.6 million. Net interest during construction will amount to $60.9 million, increasing the total project cost to $2,555.5 million. Approximately one-third of the total project cost will be financed through sysem revenues. The Authority anticipates that net revenues of Metro will support issuance of revenue bonds during the construction period amounting to $835 million. Revenue bonds issued by the Authority would have a maturity of not more than 50 years and will be secured by a pledge of the gross revenue of the system. These bonds will have a coverage factor of 1.2 times net revenue before depreciation.

Because the revenue bonds are secured by a pledge of the gross revenues of the transit operation, provisions are made for meeting operating expenses in the event of a deficiency of revenues to pay both debt service and operating costs. To provide for such contingency, long-term service contracts will be entered into with suburban transit commissions or local units of government under which each entity will contract with the Authority for transit services in and for its area. In return for such services, the compact members will pay an allocated share of any deficiency occurring in revenue available for operating expenses after paying debt service and sinking fund obligations on the bonds. However, the Authority's revenue and operating expense estimates indicate that these service contracts will not require any local funding.

The remaining net project cost—that amount not covered by revenue bonds—is to be shared by governments. It amounts to $1,720.5 million. Under the congressionally authorized Federal-local matching formula for grants to construct the 25-mile basic system, the Federal share is two-thirds of the net project cost. Extension of this formula to the Metro system will result in a total Federal contribution of $1,147 million or about 45 percent of the total project cost.

The matching formula for Federal and local grants charges local governments with responsibility for $573.5 million. The Authority has adopted a cost allocation formula for sharing this local net project cost among the District of Columbia, Maryland, and Virginia. Suballocation formulas were adopted by the suburban transit commissions for distributing the Maryland and Virginia shares among the local jurisdictions within each transit district. On November 5, 1968, in all area jurisdictions where referendums were required to authorize issuance of bonds to cover each jurisdiction's allocated share of Metro's capital costs, the voters overwhelmingly expressed their willingness to tax themselves to bring rapid rail to the region. These referendums were approved in all five jurisdictions by nearly a 3 to 1 margin.

Your committee considers that the Authority's adopted financial plan adheres to the congressional mandate as well as the expressed provisions of the compact that, as far as possible, the cost of the transit facilities be borne by the persons using and benefiting from them. Your committee has carefully reviewed the Authority's estimates of construction costs, passenger traffic, revenues, and operating expenses. In your committee's judgment, the Authority's estimates have been prepared in a realistic manner and warrant the confidence of the Congress. The proposed contribution of two-thirds, or $1.147 million by the Federal Government and one-third, or $573.5 million by the local jurisdictions follows the pattern for Federal assistance to urban mass transportation improvement programs established in the Urban Mass Transportation Act of 1964. Financing of the Federal share of the regional rapid rail transit plan through congressional authorization, rather than under the Urban Mass Transportation Act of 1964, reflects four very important basic considerations.

(1) It carries forward the historical intent and precedent of the Congress established in the legislative history of this project previously mentioned in this report;

(2) It recognizes the special interest of the Congress in the unique characteristics of the Federal City and its long-range development;

(3) It accords with the desire of the President for early enactment of legislative authority for the construction of a regional transit system as an essential element of his program for the enhancement of the National Capital region; and

(4) It assures congressional oversight of the project by the committee of the Congress having the continuing interest, broad responsibility, and special expertise in the affairs of the Nation's Capital.

Finally, the provision in the Authority's financial plan and expressed in the legislation before the committee, for overpayment from excess revenues generated by operation of the system, is in accord with the intent expressed by this committee in its report on the National Capital Transportation Act of 1965. (S. Rept. 635, 89th Cong., first sess.) Under that provision, to the extent that the transit system once in substantially full operation, produces revenues in excess to amounts necessary to provide for its operating and maintenance expenses, debt service on the Authority's revenue bonds, and deposits in reserves, two-thirds of such excess revenues will be paid to miscellaneous receipts of the United States. The remaining one-third will be returned to the local jurisdictions in proportion to their capital contributions.

The Authority's traffic, revenue, and operating cost projections and its construction estimates have been prepared by nationally recognized consulting firms experienced in the transit field. The reports of these firms have been made available to your committee and are preserved in the committee files.

ESTIMATED RIDERSHIP

Briefly, as indicated in the aforesaid reports, an extensive analysis of ridership was undertaken utilizing the latest available regional data regarding population, employment growth, and levels of income and the most up-to-date proven computer techniques. This analysis resulted in an estimate that the percentage of persons using public transportation to downtown Washington in peak hours would be raised from an estimated 40 percent in 1965 to 60 percent of a larger population once the transit system is introduced. This estimate is comparable to the percentages that prevail in other cities with rail transit systems.

During the peak period, 86 percent of all 1990 transit trips would use rail services for at least part of the trip and 90–97 percent of all trips originating in individual Maryland and Virginia suburbs would use the rail service.

The analysis of total traffic demands in 1990 included data on passenger volumes for peak hours and for the average weekday as well as annual volumes. Total Metro ridership for the year 1990 is estimated at 292,610,000. Average weekday patronage amounts to 959,000, and the average for a peak 2-hour morning period is 252,500. A clear majority of these patrons will use the combined bus-rail system.

REVENUES

Total fare box revenue for the year 1990 is estimated at $124.2 million. Anticipated allocation to the private bus companies for their share of bus-rail joint fares is $37.9 million, resulting in net fare box revenue of $86.3 million. It is estimated that revenue accruing from parking, concession leases, and similar activities will amount to $3.1 million for an adjusted gross revenue of $89.4 million. Operating and maintenance expenses of $32 million reduces the net revenue before depreciation to $57.4 million. Net revenue after allowance for depreciation of $6.7 million is $50.7 million. Comparable figures have been computed for each year of the anticipated 50-year maturities of the Authority's revenue bonds. Based on these net revenue figures the Authority's financial consultants advise that Metro operations will support issuance of revenue bonds during the construction period amounting to $835 million. The Authority's revenue forecasts assume a fair structure approximating that which presently exists with respect to bus transit in the region. The forecasts also assume free transfers between bus and rail facilities and an even division of fares between bus and rail.

OPERATING EXPENSES

Estimated operating costs are based on the fiscal characteristics of the system, the plan of operation, the standards of the Authority, and practices of other systems. Again, a detailed analysis of these estimates appears in the Authority's previously mentioned report entitled "Traffic, Revenue, and Operating Costs." Both operating costs and fares were based upon comparable prices with the assumption that escalation would thus be neutralized. Given all cost-of-operation factors, total annual operating expenses by 1990 are projected at $32 million. Including depreciation, total operating expenses for 1990 will approximate $38.7 million. Operating cost estimates were also prepared for each year throughout the life of the Authority's revenue bonds.

EXPLANATION OF AMENDMENTS

First, section 3(a) is amended to make it clear that the Federal contribution to the Authority may not exceed $1,147,044,000, including the $100 million authorized to be appropriated in the National Capital Transportation Act of 1965, and in no event shall the Federal contribution exceed two-thirds of the net project cost of the adopted regional system should the net project of the system turn out to be less than that which is presently estimated.

Second, section 7(a) of the bill has been amended to make it clear that the appropriations authorized under that section on behalf of the District of Columbia are limited to $166,500,000. This amendment was considered necessary because of the preservation of the $50 million appropriation authorization preserved in subsection (c) of section 7 contained in the National Capital Transportation Act of 1965. Together, the two appropriation authorizations equal the $216,500,000 District of Columbia allocated share of local net project cost.

Third, section 9(a) of the bill was added by the committee to provide $150,000 for studying the feasibility of a rapid rail line between Dulles Airport and the main metro system utilizing the median of the Dulles access highway. The amendment was introduced by Senator Spong and had the support of the Department of Transportation, the Washington Metropolitan Area Transit Authority, the National Capital Airports Bureau, and the Air Transport Association. All these agencies agreed that a rapid rail line is needed to improve utilization of Dulles which has operated at an average annual loss to the Federal Government of $7 million. The line would be constructed on right-of-way owned by the Federal Government and would be designed to mate with the main metro system.

CONCLUSION

Your committee believes that this proposed legislation represents the culmination of many years of cooperative effort by the Federal Government, Maryland, Virginia, the District of Columbia and the local governments in the Washington metropolitan area to effect a solution of the transportation problem in the National Capital region by means of a regional rapid rail transit system. President Nixon supports the program which would be made possible by this legislation as being vital and essential to the welfare of our National Capital. His immediate three predecessors in office have similarly supported a program of the same kind.

That a rail rapid transit system for the Washington metropolitan area is absolutely essential, there can be no doubt. Years of exhaustive studies by various agencies and extensive congressional hearings have confirmed this conclusion.

Washington's rapid growth demands early implementation of a balanced transportation system involving rapid rail transit, bus service, and an efficient freeway network. The metro rapid transit system is a vital element of such a balanced system.

It is the considered judgment of your committee that there is a manifest and urgent public need for this legislation. The time for action is now. The soundness of the investment is clear. A regional rapid rail transit plan and program is essential for the continued and effective performance of the functions of the Government of the United States, for the welfare of the District of Columbia, for the orderly growth and development of the National Capital region, and for the preservation of the beauty and dignity of the Nation's Capital. Accordingly, your committee recommends the prompt enactment of the bill with the reported amendments.

BILL PASSED OVER

The bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval

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vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes, was announced as next in order.

Mr. MANSFIELD. Over.

The VICE PRESIDENT. The bill will be passed over.

APPALACHIAN REGIONAL DEVELOPMENT ACT AMENDMENTS OF 1969

The Senate proceeded to consider the bill (S. 1072) to authorize funds to carry out the purposes of the Appalachian Regional Development Act of 1965, as amended, and title V of the Public Works and Economic Development Act of 1965, which had been reported from the Committee on Public Works, with an amendment, strike out all after the enacting clause and insert:

TITLE I—APPALACHIAN REGIONAL DEVELOPMENT ACT OF 1969

SEC. 101. This title may be cited as the "Appalachian Regional Development Act Amendments of 1969".

SEC. 102. Subsection (b) of section 105 of the Appalachian Regional Development Act of 1965 (hereinafter referred to as "the Act") is amended to read as follows:

"(b) To carry out this section there is hereby authorized to be appropriated to the Commission, to be available until expended, not to exceed $1,900,000 for the two-fiscal-year period ending June 30, 1971. Not to exceed $475,000 of such authorization shall be available for the expenses of the Federal cochairman, his alternate, and his staff."

SEC. 103. Subsection (g) of section 201 of the Act as amended is amended to read as follows:

"(g)(1) To carry out this section there is hereby authorized to be appropriated to the President, to be available until expended, $175,000,000 for the fiscal year ending June 30, 1970; $175,000,000 for the fiscal year ending June 30, 1971; $175,000,000 for the fiscal year ending June 30, 1972; and $170,000,000 for the fiscal year ending June 30, 1973. Notwithstanding the provisions of subsection (c), not to exceed $150,000,000 of such funds may be used for engineering work and advance right-of-way acquisition on sections of the development highway system whose actual construction is not expected to be accomplished under the authorization herein.

"(2) Funds authorized in this section shall be available for obligation on the first day of the fiscal year for which authorized, and shall remain available until expended. Funds appropriated under this section shall be available for payment of such obligations."

SEC. 104. (a) The first sentence of subsection (a) of section 202 of the Act is amended to read as follows: "(a) In order to demonstrate the value of adequate health facilities and services to the economic development of the region, the Secretary of Health, Education, and Welfare is authorized to make grants for the planning, construction, equipment, and operation of multi-county demonstration health, nutrition, and child care projects, including hospitals, regional health diagnostic and treatment centers and other facilities and services necessary for the purposes of this section."

(b) The second sentence of subsection (c) of such section is amended by striking out "50 per centum" and inserting in lieu thereof "75 per centum".

(c) Subsection (e) of such section is amended to read as follows:

"(e) In order to provide for the further development of the Appalachian region's human resources, grants under this section shall give special emphasis to:

"(1) Project components demonstrating the value of coordinated investments in early childhood health, nutrition, and education in the region. From funds appropriated pursuant to this Act and under such conditions as the Commission may establish, the Secretary of the Treasury is authorized to pay to a State which has a plan approved under part A of title IV of the Social Security Act (in addition to amounts prescribed to be paid to such State under section 403(a)(3)(A) of the Social Security Act) not more than 60 per centum of the non-Federal share (as determined under section 403(a)(3)(A) of the Social Security Act) of expenditures for the furnishing of the services described in clauses (14) and (15) of section 402(a) of the Social Security Act which the Commission determines will assist in carrying out the demonstration projects authorized by this section and with respect to which the Secretary of Health, Education, and Welfare, pursuant to section 1115 of the Social Security Act, has waived compliance with section 402(a)(1) of the Social Security Act; and

"(2) Programs and research for the early detection, diagnosis, and treatment of occupational diseases arising from coal mining, such as black lung."

SEC. 105. (a) Clause (2) of section 205(a) of this Act is amended by striking out the phrase "in accordance with the" and inserting in lieu thereof "or to make grants to the States for carrying out such projects, in accordance with the applicable".

(b) Subsection (b) of such section is amended by striking out "and 1969" and inserting in lieu thereof "1969, 1970, and 1971".

SEC. 106. Subsection (e) of section 207 of a new section as follows:

"(e) The Secretary is further authorized to provide, or contract with public or private organizations to provide, information, advice, and technical assistance with respect to the construction, rehabilitation, and operation by nonprofit organizations of housing for low or moderate income families in such areas of the region."

SEC. 107. Part A of title II of the Act is amended by inserting at the end thereof a new section as follows:

"COMPREHENSIVE MANPOWER DEVELOPMENT DEMONSTRATION PROJECTS

"SEC. 208. In order to facilitate the effective use of the Region's manpower and to contribute to full employment of its labor force, the Secretary of Labor is authorized to make grants not to exceed 80 per centum of the costs of manpower survey, recruitment, basic education, training, counseling, and mobility demonstration projects, including projects for training, rehabilitation and retraining of coal miners. Grants shall be made in accordance with the applicable provisions of the Manpower Development and Training Act (42 U.S.C. 2571 et seq.) and other laws authorizing grants for manpower development projects without regard to any provision therein relating to appropriation authorization ceilings or to allotments among the States. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act and shall not be taken into account in the computation of the allotments among the States pursuant to any other provision of law."

SEC. 108. Subsection (c) of section 214 of the Act is amended as follows:

(a) By striking "December 31, 1967" from the first sentence and inserting in lieu thereof "December 31, 1970";

(b) By adding at the end "For the purpose of this section, any sewage treatment works constructed pursuant to section 8(c) of the Federal Water Pollution Control Act without Federal grant-in-aid assistance under such section shall be regarded as if constructed with such assistance."

SEC. 109. Part B of title II of the Act is amended by inserting at the end thereof the following new section:

"CULTURAL PROGRAMS

"SEC. 215. (a) In order to encourage the development of the cultural resources of the region, the Chairman of the National Endowment for the Arts and the Chairman of the National Endowment for the Humanities are authorized to make grants to assist the member States of the Commission (1) in supporting existing programs and projects (including productions) in the region which meet the standards enumerated in sections 5 and 7 of the National Foundation on the Arts and Humanities Act of 1965 (79 Stat. 846; 20 U.S.C. 954); and (2) in developing programs and projects in the arts and humanities in such a manner as will serve all the people of the region. Such grants shall be made in accordance with the applicable provisions of sections 5 and 7 of that Act, for programs and projects which are compatible with State plans approved pursuant to subsection (h) thereof, without regard to any provisions therein relating to appropriation authorization ceilings or to allotments among the States. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act, and shall not be taken into account in the computation of the allotments among the States made pursuant to any other provision of law.

"(b) No grant shall be made to a State for a workshop production (other than a workshop conducted by a school, college, or university) for which a direct or indirect admission charge is asked if the proceeds, after deducting reasonable costs, are used for purposes other than assisting the grantee to develop high standards of artistic excellence or encourage greater appreciation of the arts and humanities by the people of the region."

SEC. 110. Section 302(a)(1)(B) of the Act is amended by inserting before "a local" the following: "a State agency certified as".

SEC. 111. Section 401 of the Act is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "and not to exceed $294,000,000 for the two-fiscal-year period ending June 30, 1971, to carry out this Act as follows:

[In millions]

"Section 202. Demonstration Health Projects	$95
"Section 203. Land Stabilization, Conservation, and Erosion Control	15
"Section 205. Mining Area Restoration	15
"Section 207. Housing Assistance	3
"Section 208. Manpower Development	10
"Section 211. Vocational Education	50
"Section 214. Supplemental Grants	90
"Section 215. Cultural Programs	1
"Section 302. Administrative Expenses of Local Development Districts and Research	15"

SEC. 112. Section 405 of the Act is amended by inserting after "Act" the following: ", excepting section 201,".

TITLE II—AMENDMENTS TO TITLE V OF THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965

SEC. 201. This title may be cited as the "Regional Action Planning Commission Amendments of 1969".

SEC. 202. Section 501 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3181) is amended by redesignating section 501 as section 501(a) and adding the following new subsection (b):

"(b) Upon resolution of the Committee on Public Works of the Senate or the House of Representatives, the Secretary is directed to study the advisability of altering the geographical area of any region designated under this section, in order to further the purpose of this Act."

SEC. 203. (a) Subsection (a) of section 505 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3185(a)) is amended to read as follows:

"REGIONAL ECONOMIC PLANNING, DEMONSTRATION, AND TRAINING PROGRAMS

"SEC. 505. (a) From the amounts appropriated to the Secretary for each of the regional commissions pursuant to the provisions of section 511 of this title, the Secretary shall provide funds to each commission to enable it to carry out its functions under this Act and to develop recommendations and programs. Such funds shall be available for studies and plans evaluating the needs of, and developing potentialities for, economic growth of such region, and research on improving the conservation and utilization of the human and natural resources of the region, and planning, investigations, studies, demonstration projects and training programs which will further the purposes of this Act. Such activities may be carried out by the commission, through the payment of funds to departments or agencies of the Federal Government, or through the employment of private individuals, partnerships, firms, corporations, or suitable institutions, under contracts entered into for such purposes, or through grants-in-aid to agencies of State or local government. With respect to demonstration projects and training programs, to the maximum extent possible, such activities shall be carried out through departments or agencies of the Federal Government or agencies of State or local government."

(b) The second sentence of subsection (b) of section 505 of such Act is amended to read as follows: "Thereafter, such expenses shall be paid 50 per centum by the Federal Government and 50 per centum by the States in the region, except that the expenses of the Federal Co-Chairman, his alternate, and his staff, shall be paid solely by the Federal Government. The share to be paid by each State shall be determined by the Commission. The Federal Co-Chairman shall not participate or vote in such determination.".

(c) Subsection (c) of section 505 of such Act is repealed.

SEC. 204. Section 506 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3186) is amended by designating it as section 506(a) and by adding the following new subsection (b):

"(b) The Federal Co-Chairman shall establish and at all times maintain his headquarters office in the District of Columbia. He may establish a field office or field offices at such other places within the region as the Commission and the Secretary deem essential to carrying out the functions of the Federal Co-Chairman under this Act."

SEC. 205. (a) Subsection (a) of section 509 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3188a) is amended to read as follows:

"SUPPLEMENTS TO FEDERAL GRANT-IN-AID PROGRAMS

"SEC. 509. (a)(1) In order to enable the States and other entities within economic development regions established under this Act to take maximum advantage of Federal grant-in-aid programs (as hereinafter defined) for which they are eligible but for which, because of their economic situation, they cannot supply the required matching share or for which there are insufficient funds available under the Acts authorizing such programs to meet pressing needs of the region, the Secretary shall, once a comprehensive long-range economic plan established pursuant to clause (2) of section 503(a) is in effect, provide funds to each of the Federal Cochairmen of the regional commissions heretofore or hereafter established under this title, to be used for all or any portion of the basic Federal contribution to projects under such programs authorized by the applicable Federal grant-in-aid law, or for the purpose of increasing the Federal contribution (subject to the limitations of subsection (b) of this section) to projects under such programs above the fixed maximum portion of the cost of such projects otherwise authorized by the applicable law. No program or project authorized under this section shall be implemented until (1) applications and plans relating to the program or project have been determined by the responsible Federal official to be compatible with the provisions and objectives of Federal laws which he administers that are not inconsistent with this Act, and (2) the Regional Commission involved has approved such program or project and has determined that it meets the applicable criteria under section 504 and will contribute to the development of the region, which determination shall be controlling.

"(2) In the case of any program or project for which all or any portion of the basic Federal contribution to the project under a Federal grant-in-aid program is proposed to be made under this section, no such Federal contribution shall be made until the responsible Federal official administering the Federal grant-in-aid Act authorizing such contribution certifies that such program or project meets the applicable requirements of such Federal grant-in-aid Act and could be approved for Federal contribution under such Act if funds were available under such Act for such program or project. Funds may be provided for programs and projects in a State under this subsection only if the Commission determines that the level of Federal and State financial assistance for the same type of programs or projects in that State will not be diminished in order to substitute funds authorized by this subsection. Funds provided pursuant to this Act shall be available without regard to any limitations on authorizations for appropriation in any other Act."

(b) Subsection (c) of such section is amended by striking out in the first sentence thereof "December 31, 1967" and inserting in lieu thereof "December 31, 1970".

(c) Subsection (d) of such section is repealed, and subsection (e) thereof is renumbered (d) accordingly.

SEC. 206. Title V of the Public Works and Economic Development Act of 1965 is amended by redesignating section 510 as 513, and inserting immediately after section 509 the following new sections:

"ALASKA

"SEC. 510. Funds appropriated under this title shall be available to assist programs and projects in Alaska in the manner provided for programs and projects in economic development regions established under this title. For the purposes of this title, the Federal Field Committee for Development Planning in Alaska, or any organization hereafter established by the President as a successor thereto, shall be treated as if established as a regional commission, except that the administrative expenses of such Committee or successor organization shall be paid solely by the Federal Government. Nothing contained in this section shall be construed as precluding the establishment of a regional commission for Alaska. At such time as Alaska is designated as a regional commission under this title, it shall be eligible for funds under the provisions of section 512 of this Act.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 511. To carry out this title, there are hereby authorized to be appropriated for the two-fiscal-year period ending June 30, 1971, to be available until expended, to the Secretary, not to exceed $50,000,000 for the Ozarks Regional Commission; $75,000,000 for the New England Regional Commission; $45,000,000 for the Upper Great Lakes Regional Commission; $45,000,000 for the Four Corners Regional Commission, $60,000,000 for the Coastal Plains Regional Commission; and $10,000,000 for the Federal Field Committee for Alaska.

"REGIONAL DEVELOPMENTAL TRANSPORTATION SYSTEMS

"SEC. 512. (a) The Secretary of Transportation (hereafter in this section referred to as 'the Secretary') is authorized to assist in the planning and development of regional transportation systems including the construction of development highways, and local access roads, airports, and urban mass transit facilities serving economic development regions established under this title which will further the purposes of this Act. Provisions of Federal law relating to highway and airport construction and mass transportation programs shall apply to such regional development transportation systems to the extent the Secretary determines that such provisions are not inconsistent with this Act. No part of the funds provided to carry out the purposes of this section shall be used for the costs of operation or maintenance of any regional transportation system including development highways, local access roads, airports, railroad commuter service, and other mass transit facilities, except for demonstration projects.

"(b) The Commissions shall transmit to the Secretary designations of (1) the general corridor location and termini of the development highways; (2) local access roads to be constructed; (3) airports to be constructed; and (4) railroad and mass transportation programs to be funded, and shall establish priorities for the development of such transportation systems and other criteria for the program authorized by this section. Before any State member participates in or votes on any highway designations, he shall have obtained the recommendations of the State highway department of the State which he represents.

"(c) No project authorized under this section shall be implemented until (1) applications and plans relating to the project have been determined by the Secretary to be compatible with the provisions and objectives of the applicable Federal law, that are not inconsistent with this Act; and (2) the regional commission involved has approved such project and has determined that it will contribute to the development of the region, which determination shall be controlling.

"(d) On its completion, each development highway not already on the Federal-aid primary system shall be added to such system and each development highway and local access road shall be required to be maintained by the State as provided for Federal-aid highways in title 23, United States Code. Any airports constructed under this section shall be maintained in accordance with the provisions of section 11 of the Federal Airport Act, as amended (49 U.S.C. 1110 (2)).

"(e) Federal assistance to any construction project under this section shall not exceed 50 per centum of the cost of such project, unless the Commission determines that assistance in excess of such percentage is required in furtherance of the purposes of this Act, but in no event shall such Federal assistance exceed 70 per centum of such costs.

"(f) Not more than $20,000,000 from the funds authorized to be appropriated to the Secretary for each Commission under section

511 of this Act may be used by such Commission for the purposes of this section."

TITLE III—AMENDMENTS TO THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965

SEC. 301. Title I of the Public Works and Economic Development Act of 1965, as amended, is further amended as follows:

(a) The first sentence of section 101(c) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3131(c)) is amended by inserting before the period at the end thereof a comma and the following: "except that in the case of a grant to an Indian tribe, the Secretary may reduce the non-Federal share below such per centum or may waive the non-Federal share".

(b) Section 105 is amended by striking "June 30, 1969" and inserting in lieu thereof "June 30, 1970".

SEC. 302. Section 301 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3151) is amended by adding at the end thereof the following new subsection:

"(f) The Secretary is authorized to make grants, enter into contracts or otherwise provide funds for any demonstration project which he determines is designed to foster regional productivity and growth, prevent out-migration, and otherwise carry out the purposes of this Act."

SEC. 303. Section 302 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3152) is amended by striking out "1970." and inserting in lieu thereof "1969, and $50,000,000 for the fiscal year ending June 30, 1970."

SEC. 304. (a) Subsection (a) of section 401 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3161) is amended by striking out the period at the end of such subsection and inserting in lieu thereof a semicolon and the following:

"(6) those areas selected for assistance under part D of title I of the Economic Opportunity Act of 1964."

(b) Subsection (b)(3) of such section 401 is amended by inserting after "(a)(3)" the following: "or (a)(6)".

(c) Subsection (b)(4) of such section 401 is amended by striking out "and (a)(4)" and inserting in lieu thereof the following: "(a)(4) and (a)(6)".

Mr. RANDOLPH. Mr. President, on Thursday, June 26, the Committee on Public Works unanimously ordered reported S. 1072, to extend and revise the Appalachian Regional Development Act of 1965, as amended, and titles I, III, IV, and V of the Public Works and Economic Development Act of 1965, as amended.

This action of the committee followed 4 months of intensive review and examination of these programs by our Subcommittee on Economic Development under the able chairmanship of the junior Senator from New Mexico, JOSEPH MONTOYA, I congratulate and thank Senator MONTOYA and the members of his subcommittee for their thorough and comprehensive survey of the economic development regions of Appalachia, New England, the Ozarks, the Four Corners, the Upper Great Lakes, and the Coastal Plains. The hearing record, now printed in nearly 1,300 pages in two volumes, is a valuable source of information for all citizens concerned with the progress and the problems of regional economic development.

I shall not, Mr. President, describe the many provisions of S. 1072 as reported to the Senate.

I do, however, mention its salient features and invite the attention of Members to the text of the revised bill and to the committee report.

First, Mr. President, the legislation extends the Appalachian and title V regional development programs for 2 years, until June 30, 1971.

Second, it authorizes $294 million for the operative programs of the Appalachian Regional Commission, except highways, for the 2-fiscal-year period. The reported measure adds several important new programs, including funds for health demonstration projects to detect, diagnose, and treat black lung and other occupational diseases affecting coal miners.

Third, the bill extends the Appalachian development highway program to June 30, 1973, and adds $150 million in new authorizations over the next 4 years.

Fourth, S. 1072 authorizes $285 million for the five regional Commissions established pursuant to title V of the Public Works and Economic Development Act. The bill also refines the method by which the regional Commissions are financed so as to give them greater autonomy and greater control over their own programs.

Fifth, we would extend for 1 year title I of the Public Works and Economic Development Act, under which the Economic Development Administration makes grants to assist local communities to improve their economic conditions.

These provisions, Mr. President, constitute the main thrust of the legislation. Further details are contained in the report accompanying S. 1072.

This landmark legislation comes to the floor with the unanimous support of the members of the Committee on Public Works. It not only has the active support of all the members; it incorporates the suggestions of many of them: the extension of title I of the Public Works and Economic Development Act proposed by our helpful friend, the ranking minority member of the committee, JOHN SHERMAN COOPER; the new language relating to demonstration projects and training programs and to the use of supplemental grants as "first dollar" money recommended by our capable colleague from Maine, EDMUND MUSKIE; the new section on regional 'transportation systems suggested by the subcommittee chairman, Senator MONTOYA; the inclusion of Alaska as a development region urged by the diligent Senator from that State, MIKE GRAVEL, and the new funding provisions for demonstration health programs in Appalachia proposed by the astute ranking minority member of the subcommittee, Senator HOWARD BAKER, of Tennessee.

This is a bipartisan, a nonpartisan effort, Mr. President, that has embraced the views of all the members of the committee. And, I add, the bill contains the imprint of the contributions made by every one of them in the hearings, in consultations and in executive sessions.

I thank all of the committee members for their cooperation and assistance in bringing to the Senate highly significant legislation. Senator STEPHEN YOUNG, the ranking member of the Committee on Public Works, Senator MUSKIE, Senator B. EVERETT JORDAN, Senator BAYH, Senator MONTOYA, Senator SPONG, Senator EAGLETON, SENATOR GRAVEL, Senator COOPER, ranking minority member on the Committee on Public Works, Senator BOGGS, Senator BAKER, Senator DOLE, Senator GURNEY, Senator PACKWOOD all aided our effort.

This measure will directly benefit the lives of the 40 million Americans who live in the 30 States that participate in these regional development programs, and indirectly benefit the entire Nation by helping lagging regions attain the high level of prosperity shared by their neighbors.

I asked unanimous consent that a summary of the bill be printed in the RECORD at the close of my remarks.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

BRIEF SUMMARY OF S. 1072 AS REPORTED FROM THE COMMITTEE ON PUBLIC WORKS

TITLE I

Appalachia

The Act is extended for two years, to June 30, 1971, and $294 million are authorized for the Commission's activities, exclusive of highways for the two-year fiscal period.

Section 102 provides an increase of $275,000 for administrative expenses of the Commission and the Federal Cochairman to take care of pay raises.

Section 103 extends the authorization for the Appalachian developmental highway program for two years beyond the present expiration date of June 30, 1971. The funds authorized would be $175 million for each of FY 1970, 1971 and 1972, plus $170 million for FY 1973. This includes an additional $150 million above current authorizations.

Section 104 adds new emphasis under Demonstration Health Projects to early childhood health, nutrition and education and to programs and research to eliminate black lung and other occupational hazards to miners' health.

Section 105 authorizes grants to the States for control of coal mine fires.

Section 106 provides funds for technical assistance to stimulate non-profit organizations to undertake housing construction, rehabilitation and operation of low and middle income housing.

Section 107 adds a new section 208 providing for Comprehensive Manpower Development Demonstration Projects through 80–20 matching grants by the Secretary of Labor for manpower survey, recruitment, training, counseling and mobility including rehabilitation and retraining of coal miners.

Section 108 extends until December 31, 1970 authority for the Commission to use supplemental grant funds in connection with any Federal grant-in-aid programs enacted up to that date.

Section 109 authorizes the National Foundation on the Arts and Humanities to make a modest contribution to the cultural development of the region.

Secion 110 authorizes continued financial support for local development districts under the Appalachian Act and also authorizes grants for research and demonstration projects to develop ways of reducing health and safety hazards in coal mining.

Section 111 contains the authorizations for each of the operative programs, except highways, for the next two-year fiscal period:

[In millions]

Section 202. Demonstration Health Projects	$95
Section 203. Land Stabilization, Conservation, and Erosion Control	15
Section 205. Mining Area Restoration	15
Section 207. Housing Assistance	3
Section 208. Manpower Development	10
Section 211. Vocational Education	50
Section 214. Supplemental Grants	90
Section 215. Cultural Programs	1
Section 302. Administrative Expenses of Local Development Districts and Research	15

Section 112 terminates the Appalachian Program, except highways, on July 1, 1971.

TITLE II

Title V regions

The bill extends the authority of the five regional commissions for two years, until June 30, 1971, and authorizes for all the regions, plus Alaska Federal Field Committee, the sum of $285 million for the next two-fiscal-year period.

Section 202 provides that the Committees on Public Works of the House or the Senate could direct the Secretary to study the advisability of altering the geographical area of any region.

Section 203, by amendment of Section 505 of the Act, gives the Commissions direct control over their own program development and broadens the present authority for technical assistance to include innovative demonstration projects and training programs. This section further provides that the Federal Government henceforth will pay only 50% of the Commission's administrative expenses and 100% of Federal staff costs.

Section 204 requires that the headquarters of the Federal Cochairman shall be located in the District of Columbia.

Section 205 amends Section 509 to authorize supplemental grants as "first dollar" money when there are insufficient funds for the Federal share under ongoing Federal grant programs.

Section 206 adds three new sections to the Act:

Section 510 of the Act would extend the regional development program to Alaska through the instrumentality of the existing Federal Field Committee of Alaska.

Section 511 authorizes two-fiscal-year sums for each of the Commissions:

[In millions]

Ozarks	$50
New England	75
Upper Great Lakes	45
Four Corners	45
Coastal Plains	60
Alaska	10
Total	285

Section 512 provides for planning and development of transportation systems, including construction of highways, local access roads and airports. No part of the funds authorized shall be used for the costs of operation or maintenance of any regional transportation system except for demonstration projects.

TITLE III

Section 301 extends for one year Title I of the Act, the public works program administered by EDA, with an authorization of $500 million as in past years. It also changes the matching ratio for grants to Indian tribes to give the Secretary of Commerce the power to adjust the amount required to match Federal funds.

Section 302 authorizes demonstration grants under Title III of the Act.

Section 303 increases authorizations under Title III from $25 million to $50 million.

Section 304. Extends grants under Title I to special impact areas under the Office of Economic Opportunity.

Mr. **MONTOYA**. Mr. President, the bill now before the Senate, S. 1072, was reported unanimously by the Committee on Public Works. As the chairman of the committee, the Honorable JENNINGS RANDOLPH has said, this bill represents the combined efforts of the members of the committee.

It was my privilege to chair the hearings on this legislation held by the Subcommittee on Economic Development. The subcommittee held 10 days of public hearings on bills extending and amending the Appalachian Regional Development Act and title V of the Public Works and Economic Development Act of 1965. Five of these hearings were in Washington and five in the field: 3 days in the Four Corners region—two in New Mexico and one in Utah; one in the New England region—Boston; and one in the Ozarks region—Missouri.

Testimony was received from the administration, from the Federal cochairmen of all six regional commissions, and from all the Governors of the 30 States belonging to these regions, as well as from other State and local officials, representatives of business, labor, health, education, and other organizations. A total of 151 witnesses appeared in public hearings, and a large number of written communications have been included in the hearing record.

During the hearings the subcommittee received numerous suggestions for improving the laws and for amending the pending bills. Many of these proposals have been incorporated in S. 1072, as reported.

Among the changes in law proposed by the committee that developed out of the testimony on S. 1072 is a significant new direction in the manner of funding of the regional development commissions established under title V of the Public Works and Economic Dtvelopment Act of 1965.

Section 505 of the act authorizes technical and planning assistance to the Commissions. S. 1072 would expand this authority to permit broader use of these funds for studies, technical assistance and demonstration projects, and training programs. This amendment would give the regional Commissions direct control over their own program development. It is intended that demonstration projects and training programs carried out by a regional Commission under this section will not only contribute significantly to the economic development of the region but will also serve as models for similar projects in other parts of the country. Demonstration projects and training programs should be undertaken only in those instances where existing Federal programs do not offer sufficient flexibility to permit the Commission to meet pressing development needs of the region or where no Federal program exists which could respond to problems the Commission seeks to solve.

It is the intent of the committee that once the Secretary of Commerce and the Federal agencies have participated in the policy decisions relating to Commission programs and projects that the Secretary would provide the Commissions with the funds which the Congress has appropriated for carrying out the purposes of title V. The Commissions must meet all of the conditions and requirements of title V in program planning before project funds are made available to them. The committee reiterates its strong belief that in carrying out demonstration projects and training programs that existing Federal and State agencies be employed to the maximum extent possible. The regional development Commissions are not to become operating agencies in their own right.

The committee is of the opinion that, since the research and planning phase of the title V programs should have been completed by this time, by far the greatest amount of funds spent under the authorizations in the present bill should be for action programs. The committee strongly recommends that the Commissions limit expenditures for any further research and studies to not more than 10 percent of the funds appropriated to them. Special circumstances involving demonstration projects and training programs may warrant an exception from this limitation.

To permit flexibility in administration, the authorization which is now carried in section 505(c) would be eliminated in favor of a single authorization of funds for the title V program which is carried in section 511. The expansion of the authority for Commission support for demonstration programs and technical assistance would facilitate implementation of several of the innovative proposals submitted to the committee.

I also proposed and the committee recommended that headquarters offices of the Federal Cochairman must be in Washington, D.C., and any regional offices they may establish for Federal employees must be located within the region.

Another new section in the bill as reported by the committee is an amendment I proposed and which authorizes regional development transportation systems. Adequate road, rail, and air transport is the key to the economic development of such regions as my own Four Corners, which encompasses large parts of New Mexico, Arizona, Colorado, and Utah. Section 512 would provide that not more than $20 million of the amount authorized for each of the regional commissions could be used for the construction of highways, local access roads, airports, and mass transit facilities under this section. Under this section funds could be made available as part of a demonstration project under section 505 of the act. This section is patterned after the Appalachian developmental highway program. It further provides that Federal law relating to highway and airport construction and to mass transportation where applicable should govern the construction and maintenance of the regional transportation systems. The Federal share of any construction project under this section would not exceed 50 percent except by action of the regional commission but in no case should it exceed 70 percent.

Under the supplemental grant program the committee has approved another significant change. This amendment would provide that section 509 funds can be expended for all or any portion of the Federal contribution to projects authorized by existing Federal grant programs—in effect, this is "first dollar" money.

The language of this subsection would be broadened to specify that such "first dollar" grants may be provided under this section only for projects which meet the requirements of basic grant-in-aid programs, and would be approved for basic funds except for the lack of funds in such programs.

The language contained in the amendment relating to certification by agencies with regard to the compatibility of the project to be supplemented with the provisions and objectives of the basic grant program does not give the certifying Federal official any additional discretion other than that contained in categorical grant programs. Administrative restrictions on agency operations based on budgetary considerations shall not be applied to any project proposed for supplemental assistance.

The amendment would also change the limitations on the use of section 509 funds so they can be provided only if the Commission is satisfied that section 509 funds are not used as substitutes for Federal and State contributions that would otherwise be available for projects in the regions; that is, the Commissions must see that section 509 funds indeed provide additional benefits to areas within economic development regions.

Subsection (c) would be amended to make such assistance available for programs enacted prior to December 31, 1970—presently limited to December 31, 1967.

Another provision of the bill affects economically lagging areas in all parts of the country. S. 1072 extends for 1 year title I of the Public Works and Economic Development Act which authorizes grants for the construction of public facilities. The annual authorization is continued at $500 million.

Because many of our Indian tribes lack sufficient funds of their own, they frequently cannot meet the matching requirements under Federal grant-in-aid programs. I have proposed, the committee has concurred, and, therefore, S. 1072, as amended by the committee, would provide authority to the Secretary of Commerce to adjust the amount required to match Federal funds in grants to an Indian tribe. EDA grants for public facilities could be up to 100 percent Federal funds if the tribe were otherwise unable to provide any matching funds.

The distinguished chairman of the committee has placed in the Record a summary of the specific provisions of the bill. I wish to add some comments of a more general nature concerning the role of the regional Commissions and the Federal Cochairmen.

When the Appalachian Regional Development Act was considered by this committee in 1965, questions were raised regarding the relationship and the relative authority of the participating States and the Federal Government in administration of the act. There was concern that the Federal Cochairman, because his affirmative vote is required for Commission action, would become a "czar" dominating and smothering State initiative. On the other hand, questions were raised regarding the requirement that projects be initiated by the State governments which would impede local initiative and thwart the application of Federal expertise. These extremes have been avoided in the administration of the Appalachian Regional Development Act. The experience of the Appalachian Commission should be instructive for the regional commissions organized under title V of the Public Works and Economic Development Act.

It is the intent of the committee that the regional commissions shall not become operating bureaucracies but rather serve as catalysts for the development of plans, programs and projects, should serve as mechanisms for concentrating the best efforts of both the Federal and State Governments and focusing the talents and attention of these governments on the problems at hand.

The extent to which this is accomplished is directly dependent upon the initative and competence of each of the Federal Cochairmen of these Commissions. The Federal Cochairman must be attuned to the problems and potentials of his region as well as the governmental agencies and procedures which can serve the needs of his region.

The cooperation between Federal and State agencies which has marked the work of the Appalachian Regional Commission can be attributed in large measure to the competent leadership of the Commission. The Federal Cochairmen of the title V Commissions should note the success of the Appalachian Commission in involving a variety of Federal agencies and departments in its work through the Office of the Federal Cochairman. The success of a regional Commission's relationship with Federal agencies is the main concern of the Federal Cochairman, and pursuit of this objective requires that the Federal Cochairman maintain his permanent headquarters in Washington, D.C., where the major Federal policy decisions affecting his Commission will be made.

The role of the Secretary of Commerce in coordinating the activities of the Federal Cochairmen is left untouched by the bill. The Secretary must provide the policy direction for their activities in order to insure the proper Federal representation on the Commission. The committee expects that this direction will permit sufficiently broad latitude for action to enable the Federal Cochairman to respond to the particular needs of the Commission on which he serves.

Title II of S. 1072 would not alter the basic structure of the five regional commissions, or the role of the Federal and State parties to the Commissions. Creative federalism means partnership in policy determination between the State members of the Commission and the Federal Cochairman as the representative of the Federal Government. The bill would expand the program authority of the Commissions through the implementation of a broader range of programs and projects. The committee anticipates that each Commission will become a forum for enlisting the aid and involvement of all related agencies at the State and Federal levels in the accomplishment of its mission.

To insure that projects funded under section 509 of the act, as it would be amended, receive full evaluation by the Federal agencies involved, the bill would provide that no grant shall be made until the responsible Federal officials have certified that the supplemental program or project meets the applicable requirements of the basic grant-in-aid statute. The committee anticipates that such response should be obtained by the Federal Cochairman of the commission involved prior to commission action.

In title II of the Appalachian Regional Development Act Amendments of 1967, funds were authorized to initiate development programs in the areas covered by the Commissions. Funds were authorized for supplemental grants and technical assistance. This action was premised largely on the success of the supplemental grant program in the Appalachian region and the need for technical assistance funds to support the planning and comprehensive development programs.

While the supplemental grant program has been useful, real progress in the implementation of the plans which the Commissions have developed requires expanded authority and substantial funding. Isolating problems and developing programs to attack them are merely intellectual exercises, if sufficient funds are not available to pay the costs of what has been developed, and the Congress cannot reasonably expect the Commissions to carry out the tasks assigned them in this legislation if sufficient amounts of money are not provided.

In closing, Mr. President, I want to express my deep appreciation for the courtesy and cooperation I have received as chairman of the Subcommittee on Economic Development from the chairman of the Committee on Public Works, the Honorable Jennings Randolph, who has paid me the honor of serving at my side on the subcommittee; to the distinguished Senator from Kentucky, the Honorable John Sherman Cooper, ranking minority member of the full committee, who likewise has honored me by ably serving on the subcommittee; to the distinguished Senator from Tennessee, the Honorable Howard Baker, who is a strong supporter of our common efforts in his capacity as ranking minority member of the subcommittee; and to all the other members of the subcommittee and the committee who have contributed so much to the bill reported to the Senate.

I regard this as landmark legislation and I urge its favorable consideration and early enactment by Congress.

Mr. COOPER. Mr. President, it is always a pleasure to join with my colleague from West Virginia, the chairman of the Public Works Committee, when the Senate is considering a bill from our committee. It is a singular moment as S. 1072 is considered, for Senator Randolph and I have been cosponsors of the enabling legislation in 1965 and the amendments of 1967—and the Appalachian Regional Development Act and the Public Works and Economic Development Act have proved, I think it safe to say, successful endeavors of our committee.

The bill S. 1072 will advance the work already begun in Appalachia and in the regional action planning commissions of title V of the Public Works and Economic Development Act. This legislation and that which has preceded it have particular significance for us and I believe I may say for the ranking Republican member of the Subcommittee on Economic Development of the Public Works Committee, Senator Baker, for the law

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has roots deep in our part of the country and is born of the Appalachian experience.

In Appalachia something has been achieved that we have talked a lot about in the Congress—State and Federal cooperation. In the creation and programs of the Appalachian Regional Development Commission we have seen that principle given more than lipservice. The Appalachian Governors have worked together, cooperatively, for the benefit of the whole region. The State governments have looked to their organization, planning, and priority establishment procedures as a result of the approaches they have learned through their participation in the Commission. The bill which the Senate considers today would enable the Commission to continue its work in the areas of highway and public facility construction, vocational education and demonstration health by stretching out the highway program through 1973 with an increase of $150 million over existing authorizations, and by authorizing $294 million for the nonhighway programs of the Commission.

With a new and vital thrust the bill will also move the Commission into new areas of activity. Perhaps the most important of these in my view, is the comprehensive child nutrition and development programs authorized under the demonstration health program of the Commission. The Commission is anxious to serve as a national demonstration area for the development and implementation of programs to help bring thousands of children to a decent and deserved place in society and to prevent the scourges of disease and malnutrition and the ravages of ignorance and deprivation. In addition, the Commission will be authorized by S. 1072 to develop programs to deal with occupational illness, such as black lung, and also to undertake concentrated efforts for manpower development and training.

The amendments to title V of the Public Works and Economic Development Act are designed to give the regional Commissions created in other parts of the Nation, authority to act to solve regional problems with methods comparable to those employed in Appalachia. To date, these Commissions have functioned primarily as planning units. The time has come to accord them the authority and resources consonant with the intention of Congress at the time of passage of the act in 1965. The bill reported from the commitee would establish demonstration and training program authority, transportation planning and demonstration programs, and supplemental funding authority.

The Committee on Public Works has devoted great effort to this bill in hearings, in Washington and in the field, and in executive session. S. 1072 is innovative, as is the whole regional Commission concept. It represents, I believe, the committee's commitment to the solution of problems of deprivation in these areas which represent 20 percent of the population of the United States. I know the Senate will recognize its merits, and consider it with care.

Mr. BAKER. Mr. President, I would like to associate myself with the remarks already made in support of S. 1072. As a native of Appalachia, as a Senator from a State which is a member of the Appalachian Regional Commission, and as a member of the Senate Subcommittee on Economic Development which first considered the pending legislation, have a great personal and public interest in it.

The distinguished chairman of the full Committee on Public Works, the Senator from West Virginia, has presented to the Senate an eloquent and adequate summation of the various purposes of this legislation, and what I might have to say about it will serve only as supplementary to his remarks.

The success of the programs of the Appalachian Regional Commission has been, I think, almost universally recognized. While much remains to be done in this region which still lags significantly behind the rest of the Nation in its standard of living, economic progress has been statistically measurable and there is a readily detectable sense of hope and optimism throughout the area.

In terms of long-range implications, the unique mechanism established by the Appalachian Regional Development Act of 1965 may prove to be as important as the assistance rendered. The act itself was the result and culmination of coordinated study and activity that had been going on for some years in the region and in agencies of the Federal Government. In May of 1960 a group of Appalachian Governors met in Annapolis to discuss the many serious economic and social problems that were common to the entire region. It became increasingly clear to this Conference of Appalachian Governors that solutions to the interrelated problems facing the region—which were virtually all attributable in one degree or another to geographical isolation and sharp declines in mining and agricultural employment—would not yield to the kind of piecemeal programs that were then underway. Two major new elements were badly needed—an unprecedented coordination of Federal, State, and local efforts, and a large infusion of public funds. The Governors met with President Kennedy, who directed appropriate Federal agencies to cooperate in studies of the region, and in 1963 he appointed the President's Appalachian Regional Commission. This Commission, made up of the Governors and representatives of 10 Federal departments and agencies, conducted an intensive study of the problems of the region and made a series of recommendations for action to President Johnson in April of 1964. Out of these recommendations grew the Appalachian Regional Development Act of 1965.

This act contained three significant types of program financing designed to promote the economic development of the Appalachian region. The first was the authorization of a major network of developmental highways and access roads to be funded, not out of the highway trust fund, but out of general funds; this program was and continues to be viewed as being of prime importance in overcoming the geographical isolation of the region. The second part of the financing package was the formulation of a series of special programs such as those providing aid for demonstration health facilities, land stabilization, conservation, and erosion control, timber development, mining area restoration, and so on; these programs were clearly required by problems peculiar to the region as a whole. Third, the act authorized the Commission to utilize funds appropriated to it to supplement existing Federal grant-in-aid programs by paying a part of the non-Federal or local share; this supplementary authority was provided in response to the demonstrated inability of many Appalachian communities to take normal advantage of existing Federal programs due to a lack of local tax revenues needed to provide the non-Federal share.

The Commission itself was structured in such a way as to reinforce the need for close cooperation. The Commission is comprised of one representative of each member State and one member appointed by the President, with the advice and consent of the Senate. Although not specified in the statute, at the first meeting of the Commission it was agreed that the Governor of each State would serve as the State member, rotating the cochairmanship among themselves. This direct participation by the Governors was a clear indication of the importance that was to be attached to the program from its outset. Action by the Commission requires the votes of two-thirds of the State members and the vote of the Federal Cochairman. Thus a close working relationship between the State interest and the Federal interest is assured.

The Federal Cochairman and his staff and the Commission staff maintain joint offices in Washington. In many ways, the Federal Cochairman and the States regional representative serve as "ambassadors" from the States and their constituent localities to the Federal Establishment. The highway program, the special Appalachian programs, and the supplemental functions of the Commission obviously require the closest possible liaison and coordination with line agencies of the Government. In each project wholly or partially funded under the program the expertise of Federal, State, and local government officials is drawn upon and utilized. One of the most extraordinary achievements of this coodinated approach to a regional development program is that a professional staff of roughly 70 people have administered the expenditure of more than three-quarters of a billion dollars in slightly more than 4 years. This represents a greater "return per bureaucrat" than any other program with which this Government has ever had experience.

It would be difficult to overemphasize the importance of this coordinated effort. So many of our Federal and State programs are authorized and administered in a piecemeal fashion and much of their potential effectiveness is lost. The great economic and social problems facing our industrial society are all part of a closely interrelated syndrome. Planning and coordination—really a kind of systems approach—need not and should not mean drab and unimaginative uniformity. But it is clear that much waste and inefficiency can be eliminated by employing the kind of approach applied so successfully by the Appalachian Regional Commission.

The amendments to the Appalachian Regional Development Act included in the pending bill would extend the highway program for 2 years beyond its original expiration date, and provide obligational authority within the limits of funds authorized for the highway program, authorize a new program of comprehensive manpower development demonstration projects, and provide for limited Federal assistance in developing cultural programs within the region.

The amendments would also add a significant new emphasis to section 202 of the act, that section providing for demonstration health projects. The amendments to section 202 would underscore the commitment of Congress to coordinated investments in early child health, nutrition, and education. The Appalachian Regional Commission is ideally suited, because of its unique ability to coordinate the activities of Federal, State, and local agencies, to conduct on a demonstration basis, pilot programs in the field of early child development. There are already in operation nearly 20 Federal programs that bear in one degree or another on the health and welfare of the preschool child. Among the most significant of these is the provision of services in accordance with State plans authorized by title IV–A of the Social Security Act. The proposed amendments of section 202 of the Appalachian Act would authorize Federal payment of a part of the non-Federal share of services provided under the Social Security Act, if approved by the Secretary of Health, Education, and Welfare, on a demonstration or pilot basis. I believe deeply that coordination of existing Federal and State programs in this vital area of child development on a demonstration scale in selected parts of the Appalachian region will provide invaluable information to the national administration and to the Congress as we proceed to develop the most efficient ways of dealing with the complex and interrelated problems of malnutrition, inadequate child health care, and the educational handicaps that result from little or no intellectual and cultural stimulation. It is necessary that the Commission will work closely in administering these pilot programs with the Department of Health, Education, and Welfare, the Department of Agriculture, the Office of Economic Opportunity, and other appropriate agencies. No additional authorization is provided for these activities. It is felt that their success will depend on effective coordination of existing programs and not immediately from any major new commitment of funds.

The pending bill also includes significant amendments to title V of the Public Works and Economic Development Act of 1965, under which the Secretary of Commerce is authorized to designate other regional commissions throughout the country. It is unfortunate that the five existing title V commissions have not been able to make contributions comparable in scale to those of the Appalachian Regional Commission. But there are a number of readily apparent reasons why this discrepancy in performance exists. The title V Commissions are younger than the ARC, they have not had the advantage of the substantial groundwork that had already been laid prior to the creation of the ARC, and most important of all, there has been virtually no action money appropriated for their activities and use.

The new administration is currently conducting an extensive review of the Commission concept and expects to make major recommendations as to their future course early next year. At that time I would hope and expect that those recommendations would be given prompt and careful consideration by Congress and that appropriate legislative action will be taken, in spite of the fact that the pending amendments would otherwise be in effect through the end of the 1971 fiscal year.

Nonetheless, the title V Commissions, some clearly more than others, are prepared to move ahead with significant projects and programs in their respective regions. The amendments to title V contained in the pending bill would provide broad authority to conduct such activities, as approved by the Secretary of Commerce, that are best suited to the immediate needs of each region. The experience gained during the initial implementation of these programs and projects will be of significant use to the Congress when it evaluates the recommendations of the administration next year.

Mr. DOLE. Mr. President, I am very pleased to give my voice to those of support for S. 1072, a bill to extend the authorizations of the Appalachian Regional Development Act of 1965, as amended, and certain sections of the Public Works and Economic Development Act of 1965, as amended. It has been a privilege as a junior member of the Committee on Public Works to work with the distinguished members of this committee on S. 1072.

This legislation advances the work of the Appalachian Regional Commission by extending existing provisions and making possible increased participation in reaching solutions to the problems engendered by dying or dead economies. Of particular significance to me are the new provisions which place emphasis on programs directed at human resources—child nutrition, health development, and manpower development and training. I am sure that the Commission will continue to demonstrate in these areas of endeavors the viability of the regional concept as a method of attacking problems and the reality of State-Federal partnership.

Title II of S. 1072 is of particular interest to me because of the involvement of a part of my own State in the Ozarks Regional Commission created pursuant to title V of the Public Works and Economic Development Act of 1965. The effect of the amendments to that act contained in S. 1072 is to place the title V commissions on equal footing with the Appalachian Regional Development Commission in terms of methods at their disposal with which to attack the problems of their regions. So far they have functioned primarily as planning and research units, seeking answers to questions about the nature and extent of their economic problems and possible solutions. S. 1072 extends to them broad authority for carrying out programs tailored to those needs and in accordance with priority and time schedules of their own design. It would make possible the actual cooperation of the Governors and State officials with Federal officials in a manner in conformance with the intention of the Congress in the passage of the enabling legislation in 1965. Although I have reservations about the concept of regional planning, it is my hope the coming year will demonstrate that the regional commission can operate on a truly regional basis.

The provisions of S. 1072 taken as a whole do represent a strong and innovative approach to the problems of these areas of the country which have been left behind as the Nation has moved forward in continually growing prosperity. The Appalachian region and those of the Ozarks, the upper Great Lakes, the Four Corners, the Coastal Plains, and New England contain 20 percent of the total population of the United States. Congress has made a commitment to the welfare of these Americans in many ways, through many pieces of legislation. The regional commissions are making possible the focusing of resources with the intensity necessary to make an impact in breaking the cycle of deprivation prevalent in these areas. I hope the Senate will act on its commitment and pass this bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–291), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

INTRODUCTION

The Congress set in motion a new experiment in federalism when it inaugurated the Appalachian regional development program and similar programs in other regions of the country in 1965. It created a new dimension in governmental relations, established a new instrumentality for coping with persistent old problems, and, most of all, in practical financial terms, opened the way for innovative and imaginative approaches to the use of the Federal taxing power for attacks on basic and hithereto insurmountable barriers to economic advance in some of the less prosperous parts of the country.

The Appalachian experiment, in operation only 4 years, has proved a success: employment has increased; unemployment has declined; and outmigration is subsiding. Roads are connecting once-isolated communities; children can travel to better consolidated schools; medical care is becoming available to people formerly without hope of diagnosis or treatment. The Appalachian experiment is working. It is the example, the model of intergovernmental cooperation, for other parts of the country to emulate. Once there is a substantial investment in basic transportation facilities, vocational training, and health care in a deprived area, the entire picture begins to change. Once a system of coordinating available Federal grant-in-aid programs is established. State and local agencies can begin to make use of the funds authorized in those programs in order to compensate for lesser local financial capacities. The supplemental grant program, first envisaged for Appalachia, has been adapted to the needs of the other developmental regions. A most persuasive proof that the program is working is the significant increase in private investment in the region.

The lessons learned in administering the Appalachian program have been carefully studied and applied in the five regions established by the Secretary of Commerce in cooperation with the Governors of the States involved under title V of the Public Works and Economic Development Act of 1965. These regions are:

Commission	Date designated	States involved
Ozarks	Mar. 1, 1966	Arkansas, Kansas, Missouri, and Oklahoma.
New England	Mar. 2, 1966	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.
Upper Great Lakes	Mar. 3, 1966	Michigan, Minnesota, and Wisconsin.
Four Corners	Dec. 19, 1966	Arizona, Colorado, New Mexico, and Utah.
Coastal Plains	Dec. 21, 1966	Georgia, North Carolina, and South Carolina.

MAJOR PURPOSES OF THE BILL

Three major economic development programs of vital importance to the Nation are due to expire on June 30, 1969. These are the Appalachian Regional Development Act of 1965, as amended, which involves 13 States; title V of the Public Works and Economic Development Act of 1965, as amended, which directly affects 20 States; and title I of the Public Works and Economic Development Act of 1965, which, through the Economic Development Administration, affects every State in the Union.

The Committee on Public Works believes these three programs should be extended, and in reporting S. 1072 to the committee has so expressed itself.

The committee has further concluded that: (1) the authority of the Appalachian and of the title V regional development commissions should be expanded and their funds increased to enable them to undertake additional functions, and (2) the title V commissions should receive substantially larger Federal appropriations in order to carry out the responsibilities, both old and new, which the Congress has laid upon them.

Also, the committee agrees with the recommendation of the Administration that authority of the Economic Development Administration should be extended for 1 year at the current rate of authorization for funds.

S. 1072, as reported with amendments, is designed to achieve these three objectives as follows:

(a) The bill extends the Applachian Regional Development Act for 2 years, until June 30, 1971, and authorizes for the 2-fiscal-year period, exclusive of highway construction funds, the sum of $294 million. New emphasis in the demonstration health program is placed on intensive early childhood care, nutrition, and the early detection, diagnosis and treatment of black lung and other coal miners' occupational diseases. Likewise, stress is laid on comprehensive manpower training programs including rehabilitation, training and retaining of coal miners.

In addition, in order to facilitate completion of the Appalachian Development Highway System, key to economic growth in the region, the bill extends the highway portion of the program 2 years beyond its present terminal date, until June 30, 1973, and authorizes appropriations for the 4-fiscal-year period as follows:

Fiscal year:	
1970	$175,000,000
1971	175,000,000
1972	175,000,000
1973	170,000,000

These authorizations would also provide that up to $150 million may be used for engineering and advance right-of-way acquisition, if the States so desire.

These are the main provisions of the bill. Other changes and additions are discussed later in this report.

(b) The bill also extends title V of the Public Works and Economic Development Act of 1965 for 2 years and authorizes for the 2-fiscal-year period the sum of $285 million, including not to exceed $20 million to each of the five regions for developmental transportation systems. Authorizations for the five regional commissions, including transportation, are as follows:

Ozarks	$50,000,000
New England	75,000,000
Upper Great Lakes	45,000,000
Four Corners	45,000,000
Coastal Plains	60,000,000
Alsaka [1]	10,000,000

[1] Special provision is made to treat Alaska as a development region within the meaning of the act.

(c) The bill extends title I of the Public Works and Economic Development Act of 1965 for one year in order to authorize the Economic Development Administration to continue to make grants for public facilities.

HEARINGS

The Subcommittee on Economic Development of the Committee on Public Works held 10 days of public hearings on bills extending and amending the Appalachian Regional Development Act and title V of the Public Works and Economic Development Act of 1965. Five of these hearings were in Washington and five in the field: 3 days in the Four Corners region (two in New Mexico and one in Utah); one in the New England region (Boston); and one in the Ozarks region (Missouri).

Testimony was received from the administration, from the Federal Cochairman of all six regional commissions, and from all the Governors of the 30 States belonging to these regions, as well as from other State and local officials, representatives of business, labor, health, education, and other organizations. A total of 151 witnesses appeared in public hearings, and a large number of written communications have been included in the hearing record.

During the hearings the subcommittee received numerous suggestions for improving the laws and for amending the pending bills. Many of these proposals have been incorporated in S. 1072, as reported.

The title was amended, so as to read: "A bill to authorize funds to carry out the purposes of the Appalachian Regional Development Act of 1965, as amended, and title I, III, IV, and V of the Public Works and Economic Development Act of 1965, as amended."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MUSKIE. Mr. President, today the Senate took an important step forward in regional economic development by passing the Appalachia and Regional Development Act of 1969. Under the able leadership of the Senator from West Virginia (Mr. RANDOLPH), the chairman of the Public Works Committee, and the Senator from New Mexico (Mr. MONTOYA), the chairman of the Subcommittee on Economic Development, the Senate has strengthened the Appalachia Commission's ability to deal with the critical problems of economic underdevelopment which persist in that area, and has increased the powers of the other title V Commissions to deal with similar problems in their regions.

Although public attention has not been as concentrated; the poverty, unemployment, and underdevelopment of the New England, Ozarks, Upper Great Lakes, Coastal Plains, and Four Corners regions have created hopelessness and despair for too many of the people of those regions. Congress recognized these conditions in the Public Works and Economic Development Act of 1965, and the five title V Commissions were created in 1966 and 1967.

On the basis of the experience of the Appalachia experiment, Congress felt that the same principles could be applied to other regions of the Nation which suffered from economic underdevelopment.

In amendments to title V enacted in October of 1967, the Congress provided the commissions with authority to initiate supplemental grant programs to enable them to begin on a modest scale the important task of spurring their regional economies. In addition, the Congress directed the commissions to develop comprehensive long-range economic plans which would define regional needs and priorities and serve as the basis for the development of programs addressed to those needs. During the past 2 years the commissions have made substantial progress in complying with that congressional directive, and have developed specific programs and projects to carry out their development plans.

Mr. President, in the title V of the Public Works and Economic Development Act the Congress laid the foundation for a new form of cooperation between the Federal Government and the States through which their combined resources could be brought to bear on problems which are regional in nature, but relate directly to national goals and objectives. The regional commissions—consisting in each instance of the Governors of the States involved and a Federal cochairman—have the responsibility for administering and implementing this cooperative venture.

The long-range plans developed by the regional commissions, when approved by the Secretary of Commerce, represent agreement by both Federal and State governments on what needs to be done and the apportionment of responsibilities for doing it. Now the regional commissions need authorization to carry out their plans in accordance with the objectives of the Congress in the enactment of title V of the Public Works Act, and the bill passed this morning provides that authority.

Earlier in the session I introduced alternative legislation to S. 1072. This bill (S. 1090), cosponsored by more than 30

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of my colleagues, recommended several important changes in the authority of the regional commissions. Although all of these changes were not accepted by the committee, several of them are among the significant provisions in the legislation passed by the Senate today.

The discretion of the Secretary of Commerce in providing funds to the regional commissions has been limited. The committee felt that the preservation of the independence of the commissions was important, and I hope that this will encourage the commission to function as responsible regional organizations.

The addition of "demonstration projects and training programs" to the activities which may be funded under section 505 of the act—technical assistance—will give the commissions the latitude in program development necessary to the innovative development of the regions.

The supplemental grant authority of section 509 has been broadened to allow the commissions to make supplemental grants where there are not sufficient funds under existing categorical aid programs for the Federal share. This "first dollar" money will increase the commissions' ability to deal with regional problems by eliminating the middleman when funds are in otherwise short supply.

The committee also recognized that some of the title V commissions are progressing at a faster rate than others in developing the plans and capabilities to administer the large amounts of funds which the act envisions. Therefore, the committee recommended separate authorizations for each of the commissions. I hope that one of the important effects of this decision will be an increased independence of the commissions from the Department of Commerce.

I congratulate the Senate for its recognition of the pressing economic problems faced by these five regions. The increased assistance provided in the legislation passed today will pay its own way by developing in these five regions the self-sufficiency and imagination which can eliminate hopelessness and despair.

DISASTER RELIEF ACT OF 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 271, S. 1685.

The **VICE PRESIDENT**. The bill will be stated by title.

The Legislative Clerk. A bill (S. 1685) to provide additional assistance for areas suffering a major disaster.

The **VICE PRESIDENT**. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Public Works with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Disaster Relief Act of 1969".

DEFINITIONS

Sec. 2. As used in this Act, the term "major disaster" means a major disaster as determined by the President pursuant to the Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended (42 U.S.C. 1855–1855g).

FEDERAL LOAN ADJUSTMENTS

Sec. 3. In the administration of the disaster loan program under section 7(b) of the Small Business Act, any application *for a* loan thereunder in an amount of $30,000 or less in the case of a homeowner, or $100,000 or less in the case of a business concern, may be granted, if such loan is for the repair, rehabilitation, or replacement of property damaged or destroyed as the result of a major disaster, without regard to whether the required financial assistance is otherwise available from private sources.

GRANTS TO STATES FOR DISASTER PLANNING

Sec. 4. (a) The President is authorized to provide assistance to the States in developing comprehensive plans and practicable programs for assisting individuals suffering losses as the result of a major disaster. For the purposes of this section, the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the territory of Guam, American Samoa, and the Trust Territories.

(b) From the sums available for the purposes of this section, the President is authorized to make grants not to exceed $250,000 to any State, upon application therefor, in an amount not to exceed 50 per centum of the cost of developing the plans and programs referred to in subsection (a).

(c) Any State desiring to participate in this program shall designate or create an agency which is specially qualified to plan and administer such a disaster relief program, and shall, through such agency, submit a State plan to the President not later than December 31, 1970, which shall set forth a comprehensive and detailed State program for assistance to individuals suffering losses as a result of a major disaster.

(d) The President shall prescribe such rules and regulations as he deems necessary for the effective administration of this section.

(e) Upon the submission of such plans the President shall, not later than June 30, 1971, report and recommend to the Congress a program for implementation and funding of the State comprehensive disaster relief plans, and such other recommendations relating to the Federal role in disaster relief activities as he deems warranted.

SHELTER FOR DISASTER VICTIMS

Sec. 5. (a) The President is authorized to provide dwelling accommodations for any individual or family whenever he determines—

(1) that such individual or family occupied a house (as an owner or tenant) which was destroyed, or damaged to such an extent that it is uninhabitable, as the result of a major disaster; and

(2) that such action is necessary to avoid severe hardship on the part of such individual or family; and

(3) that such owner or tenant cannot otherwise provide suitable dwelling accommodations for himself and/or his family.

(b) Such dwelling accommodations, including mobile homes, as may be necessary to meet the need, shall be provided through acquisition, acquisition and rehabilitation, or lease. Dwelling accommodations in such housing shall be made available to any such individual or family for such period as may be necessary to enable the individual or family to find other decent, safe, and sanitary housing which is within his or its ability to finance. Rentals shall be established for such accommodations, under such rules and regulations as the President may prescribe and shall take into consideration the financial ability of the occupant. In cases of financial hardship, rentals may be compromised or adjusted for a period not to exceed twelve months, but in no case shall any such individual or family be required to incur a monthly housing expense (including any fixed expense relating to the amortization of debt owing on a house destroyed or damaged in a disaster) which is in excess of 25 per centum of the individual's or family's monthly income.

(c) In the performance of, and with respect to, the powers and duties conferred upon him by this section, the President may—

(1) prescribe such rules and regulations as he deems necessary to carry out the purposes of this section;

(2) exercise such powers and duties either directly or through such Federal agency or agencies as he may designate;

(3) sell or exchange at public or private sale, or lease, any real property acquired or constructed under this section;

(4) obtain insurance against loss in connection with any such real property;

(5) enter into agreements to pay annual sums in lieu of taxes to any State or local taxing authority with respect to any such real property; and

(6) include in any contract or instrument made pursuant to this section, such conditions and provisions as he deems necessary to assure that the purposes of this section will be achieved.

FOOD STAMP PROGRAM

Sec. 6. (a) Whenever, as the result of a major disaster, the President determines that low-income households are unable to purchase adequate amounts of nutritious food, he is authorized, under such terms and conditions as he may prescribe, to distribute through the Secretary of Agriculture coupon allotments to such households pursuant to provisions of the Food Stamp Act of 1964 or as said Act may be amended and to make surplus commodities available pursuant to the provisions of section 3 of Public Law 875 of the Eighty-first Congress.

(b) The President is authorized to continue through the Secretary of Agriculture to make such coupon allotments and surplus commodities available to such households so long as he determines necessary, taking into consideration such factors as he deems appropriate, including the consequences of the major disaster on the earning power of the households to which assistance is made available under this section.

(c) Nothing in this section shall be construed as amending or otherwise changing the provisions of the Food Stamp Act of 1964 except as it relates to a Presidential determination regarding availability of food stamps in major disaster situations.

ASSISTANCE TO INDIVIDUALS

Sec. 7. The President is authorized to provide to individuals unemployed as a result of a major disaster, such assistance as he deems appropriate while they are unemployed. No individual who is receiving unemployment compensation or the proceeds of private income protection insurance shall be eligible for such assistance. Such assistance as the President shall provide shall not exceed the amount and the duration of payments under the unemployment compensation program of the State in which the disaster occurred.

CLEARANCE OF LAKE CONTAMINATION

Sec. 8. The President is authorized to make grants to any State or political subdivisions thereof for the purpose of lake clearance in cases where a major disaster has resulted in contamination of any lake by debris which has created conditions hazardous to health and safety.

FIRE CONTROL

Sec. 9. The President is authorized to make grants and loans to any State to assist such

State in the suppression of a fire or fires on State or privately owned forest or grass lands which threatens destruction of such proportions as to constitute a major disaster.

DEBRIS REMOVAL

SEC. 10. The President is authorized to make grants to any State or political subdivision thereof for the purpose of removing debris deposited on privately owned lands as the result of a major disaster which has created conditions hazardous to health and safety.

TIMBER SALE CONTRACTS

SEC. 11. (a) Notwithstanding provisions of contracts entered into prior to July 1, 1965, the Secretary of the Interior and the Secretary of Agriculture shall, as part of the regular road and trail construction program administered by each such Secretary, reimburse timber sale contractors or otherwise arrange to bear road and trail construction and restoration costs either directly or in cooperation with timber purchasers to the extent of costs determined by each such Secretary as incurred or to be incurred for restoring roads in any stage of construction, authorized by a contract for the purchase of timber from lands under such Secretary's jurisdiction, to substantially the same condition as existed prior to a major disaster, and to the extent costs determined by such Secretary as incurred or to be incurred for completing road construction not performed under any such contract prior to a major disaster but which, because of changed conditions resulting from such disaster, exceed road construction costs as originally determined by such Secretary. The costs for such road restoration, reconstruction, and construction under any single timber purchase contract on roads not accepted prior to a major disaster, whether construction was complete, partial, or not yet begun, shall be borne as follows: 15 per centum of all amounts shall be borne by the timber purchaser, except that such purchaser shall not be required to bear costs of more than $4,500, and the Secretary shall bear the remaining portion of such costs. This subsection shall not apply (A) in the case of any road restoration or reconstruction if the cost of such restoration or reconstruction is less than $500, and (B) in the case of any road construction if the increase in the cost of such construction as the result of a major disaster is less than $500 more than the construction costs as originally determined by such Secretary.

(b) Where either such Secretary determines that damages resulting from a major disaster are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by this subsection, he may allow the cancellation of any such contract notwithstanding provisions therein.

EFFECTIVE DATE

SEC. 12. This Act and the amendments made by this Act shall apply with respect to any major disaster occurring after December 31, 1968.

Mr. BAYH. Mr. President, I am pleased that the Senate is about to consider S. 1685, my bill to provide additional assistance for areas suffering a major disaster. This bill is the culmination of several years work by a large group of Senators who in 1965 began working toward major revisions in national disaster relief legislation.

As a result of previous efforts, Congress enacted Public Law 89–769 in 1966. The present measure proposes to extend help to disaster victims in a number of other areas. Anyone who has witnessed the terrible consequence wrought by tornadoes, floods, hurricanes, earthquakes, and forest fires knows the devastating effects they often have on the homes, businesses and lives of our people.

Even though man cannot avoid or control such unpredictable acts of nature, much can be done to help in the reconstruction and adjustments made necessary by major disasters. Most individuals are not able to cope adequately with the heavy losses often incurred during such catastrophes. It seems to me and the other 27 Senators who have joined in sponsoring this bill, as well as the Public Works Committee, that the Federal Government should assume a larger role in helping those who have, through no fault of their own, become victims of a major disaster.

The bill would authorize Small Business Administration loans of limited amounts to be made without regard to the availability of financial assistance from private sources. It would also authorize increased shelter, free food stamps, and aid to unemployed who have suffered losses in major disasters. Aid could be extended by the President to the States for assistance in clearing debris left by major disasters in lakes or on private property which might be hazardous to health and safety. Also, the President could make grants to States for the purpose of assisting in the suppression of fires on either public or private lands which threaten to become major disasters. Finally, States would be encouraged to formulate comprehensive plans and programs to assist individuals suffering losses as a result of a major disaster. States would be expected to submit a disaster relief plan to the President no later than December 31, 1970, and within 6 months from that date the President would in turn make recommendations to Congress for implementing and funding the State plans.

Mr. President, the Disaster Relief Act of 1969 is designed to help Americans who have experienced the holocaust of a major disaster to reestablish their homes and businesses and to restore their normal lives insofar as it is possible to do so. I urge the Senate to act favorably on this measure.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–280), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE LEGISLATION

The purpose of S. 1685, as reported by the Committee on Public Works, is to provide emergency relief and temporary assistance to private citizens who suffer losses and privation as a result of a major disaster. This broadening and enlargement of existing statutory provisions is a necessary and logical sequence to the great emphasis which has heretofore been placed on assistance to local and State governments for the replacement of public facilities. Major disasters, when they occur, also wreak serious harm to private individuals and deprive them of the ability to provide themselves with the basic necessities of life—food, clothing, and shelter. Without emergency assistance to enable people so stripped of the means for survival to reestablish their place in the community within a reasonable time and under satisfactory conditions, the entire community will be seriously impeded in its recovery from the impact of a major disaster.

The Committee on Public Works recognizes the need for effective State advance planning and direct involvement in meeting major disasters and in preparing to coordinate and organize assistance for individuals and communities. In addition, Federal assistance to States in protecting public health and safety must also be provided through help in clearance of debris from lakes contaminated as a result of major disaster and private property on which debris has been deposited by such disasters.

During the hearings on S. 993, the committee was made aware of the need for relief to certain timber sale contractors in California whose ability to meet the terms of their contract with the Federal Government was seriously impaired as a result of the flooding which took place in December 1968 and January and February 1969. The committee is further aware that similar situations could occur elsewhere in the country.

THE NEED FOR ADDITIONAL DISASTER RELIEF LEGISLATION

In 1964 and 1965, the Nation experienced a series of devastating and widespread major disasters—hurricanes, floods, tornadoes, earthquakes, and so forth. The customary practice of enacting special measures granting relief for specific stricken areas proved totally inadequate. Evidence presented to the Congress indicated that Federal law did not provide sufficient authority to cope with catastrophes as they occur. The specific disaster-by-disaster legislation approach was uncertain and characterized by great delay and much variation in treatment of the different stricken areas.

Investigation disclosed further that, while fairly adequate help for damages incurred by governmental agencies and operations had been authorized by national disaster legislation, comparatively little basic assistance had been made available to private individuals. Although acts providing special relief for citizens had been adopted from time to time, such as those following the Alaskan earthquake or the Northwest floods, there was no permanent legislation authorizing immediate and comprehensive Federal assistance to help restore to normal life private victims who had suffered extensive losses to their homes and livelihoods. Moreover, it seemed wasteful, unsystematic, and inexpedient for Congress to consider separate new relief bills each time a major disaster took place.

LEGISLATIVE BACKGROUND

In an attempt to rectify this deficiency, more than 40 Senators joined on April 30, 1965, in introducing S. 1861, a bill proposing several major revisions in the basic disaster relief law. After hearings were held and certain modifications made, this committee on July 15 without dissent reported S. 1861 favorably, and it was adopted unanimously by the Senate one week later. Hearings were held during the following year by the House Public Works Committee and an amended version of the bill, which deleted several important sections, was passed by the House of Representatives on October 17, 1966. Because of the impending congressional adjournment, the Senate concurred in these amendments the next day, and the bill was signed by the President on November 6, 1966.

The new act (Public Law 89–769) retained, with some minor changes in language, most of the provisions of S. 1861 which dealt with the problems of loan adjustments, disaster warnings, assistance to unincorporated communities, restoration of public facilities, and non-duplication of benefits. An excellent new section was added by the House of Representatives which provided aid for higher educational facilities damaged in major disaster areas. Other new sections authorized an extension in time for fulfilling requirements in certain public land matters and directed the President to plan and coordinate, through the Office of Emergency Planning, all major disaster assistance. The act also ordered a study to be made of additional or improved air operational facilities needed to prevent or minimize losses from grass or forest fires.

Several significant provisions of the original bill, however, were not included in Public Law 89–769. Provisions for disaster loans to both homeowners and business concerns, without regard to whether or not the required financial assistance might be provided by private sources, were eliminated. A proposed new cost-sharing program, which invited States to develop comprehensive disaster relief plans eligible for Federal grants up to 50 percent of the losses sustained in major disasters, with the State governments and individual owners each assuming 25 percent of the cost, was deleted. Similarly, a section providing for shelters for victims whose homes have been made uninhabitable by a major disaster was not enacted.

The need for the provisions deleted from the original bill were of sufficient significance to warrant further consideration. Accordingly, on January 17, 1967, S. 438 was introduced.

Hearings on S. 438 were held in Dunlap, Ind., the site of great destruction during the 1965 Palm Sunday tornadoes, and in Washington, D.C. The field hearings brought forth testimony from officials and residents of disaster affected areas of Indiana, Illinois, and Michigan. These accounts emphasized the need for Federal legislation which would bring meaningful aid to affected individuals so that they could resume normal, productive lives as soon as possible.

S. 438 was reported by the Committee on Public Works on April 2, 1968, but no action on it as such was taken by the Senate.

CALIFORNIA FLOODS

In December 1968 and January and February 1969, the people of the State of California experienced extensive property loss and damage as a result of storms, floods, landslides, and high water. Hearings were held on April 1 and 3, 1969, on S. 993, a bill to provide assistance to the State of California. Most of the relief sought in that legislation is presently available under existing Federal law, as a result of the enactment of Public Law 89–769. The Committee on Public Works, however, was once again impressed with the need for generally available Federal emergency assistance for individuals who have lost the ability to provide food, clothing, and shelter for themselves as a result of disaster and who, as a result of the severe flooding of croplands and orchards, are unable to find employment.

On March 26, 1969, 27 Senators cosponsored S. 1685 which provides the vehicle for achieving a proper level of temporary emergency assistance to such individuals and calls on the States to establish coordinated and comprehensive plans and programs for assisting individuals who suffer loss as a result of major disasters.

EXPLANATION OF THE PROVISIONS OF S. 1685

S. 1685 contains nine operative sections which provide: Federal loan adjustments, grants to States for disaster planning, shelter for disaster victims, food stamp program, assistance to unemployed individuals, clearance of lake contamination, fire control, debris removal, and timber sale contracts.

Federal loan adjustments

Section 3 authorizes the Small Business Administration to make loans to homeowners in an amount not to exceed $30,000 and to business concerns not to exceed $100,000, without regard to availability of financial assistance from private sources.

The comparable provision relating to the consolidated farmer's home loan program is statutorily designed as a loan program of the "last resort." As presently set up, the farmers home program has only limited funding authority.

The language relating to the change in the interest rate contained in an amendment to S. 993 and considered by the committee has not been reported since legislation of this type is pending before the Committee on Banking and Currency which has basic jurisdiction with respect to the Small Business Administration. An adjustment in interest rates, and a similar one in the consolidated farmers home loan program, are desirable. The committees with legislative jurisdiction may well wish to consider such changes in the law.

The language of section 3 obviates the need to take into consideration the availability of financial assistance to homeowners and businesses which might otherwise be available from private sources; it confirms the more liberal attitude to disaster loans which current regulations of the Small Business Administration appear to have adopted.

State disaster planning

Section 4 of the bill is a redraft of the language originally contained in S. 1681 of the 89th Congress, relating to a Federal-State grant program for assistance to homeowners and businesses. The new language would authorize assistance to States for disaster planning; it would limit Federal financial participation in such planning to not more than $250,000 for any State; it would require the designation or creation of a State agency to carry out the planning; and it requires that plans be submitted to the President no later than December 31, 1970.

Section 4 requires the President to report, not later than June 30, 1971, to the Congress recommendations resulting from the State submissions in order to carry out a Federal-State disaster operation. In addition, the President could also make recommendations relative to the overall Federal role.

It is hoped, as a result of such comprehensive plans and practicable programs, that an effective State disaster relief program could be developed which would eliminate the need for further Federal legislation in cases of disaster emergencies.

Shelter for disaster victims

Section 5 is one of three amendments to the existing Federal disaster emergency framework which will insure that families and individuals who lose their dwellings as a result of rampages of nature will be able to secure suitable accommodations without draining all of their economic resources. This section, together with sections 6 and 7, is designed to enable families and individuals to regain their place in the community. These sections are not intended to provide unlimited Federal support but would enable those who suffer the impact of natural disasters to recover as rapidly as possible.

Food stamp program

Section 6. Often in the aftermath of floods, hurricanes, and tornadoes, low-income households are unable to supply themselves with food. The Congress recognized this in the basic Disaster Relief Act of 1950, Public Law 875, when it provided authorization to make surplus commodities available. The provisions of section 6 or S. 1685 are designed to pull together all aspects of Federal law which bear on emergency food assistance to individuals. A food stamp program is a necessary element in this emergency relief program, and, while the Committee on Public Works has no intention of amending or otherwise changing the basic provisions of that legislation, it believes that, where applicable, the President should have the authority through the Department of Agriculture to make such relief available on an emergency basis.

Assistance to unemployed individuals

Section 7 recognizes that while public unemployment compensation programs and private income protection programs are available to a large number of workers and businessmen, there is a significant number of migratory workers who, when disaster strikes, lose everything, including the opportunity to work. Senator Alan Cranston of California, in an appearance before the Committee on Public Works, stressed the difficult situation of migratory farm labor in California following the winter rains and floods. This provision attempts to fill the gap in Federal authority by bringing aid to those who are unemployed, as a result of a major disaster. Such assistance would be in the form of unemployment compensation in the nature both of a temporary income supplement and, especially, of employment services designed to provide gainful and productive employment as rapidly as possible. This provision is made necessary by the fact that public assistance funds in an area overwhelmed by a major disaster are almost immediately depleted, and neither the local nor the State government is capable of meeting the problem.

Public health and safety

Section 8, clearance of lake contamination; section 9, fire control; and section 10, debris removal. These sections, in providing greater assistance to States to cope with these problems, recognize the need for State efforts to remove threats to the public health and safety.

Clearance of lake contamination

The need for the language in section 8 became apparent to the committee during the hearings in Dunlap, Ind. in 1967 when testimony revealed that food and other contaminating materials had been deposited in a number of small lakes making them unusable by the people of the area and presenting a threat to public health.

Fire control

Section 9 relating to fire control is a result of the study conducted by the Office of Emergency Preparedness pursuant to the requirements of section 13, Public Law 89–769, the Disaster Relief Act of 1966, which demonstrated the need for grants to States to assist in the suppression of forest or grassland fires which threaten to become a major conflagration, especially in the Western States.

Timber sale contracts

Section 11. Testimony received by the committee during its hearings on S. 993, the California Disaster Relief Act, brought to light that some timber sale contractors are seriously affected by the provisions of their contracts relating to the reconstruction of timber sale and timber roads. Following the Northwest floods of 1964, the Department of Agriculture adopted a new contract form which provides for relief to timber sale contractors whose operations are seriously affected by a major disaster. The language of section 11 would provide similar relief to those who entered into contracts prior to July 1, 1965.

Pending the development of the comprehensive State plan and the recommendations of the President with respect to such State plans and his review of existing Federal disaster relief, the provisions of S. 1685, if enacted, should result in a broad gauged and inclusive Federal program of action in emergency situations.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

The VICE PRESIDENT. Without objection, it is so ordered.

DEPARTMENT OF STATE

The bill clerk proceeded to read sundry nominations in the Department of State.

Mr. MANSFIELD. Mr. President, I ask that the nominations in the Department of State be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

AMBASSADORS

The legislative clerk proceeded to read sundry nominations of Ambassadors.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations of Ambassadors be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

U.S. REPRESENTATIVE TO THE ORGANIZATION OF AMERICAN STATES

The bill clerk read the nomination of Joseph J. Jova, of Florida, to be the representative of the United States of America on the Council of the Organization of American States, with the rank of Ambassador.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

U.S. ADVISORY COMMISSION ON INFORMATION

The bill clerk read the nomination of William F. Buckley, Jr., of Connecticut, to be a member of the U.S. Advisory Commission on Information for the term of 3 years expiring January 27, 1972.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS

The bill clerk read the nomination of W. Byron Sorrell, of Maryland, to be an associate judge of the District of Columbia court of general sessions for the term of 10 years.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask that the President be notified of the confirmation of the nominations.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The VICE PRESIDENT. Without objection, it is so ordered.

RELEASE OF CERTAIN LEAD FROM THE NATIONAL STOCKPILE AND SUPPLEMENTAL STOCKPILE

The Senate resumed the consideration of the amendment of the House of Representatives to the bill (S. 1647) an act to authorize the release of 100,000 short tons of lead from the national stockpile and the supplemental stockpile.

Mr. SYMINGTON. Mr. President, on May 8, 1969, the Senate passed the bill S. 1647 which would authorize the disposal of 100,000 short tons of lead from the national stockpile and the supplemental stockpile.

This bill, as reported by the Senate Armed Services Committee, contained the traditional language of similar legislation in the past, authorizing the General Services Administration to dispose of surplus commodities by "negotiation or otherwise," thus allowing them some flexibility in adjusting their selling methods.

While the General Services Administration normally views competitive selling methods, including sealed bid sales, as the most effective means of carrying out the intent of the Stockpile Act—the said act requires that disposals be made without disruption of the market of producers, processors, and consumers—situations do arise when other sales procedures must be followed if GSA is to follow its legal mandate to avoid disruption of the market.

The proposed plan for disposal of the lead covered by this bill, developed by GSA after consultation and conferences with various segments of the industry and other Government agencies, provides that the quantity of lead covered by the legislation will be available for off-the-shelf sales to primary and secondary producers, importers of record, recognized distributors and dealers, and domestic consumers; and this at the producers' price, minus an allowance of up to one-half of 1 cent per pound in order to compensate for freight charges actually paid.

Transactions under this selling method for lead provide no profits to the producer, importer, distributor, or dealer. The lead will be sold for domestic consumption only. Consumers who purchase the lead will be required to certify that they will consume the lead in their own facilities within the United States. Producers, importers, distributors, and dealers will be required to certify that they will resell the lead for domestic consumption.

An example as to why the GSA needs the flexibility provided by the clause "negotiation or otherwise"—sometime ago a procedure was worked out with the aluminum industry to absorb into normal market channels over a period of years some million tons of aluminum. This, of course, was a negotiated matter. The alternative would have been for GSA to dump this commodity on the market, thus completely disrupting the market, or to dispose of it in small amounts as the consumer market permitted. The latter, of course, would have involved a tremendous administrative expense over a much longer period of years.

Now, Mr. President, when this measure was taken up for consideration by the Senate on May 8, 1969, an amendment proposed by the senior Senator from Delaware requiring the disposal of this lead to the highest responsible bidder was adopted without a dissenting vote. The House of Representatives, however, objected to this procedure, as they have in the past, and returned the bill to the Senate with an amendment which, in effect, deletes the Senate amendment.

It is my understanding that the House is adamant in their position. When appearing before the House committee, representatives of Government and industry testified they favored enactment of the original Senate bill which required disposal by negotiation or otherwise; they opposed the language contained in S. 1647 as referred to the House which requires disposal to the highest responsible bidder. These representatives indicated that disposal of lead to the highest responsible bidder would be disruptive to the ordinary marketing of this material, because it may upset the stable price structure of the material in the market and cause a decline in price; the highest bid might be less than the market price; it might upset the distribution pattern in the market and cause distribution and price changes; and it eliminates the flexibility General Services Administration would have in its method of sale.

Today, Mr. President, there is a shortage of lead. Lead is primarily used for such basic items as automobile batteries, antiknock components in gasoline, ammunition, paint pigments, insulation, and other products such as cable, solder, and pipe.

There is presently in the stockpile 1,171,000 short tons of lead, all of which is surplus to modern stockpile requirements. The stockpile objective is zero at present. Work interruption in the industry and at east and gulf ports affected both domestic and imported sources in 1968 and early 1969. The resulting tight supply generated two price increases in January 1969. The dock strike ended in mid-February but supply continued tight. Imports showed their first strong improvement in April. Producer inventories were still quite low in April and demand exceeded availability. The result was another price increase. Demand continued quite strong through June 1969, evidenced by a price increase on June 9, 1969, and still another within the past few days, bringing the price of lead currently to 15½ cents per pound.

There is currently a strong demand and thus an excellent time for the Government to dispose of some of its tremendous excess lead at a small gain. If this material is not made available for immediate offering, this opportunity might be, and I believe would be, missed since it is anticipated that the supply situation will improve over the next 6 months, in which case producers will be opposing disposal of any of this surplus lead that is owned by the taxpayers.

The average acquisition cost of lead in the stockpile was 14.4 cents per pound and with the current market price being 15½ cents per pound, the value of the lead to be disposed of is $31 million.

The sale of lead by advertising for sale to the highest responsible bidder is not likely to improve the return to the Government over the method proposed by the General Services Administration. While the demand for lead is great at this time, consumers are unlikely to offer the Government more than the published domestic price for excess lead. This material has been in outside storage for many years and at a minimum requires some cleaning and handling before it can be used in contrast to fresh, newly produced material which is delivered to them ready for immediate use.

In conclusion, Mr. President, I should like to state that I am not opposed to competitive bidding nor are the other members of the Armed Service Committee, but we do feel we should consider the existing circumstances and dispose of this lead at the time propitious to the Government and in a manner that will not cause a disruption to the market.

Mr. President, it is with those premises that I move that Senate concur in the House amendment.

The **VICE PRESIDENT**. Who yields time?

Mr. WILLIAMS of Delaware. Mr. President, I agree with the Senator from Missouri to the extent that the Government should dispose of some of these materials, including lead as well as other commodities, that are surplus in the stockpiling program. However, I do not see why there is such an objection to selling the lead at a competitive bid so that the Government could realize the highest possible dollar in getting rid of it.

The Senator pointed out that we have 1,170,000 tons of lead which are surplus and should be disposed of. This measure provides for getting rid of around 100,000 tons. We should sell the lead.

I think it is well to review the manner in which this lead was first accumulated. It was accumulated under the premise that we should stockpile strategic materials that would be necessary in case of an emergency. The Government soon had whatever supply it needed under that category. Then this stockpiling program was turned into a support program, and the Government continued to buy and stockpile those materials which were in excess supply and which were not bringing a good price on the free market. In buying these materials the Government did not buy them at the lowest prices available on the date of purchase. It bought them at the quoted prices on the market. They were bought in a weak market with the result that the minerals, in many instances, were actually selling considerably below the quoted prices, and the Government did not get the benefit of this "below the quoted price."

Mr. President, a striking example was the manner in which they stockpiled magnesium. In that case the mineral was bought at a price which was 200 or 300 percent above the prevailing price at which it could have been bought at the same time if the Government had made its purchases from this industry at the lowest available price.

I repeat, we bought these materials at the quoted price, and in most instances the quoted price was above the market price prevailing on the date it was purchased. Now, we are planning to sell this lead. Today we have a tight market. There is a strong demand, and instead of suppliers being able to buy these minerals at the quoted prices, the minerals are bringing premiums, not discounts; and they have to pay a premium above the quoted price in many instances in order to get the necessary materials, whether it be lead or another mineral in short supply.

The difference in selling this mineral by competitive bids is that the bidders would pay the market price, which may or may not be the quoted price. The Government could very well receive bids, and more than likely would receive bids, in excess of the quoted price, which would mean it could realize more money than selling at quoted prices minus the usual discounts they give under customary procedures.

This was a case where the Government was taken for a ride when we bought it, and now they want to take the Government for another ride when we are selling it. I do not understand this line of reasoning. The argument is made that if we do not sell it today while the market is strong the producers may object to selling it later.

Mr. SYMINGTON. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. SYMINGTON. If the producers object to selling it later, it is because they want production after the supply meets demand. It seems to me most unfortunate that due to the technicalities involved, when we have an opportunity to sell it above what was paid for it, we are not giving the taxpayers the benefit of making the sale because this lead will ultimately deteriorate to the point that it will not be worth as much as new lead.

For that reason, as the Senator from Delaware—for whom I have the greatest respect, especially in the field of taxation—knows under competitive bidding it is possible that we would not get the market price today. Therefore, I would hope, inasmuch as we have this gigantic surplus which the taxpayers paid for, and which we could partially reclaim, as we did in the very wise and constructive handling of the aluminum picture, where we ran into the same situation, that the able Senator from Delaware would not tie the hands of the General Services Administration by a theoretical presentation of the competitive situation. That is the thrust of my statement.

Mr. WILLIAMS of Delaware. Seldom do I find myself in disagreement with the distinguished Senator from Missouri. It is true that the highest bid may be below the market price, but the Government can reject a bid under that circumstance. In the end they would get bids at least at the market price. I concur completely in the need for getting rid of lead, and I would be willing to support selling double the amount in the amendment; but the point I am making is that we should have an orderly liquidation of the stockpiling inventories for which we have no use. By all means, we should start getting rid of them today when there is a market for them, but at the same time, the mere fact that the Government, as a result of inflation and war, will be getting more money than it paid for it, is in itself not the whole answer. If the Government can get even more money, why not get it? The mere fact is that they are making a profit but can make more—let them do it. They have a place to use it.

I am not unmindful of the fact that the argument last year was made along those lines in the proposed sale of platinum.

The Senator remembers the platinum proposal, which we stopped at that time. That plan was to sell at the quoted market price, which was around $100 an ounce lower than the prevailing market price. It represented millions of dollars that the Government would have been losing had that particular sale of platinum been made at the negotiated price as it wished.

I was talking to a GSA representative a couple of weeks ago, and he said it was most fortunate we stopped that sale because they now realize that instead of having a surplus of platinum we are actually in short supply, and I assume that had we sold that platinum then at the price of about $100 below the prevailing price we would be buying it today at the higher price. How ridiculous can we get?

After all, the Senate, as the board of directors of our Government, should help protect the Government's interest and see that the Government buys as cheaply as possible, and when selling that it does so at a higher price, just as the Senator and I would do as businessmen. I do not see why we are asked to pass a bill to hand out bargains, ofttimes to the very same people that sold us those products at prices above market prices in the first place.

I know that the Senator had supported my amendment to make this a competitive bid, and I appreciate that. As businessmen I know that we agree on that principle of business operation. Let us insist on the Senate amendment and reject the House proposal that these sales be made on a negotiated basis.

Mr. SYMINGTON. The question of platinum and the question of lead are two distinctly different questions. My State is the largest producer of lead. Over the years, I have received a great many protests for release of any lead from the stockpile, because it would interfere with the fact that the production of lead is a heavy market and because there has been more of supply than of demand. But in just this short period, GSA—and things went well during both administrations—has got the producers to the point now that they are willing to say, "We will pay you to dispose of the lead."

In the case of platinum, the situation is exactly opposite. Much platinum came from the Soviet Union. We estimated what was needed in the national stockpile and found the demand for platinum has increased, whereas the demand for lead in the stockpile has been reduced to nothing. In the theory of it, I say to my good friend from Delaware, we all agree it is complicated, but in this particular case the administration itself, and unanimously all members of the Subcommittee on Stockpiling believe that this is the best way to handle it, if the taxpayer is going to get rid of $31 million worth of unnecessary lead.

Mr. WILLIAMS of Delaware. Mr. President, I repeat, I am perfectly willing to

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sell this lead. I also recognize the concern of the producers of lead in the Senator's State and elsewhere as the Government initiates an orderly liquidation of this stockpile of 1,170,000 tons. I recognize also that as we liquidate this unnecessary and unneeded inventory it will have an adverse effect on the market and, therefore, an adverse effect upon the earnings of these producers. We cannot escape that. I mentioned this danger at the time they were accumulating these surplus supplies. I warned that when the time came to get rid of the inventories we would hear complaints in reverse.

I remind the Senator that the same argument is used concerning disposals of agricultural commodities. It is true in any of the areas where the Government operates. As we increase Government inventories of corn, wheat, and any other agricultural commodity as a result of our support programs those commodities in the Government inventories are hanging over the market and have a weakening and dampening effect on prices, both as to the result of their hanging over the market and as a threat to their being liquidated. Then when they are liquidated they do adversely affect the market. We cannot escape that.

The only way to escape this result is to stop accumulating excess inventories when the Government does not need them. This stockpile program was nothing more nor less than a support program for the mining industry at a time when there was not much demand for the product. The Government accumulated its inventories as it supported the mineral producers. Now the Government does not need the inventories, and it wants to liquidate them.

All I am saying is, let us get all we can when they are sold. We do not have enough money in the Treasury to be passing out windfalls.

I certainly hope that the Senate will stand pat and insist on requiring competitive bids when liquidating this stockpile of lead. Let us begin an orderly liquidation of all the minerals we do not need, but let us do it in a businesslike manner.

Mr. SYMINGTON. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, I shall not delay the Senate longer. I hope that the Senate will reject the amendment of the House and insist that we keep the Senate text of the bill, which would merely provide for competitive bids in the liquidation of this stockpile of lead.

Mr. LONG. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield such time as I have remaining to the Senator from Louisiana.

TAX LEGISLATION

Mr. LONG. Mr. President, with regard to the proposed extension of the surtax and the issue of tax reform, I ask unanimous consent that the statement which I made at the opening session of the Committee on Finance be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Tax Reform and the Surtax

This is the first of a two-part hearing with respect to H.R. 12290, a bill passed by the House of Representatives to extend the income tax surcharge and to repeal the 7 percent investment tax credit. The bill also continues for another one-year period the present 10 percent excise tax on telephone service and the 7 percent tax on passenger automobiles. In addition, it provides a special low income allowance which relieves millions of poverty-level wage-earners from the tax rolls. Finally, it allows air and water pollution control devices to be amortized over a 5-year period.

During this first portion, the Committee will receive testimony from the Secretary of the Treasury and the Director of the Bureau of the Budget with respect to the need for the legislation. We will also hear public witnesses with respect to the provisions in the House bill. If the Secretary concludes his testimony today, we will begin hearing public witnesses tomorrow.

In the second phase of the hearing, the Committee will take testimony with respect to tax reform.

There will be no tax hearing on Thursday, July 10, because of a prior commitment to the Subcommittee on Veterans' Affairs which will be inquiring into several matters relating to the Veterans' statutes.

Before recognizing the Secretary of the Treasury, let me make an announcement with respect to the Committee's schedule for considering tax reform.

TAX REFORM HEARINGS

In our Committee on Finance it has been the practice to hold hearings on specific bills and amendments that Senators are interested in. This procedure differs from that followed by the Committee on Ways and Means where hearings often precede the introduction of a bill.

In keeping with this practice of the Committee, I plan to announce to the Senate that our tax reform hearings are going to be just as broad and comprehensive as the Senators want them to be. All we ask is that the Senators draft and indicate to us all of the tax reform proposals they desire to offer to H.R. 12290 so that we can conduct hearings on them before we take the bill up in executive session.

I know most Senators will agree with me that we should not take taxpayers by surprise and take up amendments which may affect them without giving them an opportunity to state their side of the question. That's what the hearing process is all about.

Similarly, a Senator should be entitled to state to the Senate that his tax reform suggestions have been through the hearing process in the Committee on Finance and thus prevent that procedural argument from being used as a device to build up opposition to his amendment. He should be entitled to get a vote on the merits of his tax reform suggestions.

IDENTIFICATION OF TAX REFORM PROPOSALS

So to be fair to them and to the Senators who want to propose tax reform amendments to the surtax bill, I urge that Senators who have introduced bills in the Senate identify to the Committee on Finance those which they intend to call up as amendments during Senate consideration of H.R. 12290.

If Senators have tax reform suggestions in mind that they intend to propose but which have not yet been introduced, I urge that they introduce them and identify them as matters they would like to have considered during discussion of H.R. 12290.

If Senators will cooperate with the Committee on Finance in this way, we can publish all these tax reform suggestions in a Committee print and make them the basis for the tax reform phase of our hearings.

No Senator will be deprived of the right to a hearing on his tax reform ideas. But in order to advance these hearings in an orderly manner, it is necessary that we know within a specified time exactly what the Senators want to propose in the way of tax reform.

Therefore, I urge Senators to let us know by Friday of next week—July 18, 1969—what they plan to offer in the way of tax reform. Then we can schedule our tax reform hearings to begin promptly the following week—the week of the 21st.

I believe this procedure recognizes the right of every Senator to offer whatever tax reform amendment his conscience dictates, and at the same time, enables the Committee on Finance to carry out its responsibility to the Senate.

SENATE DEMOCRATIC POLICY COMMITTEE POSITION

I might add that in my opinion this procedure also fully conforms to the announcement made on June 25 by the distinguished Majority Leader that the Democratic Policy Committee had voted unanimously:

"That any proposal to extend the income tax surcharge be considered simultaneously with recommendations on meaningful tax reform." and

"That the present income tax withholding rates be continued after June 30, 1969 for a period of one quarter to permit full consideration and disposition of the reform and extension of the surtax."

The Majority Leader elaborated on the Policy Committee resolution in a letter to me dated July 1. In his letter he emphasized that the debate on the Floor prior to passage of the 31-day extension of the surtax withholding rates "clearly specifies that additional extensions will be forthcoming if necessary to afford the ordinary processing of intended tax reform through the Senate Finance Committee."

It is my purpose today to implement the Majority Leader's announcements by again urging that Senators identify their tax reform proposals to us by July 18 so that the Committee on Finance can proceed with the ordinary processing of intended tax reform.

Mr. LONG. Mr. President, I also ask unanimous consent that the letter of the majority leader addressed to the chairman of the committee, dated July 1, 1969, be incorporated in the Record at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Senate, Office of the Majority Leader,
Washington, D.C., July 1, 1969.

Hon. Russell B. Long,
U.S. Senate,
Washington, D.C.

Dear Russell: At the meeting of the Democratic Policy Committee on Tuesday, June 24, 1969, the following resolution was unanimously adopted:

"Whereas, the Senate Majority Policy Committee, having met and considered the matter of the extension of the income tax surcharge, hereby resolves:

"That meaningful tax reforms should be adopted as a means of achieving an equitable national income tax policy, and further resolves,

'That any proposal to extend the income tax surcharge be considered simultaneously with recommendations on meaningful tax reform and further resolves,

"That the present income tax withholding rates be continued after June 30, 1969 for a period of one quarter to permit full consideration and disposition of the reform and extension of the surtax."

It was my intention of course to inform the full Democratic membership of the Policy Committee's recommendation before incorporating that action into any deliberations on the Senate floor. You will recall, however, that during the Senate's consideration of the temporary extension of the tax withholding rates last Wednesday. I publicly announced the Policy Committee's unanimous position that meaningful tax reform should be considered simultaneously with any fixed extension of the surcharge.

The announcement was required at that time simply because Senate action was needed. The House had planned originally to consider the surcharge question on Wednesday. It was unable to do so, in fact the House leadership announced a postponement of two weeks. That event required the Senate's Finance Committee to proceed immediately with an interim 31-day withholding rate extension to preserve the status quo until House disposition of the surcharge. The short extension of the tax withholding rates was necessary to permit House action; it was undertaken at the request of the House leadership. So it was because of this impending action that I felt it was imperative to publicize the Policy Committee's position. In going on record at that time, I was hoping to assure against any misinterpretations of any subsequent extensions of the withholding tax rates to permit additional time for Senate action. The debate on the floor prior to passage of the 31-day extension of *withholding rates* clearly specifies that additional extensions will be forthcoming if necessary to afford the orderly processing of intended tax reform through the Senate Finance Committee.

I should mention that during its deliberations on this question, the Policy Committee was well apprised of the inequities of the tax structure and the growing public awareness of this fact. To vote simply to extend the surtax would have compounded these inequities. Coupling the reform of the tax structure with any extension of the surtax thus appeared eminently fair. Indeed, for the taxpayer, it should come as a welcomed message.

So it was for these reasons that the Committee felt that no permanent extension of the surcharge should be voted, unless and until tax reform is passed. And it should be added that Senator Russell Long, Chairman of the Finance Committee, participated fully in these deliberations and in the unanimous vote of the Policy Committee.

I hope you will be understanding of these events that prohibited a more orderly communication of this action. I hope also you will consider favorably the position adopted on this proposal.

Sincerely,

MIKE MANSFIELD.

Mr. LONG. Mr. President, it is the intention of the Committee on Finance to move as rapidly as we can, in good legislative procedure, with the surtax extension and the other amendments voted by the House.

It is also our intention to consider amendments proposed by Senators in the nature of tax reform, be they those to reduce someone's tax or those which raise someone's tax. Many Senators have ideas on this subject which they would like to have considered.

It is our hope that Senators who have amendments to be considered will have them drafted by July 18 and that they and other witnesses will be prepared to testify starting on July 21 with regard to them.

The Secretary of the Treasury testified on the bill this morning. He will be back before the committee this afternoon. It is expected that he and the Director of the Budget will conclude their testimony today. It is our hope to consider the testimony of public witnesses starting tomorrow.

I hope Senators will realize that it is important that amendments to this important legislation be considered by the committee, so it can vote those suggestions up or down, improve them if we can, before they are offered on the floor. I think most Senators will agree that it is appropriate that the committee have an opportunity to study their suggestions before they are offered on the floor to a big revenue bill.

Therefore, we hope to commence hearing those matters the week beginning Monday, July 21, and perhaps concluding on Friday; proceed immediately into executive session; and report the bill the first week of August. If that can be done, perhaps the bill will be voted on before the Senate takes its recess in August. If we cannot do it, we will have to ask for another extension of the surtax withholding rate.

When we asked that the bill be voted extending for 31 days the withholding tax rates, we did so at the request of the House. That was not a proposal initiated in the Senate. It was because of a problem confronting the House Members that we asked for the 31-day extension of the withholding tax rates. We will perhaps find it necessary to ask for an extension in our own right, and we think the House will be considerate of us, just as we were considerate of the House when they asked us for a 31-day extension. We hope we will not have to do it, but it may be necessary.

If the Senator from Illinois (Mr. DIRKSEN) wishes me to clarify the record further, I will be glad to try to do so.

Mr. DIRKSEN. Mr. President, I explored this matter with the Secretary of the Treasury and the distinguished chairman of the Senate Finance Committee in open committee session this morning. I tried to point out that if we waited until the 18th of July to get in all the tax reform proposals, we would then have to set hearings, hear Senators first, and then Government witnesses, and then outside witnesses. Then, after a time, we get around to the marking up of the bill. After the markup the staff has to prepare the report. Then the bill goes to the Senate Calendar. Always, right ahead of us, is the 13th of August date, because that is when the late recess begins. That is immutable and cannot be changed. So if no bill is passed, then nothing more can be done until after Labor Day. Meanwhile, we have to go to conference. We cannot go to conference unless a bill has been passed in some form or other. So it goes to the third house. The custom is for the third house to wrestle with it for a long, long time.

So one can well apprehend that, unless these delays are not met, we are not going to get a tax bill until late in the year. Obviously, the inflationary fever is going to be eating away at the economy. I would not like to undertake that kind of responsibility if there is a way to somehow accelerate this matter and get quicker action on it.

Obviously, if possible, we could bring in a bill relating to low-income people, the so-called top credit, and the surtax bill—those three items—put them in a package and let the other reform items come in a later package. I know there is an indisposition to go along with that idea. On the other hand, haste is essential, because it is vital that we find a cure and a solution for inflation.

Mr. LONG. Mr. President, I think I should state that it was the view of the Democratic Policy Committee that tax reform should accompany this tax bill. I certainly agreed with that procedure. I did not feel that I was according anyone any right that was not his anyway, because we have no closed rule in the Senate. Any Senator can offer any amendment he wants to on a revenue bill. He can offer any amendment he wants to on a revenue bill, except a constitutional amendment, and remain entirely within the rules.

Senators who have their favorite amendments will offer them in any event. We cannot deny them that right. That being the case, it seemed to me we might as well go ahead and agree that we would be willing to hold a hearing on amendments Senators might offer.

Perhaps we can work out some way to expedite this matter. As far as I am concerned, I am willing to help. At the moment, I would like to continue doing what we are doing. But I must say the House somehow resents the Senate's undertaking to initiate big revenue measures.

The VICE PRESIDENT. Under the previous agreement, all time having expired, the question is on the motion to concur in the House amendment.

Mr. LONG. Mr. President, I ask unanimous consent that I may proceed for 1 minute.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

Mr. LONG. Mr. President, as I said, at the moment I am satisfied we are doing what we should be doing. We are moving as rapidly as we can. We have heard the Secretary of the Treasury. We hope to conclude his testimony and that of the Director of the Budget. Tomorrow we expect to hear public witnesses. Starting on July 21, we expect to hear Senators and other witnesses testify on their pet propoals or such amendments as they may want to propose, which they feel will make for equitable tax reform, whether on the up side or on the down side, as may suit Members of this body.

Perhaps we might be able to prevail on the Senate to follow the approach suggested by the Senator from Illinois, but that is not before us at this time. In the meantime, we will go ahead as we are.

RELEASE OF CERTAIN LEAD FROM THE NATIONAL STOCKPILE AND SUPPLEMENTAL STOCKPILE

The Senate resumed the consideration of the amendment of the House of Representatives to the bill (S. 1647) an act to authorize the release of 100,000 short tons of lead from the national stockpile and the supplemental stockpile.

The VICE PRESIDENT. All time has expired under the unanimous-consent agreement. The question is on concurring in the House amendment to the bill (S. 1647). On this question the yeas and nays have been ordered, and the clerk will call the roll.

Mr. WILLIAMS of Delaware. Mr. President, for clarification, am I correct that a "yea" vote would be a vote to sustain the position of the House requiring negotiated sales, and a "nay" vote would sustain the position of the Senate providing for competitive bidding?

The VICE PRESIDENT. A "yea" vote would be to concur in the House amendment.

Mr. SYMINGTON. Mr. President, am I correct in assuming that a "yea" vote means that we are willing to carry on in the lead picture the extremely successful results that we obtained through negotiation in the aluminum picture, to the benefit of the taxpayers of a great many millions of dollars?

The VICE PRESIDENT. The Parliamentarian advises the Chair that it is not within the province of the Chair to interpret the law.

The question recurs on concurring in the House amendment to Senate bill 1647. The yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Hawaii (Mr. INOUYE), and the Senator from Washington (Mr. MAGNUSON) are absent on official business.

I also announce that the Senator from Nevada (Mr. BIBLE), the Senator from Alaska (Mr. GRAVEL), the Senator from Minnesota (Mr. MONDALE), the Senator from Rhode Island (Mr. PELL), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Virginia (Mr. SPONG) are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska (Mr. GRAVEL), the Senator from Washington (Mr. MAGNUSON), the Senator from Minnesota (Mr. MONDALE), the Senator from Rhode Island (Mr. PELL), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Virginia (Mr. SPONG) would each vote "yea."

Mr. SCOTT. I announce that the Senator from New Jersey (Mr. CASE), and the Senator from New York (Mr. JAVITS) are detained on official business.

The result was announced—yeas 58, nays 32, as follows:

[No. 56 Leg.]

YEAS—58

Anderson
Baker
Bayh
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Church
Cranston
Dodd
Dole
Eagleton
Eastland
Ellender
Ervin
Fulbright
Goodell
Harris
Hart
Hartke
Hatfield
Holland
Hollings
Hughes
Jackson
Jordan, N.C.
Kennedy
Long
Mansfield
Mathias
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Montoya
Moss
Muskie
Nelson
Pastore
Pearson
Percy
Proxmire
Randolph
Russell
Saxbe
Schweiker
Scott
Sparkman
Stennis
Symington
Talmadge
Tower
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—32

Aiken
Allen
Allott
Bellmon
Bennett
Boggs
Brooke
Cook
Cooper
Cotton
Curtis
Dirksen
Dominick
Fannin
Fong
Goldwater
Gore
Griffin
Gurney
Hansen
Hruska
Jordan, Idaho
Miller
Mundt
Murphy
Packwood
Prouty
Smith
Stevens
Thurmond
Williams, Del.
Young, N. Dak.

NOT VOTING—10

Bible
Case
Gravel
Inouye
Javits
Magnuson
Mondale
Pell
Ribicoff
Spong

So the motion to concur in the amendment of the House of Representatives was agreed to.

Mr. LONG. Mr. President, I move that the Senate reconsider the vote by which the motion was agreed to.

Mr. HOLLAND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

TRANSACTION OF ROUTINE BUSINESS

The PRESIDING OFFICER (Mr. CRANSTON in the chair). Under the order of yesterday, the Senate will proceed to the transaction of routine morning business under a 3-minute limitation on statements.

The Chair recognizes the Senator from Missouri.

Mr. EAGLETON. Mr. President, I have a speech of approximately 15 minutes' duration. I should be pleased to yield to any Senator whose remarks would be of shorter duration.

Mr. YOUNG of Ohio. Mr. President, will the Senator yield to me?

Mr. EAGLETON. I am happy to yield to the Senator from Ohio.

WE SHOULD ESTABLISH DIPLOMATIC RELATIONS WITH THE MONGOLIAN PEOPLE'S REPUBLIC

Mr. YOUNG of Ohio. Mr. President, the failure of President Nixon to act on the reported recommendation by Secretary of State Rogers to recognize the Mongolian People's Republic demonstrates once again the serious penalty that our Nation continues to pay for our failure to establish a realistic policy in the Far East.

The fact is that I first advocated in this Senate Chamber that the United States establish diplomatic relations with the Mongolian People's Republic on May 16, 1966. Since then I have spoken and written on numerous occasions calling for a diplomatic exchange and establishment of formal channels of communication with Mongolia. It could hardly be claimed that the United States acted in haste in recognizing a sovereign nation functioning and viable for more than half a century.

Now, once again, it appears that objection from Chiang Kai-shek, that corrupt warlord in Taiwan, has again forced inaction on the part of the United States on this proposal. Senators will recall that once before, in 1961 at the time the Mongolian People's Republic was admitted to the United Nations, the United States was on the verge of recognizing that nation but backed off because of Chiang Kai-shek's objections. It is also noteworthy that the nationalist Chinese dictator of Formosa, or Taiwan, again recently voiced objection to officials in the executive branch of our Government particularly to President Nixon shortly after his meeting with President Thieu of the Saigon militarist regime preceding the Midway Conference between Thieu and President Nixon. Here is a blatant case of the tail wagging the dog. It is none of the business of either Saigon dictator Thieu or that warlord Chiang Kai-shek as to what nations our Government chooses to recognize and with whom we choose to maintain diplomatic relations. It is a further example of the harmful effects of our continuing the absurd fiction that the nationalist government of Taiwan is the government of all China. It is not. Nor was it at any time since the defeated Chiang Kai-shek fled from mainland China hanging on in Taiwan due solely to the protection of our warships and airpower.

It is a matter for astonishment that President Nixon would knuckle down to the demands of Chiang Kai-shek who is of no use whatever to our Nation and who could not remain in power in Formosa, now called Taiwan, except for the supporting umbrella of our airpower and 7th Fleet. Talk about unleashing Chiang Kai-shek, he and his armed forces are utterly useless to the free world. I am sorry to say he and the government of which he is dictator has received more than $7 billion of our taxpayers' money since 1948. Furthermore, mirabile dictu, it is astonishing to narrate that President Nixon seems to be yielding not only deference and devotion to this old warlord but has yielded subservience and has because of Chiang's objections again postponed holding diplomatic relations with Mongolia. Let us hope that this is but a temporary submission on his part. As stated, this dictator, who recently decreed that his oldest son would succeed him as President of Taiwan, and Madame Chiang have been enriched with more than $7 billion of our taxpayers' money.

Since World War II our Government has handed over more than $7 billion of taxpayers' money to Chiang Kai-shek to maintain his regime and his army of 600,000 aging men in Taiwan. They parade on holidays in perfect cadence and as beautifully as Shriners. They might fight about as well, though that is a debatable matter. Our Government has never sought even one platoon of the 600,000 so-called soldiers of Chiang Kai-shek to aid us in Vietnam. Fighting qualities of Chiang's troops are questioned by our military leaders. Not one soldier of his aging army ever fought beside Americans in Korea or in South Vietnam. In the Korean conflict fought under the flag of the United Nations soldiers of Turkey, Ethiopia, and other nations sent combat troops into South Korea to join our forces. A high ranking officer of our Armed Forces in South Vietnam recently stated it would probably be dangerous and disruptive to our GI's if in combat there were some hundreds of Chiang Kai-shek's forces to be in the same battle and perchance be ahead of some of our troops. The moment real combat commenced, he said, Chiang's soldiers would probably run so fast toward the rear our own forces might be thrown off balance.

Chiang is a ruthless, unscrupulous warlord. The fact is that in February 1947, the Taiwanese people revolted against the tyranny of their nationalist Chinese overlords. In quelling this undisciplined civilian revolt Chiang's armed forces and policemen slaughtered more than 13,000 unarmed civilians, many of them women and children who had been uprooted from their homes and villages.

The Soviet Union and Communist China are dangerously close to war. There are border incidents, shooting and killing with small arms and artillery between the two nations almost daily along their 6,500 mile common border. The Soviet Union has stationed its best troops along the Manchurian border with Communist China. The Peking "People's Daily" terms the rulers of the Kremlin "the mad new czars" and "Fascist renegades." Meanwhile, the United States continues to bury its head in the sand and to officially ignore the existence of the Mongolian People's Republic strategically situated between two giant adversaries with a 2,485-mile border with China and a 2,134-mile border with the Soviet Union.

The Mongolian People's Republic is a vast area of 625,950 square miles—more than 50 times the size of Belgium, more than 78 times the size of Massachusetts, and more than 125 times the size of the sovereign State of Connecticut. It has diplomatic relations with 44 nations, including our allies, Canada, Great Britain, Australia, and France. This country with a population of approximately 1,200,000 people is landlocked between the two greatest powers in the Communist world—Soviet Russia and Red China.

Recent events in the struggle for power in the Communist world have made it clear that Mongolia is within the Soviet sphere of influence. Its nationalist Communist rulers have allied themselves with the Soviet Communist leaders in the power struggle going on between the Communist Russians and Communist Chinese. However, Mongolia has developed a spirit of intense nationalism and pride. This nation has history and noble tradition stretching back over centuries even before the time Genghis Khan and the Mongol conquerors of that era. At one time Mongolian armies under Genghis Khan controlled a vast empire reaching from northern Siberia to Tibet and from the Pacific Ocean to the Caspian Sea. In the centuries following Genghis Khan's death, Mongolian sovereignty and power gradually declined. In recent years the country was split into the two Mongolias of today—the Mongolian People's Republic established in 1921, and Inner Mongolia—a huge area which is now a Chinese province.

Mongolia's economy is primarily agrarian. Indeed, this nation enjoys the distinction of holding first place in the entire world in the number of domestic animals per capita. Moreover, it is a land rich in natural resources such as gold, copper, and other precious metals. Also, it is said that this land is rich in oil deposits. Leaders of the Mongolian People's Republic are eager to establish an industrial base for their country so that their nation may leap into the 20th century, on their own, buttressed by their national wealth and resources and end any economic reliance on the Soviet Union.

The presence of a U.S. embassy in Ulan Bator, the Mongolian capital, would provide valuable contacts and information on the sensitive Soviet-Chinese border area. Since the end of World War II the United States has been handicapped in that we have no diplomatic relations with Communist China. The American Consulate General in Hong Kong is our only listening post and open window to what is going on in the vast expanse of Mao Tse-tung's China.

An embassy in Ulan Bator would be of immense assistance as an additional listening post in the heart of Communist Asia in that strategic—yet relatively little known—area of the world.

The fact is that the United States has no legal or historical grievances with Mongolia. Furthermore, the leaders of that nation cannot be accused of aggression or hostile intent. Unlike the Communist rulers in Peking, the nationalist Communist rulers of Mongolia have welcomed tentative gestures which the United States has made in recent years toward a diplomatic exchange. Premier Yumjagiyn Tsedenbal has often said that he would welcome diplomatic relations with the United States.

We Americans have nothing whatever to lose and we would have much to gain were we to establish diplomatic and trade relations with the Mongolian People's Republic. In addition to the obvious strategic benefits of having an embassy there, this would also help prevent the complete submergence of Mongolia into the Communist bloc, and would contribute toward a relaxation of tensions between our Nation and the Soviet Union and also Communist China.

Nations of the free world have been engaged in trade with the Mongolian People's Republic. They have profited by selling their products and buying furs and other products from Mongolia. India recognized the Mongolian People's Republic in 1955 and Indonesia and Burma in 1956. Cambodia, Australia, Afghanistan, Malaysia, Pakistan, and other Asiatic nations exchanged embassies and have had diplomatic and commercial relations from the early 1960's. France, Denmark, Austria, Norway, Sweden, Switzerland, and the United Kingdom have all recognized the Government of the Mongolian People's Republic and have had continuing diplomatic and commercial relations throughout recent years. The United Kingdom recognized Mongolia and has had continuing diplomatic relations throughout the past 6 years and has had steadily increasing commercial relations. In all, more than 30 nations of the free world maintain diplomatic relations with Mongolia and also commercial relations.

Very definitely, our Government should no longer delay in recognizing that government in establishing an embassy in Ulan Bator. By maintaining commercial relations we would have a new outlet for the products of American farms and factories, and we in America would benefit by importing the products and handicraft of the Mongolian people. It is evident that officials of our State Department have laid themselves open to severe criticism for their failure some years back to join with Switzerland, the United Kingdom, Sweden, India, Australia, Canada, and other nations of the free world in having complete diplomatic relations with Mongolia and in encouraging commerce and trade between our country and that country.

ORDER OF BUSINESS

Mr. EAGLETON. Mr. President, I ask unanimous consent that the previous order as to the limitation of time be suspended and that I be allocated a period of time not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

OPEN AND EQUITABLE TRADE NEGOTIATIONS

Mr. EAGLETON. Mr. President, last March I was joined by 10 Senators in urging President Nixon not to relegate the critically important function of negotiating foreign trade agreements to the Department of Commerce, but rather to keep the Office of Special Trade Representative in the White House. Our concern was that all sectors of the American economy—manufacturers, farmers, and consumers, workers, and businessmen—be fully and objectively represented in any trade negotiations.

The Office of Special Trade Representative has in fact been preserved as an independent entity, and the name of a Special Trade Representative-Designate, Carl J. Gilbert, is now before the Senate. Nevertheless, I feel compelled once again to speak out in favor of fair, open and equitable trade negotiations.

I do so as a concerned citizen, as a representative of a State whose commerce and agriculture has a great deal to lose from unwise, unnecessary, or unfair restraint of trade with other nations, and as a Senator who takes seriously his constitutional obligation "to regulate commerce with foreign nations."

During the month of April, Secretary of Commerce Maurice Stans, the special trade representative-designate, Carl Gilbert, and various other executive branch officials with responsibility for trade affairs held a series of discussions with their counterparts in Western Europe. During the month of May, Secretary Stans led a similar expedition to the Far East for discussions with our major trading partners in that area.

As Secretary Stans' various public statements confirm, one of the primary purposes of these trips has been to convince major textile-producing nations that they should agree to a new international arrangement which would place voluntary quotas on the flow of woolen and synthetic fabrics and products to the United States.

In these discussions, the threat of congressional action to establish mandatory import quotas has evidently been used—as it has often been used in the past—to press our trading partners to sign "voluntary" quota agreements.

This effort to negotiate a multilateral agreement raises a number of troubling questions which Members of this Congress must clearly consider, particularly if their presumed intentions regarding foreign trade are to be used as a negotiating pawn.

First, to what extent is a new international arrangement actually needed to protect this country's textile and apparel manufacturers and workers? Granted, there has been a rapid growth of textile imports in recent years—from 334 million pounds in 1961 to 784 million pounds in 1968—an increase of 135 percent. Nevertheless, imports of all fiber constitute less than 8 percent of domestic consumption.

During the last 8 years when textile imports were growing at a rapid pace, the textile industry more than doubled its profits and increased its own production from approximately 6,550 million pounds to approximately 9,650 million pounds. Employment in the textile industry is up 300,000 since 1961.

On their face, these statistics do not constitute an indisputable case of injury to the domestic industries.

In view of these figures—and in view of the concessions American workers, manufacturers, exporters, retailers, and consumers would have to pay under our international obligations in exchange for any new arrangement—it would seem appropriate that those in favor of a new voluntary arrangement, and those opposed to it, present their positions to the public in open hearings.

It is quite possible that some parts of the textile industry and some of its workers are suffering acute disruption and have a legitimate case for more protection, even at a possible cost to other parts of the economy. It may even be possible to demonstrate a threat of substantial disruption in the future. If this is the case, I believe these industries and workers should have reasonable protection. If our trading partners are not prepared to offer such protection, it is up to Congress to provide it.

But let us put all the facts on the table before we commit ourselves to any more building blocks in what could become an economic fortress America.

Second, if it is determined that some areas of the domestic textile industry are suffering such substantial injury that a new international arrangement is needed, it then becomes relevant to determine which products of man-made and woolen fabrics should be included in this arrangement. It is probable that the need for restrictions varies according to the type of article at issue. Some articles of woolen or synthetic fabrics may not be produced domestically in substantial quantities. If that is the case, then perhaps these articles should be excluded from the arrangement since their inclusion will not aid the U.S. textile or apparel industries, but will harm American consumers by raising prices and limiting selection.

Third, if there is injury, is a quota arrangement the best and most equitable means, in terms of America's long-term economic and security interests, for remedying the situation?

Fourth, if we persuade our major trading partners to enter into a new voluntary textile arrangement, what concessions will we be asked to pay in return? Will the price for a textile arrangement be the adoption of a new internal tax in Western Europe on Missouri soybeans, for example? Will it be the cessation of Japanese action to eliminate their present quotas on certain American products or tightened restrictions on foreign investments.

All of us should know what price is to be paid for a new international textile arrangement and who among us will be paying it.

Fifth, will a new textile agreement—following so quickly on the heels of the voluntary arrangement for steel products—create a precedent for other domestic industries which feel threatened by the flow of imports? Will we suddenly discover that protectionist forces have shifted their emphasis from pressure on Congress for legislative quotas to pressure on the Administration for quiet international arrangements on behalf of their products?

And if such pressure is placed on the administration and some concessions are given, will this country not find that it has suddenly become one of the world's leading protectionist nations and the originator of an international trend away from the free movement of goods and capital?

Finally is Congress content to find itself in the position of being used as a tool by the administration in its efforts to persuade foreign countries that public opinion in this country favors various protectionist measures?

In my judgment, all of these questions and others should be raised publicly. I feel very strongly that the President should order the Office of the Special Trade Representative to undertake public hearings at which information can be freely exchanged on the scope and ramifications of any new textile arrangement, prior to the time that arrangements are made for any negotiations.

Basic considerations of fairness and equity, as well as the need for information, dictate that public hearings on the proposed arrangement should be held. Those who may experience either substantial economic benefits or harm from such an arrangement—be they textile and apparel manufacturers, textile importers, retailers, consumers or domestic exporters of goods unrelated to textiles—should have an opportunity to be heard before the United States of America embarks on what is nothing less than a major new foreign policy.

It is my hope that this new administration—which has committed itself to the need for public awareness and public acceptance of governmental action—will adopt this suggestion and embark upon such open hearings in the very near future.

Mr. President, I ask unanimous consent to have printed in the RECORD an article written by Marquis Childs, published in the Washington Post on June 30, 1969.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STANS TRADE PRONOUNCEMENTS SMACK OF HERBERT HOOVER ERA

(By Marquis Childs)

Secretary of Commerce Maurice Stans is one of the most inconspicuous members of the Nixon Administration. He plays it in a low key, with a smooth exterior and every evidence of the stern interior of the banker and the fund raiser who for a year and a half gathered prodigious sums of money to elect Richard Nixon President.

Nevertheless, Stans' influence can be as decisive as that of any of the Nixon policy-makers, not excepting Secretary of State William P. Rogers. This is true if only because he is setting the course on trade and tariffs. And while his pronouncements rarely make the headlines in this country, they were front-page news in Europe and Asia when he toured the world with a warning that restrictive quotas should be imposed voluntarily or Congress would respond to a rising tide of protectionism and legislate quotas.

For free traders Stans' tour and the resentments it generated are an ominous echo of the protectionist clamor of the Herbert Hoover era. Congress reponded to that clamor by enacting the Hawley-Smooth tariff act which helped to bring on the worldwide depression of the '30's.

Stans' immediate concern in his tour first of Europe then of Asia was to get voluntary quotas on artificial fibers and manufactured textiles. These would be like the quota on cotton textiles and the quota on steel designed to limit competition from Japan.

Everywhere he went the Secretary met stout resistance. He could point to protectionism in the countries he visited, Japan's tariff barriers against American textiles and American motorcars. But these same countries buy American products in large volume and, particularly, cotton and tobacco from the South, where the clamour for textile quotas is loudest. President Nixon's campaign promise to protect Southern textile mills was widely exploited by his Southern strategist Sen. Strom Thurmond of South Carolina.

Stan says today that the aim is not to keep out competing textiles and fibers but rather to limit the rate of increase. He cites Taiwan as an example. In recent years Taiwan's textile exports to the United States have grown by 20 to 30 per cent a year, with the prospect that the volume will total $100 million by 1970.

Korea is another case in point. With large infusions of American aid Korea is close to economic sufficiency. Out of exports to this country of $251 million, textile products amount to $81 million. The latter is one-fifth of one per cent of total American consumption, which is a whopping $41.5 billion.

On his return in a press conference statement Stans seemed to issue an ultimatum—apply voluntary quotas in 60 to 90 days or suffer the consequences. He noted an unfavorable textile trade balance of $800 million. It was not, he says now, an ultimatum but an appeal to be reasonable with a suggested timetable.

To Koreans, as to 20 other friendly countries dependent in one degree or another on textile exports, Americans insistence on quotas is baffling. They must build up their economy against the persistent Communist threat from the north. With 55,000 troops in Vietnam they find it hard to understand why their powerful friend and partner should propose cutting down on one of their few dollar earners while they continue to import a half-billion dollars in American goods, more than two-thirds of it paid for in hard cash.

To rebut Stans' contention the free traders cite the great prosperity of the American textile industry. Profits in 1961 were $589 million, in 1968 $1.276 billion. Despite widespread automation in new plants employment grew during this same period by 300,000, with a jump of 50,000 in 1968 alone. These facts are widely known in the developing countries, even though they get little attention here at home.

Nothing like the Nixon grab bag has been seen in this capital for many a year. It is stuffed with something for everybody. As a counter to Stans the White House nominated Carl J. Gilbert, former chairman of the Committee for a National Trade Policy and long known as a free trader, to be principal foreign trade adviser and negotiator.

If any differences should develop between Stans and Gilbert, it is a safe bet Stans will win the debate. The President is deeply in his debt. Moreover, he is the missionary for the conservatives who feel he is their legate at the Nixon court.

The commencement address Stans delivered at Grove City College in Pennsylvania was almost pure vintage 1928. All is for the best under the free-enterprise system. The system is predicated on the most basic human urges—to compete and acquire—and so long as we permit the free, orderly exercise of those instincts nothing will ever surpass it, Stans told the graduating class. Grove City is endowed largely by the Pew oil family, which is also among the most generous benefactors of the Republican Party.

In Stans' handsomely paneled office in the Department of Commerce is a portrait of Herbert Hoover. It is a brooding presence that seems to hold both promise and threat.

EXECUTIVE COMMUNICATIONS, ETC.

The **VICE PRESIDENT** laid before the Senate the following letters, which were referred as indicated:

Employment Security Amendments of 1969

A letter from the Secretary of Labor, transmitting a draft of proposed legislation to extend and improve the Federal-State unemployment compensation program (with accompanying papers); to the Committee on Finance.

Report of the Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on U.S. financial participation in the United Nations Children's Fund, Department of State (with an accompanying report); to the Committee on Government Operations.

Report of Scientific Research Grants

A letter from the Director of Management Operations, Department of the Interior, Office of the Secretary, transmitting, pursuant to law, a report covering grants made during the calendar year 1968 to nonprofit institutions and organizations for support of scientific research programs (with an accompanying report); to the Committee on Government Operations.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the **VICE PRESIDENT**:

A joint resolution of the Legislature of the State of California; to the Committee on Agriculture and Forestry:

"Assembly Joint Resolution 45

"Relative to soil grants for recreation

"Whereas, Congress enacted P.L. 566, 83rd Congress, which provides technical information and financial grants for soil conservation and flood prevention purposes; and

"Whereas, This law does not include recreation as a major beneficial use in the programs that are funded under its provisions; and

"Whereas, The increasing population and shortening of the general workweek have placed increasing pressures on existing recreational facilities; and

"Whereas, To meet this increasing pressure for recreational facilities it is necessary that multiple use be made of all facilities available; and

"Whereas, Projects developed for soil conservation purposes might be adapted to other uses, such as recreation; now, therefore, be it

"*Resolved by the Assembly and Senate of of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to change existing laws regulating grants for soil conservation purposes to include recreation as a major beneficial use; and be it further

"*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

Two joint resolutions of the Legislature of the State of California; to the Committee on Armed Services:

"Assembly Joint Resolution 42

"Relative to the retention of judge advocates and law specialist officers for the armed forces

"Whereas, There was introduced on January 28, 1969, H.R. 4296 by Congressman Alexander Pirnie of New York, designed to amend Title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the armed forces and the measure is now pending before the House Committee on Armed Services; and

"Whereas, H.R. 4296 is designed to amend Title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the armed forces by making provision for special or incentive pay for judge advocates of the Army, Navy, Air Force and Marine Corps and for law scpecialists of the Coast Guard who extend their periods of service on active duty by the execution of written agreements to remain on active duty for a period of at least three (3) years; and

"Whereas, At the present time, similar incentive pay is paid by the armed forces to doctors, dentists, and veterinarians; and

"Whereas, The retention rate of legal officers by the armed services is now dangerously low and the trend to deterioration should be stopped by early action intended to make legal careers with the armed forces more financially acceptable; and

"Whereas, The Military Justice Act of 1968 has extended to service personnel the right-to-counsel safeguards which the United States Supreme Court in recent years has granted to criminal defendants in the civil courts, and the same law requires the services to provide qualified and experienced lawyers as military judges in trials by special and by general courts-martial and the four services estimate that they will need approximately 700 additional military lawyers in order to meet the requirements of the statute; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the Congress of the United States to enact early appropriate legislation approving the subject matter and the contents of H.R. 4296; and be it further

"*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Chairman of the House Committee on Armed Services, to the Chairman of the Senate Committee on Armed Services, to the author of H.R. 4296, to the Secretary of Defense, and to the Executive Secretary, Judge Advocates Association."

"Assembly Joint Resolution 44

"*Relative to the equalization of the compensation of retired members of the uniformed forces*

"Whereas, Compensation for retirees of the uniformed services of the United States has normally been computed upon active duty rates in accordance with permanent statutory law set out in Title 10 of the United States Code; and

"Whereas, Persons now retired from the uniformed services, with very few exceptions, entered the service while that law was in effect and served their entire active career, or the greater portion of it, under that system; and

"Whereas, The Military Pay Act of 1958, P.L. 85–422, temporarily suspended the operation of that law, without removing it from the statutes, thus denying the earned pay raise to retirees then on the rolls; and

"Whereas, The Uniformed Services Pay Act of 1963, P.L. 88–132, permanently changed Title 10 of the United States Code so as to deny the benefits of that act and of future active duty pay raises to retirees and to substitute therefor a less advantageous system of raises based upon the cost-of-living index; and

"Whereas, This ex post facto abrogation of the system under which today's retirees served and which they had every valid right to expect to be continued during their retirement, constitutes a clear breach of faith with those retirees; and

"Whereas, As a result of this unjust and discriminatory action, there are now seven standards of pay for persons who served in the same rank and for the same period of time, with the older retirees drawing as much as 32.5 percent less than their younger colleagues; and

"Whereas, This discriminatory action has had a very adverse impact not only upon the morale of retirees but also upon those now serving in the active forces and consequently has contributed to a worsening of the problem of retaining professional military personnel in the active forces; and

"Whereas, The State of California is privileged to be the home of many military retirees who have served their country faithfully and well, only to become the subject of the aforementioned discrimination; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the Congress of the United States to enact appropriate legislation which will remove the existing discrimination against older retirees by equalizing the compensation of all retired members of the uniformed services who have served in the same rank and for an equal period of time; and be it further

"*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and

Representative from California in the Congress of the United States."

A resolution adopted by the National League of Insured Savings Associations, Washington, D.C., commending the administration for making housing one of the major goals; to the Committee on Banking and Currency.

A resolution adopted by the Board of Trustees of the Reed Union School District, of Belvedere-Tiburon, Calif., remonstrating against any proposal which would deprive State and local government obligations of their immunity from Federal taxation; to the Committee on Finance.

A resolution adopted by the Village Council of Minnetonka, Minn., praying for the retention of the tax exemption feature pertaining to municipal bond interest; to the Committee on Finance.

Resolutions adopted by the National Executive Committee of the Polish Legion of American Veterans, U.S.A., in support of those serving in Vietnam; to the Committee on Foreign Relations.

A resolution adopted by Americans for Patriotism, Inc., Scarsdale, N.Y., praying for the enlargement of the American Revolution—Bicentennial Commission; to the Committee on the Judiciary.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. ERVIN, from the Committee on the Judiciary, without amendment:

S. 2173. A bill to amend an Act entitled "An Act to prescribe penalties for certain acts of violence or intimidation, and for other purposes", approved April 11, 1968 (Rept. No. 91–294).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session, the following favorable reports of nominations were submitted:

By Mr. Tydings, from the Committee on the District of Columbia:

George H. Goodrich, of Maryland, to be an associate judge of the District of Columbia court of general sessions.

By Mr. Long, from the Committee on Finance:

Carl J. Gilbert, of Massachusetts, to be Special Representative for Trade Negotiations, with the rank of Ambassador Extraordinary and Plenipotentiary.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SCOTT (for himself, Mr. Allott, Mr. Baker, Mr. Bayh, Mr. Bennett, Mr. Bible, Mr. Boggs, Mr. Cannon, Mr. Case, Mr. Cotton, Mr. Cranston, Mr. Dodd, Mr. Dole, Mr. Fannin, Mr. Fong, Mr. Goldwater, Mr. Goodell, Mr. Gravel, Mr. Gurney, Mr. Hart, Mr. Hartke, Mr. Hatfield, Mr. Inouye, Mr. Jordan of Idaho, Mr. Metcalf, Mr. Moss, Mr. Mundt, Mr. Murphy, Mr. Nelson, Mr. Packwood, Mr. Pastore, Mr. Pell, Mr. Prouty, Mr. Schweiker, Mr. Stevens, Mr. Talmadge, Mr. Thurmond, Mr. Williams of New Jersey, and Mr. Yarborough):

S. 2561. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

(The remarks of Mr. Scott when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. SCOTT (for himself and Mr. Hatfield):

S. 2562. A bill to assist physicians and other professionals in prescribing drugs covered under Federal-State programs, to provide for the preparation and distribution of State drug formularies, and to encourage economy in the prescribing and dispensing of prescription drugs; to the Committee on Labor and Public Welfare.

(The remarks of Mr. Scott when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. HART:

S. 2563. A bill to amend section 203 of the Federal Property and Administrative Services Act of 1949 to permit the disposal of surplus urban real property to public housing agencies for use for public housing purposes; to the Committee on Government Operations.

(The remarks of Mr. Hart when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. HOLLAND:

S. 2564. A bill to amend the act fixing the boundary of Everglades National Park, Fla., and authorizing the acquisition of land therein, in order to authorize an additional amount for the acquisition of certain lands for such park; and

S. 2565. A bill to amend the act fixing the boundary of Everglades National Park, Fla., and authorizing the acquisition of land therein, in order to increase the authorization for such acquisitions; to the Committee on Interior and Insular Affairs.

(The remarks of Mr. Holland when he introduced the above bills appear later in the Record under the appropriate heading.)

By Mr. ERVIN:

S. 2566. A bill for the relief of Jimmie R. Pope; to the Committee on the Judiciary.

By Mr. HOLLINGS:

S. 2567. A bill for the relief of Li Chun Chung; to the Committee on the Judiciary.

By Mr. MONDALE:

S. 2568. A bill to amend the National Labor Relations Act, as amended, so as to make it an unfair labor practice for an employer to employ any alien unlawfully present in the United States, or to employ aliens whose principal dwelling places are in a foreign country during a labor dispute; to the Committee on Labor and Public Welfare.

(The remarks of Mr. Mondale when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. SPARKMAN (for himself and Mr. Bennett) (by request):

S. 2569. A bill to amend section 3(d) of the Bank Holding Company Act of 1956; to the Committee on Banking and Currency.

(The remarks of Mr. Sparkman when he introduced the bill appear later in the Record under the appropriate heading.)

S. 2561—INTRODUCTION OF A BILL TO INCORPORATE POP WARNER LITTLE SCHOLARS, INC.

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, legislation to grant a Federal charter for the purpose of incorporating the nationwide Pop Warner junior league football program under the name Pop Warner Little Scholars, Inc. in recognition of this organization's continuing contributions in youth development.

Never before in our history has the need for youth guidance and counseling been greater than it is today. We are spending increasing sums from our Federal, State, and local treasures to provide more adequate formal education for our children. These expenditures are, in reality, investments in our greatest assets—our children.

Along with our efforts to provide opportunities for the formal education of our youth, a great need exists to provide for their physical fitness and their character development. We are fortunate indeed that several voluntary organizations are dedicated to the task of providing programs for the development of good citizenship, programs that are so essential for the full development of tomorrow's leaders. I wish to express my deep appreciation and my respect to the Boy Scouts of America, the Girl Scouts, and Little League Baseball, Inc., for the splendid role they are playing in youth development.

There is another organization dedicated to youth development, the Pop Warner junior league football program, and I should like to discuss its program.

Glen Scobie Warner, better known as "Pop" Warner, played varsity football at Cornell University and went on to coach the famous Carlisle Indians, of Carlisle, Pa., until that school closed in 1914. He then went to Pittsburgh, to Stanford, and to Temple University as coach. Pop Warner not only developed winning teams, he also developed great citizens through his emphasis on physical fitness, team play, citizenship, and scholarship.

Using the precepts established by Pop Warner as his charter, Joseph J. Tomlin, an outstanding lineman at Swarthmore College and an alumnus of Harvard Law School, founded the Pop Warner Little Football League in Philadelphia in 1929. Tomlin sought to expose boys of the ages of 7 to 14 to safety-first football, insisting that satisfactory school work be a prerequisite to team participation. He established a system of obtaining proper coaching and officiating and encouraged the development of safety-first equipment. Through this organization, he has been able to obtain group accident insurance for all team members at an extremely low rate.

During each of the last 40 years, the number of organized teams has expanded and the number of participants has increased. In 1968 organized leagues, using Pop Warner's standards, were playing in 32 States and over 600,000 boys received guidance in Pop Warner's precepts. Teams are matched by weight and age, and scholarships remain a prerequisite to team participation. The All-American team, selected at yearend, had many honor students on its roster.

The board of trustees is composed of outstanding citizens dedicated to the ideals fostered by Pop Warner. Individual members of the board contribute generously of their own time and money and raise additional funds through soliciting support from others. Joe Tomlin, the founder of the organization, remains its president and, to a large extent, is responsible for its growth and its smooth operation.

Pop Warner Little Scholars, Inc., now operates under a nonprofit charter granted by the Commonwealth of Pennsylvania. The activities of this organization have expanded to such an extent that a Federal charter is necessary to recognize the organization's broad scope and to protect the Pop Warner name and insignia, those participating in the program and those who give their dedicated services. Its prime purpose, like that of the Boy Scouts of America, the Girl Scouts, and Little League Baseball, Inc., is the fostering of leadership and good citizenship. This organization has been in existence sufficiently long to insure its permanency. Its operations are scattered geographically as to assure its national character. Its purposes are lauditory and its achievements are to be highly commended.

Mr. President, it is a great honor for me to introduce this bill for myself and 37 cosponsors on behalf of Pop Warner Little Scholars, Inc. I hope that many more of my colleagues will join me in sponsoring this measure as a token of our appreciation of this splendid effort for youth development.

Mr. President, I ask unanimous consent that the text of this legislation as well as a list of the Pennsylvania communities in which Pop Warner Football is played be printed at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and list will be printed in the RECORD.

The bill (S. 2561) to incorporate Pop Warner Little Scholars, Inc., introduced by Mr. SCOTT (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 2561

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Herbert Barness, 1352 Easton Road, Warrington, Pennsylvania; Joseph J. Tomlin, 1004 Western Saving Fund Building, Philadelphia, Pennsylvaina; G. Martin Brill Watts, 571 Sycamore Mills Road, Media, Pennsylvania; James T. Bryan, Jr., 67 Wall Street, New York, New York; Milton Clark, 5401 Walnut Street, Philadelphia, Pennsylvania; George M. Ewing, Jr., 611 Maplewood Road, Wayne, Pennsylvania; Donald C. Osgood, 1000 Miramar Place, Fullerton, California; Anthony F. Visco, Jr., 1418 Packard Building, Philadelphia, Pennsylvania; Maurie H. Orodenker, 6004 N. 13th Street, Philadelphia, Pennsylvania; Charles A. Barsuglia, 7246 Marsden Street, Philadelphia, Pennsylvania; Stanley M. Bednarek, 2607 East Allegheny Avenue, Philadelphia, Pennsylvania; Mitchell N. Daroff, Rittenhouse Plaza Apartments, Philadelphia, Pennsylvania; John D. Scott, City Hall, Philadelphia, Pennsylvania; David G. Tomlin, 3664 Richmond Street, Philadelphia, Pennsylvania; and their successors, are hereby created and declared to be a body corporate by the name of Pop Warner Little Scholars, Incorporated (hereafter in this Act referred to as the "corporation"), and by such name shall be known and have perpetual succession. Such corporation shall have the powers and be subject to the limitations and restrictions contained in this Act.

COMPLETION OF ORGANIZATION

SEC. 2. A majority of the persons named in the first section of this Act are authorized to complete the organization of the corporation by the selection of officers and employees, the adoption of bylaws, and the doing of such other acts as may be necessary to complete the organization of the corporation.

OBJECTS AND PURPOSES OF CORPORATION

SEC. 3. The objects and purposes of the corporation shall be—

(1) to inspire youth, regardless of race, creed, or color, to practice the ideals of sportsmanship, scholarship, and physical fitness; and

(2) to bring youth closer together through the means of common interest in sportsmanship, scholarship, fellowship, and athletic competition.

CORPORATE POWERS

SEC. 4. (a) The corporation shall have power—

(1) to sue and be sued, complain, and defend in any court of competent jurisdiction;

(2) to adopt, alter, and use a corporate seal;

(3) to appoint and fix the compensation of such officers and employees as its business may require and define their authority and duties;

(4) to adopt and amend bylaws, not inconsistent with this Act or any other law of the United States or any State in which it is to operate, for the management of its property and the regulation of its affairs;

(5) to make and carry out contracts;

(6) to charge and collect membership dues, subscription fees, and receive contributions or grants of money or property to be devoted to the carrying out of its purposes;

(7) to acquire by purchase, lease, or otherwise, such real or personal property, or any interest therein, wherever situated, necessary or appropriate for carrying out its objects and purposes and subject to the provisions of law of the State in which such property is situated (A) governing the amount or kind of real or personal property which similar corporations chartered and operated in such State may hold, or (B) otherwise limiting or controlling the ownership of real or personal property by such corporations;

(8) to transfer, lease, and convey real or personal property;

(9) to borrow money for its corporate purposes, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise, subject to all applicable provisions of Federal or State law; and

(10) to do any other acts necessary and proper to carry out its objects and purposes.

(b) For the purpose of this section, the term "State" includes the District of Columbia.

PRINCIPAL OFFICE; SCOPE OF ACTIVITIES; DISTRICT OF COLUMBIA AGENT

SEC. 5. (a) The principal office of the corporation shall be located in Philadelphia, Pennsylvania, or in such other places as may later be determined by the board of directors, but the activities of the corporation shall not be confined to that place, but may be conducted throughout the United States.

(b) The corporation shall maintain at all times in the District of Columbia a designated agent authorized to accept service of process for the corporation. Service upon, or notice mailed to the business address of, such agent, shall be deemed notice to or service upon the corporation.

MEMBERSHIP

SEC. 6. Eligibility for membership in the corporation and the rights and privileges of members shall, except as provided in this Act, be as set forth in the bylaws of the corporation.

BOARD OF DIRECTORS; COMPOSITION; RESPONSIBILITIES

SEC. 7. (a) Upon enactment of this Act, the membership of the initial board of directors of the corporation shall consist of the persons named in the first section of this Act.

(b) The initial board of directors shall hold office until the first election of a board of directors. The number, manner of selection (including filling of vacancies), term of office, and powers and duties of the directors shall be set forth in the bylaws of the corporation. The bylaws shall also provide for the selection of a chairman and his term of office.

(c) The board of directors shall be the governing board of the corporation, and a quorum thereof shall be responsible for the general policies and programs of the corporation and for the control of all funds of the corporation. The board of directors may appoint committees to exercise such powers as may be prescribed in the bylaws or by resolution of the board of directors.

OFFICERS; ELECTION OF OFFICERS

SEC. 8. The officers of the corporation shall be those provided in the bylaws. Such officers shall be elected in such manner, for such terms, and with such duties. as may be prescribed in the bylaws of the corporation.

USE OF INCOME; LOANS TO OFFICERS, DIRECTORS, OR EMPLOYEES

SEC. 9. (a) No part of the income or assets of the corporation shall inure to any member, officer, or director be distributable to any such person during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of reasonable compensation to officers of the corporation or reimbursement for actual necessary expenses in amounts approved by the corporation's board of directors.

(b) The corporation shall not make loans to its members, officers, directors, or employees. Any director who votes for or assents to the making of such a loan, and any officer who participates in the making of such a loan, shall be jointly and severally liable to the corporation for the amount of such a loan until the repayment thereof.

NONPOLITICAL NATURE OF CORPORATION

SEC. 10. The corporation and its officers and directors as such shall not contribute to, support, or otherwise participate in any political activity or in any manner attempt to influence legislation.

LIABILITY FOR ACTS OF OFFICERS AND AGENTS

SEC. 11. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

PROHIBITION AGAINST ISSUANCE OF STOCK OR PAYMENT OF DIVIDENDS

SEC. 12. The corporation shall have no power to issue any shares of stock nor to declare or pay any dividends.

BOOKS AND RECORDS; INSPECTION

SEC. 13. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having authority under the board of directors, and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

AUDIT OF FINANCIAL TRANSACTIONS

SEC. 14. The provisions of sections 2 and 3 of the Act of August 30, 1964 (36 U.S.C. 1102, 1103), entitled "An Act to provide for audit of accounts of private corporations established under Federal law" shall apply with respect to the corporation.

USE OF ASSETS ON DISSOLUTION OR LIQUIDATION

SEC. 15. Upon dissolution or final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the corporation may be distributed in accordance with the determination of the board of directors of the corporation and in compliance with this Act, the bylaws of the corporation, and all other Federal and State laws applicable thereto.

EXCLUSIVE RIGHT TO NAME, EMBLEMS, SEAL, AND BADGES

SEC. 16. The corporation shall have the sole and exclusive right to use the name "Pop Warner Little Scholars", and to have and

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to use such emblems, seals, and badges as may be required in carrying out its program. Nothing in this section shall be construed to interfere or conflict with established or vested rights.

RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

Sec. 17. The right to alter, amend, or repeal this Act is expressly reserved.

The list, presented by Mr. Scott, is as follows:

Pop Warner Football is played in the following Pennsylvania communities:

Aliquippa, Aston Mills, Baden, Beaver, Beaver Falls, Berwyn, Bethlehem, Center Township, Center Valley, Chalfont, Chester, Clairton, Collegeville, Colmar, Colwyn, Conshohocken, Conway, and Coopersburg.

Darby, Donora, Downingtown, Easton, Elizabethtown, Elwood City, Ephrata, Feasterville, Glenside, Huntingdon, Industry, Koppel, Lancaster, Langhorne, Lansdale, Laverock, Levittown, and Malvern.

Media, Monaca, Mt. Joy, Nazareth, New Brighton, New Castle, N. Charleroi, Oakhurst, Oreland, Paoli, Parker Ford, Pen Argyl, Penndel, Perkasie, Philadelphia, Pittsburgh, Pottstown, and Pughton.

Quakertown, Reiglesville, Richboro, Roslyn, Souderton, Southampton, Springfield, Swarthmore, Trumbauersville, Upland, Warminster, Williamsport, Willow Grove, Wind Gap, Woxall, York, and Zionsville.

S. 2562—INTRODUCTION OF A BILL RELATING TO DRUG FORMULARY

Mr. SCOTT. Mr. President, on behalf of myself and the Senator from Oregon (Mr. Hatfield), I introduce for appropriate reference, a bill to require the establishment of drug formularies by States participating in federally assisted health programs. The purpose of this legislation is to encourage physicians to prescribe the most economical drugs which, in their professional judgment, best meet the needs of their patients who are beneficiaries of these Federal-State health programs.

My bill would require each State to establish and file with the Secretary of Health, Education, and Welfare a drug formulary that lists the most frequently prescribed drugs paid for under Federal-State matching fund programs. It would direct each State participating in these programs to establish a drug formulary committee, a majority of whose members would be required to be practicing members of the professions authorized to render health services under these programs.

The drug formulary committee would recommend, for the approval of the State officer designated by the Governor, a list, by brand and generic name, of the drugs most frequently prescribed. This listing, or formulary, would also show the reimbursement allowed to vendors to each listed drug, or would indicate the cost of each drug to the community pharmacist. Costs would be shown in a manner to clearly reveal the comparative cost of all listed drugs which may be used for similar therapeutic purposes.

My bill would require each State to distribute its drug formulary to all practioners authorized to prescribe drugs under these programs. The drug formulary could be revised as often as is deemed desirable, but my bill would require revision at least once annually for each State. At the State's option, area formularies, covering different geographical portions of a State, or regional formularies serving the needs of several States, could be adopted.

Although this legislation seeks to promote economy in federally assisted welfare participation prescription drug programs, I want to emphasize, Mr. President, that it would in no way undermine the quality of medical care administered to their beneficiaries. It would not force physicians to alter their practices in prescribing drugs for their patients; nor, would it require physicians to prescribe by brand name or generic name. Finally, this bill does not specify the amount of payment that is to be made for prescription drugs of the method of pricing to be employed.

In short, my bill neither authorizes nor contemplates Federal interference with State prerogatives. While it would require, as a condition of Federal matching, that each State file a drug formulary with the Secretary of Health, Education, and Welfare, my proposal would reserve for each State the right to say which drugs would be covered, and what prices would be paid for these drugs.

My Commonwealth of Pennsylvania already has the type of drug formulary contemplated in the bill which I am introducing today. Practicing physicians, pharmacists, and administrators of the Commonwealth's welfare program have acclaimed the formulary as a very helpful instrument. The Pennsylvania drug formualry is not only helpful to those participating in these matching fund programs, but it is simple to operate and leads to economy in drug usage. Even though use of the formulary is voluntary, 98 percent of the drugs listed in the formulary are prescribed for welfare patients by physicians.

Practicing physicians and others concerned with Federal assisted Pennsylvania welfare programs have made themselves available to serve on the State's formulary committee. Since physicians comprise a majority of this committee, their practices and desires are given every consideration, thus resulting in a cooperative relationship between the physicians and the Department of Public Welfare. A systematic listing of drugs in the Pennsylvania formulary has substantially reduced the clerical efforts required to audit and prepare invoices for payment. Before the formulary was established, 5 to 6 months often elapsed between the time a pharmacist rendered service and the time payment was received. This timelag has now been reduced to approximately 40 days, and I understand even this period could be cut in half with the use of automatic data processing, a step to which the Pennsylvania system readily lends itself.

Pennsylvania's pioneer drug formulary has achieved substantial economies without sacrificing quality in medication. The Commonwealth's drug costs declined by $1 million during the first 9 months of the formulary's use. During Pennsylvania's fiscal year 1967–68, the average price of a prescription drug under the State's program was lower than the national average.

The State of Nebraska, which adopted the Pennsylvania drug formulary last year, reported a similar experience with the average cost of a prescription drug under the Nebraska welfare program dropping from $5.10 to $3.60.

Pennsylvania's Department of Public Welfare has advised me that there is no undue administrative burden in establishing and maintaining the formulary. A single pharmacist, spending about one-fifth of his time on the formulary, can do all that is currently required in order to keep it up to date. Moreover, the simplification of work may allow the assignment of a pharmacist already on the staff to complete this task, thus avoiding the need to hire any additional clerical help.

I commend to the attention of Senators and other interested parties this measure which I am introducing today. I am confident that with the knowledge derived from the drug formulary required by my bill, doctors will prescribe the most economical drugs which, in their professional opinion, best meet the needs of their patients.

Mr. President, I ask unanimous consent that the text of my bill be printed at this point in the Record, and that letters to me from the administrator of Pennsylvania's drug formulary, and from the Nebraska Department of Public Welfare, be printed immediately thereafter.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letters will be printed in the Record.

The bill (S. 2562) to assist physicians and other professionals in prescribing drugs covered under Federal-State programs, to provide for the preparation and distribution of State drug formularies, and to encourage economy in the prescribing and dispensing of prescription drugs, introduced by Mr. Scott (for himself and Mr. Hatfield), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 2562

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, no Federal grant shall be made to defray any expenses incurred after December 31, 1970, by any State in providing prescription drugs to any person, under any Federal-State matching fund program which provides drugs to needy individuals, unless such State shall have prepared, published, and made available to the practitioners authorized to prescribe drugs under such programs in such State, a drug formulary, with respect to which a certification shall have been made by the State officer designated by the Governor, to the Secretary of Health, Education, and Welfare (hereinafter referred to as the Secretary) as provided in section 2(a).

Sec. 2. (a) The certification referred to in the preceding section means a certification by a State officer designated by the Governor certifying that—

(1) such formulary was prepared by, and the contents thereof were approved by, a competent formulary committee, the membership of which included individuals having expertise in the rendering of professional services under, or in the administration of, State-Federal financed health programs, and a majority of the members of which were

practicing members of the professions authorized to render professional services under such programs;

(2) such formulary contains a listing by generic and brand names of the drugs which are most frequently prescribed and approved by the formulary committee in the State for needy individuals receiving drugs under State programs in which Federal financial participation is authorized.

(3) such formulary indicates, with respect to each drug listed therein, (i) the maximum reimbursement which will be paid (under State programs in which there is Federal financial participation) to vendors for each listed product or (ii) the usual cost thereof when obtained by community pharmacists in usual quantities from the most frequently used source of supply for such drug, or (iii) a cost index or a ratio of drug costs (to community pharmacists) which clearly indicates the degree of cost variations existing between listed drugs used for comparable therapeutic purposes;

(4) adequate provision has been made by the State for the distribution of copies of such formulary and revisions thereto among physicians and other appropriate individuals in the State;

(5) such formulary will be revised from time to time (but not less than once each twelve months) so as to include therein new drugs approved for inclusion and to reflect current information as to drug costs; and

(6) the State has made adequate provision for appeal from the decision of the formulary committee by any party at interest as to the inclusion or exclusion of any generic or branded product in the formulary.

(b) If the State deems the same to be desirable, it may submit to the Secretary a separate formulary for any particular area of the State, which formulary shall be subject to the same certification requirements as those set forth in subsection (a).

SEC. 3. No certification with respect to a drug formulary of any State shall be effective until a copy of such formulary shall have been filed with the Secretary. Any certification with respect to a drug formulary shall cease to be in effect if, within a reasonable time after any revision or modification of, or addition to, such drug formulary, a copy of such drug formulary which contains such revision, modification, or addition is not filed with the Secretary.

SEC. 4. For purposes of this Act—

(a) the term "generic name", when used in connection with any drug, means the "established name" of such drug as that term is defined in section 502(e) of the Federal Food, Drug, and Cosmetic Act, and

(b) the term "brand name", when used in connection with any drug or drug product, means any name or term or a combination of these (including a trademark or a proprietary name) which serves clearly to identify such drug or drug product as the product of a particular manufacturer, packager, or distributor.

The letters, presented by Mr. SCOTT, are as follows:

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF PUBLIC WELFARE,
Harrisburg, Pa., May 22, 1969.
Hon. HUGH SCOTT,
U.S. Senate, Committee on the Judiciary, Old Senate Building, Washington, D.C.

DEAR SENATOR SCOTT: This is in reply to your letter of May 5, 1969, regarding the Pennsylvania Formulary System. The remarks of Senators Javits, Scott and Hatfield as published in the Congressional Record are accurate and suitable descriptions of the Drug Formulary System.

On October 18, 1965, the Department of Public Welfare of the Commonwealth of Pennsylvania launched a program to study drugs and systems being used in the Medical Assistance program. The results of this study indicated an antiquated system of administration with little or no controls on quality medications, utilization of the program or payment to vendors.

It was interesting to learn that the number of drugs being used on the Welfare program was relatively small, in fact, approximately 1,300 drugs represented the total program. The following recommendations were made and accepted.

(1) That a controlled list of drugs be compiled and presented as a formulary which would guarantee quality medication.

(2) Establish a sound effective administration in the Department's pharmaceutical program.

(3) Speed up payments to vendors by bypassing the County Office and forwarding invoices directly into State Office. This transition to a direct submission program was implemented on January 1, 1968, and it is unfortunate in that our manual audit section received, during the month of January 1968, the total submissions for the month of December 1967, the month of January 1968, plus a one to three month backlog from the County Office. It was because of this tremendous number of invoices that the Department got behind in payment. In fact, it took almost eight months to work out of the massive paper. However, as a general rule the delay was no greater than that which existed on the old system.

(4) Establish and update vendors' prices for drugs.

(5) To design a system to be adaptable to electronic data processing.

Shortly after this approach was accepted a Formulary Committee was formed which was chaired by the Welfare Department's pharmacists responsible for the administration of the Drug Formulary. The Committee was made up of a physician from each of the major specialties in the field of medicine, a dental consultant, retail pharmacists, hospital pharmacists, and a pharmacologist. The selection of this Committee was made with the geographical location of each member as a requisite to a program representing the entire Commonwealth of Pennsylvania.

The Medical Care Advisory Committee assigned certain professional members of the Medical Advisory Committee to serve on this Formulary Committee without pay. The remaining members, selected geographically, were asked to serve under a contract in which a stipend of $35.00 per day and expenses were paid. This Committee screened approximately 40,000 drugs including those drugs that were currently being used on the program. As a result, the present formulary is made up of drugs that were most frequently used in the Welfare program. The exceptions were drugs of questionable quality and unethical marketing in nature. The program was put into effect July 1, 1966, without coercion and it is known now that because this system did not contradict the distribution system in the community nor the physician's prerogative, and include the most commonly prescribed drugs, it was accepted without question.

It is interesting to note that even though the formulary is still on a guideline basis the physicians' use of drugs currently represents almost 98 per cent of those drugs in the formulary.

Our present system updates the formulary three times a year, and on the fourth quarter, a complete revision is compiled. The updating of the current formulary requires about two days' labor of a pharmacist and a clerical person. The revision requires approximately two weeks and by the same personnel. Currently, as we update or compile a revision, a master printer's copy is forwarded to each State which is using this program. We have found that the pricing, which is a medical approach between direct and wholesale purchasing, is a valid one in most States east of the Rockies. Therefore, the forwarding of such printer's copies represents a savings of updating and revisions to that State.

When we published the formulary we purchased a binder for approximately 60 cents. The 240 pages consisting of composition and printing plus the index tabs cost approximately 70 cents, so that the over-all cost of the formulary was approximately $1.30. We distributed this to approximately 12,000 professional people and institutions such as:

(1) Physicians
(2) Pharmacies
(3) Hospital Pharmacies
(4) Hospital Clinics

In addition to the above we sold the formulary to non-participants such as nursing homes, drug firms, etc., for $8.00 plus 6 per cent sales tax. Annual updating and the revision cost $3.00 on a renewal basis only.

At the date of the implementation of this program, we also implemented a utilization review and disposition program. This is a program whereby the hospital inpatient, physician, nursing home, pharmacy, outpatient clinic, and dentist were incorporated into a program of invoice review. We set up an administrative mechanism and source of complaint originating first in our Medical Audit Section in which they were to forward invoices to this review section based upon certain fiscal and professional norms such as dollar and professional utilization of the program as defined by over-, under-, and misutilization. In addition to this complaint source, we were able to establish a mechanism whereby drug salesmen, providers of service, and the County Office personnel, etc., would identify unusual procedures which occur in the field. It is the responsibility of these people to direct such complaints to the attention of the utilization review section. To this program we added field investigators which we refer to as Medical Program Representatives. It is their responsibility to document and dispose of such cases administratively by means of disbarment from the program, restitution and if necessary, prosecution in the Courts.

This program is exceptionally successful, as the amount recovered by the Department is many times greater than the cost of the entire operation.

In addition to the above function we have established a master professional vendor list of professional people. To each provider of service we have assigned a contract number for easy identification. It is through this master vendor file that we have been able to identify for the first time instances of billing for professional services by unlicensed professional vendors.

Incidentally, this vendor system is also on the computer which is also updated daily so that when we wish to distribute manual or drug formulary material by mail, the computer supplies us with the vendor's name reproduced on gummed labels.

The next major function is in the field of drug control. Currently there are three pharmacists on our staff that in addition to other responsibilities, are preparing drug specifications in cooperation with the Defense Department and other agencies of Federal and State Government.

This drug specification is a very sophisticated document unlike any available today. It attempts to spell out quality by the determination of the condition under which a product is made as well as the actual formulation and quality control of the drug. This specification will, in the near future, be the criteria for the acceptance of a drug to be listed in the formulary.

I am attaching to this letter a letter directed to Doctor Neer in Health, Education, and Welfare in Washington, D.C., by the Nebraska Department of Public Welfare. Prior to the date of implementing the Pennsylvania Formulary System, the average price of a prescription on the Welfare program in Nebraska was approximately $5.10. By adopting this system and its administrative controls, the average price of prescriptions fell to approximately $3.60.

In addition to the above the results of the first nine months of operation under the formulatory system in Pennsylvania showed a 15.9 per cent ($1,058,948.82) decrease in drug expenditures which was in contradiction to the national trend at that time. Admittedly, this downward trend came as a surprise to the Department as compared to the position of maintaining the current fiscal situation while identifying a quality medication. Nevertheless, the drug program is still somewhat misunderstood in that few seem to grasp that a complete system is involved and not just a catalogue of drugs.

The following table represents the number of prescriptions and total expenditures. It should be noted that the average price of a prescription remains far below national averages.

Fiscal year	Number of prescriptions per year	Dollar amount per year
1963-64	2,294,686	$6,682,363
1964-65	2,361,356	6,991,160
1965-66	2,664,605	8,711,411
1966-67	2,500,839	8,205,327
1967-68	2,934,164	9,313,061

The Commonwealth of Pennsylvania early in 1966 recognized that the generic brand name controversy which had been on a merry-go-round since the Kefauver hearings, was but a myth. The Formulary Committee recognized that there were good brand name drugs and there were very poor quality brand name drugs. And conversely that there were good generic drugs as well as very poor generic drugs, and further that there was a definite cost factor existing between good and poor drugs which was more implicit than that which existed between brand and generic name drugs. The answer to the problem was resolved by the necessity to determine the difference between a good quality medication and one that did not come up to such specifications. It is upon this philosophy that the Pennsylvania Formulary System is based.

Sincerely yours,

William G. Shoemaker,

Acting Director, Bureau of Medical Policies and Standards.

Nebraska Department of
Public Welfare,
Lincoln, August 14, 1968.

Dr. Bradley P. Neer,
Department of Health, Education, and Welfare, Washington, D.C.

Dear Dr. Neer: Reference is made to your telephone conversation of August 13, 1968, with Mr. Harold Strode of this Department regarding a report of what has happened in our drug program since your visit here.

Following are your recommendations and our comments concerning action taken:

Recommendation: The State Welfare Department should completely staff its medical unit. The pharmacist consultant should be put on a full time basis. While the pharmacist should be available for consultation to the medical processing and auditing unit, we suggest he report directly to the director of the Medical Services Division and have major responsibility for the continuing development, implementation, evaluation, and periodic revision of the pharmaceutical services plan. This includes maintaining a close liaison with State and local pharmaceutical associations and representation at conferences and committees dealing with various segments of pharmacy.

Action Taken: Action is being taken to staff completely our medical unit. A Psychiatrist has been employed on a part-time basis to provide three full days of consultation per month. An interview has just been completed with a qualified psychiatric social worker and we hope to add this person to the staff shortly. The part-time pharmacist was placed on a full-time status June 17, 1968, and is directly responsible to the Chief of the Medical Services Division. He has been most active since that time in explaining our drug program to local professional associations and representing this Department at conferences and committees dealing with various segments of pharmacy, in addition to compiling the necessary data for the publication of our Official Drug Pricing Guide.

Recommendation: The State Welfare Department should strive to streamline processing of provider's claims through by-passing unnecessary handling at the county level.

Action Taken: We believe legislation is necessary to eliminate the current approval of medical claims at the county level. Legislative revisions are under consideration for the next session of the legislature.

Recommendation: Develop an approved drug listing of those items determined necessary by appropriate medical advisory committees. This list may then be used as a guide for authorized providers in prescribing, dispensing, and pricing. The necessary built-in controls for refills, quantity or dollar limitations should be simultaneously developed and made known to all providers of medical services and care.

Action Taken: Enclosed is a copy of the Nebraska Department of Public Welfare Official Drug Pricing Guide which was placed in effect August 1, 1968. This publication was distributed to all Physicians and Pharmacists in the State who are providers of medical services and care as well as to other appropriate personnel such as hospital pharmacists, clinic pharmacists, and welfare personnel at the county level. We are reimbursing all vendors for public welfare patients for medicines in this manner. Legend or prescription medicines at the rate of acquisition cost plus $1.75 dispensing fee. Non-legend or over-the-counter items at the rate of cost plus 33⅓% mark-up.

Recommendation: The State should furnish printed instructions and necessary forms to the various providers with a minimum of "form filing" but adequate to provide all required data for evaluation, utilization, and certification of services and care provided.

Action Taken: Enclosed is a copy of the new Form DM-10F which will serve as the only form required from initiation by the Physician to payment to the vendors for services rendered. Instructions regarding the form are included in the Official Drug Pricing Guide.

Recommendation: The State should employ a field investigator to review and inspect those providers or recipients who exhibited abnormal patterns of utilization.

Action Taken: A full-time field investigator was employed May 6, 1968, to review and inspect those providers or recipients who exhibit abnormal patterns of utilization. He is eminently qualified because of his law enforcement background of twenty years' experience as a sheriff in the State of Nebraska. Mr. Tobiassen was given intensive training for a period of two weeks by the investigative staff of the State of Pennsylvania, Department of Public Welfare. We feel the work that Mr. Tobiassen has done in the short time he has been on our staff is probably the most significant factor in lowering our prescription prices to their present level. Several problems of over-utilization have come to our attention and the welfare patients guilty of these offenses are healthier by far than they have been in recent years. Nebraska's average prescription cost for welfare prescriptions prior to the implementation of our investigative processes was $5.10 and has since been reduced to $4.36. Specific cases in the investigators files are of a hospital's monthly billing being cut $4,500, because of improper charging and billing processes. Also, a privately owned retail pharmacy had their monthly statement cut from $1,700, to $1,250. These are but two examples of the many circumventions we have uncovered which fortunately are the exception rather than the rule.

Recommendation: The Medical and Processing Unit should develop programs in conjunction with the State's Data Processing Section to provide adequate data for evaluation. This would include vendor profiles, recipient profiles, etc.

Action Taken: Programs have been developed to provide adequate data for evaluation. Enclosed is one example (Drug Cost Index) of such a program. Others already developed are Drug Utilization Index, Vendor Cost Index, and Vendor Drug Utilization Profile. Others are in the development stage. Mr. Harold Strode's research and data have been compiled and the amazing accumulation of data has been made available to your office on a monthly basis. This data aids our office specifically in the study of pricing by the dispensing doctor and druggist and will also be the basis of the quarterly updating of our "Official Drug Pricing Guide."

Recommendation: The State should make better use of the Medical Advisory Committee as described in "The Role of the State Medical Advisory Committees in Medicaid (Title XIX)." Copies have been provided to the State Welfare Department.

Action Taken: Action is underway to revitalize our committee and to propose the establishment of several sub-committees with whom we could work on a day-to-day basis. Sub-committees were used in our new drug program.

Recommendation: All instructions should be properly disseminated to those concerned. Follow-up by the State should be made to counties in coordinated efforts with State and County personnel.

Action Taken: All necessary instructions are disseminated to appropriate personnel by means of memoranda and the Nebraska State Plan and Manual. Responsible personnel visit counties for discussion of problems and coordination.

Although there has not been time since our drug program was placed into effect to offer such of an evaluation, we believe it has been fairly well accepted by the great majority of the professional personnel. A few of the vendors were not exactly happy with the dispensing fee and a very few of our Physicians were displeased with the change, per se; however, the vast majority have accepted it without comment.

Our sincere and special thanks to your committee and the State of Pennsylvania for the invaluable aid given us in helping our staff develop these positive and forward steps in the proper and efficient administration of our Title XIX program.

Sincerely,

H. W. Rogers,

Director, Department of Public Welfare.

S. 2563—INTRODUCTION OF BILL RELATING TO PROPOSED AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT WITH RESPECT TO DISPOSAL OF SURPLUS URBAN REAL PROPERTY

Mr. HART. Mr. President, on June 26, 1969, I advised my colleagues that I was drafting an amendment to section 203 of the Federal Property and Administrative Services Act of 1949, to permit the disposal of surplus urban real property to public housing agencies for use for public housing purposes.

As I explained at that time, I have long been concerned about the surplus

XUM

property disposal program. I believe we need a fresh look at the act and an examination of the purposes for which surplus Federal land may be acquired by States and their political subdivisions at discounted prices.

First of all, we should analyze in the light of today's needs, the purposes for which such land may be acquired at reduced or no cost. Much as we may revere historic monuments, my view would be that a no less worthy purpose would be to permit cities to acquire surplus Federal real property for public housing.

Mayor Jerome P. Cavanagh, of Detroit, called my attention to the following situation: after the Detroit riots, the city was authorized to use certain of the old Fort Wayne military post for temporary housing. The Federal Surplus Property Division has now told the city that it must plan to vacate unless it wants to buy or lease the housing. Either purchase or lease would be at full market value, according to GSA.

The mayor suggested, and I agree, that if, in fact, the Federal Surplus Property Act does not include housing as one of the purposes for which a municipality would be eligible to purchase at less than market value, an amendment to the act should be sought which would include public housing.

Accordingly, I am today introducing such a proposed amendment. I note that the Senate Government Operations Committee's Ad Hoc Subcommittee on Surplus Property is meeting July 9 and 10 on a number of bills amending this act, and I would hope that this amendment could receive consideration, along with the other bills before the subcommittee.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2563) to amend section 203 of the Federal Property and Administrative Services Act of 1949 to permit the disposal of surplus urban real property to public housing agencies for use for public housing purposes, introduced by Mr. HART, was received, read twice by its title, and referred to the Committee on Government Operations.

S. 2564 AND S. 2565—INTRODUCTION OF BILLS AUTHORIZING THE ACQUISITION OF THE INHOLDINGS IN THE EVERGLADES NATIONAL PARK, FLA.

Mr. HOLLAND. Mr. President, I am today introducing two bills to authorize the acquisition of the inholdings in the Everglades National Park, Fla. Having spearheaded the establishment of the park when I was Governor, and negotiated with the Department of the Interior the agreement for the ultimate setting up of the park, and as Governor signed the first deed conveying State lands for ultimate inclusion in the park, I am very deeply interested in seeing that the private holdings within the park boundaries are acquired.

Since coming to the Senate I have introduced various bills relating to the park, and in 1957 I introduced a bill, cosponsored by Senator SMATHERS, to finalize the boundaries of the park by authorizing the Secretary of the Interior to acquire the inholdings therein, and providing for further transfer of certain lands by the State and Federal Government, and providing for the acceptance of substantial other lands to add to the park in the vicinity of Everglades City and the Ten Thousand Islands. This legislation was enacted into Public Law 85–482 dated July 2, 1958, but due to committee action, the authorization was limited to $2 million for acquisition of the inholdings to match the $2 million which the State had already given, in addition to its gift of some 850,000 acres of land and water.

Up to 1965 efforts to obtain appropriations for the acquisition of the inholdings in the park were to no avail even though a budget request was submitted. In fiscal year 1965, however, $452,000 was included in the supplemental bill to purchase 4,420 acres. Subsequently, additional appropriations were made up to the legal authority of $2 million.

Mr. President, the limitation on authorization contained in Public Law 85–482 and the consistent refusal of Congress to fulfill the Government's responsibility to acquire the private inholdings results in the fact that there still remains some 74,638 acres yet to be acquired at an estimated cost of $20 million.

Mr. President, with all the emphasis being placed on the assurance of an adequate water supply to the park, and let me say I am in accord with the furnishing of such water supply, I believe it is incumbent upon the Government to live up to its agreement and to complete the acquisition of the inholdings in the park, which has been pending for a great number of years.

Mr. President, I introduce a bill authorizing the appropriation of $1 million for the acquisition of 6,640 acres of land, known as the Flagler tract, in the Hole in the Donut section of the park, and ask that it be received and immediately referred to the Committee on Interior and Insular Affairs.

Mr. President, I also introduce a bill authorizing an appropriation of $10 million for the acquisition of the remaining private inholdings in the park of some 67,998 acres of land and ask that it be received and referred to the Committee on Interior and Insular Affairs.

For clarification, Mr. President, I have submitted two bills since there is an emergency need for the acquisition of the 6,640 acres of land contained in the first bill I have offered as the Department of the Interior currently has an option on the acreage that will expire prior to the end of the year. And while it is of great importance that all of the remaining acreage be acquired, and the sooner such acquisition is accomplished the less likely it is that the cost of acquisition will be increased, the emergency situation applicable to the Flagler tract does not apply with regard to other acquisitions, although the private owners have been waiting for years for the Government to fulfill its obligation.

Mr. President, I might also add that it is my understanding that the funds provided by Public Law 90–401, to amend title I of the Land and Water Conservation Act of 1965, and for other purposes, could be used for the acquisition of the inholdings in the park provided that the authorization had been enacted. Although I understand informally that funds of the Land and Water Conservation Act for the next fiscal year have already been committed, I am hopeful that, by affirmative action on the bills I have just sent to the desk, the Department of the Interior will be able to rearrange priorities to expedite the long overdue acquisition of the inholdings in the park.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills (S. 2564) to amend the act fixing the boundary of Everglades National Park, Fla., and authorizing the acquisition of land therein, in order to authorize an additional amount for the acquisition of certain lands for such park; and (S. 2565) to amend the act fixing the boundary of Everglades National Park, Fla., and authorizing the acquisition of land therein, in order to increase the authorization for such acquisitions, introduced by Mr. HOLLAND, were received, read twice by their titles, and referred to the Committee on Interior and Insular Affairs.

S. 2568—INTRODUCTION OF A BILL ALLEVIATING THE BORDER COMMUTER LABOR PROBLEM

Mr. MONDALE. Mr. President, I introduce, for appropriate reference, a bill to amend the National Labor Relations Act, as amended, so as to make it an unfair labor practice for an employer to employ any alien unlawfully present in the United States, or to employ aliens whose principal dwelling places are in a foreign country during a labor dispute.

Mr. President, as chairman of the Senate Subcommittee on Migratory Labor, I am acutely aware of the adverse social and economic impact caused by commuters who cross the U.S.-Mexican border to work in Texas, New Mexico, Arizona, and California. Recent hearings by the Migratory Labor Subcommittee revealed the severity of this problem.

The commuters I refer to are workers, predominantly from Mexico, that gain entry into the United States for a day, or a week, or a month or more, by displaying either a form I–151—permanent alien registration card—commonly referred to as a green card—or a certificate showing a U.S. birthplace, or a temporary 3-day visa—white card—or a baptismal certificate. Large numbers of illegal entrants also come across the border to work in the United States.

The ready availability of workers along the border areas has contributed to the depression of living and working conditions in the United States and Mexico, and has created a situation resembling our 1930's depression economy. Illustrative of the commuter's adverse impact on our economy are the following data: 90 percent of commuters are in eight border areas from Texas, Arizona, and California; unemployment in Texas border cities is almost 95 percent greater than in Texas interior cities; alien commuters work most often in the lowest skilled, most menial and lowest paid jobs; wages for seasonal farmwork in Texas border areas are over 30 percent less than in the rest of the State; firms that employ commuters tend to pay lower wages than firms that employ only U.S. residents and tend to pay lower wages than are paid U.S. residents for the same work; wage rates paid to commuters are often less than what unemployed U.S. residents say they are able to accept; California farm wage rates are lowest in the border areas where the bulk of the farm labor force is composed of commuters; commuters constitute about 85 percent of the farmwork force in California Imperial Valley, where unemployment in 1966 was 10 percent of the labor force, twice the average rate for the entire State. Furthermore, an adverse impact on the Mexican economy is created by the introduction of U.S. dollars.

Another major adverse effect is that community and union organization efforts are rendered difficult and often ineffective due to the ready availability of workers at such low wages and poor living conditions. By permitting commuters to work indiscriminately in our economy and then take their wages back to the low-cost, low-wage Mexican economy, living and wage standards of U.S. citizens are undermined, decent job opportunities are damaged, and there is an impact throughout our entire Nation. The economic depression no doubt causes U.S. citizens to migrate north, and to our cities, in a desperate search for work. Commuters too often have little or no stake in the resolution of domestic labor disputes or in a sustained effort to improve living conditions. They simply return to the Mexican economy with their earnings. It is widely recognized that commuters are used as strikebreakers during labor organizing efforts to obtain collective bargaining agreements in California and Texas. It has been reliably estimated that 40 percent of the workers at 24 struck grape ranches in the California area in 1968 were Mexican national green-card holders.

This situation has a particular impact on the migrant and seasonal farmworker who is powerless to affect his own unemployment and underemployment, powerless to fight job displacement, and powerless in union or community organization efforts to improve his living and working conditions.

A proposal that is designed to alleviate some aspects of the commuter problem is contained in a bill which I am introducing today. The proposal would add a new section 8(a)(6) to the National Labor Relations Act making it an unfair labor practice for an employer to hire any alien unlawfully present in the United States, or for an employer to hire during a labor dispute as replacements for a regular employee, any person lawfully admitted to the United States whose permanent residence is in a country contiguous to the United States. It is further proposed that the present section 10(l) of the NLRA be amended to provide mandatory and speedy injunctions for violations of the proposed new section 8(a)(6). The proposal contemplates coverage of the agriculture industry even if legislative proposals—such as S. 8—to remove the exclusion of agriculture employees are not enacted.

Other proposals relating to the border commuter labor problem are already under consideration. Today Congressman FRANK THOMPSON, of New Jersey, is introducing a bill similar to the bill I now am introducing, and hearings are scheduled on his bill for next week. Senator EDWARD KENNEDY has introduced another bill (S. 1694), which I am cosponsoring, that would amend our Immigration and Naturalization laws by refining the commuter labor system. I understand that the Judiciary Subcommittee, which has legislative jurisdiction, and on which Senator KENNEDY serves, will soon be holding hearings on that bill. There are companion bills to the KENNEDY bill on the House side. I do hope that hearings, in addition to the investigative hearings already conducted by the Migratory Labor Subcommittee, can be held soon on my proposal today.

The investigative hearings held by the Migratory Labor Subcommittee on May 28 and 29, 1969, confirmed the fact that the border commuter labor problem is quite complicated and difficult to define. It is not subject to easy solution. One matter is certain, however, and it is that the best way to cure the problems of poverty, low wages, and deplorable living conditions along our Southwestern border communities is to remove the barriers that stand in front of human beings who are trying to gain their fair share of the American dream that has been denied them for so long. A major hurdle to strong, effective, self-help union and community organization is the continuation of the commuter system as we know it today. My bill will hopefully eliminate at least one aspect of the problem by making it an unfair Labor practice under the NLRA for employers to hire illegal entrants and commuter strikebreakers. I am open to further suggestions to alleviating the problem from my colleagues and interested parties.

Mr. President, I ask unanimous consent that a copy of the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2568) to amend the National Labor Relations Act, as amended, so as to make it an unfair labor practice for an employer to employ any alien unlawfully present in the United States, or to employ aliens whose principal dwelling places are in a foreign country during a labor dispute, introduced by Mr. MONDALE, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2568

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8(a) and section 10(l) of the National Labor Relations Act, as amended, are amended as follows:

SECTION 1. Add a new paragraph to section 8(a) to read as follows:

"(6) to employ any alien unlawfully present in the United States; or to hire during a labor dispute as replacements for a person or persons ordinarily employed by such employer any alien lawfully admitted to the United States for permanent residence whose principal, actual dwelling place is in a foreign country contiguous to the United States; Provided that this section 8(a)(6) shall apply to any employer, whether or not he employs 'employees' as defined in section 2(3)."

SEC. 2. Amend the first sentence of section 10(l) of the National Labor Relations Act by adding the words "or section 8(a)(6)," after "or section 8(b)(7),".

S. 2569—INTRODUCTION OF A BILL TO AMEND THE BANK HOLDING COMPANY ACT OF 1956

Mr. SPARKMAN. Mr. President, the bill which the senior Senator from Utah and I introduce today, by request, deals with a banking matter in the District of Columbia which we feel needs consideration. We introduce this bill so that the issue may be given attention and the matter can be given a forum.

Mr. President, I ask unanimous consent that the bill be printed in full in the RECORD, and I also ask unanimous consent that a summary of the proposed legislation be printed in the RECORD following the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and summary will be printed in the RECORD.

The bill (S. 2569) to amend section 3(d) of the Bank Holding Company Act of 1956, introduced by Mr. SPARKMAN (for himself and Mr. BENNETT), by request, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2569

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(d) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(d)) is amended by deleting the period at the end of the first sentence and inserting in lieu thereof the following: ": *Provided,* That the foregoing prohibition shall not be applicable in the case of any bank holding company if (1) the operations of such bank holding company's banking subsidiaries were principally conducted in the District of Columbia on the effective date of this proviso, or on the date on which such company became a bank holding company, whichever is later, and the additional bank the assets or shares of which, or other interest in which, is to be acquired is located in the National Capital region, as defined in section 103(a) of the National Capital Transportation Act of 1960 (40 U.S.C. 652(a)), or (2) the operations of such bank holding company's banking subsidiaries were principally conducted in a State contiguous to the District of Columbia on such effective date, or on the date on which such company became a bank holding company, whichever is later, and the additional bank the assets or shares of which, or other interest in which, is to be acquired is located in the District of Columbia."

The summary of the bill, presented by Mr. SPARKMAN, is as follows:

Bank Holding Companies in the National Capital Region: Summary of Proposed Legislation

Under the existing provisions of the Bank Holding Company Act of 1956, a registered bank holding company must obtain the approval of the Federal Reserve Board before acquiring control of any bank, and the Board is prohibited from granting its approval where the acquisition would cross a State line—that is, where a holding company has subsidiary banks in one State and seeks to acquire a bank in another State. This State-line limitation is contained in section 3(d) of the 1956 Act.

Because this restriction has given rise to special difficulties in the metropolitan area of Washington, D.C., the attached bill would modify section 3(d) with respect to the Washington metropolitan area. The bill would add a proviso to section 3(d) permitting the Board to approve a bank acquisition across a State line only in the following two specific circumstances:

(1) Where the holding company is based in the District of Columbia (that is, where its banking subsidiaries are principally located in D.C.), the Board could approve the company's acquisition of a bank located in the immediate suburban areas of Maryland and Virginia.[1]

(2) Where the holding company is based anywhere in the States of Maryland or Virginia, the Board could approve the company's acquisition of a bank located in the District of Columbia.

This amendment is intended to make it possible for individual banks in Washington to become affiliated, through registered holding companies, with banks in Maryland and Virginia, in order to improve banking services and increase banking competition throughout the area. A D.C.-based bank holding company could acquire banks only in the immediate suburbs of Washington, although a holding company based anywhere in Maryland or Virginia could acquire a D.C. bank.

The bill would not alter Federal or State law in any other way. Thus, for example:

(a) The bill would not reduce or alter the existing authority of Maryland and Virginia over the establishment of State-chartered banks and branches within their jurisdictions. It would not permit any D.C. or other out-of-state bank to come into Maryland or Virginia and establish branches there. Just as at present, new banks or branches could be established only with the approval of the State banking authorities, in the case of State-chartered banks, or the Comptroller of the Currency, in the case of National banks.

(b) The bill would not reduce or alter the existing authority of Maryland and Virginia banking agencies to examine and supervise State-chartered banks within their jurisdictions. Thus, a State-chartered bank acquired by a holding company under this proposed legislation would retain its separate identity and continue to be subject to supervision and examination by State authorities. Similarly, the bill would not authorize the merger of Maryland or Virginia banks with District banks.

(c) The bill would not alter the legality of bank holding companies in Maryland or Virginia, since the formation of bank holding companies currently is permitted by the law of both States.

(d) The bill would not alter the standards or requirements for Federal Reserve Board approval of an acquisition, except for the specific modification of the State line restriction described above. Under the existing provisions of the Bank Holding Company Act, the Board would be required to seek the views of the appropriate State banking agency on any proposed acquisition of a State-chartered bank. If the State agency disapproved of the acquisition, the Board would have to hold a full hearing on the matter, and its decision would be subject to review in the courts. Moreover, the Board is required to give heavy weight to the competitive considerations involved in any proposed acquisition, and to notify the Attorney General of every application the Board receives, so that the Justice Department's Antitrust Division may present its views and have an opportunity to challenge the acquisition under the antitrust laws.

(e) The bill would not alter the supervisory powers of the Federal Reserve Board over registered bank holding companies. A holding company formed pursuant to this bill would be subject to the same strict regulation as now provided under the 1956 Act for all other registered bank holding companies.

(f) The bill would not affect the current controversy concerning "one-bank holding companies". This bill relates exclusively to registered bank holding companies, and its desirability will not be affected by the outcome of the one-bank holding company controversy, whatever that outcome may be.

Mr. BENNETT. Mr. President, today I join in introducing S. 2569, a bill to establish within the National Capital region a commercial banking area. This bill is further recognition of the ever expanding Washington Metropolitan area and its needs for increased commercial credit.

The outlines of the problem become very clear when we look at the great need for banking services in the District—compared with that for the surrounding suburban areas—and then look at the services available in the two areas of this region. The total area to which I refer is composed of the District of Columbia; the Maryland counties of Montgomery and Prince Georges; the Virginia counties of Loudoun, Prince William, Arlington, and Fairfax; and the cities of Alexandria and Falls Church. The area of the District of Columbia is 61.4 square miles. Within the District are 14 banks. Right on the boundary of the District of Columbia the major Maryland and Virginia banking institutions have a total 15 banks. The eight major Maryland banking institutions which maintain offices on the District line are: First National Bank of Maryland, Maryland National Bank, Union Trust Co. of Maryland, Equitable Trust Co., Farmers and Mechanics National Bank, Suburban Trust Co., Citizens Bank & Trust Co., and American National Bank of Maryland. These eight banks show totals of over $3.2 billion in deposits. On the other side of the District line are seven large Virginia banking organizations. They include: United Virginia Bankshares, Virginia Commonwealth Bankshares, First Virginia Bankshares, Financial General Corp., Virginia National Bank, First and Merchants National Bank, and Dominion Bankshares. These seven banks show a total of more than $4 billion in deposits. All 15 of these suburban banks can and do operate on a statewide basis. In comparison with these banks with their over $7 billion in deposits, the total deposits of the 14 District banks of $2.6 billion looks rather insignificant.

The present distribution of bank deposits has not always been this way. From 1940 to 1966 the total population of the District increased from 663,091 to 806,000 for an increase of about 22 percent. In the same period the population of the Virginia and Maryland suburbs surrounding the District increased from 342,923 to 1,809,000 for an increase of over 400 percent. With this increase in population, the total personal income in the National Capital Area has increased from $3 billion to $18 billion. One of the major factors in this increase in population and total income is the Federal payroll. With the Federal payroll as the base for the District economy, the District still remains the major employment center in the region with a figure of 61 percent of the region's employment.

With this rise in population and income, total regional deposits have since 1947 increased from $1 billion, 127 million to $4 billion, 150 million in 1968. In 1947 deposits in the District banks totaled $944 million and in the suburbs totaled $183 million. Of the regional deposits therefore, the District banks represented over 83 percent of the total. But as stated before, with the large banking associations of Maryland and Virginia moving right up to the borders of the District, and using their proximity to the District line to acquire the bank deposits not only of Maryland and Virginia workers but also District employees, the Washington banks have been unable to compete. Historically, the District of Columbia banks have been the major financial institutions in the region—certainly much more so than the major metropolitan centers of Baltimore and Richmond. When the District banks met with a declining loan demand in the District and an ever increasing loan demand in the suburbs, the District banks rose to the occasion. Now, though, with the decline in deposits, the District banks are finding it harder and harder each day not only to meet the loan demands of the region, but also the District in which they are based.

If the District economy is to be revitalized—particularly in the slum areas and, of course, it must, then large commercial loans will be needed. The chief source of these loans must be the local banks and these banks need deposits to make the loans. The bill before us today is a recognition of this need and is an attempt to provide a workable solution to the problem. No State's rights are being infringed; no new precedent will be set. All that the bill proposes is that commercial banking institutions be allowed, with Federal Reserve Board ap-

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[1] Specifically, the acquired bank would have to be located in "the National Capital region," which has been defined in several other Federal statutes as follows:

"National Capital region" means the District of Columbia, Montgomery and Prince Georges Counties in the State of Maryland, Arlington, Fairfax, Loudoun, and Prince William Counties and the cities of Alexandria and Falls Church in the Commonwealth of Virginia, and all other cities now or hereafter existing in Maryland or Virginia within the geographic area bounded by the outer boundaries of the combined area of said counties and cities.

United States Code, title 40, section 652(a).

The definition quoted is from section 103 of the National Capital Transportation Act of 1960, although other statutes also define the National Capital Region as encompassing the same area.

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proval, and under individual State regulation, to enter into competition with other commercial banking institutions in the overall metropolitan area for the much-needed bank deposits of a congressionally recognized geographic and economic unit.

I have joined in the introduction of this bill because I believe the problem is of sufficient importance to justify congressional attention and review. If its initial features need changing—that can be done. But I think that at least we ought to try to work out a solution—and this bill can be a good beginning.

ADDITIONAL COSPONSORS OF BILL

S. 809

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from Connecticut (Mr. RIBICOFF), I ask unanimous consent that, at its next printing, the name of the Senator from Massachusetts (Mr. KENNEDY) be added as a cosponsor of the bill (S. 809) to provide Federal leadership and grants to the States for developing and implementing State programs for youth camp safety standards.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 1471

Mr. TALMADGE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Alaska (Mr. STEVENS) be added as a cosponsor of the bill (S. 1471) to amend chapter 13 of title 38, United States Code, to increase dependency and indemnity compensation for widows and children.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2391

Mr. MUSKIE. Mr. President, I ask unanimous consent that, at its next printing, the name of the senior Senator from Massachusetts (Mr. KENNEDY) be added as a cosponsor of the bill (S. 2391) to provide for more effective coordination of Federal air quality, water quality, and solid waste disposal programs, for the consideration of environmental quality in public works programs and projects, for the coordination of all Federal research programs which improve knowledge of environmental modifications resulting from increased population and urban concentration, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2470

Mr. SCOTT. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Texas (Mr. YARBOROUGH), the Senator from Rhode Island (Mr. PELL) and the Senator from Ohio (Mr. SAXBE) be added as cosponsors of the bill (S. 2470) to amend the Food Stamp Act of 1964 to authorize elderly persons to exchange food stamps under certain circumstances for meals prepared and served by private nonprofit organizations, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2545

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Maryland (Mr. MATHIAS) be added as a cosponsor of the bill (S. 2545) to amend title I of the Higher Education Act of 1965 in order to authorize the Commissioner of Education to arrange for community service programs seeking solutions to national and regional problems.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2482

CORRECTION OF ADDITIONAL COSPONSOR OF BILL

Mr. JAVITS. Mr. President, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor to the wrong bill. I now ask unanimous consent that his name be stricken as a cosponsor of S. 2457 and that, at its next printing, the name of the Senator from Indiana (Mr. BAYH) be added as a cosponsor of the bill (S. 2482), the National Kidney Disease bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDRESS BY SENATOR INOUYE AT DEFENSE STRATEGY SEMINAR OF THE NATIONAL WAR COLLEGE

Mrs. SMITH. Mr. President, on June 27, 1969, a distinguished member of the Senate Armed Services Committee, the Honorable DANIEL K. INOUYE, gave the graduation banquet address at the 1969 Defense Strategy Seminar of the National War College.

It was a very incisive and forthright analysis of the very core of the problem with which the Senate is faced today on the defense authorization bill that is before us. It had a deep impact on the members of the seminar—nearly 250 civilians from every section of our country who had taken 2 weeks out of their busy schedules to go on active duty as reservists from all of the Armed Forces.

Senator INOUYE brilliantly analyzed four important steps involved in determination of military expenditures. He rightly observed that people have been throwing stones at the wrong target.

Most impressive to me was his insight to the inescapable tie between foreign policy and military implementation of that policy. I have never seen it expressed as well as he did when he said:

> It is imperative that the Department of State play a more active role in informing Congress and the American people on our foreign policy—on the negotiations leading up to the formulation of treaties, on the commitments we have made, and on the possible scope and nature of the military involvements which may be required to fill such commitments. The Department of Defense is required to submit a posture statement each year to Congress. Likewise, I believe it is important that the Department of State be required to submit a similar statement.

Because of the timeliness and the great value of this outstanding address, I ask unanimous consent that it be placed in the body of the RECORD and I urge a very careful reading of it by every Member of Congress and by the top officials of the State Department and the Defense Department.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

MILITARY-INDUSTRIAL COMPLEX

Vietnam, Safeguard system, SEATO, NATO, North Korea, Thailand . . . These words appear in our newspapers; they are heard over radio and television; they constantly pop up in our daily conversation. They echo hauntingly in the chambers of our minds until we want to yell "stop".

Yes, I am afraid the patience of the American people has been tried. I, too, share their impatience with the seemingly endless number of military involvements in which we find ourselves, the gigantic military projects in which we are engaged, and the huge defense spendings which devour our national budget. I, too, would like to see an end to our high defense expenditures. However, reason compels me to suggest that we spend a few moments to calmly and rationally analyze the reasons for our enormous outlays for our military defense.

I was encouraged to see that President Nixon's decision to develop and deploy an $8 billion anti-ballistic missile system has produced a most important spinoff effect of increasing our scrutiny of our $80 billion military budget and stimulating congressional debate on the relationship between the strength of the "military industrial complex" and high military defense spendings. This debate is healthy. It is good and necessary.

This debate has successfully triggered public attention on the problem and stimulated genuine and widespread discussion on the subject. Everyday letters pour into my office imploring Congress to trim the defense budget down to the nice round figure of $50 billion or to reduce it by 20 percent.

I have now been a Member of Congress for ten years. And like every Member, I am deeply concerned with the heavy expenditures we make each year to support our military establishment.

It is, however, from my association with the problem as a Member of the Senate Armed Services Committee that I have come to the conclusion that people have been throwing stones at the wrong target. To redirect the attack to what I consider the salient point at issue here, let me suggest that there are four important steps involved in the determination of military expenditures. The Nation, as a whole, and Congress, in particular, have debated rather extensively the last step but very seldom the first three.

Let me share with you the four steps involved in arriving at our level of military expenditures. Discussion of the steps will assist us in analyzing the decisionmaking process involved here.

It seems to me that the first step in the process is the initial determination of our commitments abroad. Our military expenditures are, after all, designed to satisfy the obligations we have incurred as a result of our foreign commitments.

Over the years we have entered into eight bilateral and multilateral defense agreements with 42 foreign countries. We are at this moment committed by treaty to come to the defense of each of the following countries in the event of an armed attack.

On September 2, 1947, we entered the Rio Treaty and agreed to come to the aid of Mexico, Haiti, Dominican Republic, Honduras, Guatemala, El Salvador, Nicaragua, Costa Rica, Panama, Colombia, Venezuela, Ecuador, Peru, Brazil, Bolivia, Paraguay, Chile, Argentina, Uruguay, Trinidad and Tobago.

On April 4, 1949, we entered the North Atlantic Treaty and agreed to come to the aid of Canada, Iceland, Norway, United Kingdom, Netherlands, Denmark, Belgium, Luxembourg, Portugal, France, Italy, Greece, Turkey, and the Federal Republic of Germany.

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On August 30, 1951, we entered the Philippine Treaty and agreed to come to the aid of the Philippines.

On September 1, 1951, we entered the Anzus Treaty and agreed to come to the aid of New Zealand and Australia.

On October 1, 1953, we entered the Republic of Korea Treaty and agreed to come to the aid of the Republic of Korea.

On September 8, 1954, we entered the Southeast Asia Treaty and agreed to come to the aid of the United Kingdom, France, New Zealand, Australia, Philippines, Thailand, and Pakistan.

On December 2, 1954, we entered the Republic of China Treaty and agreed to come to the aid of the Republic of China.

On January 19, 1960, we entered the Japanese treaty and agreed to come to the aid of Japan.

These commitments resulted from negotiations carried out by our State Department, ratified by the Senate, and approved by the President. The Department of Defense has played a secondary role in determining our commitments abroad.

In your daily activities, I am sure you have found that the most important step taken in any venture is generally the first. So it is in the case of foreign policy and national commitments. The critical step lies in the initiation of the commitment. It is, after all, our commitments which, to a large extent, determine the character of our Military Establishment—our requirements for troops, equipment and supplies.

In proportion to the magnitude of the step, there has been very little public and congressional debate on this step. This is surprising inasmuch as it is certainly clear that we have crossed the Rubicon as soon as the ink dries on the treaty.

History has shown that the cost of making military commitments is low while the price of living up to them can be very high. We simply cannot afford to write blank checks for military commitments without seriously considering the consequences of the commitments—the scope of our involvement.

The Vietnam war should have taught us how frightfully easy it is to find ourselves dangerously overcommitted by a treaty unless we have a very clear idea of the nature and scope of our commitment at the outset. Our involvement in Vietnam is a classic example of our dangerous practice of writing blank checks, hoping that the day will never come when the checks will be cashed for American lives and resources.

I am sure that few Americans envisioned the day we would send two million of our young men overseas to defend South Vietnam when President Eisenhower signed the Southeast Asia treaty on September 8, 1954. Fifteen years ago, when our former President signed this document promising that the United States would respond to any agression by armed attack in the treaty area, few of us would have anticipated that in the short span of the last four years—from 1965 to 1969—we would have lost 33,800 men in uniform, or carried 216,644 wounded soldiers off the battlefields or spent nearly $100 billion living up to this commitment.

This leads me to the second step involved in this process—arriving at a determination of the kinds of contingencies for which we must be prepared in order to fulfill our treaty obligations. We must know in advance what kinds of contingencies we have to be prepared for in the Pacific basin, in Europe, in South America and in Asia. This is a difficult and unpleasant matter. However, the difficulty we experience in making this determination is matched only by the dire consequences we face as a nation if the determination is not made.

This very important determination of the contingencies for which we must have forces ready is made by military experts in the Pentagon. I hasten to point out that the Defense Department's conclusions on this matter are no secret. The most recent defense posture statement released by the Secretary of Defense covered this very point. This posture statement maintained that the United States must be prepared to simultaneously fight a land war in Asia, a land war in Europe and a small war in Latin America. The tragedy is that despite their importance, the decisions made here are accepted without meaningful debate. I certainly did not hear any loud debate when the posture statement was released.

The third step involves determining our general defence requirements to meet specified contingencies. At this stage, decisions are made relative to the type of military establishment required to meet these contingencies, especially our manpower requirements.

We must, for example, decide how many divisions are required to satisfy each of our commitments. Will 20 divisions satisfy our commitments in Asia? Or 24? Or are 10 divisions sufficient? These are specific questions which require specific answers. Yet, we have had very little public or congressional discussion on the level of inputs required to satisfy our commitments to our 42 treaty partners.

It is the fourth step which arouses heated discussions. This step involves the determination of how best to equip our men to meet our commitments. It is this discussion of details which incites the great debates. The debates concern such questions as whether we should purchase the TFX or fixed winged planes, or whether to use the M–14 or M–16 rifle. While these are important considerations involving billions of dollars in our national budget, they are not the critical issues. I can assure you that going through the voluminous $80 billion defense budget at this stage is a staggering task. At this point we are nit-picking over details after the major decisions have been made.

Let me suggest that we all too often concern ourselves with the technical military question of how to meet our commitment abroad and ignore the much larger question of deciding whether the commitment itself is vital to our national interest. We forget that the question of the kind of equipment our military needs only arises because bilateral and multilateral defense treaties have been signed, because commitments have been made, because contingencies must be prepared for.

However, despite the fact that those decisions which necessitate high defense costs have already been made at this stage, debate continues to focus primarily on this fourth step.

I am compelled to add at this point that most of our defense dollars are spent on "general purpose forces"—the planes, ships, and aircraft carriers used in limited wars. It is this section of the budget which is most closely related to our military commitments abroad. The greater the number of our commitments, the larger our budget for general purpose forces must be. By the same token, the fewer our commitments, the smaller our budget.

We must realize that it is too late at step four to attempt to significantly reduce the military budget. Significant reduction in defense expenditures require reductions at each prior step—steps one to three.

We appear to be seeing the trees but missing the forest in our attacks on the military industrial complex. It seems to me that if one wants to seriously discuss the military budget and military spendings, one should begin discussing the issue at the first point where the decision leading to the ultimate purchase of equipment is made—at the stage when the initial decision is made to enter into "X" number of defense commitments abroad, when the decision is made to prepare for "Y" number of contingencies, when the decision is made to deploy "Z" number of divisions. We must be realistic and realize that once these commitments are made, our military is compelled and responsible for preparing for these contingencies and for arming our men as adequately as it can.

The basic question involved here is really related to our foreign policy. Thus, it is imperative that the Department of State play a more active role in informing Congress and the American people on our foreign policy—on the negotiations leading up to the formulation of treaties, on the commitments we have made, and on the possible scope and nature of the military involvements which may be required to fulfill such commitments.

The Department of Defense is required to submit a posture statement each year to Congress. Likewise, I believe it is important that the Department of State be required to submit a similar statement. Congress should know the exact status of each of our foreign commitments. It is, for example, important that we know the extent of our commitment to Thailand and Laos now and after Vietnam. Are we committed to fight another "Vietnam" type war in Indo-China?

The status of our commitments abroad has never been clearly explained to either Congress or the American people. There exists today a dangerous void of information on this very critical issue. I find it most alarming that we lack detailed information on so important a subject—a subject which consumes the largest single slice of our national budget and which continues to deny us the resources we so desperately require to meet our pressing domestic needs.

It is time to place the question of foreign policy and the military budget in true perspective and bring debate into that arena, at that point, where it will have its greatest impact. The existence of our Nation, no less the world, depends on it.

DOMINION DAY IN CANADA

Mr. BURDICK. Mr. President, last Tuesday, July 1, Canada celebrated Dominion Day—the anniversary of the confederation of Canadian Provinces as the Dominion of Canada in 1867.

I feel a special bond with our neighbor to the north, for on the border of my State of North Dakota and the Province of Manitoba is the International Peace Garden, dedicated to more than 150 years of peace between our two nations.

As a tribute to the good people who share with us the longest unfortified boundary in the world, I would like to repeat the inscription on the cairn that marks our common border:

> To God in His glory we two nations dedicate this garden and pledge ourselves that as long as men shall live, we shall not take up arms against one another.

Surely, this is the goal of all peaceful nations. Dominion Day has passed for another year. But the people of the United States should not let it pass without an expression of gratitude that Canada is our neighbor nation.

HUBERT HUMPHREY DECRIES THE ADMINISTRATION'S LOW PRIORITY FOR EDUCATION

Mr. YARBOROUGH. Mr. President, I have repeatedly expressed my disappointment about the wholly inadequate budget requests of the Nixon administration for educational programs. I am pleased to be joined in these observations by the distinguished former Vice President, Hubert Humphrey.

In one of his nationally carried news articles, which appeared in the San Antonio Express recently, Mr. Humphrey eloquently noted:

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There are two ways to cripple an educational system—one way is to disrupt it, another way is to starve it. President Nixon's proposed 1969–70 budget is a starvation diet for American education.

An example of how our educational programs have been condemned to preterition by the Nixon administration can be illustrated by the fact that although Congress authorized $40 million under the Bilingual Education Act, which I sponsored and was enacted by the 89th Congress, only 25 percent of that amount, or $10 million, has been requested in the administration budget.

I commend Mr. Humphrey's article to my colleagues with the hope that it will make us all more conscious of the educational needs of this country and the priority we must give them.

Mr. President, I ask unanimous consent that the article by former Vice President Humphrey, entitled "Rank Education High in National Priorities," appearing in the San Antonio Express, July 6, 1969, be printed in its entirety at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RANK EDUCATION HIGH IN NATIONAL PRIORITIES

(By Hubert H. Humphrey)

Public attention to education today is focused on a handful of extremists on our college campuses. If they were to burn out a local library or school building, there would be a public outcry. Community leaders would demand that something be done about it.

But there are two kinds of destroyers—the violent destroyers and the do-nothing destroyers.

There are two ways to destroy books—one way is to burn them, another way is never to print or buy them.

There are two ways to cripple an educational system—one way is to disrupt it, another way is to starve it.

President Nixon's proposed 1969–70 budget is a starvation diet for American education. It cuts education funds by 25 per cent and slashes library funds by 66 per cent. The Nixon budget cuts in education are proportionally larger than in any other major area.

These cuts will seriously hurt local school districts and come at a time when local property taxes to support the schools have become almost more than the average homeowner can bear.

Now, local educators who planned local programs and budgeted local money to be supplemented by federal help suddenly find themselves about to be cut off by Washington.

Educational programs must have continuity. They must not be turned on and off every few years.

The Nixon education budget is $3.2 billion, almost a full billion dollars under the $4.1 billion requested by President Johnson. The Johnson request was modest enough, just $158 million over what was spent last year, and a million dollars under what has been authorized by Congress.

An example of the Nixon cuts was $40 million to aid states in the vocational training of the mentally retarded.

We have six million mentally retarded in this country, and over five million are trainable. Two million now hold jobs, which means another three million could be trained and employed.

The jobs are available. In the food service industry alone, it is estimated there are 300,000 jobs waiting to be filled in the next 10 months.

With $400 million in vocational education funds, about 100,000 mentally retarded could be trained each year to hold jobs. Each now costs the government some $3,500 a year for welfare benefits. Each could earn at least that much if properly trained, so the economy would gain by some $7,000 a year every time a mentally retarded person gets a job and goes off welfare.

Thus an investment of $40 million a year could add $700 million a year to the economy, and the training programs and resulting jobs would give new dignity to the lives of the mentally retarded.

President Nixon, going at the education budget with an axe, recommends that these training funds be completely eliminated. Instead of training people to get off welfare, President Nixon would ignore them in the name of "economy."

Other Nixon cuts will prevent many needy young people from going on to college. The Nixon budget reduced student loans from $270 million to $155 million.

In his campaign, candidate Nixon promised that every child would have "the best education that our wisdom and schools can provide, and an equal chance to go just as high as his talents will take him." He added, "My administration will commit itself to the proposition that no young American who is qualified to go to college will be prevented from doing so because he cannot afford it."

President Nixon is not living up to his promises.

I encountered another example of Nixon priorities recently when I attended a convention of the American Library Association. Have you ever seen a librarian fighting mad, ready to organize and mobilize, wanting to storm Congress? I did.

During the campaign, candidate Nixon called our libraries "a vital educational resource" and "a vital national asset."

This spring President Nixon proclaimed National Library Week, and during that same week, asked Congress to cut library funds from $135 million to $46 million!

The librarians were fighting mad. I don't blame them.

For years, our libraries have been understaffed and underfinanced. We have 40,000 schools with no libraries at all.

The Democratic administration had proposed spending $135 million, less than the cost of one day's fighting in Vietnam. The funds would have helped local communities build new public and school libraries and buy books and other library resources. Funds to bring library services to rural and inner city areas were cut in half—from $35 million to $17.5 million. Higher education library funds were also cut in half—from $25 million to $12.5 million.

Nothing is left for library construction. Billions for highways? Yes. Billions for new weapons systems? Yes. But not one cent for new libraries.

What can be done about these unconscionable cuts?

First, you can let your congressman know how you feel. Congress will restore these education funds—if the message from its constituents comes through loud and clear.

Second, after many years as a teacher, mayor, senator and vice-president, I have concluded that education is so vital to our national interest that it should be separated from the Dept. of Health, Education and Welfare and made into a cabinet-level Dept. of Education.

Third, since we have been providing too little and too late for a first-rate educational system, and since education is becoming such a difficult burden for the local taxpayer to bear alone, we should create a national educational trust fund, similar to our highway and social security trust funds.

Financing of the educational trust fund could come from development of oil shale deposits on federally-owned lands. Such development now makes economic sense for oil companies, and billions could be earned each year for education if the oil shale rights are not given away.

We must increase our investment in education. Too many of our children are not getting a fair chance. When we neglect these young people, they grow up to neglect themselves, their families, and their country.

For the long-range economic growth and security of the nation, our federal education budget should be no less than $10 billion a year—three times what the Nixon Administration has budgeted this year. This would do more to eliminate poverty and build a stronger America than anything else we could do.

We can do it. Congress should look at our national priorities and put education near the top, where it belongs.

THE TAX-EXEMPT STATUS OF MUNICIPAL BONDS

Mr. TOWER. Mr. President, tax reform occupies the mind of each and every one of us in the Senate. I think that we are all committed to correcting many of the inequities which plague our present tax structure. I certainly hope we are.

However, there are times when well-intentioned legislation can lead to ill-founded laws—times when the attempt to eliminate one injustice leads to the creation of a far greater one. This would happen, Mr. President, if this body were to heed the advice of those who would advocate the elimination of the tax-exempt status of the interest paid on municipal bonds.

Those who advocate such an approach have a laudable goal in mind. They feel that no individual receiving substantial income in our country should be allowed to totally escape income tax liability. It is then argued that because some individuals place all their money in municipal bonds and consequently pay no income tax on the interest received from those bonds we should eliminate the tax-exempt status of municipal bonds. Then, so the argument goes, a "loophole" will be closed, and these few wealthy individuals will be paying taxes again.

Mr. President, I submit that this argument is wide of the mark. It completely misses one essential point. That point is that municipalities simply cannot survive if they are forced to pay the prevailing market interest rate on taxable bonds.

It is clear then that an outright elimination of the tax-exemption on interest from municipal bonds would create such a financial burden on the municipalities of the various States that they would either become insolvent or levy huge taxes on their residents.

Just how great would these new taxes be? In order to state the minimum imaginable costs, let us assume that municipal bond rates would only rise to parity with corporate bonds, say, at 8 percent. In a typical State, $250 million is raised yearly by municipalities. With the present interest rate of 5½ percent, $13,750,000 is paid in interest in the first year of a bond issue with a typical 22-year average life. A 40-percent increase in this would be $5,500,000 for the first year and approximately $41,250,000 over the life of the bond issue. The additional costs then to the taxpayers of the municipalities of this State would be $5½ million next year if we were to remove the tax-exemption on municipal bonds.

While it is very difficult to tell who would buy municipal bonds if the tax-exemption were eliminated, it is reasonably safe to assume that the same people who buy taxable bonds now would be the buyers of municipal bonds when they become taxable. It is interesting to note that the average tax bracket of investors in taxable bonds is only 13.4 percent. This tax rate is surprisingly low because of the fact that the greatest buyers of bonds are private pension funds and other low-bracket entities such as life insurance companies and mutual savings banks.

In our hypothetical state, we find that the $13,750,000 interest from municipal bonds will only yield $1,842,000 worth of revenue to the Federal Government—$13,750×134. Since the tax changes which will enable the Federal Government to collect that amount will cost the taxpayers of the municipalities in that state some $5½ million, the change is not economically sound.

I am aware of proposals to replace the benefit received by the municipalities as the result of the tax exemption with a Federal subsidy. Not only is it patently ludicrous to close a so-called loophole by granting a subsidy, but it is also senseless to introduce the Federal Government, with all its attendant redtape, into a system which functions quite well without it.

Last year, some $16,500 million of private capital was funneled into municipalities without any cost to the Federal Government for administering the capital flow. I hesitate to think of the costs we would encounter in attempting to regulate this movement of capital at the Federal level. I think our urban areas and rural municipalities have enough problems in dealing with the Federal bureaucracies as things stand now. We would hardly be justified in increasing the problems they face just for the sake of catching a few more tax dollars. This is especially true when there is evidence that the elimination of the tax exemption for municipal bonds might well result in Federal expenditures well in excess of any increase in Federal tax revenues.

Finally, I would call the attention of those who advocate a Federal subsidy to enable municipalities to survive the financial havoc they would create by eliminating the tax-exempt status of the bonds to the fact that the minimum conceivable amount of this subsidy would be $250 million per year—an amount in excess of the moneys to be collected in tax revenues as a result of the elimination of the exemption.

Mr. President, it simply does not make sense to institute such a program when the present municipal financing system is working well. I, for one, will never lend my vote to a proposal which suggests that this Government should take money from taxpayers in a town or city, spend part of it to pay salaries for the bureaucracy to collect it, and then send what is left back to the community as a "subsidy."

Unless a clear and present need for this type of financing can be demonstrated, I shall oppose it with all the resources at my command.

The fact that the proposed plans for the elimination of the tax exemption granted on the interest paid on municipal bonds is economically unsupportable is not the cause for my greatest criticism of them, however.

Those who would eliminate the tax-exempt status on municipal bonds completely ignore the desirable economic and social results of the exemption. While the economic absurdity of removing the tax exemption of municipal bonds is apparent, this is not the strongest reason for retaining it.

The strongest argument in favor of retention of the tax exemption stems from a very simple but very correct maxim: There is no such thing as freedom without financial independence. Transferred into the context of municipalities and taxes, this maxim tells us that no municipality will have truly local government unless it has local financial solvency. Local concepts of government will not long prevail over uniform, Federal ones if the municipality is financially dependent on the Federal Government.

I do not think we can overemphasize the importance of the concept of local government, or more accurately, of local control over local government. In an age when people are striking out against a society which they feel attempts to conform their ideas and reduce their existence to a computer card, it is incumbent upon us to limit the ever-increasing imposition of the Federal will upon individual local communities.

Individual communities often have unusual problems which demand unique solutions. Many of these solutions involve plans which cannot be made if the community must first justify its decisions to some higher bureaucratic body. What appears to be a questionable solution to a man sitting at a desk in Washington may be a quite reasonable approach to the problems when viewed from the point of view of a local mayor or city manager who knows the intricate workings of his community.

If we deny the municipalities the right to issue tax-exempt bonds, we will have eliminated their financial base, the financial base without which they cannot function independently of the Federal Government. And, Mr. President, they cannot solve local problems in any manner other than a uniform one if they cannot provide the financing necessary to implement the solution.

Mr. President, I do not pretend that preserving the exemption granted on the interest from municipal bonds will, taken alone, guarantee the continued independence of the towns and cities of our several States. I do know, however, that, if we eliminate the exemptions, we will have effectively destroyed one of the most important institutions of Government in this land—that of viable local governments which are operated and financed by citizens of the community at hand. That institution has served us too well to be cast aside in an ill-considered attempt to tax a few wealthy individuals.

Mr. President, I ask unanimous consent that a copy of the resolution passed by the Texas legislature be inserted in the Record at this time.

Mr. President, I also request unanimous consent that a copy of the resolution which has been passed by many municipalities in Texas be inserted in the Record, along with a list of those Texas municipalities which have already contacted me to express their support of this resolution.

There being no objection, the resolutions and list were ordered to be printed in the Record, as follows:

House Concurrent Resolution 173

Whereas, The Congress of the United States has under consideration several proposed plans which would limit the exempt status for income tax purposes of interest paid on bonds issued by state and local governments; and

Whereas, Among those suggestions under consideration by the Congress are proposals which would (1) include interest paid on state and local bonds in the base income for a proposed minimum income tax, (2) require allocation of deductions between taxable income and income from interest paid on state and local government bonds, (3) include interest paid on state and local bonds among income which would have tax preference limitations, and (4) provide a guaranty subsidy in exchange for the surrender of all or part of such traditional tax exemption; and

Whereas, It has long been considered unconstitutional for the Federal government to tax a state or local government; and

Whereas, Any of the foregoing plans or any other plan which would directly or indirectly tax interest paid on state or local government bonds would be an impairment of such constitutional immunity; and

Whereas, Any limitation on tax exemption of interest paid on state and local bonds would result in higher interest rates to be paid by state and local governments in their borrowing; and

Whereas, Any increase in cost of borrowing is paid directly by the taxpayers of the community borrowing or by the users of publicly owned facilities; and

Whereas, any limitation on tax exemption of interest paid on state and local bonds would limit the market for such bonds; and

Whereas, Any limitation of the market in which state and local bonds are sold would handicap state and local governments in providing funds for urgently needed public improvements; now, therefore, be it

Resolved by the House of Representatives of the 61st Legislature, the Senate concurring, That the Texas legislature by this Resolution expresses its opposition to any plan by the Congress of the United States that would in any way limit the tax exempt status of interest paid on bonds issued by state or local governments; and, be it further

Resolved, that upon adoption of this Resolution, the Secretary of State is requested to deliver forthwith copies of this Resolution to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, and each member of Congress from the State of Texas.

——— ———,
Speaker of the House.
Ben Barnes,
Lieutenant Governor.

I hereby certify that H.C.R. No. 173 was adopted by the House on May 30, 1969.

Dorothy Hallman,
Chief Clerk of the House.

I hereby certify that H.C.R. No. 173 was adopted by the Senate on May 30, 1969.

Charles Schnabel,
Secretary of the Senate.

Approved: June 18, 1969.

Preston Smith,
Governor.

XUM

A Resolution in Opposition to Any Limitation on the Tax-Exempt Status of Interest Paid on Municipal Bonds

Whereas, the Congress of the United States is considering several plans which would limit the exempt status for income purposes of interest paid on bonds issued by cities; and

Whereas, any limitation on tax exemption of interest paid on municipal bonds will result in higher interest rates to be paid by cities, and limit the market for such bonds; and

Whereas, such limitation on tax exemption of interest paid on municipal bonds will handicap local government in securing funds for public improvements, and increase the burden on local tax payers and on users of public facilities; now therefore

Be it resolved by the ——— of the City of ——— that it go on record as opposing any plan by the Congress of the United States that would in any way limit the tax exempt status of interest paid on bonds issued by State or local governments; and

Be it further resolved that a copy of this resolution be mailed to the United States Senators from Texas, and to the Member(s) of Congress in whose district the City of ——— is located.

Jasper, La Marque, White Settlement, Robstown, Yorktown, Angleton, Hitchcock, Hempstead, Spring Valley, Pampa, Granger, Stamford, San Antonio, Teague, Dalhart, Canadian, Mansfield, Sherman, New Braunfels, Hillsboro, Rockdale, Eldorado, West, Richardson, Killeen, Iowa Park, McKinney, Ferris, Dayton, Weslaco, Haskell, West Columbia, Pecos City, Terrell, Farmers Branch, Kermit, Gatesville, Crockett, Stratford, Temple, Beeville, Glen Rose, Port Lavaca, Nederland, Carrizo Springs, Bryan, Winnsboro, Munday, Lake Worth, Lewisville, La Grange, Temple, Houston, Farmers Branch, Hurst, Austin, Diboll, Fort Worth, Universal City, Harlingen, Arlington, Henderson, Laredo, Fort Stockton, El Paso, Muleshoe, Edinburg, Sulpher Springs, Borger, Elgin, Azle, and Groves.

Alba, Alto, Athens, Atlanta, Beckville, Bogata, Bullard, Carthage, Center, Clarksville, Cooper, Daingerfield, DeKalb, Easton, Gilmer, Gladewater, Hawkins, Henderson, Kooks, Hughes Springs, Jacksonville, Jefferson, Kilgore, Lakeport, Linden, Lone Star, Longview, Marshall, Maud, Mineola, Mount Pleasant, Mount Vernon, Nacogdoches, Naples, New Boston, New London, Ore City, Omaha, Overton, Palestine, Paris, Pittsburg, Queen City, Quitman, Rusk, Scottsville, Sulphur Springs, Tatum, Texarkana, Timpson, Troup, Tyler, Uncertain, Wake Village, Warren City, Waskom, and Winnsboro.

SURTAX AND INFLATION

Mr. HARTKE. Mr. President, I have constantly reiterated my belief that the surtax is not needed to "fight inflation." Rather than fighting inflation, it adds to it. The surtax has directly contributed to a whole cycle of inflationary price raises—raises that large corporations transfer to small companies and to the general public.

The small businessmen and the average taxpayer cannot escape. This tax burden is not only greater, but he must pay more for his unavoidable purchases.

Not surprisingly, the surtax has failed to achieve any of its stated goals. Instead of stabilizing or decreasing inflation, cost of living and interest rates have skyrocketed.

In a recent letter to the editor of the Washington Post, Joseph A. Beirne, president of the Communication Workers of America, eloquently states his opposition to any further extension of the surtax. He also mentioned that any increases in the existing tax rates must further increase the regressive nature of our inequitable tax code.

Mr. President, I ask unanimous consent that Mr. Beirne's fine letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

A Union Official Views the Surtax

In recent days I have read many stories and interpretative columns in the Washington Post dealing with the need "to extend the surtax on individual and corporate incomes, so as to "fight inflation." Unfortunately, these items are long on rhetoric and short on information and fact.

Since this is a public issue of some controversy, I wish to address the other side—the opposition to any further extension of the surtax. The Communications Workers of America, of which I am president, and the AFL–CIO has stated their flat-out opposition to the surtax because its defects so greatly outweigh its benefits. The only apparent benefit is that it does produce revenue.

The defects include regressivity, in that it is only levied on income now subject to taxation. The surtax has allowed the Congress to delay assumption of its duty to examine the Federal tax structure in order to ensure equality of sacrifice and burden, based on ability to pay. (I am aware that some changes in the tax laws may come about this year, thanks to public outrage over the billions of untaxed dollars in income.)

The surtax feeds inflation. It devalues the dollar. I cite as the most respectable authority for this assertion Mr. H. I. Romnes, chairman of the board of American Telephone & Telegraph Co., at the April 16 annual stockholders' meeting. Mr. Romnes cited the surtax as one of the major factors which will dictate rises in both interstate and intrastate communications service tariffs.

My point is that if the surtax were doing the intended job of controlling inflation, it would not be necessary for AT&T to launch an effort to offset the effects of the "anti-inflation" surtax. Rate increases in a company of the magnitude of AT&T must automatically be reflected throughout the economy in higher prices, since the communications services provided are so vital.

Over the last weekend, the Administration has become shrill in its predictions about what will happen if the surtax extension is rejected. The only thing not said—so far—by the Administration's spokesmen is that the economy will collapse into another 1929-type depression.

There are some of us, without political constituencies, who can look at this issue somewhat more calmly. Two years ago, organized labor gave its qualified support to the surtax, with that support conditioned on the immediate beginning of the long-neglected job of tax revision for equity. The surtax was to be used as a revenue source to tide the Government over until a new Tax Code could begin yielding the necessary revenue.

The Congress and Administration can make the necessary radical changes in the Tax Code within a relatively short time. The studies have been in preparation for a number of years. A revision of the Tax Code for both equity and production of revenue can be the prime alternative to extension of the surtax, which only compounds the inequities of the present Code. All that is required is the determination to do the job right.

Despite passage of the surtax, inflation and cost of living and interest rates have shot upward alarmingly. Dr. Arthur F. Burns, Counselor to the President, warns that the dollar may have to be devalued unless the surtax is extended. This is a rather strong statement, with which I cannot agree. The dollar already has in effect been very sharply devalued by inflation, cost of living and high interest rates. Now, after a year of the surtax, the facts are that the surtax has not done the intended job. Something went wrong. The Administration has looked around for someone to blame. The "Red Scare" and the "Yellow Peril" won't work. The latest "bad boys" in economics seem to be the Members of the Federal Reserve Board, who allegedly have vitiated the good effects of the surtax.

What we actually are seeing now is the politics of extremism, the shrill repetition of the "unquestionable assumption" that the surtax is all that is keeping the Nation economically and militarily safe.

There simply has not been sufficient questioning of these "eternal truths." If the surtax is extended once again, the inflation will continue upward. Wage earners will be paying effective mortgage interest rates of about 9 per cent. Cost of living, which has shot up 6½ per cent since January 1969, will not level off. Each segment of the economy will cite the surtax as a causative factor.

There is a great need for rational thinking in economic policy, a factor lacking for some time. The high incidence of economic sloganeering today is much akin to making a person suffering with appendicitis go to a psychiatrist. In both, it is a "nice try."

EXTENSION OF THE VOTING RIGHTS ACT OF 1965

Mr. BAKER. Mr. President, on June 26 Attorney General John N. Mitchell proposed to a subcommittee of the House Judiciary Committee that coverage of the Voting Rights Act of 1965 be extended nationwide and expanded to ban all literacy tests as a qualification for voting.

The present act, scheduled to expire in 13 months, applies only to seven Southern States and has been of great assistance to the Negro in securing his right to vote in these States. The Attorney General states that he could not support a simple extension of the present regional legislation, that the right to vote is not a regional issue but a matter of national concern, and that accordingly the present statute should be extended to ban literacy tests in all, not just seven, States.

In addition to the proposal to ban literacy tests nationwide, the Attorney General's recommendations also included a proposed ban on State residency requirements for Presidential elections. I have previously introduced a measure of this nature, and I support this recommendation with great enthusiasm. Approximately 6 million otherwise qualified Americans will be barred from voting in the next Presidential election by State residency requirements unless some measure is adopted. In my judgment, residence requirements of 6 months to 2 years constitute a patently unjust impediment to voting in nationwide elections and must be removed.

Subsequent to his testimony the Attorney General has been subjected to a barrage of criticism from newspapers, Senators, and Representatives, including many Members of Congress from the 13 States outside the South that maintain literacy tests for voting. I believe this criticism to be unwarranted.

I do not object to vigorous enforcement of voting rights in the South, and for this reason I would not object to a simple extension of the present act under which 800,000 Negroes have been added to the voter registration lists. At the same time, however, as a consistent supporter of the extension and securing of the franchise, I intend to enthusiastically support the good faith effort of the Attorney General to extend this right still further to all Americans in all parts of the country.

Mr. President, the Nashville Tennessean on July 1 published an editorial expressing views on this matter quite similar to my own. This newspaper is a respected middle Tennessee publication that has traditionally supported liberal Democratic candidates for public office. I ask unanimous consent that the entire editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TIME FOR VOTERS RIGHTS ON A NATIONWIDE SCALE

The Nixon administration has dropped a bombshell of sorts into Congress with its first major civil rights proposal, a nationwide attack on barriers to voting.

Appearing before the House Judiciary Committee, Attorney General John Mitchell said the administration will oppose extension of the 1965 Voting Rights Act because it is regional legislation.

The 1965 act, which expires 13 months from now, applies to seven southern states, Alabama, Georgia, Louisiana, Mississippi, South Carolina, Virginia and 39 counties in North Carolina. Since its enactment more than 800,000 Negroes have been added to the poll books in those states.

A good many northern liberals support a simple five year extension of the 1965 act. During his campaign, President Nixon wooed southern votes by promising that the region would not be singled out for special treatment on civil rights.

Against this background, the administration could have simply balked at the extension. It has, instead, come up with some worthwhile proposals to protect the privilege of voting across the nation.

The administration wants a nationwide ban on literacy tests for voters, which are still on the books in 13 states—Alaska, Arizona, California, Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New York, Oregon, Washington and Wyoming.

Another part of the package would ban state residency requirements for voters in presidential elections, which barred 5.5 million Americans from the polls last November.

The attorney general also asked for authority to send federal examiners into any part of the country to investigate violations of voting rights and broader authority to challenge local voting regulations.

It was interesting that some of the immediate opposition to the plan came from congressmen representing states with literacy tests. Apparently it is one thing to assure that southern Negroes have the right to vote and quite another to apply the same standards to the black, the poor, the Indians and the Spanish peoples of other areas.

The 1965 act was a needed step in the struggle for equality of all Americans. It has accomplished a good part of its goal, but federal authorities should not let up in their efforts to eliminate voter discrimination in the south.

At the same time, additional steps are needed to insure voting rights for other Americans. In an age of instant communications, formal literacy is not an essential measure of the ability to make informed judgments about candidates and issues. Nor is there any excuse for barring those who participate in a mobile society from the polls for one or two years in national elections.

Congress should make sure there is no letup in enforcement of voting rights in the south. But it should not stand in the way of extending even broader rights to all citizens in all parts of the nation.

ROOM TO ROAM

Mr. JACKSON. Mr. President, at a time when Americans are searching for new and diversified recreational opportunities, the Bureau of Land Management of the U.S. Department of the Interior administers 450 million acres of public land on which there is plenty of wonderful room to roam.

Last year the first edition of the Bureau's booklet Room to Roam sold over 200,000 copies. A new issue has recently been published.

Mr. Byron Fish, writing in the Seattle Times on June 16 succinctly describes some of the major public land issues as he writes about this excellent booklet which describes the wonderful recreational opportunities on the public lands.

This recreation guide book divides the West into six major areas, then proceeds to highlight major outdoor attractions in each. For outdoor-minded Americans, these public lands of colorful history, scenic wonders and magnificent open spaces certainly provide ample room to roam. Our public lands are truly a great national asset belonging to all of the people of the United States. This great resource is a trust which must be administered not only for this generation but for succeeding generations of Americans. I know the Congress will live up to its repsonsibility in this regard as issues relating to the administration of our vast public domain come before us. I congratulate the Bureau of Land Management on what I am sure will be another best seller in its second edition of Room to Roam.

Mr. President, I ask unanimous consent that Byron Fish's article be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LAND BUREAU HAS ROSY VIEW

(By Byron Fish)

Perhaps the Bureau of Land Management views its own domain through four-color-process glasses. It is not really exempt, either, from the conflicts over environment that keep increasing in pitch.

Still, its second edition of "Room to Roam, a Recreation Guide to the Public Lands," is a welcome relief to the constant wrangling over recreation areas, dams, air pollution and interpretations of "multiple use."

Like a Disney movie, the booklet leaves the reader in a happy frame of mind, his faith restored that wide open spaces still exist and that man, nature and commercial interests can be in tune.

The Bureau of Land Management was formed in 1812 as the General Land Office, to administer all the government's real estate. Thus it is far older than the National Park Service, the Forest Service, the Bureau of Reclamation or other such federal agencies.

During more than 150 years, government land was taken over by many public and private uses—homesteaders, railroads, mineral claims, timber claims, parks, wildlife refuges, national forests.

As a result, all the B.L.M. has left is 450 million acres, or the equivalent of about 500 Olympic National Parks. Most of the acreage is in the Western states and Alaska.

Nine-tenths of Alaska is federal land. It is in the throes of tug-and-haul over who will get large portions of it. Congress promised several million acres to the state but the natives put in overlapping claims. A freeze is in effect until the matter is settled.

None of that wrangle intrudes upon "Room to Roam." The bureau is equally unbothered (at least to outward appearances) by rabid conservationists or strip miners, by hunters or birdwatchers.

"Each to his own" seems to be the philosophy. Room for all still remains, and it is the public's.

Very little bureau land has salable timber on it. The bureau had that resource removed from its jurisdiction many years ago, even in Alaska. No doubt being free of the wilderness-versus-logging controversies contributes to the bureau's cheerful tone.

It is not responsible for the use of national parks or Forest Service camps, nor with all the "don'ts" that go with official recreation areas—don't pick flowers or rocks, no hunting, stay on the trail, camp only in authorized spots. . . .

The Bureau, of course, is concerned with conservation and good outdoor manners. It is against pollution and litter, and for the preservation of archeological sites and natural scenery.

It does not begrudge amateur pothunters their stray arrowheads and pestles, though, and its maps guide rockhounds to the best areas for that hobby. It does the same for hunters and fishermen.

Prospectors may search land for whatever interests them. Cattlemen and their herds are accepted as part of the scene.

There are no "keep out" signs posted against jeep or motorcycle explorers, but they are urged to stick to existing tracks and not cut up the desert needlessly.

While the bureau is not charged with furnishing campsites—at least not to the extent National Parks and the Forest Service are—it has developed a number and it pinpoints others as "undeveloped."

From there on, explorers of the outdoors are on their own. Go camp 40 miles northwest of Winnemucca, Nev., if you want to. Just bring your own water and other supplies.

"Room to Roam" has a nostalgic appeal to anyone old enough to remember when camping sites were chosen individually wherever they could be found and there was lots of choice.

Not much bureau roaming room is left in this state, except for patches in the Columbia Basin and in the Okanogan Highlands. The closest "wide open spaces" are in Eastern Oregon.

The booklet with its maps (which include all other federal recreation areas, too) can be bought for 75 cents from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402.

THE NORTH AMERICAN WATER AND POWER ALLIANCE PROPOSAL

Mr. MOSS. Mr. President, it has been nearly 5 years since the special Subcommittee on Western Water Development, which I headed, issued their report on the concept of constructing a gigantic project to divert water from Alaska and northern Canada to Canada's prairie Provinces and the United States.

While recognizing the potential value of such a grand project to many of our Western States, much of the Midwest and even the Great Lakes States, many observers looked upon it as "the impossible dream," partly because of Canadian opposition.

In the intervening period, a great deal of thought has gone into this concept, and several individuals have advanced variations of the original North American Water and Power Alliance—NAWAPA—proposal. Particularly, the Canadians have been taking a serious and factual look at the concept.

One recently expressed Canadian view should be of great interest to those in the Senate who follow water developments closely.

I refer to a speech given by Bert Hargrave, of Walsh, Alberta, at the annual symposium in conservation and water resource management and planning which is held in Wenatchee, Wash., and sponsored by the Wenatchee Daily World.

Let me quote just two paragraphs from Mr. Hargrave's statement:

> Canada contains more fresh water than any other country on earth, more than 7 per cent of our area is represented by water.
>
> Professor E. Kuiper, who is probably Canada's foremost authority on this subject has suggested that even after allowing for our long term water needs an average flow of more than 100,000,000 acre-feet per year could be exported to the South.

Mr. President, I ask unanimous consent for the insertion of the speech of Mr. Hargrave, as reported in the Canadian publication Reclamation, at the conclusion of my remarks.

There being no objection, the excerpt from the speech was ordered to be printed in the RECORD, as follows:

CANADIAN PRAIRIE WATERS

(From a speech by Bert Hargrave, Walsh, Alberta, in Wenatchee, Apr. 7, 1969)

As an invited guest at this year's congress may I first pay a well deserved tribute to those people and agencies responsible for these very fine annual symposiums on conservation and water resource management and planning. The interest of the Wenatchee Daily World and the Woods family, together with their associates, notably Chester Kimm, in international conservation matters is well known in Canada and especially Western Canada.

There are two main phases I would like to discuss:

1. A brief summation of Canadian Prairie Water Resources.
2. The question of Canadian Water Export.

I am sure this group is very much aware of Canada's very fortunate position with regard to our fresh water resources.

Canada contains more fresh water than any other country on earth, more than 7 per cent of our area is represented by water.

On our Canadian mainland there are 41 primary river basins.

Our mean annual run-off into four regions amounts to almost 2,000 million acre feet available for development.

Our total dependable supply is less than 30 per cent of our total available supply due to a lack of development.

It is only since 1930 that our Prairie provinces have controlled their own natural resources. Prior to this our federal government exercised full control. Water resource development on the prairies appears to have centred around three resource developments in our administration.

First of these was the Prairie Water Board formed in 1948. It consisted of representatives from the three provincial governments and the federal government.

Fifteen years of off-and-on discussions of this board resulted in the formation of a second committee, a Ministerial Action Committee consisting of the three prairie ministers of agriculture and a federal representative.

The major activity of this committee was the formation of a third group, the Saskatchewan Nelson Basin Board, "to study the water resources of the Saskatchewan-Nelson Basin system, including potential additional supply by diversion or storage."

I am sure by now you are aware that we have a divided jurisdiction between our provinces and our federal government as far as water is concerned. Our provinces own their water and yet our federal government is the ultimate authority over boundary waters and the regulation of interprovincial and external trade, a matter of extreme significance if water export is ever to become a reality.

We have two recent developments that will help this problem of divided jurisdiction. The first was the formation several years ago of the Canadian Council of Resource Ministers, a group of all the provincial and federal resource ministers who will recommend long range resource planning to all governments. The second development is the pending federal legislation that will create the Canada Water Act. This will provide for two main powers: first, for a much more effective water program within the federal government and second, for new forms of joint relationship between the provinces and Canada for carrying out comprehensive water development studies and programs.

Proposals for water export have had a reception ranging from cool to hostile. Let me quickly add that in my personal opinion the broad cross section of Canadian population is very ignorant of our water resources. I suggest the reason for this attitude might be:

1. A feeling we should look after our own interests first.
2. The opinion that when water is exported, it is lost forever.
3. The suggestion that exported water might promote economic development in your country at the expense of Canadian development.
4. The seemingly cut and dried aspects of the N.A.W.A.P.A. scheme specifically aroused resentment.

I have attempted to determine an accurate assessment of our various government official views on this matter. Saskatchewan's policy is quite clear as indicated by this quotation: "We view with deep concern the suggestion that the water in our national rivers is a continental resource." Manitoba's minister indicates support for the December 1968 position statement of the Canadian Council of Resource Ministers: "that until Canadian needs were much more clearly defined by massive studies, the Canadian Government should not be actively pursuing this matter."

Premier Strom, of Alberta, told me that there can be no export talks until at least the Saskatchewan-Nelson Basin study is completed.

In 1966 Canada held its own "Water for Peace" conference in Ottawa at which all governments agreed not to make public comment on the matter of water export until sufficient studies were completed and after Canada's needs have been assessed.

The messages here are loud and clear as far as our various Government policies are concerned. However there is now some positive interest from our academic and economic people in the tremendous potential value of our water resources when viewed as an exportable commodity like gas and oil. Professor E. Kuiper, who is probably Canada's foremost authority on this subject has suggested that even after allowing for our long term water needs an average flow of more than 100,000,000 acre-feet per year could be exported to the South.

Western Canadian oil and gas interests and especially those in Alberta, have quite recently showed some concern over your Alaska discoveries at Prudhoe Bay, as we feel this vast new discovery may cut into our present export quota to your country. The companion philosophy of continental water resources is generally thought to be continental energy resources. Does this not suggest the possibility of amalgamation of resource development interests?

If Canadian water export is to come, its time of arrival will be measured not in decades but in generations. Capital costs involved for most of our future export will have to come from your budgets in addition to the actual price of water at the point of export.

We are moving into an age when almost more important to know than where we are going is to get there quickly. Let us not confuse activity with genuine progress and achievement.

CEASE-FIRE

Mr. HATFIELD. Mr. President, with a growing number of people searching for solutions to our involvement in Vietnam, and as the continuing list of casualties becomes increasingly intolerable to bear, I find the suggestions of a former distinguished Member of Congress a very feasible and refreshing approach to the problem. Hamilton Fish was a member of the Foreign Affairs Committee of the House of Representatives for 25 years. He offers what I feel is an interesting and enlightened proposal for bringing an expedient end to the Vietnam war. I recommend this proposal as worthy of our serious consideration and ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF HAMILTON FISH

As one who believes that our involvement in virtually a civil war in Vietnam, ten thousand miles away, is in the wrong place, at the wrong time, and in the wrong war, I am convinced that the time has come for immediate action to end the war.

Fifteen years ago, in opposing the SEATO Treaty before the Senate Foreign Relations Committee, I stated that the signatories would run out on us and leave us holding the bag, which they did, including France and Britain. I further stated that if we became involved in a civil war in Southeast Asia, and sent our Armed Forces there, "that the Communist Politbureau and the Communist General Staff would get drunk for a week, as they would like to keep our Armed Forces in the jungles and swamps of Vietnam." And that is exactly what they have succeeded in doing by draining our financial resources while they are taking over economically, politically and militarily, the Arab Nations in the Eastern Mediterranean Area.

I believe in the integrity and sincerity of President Nixon in his determined efforts to end the war in Vietnam on the basis of a fair and honorable peace. I commend him for taking the first step by the withdrawal of 25,000 American troops from Vietnam and believe that within a year it will be reduced by 100,000. But why continue the killing of American soldiers, those of our allies and our enemies in Vietnam for a single day in this tragic war; the longest in the history

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of the United States and the fourth deadliest.

I urge President Nixon to immediately offer a cease fire by all our Armed Forces and those of the enemy without any reservation of any kind on the basis of the status quo. Such an offer by the President would be welcomed by most Americans, except a few militants who insist on all-out victory regardless of the cost in lives. It would be acclaimed by all neutral nations as a definite act by the United States to secure peace in Vietnam and to stop the bloodshed.

President Nixon in answering a question at the press conference on June 19, 1969, stated that he was in favor of a cease fire, but indicated there might be difficulty in supervision of the Viet Cong and guerrillas. If this is so, the United Nations from its very nature, ought to be willing to cooperate to provide the necessary supervisory forces. If not, both sides maintain the status quo of their armed forces and that should provide sufficient supervision.

If North Vietnam and the Viet Cong turn down a peace offer based on cease fire, then all the neutral nations will place the stigma for any continued fighting and killing upon the Communists in North Vietnam and the Viet Cong. There may be some risks, but there are always risks in war. But, as a former member of the General Staff, I think they have been grossly exaggerated and am inclined to think that many of our top Generals would favor a cease fire. Actually a cease fire may be a military advantage for us, as a major part of North Vietnam is a sanctuary against air bombing. If more North Vietnamese troops invade South Vietnam or Laos, they would be a constant target for our bombing if the war of attrition continues.

The fundamental concept of military tactics is to get your enemy into an area of your own choosing. This our enemies have done. And I firmly believe that we are playing into the hands of the Communists by being there.

If President Nixon publicly urged a cease fire, it would stop all the Vietnam War sniping going on in the United States, and change overnight our prestige and influence with the free nations of the world. "Blessed are the peacemakers, for they shall be called the sons of God."

BENEFITS AVAILABLE TO THE RETURNING VIETNAM VETERANS

Mr. CRANSTON. Mr. President, as the first group—some 814—of combat troops recalled from Vietnam arrive in the United States today, it is fitting that we turn our attention to the services and benefits that will be available to them to heal their wounds and to otherwise ease their readjustment to civilian life. Whatever one's view of this tragic and enormously costly war, we must not turn our backs on the men whom our country has called to fight this war—many of whom are particularly in need of these services and benefits administered by the Veterans' Administration.

It is our duty to insure that today's veterans are not saddled with yesterday's veterans programs; rather, we owe them a program that will fully meet their present medical, hospital, educational, and rehabilitational needs as well as the opportunities of tomorrow. Toward this end, Mr. President, the Veterans' Administration seems to have taken—on tiptoes—a timid, but hopeful, first step. I was pleased to learn that the Veterans' Administrator yesterday in testimony before an Appropriations Committee subcommittee accepted the $34.6 million which the House of Representatives had properly restored to the medical and hospital program in the VA budget in the Independent Offices and Department of Housing and Urban Development appropriation bill, 1970. This sum eliminates approximately one-half the cut recommended by President Nixon in his April 15, 1969, budget message and raises the medical care item to the full amount recommended in the Johnson budget for medical care—$1,541,701,000.

This amount, if accepted by the Senate Appropriations Committee and this body, will provide for 123,700 beds—of an authorized total of 125,000—in Veterans' Administration facilities; treatment of 864,695 inpatient beneficiaries; and 7,474,000 medical outpatient treatments. The House Committee on Veterans' Affairs found that the amount requested in the Nixon budget revision for these services was not sufficient for the provision of adequate levels of medical care. As was recently pointed out on the floor by my distinguished colleague from Georgia, Senator HERMAN E. TALMADGE, the chairman of the Veterans' Legislation Subcommittee of the Finance Committee, over 14,000 more veterans were admitted to VA hospitals in the first 9 months of fiscal year 1969 than during a comparable period in fiscal year 1968. This, then, is no time to be cutting back on this vital program as would have been required without the $17.6 million restoration. It is for this reason that I cosponsored with Senator TALMADGE his recent amendment—which was adopted—to H.R.11400, the Second Supplemental Appropriation Act of 1969, in order to exempt the VA medical care and education programs from the fiscal year 1970 overall spending ceiling that that bill would impose.

I thus support the action of the House of Representatives, and now of the Veterans' Administration, in seeking to provide enough money to pay for the increasing medical care demands that our Vietnam returnees will, unfortunately, of necessity, be making on the VA hospital and medical program.

The other $17 million restored to the budget is for hospital, domiciliary and State nursing home construction and modernization. The new amount, although still some $28.2 million below the Johnson budget request, would permit continuation of the State nursing home grant program at the same level as in fiscal year 1969 and the inclusion of certain important projects of modernization already on the drawing boards for three VA hospitals.

For these reasons, I urge the Appropriations Committee to accept the $34.6 million restoration in the VA budget in order to insure that the quality and level of VA health care for our young men coming home from Vietnam is fully adequate to their needs.

In closing, I wish to place in larger context the Veterans' Administration's more responsible approach to the task of requesting and supporting adequate program levels for vital veterans benefits and services. Its new position on medical and hospital program expenses contrasts markedly with its recent position before the Veterans' Affairs Subcommittee, which I chair, in hearings on education and training bills. There, despite clear and uncontradicted evidence that substantial increases are necessary in the GI educational assistance and training allowances in order to restore comparability with Korean conflict rates, the VA Administrator recommended that the Congress take no action pending receipt of the views of the just-created Presidential Committee on the Vietnam Veteran which would, in effect, defer action until next session.

As I said at that time, I do not feel that the Congress can properly abdicate its legislative responsibilities in this manner, and, along with the distinguished chairman of the Labor and Public Welfare Committee. Senator RALPH W. YARBOROUGH of Texas, who is also the ranking member of the subcommittee and who served as the subcommittee chairman for 7 years, I am dedicated to pushing ahead to achieve these needed increases during this session of Congress.

Thus, I strongly urge that the administration reconsider its recommendation for delay on raising the education and training allowance rates.

NEWS CORRESPONDENT JOSEPH McCAFFREY

Mr. HARTKE. Mr. President, the month of July marks the 25th year that news correspondent Joseph McCaffrey has been covering Capitol Hill. During his tenure as one of the Nation's first-rank newsmen, Mr. McCaffrey has probably accomplished something unique among Washington reporters. That is, he has not incurred the enmity of a single Senator or Representative whom I know.

After arriving in the Capitol in 1958, I quickly came to respect Joe McCaffrey's judgment on the issues, and to recognize his fairness in reporting. This conviction has only been strengthened through the passage of time. I am hopeful he will enjoy many more rewarding years on Capitol Hill.

VIETNAM—A REALISTIC APPRAISAL

Mr. DOLE. Mr. President, I was privileged to be in Wichita, Kans., to hear Vice President SPIRO T. AGNEW address the Midwest Governors' Conference on Tuesday, July 1.

The Vice President's remarks were not only timely but, in my opinion, expressed a forthright and realistic view of our position in the Vietnam conflict. To the critics who can find only fault, and to those who want peace at any price, the Vice President's remarks may not have been welcome. The vast majority of Americans, however, will view the Vice President's speech in its proper perspective, as did David Lawrence in an editorial entitled "Agnew Hailed on Viet Policy Views," published in the Evening Star of Thursday, July 3.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

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Agnew Hailed on Viet Policy Views

(By David Lawrence)

Vice President Agnew made a speech before the Midwestern Governors' Conference in Wichita, Kan., on Tuesday in which he said that, while some of the opposition to the Vietnam war is sincere, it is nevertheless "undermining our negotiations for peace and prolonging the war."

Sen. J. William Fulbright, chairman of the Senate Foreign Relations Committee, retorted that Agnew's speech was "especially offensive coming from a man with so little background and so little experience in the field he is talking about."

But how much background and how much experience does anybody need in order to understand that, when the United States is in a war and influential members of the opposition party—which commands a majority in both houses of Congress—demand that our troops be withdrawn and the war ended on virtually a "peace-at-any-price" basis, the enemy would not be likely to make any important concessions in the negotiations for peace and would wait it out instead?

The vice president, like many other citizens, has been watching the course of the negotiations at Paris. He also has had the benefit of private briefings and meetings of the National Security Council. So he certainly has had an opportunity to gain a good deal of "background."

Agnew declared in his speech that "self-professed experts" want to end the fighting at any cost and are leading the North Vietnamese to overestimate the strength of antiwar sentiment in America and its power to force a surrender by American and allied forces in Vietnam. He added:

"The Viet Cong (the ally in South Vietnam of the Hanoi government) remains intransigent because of the slender hope that the voices of dissent at home will force us to alter—perhaps even abdicate—our policy of proving that confrontation with the United States is costly."

The vice president assured his listeners that the President is anxious to end the war but does not favor peace "at the price of abdication." He said American policy means staying in Vietnam long enough to secure "self-determination for the people of South Vietnam."

It doesn't take much imagination or background to recognize that, if the United States pulls out of Vietnam without achieving its goal, the Soviet Union and Communist China will feel free to invade other countries in Asia and Europe. The impression will prevail that America has abandoned the humanitarianism which it exhibited in both World War I and World War II and in Korea in helping countries which were the victims of aggression.

Unfortunately, too much attention has been paid to statements by some of the critics which are palpably harmful to the American cause at the Paris peace conference. The negotiations have been deadlocked because of a belief by the Communists that sooner or later President Nixon will withdraw all American troops from South Vietnam, irrespective of whether our adversaries take any reciprocal steps. This is a mistaken thesis, and is only prolonging the war.

Week after week casualties continue in a conflict that could have been ended long ago if restrictions here had not been placed on the military forces of the United States. They were never permitted to bomb all the targets they wanted to strike. The American strategists have been ordered to confine operations largely to South Vietnam. It doesn't take much experience or knowledge of foreign affairs to learn that in every war the use of maximum force, including unlimited bombardment of enemy territory and bases, is considered the logical way to fight.

When the Vietnam war is over and the record is finally revealed, the American people may well wonder why bombing of North Vietnam was limited and then finally halted without obtaining from the enemy a cessation of its hostilities.

Even while the negotiations have been going on for more than a year, the enemy has pursued intensively its war operations. In recent months it has felt more and more convinced that victory would be forthcoming because the Democratic party in Congress is ready, for political reasons, to insist that America pull out its forces from Vietnam.

Appeasement is usually the predecessor of a major conflict. This is what occurred prior to World War I and World War II. It doesn't take any "background" or "experience" to know that when you cringe before an enemy, you are not likely to win the battle.

BIG THICKET NATIONAL PARK SUPPORTED BY TEXAS FEDERATION OF WOMEN'S CLUBS

Mr. YARBOROUGH. Mr. President, public support for the preservation of a portion of the Big Thicket area in southeast Texas has been growing steadily since I introduced the first Big Thicket bill in Congress in 1966. Many persons, groups, and organizations have endorsed my bill, S. 4, which calls for the establishment of a Big Thicket National Park of not less than 100,000 acres. They have recognized the value of this beautiful and unique land, and are working diligently to preserve the remaining forest lands, river bottoms, and wildlife habitat areas.

Today it is my privilege to submit to the Record an article entitled "The Big Thicket Special Project" published in the September–October 1968 issue of the Texas Clubwoman.

It speaks of the importance of making the Big Thicket a national park. I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Texas Clubwoman, September–October, 1968]

The Big Thicket Special Project

Have you ever seen a roadrunner break out of a mass of wild azaleas and trot down a path among pitcher plants? Have you ever seen the world's largest American holly or Eastern red cedar or Chinese tallow? Have you ever walked on a thick carpet of mosses and fern where palmettos towered above your head? Or, have you driven down a road at night where phosphorescent lights dance like an old-time brakeman swinging his lantern on a railroad?

Then you've never seen the Big Thicket of Texas—that impenetrable wonderland of plants and animals where only bloodhounds can find lost people. Between Beaumont and the Alabama-Coushatta Indian reservation lies this phenomenally beautiful botanical paradise. Twenty-one varieties of wild orchids dot the towering cypress, water oak and pine forest. This area combines the Everglades of Florida, the Okefenokee Swamp with jungles typical of Tamaulipas and Vera Cruz. Here is one of the last stands of the nearly extinct Ivory-billed Woodpecker—a huge black and white bird; the male having a flaming rest crest. About 300 other species make this their home. Bear and panther, although rarely seen, are present in this jungle country of yaupon, red bay, black hickory and spackleberry.

Float down Village Creek or Mill Creek or the Neches River itself and feel the peace of still untrammelled woodland. Driving back roads is not enough to appreciate the beauties of delicate mosses and colorful fungi. Hikers or canoers reap the greatest pleasures of this wonderland.

But civilization is rapidly eating into and eroding our Texas Eden. Every day 50 acres of the Big Thicket disappear by means of the developers, bulldozers or the lumber company saws. We must start now to save this area by creating a National Park that will preserve those pieces which are still near virgin.

On October 20, 1966, Senator Ralph Yarborough introduced the first bill in Congress to create this park. No action was taken and at the very beginning of the present Congress he introduced a new bill, S4, to set aside suitable areas in Polk, Hardin and Tyler counties to create a "chain of pearls" including the most unique and beautiful of the Big Thicket areas. He has striven long and hard for this park and has been aided by the Big Thicket Association and many other conservation organizations over the state who helped secure Padre Island National Seashore and Guadalupe Mountains National Park.

It is to be hoped that members in the Texas Federation will have a large hand in persuading Congress to enact S4 thereby creating the Big Thicket National Park.

The Big Thicket Association has obtained an option on 548 acres of the only remaining virgin area. What can our membership do to support and help them raise the rest of the $250,000 purchase price?

Here are some of the reasons why our TFWC president, Mrs. Henry Shaper has declared preservation of the Big Thicket a special project for her administration. She feels that such a natural area must not be destroyed but must be kept for posterity. In order to let the clubwomen of Texas know about the Big Thicket she has appointed a special committee under the chairmanship of Mrs. Jud Collier and Mrs. William C. Hancock to draw up and present to the club presidents and to their individual club members an action program. The Program includes writing letters to Senators and Congressmen urging passage of S4, the bill to create the Big Thicket National Park. It suggests the purchase and sale of informational material—*The Big Thicket Story* by Dempsie Henley, *Farewell to Texas* by U. S. Supreme Court Justice William O. Douglas, reprints from *Texas Parade magazine* and from Sierra Club magazine.

The action program also suggests that each club devote one meeting to seeing slides or the movie, or having a speaker talk about the Big Thicket. (This suggested program material was mailed to club presidents on July 15th.) It also urges support of the Big Thicket Association's land purchase plan—lands to be deeded to the Park when established—by becoming members of this active group, selling note paper depicting the Ivory-billed Woodpecker, or donating money.

Let us work together to interest all the other citizens of our state and nation in preserving what has been called the biological crossroads of North America.

THE SPECIAL FOOD AND MILK PROGRAMS

Mr. HATFIELD. Mr. President, recent floor debate centering on the special food service program and the special milk program reinforced my belief that the entire problem of malnutrition merits concentrated study.

An editorial appearing in the Toledo, Oreg., Lincoln County Leader pointed out the connection between unemployment and malnutrition. We all must be aware of this hand-in-hand relationship. For this reason, I ask unanimous consent to insert this editorial into the Record.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MALNUTRITION—HERE?

We are rather terrified by the story we carried last week concerning malnutrition in Lincoln county. While we might be able to believe this is a problem in the deep south among poor blacks, it's hard to understand how such a problem can exist in Oregon, in a period of state-wide affluence.

This has been one of the fastest growing counties in the state in the past years in terms of family income, but it is also obvious that a switch to an industrial (pulp mill), tourist expansion (Salishan, etc.) and education (Oregon State) based economy has left a residue population of under-employed woods workers, and to some extent, agricultural workers.

If the problem is anywhere near as serious as suggested by the school staff of the county, it would appear absolutely necessary for the county board of commissioners to order a study of the problem, and then take steps to correct the problems.

Such a study might well be made by the health department in cooperation with the department of public welfare and the schools.

When we learn that 37 of 212 Eddyville pupils are being aided by the school district's free lunch program, and another 80 to 125 are being aided at Siletz, we know we have a problem. And it is a problem no citizen of good conscience can ignore.

When we are told some 2000 such free lunches are served each month in the county, then we know this is a problem which must be faced and solved.

These people may need retraining, or simply an understanding of what is proper diet.

Because, while many jobs go unfilled in this county for want of skills, there seems to be a persistant area of underemployment in Lincoln county and it appears to us there must be a connection between being out of work and lack of a proper diet.

If we can afford billions for a war in Vietnam, it seems only simple logic to be able to afford a few thousands to help those in need in Lincoln county.

ONE STANDARD OF HEALTH

Mr. MOSS. Mr. President, I was astounded to read in my newspaper this morning that Dr. Roger O. Egeberg, the man President Nixon has chosen to fill the Nation's top medical post, says it is not sound to expect we can have "one standard of health care for the entire Nation."

I gather from that remark that Dr. Egeberg believes we can only assure the best medical care in this country to the rich and that those in the middle and lower economic strata must be satisfied with second-best care, and the poor to just about any care left.

I do not think the American people will like this statement, Mr. President. Our citizens believe in equality of opportunity, and this includes not only an equal opportunity to get quality education, and equal opportunity to aspire to any job the country can offer, but also equal opportunity to get the best medical advice and care our medical profession knows how to give when a person becomes ill.

Dr. Egeberg's kind of America would mean that a child born blind in a poor family would not have the same opportunity to have his sight restored as would the child born in a rich family.

Dr. Egeberg's kind of America means that a rich person ill with cancer can get the most thorough diagnosis and the most skilled treatment which medical science has developed, but a poor person must take his chances with whatever time and treatment the overworked doctor in a crowded, understaffed, poorly equipped hospital can give him.

Dr. Egeberg's kind of America means that whether a badly injured person ever walks again, or talks again, or even whether he lives, depends to a great extent on what is in his pocket or his bank balance.

I do not think this is the kind of America most people want.

Dr. Egeberg qualified his statement by saying that he does not feel it is "realistic" to expect full equality of medical care in America today with our present medical and hospital resources, and furthermore that it will not be a "reasonable goal" for about "50 years."

Mr. President, the American people will not wait 50 years and I do not think they should be asked to wait. We all know that equality of medical care is not a complete reality in the United States today, but we are much closer to it than we were 10 years or even 5 years ago. Through medicare and medicaid and other programs to provide Federal aid for hospital construction and to train nurses and doctors to establish neighborhood medical centers, and through vast medical research programs we make progress each month, each week.

The American people want to be assured that their Government is going to do everything possible to continue that progress. They want an equal break on medical care now, no matter what their economic status, no matter what the size of their weekly paycheck, no matter if they are on welfare.

Some of the discontent in the United States can be ascribed to the fact that even though we are trying to create a more equal America, we are not moving fast enough.

It is discouraging to think that the man whom President Nixon has recommended as Assistant Secretary for Health and Scientific Affairs in the Department of Health, Education, and Welfare is a man who thinks it is not "realistic" to expect to equalize health opportunities for the American people for 50 years, and that "the first challenge is going to be to save some money."

It is discouraging to see the Nixon administration move farther and farther to the right—to move away from the progressive and forward-marching attitudes which have marked America in the past 8 years.

ST. LOUIS POST-DISPATCH NOTES SECRETARY LAIRD'S INCONSISTENCIES ON ABM

Mr. YARBOROUGH. Mr. President, the St. Louis Post-Dispatch recently carried an editorial which brings out some of the very concern I have had about the administration's Safeguard ABM proposal. I think that the Post-Dispatch is absolutely right; the rules have been changed in the middle of the game and this administration has not served its cause well by so doing.

Mr. President, I ask unanimous consent that the editorial entitled "The Foot in Mr. Laird's Mouth" which appeared in the St. Louis Post-Dispatch June 1969, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE FOOT IN MR. LAIRD'S MOUTH

The collapse of the Administration's case for deploying antiballistic missiles is now complete. Secretary of Defense Laird, who tried to scare the country into believing that the Soviets "are going for a first-strike capability," has been compelled to revise and extend his remarks.

"First-strike capability" in any language means the ability of one nation to destroy another's offensive missiles so completely that the second nation would be unable to retaliate for a nuclear attack. That is what Mr. Laird was talking about when he argued that we need the Safeguard system to "protect our deterrent." The implication was that without Safeguard our ability to retaliate could be wiped out in a first strike—which the Soviets therefore, by the curious logic of war-games, would be powerfully motivated to undertake.

The hole in this argument was always enormous. It was and is incredible that the Soviets or any other nuclear power could at one blow knock out all our Minuteman missiles, all our bombers, all our Polaris submarines, all our intermediate missiles based in Europe. Mr. Laird murmured darkly that the Polaris fleet might be neutralized in the future, but he has been unable to make this view stick, and our own intelligence apparatus declines to support his scary talk of all our nuclear power being simultaneously in jeopardy at some future date. So now Mr. Laird is saying that by first-strike capability he means only the power to attack our Minuteman missiles, and it is this we must counter with Safeguard.

But there is a hole in this argument, too. Senator Symington quotes Dr. Wolfgang Panofsky, the Stanford physicist whom the Administration once incautiously claimed as a supporter of Safeguard, as follows:

"If the threat to Minuteman grows at the rate projected by the Defense Department, and if Minuteman became vulnerable at a certain time several years hence, then if the Safeguard system were installed and if it functioned perfectly, Minuteman would be just as vulnerable as before only a few months later." In other words, the Soviets could offset any protection offered by Safeguard simply with a few more months' production of offensive missiles.

Dr. Panofsky, who has been cleared for top-secret information, points out that if things are really as ominous as Secretary Laird and President Nixon contend, an enlargement of our Minuteman force would be the best way of making sure that some of it survived a nuclear attack. The cost of this response would be a great deal lower than Safeguard, and "what is more important," says Dr. Panofsky, "we could afford to wait several years because production time of additional Minuteman missiles is very much shorter than for the new, complex ABM defense."

President Nixon at his news conference last week referred mysteriously to "new intelligence" of Soviet testing of multi-warhead missiles which he said bolsters the case of Safeguard. This is the old game of trying to frighten Congress and the public with secrets too awful to be told. As Dr. Panofsky remarks, the Administration declassifies the magnitude of the threat against Minuteman, but keeps secret the degree to which the threat would actually be reduced by Safeguard. If it is true, as we believe, that the threat would be reduced very little, and

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that in any case ample retaliatory forces would survive even an all-out attack on Minuteman, then Safeguard is an unconscionable waste of money and an indefensible escalation of the arms race. The Senate should say "No."

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This month Hamburger Hill is back in the hands of the North Vietnamese, and a U.S. general is vowing to fight for it again "if it takes an entire division." Does that kind of record support Mr. Nixon's claim that "we have only responded to what the enemy has done"?

Mr. Clifford and Ambassador Harriman are right: the search-and-destroy orders should be rescinded in order to scale down the fighting. And President Nixon will find no refuge in the argument that in refusing to do so he is only repeating the mistakes of his predecessor.

AMMUNITION REGISTRATION REPEAL DRAWS SUPPORT

Mr. BENNETT. Mr. President, as the original sponsor of S. 845, a bill that would amend the ammunition provisions of the 1968 Gun Control Act, I wish to submit for inclusion in the Record a resolution passed by the Outdoor Writers Association of America during its recent meeting at Duluth Minn. The resolution places the association on record in support of my bill, the major purpose of which is to remove the undue restraints placed upon sorting ammunition by the 1968 Gun Control Act.

I might also point out that support for this legislation is growing at a very fast pace and I am convinced that if the 1969 hunting season comes along before this bill is enacted, Congress will hear from the American sportsman as never before.

The ammunition provisions in the 1968 act and the Treasury regulations accompanying them are unnecessary and a harassing burden to the law-abiding sportsman.

I ask unanimous consent that the resolution be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution

Whereas proposals to require the registration of privately owned firearms were decisively defeated in the Ninetieth Congress, and

Whereas Congress has declared that it is not the purpose of the Gun Control Act of 1968 "to place any undue or unnecessary Federal restrictions or burdens on law-abiding citizens with respect to the acquisition, possession, or use of firearms appropriate to the purpose of hunting, trap shooting, target shooting, personal protection, or any other lawful activity," and that it "is not intended to discourage or eliminate the private ownership or use of firearms by law-abiding citizens for lawful purposes," and

Whereas the regulations prescribed by the U.S. Department of the Treasury for the administration of the Gun Control Act provide that records be kept by dealers on all ammunition sales showing the purchaser's name and address, date of birth, and the caliber or gauge of ammunition purchased, and

Whereas the recording of such data constitutes, in effect, "Backdoor legislation" of the firearms owned by ammunition purchasers, and

Whereas these record keeping requirements serve no worthwhile purpose insofar as law enforcement is concerned, and

Whereas such record keeping constitutes an unnecessary burden on both dealer and consumer,

Therefore be it resolved that the OWAA go on record in support of the objectives of S. 845 (Bennett, Utah) and similar bills which would remove ammunition for sporting firearms from the Gun Control Act.

SNAKEBITE VACCINE

Mr. MOSS. Mr. President, the University of Utah College of Medicine has pioneered in many fields of medical research. One of the recent advances of the healing arts is in the field of immunization by development of a vaccine against snakebites. Dr. Clifford C. Snyder, Veterans' Administration, and Gary R. Hunter, a third year medical student, have collaborated in the research. The Veterans' Administration Hospital staff and the University of Utah have a most desirable working relationship to the benefit of both. I ask unanimous consent that a release on Snakebite Vaccine be printed in the Record.

There being no objection, the release was ordered to be printed in the Record, as follows:

Snakebite Vaccine Developed in Utah

A new vaccine which provides immunization against poisonous snakebites has been developed by researchers at the University of Utah and the Veterans Administration Hospital in Salt Lake City.

Dr. Clifford C. Snyder, principal investigator on the research project, and Gary R. Hunter, third-year medical student who has conducted much of the laboratory work, say the vaccine has already proven effective in experimental animals and will be ready for requested trial among a few selected veterinarians this fall.

Dr. Snyder is chairman of the Division of Plastic Surgery at the University of Utah College of Medicine and chief of surgery at the VA Hospital. Mr. Hunter is one of Dr. Snyder's research students who presented an award-winning paper on the treatment of envenomation at the Student Scientific Seminar sponsored by the Student American Medical Association earlier this year.

"Our experiments have shown that it is possible to immunize humans against snake venom," Dr. Snyder said. "Such a vaccine would be valuable to outdoorsmen, game conservation officers, serpentologists, armed forces personnel and others who are exposed to possible poisonous snakebites."

One member of the research team who has already tried the vaccine on himself has shown no ill effects, and the level of antibodies in his blood remains high after more than a year.

The researchers are also working on an antivenin—the serum given to victims after they are bitten by poisonous snakes—that will be less likely to produce allergic reactions. Antivenin now on the market is derived from the blood of horses that have been injected with snake venom, but many people are allergic to it. The serum developed by the U research team is taken from the blood of humans who have suffered natural snakebites. When the new vaccine is perfected for humans, the antivenin can also be derived from the blood of persons that have been vaccinated, according to Dr. Snyder.

The vaccine comes from pure venom that is extracted from several species of snakes kept at the VA Hospital's animal research facility by the researchers. The venom is purified and its severe toxic characteristics removed by a special process. When the toxoid is injected into animals it still produces the desired antibodies without destroying tissue.

Fifteen dogs received vaccinations during clinical tests last summer, Mr. Hunter said. All fifteen dogs, when later challenged by double lethal doses of pure rattlesnake venom, survived with only slight soreness and minor swelling at the injection sites. Though each dog received much more venom than a snake would deliver in a natural bite, the animals showed only minor discomfort. Nonvaccinated dogs if given half the amount of venom would experience immediate excruciating pain, respiratory difficulty and death within 24 hours.

Dr. Snyder says there is much to be learned before the vaccine can be made available for human use, but he foresees no insurmountable obstacle in achieving this goal. When the vaccine is finally perfected and tested by the Food and Drug Administration, Dr. Snyder plans to turn it over to the University which in turn can negotiate for commercial manufacture with a pharmaceutical company.

"I would like to emphasize that the vaccine is still very much in the experimental stages," Dr. Snyder said. "Even though we are pleased with the preliminary results, it may be some time before it is generally available to veterinarians or ready for trial in humans."

Dr. Snyder foresees the day when mankind will no longer have to fear poisonous snakes. Thousands of people now die every year from snake envenomation, most of them in Asia. About 7,000 persons are bitten every year in the U.S. by rattlesnakes, copperheads, cottonmouths and coral snakes. While the death rate in this country is less than 15 per year, many people are disfigured for life because of the toxic effects of the venom.

The U researchers are now working with several species of rattlesnakes but in the future plan to make a toxin that will provide protection against the other three poisonous snakes found in the U.S.

MOISE TSHOMBE, FORMER PRIME MINISTER OF THE CONGO

Mr. DODD. Mr. President, among the numerous items that have been written about the tragic death of Moise Tshombe, former Prime Minister of the Congo, perhaps the most pertinent and eloquent I have come across is a column by William F. Buckley, Jr., which appeared in the Washington Star of July 7, 1969.

According to the Algerian Government, Mr. Tshombe died of a heart attack almost 2 years to the day after he was kidnaped in midair over Spanish territory and flown to Algiers.

Mr. Buckley has some harsh things to say about the manner in which the Boumedienne government handled the Tshombe matter. He points out that while Boumedienne did not send Tshombe back to the Congo to be killed, "neither would he release him. Worse, he held him incommunicado. He could not be seen by his wife nor by his lawyers. He was moved about from prison to prison, it was said."

I would add to this the information that letters addressed to him via the International Red Cross were not delivered. And when his family at one point requested a physical examination by a European doctor, this request, too, was refused.

Commenting on the fact that 11 Algerian doctors signed the death certificate, Mr. Buckley said:

Now Tshombe is dead, and Houari Boumedienne called in 11, count them, 11 Algerian professors to testify to his having died of natural causes. Myself, I would have insisted on 15 Algerian professors, but then that's the way I was brought up—never trust less than 15 Algerian professors, my mother warned me.

Mr. President, I ask unanimous consent to insert into the Record at this point the full text of Mr. Buckley's column. I also ask unanimous consent to insert into the Record a UPI item of July 5 describing Tshombe's funeral in Brussels.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Evening Star, July 7, 1969]

Tshombe: A Victim of Third World

(By William F. Buckley, Jr.)

Shortly after Moise Tshombe was kidnaped, a grim joke made the rounds. The Algerians tortured and truth-drugged Tshombe, at the request of Joseph Mobutu (Uhuru!). The idea was to get from Tshombe whatever information he had which would be useful to Mobutu in tracking down and liquidating potential enemies. But the questioners were over-diligent, and when they asked Tshombe who actually had murdered Patrice Lumumba, he confided to them, in his truth-trance, that it had been Mobutu.

We do not know whether that piece of intelligence was communicated to Kinshasa or Lumumbaville or Mobutuplats, or whatever they are calling Leopoldville nowadays. In fact it is just possible that this particular revelation had something to do with Boumedienne's decision not, after all, to deliver Tshombe to the executioners in the Congo, though it isn't known, as it happens, whether he did Tshombe's a favor.

Now Tshombe is dead, and Houari Boumedienne called in 11, count them, 11 Algerian professors to testify to his having died of natural causes. Myself, I would have insisted on 15 Algerian professors, but then that's the way I was brought up—never trust less than 15 Algerian professors, my mother warned me.

Really, it is astounding how the savages of this earth cling to bourgeois forms when they are troubled. First Boumedienne accepts custody, of an alien who is delivered into his hands by professional bandits employed by a foreign government. Then he has him tortured.

Then his court sycophantically "rules" that Tshombe may indeed be legally shipped to the Congo to be executed. Then something happens—something we are not privy to. The working of some mysterious pressures, probably American in source (the heroes of the save-Tshombe movement were a few Americans who labored privately to help him), that kept Boumedienne from handing Tshombe over to Mobutu.

But Boumedienne responded petulantly to those pressures. He did not send Tshombe off to be killed, but neither would he release him. Worse, he held him incommunicado. He could not be seen by his wife, nor by his lawyers. He was moved about from prison to prison, it was said.

Rumors were rife, even as they were about Ben Bella, now forgotten. A few months ago it was reported that he would soon be released. Immediately after his death two lawyers reported they had just completed ransom arrangements.

But it is not doubted that Tshombe is now dead. And it is not doubted that healthy men do not die of old age at 49. In Latin America, in the revolutionary heyday, the practice of reporting that important prisoners had been "shot while trying to escape" became so routine that one general with a sardonic mind and a palpable contempt for public opinion, reported that his prisoner had been poisoned while trying to escape.

Boumedienne, on the contrary, seems to care about public opinion. That is why he brought in 11 Algerian professors who, of course, reported that Tshombe died of a latent heart defect.

There is a terrible sadness to it all. For the one thousandth time we think of the awful resonance of Strausz-Hupe's remark that conservatives do not retrieve their wounded. Tshombe fought for the maintenance of certain standards of life in the Congo which were and indeed are threatened by totalist barbarism. He believed that whites and blacks should work together. He was plainspokenly Christian. He was a natural leader of men. A friend of the West.

And yet when Tshombe was kidnapped over Spanish soil, flying from one part of Spain to another, there was no protest from official Spain. For months, the friends of Tshombe endeavored to persuade the government of Spain to assert a quite natural legal claim against Algeria for husbanding someone kidnapped from Spanish soil.

But Franco was apparently uninterested, like just about everyone else. Can anyone imagine the United Nations interrupting a session on the human rights of mankind in order to plead the human rights of one man, victimized by their beloved Third World?

Alfgerie Algerienne! Well, the "government" of Algeria, liberated from French colonialism, in the hands of a military dictator, has exercised its sovereignty. No doubt 11 Algerian professors could be got to write the history of Algeria's blamelessness in the handling of the final two years in the crowded life of Moise Tshombe.

Tshombe Buried in Brussels Rite—Sons of Congolese Leader Try To Leap Into Grave

Brussels, July 5—Former Premier Moise Tshombe of the Congo was buried today in a suburban Brussels cemetery. His sobbing sons tried to leap into his grave when the coffin was lowered.

The Algerian Government announced last Monday after an autopsy that Mr. Tshombe, 49 years old, died Sunday of a heart attack in Algiers, where he had been held for the last two years after having been kidnapped during a flight over the Mediterranean.

The politician from the province of Katanga, one of the Congo's main political leaders following the attainment of independence from Belgium, could not be buried in his native country, where he had been branded a traitor.

The present Congolese military regime, which had tried Mr. Tshombe for treason in his absence and had sought unsuccessfully to have him extradited from Algiers to face death sentence, refused permission for burial.

Today's burial in Etterbeek cemetery outside Brussels was provisional in hopes that a later one in the Congo would be possible, a family spokesman said.

Hundreds of black and white mourners paid their final respects to Mr. Tshombe inside and outside a small Methodist church.

Weeping women members of the family touched his coffin and his sons tried to leap into the grave after it had been lowered. Friends led them away and a board was put over the opening.

Mr. Tshombe's eldest son, Jean, sank almost to his knees wailing and sobbing, as he was led away.

Mr. Tshombe, one of the most controversial Congolese leaders, spent many years in exile. After independence was achieved in 1960, he led the copper-rich Katanga province in secession and became president of the independent state of Katanga.

United Nations forces overturned the secession early in 1963 and Mr. Tshombe sought exile in Europe. In 1964 he was summoned back to become the Congo's Premier but fled once again when Gen. Joseph D. Mobutu, the current Congolese strong man, seized power in November, 1965.

About 2,000 Attend the Funeral

Brussels, July 5—About 2,000 Africans and Belgians attended Mr. Tshombe's funeral. Behind his widow, Ruth, seven sons and daughters and many family members, friends and former aides stood two Belgian Senators, a university dean, a general, a lieutenant colonel and several former mercenaries who fought for Mr. Tshombe in Katanga.

FEDERAL LIBRARY PROGRAM ESSENTIAL; HOUSTON POST STATES NEED

Mr. YARBOROUGH. Mr. President, the June 27 issue of the Houston Post carries an effective and timely editorial on appropriations for the Library Services and Construction Act.

As the editorial points out, the Nation's libraries are an important and vital element in our national education system. They are becoming more important as the need increases for information that can be stored and recalled upon demand.

This is no time to be cutting back on library buildings, services, and equipment. I endorse the position expressed by the Houston Post.

In my 12 years in the Senate, I have supported every Federal appropriation act to support school libraries and also public libraries in communities, towns, and cities. In my 11½ years on the Education Subcommittee, I have participated in each conference with the House of Representatives on libraries, and have cosponsored or participated in hearings on most of these bills.

This is no time to abandon books. To abandon books is to turn our backs on learning and the stored knowledge of the human race. To abandon support of libraries is to say that knowledge is no longer essential. This administration has turned its back on appropriations for books and libraries. Such action, in effect, is turning our backs on civilization. It is time to restore all appropriations for books and libraries to their former levels, and to increase those appropriations to fit the growing needs of mankind.

Mr. President, I ask unanimous consent that the editorial "Federal Library Program Essential," which appeared in the June 27 issue of the Houston Post be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record as follows:

Federal Library Program Essential

One of the budget cutbacks proposed by the Nixon administration which hopefully can be prevented is in the Library Services and Construction Act.

The Washington budget makers have decreed a 50 percent cut in Title I of the act, which provides funds to strengthen public library collections, and the elimination of the Title II program, which provides matching funds for local library construction.

Concerned that the slash in funds will disrupt and cripple a needed program, the Texas Library and Historical Commission has asked the President and Congress to review the impact of the program in communities across the nation.

XUM

For the past two years, 1968 and 1969, grants to Texas cities and counties for library service under Title I have amounted to more than $2.5 million. If the cutbacks proposed by President Nixon are approved, this amount will be cut in half. Under the Title II program in Texas 80 public library buildings have either been approved for construction or completed since 1965. These projects represent a total of $17.5 million, of which Title II matching funds accounted for $6.5 million.

In 1969–70 no funds at all are proposed by President Nixon for public library construction.

Dr. Dorman H. Winfrey, Texas state librarian, pointed out that the LSCA program has had years of solid planning and it is possible we are now on the threshold of an imperative goal—modern public library services for all citizens of the United States. "Abrupt changes in programs of this sort create a waste of already accomplished progress," he said.

Libraries are no longer only a haven for book-lovers who like to browse through the stacks in search of entertaining reading, or the regulars who pore over newspapers in the periodicals room, though they are still that too. They are essential to this age of constant change; they hold the knowledge needed to cope with the scientific and technological, as well as the social and economic developments of the world we live in. They offer learning, understanding, and to some a release from the cares and anxieties of today's world.

Library service within reach of every American is an eminently desirable goal, and it is false economy to impede progress toward it.

THE RIGHT TO VOTE WITHOUT REGARD TO RESIDENCY REQUIREMENTS

Mr. CASE. Mr. President, I ask unanimous consent to have printed in the Record two resolutions adopted by the International Institute of Municipal Clerks.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

Resolution by the International Institute of Municipal Clerks

Resolution for appointment of a Presidential committee to study implementation of Federal legislation to afford all citizens voting rights regardless of local residency requirements during national elections

Whereas, the result of relocating within any of the fifty states of our country may, by virtue of local or state residency requirements, deprive a United States citizen of his franchise to cast a vote for the President and Vice-President of our Country, and

Whereas, many of our states have enacted legislation to implement the voting procedure to protect that inalienable right of our citizens to vote without fear or prejudice, and

Whereas, the demands upon our citizens require greater mobility in pursuit of a livelihood thereby jeopardizing the right to cast a vote in the state of their former residence and, lacking residency duration in their newly adopted state, are equally deprived of said right to vote;

Now, therefore, be it resolved, that the International Institute of Municipal Clerks entreat our President of these United States to consider the appointment of a committee to study and make recommendations for the purpose of introducing legislation which will enable all citizens of the United States of America to accept and exercise their franchise to vote for the two highest and most important offices in our Country, namely; President and Vice-President, on the basis of total residency within the boundaries of the United States of America.

This resolution to take effect this 21st day of May, 1969.

I hereby certify that this Resolution was unanimously adopted by the International Institute of Municipal Clerks at their Conference held in St. Louis, Missouri on Wednesday, May 21, 1969.

Joseph T. Carney,
President.

Attest:

Frank Dotseth,
Executive Director.

Resolution by the International Institute of Municipal Clerks

Resolution establishing the availability of free mail privileges for absentee applications and ballots in national elections

Whereas, the function of the office of the Clerk of a City, Village and Township is to service the community in the broadest area possible, and

Whereas, in the field of election services the intent of the American principle of participation in government should be as encompassing as possible, and

Whereas, with the travel necessary in the economy of the world today many citizens do not have firm residential roots, and

Whereas, all people should be encouraged to participate in any and all elective processes,

Now, therefore, be it resolved, that the International Institute of Municipal Clerks endorse the proposition that all absentee applications and absentee ballots receive free mail privileges available to national governmental functions for the prompt processing of voting material, and

Be it further resolved, that a copy of this resolution be forwarded to the proper congressional committee for enactment of legislature, and

Be it further resolved, that the International Institute of Municipal Clerks express its appreciation to the City of Dearborn Heights and its Clerk, Robert G. McLachlan for having submitted this resolution.

This resolution to take effect this 21st day of May, 1969.

I hereby certify that his Resolution was unanimously adopted by the International Institute of Municipal Clerks at their Conference held in St. Louis, Missouri on Wednesday, May 21, 1969.

Joseph T. Carney,
President.

Attest:

Frank Dotseth,
Executive Director.

IMPORTS OF FOREIGN FOOTWEAR

Mrs. SMITH. Mr. President, on behalf of myself and my colleague from Maine (Mr. Muskie), I ask unanimous consent to have printed in the Record a joint resolution adopted by the Legislature of the State of Maine.

There being no objection, the joint resolution was ordered to be printed in the Record, as follows:

Joint Resolution Memorializing the Honorable Maurice H. Stans, Secretary of Commerce and, the Maine Congressional Delegation To Restrain Imports of Foreign Footwear

We, your Memorialists, the Senate and House of Representatives of the State of Maine of the One Hundred and Fourth Legislative Session assembled, most respectfully present and petition the Secretary of Commerce, the Honorable Maurice H. Stans, and the Maine Congressional Delegation, as follows:

Whereas, the footwear manufacturing industry of the State of Maine faces continuing and expanding foreign competition from imports as the result of lower wage scales; and

Whereas, over 28,000 citizens are employed in over 139 factories throughout the State, many of these factories being located in small towns where they supply the major source of income and employment; and

Whereas, imports of leather and vinyl shoes have expanded dramatically from 7.8 million pairs in 1955 to 175 million pairs in 1968, adversely affect our domestic shoe manufacturing industry by curtailing its growth and eliminating many jobs opportunities; now, therefore, be it

Resolved: That we, your Memorialists, recommend and urge the Secretary of Commerce and the Members of the United States Congress from the State of Maine to take appropriate action to promptly restrain the importation of foreign footwear and to provide adequate safeguards which will protect our domestic shoe industry and the citizens it employs; and be it further

Resolved: That copies of this resolution, duly authenticated by the Secretary of State, be immediately transmitted by the Secretary of State to the Secretary of Commerce and each Senator and Representative from Maine in the Congress of the United States.

House of Representatives: Read and adopted, June 27, 1969.

Sent up for concurrence; ordered sent forthwith:

Bertha W. Johnson,
Clerk.

In Senate Chamber: Read and adopted, June 27, 1969.

In concurrence:

Jerrold B. Speers,
Secretary.

Attest:

Joseph V. Edgar,
Secretary of State.

CONCLUSION OF MORNING BUSINESS

The **PRESIDING OFFICER.** Is there further morning business? If not, morning business is concluded.

RECESS

Mr. EAGLETON. Mr. President, I ask unanimous consent that the Senate stand in recess until 2:30 o'clock p.m. today.

The motion was agreed to; and (at 1 o'clock and 21 minutes p.m.) the Senate took a recess until 2:30 o'clock p.m., the same day.

On the expiration of the recess, the Senate reassembled, when called to order by the Presiding Officer (Mr. Burdick in the chair).

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the bill (H.R. 4153) to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 11582) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1970, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. STEED, Mr. PASSMAN, Mr. ADDABBO, Mr. COHELAN, Mr. MAHON, Mr. CONTE, Mr. ROBISON, Mr. EDWARDS of Alabama and Mr. BOW were appointed managers on the part of the House at the conference.

STATEMENT ON ISRAEL AND THE MIDDLE EAST

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from Connecticut (Mr. RIBICOFF), I ask unanimous consent that the Senator from Hawaii (Mr. INOUYE) be associated with the statement on Israel and the Middle East which was placed in the RECORD on April 25, 1969.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The **PRESIDING OFFICER.** The Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The Senate resumed the consideration of the bill.

Mr. STENNIS. Mr. President, the pending business of the Senate is S. 2546, which is the annual legislation authorizing appropriations for military hardware and research and development for fiscal year 1970. In precise terms, the bill would do the following: It would authorize appropriations for fiscal year 1970, first, for the procurement of aircraft, missiles, naval vessels, and tracked combat vehicles; second, for all research, development, test and evaluation in the Department of Defense; third, for the construction of certain Safeguard missile test facilities at Kwajalein; fourth, continue the authority for merging military assistance financing for South Vietnam and free world forces in that area with the funding of Department of Defense appropriations; and fifth, the bill would authorize the personnel strengths of the Selected Reserve for fiscal year 1970 for each of the Reserve components of the Armed Forces.

Mr. President, let me say this: I think this is a very important measure, and that it comes at a time which is critical in many respects. It looks further toward the future, as will appear in the development of these weapons that we propose, than one might realize.

My purpose will be to try to put this on the table and before the Senate, and outline all the main provisions of the bill, together with its purposes and the recommended figures. I hope then that other committee members will join in making presentations. I believe they will.

I am thinking immediately of the Senator from Maine (Mrs. SMITH), who is the ranking minority member. I am thinking, of course, of all committee members, but I particularly specify two others, the Senator from New Hampshire (Mr. MCINTYRE), who served as chairman of a subcommittee which conducted hearings and held briefings of its own on the vast area of research and development, and the Senator from Nevada (Mr. CANNON), who held hearings and briefings and did a great deal of work—he and the subcommittee—in the field of tactical air power. As I say, however, I want all members of the committee to join in the discussion to get full representation of the committee and a full presentation of our recommendations.

In the course of things, we can and will have a full debate and, at the pleasure of the Senate, proceed to voting and passing on matters and specific issues with respect to the figures and policies.

The committee has devoted the most intensive consideration to this bill. Public hearings began on March 19 and continued practically every week through June 4. In addition, many executive sessions were held, some extending past June 4. The printed hearings now before each Senator total 2,277 pages.

In addition to the efforts of the full committee there were three subcommittees which also held hearings and briefings which contributed to the results of this legislation. These ad hoc subcommittees were as follows:

Subcommittee on Bomber Defense, composed of myself as chairman, and Senators INOUYE, MCINTYRE, SMITH, DOMINICK, and MURPHY;

Subcommittee on Research and Development, composed of Senator MCINTYRE, chairman, and Senators YOUNG of Ohio, BYRD of Virginia MURPHY, and BROOKE;

Subcommittee on Tactical Air Power, composed of Senator CANNON, chairman, and Senators SYMINGTON, JACKSON, YOUNG of Ohio, THURMOND, TOWER, and GOLDWATER.

Their recommendations were submitted to the full committee and largely accepted.

NO FURTHER CLASSIFICATION OF CERTAIN INFORMATION RELATING TO AIRCRAFT

Mr. President, one of the criticisms of this legislation over the past years has been the fact that much of the detailed information is classified and therefore excluded from discussion in the bill and report. I must confess that a substantial amount of this information, especially as it relates to missiles, remains classified. I am able to report to the Senate, however, that under a new policy the detailed information on aircraft procurement for the fiscal year involved is now unclassified. For the first time Senators will find printed in the committee report charts showing the numbers of each aircraft by type which is proposed for procurement for the next fiscal year. Heretofore all numbers of aircraft have remained classified and only the total figures have been subject to publication.

I think that Senators will find the report to be full, complete, and comprehensive. It is our position that this is all public property and that each individual Senator is entitled to have the facts and figures as well as any additional information that we can give.

This change will enable the Senate to engage in a more complete discussion of this program.

Total aircraft inventory positions still remain classified.

PREMISE FOR COMMITTEE APPROACH TO THIS LEGISLATION

All members of the committee are aware of the serious financial condition of the Nation, budgetary problems of the Federal Government, and the need for economy in all Federal activities, including the Department of Defense. The aim of the committee has been to reduce this bill to the very minimum consistent with what we believe to be the esssential needs of our national security.

Several things come to mind in this regard.

First. We are still engaged in the Vietnam war, which is costing at least $25 billion per year. So long as American boys are in battle, they must receive the best weapons we are able to produce, and whatever quantities are required, with some to spare.

I thought there were some missiles and other items that could be eliminated. I am talking particularly about small missiles. However, when we get down to the nub of things and mark up the bill, and remembering all the time that there is a shooting war going on, regardless of how much we might hope that we can see light at the end of the tunnel, matters appear dim. We know the war is still going on and that much of the money is for the replacements of weapons and equipment. We pray that these expenditures will not be necessary, but if the war does go on, the only way to insure that the weapons are ready when they are needed is to authorize the money now.

With this critical fact confronting us, we said: "We will have to allow that, but we will put words in the report to show that it is the legislative intent that the Department of Defense, if the losses do not occur for any reason, must stop the purchase of these items as soon as it can."

I think this would have been done in any event. However, we wanted the legislative intent to be expressed. That is in the report.

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Second. Printed in the hearings is a document which shows that this Nation has some form of defense treaty arrangements with 46 nations. So long as we have these commitments, Mr. President, we must attempt to maintain, at least in some degree, the forces required to fulfill our part of these commitments.

We have had to go along almost alone. We find ourselves with very little company. Despite that, however, we cannot turn our back on commitments which we have solemnly assumed.

As one Senator, I would be perfectly willing to open the issue of national commitments and debate them. I would say that it would be in order to review and renegotiate these commitments.

I would note, Mr. President, that at the present time about 1,000,000 men in uniform are serving outside the United States. Also, about 17 of our ground divisions out of a total of 23⅔ are serving outside the United States. I think we should be fair in recognizing, therefore, that a large portion of our defense cost is for meeting our commitments outside this country.

My immediate point is that these commitments exist and we cannot turn our back on them and arbitrarily strike the required funds from the bill.

In terms of personnel, it is my position that after the Vietnam situation has been resolved the Armed Forces must be reduced at least to their approximate level of 2.5 million men as it existed before the large buildup in Vietnam, and if possible perhaps even less. I am satisfied we cannot continue to maintain in the years ahead a defense establishment at the 3½-million-manpower level we now have and at the same time buy the necessary firstline essential weapons with the continuing growing unit cost. There is no way to get these weapons without this high price tag on them as compared to a few years ago. We can do the same job with less personnel in uniform, especially if we maintain an effective reserve system. The cost of this personnel and the day-to-day operation cost of the services total about 60 percent of every military dollar. It is here that substantial savings must come.

That 60 percent is not contained in this bill. Less than one-third of all the military costs are in this bill. The 60 percent—and these are round figures—is in personnel, salaries, transportation, operation, and maintenance in a broad sense. As I say, less than one-third of the dollars is for hardware, research, and development.

CONCERN OVER THE COST OF WEAPONS SYSTEMS

Mr. President, the committee members, as all other members of the Senate, are greatly concerned over the high increase in the cost of our Defense weapons systems. This problem basically divides itself into two parts. First, the so-called overruns and excess costs of weapons presently being produced over what the original costs were contemplated to be by way of estimates, and, second, the large cost of the new weapons such as the F-14 now just going into production.

The bill before the Senate contains substantial authorizations for funds solely for the purpose of financing cost overruns. I want to bring this out clearly. There is $71.4 million to authorize overtarget costs for fiscal year 1969 and prior for the F-111A-E. There is $225 million for similar costs for the C-5A and there is $167 million to finance claims and cost growth for the Navy shipbuilding program. These are only the overruns which are expected to become due for fiscal year 1970.

Secretary Laird has furnished to the committee a report indicating that the total of the overruns so far identified approximate $1,561,000,000. We will have to make further payments on these overruns next year.

PRECEDENTS

Mr. President, while none of us likes the overrun problem, I would point out that this problem has existed for many years. The B-52—our big bomber—was under contract over a period of 16 years. The last lot of these aircraft, the B-52H, averaged $9.3 million each. They came off the line in 1962. That cost of $9.3 million each was 3.2 times the estimated original cost of the last 40 aircraft. The increase in cost is further emphasized by the fact that the first ones came off the line in 1952 at a cost of less than $3 million apiece; the last ones came off the line in 1962 at a cost of $9.3 million apiece.

The reasons were many, aside from the large inflation during these years. Much of the increase resulted from changes and improvement in the aircraft itself.

The B-52 has been a good plane, and has given little trouble. Of course, it has required modification over the years to keep it effective. Many electronic features were added to make it a more effective weapon system, and the cost of these were increased by inflation of the times and the competition for skilled manpower.

Another example has been the Minuteman II program which is estimated to be $1.6 billion greater than the original estimates made at the start of the program. The original estimate was $3,555,000,000 as compared to the present estimates of $5,145,000,000.

While the committee has not had the time to investigate this latter program in detail, the biggest reason for that increased cost appears to result from changes in technology, the force structure, and program for the Minuteman.

MAIN REASONS FOR OVERRUNS

The committee has found as a general proposition that the principal reasons that the original cost estimates in these programs have been invalid in recent years are as follows:

First. Subsequent to the original estimates there were changes in the weapons programs, that is, revisions to the total number of weapons to be produced and the schedule at which they would be produced, both factors causing an increase in the unit cost.

It is possible to alter these two factors in such a manner that unit costs will be reduced. However, such decisions in recent years have resulted in increasing the costs of these programs. The assumptions on which original estimates were made were therefore invalidated to the extent of these changes.

I think we have moved too rapidly from research into procurement with respect to some of these goods. In some cases, the need exists, accentuated by the war. So we had to move forward regardless of cost.

Second. The military services themselves have requested changes in the weapons through either a change in technology or a policy decision which caused an increase over the original estimate.

Third. There appears to have been a lack of sufficient management supervision over these various programs to take timely action to either correct or recognize, early, the overrun problem.

Fourth. There has been the fact of abnormal inflation since 1964, which has reduced the Defense procurement dollar to a substantial degree. There is no precise index on the effect of the Vietnam war on the procurement dollar itself. Some estimates, however, indicate that the overall loss of purchasing power of the defense procurement dollar would approximate 25 percent.

Inflation since 1964 has affected not only Defense moneys but many other activities in the economy.

Between 1964 and 1968 the interest rate on 3 months Treasury bills rose from 3.5 to 6.15 percent or an increase of 75 percent; the interest yield on FHA home mortgages from 5.45 to 8.05 percent, or an increase of 48 percent; services—less rent—rose 21.6 points from 117 to 138.6 or an increase of 18 percent; the cost of food rose 12.9 points from 106.4 to 119.3 or an increase of 12 percent.

I point this out not by way of excuse. I am not defending any of those contracts. The military as such and civilian groups as such were given some of the hard reasons why some of the increase occurred and have been given some comparison.

COST OF NEW WEAPONS SYSTEMS

Mr. President, the serious problem we face in terms of new weapons costs might be illustrated by two examples pertaining to Navy aircraft. A total of 52 new high-cost aircraft are included in the pending bill for a total cost of $865 million which results in an average cost of $16.6 million each. The average cost of the original aircraft in the program is slightly less than $5 million each.

That is a good weapon; it is a needed weapon. If there is one thing as to which I am unyielding and unbending, it is that we must have the best weapons that science and technology can produce. In battle, when one runs second best, he does not come back. If one runs second best, the other man wins. So when it comes to a showdown, I would rather have fewer men and fewer older planes and less of everything else than to have to sacrifice a frontline weapon.

The next example relates to the F-14A aircraft. This is the new aircraft being produced for the Navy. The average cost of this aircraft is approximately $15.5 million based on a total program of 287 aircraft. The cost of the F-4, which it will replace, is approximately $3 million. Mr. President, these examples merely il-

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lustrate that there is a limit to which the cost of these new aircraft can be controlled if they are to possess the available technology. Technology is what makes performance. The Navy plane we are talking about is long overdue.

Last year, the Senate was the first to require production of the old Navy version of the TFX be stopped. The Navy and the Department of Defense objected, but we ordered it taken out of production. We provided the lead money for the F-14, knowing then something about what the cost would be. But we thought enough money had gone down the drain for the Navy version of the TFX, and time had already run out.

So we have provided in the bill for a firstline weapon, when it is in production.

WHAT CAN THE COMMITTEE DO?

On behalf of the Committee on Armed Services, I wish to make clear that the committee has the responsibility and the duty to extend beyond the passage of the authorization legislation to closely oversee the military expenditures as these funds are spent on the various weapons systems. I want the committee to follow the dollar to see that the Government gets a dollar's worth for every dollar spent. This is exactly what we propose to do. I know that that feeling is shared by all other Senators.

The committee has therefore established a reporting system under which the Department of Defense is required to file quarterly reports with the committee setting forth up-to-date information on major weapons systems. There are now on the list 31 different weapons programs. The committee intends to maintain close surveillance over the cost, performance, and scheduling of these major systems within the Department of Defense. When conditions warrant, the committee will request the assistance of the General Accounting Office, with which we have already made arrangements, to provide a more detailed analysis of particular elements of the program. The committee staff has already been augmented by competent auditor investigators from the GAO now on duty since February of this year. These particular men are on leave from the General Accounting Office on a reimbursable basis, but we are going to take at least two or three individuals—the exact number is not yet determined—as permanent members of our staff, men with this kind of skill, to follow this money. It is my idea that we can save more by following these contracts from the time they originate on through than we can by trying to pick up the spilled milk from the floor.

I practiced law for awhile and I had two groups of clients. First there was the spilled milk group. They are the ones who come looking for the lawyer after the bad things happen and after the milk has been spilled. It is not often that the lawyer can pick it up successfully. Then we have the save-the-milk group. They come in and ask advice of counsel and ask what the law is in order to avoid losses.

I think we can render and we are already rendering this service. I mentioned the F-14A contract which was let about 60 days ago. That is one item on the list we are going to watch all the time. If these overruns start showing up we will know why. We will get an answer because they have to come back next year in order to get more money for that contract. We follow the dollar.

The committee proposes to inform both the Congress and the public on the cost and performance of these weapons systems as revealed through the quarterly reporting system. In this manner we hope to identify cost overruns at an early date and avoid the surprise of huge cost increases that have occured in the past. Hopefully, this system will also assist in the internal management and control of weapons systems programs by the Pentagon.

I can say that the Secretary of Defense is in complete accord with this system. We originated it, we started it in the committee, and he has cooperated fully. He sends these reports in to us. We have these men I referred to. Wherever there is any showing of anything that may be coming up that should not be coming up, those men will go in and we will get additional help.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. STENNIS. Mr. President, I do not wish to usurp the floor, but I would like to present the entire matter to the Senate and briefly relate what we have done and why we have done it.

I had hoped that this afternoon, as a part of this discussion, we could go into executive session for the purpose of bringing out the rest of the facts that caused us to act as we did. I am not referring now to the ABM. I think we might skip that discussion this afternoon, anyway, if it is agreeable to the Senate, and just get to the rest of the bill for the present time. That will depend. When I finish, I shall make a motion.

Mr. President, I wish to say to the Senator from Florida that if I yield to him I would have to yield to other Senators, and the only way to complete this rather lengthy bill and the speech is to continue. I do not wish to be rude to the Senator. I thank the Senator very much for his attitude.

DISCUSSION OF BILL

RELATION OF AUTHORIZATION TO DEPARTMENT OF DEFENSE APPROPRIATIONS GENERALLY

Mr. President, I would emphasize that the total of $20,059,500,000 in authorizations being recommended in this bill provides an important part, but only a part, of the $77,620,547,000 in new obligational authority being requested under the present revised budget of April 15, 1969.

As Senators know, not all Department of Defense appropriations require authorization such as those relating to military personnel, operations and maintenance and part of the procurment functions. As I have indicated previously, this bill constitutes those portions of the Department of Defense bill which do require an authorization as a condition precedent to the appropriation.

This is a relatively new procedure. I think it was 7 or 8 years ago that we passed a law requiring the authorization. In the old days only the Committee on Appropriations passed on these matters. They did a good job on both sides of Congress. However, I think the Committee on Armed Services has some responsibility to pass on these matters preliminarily. The procedure has worked very well but it is getting more and more difficult to get an authorization bill passed.

SUMMARY OF ENTIRE AUTHORIZATION LEGISLATION

Mr. President, on page 3 of the committee report there is printed a summary of all of the new obligational authority being proposed in this bill. There is a grand total of $20,059,500,000 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles and all funds for research, development, test and evaluation. There is a copy of the report on the desk of each Senator. The committee also authorized in addition to the foregoing sum, $12,700,000 for the construction of certain test facilities at Kwajalein relating to the Safeguard missile.

The committee recommendation should be compared to $21,963,000,000 which was requested by the revised budget of April 15, 1969, and also should be compared to the request of $23,151,000,000 contained in the Department of Defense authorization request of January 14, 1969, the so-called Clifford budget. There is a reduction of approximately $1.9 billion as compared to the April 15 request and over $3 billion as compared to the January 14 request.

PROCUREMENT OF AIRCRAFT

Mr. President, I shall now proceed to discuss the details of the legislation itself.

PROCUREMENT—ARMY AIRCRAFT

Mr. President, the committee recommends an authorization of $484.4 million for 881 Army aircraft. This authorization will permit the purchase of 802 helicopters and 79 fixed wing aircraft. Our helicopter losses in South Vietnam have been enormous.

I should emphasize that over 95 percent of these aircraft would be to replace the anticipated losses in Southeast Asia and the operational losses elsewhere throughout the world. If hostilites should cease, the number of actual purchases will be scaled down accordingly.

The committee made the following adjustments:

First, deleted $429 million for funds proposed for the Cheyenne helicopter in recognition of the Department of Defense decision to cancel the production contract. We also had some ideas on that when the Department of Defense announced its decision.

Second, reduced the authorization for the Mohawk observation aircraft from $33.4 million to $5.3 million. The present inventory position together with the available moneys from prior years will permit the cancellation of this request except for the $5.3 million necessary for ground equipment avionics.

Out of the $484.4 million authorization, there is proposed for aircraft spares and repair parts $161.7 million, and for modification of aircraft, $68.5 million. These sums are large in all aircraft programs and are subject to little change if we are

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to keep the aircraft in first class condition. I point this out as one of the problems involved in reducing the request.

There is printed on page 12 of the report a complete summary of the Army aircraft authorization of this bill.

PROCUREMENT—NAVY AIRCRAFT

Mr. President, the committee is recommending new obligational authority in the amount of $2,287 million for 401 aircraft and associated costs including $568.4 million for spare parts and $325.9 million for modifications. This modification is something that goes on all the time with planes. Even if they do not have to be modified and do their job well, they have to be kept up to date for continued usage.

The committee request represents a reduction of $122 million from the Department of Defense revised program of April 15, 1969. These reductions, as I shall point out, result from the committee deletion of slightly over $100 million for the procurement of 27 A–7 medium attack fighters and a reduction of $18 million in the authorization for medium transport helicopters. In comparison with the Department of Defense request of January 14, the committee action represents a reduction of approximately $282 million.

SIGNIFICANT ASPECTS OF NAVY AIRCRAFT PROGRAM

The Navy program being proposed for procurement contains the smallest number of aircraft for procurement by the Navy in any year since 1946. This is an austere program.

One thing certain about expensive planes. They do more than their former cousins or ancestors could do but they cost more in order to perform better.

The entire fiscal year 1970 procurement will be used for two purposes: To replenish the anticipated battle and operational losses and to permit a small degree of modernization in Navy aircraft. Even with this purchase, however, the average age of the Navy aircraft will have increased from 7.8 years to 9.1 years by the time the planes in this bill have been delivered—in other words, we are still losing time on the age of our planes.

The Navy procurement program this year points up the serious problem of the high cost of new aircraft. As I have indicated previously, of the total of 52 so-called high-cost aircraft in this legislation whose cost will total approximately $865 million, the average unit cost will be approximately $16.6 million per unit. The average cost of the other aircraft is approximately $4.9 million.

I might point out that the new F–14 under the presently approved program would cost about $15.5 million per aircraft as compared to approximately $3 million in cost for the F–4 which it will replace.

NEED FOR F–14 NAVY FIGHTER

Mr. President, this bill contains the first procurement money for the new F–14 Navy fighter. This aircraft is essential if the Navy is to have a fighter aircraft in the early and middle 1970's capable of competing with Russian aircraft of that period. The F–4 Phantom while still a good aircraft was designed 15 years ago and has about reached the limit of its improvement potential. They are known to be good fighters by possible antagonists, but they cannot cope with present day needs.

While I will not go into detail, as the Senate knows, the TFX represented an attempt to produce a fighter for both the Navy and the Air Force. This aircraft did not meet Navy requirements. The committee refused requested authorizations for the Navy version last year. The F–14 is a follow-on to the TFX effort.

CANCELLATION OF A–7 AIRCRAFT FOR THE NAVY

Mr. President, the committee deleted the request of $99.6 million for 27 A–7 aircraft plus lead funds of $4.4 million. The reason for this action by the committee directly results from the deletion of the funds for the Air Force version of this aircraft in the Air Force procurement request. The Air Force has approximately 74 of A–7 aircraft now under contract and this small number is not sufficient to constitute a part of the active inventory of the Air Force. The committee is directing that arrangements be made for the Navy to receive at least an equivalent number for its needs out of those under contract to the Air Force.

We denied the A–7A for the Air Force, and we denied the new ones that were in the bill, and provided that those the Air Force already has would be transferred over to the Navy. We will come back to that when we get to the related part of that change.

REDUCTION IN HELICOPTERS

The committee reduced the number of medium transport CH–46E helicopters from 60 to 48 with a net saving of $18 million. In view of the stringent budgetary conditions, the committee felt that a stretch-out of this procurement was possible and a reassessment of the program can be made next year.

CHART IN COMMITTEE REPORT

There is printed on page 15 of the committee report a complete list of all elements making up the Navy aircraft procurement request.

PROCUREMENT—AIR FORCE AIRCRAFT

The committee is recommending new obligational authority in the amount of $3,965,700,000 for 592 aircraft for the Air Force. Included in this sum is the variety of expenses associated with aircraft, including $885 million for spares and repair parts and $510 million for modification costs. We went into these matters very carefully. That is a lot of spare parts, but spare parts are very essential when a plane is first built, and a supply of spare parts must continue to come in. We also have modifications to take into consideration, which I have already discussed.

The committee recommendation may be compared to the April 15 recommendation of the Department of Defense of $4,100,000,000 and the January 14 recommendation of the Department of Defense of $4,406,000,000.

This is the smallest number of aircraft being procured for the Air Force since 1939.

Notice how far back the figures go. For the Navy, the smallest number since 1946; for the Air Force, the smallest number since 1939. These new aircraft perform better and do more, but they cost a great deal more money.

DETAILED CHART ON AIR FORCE PROCUREMENT

The committee report on page 19 sets forth a detailed summary of the numbers of aircraft and the amounts recommended for fiscal year 1970.

COMMITTEE ADJUSTMENTS AND VIEWS

Mr. President, I should like to point out several reductions recommended by the committee.

First, a reduction of $50 million in aircraft spares because of the 6 months slippage in the C–5A production.

Second, reduction of $40 million in the modification of aircraft program which results from the cutback in the SRAM missile program. The $40 million was for the purpose of adapting B–52's to this missile.

Third, a reduction in the A–37B aircraft from 96 to 36 with the authorization being reduced from $38.5 million to $16 million. This aircraft is intended for use in Southeast Asia by the active Air Force and would be turned over to the National Guard, subject to their return, since the first aircraft from this buy would not enter the inventory until December 1970. The committee felt justified, under the circumstances, in reducing the request.

Fourth, the request of $28.1 million for two navigational trainers was reduced to $6.1 million, which will permit the purchase of ground simulators but not aircraft. The committee felt that this item was not of a great priority and other less expensive means might be examined for the two aircraft. Old planes could be used and we did give them the ground simulators.

DELETION OF REQUEST FOR A–7D AIRCRAFT

The committee recommends the cancellation of the request of $348.2 million for 128 A–7D fighters and $26.5 million for advance procurement for this aircraft, and further that these same funds be used for the procurement of F–4E aircraft. This sum will permit purchase of approximately 120 of the F–4E's.

After a thorough examination of the Air Force requirement for tactical aircraft the committee concluded that the cancellation of the A–7 was a proper one for the following reasons—and I give the reasons because I know Senators will be interested in this matter as it affects both the Air Force and the Navy:

First. The A–7 can operate in only a Vietnam-type environment where our forces have control of the air. The F–4, on the other hand, can to a large degree do the same job as the A–7, but in addition, do unescorted interdiction and deep penetration missions, which the A–7 cannot do.

Second. At the time that the A–7 program was conceived in the Air Force, it was viewed to be an inexpensive subsonic aircraft to support ground forces. As a result of many changes, the costs have more than doubled to the point that the more versatile F–4 can be procured for approximately the same amount.

Third. Under the circumstances, it is more economical for the Air Force to buy more F–4's which is already in the inventory, instead of the A-7's which will require a new logistical and training base of its own within the Air Force.

The committee recognizes that the Air Force out of prior moneys has procured approximately 74 aircraft with most of these undelivered. The committee is requesting, however, that the Secretary of Defense make the necessary arrangements to have at least a portion of these aircraft delivered to the Navy, rather than to the Air Force, and to make the necessary budgetary adjustments.

THE C–5A TRANSPORT AIRCRAFT

We come now to the C-5A transport aircraft. That is the one on which so many hearings have been held, including 2 days of open hearings, in addition to others we had.

Mr. President, the committee is recommending the funds for the C–5A as requested by the Department of Defense. These amounts total slightly over $1 billion and are made up of the following cost elements. That is the big plane that is going to carry so many men and some light equipment.

First, $481 million for 23 aircraft to complete four squadrons. They are on order.

Second, $52 million for long leadtime items for procurement of 20 aircraft in fiscal year 1971. Those are under direct order.

Third, $34 million for continued research and development effort. That plane is going to be in use by December, but still, as is true of all successful planes, we have to keep spending money for research and development.

Fourth, $210 million for spares.

Fifth, $225 million to cover over-target costs in fiscal year 1969 and prior years.

As the Senate knows, this aircraft has been the subject of intensive discussion, both in and out of the Congress. In addition to the normal testimony received in the authorization request, the committee devoted 2 days of separate hearings to this particular aircraft.

As most of us know, at the time of the original contract the estimated target price was $2,985,000,000 for 120 aircraft, excluding spares and ground equipment. The latest Air Force estimate for the same work is $4,348,000,000. Despite the problems connected with the nature of the contract and the huge overruns, the committee is recommending the approval of the authorization request except for the $50 million reduction for spares.

Mr. President, the decision of the committee was based on the fact that this aircraft is needed and so far it is proving to be a good plane. On a ton-mile cost, it is expected to haul cargo at about one-half the cost of its nearest competitor, the C–141. The important issue now relates to what can be done to improve the management of these contracts and bring the entire system of the control of weaponry under better control. The committee will have a further report on this matter.

I have outlined what the committee intends to do through its quarterly reports. The committee report, on pages 4 and 5, discusses in detail some of the issues connected with total package procurement and some of the steps which must be taken to improve this system. With the contractual obligations under run A already approximating $2.5 billion, the only sensible recourse is to proceed with the program and obtain the airplanes and at the same time improve our system of contracting and managing this vast operation.

This contract is what is called a total package contract. It certainly is not an ideal contract, particularly when it is for the production of such a plane, over so long a period of time. However, it was a contract under which the Government is obligated. It remains to be seen how many of these planes the Defense Department will be ready to buy. But we are really in the first increment now. If it is a good plane—and we think it is—the need is here. So we are making these recommendations. That will be touched on further.

F–111D—MARK II AVIONICS

The committee is recommending approval of the request of $599,800,000 of 68 F–111D advanced tactical fighters, plus an additional $56 million of leadtime procurement funds.

The F–111D is the most modern version for the Air Force out of the old TFX contract. There have been no modern bombers or anything to fill the role in this field, or similar lines, except for this one, for a long, long time. That will be explained further in the debate by Senators who were especially charged with duties in the tactical air field.

Basically, the committee approved this request, despite the long history of technical trouble and cost overruns for this aircraft, because it is the only one of its type now in the Air Force for night and all-weather interdiction.

The committee was advised that the Mark II avionics which is included as a part of each aircraft will not be used in the F–111D's beyond the first 96, of which only two are in the 1970 procurement program. In lieu of the Mark II, a simpler avionics system will be used. There will be savings, yet undetermined, resulting from this change. Preliminary estimates have ranged from $25 million to $60 million. The committee agreed that any savings resulting from this program could be used for slightly increasing the procurement program of the F–111D's. The committee report beginning on page 5 discusses in detail the F–111D matter.

The Mark II avionics will also be discussed further.

PROCUREMENT OF MISSILES

Mr. President, I shall now discuss briefly the authorization for missile procurement for fiscal year 1970. I will omit at this time the discussion of the Safeguard program, which will be discussed as a separate item.

PROCUREMENT—ARMY MISSILES

Mr. President, the committee is recommending for the total missile request for the Department of the Army $922.5 million. This amount includes $345.5 million for Safeguard. Exclusive of Safeguard, therefore, the committee is recommending $577 million for Army missile procurement. This request will include five systems, as described in the committee report on page 21. The purpose of the missile request is to build up the necessary inventory and to replace those missiles now being utilized for training purposes. The committee made the following reductions in the Army missile request.

Here is where we thought we were going to make some more reductions. When battles are going on, in a war of unknown duration, and when items have to be made up in advance, while men are dying every day, one's fingers more or less become paralyzed when he goes to check those items out of the bill.

We have a very strong paragraph in our report for a special study to be made of all these small missiles by the Department of Defense, to help us decide, next year particularly, about the possibility of reductions and a lower inventory.

The committee took the following actions:

First, reduced the TOW missile request by $14 million, from $156 million to $142 million on the basis that a slower production rate is justified under present circumstances.

That is a classic illustration of how costs will run up. This is a superior antitank missile. It is just in the beginning stages. We have just a few on hand. They will be used in training. I was amazed to find that the ultimate request for funds for this missile alone will be $1.2 billion—just for that one small antitank missile. The services are going to inventory 240,000. That looked like far too many.

Second, reduced the Hawk missile by $9.2 million, from $98.7 million to $89.5 million, on the basis that a slower build-up rate was justified to correct certain technical problems.

Third, made further reductions totaling $12 million in the missile account relating to an item known as the radar Interrogator and a launcher conductor of fire which is an element in the M60A1E2 tank, which has been subject to certain problems and is undergoing modifications.

MAIN BATTLE TANK

Mr. President, I think it is appropriate at this point to mention the action taken by the committee with respect to the so-called main battle tank, which is designated as the MBT–70. The only funds in this bill for this item is for research and development.

The committee reduced the request for this tank from $44.9 million to $30 million, with the reduction being $14.9 million.

As many Senators know, this is a tank that is being built in cooperation with the German Government and it is intended for use in the mid-1970's. The development, however, has been underway since April 1963—6 years—and a number of problems have been encountered. The committee thought it was only wise and prudent that these funds be reduced in order to make certain that the many problems can be worked out on an orderly basis.

I have about lost patience with this situation. Six years with no more progress than presented. However, it may be the only way. It is being done in conjunction with the German Government,

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and it involves a contract. It is supposed to be the "dream" tank, if it can be perfected along the lines they are driving for. But we made that reduction, and I hope they will move forward next year. The House has made a very good investigation into this tank, I think. I talked with their chairman over there, and he made some good suggestions, which will be published soon in their committee report. At any rate, we felt safe in making this recommendation.

PROCUREMENT—NAVY MISSILES

The committee is recommending new obligation authority of $851.3 million for the procurement of Navy missiles. The largest single item in missile procurement for the Navy is $491 million for the Poseidon. The remainder of the Navy missiles are being procured either to maintain present inventory positions or, with respect to certain advanced types, to improve their presently modest inventory.

The missile programs requiring funding are printed in the committee report, beginning on page 22.

Senators will remember that the Poseidon is the successor to the Polaris. It is necessary to transform the Polaris submarine itself. That process is going on now.

PROCUREMENT—MARINE CORPS MISSILES

The committee recommends $20.1 million for the procurement of missiles for the Marine Corps, most of which would be used for procurement of the Hawk missile.

They get some of their missiles from the Army, as I understand.

PROCUREMENT—AIR FORCE MISSILES

The committee is recommending new obligational authority for the procurement of Air Force missiles for fiscal year 1970 in the amount of $1,466 million.

The largest single missile request for the Air Force is $679.14 million for Minuteman II/III which, as pointed out in the committee report, will provide the funding for the necessary elements connected with this program. It might be noted that this program was reduced by Mr. Laird to the extent of almost $157 million which will result in a somewhat slower deployment rate.

The missiles requiring funding for the Air Force for fiscal year 1970 are listed on pages 24 and 25 of the committee report.

That is big money. As Senators know, this is the ICBM, and they are in a continuous process of improvement and addition.

It should be noted that the committee deleted $20.4 million for the SRAM missile in view of the reduction of the SRAM development effort in the Department of Defense. That will be explained more fully later.

PROCUREMENT—TRACKED COMBAT VEHICLES—ARMY AND MARINE CORPS

Mr. President, the committee is recommending $276.9 million for tracked combat vehicle procurement for fiscal year 1970. The vehicles by item are listed on page 38 of the committee report together with the funds requested for each item.

The committee made certain reductions in this request as follows:

First. The Sheridan Army reconnaissance vehicle which looks like a tank but is not a tank—was reduced by $5.1 million from $52.8 million to $47.7 million in order to permit more orderly procurement and adjustments to present modifications.

Second. The M60A1 tank was reduced by $20 million from $67.5 million to $47.5 million for the reason that other moneys already appropriated to purchase chassis for another advanced tank, the M60A1E2, can be used on the former tank due to the delay in development and production of the more advanced type.

The committee will furnish a further rundown on this tank problem. This is tanks that has been built, but there is a problem with the turrets, and they are stored somewhere in the Detroit area, several hundred of them. We took some of the chassis to use on this more advanced model, and picked up $20 million in savings.

The tracked combat vehicles are each described in the committee report and represent the normal program for inventory maintenance and buildup in certain areas.

The bill also includes $37.7 million for Marine Corps combat vehicles which would be used principally for the modernization of the 175 gun and certain other elements connected with the Marine Corps tracked combat vehicle program.

NAVAL VESSELS—NEW CONSTRUCTION AND CONVERSION

Mr. President, the committee is recommending new obligational authority in the amount of $2,568,200,000 for the construction and conversion of naval vessels. This amount together with funds available in prior years would be applied to the construction of 14 new vessels and the modernization of 17 others.

As many Senators know, the modernization of vessels and construction of more modern vessels for the Navy has been put off year after year. This time, there is provided a beginning on the necessary new types of vessels that will represent a beginning on our having a new Navy.

On pages 32 and 33 of the committee report, a detailed summary of the entire shipbuilding and conversion program for fiscal year 1970 is set forth.

PREMISE FOR COMMITTEE RECOMMENDATION

The premise of the committee recommendation is that the condition of the U.S. Navy has reached the point where a modernization program of the size in this bill is essential if the Navy is to avoid obsolescense of its ships and the weapons the ships employ.

Of approximately 900 ships in the active fleet, 58 percent are over 20 years of age. Five of 15 attack carriers in the active fleet are 25 years of age. About 63 percent, or 168 of the 268 destroyer types in the active fleet are based on designs of the late 1930's and were built in the 1940's.

Moreover, Mr. President, there is a limit to which these older vessels can be modernized, due to the lack of space and volume in their hulls and the lack of electrical power resources to accommodate new weapons.

COMMENTS ON SPECIFIC PROGRAMS

NEW AIRCRAFT CARRIER

The committee recommends approval of $377.1 million, which represents the remaining amount necessary for full funding for one nuclear attack carrier.

This is the second of three attack carriers planned for the modernization program. We have already put $133 million into this carrier, and this amount is for the final payment. This carrier, with the other new ones, will replace the older carriers built during World War II. Several of the new naval aircraft, including the F–4 Phantom and the A–6 Intruder, cannot operate from the older carriers.

One thing I like about carriers is that when you put a new one in, like a football coach, you have to take out an old one. That not only keeps the maintenance costs from running up, but in many instances decreases the costs.

DELETION OF FLEET FAST DEPLOYMENT LOGISTICS SHIPS (FDL'S)

The committee is recommending the deletion of $186.7 million for the procurement of three FDL's.

These ships are of lesser priority than the remainder of these being proposed and can be omitted from funding in the fiscal year 1970 program, without prejudice to their consideration in the future.

NUCLEAR SUBMARINES

The committee has increased the departmental request with respect to nuclear attack submarines. I think the reason will become more obvious later. The committee is recommending funds in the amount of $504.5 million for three nuclear attack submarines plus $90 million which will provide lead funds for five additional submarines. The revised budget of April 15 proposed $383.3 million for two nuclear attack submarines plus $119.2 million for lead funds for four additional submarines with one of those being funded on a leadtime basis at an accelerated rate. The effect of the committee revision is to increase the request for funds for submarines by $123.5 million. The committee's view is that the growing Russian submarine program and the potential threat it causes to our Polaris program justifies this action. The committee report on page 7 discusses the committee action and the Soviet submarine force.

CONVERSION OF FLEET BALLISTIC SUBMARINES

Mr. President, I should note that the bill contains an authorization of $301.4 million for the conversion of six fleet ballistic submarines to the Poseidon program. I mention this in connection with the other figure, because this is the figure for the conversion; the other was for the new type of missile involved. In addition, there is $157.5 million being recommended for leadtime funds on 12 additional submarines to be converted. This program is essential in order to acquire the capability of our Poseidon program. These are not new submarines; they are conversions.

OTHER PROGRAMS

Mr. President, the committee sets forth in some detail on pages 32 and 33 of the report the remaining elements of the shipbuilding and conversion program relating to the new destroyers, the nuclear guided missile frigate, the general purpose assault ships—LHA's—and various other elements of the program.

RESEARCH AND DEVELOPMENT PROGRAM

I shall be fairly brief on this subject, simply to bring it into focus. The plans, as Senators know, all originate in the research and development program, which also includes tests of the engineering. The Senator from New Hampshire held special hearings on research and development, and recommended reductions, which were adopted by the committee, totaling, in round figures, $1 billion.

Mr. President, the Congress must authorize as a condition precedent to appropriations, funds for all research and development in the Department of Defense. The committee is recommending a reduction of approximately 12.7 percent, or slightly over $1,042,000,000. The final figure recommended by the committee is $7,179,500,000, which should be compared to $8,222,400,000. The committee fully recognizes that all future weapons programs are dependent on the quality and extent of the research and development program within the Department of Defense.

At the same time the committee believes that the research and development activity can be reduced to the extent recommended and at the same time protect the essential elements of this program as required by our national security.

Mr. President, the Senator from New Hampshire (Mr. McINTYRE) was chairman of the ad hoc Subcommittee on Research and Development, and I shall not attempt to dwell in great detail on the committee actions since he will make some remarks on the research and development program.

I shall, however, enumerate briefly some of the actions taken with respect to the R. & D. requests.

1. ELIMINATION OF FUNDS FOR THE SAM–D SURFACE-TO-AIR PROGRAM

The committee deleted the request of $75 million for R. & D. funds for the SAM–D surface-to-air antiaircraft missile. The total R. & D. and procurement program for this weapon would exceed $2 billion. The committee did not feel that defense against enemy bombers was sufficient priority to justify research on this system of the magnitude requested.

2. THE RF–111 RECONNAISSANCE AIRCRAFT

The committee eliminated the Air Force request of $15 million for research and development on the RF–111 reconnaissance aircraft. This total program, if ultimately completed with procurement, would cost about $821 million. Since the Air Force has already purchased substantial quantities of other reconnaissance aircraft—RF4C's, RF101's, and SR–71's, the committee felt that there is sufficient capability at the present time to perform this role for the future.

3. AGM–X3, AIR-TO-GROUND MISSILE

The committee deleted $3 million requested by the Air Force for this new tactical air-to-ground standoff missile. This is a small item, but I bring it to the attention of the Senate because of the fact that the total R. & D. cost alone would be about $200 million and there is no estimate of production cost. It may be that we did not need the missile. It did not look as if we did. The committee felt that the taxpayers might well be saved over $1 billion unless the Department of Defense can more amply justify the requirement to proceed with this program. This is a case where by "nipping in the bud," large economies can result.

4. AWACS—AIRBORNE WARNING AND CONTROL SYSTEM

The committee reduced the request for the airborne warning and control system for defense against bombers from $60 million to $15 million. The funds approved in 1969 will permit the radar technology to be kept alive. At the same time the committee is requesting the Department of Defense to restudy the entire bomber defense program with respect to its relative priority for defense spending and to resolve the differences of opinion as to how this program, if funded, should be carried out. In addition, Mr. President, the committee reduced the request for the air defense interceptor—CONUS—$16 million, from $18.5 million to $2.5 million, as a part of this same deferment.

I would emphasize, Mr. President, that there was a conflict of testimony between the Department of the Air Force on the one hand and the Office of the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, on the other, as to the selection of the appropriate aircraft for the improved interceptor.

Those things were put in a special study category for more definite assignment of needs, first of missions and then of needs. That will be discussed later by other Senators.

AVAILABILITY OF $100 MILLION IN EMERGENCY FUNDS FOR RESEARCH AND DEVELOPMENT

I would emphasize that in section 202 of the bill there is authorized to be appropriated $100 million in emergency funds for the Secretary of Defense for research, development, test, and evaluation or procurement or production related thereto.

If conditions change with respect to research and development matters covered under this authorization, the Secretary of Defense would be empowered to utilize these funds for research and development purposes.

LIMITATION OF $45,000 ON SALARIES OF NONPROFIT CONTRACT CENTERS UNLESS THERE IS A PRESIDENTIAL EXCEPTION

Mr. President, I would also call to the attention of the members an amendment by the Senator from Virginia (Mr. BYRD), which provides that salaries paid from appropriations at the Federal Research Contract Centers may not exceed $45,000 unless the President approves the higher salary and thereafter reports his reasons to the House and Senate Committees on Armed Services.

That will be discussed fully in the amendment that was offered in committee and agreed to on the motion of the Senator from Virginia.

AMSA—ADVANCED MANNED STRATEGIC AIRCRAFT

The committee approved the revised request for research and development funds in the amount of $95.2 million for the advanced manned strategic aircraft. It is emphasized that there is no provision in this authorization for production funds for this aircraft. This sum will shorten the competitive design phase and permit the design of full-scale engineering and development in fiscal year 1970. This leaves a clear-cut decision to Congress as to whether we will proceed to procurement. If the decision is made later to proceed with the production of this aircraft it will enter the Air Force inventory 1 year earlier by virtue of the increase of approximately $23 million which was added by Mr. Laird to the Clifford request on this item.

OTHER ITEMS

Mr. President, I shall not discuss further the details of the actions taken by the committee with respect to research matters, but shall leave this to the Senator from New Hampshire.

I would point out that beginning on page 42 of the committee report are a series of charts which set forth in detail the actions of the committee with respect to the research and development requests.

PERSONNEL STRENGTHS OF THE SELECTED RESERVES

Mr. President, as the Senate knows, the personnel strengths of the Selected Reserves of each of the Reserve components must be authorized on an annual basis as a prior condition for the pay and allowances of the Reserve components. That is a term that is well known to those that have to do with this regulation. This provision has a long legislative background which was to provide the authorizing committees with the authority for reviewing and determining on an annual basis the Selected Reserve strengths.

The bill recommends the following average strengths for each of the Reserve components for fiscal year 1970:

First, the Army National Guard of the United States, 395,291.

Second, the Army Reserve, 256,264.

Third, the Naval Reserve, 129,000.

Fourth, the Marine Corps Reserve, 49,489.

Fifth, the Air National Guard of the United States, 86,999.

Sixth, the Air Force Reserve, 50,775.

Seventh, the Coast Guard Reserve, 17,500.

The committee report on pages 54 through 57 discusses in some detail the Reserve personnel strengths for fiscal year 1970.

CONTINUATION AUTHORITY FOR THE USE OF FUNDS FOR VIETNAM, LAOS, AND THAILAND

The committee in section 401 of this bill continued the authority authorized in last year's bill which would permit the use of Department of Defense funds for assistance to Vietnam and other free world forces in Vietnam and local forces in Laos and Thailand. Funds in this bill to be used for this purpose are slightly in excess of $100 million. The committee report on page 57 sets forth the legislative background on this matter.

I have been asked some questions about this matter. I can assure the Senate that it is old law being brought forward. Insofar as this bill is concerned it pertains to hardware only on items that we might see fit to use in Laos, Vietnam, or Thailand.

SAFEGUARD ANTI-BALLISTIC-MISSILE SYSTEM

Mr. President, I now turn to the provisions of the bill relating to the Safeguard anti-ballistic-missile system.

Many details and ramifications of the Safeguard anti-ballistic-missile system will be discussed during the course of this debate. Initially, I think, however, it is highly important that the Senate understand the extent and the purpose of the funds in this bill as they relate to the Safeguard system.

The Senator from Maine (Mrs. SMITH) paid me a compliment once by saying that I explained a bill better by saying what was not in it than by saying what was in it. This is not arguing the ABM on its merits but just outlining how the money contained in the bill applies.

I shall therefore outline these appropriate facts at the outset. The authorizations for appropriations for Safeguard are contained in three different elements of the bill.

First. There is the authorization for funds for research and development in the amount of $400.9 million which is included as a part of the research and development authorization for the Army and which as reported by the committee totals $1,638,600,000.

Second. There is an authorization contained in section 203 of the bill in the amount of $12,700,000 which would authorize the construction of certain test facilities for Safeguard at the Kwajalein Missile Range. Frankly, that was just drawn out of the military construction bill and put here to go along with the rest of the Safeguard system.

Third. As a part of the authorization for missiles for the Army, the total of which is $922,500,000 there is new obligational authority in the amount of $345.5 million which authorizes procurement funds for the Safeguard system.

The total of these three elements is $759.1 million. Within the committee there was really no controversy on the matter of the research and development funds, nor for the related activity for research and development of $12,700,000 for the construction of the test facilities at Kwajalein.

PRECISE USE OF THE FISCAL YEAR 1970 PROCUREMENT FUNDS FOR ABM

Mr. President, on pages 25, 26, and 27 of the committee report there is a detailed discussion on the use of the fiscal year 1970 procurement funds. I would like to emphasize the following points.

First. The fiscal year 1970 moneys in this bill do not contain funds for operational missiles, except for a total of $600,000 which is for long leadtime components on a small part relating to the guidance system in the missile. In other words, except for this small amount which is relatively insignificant, there are no funds for operational Sprint and Spartan missiles in the bill.

Second. The procurement funds in this bill represent what is really only a partial funding of phase 1 procurement costs. They would be used for the five elements set forth below: One missile site radar, Grand Forks; one missile site radar data processor, Grand Forks; training equipment; advance procurement for one other Perimeter Acquisition Radar—PAR—and one other missile site radar, Malmstrom; leadtime missile parts, $600,000.

Third. I would emphasize, Mr. President, that up through fiscal year 1969 there had already been appropriated in the form of procurement funds for the Sentinel-Safeguard system a total of $611,700,000, although reprograming has reduced this sum to $468 million. The major items to be procured with fiscal year 1968 and fiscal year 1969 funds are as follows: One perimeter acquisition radar, Grand Forks; one perimeter acquisition radar data processor, Grand Forks; one perimeter acquisition radar data processor—initial use at tactical software control site; final use at Malmstrom; data processor—tactical software control site, at Bell Labs, Whippany, N.J.

Fourth. Mr. President, I would also point out that the funding in this bill does not complete all of the funds required for phase 1. The committee report on page 26 sets forth the other elements which must be funded in future years, including the Sprint and Spartan missiles themselves.

FURTHER DETAILS OF FISCAL YEAR 1970 PROCUREMENT

Mr. President, on page 27 of the committee report a further detailed breakout of the use of the fiscal year 1970 procurement moneys is set forth. I would emphasize the following points:

First. Except for the $600,000 which I have already discussed, all of the moneys for Sprint and Spartan missiles go for various activities which occur prior to the production of the missiles themselves. These include all of the preproduction expenses as set forth in the chart.

Second. Of the total of $345.5 million, $249.3 million will be spent for items relating to the ground equipment and the radars for phase 1 sites.

Mr. President, the foregoing comments describe the use to which the funds proposed for fiscal year 1970 would be used for Safeguard. In other words, the details of the bill itself.

I have additional comments and justification for the Safeguard system which will be given at a subsequent time.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table setting forth, in even more and greater detail than I have outlined, a breakdown of the vast increase of funds already obligated, and funds for fiscal year 1970 and for subsequent years. This is furnished because there has been some confusion about the subject, and the committee believes that all Senators are entitled to the information. We believe that the information as presented is correct. If any Senator finds otherwise, we should be glad to have him report it, and we will make the proper correction.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

1. The DOD costs of Phase I including RDT&E, PEMA, MCA, O&MA and MPA for the period FY 1968 through FY 1974 are as follows:

[In millions]

	Fiscal year 1968	Fiscal year 1959	Fiscal year 1970	Fiscal years 1971–74	Total
R.D.T. & E.	$383.9	$311.5	$400.9	$976.4	$2,072.7
PEMA	137.9	330.6	360.5	793.3	1,622.3
MCA	55.2	183.0	97.1	154.9	490.2
O. & M.A.	10.3	30.3	23.2	170.1	233.9
MPA	4.1	6.0	9.8	61.0	80.9
Total	591.4	861.4	891.5	2,155.7	4,500.0

2. Of the amounts already approved in FY 1968, and FY 1969, the amounts obligated and expended are as indicated by the following table. (Obligation and Expenditures as of 31 May.)

[In millions]

	Obligated			Expended		
	Fiscal year 1968	Fiscal year 1969	Total	Fiscal year 1968	Fiscal year 1969	Total
R.D.T. & E.	$383.9	$303.9	$687.8	$375.8	$109.2	$485.0
PEMA	131.2	302.3	433.5	79.5	55.6	135.1
MCA	35.9	5.4	41.3	24.4	2.1	26.5
OMA	6.5	22.6	29.1	6.5	14.6	21.1
MPA	4.1	8.4	12.5	4.1	8.4	12.5
Total	561.5	642.6	1,204.2	490.3	189.9	680.2

3. With regard to the amounts in paragraph 2 above, obligations for:

a. RDT&E have carried on the extensive development, test and test program which has been underway for a number of years.

b. Those for PEMA have been committed for preproduction engineering, the initiating of readiness of facilities and lines for production, and for the actual procurement of the following:

Perimeter Acquisition Radar (PAR) (Grand Forks)

PAR Data Processor (Grand Forks)

Data Processing Equipment for the Tactical Software Control Site at Bell Labs Whippany, N.J.

c. The amounts for MCA have been Architectural Engineering, design effort, construction activities at Boston, procurement of power equipment and construction of facilities at Kwajalein.

d. The amounts for O&MA are for civilian personnel costs to include salaries and travel, building rentals, and for contracts for defense analyses and deployment planning.

e. The amounts for MPA are for pay and

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allowances of military personnel directly associated with the SAFEGUARD program.

Mr. STENNIS. Mr. President, I observe the distinguished majority leader in the Chamber. I wish to make some rather informal remarks about procedure. I also observe in the Chamber the distinguished Senator from Missouri (Mr. SYMINGTON), the distinguished Senator from Michigan (Mr. HART), and the distinguished Senator from Kentucky (Mr. COOPER). I mentioned this matter to the Senator from Kentucky as we came into the Chamber.

I consider this to be a very important and difficult bill, even apart from the ABM, and that, of course, is especially difficult. There may be added issues with respect to it. But the bill is highly complicated. In a way, it marks a turning point.

The committee members are unusually well qualified to discuss all phases of the bill. I hope that in time the distinguished Senator from Maine (Mrs. SMITH), the ranking Republican, will address the Senate on the bill; in fact, I know she will. Then it may be that the chairmen of the subcommittees would have an opportunity to discuss their work, to be followed by any other Senators who wish to speak. I would not wish to exclude any Senator. I am speaking as I am because the committee wants to make a complete presentation.

It seems to me that we might just as well leave the ABM out of the bill now and consider it more or less as a special order, for that is what it has grown to be. We could then determine whether we might reach an agreement to take X days of debate on it. I do not know how many days, but X days. That would include, as any Senator, under the rules, has the right to seek, a closed-door session, if that is desired; and then we might determine Y time when we might vote.

I propose this plan without seeking any advantage. I do not think any advantage would be gained by any Senator in this procedure. I have merely mentioned it and am bringing it up informally. I would hope that a plan of that kind could be arranged.

Many Senators are asking me, "When will a vote come?" I do not know. No Senator knows when the debate on the ABM will end. I cannot answer that. We all have some troubles along that line.

This thought occurred to me about noontime. I do not make it in the form of a request now, but I believe that it would be the most practical way for the Senate to proceed.

I would like to continue my presentation of these matters this afternoon, leaving out the ABM, but having a closed session to give me a chance to call the attention of the membership to some other facts that I think have a direct bearing on other major parts of the bill. I do not have in mind discussing or considering ABM. I shall not go into that subject at all, if it can be understood that we will have another closed session with respect to it.

I had understood that some Senators might not be quite ready to discuss ABM now, either in or out of a closed session. I make that statement as an observation. I hope we may have a closed session this afternoon to discuss other items in the bill.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield.

Mr. MANSFIELD. The distinguished Senator from Mississippi, chairman of the Committee on Armed Services, has made a most interesting suggestion about a possible time limitation. I think, though, as the Senator has indicated, that is something which might well wait until the debate gets underway and we see how we progress.

With the permission of the Senator from Mississippi, I should like to ask the distinguished senior Senator from Kentucky what his plans are as to amendments, which I think are expected to be offered sometime this week.

Mr. COOPER. Mr. President the Senator from Mississippi has been very open in discussing the matter. I do not speak solely for myself, but also for the Senator from Michigan (Mr. HART) and other Senators who are interested in the ABM and Sentinel.

This is largely our purposes: We expect to submit an amendment tomorrow. We reserve to our own judgment whether it will be called up for action on the following day, which will be Thursday. It is possible that it will be called up on that day.

As the majority leader has said, we are not prepared now to make any agreement at all about a limitation of time. A great many Senators have expressed a desire to speak on the amendment. Other Senators may desire to offer amendments, as, of course, they have a right to do. So I should think it would not be until after there had been rather extensive debate that we would be ready to consider a limitation of time. I think the distinguished Senator from Michigan, who is a cosponsor of the amendment, will confirm that statement.

Mr. HART. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am glad to yield to the Senator from Michigan.

Mr. HART. The able Senator from Kentucky states quite accurately the feeling of all of us who have spent many months considering ABM. The day may come when some limitation can be agreed upon; but each of us, as does the Senator from Mississippi, wants to insure that there will be available to all of us the fullest, most complete record, on which, then, we can all make what will be a prudent judgment. When that day will be, I think time will indicate.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. MANSFIELD. Do I correctly understand that the distinguished Senator from Mississippi intends to move shortly that the Senate go into closed session for the purpose of being advised of certain types of information apart from the ABM?

Mr. STENNIS. Yes, entirely apart from the ABM. That is my intention.

Mr. MANSFIELD. I assume that, very likely, the distinguished Senator from Maine (Mrs. SMITH), the ranking minority member of the committee, will lead off tomorrow, to be followed by subcommittee chairmen and other Senators who will wish to speak.

Mr. STENNIS. We could not ask for more, and that will get the bill before the Senate.

Mr. MANSFIELD. I think it should be said, for the information of the distinguished chairman and the Senate, that there will be a motion to go into closed session when the subject of the ABM becomes most pertinent.

Mr. STENNIS. I thank the Senator very much.

Mr. President, in referring to the members of our committee, and the presentation of the bill, I did not intend to exclude anyone. There were other Senators who worked on the bill a great deal and I think there will be appropriate time for all Senators.

Therefore, Mr. President, I move now that under rule——

Mr. MURPHY and Mr. DOMINICK addressed the Chair.

Mr. STENNIS. I yield to the Senator from California.

Mr. MURPHY. Mr. President, so that I may understand clearly, it is my understanding that the chairman will ask that the Senate go into closed session in connection with the discussion of the basis of the bill and then there is the possibility of a second closed session in connection with the ABM.

Mr. STENNIS. The Senator is correct.

Mr. MANSFIELD. Yes. There will be a second request on the question of the ABM.

Mr. DOMINICK and Mr. GORE addressed the Chair.

Mr. STENNIS. Mr. President, I yield to the Senator from Colorado, who had already spoken to me.

Mr. DOMINICK. Mr. President, I wish to congratulate the Senator from Mississippi not only on his presentation of the bill today but also on the work he has done in connection with a very complex and very difficult series of requests of the administration for authorization.

Without equivocation I would say that this bill was discussed in the Committee on Armed Services without any partisanship whatsoever. It has been a wholly bipartisan effort. There has been an effort on the part of all members to scrutinize the request, to try to avoid duplication of effort between the services, and to try to make cuts where feasible in light of circumstances around the world.

I think the Senator from Mississippi did a masterly job in leading this effort and in developing a bill which will provide for the defense and security of the people of the United States and still effect cuts in the process.

Mr. STENNIS. I thank the Senator for his generous remarks. I was only one Senator who worked on the bill. Another Senator who worked on the bill and who did an outstanding job was the Senator from Tennessee. I yield to the Senator from Tennessee.

Mr. GORE. As I understand it, the Senator intends to make a motion, not a unanimous-consent request, and, therefore, once in closed session, if any other Senator wishes to bring up any matter of security information, it would be within the discretion of that Senator so to do unless the Senate should by vote dissolve the closed session, although it is the intention of the Senator from Mississippi to discuss only matters other than the ABM in this session he now proposes to suggest.

Mr. STENNIS. It might be that a Senator could make a motion under rule XXXV to go into a closed session for only one purpose or to exclude other purposes such as the ABM. That, perhaps, is an open question under the rule.

Mr. GORE. Then, the Senator is not suggesting that now?

Mr. STENNIS. I wish to add that, rather than stand on that, I would like to request if we could, that we go in and discuss anything that is in the bill this afternoon except the ABM. I wish to cover some of the high points such as the F–14 and F–15, and a few other items, something about the cost of the bill and why there is so much coming up.

Mr. GORE. I would not be prepared to accede to that. I want to be free throughout the debate, in secret or in public session, to present any informa-

Mr. STENNIS. Very well.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. STENNIS. I would be glad to yield to the Senator from Missouri, but the Senator from Florida had asked me to yield to him earlier, and I was not able to do so. I yield to him first, and then I shall yield to the Senator from Missouri.

Mr. HOLLAND. I thank the Senator. I would have preferred that the Senator yield to me then because my question related to something he had just said.

Mr. STENNIS. We will go back.

Mr. HOLLAND. The distinguished Senator made mention several times of the large amounts in this bill to cover over-target costs. For instance, there is an item of $225 million in the middle of page 4 to cover over-target costs in the fiscal year 1969 and prior years for the C–5A aircraft.

What is the total amount, if the Senator can tell us, allowed in the bill for over-target costs, meaning costs that have gone above the estimates in the contract amounts?

Mr. STENNIS. There are those the Senator just mentioned. There are some items for ships. There is about $167 million in the bill for ship overruns. But that is not all the picture. The report sets out in full the total amount of the alleged overrun that would be paid this year or from here on if it works out that way. These figures cannot be accurate.

Mr. HOLLAND. Would it be possible for the Senator and his staff to furnish in one place the list of so-called overtarget costs or overruns—the cost items—so that we will have that information?

Mr. STENNIS. The Senator has made a very good point. We have that information either in the report or in some other place and we shall be glad to provide the information. We estimated on page 11 that the amount would be approximately $1.5 billion. We will specify the items.

Mr. HOLLAND. I would appreciate it if that could be furnished at a convenient place in the RECORD.

Mr. STENNIS. Yes.

Mr. HOLLAND. Coming to the other horn of the dilemma, I understand the renegotiation process is still available and still used on occasion by the Department of Defense. Is that correct?

Mr. STENNIS. That is correct, and also when a contract is terminated that is in the picture.

Mr. MURPHY. Mr. President, may we have order in the Chamber? We cannot hear.

Mr. MANSFIELD. Mr. President, I suggest that the Chamber be cleared so that Senators can hear the debate.

Mr. HOLLAND. Mr. President, I think I am asking questions which every Senator who is not a member of the committee would be interested in.

The PRESIDING OFFICER. All personnel not required to be present in the Chamber will leave.

Mr. HOLLAND. The Senator indicated that on page 11 of the report there is an indication that, perhaps, there is $1.5 billion overcharge or overrun to be provided this year. The Senator has just kindly advised us that the renegotiation process is still in force by law and that it has been availed of at times by the Department of Defense.

Mr. STENNIS. Yes.

Mr. HOLLAND. Is the Senator able to state to us for the RECORD the items of renegotiations savings or recoveries which have been made on some of these projects in the bill?

Mr. STENNIS. No. These matters come to figures only after there is an actual renegotiation or completion of the contract. The contract carries a right for the Government to terminate but there is always much debate. The renegotiation law applies, but with uncertain results. We do have hard estimates as far as we can go on these overruns and that is on page 11.

Mr. HOLLAND. Does the Senator have a similar hard estimate for recoveries under the renegotiation process?

Mr. STENNIS. No, we do not.

Mr. HOLLAND. My information has been that at times in the past there have been large recoveries in behalf of the Department of Defense in certain cases. It seems to me that when we are talking here about a bill that goes into billions of dollars that we should have not only the statements of over-target amounts which are exceedingly large and are of serious importance to the Nation, but also that we have any real evidence of activity under the renegotiation process.

Mr. STENNIS. Yes.

Mr. HOLLAND. I hope the distinguished Senator will have his staff check on that matter and advise the Senate for the RECORD what the information is on both aspects of this matter how much the Government has found its estimates to be over-run, and then how much it has been able to recover, if anything.

I thank the Senator.

Mr. STENNIS. We will do just that. I thank the Senator.

Mr. SYMINGTON. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am happy to yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, I respectfully commend the able Chairman for the superb job he has done in connection with the presentation of this complicated, complex, and expensive legislation.

Mr. STENNIS. I thank the Senator and thank him also for the aid he has given us.

Mr. SYMINGTON. I appreciate that comment.

Mr. President, one aspect that worries me is the statement I thought I heard the able Senator make about segregating the ABM from the rest of the military authorization bill. It would seem that this year, more than any other year since I came to the Senate, we now face a question of priorities with respect to our now obviously limited resources. Therefore, if we decide to deploy the ABM at this time, we will not be able to do other things which otherwise could be done in the defense field.

When the distinguished Director of Research and Engineering of the Defense Department, Dr. John Foster, came before the Aeronautical and Space Sciences Committee, I said that, in my opinion, if he pushed ahead with deployment of the ABM against the growing opposition, it would result in cancellation of the MOL program. He assured me that that would not be the case. But it so turned out.

Having been on the Aeronautical and Space Sciences Committee since its inception, since the beginning I have been somewhat apprehensive about how little was being done in the space field from the standpoint of national security. This condition would be even worse if it had not been for the foresight of the late Senator from New Hampshire, Mr. Bridges.

I, for one, am worried about this tendency toward digging a lot of holes in the ground as against, in this nuclear space age, reaching up into the high atmosphere and space.

When one of the ablest military men it has ever been my privilege to know retired some years ago as Chief of Staff of the Air Force, Gen. Thomas White, he made a short retirement speech which would seem pertinent at this time.

General White observed that there was a time when those who controlled the ground controlled the world as it was then known. Later, those who controlled the sea controlled the world. Today, those who control the air control the world.

General White closed:

> I would leave with you this prediction tonight: Tomorrow, those who control space will control the world.

Therefore, it was with regret that I noted the last manned military venture into space was canceled the other day; and I am certain it was canceled against the advice of the Joint Chiefs.

The reason I bring this up at this time is to emphasize that I believe we have now come to a position in the Senate never before characteristic of the years in which I have served; namely, this need to establish priorities. Another word for priorities is values, what we are to do with respect to the increasingly limited resources of the United States.

Although I fully understand why the distinguished chairman—and I say this with sincerity and respect—might prefer to segregate the ABM from the rest of the military budget, I do not think that this can be done. There are other programs which can be accomplished, abroad and in this country; and also things in the military budget itself which appear more important, if the ABM is not approved.

If this ABM is deployed at this time, I believe there will be many worthy projects in the future which cannot be accomplished, around the world, and in connection with pressing problems in this country.

That is the thrust of these few remarks. There will be matters, I believe, far more important to the ultimate security of our country which will have to go by the board.

I thank the distinguished Senator from Mississippi for yielding.

Mr. STENNIS. I am glad to have yielded to the distinguished Senator from Missouri.

Mr. President, I state this to Senators—including the leader—that I requested as a matter of time, for convenience of the Senate, that we could have a closed session, in which I could give some additional facts, as I see them, received from the intelligence community, and which have a bearing on other parts of the bill. It was only a request, because I think if I made it as a motion, it would bring on a great deal of debate, because the rule is not clear.

The discussion that I should like to have occur will take some time. If there is no agreement on it, perhaps it might be better to go over now and come in earlier in the morning than the Senate ordinarily meets.

I would expect to make a motion, then, for a closed session to continue my arguments on the other items in the bill. I would then leave out the ABM, but if it is brought up by others, why, I might go into it, if that is the wish of the Senate.

Mr. FULBRIGHT. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. FULBRIGHT. We have already set a meeting for the committee in the morning. It would be inconvenient at this late date to be told that we have a meeting of the Senate earlier tomorrow, because we cannot possibly change it. I hope the Senator will not ask for the Senate to come in earlier tomorrow, because my committee is meeting at 10 o'clock and will expect to run at least until noon. If the Senator is going to discuss these matters, we are all interested in them, of course; and I would not like to be absent.

Mr. MANSFIELD. The Senator would not miss anything. We will have a live quorum.

Mr. FULBRIGHT. And have morning business?

Mr. MANSFIELD. Yes.

Mr. FULBRIGHT. I do not object to that, but I do not wish to miss the statement of the Senator from Mississippi.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I should like to suggest, if the Senate is willing, and the leadership on the other side agrees, that the Senate convene at 11 o'clock tomorow morning, that we have a period for the transaction of routine morning business, and then have a live quorum call, so that all Senators will be on notice and be prepared.

Mr. FULBRIGHT. With the understanding that it would not come before noon, it would be fine.

Mr. MANSFIELD. That is right.

Mr. STENNIS. Not before 12 o'clock.

Mr. MANSFIELD. Mr. President, on that basis, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 a.m. tomorrow morning.

Mr. SYMINGTON. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. SYMINGTON. Reserving the right to object—and I shall not object—because of various hearings tomorrow, would it be possible for the distinguished majority leader to agree that 12:30 o'clock would be the time instead of 12 o'clock after the transaction of routine business, so that we could continue this discussion at 12:30 o'clock?

Mr. MANSFIELD. That would be all right with me. Of course, it would give us an opportunity for a live quorum, which may take some time.

Mr. SYMINGTON. I thank the majority leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

LIMITATION ON MORNING BUSINESS TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the morning business on tomorrow not exceed the hour of 12:15, and that following that, there be a live quorum call, to be concluded, hopefully, at the hour of 12:30.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. GOLDWATER. Mr. President, I wonder if the distinguished Senator would include in that request that, under rule XXXV, there be a closed session.

Mr. MANSFIELD. I would prefer that the distinguished chairman of the committee do that. I am perfectly willing to do it, but I think it is his responsibility.

Mr. STENNIS. Mr. President, it is understood, then, that at 12:30, and not before, we may proceed, and the Senator from Mississippi will have the floor for that purpose.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. At that time I assume the Senator would make his motion to go into a closed session.

Mr. STENNIS. Yes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO 11 A.M.

Mr. MANSFIELD. Mr. President, if there be no further business to come before the Senate, I move, under the previous order, that the Senate stand in adjournment until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 4 o'clock and 34 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, July 9, 1969, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate July 8, 1969:

DIPLOMATIC AND FOREIGN SERVICE

Henry A. Byroade, of Indiana, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Philippines.

J. Raymond Ylitalo, of South Dakota, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Paraguay.

IN THE NAVY

Having designated Rear Adm. C. Edwin Bell, Jr., U.S. Navy, for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, I nominate him for appointment to the grade of vice admiral while so serving.

IN THE AIR FORCE

Laverne F. Huston, FR8537, for reappointment to the active list of the Regular Air Force, in the grade of lieutenant colonel, from the temporary disability retired list, under the provisions of sections 1210 and 1211, title 10, United States Code.

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be determined by the Secretary of the Air Force:

CHAPLAIN CORPS

To be captain

Balint, Robert J., 3000211.
Barber, Gary D., Sr., 3062541.
Bendig, James C., 3105330.
Corbitt, James C., 3062665.
Crosby, George K., 3060258.
Fash, Vernon L., 5407739.
Johnson, Arnold G., 3093507.
Martin, Christian H., Jr., 3040474.
Reinke, Friedrich W., 3059933.
Schoenborn, Ernest F., 3061123.
Seastrunk, Charles E., Jr., 5208324.
Sturch, George T., 3014998.

To be first lieutenant

Arnold, Charles L., 3063202.
Bogaard, Calvin L., 3063329.
Brodeur, Richard E., 3199649.
Drag, Rayner R., 3199645.
Fruechte, Leland L., 3063190.
Grosse, David G., 3199621.
Holtzclaw, Morris J., 3063266.
Hunter, Donald E., 3199650.
Kelly, Michael J., 3063261.
Kennedy, Clayton M., 3063341.
Luck, Robert O., 3063248.
Midile, Anthony R., 3199666.
Millsaps, James W., 3062823.
Oatis, Stephen J., 3063262.

Okeefe, Francis J., 3199637.
Scherf, James C., 3063317.
Schuermann, William S., 3063211.
Solano, John O., 3063103.
Stephenson, Norman D., 3063178.
Swanson, Richard A., 3108503.
Whelan, Gerald M., 3063319.
Wiegele, Lloyd W., 3063304.

DENTAL CORPS

To be captain

Beidler, Donald B., 3187774.
Bochenko, Thomas J., 3143054.
Brigleb, Richard C., 3142351.
Brooks, Keith A., 3188559.
DeWitt, Dennis H., 3142047.
Kelley, Charles D., 3142902.
McIlwain, James E., Jr., 3143368.
Moretsky, Howard, 3141629.
Morlang, William M., II, 3187805.
Olson, Stephen A., 3188337.
Phillips, Donald C., 3166654.
Puma, Anthony Raymond, 3188165.
Reinboldt, Robert Walter, 3188547.
Roane, James B., 3141332.
Sanders, Arthur R., 3142671.
Sano, Lawrence N., 3187931.
Shibuya, Francis S., 3165478.
Smith, Jared Harvey, 3187498.
Solberg, Peter Edward, 3187811.
Spinelli, Frank J., 3142698.
Tanaka, Marvin M., 3142766.
Wheatley, Ronald S., 3188169.
Worch, Jay R., 3164406.

To be first lieutenant

Anselmo, Joseph A., 3167169.
Curtis, Howard F., 3168279.
Dufrane, Michael H., 3167709.
Federico, Roland A., 3203808.
Fielding, Daniel E., 3167818.
Fox, Gerald L., 3162199.
Hallinan, Thomas J., 3167211.
Page, Dennis G., 3166203.
Parsley, John M., 3216432.
Spott, Roger J., 3197341.
Strosnider, Roger K., 3216513.

JUDGE ADVOCATE CORPS

To be captain

Barbara, Raul F., 3139160.
Bridge, Robert I., 3139258.
Cooke, Donald J., 3109263.
Donovan, John K., 3139256.
Riley, Byron B., Jr., 5208763.
Smith, Earl C., 3032631.
Stanton, James L., 3100670.

To be first lieutenant

Abbott, Herschel L., Jr., 3154567.
Adams, Andrew J., Jr., 3155506.
Amos, John R., 3156934.
Anderson, Bruce H., 3155507.
Angle, Swanson W., 3133505.
Barrow, James R., 3159324.
Bebermeyer, Robert R., 3150804.
Bennett, Charles D., Jr., 3156935.
Boardman, Harold F., Jr., 3150820.
Brophy, Joseph M., 3156203.
Brouillette, Gary J., 3155109.
Brown, Frank E., Jr., 3150809.
Carter, Alfred W., 3150763.
Childress, David W., 3133264.
Churchill, James M., 3131447.
Cummins, Arthur B., Jr., 3156087.
Cutts, John A., III, 3162029.
Dakin, Timothy J., 3154587.
Dolan, Brian T., 3119685.
Ellis, Charles F., Jr., 3156521.
Falconer, John P., Jr., 3150815.
Fennell, Floyd W., 3155810.
Flatten, Daniel V., 3162627.
Frick, Lyman L., Jr., 3157246.
Fullem, Donald R., 3150778.
Gales, Robert R., 3131868.
Garnett, Griffin T., III, 3150821.
Gold, Ned C., Jr., 3154987.
Graham, Frederick T., 3156578.
Grebeldinger, Nicholas, Jr., 3118521.
Greenberg, Harvy, 3150747.
Hardin, Charles V., 3150736.
Hardy, William A., III, 3133865.
Hemschoot, Paul J., 3131525.
Herron, Philip B., 3109400.
Honn, Carver E., 3150789.
Howell, Ronald W., 3150817.
Hume, Edward C., 3150733.
Irons, William L., 3150831.
Jahnke, Lawrence E., 3160916.
Joyce, Kenneth G. B., 3132565.
Lacy, Mell J., Jr., 3156951.
Larson, Robert V., 3150761.
Marvel, Keneth R., 3150830.
May, Robert A., Jr., 3150782.
McDonnell, Patrick H., 3134164.
McKelvey, James A., 3107227.
Metsch, Lawrence R., 3150822.
Mullis, James M., Jr., 3150795.
Nichols, Charles L., 3156605.
Opper, Loren M., 3150811.
Pacifico, Paul J., 3133205.
Perino, Michael E., 3154790.
Phillips, William R., 3160749.
Piper, James P., 3150781.
Reenstra, Donald R., 3131323.
Rickenbaker, Dudley G., 3156459.
Roberts, Thomas F., Jr., 3150800.
Rubin, Alan J., 3150767.
Ruffner, Jay S., 3150833.
Schnitzer, Mark C., 3155545.
Scott, Robert H., Jr., 3155847.
Sklute, Nolan, 3131479.
Smith, Tommie S., 3150752.
Smith, Wendell K., 3156847.
Stevenson, Charles E., Jr., 5220295.
Stine, Alan C., 3159977.
Stoudemire, Julian L., 3156359.
Taylor, Marcus D., 3154605.
Thompson, Anthony J., 3155274.
Thompson, Russell D., 3150735.
Throckmorton, Rex D., 3155854.
Tillman, Wheeler M., 3156528.
Townsend, Frank M., Jr., 3156636.
Turner, Martin S., 3150810.
Vandoren, Emerson B., 3150818.
Waitman, Lemuel R., 3154455.
Wallis, Olney G., 3150812.
Warren, Stephen A., 3134229.
Weisfield, William M., 3157040.
Whisenant, Herman A., Jr., 3156963.
Witt, Clarence H., Jr., 3150806.
Yagley, John A., III, 3150792.
York, Christopher C., 3171995.
Zolezzi, Thomas P., 3119897.

MEDICAL CORPS

To be major

Bellamy, Henry M., Jr., 3075055.
Chong, Vernon, 3142657.
Downs, Spencer R., 3090219.
Gregory, Joseph E., 3140164.
Romberger, Wesley F., 3091638.
Skinner, Odis D., 3075128.
Swift, James T., 3075132.
Young, Duane A., 3075151.

To be captain

Aclin, Richard R., 3168159.
Adelmann, Eugene Russell, 3168474.
Alexander, Clyde W., Jr., 3141310.
Anderson, Edgar R., Jr., 3164183.
Anderson, Sheridan T., 3201920.
Applestein, Bruce, 3201902.
Armstrong, Joseph R., 3114534.
Bickel, Rudolph G., 3166190.
Bitseff, Edward L., 3164475.
Bladowski, John R., 3168010.
Blankenship, Robert M., 3184003.
Boineau, Maxcy C., 3124144.
Booth, Donald J., 3141042.
Borota, Ray W., 3217175.
Brada, Donald R., 3165993.
Breschi, Louis C., 3114540.
Bristow, John W., 3184033.
Britt, Darryl B., 3184034.
Brown, Frederic M., 3200485.
Brown, Mike J., Jr., 3164656.
Buelow, Robert G., 3201892.
Callen, Kenneth E., 3167660.
Carroll, Herma G., Jr., 3168056.
Carter, Robert L., 3164739.
Caudill, Robert G., 3141164.
Davies, Chesley R., 3126095.
Dinenberg, Stephen, 3184558.
Dorr, Maurice M., 3187331.
Dudley, Ainsworth G., 3139963.
Duggar, Perry N., 3164476.
Edwards, David A., Jr., 3167909.
Emeis, William F., 3164295.
Ferguson, William T., 3143350.
Fetzek, Joseph F., 3188484.
Fielding, Steven L., 3166657.
Fiore, Joseph P., 3166246.
Fisher, James M., 5408562.
Fong, William, 3167120.
Frank, Sanders T., 3166648.
Gabel, Joseph C., 3142042.
Gendel, Charles L., 3202961.
George, Harold C., 3037564.
Giacobazzi, Peter F., 3167223.
Gigax, John H., 3167409.
Goldston, William R., 3188226.
Gregg, Paul T., 3187332.
Grode, Michael J., 3184621.
Hagen, William M., 3167953.
Hanna, William R., 3184590.
Hargis, Robert J., 3126047.
Harlan, John R., 3165018.
Harper, Douglas M., 3143228.
Harvey, William C., 3142168.
Haynes, Max G., 3168244.
Heffron, John P., 3184860.
Heraper, Peter D., 3187697.
Hoff, Ted E., Jr. 3200947.
Holmes, James H., 3203262.
Huey, James R., Jr., 3164479.
Hughes, Thomas J., 3201814.
Jackson, Arnold J., 3142043.
Johnson, Randall E., 3126250.
Kimble, Edward T., III, 3166993.
King, Roy D., 3199966.
Kirk, Clifford C., Jr., 3166183.
Koch, Howard F., 3125834.
Krege, John W., 3164658.
Kutnick, Joel, 3164480.
Lawrence, Leonard E., 3140251.
Lederer, James F., 3123529.
Lee, Robert K., 3166659.
Longnecker, Morton F., Jr., 3085690.
Lovelace, Raymond E., 3184044.
Lykes, Frederick F., 3164601.
Maier, Robert C., 3166227.
Margolis, Irwin, 3164899.
Martindale, Richard E., Jr., 3080208.
Maurice, Robert H., 3164248.
May, Gerald G., 3166230.
May, Robert O., 3142818.
McConnell, Whitman E., 3202396.
McCray, David S., 3200217.
McDonough, Gilbert L., 5312865.
McGee, James W., IV, 3166222.
McGovern, Thomas B., 3202208.
McGowen, John H., III, 3186106.
McIntyre, Leonard J., 3164672.
McNaughton, Grant B., 3114181.
Mendoza, Edward, 3167397.
Michaelson, Edward D., 3188791.
Miller, James B., 3166234.
Mosman, John O., 3166235.
Mulvaney, Thomas J., 3166229.
Munsell, William P., 3126647.
Murphy, Jerry L., 3053601.
Neimanis, Andris, 3139919.
Orren, Jerry M., 3187255.
Paget, Edward T., 3186766.
Pala, Stanley J., 3185494.
Payne, John F., 3125897.
Perkins, Robert S., 3112807.
Peterson, Francis K. D., Jr., 3199367.
Pfeifer, William F., 3141143.
Pletincks, John R., II, 3214782.
Poston, Alexander, 3140610.
Powell, Jerry R., 3200587.
Price, James H., 3202825.
Ramey, Ralph, Jr., 3074897.
Ransom, Richard W., 3165052.
Ray, Jerry L., 3203201.
Ray, John W. C., 3164482.
Rayman, Russell B., 3125790.
Riveracorrea, Hector P., 3164676.
Rodriguezlopez, Ensur, 3142934.
Rosenthal, David S., 3126435.
Ruggeri, Robert W., 3143483.
Schimke, Thomas H., 3164756.
Schull, Jerry I., 3164764.
Schwegler, Raymond A., 3165520.

Scott, Wayne R., 3127226.
Sessions, Charles R., 3167938.
Shankle, Nelson E., 3164991.
Shiesl, Jon A., 3164483.
Simson, Laurence R., 3126687.
Singal, Sheldon, 3184046.
Singer, Karl L., 3168504.
Smith, Bobby W., 3199368.
Sonntag, Richard W., Jr., 3184557.
Sorrells, Timothy L., 3201247.
Sowell, Ellis M., 3124473.
Spence, Michael B., 3166236.
Sproles, Elij T., III, 3166662.
Stabler, Larry G., 3201563.
Staker, Lynn L., 3166407.
Stetten, Maynard L., 3187231.
Stieg, Richard L., 3126011.
Strutton, William H., 3126331.
Sueoka, William T., 3143557.
Taylor, William M., 3141150.
Tchou, Howard P., 3164715.
Terry, Ward M., 3184278.
Tobias, Thurman E., 3126045.
Totaro, Ralph J., 3184864.
Touhey, John E., 3164257.
Towler, Henry H., Jr., 3188792.
Trabalsantos, Jose F., 3164797.
Verwest, Hadley M., Jr., 3166397.
Walker, Ronald F., 3167413.
Wankmuller, Robert T., 3126299.
Ware, Robert E., 3164611.
West, Barbour D., 3141979.
Wildemann, Mark F., 3114202.
Willard, James F., 3167221.
Williams, Charlie B., Jr., 3203077.
Williams, Larry R., 3166402.
Willis, John C., 3187328.
Wooddell, William J., 3201698.
Wunder, James F., 3141692.
Yassin, John G., 3113110.
Yeste, Dixon, 3165980.
Zeiner, George B., 3166237.

To be first lieutenant

Bedingfield, John R., Jr., 3188700.
Beman, John W., Jr., 3199107.
Blain, Raymond L., 3188698.
Burke, Pat S., 3216201.
Daniels, David H., Jr., 3220061.
Denmark, Thomas C., 3217527.
Dietz, James W., 3216761.
Froelicher, Victor F., Jr., 3143406.
Galbert, Michael W., 3200799.
Garcia, Raymond, 3164941.
Garrott, Thomas C., 3188723.
Golomb, Roger S., 3200399.
Green, Charles E., 3188724.
Harford, Francis J., Jr., 3188725.
Hawley, William J., 3200954.
Hopkins, Ralph D., Jr., 3216204.
Kay, James E., 3188708.
Kocher, David B., 3188728.
Linehan, Timothy E., 3188731.
Luetje, Charles M., II, 3200374.
Masters, Charles J., 3078718.
Maulsby, Gilbert O., 3188711.
Murphy, Matthew P., II, 3141660.
Olson, Barry E., 3184960.
Rector, William R., 3188736.
Reider, Daner R., 3164138.
Sapp, Philip B., 3218273.
Sharp, John R., 3188742.
Sorauf, Thomas J., 3141720.
Tardy, Walter J., Jr., 3199272.
Trick, Lorence W., 3164137.
Wasserman, James M., 3188715.
Wicks, Dennis R., 3203686.
Wiley, John K., 3096567.
Wilson, James M., 3219521.

NURSE CORPS

To be captain

Arndt, Carole L., 3077277.
Babcock, Beth F., 3092177.
Baker, Darline J., 3124351.
Barber, Willie F., 3123758.
Bohandy, Annie, 3078420.
Boyd, Mary R., 3089484.
Bradley, Patricia F., 3091749.
Cajigasjavier, Angelica, 3089794.
Caldwell, Sally A., 3089732.
Campbell, Thomas R., 3091938.
Caskey, Eleanor E., 3112335.
Cei, Marie T., 3091314.
Chambless, Rosalie B., 3112355.
Cieslak, Joanna, 3091674.
Cleveland, Shirley L., 3089561.
Coombs, Marilyn R., 3077442.
Corrado, Carol J., 3075955.
Cote, Klarika J., 3075379.
Deogburn, Charlotte M., 3091956.
Duble, Carl T., 3092909.
Dudley, Mary L., 3124086.
Dye, Beverly J., 3111731.
Florio, Carol A., 3091904.
Ford, Joan D., 3075961.
George, Mary M., 3123718.
Godfrey, Laura F., 3091942.
Graves, Nancy L., 3111455.
Guarino, Vincent A., 3077243.
Hanley, Mary G., 3089629.
Hargrave, David R., 3076990.
Heil, Rosella C., 3091499.
Hilbert, Arlene M., 3075945.
Holt, Maurita F., 3089643.
Joyce, Claire S., 3078428.
Keene, Ruby, 3089146.
Klecka, Dorothy M., 3111396.
Kuhl, Shirley A., 3075842.
Least, Thomas S., 3111399.
Lee, Florence L., 3112228.
Lumpe, Albert, Jr., 3123974
Maurer, Elizabeth I., 3089490.
McCleary, Carol M., 3123633.
McEntee, June E., 3123490.
Meath, Leo R., 3112191.
Mellott, Mary L., 3092783.
Messer, Marsha L., 3124923.
Mulhollen, Joanne R., 3090265.
Murray, Mae J. M., 3091918.
Norris, Helen M., 3111872.
Palausky, Edward J., 3112194.
Palmer, Rebecca J., 3090062.
Parrish, Sarah I., 3092182.
Pocoski, Cecelia C., 3125335.
Powell, Minnie M., 3075879.
Pratt, Dorothy O., 3112327.
Pufnock, Mary L., 3089078.
Pulte, Janet M., 3091155.
Replogle, Mary A., 3088911.
Roland, Camilla M. A., 3091424.
Rollins, Deloris J., 3091247.
Rovnyak, Eleanor C., 3089887.
Scott, Joan M., 3089494.
Shinn, Patsy F., 3111736.
Shrum, Sadie A., 3112176.
Smilek, Franklin R., 3078541.
Spencer, Barbara L., 3110683.
Strachan, Shirley A., 3079014.
Stuckert, Ruth A., 3091816.
Sturim, Constance B., 3112325.
Tierney, Agnes C., 3089862.
Todd, John L., 3077273.
Vak, Elaine J., 3089872.
Velasquez, Martha A., 3111957.
Wells, Patricia C., 3089698.
Williams, Dorothy S., 5407267.
Williams, Patricia L., 3125102.
Wolbert, June, 3090158.
Wyatt, Betty J., 3123572.

To be first lieutenant

Adams, Annette, J., 3124981.
Aldridge, Patricia D., 3185891.
Allen, Bonnie C., 3200402.
Alston, Georgia M., 3164142.
Andino, Maria I., 3166450.
Andrews, Kay E., 3126945.
Armstrong, Frances P., 3168264.
Atwood, Nancy L., 3201045.
Ayers, Lowell E., 3143272.
Baiocchetti, Loreto A., 3187749.
Bernard, Carolyn F., 3200547.
Blanchard, Charles C., III, 3142524.
Blasczyk, Lois K., 3126596.
Bouchard, Roberta C. C., 3200931.
Brant, Alice M., 3126508.
Breasure, Margaret E., 3140971.
Brom, Janice L., 3166375.
Brooks, Barbara M., 3123909.
Brown, Rosemary, 3167733.
Butz, Lois Mary, 3185018.
Cadieux, Arthur J., 3188817.
Caldwell, Nancy L., 3142499.
Campbell, Thomas W., 3062165.
Casey, Kathleen F., 3143121.
Chaisson, Mary L., 3126513.
Christian, Betty A., 3188518.
Clark, Christopher M., 3184832.
Cline, Elizabeth K., 3185894.
Colwell, Barbara, M. S., 3142297.
Conley, Margaret A., 3186901.
Conley, Shirley M., 3140630.
Cook, Rosa L., 3185469.
Cummings, Myra F., 3199200.
Cunningham, Donna J., 3127038.
Davis, Barbara M., 3184299.
Davis, Bettye H., 3184974.
Davis, Joy A., 3140919.
Deem, Cynthia M., 3164548.
Deemer, Mary T., 3165508.
Dehart, Martha A., 3188282.
Dewolff, Judith F., 3185472.
Didick, Joanna, 3164744.
Donahue, Joanne T., 3167076.
Dumoulin, Claire F., 3167859.
Elliott, Mitchele A., 3142954.
Fadusko, Jeanne A., 3187043.
Fegan, Geraldine F., 3167685.
Feneley, Patricia A., 3141107.
Forbes, Janyce I., 3200284.
Forgach, Margaret M., 3142420.
Fox, Jacqueline G., 3062338.
Franklin, Barbara A., 3184875.
Fritts, Mary C., 3142531.
Galford, James R., 3166905.
Gallagher, Mary E., 3143001.
Gemma, Elaine M., 3164366.
Goldman, Sheila A., 3126751.
Gonzalez, Awilda, 3164692.
Hagens, Robert L., 3199147.
Hahn, Mary M., 3183923.
Hall, Jerrie J., 3126915.
Haluska, Lois A., 31844401.
Hanson, Priscilla A., 3126908.
Hartwick, Rayna L., 3139954.
Hatton, Carol J., 3184878.
Hill, Connie M., 3114409.
Huber, Priscilla J., 3185102.
Hughes, Ellen A., 3188294.
Hull, Kathleen V., 3184017.
Jackson, Harold W., 3188693.
Jackson, Helissa R., 3185214.
Jensen, Theresa I., 3167759.
Jewell, Jean A., 3200611.
Jones, Carol A., 3062439.
Jones, Frances P., 3200111.
Juergens, Barbara D., 3168067.
Kaczmark, Susanne I., 3188779.
Kerr, Nancy J., 3236128.
Kovach, Leslie L., 5417396.
Kuhn, Larry L., 3167528.
Kuroly, Barbara E., 3166383.
Lacoursiere, Jane M., 5417399.
Lagasse, Linda M., 3185185.
Last, Geraldine M., 3126907.
Latham, Bessie W., 3111950.
Lees, Virginia K., 3165506.
Legault, Albert L., 3143667.
Lightfoot, Margaret L., 3164561.
Link, Vincent H., 3188462.
Liscomb, Barbara J., 3143016.
List, Sara F., 3188745.
Long, Bridget E., 3185793.
Loper, Elaine A. F., 3188296.
Lucisano, Michael J., 3125271.
Mannette, Barbara A., 3165201.
Marick, Thomas D., 3126951.
Marino, Mary L., 3168065.
Martin, Donna C., 3168099.
Martinez, Hilario D., 3167316.
Matt, Louis A., 3142681.
McCabe, Mary J., 3184568.
McElrath, Luella, 3090475.
Miller, Janet E., 3185629.
Miller, Joyce P., 3183924.
Miller, Linda B., 3184020.
Murphree, Kay R., 3167332.
Murray, David, 3126739.
Nagy, Helen B., 3184887.
Neal, Connie L., 3167812.
Neason, Laura G., 3184554.
Nelson, Jean E., 3185297.
Norgaard, Gayle D., 3185603.
Norton, Charlene J., 3185786.

O'Donnell, Madge M., 3143617.
Ollino, Tiiu, 3124524.
Ortona, Antoinette, 3185221.
Osha, Patricia J., 3168320.
Paup, Sonja M., 3124726.
Pellish, Josephine, 3184424.
Phillips, Sylvia J., 3143668.
Piergrossi, Maryann, 3167702.
Purdy, Patricia A., 3184996.
Ramsborg, Glen C., 3188412.
Reich, Ila R., 3141945.
Reichenbach, Georgianna, 3184673.
Reilly, Michael D., 3143756.
Reske, Kathleen A., 3164920.
Reynolds, Zelma W., 3127099.
Richardson, Lillian, 3141957.
Riggs, Carolyn K., 3142484.
Robertson, Theresa M., 3141192.
Rosenbery, Nancy J., 3167683.
Runda, Mary A., 3188487.
Salmons, Freddie E., 3188783.
Scardina, Anna V., 3126707.
Schulze, Carol A., 3164565.
Schuster, Veronnica T., 3185873.
Segura, Charles F., 3127315.
Shelton, Patsy R., 3092087.
Shockley, George E., Jr., 3188749.
Smith, Carole S., 3143836.
Smith, Elaine R., 3167338.
Smith, Martin O., 3142422.
Smith, Mary A., 3167017.
Solander, Rita M., 3186725.
Solari, Katherine R., 3185968.
Somers, Pauline E., 3184623.
Stange, Melba J., 3126784.
Steffens, James J., 3187625.
Stratton, Maureen, 3143742.
Taylor, Leah L., 3184487.
Teesdale, Thomas E., 3126802.
Vancavage, Caroline J., 3185586.
Vanpelt, Roberta J., 3187907.
Villemure, Vivian M., 3185091.
Vincent, Anita L., 3199534.
Vorhes, Paul W., Jr., 3200616.
Weatherford, Sara E., 3126925.
Wegmann, Diane A., 3167008.
Wells, Elinor J., 3184129.
Wenzel, Sandra, 3199185.
Wetta, Rebecca S., 3184932.
Whelihan, Ethel M., 3167833.
Wilkerson, Eleanor R., 3126429.
Wilson, Bertha M., 3142870.
Wilson, Charles L., 3126311.
Woods, Fannie F., 3164993.
Wyman, Craig A., 3140226.
Yamashita, Agueda C., 3143012.
Yates, Donna M., 3165190.
Yonker, Barbara J., 3166428.
Zadareky, Alana L., 3184827.
Zoost, Jacquelyn M., 3167263.

To be second lieutenant

Caldwell, Joe E., 3200860.

MEDICAL SERVICE

To be majors

Baumer, Chester J., 3000133.
Beasley, David W., 2232172.
Becker, Kenneth E., 3007779.
Borho, Joseph A., 3030692.
Freistedt, Calvin H., 3000097.
Gonzalez, Norbert, 2262057.
Gottlieb, Harold J., 3031808.
Harmon, Charle C., Jr., 3008235.
Jacko, Paul P., 4006631.
Klotsko, John A., 2219558.
Morgan, Josephine A. L., 3001891.
Reichel, George J., Jr., 3007107.
Scheihing, Theodore R., 3018115.
Symons, John W., 2262080.

To be captains

Anderson, Claire, J., 3056505.
Bertsch, John E., 3056319.
Boes, Robert L., 3077552.
Briggs, Edgar M., Jr.,3044146.
Burton, Donald F., 3078087.
Bussy, Joseph T., 3114769.
Fairless, David S., 3078581.
Glenn, Clark L., 3077436.
Gregory, Joseph B., 3075967.
Hill, Robert D., 3075848.
Jobe, George W., 3078143.
Middleton, Richard V., 3076899.
Nestor, Aloysius F., 2238666.
Poole, Nathan E., 3075981.
Powell, Robert L., 3008738.

To be first lieutenants

Andrews, Edwin J., Jr., 3184867.
Ashkenase, Donald L., 3174510.
Avants, Mervin T., Jr., 3173370.
Bjerken, Paul A., 3166740.
Bruce, John M., Jr., 3125347.
Cox, Jan G., 3176777.
Drummond, Robert D., 3153308.
Fisher, Richard L., 3164615.
Fleming, George E., 3164752.
Gallman, James J., 3170725.
Grinstaff, Harold W., 3128941.
Hare, Charles E., 3176447.
Hurysz, Edwin E., 3172837.
Hutchins, Robert P., 5711604.
Jacobson, Phil F., Jr., 3173615.
Langenberg, Stephen L., 3164573.
Metcalf, Ned W., Sr., 3167388.
Meyer, Alvin F., III, 3176546.
Milton, James L., Jr., 3171742.
Nash, George W., 3172684.
Petit, Ronald E., 3152358.
Pharris, Richard D., 3185620.
Porter, John F., 3188420.
Ray, Rolland R., Jr., 3172688.
Renoudet, Donald D., 3188073.
Rodriguez, Albert D., 3164495.
Semanko, John H., 3175677.
Thornton, Felix F., 3167602.
Tow, James G., 3188354.
Weishaar, Gary L., 3173770.
Welbes, Earl J., 3168133.
Wilson, Carl W., 3185017.
Winfree, Robert G., 3175707.
Wise, Larry D., 3164587.
Yacone, Frank, 3185057.

To be second lieutenants

Balesky, Joseph V., 3186529.
Eckerson, Charles C., 3188661.
English, Manuel L., 3199510.
Hill, Gordon C., 3200249.
Moore, William W., 3200248.
Treible, Kirk, 3188656.

VETERINARIAN

To be captain

Dear, James R., 3140845.

To be first lieutenants

Adams, George E., 3184690.
Amster, Robert L., 3201286.
Cardin, David E., 3203513.
Davis, Jerry W., 3167623.
Ekstrom, Merlin E., 3216236.
Gentzler, Ronald P., 3167712.
Heading, Thomas D., 3168284.
Hubbard, Gene B., 3184504.
Kent, Warren W., Jr., 3184692.
Lance, William R., 3184750.
Myers, Ronald D., 3164724.
Obeck, Douglas K., 3203178.
Rogers, James E., 3185579.
Sullivan, Raymond F., 3185424.
Tate, Samuel W., 3185136.
Wilson, William C., 3203741.

BIOMEDICAL SCIENCES CORPS

To be major

Dunsky, Irving I., 2240137.
Farrell, Dorothy G., 2219191.
Levinson, Samuel, 3006998.
Weinberg, Carl J., 2261772.

To be captain

Arledge, Robert L., 3076991.
Behling, Edward A., 3123769.
Daniel, Thomas N., Jr., 3106843.
Desjardins, Robert J., 3113722.
Dobbs, Carroll R., 3124364.
Floyd, David R., 3124551.
Hayden, Andrew T., 3112542.
Hodge, Larry G., 3096957.
Lacoe, Robert E., 3123466.
Levinson, Lewis S., 3078782.
Mobley, Howard R., Jr., 3113190.
Mulligan, Hugh F. II, 3091977.
Murphy, John G., 3123237.
Trumbo, Richard B., 3076962.
White, Joyce S., 3123065.

To be first lieutenant

Auchter, Saundra A., 3185262.
Banner, Edwin C. III, 3162890.
Blochberger, Charles W., Jr., 3125301.
Conner, Roy M., 3168252.
Duffy, Shelah G., 3185034.
Innes, Steven S., 3158374.
Jacobs, Sandra I., 3199570.
Jones, Wayne D., 3187250.
Latosi, Mary A., 3199475.
Lynch, Thomas P., Sr., 3174338.
Mikeal, Judith M., 3185227.
Mikesell, George W., Jr., 2240108.
Noll, Nancy R., 3186932.
Provines, Wayne F., 3114649.
Pryse, Georgia A., 3164799.
Ricker, Philip P., 3187992.
Turner, Ronald W., 3173229.
Tykocki, David N., 3185164.
Webb, Thomas S., 3183835.

To be second lieutenant

Alter, William A., III, 3162852.
Goodson, Richard A., 3199353.
Hawks, Robert L., 3188576.
Key, James A., 3182301.
Miller, Stephen A., 3155831.
Reinert, Bruce D., 3182674.
Sayre, Larry E., 3100597.
Shaffstall, Robert M., 3181978.
Weber, Leo R., 3200265.
Wells, Robert L., 3181011.

The following distinguished graduates of the Air Force officers training school for appointment in the Regular Air Force in the grade of second lieutenant, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

Atlee, William K., Jr., 3225357.
Baran, John D., 3225681.
Beauchamp, Jack R., 3228687.
Berry, Robert L., 3228466.
Blejwas, Thomas E., 3229003.
Boyd, Frank L., Jr., 3228802.
Campbell, Michael D., 3229204.
Carper, William B., 3229213.
Clark, Larry D., 3229065.
Deland, Gerald W., 3229635.
Deroos, Richard J., 3229185.
Deters, Joel E., 3228650.
Enzone, Danny J., 3228467.
Everett, Christopher M., 3229228.
Faught, David F., 3229197.
Finks, Franklyn F., 3229258.
Forton, Hugh J., 3228713.
Gould, Richard C., 3224444.
Graves, Henry L., Jr., 3221634.
Haslam, Robert T., III, 3224268.
Hayes, Daniel F., 3228922.
Hisatomi, John A., 3229428.
Hodgdon, Leigh A., 3224774.
Hogsette, Robert R., III, 3229543.
Hunter, James L., 3239522.
Icenogle, Robert E., 3229114.
Johnson, Andrew J., 3229630.
Johnson, Russell H., 3228629.
Jones, Larry M., 3208015.
Jubin, John C., III, 3228960.
Junck, Rodger N., 3228843.
Krueger, Dean W., 3229634.
Lemke, William A., Jr., 3224253.
Lewis, Scott W., 3228744.
Livingston, John H., 3228669.
Lougee, Christopher R., 3228486.
Mayfield, James R., 3228974.
McCloud, David J., 3229339.
Miller, Harold U., 3228496.
Mullis, Asa D., Jr., 3228854.
Nelson, Gordon P., 3229578.
Parker, James R., 3229147.
Reed, Michael V., 3229651.
Roberts, Gary A., 3239528.
Ruth, Robert F., Jr., 3224566.
Simpson, Arthur T., 3229016.
Spiegel, Robert S., 3224809.
Stanley, Ronald E., 3228727.
Stricklen, Raymond, 3229062.
Surber, Frank J., 3228914.

Taylor, Thomas I., 3228840.
Thieke, Christopher D., 3223013.
Treadway, William G., 3239532.
Vrablick, Michael S., 3225871.
Walters, David C., 3229112.
Wangsgard, Brian K., 3209833.
Watts, James F., Jr., 3205513.
Weisman, Michael C., 3229264.
Williams, David E., 3228975.
Williams, Paul F., 3180935.
Wilson, Bruce D., 3224203.
Young, Freddy, R., 3229374.
Zartner, Donald C., 3228696.

U.S. ATTORNEY

Frederick B. Lacey, of New Jersey, to be U.S. Attorney for the district of New Jersey for the term of 4 years, vice David M. Satz, Jr., resigning.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 8, 1969:

DEPARTMENT OF STATE

Philip H. Trezise, of Michigan, a Foreign Service officer of the class of career minister, to be an assistant Secretary of State.

John Richardson, Jr., of New York, to be an Assistant Secretary of State.

David D. Newsom, of California, a Foreign Service officer of class 1, to be an Assistant Secretary of State.

John R. Stevenson, of New York, to be legal adviser of the Department of State.

AMBASSADORS

John C. Pritzlaff, Jr., of Arizona, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Malta.

Ridgway B. Knight, of New York, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Portugal.

Joseph Palmer 2nd, of Maryland, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Libya.

Adolph W. Schmidt, of Pennsylvania, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Canada.

Terence A. Todman, of the Virgin Islands, a Foreign Service officer of class 2, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Chad.

John A. Calhoun, of California, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Tunisia.

Luther I. Replogle, of Illinois, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Iceland.

Kenneth Rush, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Republic of Germany.

J. Fife Symington, Jr., of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Trinidad and Tobago.

Samuel Z. Westerfield, Jr., of the District of Columbia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Liberia.

U.S. REPRESENTATIVE TO THE OAS

Joseph J. Jova, of Florida, a Foreign Service officer of class 1, to be the representative of the United States of America on the Council of the Organization of American States, with the rank of Ambassador.

U.S. ADVISORY COMMISSION ON INFORMATION

William F. Buckley, Jr., of Connecticut, to be a member of the U.S. Advisory Commission on Information for the term of 3 years expiring Jan. 27, 1972.

DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS

W. Byron Sorrell, of Maryland, to be an associate judge of the District of Columbia court of general sessions for the term of 10 years.

HOUSE OF REPRESENTATIVES—*Tuesday, July 8, 1969*

The House met at 12 o'clock noon.

Rev. J. Theodore Alam, Irvington United Presbyterian Church, Fremont, Calif., offered the following prayer:

James 1: 5: *If any of you lacks wisdom, let him ask God, who gives to all men generously and without reproaching, and it will be given him.*

O God, as we come to Thee this day we thank Thee for this great Nation of ours. We thank Thee that we can have a small part in determining the destiny of that Nation. But when we realize the magnitude of this responsibility we feel very humble in Thy sight, and turn to Thee for Thy divine guidance.

We bow in the shadows of those great men who have gone before.

We are sure that they too felt their need of Thy guiding hand.

We have faith to believe that even as Thou didst direct their decisions Thou wilt help us in ours.

Out of the uncertainty, confusion, and chaos we find in the world today, help us to bring order and harmony to all people.

May the peace of God that passeth all understanding be with us this day. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 11612. An act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1970, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 11612) entitled "An act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1970, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HOLLAND, Mr. RUSSELL, Mr. STENNIS, Mr. ELLENDER, Mr. HRUSKA, Mr. YOUNG of North Dakota, and Mr. MUNDT to be the conferees on the part of the Senate.

THE LATE JULIA EDITH KUNS ASPINALL

(Mr. ROGERS of Colorado asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Colorado. Mr. Speaker, it is with a heavy heart that I announce the death of Julia Edith Kuns Aspinall, wife of our beloved Member, the gentleman from Colorado, WAYNE N. ASPINALL.

Mrs. Aspinall died this morning at 8:15. Prayer services will be tomorrow night at 8 p.m. at the Gawler's Funeral Home on Wisconsin Avenue and Harrison Street NW. Services later will be in the State of Colorado.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Speaker, I too would like to express to WAYNE ASPINALL and the members of his family my very sincerest sympathy on this loss. I knew Mrs. Aspinall, and I am certain all of us are sorry to hear of her passing.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I join the distinguished gentleman from Colorado in expressing the sympathy of all of us in the House to our wonderful colleague, WAYNE ASPINALL, who has this day lost his dear wife. We all love WAYNE. He is one of our finest Members, and one of the most competent committee chairmen that I have ever known. Our hearts go out to him and his children in this hour of their great sorrow. May our Heavenly Father comfort them in their grief.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from Florida.

Mr. HALEY. Mr. Speaker, I join with the distinguished gentleman from the great State of Colorado in mourning the death of such a fine and outstanding lady as the wife of the chairman of our great Committee on Interior and Insular Affairs, the gentleman from Colorado (Mr. ASPINALL). I extend to the gentleman and to his family the sympathies of Mrs. Haley and myself.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I am saddened by the passing of the beloved wife of our colleague, the gentleman from Colorado, WAYNE ASPINALL. WAYNE and I came to the Congress in the same Congress on January 3, 1949. Our offices were across the corridor from one another. As a consequence, I became a close personal friend of WAYNE ASPINALL, and our families became well acquainted. We developed a closeness that I have deeply appreciated.

The Aspinall family is one of the very finest and they will miss a wonderful wife and mother.

Mr. Speaker, I want to express to WAYNE and his family the deepest condolences of the Ford family in his hour of grief.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman.

Mr. EDMONDSON. Mr. Speaker, I thank the gentleman for calling this sad event to the attention of the Members of the House.

Julia Aspinall was one of the loveliest and one of the most gracious women I have ever had the privilege of knowing. She was a close friend who was loved by all of the wives of the members on the Committee on Interior and Insular Affairs—a kind and gracious and thoughtful person who contributed in many, many ways to the Aspinall team and its dedicated representation of the people of Colorado.

She was a wonderful mother. Her children are a living legacy that will enrich their State and the country for many years to come.

My wife joins me in expressing our very deepest sympathy to WAYNE and to the other members of the Aspinall family in their tragic loss.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman.

Mr. GROSS. Mr. Speaker, I join with my colleagues in mourning the death of this splendid woman, Julia Aspinall.

WAYNE and I came to Congress in the 81st session and in due time Mrs. Aspinall and Mrs. Gross became good friends. Julia Aspinall was a devoted wife and mother. She was completely unpretentious, caring little for the social life of Washington, but rather devoting her time and energy to her husband and her family.

Mrs. Gross and I will greatly miss this good and common friend.

To WAYNE and all members of the family we extend our heartfelt sympathy in this, their time of great sorrow.

Mr. ROGERS of Colorado. Mr. Speaker, it was my pleasure to become acquainted with Julia when WAYNE and I attended law school together at the University of Denver in 1922.

Julia has been the right arm to WAYNE ASPINALL. They reared a fine family in the State of Colorado. We who knew Julia loved her.

During the 21 years that WAYNE has represented his district from Colorado, Julia aided and assisted him. We will all miss her in the future. I extend my sympathy to the family.

Mr. BLATNIK. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman.

Mr. BLATNIK. Mr. Speaker, I, too, join my colleagues in expressing our deep, heartfelt and prayerful sympathy to WAYNE ASPINALL, one of the outstanding Members of this House, and to his family in this, their hour of deep sorrow.

I have known WAYNE and Julie for almost 20 years, since being here in Washington.

A memory uppermost in my recollections is about the role that Mrs. Aspinall played as a warm, cohesive, understanding and compassionate person, raising and holding together a wonderful family; and who sustained her husband over those years in times of difficulty and political stress back home and then during the years of the additional burden that came with the responsibility of the chairmanship of an important committee in developing and yet protecting the vast natural resources of this great Nation.

In recent years the strain showed on the chairman and again this frail and understanding woman was the sustaining force in the family. Then when illness beset this gallant lady, the family in turn assembled and gathered around her to sustain and comfort her in her hour of grave need.

She is gone now, but her love and their love shall live for time to come, in memory of this dear mother and beloved wife.

So I join their many, many friends, from all walks of life, in extending to WAYNE and to his sons and daughter, our deepest sympathy.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the distinguished gentleman from Massachusetts, the Speaker of the House (Mr. MCCORMACK).

Mr. McCORMACK. Mr. Speaker, I am very sorry to learn of the death of Mrs. Aspinall.

We all know the intense love that WAYNE and Mrs. Aspinall had for one another. We all know of the beauty of her life and her wonderful outlook on life. We all appreciated her understanding mind and know that her life was an inspiration for others to follow.

To my dear friend and colleague, WAYNE ASPINALL, I extend my heartfelt sympathy, and to his loved ones, in their great loss and sorrow.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman.

Mr. WHITTEN. Mr. Speaker, I would like to join with my colleagues in expressing our deep sorrow and our sympathy for the family of our colleague in the passing of Mrs. Wayne Aspinall.

We all knew and loved Julia. As has been so aptly said, there has never been a finer team and a better or finer family than these two. Her contributions to WAYNE, to her church, to her family and friends were limitless.

Mr. Speaker, again I express the sympathy of myself and wife to WAYNE and to his family in this time of sorrow.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman.

Mr. MAHON. Mr. Speaker, I would like to concur in these expressions of sympathy for WAYNE ASPINALL and his family.

The Aspinalls and the Mahons for years have gone to the same church and we have been good friends and neighbors. Mrs. Aspinall was a charming and delightful person. She was a very wonderful woman, warm and kind and thoughtful. Mrs. Mahon and I mourn her passing and join in words of sympathy for Mr. ASPINALL and the surviving family at this sad time.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 11400, SUPPLEMENTAL APPROPRIATIONS, 1969

Mr. MAHON. Mr. Speaker, the managers on the part of the House ask unanimous consent to have until midnight tonight to file a conference report on H.R. 11400, the second supplemental appropriation bill for fiscal year 1969.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CONFERENCE REPORT (H. REPT. 91–356)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11400) "making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 10, 12, 15, 17, 24, 41, 64, 78, and 81.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 9, 14, 19, 20, 21, 25, 26, 28, 30, 32, 34, 35, 36 37, 45, 47, 49, 50, 52, 57, 59, 61, 63, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 79, 80, 82, 83, 84, 85, 86, 88, and 89, and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$5,450,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,850,000"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$45,000,000"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$45,000,000"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows:

"DISTRICT OF COLUMBIA MEDICAL FACILITIES

"For grants and loans for nonprofit private facilities pursuant to the District of Columbia Medical Facilities Construction Act of 1968 (Public Law 90–457), $15,000,000, to remain available until expended."

And the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"DEPARTMENT OF DEFENSE—CIVIL

"DEPARTMENT OF THE ARMY

"CORPS OF ENGINEERS—CIVIL

"FLOOD CONTROL AND COASTAL EMERGENCIES

"For an additional amount for 'Flood control and coastal emergencies', $25,000,000, to remain available until expended."

And the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$265,000,000"; and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$170,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 4, 6, 7, 8, 11, 13, 16, 27, 29, 31, 33, 38, 39, 40, 42, 43, 46, 51, 53, 54, 55, 56, 58, 60, 62, 87, 90, 91, and 92.

GEORGE MAHON,
JAMIE L. WHITTEN,
JOHN J. ROONEY,
JOE L. EVINS,
WILLIAM H. NATCHER,
DANIEL J. FLOOD,
FRANK BOW,
CHARLES R. JONAS,
E. A. CEDERBERG,
GLENN R. DAVIS,
Managers on the Part of the House.

ROBERT C. BYRD,
RICHARD B. RUSSELL,
JOHN O. PASTORE,
SPESSARD L. HOLLAND,
ALLEN J. ELLENDER,
KARL E. MUNDT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11400) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I

Military operations in Southeast Asia

Department of Defense—Military

Amendment No. 1: Appropriates $21,500,000 for "Military personnel, Navy" as proposed by the Senate instead of $14,500,000 as proposed by the House.

Amendment No. 2: Appropriates $146,000,000 for "Military personnel, Air Force" as proposed by the Senate instead of $115,000,000 as proposed by the House.

Amendment No. 3: Deletes language for "Operation and maintenance, Marine Corps" proposed by the Senate providing for $8,910,000 to be derived by transfer.

TITLE II

Chapter I—Department of Agriculture

Amendment No. 4: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate provision of $4,000,000 for "Soil Conservation Service, flood prevention" for emergency flood prevention measures.

Chapter II—Department of Defense—Military

Amendment No. 5: Appropriates $5,450,000 for "Reserve personnel, Marine Corps" instead of $6,400,000 as proposed by the Senate and $4,500,000 as proposed by the House.

Amendment No. 6: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment to provide for $500,000 for "Operation and maintenance, Marine Corps" to be derived by transfer.

Amendment No. 7: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment to provide $1,500,000 for "Operation and maintenance, Army National Guard" to be derived by transfer.

Amendment No. 8: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment to provide $2,000,000 for "Operation and maintenance, Air National Guard" to be derived by transfer.

Amendment No. 9: Strikes language proposed by the House.

Chapter III—District of Columbia

Amendment No. 10: Deletes Senate proposal to appropriate $18,736,000 in Federal funds for "Loans to the District of Columbia for capital outlay".

Amendment No. 11: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment extending the availability of funds under "Public safety" for the Department of Corrections until September 30, 1969.

Amendment No. 12: Deletes Senate proposal to appropriate $18,736,000 for "Capital outlay" for the District's share to initiate construction of the basic subway system.

Chapter IV—Foreign operations

Amendment No. 13: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which provides that the $2,700,000 for "Assistance to Refugees in the United States" shall be derived by transfer instead of by direct appropriation as proposed by the House.

Amendment No. 14: Appropriates $160,000,000 for "Subscription to the International Development Association" as proposed by the Senate.

Chapter V—Independent offices

Amendment No. 15: Appropriates $500,000 for the Office of Emergency Preparedness for "Salaries and expenses, telecommunications" as proposed by the House instead of $777,000 as proposed by the Senate.

Amendment No. 16: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate to make $100,000 of the funds provided for the Federal Trade Commission available until September 30, 1969.

Amendment No. 17: Deletes language proposed by the Senate to authorize the National Science Foundation to purchase one aircraft.

Amendment No. 18: Appropriates $2,850,000 for the Selective Service System instead of $2,573,000 as proposed by the House and $3,139,000 as proposed by the Senate.

Amendment No. 19: Appropriates $276,600,000 for the Veterans Administration for "Compensation and pensions" as proposed by the Senate instead of $179,000,000 as proposed by the House.

Amendment No. 20: Appropriates $89,200,000 for the Veterans Administration for "Readjustment benefits" as proposed by the Senate instead of $14,200,000 as proposed by the House.

Amendment No. 21: Appropriates $53,800,000 for the Veterans Administration for "Medical care" as proposed by the Senate instead of $46,189,000 as proposed by the House.

Department of Housing and Urban Development

Amendments Nos. 22 and 23: Authorize an increase of $45,000,000 for annual contract authorization for homeownership assistance instead of $40,000,000 as proposed by the House and $50,000,000 as proposed by the Senate; and authorize $45,000,000 for rental housing assistance instead of $40,000,000 as proposed by the House and $50,000,000 as proposed by the Senate.

Amendment No. 24: Deletes item proposed by the Senate to appropriate an additional $1,000,000 for "Fair housing program."

Chapter VI—Department of the Interior

Amendment No. 25: Appropriates $2,781,000 for "Bureau of Indian Affairs, education and welfare services" as proposed by the Senate.

Amendment No. 26: Appropriates $2,700,000 for "Bureau of Indian Affairs, resources management" as proposed by the Senate instead of $2,769,000 as proposed by the House.

Amendment No. 27: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment inserting language making $150,000 available until September 30, 1969.

Amendment No. 28: Deletes House language for a repayable advance to the land and water conservation fund in the amount of $19,000,000.

Amendment No. 29: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment appropriating $950,000 for "Office of Territories, administration of territories" as proposed by the Senate.

Amendment No. 30: Appropriates $2,242,000 for "Geological Survey, surveys, investigations, and research" as proposed by the Senate instead of $2,092,000 as proposed by the House.

Amendment No. 31: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment appropriating $750,000 for "Bureau of Mines, health and safety", to remain available until September 30, 1969.

Amendment No. 32: Appropriates $10,000,000 for the "Helium Fund" as proposed by the Senate instead of $5,000,000 as proposed by the House.

Amendment No. 33: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment inserting language extending the availability of $250,000 of the total amount until September 30, 1969.

Amendment No. 34: Appropriates $400,000 for "Bureau of Sport Fisheries and Wildlife, construction" as proposed by the Senate instead of $200,000 as proposed by the House.

Amendment No. 35: Appropriates $2,366,000 for "National Park Service, management and protection" as proposed by the Senate instead of $2,479,000 as proposed by the House.

Amendment No. 36: Appropriates $1,103,000 for "National Park Service, construction" as proposed by the Senate instead of $100,000 as proposed by the House.

Amendment No. 37: Appropriates $24,374,000 for "Forest Service, Forest protection and utilization" as proposed by the Senate instead of $25,028,000 as proposed by the House.

Amendment No. 38: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment inserting language which makes $460,000 available until September 30, 1969.

Amendment No. 39: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment inserting language making gifts, bequests, and devises of money, and other property received prior to September 1, 1969, available for matching Federal contributions.

Chapter VII—Department of Labor

Amendment No. 40: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment appropriating $7,500,000 for "Manpower development and training activities, Manpower Administration," instead of $10,000,000 as proposed by the Senate.

Department of Health, Education and Welfare

Amendment No. 41: Deletes Senate proposal to appropriate $20,280,000 for "Higher educational activities, Office of Education."

Amendment No. 42: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment appropriating $3,920,000 for "Higher educational activities, Office of Education" instead of $11,161,000 as proposed by the House and language distributing the $20,280,000 proposed by the Senate in Amendment No. 41 and will provide that the appropriation shall be for annual interest grants authorized by section 306 of the Higher Educational Facilities Act, as amended.

Amendment No. 43: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which provides that funds appropriated for "Comprehensive health planning and services", Public Health Service, shall remain available until September 30, 1969.

Amendment No. 44: Appropriates $15,000,000 for "District of Columbia medical facilities", Public Health Service, as proposed by the House.

Amendment No. 45: Appropriates an additional amount of $21,200,000 to be derived from social security trust funds for "Limitation on salaries and expenses", Social Security Administration.

Chapter VIII—Legislative branch

Amendment No. 46: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment appropriating $30,000 for the beneficiary of a deceased Senator, language relating to the clerk-hire of Senators, and $126,900 for Senate "Inquiries and investigations."

Chapter IX—Public works

Amendment No. 47: Inserts chapter number and heading.

Amendment No. 48: Appropriates $25,000,000 for "Department of the Army, Corps of Engineers—Civil, Flood control and coastal emergencies" as proposed by the Senate.

Amendment No. 49: Inserts heading and appropriates $45,000,000 for "Atomic Energy Commission, Plant and capital equipment" as proposed by the Senate.

Chapter X—Departments of State, Justice, and Commerce, the judiciary and related agencies

Amendment No. 50: Changes chapter number.

Department of Justice

Amendment No. 51: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which makes $40,000 available until September 30, 1969.

Amendment No. 52: Appropriates $1,277,000 for "Salaries and expenses, general legal activities" as proposed by the Senate instead of $1,314,000 as proposed by the House.

Amendment No. 53: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which makes $101,000 available until September 30, 1969.

Amendment No. 54: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which makes $162,000 available until September 30, 1969.

Amendment No. 55: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which makes $737,000 available until September 30, 1969.

Department of Commerce

Amendment No. 56: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which increases the amount available for retirement pay of commissioned officers as provided in "Salaries and expenses, Environmental Science Services".

The Judiciary

Amendment No. 57: Appropriates $1,948,000 for "Salaries of judges" as proposed by the Senate instead of $1,975,000 as proposed by the House.

Amendment No. 58: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which makes $205,000 available until September 30, 1969.

Amendment No. 59: Inserts heading as proposed by the Senate.

Amendment No. 60: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which appropriates $850,000 for "Fees and expenses of court-appointed counsel" for the fiscal year 1968.

Amendment No. 61: Appropriates $850,000 for "Fees and expenses of court-appointed counsel" for fiscal year 1969, as proposed by the Senate.

Amendment No. 62: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which makes $10,000 available until September 30, 1969.

Chapter XI—Department of Transportation

Amendment No. 63: Changes chapter number.

Amendment No. 64: Deletes proposal of the Senate to appropriate $2,000,000 to remain available until December 31, 1969, for "Office of the Secretary, salaries and expenses".

Chapter XII—Treasury Department

Amendment No. 65: Changes chapter number.

Amendment No. 66: Appropriates $470,000 for "U.S. Secret Service, salaries and expenses" as proposed by the Senate.

Executive Office of the President

Amendment No. 67: Appropriates $100,000 for "Council of Economic Advisers, salaries and expenses" as proposed by the Senate instead of $107,000 as proposed by the House.

Amendment No. 68: Appropriates $147,000 for "National Security Council, salaries and expenses" as proposed by the Senate instead of $200,000 as proposed by the House.

Chapter XIII—Claims and Judgments

Amendment No. 69: Changes chapter number.

Amendments Nos. 70 and 71: Appropriate $18,188,688 for claims and judgments as proposed by the Senate instead of $16,880,812 as proposed by the House.

TITLE III—INCREASED PAY COSTS

Amendment No. 72: Appropriates $2,699,602 for various Senate items.

Amendment No. 73: Appropriates $174,000 for "Senate office buildings" and $6,500 for "Senate garage" as proposed by the Senate.

Amendment No. 74: Appropriates $2,114,000 for "General Accounting Office, salaries and expenses" as proposed by the Senate instead of $2,214,000 as proposed by the House.

Amendment No. 75: Appropriates $2,000,000 for "Consumer and Marketing Service, consumer protective, marketing, and regulatory programs" as proposed by the Senate instead of $2,300,000 as proposed by the House.

Amendment No. 76: Appropriates $265,000,000 for "Military personnel, Army", instead of $230,000,000 as proposed by the House and $300,000,000 as proposed by the Senate.

Amendment No. 77: Appropriates $170,000,000 for "Military personnel, Navy", instead of $160,000,000 as proposed by the House and $198,700,000 as proposed by the Senate.

Amendment No. 78: Appropriates $45,000,000 for "Military personnel, Marine Corps", as proposed by the House instead of $61,500,000 as proposed by the Senate.

Amendment No. 79: Appropriates $267,600,000 for "Military personnel, Air Force", as proposed by the Senate instead of $214,000,000 as proposed by the House.

Amendment No. 80: Appropriates $16,400,000 for "National Guard personnel, Army" as proposed by the Senate instead of $13,000,000 as proposed by the House.

Amendment No. 81: Deletes language proposed by the Senate providing for transfer of $3,600,000 to "Operation and maintenance, Defense agencies".

Amendment No. 82: Provides $1,100,000 for "Department of the Army, Corps of Engineers—Civil, General expenses" to be derived by transfer from the amount reserved under "Construction, general", as proposed by the Senate, instead of $1,000,000 as proposed by the House.

Amendments Nos. 83, 84, 85, and 86: Delete and insert certain language for "Indian health activities" regarding the transfer from reserves pursuant to section 201 of Public Law 90–364 for pay increase costs as proposed by the Senate.

Amendment No. 87: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate to authorize release of $4,000 reserved pursuant to section 201 of P.L. 90–364 for the Federal Savings and Loan Insurance Corporation as proposed by the Senate.

Amendment No. 88: Appropriates $41,000 for "Foreign Claims Settlement Commission, salaries and expenses" as proposed by the Senate instead of $32,000 as proposed by the House.

Amendment No. 89: Appropriates $400,000 for "National Labor Relations Board, Salaries and expenses" as proposed by the Senate instead of $250,000 as proposed by the House.

TITLE IV—LIMITATION ON FISCAL YEAR 1970 BUDGET OUTLAYS

Amendment No. 90: Reported in technical disagreement. A motion will be offered to insert a conference substitute for both the House and Senate versions. The Senate struck the House version.

The conference substitute will impose an overall ceiling on expenditures and net lending (budget outlays) of the government during the fiscal year 1970. As agreed to by the conferees, the *initial* ceiling stated in the provision is $191,900,000,000—or $1,000,000,000 below the amount in the House bill and also $1,000,000,000 below the revised projection of 1970 budget outlays announced by the President on April 12 and summarized in the Review of the 1970 Budget released April 15, and appearing in the Congressional Record of April 16, at pages 9351–9354.

The conference agreement retains the House language that would operate continuously to adjust the ceiling, as appropriate, to comport with the estimated budget outlay effect or specific congressional actions or inactions in appropriation bills or other bills having an impact on the April 15 budgetary proposals. The conferees have added language to this part of the provision to also make it clear that other actions by the Congress would operate to adjust the ceiling in like fashion. These budgetary and other actions would result in adjustments of the ceiling whether initiated by the President or by the Congress.

And language is included to provide that net reductions made through specific congressional actions or inactions in the various spending bills will count toward the aforementioned $1 billion expenditure reduction rather than being in addition to it.

The conference agreement makes two adjustments to the original House provision. One is the addition, as subsection (b), of a limited lump-sum exemption to the ceiling figure. This exemption would permit the President after notification in writing to the Congress stating his reasons therefor, to adjust the ceiling figure by an aggregate amount not exceeding $2,000,000,000 in respect to variations in estimates for items enumerated in subsection (b) upon his determination that expenditures and net lending (budget outlays) for the enumerated items will vary from the estimates on which the $192.9 billion April 15 executive budget projection is based. The enumerated items in all instances involve objects and programs for which the budget outlays arise out of appropriations or other authority, or relate to estimated receipts that operate to offset budget outlays, that *do not require current action by the Congress*—in other words, permanent appropriations or other spending authority contained in basic law, or actions or inactions that operate otherwise to determine budget outlays under the unified budget concept.

The other adjustment to the original House provision is the $1 billion reduction. The House bill made no reduction; it was directed primarily to securing *focus* on and ceiling *control* of all spending, not primarily to the expenditure *reduction*.

Contrast of conference agreement with House and Senate versions

The House version is explained in considerable detail beginning on page 118 of H. Report 91–252. The Senate Committee version was modified in some particulars on the floor, but the basic thrust and key features of the Senate version are explained on page 47 of S. Report 91–228. Briefly:

The House Provision was all-encompassing; it contained no exemptions. And it did not seek to make a blanket reduction in the projected budget outlay total.

The thrust of the House provision was to put the control of *total* spending in the hands of Congress, adjustable *only* by the Congress.

The Senate provision, unlike the House provision, did not put a ceiling on *total* budget outlays. The Senate provision exempted from the ceiling over half of projected expenditures and net lending—about $111.7 billion on the basis of currently estimated amounts. And the Senate provision would have imposed a reduction of at least $1,900,000,000 in the non-exempted areas of the budget, that is, against areas involving budget outlays of about $81.2 billion as projected in the April 15 review. It would, in turn, have fixed a firm statutory ceiling of $79.3 billion on budget outlays in the non-exempted areas. In the exempted items, budget outlays could rise as high as the requirements were determined to be. The President would have to make the necessary reductions to the extent the Congress, through its budgetary actions during the session, did not achieve the $1,900,000,000 figure.

The conference agreement would likewise require the President to make any reductions necessary to achieve the $1,000,000,000 cut to the extent Congress, through its budgetary actions during the session, did not do so.

Since the conference agreement sets a comprehensive ceiling which would be continuously adjustable based on congressional actions or inactions on budgetary proposals whether initiated by the President or by the Congress and whether or not inside or outside the April 15 budget review totals, there is no necessity to exempt any area of the budget that Congress normally acts upon each year. Approval of supplemental appropriations to meet existing unbudgeted requirements would be the basis for a corresponding adjustment in the ceiling on budget outlays.

But the situation is different where additional budget outlays—not contemplated in the April 15 budget review or found practicable within the $192.9 billion ceiling figure—arise in respect to *programs and items on which Congress does not act annually* to supply the appropriation or other outlay authority. These are mainly the so-called permanent authorizations that each year automatically stem from various basic laws and thus are not acted upon in the annual bills. It is for a limited number of these instances—instances involving generally large sums and where it is difficult to make accurate projections—that the conferees have made provision, in subsection (b), for the President, if he finds it necessary and so notifies Congress, to allow the increased expenditures above the related estimates on which the $191.9 billion April 15 budget was based. The conference agreement puts a dollar limit of $2,000,000,000 on how far the President can go in so adjusting the ceiling.

The items in respect to which the Presidential adjusting authority could operate if found necessary are:

On page 16 of the budget:

(1) items designated "Social security, Medicare, and other social insurance trust funds";

(2) the appropriation "National service life insurance (trust fund)" included in the items designated "Veterans pensions, compensation, and insurance";

(3) the item "Interest"; and

(4) the item "Farm price supports (Commodity Credit Corporation)".

Decline of receipts (credited in the budget against expenditures and net lending) derived from—

(1) sales of financial assets of programs administered by the Farmers Home Administration, Export-Import Bank, agencies of the Department of Housing and Urban Development, the Veterans Administration, and the Small Business Administration; and

(2) leases of lands on the Outer Continental Shelf.

Subsection (c) of the conference agreement retains the House provision in respect to periodic executive reports on the operation of the ceiling provision.

Limitation on numbers of civilian employees

Amendment No. 91: Reported in technical disagreement. The Managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate, repealing section 201 of the Revenue and Expenditure Control Act which placed limitations on filling of vacancies in certain full-time permanent civilian positions in the government and on the number of temporary and part-time employees in certain government agencies.

In Section 201 itself, and in subsequent enactments in the last session, Congress exempted from the limitations and restrictions about one-third of the government's full-time permanent positions and about two-thirds of the government's temporary and part-time positions.

While Section 201 was adopted as part of an economizing measure, the conferees are agreed that its impact is, in some cases, contrary to efforts to economize. The weight of the evidence is clear: It has cost much more than it has saved, not only in cases where dollar losses through operation of the section can be identified and estimated, but also in many other less measurable instances through the introduction of imbalances and inefficiences into day-to-day administration.

It has, according to the evidence, resulted in costly overtime work.

It has, according to the evidence, resulted in a large loss of internal revenue collections to the Treasury.

It has, according to the evidence, resulted in inefficient utilization of personnel.

Particulars in these respects are cited in H. Reports 91–264 and 265, on the appropriation bills for the Departments of Treasury, Post Office, and Agriculture, and in S. Report 91–228 on this Second Supplemental Appropriation Bill.

The Committee on Appropriations, because of the costly and impractical consequences of operations under section 201, is embarked on a suspension plan for every agency as the appropriation bills are reported. The House has already suspended Section 201 with respect to the Departments of Treasury, Post Office, Agriculture. HUD, and many independent agencies during the fiscal year 1970. The motion to be offered would repeal the section altogether.

Congress will, of course, continue to control federal employment through the traditional appropriations process by providing or withholding appropriations for salaries.

Availability of funds

Amendment No. 92: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment in order to validate obligations incurred between July 1, 1969 and five days following approval of the Act.

GEORGE MAHON,
JAMIE L. WHITTEN,
JOHN J. ROONEY,
JOE L. EVINS,
WILLIAM H. NATCHER,
DANIEL J. FLOOD,
FRANK T. BOW,
CHARLES R. JONAS,
E. A. CEDERBERG,
GLENN R. DAVIS,
Managers on the Part of the House.

APPOINTMENT OF CONFEREES ON H.R. 11582, TREASURY AND POST OFFICE DEPARTMENTS, THE EXECUTIVE OFFICE OF THE PRESIDENT, AND CERTAIN INDEPENDENT AGENCIES APROPRIATIONS, 1970

Mr. STEED. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11582) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1970, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma? The Chair hears none, and appoints the following conferees: Messrs. STEED, PASSMAN, ADDABBO, COHELAN, MAHON, CONTE, ROBISON, EDWARDS of Alabama, and BOW.

XUM

STATE OF WASHINGTON AND NATION WELCOME WITHDRAWN VIETNAM VETERANS

(Mr. PELLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PELLY. Mr. Speaker, today is a historical day for the State of Washington and for our Nation as the first contingent of our military forces arrives at McChord Air Force Base near Tacoma, Wash., from Vietnam. This is the first group in President Nixon's planned withdrawal of U.S. forces from Vietnam.

This arrival at McChord tonight is a graphic demonstration of the President's concern and commitment to ending this terrible and tragic war, and it is the hope of all of us that the President's schedule for bringing our troops home cannot only continue but move ahead of plans.

Meanwhile, Mr. Speaker, city and State officials will conduct a welcoming ceremony in Seattle Thursday for these returning military men. I have been invited to attend this affair, but the press of legislative business keeps me here in Washington, D.C. Yet, I am sure I speak for all Members of the House when I say that our heartiest welcome goes to these men with our deepest hope that this war can be brought to a swift conclusion and that all our young men can be returned home.

PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CHANGE OF LEGISLATIVE PROGRAM

(Mr. ALBERT asked and was given permission to address the House for 1 minute.)

Mr. ALBERT. Mr. Speaker, I take this time to advise the House that upon the request of our colleague the gentleman from Colorado (Mr. ASPINALL), the chairman of the Committee on Interior and Insular Affairs, House Joint Resolution 247, relating to the administration of the national park system, and H.R. 471, to hold in trust certain lands for the Pueblo de Taos Indians in New Mexico, scheduled for consideration on Wednesday or the balance of the week, will not be called up this week.

COMMITTEE ON AGRICULTURE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent for the immediate consideration of H. Res. 470.

The Clerk read the resolution, as follows:

H. RES. 470

Resolved, That for the remainder of the Ninety-first Congress, the Committee on Agriculture shall be composed of thirty-four members

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION TO COMMITTEE ON AGRICULTURE

Mr. MILLS. Mr. Speaker, I offer a privileged resolution (H. Res. 471) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 471

Resolved, That John Melcher, of Montana, be, and he is hereby, elected to the standing committee of the House of Representatives on Agriculture.

The resolution was agreed to.

A motion to reconsider was laid on the table.

DR. JOHN H. KNOWLES

(Mr. HUNT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUNT. Mr. Speaker, for several weeks a controversy has been raging over a well-known doctor from Boston, John H. Knowles. I note that Dr. Knowles is now using the news media to further expound his beliefs. I do not doubt that Dr. Knowles is a good physician, but I do question his knowledge insofar as politics is concerned. He now makes an undignified attack upon President Nixon, and I am constrained at this time to say that I am now sure President Nixon was correct when he rejected Dr. Knowles, because Knowles looks like a fence sitter to me. He is even an expert on Vietnam now; in fact, he is an expert on everything. I suggest he join Mr. Nader and Lauren Bacall, because with the three of them together we will not need a Congress or a President—they would effectually run the Nation at their own whim without regard for ethics or virtue.

AUTHORIZING APPROPRIATIONS FOR PROCUREMENT OF VESSELS, ETC., FOR THE COAST GUARD

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 4153) to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 9, strike out "(13)" and insert "(1)".

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

STRENGTHENING THE UNEMPLOYMENT INSURANCE SYSTEM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–135)

The SPEAKER pro tempore laid before the House the following message from the President of the United States, which was read and, without objection, referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

The best time to strengthen our unemployment insurance system is during a period of relatively full employment.

The Secretary of Labor is sending to the Congress today proposed legislation to extend unemployment insurance to 4,800,000 workers not now covered; to end the shortsighted restrictions that stand in the way of needed retraining efforts; and to add a Federal program automatically extending the duration of benefits in periods of high unemployment.

There are three principles to be considered as we move to make the unemployment insurance system responsive to our times.

Unemployment insurance is an earned benefit. When a man covered by unemployment insurance is working, the employer pays a tax on his wages to insure against the day when the employee may be between jobs. That insurance is like a mandatory fringe benefit; it is insurance bought in the employee's behalf, and the worker therefore is entitled to the benefits he receives when he is unemployed. Accordingly, there is no demeaning of human dignity, no feeling of being "on the dole," when the insured worker receives benefits due.

Unemployment insurance is one of the foremost examples of creative Federal-State partnership. Although the system was created by Federal law, most decisions about the nature of the program are left to the States, which administer the system with State employees. This makes the system far more flexible and attuned to local needs and special circumstances of local economies.

Unemployment insurance is an economic stabilizer. If, for example the economy were ever to slow and unemployment were to rise, this program automatically would act to sustain personal income. This would help prevent a downturn from gathering momentum resulting from declines in purchasing power. When employment is at a high level, and greater stimulation of consumer demand is unwanted, relatively little money flows into the economy from unemployment insurance.

With these principles in mind, I am making these recommendations for both Federal and State action:

1. We should act together to extend unemployment protection to more employees, including many highly vulnerable to layoffs who are not now covered.

2. The States should make certain that workers throughout the United States

receive enough money for a long enough period of time to sustain them while they seek new jobs.

3. We should end the restrictions imposed by almost half the States on payments to unemployed workers undergoing retraining and, instead, follow the lead of those States which encourage retraining.

4. We should better protect the investment made on behalf of the insured by seeing to it that the funds are paid only to those who should receive them.

5. We should increase the responsiveness of the system to major changes in national economic conditions.

6. We should strengthen the financing of the system which presently discriminates against the low-wage worker and the steady employer.

1. PROTECTING MORE EMPLOYEES

Over 57 million workers are protected by unemployment insurance. However, almost 17 million are not covered: more than half of these are employees of State and local governments. The last extension of coverage was enacted during the Eisenhower Administration, when 6 million additional workers were included; there is a clear social need today to cover as many more employees as we can.

I propose that an additional 4.8 million workers be covered by unemployment insurance. These include:

—1,600,000 workers in *small firms* with less than four employees;

—400,000 on large farms employing four or more workers in each of 20 weeks;

—200,000 in *agricultural processing* activities;

—1,800,000 in *non-profit organizations;*

—600,000 in *State hospitals* and *universities;*

—200,000 salesmen, delivery tradesmen, and others who are not currently defined as employees.

These 4,800,000 workers are in real need of protection against unemployment. Many of them are low-wage workers with little job security and no prospect of termination pay if they are laid off.

The present gaps in coverage work a disproportionate hardship on minority workers, since a higher percentage of the 4,800,000 are nonwhite, compared to the entire labor force.

To cushion the immediate impact of this extension on employers, I recommend that States be permitted to lower the tax rates on newly covered employers until such time as a record of employment experience can be compiled to determine what their true rate should be.

With the passage of this legislation, the majority of those remaining uncovered will be employees of State and local governments. I urge the States and localities to take action, in the light of their local circumstances, to include their own employees in unemployment insurance coverage.

2. MAKING BENEFITS ADEQUATE

The basic purpose of the Unemployment Insurance Program is to pay weekly benefits high enough to prevent a severe cut in a worker's standard of living when he is between jobs. The principle is generally accepted that it takes at least 50% of the worker's wage to meet this purpose.

Almost every State subscribes to this general principle, but benefit ceilings in their legislation have in fact made this principle largely ineffective, especially for the family breadwinner. At least two out of five claimants currently fail to get a benefit equal to one-half their wages.

In 1954, President Eisenhower recommended to States that they provide a maximum high enough to permit the great majority of covered workers to receive one-half their wages. This means that at least 80% of insured workers should be able to receive a benefit of one-half their wages if unemployed.

Men are most adversely affected by the limit on weekly benefits. In one large industrial State, for example, only 23% of the men receive benefits equal to as much as one-half their weekly wages.

If the program is to fulfill its role, it is essential that the benefit maximum be raised. A maximum of two-thirds of the average wage in the State would result in benefits of 50% in wages to at least 80% of insured workers.

Up to now, the responsibility for determining benefit amounts has been the responsibility of the States. There are advantages in States having that freedom. However, the overriding consideration is that the objective of adequate benefits be achieved. I call upon the States to act within the next two years to meet this goal, thereby averting the need for Federal action.

3. ENCOURAGING RETRAINING

During the present decade, many manpower programs were launched in the United States. We have seen how unemployed workers can be equipped with new skills and started on new careers. When the decade began, only three States permitted workers who enrolled in retraining programs to continue to receive benefit payments. All the rest disqualified them upon entry into training.

During the early 1960's, many States recognized the potential of training for employment rehabilitation, and by 1969 twenty-five States, plus Puerto Rico and the District of Columbia, had removed such restrictive requirements.

However, twenty-five States continue to discourage retraining by denying benefits to workers in such programs on the theory that they are not "available for work." On the contrary, the workers are trying to keep themselves available by learning new techniques and technologies, and government should certainly stop penalizing them for doing something that government, business, and labor all want to encourage.

I propose a requirement that the remaining States permit workers to continue to receive benefits while enrolled in training programs designed to increase their employability.

4. PROTECTING THE INSURANCE SYSTEM

We must also be sure that benefits are going only to those people the system is designed to protect. The funds must not be dissipated.

Attachment to the Labor Force. The unemployment insurance system is designed to protect workers whose attachment to the labor force is more than casual. A worker's attachment is measured by both his past employment history and his present situation. He must be ready, willing and able to work and trying to find work while he is claiming benefits; and he must have had at least a certain amount of employment in the recent past. Generally, from fourteen to twenty weeks of work is required, depending on the employment patterns of the State and the minimum duration of benefits.

A few States, however, measure past employment by a flat dollar amount. This discriminates against the low-wage worker, because it means he must work for a longer period to be eligible. Also, it permits other high wage workers to become eligible on the basis of very short seasonal work. *I recommend that a standard based on a minimum period of 15 weeks' employment be required as a condition of benefit eligibility, and that no flat dollar amount be permitted as the only yardstick.*

Workers on Strike. The unemployment tax we require employers to pay was never intended to supplement strike funds to be used against them. A worker who chooses to exercise his right to strike is not involuntarily unemployed.

In two States, workers on strike are paid unemployment insurance benefits after a certain period. This is not the purpose of the unemployment insurance system.

I propose a requirement that this practice of paying unemployment insurance benefits to workers directly engaged in a strike be discontinued.

5. IMPROVING RESPONSIVENESS TO ECONOMIC CONDITIONS

Difficult times are far less likely to occur in nations that take the trouble to prepare for them. The presence of a strong, anti-recessionary arsenal will in itself help prevent the need for its ever being used.

In normal times, the duration of benefit payments may be adequate. Most State programs now provide around twenty-six weeks of benefits; for the great majority of claimants, this is enough to see them through to another job. However, if the economy were ever to falter, the number of persons exhausting benefits would grow rapidly.

In each of the last two periods of high unemployment, the President proposed, and the Congress enacted, legislation to extend the duration of benefits temporarily. However, while this process was taking place, many workers were without income, and the economy was exposed to sharp declines in personal income due to unemployment.

I am proposing legislation that would automatically extend the length of time benefits are paid in all States when the national jobless rate of those covered by insurance equals or exceeds 4.5% for three consecutive months. If periods of high unemployment were ever to occur, individuals would receive benefits for an additional period up to 13 weeks; this extension would end when the national unemployment rate of those in the system (currently 2.2%) fell back below 4.5%, and when the number exhausting their benefits in a three-month period dropped below 1% of those covered. These additional payments would be financed out of that portion of the unemployment tax that is now retained by the Federal government.

6. STRENGTHENING AND REFORMING FINANCING

We must enable the Federal government to finance its share of the improvements proposed in this message, along with the costs of administering the Employment Security System. In addition, there will be a need to improve the ability of States to finance the higher benefit levels I am urging.

I propose that the taxable wage base be raised over a five-year period to $6,000 and thereafter be reviewed periodically to make certain the adequacy of financing.

In the majority of States, the taxable wage base for the Unemployment Insurance Tax is the first $3,000 of wages—exactly what it was three decades ago. In that same period, average wages in employment covered by the system have increased almost five-fold. The low tax base places obstacles in the way of hiring low-wage workers because a substantially higher proportion of their wage is taxed. In addition, the impact of the tax tends to encourage use of overtime rather than adding workers.

The higher base will have the desirable effect of allocating costs more equitably among employers. Particularly at the State level, overall benefit costs will represent a lower per cent of taxable wages, and allow rates to reflect employer experience more accurately.

An Anchor to Windward. Unemployment insurance was begun as an answer to the human need for sustenance of the unemployed workingman seeking another job. It was designed to reduce the element of economic panic in job-hunting.

But as we move now to extend that insurance and meet that need more fully, we discover—not quite by accident—the bonus of serendipity. Here is insurance purchased through a tax on the employers of America in behalf of their employees that can be a potent counter to a downturn in the business cycle. This proves that well-conceived social legislation can be a great boon to business and to all Americans affected by the state of the economy.

The success of this system can be a great example in the relationship between the States and the Federal government.

The Federal government brought this unemployment insurance system into being—but the States have rightly adopted it as their own. The Federal government has traditionally established minimum coverage—but many States have expanded that coverage to fit their own needs.

Now the Federal-State system of unemployment insurance should move to provide adequate benefits in accordance with the goal that has been set and with full recognition of the diversity of economic conditions among States. Such action is most important to protect the individual and to achieve the anti-recessionary potential of unemployment insurance.

The Federal and State actions recommended will help advance the economy of each State and in protecting the economy of the nation. In human terms, the recommended changes will better enable a worker to weather the adversity of unemployment and to find a suitable job.

I urge that the Congress and the States enact the legislation proposed to carry out these improvements.

RICHARD NIXON.

THE WHITE HOUSE, *July 8, 1969.*

PROPOSALS TO EXPAND, IMPROVE, AND STRENGTHEN UNEMPLOYMENT INSURANCE

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, President Nixon's proposals to expand, improve, and strengthen our unemployment insurance system clearly constitute one of the most important items of legislative business on the agenda of the 91st Congress.

It is vital that we extend unemployment insurance to an additional 4,800,000 workers as recommended by the President and that we provide for payment of benefits during worker retraining and for automatic extension of benefits during long periods of high unemployment.

I expect that these proposals by President Nixon will be relatively noncontroversial. The fight, if any, will come over the recommendation that States be given 2 years to meet the goal of paying unemployment benefits amounting to at least 50 percent of a worker's weekly wage.

In this connection, it should be remembered that the unemployment insurance system is a Federal-State program. Every attempt should therefore be made to improve the system with the full cooperation of and action on the part of the respective States.

I subscribe to the concept that unemployment benefits amounting to at least 50 percent of a worker's weekly pay should be paid in every State. In those States where this objective is not being met, injustice is visited upon the unemployed who are eligible for unemployment insurance benefits. Also, employers in that State are given a competitive advantage over employers in other States.

But it would be far better to achieve the 50-percent objective through Federal encouragement than through Federal bludgeoning. I therefore feel a grace period is in order.

Enactment of the other Nixon recommendations into law will greatly strengthen our unemployment insurance system and improve the health of the American economy.

Mr. STEIGER of Wisconsin. Mr. Speaker, President Nixon's recommendations for the insurance system contain several proposals that are of particular value to our manpower efforts.

President Nixon has proposed that a man in an approved training program cannot be denied unemployment compensation because he is in training. The longstanding practice of penalizing unemployed workers who are trying to gain new skills defeats the purpose of our national programs of manpower development and training.

This proposal will increase substantially the capacity to provide an adequate program for the development of manpower skills. It will enable the idle worker to put his time to use in productive and profitable ways. The benefits which support the worker should also support his training. In half the States which are without this provision, a worker must forgo retraining or support of himself and his family must be provided outside the unemployment compensation program. This is no small part of the training costs. By supporting the unemployed worker in training instead of enforced idleness, unemployment insurance can go far to increase the Nation's manpower resources.

Of equal importance is the encouragement offered the worker to keep his skills current by learning new techniques and technologies during periods of unemployment.

We should surely stop penalizing unemployed workers for getting the training which business, government, and labor all want to encourage.

The President's recommendations also provide for the automatic extension of unemployment benefits when the national unemployment rate exceeds 4.5 percent for 3 consecutive months. This would be a useful antirecession weapon, and by its very existence could itself help prevent the need for its use.

Most States now provide about 26 weeks of benefits, which are usually adequate to see workers through ordinary job changes in ordinary times. Should the economy falter, however, the legislative process for extending benefits temporarily would take so much time as to leave large numbers of workers unprotected. It is vastly preferable to have the machinery set up in advance.

The final section of the President's proposal I would like to comment on is the recommendation that the States voluntarily establish unemployment benefit levels equal to one-half the normal weekly wage. The basic purpose of unemployment insurance is to prevent severe cuts in a worker's standard of living when he is between jobs. When benefits fall below 50 percent of the workers wage, the program, in effect, fails to serve its purpose.

The responsibility for determining benefit payments rests with the States. Advantages to this system include establishing benefit levels that are appropriate to the economy of the State. However, while the States have the freedom to set benefits, they also have the responsibility to set rates at realistic levels. President Nixon's call upon the States to act is entirely appropriate.

President Nixon's proposals to strenghen our unemployment insurance system, taken together, form a sound, responsible and constructive package that the Congress should act upon without undue delay.

Mr. RHODES. Mr. Speaker, there are many times when the leaders of our Government have to choose between conflict-

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ing values or conflicting interests when they make public policy. They must decide, for example, whether to favor labor or management; whether to expand Government service or cut taxes; whether to apply scarce resources on behalf of this group or that one. In many cases, the decision to aid one interest will not help another interest, and the decisionmaking process is therefore a difficult and trying one.

Every now and then, however, a program comes along which is clearly in the interest of a wide variety of Americans. Once in awhile, a program emerges which gives a clear and discernible boost to the whole population, even as it gives special aid to some smaller group. Now and then there is a coincidence of interests among large segments of our society. On these occasions it is particularly important that the Government act promptly to maximize the total benefits which can be gained.

Such, I believe, is the case with our unemployment compensation programs, as the President's recent message persuasively argues. Designed to protect the minority of citizens who are periodically thrown out of work, the system also protects the whole of society by providing an important lever with which to stabilize the economy and to cushion it against sharp downturns. When men suddenly become unemployed, the insurance program can quickly put needed money back into the system before a recessionary cycle can set in. And similarly, as men go back to work, the flow of Government money is gradually lessened and inflationary pressures are less likely to mount. It is rather like a faucet which turns on by itself as water flows out of the basin and which slowly turns itself off as the level of the water once again rises.

The President's recent proposals will have the effect of strengthening this unemployment insurance system, both as a humane protection for the unemployed worker and his family and as a countercyclical economic instrument. The President proposes that payments be given to many people who are not now protected, that the size of the payment in many States be increased so that it approaches what has been long established as an acceptable level, that many States stop denying payments to those who are being retrained for new employment, and that payments be extended for a longer period of time, whenever total unemployment rises above a certain level.

All of these changes—and several others which the President lists—will provide greater security for American workers, particularly for those who need it most, those who work at low wage levels and who have little job security. In this respect, the President's program will enhance human dignity and advance social justice. At the same time, these recommendations will make the unemployment insurance program a more useful and more effective economic lever. The prosperity of the entire country will be better protected by a payment system which covers more people at higher rates for longer periods of time.

The unemployment insurance system was built decades ago to benefit both the individual and the society. The improvements which the President suggests will have a similar impact. As his message says:

> Well-conceived social legislation can be a great boon to business and to all Americans affected by the state of the economy.

The President's recommendations are well conceived, and the Congress and the States must now act so that we can all achieve the promised benefits.

GENERAL LEAVE TO EXTEND REMARKS

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks immediately following the message from the President.

The SPEAKER pro tempore (Mr. ALBERT). Without objection, it is so ordered.

There was no objection.

CALL OF THE HOUSE

Mr. WHITTEN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. EDMONDSON. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 98]

Anderson, Ill.
Andrews, N. Dak.
Aspinall
Baring
Barrett
Berry
Boggs
Boland
Brasco
Brock
Broyhill, N.C.
Cabell
Cahill
Carey
Celler
Chamberlain
Clark
Cleveland
Collier
Delaney
Derwinski
Dorn
Dowdy
Eckhardt
Green, Oreg.
Green, Pa.
Jarman
Kirwan
Long, La.
Lowenstein
Lujan
McDonald, Mich.
Mailliard
Mann
Minshall
Mollohan
Monagan
Mosher
Murphy, N.Y.
Nix
O'Hara
O'Konski
O'Neal, Ga.
Passman
Pepper
Powell
Purcell
Rees
Robison
Rooney, Pa.
Roybal
St. Onge
Sandman
Scheuer
Sisk
Teague, Calif.
Teague, Tex.
Vander Jagt
Watkins
Watson
Wilson, Charles H.
Wolff

The SPEAKER pro tempore. On this rollcall 370 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

WE MUST HAVE ONE STANDARD OF HEALTH CARE IN AMERICA: THE HIGHEST STANDARD

(Mr. FULTON of Tennessee asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FULTON of Tennessee. Mr. Speaker, in this morning's Washington Post Dr. Robert O. Egeberg was quoted as saying at a July 7 news conference: "You cannot have one standard of health care for the Nation."

The story goes on to report Dr. Egeberg as saying that this "would be a reasonable goal 'probably 50 years from now' but presently it is 'unrealistic'."

Mr. Speaker these words, if they are not reported out of context, are extremely disturbing.

One standard of health care, the very highest standard, is not only a realistic goal for our citizens, but a must and within a far shorter time than half a century.

These words of Dr. Egeberg are even more disturbing because he is the man President Nixon has nominated to fill the Nation's highest governmental health position, Assistant Secretary for Health under Health, Education, and Welfare Secretary Robert Finch.

These words hark back to the old laissez faire philosophy of medical economics that those who can afford it, and only those who can afford it, should receive the best health care available while others should receive health care in direct proportion to their ability to pay.

Congress has made it rather clear over the past 6 years that this philosophy no longer applies in this Nation. The programs which we have passed into law to promote and provide the best possible health care for all Americans are too numerable to relate here but I suggest that before Dr. Egeberg assumes his new duties he study them carefully.

Certainly we do not have one standard of health care in America but we can have, and that standard should be the very best. To admit we do not have the best while at the same time striving to achieve it is the job before us. To say that we "cannot have one standard" is to admit defeat, deny our national commitment, and defy the progress which we have marked to date.

PROVIDING FOR CONSIDERATION OF H.R. 11249, JOHN F. KENNEDY CENTER ACT AMENDMENTS

Mr. O'NEILL of Massachusetts. Mr. Speaker, I call up House Resolution 447 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 447

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11249) to amend the John F. Kennedy Center Act to authorize additional funds for such Center. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such

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amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I yield myself such time as I may consume, at the conclusion of which I will yield 30 minutes to the gentleman from California (Mr. SMITH).

Mr. Speaker, House Resolution 447 provides an open rule with 1 hour of general debate for consideration of H.R. 11249 to amend the John F. Kennedy Center Act to authorize additional funds for such Center.

H.R. 11249 would amend section 8 of the John F. Kennedy Center Act by increasing the authority for direct appropriations from $15,500,000 to $23 million, an increase of $7.5 million, provided, as in the basic act, that this increase is matched by an equal amount of money, securities, and other property from other sources. In addition, the bill amends section 9 of the act by authorizing an increase in the amount of bonds authorized to be issued to pay for the cost of the underground parking facilities by $5 million—from the original $15,400,000 to $20,400,000.

The original authorization of $15.5 million has been matched by an equivalent amount of gifts as required by present law. Approximately $5.5 million worth of additional gifts has also been received by the Trustees and may be applied toward matching the additional appropriations authorized by this legislation.

The overall construction of the Center is more than 50 percent complete. The exterior marble panels have been erected on the three exterior walls of the concert hall, completely enclosing the southernmost third of the building. The exterior marble has also been erected on the river side of the opera. It is planned to complete the exterior marble panels for the entire building by the fall of this year.

Concrete work has been completed in the concert hall area, in practically all of the garage area, and is well under way in the opera. A carpenters' strike commenced on the first day of May, and this stopped all further work of pouring concrete. About 30 percent of the total concrete remains to be put in place.

A large amount of masonry, plumbing, air conditioning, elevator, and electrical work has been accomplished. The concert hall, the hall of nations, the grand foyer, the river terrace, and the entrance plaza are all taking shape and their ultimate appearance, insofar as form is concerned, can be readily visualized.

Major work still to be contracted includes tile, terrazo, wood floors, interior glass, approaches, landscaping, interior painting, and the finishing of administrative and rehearsal spaces. A program for procurement of all furnishings, furniture, landscaping, and sound equipment will have to be initiated in the immediate future in order to be coordinated with the completion of the building.

Mr. Speaker, I urge the adoption of House Resolution 447 in order that H.R. 11249 may be considered.

I yield to the gentleman from California.

Mr. SMITH of California. Mr. Speaker, as stated by the gentleman from Massachusetts, House Resolution 447 does provide an open rule with 1 hour of debate for consideration of H.R. 11249, the John F. Kennedy Center authorization.

The purpose of the bill is to authorize additional Federal funding for the John F. Kennedy Center in the amount of $7,500,000 on the condition that this increase be matched by private sources. The bill also authorizes an increase in the amount of bonds to be issued to pay the cost of underground parking by $5,000,000 to a new total of $20,400,000.

Original cost estimates set construction costs of the Center at $46,400,000. Current estimates now total $66,400,000. Construction is now more than 50 percent complete.

The committee recommends passage of the bill but clearly states that it will not in the future consider another funding request.

The gentleman from Kentucky (Mr. SNYDER) and the gentleman from Indiana (Mr. ZION) oppose the legislation because of the fiscal condition of the country.

The gentleman from Wisconsin (Mr. SCHADEBERG) has filed additional minority views. He opposes the legislation and wants the bill returned to committee so that an alternative funding plan can be devised.

Letters supporting the bill are included in the report from the John F. Kennedy Center, the Smithsonian Institution, the Commission on Fine Arts, and the Bureau of the Budget.

Although the committee has stated that they are not going to come in and ask for additional money in the future, I remind the House that we cannot bind any future Congress, and it would not surprise me if the proponents of the Center come in later with a request for funds in order to complete the Center.

Mr. Speaker, I yield 10 minutes to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, here we are again.

To the new Members of this body, may I say "welcome" to what has become the regularly scheduled fleecing of the American taxpayer by the promoters of that white elephant on the banks of the Potomac, the Kennedy Cultural Center.

While leafing through the hearing on this year's sheep-shearing operation, I notice the gentleman from Texas (Mr. WRIGHT) reminded his committee colleagues that the House and the American people had been solemnly promised on a previous occasion that no more money from the U.S. Treasury would ever be sought for this boondoggle.

That promise, the gentleman reminded his colleagues, "is going to be read back to us when we go out on the floor with this bill."

I would not for the world disappoint the gentleman from Texas, but I am in a quandary as to just which promise he meant.

Was it the statement made in 1958 by our former colleague from Virginia, Mr. Smith, who told us, and I quote:

> It does not cost the Government any money. They are going to have a magnificent structure here. The money is going to be raised by voluntary contribution and they will have a magnificent building here for the performing arts . . . and we get it free.

I am certain the gentleman from Texas (Mr. WRIGHT) remembers Mr. Smith's remarks because he jumped right in with this:

> I certainly concur in what my colleague, the gentleman from Virginia, has said.

Was that the promise of which the gentleman was reminding his committee colleagues during their abbreviated hearing a few weeks ago on this bill?

Or was it the one made by the gentleman from Pennsylvania (Mr. FULTON)? Here's the way he laid it out:

> It has been said that this will not cost the Government money. No, it will not.

If that was not the promise to which the gentleman referred, perhaps he had reference to the exchange between Mr. Seely-Brown of Connecticut, a former Member of the House, and the gentleman from New Jersey (Mr. THOMPSON).

Mr. Seely-Brown asked this:

> Mr. Speaker, I want to make two points. First, this is not going to cost the taxpayers a cent; is that correct?

The gentleman from New Jersey (Mr. THOMPSON) responded:

> Not one cent; that is correct.

Then I got into the act.

> Mr. GROSS. Make no mistake about it, this is a legislative blank check. I do not think any Member of the House would want to stake his reputation on the statement here and now that all the money for the construction of this $25 to $50 million Cultural Center is going to be raised from philanthropic sources.

To which the gentleman from New Jersey (Mr. THOMPSON) replied:

> I would stake my reputation on it, for the record.

I wonder, Mr. Speaker, if those were the statements to which the gentleman from Texas referred in the hearing. But just in case they are not, let us take another trip to the floor of the House, this time on August 5, 1963, where we find the gentleman from Alabama (Mr. JONES), a member of the committee, seeking legislation to extend the time allowed to raise voluntary contributions for the Center.

This is part of what he said then, and I quote:

> Mr. JONES of Alabama. Mr. Speaker, this extension—this authorization—does not authorize the expenditure of one red penny.
>
> This is unique legislation. The funds for this building are being raised by voluntary contribution.
>
> I would like to point out once again that no additional Federal funds are involved in this legislation.

On January 8, 1964, the gentleman from Iowa (Mr. SCHWENGEL), also a member of the Public Works Committee, had this to say:

> When the question of the National Cultural Center Commission was before this House and I took a strong position in its favor and, of course, in favor of the Center, it was made clear, as all of you will remember, that there would be no use of Federal funds for the project.
>
> With me, Mr. Chairman, this is a point of honor.

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And the gentlewoman from Illinois (Mrs. Reid), speaking on March 17, 1964, concerning the extension of time in which to raise contributions for the Center, said this:

> It was the fear of some of my colleagues that this was a forecast of eventual requests for Federal funds for this project, but I was able to allay such fears since I was led to believe at that time, in my capacity as a congressional member of the Board of Trustees, that there was no intention of ever asking for Federal funds.
>
> If the Congress approves the appropriation of these initial Federal funds for this Center, will we be faced by continuous requests for more Federal money to take care of some unforeseen or unplanned emergency or expense in the future?

Mr. Speaker, I suggest that the foregoing statement entitles the gentlewoman from Illinois for favorable consideration as the Jeanne Dixon of Capitol Hill.

But the bogus promisers are still with us.

I seem to remember that one, Roger Stevens, who has presided over this monumental boondoggle, asserted some years ago that he would resign if he could not raise from private sources all the money necessary to build this pleasure palace.

If Members will turn to the hearing on this bill they will find the latest weasel-worded promise from Mr. Stevens in the following colloquy:

> Mr Cramer. Do you give the Committee complete and full and unequivocal assurance that you will not come back for any additional money for the construction of this facility?
>
> Mr. Stevens. Well, I think it is the duty of the Trustees to complete the building with the funds if this bill goes through that are available to us, sir.
>
> Mr. Cramer. I want to ask this question again. It is going to be asked us on the floor. If we cannot give this assurance, I do not think the bill has a Chinaman's chance. Can you give this Committee the assurance that you will not come back for any additional money for the construction of this facility?
>
> Mr. Stevens. As far as I am concerned, sir, whatever authority I have as Chairman of the Board, I will assure the Committee that we will not be back to seek any more money.

I submit that statement is meaningless. In the first place, Stevens could be gone tomorrow as Chairman of the Board, and in the second place the Board could easily vote to instruct him to go right on pilfering the treasury. The so-called assurance from Stevens is but one more of the utterly worthless assurances and promises that have been made both in and out of Congress in connection with this fiasco.

Mr. Speaker, the Federal debt is now at $365 billion and it will require the borrowing of an estimated $17.3 billion this year just to pay the interest on that debt.

Poverty, we are told, is still rampant. Hunger, we are told, is still widespread. The costly war in Vietnam goes on and on, and inflation goes up, up, and up. And here we are considering a measure to throw another $12½ million in this fiasco that started out to cost $30 million—at no expense to the taxpayers—and is going to top $66 million before the doors are ever opened.

In view of the financial situation that confronts the citizens of this country, and in view of the deception and broken promises that have marked this Treasury raiding, I submit that it takes an uncommon amount of gall for the Public Works Committee to even bring this proposal to the House floor. It ought to have been shelved in committee. Since it was not, the House ought to kill it here on the floor and thus serve notice that promises made in the promotion of legislation must be kept now and in the future.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri (Mr. Hall).

Mr. HALL. I appreciate the gentleman yielding.

I thought we might bring in one more "trip to the floor," later on in the same year, 1964, during the appropriation bill debate on this floor, when the esteemed chairman of that subcommittee (Mr. Kirwan), said that, "they plan to collect about $20 million, and the Appropriations Committee gave them the full $15.5 million authorized." He then said, "We do not expect to report out any more."

Mr. STEPHENS. Mr. Speaker, will the gentleman yield for a question?

Mr. GROSS. I yield to the gentleman.

Mr. STEPHENS. Would the gentleman please make it clear that the Mr. Stevens he is talking about is not me?

Mr. GROSS. I will be glad to. It is not the gentleman from Georgia.

Mr. WRIGHT. Mr. Speaker, will the gentleman yield to me?

Mr. GROSS. Certainly I yield to the gentleman.

Mr. WRIGHT. I thank the gentleman for yielding.

He used my name and quoted me accurately save for the fact that I did not characterize this bill as a boondoggle.

Mr. GROSS. I would not expect the gentleman, who has been a party to raiding the Treasury for this purpose, to call it a boondoggle.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I hope that this rule will be adopted. After the gentleman from Iowa (Mr. Gross) has finished making his comment, I think that we ought to have a definite opportunity for the chairman of the subcommittee in charge of this bill to answer the objections and the doubts of the gentleman from Iowa.

I now yield to the gentleman from California (Mr. Smith).

Mr. SMITH of California. Mr. Speaker, I yield 7 minutes to the gentleman from Ohio (Mr. Bow).

Mr. BOW. Mr. Speaker, I rise in opposition to this rule and in opposition to the bill.

I would hope that if the rule should pass the bill would be recommitted. It seems to me a great deal more study must be done on the matter of the financing of this Center. There has been a great deal of consideration in the past.

I would like to make one thing crystal clear. As a member of the Board of Regents of the Smithsonian Institution, under the original enactment of this law there was a provision that it should not be built until the Regents of the Smithsonian Institution certified that sufficient money was on hand to complete the building. Well, some few years ago we had a meeting of the Board of Regents, and the Trustees of this Center and their attorney and their accountants came in. They laid it right on the line to us that they had plenty of money to complete the building, and they urged the Regents of the Smithsonian Institution to so certify. And after looking over the books and records and giving the matter careful consideration the Director of the Regents of the Smithsonian did so certify.

So not only was I taken in originally on this legislation, but I was taken in as a Regent of the Smithsonian Institution, that there was enough money to build it, and the taxpayers were not going to be saddled with this great cost.

Mr. Speaker, I join with the gentleman from Iowa (Mr. Gross) in taking a trip back to the floor, back some time ago, and we heard then—and we remember what Mr. Smith, our beloved former colleague from Virginia, had to say.

You will also remember a very fine gentleman whom we had here from California who is now deceased, Mr. Baldwin, who was a member of the committee, and Mr. Baldwin said:

> The most remarkable thing about this bill which came before the Public Works Committee is the fact that this group of people who are interested in providing a National Capital Cultural Center are willing to actually assume the burden of raising the funds to finance it. That is quite a distinctive approach to those of us in Congress who have been working on many projects involving the construction of buildings. . . .

And our friend, Ken Keating, who was with us at that time, and who is now Ambassador to India, said:

> It should be noted that the land to be occupied by this structure is not now being used for any significant purposes, that the center will not be subsidized by the Federal Government—

And I think we can go back over the road and find item after item, Mr. Speaker, and statement after statement, that this Center was not going to be financed by the Government, but then we came along and we gave them some money.

Let me point out to you, my colleagues, that we have already contributed to this nonsubsidized, no-Federal-funds program, and we are already in for $33 million—$33,075,000, to be specific—for the project. And when you pass this bill today, a few days after we approved continuation of the surtax, you are going to have $45,575,000 in this Center. And all of that after all the promises that we were not going to tax the people of this country for the Center.

I say to you, my friends, that I have been taken. I voted for it originally, and now I come to the wailing wall and admit the error of my ways. I hope others will not be too proud to admit the error of their ways, and will vote against this rule and vote to recommit.

But, Mr. Speaker, I want to make one other statement here that I rather hesitate to make, but I believe I should: There was a request on this particular

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bill sent to the Regents of the Smithsonian Institution asking for the comments of the Smithsonian on this bill. We had a meeting of the Regents of the Smithsonian Institution some time around the 20th of May, and this matter came up. There was a discussion. We discussed the fact that we had already certified that there was enough money to build it. After some consideration the Regents of the Smithsonian decided we should do nothing; we would take no action at all on this bill. We rather felt that we had been taken in once, and we were not going to take any more action.

Much to my surprise, in this report I find here on the date of May 23, a few days after the meeting of the Regents—and the Regents are the controlling officers of the Smithsonian Institution—I find that S. Dillon Ripley, the Secretary, wrote a letter to the chairman of the committee and said this in part:

> It is our understanding that present estimates of cost and other justification in support of provisions of H.R. 11249 will be presented to the committee by the representatives of the John F. Kennedy Center for the Performing Arts and of the General Services Administration. In support of that justification, the Smithsonian Institution recommends favorable consideration of H.R. 11249.

Mr. Speaker, I say here unequivocally to you as a member of the Board of Regents, the Board of Regents never took any action supporting this legislation, but in fact made a decision not to support it, and I think this ought to be known by the Members here.

Mr. GRAY. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman briefly.

Mr. GRAY. The gentleman has made a very important statement. But he stated he voted to help create this Center. Is that an accurate statement?

Mr. BOW. That is right.

Mr. GRAY. The gentleman knows—if he has been along the beautiful banks of the Potomac River——

Mr. BOW. Oh—what that thing has done to the banks of the Potomac River with the overhanging marquee of that building out along the parkway where you are not safe to drive and where you have had to go one way for about a year now. It looks like we will have more. Oh, but it has done a beautiful job to the beautiful Potomac. But you go ahead—do you still like it? Tell me honestly, my dear friend from Illinois—do you still like that marquee sticking out over there?

Mr. GRAY. If the gentleman will listen as intently to my speech as I have to his, I am sure we can get along fine.

I want to ask the gentleman this. He admits he helped to create this Center. Would you like to see a national disgrace by an unfinished building on the banks of the Potomac. That is the real issue in this bill.

Mr. BOW. Mr. Speaker, I do not yield further to the gentleman.

Mr. Speaker, it seems to me the one great national disgrace that might come about is if this Congress gives its word that the taxpayers will not be called upon to pay a dime and then time after time we go down to the well and we violate that word—that is the national disgrace—when the Congress does not keep its word to the American people.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentlewoman from Illinois (Mrs. REID).

Mrs. REID of Illinois. Mr. Speaker, although I certainly do not profess to have the powers of Jeane Dixon, as the gentleman from Iowa suggested, I think I must have had a premonition as to just what would happen when I spoke on March 17, 1964.

On August 5, 1963, the House amended the original National Cultural Center Act to provide for an additional 3-year period in which funds could be raised through voluntary contributions for construction of such Center in Washington, D.C. It was the fear of some of my colleagues that this was a forecast of eventual requests for Federal funds for this project but I felt I was able to allay such fears since I was led to believe sincerely at that time, in my capacity as a congressional member of the Board of Trustees, that there was no intention of ever asking for Federal funds—that the original concept of having a cultural center built through voluntary contributions would remain in effect.

However, on January 8, 1964, we were asked to authorize direct appropriations of $15.5 million for construction of the Center as well as the issuance of $15.4 million in bonds to pay for the cost of underground parking facilities. At the same time the Center was renamed the John F. Kennedy Center for the Performing Arts and it was made a memorial to our late President. I gave my full approval to renaming the Center and making it a memorial to the late President Kennedy. On the other hand, I stated unequivocally that I was opposed to the use of Federal funds for construction and expressed my strong feeling that the memorial would have much greater meaning and be more of a tribute to the late President Kennedy if it were built through voluntary, free-will contributions.

Today we are being asked to increase the direct appropriation to $23 million and the bond authorization to $20.4 million. Furthermore, there is no proof that this will be the last request for building funds or that yearly appropriations for the operation of the Center—once built—will not be requested.

The fact that a Center for the Performing Arts is vitally needed in our Nation's Capital for opera, ballet and other cultural activities is well known and I feel it is a fitting memorial to the late President Kennedy. However, I would strongly urge that this bill be sent back to the committee for further study of alternative means of financing other than through public tax subsidies. If this bill passes and the money is appropriated, about two-thirds of the present estimated cost will have been paid by the taxpayers.

It would certainly be a more fitting tribute to our late President if citizens paid for it through voluntary freewill contributions rather than having their tax money used for this purpose. The meaning would be so much greater. I realize that the building is already under construction and tax money has already been used so we cannot return entirely to the original concept of financing, but we could move in that direction by recommitting H.R. 11249. Also, why could it not be financed through the issuance of bonds which could be paid off through the charges for the performances? This is one other alternative which might be considered.

Mr. SMITH of California. Mr. Speaker, I yield 30 seconds to the gentleman from Wisconsin (Mr. SCHADEBERG).

Mr. SCHADEBERG. Mr. Speaker, I rise in support of the rule. I am opposed to the bill, but I am in support of the rule because I believe that this is a matter which should be fully discussed by the Members of the House.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

If any of the Members of the House were to go down the Mall and look at the Washington Monument, they would notice that at a height of 150 feet the color in the stones changes.

History repeats itself.

It was in 1855 the Congress of the United States set up a committee and authorized the building of the Washington Monument. The monument was built to a certain height, 555 feet, because of an argument in Congress, about appropriations. It was less than half built and remained that way for years. It was a disgrace to the Nation and the man whom it was to honor.

Then when they went to complete it, they could not get the same color of stone. So if you observe the Washington Monument at that point, you will notice there are two different types of stone used in its construction.

Here we are today with a building that is at least 50 percent completed.

Private funds are giving about $20 million. There is confusion in the bill between the fact of the 1958 act and the 1964 act.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL of Massachusetts. I do not yield to the gentleman from Iowa. The gentleman is trying to foreclose free and open debate. He wants to defeat the rule. That is very unfair on your part. I say to the gentleman from Iowa. Why does not the gentleman allow the gentleman who is in charge of the committee to have the opportunity to take the time to present the bill? This has been planned by three or four Members on your side. Why do we not adopt the rule and go into an hour's open debate on the merits of the bill? Mr. Speaker, I hope the rule is adopted.

I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr ALBERT). The question is on the resolution.

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 75, noes 47.

So the resolution was agreed to.

A motion to reconsider was laid on the table.

RECESS

Mr. YOUNG. Mr. Speaker, I move that the House stand in recess subject to the call of the Chair.

The SPEAKER pro tempore (Mr. ALBERT). Without objection the House will stand in recess subject to the call of the Chair.

There was no objection.

Accordingly (at 1 o'clock and 45 minutes p.m.), the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ALBERT) at 1 o'clock and 51 minutes p.m.

PROVIDING FOR CONSIDERATION OF H.R. 11249, JOHN F. KENNEDY CENTER ACT AMENDMENTS

The SPEAKER pro tempore. The Chair had announced that the vote on the resolution was: ayes 75, noes 47; so the resolution was agreed to, and a motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 6508, CALIFORNIA DISASTER RELIEF ACT OF 1969

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, and in the absence of the gentleman from California (Mr. SISK), I call up House Resolution 463 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 463

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6508) to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the Chairman and ranking member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Public Works now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from California (Mr. SMITH), pending which I yield myself such time as I may require.

Mr. Speaker, House Resolution 463 provides an open rule with 1 hour of general debate for consideration of H.R. 6508 to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters. The resolution also provides that it shall be in order to consider the committee substitute as an original bill for the purpose of amendment.

During the past winter and spring, the State of California suffered storm damage estimated to be in the amount of $265,000,000 in physical damage and $100,000,000 in private damage. Most of the State was declared a disaster area by the President.

H.R. 6508 authorizes $30 million to be available to California from the date of enactment of the bill to June 30, 1970, for repair and reconstruction of permanent street, road, and highway facilities not on Federal aid systems which were destroyed or damaged by the storms. Fifty percent participation by the State is required.

In 1965, under the Pacific Northwest Disaster Act, the Secretary of the Interior and the Secretary of Agriculture were authorized to reimburse timber sale contractors for reconstruction and restoration of roads under construction but not yet accepted by the Government as part of the national system of forest development roads and trails. Subsequently timber sale contracts were changed to recognize this problem. Basically this section of the bill would accomplish the same purpose by providing that the Federal Government would pay for repairing these timber roads under certain conditions:

First. If the timber sale was under 1 million board feet, the contractor would bear the cost of the damage if the additional construction work required amounted to less than $1,000. If it was more than $1,000 the Federal Government would bear the cost.

Second. If the timber sale was between 1 million and 3 million board feet, the figure would increase $1 per 1,000 board feet.

Third. If the timber sale was over 3 million board feet and damage over $3,000, the Federal Government would bear the cost.

Where it is determined that damage is so great, restoration is not practical under this cost-sharing arrangement, the Secretaries of Agriculture and the Interior are vested with discretionary authority to cancel a timber purchase contract.

Access to sources of timber supply from the national forests for the wood-using industries of the region has been disrupted or seriously impaired, thereby affecting regional economy. Therefore, the Secretary of Agriculture is authorized to reduce from 30 days to 7 days the minimum time required to advertise the sale of national forest timber in the affected area.

The Secretary of the Interior is authorized to suspend the time limits established in certain public land laws where the entryman's ability to comply has been interfered with by the floods.

Language is repealed in the Public Works Appropriation Act for fiscal year 1967 which required that appropriations expended by the Bureau of Reclamation for disaster relief under Public Law 81-875, as administered by the Office of Emergency Preparedness, should be reimbursed in full by OEP to the Bureau of Reclamation. This repeal would be permanent.

Regarding Small Business Administration disaster loans for loss or damage not compensated for by insurance or otherwise, at the borrower's option, on that part of a loan in excess of $500, SBA would be required to cancel up to $1,800 of interest, principal, or both. SBA also is authorized to defer any or all interest or principal payments during the first 3 years of the disaster loan, regardless of the borrower's ability to pay.

The same benefits would apply to Farmers Home Administration disaster loans.

Mr. Speaker, I urge the adoption of House Resolution 463 in order that H.R. 6508 may be considered.

I now yield to the gentleman from California (Mr. SMITH).

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, this is the type of legislation where all of us have to be neighbors and help a State which is in trouble. We have these disasters every so often, in Alaska and other areas in the United States, and that is when we have to go to the help of our neighbors. I assume the State of Ohio, which just recently had a disaster there, may need help from us, and it may be we will have to help them. California is asking for your assistance in this matter.

Mr. Speaker, the purpose of the bill is to provide Federal assistance in several areas to meet the losses within the State of California caused by severe flooding in the early months of this year. During the months of January and February record floods occurred in the greater part of southern California. The estimated amount of storm damage at this time is approximately $365 million; this includes both damage to private property as well as public property such as levees, roads, and highways. More than 100 persons died as result of the flooding and most of the State's 58 counties have been declared disaster areas. The reported bill provides Federal assistance in several categories to meet the problems caused by the flooding.

Section 2 authorizes $30 million in Federal funding to be made available to the State for a period beginning with the enactment of this legislation and terminating on June 30, 1970. This money, to be used on a 50-percent matching basis with the State, is for the permanent repair and rebuilding of State roads and highway facilities that are not assisted under any current Federal highway aid program and which were destroyed or damaged as a result of the floods this past winter. The bill also provides assistance to reconstruct timber roads which are used to bring out timber cut for the commercial lumber market. This last provision is very similar to one contained in the 1965 Pacific Northwest Disaster Act and is included to assure a continued flow of lumber from the California forest areas. In areas where the sale of timber is less than 1 million board feet, the Government will assume road repair costs over $1,000, the contractor all costs below that figure. In areas where the sale was between 1 and 3 million board feet, Federal assistance would increase $1 per 1,000 board foot. Where the timber sale is over 3 million board feet, the Federal Government will assume all costs above $3,000 and the contractor will assume all costs below that figure.

Finally, any borrower of more than $500 under a Small Business loan will receive a cancellation of his obligation of up to $1,800 of interest or principal or a combination thereof on any loan covering property damaged or destroyed in the floods. Additionally, SBA is authorized to defer any or all interest or principal payment during the first 3 years of a disaster loan made as a result of these storms and flooding without regard to the borrower's ability to meet his payments. All provisions of this section terminate on June 30, 1970.

There are no minority views expressed in the report.

Mr. Speaker, I strongly support this bill and urge adoption of the rule as well as passage of the bill.

I will say to the gentleman from Texas (Mr. YOUNG) that I do not have any requests for time, although I reserve the balance of my time.

(Mr. SISK (at the request of Mr. YOUNG) was granted permission to extend his remarks at this point in the RECORD.)

Mr. SISK. Mr. Speaker, I am confident that Members from the State of California representing metropolitan areas will adequately state the circumstances which necessitate the passage of this legislation from their standpoint. The losses suffered in southern California this past winter due to floods were sensational and well publicized.

Less dramatic, but nonetheless real, were the losses suffered in the San Joaquin Valley because the land is so flat in many places there is no place for the water to go and what drainage there is is on such a gentle scale that the water does not run off fast enough.

In one case in the city of Fresno, an adobe house literally melted to the ground because it became saturated after extensive rains and after standing a long period of time in ponds of rainwater that had no place to go. I might hasten to add, Mr. Speaker, that this was a house made of old-style adobe. The new adobe made these days in California has a hardener in it that prevents this kind of residential catastrophe from taking place.

In many other cases, runoff from the Sierra foothills backed up from the floor of the San Joaquin Valley into homes and business places in our cities.

Families on fixed or modest incomes and without sizeable financial reserves had no place to turn for help in meeting this financial crisis. They took scant comfort from the offers of the SBA to guarantee loans from commercial money lenders because the interest rates were too high for them to expect to pay off the loans during their lifetimes.

Farmers and owners of small businesses likewise found themselves with their backs against the wall and had no place to turn.

For the past 6 months, after the rains stopped, the Army Corps of Engineers has found it necessary to run large quantities of water out of some of its flood control dams in an effort to provide additional storage capacity to hold the water expected from the melting snow this spring.

These large flows have soaked the ground along side the water courses and literally turned thousands of acres of lands owned by small farmers in the San Joaquin Valley into a sponge. These seepage losses, coupled with actual flooding due to levee breaks and the like, will place our already hard-pressed small growers in an extremely difficult financial situation and the passage of this bill is essential to provide them and additional financial resource to enable them to stay in business. If this kind of relief is not provided, many of them will lose their farms and they will be bought out at ruinous prices by the large corporate operators who come under such scathing criticism in these chambers from time to time.

I urge passage of this legislation to show the people of California that the Nation cares about them, just as California has demonstrated its concern for flood victims in other States by its support of other flood disaster relief measures which have been passed by Congress in years gone by.

Mr. YOUNG. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

JOHN F. KENNEDY CENTER ACT AMENDMENTS

Mr. GRAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11249) to amend the John F. Kennedy Center Act to authorize additional funds for such Center.

The SPEAKER. The question is on the motion offered by the gentleman from Illinois.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 11249, with Mr. YOUNG in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Illinois (Mr. GRAY) will be recognized for 30 minutes, and the gentleman from New York (Mr. GROVER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Illinois (Mr. GRAY).

Mr. GRAY. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, first, I want to say how sorry I am that our distinguished friend from Ohio (Mr. Bow) was stricken, and I know with that great Ohio spirit that he will come back fighting. We all wish him well.

Mr. Chairman, your House Committee on Public Works brings to you today an authorization bill that will allow the completion of this beautiful facility to be known as the John F. Kennedy Center for the Performing Arts, now 50 percent complete, on the banks of the Potomac here in our great Nation's Capital.

I first want to say that our committee deliberated long and hard before bringing out a piece of legislation that would require additional funding from the taxpayers during this period of tight fiscal policy. But I assure my friends of the Committee that if this building is to be completed, we must have this legislation. It is just that simple.

I would not impugn the integrity or motives of any Member of this body, but during my entire 15 years of service here in the House of Representatives I have never seen a bill more maligned than by the previous speakers, as to what this legislation would do if adopted.

Mr. Chairman, all of the previous speakers who spoke under the rule were talking about the Cultural Center Act of 1958. Many Members of the House will recall that after the late President Kennedy was killed in 1963 this House, by an overwhelming vote, changed the act in 1964 and passed a law stating that for every private dollar contributed to build this Center, we would have $1 of direct appropriations.

Mr. Chairman, up to date the Congress has appropriated $15.5 million to build this facility that is going to cost $66 million.

Listen to these figures if you will: $15.5 million has been appropriated by the Congress to date. During this period people who have been involved with this project like Mr. Stevens, people who have worked for 11 years without one dime of compensation, have amassed the sum of $24 million in private contributions. That is approximately $8 million more than we have appropriated in Congress.

Mr. Chairman, all this bill proposes to do is to authorize an appropriation of $7.5 million in order to match the funds which have been contributed from the private sector. What is so wrong with that? Would it not be great if all of the facilities which have been built around this country could have been matched on a 50-50 basis. We are spending $300 million in this city today on public buildings, all of which are financed 100 percent by the taxpayers of this country. These buildings include the new FBI Building the Department of Labor Building and various others all over this city and all are being constructed at 100 percent cost to the taxpayers.

Now, Mr. Chairman, we are in effect saying we are not willing to match dollar for dollar in order that we may have a place for your constituents and for my constituents to come and perform in the various arts, to listen to lectures and to view movies and to develop the talents of our people and to undertake to truly portray the beauty of America, things for which our boys in Vietnam are fighting.

That is what this Center is for. Too many people are saying "It is for the Kennedys." Too many people are saying

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"This is a monument to the late and beloved President John F. Kennedy." It is. But I say it is more, Mr. Chairman. This structure is a $66 million structure to be used by the American people and by foreign visitors who will be coming here to display their talents. And we ought to be here today being proud of the great Center that is being built on the banks of the Potomac River. We ought to be here today approving a partnership arrangement where people are willing to dig into their pockets to the tune of $24 million already, spending their hard-earned money to provide a facility for all Americans.

What would a "yea" vote give us today? A "yea" vote is a $7.5 million authorization that will insure absolutely and finally the completion of this $66 million project.

Listen to me—$7.5 million. And out of this $66 million, $43 million will be non-Federal funds. Think of that—$43 million out of the total of $66 million will be non-Federal funds because every single dime of the $20.4 million going into the parking facilities will be repaid to the Federal Government. The $24 million in donations are going in and are being accrued to the benefit of all the people of this great country.

Now, why are we here with this bill? Mrs. Kennedy Onassis, Mrs. Eisenhower, Mrs. Johnson, and Mrs. Nixon are honorary chairmen of the John F. Kennedy Center for the Performing Arts. They support this bill. There are 41 outstanding Americans, including six Members of the House and the Senate, on the John F. Kennedy Center for the Performing Arts Board of Trustees.

They have voted to request this authorization because they say that they have gone as far as they can go without some help from the Congress.

Yes, I think the dollar sign is a little too large on the floor today in this debate. The dollar sign is a little too large today in considering the great benefits of this project.

My friend from Ohio a few minutes ago spoke of the monstrosity, the boondoggle, as referred to by my friend, the gentleman from Iowa, but I want you to take a look at this beautiful Center. This overhang that my friend from Ohio talks about is going to be a beautifully landscapped ledge over the top of the highway, and it will not preempt 1 inch of the Rock Creek Parkway, and will not impede traffic. It is going to be a beautiful facility, one in which all of us will be justly proud.

Yes, the dollar sign has been dictating, I am sure, many of the thoughts of those who may at this point be constrained to vote against this bill. But let me remind you of what the disastrous effect will be of a "no" vote on this legislation.

I hope all of you can see this. I hope all of you can see this actual photograph of the George Washington Monument. That facility was allowed to lay dormant for 26 long, hard, cold years. And many people, including schoolchildren, passed the hat to try to get enough money to finish that facility. It was only after Congress in 1879 decided to appropriate enough money to finish the George Washington Monument that it was completed.

Would you be proud to talk to the 20 million people that visit Washington every year about this facility, lying dormant like the Washington Monument did? Would you be proud if you could not see that monument standing there majestically, 555 feet high, knowing that it symbolizes the memory of the Father of our Country? Why, then, would you not be just as proud of this Center? Yes, a place where your constituents can come and display their great arts and their great talents.

If you vote no, then let me tell you what the consequences are.

We had testimony, my friends, from the General Services Administration that supervises this project, that it will cost $10 million more if this job is shut down, and these experts and these various crafts are dismissed from this project.

So how can you go home and say, "I voted against $7½ million to finish this project and I saved you money."

What will you say when you are confronted with the fact that the project is going to cost $10 million later on next month or next year to pick up the pieces, plus the $7½ million in this bill.

That is the choice today. We are not happy to be here with this bill. We are sorry to have to come back.

We are sorry that inflation has raised the costs. We are sorry that the jet traffic at National Airport has caused us to redesign this facility so that it will be soundproof.

We are sorry the costs have risen on this project. But with the project 50 percent done, we cannot stop now. We have to complete the project.

That is the only question you have to resolve here today.

Do you want to see the John F. Kennedy Center look like the Washington Monument did in 1879? Or do you want to see a beautiful facility that all of America and all of the world will be proud of here on the banks of the Potomac?

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. GRAY. I yield to the gentleman.

Mr. KYL. Mr. Chairman, there are three areas of financing here. I think we ought to have a little clarification.

First of all, there is the tax money, also the bonding, and there is the area of private contributions.

Can the gentleman give us exactly what is involved in each of the three areas?

Mr. GRAY. I will be delighted to.

The Congress appropriated through direct appropriations $15.5 million. We have authorized $15.4 million for parking facilities.

In bonding authority this bill would add an additional $5 million to that—making a total of $20,400,000—all of which will be repaid.

Mr. KYL. That is $15 million were appropriated?

Mr. GRAY. $15.5 million in direct appropriations.

Mr. KYL. And this would increase that?

Mr. GRAY. First, let us separate the facility, that is the Center itself from the parking garage. On the Center itself, we have appropriated $15.5 million in direct appropriations.

Private contributions have not only matched that with $15½ million but they have raised $8 million more.

This bill would authorize an additional $5 million for parking making a total of $20.4 million—every dime of which will be returned to the Treasury.

In private contributions, as I stated earlier, $24 million was raised which goes toward the cost of construction—but $20.4 million will be repaid.

I repeat, the total of direct appropriations will have been $23 million for a $66 million facility. I think that is a bargain in anybody's book.

In closing, Mr. Chairman, let me say that all of us are concerned, of course, about the high expenditures in Vietnam and elsewhere.

All of us are concerned about the need for better education and more public works. But I think when it comes to allowing our children to have a place to come and to work in concert and display their talents, then the question of money ought to take a back seat.

I am reminded of the story about an old man who was going into the sunset of his life—he was 85 years old and was writing a diary. In this diary he admitted very frankly that all during his life he had been interested in money—only in money. He stated that while going down life's pathway, he had been looking down at the ground and at things of monetary value but he forgot to look up to the real values of life.

He stated that during these years of his adulthood he had found many, many dollars looking down at the ground—he estimated about $5,000. He said, "I have found ballpoint pens, key chains, and other things of monetary value."

He said, "While I was looking down at the ground at things of monetary value, I failed to look up and see over 25,000 beautiful sunsets. I failed to look up and say hello to many friends I could have met while going down life's pathway. I failed to look up and see the change of the seasons, the beautiful multicolored leaves in the fall."

He went on to admit that after it was too late, he discovered he had missed the true values of life.

Do you not think that today we ought to be out here talking about why we are fighting in Vietnam—to preserve a free country so we can allow the talent of our country to come here and perform. We can have more people-to-people contact.

We can allow groups from your school to come and show foreign visitors why we are a talented, freedom-loving people in this country. Is that not far more important than the $7.5 million we are asking for today? Oh, I think it is.

If you realize why Mr. Eisenhower conceived the Center—and I want to make this very clear to my friends on the left side of the aisle—this is why Mr. Eisenhower conceived the Center in 1958. He dreamed that in this great country we should build a facility so that we could show the world why we live in America and why we are so proud of our talents

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and our high educational standards and our culture. That is why we are here. It was started under a Republican President. It was continued under a Democratic President. The $7.5 million is in the Nixon administration budget. You do not have to go home and bow your head in shame.

Mrs. Nixon is on the Board of the Kennedy Center. She is an honorary chairman. You do not have to say, "I voted $7.5 million as a monument solely to John Kennedy." That is not the sole purpose of the Center at all. We gave the name of John F. Kennedy to the Center as a living memorial because he loved the arts. He loved what we are going to do in this facility.

I urge you to vote for this bill.

Mr. GROVER. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin (Mr. Schadeberg).

Mr. SCHADEBERG. Mr. Chairman, I rise today in opposition to H.R. 11249, a bill to amend the John F. Kennedy Act to authorize additional tax funds for this Center, and take this opportunity to inform the Members of the House that at the appropriate time I will offer a motion to recommit the bill to the Committee on Public Works in order to find an alternative means of financing the construction of the John F. Kennedy Center for the Performing Arts.

As I pointed out in minority views in the committee report on H.R. 11249, my opposition is based on the following:

First, that the Center was originally authorized to be built with private funds on land dedicated to this use by the Federal Government;

Second, that on two occasions assurances have been offered before the committee that future Federal assistance would not be needed or required for the completion of the Center;

Third, that the trustees of the Center knew in the fall of 1966 that additional funds would not be sufficient for the completion of the building, but that they waited 2½ years after the fact to approach Congress for additional funds; and

Fourth, that the record of carelessness and general inefficiency in construction and planning of the building does not justify additional public tax moneys being donated for this private purpose.

I wish to read from the testimony; first, from page 44, at which point I entered into colloquy with Mr. Schmidt:

> Mr. Schadeberg. I do not want my remarks to be construed as saying that I either doubted the integrity or ability of anyone that is here today, but it is a kind of difficult position for us to go to the taxpayer and have to meet a situation which is after the fact, and this is really what it is.
>
> Mr. Gray. Very good point.
>
> Mr. Schadeberg. One more question: When did we originally know that the cost would increase? At what year or what time? Did we realize that we could not build the building that was contemplated for the $30 million or original price? When did we realize that?
>
> Mr. Schmidt. In the fall of 1966.
>
> Mr. Schadeberg. Did this committee, Mr. Chairman, have any indication of that?
>
> Mr. Gray. None whatsoever.

Now let me read from page 29:

> In the clarity of hindsight, it appears that it may have been wise to have deferred award of a construction contract until budget plans could be finalized and thoroughly coordinated. Standing against this is a stark fact that construction costs were then increasing at a rate of about 6 percent annually. This increase now approaches 12 percent annually, or 1 percent a month. The construction cost situation is such that loss of time has become the most expensive element in a construction project and is to be avoided if at all possible.

Yet they waited 2½ years while there was an increase in the construction cost on the basis of 1 percent a month before they came back to the committee to ask for additional funds.

I take this position against the bill heedless of the fact that it may be misconstrued as a vote against culture and the performing arts in the United States, as a vote against the only official Federal memorial to the late President within the District of Columbia, and as a vote against the original intent of the enabling legislation—to provide the Nation's Capital with an international showcase for the performing arts. Not to complete the Center for the Performing Arts and to allow construction to remain stagnant would in my view perpetuate eternally a mistake and would mar the memory of the late President John F. Kennedy.

It is my conviction that in view of fiscal restraints necessary in our economy and in view of the fact that there is nothing on record as to how the operation of the Center is to be financed, I cannot support the proposed authorization.

The following is my minority statement from the committee report on H.R. 11249:

Additional Minority Views of Henry C. Schadeberg, Member of Congress on H.R. 11249

In September 1958, the National Cultural Center Act was passed into law, thereby authorizing a National Cultural Center to be constructed "with funds raised by voluntary contributions" (sec. 3) on a site made available in the District of Columbia. No Federal funds were designated to be used in the construction of the Center.

During committee hearings on the legislation, there was much concern expressed about the Center's creation. The concern was not with the need for culture in the United States nor with the need for a Center to provide the Nation's Capital with the performing arts. At issue was whether the private funds would be forthcoming.

In response to queries of whether the Federal Government would ever be called upon to bail out the project, section 7 of the act was adopted. It provided that the act would cease to be effective if the Board of Regents of the Smithsonian Institution, under whose control the Center was vested, did not raise the sufficient funds within 5 years after the act's enactment. Mr. Ralph E. Becker, then chairman of the cultural development committee of the Washington Board of Trade, testified that a 5-year limitation was reasonable and that the money could be raised for the project within this time period.

In August of 1963, recognition that the original plans were not being met was evidenced by the passage of the National Cultural Center Amendment of 1963. In response to testimony that an extended period was necessary for the purpose of raising the necessary funds by voluntary contribution, the termination date was extended 3 years.

The National Cultural Center became, in 1964, the John F. Kennedy Center for the Performing Arts as a fitting memorial to the late President. With the passage of the enacting legislation, the estimated cost of the building was expanded and a total of $30,900,000 in direct appropriations, to be matched by equal private contributions, and revenue bonds, to finance the parking facilities, was authorized. The concept of the Center changed from a private Center to a public memorial.

Since Congress was matching private funds with this legislation (private matching was not required from the passage of the act, but from the beginning of private endowment), further concern about the total Federal involvement was expressed. Assurances were made that no more Federal funds would be required for the completion of the building.

Now, however, the Trustees are back again asking for more money and there is no proof that this will be the last request for building funds or that yearly appropriations for the operation of the Center will not be needed. The problem presented is similar to those recently experienced with the construction of other public buildings with Federal funds: That as a result of general inefficiency and lack of adequate planning, Congress is approached with requests for special appropriations so that the building can be finished.

The record and testimony on H.R. 11249 shows specific examples of carelessness and lack of foresight in the construction and planning of this building: A $2.7 million estimating inaccuracy in the amounts of structural steel; a $1.2 million increase in the cost factor for change orders; and the inclusion of gifts worth over $2 million in the private contribution account, adding to the total cost that Congress is now requested to meet.

H.R. 11249 requests an additional $12,500,000 in direct appropriations and borrowing authority. Only $1,900,000 need be raised by private contribution since past private efforts have raised $5,600,000 over the original $15,500,000 matching required by law. Instead of providing incentive to private contributions, the Federal Government is asked to give funds to meet efforts not required by law. If the funds requested are given to the Center, the total amount of Federal funds contributed to a building originally to be constructed from private funds will be $43,400,000, or about two-thirds of the presently estimated $66,200,000 required for completion of construction.

There are two reasons why this bill should not be passed by Congress. First, the record does not justify the American people giving their tax moneys to the Center in the form of a direct subsidy. In a nation where businesses earmark for cultural activities just one-half of 1 percent of the allowable 5 percent deduction, increased activity on the part of the Board should be required to finish the building. Secondly, public funds should not be used to construct a building for private use, that is performances for which there is a charge, for the benefit of those around Washington who can attend.

However, the present structure cannot be allowed to grace the banks of the Potomac in its present unfinished state. To allow construction to remain stagnant would be to perpetuate eternally a mistake, destroy the public's faith in our recognition of the need for the performing arts in our Nation's Capital, and mar the memory of the late President John F. Kennedy.

The Center is a national project for the benefit of the American people. It has been built as a commitment to culture and to the role of the performing arts and artists in the United States. Started under the Eisenhower administration, and supported by each successive administration, the Center will provide the needed facilities in this great city for the opera, ballet, and the other performing arts.

The Center must be finished. I do not object to the intent of the Kennedy Center, but to the means by which the committee plans on giving financial assistance. I therefore suggest that the bill be recommitted so that the committee can undertake a study of alternative means of financing the building, other than with public tax subsidies.

HENRY C. SCHADEBERG.

I should like to remind the Members that it is a beautiful Center, and it will be, but it is necessary to convince the people in my district who are waiting for some help in matters of only a few thousand dollars for building a sewer system or for taking care of pollution in the lakes which are enjoyed by my people, that it is far more important that they be able to enjoy this Center if they are able to come to Washington, and if they ever get here, than it is to clean up their backyards from oozing sewage or to clean up the pollution in their lakes.

I believe the bill should be recommitted to the committee and other means should be found to finance the Center.

Mr. GRAY. Mr. Chairman, I yield such time as he may consume to our very distinguished chairman of the Committee on Public Works, the gentleman from Maryland (Mr. FALLON).

Mr. FALLON. Mr. Chairman, I want to congratulate the chairman of the subcommittee and his counterpart on the other side of the aisle for conducting exhausting hearings and going thoroughly into the request which is before us today. I believe they have done a good job. I hope the House will vote in favor of the bill before us.

Mr. Chairman, H.R. 11249, a bill to amend the act which created the John F. Kennedy Center for the Performing Arts is needed and necessary legislation. It is needed and necessary because the record presented by witnesses who testified before the Committee on Public Works and who have the background and expertise and who have worked on this Center for a number of years indicate that the additional funding authorized by the legislation must be authorized at this time so that we may finish the job which the Congress authorized in 1964 after the untimely death of the late President Kennedy.

This legislation would do two things: first, increase to $23 million the Federal share for construction of the Center. This is an increase of $7.5 million, to be matched by a similar amount by the trustees of the Center; and second, the original bonding authority authorized by the basic law for the construction of the underground parking facilities is increased from $15.4 million to $20.4 million, an increase of $5 million. We have here, then, an overall increase in authorization of $12.5 million.

As I have stated, in 1964 we made a commitment that this Center would be the sole memorial to the late President Kennedy in Washington and a unique living one at that. It stands half finished now. I believe we must complete the job.

Let me say this as well: The committee report indicates quite clearly, and I concur wholeheartedly in that report, that this is the last legislation the committee will consider at this time for the construction and completion of the Center. I wish to make the record clear on this point.

I recommend favorable action on this legislation.

Mr. GROVER. Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky (Mr. SNYDER).

Mr. SNYDER. Mr. Chairman, traveling across America, one encounters many public memorials to our late President John F. Kennedy. We have bridges, roads, statues, and so on, commemorating the life and service of this man. As a matter of fact, the Department of the Army is spending another $257,800 for walkways and stairs for the Kennedy sites at Arlington National Cemetery right now.

It seems rather strange, does it not, that while we are asked to approve additional funds for completion of still another memorial to Mr. Kennedy, the memory of another American President, F. D. R., is enshrined here in the District of Columbia on a marble slab, the exact location of which is unknown to most. I wonder why that, as J. F. K.'s memory does not seem to lack remembrance, we are asked to further burden the already beleagured American taxpayer with the responsibility of paying more funds for a building which was to require no public funds in the first place.

When this building was originally proposed in 1958, Congress was assured that the taxpayers would carry none of the cost of it. In 1963, we were further assured that private sources were financing the edifice. In 1964, the place was renamed in honor of President Kennedy and $30,900,000 was required in direct appropriations with the understanding that private sources were to shoulder half the burden. Now, in 1969, we are asked to place on our constituents another $12.5 million in debt which would bring the public resposibility to $43.4 million—or nearly two-thirds of the cost.

This memorial is intended to be a monument to the memory of John Kennedy. In 1963, President Kennedy expressed his desire that the Center be paid for entirely out of private donations and moneys. He was aware, at that time, that this would be a meaningful expression of the heartfelt sentiments of people across the land. In a memorandum to the heads of the executive departments and agencies, he remarked:

> To secure the necessary funds to build the center, which will be a $30 million structure of theater and concert halls, a nationwide fund-raising program was authorized through which the American people are given an opportunity to demonstrate their voluntary support for the creation of this type of national institution.

Surely, we should respect the wishes of the late President in this matter. If he wanted the original institution to be financed voluntarily, would it not be more appropriate for Congress to allow an outpouring of private sentiment to finance his memorial rather than requiring that each taxpayer finance it? Would it not truly be more meaningful for his memory?

In conclusion, it would seem that, given the wishes of the late President, we would be remiss in our duty to allow this bill to pass. Not only would it indicate a lack of respect for his wishes on the matter, but it would indicate a lack of respect for the wishes of all of those taxpaying Americans who will never ever use the building.

The House has just recently extended the 10-percent surtax—to fight inflation, it is reasoned. At a time when we are asking our constituents, the American taxpayers, to again tighten their belts to help the country curb inflation, is it not a monumental hypocrisy for us to spend their money this way? In light of the tight fiscal situation, I believe it would be arrogant and arbitrary on our part to further finance this ill-managed endeavor at increased cost to the taxpayers. I concur with my distinguished colleague, the gentleman from Wisconsin, and recommend recommittal in order that alternative means of financing can be found—means other than the ill-advised increase in public tax subsidies.

Mr. YOUNG. Mr. Chairman, I yield 2 minutes to the very distinguished gentleman from New Jersey (Mr. THOMPSON).

Mr. THOMPSON of New Jersey. Mr. Chairman, I would like to express my wholehearted appreciation and admiration of the splendid work done by this subcommittee chaired by my distinguished colleague, the gentleman from Illinois (Mr. GRAY). I cannot express anywhere near so articulately as he the need for and the beauty of this prospective Center.

Mr. Chairman, in his remarks earlier, the distinguished gentleman from Iowa quoted me in a debate of some years ago in which he said that I would stake my reputation, whatever it may have been at that moment, on the fact that we would not be asking for public funds for this facility. However, for the RECORD and for my friend's edification I might point out that in a very real sense that was totally out of context since the proposal before the House that day was the authorization of a National Cultural Center. I happened to have been the author of the first commission which was to establish a National Cultural Center and supported it and am also a cosponsor of this subsequent legislation in which we perfectly frankly and honestly shifted gears and involved the Federal Government and at the same time renamed the prospective building in honor of the late President Kennedy. There was no deception. There was no misunderstanding. The record is perfectly clear, and I commend the record of the subsequent enactment of the present facility to the attention of the committee.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. GRAY. Mr. Chairman, I yield 1 additional minute to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. Mr. Chairman, it is perfectly easy to stand and to point out the military expenditures and talk about the boys in Vietnam. The fact of the matter is, however, that the prospective cost of this is less than the track of a tank that does not work or the tail fin of an airplane that

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will not be flying by the people who are so opposed to this on a dollar sign basis and who will not support it.

Mr. Chairman, I suggest that if they analyzed as critically the military and other expenditures as they have this, that they would vote for this with great and wonderful enthusiasm, because it is going to be a wonderful, enduring, and beautiful thing which our Nation needs.

Mr. GROVER. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. Wylie).

Mr. WYLIE. Mr. Chairman, I rise in opposition to H.R. 11249 which would amend the John F. Kennedy Center Act to authorize additional funds.

After the debates on the bill to extend the surtax last week as an anti-inflationary measure, I would hope that the urgent need to cut all nonessential spending would be indelibly impressed upon the minds of the Members of this body. I can think of many projects and programs of higher priority for which any available money could be better utilized.

What started under the Eisenhower administration as a National Cultural Center, financed by voluntary contributions, has snowballed into a multimillion-dollar burden on our taxpayers.

During the 88th Congress it was said that the Center could be built for a total of $46.4 million. To supplement the private donations Congress appropriated $15,500,000 and authorized an additional $15,400,000 in revenue bonds. Assurances were then given that no additional Federal funds would be required. Yet on March 31, of this year the Commissioner of Public Buildings informed the committee that the new estimated cost for completion called for an additional $7.5 million and as much as another $4 million may be needed.

How did this great discrepancy come about? One need only read the report accompanying this bill for the answer to the cost increases—lack of a lump-sum contract as is the usual GSA practice, errors on the part of GSA and the architect, inefficient sequencing of subcontracts, change of orders by the Trustees, labor problems, and gross underestimates on basic structural components, to mention a few.

Now the Trustees come to the public trough again and ask, after this sorry record, for additional funds. What provisions have been made for eliminating the errors plaguing the project? What assurances do we have that in the future additional funds will not be requested? If the future is anything like the past the situation is not encouraging.

All this bill does is ask for more money at a time when we can ill afford such extravagance. I like Congressman Schadeberg's suggestion that this be recommitted to the Committee on Public Works and another source of financing be developed, other than public taxes.

Mr. GROVER. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa (Mr. Scherle).

Mr. SCHERLE. Mr. Chairman, the American taxpayer is being asked to dip into his threadbare pocket and shell out another $12.5 million in direct grants and borrowing authority to bail out the fiscally destitute John F. Kennedy Center for Performing Arts in Washington, D.C.

The Center, as originally conceived, was to be financed entirely through private funds. Congress included a provision in the authorization that if private donations were not sufficient in a prescribed 5-year period, later changed to 8 years, then the project would be stopped. Additional time to raise the necessary funds has not been successful.

Six years ago, the Congress authorized public funds for direct grants and borrowing authority in the sum of $30.8 million, total cost.

Now the public is being asked, despite assurance in the original Federal gift that there would be no requests for additional Federal support, to provide an additional $12.5 million in tax dollars, bringing the taxpayers' share to $46.6 million in cash and credit plus seven acres of land. Thus, the Government share for this project would be about two-thirds of the total cost.

Not mentioned in the request for additional funds is that the Federal Government has already picked up the tab for $3.3 million in cash for land condemnation—including a plush nightclub and restaurant. In addition, the District of Columbia and the National Park Service donated land—the value of which has never been revealed.

It takes an inordinate amount of gall for culture fanciers to ask to be allowed to come once again to the public trough for more millions of dollars for their projects. The Congress is being told that the estimated cost of the Center has risen 50 percent in the last 5 years to $66.2 million. Reasons for the cost increase range from an architect's mistake of $2.7 million, carelessness, and lack of foresight in the construction and planning, and deviations from the original plans.

With the taxpayers of this country being asked to bear the 10-percent surtax for another year, the Congress has an obligation to cut nonessential expenditures for the present budget.

The long hike down the road back to fiscal solvency must begin with a single step of saving a few million dollars.

CULTURE CLASSES, NOT MASSES

Supporters of the Center have indicated that a prime reason for Federal financing is that the average American will be given the opportunity to participate in cultural activities.

The plans for the Center do not support that contention. The Washington, D.C., Post of June 18, 1964, quoted a top District of Columbia booking agent as saying that the opera house would not be able to furnish high quality entertainment at popular prices. For example, the Bolshoi Ballet, or a show with similar talent, would cost around $25,000 per performance; this works out in the 2,500-seat opera house to approximately $10 a seat just to pay for the performance—not including the extra expense of promotion and operations of the Center each night. Is $20–$30 a couple to attend one of these events a price that the "average American" will be able to pay?

The U.S. News & World Report in its January 22, 1968, issue, reports that a "private lounge off each hall for use of the founders and trustees" is being built in the Center. Can anyone tell me why it is necessary in a public building to build even one, much less three, private lounges for the founders and trustees?

The American taxpayer, under a proposal made by Mr. Roger Stevens, Chairman of the Board of Trustees, will not be allowed to just look around the Center without paying a fee. Mr. Stevens has been quoted as saying—U.S. News, January 22, 1968—that charging a fee just to visit the Center "could bring in a fantastic amount of money."

In addition, there is even reason to believe that the Center will be back to Congress to ask for yearly subsidies to operate the Center. All of this leaves Mr. and Mrs. Taxpayer financing a cultural palace that only the financially privileged can enjoy.

PARKING GARAGE

Now it is indicated that this $20.4 million bonding agreement Uncle Sam is asked to float, will be paid back from the revenue receipts of the 1,600 parking spaces.

> Mr. McEwen. Are you saying now with this one-third increase in cost you will still be able to pay it out in 50 years?
>
> Mr. Stevens. At the time, the estimate I presented to the committee some 5 years ago called for a charge of $1 parking fee. It will be self-parking. And it is the opinion of the parking people today that if we charged $1.75, which is a great deal less than the normal prices, about 25% less than the prices around the city, that we would have, of course, considerable extra funds to meet the amortization requirement—interest and amortization.

This means that every parking space must generate $12,750 in order that the bonds be paid off. In order to achieve this, it would be necessary that every parking space net $1 each day for the next 34 years.

Newsweek magazine of March 10, 1969, reports that "To raise capital now, the Center plans to lease the garage concession for some $3.5 million—but that will deprive it of future operating revenue."

Could anyone tell me if this is true? How will it be possible to pay off the bonds if the garage revenue is siphoned off to capital expenditures?

ARCHITECT'S MISTAKE

On page 47 of the 1969 hearing on the Cultural Center, the following exchange took place:

> Mr. Cramer. Well now, who is responsible for not taking off from your initial design the true amount of the steel required?
>
> Mr. Schmidt. We would hold the architect responsible.
>
> Mr. Cramer. All right. Who was the architect?
>
> Mr. Schmidt. The architect is E. D. Stone.
>
> Mr. Cramer. E. D. Stone. Is he going to be held responsible or is he not for this $2.7 million, the misjudgment?
>
> Mr. Schmidt. This is a matter that will have to be finally reviewed by counsel; and if there is a liability that can be supported, then he will be held.

This raises the question of what happens if the Center recovers the $2.7 million? Does it revert back to the U.S.

Treasurer or are they (the Center) free to spend it any way they want?

Mr. Chairman, what happens if no additional funds are given in this fiscal year?

By voting down this bill, the Nixon budget for this year will be reduced by $12.5 million.

Roger Stevens told Newsweek magazine on March 10, 1969, that with what money they—the Center—now have they can build until the middle of 1970, when 90 percent of the exterior will be completed. Thus, it is not essential that money be appropriated now for the Center. There are sufficient funds in the pipeline for the project to continue until the middle of 1970, when the next fiscal year starts.

In the meantime, a more concentrated effort to raise the funds from private sources, which was the original concept of the Center, could substantially reduce, if not eliminate, any need for additional Federal financing.

Members of the House were told recently, when the surtax was extended, that next year the fiscal climate of this country will be healthier.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRAY. Mr. Chairman, I yield 1 additional minute to the gentleman from Iowa if the gentleman would like me to answer his questions.

First, let me say I am a little bit surprised that my friend, the gentleman from Iowa, would raise the question of the operation of the Center when he is not voting enough money to finish it. That is the first thing.

Mr. SCHERLE. I will say this. It is a national disgrace because it is not finished. The national disgrace is asking the taxpayers of America for additional money to finish this project. The design of the structure is a disgrace in itself. The overhang defacing the Potomac River resembles a waterfront warehouse.

Mr. GRAY. I am sure the gentleman is very sincere in raising these questions.

Let me point out to him that we have a very outstanding Board of Directors to run the Kennedy Center including six of his own colleagues here in the House and in the Senate. I am sure none of the things he has alluded to would be permitted once the Center is built.

The distinguished gentleman from New Jersey (Mr. FRELINGHUYSEN) is on the Board of Directors. We have the very distinguished gentleman from Texas (Mr. WRIGHT) on the Board of Directors and four other very distinguished Congressmen.

Mr. SCHERLE. These are men I respect very highly. However, I also respect the fact that the taxpayers of America are now being taxed to death for additional funds and hope that this is finished so far as they are concerned.

Mr. GRAY. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts (Mr. MACDONALD).

Mr. MACDONALD of Massachusetts. Mr. Chairman, I rise in support of the bill, H.R. 11249.

I would like to congratulate the very able chairman for coming out with this bill and defending it so well here on the floor of the House in a way that it would seem to me that we should not have to defend a bill of this sort.

Mr. Chairman, I rise in support of H.R. 11249 which would provide an additional $7.5 million in Federal contributions to the Kennedy Center for the Performing Arts, plus a $5 million increase in the Center's borrowing authority.

While it is a matter of regret that additional funds are needed for the Center, I would hasten to point out to my colleagues that cultural centers are no more immune to the impact of rising construction costs than are any other buildings being built during this period of inflation. It is also important to bear in mind that the additional funds called for in H.R. 11249 will be matched by private funds, as has been the case in the past.

Plans for a National Cultural Center here in the Nation's Capital were first drawn up over a decade ago, but it was not until 1964 that the bill to establish such a center was signed into law. The site was established and work was begun. Now the Center stands only partially completed and Congress has been asked to follow through on its commitment and authorize additional funds to allow the construction to be finished.

There is no question in my mind that the need for this Center which we in Congress recognized 5 years ago has grown even greater. There is a striking imbalance in this country between the support given the performing arts and humanities and that provided for other areas of our American culture. Other nations have made striking advances in the performing arts—advances, I might add, which have received broad and enthusiastic national support. Canada recently completed a similar national facility which was fully financed, incidentally, by the Canadian Government. It is interesting to note that the cost of the Canadian center also increased during the course of its construction, an increase which amounted to $20 million.

In the Washington area alone there are a number of extremely fine organizations which are in desperate need of the outstanding facilities which a National Cultural Center will offer. The National Symphony Orchestra, the Washington Ballet Company, the Civic Opera Company, the American Light Opera Company, and the Washington Opera Society are among those which readily come to mind. It is somewhat of an embarrassment, I believe, for this country with all its heritage and excellent cultural ties to have no artistic parallel to, for example, the Russian Bolshoi Ballet.

A completed National Cultural Center will go a long way toward redressing the imbalance which now exists. A half-finished Center accomplishes nothing. Even with the authorization for these additional Federal funds, it seems unlikely that the District's center can be ready for use before 1971. To extend that date any further, for reasons that are avoidable, would serve to make the final price tag even higher—and, I believe, makes no sense at all.

Mr. GRAY. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Chairman, I rise to express my strong support for this bill.

As has been pointed out, I have served as a trustee of the Kennedy Center since 1967.

To correct some misapprehension that might have developed during the debate, I would like to point out that this Center is the only national monument to the late President John F. Kennedy. There is no other in the country. It may be and, of course, it is a fact that there are a great many streets and a great many buildings and operations named for the late President. But this is the only national monument. In my opinion, it would be a national disgrace if we should leave it unfinished.

As a Republican, I might also add that within the Center there is going to be an Eisenhower Theater which will be in memory of our late Republican President, Dwight Eisenhower.

During the period since I have served as a trustee, I have certainly been kept fully apprised, as have all of the other trustees, about the development of the critical funding situation which this bill is designed to cover.

I regret very much the necessity for appearing before this body today. But I feel there is no alternative but to seek additional Federal funds.

The suggestion has been made by the gentleman from Wisconsin and others that there must be other alternative methods of financing this Center. I might say, gentlemen, that we on the board of trustees have looked at this question closely and we can see no alternatives but to appeal for modest additional funds.

It is completely unrealistic to expect as much as may be necessary to come from private sources, desirable as that might seem on the surface.

We have already raised far more than had been expected and what would have been necessary—over $20 million has been raised from private sources.

I might point out that there is currently underway an active fundraising campaign under the chairmanship of Mr. Robert O. Anderson, of New Mexico, who is chairman of the committee and chairman of the board and chief executive officer of the Atlantic Richfield Oil Co.

This committee, and of course those of us on the board of trustees, will do our best to raise as much private money as possible.

But as a practical matter we cannot expect any realistic solution to this problem of finishing the structure unless we get appropriated funds.

I might point out the management of the Kennedy Center in my opinion should be praised for their handling of a complex enterprise.

First of all, and it has not been said here so far—not a cent of appropriated or borrowed money has gone to defray administrative or overhead costs. All of these expenses have been paid thus far out of investment income from private funds.

Needless to say, of course, the trustees themselves serve without compensation almost without exception and almost without exception have devoted many hours and days to their trust.

As I just indicated, the trustees have raised just over $21 million so far in private funds and gifts. This is $5.6 million more than was estimated to be needed from private sources back in 1964. Among these gifts are many from foreign nations, including marble from Italy, stage curtain from Japan, chandeliers and electrical fixtures from Sweden, Eire, Norway, and Australia, bronze sculptures from Germany, and furniture from Denmark.

In addition, I might add that other gifts are pending from other foreign countries. In other words, in my opinion, at least, we have an obligation both to our friends abroad as well as to our constituents at home, including the schoolchildren who contributed their nickels and dimes to the Kennedy Center. We have a solemn obligation to see that this Center is completed and open. It would be a sad thing if this monumental enterprise should sit closed and desolate for lack of our affirmative and enthusiastic support.

Never again should any memorial to any President of the United States, regardless of party, suffer the indignity of remaining incomplete for any period of time such as occurred with respect to the Washington Monument.

Mr. Speaker, if this bill does not pass, we will not be able to complete the Kennedy Center. But the structure will be a monument to congressional indifference and parsimony, and we will have no pride in it.

Mr. SCHADEBERG. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Wisconsin.

Mr. SCHADEBERG. Mr. Chairman, I appreciate the gentleman's yielding. I wish to point out that in the RECORD of July 7, the proceedings of the Senate, page 18438, there appears an article inserted in the RECORD by Mr. FULBRIGHT entitled "The Lincoln Center for the Performing Arts." He said, commenting on the final status of the funding of the Lincoln Center:

> During the 13-year campaign for capital funds, the sponsors raised $198 million from 11,474 individuals, foundations, corporations and governments.

Is there any reason to believe that if they can do it, we cannot raise the amount necessary for this Center by private subscriptions?

Mr. FRELINGHUYSEN. I am quite sure we cannot. I think the fact of the matter is we have been engaged in private fundraising efforts since the inception of this Center under President Eisenhower, and the fact is that we have raised just over $21 million. There is no major source of additional funds, and we have received substantial contributions already.

Mr. GROVER. Mr. Chairman, I yield to the gentleman from Illinois.

Mr. McCLORY. I thank the gentleman for yielding.

Mr. Chairman, I wish to associate myself with the remarks of the gentleman from New Jersey (Mr. FRELINGHUYSEN), who just spoke on this subject.

Mr. Chairman, I am pleased to support this legislation to authorize additional funds for completion of the Kennedy Center for the Performing Arts. It is my understanding that this is the final request for public funds to complete the construction of this great monument to the Nation's interest in drama, music, the ballet, and other forms of the performing arts.

In my opinion, no application of funds has a more enduring value nor a more uplifting influence on the people of our Nation. In addition, I am cognizant that substantial private funds have been subscribed in the past and will be contributed in the future.

Mr. Chairman, my personal acquaintanceship with the Center's General Director, William McCormick Blair, Jr., encourages me to feel that the administration of the Kennedy Center is in capable hands. Ambassador Blair—who served earlier as our Ambassador to Denmark and to the Philippines—is a man with broad experience and sound judgment. He is in every sense a cultured American and one who can be relied upon to give conscientious attention to the affairs of the Kennedy Center which come under his jurisdiction.

Mr. Chairman, I am happy to associate myself with the remarks of the gentleman from New Jersey (Mr. FRELINGHUYSEN), one of the Trustees of the Center, and to give my wholehearted support to the passage of this bill.

Mr. GROVER. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, according to my figures, dividing the amount requested in this bill by 200 million, representing 200 million Americans, it indicates to me that this would be an assessment or a tax or burden on each of the 200 million Americans of a little over 3¾ cents.

Mr. Chairman, I share the chagrin, frustration—and the sincere frustration—of those who complain about this request for additional funds. I think in a way it is not a proper funding of a building. There has been some misjudgment or mismanagement in the funding. But, I might say, there is a matter of priorities here which we seem to overlook. Only last week I understand we ended some research by putting an animal into a small space shot and sending him around the globe for 31 days to check on weightlessness in space. I understand that the total project cost $92 million, and there will be more requests for that sort of space study. But we have only one President every 4 years, and we have had only some 34 Presidents in our history, and we have had only a small number of those who have been killed, who have lost their lives in the service of their country while serving it as President. This is the priority that is controlling here. Surely we have fiscal problems in our country today. But we have only one President at a time. We have not had too many in the history of this country who have given their lives on the job. John F. Kennedy did.

This is the only national memorial to a President who has given his life for us. I do not think it is too much to ask the American people for 3¾ cents per capita to honor his memory. I think that is the controlling factor here.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. GROVER. I yield to the gentleman from Kentucky.

Mr. SNYDER. Mr. Chairman, if this is the only monument, who owns that place called Cape Canaveral?

Mr. GROVER. Mr. Chairman, I yield back the balance of my time.

I yield to the gentleman from Florida (Mr. CRAMER), such time as he may require.

Mr. CRAMER. Mr. Chairman, I do not intend to take much time, but I did want to discuss a couple of matters relating to this bill. I supported the initial legislation. I support this legislation because it is the only alternative I see available. I certainly would not support it if I thought there was any other possible way of raising these funds, any possibility to doing it by public donations.

The distinguished chairman of the subcommittee, the gentleman from Illinois (Mr. GRAY), and myself, have negotiated for months now—and I will ask the gentleman if this is not correct—with the trustees. They initially came to us with a proposal that the taxpayers of this Nation should pay the total balance of this project at an estimated $15 million. Neither Mr. GRAY nor myself would accede to such a deviation from the presently established policy of 50 percent Federal money and 50 percent private contributions, particularly when only $7.5 million is in the budget under the recommendation of both President Johnson and President Nixon, and that is the reduced budget of President Nixon.

Mr. GRAY. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Illinois.

Mr. GRAY. I thank the gentleman for yielding. I agree implicitly with the gentleman.

At the gentleman's suggestion, or I might say insistence to the Board, we would not bring out a bill which would require an expenditure of any more than what was in the President's budget, $7.5 million, so in effect we cut the request of the Board in half.

I agree with the gentleman, and I thank him for his assistance.

Mr. CRAMER. Let me say, on the question of whether or not there should be public funds involved, that issue was passed on by Congress in 1963, and a 50-50 matching was agreed on.

The question as to what the name of the Center should be was determined by a vote of the U.S. Congress in 1964.

That does not mean that I agree with the recent renaming of the District of Columbia stadium after the distinguished deceased Senator, the brother of the late President, by action of the executive branch of the Government without the concurrence of the U.S. Congress, nor does it mean that I agree with some other things that have been done, including the naming of Cape Canaveral in Florida, without the consent of the people of Florida, after Past President Kennedy, when the name Cape Canaveral has such significance in Florida.

But this happens to be a building in existence, 50 percent completed, and it has to be finished. There is a precedent for doing it in this manner, on a 50–50 basis. This 50–50 matching is what we got the trustees to agree to at the present time, after lengthy negotiations.

No one is more concerned than I about the increased costs involved. In fact, I trust something will be done about that.

In the record of the hearings, on page 47, I specifically asked Mr. Schmidt, with the General Services Administration, what was going to be done about the underestimate on the amount of the steel, which in my opinion was an unconscionably low estimate, a one-third mistake. I asked what was going to be done with respect to investigating it and making certain that proper results were accomplished.

I was advised, as appears in the record, when I asked about it, the amount was $2.7 million, and Mr. Schmidt said that would have to be finally reviewed by counsel. He said:

> If there is a liability there that can be supported, then he will be held.

Meaning the architect.

I stated:

> I would strongly urge that the General Services Administration follow up to the fullest extent this question, to try to determine who is responsible for this $2.7 million mistake, because I think the taxpayers are going to demand it. And I do not think there is any reason why we should not meet it head on, find out who is responsible, assert whatever rights exist, and to see that they are fully and completely—the $2.7 million—if there is liability, to see the proper recourse.

So no one has closed his eyes to the problems involved in respect to this aspect of the legislation.

I would prefer not to have to vote for $7.5 million more. I know of no other course, and we have been into this matter at length for many months trying to resolve it in a proper manner.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. I have read the testimony given by the witnesses before the committee. Quite frankly, I was amazed to find in the testimony the fact that the architect and mechanical engineer either singly or together had made this unconscionable error which has cost the taxpayers and private donors $2.7 million.

The architect was hired to prevent this. The others who were hired at a fee were hired professionally to prevent these kinds of mistakes.

I was delighted to see that the gentleman from Florida brought this error, this underestimate, before the committee in the interrogation of the witness. The inference is that the GSA and the Department of Justice are going to proceed legally to collect against the architect and the other parties involved, either to recapture what has been paid or to get an offset on what is still owed.

What I should like to know is, will the chairman of the subcommittee and will the gentleman from Florida pursue this to make sure that the Department of Justice or any other Federal agency proceed legally to collect what the Federal Government is owed for this mistake by the architect and the other parties involved?

Mr. CRAMER. I will say to the distinguished minority leader that my pursuit of this is a matter of record, the record I just read and I shall pursue it further.

Mr. GRAY. Mr. Chairman, will the gentleman from Florida yield to me?

Mr. CRAMER. I am glad to yield to the gentleman from Illinois.

Mr. GRAY. I will say to my distinguished friend, the minority leader, that we will definitely look into the matter. The gentleman from Florida raised the question in the committee. We are also asking the General Accounting Office and the Department of Justice to look into the matter, and I assure you we will proceed diligently with it.

Mr. GERALD R. FORD. By any standard that I know of, the U.S. Government or some agency of the Government has a legitimate claim for these mistakes. It would appear to me there is a cause of action in the courts.

Mr. GRAY. I think the gentleman is correct.

Mr. GERALD R. FORD. And the Department of Justice, if that is the proper agency, ought to proceed immediately to collect $2.7 million, or use it as an offset for any fee yet unpaid.

Mr. GRAY. That will be done.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. GRAY. Mr. Chairman, I yield 1 minute to the very distinguished gentleman from Montana (Mr. OLSEN).

Mr. OLSEN. Mr. Chairman, I rise in support of H.R. 11249, legislation to provide further funding for the John F. Kennedy Center. Back in 1964 this Congress in its wisdom dedicated the then National Cultural Center, in which the late President Kennedy had been so vitally interested, in his name as a living memorial tö him. At that particular time we determined that this Center should be built a rapidly as possible. In the ensuing period of years we have seen increases in the cost of all segments of the construction industry and this has affected the John F. Kennedy Center. This is the reason the legislation is before us today. The records indicate that there is a definite need for further funding to finish the construction of the Center. I firmly believe the Center should be built as rapidly as possible to provide the proper memorial to President Kennedy in the Nation's Capital and to place in the Capital of the free world a center for performing arts which is so badly needed for the further cultural development of the Washington area.

I listened with interest to the testimony on this legislation when it was heard by the Committee on Public Works. I believe that the position presented by the witnesses in support of this legislation was a strong one and one which we should follow. I therefore strongly support passage of this legislation at this particular time.

I thought it ought to be pointed out by way of contrast here that this Center is going to cost the American people, by private and taxpayer contributions, $66 million. The great critics of the entire show, the great critics, are the second-class mail media, the newspapers and magazines. Some of them are in praise of the project and some are not. In any event, the deficit in second-class mail to the U.S. Post Office is $267 million a year. I really do not think we can take to heart their criticism when they cause that kind of a deficit as compared to the investment we are talking about here of only $66 million.

Mr. GRAY. Mr. Chairman, I yield 3 minutes to our very beloved Speaker, the gentleman from Massachusetts (Mr. McCORMACK).

Mr. McCORMACK. Mr. Chairman, the real need for this bill, as we all know, is to enable the completion of the national memorial in the city of Washington in memory of our late beloved President John F. Kennedy. It is most pleasing to me to see the bipartisan support that is being given to this bill not only in the House but in the White House, where both President Johnson before the term of his office expired recommended the amount involved in this bill on the part of the Federal Government, and President Nixon also made the same recommendation.

This is a memorial to a President of the United States. I view every President not as a Democrat or Republican President but as a President elected either on the Democratic ticket or on the Republican ticket. However, to me—and I know my colleagues all have the same state of mind—once a man assumes the office in the White House, he is the President of the United States.

And, I think it is well that we honor the memory of the Presidents of our country. Perhaps, in the near future, some other memorial might come before the House in connection with some other one of our outstanding Presidents. And, if I am here, I will be supporting it and I know other Members if they are here will be supporting it.

The need for this is one that we all recognize. The justification is clear, and I am sure the great majority of the Members of the House recognize it. As I said, the pleasing thing to note is the bipartisan support in connection with the bill now pending before the House, bipartisan support evidenced by former President Lyndon B. Johnson and now by President Richard Nixon.

So, Mr. Chairman, I urge the passage of the bill. It will be a fitting memorial for all time to the memory of one whom we knew, one who took the journey of life with us and whose life was unfortunately terminated in the performance of his duties. It is fitting for a memorial to all Presidents, but it is particularly fitting for one whose life was taken under the tragic circumstances as we all know the life of John Kennedy was taken.

Mr. GERALD R. FORD. Mr. Chairman, will the distinguished Speaker yield?

Mr. McCORMACK. I am happy to

yield to the distinguished minority leader.

Mr. GERALD R. FORD. I want to say to the distinguished Speaker and to the Members that I intend to vote for this legislation, as I have in the past. I do not want my comments of a few minutes ago to be misunderstood. I still believe that there is a liability on the part of the Architect and others. On the other hand, I do agree with the need and the necessity for this legislation and I intend to support it.

Mr. McCORMACK. I do not think there is any justification for anyone misunderstanding the comments made a few minutes ago by the distinguished minority leader. His comment was constructive and, certainly, everyone drew the inference that the gentleman from Michigan supports the bill now pending before the House and the statement which he has just made, removes any doubt in that respect.

So. Mr. Chairman, here we have a bill to the memory of a late President whose life was unfortunately taken under tragic circumstances with his life still ahead of him. A memorial to exist for all time is a part of the national history of our country. I repeat that I am greatly pleased that the message will go out over the country that this bill is supported in a bipartisan manner and could very well relate to any one of our Presidents.

Mr. GRAY. I thank the distinguished gentleman from Massachusetts for his very kind remarks.

Mr. Chairman, I yield the balance of the time on this side to a most valued member of the Committee on Public Works and a most valued member of the Board of the Cultural Center, the gentleman from Texas (Mr. WRIGHT).

Mr. WRIGHT. Mr. Chairman, all of us, even with the very best of intentions, are subject at times to error. On occasion we make miscalculations despite our best efforts. This has happened with respect to the cost of this Center as it has similarly happened with respect to most construction costs throughout the United States.

Earlier, in the debate on the rule, several gentlemen on the other side of the aisle pointed out that at one time we had believed that this might be constructed wholly from public subscriptions without any Federal funds. Then in 1963 and in 1964 the Congress decided to expand the Center, to make it our memorial to the late President Kennedy, and to match privately subscribed funds dollar for dollar with Federal funds. We believed at that time honestly that the Center thus could be completed for $15.5 million of Federal contribution. We were in error.

It should not be necessary to remind my colleagues that all of us are subject to error. The distinguished Secretary of Health, Education, and Welfare only last week was reminded in the newspapers that he on one occasion had said that, if a certain man were not appointed to a certain post, he would resign. Nobody wants to hold the Secretary to that. It was an honest error, an honest miscalculation of what might happen.

The distinguished President of the United States, Mr. Nixon, in the course of the campaign last November said that he did not believe it would be necessary to extend the surtax. I credit him with an honest analysis of the situation, and an honest miscalculation, and I credit him with the honesty and the frankness and the courage to come back to us and to say that he had been mistaken, and to ask us to give him an extension of the surtax.

As one Member on this side, I thought this was a responsible thing to do, and I voted for it.

Now we are asking the Members to do what is a responsible thing to do. The Congress made a commitment that we would provide one-half Federal funds. We would match dollar for dollar what was raised from the private sector. The private sector has raised $24 million, $8 million more than the Congress has appropriated. So to appropriate this $7.5 million that this bill requests would in one sense be simply a fulfillment of the promise that we made in 1964.

Just how much is $7.5 million, really? As the gentleman from New York pointed out, it is a little less than 4 cents per citizen. Now, you cannot get very much mileage or much satisfaction out of beating your breast and saying that we have had a great big economy vote when you boast that you voted against that.

Talking about the question of values, I believe it is important to know not only the cost of something, but also the value of something. The Nation spends $4 billion every year on dog food. During the time that we have been trying to raise the money to complete this Center, our country has expended some $500 billion on the implements of terror and destruction. We have done that because we believed it necessary to defend the values and the standards of the United States.

But now, if it is worthwhile to expend $500 billion during this period to defend in a military way the freedom and the standards of the United States, is it not worth raising $7.5 million, or 4 cents apiece, to build something that stands for the best in American life; something that facilitates and permits free expression for which we have always stood as a Nation; something that epitomizes and symbolizes the cultural and spiritual standards of our country?

The question really is: Do we want to appropriate $7.5 million that is necessary to complete this structure, and have it as something of which the Congress and the Nation can be proud? Do we want this, or do we want an uncompleted structure, standing half done as a monument to congressional indifference?

Mr. HALPERN. Mr. Chairman, I rise in enthusiastic support of H.R. 11249, which authorizes additional funds for the completion of the John F. Kennedy Center. I heartily support the report of the Committee on Public Works and I fervently hope the House acts favorably on it.

A center for the arts is a particularly appropriate memorial for the late President. The Congress recognized this when, in 1964, it changed the National Cutural Center to the John F. Kennedy Center for the Performing Arts. It is significant to note that this Center is the only memorial in the Nation's Capital to President Kennedy. And today it stands only partially completed, in dire need of an additional $20 million so that it can be completed.

As well as serving as a tribute to an American President whose interest in and concern for art were well known, the Center will also provide badly needed professional symphony and opera facilities for the entire Washington area. That these are needed in the Nation's Capital is obvious; that a great world city should be without them is unthinkable.

Yet the Center stands only partially completed today. Unfortunately, adverse conditions have increased its cost far beyond what we authorized in 1964. So our choice at this time is a very practical one. We may either authorize more money for the Center, or we may fail to do so and see it remain as it is, a half-covered skeleton.

This is, of course, a Hobson's choice, and our only alternative is to approve this bill. The committee estimates that if we fail to do so it would increase the cost of completion at the rate of 12 percent a year. But I heartily endorse Chairman FALLON's statement that his committee will consider no further monetary aid for this Center. We cannot go on forever spending the taxpayer's money only to be told when one authorization is exhausted that another is needed.

So I believe this bill is necessary to insure the completion of this vital Center for the performing arts. With this supplemental appropriation we can build a cultural edifice unrivaled in the world, and a living memorial that John F. Kennedy would have appreciated.

Mr. BLATNIK. Mr. Chairman, H.R. 11249 is legislation which has my full and complete support. I recall in 1964 when we passed the initial legislation dedicating the National Cultural Center to the memory of the late President John F. Kennedy and renamed it the John F. Kennedy Center for the Performing Arts we determined this would be the sole memorial to the President in Washington and would carry out one of the basic interests in his life to provide the proper cultural center for the performing arts in the Nation's Capital. During the period of 1964 to the present the Kennedy Center along with every other type of construction in the United States has run into unforeseen difficulties due to a number of reasons which are fully and carefully discussed in the report and are basically because of the escalation in the cost of construction throughout the country. For this reason this bill is before us today to increase the authorization for the construction of the Kennedy Center by some $12.5 million Federal funding. The sum of $7.5 million of basic construction will be matched by private money and there is an additional $5 million increase for the bonding authority contained in the original legislation to construct the underground garage and its facilities.

I submit that this is a reasonable increase when we consider all the facts involved between 1964 and 1969. I submit we have an obligation today to fulfill our basic commitment this Congress made in 1964. I submit there is a need not only for a cultural center in the Na-

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tion's Capital but a proper memorial to our late President John F. Kennedy and that this legislation which will complete the construction of the Center will carry out that basic problem.

For this reason I urge support and passage of this legislation.

Mr. **HUNGATE**. Mr. Chairman, at a time when we are considering our responsibilities to the arts, I would call to the attention of the House a Christian Science Monitor story on how the West German Government provides leadership in this field.

In one season alone, its theaters received public subsidies equaling $95 million and American operatic artists must go to Germany to find audiences for their talent. I urge passage of this bill and include the article in connection with these remarks:

Big Subsidies, Bold Design, Rich Opera

(By Ann M. Ellis)

Bonn.—A West German parliamentary deputy stood up recently in the Bundestag and asked indignantly why German opera houses hired so many foreign singers.

The answer, though the deputy may not have realized it, was all to the credit of West Germany's flourishing musical life.

So many opera houses dot the cities of this land that there are not enough German singers to meet the demand. Counting the buildings belonging to the states, cities, and privately owned theaters—and not including touring companies—the number of West German stages which present vocal performances totals well over 150.

Not surprisingly, dozens of young and hopeful American singers are attracted to Germany to launch their careers.

"Most Americans coming to sing in a German opera house start out with an 'Anfänger Vertrag'—a 'beginner's contract,'" explained Conrad Immel, one of two Texans currently singing with the Theater der Stadt in Bonn. "This means that although it is a two-year contract, the house can fire you, or you can decide to leave at the end of one year."

SCHOLARSHIP WINNER

"Fortunately," he added, "mine was a 'Fach Vertag,' which specified my voice range and was a firm commitment for two years."

Mr. Immel, a baritone, was a scholarship winner in the 1966 Metropolitan Opera National Council Auditions, receiving the Mrs. Ogden Phipps Award of $2,000. (This was the last such audition to be held on the stage of the old Metropolitan Opera House in New York before it was torn down.) He holds a bachelor's degree in mathematics, bachelor of music degree in voice, and master of music degree from the University of Texas at Austin. He was a Fulbright scholar in Vienna 1964–65, studying at the Wiener Akademie.

"Two years generally, I think, is long enough to make the cultural adjustment to living in Europe, to learn German, and to understand the often very different artistic procedures and standards here," Mr. Immel continued. "If a singer stays longer than a year or two, he has the opportunity to get a full grounding—which is what coming to Europe is all about."

Since joining the Bonn Municipal Opera in August, 1966, Mr. Immel has sung 90 performances of major roles, including the Count in "Marriage of Figaro," Wolfram in "Tannhäuser," Germont in "La Traviata," Lord Henry Ashton in "Lucia di Lammermoor," Dr. Malatesta in "Don Pasquale," and Lord Nottingham in "Roberto Devereux."

"This is more than I could possibly have hoped for in the same length of time at home," said the Texan. "Six really good roles that I'm delighted to have done."

It was not merely a question of having learned the roles, Mr. Immel stressed. "The great thing is to have had the opportunity to sing them on stage. Then, when your big chance comes, you are professionally ready."

Dr. Richard Mönnig, who after World War II became head of West Germany's far-flung Inter Nationes program—created to spread German culture abroad—reminisced about the first exchange which he helped arrange in the late 1920's, between the Juilliard School of Music in New York City and the Berlin Academy. The fellowship grants were for $1,000 and were awarded to Charles Kullman and Susanne Fisher.

Within his first four weeks at the academy, Kullman had a rare opportunity. He was chosen at the last moment to replace the regular singer in the role of Pinkerton in "Madama Butterfly" at the Berlin State Opera. His success was immediately acclaimed in the press. He became a member of the State Opera Company in Berlin and later sang in Vienna, at La Scala, and the Metropolitan.

Susanne Fisher's rise was not so meteoric. But she, too, became a member of the State Opera in Berlin and went on to further success.

Widespread operatic activity explains the lively demand for singers, and public subsidies explain why West Germany can support so many opera houses. In one season alone its theaters receive grants from public funds amounting to 380 million deutsche marks ($95 million).

In "Meet Germany," published by the Atlantik-Brücke press of Hamburg, the matter of subsidy is put most graphically.

EVERY SEAT FILLED

"Traditionally the theater and opera [in Germany] are not private enterprises," wrote Hans Schwab-Felisch, "but are subsidized by the federal states or the cities. In this way an imaginary 10-mark bill [$2.50] lies evening for evening on every theater seat. The sum varies but on the average works out at this rate. The entrance fee paid by the audience, either at the box-office or by subscription, is therefore no real fee."

Rising from the ruins of World War II, West Germany had a unique opportunity to experiment with new material and design concepts in theater construction.

A leading example is the new Bonn Municipal Opera House, built in 1966 on the west bank of the Rhine. Architects Klaus Gessler and Wilfried Beck-Erlang took into consideration fresh theories of acoustics, developed in part by Dr. Fritz Winckel, professor of acoustics at Berlin Technical University.

Disappointment with the first halls built in the postwar years, explained Dr. Winckel, "led to study of acoustical conditions prevailing in famous buildings of past epochs." This study proved that concert halls of the period 1869–88 possesed the best acoustic properties.

These buildings were of the neoclassic style, including elements such as pillars, caryatids, caisson ceiling, and plaster moldings, which gave a diffusing effect to sound.

"On the average these halls possessed the resonance time of two seconds," wrote Dr. Winckel, "which is nowadays regarded as the optimum for a symphony concert. The architectural style of the postwar period has subjected itself increasingly to the principles of acoustics."

Construction elements included box seats which resemble drawers pulled out of a chest, asymmetrically shaped ground plans, and the maximum breaking up of walls which reflect sound.

"The most interesting ceiling," declared Dr. Winckel, "is the kind which is drawn down a little toward the stage in order to attain an energetically advantageous direction of sound."

Ample use of wood paneling in postwar German opera houses reflects the conviction of musicians that wood lends warmth to music. Wood paneling, according to experts, suppresses the deep notes, allowing the sound to become clearer and lighter.

PUBLIC RESPONSE SECONDARY

Generous tax subsidies give enviable freedom to Ottowerner Meyer, head stage designer at Bonn, who plans the sets and costumes for most of the pieces—opera, ballet, and drama—played in the municipal theater.

Audience reaction is not the first concern of Mr. Meyer, who also designs sets for Essen, Vienna, Munich, Zurich, and Florence. "Public reception," he declared, "is secondary to the artistic worth of the production."

First he reads the piece and discusses it with the director and conductor. Then Mr. Meyer researches the historical background of the opera or play and translates this impressionistically into modern images.

Demonstrably the Bonn operagoer likes what his tax money buys. More than 90 percent of all seats in the Theater der Stadt Bonn are filled by season subscriptions. The performing artists, whether from Germany or abroad, are therefore assured of continuously full houses and the steady demand for their services generated by this lively operatic environment.

Mr. BIAGGI. Mr. Chairman while I join in support of H.R. 11249 for an additional $12,500,000 in direct appropriations and borrowing authority for the completion of the John F. Kennedy Center, I am not at all satisfied with the way construction of this project has been handled.

It is apparent that carelessness and a lack of foresight in the planning and the construction of the Center have escalated the cost and resulted in a large measure of waste. It appears that the architect, right from the outset, miscalculated the cost.

We have experienced a $2.7 million estimating error in the amounts of the structural steel and a $1.2 million increase in the cost factor for change orders. In addition, there has been the inclusion of gifts worth over $2 million in the private contribution account, adding to the total cost that Congress is now required to meet.

In view of some of the disturbing circumstances, I strongly recommend that the Committee on Public Works present all relevant information to the Department of Justice for possible recovery proceedings. I believe a conclusive determination should be made as to whether any moneys are recoverable from the parties who have been responsible for the errors and miscalculations that are largely responsible for the increased cost of this project.

The waste of taxpayers' money is always a matter of deep concern. But what is the alternative in this instance? I do not believe that the rejection of this bill is the answer to the problem. The overall construction of the Kennedy Center is more than 50 percent complete. The present structure cannot be allowed to grace the banks of the Potomac in its unfinished state.

To allow construction to remain stagnant would be to perpetuate a mistake, destroy the public's faith in our recogni-

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tion of the need for the performing arts in our Nation's Capital and tarnish a well-deserved memorial for the late John F. Kennedy.

The private sector and nations of the free world have made generous contributions to the Kennedy Center. It must be completed if we are to uphold the intent and dignity of its purpose. Anything other than that, would be disgraceful.

Mr. BOLAND. Mr. Chairman, I want to express my strong support for this legislation to increase the Government's contribution toward construction of the John F. Kennedy Center for the Performing Arts. The bill seeks a $7.5-million increase, raising the Government's share of construction costs from $15.5 to $23 million. The need for this increase—admittedly, a dramatic one—is clear and pressing.

The Center, this Nation's principal memorial to the late President Kennedy, cannot be completed without the supplemental spending authority sought in the bill now before us. Delay in this project—completing only a part of the Center, for example, and putting off the rest until later—would be an affront to the memory of President Kennedy and would deny the Center's facilities to the hundreds of thousands of Americans who are expected to take advantage of them. Still another reason—this one more practical in nature—can be cited against delay. Construction costs are skyrocketing, moving upward at a rate of about 12 percent a year. Expert witnesses have informed the Committee on Public Works that a significant lag in construction of the Center would cause a startling $10 million increase in its cost.

The reasons for the present increase in the Center's cost are legion. Between January 1964, when the Congress accepted an estimate of $46.4 million, and January 1969, the cost of building construction soared by almost 30 percent. Indeed, up to $14 million of the $15.8 million increase in the Center's cost can be charged to this inflationary trend. Another reason is the careful control of the timing of subcontract awards to avoid overcommitment of funds. Still another is underestimation of the cost of structural steel and concrete form work. Other reasons—wholly unpredictable ones—can be cited. A longshoremen's strike, for example, delayed shipments of marble from Italy.

The Kennedy Center—meant as a tribute to the late President as a major new contribution to the cultural life of the country he loved—cannot be finished unless we pass this legislation.

Again, I urge its passage.

Mr. DONOHUE. Mr. Chairman, I most earnestly hope the House will very quickly and overwhelmingly approve this bill before us, H.R. 11249, designed to insure the completion of the John F. Kennedy Center for the Performing Arts, which is still under construction here.

As the membership recalls, this project was approved on a dollar-for-dollar matching basis. Up to the present time over $24 million have been contributed to its construction from private contributions, which is approximately $8 million more than the Congress has so far appropriated.

The very able chairman of the Subcommittee on Buildings and Grounds and other distinguished members of the House Public Works Committee have very clearly explained that additional funds are required because the estimates were made 11 years ago and most of the increased costs are due to inflation and the fact that construction contracts could not be all awarded at the same time, because of the uncertainty of the amount of funds that would be privately donated.

We are today assured that all the cost figures have been projected, and that no more appropriations will be requested from the Congress. If any additional funds are required, they must, in the future, be solely solicited from private sources.

Mr. Chairman, the John F. Kennedy Center for the Performing Arts is 50 percent completed. Independent authorities have testified that if any construction delay is experienced now, it will substantially increase actual completion costs in the future, to the approximate extent of $10 million.

Mr. Chairman, back in September of 1958, President Eisenhower signed into law the measure authorizing the construction of a national cultural center in this Nation's Capital. As you know, the sudden and tragic death of President Kennedy moved the Congress to reconsider the status of the Center and approve it as the principal memorial to President Kennedy. The project is undoubtedly in the great national interest and it will be a permanent inspiration for all Americans and for visitors from every part of the globe to perseveringly strive to improve the quality of life for all mankind. For this reason and in this spirit, I urge the House to resoundingly adopt this measure.

Mr. REID of New York. Mr. Chairman, I rise in support of H.R. 11249, a bill to amend the John F. Kennedy Center Act to authorize additional funds for such Center.

The Kennedy Center is more than a living memorial to the late President; it is a tangible symbol that the American people and their Government recognize that things of the spirit are as important to the future of mankind as material improvements and technological advances. It constitutes further recognition of the arts at the national level.

The fact is that this Nation is not doing enough for the arts, for the music, dance, theater, visual and spoken arts that invigorate us as a people and sustain men as individuals, and that will give identity to our time in the history of mankind.

I wish that it had been possible to complete the Kennedy Center at its original cost but construction estimates of 11 years ago unfortunately bear little resemblance to today's costs. Over $24 million in private contributions have been collected for the Center's construction. We must complete this building and without more expensive delay.

We are all concerned about trimming unnecessary Federal spending—but I consider the $12½ million in this bill necessary—and would respectfully suggest to those who are not disposed to that point of view that a review of the budgets of some of the other departments of this Government would reveal sums well in excess of that amount in appropriations and loan authority that could be eliminated without danger to our country or its important programs.

I urge bipartisan support of this bill.

Mr. COHELAN. Mr. Chairman, I want to add my support for H.R. 11249, authorizing appropriation for the John F. Kennedy Memorial Center an additional $7.5 million, to be matched by an equal sum of non-Government contributions, and increasing the Center's bonding authority by $5 million.

The increase in costs for this fitting memorial to our late President is another of the unfortunate results of the inflationary spiral we have met since estimates first were submitted to the Congress on construction costs.

There is little disagreement on the need for the Center nor on the contribution which it will make to the cultural well-being of our Nation's Capital. It is most unfortunate that its costs have increased. But it is as urgent today that we persevere in its development as it was when we first authorized the Center. I strongly urge approval of the needed extra funds.

Under permission to revise and extend my remarks, I include an editorial from the Evening Star of May 31, 1969, at this point in the RECORD:

CULTURE COSTS

There was no reason for anyone to suppose that the John F. Kennedy Center for the Performing Arts would be more immune than any other structure to the severe impact of rising construction costs. Accordingly, there is no occasion for surprise that the cultural center's trustees have returned to Congress for further financial help to complete this half-finished edifice on the Potomac.

At a House subcommittee hearing this week, the GSA's public buildings commissioner listed a variety of factors responsible for an increase of about $20 million above the original cost estimates. And the subcommittee members quite rightly demanded the full details, for it is certain that they, in turn, will be called upon by other members of the House for a complete explanation.

But it will not be difficult to demonstrate that the great bulk of the $20-million escalation in the cost estimates made five years ago is attributable to the inflationary spiral which has struck all elements of the construction industry.

The new legislation seeks a $7.5 million addition in the federal contribution to the center, plus $5 million more in loans—the $7.5 million to be matched by increased funds raised from private sources. Congress should approve the requests, of course, for the same fundamental reason that it supported the project in the first place: The cultural center is needed in the Nation's Capital to serve legitimate national purposes.

Next week, a similar national facility is scheduled to open in Ottawa, which is being fully financed, incidentally, by the Canadian government. By coincidence, the cost of the Ottawa center also has increased by about $20 million during the course of its construction. It seems unlikely, at best, that Washington's center can be ready for use before 1971. To extend that date any further, for reasons that are avoidable, would serve to make the ultimate price tag even higher—and make no sense at all.

Mr. ESCH. Mr. Chairman, my vote to recommit the bill requesting additional funds for the John F. Kennedy Center for the Performing Arts should not be interpreted as opposition to the arts, to the Center, or to a memorial to President Kennedy. I have long supported educational and cultural programs. It should be remembered that I was the primary sponsor of the bill to create the National Foundation of the Arts and Humanities.

I do not oppose the Kennedy Center. To the contrary, I am strongly in favor of it. However, I am greatly concerned about the inefficiency which has surrounded the construction of the Center. The cost of the project has greatly exceeded its cost estimates and its available funds. This increase in costs is greatly due to poor estimates of building costs and in a failure to consider rising costs of construction. Improper timing of subcontracting has resulted in additional costs. Failure to consider the Center's nearness to National Airport has also added to the Center's costs. Many of these mistakes could, and should, have been avoided.

These inefficiencies are not unique to the John F. Kennedy Center; rather, they permeate innumerable federally funded projects. To interpret my vote properly, one should view it as a protest of the habit we have of rewarding inefficiency, and not as a protest of either the concept of a center for the arts or the creation of such a center.

The CHAIRMAN. All time having expired, the Clerk will read.

The Clerk read as follows:

H.R. 11249

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 8 of the John F. Kennedy Center Act (Public Laws 85–874, 88–260) is amended by striking out "$15,500,000" and inserting in lieu thereof "$23,000,000".

(b) Section 9 of the John F. Kennedy Center Act is amended by striking out "$15,400,000" each of the two places it appears and inserting in lieu thereof in each such place "$20,400,000".

Mr. GRAY (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with, and that it be printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GROSS. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I take this time to ascertain from some Member if the $5 million provided in this bill is not an obligation upon the taxpayers of this country? We have heard almost nothing from the sponsors about the $5 million that will be authorized along with the $7.5 million.

Mr. GRAY. Mr. Chairman, would the gentleman yield?

Mr. GROSS. I yield to the gentleman from Illinois.

Mr. GRAY. Mr. Chairman, I would be delighted to answer the question posed by the distinguished Member from Iowa.

The $5 million is in the same category as the $15.4 million, which is to complete the parking facility. The board of trustees will set rates sufficient to amortize the cost of all the $5 million to which the gentleman refers, and it will be repaid to the Treasury.

Mr. GROSS. It is the mere hope of the gentleman that they will get that kind of revenue from the parking facility. I believe it was my colleague, the gentleman from Iowa (Mr. SCHERLE) who said earlier that the cost of the 1,600 parking spaces will be some $12,700 each. When does the gentleman think that $20,400,000 will be amortized, and the taxpayers get their money back, if ever?

Mr. GRAY. Will the gentleman yield further?

Mr. GROSS. Yes, I yield further to the gentleman.

Mr. GRAY. I am sure the gentleman has been here longer than I have been, but just since my arrival on the scene I have seen a 300 percent growth rate in Washington.

Mr. GROSS. The gentleman means a 300 percent growth in crime?

Mr. GRAY. In the Washington, D.C., area the population has climbed by 300 percent in 15 years, and the tourism population has grown from——

Mr. GROSS. I suspect that the take from the Federal Government to support the city of Washington has increased by about that much over the years.

Mr. GRAY. Will the gentleman yield, because I want to make my point.

Mr. GROSS. Do not take all of my 5 minutes, if you do not mind, because I have another question or two that I would like to ask.

Mr. GRAY. Mr. Chairman, I want to answer the question of the distinguished gentleman from Iowa.

During this 15-year period, we have had a shortage of over 20,000 parking spaces in the District of Columbia. But I am sure that this garage that will accommodate less than 2,500 cars, will be used, if not by people going to the Center, certainly would provide parking facilities for the different private and Government agencies in the area, so I am sure they will get enough money refunded to amortize the bonds.

Mr. GROSS. I am sure the tourists—your constituents and mine, that you talked about so much a little while ago, are not going to park down there in Foggy Bottom at the rate of $2.50 or $3 per day and walk from there to the Capitol or the Smithsonian Institution. Or are the spaces going to be occupied by the crowd down at the State Department who have that kind of money to spend on parking?

Mr. GRAY. Mr. Chairman, will the gentleman yield further?

Mr. GROSS. I yield to the gentleman.

Mr. GRAY. The parking fees will be commensurate and not cheaper than those charged at public parking garages in Washington, and all of them are filled, if the gentleman has tried to get into any of them.

Mr. GROSS. I hope the gentleman's assurances are better than the assurances and promises we have been getting all through the years as to what the Federal Government would be called on to spend on this white elephant. Apparently, we are now spending or will be if this bill is passed, 50 percent or more of the $66 million cost of the thing—and which was not going to cost the taxpayers 1 red cent according to members on the Committee on Public Works and other Members of the House.

Let me ask the gentleman this question. Is Mrs. Aristotle Onassis a member of the board of trustees?

Mr. GRAY. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. GRAY. She is one of the honorary chairmen. We have Mrs. Eisenhower and Mrs. Nixon and Mrs. Onassis and Mrs. Johnson. They all are honorary chairmen. But she is not of the actual operating board of the Center.

Mr. GROSS. Would Aristotle miss $12½ million? Would he miss this money—or would the combination of Mrs. Onassis and Aristotle miss $12½ million for this, one of the so-called loveliest buildings in the world?

Mr. GRAY. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. GRAY. I understand he broke his arm falling off his wallet.

But the point is, I will say to my friend, this is not being built for the Kennedys. This is being built for the American people. That is the part I tried to point out during the debate and we got off the target here. Mr. Eisenhower first conceived of this. This is not something that was conceived by the Democratic Party. Mr. Eisenhower conceived of this Center in 1958 and it is for the American people and it fills a great void and a great need. I really think it is a little unfair to say that the Kennedy family or anyone else ought to subsidize the Center.

Mr. GROSS. I do not think President Eisenhower ever conceived that the Federal Government was going to pay for this monstrosity down there on pollution ridden Potomac River.

I am surprised, really I am surprised that Onassis cannot spend a little of his money on this thing and relieve the taxpayers of this country. Incidentally, I never heard so many regrets and sorrow in connection with bringing a bill to the floor of the House.

I had a letter this morning from the gentleman from Illinois (Mr. GRAY) expressing regret that he had to bring this bill to the floor of the House.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

(Mr. GROSS asked and was given permission to proceed for 3 additional minutes.)

Mr. GROSS. I have never heard so many regrets on the part of the gentleman, sorrow that he has to inflict this punishment on the Members of the House, and through them the taxpayers of this country.

Mr. GRAY. Mr. Chairman, will the gentleman from Iowa yield?

Mr. GROSS. Of course, I yield to the gentleman from Illinois.

Mr. GRAY. We are regretful to bring

this bill out, but we have no alternative. If we do not pass this legislation, we will have a half-completed monstrosity instead of a beautiful facility.

Mr. GROSS. What about the chairman of the board of trustees who said that if he could not raise the necessary money from philanthropic sources around the country, he would resign? Is the gentleman from Illinois a member of the board of trustees?

Mr. GRAY. No, I am not.

Mr. GROSS. The gentleman from New Jersey (Mr. FRELINGHUYSEN) is. I would like to ask him if anybody has asked the chairman for his resignation?

Mr. GRAY. Mr. Chairman, will the gentleman yield further?

Mr. GROSS. I yield to the gentleman from Illinois.

Mr. GRAY. Let me point out that that statement was made during the interim period between 1958, when the Cultural Center Act was passed, and the passage of the John F. Kennedy Center Act in 1964. The size, the scope of the project, the cost of the project, and many things have changed since Mr. Stevens made that statement.

Mr. GROSS. You bet your life, a lot of other things have changed. We have run up a $365 billion debt. They tell us that hunger is rampant in the land, that inflation and the cost of living is skyrocketing. Yes, a lot of things have changed. But you have no compunction whatever about coming in here today and asking the taxpayers of this country to foot a bill of $12.5 million more for a total of $33 million for this white elephant.

Why do you not leave the taxpayers of the Nation alone in deals of this kind? That was your promise. If the interested parties cannot raise the money, let it sit there half finished.

What would be wrong with that? Then you would be carrying out your promise to the American people: that it would not cost them 1 red cent. I do not care how thick or thin you slice it that is the basis on which this boondoggle got started. That was the foot in the door, the camel's nose under the tent. You did not live up to your promises.

I am sure you regret coming in here today to ask the taxpayers to put up another $12.5 million; $12.5 million may not mean much to the taxpayers of Fort Worth, Tex., or Cairo, Ill., or Perry County, Ill. I do not know. But $12.5 million is a pretty good piece of change where I come from.

I yield back the balance of my time.

Mr. HALL. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Missouri is recognized.

Mr. HALL. Mr. Chairman, we have heard quite a bit about so-called white elephants and inferences about the Rayburn Building and Griffith Stadium excessive costs, but I would like to put this in a little different context.

Mr. Chairman, in recent weeks we have witnessed repeated attacks on defense spending, and a veritable chorus of voices has been raised in repetition of the late President Eisenhower's warning about the "conjunction of an immense Military Establishment and a large arms industry" in America—what General Ike called the military-industrial complex. Of course, this sentence or two in Ike's farewell address was only a small part of his message and I feel many have distorted the real thrust of President Eisenhower's farewell message; namely, that America must be prepared against those nations that would detroy its freedom.

During all of this time that we have been hearing about gigantic cost "overruns" and deliberate underestimating of new weapons projects, a new and insidious complex has been operating in our midst with no word of warning or apprehension utttered by a single soul in this country. It would appear that only cost overruns in the Pentagon on new sophisticated weapons systems for the defense of the Nation were suspect. On the other hand, routine architectural and construction projects go scot-free.

Only today have we Members of the House who are not members of the Public Works Committee learned of the dangerous new "cultural-industrial complex," which has been hard at work slipping extremely costly projects through Congress.

The stock-in-trade of the cultural-industrial complex is first to win congressional authorization by asserting a project will be privately financed, then to obtain public funds by pledging private funds on a matching basis, and finally to extract more taxpayer moneys by pleading escalation of costs due to inflation and other reasons.

Today I congratulate the Committee on Public Works for unmercifully laying bare the maneuverings of the cultural-industrial complex as regards the National Cultural Center, first authorized in September 1958 when Dwight D. Eisenhower was in the White House, as has been stated, and subsequently renamed the John F. Kennedy Center for the Performing Arts in memory of the late President Kennedy.

The Committee on Public Works today is asking the House to increase the authority for direct appropriations for the National Cultural Center from $15.5 million to $23 million—an increase of nearly 50 percent. That, incidentally, is an increase which compares favorably—or unfavorably, depending on your point of view—with the military cost overruns we have been hearing so much about lately. Perhaps the cultural-industrial complex simply hates to see the military-industrial complex grab all the gravy. Anyway, we all know that if you are No. 2 you "try harder!"

We hear repeated criticism of the Defense Department because some contracts are not awarded on the basis of competitive bidding. We hear charges of sloppy and wasteful procurement and oversight.

What about the Kennedy Center? This project is being built on a cost-plus-fixed-fee contract.

Zeroing in on the horrendous increase in the cost of the Kennedy Center, Public Works Committee sleuths fail to blame the cultural-industrial complex.

They say some of the increase is due to "error on the part of the General Services Administration and on the part of the architect," some to project changes, some due to strikes and "other acts beyond anyone's control"—I presume that would be acts of God—and some due to "the meteoric rise in construction costs."

Well, what has brought all these about?

The committee says that the cost rise due to inflation is "estimated conservatively" at about $9 million. I do not see how anyone can say there is anything conservative about this project.

With apologies to the military-industrial complex, we note that about $15.8 million of the cost increase is attributed to "underestimating." Whose fault is that? Certainly, as has been well pointed out, the architect figures in all this. And we will just have to blame the cultural-industrial complex, whoever they are.

I would just like to make one more and final point. I shudder to think what the escalation in construction costs will amount to if the surtax is not extended. And yet many of the gentlemen who are pleading and "bleeding" for additional funds for the Kennedy Center today are among those who fought the surtax extension a few days ago and thus invited an escalation of the inflation which plagues not only the Kennedy Center project but steals from every wage earner in America.

In case you have not decided from my comments, I am against this extension as a promised against—further raid on the taxpayers.

Mr. GUBSER. Mr. Chairman, will the gentleman yield?

Mr. HALL. I am happy to yield to the gentleman from California.

Mr. GUBSER. I should like to congratulate the gentleman for performing a great service today in pointing out the dual standard which is applied to the military-industrial complex and the cultural-industrial complex.

I should like to also ask the gentleman to speculate with me as to how many Members who voted against the extension of the surtax just a week ago last Monday will be supporting this proposal today?

Mr. HALL. I believe the Members of the DSG are all culturally inclined by both assumption and self-styling, and I believe that will answer the gentleman's question. I know of my distinguished colleague on the Committee on Armed Services delving into research and subsequent defense of our needed I–D complex and compliment him on his contribution.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

(By unanimous consent, Mr. HALL was allowed to proceed for 2 additional minutes.)

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. HALL. I am happy to yield to the gentleman from New Jersey.

Mr. WIDNALL. The gentleman will remember I have been very much interested in the cultural center over a period of years. I should like to start out by commending the gentleman from New Jersey (Mr. THOMPSON) who had an original interest in trying to do a job for the cultural center.

This has extended through the years,

but I fear that on the House floor I must deplore what takes place in the House committees, and what takes place in the Congress. The project has been developed without, really, any analysis by the Congress as to expenditures, or as to location, and as to what is being done as we plan for the future.

I regretted very much when, 24 hours after the assassination, this became an appropriation process and it was swung into something where one could not vote against it because of the fact that a President dearly beloved by countless millions of our people was being used by those in the cultural center in order to swing appropriations out of the public funds.

We were promised that it was not going to cost more than $45 million, as I recall it. Then, the parking was separated from the rest of the building. It was originally part and parcel of the same operation. We were told that there was no problem as far as jet airplane noise was concerned. This was all being taken care of. It was all understood. You will find this all in the record, as well as the fact that access was easing and there were no problems in connection with it. The plea was made by me, among others, to take the parking to downtown Washington and separate it so that the Center could liven up downtown Washington and provide parking on a 24-hour basis. There it could pay for itself and we would not have to have the most expensive parking in the world built.

No one said anything today about the fact that they would be coming in here shortly with a request for $5 million for a subway extension if and when we get the subway built. Evidently people will not be able to take their cars down there to park and be able to go anywhere from there sensibly. You cannot walk sensibly from the place at all. I just feel that we have had a plea made by people for years who are afraid to acknowledge that they have been wrong, and afraid to acknowledge that these programs have been announced and promoted without real substantiation of the facts.

Mr. HALL. I thank the gentleman for his contribution. His position is well known. I join with him in the fear that if we move all of these cars down there, the whole shebang will fall into the polluted Potomac.

Mr. Chairman, I repeat, I am against the bill.

Mr. SCHADEBERG. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I would like to take this opportunity to remind the Members of the House that I intend to offer a motion to recommit which will be a straight motion to recommit the bill to the committee.

I believe the issue is not one as to whether we will honor or dishonor a beloved President who was assassinated during his term of office. This merely clouds the issue. It is not the issue at all. The issue is one as to the means by which we will finance the Center. I just do not buy the idea personally that we have only two alternatives in doing this; namely, one, to soak the taxpayer for the additional millions necessary to complete it, or else to leave the Center unfinished. I am confident that we have the talent and the ability to be able to finance it by other means. I think the committee should look into the matter more thoroughly.

Mr. JONAS. Mr. Chairman, I move to strike the last three words.

Mr. Chairman, I have not had an opportunity to read the record. But I have listened to the debate, and I would like to have the chairman of the committee give us a little more information than has been given so far about the efforts that have been made to raise these funds from subscriptions. I am moved to ask this because I read in the CONGRESSIONAL RECORD for today a statement by a Member of the other body quoting an article from the New York Times of July 2, 1969, in which it is stated that the committee formed to raise funds to build the Lincoln Center for the Performing Arts in New York City has raised $184 million from individuals, foundations, corporations, and government. I will ask my friend from New York about this, because I am sure he knows something about the Lincoln Center for the Performing Arts. I assume it is a center similar to the one we are discussing here today.

I am wondering whether the committee accepted the word of someone that a real effort was made to raise this money or whether the record will show that a really serious effort was made and to what extent and nature of those efforts.

I have a lot of difficulty understanding how a committee in New York—and I do not know from what part of the country the committee came—could raise $184 million in subscriptions to build the Lincoln Center for the Performing Arts and yet we cannot raise throughout this entire country the necessary remaining funds from private sources to complete this Center.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, as I indicated when I spoke a few moments ago, I spoke as a trustee. I have no doubt that more could have been done to raise this money from private funds. But I might say that as a practical matter it is far more difficult to get substantial funds from a city like Washington as it is in New York because there just simply is not that money available in Washington on a private basis. Granted that this is a national effort, but there is not the interest in Cleveland or San Francisco, for example, to contribute substantial funds to a cultural center in Washington as there would be to contribute substantial funds in their home cities.

Mr. JONAS. May I remind the gentleman that it has repeatedly been said during the debate that this Center is being built for our constituents who come to Washington to use, constituents from 50 States of the Union. We see the sum of $184 million raised from 11,474 people for the Lincoln Center for the Performing Arts, and Congress is being told that $7,500,000 cannot be raised likewise for this center. I do not see any reason why people in California, North Carolina, Texas and in all the other States of the Union would not contribute if this matter were presented to them in the right way.

What I am trying to do is have the record show what effort has been made to raise this money in the 50 States of the Union.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Texas.

Mr. WRIGHT. I would like to say to the gentleman from North Carolina that a very definite effort has been made on the part of some very dedicated people, including Mr. Stevens and members of his staff, most of whom serve without pay, who have gone throughout the country and have raised as I earlier mentioned some $24 million which is $8 million more than the Congress has appropriated for the construction of the Center. They do not believe it is going to be possible to raise the total amount by private funding. They have been working at it now for 10 years. They have done a good job and they deserve our thanks rather than our condemnation.

Mr. JONAS. I am not condemning anyone. I am asking for information. Is the gentleman from Texas telling the committee that the record will show that a diligent effort has been made over a period of 10 years and it has been impossible to raise this money?

Mr. WRIGHT. I am saying to the gentleman that the sum of $24 million has been raised and that is by far more than has been appropriated. The original arrangement was that we would match the contributions dollar for dollar, but we did not recognize what the total cost would be. But during the 26 years that the Washington Monument remained half completed, sticking like a sword in the sky, during all that time efforts were being made to extend it and complete it and those efforts were unsuccessful until the Congress came in finally with the needed funds.

Mr. JONAS. I do not understand how 11,000 people were willing to put up $184 million in New York for the Lincoln Center and we are now being told that it is impossible to raise $7,500,000 additional from private sources and that public funds will be required to complete the Kennedy Center in the Nation's Capital.

Mr. GRAY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this has been a good debate and I do not intend to belabor the point. However, there are two matters that I would like to bring to the attention of my colleagues that have not been discussed. One of these matters is that just last week in Ottawa, Canada, a country of 20 million people, they dedicated a cultural center almost precisely this size and almost precisely the same amount of cost. They did this in Canada, a country of only 20 million people through 100-percent Government appropriations and not a dime of private contribution. Are we now saying that the largest and most powerful nation in the world cannot afford an appropriation of

$7.5 million to complete a center for over 200 million people?

The gentleman from California (Mr. JOHNSON) was there last week and attended the dedication, and saw the first performance, and said it was a very stirring feeling, and that the Canadians took great pride in the fact that they had built this facility and they were going to enjoy it.

Second, Mr. Chairman, I want to point out just some of the Members who are on the Board of Trustees—just some of them—listen to this list, and see if they should not be trusted in this matter:

We have Mr. Allen, the Commissioner of Education; the very distinguished Secretary of Health, Education, and Welfare, Mr. Finch; Senator FULBRIGHT, of Arkansas; George B. Hartzog, Jr., Director of the National Park Service; Senator EDWARD M. KENNEDY from Massachusetts.

We have the very distinguished gentleman from Texas (Mr. WRIGHT), and the very distinguished gentleman from New Jersey (Mr. FRELINGHUYSEN). We have Mr. George Meany, the president of the AFL–CIO, Dr. L. Quincy Mumford, Librarian of Congress, S. Dillon Ripley, Secretary of the Smithsonian Institution.

Roger L. Stevens has devoted 11 years without 1 cent of remuneration in raising $24 million. If you think it is easy to go out and raise $24 million for any cause, then try it sometime.

We have the very distinguished General Counsel, Mr. Ralph E. Becker, Mrs. Richard M. Nixon, Mrs. Lyndon B. Johnson, and Mrs. Dwight D. Eisenhower, and they have worked hard to build this structure, and these gentlemen and these ladies have come here and said that it is a must, if we are to complete this center. And for me and for the Subcommittee of Public Buildings and Culture, and the full Committee on Public Works, I am willing to trust the operation of this Center in such illustrious hands as I have enumerated here. And as far as an economy vote is concerned, the General Services Administration has testified that if we dismiss all of the skilled people who are working on this job, that it will cost $10 million more to pick up the pieces a year from now, or 2 years or 3 years from now, plus a 12-percent rise in construction costs.

So you cannot vote "no" and go home and say "I saved the taxpayers $7.5 million" because it will cost $10 million plus the $7.5 million if we come back with subsequent legislation.

So I urge the House to take pride in what the subcommittee is doing here, like Canada has done, and vote for this bill.

Mr. ARENDS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it appears to me that the gentleman from Illinois fails to make the real point, and that is regardless of the merits or demerits of what we are doing here this afternoon—Members had better begin asking themselves the question of where we are going to get the money and whether we can have it both ways. As I look at the record which I hold in my hand, as compared with the vote of last year on the surtax, it would appear that many have turned from a responsible vote to one of no responsibility, yet they are always willing to appropriate untold sums but they are never willing to face up to the issue of raising the taxes to meet expenditures. We should realize we must raise the money to cover spending, or some time somewhere along the line we must learn that we cannot have it both ways.

Mr. HUNGATE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I was home last week, and one of my constituents was talking to me, and said it was certainly amazing how many votes did change on both sides of the aisle on the surtax question. And the fellow who was talking to me, he said he thought it depended on whose pig was in the parlor. I think his choice of language was most unfortunate, at least in one of the cases, and probably both.

But as far as responsibility goes, I think we in this body, whether we voted for or against the surtax now or last year, are seeking honestly to meet our responsibilities. I would not question anyone on that point. We have a nation that is spending, if our information is correct, $2.5 billion a month in Vietnam, and we are talking about $7.5 million in the same breath.

I wonder how we can do that seriously, to say we can make the one expenditure on the one hand, and you cannot make the other expenditure on behalf of the culture of this country.

Canada has been mentioned. The Christian Science Monitor, which many of the Members read, carried an article last week stating that the West German nation spent $93 million on grand opera, and described the people from the United States who go over there to find a place to perform, and to find an audience, because none is available to them at home.

I certainly hope that we can find our way to spare this small amount, percentagewise, in behalf of the culture and the arts of this country.

Let us pass this bill.

Mr. JACOBS. Mr. Chairman, would the gentleman yield?

Mr. HUNGATE. I yield to the gentleman from Indiana.

Mr. JACOBS. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. I yield to the gentleman.

Mr. JACOBS. In connection with the gentleman's statement concerning the cost of the Vietnam war of $2½ billion and the per month military contract overruns that have been mentioned,they are counted, not in the millions or thousands of dollars, but in thousands of times a million dollars.

I just wonder how many people believe perhaps that fine quotation should be changed so that it would read: "Billions for defense waste, but not 1 cent for what we are supposed to be defending."

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. YOUNG, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 11249) to amend the John F. Kennedy Center Act to authorize additional funds for such Center, pursuant to House Resolution 447, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. SCHADEBERG

Mr. SCHADEBERG. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. SCHADEBERG. I am, Mr. Speaker, in its present form.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. SCHADEBERG moves to recommit the bill, H.R. 11249, to the Committee on Public Works.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. SCHADEBERG. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 162, nays 217, not voting 53, as follows:

[Roll No. 99]

YEAS—162

Abbitt
Abernethy
Alexander
Andrews, Ala.
Ashbrook
Beall, Md.
Belcher
Bell, Calif.
Betts
Bevill
Blackburn
Blanton
Bray
Brinkley
Brown, Mich.
Broyhill, N.C.
Buchanan
Burke, Fla.
Burleson, Tex.
Burlison, Mo.
Bush
Byrnes, Wis.
Cabell
Camp
Carter
Casey
Cederberg
Chappell
Clancy
Clawson, Del
Collins
Colmer
Conable
Corbett
Cowger
Cunningham
Daniel, Va.
Davis, Ga.
Davis, Wis.
Dellenback
Denney
Dennis
Devine
Dickinson
Downing
Duncan
Edwards, Ala.
Erlenborn
Esch
Eshleman
Fish
Fisher
Flowers
Flynt
Foreman
Fountain
Frey
Fuqua
Gettys
Goodling
Griffin
Gross
Gubser
Hagan
Haley
Hall
Hammerschmidt
Hansen, Idaho
Harsha
Hastings
Hébert
Henderson
Hogan
Hosmer
Hull
Hunt
Hutchinson
Ichord
Jacobs
Johnson, Pa.
Jonas
Jones, N.C.
Jones, Tenn.
Kazen
King
Kleppe
Kuykendall
Kyl
Landgrebe
Landrum
Langen
Latta
Lennon
Lipscomb
Lloyd
Lukens
McClure
McEwen

McMillan
Marsh
Martin
Meskill
Michel
Miller, Ohio
Mizell
Montgomery
Myers
Nelsen
Nichols
Obey
Passman
Pettis
Poage
Poff
Price, Tex.
Quillen
Randall
Rarick
Robison
Roth
Roudebush
Ruth
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Scott
Sebelius
Shriver
Skubitz
Smith, Calif.
Snyder
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stubblefield
Stuckey
Talcott
Taylor
Teague, Tex.
Utt
Vander Jagt
Waggonner
Wampler
Watson
Weicker
Whalley
Whitehurst
Whitten
Widnall
Wiggins
Wilson, Bob
Wilson, Charles H.
Wold
Wyatt
Wydler
Wylie
Wyman
Zion
Zwach

NAYS—217

Adair
Adams
Addabbo
Albert
Anderson, Calif.
Anderson, Tenn.
Annunzio
Arends
Ashley
Ayres
Bennett
Biaggi
Biester
Bingham
Blatnik
Boland
Bolling
Brademas
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Burke, Mass.
Burton, Calif.
Burton, Utah
Button
Byrne, Pa.
Caffery
Chisholm
Clark
Clausen, Don H.
Clay
Cohelan
Conte
Conyers
Corman
Coughlin
Cramer
Culver
Daddario
Daniels, N.J.
Dawson
de la Garza
Dent
Diggs
Dingell
Donohue
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Evans, Colo.
Fallon
Farbstein
Feighan
Findley
Flood
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Galifianakis
Gallagher
Garmatz
Gaydos
Giaimo
Gibbons
Gilbert
Gonzalez
Gray
Griffiths
Grover
Gude
Halpern
Hamilton
Hanley
Hanna
Hansen, Wash.
Harvey
Hathaway
Hawkins
Hays
Hechler, W. Va.
Helstoski
Hicks
Holifield
Horton
Howard
Hungate
Joelson
Johnson, Calif.
Jones, Ala.
Karth
Kastenmeier
Kee
Keith
Kluczynski
Koch
Kyros
Leggett
Long, Md.
McCarthy
McClory
McCloskey
McCulloch
McDade
McFall
McKneally
Macdonald, Mass.
MacGregor
Madden
Mahon
Mathias
Matsunaga
Mayne
Meeds
Melcher
Mikva
Miller, Calif.
Mills
Minish
Mink
Mize
Mollohan
Moorhead
Morgan
Morse
Moss
Murphy, Ill.
Natcher
Nedzi
Nix
O'Hara
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Podell
Preyer, N.C.
Price, Ill.
Pryor, Ark.
Pucinski
Quie
Railsback
Rees
Reid, N.Y.
Reifel
Reuss
Rhodes
Riegle
Rivers
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rosenthal
Rostenkowski
Ruppe
Ryan
St Germain
St. Onge
Sandman
Scheuer
Schwengel
Shipley
Sikes
Slack
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Staggers
Stanton
Stokes
Stratton
Sullivan
Symington
Taft
Teague, Calif.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waldie
Watts
Whalen
White
Williams
Winn
Wright
Yates
Yatron
Young
Zablocki

NOT VOTING—53

Anderson, Ill.
Andrews, N. Dak.
Aspinall
Baring
Barrett
Berry
Boggs
Bow
Brasco
Brock
Cahill
Carey
Celler
Chamberlain
Cleveland
Collier
Delaney
Derwinski
Dorn
Dowdy
Dulski
Dwyer
Evins, Tenn.
Fascell
Goldwater
Green, Oreg.
Green, Pa.
Heckler, Mass.
Jarman
Kirwan
Long, La.
Lowenstein
Lujan
McDonald, Mich.
Mailliard
Mann
May
Minshall
Monagan
Morton
Mosher
Murphy, N.Y.
O'Konski
O'Neal, Ga.
Pollock
Powell
Purcell
Reid, Ill.
Rooney, Pa.
Roybal
Sisk
Watkins
Wolff

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Dowdy for, with Mrs. Heckler of Massachusetts against.

Mr. Collier for, with Mr. Carey against.

Mr. Berry for, with Mr. Wolff against.

Mr. Bow for, with Mr. Delaney against.

Mr. Goldwater for, with Mr. Brasco against.

Mr. Lujan for, with Mr. Boggs against.

Mrs. Reid of Illinois for, with Mr. Celler against.

Mr. Long of Louisiana for, with Mr. Barrett against.

Mr. Baring for, with Mr. Green of Pennsylvania against.

Mr. O'Neal of Georgia for, with Mr. Murphy of New York against.

Until further notice:

Mr. Monagan with Mr. Anderson of Illinois.

Mr. Roybal with Mr. Chamberlain.

Mr. Rooney of Pennsylvania with Mailliard.

Mr. Evins of Tennessee with Mr. Andrews of North Dakota.

Mr. Dorn with Mr. Pollock.

Mr. Dulski with Mr. Morton.

Mr. Lowenstein with Mr. O'Konski.

Mr. Kirwan with Mr. Cahill.

Mr. Jarman with Mr. McDonald of Michigan.

Mr. Fascell with Mr. Minshall.

Mr. Sisk with Mr. Mosher.

Mr. Aspinall with Mrs. May.

Mrs. Green of Oregon with Mrs. Dwyer.

Mr. Purcell with Mr. Brock.

Mr. Mann with Mr. Derwinski.

Mr. Cleveland with Mr. Watkins.

Mr. SHIPLEY changed his vote from "yea" to "nay."

Mr. BRAY changed his vote from "nay" to "yea."

Mr. MATHIAS changed his vote from "yea" to "nay."

Mr. BURKE of Florida changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

Mr. SCHERLE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 211, nays 162, not voting 59, as follows:

[Roll No. 100]

YEAS—211

Adair
Adams
Addabbo
Albert
Anderson, Calif.
Anderson, Tenn.
Annunzio
Arends
Ashley
Ayres
Bennett
Biaggi
Biester
Bingham
Blatnik
Boland
Bolling
Brademas
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Burke, Mass.
Burton, Calif.
Burton, Utah
Button
Byrne, Pa.
Chisholm
Clark
Clausen, Don H.
Cohelan
Conte
Conyers
Corman
Coughlin
Cramer
Culver
Daddario
Daniels, N.J.
Dawson
de la Garza
Dent
Diggs
Dingell
Donohue
Dulski
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Esch
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Findley
Flood
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Galifianakis
Gallagher
Garmatz
Gaydos
Giaimo
Gibbons
Gilbert
Gonzalez
Gray
Griffiths
Grover
Halpern
Hamilton
Hanley
Hansen, Wash.
Harvey
Hathaway
Hawkins
Hays
Hechler, W. Va.
Helstoski
Hicks
Holifield
Howard
Hungate
Jacobs
Joelson
Johnson, Calif.
Jones, Ala.
Karth
Kastenmeier
Kee
Keith
Kluczynski
Koch
Kyros
Leggett
Long, Md.
McCarthy
McClory
McCloskey
McDade
McEwen
McFall
McKneally
Macdonald, Mass.
MacGregor
Madden
Mahon
Mathias
Matsunaga
Meeds
Melcher
Mikva
Miller, Calif.
Mills
Minish
Mink
Mize
Mollohan
Moorhead
Morgan
Morse
Moss
Murphy, Ill.
Natcher
Nedzi
Nelsen
Nix
O'Hara
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Preyer, N.C.
Price, Ill.
Pryor, Ark.
Quie
Railsback
Rees
Reid, N.Y.
Reifel
Reuss
Rhodes
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rosenthal
Rostenkowski
Ruppe
Ryan
St Germain
St. Onge
Sandman
Scheuer
Schwengel
Shipley
Slack
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Staggers
Stanton
Steed
Stokes
Stratton
Symington
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waldie
Watts
Whalen
White
Williams
Wright
Yates
Yatron
Young
Zablocki

NAYS—162

Abbitt
Abernethy
Alexander
Andrews, Ala.
Ashbrook
Beall, Md.
Belcher
Bell, Calif.
Betts
Bevill
Blackburn
Blanton
Bray
Brinkley
Brown, Mich.
Broyhill, N.C.
Buchanan
Burke, Fla.
Burleson, Tex.
Burlison, Mo.
Bush
Byrnes, Wis.
Cabell
Caffery
Camp
Carter
Casey
Cederberg
Chappell
Clancy
Clawson, Del
Collins
Colmer
Conable
Corbett
Cowger
Cunningham
Daniel, Va.
Davis, Ga.
Davis, Wis.
Dellenback
Denney
Dennis
Devine
Dickinson
Downing
Duncan
Edwards, Ala.
Edwards, La.
Erlenborn
Eshleman
Fish
Fisher
Flowers
Flynt
Foreman
Fountain
Frey
Fuqua
Gettys
Goodling
Griffin
Gross
Gubser
Hagan
Haley
Hall
Hammerschmidt
Hanna
Hansen, Idaho
Harsha
Hastings
Hébert
Henderson
Hogan
Horton
Hosmer
Hull
Hunt
Hutchinson
Ichord
Johnson, Pa.
Jonas
Jones, N.C.
Jones, Tenn.
Kazen
King
Kleppe
Kuykendall
Kyl
Landgrebe
Landrum
Langen
Latta
Lennon
Lipscomb
Lloyd
Lukens
McClure
McCulloch
McMillan
Marsh
Martin
Meskill
Michel
Miller, Ohio
Mizell
Montgomery
Myers
Nichols
Obey
Passman
Pettis
Poage
Poff
Pollock
Price, Tex.
Quillen
Randall
Rarick
Roth
Roudebush
Ruth
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Scott
Sebelius
Shriver
Skubitz
Smith, Calif.
Snyder
Steiger, Ariz.
Steiger, Wis.
Stephens
Stubblefield
Stuckey
Talcott
Taylor
Thompson, Ga.
Utt

Vander Jagt
Waggonner
Wampler
Watson
Weicker
Whalley
Whitehurst
Whitten
Widnall
Wiggins
Wilson, Bob
Wilson, Charles H.
Winn
Wold
Wyatt
Wydler
Wylie
Wyman
Zion
Zwach

NOT VOTING—59

Anderson, Ill.
Andrews, N. Dak.
Aspinall
Baring
Barrett
Berry
Boggs
Bow
Brasco
Brock
Cahill
Carey
Celler
Chamberlain
Clay
Cleveland
Collier
Delaney
Derwinski
Dorn
Dowdy
Dwyer
Evins, Tenn.
Frelinghuysen
Goldwater
Green, Oreg.
Green, Pa.
Gude
Heckler, Mass.
Jarman
Kirwan
Long, La.
Lowenstein
Lujan
McDonald, Mich.
Mailliard
Mann
May
Mayne
Minshall
Monagan
Morton
Mosher
Murphy, N.Y.
O'Konski
O'Neal, Ga.
Podell
Powell
Pucinski
Purcell
Reid, Ill.
Rooney, Pa.
Roybal
Sikes
Sisk
Sullivan
Taft
Watkins
Wolff

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mrs. Heckler of Massachusetts for, with Mr. Dowdy against.

Mr. Wolff for, with Mr. Collier against.

Mr. Delaney for, with Mr. Berry against.

Mr. Brasco for, with Mr. Bow against.

Mr. Boggs for, with Mr. Goldwater against.

Mr. Barrett for, with Mr. Lujan against.

Mr. Green of Pennsylvania for, with Mrs. Reid of Illinois against.

Mr. Monagan for, with Mr. Long of Louisiana against.

Mr. Frelinghuysen for, with Mr. O'Neal of Georgia against.

Mr. Celler for, with Mr. Baring against.

Until further notice:

Mr. Murphy of New York with Mr. Anderson of Illinois.

Mr. Rooney of Pennsylvania with Mr. Morton.

Mr. Roybal with Mr. Taft.

Mr. Evins of Tennessee with Mr. Brock.

Mr. Aspinall with Mr. Mosher.

Mr. Kirwan with Mr. Cahill.

Mrs. Sullivan with Mrs. Dwyer.

Mr. Podell with Mr. Gude.

Mr. Pucinski with Mr. Andrews of North Dakota.

Mr. Sikes with Mr. Minshall.

Mr. Sisk with Mrs. May.

Mr. Chamberlain with Mr. Watkins.

Mr. Purcell with Mr. Cleveland.

Mrs. Green of Oregon with Mr. McDonald of Michigan.

Mr. Dorn with Mr. Mailliard.

Mr. Carey with Mr. O'Konski.

Mr. Mann with Mayne.

Mr. Jarman with Mr. Derwinski.

Mr. Lowenstein with Mr. Clay.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. GRAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

TOO MUCH—BUT SO TRUE

(Mr. MOSS asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. MOSS. Mr. Speaker, Art Hoppe of San Francisco has been admired for years because of his satirical expertise, but, as has often been said, many a truth is spoken in jest.

I submit for the benefit of my colleagues one of the most recent columns by Mr. Hoppe which appeared in yesterday's Star and is entitled, "Too Much Truth in Advertising."

TOO MUCH TRUTH IN ADVERTISING

(By Arthur Hoppe)

Scene: The Creativity Department of Jung & Rubicon. Brash young Concepts Director Claireville Klang is outlining a new advertising campaign for the agency's top executives.

Klang: Let me say, gentlemen, that this is the toughest challenge I've ever faced. As you know, the surgeon general wants us to include a stiff warning in all our cigarette advertising. Now if he gets his way with Congress. . . .

Jung (testily): We all know the threat, Klang. What solutions have you boys in Creativity come up with?

Klang: Just wait till you see this new television commercial, sir.

(He dims the lights and turns on a projector. On the screen, a beautiful young girl, glowing with health, smiles seductively at a beautiful young man, glowing with health. He whips out a package of Balmoral cigarettes. "Have a Balmoral, my dear," he says seductively, "which may cause death from cancer, coronary occlusion, chronic bronchitis, pulmonary emphysema and other diseases.")

Klang (brightly): There, that should please the surgeon general.

Rubicon (frowning blackly): It doesn't, Klang, please me.

Klang (hastily): I knew it wouldn't, sir. What you want is something more subtle. Just wait till you see this.

(On the screen, a gaunt man in a bathing suit, seen in profile, inhales a Balmoral luxuriously and then turns to the camera to reveal a long scar on his emaciated chest. "I'd rather die," he gasps, "than switch.")

Jung (with a shudder): That's the ugliest thing I ever saw. And why the scar?

Klang: Lung removal. That way, I think the warning's specific enough to get the surgeon general's approval.

Rubicon (angrily): Well, it sure as hell doesn't get mine. He'd rather die than switch, would he?

Klang: You're right as usual, sir. Now what if he said instead, "It's not how long you make it, it's just how long you last."

Jung (pounding his fist): Good Lord, Klang. This is a $10 million account! You've got to think positively.

Klang: I'm glad you said that, sir. Some of the boys thought I was overdoing positive thinking on this next one, but I said Mr. Jung would love it. Just watch.

(On the screen, a quiet country graveyard comes into view. The camera pans slowly over row upon row of tombstones. "Come," says a gentle voice, "to Balmoral country. Balmorals are for those who are tired of the jangled pace of modern living. So light up a Balmoral—for the rest of your life.")

Rubicon: What are you, Klang, some kind of nut?

Klang (desperately): Wait, you haven't seen the one with the guy in a hospital bed being cared for by pretty nurses. "If you liked chronic bronchitis," he says happily "you'll love coronary occlusion." And . . .

Jung: By God, Klang, get one thing and get it straight:

We can't sell death and disease to the American public.

Klang (surprised): But why not, sir? After all, we've been doing it for years.

CONGRESSIONAL CAFETERIA AND RESTAURANT WORKERS

(Mr. JACOBS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JACOBS. Mr. Speaker, the food workers of Capitol Hill applaud the Speaker's sympathy with their cause of achieving labor-management justice for their wages, retirement and working conditions.

Some of their grievances are so conspicuously meritorious as to require not only immediate but retroactive redress.

While awaiting permanent legislation to protect these workers, it would be a simple act of justice to direct the Capitol Architect immediately and retroactively to effectuate redress of the following grievances:

CAPITOL HILL EMPLOYEE'S ASSOCIATION

This is a statement of the demands of the Capitol Hill Employee's Association (Congressional cafeteria and restaurant workers).

We demand that:

1. Wage arrangement that provides a year round income comparable to restaurant and cafeteria workers in private industry. Wages shall be set so that cafeteria workers income is not penalized during sessions when Congress is not in session.

2. Wage coverage under Federal Consolidated Wage Scale (Nov., 1968).

3. All full time employees shall be privileged to making a 40-hour week in five days (Monday thru Friday).

a. All Cafeteria and restaurant workers employed on/or before January 1, 1969, shall be classified as full time employees.

b. All full time employees shall be paid time-and-one half for all work over forty hours—and for all Saturday work. They shall be paid double-time for all Sunday work.

4. Part-time employees shall not be privileged to work at anytime or in any capacity so long as there is any full-time employee who has not earned his forty hours and desires to work.

5. Part-time employees shall not be allowed to work Saturday and Sunday if there is one or more full-time employee who has not made his 40 hours in the period Monday thru Friday.

6. Congressional Parties held during regular works hours shall be served by part-time employees. No full time employee shall be taken off his regular job to work a party.

a. Full-time employees shall have priority in serving all parties on off days and after regular working hours. (Hours worked serving parties on off days and after regular hours shall not be included as part of a full-time employee's 40 hours.

b. All Congressional cafeteria workers shall be full-time. Employees for parties shall be hired by the day with preference to Congressional cafeteria workers. Pay shall be commensurate with pay in private industry.

7. Every specific job performed shall have a title and a job description and pay scale.

8. Each employee shall be hired into a specific job position and shall be paid the appropriate rate for his particular position.

9. All promotions shall be made in accordance with "time in service" or the Merit Promotion Plan. This shall include all positions that come under the Architect of the Capitol.

10. That all forms of penalties for legitimate days missed from work (especially Monday) cease immediately. Annual leave should be honored.

11. That a Board of Grievances be immediately established to be composed of not more or less than two-thirds members of the cafeteria service. (None shall be from the supervisory or managerial level.)

12. That all cafeteria employees with six months in-service be given free job advancement training if vacancy occurs.

13. That employees shall be notified of any emergency telephone call within 10 minutes after call. Calls to be made by employees should be kept at a minimum and only on an emergency basis unless during lunch or break time.

TRIBUTE TO THE LATE HONORABLE TOM MBOYA, FORMER KENYAN MINISTER FOR PLANNING AND ECONOMIC DEVELOPMENT

(Mr. DIGGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DIGGS. Mr. Speaker, as chairman of the Subcommittee on African Affairs and someone who has long been acquainted with not only the political development of Africa but also with most of its leaders, including the late Mr. Mboya, I feel it my humble and painful duty to pay tribute to the memory of that gentleman who was one of the most illustrious sons Africa has produced.

Members of the House may be interested to know that the late Tom Mboya began his political career in those turbulent days of Kenya's struggle for independence during the early fifties when he became the General Secretary of the Kenya Federation of Labour in 1953. The late Tom Mboya was then only 22; an age which even by what we know of Africa's statesmen may still be regarded as "tender". Considering, therefore, that the K.F.L. in spite of many difficulties, became the chief instrument for Kenya's independence movement, it can be said without question that its head, Tom Mboya, indeed possessed and displayed highly remarkable qualities of leadership. Truly, the success of that struggle and the achievements of the Republic of Kenya since independence are all a pointer to the wisdom and devotion of the country's political leadership; an achievement to which Tom Bboya's contribution is immeasurable.

Today, the Republic of Kenya grieves over the tragic death of one of her ablest sons. Africa mourns the loss of one of her leading political figures and patriots of all time. The United States of America regrets the departure of a good friend. I am sure Members of the House would recall the late Mr. Mboya as one of the most articulate spokesmen of Africa ever heard in this country. He impressed many Americans with his wisdom and wit. By his understanding of America without compromising his own stand on African questions and interests, he endeared himself to many without forfeiting the confidence of his compatriots and other Africans. Tom Mboya, like all men living or dead, has had his admirers and detractors. I am however confident that by what he was able to accomplish in life, the overwhelming verdict of those who came to know him would be that, his was a life of devotion to the cause of African freedom and advancement and, above all, one of loyal service for the welfare of the people of Kenya.

As the grief-stricken people of Kenya mourn the death of their fallen countryman, those that are opposed to African political independence and development might be tempted to attribute this tragedy to all sorts of obnoxious factors. Lest such men be complacent in their erroneous and self-deceptive thinking, it might be well to remind them that our own performance at home in the treatment of our political opponents and leaders of our society, especially in the recent past, leaves much to be desired. It should be wise therefore to withhold our biased judgment on the present misfortune in Kenya until the facts are known. And even where some of us feel the urge to make what in our own minds may seem to be intelligent guesses, one would hope that we may have the courage to move away from the usual unsophisticated views so often expressed on African problems.

Mr. Speaker, the untimely death of Tom Mboya is a tragic loss for Kenya, for Africa, and for all the friends of that gentleman and the country he loved and toiled for. With this in mind, I would like to express the hope that Members of this august House would join me in extending our sincerest condolences to the bereaved family of the late Tom Mboya, to President Jomo Kenyata, the Government, and people of Kenya.

NO FREE SAMPLES OF PORNOGRAPHIC MATERIAL

(Mr. HUNGATE asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. HUNGATE. Mr. Speaker, the following recent Washington Post article deals with a serious problem of our times:

> LOS ANGELES, June 28.—Marvin Miller had one unbreakable rule for the 50 employes who print and ship pornographic books at his factory—no free samples.
>
> Even Miller's 16-year-old son, in the mail room sending out books and magazines with pictures that make the Playboy style of nudity look like kid stuff, can't carry home any of the 500 titles.
>
> Miller doesn't want gifts or free-lance sales by his employes cutting into his $10 million annual volume as one of the Nation's major producers of erotic material which he advertises as pornographic but denies is obscene legally.
>
> "I'm in the business primarily to make money," said the graying and bearded Miller at his desk before a map of his marketplace, the United States.
>
> Pornography is big business in America. It's made millionaires of Miller and others. And it's made monumental problems for parents and public officials.
>
> An Associated Press investigation disclosed:
>
> About 200 companies in the country produce pornographic books, magazines and films. Their works flood, uninvited, into millions of American mailboxes and through a chain of distributors, onto the shelves of bookstores across the country.
>
> Total sales of pornographic material are staggering. Estimates range upward from $500 million a year, dwarfing the likes of the huge Government Printing Office ($17 million annual sales). Miller says his hottest item, an amply illustrated handbook on intercourse, sold 500,000 copies in a year—or roughly equal to first-year sales of William Manchester's "Death of a President," 1967's best seller.
>
> Postal authorities are swamped with complaints—167,792 in 1968 alone—from people who received lurid advertising. President Nixon has demanded a law to keep offensive sex ads out of the mails, and 187 bills are pending in Congress to control the tidal wave of pornography.
>
> Since 1957, when the Supreme Court decided the case of Roth vs. U.S., meeting the legal definition of obscenity has been as difficult as holding a greased pig. The Roth decision said that, to be obscene, the dominant appeal of material must be to prurient interest in sex, must affront community standards and must be utterly without redeeming social value.
>
> In the dozen years since that decision, a flood of pornographic mail has inundated American mailboxes.
>
> New court decisions generally have reinforced Roth. Almost any printed material with a story line, no matter how thin, is redeeming to a book of pictures otherwise obscene. And the community standard is being met, the courts have held, so long as others are selling material as explicit and lurid as what you've got to offer.
>
> The latest decision, in a Georgia case, overturned laws forbidding possession of material admitted to be obscene.
>
> ". . . The mere private possession of obscene matter cannot constitutionally be made a crime," said the court. "If the first amendment means anything, it means that a state has no business telling a man, sitting alone in his own house, what books he may read or what films he may watch."
>
> Miller has cashed in on the court rulings. He reprinted the most recent decision as the cover page on his latest catalogue of sex publications. It not only helps sales, but, he says, it reinforces "my moralistic point of view: that the establishment shouldn't control the thoughts nor the ways in which people wish to enjoy themselves."
>
> Sales have been good. By his own accounting, Miller went into business three years ago with $25,000. Now, he says, his annual profit is several hundred thousand dollars and his net worth more than a million dollars. Evidence indicates his figures may be conservative. For example, his initial investment in the top-selling sexual manual was $2000, including $1000 to the couple who posed for the photos. His sales so far: $2.5 million or a thousand times his initial investment.
>
> But other business costs run dear. Miller, 40, says he's been arrested 30 times in two years. Last December he was convicted on three counts of mailing obscene matter and sentenced to five years in prison. He's free on bail while he appeals.
>
> In Los Angeles alone, Miller is fighting 54 counts of selling obscene books. He says his legal expenses last year topped $200,000.
>
> Police say that of the more than 200 companies in the erotic sex trade 75 per cent of them are in Los Angeles and suburbs.

Mr. Speaker, in an effort to deal with this serious problem, I have today addressed the following letter to the learned and distinguished chairman of the House Judiciary Committee:

> JULY 8, 1969.
>
> Hon. EMANUEL CELLER,
> *Washington, D.C.*
>
> DEAR MR. CHAIRMAN: Along with other Members of Congress, I have been receiving an avalanche of what might best be described as "dirty pictures" and suggestive brochures which had been mailed to my constituents. I believe one can support freedom of the press and freedom of the mails without supporting the unrestricted right to mail unsolicited material of an at least suggestive and at worst pornographic and obscene nature into homes of parents with teenage and younger children.
>
> Since the legal definition of pornography, obscenity, and prurient interest is unavoidably involved in the enactment of appropri-

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> ate legislation and a valid investigation, I urge you to designate an appropriate Subcommittee of the Judiciary Committee for this purpose.
>
> The volume of unsolicited mail of this character is so heavy that legislative action is imperative. I would hope that prompt and effective moves by the Judiciary Committee would forestall hasty and ill-considered legislation being placed before the House.
>
> As a beginning step in the study of the distribution of such salacious material, I would suggest calling before the Committee the officers and executives of those companies engaged in the unsolicited distribution of this questionable literature into the homes where there are minors. It would be most interesting to hear them explain their reasons for forwarding such unrequested material and to hear their story as to how this serves any useful social purpose and explain, if possible, their position as to why this is art, and not pure pornography.
>
> Your courteous consideration of this request is appreciated.
>
> Sincerely yours,
>
> WILLIAM L. HUNGATE.

This field is a legal labyrinth and no effective legislation can be produced in this area unless thorough study is given both to the rights of adult citizens under the Constitution to read and examine, at least privately, any printed matter they choose without causing harm to others; while at the same time the right to use the Government mail to send anyone material which is both unsolicited and offensive to the recipient must be a right of some size smaller than that contemplated in Magna Carta.

To analogize tort law, the blind and willful mailing of unsolicited materials may be akin to wanton negligence which renders the actor responsible and liable because of his reckless disregard of the rights and interests of others.

ADDITIONAL U.S. DISTRICT JUDGES FOR THE DISTRICT OF COLUMBIA

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Speaker, I noted with mixed emotions the passage by the other body recently of S. 952, a bill to provide for the appointment of additional U.S. district judges.

This act, as passed by the other body, provides for 70 new U.S. district judgeships—67 permanent and three temporary—for 45 of the 93 Federal district courts. My own State of Florida, which is the fastest growing State in the Nation, would receive two additional judges for the middle district and three for the southern district.

The new judgeships authorized by the act are in part those recommended by the Judicial Conference of the United States at its September 1968 meeting, and I commend the Committee on the Judiciary of the other body for acting on this most necessary legislation.

During fiscal year 1968, civil and criminal cases combined totaled 102,163 in the U.S. district courts. During the first 6 months of fiscal year 1969, for which figures are available, civil and criminal filings have increased four times over the number for the same period in fiscal 1968.

Criminal filings during the first 6 months of the past fiscal year, 1969, have increased dramatically. The composition of new criminal case filings reflects changes in five specific categories: a 100-percent increase in selective service cases; a 63-percent increase in immigration violations; a 43.4-percent increase in burglary cases; 31.9-percent increase in narcotics violations and 20.4-percent increase in assault cases.

These figures point to the need to improve our judicial machinery in order that the administration of justice, and in particular the concept of a speedy trial, can be realized. One step in this direction is the authorization of additional judges.

The situation here in the District of Columbia is even more acute, indeed, the situation here is critical.

As of June 1, 1969, there were 1,601 criminal cases awaiting action in the U.S. District Court for the District of Columbia. Of these, 221 were bench warrant cases, meaning that the defendants could not be found; 25 involved defendants undergoing psychiatric examination at St. Elizabeths; 251 cases were awaiting sentencing; and 1,104 were triable cases.

It is discouraging to note that the median time interval in the U.S. District Court for the District of Columbia from filing to disposition of criminal defendants has increased from 3.6 months in fiscal year 1963 to 9.5 months in fiscal year 1968.

The situation is no better in the Court of General Sessions for the District of Columbia.

At the present time there are approximately 1,500 criminal jury cases pending before that court and approximately 3,500 civil jury cases. With respect to the civil cases, the more complex ones are sometimes never tried at all because the more simple ones consume all the time.

Even more shocking is the fact that as the backlog continues to increase, the incidence of crime continues to increase at even a faster pace.

The latest statistics released by the Washington Metropolitan Police Department for May 1969, show crime has increased 12.2 percent over May 1968.

Specifically, homicide was up 37.5 percent; rape up 66.7 percent; robbery up 23.7 percent; aggravated assault up 36.1 percent; and larceny up 64.3 percent.

Thus far in 1969, there has been an increase in the incidence of crime in every major category over the same period of 1968, and there is no indication that the trend is abating.

Mr. Speaker, I am concerned about the action taken by the other body in passing S. 952 because in light of the above figures for the District of Columbia, the other body deleted authorization for six additional judgeships for the District of Columbia.

The justification for deleting the authorization for judgeships for the District of Columbia was that the Committee on the Judiciary of the other body wanted to wait until proposals for reorganization of the courts of the District of Columbia have been completed and reviewed.

Mr. Speaker, it has been more than 5 months since the President, in his message to the Congress on January 31, announced that legislation to restructure the court system of the District of Columbia was being prepared by the Department of Justice.

In a statement presented to the Senate Subcommittee on Improvements in Judicial Machinery on April 16, Deputy Attorney General Richard G. Kleindienst stated:

> As you—

The subcommittee—

> may know, the Department of Justice strongly favors establishment in the District of Columbia of an integrated local court system that will have jurisdiction over all genuinely local matters: civil, criminal and juvenile. We are now developing and will shortly submit to Congress legislation for implementing that goal.

Almost 3 months have passed since that statement and no such legislation has been submitted.

I am not convinced that we can, or should wait for some plan to reorganize the jurisdiction of the courts to authorize additional judges for the U.S. District Court for the District of Columbia.

In January of this year, I introduced H.R. 4304 to provide 10 additional judges for the district court, and in February of this year, I introduced H.R. 6034 to expand the jurisdiction of the District of Columbia Court of General Sessions under title 22 of the District of Columbia Code.

Even if some or all of the present jurisdiction now vested solely in the district court is transferred to the court of general sessions, we will still need additional judges for the district court, and we will need additional judges for the court of general sessions.

The Ellison committee recently recommended transferring approximately one-third of the criminal caseload of the district court and a portion of the civil caseload to the local courts of the District of Columbia. This may alleviate some of the burden, but it would be error to assume that a transfer of one-third of the criminal caseload would result in a transfer of one-third of the work of the district court for the more serious felonies understandably require more time of the judges and court personnel.

It has also been suggested that the court of general sessions could easily utilize the facilities of the old pension office building, just across the street from the present general sessions building, and that some 14 additional courtrooms could be created there. I would support such an approach, and would hope that the necessary authorization for additional judges for the court of general sessions would be forthcoming.

Mr. Speaker, the seriousness of the court situation in the District of Columbia impedes the prompt administration of justice, and society and the accused both suffer. I am hopeful that the House Judiciary Committee will act soon to hold hearings on legislation now pending to correct the situation and that constructive changes will be realized.

HONORING FORMER PRESIDENT EISENHOWER

(Mr. **POLLOCK** asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. **POLLOCK**. Mr. Speaker, there are few men who effectively create peace where there has only been adversity and suspicion. Only a handful of military leaders ever reach the top of their profession in such a way that they are honored by all as "one of the greatest of all time". And, only two Americans with such a record have gone on to become President of the United States. They are George Washington, "the father of our country", and Dwight Eisenhower, the man this country loved so deeply, his nickname became a household word.

I introduced two bills yesterday that would put "Ike" Eisenhower either on the quarter, or on the "silver" dollar. This honor has been given only the handful of great American presidents the people have taken to their hearts: Washington, Lincoln, Roosevelt and Kennedy. The recent precedent of the Roosevelt dime and the Kennedy half dollar make the proposal of an Eisenhower coin extremely appropriate.

The first of the two bills I offered yesterday would place a likeness of General Eisenhower on the quarter. This is the most logical coin for this tribute. The quarter now bears a likeness of George Washington, whose bust is also on the nickel. Because the Washington quarter has been issued and in circulation for 37 years, no special legislation is necessary to have the design changed.

I must admit, however, it is the second bill I place before you that really fires my imagination. It would require the minting of an Eisenhower dollar coin. This would be the largest U.S. coin issued and in circulation. That is a fitting tribute for the man who became not just famous, but loved; not just remembered, but remembered without controversy; and not just a general, but a general who brought peace.

When "Ike" died, we did not merely "note" his passing; the Nation paused to pay full honor. It was the ultimate tribute of ordinary and great people alike, stretched in a line 3 days long, from the Capitol rotunda, to the plains, to Abilene, Kans. I urge that this Congress put the likeness of this deeply loved soldier-statesman in the hands of the people that paid that tribute.

AMERICAN AIRLINES MAKES GREAT PROGRESS IN OKLAHOMA

(Mr. **BELCHER** asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. **BELCHER**. Mr. Speaker, I would like to bring to the attention of the Members of Congress the exciting strides being made in the aviation industry in Oklahoma.

Specifically, I would like to bring to the attention of my colleagues the news announced last week by American Airlines in my home city of Tulsa.

Our great city has been the home of American's major overhaul facility since 1946. Ten years ago the maintenance and engineering center became the jet base for American as this great airline introduced jet aircraft to the American public with their transcontinental nonstop service. For Tulsa and the great State of Oklahoma this has been a decision of great merit and to the benefit of all its fine citizens.

Recently American Airlines conducted a survey to determine if they should continue to maintain this facility in Tulsa. I am proud to say their research proved to be one of jubilation for the State and city as the survey proved that the availability of skilled labor, the proximity of facilities for higher education, and the overall standards of living could not be better anywhere else in these great United States.

Last week American Airlines dedicated an extension to their maintenance and engineering facility in Tulsa, valued at over $13 million. At the same time they announced a second expansion program worth over $40 million, which will begin immediately. When this expansion program is completed, the value of this huge complex will be over $100 million.

American has just completed a huge superhangar which will house existing aircraft as well as the next generation of aircraft; specifically, the Boeing 747 and the McDonnell-Douglas DC–10. Under the expansion program just announced American will add to its Tulsa facility another gigantic hangar, expanded engine overhaul shops and the newest in design, an engine test cell for the huge engines for tomorrow's aircraft. When I say newest in design, American has provided details which will emphasize sound suppression for quiet operation for this engine test facility which will be capable of accommodating engines up to 100,000 pounds thrust.

Today American Airlines is Tulsa's largest employer with over 5,800 Oklahomans presently on the payroll which exceeds $58 million annually. By 1973 American has projected that it will employ over 8,000 Oklahomans and that their annual payroll will be over $93 million.

As an Oklahoman and as a Tulsan, we are proud that American Airlines is part of our city, and we are likewise proud of the work accomplished by the great Governor of Oklahoma, Dewey F. Bartlett, who through his industrial development program worked hand in hand with officials at American Airlines in planning the expansion development announced last week.

Therefore, Mr. Speaker, I thank you for this opportunity to bring forth to Members of Congress this announcement of the great involvement by American Airlines in our wonderful State of Oklahoma.

NIXON ADMINISTRATION'S DESEGREGATION DECISION A BITTER DISAPPOINMENT TO AMERICANS INTERESTED IN EQUAL JUSTICE UNDER LAW

(Mr. **STOKES** asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. **STOKES**. Mr. Speaker, the Nixon administration's announcement that all desegregation deadlines for southern school districts would be lifted, and that primary responsibility for enforcement of desegregation would be shifted from HEW to the Justice Deparment, came as an immense and bitter disappointment to all Americans sincerely interested in equal justice under law. For despite the administration's later "clarifications" and yesterday's long-delayed actions against a handful of southern districts, it seems obvious that this decision marks an explicit break with the previous administration's efforts to at last relegate this matter to the history books.

The removal of the compliance deadlines is in itself a disgrace. Fifteen years after Brown against Board of Education became the law of the land, 80 percent of the Negro children in the 11 Southern States still attend segregated schools, 369 school districts in the Southern and border States are currently under court order to integrate; and almost 700 are still "in the process of" complying. Obviously, foot-dragging of those proportions needs little encouragement. And the decision to shift responsibility for desegregation enforcement to the Justice Department only compounds the error. Now lengthy litigation before often-unsympathetic southern judges will be the only remedy against a recalcitrant district. Now the burden of proof in such cases will always lie with the Federal Government, not with the district. And now the primary standard for compliance will be the vague "all deliberate speed" criterion of Brown rather than the tougher legislative history and guidelines surrounding title VI of the 1964 civil rights bill. Anyone who would doubt the importance of these factors need only read this morning's papers. The first judge has reneged on an HEW plan and ordered renegotiation.

We are told, Mr. Speaker, that there should be no doubt that the Nixon administration is unequivocally committed to ending racial discrimination in schools. But their speech is hardly reassuring in light of their actions. It is even less reassuring when we hear Senator THURMOND describe the anouncement as "an improvement"—because we all know what an improvement is to Senator THURMOND. Nor is it reassuring to hear Senator COOK of Kentucky warn that this could bring about "a new blacklash" which could undo all progress to date.

Most of us had hoped, Mr. Speaker, that the long nights of the Orval Faubus', Ross Barnetts', and George Wallaces' were over, and that a brighter day was beginning to dawn for the school systems of the South. Those hopes, however, now appear to be only hopes. If this is true, there will be two losers. The first will, of course, be the children of the South of both races who will continue to be educated in an atmosphere of bigotry and mistrust. The second will be the President of the United States who perpetuated a system in which children are educated in an atmosphere of bigotry and mistrust.

MARONITES IN THE UNITED STATES

(Mr. FEIGHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FEIGHAN. Mr. Speaker, it was my privilege to attend the banquet on July 6 in Cleveland which closed the 3-day convention of the National Association of Maronites. More than 1,000 in attendance heard inspiring messages from His Eminence John Cardinal Dearden, archbishop of Detroit, and His Excellency the Most Reverend Francis M. Zayek, Maronite Apostolic Exarch in the United States. The program also included a message from Msgr. Joseph Feghali, pastor of St. Maron's Church in Cleveland, and a history of the Maronites, both of which I insert at this point in the Record:

Message of Msgr. Joseph Feghali

"For where two or three are gathered together for my sake, There am I in the midst of them." (St. Matthew 18:20)

Dearly beloved spiritual leaders, brothers and friends in Christ:

Those were the words of our Lord in discussing the power of united prayer. I recall them here with a feeling of thankfulness and gratitude, for this year has indeed been a memorable one for our church. On the occasion of St. Maron's Feast Day, which we had dedicated as a "Day of Prayer for World Peace," we were honored by the presence of the Apostolic Delegate, Archbishop Luigi Raimondi, who, as our presiding guest of honor, inspired us all by his eloquent plea for peace in this troubled world.

We are again greatly honored today, by the presence of His Eminence John Cardinal Dearden, a prince of the Church, one close to the Holy Father, and President of the Conference of Bishops of the United States. He has graciously accepted our invitation to be with us on this day, thus affording Maronites from all across the nation, gathered here to attend their national convention, the privilege of listening to this dynamic leader and greatly admired churchman.

His Eminence's presence here today has a special significance for us, because this is his first official visit to his own city, as a Cardinal, and also because we all know how greatly he is loved and respected by our own Exarch, the Most Reverend Francis M. Zayek.

The Maronites of Cleveland are grateful also for the solicitude and kindness extended to us by His Excellency the Most Reverend Bishop Clarence G. Issenmann and by all the Bishops of Cleveland who preceded him. We are indeed grateful for their many expressions of love and protection extended to us throughout the existence of our parish. They guided us through many trying years, and our thoughts and prayers will always be those of Thanksgiving to Almighty God for the graces and blessings bestowed on our people. We look forward to preserving the heritage of the faith of our fathers.

We are truly grateful to you, Your Eminence, and to His Excellency Bishop Clarence G. Issenmann, His Excellency Bishop William Cosgrove, His Excellency the Most Reverend Emil J. Mihalik, Eparch of Parma, and to our own beloved Bishop Francis M. Zayek, who join with us today in our prayers for unity. It is persons like yourselves, representing the highest ideals of humanity, who give reason to our quest for unity and the promise of its fulfillment.

To these great religious leaders, to the civic authorities who are with us today, to the relatives and many friends of His Eminence, and to our Maronites and friends who have come from all over the United States to be with us on this occasion, we humbly say thank you in behalf of our most dedicated Maronites of this Parish. May our Lord bless and reward you for all your acts of love and charity towards your fellow man.

Sincerely yours in Christ,
Msgr. Joseph Feghali.

History of the Maronites

The first Maronites were direct descendants of the people who had received the Faith from the Apostle, Peter. They originated as an ecclesiastical grouping of Christians who assembled around the hermit monk Maron about the year 400 A.D. on the mountain slopes of Cyr, near Antioch, Syria. Born in the late fourth century, he became a priest and then a hermit, retiring to a mountain of Taurus near Antioch above the banks of the Orontes River. Maron's life was one of piety and dedication to the simple life of prayer and meditation; his holiness attracted many persons to join him and to convert others to Christianity through the spreading of the Gospel. He converted an old pagan temple along the Orontes river into a monastery; here, many disciples gathered around him and followed his rule. Some became monks and hermits themselves, while others spread the teachings of Christ, as missionaries, through Central and North Syria. Much of the details of the life of St. Maron have been lost, but it is known that he performed many miracles of healing, as attested by his historian, Theodoret, the Bishop of Cyr. After Maron's death in the year 410 A.D., his disciples saved his remains and in spite of strong persecution, his tomb became a place of religious pilgrimage. St. John Maron, the first patriarch of the Maronite people, was a monk of the monastery of St. Maron, who was elected by the religious community to secure the Apostolic succession to the See of Antioch. Accordingly, the Maronite Patriarchate was initiated by the election of John Maron in 686 A.D. and has continued, since his death in 707 A.D., to the present time. A total of 70 Patriarchs to the present successor, Paul Peter Cardinal Meouchi, Patriarch of Antioch and the Entire East. Late in the seventh century, due to religious persecution and heresy, the Maronite monks became obliged to seek refuge in Lebanon, where St. Maron's relics were transferred to the Patriarchal residence in Kafarhai. In the year 1130, they were removed to Foligno, Italy, and placed in the Cathedral there.

The Maronites have, over the centuries, preserved the teachings of the Catholic Church intact, without any blemish, schism or heretical branch. Many have died for their faith. Popes have repeatedly praised their loyalty to the Holy See.

The Maronite liturgy is one of the oldest of the Catholic Church, and the only Rite known by the name of its leader. The liturgy, itself, is known as the Syriac liturgy of Antioch, ascribed to St. James the Less, Apostle and first Bishop of Jerusalem. The liturgical language used in the Maronite Mass is the Syriac-Aramaic, that spoken by Christ.

Today, the Maronite population numbers nearly two million and has spread the world over. Here in the United States there are an estimated 250,000 faithful.

MEMBERS OF CONGRESS JOIN CONGRESSMAN HORTON IN SPONSORING FEDERAL CHARTER BILL FOR POP WARNER JUNIOR FOOTBALL

(Mr. HORTON asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HORTON. Mr. Speaker, last fall it was my privilege to attend a football game played by well-trained, pre-high-school youngsters from two different States. The boys' spirit and good sportsmanship revealed the high quality of the program they were participating in. Perhaps most unusual and noteworthy was the ceremony that was held in the school gym after the game.

Members of both the winning and losing teams were given trophies for participation, and each team tried to outcheer the other—demonstrating the true sense of sportsmanship that was built into this program. In talking with some of the youngsters after the game, I was pleased to learn that the privilege of participation in this junior football program was given only to those boys who met minimum scholastic standards. There was little question in my mind that the motivation of these boys for good schoolwork was in no small way tied to their enthusiasm for the football league.

The game I am referring to is just one of thousands of "Pop" Warner Junior League football games that are played each year across America.

It gives me great pleasure today to take the floor of Congress to recognize the achievements of this fine organization.

When the actions and attitudes of many of today's youth are questioned, an organization which does more than its share to build character and citizenship in over 600,000 American boys deserves special recognition.

A great number of our colleagues, in fact 118, are joining me today in sponsoring a bill which would grant a Federal charter to Pop Warner Little Scholars, Inc., the corporate body of "Pop" Warner Junior League football.

The following Members of Congress, many of whom have active "Pop" Warner Leagues in their home districts, are sponsoring this legislation with me today:

Joseph P. Addabbo, Walter S. Baring, William A. Barrett, Alphonzo Bell, Mario Biaggi, Benjamin B. Blackburn, W. E. Brock, George E. Brown, Jr., James T. Broyhill, James A. Burke.

Daniel E. Button, Frank M. Clark, Don H. Clausen, James C. Cleveland, Barber B. Conable, Jr., Silvio O. Conte, James C. Corman, Lawrence R. Coughlin, William L. Dawson, John Dellenback.

Edward J. Derwinski, Harold D. Donohue, John J. Duncan, Don Edwards, Leonard Farbstein, Dante B. Fascell, Paul Findley, O. C. Fisher, John J. Flynt, Jr., Peter Frelinghuysen.

Louis Frey, Jr., Samuel N. Friedel, James G. Fulton, Cornelius E. Gallagher, Joseph M. Gaydos, Robert N. Giaimo, George A. Goodling, Charles S. Gubser, James M. Hanley.

Augustus F. Hawkins, Henry Helstoski, James J. Howard, John E. Hunt, Albert W. Johnson, Harold T. Johnson, John C. Kluczynski, Dan Kuykendall, Glenard P. Lipscomb, Clarence D. Long.

John J. McFall, Martin B. McKneally, Ray J. Madden, William S. Mailliard, James R. Mann, Spark M. Matsunaga, Thomas J. Meskill, Abner J. Mikva, Joseph G. Minish, Patsy T. Mink.

Robert H. Mollohan, John S. Monagan, William S. Moorhead, Thomas E. Morgan, F. Bradford Morse, John E.

Moss, John M. Murphy, William T. Murphy, Robert N. C. Nix, Thomas P. O'Neill, Jr., Richard L. Ottinger.

Edward J. Patten, Claude Pepper, Jerry L. Pettis, Alexander Pirnie, Ogden R. Reid, Peter W. Rodino, Jr., Fernand J. St Germain, Charles W. Sandman, Jr., B. F. Sisk.

H. Allen Smith, Sam Steiger, Samuel S. Stratton, Olin E. Teague, Fletcher Thompson, Frank Thompson, Jr., Robert O. Tiernan, John V. Tunney, Lionel Van Deerlin, Guy Vander Jagt.

Jerome R. Waldie, Albert W. Watson, J. Irving Whalley, G. William Whitehurst, William B. Widnall, Lester L. Wolff, Wendell Wyatt.

J. Glenn Beall, Jr., William T. Cahill, Dominick V. Daniels, Samuel L. Devine, Charles C. Diggs, Jr., Florence P. Dwyer, Hamilton Fish, Jr., Edward A. Garmatz, Gilbert Gude, Seymour Halpern, Robert L. Leggett, Robert C. McEwen, Bill Nichols, Thomas M. Pelly, Howard W. Pollock, Thomas M. Rees, William V. Roth, Robert T. Stafford, J. William Stanton, Charles W. Whalen, Jr., and Louis C. Wyman.

For over 40 years, this organization has been fostering among our young men the precepts of good citizenship enunciated and demonstrated by the great Carlisle coach "Pop" Warner. The guiding principle of this great organization is improved sportsmanship, team play, physical fitness, and scholastic achievement. These attributes of good citizenship are continually fostered among the young men who participated in little league football by their dedicated adult coaches and sponsors. The leadership and the services of this organization are felt in every State of our Nation, in Mexico, and in Canada. Over 600,000 of our pre-high-school boys participate in team-play football under the rules and regulations advocated by "Pop" Warner Little Scholars.

This program was initiated in Philadelphia through the efforts of Joseph J. Tomlin, an outstanding lineman during his years at Swarthmore College and an alumnus of Harvard Law School. Tomlin sought, through "Pop" Warner football, to expose boys of the ages of 7 to 14 to the game of safety-first football, emphasizing its quality-building character through sportsmanship, team play, physical fitness, and scholastic achievement. These purposes were achieved through a system which obtained proper coaching and officiating. The welfare of the boys is safeguarded through the insistence on the use of high-quality, safety-first protective equipment.

To emphasize the goals of his program, Tomlin adopted the name of the late great collegiate football coach, Glen Scobie "Pop" Warner. Born on a farm in western New York, Warner played varsity football at Cornell and went on to coach the Indians in Carlisle, Pa. When that school closed in 1914, he went to the University of Pittsburgh, then to Stanford, and finally to Temple University. In his years of coaching, he provided a continuing inspiration for all who worked under him, and today his name remains a symbol of what the "Pop" Warner Junior League football program is attempting to achieve.

Under the "Pop" Warner program, youthful grid opponents are matched by strict adherence to maximum and minimum age and weight requirements.

The league splits its membership into five age and weight classifications: Pee wee, junior midget, midget, junior bantams, and bantam. These divisions include all of the boys of pre-high-school age with prime consideration given to the safety of every child and equality of competition. Through the efforts of the "Pop" Warner organization, group accident insurance is available to all teams for a very low premium.

Satisfactory schoolwork is not only encouraged, but is a prerequisite to team participation.

Organizationally, States are divided into regions, and each region has a vice president of the parent organization, and each state has a commissioner who is the coordinator of the leagues in his State. Intercity and interregional championship games are encouraged. Each year, an all-American team is selected on the basis of scholarship, leadership, team play, and football excellence. To be selected for the all-American squad is an honor which stimulates players, teachers, and parents to adhere to the goals of the organization. The all-American team annually goes on a pilgrimage, visiting such attractions as the Olympics in Mexico City, the world fairs, Hawaii, and most usually the squad enjoys a visit to our Capital City.

"Pop" Warner Junior League football has operated for many years under the nonprofit corporate status of a single State, the Commonwealth of Pennsylvania, where the program was founded in Philadelphia in 1929. The board of trustees is composed of outstanding citizens dedicated to the ideals fostered by "Pop" Warner. The individual members of the board contribute generously of their own finance and raise additional funds through soliciting support from others. Joe Tomlin, the founder of the organization, is the president and continues to be the catalyst, which insures the smooth operation of the organization. The assurance of a Federal charter will greatly broaden the scope with the "Pop" Warner organization and give protection to the "Pop" Warner name and insignia, to the young men participating in the program, and to those others who give their dedicated services. A Federal charter would help this nonprofit organization insure that its stringent safety rules equipment requirements, scholastic standards and good sportsmanship is observed by all programs using the "Pop" Warner name. This organization is infinitely worthy of this honor. It is truly national in character, having recognized state organizations in over thirty-six states and serving the needs of youth of all States. Its prime purpose, like that of the Boy Scouts of America, the Little League Baseball, Inc., is the fostering of leadership and good citizenship, motives which have no peers.

Having had personal contact with this organization and an opportunity to see the magnificent job which it has done and is doing in aiding boys of all ages, I feel deeply honored to be able to introduce this bill as a fitting tribute to the men and boys who have made this great organization possible. Mr. Speaker, I urge you and each of my colleagues to lend your full support to this bill, so that a congressional charter may be granted to the "Pop" Warner Little Scholars during the 91st Congress.

THE NEED IS FOR QUALITY EDUCATION

(Mr. RARICK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, yesterday the Nation's press carried headlines screaming, "Farmer Disagrees With Nixon," on school guidelines.

The former head of the radical Congress of Racial Equality must have overruled the President of the United States. Today we see the announcement that funds for schools in the South were withheld and more lawsuits filed to appease criticism from extremists.

It is a strange paradox that while the administration talks of war on crime, Farmer is permitted to use HEW to encourage violence from inside the Government. And Federal judges have ruled that in the South freedom for a child or parent to select a school of their choice is illegal. This has made a unified war on our school system.

The present assault forsakes any pretense of interest in education. At most it is a surrender to the mindless emotional clamor of revolutionaries.

It is time for the President, the Justice Department, HEW, and the Federal judges to start thinking of quality education for our children and forget about using our youngsters as political pawns—a threat to education itself.

I include several newsclippings following my remarks:

[From the Washington (D.C.) Evening Star, July 7, 1969]

School Guidelines a Legal Question

(By David Lawrence)

The American people are not being told the whole truth about the controversy over school "guidelines."

Both the National Education Association and the National Association for the Advancement of Colored People have issued statements denouncing as a "weakness" the latest declaration by the Nixon administration about its plans to be more flexible in fixing exact dates when "segregation" in the public schools must be ended.

But the fact is that the new statement modifies in only a procedural way the policies of the Johnson administration. There is still a flagrant violation of federal law in trying to force schools to "integrate" artificially. Congress in 1964 and in 1968 passed laws specifying exactly what cannot be done to overcome "racial imbalance."

The "guidelines," for instance, issued by the Department of Health, Education and Welfare under the Johnson administration were, in one respect, a violation of law. For the Civil Rights Act of 1964 stipulates clearly that any "regulations" could become effective only if approved by the President of the United States. While Mr. Johnson assented to most of the "regulations," he never formally approved as a "regulation" all the "guidelines" which the Department of Health, Education and Welfare, on its own initiative, adopted in an effort to correct "racial imbalance" in public schools. These included the assignment of quotas of children to schools by race and busing them from one school to another or from one school district to another.

Also a 1968 provision which is in an appropriations bill for the Department of Health, Education and Welfare declares:

"No part of the funds contained in this act may be used to force busing of students, abolishment of any school, or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent in order to overcome racial imbalance.

"No part of the funds contained in this act shall be used to force busing of students, the abolishment of any school or the attendance of students at a particular school in order to overcome racial imbalance as a condition precedent to obtaining federal funds otherwise available to any state, school district, or school."

Still in effect is a section of the Civil Rights Act of 1964 which limits the jurisdiction of the courts. It says:

"'Desegregation' shall not mean the assignment of students to public schools in order to overcome racial imbalance. . . .

"Nothing herein shall empower any official or court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve such racial balance."

There is, moreover, nothing in the statutes which permits the assignment of teachers by a quota system based on color. Yet the "guidelines"—which now are being put into effect by the Nixon administration in a slightly different way than under the preceding administration—cover methods of assigning certain quotas of teachers as well as students in public schools and contain threats to withhold public funds if there is noncompliance by certain fixed dates.

The only real change made by the Nixon administration in its announcement last week is the adoption of a plan which concentrates the task of enforcement of the "guidelines" in the Department of Justice. Coincidentally, the Department of Health, Education and Welfare is given the problem of negotiation and conciliation and the making of arrangements for the use of public funds so as to accomplish the desired objectives. This is necessary in cases where school districts must reconstruct or add buildings to accommodate larger numbers of students in particular schools in which attendance has been increased due to the effort to achieve "racial balance."

Today America is witnessing an example of deliberate circumvention of law in order to achieve what is deemed a desirable objective. The Nixon administration, however, at least has appeared to recognize that this is a legal question and has decided to seek more help from the courts in dealing with enforced integration or "racial discrimination."

[From the Washington (D.C.) Post, July 8, 1969]

Schools in South Lose Aid—United States Penalizes Three Districts for Segregation

(By Peter Milius)

The Nixon Administration yesterday ordered Federal fund cutoffs in three Southern school districts and took two other districts to court in a concerted effort to counter criticism that it had softened its stand on school desegregation.

At the same time it was learned that a Federal district judge in Louisiana, partly on the strength of the Administration's controversial policy statement last Thursday, denounced as too strong desegregation plans drawn up by the Department of Health, Education and Welfare for 37 school districts in that state.

RENEGOTIATION ORDERED

HEW had drawn up the proposals to replace freedom-of-choice plans in the 37 districts.

Calling the plans "outrageous" and declaring that the policy statement gives "us considerable more elbow room," Judge Ben C. Dawkins Jr. ordered HEW to renegotiate with the 37 school boards.

The Administration said on Thursday that it would no longer hold the South to the old "arbitrary" 1969 and 1970 desegregation deadlines, but would grant delays only where there were "bona fide educational and administrative problems."

Southerners and civil rights groups alike interpreted the statement as a retreat, and civil rights spokesmen bitterly assailed it. Administration officials, and HEW in particular, have since tried to dispel that interpretation.

SEVERAL MOVES MADE

Yesterday, the Administration moved on several fronts at once:

HEW Secretary Robert H. Finch ordered fund cutoffs in Wayne County, Ga., Flagler County, Fla., and Orangeburg County School District No. 4, S.C. All three orders had been on his desk unsigned for some time.

The Justice Department filed suit against Barnwell County School District No. 45, S.C., which had its Federal funds cut off earlier this year and still did not desegregate. The suit seeks to bring the district into compliance by court order, a step that would permit restoration of the funds.

The Justice Department also filed suit to bring about desegregation in an Illinois school district, Madison County No. 12. It was the first such suit the Nixon Administration has filed in the North.

Finally, HEW announced that it has issued a citation against Austin, Tex., whose school board refused two weeks ago to adopt a full-fledged desegregation plan and went back to freedom-of-choice.

A citation is the first step in the complicated process that can lead to a fund cutoff. There were reports two weeks ago that the Austin board voted against the desegregation plan partly in anticipation of a new, softer Administration policy.

Critics of the Administration's Thursday statement said it would bring a new wave of Southern pressure and appeals for more time, pressure and appeals HEW and other Federal civil rights officials might not be able to withstand.

Judge Dawkins' remarks late last week in Shreveport were cited as an early example.

He called the Administration statement "a sort of new breath of fresh air to replace the virtually intolerable situation for all of us prior to the new policy."

If HEW and the 37 Louisiana districts cannot reach agreement after renegotiation each will submit its proposals to Dawkins. Once he rules, either side can appeal. He had previously upheld freedom-of-choice in the 37 districts.

PROPOSAL BY HEW

HEW's position was that freedom-of-choice was not producing desegregation. It proposed that 36 of the 37 districts desegregate completely this September, and that the other district do so by September, 1970, with substantial steps in the interim.

Dawkins' remarks were not the only indication that the South read the Thursday statement as Administration willingness to allow delays.

According to HEW officials, one of the 37 Louisiana districts, Evangeline Parish, had tentatively agreed last Thursday to most of the desegregation plan HEW had proposed.

On Saturday, the Evangeline school board abruptly and unanimously reversed itself and went back to freedom-of-choice.

Yesterday, however, Nat Manuel, Evangeline school superintendent, said the Nixon statement had nothing to do with the vote of the board.

QUERIES ON TIMING

Meanwhile, HEW regional officials in Atlanta said at least five school districts telephoned them yesterday, asking if the Nixon statement meant they would have more time. All were told no.

Secretary Finch and Leon E. Panetta, director of HEW's Office for Civil Rights, will send a letter to all Southern school superintendents later this week, reaffirming their position that the statement gives most Southern districts no greater leeway than they had before.

Panetta has insisted that fewer than ten districts will get more time.

[From the Baton Rouge (La.) State-Times, June 27, 1969]

Negroes Opposed to HEW Mix Plan

GONZALES.—Negro parents who don't want their school closed cheered and applauded last night as three members of the Ascension Parish School Board were chided for not doing enough to prevent a Department of Health, Education and Welfare desegregation plan from going into effect.

About 200 Negroes gathered at Marchand Elementary School in Hillaryville to hear school board members Shelby Robert, L. W. Duplessis and Leo Lambert explain why the elementary school must be closed.

The boardmen said HEW representatives rejected their help in drawing up a plan, but the board has until July 9 to submit one if it so chooses.

Lambert said the HEW plan reportedly calls for closing the Negro Marchand and Carver schools and a Negro school in Prairieville. He said the HEW plan involved busing 194 Marchand students 10 miles to St. Amant.

Several members of the audience claimed the school board seems to approve the HEW plan because it would avoid having 10–15 whites in the area attend the Marchand school.

In answer to one woman's complaint that discrimination against Negroes would be great in St. Amant, Lambert said the school would be 81 per cent white.

The board members repeatedly dodged questions on what kind of plan the board might draw up and submit to U.S. Dist. Judge E. Gordon West in accordance with a directive from the Fifth Circuit Court of Appeals that freedom of choice plans are no longer acceptable and that 37 state school boards must find other desegregation plans to enact.

After an hour and 45 minutes of discussion, the group asked the three board members and a reporter to leave so the audience members could "draw up a plan of action."

Various spokesmen said they would be in contact with HEW officials about the matter and would be ready to meet with Judge West, Gov. McKeithen and others rather than be silent as their school was closed.

MAYOR CHARLES EVERS

(Mr. RYAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. RYAN. Mr. Speaker, I was privileged yesterday to attend the inauguration of Charles Evers as mayor of Fayette, Miss.—an event of great historic significance.

The importance of the election of

Mayor Evers for the political evolution of the South is readily apparent. For it was in Mississippi that Negroes were subjected to the most blatant discriminatory exclusion from the political process. It was in Mississippi that Medgar Evers, the civil rights leader and the brother of Charles, was murdered in 1963 by an assassin. It was also in Mississippi that three young civil rights workers, James Chaney, Andrew Goodman and Michael Schwerner, who were involved in voter registration activity, were brutally murdered in June of 1964.

While the qualifications and leadership abilities possessed by Charles Evers would make him a strong political candidate anywhere in the country, his election in Mississippi would not have been possible without the strides made under the Voting Rights Act of 1965.

Prior to the enactment of the 1965 Voting Rights Act, only 28,500 Negroes, or 6.7 percent of the total nonwhite voting age population, were registered to vote in Mississippi. By contrast, 525,000 whites, or 69.9 percent of the white voting age population, were registered.

By 1967, 263,754 Negro citizens were registered to vote, or 59.8 percent of the total number of eligible nonwhites. Statistics from "Political Participation," a report of the U.S. Commission on Civil Rights, 1968. This in itself is impressive proof of the impact of the Voting Rights Act. However, the fact that 91.5 percent of the white voting age population was registered by 1967 indicates how much remains to be done before there is full integration in the political life of Mississippi.

The contrast between the atmosphere which prevailed yesterday at the inaugural ceremonies in Fayette and the climate of fear and intimidation of 5 years ago is a dramatic indication of the progress which has been made under the Voting Rights Act. In 1964, I witnessed widespread discrimination against Negroes attempting to register to vote in Mississippi. In county after county local officials used discriminatory devices and tests to obstruct and prevent Negroes from registering. In addition, of course, threatened and actual reprisals—both economic and physical—were commonplace.

In view of this history of intimidation and violence, including the assassination of his own brother, Mayor Evers' commitment to insuring political justice for all citizens of Mississippi, white and black alike, should stir the conscience of white America to eliminate remaining racial barriers to full equality.

In his inaugural speech Mayor Evers expressed the hopes of all who believe in political equality when he said:

> I hope that the black and white people of Mississippi will understand that we've only done what God would want us to do—take part in our public affairs. . . . Some day, somehow, we are all going to be free and all men will be able to live on this earth without hating people and without discriminating against people. . . .

If that hope is to become a reality, the protections embodied in the Voting Rights Act of 1965, must be extended until political equality is a fact throughout the Nation. The guarantees of that act must not be permitted to lapse.

TRIBUTE TO THE LATE CONGRESSMAN WILLIAM H. BATES

The SPEAKER. Under previous order of the House, the gentleman from Massachusetts (Mr. Conte) is recognized for 60 minutes.

(Mr. CONTE asked and was given permission to include extraneous material at the conclusion of his remarks.)

GENERAL LEAVE TO EXTEND

Mr. CONTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CONTE. Mr. Speaker, we are setting aside this portion of our day to mourn the passing of one of our finest colleagues, Representative William H. Bates, and to eulogize his memory. We honor and mourn a man who was not only a friend cherished by so many of us, but also an example of a dedicated public servant worthy to be followed by anyone in political life.

Congressman Bates devoted his entire life to the service of his country—as a naval officer, and then, upon the untimely death of his father, as a Member of this body. His conduct throughout this career was that of a gentleman and a devout Christian. He was successful and, indeed, powerful, but so restrained was his use of his position and so warming his geniality that he remained throughout his 11 terms one of the best-loved Members of this House.

We have already heard testimonials on this floor to the acute sense of loss that Bill Bates' passing has caused us. Our own words always seem inadequate to express such personal emotions, and on these occasions we turn for aid to the poets. We feel of Bill Bates as with Shakespeare's Henry the Fifth: The earth, that bears thee dead, bears not alive so stout a gentleman.

Few in this House can fill the lonesome place left by the death of Congressman Bates. As the ranking Republican on the House Armed Services Committee, he was among the most expert and competent Members of the House on military affairs and was universally acknowledged as our best-informed man on the Navy. He was a champion of the nuclear Navy, the main bulwark of national security during several trying years, and tended to this concern as second ranking minority House Member of the Joint Committee on Atomic Energy. But Congressman Bates prepared for war in order to secure the peace. He was also deeply concerned with the peaceful development and use of atomic energy.

Congressman Bates had gathered much of his personal expertise from success in his chosen career, service in the Navy. In his 10 years in the service, he rose from apprentice seaman to the rank of lieutenant commander. One of his shipmates, now a distinguished Congressman from Texas, has recalled the impression he made on his fellow sailors:

> He had that brightness, that bounce, and that happiness about him which immediately brought respect and appreciation and popularity both from the officers and the men.

This promising career was sadly interrupted in 1949, when his father, Congressman George J. Bates, died in an airplane crash here in Washington. The son decided to carry the standard of his father, and won a special election to the House in February 1950. Sacrificing the naval career he loved, he entered the complex and ambiguous world of politics, a world filled with temptation and lacking the simple standard of military honor by which he had previously lived. It was in the honorable and successful comportment of his new duties that Congressman Bates earned the enduring respect and affection of the Members of this House. A distinguished former Representative, the Honorable Dewey Short, spoke with deep admiration at Bill Bates' funeral of those years, watching him "sprout and grow and develop and expand—grasping the significance of the many conflicts—international as well as national and local problems that confront our people in these troublesome times."

It was after these years of growth that many of us came to know Mr. Bates as a model of the integrity and geniality essential to public service. We all looked forward to many more years of work in his cheering and brightening company. Losing him was a double blow, once to lose his warm and cherished friendship, but again, and more severe, to lose the contribution he would have made to the public good by his powers and potential.

His eulogist, Dewey Short, describes the example Congressman Bates set for his colleagues:

> Bill Bates was a man of unimpeachable integrity, of indefatigable energy, of a noble but not a consuming ambition.

But as personal friends, we found in him a model for personal conduct as well. He was kind and gentle, yet firm with high moral ideals deeply rooted in his religious convictions. It was this memory, of Bill Bates as personal friend, which remains with me today, the memory of a man who could be called the epitome of the Christian gentleman, the warm family man, the true and gentle friend.

The graveside eulogy follows:

EULOGY MASS FOR WILLIAM HENRY BATES

(Eulogy Given at Funeral Mass at St. James Church, Salem, Mass., by Former Congressman Dewey Short of Missouri, One-Time Chairman of House Armed Services Committee Who Served on That Committee With Both William Bates and his Father George Joseph Bates)

O, WORLD

"O world, thou chooseth not the better part
It is not wisdom to be only wise,
And on the inward vision close the eyes;
But it is wisdom to believe the heart.

"Columbus found the world, and had no chart
Save one that faith deciphered in the skies;
To trust the soul's invincible surmise
Was all his science and his only art.

"Our knowledge is a torch of smoky pine
That lights the pathway but one step ahead
Across a void of mystery and dread.

"Bid, then, the tender light of faith to shine
By which alone the mortal heart is led
Unto the thinking of the thought divine."
—SANTAYANA.

Life begins and ends in mystery. But life is deeper than logic, for the heart has reason and reason knows not how. The sum of our finite mind has difficulty understanding why any man with the high qualities of statesmanship, with the personal character, and with the noble service of WILLIAM HENRY BATES, should be snatched from our midst at the age of 52. He had gone a long way in those 52 years and there were many years ahead filled with rich promise, in our own minds and estimation. But the good Lord's ways are not always our ways nor His thoughts our thoughts, and He works miraculously His wonders to perform.

And when we think the great teacher—the greatest man who ever walked the earth—was nailed to a cross at the age of 33, we are made to realize that it is not how long a man lives but how much he lives that really counts. Theodore Roosevelt once said, "I would rather wear out than to rust out," and though every man wants to live as long as he can, and there is nothing in this life we cling to so tenaciously as life itself, I doubt if many of us would want to have the dubious reputation of Methuselah—just for being remembered because of our old age.

When one stops to think that George Joseph Bates, the father of the son we mourn today, who without too many advantages and after serving in the state Legislature and as mayor of this historic city, and who for seven terms was elected to the Congress of the United States and then tragically killed in an airplane crash over the nation's capital at the age of 59, and then when we think of this worthy son of an illustrious father who was elected for ten terms to the Congress of the United States after nearly ten years of honorable and distinguished service in the United States Navy, after serving so faithfully and well his God and his country, both in time of war and time of peace, we realize that, after all, God in his appointed time, and who knows much better than we know what is right and when to call his beloved home, was wise—difficult as it is for us to understand and sorrowful as it is to give up those whom we love.

Too many men in history have lived too long for their fame. But George Joseph Bates and his son William Henry Bates went out at the pinnacle of their careers, after the magnificent contributions that they made in their chosen fields. They were returned to Washington to represent Salem, this old historic city, and this great Congressional District, as well as the Commonwealth of Massachusetts and indeed the entire nation, because the votes of George and Bill Bates affected the 400,000 people in my District in southwest Missouri on great national issues as much as it affected you. But the fact that year after year and term after term father and son were returned by the great constituency of this congressional district is a more beautiful tribute and speaks more eloquently to the high esteem, great respect, the air of confidence and the fond affection in which they were held than any words that I might utter here this morning.

It was interesting to have been associated and to have worked with these two men day in and day out on the Committee on Armed Services in the Congress and to see this young man giving up his commission as a Lieutenant Commander in the Navy that he loved so much to come to Washington and then to watch him sprout and grow and develop and expand and grasp the significance of the many conflicts—international as well as national and local problems—that confront our people in these troublesome times.

Bill Bates loved people and they loved him. George was a diamond in the rough—stalwart, strong, sturdy and durable as the granite of New England. Conscientious, hard-driving, absolutely honest, his son Bill was more than a chip off the old block. He had inherited his father's rugged physique and dynamic energy, but he was a polished stone because of the tenderness and kindness and sympathetic understanding of his dear mother. What a combination rubbed off in this young man who entered the Congress and who because of his personal worth and individual efforts rose to become ranking member on the powerful Committee on Armed Services.

Bill Bates was a man of unimpeachable integrity, of indefatigable energy, of a noble but not a consuming ambition, but with a burning desire to help others. Never did he envy those who had more than he possessed, but he was always trying to help those who were less fortunate. He was kind and gentle, yet firm with high moral ideals deeply rooted in his religious convictions. And morality that is not rooted deeply and sincerely, this conviction is a pretty anemic and weak morality that cannot stand up against the temptations that confront a man in public life.

It wasn't merely because of his knowledge—and he had knowledge. He gained from all of it new spirit, more at Brown and then Harvard, but neither Brown nor Harvard could ever rob him of his vast, vast knowledge in spirit and inherited shrewdness.

Bill Bates had gumption—he could stand up for a cause whether it was popular or unpopular. He would rather be right in the long run. And so, after ten years of service in his country's armed forces during and following the war, and after nearly 20 years of service in the Congress of the United States where, because of his rugged honesty, his noble ideals, his accommodating spirit, his willingness and eagerness to help others in all matters, he won for himself an everlasting and imperishable place in the hearts of his colleagues, as attested to by the beautiful tributes paid to him by members of both parties on the floor of the House on Monday of this week.

Bill Bates was young and vigorous and full of idealism and full of the love of his Maker. He wore a smile that would never wear off. How I enjoyed at the end of long and tedious and controversial hearings, sometimes bitter and acrimonious debate, how I enjoyed in basking in the sunshine of his smile. He was so congenial, so convivial, so jovial, so joyous, so full of life! He loved the old, the young, the black and the white, the rich and the poor. That is the reason they all loved him because never in my life did I hear Bill Bates say anything mean about anybody. He wasn't small and petty or selfish, envious or jealous, and that is the reason why I suppose I have never heard anybody say anything mean or really derogatory about Bill Bates.

He voted as he talked; he talked as he voted. He lived as he believed; he believed as he lived. So finally, my brethren, whatsoever things are true, whatsoever things are honest whatsoever things are just, whatsoever things are pure, whatsoever things are lovely, whatsoever things are of good report hang on these things.

Bill Bates thought on those things and he did those things, chiefly because he was brought up in a Christian home with close ties with father and mother and brothers and sisters. He had good judgment and balanced sense—wisdom and good judgment are even more valuable and necessary than knowledge. He showed that good judgment when he married a fine Christian young lady from my state of Missouri. To you, Jean, and to his lovely daughter Susan, who was the apple of his eye and always brought devotion, with dedication he served both of you and proudly loved you as he did his Dad and his Mother and his brothers and his sisters. Ah, you Naval Officers had it easy to train Bill Bates because he was taught some discipline at home from the cradle up. It was because he had a disciplined mind and a disciplined life, a pure heart, a clean mind and willing hands that he learned to control himself as well as to know himself. He learned to obey orders as well as to give commands.

God knows we need more men like William Henry Bates.

When I came to Salem on two different occasions years ago—a quarter of a century now—to speak for George Bates, and later in another campaign over at Haverhill, and then when I returned after he was tragically killed in Washington in 1950 to speak at the dedication of the little memorial you have here for him, I know how you people loved both father and son as they both loved you.

Last Sunday morning at seven o'clock, with his eyes closed and drawing his last few breaths on this earth, with his devoted and helpful wife sitting at his side holding his hand—at seven o'clock Sunday morning our national emblem, the American flag, was raised at Bethesda Naval Hospital, the band struck up our national anthem, The Star Spangled Banner, Bill Bates opened his eyes widely and looked heavenward.

Would to God that many of the youth of America could have witnessed that scene. God help you and me and all our progeny to learn something from this life that has been spent in the service of his God, of his country, and of his fellow men. When Bill Bates opened his eyes as the flag was raised and the anthem played, I am sure that a still small voice whispered in his ear—"Well done, thou good and faithful servant; enter thou into the joy of thy Lord."

God bless, comfort and keep the mother, wife, daughter, brothers and sisters and all the members of his noble family in the hollow of His hand. God help you and me as Americans to go forth and defend the principles for which he stood.

EDITORIAL TRIBUTES

Newspapers serving Representative BATES' congressional district editorially honored his memory and service. The following are typical of these tributes:

[From the Salem (Mass.) Evening News, June 23, 1969]

WE ARE ALL SAD

One of nature's deadliest diseases ended the life Sunday of U.S. Rep. William H. Bates of Salem at the age of 52.

We are all sad.

Rep. Bates, as the worthy son of a great Salem mayor and congressman himself, the late George J. Bates, was a credit to his family, his city, his congressional district and the nation he loved so much.

"Bill" Bates was an affable, warm human being who sat at the right hand of power in the nation's capital for a score of years but never lost the common touch.

It is one thing in life to have been given the opportunity for success and it is still another to be able to grasp it and expand on it.

This was what Bill Bates was able to do.

His parents, both of humble origin, raised an astounding family. Bill was educated at 2 Ivy League schools, Brown and Harvard, and this intellectual foundation held him in good stead in his government career.

Few persons in the Sixth Congressional District were fully aware of the prestige of their congressman.

As the ranking Republican member of the House Armed Services Committee and the Joint Committee on Atomic Energy, Rep. Bates made decisions on billions of dollars annually.

Through 20 years in Congress following a budding career as a Naval officer, Rep. Bates developed a rare expertise on military and defense matters and was constantly consulted by the White House during both Democratic and Republican administrations.

At 52, Bill Bates was much too young to die.

On behalf of the half-million residents in the Sixth Congressional District which he served so well, The Salem Evening News extends its sympathy to Rep. Bates' widow, daughter and mother and other members of the family.

A man and a public servant of his quality is rare indeed.

[From Daily Evening Item, Lynn, Mass., June 22, 1969]

REPRESENTATIVE WILLIAM H. BATES

The entire North Shore was shocked by news yesterday morning of the death of U.S. Rep. William H. Bates of Salem, who represented the 6th Massachusetts District. It was a matter of common knowledge that he was seriously ill, but the general public was unaware that he was so close to death in view of the hopeful announcements that came from his office from time to time.

"Bill" Bates was no run-of-the-mill Congressman. He brought to his duties a fine intelligence, a deep interest in broad national and international issues as well as an abiding concern for the everyday needs of his constituents.

As the ranking Republican member of the House Armed Services Committee and second ranking minority member of the Joint Commission on Atomic Energy, he was on the "inside" of some of the most far-reaching congressional decisions of our times. A competent and convincing speaker, he could debate global issues with skill and certitude either in committee or on the floor of the House, but he was equally adept in helping a constituent to get citizenship papers or to contact a son in Vietnam.

Rep. Bates was always "on top" of issues of direct importance to the 6th District. For years he had worked in close cooperation with Rep. James A. Burke (D-Milton) seeking import controls to keep the shoe industry alive in this area. He fought for the fishing industry in Gloucester and for the hat industry in Amesbury.

His position on the Armed Services Committee gave him an excellent opportunity to see that Lynn industries, such as GE, got their share of federal defense contracts.

In 1960 he took to the hustings to campaign for his lifelong friend, Henry Cabot Lodge, in the latter's quest for the vice presidency of the United States.

The Item has always taken pride in the fact that it suggested editorially soon after the death of Bill's father, Rep. George J. Bates, in a plane crash in Washington, that his son run to succeed him. The suggestion met with instant popular response and for 19 years he has represented the district without a break and without serious challenge.

The federal government has lost a distinguished servant in his death. The Item's condolences go out to his bereaved family and his dedicated associates in his Washington, Salem and Lynn offices.

[From the Haverhill (Mass.) Gazette, June 23, 1969]

CONGRESSMAN WILLIAM H. BATES

One of the last legislative acts of the late Cong. William H. Bates was his leadership on a petition to the President to help the shoe industry. Like most of his work in Congress, it was designed to help his constituents.

We regret the death of Congressman Bates because of the many personal qualities which kept him in the House of Representatives through some of the busiest and most transitional years in the country's history.

Though he was deeply involved in national issues, through his service on the Armed Forces and Atomic Energy Committees, he maintained a close personal touch with his constituents. He, and through him his staff members, always had the time and the manner to let each individual feel a small problem got the same attention as a national issue.

In his political philosophy, Bates was a conservative in most accepted senses of the word. He was a believer in a strong national defense, and in his almost 20 years in Congress advanced to the position of the ranking Republican on the Armed Services Committee. He did not go along with much of the liberal legislation of recent years, holding to a policy of fiscal soundness in regard to government spending.

Some of his policies led others of differing views to conduct campaigns in which they were directly opposite to his philosophies, but the voting record indicates the Congressman reflected his district faithfully, for he gained re-election with ease.

It became evident in recent years the combination of his personality and philosophy was an appealing one to the voters of the Sixth Congressional District, and the chances were good he could have continued in Congress for many years.

Cancer, however, struck him down. It attacked a man of tremendous energy and radiant good health and brought death within a few months of diagnosis, despite the skilled efforts of some of the nation's best medical teams.

The district must eventually turn to the choice of a successor, since the law provides for filling vacancies in the House through elections. His term had a year and a half to go. We must hope, however, that those who seek this office will at least allow a decent interval before they begin open campaigning.

There is little doubt the loss of Bates will be felt in his district. He had gained both stature and power through his seniority, and he was able to use some of that strength to help both the district and the individuals within it.

Congressman Bates was, in our estimation, both kind and personable. We had never heard him speak an unkind word of any person, politically or otherwise, but we had heard many examples of the lengths to which he had gone to help persons of every degree of social and economic standing.

His visits to this office reminded us that he had acquired a loyal personal following in Greater Haverhill, making close friends here in addition to those who were affiliated with him due to political beliefs.

Shoe workers here, most of them Democrats, cast their votes for Congressman Bates because they were aware he had worked long and hard in their interests. In recent years and months, he had done much to try to stem the flood of imports which have been responsible for the loss of shoe jobs in Haverhill and other parts of the district.

We can honor William H. Bates as a man who was firm in his principles and in his devotion to those who put him in Congress and kept him there. He proved to be a worthy successor to his father, the late Cong. George J. Bates.

[From Gloucester (Mass.) Daily Times, June 23, 1969]

BILL BATES: HE WORKED FOR US

Bill Bates was a Congressman who could deliver.

He delivered the best of his ability and knowledge in military affairs for the nation, through his ranking seat on the House Armed Services Committee.

He delivered for Massachusetts and New England, through his watchfulness of regional affairs ranging from military spending to imports of leather goods and fish.

He delivered, too, for the "folks at home," helping secure contracts for defense-related industries in the Sixth District, and almost always having time to seek relief for an aggrieved veteran or widow or workaday citizen.

To say that a man "delivered" suggests he approached his work primarily as a politican. Bill Bates was a politician of necessity, for that is the way a man enters Congress and that is the way he gets things done once there.

But Bill Bates always seemed to be above politics when necessary. He approached his representation of 30-odd Northeastern Massachusetts cities and towns with devotion found in men who regard their jobs as careers. He shunned political intrigue and based his campaigns for re-election on service rendered. He felt the voters could make up their minds on this evidence alone, and they always did—in his favor.

While Bill Bates was regarded in his home city as a Salem-boy-made-good, he did not forget the scope of his responsibility. He took pride when speaking in Gloucester some years back in the fact "the first speech I made in Washington was on Gloucester fish."

Gloucester usually got good response from Bates. He worked to keep tariffs and import quotas favorable wherever Cape Ann desires could be fit into the interests of national policy. He was the prime mover in locating Bureau of Commercial Fisheries offices here. This BCF irradiator on Emerson Ave. was known warmly among his fellow members on the Joint Committee on Atomic Energy as the "Bates Irradiator."

And he saw the pitfalls of Gloucester's being a one-industry town. "Try to attract new industry," he told Rotarians here in 1956. "The important thing for the city is to get a balanced portfolio. As a one-industry community it (Gloucester) presents the most serious economic problems of any community in my district." Later Bates went to work to get Gloucester included in an officially designated Economically Depressed Area, a move which opened the way to receipt of federal funds for industrial development studies and the water filtration plants now under construction.

Philosophically, Bill Bates was a conservative—perhaps the most conservative of New England's Congressmen. This position did not always coincide with the views of his constituents—but it did not seem to matter on Election Days. His 20 years in Congress made him the second-ranking Republican and won for him a stature which last year had him rumored to be a candidate for Secretary of Defense under President Nixon. This was a sincere form of flattery.

Jockeying will soon begin among men and women of politics to fill the vacancy caused Sunday morning by Bill Bates' death. It will take a rare individual, though, to fill that seat the way he did.

[From the Daily News, Newburyport, Mass., June 24, 1969]

A MAN ABOVE POLITICS

Bill Bates was a Congressman who could deliver.

He delivered the best of his ability and knowledge in military affairs for the nation, through his ranking seat on the House Armed Services Committee.

He delivered for Massachusetts and New England, through his watchfulness of regional affairs ranging from military spending to imports of leather goods and fish.

He delivered, too, for the "folks at home," helping secure contracts for defense-related industries in the Sixth District, and almost always having time to seek relief for an aggrieved veteran or widow or workaday citizen.

To say that a man "delivered" suggests he approached his work primarily as a politician. Bill Bates was a politician of necessity, for that is the way a man enters Congress and that is the way he gets things done once there.

But Bill Bates always seemed to be above politics when necessary. He approached his representation of 30-odd Northeastern Massachusetts cities and towns with devotion found in men who regard their jobs as careers. He shunned political intrigue and based his campaigns for re-election on service rendered. He felt the voters could make up their minds on this evidence alone, and they always did—in his favor.

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[From Lawrence (Mass.) Eagle-Tribune, June 27, 1969]

TRAGIC END OF AN ERA

Sometime in the coming months a special election will be held in the Sixth Congressional District to elect a successor to William H. Bates. When the second session of the present Congress convenes next January, for the first time in 32 years another than a Bates probably will represent this district.

George J. Bates, at the time mayor of Salem, was elected to Congress in 1937 to succeed the late A. Piatt Andrew. George served with distinction until Nov. 1, 1949 when he was killed in a plane crash in Washington as he was returning to duty after a weekend at home.

At that time his son William was a lieutenant commander in the Navy. He was, Sixth District Republicans thought, the logical man to succeed his father in Congress. Sixth District voters agreed. He won a special election and was reelected each two years thereafter, the last time in 1968.

His death from cancer at the age of 52 ended nearly 33 years of service in Congress for the Sixth District by George and William Bates.

It was distinguished service. It was effective personal service to constituents and notable patriotic service to the country.

As the senior Republican member of the Armed Services Committee, Bill was an influential authority on national defense. As the second ranking House member of the Joint Atomic Energy Committee, he won the admiration of Adm. Rickover for his knowledge of atomic warfare.

He drew, said former Sen. Saltonstall, the utmost respect and affection from members of both parties. He was, said Ambassador Lodge, a public servant in the finest tradition, blessed with a warm and winning personality and motivated by his high sense of patriotism.

His death at an age when he and his thousands of friends and supporters reasonably could expect many more years of admirable public service tragically ended for the Sixth District an illustrious era of representation in Congress.

[From the Boston Herald-Traveler, June 24, 1969]

WILLIAM H. BATES

The death of U.S. Rep. William H. Bates of Salem is a profound loss for the Sixth Congressional District and indeed for the Commonwealth. Congressman Bates typified, as did his father before him, staunch loyalty to his constituents, abiding concern for their economic security and for the military security of the United States.

As a Navy officer and later as an officer in the Naval Reserve, Rep. Bates knew intimately the challenges of the nuclear era and combined his knowledge with his experience and position as the ranking Republican member of the House Armed Services Committee to champion a nuclear Navy. This expertise served him well also as the second ranking member of the Joint Committee on Atomic Energy.

Tributes from both Republican and Democratic leaders testify to the esteem and affection in which Rep. William H. Bates was held, whether in Essex County or in the halls of Congress. But perhaps the finest tribute to Congressman Bates' life of public service was paid by the people he served best, the people of the Sixth Congressional District, who affirmed their confidence in his leadership by electing him to Congress for eleven terms.

[From the Boston Globe, June 26, 1969]

HE SERVED [illegible] DISTRICT WELL

The late Congressman William H. Bates of Salem represented his Sixth Congressional District well throughout his 19 years in Washington. It could not have been easy for him to attempt following in the footsteps of his father, George J. Bates, himself a congressman and Salem's mayor for many years, who had been killed in a plane crash in 1949. But Bill Bates did.

He was not a "Tuesday-to-Thursday" congressman like some, but worked hard at the job and did his homework. He was a conservative on some issues, and a supporter of the anti-ballistic missile system and of most military spending. But he was always fair, and anxious to hear both sides in a controversy. And he was decent and most likeable. Massachusetts and particularly the Sixth District will miss him.

DEATH AND FUNERAL RECORDED IN NEWSPAPERS

The passing and funeral of Congressman BATES were recorded in many columns of newspapers serving his district in Massachusetts. Illustrative of this coverage, along with appropriate pictures, were these excerpts from articles in his hometown paper, the Salem Evening News, June 23 to 27:

[From the Salem (Mass.) Evening News, June 23, 1969]

NORTH SHORE MOURNS REPRESENTATIVE WILLIAM H. BATES

SALEM.—Military Funeral services will be held Thursday for U.S. Rep. William H. Bates, a Republican who represented the heavily-Democratic Sixth Massachusetts District in Congress for nearly 20 years after succeeding his father.

There was no immediate word whether President Nixon or Vice President Agnew will attend the funeral, or whether Cardinal Cushing will say the Mass.

Bates, 52, died of stomach cancer Sunday at 8 a.m. in Bethesda Naval Hospital, Maryland.

The congressman had been undergoing treatment of the ailment since mid-March.

A former Navy officer who championed the nuclear Navy and development of peaceful uses of atomic energy, Bates had served in the House of Representatives since Feb. 15, 1950, when he was elected to succeed his father, Rep. George J. Bates.

George Bates was elected to Congress when Rep. A. Piatt Andrew of Gloucester died in 1937.

The elder Bates was among 55 people killed in a collision of a commercial airliner and a military plane over Washington on Nov. 1, 1949. He was returning from Salem to Washington when the crash occurred.

It was the third time that tragedy had struck the Bates family in less than 30 years. The congressman's brother-in-law, Navy officer James Ginty, was killed during World War II in the South Pacific.

William Henry Bates was born in Salem on April 26, 1917.

He attended St. James parochial school and was president of his graduating class at Salem High School in 1935.

After a year at Worcester Academy, he entered Brown University, graduating in 1940 with a B.A. in economics and political science.

Later, he obtained a master of arts degree from Harvard University while serving in the Navy.

He worked as a clerk for the FBI in Washington before enlisting in the Navy as an apprentice seaman in 1941.

Rising to an officer's rank, he participated in Naval assaults on Iwo Jima and Okinawa and was stationed on Japanese mainland after the war.

Rep. Bates held the rank of captain in the Naval Reserve at the time of his death.

An excellent athlete in high school and college, Bates was an end on the Salem High team that traveled to California in 1933 to play Urban Academy.

In later years, the congressman kept in shape by playing golf. He was one of Washington's better golfers and a constant fairways companion of Vice President Richard M. Nixon during the Eisenhower administration.

Rep. Bates entered the Naval Medical Center on Monday March 3, to undergo exploratory surgery for an undisclosed ailment.

The surgery took place on March 19.

It was disclosed on April 2 that Bates was suffering from abdominal lymphoma, a cancerous tumor of the lymphatic system, a network of glands and ducts that regulates fluids between the tissues and the blood system.

For several weeks following the discovery of his condition, the congressman underwent daily radiation treatments.

The treatments had continued on a regular basis until his death.

Bates' wife, the former Pearle Jean Dreyer, was at his bedside when he died. The Bates have one daughter, Susan, 20, a commercial artist in Boston.

The congressman's mother, Mrs. George J. (Nora) Bates, lives at 11 Buffum St., Salem.

Bates leaves 3 brothers and 3 sisters.

His brothers are Raymond H. of Marblehead, George J. Jr. of Salem and Francis of Peabody.

The sisters are Mrs. Mary Courtland Sawtelle, of East Greenwich, R.I.; Mrs. James (Katherine) Ginty of Salem and Mrs. Edmund (Caroline) Stanton, of Marblehead.

William Bates was serving his 11th term in the House. Since being elected to fill his father's vacancy, Bates had been reelected by impressive margins each time he ran.

He was constantly unopposed for the Republican nomination and 3 times had no Democratic opposition in congressional elections.

In November 1968 he won his 11th term by swamping the Democratic nominee, Miss Deirdre Henderson. Bates polled 136,947 votes to Miss Henderson's 70,296 and swept every community in the district.

At the time of his death, Rep. Bates was the senior Republican on the House Armed Services Committee and the second ranking

House minority member of the Joint Committee on Atomic Energy.

For the past 4 years he had been a member of the United States delegation to the NATO Parliamentarians Conference. He was assigned to the conference's Military Committee.

His knowledge of atomic warfare was praised by Adm. Hyman Rickover, a chief advocate of the submarine Navy.

Among the highlights of Bates' congressional career were his successful efforts to block the merger of the First and Third Naval Districts and tariff legislation to protect the shoe, hat and fishing industries from foreign competition.

THE SERVICES

Services for Rep. William H. Bates will begin today, with a memorial prayer service at 7:30 p.m. at the Joseph Gawler's Sons Funeral Home in Washington, D.C. Visiting hours will be from 2 to 9 p.m.

The body will be flown to Salem Tuesday, where it will lie in state in Hamilton Hall, 9 Chestnut St., Tuesday from 7 to 9 p.m. and Wednesday from 2 to 5 and 7 to 9 p.m.

A full military funeral will be held Thursday at 11 a.m., at St. James Church on Federal Street.

Burial will be in the family lot at St. Mary's Cemetery.

HE STOOD UP AND TOOK SIDES

(By Howard Iverson)

William H. Bates was a fighter for all of his 52 years. Whether it was his country, his district or his lifelong hometown of Salem, Bill Bates stood up and took sides and did what he felt had to be done.

He was a staunch supporter of the war in Vietnam and the controversial ABM defense system, but he also called for the South Vietnamese to play a larger part in the defense of their country and insisted that our military programs—both offensive and defensive—be closely studied and re-evaluated annually in line with the changing world situation.

Bates embarked on an around-the-world mission in 1967 with lengthy stops in Saigon and many battlefields of Vietnam and American bases in South Korea, Thailand, the Philippines, Okinawa and other points.

Upon his return, Bates said: "There is no reason to believe that the future military struggle in Vietnam will be easy or of short duration."

The following year, at a meeting of First Coast Guard District officers at the Hawthorne Motor Hotel, the congressman said:

"While every effort should be made to seek an honorable solution to this conflict, it is quite clear that there must be a greater contribution on the part of South Vietnam to preserve that nation's freedom than had heretofore been the case."

And as much as he supported the military policies of the country, he fought just as hard for the abolution of the present draft system on the grounds that:

"I'm old fashioned enough to believe that many people came to this country to get away from the concept of compulsory military service."

Bates strongly backed the President's proposed ABM defense system.

On March 15, Bates said, "I believe that the President is entirely appropriate with respect to the security of the nation and I concur in his reasoning in reaching that decision.

"Deployment of modified anti-ballistic missiles to protect our retaliatory Minute Man installation will serve as a deterrent to any enemy who might consider launching an attack," he said.

"It is good that President Nixon has called for continuing review of the ABM program in the light of changing conditions which may arise.

"I think that people on both sides of the ABM issue during the past year have contributed greatly to the goal all of us so intently desire—the security of our country and the establishment of peace."

Inflation and increased government spending were 2 of his favorite targets.

And he had nothing but scorn for politicians who preached economy while opening wide the government purse strings.

"Ironically," said Bates in a 1966 speech, "many of the politicians who are shouting the loudest about the high cost of food and other consumer goods are the very ones who—by their spending policies—have contributed most to the condition in which we now find ourselves . . . and they fail to place the major blame where it belongs.

"Rather than crying for investigation, these politicians should be seeking to put the brakes on government spending for all but the most essential public services."

He fought for income tax relief for persons paying college tuitions and related expenses, introducing 2 bills designed to give such relief—one through a tax deduction process and the other through a tax credit formula.

In 1967, Rep. Bates voted against $1.7 million in planning funds for the Dickey-Lincoln hydroelectric plant in northern Maine, contending that the atomic generating plants now in operation had exceeded expectation in efficiency, affording New England customers lower electric rates.

He attempted to help the New England fishing industry, Gloucester in particular, but often criticized the industry for its failure to help itself.

"There is no reason why we cannot join together in protection of our resources," Bates said at a luncheon of the National Fisheries Institute in Boston last October.

The congressman stressed pollution control, fishing conservation, international agreements in respect to fishing grounds, stronger agreements on quality control, continuation and improvement of programs involving loans and grants for fishing vessels with a united effort to see that fishermen alone do not pay the cost of protecting the shipyards.

"The future of the fishing industry," Bates said, "lies with a common sense of direction."

The congressman backed several bills to encourage teachers to further their education, including income tax deductions for certain advanced education expenses.

"The better trained our teachers," said Bates, "the better trained our children."

He also led a vigorous battle to curb shoe imports.

"The alarming, steady increase of shoe imports, plus a downward swing in shoe exports, is threatening the future employment security of American workers through reduced production and sales of domestic shoes, while at the same time aggravating our balance-of-payments problems."

Following reports of the malfunctioning of M–16 rifles in Vietnam, Rep. Bates advocated a special study to investigate the M–16 program.

Bates joined 45 House colleagues earlier this year in introducing legislation to eliminate the controversial mandatory oil import control program, an import quota system which played a major part in boosting domestic oil prices.

This legislation, which is presently pending before Congress, would phase out the quota system over 10 years. The quota program, said Bates, "presently restricts the amount of foreign oil entering the country and is costing the American consumer an estimated $4 billion a year in the form of inflated prices for heating oil, gasoline and other petroleum products."

Bates repeatedly introduced legislation to establish certain maritime regions to be used as marine sanctuary areas, including the Georges Bank and other off shore waters.

"The coastal regions have become a 'new frontier' for American industry and technology," Bates said. "We should designate specific areas of the nation's offshore marine environments for sport and commercial fishing, recreation, scenic beauty and scientific values."

He noted that industry and mining activities have threatened the natural environments around the country and especially in New England.

He fought against the proposed shutdown (in 1972) of the Portsmouth, N.H., Naval shipyard.

Only last month, Bates joined a drive to assist hard-pressed shoe and leather firms by negotiating with competing nations for a voluntary cutback in their shoe exports.

Last week, as the result of a letter from Rep. Bates to the Joint Committee on Atomic Energy, the congressman was credited as being largely responsible for the continuation of the food irradiation program of the Atomic Energy Commission.

The House authorized the restoration of funds to the program which had been eliminated in the 1969 budget. The money permitted the continuance of work being carried out by the AEC's Marine Products Irradiator at Gloucester.

[From the Salem (Mass.) Evening News, June 24, 1969]

PRESIDENT'S JET FLIES REPRESENTATIVE BATES' BODY HOME

SALEM.—Flags in the nation's capital flew at half-staff Monday as the Senate and the House of Representatives paid final tribute to one of Congress' most active and popular members, 6th District Rep. William H. Bates.

Hundreds of people in government and private life visited Gawler's Funeral Home in Washington to pay their respects to the Salem congressman.

Among the visitors at the funeral home were Ambassador Henry Cabot Lodge, a lifelong friend of the Bates family; House Minority Leader Gerald Ford, House Speaker John McCormack, Sec. of the Navy John Chaffe, Under Secretary of State Elliot Richardson, Mrs. John A. Volpe, George Lodge and all members of the Massachusetts congressional delegation.

A 30-minute memorial prayer service was held Monday at the funeral home. Several congressional leaders, a number of North Shore residents and members of the Bates family attended.

The Rev. William Begley officiated at the memorial service. It was the Rev. Begley who married Bill and Pearle Jean Dreyer in 1943 when Bill was a young Navy officer and Jean was the secretary of a Missouri congressman.

President Nixon has assigned his personal plane—Air Force 1—to fly Rep. Bates' body to Hanscom Air Force Base in Bedford.

The congressman and the president were personal friends for years.

[From the Salem (Mass.) Evening News, June 25, 1969]

MCCORMACK APPOINTS 57 HOUSE MEMBERS TO ATTEND BATES RITES

WASHINGTON.—Speaker John W. McCormack of the House of Representatives has appointed a 57-member delegation to join him in attending the funeral of Rep. William H. Bates at St. James Church Thursday.

The delegation includes the 11 congressmen from Massachusetts, all members of the House Armed Services Committee of which Rep. Bates was the ranking Republican member; House members of the Joint Committee on Atomic Energy and the House leadership of both parties.

Massachusetts delegation:

Republicans—Silvio O. Conte, Pittsfield; F. Bradford Morse, Lowell; Margaret M. Heckler, Wellesley, and Hastings S. Keith, West Bridgewater.

Democrats—Edward P. Boland, Springfield; Philip J. Philbin, Clinton; Harold D. Donohue, Worcester; Torbert H. Macdonald, Cambridge; Thomas P. O'Neill Jr., Malden; James A. Burke, Milton, and Speaker McCormack, Dorchester.

Armed Services Committee:

L. Mendel Rivers, D-S.C., chairman; F. Edward Hébert, D-La.; Melvin Price, D-Ill.; O. C. Fisher, D-Tex.; Charles E. Bennett, D-Fla.; James A. Byrne, D-Pa.; Samuel S. Stratton, D-N.Y.; Otis J. Pike, D-N.Y.

Also, Richard N. Ichord, D-Mo.; Lucien N. Nedzi, D-Mich.; Alton Lennon, D-N.C.; William J. Randall, D-Mo.; G. Elliott Hagan, D-Ga.; Robert L. Leggett, D.-Calif.; Floyd V. Hicks, D-Wash.; Speedy O. Long, D-La.; Richard White, D-Tex.; Bill Nichols, D-Ala.; Jack Brinkley, D-Ga.; Robert H. Mollohan, D-W. Va.; W. C. Daniel, D-Va.

Also, Leslie C. Arends, R-Ill.; Alvin E. O'Konski, R-Wis.; William G. Bray, R-Ind.; Bob Wilson, R-Calif.; Charles S. Gubser, R-Calif.; Alexander Pirnie, R-N.Y.; Durward G. Hall, R-Mo.; Donald D. Clancy, R-Ohio; Robert T. Stafford, R-Vt.; Carleton J. King, R-N.Y.; William L. Dickinson, R-Ala.; Charles W. Whelan Jr., R-Ohio; Ed Foreman, R-N. Mex.; John E. Hunt, R-N.J., and G. William Whitehurst, R-Va.

House members of the Joint Atomic Energy Committee:

Chet Holifield, D-Calif.; Melvin Price, D-N. Mex.; Wayne N. Aspinall, D-Colo.; John D. Young, D-Tex.; Ed Edmondson, D-Okla.; Craig Hosmer, D-Calif.; John Anderson, R-Ill., and William M. McCulloch, R-Ohio.

House leadership:

Speaker McCormack, Minority Leader Gerald R. Ford, R-Mich., and Minority Whip Arends.

The 2 Massachusetts senators, Edward W. Brooke and Edward M. Kennedy, have been delegated to represent the Senate at the funeral.

[From the Salem (Mass.) Evening News, June 27, 1969]

"NOT HOW LONG HE LIVED BUT HOW HE LIVED"

(By Roland A. Corneau)

SALEM.—U.S. Rep. William H. Bates was laid to rest next to his congressman father Thursday.

Federal, state and local dignitaries joined an estimated 2500 persons from the 6th Congressional District in paying final tribute for his service on Capitol Hill for nearly 20 years.

John A. Volpe, former Massachusetts governor and present U.S. transportation secretary, was the official representative of President Nixon. Volpe presented the flag to the congressman's wife at the cemetery.

Full military honors were conferred at St. James Church and St. Mary's cemetery.

Former congressman Dewey Short of Missouri, a personal friend of the Bates family, delivered a 20-minute eulogy paralleling the lives of U.S. Rep. George J. Bates and his congressman son William, who served in the U.S. House of Representatives for a combined total of more than 3 decades.

"George Bates was a diamond in the rough, as sturdy as the old granite of New England.

"His son was more than a chip off the old block. He was a polished stone because of the tenderness and understanding of his mother," Short said.

"He was only 52 when the Good Lord took him from us.

"But, it is not how long a man lives, but how he lives it that counts," Short said.

"He was aware of the problems that confronted people in these troubled times. He had a burning desire to help others. He was gentle, but firm, with the highest ideals, and he won for himself an everlasting and imperishable place in the hearts of his colleagues," he said.

"One stops to think about the father, elected for 7 terms and then killed in a plane crash at the age of 59. And, the son of an illustrious father, elected 10 times after serving in the Navy for 10 years. Both served in war and peace.

"The fact that they were returned to office year after year is in itself a greater tribute than a eulogy," Short said.

"We must realize that God took him at his appointed time. He should know what is right and when to take. But, it is very hard for us to understand.

"Too many in history have lived too long. Bill Bates was taken from us at the pinnacle of his career in service to his country," Short said.

The Missouri congressman told of his associations with father and son on the Armed Services Committee. He said he was especially impressed to see young Bates give up his commission as a lieutenant commander in the Navy to carry on the work of his father.

"Bill Bates grasped the significance of complex international, national and local problems. He was young, vigorous, full of ideals. Bill Bates had gumption—gumption to stand up on an issue—popular or unpopular—if he thought he was right. It was his rugged honesty, noble ideas, willingness and eagerness to help others that made for him an imperishable place in the hearts of the people," Short said.

"He voted as he talked . . . he talked as he voted. He believed as he lived . . . he lived as he believed," he said.

"He wore a smile that would never wear off. He was so congenial, so joyful, so full of life. He liked old and young, black and white, rich and poor.

"Never did I hear Bill Bates say anything bad about anybody," Short said.

"I know you people loved both father and son as they loved you.

"On this day of mourning, all we can say is well done, Bill Bates," Short concluded.

It was 11 a.m. when the hearse carrying the casket of Rep. Bates lulled in front of the old gothic church, amid drum roll and music by the First Naval District band.

More than 1000 had gathered in front of the church. During the eulogy, those unable to get seats in the main church, listened in the downstairs chapel via a public address system hook-up.

The body-bearers, enlisted men representing all branches of the service, slowly removed the flag-draped casket from the hearse and began their slow march up 10 short steps through the church portico, depositing the congressman on the church truck.

The casket was flanked by the military pall bearers; Rear Adm. William B. Ellis, commander of 1st Coast Guard District; Maj. Gen. Joseph J. Cody of the Air Force; Brig. Gen. Felix J. Gerace of the Army; Brig. Gen. John H. Cushman of Ft. Devens and Adj. Gen. Joseph Ambrose of Massachusetts.

Members of the congressional delegation, state and local officials were already seated to the left of the altar. The family was seated to the right.

The church was filled to capacity. All rose as Wilfred A. Pelletier, for 25 years administrative assistant to both father and son, sang "God Bless America."

The Requiem High Concelebrated Mass was celebrated by the Rev. Patrick C. Curtin, pastor of St. James Church; Msgr. John Mullarkey of St. Pius Church, Lynn, and the Rev. George Huntress, St. Margaret's Church, Brockton.

His Excellency, Bishop Jeremiah F. Minihan, representing Cardinal Cushing, presided over the funeral services.

Following the gospel, Msgr. Mullarkey left the prie dieux and delivered a short eulogy.

"Although we mourn Bill Bates we know he is safe from suffering, the trials of life and is with God," the monsignor said.

He recalled the graveside services for the congressman's father and said, "I could see the tears in his eyes and his lips moving in prayer. He nodded his head, and I knew here was a man making a tremendous decision.

"I think that was when the pledge to carry the torch which was taken so abruptly from his father," he said.

Msgr. Mullarkey emphasized that "affluence and power were not part of his heritage.

"His home was the center of his family. His respect and esteem for his church was part of his daily living.

"He was endowed by God with great and natural gifts."

He described Rep. Bates and his father as "humble men of unknown integrity."

Many joined the Bates family in receiving Holy Communion. During the Mass, the Mission Church Boys' Choir and seminarians from Cardinal O'Connell Seminary rendered hymns.

Prior to the final prayers at the foot of the altar, members of the congressional delegation, headed by Sec. Volpe, House Minority Leader Gerald R. Ford of Michigan, L. Mendel Rivers, D-S.C., chairman of the Armed Services Committee, and U.S. Senators Edward M. Kennedy and Edward W. Brooke, formed an honor lane at the church steps.

The casket was carried down the steps and placed into the hearse. The Navy band played "Nearer My God To Thee." Members of the Bates family filled more than 25 limousines for the ride to the cemetery. The cortege was headed by 5 marching platoons made up of the services.

As the cortege approached the entrance of St. Mary's Cemetery, the sound of Howitzer guns boomed in the distance. The guns were fired 17 times—the last round expended as the hearse approached the grave site.

Graveside services were conducted by Navy Chaplain, Capt. Richard A. Cahill.

A 17-gun salute was then accorded Rep. Bates. Taps were sounded.

The body-bearers then folded the flag into a triangular shape. Sec. Volpe presented it to the congressman's widow.

The Navy band played "Anchors Away."

HIS WIFE, MOTHER, DAUGHTER—COURAGEOUS

(By Betty Munro)

SALEM.—There were many people on narrow Cambridge Street, at the side entrance of Hamilton Hall Thursday morning, but not a sound was audible, on the small tree-lined street.

There were 3 funeral limousines and 2 tots, sitting on a step, wide-eyed by the splendor of the occasion.

It was a silence of sorrow . . . and respect.

It was time for the cortege to move from Hamilton Hall to St. James Church.

Veiled in black and courageously holding up under the crushing blow of their loss were the Bates women . . . Mrs. Jean Bates, the widow; Mrs. George Bates, his mother, and Susan, his daughter.

For the elder Mrs. Bates, it was a time of double sorrow. The husband silence was ominous throughout St. James Church, where the elder Mrs. Bates had seen her son serve as an altar boy and receive the sacraments of Baptism and Confirmation.

She had also attended the funeral there in 1949 of her husband, the late Rep. George Bates.

Both father and son had died tragically. Bill Bates at the height of his career at age 52. His father's life was snuffed out while serving in the House of Representatives as the result of an airline tragedy.

Celebrant at both funerals was His Excellency, Jeremiah F. Minihan, auxiliary bishop of Boston.

The engulfing sadness of the eulogy delivered by an old friend of both Bill Bates and his father, former congressman Dewey Short of Missouri, must have recalled poignant memories to the gallant women as they listened intently, their eyes rimmed with tears, as he extolled both men.

Tears were evident throughout the congregation as Msgr. John E. Mullarkey related the honesty and goodness of the Bates men.

A corner of the Bates family lot in St. Mary's Cemetery seemed a shaded place in mid-day sun of the bright June day.

A large maple tree and a few evergreens provided a backdrop and shade for a galaxy of floral tributes beside the gravesite . . . among them a large basket containing coral gladioli and bronze chrysanthemums from President and Mrs. Nixon and a wreath of orchids from the House of Representatives.

Again, the muffled tattoo and the strains of "Onward Christian Soldiers" by the Navy band, followed by representatives of all branches of the armed services. The cortege wended its way down the path to the family lot in St. Mary's Cemetery.

As the hearse arrived at the plot on the grassy slope, the 9 pallbearers gently lifted the copper casket and Bill Bates to his final resting place.

As Capt. Richard A. Cahill, a Navy chaplain, recited commital prayers, a touching scene was portrayed. Mrs. George Bates, weary but courageous, was seated during the last portion of the long ordeal on the hot June day, while the younger Bates women, heads held high and shoulders erect, stood at almost rigid attention.

The folded flag was presented to the widow by Secretary of Transportation John Volpe, who had been delegated by President Nixon as his representative at the services.

As the flag was placed on her outstretched arms, Mrs. Bates was embraced by the cabinet member.

"Nearer My God To Thee," taps, the boom of the army howitzers and a return farewell volley by a contingent of Marines on a nearby hill was Salem's farewell to William H. Bates.

There have been many leaders in the past 3 decades who have attained success and greatness because of the loyalty, devotion and strength of their wives. . . . The Bates men were no exception.

They Said Farewell

(By Howard Iverson)

It was 10:25 on the morning of a beautiful summer day. At the Oliver School on Broad Street children were getting ready to go home for vacation.

The children knew they were going home early Thursday because someone had died. He was in the government . . . in Washington. They thought he was a senator, or something.

Half a block away, at Hamilton Hall, a hearse was waiting to take William Henry Bates, a United States congressman for 19 years, to St. James Church for his funeral.

Two hundred people stood outside Hamilton Hall. They were from the neighborhood, mostly. They came in pink shorts and green mini-skirts, printed house dresses and sandals with broken straps, chinos and yellow tee shirts.

Hamilton Hall is usually the place for dances and debutantes. It is a crystal and mahogany reminder of an era that is past. Except for the restorations which dot the area, streets like Chestnut and Broad and Cambridge and Flint belong today to the people who stood silently outside of Hamilton Hall Thursday waiting for the casket to come out.

These were the people who had sent Bill Bates to Washington for 10 terms. Most of them didn't know him very well. But they had a cousin who had gone to the Naval Academy because Rep. Bates had recommended him, or an uncle who had been unable to get treated at the veterans' hospital until the congressman made a phone call.

This is called service. All the talk about foreign policy and balance of payments and even ABM systems is for the record and the newspapers. What pays off on election day is something called service.

Bill Bates was there when his people needed him for a little favor. He tried to help. That's what the people standing in front of Hamilton Hall remembered about him Thursday.

The world where William H. Bates, representative of the 6th Massachusetts District in Congress, spent most of the last 20 years of his life was mirrored at St. James Church.

John Volpe, who had been governor and worked hard to get Richard Nixon elected, was at the church as an emissary of the President.

The congressional delegation was one of the largest ever assigned to attend a funeral of one of its House members. Assigned is a formal and misleading word. It is used on expense accounts and in ledger books. These people came to Salem Thursday to pay final respects to an old friend. Many would have gladly paid their own way.

George Bates and his son William had served in Congress with Dewey Short. Thursday, the former representative from Missouri stood at the lectern in St. James Church and eulogized George Bates' son.

He is a spellbinder, this old man from Missouri. "I enjoyed basking in the sunshine of his smile," he said of his old friend Bill Bates.

"He loved everyone . . . He had a burning desire to help others . . .

He stood for a course, whether popular or unpopular . . . He was born a chip off the old block—a polished stone."

There was more. Dewey Short talked for 20 minutes. There weren't many dry eyes in St. James Church when he finished.

The Navy band played "Faith of Our Fathers" as the body-bearers, 10 young men representing all branches of the Armed Services, came slowly out of the church with the casket.

Old friends of the congressman lined the stone steps of the church as Bill Bates' casket moved slowly by to the hearse.

Mendel Rivers, with his craggy face and flowing white hair—a near caricature of a Southern politician—stood next to House Minority Leader Gerry Ford.

There was Chip Boland, Torby MacDonald and Tip O'Neill, familiar names in Massachusetts politics and close friends of Bill Bates.

A woman was in the line, Rep. Margaret Heckler of Brookline. Bob Stafford of Vermont, Speedy Long of Louisiana, Ed Edmondson of Oklahoma, Leslie Arends of Illinois, Ed Foreman of New Mexico, Chet Holifield of California—a cross section of the country's government.

Gov. Sargent, Admiral Hyman Rickover, former Senator Saltonstall, Senator Ed Brooke stood and watched the casket come out of the church.

And Ted Kennedy. You have some of the great names of the government standing in front of St. James Church, but the people who lined the sidewalks and lawns near the old brick building on Fedral Street spent most of their time looking at Ted Kennedy. There was admiration and respect and wonder and even some hate on their faces.

It's like this wherever he goes. Only the faces change. The scene is forever duplicated, including the part where the police moved in to restrain someone who does not like Kenedys.

And it happened again Thursday. A man in a yellow jersey shouted derisive statements at the senator and tried to get near him as Kennedy entered the church for the funeral. The man was questioned by police and released.

In this country, a man cannot be arrested for what he thinks. The man in the yellow jersey stayed in front of the church and waited for the senator to come out.

Ted Kennedy stood in line with the other government dignitaries while Bill Bates' casket was carried down the steps to the hearse. The intense blue eyes of the man in the yellow jersey never left his face.

It was hot in the summer sun at St. Mary's Cemetery, but the wind through the maple trees shaded and cooled the plot of land where Bill Bates would be buried beside his father.

A Marine firing squad stood at parade rest in the sun on a hill overlooking the burial site as the funeral cortege came over the hill from Margin Street and wended its way down into the cemetery.

The simple graveside service was conducted by Navy Chaplain Richard A. Cahill. When it was over, the firing squad squeezed off 3 shots and taps floated down from the hill.

The American flag draped over Bill Bates' casket had once flown over the Capitol. It was folded neatly by the color guard and given to John Volpe, who represented the President.

Volpe turned, walked over to Jean Bates, the widow. He put the flag in her hands and kissed her on the cheek.

It was 1:40 in the afternoon when the people at St. Mary's Cemetery started walking up the hill toward Margin Street. They had said goodbye. Bill Bates was left to rest beside his father.

National, State, and local leaders eulogized "Bill" Bates. Prominent among these tributes, and representative of the many, were the following:

President Richard M. Nixon sent a telegram to Jean Bates, the Congressman's widow, which read in part:

For the 20 years I have known Bill since he first came to the House, he has been a trusted colleague and a good and loyal friend.

His work over the 20 years has earned him the gratitude and respect of the men with whom he worked, and the way he went about this work earned him their admiration and friendship.

The nation owes him a special debt for his leadership on the Armed Services Committee.

Pat joins me in extending our deepest sympathy.

Defense Secretary Melvin Laird:

The nation has suffered an irreparable loss, and Congress has lost one of its most distinguished leaders. The people of his district have lost a champion.

Both as a member of Congress and as secretary of defense I looked to Bill Bates' wise counsel on all matters affecting national security. I mourn his passing.

John A. Volpe, Secretary of Transportation and former Governor:

Like all Massachusetts residents who had known and worked with Bill Bates, I shall thoroughly miss him. He was an outstanding congressman, and since I have come to Washington I have had the great pleasure of working with him even more closely than before.

Mrs. Volpe and I express to his family our deepest sorrow.

Elliot Richardson, Under Secretary of State:

Bill Bates' death is a sad personal loss. He was an energetic congressman and a member of a rare breed in political life, a thoroughly nice person.

Ambassador Henry Cabot Lodge, former U.S. Senator from Massachusetts:

The death of Congressman Bates in the very prime of life is a shocking and grievous loss to the people of his district, of the State and of the Nation. I have lost a warm and cherished friend.

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He was a public servant in the finest tradition—that of his distinguished father.

He was good and he was sagacious.

He never spared himself in the performance of his duty and his decisions were motivated by his high sense of patriotism.

He was gifted with a warm and winning personality which had won him friends in every corner of the United States as I learned when he and I traveled together in the 1960 campaign.

My deepest sympathy goes out to his family. May they derive comfort from the pride which they surely feel in his life, so rich in service and friendship.

Former U.S. Senator Leverett Saltonstall, Republican, of Massachusetts:

Bill Bates was a long-time friend of mine. We worked together on the Armed Services Committee. He was always well-informed and had very clear opinions on what to do.

I remember clearly when he came in to see me in his Navy uniform. He wanted advice on whether to run for his father's seat. I urged him to do so.

He became one of the members who drew the utmost respect and affection from members of both parties. I have personally lost a dear friend and my deepest sympathy goes to his family.

Governor Francis W. Sargent, Massachusetts:

Rep. Bates' death was a great loss to the Massachusetts people he so ably represented and, indeed, to the nation.

A man who could combine the national interest with the human concerns of the people of his district is a rare man. William Bates did that in such a fashion that we will not soon forget.

Mrs. Sargent joins me in sympathy extended to his family.

State Auditor Thaddeus Buczko, Massachusetts:

William H. Bates never made an enemy, because he credited his opponents with the same earnestness and the same faith which he put into every cause he advocated. When the issue was decided he bore no malice toward anyone who contended against his views, but he greeted them with the same cheery smile as before and went on to his next endeavor.

Bill Bates was one of the most conscientious men I ever new, and was imbued with as fine a Christian spirit as ever actuated a human soul. He was able, energetic and courageous. He served his country faithfully in time of war; he served his people just as faithfully in Congress during the subsequent years of relative peace.

No matter how great the obstacles placed in his path, his great resourcefulness always enabled him to overcome them. His radiant smile and cheery disposition was the reflection of a great soul and this splendid attitude did much to lighten the arduous task which every one of us have to face in our daily life.

I like to think of Bill Bates, the man. Of sterling character and of unimpeachable integrity, he was the object of respect and admiration of everyone whose privilege it was to know him. He was capable, efficient, unselfish to the extreme. He gave his all in military and public service to his country and fellow men. Massachusetts and the nation deeply mourn his passing for we have lost a faithful and capable public servant.

Mayor Francis X. Collins, of Salem, Mass.:

The passing of Cong. William H. Bates is a terrible loss to me and the community. Like his father before him he served the city, the state and the nation in admirable manner. His loss will be deeply felt.

I extend my condolences and those of his native city to his family and to his mother.

Mr. Speaker, I yield to my colleague from Michigan, the distinguished minority leader, Mr. Gerald R. Ford.

Mr. GERALD R. FORD. Mr. Speaker, I appreciate the gentleman from Massachusetts yielding so that I can again express my deep personal feelings on the passing of Bill Bates.

Mr. Speaker, every Member of the House of Representatives was left poorer by the death of Representative William H. Bates because Bill Bates' presence in this Chamber enriched the lives of all of us.

I feel the loss most keenly. Bill was a close personal friend. We both first entered the House in the 81st Congress. We worked together. Our families had many ties. It was a warm and wonderful relationship.

Bill Bates was a friend to every man. Wherever he might be standing, his grin lit up the place. He was always cheerful, even in the face of the dreadful disease which took his life. He had a big hello for everyone. People liked to be with him. He had a wonderful sense of humor.

This was the personality of Bill Bates. This is the side he turned toward the world.

Bill Bates had a serious side as well. He was a diligent student of government and a faithful servant of the people. He gave his all for his congressional district—all of his attention and all of his energies. He served his people well. They knew it and they loved him for it.

Bill Bates also was a patriot in an age when being patriotic is looked upon by many as old fashioned and kind of corny.

Bill Bates did not find patriotism anything to be ashamed of because his patriotism was 100-percent genuine. To put it simply, he truly loved his country.

And so it was that Bill Bates rendered splendid service as senior Republican on the House Armed Services Committee and second ranking minority House member on the Joint Atomic Energy Committee.

Bill Bates compiled an enviable record during his 19 years as a Member of this House. That record was part of a family tradition because his father, George Bates, had preceded Bill in the House before George's tragic death in an airplane accident.

Perhaps most important, Bill Bates loved this House, and all of the Members of this House loved him.

For Bill Bates, there can be no more appropriate eulogy.

My family, especially my wife Betty, and myself, extend to Bill's family our deepest condolence. Jean Bates and the daughter, Susan, have our sympathy in this time of sorrow.

Mr. CONTE. Mr. Speaker, I now yield to the distinguished gentleman from Illinois, the minority whip, Mr. Arends.

Mr. ARENDS. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, that Bill Bates is no longer with us is to me almost beyond belief. Perhaps it is because I do not want to believe. While I recognize the reality of death that comes to all men, I find it difficult to acknowledge to myself that it has come to one who has meant so much to me in so many ways.

He was my closest friend for whom I had the deepest affection—an affection beyond measure. We sat next to each other on the Armed Services Committee. He was my assistant regional whip. We worked together as delegates to the NATO conferences. We frequently played golf together. Our families had a mutuality of interests and sought each other's company. Our ideas and our ideals were similar. We shared confidences. We shared our problems, seeking the benefit of each other's advice. We shared our sorrows, and we shared our joys.

This is the friend I have lost. He was more than a friend, more like a brother. I do not know how to express it. He was a part of me, now departed, not possible to be restored.

No finer man ever served in the Congress. No finer friend could any man have. He was a true nobleman—the noblest of the noble: In character, in personality, and in intellect. He was a dedicated family man and a dedicated legislator. He was, in the fullest sense, a true patriot—dedicated to the service of God and dedicated to the service of country.

I have been richly blessed to have had such a close association with Bill Bates. This is now denied me. But there remains with me a mental treasury of memories.

Bill gave so much and had so much to contribute it becomes difficult to understand why, in the prime of life, he was taken from us. But it is not for us to reason why. In our faith will be found the understanding we seek in our sorrow. "Our Father who art in Heaven . . . Thy will be done, on earth as it is in Heaven."

Of our beloved friend and colleague it can be truly said: "Well done My true and faithful servant."

My wife Betty and I extend our heartfelt sympathy to his devoted wife, Jean, to their daughter, Susan, and the Bates family. I am sure they know that we and countless others share their loss and share their sorrow.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the distinguished Speaker.

Mr. McCORMACK. Mr. Speaker, our late friend Bill Bates has been taken from our midst in the prime of his life, a Member of extraordinary ability and profound patriotism and one who was possessed of a striking and impressive personality.

When Bill Bates came to the House as his father's successor, I little thought that one day I would have the painful task of eulogizing the son, just as I had eulogized the father, the late George J. Bates, who was tragically killed in an unfortunate aircraft collision over National Airport in 1949. And, I might say that I served in the House of Representatives in Massachusetts with George Bates, the late father of our dear departed colleague Bill Bates. Father and son shared many praiseworthy qualities, and I enjoyed the warmest friendship with both of them. Now they are both gone, and I feel the grief of so many other bereaved friends of their fine family.

Bill was born in Salem on April 26, 1917, and attended Salem's public schools and Worcester Academy. He was a devoted student, graduating from Brown University and the Harvard University Business School. He served in the Navy during World War II, participating heroically in the assault on Iwo Jima. At the time of his death he was a captain in his country's Naval Reserve.

In peace and in war he served our country with outstanding ability and great courage. He brought his unequivocal dedication to the naval service with him to Congress in 1950, and, in time, he became the ranking Republican member of the House Armed Services Committee, which position he occupied at the time of his death. There he helped to make clear the case for a modernized, nuclear Navy, a Navy second to none in the world. At the time of his death he was working upon its modernization. He also served with fervent dedication as the second ranking Republican member of the Joint Committee on Atomic Energy.

After winning the special election that brought him to this House which his father had served so long and so well, Bill Bates won every succeeding election. I know the makeup of his district and it might well be said that it was a "Bates district," both father and son. He did so because his constituents recognized a leader when they saw one; they knew a loyal and staunch patriot when they were in his presence; they comprehended fully the quality of the representation they were being accorded by this great American.

There are thousands upon thousands of residents of the Sixth Congressional District of Massachusetts who were proud of Bill Bates and his record of service to his country. They mourn with us a grievous loss to the House of Representatives and to the country in whose interests he gave his all.

In these hours of their deep bereavement, I know that his widow, his daughter, his mother, and his brothers and sisters, will find consolation in the knowledge that his colleagues treasured their friendship with him and, with the citizens of his district and of the Commonwealth of Massachusetts whom he represented with such distinction, will never forget him.

Bill Bates is not with us now physically, but he is with us in spirit, for he was not only an outstanding legislator, he was a great American.

Mrs. McCormack and I extend to Mrs. Bates, the widow, and to her loved ones, our deep sympathy in their great loss and sorrow.

Mr. CONTE. Mr. Speaker, I now yield to my colleague, the gentleman from Massachusetts (Mr. Keith).

Mr. KEITH. Mr. Speaker, on the day following Congressman Bill Bates' untimely death a number of us spoke extemporaneously before the House, expressing to the best of our abilities our feelings at that tragic time. I was one of those.

Now more than 2 weeks have passed since we first heard the sad news of Bill's passing, and we have all had time to reflect on the loss of this unusual man.

Yet, somehow the words and phrases come no more easily now than they did then, when the shock was still fresh in our minds. For the loss of Bill Bates is not something that can be easily translated into spoken English.

Bill Bates meant so much to so many of us that it is hard to know where to begin in reflecting on his qualities as a man and a public servant.

He was a good friend—always ready to lend assistance, always concerned about the welfare of others, always dealing with his colleagues in a cheery, personable manner.

He was a good Congressman for his district. In his 19 years in Congress he did much that his district—and indeed the whole New England region—can be thankful for. His aid to the shoe industry, to the fishing industry, and to the educational institutions in the area will be of lasting effect, and long remembered.

He was, as well, a good Congressman for the Nation. In his role as ranking Republican on the Armed Services Committee, Bill Bates put his mark on much of the defense legislation that has kept this country free. His advocacy of a strong, modern, Defense Establishment was well known, and his was one of the strongest voices raised in favor of using nuclear energy in the Navy. He was a leading proponent of the peaceful use of atomic energy as well, and the marine products development irradiator in Gloucester stands as a monument to his efforts in this field.

Beyond the public, Bill Bates, there was another side—the family man. I was privileged to know Bill's family, and if there is any consolation one can offer at a time like this, let me say that their loss is ours and the Nation's as well.

Bill was, as our colleague Silvio Conte has so aptly put it, a Christian gentleman. In this era of public relations images, Bill stood out as a man who was what he appeared to be—a hard-working, friendly, thoughtful, conscientious man who was devoted to his family, his friends, his district, and his country.

All of these things were what made up Bill Bates. Yet I think that last phrase—a Christian gentleman—contains the essence of the man. There are all too few of this type of man, and it is a cause for special sorrow when one of them departs from our midst.

Bill Bates will be remembered for his service to the Nation, to his district, and to his fellow Congressmen. But most of all he will be remembered for the extraordinarily fine man that he was. And no one could ask a greater memorial than that.

Mr. Speaker, in addition to these personal remarks, I would like to have inserted in the Record an expression of sorrow and loss that comes from a newspaper.

The tributes to Congressman Bill Bates have been numerous, from many sources. Perhaps one of the most unusual appeared in a full-page advertisement in the Lynn, Mass., Daily Evening Item and Lynn Sunday Post. It also was published in the G.E. News in Lynn. With a pensive picture of Bill at his desk, and signed by "the Men and Women of General Electric," the message read as follows:

AN IRREPLACEABLE FRIEND

> America this week mourns the loss of a United States Congressman who championed its nuclear Navy and peaceful uses of atomic energy.
>
> At General Electric in Lynn, it is a more personal tragedy that we should so suddenly and regretfully lose our Congressman.
>
> Were we to try to list the important qualities we seek in those who represent us in Government—honesty, dedication, concern—we would be hard put to find a person who had them in more abundance than Bill Bates.
>
> He cared about the people in his district—the doors of his Salem and Lynn offices opened daily to those who needed a friend in government. Many General Electric men and women knew this, and because they knew it, they worked hard every two years to re-elect him.
>
> He was also concerned about people's jobs, maintaining continuing contact with businesses such as General Electric to learn how they would be affected by actions in Washington. He was both the local Congressman and the ranking Republican on the House Armed Services Committee when he spent many hours at the plant, observing production of jet engines and turbines, asking questions that would add to an already deep reservoir of knowledge about the country's defense capabilities.
>
> His constituents knew what Bill Bates was doing and where he stood. In April of 1964, 1966 and 1968 he came to the General Electric plant to answer employees' questions about what was taking place in Washington. We will miss him.
>
> Congressman William H. Bates was an irreplaceable friend and Representative. We join his family, many friends, and his country in mourning his tragically premature death.
>
> THE MEN AND WOMEN OF GENERAL ELECTRIC.

Mr. CONTE. Mr. Speaker, I now yield to the distinguished gentleman from California (Mr. Holifield).

Mr. HOLIFIELD. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, Congressman Bill Bates was a friend as well as a colleague on the Joint Committee on Atomic Energy. He brought to the committee experience, understanding, judgment and wisdom, mixed with a good portion of Irish humor.

Over the past decade of his membership on the Joint Committee he was a dynamic force in supporing the development of both the peaceful and military atom.

Because I was advised that his doctor preferred that members not visit him in theh ospital. I wrote Bill an occasional letter. His answer to my last letter indicated his courage and his strong desire to, as he said:

> Resume my duties as well as those pleasant associations which have become so important to me in my daily life.

This strong desire to serve his constituents and once again to associate with his friends pointed up two important goals in his life.

Further on in his letter he mentioned the discomfiture caused by his treatments, which incidentally were based on devices and methods related to the peaceful uses of atomic energy. He went on to say:

> You may be sure that after dealing with this problem, some of those there on the Hill will seem infinitesimal by comparison.

As I read those last words of his letter to me I am once again impresed with the conclusion he had reached through personal suffering and meditation. It helps me to recognize once again the importance of realizing that, burdened as the Members of Congress are and faced as we are with frustrations and irritations, nevertheless these are relatively unimportant when compared with the purpose and continuation of life itself.

We will miss Bill Bates on our committee. We will miss him as a colleague in the House.

Mr. Speaker, I ask unanimous consent that the remarks of my colleague, the gentleman from Illinois (Mr. Price), may be included in the Record following my remarks.

The SPEAKER pro tempore (Mr. Feighan). Without objection, it is so ordered.

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, it is with great sadness in my heart that I speak of the tragic loss we have all suffered when Bill Bates passed away. Our friendship, which spanned 30 years and different political parties, was a deep one. We served together before World War II as staff assistants in the House; later we worked closely together on the Armed Services and Joint Atomic Energy Committees.

Throughout his long service to the Congress, to the people of Massachusetts—and to the people of the United States—Bill Bates displayed those qualities of leadership and competence which ultimately brought him to a position of great responsibility in the House. His steady and responsible contributions to the Armed Services Committee and his aggressive fight for a nuclear Navy in the Joint Committee on Atomic Energy will long be remembered. His judgment on all matters affecting national security in these two committees was outstanding. But perhaps most important to me, as I look back over the years, I will always remember him as a man who had a heart of gold.

The tributes being paid today are but a small reflection of the great good he did before his life was suddently cut short. I know that I am a better man for having known Bill Bates.

Mr. CONTE. Mr. Speaker, I yield to my colleague, the gentleman from Massachusetts (Mr. Morse).

Mr. MORSE. Mr. Speaker, this Nation has lost a courageous leader. The Commonwealth of Massachusetts has lost a distinguished son. This House has lost one of its most effective Members. I, like you, have lost a cherished friend.

The Sixth District of Massachusetts was ably represented by Bill Bates for almost 20 years, as it had been represented by his distinguished father for 14 years before his tragic death. Representing the district which adjoined his, serving as a member of the delegation which he led, I came to know Bill well. He was my teacher and my guide. We shared common problems of our States, and a common love for our country.

Bill gave of himself in every endeavor—as a naval officer, as ranking Republican member of the Armed Services Committee where his steady hand and mature judgment contributed so enormously to the Nation's security over the years, as an informed, conscientious member of the Joint Committee on Atomic Energy on which he served with characteristic distinction, as the effective representative of the people he was privileged to serve here in the House for whom he worked so tirelessly, and in every other activity he undertook.

But most of all, he gave of his friendship. Everyone of us was enriched by his kindness, his warmth, his friendliness, his humor, and his integrity. Bill Bates will be missed in every capacity in which he served, but it is the deep sorrow of losing a true and loyal friend that is hardest to bear.

It is to pay tribute to Bill Bates as a courageous and effective legislator and a good and valued friend that I stand here today confined as I am by the limits of language in expressing my respect for him. I have never known a more honest, a more decent man than Bill Bates. I have never known a finer Christian. I have never known a greater American.

But in memory of Bill Bates, my friend, I cannot find the words to use. I can but bow my head out of love and sadness, and by the depth of silence let my grief be echoed.

Mrs. Morse and I extend to Bill's brave and gracious wife, Jean, to his beloved daughter, Susan, to his revered mother, to the brothers and sisters to whom Bill was so devoted, our deepest sympathy.

Mr. Speaker, John Lindsay, the distinguished mayor of New York, was among those privileged to serve with Bill here in the House. When Bill died, John wrote to me to ask that I extend his sympathy to his family and his friends in the House. I include Mayor Lindsay's letter at this point in the Record:

June 24, 1969.

Hon. Bradford F. Morse,
House of Representatives,
Washington, D.C.

Dear Brad: I am deeply shocked by Bill Bates' death. He was a most superb person and Congressman who leaves a lasting impression on the House and the institution as a whole. He brought to public life a quality of character, excellence and professionalism, and decency as a person.

Bill's untimely death is a loss to his district, his state and the nation.

I hope you will extend my most profound sympathies, especially to his family, his friends and fellow colleagues of the Massachusetts delegation.

Sincerely,

John V. Lindsay,
Mayor.

Mr. CONTE. Mr. Speaker, I yield to my distinguished colleague, the gentleman from Massachusetts (Mr. O'Neill).

Mr. O'NEILL of Massachusetts. Mr. Speaker, There are many ways that a man can contribute to the world in which he lives. He can give of his intelligence, his talent, his ingenuity, his energy, his time. These are laudable, valuable contributions: and every one was made by Bill Bates.

But the thing Bill gave that I will remember longest, and miss most, is not one of these. It is something relatively few men give, and so is more highly prized where it is found. This is goodness.

Bill Bates was a good man. He truly cared about others. His work on behalf of his constituents was never just a job to him; it was the visible result of his personal concern for their problems.

And just as constituents have problems, their Representatives have problems trying to serve them.

There is often a tendency to become wrapped up in these, to concentrate on them to the exclusion of other concerns. This was never true of Bill Bates.

He would always notice the preoccupation of a colleague, always ask the reason, always help when he could. And when he could not give anything more concrete, he gave a sympathetic, an encouraging, or most often a humorous word. That word alone often helped more than anything else, because it showed that he cared enough about your burden to want to share it; and knowing this, you felt stronger in dealing with it.

Bill had the basic love and concern for his fellows that truly is goodness. His presence was a daily reminder of the value of a kind heart and a warm word.

It has been said that what is good is that which inspires one to be good. For this, above other fine qualities—and they were many—Bill was loved by his friends and colleagues. For this, he will be sorely missed. For this, the world will be the poorer without him.

Bill was struck down in the prime of life. But he had already established a record of outstanding service to his country. Bill Bates attended Brown University and Harvard Business School, he served in the Navy during World War II and intended to make a career. When his father was tragically killed in an airplane crash, he rose above his personal grief to take up the job that had been left unfinished; on February 14, 1950, he was elected to fill his father's seat as the Representative of the Sixth District of Massachusetts.

During his years of service in the House, Bill was an exemplary Member. He was always knowledgeable and well informed about the issues. He had a fine power of analysis, and great foresight, he made his decisions calmly, deliberately, and never on a mere partisan basis. This was evidenced by the fact that he was consistently returned to the House by a district having a large Democratic element, although he himself was a Republican.

As ranking Republican member of the Armed Services Committee, Bill was wholeheartedly dedicated to the national defense. He was an expert in military matters, especially naval matters. His integrity, his honesty, his calmness, and his courage made him an invaluable, highly respected and admired voice in these matters. It is a great tragedy that in these times of turmoil, of heated debate, this clear and calming voice will be lost.

To the committee on which he served so faithfully—the Armed Services Committee and the Joint Atomic Energy Committee; to his friends and colleagues in the Congress; to his district; to the Nation as a whole, the tragic loss of Bill Bates is incalculable.

We admired him; we respected him; we loved him; and we mourn him.

Mr. Speaker, I insert at this point an article from the Newburyport, Mass., Daily News of June 24, 1969, which was also published in the Beverly, Gloucester, and Peabody Times:

Bill Bates, a Good Man

(By Bill Plante)

It is a tough thing to take when a good man dies, and it is even worse when the good man is an elected official.

That's what Bill Bates was, a good man who served us as Congressman for almost 20 years.

It is always easy to fault an elected official, and we did not always agree with Bill Bates. But that was neither here nor there as far as our evaluation of him was concerned.

Bill Bates was more than an honest man. He was a decent man who was honestly concerned for his country and the people of his district. It was a matter of no small pride to him that he was the senior ranking Republican on the Armed Services Committee. He had left the Navy to take on the responsibilities which his father had handled so well, after the fatal crash in the Potomac River which ended his dad's life. And his Navy experience gave him a considerable orientation in the direction of this nation's defensive needs.

Last Talk—My last conversation with Bill Bates concerned the ABM debate. We had taken editorial issue with the administration concerning the ABM, and had urged the congressman to use his influence against its installation.

Bill Bates called me from Washington after reading our editorial to explain his concern. As usual, he was factual, patient, and friendly. He knew his position was politically unpopular.

"But I've got to do what I believe is best for my country," he said.

There was no flag-waving about it, no self-righteousness. He made the statement as a matter of common fact, just as though everyone could and would say such a thing.

There was another part of that conversation which sent a chill along my spine.

I had asked him the usual "How have you been?" as a courtesy.

"I've been taking some tests at the hospital," he said. "I've got to go back in for some more. Some of the tests seem to be okay, but some appear to say something is wrong."

As things turned out, it was the latter that were right.

The conversation was my last with Bill Bates.

We had a number of them over 19 years, some of which concerned unemployment problems in our district and what he was doing about them. Some included politics, of course, a topic which he left pretty much alone until election time, but about which he could become the tiger if opposition appeared imminent.

Some involved harbor improvements at Newburyport, in which I have been particularly interested. And here, his presence on the Armed Services Committee was a decided factor in getting immediate corrective action from the Corps of Engineers whenever the public safety became a matter for urgency.

Served So Well—But I was only one, and my home community was only one. Bill Bates was considered unbeatable simply because he served his district so well. His strength extended through both parties and solidly through the independents. Liberals might fault him in some areas, but they had to be impressed with his attention to his district's needs.

There have been more colorful Congressmen in the past 20 years. There have been those who have made the national spotlight on "big" issues. Bill Bates was not of this type. His style and his purpose were directed to service, solid, if unspectacular service to his country and to his constituents. He was one Congressman who did not put himself and his ambitions above either.

And that is why it is tough to lose him.

Mr. CONTE. I thank the gentleman. I yield to the gentleman from New York (Mr. Pirnie).

Mr. PIRNIE. Mr. Speaker, the untimely death of our colleague, William H. Bates of Massachusetts, plunged this House into grief that is deep and universal. The ability and integrity of this man commanded genuine respect, while his winning smile and cheerful personality made life the happier for those around him.

Bill succeeded his dad as Representative of the Sixth District, following an air crash which brought to an end a distinguished career. His election was a tribute to the Bates name and a vote of confidence in a dashing, forceful Navy officer. It had been a difficult decision for this officer to make. He loved the Navy and had demonstrated great capability in the service. However, his choice proved a wise one. Not only was he elected to fill the vacancy, but 10 times thereafter in a district not particularly favorable to his party.

Serving with Bill on the Armed Services Committee offered me an excellent opportunity to see this man in action. I admired his knowledge, his tact, and enthusiastic dedication. Arriving as he did to the position of ranking member, he proved a forceful, competent leader. It was a pleasure to be associated with him in these tasks because of his fairness and objectivity. His excellent mind and intensive background contributed much to the efficiency and the morale of the services and thus, to the security of our Nation.

Yes, Bill was a man of integrity, a man of action, and a man of compassion. His like is sorely needed and his loss is monumental. We express to his beloved wife, Jean, and his daughter, Susan, and the entire family, our profound sympathy, confident that treasured memories of their devoted and distinguished husband and dad will remain a source of inspiration and comfort throughout their lives.

Mr. BOLAND. Mr. Speaker, the death of our colleague, Bill Bates, came as a keen shock to all who knew him.

His death is a tragic example of the fierceness and voraciousness of cancer. Just a few short months ago, he was the picture of health—robust, cheerful, active. Yet, today, he is no longer with us in life.

Mr. Speaker, if there ever was a finer human being than Bill Bates, I did not know him. Intellectually, morally, physically, socially—in every way—he, indeed, was the perfect gentleman.

He came by all of these attributes naturally—nurtured by a splendid family and educational background. He was, indeed, a "chip off the old block." One need but look at his uniform success in public life to understand that he was imbued with the spirit and dedication of his great father, the Honorable George Bates, whose seat he took in this House.

He, more than a lot of us, understood the temper and tide of the times, but he was never panicked by them. He did his work in this body, for his country, his State, and his district, better than most of us. And always, he found time to mingle with the people he represented and to identify himself with them. He was never a partisan in matters that affected his area. I suspect that the best proof of this is that he was continuously returned to represent a district, that, if not Democratic in makeup, is assuredly marginal politically.

Our Nation has lost a strong leader at a time that it can ill afford it. Our State of Massachusetts will miss him and his own district will remember him for what he was and what he did. I have lost a good and solid friend.

To his devoted wife, Jean, and to his daughter, Susan, to his mother and to his entire family I extend my sympathy in their hour of sorrow.

Mr. Speaker, one of the most able and perceptive newspaper reporters on the Washington scene is Donald Larrabee. As the Lynn, Mass., Item's Washington correspondent, Don Larrabee had many occasions to talk to and observe Bill Bate's ability—his personality and character. Mr. Larrabee's tribute to our beloved colleague was printed in the Lynn, Mass., Item of June 23, 1969.

I include this fine tribute to be inserted in the Record:

Congressman Bates' Hallmark: His Quiet Devotion

(By Donald R. Larrabee)

Washington.—If William H. Bates had any vice, it was that he devoted himself almost completely to his job as a congressman.

He didn't smoke or drink or socialize in the usual Washington sense. He attended to his committee chores. He served his district and its economic interests.

He attended to his committee chores. He served his district and its economic interests. He did his homework and injected common sense and uncommon judgment into some of the most important military decisions of the past two decades. He did all of this in a plodding, unobstrusive way—without issuing sensational or provocative charges or ever getting a headline in the Washington papers.

Bill Bates would have been chairman of the House Armed Services Committee if the Republicans had controlled congress. But he was one of the least known names and personalities in Washington, except perhaps within the inner circle of the Pentagon. Bates could keep a secret and his head was full of them. He was in the very select group of congressmen who are given the most confidential facts of our military posture. For years, he has had complete intelligence briefings on a weekly basis and has enjoyed the confidence of four Presidents.

This reporter learned, quite by accident one day, that Bates was a rather regular golfing companion of President Eisenhower at the Burning Tree Club in nearby Maryland. The congressman never divulged the President's score, much less any of the other bits of gossip to which he was privy.

In floor debate on military bills, he defended his committee's actions and the members came to respect his word. His voice never rose in anger and he spoke only when he had a contribution to make. Behind the scenes, he battled for the industries and the institutions that meant something to Massachusetts and New England—in terms of jobs, if not prestige.

Like his father before him, he fought a determined battle at every session against imports of footwear and fishery products which were harming old-line companies in Haverhill, Amesbury, Lynn and Gloucester. He was working this year with Rep. James Burke (D-Mass.) to place a massive petition before President Nixon seeking a negotiated agreement to curtail shoes imports.

He was also working quietly to save the big nuclear submarine repair yard at Portsmouth, N.H., which was ordered closed in 1974 by the Johnson administration. Hundreds of workers from his nearby Massachusetts district are employed at the yard.

Bates, with Rep. Philip Philbin (D-Mass.), ranking Democrat on the Armed Services Committee, had much to do with bringing the Army's Quartermaser Research Laboratory to Natick, and retaining the Boston Naval Shipyard.

Bates who also sat on the Joint Congressional Atomic Energy Committee, was a leader in the field of peaceful uses of the atom, particularly in the area of food preservations by means of radiation. He was an annual delegate to Internation Atomic Conferences and had visited every American military outpost in the world.

There are no major laws that bear his name but many that bear his imprint. Democrats in Congress from Massachusetts respected him so much that they would have secretly worked against any serious Democratic challenger from the North Shore district.

There were many who urged him to seek higher office a few years back. The governorship was frequently dangled before him. But Bates confided to this writer that he was doing an immensely satisfying job as a congressman and one where he felt he could make a greater contribution to the Commonwealth and his country.

Early this year he entered Bethesda Naval Hospital for a checkup. No one knew that this man with a happy face had a stomach that hurt.

Bill Bates was a citizen soldier who died, without any fanfare in the service of his country.

Mr. CONTE. Mr. Speaker, I yield to my colleague from Texas (Mr. FISHER).

Mr. FISHER. Mr. Speaker, I fully share the admiration that has been expressed here concerning the late and lamented BILL BATES. He was undoubtedly one of the most delightful, most affable, and most talented men I have known during my tenure in this body. I believe I am safe in saying that because he operated on such a high level BILL BATES was one man about whom no one ever cast a disparaging remark.

It was my privilege to know him well. I served with him on the Armed Services Committee. On occasions I traveled with him. I never saw him when he was not smiling and cheerful. BILL was a man of strong convictions, which he often asserted with courage, candor, and firmness. On our committee he was a tower of strength. He was one of the most learned men on matters relating to the military I have known. In that respect he compares with our present chairman, the gentleman from South Carolina (Mr. RIVERS), and the immediate past chairman, the great and incomparable Carl Vinson, and also the former distinguished chairman, Dewey Short, who made eloquent tribute to his departed friend at the funeral services.

Mr. Speaker, BILL BATES was a truly great American. In statesmanship he was preeminent. He was a perfect gentleman, a man of immense ability, a fighter for sound principles, a compassionate individual, a man of honor and integrity, and a dedicated legislator. The Nation desperately needs more men of the caliber of our departed friend.

To Mrs. Bates and other members of the family I extend my deepest sympathy in their bereavement.

(Mr. WHITE, at the request of Mr. FISHER, was granted permission to extend his remarks at this point in the RECORD.)

Mr. WHITE. Mr. Speaker, I am a new member of the Armed Services Committee, and of a different party than was WILLIAM BATES, and therefore knew him only casually. This casualness gave me the opportunity to evaluate objectively, though superficially, the man WILLIAM BATES.

On three frames of evidence can I judge him, my own experience, and how two different groups regarded him. Personally, on the occasions of my two encounters with him he treated me with politeness and friendliness. I was struck by his joviality, his self-confidence, and command.

It is said that a Congressman has two constituencies, one in his own district, and the other his colleagues in Congress. Each day he builds or destroys his reputation with each constituency.

With each eulogy today it is apparent how well BILL BATES built his reputation in the Congress. As an objective witness of his colleagues' reaction to him, in word and deed, I confirm that which has been said of him today.

I was honored to be a member of the funeral party from Congress. Since there were so many dignitaries, including a large number of Congressmen attending the funeral in the historic town of Salem, I would expect there to be many curiosity seekers lining the route of the funeral march, and perhaps there were some. But I was very impressed with the solemnity of and respect of the relatively large numbers of people lining the streets. These were not curiosity seekers. For the most part they were parents with their children, businessmen, and other townspeople. Pictures of Congressman BATES bordered in black were taped to shop windows and windows of homes. Mothers stood quietly on the roadways and told their small children to hush, and no one moved.

As a witness to these most respectful and impressive services, and with the evidence of each individual face I studied along the funeral path, I can conclude only that this man I casually knew was indeed a fine man, a patriot, a human being of much substance, a true product of a solid community that has its roots in the beginnings of our great country.

(Mr. LENNON, at the request of Mr. FISHER, was granted permission to extend his remarks at this point in the RECORD.)

Mr. LENNON. Mr. Speaker, the death of our colleague, BILL BATES, was a keen personal loss. In close association with him as members of the Committee on Armed Services, I came to regard him as a genuine friend. The secret of friendship, as a great essayist so aptly stated, is trust. I had implicit confidence and trust in BILL. He was a gentleman in every sense.

BILL BATES was a man of wisdom and great loyalty. I admired and respected his effectiveness, his tolerance, and his fairness. He served our committee, his constituency, and our Nation faithfully and diligently. I am deeply grateful for his contribution and his warm friendship.

To Mrs. Bates and the family, I extend my sincere personal sympathy.

Mr. CONTE. Mr. Speaker, I yield to the gentleman from New Hampshire (Mr. WYMAN).

Mr. WYMAN. Mr. Speaker, I am honored to participate in this tribute to the finest Congressman I have ever known.

I speak more as a personal friend of our dear departed colleague, BILL BATES than as a Member and his colleague in this body. My association with BILL BATES goes beyond membership in this great House, where he was very kind and very good to me when I first came here as a junior Member, as he was to so many in this House on both sides of the aisle.

BILL always had a friendly hand for all Members in need, and yet he had the courage, the fighting will, the determination to face gut challenges, as the gentlemen who have spoken so highly of him here today have repeatedly indicated.

Mr. Speaker, when I was out at Bethesda Naval Hospital with blood poisoning over Memorial Day, BILL came to my room from his room on the same floor of the hospital. I had intravenous penicillin and I could not get out of bed. Yet BILL walked from his room over to mine and sat down and attempted, if you can believe it, to console me when my heart and soul was in torment for him. He did say, sort of wistfully, "At least, LOU, you are going to be leaving here sometime."

I knew that BILL BATES was an important person when I first came to the Congress. I knew that he was powerful as the senior ranking member on the Republican side of the Committee on Armed Services at a time when perhaps no committee is as powerful as the Committee on Armed Services in the affairs of a country at war. But you would never know that he was powerful from BILL. BILL always had a smile, he always had humility, and he always had reverence. His concern for our military men and their welfare and for the security of this country against its foreign enemies exceeded or at least equaled that of any other Member of this body. Yet he did not carry it like a kleig light on his suit.

Mr. Speaker, there are two other simple facts I would like to mention about BILL BATES. I played golf with him, too, on many occasions as did the distinguished Member from Illinois (Mr. ARENDS). One of those occasions was late last fall when on a golf course that had a par 72, BILL BATES, who left us because of the scourge of cancer just a few days ago, scored a 73. I was tremendously impressed. He was an excellent golfer and a fine competitor.

Mr. Speaker, one of the most tragic things about his death is that just 2 years ago he, and his lovely wife Jean bought a camp at Lake Winnipesaukee in New Hampshire in my district. In Indian language "Winnipesaukee" means the "Smile of the Great Spirit." Bill's cabin was on northern shores of that lake. It had blueberries and sandy beaches, and Bill took an interest in and had enthusiasm for this camp. I went up there to visit him. He was very happy there and spoke of the years ahead when he could retire and spend more time there. It is awful that a man so deserving should have been denied this.

For no reason, Mr. Speaker, Bill has been called and has left us. Our sympathies and our heartfelt sorrow go out to his beautiful and courageous wife Jean and his pretty daughter Sue and the members of his family. Perhaps the best way to look at his tragic passing is to believe that God has more important work elsewhere for such a fine man. There was no other reason to take him away from us.

So, as Bill is now in the happy hunting grounds, we mourn his loss and we are grateful for the years of friendship and association with him that enriched our lives. We think of him as carrying on as dear in the love of there as in the love of here. We think of him still the same—I say he is not dead. He is just away.

Mr. CONTE. Mr. Speaker, I yield to my colleague from Missouri (Mr. Hungate).

Mr. HUNGATE. Mr. Speaker, I was not of the same party nor of the same State as Bill Bates, and I did not serve on the same committee with him, but one event occurred in debate that was unforgettable to me. There was an important measure relating to national defense up on the floor. I was detained, as some of us are at times, with constituents and phone calls. I came to the floor and Bill Bates came to the floor and I asked some questions that were not really friendly. As you know how capable and aggressive and able Bill was, he answered my questions thoroughly and completely and, as a matter of fact, when he got through I wished that I had never thought of them. That was not unusual in debate, but what occurred next was. In about 15 or 20 minutes Bill Bates came by and said that he was revising and extending his remarks and he wondered if I wanted to revise mine, and he would revise his in such a way that there was no unnecessary unfavorable light placed on any Member. This is the sort of dimension which this man had, vigorous and aggressive, working for the best interests of our country, but concerned also that he not embarass any other Member unnecessarily.

Mr. Speaker, Bill Bates was a big man any way you looked at him.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Speaker, one of the greatest privileges given those of us who attempt to serve our Nation and our constituents in this body is the opportunity to know the men and women who share this responsibility we have. I consider the opportunity to have known Bill Bates and to have served with him in the U.S. Congress as one of the high privileges I have enjoyed.

Knowledgeable in the intricate business of Government and the awesome responsibility of seeing to the specialized needs of our Nation's defense, Bill served his nation and all its people well. The men, women, and children who are my constituents in Ohio may never have known Bill Bates, but they benefited as Americans from his leadership in defense matters without sharing the privilege of knowing him.

The people of his Massachusetts district, of course, knew Bill personally and could take joy from that just as they could take pride in his service to his nation and satisfaction in his work for them and their district. More than that, his constituency is to be honored for recognizing his abilities and his leadership and returning him to Congress again and again.

Capable Congressman and able leader, patriot and politician, all these and more. Bill Bates was a strong family man, a real gentleman, and a friendly and cordial human. As a fellow congressional brat, I understand the affection he had for this body and all its Members. It was as warm and sincere as was his love for his Massachusetts district which he fit like a glove and for his family which he worshipped.

To his family, his constituency, and to all of us, I extend sympathy. We are richer for having known Bill and poorer for having lost him.

Mr. STRATTON. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from New York.

Mr. STRATTON. Mr. Speaker, Bill Bates was one of the finest Members of this House I have had the pleasure of knowing and serving with. His untimely death takes from this Chamber a man who was intensely and profoundly knowledgeable in many of the most important issues of the day, especially those related to national defense and the uses of atomic energy. We shall be the weaker here on this floor because the penetrating and discerning mind, and the commonsense, down-to-earth good judgment of Bill Bates are gone.

But equally, we have been deprived of one of the most friendly, most genuinely joyous and exuberant Members of this House, a man whose friendliness and warming smile were really unique among his colleagues, and whose qualities of character and patience helped to lubricate the sometimes ponderous and frequently sticky wheels of legislative achievements in a most successful way.

For the 11 years I have been privileged to serve in this body I was proud to be a friend of Bill Bates. We served together in the Naval Reserve unit that functioned for a time here on this Hill, and our group had no more regular or dedicated member than the gentleman from Massachusetts.

Though Bill had given up a very promising naval career to come to the Congress 19 years ago, he never lost his interest in and his devotion to the Navy, which he continued to serve until his death as a Reserve officer.

In addition, I had the privilege of working with Bill through all these years on the Armed Services Committee. When I came to Congress in 1959 Bill was one of the more junior members on the Republican side of the aisle. But he was also one of the committee's most knowledgeable and discerning questioners. We who were freshmen members soon came to recognize that Bill Bates was among the most effective members of the whole committee—and one of the least partisan. As a result he accomplished much for those aspects of defense in which he had a special interest.

In the past 4 years, as the committee's ranking minority member, Bill Bates also proved to be a real leader, and a real stalwart for a solid, sensible national defense. He fought for a rehabilitated and revitalized Navy, to meet the twin threats of growing American obsolescence and growing Soviet naval expansion. He fought for increased submarine strength and for increased capability against Soviet submarines.

And as a member of the special Hardy subcommittee investigating our worldwide defense commitments during 1967 and 1968, Bill Bates made a unique contribution. He was a pillar of strength, a pillar of good sense, a man who could always be counted on to cut swiftly, sometimes even bluntly, through cant and evasion to get to the heart of any matter under discussion.

Our committee will miss his decisiveness, his wry humor, and his tremendous capacity for hard work as we face the increasingly more difficult problems ahead of us this year.

Nothing was perhaps more characteristic of Bill Bates' attitude toward life than the manner of his leaving it. Though he apparently had some intimation of his final illness, when the committee reconvened early this year, Bill never uttered a complaint, never dropped his familiar smile, never imposed his own worries on his friends and colleagues. As a result, even when he entered Bethesda Naval Hospital we could not really believe that he was ill. He was just too vital a person; it was just to unbelievable to think of Bill Bates as being sick or incapacitated in any way, most certainly he would soon be back among us again, cheering us up, bringing his own warmth and enthusiasm to grace our meetings, and the notes we got from Bill from his hospital room continued to reflect that same jovial, optimistic spirit.

Even though we eventually learned the nature of his illness, we could just not bring ourselves to believe that Bill Bates would not somehow overcome it all, and soon be back among us again. The news of his final passing came literally as an unexpected shock to all of us. Perhaps it should not have, but it did. Not Bill Bates. Anybody but Bill Bates.

Mr. Speaker, BILL BATES is gone now from these Halls and all of us are the poorer for having lost him. But we are grateful for having had the opportunity, if only for a season, of basking in the sunshine of his smile and his personality, and we will always be the better for it. We pause to salute our friend here today, Mr. Speaker, and we shall do our level best to carry on for him the work which he advanced so brilliantly, to build a stronger and a safer and a more prosperous America for all of us.

The stately ships sail on
  To their haven under the hill,
But, oh for the touch of a vanished hand,
  And the sound of a voice that is still.

Mr. CONTE. Mr. Speaker, I now yield to the distinguished gentleman from New Jersey (Mr. WIDNALL).

Mr. WIDNALL. Mr. Speaker, my heart is full when I rise to speak about our long-time friend and colleague BILL BATES. First I have always found myself particularly inadequate in having the ability to say the right thing at a time when one really is emotionally involved. I respected and admired BILL BATES very much. We came to Congress at about the same time—I happened to precede him by 2 weeks—in February of 1950. With our colleague, the gentleman from Pennsylvania, Mr. JOHN SAYLOR, BILL and I were the three that called ourselves "The Illegitimates," because we came in in between elections. We were not picked up in any class of the Congress, or anything like that. We were never invited to special briefings where we heard the inside story from the administration, or from those who were in power in the agencies, and we did not have the opportunity sometimes to socialize with Members of our own group, because we had come in at the wrong time, in between elections.

I found soon after I was here that BILL BATES was building himself a reputation as one of the finest Members in Congress. I also found that he had gone to the same alma mater that I had—Brown University, where he had been a very outstanding representative in athletics, a man with fine abilities all the way through, and with a good academic record when he graduated from the university. He left behind him at the university a very healthy heritage. He was a fine example there, as he was throughout his life.

Wherever he came in contact with others, BILL was human, understanding, and outgoing. I know when we moved from one office building to another, and we left BILL at that point, who had been officed down the corridor, that the people on my staff hated to move because they were going to miss his early morning greeting as he came down the hall and said "Hello, hello," in a way that was warm and appreciated by all.

He always had a smile. He was always one who gave a buoying effect to the life of others, and we loved to have him around.

BILL made great contributions in the House, with his work on the committee, with his devotion to the service that he was in, and let us not forget his devotion to his family. That was always first with him. He never neglected his family because of politics.

Always, through year after year, he built and commanded the respect of his colleagues in the House because they knew they could depend on him. He was one who believed in the best for America, and the best for the country.

And he would press his point to the full, although sometimes it might not be the popular viewpoint.

He has a fine family. He was a good man. He was a great father. He just had a friendly way about him that won friendship. He never lost friends—he gained friends. Year by year he built his constituency which was not just a place in Massachusetts but the world in which he moved.

BILL is one whose example can be taken by all of us in the Congress. If when we have to pass on we could have the same type of record he had, I am sure we could go with pride in our hearts that we have been responsible for a job well done.

To Jean and the family, Marjorie and I wish to extend our sincerest sympathy. BILL was a good man, a fine man, and a great American.

Mr. CONTE. Mr. Speaker, I yield to my colleague, the gentleman from California (Mr. LEGGETT).

Mr. LEGGETT. Mr. Speaker the House of Representatives and this Nation are better places because of the outstanding service of our and my friend, BILL BATES of Massachusetts. His death last week created a vacancy in the hearts of my House Armed Services Committee on which he served that will not be replaced.

BILL was a great American though a member of the other great national party than myself. Partisanship was never a bar to true friendship for him. BILL had a lucid intellect in committee—concerned primarily with national security—he was not a rubberstamp to Pentagon demands; his concern was that defense funds not be wasted.

BILL's concern when I first met him 7 years ago was for the Navy that he loved and, particularly, the health of the Portsmouth Naval Shipyard. As long as BILL was in Congress nobody ever seriously questioned that this remarkable naval shipyard would ever be scrapped. As a tribute to our colleague and because the decision was wrong I think that the best thing and prudent action that his House Armed Services Committee should do would be to formally set aside in legislation the Secretary of Defense order of November 1965 fixing an unrealistic limited life on this great naval shipyard.

To BILL's wife and daughter I want to extend sympathy from the Democratic side and to assure you that in the mind of this Congress your husband and father made a continuing significant contribution to his country.

Mr. CONTE. Mr. Speaker, I yield to my colleague, the gentleman from New York (Mr. PIKE).

Mr. PIKE. Mr. Speaker, there are very few Americans alive today of whom it can be said honestly that the Nation as a whole would miss them. It can be said honestly that the Nation will indeed miss BILL BATES.

From his vantage point as ranking Republican on the House Armed Services Committee, BILL saw the Nation's problems with foresight, insight, and perspective. He not only understood the weakness of the Nation, he understood its strengths, too, and moved quietly and competently to correct its weaknesses and preserve its strengths.

He would undoubtedly have enjoyed being chairman of the committee, and he would have made a good one, too, but the fates decreed that he should be the leader of the minority, and he fulfilled that role with honor and judgment and wisdom. He could usually contribute a warm laugh to a tense situation and a kind word to a person with whom he disagreed. He brought a balance and a stability to the deliberations of the committee and of the Congress. We can ill afford to lose these attributes, and the committee, the Congress and the Nation are all poorer places for his passing.

Mr. Speaker, I ask unanimous consent that the words of the gentleman from Washington (Mr. HICKS) may be included at this point in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. HICKS. Mr. Speaker, I would like to join my colleagues in tribute to WILLIAM H. BATES.

Although he had been here many years, although he had earned considerably more influence in the affairs of the Congress than most of us can hope ever to have, although he was one of the busiest men on Capitol Hill—he still had time for a freshman Congressman, and he took that time to make this one feel at home.

When I first arrived in 1965, I sat directly in front of Mr. BATES in the seating arrangement of the Committee on Armed Services. He was in the upper row and I was in the lower, and as you well know it is a long, long way between those rows as we measure distances here. Still, BILL BATES bridged that distance most generously. We talked frequently and at some length during lulls in our hearings, and I came to know and appreciate his vast knowledge and generous nature. And the better I got to know him, the more I respected him. His great knowledge of the affairs of the committee and of the Congress, he shared willingly and without once revealing any impatience that he no doubt often felt.

I was not the exception, of course. He was as kind and patient with all with whom he came in contact. He was busy, and he never truly had time; but he made time for those who needed help. I suppose, looking back, that I imposed on him too much. But he never let me feel that I was imposing.

You know, Mr. Speaker, in this place of power and pressures, you can hear just about anything you are willing to listen to, about anybody. Under that circumstance, I consider it remarkable to the point of being phenomenal that never once did a single unkind word come to my attention concerning BILL BATES, despite his length of service and prestigious position on the committee and in the Congress.

I found Bill Bates to be a strong and wise and generous and patient man; a gentleman, and an extremely effective Member of Congress.

I miss him, and the Congress misses him. We all are the worse for his passing.

Mr. CONTE. Mr. Speaker, I yield to my colleague, the gentleman from Alabama (Mr. Dickinson).

Mr. DICKINSON. Mr. Speaker, nothing could have saddened me more than the news of the untimely death of our friend and colleague, Representative William H. Bates of the Sixth Congressional District of Massachusetts. The House of Representatives, the State of Massachusetts, and the entire Nation have lost a dedicated public servant—one to whom most of us in this Chamber have looked for advice and consultation at one time or another.

Bill Bates, ranking Republican on the House Armed Services Committee, was one of the hardest working and most dedicated Members of the House. His service to the people of his district for 19 years stands as a goal toward which all Members of the House should work. He was one of the most knowledgeable men in the field of military affairs in the Nation and perhaps knew more about the Navy than any other Member of the Congress.

Mr. Speaker, Bill Bates was my friend, and his passing leaves a void in this Chamber that will not be filled for many years. His effervescent personality, his constant smile, and his friendly nature will be sorely missed by all of us. To his widow, his daughter, and all other members of his family, I express my deepest sympathy for their loss.

It was through Bill Bates that I got on the Armed Services Committee. It was principally through his influence that I got my subcommittee assignments. I felt very close to Bill, and in retrospect I cannot think of him in my mind's eye that I do not see him smiling. If he had a trademark, it was with his chest stuck out and a big smile on his face. He was a big man in every respect, but a gentle person. He will be sorely missed because here, indeed, was a man touched with greatness. Few, if any, will ever know what he really meant to this country and to its security by virtue of the position he held in this Congress and on his committee.

I am very pleased and honored to be able to join with my colleagues in tribute to this great American today. Every man and every woman in this country lost a friend with the passing of Bill even if they did not know him. And those that did know him will always miss him.

Mr. CONTE. I thank my colleague.

I yield to the gentleman from Missouri.

Mr. RANDALL. Mr. Speaker, I appreciate the gentleman from Massachusetts yielding to me. I would not want this day go by without joining in this tribute to our beloved colleague, Bill Bates. It was my privilege to serve with him, for several terms as a member of our Armed Services Committee. Bill was the distinguished son of a distinguished father. He succeeded his father, George Bates, in the Congress in 1950. At the time of his election he had already distinguished himself in the naval service for more than 9 years, because in order to come to Congress he had to resign his commission as lieutenant commander in the U.S. Navy.

The regard or esteem which fellow Members have for a colleague is in itself not only a mark of his success in Congress but a good measuring rod of the man himself. To say Bill was respected, admired, and held in high esteem is an understatement. He was genuinely beloved by all of his associates, on both sides of the aisle.

The previous speaker made reference to his good disposition and to the fact that he always carried a smile. I would go even further to say that his good disposition was contagious. He had a way, regardless of how one might feel, to make his colleagues feel better by just enjoying a brief visit with him. I distinctly recall that in the old days, before the Rayburn Building, as we would pass walking through the tunnel, he would frequently say to a colleague with a serious or worried expression on his face, "Oh, come now, it isn't that bad. This isn't the end of the world. Come on, cheer up. Things are not really as bad as they sometimes seem."

Time and time when I was in company with a family of visiting constitutents, I have passed Bill in the hall or in an elevator or on the subway cars. He would always take the time to praise his fellow Congressman in the presence of his constituents and to tell them how lucky they were to be represented by such a good man. I realize this may be a commonplace practice, but he made his remarks seem so genuine and so sincere that I had the feeling my people believed what he was saying was really true.

He was a real hard worker on our Armed Services Committee. He was a man who was knowledgeable because he did his homework. He was so well informed that, when we would have a witness before the committee, he would frequently correct the testimony of the witness, for factual errors. Many times he would go so far as to say, "You testified differently last year. That is not what you told us last year. You had a different story last year. Now why do you tell us something else this year?"

It was amazing the knowledge he possessed of the Armed Forces. No Member was better informed on all branches of the service than Bill Bates.

It has been our sad duty to attend the memorial services for several of our departed colleagues over the past several years. Yet I have never seen a greater tribute to any Member than the outpouring in Salem, Mass. There was an expression of sincere sorrow on the faces of those thousands of people who lined the streets on June 26 in the beautiful city of Salem. Among that great outpouring was the Governor of his State, his two U. S. Senators, a member of the President's Cabinet, the entire Massachusetts delegation, and about 20 members from the Joint Atomic Energy Committee and the Armed Services Committee. Present were the great, the near great, and his fellow townsmen—but they all exhibited their grief, knowing they were poorer because of the loss of a valued friend.

On several occasions Bill would say, "You know, I have something in common with you, Bill, because my good wife came from Missouri. You know, most of you Missourians are pretty good folks." I am sure the sympathy of all of us goes out to the gracious Mrs. Bates and to the lovely daughter who was the apple of his eye. May the Good Lord bless and comfort them in their sorrow.

Mr. CONTE. I thank the gentleman from Missouri.

I yield to the distinguished chairman of the Armed Services Committee.

Mr. RIVERS. Mr. Speaker, I thank the distinguished gentleman for giving me an opportunity to pay my humble respects to a great American, Bill Bates.

I guess no one in this House or this Congress worked closer with this great American than did I. I was one of those favored with the great and priceless privilege of journeying to New England, the great, sturdy part of America from which this magnificent American came.

We have seen those countless thousands of Americans come out to pay homage and tribute to their native son. They came from all over New England. As the gentleman from Massachusetts (Mr. Boland), has said, the church, the streets, the itinerary to the cemetery were lined by people from every walk of life, grief stricken, and humble in their homage to this man. This was a sight I shall never forget.

It was fitting, at the birthplace of our Navy, for one of its heroes. He reposes in his beloved and native soil.

Mr. Speaker, all of us who have been here a number of years have served with some of the giants of the past who have trod our halls. My memory harkens back to people like Dewey Short and Frank Fellows on the Republican side, and others like Carl Vinson, Sam Rayburn, and the late Bob Doughton.

Bill Bates ranks with them all. He ranks with them all.

He was busy in his everlasting patriotism, to busy in his unlimited devotion to his country, in his indefatigable energy in behalf of the security of America. He was quite busy.

As the poet said, he was too busy to realize:

But such a tide as moving seems asleep,
  Too full for sound and foam,
When that which drew from out the boundless deep
  Turns again home.

That was Bill Bates. I am reminded of another giant of the past, the late Clif Woodrum, who used to remark about the vintage or the class or the group with whom we serve, like a college fraternity or a college group with whom we go either to college or to a university. He used to cite a poem I should like to share with you. It goes something like this:

Where is now that happy party
  I remember years ago—
Dancing around friendly fireside
  Cheered by its ruddy glow—
Or in Summer's balmy evening
  In the fields upon the hay
They are all dispersed and wandered—
  Far away.
Some have gone from us forever
  Longer here they might not stay—
But they have found a fairer region—
  Far away.

BILL BATES is one of them. Oh, yes, in God's inexorable plan his place will be fulfilled, but, Mr. Speaker, not in your time.

Mr. ANDERSON of Illinois. Mr. Speaker, I want to join my colleagues from Massachusetts in expressing my sorrow at the death of WILLIAM H. BATES.

It was my privilege to serve with BILL BATES on the Joint Committee on Atomic Energy. Through our work on the committee, we came to be close friends. Those of us who served with him on the joint committee respected him for his diligence and thoughtfulness in approaching the complex matters under the committee's jurisdiction.

Indeed, BILL BATES was highly respected by all who knew him. The people of the Sixth District of Massachusetts have shown their respect for him by electing him to this body in the 81st Congress and subsequently to every Congress to the present one. I respected him and admired him not only because of his work on the Joint Committee on Atomic Energy, but also for his compassion, sense of justice, warmth, and his dedication to serving America.

The Joint Committee, and the whole House, will miss BILL. The State of Massachusetts will miss him, and the Republican Party will miss him. I will miss him as a dear friend and esteemed colleague. Mrs. Anderson joins me in extending our deepest sympathy to this family. They are in our prayers during this time of sorrow.

Mr. BURKE of Massachusetts. Mr. Speaker, it is with a saddened spirit that I rise today to pay tribute to an old and dear friend and colleague, WILLIAM H. BATES. I was deeply grieved to learn of his untimely death.

Having attended St. James parochial school in Salem, Worcester Academy, Brown University, and Harvard Business School, BILL entered the Navy. BILL served until the tragic death of his father left vacant the congressional seat for the Sixth District of Massachusetts. In 1950 he was elected to that seat and remained in Congress since that time.

During these 11 terms in Congress he rose to be the ranking Republican member of the House Armed Services Committee and second ranking minority member of the Joint Commission on Atomic Energy. For the past 4 years, he served as a member of the U.S. delegation to the NATO parliamentarians conference and was a member of the conference's military committee.

A deeply religious man, BILL carried into his daily life the principles of Christianity, especially the commandment to "Love one another." For BILL BATES did love his fellow man. His entire life was a model of service and untiring efforts to improve the lives of those he served. Until the very end he fought for those less fortunate. His example will remain a source of inspiration.

His loyalty, sincerity of purpose, high ideals, and personal warmth made him a devoted friend and called forth friendship in return. I know few men who commanded as much respect, admiration, and love from all he met. This fine man was rare indeed. I shall always cherish the memory of his friendship.

My sympathy and my prayers are with Mrs. Bates and the family during this difficult time.

BILL BATES WAS MR. SERVICE

Only once during his last trying 3 months did BILL BATES talk with a newspaperman. It was James A. Shea, editor of the Salem Evening News, serving the Congressman's home city. On the day following the large and impressive funeral services, Jim Shea recalled that occasion at the Bethesda Naval Medical Center. It was as follows:

[From the Salem (Mass.) Evening News, June 27, 1969]

THE MILLION DOLLAR SMILE . . . THE FIRM HANDSHAKE . . . THE FIGHTING SPIRIT

(By Jim Shea)

SALEM.—"I'm giving this thing a real good fight, Jim."

When U.S. Rep. William H. Bates clutched my hand and uttered these words less than 2 months ago in his hospital room at the Bethesda Naval Center in Maryland, I had to bite my lip.

"Bill" Bates knew he had cancer and he did everything he could to beat it but it just wasn't to be.

The nation's best medical brains tended to the needs of the Salem congressman but the disease apparently was in such an advanced state when it was discovered that there was no chance to reverse the spread of the cancer.

When Bates was told by his physicians that he was suffering from lymphoma, his first question to the doctors was "what can we do about it?"

During the approximate 3-month period since that diagnosis, the congressman underwent a testing period of X-ray treatments which drained him physically and emotionally.

Strong physically, a low-handicap golfer and a former star football player, Bates played the book of life close to the vest with moderate habits.

But he was still struck down at the peak of his career.

How can you figure it?

When I dropped in on him that day at Bethesda for a 10-minute stay, I got a firm handshake, the familiar million-dollar Bates smile, and the query, "How's all the boys at The News?"

With then just 2-months to live, Bill Bates was still making that extra effort at friendliness. It is a remarkable trait which so few of us can generate in good times and bad.

When all is said and done about Rep. Bates, the lasting memories will probably not come from the substantial legislative record which he established but rather through the niceties he extended to the people back home.

All of us have had a touch of it.

It might have been a move by him to get a relative home from the service because of a family emergency, or some help on a disability pension or a question about Social Security benefits.

Remember all those pictures of Rep. Bates posing on the steps of the Capitol with high school groups, families, clubs, football teams?

You think this was easy day after day. Sure, they were voters and future voters but many congressmen in districts not nearly as safe as Bates' just won't take the time to be nice.

My family got a touch of that Bates hospitality a couple of summers back and my 5 children still talk of "how nice Mr. Bates was." He gave them all a fountain pen, bought them a soft drink in the House dining room and gave them a full tour of the Capitol.

It might seem cornball to some but isn't, after all, service the name of the game in Congress?

Bill Bates was Mr. Service in this regard and without being gushy about it, I hate to see him dead at the zenith of a great career.

Mr. PHILBIN. Mr. Speaker, the tragic passing of Congressman WILLIAM H. BATES, a native son of Massachusetts of whom we will always be proud, was one of the greatest Congressmen ever to serve in this body.

In a few short weeks, this great public servant and fine human being, whom we all loved, was called to his Maker, leaving us stunned, inarticulate, and unbelieving.

To those of us who knew him well, BILL BATES seemed almost indestructible. He was young, vigorous, vibrant, and in perfect health.

He was a trained athlete, who had engaged in big time college athletics as an outstanding football star and other college sports.

He was an expert champion golfer, who could, and did, play with the best golfers on Capitol Hill, national champions though some of them were, and more than held his own.

When he told me one day in the committee that he was not feeling well, I dismissed it as a mere temporary indisposition, because he was so strong, so active, so dynamic and in the full bloom of health, physical, and mental vigor that I could not conceive of his being seriously ill.

Yet in a short time, before he had yet reached the prime of his powers, he was called to that land from whose bourne no traveler ever returns, leaving us incredulous, and bowed in deepest grief for the loss of such a dear one and such a great one, whom we esteemed, cherished, and loved beyond measure.

BILL BATES had a tremendously brilliant career. From school and college days, he was most successful, outstanding in everything he undertook, in every facet of his life.

Athlete, scholar, war veteran, Congressman, he was in turn honored by his schoolmates, his shipmates, his colleagues, and his fellow citizens and friends by the legion in innumerable ways.

He was esteemed, lauded and loved by all who knew him.

Strong in loyalties and convictions, firm in his commitments to his country, his duties and his friends, a red-blooded, two-fisted, God-fearing American, a devoted husband, a loving father, son, and brother, he was outgoing, warmhearted, generous, and true in all his relationships in his public commitments, strong as the granite in his native New England hills, and in his compassion and love of his fellowman and his friends as gentle as a summer zephyr.

BILL BATES' sparkling, magnetic personality drew people around him like a magnet, and his beaming smile, congenial manner and kindness, understanding and willingness to help others, won for him, not only deep respect, but the sincere affection of everyone.

Few, if any, Members of this House have ever commanded the universal respect for his ability, his high standards, nobility of purpose, generosity and wholeheartedness of impulse and spirit

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and his sense of dedication than our late, lamented, wonderful friend, BILL BATES.

Among many magnificent attributes which he possessed was his profound religious faith which dominated his life. In all his relationships, official and personal, in and out of this Chamber, in thought, deed and action, he lived and exemplified the very finest traditions of this body, his home State and the American creed of freedom, equality, and justice for all.

There could never be another BILL BATES. Our great Armed Services Committee, of which he was ranking minority member, and the House will never be the same witout him, because he brought to our deliberations a brilliance of capacity, responsibility, ideas and ideals, knowledge, experience, expertise, and calm balance that truly made him invaluable to the committee, the House, and to the country.

His many memorable contributions to the House, the Congress, the country, our great State and to the people could never possibly be excelled.

He has made a record here that will long stand out as a gleaming light of inspiration.

It would not be possible to replace a man of such total dedication, sincerity, industry, ability, unyielding purpose and work to give to his most vital, important duties the last full measure of his talents, energy, and devotion.

All of us join in mourning this noble man, comrade, and friend. We join his sadly bereaved family, his devoted wife, lovely daughter, wonderful mother, sisters and brothers in their great sorrow. We humbly offer our prayers, our condolences, our consolations, and our unmeasured sympathy for their truly irreparable loss, which we so poignantly and sorrowfully share.

The example of BILL BATES' peerless service will be indelibly inscribed in the annals of this House, and our Armed Services Committee, for all to honor and strive to emulate, and for the whole Nation to admire and appreciate.

We shall miss our beloved friend and colleague, BILL BATES.

We shall never forget him. His spirit will remain with us.

God love him.

Mr. Speaker, under unanimous consent I include some newspaper articles concerning Congressman BATES:

[From the Boston (Mass.) Herald-Traveler, June 23, 1969]

LODGE, SARGENT LEAD TRIBUTES

Ambassador Henry Cabot Lodge yesterday called the death of U.S. Rep. William H. Bates (R-Salem) "a shocking and grievous" loss.

"I have lost a warm and cherished friend," he said of the man who had worked diligently in his behalf in the 1960 presidential election.

Lodge said Bates was "a public servant in the finest tradition, that of his distinguished father. He was good and sagacious. He never spared himself in the performance of his duty, and his decisions were motivated by his high sense of patriotism.

"My deepest sympathy goes out to his family."

Gov. Francis W. Sargent termed Bates' death a "loss to the Massachusetts people he so ably represented, and indeed to the nation.

"A man who could combine the national interest with the human concerns of the people of his district is a rare man," he said. "William Bates did that in such a fashion that we will not soon forget.

"Mrs. Sargent joins me in sympathy extended to his family."

U.S. Rep. Hastings Keith (R-West Bridgewater) said, "Bill Bates was a congressman whose purpose and accomplishments were utterly and completely in the public interest.

"He was admired, respected and loved by his constituents and colleagues in government.

"As the senior representative on the Armed Services Committee, it was to him that we looked for advice and counsel as to the military programs of our nation. We are going to certainly miss him in this regard in these trying times."

U.S. Rep. James A. Burke (D-Milton), said, "I am grieved by the sad and untimely passing of my friend, Congressman William H. Bates.

"Bill was a man of the best character and highest motives. His loyalty, sincerity of purpose and concern for others made him a devoted friend and dedicated public official.

"Bill was a deeply religious man and a man who inspired others by his consideration and kindness . . . We will miss him. I shall always cherish his friendship."

Miss Carolyn Standley of Beverly, one of the prime movers for Bates' campaigns, said he was "one of the greatest persons I have ever known.

"His success was that he simply liked people and wanted to help them. This is what made him such a great man."

Rep. David E. Harriston (D-Gloucester) chairman of the Democratic State Committee:

"Today the Commonwealth mourns the great loss of U.S. Congressman William S. Bates of the Sixth District.

"Rep. Bates' final struggle of courage was only the last for his great cause. He was the possessor of an outstanding record in defense of his country in wartime and the holder of an outstanding record in the U.S. Congress.

"No person, no request was ever too small for his prompt attention. Democrats as well as Republicans in the Commonwealth mourn his loss."

State Sen. William L. Saltonstall (R-Manchester) said in a telegram to Mrs. Bates, "Since I first met Bill Bates, I have respected him as a man and for the work he has done for his country.

"Bill had the courage when the going was tough, the character to do whatever was necessary, the compassion to care for his people as individuals, and wherever he went, he made friends who loved him. He will be sorely missed by all who knew him. We have lost an honored friend."

Rep. F. Bradford Morse (R-Lowell) said:

"I have never known a more honest, a more decent man than Bill Bates. I have never known a more courageous, respected, and effective legislator than Bill Bates. I have never known a finer American than Bill Bates.

The people of Massachusetts, the people of the United States have suffered an enormous loss, for Bill Bates made his state, his city, indeed the world better places."

REPRESENTATIVE BATES SUCCUMBS TO CANCER

(By Theresa McMasters)

WASHINGTON.—U.S. Rep. William Henry Bates, 52, of the Massachusetts Sixth District, a former Navy officer who championed the nuclear navy and development of peaceful uses of atomic energy, died yesterday of stomach cancer.

Death came at 8 a.m., in the Bethesda Navy Medical center. By coincidence, the Navy Band at the time was playing "The Star Spangled Banner" for regular morning colors beneath his hospital window.

For the past three months the congressman had been undergoing treatment for abdominal lymphoma, with several brief stays in the hospital. But he had planned to play yesterday in the golf tournament for members of the Burning Tree Country Club.

His condition weakened at the hospital Saturday night. His wife, the former Pearle Jean Dreyer, was with him when he died. He also leaves a daughter, Susan, a Boston commercial artist, his mother, Mrs. George J. Bates of Salem, Mass., three brothers and three sisters.

Bates was a Navy veteran of World War II and was on active duty in the Navy, as a lieutenant commander supply officer stationed in Philadelphia, when he first ran for Congress to succeed his father, a former Salem mayor and later sixth district congressman.

His father, Rep. George J. Bates and 54 others were killed in a collision over Washington Nov. 1, 1949, of a commercial airliner and a military plane flown by a Bolivian air officer.

As a naval officer, Lt. Comdr. Bates was barred from campaigning. Friends took over for him in campaigning in the historic northeastern district where the term "gerrymander" was coined in 1814 after a redistricting by Gov. Elbridge Gerry.

After his election Feb. 15, 1950, Bates resigned from the Navy. At his death, he was serving his 11th term, having been re-elected to every term since. He also was a captain in the Naval Reserve.

Rep. Bates was the ranking Republican member of the House Armed Services Committee and second ranking minority member of the Joint Commission on Atomic Energy.

For the past four years he had served as member of the United States delegation to the NATO Parliamentarians Conference. He was a member of the conference's military committee.

The Massachusetts congressman was a leading advocate of import controls to keep alive the New England shoe industry. Last week he and a Massachusetts colleague, Rep. James A. Burke (D-Milton) submitted to President Nixon a petition signed by 302 House members asking for negotiations of tariff rates affecting import of shoes.

He was engaged at the same time in a battle to obtain a reversal of the edict that Portsmouth, N.H., Navy Yard be shut down by 1974. He was a defender of the proposed Anti-Ballistic Missile system.

Although he never made a public speech before his election to Congress, he became recognized as a competent and versatile speaker on the floor and a persuasive debater in committee.

A tall, rugged man who had played football in high school and college, the congressman was an enthusiastic supporter of the Boston Red Sox and the Washington Senators.

Bates was born in Salem April 26, 1917. His Salem home was at 35 Warren St., and in Washington he lived at 1701 Holly St.

He had attended St. James parochial school in Salem and was president of his Salem High School graduating class in 1935. After a year at Worcester Academy, he entered Brown University, graduating in 1940 with a B.A. degree in economics and political science.

He also had a master of arts degree from the Harvard Business School, obtained in 1947 while he was serving in the Navy.

After graduating from Brown, he worked for a time as a clerk for the FBI in Washington, before enlisting in the Navy as an apprentice seaman in 1941.

In World War II he participated in the assaults on Iwo Jima and Okinawa.

Flags on the Capitol were lowered to half staff in tribute to Bates as soon as his death became known there. The House will hold only a brief session in tribute today, then adjourn.

Speaker John W. McCormack will appoint an official delegation to attend the funeral in Salem. A requiem high mass in scheduled for 11 a.m., Thursday in St. James Church there. Burial will follow in the Bates family lot in St. Mary's Cemetery.

A memorial prayer service will be held in Washington at Joseph Gawler's Sons Funeral Home at 7:30 tonight.

The congressman's three brothers are Raymond, of Marblehead, Mass., George Jr., of Salem and Francis, of Peabody, Mass. The three sisters are Mrs. Mary Sawtelle of East Greenwich, R.I., Mrs. Katharine Ginty of Salem and Mrs. Caroline Stanton of Marblehead.

[From the Boston (Mass.) Globe, June 23, 1969]

The Son Followed His Father—In Life and in Death

For the second time in two decades the people of Essex County today were mourning the death of their congressman.

George Bates, representative of the 6th Congressional District, was killed Nov. 1, 1949, when a plane he was on crashed in Washington.

Yesterday, his son, William H. Bates, who had served in Congress since his father's death, died in Bethesda Naval Hospital, a victim of cancer.

George Bates, a former mayor of Salem, was 58 when he died.

William Bates, a Navy officer at the time his father was killed, was only 52.

It was a cold, Autumn morning in Salem the day the town received the news that George Bates had been killed in an early-morning plane crash just outside Washington. He was returning from a weekend in his home town.

Bill Bates also died during the early morning hours and many of the family's friends in Salem first learned of his death when it was announced at Masses in Catholic churches throughout the city.

Many knew that Bill, who first entered Congress at the age of 32, was sick. Despite this, however, the news that he had died—at 8 a.m.—came as a shock.

George and William Bates were not the type of congressmen who made across-the-nation headlines.

They were the type who served the "little man."

Whenever anyone entered the Bates' office on the second floor of Salem's Post Office he seldom found a city or town official there. More likely, he would find a long-time aide, William Heffernan, talking to a little Polish lady from Derby st. in Salem who was worried over her Social Security check.

Another Bates' aide, Carolyn Standley, who coordinated the activities of his Lynn office, might be seen helping a Greek immigrant get his citizenship papers. Or she might be working feverishly on the telephone hoping she could unite a Saugus mother with her son in Vietnam.

It was service of this type which made Bill Bates a favorite candidate among Republicans and Democrats alike. He had some challenges for his position, but he always won by a decisive margin.

Some of his voting records on national issues would be brought under attack during each campaign. But the people of the 6th District were apparently more interested in the fact Bates had been working to help the shoe industry in Haverhill, the hat factories in Amesbury or the fishermen of Gloucester.

It was his various pieces of tariff legislation and his harbor projects that most people in the Sixth District watched. And they applauded him each time his name appeared on the ballot.

Thus, it was easy to understand today in Essex County why a lot of "little people" were sad.

These were the people Bill Bates would welcome at his annual Chowder Party in Hamilton each year.

These were the people who had enjoyed exchanging pleasantries and smiles with his pretty wife, Jean, and their lovely daughter, Susan.

These were the people who cheered Bill Bates when he marched in the Fiesta parades at Gloucester and Homecoming Day parades in Newburyport.

These were also the people who loved George and William Bates and for over three decades "Kept Bates in Congress."

Representative Bates of Salem Dies of Cancer at 52: Republican Served Essex County in Congress Since 1950

(By John C. Burke)

WASHINGTON.—U.S. Rep. William Henry Bates of Salem, a World War II Navy officer who entered the House of Representatives in 1950 to fill his father's seat, died yesterday morning at Bethesda Naval Hospital in Maryland. The 52-year-old Republican congressman was a victim of cancer.

A member of the House Armed Services Committee and the Joint Committee on Atomic Energy, Rep. Bates was a strong advocate in Congress for a nuclear Navy developed under the peaceful uses of atomic energy.

His father, George J. Bates, died in 1949 in a Washington plane crash. Both Bates served the 6th Massachusetts District, which consists basically of Essex County, for a total of 33 years.

Services will be held in Washington today.

Washington visiting hours will be 2 to 9 p.m. with a memorial prayer service at 7:30 p.m. at Joseph Gawler's Sons Funeral Home, 5130 Wisconsin Ave.

The body will be flown to Salem tomorrow, where visiting hours will be from 7–9 p.m. tomorrow and 2–5 and 7–9 Wednesday at Hamilton Hall.

A Requiem Mass is scheduled for 11 a.m. Thursday at St. James Church, Federal st., Salem. Burial will be in the Bates' family lot at St. Mary's Cemetery, Salem.

The House will hold only a brief session today in tribute, then adjourn. Speaker John McCormack will appoint an official delegation to the funeral.

It was not immediately known whether President Nixon would attend, but he did send a message of sympathy to Mrs. Bates soon after learning of the congressman's death. They were good friends.

Although it has not been confirmed it appeared relatively certain last night that Vice President Spiro Agnew will be among those attending the services in Salem Thursday.

Bates had been undergoing X-ray treatment at the Naval Hospital since mid-March. He died quietly at about 8 a.m. His wife, Jean, was at his side. The Bates have one daughter, Susan, 20. She is a Boston commercial artist.

At the time the congressman died a Navy band outside the hospital was playing the National Anthem for regular morning colors.

It was the third time tragedy had struck the Bates' family in less than 30 years. The congressman's brother-in-law, Navy officer James Ginty, was killed during World War II in the South Pacific near the Solomon Islands.

His mother, Mrs. Nora Bates, still lives in Salem. The congressman also leaves three brothers and three sisters, all of whom live in Massachusetts.

His three brothers are George J. of Salem, Raymond H. of Marblehead and Francis of Peabody. The three sisters are Mrs. Mary Courtland Sawtelle of East Greenwich, R.I., Mrs. James Ginty of Salem and Mrs. Edmund Stanton of Marblehead.

The congressman's death leaves the House political lineup at 244 Democrats and 188 Republicans with three vacancies.

He was one of 12 representatives from Massachusetts.

Bates advocated sending sufficient manpower and equipment to Vietnam to meet the requests of U.S. military leaders. His last trip to the war zone was early last year. He reported seeing no easy solution to the war, although he did urge South Vietnam to take a larger part in the fighting.

Bates however, was opposed to the draft because: "I'm old-fashioned enough to believe that many people came to this country to get away from the concept of compulsory military service."

His knowledge of atomic warfare gained admiration from atomic submarine advocate Adm. Hyman Rickover.

Bates introduced legislation to block the merger of the First and Third Naval Districts and also led a movement to have one of the nation's largest nuclear carriers named for John F. Kennedy.

Bates also had another plus in Congress—he was generally regarded as one of the best golfers in the House.

Bates was the senior Republican member of the Armed Services Committee and the second-ranking House member on the Joint Atomic Energy Commission. In his own district, Bates had concentrated for years on tariff legislation to protect the shoe, hat and fishing industries from foreign competition.

It was successful policy. He was re-elected ten times with little trouble each term.

Bates' father was elected to Congress when Rep. A. Piatt Andrews of Gloucester died in 1937.

William Bates resigned as a Navy Lt Cmdr to enter Congress in 1950 after his father had been killed on Nov. 1, 1949, returning to Washington by plane from Salem. He was elected in a special election Feb. 14, 1950.

As a Navy officer he had participated in the naval assaults on Iwo Jima and was also stationed on the Japanese mainland. He held the rank of captain in the Naval Reserve at the time of his death. He had entered the Navy as a seaman.

Bates was born in Salem Apr. 26, 1917. He attended elementary and high school at Salem. He later earned bachelor degrees in economics and political science at Brown University and a master's degree at the Harvard School of Business Administration. He was a top football player in high school and college.

William Bates and Pearle Jean Dreyer were married in Festus, Mo., in 1948. They have lived in either Salem or Washington since then.

State Leaders Praise "True Servant"

Former Sen. Leverett Saltonstall led Massachusetts leaders in mourning the death yesterday of U.S. Rep. William H. Bates.

"Bill Bates was a long time friend of mine," Saltonstall said. "We worked together on the Armed Services Committee. He was always well-informed and had very clear opinions on what to do.

"I remember clearly when he came in to see me in his Navy uniform. He wanted advice on whether to run for his father's seat. I urged him to do so.

"He became one of the members who drew the utmost respect and affection from members of both parties. I have personally lost a dear friend and my deepest sympathy goes to his family."

U.S. Ambassador Henry Cabot Lodge said: "The death of Congressman Bates at the very prime of life is a shocking and grievous loss to the people of the district, of the state and of the nation. I have lost a warm and cherished friend.

"He was a public servant in the finest tradition—that of his distinguished father. He was good and he was sagacious. He never spared himself in the performance of his duties and his decisions were motivated by his high sense of patriotism.

"He was gifted with a warm and winning personality which had won him friends in every corner of the United States, as I learned when he and I traveled together in the 1960 campaign.

"My deepest sympathy goes out to his family. May they derive comfort from the pride which they surely feel in his life, so rich in service and friendship."

Republican State Chairman Josiah Spaulding said: "For my part, for my district, but mostly for myself, I express very deep sadness upon the passing of Bill Bates.

"Bill was a man for all seasons and a wise counsel and real friend to thousands who touched his life. He was kind, decent, calm, and strong—a wonderful man who leaves a far poorer world.

"To Jean and the entire family goes all our love and great appreciation for their willingness to share Bill with us for so many years. Bill is an example to us all—a true patriot, a true public servant."

Democratic State Chairman David E. Harrison said: "Not only do we, his constituents, feel the void of his passing today, but likewise the Congress and the nation itself shall be deprived of strength and character the wisdom, courage, which this fine gentleman personified."

Gov. Sargent said the death of Rep. Bates was "a loss to the Massachusetts people he so ably represented, and indeed to the nation.

"A man who could combine the national interest with the human concerns of the people of his district is a rare man. William Bates did that in such a fashion that we will not soon forget."

U.S. Rep. James A. Burke (D-Milton) said: "Bill Bates was a man of the best character and highest motives. His loyalty, sincerity of purpose and concern for others made him a devoted friend and dedicated public official.

"Bill was a deeply religious man, and a man who inspired others by his consideration and kindness to his fellow men."

Mr. HALL. Mr. Speaker, the death of our beloved friend and colleague, William H. Bates, of Massachusetts, will leave a void in this Chamber that will be hard to fill, for "Bill" brought exemplification of honor and a feeling of well-being to all who had the privilege of serving with him.

Bill Bates was a proud family man, a hard worker for the Sixth District of Massachusetts, and a dedicated public servant of the Nation.

Bill spent more than half of his life in service to his Nation, including 9 years with the U.S. Navy where he rose from the ranks and attained the rank of lieutenant commander. He resigned from the Navy in 1950 when he was elected to the 81st Congress, and was returned to the House of Representatives in each succeeding election until his untimely death. He served as ranking member of our Committee on Armed Services. He shared his prehospital personal experiences with me, and both professionally and personally I grieve at his loss.

It was my pleasure to serve with Bill on the Committee on Armed Services and I found him to be an able and understanding member, who was respected by those with whom he served. He was a robust and dynamic leader and lead the minority on a committee that knows no partisanship in the Nation's common area of defense.

Bill Bates will be missed by all, and especially those of us who served intimately with him, and were privileged to represent this body at Bill's final services I join with my colleagues in extending sympathy to his wonderful family.

Mr. SAYLOR. Mr. Speaker, the Congress, the Nation, and the State of Massachusetts have lost one of its distinguished men, and I have lost a great friend.

William H. Bates, a member of the congressional class of 1950, a respected member of the leadership of the Republican delegation in Congress, and one of the country's authorities on atomic, naval, and military affairs, was one of those men with whom his colleagues had constant rapport. His knowledge and quiet counsel were of particular value to me.

Of the same party, with overlapping interests, we often "crossed swords" over issues which came before the Joint Committee on Atomic Energy. But always, Bill Bates knew the essence of compromise, fairness, and openmindedness. Our disagreements led to understanding, and I like to think, this led to better legislation for the country.

Bill Bates' knowledge and insight into military affairs will be sorely missed at a time when the country needs such wise counsel on the future course of national security policy. Few Members of Congress have enjoyed the respect and admiration that we held for our friend and colleague, Bill Bates. He earned and deserved it.

With other Members of the House of Representatives, I mourn the loss of our friend from Massachusetts, and extend my deepest sympathy to his family.

Mr. PATMAN. Mr. Speaker, the House has suffered a great loss in the passing of the much respected and esteemed gentleman from Massachusetts, William Henry Bates. While we served on different sides of the aisle, my affection and admiration for Bill Bates were deep, and I join with my colleagues today in extending my heartfelt sympathy to his family at this time of great sadness and personal loss.

For nearly two decades Bill Bates was my good friend and colleague in the House. His fine and meaningful contributions to the accomplishments of the Congress in those years were many and sound, and his wise counsel was widely sought by his colleagues. His outstanding ability, integrity, and dedication to duty inspired those who served with him and made him an honored Member of the House, as well as the warm and steadfast friend of all who were privileged to know him.

Bill Bates was a courageous and effective Representative of the Sixth Congressional District of Massachusetts and of the American Nation. His interests were many and varied, but it was in the field of national defense that we particularly relied upon him, and as the ranking minority member of the distinguished House Armed Services Committee he worked diligently in strengthening the forces of defense which have so well protected the security and sovereignty of our Nation. His first-hand experience as an officer in the U.S. Navy for almost a decade gave him great insight into defense matters and made him a constructive and knowledgeable contributor to all legislation affecting the military.

We will, indeed, miss Bill Bates, and his splendid service and warm friendship will long keep him in the memory of those Members and associates who had the opportunity to know him, to work with him, and to witness his untiring efforts on behalf of the people and the Nation he loved.

Mr. HORTON. Mr. Speaker, William Henry Bates of Massachusetts was one of the most dedicated and able Congressmen to serve our Nation in many years.

Representative Bates died last month at the age of 52, in the midst of an energetic and successful career as legislator and guardian of the public interest. His services will be greatly missed.

I am saddened by his death. And yet I am both thankful and proud to have been accorded the rare privilege of serving in this legislative body with so fine a man. His example will be a perpetual reminder to those of us who must try to carry on the task he so rigidly set for himself—the task of safeguarding democracy in a dangerous and often perplexing age.

Bill had served in Congress for almost 20 years, having succeeded his father who was killed in a Washington plane crash. He was widely known for his advocacy of a modernized nuclear Navy and for his defense of the Central Intelligence Agency in a time when outspoken patriotism was not always fashionable.

The devoted patriotism of William Bates was never for a moment in question. He served in the Navy for 9 years, resigning his commission as a lieutenant commander to run for Congress. He was a ranking Republican member of the House Armed Services Committee and never stinted in his vigilance on behalf of what he termed "the survival of freedom."

At this time of bereavement, I hope that those closest to him will take comfort in the knowledge that both his colleagues and his constituents considered him a man of unique distinction and outstanding attainment. He will not be forgotten.

Mr. TAFT. Mr. Speaker, I wish to join with my colleagues in honoring the memory of a great Congressman and a great person, William H. Bates, of Massachusetts.

Bill Bates had many outstanding characteristics but one that stood out to me from the very beginning to the last of my personal contacts with him, was his unfailing interest and his unreserved willingness to help others. Innumerable times I have consulted with him on the background of legislation or other matters in the Congress, and uniformly, he gave unstintingly of his assistance and of his wise counsel. I know that this was not unique to me, but was offered equally to all who knew him, both in the Congress and out, and that it was done without presumption or expectation of any reward other than the satisfaction that it must surely have given to him.

This unique attribute, when coupled with his experience, intelligence, and judgment, made him a true friend and valued adviser. He will be deeply missed.

Mr. NATCHER. Mr. Speaker, on June 22, we, in the House of Representatives, suffered the loss of one of our finest and most beloved colleagues in the untimely passing of the Honorable William H. Bates, of Massachusetts.

Bill Bates, over a period of 19 years, served his country and his constituents in the Sixth Congressional District of Massachusetts with outstanding loyalty and dedication and was indeed a worthy successor to his distinguished father. Even though death has cut short an even more promising future, Bill Bates had already achieved many fruitful years as a splendid naval officer and an effective Member of the House of Representatives. In his capacity as the ranking minority member of the House Armed Services Committee, he was recognized as one of the most knowledgeable Members in the Congress in the particularly complicated field of national defense and certainly the security and welfare of our country could not have been in better hands. His fairmindedness and objective approach to the most challenging problems never failed to impress his colleagues and served to enhance their respect and admiration for him.

Bill Bates was a man of sound judgment, patience, and perseverance. His compassionate understanding of people and problems, his delightful sense of humor and inherent kindness endeared him to all with whom he came in contact. I shall always consider it a privilege and a pleasure to have served with him and to have known him as a good friend.

He was a great American whose influence will endure for many generations to come because the efforts and accomplishments of such men as Bill Bates cannot be quickly forgotten.

Mr. Speaker, my heartfelt sympathy is with Bill's family and it is my prayer that they are comforted by an abundance of Divine assistance during these sad and difficult days.

Mr. ERLENBORN. Mr. Speaker, in the death of our colleague, Representative William H. Bates, our Nation has lost a patriot. He was a man of quiet good sense and of remarkably broad understanding.

Many will note that he was the ranking minority member of the Armed Services Committee, but it was in his other committee role that he was best known to me. He was the second ranking Republican on the Joint Committee on Atomic Energy, and I found that this New England man was thoroughly conversant with the atomic energy installations in my midwestern district.

He did not hesitate to base his decisions upon the best interests of the Nation which he served so well, both as a naval officer and as a Representative of the people.

He was, I repeat, a patriot.

Mr. GIAIMO. Mr. Speaker, I am deeply saddened by the death of our dear friend and colleague, Bill Bates.

Bill Bates, vibrant, active, cheerful, a gentleman in every sense of the word, came to this House a short time after his father, Representative George Bates, died tragically in an airline crash here in Washington. In his 19 years in this body, Bill Bates displayed dedication, compassion and a willingness to work, and gained the everlasting respect of his constituents in Massachusetts and his colleagues in the House. Through his diligence, he rose to a prestigious position on both the Armed Services Committee and Joint Committee on Atomic Energy, but he never abused the privileges of his position and power.

It is indeed tragic that Bill Bates died in the prime of his life, but it is even more tragic that he died when his attributes were needed by this Congress and this Nation more than ever before. His ability to think and act rationally will be missed at a time when the military services have come under constant, sometimes irrational, attack. His tolerance for the other point of view will be missed at a time when such tolerance is all too rare. His efforts on behalf of his district, State, and Nation will be missed by all who knew him.

Theodore Roosevelt once said:

> The first requisite of a good citizen in this Republic of ours is that he shall be able and willing to pull his own weight.

With this in mind, I mourn the loss of a great citizen and extend my deepest sympathy to his family.

Mr. HOSMER. Mr. Speaker, it is difficult to sum up in a few words the many contributions to Congress and to the country made by Congressman Bill Bates. He had an all-too-brief lifetime—and our Nation will feel the loss of his leadership and strong hand in Congress in the years to come. He loved life, and his life was with his family and working with the people of his district. He saw success, achievement and occasionally heartbreak.

He came to Congress following the tragic death of his father in an air crash.

In his youth he was an athlete—an excellent football player—as well as a scholar. He served as a naval officer, and the sea was his first career. He brought to the Congress the strength and will of an athlete, the dedication of a naval officer and devotion to the cause of freedom and justice born of his New England ancestry. Above all, the one fundamental thing I am sure he would want to be remembered for was his love of his country. In a time when patriotism is looked on as old-fashioned Bill Bates was proud of his devotion to our Nation.

He held prominent positions in two of the most powerful and respected committees in Congress—the House Armed Services Committee and the Joint Committee on Atomic Energy where I was privileged to work side by side with him. He brought to these crucial assignments his broad judgment, understanding, dedication and good humor. In a day when tradition, morality and patriotism are being questioned by those who would turn their back on what has made this country great, Bill Bates stood tall as a man who believed in God, country, and the freedom of mankind. He accomplished much and we will miss him very much.

Mr. FREY. Mr. Speaker, I did not have the privilege of knowing Congressman Bates as long as most of my colleagues in the House. But his name and outstanding reputation were known to me even before I was elected to Congress. Bill Bates' service to his party, State, and Nation is hard to equal. There is no way to replace Bill Bates. I join in honoring the memory of this great gentleman from Massachusetts.

Mr. LANGEN. Mr. Speaker, 18 years of public service has brought me many friends—none that I cherish more than my association with William H. Bates. While it was not my privilege to serve with him on any committee, I did have the great benefit of sharing the distinction of appearing with him on a panel at the last Republican convention. Our many personal, social, and official associations before and after that time all have left recollections of a very dedicated, sincere, and most knowledgeable person.

I can recall the many times that I sought the advice and counsel as a new Member of Congress on subjects where he was recognized as an expert. In all instances his advice and help was not only reliable and beneficial, but was provided with a very generous and dedicated attitude.

William Bates had a quality of character that was admired and desired by everyone who had the privilege of being exposed to his willingness to serve the best interests of his country and people. I know that my life has been enriched greatly by my association with him. His service in the Navy and in the Congress has brought like and lasting benefits to all of our citizenry. There are few men or women who are fortunate enough to be gifted with an attitude and understanding that found the acceptance of so many folks as was the history of his life.

There is no combination of words or phrases within my limited range that can properly describe or identify an adequate tribute to the great contributions that he made by the well-directed use of his many talents. The history of our country as well as the history of many other nations throughout the world will carry lasting benefits to all of mankind.

It seems inadequate to merely extend words of sympathy to his wife, family and relatives, but I am sure that their experience and life with him has been of such quality that it makes up for the inadequacy of these expressions. Mrs. Langen joins me in extending to each of them our most sincere and deepest sympathy with the hope that the future will hold for them a very generous portion of the many comforts and satisfactions that William Bates so generously provided to each of us.

Mr. McCLORY. Mr. Speaker, our colleague, William H. Bates, of Massachusetts, imbued us with his spirit during his long and distinguished service in the U.S. House of Representatives. This spirit of Bill Bates was apparent in his work on the floor of the House of Representatives and in his social and personal relationships with those of us who were privileged to know him. The joy and inspiration, the encouragement and confidence which he aroused in each of us are part of the spirit of Bill Bates which transcends mortal life and is unaffected by his earthly demise.

The affection and esteem in which Congressman Bates was held by his constituents in the Sixth District of Massachusetts is borne out by his consecutive reelections to the Congress since 1950. His leadership included a position as the ranking Republican member of the House Armed Services Committee.

Congressman Bates' stand on the issues was always supported by his thorough knowledge of the subject to which he addressed himself and an underlying determination to do and to say what was best for his country.

Bill Bates expressed more than friendship for his colleagues and others with whom he enjoyed an intimate relationship. His feelings could better be expressed by the words "affection" and "loyalty," qualities which characterized his personal contacts.

It is understandable that many warm and heartfelt expressions would be voiced at this time and that Bill Bates should be remembered with the utmost respect and genuine love.

In this final tribute to the memory of Congressman Bill Bates, I wish also to convey to his widow and daughter my deepest sympathy.

Mr. SMITH of California. Mr. Speaker, I rise on this sad occasion to join my colleagues in the House of Representatives in paying tribute to my dear friend and late colleague, the Honorable William H. Bates.

He was one of the finest gentlemen it has been my privilege to know since serving in the House of Representatives.

He was an outstanding American, a dedicated and fine legislator. His contributions to this body, especially through his distinguished service on the House Armed Services Committee will live on as a lasting memorial.

Although his passing cannot be questioned, it is with deep sorrow that one so young, with such a fine character and way of life should be taken from us.

Mrs. Smith joins me in expressing our deepest sympathy to his wife and family. We hope they will find comfort in knowing that he left behind him an example of American statesmanship at its best.

Mr. NEDZI. Mr. Speaker, I deeply regret the untimely passing of our colleague, Congressman William H. Bates, of Massachusetts.

Bill Bates was cut down in midpassage at a time when he seemed to have two decades of legislative service still ahead of him.

I knew Bill Bates as a decent, well-reasoned individual with whom I could discuss the most critical matters of military affairs on a face-to-face, man-to-man basis. He was understanding of the other fellow's point of view and was one of those solid men of judgment and restraint who make the legislative process work.

I will miss him, not only in the deliberations of the House Armed Services Committee, not only in the Halls of this Chamber, but as a man and a friend.

I extend my sympathy to his wife and family.

Mr. BYRNE of Pennsylvania. Mr. Speaker, it is with a saddened heart that I join my colleagues today to honor the memory of my good friend and colleague, Congressman William H. Bates, of Massachusetts.

It has been my privilege to serve with Bill Bates in Congress for over 16 years, and he will be sorely missed in the Halls of Congress. Massachusetts and the United States has suffered a great loss because this fine man was taken from our midst at such an early age.

Bill Bates was the ranking Republican member of the Armed Services Committee, on which I also serve. He will be long remembered for his untiring efforts and interest in the work of this committee.

A man of integrity and conviction, he served his country in war, as a lieutenant commander in the Navy, and in peace, as a Congressman, with devotion and faithfulness.

I extend my heartfelt sympathy to Mrs. Bates and his family. It is may earnest prayer the Good Lord will have mercy on his soul and grant him eternal rest.

Mr. ANDREWS of Alabama. Mr. Speaker, this body and the Nation have suffered a great loss, with the passing of Congressman William H. Bates, of Massachusetts. In a time when we so desperately need men of strength and wisdom to insure the continued development and very survival of this Nation, Bill Bates was truly a giant—a great American in every sense.

We can fill the chair left empty by this extraordinary man, but we cannot replace him. We can fill his seat on the House Armed Services Committee and the Joint Committee on Atomic Energy, but can we replace the dedication, reason, knowledge, proficiency, and enthusiasm that Bill Bates brought to his work? Mr. Speaker, we cannot fill such great shoes.

During his 19 years in Congress, Bill Bates worked tirelessly to build this Nation's defenses, knowing well that a strong America is the greatest guarantee of world peace. Although his plans for a career in the U.S. Navy were changed when his father, also a Member of this body, was killed in a tragic airplane accident, Congressman Bill Bates continued to work for the improvement and strengthening of America's modern Navy.

The security and welfare of our Nation was of primary concern to this great patriot, and to that end he diligently gave of his time and energies. He approached these matters with dedication and without partisanship, and for that, he was respected and admired by Members on both sides of the aisle.

We in Congress shall especially miss the warmth and good humor of Bill Bates. He was my friend, and I shall greatly miss the gentleman from Massachusetts.

Mrs. Andrews joins me in extending our deepest personal sympathy to his wife, Jean, and his daughter, Susan.

Mr. ADDABBO. Mr. Speaker, I rise to join in this special tribute to our colleague the Honorable William H. Bates, whose untimely death has caused a great loss to the people of Massachusetts and to our Nation.

Congressman Bates served his country as a legislator for the past 19 years and as the ranking minority member of the House Armed Services Committee he commanded the respect of every Member.

Beyond his outstanding record of public service, Bill Bates was a good friend and welcome colleague.

I extend my personal sympathy to his wife and daughter and in the knowledge that his full life will be a source of consolation to his family.

Mr. GOODLING. Mr. Speaker, all of us were deeply saddened by the passing of our good friend and colleague, the Honorable William H. Bates, of Massachusetts.

Bill Bates was, like his father before him, a fine Congressman, a dedicated American and highly competent in the performance of his duties. He held responsible positions on two important committees of this House of Representatives, having been the No. 1 Republican member of the House Armed Services Committee and the No. 2 ranking minority House member of the Joint Committee on Atomic Energy.

Bill Bates was unique in that his vast talents were blended with a very pleasing personality. Cooperation was his hallmark. He always reflected a good disposition in his work with his colleagues. He had a ready smile and a quick and friendly hello whenever and wherever you met him.

The congressional district Bill Bates represented in the House of Representatives was, indeed, fortunate in having him as its Congressman. He served his district diligently and faithfully. As he was a great credit to his congressional district, so too did he make a superb contribution to his country, working on legislation that had precise relationship to the security of the United States.

Bill Bates was a big man, not only physically but mentally and spiritually as well. We in this chamber have lost a great friend, and the Nation a competent legislator. While we express our deep sorrow that he was called to his reward at an early age, we can also console ourselves that we were, indeed, privileged to have him sufficiently long to perform outstanding service.

My sincere sympathy to his family.

Mr. DON H. CLAUSEN. Mr. Speaker, it is with a deep feeling of personal loss that I rise to speak on the passing of my good friend and colleague, Bill Bates. I know that I speak for all of us in the House when I say that Bill will be sorely missed by all his many friends and colleagues.

It is indeed difficult to find adequate words of tribute to Bill Bates, for his life was, in itself, a tribute to those rare qualities of personal character and professional achievement to which we all aspire, but which few ever attain.

I can say without reservation that I have lost a close personal friend and colleague, and one of the greatest public servants that I have had the privilege of serving with in the House of Representatives. And, certainly, the people of the Sixth District of Massachusetts have lost a dedicated and articulate spokesman, and an outstanding Representative.

Bill came to the Congress after an outstanding military record. He participated in the assaults on Iwo Jima, Okinawa, and the Japanese mainland, and at the time of his passing held the rank of captain in the U.S. Naval Reserve, and always maintained his interest in the military. He rose, over the years, to become the ranking Republican on the Armed Services Committee and worked hard and long to help the services develop career patterns and incentives.

As one of the Congress more articulate spokesmen on military affairs, he served as a member of the U.S. delegation to the NATO Parliamentarians Conference, from 1965 to 1968.

Bill also served on the Joint Committee on Atomic Energy, and even though he was one of the prime movers of our now famous and powerful nuclear Navy, he was a primary leader in the pursuit of the peaceful uses of the atom.

Bill was elected to the Congress from his hometown of Salem following the death of his father, Representative George J. Bates. Until the time of his passing, he had served the people of his Sixth District and the State of Massachusetts for almost 20 years, and was tireless in his efforts to bolster New England's economy.

The name William H. Bates will always mean dedication, loyalty, love of fellowman, perseverance, and statesmanship and like his beloved State of Massachusetts, his "strong heritage" will stand forever as a prime example of man's search for and service to a government of the people, by the people and for the people.

Bill Bates was, and will always remain, a very close friend. I admired him tremendously. He was a big man—mentally, physically and spiritually. In many ways, he reminded me of the much revered redwood trees from our California redwood country; straight and tall with an elegance and grandeur that only God could have created.

Bill Bates will always stand tall in this "forest of giants" here on Capitol Hill—the Congress, the Nation and the Congressman from California's First District will miss him very much. But, I am thankful for the memories this great man has left with all of us who were privileged to know and serve with him. His family, his district and his State have every right to be proud of his extraordinary service to the country he loved, lived and died for.

Mr. QUILLEN. Mr. Speaker, I was much saddened by the death of my good friend and colleague, William H. Bates, a man who has been a distinguished Member of this House for 19 years and a close friend to me for 7.

Bill's cheerful encouragement and quiet intelligence was a great boost to me as a freshman Congressman, and in the years since, his stature as a man and as an American increased steadily in my eyes.

Bill Bates as a man and as a representative of the people was guided constantly by a deep-rooted love and faith in God. His sense of what was right and decent, his fairmindedness, and his unquestionable honesty earned him the respect of the people of his Sixth District of Massachusetts on a nonpartisan basis and brought him back to the Congress year after year with a vote majority that proved his standing in the hearts of his people.

Bill represented his district fairly and well, with a deep compassion for the problems of his people. But Bill also considered himself a representative of all the people of America and, in his position as the ranking minority member of the House Armed Services Committee, he worked toward a lasting worldwide peace for all citizens.

The bright personality and outlook that Bill Bates brought to the floor of this House will be sorely missed. His knowledge in so many areas and his devotion to the search for more knowledge will be missed. For countless reasons, Bill Bates will never be forgotten.

Mrs. Quillen joins me in extending our deepest sympathy to his lovely wife and daughter and to other members of his family.

Mr. KING. Mr. Speaker, I would like to identify myself with the fine tributes that have already been paid to our late colleague, the Honorable William H. Bates, of Massachusetts.

His native State has lost a distinguished son and dedicated servant. The Congress has lost one of its most effective legislators and our country has lost a distinguished leader.

It was my privilege to serve with Representative Bates on the House Armed Services Committee. As the ranking minority member of this powerful committee, I know how competent and diligent he was in his work and the contributions he made to the defense of our country and for a better military service. We all looked to Bill Bates for leadership and advice. He was imminently fair in his dealings with his colleagues. No one can take his place.

Mr. Speaker, Bill Bates will be sorely missed by the House of Representatives and by all of us who knew him. To his lovely widow and to all the members of his family, I extend my deepest sympathy in their hour of bereavement.

Mr. KYROS. Mr. Speaker, it is with deep sorrow that I mourn the passing of my friend and colleague, William H. Bates, of Salem, Mass.

Bill Bates and I shared many common interests, such as in maintaining the strength of our Navy, in which we both served, and in assisting New England's shoe industry. I am proud to have been associated with him. This was a man, as Senator Edward Kennedy has stated, "in the great tradition of Congressmen who are servants not only of their districts but of the Nation as well."

We will remember Bill Bates for the ability and dedication which he brought to his work. Subsequent to his election to Congress in 1950 as successor to George J. Bates, his father, he established a reputation as an informed and respected advocate for the use of nuclear energy, both for our fleet and for civilian purposes. Time has shown the wisdom of these programs, and of Bill Bates' foresight.

Above all, however, we will remember Bill Bates as a man courageous in his illness, and compassionate in his outlook. As one of his former campaign workers stated:

> His success was that he simply liked people and wanted to help them.

In his lifetime, which has ended all too early, William Bates helped many, many people; not only in Massachusetts and New England but, through his concern for national problems, across our country.

Maine's shoe workers, shipyard workers, and many other residents join me in expressing our grief upon William Bates' death, for we shall surely miss him. We extend our deepest sympathy to his fine family, in this time of sadness.

Mr. CLARK. Mr. Speaker, it is difficult to find words with which to express my sorrow and shock over the passing of one of our most distinguished colleagues, the Honorable William H. Bates.

In the 14 years I have been a Member of the House of Representatives it has been my privilege to enjoy the friendship of many fine and honorable ladies and gentlemen. Bill Bates was among the finest and most honorable of them all. His untimely death in the prime years of his life was a shock to all of us and a loss not only to the Sixth District of Massachusetts, which he served long and well, but to the House of Representatives and the entire Nation.

To borrow the words of our colleague, the Honorable Edward P. Boland, of Massachusetts:

> If there ever was a finer human being than Bill Bates, I did not know him. Intellectually, morally, physically, socially—in every way—he, indeed, was the perfect gentleman.

We all felt this way about Bill Bates. His loss is deeply regretted and mourned by all who had the privilege of knowing him.

Mrs. REID of Illinois. Mr. Speaker, I wish to join my colleagues in paying tribute to the memory of William H. Bates who was one of the most beloved Members of the House of Representatives.

During the years that I served with him in the Congress, I was always impressed by his capable and effective manner of getting things done for his district and for our Nation. He was a quiet, sincere, and dedicated American. Without creating a great stir and fanfare, he accomplished much and was an example for all of us. I can recall seeking Bill Bates' expert advice and counsel on many occasions, especially in matters of national security, and it was alway offered in a most gracious and helpful manner. As the No. 1 Republican member of the House Armed Services Committee and the second ranking minority member of the Joint Committee on Atomic Energy, his expertise and up-to-date information were unquestioned. The loss of a man of such integrity, knowledge, and honor is deeply regretted and mourned by each of us, and we will continually miss his presence here in the House.

All of us who knew and admired Bill Bates are experiencing somewhat the same sense of tragedy. But the real loss has been suffered by the American people to whom he devoted his life and energy. America can ill afford to lose men of his caliber.

It has been a privilege to know Bill Bates, to work with him, and to have served with him in the House of Representatives. I know that everyone who has known him feels richer by reason of that experience.

To his wife, Jean, their daughter, Susan, and other members of his family, I extend my own deep and sincere sympathy in their great loss and would remind them in the words so beautifully translated from the Sanskrit by Sir Edwin Arnold:

Never the spirit was born; the spirit shall cease to be never;
Never was time when it was not; End and Beginning are dreams!
Birthless and deathless and changeless remaineth the spirit for ever;
Death hath not touched it at all, dead though the house of it seems.
Nay, but as one who layeth his worn-out robes away,
And taking new ones, sayeth, "These will I wear today!"
So putteth by the spirit Lightly its robe of flesh,
And passeth to inherit A residence afresh.

Mr. ASPINALL. Mr. Speaker, with the final departure of Congressman William H. Bates, of Massachusetts, the United States and the State of Massachusetts has lost a most able, considerate, and effective public servant. The Federal House of Representatives, where he served so long and so ably, has lost one of its better Members.

It was my pleasure to come to Congress just before the tragic death of Congressman Bates' father and it has been my high privilege and personal pleasure to be associated with Congressman Bates since he took his father's place with us. My closest service in Congress with him was as a fellow member on the Joint Committee on Atomic Energy where his services and the benefit of his knowledge and wisdom were always apparent and helpful.

As one endeavors to express his thoughts in a well-deserved eulogy of a colleague for whom he had the highest regard and most sincere affection, one finds it difficult to find the correct words for such an occasion. I know of no one with whom I have been associated during the last 20 years, for whom I would rather use the most meaningful words of appreciation in trying to evaluate the happy and professional relationship which I had with Bill, as he was affectionately known to all of us. He possessed the attributes for great and noble service and he used them effectively. He possessed the attributes for sincere friendship and he was not miserly in the use of these attributes as he gained friends wide and far among those who wish to be so numbered. He was gentle with people and yet he was firm in his conviction. He was a splendid advocate even in opposition and yet he was always understanding of the position of others.

His love for his follow man was always apparent and there was nothing about him that would cause anyone to consider that he was desirous of being anything more than just an understanding human being among other humans. All of these attributes combined with a graciousness which is possessed by all too few made him a favorite among his fellows.

He shall be sorely missed as we labor in the days ahead, but the world is a better place because he worked with us for a while.

We join with his legion of friends in paying our tribute and offering to the members of his family our most sincere sympathy.

Mr. BROTZMAN. Mr. Speaker, it is with profound sorrow and regret that I rise in tribute to my late colleague, William H. Bates of Massachusetts.

I knew Bill as the respected ranking member of the Armed Services Committee and as a personal friend. In both capacities his loss is a heavy blow.

Bill's expert knowledge of military matters and his dedication to the Nation's defense made him an effective leader among his colleagues. At the same time the warmth of his personality and his willingness to stop and help any of his colleagues made Bill one of the most popular Congressmen on the Hill.

Mr. Speaker, the passing of Bill Bates will leave a void in our ranks. Mrs. Brotzman and I extend our heartfelt sympathy to Mrs. Bates and the members of the family.

Mr. ROONEY of New York. Mr. Speaker, it is with a heavy heart indeed that I join my colleagues in paying tribute to the Honorable William H. Bates of Massachusetts. I knew Bill Bates for all of the 19 years he served in this body and I can say without any qualification whatever that I have met few men over those years that I admired and respected more. More than that though, Mr. Speaker, Bill Bates was a friend, a true friend and he was a friend to many of us here, for who could not help like such a man? A happy man, a hard working man, a man dedicated to serving the people of his district as his father, the Honorable George J. Bates, had before him. His father and I were official observers at the Bikini atom bomb test in 1946.

As the ranking minority member of the House Armed Services Committee Bill's skillful and determined efforts to keep our country strong served all America and Americans. Mr. Speaker, we have all lost a good and true friend and we shall miss him terribly. To his charming wife and lovely daughter and his entire family I extend my deepest sympathy in their time of sorrow.

Mr. CRAMER. Mr. Speaker, I wish to join the House Members in paying our respects today to our late colleague, the Honorable William H. Bates of Massachusetts.

Bill Bates was known to us all as a dedicated and conscientious man who took boundless pride in his representation of the Sixth District of Massachusetts. Soon after I entered the House of Representatives, I learned that Bill Bates possessed outstanding leadership abilities and a warm personal charm. His dedication to his duties is best exemplified by his superlative accomplishments as the ranking minority member of the House Armed Services Committee. His contribution as a member of the Joint Committee on Atomic Energy further revealed him to be a man in pace with the times and its problems.

His colleagues on both sides of the aisle grieve at his passing for Bill Bates was truly one of the most able and respected Members of Congress. His absence is deeply felt by us all.

Mr. WOLD. Mr. Speaker, this body is composed of men and women of distinction. Certainly one who has been particularly high in the esteem of his colleagues was the gentleman who served the Sixth District of the State of Massachusetts. My period of service in this body has been brief but it has been an honor to be able to serve with him.

Our late distinguished colleague took most seriously the constitutional charge that the Congress insure the national security. As senior minority member of the Armed Services Committee he was always in the forefront of the struggle to assure that America remained strong—able to protect its interests abroad and defend the Nation at home.

As second ranking minority House member of the Joint Committee on Atomic Energy our late colleague took second place to no one in his advocacy of developing the technology that would give the United States the leadership in the peaceful uses of atomic energy. Our country's No. 1 ranking in this field is the strongest evidence of his success.

I join my colleagues in conveying to his family the deepest sympathy and condolences.

Mr. KLUCZYNSKI. Mr. Speaker, Bill Bates was a dear friend and colleague and it is with a heavy heart and a sense of deep loss that I join my colleagues in paying tribute to our dear departed colleague. He had a warmth of character and friendliness that endeared him to all who knew him. Those of us who worked daily with Bill Bates loved and respected him, and he will be sorely missed by everyone ever privileged to know him. It has been my privilege to know Bill over the 19 years he served this Nation, his State, his district, and this House with dedicated integrity, wisdom, diligence, and effectivenes. He was truly an outstanding member of this body. Mrs. Kluczynski joins me in expressing deep sympathy to his beloved wife Pearle, his daughter Susan, his mother, and his family.

Mr. HALEY. Mr. Speaker, William H. Bates, whose untimely passing we lament today, was a man who, because of his qualities as both a person and a public servant, will be difficult to replace in this body. He was, in my mind, a bright star in this Chamber, in his important Armed Services Committee assignment, and among his friends.

While Bill Bates was one of the senior members of his party in the House—he served as ranking minority member of his committee—he was still young in years. Like his father before him, he compiled a distinguished record in this body and, although he first came here as his father's successor, Bill Bates, through diligence, through intelligence, through integrity and decency, and through insight into the multiple problems of our time, made his way on his own by his own efforts.

But there was more to our departed colleague than ability as a lawmaker. He had the capacity to rise above partisan politics when necessary—as it is frequently necessary in these times—and he possessed a personal warmth which earned for him the friendship of, I believe, every Member of this body, and for that matter, all with whom he came in contact.

I deeply mourn his passing, not only because the Congress can ill afford to lose so able a Member, but because I will always miss his friendship.

Mr. STEIGER of Arizona. Mr. Speaker, it greatly saddened me to learn of the death of the Honorable WILLIAM H. BATES.

His service to his State and the Nation was distinguished. The reasons for this are clearly evident by the quality and pertinency of his comments in this body. Hearings of the committees upon which he was a member further demonstrate this.

His two committees were in fields in which diligent effort is needed to master the complexities. The Honorable WILLIAM H. BATES was an acknowledged expert. As ranking minority member of the House Armed Services Committee, it was apparent to all that he had devoted his great energy to mastering the incredible array of information in making determinations vital to this Nation's military posture. The same may be said about his work as a senior member of the Joint Committee on Atomic Energy.

As a relatively junior Member of this body, I was most appreciative of and impressed by his unfailing efforts to provide guidance and assistance to a newcomer. His unfailing politeness and willingness to be of help will be sorely missed by all Members.

Mr. PELLY. Mr. Speaker, the country and the Congress mourn the loss of BILL BATES. His life was one of dedication to both.

BILL came to Congress just before I did, and in these past 17 years I can say that my own life and its many experiences have been made more valuable because of his service in the Congress of the United States.

There is little that can be added to that which is being said today about the brilliant and dedicated life of BILL BATES, except that his death takes from this Congress one of its most respected Members.

Today my deepest sympathy goes to his family along with my most sincere respect for the life of devotion given his country by BILL BATES.

Mr. CEDERBERG. Mr. Speaker, I join my colleagues in paying tribute to our late beloved Member, BILL BATES. We have lost one of the finest Members I have had the honor to serve with. BILL BATES was a man dedicated to serving of his country both as a naval officer and in the Congress. He served with great honor. In all of the years I have known him I have never heard him say an ill word about any one. He was held in high regard by all of his colleagues. We will miss his congenial personality and his wise counsel.

I express my deepest sympathy to his wife and family.

Mr. BURKE of Florida. Mr. Speaker, for almost 20 years the people of the Sixth District of Massachusetts, and the Nation, were most ably served by our friend and former colleague, the late BILL BATES, whose manner of reason and integrity earned him many friends in the Congress.

Although it was my privilege to have known BILL for only the past 2½ years, since becoming a Member of the 90th Congress, I came to know him as a man of conscience and conviction, and feel as though in some way I have benefited from having had the opportunity of working with him.

BILL BATES will be missed in the Congress by his colleagues on both sides of the political aisle and he will be remembered as a dedicated servant of the people.

Mr. BOB WILSON. Mr. Speaker, Congress lost one of its most distinguished and cheerful Members with the passing of our good friend and colleague BILL BATES.

As all of you know, Congressman BATES' seniority made him the ranking Republican member of the House Armed Services Committee. As a member of that committee, I shall miss his sage judgment as I am sure will all the other members of the committee. He was forthright in his opinions. He always knew where he stood on any given question and he was a perceptive legislator who gave his best to whatever he set his hand.

His background fitted him perfectly for this committee. He served in the Navy for more than 9 years, resigning his commission as lieutenant commander when he was elected tc the 81st Congress in a special election.

I shall miss him not only as a person who faced today's problems cheerfully and openly but as a man on whose judgment one could rely.

I am proud to join in this tribute to our late distinguished colleague. I feel that this is a great loss to the constituents whom he served so ably and to his country in this time of crisis. When so many military decisions are being made, the loss of a man with his background and understanding is indeed a heavy loss to bear. We shall miss him greatly.

Mr. BRAY. Mr. Speaker, it is with a mixture of sadness and pride that I rise to speak of our longtime friend and colleague, BILL BATES. Sadness, because he is gone has passed from amongst us; pride, because I knew him and can always say, "I was his friend."

In September 1643, Oliver Cromwell wrote in a letter to Sir William Springer:

> If you choose godly men to be Captains of Horse, honest men will follow them.

I can think of no phrase more fitting for BILL BATES: a Godly, honest man, who was a natural leader and inspired these same qualities in all who knew him.

BILL BATES had a wholesome spontaneous smile, a smile that cheered and brightened those around him.

The age of chivalry died long ago, but the spirit of chivalry never dies and on occasion manfests itself in some unusual man among men in the noblest traditions of the great Chevalier Bayard. Among us, then appears a man who, like Bayard, it may truly be said, that he was "without peer, without reproach." So was BILL BATES.

A large, strong and rugged man, he was forceful and moving, and a driving force for the good of his country. His service in the House of Representatives of the Congress of the United States was constantly marked and guided by the uprightness and nobility of his character and the breadth and depth of his perception and intellect. He served his people honorably and well, and the legacy he leaves to his fellow Americans is that they are safer and more secure, in their liberty and in their homes, because of BILL BATES, and the service he gave.

His was a full and productive life. Although he was taken from us suddenly, and his passing leaves a space that cannot easily be filled, let us reflect that he gave to the Congress, and to his country, all that was his to give, right up to the last. No man could do more; few men do as much.

> And now these waiting dreams are satisfied;
> From twilight to the halls of dawn he went;
> His lance is broken; but he lies content
> With that high hour, in which he lived and died.
>
> And falling thus, he wants no recompense,
> Who found his battle in the last resort;
> Nor needs he any hearse to bear him hence,
> Who goes to join the men of Agincourt.

Mr. BYRNES of Wisconsin. Mr. Speaker, I share the deep feeling of sorrow and loss which fills the House on this sad occasion.

The death of our colleague, WILLIAM H. BATES, has created a void which is impossible to fill. He will be sorely missed by all—as a friend and as one of the most valuable Members of this body.

I had the privilege of knowing BILL's father, the late Hon. George J. Bates, who was also tragically taken from us. BILL, who replaced his father, brought to this Chamber the same integrity, intelligence and devotion to duty which had characterized the work of his father. He had served with distinction in the Navy. He brought to his work on the Armed Services Committee an intimate knowledge of national defense and a deep love for his country. His contributions to legislation dealing with our national security during the last two decades were tremendous.

I had the privilege of counting BILL BATES as one of my friends. I will always retain fond memories of him and his work in this body. Mrs. Byrnes joins me in expressing our sorrow and deepest sympathy to his wife and family.

Mr. NICHOLS. Mr. Speaker, some few days ago it fell my sad duty, along with the distinguished leadership of both parties and the entire membership of the House Committee on Armed Services, to represent the Congress in paying respect to our late friend and esteemed colleague, the late WILLIAM H. BATES of Massachusetts.

Since I am one of the more recent Members of this body, it was my privilege to know BILL BATES for only a short while. In the brief months that I knew Bill, however, I found him to be a man of deep moral conviction and a colleague who was beloved and esteemed by all Members on both sides of the aisle.

His wise counsel in matters relating to the military will be greatly missed by all of us on the House Commitee on Armed Services. The place which he held in the hearts of our servicemen was quite evident in Salem, Mass., by the presence of a full company of Marine, Navy, Air Force, Coast Guard, and Army personnel who took part in the services honoring this dedicated Congressman from the great State of Massachusetts.

Our former colleague of the House, the Honorable Dewey Short, delivered the eloquent eulogy in St. James Cathedral. In his message he stated:

> It is not how many years a man lives, but how he lives these years which counts.

The great out-pouring of friends from Salem and throughout the State of Massachusetts attested to the fact that Bill Bates spent those 52 years rendering dedicated service to the people of this Nation. It was obvious to all of us who knew him that Bill Bates' years counted.

I should like to express my deepest sympathy to the members of his immediate family in his untimely passing.

Mr. JOHNSON of California. Mr. Speaker, the Congress, the State of Massachusetts, and the constituents he represented so ably, were saddened by the death of our friend and colleague, William Henry Bates.

Bill, the son of the late Honorable George J. Bates, a distinguished Representative for many years, who was killed in a plane crash, learned his lessons well from his father. He represented the constituents of the Sixth District of Massachusetts in the same capable, outstanding manner as his father had before him.

He not only served his country in the House of Representatives but also as a lieutenant commander in the U.S. Navy. He was truly a dedicated servant of the people.

It was a privilege and a pleasure to have known and worked with this distinguished gentleman and he will surely be missed by all of us. His stature as a person will be long remembered by those who were privileged to know him.

Mrs. Johnson joins me in extending deepest sympathy to his wife and daughter.

Mr. LIPSCOMB. Mr. Speaker, Congress has lost an outstanding Member in the passing of William Henry Bates on June 22, 1969.

Bill Bates had an illustrious career of public service. His congressional service had its mark of greatness in his devoted service to our national security as a member of the House Armed Services Committee.

He loved his country.
He believed in its destiny.
He was a serious student of legislation.
He was knowledgeable in many fields.
He was dedicated and hard working.

His life serves as an example of courage and devotion. His smile and ready offer of assistance was extended to every constituent and every Member. He was so active and full of life. He was so considerate of others and always willing to shoulder more than his share of the load. Our Nation and all of us are the benefactors of the conscientious and tireless service that Bill Bates gave to our national defense as the ranking Republican member on the Armed Services Committee and to his duties as a member of the Joint Committee on Atomic Energy. Through his service and integrity our security and freedom have been immeasurably enhanced.

Without question, Bill Bates' life and his accomplishments are a living testimonial to a man whose greatness was to be seen in everything he did and everyone with whom he came in contact. He was undoubtedly one of the best liked and most respected Members to have served in Congress.

In the death of Bill Bates the Nation has suffered a great loss, but it would have been an even greater loss had not Congress known and felt the presence of this man. Today, our Nation is a better place because of his contributions. He was indeed a good man in the fullest sense.

Together with the Members of this House, I mourn Bill Bates' passing and extend to his beloved widow Jean, his daughter, his brothers, and his family my deepest sympathy in their bereavement.

Mr. DELLENBACK. Mr. Speaker, William Bates was a dedicated legislator who took a deep personal interest in serving the people of Massachusetts.

In addition, he was deeply concerned about the position of the United States in world affairs and he made the Nation's defense his special area of expertise. His work on the House Armed Services Committee and on the Joint Committee on Atomic Energy reflected his long standing interest in resolving some of our most critical and troublesome problems. As the ranking minority member of Armed Services he was one of the small group to whom we looked for special guidance when we were discussing some of the complex issues of military defense.

In addition, he brought to his work in this body a spirit of kindliness and friendliness which is all too rare. No matter how serious the issue or how heated the debate, Bill Bates' smile and concern for those with whom he labored in the national interest continued.

The Congress can never have enough dedicated and knowledgeable men like Bill Bates. He was greatly respected, admired and liked by his colleagues on both sides of the aisle. We will miss him. The Nation will miss him.

Mr. FINDLEY. Mr. Speaker, Bill Bates was an exceptional human being. I cannot recall ever meeting a person more friendly, more even-tempered, more considerate of the feelings of others. Never once during the 9 years that I knew him as a colleague in the House of Representatives did I hear a harsh word from him or any sign of ill-temper. It was my privilege to be with him during the annual conferences of the North Atlantic Assembly in Brussels, Belgium. During the long journeys and the sessions of the Assembly I had the privilege of talking with him at great length and occasionally taking a long walk at night with him. These experiences confirmed what I have just said.

Last year Mrs. Bates was with her husband on the trip to Brussels and just before the group returned to the United States I asked Jean if Bill was always as good-humored as he appeared to be in public. She said, "He is always happy, filled with good spirits. I call him my jolly Irishman."

His death is a great loss to the Congress of the United States and to me personally. Mrs. Findley joins me in extending deepest sympathy to Jean and her daughter.

Mr. JONES of Alabama. Mr. Speaker, I wish to join in the tribute to the memory of our beloved colleague, the Honorable William H. Bates, of Massachusetts.

His passing was a special loss to me and many of my colleagues because we had the honor of serving with his distinguished father, the late Honorable George Joseph Bates, who had also achieved such a remarkable record in this House.

The Nation has been fortunate to have had the knowledgeable and skillful service of Congressman William H. Bates during the nearly 20 years he served as a Member of the House of Representatives.

He had been a member of the military service when elected to Congress and used this background to great advantage in his unusual service as a member of the Armed Services Committee.

Each of us, as well as every staff member and visitor to this side of the Capitol, will miss his cheerful and friendly greeting. He evidenced his compassion for his fellow men with his warm and open manner in speaking to everyone he met—friend and stranger alike.

I am sure each Member of this House feels deeply the loss of our dear friend from Massachusetts.

I want to extend my heartfelt sympathy to his wife and daughter.

Mr. SIKES. Mr. Speaker, it is with great sadness that I join my colleagues in the House in mourning the untimely death of our distinguished colleague from Massachusetts, the Honorable William H. Bates. It had been my pleasure to serve with him throughout his career in Congress which began 19 years ago, and to enjoy his friendship during that period. Even earlier, I had served with his distinguished father in Congress and on the great Committee on Armed Services, prior to his tragic death in an airplane collision over Washington National Airport. Both served with great ability from the same district in Massachusetts.

From the time of his election, Bill Bates served with distinction in Congress. He rose to be the senior minority member of the Armed Services Committee and one of the senior minority members on the Atomic Energy Committee. The security and welfare of our country could not have been in better hands. He was one of the most knowledgeable Members of the Congress on matters of national defense. He handled the demanding responsibilities of his committee assignments with the same intelligence, in-

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sight, and love of country that he fulfilled his obligations to his constituents who continued to return him to Congress with overwhelming majorities.

A deeply religious man, Bill carried into his daily life the principles of Christianity, especially the commandment to "Love one another." For Bill Bates did love his fellow man. His entire life was a model of service and untiring effort to improve the lives of those he served. Until the very end, he fought for those less fortunate. His example will remain a source of inspiration.

His loyalty, sincerity of purpose, high ideals, and personal warmth made him a devoted friend and called forth friendship in return. I know few men who commanded as much respect, admiration, and love from all he met. This fine man was rare, indeed. I shall always cherish the memory of his friendship.

My sympathy and my prayers are with Mrs. Bates and the family during this difficult time.

Mr. HATHAWAY. Mr. Speaker, it is with great sadness that I join my colleagues in paying tribute here today to one of the truly great Members of this body, the late Representative William H. Bates.

Bill Bates was a man of great judgment and integrity, of insight and wisdom, of compassion and, above all, of honor. He was a gentleman in every sense of the word. His contributions to the America of our day and to succeeding generations are marks of his keen understanding of our turbulent times and his deep dedication to the performance of his duties.

His death leaves each and every one of us with a deep feeling of personal loss. He was a man so brimming with vitality and life that it is hard to believe he will no longer be serving with us. He has set a splendid example for each of us to follow.

Mr. STUBBLEFIELD. Mr. Speaker, the passing of Representative William Bates has deeply affected all of us who had the privilege of knowing and working with him. We have lost one of the finest men, one of the most dedicated citizens, that I have ever known.

Congressman Bates first came to the House after winning a special election to fill the vacancy left by the tragic death of his father, the distinguished member of the Massachusetts delegation, the late George Bates. To the office he brought his years of experience as a naval officer who had participated in the assault on Iwo Jima.

His early naval career was the basis of the invaluable contribution he made toward the development and building of our nuclear Navy. His voice was one of the first and the most persuasive in leading our Nation toward the building of the most modern and powerful Navy in the world. He was a man who was able to look ahead, and accurately judged the implications of nuclear power for our strategic needs. He not only recognized what was needed; he provided a major part of the drive that transformed acknowledged need into accomplished reality.

For the Commonwealth of Massachusetts and the Sixth District which he represented, William Bates was a loyal and devoted servant. Were no other evidence available, the overwhelming majority which returned him to Congress in each election is eloquent testimony to the respect and admiration of his constituents.

William Bates devoted most of his life to serving his constituents, his colleagues, and his country. His contributions to our atomic naval research and development as a member of the House Armed Services Committee and of the Joint Committee on Atomic Energy were immense. He will be remembered just as much, however, for those rare and intangible qualities of generosity, courage and faith with which he inspired everyone around him.

I can scarcely find the words to express the profound sense of loss and sorrow caused by the death of such a beloved and distinguished colleague. He was never too busy to offer his help or advice when it was needed; never too worried or preoccupied with his own affairs to spare a smile or a kindly greeting. He was humble in putting forward his own opinions, but steadfast in doing what he believed was right, rather than what was convenient.

Our Nation needs many more such dedicated patriots and fine human beings as William Bates. There was no one like him, and he will be sorely missed. My grief and sympathy are with his family in their loss.

Mr. REID of New York. Mr. Speaker, I join in honoring the memory of our distinguished colleague, Congressman William Bates, of Massachusetts.

Bill was a warm and good friend, much beloved by his colleagues in the House. He was, too, a patriot, who served his country well, far beyond active duty in the war years, and with a sense of responsibility for and pride in America's future. We shall miss his counsel and his cheerful devotion to duty.

Mrs. Reid joins in extending our deepest sympathy to Mrs. Bates and their daughter.

Mr. WHITEHURST. Mr. Speaker, although I knew Congressman William Bates for only a short period, the impression he left upon me reflects the same one that I have heard expressed by my colleagues of much greater seniority. I remember that within my first week here Bill sought me out to extend a warm hand of welcome. He encouraged my appointment to the Armed Services Committee, and it is he who suggested to the chairman of that committee, the Honorable L. Mendel Rivers, my appointment to the special committee investigating the seizure of the U.S.S. *Pueblo*. It was this kind of consideration and thoughtfulness which made Bill Bates such a beloved Member of this body.

Few men are given the opportunity to serve their country as Bill Bates did. His years as a naval officer combined with his career in the Congress accord him an unusual place among those who have been privileged to serve. He stands as an example to all of us.

Mr. STAFFORD. Mr. Speaker, the death of one of our Members is always a sad event. From time to time this forum is particularly disheartened by the passing from our midst of a singularly distinguished gentleman, a man whose unique capabilities and wise counsel create and maintain an aura of vision and integrity within this assembly. Such is the case with William Henry Bates.

Recognized by his colleagues as a man who could vigorously advance his views while maintaining strong friendships with Members of different opinion, Congressman Bates established himself as a talented and perceptive leader through almost two decades of public service.

A career begun by tragedy has been ended by tragedy. When his father was killed in a plane crash in 1949 while a Member of the U.S. House of Representatives, William Bates succeeded to the role of leadership that was his father's.

Dedicating himself to the same diligent pursuit of public service that distinguished his father, Representative Bates, like his father, served his people honestly and forthrightly until the end.

Unfailingly capable, Bill Bates was never afraid to defend a program or principle even though he was assuming an unpopular role. Yet his determination to advocate principles rather than politics never led him to forget that his opponents on one issue or another were still his respected friends. Even in the midst of heated debate on important and controversial matters, he could still count among his friends members of all political and philosophical persuasions.

He was a man known by all, and especially by those who worked closely with him on committees, as a dedicated and honorable Congressman. The loss of this man leaves an empty place not only within our leadership, but within our hearts.

We all aspire to greatness measured by respected recognition and political prominence. We could never better assure ourselves of this greatness than to emulate the qualities possessed by this man.

Rarely receiving the widespread recognition which he deserved, rarely capturing national headlines, our departed colleague from Massachusetts typified the courage and brilliance of men whom Albert Camus called heroes. Willing to sacrifice fame for friendship, willing to put aside personal prestige for honest service, William Bates will remain a symbol of quiet responsibility and unsullied trust.

We note the passage of this honorable gentleman with certain sadness, yet we also mark his departure from us with a sense of pride and honor to have known a man of such character.

Today we bid farewell to a gentleman, a leader, and most of all, to a beloved friend.

Mr. MOORHEAD. Mr. Speaker, it is a sad occasion, but an honor nonetheless, to participate in the special orders in memory of our late colleague, Congressman William Bates, of Massachusetts.

Bill Bates came to the House of Representatives as a result of a special election following the tragic death of his father, the Honorable George Bates, in the 81st Congress; proof of his service and popularity is the fact that the Sixth

District of Massachusetts has seen fit to return him to Washington in each succeeding Congress.

He had a distinguished career first in the Navy, and as a legislator rose to the position of ranking minority member of the House Armed Services Committee. He was also an active member of the Joint Atomic Energy Committee, and a member of the U.S. delegation to the NATO Parliamentarians.

No one could have been more sincere or personable than Bill Bates, and like other men of quality and stature, his spirit will live on in the work he has accomplished, and in the lives of those whose lives he has touched. He was a most uncommon man.

Mr. STEIGER of Wisconsin. Mr. Speaker, having served but a short time in the Congress, I was not privileged to know Bill Bates well. His imprint, however, is clear in my memory and I join today in paying tribute to the man, Congressman Bates.

Bill Bates was ready always to respond to my questions and offer a word of encouragement to me as a freshman legislator. His ready friendliness and wonderful sense of humor served all of us well when the going was tough on the floor.

His dedicated work as the ranking minority member of the Armed Services Committee earned him an important role. He handled this role with wisdom and strength and made a great contribution to our country's military capability.

Mrs. Steiger joins in extending our deep sympathy to Mrs. Bates and his family.

Mr. CHARLES H. WILSON. Mr. Speaker, all of us are deeply saddened at the recent passing of our distinguished colleague and good friend, Bill Bates. During nearly 20 years as a respected and well-liked Member of this body, he established himself as an effective and affable Representative whose good sense and good humor were valued assets to all of us. As a fellow member of the Armed Services Committee, Bill Bates was always helpful and considerate to me in dealing with the many complex issues which came before us. His counsel will be missed.

I am sure Mr. Bates' good counsel and genuine warmth will also be missed by his many constituents in Massachusetts, as well. Having won his father's congressional seat as a young Navy lieutenant commander in 1950, he served with distinction, carrying on his father's tradition. The Bates record is a proud one of respect and service for the people of Massachusetts.

To the Bates family, my wife and I extend our sincerest sympathies.

Mr. KIRWAN. Mr. Speaker, I join with my colleagues in this tribute to our late beloved friend, the Honorable William Bates.

We were both patients at the Bethesda Naval Hospital and had the pleasure of spending much time together. We had the opportunity to talk about many things, particularly about his revered father, the Honorable George Bates—with whom I served in the Congress for many years. Like his dad, Bill was a lovable person, intelligent, and a good outstanding legislator. He was interested in people and in their welfare.

To his good wife, his mother, and other members of his family, I extend my deepest sympathy in their great loss.

Mr. HANLEY. Mr. Speaker, every Member of this body was shocked and pained to learn of the death of our good friend and colleague, Bill Bates, of Massachusetts. Although many of us had known of Bill's illness for a while, his parting came nonetheless as a stunning blow. His death leaves a gap in the House of Representatives which will not easily, if ever, be filled. I considered him a good friend and a great representative of his people, and I shall miss him.

For over two decades Bill served here in the House. Yet neither seniority nor the abundance of genuine friends he acquired went to his head. He was always the same genial, hard-working figure. I feel safe in saying that great as it was, the esteem in which Bill Bates was held here in Congress was only a small reflection of the admiration and respect which the people of his congressional district had for him.

I know I join the entire House when I extend to his family my deepest sympathy and my continued prayers.

Mrs. HECKLER of Massachusetts. Mr. Speaker, it seems to be true that whenever someone dies his friends remember only the best about him. This does not make what is said in grief untrue, but it does make it incomplete. How many of us have read eulogies of famous men and thought to themselves "not quite true."

It is, I think, the distinguishing mark of Bill Bates that all the best we can say of him is decidedly true. There need be nothing left out in order to pay proper respect and tribute to this great man. Bill Bates genuinely and completely earned all the words of praise the Congress of the United States can bestow.

Bill Bates was a true gentleman at a time when to find this quality is increasingly rare. The world of politics is a hard place to be both nice and effective at the same time, to be liked by everyone yet the keeper of one's own soul and conscience. Yet Bill Bates was such a man. The simple truth is, Bill Bates was first of all an outstanding human being, and because of that, an outstanding Congressman.

It goes without saying that he served his district and his Nation well. His dedicated and continuing effort to protect the fishing and shoe industries and the many who depended upon them for their employment was carried out with good will toward all, especially those who were not on the same side of the issue. His untiring interest in and concern for a modern and alert defense posture for America was pursued with diligence and, skill, and, once again, good will. Bill Bates was a tolerant man who saw, heard and actually listened to and considered both sides of a question even when he was dedicated to the pursuit of a particular goal.

The most meaningful tribute I can pay to Bill Bates is to note with deep gratitude that my experience in the Congress was deeply enriched by serving with him, and with deep sadness that he is no longer with us. My heart goes out to his wife, daughter and family who have suffered an immeasurable human loss.

Mr. BELCHER. Mr. Speaker, the death of our beloved colleague, Bill Bates, has been a profound shock. Though I knew he was gravely ill, not even that knowledge seems to have prepared me for the loss of this friendly, cheerful, hearty, robust young man. And I know I am not alone in this feeling. I recall how deeply I was touched on the next day upon hearing the distinguished chairman of the Armed Services Committee—on which Bill served as ranking member—say:

> We have missed him terribly this year, but we always felt that somehow, some way, he would come back to us. We never said "if Bill returns"; we always said "When Bill returns."

I believe those words expressed better than most of us could what we all have felt.

Bill Bates came to Congress nearly 20 years ago, chosen in a special election to fill the vacancy left by the tragic death of his father, the Honorable George Bates. Even though a generation my junior, Bill had been here almost a year when I was elected to the 82d Congress. We became good friends from the beginning and I have cherished that friendship.

The loss of this great and good and able man leaves a void in this Chamber and in the distinguished committee on which he served. We shall sorely miss his intellect. The chairman of the Armed Services Committee—who is, himself, recognized as an outstanding authority on defense matters—described Bill as "the most knowledgeable Member in the Congress concerning matters of national defense." No greater nor more generous tribute could be paid his mind and learning.

We shall miss his judgment, his character, his patriotism, his deep humility, his boundless energy. And so will his State and his Nation.

But here in this Chamber, I think we shall most miss his friendship. He was so kind, so thoughtful, so eternally good humored—truly a friend among friends. It is hard to give him up. It is impossible to express in mere words what his being among us has meant or the overwhelming sense of loss at his being gone. Yet he will never really be gone from us. For nothing can alter the impact and influence of his great service upon the life of this Nation, and he has left an eternal flame that will always glow in the hearts of those who knew him and loved him.

Mrs. Belcher and I extend our deepest sympathy to his wife, Jean, and his entire family. May the blessings of God's peace and love surround them in this time of sorrow.

Mr. JONAS. Mr. Speaker, while we all knew that he was seriously ill, the news that Bill Bates had passed away came as a shock to all who knew him. Just a few months ago Bill was the picture of health: strong, robust, virile, and always cheerful. Now he is gone and his passing leaves a void here that not even time will fill.

I could talk at length on the life and accomplishments of this man whose untimely death has cast a pall over this Chamber. But that would be repetitious because I have been here a long time now and do not remember ever having heard so many sincere and genuine tributes to the life and character of any man than those spoken about BILL BATES on June 23, 1969, and again today.

Let me just say that in his passing the district in Massachusetts which he so ably represented here has lost an able and dedicated servant, the country has lost a genuine patriot, his family has lost a devoted husband and father, and I have lost a true friend.

None of us can afford such losses but we all accept them because they are a part of God's plan. And all of us who loved BILL BATES can, I think, derive some consolation from the knowledge that he is now at peace.

Mr. TALCOTT. Mr. Speaker, I respectfully join my colleagues in paying a very special tribute to the late gentleman from Massachusetts (Mr. BATES). This House, the Committee on Armed Services, the minority, each individual Member has cause to grieve his death. He was an especially able and valuable Member of the House. He was conscientious. He was affable. He died much too early. All of us will miss him as a friend and as a colleague.

We can, however, remind ourselves that we were all especially privileged to know and work with him. All of our memories will be fond ones. This in itself is a splendid tribute—and a near unique achievement by any man.

BILL was an uncommon man who performed uncommon services for his district and our Nation. Few Members will ever match his contributions to this House and the Committee on Armed Services.

He was able to develop an enviable record of sustained selfless service to his district and our Nation's national security—and yet maintain an independence and integrity which was known and respected by all of us. With all of this, he was a loyal and constructive member of the Republican conference. One of my special privileges was to serve with him in the minority whip organization, where he was effective and respected.

Mrs. Talcott and I express our condolences to Mrs. Bates and their family.

Mr. HAGAN. Mr. Speaker, I rise to join my colleagues in a special tribute to the memory of a dedicated public servant—Congressman WILLIAM H. BATES.

BILL's passing has left a void which cannot be filled but his life has given us insight into the true meaning of devotion and love of country.

For the past 19 years, BILL BATES represented the people of Salem, Mass., and as the ranking minority member of the House Armed Services Committee, he served all the people of the United States.

It was my privilege to serve with BILL in the House and on the Armed Services Committee. His devotion to his work will always serve as an inspiration to those of us who knew him.

My wife, Frances, joins me in extending our deepest sympathy to his wonderful family. May they be comforted by the lasting memories of this kind and beloved man.

Mr. BIAGGI. Mr. Speaker, I would like to join my colleagues in expressing my profound sorrow and sense of loss at the death of the distinguished and beloved Representative of the Sixth District of Massachusetts, Congressman WILLIAM H. BATES. His tragic passing has been a great shock to this House.

As his colleagues, most of us have memories of the many occasions when his personal warmth, wisdom based on experience, sympathy, and courage were freely offered in moments of need. He inspired the respect and admiration of all of us, regardless of our political affiliations, because of his dedication to the highest ideals of public service.

In addition to his 19 years as a Member of Congress, he also had an outstanding career as a Naval officer which included participation in the assault on Iwo Jima during World War II. His years of experience in the Navy reinforced Representative BATES' farsighted advocacy of nuclear-powered ships. As a member of the House Armed Services Committee and the Joint Committee on Atomic Energy he was an expert on the strategic needs and priorities of our modern nuclear-powered forces, an incredibly complex field. His technical expertise and grasp of strategic alternatives made an invaluable contribution to the modern development of our Nation's defenses.

The death of Representative BATES is particularly poignant for the many Members who knew his father, the distinguished Congressman George J. Bates, of Massachusetts. WILLIAM BATES was elected to fill the vacancy left by his father's tragic death in an airplane crash. He served, as his father had, with loyalty, courage, honor, and dedication.

I believe that, although Representative BATES has now been lost to us, his example—the courage and spirit of public service which he inspired—will always remain with those of us who were privileged to know him. My deepest sympathy goes out to his family in this time of sorrow.

Mr. BROWN of Michigan. Mr. Speaker, it was with great sadness that I learned of the passing of my colleague from Massachusetts, the Honorable WILLIAM H. BATES.

As a junior Member of the House, I did not have a long acquaintance with BILL, but even before I gained membership in this body, I recognized him as a strong champion of the nuclear Navy. Even more than that, I remember him as the man who fought to maintain "civilian" control over the combatant functions of the Armed Forces; a man who feared that lack of congressional supervision over the Pentagon would cause the executive branch of Government to assume a disproportionate role in determining the flexibility or rigidity of our military policies. As a strong advocate of maintenance by the legislative branch of its historic responsibilities over the design and capability of our major instruments of military policy, BILL BATES gained my respect and my support.

To his family and many friends, my deepest sympathy.

Mr. ABERNETHY. Mr. Speaker, I personally knew our departed friend, BILL BATES, from the day he came to this body. It was my privilege to serve here with his father, a great and good man, whose departure like that of his son, was shocking and most untimely.

To have had the friendship of BILL BATES and his father added much to my life. And such also added to the pleasures of my service in the House of Representatives.

BILL's passing left a tremendous void in our midst in both quantity and quality. He was a man of large and attractive proportions, both physically and mentally. Tall, erect, broad shouldered, and strong, BILL was a courteous and personable man of the highest character who attracted attention wherever he went. He was a man of cheer; his wonderful smile was always present. He always had a good word, and it was earnest and sincere. Wherever BILL was, he towered over the crowd, and he added pleasure and joy to the occasion.

As a representative of the people, he was numbered among the best. He served his district with earnestness and great dedication. The benefits from his service went far beyond his district to the good of his great State and country.

Whenever BILL BATES arose to speak in this body, silence prevailed and he always gained the rapt attention of the Members. He spoke with tenderness and ease but with strong conviction and impressively. He always knew his subject. He knew what he wanted to say and said it convincingly.

Over the years we have known many able and highly respected Members who have served on the great Committee on Armed Services. Their responsibility has been so heavy, more particularly during the years of conflict in which our country has been engaged. In considering the grave problems vested in the Armed Services Committee, BILL BATES was one who did his job well. He rendered courageous and patriotic service in our great Navy during World War II; and he matched that service as a highly valuable member of the Armed Services Committee.

The friends of Bill BATES in this House were not limited to his side of the aisle. Nor has there been such a limit to those who appreciated and respected him. While dedicated to the principles of his political party, he was nonpartisan in his service and association. For him there was no aisle. His friends and those who loved him in this body overflowed the middle aisle, wall to wall.

I am happy to say, Mr. Speaker, that BILL BATES was my friend. I was honored and fortunate to be numbered among his.

The life of BILL BATES was much too short; but, indeed, it was great. It will not be necessary for those who appreciated him to erect a monument to his memory, a monument that he so justly deserves. With his great and clean life as an obedient son, as a young man, as a student, an athlete, a public servant, a friend of mankind, as a husband, a father, and as one who feared and dedicated his life to a living God, he erected his own monument. The memory of his life and good of his service will survive the crumbling of a monument of stone.

Mr. Speaker, the passing of William Henry Bates, whom we fondly knew as Bill, leaves us grief stricken and sad. We share his loss with his good wife and daughter. They have our sympathy.

Mr. ICHORD. Mr. Speaker, I join in this ceremony today to honor not merely an able colleague, but also a real friend whose demise brought immeasurable sadness to this body and to me personally. It is fitting that we pause and pay tribute to the service and memory of our late colleague, William Henry Bates. His passing is indeed a real loss felt by not only the House of Representatives, but the entire Nation as well.

In his long tenure in the House of Representatives he has become an institution in himself as a most valuable member of the Armed Services Committee. For 19 years, he devoted himself incessantly to matters of national defense. Seldom does one have the chance to be associated with a truly great legislative leader as William Henry Bates, and I shall always be grateful that I was afforded such an opportunity the last 7 years serving with him on the Armed Services Committee.

Bill Bates' record, unexcelled in accomplishments, in dedication to duty, in service to his country, as an effectual fighter for principles of good government, will be a lasting and constant imprint on the minds of us who will be challenged with the task of "carrying on" in the U.S. Congress. But we are fortunate that he left a legacy of noteworthy aspirations and hallmark goals as a paragon for our use.

Our departed friend was a warm and gracious gentleman—and to all who knew him, a very distinguished American. Truly, the best monuments to his memory remain in the indelible stamp of his career in Congress on the present and future affairs of National Government.

The passing of Bill Bates, to me, is a poignant personal loss for I enjoyed his friendship from the first time I knew him. Few men can equal his ability as a legislator and his strength as a real statesman and political leader. Bill Bates was a successful man—and a hard worker possessing an abundant degree of basic essentials for quality leadership, knowledge and courage.

All will agree that Bill Bates served his fellow man and his country to the very ultimate of his ability—giving all he had to give to any task or personal goal. I admired his sincerity and his loyalty to the beliefs he held dear. I saw at close range the quality of this man and was impressed. His life characterized the "best of the best," and I am better off for having known him.

No man loved his country more than did Bill Bates, and the Nation owes him a debt it can never repay for his contributions to our Military Establishment. His name is deeply etched in the defense services of America, and his presence in the deliberations of the House Armed Services Committee will be sadly missed.

Words are not adequate to express the emotions and sentiments that I feel at this moment, but I extend to his beloved and bereaved wife, Jean, a native of my congressional district, and other members of the family my deepest sympathy in their great sorrow.

Mr. MAILLIARD. Mr. Speaker, it was with great sadness that I learned of the untimely death of my colleague and friend, Bill Bates, the young and vigorous gentleman from Massachusettes.

From the beginning of his 19 years of dedicated service to his State and country, he served with a sense of mission inherited from his father whose unexpired term he was elected to fulfill. Bill Bates exemplified the kind of love and service to our country and devotion to duty which should inspire us all.

In the 17 years I served with Mr. Bates, I came to respect and admire his service as senior minority member of the Armed Services Committee. As a member of the North Atlantic Assembly, formerly known as the NATO Parliamentarians, he received high praise for his energetic efforts.

To his wife, Jean, mother, Nora, and daughter, Susan, my wife joins me in extending our most heartfelt sympathy.

Mr. MATSUNAGA. Mr. Speaker, we are saddened by the passing of our dear friend and distinguished colleague, the Honorable William Henry Bates. I rise to join his many friends in paying tribute to his memory.

Bill Bates was born in Massachusetts, with which State Hawaii has had ties of longstanding. He followed in the footsteps of his father in becoming a Member of the U.S. House of Representatives. That was 19 years ago. Throughout his long career, Congressman Bates was one of our most esteemed and one of the most dedicated Members of this body. He worked tirelessly to strengthen our nuclear Navy and to develop peaceful uses of atomic energy. His accomplishments in these fields will long be remembered as being particularly outstanding in a distinguished congressional career.

The people of Hawaii will also remember him as one who supported Hawaii's aspirations for statehood 10 years ago. In the passing of this son of New England, Hawaii has lost a true friend.

To the members of Congressman Bates' family, I extend my deepest sympathy and heartfelt condolences. It is my sincere hope that they will find some measure of comfort in the knowledge that his life was devoted to the service of his fellow men, whose lives and future have been bettered because Bill Bates lived among them, even though it was for too brief a period.

Mr. COLMER. Mr. Speaker, even though there are few who have paid their respects to our departed colleague and my warm personal friend, Bill Bates, who in my judgment had a greater affection for him than do I, I feel inadequate to compete with them in putting into words that affection.

Certainly no man with whom I have had the privilege of serving in this body during my many years of service was more beloved than was Bill Bates. I feel that I was blessed with the privilege of enjoying his confidence and I can truthfully say that I have never heard him say an unkind word about anyone. His was a general disposition. He had a kind word for everyone. It was a distinct pleasure always just to be in his presence, and, while he possessed many virtues, I feel that his gentleness and his generosity in dealing with his fellow man was possibly his greatest virtue.

Mr. Speaker, it is most difficult for one to comprehend the uncertainties of life and divine disposition of God's creatures. Bill Bates was an outstanding athlete. He was possessed of almost a perfect physique and a comparatively young man. Although we find it difficult to understand why such an able, lovable, young man should be stricken down and taken from his loved ones and many friends on such short notice, we must realize, if not comprehend, that such is life. I do not think it is trite to say here that his congressional district, his State, and this Republic, which he loved and tried so hard to preserve, has lost a valuable servant.

Mr. Speaker, I join with my colleagues and his innumerable friends, in extending to Mrs. Bates and his loved ones my deepest sympathy.

Mr. BETTS. Mr. Speaker, it is difficult to believe that Bill Bates is gone. Everything I say about him can be said by every Member of the House. He was a loyal friend. He was a dedicated American and a true patriot. He was respected and admired by all of us. He was held in affection by everyone of his colleagues.

His years of service on the Armed Services Committee made him a respected authority on the subject of defense and fitted him admirably for the post of ranking minority member of that important body. His leadership and the decisions he made in this position have, I am sure, left a profound effect on the defense posture of the country and, I am sure, all for the best.

Bill Bates had a charming personality and a friendly smile that made him one of the most popular Members of the House. Probably no one had more friends than he and since his passing, the tributes to him can be heard wherever House Members meet.

His death is a distinct loss to his country and his friends. I join my colleagues and his host of friends in extending my deepest sympathy to Mrs. Bates and his family.

Mr. WHALEN. Mr. Speaker, the passing of our most esteemed colleague, Bill Bates, was a sad and premature event.

He was an outstanding Member of Congress and a particularly effective member of the House Armed Services Committee. As a member of that committee, I came to know Bill and to admire his great knowledge of the complicated matters that are the province of that body. He had the enviable ability to get to the heart of the matter and to penetrate the obfuscation that sometimes attends presentations before the committee. Officials tempted to sell a program with a maze of statistics and complicated data found Bill Bates the wrong man for such tactics.

He was highly regarded by committee members of both parties for his astuteness as a military expert and also by the representatives of the various defense agencies.

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His constituency clearly had great respect and affection for him. This was evidenced by the large turnout for the funeral in Salem, Mass., and the obvious signs of grief and mourning which I noted that day.

BILL was a warm and friendly person and I was privileged to consider him a friend as well as a colleague. He was a gentleman in the truest sense of the word and a man devoted to his country. His death leaves a gap in the House of Representatives and marks the end of a period of long service to the Nation by BILL and his late father before him.

My wife, Barbara, and I extend to BILL's family our deepest sympathy.

May he rest in peace.

Mr. DERWINSKI. Mr. Speaker, I wish to join my colleagues in paying tribute to the memory of our friend and colleague, WILLIAM H. BATES of Massachusetts.

His long record of service to his congressional district, his State, and his Nation was marked by integrity, effectiveness, and dedication to sound principles of government. He served his country well during his career in the U.S. Navy and continued to serve it well as a Member of Congress.

Mrs. Derwinski joins me in extending our heartfelt sympathy to Mrs. Bates and her daughter.

Mr. WYDLER. Mr. Speaker, during my years in Congress I got to know and respect BILL BATES. We had something in common in that we were both graduates of Brown University, and we shared many happy moments discussing the past, present, and future of Brown.

He will be missed in Congress because of his intelligence and decency. I personally am glad I had the opportunity to meet and know him.

Mr. WAGGONNER. Mr. Speaker, I am indeed saddened by the death of Representative WILLIAM H. BATES, a great and good man, and an outstanding Member of Congress. He was a man of high principles, with a sense of humor that never failed to provide a spiritual lift to all who came in contact with him. He was loyal and courageous, and dedicated to public service. Words are inadequate to state the value of his service to our Nation, but let it be said here and now that he performed a service worthy to be remembered.

I consider it my privilege to have served in the House with this great man. It is my hope and my prayer that God may be comforting and kind and may bring strength to his survivors, and that his memory may continue among his colleagues and throughout the world.

Mr. FUQUA. Mr. Speaker, the passing of Congressman WILLIAM H. BATES, of Massachusetts, removed from our ranks one of the most dedicated Members of the U.S. House of Representatives.

As the ranking Republican on the House Armed Services Committee, he was an effective voice for the defense of this Nation. I was immediately impressed upon first coming to the Congress with his grasp of the intricate details associated with a strong national defense.

First elected to the House in February 1950, he had a long and distinguished career of service. Certainly, it is the mark of a man that his constituents saw fit to elect him 11 times to the Congress.

It would be well to say that it is not for his length of service, however, that we honor him, but rather for how well he served. For indeed if there is one mark or one tribute that we could pay to him, it would be to say that he was faithful in the discharge of his duties and that the Congress and the Nation will be poorer because of his loss, but richer because he served.

Mr. FRELINGHUYSEN. Mr. Speaker, it is with real sadness that we mark today the passing of a good man and an able legislator, BILL BATES, of Massachusetts.

I doubt if there was any man in this body as genuinely popular as BILL BATES. He had a knack for making friends, and our loss is a real one.

BILL BATES was not only a popular man, he was an able one. Those who have known him over the years know of his devotion to his job. When he spoke on an issue, he was listened to. He was a man of good judgment and experience; he was receptive to the problems of others and quick to come up with realistic solutions to them.

The death of BILL BATES deprives us of a man of good humor, breadth of vision, and ability. He exemplified, as nearly as a single individual can, those qualities that make up an ideal legislator. those of us who knew him have lost a good friend.

Mr. BLATNIK. Mr. Speaker, I join my colleagues today in paying tribute to the late Honorable WILLIAM H. BATES, a distinguished Congressman and a great American. His wisdom and guidance will be sorely missed in the House of Representatives for many years to come.

For 19 years he served his district, his State, and the Nation with unselfish dedication. He has served with distinction on the House Armed Services Committee and the Joint Committee on Atomic Energy.

For 9 years before his election to Congress, BILL BATES served this Nation in the U.S. Navy, participating in assaults on Iwo Jima and the Japanese mainland. He was promoted to lieutenant commander.

His untimely passing has placed a burden on the Congress and the Nation, for a man of Congressman BATES' caliber is irreplaceable. Future generations of Americans will greatly benefit from his national contributions.

I extend my sympathy to his fine family, and express my sincere gratitude for having known WILLIAM H. BATES.

Mr. BUCHANAN. Mr. Speaker, our country and the Congress share the loss of his family in the passing of WILLIAM HENRY BATES. This House had no more able or dedicated Member, nor one more beloved by his colleagues. He was a man of unimpeachable integrity and high ability. His unfailing good humor and human warmth made him a joy to all who had the privilege of being associated with him. He had such boundless energy, was so filled with the joy of living, and possessed such a generous amount of honest goodness that what would be a tragic illness in any life seemed doubly so in his.

It is my firm conviction that heaven was made richer as the earth was made poorer by his passing. We have reason to be grateful for his life. He shall be sorely missed.

Mr. DONOHUE. Mr. Speaker, I am privileged, indeed, to join with my colleagues here today in this special tribute to the late Hon. WILLIAM H. BATES, of Massachusetts.

Just a few short days ago every Member of this House, regardless of political affiliation, and many thousands of people throughout this country and our great Commonwealth of Massachusetts were deeply saddened to learn that our dear friend and colleague had passed away.

Mr. Speaker, the past 19 years have constituted the most challenging legislative period in our history. Throughout this time Congressman BATES served this Nation, this House, his State, and his district with dedicated integrity, wisdom, diligence, and effectiveness. His unsurpassed industry and zeal in the discharge of his committee assignments, legislative responsibilities, and personal concern for the solution of constituents' problems is a byword in this House and our Commonwealth. The legend of this great and good man's generous spirit will forever brighten the annals and the atmosphere of this Chamber.

Affectionately known as BILL to almost everyone, he was a man entirely without pretension. Above and beyond all other things, he was beloved by all of us because of his humble attitude, his compassionate understanding, his patient tolerance, his optimistic disposition, his quiet humor, his genuine friendship, and his ever-kindly heart.

Mr. Speaker, during his service here BILL BATES accomplished many outstanding legislative achievements to benefit this country and his people at home.

However, his greatest contribution to his fellow men was the personal example he provided for all of us here, and for those who will come after, of honor and wholesomeness in patriotic service. BILL BATES will be sorely missed by everyone ever privileged to know him but he has left here a permanent inspiration for which this Congress and this Nation will remain forever grateful.

At this time of great sorrow, we extend our heartfelt sympathy to his gracious wife, Jean, his wonderful daughter, Susan, his mother, and his brothers and sisters, while we join in our prayers that the great soul of our beloved, departed friend will rest in eternal peace.

Mr. FASCELL. Mr. Speaker, the loss of WILLIAM H. BATES, our late distinguished colleague from Massachusetts, is a great one—both for the Congress and for the Nation he so admirably served.

For 20 years in the Congress of the United States, BILL BATES worked with great industry and devotion for the principles of freedom and security through a strong national defense. America is indebted to him for that devotion. His talents for action and solid accomplishment will be sorely missed in this Chamber.

From a personal viewpoint, Mr. Speaker, I deeply regret the loss of a colleague whose warmly affable nature and graceful humor lightened and uplifted these Halls. In a time of national questioning of values, Bill Bates represented a moral authority and ethical conviction unsurpassed in our National Government.

I am, indeed, very sorry to see him prematurely depart from our midst, and I would take this occasion to express my sincere sympathy to the members of his family.

Mr. RODINO. Mr. Speaker, it is with a deep sense of loss that I join today in mourning the untimely passing of our distinguished colleague, the Honorable William Bates.

I was privileged to know Bill as a friend, and as a man of outstanding ability, and a high sense of purpose. It was these qualities that stamped his service in the House, and endeared him to his constituency.

Though there is little that one can say to ease his family's sorrow, I know that Bill's wife and children can take consolation in the sure knowledge that his compassion and dedicated service touched all who knew him, and made all our lives more meaningful.

Mr. ULLMAN. Mr. Speaker, I join on this day of special memory in a word of tribute to our former colleague, the late Congressman William Bates of Massachusetts. Bill Bates resigned from a promising career in the U.S. Navy at the age of 33 to begin his distinguished service in the House, following in his father's footsteps. Through more than nine terms, he earned the reputation as a leading expert in the House on defense affairs, rising to the ranking minority position on the House Armed Services Committee. His efforts on the Joint Committee on Atomic Energy were instrumental in establishing this Nation's policy and direction along a largely uncharted course. Above all, he was a warm and personal friend. His untimely death diminishes the House. Bill Bates will be missed by all.

Mr. DULSKI. Mr. Speaker, our Nation, and in particular the Sixth District of Massachusetts, has lost a fine public servant and a dedicated citizen, in the passing of our colleague, William H. Bates.

Serving in his eighth term in the House, Bill Bates had risen to the ranking minority position on the Committee on Armed Services and he was the second ranking minority member on the Joint Committee on Atomic Energy.

A veteran of naval service, he was a tower of strength in his devotion to duty in the deliberations of the Armed Services Committee. He gained high respect from his colleagues for the thorough manner in which he pursued the always-demanding responsibilities of legislation dealing with our armed services.

He also took intense interest in the related area of atomic energy, with his membership on the joint committee. Through his combination of committee memberships, he had gained excellent background understanding and judgment in these vital matters of national defense which will be sorely missed by his colleagues.

Bill came to the House in 1950, succeeding his father, the late Honorable George J. Bates, who was serving his seventh term in the House when he met a tragic death in an airplane accident at Washington National Airport in 1949.

The passing of Bill Bates came as a great shock to all of his many friends on Capitol Hill and elsewhere. A robust man until only a few weeks ago, he was highly respected in every regard. Then came the illness from cancer which led to his untimely death.

My sympathy goes out to his lovely wife and daughter in their bereavement. They have lost a devoted husband and father. We have lost a great friend and colleague. Our Nation has lost one of its finest citizens.

Mr. DEL CLAWSON. Mr. Speaker, unusual and rare qualities of character were concentrated in our friend and colleague, Bill Bates. All of us were privileged to enjoy his friendly and helpful cooperation when matters involving his committee required our individual attention. While deeply serious in political conviction, Bill thoroughly enjoyed the lighter side of politics and his quick and ready wit frequently entertained and amused others. The depth of his interest in others was demonstrated not only in his relationships with Members of Congress but the employees of the House and Capitol also shared his love and affection. During his illness it was my privilege to personally witness his warmth and wit when Ernest S. Petinaud, maitre d' of the Members Dining Room permitted me to read a personal letter from his friend Bill Bates who was then in the hospital expecting to recover from the dread disease that was to take his life. The relationship was known only to the two of them, which again was a unique ability of Bill's—to make each one of us feel that our friendship with him was something extra special.

Mr. Speaker, I include the above-mentioned letter in my remarks, with the express permission of our good friend Ernest:

House of Representatives,
Washington, D.C., April 30, 1969.

Mr. Ernest S. Petinaud,
Washington, D.C.

Dear Client: I really appreciate your thoughtful card and note which recalls to my mind our close and fond association for many years. I had feared that during my illness you might have turned me over for a new manager but I can assure you that my prolonged convalescence has given me a good deal of time for contemplation and you would be amazed at the ideas I have concerning our future. In terms of bonanza, the signature on the menu exploitation will seem infinitesimal. I shall discuss these matters with you as soon as time permits. In the meantime, all my services will be for free.

I want to thank you for taking good care of Dr. Dean when he visited the Capitol with Bill Hogan from my office.

Trusting that it will not be too long before I return, I am

Sincerely yours,

Bill Bates.

Our sympathy and condolences are extended to members of the Bates family with the fervent prayer that God will continue to sustain them in this hour of trial and sorrow.

Mr. ROGERS of Florida. Mr. Speaker, I wish to join with my colleagues in expressing my sincere sorrow at the passing of a personal friend, Bill Bates.

Both Bill and his father served with my father in the House of Representatives. In all, Bill served his country 9 years in the Navy and the 18 years as a Member of the House.

But it was not this tenure which marked him as a leader and loyal American. It was his service and dedication. He served on the Armed Services Committee with distinction.

Bill Bates served always as a statesman and not a politician. The best interests of the Nation were the most important thing to consider for Bill Bates.

We will miss him in this Chamber and I know the people of the Sixth District of Massachusetts will miss his leadership.

My wife and I both offer our sympathy in this hour to his wife Pearle and his daughter Susan.

Mr. MONAGAN. Mr. Speaker, I am honored with the other Members of Congress to set aside this time to pay tribute to a friend and colleague, the Honorable William Henry Bates, of Massachusetts. I join my colleagues of both parties in mourning the tragic and untimely loss of one of our most distinguished and dedicated Representatives of the people of our country.

Bill Bates had represented the interests of the Sixth Congressional District in Massachusetts for 19 years. The ranking minority member of the House Armed Services Committee, Bill was also the second ranking minority member of the Joint Committee on Atomic Energy. He served as well as a member of the U.S. delegation to the North Atlantic Assembly.

Bill attended the Saint James Parochial School and the Worcester Academy before matriculating at Brown University, where he was an outstanding athlete. He later was awarded a degree from the Harvard Graduate School of Business Administration.

Bill Bates had been a dedicated naval officer for 10 years, when tragedy claimed the life of his distinguished father, the Honorable George J. Bates. Bill won a special election in February 1950, and succeeded his father in the House of Representatives. He had been reelected to the Congress each term since.

Bill Bates was perhaps the most knowledgeable Member of the House in areas concerning the national defense. A stanch advocate of a strong America, Bill was a powerful supporter of a modernized nuclear Navy. Yet he wanted only to create and preserve, not to destroy. He worked to solidify and preserve our country's security and strength only so that we could more effectively work for peace. His military competence and expertise placed him in a position of great importance to our national welfare, even at his early age.

He was a nonpartisan statesman, whose actions and achievements were dedicated to the public interest. He was an ideal legislator: the people and their needs came first for him. Deeply religious, Bill Bates fulfilled the Christian principles he lived by. He was a faithful and devoted servant of his God, his Nation, and his people. We all shall miss him greatly.

In the words of Angelo Patri:

> In one sense, there is no death. The life of a soul on earth lasts beyond his departure. You will always feel that life touching yours, that voice speaking to you, that spirit looking out of other eyes, talking to you in the familiar things he touched, worked with, loved as familiar friends. he lives on in your life and in the lives of all others that knew him.

I extend my deepest sympathies and my most sincere condolences to his family and to his many friends—especially to his wife, Pearle, his daughter, Susan, his mother, Nora, and to his three sisters and brothers.

Mr. MINSHALL. Mr. Speaker, it is difficult for us to accept the fact that our friend and colleague, William H. Bates, will not again appear in this Chamber. As the chairman of the House Committee on Armed Services said recently, although we knew of the gravity of Bill's illness all of us thought in terms of when, not if, he would return. Seldom has the passing of a Member been so deeply and sincerely mourned by all of his colleagues on both sides of the aisle.

Bill Bates' worth never was measured by narrow or partisan standards because his tireless contributions to this House and to the Nation never were narrow or partisan. He was a big man: big of stature, of intellect, of heart, of spirit. Goodness, honor, and intelligence shone on his face like a badge of the inner man.

We grieve that his life has ended at its noontime. We grieve for the loss of the many additional years he should have been with us. And our heartfelt sympathy goes to Mrs. Bates and their daughter Susan.

In the words of John Donne:

> Death be not proud, though some have called thee
> Mighty and dreadful, for thou art not so
> For those whom thou think'st thou dost overthrow . . .
> One short sleep past, we wake eternally,
> And death shall be no more; Death, thou shall die.

Mr. AYRES. Mr. Speaker, I rise to join my many, many colleagues in honoring the memory of William H. Bates, an exceptionally able Member of the U.S. House of Representatives.

As his service in this body paralleled my own, I had the good fortune of closely following all of his activities. Early in our association, I discovered that here was a man upon whose advice I could depend.

Long before he assumed his great responsibility as the ranking Republican on the important House Armed Services Committee, I searched him out for his views on matters that affected our national defense problems.

His long service in the U.S. Navy had well prepared him for his work on this committee. His record in that service was indeed outstanding. He rose from the position of apprentice seaman to that of lieutenant commander, a position he still held when elected to succeed his distinguished father, Congressman George J. Bates.

Equally distinguished was his work in the Congress. The legislation that he contributed served well his Nation.

William Bates was cast in the same mold as our patriots of old. He devoted all of his tremendous energies and capabilities to the service of his Nation.

Mr. Speaker, we have lost one of our finest leaders. We shall long mourn him.

Mr. DORN. Mr. Speaker, the death of our friend and colleague, William H. Bates, is a great loss to the Congress. He will be missed by all of us who were fortunate to know and serve with him in the House of Representatives.

Bill Bates loved his country. He served with distinction in the U.S. Navy for more than 9 years, attaining the rank of lieutenant commander. Following his service, he was elected to the 81st Congress and reelected to each succeeding Congress. He became an active member of the Armed Services Committee where he served as minority leader. He believed in a strong national defense.

Bill Bates believed in the principles and ideals that made our Nation great. He believed in the free enterprise system. He was an active member of our informal House Textile Committee seeking always to help this great industry and its employees who contribute so much to the national defense and security of our Nation.

Bill Bates' service here in this House was fearless, forthright, and courageous. He was dedicated and devoted to the people he served. He always exhibited judgment and integrity in carrying out the duties and obligations of his office. We shall miss our dear friend.

Mrs. Dorn joins me in my deepest and heartfelt sympathy to Mrs. Bates and the family.

Mr. DELANEY. Mr. Speaker, it is with a deep sense of sorrow that I rise today to honor the memory of one of our most beloved colleagues, the Honorable William H. Bates, whose untimely death profoundly grieves all of us who were privileged to know him.

Some of my most pleasant and enduring memories have come from the many years Bill Bates and I were neighbors in the old Cannon House Office Building. His warm and engaging personality was delightfully accented with a gentle and lively wit, and his entire being radiated friendliness and joviality. He was unfailingly a dependable friend, always cooperative, and a sincere and devout Christian gentleman. Bill had a deep and abiding love for his fellow man, and took great joy in serving his constituents with intense dedication and devotion. I know of no one who was better liked.

Nearly 20 years ago, Bill gave up a promising naval career to succeed to the seat previously held by his late father, George, who was tragically killed in an aircraft accident here in Washington. Immediately upon assuming his seat, the young gentleman from Massachusetts' Sixth Congressional District applied himself diligently and industriously to his legislative endeavors, and rose to become the ranking minority member of the great Committee on Armed Services. His special competence in military affairs was widely acknowledged, and he was conceded to be one of the best informed authorities on military matters. Bill was also an outstanding member of the important and sensitive Joint Committee on Atomic Energy, as well as a highly valued member of the U.S. delegation to the North Atlantic Assembly. He was a skilled legislator who worked unceasingly for the security and welfare of his country. He was an inspiration to his colleagues.

The Nation, his State, and his district have lost a devoted patriot and servant. His friends and his loved ones have lost one of the most precious jewels fashioned by the hand of God. What an addition he is to heaven.

Mrs. Delaney joins me in expressing our deepest sympathy to his wife and daughter and other members of his family.

Mr. REIFEL. Mr. Speaker, it is not often that one meets another of such warm personality and with a sense of a sincere desire to be of help in anyway he can. For me Bill Bates was such a person. He learned of my personal concern for the Indian. He was aware of their impoverishment. Bill would assure me, from time to time over the 8 years that I have served here in the Congress, that at any time that he could be helpful in our efforts to improve the lot of this disadvantaged segment of our population he could be depended upon to help.

Bill was interested in helping in personal ways. Only a few days before I heard of the illness that befell him, I mentioned my plan to try to play golf. He without hesitation said, "Get a couple of clubs and if we can break away for a few minutes we'll go down to the gym and I'll show you how to hold the club and how to swing it. These are important to a beginner." He looked good. I had no idea he was soon to be confined to the hospital. The news of his illness and then his death were both hard for me to believe.

The Lord deprived me of my instruction from Bill Bates in how to hold a golf club. However, I should like to think that his outstanding example as a fine, dedicated Christian, an able legislator, and a patient, considerate friend with the highest type of honesty and integrity may not be entirely lost upon me with his departure.

I join my colleagues in extending my deepest sympathy to his family.

Mr. ROBISON. Mr. Speaker, this body is always diminished by the death of any one of its Members—especially one as effective, as respected and as greatly beloved as was Bill Bates.

For me, one of the more beautiful and meaningful passages ever written on the subject of our common involvement in mankind—and the inevitability of the day on which that earthly involvement must end—was penned years ago by the English poet and divine, John Donne. These are his words, familiar to all of us:

> No man is an island, entire of itself; every man is a piece of the continent, a part of the main; if a clod be washed away by the sea, Europe is the less, as well as if a promontory were, as well as if a manor of thy friends or of thine own were; any man's death diminishes me, because I am involved in mankind; and therefore never send to know for whom the bell tolls; it tolls for thee.

Yes, Mr. Speaker, in the passing of our friend and colleague, Bill Bates, this body—and I would venture to say mankind, as well—has been greatly diminished; and the bell that now tolls in our hearts and minds for our departed friend tolls, most poignantly, for each and every one of us.

If this seems peculiarly so in this sad instance, that fact has more behind it than the relative youthfulness of our friend and the shockingly swift nature of the illness that took him from our midst. For we have experienced losses of that nature before—and will again. But, as the waters of a pond subside back into stillness after a pebble has been dropped into them, life resumes and things move inevitably onward, and the surprisingly short period of time within which the absence of a respected and honored colleague is no longer remarked upon is good evidence—for all of us—that none of us is indispensable, no matter how tempting the thought.

But, Mr. Speaker, I do not believe we will soon forget Bill Bates—nor fail to miss his always encouraging and helpful presence. For Bill was one of those rare persons whose personalities are literally such as to brighten any room and lighten any mood—whose sunny smile and cheerful words in passing can make everyone's day just a little bit better, no matter how badly it may have started.

This is how it was with Bill Bates, who gave so generously of himself—and of his strengths and talents—to those who needed them: His constituents, his colleagues and friends, his family and, of course, his Nation. And it is because of the kind of man he was that this House so genuinely mourns his passing—and each and every one of us feels so greatly diminished thereby.

Mrs. Robison joins me in expressing our sincere regrets to Bill's widow and daughter, as to his other loved ones.

Mr. WHALLEY. Mr. Speaker, there is an emptiness here in the Capitol caused by the passing of our good friend and colleague, the late Honorable William H. Bates. It is inadequate to say merely that we miss him. His absence is deeply felt by each of us.

Bill Bates, one of the most respected Members of Congress, deserved the full measure of our admiration. It is especially tragic to those of us who knew Bill well, that someone so full of life has fallen so young, so full of promise, and with so much to offer his district and his Nation.

He gave freely of himself—as a U.S. Representative and as a friend. It is sadly ironic that both he and his esteemed father, the late Representative George J. Bates, died tragically in the midst of careers dedicated to the service of their constituents and all people of this Nation.

It would be difficult to give Bill Bates all the praise and admiration that is due him. He was an honest man and a diligent legislator, probably one of the most knowledgeable Members of Congress concerning matters of national defense. He was also a true and loyal friend, and a loving husband, father, and son. I extend deepest sympathy to the wife, mother, and daughter of Congressman Bates and to the rest of his fine family.

Mr. WHITTEN. Mr. Speaker, I join with my colleagues in expressing my deep sense of loss in the untimely death of our colleague, Congressman William H. Bates, of Massachusetts. As has been said by so many, Bill had a wonderful personality and always had time for everyone. Possessed of energy and ability, he leaves a record unsurpassed for devotion to his duties. It is hard to understand how anyone who is right at the peak of his success would be taken from us. However, the accomplishments of his work will last for many years to come.

To his wife and family we extend our deepest and sincerest sympathy.

Mr. MURPHY of Illinois. Mr. Speaker, it is a privilege to join with my colleagues in a tribute to our late colleague and friend, William Bates.

Throughout his long career in the House of Representatives, he demonstrated a deep commitment both to the people of the Sixth Congressional District in Massachusetts and to the Nation. Those of us who knew and worked with him respected him not only for his dedication and hard work as a legislator, but also for his warmth and friendliness as an individual.

His death has deprived Congress and the State of Massachusetts of a valuable public servant. His colleagues have lost a good friend. I hope that his family can be comforted by remembering that he lived a meaningful and productive life.

Mr. CLANCY. Mr. Speaker, I join today with my colleagues in paying tribute to the memory of William H. Bates, a sincere, dedicated American and our friend. During the time that I had the privilege of serving here with him as a fellow member of the Armed Services Committee, I was always impressed by this able legislator and loyal public servant. His accomplishments were many and he was truly an example for all of us to follow. This statesman's life of service to his country should be an inspiration to us all.

I know, Mr. Speaker, that each one of us here today joins in extending deepest sympathy to his beloved wife and family.

Mr. STAGGERS. Mr. Speaker, Hippocrates said:

> Life is short and Art long. The Occasion fleeting; experience fallacious and judgment difficult.

How poignant this remark becomes when a loved and respected Member of this body is removed untimely from our midst.

The personal connections between those of us who are privileged to serve in Congress are unique in many ways. We stand in absolute equality here, responsible only to our constituents and to our consciences. And yet we depend upon a majority of our colleagues if we are to accomplish anything. Somehow we must reconcile our political and sectional and economic and personal interests in order to find a majority. All these interests shift from day to day in an unpredictable way. That is what makes the art of Government long and tedious, and experience an uncertain guide. He who has worked out for himself an active and useful place in these legislative halls has indeed proved himself a man.

Today we know that Bill Bates was such a man.

Bill and I came to Congress shortly after the big war. We saw similar service in the Navy, and we learned the art of law-making together. I had known his father before him, and looked on him as a trusted friend. Bill proved himself a worthy successor to a distinguished predecessor. We valued him as a congenial and dependable legislator, true to his country, to his ideals, and to his responsibilities.

His passing leaves us infinitely saddened. Somehow we feel that a bright career was cut short to the detriment of his fellows. But we know, as he knew, that a Divine Providence rules over the affairs of men, and things happen only in conformity with His purpose.

To his bereaved wife and family we offer our most respectful condolences, and we trust that their grief will be assuaged by the consciousness that he served his place well during all the days which were accorded him on this temporal scene.

Mr. PICKLE. Mr. Speaker, when the sad news reached us that Bill Bates had passed away, the entire House lost a friend and colleague. But I lost more. I lost a shipmate, a comrade-in-arms. Bill Bates and I served together aboard the U.S.S. *Miami* for over a year and a half during World War II. Together, we plowed through the far reaches of the Pacific Ocean. We enjoyed that special friendship that builds in an instant during wartime and lasts forever.

Bill Bates came to us from Brown University where he developed an outstanding record, both as a scholar and as a sportsman. At Brown, he was an all-conference football player and aboard the *Miami* he was quickly dubbed as our "All-American Football Player."

Bill was energetic and affable. It was a delight to see him each day and get a dose of his contagious and friendly personality. Immediately, he gained the respect of officers and enlisted men alike. No one was better liked; no one was more respected. Bill added something to the standard "officer and gentleman" description—he was a good man.

When the war ended and we stepped off our different directions, Bill and I remained in contact. I noted with pride that he succeeded his father in Congress. At that time, I did not dream that I would be honored to be one of his colleagues in this body. So, when I came to Washington, it was natural that one of my first calls was to visit an old buddy—Bill Bates. He had not changed. He still had that same sparkle, bounce, and enthusiasm that he enjoyed 20 years before. Although he was a Republican and I was a Democrat, that never bothered our friendship. He took me in tow, introduced me to many Members in Congress and helped me in many ways. He continued this through the years and months we served together.

I do not believe, Mr. Speaker, that anyone has served in Congress who had more of an aggressive, yet friendly, personality. Bill became an expert in his field of military preparedness. As a ranking member of the House Armed Services Committee, he did his homework—he always new what he was talking

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about. I know better than most that his interest in military preparedness was kindled in those early days of World War II when BILL was serving his country. BILL BATES knew his subject well as many witnesses before his committee ruefully discovered when they ventured beyond factual proof of their statements. Anyone testifying before his committee had to be prepared and willing to accept the possibility of probing questions.

BILL is gone, but he will be remembered.

It was my high privilege to be included among those who attended his final ceremonies in Salem, Mass. People by the thousands lined the streets in overwhelming tribute to a man and his principles. I was impressed again with the deep love his people had for BILL BATES, for his family and for his late father. BILL was loved and respected by his constituents and they chose an appropriate way to tell the country of their affection—they lined the streets in farewell.

As hard as BILL's place will be to fill here, his place can never be filled in the hearts of those who have known him over the years. Although we have to accept the ebb and flow of life, all of us ponder the somber revelation that these halls will not be as cheerful or as pleasant or as challenging without our friend. BILL was a noble soul, a great friend, and an outstanding Congressman. He served his country well and left a record for us to follow.

Mr. MURPHY of New York. Mr. Speaker, we all feel a deep sense of loss at the passing of one of our most beloved and distinguished colleagues. BILL BATES will be sorely missed by everyone. BILL BATES was a quiet, sincere, and dedicated American. He was a man molded in the image of the best American traditions.

His untimely death is surely a double tragedy. No one can adequately describe the grief BILL BATES' family and loved ones are suffering from his death. But the American people also mourn his death. America cannot afford to lose men of the caliber of BILL BATES. In the 19 years that he served his country and his district, both on the Armed Services Committee and the Joint Committee on Atomic Energy, he set a standard of loyalty and dedication which all of us may admire.

As Vice Adm. Hyman G. Rickover said, "I am proud to have been associated with so fine a gentleman and patriot who did such honor to his country and to his State."

Mr. Speaker, I and my family extend our most sincere condolences to Mrs. Bates, their daughter, Susan, and the rest of his family.

Mr. McMILLAN. Mr. Speaker, I want to join with the members of the Massachusetts congressional delegation and my other colleagues in paying tribute to the late Congressman WILLIAM BATES. Words are inadequate to properly express the great loss, not only in Massachusetts, but the entire United States has suffered in the passing of the late Congressman BATES. I had an opportunity to see Congressman BATES almost every day since his office was located on the same floor as my office in the Rayburn Office Building and quite often we walked over to the floor of the House together.

I and the entire Nation was shocked to learn of Congressman BATES' sudden serious illness as I thought he was one of the healthiest Members serving in the House of Representatives. He was all that anyone could expect of a Congressman, a statesman, and a gentleman. He will be greatly missed here in the House of Representatives and there is no doubt in my mind that this country is a much better place to live on account of the late Congressman BATES' service as a Member of Congress. He always met everyone with a smile and never criticized anyone. He was a great leader and an outstanding statesman and has left a record for all the younger generation to shoot for in this world. I want to express my deepest sympathy to all the members of the Bates family and know that he will be greatly missed in his home since he was strictly a family man. He left an enviable record with the Armed Forces of our country during World War II especially during the time he was commander of his ship in some of the toughest battles. I personally will always miss serving with the late Congressman BATES and feel that he was one of the finest men that I have ever had the pleasure of knowing during my lifetime.

Mr. WILLIAM D. FORD. Mr. Speaker, the recent death of our colleague, the Honorable WILLIAM H. BATES, robbed this Congress and this Nation of a public servant who will be sorely missed. His judgment, his understanding, and his unabashed love for his country were among the many outstanding qualities that made him an effective and respected Member of Congress.

I consider it a rare privilege to have served in the 89th, 90th, and 91st Congresses with BILL BATES. Although we sat on opposite sides of the aisle, and represented differing political philosophies, I found that partisanship played no part in his thinking or his voting when the interests of the Nation were at stake.

As a former naval officer, he was one of the acknowledged experts in the House on matters of defense. As a member of the Armed Services Committee for the past 19 years, he has played an immeasurable role in guiding this Nation's defense policies through some of the most critical periods of our history.

To his family, I extend my most sincere sympathy. I know that their grief is tempered by the knowledge that their loved one leaves an outstanding record of public service, and an imperishable memory of a great and good man.

Mr. CONTE. Mr. Speaker, I thank all of my colleagues who have participated in this eulogy today.

GOLDEN EAGLE AND GOLDEN AGE PASSPORTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. SAYLOR) is recognized for 15 minutes.

Mr. SAYLOR. Mr. Speaker, I have introduced today two bills which deal with the utilization of our Nation's recreational areas. Over the years, we have encouraged our citizens to "See America First" and 5 years ago we started a "passport" program that would make it easier for the American traveler to do just that.

The passport concept, whatever its shortcomings, has provided an incentive to our citizens to travel in the Nation's parks and recreational areas and I believe this concept should now be given a new lease on life.

In 1968, we amended the Land and Water Conservation Fund Act to repeal the authority, on March 30, 1970, for the annual recreation area permit known as the Golden Eagle Passport. Our action was based in large part from citizen complaints regarding fees at Corps of Engineers' reservoirs where fees had not been previously collected, and on a lack of revenue, compared to original estimates, from the recreation entrance and user fees.

In essence, what we did was to terminate a program because it had not lived up to monetary projections and expectations and because it lacked universal application, thereby making it difficult for the public to comprehend. In any other instance, the termination of such a program would be warranted and an affirmation that the Congress is providing its oversight responsibilities as it should. But with the passport program, we were looking at the dollar signs instead of the citizen signs. The concept of a nationwide passport to all our national parks, recreation areas, national monuments, and other Federal areas is still valid. With some slight modifications in the way it is handled, it should be extended.

It seems to me that the crux of the problem surrounding the current passport program has been its lack of universality. That is, not every national recreational area is included in the current program. In the two bills I have introduced, this problem is rectified by specifically naming the areas wherein the passport would be recognized. The second major problem with the current system has been money. The glowing estimates we had back in 1964 concerning the expected revenues were just too optimistic; however, it should be noted that over $15 million has been deposited in the land and water conservation fund in the 5-year life of the program. We simply have to recognize that the passport system is not a "moneymaker" nor is it even self-sustaining, but it is a program that benefits hundreds of thousands of people, and these people have been and are willing to share the cost of the program. A third general problem with the current system is that some individuals and groups took advantage of the system. It is regrettable but true that whatever the Government does, there is always a small group that will try to turn that action to personal gain. We cannot allow that minority's action to ruin the passport concept for the many who want to use the system as Congress intended. To terminate the program because of such action would be like ending the welfare system because of a few welfare cheats, or ending income taxes altogether because a few citizens circumvent their load of taxes.

EXTEND GOLDEN EAGLE PASSPORT

The first bill I have introduced would extend the current Golden Eagle Passport system. Believing that most past and potential users of the passport are willing to help the Government bear the cost of the system, I have called for raising the annual fee to $10. Many of the comments I have received concerning the Golden Eagle system indicate that the traveling public is not adverse to paying a little bit more for the passports. In fact, one letterwriter told me:

> If money is the problem, then increase the price of the passport itself. Don't abolish it altogether. Most of us that use public facilities would gladly pay twice the current annual price than do without it entirely.

EXPANDED COVERAGE

In my bill to extend the Golden Eagle Passport, I have spelled out the national recreational areas that would be required to recognize and accept the passports. Areas included are those under the jurisdiction of the National Park Service, the Bureau of Land Management, the Bureau of Sport Fisheries and Wildlife, the Bureau of Reclamation, the Forest Service, the Corps of Engineers, the Tennessee Valley Authority, and the U.S. section of the International Boundary and Water Commission—United States and Mexico. Including all, the areas should end the confusion over the passport. I recognize that we will have a stiff fight on our hands to make the passport system universal, however, it would be a tragedy if the system which the Congress designed to benefit thousands were allowed to lapse because of the bureaucratic whims of one subagency of the Government. I am confident that the Congress will not allow this to happen.

THE GOLDEN AGE PASSPORT

The second bill I have introduced would add a new concept to the already successful passport system. The Golden Age Passport would make it possible for our senior citizens to enjoy the beauties of America upon payment of a one-time fee. The Golden Age Passport, costing $25, would be available to the purchaser for life. Again, we should not have any delusions about the Golden Age Passport being self-sustaining, but it would seem that an inexpensive passport-to-pleasure in America's parks would be a small price for the whole of the United States to support in order that our senior citizens may find enjoyment in retirement travel in the United States. I mention "support" above because this is not a "free" program. The senior citizen is asked to share the load and if my information is correct about the desires of the travelers, they will be more than happy to assume this additional cost of retirement.

There is no way to accurately predict how many of the new Golden Age Passports would be issued, restricted as they would be to older Americans, but the number will obviously be fairly small to begin with and I do not believe this addition to the Golden Eagle program would unduly burden those responsible in the various agencies of the Government. The purpose of the new program is to assist those who want to travel in America during their retirement; I think we have a responsibility to retirees to make such travel attractive.

TEXT OF BILLS

Mr. Speaker, I have appended to my remarks the text of the two bills mentioned above with the hope that after examination of the texts, other Members will join with me in saving the Golden Eagle Passport and in creating the Golden Age Passport.

GOLDEN EAGLE

A bill to continue the Golden Eagle Program established under the Land and Water Conservation Fund Act of 1965

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first section of the Act entitled "An Act to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes", approved July 15, 1968 (82 Stat. 354; Public Law 90–401), is repealed.

(b) That subsection added to section 2 of the Land and Water Conservation Fund Act of 1965 by section 2 of such Act of July 15, 1968 (82 Stat. 355; Public Law 90–401), and designated as subsection (c), is redesignated as subsection (d).

SEC. 2. Subparagraph (1) of the second of section 2(a) of the Land and Water Conservation Fund Act of 1965 is amended by striking out "An annual fee of not more than $7" and inserting in lieu thereof "An annual fee of not more than $10".

GOLDEN AGE

A bill to provide for the establishment of a lifetime fee for persons sixty-five years of age or over for admission to outdoor recreation areas administered by certain agencies of the United States, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to establish a Golden Age Passport for a fee of $25 payable by any person sixty-five years of age or over entering an area referred to in section 2 of this Act by private noncommercial automobile which, if paid, shall excuse the person paying such fee and anyone who accompanies him in such automobile from payment of any other fee for admission to that area, and any other area referred to in such section 2, during the lifetime of the holder of such passport.

SEC. 2. This Act shall apply with respect to entrance or admission fees or charges for any area administered for outdoor recreation purposes by the National Park Service, the Bureau of Land Management, the Bureau of Sport Fisheries and Wildlife, the Bureau of Reclamation, the Forest Service, the Corps of Engineers, the Tennessee Valley Authority, or the United States section of the International Boundary and Water Commission (United States and Mexico). Possession of a Golden Age Passport used for entrance or admission to any area described in this section will not excuse the holder of such passport from payment of any other user fees or charges which may be levied within any such area.

SEC. 3. All fees collected under this Act shall be covered into the Land and Water Conservation Fund in the Treasury of the United States established by the Land and Water Conservation Fund Act of 1965.

SEC. 4. This Act shall take effect on March 31, 1970.

FIVE-PERCENT INTEREST ON U.S. SAVINGS BONDS

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. MICHEL) is recognized for 5 minutes.

Mr. MICHEL. Mr. Speaker, I am highly pleased to learn that the administration has asked for an increase in the interest on U.S. savings bonds to a more realistic figure of 5 percent. Back in February of this year I introduced legislation to accomplish this objective and have been in touch with the White House and the Treasury Department several times in the intervening months to urge that this action be taken. It is most encouraging that the administration is honoring its commitment to the many people who are helping our Government by buying these bonds.

This increase is long overdue since large investors have been getting 7 percent on short-term Federal borrowing and its time that the average family man be given consideration as he helps Uncle Sam while building up a nest egg for retirement or to finance a college education for his children.

I pledge to do all that I can to push for early enactment of the administration's request, and as evidence of my deep interest in this matter, I include my remarks here on the House floor on February 18, March 11, and April 24 of this year in the RECORD at this point:

PROPOSED INCREASE IN INTEREST RATES ON SERIES E GOVERNMENT BONDS

Mr. MICHEL. Mr. Speaker, I am introducing legislation today which would authorize the President to increase the interest rates paid on series E Government bonds to 5 percent. The current rates on this type of Government security are unrealistic and in my opinion penalize the small investor.

E bond buyers get a mere 4.25 percent after 7 years, while the big financiers and investors who can buy Federal securities in blocks of $5,000 or more, are realizing 6 and 7 percent return on their investment today.

The E bond purchases have been going out of favor with the American public, as evidenced by the fact that in January alone cashing in of E bonds exceeded purchases by $61 million. When people are cashing in more bonds than they are buying, it certainly indicates that the program needs a change. The current "Freedom Shares" program, which requires purchase of E bonds before the higher interest shares can be bought, has been largely unsuccessful. An increase to 5 percent on interest paid to purchasers of E bonds—which can be purchased in amounts as small as $17.50, as you know—would bring the rate more in line with current bank interest rates.

I should say, too, Mr. Speaker, that many Americans who have been buying E bonds for patriotic reasons are disgusted with the spendorama that has marked the past 8 years, and caused the Government to go into the market to borrow so heavily. The best spur to bond sales will come when there is a clear indication that the Federal Government itself intends to get its fiscal house in order.

INTEREST RATES ON U.S. SAVINGS BONDS

Mr. MICHEL. Mr. Speaker, for the third straight month, more U.S. savings bonds and freedom shares were cashed in by Americans than were bought for the future. This is a clear indication that the present rates of interest being paid on these bonds are unrealistic and unfair. I have introduced legislation (H.R. 7015) which would authorize the President to raise the interest rates to at least compare with bank rates. We cannot expect the small investor to sacrifice his interest earnings in the name of patriotism

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when big investors in Federal securities are grabbing off interest rates above 6 percent.

When $13 million more Series E bonds were cashed in than were purchased last month, it should be obvious that more and more Americans are realizing that under present interest rates these bonds are not good investments. I am hopeful that Congress can read the handwriting on the wall, and will take action to bring these bonds up in line with today's money market. Savings bonds have long been an important part of Federal borrowing, as well as providing financial security and a convenient way to save through payroll deductions for millions of Americans. We should not let this program wither for lack of action.

AMERICANS CASH IN MORE U.S. SAVINGS BONDS THAN PURCHASED

Mr. **MICHEL**. Mr. Speaker, during March for the fifth straight month, Americans cashed in more U.S. savings bonds than they bought. Purchases amounted to $336,907,000 while redemptions totaled $394,116,000. It is obvious that these bonds have ceased to be competitive in today's money market. It is time for Congress to act to eliminate the 4¼-percent ceiling for interest to be paid on these bonds.

These are $45 billion worth of these bonds outstanding, about 15 percent of our national debt. They represent the savings mainly of small investors. For many, their bonds are their only savings, a nest egg against financial need. In 1960 U.S. bonds represented 20 percent of all savings. Today they are only 13 percent. We should encourage more Americans to get into the habit of buying a bond a month through the convenience of payroll deductions. But, we cannot expect them to buy bonds that are paying nearly a whole percentage point less than a bank account. I am pleased that Treasury Secretary David Kennedy has indicated that the Nixon administration is preparing to ask for changes in the bond interest rate. Back on February 18 I introduced legislation which would accomplish this end, H.R. 7015, which is before the Ways and Means Committee.

I have heard complaints from some Members of this body that there is little to do in the way of legislation. May I suggest that prompt action on the bond bill would help the Government and millions of small investors.

U.N. REPORT ON GAS AND GERM WARFARE

The SPEAKER pro tempore (Mr. FEIGHAN). Under previous order of the House, the gentleman from New York (Mr. MCCARTHY) is recognized for 60 minutes.

Mr. McCARTHY. Mr. Speaker, on July 2, 1969, Secretary General U Thant of the United Nations released an excellent report on chemical and biological warfare. The Secretary's report recommends that all nations ratify the Geneva protocol of 1925 banning first use of chemical and biological warfare; it recommends that all nations agree that the protocol applies to all chemical and biological agents, including tear gas or harassing agents; and it calls on all countries to reach agreement to halt the development, production, and stockpiling of all chemical and biological warfare agents and to eliminate them from the arsenals of weapons.

I welcome the Secretary General's recommendation that all nations ratify the Geneva protocol. This recommendation reinforces the need for the United States to act promptly to ratify this useful arms control treaty. I have asked President Nixon to resubmit the Geneva protocol to the Senate for ratification. As of this date, 75 of my colleagues in the House of Representatives have joined me in sponsoring a resolution urging that the protocol be resubmitted for ratification. In addition, Chairman WILLIAM FULBRIGHT of the Senate Foreign Relations Committee has said that he would be glad to hold hearings on the protocol should President Nixon send it to the Congress for action. Despite our announced support for the principals of the protocol, we remain one of the few nations that has not acceded to the protocol.

Both tear gas and defoliants are included in the list of chemical agents that are discussed by the report. The report and the Seretary's recommendations make it clear that the use of tear gas and defoliants by the United States in Vietnam are believed to be contrary to the spirit of the Geneva Protocol. The report, in effect, reinforces the need to maintain the principal of no use of gas as opposed to use of some gases and nonuse of others.

The Secretary's report makes it clear that the testing and use of biological warfare agents pose health hazards to everyone—that the deadly diseases that have been stockpiled for use as weapons are just as dangerous to the user as they are to the recipient. The report emphasizes the need to promptly reach agreement on a ban on the production, stockpiling, and use of biological weapons. A proposal that would accomplish this is now before the 18-Nation Disarmament Convention which is meeting in Geneva. I believe that the United States should do all it can to see that this resolution is adopted.

The Secretary General's recommendation to prohibit the development, production and stockpiling of chemical as well as biological warfare agents goes beyond the Geneva protocol and the proposal to the 18-Nation Disarmament Conference. Such a step is highly desirable if an effective means of verifying the ban on chemical agents could be found.

I do not agree with the use in the report of the term "incapacitating warfare agent" in describing biologically produced toxins. The report refers to the Staphylococcus toxin, a poison produced by bacteria, sometimes referred to as food poisoning, as an incapacitating warfare agent. Most doctors would agree that a toxin that may be incapacitating for one person may kill another. We do not have sufficient experience with the effects of these poisons when breathed in or swallowed to say that they are "incapacitating" rather than lethal.

I also object to the inclusion of biologically produced toxins in the chemical warfare category rather than in the biological warfare category. These toxins, although not bacteria themselves, require the development, testing and production of deadly biological agents and are a byproduct of bacteria. All of the apparatus connected with the production of biological warfare agents would be retained making the arms inspection problem even more difficult. And these toxins are in some cases more deadly than nerve gas. One ounce of botulinus toxin, effectively spread, for example, would kill everyone in the United States and Canada.

Secretary General U Thant's report is a highly useful document on the nature of chemical and biological warfare. I am including the text of the report at this point:

QUESTION OF GENERAL AND COMPLETE DISARMAMENT

(Report of the Secretary-General on chemical and bacteriological (biological) weapons and the effects of their possible use)

Pursuant to General Assembly resolution 2454 A (XXIII) of 20 December 1968, the Secretary-General has the honour to transmit herewith to the General Assembly the report on chemical and bacteriological (biological) weapons and the effects of their possible use, prepared with the assistance of qualified consultant experts.

In accordance with paragraph 4 of the resolution, the report is also being transmitted to the Security Council (S/9292) and the Conference of the Eighteen-Nation Committee on Disarmament[1] as well as to the Governments of Member States.

FOREWORD BY THE SECRETARY GENERAL

During the past few years, I have become increasingly concerned by developments in the field of chemical and bacteriological (biological) weapons and have given expression to this concern on several occasions. A year ago, I stated publicly that "the international community was not sufficiently conscious of the dangers inherent in this new type of weapon of mass murder", and that "due attention had not been focused on this very serious problem". In the introduction to my annual report on the work of the Organization, in September 1968, I stated:

"While progress is being made in the field of nuclear disarmament, there is another aspect of the disarmament problem to which I feel too little attention has been devoted in recent years. The question of chemical and biological weapons has been overshadowed by the question of nuclear weapons, which have a destructive power several orders of magnitude greater than that of chemical and biological weapons. Nevertheless, these too are weapons of mass destruction regarded with universal horror. In some respects, they may be even more dangerous than nuclear weapons because they do not require the enormous expenditure of financial and scientific resources that are required for nuclear weapons. Almost all countries, including small ones and developing ones, may have access to these weapons, which can be manufactured quite cheaply, quickly and secretly in small laboratories or factories. This fact in itself makes the problem of control and inspection much more difficult. Moreover, since the adoption, on 17 June 1925, of the Geneva Protocol for the prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases and of Bacteriological Methods of Warfare, there have been many scientific and technical developments and numerous improvements, if that is the right word, in chemical and biological weapons, which have created new situations and new problems. On the one hand, there has been a great increase in the capability of these weapons to inflict unimaginable suffering, disease and death to ever larger numbers of human beings; on the other hand, there has been a growing tendency to use some chemical agents for civilian riot control and a dangerous trend to accept their use in some form in conventional warfare.

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[1] By a letter dated 1 July 1969 from the Secretary-General to the Co-Chairmen of the Conference.

"Two years ago, by resolution 2162 B (XXI), the General Assembly called for the strict observance by all States of the principles and objectives of the Geneva Protocol of 1925, condemned all actions contrary to those objectives and invited all States to accede to the Protocol. Once again, I would like to add my voice to those of others in urging the early and complete implementation of this resolution. However, in my opinion, much more is needed. . . ."

At its twenty-third session, by resolution 2454 A (XXIII), the General Assembly requested me to prepare, with the assistance of qualified consultant experts, a report on chemical and bacteriological (biological) weapons in accordance with the proposal contained in the introduction to my annual report on the work of the organization (A/7201/Add.1), and in accordance with the recommendation contained in the report of the Conference of the Eighteen-Nation Committee on Disarmament of 4 September 1968 (A/7189).

In pursuance of this resolution, I appointed the following group of fourteen consultant experts to assist me in the preparation of the report: Dr. Tibor Bakacs, Professor of Hygiene, Director-General of the National Institute of Public Health, Budapest; Dr. Hotse C. Bartlema, Head of the Microbiological Department of the Medical-Biological Laboratory, National Defense Research Organization TNO, Rijswijk, Netherlands; Dr. Ivan L. Bennett, Director of the New York University Medical Center and Vice-President of Medical Affairs, New York University, New York; Dr. S. Bhagavantam, Scientific Adviser to the Minister of Defence, New Delhi; Dr. Jiri Franek, Director of the Military Institute for Hygiene, Epidemiology and Microbiology, Prague; Dr. Yosio Kawakita, President of University of Chiba, Professor of Bacteriology, Chiba City, Japan; M. Victor Moulin, *Ingénieur en chef de l'armement, Cref du Bureau Défense chimique et biologique, Direction technique des armaments terrestres,* Saint Cloud, France; Dr. M. K. McPhail, Director of Chemical and Biological Defence, Defence Chemical, Biological and Radiation Laboratories, Defence Research Board, Ottawa; Academician O. A. Reutov, Professor of Chemistry at the Moscow State University, Moscow; Dr. Guillermo Soberon, Director, *Instituto de Investigaciones Biomedicas, Universidad Nacional Autonma de Mexico,* Mexico City; Dr. Lars-Erik Tammelin, Chief of Department for Medicine and Chemistry, Research Institute for National Defence, Stockholm; Dr. Berhane Teoume-Lessane, Medical Co-Director and Head of Department of Viruses and Rickettsiae, Imperial Central Laboratory and Research Institute, Addis Abba; Colonel Zbigniew Zoltowski, Professor of Medicine, Epidemiologist and Scientific Adviser to the Ministry of National Defence, Warsaw; Sir Solly Zuckerman, Chief Scientific Adviser to the Government of the United Kingdom, Professor Emeritus, University of Birmingham.

Mr. William Epstein, Director of the Disarmament Affairs Division, Department of Political and Security Council Affairs, served as Chairman of the Group of Consultant Experts. Mr. Alessandra Corradini, Chief of the Committee and Conference Services Section, acted as Secretary of the Group. He was assisted by members of the Disarmament Affairs Division.

After giving due consideration to the terms of the resolution and to the views expressed and the suggestions made during the discussion of the question at the twenty-third session of the General Assembly, I reached the conclusion that the aim of the report should be to provide a scientifically sound appraisal of the effects of the chemical and bacteriological (biological) weapons and should serve to inform Governments of the consequences of their possible use. Within this over-all framework, the report would furnish accurate information in a concise and readily understandable form on the following matters: the basic characteristics of chemical and bacteriological (biological) means of warfare; the probable effects of chemical and baoteriological (biological) weapons on military and civil personnel, both protected and unprotected; the environmental factors affecting the employment of chemical and bacteriological (biological) means of warfare; the possible long-term effects on human health and ecology; and the economic and security implications of the development, acquisition and possible use of chemical and bacteriological (biological) weapons and of systems for their delivery.

The consultant experts to whom I conveyed these terms of reference accepted them as the basis for their study.

It was my intention that the Group of Consultant Experts should survey the entire subject from the technical and scientific points of view, so that the report could place these weapons in proper perspective. It was also my hope that an authoritative report could become the basis for political and legal action by the Members of the United Nations.

As the report was to be made available by 1 July 1969, very concentrated efforts by the consultant experts were required in order to cover this extensive field. The members of the Group, acting in their personal capacities, carried out this demanding task at three sessions between January and June 1969.

The Group had the benefit of valuable submissions from the World Health Organization, the Food and Agriculture Organization, the International Committee of the Red Cross, the Pugwash Conference on Science and World Affairs (Pugwash) and the International Institute for Peace and Conflict Research (SIPRI). I wish to express my grateful appreciation to all the consultant experts for their dedicated work and to the organizations and bodies who co-operated in the preparation of the study.

The Group has submitted to me a unanimous report embodying its findings and conclusions. I wish to avail myself of this opportunity to express my gratification for the very high level of competence with which the consultant experts have discharged their mandate. In a very short period of time, they have produced a study, which, in spite of the many complex aspects of the subject matter, is both concise and authoritative. It is a document which, I believe, provides valuable insights into the grave dangers that are posed by the production and possible use of these dreaded weapons.

I am particularly impressed by the conclusion of the consultant experts wherein they state:

"The general conclusion of the report can thus be summed up in a few lines. Were these weapons ever to be used on a large scale in war, no one could predict how enduring the effects would be, and how they would affect the structure of society and the environment in which we live. This overriding danger would apply as much to the country which initiated the use of these weapons as to the one which had been attacked, regardless of what protective measures it might have taken in parallel with its development of an offensive capability. A particular danger also derives from the fact that any country could develop or acquire, in one way or another, a capability in this type of warfare, despite the fact that this could prove costly. The danger of the proliferation of this class of weapons applies as much to the developing as it does to developed countries.

"The momentum of the arms race would clearly decrease if the production of these weapons were effectively and unconditionally banned. Their use, which could cause an enormous loss of human life, has already been condemned and prohibited by international agreements, in particular the Geneva Protocol of 1925, and, more recently, in resolutions of the General Assembly of the United Nations. The prospects for general and complete disarmament under effective international control, and hence for peace throughout the world, would brighten significantly if the development, production and stockpiling of chemical and bacteriological (biological) agents intended for purposes of war were to end and if they were eliminated from all military arsenals.

"If this were to happen, there would be a general lessening of international fear and tension. It is tbe hope of the authors that this report will contribute to public awareness of the profoundly dangerous results if these weapons were ever used, and that an aroused public will demand and receive assurances that Governments are working for the earliest effective elimination of chemical and bacteriological (biological) weapons."

I have given the study prepared by the consultant experts my earnest consideration and I have decided to accept their unanimous report in its entirety, and to transmit it to the General Assembly, the Security Council, the Eighteen-Nation Committee on Disarmament and to the Governments of Member States, as the report called for by resolution 2454 A (XXIII).

I also feel it incumbent upon me, in the hope that further action will be taken to deal with the threat posed by the existence of these weapons, to urge that the Members of the United Nations undertake the following measures in the interests of enhancing the security of the peoples of the world:

1. To renew the appeal to all States to accede to the Geneva Protocol of 1925;

2. To make a clear affirmation that the prohibition contained in the Geneva Protocol applies to the use in war of all chemical, bacteriological and biological agents (including tear gas and other harassing agents), which now exist or which may be developed in the future;

3. To call upon all countries to reach agreement to halt the development, production and stockpiling of all chemical and bacteriological (biological) agents for purposes of war and to achieve their effective elimination from the arsenal of weapons.

LETTER OF TRANSMITTAL

JUNE 30, 1969.

DEAR MR. SECRETARY-GENERAL: I have the honour to submit herewith a unanimous report on chemical and bacteriological (biological) weapons which was prepared in pursuance of General Assembly resolution 2454 A (XXIII).

The Consultant Experts appointed in accordance with the General Assembly resolution were the following:

Dr. Tibor Bakacs, Professor of Hygiene, Director-General of the National Institute of Public Health, Budapest.

Dr. Hotse C. Bartlema, Head of the Microbiological Department of the Medical-Biological Laboratory, National Defence Research Organization TNO, Rijswijk, Netherlands.

Dr. Ivan L. Bennett, Director of the New York University Medical Center and Vice-President for Medical Affairs, New York University, New York.

Dr. S. Bhagavantam, Scientific Adviser to the Minister of Defence, New Delhi.

Dr. Jiri Franek, Director of the Military Institute for Hygiene, Epidemiology and Microbiology, Prague.

Dr. Yosio Kawakita, President of the University of Chiba, Professor of Bacteriology, Chiba City, Japan.

M. Victor Moulin, *Ingénieur en chef de l'armement, Chef du Bureau Défense chimique et biologique, Direction technique des armements terrestres,* Saint Cloud, France.

Dr. M. K. McPhail, Director of Chemical and Biological Defence, Defence Chemical, Biological and Radiation Laboratories, Defence Research Board, Ottawa.

Academician O. A. Reutov, Professor of Chemistry at the Moscow State University, Moscow.

Dr. Guillermo Soberon, Director, *Instituto de Investigaciones Biomedicas, Universidad Nacional Autonoma de Mexico, Mexico City.*

Dr. Lars-Erik Tammelin, Chief of Department for Medicine and Chemistry, Research Institute for National Defence, Stockholm.

Dr. Berhane Teoume-Lessane, Medical Co-Director and Head of Department of Viruses and Rickettsiae, Imperial Central Laboratory and Research Institute, Addis Ababa.

Colonel Zbigniew Zoltowski, Professor of Medicine, Epidemiologist and Scientific Adviser to the Ministry of National Defence, Warsaw.

Sir Solly Zuckerman, Chief Scientific Adviser to the Government of the United Kingdom, Professor Emeritus, University of Birmingham.

The report was drafted during sessions held in Geneva between 20 and 24 January and between 16 and 29 April, and finalized at meetings held in New York between 2 and 14 June 1969.

The Group of Consultant Experts wish to acknowledge the assistance they received from the World Health Organization, the Food and Agriculture Organization, the International Committee of the Red Cross, the Pugwash Conference on Science and World Affairs (Pugwash) and the International Institute for Peace and Conflict Research (SIPRI), all of which submitted valuable information and material for the purposes of the study.

The Group of Consultant Experts also wish to express their gratitude for the valuable assistance they received from members of the United Nations Secretariat.

I have been requested by the Group of Consultant Experts, as their Chairman, to submit their unanimous report to you on their behalf.

Yours sincerely,

WILLIAM EPSTEIN,
Chairman, Group of Consultant Experts on Chemical and Bacteriological (Biological) Weapons.

INTRODUCTION

1. In accordance with the resolution of the General Assembly 2454 A (XXIII) the Secretary-General was asked to prepare, with the assistance of qualified consultant experts, a report on chemical and bacteriological (biological) weapons and on the effects of their possible use. Specifically the experts were asked to provide a scientific appraisal of the characteristics of the chemical and bacteriological (biological) weapons which could be used in warfare; of the effects they could have on military personnel and civilians; as well as of their long-term effects on health and our physical environment. They were also asked to provide a statement about the economic and security implications of the development, acquisition and possible use of such weapons and associated weapon systems. The report which follows is confined to these objectives.

2. No form of warfare has been more condemned than has the use of this category of weapons. The poisoning of wells has been regarded from the time immemorial as a crime incompatible with the rules of war. "War is waged with weapons, not with poison" (*"Armis bella non venenis geri"*), declared the Roman jurists. As the destructive power of arms increased over the years, and with it the potential for the widespread use of chemicals, efforts were made to prohibit through international understandings and by legal means the use of chemical weapons. The Brussels Declaration of 1874 and the Hague Conventions of 1899 and 1907 prohibited the use of poisons and poisoned bullets and a separate declaration of the Hague Convention of 1899 condemned "the use of projectiles the sole object of which is the diffusion of asphyxiating or deleterious gases".

3. The fear today is that the scientific and technological advances of the past few decades have increased the potential of chemical and bacteriological (biological) weapons to such an extent that one can conceive of their use causing casualties on a scale greater than one would associate with conventional warfare. At the moment most of our knowledge concerning the use of chemical weapons is based upon the experience of World War I. Gas was first used in 1914 and the first big attack in 1915 claimed 5,000 human lives. It is estimated that from then until the end of the war in 1918, at least 125,000 tons of toxic chemicals were used, and according to official reports gas casualties numbered about 1,300,000, of which about 100,000 were fatal. The agents which were used in this war were much less toxic than those, in particular nerve agents, which could be used today, and they were dispersed by means of relatively primitive equipment as compared with what is now available, and in accordance with battlefield concepts of a relatively unsophisticated kind.

4. It is true that a considerable effort has also been made to develop chemical agents which have as their purpose not to kill but to reduce a man's capacity to fight. Such agents are used by civil authorities of a number of countries in order to suppress disorders and to control riots, but when used in warfare they would inevitably be employed as an adjunct to other forms of attack, and their over-all effect might be lethal.

5. Since World War II, bacteriological (biological) weapons have also become an increasing possibility. But because there is no clear evidence that these agents have ever been used as modern military weapons, discussions of their characteristics and potential threat have to draw heavily upon experimental field and laboratory data, and on studies of naturally occurring outbreaks and epidemics of infectious disease, rather than on direct battlefield experience. Their potential importance in warfare can be sensed when one remembers that infectious disease even as late as World War II caused numerous casualties.

6. The greater threat posed by chemical weapons today derives from the discovery and manufacture of new, more toxic compounds. On the other hand, bacteriological (biological) agents already exist in nature and can be selected for use in warfare. Some of these agents, notably bacteria, have been known for several decades, but there is a vast number of other possible agents, especially viruses, which have been discovered only recently, and some of these also possess characteristics which make their use possible in war. Increases in potency of these various types of agent have been made possible by scientific and technological advances in microbial genetics, experimental pathology and aerobiology.

7. As is well known, the use of toxic gases in World War I generated so powerful a sense of outrage that countries were encouraged to adopt measures prohibiting both chemical and bacteriological (biological) weapons. The result was the Geneva Protocol of 17 June 1925, which prohibits the use in war of asphyxiating, poisonous or other gases and of all analogous liquids, materials or devices, as well as bacteriological methods of warfare. This estabished a custom and hence a standard of international law, and in practice most States have adhered to the principle that no one should resort to the use of such weapons. But despite the abhorrence in which they have always been held by civilized peoples, chemical weapons have none the less on occasion been used. For example, mustard gas was used in Ethiopia in 1935–36, causing numerous casualties amongst troops and a civilian population which was not only completely unprotected, but which lacked even the most elementary medical services. It should also be noted that the existence of the Geneva Protocol of 1925 may have helped as a deterrent to the use of chemical or bacteriological (biological) weapons in World War II, even though the belligerents in that conflict had developed, produced and stockpiled chemical agents for possible use. The International Tribunal at Nuremberg brought into the open the fact that amongst the new agents which had been produced and stockpiled during the course of the war were such highly lethal agents as Tabun and Sarin. Since then the validity and effectiveness of the Geneva Protocol have been reinforced by the approval, by the General Assembly of the United Nations, without a single dissenting voice, of resolutions 2162 B (XXI) of 5 December 1966 and 2454 A (XXIII) of 20 December 1968, calling for "strict observance by all States of the principles and objectives" of the Geneva Protocol, and inviting all States to accede to it.

8. It is simple to appreciate the resurgence of interest in the problems of chemical and bacteriological (biological) warfare. Advances in chemical and biological science, while contributing to the good of mankind, have also opened up the possibility of exploiting the idea of chemical and bacteriological (biological) warfare weapons, some of which could endanger man's future, and the situation will remain threatening so long as a number of States proceed with their development, perfection, production and stockpiling.

9. The report, as is noted in the General Assembly resolution, is designed to submit to peoples and governments, in a form easily understood by them, information on the effects of the possible use of chemical and bacteriological (biological) weapons, as well as to promote a further consideration of problems connected with chemical and bacteriological (biological) weapons. Information about the nature of chemical and bacteriological (biological) weapons, about their increase and diversification as technology has advanced, about their long-term effects on human beings, animals and vegetation, and about environmental factors which condition these effects, is provided in Chapters I to IV of the Report. In Chapter V, which deals with the economic and security implications of chemical and bacteriological (biological) warfare, the experts have interpreted the word "security" to mean both security in the narrow military sense, and security in terms of the adverse and long-term effects which these weapons, given they were ever used, could have on the framework of civilized existence.

10. As the present report shows, the outstanding characteristics of this class of weapons, and particularly of bacteriological (biological) weapons, is the variability, amounting under some circumstances to unpredictability, of their effects. Depending on environmental and meteorological conditions, and depending on the particular agent used, the effects might be devastating or negligible. They could be localized or widespread. They might bear not only on those attacked but also on the side which initiated their use, whether or not the attacked millitary forces retaliated in kind. Civilians would be even more vulnerable than the military. The development, acquisition and deployment of chemical and bacteriological (biological) weapons—quite apart from questions of protection—constitutes a real economic burden which varies in extent for different countries. Above all their acquisition could not possibly obviate the need for other weapons.

11. As chapters I and V of the report indicate, it would be enormously costly in resources, and administratively all but impossible, to organize adequate protection for a

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civilian population against the range of possible chemical agents. Even millitary personnel, if locally engaged in a particular operation in which chemical and/or bacteriological (biological) weapons were used and where they had the advantage of protective measures, would be unlikely to escape the wider-spread and longer-term effects on their country at large. These might arise, for example, from the impracticability of protecting soil, plants, animals and essential food crops against short and long-term effects.

12. To appreciate the risks which bacteriological (biological) warfare could entail, one has only to remember how a natural epidemic may persist unpredictably, and spread far beyond the initial area of incidence, even when the most up-to-date medical resources are used to suppress the outbreak. The difficulties would be considerably increased were deliberate efforts made, for military reasons, to propagate pathogenic organisms. Mass disease, following an attack, especially of civilian populations, could be expected not only because of the lack of timely warning of the danger, but also because effective measures of protection or treatment simply do not exist or cannot be provided on an adequate scale.

13. Once the door was opened to this kind of warfare, escalation would in all likelihood occur and no one could say where the process would end. Thus the report concludes that the existence of chemical and bacteriological (biological) weapons not only contributes to international tension, but that their further development spurs the arms race without contributing to the security of any nation.

14. The present report will, in accordance with resolution 2454 A (XXIII), be submitted to the Eighteen-Nation Committee on Disarmament to the Security Council and to the General Assembly at its twenty-fourth session. We hope that it will contribute to the implementation of measures which, in the final analysis, will eliminate chemical and bacteriological (biological) weapons from all military arsenals.

CHAPTER I. THE BASIC CHARACTERISTICS OF CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL) MEANS OF WARFARE

15. Since World War I, when chemical warfare was first resorted to on a large scale, the variety and potency of chemical and bacteriological (biological) weapons has grown steadily, and there has been a corresponding increase in the capacity to deliver them to a target area. The particular threat posed by chemical weapons today derives from the existence of new, and far more toxic, chemical compounds than were known fifty years ago. Since bacteriological (biological) agents exist naturally, their increased potency as weapons has resulted from a process of selection rather than from the production of entirely new agents. As is explained in later sections of this report, selection has been made possible by advances in our knowledge of the genetics of microbes, and through advances in experimental aerobiology.

16. The most significant result of these technical developments is the great variety of injurious effect which these agents can induce, and the consequent increase in the number and types of situation in which there might be a temptation to use them for military purposes.

A. Characteristics of chemical and bacteriological (biological) weapons

17. For the purposes of this report, chemical agents of warfare are taken to be chemical substances, whether gaseous, liquid, or solid, which might be employed because of their direct toxic effects on man, animals and plants. Bacteriological (biological) agents of warfare are living organisms, whatever their nature, or infective material derived from them, which are intended to cause disease or death in man, animals or plants, and which depend for their effects on their ability to multiply in the person, animal or plant attacked.

18. Various living organism (e.g. rickettsiae, viruses and fungi), as well as bacteria, can be used as weapons. In the context of warfare all these are generally recognized as "bacteriological weapons". But in order to eliminate any possible ambiguity, the phrase "bacteriological (biological) weapons" has been used throughout to comprehend all forms of biological warfare.

19. All biological processes depend upon chemical or physico-chemical reactions, and what may be regarded today as a biological agent could, tomorrow, as knowledge advances, be treated as chemical. Because they themselves do not multiply, toxins, which are produced by living organisms, are treated in this report as chemical substances. We also recognize there is a dividing line between chemical agents of warfare in the sense we use the terms, and incendiary substances such as napalm and smoke, which exercise their effects through fire, temporary deprivation of air or reduced visibility. We regard the latter as weapons which are better classified with high explosives than with the substances with which we are concerned. They are therefore not dealt with further in this report.

20. Finally, we recognize that both chemical and bacteriological (biological) agents are designated either as lethal agents, that is to say, agents which are intended to kill, or as incapacitating agents, that is to say, agents which are intended to cause disability. These terms are not absolute, but imply statistical probabilities of response which are more uncertain with bacteriological (biological) than with chemical agents. Not all individuals will die from an attack with a given lethal agent, whereas some, for example infants and people weakened by malnutrition, disease or old age, as well as a high proportion of individuals in special circumstances, for example following irradiation, might succumb to an attack with incapacitating chemical or bacteriological (biological) agents. With a few chemical agents, notably some tear gases (lachrymators), there is a negligible probability of any fatal outcome, and these have been used by many Governments to quell riots and civil disorders. When used in this way they are called riot control agents. Lachrymators have also been widely used in warfare as harassing agents, in order to enhance the effectiveness of conventional weapons, or to facilitate the capture of enemy personnel.

1. Differences Between Chemical and Bacteriological (Biological) Warfare

21. Although there are some similarities between chemical and bacteriological (biological) agents regarded as weapons of war, they differ in certain important respects. These differences are related to (1) potential toxicity; (2) speed of action; (3) duration of effect; (4) specificity; (5) controllability; and (6) residual effects.

Potential toxicity

22. Although more toxic than most well-known industrial chemicals, chemical warfare agents are far less potent on a weight-for-weight basis than are bacteriological (biological) agents. The dose of a chemical agent required to produce untoward effects in man is measured in milligrams (1/1,000 of a gram), except for toxins which may be in the microgram (1/1,000 of a milligram) range. The corresponding dose for bacteriological (biological) agents is in the picogram 1/1,000,000 of a microgram) range.

23. This difference reflects the fact that bacteriological (biological) agents, being alive, can multiply, and its significance is that, weight-for-weight, bacteriological (biological) weapons could be expected to inflict casualties over very much more extensive areas than could chemical weapons.

24. Being living organisms, bacteriological (biological) agents are also very much more susceptible to sunlight, temperature, and other environmental factors than are chemical agents. A bacteriological (biological) agent disseminated into a given environment may retain its viability (ability to live and multiply) while losing its virulence (ability to produce disease and injury).

Speed of action

25. As a class, chemical agents produce their injurious effects in man, animals or plants more rapidly than do bacteriological (biological) agents. The time between exposure and significant effect may be minutes, or even seconds, for highly toxic gases or irritating vapours. Blister agents take a few hours to produce injury. Most chemicals used against crops elicit no noticeable effect until a few days have elapsed. On the other hand, a bacteriological (biological) agent must mutiply in the body of the victim before disease (or injury) supervenes; this is the familiar "incubation period" of a disease, the time which elapses between exposure to infection and the appearance of symptoms of illness. This period is rarely as short as one or two days, and may be as long as few weeks or even longer. For both chemical and bacteriological (biological) agents the speed of action is affected by the dose (i.e., the quantity absorbed) but this secondary factor does not obscure the basic difference between the two classes of agents in the time they take to manifest their effects.

Duration of effect

26. The effects of most chemical agents which do not kill quickly do not last long, except in the case of some agents such as phosgene and mustard, where they might continue for some weeks, months or longer. On the other hand, bacteriological (biological) agents which are not quickly lethal cause illness lasting days or even weeks and on occasion involve periods of prolonged convalescence. The effects of agents which act against plants and trees would last for weeks or months and, depending on the agent and the species of vegetation attacked, could result in death.

Specificity

27. While both classes of agents can be used to attack man, animals or plants, individual biological agents have in general a much greater degree of host specificity. Influenza, for example, is essentially a disease of man; foot-and-mouth disease mainly affects cloven-hoofed animals; and rice blast is a disease confined to rice only. On the other hand, some diseases (for example, brucellosis and anthrax) occur both in man and animals. However, chemical agents are much less specific: nerve agents can affect mammals, birds and invertebrates (e.g., insects).

Controllability

28. By controllability is meant the ability to predict the extent and nature of the damage which chemical and bacteriological (biological) agents can cause. This is a most important consideration in their use as weapons. The most likely means of delivering chemical and bacteriological (biological) agents is by discharge into the atmosphere, relying on turbulent diffusion and wind currents to dilute and spread the agent over the area being attacked. Control is thus possible only to the extent that the meteorological situation can be predicted.

29. Because they infect living organisms, some bacteriological (biological) agents can be carried by travellers, migratory birds, or animals, to localities far from the area originally attacked.

30. The possibility of this kind of spread does not apply to chemical agents. But control of contamination by persistent chemical agents could be very difficult. Should large quantities of chemical agents penetrate the soil and reach underground waters, or

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should they contaminate reservoirs, they might spread hundreds of kilometres from the area of attack, affecting people remote from the zone of military operations. Although we know of no comparable substance likely to be used as a chemical warfare agent, the spread of DDT over the globe illustrates, in an extreme form, how man-made chemicals can spread. This chemical insecticide is now found in the tissues of creatures in all parts of the world, even in places in which it has never been used. For example, as a result of its transfer through food chains, it is even found in the tissues of the penguins which live in Antarctica.

Residual effects

31. In circumstances which favour their persistence, herbicides, defoliants and perhaps some other chemical agents, might linger for months, stunting the growth of surviving or subsequent plant life, and even changing the floral pattern through selection. Following repeated use, certain chemical agents could even influence soil structure. The risk of residual effects with some bacteriological (biological) agents is potentially greater, mainly because they could lead to disease, which might become epidemic if man-to-man transmission occurred readily. Bacteriological (biological) agents might also find unintended hosts in the animals and plants of an area, or be transported by infected individuals over great distances to new environments.

2. Technology of Chemical and Bacteriological (Biological) Warfare

32. The technological problems associated with chemical and bacteriological (biological) warfare are of two kinds; (1) those associated with the production of the agents and the weapons needed for their dissemination and (2) those which concern the provision of the protective equipment and defences necessary to protect military forces and civilian populations. Any nation whose chemical, pharmaceutical and fermentation industries are well advanced could produce chemical and bacteriological (biological) agents on a scale commensurate with its other military capabilities. The assurance of safety in the production of bacteriological (biological) agents, problems associated with the synthesis of complex chemical agents, and deciding on the best weapons to disseminate them, are examples of some of the relevant technological difficulties. A special problem associated with the development and maintenance of an offensive capability in bacteriological (biological) warfare relates to the fact that some agents are viable for only a short time (a few days) after manufacture. This period can be extended by refrigeration of the agent or by freeze-drying it before storage. The drying processes, however, are very complex and difficult where large quantities of highly pathogenic agents are involved. The problems which relate to defence are far more difficult, for as with most weapons, effective defence calls for much more stringent training, and demands far more manpower and monetary resources than does the offence. For example, alarm systems against chemical attack are very complex electro-mechanical devices whose production demands a highly technologically based industry. They cannot be maintained except by expert and highly trained personnel.

3. Chemical and Bacteriological (Biological) Weapons Systems

33. The use in warfare, and the possible military effectiveness, of chemical and bacteriological (biological) agents cannot be appreciated if they are thought of simply as poisons and plagues. They need to be considered in the context of the weapon systems of which they would be part.

34. A weapon system comprises all the equipment and personnel, as well as the organizational structure, required to maintain and operate a military device. By itself, for example, a cannon is not a weapon system. Only when it is integrated into an artillery battery, together with trained crew, ammunition, vehicles, supplies, spare parts, firing table, forward observer, communications and command organization does it constitute a weapon system. Correspondingly, artillery shells filled with mustard gas or nerve agents and guns to fire them, or an aircraft with a spray tank filled with a bacteriological (biological) agent, are not by themselves weapon systems.

35. Many complex technological problems have to be overcome in transforming a chemical or bacteriological (biological) "agent" into a "weapon system". A "weapon" is of little military value if it is not dependable and if it cannot be delivered to a target with certainty. This means that in the development of a chemical and bacteriological (biological) weapon system it is not only necessary to consider matters such as mass means of delivery, but also the limitations on use set by terrain and weather prediction.

36. In addition, considerations affecting defence need to be taken into account. Masks, protective clothing, detection alarms, special medical supplies, augmented logistic facilities and, above all, thoroughly trained military and civilian personnel, are necessary parts of chemical and bacteriological (biological) weapon systems. The concept of a fully developed chemical or bacteriological (biological) weapon system is thus exceedingly complex, and implies as much technical capability and as high a degree of training as does the operation of any other advanced weapons system. While chemical and bacteriological (biological) weapon systems are cheaper and more readily attained than nuclear weapons, and while they may in some circumstances be more effective militarily than conventional weapons, they are highly complex systems which for their development and operation call for sizeable resources and considerable expertise. But the possibility always exists that by choosing a single agent and a simple means of delivery, a nation could equip itself relatively cheaply to attack a limited area with a reasonable chance of success.

B. Concepts of the use of chemical and bacteriological (biological) weapons in war

1. Chemical Weapons

37. Chemical weapons could be used either within the zone of contact of opposing forces; or against military targets such as airfields, barracks, supply depots, and rail centres well behind the battle-area itself; or against targets which have no immediate connexion with military operations; for example, centres of population, farm land, and water supplies. The circumstances in which they could be used within a zone of contact are many and varied—for example, to achieve a rapid and surprise advantage against a poorly trained, ill-equipped military force which lacked chemical protective equipment; to overcome troops in dug-outs, foxholes, or fortifications where they would be otherwise protected against fragmenting weapons and high-explosive; to remove foliage, by means of chemical herbicides so as to improve visibility and to open up lines of fire, and to prevent ambush; to create barriers of contaminated land on or in the rear of the battlefield to impede or channel movement; or to slow an enemy advance by forcing them to use protective clothing and equipment. Such equipment undoubtedly restricts mobility and impedes normal activities. It is thus highly probable that once one of two well-equipped sides had been attacked with chemical weapons, it would retaliate in kind, in order to force its opponent to suffer the same penalties of restriction. In all such operations civilians who had not fled from the battle-area might become casualties, as they also would if, while not in the battle-zone, vapours or aerosols drifted towards them with the wind, or if they strayed at a latter date into areas contaminated with a persistent agent. The risk of civilian casualties would obviously be greater if chemical attacks were made on military targets well in the rear of the zone of contact, and would be very serious in the case of attacks on centres of population.

2. Bacteriological (Biological) Weapons

38. There is no military experience of the use of bacteriological (biological) agents as weapons of war and the feasibility of using them as such has often been questioned. One issue which has frequently been raised concerns the validity of extrapolations made from laboratory experience to military situations in the field. Some recent investigations under field conditions throw light on this point.

39. In one field trial, zinc cadmium (one micron is 1/1,000,000 of a metre) in diameter, from a ship travelling 16 kilometres offshore. About 200 kilograms were disseminated while the ship travelled a distance of 260 kilometres parallel to the coastline. The resulting aerosol travelled at least 750 kilometres, and covered an area of over 75,000 square kilometres.

40. This observation provides an indication of the size of area which might be covered by a windborne aerosol, but it does not tell whether the bacteriological (biological) agents which might be spread in an aerosol would still retain the ability to produce disease. All bacteriological (biological) agents lose their virulence or die progressively while travelling in an aerosol and the distance of effective travel of the cloud would depend on the rate of decay of the particular agent in the particular atmospheric conditions prevailing.

41. Some idea of the relative size of areas which can be covered by bacteriological (biological) and chemical aerosols can be gained from this same experiment. Had the particles that were carried been a bacterial or viral agent, they would not have caused casualties over as large an area as the one covered, because of decay of the agent while in the aerosol state. However, depending on the organism and its degree of hardiness, areas of 5,000 to 20,000 km^2 could have been effectively attacked, infecting a high proportion of unprotected people in the area. If the same means are applied to a hypothetical chemical attack using the most toxic chemical nerve agent, then about 0.8 kg of agent would have been released per km. The downwind hazard from this, in which some casualties might be expected, would not have extended more than one kilometre, and probably less, unless meteorological conditions were extremely favourable (see chapter III). The area covered by such a chemical attack might thus have been 50 to 150 km,^{2} as compared with the 5,000 to 20,000 km^2 for the bacteriological (biological) attack.

42. For purposes of sabotage or covert (secret, as in sabotage actions behind enemy lines) operations, small aerosol generators for bacteriological (biological) agents could be built, for example, into fountain pens or cigarette lighters. It is also possible to conceive of the distribution of bacteriological (biological) agents by hand to poison either water supplies or ventilation systems, especially in a situation of breakdown of sanitary facilities due, say, to military mobilization, or to a nuclear attack. In addition to producing casualties, such an attack could produce severe panic. If half a kilo of a culture of Salmonella (a group of bacteria, many species of which produce severe intestinal infections, including gastro-enteritis, food ("ptomaine") poisoning, paratyphoid fever and typhoid fever) had been added to a reservoir containing 5 million litres of water, and complete mixing had occurred, severe illness or disability would be suffered by anyone drinking 1 decilitre (about 3 ounces) of untreated water.

43. The same degree of poisoning as would be produced by half a kilo of Salmonella culture could be achieved with 5 kilos of botulinum toxin, (see chapter II), 7 kilos of staphylococcal enterotoxin, or 50 kilos of V-nerve agent, or in the case of common industrial chemicals, with five tons of sodium fluoroacetate (used as a rodenticide) or ten tons of potassium cyanide.

C. Chemical and bacteriological (biological) agents

1. Chemical Agents

44. Chemical agents are usually described in terms of their physiological effects and are characterized as follows:

Agents affecting man and animals

Nerve agents are colourless, odourless, tasteless chemicals, of the same family as organophosphorus insecticides. They poison the nervous system and disrupt vital body functions. They constitute the most modern war chemicals known; they kill quickly and are more potent than are any other chemical agents (except toxins).

Blister agents (vesicants) are oily liquids, which, in the main, burn and blister the skin within hours after exposure. But they also have general toxic effects. Mustard gas is a good example. Blister agents caused more casualties than any other chemical agent used in World War I.

Choking agents are highly volatile liquids which, when breathed as gases, irritate and severely injure the lungs, causing death from choking. They were introduced in World War I and are of much lower potency than the nerve agents.

Blood agents are also intended to enter the body through the respiratory tract. They produce death by interfering with the utilization of oxygen by the tissues. They, too, are much less toxic than nerve agents.

Toxins are biologically produced chemical substances which are very highly toxic and may act by ingestion or inhalation.

Tear and harassing gases are sensory irritants which cause a temporary flow of tears, irritation of the skin and respiratory tract, and occasionally nausea and vomiting. They have been widely used as riot control agents, and also in war.

Psycho-chemicals are drug-like chemicals intended to cause temporary mental disturbances.

Agents affecting plants

Herbicides (defoliants) are agricultural chemicals which poison or dessicate the leaves of plants, causing them to lose their leaves or die. The effectiveness of different chemical warfare agents against man, animals and plants is shown in table 1. The various specific chemical agents are listed and described in chapter 2.

Methods of delivery

45. Chemical munitions are designed to fulfill three objectives: (1) to provide a container for the agent so that the agent/munition combination can be delivered to its target; (2) to attain an effective distribution of agent over the target area; and (3) to release the agent in active form. In the case of incapacitating and riot control agents, it is necessary that the munition itself should not cause injury or death, and that it should not start fires. This is particularly important for devices used in the control of riots.

46. The munitions to be used would depend on the method of delivery, the shape and size of the target area, and other variables. Ground-to-ground munitions include grenades, shells, rockets, and missile warheads; air-to-ground munitions include large bombs, dispensers, spray tanks, and rockets; emplaced munitions include generators and mines.

47. *Ground-to-ground munitions.* Small ground-to-ground munitions (grenades, shells and small rockets) function much like their conventional counterparts. Upon impact in the target area, they would either explode or burn, and so expel the agent to form a cloud which would diffuse and drift downwind, resulting in an elongated alliptical area within which casualties would occur. This represents a point source of dissemination (chapter II).

TABLE 1.—CATEGORIES OF CHEMICAL WARFARE AGENTS AND THEIR CHARACTERISTICS

	Physical state at 20° C.	Persistency	Main state of aggregation in target	Effective route of entry	Effective against—
Nerve agents	Liquid	Low to high	Vapor, aerosol, liquid.	Lungs, eyes, skin	Man, animals.
Blister agents	Liquid, solid	High	do	do	Do.
Choking agents	Liquid	Low	Vapor	do	Do.
Blood agents	Liquid, vapors	do	do	Lungs	Do.
Toxins	Solid	do	Aerosol, liquid	Lungs, intestinal tract.	Do.
Tear and harassing gases	Liquid, solid	do	Vapor, aerosol	Lungs, eyes	Do.
Incapacitants	do	do	Aerosol, liquid	Lungs, skin	Do.
Herbicides (defoliants)	do	Low to high	do	Foliage and roots	Plants.[1]

[1] Some herbicides, particularly those containing organic arsenic are also toxic for man and animals.

48. Small rockets would frequently be fired in "ripples", and artillery shells in salvos, resulting in a group of impacts over the target area. This would constitute an area source of dissemination (chapter II).

49. Large ground-to-ground (as well as aerial munitions and missile warheads) might carry a number of small submunitions as well as agent in bulk. The parent munition, upon functioning, would disperse the submunitions over the target area. These would then disseminate the agent over a wide area rather than a single point of impact, as in the case of bulk munitions.

50. Another military concept is to use large warheads filled with several hundred kilos of an agent of low vapour pressure. Such a warhead, burst at a suitable altitude would produce a shower of droplets, effectively contaminating everything on which it fell. A number of such weapons could be used to assure that the target was covered.

51. *Air-to-ground munitions.* Bombs dropped from aircraft are larger than most shells, and consequently would result in a higher concentration of the chemical near the point of ground impact. Bombs bursting close to the ground could be used to achieve a wider dissemination of the agent, especially with chemical agents.

52. A dispenser is a container for submunitions, which, after opening, could remain attached to the aircraft. The submunitions could be released simultaneously or in succession.

53. Small rockets or missiles could also be used to deliver chemical agents from aircraft. The pattern of dispersal would be much the same as that produced by ground-to-ground rockets or missiles.

54. *Ground-emplaced munitions.* Ground-emplaced munitions comprise generators and mines. The generator is a tank containing a chemical agent, a source of pressure, and a nozzle through which the agent is forced. Generators would be placed upwind of the target, and then activated by a suitable device.

55. Chemical mines would be placed in areas of anticipated enemy activity, and would be activated by pressure or trip wires.

2. Bacteriological (Biological) Agents

56. Like chemical agents, bacteriological (biological) agents may also be classified in terms of their intended use, whether designed to incapacitate or to kill human beings, to incapacitate or kill food and draft animals, or to destroy food plants and industrial crops.

57. Bacteria, viruses, fungi, and a group of microbes known as rickeetsiae are by far the most potent agents which could be incorporated into weapon systems. There is no assurance, however, that other living organisms may not in the future become more important as potential agents for warfare.

The selection of agents for use in warfare

58. The number of bacteriological (biological) agents which could potentially be used in warfare is far fewer than those which cause naturally-occurring disease. To be effective for this purpose they should:

(a) be able to be produced in quantity;

(b) be capable of ready dissemination in the face of adverse environmental factors;

(c) be effective regardless of medical counter-measures;

(d) be able to cause a large number of casualties (this would imply that any agent chosen would be highly infectious, but whether the agent chosen would also be easily transmissible from man-to-man, would depend upon an intent to initiate an epidemic spread).

Agents affecting man

59. All the diseases under consideration occur naturally, and the causative organisms with few exceptions, are known to scientists throughout the world. Incapacitating agents are those which, in natural outbreaks, cause illness but rarely death. If the natural disease has an applicable mortality, the agent is regarded as a lethal one. However, these agents when used as aerosol weapons might cause more severe disease than occurs naturally.

60. Different populations have varying degrees of resistance to the diseases produced by bacteriological (biological) agents. An infectious disease which might be only mildly incapacitating in one population might prove disastrous to another. For example, when measles was first introduced into the Hawaiian Islands, it caused far more deaths than in the relatively resistant populations of Europe. A bacteriological (biological) weapon which might be intended only to incapacitate could be highly lethal against a population where resistance had been lowered as a result of malnutrition. Conversely, a weapon which was intended to spread a lethal disease might only cause occasional mild illness in people who had been given a protective vaccine or who had become immune as a result of natural infection. The history of epidemiology is rich with surprises.

61. *Viruses* are the smallest forms of life. Most of them can be seen only with the electron microscope, and must be grown on living tissue (tissue cultures, fertile eggs, etc.). Genetic manipulation of the whole virus or chemical manipulation of its nucleic acid, might be used to acquire strains of higher virulence or greater stability to environmental stresses.

62. *Rickettsiae* are intermediate between the viruses and bacteria. Like the viruses, they grow only in living tissue. Judging by the scientific literature, research into the genetics of rickettsiae has been less intense than into that of viruses and bacteria.

63. *Bacteria* are larger than viruses, ranging in size from 0.3 micron to several microns. They can be easily grown on a large scale employing equipment and processes similar to those used in the fermentation industry, but

special skills and experience would be needed to grow them in quantity in the particular state in which they readily cause disease. Although many pathogenic (disease-producing) bacteria are susceptible to antibiotic drugs, antibiotic-resistant strains occur naturally, and can be selected or obtained through the use of suitable methods of genetic manipulation. Similarly, it is possible to select strains with increased resistance to inactivation by sunlight and drying.

64. *Fungi* also produce a number of diseases in many, but very few species appear to have any potential in bacteriological (biological) warfare.

65. *Protozoa* are one-celled microscopic organisms which cause several important human diseases, including malaria. Because of their complex life cycles, they too appear to have little significance in the present context.

66. Parasitic *worms* such as hook-worm, and the filarial worms have very complicated life cycles. They cause illness and disability only after long exposure and repeated infection, and would be extremely difficult to produce in quantity, to store, to transport, or disseminate in a weapon. Insects are also difficult to conceive of as weapons. Some, such as the mosquito and the tick are transmitters of disease, and as "vectors," have to be looked upon as having potential military significance. Higher forms of life, such as rodents and reptiles can be dismissed in the context of the present discussion.

Agents affecting animals

67. Bacteriological (biological) anti-animal agents, such as foot-and-mouth disease and anthrax would be used primarily to destroy domestic animals, thereby indirectly affecting man by reducing his food supply.

68. Outbreaks of contagious disease in animal populations, known as epizootics, may spread much more readily than do epidemics among human beings. Viral infections are probably more serious for animals than those caused by other classes of micro-organisms.

69. Most of the bacterial diseases of animals which could probably be used in warfare are also transmissible to man. Human beings would be expected to get the disease if they were affected by the attacking aerosol cloud, and occasional individuals might contract the disease from infected animals.

Agents affecting plants

70. The natural occurrence of devastating plant diseases such as the blight of potatoes in Ireland in 1845, the coffee rust of the 1870s in Ceylon, the chestnut blight of 1904 in the United States of America, and the widespread outbreaks today of cereal (especially wheat) rusts has suggested that plant pathogens might be used for military purposes. There are four major requirements for the deliberate development of a plant disease into epidemic (epiphytotic) proportions: large amounts of the host plant must be present in the region; the agent should be capable of attacking the particular varieties of host plant that are grown; adequate quantities of the agent must be present; and the environmental conditions within the region should be favourable for the spread of the disease. An epiphytotic cannot develop if any one of the above requirements is not satisfied.

Methods of delivery

71. Bacteriological (biological) agents can, in principle, be loaded into the same type of munitions as can chemical agents. Other than for covert or "special-purpose missions", bacteriological (biological) weapons, if developed for military purposes, would in all probability be delivered by aircraft or by large ballistic missiles. Aircraft (including cruise missiles and drones) could drop a large number of bomblets from high altitude, or spray from a low altitude. Because a small amount of agent will cover relatively large areas, bombs would probably be small (1 kilo or less) and dispersed over as wide an area as possible. They could be released from clusters or from dispensers in the manner of chemical weapons, but probably from a higher altitude.

72. An aircraft could establish a line of agent which, as it travelled downwind, would reach the ground as a vast elongated infective cloud (see chapter II). The effectiveness of such a procedure would be highly dependent on weather conditions, but the larger the area, the larger the weather front involved, the greater the chances that the predicted results would be achieved. A small relative error might, however, involve a country not in the conflict.

73. It is conceivable that bacteriological (biological) weapons, probably bomblets, could be packaged in a ballistic missile. The bomblets could be released at a predetermined altitude to burst at ground level. The effect would be the same as bomblet delivery by aircraft except that it would be more costly.

74. Unless transmitted by insects, bacteriological (biological) agents have little power to penetrate the intact skin. Infections through the respiratory tract by means of aerosols is by far the most likely route which could be used in warfare.

75. Many naturally-occuring diseases (e.g. influenza, tuberculosis) are spread by the aerosol route, and some of them, notably influenza, can generate into large epidemics. When an infected person sneezes, coughs, or even speaks, an aerosol is formed which contains particles ranging widely in size. The larger particles are usually of little importance because they fall to the ground. But small particles (3 microns or less in diameter) dry out rapidly in the air, and are the most infectious. They may remain suspended in the atmosphere for a long time. Animal experiments have shown that a great many infectious agents (including many which are transmitted otherwise in nature) can be transmitted to animals by aerosols of small particle size. Laboratory accidents and experiments on volunteers have confirmed the effectiveness of the aerosol route of infection for man.

76. If bacteriological (biological) warfare ever occurred, the aerosol technique would thus be the one most likely to be used, simply because the respiratory tract is normally susceptible to infection by many micro-organisms; because of the wide target area which could be covered in a single attack; and because ordinary hygenic measures are ineffective in preventing the airborne route of attack. Since the particle size of an aerosol is crucial to its ability to penetrate into the lung (see chapter III for detailed discussion), the method for aerosolizing a bacteriological (biological) agent would have to be controllable so as to assure the dissemination of a large proportion of particles less than 5 microns in diameter.

77. Aerosols of bacteriological (biological) agents could be formed by three general methods. Agents could be disseminated by explosive means in much the same way as chemical agents. However, the size of the resulting particle is hard to control by this method, and much of the agent may be destroyed by the heat and shock of the exploding munition. Particles could also be formed by using pressure to force a suspension of the organisms through a nozzle. Particle size is determined by the amount of pressure, the size of the discharge orifices, the physical characteristics of the agent, and atmospheric conditions. Size control of solid particles (dry form of agent) can be achieved by "pre-sizing" before dissemination. Aerosol particles could also be produced as a spray by releasing the agent in liquid suspension into a high velocity air stream. This principle can be applied to spray devices for use on high performance aircraft.

D. Defence of man against chemical and bacteriological (biological) agents

78. A comprehensive defensive system against attacks by chemical or bacteriological (biological) agents would have to provide for detection and warning, rapid identification of agents, protection of the respiratory tract and skin, decontamination, and medical prophylaxis and treatment. Some aspects of such a system could be dealt with by fairly simple equipment. Others would necessitate highly sophisticated apparatus. But the whole complex would necessitate a very effective organization manned by well-trained personnel. While military units and small groups of people could be equipped and trained to protect themselves to a significant extent, it would be impracticable for most (if not all) countries to provide comprehensive protection for their entire civil population.

1. Medical Protection

Chemical attacks

79. No general prophylactic treatment exists which could protect against chemical attacks. Antidotes (atropine and oximes) to nerve agents are of value if administered within half an hour before or within a very short time after exposure. Atropine is itself toxic, however, and might incapacitate unexposed individuals given large doses. Skin can be protected from the vapours of blister agents by various ointments, but they are not effective against liquid contamination.

Bacteriological (biological) attacks

80. Vaccination is one of the most useful means of protecting people from natural infective disease, and the only useful means available for prophylaxis against bacteriological (biological) attacks. The protective value of vaccines against small-pox, yellow fever, diphtheria, and other diseases is fully established, although the protection they afford can be overcome if an immunized individual is exposed to a large dose of the infectious agent concerned. It is probable, however, that even those existing vaccines which are effective in preventing natural infectious diseases might afford only limited protection against respiratory infection by an agent disseminated into the air in large amounts by a bacteriological (biological) weapon. Moreover, whole populations could not be vaccinated against all possible diseases. The development, production, and administration of so many vaccines would be enormously expensive, and some vaccines might produce undesirable or dangerous reactions in the recipients.

81. This picture is not significantly altered by certain new developments in the field of vaccination: e.g. the use of living bacterial vaccines against tularemia, brucellosis and plague; or aerosol vaccination, which is particularly relevant to vaccination of large numbers of people. There have been recent advances in the control of virus diseases, but at present none of these is practicable for the protection of large populations against bacteriological (biological) warfare.

82. Prophylaxis against some diseases can also be provided by the administration of specific anti-sera from the blood of people or animals previously inoculated with micro-organisms, or products derived from them, to increase the anti-body levels (immunity) in their blood. Tetanus anti-toxin is used in this manner, and until more effective methods replaced them, such anti-sera were used for many diseases. It would, however, be impossible to prepare specific anti-sera against all possible bacteriological (biological) agents and to make them available for large populations.

83. Other possibilities, for example the use of therapeutic materials before symptoms appear, are equally remote from practical realization. They include immune serum, gammaglobulin, or drugs such as antibiotics or sulfonamide drugs. The use of gammaglobulin to prevent, or mitigate the severity of, disease may be useful for individuals known to have been exposed. But since gammaglobulin is made by separation from human blood, stocks could never be available

except for isolated cases. In theory, chemoprophylaxis (the use of drugs and antibiotics to prevent infection) might also be useful in the short term for small groups operating at especially high risk. But it would only be prudent to assume that the bacteriological (biological) agents which an enemy might use would be those which were resistant to such drugs.

2. Detection and Warning

84. The requirement is to detect a cloud of a chemical or a bacteriological (biological) agent in the air sufficiently quickly for masks and protective clothing to be donned before the attack can be effective. Usually the objective would be to try and detect the cloud upward of the target so that all those downwind could be warned. There are also requirements for the detection of ground contamination with chemical agents and for detection equipment to enable those under attack to decide when it would be safe to remove their protective equipment.

Chemical attacks

85. In World War I it was possible to rely upon odour and colour as the primary means of alerting personnel that a chemical attack had been launched. The newer, more toxic chemical agents cannot be detected in this way. On the other hand, presumptive evidence that such weapons had been used would nonetheless still be of value as warning. Once an enemy had used chemical weapons, each subsequent attack would necessarily have to be presumed to be a possible chemical attack, and protective measures would have to be instituted immediately. Individuals would have to mask not only in the air attack in which spray was used, or when there was smoke or mist from an unknown source, or a suspicious smell, or when they suffered unexpected symptoms such as a runny nose, choking and tightness in the chest, or disturbed vision, but whenever any bombardment occurred. But because of the uncertainty, it would be clearly desirable to devise and provide a system of instruments which can detect the presence of toxic chemicals at concentrations below those having physiological effects, and which would give timely and accurate warning of a chemical attack. It would also be advantageous to have test devices, collectors and analytical laboratory facilities in order to determine whether the environment was safe, as well as to identify accurately the specific chemical agent used in an attack.

86. The first and essential component of a defensive system would be an instrument which could detect low concentrations of a chemical agent. However low the concentration, a person could inhale a toxic amount in a short time because he breathes 10–20 litres of air per minute. Since the human body can eliminate or detoxify very small amounts of many toxic materials, there is no need to consider very long periods of exposure—the concern is with the exposures of only a few hours. This is often referred to technically as the Ct (concentration time) factor. Essential requirements of a method of detection suitable for use by military or civil defence personnel are that it be simple, specific, sensitive and reliable. Typical detector kits contain sampling tubes and/or reagent buttons, papers, etc. After being exposed to particular chemical agents, these detectors change colour or exhibit some other change easily observable without special instruments. Chemical detection kits could also be used to decide when it is safe to remove protective masks or other items of protective clothing. Obviously, laboratories, whether mobile or fixed, can perform more elaborate chemical analyses than can detection kits.

87. Warning devices which have been devised incorporate sensitive detectors that actuate an automatic alarm which alerts individuals to take protective action before a harmful dose of agent is received. They are of two trends: point sampling devices, which sample the air at one location by means of an air pump, and area scanning devices, which probe a specific area for chemical agents. The disadvantage of point source alarms is that they must be placed upwind of the area that has to be protected, and a rather large number may be needed. If the wind shifts, they have to be repositioned. Successful area scanning alarms have not yet been developed.

88. It must be recognized that in spite of instrumental warning systems, personnel near the point of dissemination of a chemical agent might still not have sufficient time to take protective action.

Bacteriological (biological) attacks

89. Unlike chemical weapons, bacteriological (biological) weapons cannot readily be distinguished from the biological "background" of the environment by specific chemical or physical reactions, and much lower aerosol concentrations of bacteriological (biological) agents are dangerous than of chemical agents. The problem of early detection and warning is thus even more difficult than for chemical weapons. A partial solution to the problem has been achieved with certain non-specific but very sensitive physical devices such as particle-counters and protein detectors (protein is a typical constituent of micro-organisms). Presumptive evidence of a bacteriological (biological) attack might be obtained if there is an unusual deviation from the normal pattern of material in the air recorded by the instruments. The elevation of such a deviation, however, would necessitate intensive and prolonged study of the normal pattern in a given location. This subject is discussed further in annex A.

3. Physical Protection

90. The primary objective is to establish a physical barrier between the body and the chemical and bacteriological (biological) agents, and especially to protect the skin and and the respiratory tract. Without this no warning system, however effective, has the slightest value. Protection could be achieved by using various types of individual protective equipment or by means of communal shelters.

Individual protection

91. Protective masks are the first line of defense against all chemical and bacteriological (biological) agents. Although protective masks differ in appearance and design, they have certain features in common: a fitted facepiece, made of an impermeable material soft enough to achieve an effective seal against the face, and some means of holding it in place, such as a head strap, and a filter and absorption system, in canister or other form, which will remove particulate (aerosol) agents by mechanical filtration. The canister also contains activated charcoal, sometimes impregnated to react with agents in the vapour state, but which in any case will absorb toxic vapours. Some masks are made so as to permit the drinking of water while the individual is masked, or attempts at resuscitation measures on casualties without unmasking them. Civil defense masks are often less elaborate versions of the military mask. Gas proof protectors can be provided for infants.

92. A protective mask, properly fitted and in good working condition, will provide complete respiratory protection against all known chemical and bacteriological (biological) agents. However, a certain percentage of masked personnel can be expected to become casualties because of lack of training, failure to keep the mask in good condition, growth of beard, or because facial injuries prevent a good fit, etc. The amount of leakage that can be tolerated with bacteriological (biological) agents is much less because of their greater potency.

93. Since mustard gases and the nerve agents of low or intermediate volatility can penetrate the unbroken skin, even through normal clothing, the whole body surface must be protected by some form of special clothing, of which there are two kinds, one which is impermeable to liquid agents, and the other which, though permeable to air and moisture, has been treated so as to prevent chemical agents from getting through. Rubber coated fabrics, made into protective suits, constitute the first, while normal clothing, treated with chlorimides or absorbents, is an example of the second. In addition, some form of impermeable cover, ground sheet or cape, can be used to protect against gross liquid contamination. Feet and hands are usually protected by special gloves, and either by boot covers or treated boots.

94. Together with a mask, protective clothing, properly worn and in good condition, will afford excellent protection against known chemical and bacteriological (biological) agents. The greatest degree of protection is provided by the impermeable type but when worn continuously it becomes very burdensome because of heat stress, particularly in warm environments. Permeable clothing allows somewhat greater activity, but even so, physical activity is impaired.

Collective or communal protection

95. Collective protection takes the form of fixed or mobile shelters capable of accommodating groups of people, and has been devised not only for civilians but also for special groups of military personnel (e.g. command posts, field hospitals). Collective protection is the most effective physical means of protection against all forms of attack. Sealing or insulating the shelter will provide protection only for a limited time, because of lack of ventilation. Sealing plus a supply of oxygen and a means of eliminating carbon dioxide is better, but once again the time of occupancy is limited. The shelter could be none the less safe even though surrounded by fire or high concentrations of carbon monoxide. The best kind of shelter provides ventilation with filtered air to maintain a positive pressure relative to that outside. This positive internal pressure prevents the penetration of airborne agents, and permits entry or exit of personnel and equipment without contamination of the interior of the shelter. Extended periods of occupancy are possible.

96. These principles of collective protection are applicable to all enclosures arranged for human or animal occupancy. They have been used to provide protection by: hastily constructed or improvised field shelters, mobile vans and armoured vehicles, and permanent or fixed shelters designated for housing civilian or military personnel.

97. Once a bacteriological (biological) attack had been suspected or detected, it would be necessary to identify the specific agents involved so that proper protective measures could be taken and chemo-prophylaxis and treatment planned. Identification would also help to predict the incubation period and hence the time available for remedial measures to be taken. At present the only means of identifying specific micro-organisms is by normal laboratory procedures. Many routine laboratory methods of identification require as long as two to five days, but some recent developments have reduced this time appreciably. It is possible to collect the particles from large volumes of air and concentrate them in a small amount of fluid. Bacteria can then be trapped on special filters and transferred to nutrient media, where sufficient growth may take place to permit identification of some kinds of bacteria within fifteen hours. Another method, the fluorescent antibody technique, can be highly specific, and is applicable to bacteria and some viruses. In some cases, it allows of specific identification within a few hours. But despite all these recent developments, laboratory identification of biological agents is still a complicated and unsatisfactory process.

4. Decontamination

Chemical agents

98. Prolonged exposure to weather and sunlight reduces or eliminates the danger of most chemical agents, which are slowly decomposed by humidity and rain. But one could not rely on natural degradation to eliminate the risk and, in general, it would be essential to resort to decontamination. This would reduce the hazard but it is a time-consuming process and would greatly hamper military operations.

99. A wide range of chemicals could be used as decontaminants, the choice depending on the particular agent which has to be neutralized, the type of surface that needs to be treated, the extent of contamination, and the amount of time available. Decontaminants range from soap and detergent in water, to caustic soda, hypochlorite and various organic solvents, and their successful use calls for large numbers of people, a copious supply of water, and appropriate equipment.

100. Decontaminating solutions, powders, applicators and techniques have been developed for decontaminating skin, clothing, personal equipment and water. These would need to be used immediately after an attack.

101. Unless food had been stored in metal cans or other containers which were impermeable to chemical agents, it would have to be destroyed. Decontamination of complex equipment and vehicles is a difficult and time-consuming procedure. Special pressurized sprayers to disseminate powdered and liquid decontaminants have been developed for this purpose, as have paints or coatings to provide a smooth impermeable surface to preclude the penetration of chemical agents.

102. Decontamination might even need to be extended to roads and selected areas. This would involve the removal of contaminated soil by bulldozing, or covering it with earth, using explosives to spread a powdered decontaminant over a wide area.

Bacteriological (biological) agents

103. Decontamination procedures for biological agents are similar to those used for toxic chemical agents. Aeration and exposure to strong sunlight will destroy most micro-organisms, as will also exposure to high temperatures. Thoroughly cooking exposed food, and boiling water for at least fifteen minutes will kill almost all relevant micro-organisms. Calcium hypochlorite and chlorine can also be used to purify water. Certain chemical compounds, such as formaldehyde, ethylene oxide, calcium and sodium hypochlorites, sodium hydroxide and betapropiolactone, can be used to decontaminate materials and work areas. A hot, soapy shower is the best way to decontaminate human beings.

E. Protection of domestic animals and plants against chemical and bacteriological (biological) attacks

1. Chemical Attacks

104. The widespread protection of domestic animals and plants from chemical attack would be impracticable. Once a crop had been attacked with herbicides there is no effective remedial action. The damage could be made good only by a second planting of either the same or another crop, depending on the season.

2. Bacteriological (Biological) Attacks

Animals

105. Animals or flocks could be protected by collective shelters, although the cost would be great and, in the absence of automatic warning devices, it would be impossible to assure that the creatures would be sheltered at the time of attack.

106. The ideal means of protection for animals would be vaccination. Vaccines have been developed, and many are routinely produced, for foot-and-mouth disease, rinderpest, anthrax, Rift Valley fever, hog cholera, Newcastle disease and others. Vaccination of animal herds by aerosols is a promising area of investigation.

Plants

107. The only hopeful approach would be to breed disease resistant plants. This is a regular part of most national agricultural programmes, and has as its object the increase of crop yields. But unless the exact identity of the bacteriological (biological) agent which might be used were known well in advance (possibly years), it would not be feasible to apply this principle to provide protection to crops against this kind of attack.

108. Efforts devoted to spraying fungicides and similar preparations to reduce loss after attack do not appear to be economically effective. In most cases the best procedure is to utilize available manpower and machines in planting second crops.

Annex A. Early warning systems for air-borne bacteriological (biological) agents

An ideal automatic system for early warning against an attack with bacteriological (biological) agents would comprise the following components:

(1) a device to collect large volumes of air and concentrate the particulate matter obtained, in a small volume of fluid or on a small surface;

(2) a device to quantify and identify the collected material;

(3) a mechanism to assess the results and to initiate an alarm if necessary.

To collect and identify bacteriological (biological) agents and to initiate an alarm so that protective measures can be taken in sufficient time to be useful is extremly difficult. This is so because, firstly, identification of agents is generally time-consuming and, secondly, large and fluctuating quantities of bacteria and other organic materials exist in the atmosphere at all times. Thus if pathogens from a cloud released by an aggressor were collected, the device would need, not only to determine whether the quantity collected was significantly above the normal amounts that might occur, but also what the agent was, or at least that, in the amount collected, it was highly dangerous to man.

At present, warning devices are available which are sensitive but non-specific and these, unfortunately, would give an unacceptably high proportion of false alarms. Others are being developed which attempt to incorporate both rapid response with high specificity, but none to date is in the production stage. Research on this important problem is being continued and some of the approaches and techniques that are being used in this study are listed below.

Classification of automated biodetection approaches[2]

General category and suggested approach

Physical particle detection: Magnification; light scattering; volume displacement.

Key biochemical components: Antigen detection by fluorescent labelling; dyes and staining; bioluminescence and fluorescence; optical activity; pyrolysis products detection; ATP detection; proteins, nucleic acids, or others.

Biological activity: Growth (increase in cell mass or numbers) ;CO_2 evolution; phosphatase activity; substrate change (pH, Eh, O_2 interchange); pathogenic effects.

CHAPTER II. THE PROBABLE EFFECTS OF CHEMICAL AND BACTERIOLOGICAL WEAPONS ON MILITARY AND CIVILIAN PERSONNEL, BOTH PROTECTED AND UNPROTECTED

A. The effects of chemical agents on individuals and populations

109. The effects of chemical warfare agents on humans, animals and plants depend on the toxic properties of the agent, and dose absorbed, the rate of absorption and the route by which the agent enters the organism. Toxic agents may enter the body through the skin, the eyes, the lungs, or through the gastro-intestinal tract (as a result of eating contaminated food or drinking contaminated liquids).

110. For a given agent absorbed under the same conditions, the effect will be proportional to the dose absorbed. This is why it is possible to define for each agent certain characteristic doses, such as the dose which, under given conditions, will on average cause death in 50 per cent of the individuals exposed (the 50 per cent lethal dose, or "LD 50"), or the dose which will cause 50 per cent non-fatal casualties, or the dose which will have no appreciable military effect. These are expressed in milligrams of agent, with reference to a healthy adult of average weight. They may also be given in terms of milligrams per kilogram of body weight.

111. For purposes of evaluation it is convenient to express the same idea somewhat differently in the case of gases, vapours and aerosols absorbed through the respiratory passages. Here the absorbed dose depends on the concentration of the agent in the air, on the respiration rate of the subject, and on the duration of the exposure. If, for the sake of illustration, it is assumed that the average respiration rate for groups of individuals engaged in various activities remains relatively constant, it follows that the dose, and therefore the effect produced, will be directly proportional to the product of the concentration of the agent in the air (C in milligrams/cubic metre) and the exposure time (t in minutes). This is called the dosage (or Ct factor), certain characteristic values of which (for example the LD 50) are used in particular situations for quantitative estimates of the effects produced.

112. For toxic agents acting on or through the skin, the dose absorbed by contact will often be related to the "contamination rate", expressed in grams/square metre, which indicates to what extent surfaces are contaminated by the liquid.

113. The consequences of an attack on a population are a combination of the effects on the individuals in it, with both the concentration of agent and the susceptibility of individuals varying over the whole area exposed to risk. Different individuals would respond differently to an attack, and might have different degrees of protection. Possible long-term contamination of personnel from chemical warfare agents persisting on the ground and vegetation may add to the immediate, direct effects.

114. Protective masks, protective clothing and shelters and, to a certain extent, decontamination when applicable, give substantial protection against all chemical warfare agents. But, as already emphasized, the mere possession of a means of protection by no means constitutes an absolute safeguard against contamination by poisons. Alarm and detection equipment is important, sometimes vital, because without it timely warning, which is essential to the proper use of protective equipment, would be lacking. Since protective measures are most effective when performed by trained personnel working effectively in units, military personnel are more likely to be provided with adequate protection than a civilian population. In any event, the civilian population in most countries is simply not provided with protection against chemical warfare.

115. Several chemical warfare agents which were known during World War I, and others developed since, have been reported on in the scientific literature. However, the effects of the more lethal modern chemical weapons have not been studied under conditions of actual warfare. Furthermore, no complete

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[2] Adapted from Greene, V. W. "Biodetecting and Monitoring Instruments Open New Doors for Environmental Understanding," *Environmental Science Technology*, February 1968, pp. 104–112.

and systematic field studies of the use of defoliants, herbicides and riot control agents are available. The following descriptions of the probable effects of chemical weapons, based both upon evidence and on technical judgment, must therefore be regarded as somewhat conjectural.

1. Effects of Lethal Chemical Agents on Individuals

116. Table 1 provides a classification of the most important lethal chemical agents, and notes some of their characteristics in terms of the effects they produce. More details are given in annex A.

TABLE 1.—GENERAL CHARACTERISTICS OF LETHAL CHEMICAL AGENTS

Type	Mechanism	Time for onset of effects	Examples
Nerve agent G	Interferes with transmission of nerve impulses.	Very rapid by inhalation (a few seconds)	Tabun, Sarin, Soman.
Nerve agent V	do	Very rapid by inhalation (a few seconds); relatively rapid through skin (a few minutes to a few hours).	VX.
Blister agent	Cell poison	Blistering delayed hours to days; eye effects more rapid.	Sulfur mustard; nitrogen mustard.
Choking agent	Damages lungs	Immediate to more than 3 hours	Phosgene.
Blood agent	Interferes with all respiration	Rapid (a few seconds or minutes)	Hydrogen cyanide.
Toxin	Neuromuscular paralysis	Variable (hours or days)	Botulinum toxin.

117. Lethal chemical agents kill in relatively small doses, and as a rule the amount that causes death is only slightly greater than that which causes incapacitation. Death may occasionally be caused by high doses of presumed incapacitating agents and, conversely, minor effects could be caused by low doses of lethal agents. Blister agents are considered with the lethal agents, since a small but significant fraction of the personnel attacked with such agents may die or suffer serious injury.

Nerve agents

118. These lethal compounds are readily absorbed through the lungs, eyes, skin and intestinal tract without producing local irritation, and they interfere with the action of an enzyme (cholinesterase) essential to the functioning of the nervous system. The nerve-agent casualty who has been exposed to a lethal dose will die of asphyxiation within a few minutes if he is not treated swiftly by means of artificial respiration and drugs such as atropine or oximes. Otherwise recovery is generally rapid and complete. Occasionally, it may take several weeks, but will be complete unless anoxia or convulsions at the time of exposure were so prolonged as to cause irreversible brain damage.

119. The route of entry of the agent into the body has some influence on the appearance of symptoms. These develop more slowly when the agent is absorbed through the skin than when it is inhaled. Low dosages cause a running nose, contraction of the pupil of the eye and difficulty in visual accommodation. Constriction of the bronchi causes a feeling of pressure in the chest. At higher dosages, the skeletal muscles are affected—weakness, fibrillation, and eventually paralysis of the respiratory muscles occurring. Death is usually caused by respiratory failure, but heart failure may occur. It is estimated that the most toxic nerve gases may cause death at a dosage of about ten mg min/m^3. (A dosage of one mg min/m^3 consists of an exposure for one minute to gas at a concentration of one milligram per cubic metre.) Less toxic ones are lethal at dosages of up to 400 mg min/m^3.

Blister agents or vesicants

120. Mustard is a typical blister agent which, like other members of this class, also has general toxic effects. Exposure to concentrations of a few mg/m^3 in the air for several hours results at least in irritation and reddening of the skin, and especially irritation of the eyes, but may even lead to temporary blindness. Exposure to higher concentrations in the air causes blisters and swollen eyes. Severe effects of this kind also occur when liquid falls on the skin or into the eyes. Blistering with mustard is comparable to second degree burns. More severe lesions, comparable to third degree burns, may last for a couple of months. Blindness may be caused, especially if liquid agent has entered the eyes. Inhalation of vapour or aerosol causes irritation and pain in the upper respiratory tract, and pneumonia may supervene. High doses of blister agents cause a general intoxication, similar to radiation sickness, whch may prove lethal.

121. The first step in treating a person who has been exposed to a vesicant or blister agent, is to wash out of the eyes and decontaminate the skin. Mild lesions of the eyes require little treatment. The blisters are treated in the same way as any kind of second-degree burn.

Other lethal agents

122. *Phosgene* and compounds with similar physiological effects were used in World War I. Death results from damage to the lungs. The only treatment is inhalation of oxygen and rest. Sedation is used sparingly.

123. *Hydrogen cyanide* in lethal doses causes almost immediate death by inhibiting cell respirations. Lower doses have little or no effect.

124. Most of the so-called blood agents contain cyanide, and all act rapidly. The casualty would either die before therapy could begin, or recover soon after breathing fresh air.

125. *Botulinum toxin* is one of the most powerful natural poisons known, and could be used as a chemical warfare agent. There are at least six distinct types, of which four are known to be toxic to man. Formed by the bacterium *Clostridium botulinum*, the toxin is on occasion accidentally transmitted by contaminated food. The bacteria do not grow or reproduce in the body, and poisoning is due entirely to the toxin ingested. It is possible that it could be introduced into the body by inhalation.

126. Botulism is a highly fatal poisoning characterized by general weakness, headache, dizziness, double vision, dilation of the pupils, paralysis of the muscles concerned in swallowing, and difficulty of speech. Respiratory paralysis is the usual cause of death. After consumption of contaminated food, symptoms usually appear within twelve to seventy-two hours. All persons are susceptible to botulinum poisoning. The few who recover from the disease develop an active immunity of uncertain duration and degree. Active immunization with botulinum toxoid has been shown to have some protective value, but antitoxin therapy is of limited value, particularly where large doses of the toxin have been consumed. Treatment is mainly supportive.

2. Effects of Lethal Agents on Populations

127. As already indicated, the possible effects of an attack on populations with lethal chemical warfare agents would depend upon the agent used, upon the intensity of the attack, whether the population was mainly under cover or in the open, on the availability of protective facilities, on the physiological state of the individuals affected, and upon the meteorological conditions, which might differ from what had been predicted, and alter during the course of an attack.

128. The importance of meteorological conditions on the spread of agent from its point or area of release is illustrated by Figures 1(a), 1(b) and 1(c), which show in an idealized diagrammatic form the type of dosage contours to be expected from a point source, from multiple sources and from a linear aerial source respectively when exposed to the effects of wind.

129. Figure 1(a) (not printed in RECORD) shows the shape of the zone travelled by the chemical cloud produced by a point source (for example, one isolated munition), at the far left of the innermost cigar-shaped figure under conditions of a strong wind (say 5–20 km/h) in the direction indicated.

130. The number on each line indicates the dosage (Ct=concentration times time) on the line. The dosage at any point inside the area delimited by the curve is greater than the number indicated. On the basis of these data, it is possible to estimate the casualties when the characteristic dosages of the agent used are known. For example, if the LD 50 value of the agent were 30 milligram-minutes/cubic metre, there would be more than 50 per cent fatalities in the area inside the contour marked 30.

131. This figure applies to a volatile agent such as Sarin, which is usually released in the form of a vapour or an aerosol cloud. In the case of a non-volatile liquid released in the form of droplets which fall onto the ground and contaminate it, a corresponding map could be drawn for the level of contamination of the soil (expressed in milligrams/square metre).

132. Figure 1(b) (not printed in RECORD) shows the same phenomenon in relation to an area source such as would result, for example, from attack by a missile warhead filled with small bombs or by an artillery salvo.

133. In the case of a volatile agent released in the form of a vapour or aerosol, the resulting cloud, carried downwind, covers a zone whose general shape is the same as in the case of a point source (Figure 1(a)), but its dimensions are obviously much larger and the dosage values are also larger.

134. If a non-volatile agent were released in the form of droplets, the hazard would be very great in the impact area because all surfaces (skin, clothing, vehicles, equipment, vegetation, etc.) would be contaminated. The downwind hazard caused by the drift of the most minute particles would extend over a much smaller area than in the previous case because only a relatively small number of minute particles would be carried by the wind.

135. Figure 1(c) (not printed in RECORD) shows the zone covered by a linear aerial source as in the case of dissemination of a non-volatile agent from an aircraft.

136. The emitted cloud is carried by the wind and does not touch the ground until it has travelled some distance away from the line of flight of the disseminating aircraft; this depends on the altitude of the aircraft and on the wind velocity. Since the cloud has already been subjected to the influence of turbulent diffusion before reaching the ground, the dosage values or contamination rates will be highest some distance away from the zone boundary nearer the source.

137. Because of meteorological and other variables, it is impossible to make general statements about the quantitative effects of chemical weapons on populations. The following hypothetical examples, therefore are intended merely to illustrate what might happen and the degree to which protective measures could reduce casualties. To provide representative illustrations, the examples chosen include the different hazards created by nerve agents used in a battle zone, on military targets in the rear and on civilians in a town.

Effects of nerve gas on protected troops in combat

138. A heavy attack with air-burst munitions dispersing non-volatile liquid nerve agent would create concentrations on the ground that could range from one-tenth of a gram to ten grams of liquid per square metre, giving a mean value of about five grams. This would be extremely hazardous. At the same time, aerosol concentrations would be created over almost the entire impact area (dosages about twenty mg. min/m^3). This would produce casualties even if there were no liquid hazard.

139. To counter this type of attack, protective measures of a very high order of efficiency, including protective masks, light protective clothing, means for decontamination, detection systems, antidotes and medical care, would have to be available. Protective clothing and rapid utilization of gas masks would give a certain measure of protection. But in this case, subsequent decontamination and medical care would be necessary to avoid heavy lethal losses.

Effects of nerve gas on a military target in the rear

140. An attack from the air with a volatile nerve agent against a military installation in a rear area would cause an intense liquid and vapour hazard in the installation itself, and a vapour hazard downwind in the surrounding area. As suggested in figure 1(b), the impact area would be very heavily contaminated; gas dosages inside and close to the impact area would be very high. Further downwind the gas concentration would decrease gradually, and finally become innocuous. A general picture of the way casualties would occur in a downwind area is indicated in figure 1(a).

141. After an attack in which tons of Sarin were used against an area of one square kilometre, the impact area and the area immediately downwind from it would be highly lethal to all unprotected personnel. Lethal casualties would occur at dosages above eighty mg. min/m^3 and severe casualties down to thirty mg. min/m^3. Some very light casualties would result at dosages around five mg. min/m^3. The distance between the impact area and the area of lowest effective dosage would depend on the local topography and on weather conditions, but would rarely exceed a few tens of kilometres.

142. Personnel provided only with gas masks, but not wearing them at the moment of the attack, would suffer substantial losses in and close to the impact area, both because of the effects of the liquid and because of the high gas concentration inhaled before they could don their masks. Further downwind, masks would give essentially complete protection if warning were provided reasonably quickly.

Effects of a nerve gas attack on a town

143. The population density in a modern city may be 5,000 people per square kilometre. A heavy surprise attack with non-volatile nerve gas by bombs exploding on impact in a wholly unprepared town would, especially at rush hours, cause heavy losses. Half of the population might become casualties, half of them fatal, if about one ton of agent were disseminated per square kilometre.

144. If such a city were prepared for attack, and if the preparations included a civil defence organization with adequately equipped shelters and protective masks for the population, the losses might be reduced to one half of those which would be anticipated in conditions of total surprise.

145. Although it would be very difficult to achieve, if there were a high level of preparedness, comprising adequate warning and effective civil defense procedures, it is conceivable that most of the population would be sheltered at the time of the attack, and that very few would be in the streets.

146. Given a town with a total population of 80,000, a surprise attack with nerve gas could thus cause 40,000 casualties, half of them fatal, whereas under ideal circumstances for the defense, fatalities might number no more than 2,000. It is inconceivable however, that the ideal would ever be attained.

3. Effects of Incapacitating Chemical Agents

147. Incapacitating chemicals, like tear gases and certain psychochemicals, produce in normal health people a temporary, reversible disability with a few if any permanent effects. In young children, old people and those with impaired health, the effects may sometimes be aggravated. They are called incapacitating because the ratio between the lethal and incapacitating doses is very high. The types which could have a possible military use are limited by requirements of safety, controlled military effectiveness and economic availability.

Tear and harassing gases

148. Many chemical compounds fall into this category, of which ϖ-chloracetophenone (CN), ortho-chlorobenzylidenemalononitrile (CS), and adamsite (DM) are probably the most important. They are solids when pure, and are disseminated as aerosols.

149. Either as vapour or in aerosol, tear and harassing gases rapidly produce irritation, smarting and tears. These symptoms disappear quickly after exposure ceases. The entire respiratory tract may also be irritated, resulting in a running nose and pain in the nose and throat. More severe exposures can produce a burning sensation in the trachea. As a result, exposed persons experience difficulty in breathing, attacks of coughing and occasionally, nausea and headaches.

150. Extremely high dosages of tear and harassing gases can give rise to pulmonary edema (fluid in the lungs). Deaths have been reported in three cases after extrarodinary exposure to ϖ-chloracetophenone (CN) in a confined space.

151. The effects of adamsite (DM) are more persistent. Nausea is more severe and vomiting may occur.

152. Results of experiments on various species of animals (see annex B) and some observations of human responses lead to the following tentative conclusions. First, CS is the most irritating of these gases, followed by adamsite (DM) and ϖ-chloracetophenone (CN). Second, the tolerance limits (highest concentration which a test subject can tolerate for one minute) of DM and CS are about the same. Third, the least toxic of the tear gases is CS, followed by DM and then CN. Fourth, human beings vary in their sensitivity to, and tolerance of, tear and harassing gases. And finally, the toxicity of these gases varies in different animal species and in different environmental conditions.

153. The symptoms caused by tear gases disappear, as tears wash the agent from the eyes, and if the victim gets out of the tear gas atmosphere. Some, however, cause reddening or rarely even blistering of the skin when the weather is hot and wet.

Toxins

154. Staphylococcus toxin occurs naturally in outbreaks of food poisoning—which is the only medical experience with this toxin. The symptoms have a sudden, sometimes violent, onset, with severe nausea, vomiting and diarrhea. The time from ingestion of the toxin to the onset of symptoms is usually two to four hours. although it may be as short as a half hour. Most people recover in 24–48 hours and death is rare. Treatment is supportive and immunity, following an attack, is short-lived. The toxin is resistant to freezing, to boiling for thirty minutes, and to concentrations of chlorine used in the treatment of water. Staphylococcus toxin could be considered as an incapacitating chemical warfare agent. Symptoms can be produced in animals by intravenous injection, and the toxin may also be active by the respiratory route.

Psychochemicals

155. These substances have been suggested for use in war as agents which could cause temporary disability by disrupting normal patterns of behaviour. The idea cannot be accepted in its simple form, since these substances may lead to more permanent changes, particularly in individuals who are mentally unbalanced or who are in the early stages of a nervous and mental disease. Moreover, very high doses, which would be difficult to exclude during use in war, can cause irreversible damage to the central nervous system or even death. Psychochemicals could also have particularly severe effects on children.

156. Compounds such as LSD, mescaline, psilocybin, and a series of benzilates which cause mental disturbance—either stimulation, depression or hallucination—could be used as incapacitating agents. Mental disturbance is, of course, a very complex phenomenon, and the psychological state of the person exposed to a psychochemical, as well as the properties of the agent, would profoundly influence its manifestations. But, despite the variation in responses between individuals, all those affected could neither be expected to act rationally, nor to take the initiative, nor make logical decisions.

157. Psychochemicals do more than cause mental disturbance. For example, the general symptoms from the benzilates are interference with oridinary activity; dry, flushed skin; irregular heartbeat; urinary retention; constipation; slowing of mental and physical activity; headache, giddiness; disorientation; hallucinations; drowsiness; occasional maniacal behaviour; and increase in body temperature. While these effects have not been fully studied, there would be a significant risk of affected individuals, particularly military personnel, becoming secondary casualties due to unco-ordinated behaviour. A single dose of 0.1 to 0.2 mg LSD25 will produce profound mental disturbance within half an hour, the condition persisting for about ten hours. This dose is about a thousandth of the lethal dose.

158. Treatment of the symptoms of psychochemicals is mainly supportive. Permanent psychotic effects may occur in a very small proportion of individuals exposed to LSD.

159. It is extremely difficult to predict the effects which an attack with psychochemical agents would produce in a large population. Apart from the complication of the varying reaction of exposed individuals, there could be strange interactions within groups. A few affected individuals might stimulate their fellows to behave irrationally, in the same way as unaffected persons might to some extent offset the reactions of those affected. Since the probability of fatal casualties resulting directly from exposure is low, some normal group activity might be sustained. Protective makes would probably provide complete protection, since practically all potential psychochemical agents, if used as offensive weapons, would be disseminated as aerosols.

4. Other Effects of Chemical Agents

Effects on animals

160. The effects of lethal chemical agents on higher animals are, in general, similar to those on man. The nerve agents also kill insects.

Effects on plants

161. A variety of chemicals kill plants, but as already indicated, little is known about their long-term effects. The effective dose ranges of defoliants vary according to the particular species of plant attacked, its age, the meteorological conditions and the de-

sired effect: e.g., plant death or defoliation. The duration of effect usually lasts weeks or months. Some chemicals kill all plants indiscriminately, while others are selective. Most defoliants produce their effects within a few weeks, although a few species of plant are so sensitive that defoliation would occur in a period of days.

162. An application of defoliating herbicide (for example, the commonly used "2,4–D" and "2,4,5–T" which are the butyl esters of (2,4–dichlorophenoxy) acetic acid and (2,4,5–trichlorophenoxy) acetic acid) per acre (roughly 36 kg per hectare) can produce 65 per cent defoliation for six to nine months in very densely forested areas, but in some circumstances some species of trees will die. Significantly lower doses suffice for most agricultural and industrial uses throughout the world. Defoliation is, of course, a natural process—more common in trees in temperate zones than in the tropics. Essentially what defoliants do is trigger defoliation prematurely.

163. Desiccation (the drying out) of leaves results in some defoliation, although usually the leaf-drop is delayed, and the plant would not be killed without repeated application of the chemical. Chemical desiccants cause a rapid change in colour, usually within a few hours.

B. The effects of bacteriological (biological) agents on individuals and populations

164. Mankind has been spared any experience of modern bacteriological (biological) warfare, so that any discussion of its possible nature has to be based on extrapolation from epidemiological knowledge and laboratory experiment. The number of agents which potentially could be used in warfare is limited by the constraints detailed in chapter I. On the other hand, the variability which characterizes all living matter makes it conceivable that the application of modern knowledge of genetic processes and of selection could remove some of these limitations. Some species of micro-organisms consist of a number of strains characterized by different degrees of virulence, antigenic constitution, susceptibility to chemotherapeutic agents and so on. For example, strains of tularemia bacilli isolated in the United States are generally much more virulent in human beings than those found in Europe or Japan. Foot-and-mouth disease virus is another well-known example of an organism with various degrees of virulence. The situation with bacteriological (biological) weapons is thus quite different from that of chemical weapons, where the characteristics of a given compound are more specific.

1. Effects on Individuals

165. Bacteriological (biological) agents could be used with the intention of killing people or of incapacitating them either for a short or a long period. The agents, however, cannot be rigidly defined as either lethal or incapacitating, since their effects are dependent upon many factors relating not only to themselves but also to the individuals they attack. Any disease-producing agent intended to incapacitate may, under certain conditions, bring about a fatal disease. Similarly, attacks which might be intended to provoke lethal effects might fail to do so. Examples of naturally occurring lethal disease are shown in table 2 and representative incapacitating diseases in table 3. A detailed list of possible agents, with a brief description of their salient characteristics is given in annex C.

166. A number of natural diseases of man and domestic animals are caused by mixed infections (e.g., swine influenza, hog cholera). The possible use of two or more different organisms in combination in bacteriological (biological) warfare needs to be treated seriously because the resulting diseases might be aggravated or prolonged. In some instances, however, two agents might interfere with one another and reduce the severity of the illness they might cause separately.

167. The effects of some forms of bacteriological (biological) warfare can be mitigated by chemotherapeutic, chemoprophylactic and immunization measures (for protection see chapter I and annex C of this chapter). Specific chemotherapeutic measures are effective against certain diseases, but not against those caused by viruses. But it may not always be possible to apply such measures, and they might not always be successful. For example, with some diseases early therapy with antibiotics is usually successful, but relapses may occur. Moreover, resistance against antibiotics may develop in almost all groups of micro-organisms, and resistant strains may retain full virulence for man as well as for animals.

TABLE 2.—EXAMPLES OF AGENTS THAT MIGHT BE USED TO CAUSE DEATH

Agents and diseases	Incubation period (days)	Effect of specific therapy	Likelihood of spread from man to man
Viruses:			
Eastern equine encephalitis	5–15	Nil	Nil.[1]
Tick-borne encephalitis	7–14	do	Do.
Yellow fever	3–6	do	Do.
Rickettsiae:			
Rocky Mountain spotted fever	3–10	Good	Do.
Epidemic typhus	6–15	do	Do.
Bacteria:			
Anthrax	1–5	Moderate.	Low.
Cholera	1–5	Good	High.
Plague, pneumonic	2–5	Moderate.	Do.
Tularemia	1–10	Good	Low.
Typhoid	7–21	do	High.

[1] Unless vector present.

TABLE 3.—EXAMPLES OF AGENTS THAT MIGHT BE USED TO CAUSE INCAPACITATION

Agents and diseases	Incubation period (days)	Effect of specific therapy	Likelihood of spread from man to man
Viruses:			
Chikungunya fever	2–6	Nil	Nil.[1]
Dengue fever	5–8	do	Do.
Venezuelan equine encephalitis	2–5	do	Do.
Rickettsiae: Q-fever	10–21	Good	Low.
Bacteria: Brucellosis	7–21	Moderate.	Nil.
Fungi: Coccidioidomycosis	7–21	Poor	Do.

[1] Unless mosquito vector present.

Possible bacteriological (biological) agents

168. Victims of an attack by bacteriological (biological) weapons would, in effect, have contracted an infectious disease. The diseases would probably be known, but their symptoms might be clinically modified. For example, apart from the deliberate genetic modification of the organism, the portals of infection might be different from the natural routes, and the disease might be foreign to the geographical area in which it was deliberately spread. Possible bacteriological (biological) agents representing disease caused by the main groups of relevant micro-organism are:

169. *Anthrax:* Under natural conditions, anthrax is a disease of animals, the main source of infection for man being cattle and sheep. Its vernacular synonym "wool sorter's disease" indicates one way men used to contract the disease. Depending on the mechanism of transmission, a cutaneous (skin) form (contact infection), an intestinal form (alimentary infection), or pulmonary form (airborne infection) may develop. The lung or respiratory form is most severe, and unless early treatment with antibiotics is resorted to, death ensues within two-three days in nearly every case.

170. Antibiotic prophylaxis is possible, but would have to be prolonged for weeks, since it has been shown that monkeys exposed to anthrax aerosol die if antibiotic treatment is discontinued after ten days. In certain countries, several types of vaccines are employed, but their value has not been fully evaluated.

171. The anthrax bacillus forms very resistant spores, which live for many years in contaminated areas, and which constitute the most dangerous risk the disease presents. From epidemiological observations, the inhalation infectious dose for man is estimated at 20,000 spores. Experiments on animals show that anthrax can be combined with influenza infection or with some noxious chemical agent, and that the susceptibility of the animal to airborne anthrax infection is then markedly enhanced.

172. With suitable expertise and equipment large masses of anthrax bacilli can be easily grown, and heavy concentrations of resistant anthrax spore aerosols can be made. Such aerosols could result in a high proportion of deaths in a heavily exposed population. Immunization could not be expected to protect against a heavy aerosol attack. The soil would remain contaminated for a very long time, and so threaten live-stock farming.

173. *Coccidioidomycosis:* This disease, which is also called desert fever, is caused by a fungus in the soil of deserts in the United States, South America and the USSR. The spores of the fungus are very stable, and can easily be disseminated as an aerosol. If they are inhaled, pneumonia with fever, cough, ague and night-sweating, and muscle pains follow after an incubation period of one-three weeks. In most cases, recovery from the disease occurs after some weeks of illness. An allergic rash sometimes breaks out during the first or second week of the illness, and can be significant for proper diagnosis. Treatment presents great difficulties.

174. *Plague:* Under natural conditions, small rodents, from which the disease is transmitted by fleas, are the main source of human infection with plague. This is how "bubonic" plague develops. If the plague microbes are inhaled, pneumonic plague develops after a three-to-five-day incubation period. The patient suffers from severe general symptoms and if untreated, normally dies within two to three days. A patient with pneumonic plague is extremely contagious to contacts.

175. Preventive vaccination is moderately effective against bubonic, but not pneumonic plague. If administered early, streptomycin treatment may be successful.

176. In a study of experimental pulmonary plague in monkeys, it was found that an average dose of only 100 bacteria caused fatal disease in half the animals tested. Animal experiments have also shown that particles of 1 micrometre diameter (1.25,000 of an inch), containing single microbial cells, can cause primary pneumonia, with a rapid and fatal outcome. If the aerosal is formed by larger particles (5–10 micrometres diameter), microbial cells are deposited in the nose and other regions of the upper respiratory tract, and primary foci of the disease develop in the corresponding lymphatic nodes. A fatal generalized infection may then follow.

177. A large mass of plague bacteria could be grown, and probably lyophilized (freeze-dried) and kept in storage. The agent is highly infectious by the aerosol route and most populations are completely susceptible. An effective vaccine against this type of disease is not known. Infection might also be transmitted to urban and/or field rodents and natural foci of plague may be created.

178. *Q-fever:* Under natural conditions, Q-fever is a disease of animals, the main sources of infection to man being sheep,

goats and cattle. The infection is transmitted most frequently by the air route.

179. An incubation period of two to three weeks follows the inhalation of the infectious material. A severe attack of an influenza-like illness follows, with high fever, malaise, joint and muscle pains, which may be followed in five to six days by pneumonia. In untreated cases, the illness lasts two to three weeks; the patient feels exhausted and is unable to do normal work for several weeks. But the disease can be successfully treated with broad spectrum antibiotics (tetracyclines). Prophylactic vaccines have been prepared in some countries, but have not yet been proved suitable for large-scale use.

180. The agent causing the disease is a rickettsia, and is extremely infectious for man. An epidemic of Q-fever once occurred due to contaminated dust which was carried by the wind from a rendering plant some ten kilometres away. Q-fever is also a common and significant laboratory hazard, even though it is only rarely transmitted from man to man. The high susceptibility of humans to this agent has been demonstrated in volunteers.

181. Q-fever rickettsiae are extraordinarily resistant to environmental factors such as temperature and humidity. Very large amounts can be produced in embryonated chicken eggs (20,000 million micro-organisms per millilitre) and can be stored for a long period of time. A Q-fever aerosol could produce an incapacitating effect in a large proportion of the population of an attacked area. The infective agent could persist in the environment for months and infect animals, possibly creating natural foci of infection.

182. *Tularemia:* Under natural conditions, tularemia is a disease of wild animals, the source of human infection being rodents, especially rabbits and hares. When it occurs naturally in human beings, who are very susceptible to the disease, skin lesions with swelling of the lymph nodes are its usual manifestation (infection by contact with sick or dead animals, or by way of ticks and other vectors). Infection can also occur through the eye and the gastro-intestinal tract. The pulmonary form (airborne infection) is the more serious. Pulmonary tularemia is associated with general pain, irritant cough, general malaise, etc., but in Europe and Japan mortality due to this form of the disease was never higher than 1 per cent even before antibiotics became available. American tularemia strains, on the other hand, are much more dangerous: some epidemics have been associated with a mortality rate as high as 20 per cent, despite antibiotic treatment. Usually treatment with streptomycin or tetracyclines is highly effective. A tularemia vaccine developed in the Soviet Union is also highly effective.

183. The agent causing the disease is a microbe which is very sensitive to common disinfectants, but which is able to survive for as long as a few weeks in contaminated dust, water, etc.

184. Aerosols of tularemia have been tested on volunteers. The inhalation infectious dose for man is about ten to twenty-five microbes, and the incubation period five days. By increasing the inhaled dose a hundred times, the incubation periods shortens to two to three days. Owning to its easy aerosol transmission, tularemia has often infected laboratory workers.

185. The microbiological characteristics are similar to those of the plague bacillis (although antibiotic treatment and vaccination prophylaxis are effective). Both lethal and incapacitating effects are to be expected. The disease is not transferred from man to man, but long-lasting natural foci might be created.

186. *Venezuelan equine encephalitis virus (VEE)*: In nature, VEE is an infection of animals (equines, rodents, birds) transmitted to man through mosquitos which have fed on infected animals.

187. The disease has sudden onset, with headache, chills and fever, nausea and vomiting, muscle and bone pains, with encephalitis occurring in a very small proportion of cases. The mortality rate is very low and recovery is usually rapid after a week, with residual weakness often persisting for three weeks. No specific therapy is available. The vaccine is still in the experimental stage.

188. Numerous laboratory infections in humans have been reported, most of them airborne. In laboratory experiments, monkeys were infected with aerosolized virus at relatively low concentrations (about 1,000 guinea pig infectious doses).

189. Since the virus can be produced in large amounts in tissue culture or embryonated eggs, and since airborne infection readily occurs in laboratory workers, concentrated aerosols could be expected to incapacitate a very high percentage of the population exposed. In some areas, persistent endemic infection in wild animals would be established.

190. *Yellow fever:* In nature, yellow fever is primarily a virus disease of monkeys, transmitted to man by a variety of mosquitos (*Aedes aegypti, Aedes simpsoni, Hemagogus* species, etc.) After an incubation period of three-six days, influenza-like symptoms appear with high fever, restlessness and nausea. Later the liver and the kidneys may be seriously affected, with jaundice and diminished urinary excretion supervening. The very severe forms end in black vomitus and death. In a non-immune population, mortality rates for yellow fever may be as high as 30–40 per cent. There is no specific treatment, but prophylactic vaccination, being highly effective, is widely used in yellow fever endemic areas.

2. Effects on Populations

191. Other than for sabotage, the use of aerosol clouds of an agent is the most likely form of attack in bacteriological (biological) warfare. For example, material can be produced containing infective micro-organisms at a concentration of 10,000 million per gram. Let us suppose that an aircraft were to spray such material so as to produce an aerosol line source 100 kilometres in length across a 10 kilometre per hour wind. Then, assuming that 10 per cent of organisms survived aerosolization, and that subsequent environmental stresses caused them to die at a rate of 5 per cent per minute, about 5,000 square kilometres would be covered at a concentration such that 50 per cent of the unprotected people in the area would have inhaled a dose sufficient to infect them. assuming that the infective dose is about 100 micro-organisms per person. This particular calculation is valid for agents such as those which cause tularemia, plague, as well as for some viruses. The decay rate of the causative agents of Q-fever, anthrax and some other infections is much lower and the expected effect would be still greater.

192. The effects of bacteriological (biological) attacks would obviously vary according to circumstances. Military personnel equipped with adequate protective measures, well trained in their use and provided with good medical services could, if warned of an attack, be able to protect themselves to a considerable degree. But effective early warning and detection systems do not yet exist. On the other hand, attacks on civil populations are likely to be covert and by surprise and, at present no civilian populations are protected. Unprotected military or civilian personnel would be at complete risk, and panic and irrational behaviour would complicate the effects of the attack. The heavy burden which would be imposed on the medical services of the attacked region would compound disorganization, and there would be a major risk of the total disruption of all administrative services.

193. In view of the extensive anti-personnel effects associated with agents of the kind with which this report is concerned, it is useful to view them against the area of effect of a one-megaton nuclear explosion, which as is well recognized, would be sufficient to destroy utterly a town with a population of a million. It should of course be emphasized that direct comparisons of the effects of different classes of weapons are, at best, hypothetical exercises. From the military point of view, effectiveness of a weapon cannot be measured just in terms of areas of devastation or numbers of casualties. The final criterion will always be whether a specific military objective can be achieved with one than another set of weapons. The basic hypotheses chosen for the comparison are rather artificial; and in particular, environmental factors are ignored. But despite this limitation, table 4 gives data that help to place chemical, bacteriological (biological) and nuclear weapons in some perspective as to size of target area, numbers of casualties inflicted, and cost estimates for development and production of each type of weapon. The figures speak for themselves.

TABLE 4.—COMPARATIVE ESTIMATES OF DISABLING EFFECTS OF HYPOTHETICAL ATTACKS ON TOTALLY UNPROTECTED POPULATIONS USING A NUCLEAR, CHEMICAL, OR BACTERIOLOGICAL (BIOLOGICAL) WEAPON THAT COULD BE CARRIED BY A SINGLE STRATEGIC BOMBER

	Type of weapon		
Criterion for estimate	Nuclear (1 megaton)	Chemical (15 tons of nerve agent)	Bacteriological (biological) (10 tons [a])
Area affected	Up to 300 km^2	Up to 60 km^2	Up to 100,000 km^2.
Time delay before onset of effect	Seconds	Minutes	Days.
Damage to structures	Destruction over an area of 100 km.^{2}	None	None.
Other effects	Radioactive contamination in an area of 2,500 km^2 for 3 to 6 months.	Contamination by persistence of agent from a few days to weeks.	Possible epidemic or establishment of new endemic foci of disease.
Possibility of later normal use of affected area after attack.	3 to 6 months after attack	Limited during period of contamination.	After end of incubation period or subsidence of epidemic.
Maximum effect on man	90 percent deaths	50 percent deaths	50 percent morbidity; 25 percent deaths if no medical intervention.
Multiyear investment in substantial research and development production capability.[b]	$5,000 to $10,000 million	$1,00 to $5,000 million	$1,000 to $5,000 million.

[a] It is assumed that mortality from the disease caused by the agent would be 50 percent if no medical treatment were available.

[b] It is assumed that indicated cumulative investments in research and development and production plants have been made to achieve a substantial independent capability. Individual weapons could be fabricated without making this total investment.

3. Effects on Animals

194. The way bacteriological (biological) weapons might be used against stocks of domestic animals would probably be the same as that used in attacks against man. Representative diseases and their characteristics are shown in table 5.

195. Viral infections probably cause the most important diseases of domestic animals and could have more devastating effects than diseases produced by other types of pathogens. Since many of the organisms which cause infectious diseases in domestic animals are also pathogenic for man, and since some

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of them may also be readily transmitted from animals to man, either directly or by vectors, such attacks might also affect the human population directly. Attacks upon livestock would not only result in the immediate death of animals, but also might call for compulsory slaughter as a means of preventing the spread of infection.

196. Covert bacteriological (biological) attack during peacetime directed against domestic animals could give rise to serious political and economic repercussions if large numbers of stock were affected. For example, African swine fever occurs endemically on the African continent as a subclinical disease of warthogs. In 1957 it was accidentally brought from Angola to Portugal, and then in 1960 to Spain. Despite strict and extensive veterinary measures that were enforced, losses in pig breeds were estimated to amount within a single year to more than $9,000,000.

197. Isolated attacks against stocks of domestic animals during wartime would have only a nuisance value. However, if a highly infectious agent (e.g., foot-and-mouth disease) were used, even a local attack could have very widespread effects because of spread by the normal commercial movement of animals, particularly in highly developed countries. Extensive attacks with traveling clouds could, however, lead to a disastrous state of affairs. The history of myxamatosis (a rabbit disease) in Europe provides a parallel. Not only did it drastically reduce the rabbit population in France, into which it was first introduced; it immediately spread to other countries of Europe, including the United Kingdom. The risk of the uncontrolled spread of infection to a number of countries is an important consideration in the use of some bacteriological (biological) weapons.

198. The possibilities of protecting domestic animal stocks against bacteriological (biological) attacks are so remote that they are not worth discussing.

TABLE 5.—EXAMPLES OF DISEASES THAT MIGHT BE USED TO ATTACK DOMESTIC ANIMALS

Disease	Animals attacked
Viruses:	
African swine fever	Hogs.
Equine encephalitis	Horses.
Foot-and-mouth disease.	Cattle, sheep, hogs.
Fowl plague	Chickens, turkeys.
Hog cholera	Hogs.
Newcastle disease	Chickens, turkeys.
Rift Valley fever	Cattle, goats, sheep.
Rinderpest	Cattle, sheep, oxen, goats, water buffaloes.
Vesicular stomatitis	Cattle, horses, mules, hogs.
Rickettsiae:	
Veldt disease	Cattle, sheep, goats.
Q-fever	Do.
Bacteria:	
Anthrax	Cattle, sheep, horses, mules.
Brucellosis	Cattle, sheep, goats, hogs, horses.
Glanders	Horses, mules.
Fungi:	
Lumpy jaw	Cattle, horses, hogs.
Aspergillosis	Poultry, cattle.

4. Effects on Plants

199. Living micro-organisms could also be used to generate diseases in crops which are economically important either as food or as raw material (e.g., cotton and rubber). Significant food crops in this respect include potatoes, sugar-beet, garden vegetables, soya beans, sorghum, rice, corn, wheat and other cereals and fruits. Obviously the selection of the target for a biological attack would be determined by the relative importance of the crop in the national diet and economy. Deliberately induced epiphytotics (plant disease epidemics) could in theory have serious national and international consequences.

200. The fungal, bacterial, or viral agents which could be used against plants are shown in table 6.

TABLE 6.—EXAMPLES OF DISEASES THAT MIGHT BE USED TO ATTACK PLANTS

	Diseases	Likelihood of spread
Viruses	Corn stunt	High.
	Hoja blanca (rice)	Do.
	Fiji disease (sugarcane)	Do.
	Sugar beet curly top	Do.
	Potato yellow dwarf	Do.
Bacteria	Leaf blight (rice)	Do.
	Blight of corn	Do.
	Gummosis of sugarcane	Low.
Fungi	Late blight (potato)	Very high.
	Cereal rusts	Do.
	Rice blast	Do.
	Corn rust	High.
	Coffee rust	Very high.

201. With a few minor exceptions, the plant viruses could be cultured only in living plant systems, the casual agent being found only in the plant tissues and juices. Virus diseases are transmitted principally by insect vectors and to some extent by mechanical means.

202. Bacterial agents which attack plants can persist for months on or in the plants. All of them can be cultured on artificial media. Normally, plant bacteria are not disseminated to any great extent by winds; the principal methods for spread in nature are insects, animals (including man) and water. Rain can spread bacteria locally, while insects and animals are responsible for their more extensive spread. It is conceivable that bacterial plant pathogens could be adapted for deliberate aerial dissemination.

203. Plant fungi, which causes some of the most devastating diseases of important agricultural crops, are disseminated mainly by winds, but also by insects, animals, water and man. Many fungal pathogens produce and liberate into the air countless numbers of small, hardy spores which are able to withstand adverse climatic conditions. The epidemic potential of a number of fungal pathogens is considerable.

204. In theory there are measures which could protect crops against bacteriological (biological) attacks; but at present their potential cost rules them out in practice. There is no essential difference between the counter-measures which would have to be introduced to counter bacteriological (biological) weapons and those employed normally to control plant diseases in peacetime. But the use of bacteriological (biological) weapons to destroy crops on a large scale would imply that the attacker would choose agents capable of overcoming any known, economical method of protection. Advanced countries might, as a precautionary measure exchange susceptible plants by more resistant strains. This would be difficult for countries whose agricultural standards were not high, and which would be the most vulnerable to bacteriological (biological) attacks on their crops.

5. Factors Influencing the Effects of Bacteriological (Biological) Attacks

Exotic diseases

205. Any country which resorted to bacteriological (biological) warfare would presumably try to infect, with a single blow, a large proportion of an enemy population with an exotic agent to which they had not become immune through previous exposure. Such exotic agents would lead to the appearance of diseases which normally had not occurred before in a given geographical area, either because of the absence of the organism involved (e.g., foot-and-mouth disease in North America or Japan), and/or of natural vectors (e.g., Japanese or Venezuelan encephalitis in Europe, Rocky Mountain spotted fever in many countries). In addition, a disease which had been controlled or eradicated from an area (e.g., urban or classical yellow fever from many tropical and sub-tropical countries, epidemic typhus from developed countries) might be reintroduced as a result of bacteriological (biological) warfare.

Altered or new diseases

206. Deliberate genetic steps might also be taken to change the properties of infectious agents, especially in antigenic composition and drug resistance. Apart from genetic changes that could be induced in known organisms, it is to be expected that new infectious diseases will appear naturally from time to time and that their causative agents might be used in war. However, it could not therefore be assumed that every outbreak of an exotic or new disease would necessarily be a consequence of a bacteriological (biological) attack. The Marburg disease, which broke out suddenly in 1967 in Marburg, Frankfurt and Belgrade, was a good example. It was acquired by laboratory workers who had handled blood or other tissues of vervet monkeys which had been recently caught in the wild, and by others who came into contact with them. Because the outbreak occurred in medical laboratories it was very skillfully handled. In other circumstances, it might have spread widely before it was controlled.

Epidemic spread

207. As already emphasized, a wide variety of agents can infect by the inhalation route, so that in a bacteriological (biological) attack a large number of persons could be infected within a short time. From the epidemiological point of view, the consequences would differ depending on whether the resultant disease was or was not transmissible from man to man. In the latter case the result would be a once-for-all disaster, varying in scale and lethality according to the nature of the organism used and the numbers of people affected. The attack would undoubtedly have a strong demoralizing effect on the unaffected as well as the affected population, and it would be in the nature of things that there would be a breakdown of medical services.

208. If the induced disease were easily transmissible from man to man, and if it was one against which the population had not been effectively immunized, it is possible to imgine what could happen by recalling, say, the periodical appearance of new varieties of influenza virus, e.g. the 1957 influenza pandemic. In Czechoslovakia (population about 14 million), 1,500,000 influenza patients were actually reported; the probable total number was 2,500,000. About 50 per cent of the sick were people in employment and their average period away from work was six days. Complications necessitating further treatment developed in 5–6 per thousand of the cases, and about 0.2 per thousand died. Those who are old enough to remember the 1918 influenza pandemic, which swept over most of the world, will judge the 1957 outbreak as a mild affair.

Susceptibility of population

209. A very important factor in the effectiveness of an aerosol attack is the state of immunity of the target population. Where the population is completely lacking in specific immunity to the agent which is disseminated, the incidence and severity of disease are likely to be exceptionally high. Naturally occurring examples of very severe epidemics in virgin populations are well known (e.g. measles in Fiji, poliomyelitis and influenza in the Arctic). A similar result follows the introduction of a susceptible population (often a military force) into an already infected area. Thus there was a high prevalence of dengue fever in military forces operating in the Pacific in World War II—sometimes affecting as many as 25 percent of the operational strength of a unit. The local population suffered relatively little

from the disease because they had usually been infected early in life, and were subsequently immune.

Populations of increased vulnerability

210. Malnutrition: Recent statistical studies reveal a clear association between malnutrition and the incidence of infectious diseases. FAO, WHO and UNICEF have pointed out that in developing countries, a shortage of nutritious food is a major factor in the high mortality rate due to infectious diseases, particularly in children.

211. *Housing and clothing:* Primitive housing and inadequate clothing would lead to an increased vulnerability to bacteriological (biological) and more particularly chemical weapons. Millions of people live in houses which are permeable to any sort of airborne infection or poison, and millions are inadequately clothed and walk barefooted.

212. Other conditions which characterize poor populations have a definite influence on the spread of infections. Large families increase the opportunities for contagious contact. Inadequate housing, lack of potable water and, in general, bad sanitation, a low educational level, numerous vectors of infectious disease (e.g. insects), and, of course, a lack of medical services are factors which also favour the spread of disease. The agents used might also persist in the soil, on crops, grasses, etc., so that delayed action might need to be taken into account.

Social effects and public health measures

213. A basic factor which influences the risk of epidemic situation during every war is a rapid impairment of standards of hygiene. Widespread destruction of housing and of sanitary facilities (water works, water piping, waste disposal, etc.), the inevitable decline in personal hygiene, and other difficulties, create exceptionally favorable conditions for the spread of intestinal infections, or louse-transmitted disease, etc.

214. The importance of adequate public health services is well illustrated by an explosive water-borne epidemic of infectious hepatitis in Delhi in 1955–1956, which affected some 30,000 persons, and which occurred because routine water treatment was ineffective. This epidemic was caused by the penetration into the water supply of waste waters heavily contaminated with hepatitis virus. However, there was no concurrent increase in the incidence of bacillary dysentery and typhoid fever, showing that the routine treatment of the water had been adequate to prevent bacterial but not viral infections.

215. Air streams, migrating animals and running water may transport agents from one country to the other. Refugees with contagious diseases pose legal and epidemiological problems. In areas with multinational economies, losses in livestock and crops may occur in neighbouring countries by the spread of the disease through regional commerce.

216. The experiences from fairly recent smallpox epidemics can also be used to illustrate the social effects of an accidentally introduced, highly dangerous airborne infection. In New York (1947) one patient started an epidemic, in which twelve persons became ill and two died. Within a month more than 5 million persons were revaccinated. Similarly in Moscow, in January 1960, a smallpox epidemic of forty-six cases (of whom three died) developed, caused by a single patient. At that time 5,500 vaccination teams were set up and vaccinated 6,372,376 persons within a week. Several hundreds of other health workers searched a large area of the country for contacts (9,000 persons were kept under medical supervision, of these 662 had to be hospitalized as smallpox suspects).

ANNEX A.—CHEMICAL PROPERTIES, FORMULATIONS, AND TOXICITIES OF LETHAL CHEMICAL AGENTS (EXCERPT FROM MATERIAL SUPPLIED BY WORLD HEALTH ORGANIZATION)

[Key to table: 1—trivial name; 2—military classification; 3—approximate solubility in water at 20° C.; 4—volatility at 20° C.; 5—physical state (a) at −10° C., (b) at 20° C.; 6—approximate duration of hazard (contact, or airborne following evaporation) to be expected from ground contamination: (a) 10° C., rainy, moderate wind, (b) 15° C., sunny, light breeze, (c) −10° C., sunny, no wind, settled snow; 7—casualty-producing dosages (lethal or significant incapacitating effects); 8—estimated human respiratory LCt_{50} (mild activity: breathing rate ca. 15 litres/min.); 9—estimated human percutaneous toxicity]

1	Sarin	VX	Hydrogen cyanide	Cyanogen chloride	Phosgene	Mustard gas	Botulinal toxin A
2	Lethal agent (nerve gas).	Lethal agent (nerve gas).	Lethal agent (blood gas).	Lethal agent (blood gas).	Lethal agent (lung irritant).	Lethal agent (vesicant).	Lethal agent.
3	100 percent	1 to 5 percent	100 percent	6 to 7 percent	Hydrolysed	0.05 percent	Soluble.
4	12,100 mg/m³	3 to 18 mg/m³	873,000 mg/m³	3,300,000 mg/m³	6,370,000 mg/m³	630 mg/m³	Negligible.
5 (a)	Liquid	Liquid	Liquid	Solid	Liquid	Solid	Solid.
(b)	Liquid	Liquid	Liquid	Vapour	Vapour	Liquid	Solid.
6 (a)	¼ to 1 hour	1 to 12 hours	Few minutes	Few minutes	Few minutes	12 to 48 hours	
(b)	¼ to 4 hours	3 to 21 days	Few minutes	Few minutes	Few minutes	2 to 7 days	
(c)	1 to 2 days	1 to 16 weeks	1 to 4 hours	¼ to 4 hours	¼ to 1 hour	2 to 8 weeks	
7	>5 mg-min/m³	>0.5 mg-min/m³	>2,000 mg-min/m³	>7,000 mg-min/m³	>1,600 mg-min/m³	>100 mg-min/m³	0.001 mg (oral).
8	100 mg-min/m³	10 mg-min/m³	5,000 mg-min/m³	11,000 mg-min/m³	3,200 mg-min/m³	1,500 mg-min/m³	0.02 mg-min/m³.
9	1,500 mg/man	6 mg/man				4,500 mg/man [1]	

[1] A drop of mustard weighing a few mgs can produce a serious blister which will be incapacitating if it interferes with the normal activities of an individual.

Annex B. Tear and harassing gases

Three parameters will be used to qualify the effects of tear gases. These are defined as follows:

Threshold of irritation is the atmospheric concentration of the substance (in mg per m³), which, in one minute of exposure, causes irritation.

Tolerance limit is the highest atmospheric concentration (in mg per m³) which a test subject can tolerate during one minute of exposure.

Lethal index is a dosage, and thus the product of the concentration in the air (in mg per m³) and the time of exposure (in minutes), which causes mortality. Data for various tear gases are given in the following table.

The data given under "Lethal index" are from animal experiments with various species.

Tear gas	Threshold of irritation (mg./m.³)	Tolerance limit (mg./m.³)	Lethal index (mg. min./m.³)
Adamside (DM)	0.1	2- 5	15,000-30,000
Ethyl Bromacetate	5.0	5-50	25,000
Bromacetone	1.5	10	30,000
Omega-Chloracetophenone (CN)	.30-1.5	5-15	8,500-25,000
O-Chlorbenzylidene malononitrile (CS)	.05-.1	1- 5	40,000-75,000

ANNEX C.—SOME BIOLOGICAL AGENTS THAT MAY BE USED TO ATTACK MAN

Disease	Infectivity [1]	Transmissibility [2]	Incubation period [3]	Duration of illness [3]	Mortality [3]	Antibiotic therapy	Vaccination [4]
Viral:							
Chikungunya fever	Probably high	None	R to 6 days	2 weeks—a few months.	Very low (<1 percent).	None	None.
Dengue fever	High	do	5 to 8 days	A few days to weeks	Very low (<1 percent).	do	Do.
Eastern equine encephalitis	do	do	5 to 15 days	1 to 3 weeks	High (>60 percent)	do	Under development.
Tick-borne encephalitis	do	do	1 to 2 weeks	1 week to a few months.	Variable up to 30 percent.	do	Do.
Venezuelan equine encephalitis	do	do	2 to 5 days	3 to 10 days	Low (<1 percent)	do	Do.
Influenza	do	High	1 to 3 days	do	Usually low, except for complicated cases.	do	Available.
Yellow fever	do	None	3 to 6 days	1 to 2 weeks	High (up to 40 percent).	do	Do.
Smallpox	do	High	7 to 16 days	12 to 24 days	Variable but usually high (up to 30 percent).	do	Do.
Rickettsial:							
Q-fever	do	None or negligible	10 to 21 days (sometimes shorter).	1 to 3 weeks	Low (usually 1 percent).	Effective	Under development.
Psittacosis	do	Moderately high	4 to 15 days	1—several weeks	Moderately high	do	None.
Rocky Mountain spotted fever	do	None	3 to 10 days	2 weeks to several months.	Usually high (up to 80 percent.)	do	Under development.
Epidemic typhus	do	do	6 to 15 days	A few weeks to months.	Variable but usually high (up to 70 percent).	do	Available.

See footnote at end of table.

ANNEX C.—SOME BIOLOGICAL AGENTS THAT MAY BE USED TO ATTACK MAN—Continued

Disease	Infectivity[1]	Transmissibility[2]	Incubation period[3]	Duration of illness[3]	Mortality[3]	Antibiotic therapy	Vaccination[4]
Bacterial:							
Anthrax (pulmonary)	Moderately high	Negligible	1 to 5 days	3 to 5 days	Almost invariably fatal.	Effective if given very early.	Do.
Brucellosis	High	None	1 to 3 weeks	Several weeks to months.	Low (<5 percent)	Moderately effective.	Under development.
Cholera	Low	High	1 to 5 days	1 to several weeks	Usually high (up to 80 percent).	do	Available.
Glanders	High	None	2 to 14 days	4 to 6 weeks	Almost invariably fatal.	Little effective	None.
Melioidosis	do	do	1 to 5 days	4 to 20 days	Almost 100 percent fatal.	Moderately effective.	Do.
Plague (pneumonic)	do	High	2 to 5 days	1 to 2 days	do	Moderately effective if given early.	Available.
Tularemia	do	Negligible	1 to 10 days	2 to several weeks	Usually low sometimes high (up to 60 percent).	Effective	Do.
Typhoid fever	Moderately high	Moderately high	1 to 3 weeks	A few to several weeks.	Moderately high (up to 10 percent).	Moderately effective.	Do.
Dysentery	High	High	1 to 3 days	A few days to weeks.	Low to moderately high depending on strain.	Effective	None.
Fungal: Coccidioido mycosis	do	None	1 to 3 weeks	A few weeks to months.	Low	None	Do.

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[1] Infectivity: Indicates the potency of the parasite to penetrate and multiply in the host's organism, regardless of the clinical manifestation of illness. In fact, there are several agents by which the great majority of the exposed population will be infected without developing clinical symptoms.

[2] Transmissibility: This refers to direct transmission from man to man without the intervention of any arthropod vector.

[3] The figures listed under incubation period, duration of disease, and mortality are based on epidemiological data. They vary, according to variations in virulence and dose of the infecting agent, resistance of the host, and many other factors. It also should be noted that, if the agents concerned, would be deliberately spread in massive concentrations as agents of warfare, the incubation periods might be shorter and the resulting symptoms more serious. As to mortality, thi- refers to the ratio between the number of fatalities to the number of diseased (not to that of ins fected) individuals, if no treatment is given.

[4] The availability of vaccines is no indication of their degree of effectiveness.

CHAPTER III. ENVIRONMENTAL FACTORS AFFECTING THE USE OF CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL) WEAPONS

A. General considerations

217. Extraneous factors influence the behaviour of chemical and bacteriological (biological) weapons to a far greater extent than they do any other kind of armament. Some, such as wind and rain, relate to the state of the physical environment, and to a certain extent can be evaluated quantitatively. Others, which reflect the general ecological situation, and the living conditions and physiological state of the populations exposed to the effects of the weapons, are more difficult to define; their influence—though they could be considerable—cannot be quantified.

218. This limitation applies particularly to bacteriological (biological) weapons. The natural course of infectious diseases—for example in influenza epidemics—shows that they are governed by so many uncontrollable factors that the way they develop cannot as a rule be foreseen. This would also be probably true of pathogenic agents which were deliberately dispersed. On the other hand, the knowledge gained through the study of epidemiology, and in the study of artificial dispersions of bacteriological (biological) agents, both in the laboratory and the field, has shed some light on some of the factors concerned.

219. The ecological problem is the main theme of chapter IV. The factors which concern the variability of the human target, e.g. physiological and living conditions, and levels of protection, have already been described in chapters I and II. This chapter is concerned with the physical environment (climate, terrain).

1. Phenomena Associated With the Dispersal of Chemical and Bacteriological (Biological) Agents

220. It has already been pointed out that chemical substances and living organisms capable of being used as weapons are extremely varied in their nature and in their effects. On the other hand, regarded solely from the standpoint of their physical state after dispersion in the atmosphere, they can clearly be placed in one or other of the following categories:

Liquid drops and droplets of varying size; (diameters greater than about 10 Microns)

More or less finely divided liquid and solid aerosols; (diameters less than about 10 microns)

Vapours.

221. Almost always, moreover, especially in the case of liquid chemical agents, the result of dispersion is a mixture of these different phases; thus, a liquid dispersed by an explosive charge gives rise to a mixture of aerosol and vapour, while aerial spraying may produce a mixture of droplets and aerosols. Solid chemical substances will be in aerosol form, and this will also be true, as has already been pointed out, of bacteriological (biological) agents.

222. Thus, chemical attacks would usually take effect simultaneously in two forms (fig. 1)—not printed in RECORD.

Contamination of the ground at, and in the immediate vicinity of, the target by direct deposition of the agent at the time of dispersion, and by subsequent settling of large particles;

Formation of a toxic cloud consisting of fine particles or droplets, of aerosol, and possibly of vapour.

223. Most bacteriological (biological) attacks would be designed primarily to create an infectious aerosol as an inhalation hazard. Some ground contamination might, however, also result when infectious particles settled on the ground.

224. Both ground contamination and toxic or infectious clouds would be immediately subject to the physical action of the atmosphere.

225. If the soil contaminants were liquid chemical agents, they would either evaporate, producing a sustained secondary cloud, or be absorbed by the ground, or diluted or destroyed by atmospheric precipitation. If they were solid agents, whether chemical or biological, they might be returned to a state of suspension by air currents, and perhaps carried out of the initially contaminated zone.

226. As it becomes formed, the toxic or infectious cloud is immediately exposed to atmospheric factors, and is straightaway carried along by air currents. At the same time, the particles within it are deposited at different rates according to their mass, and reach the ground at varying distances from the point of emission, depending on wind velocity (up to several kilometres in the case of particles less than a few tens of microns in diameter). The mechanically stable fraction of the aerosol (particles under 5 microns in diameter) remains in suspension, and may be carried along for considerable distances.

B. The influence of atmospheric factors on clouds of aerosols or vapours

227. The movement of a toxic or infectious cloud after its formation depends chiefly on the combined effects of wind and atmospheric conditions. The cloud is carried a longer or shorter distance by the wind; at the same time it is dispersed and diluted at a faster or slower rate by turbulence of the atmosphere and by local disturbances of mechanical origin resulting from the roughness of the ground.

228. The cloud may rise rapidly in the atmosphere or remain in the immediate vicinity of the ground, thus retaining its destructive power for a greater or lesser time depending on whether the air layer in which it is released is in a stable or unstable state.

1. State of the Atmosphere

229. The state of the atmosphere plays such an important role in the behavior of aerosol clouds that one might almost say that it is the predominant factor in determining the outcome of an attack, the effect of which could be considerably reduced, or almost nullified, were the atmosphere very unstable, or very serious if it was in a state of pronounced or prolonged stability. For this reason the mechanisms governing the turbulent movements of air, caused by differences in temperature between superimposed air layers require some explanation.

230. Disregarding the frictional layer of air close to the ground, where mechanical turbulence resulting from friction between the air and the rough ground over which it moves creates special conditions, air temperature in the troposphere decreases on average at the rate of 0.64°C for every 100 metres of altitude. Very frequently, however, as a result of thermal exchange between the air and the ground, a cooler air layer may be formed beneath a mass of hot light air; in such conditions, the lower air layer, with its greater density, does not tend to rise and the atmosphere is said to be in "stable equilibrium".

231. The situation, in which the vertical temperature gradient becomes inverted, is known as "temperature inversion", while the air layer affected by the phenomenon is termed as "inversion layer". When present it is eminently favourable to the persistence of toxic clouds.

232. After a day of sunshine, the surface of the ground cools rapidly, with the result that the layer of air close to the ground cools more rapidly than those above it. Both the

intensity of the inversion and the thickness of the air layer involved increase to a maximum toward 4 a.m., and then decrease again, finally disappearing shortly after sunrise. This variation is very marked when the sky is clear, and in favorable conditions the inversion may last from fourteen to eighteen hours a day, depending on the season.

233. Very often, however, especially in winter or in overcast weather, when the rays of the sun are not sufficiently intense to heat the surface of the ground, the temperature inversion may last for several days. This condition has characterized all the disasters caused by industrial pollution; for example, the smog which claimed 4,000 victims in London in 1952 took its toll during a period of atmospheric stability which lasted for seven days.

234. Figure 2 shows the evolution of a toxic cloud depending on the state of the atmosphere.

235. Apart from this kind of low-altitude inversion, which is most important in the context of this report since it governs the behaviour of toxic clouds released close to the ground, a similar process may take place on a large scale at higher altitudes (hundreds or thousands of metres) whenever a cool air layer is formed beneath a hot air mass. This may take place over large, cold expanses (i.e. large expanses of land or sea, cloud or fog masses, etc.). Because of the high altitude at which they form, these inversion layers have little effect on toxic clouds released at ground level; but in the case of the long-distance transfer of spores they may act as a screen or reflector.

236. The configuration of the surface of the earth in a particular area, which alters the thermal exchange pattern, may also be conducive to the formation of an inversion. For example, inversions are a customary phenomenon in winter in deep valleys surrounded by high peaks, and occur more frequently in the neighborhood of slopes facing the north than on southern slopes. This also occurs wherever hills of any size enclose a plain or basin, interrupting the general flow of air and preventing mixing from taking place. It is interesting to note that apart from the periodic appearance of smog in London, all the other major accidents resulting from air pollution have occurred in regions where the land configuration fits this description. For example, the small town of Donora, in the United States, lies in a relatively narrow plain bordered by high hills. In 1948 air pollution in the course of an inversion lasting five days led to twenty deaths and 6,000 cases of illness among the town's 14,000 inhabitants.

2. Urban Areas

237. The case of urban built-up areas is more complex, and it may even be said that each one possesses its own micro-climate, depending on its geographical situation, its topography and the layout and nature of its buildings.

238. Because the materials from which they are constructed are better conductors, and because their surfaces face in very varied directions, buildings usually capture and reflect solar radiation better than does the natural ground. Urban complexes therefore heat up more quickly than does the surrounding countryside, and the higher temperature is still further augmented by domestic and industrial heating plants. The result is a flow of cool air from the neighbouring countryside towards the hot centre of the town, beginning shortly after sunrise, decreasing at the beginning of the afternoon and then rising again to a maximum shortly before sunset. This general flow, which is of low velocity, is disturbed and fragmented at ground level by the buildings, forming local currents flowing in all directions.

239. This constant mechanical turbulence, to which is added the thermal turbulence caused by numerous heat-generating sources, should prevent the establishment in towns of a temperature inversion at low altitude. In fact, however, inversions do occur, when conditions are otherwise favourable, but the inversion layer is situated at a higher altitude than over the surrounding countryside (30 to 150 metres).

240. At night, local inversions may be generated at low altitude as a result of rapid radiation from the roofs of houses; thus in a narrow street lined with buildings of equal height, an inversion layer may be created at roof-top level which will persist until dawn.

241. Fog is more frequent over towns than over open country (+30 per cent in summer and +100 per cent in winter). The process of fog formation is accelerated by the particles, dust and smoke which form a dome over the town. At night these particles act as nuclei around which the fog condenses, the fog contributing in its turn to the retention of the particles in the dome. Fog will obviously have the same concentrating effect on particles originating in toxic clouds.

242. One final point which should be noted is that toxic aerosols and vapours may take some time to penetrate enclosed spaces. Once they have done so, they may continue as a hazard for very long unless adequate ventilation is provided.

3. Effect of Wind and Topography

243. The wind carries and spreads the toxic or infectious cloud, which is simultaneously diluted by turbulence. The distance which the cloud travels before its concentration has fallen to a level below which it is no longer harmful depends on the velocity of the wind and the state of the atmosphere. Since topography also produces changes in the normal wind pattern, it too plays an important part in determining the direction of travel of toxic clouds, sometimes focusing their effects in individual areas. Local winds may also be established as a result of differences in the heat absorbed by, and radiated from, different ground surfaces.

244. These local surface winds, which affect the air layer nearest the ground up to 300 metres, are frequent and widespread in mountain ranges and near sea coasts. There are slope breezes, valley breezes, sea breezes and land breezes; and they could shift a toxic cloud in directions which cannot be predicted from a study of the general meteorology of the area. The breezes develop according to a regular cycle. During the day, under the influence of solar radiation, the air moves up the valleys and slopes, and moves from the sea towards the land; at night these currents are reversed. In temperate climates land and sea breezes are predominant during the summer; but they are masked by the general wind pattern during the other seasons of the year. They are predominant in subtropical and tropical regions throughout the year.

4. Example of Combined Effects of Wind and the State of the Atmosphere on a Cloud

245. There is some similarity between the evolution of toxic clouds which could be produced by chemical and bacteriological (biological) attacks and that of clouds containing industrial pollutants, so much so that the mathematical models developed for forecasting atmospheric pollution can be applied, with a few modifications, to toxic clouds. But the initial characteristics of the two are as a rule different. Characteristic features of chemical or bacteriological (biological) attacks are the multiplicity and high yield of the sources of emission and their very short emission time, all of which are factors making for a greater initial concentration in the cloud than the concentration of pollutants in industrial clouds.

246. Figure 4 indicates the order of magnitude of these phenomena, and demonstrates the schematic form, and for different atmospheric conditions, the size of area which would be covered by toxic clouds originating from a chemical attack using Sarin, with an intensity arbitrarily chosen at 500 kg/km. It shows that the theoretical distance of travel by the cloud, determined for bare and unobstructed ground, may exceed 100 km. In practice the atmosphere must remain stable for more than ten hours in order to enable the cloud to travel such distances, a condition which, although certainly not exceptional, is fairly uncommon.

247. This figure illustrates the effect of atmospheric conditions on the distance a toxic cloud can be carried by the wind.

248. The example chosen is that of a medium-intensity (500 kg) attack with Sarin on a circular objective 1 km in diameter. The wind velocity is 7 km/h.

249. Each of the lines represents a contour of the hazard zone, i.e. the zone in which any unprotected person would be exposed to the effects of the agent.

250. Under highly unstable conditions (for example, on a very sunny day), this hazard zone is no greater than the area of objective aimed at (the circle at the left end of the figure). On the other hand, in any other situation—(1) slightly unstable, (2) neutral, (3) slightly stable, (4) moderately stable or (5) highly stable—the distance travelled will be greater, and it may extend almost 100 km if conditions remain highly stable for a sufficiently long time. It must be noted, however, that the distance of 100 km could be reached only if a very marked inversion persisted for about fourteen hours (100 ÷ 7); such a situation is quite rare.

251. Corresponding evaluations cannot be made for an urban area, since the parameters involved are too numerous and too little understood. But it may be presumed that most of the characteristics of the urban micro-climate would tend to increase the persistence of chemical clouds. This is serious cause for concern, when it is remembered that in highly industrialized countries 50 to 90 per cent of the population live in urban areas.

252. To sum up, a stable or neutral atmosphere in equilibrium might cause a toxic cloud produced by a chemical or bacteriological (biological) attack to persist for hours after it had exercised its military effect, which could generally be expected to materialize in the first few minutes following the attack. These conditions could obtain not only at night, but also during long winter periods over vast continental expanses. If a neutral atmosphere in equilibrium were associated with a light wind irregular in direction, then the area affected could be relatively large and, assuming an adequately heavy initial attack, the concentrations would be high.

5. Special Features of Bacteriological (Biological) Aerosols

253. So far as physical phenomena are concerned (horizontal and vertical movements, sedimentation, dilution, etc.), bacteriological (biological) aerosols would be generally affected in the same way as chemical clouds of aerosol and vapour, but not necessarily to the same extent. But since the effective minimum doses for bacteriological (biological) agents are considerably smaller than for chemical agents, bacteriological (biological) aerosols would be expected to remain effective even in a very dilute state and, consequently, that they could contaminate much larger areas than could chemical clouds. An example is given in chapter II.

254. There would be no limit to the horizontal transport of micro-organisms, if there were none to the capacity of the organisms to survive in the atmosphere. Thus if the microbial aerosol particles were so small that their speed of fall remained close to the speed of the vertical air movements in the frictional layer (under average conditions this is on the order of 10cm/s), the agents, whether alive or dead, would remain sus-

pended and travel very considerable distances. Even if bacteriological (biological) clouds were to move only in the air layer nearest the ground, they could cover very large areas. For example, in one experiment 600 litres of *Bacillus globigii* (a harmless spore-forming bacterium which is highly resistant to aerosolization and environmental stresses) were released off shore; bacteria were found more than 30 km inland. Organisms were found over 250 km² which was the entire area within which there were monitoring stations during the trial. The actual area covered was much more extensive.

255. On the other hand, most pathogenic agents are highly vulnerable when outside the organism in which they normally reproduce, and are liable to biological inactivation, which is sometimes rapid, in the aerosol state. This inactivation process is governed by several factors (such as temperature, humidity, solar radiation, etc.) which are now the subject of aerobiological research.

256. The size of the infective particles in a bacteriological (biological) aerosol is highly significant to their ability to initiate disease as a result of inhalation. It has been established that the terminal pars of the respiratory tract are the most susceptible sites for infection by inhalation. As with chemical agents, the penetration and retention of inhaled bacteriological (biological) particles in the lungs is very dependent on particle size, which is primarily determined by the composition of the basic material and the procedure of aerosolization, as pointed out in chapter I.

257. The influence of particle size on aerosol infectivity is illustrated in table 1, which shows that there is a direct relationship between the LD_{50} and particle diameter of an aerosol of *Franciscella tularensis*.

TABLE 1.—NUMBERS OF BACTERIA OF "FRANCISCELLA TULARENSIS" REQUIRED TO KILL 50 PERCENT OF EXPOSED ANIMALS

	Numbers of bacterial cells LD_{50}	
	Guinea pigs	Rhesus monkeys
Diameter of particles (microns):		
1	3	17
7	6,500	240
12	20,000	540
22	170,000	3,000

C. Influence of atmospheric factors on chemical agents

1. Influence of Temperature

258. An attack with a liquid chemical agent, as already pointed out, would as a rule result in the formation of a cloud of small droplets, aerosol and vapour in varying proportions, as well as in ground contamination, all of which would be affected by air temperature.

259. *Influence on droplet and aerosol clouds:* Only particles having dimensions within certain limits penetrate and are retained by the lungs. The larger ones are trapped in the upper part of the respiratory tract (e.g. nose and trachea), whereas the smaller ones are exhaled. Penetration and retention have maximum values in the size range of 0.5 to 3 microns.

260. Liquid chemical agents exercise their effects both by penetrating the skin and by inhalation. The material absorbed by the lungs acts immediately, whereas there is a delay before the effects become manifest from an agent absorbed through the skin or the mucous membrane of the upper air passages.

261. A high temperature favours the evaporation of particles which will decrease in size and thus reach the lungs, contributing to the immediate effect; an additional quantity of vapour is produced which contributes to the same effect.

262. *Effect on ground contamination:* The temperature of the air, and even more that of the ground, have a marked effect on the way ground contamination develops and persists. The temperature of the ground, which depends on the thermal characteristics of its constituent materials and on the degree of its exposure to the sun, either increases or reduces evaporation, and consequently decreases or increases the duration of contamination. The surface temperature is extremely variable from point to point, depending on the type and colour of the soil; a temperature difference of 20° has been noted between the asphalt surface of a road and the surrounding fields. The temperature gradient also varies during the course of the day; in clear weather the differences may range from 15 to 30°C in a temperate climate, and up to 50°C in a desert climate. High temperatures of both air and ground favour the rate of evaporation, thus reducing the persistence of surface contamination; wind, because of the mechanical and thermal turbulence it creates, has a similar effect.

263. To illustrate the effect of these variable factors, it is worth noting that the contamination of bare ground by unpurified mustard, at a mean rate of 30 g/m², will persist for several days or even weeks at temperatures below 10° C at medium wind velocities, whereas it lasts for only a day and a half at 25° C. Furthermore, because of accelerated evaporation at high temperatures, the cloud produced is more concentrated, and the danger of vapour inhalation in, and downwind of, the contaminated area becomes greater.

2. Influence of Humidity

264. In contrast to high temperature, high relative humidity may lead to the enlargement of aerosol particles owing to the condensation of water vapour around the nuclei which they constitute. The quantity of inhalable aerosol would thus diminish, with a consequent reduction in the immediate effects of the attack.

265. On the other hand, a combination of high temperature and high relative humidity causes the human body to perspire profusely. This intensifies the action of mustard-type vesicants, and also accelerates the transfer through the skin of percutaneous nerve agents.

3. Influence of Atmospheric Precipitation

266. Light rain disperses and spreads the chemical agent which thus presents a larger surface for evaporation, and its rate of evaporation rises. Conversely a heavy rain dilutes and displaces the contaminating product, facilitates its penetration into the ground, and may also accelerate the destruction of certain water-sensitive compounds (e.g. lewisite, a powerful blistering agent).

267. Snow increases the persistence of contamination by slowing down the evaporation of liquid contaminants. In the particular case of mustard gas, the compound is converted into a pasty mass which may persist until the snow melts.

268. Soil humidity, atmospheric precipitation and temperature also exercise a powerful influence on the activity of herbicides, which are much more effective at higher humidities and temperatures, than in dry weather and at low temperatures. This applies equally to preparations applied to plants and to those introduced into the soil.

4. Influence of Wind

269. As vapours emanating from ground contaminated by liquid chemical agents begin to rise, the wind comes into play. The distance the vapours will be carried depends on the wind velocity and the evaporation rate of the chemical, which will itself change with variations in ground and air temperatures. The distance is maximal (several kilometres) when there is a combination of the conditions promoting evaporation (high soil temperature) persistence of the cloud (stable atmosphere) and dispersal of the cloud (gentle winds). These conditions exist in combination at the end of a sunny day, at the time when a temperature inversion exists.

5. Influence of Soil—Dependent Factors

270. *Nature of the soil.* The soil itself, through its texture and the porosity of its constituent materials, plays an important role in the persistence of liquid chemical contaminants, which may penetrate to a greater or lesser extent, or remain on the surface. In the former case the risk of contamination by contact is reduced in the short term, but persistence will be increased to the extent that factors favourable to evaporation (temperature, wind) are prevented from acting. In the latter case, when the contaminant remains on the surface, the danger of contact contamination remains considerable, but persistence is reduced. Thus persistence in sandy soils may be three times as long as in clay.

271. *Vegetation.* Vegetation prevents a liquid contaminant from reaching the soil and also breaks it up, thus encouraging evaporation. But at the same time the short-term danger is enhanced because of the widespread dispersion of the contaminant on foliage, and the consequently increased risk of contact contamination.

272. The canopy of foliage in dense forests (e.g. conifers, tropical jungle), traps and holds a considerable proportion of a dispersed chemical agent, but the fraction which none the less reaches the soil remains there for a long time, since the atmospheric factors involved in the process of evaporation (temperature, wind over the soil, turbulence) are hardly significant in such an environment as compared with open spaces.

273. Too little is known about the absorption and retention of toxic substances by plants to make it possible to assess the resulting danger to the living creatures whose food supply they may constitute. Like certain organic pesticides, it is probable that other toxic chemicals may penetrate into plant systems via the leaves and roots. Cases could then arise where all trace of contaminant had disappeared from the soil but with the toxic substance persisting in vegetation.

274. *Urban areas.* It can also be assumed that, in spite of a surface temperature which is on the average higher, contaminants might persist longer in built-up areas than over open ground. There are two reasons for this. Structural, finishing and other building materials are frequently porous, and by absorbing and retaining liquid chemical agents more readily, they increase the duration of contamination. Equally the factors which, in open country, tend to reduce persistence (sunshine, wind over ground) play a less important part in a built-up city.

275. Climate, in general, may exercise an indirect influence on the effect of percutaneous chemical agents, simply because of the fact that in hot climates the lightly clad inhabitants are very vulnerable to attacks through the skin.

276. The predominating influence of climatic factors and terrain on the persistence of contamination indicates that the *a priori* classification of chemical agents as persistent or non-persistent, solely on the basis of different degrees of volatility, is somewhat arbitrary since, depending on circumstances, the same material might persist for periods ranging from a few hours to several weeks, or even months.

D. Influence of atmospheric factors on bacteriological (biological) agents

277. Infectious agents, when used to infect by way of food and water, or by means of animal vectors are, of course, hardly subject to the influence of climatic factors. But any large-scale attack by bacteriological (biological) agents would probably be carried out by aerosols, in which the agents would

be more susceptible to environmental influences than chemical agents.

278. Physico-chemical atmospheric factors have a destructive effect on aerosol-borne micro-organisms. Their viability decreases gradually over a period of hours or days at a progressively diminishing rate. Some decay very rapidly: for example, certain bio-aerosols used for pest control in temperate climates, and dispersed under average conditions in the cold or transitional seasons, show a rate of decay of 5 per cent per minute.

279. This apparent vulnerability of micro-organism in aerosols might cast some doubt on the possible effectiveness of bacteriological (biological) attacks. However, there are various means by which the rate of decay in the aerosol can be considerably reduced. For example: the use of very high concentrations of agent; the use of suitably "modelled" pathogenic strains; or the protection of aerosol particles by encapsulating them in certain organic compounds.

280. These procedures, which prolong the survival of micro-organisms in air, could presumably also be applied to potential agents of bacteriological (biological) warfare. Means are also available for prolonging the survival of micro-organisms in water, soil, etc.

1. Influence of Temperature

281. The effect of temperature on the survival of micro-organisms in bacteriological (biological) aerosols is not highly significant in the temperature ranges generally encountered. As a general rule, aerosol-borne biological agents will be destroyed more rapidly the more the temperature rises. On the other hand, in some circumstances high temperatures may act on bacteriological (biological) aerosols in the same way as on chemical aerosols, that is to say, particle size will be diminished by evaporation, and thus their rate of entry into the lungs will be enhanced.

2. Influence of Humidity

282. Relative humidity is the most important of the atmospheric conditions which affect the rate of decrease of viability of micro-organisms in the air. The extent of its effect varies with different micro-organisms, with the nature of the suspending fluid from which the aerosol is disseminated, with the manner of its dissemination (as a spray or as a dry powder). As a general rule, the rate of inactivation is greater at lower relative humidity although with some organisms maximum inactivation occurs in the middle range of relative humidity (30–70 per cent). The rate of inactivation will, however, tend to decrease with time, and may become extremely low when a state of equilibrium (stabilization) between the particles and their environment has been established. This implies that irrespective of relative humidity values, the final infective concentration of a stabilized aerosol may still be above the threshold minimum dose for infection by inhalation. Even so, microbial survival in a stabilized aerosol may be further reduced by sudden variations in atmospheric humidity.

283. The effectiveness of aerosol-borne bacteriological (biological) agents depends not only on their capacity to survive in the air. Also important is their low rate of sedimentation, combined with the capacity of the micro-organisms to spread and penetrate into buildings, so contaminating surfaces and materials indoors as well as outdoors. The possibility that some infective agents can survive for a long time in such conditions, and the fact that environmental dust particles may exercise a protective influence on organisms have been demonstrated on many occasions. Studies made in hospitals have shown that surviving micro-organisms can be dispersed from sites which have come to be called "secondary reservoirs", and that they may become sources of new infections, carried either through the air or by contact.

3. Influence of Solar Radiation

284. The ultra-violet part of the solar spectrum has a powerful germicidal effect. Bacterial spores are much less sensitive to this radiation than are either viruses or vegetative bacteria, and fungal spores are even less sensitive than bacterial spores. The destructive effect of solar radiation on micro-organisms is reduced when relative humidity is high (over 70 per cent). Air pollution, including a high proportion of atmospheric dust, also provides some protection.

285. Ultra-violet light exercises its destructive effects on micro-organisms through the structural degradation of the nucleic acids which carry the genetic information. Most research on this subject has been carried out on microbes in liquid suspensions, but the results of studies of aerosol-borne microbes seem to lead to similar conclusions.

286. The germicidal effect of ultra-violet radiation has been known for a long time and used in combating airborne infections in schools, military buildings and hospitals. The problem of proper radiation dosage, and proper techniques, however, still remain to be solved.

287. The lethal effect of sunlight on micro-organisms is less marked, although still apparent, in diffuse light. This is why a bacteriological (biological) attack, if one ever materialized, would be more probably undertaken in darkness.

4. Influence of Atmospheric Precipitation

288. Rain and snow have relatively little effect on bacteriological (biological) aerosols.

5. Influence of the Chemical Composition of the Atmosphere

289. Little is known about the influence on the viability of micro-organisms of the chemical compounds present in the atmosphere. Oxygen promotes the inactivation of aerosol-borne agents, particularly in conditions of low humidity, and recent studies have also demonstrated that an unstable bactericidal factor (formed by combination between ozone and gaseous combustion products of petroleum) is present in the air, particularly downwind of heavily populated areas.

6. General Effects of Climate

290. Climate may also have a general and considerable influence on the development of epidemics and epizootics, in so far as the proliferation of vectors which spread disease may be encouraged, given the right conditions. This is indicated by the way myxomatosis developed in Australia. Although several attempts in 1927, and then from 1936 to 1943, to impart the disease to Australian rabbits failed, the epizootic spread rapidly from 1950 onwards, apparently for the sole reason that the summer, which was particularly rainy that year, was associated with an exceptional proliferation in the flooded Murray River valley of the mosquitoes which carry the disease.

291. Atmospheric humidity and temperature also have a strong influence on micro-organisms acting upon vegetation.

CHAPTER IV. POSSIBLE LONG-TERM EFFECTS OF CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL) WARFARE ON HUMAN HEALTH AND ECOLOGY

A. Introduction

292. So far this report has dealt essentially with the potential short-term effects of chemical and bacteriological (biological) warfare. The possible long-term effects of the agents concerned need to be considered against the background of the trends whereby man's environment is being constantly modified, as it becomes transformed to meet his ever-increasing needs. Some of the changes that have occurred have been unwittingly adverse. The destruction of forests has created deserts, while grasslands have been destroyed by over-grazing. The air we breathe and our rivers become polluted, and chemical pesticides, despite the good they do, also threaten with undesirable secondary effects. The long-term impact of possible chemical and bacteriological (biological) warfare clearly needs to be considered within an adequate ecological framework.

293. *Ecology* may be defined as the study of the interrelationships of organisms on the one hand and of their interactions with the physical environment in which they are found on the other. The whole complex of plants and animals within a specific type of environment—a forest, a marsh, a savannah—forms a community comprising all the plant life and all the living creatures—from the micro-organisms and worms in the soil, to the insects, birds and mammals above the ground—within that environment, and the understanding of their interrelationships also necessitates a knowledge of the physical characteristics of the environment which bear on the living complex. Ecological communities are normally in dynamic equilibrium, which is regulated by the interaction of population density, available food, natural epidemics, seasonal changes and the competition of species for food and space.

294. Man has his special ecological problems. His numbers are multiplying fast, and increasing population requires commensurate increases in food production. The production and distribution of adequate food for the population which is predicted for the latter part of this century, and which will go on increasing through the next, will allow no relaxation in the effort which has already proved so successful. Food production has increased phenomenally in the past fifty years, primarily because of (1) improved agricultural practices, and particularly because of a marked increase in the use of chemical fertilizers and pesticides; (2) the development of genetically improved plants, herds and flocks; and (3) increased industrialization of food-producing processes. There is hope that steps such as these will continue to bear fruit.

295. But while the use of fertilizers, herbicides and pesticides has brought about a massive increase in food production, it has also added to the pollution of soil and water, and as a result has altered our ecological environment in an enduring way. So too have other features of our industrial civilization. The motor car has been a very potent factor in increasing air pollution in towns and cities. The increasing population of the world creates unprecedented wastes, and the methods used to dispose of it—burying it, burning it, or discharging it into streams or lakes—have further polluted the environment. The remarkable development of synthetic and plastic materials in recent years has also added a new factor to the short- and long-term biological effects on man. Every new advance on our technological civilization helps to transform the ecological framework within which we evolved. From this point of view the existence and possible use of chemical and bacteriological (biological) agents in warfare have to be regarded as an additional threat, and as a threat which might have enduring consequences, to our already changing environment.

B. Consequences to man of upsetting the ecological equilibrium

296. The chemical industry doubled its output between 1953 to 1960 and it is still growing fast but the useful results of its continued development are none the less of the utmost importance to man's future. The good effects on food production of the use of artificial fertilizers alone far outweigh any secondary deleterious consequences of their use. The facts are too well known to need spelling out. It is enough to point out, as one example, that maize production in the United States increased between 1923 and

1953, a thirty-year period, by barely four quintals per hectare, but that in the ten years between 1953 and 1964, when the use of fertilizers and more productive hybrid seeds became widespread, the increase was eleven quintals. This is characteristic of what has happened everywhere where fertilizers have been used on a large scale.

297. The beneficial effect of the use of modern chemical pesticides also does not need spelling out. It is estimated that the present annual world loss in production due to weeds and parasites is still approximately 460 million quintals of wheat and 360 million quintals of maize, and that to eliminate this waste will mean the use of even more pesticides than are now being consumed.

298. What has to be realized about modern agricultural practices is that without them the increases in the output of food which the world needs could never be achieved. Unless production mounts everywhere, those who have not yet cast off the burdens of living in a primitive agricultural world will never reach the level of civilization to which all aspire.

299. But, as already indicated, the great increase in the use of fertilizers, pesticides and herbicides does have deleterious side effects. For example, in Switzerland, surface waters and springs have been contaminated in times of high rainfall by excessive amounts of fertilizers corresponding to 0.3–0.5 kg of phosphorous and 45 kg of nitrogen per hectare per year. This kind of thing occurs elsewhere as well, and it cannot but help transform—for all we know adversely—the environment in which living matter including fish otherwise thrive.

300. The dangers of the side effects of modern pesticides are also beginning to be appreciated, and are already beginning to be guarded against in advanced countries. Except in high dosage, these substances act only on lower organisms, although some organophosphorous compounds are toxic to man and other vertebrates. Less selective agents may be toxic to soil bacteria, plankton, snails and fish. Chlorinated hydrocarbons, such as DDT, are toxic only in unusually high dosages, but accumulate in fat, and deposit in the liver and the central nervous system. Following surface application, pesticides enter the soil and seep into underground waters; or become washed by rain into rivers, lakes and reservoirs. It is theoretically possible that in some situations, in which non-selective chemical pesticides are used, disruption of the ecological equilibrium could lead to the long-term suppression of useful animals and plants. These are dangers which only constant vigilance will avert.

301. Detergents are another modern chemical development whose use has had to be regulated, since they have a direct short-term effect on certain types of natural food such as daphniae and the algae which are eaten by fish. The first detergents which came on the market led to enormous quantities of foam on river, and this in turn reduced the supply of oxygen for organisms living in the water. They also damage the earth by affecting soil bacteria. Such detergents, which resist destruction even by the most modern water treatment methods, have all but disappeared from use and have been replaced by others, which can be almost completely destroyed by waste water treatment.

302. In the context of the possible long-term effects of chemical and bacteriological (biological) weapons, we have finally to note that towns and cities are growing all over the world, and that in the developed countries, conurbations (fusion of cities with loss of suburbs) have reached population levels approaching 50 million. Such great concentrations of people require very complicated arrangements for supply of food, water and other materials, transport and general administration. The use of chemical or bacteriological (biological) weapons against cities would undoubtedly have an exceptionally severe disorganizing effect, and the full re-establishment of the services necessary for health, efficient government, and the smooth operation of industry might take a very long time.

C. Possible long-term effects of chemical and bacteriological (biological) means of warfare on man and his environment

303. Chemical weapons, in addition to their highly toxic short-term effects, may also have a long-term effect on the environment in which they are disseminated. If used in very high concentration they might cause damage by polluting the air, by polluting the water supplies and by poisoning the soil.

304. Bacteriological (biological) weapons could be directed against man's sources of food through the spread of persistent plant diseases or of infectious animal diseases. There is also the possibility that new epidemic diseases could be introduced, or old ones reintroduced, which could result in deaths on the scale which characterized the mediaeval plagues.

1. Chemical Weapons

305. There is no evidence that the chemical agents used in World War I—chlorine, mustard, phosgene, and tear-gas—had any untoward ecological consequences. As already observed, over 120,000 tons of these agents were used during that war, and in some areas which were attacked, concentrations must have added up to hundreds of kilograms per hectare. These regions have long since returned to normal and fully productive use.

306. The organophosphorous, or nerve, agents have never been used in war, and no corresponding experience is available to help form a judgment about their possible long-term effects. But since these agents are toxic to all forms of animal life, it is to be expected that if high concentrations were disseminated over large areas, and if certain species were virtually exterminated, the dynamic ecological equilibrium of the region might be changed.

307. On the other hand there is no evidence to suggest that nerve agents affect food chains in the way DDT and other pesticides of the chlorinated hydrocarbon type do. They hydrolyze in water, some of them slowly, so there could be no long-term contamination of natural or artificial bodies of water.

308. The use of herbicides during the course of the Viet-Nam conflict has been reported extensively in news media, and to a lesser extent in technical publications. The materials which have been used are 2,4-dichlorophenoxyacetic acid, 2,4,5-trichlorophenoxyacetic acid, cacodylic acid and picloram.

309. Between 1963 and 1968 these herbicides were used to clear forested areas for military purposes over some 9,100 km.^{2} This may be divided by forest type as shown in the following table.

TABLE 1.—TYPE OF FOREST AND EXTENT AND AREA TREATED WITH HERBICIDES IN SOUTH VIETNAM, 1963–68

Type of forest	Extent km.^{3}	Area treated km.^{2}
Open forest (semideciduous)	50,150	8,140
Mangrove and other aquatic	4,800	960
Coniferous	1,250	0
Total	56,200	9,100

310. South Viet-Nam is about 172,000 km^2 in area, of which about one-third is forested. The area treated with herbicides up to the end of 1968 thus amounts to about 16 per cent of the forested area, or a little over 5 per cent of the total.

311. There is as yet no scientific evaluation of the extent of the long-term ecological changes resulting from these attacks. One estimate is that some mangrove forests may need twenty years to regenerate, and fears have been expressed about the future of the animal population they contain. Certain species of bird are known to have migrated from areas that have been attacked. On the other hand, there has been no decline in fish catches, and as fish are well up in the food chain, no serious damage would seem to have been done to the aquatic environment.

312. When a forest in a state of ecological equilibrium is destroyed by cutting, secondary forest regenerates, which contains fewer species of plants and animals than were there originally, but larger numbers of those species which survive. If secondary forest is replaced by grassland, these changes are even more marked. If one or more of the animal species which increases in numbers is the host of an infection dangerous to man (a zoonosis), then the risk of human infection is greatly increased. This is exemplified by the history of scrub typhus in South-East Asia, where the species of rat which maintains the infection and the vector mite are much more numerous in secondary forest, and even more so in grassland, so increasing the risk of the disease being transmitted to people as forest is cleared.

313. In high rainfall areas, deforestation may also lead to serious erosion, and so to considerable agricultural losses. Deserts have been created in this way.

2. Bacteriological (Biological) Weapons Against man

314. New natural foci, in which infection may persist for many years, may be established after an aerosol or other type of bacteriological (biological) attack. This possible danger can be appreciated when one recalls the epidemiological consequences of the accidental introduction of rabies and other veterinary infections (blue-tongue, African swine fever) into a number of countries. The spread of rabies in Europe following World War II, as a consequence of the disorganization caused by the war, shows how an epidemiologically complicated and medically dangerous situation can emerge even with an infection which had long been successfully controlled. In 1945 there were only three major foci of infection in Czechoslovakia. In the following years, foxes multiplied excessively because farms were left unworked, because of the increased number of many kinds of wild creatures, and also because of the discontinuation of systematic control. Foxes also come in from across frontiers, and the epizootic gradually worsened. In the period 1952/1966 a total of 888 foci were reported, 197 new ones in 1965 alone. Bringing the situation under control demanded extraordinary and prolonged efforts by the health service: in 1966 alone, 775,000 domestic animals were vaccinated in affected areas of the country. None the less, the disease has not yet been stamped out. Natural foci cannot be eliminated without organized and long-term international co-operation.

315. Arthropods (insects, ticks) also play an important part, along with other creatures, in the maintenance of pathogenic agents in natural foci. A man exposed to a natural focus risks infection, particularly from arthropods, which feed on more than one species of host. A bacteriological (biological) attack might lead to the creation of multiple and densely distributed foci of infection from which, if ecological conditions were favourable, natural foci might develop in regions where they had previously never existed, or in areas from which they had been eliminated by effective public health measures.

316. On the other hand, the large-scale use of bacteriological (biological) weapons might reduce populations of susceptible wild species below the level at which they could continue to exist. The elimination of a species or group of species from an area would create

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in the ecological community an empty niche which might seriously disturb its equilibrium, or which might be filled by another species more dangerous to man because it carried a zoonosis infection acquired either naturally or as a result of the attack. This would result in the establishment of a new natural focus of disease.

317. The gravity of these risks would depend on the extent to which the community of species in the country attacked contained animals which were not only susceptible to the infection, but were living in so close a relationship to each other that the infection could become established. For example, not all mosquito species can be infected with yellow fever virus, and if the disease is to become established, those which can become vectors must feed frequently on mammals, such as monkeys, which are also sufficiently susceptible to the infection. A natural focus of yellow fever is therefore very unlikely to become established in any area lacking an adequate population of suitable mosquitos and monkeys.

318. Endemics or enzootics of diseases (i.e. infections spreading at a low rate, but indefinitely, in a human or animal population) could conceivably follow a large-scale attack, or might be started by a small-scale sabotage attack, for which purpose the range of possible agents would be much wider, and might even include such chronic infections as malaria.

319. *Malaria* is a serious epidemic disease in a susceptible population, but it is difficult to envisage its possible employment as a bacteriological (biological) weapon, because of the complex life cycle of the parasite. Drug-resistant strains of malaria exist in, for example, areas of Asia and South America, and their possible extension to areas where mosquitos capable of transmitting the disease already exist, would greatly complicate public health measures, and cause a more serious disease problem because of the difficulties of treatment.

320. *Yellow fever* is still enzootic in the tropical regions of Africa and America. Monkeys and other forest-dwelling primates, together with mosquitoes which transmit the virus, constitute natural foci and ensure survival of the virus between epidemics.

321. Importation of this disease is possible wherever a suitable environment and susceptible animal and mosquito hosts exist. This occurred naturally in 1960 when a previously uninfested area of Ethiopia was invaded by yellow fever and an epidemic resulted in about 15,000 deaths. Because of the inaccessibility of the area, some 8,000–9,000 people had died before the epidemic was recognized. The epidemic was extinguished but it is likely that a permanent focus of yellow fever infection has been established in this area, previously free of the disease. It might be extremely serious if the virus were introduced into Asia or the Pacific islands where the disease appears never to have occurred, but where local species of mosquito are known to be able to transmit it. Serious problems could also arise if the virus were introduced into the area of the United States where vector mosquitoes still exist, and where millions of people live in an area of a few square kilometres.

322. Another consideration is the possible introduction of a new species of animal to an area to cause either long-term disease or economic problems. For example, mongooses were introduced many years ago to some Caribbean islands, and in one at least they have become a serious economic pest of the sugar crop, and an important cause of rabies. The very large economic effect on the introduction of rabbits to Australia is well known. Certain mosquito species (a yellow fever mosquito, *Aedes aegypti*, and a malaria mosquito, *Anopheles gambiae*) have naturally spread to many areas of the world from their original home in Africa, and have been responsible for serious disease problems in the areas that have been invaded. It is conceivable that in the war the introduction of such insects on a small scale might be tried for offensive purposes.

323. In addition to the development of new natural foci, another long-term hazard, but one which is very much more speculative than some of the possibilities mentioned above, is that of the establishment of new strains of organisms of altered immunological characteristics or increased virulence. This might occur if large numbers of people or other susceptible animal species became infected in an area through a bacteriological (biological) attack, thus providing opportunities for new organisms to arise naturally. The appearance from time to time of immunologically different forms of influenza shows the type of thing which might happen. Such altered forms of agents might cause more severe and perhaps more widespread epidemics than the original attack.

Against domestic animals

324. *Foot-and-mouth disease* is a highly infectious but largely non-fatal disease of cattle, swine and other cloven-footed animals. It is rarely transmitted from a diseased animal to man, and when it is, the order is a trivial one.

325. The milk yield of diseased cows decreases sharply and does not reach its normal yield even after complete recovery. Losses range from 9 to 30 per cent of milk yield. In swine, loss from foot-and-mouth are estimated at 60–80 per cent among suckling pigs. Foot-and-mouth is endemic in many countries and breaks out from time to time even in countries which are normally free of the disease. Some countries let it run its course without taking any steps to control it; others try to control it by the use of vaccines; and some pursue a slaughter policy in which all affected animals and contacts are killed.

326. It is obvious that a large epizootic could constitute a very serious economic burden, for example, by bringing about a serious reduction in the supply of milk. It is in this context that foot-and-mouth disease could conceivably serve as a bacteriological (biological) weapon, especially since war conditions would greatly promote its spread. Efficient prevention is possible through active immunization, but the immunity is rather short-lived and annual vaccination is required.

327. *Brucellosis* is an example of chronic disease which could possibly result from bacteriological (biological) weapon attacks. There are three forms known, which attack cattle, swine and goats respectively. Any of these may be transmitted to man, in whom it causes a debilitating but rarely fatal disease lasting for four to six months or even longer. It is enzootic in most countries of the world, and an increased incidence of the disease resulting from its use as a weapon could be dealt with, after the initial blow, in the same way as is the natural disease. But the cost of eliminating disease such as brucellosis from domestic animals is very high.

328. *Anthrax* was described in chapter II and what concerns us here is that if large quantities of anthrax spores were disseminated in bacteriological (biological) weapons, thus contaminating the soil of large regions, danger to domestic animals and man might persist for a very long time. There is no known way by which areas could be rendered safe. The use of large quantities of anthrax as a weapon might therefore cause long-term environmental hazards.

Against crops

329. The *rust* fungus, as already noted, is one of the most damaging of natural pathogens which affects wheat crops. Each rust pustule produces 20,000 uredospores a day for two weeks, and there may be more than 100 pustules an a single infected leaf. The ripe uredospores are easily detached from the plant even by very weak air currents. The spores are then carried by the wind over distances of many hundreds of kilometres. It is estimated that the annual total world loss of wheat from rust is equivalent to about $500 million.

330. Weather plays a decisive role in the epiphytotic spreading of rust. Temperature influences the incubation period and the rate of uredospore germination. Germination and infection occur only when there is a water-saturated atmosphere for three to four hours. Thus, epiphytotic spread occurs when there are heavy dews and when the temperature is between 10° and 30° C. The principal means of prevention is to destroy the pathogen and to breed resistant species. Recently, ionizing radiation has been employed to develop resistant strains.

331. The cereal rusts die out during winter unless some other susceptible plant host, such as barberry, is present, and therefore their effect on crops would be limited to a single season. As they are capable of reducing man's food reserves considerably, rust spores could be extremely dangerous and efficient bacteriological (biological) weapons, especially if deployed selectively with due regard to climatic conditions. Artificial spreading of an epiphytotic would be difficult to recognize and delivery of the pathogen to the target would be relatively simple.

332. Rust epiphytotics might have a very serious effect in densely populated developing countries, where the food supply might be reduced to such an extent that a human population already suffering from malnutrition might be driven to starvation, which, depending on the particular circumstances, might last a long time.

333. Another conceivable biological weapon, although neither a practical nor a bacteriological one, is the *potato beetle*. To use it for this purpose, the beetle would have to be produced in large numbers, and introduced, presumably clandestinely, into potato growing regions at the correct time during maturation of the crop. In the course of spread the beetle first lives in small foci, which grow and increase until it becomes established over large territories. The beetle is capable of astonishing propagation: the progeny of a single beetle may amount to 8,000 million in one-and-a-half years.

334. Since beetles prefer to feed and lay their eggs in plants suffering from some viral disease, they and their larvae may help transmit the virus thereby increasing the damage they cause. The economic damage caused by the beetle varies with the season and the country affected, but it can destroy up to 80 per cent of the crop. Protection is difficult because it has not been possible to breed resistant potato species and the only means available at present is chemical protection.

335. Were the beetle ever to be used successfully for offensive purposes, it could clearly help bring about long-term damage because of the difficulty of control.

3. Genetic and Carcinogenic Changes

336. The possibility also exists that chemical and bacteriological (biological) weapons might cause genetic changes. Some chemicals are known to do this. LSD, for example, is known to cause genetic changes in human cells. Such genetic changes, whether induced by chemicals or viruses, might conceivably have a bearing on the development of cancer. A significantly increased incidence of cancer in the respiratory tract (mainly lung) has been reported recently among workers employed in the manufacture of mustard gas during World War II. No increased prevalence of cancer has been reported among mustard gas casualties of World War I although it is doubtful if available records would reveal it. However, most of these casualties were exposed for only short periods to the gas whereas the workers were con-

tinuously exposed to small doses for months or years.

CHAPTER V. ECONOMIC AND SECURITY IMPLICATIONS OF THE DEVELOPMENT, ACQUISITION AND POSSIBLE USE OF CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL) WEAPONS AND SYSTEMS OF THEIR DELIVERY

A. Introduction

337. Previous chapters have revealed the extent to which developments in chemical and biological science have magnified the potential risks associated with the concept of chemical or bacteriological (biological) warfare. These risks derive not only from the variety of possible agents which might be used, but also from the variety of their effects. The doubt that a chemical or bacteriological (biological) attack could be restricted to a given area means that casualties could occur well outside the target zone. Were these weapons used to blanket large areas and cities, they would cause massive loss of human life, affecting non-combatants in the same way as combatants, and in this respect, they must clearly be classified as weapons of mass destruction. The report has also emphasized the great problems and cost which would be entailed in the provision of protection against chemical and bacteriological (biological) warfare. It is the purpose of this final chapter to explore in greater depth the economic and security implications of matters such as these.

B. Production

1. Chemical Weapons

338. It has been estimated that during the course of the First World War, at a time when the chemical industry was in a relatively early stage of development, about 180,000 tons of chemical agents were produced, of which more than 120,000 tons were used in battle. With the rapid development of the industry since then, there has been an enormous growth in the potential capacity to produce chemical agents.

339. The scale, nature, and cost of any programme for producing chemical weapons, and the time needed to implement it, would clearly be largely dependent on the scientific, technical and industrial potential of the country concerned. It would depend not only on the nature of the chemical industry itself, and on the availability of suitably trained engineers and chemists, but also on the level of development of the chemical engineering industry and of the means of automating chemical processes, especially where the production of highly toxic chemical compounds is involved. Whatever the cost of developing a chemical or bacteriological (biological) capability, it needs to be realized that it would be a cost additional to, and not a substitute for, that of acquiring an armoury of conventional weapons. An army could be equipped with the latter without having any chemical or bacteriological (biological) weapons. But it could never rely on chemical or bacteriological (biological) weapons alone.

340. Today a large number of industrialized countries have the potential to produce a variety of chemical agents. Many of the intermediates required in their manufacture, and in some cases even the agents themselves, are widely used in peace time. Such substances include, for example, phosgene, which some highly developed countries produce at the rate of more than 100,000 tons a year and which is commonly used as an intermediate in the manufacture of synthetic plastics, herbicides, insecticides, paints and pharmaceuticals. Another chemical agent, hydrocyanic acid, is a valuable intermediate in the manufacture of a variety of synthetic organic products and is produced in even greater quantities. Ethylene-oxide, which is used in the manufacture of mustard gases, is also produced on a large scale in various countries. It is a valuable starting material in the production of a large number of important substances, such as detergents, disinfectants and wetting agents. The world production of ethylene-oxide and propylene-oxide is now well in excess of 2 million tons per year. Mustard gas and nitrogen mustard gases can be produced from ethylene-oxide by a relatively simple process. Two hundred and fifty thousand tons of ethylene-oxide would yield about 500,000 tons of mustard gas.

341. The production of highly toxic nerve agents, including organophosphorus compounds, presents problems which, because they are relatively difficult, could be very costly to overcome. To a certain extent this is because of the specialized safety precautions which would be needed to protect workers against these very poisonous substances, a need which, of course, applies to all chemical agents, especially to mustard gas. However, many intermediates used in the manufacture of nerve agents have a peacetime application: for example, dimethylphosphite, necessary for the production of Sarin, is used in the production of certain pesticides. But even leaving operating expenses aside, the approximate cost of acquiring one plant complex to produce munitions containing up to 10,000 tons of Sarin a year would be about $150 million. The cost would, of course, be considerably less if existing munitions could be charged with chemical agents.

342. A country which possessed a well-developed chemical industry could clearly adapt it to produce chemical agents. But were it to embark on such a step, it would be only the beginning. The establishment of a comprehensive chemical warfare capability would also involve special research centres, experimental test grounds, bases, storage depots and arsenals. The development of sophisticated and comprehensive weapons systems for chemical or bacteriological (biological) warfare would be a very costly part of the whole process. None the less, the possibility that a peacetime chemical industry could be converted to work for military purposes, and of chemical products being used as weapons, increases the responsibility of Governments which are concerned to prevent chemical war from ever breaking out.

2. Bacteriological (Biological) Weapons

343. The microbiological expertise necessary to grow agents of bacteriological (biological) warfare exists to a large extent in many countries, since the requirements are similar to those of a vaccine industry and, to a lesser extent, a fermentation industry. Apart from the combination of the highly developed technologies of these two industries, there remains only a need for some specialized knowledge, expertise and equipment to permit the safe handling of large quantities of bacteriological (biological) agents. Consequently, existing facilities in the fermentation, pharmaceutical and vaccine industries could be adapted for the production of bacteriological (biological) agents. But the technological complexities of producing bacteriological (biological) agents in dry powder form are very much greater than for wet spray systems. Moreover, it would be desirable to provide an effective vaccine with which to protect production staff. The technical difficulties would increase with the scale and complexity of the weapons systems that were being developed. But the fact remains that any industrially advanced country could acquire whatever capability is set out to achieve in this field.

344. The difficulty and cost of providing for the transport and storage of bacteriological (biological) weapons are considerable, since special storage conditions, e.g., refrigeration, and stringent safety and security precautions are essential. In addition, testing to determine the potential effectiveness of the material produced would require considerable and costly testing facilities both in the laboratory and in the field.

345. Despite the fact that the development and acquisition of a sophisticated armoury of chemical and bacteriological (biological) weapons systems would prove very costly in resources, and would be dependent on a sound industrial base and a body of well-trained scientists, any developing country could in fact acquire, in one way or another, a limited capability in this type of warfare—either a rudimentary capability which is developed itself, or a more sophisticated one which it acquired from another country. Hence, the danger of the proliferation of this class of weapons applies as much to developing as it does to developed countries.

C. Delivery systems

346. Practically all types of explosive munitions (artillery shells, mines, guided and unguided rockets, serial bombs, landmines, grenades, etc.) can be adapted for the delivery of chemical agents. A modern bomber, for example, can carry about fifteen tons of toxic chemical agents, and it is estimated that only 250 tons of V-gas, an amount which could be delivered by no more than fifteen or sixteen aircraft, is enough to contaminate a great city with an area of 1,000 square kilometers and a population of 7 to 10 million. Were such a population mainly in the open and unprotected, fatal casualties might reach the level of 50 per cent.

347. Existing armaments which (with some modification) could be used to deliver agents in order to generate local outbreaks of disease, could also contaminate large areas with pathogens. For example, a single aircraft could cover with a bacteriological (biological) agent an area of up to 100,000 square kilometers, although the area of effective dosage might be much smaller due to loss of the infectivity of the airborne agent.

348. While the development and production costs of chemical and bacteriological (biological) agents might well be high, the cost of the complete weapons system (see chapter I) would be even greater. The cost of developing, procuring and operating a squadron of modern bombers far outweighs the cost of the bombs it could carry. However, for some purposes, an existing weapon system or a far less sophisticated means of disseminating might be used.

D. Protection

349. The measures which would be required to protect a population, its livestock and plants against chemical or bacteriological (biological) attack are immensely costly and complex (chapter I). At present, warning systems for the detection of aerosol clouds are fairly rudimentary. Systems for the detection of specific chemical and bacteriological (biological) agents might be devised, but again they are likely to prove very expensive, if indeed they are feasible.

350. With certain agents, contamination of the environment, for example of buildings and soil, could persist for several days or weeks. Throughout this period people would be exposed to the risk of contamination by contact and by inhalation. Protective clothing, even if adequately prefabricated and distributed or improvised, would make it difficult to carry on with normal work. The prolonged wearing of respirators causes physiological difficulties, and it would prove necessary to provide communal shelters with air filtration and ventilations systems for civil populations. Shelters would be extremely costly to build and operate, and a programme for their construction would constitute a heavy burden on the economy.

351. Even if protective measures were provided against known agents, it is conceivable that new ones might be developed whose physical or chemical properties would dictate a need for new individual and com-

munal protective equipment. This could constitute an even greater economic burden.

352. Defensive measures, especially against chemical agents, would also have to include the extremely laborious and expensive task of decontaminating large numbers of people, as well as equipment, weapons and other materials. This would mean setting up decontamination centres and training of people in their use. Stocks of decontaminating agents and replacement clothing would also be required.

353. A very important part of a defense system against chemical or bacteriological (biological) weapons would be the means of very rapidly detecting an attack and identifying the specific agent used in an attack. Methods for doing this rapidly and accurately are still inadequate. Specific protection against bacteriological (biological) agents would necessitate the use of vaccines and perhaps antibiotics (see annex C of chapter II). Vaccines vary in their effectiveness, even against naturally-occurring infections, and even those which are highly effective in natural circumstances may not protect against bacteriological (biological) agents deliberately disseminated into the air and inhaled into the lungs. Antibiotics used prophylactically are a possible means of protection against bacteria and rickettsiae but not against viruses. But the large and complex problems of their use in large populations would be all but insuperable.

354. It would be extremely difficult to arrange for the medical treatment of a civilian population which had been attacked with chemical or bacteriological (biological) weapons. Mobile groups of specialists in infectious disease, of microbiologists, and of well-trained epidemiologists, would have to be organized to provide for early diagnosis and treatment, while a network of reserve hospitals and a massive supply of drugs would have to be prepared in advance. The maintenance of a stockpile of medical supplies is extremely costly. Many drugs, especially antibiotics, deteriorate in storage, Huge amounts would have to be discarded as useless from time to time, and the stock would have to be replenished periodically.

E. Cost to society

355. The extent to which the acquisition, storage, transport and testing of chemical and bacteriological (biological) munitions would constitute an economic burden, would depend on the level of a country's industrial and military capability, although compared to nuclear weapons and advanced weapons systems in general, it might not seem excessive. But the task of organizing delivery systems and deployment on a large or sophisticated scale could well be economically disastrous for many countries. Moreover the preparation of an armoury of chemical and bacteriological (biological) weapons would constitute a possible danger to people in the vicinity of production, storage and testing facilities.

356. Chemical and bacteriological (biological) attacks could be particularly dangerous in towns and densely populated areas, because of the close contacts between individuals, and because of the centralized provision of services for every day necessities and supply (services, urban transport networks, trade, etc.). The consequences might also be particularly serious in regions with a warm moist climate, in low lying areas, and in areas with poorly developed medical facilities.

357. The technical and organizational complexity, as well as the great financial cost, of providing adequate protection for a population against attack by chemical and bacteriological (biological) agents have already been emphasized. The costs would be formidable by any standards. The construction of a system of fall-out shelters to protect only part of the population of one large and highly developed country against nuclear weapons has been estimated at no less than $5,000-$10,000 million. Such shelters could be modified, at a relatively modest additional cost, to provide protection against chemical and bacteriological (biological) weapons. To construct communal shelters for a corresponding part of the population against chemical and bacteriological (biological) weapons alone would cost much the same as protection against nuclear fall-out. If all other necessary related expenditures are considered—such as detection and warning systems, communications, and medical aid—the total costs of civil defence against chemical and bacteriological (biological) agents would be greater than $15,000-$25,000 million for a developed country of 100-200 million people. But even if such a programme were ever planned and implemented, there could be no assurance that full protection could be achieved.

358. For whatever its cost, no shelter programme could provide absolute protection against attack by chemical or bacteriological (biological) agents. Protective measures would be effective only if there were adequate warning of an attack, and if civil defence plans were brought into operation immediately and efficiently. However many shelters were available, the liklihood would be that large numbers of people would be affected to varying degrees, and would be in urgent need of medical attention, and once hostilities had ceased, that there would be large numbers of chronic sick and invalids, requiring care, support and treatment, and imposing a heavy burden on a society already disorganized by war.

359. It is almost impossible to conceive of the complexity of the arrangements which would be necessary to control the consequences of a large-scale bacteriological (biological) attack. Even in peacetime, the development of an epidemic of a highly contagious disease started by a few individual cases, introduced from abroad, necessitates enormous material expenditure and the diversion of large numbers of medical personnel. Examples of widespread disruption due to a few smallpox contacts are given in chapter II. No estimates are given of the actual costs involved in dealing with these events, but in some cases they must have run into millions of dollars. Large-scale bacteriological (biological) attacks could thus have a serious impact on the entire economy of the target country and, as is observed in chapter II, depending on the type of agent used, the disease might well spread to neighbouring countries.

360. Whatever might be done to try to save human beings, nothing significant could be done to protect crops, livestock, fodder and food-stuffs from a chemical and bacteriological (biological) weapons attack. Persistent chemical agents could constitute a particular danger to livestock.

361. Water in open reservoirs could be polluted as a result of deliberate attack, or perhaps accidentally, with chemical or bacteriological (biological) weapons. The water supply of large towns could become unusable, and rivers, lakes and streams might be temporarily contaminated.

362. Enormous damage could be done to the economy of a country whose agricultural crops were attacked with herbicides. For example, only ten to twenty grammes per hectare of 2, 4D could render a cotton crop completely unproductive (see annex A). Fruit trees, grape vines and many other plants could also be destroyed. Mixtures of 2, 4D, of 2, 4, 5T and picloram are particularly potent. The chemical known as paraquat can destroy virtually all annual plants, including leguminous plants, rice, wheat and other cereals. Arsenic compounds desiccate the leaves of many crops and make them unusable as food. There are no means known at present of regenerating some of the plants which are affected by herbicides. Experience has shown, however, that in the case of some species, either natural or artificial seeding can easily produce normal growth in the next growing season. But the destruction of fruit trees, vines and other plants, if achieved could not be overcome for many years. For most practical purposes, it would be impossible to prevent the destruction of cultivated plants on which herbicides have been used, and depending on a country's circumstances, widespread famine might follow.

363. If the induced disease were to spread, bacteriological (biological) weapons could affect even more extensive agricultural areas. The effect would however be more delayed and more specific to the crops affected. Annex A gives examples of the extent of the decrease in a wheat harvest and in a rice harvest affected by blast. The uredospores of the rust are easily transported by air currents so that down-wind sections would be affected by rust to a considerable distance, with a corresponding sharp reduction in the crop, while the upwind sections gave a good yield.

364. Over and above all these possible effects of chemical and bacteriological (biological) warfare on farm animals and crops is the possibility discussed in the previous chapter, of widespread ecological changes due to deleterious changes brought about in wild fauna and flora.

F. The relevance of chemical and bacteriological (biological) weapons to military and civil security

365. The comparison of the relative effectiveness of different classes of weapons is a harzardous and often futile exercise. The major difficulty is that from the military point of view, effectiveness cannot be measured just in terms of areas of devastation or of numbers of casualties. The final criterion would always be whether a specific military purpose had been more easily achieved with one rather than another set of weapons.

366. Clearly, from what has been said in the earlier chapters of this report, chemical weapons could be more effective than equivalent weights of high explosive when directed against densely populated targets. Similarly, so far as mass casualties are concerned, bacteriological (biological) weapons could, in some circumstances, have far more devastating effects than chemical weapons, and effects which might extend well beyond the zone of military operations.

367. From the military point of view, one essential difference between anti-personnel chemical and bacteriological (biological) weapons on the one hand, and a conventional high explosive weapon on the other (including small arms and the whole range of projectiles), is that the area of the effects of the latter is more predictable. There are, of course, circumstances where, from the point of view of the individuals attacked, an incapacitating gas would be less damaging than high explosives. On the other hand, whereas military forces can, and do, rely entirely upon conventional weapons, no country, as already observed, could entrust its military security to an armoury of chemical and bacteriological (biological) weapons alone. The latter constitute only one band in the spectrum of weapons.

368. As previous chapters have also shown, neither the effectiveness nor the effects of chemical and bacteriological (biological) weapons can be predicted with assurance. Whatever military reasons might be advanced for the use of these weapons, and whatever their nature, whether incapacitating or lethal, there would be significant risk of escalation, not only in the use of the same type of weapon but also of other categories of weapons systems, once their use had been initiated. Thus, chemical and bacteriological (biological) warfare could open the door to hostilities which could become less controlled, and less controllable, than any war in the past. Uncontrollable hostilities cannot be reconciled with the concept of military security.

369. Since some chemical and bacteriologi-

cal (biological) weapons constitute a major threat to civilian populations and their food and water supplies, their use cannot be reconciled with general national and international security. Further, because of the scale and intensity of the potential effects of their use, they are considered as weapons of mass destruction. Their very existence thus contributes to international tension without compensating military advantages. They generate a sense of insecurity not only in countries which might be potentially belligerent, but also in those which are not. Neutral countries could be involved through the use of chemical and bacteriological (biological) weapons, especially those whose territories bordered on countries involved in conflict in the course of which chemical and bacteriological (biological) casualties had been suffered by garrisons and civilians close to frontiers. The effects of certain bacteriological (biological) weapons used on a large scale might be particularly difficult to confine to the territory of a small country. Large-scale chemical and bacteriological (biological) agents and chemical agents might be used for acts of sabotage. Such events might occur as isolated acts, even carried out in defiance of the wishes of national leaders and military commanders. The continued existence and manufacture of chemical weapons anywhere may make such occurrences more likely.

370. Obviously any extensive use of chemical weapons would be known to the country attacked. The source of the attack would probably also be known. On the other hand, it would be extremely difficult to detect isolated acts of sabotage in which bacteriological (biological) weapons were used, especially if the causative organism were already present in the attacked country. Because of the suspicions they would generate, acts of sabotage could thus provoke a conflict involving the widespread use of chemical and bacteriological (biological) weapons.

ANNEX A

[Economic loss from possible use of chemical and bacteriological (biological) weapons against crops]

TABLE 1.—ECONOMIC LOSS WHICH COULD RESULT FROM THE USE OF CHEMICAL WEAPONS DUE TO THE DESTRUCTION OF CROPS PER HECTARE OF LAND

Type of plant	Average harvest (in tons per hectare)	Price of 1 ton in U.S. dollars	Sum total of losses in U.S. dollars per hectare
Cotton	3	600	1,800
Rice	5	84	420
Wheat	3	69	207
Apple tree	30	[1] 140	[1] 8,400

[1] Will not produce apples for 2 years.

TABLE 2.—ECONOMIC LOSS DUE TO THE USE OF BACTERIOLOGICAL (BIOLOGICAL) WEAPONS AGAINST CROPS

Plant	Type of agent	Losses		Loss in U.S. dollars per hectare
		Percent	Tons per hectare	
Wheat	Cereal rust ("Puccinia graminis")	80	24	165
Rice	Rice blast ("Piricularia drizae")	70	35	294

CONCLUSION

371. All weapons of war are destructive of human life, but chemical and bacteriological (biological) weapons stand in a class of their own as armaments which exercise their effects solely on living matter. The idea that bacteriological (biological) weapons could deliberately be used to spread disease generates a sense of horror. The fact that certain chemical and bacteriological (biological) agents are potentially unconfined in their effects, both in space and time, and that their large-scale use could conceivably have deleterious and irreversible effects on the balance of nature adds to the sense of insecurity and tension which the existence of this class of weapons engenders. Considerations such as these set them into a category of their own in relation to the continuing arms race.

372. The present inquiry has shown that the potential for developing an armoury of chemical and bacteriological (biological) weapons has grown considerably in recent years, not only in terms of the number of agents, but also in their toxicity and in the diversity of their effects. At one extreme, chemical agents exist and are being developed for use in the control of civil disorders; and others have been developed in order to increase the productivity of agriculture. But even though these substances may be less toxic than most other chemical agents, their ill-considered civil use, or use for military purposes could turn out to be highly dangerous. At the other extreme, some potential chemical agents which could be used in weapons are among the most lethal poisons known. In certain circumstances the area over which some of them might exercise their effects could be strictly confined geographically. In other conditions some chemical and bacteriological (biological) weapons might spread their effects well beyond the target zone. No one could predict how long the effects of certain agents, particularly bacteriological (biological) weapons might endure and spread and what changes they could generate.

373. Moreover, chemical and bacteriological (biological) weapons are not a cheap substitute for other kinds of weapon. They represent an additional drain on the national resources of those countries by which they are developed, produced and stockpiled. The cost cannot of course be estimated with precision; this would depend on the potential of a country's industry. To some the cost might be tolerable; to others it would be crippling, particularly, as has already been shown, when account is taken of the resources which would have to be diverted to the development of testing and delivery systems. And no system of defence, even for the richest countries in the world, and whatever its cost, could be completely secure.

374. Because chemical and bacteriological (biological) weapons are unpredictable, in varying degree, either in the scale or duration of their effects, and because no certain defence can be planned against them, their universal elimination would not detract from any nation's security. Once any chemical or bacteriological (biological) weapon had been used in warfare, there would be a serious risk of escalation, both in the use of more dangerous weapons belonging to the same class, and of other weapons of mass destruction. In short, the development of a chemical or bacteriological (biological) armoury, and a defence, implies an economic burden without necessarily imparting any proportionate compensatory advantage to security. And at the same time it imposes a new and continuing threat to future international security.

375. The general conclusion of the report can thus be summed up in a few lines. Were these weapons ever to be used on a large scale in war, no one could predict how enduring the effects would be, and how they would affect the structure of society and the environment in which we live. This overriding danger would apply as much to the country which initiated the use of these weapons as to the one which had been attacked, regardless of what protective measures it might have taken in parallel with its development of an offensive capability. A particular danger also derives from the fact that any country could develop or acquire, in one way or another, a capability in this type of warfare, despite the fact that this could prove costly. The danger of the proliferation of this class of weapons applies as much to the developing as it does to developed countries.

376. The momentum of the arms race would clearly decrease if the production of these weapons were effectively and unconditionally banned. Their use, which could cause an enormous loss of human life, has already been condemned and prohibited by international agreements, in particular the Geneva Protocol of 1925, and, more recently, in resolutions of the General Assembly of the United Nations. The prospects for general and complete disarmament under effective international control, and hence for peace throughout the world, would brighten significantly if the development, production and stockpiling of chemical and bacteriological (biological) agents intended for purposes of war were to end and if they were eliminated from all military arsenals.

377. If this were to happen, there would be a general lessening of international fear and tension. It is the hope of the authors that this report will contribute to public awareness of the profoundly dangerous results if these weapons were ever used, and that an aroused public will demand and receive assurances that Governments are working for the earliest effective elimination of chemical and bacteriological (biological) weapons.

PROTOCOL FOR THE PROHIBITION OF THE USE OF IN WAR OF ASPHYXIATING, POISONOUS OR OTHER GASES, AND OF BACTERIOLOGICAL METHODS OF WARFARE; SIGNED AT GENEVA, JUNE 17, 1925

The undersigned plenipotentiaries, in the name of their respective Governments:

Whereas the use in war of asphyxiating, poisonous or other gases, and of all analogous liquids, materials or devices, has been justly condemned by the general opinion of the civilized world;

Whereas the prohibition of such use has been declared in Treaties to which the majority of Powers of the world are Parties; and

To the end that this prohibition shall be universally accepted as a part of International Law, binding alike the conscience and the practice of nations;

Declare:

That the High Contracting Parties, so far as they are not already Parties to Treaties prohibiting such use, accept this prohibition, agree to extend this prohibition to the use of bacteriological methods of warfare and agree to be bound as between themselves according to the terms of this declaration.

The High Contracting Parties will exert every effort to induce other States to accede to the present Protocol. Such accession will be notified to the Government of the French Republic, and by the latter to all signatory and acceding Powers, and will take effect on the date of the notification by the Government of the French Republic.

The present Protocol, of which the French and English texts are both authentic, shall be ratified as soon as possible. It shall bear today's date.

The ratifications of the present Protocol shall be addressed to the Government of the French Republic, which will at once notify the deposit of such ratification to each of the signatory and acceding Powers.

The instruments of ratification of and accession to the present Protocol will remain deposited in the archives of the Government of the French Republic.

The present Protocol will come into force for each signatory Power as from the date of deposit of its ratification, and, from that moment, each Power will be bound as regards other Powers which have already deposited their ratifications.

In witness whereof the Plenipotentiaries have signed the present Protocol.

Done at Geneva in a single copy, the seventeenth day of June, One Thousand Nine Hundred and Twenty-Five.

RESOLUTION 2162 B (XXI)

The General Assembly,

Guided by the principles of the Charter of the United Nations and of international law,

Considering that weapons of mass destruction constitute a danger to all mankind and are incompatible with the accepted norms of civilization,

Affirming that the strict observance of the rules of international law on the conduct of warfare is in the interest of maintaining these standards of civilization,

Recalling that the Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, of 17 June 1925, has been signed and adopted and is recognized by many States.

Noting that the Conference of the Eighteen-Nation Committee on Disarmament has the task of seeking an agreement on the cessation of the development and production of chemical and bacteriological weapons and other weapons of mass destruction, and on the elimination of all such weapons from national arsenals, as called for in the draft proposals on general and complete disarmament now before the Conference,

1. *Calls for* strict observance by all States of the principles and objectives of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925, and condemns all actions contrary to those objectives;

2. *Invites* all States to accede to the Geneva Protocol of 17 June 1925.

1484th plenary meeting,
5 December 1966.

RESOLUTION 2454 A (XXIII)

The General Assembly,

Reaffiming the recommendations of its resolution 2162 B (XXI) calling for strict observance by all States of the principles and objectives of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare signed at Geneva on 17 June 1925, condemning all actions contrary to those objectives and inviting all States to accede to that Protocol,

Considering that the possibility of the use of chemical and bacteriological weapons constitutes a serious threat to mankind,

Believing that the people of the world should be made aware of the consequences of the use of chemical and bacteriological weapons,

Having considered the report of the Eighteen-Nation Disarmament Committee which recommended that the Secretary-General appoint a group of experts to study the effects of the possible use of such weapons,

Noting the interest in a report on various aspects of the problem of chemical, bacteriological and other biological weapons which has been expressed by many Governments and the welcome given to the recommendation of the Eighteen-Nation Disarmament Committee by the Secretary-General in his Annual Report for 1967–68.

Believing that such a study would provide a valuable contribution to the consideration in the Eighteen-Nation Disarmament Committee of the problems connected with chemical and bacteriological weapons,

Recalling the value of the report of the Secretary-General on the effects of the possible use of nuclear weapons,

1. *Requests* the Secretary-General to prepare a concise report in accordance with the proposal in Part II of his Introduction to the Annual Report for 1967–68 and in accordance with the recommendation of the Eighteen-Nation Disarmament Committee contained in paragraph 26 of its report (document A/7189);

2. *Recommends* that the report be based on accessible material and prepared with the assistance of qualified consultant experts appointed by the Secretary-General taking into account the views expressed and the suggestions made during the discussion of this item at the twenty-third session of the General Assembly.

3. *Calls upon* Governments, national and international scientific institutions and organizations to co-operate with the Secretary-General in the preparation of the report;

4. *Requests* that the report be transmitted to the Eighteen-Nation Disarmament Committee, the Security Council and the General Assembly at an early date, if possible by 1 July 1969, and to the Governments of Member States in time to permit its consideration at the twenty-fourth session of the General Assembly;

5. *Recommends* that Governments give the report wide distribution in their respective languages, through various media of communication, so as to acquaint public opinion with its contents;

6. *Reiterates* its call for strict observance by all States of the principles and objectives of the Geneva Protocol of 17 June 1925 and invites all States to accede to that Protocol.

1750th plenary meeting, 20 December 1968.

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XUM

FIRE AT ROCKY FLATS MANUFACTURING PLANT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Colorado (Mr. ASPINALL) is recognized for 10 minutes.

Mr. ASPINALL. Mr. Speaker, recently there has been a number of articles in the newspapers concerning the fire on May 11, 1969, at the Atomic Energy Commission's Rocky Flats Manufacturing Plant in Colorado. These articles would make it seem that the Government was trying to hide the fact that a fire ever occurred. Nothing could be further from the truth.

The AEC office at Rocky Flats issued press releases on May 11, 12, and 13. There was extensive television coverage on the afternoon of the fire, May 11. A Washington press release was issued by AEC headquarters on May 20, as was a statement by Maj. Gen. Edward Giller, assistant general manager at the AEC for military application. Furthermore, in the Joint Committee's report, "Authorizing Appropriations for the Atomic Energy Commission for Fiscal Year 1970," dated June 17, 1969, there is on page 11 the following paragraph:

> The only potentially serious production problem relates to the uncertain impact of the May 11, 1969, fire at the AEC Rocky Flats Plant and its effect on the production of certain weapons components. The committee recognizes that because of the hazards involved, cleanup and damage assessment must of necessity proceed at a slow and careful pace. Current estimates on the recovery of manufacturing capability at the Rocky Flats Plant indicate that deployment of the U.S.'s newest weapon systems will not be delayed. The committee notes that the AEC has requested a supplemental appropriation for fiscal year 1969 of $45 million to initiate repairs.

To bring the record up to date, I would like to have printed a letter of June 27, 1969, from Mr. Robert E. Hollingsworth, general manager of the AEC, to Chairman HOLIFIELD of the Joint Committee on Atomic Energy.

I would like to point out that the AEC expects to meet its projected schedules for the production of Minuteman III and Poseidon warheads.

You will note that no mention is made of the production of Sprint or Spartan warheads, since these systems are still in the research and development phase.

We learned recently of a jurisdictional dispute between two of the crafts involved in constructing the new building at Rocky Flats. The dispute has been taken to the National Labor Relations Board and it is hoped that it will be resolved shortly.

The letter follows:

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., June 27, 1969.

Hon. CHET HOLIFIELD,
Chairman, Joint Committee on Atomic Energy.

DEAR MR. HOLIFIELD: Chairman Seaborg's June 13, 1969, letter to you summarized our current assessment of the programmatic impact of the Rocky Flats fire. The purpose of this letter is to provide, on an unclassified basis, additional details of our recovery plan, a more detailed schedule of deliveries, and an assessment of the uncertainties involved.

Recovery effort is proceeding on a 21-shift per week basis. The plan for recovery of capabilities will proceed in two phases. The first phase is aimed at achieving an interim capability to support process engineering and limited production to enable us to meet initial delivery schedules on the Minuteman and Poseidon warheads. It is estimated that a limited capability for production of complete plutonium subassemblies will be available in four to six months.

The second phase is aimed at recovery of full capability for quantity production, and is dependent on completion of the basic capacity under construction for production of Minuteman and Poseidon warhead components. We expect to have this new plant in operation by February 1970.

Based on the recovery schedule outlined above, and taking into account the necessary minimum processing and interplant lead times, we now estimate that we can achieve the following schedules through FY 72:

a. *Current Production*. For weapons which were in current production, we have enough completed subassemblies to allow continuation of production for a few months. After that time, production will be suspended for approximately six months after which production can be resumed.

b. *Minuteman and Poseidon Warheads*. We had not planned to start production of warheads for Minuteman and Poseidon until early in calendar year 1970. We now estimate that the recovery schedule outlined above will permit us to begin production essentially on the original schedule. This will allow us to support the initial operational capability dates and deployment schedules for both systems.

It should be recognized that there are several uncertainties associated with our recovery plan and estimated schedules. The following assumptions, each one of which has an important bearing on the validity of our predictions, have been made in developing these schedules:

a. That there will continue to be a stable labor situation in both construction and operating labor contracts.

b. That building designs for facilities currently under construction will not have to be changed significantly because of recommendations resulting from the post-fire investigation.

c. That no major problem is encountered in procurement and installation of new specialized process equipment.

A major problem in any one of the areas listed above would require reevaluation of our schedules.

Sincerely,

R. E. HOLLINGSWORTH,
General Manager.

WHERE THE SHOE PINCHES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Massachusetts (Mr. BURKE) is recognized for 15 minutes.

Mr. BURKE of Massachusetts. Mr. Speaker, I should like to bring to the attention of the Members of the House of Representatives a letter I received from Mr. John E. Mara, general president of the Boot & Shoe Worker's Union, AFL–CIO. In light of the shoe import petition signed by 306 Members of the House and sent to President Nixon, Mr. Mara's letter is quite timely. This letter concerns itself with an editorial that appeared in the New York Times, "Where the Shoe Pinches." Mr. Mara's letter points out that the facts do not bear out the statements contained in the Times' editorial.

The letter and editorial follow:

BOOT AND SHOE WORKERS' UNION,
Boston, Mass., July 3, 1969.

EDITORIAL PAGE EDITOR,
New York Times,
New York, N.Y.

DEAR SIR: Your July 2nd editorial, "Where the Shoe Pinches," concerning the changing attitude in Congress toward the problem posed for the United States shoe industry by imports misses the real point.

It has taken at least 12 years of education by the efforts of the two major shoeworker unions and shoe manufacturers to make even the slightest impression on more than a few members of Congress concerning the real imports-created condition of the American shoe industry.

The language of the editorial using the tired, old cliches of "inefficient plants," and "inattention to changes in style," show a lack of knowledge of the real situation. On top of this, your reference to the report of the U.S. Tariff Commission on the shoe industry merely repeats the same oversights in that committee's findings.

Actually, the industry has been dealt body blow after body blow by the continued, almost studied, indifference of most government agencies to a situation which sees the shoe industry losing from 20 to 30 percent of its domestic market to shoes imported from low-wage countries each year.

True, U.S. manufacturers in the beginning chose to ignore the rising imports trend, too. They felt, and said openly, that imports offered no real threat to the U.S. shoe industry. But that attitude was obviously a reflection of their feeling that shoeworkers in this country would continue to be placid, acquiescent, and unmilitant in their wage requests, an attitude which had kept them for many years at the low end of the economic scale in American industry. At this writing the national hourly average of shoeworkers is $2.29 compared to an average of $3.17 for all U.S. manufacturing.

Thanks to the minimum wage set by Federal statutes, the rising cost-of-living, the establishment of the so-called poverty level of a $3,000 a year income for American families, and the constant pressure of collective economic bargaining by enlightened workers; costs of shoemaking has increased.

Naturally, these added costs have prompted some U.S. shoe manufacturers to look at other sources of product at less cost. The South no longer qualifies, and the states like Maine and Pennsylvania, in the north, are rapidly falling into the pattern of union negotiated higher shoeworker wages.

So, first choice has been the low-wage areas of the world. European countries were the first of these, then the parade began from Europe to Asia, Africa, and the underdeveloped countries. Lately we have seen shoe manufacturers in Nationalist China's Taiwan flooding our already gutted markets. Haiti is now in the picture, too.

One result of the entrepreneurial skill of shoe importers and retailers has been to close one American shoe factory after another. Haverhill, Massachusetts, once a prime source of shoes, lost another one this past week. The 400 shoeworkers whose jobs were thus sacrificed to imports can, of course, tell the 1600 members of their families immediately effected by the factory shutdown that the event is fully understood and supported by both the New York Times and the U.S. Tariff Commission. Neither sees any merit in checking the avalanche of shoe imports which brought about this and other shoe factory closings.

As your editorial said, the swell of interest in the plight of American shoeworkers has, indeed, reached into Congress. Witness the petition of more than 300 Congressmen to President Nixon on behalf of these shoeworkers and their sorely beset industry. The same thing has already happened, the editorial points out, in the case of steel workers, textile workers and their industries. In all of these cases so many are being hurt that their injuries have finally penetrated the conscience of Congress.

It must be said, however, that men like Maine's Senator Edmund Muskie, the late, respected Congressman William Bates of Massachusetts and his colleague Representative James Burke, along with Congressman John Dent of Pennsylvania, have long been seriously and vocally involved in fighting for relief for the shoe worker and his industry. Only now, at this very late date, are their efforts bearing real fruits.

It has taken 12 years of a Cassandra-like pointing out by our union to move more than the few men named above to the realization that the present imports situation would reach its current stage.

The government, through at least two administrations, has refused to take seriously the situation now threatening to overwhelm our industry. So detached has the government become from reality in this case, that our union has finally undertaken a new approach to the problem.

Working at the union's 25th Constitutional Convention at St. Louis, Missouri, in its 74th year of existence, delegates resolved to oblige all negotiators in all our local unions, as well as those in the national union, to press for agreements from manufacturers, in future negotiations, to pay to the union a token fee of five cents on each pair of shoes the manufacturer imports for sale in the United States.

The money thus raised is to be used by this union for the active, aggressive sales promotion of American-made shoes.

We have no illusions that such a program can stem the present export of jobs and import of shoes from low-wage countries like France, Spain, Greece, Italy, South Korea, Japan, and now, Haiti, and Taiwan, and places like Hong Kong. But if our program adds even a token to the cost of importing shoes from these places, and begins to bring the message home to consumers who buy such shoes, it will have more effectiveness than any act of our government has had up to now.

The real nitty-gritty is in the fact that shoeworkers in the countries and places sending shoes here have little or no voice or choice in wages, working conditions, or benefits. Free and open bargaining for these factors are not part of their way of life as they are part of ours. Their situation thus becomes a matter of negotiation between shoeworkers and their governments. Since this is mostly solved by governmental decree, there is no equality of situation or condition linking the shoe workers of those countries with our shoeworkers.

We feel deeply that the economic achievement of American shoeworkers, and of their industry, takes first place in their own country. It should not be callously, if philosophically, shrugged off as expendable for the greater good of world trade.

The trouble with your editorial is that your writer chose to suggest the propriety of strangling an American industry for a dubious benefit to international free trade . . . and a still more dubious benefit to foreign shoemakers who have not the smallest voice in their own welfare.

Sincerely,

JOHN E. MARA,
General President.

[From the New York Times, July 2, 1969]

WHERE THE SHOE PINCHES

When protectionism assumes so contagious a form as import quota restrictions, there's no limiting its spread across the entire spectrum of industrial products. Secretary of Commerce Maurice H. Stans, who professes a belief in "free trade," argues that "voluntary" quotas on woolens and synthetics are necessary because textiles are a special political case. But now it appears that shoes are about to be added to the list of domestic industries incapable of meeting the challenge of foreign competition.

The word on shoes comes from Senator Everett M. Dirksen of Illinois, whose legislative abilities have long been partly dedicated to setting the international trade clock back to the autarchy of the 1930's. After a private luncheon with Secretary Stans, the Senator announced that efforts would be made to seek "voluntary" shoe agreements with other countries. By a happy coincidence on that same day, a petiiton from a large number of House members—warning that imports were threatening the jobs of American shoe workers—was sent to President Nixon.

Some domestic shoe manufacturers, plagued by higher costs, relatively inefficient plants and inattention to changes in style are of course being pinched by foreign competition. But nothing in a recent report by the Tariff Commission suggests that the domestic industry as a whole is suffering from imports. Other countries are not likely to shackle their shoe industries by agreeing to a U.S. quota scheme, and if they do, retaliation against U.S. imports is certain. Higher shoe prices—the inevitable result of protection—are something that American consumers can do without.

CALIFORNIA MOVES TO PROTECT PUBLIC HEALTH

(Mr. MOSS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MOSS. Mr. Speaker, recently, the California State Senate passed legislation, senate bill 341, which would prohibit cigarette advertising in the State of California. For the benefit of my colleagues, I wish to place in the RECORD at this point a copy of this legislation which is now pending before the State assembly and a statement by the author, State Senator Anthony C. Beilenson, on the bill:

SENATE BILL 341

An act to add article 6 (commencing with section 17580) to chapter 1 of part 3 of division 7 of the business and professions code, relating to advertising of cigarettes

The people of the State of California do enact as follows:

SECTION 1. Article 6 (commencing with Section 17580) is added to Chapter 1 of Part 3 of Division 7 of the Business and Professions Code, to read:

"Article 6. Advertising Tobacco Products"

17580. "Advertise" means any statement made for the purpose of inducing, or which is likely to induce, directly or indirectly, the retail purchase of *cigarettes*. It does not include statements made upon a package, carton, or any other container for tobacco products.

17581. It shall be unlawful for any person, firm, or corporation to advertise in this state by any means whatever, including, but not limited to, newspapers, radio, television, and billboards, any cigarettes.

This section shall apply only to television and radio advertisements broadcast or transmitted from stations located in California and to newspaper and magazine advertisements in publications or regional editions which have their major circulation in California. For the purposes of this section, regional editions shall include advertising zones.

17582. Nothing in this article shall be construed as prohibiting any advertising concerning the relationship between the use of cigarettes and the public health, provided that such advertising does not refer directly or indirectly to any particular brand of cigarettes.

17583. Any person, firm, or corporation, or any employee or agent thereof, who violates this article, is guilty of a misdemeanor.

LEGISLATIVE COUNSEL'S DIGEST

SB 341, as amended, Beilenson (Gov. Eff.). Cigarette advertising.

Adds Art. 6 (commencing with Sec. 17580), Ch. 1, Pt. 3, Div. 7, B. & P.C.

Makes it a misdemeanor for any person, firm, or corporation to advertise in this state by any means whatever, including newspapers, radio, television, and billboards, any cigarettes. Specifies that prohibition applies only to television and radio advertisements broadcast or transmitted from stations located in California and to newspaper and magazine advertisements in publications or regional editions which have their major circulation in California.

Defines the term advertise as meaning statements made for the purpose of inducing, or which is likely to induce, directly or indirectly, the retail purchase of any cigarettes. Excludes therefrom statements made upon a package, carton, or other container for *cigarettes*.

Excludes from prohibition any advertising concerning the relationship between the use of *cigarettes* and the public health, provided that such advertising does not refer directly or indirectly to any particular brand of *cigarattes*.

STATEMENT OF STATE SENATOR ANTHONY C. BEILENSON TO THE SENATE GOVERNMENTAL EFFICIENCY COMMITTEE CONCERNING SENATE BILL 341 RELATIVE TO CIGARETTE ADVERTISING

As amended, SB 341 would only ban cigarette advertising, rather than the advertising of all tobacco products as originally provided.

A second amendment specifies that the prohibition would apply to radio and television ads broadcast or transmitted from stations located in California. Stations broadcasting into California from neighboring states would not be affected. Cigarette ads placed with the networks for nationwide broadcast would have to be dropped or replaced when transmitted by California stations.

As for magazines and newspapers, SB 341 would ban cigarette ads in publications or regional editions which have their major circulation in California. For purposes of the legislation, advertising zones—which are used by most major publications—are acceptable designations for regional editions.

Experience has shown that prohibition of advertising of specified products is feasible and presents few practical problems.

A ban on cigarette ads has been voluntarily accepted by three television ownerships. The Post-Newsweek chain which owns WTOP of Washington, D.C., a recognized leader in the industry and a CBS affiliate, no longer accepts cigarette ads. The Bonneville International Corp., which has stations in Seattle, Salt Lake City, Kansas City, and also KBIG AM–FM radio in Los Angeles, has announced a similar ban, as has the Westinghouse Broadcasting "Group W" chain of 5 television and 7 radio stations.

There has also been state action in controlling television ads. Oregon prohibits ads of alcoholic beverages under statute 471.730 which gives the Oregon Liquor Control Commission the power to ban alcohol commercials including those for wine and beer, on all media. Under this law Oregon stations have been prohibited from transmitting national ads which show the consumption of liquor, and have prohibited all liquor ads on

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Sunday. Oregon stations replace the national ads with local spots of other products.

In short, these examples show that a ban on television cigarette ads in California can reasonably be accomplished.

In a prior committee hearing, it was stated that there would be several specific problems raised by a ban on television cigarette ads. I will discuss each of these separately.

First there are no mechanical difficulties in blacking out the cigarette ads by the local station. Any portion of a network show can be easily deleted with a flick of a switch. This is known as the "roll of process".

Second, there is little likelihood that such a ban would result in a large revenue loss for the television industry. This is so because of the diversification of the tobacco industry, the industry's advertising buying policy, and the fact that we are talking about a statewide rather than a national ban.

Cigarette commercials appear only on prime time. This is the time most desired by advertisers. My staff has been told by a former television network executive that there is absolutely no difficulty in selling prime time, and that there are other sponsors ready to take the time.

Further, because of the diversification in the tobacco industry, this time may even be retained by the tobacco companies themselves for the use of their other products. For example, American Tobacco could substitute a Shasta soft drink ad for a Lucky Strike ad in broadcasts in California.

Another factor increasing the likelihood that this time would be purchased is the fact that a whole new market of advertisers would be opened—the regional advertisers. At the present time, there is little reason for a corporation operating primarily in California to buy prime time over national television since it only wants to advertise in California. However, a California ban on cigarettes would make this time valuable to regional advertisers because they could now buy just the California audience time. In this way, large California corporations like Bank of America or PG&E would find it profitable to buy such time and obtain the name identification with the prime time big name shows. Thus, a side effect of such a ban may be to help these California industries to gain wider exposure and increase sales.

In short, the ban on cigarette advertising in California would in all probability have no effect on the television revenue since the present national advertising market is already willing to purchase the prime time; the cigarette companies may decide to retain the time for their other products; and further, a whole new market is opened up—the regional market.

The loss of revenue would not be a problem. Rather, the problem would be one of paperwork and reshuffling for the advertising agencies to place the new advertisers in these spots.

Third, there will not be a loss of any big specials. Cigarette companies have not sponsored a special on their own in recent years, if ever. Sponsorship is always shared with several other sponsors. Thus, only a portion of the advertising time would have to be found for the California market. And as stated above, this would not be a difficult problem.

Fourth, there is no problem with the contracts between the networks and the advertisers. The network rate cards specifically state that "no minimum line up of stations is required," so the loss of the California stations would not eliminate the rest of the contract applying to the remainder of the United States.

Fifth, there is no problem with the contracts between the network and the local stations since the supervening illegality, as of the effective date of this legislation, would negate the contractual requirements of the local stations to carry the network television ad. The station would however, still be required to carry any other substitute ad the network provided.

Sixth, *no* California television stations would be placed at a competitive disadvantage with Oregon, Arizona, or Nevada stations. This is true simply because there are *no* California television stations which are in advertising competition with television stations in these states. The patterns of a California station and a foreign state station may overlap the same area, and some Californians may pick up the signal from the foreign state's stations. However, these are fringe areas, and include very few California viewers. When an advertiser is deciding whether to buy time from a particular station, the fringe area is of little or no consequence, and does not serve as a basis for his decision on which station to place his ad.

The only place where there might be competition would be with a Mexican station in Tijuana. However, a competitive disadvantage could only occur if a substitute advertiser could not be found, and as stated above, this is unlikely. The networks would substitute the cigarette ads and the local station would still get the same amount of revenue. Also, the station might find a local advertiser. It is interesting to note that if a local advertiser is found, it will be the foreign station which is at competitive disadvantage because local stations make *more* net profit on a local ad than they do by carrying a network ad. (Since the networks do not get a percentage of local ad revenue, there would be a great incentive for the networks to provide a network ad for the local station, which the local would have to show under its contract with the network).

In summary, prohibition of certain television advertising not only *can* be done, it *is* being done. Further, there is a very strong probability that a prohibition on television cigarette advertising will take place on a national basis under the FCC ruling.

If it does become a national ban, this makes a ban on other cigarette advertising in California all the more important. England several years ago prohibited cigarette ads only on television. The result was that the advertising money went to the other media. It would seem likely that a similar result would occur in the United States if the FCC ruling applies or if California only passed a law banning the television ads. Thus, in order to prevent this happening in California the ban should include the other media. At the present time, there is only a small amount of money being spent in these other media and if such a ban is to occur in the future, it would be best if it occurred now before advertising revenue is transferred to these media and they develop a dependency upon it.

As stated earlier, I think the section of the bill relating to magazines and newspapers should be limited to "publications or regional editions (including advertising zones), which have their major circulation in California." Under this qualification, the publications would fall into three major groups with different consequences for each group.

First, there are the high circulation publications which have a California or western edition, or which sell ads on a regional basis. This group would not face any difficulty in eliminating their cigarette ads in the California market since they are already set up to handle such a division of advertising. For example:

Look has 75 advertising zones. Number 74 is California. Ads can be purchased in any one zone or in any combination of zones. Thus, a cigarette advertiser in *Look* could purchase all zones except #74.

Life has separate advertising zones for each individual state.

American Home has both a southern and northern California edition.

Time has both a San Francisco and Los Angeles metropolitan edition.

National Geographic has both a San Francisco and Los Angeles metropolitan edition.

T.V. Guide has both a San Francisco and Los Angeles metropolitan edition.

True has a southern California edition.

Wall Street Journal has a Pacific Edition.

Second, there are the publications which are not set up to advertise regionally and do not have a major portion of their circulation in California. These magazines would be excluded from the provisions of this bill.

Third, are those publications whose major circulation is in California and thus would be affected by the bill. These are the California newspapers and local magazines, such as *Los Angeles* magazine.

Little or no cigarette advertising is carried in these publications and therefore there would be little or no revenue loss for them. Further, they would not be placed at a competitive disadvantage with Oregon, Nevada, or Arizona newspapers because there are no large competing local publications along the California border. In fact, the largest paper along the border is the *Las Vegas Review Journal* which only has a circulation of 55,000 and that is on Sunday, and it has no California competitor.

But even more important is that these smaller publications just do not carry cigarette ads at the present time. Even the large publications like the *Los Angeles Times*, the *San Francisco Chronicle*, and the *Sacramento Bee* do not normally carry these ads, although they may carry them if there is a big advertising campaign being put on by one of the cigarette companies.

Again it should be pointed out that the problems in this area can be solved. The *Readers Digest*, the *New Yorker*, and *Sunset* magazine have all voluntarily agreed not to accept cigarette advertising.

THE HUNGRY AMONG US

(Mr. PODELL asked and was given permission to extend his remarks at this point in the Record.)

Mr. PODELL. Mr. Speaker, it is a shameful fact that today there are approximately 19 million Americans who are either suffering from acute malnutrition, or who live with hunger on a daily, depressing basis. In the midst of plenty, we allow want to rear its head. Such is our national shame. No amount of verbiage or excuses can blot out or blur the sharply defined outlines of this horror which dwells among us.

Malnutrition strikes hardest at pregnant women and children under age 10, especially nursing babies. Exposure of a person to such a prolonged condition causes permanent body damage and irrevocably arrests brain development.

Under normal growth conditions, the body's organs must develop coordinately. Delayed brain development permanently stunts its ability to function. Slow learning capacity and permanently impaired thought processes result.

By prolonging malnutrition among significant numbers of Americans, we guarantee a future supply of maimed members of society, unemployable and dependent on welfare for medical and living costs. Clusters of such people are to be found ghettoed in cities and scattered in our countryside. Their living conditions shame and shock us. Apathy on the part of those charged with authority to alleviate or remove such conditions is condonation of destruction and suffering of our fellows.

Some among us argue for feeding the

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hungry to remove them from relief rolls. Theirs is a narrow stream of thought. Our motivation to end malnutrition must stem from compassion as well as self interest.

We have adequate supplies of nourishing foodstuffs we can easily make available to all these people. This must be done now. Once the immediate condition is alleviated, we may turn our attention to long-term programs of education and employment aimed at adequate incomes. In order to reach for these goals, Mr. Speaker, I am today introducing a package of three measures.

The first, the Food Stamp Reform Act of 1969, is aimed at getting adequate nourishment immediately and for long enough periods, to those most in need of such help. Another, the Human Nutrition Act of 1969, would provide a start on the road to full and final solution of our basic difficulty.

The Food Stamp Reform Act amends the 1964 food stamp program, which has not fulfilled its original goal of upgrading health and well being of our poor. Nutrition and food must be provided on basis of need. Food stamps should be provided at a cost the poor can pay. They must be able to secure an adequate diet with them. Because it has failed to meet such objectives, the food stamp program is as much failure as it is success.

The bill aims at fulfillment of these objectives, expanding the original program by permitting participants to purchase items for personal hygiene and home sanitation with food stamps. It removes restrictions on distribution of federally owned foodstuffs in areas where the food stamp program is in operation. It requires establishment of a national income standard by the Federal Government with State cooperation in order to more fairly determine eligibility.

If local officials refuse to comply with the act, provision is made to administer the program through Federal initiative alone.

The Human Nutrition Act provides for fulfillment of a long-recognized need of establishing a coordinated program at top Government level to meet continuing needs of the poor and hungry. It creates an office within the Department of Agriculture to immediately tend to these needs. Such an Assistant Secretary for Human Nutrition and an Advisory Council on Human Nutrition would coordinate programs such as the National School Lunch Act, Food Stamp and Child Nutrition Acts. The Advisory Council would be composed of private individuals who are specialists in the field of human nutrition. Their primary task would be to study and report on existing programs, evaluating and recommending more effective approaches to problems. Reports would be made available to the Congress.

My third measure would extend benefits of the food stamp program to provide for hot meals served by private nonprofit groups and organizations to our elderly. It authorizes the Secretary of Agriculture to designate specific church and other nonprofit organizations to accept food stamps in exchange for prepared meals. Stamps would still be issued only to individuals.

Some 50 charitable organizations in the Nation now offer prepared meals to shut-ins and other elderly people now unable to cook for themselves due to individual handicaps or lack of facilities.

Without such service, these older people would be forced to enter institutions. Now they can live at home and meals may be brought to them there. Such programs today rely on volunteer help. They are limited due to high costs of food and other expenses involved in transporting hot food to their homes.

It is a national shame that millions of older people are forced to the edge of degradation because we will not recognize reality and aid them. It is a national disgrace that America, in the midst of plenty, will turn its back upon helpless citizens. We have it within our power to rectify this entire situation.

Mr. Speaker, these bills provide a means to our ends of curbing hunger across our land. We can no longer pretend that malnutrition and hunger do not dwell amongst us almost everywhere. Daily America loses because of their evil presence. We can work diligently and practically to end it.

CONSUMERS DESERVE FULL WARRANTY PROTECTION

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PODELL. Mr. Speaker, the American consumer is today the virtually helpless target of a vast range of deceptive practices we allow to proliferate in an untouched state in our economic marketplace. Consumer buying integrity is challenged from every direction. From first advertisement to container holding the product—from actual price information on a label to quality and quantity of product—from warranty and product performance to repair and servicing. A victimized consumer must bear costs while manufacturers, advertisers, sales personnel, and repairmen receive all or most of the benefits.

One means of deception exceeds all others in terms of misrepresentation and final expense—product warranty. A warranty or guarantee suggests to a buyer that a purchase is of excellent quality. If by some remote chance something goes wrong with it, presence of the warranty certificate implies that the problem would be rectified without question. Often such warranties are utilized as sales enticements.

How often have each of us seen advertisements in all media boasting of "full 5-year warranty," "1-year full guarantee," or "guaranteed your money back." Trying to collect on your warranty, however, is another kettle of fish entirely.

Warranties must possess clarifying restrictions in order to protect manufacturers. As it turns out, such restrictions are often so broad that they exclude coverage on behalf of the buyer of almost everything relevant. Here are some of the more common warranty exclusions and deceptions:

Exclusion of coverage for cost of shipping product to manufacturer or repair shop for repair or replacement. Cost is usually borne by consumer.

Exclusion of coverage of labor costs for repair work, which is usually borne by consumer.

Exclusion of fees or so-called service charges in making complaint and repairs. Often these changes are added without warning to consumer.

Exclusion of provisions for replacement of entire product if it turns out to be a total failure.

Coverage allowed for but a few of the product's parts, such as portions of a motor, though an entire motor must often be replaced if one part malfunctions.

Limitation of time period for coverage. Sometimes coverage period begins from manufacture date, and is often expired by date of delivery.

Lack of clarification of who bears responsibility to make repairs, dealer or manufacturer. Consumers must usually track down repair shop.

Legally complex language of warranty impossible for most laymen to read, understand and act upon.

Restrictions on transfer of warranty benefits or coverage to a second owner if product is resold during warranty period.

Lack of explicit procedures for filing claims for repairs or replacement.

Multiplicity of disclaimers, which in most cases succeed in absolving manufacturer or dealer of any liability.

A recent Consumer Union survey of new automobile buyers found 65 percent of those reporting dissatisfaction with warranty work, stating dealer could not fix defect; another 15 percent claimed the dealer was uncooperative; 12 percent claimed the warranty did not cover the defect. Over 16,000 of 50,000 car owners surveyed by CU found their automobile in unsatisfactory condition when delivered.

Mr. Speaker, it is time Congress offered American consumers what they are fully entitled to: Full protection under warranty. Consumers who purchase in good faith have a right to prompt repair or replacement of a defective product without personal expense.

I am joining the gentleman from Michigan, Congressman JAMES O'HARA in sponsoring the Consumer Full Warranty Act, which requires dealers to guarantee that products they sell are free from defects of both materials and workmanship. It would require dealers to guarantee that products are fit for purposes they are sold for—that they comply with a dealer's descriptions. Also, goods must be free of liens, and sale must bring with it good title of ownership.

My measure would provide warranty protection for a minimum 1-year period, beginning at date of delivery rather than of manufacture. Longer warranties would be encouraged, and would be transferable to succeeding owners if sold during the warranty period. Its language would have to be intelligible to a layman, and must be explained to a buyer at time of purchase.

Procedures for filing claims and obtaining proper repairs would have to be clearly stated in warranty. A manufac-

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turer would be required to establish conveniently located service facilities, making repairs under such warranties at no expense to buyer. Labor, parts, shipping costs, and service charges would be borne by the manufacturer. If a product could not be repaired, a manufacturer would have to make good upon the guarantee within 60 days.

Manufacturers would have to cooperate closely with the FTC in records keeping and claims reporting. Failure of manufacturer to comply would result in criminal proceedings being brought by the FTC. A purchaser would be granted authority and support in bringing suit against manufacturers whose warranties remained unfulfilled. Such suits could cover full purchase price of a product, damages, court costs, and resulting expenses.

Mr. Speaker, this bill is a consumers bill of rights as far as warranties and guarantees are concerned. Full consumer protection can be made a reality.

THE PARTNERS' PLANE FOR PEACE

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, on June 3, of this year I was pleased to call to the attention of our distinguished colleagues in the House the resolution adopted by the Fourth Inter-American Conference of the Partners of the Alliance for Progress.

That resolution asked President Nixon to make available one aircraft out of the thousands of American transport planes involved in defense and military activities, for the purpose of promoting peace and understanding in this hemisphere.

The Partners of the Alliance have not been able to accept many contributions of excellent equipment because their warehouses are already bulging with hundreds of tons of equipment that, despite their best efforts, they have been unable to transport. In addition, many technical and professional volunteers who are anxious to give their time and talents to the Alliance are unable to do so, because of a lack of transportation assistance. Because of this great need, I have written to President Nixon asking favorable action on this humanitarian request.

Mr. Speaker, the response to the Partners Plane for Peace, which I have witnessed over the past few weeks, has been both impressive and heartening. Support for the proposal has come from many quarters—public officials, the press, private citizens: Americans concerned with the principles underlying the Alliance—a partnership for progress and peace.

The outstanding Governor of the State of Kansas, the Honorable Robert Docking, wrote to say:

> You are to be congratulated for the support you have given to the proposal that an aircraft be made available to the partners of the Alliance. I concur that this program serves the cause of peace and understanding in the Western Hemisphere. And I agree that one aircraft to transport equipment is not too much to ask.

Dean Boyd Martin of the University of Idaho, an early organizer and supporter of the Alliance, said:

> I wish to take this opportunity to commend you for calling attention to this meeting before the House of Representatives and also for advocating the assignment and operation of one United States aircraft as a "Partners Plane for Peace." I think this is a wonderful idea, and I sincerely hope that it can be successfully completed.

An editorial by Mr. Bill Frank in the Wilmington, Del., Morning News Opinion suggested another aspect of the Partners Plane for Peace. Mr. Frank pointed out:

> Such a plane would leave the United States and stop off at various Latin American countries, distributing contributions from the various partners in the U.S. to their counterparts in Latin America.
>
> Delawareans have already shipped considerable material—tractors, camping equipment, medicines and drugs, and seeds.
>
> But they can send a lot more, with the help of the Medical Society of Delaware, the Boy Scouts of America, the Jaycees and the State Department of Agriculture, and individuals.
>
> Ed Golin, one of the original partners, and still an officer, sees the value of a U.S. aircraft beyond sending material to Panama, for example.
>
> On its return flight, he says, the plane could bring back arts and crafts for loan exhibitions in Delaware. A tremendous collection of archaeological items could come here for display.

Another editorial, this one by Mr. Oren Campbell of the Idaho Free Press and the Caldwell News Tribune, noted that our Government has thousands of military aircraft, and asks:

> Why not a plane for peace?
>
> The idea is an excellent one. It would be an important first step in strengthening one of the most vital links in U.S.-Latin relations.
>
> We strongly support this and other measures that will increase cooperation, economy, and understanding between Americans and our neighbors to the South.

Even more significant in showing the urgent need for a Partners Plane, Mr. Speaker, has been the response from those citizens actually involved in the day-to-day operation of the Alliance. A letter from Mr. Lester Rogers, the chairman of the Nicaragua/Wisconsin Partners of the Alliance, is particularly revealing. Mr. Rogers writes:

> We are highly pleased by your efforts to procure a plane for use by the Partners of the Alliance for Progress. A major bottleneck in Wisconsin's program with Nicaragua has been in transportation. As you know, lack of local civic sense of responsibility in Latin America is one of their major problems. Two years ago, to provide a stimulus for local civic responsibility, we shipped a good, used, fire truck, a gift from the city of Shorewood, to Matagalpa, Nicaragua. This fire truck has been a great help toward recruiting volunteers and interest in the local fire department. We were just plain lucky in this case to have found a Scandinavian ship in the Milwaukee Harbor that was going to Nicaragua and kindly consented to transport the truck. However, more than a year ago, the city council of Madison gave a truck to San Juan del Sur, and Ft. Atkinson's city council gave a truck to Puerto Cabezas. Both of these trucks are still in Wisconsin due to the transportation problem.
>
> We have been offered about 100 good, used, 2900 egg capacity electric incubators much needed in Nicaragua, but so far have been unable to find a satisfactory means of transporting them. We are sure that availability of a plane for both cargo and personnel would improve tremendously the program of the Partners.

The Chancellor of Oakland University, who also serves as the chairman of the Michigan Partners program, stated in his letter:

> This is the most pressing of all the needs we have (except money!), and we shall do everything we can to help with it. It is a brilliant idea and would be the greatest boost this citizen based effort has had in its young history.

Mr. Daniel Hussey, the executive vice president of the New Jersey Partners of the Alliance, understandably laments:

> Presently we have many tons of very serviceable hospital equipment which many of our Board of Trustees and the state and local Jaycee groups have worked on in order to rehabilitate the items for shipping. In the past we have had the good fortune to be able to utilize the services, free, of the Brazilian Naval transports which come into New York Harbor before returning to Brazil. This year, however, no such vessels have been available and we have no promise of others in the near future. As a result, the items which have been painted, cleaned, waxed, and so forth are awaiting shipment in a warehouse where the facilities are not entirely what we would like to have. Because of this backup of material we cannot in turn bring in many other tons of hospital supplies which we know we can obtain.
>
> As an example of what we have been able to do, we have sent about 32 tons of hospital and school equipment which cost us approximately $6,000. We estimate the value of the material forwarded to be worth about $210,000.
>
> So you can see that we have been effective but currently are stymied for want of a method of shipping our material to Brazil. Should your plan to have an aircraft made available to the Partners' program be realized, we could once again start the pipeline of help to Brazil flowing in a definite fashion.

Mr. Speaker, Jim Boren, the guiding light behind the Partners program, and his very able assistant at the Agency for International Development, Wade Fleetwood, have performed an outstanding service for the peoples of Latin America and the United States by their efforts to promote interchange and communication between the neighbors of this hemisphere.

They tell me that these are a very few of the many cases where transportation could open the door of peace and understanding a little wider.

The United States is in a perilous race with time and history in her efforts to close the ever-widening technological and economic gap between the members of the Alliance. This is one of those rare instances when a very small contribution can have very great beneficial effects.

The noble goals of the Alliance for Progress have helped create what has been called the "revolution of rising expectations" in Latin America.

We must do everything we can to make that revolution a peaceful and progressive one. The Partners' Plane for Peace would be an important and significant step in that direction.

Mr. Speaker, I insert the full texts of some very thoughtful editorials and articles which have come to my attention in the last few weeks:

[From the Idaho Free Press & Caldwell News-Tribune, June 12, 1969]

Good Idea: Peace Plane

Gov. Nelson Rockefeller of New York recently reported that U.S.-Latin relations under the Alliance for Progress are hamstrung by red tape.

After two fact-finding missions for President Nixon, Rockefeller said, in effect, "there is no alliance." He saw deterioration and disillusionment in Latin relations with the U.S.

The Alliance for Progress, Rockefeller declared, had been "overpromised and under developed" by the U.S. and has resulted in frustrating the hopes of the Latin people.

He was critical of U.S. laws governing Latin aid—laws requiring that supplies for aid projects must be purchased in the U.S. even when they are available in the nation to be aided.

Rockefeller emphasized he was confident that changes would be made.

One specific change we would recommend lies in a phase of the Alliance for Progress program that is working. We're referring to the Partners of the Alliance program—our people-to-people approach to Latin aid. This organization joining 37 U.S. states with 38 areas of Latin America has paved the way for friendship, understanding and economic assistance in areas where the U.S. government itself has met with antagonism.

Here in Idaho we're working on self-help projects with Ecuador.

We'd like to see more encouragement of the people-to-people program by our government.

Rep. Dante B. Fascell, D-Fla., recently proposed a "Partners' Plane for Peace"—one U.S. aircraft that could be assigned to the Partners of the Alliance "to serve the cause of peace and understanding in the hemisphere."

Such a plane, he said, would "carry goods donated by American citizens to Latin American countries, in conjunction with the Alliance for Progress."

This would serve as "a dramatic symbol of the generosity of the American people—just as does the gleaming white hospital ship, HOPE," the New York congressman said.

Last year the Partners organization sent more than 660 tons of agricultural, educational and hospital equipment to partner nations in Latin America.

At present, an estimated 800 tons of additional equipment and large numbers of volunteers are awaiting transportation to Latin America.

Our government has thousands of military aircraft. Why not a plane for peace?

The idea is an excellent one. It would be an important first step in strengthening one of the most vital links in U.S.-Latin relations.

We strongly support this and other measures that will increase cooperation, economy and understanding between Americans and our neighbors to the South.

[From the Wilmington (Del.) Morning News Opinion, June 16, 1969]

(By Bill Frank)

Panama Flight No Fancy

Can you imagine a great U.S. plane zooming down from the skies onto a Latin American airport some afternoon?

The people of the hills and the valleys would be looking up and wondering about its mission only to learn that this is not a war mission but one of peace and friendship.

The great plane would taxi along the air strip and pretty soon, like the abundance of good things flowing out of a cornucopia, out of it would come books, agricultural seeds, medicines and life-saving drugs, tools for farming and science.

The first question in the minds of the people would be: "What is it they want in return for all these?"

The answer would be: "Nothing but friendship and goodwill."

This describes the concept of U.S. Rep. Dante F. Fascell, D-Fla., to stimulate the sagging morale of the Alliance for Progress and reassure the people of Latin America of the U.S. interest and support of the alliance.

If it materializes, this plan would involve the Delaware Partners of the Alliance and solve their problem of transportation of many items they want to send to their counterpart in Panama.

The Delaware Partners of the Alliance was established about five years go with Panama.

The idea was to have a realistic people-to-people program as far removed from government as possible.

In these past five years, the Delaware Partners have established a meaningful rapport with citizen groups in Panama along social, educational, scientific and agricultural lines.

But because of the expense of air transportation and the slowness of sea-going freight, there's been great lagging periods in sending materials to the underprivileged areas of Panama.

Now comes Congressman Fascell with an idea.

He has called upon President Nixon to assign one U.S. aircraft, a Partners' Plane for Peace, to the Partners of the Alliance for Progress "to serve the cause of peace and understanding in the Western Hemisphere."

Fascell declared that "now is no time to turn our backs on the people of Latin America."

He decried "violence of a small, hostile minority" which recently forced the cancellation of Gov. Nelson A. Rockefeller's fact-finding mission to Venezuela.

"In 1968 alone," Fascell said, "the Partners of the Alliance in the United States sent more than 660 tons of agricultural, educational and hospital equipment to their partners in Latin America. Today an estimated 800 tons of additional equipment and large numbers of volunteers are awaiting transportation to Latin America.

"Despite the great generosity of many airlines and shipping companies, additional space is needed to transport this equipment and volunteers to Latin America.

Fascell's idea has tremendous possibilities.

Such a plane would leave the United States, and stop off at various Latin American countries, distributing conributions from the various partners in the U.S. to their counterparts in Latin America.

Delawareans have already shipped considerable material to Panama—tractors, camping equipment, medicines and drugs and seeds.

But they can send a lot more, with the help of the Medical Society of Delaware, the Boy Scouts of America, the Jaycees and the State Department of Agriculture and individuals.

Ed Golin, one of the original Delaware Partners and still an officer, sees the value of a U.S. aircraft beyond sending material to Panama, for example.

On its return flight, he says, the plane could bring back arts and crafts for loan exhibitions in Delaware. A tremendous collection of Panamanian archaeological items could come here for display.

"After all," Golin explains, "this Partners of the Alliance is a two way street. Our Panamanian friends are also anxious to contribute something to us; for the link between Panama and the United States is of particular importance and has been in all the years of the Panama Canal."

Nothing could be more dramatic than a U.S. plane on a mission of friendship. It would certainly pack an unforgettable gesture.

When does it start?

[From the Casper (Wyo.) Star-Tribune, June 17, 1969]

Suggest "Plane for Peace" To Lift "Partners" Program

A proposal designed to boost the sagging morale of the Alliance for Progress and reassure the people of Latin America of United States interest and support was made in Congress recently.

The proposal concerns the Partners' Plane for Peace. Casper is a participant in the Partners program having as a partner a cattle and ranching province in southern Brazil named Goyas.

The proposal calls for an airplane to make a circuit of the hemisphere loading and unloading people and donated equipment to expand the interchange of the Partners program.

In 37 states who are members of the Partner program daily collect items Latin America partners have requested to help them in self-help projects. These items include everything from used school desks to hospital x-ray equipment.

At this time the program is going nowhere because of the hold-up in shipping procedures.

The Wyoming State Chairman for the Partners of the Alliance is a Casper man, Roy Houser, 204 North Pennsylvania. The past chairman was also a Casper man, Edwin Brennan, 1704 Westridge Circle.

[From the Denver (Colo.) Post, June 26, 1969]

Congress OK Sought—"Plane for Peace" Advocated To Spur Latin Alliance Aid

Dr. Will Pirkey, president of the National Association of the Partners of the Alliance (NAPA), said Wednesday that a "plane for peace" is being sought from Congress; he spoke before a meeting of the Colorado Partners of the Alliance.

The plane would be used to facilitate cultural exchanges and ship cargo between the United States and the 16 Latin American countries participating in the Alliance for Progress, he said.

Dr. Pirkey, a Denver physician and past president of the Colorado Partners of the Alliance, said a "plane for peace" could be used for such purposes as transporting medical equipment.

"Over 10 tons of medical equipment is being stored in Denver alone awaiting some form of transportation to Brazil. If NAPA had a plane at its disposal, this equipment could be flown out on a regularly scheduled basis," he said.

Dr. Pirkey said he hopes Congress will set aside one Air Force jet transport plane for NAPA use.

Rep. Dante B. Fascell, D-Fla., is spearheading the drive for a "plane for peace" in Congress, Dr. Pirkey said.

Fascell, speaking in the House of Representatives earlier this month, said that although much is being done to ship equipment to Latin American countries, "the tragedy . . . is that countless tons of additional equipment and large numbers of technical assistance volunteers could have been added . . . had transportation been available."

Dr. Pirkey also outlined his goals as NAPA president. He said he hoped to get the national program into the private sector. NAPA is currently operating on a declining grant from the Agency for International Development. The grant expires in two years.

He said he wished to expand NAPA aid to the existing state programs so they may better fulfill their objectives and expand the program from its current 37 states to all 50.

XUM

[From the Knoxville (Tenn.) News-Sentinel, June 29, 1969]

PARTNERS GO TO PEOPLE

(By Laffitte Howard)

"People, not systems, will solve our problems."

These are the words of Adm. Hyman G. Rickover, father of the atomic submarine and gadfly of the military because he believes red tape is only for cutting.

And while we are speaking of the Pentagon, what he said is equally true of the State Department or any agency of our Government.

The truth of his words has been spelled out for the past five years by a private group of Americans dedicated to aiding the people, not the governments, of Latin America.

The name of the group is the Partners of the Alliance, and it is just that—a private partner of the Alliance for Progress, the U.S. Government program started by President Kennedy to help our neighbors to the south.

ALLIANCE IN TROUBLE

But today the Alliance for Progress is in trouble.

As Scripps-Howard staff writer Robert Dietsch pointed out in a series in The News-Sentinel recently, the Alliance "was spawned with so much promise and hoopla" but Latin America today "probably has more hungry, ill-housed and poor people than ever before and as much illiteracy as ever."

Mr. Dietsch goes on to say "it is clearer than ever that what is lacking in and toward Latin America are ideas and motivation."

But the Partners of the Alliance has both ideas and the will to make them work. Thirty-seven states in the U.S. have become partners with states or countries in Latin America, and the contact is with people, not the heads of these governments.

Tennessee's partner is Amazonas, the largest state in Brazil—a state that takes in about a fifth of the whole country and is almost as large as all of the U.S. east of the Mississippi River.

Amazonas is mostly virgin jungle and most of its 750,000 people live close to the Amazon River or its tributaries, for most, water is their only means of transportation.

Head of the Tennessee Partners with Amazonas is Dean Arthur E. Warner of U-T's College of Business Administration. And he points out that the need of the Partners is for transportation. Here in Tennessee there are several tons of medical equipment and school groups have collected books and papers and crayon which are not in Amazonas because the Partners cannot afford private shipping.

Last month at a national meeting the Partners asked that "a single plane designated for purposes of war should be (made) available for conversion to serve the cause of peace and understanding in the hemisphere" and urged President Nixon to put such a plane at the Partners' disposal.

Rep. Dante B. Fascell has carried the request to the floor of the House of Representatives and Dean Warner urges that interested Tennesseans join in calling on their congressmen to carry the call to the President.

In 1968 the Partners sent 660 tons of agricultural, hospital and educational equipment to Latin-American Partners, but many more tons could have been sent if cheaper transportation had been available.

HELPED 350 TO VISIT

Last year the Agency for International Development helped 350 volunteer technicians visit Latin Partners and 1250 additional volunteers from the U.S. and 560 from Latin America traveled under private funding. As with equipment, much more of an exchange would have been possible if the transportation could have been financed.

Among those from Amazonas coming to Tennessee has been Moacir Andrade who last summer exhibited and discussed his work at U-T, Vanderbilt and in Union City, Jackson and Memphis. After his exhibits, which were well-received here, he sold $280 worth of his painting and gave the money to the Tennessee Partners.

And a potential gain for the U.S. from partnership is jute, a plant that grows wild in Amazonas. Area carpet makers are interested in exploring the possibility of using this jute as a backing for carpeting made in the United States. This could be not only a cheap raw material for manufacturers here, but Dean Warner points out that even a small plant in Amazonas could do wonders for an area where most of the people still live as they did 200 or 300 years ago.

U-T professors and instructors have visited Brazil and others from Amazonas have come to Tennessee to discuss the swapping of students and educational materials and courses.

But lack of transportation is the big bottle neck, not only between Tennessee and Amazonas, but between the other states and the friends they are making and the people they are helping in Latin America.

Partners of the Alliance makes a strong case for designating a military transport plane for its use.

COOPERATIVE EXTENSION SERVICES: A VAST STORE OF KNOWLEDGE FOR THE DISADVANTAGED

(Mr. HORTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HORTON. Mr. Speaker, across this entire country there is a quiet but resourceful group of people striving to help alleviate the crucial problems facing the rural and urban disadvantaged.

While many may look at the cooperative extension services in our counties as an organization to help the farmer and give direction to young people in 4–H clubs, the efforts of these agents go far deeper.

I want to bring to the attention of my colleagues the efforts of two home economists in my 36th district of New York—Mrs. Mildred L. Roland, home economics division leader for the Cooperative Extension Association of Monroe County, and Mrs. Dorothy C. Williams, home economics agent of the Wayne County Cooperative Extension.

These two women are representative of an army of skilled professionals who are ready and willing to bring their vast stores of knowledge to the help of the disadvantaged. Let me share with you letters I have received from Mrs. Roland and Mrs. Williams. I am sure that you will join with me in commending their efforts as well as the efforts of all extension service home economists. The letters follow:

COOPERATIVE EXTENSION
ASSOCIATION OF MONROE COUNTY,
Rochester, N.Y., June 26, 1969.

Hon. FRANK HORTON,
Rochester, N.Y.

DEAR MR. HORTON: We were pleased to receive your letter regarding the type of program being conducted by Cooperative Extension to help alleviate the problems facing the disadvantaged in our community. Our staff shares your concern in this area. Several programs have been and are continually being directed to this audience. Let me share some of them with you.

JOB TRAINING PROGRAMS

While hard-core unemployed men and women are being taught job skills to earn more pay, Cooperative Extension recognized a need to also help trainees develop skills in getting more for their money.

Programs for—

165 NAB trainees conducted at Xerox.
115 New Careers trainees.
100 trainees at Concentrated Employment Program.
120 clerical trainees at Urban League.
45 retailing trainees at Urban League.

Interest has also been expressed by the local parole officer for similar programs with parolees.

Content: Payday planning; consumer frauds; credit problems; consumer buymanship; money handling. Other business and professional representatives in the community have been involved by Extension in these programs. Examples: Bar Association, Family Service, Better Business Bureau, and banks.

Frequently, trainees ask for personal help with financial difficulties they've already encountered. In some instances, financial counseling is provided by the home economist. Otherwise, the trainee is referred to the appropriate helping agency in the community, such as ABC Legal Services, Better Business Bureau, Family Service.

DEBT COUNSELING

Families of all income levels, but especially limited income families, encounter debt difficulties that are not adequately resolved by existing agencies or lenders. Cooperative Extension has spearheaded the involvement of local creditors and agencies to establish a community-wide debt counseling service. An Extension home economist is committee chairman. The home economist, to gain experience and insight into the debt problems, has served as a financial consultant to one of the largest family-serving agencies in the community. She has directly assisted 65 families who were on the brink of bankruptcy, in most cases; and indirectly assisted many more through training and advice to caseworkers.

Financial counseling advice has also been provided to the Human Relations Commission staff: VISTA workers in the migrant areas, and volunteers and professionals of day care facilities, hospitals, and housing groups.

TRAINING PROGRAMS FOR INDIGENOUS LEADERS

For the past three and one-half years, Cooperative Extension has trained the Teaching Homemakers working in the three Neighborhood Service Information Centers under the local OEO program, Action for a Better Community. The training has been given in all aspects of home economics, plus leadership development. Related community agencies, such as the Red Cross, Visiting Nurse Association and the Health Association, have also contributed to this training program.

More recently, volunteer Teaching Homemakers from another group, called WEDGE (a northwest district action program located around the Brown Square area), have participated in the above-mentioned training program.

TRAINING FOR HEADSTART COOKS

An Extension home economist has given some training on the use of government donated foods, as well as other training on menu planning, to cooks working in the Head Start program.

DONATED FOODS PROGRAM

Teaching Homemakers, trained by Extension, give information on the use of these foods to families with whom they work. Recipes developed by Cooperative Extension have been widely distributed through agencies, such as the Social Services Department and ABC Centers.

VARIED PROGRAMS DESIGNED FOR LOW INCOME GROUPS

(In each case a group of Teaching Homemakers was trained by the Extension home economist).

Buying Clothing for the School Child, 58 attended.

Food Makes a Difference, 38 attended. (One teaching homemaker repeated this meeting for a group of 25 welfare mothers.)

General nutrition information; uses of surplus foods; busy housewife meals, and meals children like was the emphasis.

Be a Better Shopper—a program presented to many audiences of varying income levels—has been revised for use with low income groups. Corner store prices vs. supermarket prices was one point of emphasis for low income groups. Photographs and a prepared script enable this program to be taken to many groups by a volunteer or indigenous leader.

Starting July 1st, Cooperative Extension will, under a contractual agreement with the Rochester Housing Authority, conduct the training program for 70 families in the Holland Townhouse Turnkey III project. Families in this group are in the $4000 to $8000 income group. The townhouses are two- to four-bedroom homes and the plan is one that will permit families to own a home within a 25-year period, or less if their income permits.

The training program will be designed to assist families in their objective of accomplishing home ownership and will include such things as financial management skills, simple home maintenance, and good housekeeping practices.

I have touched only on the program for low income groups. So that you will be familiar with the various kinds of programs in the Home Economics Division. I am enclosing a copy of our brochure, as well as a list of publications which we recently duplicated for distribution.

We would be pleased to have you stop in at the office sometime.

Sincerely,

MILDRED L. ROLAND,
Home Economics Division Leader.

COOPERATIVE EXTENSION, NEW YORK STATE, CORNELL UNIVERSITY, STATE UNIVERSITY OF NEW YORK, U.S. DEPARTMENT OF AGRICULTURE,
Alton, N.Y., June 20, 1969.

Hon. FRANK J. HORTON,
House of Representatives,
Cannon House Office Building,
Washington, D.C.

DEAR MR. HORTON: I share your concern for the disadvantaged in Wayne County. During my two years in the Home Economics Division I have spent about ¼ of my time planning, preparing, and teaching programs for disadvantaged groups.

This summer will be the third year I have been Coordinator of all parent programs for the Clyde Head Start. Although the programs at Clyde focused mainly on helping parents understand what their children were learning in Head Start and how parents can be important teachers, I worked with the mothers on nutrition and grocery shopping problems.

I presented several similar programs for the Head Start MOMS group in Red Creek. I provided materials for distribution to these mothers and also to the Sodus Head Start mothers.

I meet every month with the CAP Neighborhood House "Consumer Club" in Clyde and have often talked with this group about food and nutrition.

I meet each month with a group of mothers sponsored by the Council of Churches "Harvester's Club" in Lyons. Initially this group got together to learn better family money management, but we have devoted several meetings to buying meats, feeding little folks, how to become a better shopper at the supermarket, etc.

I prepare one-idea grocery shopping fliers that are sent by Social Services to all recipients of food stamps each month.

In cooperation with the USDA representative in Rochester, I set up displays to promote the use of food stamps in six large Wayne County grocery stores.

I helped start a sewing group for mothers sponsored by the Migrant Ministry at their center in Williamson. I provide simple recipes and nutrition information (USDA Food For Thrifty Families and Smart Shopper Series) for Rural Migrant Ministry volunteers who work with migrant mothers during the summer.

I keep myself in contact with the CAP Neighborhood Center directors, Head Start directors, Social Service Caseworkers, and Food Stamp director, CAP Board of Directors, a school caseworker in Sodus and Williamson, and I offered to help the BEAM Director when there was an office in Sodus.

The Home Economics Division Program Committee is aware of the Expanded Nutrition Program, however when it was first presented to us we had a very full plan of work already in progress. Since I am the only agent in the Home Economics Division, we decided to consider it if a second federal appropriation became available. Most of the 22 counties who first started the Nutrition Program have at least two Home Economics Division agents, so it was easier for them to assign the Nutrition Program to one agent and have the other agent carry on with other programs.

We are happy to report to you that on June 5, 1969 the Home Economics Division Program Committee discussed the Expanded Nutrition Program again and voted to have Wayne County participate if federal funds become available to start the program in Wayne County. We are now prepared to adjust the responsibilities of our one Home Economics agent to make time for training and working with Nutrition aides.

We understand that if a second allotment is granted to New York State for the Expanded Nutrition Education program that most of the money will be used in New York City. Cooperative Extension at Cornell hopes to have enough money so that upper New York State counties will have the opportunity to get into the program. You might be able to suggest that Wayne County be included when additional funds are granted. We are ready to participate and await the federal money to begin in Wayne County.

Sincerely,

DOROTHY C. WILLIAMS,
Cooperative Extension Agent.

ASSISTANCE TO FOREIGN NATIONS

(Mr. MORSE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MORSE. Mr. Speaker, the United States has been engaged in the business of providing technical assistance to the developing nations for 20 years. To some extent we have had success—but to a greater degree our programs fall far short of what is needed to bring the developing countries up to a par with the more affluent nations. Each year when we consider the Foreign Assistance Act the same kinds of questions arise—why have our efforts not been more successful? What are we doing wrong, and what might we do in order to be more effective?

It is time, Mr. Speaker, that we gave some attention to our own past experience, in an effort to learn from our mistakes and to make future efforts more worth while.

It is with this interest in mind that I want to bring to the attention of my colleagues the comments of Robert E. Culbertson, Deputy Assistant Secretary of State for Latin America, entitled "What We Have Learned in 20 Years of Technical Assistance."

Among the several very valid and insightful points which Mr. Culbertson makes about the process of development, and the role which we may play in that process, there is one to which I want to call special attention. It relates to a concept in which I have long had a deep interest. At the outset of this paper, Mr. Culbertson states:

> We have learned that development can be induced more effectively if we utilize an inter-disciplinary approach to problem solutions.

What Mr. Culbertson is suggesting is that we realize the importance of adopting a systems approach to the problems which our foreign aid program is trying to solve. Certainly one of this country's greatest resources is our technical capacity; we have developed many of the techniques of systems analysis for use in solving defense problems, and to a lesser extent for solving other public problems. One of the most perceptive observations made here is that the developing countries will meet with the greatest success in both economic and social growth when they approach their problems in the context of a systems approach which uses the expertise of all the several related disciplines involved.

I know that Mr. Culbertson's observations will be of interest to all of us as we try to bring greater effectiveness to the entire foreign assistance program, and I insert his comments at this point in the RECORD:

WHAT WE HAVE LEARNED IN 20 YEARS OF TECHNICAL ASSISTANCE

(By Robert E. Culbertson, Deputy Assistant Secretary of State for Latin America)

Among the "lessons" we have probably learned, or, at least the conclusions from experience to which I have come, are the following:

(1) We have learned how much more difficult development is than we had thought at the start. How slow the processes of change and how hard to cause them to move faster. In 1948 we but dimly understood that development is a process and that change is its prime characteristic.

(2) We have learned that development can be induced more effectively if we utilize an interdisciplinary approach to problem solutions. This is consistent with the nature of the process. Hence the greater promise in "regional development" programs; "urban development"; and "agri-business," "rural," and "community" development programs as against discreet programs of straight agriculture, industry, education, health, etc.

(3) We have learned that the "institution building" concepts of the 50's are of limited usefulness. Institutions without processes to speed up institutions without programs working closely in concert with other institutions toward common goals don't accomplish much, except by chance. Example: extension services; agricultural banks, that is, by themselves. However, in the context of a "systems" approach to problem solutions, using the several "disciplines" involved, a group of institutions, built or refurbished to make music together, yields good results. Example: the exploitation of "miracle wheat" in Pakistan, India and Turkey through a literal concert of all the relevant agencies in the context of a cohesive national policy.

Exception: It is possible that educational institutions are an exception, particularly special purpose schools like those in the areas of higher education, and technical schools. It may be hard to do wrong here. Educational institutions have a way of being or becoming relevant, regardless of the lack of skill of their founders. Such an institution, once created, makes a life of its own, and is very resistant to death, primarily because it becomes community property.

(4) We have learned that *Economic Growth* does not automatically bring social development or change for the better for the great majority of people. The quality and character of growth in the interests of people involves a separate *additional* set of problems and involves processes beyond simple economic growth (GNP). Growth is essential, of course; it is fundamental that there be an increasingly large pie; but it won't be cut any differently than before without conscious effort, both in policy terms and technologically. Labor has an important role to play with respect to the former. The latter has to do with the development of more refined techniques of agricultural, industrial, and agri-business development with the goals being higher incomes for farmers, workers, and small businessmen.

(5) We have learned how important, yet how delicate, is the art of making technical assistance effective. In the 50's we thought the thing to do was to "export know-how." We minimized the need for adaptation. We did not deny it, but we didn't take it seriously enough, and we did not recognize that much "know-how" can't stand the trip. Examples of this are our standard efforts over the years in education and agriculture. The results in Latin America are at the least disappointing. I.L.O., however, has had some advantages in this area. The programs for which it has expertise tend to be among those more relevant to developing countries, with proper adaptation and the development of local strains. I am thinking of how useful employment services have proved to be; and household surveys, manpower analyses, and the experiments with education outside the formal school system.

(6) We have learned that development does not normally result from "technical assistance" projects if they are carried out by the donor agency. Doing the job for the host country does not work. It results in the project ending once the assistance stops. And there are degrees of this disease. Too much technical assistance even if it doesn't kill can weaken the project, in terms of ultimate self-sufficiency. In this connection, too little use has been made thus far of the training and educating abroad of nationals of the host country as an alternative to sending foreign technicians to their countries. Perhaps foreign technicians can move a project further than "participants" over a four or five year period. Given a 10 year span, however, I suspect that putting the major emphasis on sending nationals abroad for advanced training, in lieu of importing technicians, would give vastly superior results. Now that we can easily look back 10 years it is unfortunate that we did not think of this sooner. It remains, however, hard for us to plan ahead 10 years, and we thus still too often tailor our projects to 3–5 year goals and wind up again sending too many culturally unadapted specialists to try to do a job that could be done better by host country nationals if we only took the slightly longer time that this approach requires.

(7) We have learned that in some areas of development, progress comes to a halt and remains at a standstill in the absence of new scientific breakthroughs. Food production in relation to population needs is an example. The picture for Asia was bleak and little could be done about it before the discoveries of miracle rice and wheat. These discoveries have revolutionized the food picture, and agriculture, and the economies of Asia. We need similar breakthroughs in education and family planning, for example, and since wheat and rice are not so total a part of the economies of the world outside Asia, we need equivalent breakthrough for Latin America and Africa in corn, beef, beans, and related proteins.

(8) We have learned that the wistful aspirations of the developing countries to participate in the rapid expansion of world trade is a cruelly unattainable vision so long as the transfer of technology to the developing nations is not speeded up. To participate in expanding world trade means, essentially, to compete in the increasingly sophisticated markets of the developed countries, which is where trade is expanding. To do this will require a massive not to say herculean effort to raise the levels of technology in the developing countries. This can be done in part, and reasonably fast, by bringing in foreign private capital together with the technology and management skills needed to produce quality products consistently. In important part, however, raising national technology levels is a vast and little understood field involving more skillful use than is now being made of: (1) training abroad; (2) higher and technical education; (3) scientific and professional organizations; (4) new forms for institutionalized research and development in the developing countries such as the international centers for grains research in the Philippines and Mexico; and (5) multi-lateral and bi-lateral technical assistance programs.

Also involved is the area of new products research and development, so promising in both South America and Africa because of the richness of the unexplored natural resources of these continents. Here is involved a blend of resources evaluation and basic and applied scientific research looking to the discovery, or creation, of new products that can be competitive in world markets.

(9) We have learned much more about the meaning of the long-recognized fact that external aid is "marginal." That external development aid from public sources can be but a small fraction of a country's total public sector investment program is well known. The overwhelming importance of private sector investment in relation to public investment has also been long understood. What we have learned is more about how important it is to focus if not to limit external investment to programs that are by their nature agents of growth and change—to projects that start unstoppable movements. Where a small amount of external capital can help cause a large amount of domestic capital to be devoted to an efficient program of growth and change, aid is being well used. When private investment ploughs new fields starting new growth cycles and creating new markets and new jobs, it is being well used. Where aid, however, goes to projects not characterized by their capacity to start movements and not supported, say, at least 8–1 by domestic resources, such aid is essentially wasted, in development terms. A bridge, a dam, a piece of road are not necessarily a waste in and of themselves but if they are wholly, or substantially, financed by foreign aid and that's all there is to the project—a discreet, physical, foreign accomplishment with no follow-on—such aid has not performed the function that justifies it. In development terms it has accomplished nothing.

(10) We have learned that too rapid population growth is making extremely difficult progress in all phases of development and threatens, if not curbed, to make impossible the attainment of reasonable goals of human well-being.

(11) We have learned that contrary to the emotional views of some, there is a unity, not a dichotomy, of interests among economists and "social" developers. They need each other. Social development not based on sustained economic growth is a concept without serious foundation. Economic development without social growth as its end aim is an incomplete concept, and where deliberate, is wrong and its own undoing. What is needed then is for the economists to take off their coats, roll up their sleeves and go to work in concert with the scientists and technicians on the real problems of real live people who live in regions that actually exist and whose problem won't be solved by dicta, pronouncement, policy, or financial manipulation at the national level, but only by a combination of these with precise attention to the real problems of production, distribution and marketing of the products of the locale concerned. In Latin America neither economists nor social developers can afford to think in terms of just 20-odd "universes" representing that many countries and that many economies. The separate groups of people, the problems of whose "sub-economies" need "tailor-made" attention, number closer to 100 than 20. This is one of Latin America's unhappiest truths. Yet there is no easy way out. Each of the hundred sub-economies requires at least as intensive attention in its own right as do the 20-odd national economies.

12. We have learned the utility of *functional concentration* especially in the achievement of hard-to-get results within a reasonable period of time—in other words in the effecting of breakthroughs. The Atomic Energy Commission learned this long ago. (e.g. Salt Reactor, Bombs, Power) U.S. Manufacturing Industries have long known this. (e.g. SST, Turbine Engines, G.M., decentralized organization, etc.) We in international development have learned that it applies to our work, too, as we have noted in surprise at how successful, for example, has been the International Rice Research Institute, the discoverer of miracle rice. The dedication of a whole organizational unit from the top down to a single goal, and given the freedom to pursue it, does something to its effectiveness. The breadth of interests in an AID, a UN, an OAS is so great—there is so much room for conflict, cynicism, and differing views on priorities; there is so much need for over-management and over-programming that the various elements tend to cancel each other out. This suggests a progressive limiting of the role of the so-called principal agencies of external aid (e.g. AID, UN, OAS) to resource allocation, which they can and have to do, with the operation of development programs increasingly delegated to special purpose organizations, public and private. This does not contradict the point I made earlier about the need for a multi-disciplinary approach to problem solutions. It complements it. A complex problem like how to raise farm income cannot be solved except by a complex solution system identified with a given location and specific crops, and involving many inputs. However, among the essential inputs

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are the results of the work of such special purpose institutions as the wheat research center in Mexico. Without its input the hope of significantly raising income from wheat farming cannot exist. With a miracle strain alone, however, not much is likely to happen, either. With however, a new scientific find built into a system aimed at the well-being of the people involved in the system we are likely to obtain the results sought. When we compare this reasonable prospect with the reality that by the standard methods used to date, agricultural productivity hasn't and can't keep pace with population growth, and we at the same time recognize that this is one of the roots of the present deep discontent, the lesson is worth pondering, and acting upon.

PUBLISHING OF INCOME TAX DATA

(Mr. O'HARA asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. O'HARA. Mr. Speaker, I think it is fair to say that most Americans believe that the job of the Internal Revenue Service is to collect taxes—period.

The Internal Revenue Code, under a section whose origins date back to 1916, does grant the IRS the authority to publish "pertinent and valuable facts" relating to income tax returns.

There is a publishing project now underway at the IRS which it justifies under this authority. The facts which it is publishing are admittedly "pertinent and valuable"—but pertinent and valuable to the wrong people for the wrong purposes.

If this project proceeds to the end envisioned by IRS officials, it will be a boon for direct-mail advertisers and door-to-door salesmen.

But the citizen who happens to be in a fair financial position will get nothing but a deluge of junk mail and a parade of salesmen at the door.

To my mind, this project raises serious questions about the protection of the privacy of our citizens and the confidentiality of individual income tax returns.

Here is what the IRS has done:

It has pulled detailed tax information—adjusted gross income, total tax liability, number of joint returns, dependents—for groupings of people, within certain major ZIP code classifications and then published it in a booklet, "ZIP Code Area Data, Individual Income Tax Returns."

This document presents the smallest geographical breakdown yet for specific financial information.

This initial booklet covers 837 cities and geographical areas throughout the United States, according to the IRS press release.

But it has an even more ambitious project underway, and one that gives cause for concern.

The IRS is working now on publishing these income tax statistics for every one of the 35,000 ZIP code areas in the Nation. The information will be placed on microfilm or magnetic tape and sold to IRS "customers" for about $2,000, or enough to cover IRS costs.

Prior to publication of the current booklet for 837 ZIP code areas, the IRS provided tax statistics only for entire States and about 100 of the biggest metropolitan statistical areas.

Even under this first ZIP code breakdown, the statistics cover a sizable area, generally an entire city.

But when the statistics are published for each ZIP code, the geographical area represented will be reduced to a size measureable in city blocks.

And who will be the prime beneficiaries of this data? The people who have something to sell and want to pinpoint their best sales prospects.

If you live in a reasonably affluent area, as identified by the IRS booklet, you can expect to be inundated with junk mail. The mail advertiser equipped with this IRS publication will only have to flick through it to find the ZIP code areas where the best potential customers live. With the help of the Post Office Department, the message will be right on target.

Door-to-door salesmen will have no problem identifying the areas of maximum potential, as they sometimes do now. A flip through the ZIP code tax summary and they can home in on their quarry with unprecedented accuracy.

An unreasoned fear, you say?

Well, the IRS admits in the opening paragraph of the introduction to the publication that the information is most useful, and, I quote, "for the purpose of economic studies, especially for market analysis."

In other words, it is basically of use for commercial—as opposed to governmental—purposes.

Internal Revenue Commissioner Randolph W. Thrower takes apparent pride in the fact that this new publication "marks the first time in the Federal Government that the postal ZIP code has been used as a means of geographic classification in publishing financial statistics for small areas."

Few Americans will share Mr. Thrower's apparent pride in this latest bit of bureaucratic innovation.

For one thing, the IRS is abusing the purposes of the ZIP code, which, if I understand correctly, was instituted for the sole purpose of speeding mail to its destination. It was not conceived with the idea of turning it into a statistical unit for the purpose of analyzing the population.

Second, the job of the Internal Revenue Service is to collect taxes as efficiently and fairly as possible.

The IRS performs its tax collecting responsibilities with dispatch. In performing its primary function, it has won the respect—if not the affection—of most Americans.

The use of IRS resources in such a questionable statistical venture certainly will not endear the IRS to the already wary taxpayer who will see it as an abuse of the information which they must supply by law to the IRS.

Few people believe that it is the responsibility of the IRS to find prospects for salesmen.

This week, I addressed a letter to Commissioner Thrower asking that the entire ZIP code project be reconsidered and that further work be halted.

> If there is no greater purpose than to assist commercial interests in doing business—

I wrote—

> Then it should be abandoned.

I take this opportunity to call this matter to the attention of my colleagues. If you agree with my assessment of the dangers of this project, I hope that you will make your views known to Commissioner Thrower.

I want to include at this point in the RECORD a copy of the IRS press release "IRS Publishes Income Data by ZIP Code Area," Commissioner Thrower's letter of transmittal for the ZIP code statistical publication, the introduction to the publication, and my letter to Commissioner Thrower:

[Internal Revenue Service news release, June 26, 1969]

IRS PUBLISHES INCOME DATA BY ZIP CODE AREA

WASHINGTON, D.C.—Adjusted gross income, total tax liability, and other statistical data relating to Federal individual income tax returns are now available for the first time by major postal ZIP Code classification, the Internal Revenue Service announced today.

The statistical information, based on 1966 tax returns and covering 837 cities and geographic areas throughout the United States, is contained in the new IRS publication, "Statistics of Income—1966. Supplemental Report, ZIP Code Area Data from Individual Income Tax Returns."

IRS said that the new booklet marks the first publication by the Federal Government of financial statistics for small areas in which the postal ZIP code system has been used for geographic classifications. Previously such IRS data was available only for each state and the 100 largest standard metropolitan areas.

Since the ZIP Code system tends to reflect transportation patterns and patterns of commerce, IRS said the statistical material in the new publication would be especially useful in approximating marketing or commuting areas.

The 837 area tabulations in the publication cover the entire country and are identified by the first three digits of the five-digit ZIP Code. Among the 837 listings, 199 are for large cities and the remaining 638 for suburban or rural areas, IRS said. A list of the 199 cities for which separate tabulations are shown is attached.

For densely populated areas such as Atlanta, Ga., for example, the booklet presents a tabulation for the city itself and separate listings for the surburban areas, all by three-digit ZIP Code.

Eight separate tabulations are given for New York City to correspond to the number of major post offices there which have differing three-digit ZIP Codes.

For all 837 ZIP Code areas, the IRS publication includes a tabulation, by size of income, of the number of returns filed, number of joint returns filed by husbands and wives, number of exemptions claimed for taxpayers and their families, adjusted gross income, and total tax liability.

IRS said the publication breaks the size of income down into three groupings for each ZIP Code area: Under $3,000; $3,000 under $10,000 and $10,000 or more.

Typical of the 837 area listings in the booklet is the following tabulation for the city of Los Angeles:

Adjusted gross income classes	Number of returns	Number of joint returns	Number of exemptions			Adjusted gross income (in thousands)	Total tax (in thousands)
			Total	Taxpayers	Dependents		
	900 Los Angeles (city)						
Total	765,639	313,780	1,849,600	1,193,511	656,089	$5,162,789	$671,815
Under $3,000	244,108	35,934	415,303	325,204	90,099	354,578	14,215
$3,000 under $10,000	392,381	174,660	1,024,848	617,508	407,340	2,329,212	213,992
$10,000 or more	129,150	103,186	409,449	250,799	158,650	2,478,999	443,608

The 96-page publication, "Statistics of Income—1966, Supplemental Report, ZIP Code Area Data from Individual Income Tax Returns," is available for $1.00 from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

As an extension of the material in the publication for those interested, IRS has announced that it is developing identical data for all 35,000 five-digit ZIP Code areas in the country.

The five-digit information, IRS said, will be made available to customers by year-end on magnetic tape or on microfilm at approximately $2,000 each to reimburse IRS for the development cost involved. IRS at present cannot fill requests for data covering limited numbers of five-digit ZIP Code areas.

Individuals interested in the full-set of five-digit tabulations should contact the Director, Statistics Division, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, as soon as possible, and no later than July 15, 1969.

Statistics of income—1966 supplement, ZIP code area data from individual income tax returns, list of the 199 zoned cities in the ZIP code system, by State

State and zoned city:	ZIP code prefix
Alabama:	
Birmingham	352
Huntsville	358
Mobile	366
Montgomery	361
Arizona:	
Phoenix	850
Tucson	857
Arkansas: Little Rock	722
California:	
Alhambra	918
Anaheim	928
Bakersfield	933
Berkeley	947
Burbank	915
Fresno	937
Glendale	912
Inglewood	903
Long Beach	908
Los Angeles	900
North Hollywood	916
Oakland	946
Palo Alto	943
Pasadena	911
Richmond	948
Riverside	925
Sacramento	958
San Bernardino	924
San Diego	921
San Francisco	941
San Jose	951
San Mateo	944
Santa Ana	927
Santa Barbara	931
Santa Monica	904
Torrance	905
Van Nuys	914
Colorado:	
Colorado Springs	809
Denver	802
Connecticut:	
Bridgeport	066
Hartford	061
New Haven	065
Stamford	069

Statistics of income—1966 supplement, ZIP code area data from individual income tax returns, list of the 199 zoned cities in the ZIP code system, by State—Continued

State and zoned city:	ZIP code prefix
Delaware: Wilmington	198
Florida:	
Fort Lauderdale	333
Jacksonville	322
Miami	331
Orlando	328
Saint Petersburg	337
Tampa	336
Georgia:	
Atlanta	303
Augusta	309
Macon	312
Savannah	314
Columbus	319
Hawaii: Honolulu	968
Idaho: Boise	837
Chicago	606
Evanston	602
Oak Park	603
Peoria	616
Rockford	611
Springfield	627
Indiana:	
Evansville	477
Fort Wayne	468
Gary	464
Indianapolis	462
South Bend	466
Iowa:	
Cedar Rapids	524
Davenport	528
Des Moines	503
Sioux City	511
Waterloo	507
Kansas:	
Kansas City	661
Shawnee Mission	662
Topeka	666
Wichita	672
Kentucky:	
Lexington	405
Louisville	402
Louisiana:	
Baton Rouge	708
Shreveport	711
New Orleans	701
Maine: Portland	041
Maryland:	
Annapolis	214
Baltimore	212
Silver Spring	209
Washington, D.C.[1]	200
Massachusetts:	
Boston	021–022
Brockton	024
Springfield	011
Worcester	016
Michigan:	
Detroit	482
Flint	485
Lansing	489
Grand Rapids	495
Minnesota:	
Duluth	558
Minneapolis	554
St. Paul	551
Mississippi: Jackson	392

Statistics of income—1966 supplement, ZIP code area data from individual income tax returns, list of the 199 zoned cities in the ZIP code system, by State—Continued

State and zoned city	ZIP code prefix
Missouri:	
Jefferson City	651
Kansas City	641
St. Joseph	645
St. Louis	631
Springfield	658
Montana: Billings	591
Nebraska:	
Lincoln	685
Omaha	681
Nevada:	
Carson City	897
Las Vegas	891
Reno	895
New Hampshire:	
Concord	033
Manchester	031
New Jersey:	
Atlantic City	084
Camden	081
Elizabeth	072
Jersey City	073
Newark	071
New Brunswick	089
Paterson	075
Trenton	086
New Mexico: Albuquerque	871
New York:	
Albany	122
Binghamton	139
Buffalo	142
Elmira	149
Hicksville	118
New Rochelle	108
New York:	
Manhattan	100
Staten Island	103
Bronx	104
Long Island City	111
Brooklyn	112
Flushing	113
Jamaica	114
Far Rockaway	116
Niagara Falls	143
Poughkeepsie	126
Rochester	146
Schenectady	123
Syracuse	132
Utica	135
White Plains	106
Yonkers	107
North Carolina:	
Asheville	288
Charlotte	282
Durham	277
Greensboro	274
Raleigh	276
Winston-Salem	271
North Dakota: Fargo	581
Ohio:	
Akron	443
Canton	447
Cincinnati	452
Cleveland	441
Columbus	432
Dayton	454
Mansfield	449
Springfield	455
Toledo	436
Youngstown	445
Oklahoma:	
Oklahoma City	731
Tulsa	741
Oregon: Portland	972
Pennsylvania:	
Allentown	181
Erie	165
Harrisburg	171
Lancaster	176
Philadelphia	191
Pittsburgh	152
Reading	196
Scranton	185

Statistics of income—1966 supplement, ZIP code area data from individual income tax returns, list of the 199 zoned cities in the ZIP code system, by State—Continued

State and zoned city:	*ZIP code prefix*
Pennsylvania—Continued	
Wilkes-Barre	187
York	174
Rhode Island: Providence	029
South Carolina: Columbia	292
South Dakota: Sioux Falls	571
Tennessee:	
Chattanooga	374
Knoxville	379
Memphis	381
Nashville	372
Texas:	
Abilene	796
Amarillo	791
Austin	787
Beaumont	777
Corpus Christi	784
Dallas	752
El Paso	799
Fort Worth	761
Houston	770
Lubbock	794
San Antonio	782
Waco	767
Utah:	
Ogden	844
Salt Lake City	841
Virginia:	
Alexandria	223
Arlington	222
Newport News	236
Norfolk	235
Portsmouth	237
Richmond	232
Washington:	
Seattle	981
Spokane	992
Tacoma	984
West Virginia:	
Charleston	253
Huntington	257
Wisconsin:	
Green Bay	543
Madison	537
Milwaukee	532
Racine	534

[1] The zoned city of Washington, D.C., which includes suburban areas in Maryland, is shown as part of the Maryland tabulation.

NOTE.—The boundaries of the zoned cities are not always identical to those of the corresponding political units.

LETTER OF TRANSMITTAL

TREASURY DEPARTMENT, OFFICE OF THE COMMISSIONER OF INTERNAL REVENUE,
Washington, D.C., April 29, 1969.

Hon. DAVID M. KENNEDY,
Secretary of the Treasury.

DEAR MR. SECRETARY: I am transmitting the *Supplemental Report, Statistics of Income—1966, Zip Code Area Data from Individual Income Tax Returns,* prepared in partial fulfillment of the requirements of section 6108 of the Internal Revenue Code. This report contains heretofore unpublished statistics related to the operation of our tax system in small geographic areas throughout the country.

The present report was prepared in response to the increasing demand for small area data by users of *Statistics of Income.* Previously, this demand could not be met because of the limitations of the relatively small number of returns in the sample used for the annual *Statistics of Income* reports. However, with the expansion of the Internal Revenue Service's Master File for 1966 to cover all taxpayers, it became possible for the first time to obtain income and tax data from all individual income tax returns and to classify them into small geographic units. The taxpayer's Zip Code, which was included in the Master File, was used as the means of classifying the data into postal sectional centers and zoned cities. This report marks the first time in the Federal Government that the postal Zip Code has been used as a means of geographic classification in publishing financial statistics for small areas.

RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

INTRODUCTION

Zip Codes, first introduced by the U.S. Post Office Department in 1963, have been gaining increased acceptance as a logical system for subdividing the country into small areas for the purpose of economic studies, especially for market analysis. Since a Zip Code was included as a part of every taxpayer's return record, it presented a unique opportunity to produce small area data from individual income tax returns.

In producing data for such small areas, the sample of returns used in producing the annual *Statistics of Income* reports would have been inadequate. With the completion of the Internal Revenue Service Master File of all individual income tax returns for tax year 1966, an alternative source of tax data became available, and relatively precise measures of small area data became possible for the first time. However, it should be noted that the definitions and procedures used in Master File processing, and thus reflected in this report, differ in some particulars from those generally used in IRS statistical processing.

In this volume, data are shown for all 3-digit Zip Code areas in the United States, as defined by the Post Office Department. These 837 areas,[1] identified by the first three digits of the Zip Code, are the basic subdivisions below the State level in the postal system. Each has a central (or "hub") post office, in which the mail is sorted for distribution to the surrounding post offices, branches, or stations, which are in turn identified by the last two digits of the Zip Code.

Since these areas were set up to facilitate the movement of mail, they tend to reflect the transportation patterns, and thus the patterns of commerce, in a given region. For this reason, they have been found to represent meaningful economic areas, which can be used to approximate marketing or commuting areas. As a rule, they do not reflect previously established political boundaries, such as county or city lines.

The 3-digit Zip Code areas are of two basic types: sectional centers and zoned cities. Sectional centers consist of a "hub" city and surrounding smaller towns and rural areas. In the case of zoned cities, on the other hand, a 3-digit code simply identifies one large city (although it should be noted that the boundaries of the zoned city do not necessarily conform to those of the corresponding political unit).

A slight variation of these two basic types of 3-digit areas occurs when the hub city of a sectional center is also a zoned city. In these cases, the sectional center assumes the shape of a ring around the hub city, while the latter is identified by a separate 3-digit code.

For further details on the Zip Code system, see the "Explanation of Classifications and Terms" (appendix A).

ORGANIZATION OF THIS REPORT

Data for each of the 837 3-digit Zip Code areas are shown in Zip Code numeric sequence in the basic tables. For further convenience, the tables have been arranged into 10 sections, each representing one of the Post Office Department's National service areas. National service areas are identified by the first digit of every Zip Code.

The National totals for these data are shown on the first page of the basic tabulations. Preceding every section of tables is a set of maps for each of the States in that particular National service area. These maps show the approximate boundaries of the sectional centers and the location of the zoned cities.[2] State totals, which include data for a few returns which could not be classified by Zip Code, precede the Zip Code data for each State.

Some of the limitations of the geographic classifications used in this report are explained in appendix B.

RELATIONSHIP TO OTHER REPORTS

In contrast to other reports in the *Statistics of Income* series, this supplemental report is not based on a sample, but on the complete Master File of individual income tax returns for 1966. Therefore, unlike the other *Statistics of Income* reports, data in this report are not subject to sampling variability.

Although there are some differences between State totals as shown in this report and State totals in the regular *Statistics of Income* report for 1966, the difference in U.S. totals is less than 1 percent with respect to number of returns, adjusted gross income and total tax.

In most cases, the differences are due to the differing methods applicable to Master File revenue processing operations and to regular *Statistics of Income* processing. In addition, the definitions of adjusted gross income, taxpayers' exemptions, and tax used in this report differ somewhat from those used in the regular *Statistics of Income* program, as is explained in appendix C.

JUNE 7, 1969.

RANDOLPH W. THROWER,
Commissioner, Internal Revenue Service, U.S. Treasury Department, Washington, D.C.

DEAR MR. THROWER: I have examined with great interest the "Zip Code Area Data/Individual Income Tax Returns" recently published by the Internal Revenue Service.

A careful reading of this document, along with the accompanying press release, raises some serious questions about this project and its implication concerning the protection of privacy of citizens and the confidentiality of individual income tax returns.

It is my opinion that if the ultimate plans of the Internal Revenue Service are carried out—with statistics published for every zip code area in the nation—the IRS will have drawn statistical bullseyes around areas of affluence for the benefit of direct mail advertisers and door to door salesmen.

I seriously question whether personal income tax data should be used for this purpose. I question whether it is the business of the Internal Revenue Service to draw targets for commercial interests who then can proceed to invade the privacy of citizens who happend to live in moderate or relatively high income areas, as identified by the IRS statistics.

At the outset, let me state that I have no objection to the collection of information for legitimate governmental uses. Since statistics generally serve as the basis for wise planning of necessary governmental services, there can be no argument that collection of certain information is to the benefit of our citizens.

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[1] There are 552 basic areas ("sectional centers") in the Zip Code system. However, some of these areas are further subdivided into two or more portions, each identified by a unique 3-digit code.

[2] For more detailed information on the configuration of Zip Code areas, contact the Customer Relations Division, U.S. Post Office Department, Washington, D.C. 20260

While the publication of the IRS tax data may be of some use to governmental agencies, I note that you state in the opening sentence of your introduction to the document that a major potential use of the information will be "for the purpose of economic studies *especially for market analysis.*" Those final four words leave little doubt in my mind that the major customers for this booklet will be those who can use it commercially.

This is the basis for my concern:

I seriously question whether it is the business of the Internal Revenue Service to provide tax data for commerical use. In fact, I have serious reservations about the use of tax data for governmental use, but that is not at issue here.

I realize that in the past the IRS has customarily prepared its "Statistics of Income" which have been used by both government agencies and private business for area analysis. However, this statistical data focused on relatively large population units—each state and the nation's 100 largest standard metropolitan areas.

The use of the first three zip code numbers reduces the population unit somewhat, but I recognize that it still comprises relatively large areas.

However, I note with extreme concern that the IRS is proceeding with plans to publish income and tax data for every zip code area in the nation.

In effect, these IRS statistics will focus in on areas so small that they can be measured in terms of city blocks, rather than by city or metropolitan statistical area.

Direct mail advertisers equipped with a copy of your publication will deluge the best potential customers, as determined by the IRS, with promotional material. I predict that homeowners in these favored neighborhoods will have to buy mailboxes with the capacity of wheelbarrows to contain the daily delivery of junk mail.

Door to door salesmen will no longer have to cruise the city looking for a likely neighborhood. The IRS will have told them where the most lucrative areas are located, and street maps will probably be included in the publication.

In short, it appears that this project—questionable at best—should be carefully reconsidered. If there is no greater purpose than to assist commercial interests in doing business, then it should be abandoned.

I would urge an immediate halt in work being done to publish this material by zip codes, while this consideration is underway.

It is widely felt that the business of the Internal Revenue Service is to collect taxes—period. Granted, a section of the Internal Revenue Code whose provisions date back to 1916 gives the IRS authority to publish "pertinent and valuable" facts from income tax statistics. The determination of what is "pertinent and valuable" is left to the discretion of the IRS.

In the case of zip code area data, I acknowledge that it is pertinent and valuable—but pertinent and valuable to the wrong people for the wrong purpose.

Again, I strongly urge you to reconsider plans to publish statistical information for each of the 35,000 zip codes in the nation.

To my mind, it would lead to gross invasions of privacy, while distorting the responsibilities of the IRS.

I look forward to your response.

Very truly yours,

JAMES G. O'HARA,
Member of Congress.

A TRIBUTE TO SPACE EXPLORERS

(Mr. TUNNEY asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. TUNNEY. Mr. Speaker, in a decade marred with violence and corrupted by hate, we are frequently frustrated with our seeming inability to achieve man's great capabilty for progress.

We have seen the products of advancing technology transformed into weapons of death and destruction—and have watched our fellow men and our great leaders martyred by this perversion of progress and technology. We have shared the futility of being so close to the answers—yet always finding them just beyond our grasp.

Man, however, is not morally crippled, and his will is not broken. When our frustrations sometimes seem greatest, there occurs an event to give buoyancy to our hopes that man can surmount even the most difficult feats.

Such an event is scheduled to occur this month. Man is going to set foot on the moon, and we will all be fortunate enough to witness this culmination of one of man's greatest quests. Thanks to our communications capability, we will be witnessing a triumph of technology "qua non."

It will be an American who first treads on the moon's surface—but this is by no means solely a provincial triumph. This is one of the rarest of rare occasions when all men will stand together—when all men will revel in a glory that only man can feel.

Progress is never an easy or painless process—and ours in space exploration has certainly been neither easy nor painless. Yet, as in all of mankind's great explorations down through the centuries, the triumph of a single feat is but a steppingstone to greater advancement.

So it is with conquering the moon. Though it is the culmination of one phase of space exploration, it is—in a broader sense—merely a way station for man's eventual quest for knowledge of his universe.

At the same time, man's setting foot on the moon should give rise to the realization that we can achieve our capabilities here on earth as well as among the heavens. A renewed vigor and a strengthened commitment to all of man's duties—terrestrial and celestial—should be derived from this milestone.

There can be no doubt that in space exploration, man has progressed. And this last, yet at the same time this first step should be singled out for its unique addition to the history of mankind.

The resolution that I am proposing will do just that. It will single out this momentous day in the history of America and mankind, and will reaffirm our commitment to all men in the name of progress.

This resolution will establish "Space Exploration Day" as a national holiday on the anniversary of man's first lunar landing. It authorizes the President to issue an annual proclamation for observing this day with appropriate honors and activities. And, it calls upon the Postmaster General to issue an appropriate stamp, commemorating this historic achievement.

Mr. Speaker, I call upon all of my colleagues in Congress to join with me in supporting this resolution.

PRIDE IN AMERICA

(Mr. RANDALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RANDALL. Mr. Speaker, on the Fourth of July our senior Senator, STUART SYMINGTON, appeared on the annual program at the Truman Library in my home city of Independence, Mo.

Earlier in the morning a parade had formed at a point south of the Courthouse Square and proceeded on past the home of former President Truman. It was my privilege to ride in the same open convertible with my Senator, and to pause to pay our respects to President and Mrs. Truman as we passed their home on North Delaware en route to the library.

Although his health would not permit Mr. Truman to be present at the library, Senator SYMINGTON appeared as the speaker at the personal request of our former President. Because of the lengthy program the remarks of the Senator were brief. However they were so well chosen and so very appropriate for the observance of Independence Day that I thought these remarks should be shared with my colleagues and with all who read the CONGRESSIONAL RECORD. The Senator chose as his subject, "Pride in America." The text of his speech follows:

PRIDE IN AMERICA

On this anniversary of the birth of our nation, let all citizens take quiet pride in its history, its present position of world leadership, and the boundless hopes it has for the future.

It is not difficult, in these days of rapid change at home as well as abroad, to at times question the road ahead.

But we believe in America; and we know that we have both the skill and the determination to continue building this great nation.

Nearly always, when the times become difficult, our country has been blessed with great leaders; and with that premise, it is my privilege to pay tribute to the American all of us respect the most, and to whom we are the most devoted—Harry S. Truman.

The decisions President Truman made changed the course of history. It was his courage and determination which checked the advance of totalitarian aggression during the dangerous Stalin years of the cold war. And it was his wise and compassionate interest which laid the groundwork for legislation designed to grant a productive life of dignity to all Americans.

Woodrow Wilson conceived the League of Nations. Harry Truman carried through to reality the United Nations, a place where men, in this nuclear space age, can gather in effort to wage the peace, realizing how little of anything will be left if there was general war.

I worked for Mr. Truman in the long trying years from 1945 to 1952, and know that his most cherished ideal was to further the cause of every citizen's right to freedom.

In recent years many of the goals of this great man have been realized, including the extension of voting privileges to all Americans, a health-care program for the aged, aid to elementary and secondary education, and a strong America in and out so that we can remain a free America.

Mr. Truman once said "I have boundless faith in the common sense and ultimate fairness of the American people." Let us say Amen to that wise statement. Let us re-dedicate our nation to the kind of constructive forward-looking action which was always so characteristic of his own service to his country.

This July observance at this Library was inaugurated by our former President who until 1967 has made the address at every observance since 1958. How proud I am to talk where my former boss has spoken so often before. All Missourians, all Americans, will join me on this great national day in paying tribute to the nation's number one citizen, a man who is such a glorious inspiration to all those who desire to serve.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. Aspinall (at the request of Mr. Rogers of Colorado), on account of death in family.

Mr. Mann (at the request of Mr. McMillan), for today and July 9, 1969, on account of official business.

Mr. Frelinghuysen (at the request of Mr. Gerald R. Ford), for July 9 through 21, on account of official business.

Mr. Wolff (at the request of Mr. Albert), for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Camp), to revise and extend their remarks and to include extraneous matter:)

Mr. Halpern, for 5 minutes, today.

Mr. McDonald of Michigan, for 10 minutes, on July 9.

Mr. Saylor, for 15 minutes, today.

Mr. Michel, for 5 minutes, today.

(The following Members (at the request of Mr. Burlison of Missouri), to revise and extend their remarks and include extraneous matter:)

Mr. McCarthy, for 60 minutes, today.

Mr. Aspinall, for 10 minutes, today.

Mr. Burke of Massachusetts, for 15 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Randall in two instances and to include extraneous matter.

(The following Members (at the request of Mr. Camp), and to include extraneous matter:)

Mr. Zwach in two instances.
Mr. Weicker.
Mr. Kuykendall.
Mr. Riegle.
Mr. Scott.
Mr. Lipscomb.
Mr. Ashbrook.
Mr. Taft.
Mr. Miller of Ohio.
Mr. Wyman in three instances.
Mr. Eshleman.
Mr. Hansen of Idaho.
Mr. Michel in two instances.
Mr. Reid of New York.
Mr. Coughlin.
Mr. Brotzman in three instances.
Mr. Steiger of Arizona in two instances.
Mr. Hosmer in two instances.
Mr. Snyder.
Mr. Quie.

(The following Members (at the request of Mr. Burlison of Missouri) and to include extraneous matter:)

Mr. Rodino in two instances.
Mr. Fascell in four instances.
Mr. Jacobs.
Mr. Eilberg.
Mr. Clay in six instances.
Mr. Ottinger.
Mr. Giaimo.
Mr. Long of Maryland.
Mrs. Hansen of Washington.
Mr. Gilbert.
Mr. Kee in two instances.
Mr. Rarick in four instances.
Mr. Natcher in two instances.
Mr. Andrews of Alabama in two instances.
Mr. Murphy of New York.
Mr. Conyers in two instances.
Mr. Pickle in three instances.
Mr. Nedzi in two instances.
Mr. Kyros in two instances.
Mr. Stephens in four instances.
Mr. Bennett.
Mr. Thompson of New Jersey in two instances.
Mr. Fraser.
Mr. Moorhead in two instances.
Mr. Rivers.
Mr. Brown of California in three instances.
Mr. Tiernan in two instances.
Mr. Burton of California.
Mr. Obey in two instances.
Mr. O'Hara in two instances.
Mr. Pepper.
Mr. Gonzalez in two instances.
Mr. Ryan in two instances.
Mr. Ichord in two instances.

ADJOURNMENT

Mr. BURLISON of Missouri. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 58 minutes p.m.), the House adjourned until tomorrow, Wednesday, July 9, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

933. A letter from the Comptroller General of the United States, transmitting a report on selected aspects of payments and charges to Job Corps members, Department of Defense, Office of Economic Opportunity; to the Committee on Government Operations.

934. A letter from the Comptroller General of the United States, transmitting a report on U.S. financial participation in the United Nations Children's Fund, Department of State; to the Committee on Government Operations.

935. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Social Security Act to limit Federal financial participation under the public assistance and medicaid laws with respect to individuals in mental institutions; to the Committee on Ways and Means.

936. A letter from the Secretary of Labor, transmitting a draft of proposed legislation to extend and improve the Federal-State unemployment compensation program; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 10105. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for fiscal years 1970 and 1971, and for other purposes; with amendment (Rept. No. 91–350). Referred to the Committee of the Whole House on the State of the Union.

Mr. MADDEN: Committee on Rules. House Resolution 472. Resolution providing for the establishment of a Committee on the House Restaurant (Rept. No. 91–351). Referred to the House Calendar.

Mr. ANDERSON of Tennessee: Committee on Rules. House Resolution 473. Resolution for consideration of H.R. 4018, a bill to provide for the renewal and extension of certain sections of the Appalachian Regional Developing Act of 1965 (Rept. No. 91–352). Referred to the House Calendar.

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 474. Resolution for consideration of H.R. 8261, a bill to amend the Federal Aviation Act of 1958, as amended, and for other purposes (Rept. No. 91–353). Referred to the House Calendar.

Mr. PEPPER: Committee on Rules. House Resolution 475. Resolution for consideration of H.R. 10878, a bill to authorize appropriations for activities of the National Science Foundation, and for other purposes (Rept. No. 91–354). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 476. Resolution for consideration of H.R. 7491, a bill to clarify the liability of national banks for certain taxes (Rept. No. 91–355). Referred to the House Calendar.

Mr. MAHON: Committee of conference. Conference report on H.R. 11400 (Rept. No. 91–356). Ordered to be printed.

Mr. TAYLOR: Committee on Interior and Insular Affairs. H.R. 11609. A bill to amend the act of September 9, 1963, authorizing the construction of an entrance road at Great Smoky Mountains National Park, in the State of North Carolina, and for other purposes; with amendment (Rept. No. 91–357). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO:

H.R. 12624. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. MILLS (for himself and Mr. Byrnes of Wisconsin):

H.R. 12625. A bill to extend and improve the Federal-State unemployment compensation program; to the Committee on Ways and Means.

By Mr. ASHLEY (by request):

H.R. 12626. A bill to provide a Federal subsidy for small family farms; to the Committee on Agriculture.

By Mr. BENNETT (for himself, Mr. Sikes, Mr. Haley, Mr. Fascell, Mr. Rogers of Florida, Mr. Pepper, Mr. Fuqua, Mr. Gibbons, and Mr. Chappell):

H.R. 12627. A bill to prohibit the dissemination through interstate commerce or the mails of materials harmful to persons under the age of 18 years, and to restrict the exhibition of movies or other presentations harmful to such persons; to the Committee on the Judiciary.

By Mr. COLLINS:

H.R. 12628. A bill to amend section 3148(1) of title 18, United States Code, in order to authorize the denial of bail to certain individuals who are charged with crimes of violence and who have previously been convicted of similar crimes; to the Committee on the Judiciary.

By Mr. DIGGS:

H.R. 12629. A bill to amend the Communications Act of 1934 so as to prohibit the granting of authority to broadcast pay television programs; to the Committee on Interstate and Foreign Commerce.

By Mr. DUNCAN:

H.R. 12630. A bill to amend title 38 of the United States Code to provide, in certain instances, up to 18 months of additional educational assistance for graduate or professional study; to the Committee on Veterans' Affairs.

H.R. 12631. A bill to amend title 38, United States Code, to permit, for 1 year, the granting of national service life insurance to certain insurable war veterans; to the Committee on Veterans' Affairs.

H.R. 12632. A bill to extend health insurance benefits under title XVIII of the Social Security Act, without regard to age or entitlement to monthly cash benefits, to individuals over 21 who are disabled; to the Committee on Ways and Means.

H.R. 12633. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. ESHLEMAN:

H.R. 12634. A bill to amend section 8(e) of the National Labor Relations Act with respect to its application to labor agreements relating to construction; to the Committee on Education and Labor.

By Mr. FOLEY:

H.R. 12635. A bill to provide for the more efficient development and improved management of national forest commercial forest land, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

By Mr. FULTON of Pennsylvania:

H.R. 12636. A bill to expedite delivery of special delivery mail, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HATHAWAY:

H.R. 12637. A bill to amend the Library Services and Construction Act, as amended, to include State archives; to the Committee on Education and Labor.

By Mr. HELSTOSKI:

H.R. 12638. A bill to provide for the mailing of letters and parcels at no cost to the sender to members of the U.S. Armed Forces in combat areas overseas, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 12639. A bill to amend the Internal Revenue Code of 1954 to encourage higher education, and particularly the private funding thereof, by authorizing a deduction from gross income of reasonable amounts contributed to a qualified higher education fund established by the taxpayer for the purpose of funding the higher education of his dependents; to the Committee on Ways and Means.

By Mr. HORTON (for himself, Mr. Addabbo, Mr. Baring, Mr. Barrett, Mr. Beall of Maryland, Mr. Bell of California, Mr. Biaggi, Mr. Blackburn, Mr. Brock, Mr. Brown of California, Mr. Broyhill of North Carolina, Mr. Burke of Massachusetts, Mr. Button, Mr. Cahill, Mr. Clark, Mr. Don H. Clausen, Mr. Cleveland, Mr. Conable, Mr. Conte, Mr. Corman, Mr. Coughlin, Mr. Daniels of New Jersey, Mr. Dawson, Mr. Dellenback, and Mr. Derwinski):

H.R. 12640. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

By Mr. HORTON (for himself, Mr. Devine, Mr. Donohue, Mr. Duncan, Mr. Edwards of California, Mr. Farbstein, Mr. Fascell, Mr. Findley, Mr. Fish, Mr. Fisher, Mr. Flynt, Mr. Frelinghuysen, Mr. Frey, Mr. Friedel, Mr. Fulton of Pennsylvania, Mr. Gall,gher, Mr. Garmatz, Mr. Gaydos, Mr. Giaimo, Mr. Goodling, Mr. Gubser, Mr. Halpern, Mr. Hanley, Mr. Hawkins, and Mr. Helstoski):

H.R. 12641. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

By Mr. HORTON (for himself, Mr. Howard, Mr. Hunt, Mr. Johnson of Pennsylvania, Mr. Johnson of California, Mr. Kluczynski, Mr. Kuykendall, Mr. Lipscomb, Mr. Long of Maryland, Mr. McFall, Mr. McKneally, Mr. Madden, Mr. Mailliard, Mr. Mann, Mr. Matsunaga, Mr. Meskill, Mr. Mikva, Mr. Minish, Mrs. Mink, Mr. Mollohan, Mr. Monagan, Mr. Moorhead, Mr. Morgan, Mr. Morse, and Mr. Moss):

H.R. 12642. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

By Mr. HORTON (for himself, Mr. Murphy of New York, Mr. Murphy of Illinois, Mr. Nichols, Mr. Mix, Mr. O'Neill of Massachusetts, Mr. Ottinger, Mr. Patten, Mr. Pepper, Mr. Pettis, Mr. Pirnie, Mr. Reid of New York, Mr. Rodino, Mr. St Germain, Mr. Sandman, Mr. Sisk, Mr. Smith of California, Mr. Steiger of Arizona, Mr. Stratton, Mr. Teague of Texas, Mr. Thompson of Georgia, Mr. Thompson of New Jersey, Mr. Tiernan, Mr. Tunney, and Mr. Van Deerlin):

H.R. 12643. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

By Mr. HORTON (for himself, Mr. Vander Jagt, Mr. Waldie, Mr. Watson, Mr. Whalley, Mr. Whitehurst, Mr. Widnall, Mr. Wolff, Mr. Wyatt, Mr. Wyman, Mr. McEwen, Mr. Pelly, Mr. Pollock, Mr. Gude, Mr. Stafford, Mr. Roth, Mr. Whalen, and Mrs. Dwyer):

H.R. 12644. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 12645. A bill to amend title 10 of the United States Code to require the presentation of military honors at the burial of certain former members of the Armed Forces; to the Committee on Armed Services.

H.R. 12646. A bill to amend the International Travel Act of 1961 in order to promote travel in the United States; to the Committee on Interstate and Foreign Commerce.

H.R. 12647. A bill to provide for the consideration and disposition of certain applications for adjustment of status filed with the Attorney General under section 245 of the Immigration and Nationality Act before December 1, 1965; to the Committee on the Judiciary.

By Mr. NEDZI:

H.R. 12648. A bill to provide for public disclosure by Members of the House of Representatives, Members of the U.S. Senate, justices and judges of the U.S. courts, and policymaking officials of the executive branch as designated by the Civil Service Commission, but including the President, Vice President, and Cabinet Members; and by candidates for the House of Representatives and the Senate, the Presidency, and the Vice-Presidency; and to give the House Committee on Standards of Conduct, the Senate Select Committee on Standards of Conduct, the Director of the Administrative Office of the U.S. Courts, and the Attorney General of the United States appropriate jurisdiction; to the Committee on the Judiciary.

H.R. 12649. A bill to amend title II of the Social Security Act to provide that the special monthly benefits which are payable thereunder to certain uninsured individuals at age 72 shall be payable in the case of a widow without regard to the time at which such age is attained; to the Committee on Ways and Means.

By Mr. O'NEILL of Massachusetts:

H.R. 12650. A bill to amend title 10 of the United States Code to allow wounded members of the Armed Forces to inform their families of such injuries by telephone at Government expense; to the Committee on Armed Services.

By Mr. PELLY:

H.R. 12651. A bill to amend title I of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PIRNIE:

H.R. 12652. A bill to amend the Legislative Reorganization Act of 1946 to provide for annual reports to the Congress by the Comptroller General concerning certain price increases in Government contracts and certain failures to meet Government contract completion dates; to the Committee on Government Operations.

By Mr. PODELL:

H.R. 12653. A bill to provide for a coordinated program to improve the level of human nutrition in the United States, and for other purposes; to the Committee on Agriculture.

H.R. 12654. A bill to amend the Food Stamp Act of 1964, and other acts, to provide adequate food and nutrition among low-income households, and for other purposes; to the Committee on Agriculture.

H.R. 12655. A bill to amend the Food Stamp Act of 1964 to authorize elderly persons to exchange food stamps under certain circumstances for meals prepared and served by private nonprofit organizations, and for other purposes; to the Committee on Agriculture.

H.R. 12656. A bill to authorize the Federal Trade Commission to set standards to guarantee comprehensive warranty protection to the purchasers of merchandise shipped in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. QUILLEN:

H.R. 12657. A bill to prohibit the dissemination through interstate commerce or the mails of materials harmful to persons under the age of 18 years, to restrict the exhibition of movies or other presentations harmful to such persons, and for other purposes; to the Committee on the Judiciary.

By Mr. RIVERS:

H.R. 12658. A bill to revise the laws relating to post offices and post roads, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 12659. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind per-

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sons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. ROBISON:

H.R. 12660. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for contributions to candidates for elective Federal office or to political parties; to the Committee on Ways and Means.

By Mr. ROSENTHAL:

H.R. 12661. A bill to amend the Foreign Assistance Act, as amended, to authorize the Secretary of State to participate in the development of a large prototype desalting plant in Israel, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SAYLOR:

H.R. 12662. A bill to provide for the establishment of a lifetime fee for persons 65 years of age or over for admission to outdoor recreation areas administered by certain agencies of the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 12663. A bill to continue the Golden Eagle program established under the Land and Water Conservation Fund Act of 1965; to the Committee on Interior and Insular Affairs.

By Mr. SHIPLEY:

H.R. 12664. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. TAFT:

H.R. 12665. A bill to adjust agricultural production, to provide a transitional program for farmers, and for other purposes; to the Committee on Agriculture.

By Mr. TALCOTT (for himself, Mr. BEALL of Maryland, Mr. COUGHLIN, Mr. MCKNEALLY, and Mr. WILLIAMS):

H.R. 12666. A bill to amend the Legislative Reorganization Act of 1946 to provide for the inclusion of certain cost estimates of certain measures reported by the standing committees of the House of Representatives; to the Committee on Rules.

By Mr. THOMPSON of New Jersey:

H.R. 12667. A bill to amend the National Labor Relations Act, as amended, so as to make it an unfair labor practice to employ aliens whose principal dwelling places are in a foreign country during a labor dispute; to the Committee on Education and Labor.

By Mr. ZWACH:

H.R. 12668. A bill to amend the Packers and Stockyards Act, 1921, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. COLLINS:

H.R. 12669. A bill to amend chapter 223 of title 18 of the United States Code to provide that confessions shall be admissible in U.S. courts; to the Committee on the Judiciary.

By Mr. CONYERS:

H.R. 12670. A bill to amend title 39, United States Code, to provide work clothing for postal field service employees engaged in vehicle repair or maintenance, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DIGGS:

H.R. 12671. A bill to amend the act of May 29, 1928, to facilitate and encourage the employment of minors in the District of Columbia between the ages of 14 and 16 during the summer and other school vacation periods, and for other purposes; to the Committee on the District of Columbia.

By Mr. EVANS of Colorado:

H.R. 12672. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

By Mr. FUQUA:

H.R. 12673. A bill to authorize the transfer by licensed blood banks in the District of Columbia of blood components within the District of Columbia; to the Committee on the District of Columbia.

By Mr. HOWARD:

H.R. 12674. A bill to amend the Fair Packaging and Labeling Act to require the disclosure by retail distributors of unit retail prices of packaged consumer commodities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LEGGETT:

H.R. 12675. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MILLER of Ohio:

H.R. 12676. A bill to permit the President to authorize the sale of savings bonds yielding not more than 6 percent per annum; to the Committee on Ways and Means.

By Mr. STEIGER of Arizona:

H.R. 12677. A bill to authorize the Commissioner of the District of Columbia to lease to the Jewish Historical Society of Greater Washington the former synagogue of the Adas Israel Congregation and real property of the District of Columbia for the purpose of establishing a Jewish Historical Museum; to the Committee on the District of Columbia.

H.R. 12678. A bill to increase to 5 years the maximum term for which broadcasting station licenses may be granted; to the Committee on Interstate and Foreign Commerce.

By Mr. CHARLES H. WILSON:

H.R. 12679. A bill to provide cost of living adjustments for employees in the postal field service; to the Committee on Post Office and Civil Service.

By Mr. EVANS of Colorado:

H.J. Res. 808. Joint resolution to authorize the President to award appropriate medals honoring those astronauts whose particular efforts and contributions to the welfare of the Nation and of mankind have been exceptionally meritorious; to the Committee on Science and Astronautics.

By Mr. STEIGER of Arizona:

H.J. Res. 809. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.J. Res. 810. Joint resolution designating the day which man lands on the moon, and the anniversary of that day each year thereafter as a national holiday to be known as "Space Exploration Day," and for other purposes; to the Committee on the Judiciary.

By Mr. WEICKER:

H.J. Res. 811. Joint resolution authorizing the President to proclaim annually the week beginning on the first Sunday after Labor Day as "National Beach Cleanup Week"; to the Committee on the Judiciary.

By Mr. HAWKINS:

H. Con. Res. 299. Concurrent resolution relating to an Atlantic Union delegation; to the Committee on Foreign Affairs.

By Mr. MADDEN:

H. Res. 472. Resolution creating a select committee to be known as the Committee on the House Restaurant; to the Committee on Rules.

By Mr. BURTON of Utah:

H. Res. 477. Resolution seeking agreement with the Union of Soviet Socialist Republics on limiting offensive and defensive strategic weapons and the suspension of test flights of reentry vehicles; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

234. By the SPEAKER: Memorial of the Legislature of the State of California, relative to the high lumber costs; to the Committee on Agriculture.

235. Also, memorial of the Legislature of the State of California, relative to soil grants for recreation; to the Committee on Agriculture.

236. Also, memorial of the Legislature of the State of California, relative to equalization of the compensation of retired members of the uniformed forces; to the Committee on Armed Services.

237. Also, memorial of the Legislature of the State of California, relative to the retention of judge advocates and law specialist officers for the Armed Forces; to the Committee on Armed Services.

238. Also, memorial of the speaker of the house, General Assembly of the State of North Carolina, relative to House Resolution D.R.H.R. 11, withdrawing its concurrence in a 1965 resolution of the North Carolina General Assembly, which memorialized Congress to call a constitutional convention to propose an amendment to the Constitution of the United States relating to apportionment of State legislatures; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BYRNE of Pennsylvania:

H.R. 12680. A bill for the relief of Dr. Rustico C. Polutan; to the Committee on the Judiciary.

By Mr. DOWNING:

H.R. 12681. A bill for the relief of Kenneth L. MacLeod; to the Committee on Armed Services.

By Mrs. HANSEN of Washington:

H.R. 12682. A bill to provide for the conveyance of certain real property of the United States; to the Committee on Interior and Insular Affairs.

By Mrs. HECKLER of Massachusetts:

H.R. 12683. A bill for the relief of John Meyer; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 12684. A bill for the relief of Jose Antonio; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 12685. A bill for the relief of Ryoichi Sawai; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 12686. A bill for the relief of Teresina Mancini Pantanella; to the Committee on the Judiciary.

By Mr. PURCELL:

H.R. 12687. A bill for the relief of Robert Franklin Moon, his wife, Irene Flora Moon, and their minor children, Debra Anne Phillips Moon, Stephen Robert Moon, Michael Robert Moon, and Marilyn Heather Moon; to the Committee on the Judiciary.

By Mr. ZWACH:

H.R. 12688. A bill for the relief of L. M. Mulder; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

169. By the SPEAKER: Petition of Montgomery County Council, Rockville, Md., relative to a regional rapid rail transit system; to the Committee on Appropriations.

170. Also, petition of Wm. Penn Washington I, Antigo, Wis., relative to establishing a U.S. Astronauts Corps; to the Committee on Science and Astronautics.

171. Also, petition of the City Council, Lawndale, Calif., relative to taxation of State and local government bonds; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

ENVIRONMENTAL QUALITY

HON. GAYLORD NELSON

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Tuesday, July 8, 1969

Mr. NELSON. Mr. President, at the commencement exercises of Winona State College in early June, the Senator from Minnesota (Mr. MONDALE) spoke to graduating seniors on the environment they will inherit.

What the Senator had to say concerns us all, and it is this: that mankind, with his command of technology, now has the power to effect irreversible change on the environment; change that, no matter how much he may wish it, man has no power to overturn.

In Denver, a 2-mile-deep well, originally drilled to dispose of pesticide wastes, is now suspected of causing man-made earthquakes. They cannot be stopped.

In Lake Erie, a half-century of abuse has raised the specter of what a somber Department of the Interior report calls a "biological cataclysm" that could rapidly exhaust the free oxygen in the lake.

As Senator MONDALE says, we are indeed, "a nation bedazzled by technology and addicted to crash solutions. But this kind of mentality will no longer serve us, if we are to build an environment worthy of man in this place, in this age."

I ask unanimous consent for inclusion of the Senator's remarks in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

ENVIRONMENT AND THE FUTURE

(Address by Senator WALTER F. MONDALE at Winona State College commencement, Friday, June 13, 1969, Winona, Minn.)

Americans have always had a curious love-hate relationship with their environment. Unlike the original inhabitants of the continent, the American Indians—who were bound to their land in a marriage of love—the white settler viewed the charms of a virgin continent with lust in his eyes and rape in his heart.

Thus, while the pioneer might have admired the purple mountain's majesty, his first thought was to gouge as many minerals out of her as rapidly as possible. A forest was something to be cut down; a river a convenient dumping ground; a buffalo herd an early exercise in genocide. And, once the forests where he lived were gone; the rivers unfit to drink; the buffalo reduced to bleached bones, there were always plenty more where they came from, out in the West. Now the frontier is gone, but the frame of mind it induced in a people is with us to this day.

What the Indians' religion and mores instilled in him as an article of faith we are only now beginning to dimly perceive—that we are not outside our environment, much less the master of it. We are in fact inseparable from it, and each action of man upon the physical world produces an equal—and sometimes opposite—reaction upon man himself.

The reaction is sometimes immediately visible, and dramatic, such as when a man-made chemical wipes out all life in a river. Other reactions are more subtle, more profound.

Your generation and mine are the inheritors of both the physical issue of this early violence practiced on the land and, more important, of the frame of mind that produced it—for it endures even in the 20th century.

Thus, physically, because of an attitude that, as one critic put it: "looks upon one-half the continent as a mine to be stripped of resources as rapidly as possible—and the other half as a dump to get rid of the wastes"—we find that—

We pour some 130 million tons of carbon monoxide, sulphur and other dangerous pollutants into the air each year, and that every metropolitan airshed in the country is polluted, to one degree or another;

We find many major rivers, and one of the Great Lakes, are for all practical purposes denuded of the free oxygen needed to support marine life;

We find the earth's biosphere—that thin, fragile envelope of air, water and land that sustains all life—we find it laden with 500 million pounds of DDT, a persistent and nearly immortal pesticide.

And we find our daily lives increasingly dominated by the works of man; the outdoor heritage that is a part of our very makeup we find increasingly crowded, less wild and more like the artificial environment we have created.

These conditions we can see with our own eyes. They are reported daily in the media and discussed in the halls of Congress and in every forum across the nation.

They are different in degree, but not in kind, from the careless stewardship of resources that our ancestors practiced. But now, because of his mastery of the physical sciences, and because of the heedlessness of his problem-solving techniques, man is able to induce changes in his environment of quite a different order, changes that may occur with terrifying suddenness and be, in fact, irreversible.

For instance—

At the Rocky Mountain arsenal in Denver, where the pesticide residues once stored above ground in settling ponds threatened domestic water supplies and wildlife, a two-mile deep well was drilled to place these dangerous liquids below the water tables used for drinking and irrigation.

This "solved" one environmental and economic problem—disposing of a poisonous man-made substance—but it may well have created a worse one. For, one month after the Army began to pour millions of gallons of waste down this hole, Denver was shaken by its first earthquake of the century, and has since been shaken by scores more, none, so far, heavy enough to cause loss of life or property damage on a vast scale.

Scientific opinion, consulted after the well was drilled, is divided. Some geologists see no relationship between the original quake, whose epicenter was in the Arsenal region; others believe that some several hundred—million gallons of poison water pumped down the hole has lubricated a fault under the city, allowing slippage and quakes.

Whatever the scientific merit of both arguments, it is impossible to pump the water out.

Lately the arsenal has been in the news again, for it was from here that enough nerve gas to wipe out several billion people was to depart by rail for the Atlantic Coast, where it was to be put aboard freighters, hauled out to sea, and dumped. An outraged public has temporarily halted this; the nerve gas, at last report, now resides in the open under one of the flight paths for a commercial airport.

At that, the nerve gas would be but one of some half a million substances presently dumped in the ocean. These include pesticides, radioisotopes and chemicals, only a fraction of which have ever been tested for their long-term effect on man and the ecology that supports him.

Here again, man responds recklessly, with little to guide him. Some 70 percent of the earth's photosynthetic oxygen is produced by micro-organisms suspended in the oceans' surface water. What these chemicals' effect on these organisms is, no one precisely knows. What would happen to marine life, if a tanker loaded with herbicides for use against foliage in Vietnam crashed upon the ocean rocks, such as the Torrey Canyon did with its cargo of oil—no one knows.

Another example:

Man has lived on the shores of Lake Erie for milenia, with no noticeable effect on the Lake itself. But over the past 50 years, with the use of the Lake as a dumping ground for solid and liquid wastes, man has managed to artificially "age" the lake by an estimated 15,000 years; in other words, the lake is 15,000 years nearer "death"—a process that happens to all lakes sooner or later than if he made wise use of this resource.

And now, according to Department of Interior scientists, who are not given to rash statements, "It is possible that . . . Lake Erie may face a sudden biological cataclysm that will exhaust, for a time, most of the oxygen in the greater part of the lake . . . (this) could come with explosive suddenness."

The lake has come to its present state because pollution has grown geometrically, while knowledge of its effects has grown only arithmetically. For 50 years now man has been adding great quantities of phosphorous to the lake. Phosphorous stimulates the growth of algae, which blooms in great quantities during the spring and fall. The algae dies fast and sinks to the bottom of the lake, fouling it with organic matter.

Meantime, even more phosphorous—which most sewage treatment plants being built today do not remove—is poured on top of the dead algae on the lake bottom. Now, there is grave danger that the process is self-generating and that the "biological cataclysm" of oxygen exhaustion could take place with terrifying swiftness.

And so, near the Continental Divide in Colorado; in the sea around us; in the Great Lakes; man is tinkering with profound forces which may well prove to be beyond his ability to counter, once set in motion.

The same forces that have brought Erie near death are at work on Lake Superior, greatest of the Great Lakes, and the world's largest body of still relatively unpolluted water. Because the lake is big, and because population is less concentrated on its shores, we still have time to save it, if we act promptly.

But doing so will take more than just money. It will take a conscious decision by private industry, government and the citizens of Minnesota to cease using the Lake as a dumping ground and sewer, and to begin looking upon it as the unique, priceless natural resource that it really is. Whether or not this will be done in time remains to be seen.

The truth of the matter is, our ability to pollute our environment has outrun our knowledge of pollution's effects and how to stop it.

I was shocked to learn, when I first came to the Senate some years ago, of the primitive state of research in lake pollution. It is no exaggeration to say that we now know more about the composition of the lunar surface than we do about what causes a lake to die—and how to prevent it.

For three years now, I have had legislation before the Congress to fund at least a beginning in lake research. Last year the measure passed both houses, only to die because of differences in the two bills. This year the bill is contained in the omnibus water pollution control act, and I am hopeful of passage.

Once the legislation is passed the really hard work will begin; the fight to obtain adequate funding. And herein lies much or our present problem with pollution control.

Although we are ready, willing and able to fuel the engines of war—last year at 97 percent of the amount the Pentagon requested—the Nation is far less willing to spend the money to clean its own nest.

Over the past five fiscal years—

We provided less than half the amount requested at the federal level for grants to build sewage treatment plants;

We provided just over 60 percent of the amount requested for air pollution control;

And we provided less than a third of the amount requested for water and sewer grants.

Although federal spending for all natural resources purposes—pollution control, parks, recreation areas—has been climbing gradually we are actually spending a smaller percentage of the total federal budget now, in fiscal 1970, than we did five years ago.

The result is, as far as the environment is concerned, we are just barely managing to hold our own, if that.

We often talk about a pollution problem, or a park problem, or an air problem. But what we have in this country, really, is a war problem.

This year the federal government will spend just over 300 million dollars to help build sewage plants and to control air pollution. I have not been around Washington so long that I look upon this amount as a pittance, but compared to defense spending, that's just what it is.

Three hundred million dollars would run the Vietnam war for 4 days and 8 hours. It represents less than one percent of what we will spend this year on wars, past, present and future.

We are willing to pick up the tab—$50 million a few weeks ago—for a submarine that sank immediately upon launching.

We were willing to pick up $23 billion, according to Senator Symington, for 43 separate missile systems once deemed vital to the national security that were abandoned prior to deployment or rapidly became obsolete.

But we are not willing to pick up the tab to clean our rivers, our lakes, our air. And it is not only government that is at fault:

Private business each year spends billions of dollars—as they should—to advertise their products. They spend hundreds of million more in research to bring forth new products. But, with very few exceptions, they are very unwilling to spend money to find out how to dispose of the products once they're discarded, or to clean up the wastes produced by their manufacture.

I really cannot believe that a nation which next month will land men on the moon cannot devise an auto exhaust control system that will clean up the air. I cannot really believe that a nation that each year produces 5 million cars cannot devise a means of disposing of their corpses, once they're worn out.

I am convinced that we will never build a livable environment in this nation—to say nothing of building a decent society, with decent housing and no hungry children—until we re-order our priorities.

I believe this very deeply, and I do not believe this makes me either a neo-isolationist or a pacifist. I believe arms are necessary for survival in the age in which we live. But I am no longer prepared to hand the military a blank check each year.

We are a nation bedazzled by technology and addicted to crash solutions. We are a pragmatic people, one whose first response, in facing any dilemma, is to look for an instant answer.

But this kind of mentality will no longer serve us, if we are to build an environment worthy of a man in this place, in this age.

This generation does not have the excuse of environmental ignorance that could perhaps justify the past excesses we have visited on the continent. We now know the effects of our actions. We can see, smell and touch the products of unwise resource management. They are all around us.

Until we act on this knowledge . . . until we somehow engineer into the very structure of government a system of determining the long-term effects of scientific change on the environment, we are, in a very real sense, playing Russian Roulette with our destiny.

There is this, and more:

We hear a great deal nowadays about alienation; about a feeling of powerlessness that afflicts the poor and middle class alike.

I wonder if part of the reason for this public unhappiness," isn't a belief, on the feeling, which Paul Goodwin called "the part of many of us, that somehow we have lost control over our own destiny.

A case in point:

The Mississippi flows past Winona here, and within the next few years, if present plans go through, radioactive wastes from a nuclear power plant upstream will be dumped in the river.

A million people in Twin Cities will be ingesting these materials with their drinking water.

Many of us fought this, both in Minnesota and Washington. We have not so far prevailed.

The public institutions charged with protecting the public interest in this and other matters are vast, unresponsive and remote. They contribute, in a very real sense, to the unease we feel, as individuals, over controlling our own destiny.

I am aware of all the legalisms that allowed this decision to be made; but that does not make it right. If a people do not have the right to influence a decision this basic, then they do not have much say in control of their own lives.

In the last speech he ever delivered, Adlai Stevenson summed up what I have attempted to say here today, in these words:

"We travel together, passengers on a little space ship, dependent on its vulnerable supplies of air and soil, preserved from annihilation only by the care, the work, and I will say the love, we give our fragile craft."

BEN S. GILMER SPEAKS ON THE UNIVERSITY AND THE NATURE OF CONFLICT

HON. ROBERT G. STEPHENS, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. STEPHENS. Mr. Speaker, recent campus disorders, and reactions to these disorders have their roots in a deep emotionalism. It is indeed a pleasure to read a balanced, reasoned examination of the situation by Mr. Ben S. Gilmer, president of American Telephone & Telegraph Co., delivered at the recent commencement exercises of the University of Georgia. Mr. Gilmer, a native of Alabama, was formerly the head of Southern Bell Telephone Co. He has had a distinguished career in the field of public utilities.

Mr. Gilmer has accurately noted that what began as an idealistic impulse, has concluded in perspectives and tactics that became self-defeating. The politics of due process, with the public welfare as its goal, has been perverted into the politics of violence, creating a new authoritarianism, making tolerance and understanding increasingly difficult.

What is alarming is not so much the breakdown of tradition, but the desire to avoid the responsibilities and risks of participation. To ascend nobly above the "murgy establishment" is all too easy. Positive reform should be the real test of the dissident student, not merely his capacity to voice complaints.

I think this speech will be of interest to all of the Members of Congress. I submit it, therefore, for insertion in the RECORD:

ADDRESS BY BEN S. GILMER

This I know is a day to which all of you have pointed your efforts and energies for a long time. I congratulate you and am honored to be with you on this great day in your lives.

So many long honored customs of college life have been challenged of late I would not have been surprised to see the abolition of the commencement speaker become one of them. Fortunately for me this did not turn out to be the case, and I am happy to join with you in the enjoyment of this day.

Most commencement speakers, I suspect, are under no illusions as to how long their words will be remembered—and I am no exception. Who, for example, spoke at my own graduation and what he said have long since slipped from memory.

At the same time there is a certain solemnity about these occasions that moves one to look long and earnestly within himself for that one portion of wisdom with which life may have endowed him that might have some meaning to the new generation to whom his own will shortly pass the torch.

In recent years that search has become a particularly trying one, for they have been years in which some members of your generation have been loudly asserting that they trust no one over 30, such protestants at the same time giving very little indication as to why anyone over 30 should trust them.

With each succeeding graduating class, it would appear, the generation gap grows wider and the wider it grows the greater the risk that the commencement speaker will fall in.

Nonetheless I suspect that nearly every commencement speaker—up until this year at any rate—has secretly harbored the hope that somehow he might find the words that will convey to his younger audience that he—perhaps in some measure understands the aims of youth, that, he shares them with undiminished ardor in spite of the passing years.

This rapport once established, his audience will, he hopes, hear his words with open minds—and perhaps even heed some of them.

Thus most commencement comment on youth to youth falls into a predictable pattern: applaud youth's aims, deplore its methods.

You will forgive me, I trust, if this year—I abandon the pattern. To my mind rapport between the generations will be better served by candor than by strained efforts at ingratiation. At the risk, then, of being characterized as a quaint survivor from a bygone era, I am going to tell you precisely what I think.

Briefly, I am not with it. What has been happening on many of our campuses over the past few months—or rather what the newspapers have chosen to tell us about what has been happening on our campuses I find deplorable.

And what aims are served by vandalism and violence I readily confess I do not understand. If the impulse to these actions springs, as I have heard it alleged, from youthful idealism, it is misplaced idealism and certain to defeat the very aims it professes to serve.

Not freedom but a new authoritarianism is surely the most likely consequence of such excesses. Nor is it very likely that expanded participation in decision-making will be extended to those who by their actions demonstrate they do not know how to handle the responsibilities they already have.

Let me say at the outset that I would have preferred to talk with you today about almost any other topic than the current campus turmoil. Avoidance however, would serve no useful purpose and indeed would be interpreted as joining with those who seem to believe that if something is ignored it will cease to exist.

Among my colleagues in the business world, utter consternation seems to be the most common reaction to the recent highly publicized events on some of our nation's most distinguished campuses.

It is an altogether understandable reaction but not to my mind a very helpful one. For these events can no longer be dismissed as isolated phenomena. Nor can we take comfort in the thought that they are "un-American," the product of an alien conspiracy.

And while it is true that the actual perpetrators of the violent acts we have been reading about probably constitute but a small fraction of the current campus generation, we simply cannot take lightly the fact that the politics of violence has moved from the streets to a site we had assumed was reserved for calm inquiry and rational discourse.

The consequences of these events for the colleges involved may be tragic or hopeful, depending on their response. But my concern runs beyond the prospects of particular institutions and goes to the implications of these events to the future course of American society.

Down through the years Americans for the most part have been willing to resolve their differences—and accept the consequences within a commonly accepted framework of order and due process.

On our campuses as in our cities, violence signals the breakdown of this tradition. But what is more disturbing is the realization that the recent disorders may be but surface symptoms of a more widespread infection.

This infection shows itself in what appears to be an increasing disposition to escape the responsibilities of citizenship and the risks of participation either by seeking refuge in private comforts or at the other extreme, by an equally irresponsible disposition to translate the most agonizingly complex problems into simple confrontations between "them" and "us."

I addressed myself to this development on a like occasion a year ago and what was said then can be repeated now with no less conviction: To my mind this resort to unreason—in whatever guise it appears—is the most dangerous trend of our time.

It jeopardized what has been and remains our country's greatest strength—and that is the capacity to govern ourselves.

This resort to unreason shows itself, too, in what seems to be an increasing preoccupation with power, power exercised not through the conventional political process but by obstructing the normal operations of society.

Power thus exercised can dramatize dissent and discontent, but it can also undermine the orderly processes on which the dissenters themselves will depend once their discontent is assuaged. The continued use of this kind of power can only lead to the progressive degeneration of the political process in this country, to the death of freedom. This is, as well, the most likely consequence to our nation's goals and—more particularly—to the quickened aspirations of youth.

Those goals cannot be achieved or those hopes realized in an angry society, divided by contention and embittered by frustration.

Only a coherent society, uniting all its elements in a context of commonly accepted political process, can gather its resources and marshal its energies on the scale the future will require.

It is time, then, that men and women of reason and conscience everywhere made it plain that this society cannot countenance and will not reward the willful exercise of power to obstruct its legitimate processes.

But clearly it is not enough to decry violence unless at the same time we are ready to take account of the causes that inspire it.

Clearly we must ask ourselves, what is wrong with youth or what is wrong with us and the word we have made that has produced so deep an estrangement between so many of our young people and the major institutions of American life.

I raise the question not out of concern for the current crop of campus saboteurs but for the far larger number of their contemporaries who may take as dim a view of violence as I do but whose anger, albeit contained, is anger all the same.

You will tell me, I suppose, that there is sufficient evidence of injustice in the world to warrant anger and that the occasions for youth's estrangement are not really that hard to find:

A sad and apparently interminable war and its tragic costs in lives and resources. . . .

The evidence in the midst of affluence that millions of our fellow citizens have not shared in America's expanding opportunity. . . .

The fact that so many of the people in our greatest cities live ugly lives. . . .

The apparent hypocrisy of a society dedicated to no higher aim than a continuous expansion of personal consumption.

But we have experienced these occasions before. Indeed it is hard to recall a time when we have been without them or their counterparts.

So, without the slightest implication of doubt about the depth and sincerity of the convictions of young people on the issues I have recited, let me say that it seems to me the explanation lies elsewhere.

There are in my observations as many different interpretations of youth's mood as there are interpreters and I claim no special insight in this regard. There does, however, seem to me to be two interrelated elements in the current mood that are unique to these times.

The first is a feeling, apparently widely shared in your generation, that the prospect ahead is a sadly empty one, that the expected course of your lives offers very little worthy of high purpose and very little promise of opportunities for a sense of real accomplishment.

And the second is a sense of frustration in the face of institutions so large, so complex, so apparently impersonal that they afford little prospect that what one man does will make very much difference.

Were these impressions valid, this ceremony, normally the most hopeful of occasions, would be a sad one indeed. Nor will they be made otherwise by any simple assertion to the contrary by me, however deeply I might feel it.

Nonetheless I shall risk it. Your own discontents dramatize the fact that there is much unfinished business in our society that is worthy of the best that is in you.

Who, if not you, is going to see to it that our onrushing technology is shaped to humane ends.

Who, if not you, is going to bring order and civility—and, yes, greatness—back to our great cities.

Who, if not you, is going to rationalize our outmoded structure of local government so that it meets the needs of the final third of the twentieth century.

Who, if not you, is going to assure the adequacy of public services, health, education, transportation, waste disposal—for a population that by the century's end will number 360 million.

Who, if not you, will see to it that we have an education system in this country that denies to no one the ability to grow to the limit of his personal capacity.

Who, if not you, will see to it that our institutions—our colleges and corporations, our churches and city halls—do not become ends in themselves, that they develop a continuing capacity for renewal in the face of changing needs.

I raise these questions in order to suggest that I profoundly believe—and that is that there are new worlds to conquer and that those new worlds do not lie in the outer reaches of space but close at hand.

But the conquest of these new worlds, I must quickly add, cannot be achieved by slogans. They will not yield to marches and manifestoes or to simple fervor unsupported by competence. They will yield only to the patient exercise of our rational faculties.

Those who think otherwise are not the revolutionaries they proclaim themselves to be. Rather are they—in the opinion of an M.I.T. professor whose name I cannot pronounce but whose views I share—counterrevolutionaries—a romantic remnant, historically absolescent, unequipped to change the world, equipped only to demand that it be changed.

Today's world, stubbornly complex as it is and growing more so, will exact a hard discipline from those who seriously hope to have a hand in changing it. In short, it will take competence.

What satisfactions will derive from accepting the challenge of acquiring that competence will not include the satisfactions of self-dramatization.

Those of you who do accept that challenge will be in fact the true revolutionaries—with a better warrant to that term than those of your contemporaries who have appropriated it for themselves.

Today our society faces a serious shortage of true revolutionaries—men and women with the competence and patience to face complexity unafraid. Those we have are without exception over-burdened. In an age of increasing leisure, their work week grows longer and their lights burn later than those of their colleagues. Such vacations as they manage are, as often as not, interrupted by some emergent crisis.

No sector of society has a monopoly on their talents. You will find them in the Federal Government and in municipal agencies and you will, I am glad to say, find them in business.

You will not read their names in headlines—they look much the same as you and me—but it is to them we owe the fact that things work as well as they do. On them our hopes depend that things are going to work better. They are the "new adventurers."

What manner of men are they?

First of all, they know their business but never deceive themselves that they know all they need to know.

They are not "mere technicians." They know that in this world of ours there are no simple answers any more, that any plan or program, however plausible in the abstract, must meet the test of human needs and that those needs are varied, more often than not competing and must somehow be resolved in an outcome that, while it may be best for all, may be fully satisfactory to none.

And they know, too, that the consequence of attempting too much, like the consequence of doing too little, is failure. Finding what is right is an arduous process of matching needs with resources, of rigorously assigning priorities that distinguish between what must be done, what can be done and what had best be put off until tomorrow. In short, they know that social ends depend on economic means.

Finally, I think I should say that the men and women I have been talking about are not very different from you and me.

They are not a new breed of men, a specially constituted elite somehow genetically equipped to manipulate the mysterious control system of our complex society.

What most distinguishes them from the rest of men is their confidence that change can be managed—can be because it must be and their belief that what one man does about it can in fact make a great deal of difference.

They are for the most part modest men. Somehow, though, wherever they are—in a business, a government agency, a town hall—they seem to generate about themselves an atmosphere of excitement. They do so because—if only by the smallest increments—where they are things are moving.

I invite you to join the "new adventurers." Compared to the number of people who are simply along for the ride, the number of people who really keep things moving in this world is small indeed. We need more.

I would like to conclude with a few words about those institutions which together comprise what you may call the establishment. I suppose the telephone company is one of them.

If my own experience is any guide, there is as much diversity within the establishment, if there is such a thing, as there is any place anyone might want to look.

Forces for change, not all of it good, contend with forces for stability, not all of it bad, in a state of continuing dynamic tension.

Is there room in the establishment—in my own business, for example—for adventure? If I say, yes there is, I must also remind myself that we have a continuing obligation to ask ourselves, is there room enough? We must and we do because our future depends in the final analysis on an asset that appears nowhere on our balance sheet, the innovative capacity of our people, their ability to sense and respond to society's new demands, their ability not merely to react to change but to lead it.

Finally, it appears to me that it is time for a general de-escalation of the rhetoric we apply to the current problems of our society. Surely no nation on earth has experienced so many "revolutions" and so many "crises" as we have over the past few years. Yet somehow we have survived.

Looked at in perspective, not every change is a "revolution" and not every problem a "crisis." I suggest that the application of a more moderate terminology to current problems would contribute to our confidence that they can—with the patient application of good sense and good will—be managed and managed effectively.

At the same time if we could rid ourselves of some of the stereotypes that dominate so much of our thinking these days—the disposition of people like me to address people like you as "youth" and of you perhaps to think of me as "business"—if we could come to see each other, not as generalized classifications of humanity but as individuals, each with his own talents, each with his own hopes, and both with so much in common, we would be taking a long step toward strengthening in our country that sense of community that has been its greatest asset and that, should we lose it, would be its greatest loss.

Thank you very much. My very best wishes to all of you.

TWELFTH INTERNATIONAL CONFERENCE OF YOUNG PEOPLE IN A.A. TO MEET THIS MONTH IN PHILADELPHIA

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, July 8, 1969

Mr. SCHWEIKER. Mr. President, S. 1997, the Alcoholism Care and Control Act, was introduced in April 29, 1969 by the distinguished senior Senator from New York (Mr. JAVITS), the junior Senator from Utah (Mr. MOSS), and several other Senators on both sides of the aisle, of which I was privileged to be one.

Alcoholism afflicts 5 to 6 million Americans at an estimated annual cost to our economy of $2 billion. There is an urgent need to rapidly increase our knowledge about the causes, prevention, and treatment of alcoholism because of its grave physical, psychological, and social harm.

The provisions of S. 1997 include measures which would provide for more effective prevention and treatment of alcoholism. The bill calls for the establishment of a Division of Alcoholism and Alcohol Problems in the National Institutes of Health. It amends the Community Mental Health Centers Act to strengthen that act to deal with alcoholism. It provides grants for alcoholism education, and establishes a special fellowship program to train personnel in the treatment of alcoholism.

In view of the introduction of this bill, and the widespread attention it has received, I invite the attention of the Congress to the 12th International Conference of Young People in A.A.—Alcoholics Anonymous—which will be held at the Benjamin Franklin Hotel in Philadelphia on July 25, 26, and 27. Over 1,000 young men and women from all over the United States, Canada, South America, and Europe will gather during this 3-day period to share their experiences. Their purpose will be to strengthen the bond of fellowship in Alcoholics Anonymous and to give serious attention to the problems involved in further combating the fourth largest health problem in the United States today—alcoholism.

Also gathering at this time will be the organizations of Al-Anon and Al-Ateen. The former is an organization for husbands or wives of members of A.A., or husbands or wives of people who still have an active drinking problem and have not yet found a recovery program. Al-Ateen is an organization comprised of the teenage children of alcoholic parents who have found strength in their own fellowship. These two organizations will have their own concurrent programs throughout the 3 days and will stage panel discussions by recognized authorities in the field of alcoholism.

I highly commend this effort on the part of young people in A.A. and Alcoholics Anonymous of the Philadelphia area, which is the host for the conference, in dealing with a serious problem that reaches so many Americans.

TV: AN ENEMY WEAPON

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. MICHEL. Mr. Speaker, as we all know, there has been a long running controversy over the reporting of the Vietnam war by the television networks and both the critics and defenders of the networks have been quite vocal and spirited in presenting their case.

In that type of atmosphere, of course, both sides of the argument can become fuzzy and thus I was interested to note an editorial from the July 3, 1969, edition of the Peoria Journal Star. This editorial reports the views of three British guerrilla war experts on this question of television coverage of the war and how it can seriously hamper the military effort as well as causing serious complications on the homefront.

I urge my colleagues and my friends in the television news business to read the editorial carefully and to consider the views of these experts who are not involved in the political and personal controversies surrounding the war in Vietnam and can perhaps evaluate the situation a bit more objectively.

I include the editorial in the RECORD at this point:

[From the Peoria (Ill.) Journal Star, July 3, 1969]

TV: AN ENEMY WEAPON

(By C. L. Dancey)

A series of British guerrilla war experts backed by their successful experiences with this kind of "insurgency" in Burma, Malaysia, Borneo, and such gathered for a high-level seminar at Whitehall to examine and analyze the American war effort in Vietnam.

Here are some of the very interesting comments of experts not, themselves, involved in the political or personal intensities here in the U.S.

Philip Goodhart:

"Two and a half years ago after a visit to Vietnam, I wrote to the American ambassador there, saying that the Vietcong cannot bear you, but I think the Columbia Broadcasting System and the New York Times can. I think basically this is true. America has lost the propaganda war. They have lost it because they tried to be too positive, too constructive, and they have tried to build up the South Vietnamese government, and society, rather than to concentrate on attacking the North Vietnamese.

"For reasons that are understandable, such as the murder of most of the effective members of the South Vietnamese administration, it is always going to be easy to find areas of government in South Vietnam that are inefficient and corrupt. In the relatively open society of South Vietnam it is going to be easy to pinpoint this in public.

"At the same time under the modern means of communication, the television, the picture magazines, they are really geared to showing the American war machines at its most destructive.

"The American news machine is not geared to taking pictures of the Headman of the village who has had his arms cut off and has been disemboweled by the Vietcong. They are not geared for that because they are not there when it happens. So it goes unreported until it becomes another statistic that people do not really pay much attention to.

"So it is this concentration on the deficiencies of one's own side and allies rather than the nastiness of the enemy that has played a major part in the American defeat in the propaganda war. I think there is a lesson for us . . ."

Brigadier W. F. K. Thompson:

"Something which is appallingly difficult but which must be tackled is that new weapon of mass destruction of the will—television. Through the use of Television, the Americans in fact have been destroying their own will to win in Vietnam, and they have encouraged the other people to believe their will was being destroyed.

"Broadcast media appeals to the emotions rather than the intellects. I found that despite all my experience of wars, earthquakes, and so on, I had been brainwashed between my second and third visit to Vietnam. This is not entirely the fault of those who use the medium. All they do is report incidents. The receiver generalizes the incident to the whole area. You cannot start a television newscast or a news story by saying that in 95 per cent of Vietnam today nothing happened. Although that is what in point of fact happens most of the time.

"I have labored this point because I think this is one of the lessons we have to learn, and there is a very big question of how one fights the war in an open society . . .

"There is a great challenge in the world I believe to the whole of the open society, and I am not sure that we are meeting it. The Americans are defeating themselves, and I believe that we in the West may all defeat ourselves by this new weapon for the mass destruction of the will."

Michael Elliott-Bateman:

"If you examine communist theory you find time and again the statement that a war of liberation cannot succeed unless it has the support of the people in the ENEMY country. I think that by the very clever use of the American press and television, the North Vietnamese have achieved the support of many American people . . .

Much of the discussion was of technical details in operations in like areas of British interest, but there was no challenge or disagreement from any of the assembled expert observers with these generalizations.

The British, on the sidelines, save for their concerns as an also "open society", were coldly candid.

The "test" of whether an "open society"—i.e. any free nation—can stand up to a "closed society" (Red dictatorship which stifles all adverse information) is their view of the most serious element in South Vietnam.

No doubt, an element in this is that mentioned in typical British style by Brigadier Thompson—what happens when the Red dictators reach the conclusion that with modern mass communications an open, "free speech" society cannot stand up against force?

This is a very large part of the very serious question of whether peace can be achieved, or wider wars encouraged, by any "settlement" in South Vietnam that achieves the Red objectives there.

It is, indeed, a deadly choice we face.

PESTICIDE CONTROL

HON. ALAN CRANSTON

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Tuesday, July 8, 1969

Mr. CRANSTON. Mr. President, the threat to our environment from the uncontrolled and careless broadcasting of hard pesticides on the farms and on the gardens of America is growing in alarming proportions. Particularly threatening are the persistent chlorinated hydrocarbons, which are called "hard" insecticides because they remain active and potent for years after application, unlike the "soft" insecticides such as malathion, which break down within a few weeks after application. Successive applications of "hard" pesticides are building up cumulatively in quantities which may threaten the human ecosystem for years to come, endangering the health and well-being of unborn generations.

This summer's issue of the magazine Cry California is devoted entirely to the subject "The Poison Free Garden." Of particular utility is a gardener's guide to pesticides.

I ask unanimous consent that the guide be printed in the Extensions of Remarks.

There being no objection, the guide was ordered to be printed in the RECORD, as follows:

TAKE THIS SIMPLE APPROACH TO PEST CONTROL

1. Identify your pest problem. If necessary, check with knowledgeable gardening friends or neighbors or with your nurseryman or by reading Sunset's *Western Garden Book.*

2. Turn to the Thoughtful Gardener's Guide on the next pages and select the simplest control indicated (if it's a poison, choose the least toxic).

3. When you go to the poison store, tell the man what your pest is and the chemical you want to use to control it.

4. When you have the product he recommends, study the "active ingredient" list, which by law must be carried on each poison package. If it contains the specific active ingredient you asked for and no others, buy it, but buy the smallest quantity you feel is necessary.

5. If the package lists other active ingredients, make certain they are not chlorinated hydrocarbons. (See list in red ink at the top of the Guide.) If you're not sure, don't buy it. Often, for reasons of his own, the manufacturer will list mind-bending chemical names instead of generic names (i.e., *1,4,5, 6,7,8,8 - heptachloro - 3a,4,7,7a-tetrahydro-4,7 methanoindene* instead of heptachlor, or *1,2,3,4,10,10 - hexachloro - 1,4,4a,5,8,8a-hexahydro - 1,4* - endo-exo-*5,8-dimethanonaphthalene* instead of aldrin.)

6. Read the instructions for use carefully and follow them to the letter. If you must err, err on the conservative side. All poisons must be handled with great care and kept completely beyond the reach of children. Remember that while the Thoughtful Gardener's Guide has eliminated *persistent* poisons, it lists some very toxic compounds.

7. After you've gone through all this and your pest has been brought under control, ask yourself if it was worth the trouble. Most California gardens, if they are well watered, fed and maintained, grow with such a vigor that they can absorb sizable pest attacks with very little permanent damage and often with barely noticeable temporary damage.

A THOUGHTFUL GARDENER'S GUIDE: COMMON GARDEN INSECTS AND HOW TO CONTROL THEM WITHOUT WRECKING THE WORLD ECOSYSTEM

Kinds of controls: Any of those marked "x" are effective against the pests indicated All poisons should be handled with great respect. Some are highly toxic to humans.

Cardinal Rule: Do not use any persistent chlorinated hydrocarbon insecticides. House and garden pest control products that contain Aldrin, Chlordane, DDD, DDT, Dieldrin, Endrin, Heptachlor, Kelthane, Lindane, Methoxychlor, Ovex, Tedion, Thiodan, Toxaphene, and other chlorinated hydrocarbon insecticides should all be avoided as though they were menaces to the well-being of the world. They are.

	Botanicals: natural poisons extracted from plants (generally preferable to the synthetics)			Synthetics					Nonpoisonous controls			
				Organic phosphates [2]								
Common California garden pests and how you can recognize them	Nicotine sulphate	Pyrethrum [1]	Rotenone	Diazinon	Malathion	Dibrom [3]	Carbaryl [4] (Sevin)	Systemics [5] (Di-syston and Meta-systox-R); poisons are absorbed by plants, kill sucking pests	Dormant oil; smothers the bugs	Water blast	Predators (birds, ladybugs, lacewings etc.); let them do the job if possible	Miscellaneous
Sucking insects: Look for the creatures on tender buds, leaves, and stems. Watch for small black mold specks which grow on droplets of honeydew exuded by the bugs. Pest attacks result in stunted leaf and flower growth.												
Ants [6]					X [7]							Grant's Ant Stakes.
Aphids	X	X	X	X	X			X		X	X	
Leafhoppers	X	X		X	X		X	X		X		
Mealybugs				X			X		X			
Mites, red spiders								X	X			
Scale (hard and soft)				X			X		X			Malathion plus oil.
Spittlebugs				X	X		X			X		
Thrips	X	X	X	X	X			X				
Whitefly		X		X				X	X			Do.

Footnotes at end of table.

XUM

	Botanicals: natural poisons extracted from plants (generally preferable to the synthetics)			Synthetics					Nonpoisonous controls			
				Organic phosphates [2]								
Common California garden pests and how you can recognize them	Nicotine sulphate	Pyrethrum [1]	Rotenone	Diazinon	Malathion	Dibrom [3]	Carbaryl [4] (Sevin)	Systemics [5] (Di-syston and Meta-systox-R); poisons are absorbed by plants, kill sucking pests	Dormant oil; smothers the bugs	Water blast	Predators (birds, ladybugs, lacewings, etc.); let them do the job if possible	Miscellaneous
Chewing pests: These bugs eat holes in growing things:												
Caterpillars			X	X	X [7]	X	X				X	
Diabrotica		X	X	X		X	X					
Earwigs							X					
Grasshoppers				X			X					
Oak moths							X				X	
Snails, slugs												Metaldehyde
Soil pests: These bugs are seldom seen, but if plants don't grow and thrive despite much water and fertilizer, they are probably your problem:												
Cutworms				X		X	X					
Lawn moths				X		X	X					
Wireworms				X								
Borers: Codling moths plant eggs in apples and relating fruits which grow into worms. Leaf miners eat the inside tissues of leaves. Borers eat into woody tissue and leave telltale tracks behind. Entomologists call the tracks "frass," which is a euphemism for worm droppings:												
Borers				X								
Codling moths							X					
Leaf miners				X				X				

[1] Use aerosol spray for housefly control.
[2] Malathion safest to humans and pets; dibrom more toxic; and diazinon most toxic.
[3] Dibrom is morbid spelled backwards.
[4] A carbamate. Next to malathion, safest of the synthetics. Extremely toxic to honey bees.
[5] High toxicity. On market for only 2 years; could yet prove to be undesriable for garden use.
[6] Not a sucking insect, but they maintain sucking insect "herds."
[7] Only moderately effective.
[8] Do not use metaldehyde products which contain arsenicals.

CAN WE CONTROL INFLATION?

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. ZWACH. Mr. Speaker, I suppose some of my colleagues are getting tired of me speaking, like a broken record, of the need to cut waste and extravagance in Government spending as the first step in controlling inflation.

My sentiments, however, are shared widely by my constituents. Some of them, such as Gordon E. Duenow, editor of the Little Falls Daily Transcript, in our Minnesota Sixth Congressional District, go further and call for wage and price controls as a method of keeping inflation in check.

I would like to share, at this time, the editorial, "Can We Control Inflation," which appeared in the Little Falls Daily Transcript of June 24, 1969:

CAN WE CONTROL INFLATION?

Nearly five million federal workers and military personnel—almost all the federal establishment not subject to presidential appointment—will share in a $3.3 billion pay raise July 1 ordered by President Nixon. It is the final step under the 1967 Pay Reform Act aimed at bringing federal salaries and wages in line with private industry. The president's authority to change pay rates by executive order expires with this increase.

The 1.9 million classified employes, Foreign Service and Veterans Administration personnel will get an average 9.1 per cent raise in pay. The rank and file postal workers in the big clerk-carrier level will receive 4.1 per cent.

Almost every federal employe now will get more money, except Vice President Spiro Agnew. Some time ago Congress passed a law doubling the salary of the president while at the same time giving themselves a healthy increase but forgot the vice president. Since then a law to correct this mistake failed to pass so Agnew still works for the same pay the office was worth when he was a candidate. In fact, Agnew, also didn't get his new house as Congress delayed action on a mansion for the vice president. Vice presidents always have been forced to find their own housing.

We've been hearing a great deal about fighting inflation and just last week President Nixon emphasized that he would take whatever action was necessary to curb inflation. Without weighing the pros and cons of this raise, and we know as well as any federal employes that the cost of living has shot up to almost unheard levels, we still think it is fair to ask what the effect of this pay increase will have on inflation. Some federal employes say that Washington landlords, parking lots and food stores already have raised prices in anticipation of the federal pay raise. Others say that higher prices have been ordered into effect July 1. This, coupled with the surtax and higher local taxes, will wipe out the pay increases for lower and middle grade workers. Inflation will snatch any gains out of the employe's hands before he can get it.

President Truman found it was necessary to have wage and price controls to curb inflation during the Korean War. They were necessary during World War II. They may be the only thing that will curb inflation during the Vietnam war. Few will want wage and price controls but sometimes we have to take our medicine to cure the disease whether we like it or not.

TRIBUTE TO JOE McCAFFREY

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. BROTZMAN. Mr. Speaker, it is a distinct pleasure for me to add my voice to those of my colleagues who have risen to congratulate Joe McCaffrey on the completion of 25 years of broadcasting.

For a free people to govern themselves successfully they must be given the facts. Joe McCaffrey has been one of the truly outstanding sources of those facts for many years. From the cacophony of competing voices and activities on Capitol Hill Joe continues to collect and distill the critical events with an insight bred of many years on the firing line. His reporting of those facts is consistently accurate and fair.

Mr. Speaker, my esteem for Joe McCaffrey is not confined to his responsible journalism. For a number of years he has been a valued personal friend of mine. I would not want to miss the opportunity to congratulate him on the occasion of his 25th year of service to the Nation as a broadcaster, and to wish him 25 more.

IN MEMORIAM: DWIGHT DAVID EISENHOWER

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. BRAY. Mr. Speaker, following is the eulogy I wrote on the occasion of the passing of one of the greatest sons of our American Republic, Dwight David Eisenhower:

IN MEMORIAM: DWIGHT DAVID EISENHOWER, 1890–1969, GENERAL OF THE ARMY, PRESIDENT OF THE UNITED STATES, AMERICAN

"So he passed over, and all the trumpets sounded for him on the other side."

A man of unfaltering kingly bearing that was complimented by a genuine native warmth and humility, he was by nature and by character as open and as free as the western plains and prairies of his youth. Few men ever sought less; he asked for nothing more than the opportunity to serve, when called and where ordered. Few men ever received more; he is one of the scant handful of men in the history of our American Republic whose fellow citizens spontaneously and overwhelmingly elevated him to be a symbol in his own lifetime. And the symbol was not merely of an era, but of the country itself, and of its people, and of the ideals and the good in the two that were both existing and hoped for.

As soldier, as General, he directed the most awesome array of military might ever trusted to one man. It was his duty to order entire armies into some of the bloodiest combat in the history of warfare.

As statesman, as President, he gave to his country a Chief Executive with a commitment to peace that can only be known by one like himself who had carried the heaviest of the burdens and agonies of war. Six months after his First Inaugural in 1953, the guns of the Korean War fell silent. For the next seven and one-half years of his Presidency, not one American combat death occurred.

His call to serve—first as soldier, then as statesman—came from his own country, yet the scope of this service was truly worldwide. As soldier, millions in this country and abroad looked to him in time of war for the hope of victory and of liberation. As statesman, these same millions looked to him in time of peace as that symbol of the forces of good that had gained victory, and would strive to preserve the peace so dearly won.

Measure him, in part, by the nature of his critics, that small band of petty men whose stock in trade is the supercilious condemnation, the mocking jest, and arrogant condescension. Such trivia, such meanness, only made more clear the true nobility of his own character, and exposed more glaringly the shallowness of theirs.

The legacies he leaves to his fellow men are rich and many. But perhaps the greatest of them all is this: In a day when it sometimes seems that "image" is all, and that character counts for nothing, this man lived and practiced, openly and unashamedly, the old, simple precepts of "The Gods of the Copybook Headings."

The love, honor and respect that millions gave him has proven beyond any doubt that mankind is, and always will be, more receptive to, influenced by and appreciative of a basic, simple code of honor and decency such as this man practiced than all the false glitter and manufactured rhetoric that so quickly loses its luster.

The roll of the muffled drums, the rumble of the caisson wheels, and the clear, high notes of Taps will now mark the passing of one who carried and fulfilled some of the most momentous and difficult tasks ever placed upon one man. He passes into history, but he passes as one whose part in the constantly unfolding drama of human existence and civilization will be forever remembered. And the example he set by his life will be forever called to mind, wherever and whenever men lift up their eyes unto the hills, and seek from a Power beyond themselves that inner strength and support that man must have to prevail.

"Soldier from the wars returning
  Spoiler of the taken town,
Here is ease that asks not earning;
  Turn you in and sit you down.

"Peace is come and wars are over,
  Welcome you and welcome all,
While the charger crops the clover,
  And his bridle hangs in stall.

"Now no more of winters biting,
  Filth in trench from fall to spring,
Summers full of sweat and fighting
  For the Kesar or the King.

"Rest you, charger, rust you, bridle;
  Kings and Kesars, keep your pay;
Soldier, sit you down and idle
  At the inn of night for aye."

ARTHUR CLARENDON SMITH, SR.—HE WAS A MAN

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. KEE. Mr. Speaker, on Tuesday, I departed Washington for my congressional district on official business and spoke at a meeting on economic development in an effort to raise local funds for the Southern West Virginia Economic Development Corp., the only operating multicounty economic development corporation in my home State, which was established under the provisions of the Economic Development Act.

On Sunday morning, while in my home in Bluefield, I was distressed and deeply saddened to learn from the Wednesday, July 2, edition of the Washington Post, that our Nation had lost, through death, one of the most patriotic, loyal, and outstanding citizens it has ever been my privilege to know, the very distinguished son of the District of Columbia, Arthur Clarendon Smith, Sr.

Arthur Clarendon Smith, Sr., was a most successful businessman because he devoted himself to his business and, at the same time, was extremely fair to each and every one of his customers whom he was privileged to serve.

One amazing fact about Mr. Smith was his ability to give unselfishly of his time and energies to civic and charitable causes and at the same time establish the Smith Transfer & Storage Co. with such full and complete success. I have seen Mr. Smith devote untold hours of his time and his capabilities in helping others and I admired the combination of kindness, understanding and honesty that his life represented. He was respected and loved by all who were fortunate enough to know him.

He was a man.

As a man of conviction, he never varied in principle and it would be impossible to estimate the untold thousands of people who have benefited because of the generosity, the compassion and the concern of Arthur Clarendon Smith, Sr. He firmly believed in the principles upon which our Nation was founded and as he once told me, "Water finds its own level."

By this simple and direct sentence, Arthur Clarendon Smith, Sr., believed that every individual has an opportunity in America to be successful in accordance with their interests, efforts and capabilities.

Arthur Clarendon Smith, Sr., was more than a devoted family man. While he insisted upon discipline in his home life, he was a wonderful husband and his late wife, the very lovely Elizabeth Smith, received the utmost in consideration and loving care. Especially during her lengthy fatal illness, Mr. Smith made every possible effort to be with her and generously gave her comfort in order that she would know he was by her side.

His children, Col. Arthur Clarendon Smith, Jr., and his late daughter, Mrs. Betty Lathrom, reflected utmost credit upon their family and I well remember Mr. Smith telling me several years ago that he was turning the actual management of the Smith Transfer & Storage Co. over to his son. He was pleased to see that the company which he built himself continues to grow and prosper under the dedicated leadership of his son, Col. Arthur Clarendon Smith, Jr.

I extend my deepest sympathy to Mr. Smith's family and share with so very many others the loss of such a truly great man and a real friend.

PRIZE-WINNING ESSAYS

HON. R. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. COUGHLIN. Mr. Speaker, it is a sincere pleasure to submit for publication in today's RECORD the following prize-winning essays by Norristown, Pa., area high school students. The topics, "The Primary Election Procedure" and "The 18-Year-Old's Right To Vote," are of continuing interest to my colleagues in the House, and the viewpoints of these four extremely bright students are expressed in an eloquent, succinct manner.

The essays follow:

THE IMPORTANCE OF PRIMARY ELECTIONS

(By Miss Judith Hill, Norristown, Pa.)

The primary election is a substitute for the former caucus and nominating convention. The "primary" came into existence because nominations on the basis of a caucus only, tended to foster the development of political "bossism". Since the "primary" is an election conducted by public officials at public expense, it has taken the power of selecting candidates out of the hands of the "few" and place it where it belongs, in the hands of the "many".

Why should this power be placed in the hands of the "many"? It should be so placed because it is generally true that when there are few in power, corruption will soon follow. In the old days, a party caucus or convention chose all party candidates. The system was subject to many abuses, and a frequent result of these abuses was that candidates were chosen, not upon the basis of their qualifications for office, but because of their political power. It would often happen that at election time the voters, faced with two bad candidates, could only take the best of the worst.

What a "primary" attempts to do is to offer the best candidates the different parties have, and to let the voters decide which one would best represent his party at the regular election. Thus, it becomes the voter's right to participate in the nomination of candidates, and to the degree that he exercises this right, to become a vital factor in securing better men for governmental posts.

THE PRIMARY—ITS BENEFITS

(By Mr. Walter Rogan, Bridgeport, Pa.)

Free choice of leaders ranks as perhaps the most readily identifiable mark of a government OF, BY, and FOR the people. Such a concept necessitates the use of Primary Elections—a method which allows the greatest freedom of choice to voters.

Essentially, the purpose of any election is to insure the most accurate representation of the will of the voters. A Primary Election furthers this purpose by affording citizens the opportunity to choose, not only a specific party, but also the candidates to represent that party. The net result of this procedure is the production of a meaningful campaign, rather than a cumbersome competition.

Promoting the integrity and unity of a party is the second major advantage of Primary Elections. The Primary victor represents the strongest party candidate for the job. This decision eliminates the destructive influences of personal warring, intraparty factions, and reunites the party into an organized, effective unit.

The third advantage concerns money. The expense involved in a large number of candidates running for office without party backing would be prohibitive for all but the wealthy. Such prohibition would eventually result in an aristocratic government, which directly violates the foundation upon which our society is built. In general, the cost of a Primary is within the reach of any dynamic office seeker and his backers, with the expense of the general election shared by the party.

Finally, the voter-time and energy required to gather data on eight or ten candidates is beyond the limits of time and energy available to most citizens. A two-or-three candidate election later facilitates the conscientious selection of a candidate.

In conclusion, although Primaries are occasionally inconvenient, causing two trips to the polls and an extended campaign, still, the advantages far outweigh the disadvantages. Therefore, the Primary Election remains a strong weapon for good government in the hands of a public-spirited, informed American.

SHOULD 18-YEAR-OLDS BE PERMITTED TO VOTE—YES!

(By Miss Mary Louise DiGiovanni, Norristown, Pa.)

Voting must involve not only the realization of accepting responsibility, but also the maturity of upholding the obligation. Individuals who cast their ballot without considering the outcome of the election, contribute impediments to the progress of society and may be referred to as citizens in name only.

Today's youth constitutes the leaders of tomorrow's world. Their courage and enthusiasm to promote the common good will reflect and advocate a change in the resignation and apathy of the adult world. At the age of eighteen, an individual's character and identity have been recognized by functioning in numerous ways as an adult. Teenagers maintain respectable jobs, pay income tax and also perform their duty abroad by striving to preserve our God given privilege of freedom.

Due to the continuous and rapid pace of today's world, today's teenager learns and comprehends much more about foreign and national affairs than their parents at the age of eighteen. This emphasizes a higher literacy rate today than in years past.

In determining whether an individual of eighteen illustrates candor and the tactics of proper evaluation, a distinction must be realized between irresponsible adolescents and mature young adults. Teenagers view society objectively and refuse to be influenced and misguided by their parents' prejudicial opinions.

The privilege of voting entails a mature understanding of the world situation and the selection of the individual best qualified to fullfill the duty of upholding the standards of America. Eighteen year olds evince to America these necessary qualities.

SHOULD 18-YEAR-OLDS BE PERMITTED TO VOTE—NO!

(By Miss Judy VanHouten, Norristown, Pa.)

Should the voting age be lowered? Definitely not! Just because boys have reached the point of being physically mature enough to fight wars doesn't mean they have the mental maturity to pick our country's leaders. In fact, many times it is the military training that gives these boys the mental maturity to select a person to lead. Along with this fact is the point that there are too many boys standing on street corners doing more harm than good for their country. Should they vote?

The young people of today are much too easily moved by an idea or a personality, and they tend to ignore the rest of the picture. This point can easily be illustrated by looking at many areas in the United States, especially at college campuses. They tend to go out and work on the basic idea without any regard to how others think. In selecting leaders, a great deal of time and research is needed to obtain a complete picture and a fairly true one. It's true that too many adults today don't do the amount of research which is necessary for voting, but young people do even less in most cases. Young people also lack the experience of living as an independent person; thus they may go for ideas which really aren't as good as they are made to sound.

Boys who are old enough to be drafted might easily vote against a person who favors the draft, but without the draft our country wouldn't have enough men to defend the country.

Let the people with the knowledge and experience pick the leaders. When the young people are old enough to vote they may be very glad they had to wait. It's a very difficult thing to pick wisely the men under whose leadership one has to live, and a person needs all the background he can get to make such a momentous decision.

SIXTY-EIGHT MINUS ONE EQUALS—SEVENTY-TWO

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. TIERNAN. Mr. Speaker, all of us in political life have, I am sure, many indelible impressions of 1968. It was a year full of excitement and change, tragedy and disappointment. The kaleidoscopic activity, the frenzy, the enthusiasm, and the heartbreak tend now to be only remembrances. However, 1968 was more than faint images or fading memories. It was a watershed period in the politics of our country. A year in which the political process was opened up, however briefly, to millions of Americans who saw the promise and the hope that this country holds.

Countless articles have been written about the meaning of 1968. One of the most eloquent has recently been put forth by Sean Downey. Many of us know Sean as a good and valued friend. The eloquence of his reminiscences lie in their personalism. In 1968 Sean was part of something larger than a campaign—he was part of an idea, an idea concerning America. An America that represented change not cynicism; hope not hopelessness. His thoughts have recently been assembled in a book of prose and poetry entitled "Quiet Thoughts Make the Loudest Noise." His outline of 1968 is entitled "Sixty-Eight Minus One Equals—Seventy-Two."

I feel Sean's thoughts would be of interest to many of his friends here in the House, and I include them at this point:

SIXTY-EIGHT MINUS ONE EQUALS—SEVENTY-TWO

(By Sean Downey)

We had only moved to Washington
Seven days earlier
And
Packing cases still served as everyday catch-alls
For papers, coats, and
Overlapping cigarettes, with their cold curling ashes
That had had
The good sense to stop burning
As they kissed the now yellowed green pine.

I'm not sure how long I'd been sleeping in my morning bath
But
My prune wrinkled fingers
Could hardly hold the newspaper
Joanie handed me
Announcing his Candidacy.
"Where's Dodge House" I bellowed
Bruising my big toe as it shot across the wet tiles
And
Wedged beneath the bathroom door.
"I just got here too"
She laughingly admonished
Tossing a towel,
And
Closing the door.

Her voice filtered back
Through the double plywood,
As
She tried to explain to Tracey and Kelli
Why Daddies sometimes used bad words
When they hurt their big toes.
Washington's an active town
Any time of year,
But
On this particular day
It took on an electric air of urgency,
The battle lines
Firmly and
Finally drawn.
The magic of another Kennedy name
Back in the game.

Within a week Dodge House was
Making way for the larger
2000 "L" St. headquarters, which, like
A giant political sponge
Was absorbing the great and near great
Of contemporary American history
And their Corps of mini skirted mannequins
Who would make the wagon roll.
Roll it did,
As the New York Senator
Spark plugged the machine into full motion
Teenaged volunteers darted about the
Floors like children at a county fair.
Old timers did the same,
Leaping over phones on the floor
And twisted
Wires that made the workrooms
Look like giant serpent tanks
At a highway snake farm.
Nance and Cricket chirped
Hourly bulletins from the boiler
Room.

Joey handled phones in scheduling
Like angry lizards that were about
To devour him as he relayed
Instructions to beleagured advance
Men in the field, who may have
Thought they were about to visit
The pleasure capitols of the world
But instead found themselves
With one way tickets to Plaquemines,
Louisiana, Sitka, Alaska or
Las Cruces, New Mexico.
Little Judy bummed cigarettes every day
And when they ran out, switched
To someone's cigar excusing herself for
Half a day because of illness soon thereafter.
Everyone performed magnificently.
Angelique, the office Mother Superior soothing
The hurt feelings of a political science
Major in one office, and a Presidential
Advisor in another.

Generation gap was the name of a
Singing group for all we knew, as
Sixteen to sixty worked in dedicated
Unison.
Weekends saw a headquarters invasion of
The Senator's home, Hickory Hill
For swimming, tennis, touch football
And a mental rubdown for any
Uptightness that may have developed
In the previous week.
Melody would have shamed Joe
Namath, as she rocketed
The ball forty fast yards into the
Arms of Dun a friendly giant
Who had just made all the
Moves of a professional flanker back
Only to bobble the bauble, then
Fall to the ground in hysterics
Knowing this miscue would invite
Good natured ribbing for days to come.

The bandwagon rolled across Indiana,
Hit bumpy Road in Oregon,
But again found Superhighway as
It crossed California.
Then!
Before our lips could slip from the cup
Of victory
The nectar of hope was spilled to
A dirty kitchen floor of the Ambassador
Hotel in Los Angeles.
"He saw wrong, and tried to right it."
The young Senator from Massachusetts
Momentarily faltered, and then, as if
Gaining strength from his fallen
Brother, his now firm but sorrowful
Voice rang out. "He saw suffering and
Tried to heal it." "He saw war and
Tried to stop it"
Then, prayerful silence
And only the Bishop's Voice, strong
From the Knowledge of God's mercy
To good and brave men could be
heard.

Organ music reverberated thru the
Old Cathedral.
"Mine eyes have seen the glory of the
Coming of the lord: Andy Williams
Sang.
And
His voice bathed in sorrow cracked.
But
The pride in thousands
Picked up the soulful chant.
"He is trampling out the vintage
Where the grapes of wrath are stored":
Row
Upon
Row of grief wracked followers,
Sunken cheeks replacing their years
Ago happy faces, sang proudly for
Their departed friend, their final
Hope
And
Wondered why a man must die
To be a hero, and whether
We honor only those our own
Selfish hearts destroy.

Who would lead us now.
The afternoon paper had
Everyone carrying on like those
Same children at a county
Fair again.
Smiles splashed across faces
Old before their time
Maybe there was hope.
Andy Vitali read the headlines
"Senator Edward Kennedy challenges
Russell Long for Whips post."

"The Beginning."

TRIBUTE TO MRS. ASPINALL

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. BROTZMAN. Mr. Speaker, many of us are greatly saddened by the loss of a fine lady and a dear friend, Mrs. Julia Aspinall. She made a great contribution to all our lives by her friendly, constructive attitude, and her cheerful demeanor.

Mrs. Brotzman and I extend our deepest sympathy to Chairman WAYNE ASPINALL and the members of the family.

GUIDELINES FOR COMBATING CAMPUS DISORDERS

HON. RICHARD (DICK) ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. ICHORD. Mr. Speaker, it is heartening to observe that college administrators are taking advantage of the summer respite from campus disorders to devise ways of forestalling such disorders when classes resume in the fall.

It is even more encouraging to learn that the latest proposals demonstrate a firm determination by college administrators to first, refuse to negotiate with future student protesters under duress; and second, deny requests for amnesty for civil or criminal lawbreakers.

These principles were among 12 guidelines recommended to all American university and college presidents by nine of the presidents who conferred June 11 and 12 at the John La Farge Institute in New York City. The recommendations followed an exchange of views on campus disorders during the past academic year, according to an account in the New York Times.

The House Committee on Internal Security recently concluded 2 days of public hearings into disruptions by Students for a Democratic Society at Kent State University in Kent, Ohio, during the last school year. After the hearings, I announced that the actions of Kent State administrators showed that proper and timely planning by universities, coupled with continuing study and review of policies and procedures, is essential if problems arising from planned mass disruptions of college campuses are to be handled adequately.

I insert at this point in my remarks the article from the New York Times of July 1 which sets forth the 12 guidelines proposed by the college presidents assembled at the John La Farge Institute. A constructive, far-sighted approach is clearly not limited to Kent State University. The article follows:

CAMPUS DISORDER GUIDE DRAFTED—NINE COLLEGE HEADS URGE FIRM STAND AGAINST REBELS' TACTICS

(By M. S. Handler)

Nine university and college presidents urged yesterday that their colleagues across the country refuse to negotiate with student protesters under duress and reject requests for amnesty in civil and criminal cases.

The presidents drew up their guidelines after meeting in an informal conference June 11 and 12 at the John La Farge Institute, 106 West 56th Street. The conference, convened to exchange views on the disorders that wracked American campuses in the last academic year, was financed by a grant from the Knights of Columbus. More private sessions are planned for the future.

The conference was organized by the Rev. Thurston N. Davis, director of the John La Farge Institute, which was founded in 1964 in memory of the Rev. John La Farge, the Jesuit who was the editor of America magazine.

The conference was held under the chairmanship of Dr. Dumont F. Kenny, president of York College, a branch of the City University in Flushing, Queens. Other City University college presidents who participated were Dr. James A. Colston, Bronx Community College, and Dr. Joseph P. McMurray, Queens College.

DONOVAN A PARTICIPANT

Participants from private institutions were James B. Donovan, Pratt Institute, Brooklyn; Arthur O. Davidson, Wagner College, Staten Island; Clifford Lord, Hofstra University, Hampstead, L.I., the Rev. Gregory Nugent, Manhattan College, a Roman Catholic institution, Riverdale; William G. Caples, Kenyon College, Gambler, Ohio, and J. Osborn Fuller, Fairleigh Dickinson University, Rutherford, N.J.

Dr. Kenny and Dr. McMurray met with reporters yesterday at the John La Farge Institution. Dr. Kenny said that college and universities of the United States "cannot take the battering" they sustained in the last academic year without affecting the delicate fabric of university life.

"A campus," he said, "is not as thick skinned as a city hall or an army division."

Dr. McMurray said that had guidelines been more clearly outlined during the last academic year, the country's campuses would have seen less violence. Queens College, of which Dr. McMurray is president, was the scene of prolonged disruptions that led to police intervention.

GUIDELINES ARE LISTED

The 12 guidelines recommended by the La Farge Institute conference to all American university and college presidents are similar to the policy guidelines issued by the Board of Higher Education of New York following the disruptions on the campuses of the City University's colleges. The guidelines are:

1. Clear-cut policies and procedures to be followed in case of campus violence or disorder must be thought through, established and published.

2. There should be no negotiation of demands under duress, i.e., when personnel are detained or buildings occupied. It must be made clear to all that there can be no amnesty for civil or criminal lawbreakers.

3. Students should be reminded of the major stake they have in answering and implementing a basic question of college governance: "Who represents the students?" When student governments are representative and legitimate, college administrations should support them against the challenges of "coalitions" and "ad hoc committees," generally a tiny minority purporting to speak for the students.

4. University faculties must face up to their responsibilities in dealing with unprofessional and irresponsible conduct of those few faculty members who have engaged in such practices as manipulating and irritating students for their own partisan and political goals.

5. Since sensational press coverage and mass media exposure are goals of the more militant activists, media representatives must be made to realize that mass media exploitation of a campus disturbance has always exacerbated it, while restrained and responsible coverage has caused many campus disturbances to fade quickly.

6. Student confidence in their faculty and administration can be enhanced by giving responsible students a chance to "carry the ball."

A NEED FOR RECOGNITION

7. Student actions must be assessed against their needs for personal recognition, status and partisan interests. Administrators must listen very carefully to what students really mean when stating "demands!"

8. The methods and instrumentality for responding to student demands or disorders should be appropriate and proportional, e.g., the printed page versus verbal message, a large assembly versus a small, representative group.

9. Faculty involvement and support must be gained by involving faculty members early enough so that the "problem" is also their problem.

10. "Layers" of response should be prepared to prevent escalation of issues and help defuse crises. Since trivial or imaginary issues may grow into major demonstrations and disorders, it is important that faculty and administrators respond to all situations quickly in order to dispel rumors, correct misinformation, or provide time to take the steam out of irrational urges and inventions.

11. With much campus structure and function politicalized and stereotyped, informal occasions and events should be provided to bring together faculty, students, and administrators in nonformal and unofficial ways.

12. Channels of continuing communication must be maintained and care taken to "fill-in" each incoming freshman class so that they have some understanding of the antecedents of current situations.

BEN NATHANSON, PUBLISHER AND COMMUNITY LEADER

HON. LUCIEN N. NEDZI

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. NEDZI. Mr. Speaker, it seems to me that at a time when newspaper mergers have resulted in many one-newspaper towns across the country, a healthy development in the newspaper industry has been the growth and development of weekly community newspapers.

The foremost practitioner of the art of developing good weekly newspapers in the State of Michigan is Mr. Ben Nathanson, publisher of the Community News, East-Side Newspapers, and Northwest Suburban Newspapers.

In contrast to the many weeklies which are nothing more than give-away copies filled with advertising, Ben Nathanson has developed newspapers which have close ties with the community and report on community news. Not only do his papers tell about social happenings but discuss critical problems of race relations, crime, politics, urban redevelopment, and war and peace.

The Nathanson newspapers now serve 200,000 families in the tricounty area in and around Detroit.

The Michigan Legislature recently hailed Ben Nathanson's 30 years as a publisher in a concurrent resolution. Having received permission to extend my remarks in the RECORD, the resolution follows:

HOUSE CONCURRENT RESOLUTION No. 118

A concurrent resolution saluting the Nathanson newspapers for community services

Whereas Michigan's largest group of weekly suburban newspapers, comprising nine basic publications and sixteen editions, opened its new headquarters in East Detroit on a two acres site at Ten Mile and Macomb Street, with central offices for two of the main groups, the East Side Newspapers and the Community News; and

Whereas the East Side Newspapers publish the East Side Shopper, East Side Booster and East Side Express in Detroit, Harper Woods Community News and Grosse Pointe Press; the Macomb County editions of the Community News are issued for Mount Clemens, Saint Clair Shores, East Detroit, Roseville, Fraser, Clinton Township, Warren and Center Line. Completing the group are the Northwest Suburban Newspapers acquired April 1968, with mastheads of the Northwest Detroiter, Southfield Record and Oak Park News. The Nathanson newspapers serve some 200,000 families in the tri-county area in and around Detroit; and

Whereas in March of this year, Mr. Ben Nathanson, publisher, celebrated thirty years of phenomenal success which began in 1939 with his East Side Shopper, then titled the East Jefferson Shopper, with office operations for its first two years conducted from his 1937 Chevrolet and an accommodation address supplied by a friendly neighbor; and

Whereas, Mr. Nathanson's weekly column, "Slants on the News", was awarded the Michigan Press Association's honor for excellence in editorial column writing. The Southeastern Detroit Community Council awarded Mr. Nathanson a citation for outstanding community service; and in 1961 the Catholic Interracial Council of Detroit honored him the Blessed Martin Award for his outstanding contributions to human relations; and

Whereas, the volunteer civic activities which crowd Mr. Nathanson's compressed schedule exceeds delineation herein, but includes key executive posts with the Jewish Community Council of Detroit, the Michigan Anti-Defamation League, the Citizens for Schools, the Detroit Citizens Advisory Committee for School Needs, Citizens Advisory Committee for Equal Educational Opportunities; and he serves similarly the National Newspaper Association and the Wayne State University Press Club. His strength of character and personal integrity are founded in a deep, abiding respect for the individual, and these qualities permeate his lifework with and for his fellowmen: Now, therefore be it

Resolved by the House of Representatives (the Senate concurring), That by these presents tribute be accorded to salute Mr. Ben Nathanson and his staff for newspapers of widespread influence to bind with neighborly communication a large segment of Michigan society and which operate to offset the depersonalization of the twentieth century and maintain a valuable community sense of unity.

Adopted by the House May 1, 1969.

T. THOS. THATCHER,
Clerk of the House of Representatives.

Adopted by the Senate May 15, 1969.

BERYL I. KENYON,
Secretary of the Senate

TRIBUTE TO JOE McCAFFREY

HON. GEORGE W. ANDREWS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. ANDREWS of Alabama. Mr. Speaker, few journalists have so honored their profession and made so great a contribution to responsible journalism as has Joe McCaffrey, able commentator for WMAL television and radio in Washington.

In marking his 25th year as a broadcaster, Joe has received richly deserved praise and congratulations for this milestone in a brilliant career.

While others choose the path of cheap sensationalism, defrauding the public through distortion, misrepresentation, contrived emotionalism, and substitution of personal prejudice for fact, Joe McCaffrey gets the news, gets it first, gets it all, gets it straight, and gives it straight.

It is common knowledge in the Halls of Congress that no one knows and covers the Capitol Hill "beat" like Joe McCaffrey, and 5 minutes of his news program can often be more enlightening than several days in the House Chamber.

Yet, while he is thorough, he is fair. One does not have to be a proponent of only one point of view or a candidate for the Presidency to be a potential source of news for Joe. News is news, and Joe McCaffrey is clearly a "newsman's newsman".

Through his demonstrated high degree of professionalism and competence and his characteristic amiability, Joe enjoys and has earned the respect of people in and out of his profession, and in and out of Government.

I extend my heartiest congratulations and best wishes to Joe McCaffrey for 25 years of personal accomplishment and service to Congress and the Nation.

A BILL TO CORRECT AN ERROR IN OUR NATIONAL LABOR LAW

HON. EDWIN D. ESHLEMAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. ESHLEMAN. Mr. Speaker, today I have introduced a bill which is intended to correct 10 years of error in our national labor law. My bill is designed to stop once and for all a serious secondary boycott loophole that has been allowed to work extreme hardship on the construction industry.

A secondary boycott is a technique used by unions to force neutral workmen and neutral business firms to take the union's side in a labor dispute at the peril otherwise of themselves becoming union boycott victims.

In 1959 the House version of corrective labor law reform outlawed hot cargo contracts when section 8(e) was written into the initial draft of what eventually was to become the Landrum-Griffin amendments to the Taft-Hartley Act.

This section made it an unfair labor practice for a union and an employer to agree to stop doing business with another employer or to stop handling his products. In other words, section 8(e) banned voluntary secondary boycott contracts.

But, during the House-Senate conference on Landrum-Griffin, a proviso applicable to the construction industry was inserted which reads:

> *Provided*, That nothing in this subsection (e) shall apply to an agreement between a labor organization and an employer in the construction industry relating to the contracting or subcontracting of work to be done at the site of the construction, alteration, painting, or repair of a building, structure or other work.

This loophole created 8 years of judicial sparring until the Supreme Court decided the National Woodwork Manufacturers Association case by a 5-to-4 decision in April of 1967.

The Supreme Court held in that case that a union could refuse to install precut doors in a housing project if the contractor was not bound by agreement to use them and if the union was able to show that the use of such doors interfered with the union's traditional work at the construction site. The majority, in effect, opened the door for certain product boycotts so as to permit goods to be kept off the public markets unless they first have the sanction of certain unions. The proviso I have mentioned gave the court majority cause to render this decision.

Under this theory few technological advances in the construction field can escape a labor union's secondary boycott.

But the proviso I have mentioned has legalized still a further evil. Under the protection of its language the powerful building trades unions have been able in many areas to monopolize big construction jobs for the unions. They do this usually by getting general contractors to agree to do business only with subcontractors whose employees are union members.

Once such an agreement is made it is enforceable and subcontractors in the area whose employees have not chosen to organize are frozen out of important construction projects. This practice is wrong in part because it violates the spirit of our labor laws by forcing unions on employees who have not freely chosen to be represented by a union. It is wrong also because it monopolizes the bidding on construction projects and thereby artificially inflates building costs to the great detriment of the public.

My bill closes these secondary boycott loopholes in the construction industry by deleting the exemption for the industry. It puts employers and union officials in the building trades on the same equal footing with others in the world of labor-management relations. There is no reason why certain unions or certain employers should be given privileges others do not have. If secondary boycotts and hot cargo agreements are bad for the Nation, how can they be good for the construction industry?

The need for the legislation I am introducing today is obvious. In this period of extreme building costs, much of which arise from extreme wage demands and union restrictions, the attempt by certain groups within the building industry to maintain higher costs by excluding certain products and certain subcontractors from the market should not be permitted. My bill would go a long way in halting restrictive work practices and featherbedding. It would restore freedom to the construction industry—the freedom to use whatever products and subcontractors the constructors desire.

As a member of the House Education and Labor Committee, I will urge the committee to put an end to these boycotts now permitted under the section 8(e) proviso for the construction industry. I believe that my bill is the proper vehicle to accomplish this goal that will benefit all Americans.

FLORIDA MEMBERS INTRODUCE ANTISMUT LEGISLATION

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. BENNETT. Mr. Speaker, the nine Florida Democratic Members of the U.S. House of Representatives today are introducing legislation patterned after a New York State statute upheld by the U.S. Supreme Court to prohibit pornographic materials going to America's youth.

The Members—Robert L. F. Sikes, Crestview; Charles E. Bennett, Jacksonville; James A. Haley, Sarasota; Dante B. Fascell, Miami; Paul G. Rogers, West Palm Beach; Claude D. Pepper, Miami; Don Fuqua, Altha; Sam M. Gibbons, Tampa, and Bill Chappell, Ocala—have written the Attorney General for a report on the bill, and called on the House Judiciary Committee to hold hearings on the legislation.

Under the legislation, it would be a violation of Federal law to knowingly sell, offer for sale, loan, deliver, distribute, or provide to a minor in interstate commerce or through the mails material which is defined as "harmful to minors" under the bill.

It would further be a Federal crime under the bill to knowingly exhibit to a minor a motion picture, show, or presentation which falls in the "harmful to minors" category.

For some time the Supreme Court has recognized that "obscenity is not within the area of constitutionally protected speech of press." In April of last year the Supreme Court held in Ginsberg against New York (390 U.S. 629), that a New York statute was constitutional which prohibited the sale to persons under 17 years of age of materials defined to be obscene to them even though the same material might not be obscene to adults.

This bill is patterned after the New York statute which was upheld in the Ginsberg case. It would appear from the Court's decision that this approach to the problem of keeping smut out of the hands of our youth would be held constitutional.

The Congress has the power under the Constitution to regulate interstate commerce. That is what this bill would do, and we do not believe any constitutional freedoms are being violated.

The bill would further remove the appellate jurisdiction on the factual issue of harmfulness to minors, that is, whether a particular material or movie is "harmful to minors" as defined by the bill. What might be considered "harmful to minors" in some areas might not be considered such in other areas. We believe it would be beneficial to permit varying decisions on this point in the district courts, and the Congress is within its constitutional powers in so limiting the appellate jurisdiction.

The flow of smut material to our youth is reaching alarming proportions. Our youth must be protected. With our modern means of communications and transportation, it is almost impossible for parents to keep this type of material out of the hands of their children. Pornographic movies and obscene material can lead to antisocial behavior among our young people, and contributes to juvenile delinquency and all types of sordid behavior. Examples of this degeneracy are found in national magazines and other periodicals and films.

We are hopeful that committee action can soon be taken on this proposal so that the youth can be protected from the ever-increasing smut traffic in this country.

A copy of the bill follows:

A bill to prohibit the dissemination through interstate commerce or the mails of materials harmful to persons under the age of eighteen years, and to restrict the exhibition of movies or other presentations harmful to such persons

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 71 of title 18, United States Code, is amended by adding at the end the following new section:

"§ 1466. Exposing minors to harmful materials

"(a) It shall be unlawful for any person knowingly—

"(1) to sell, offer for sale, loan, or deliver in interstate commerce or through the mails to any minor—

"(A) any picture, photograph, drawing, sculpture, motion picture film, or similar visual representation or image of a person or portion of the human body which depicts nudity, sexual conduct, or sado-masochistic abuse and which is harmful to minors; or

"(B) any book, pamphlet, magazine, printed matter, however reproduced, or sound recording which contains explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct, or sado-masochistic abuse and which taken as a whole, is harmful to minors, or

"(2) to exhibit to a minor a motion picture, show, or other presentation which—

"(A) has moved in interstate commerce or through the mails,

"(B) depicts nudity, sexual conduct, or sado-masochistic abuse, and

"(C) is harmful to minors.

"(b) Whoever violates this section shall be fined not more than $5,000 or imprisoned for not more than five years, or both, for the first offense, and shall be fined not more than $10,000 or imprisoned for not more than ten years, or both, for any second or subsequent offense.

"(c) As used in this section—

"(1) The term 'minor' means any person under the age of eighteen years.

"(2) The term 'nudity' means the showing of the human male or female genitals, pubic area, or buttocks with less than a full opaque covering, the female breast with less than a fully opaque covering of any portion below the top of the nipple, or the depiction of covered male genitals in a discernibly turgid state.

"(3) The term 'sexual conduct' means acts of masturbation, homosexuality, sexual intercourse, physical contact with a person's clothed or unclothed genitals, pubic area, or buttocks, or, in the case of a female, physical contact with her breast.

"(4) The term 'sexual excitement' means the condition of human male or female genitals in a state of sexual stimulation or arousal.

"(5) The term 'sado-masochistic abuse' means flagellation or torture by or upon a person clad in undergarments, a mask, or bizarre costume, or the condition of being fettered, bound, or otherwise physically restrained on the part of one so clothed.

"(6) The term 'harmful to minors' means that quality of any description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse, which—

"(A) predominantly appeals to the prurient, shameful, or morbid interest of minors;

"(B) is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors; and

"(C) is utterly without redeeming social importance for minors.

"(7) The term 'knowingly' means having general knowledge of, or reason to know, or a belief or ground for belief which warrants further inspection or inquiry of—

"(A) the character and content of any material described in subsection (a) which is reasonably susceptible of examination by the defendant, and

"(B) the age of the minor."

(b) The table of sections for chapter 71 of title 18, United States Code, is amended by adding at the end the following new item:

"1466. Exposing minors to harmful materials."

Sec. 2. (a) The Supreme Court shall not have jurisdiction under section 1252 or 1253 of title 28, United States Code, to review any determination made under section 1466 of title 18, United States Code, that any material described in subsection (a) of that section is harmful to minors.

(b) The courts of appeals shall not have jurisdiction under section 1291 or 1292 of title 28, United States Code, to review any determination made under section 1466 of title 18, United States Code, that any material described in subsection (a) of that section is harmful to minors.

Sec. 3. This Act and the amendments made by this Act shall take effect on the sixtieth day after the date of the enactment of this Act.

WILLIAM R. BOWDOIN SPEAKS ON THE NATURE OF DISSENT AND ITS PLACE IN SOCIETY

HON. ROBERT G. STEPHENS, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. STEPHENS. Mr. Speaker, our distinguished former colleague, Congressman Carl Vinson, has brought to my attention a thought-provoking speech by Mr. William R. Bowdoin, vice chairman of the board of the Trust Co. of Georgia, delivered at the graduation ceremonies on June 6, 1969, at Georgia College in Milledgeville, Ga. Mr. Bowdoin was chairman of the Bowdoin Commission which conducted a study and issued an informative report on efficiency in government during the administration of former Gov. Carl Sanders.

I think this speech will be of interest to all of the Members of Congress. I submit it, therefore, for insertion in the Record:

Address by William R. Bowdoin

Dr. Bunting, Members of the Graduating Class, Trustees, Staff, Faculty, Parents and Friends of Georgia College.

On the pages of this fine institution's illustrious history are recorded the names of many renowned individuals who have visited here and have been honored by an invitation to speak to the student body. I am privileged to stand where they have stood, but I cannot lay claim to their great accomplishments. It is regrettable I do not possess the eloquence of diction to properly express my deep appreciation for the honor you have accorded, so I will just resort to two of the nicest words in the English language and say, thank you.

The ceremony today signifies satisfactory completion of the first major endeavor of the members of this class. I shall remember with unbounded pride the opportunity to share the occasion with you. The grey clouds of sadness a time of parting at graduation often brings will soon be rolled back by the sunshine of opportunity and challenge that awaits each of you in a changing world.

Whatever course you may chart for your career, the greatest opportunity for proper influence and leadership in mending a torn society is yours to a higher degree than at any time in our history.

I could attempt to speak in platitudes with emphasis for this occasion on the goodness of all your surroundings. That would be an imposition on your tolerance and an insult to your intelligence. That unfortunately is not the kind of society and world into which you now move.

Therefore, I will speak briefly about your new environs and responsibilities you have toward the preservation and expansion of a decent society.

My remarks will be addressed primarily to members of the graduating class, but I hope parents and friends will listen because you, too, have a continuing responsibility to these wonderful young ladies and gentlemen.

Some of you no doubt will disagree with my comments. That is still your privilege and I pray that you never lose it.

When you receive your diploma this morning, you cross the threshold into full citizenship. As one of a generation over thirty, I welcome you. We want and need your help because we respect and trust you.

The relatively few years since the members of your class first saw the light of day have brought many changes in the philosophy and activities of our people. Some have been for the better, others leave a big question. Some have been necessary; some have been an imposition.

Lest you draw any erroneous conclusions about my attitude, I want to make it crystal clear that I do not share a feeling of hopelessness for our country's future expressed by the fainthearted. I do, however, have a strong feeling of concern about the growing disease of apathy infecting too many of our people. I am concerned that we are using tolerance as an excuse instead of the virtue it is. I am concerned that we permit the extreme minorities to reflect adversely upon the vast majority of decent people of all ages.

I am concerned that today as never before in our history we are prepared to be the masters of our own destiny, yet never have we been so confused about where that destiny lies.

We seem to have forgotten that what is now the United States was a great land when it was discovered, but it took men and women of character, courage, vision, ability, faith and understanding to make it a great nation. Only the dominance of these qualities can keep it great. These qualities cannot be determined by the color of a man's skin, but only by the dedication and loyalty within his heart.

Proof of this is the great work of Booker T. Washington, George Washington Carver, and the late Dr. Rufus Clement, for thirty years president of Atlanta University. The strong character and gentle but firm and able hand of these dedicated men have made a contribution to the educational and cultural well-being of our area and nation that will benefit people of all races for generations to come, if their teachings are heeded.

I do not subscribe to the philosophy that this nation was built by the common people as often suggested. It was built by uncommon people. Uncommon in the sense of possessing a desire to work, a willingness to sacrifice if need be, to study, to build upon a firm foundation of loyalty and understanding among all people. Undergirded by this philosophy, the uncommon people have pointed the way to a better life for all who follow their example and leadership.

One of the former heroes of France, Marshal Petain, after France's fall in World War II, said, "Our spirit of enjoyment was stronger than our spirit of sacrifice. We wanted to have more than we wanted to give. We spared effort and met disaster."

There is mounting evidence everywhere today that more and more basically good people are doing nothing to correct an apathetic attitude toward the preservation and proper expansion of those basic fundamental principles upon which this nation was founded—reverence for God, loyalty to country, respect for the law, and the proper discharge of individual responsibility.

These are the principles that through the years have inspired young men and women to dream dreams and older men and women to work for a future they will probably never live to see—principles for which men have fought and given their lifeblood to preserve from Valley Forge to Vietnam.

These are the principles that for generations have been the rallying point to build courage when courage seemed to fail—to regain faith when there seemed little cause for faith, and to create hope when hope becomes forlorn.

Today this great bulwark of inspiration and strength is being pressured by every available means that can be dreamed up by those who would like to see it crumble and fall—those who would have us believe the pattern of their action was set by our forebears in 1776. Nothing could be more incorrect.

Those gallant men and women of 1776 were teachers, doctors, preachers, farmers, merchants, bankers, lawyers, hunters and fishermen. They owned *their* businesses, *their* land, practiced their professions and, under God, had hopes of growing in affluence and influence as the result of *their* abilities and *hard work*. They were not ordinary people voicing ordinary complaints. The men who fought under Washington were not a nameless impoverished people. Little men and big men, they placed in jeopardy *their* lands, *their* businesses, *their* loved ones, and *their* lives. They were England's finest Englishmen and were never so truly English as in the hour of revolution. But this was no revolution of little men filled with big hates, but a revolution of big men who hated littleness in government and were resolved to put an end to it.

Edmund Burke said, "For evil to triumph, good men have but to do nothing."

Many years ago, Mr. John D. Rockefeller said, "Every right implies a responsibility; every possession an obligation, and every opportunity a duty."

This sound philosophy hurls a challenge to you and me and we cannot sidestep it in the hope someone else will pick it up.

Those who roam the countryside shouting about freedom, flailing others who refuse to do their bidding, should be reminded that a reckless abuse of freedom so prevalent in their actions turns freedom into a terrible mockery.

Those who preach non-violence but encourage violation of the law have in fact created more violence, strife and turmoil than has been known in our nation's history. The right to protest, to air grievances has been privilege enjoyed since our country's beginning, but it has never included the right of the protesters to deny others by any available means the right they claim.

Those who subscribe to this concept should be reminded that fair debate and

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honest opposition are the foundation stones of our democracy, but must never be supplanted with vilification and bigotry.

The privileges we enjoy as free people do not necessarily in time become our inalienable rights.

A democracy is not a self-perpetuating form of government, but depends upon the character and abilities and contribution of each generation for its survival and expansion.

All sound-thinking individuals realize that regardless of our personal preference or opinion, we must live within the law with the same dignity and pride that has marked our people from the beginning of our nation. If this is to be accomplished, we cannot sit in silence and surrender to unwarranted demands of the howling, screeching mobs who mock the law by acts of violence and spit on those who wear the uniform of authority.

What inspires the action of these misguided creatures? I have no positive proof, but I am concerned about a recent statement by Gus Hall, head of the Communist Party USA, when he said, "Fronts are a thing of the past. We don't need them. We've got student Non-Violent Coordinating Committee and Students for a Democratic Society going for us."

How much longer will responsible citizens tolerate the actions of such groups while the cream of American manhood is fighting and dying in Vietnam and on other foreign shores? How much longer, in good conscience and in good faith toward our fighting forces and our nation can we tolerate it?

We have been represented in South Vietnam since 1950 when the first advisory team was sent there. We have been locked four years in mortal combat, *on the defensive*, and what have we accomplished? The loss of more than 36,000 American boys killed, more than 150,000 wounded, many disabled for life, the expenditure of nearly $100 billion dollars of American taxpayers' money, exclusive of $23 billion more wasted on ill-designed aircraft and other armament. During this period there has been established in South Vietnam, if reports are true, one of the most corrupt governments the world has known since the days of the Roman Empire. Is this a just reason for pride? Certainly not.

I readily admit my intolerance of those who make a joke of patriotism because I happen to be one who still stands with pride and a little misty-eyed when the "Star Spangled Banner" is played or the flag passes in review. I happen to be one who believes with all my heart this is still the greatest nation on earth, but within it live some very disreputable individuals who enjoy the privileges afforded by dedicated and conscientious efforts of decent people. I also happen to be one who long since has grown tired of American boys being sacrificed for aimless political missions the world over. But whether we approve the cause or not, I also happen to be one who believes that every able-bodied man should be ready to answer "present" when his name is called for service in the armed forces of our nation. Both moral and military strength must be maintained.

Mrs. Bowdoin and I are proud and fortunate parents who every day turn to God in gratitude that our older son has returned safely after 1300 hours of combat flying as a helicopter gunship pilot in Vietnam. Our younger son is preparing to follow in his brother's footsteps.

We live in a time of strange concepts.

We boast of our greatest era of prosperity and hear more about poverty than at any time in the history of America. Honest poverty deserves the concerted and prayerful attention of all who are blessed with a better life.

Professional poverty, encouraged by Federal hand-outs now reaching into the third generation, is repulsive to all concept of decency and ambition.

Yet we hear all too little about the real poverty that confronts us—the poverty of character, morality and courage. Instead of affluence being a blessing, we are allowing it to become a terrible agony.

The American private enterprise system, although under constant attack, has proven through the years to be the greatest anti-poverty program the world has ever known. Within the last six years alone, more than ten million new jobs have been created—new jobs affording a living wage and an atmosphere of dignity that generates ambition.

In a time of greatest necessity for higher education, we are experiencing throughout the nation unbelievable destruction of physical facilities and moral fiber in our colleges and universities. Impossible demands are being made upon administrators of colleges and universities by students aided by outside agitators and some faculty members who are traitors to their commitment.

It was my privilege recently to spend an evening of round table discussion with a group of college students. It was a very enjoyable occasion. There is no doubt in my mind the vast majority of our young men and women are better educated and more responsible than ever before. Students in institutions of higher learning have some legitimate complaints. They are entitled to be heard, and their recommendations considered and adopted when appropriate to the betterment of the college or university, but students cannot be given control of our educational institutions. A student's primary mission is the pursuit of education and not to manage the affairs of the college in accordance with personal desires. There are many examples of the results the latter development produces.

A great philosopher once said, "Those who do not remember the past are condemned to repeat it."

There is an old Turkish saying, "Read new books but old proverbs." New books stimulate a vision of the future and old proverbs contain the convictions from experience that men must live by. We must retain from the past all that is sound and good and just, and use it today in building for the future. In our building we must be willing to change when change is required.

The members of your generation and mine must make every effort to blend the experience of the past and abilities of the present to provide a future richer in advantages and opportunities and freedom than have been ours to receive. This means individual dedication and cooperation.

As Clarence Manion has said, "It must be remembered that 95% of the peace, order and welfare existing in human society is always produced by the conscientious practice of man-to-man justice and person-to-person charity."

I believe we can correct many of our social and political deficiencies by placing less emphasis on minorities and majorities, and giving more stress to the *individual*. This is the American way. America is based upon the concept of the *individual* whose personality is inviolate because he is created in the image of God. Our rights come from the Creator, not from some organization to which we may belong. This sacred truth is proclaimed in the Declaration of Independence and guaranteed by the Constitution of the United States, although some in high places would have us believe otherwise.

These documents intend that all citizens should be recognized regardless of race, creed or color, for their *individual* worth, and must always have opportunities to improve themselves and their lot in life, but must always discharge properly the concept of individual responsibilities for good citizenship placed upon them by our founding fathers.

The key words in the whole American system are "individual" and "opportunity." These words can never be translated to mean *mobs* and *demands*. Individual opportunity can never be truthfully transposed to read *group guarantees*.

That is why it disturbs me to see many of our young people who, instead of attracting attention by dignity and worthwhile achievement, resort to some weird personal appearance or boisterous acts of sound and fury signifying nothing but trouble. Where are the parents of these wayward individuals?

Any individual who damns the land of his birth, desecrates our flag, and mocks Him who died on Calvary's cross is a disgrace to the concept of a nation created under God.

One of the greatest justices ever to sit on the United States Supreme Court in the days when that court was honored and revered throughout the world, Justice Oliver Wendell Holmes, said, "As life is action and passion, it is required of us that we should share in the action and passion of our times at the peril of being judged not to have lived."

My young friends, your contribution to strong and constructive leadership can mean much to a troubled nation. Our adversaries within this country are small in number but loud in voice. Our cooperative efforts can diminish their influence rather than allow it to spread.

Too many of our people today are saying, "Well, I am just one person and there is very little I can do." Our very poor voting record bears out this tragic attitude. A one-man cheering section in a 50,000 seat capacity stadium is muted by the vastness of the structure, but add that one voice to 50,000 others and you have your answer. Our destiny in the final analysis rests with the acts of individual citizens because the unit of our society is the individual.

That is why I urge you to develop strong and meaningful convictions. Be enthusiastic and energetic about your convictions and stand for something worthwhile. Don't just sit idly by while the flames of misunderstanding and strife and discord envelop you.

Make it your business to be informed, to know what is going on in your community, your state and your nation. Get the facts. Communicate your opinion to those in whom you entrust the management of your government and community affairs. You ask the impossible of these representatives when you don't give them the benefit of your opinion and let them know what you stand for. When you are too otherwise occupied to go to the polls and cast an intelligent ballot for the candidate of your choice, you forfeit your right to criticize the results. If you feel your representatives are rights, support them. If you think they are wrong, tell them why you think they are wrong. They are entitled to that consideration.

That great American, General Dwight Eisenhower, said, "There is nothing wrong with America that faith, love of freedom, intelligence and energy of her citizens cannot cure." I believe that and pledge to each of you my full support and active cooperation in a joint effort to insure continued sound growth and development of this wonderful land of ours.

I shall always remember with pride the honor of participating in your program today. To all of you ladies and gentlemen of this graduating class, I extend my heartiest congratulations.

I have great faith and confidence in your ability and, as you march toward even greater achievements in the years ahead, I hope your thoughts and actions will be guided by a simple philosophy—have courage tempered with humility; ambition tempered with moderation; sound judgment tempered with understanding, and above all, "do justly, love mercy, and walk humbly with thy God."

LOW-WAGE LURES SOUTH OF THE BORDER

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. THOMPSON of New Jersey. Mr. Speaker, I have today introduced a bill to amend the National Labor Relations Act to focus attention on the serious problem of "runaway plants" across the Mexican-American border that threatens to undermine American wage standards.

The dimension of this problem was recently described in an article "Low-Wage Lures South of the Border" by David T. Lopez, appearing in the June issue of the American Federationalist. Mr. Speaker, I ask unanimous consent to insert into the RECORD the text of this article at the conclusion of my remarks.

Mr. Lopez states in his article:

> The 1,800-mile-long border area between the United States and Mexico is one of sharp contrasts. There are lush orange groves and arid goat country, deep canyons and flatlands, teeming urban centers and desolate wastelands.
>
> As far back as one cares to go, however, there has been one common denominator for the land and the people of the border: a chronic, pervasive poverty that has joined citizens of both the United States and Mexico in an endless communion of despair.
>
> For generations, the root of the economic problem has been the worker who resides in Mexico, where the living is cheap, but who is allowed by a twisted immigration law to work in the United States.
>
> The Mexican 'commuter' as he is known, will work for as little as 35 or 50 cents an hour so he is eagerly sought out by employers while many United States residents are unemployed most of the year.
>
> When a union on the border strikes there is an endless supply of commuter strikebreakers, delighted to work at the federal minimum wage.

Mr. Speaker, an insidious new dimension has been added to this old problem of cheap labor importing by low-wage American industry. A new plan—the border industrialization program—is, in effect, exporting jobs of American workers to Mexico to take advantage of the availability of cheap, "sweat-shop" labor. The plan, which is supported by the Mexican Government and—incredibly—by our Government as well, encourages American companies to set up shop along a zone some 12½ miles deep, just across the border into Mexico. Among attractions offered are special tax and tariff concessions by Mexico, similar tariff concessions by the United States, and plentiful labor at "sweat-shop," far below American wage levels. Vocal promoters of the runaway industries, including chambers of commerce in both Mexico and the United States, brag of the "inexhaustible 30-cent-an-hour labor supply." Already, serious inroads are being made in such industries as electronics, sportswear, work clothing, seafood processing, and other related fields. Thousands of jobs previously held by American workers have already been lost south of the border in these sweat-shop, runaway plants.

Mr. Speaker, no one denies the right nor the need to provide jobs for impoverished Mexican citizens. What I do object to as basically contrary to sound public policy is the denial of job opportunities to American workers at decent American wage standards that is the inevitable result of the border industrialization program that promotes runaway industry and exploits Mexican workers as well.

Obviously, Mr. Speaker, this problem has broad and vitally important implications that deal not only with American labor standards but also with our domestic economic health, foreign policy, and international trade policies. I urge the appropriate committees of the Congress to concern themselves with these aspects of this far-reaching problem.

Meanwhile, the bill I have introduced today will serve as a beginning focus on its vast dimensions through a proposed amendment to the National Labor Relations Act, which falls within the jurisdiction of the House Education and Labor Committee. My bill would make it an unfair labor practice under the law to employ any alien unlawfully present in the United States or to hire during a labor dispute as replacements for a person or persons ordinarily employed by such employer any alien lawfully admitted to the United States for permanent residence whose principal, actual dwelling place is in a foreign country contiguous to the United States. This provision would apply to any employer, whether or not he employes "employees" as defined in section 2(3) of the National Labor Relations Act. My bill would also amend section 10(1) to provide for injunctive relief for enforcement of a finding that an unfair labor practice exists.

Mr. Speaker, because of the importance and urgency of this problem, I plan to hold early hearings on this legislation by the special Subcommitte on Labor, House Education and Labor Committee. Members who share my concern for this matter of runaway industries to low-wage sanctuaries south of the border will be notified of the dates so they may have an opportunity to testify.

The text of the article, "Low-Wage Lures South of the Border," follows:

LOW-WAGE LURES SOUTH OF THE BORDER

(By David T. Lopez)

From the boundless beaches where the Rio Grande joins the Gulf of Mexico at the tip of Texas, our southern border runs up the river, then turns west under New Mexico, Arizona and California, meeting the Pacific near San Diego.

The 1,800-mile-long border area between the United States and Mexico is one of sharp contrasts. There are lush orange groves and arid goat country, deep canyons and flatlands, teeming urban centers and desolate wastelands.

As far back as one cares to go, however, there has been one common denominator for the land and the people of the border: a chronic, pervasive poverty that has joined citizens of both the United States and Mexico in an endless communion of despair.

For generations, the root of the economic problem has been the worker who resides in Mexico, where the living is cheap, but who is allowed by a twisted immigration law to work in the United States.

The Mexican "commuter," as he is known, will work for as little as 35 or 50 cents an hour so he is eagerly sought out by employers while many United States residents are unemployed most of the year.

When a union on the border strikes there is an endless supply of "commuter" strikebreakers, delighted to work at the federal minimum wage.

The "commuter" system made a border city, Laredo, Texas, "the poorest city in the country," according to a national news magazine, and a border county, Starr County, Texas, scene of beatings of striking farm workers by Texas Rangers, the county with the lowest family income in the nation.

Insistent protests by organized labor at local, state and national levels have limited the problem of what the Immigration Service calls the "non-resident alien." But token action was enough to move employers into coming up with an even more insidious and devastating program.

The new plan is known by many names: PRONAF (from the Spanish-language words for National Border Program), or the Border Industrialization Program, or—to the American unions which have seen hundreds of jobs rush across the border—"runaway plants."

Regardless of the name, the program was aptly described by Dr. Ramiro Casso of McAllen, Texas, a physician friendly to the farm workers, as "bringing the mountain to Mohammed."

"They figured they might not be able to keep bringing in cheap labor from Mexico to jobs in this country, so they are taking the jobs out of the country to the cheap labor in Mexico," Dr. Casso said.

In essence, the plan, supported by the governments of both countries, is for American businesses to set up along a zone 12.5 miles deep just across the border in Mexico. The attractions offered are special tax and tariff concessions by Mexico, similar tariff concessions by the United States, and labor at sweat-shop rates.

The cheap-wage attraction is loudly touted by chambers of commerce on both sides of the border.

J. Carl Meyer, executive secretary of the Development Authority for Tucson's Expansion (DATE), boasts, "The Mexican border station at Nogales marks the gateway to an inexhaustible 30-cent-an-hour labor supply." Nogales, on the border, is an hour's drive from Tucson in southern Arizona.

Why would Tucson be so anxious to lure plants to Mexico? The answer is what promoters of the runaway industries call the "twin-plant concept." Supposedly, this calls for the company to set up a plant on the United States side of the border to be the "twin" of the one in Mexico.

Actually, the "twins" on the U.S. side, if and when they are established, turn out at best to resemble poor cousins. They employ far fewer workers and are designed mainly to justify a special import tariff on the Mexican-manufactured goods, which supposedly are to be "finished" in this country.

An example of the concept are the "twins" of Transitron, an electronics component manufacturer, employing about 75 in Laredo and 1,500 in Nuevo Laredo, Mexico.

"Finishing" could mean little more than pasting on a label. Many plants on the U.S. side hire Mexican residents anyway. Attempts to organize are met by threats to move the rest of the operation to Mexico. And for every job supposedly established on the American side, at least 10 jobs are being set up in Mexico and often at the direct expense of American workers.

The United Rubber Workers represent employes of Mattel, the toy manufacturer, at two plants in the Los Angeles area. Since Mattel opened a toy plant in Mexicali in 1967, some 820 union workers at the City of Industry plant have lost their jobs, and

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the Hawthorne operation has been similarly affected.

The losses can be documented by shift and job classification, but a Mattel executive denied to the Los Angeles Times that a single job has been lost. Other less restrained enterpreneurs talk about the program creating "new jobs" for the United States.

More revealing, however, are statements made by officers of a company that specializes in subcontracting electronic assembly work in Tijuana, Mexico, near San Diego.

Enrique Mier y Teran, manager of IMEC, S.A., the Mexican branch of International Manufacturing, Electronics and Consulting Corp., puts it plainly: "I believe tremendously that the future of Tijuana lies in selling its labor."

At the Beverly Hills offices of IMEC, a division of the Republic Corp. conglomerate, R. Lee Hill, operations manager, said: "We should ship $800,000 to $1,000,000 in labor (from Tijuana) in 1969."

Trinkets sold to tourists border markets may bear an imprint, "Made in Mexico," but the products of the special industry program not only are not labeled, but often are even hard to trace. Portable television sets sold by Sears, Roebuck and Co., for example, are bought from Warwick Electronics Inc. of Chicago, which initially subcontracted the work to IMEC, S.A., in Tijuana.

Kayser-Roth has its Catalina-brand sportswear cut at two small plants in California and Arizona, but the sewing is done at a larger operation in Mexicali, Mexcio.

District 12 President Bill Drohan of the IUE in Los Angeles said that among the firms represented in the expanding electronics complex in Tijuana are Litton Industries, Control Data Corp., and Fairchild Camera. Dozens of less well-known electronic firms are scattered throughout the border area.

Vice President Leonard Levy, director of the Amalgamated Clothing Workers West Coast Region, reports getting worried calls from his staff as more of the companies represented by the union establish Mexican operations.

"El Paso, where probably more work pants and sports slacks are manufactured than any other place in the country, stands to be hurt very badly," Levy said. "Just recently, Hicks-Ponder, which has three plants in Texas and Arizona, set up in Juárez (across from El Paso). And I just got a call from a representative in El Paso. He said a company where we are hoping to get an election soon is talking about going to Mexico."

Amalgamated has organized many of the Mexican residents commuting to U.S. jobs, helping them get fair wages. Recently, however, there have been so many "illegals" (in Texas known as "wetbacks" because they sometimes wade the Rio Grande) that there is conjecture about employer "deals" with immigration officers.

At the office of the International Ladies Garment Workers Union in Los Angeles, Vice President Sam Otto said that already there are about 30 American garment plants in Mexicali and about 20 in Tijuana.

"In Mexicali, where the border is a tall wire fence, the American and Mexican plants are almost side by side," Otto said. "Some cutting is done on this side, and sometimes when the water pressure in Mexico is not enough, they press the clothes on this side, but the rest of the work is done in Mexico."

"But you sure don't see many 'Made in Mexico' labels, and of course, not enough union labels," he added.

Among the actions called for by the AFL–CIO Executive Council in its February 1969 statement on U.S.-Mexican Border Problems was the adequate labeling of goods wholly or partially manufactured in the Mexico border plants.

The U.S. State Department tried to discourage opposition to the Mexican plan when it began in 1966 by assuring American labor that American plants would not be moved, that the idea was to move to Mexico plants which otherwise would have become established in other low-wage areas abroad, such as Hong Kong or Taiwan.

The line was echoed by the Mexican government. Mexican Minister of Industry and Commerce Octaviano Campos Salas, in a press conference August 6, 1968, told reporters: "The Mexican government does not encourage a massive exodus of American companies to the Mexican side of the border . . . specially when they operate normally and profitably in the United States."

Less than one year later, it is apparent that there is an increasing exodus of jobs and industries from the United States, perhaps without Mexican "encouragement," but certainly with the same considerable concessions given to any others.

The Mattel experience of the United Rubber Workers, and the manifold problems of the Amalgamated Clothing Workers and the ILGWU, certainly are not isolated examples.

When Transitron opened its plant in Nuevo Laredo, Mexico, employing some 1,500 electronic assemblers, a similar operation of the same company in Kansas City, Mo., lost about 45 percent of its work force. When the plant in Mexico had a three-week work stoppage, employment and overtime shot up in Kansas City, only to fall again at the end of the stoppage.

Standard Components Division of Standard Kollsman Industries, which opened a television tuner plant in Ciudad Acuña across from Del Rio, Texas, has announced it may double production in 1970, with possible displacement of 800 workers in a similar plant of the company in Oshkosh, Wis.

IUE President Paul Jennings, who with AFL–CIO Vice Presidents Joseph D. Keenan, David Dubinsky and Jacob Potofsky served as a special subcommittee of the AFL–CIO Executive Council studying the problem, said that 48,000 jobs in the manufacturer of radio and television sets and components alone were lost from 1966 to 1968.

In Harlingen, Texas, close to the border, the Albertti Seafoods Co. won a decertification election against the Amalgamated Meat Cutters and Butcher Workmen, then moved most of its Texas plant into an expanded operation in Mexico.

Two other plants organized by the Butchers in the area, Booth Fisheries and United Foods, both processors of shrimp, have decreased their operations tremendously, displacing more than 1,000 workers, since similar processing plants opened just across the border.

Last year, a newsletter which analyzes Latin American affairs in the United States said that Mexican economists are projecting an eventual employment of 300,000 workers by the border industries, with a production of one billion dollars of goods a year, multiplying tenfold the already serious effect of the program on American unions and the considerable impairment of the federal minimum wage law.

Two agents of IMEC are reported contacting electronic plants in Southern California. An American company which provides sewing machines for the Mexican garment plants reportedly has trucks soliciting manufacturers in Los Angeles to send their cut patterns to be sewn in Mexico.

Nowhere in the elaborate brochures and prospectuses prepared by DATE of Tucson, or the El Paso Chamber of Commerce, or Joe Richards and Associates of Laredo, is there any mention of the Mexican program being an alternative to plants in Europe or the Far East. Their approach is direct: "If you have a labor-intensive production, move to Mexico." The same pitch is carried in Wall Street Journal advertisements.

Joe Richards and Associates says in its brochure: "The only requirements for participation in Mexico's border industrialization program are that production be exported in its entirety and that Mexican labor be used." The firm offers assistance in securing permits, handling customs, furnishing legal and other professional services, compiling statistics, negotiating leases, and selling and financing the product "worldwide," according to the brochure.

Exactly which manufacturers are being lured to Mexico is virtually impossible to determine before the fact, and the established plants are as easy to inspect as the Chinese Communist atomic plants. Photographers hired in Laredo, El Paso and San Diego all were unable to come up with pictures inside existing plants. They said they were denied permission to enter the plants and shooed away by guards.

United Press International, in recent dispatch, noted, "The stampede of American firms for locations south of the border has been a quiet one. Most of them are so security conscious they won't even admit what they manufacture until they actually have signed the papers and agreed to build their plants in Mexico."

The government has joined the hide-and-seek game. A meeting in El Paso last April to tempt U.S. manufacturers to go into Mexico was sponsored by the U.S. Department of Commerce as an "Executive Conference on World Trade." Jennings, protesting to President Nixon, said in a telegram: "The Department of Commerce has no business serving as a front for international cheap labor manipulators."

A similar conference was held in Brownsville in May, and more are scheduled.

The solicitousness of the government toward businessmen is not matched by its attitude toward labor.

Henry Muñoz Jr., equal opportunities director of the Texas AFL–CIO, requested information on the border program in February 1968, from Raymond Télles, until recently chairman of the U.S. Section of the U.S.-Mexico Commission for Border Development and Friendship.

When Muñoz got a reply, it was five months later, from the State Department. The letter said: "Unfortunately most of the information you requested is unavailable to us."

Andres Sandoval, a Texas AFL–CIO field representative, said that he asked Télles about the border industry program, and Télles replied: "What border are you speaking of?"

Speaking to a group of businessmen on the program, former U.S. Ambassador to Mexico Fulton J. Freeman said, "I have great confidence that this 1,800-mile boundary can continue to serve as an inspiring example of constructive and harmonious relations and of actions to the mutual benefit of two friendly neighboring nations."

The "inspiring example" may be as disastrous for Mexico as it is for the United States.

In Nuevo Laredo, a 19-year-old girl named Maria Luisa sees her new job with Transitron in terms of a chance to get out of Mexico. "Well, maybe now I have a better chance of going to the United States," she said. "Maybe I'll get a chance to learn something."

Last year, Maria Luisa was a live-in maid, earning the equivalent of $8 a week, her meals and Sunday off. She said she still works six days, long hours at more intensive work, and now takes home $14 a week. She went through the three-week stoppage because, among other things, workers were not getting the mandatory one-half hour off for lunch.

"They say we are going to get $26 a week when we finish our training, but who knows?" Maria Luisa said. "I have been working here more than seven months now. We all know the government, in order to bring these factories down, made a deal with the United States so that they don't have to pay us good money like they pay the American workers."

How much does she think U.S. workers get? "At least $60 or $75 a week," she said. "We ought to get the same for the same work. Well, maybe at least $50."

Through joint border committees, AFL–CIO unions along the border share information freely with their counterparts in the Mexican Confederation of Workers (CTM), and Maria Luisa's union representatives will have a chance to know exactly how much American workers are getting for the same jobs under an IUE contract.

In negotiations with other electronics manufacturers, however, CTM representatives recently reported they were told by the employers that the government would not authorize any more than a 10 percent increase from the present earnings around the Mexican minimum wage because the workers were not classed as "professionals."

Ambassador Freeman listed as one of the alleged benefits of the industry program that residents of the Mexican side of the border spend 50 to 80 percent of their earnings in the United States.

IUE Representative Juan Mariscal, a native of Mexico, recently conducted an extensive survey, and his findings are much different. Housing, food, and services, including medical attention, are at least 50 percent cheaper on the Mexican side of the border, he said. Consumer goods like clothes and appliances are priced about the same.

If Freeman were correct, then, the Mexican workers earning about $25 a week or less, would spend most of that either for expensive consumer goods made in the U.S., or for items which they can get more cheaply in Mexico.

Asked if she shops in the United States, Maria Luisa replied angrily, "Are you crazy? You forget I get paid Mexican wages. Maybe I could buy some of the used clothing sold from boxes on the sidewalks, but the 'gringos' can keep that junk."

The only times she has been shopping in the United States, she said, have been when her cousin, a secretary in Mexico City, sends her some money to buy her some clothes or cosmetics not available in Mexico. "She always tells me to get something for myself," Maria Luisa said. "I get some hose, or maybe a sweater."

Ambassador Freeman's confusion is perhaps understandable. American shops on the border do sell a large quantity of consumer goods, particularly clothing and cosmetics, to Mexicans.

A simple check with store clerks, however, quickly shows that these sales are of the most expensive merchandise, almost always to businessmen, artists or government officials from Mexico City or other principal cities of the Mexican interior. The buyers spend $300 or $400 cash at a time. They certainly could not be $25 a week industrial workers.

Maria Luisa's responses were fairly representative of those given by other workers in Matamoros, Reynosa, Piedras Negras, Ciudad Acuña, Juarez, Nogales, Mexicali and Tijuana, border cities across or near Brownsville, McAllen, Eagle Pass, Del Rio and El Paso, Texas; Nogales, Arizona, and Calexico and San Diego, California. In sum, Maria Luisa does not feel particularly lucky in having found an industrial job.

"I don't like to be treated badly," she said. "The señora where I was a maid was very nice to me. At the job now I'm always nervous."

A manager of one of the Tijuana plants would be surprised to hear such comments. He considers that American business is a blessing to the Mexican workers. "You can always tell a new gal," he said. "The first couple of days they gobble up six or seven doughnuts at every break."

Maria Luisa said: "I work on these small things under a microscope, and they get very angry if we make any mistake or if we don't work fast enough. The foreman always is trying to date us, and if we say no, we have problems, or we can get fired."

Professor Pedro Pérez Ibarra, general secretary both of the Nuevo Laredo CTM and the electronic workers local, describes Maria Luisa's bosses as "slave drivers of the worst sort."

He said he believes the three-week stoppage at Transitron was only the beginning of their problems. "These companies feel that Mexico is just a field ripe for exploitation," he said. "We're going to show them that's not so."

American plants are being established in the Mexico border zone so quickly, and security is so tight, that up-to-date figures are hard to get. Most observers estimate that already there are 30,000 to 50,000 workers employed in the runaway plants, but the total easily could exceed twice that.

There is general agreement, however, that at least 75 percent of the employes are women. Mariscal says that has created another problem.

"They are destroying the Mexican family along the border," he said. "Up to just a few year ago, Mexican women did not work outside the home after they were married. Now you see many wives working while the husbands are unemployed."

"Mexicans are proud, and nothing hurts a man's pride more than to feel 'mantenido' (kept) by his woman," he said. "Some of the men can't cope with it. They take to drinking, cr they cross the border illegally to try to find work. Many don't go back."

A number of economists have pointed out other adverse effects the program probably will have in Mexico. One article suggests that productivity is significantly lower in Mexican plants, and that even the great disparity in wages may not be sufficient to keep the plants in Mexico long.

The same article claims that many companies are moving to Mexico just to postpone major capital investments in modern equipment. When the companies finally are forced to make the investment, they probably will want to return to the better trained American workers. A sudden withdrawal of such companies and the resulting unemployment would leave the area worse off than it was before the plants came in, according to the economists.

Several plants established in Tijuana have shut down, but information on the reasons is skimpy and conflicting at this time.

What is proving to be easily the most regrettable effect of the program on either side, however, is that the promise of new jobs acts like a magnet to attract thousands of families from the Mexican interior to the already overcrowded Mexican border cities.

Because of the "commuter" practice and the "bracero" agreement for Mexican farm labor (now terminated), Tijuana exploded in 30 years from 20,000 to 400,000 population. Unemployment now is estimated at close to 50 percent, and more people arrive daily.

Approaching Tijuana, or Juarez, which also has multiplied rapidly to its present 500,000 population, one is struck by the pathetic sight of countless slum dwellings precariously clinging to the hillsides.

"Recent Mexican government figures indicate the country's population is rapidly urbanizing, but a full 25 percent still is "economically inactive.' There are so many peasants migrating to Mexico City and the cities of the northern Mexico that they have become a national institution with a popular nickname.

Partly because of the way they load all their belongings on their backs, and mostly because they have no idea where they will land once they leave their rural homes, these migrating peasants are known as "parachutists."

For a family of such "paracaidistas," Esteban Macias, 34, his wife and their seven children, their landing was in an unimaginably squalid slum overlooking El Paso across the border.

For almost three months, they lived in a cave, until they could gather enough scraps of wood, cardboard and flattened tin cans to make a shack which does not look like it could stand a healthy sneeze.

Macias was no stranger to poverty, but on the border the oppressive struggle for existence has left him drained and submissive, an old man before 40. "My life is gone, and I have nothing," he said. "Nothing for me. Nothing to leave my children."

The Macias family increasingly is dependent for support on Susano, at 15 the oldest son, who is a "commuter."

Officially, the U.S. government counts 12,000 "commuters" crossing from Ciudad Juarez to jobs in El Paso. The figure certainly is more likely twice that. Susano, who just a few months ago had never seen the United States, is not counted as a "Mexican alien commuter," and neither are about 45 to 65 percent of the "commuters" who cross with documents purporting to prove they are American citizens.

Some of the commuters actually are citizens. Susano, not having been born in the United States, "rents" a birth certificate. For $2 paid in advance, he can use the certificate for one day to cross into the United States, where he can earn $6 to $8, if he finds work.

When there is no work, he's out $2, and if he doesn't like the deal, there are plenty others waiting to take his place

"Sometimes I have to work for even $3 a day, just to pay for 'el pasaporte,' bridge toll or bus fare, and have something left over to feed my little brothers," Susano said.

If he doesn't maintain himself as a steady customer, someone about his age (and the age on the birth certificate) will be found and will be taught by rote the facts on the document which immigration officials, if they have the time, will ask: "Where were you born?" On what date? What is your mother's name?"

If he loses his turn, Susano will have to take his chances with jobs on the Mexican side, where the going rate is about 75 cents a day and work is much harder to find.

The evidence of the abject poverty faced by the thousands who hoped to find a new and better life on the border is everywhere. In Tijuana , the lean-to's sit on the right-of-way between the highway to Mexicali and the fenced-off property. In Nuevo Laredo, they are but a minute from the million-dollar mansion of the Longoria family. In Matamoros and Ciudad Acuña, they trail along the river.

In Piedras Negras, a young "wetback" named Enrique described what desperation born of poverty can bring. Over coffee, obviously pained by the memory, he told this story:

"We were screaming, praying, crying. It was so hot I could feel sweat pouring down my body.

"I was suffocating, yet when I tried to breathe the stench made me dizzy and turned my stomach. I must have gone crazy for some time, because all I remember is that finally I was so tired I couldn't move.

"I knew—we all knew—we were going to die."

Enrique was one of 47 Mexicans attempting to enter the United States illegally who were locked in a hot and unventilated van so long that all had to be hospitalized and three died.

He left his wife and five children 50 pesos, $4, for food and took the rest of their meager savings and some borrowed money to seek work in the United States. At Piedras Negras, he found a recruiter who signed him up for jobs of $2 and $3 an hour in Chicago, and offered to take him there for a fee.

In the early morning hours of Sept. 30, 1968, Enrique and the 46 others, all from the northern Mexico countryside, huddled in the darkness near the river across from Eagle Pass. At about 2 a.m., they were led into the river and waded across, where $50 was collected from each. They then walked to a ravine near a deserted road where the man with the van picked them up around noon and collected another $50 before letting each one board.

The men were crowded into a space 7 by 16 feet, and when the door was closed the heat and lack of fresh air quickly became intolerable. They pounded on the sides and begged the driver to let them out. He replied the door had been padlocked and he did not have the key. The van was driven to San Antonio, more than 150 miles away, and there it was parked and abandoned.

Passers-by heard noises from the van and called police, and the men were rescued many hours after their ordeal began. The three from whom rescue came too late received pauper's burials in San Antonio.

Enrique and the other survivors were returned to Mexico by the U.S. Immigration Service. But Enrique did not go home.

"I can't go back until I have the money to pay back what I owe and to give my wife for what she has suffered without me," he said.

That may take sometime. In Piedras Negras, working as a laborer in the day and cleaning up three bars and a restaurant at night he seldom makes as much as $12 a week. (Piedras Negras is about 75 miles from Marroteran, where 156 coal miners who were earning $6 to $17 a week recently were buried by an explosion.)

Enrique is looking for a good job, but he is not optimistic. "Every day more come. They get off the buses by the dozen. Or they say they come by train, or walking or asking for rides, anyway they can."

Why do they keep coming if there are no jobs? "They hear there's much money to be made in 'la frontera' (the border)," Enrique said. "They're fools like me. Some may be lucky, but most of them come to suffer."

"What's worse," he said, "some bring their families. Here you can't grow food. You don't have any land, or chickens, or goats for milk. For everything you have to pay.

"Those are the ones I pity. You see them get more and more desperate. Then they get drunk because some little one died, or because their daughter ran off and they think she's selling herself to the 'gringos.' At least my woman and my children, they're where they can get food, too little maybe, but still enough to live. God keep them."

Crossing from Mexicali into the U.S. at Calexico, one can't escape seeing a large sign in two languages informing "commuters" that their crossing cards, which "allow them to work in the United States" are not to be used to work at places where labor disputes have been certified by the Department of Labor. A list, the sign informs anyone interested, is available in the immigration office.

In preparation for their drive in the Coachella Valley of California, members of the United Farm Workers Organization Committee recently followed five busloads and assorted cars and pick-ups full of "commuter" farm workers going from Calexico the 90 or so miles to Coachella.

The buses stopped at many of the farms on the certified strike list, and the UFWOC members questioned the workers as they got off. They discovered that most of the "commuters" had to arise at 1 a.m. to catch the bus and had long trips home after they were returned to Calexico.

"I figured they were spending 16 hours for 8 hours pay," says the Rev. Jim Drake, an aide to UFWOC Director Cesar Chávez. "That figures around 80 cents an hour."

"Most of them didn't know they were going to work at a struck place," Drake said. "But once they got there, they had the choice of staying in the bus for eight hours without pay, or getting commercial transportation back, or, of course, going to work. In other words, they had no choice."

In Texas, a January 1968 survey showed 80 percent of the "commuters" interviewed in Laredo were earning less than $1.60 an hour.

The presence of a seemingly limitless supply of "commuter" labor compounds the daily work of union representatives on the border.

David L. Jacobs, business agent of a Laborers local in Laredo, recalls a group of cafeteria workers striking for union recognition. "One of the pickets had a sign saying they were paid 25 cents an hour," Jacobs said. "The owner was very angry when he saw it. He said he actually was paying 32 cents."

The strike resulted in recognition and a contract calling for $1 an hour in the third year.

In El Paso, Hector R. Garcia, president of the El Paso Central Labor Union, tells of a recent strike in which, after a 20-year bargaining history, the union had to remain out six months to keep arbitration in the agreement. Garcia said the union struck with 250 of 256 production employees on a Thursday to see 300 strikebreakers hired by the following Monday at $1.60 an hour.

By letting selfish economic interests mold its policy toward Mexico, the United States has managed to bring about the worst imaginable situations on either side of the border.

On the United States side, there is talk of putting up picket lines at the international bridges to keep out the "commuters."

On the Mexican side, anti-American literature circulates freely and thousands of industrial workers, students, and teachers call themselves "communists" because they can't think of any other word which can adequately express their antipathy towards the United States. And one hears often repeated, not always with a smile, the plaintive lament of a former Mexican President, who said:

"Poor Mexico—so far from God—and so close to the United States."

EDUCATION WITH A GUN

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. ZWACH. Mr. Speaker, on June 23, 1969, the St. Cloud Daily Times carried a column written by Harold Schoelkopf, which, to my way of thinking, should be read and given careful thought not only by my colleagues here in Congress, but the general public as well.

As my good friend Mr. Schoelkopf points out, there is a very great danger in lowering the standards of education, a danger our country can ill afford.

Truly, we cannot beat an education out of a professor.

I endorse this column and include it in my remarks at this time:

EDUCATION WITH A GUN

You can't get an education with a gun.

Officials in charge of some United States educational institutions, from universities to public schools, seem to think that you can. They are wrong.

The job of formal education is to discipline, train and strengthen minds to deal with many complex realities. In public schools these realities include such things as the alphabet, words, numbers and writing. In universities they include such things as the laws of gravity and thermodynamics, the make-up of the atom, the atomic table, human anatomy, vectors and logarithms.

If a gunman walked into a medical school class and threatened to shoot the instructor and students unless he got turned into a doctor, "real fast," he no doubt would get results. But they would not include becoming a doctor.

If a grade school pupil cannot learn the alphabet, the teacher cannot solve his problem by eliminating all of the letters except A, B and C, and passing him when he gets these down pat. If he makes F in all other subjects, his problem cannot be solved by eliminating grades and passing him from one class to the next and on to graduation—an ignoramus, but one certified on a slip of paper as "educated."

Yet public schools in some large U.S. cities are doing just that, and the practice is being urged on others and on colleges and universities as well.

There is something poignant and pathetic in the assumption that the hours and years of hard work, concentration, self-discipline and submission to strong external discipline which go into the making of a physicist, an engineer, a physician, a lawyer, a chemist, or mathematician or a microbiologist can be compressed into pre-digested magic pills and eaten like candy. Or that they can be absorbed, like knowledge of the ways of the street or the pool hall, just by hanging around.

Yet militants who have burned, battered, bludgeoned and bombed their way onto the campuses, and college and university authorities who have surrendered to their demands, seem to share the assumption that "you can beat an education out of a professor" or "you can get an education with a gun."

Those schools that have contracted, under duress, to take "students" who are not prepared are going to have to do something to make good their promises.

The easy out, of course, would be to design "special courses" on "special subjects" done up in "special ways" and taught through "special techniques." These would be simplified, candy-coated mishmashes of pop culture and pseudo-scientific jive, well laced with the fashionable lingo of the hour and ornamented with impressive-sounding labels such as "Advanced Socio-economo-cultural Psychodynamics 102–B."

The professors from time to time can issue charts and reports and send articles to liberal educational journals telling what wonders they have wrought and how brilliant their charges really are, under all those layers of alleged incapacity.

As a final act in the charade, the universities can issue degrees. But such a process cannot be called education. There is a word for it. The word is fraud.

FUTURE FARMERS OF AMERICA NATIONAL LEADERSHIP CONFERENCE

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. HANSEN of Idaho. Mr. Speaker, during this week the Future Farmers of America will be holding the second National Leadership-Citizenship Conference for the year. It is entitled FFA—Emphasis Agriculture. Attending this conference will be 98 chapter presidents from 35 States. They are listed as follows:

Tommy Garner, Ash Flat, Ark.
Edmond W. Castle, Marvell, Ark.
Dale Ward, Palmdale, Calif.
Arthur Eastburg, Ripon, Calif.
David Judson, Woodburg, Conn.

Norris Melton, Newark, Del.
Robert F. See, Homestead, Fla.
Terrell Weeks, Norman Park, Ga.
Don Standley, Emmett, Idaho.
Harry F. Adams, Byron, Ill.
Dick Drury, Fulton, Ill.
Steve Neal, Michigantown, Ind.
Curt Kovener, Crothersville, Ind.
Larry Floyd, Fairmont, Ind.
Ron Allen, Monon, Ind.
Lee Gerkin, Orleans, Ind.
Bob Schembs, Remington, Ind.
Max Rodibaugh, Rensselaer, Ind.
Craig Eugene Sherbahw, South Whitley, Ind.
Michael Lovings, Spencer, Ind.
Larry Larkin, Marshall, Ind.
Russell R. Stalbaum, Wheatfield, Ind.
Darryl Miller, Wolcott, Ind.
Wayne Stickles, LeGrand, Calif.
Mike Remsburg, Lake City, Iowa.
Rocky Brown, La Porte City, Iowa.
Mark S. Patton, Manchester, Iowa.
Jon Banwart, Mediapolis, Iowa.
Dean Denner, New Hampton, Iowa.
Larry Dean Franzen, Stanton, Iowa.
Dennis Paul Lovick, Forest City, Iowa.
Dan Walther, Waverly, Iowa.
Mark Reding, West Bend, Iowa.
Mike Cleveland, Concordia, Kans.
Steve Lefever, Peabody, Kans.
John L. Hula, Blue Rapids, Kans.
Kevin Ernest Hall, Gaithersburg, Md.
Melvin R. Cripe, Cassopolis, Mich.
George Brossman, Cassopolis, Mich.
Paul Wernette, Remus, Mich.
Bill Herford, Pigeon, Mich.
Brad Rugg, Austin, Minn.
Jerald Ingvalson, Blooming Prairie, Minn.
Dennis Paul, Faribault, Minn.
Dennis W. Hovelson, Hawley, Minn.
Carter Blaine, Kasson, Minn.
Toby Klassen, Plainview, Minn.
Mark A. Carlson, Rush City, Minn.
Steve Vongtoven, Wiona, Minn.
Carroll Fairchild, Collins, Miss.
Mason Lee Lawson, Archie, Mo.
Bobby Collin, Fort Scott, Mo.
Mike Miller, Carrollton, Mo.
Russell C. Laboube, Hermann, Mo.
David Riekhof, Higginsville, Mo.
Winston Simpson, Shelbina, Mo.
John B. Ferguson, Kimball, Nebr.
Ted Griess, Sutton, Nebr.
Scott Pipkin, Clovis, N. Mex.
John Aldrich, Las Cruces, N. Mex.
Howard Jewell, Milford, N.Y.
Keith R. Maetzold, Devils Lake, N. Dak.
Leon Morgenstern, New Salem, N. Dak.
Tim Brown, Fredericktown, Ohio.
James Henline, Gibsonburg, Ohio.
Kenneth E. Steinbach, Gnadenhutten, Ohio.
Frank Conway, London, Ohio.
Dennis Buchele, Perrysburg, Ohio.
Daniel L. Tack, Perrysburg, Ohio.
Patrick Sullivan, London, Ohio.
Larry Arnold, Waterford, Ohio.
Jim Leedy, Albany, Oreg.
Randy Urbach, Culver, Oreg.
Kenneth A. Mollman, Madras, Oreg.
Dan Pitney, Sherwood, Oreg.
Dean R. Sherick, Millersville, Pa.
Lande Bilger, Mifflinburg, Pa.
John Fogell, Scituate, R.I.
Larry Arnold, Waterford, Ohio.
Lon Gates, Loysburg, Pa.
Donald Tefft, Wood River Junction, R.I.
Danny Sturgis, Rock Hill, S.C.
Larry Lee Tidwell, Dickson, Tenn.
James Stone, Azle, Tex.
Bruce Anderson, Denton, Tex.
Reid Anthony Schulze, Wells, Tex.
Edward L. Rhoades, Clearfield, Utah.
Bill Hogan, Tooele, Utah.
Steven Glabach, Brattleboro, Vt.
Douglas McCormick, Irasburg, Vt.
Kendall Severy Middleburg, Vt.
Wayne Richardson, Vergennes, Vt.
Daniel Clyde Barnette, Ripley, W. Va.
Kenneth Slaby, Whitehall, Wis.
Jim L. Briddle, Shoshoni, Wyo.
Wylie G. McGuire, Wheatland, Wyo.
Raymond A. Lockhard, Kingshill, St. Croix, V.I.
Edward Messner, Beaver, Okla.

Mr. Speaker, these outstanding young men are the product of FFA and vocational agriculture training.

Vocational agricultural education is a program of systematic instruction in agriculture at the high school level. Vocational agriculture programs are conducted in public schools or classes for persons whose occupational objectives require knowledge and skills in agricultural subjects. These programs are conducted under a plan of cooperation between local schools, State boards of vocational education and the Office of Education, U.S. Department of Health, Education, and Welfare.

FFA as an integral part of instruction in agriculture is a national organization of, by, and for students of vocational agriculture in our public secondary schools. It is an educational, nonprofit, nonpolitical youth organization of voluntary membership, designed to develop agricultural leadership, character, thrift, scholarship, cooperation, citizenship, and patriotism.

FFA serves vocational agriculture as an excellent teaching tool while developing an atmosphere of friendly, creative, aggressive competition.

The National Future Farmers of America organization was launched at Kansas City, Mo., in November 1928, and has grown to an active membership of over 450,000 in nearly 8,500 local high school chapters located in rural and urban areas throughout the 50 States and Puerto Rico. First incorporated under the laws of the State of Virginia, the FFA was granted a charter by act of Congress in 1950—Public Law 740, 81st Congress.

Through the years thousands of young men have gained valuable skills in parliamentary procedure, public speaking, the proper conduct of meetings and cooperation with their fellow students.

Future Farmers have developed programs of individual and community betterment such as recreational activities, educational tours, and farm and home safety campaigns. They have been known to organize local chambers of commerce where none existed and to organize and manage community fairs. Frequently, they have taken on such jobs as the landscaping and beautification of school and church grounds in their local communities.

FFA activities are designed to stimulate the members to do better work in vocational agriculture. The advancement through degree in the organization is based largely on achievement in agriculture. Awards offered through the FFA foundation stimulate increased effort by the student. Included among these are awards for outstanding achievement in crop farming, farm and home improvement, livestock farming, ornamental horticulture, poultry farming, agricultural mechanics, and soil and water management. A national chapter award program recognizes local chapters that have outstanding programs of activities. Awards are also provided for agriculture safety promotion by chapters and for public speaking.

As agriculture has changed and modernized through the years so has vocational agriculture instruction and FFA. Vocational argriculture students may now obtain specialized occupational training programs in agriculture production, agriculture supplies, agriculture mechanics, agriculture processing and distribution, national resources development, ornamental horticulture, and forestry.

Vocational agriculture and FFA, a predominately rural based program of 10 years ago, is now found in the high schools of many urban areas. Although the classroom instruction of the urban student may be somewhat different than that of the rural student, both still receive the leadership, character-building benefits of FFA.

It is a privilege for me to recognize the 98 chapter presidents that are here in our capital this week and to recognize the more than half a century of achievement by vocational agriculture and FFA that these young men represent.

Never before has there been a greater need for leaders from the ranks of American youth. Leaders who are creative, constructive, and compassionate, leaders who can bind our Nation together and help mobilize our boundless energies and resources to solve the problems we face.

Through vocational agriculture study and Future Farmers activities, young men learn the value of hard work and cooperation. They learn the true meaning of brotherhood and gain an understanding of the obligation that comes with the blessing of freedom.

Based on past performance and future promise, programs of vocational agriculture and the Future Farmers of America organization are deserving of all the support and encouragement we can give. I know of no better way to express our faith in the future.

HILL FOOD WORKERS

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. CLAY. Mr. Speaker, last week, I made my thoughts known on the plight of Hill cafeteria workers whose jobs were threatened should they persist in a walkout to demonstrate their concern for working conditions, wages, and so forth. William Raspberry addressed himself to this subject in his column Friday, July 4, which appeared in the Washington Post. Since he so clearly makes the case for those of us who have demonstrated our concern, I commend to the attention of my colleagues his observations:

PLIGHT OF HILL FOOD WORKERS REVEALS RECIPE FOR A REVOLT

(By William Raspberry)

If Congress wants to learn how to deal with the urban revolts that have swept the country for the past several summers, it has a unique opportunity right on Capitol Hill.

The Congressional cafeteria and restaurant workers—all of them poor, many of them angry and most of them black—are escalating their pleas for fair play to demands for justice.

The initial reaction on the Hill, just as it has been in cities across the land, has been to avoid coming to grips with the justice of the demands and to concentrate on chastising those who are making the demands, charging them with illegal methods, too much impatience, falling prey to outside agitators, that sort of thing.

So far there hasn't been much of a revolt. There was a brief walkout earlier this week, but the participants were careful not to call it a walkout, since such action is illegal under the Federal rules.

But a major revolt may be brewing. If it comes, it will be due largely to official disregard for a long-term problem.

The cafeteria and restaurant workers have long been underpaid. Most start at $1.89 an hour, which isn't much if you have a family to support. But worse, there is no pay at all during Congressional recesses. The workers are simply laid off to use up their leave if they have it, to find temporary work elsewhere if they're lucky or to draw unemployment compensation if they qualify for it.

Last October, they got three days' notice that they would be out of work until Jan. 3 when Congress reconvened.

Earlier last year, a number of the workers had their hours reduced in an economy move.

This year, when other Wage Board employes received a pay increase, the restaurant and cafeteria workers were bypassed. They later got an increase that was smaller than the Government-wide raise.

In recent months, due in part to their growing frustration and in part to the help of some sympathetic outsiders, they organized the Capitol Hill Employes Association. This was to give them the unity they felt they needed to enforce their demands for fair treatment. (Officials apparently have been playing the House employes against the Senate employes and white against black.)

One of the organizers was Wendell Quinn, a cafeteria supervisor. On June 6, shortly after the organization effort began, Quinn got a letter from Joseph Diamond, manager of the Senate restaurants, alleging a "striking deterioration" in his work performance after doing "a good job in this capacity for more than a year."

Quinn was warned to shape up at pain of being replaced. A few days ago he was fired. It was this firing that led to the brief walkout.

The workers insist that the firing was an attempt to squelch the incipient "militancy" of the food service workers. And they swear now that it will have the opposite effect.

Predictably enough, the failure of those responsible to react to earlier limited requests for better working conditions has led to escalation of both the demands and the insistence that they be honored.

Unattended grievances, that is to say, have led to precisely the kind of frustration that has wrecked our cities. Suppress the aggrieved, the philosophy seems to be, and never mind the justice of the grievances.

The bright spot in the Capitol Hill situation is that a few dozen members of both houses have involved themselves on behalf of the restaurant and cafeteria workers.

Personally and through their staff assistants—and through the leadership of the chief "outside agitator" Albert Corbin of the Southern Christian Leadership Conference—they may succeed in averting the crisis that is building on the Hill, not by finding ways to get tough but by finding the will to be fair.

THOUGHTS ON THE FOURTH OF JULY

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. SCOTT. Mr. Speaker, the Fairfax County Journal Standard, a weekly newspaper serving my congressional district had a July 4 editorial which I think would interest our Members.

The editorial recalls a column written by a former reporter, Sam Werner, now deceased, which won him a journalistic award and ventured to predict that even with the troubles facing our Nation, Uncle Sam would be around for a long time. The suggestion is made that anyone who has a legitimate grievance in our country can use weapons of logic, reason, and persuasion in a democratic manner on election day to bring about any desirable reform and urged that this method be utilized by citizens with grievances rather than violent means.

It is a good article and I think you will enjoy the comparison of our ship of state to a raft which will not sink but one in which your feet are always wet. This article is set forth in full below:

THOUGHTS ON THE FOURTH OF JULY

In a time when draft-age American tourists are visiting Canada and Sweden on one-way tickets, it is perhaps more appropriate than usual to devote a few moments of quiet contemplation to the meaning of July 4.

The late Journal columnist Sam Werner always insisted steadfastly that "the revolution" of the late 1960's could be beneficial only by taking seriously the heritage of the founding fathers—Jefferson, Adams, Franklin and the rest.

He believed that community action, and community responsibility were desirable things, expressed in the ways in which our democracy provides.

The column which won for Sam the coveted award as the finest in the Old Dominion was a column on the doorbell ringers of politics, the people who brave the dog bites and wear out the shoe leather in the interest of what they believe is better government.

That column makes a point well worth making in this Independence Day period.

Those who would destroy our system, who would achieve their ends by riot, by violence, by seizure, or by any other sort of force must be dealt with by another part of the system—the one which grants to our national, state and local governments certain police powers.

But anyone who seeks to use the weapons of logic, reason, persuasion, and election will find the way open in the American system.

Today in Alexandria, the Democratic party is engaged in a fierce competition for control of the local party machinery. Any voter who wishes to do so can enter the polls on July 15 and express his opinion. Until just a few weeks ago, any Democrat who wished to do so could file for a seat on that committee and test his ideas and his energy against that of other Democrats among his neighbors.

The political road, to influence and power, is open in Alexandria and in America. This is what neighborhood action and participatory democracy are all about. It is the responsibility of government to give all its citizens the opportunity to express themselves through the political system. Its responsibility stops there.

Democracy is a do-it-yourself system. Local Democrats and local Republicans welcome workers, and candidates. And the law makes it easy for independents, too, to test their mettle.

Nobody we know of ever has argued that a democracy or a republic can move faster to right a wrong than a dictatorship. But it is also much slower to create a wrong.

To those who are concerned about today's America, let us recall a harried governor of Massachusetts, who compared monarchy with a fine ship. He pointed out that it sailed beautifully until it hit a rock, whereupon it sank.

By contrast, he said, democracy is like a raft. "It will not sink, but damn it, your feet are always wet."

Our democracy on this July 4 may be a little damp around the ankles.

But it is still unsinkable.

FAIR WARNING

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. O'HARA. Mr. Speaker, Ralph A. MacMullan is the widely respected director of the Michigan Department of Natural Resources and a distinguished conservationist.

Over the years, he has spoken out about the potential dangers of hard pesticides, such as DDT, to wildlife. I note that the State Department of Agriculture recently prohibited the sale of DDT within the State of Michigan.

In the newest edition of Michigan Natural Resources, the magazine of the Department of Natural Resources, Mr. MacMullan has written an article about the threat to man and wildlife posed by the continued use of hard pesticides.

He writes:

> Our environment is trying to tell us something. We are beginning to listen.

Speaking of these dangerous pesticides, Mr. MacMullan says:

> There is in my judgment no longer any doubt about the effect that these chemicals have on many species of wildlife. Those effects include death, reproductive impairment, disruption of species balance, and behavioral alteration, all of which have been reported, study by study, in a recent special scientific summary published by the U.S. Fish and Wildlife Service.

This article "Fair Warning," is a most penetrating examination of the pesticide threat, and I recommend it to my colleagues:

FAIR WARNING: EVIDENCE OF TROUBLE FROM HARD PESTICIDES CONTINUES TO MOUNT

(By Ralph A. MacMullan)

Our environment is trying to tell us something.

It is giving us Fair Warning of trouble here and trouble ahead from continued use of hard pesticides.

We witness unusual losses of fish in our hatcheries.

We see bird eggs that fail to hatch.

We wonder what has happened to entire species of fish, such as several types of chubs, that are no longer found in Lake Michigan.

We are disturbed by federal seizure of salmon taken from Lake Michigan, and we

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applaud a recent state Agriculture Department order against DDT in Michigan. Governor William G. Milliken points up the dangers we face by calling a conference of governors of western Great Lakes states. Senator Philip Hart of Michigan opens federal hearings into environmental troubles. The Food and Drug Administration sets an interim standard for DDT levels in fish, and the future of the Great Lakes commercial fishing industry is thrown into danger and doubt. Our sport fishermen wonder how edible their fish may be, considering the new federal standards. We read a disquieting report of human stomach and liver ailments in Soviet workers occupationally exposed to DDT. The federal Department of Agriculture bans use of the hard pesticide Lindane in home and restaurant vaporizers because of a "serious threat to human health."

Our environment is trying to tell us something, we are beginning to listen, and hopefully the silent warnings are not coming too late.

And yet, the use of these hard pesticides will continue for more months and years than I like to count. The use will continue, despite the advice of our senses, because social controls and legal procedures at our disposal move and change slowly. The state Agriculture Department order against DDT, for example, is being challenged by the National Agricultural Chemical Association. Public hearings will be held and the state Agriculture Commission will then decide whether to keep the order in force, or to lift it. If it stays in effect, the chemical companies then have the right to appeal their case through the courts, a procedure destined to keep DDT on the shelves of Michigan retail stores for years to come. In the meantime, nothing has been done to restrict the use of Aldrin, Dieldrin, Endrin, Chlordane, Heptachlor, Toxaphene, and—except for the limited use in vaporizers—of Lindane. All of these are at least equally as pernicious as DDT, if less commonly used. If DDT is in fact eventually outlawed in Michigan by court decision, we will still be left with the question of these other hard pesticides. They are all long-lasting and they are all destructive of certain types of wildlife. They are all part of the group of chemicals known as the persistent chlorinated hydrocarbons.

As noted in an earlier issues of this magazine, I have been encouraged by actions during the past year and a half aimed at control of these chemicals in our nation. It must fairly be said that progress has been made, but the main thrust of that progress has been to create greater public understanding. People are more aware, and are becoming alarmed at some of the excesses caused by these chemicals. Unfortunately, while this growth of understanding has been taking place, the heavy use of hard pesticides continues. A Department of Agriculture report recently summarized production of these chemicals in the U.S. during the period 1948–1966. By "production" is meant the amount of these chemicals that U.S. companies manufactured and introduced into the world environment. Part of that production was used in the U.S., and part in foreign nations, while an unknown portion remains as yet unused in warehouses or on shelves. The summary shows that U.S. chemical companies began to produce DDT in volume in the late 1940's. In 1948–49, the first year shown in the summary, about 38,000,000 pounds of DDT were produced. During the five-year period of 1951–56, production of DDT climbed to an annual average of 110,000,000 pounds. In the 1956–61 period, the annual average production of DDT was 152,000,000 pounds. From 1961–66, the annual average production of DDT was about 150,000,000 pounds per year, but in 1966, it dropped to 125,000,000 pounds, and in 1967 to 103,000,000 pounds, so that a downward trend now appears to be setting in.

The Agriculture Department also summarized statistics of production of certain other major hard pesticides, here referred to collectively, for convenience, as the "Aldrin group." I include Aldrin, Dieldrin, Endrin, Chlordane, Heptachlor, and Toxaphene in this group. Production of these chemicals in the U.S. got underway on a large scale in 1951–52, when a total of 49,000,000 pounds was manufactured. But that was just the beginning, and during the five-year period of 1951–56, these companies increased production so that for the period as a whole 57,000,000 pounds per year were produced. In the next five-year period, 1956–61, the average jumped to 91,000,000 pounds, and in the 1961–66 period, that average again increased, this time to 113,000,000 pounds annually. That annual average is believed to be still climbing.

Thus, although domestic production of DDT appears to be dropping, production of these new and equally harmful chemicals has continued to rise. In other words, the total quantity of persistent chemicals being produced continued to increase during the 1948–1966 period. Only in the last two years has a downward trend apparently been established. All told, during the last 20-years, a total of more than 2,000,000 *tons* of DDT and chemicals in the Aldrin group was manufactured and distributed by U.S. firms.

DDT is neither difficult nor expensive to produce. The base material is a byproduct of the petroleum industry. It is manufactured by five chemical companies in the U.S. and an unknown number in other nations. Its retail price on the shelf, as any gardener knows, is still quite steep. Its abundance, ease of manufacture, and high monetary return go a long way toward explaining how hard the chemical companies will fight for the right to keep on making and selling this poisonous compound.

Chemicals in the Aldrin group are somewhat more expensive to produce so their shelf price is also correspondingly higher. At least one or more of these chemicals is produced by most companies that manufacture DDT. As chemicals, they are closely related to DDT, but are generally more toxic.

There is in my judgment no longer any doubt about the effect that these chemicals have on many species of wildlife. Those effects include death, reproductive impairment, disruption of species balance, and behavioral alteration, all of which have been reported, study by study, in a recent special scientific summary published by the U.S. Fish and Wildlife Service.

The question of human health in relation to these chemicals is, however, far from settled. Here we must rely on federal, state, and international medical research, on restrictions of the Food and Drug Administration, and on our own abilities as individuals to read, interpret, and evaluate what is happening. From what we have seen in this Department at this date, the great bulk of evidence is inconclusive. However, the history of these chemicals in our environment and the nature and purpose of the compounds themselves cannot help but make us cautious in our long-range appraisal. The fact that a very sizable amount of pathology research on these chemicals is continuing is evidence in itself that the medical profession is far from convinced of their safety. Such chemicals are, after all, forms of poison, and when individual humans accidentally or voluntarily have consumed small amounts of DDT they have suffered nausea, headache, and perspiration. A 100-pound woman who consumes about a sixth of an ounce of the stuff could expect such a reaction; a 200-pound man would need to consume twice that amount to have the same reaction. Of course, individuals vary greatly in their reactions, but these amounts appear to be average.

When volunteer male prisoners allowed amounts of DDT to be gradually increased in their diets, they were able to take a minute amount each day for up to 21 months without showing signs of harmful effect. In terms of weight, it was about 1/1000 of an ounce. That amount, however, is so small as to simulate a rather light salting of the food. Also, men exposed to DDT by occupation for a period of years have shown no ill effects in the U.S. But 70 workers exposed to DDT for 10 years or longer in a Soviet study did show stomach and liver ailments. This was reported recently in the publication "Occupational Safety and Health Abstracts."

A recent analysis by the Michigan Department of Public Health, summarizing the findings of several studies, is at the same time both hopeful and cautious. Among other conclusions, it says: "The weight of evidence available to us at the present time indicates that no significant health hazard exists from the levels of pesticides found in fish taken in the Great Lakes area." The analysis, issued in April, doubted any relationship between DDT and cancer, stating "At the present time, there is no reason to suspect DDT of being a carcinogen." This evaluation was based on a summary of studies published to that date. The National Cancer Institute, however, has now released a study which questions those earlier studies. That agency is a branch of the National Institute of Health in the U.S. Department of Health, Education and Welfare. Its study, published in the Congressional Record of May 1, 1969, was an "Interim Report" of findings of a five-year research program which links DDT to a "significantly elevated incidence of tumors" in mice. "The tumors seen in this study were principally those of the liver, lung, and lymphoid organs," the report notes. A total of 130 agricultural and industrial chemicals was studied and of these, DDT and 10 others were found to increase tumors in mice. The report cautions: "At the present time, there is no way to predict whether man may be more or less susceptible than the mouse to the induction of tumors by the compounds reported here. It should be stressed that the dose received by the mice was far in excess of that likely to be consumed by humans."

"A group of experts," the report continues, "will therefore be constituted in the near future to review all pertinent information and make recommendations on whether any of the compounds should be labelled as carcinogenic."

The State Department of Public Health study also noted that when fairly heavy doses of DDT were included in the diets of rats, a form of liver malfunction occurred, but in a similar study, monkeys showed no ill effects: "In experiments in which monkeys were fed DDT at a level of 200 parts per million in their total diet for periods of up to seven and one-half years, no other changes were seen. There were also no clinical signs of illness."

However, the State Department of Public Health report—like the National Cancer Institute report—contains statements that attest to the unknowns medical researchers still face. Some examples at random from the State report: "The significance of these changes is not entirely clear." . . . "The relationship of these analogues to possible cellular or microsomal changes cannot be assessed at this time." . . . "It has been demonstrated that DDT can cause adaptation of enzyme systems although the general biological significance of these are not clear as yet." . . . "It is not clear whether this has any relevance in terms of the dose of DDT in the diets of humans nor whether this has any physiological significance for humans."

It is not enough, therefore, to say that these chemicals either do or do not cause problems for human health. They have been active in our environment for only twenty

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years, and in a heavy way for only the last 10 to 15 years. This is far less than one human generation, and conceivably several full generations might be required before essential uncertainties of human health surrounding these chemicals can be resolved.

So the fair warning from our environment may have arrived soon enough, for humans at least. We can still make changes and hopefully forestall most of the actual, possible and imaginable problems that I for one feel now confront us from the use of these chemicals. Alarm at the unbridled use of these chemicals in this nation and around the world has increased in recent years. Arizona has now banned all use of DDT in agriculture. Sweden has declared a two-year moratorium on all use of DDT and several members of the Aldrin group. A continuing court fight in Wisconsin may see DDT virtually banned from use in that state before the end of this year. A bill to prohibit the manufacture or sale of DDT throughout the nation is now in Congress. Similar bills have been introduced into the legislatures of at least six states.

Ultimately, of course, legal prohibitions against the manufacture, sale, and use of these few specific hard chemicals will be the only real solution. but that solution may be years in coming, and in the meantime, our wildlife, our water, and our total environment continues to suffer under the growing load of these dangerous compounds.

Now, however, individual citizens are helping by their complaints, by their refusal to buy hard pesticides, and by their support of the state Agriculture Department ban against DDT. They, and we, believe it is not too late to overcome the problem. We have a long way to go, but we have made a start. We are heeding the Fair Warning.

LOUIS SACHS—COMMUNITY LEADER

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. GIAIMO. Mr. Speaker, it gives me great pleasure to note that Louis Sachs of New Haven, a dear friend and distinguished community leader, has received the Shem Tov—Good Name—Award at the 87th annual meeting of B'nai Jacob Congregation in Woodbridge, Conn. In my opinion, he is richly deserving of this high honor.

A 1914 graduate of Yale Law School, Mr. Sachs has had a long and outstanding career as an attorney. More outstanding, however, has been his dedicated service to New Haven and to the Connecticut Jewish community for nearly half a century. Among the many boards and organizations he has served on are the Mayor's Committee To Reorganize the Schools of New Haven, the board of directors of Yale-New Haven Hospital, New Haven Citizens Action Committee, and the New Haven Chapter of the Yale School Alumni Association, of which he was president. From 1939 to 1958, he was workmen's compensation commissioner for the Third Congressional District.

Mr. Sachs' activities in behalf of the Jewish community are equally notable. He has been chairman of seven Karen Hayesod—Founding Fund for Israel—campaigns, the Zionist Emergency Council for 17 years, and the Jewish Welfare Fund, of which he was a founder, for 4 years. He also served as president of New Haven's Bureau of Jewish Education for several terms and as vice president of B'nai Jacob Congregation.

Louis Sachs, a dedicated citizen and a wonderful person, is most worthy of this tribute. As a close personal friend and a long-time associate in the practice of law, I am extremely pleased that he has been recognized for his accomplishments in a career of honorable service to his religion, community, and Nation.

A RESPONSIBILITY OF BIGNESS

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. STEIGER of Arizona. Mr. Speaker, Mr. Joseph F. Martori of Martori Bros. Growers & Shippers was kind enough to send me a copy of a letter he recently wrote to Mr. Frank W. Castiglione, executive vice president of Western Growers Association. He details the adverse economic power of certain large institutions—and the unfortunate, wielding of this power. It is my hope that corrective action will be taken soon, as this will benefit the Nation.

The letter follows:

JUNE 28, 1969.

Mr. FRANK W. CASTIGLIONE,
Executive Vice President, Western Growers Association, Los Angeles, Calif.

DEAR FRANK: I am writing this letter to bring to your attention the severe situation we are getting into in the produce business. Primarily I wish to draw your attention to the so called grape "boycott". As you know Mr. Cesar E. Chavez of the UFWOC has been unsuccessfully trying to get the grape workers to join his union for the past five years. If the workers were interested in joining Mr. Chavez's they would have done so long ago. However, it is very evident the average field worker does not want a union. These workers have been harassed and intimidated both in the field and at their homes. How can a union be sincere in claiming they want to help these people when they use these methods. Now Mr. Chavez has taken the turn to try and force the shipper to sign a contract that would force the employees to join the union. This has also been unsuccessful. However, the UFWOC has been successful in getting backing by the liberal press and the clergy. This support has been attained by using propaganda and now the same "slanted" information is being passed on to the public.

It has now reached the stage where the large chain stores are refusing to display or advertise grapes. In fact, representatives of six of the large chain stores met at the Statler Hotel in New York City this week. The reports coming out of that meeting indicate they voted to continue not to handle grapes in their stores. The situation can really bring our industry to it's knees. If the chain stores can destroy the grape industry by not buying or displaying same, then tomorrow it could be lettuce or potatoes. I believe this "laying out of the market" by the chain stores should be brought to the attention of the government. No organization or business should have this much power in the United States. If the chains, who supply 75% of the food consumed in this country, decide to boycott a certain item or commodity it will be disastrous to the growers. The growers of the present grape crop are going to suffer severe losses. These losses are not because of lack of labor, but because of the refusal of the chain stores to buy grapes.

I would like to hear from you promptly as to what information you have on this situation and what our organization can do about it. Something must be done to stop this in the future. I am forwarding a copy of this letter to my Senators and Congressmen. I will forward a copy of your answer to them also so that they may have all the information and be aware of how serious a situation our industry is facing. I can't stress too strongly that some corrective action must be taken immediately to protect our growers and our industry.

Very truly yours,
MARTORI BROS. DISTRIBUTORS,
By JOSEPH P. MARTORI.

"IDEA MEN" UNWORRIED

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. MICHEL. Mr. Speaker, the issue of East-West trade is of great interest to the Congress as well as the Nation at large and we have all heard the arguments on both sides of the issue. In that regard, I noticed an article by Mr. Dumitru Danielopol of the Copley News Service in the May 2, 1969, issue of the Illinois State Register in Springfield, Ill. The article makes a significant reference to an analysis of the situation by my good friend and colleague, the Honorable ED DERWINSKI. In his customary and straightforward fashion, Congressman DERWINSKI reports his view of the issue after returning recently from a tour of Eastern Europe. I include the article in the RECORD at this point:

"IDEA MEN" UNWORRIED

(By Dumitru Danielopol)

WASHINGTON.—During World War I, Will Rogers, the American humorist, offered a "solution" for German submarine warfare that was sinking thousands of allied ships.

All one had to do, he said, was to pump the water out of the ocean.

What would happen to all that water, where would it go? he was asked.

"I don't bother with details," he laughed, "I'm only the 'idea man'."

The story often comes to mind when I hear the easy solutions for difficult problems put out by "idea men" in Congress and on the grey periphery of government.

A case in point is Prof. Zbigniev Brzerzinski, the Columbia professor, a former member of the Policy Planning Division of the State Department who advocated unilateral cease fire in Vietnam in the hope that the Viet Cong will follow suit.

What if they don't?

Judging from past experience with bombing halts, the enemy would increase rather than decrease his attacks.

What would the GIs do then?

The professor doesn't volunteer any solutions to such problems. After all he is only an "idea man."

A second case in point is former White House adviser Theodore Sorensen who wants increased East-West trade. This will strengthen the hand of the liberal forces in Czechoslovakia, he says.

Testifying before the Senate Banking and Currency Committee recently, Sorensen said

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the United States cannot intervene militarily or diplomatically in the Czech struggle—but should not cling to restrictive trade policies which help conservatives, Soviet-oriented forces there.

Trade restrictions with Eastern Europe are costing the U.S. economy hundreds of millions, perhaps billions of trade dollars each year, Sorensen said.

A similar theme is sounded by Rep. Paul Findley, R-Ill., who imagines that an end to trade restrictions will "make Soviet behavior more reasonable."

Neither Sorensen nor Findley explain how we can increase East-West trade with countries that have no hard cash and very few products that appeal to our economy.

Do we put it on the cuff or buy shoddy merchandise? Do we ignore the fact the the Eastern European satellites are already heavily in debt to Western Europe, Japan and other free countries?

Do we ignore the fact the Communist countries are trying to increase food exports at a time when strict rationing exists for their own people and food is in short supply?

Or shouldn't we embarrass "idea men" with such details?

I prefer the pragmatic realism of men like Rep. Ed Derwinski, R-Ill., who don't blink when they look at Eastern Europe. Just back from Vienna, Budapest and Prague, Derwinski says:

"East-West trade is a fiction. The Communists are looking for outright aid at the U.S. taxpayers' expense."

INFLATION

HON. LOWELL P. WEICKER, JR.

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. WEICKER. Mr. Speaker. The economic political duties shouldered by this House during the past weeks clearly have demonstrated the complexities of our U.S. economy. Resolving these complexities is going to require innovative excellence.

It is with this in mind that I am enclosing a letter written to me by Mr. Richard S. White, president of Automation Engineering Laboratory, Inc., whose reasoning, I believe, holds a good deal more promise than the old clichés and old remedies that even now are being used and reused to attack new problems:

AUTOMATION ENGINEERING LABORATORY, INC.,
WILTON, CONN., *June 23, 1969.*

Congressman LOWELL P. WEICKER, Jr.,
House of Representatives,
Washington, D.C.

DEAR LOWELL: You must be well settled into the responsibilities and life of being a United States Congressman and I hope you are finding it most interesting and enjoyable. As you may know, our affairs at AEL seem to be moving along constructively. I look forward to the opportunity to see you in person sometime.

I am writing to you at this time to discuss with you a matter concerning one of our National Policies, which appears to be most confused and in error. Namely, I speak of our false attempts at understanding and dealing with the subject of Inflation. In my opinion, we are following an entirely fallacious course and one which can do great harm and simultaneously fail to accomplish the intended constructive results. I would like to briefly put down a few points and then a few suggestions for your consideration. I do this, believing that as the Representative for our area, that if you concur, you are in a position to bring these observations to the attention of the many people who are involved in a reconsideration of what may be a rather disastrous National Policy. Also, I particularly would hope that you would consider initiating such actions as you might consider appropriate.

1. In order to decide what policies we should have concerning inflation, we need to look clearly at the causes of inflation and we need to do this without pretense that these causes are going to disappear or change. Certainly, the most significant factor affecting inflation is our willingness to have continual substantial wage increases. It is not my purpose in this letter to evaluate whether these wage increases are constructive or not, but I do believe that we must recognize their continuity and that from both a political and economic viewpoint, the probability is 99% that they will continue over the years ahead. (It was recently reported to me that carpenters in a nearby State obtained an agreed wage of $9.35 per hour. It is really playing a ludicrous game with our American economy to be tightening the credit of commerce, and at the same time *preventing* a productivity offset to such labor rates—about which I shall make specific suggestions.)

2. The second major factor concerning inflation, is that we have substantial demand from individuals who are enjoying a high standard of living. In my opinion the *continuity* of this demand is inadequately understood—which is why the monetary and fiscal attempts of the past few years to stop this demand are a virtual failure. Basically, we should be very grateful for this demand, but we must clearly understand that the *United States has inadequate productivity* at this time *to meet the demand* present within our country.

3. Two additional factors which further go to increase prices are, of course, taxes on the one hand, and more recently, the continual increase of interest costs.

There is substantial confusion in the theory that says demand will be slowed down by increasing taxes (which is supposed to reduce effective purchasing power—but which in fact adds to costs, and thus adds to inflation) and by increasing interests costs (which is supposed to reduce effective purchasing power—but which in fact adds to costs, and thus adds to inflation). The same people who advocate these steps don't seem to give much attention to the correlative effect of these increased costs which compare with continued wage increases, so far as the cost of goods and services are concerned.

The fact is that none of these three purchasing power retardants (higher wages, interest, or taxes) are very effective within a tolerable and reasonable degree of restraint on our people. The costs which are encountered in commerce are ultimately passed on to the buyers—this is an ipso facto, irrevocable truth—or the enterprises providing the goods and services would go into bankruptcy. The further fact is that we have a sufficiently dynamic and underlyingly strong economy (including widespread comfortable income levels, plus substantial individual savings) so that costs are passed on and the higher costs thus experienced by the consumers, who are also wage earners, create further impetus for additional wage hikes.

4. It is, of course, probably true that at some level, taxes and/or interest costs can cause a major economic disorientation which can be just as difficult to manage and prevent from getting out of hand as has been our dubious attempts to stop prosperity.

5. Lowell, in my opinion, it is totally rediculous to think that we can, "fine-tune" 200 million people to adjust the amount of buying that the economists would have them do. The theories that we are pursuing are drawn out of the past when people had very little reserves to fall back on, and when people did not have their present dynamic position for bargaining for their relative well-being.

6. There simply is *only one way to deal* with the *causes of inflation constructively.* And that is to put our energies to work imaginatively to *fullfill the demand of a healthy, strong society.*

Inflation results from demand exceeding supply. We *can* and *must* increase supply. That is, we must *increase* the *productivity* of *all of our people* to *produce the goods and services which we are all demanding. This should be our national policy.* This is technologically entirely possible. What we need is a national high productivity policy.

7. One of our major problems as a nation is that the policies we are presently pursuing work diametrically against our best interests with regard to increasing productivity.

8. In order to decide how best to meet our total national demands, it is helpful to recognize the following factors concerning these demands. They result of course from:

(a) Individuals.
(b) The Government.
(c) Industry.

Industry's demand, however, is of course a reflection of the demand of (a) Individuals and (b) the Government. Even the Government's demand is essentially a reflection of the demand of (a), Individuals, as they express their demand by political decision.

9. What we are trying to do via the tax and monetary routes is to tell our people to reduce their demand—that of course is a most *negative* policy. What all of the American people would like to see their leaders do, is rather to indicate how we can fulfill their demands. The demands are not going to decrease either politically or economically, nor in the person of the "individual"—be he consumer—voter—or wage earner. The only constructive way, to meet the demand that exists in our market places, is a *national policy to increase productivity*—the only policy which is fundamentally sound if we are to continue to be successful at home and in the international economy.

10. High taxes and high interest rates only go to slow down and discourage increases of productivity. The negative effect on productivity is by far more pronounced than the effect on consumer demand (and thus inflation is further fed)—and the reason is quite simple—the increase of productivity involves risk. Every business manager increasing his productivity has to gamble against the future, and the more unattractive we make that gamble, the less he can justify increases of productivity, which increases in turn are the absolute and only answer to the desires and needs of the American public.

Hence, the policies we have now been following these past few years are totally against the best interests of our people, as well as presenting a miserable failure in effectiveness.

11. We should have the courage to recognize the strengths of buying power that are fundamental to our economy—and to be grateful for them—and to reverse our policies regarding high interest rates and tight money supply. We should revert to a substantially growing supply of low cost money, first of all. This is the only policy that will enable the fundamental growth of productivity that is a must. Subsequently, we could gradually reduce the tax rate (which gradually will also increase the total amount of taxes received by the government, as our economy continues to grow). When these steps have been established and communicated as part of a new national high productivity policy, the Entrepreneurs in our country will quickly solve the problems of supply and demand

which cannot be legislated by false and hazardous economic policies.

Lowell. I have written this letter quite directly and specifically because I have a high respect for you. I think you are far too interested in sound performance to be wed to the cliches of the past and the false policies of the past. You must have a great many matters to stay abreast of, and thus I hope the points above will be of value of crystallizing your own thoughts on this most fundamental subject concerning the economic well-being and strength of our country.

After you have read this letter, I would very much appreciate the opportunity to discuss these matters in person. I am in a more than usual position to help you perceive the detailed structure of sound, new policies, and you are more than usually well-qualified to espouse important new policies. Lowell, I will look forward to hearing from you.

With very best wishes and highest regards,
Sincerely,
DICLE.

THE CONCORDE CONCEPT

HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. KUYKENDALL. Mr. Speaker, it is my pleasure to submit to you this report, based on my observations, interviews and behind-the-scenes talks with aviation and economic experts, on the general picture of supersonic aviation in Europe, and how it affects this Nation's efforts in the SST area.

The information I received during my 3-day visit to the International Air Show at Paris, France, only serves to strengthen my opinion that the United States can, and must compete in this vast new concept now aborning. It is not a question of whether we are going to have SST's flying all over the world in a few short years, it is now only a question of where the world's airline companies are going to buy them.

Perhaps selfishly, I want them to buy them from us, and I want us to have something to sell them. We are talking about a billion-dollar market, and we cannot afford to sit on our subsonic laurels and let these dollars fly past us at 1,500 miles an hour.

The specific purpose of my visit to France last month was to make a thorough study of the overall status of the Anglo-French Concorde. This study fell into three broad general areas: economic, production, and FAA certification.

ECONOMIC

The economic aspects of the Concorde and the area of discussion around them produced the most surprising set of facts during the entire investigation. Candidly, I never dreamed the commitment of the French and British Governments could be as great as it is.

Each nation has in excess of 30,000 people employed in the program, which in itself is proof of the vast commitment. Financing for the prototype and the test models has already been accomplished, and definite plans have been made for private financing—with Government guarantees—of the preproduction models.

It was a surprise to most Americans at the Paris Air Show to learn that there are nine aircraft in the Concorde program at this time. These are the prototype aircraft, 001 and 002; the test aircraft, 01 and 02; the preproduction aircraft, 1, 2, and 3; and two additional aircraft for static tests, such as metal fatigue.

We certainly must conclude, from these facts and from the physical existence of nine airplanes, that the commitment of both France and England to the SST program is complete.

PRODUCTION

The two prototype aircraft are now in the air. They flew in loose formation to the Paris Air Show.

Neither of these aircraft have flown at supersonic speeds, and they are not intended to do so with their present engines. Both aircraft are carrying extremely heavy loads at present, loaded from cockpit to tail assembly with recording instruments of every possible variety, leaving room for only a narrow aisle in the center of the airplane. These loads of "black boxes" are much heavier than the passenger load of the aircraft would be.

About 20 takeoffs and landings have been made by the 001 thus far. The committal speed, known at the over-the-fence speed, has been between 165 and 170 knots. Concorde officials are convinced they can handle this aircraft very nicely at 160 knots, and it has flown at altitude at speeds as low as 143 knots.

The aircraft has a rather extreme nose-up attitude on both takeoff and landing, which has made it desirable to increase the length of the landing gear slightly in order to lessen the risk of "tail touching" during takeoff or landing.

Eight new engines, much enlarged versions of the original engine, will be placed in the two prototype aircraft about September 1, and then testing will begin at speeds up to mach 2, or twice the speed of sound, about 1,300 miles an hour. The eight new engines are now undergoing static tests which already leave no doubt of the Concorde's capability to achieve mach 2.

The unknown factor in Concorde testing is fuel consumption. Determinations must yet be made as to fuel consumption under maximum load conditions at subsonic and supersonic speeds. This is one of the two critical areas remaining to be determined before the Concorde can be judged a success.

Carrying a maximum passenger load from Paris to New York is the prime criteria to success, and this situation as it now appears is marginal, at best. I gathered that this is the foremost problem on the minds of European engineers.

I am grateful for most of the above to Mr. Louis Guista, the director general of engineering for SUD Aviation in France. He was most impressive, and I was able to talk to him almost all of one afternoon through our State Department interpreters. Also involved in this discussion were Ray Molloy, the Federal Aviation Agency's director for Europe and Africa, and several members of his staff.

FAA CERTIFICATION

I anticipate no problem from the FAA in certifying the Concorde in the areas of safety, its flight performance at subsonic levels of speed, landing speeds or impact on the runway.

But the previously mentioned range problem pertaining to fuel consumption and fuel reserve must be considered from a safety standpoint, as well as an economic factor, since the FAA determines the amount of fuel reserve that must remain in the tanks following an overseas flight.

The most critical problem relating to the FAA certification, in my opinion, is noise. Here I am speaking primarily of airport noise during the warmup, taxiing, and takeoff. I watched and heard this performance, and there is no way to describe it except as being a most distressing assault on the eardrums. I am perfectly aware, of course, that testing of a prototype requires a checklist many times more complex than that used for a normal takeoff in commercial use. I also realize that when I witnessed the takeoff of the Concorde I was more or less behind the aircraft, making the noise factor even worse.

But I must conclude that the noise performance I witnessed in Paris would never be satisfactory for the United States use.

The hoped-for solution to the airport noise problem may come with the Concorde's newer engines. The powerplants now on the airframe are operating at very nearly their outer limits, and this, of course, always means additional noise. The engines being installed in the two aircraft in September will be a great deal more powerful than those now in use, and therefore will have to labor less to lift the aircraft, thus producing less noise. I consider this essential before the aircraft can even be considered in the United States.

In this same reference, it is interesting to note that the performance of the Boeing 747 in Paris was so quiet that the Europeans found it difficult to believe there was even enough power to make the aircraft fly. I believe if our engineering people can conquer noise to the extent they have done on the 747, the Rolls Royce people can certainly do the same for the Concorde.

CONCLUSIONS

The commercial aviation people with whom I visited during the trip believe the Concorde will move ahead to success, and will be purchased in some quantity by the airlines. It is for this reason that I consider it essential at the present time that our country move ahead with its plans for the American version of the SST.

During my visit with the General Electric engineers in Cincinnati last November, I learned that our SST engine is complete, for all practical purposes. It may be that the engine development is many months ahead of the airframe because the necessary time and study to conquer the noise problem is available to our people at GE, and I think it will be well used.

I saw no evidence of what the Europeans plan to do with the next version of the Concorde, or the "second generation" plans. I am forced to believe there are no plans for such an aircraft even as far as the drawing board. Consequently, our airplane may still be able to move

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into the forefront of the SST market in the mid or late 1970's.

But in order to insure this, we must proceed now.

NEW BRAND OF TEXAS EDUCATION

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. PICKLE. Mr. Speaker, earlier in this Congress we voted on the Elementary and Secondary Education Act. I would bring to your attention the beneficial impact this legislation has had upon the Texas Education Agency since 1965.

TEA is an advocate of change that ranks it with the tops in educational agencies in the Nation. I would submit an article written by John Egerton for the June-July issue of American Education. The article, in part, follows:

TEA—NEW BRAND OF TEXAS EDUCATION

(By John Egerton)

If a State's education department is strong, chances are that the quality of education is good and the whole State benefits. And the converse is equally true: Weak departments can yield poor quality education and penalize their States.

It was largely with this latter prospect in mind that the Congress wrote into the Elementary and Secondary Education Act of 1965 the provisions of title V: Grants to Strengthen State Departments of Education. By the end of fiscal year 1969, a little less than four years after enactment, the States will have received about $98 million in funds under this title.

How they have used this money, and what improvements have they been able to make? Each State, of course, is different, but a close look at one of them—Texas—may help to answer the questions.

Since 1965, when ESEA was passed, the Texas Education Agency staff has grown from about 1,300 to more than 2,200. Its operating budget has more than tripled over the same period, jumping from about $5.4 million to more than $18 million this past fiscal year. These figures are somewhat deceptive—about 900 of the agency's employees and a large share of its budget belong to a special division of vocational rehabilitation. Nevertheless, TEA is a large, influential State agency, and there are signs that the Federal aid it has received—particularly under title V of ESEA—is changing both the shape and style of education administration in Texas.

The State has received close to $4 million under title V since ESEA was passed; only two States—California and New York—have received more. Commissioner of Education J. W. Edgar, who has held his appointive office for 19 years, notes that there was considerable opposition in Texas to Federal aid to education when he took office. Today, this general opposition to Federal aid has diminished.

Although a strong preference for block grants instead of categorical aid persists, Edgar himself says that categorical assistance has not been unduly restrictive. He cites title V as a case in point. It is categorical—it can be used only to strengthen the Texas Education Agency—but it is also in some respects a block grant, in that the agency has considerable latitude in choosing which aspects of departmental structure it wants to strengthen.

In its first application for title V funds, TEA listed seven areas it wanted to concentrate on. The seven were:

Establishment of an agency-wide, comprehensive planning unit;

Reorganization of the personnel office to provide for more orderly expansion and development of the professional staff;

Reorganization of the agency's internal management system; .

Strengthening of the research division to speed up and streamline the collection, processing, and dissemination of statistical data;

Expansion of the agency's production, development, and use of instructional media such as audio-visual materials;

Expansion of the services in special education for exceptional children; and

Upgrading of the curriculum and program development division.

These same priorities are still listed, although changes in the seven areas have already been extensive. On the advice of a management consultant firm, TEA's staff development and its personnel offices have been combined, and programs of recruitment, orientation, and inservice training are now closely coordinated. In the past, each division of the agency carried on these functions independently. In the areas of instructional media, special education, and curriculum development, the biggest change has been staff expansion.

Internal management and research procedures have been extensively reorganized. With title V funds, TEA officials set in motion a computer-based information system that will eventually provide current data not only on TEA's internal operations but also on those of every school system in the State. Within TEA the administration of State and Federal funds, the coordination of contracts, the fiscal accounting operation, the collection and dissemination of statistical data, and the myriad record-keeping requirements of the agency will all be a part of the computerized system. "We're two years ahead of the schedule," says Donald Offerman, the TEA official who initiated planning for the project.

When the system is fully operable, TEA will be able to "stop getting obsolete and unnecessary information, and start getting all the pertinent data needed," on the entire Texas public school system, according to Offerman. The information will be collected and disseminated while it is still current. In conjunction with the 1970 census, TEA's data processing system will also produce community profiles for all counties in the State.

All of these changes at TEA have required enlargement and reorganization of existing efforts. The one entirely new function of the agency resulting from title V is systematic planning. Some degree of planning has always been carried on. Now, however, there is a planning office headed by an associate commissioner who reports directly to the commissioner.

Texas has a large and diverse school population. Its 1,200 school districts serve about 2.5 million pupils, including many Negroes and Mexican-Americans. Effective education for this vast and varied student body requires careful planning. With this in mind, TEA established an Office of Innovation and Assessment in the spring of 1966 to coordinate agency programs related to instruction in the schools and to develop projects under title III, the part of ESEA that provided funds for innovative school programs and for supplementary educational centers and services.

Within two months this new division was renamed the Office of Planning and given the job of implementing systematic planning on a comprehensive basis. It soon became evident that prior planning for educational change would not only benefit the schools but also bring TEA's diverse divisions into closer alliance. Research, planning, program evaluation, and communication became priority functions involving representatives of all parts of TEA.

The planning office also helped organize regional educational service centers throughout Texas. In 1965, the Texas Legislature authorized establishment of State-supported regional centers to provide school districts with instructional media services. While these centers were being developed, the Elementary and Secondary Education Act was passed by Congress, and since title III of that act provided for the development of supplementary education centers, TEA put its new planning office to work on a strategy for combining the two activities. The result: 20 education service centers, each with its own staff and governing board, using local, State, and Federal funds to engage school districts in improving educational opportunity. TEA's planning office has also involved the State's colleges and universities, the Southwest Educational Development Laboratory in Austin, and the University of Texas Research and Development Center in Teacher Education in the planning and operation of the education service centers.

The 20 service centers are independent agencies, not intermediate administrative units run by TEA. Participation in their activities by local school districts is voluntary, but most Texas districts are involved. The centers give TEA closer contact with outlying districts, and this has benefited the agency's comprehensive planning program. The centers also provide the machinery for spreading the concept of educational planning. This year, for example, TEA is funding an experimental program in which 35 school districts are working closely with the Office of Planning on systematic development of local planning activities.

Another contribution of the Office of Planning has been the design of a "packaging" program for Federal funds. There are more than 25 Federal education programs, each with its own regulations for funding, operating, reporting, and evaluating. The packaging plan shows how these Federal programs with their various application and reporting procedures can be integrated to avoid as much duplication as possible without violating categorical requirements. For example, funds for staff development are available under 14 different Federal programs, and superintendents previously had to plan each of their inservice training projects separately. Now they can use the packaging concept to plan a comprehensive inservice education project for all teachers involved in Federal programs.

Packaging has enabled TEA, the education service centers, and the individual school districts to cut down the volume of paperwork and red-tape required for Federal aid programs. It has also led local school systems to think out priorities more clearly as they plan combined programs. As an outgrowth of the packaging concept, the planning office has designed forms for consolidating applications for Federal assistance. Local school districts use these forms as their sole means of requesting, receiving, budgeting, and evaluating the projects funded under most titles of ESEA, the National Defense Education Act, and the Vocational Education Act.

By establishing the regional education service centers, starting comprehensive planning, packaging Federal funds, coordinating the diverse units of the State agency, and giving more direct assistance to local school districts, TEA has begun to strengthen its position as a leader of public education in Texas. While title V of ESEA is not the sole cause of these changes, it has helped to make them possible and has set them in motion sooner than the State could have on its own.

In addition to the basic grants it has received under title V, Texas has also been involved with other States in cooperative programs funded by another section of that title. Among these are a seven-State consortium on comprehensive planning by State education departments, a five-State program in international education, which also involves five Latin American countries, and a four-State planning program for title III of ESEA.

TEA is reaching out in other ways. Ten years ago, it was tightening the regulations for teacher certification programs at the State's colleges and universities to make them more uniform. Now, as a result of evaluations that have become a regular part of the planning function, the agency has begun to question whether the certification standards are too rigid, and whether more latitude for experimentation should, in fact, be allowed. TEA also contracts with outside agencies to work on specific problems; it has, for example, engaged the Southwest Educational Development Laboratory to establish an experimental curriculum development and teacher training center geared to the needs of migrant laborers and their children. In addition to the computerization of its accounting and records system, TEA has initiated microfilming of its records.

But the comprehensive educational planning effort may turn out to be the best indication of TEA's effective use of title V funds. Harry L. Phillips, director of the Division of State Agency Cooperation in the U.S. Office of Education, points out that Texas ranks with half a dozen other State agencies that have done the most to develop strong planning capabilities. And James Gibbs, an administrator of title V for USOE, says Texas is also "one of the leading States in relating its comprehensive planning functions to regional and local needs."

In its 1968 annual report to HEW, the Secretary's Advisory Council on State Departments of Education declared that it was "a matter of grave concern" that so few States had shown a readiness to adopt comprehensive planning procedures. "Until there exists and is exercised a capability of anticipating educational needs and of planning comprehensively for them," the council said, "the State educational agencies will not be the leaders of educational development in their States, but mere reactors to events which they cannot control." Texas, it would appear, has already heeded this warning.

Warren Hitt, the deputy commissioner of education in Texas, is quick to point out that the TEA face-lifting, which has been under way for the past three or four years, is not over. "We still have plenty of work to do," he says. "It's true that title V has helped us to get at some of our problems more quickly than we would have been able to on our own. But don't go away thinking we've already solved all of them."

WORLD TRADE OPPORTUNITIES

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. RIEGLE. Mr. Speaker, I should like to call my colleagues' attention to the United Nation's approval of 57 new development programs as described in an article of the July 7, 1969, International Commerce. This article explains the general outlines for the new programs and what possibilities are available for American business involvement abroad. In addition, there is a second article concerning the $8.8 million which will go for service and equipment expenditures in the new proposed programs. Both articles show the expansion of the United Nations joint efforts with American business to accelerate the economic growth in the underdeveloped countries of the world. The material follows:

WORLD TRADE OPPORTUNITIES—U.N. APPROVES 57 PROJECTS—TOTAL COST OF NEW DEVELOPMENT PROGRAMS APPROVED IS ESTIMATED AT ABOUT $102.2 MILLION

The Administrator of the United Nations Development Program submitted to the Governing Council fifty-two large scale pre-investment projects and supplementary financing for five existing projects for approval at its eighth session, concluded July 3.

The estimated total cost of the projects approved at this session is about $102.2 million. Of this amount, the UNDP will contribute about $37 million. The remainder—approximately $65.2 million—will be contributed by the recipient governments.

The seventh session of the Council, reported in the Feb. 10, issue of International Commerce, approved projects expected to cost $222 million. The latest action brings the 1969 total to $324.2 million, of which the Council will provide $132 million.

Sixteen of the new projects are devoted to surveys and feasibility studies for the development of natural resources, with emphasis placed on mineral and geological exploration and the improvement of transport and communications; eighteen will establish or strengthen applied research facilities, with particular attention to forestry, veterinary and fishery services, manufacturing, mining and power; fifteen will help bring into operation permanent national institutes to improve the levels of technical training and advanced education; and three will set up economic planning institutes.

As in previous years, Africa received the highest allocation, with 19 new projects. In addition, supplementary financing has been provided for the continuance of five projects in this region. The Americas are being assisted with twelve projects, Asia and the Far East with ten, and Europe and the Middle East with five and six projects respectively.

Outlining the outstanding features of the recommended program, the UNDP Administrator pointed out that it was largely devoted to projects calling for continuing support, or relatively short first-phase projects needed to define more complex undertakings, or projects calling for urgent operations. The Administrator noted that the experimental phase of UNDP assistance is reaching a point of consolidation, and that the new projects are mainly in well known categories. For example, the program demonstrates the continued importance being attached to training in all fields.

A careful screening, at the preliminary level, of projects approved at this session indicates the awareness of the UNDP Adminisrator with respect to the needs of developing countries. Some 40% of the new projects are devoted to developing industrial manpower and include assistance to Kenya, Madagascar and Panama for the improvement of apprenticeship and vocational programs; to Uganda for the expansion of the technical college, and to Peru for supervisory and management training programs. In other areas, projects involve training in agriculture, communications, transportation, urban planning, and expansion of teacher training in many Africa countries.

In the implementation of these projects, the executing agencies, acting on behalf of the UNDP, will make field expenditures of some $21 million for individual expert assignments, $2.6 million for fellowship awards, $5.5 million for project equipment, and $3.3 million for contractual services.

Summaries providing pertinent background data for each project listed herein are available to U.S. firms upon request from: J. L. Malone, International Liaison and Trade Opportunities (ILTO) Staff, BDSA-541, U.S. Department of Commerce, Washington, D.C. 20230. In requesting summaries for these projects the inquirer should include the project number, country and title of the project desired, such as: DP/SF/R.8/Add. 29—Korea—Regional physical planning.

DP/SF/R.8/Add. 1—Algeria: Rural development in eastern Algeria: FAO. $2,549,500.

DP/SF/R.8/Add. 2—Argentina: Improvement of navigation on the Parana River: UN. $2,082,000.

DP/SF/R.8/Add. 3—Botswana: Cooperative development center: ILO. $692,500.

DP/SF/R.8/Add. 4—Brazil: Fishery development project: FAO. $4,813,200.

DP/SF/R.8/Add. 5—Bulgaria: Assistance to the Nikola Poushkarov Institute of Soil Science: FAO. $9,313,000.

DP/SF/R.8/Add. 6—Burundi: Burundi Development Bank, Bujumbura: UN. $414,100.

DP/SF/R.8/Add. 7—Chad: Rural development of the Ouaddai, Abeche: ILO. $647,700.

DP/SF/R.8/Add. 8—Chile: Water resources development in the Norte Grande: UN. $2,579,800.

DP/SF/R.8/Add. 9—Chile: Milk Technology Institute, Universidad Austral de Chile: FAO. $1,910,600.

DP/SF/R.8/Add. 10—Colombia: Transport and urban development study, Bogota: IBRD. $334,000.

DP/SF/R.8/Add. 11—Ecuador: Survey of metallic and non-metallic minerals (Phase II): UN. $860,900.

DP/SF/R.8/Add. 12—El Salvador: Survey of geothermal resources (Phase II): UN. $1,856,200.

DP/SF/R.8/Add. 13—El Salvador: Faculty of Engineering, University of El Salvador: UNESCO. $527,600.

DP/SF/R.8/Add. 14—Ethiopia: Supplementary assistance in strengthening the Awash Valley Authority: FAO. $142,700.

DP/SF/R.8/Add. 15—Ethiopia: Investigation of geothermal resources for power development: UN. $274,600.

DP/SF/R.8/Add. 16—Ghana: Development of cotton production: FAO. $755,600.

DP/SF/R.8/Add. 17—Greece: Industrial area and industrial estate near Salonika: UNIDO. $3,205,300.

DP/SF/R.8/Add. 18—Guinea: Reorganization of the port of Conakry: ILO. $1,483,900.

DP/SF/R.8/Add. 19—Hungary: Irrigated agriculture in the Tisza River Valley: FAO. $550,900.

DP/SF/R.8/Add. 20—India: Post-graduate agricultural education and research: UNESCO. $7,890,900.

DP/SF/R.8/Add. 21—Indonesia: Land and water resources development in southeastern Sumatra: FAO. $1,978,700.

DP/SF/R.8/Add. 22—Iran: Institute of Standards and Industrial Research, Karaj: UNIDO. $4,133,700.

DP/SF/R.8/Add. 23—Iraq: Fruit and vegetable improvement: FAO. $477,000.

DP/SF/R.8/Add. 24—Iraq: Air navigation and aeronautical meteorological facilities, Baghdad: ICAO. $929,500.

DP/SF/R.8/Add. 25—Ivory Coast: Institute of Pedagogical Research, Abidjan: UNESCO. $976,500.

DP/SF/R.8/Add. 26—Ivory Coast: Mineral survey in the Southwest (Phase II): UN. $1,860,000.

DP/SF/R.8/Add. 27—Jordan: Agricultural marketing (Phase II): FAO. $931,600.

DP/SF/R.8/Add. 28—Kenya: Supplementary assistance to the Kenya Polytechnic, Nairobi: UNESCO. $2,832,400.

DP/SF/R.8/Add. 29—Korea: Regional physical planning: UN. $1,091,000.

DP/SF/R.8/Add. 30—Libya: Center for Industrial Development and Research, Tripoli: UNIDO. $6,246,200.

DP/SF/R.8/Add. 31—Malagasy Republic: Supplementary assistance to the Educational Training and Research Institute: UNESCO. $438,400.

DP/SF/R.8/Add. 32—Malagasy Republic: National vocational training program: ILO. $970,000.

DP/SF/R.8/Add. 33—Nigeria: Supplementary assistance to the hides and skins demonstration and training project: FAO. $694,500.

DP/SF/R.8/Add. 34—Panama: National vocational training program: ILO. $1,246,000.

DP/SF/R.8/Add. 35—Peru: Management of small enterprises: ILO. $124,900.

DP/SF/R.8/Add. 36—Philippines: Mental Industry Development Center, Manila: UNIDO. $1,913,600.

DP/SF/R.8/Add. 37—Saudi Arabia: Center for Applied Geology, College of Petroleum and Minerals, Jeddah: UNESCO. $2,259,900.

DP/SF/R.8/Add. 38—Senegal: Bureau of Organization and Methods: UN. $277,500.

DP/SF/R.8/Add. 39—People's Rep. of Southern Yemen: Agricultural demonstration and training. El-Kod and Giar: FAO. $795,700.

DP/SF/R.8/Add. 40—Spain: Scientific study of water resources in the Canary Islands: UNESCO. $1,191,400.

DP/SF/R.8/Add. 41—Syrian Arab Republic: Center for Housing and Construction, Damascus: UN. $1,719,000.

DP/SF/R.8/Add. 42—Thailand: Telecommunications Training, Test and Development Center (Phase II): ITU. $1,536,800.

DP/SF/R.8/Add. 43—Thailand: Development of the northern region: UN. $613,100.

DP/SF/R.8/Add. 44—Togo: Fertilizer use, promotion, demonstration and production scheme, Lome: UNIDO. $1,885,900.

DP/SF/R.8/Add. 45—Turkey: Central Research and Training Institute for Hides, Skins and Leather, Istanbul: FAO. $1,904,800.

DP/SF/R.8/Add. 46—Uganda: Uganda Technical College, Kampala (Phase II): UNESCO. $2,879,600.

DP/SF/R.8/Add. 47*—No document will be issued under this symbol.

DP/SF/R.8/Add. 48—United Arab Republic: Textile Quality Control Center, Alexandria: UNIDO. $1,545,400.

DP/SF/R.8/Add. 49—United Arab Republic: Technical Training and Research Institue for Telecommunications, Cairo: ITU. $3,603,200.

DP/SF/R.8/Add. 50—Venezuela: Programming for maintenance and engineering of health care facilities: WHO. $1,408,300.

DP/SF/R.8/Add. 51—Zambia: Development of small-scale industries: UNIDO. $902,400.

DP/SF/R.8/Add. 52—Regional: (Cameroon, Chad, Niger, Nigeria) Supplementary assistance to the study of water resources in the Chad Basin: UNESCO. $55,700.

DP/SF/R.8/Add. 53—Regional: (Afghanistan, Cambodia, Indonesia, Laos, Nepal, Pakistan, Thailand) Feasibility studies for the Asian telecommunication network: ITU. $518,500.

DP/SF/R.8/Add. 54—Regional: (Congo (Brazzaville), Gabon, Chad, Central African Republic) Realignment of the Congo-Ocean Railway: IBRD. $961,000.

DP/SF/R.8/Add. 55—Regional: Caribbean fishery development project (phase II): FAO. $1,807,700.

DP/SF/R.8/Add. 56—Regional: Asian Institute for Economic Development and Planning, Bangkok (phase II): UN. $4,195,900.

DP/SF/R.8/Add. 57—Kenya: Beef industry development, Nakura (phase II): FAO. $1,387,100.

DP/SF/R.8/Add. 58—Pakistan: Assistance to the University of Islamabad: UNESCO. $1,033,000.

SERVICE, EQUIPMENT EXPENDITURES TOTAL $8.8 MILLION IN UNDP PROJECTS—AMONG CONTRACTS TO BE AWARDED ARE THOSE CALLING FOR FERTILIZER PLANT, IMPROVEMENTS IN TRANSPORTATION AND WATER RESOURCES

The implementation of the recently approved UNDP program will involve expenditures by the executing agencies of approximately $3.3 million for contractual services and $5.5 million for project equipment.

A number of the major contracts to be awarded are for work in the transport field. One project for the realignment of the Congo-Ocean railway serving Congo (Brazzaville), Gabon, Chad and the Central African Republic, to be carried out by the World Bank, calls for contractual services amounting to $817,000. This will cover the cost of consulting engineers, surveyors, geologists, economists and the purchasing of selected items of ground surveying equipment.

The railway, which carries a very large proportion of the freight of the four countries—about 2,500,000 metric tons annually including 1,200,000 tons of manganese ore from Gabon—has reached its capacity and is no longer capable of handling the steady traffic increases. The project will assist Agence Transequatoriale de Communications (ATEC), the official transport agency in the region, in determining the feasibility of improvements to the railway.

The World Bank will also make expenditures of about $200,000 for consultants in town planning, transport economics, land use, traffic and engineering to assist in instituting short-term improvements in the urban transport system of Bogota. At the same time long-term city development plans will be prepared under this project.

Another transport project for which the UN is the executing agency is concerned with improvement of navigation on the Prana River in Argentina and includes a contract allowance of $288,000 for expert services in hydraulic engineering, processing of topographical and hydrographical data, sedimentology, river transport and cargo operations. In addition, equipment valued at some $262,700 will be provided. The government has assumed responsibility for complementary dredging and training work amounting to approximately $600,000.

Initial geothermal investigations having proved successful, the government of El Salvador is moving ahead with the preparation of a technical and economic feasibility report for a geothermal power plant. The consultant services for this project include specialists in geothermal geology, geophysics, geochemistry, well-testing, chemical engineering and water disposal, and are covered by an allocation of $470,000. The UN is the designated executing agency.

The UN will also award contracts amounting to $378,000 to supply the services of experts in urban and regional planning, physical planning, transportation, research demography and sociology, soil interpretation, resources economics, industrial location economics, quantitative analysis and administrative law to Korea. This project will prepare the regional physical plans necessary for inclusion in the third Five-Year Plan 1971–76).

The establishment of a fertilizer plant in Togo is the eventual objective of an intensive fertilizer use campaign being launched with UNDP/UNIDO help in Togo. If the initial campaign is successful, the plant will be designed, erected and brought into operation, including the training of a work force, under a contract amounting to $520,000. According to present plans the plant will use locally available phosphate ore and locally manufactured sulphuric acid to prepare a straight fertilizer and a mixing component. The plant will consist of a single superphosphate unit, a contact type sulphuric acid plant, a bulk blending unit and a bagging unit.

EQUIPMENT NEEDED

A number of projects concerning water resource development will also be partially carried out under contract, notably in Chile, Indonesia and Spain. Most projects contain an equipment component to cover the purchase of field vehicles, laboratory equipment, machinery, drilling rigs, teaching aids and such agricultural needs as tools, seeds and fertilizers.

Other projects involve purchases ranging from $200,000 to $400,000. For example an allocation of $300,000 has been made for essential drilling rigs, generators and weather station equipment in connection with the water resource survey being made of the Norte Grande in Chile. Navigation aids of all kinds, sedimentology and hydrological instruments are included in the equipment lists for the investigations of the Parana River, Argentina and the Port of Conakry, Guinea; and a sea plane, motor launch, houseboat, and earth moving equipment will be bought for the survey of land and water resources in Sumatra, Indonesia.

Specialized equipment needed for testing and calibration in the fields of mechanics, electricity, electronics, photometry, heat and metallurgy as well as workshop equipment accounts for $300,000 in the project to strengthen the Institute of Standards and Industrial Research in Iran; while tool room, foundry, mechanical machine shop machinery, welding equipment and agricultural implement prototype manufacturing machinery will be supplied at a cost of approximately $200,000 to the Metal Development Center in Manila. Telecommunications projects also require sophisticated training aids, and the provision of telegraphy, transmission and subscribers apparatus for the Telecommunications Institute in the United Arab Republic is estimated to cost $400,000.

U.S. firms may direct their inquiries concerning pertinent background data for UNDP projects to: J. L. Malone, International Liaison and Trade Opportunities (ILTO) Staff, BDSA–541, U.S. Department of Commerce, Washington, D.C. 20230.

EDUCATION BUDGET CUTS

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. REID of New York. Mr. Speaker, the American Library Trustee Association is organizing tomorrow a meeting in Washington of librarians, educators, and concerned citizens to urge upon Members of Congress and the administration the importance of restoring the funds cut out of the education budget for this new fiscal year.

Such a massive protest is necessary because the cuts are massive, because outright elimination of some programs and cutbacks to the point of nonfunctioning in others is practicing false economy. The education of our children is our Nation's future, and I believe that we are making a serious error to think that we can economize by depriving them—and their parents—of library books and other educational services.

I would like to place in the Record at this time the resolution deploring these cuts passed by the American Library Trustee Association at its meeting on June 25, 1969, an editorial from the Saturday Review, an announcement of the formation of the National Citizens Committee To Save Education and Library Funds, and a table showing the budgetary action on four important library programs:

Resolution

Be it resolved—That the American Library Trustee Association, in official membership session consisting of trustees representing all of the 50 states and territories of the United States, petitions the President of the United States, all members of Congress, the Secretary of Health, Education and Welfare and the Commissioner of Education to not only restore the cuts in all educational budgets but, in addition, to provide full funding, as authorized, for all existing educational legislation.

Be it further resolved—It is our unalterable conviction that only in this manner will libraries, which are absolutely indispensable to education in all forms, meet the social, economic, and cultural needs of all of the citizens of the United States; for only through continuing education can we hope to find lasting solutions to the problems that beset our nation, threaten our democracy, and endanger our civilization.

Be it further resolved—That copies of this resolution be sent to the President of the United States, the members of Congress, the Secretary of Health, Education and Welfare, and the Commissioner of Education.

Approved unanimously at the membership meeting of the American Library Trustee Association at the annual conference held in Atlantic City, New Jersey on June 25th, 1969.

Books Are Not Expendable

What if a coalition of extremists proclaimed their intention of fire-bombing every school and public library in the country?

The public outcry would, of course, be memorable. Not only would riot police hit the streets in force, but reasonable people everywhere would set up an anguished outcry and take the sternest possible line with the troublemakers. Our schools and libraries are, the cry would go, the backbone of the nation and the arsenal of democracy—who diminishes them diminishes America. And if, in the face of the riot guns and outraged public feeling, the extremists did manage to level a few libraries and classrooms, popular opinion would soon force the government to build ever statelier mansions of learning on the bombed-out sites.

But there is, of course, more than one way to put schools and libraries out of commission. There are ways of doing the job in broad daylight, right under the nose of a somnolent American public. Consider, for instance, the recently announced federal budget allotments for books and educational materials for the coming fiscal year. Where $237 million was made available a year ago, the Nixon Administration has slashed that amount by a cool 87.5 per cent. Yet the public outcry has been, at best, muted.

Spelled out, this wholesale slash means that no federal funds at all will be given to elementary school libraries, and that only minuscule amounts will trickle down to the public and college libraries.

The libraries are, of course, far from being alone in their deprivation. The proposed federal cuts will bring the budget of the Office of Education down from $4.1 billion in 1968 to a lowly $3.2 billion in 1970—a steep, even dizzying decline, and one that is bound to leave wound-stripes on the country's educational bodies for some time to come.

Ironically, Washington's budget-slashers have chosen to hack away at federal grants at a time when their counterparts in the cities and localities are also finding it expedient to skimp and scamp on educational services. The effect of this dual barrage may well prove devastating.

But surely no one in government is *against* education and the reading process? If, as Senators are forever telling us in commencement day speeches, education is the backbone of our country, why would sober, well-meaning budget experts want to bend their country's backbone to the snapping point? The unofficial explanation out of Washington has been that the programs hit were of "low priority" in this "period of inflation and budgetary stringency."

This "explanation" would be moving and persuasive if only the pesky daily papers would stop printing stories that give such explanations the lie. Recent news stories tell, for instance, how the Air Force, sans congressional authorization or appropriations, approached an aircraft company and ordered up fifty-seven monster-sized C–5A transport planes, without having any clear idea of how much the planes would cost. The price will depend, it came out, on how much an earlier order of fifty-eight C–5As costs to build. If the first group of planes turns out to cost more than expected, no sweat: Under its contract with the Air Force, the aircraft company is free to jack up the price of the second group of planes as much as is necessary to insure a tidy profit.

This breathtaking display of the juggler's art has moved Representative Otis Pike, of New York, to exclaim that the Air Force was "playing Mickey Mouse with figures." The contract arrangement is so loose-limbed and amiable, in fact, that no one seems sure just how much money may be involved. Thus, the Air Force says its original understanding was that all the planes would cost some $4,348,000,000 but that of course the estimate has since risen by $1,382,000,000. Yet one Air Force expert concedes that the cost increase will probably run something on the order of $2 billion. This amount could give the United States the finest library facilities and services in the world. Meanwhile, each week we read other reports of massive military waste and sloppy bookkeeping that do little to convince the electorate that the values of the society are in happy balance. Fortunately, various groups and individuals are currently pressing Congress to restore these budget cuts—which is to say, they are trying to restore the nation's educational backbone to its original shape. During this month and July, the Congress will be holding hearings and voting on the 1970 appropriations bill. If every American who feels strongly about these misappropriations of educational funds would visit, write, or call his Representative and Senators, there is every chance that the cuts would be restored. If they are not, the bureaucrats—or, as the Germans call them, "desk-murderers"—will with a pen stroke have done more damage to the life of the mind in this country than a regiment of fanatics and incendiaries could do if they worked around the clock. Books are not expendable.

It is the fashion to think of teachers, librarians, and cultivated people generally as timid, sheeplike, and much too well bred to cry out when they are shorn. Perhaps it is time to remind our fiscal hatchet-wielders of Balzac's saying, "Terrible is the revolt of a sheep."

Leading Citizens Join Fight To Recoup School and Library Funds

(Note.—SELF is supported by its members, the American Library Association, and by the Joint Committee on Federal Education and Library Programs of the American Book Publishers Council, the American Educational Publishers Institute, the American University Press Services, Inc., and the Book Manufacturers' Institute. Participation by other individuals and organizations is welcome by the Committee. Inquiries should be sent to the Director.)

New York, N.Y.—Formation of a nationwide committee of citizens to Save Education and Library Funds was announced today by Dr. Detlev Bronk, who will chair the committee.

Dr. Bronk, past president, National Academy of Sciences, past chairman of the Board of the National Science Foundation and president emeritus of The Rockefeller University, said that the committee has been formed because of a "deep concern" about the proposed reduction in Federal appropriations for education in the coming fiscal and school year. These proposed reductions are almost one billion dollars below the 4.1 billion actually appropriated for the current fiscal year and $370 million below the original Johnson budget published in January. Nearly 25% of the $370 million cutback for Office of Education activities would come out of the major programs designed to upgrade school, college and public libraries to minimal levels of adequacy.

"We hope it will be noted," said Dr. Bronk, "that the initial letters of the committee's name, which forthrightly expresses its purpose, spell *SELF*, because in fact every American citizen, whether he knows it or not, has a strong self-interest in maintaining the library development momentum that Federal support has made possible since it was initiated in the Eisenhower Administration.

"Everyone has a stake in this: the businessman, the technician, the college student, the parents of school children; and all responsible citizens concerned for the future quality of American life. If these cuts recommended by the Bureau of the Budget are not overridden by aware and knowledgeable people, education, manpower, economic and scientific development will suffer."

Dr. Bronk noted that only $3.2 billion, or slightly more than one and one-half percent, of the total Federal budget was recommended for programs administered by the Office of Education. "In the face of enormous problems, all of which call for *more and better* education, rather than *less*, this attempt to assign low priority to educational programs and learning opportunities seems unbelievable. These propositions are still before the Congress for debate, and we intend to let Congress know why we feel that the funds for education and libraries must be restored.

"Reading is the key to learning and lifetime development. People who are not equipped for independent, continuing learning will run the risk of becoming obsolete. Children who don't read drop out. Drop-outs cannot find work. Those without jobs add to the many social problems of the day in terms of ignorance, poverty and lack of upward movement.

"We are going to try to help make the people aware of all this," Dr. Bronk continued, "so that they can let the Congress know that it would be a tragic mistake to limit reading opportunity and learning opportunity. The loss of books and other teaching aids for our schools would be a backward step this country cannot afford. Improvement of educational opportunity for all American children, wherever they live, must be a national responsibility; local communities are hard-pressed even to maintain present inadequate levels, and most of them are losing ground."

According to the committee, should the cuts prevail, the amounts available would be unreasonable in terms of the needs. For instance:

A mere $12.5 million would be available for college libraries at a time when more than one hundred new community colleges are being established each year, from scratch, and new knowledge needs to flow faster to a record student body.

Money for public library services would be reduced to $17.5 million, while funds to replace antiquated public library buildings would be entirely eliminated.

Title II of the Elementary and Secondary Education Act received almost $100 million in 1968, was funded for $50 million in 1969 and will be reduced to *zero* for 1970 unless action is taken *now*.

Another program proposed for total elimination is Title III of the National Defense Education Act which provides materials and equipment for elementary and secondary schools, both public and private, for a loss to these schools of $79 million in Federal funds plus additional state and local matching funds.

This at a time when modern instruction and learning depend more heavily than ever before on books and other school library resources.

The current Administration recommendation proposes the appropriation of only one-third of the money allocated for major library programs in the earlier fiscal 1970 Johnson budget had already cut library programs by allocating roughly only a third of the funds authorized. In other words, only about 11% of the money the Congress had intended libraries to have would be available for them.

The National Citizens Committee to Save Education and Library Funds will aid members of the public to take appropriate action, with suggestions in newspaper ads, leaflets and other publicity. Vice-chairmen of the committee include William Bernbach of Doyle Dane Bernbach, Inc.; William Nichols, senior consultant and former publisher of *This Week*; Mrs. Raymond Young, former president of American Library Trustee Association; Mrs. Evelle Younger, Trustee, Los Angeles Public Library.

DETLEV W. BRONK

Detlev W. Bronk was a member of the President's Science Advisory Committee and chairman of its Panel on International Science from 1957–63 and has been Consultant-at-large since 1963.

Dr. Bronk, formerly president of The Rockefeller University, and of the Johns Hopkins University, is now chairman of the Board of Directors, New York State Science and Technology Foundation and trustee of several academic institutions. He has also served as chairman of the National Research Council, chairman of the National Science Board, National Science Foundation and president of the American Association for the Advancement of Science. One of America's most honored scholars, Dr. Bronk has just received, from Columbia University, his 53rd honorary degree.

BUDGET REQUESTS FOR LIBRARY PROGRAMS, FISCAL YEAR 1970

[In millions of dollars]

	Authorization	Budget request[1]	Fiscal year 1969 appropriation
Title II ESEA (library books and equipment for elementary schools)	206	0	50.0
Title I books—Library Services and Construction Act	65	17.5	40.7
Title II construction—LSCA	70	0	24.0
College libraries—Title II of Higher Education Act	75	12.5	25.0
Total	416	30.0	139.7

[1] Budget request is 7 percent of authorization.

FIFTY YEARS IN BASEBALL

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. EILBERG. Mr. Speaker, baseball has an ancient and honored tradition in my city, Philadelphia.

For many decades the home of both the Philadelphia Athletics and Philadelphia Phillies, Philadelphia has been the setting for giants in the game like Connie Mack, Jimmy Foxx, the "Whiz Kid."

These were heroes who made headlines. There have been others who have served the game and helped make it great, their names never emblazoned in gothic type on the sports pages of the daily newspapers.

One such gentleman is Ted "Ace" Kessler, who has recently celebrated his golden anniversary in organized baseball.

Resolution 137 of the Philadelphia City Council noted Mr. Kessler's achievement and I enter it in the RECORD:

RESOLUTION 137

Resolution congratulating Ted "Ace" Kessler, Club-House Official for the Philadelphia National League Baseball Club, upon achieving his 50th Anniversary of service to organized baseball

Whereas, Ted "Ace" Kessler, a popular figure in the World of Sports, and actively associated in the affairs of Major League Baseball for the past fifty years, will be honored at a testimonial dinner on May 12, 1969; and

Whereas, "Ace" Kessler started as a bat boy with the "Phillies" in 1919 and later served as Assistant Club-House Administrator until he became Superintendent of the visiting team's Club-House; a position he holds to this day; and

Whereas, In this Golden Anniversary of his career, Ted "Ace" Kessler is held in high esteem by his many friends and associates for his love of the game of major league baseball; therefore

Resolved, By the Council of the City of Philadelphia, That we hereby extend heartiest congratulations to Ted "Ace" Kessler, Club-House Official for the Philadelphia National League Baseball Club, upon achieving his 50th Anniversary of service to organized Baseball.

Resolved, That an engrossed copy of this Resolution be presented to Ted "Ace" Kessler, as evidence of the sincere sentiments of this legislative body.

PAUL D'ORTONA,
President of City Council.

Attest:

CHARLES H. SAWYER, Jr.,
Chief Clerk of the Council.

TWO FROM MARYLAND DIE IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. LONG of Maryland. Mr. Speaker, Pfc. John D. Morrissey and Sgt. Joseph H. Kelley, two fine young men from Maryland, were killed recently in Vietnam. I would like to commend their courage and honor their memory by including the following article in the RECORD:

ABERDEEN ATHLETE, MONKTON ACCOUNTANT, DIE IN VIETNAM

A high school and college football star from Aberdeen who wanted to teach history, and a young accountant from Monkton who planned to return to school, were killed in Vietnam last week, the Defense Department announced yesterday.

Killed June 30 by a booby trap near Chu Lai was PFC John D. Morrissey, 22, of Aberdeen, who had been in Vietnam since April 9 as a combat medic.

KELLEY DIED NEXT DAY

Staff Sgt. Joseph H. Kelley, of Monkton, who was also 22 and was also stationed at Chu Lai, was killed the following day.

Private Morrissey was graduated from Aberdeen High School in 1965 and had been co-captain of his football team, captain of the school's wrestling team, and vice president of the athletic association.

The following year he attended Harford Junior College, making the dean's list and graduating in 1967.

He attended the first term at Appalachian State Teachers College, in North Carolina, but broke his hand during a football game and was forced to return home to have it mended.

THE BEST KIND

He enlisted in the Army in August, 1968, but wanted to return to school, teach history and be an assistant football coach.

Private Morrissey's last letter to his older sister, Patricia Anne, told of a Viet Cong suicide squad overrunning his bunker.

"I'm with a bunch of professional killers," he said. "But they're the best kind of people to be with over here."

Besides his sister, he is survived by his parents, M. Sgt. John B. Morrissey, USA, (Ret.) and Mrs. Morrissey; another sister, Rachel; and a brother, Gregory, all of Aberdeen; and a grandfather, Haraden Pratt, of Pompano Beach, Fla.

Sergeant Kelley, a 1965 graduate of Hereford High School, was graduated from the Baltimore Institute in 1967, specializing in accounting and computer programming.

Drafted into the Army in December, 1967, Sergeant Kelley planned to return to the institute to further his education.

He is survived by his parents Howard L.

Kelley and Marjorie Kelley, of Corbett road, in Monkton; a brother, Patrick, of Freeland, Md.; and two sisters, Mrs. Carol Sue McDade, of White Hall, Md., and Mrs. Betty Cummings, of Sparks, Md.

RED CHINESE RECOGNITION CALL ESCALATES TENSION BUILDUP

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. RARICK. Mr. Speaker, a few U.S. officials, and U.S. tax-free foundations, beating the drums for recognition of Red China have created another threat to world peace.

Our stalwart friends, the free Chinese in temporary exile at Formosa, are now compelled to escalate military and political action to dramatize to the world their cause in liberating mainland China from the Communist dictatorship of Mao and his Red puppets.

The daring escapades of gallant free Chinese patriots receives little attention in our press—strident in calling for Red China's recognition—but the recent sinking of three Red gunboats by free Chinese could not be ignored.

The U.S. reaction has been utterly unbelievable, unimaginative and deplorable. The U.S. State Department has issued a statement of official "concern over any action that might create tensions in the Taiwan Strait." Many wonder if the State Department and its peace doves have given any thought that the underlying cause of the tension buildup in Taiwan preceded the naval action. The true cause will be recognized as having its origin in Washington growing out of the threatened recognition of Red China.

The Red China advocates should have anticipated that their discussions and suggestions would precipitate open hostilities by the free Chinese who understand the real significance of such unconscionable action—a life and death matter to them.

U.S. recognition of Red China would preclude our honoring our commitment to assist the Free Chinese in their impassioned objective to return to the mainland and liberate their people.

Mr. Speaker, I include several related news clippings:

[From the Washington (D.C.) Evening Star, July 3, 1969]

TAIPEI SAILORS SINK THREE BOATS AT CHINA BASE

TAIPEI—A fleet of Nationalist Chinese gunboats blitzed into a coastal Communist Naval base on the mainland last night and escaped today reporting two supply ships and a Peking gunboat sunk, the government said.

It was the first sea battle between the two Chinas since Jan. 18, 1966. The returning raiders said they damaged a second Communist gunboat trying to block their escape.

A nationalist government of Chiang Kai-shek described the target as a small port in the mouth of the Min River, about 100 miles west of the northern tip of Nationalist China and near the mainland city of Fuchou.

The battle spilled out into the Formosa strait, with a rear guard of Nationalist gunboats holding off Communist counter-attackers until the raiders finished up.

RETALIATION EXPECTED

Tensions along the strait have eased between the two Chinas in recent months and this battle threatened to bring retaliation from Peking and more calls for invading the mainland by the Nationalist regime.

(Officials in Washington said the action had come "out of the blue." They considered it a "one-time action," which—although sensational—they did not expect to be repeated.)

The two supply ships, of unknown tonnage, went down at the Communist naval base, the announcement said, while one pursuing Communist gunboat was sunk and a second damaged outside the harbor.

The number and type of Nationalist Chinese warships in on the raid was not disclosed. The government said only that they returned safely to their bases.

There was no immediate comment from Peking. The Formosa Strait separates the two Chinas, with the island of Formosa or Nationalist China separated from the mainland or Red China by about 100 miles.

The Nationalist government of Chiang Kai-shek was driven from the mainland by Mao Tse-tung's Communists in 1949, but set up in 1949 on Formosa, about the size of Delaware.

Since then, two Chinas have fought sea battles and reported aerial dogfights. The United States has backed Chiang with warships and planes.

The latest clash on record was on Nov. 24, 1967, when Nationalist China said its guerrillas had destroyed eight MIG 19 jets in a raid on a Communist air force base on the mainland.

On Sept. 8, 1967, Red China said it had shot down a Nationalist U2 spy plane over the mainland, claiming it to be the fifth reconnaissance plane from Formosa shot down since September, 1962.

The Communists announced on Jan. 1 of the same year that their warplanes shot down a Nationalist F104 of American make over the Formosa Strait on what was described as "a great victory for the cultural revolution."

Quemoy Island, the closest Nationalist outpost to Communist territory, underwent a month-long artillery bombardment in 1958 and was hit occasionally thereafter, but the Communists have concentrated on propaganda barrages in recent months.

Often Chiang Kai-shek has advocated invading the mainland with his 600,000-man army, but no serious moves against the Communist regime have been undertaken.

[From the Washington (D.C.) Post, July 8, 1969]

TAIWAN'S RAID AGAINST REDS DISTURBS UNITED STATES

The U.S. has expressed official concern to Formosa over a Nationalist Chinese raid against Communist Chinese boats last week, the State Department said yesterday.

Spokesman Robert J. McCloskey said the U.S. expressed concern "over any action by either side that might create tensions in the Taiwan Strait." The Strait separates Formosa from the Chinese Mainland.

Nationalist forces in about five small motorboats reportedly attacked and sank a Communist patrol boat and some small supply ships. There were no warships involved, McCloskey said.

[From the Washington (D.C.) Evening Star, July 3, 1969]

BID TO RECOGNIZE PEKING ADVANCES

A resolution that could allow the United States to recognize Communist China has been approved by the Senate Foreign Relations Committee.

Recognition and exchange of diplomats "does not imply that the United States necessarily approves of the form, ideology, or policy of that government," says the resolution introduced by Sen. Alan Cranston, D-Calif., and Sen. George Aiken, R-Vt.

The action yesterday clears the resolution for consideration on the Senate floor. No votes were cast against the measure in committee.

NEW PLATEAU IN THE BALANCE OF TERROR

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. OTTINGER. Mr. Speaker, the time and climate for productive talks on the limitation of strategic arms are fast deteriorating. One reason for this is the accelerated development and testing of MIRV—an awesome and frightening advance in the art of mass destruction. The madness of the arms race and the implications of MIRV were cogently set forth in a recent New York Times article, which I call to the attention of my colleagues:

MIRV MADNESS

The Administration's action in ordering production started on MIRV multiple warhead missiles before opening negotiations for a moratorium with Moscow touches the most sensitive point in the projected missile-curb talks. Equally grave is the manner in which the Air Force quietly awarded the $88-million contract to General Electric, on the day President Nixon spoke favorably of proposals for a Soviet-American moratorium on MIRV flight testing to head off production and deployment of the weapon by either side. Given this situation, the country is entitled to an explanation from the President of his intentions in the Soviet-American missile-control talks, which he has personally held up for more than seven months.

For some weeks, pessimism has been deepening in Washington among those familiar with attitudes within the Nixon Administration toward the projected strategic arms-limitation talks. There has been a growing feeling that the Administration is going through the motions of preparing for the talks, but has written them off in advance. Fuel has now been added to a long-smouldering suspicion that a major reason for delaying the talks has been to flight-test MIRV to operational confidence first.

The MIRV production order is evidence that operational confidence, to some degree, has been reached in less than half of the two-year test period originally predicted by the Joint Chiefs of Staff. It enormously complicates, if it does not hopelessly prejudice, the chances of heading off a dangerous and expensive new spiral in the missile race.

Forty-one Senators of both parties, only ten less than a majority, co-sponsored a resolution urging the President to take the initiative this summer in seeking a Soviet-American moratorium on MIRV flight testing for one highly urgent reason.

The MIRV era can be headed off in the test stage, since tests can be detected with relative assurance. Control, without on-site inspection far more intrusive than either side would accept, becomes virtually impossible once MIRV is produced and deployed; satellite cameras cannot tell how many warheads are concealed within a missile's nose cone.

The $17-billion American MIRV program, which the Soviet Union undoubtedly would match, means a five-fold multiplication of nuclear-delivery vehicles in the strategic missile forces—from 1,700 to about 8,000. It promises an era of nuclear nervousness with less security than is now provided by relatively stable mutual deterrence.

Instead of heading off the Soviet MIRV, which could threaten American land-based Minuteman missiles, it forces Moscow to go ahead. The very Minuteman missiles for which MIRV warheads have just been ordered will be made obsolete by this inevitable Soviet reaction. How much madder can the international arms race become?

HAVE YOU EVER KNOWN A PERCEPTUALLY HANDICAPPED CHILD?

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. QUIE. Mr. Speaker, the House Education and Labor Committee began hearings today on H.R. 9137 and other related bills to provide assistance to children with learning disabilities.

This proposed act would amend title VI of the Elementary and Secondary Education Act by creating a new section to specifically provide authority to the Office of Education to establish special programs for children with learning disabilities. The learning disabled child is the newest handicapped child receiving services under special education. This is the child who has traditionally been "misplaced." He is primarily neither physically, mentally, nor emotionally handicapped although he suffers from consistent failures in academic performance, particularly in areas requiring language proficiency. The learning disabled child often provides the greatest frustration to the classroom teacher because he shows no primary disabilities, however, usually after several years of academic failure he begins to demonstrate overt behavioral symptoms.

So that my colleagues in the House can better understand the problems relating to this area, I am inserting into the RECORD today the following article by Dr. Laura E. Lehtinen, who was one of the foremost pioneers in the area of learning disabilities. The article is entitled "Have You Ever Known a Perceptually Handicapped Child?"

The article follows:

Have you ever known a perceptually handicapped child? Perhaps not. But perhaps you have without being aware of it. Perhaps you have only been aware that Johnnie seemed a bit different, maybe hard to manage, difficult to predict or understand, but not bad or unintelligent, just a problem. Perhaps you even felt thankful he was not your problem. Yet in a way he is. For while he is a problem to his parents, teachers, brothers and sisters, and to himself, he may ultimately become one to society too if understanding care and appropriate treatment cannot be found.

Just what is a perceptually handicapped child? How can he be identified? What does perceptually handicapped mean? To say that a child is perceptually handicapped is another way of saying that although he may be normally intelligent his nervous system does not receive, organize, store and transmit information in quite the same way as does that of a normal child. Does this seem paradoxical? If the functioning of the central nervous system is faulty doesn't this automatically mean mental retardation? No, it is possible for a child to score within normal limits on tests yet have serious difficulty learning certain things—to have a learning disability or learning disorder. Such a child may show a wide gap between his ability to understand events, experiences and ideas and his ability to learn to read, spell, write and compute numerically.

The causes of a perceptual handicap are numerous. It may result from actual injury to the tissue of the central nervous system such as might occur during a difficult delivery, or from some other trauma such as a severe fall or an automobile accident. High fevers, encephalitis, or a lack of oxygen may similarly damage vital substance so that it can no longer function as efficiently as it once did. Maternal virus illnesses and blood incompatibility of mother and child may be damaging. Some authorities believe that the cause does not always lie in tissue damage but that electro-chemical imbalance may be a factor or that certain systems may lag behind others or such an extent in their maturational rate that disparities in development result. Whatever the cause, the noxious event or irregularity in development results in an alteration of the normal patterns of growth and development as they usually occur. Often the child's physical growth proceeds quite normally; he does not appear to be handicapped; his vision and hearing are normal. We observe the effects of the central nervous system dysfunction in the perceptual mistakes made by the child, in his conceptual confusions, in his behavior difficulty, in his learning disorder, and in subtle motor in-coordination.

More specifically, what is a perceptual handicap? The term refers to an impairment in the normal processes of perception, that is, in the basic ability of human beings to cope with and to *make sense out of* the environment in which they live. It is a process as basic and automatic as eating, breathing, sleeping, and moving. It functions without conscious direction, continuously taking in, selecting, and organizing countless sense impressions moment by moment. It is the basis for behavior.

At every waking moment the individual is surrounded by an environment of physical energy to which his sense organs respond. His brain, the magnificent organ that mediates all of his behavior, differentiates and structures, that is, makes sense out of these impressions so that it can direct his actions. As a very young child he learns that an object that looks round will feel round and that one that looks pointy will feel sharp, and that certain sounds have certain meanings.

When he enters school he must make sense out of many little marks on charts or the chalkboard. He must be able to perceive their shape well enough so that he can remember which is which (they all have names or sounds) and be able to make them himself. It is no longer enough that he hear and understand speech, he must detect the tiniest differences between words that sound very much alike but mean quite different things. He must be able to listen attentively to explanations and instructions and, as rapidly as the teacher speaks them, to relate them to action or experience so that they become integrated with what he already knows in order to extend the fabric of his knowledge and understanding.

The child with a perceptual handicap has difficulty forming these refined and organized perceptions. He misperceives. He overlooks important details or focuses on them so strongly that he misses the whole. He may grasp aspects of the whole but not their relationship or the whole itself. He hears meanings but fails to attend to word structure. He mishears word structure. He mishears word structure and so is misled in their meaning. He is distracted by sights, sounds, and ideas which are interesting and significant for him but irrelevant to the main objective of the moment.

Can you imagine what not being able to perceive accurately must be like? As a normal individual you have not experienced the distortions or misperceptions which occur repeatedly to the perceptually handicapped child and you can no longer recall the first groping efforts of your early childhood. It is only when conditions are poor for perceiving accurately that you may experience something comparable to perceptual disturbance. You may have had the experience of driving along the highway and noticed an advertisement but so briefly that you were unable to identify what the picture was about. Or in a fog or semidarkness you are uncertain because the shapes of things are different from usual. If you recall the strong sense of frustration and dissatisfaction that accompanied them, you were troubled, because in the fog your perceptions were no longer reliable.

While perceptual impairment is one of the most common consequences of brain dysfunction in children it is by no means the only one. Behavior disorders usually follow central nervous system dysfunction. Many perceptually handicapped children are unusually active, restless, and distractible. Some have difficulty controlling their impulses to speech and action and interrupt conversations or recitations or get up to wander around. Some are especially persistent in their questions or demands. Some are repetitious and can't seem to drop a subject once they have become interested in it. Most are unstable emotionally—crying over trifling hurts, laughing riotously, becoming silly, loud or boistrous in excitement. The ability to tolerate frustrating situations is lower than normal and the child will respond with withdrawal or inappropriate behavior to a situation he can no longer tolerate.

Society's judgment is usually a criticism of the parent; the child has been spoiled or lacks training. It is true that the usual parental efforts are often ineffective in the child's behavior training but it is also true that the perceptually handicapped child is more difficult to teach and train than a child with a normal nervous system. The strain placed upon members of the family, brothers and sisters as well as parents, by the presence of a child who wants to take part but fails in his efforts, who smarts under the jeers of other children, who senses his inadequacy but can only react in anger or confusion, is hard to appreciate. A maximum of understanding, sensitivity, flexibility and perhaps most of all stamina and resourcefulness are demanded of a parent in the task of bringing up his perceptually handicapped child.

In addition to perceptual and behavior disturbances other mental processes such as concept formation and judgment (how the child thinks about what he perceives), language, integrative processes, and memory may be impaired. Thus, while a child may be reasonably capable of organized and accurate perceptions, he may not think well abstractly or reason logically. If his percepts are inaccurate he will arrive at faulty conclusions since they form the basis for many of his concepts. He may have difficulty in formulating the correct sentence, although he knows what he wishes to say. He may find it hard to get several parts of his mind to work together in an integrated fashion, such as saying a word as he writes it. His memory may be impaired in such a way that he cannot recall words when he needs them or remember the association between letters and numbers and their names.

To add to the parents' confusion, the child with a perceptual handicap may do some things well and some things very poorly, depending upon which abilities have been damaged or the circumstances of the moment. He seems to be extremely inconsistent.

There are all symptoms of minimal cerebral dysfunction, without mental retardation, popularly referred to as perceptual handicaps. Usually the child appears externally quite normal, with no physical signs of the gravely disturbing condition within, although he may have convulsive disorder or, if certain motor regions of the brain have been injured he may show such physical problems as cerebral palsy.

For the child with perceptual handicaps learning in the regular classroom is a virtual impossibility. Yet because the child's overall intelligence quotient indicates ability within the normal limits, the regular classroom is the only place at present available to him in most school systems.

In the regular classroom, the perceptually handicapped child is often over-stimulated by the wealth of interesting material on hand and by the spontaneous, lively activity of his classmates. Because he has not yet achieved normal controls over his behavior, the stimulation which is appropriate and right for the normal children overloads his nervous system and leads to immature or objectionable behavior which is disturbing to the group. His visual perceptual disturbance makes it difficult for him to make sense out of many of the learning materials offered to the rest of the class. His frequently observed auditory perceptual impairment makes it hard for him to get accurate meanings from teacher explanations or oral instructions. His confusions in thinking lead to confusions in understanding and erroneous conclusions which are embarrassing to him and unacceptable to the teacher. If language disturbances are present oral recitations or written expression are laborious. His memory difficulties mean that words, numbers and answers which were learned today may be forgotten tomorrow. His coordination difficulties, often not detected in walking or running, become obvious in gym class or on the playground, or in learning to write where complex and highly integrated motor perceptual demands are made.

It is no surprise that as the original confusion is compounded by more and more material, presented at a rapid pace, the child's frustration grows greater until he can no longer function as an active learner in the classroom. He becomes convinced of his inferior abilities, dislikes school and study, and resorts to various means to obtain compensating even if false satisfactions. Added to his school problems are the frustrations of wanting to join yet being unable to keep up with neighborhood children because of the perceptual and coordinative difficulties.

This is the typical history of a perceptually handicapped child. Minimal, but nonetheless important disturbances in the mental functions necessary for mastery of school learning and the common daily skills of play and living stand in the way of his achievement. He becomes discouraged, sometimes angry with or jealous of others who enjoy the success he desires but finds impossible to attain. Unless he can be helped he becomes a school casualty destined to limp along until the day he is permitted to leave.

Must such failure necessarily be the unhappy outcome of a perceptual handicap? Emphatically not. Experience has shown that appropriate education given at the proper time can help a child to learn more normal ways of thinking and perceiving so that even if some deviations continue to be present the gap between his faulty perceptions and normal ones can be reduced.

The child with a perceptual handicap carries the condition with him for years, perhaps indefinitely, like a short leg. He can use it but not as skillfully as if it were normal. His ability to use it grows but only if he is stimulated and encouraged to make the most of it.

He can be helped to learn the basic academic tools in spite of his impairment by teaching methods which minimize the disturbing effects of his handicaps or stimulate him to a more effective use of the impaired functions. He can be helped to compensate for his deficiencies by recognizing them and working against them so that later he can return to the regular classroom to continue his schooling.

It is most important that he receives the specific and individualized help he needs when his learning and behavior problems first become apparent in order to prevent the emotional tensions which arise with repeated failure and the wrong learnings resulting from his distorted perceptions. He wants to learn, he wants to be in step with the others around him. The challenge of the educator is to show him how it can be done and to sustain him in the arduous tasks life sets before him.

AUTOMOBILE INSURANCE

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. PICKLE. Mr. Speaker, a study is underway at the University of Texas that will have national impact. A University of Texas scholar has been selected to conduct one of the key phases of a federally sponsored study being made of the automobile insurance industry.

Dr. William T. Hold, assistant professor of insurance in the Finance Department, has been named by the Federal Trade Commission to direct a study of automobile insurance assigned risk plans.

Through group efforts of all insurance companies, such plans have been established in each State to provide some limited automobile insurance coverage to persons who have valid driver's licenses but whose past driving violations place them in too high a risk market for the standard liability policy written by individual insurance companies.

Dr. Hold says that his will be the first comprehensive study ever made of applied risk plans, and, because there are more than 2 million persons in the United States with such policies, he believes the study will have nationwide implications.

During the 6-month study, Dr. Hold will collect data from the assigned risk plans of seven States—Texas, California, New York, North Carolina, Wisconsin, and probably South Carolina and New Jersey. From that data he expects to: determine the characteristics of drivers in assigned risk plans, make a comparative study of the assigned risk policyholders in the seven States, and compare assigned risk premiums with the premiums paid by holders of standard policies to determine the extent to which assigned risk plans are subsidized by good drivers.

Assisting Dr. Hold will be Sam Sapp, an actuary with the Texas State Board of Insurance; Harry Haiduk, a UT doctoral student in insurance, and George Overstreet, who is working toward a master's degree in insurance at the university.

Dr. Hold's investigation, authorized by the Federal Trade Commission, is part of an overall $2 million study being carried out under general auspices of the U.S. Transportation Department.

CONTRASTS SHARPEN WITHIN MEDICAL PROFESSION

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. BROWN of California. Mr. Speaker, the Nixon administration's hangup over the Knowles affair serves to point out the tremendous contrasts existing today within the American medical profession. And, as usually happens in confrontations between progressive elements—that is, Dr. Knowles and the monolith; the American Medical Association—the monolith prevailed.

On a smaller scale, these contrasts and confrontations are now showing up in Los Angeles. The Los Angeles Times city section on Sunday, June 29, brought this point to bear directly as shown by the two articles I am inserting below into the RECORD.

The first story tells of the Los Angeles Free Clinic, a medical center, which serves anyone in the community without charge. The free clinic has been in operation for 18 months now, and last year handled almost 13,000 cases. Treatment is carried on by an extremely competent professional staff—all of them volunteers.

The spirit and the beauty of the free clinic—and its real feeling of "community" and of citizen participation—should be compared with the struggle going on within the Los Angeles County Medical Association which is the largest "most influential" local medical society in the country.

The issues dividing the association seem clearcut; it is unwieldly, it is controlled by conservatives who hesitate changing with the times, it has no discipline. But what strikes me so deeply is a statement by one of the doctors involved that there just is "no such thing as free medical care." He may be right—in his own terms, of course—but I prefer the free clinic approach rather than the platitudes coming out of the medical association over the nature of medical insurance.

The turmoil within the county medical association is likely to last for some time. And while the practitioneers of conventional medicine run their own caucus race to achieve some "moderate" position, the free clinic will continue providing a valuable and much needed service to the community as a whole.

Mr. Speaker, under unanimous consent I submit the two articles from the June 29, 1969, Los Angeles Times for inclusion in the RECORD as follows:

ONE-OF-A-KIND MEDICAL FACILITY NEVER GIVES ITS PATIENTS A BILL—FREE CLINIC HAS SURVIVED SCANDAL OF IMPOSTER FOUNDERS TO BECOME HAVEN FOR DISENFRANCHISED YOUTH, HIPPIES

(By Noel Greenwood)

At a few minutes before 5 p.m., outside a plain white building on N. Fairfax Ave., the line begins to form.

A boy, his unkempt, curly hair reaching to the shoulders of his ragged shirt, strums a guitar and smiles to himself. Behind him, a young couple—she in bright print dress, he in neatly pressed suit—wait nervously.

Down the line, patches of conversation, an occasional quiet laugh, some leaning silent against the building, one boy with Indian headband and white, flowing robe squatting on his haunches, waiting.

It is the start of another long evening at The Free Clinic, the one-of-a-kind medical facility that has clung to life despite the pressures of a disastrous beginning and almost regular financial crises.

It is, to begin with, a most unlikely kind of clinic.

The patients never get a bill.

The founders were two imposters who passed themselves off as psychologists until it was discovered one was a paroled convict.

NO PERMANENT STAFF

It is often impossible to tell the staff, dressed casually and comfortably, from the patients. There is, in fact, no permanent professional staff.

When the clinic began a year and a half ago, its services were mainly medical care and counseling.

These are still its two major sections. But now, when the doors open each evening, visitors can also get help finding a job, receive legal counseling, get advice about the draft, have their teeth fixed and attend workshops in arts or crafts.

From its birth as a place where the hippies of the Sunset Strip and surrounding areas could come for help, the Free Clinic has evolved into something broader than that.

"Sort of an establishment for disenfranchised youth," suggests Dr. Murray Korngold, Beverly Hills psychologist and a key figure in the early days of the clinic.

IMPOSTERS OUSTED

It was Korngold and a young pediatrician, Dr. Barry L. Liebowitz, who evicted the two imposters, John L. Duke and Leonard Malcolm, on a rainy November morning in 1967.

Their downfall was a photograph of Duke, 33, published in the Times. An unidentified informant supplied that tip that led to the discovery Duke did not hold the Ph.D in psychology that he claimed but was actually a convicted thief and forger who had been in and out of prison since 1960.

That led to inquiries about Malcolm, 27, who was also discovered to lack the credentials he claimed.

Duke was promptly returned to prison by California parole authorities and Malcolm severed his relations with the clinic and dropped out of sight.

SHUT BRIEFLY

But the clinic was in turmoil. Volunteer doctors, psychiatrists, psychologists and others who had been taken in by the pair held emergency meetings to decide what to do.

When the clinic was briefly shut down for reorganization, the move was greeted by skepticism in the hip community. An underground newspaper said the whole thing was an American Medical Assn. plot against the clinic and scoffed at notions it would ever reopen.

On the morning after New Year's, 1968, it did—in new, 26-room quarters at 115 N. Fairfax, about three blocks from the original location.

Its growth since then has been spectacular, but it has remained fiercely independent and plainly casts its allegience with the young people who make up most of its caseload.

"Most of the staff people here," said a clinic worker, "are younger and feel a need to participate—not just in the problems of the kids, but in what they see as the hippie ideology, the value system."

The clinic has never been able to shake its label as an all-hippie institution. Packages still arrive addressed to "The Hippy Clinic." But its clientele disproves the label.

Hippies rub shoulders with youths from conventional family settings, afraid to go to their parents with their problem and not trusting the family doctor. Older persons are occasionally seen.

CLIENTS MAINLY YOUNG

"If you want to describe the people we see here," said one psychologist, "the major characteristic is that these are people who would not get help unless there was a free clinic—people who wouldn't go anywhere else."

The clients are, of course, mainly young. In the medical section, for example, of the 12,931 cases handled last year, 75% came within the 18 to 24-year-old range. Most are from the immediate Los Angeles area, though some come from points as distant as Riverside, San Clemente and Santa Barbara.

The ailments they bring are mainly conventional: everything from burns and broken limbs to allergies and sore throats.

But many are related to the haphazard way of life sometimes adopted by the clinic's young patients: malnutrition and fatigue, the after-effects of abortion, ailments like ringworm, lice and scabies, respiratory illnesses like pneumonia, venereal disease and drug abuse (as well as drug-related afflictions like hepatitis (which may result from using unclean hypodermic needles).

Jerry Rockman, a 32-year-old Ph. D. candidate in clinical psychology at USC, heads the clinic's counseling section.

There, the total caseload will probably go over 2,000 this year, and the experience is much the same: most patients have fairly ordinary complaints.

DRUG PROBLEMS

The overwhelming number come with "self-problems," as Rockman puts it: problems of depression, loneliness, hopelessness, personal relationships gone wrong.

Nobody on the clinic staff sees drugs as the main problem.

Says Rockman of youths who come to the counseling section with what is ostensibly a drug problem (usually the so-called psychedelic drugs):

"These people are in distress, and they have found a way to relieve that distress. And the way to help these people is, you try to relieve that distress. The drug is not the point."

The clinic has, nonetheless, earned a reputation of knowing more about treating youths with reactions to the psychedelic drugs than most other medical facilities.

HIPPIE INFLUX

Despite its more dramatic cases, the clinic sees little violence. It has had two deaths—both due to drug overdoses. And occasionally, a distraught patient puts a fist through a plaster wall.

But generally, the clinic is a pleasantly confused sort of place, a melange of protest posters and Oriental art, brightly painted walls, rock music, lots of people, worn out furniture, hand-me-down medical equipment, much affection, and an occasional frankly worded sign warning of the hazards of VD.

The clinic has most often been compared with a similar facility opened in San Francisco's Haight-Ashbury district during the height of that city's hippie influx.

Jay Franklin, the 36-year-old ex-computer systems designer who is administrator of The Free Clinic's medical section, worked one summer at the Haight-Ashbury clinic. He sees no comparison:

"The clinic here—it's like an ecology. There's a concern with the total person. It's just a lot more."

One thing The Free Clinic has a lot more of is volunteers, over 200 of them now: doctors, psychiatrists, nurses, psychologists, social workers, lab technicians, dentists, pharmacists, counselors, medical intake workers, lawyers, housewives, and more.

STUDYING CONTRASTS

Most spend at least one afternoon or evening each week at the clinic.

And they are an often-startling study in contrasts.

An attorney who spends his daytime hours in a free law office for the poor works alongside a veteran criminal lawyer and another attorney who for six years was a federal prosecutor.

The medical officer for a federal prison heads The Free Clinic's medical section, whose personnel ranges from a San Fernando Valley obstetrician to a Beverly Hills surgeon.

A 27-year-old Los Angeles stockbroker has been organizing workshops for the clinic.

For the doctor or psychologist, the motive if often a dual one: a real feeling of wanting to help, plus a professional excitement over the kind of work to be done.

"It's a combination of altruism coupled with a little bit of selfish interest," said one doctor.

Other volunteers may have different reasons, like Mrs. Sarah Novak, a matronly Los Angeles housewife and grandmother who helps run the job co-op. She went to the clinic and volunteered her services after her daughter was killed in an accident while attending college.

Said one clinic worker: "This is probably one of the few organizations anywhere which is as rewarding to the people that work here as the people that require the service. In a sense, we're all patients. We help each other here."

The clinic is run—or runs itself—according to a vague system of management that is notable for the constant change it undergoes. Right now, a board of directors made up of representatives from each clinic section is in command.

Actual administration is handled by a small corps of paid, fulltime workers like Franklin and Rockman. (Salaries are no great thing: from $25 a week for two youths who are security guards and janitors to $100 a week tops for administrators.)

Like any organization, the clinic has had its share of office intrigues and power plays. And there is an intense, almost electric feeling between the clinic's leaders that led one critic to snort, "Everyone here is on an ego trip."

But it is more a family feeling than anything else, illustrated by the number of youths who have come as patients and remained after finding something they could do at the clinic.

The clinic has succeeded because of its utter frankness with its young patients, its youth-oriented atmosphere and an absolute refusal to make judgments about the life style or morals of its clientele.

Says a clinic worker: "The first and only thing to be treated is the patient—not the way he looks or what he believes in."

Thus, alarmed at the incidence of infection from improper use of hypodermic needles while taking drugs, one clinic leader considers whether the clinic should make a film on how to use a needle properly—and then show it regularly.

The clinic's relations with the outside world have gradually improved.

An agreement is being worked out with the county to help provide some drugs and equipment—but progress on it has been painfully slow.

COUNSELING HELP

As a mark of its acceptance, some persons on probation have been required to get counseling help at the clinic as a condition of probation.

And the clinic has been consulted by UCLA medical experts when they encounter puzzling drug terminology being used by a patient.

Donations—the lifeblood of the clinic—come in all sizes and shapes.

Dental equipment given by a dental supply house is installed free by a local installation company. Doctors send over their unneeded drug samples.

Catering trucks sometimes stop by at the end of a day and leave unsold sandwiches. Now and then a cake is left at the door—by whom, nobody knows.

FREE TRUCKLOAD

A Kansas medical supply company dispatched a free truckload of disposable examining devices it makes after the president was impressed with the work of the clinic. Drug companies and medical warehouses have given supplies free.

The clinic's job co-op found that many youths were willing to part with their long hair if it meant employment. Problem was, few could afford a haircut. Solution: an agreement with a barber college that allows the clinic to send over one person a week for a free haircut.

Money comes in irregular spurts, occasionally by persons treated by the clinic or their families. More is raised through benefits, from movie pre-views to a radio station marathon to concerts by peformers like singer Judy Collins.

But there is never enough, and the clinic (its monthly budget is $3,500) continually staggers on the edge of financial collapse, behind in rent, salaries and bills, and not quite sure where the next dollar will come from.

NEW APPROACH

If the clinic has accomplished anything, it has forced public health officials to reassess their approach to health for young people.

Dr. Robert C. Weiss, chief of the child health division of the County Health Department, credits the Free Clinic with having a major influence on the county's decision to open its first free health clinic for youths.

"I think we have to give them credit for being the imaginative, original spark," said Dr. Weiss.

"They gave us visible evidence that there's an awful lot of patients going to that type of facility and that raised the question of what was wrong with conventional facilities."

The county clinic, located in West Hollywood not far from the Free Clinic, is a pilot project. If it works, more will be opened elsewhere.

GOOD EXAMPLE

Already, there is a good working relationship between the two clinics, and the county clinic—with relaxed atmosphere and a staff chosen for its ability to work with youths—show how seriously the example of the Free Clinic is being taken.

No account of the Free Clinic should end without one last look at the case of John L. Duke, the imaginative convict who started the whole thing.

A few weeks ago, from his cell at Soledad Prison, he sued the state for $1 million, saying it had no business revoking his parole for his activities in the clinic.

Besides that, said Duke in the suit, he wants the state to give him back his clinic.

That has to be testimony to its success.

Valley Doctors May Secede—Medical Association Faces Split

(By George Getze)

The Los Angeles County Medical Assn., biggest and most influential local medical society in the United States, may be about to have one of its extremities lopped off.

Secession from LACMA has been discussed for many years, particularly in the San Fernando Valley and in the Long Beach-San Pedro areas.

Critics of LACMA charge:

—That the organization is so big it is unwieldy. There are more than 10,000 doctors in the association.

—That it is controlled by a group of right-wing reactionary doctors who don't appreciate the changes that have taken place in political and economic philosophy.

—And that it is impossible to get misbehaving physicians kicked out of LACMA or have them otherwise disciplined.

The movement was thought to have been scotched last year when the valley was divided into two districts, thus putting into separate districts of LACMA some of the most enthusiastic supporters of secession.

But this month the association's District 6, made up of doctors in the valley west of Sepulveda Blvd., is voting whether to separate from LACMA and to ask the California Medical Assn. for an independent charter.

District 6 doctors got their ballots June 11 and 12. They have until July 11 to cast their votes.

The secessionists in the west valley think they'll win, and that if they do, other districts in LACMA will be encouraged to try for independence, too.

The areas the rebellious members feel are most likely to try are Long Beach-San Pedro, Beverly Hills-Wilshire and Santa Monica-Westwood.

The movement to secede strikes Dr. Robert Carter, a Reseda general practitioner and an opponent of separation, as rather frivolous.

He compared the secessionist doctors with teen-agers who rebel against their parents "just on general principles."

SEPARATIST TELLS VIEWS

Dr. Marvin J. Shapiro, an Encino radiologist, a councilor of the CMA and a director of District 6, is one of the leading separatists.

He said the present election in the west valley is more than just an exercise in medical politics.

"The outcome is important to the public and doctors," he said.

"The basic question is this, 'Can any professional society of 10,000 members do its job?' " Dr. Shapiro said.

"Some purely scientific societies with that many members may be able to serve their purposes, but LACMA cannot.

"If a medical society has any reason to exist it is to serve the public's needs, to represent the profession in advancing those needs, and to uphold and advance the interests of its members."

According to him, LACMA isn't performing one of its most obvious tasks—that of disciplining doctors whose professional behavior reflects on their colleagues.

SAYS ACTION INADEQUATE

Dr. Shapiro said District 6 has asked LACMA to discipline doctors many times, but that never once has adequate action been taken.

"Doctors are people, like anybody else, and out of 10,000 of them in LACMA or the 650 or so in the west valley, there are bound to be some who perform poorly," he said.

"A few of them have dossiers at LACMA headquarters a couple of inches thick."

This claim of inaction in disciplinary matters was contradicted by Dr. Joseph Boyle, an internist who formerly was president of LACMA and who is one of the leading spokesmen for the organization.

He said disciplinary action has been taken in every case that was properly and adequately documented.

"Simply bringing a charge of unethical practices isn't enough," Dr. Boyle said.

SAYS NO NAMES SUBMITTED

He said the District 6 secessionists repeatedly had been asked for the names of doctors they think ought to have been disciplined but who were not, but that no such names have ever been submitted.

"It's absolute nonsense," Dr. Boyle said of the argument that LACMA cannot or will not discipline its members.

Dr. Shapiro and Dr. Douglas MacInnis, an Encino orthopedic surgeon who is president of District 6, both emphasized that though many complaints have been made to LACMA's disciplinary committee, the complaints have involved very few doctors.

"Even a few are too many," Dr. Shapiro said.

Another argument advanced for separation is that "the doctors downtown" have an inflexible, reactionary political philosophy that gives the medical profession a bad name.

"The fact is, the county association is controlled by a group of dedicated ultra-conservatives whose philosophy is dominated by the principle that health care is a commodity to be bargained for in the marketplace like any other," Dr. Shapiro said.

He said the group of doctors that controls LACMA said so in almost as many words in the first issue of Private Practice, a publication of the Congress of County Medical Societies, a new association that Dr. Shapiro said was organized by Dr. Boyle and others as a rival to the American Medical Assn.

"They think the AMA is too liberal," he said.

Dr. Boyle labeled as "completely irresponsible" the charge that the association is controlled by right wingers. He said anyone making such a charge "really is acting in extremely poor faith" and added that the association has a long history of providing leadership for the community in comprehensive health planning.

Dr. MacInnis said the doctors in the west valley are more openminded than the ones who run LACMA, and in this respect they reflect the attitudes of the west valley community that has been created in the last two decades.

"The doctors out here are generally in their 30s and 40s, and aren't so much handicapped by 'senior ossification,' the hardening of attitudes," Dr. MacInnis said.

ONLY 13 PERCENT IN FAVOR

The doctors practicing west of Sepulveda were put into a different district from those practicing east of that boulevard last year—against their will and just to try to weaken their influence, according to the secessionists.

They said a poll of all the doctors in the then District 6, which included almost the whole valley, showed only 13% in favor of splitting the district at Sepulveda or anywhere else.

Nevertheless, the "doctors downtown" forced the division through, hoping to isolate the west valley moderates, it is felt by those moderates themselves.

In contrast to the young, openminded doctors of the west valley medical community, the doctors downtown who run LACMA are "geheimrats," according to one surgeon who didn't want his name used because he is no longer in District 6.

(Geheimrat is a German word meaning privy councillor. It has become an opprobrious term, connoting petty dictator, and is most often used to describe a self-important professor who runs his department with an iron hand.)

REGARDED AS "RIGHT"

Dr. Shapiro and Dr. MacInnis say their attitude toward medical politics is the "moderate" position.

"Moderates have accepted the fact, perhaps sometimes reluctantly, that health care has come to be regarded by almost everybody outside the medical profession itself as a right, rather than a privilege," Dr. Shapiro said.

"We should be working with everybody concerned, including government and insurance companies, to provide health care as a right, and to do it as efficiently and economically as possible," he said.

Moderates think government-controlled medicine would be bad for both public and physicians.

"The way to avoid it, however, is not the LACMA way," Dr. Shapiro said.

Dr. Carter doesn't think this is a genuine argument.

"Nobody proposes that doctors and patients haggle over charges," he said. "The charge should be understood between them, that is all. There's no such thing as free medical care. Somebody has to pay for it, and surely we can all agree that it should be paid for, if possible, through insurance by those who get it."

According to the secessionists, those who are in control of LACMA are in that position because of the apathy of the membership. They said a 40% turnout in a LACMA election is a huge vote, and that few doctors will consent to hold office because it takes too much time and they don't feel strongly enough to make it seem worthwhile.

It's the size of LACMA that is to blame for the apathy, they said.

Dr. MacInnis said the voting going on this month in District 6 is being watched closely in the state and national medical associations.

The reason for the interest, he explained, is that LACMA is one of five or six powerful local societies that are so influential they are able to "tilt" the AMA, even though that organization is more moderate.

Other groups that can, as Dr. MacInnis said, "tilt" the AMA rightward, are the medical societies of Harris County (Houston), Tex.; Hennepin County (Minneapolis), Minn., and the Ohio State Medical Assn., as well as county and state societies in the south.

BENEFICIAL EFFECT

Reorganization of LACMA, Dr. Shapiro said, would have "a most beneficial effect" on organized medicine in the United States.

"We aren't protestors, or agitators, or renegades, or anything like that," Dr. MacInnis said.

"In LACMA they say medicine's voice in Los Angeles will be heard louder and clearer if it speaks with one voice, but we feel medicine needs a voice other than the one people have been hearing locally."

Dr. Shapiro agreed.

"It is our voice that is really the majority voice of American medicine," he said.

"That is proved by the attitude of the AMA and the CMA. It isn't we who are divisive. It's the ultra-conservatives who are. It was they who organized a rival organization to the AMA in the Congress of County Medical Societies."

CHARGE DENIED

(This is denied by the organizers of the congress, who affirm their intention to work within the current organization of state societies and the AMA.)

Dr. Boyle said doctors shouldn't be voting in the present state of heated conflict.

"If doctors in District 6 heard both sides in a district meeting, and then decided to separate, it would be a different thing," he said.

He said that when he was president of LACMA he asked if he could go out to a district meeting to discuss these problems. He was not only not invited to come, he said, but he was made to feel unwelcome.

At one meeting he did attend as an observer, he was told he would be ruled out of order if he tried to speak from the floor, Dr. Boyle said.

"Los Angeles is a large medical community, but it is a community," Dr. Boyle said.

CITES ADVANTAGES

"It has a good library, the same public relations and publications setup, and the trend now is just the opposite of splintering. In fact, internists and other specialists are forming larger-than-countywide groups just to maintain good libraries and to promote and continue proper postgraduate education," he said.

Both Dr. Boyle and Dr. Carter mentioned malpractice insurance premiums. They said doctors in District 6 might have to pay more for insurance if they were no longer part of the county society.

The secessionists, however, feel that higher premiums are being mentioned as a disguised threat to persuade doctors to vote against separation.

If LACMA could discipline its "bad actors," they said, malpractice insurance rates might go down instead of constantly up.

COMMUNICATION BETWEEN GENERATIONS

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. WYMAN. Mr. Speaker, in this time of so-called youthful rebellion, communication between the generation that is between 17 and 30, and that between 30 and 60 is increasingly important, and difficult. One of the reasons has been failure to articulate the differences in viewpoint: to spell them out so people of all ages can understand them for what they are and arrive at their individual judgments as to their respective merits.

Apparently we have had all too few spokesmen for the values and principles that made America strong and free. These values and principles remain as valid and sound today as they have been throughout the tests of time. But how to get this across to the young people coming along who seem to want to tear everything down offering nothing truly constructive in its place.

In this connection I commend the thoughtful reading of the following exchange of correspondence between a resident of Great Neck, N.Y., and Mr. James Robertson, of the Federal Reserve Board, in Washington, D.C., as appearing in yesterday's U.S. News & World Report:

ONE GENERATION SPEAKS TO ANOTHER

(A high-school student with "radical beliefs" has challenged a leading banker on major issues that have helped to create the generation gap. A letter from the youth, and the banker's reply, are presented below. The basic question: Should the American system be torn down for one that would put "human rights" above "property rights"?)

AMERICA'S VALUES: "WORN OUT"

(By Marc Machiz, Great Neck, N.Y.)

Sirs: I read with interest the speech by James L. Robertson in your issue of June 9 [page 96]. It was one of the few honest, well-reasoned defenses of the establishment position I have come across, and as such requires an equally unemotional, well-reasoned reply. It is with a disturbing sense of my own inadequacy that I will attempt to supply one.

I am a high-school student with radical beliefs. I believe that America today is fundamentally on the wrong course and that therefore its institutions do not merit support but rather the most effective resistance that can be provided. Here I differ from many or most of my radical counterparts in that I believe that nonviolent disobedience is ultimately more effective than violence. Because of this I am more acceptable to the establishment than, say, SDS [Students for a Democratic Society].

However, the difference between myself and others is merely one of the tactics: I simply believe that the power structure can be dismantled more effectively with nonviolence. However, my goals and views of American society are essentially the same as my more-violent counterparts.

The basic underlying assumptions of James L. Robertson's speech were that the values upon which American society has rested are good and, further, that these values, operating through our institutions, are working toward good ends. These assumptions—considered almost axiomatic by many—need reexamining.

American society has always been materialistic. This basic materialism has manifested itself in many ways—some good, some bad. Historian Richard Hofstader, in "The American Political Tradition," has said that ours is "a democracy in cupidity rather than a democracy of fraternity." The idea that everyone is entitled to what is his and a chance to obtain more is the underlying principle behind American democracy.

The growth of democracy is one of the few—if not the only—totally good consequences of American materialism. To balance it we are forced to live in a society which places property rights above personal rights and freedoms. The most recent and graphic illustration of this is the "people's park" incident at Berkeley.

It is not surprising that the best defense of the established order should come from a central banker.

In the past our institutions—based on democracy but, even more fundamentally, on property rights and rights of opportunity—have managed to adjust to changing social and economic considerations. It was accomplished with relative ease in Jackson's time, with bumbling ineptness and neglect at the time of the "robber barons," and purely by the lucky circumstance of a war at the time of the Depression.

But now the challenge presented by affluence—which [economist J. Kenneth] Galbraith wrote about in '58—and the black revolution have shown American institutions to be totally inadequate. The circumstances which took shape in the '50s and have come to fruition in the '60s are demonstrating every day that our institutions don't have the capability to adjust.

This is why so many young people are frustrated to the point of violence.

Rather than adjusting, American institutions have taken the defensive—e.g., Chicago.

Nixon's black capitalism and even Johnson's antipoverty program have proven themselves ineffectual.

In the midst of our affluence, millions starve because Americans believe that, once you have property, it is sacred—no matter that your neighbor starves and lives with rats.

American corporations exploit foreign labor and resources in Latin America, and we wonder why Rockefeller—the symbol of American business success—is greeted by violent demonstrations there.

Here in my home town, property owners—terrified that "ghetto" dwellers might ask for or demand their fair share—turn out in record numbers at the polls to reject the busing in of 60 to 200 elementary-school students from Queens.

From my vantage point, we are confronted with a worn-out set of values. For once, our underlying values are in direct conflict with the sort of institutional change required by political and socioeconomic circumstance, and the youth of today find themselves confronted with a majority firm in the conviction that the old values remain valid.

The question asked at this point is: How can we, as professed "liberals," advocate defying the will of the majority? We are accused of being antidemocratic and totalitarian.

One can answer by saying that the right of the black man to eat and obtain an education; the right of foreigners to be free of American corporate domination; the right of the individual not to kill or participate in institutions that will lead to the death of others if he feels it immoral, as declared at Nuremberg; the right to real freedom of expression and information in our educational institutions; the right to freedom from invasion of privacy by our governmental institutions—all of these rights are higher, of more value and more worthy of defense—to death, if need be—than the right of the majority to deny them.

We have reached a point in our development when we must replace our "democracy in cupidity" with a "democracy of fraternity," and when human rights must be placed above both property and majority rights.

We have reached a turning point. If we cannot see that it has been reached, God help us all.

P.S. I would be most grateful if you would forward this letter to James L. Robertson.

THE OTHER SIDE

(Reply by James L. Robertson, Vice Chairman, Federal Reserve Board, Washington, D.C.)

Dear Marc: Mr. David Lawrence has forwarded to me your very well-written letter commenting on my remarks on the turmoil on our campuses. Since you have taken the time and trouble to put down your views thoughtfully and dispassionately, I would like to give you my own reaction to the case you make. I want to comment on some of your key statements from the standpoint of their factual accuracy.

1. "*American society has always been materialistic.*"

If this means that Americans like human beings the world over, have always been preoccupied with supplying themselves with food, clothing and shelter, I agree. Man must of necessity supply his material requirements if he is to survive.

If, however, you mean to imply that Americans have been *exclusively* concerned with the accumulation of material wealth and have, in comparison with other peoples, neglected the development of spiritual and esthetic achievements, I have to differ.

Our country was initially settled, in part, by dissenters who came here not because life pioneering in the American wilderness was easier and more materially rewarding than it was in Europe but because they found here greater freedom to realize their spiritual needs.

I think if you will probe into American history and study the sacrifices that have been made for idealistic goals—whether by the early settlers in the colonies, those who fought for independence, those who gave their lives in the Civil War, those who fought in World Wars I and II to resist the authoritarian and totalitarian movements in Europe and Asia—you may conclude that Americans, perhaps more than any nation in history, have been prone to sacrifice for great ideals.

I realize that there is a school of historians who seek to debunk all of this and would have you believe that behind every noble cause there has been a greedy motive. Charles A. Beard, the famous historian, was one of the popularizers of this idea, having written in his younger years a book called "An Economic Interpretation of the Constitution of the United States." This purported to show that the men who drafted and secured the adoption of our Constitution were motivated entirely by selfish economic interests. Charles Beard himself later rejected this theory, but it has nevertheless lived on.

This base view of man's motivations is plausible only when applied to people that we do not personally know. We all know from our own experience that there are many things we do that are unselfish. We know that our relatives and friends frequently sacrifice their own personal interests for the sake of others. What arrogance it is to assume that those whom we do not personally know, especially the great men of history, have been motivated only by the desire for personal gain!

I commend to your attention a new book by Milovan Djilas called "The Unperfect Society" in which he discusses how he came to realize the falsity of this concept which had been an essential ingredient of his faith as a Marxist. Condemned to prison for having written his scathing indictment of the Communist societies of Eastern Europe, Djilas asked himself how the Marxian theory of economic determinism could explain his own conduct—his sacrificing of his position of power and privilege as Vice President of Yugoslavia in order to expose what he considered to be error and injustice. He concluded that men were moved by ideas—not exclusively by selfish, material interests.

2. "*The growth of democracy is one of the few—if not the only—totally good consequences of American materialism.*"

The growth of democracy is not a consequence of materialism but a consequence of man's thinking about ideal forms of political organization. It has taken centuries for the Western world to achieve the present degree of success in the operation of democratic institutions.

It would, in my view, be more accurate to attribute America's economic progress to the fact that we have had a smoothly functioning democratic form of government that has encouraged individual initiative, enterprise, saving and investment. Men have been assured that they and their descendants could enjoy the fruit of their labor—that it would not be arbitrarily sequestered by a capricious ruler or by private parties who could, with impunity, disregard the law.

The less-developed countries of the world have learned or are currently learning that their own economic progress depends on developing similar conditions. For nearly two decades many of them were enamored of the idea that they could lift themselves by their bootstraps by means which penalized private initiative and enterprise, denied or seriously impeded the right to earn profits and acquire property, and discouraged saving and investment. They have found to their sorrow that these methods are not conducive to satisfactorily economic development. And economic development—an increase in material abundance, if you will—is something they very much want.

I should note that an increase in material abundance produces many good consequences. Our society does not require that anyone participate in the consumption of most of the vast array of goods and services, such as higher education, medical care, symphony concerts, etc., and anyone who so desires may freely elect to live primitively if he so desires. If he cannot find sufficiently primitive conditions here in the United States, he is free to emigrate to a country where material abundance is lacking and where he can struggle unaided against nature. The fact that few elect to do so indicates that the overwhelming majority of people find material well-being more of a blessing than a curse.

3. "*We are forced to live in a society which places property rights above personal rights and freedoms.*"

First, let me point out that we erect no Berlin Wall around the United States. There is no off-limits zone around our borders—as there is in the Soviet Union—which can be entered at the risk of one's life by anyone desiring exit from the country. Emigration is free and unrestricted, and thus it is untrue to say that anyone is "forced" to live in our society. On the contrary, one is free to move to a society that satisfies him better if he can find one. This you will no doubt concede.

But what about the cliché that our society places property rights above personal rights? The right to own and control property is a personal right and one of the most important that we enjoy. What you really mean, I suspect, is that the personal right to own and control property is placed above other personal rights. It is generally recognized that there have to be limitations on personal rights. My right to swing my fist ends where your nose begins. If this were not the case, your personal right to be safe from intimidation would not be worth much.

Thus your right to own property would not be worth much if the law did not prevent others from trespassing on your property against your will. This may curb the right of others to freedom of movement, but that is one of the compromises necessary to enable men to live together in harmony. This is part of the body of law that has been worked out laboriously over the centuries.

The right to own and control property is not, of course, absolute. The state exercises the right of eminent domain and may, under due legal process, deprive one of his real property to carry out public purposes, provided it pays just compensation.

The power to tax is also the right of the society to take part of one's individual property in order to pay for governmental services. We have increasingly imposed what are known as transfer taxes, which take one man's property in the form of taxes and use it for the benefit of others, such as those who are on welfare.

Society has decided that the personal right to property can be legitimately curtailed to the extent necessary to provide support to those who are unable to support themselves. As you know and as you will come to appreciate better when you yourself are a taxpayer, the burden of taxation is rather heavy and a substantial part of the tax revenue is used to pay for services which may not be of any direct benefit to the person or corporation that pays the taxes.

Let me offer a little vignette that may help you understand why men of "liberal" views have always placed high value on the right not to be deprived of one's property capriciously:

Let me assume that you find a job this summer, work hard and save $500. You use this money to buy a used car, and one of the first things you do after you get the car is to take your girl to the movies, parking the car in a pay lot. When you come out of the movie, your car is not in the lot. The attendant explains that a student from Nigeria came along and took your car.

You ask why he let him get away with it, and he explains that the student told him that he needed a car very badly to commute to his university. He obtained only a very small allowance from home and could not afford to buy a car. Being a foreigner, he was not able to get a job to earn money

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here. The attendant says that he was convinced that the Nigerian student needed the car more than you did and he therefore let him have it. When you protest he says: "Are you the kind of person who would place property rights above human rights?"

If you were true to your philosophy, you would have to admit that he had a valid point, and I suppose you would drop the matter. You might wonder, however, what point there was in your working hard to earn money to buy a car if you were constantly faced with the possibility that someone might take it away from you on the grounds that his need was greater than yours.

Unless property rights are reasonably secure, man's incentive to work, save and invest is likely to be weakened and economic progress will be slowed. What is more—tensions and conflict will rise, since there are not many people who would take your broadminded attitude and willingly give up to the first claimant the things they had sweated hard to obtain for their own use and enjoyment.

4. *"The most recent and graphic illustration of this (the placing of the right of personal property above other personal rights) is the 'people's park' incident at Berkeley."*

I do not know all of the details of this incident, but I notice that "The New York Times" of June 14, 1969, quotes Governor Reagan of California as saying that Chancellor Roger W. Heyns of the Berkeley campus had repeatedly expressed willingness to discuss the "people's park development" with "squatters" prior to erecting a fence around the tract. "The Times" states: "But at no time, the Governor added, did the 'squatters' designate a committee with which he could negotiate." The Governor pointed out that the leaders of the demonstration had subsequently issued a 13-point manifesto which included these points:

"We will shatter the myth that the University of California is a sacred institution with a special right to exist."

"We will demand a direct contribution from business, including Berkeley's biggest business—the university—to the community until a nationwide assault on big business is successful."

"We will protect and expand our drug culture."

I wonder if it is not possible that the confrontation over the "people's park" was not engineered for political reasons somewhat akin to those that motivated the SDS in creating an issue over Columbia University's plan to build a gymnasium. Are you sure that it would be desirable to have a system in which the use to which property was put was determined by according primacy to "squatters' rights"?

5. *"The challenge presented by affluence . . . and the black revolution have shown American institutions to be totally inadequate . . . Our institutions don't have the capability to adjust."*

This is a prediction that our institutions will not be able to surmount: (1) difficulties caused by our affluence and (2) the discontent of some of our Negro citizens.

I remember similar predictions when the challenge was that of deep depression. There were many then who thought the country was doomed. They were wrong.

After World War II, there were many who forecast dire trouble for America. Andrei Vyshinsky, for example, was quite confident that we were headed for a cataclysmic depression in 1949 when the economy went into a recession. That forecast, too, was wrong.

How much nicer it is to have to worry about the crisis caused by affluence than the ones caused by depression!

In my judgment, our biggest problem is that bright young men such as you—who should be full of pride in what unfettered human beings have accomplished under a political system that pessimists 150 years ago said would never work—are even more negative than those eighteenth and nineteenth-century authoritarians who were convinced that the common man could not be entrusted with political freedom.

Instead of exhibiting enthusiasm for what has been accomplished already and determination to make our institutions work even better in the future, you talk as though we had been rushing madly toward the precipice for 200 years and were now on the verge of tumbling over. There seems to be some lack of historical perspective here.

I am confident that our institutions can adjust to changing conditions in the future as they have in the past. I hope that young people like you will prove capable of facing the future with optimism and understanding of the true nature of the challenges confronting you. This can only come from better understanding of the nature of the challenges that those who went before you met and overcame.

6. *"In the midst of . . . affluence, millions starve because Americans believe that once you have property, it is sacred—no matter that your neighbor starves and lives with rats."*

I wonder if you could document the statement that millions of our people are starving. I commend to your attention an article in "U.S. News & World Report" of April 28, 1969, entitled "Truth About Hunger in America." The article reports on a study entitled "The National Nutritional Survey," directed by Dr. Arnold E. Schaefer, who is in charge of nutrition programs for the Department of Health, Education, and Welfare. "U.S. News & World Report" stated:

"In a nation of 201 million people, no outright starvation has been found." This conclusion was based on a careful study of a sample of 12,000 people—80 per cent having family incomes of less than $5,000 a year. That there is malnutrition no one would deny, but starvation is apparently very rare.

If it were true that millions were starving, I presume that it would have been a simple matter for CBS [in a TV program] to find a child dying of starvation to portray in its now-famous documentary "Hunger in America." Instead, it has now been proven, I understand, that CBS showed a baby dying of complications related to premature birth that had nothing to do with nutrition and falsely told its viewers that the baby was dying of starvation.

This points up one of our serious problems—the willingness of people to exaggerate and distort the facts in order to prove a point. This misinforms, misleads and creates conflict and tension, because people who have a different understanding of the facts will probably reach very different conclusions and will advocate different policies. We need much more dedication to factual accuracy to reduce tension and conflict.

I have commented in No. 3 above on the idea that Americans believe property is sacred. I would like to point out that New York City alone spends about 2 billion dollars a year, representing property taken from taxpayers, to support those who are unable to support themselves. I have traveled in many countries of the world, and I have seen no people more inclined to give to support their neighbors in need than are the Americans. This has been manifest not only in our domestic programs but in our assistance to foreign lands as well.

Since 1946, we have expended 173 billion dollars in aid to foreign countries, including substantial amounts given to aid the enemies we defeated in World War II. Never before in history has a victorious power shown such generosity—demanding no reparations or tributes but giving huge amounts of aid to help the defeated survive and revive their economies.

There may be those who will tell you this was all done for ulterior motives. These are the people who seem to be unable to conceive of human beings acting for noble reasons. Perhaps this is a reflection of their own character.

7. *"American corporations exploit foreign labor and resources in Latin America."*

American capital has played an important role in assisting Latin-American countries in the development of their resources and in providing employment for their people. If putting up the money to bring in machinery, build roads and pipelines, erect plants and build communications networks is exploitation, American businessmen will have to plead guilty. If hiring and training workers for higher wages than any local employer is willing to pay is exploiting labor, again our businessmen will have to plead guilty.

The simple fact is that most of the Latin-American countries have not only welcomed "exploitation" of this kind but are complaining that we are not doing enough of it today. Countries that have not benefited from such "exploitation" in recent years—such as the U.A.R. [United Arab Republic], which has been fiercely socialistic—are beginning to wonder how they can get some of it. Here is what Dr. Mohamed Abu Shady, chairman of the National Bank of Egypt—a government bank—wrote in the leading Egyptian paper, "Al Ahram," on Jan. 15, 1969:

> There is agreement on the necessity of working to attract foreign capital, in one way or another, because there can be no real development otherwise. However, the solutions presented take only a partial view of the problem . . . because the situation, first and foremost, calls for creating a suitable atmosphere for bringing in foreign capital."

Dr. Mohamed Abu Shady is more practical than some who think that they can obtain the benefits of foreign investment in their countries without permitting returns to the investors that are attractive to them.

8. *"Human rights must be placed above both property and majority rights."*

This is the nub of the debate. What you are saying is: "The majority does not agree with my values. Down with the majority. Don't waste time trying to reason and persuade. The evils are so great and so intolerable that they must be swept away by decree as fast as possible."

And so it is that tyrannies have always begun. After the abdication of the Czar, the leadership of Russia fell into the hands of the Social Democrat Kerensky, who respected democratic processes and the preservation of civil rights, including the ownership of property. That was not satisfactory to Lenin. Democracy was overthrown, and the leadership fell to a highly "righteous" minority—the Bolshevik elite.

The result has been, in the words of Djilas, the clamping down of an iron fist under which "there is room for neither air nor light." The personal right of property, which so troubles you, was abolished—with the result that every citizen became completely dependent for his livelihood on the exclusive elite who controlled all property. The sturdy yeomen known in the U.S.S.R. as *kulaks* were starved and slaughtered. Literally millions were put in slave-labor camps.

The privileges of the few abounded; the rights of the many ceased to exist. And all this was done in the name of placing human rights above property rights. That slogan has an evil sound to the oppressed people of Eastern Europe, China, North Vietnam, North Korea and Cuba. Where, they ask, are the most-elementary human rights that they used to enjoy under the regimes the Communists overthrew? At least, they say, let those of us who do not want to live under the iron fist leave.

This is all that Boris Kochubinsky, a Jewish engineer from Kiev, asked of the Soviet state: He and his wife wanted to go to Israel. They were forced out of their jobs and then arrested last November. Two weeks ago Boris Kochubinsky was sentenced to three years in prison because he and his wife dared to publicly protest the fact that they were denied permission to emigrate to Israel.

I do not know whether Lenin and his associates thought that their demand for placing human rights above property rights would ever lead to this tragic absurdity. But it has. And once you institute a system of government that gives you or anyone else the right to dictate, this is what you risk.

LIMITATION ON FAT CONTENT IN COOKED SAUSAGE

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. OBEY. Mr. Speaker, it is refreshing to occasionally see an individual or a businessman who places public interest above private gain.

Recently I received a letter from a distinguished Wisconsin citizen and businessman, Mr. Richard D. Cudahy, president of the Patrick Cudahy Meat Packing Co., urging strong Federal action to limit the fat content in cooked sausage. His support of the public interest should not go unnoticed. I include the letter at this point:

PATRICK CUDAHY, INC.,
Cudahy, Wis., June 24, 1969.

Re cooked sausage hearings.

Mr. B. J. HOLSTEIN,
Hearing Examiner, U.S. Department of Agriculture, Washington, D.C.

DEAR MR. HOLSTEIN: Please put Patrick Cudahy Inc., a major producer of cooked sausage (wieners and bologna), on record as *supporting* an appropriate limitation by regulation of the fat content of this type of sausage product. Although we strive successfully and consistently to maintain the leanness of our product, in the long run the competitive pressures in the direction of increasing fatness can be contained only by reasonable regulation in the public interest.

In addition, since we have nothing to hide in the composition of our sausage, we would welcome a workable requirement for labeling of sausage products to disclose their contents in terms of protein, fat, moisture, spices or whatever might be of concern to consumers. This is not a requirement for which cooked sausage products should be singled out; other food products which may be the subject of concern should meet the same standards. Certainly to the extent humanly possible the consumer is entitled to know what he is eating.

The U.S. Department of Agriculture has a fine tradition of leadership in consumer protection and the meat industry an equally distinguished record of leadership in the provision of wholesome food at low cost. We feel both traditions would be well served by the establishment of a reasonable limitation on the fat content of cooked sausage as well as by a requirement for labeling to disclose sausage contents.

Our industry is best served when the consumer is protected beyond the slightest cavil or doubt. We support the Department's efforts to provide that protection through the proceeding now being conducted by it.

I respectfully request that this letter be made a part of the record of these cooked sausage hearings.

Your very truly,

RICHARD D. CUDAHY,
President.

WHAT IS MINERAL KING?

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. BURTON of California. Mr. Speaker, recently I introduced H.R. 8753 which would have the effect of preventing commercial development of one of the most beautiful parts of California. I refer to the Mineral King Valley which the National Park Service has turned over to Disney enterprises to develop as a popular resort.

At the urging of the Governor of California, the State and the Federal Government are planning a $22 million road into this valley to carry a horde of visitors.

The Honorable John G. Schmitz, a senator of the State of California, assured in a letter dated June 3, 1969, that this would not simply be a highway for tourists. Mr. Schmitz stated:

> If the sole purpose of building this highway were to provide access to the Disney project, in view of its great cost there might well be reason to question it.
>
> I have discussed plans for this road with two other Senators very familiar with the area and with the highway needs of this State, and they assure me that the road will be extended beyond the Disney project, first to make possible the extraction of lumber from forests which are now inaccessible so that old trees simply fall to the ground and rot, and later to form part of the new east-west highway system across the Sierras. These future uses of the road should be taken into account in evaluating the desirability of building it.

Indeed they should. If Senator Schmitz is correct, the National Forest Service and the State of California have embarked on a plan to gouge out not just one beautiful valley, but an immense part of the unspoiled wilderness of the Sierra Mountains.

Mr. Speaker, the disaster which is about to befall the virgin purity of Mineral King has been clearly described in a pamphlet of the Sierra Club. That eminent group of citizens concerned with preventing the despoiling of our Nation's natural beauty has published the following report:

WHAT IS MINERAL KING?

The name "Mineral King" refers to a scenic alpine valley in a 15,000-acre portion of public land surrounded on three sides by Sequoia National Park in the heart of California's Sierra Nevada, about equi-distant from Los Angeles and San Francisco. A 26-mile access road turns east from the main highway to Giant Forest, passes through a section of Sequoia National Park, and dead-ends at an elevation of 7,800 feet at a small cluster of cabins called Mineral King village. (See map)

Mineral King has special natural characteristics and recreational attributes of great value. Although its scenic and ecological features are reminiscent of many other regions of the High Sierra, Mineral King is in many ways unique. Here, a primitive road reaches to the headwaters of a major river (East Fork of the Kaweah) providing direct access to at least five alpine passes. Yet the two-mile long valley is essentially unspoiled. Mineral King's U-shaped basin is rimmed with peaks rising three to four thousand feet above the valley floor to heights of over 12,000 feet. Six streams cascade into the valley from the heights above, and join to flow through meadows and groves of aspen and cottonwood. A number of alpine lakes are within less than two hours walking distance of the roadhead from which trails radiate in all directions into the southern part of Sequoia National Park, including the magnificent Great Western Divide-Big Kern Sierra to the east, and into Little Kern territory of Sequoia National Forest to the south, over Farewell Gap.

Because of supposedly valuable mineral deposits, the Mineral King valley and its environs were left out of Sequoia National Park in the early days, even though the area is ecologically part of the park and comprises the headwaters of the East Fork of the Kaweah River which flows through the park farther downstream. The area is under the jurisdiction of the U.S. Forest Service, and was designated the Sequoia National Game Refuge by Act of Congress in 1926.

The "improvements" within the area consist of about 60 cabins, along or near the river, most of which are leased from the Forest Service for summer use. These cabins, a pack station, a small general store and post office, several campsites and a few remnants of the early-days mining activity occupy less than 10% of the total area of the refuge. The remainder is wilderness where mule deer and other wildlife abound.

In addition to its function as a wildlife refuge, Mineral King now serves as a natural recreation area for hikers, sightseers, campers, fishermen, and students of natural history. Some visitors remain near the rustic village and campsites on the valley floor, others travel on foot or on horseback into the unspoiled high country of the Refuge. Mineral King carries no "admission charge" and is accessible to anyone who wishes to take the leisurely and scenic drive along the narrow access road above the spectacular canyon of the East Fork of the Kaweah from the town of Three Rivers.

WHAT ARE THE "PLANS" FOR MINERAL KING?

The U.S. Forest Service has regrettably approved the master plan of Walt Disney Productions for turning this game refuge into a $35,000,000 mass recreation resort designed to attract almost 1,000,000 visitors per year. This is roughly half the visitation that already causes a serious overcrowding in Yosemite, and Yosemite is approximately eight times the size of Mineral King! Moreover, the Disney resort will be primarily a summer resort with 60% of the total visitation expected during the summer months, when the impact of such a heavy visitation would be the greatest. At Mineral King this would mean that the tiny valley (300 acres) would be subjected to the tread of 5,000 to 10,000 people per day.

The plans call for an "alpine village" at the entrance to the valley where it would dominate the view from every direction. Included would be a five-story hotel complex of 1030 rooms designed to accommodate 3310 guests. As a standard of comparison, consider the fact that the 11-story Disneyland Hotel has only 608 rooms, and that the largest hotel in Los Angeles, the Biltmore, has 1500 rooms. Numerous restaurants (at least one atop a peak) would have the capacity to serve 2,300 guests at one time. A reservoir would replace the river and the meadow which now carpets the main part of the valley. There would also be a conference center, theater, swimming pools, apartments, specialty shops selling imported goods, a school, a golf course, tennis courts, a maintenance shop, and a depot for the cog-assisted railroad which would run between the village and the parking area a mile and a quarter away.

This auto reception center would include a hospital, a ski shop, housing for 800 employees, and an 8–10 level parking structure for 3,600 cars, adorned with a heliport. The latter is for the planned regular helicopter service between Three Rivers and Mineral

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King which would cross Sequoia National Park.

To accommodate 8,500 skiers per day the Disney corporation proposes to erect 22 ski lifts (both chair lifts and gondolas). These lifts would initially penetrate into 5 of the 8 major basins surrounding Mineral King, and, with their steel towers and cables, would mar the landscape like high-tension power lines.

While the current development plan is over-sized, the original Disney plan, which was accepted by the Forest Service, specified a visitation level of 2,500,000! And even with that gigantic base, Walt Disney stated in the Disney bid, "All of us promise that our efforts now and in the future will be dedicated to making Mineral King grow to meet the ever-increasing public need. *I guess you might say that it won't ever be finished.*" (*Emphasis* added.)

THE HIGHWAY

Since the present access road will not accommodate enough traffic to insure a profit to the Disney resort, the State of California plans to build a new 20-mile long highway, estimated to cost at least $25 million (although some engineers' estimates run to twice that figure). This new standard highway would traverse Sequoia National Park for about 9 miles and would terminate at the auto reception center in the Sequoia National Game Refuge. California Highway officials desire to construct what they describe as an "expressway" consisting of two lanes with frequent passing lanes a half mile in length. It is designed for a capacity of 1,200 vehicles per hour and speeds of 40–50 miles per hour. Construction of the highway would require the removal of some 8 million cubic yards of soil, with attendant scarring and erosion of the steep hillsides to be traversed by the route.

A consultant for the National Park Service advises against a road with a capacity of more than 850 vehicles per hour and speeds of more than 30–40 miles per hour, and advises against passing lanes also. He also calls for as many as three bridges per mile so that two-thirds less scarring will occur. With as many as 2,500 cars destined to enter and leave the resort each weekend by the fifth year following construction, it is hard to see how the road's size can ultimately be held to the modest dimensions this consultant specifies for protection of Sequoia National Park.

WHAT IS THE SIERRA CLUB'S POSITION?

In an era when the diversity of the natural American landscape is fast being destroyed by those who seek economic gains from projects such as this, massive commercialization of Mineral King is a monumental mistake. A development of this size would cause irreparable physical damage to the region, destroying the remote, natural character, not only of Mineral King but also of surrounding areas of Sequoia National Park. The wilderness in and around Mineral King, by definition a perishable commodity, can easily be overwhelmed in the attempt to display it to the greatest possible number of people. Building a high standard highway into Mineral King in order to "make wilderness accessible to the millions," can only be self-defeating—a little like carving up Michelangelo's statue of "David" so that each of us might own one small chip of marble.

Natural landscape like Mineral King—the land and the life it supports—is important in itself, even when it is not being used or admired by large numbers of visitors. Apparently, those who wish to develop this area feel that the value of Mineral King is "wasted" during winter months when snows often block the present access road. It is no more wasted than any other conservation reserve that has been spared from commercialism.

It cannot be denied that the proposed Disney development would provide additional skiing opportunities for California, but in terms of planning for the future, it should be recognized that wild natural areas are becoming increasingly scarce and cannot be increased in number or in size, while ski centers and other man-made developments are constantly being made more abundant. California has other areas which are adequate for new ski developments such as Yuba Gap, Dunderberg, and Sherwin Bowl, although on a less massive scale.

The destructive effects of the Mineral King development upon the natural environment are grossly underestimated by the Forest Service and by Walt Disney Productions. Consider the potential for excessive erosion resulting from the clearing of timber for ski runs, from "slope preparation" by bulldozer, and from the construction of service roads to facilitate the placing and maintenance of the 22 ski lifts. As anyone knows who has observed other ski areas in mountainous regions of the West in the summertime, revegetation of slopes is extremely slow in an alpine environment.

Also, Mineral King has been designated by Congress as the Sequoia National Game Refuge. To our knowledge, no studies have been made of the effect of construction activities on Mineral King's habitat for wildlife, and the impact of almost a million visitors each year on a valley two miles long and less than half a mile wide. This is the place to learn from the lesson of overdevelopment in Yosemite Valley.

Furthermore, despite precautions presumably to be undertaken, the quality of water to be utilized from local sources by a project of this magnitude, and the quality of the treated effluent that eventually reaches the East Fork before it enters Sequoia National Park, present serious questions demanding more than cursory study.

WHAT MUST BE DONE?

The foregoing considerations emphasize the urgent need to include Mineral King in Sequoia National Park now that mining is defunct. The Sierra Club endorses National Park status as the best long-range solution to the problem of adequate protection for the fragile natural values of the refuge. Under the jurisdiction of the National Park Service, the future development of the upper reaches of the East Fork can be limited to a moderate level of improved camping facilities and other services commensurate with a "jumping off point" for the back country. Without this status for Mineral King, the pressure will always be present for ever-intensified commercialization.

To show that this potential danger is not being exaggerated, a condominium type development is being planned on 80 acres (for the initial stage) of private land at the road entrance to the game refuge. This private development is designed for an initial capacity of 1,000 visitors per day, equal to a third of the Disney capacity after five years. Furthermore, this proposed Well-Seaborn development has substantial additional acreage on which to expand. This project, which can only serve to intensify the visitor impact on Mineral King, is immediately adjacent to Sequoia National Park and would impinge upon an outstanding grove of Giant Sequoias that extends across the park boundary in this area.

Neither the Disney nor the Wells-Seaborn project would be possible without the construction of the $25 million highway through the semiwilderness of Sequoia National Park to the west. The Sierra Club feels that the taxpayers' money must not be spent to construct a new highway through a national park to accommodate private developers. A minimum of $22 million in State highway funds would be required for the construction—money that could better be spent for urgent highway needs elsewhere in southern California. Further public funds would be expended to plow the road during the ski season.

This road has been authorized for construction without benefit of a congressional hearing on the impact such an expressway would have upon the natural environment of Sequoia National Park. For example, in a study prepared for the California Division of Highways by an ecologist having long-term familiarity with sequoia forests, these statements appear:

". . . there are a total of at least 103 giant sequoias below the proposed highway. Of these, 45 are in a position of possible jeopardy because of road construction."

"This exquisite canyon (Redwood Creek) will undoubtedly require the greatest care of all to cross with a road. . . . In several places, the slope exceeds 100%. . . . In spite of plans to bridge this deep canyon because of the depth, accelerated erosion is very likely to be a major problem no matter what engineering activities occur there. . . . Of the 32 groves of giant sequoias familiar to the author, this drainageway provides one of the most unique communities of plants he has seen in association with sequoias. This in itself makes the utmost protection desirable."

Besides the scarring caused by the construction itself, with attendant erosion dangers on the steep hillsides, the heavy volume of traffic on summer weekends would shatter the quiet atmosphere of the East Fork canyon and its presently untrammeled sequoia forests on both sides of the river. The forested slopes to the south of the river as it flows through the national parks are in true wilderness condition now, and are proposed by the Park Service for inclusion within the area to be formally designated the Hockett Wilderness, but the "sights and sounds of civilization" from the traffic across the canyon would become all too evident should the expressway be built.

This compromise of national park values was forced upon the National Park Service before the public and its congressional representatives had adequate opportunity to express its views on the principle involved. Nor has the public had the opportunity to express its opinion as to whether a part of its heritage of national forest lands should be turned over to a multimillion dollar resort development. Investments of this magnitude might better be made in areas nearer to the large segments of the California population who are economically disadvantaged and who are truly in need of outdoor recreational opportunities close to home.

REORGANIZING THE POSTAL SERVICE

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. RIVERS. Mr. Speaker, I heartily support the President's recommendation to completely reorganize the postal service.

For the past century the quality of service afforded by the Nation's postal system has been greatly declining. At the same time, mail volume each year has continued to jump by leaps and bounds. Postal rates have likewise gone up and are continuing to rise. Postal facilities are wearing out and becoming inadequate to handle modern-day personnel and the increased mail load. Newly constructed facilities are oftentimes too small before they are completed. Old ones are obsolete because they were not constructed to house today's necessary mechanical mail-handling equipment. The number of postal employees is at an all-time high. They are represented by 14 different employee unions. Postal employees, because of poor working conditions, low wages, and very little chance of advancement, are becoming more militant each day and are threatening walkouts and strikes which will paralyze our Nation's economy.

Over the past years we have had a lion's share of competent and dedicated Postmasters General who, in due time, have all realized the terminal illness of today's postal structure. Each of them has made diligent efforts to bring about constructive changes in an effort to avert eventual postal collapse. Despite their good intentions, however, each of them wound up their tenure of service "putting out fires" but accomplishing nothing toward getting the Department back on its feet.

Our new Postmaster General, Winton M. Blount, has started off differently. He refuses to limit his responsibilities to simply fighting fires. Through President Nixon, he has called upon this Congress for legislation amounting to a complete postal reformation. If enacted—and it should be—this legislation will enable the Department to operate free of pressures and on the basis of sound economic principles.

AMERICAN NATIONAL THEATER AND ACADEMY

HON. JULIA BUTLER HANSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mrs. HANSEN of Washington. Mr. Speaker, on June 18 of this year, the Record carried an article on the National Council of Arts. As a result, the board of directors of the American National Theater and Academy (ANTA), on June 30, passed a unanimous resolution opposing this attack. The board said it was "appalled by the misstatements contained" in the Record under the headline of "Lameduck Handouts in Federal Arts Funds."

Donald R. Seawell, chairman of ANTA, has asked the "opportunity to set the record straight." I am appending a portion of a letter he has written:

ANTA

First of all, the American National Theatre and Academy (ANTA) was created by Congress in 1935. It was designated as the American national theatre and was charged by Congress with a mandate to "Extend the living theatre beyond its present limitations bringing the best in theatre to every State in the Union." Thus ANTA joined a select handful of organizations operating for the public good under a Congressional charter. The Smithsonian Institute, the American Red Cross and the Boy Scouts are among other such organizations.

The creation of the National Council on the Arts and National Endowment for the Arts furnished a better opportunity for ANTA to fulfill its Congressional mandate. It, also, created the necessity for these organizations to coordinate their activities to further the purposes for which they were established by Congress. Accordingly, I was authorized by the ANTA Board to explore the situation with the National Council and National Endowment to arrive at an agreement under which we could best serve the American theatre and achieve our mutual goals. These negotiations extended over a period of almost two years. One of the important elements of these negotiations was the use of the ANTA Theatre. In the early fall of 1968, it was agreed that the Theatre should be turned over to the Federal Government, and on November 13, 1968, this agreement was ratified by the ANTA Board.

The description in the June 18 Record of the transaction leading to the agreement to transfer the ANTA Theatre to the Government is inaccurate in every respect. As indicated above, the transfer took place after long negotiations involving dedicated members of all the Boards concerned, who could receive no possible private gain, and who gave their talents freely because of their dedication to the non-profit theatre. Far from being a "bail out" operation, as was described, ANTA had a firm offer for the theatre at the time of the agreement in the amount of $2,500,000. ANTA also had an estimate that the theatre could not be reproduced in a similar location for less than $8,000,000. The Board recognized the great need for a first-class theatre in New York, where non-profit theatre groups from all over the country could be seen. Accordingly, it determined to grant the theatre to the Government in the public interest and in furtherance of its Congressional mandate.

Incidentally, the Government is not the landlord for the production mentioned in the Record. The theatre has been leased for the past five years to commercial producers on a four walls basis. The lease will expire at the end of this month. After that the theatre will not be available for commercial productions. Plans have been formulated for the theatre for the coming theatrical year. A major part of these plans will be bringing to New York the best of regional theatre from all over America. This will be possible through the joint efforts of ANTA and the National Council and will be the first time such an event has been possible.

Mr. Stevens is not chairman or even a member of the ANTA Board. I wish he were, for no other man can contribute so much toward the achievement of ANTA goals and the betterment of the American theatre. Mr. Stevens was offered membership on the Board but turned it down. I hope he may some day be persuaded to change his mind. At this point I should say that every member of the Board is serving without compensation. It is, also, my understanding that while Mr. Stevens was required to draw a salary as Chairman of the National Council, he has served for eight years as Chairman of the Kennedy Center without compensation.

STUDENTS STRESS NEED FOR CHANGE

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. RODINO. Mr. Speaker, as we all know the 1969 graduating classes throughout the Nation have been matriculated and another generation goes forth into the adult world. However, the class of 1969 may well be different than similar classes of previous years. This year, students, as never before, are aware of the ferment within our Nation and, as never before, they are voicing strong moral opinions about the status of our society. Their message must be heard and I would like to include for the Record some remarks from the 99th commencement exercises of the Nutley, N.J., High School:

[From the Nutley (N.J.) Sun, June 26, 1969]

AT 99TH COMMENCEMENT: NHS STUDENTS STRESS NEED FOR CHANGE

(By Raphael Sonenshein)

"We are the children of 1969—and in that lies all the difference."

That was the way one of seven student speakers summed up Nutley High School's 1969 commencement theme—"Involvement and Change." The addresses delivered by the young people in Nutley reflected many of the ideals that youth is vibrating throughout the nation today.

Nutley's commencement talks are prepared without dictation from the school administration which has brought much praises to the local graduation program over the years. The 99th commencement at Nutley High last week featured seven student speakers who attempted to articulate some of the ideals which arouse today's student generation.

The speakers were unanimous in their support of student involvement in school decision-making. (Complete texts of the student talks are published on pages 10 and 11 of today's Nutley Sun.)

Salutatorian Richard Thompson, son of Mr. and Mrs. William J. Thompson, 38 San Antonio Avenue, commented that "the administration should not only respond to student opinion and criticism, but it should also encourage them. . . ."

Underlying the speakers' emphasis on involvement was their conviction that today's students possess the maturity and mental skills requisite for participation. "The student of today is not an uncertain or confused child. He is a determined adult who can uncover the weaknesses of his education," declared Salutatorian Charlene Vaglio, daughter of Mr. and Mrs. Angelo Vaglio, 34 Valley Road.

Several speakers considered the question of confrontation and conflict among students, parents, and administration. Senior Class President Gregory Stoute praised the new importance of the Student Council and the Student Advisory Board and monthly meetings of students with Superintendent Dr. Robert Fleischer and Police Chief Francis Buel: "We have learned through these experiences that we need not resort to violence and walk-outs in order to be heard." Stoute is the son of Mr. and Mrs. Allen Stoute, 64 Edgar Place. Thompson warned the administration not to ignore "unfavorable and unpopular opinions since it is through nonrecognition of a student's grievances that the administration might inadvertently stimulate active protest and militancy."

No speaker expressed a desire to be disruptive, but most were intense in their belief that their non-disruption should never cause the school administration to ignore their opinions.

Several speakers reached out to discuss problems beyond their own education. Valedictorian Robert Kotzen expressed his concern over school-community relations, a problem which is of great importance in college communities. Kotzen, son of Mr. Sidney Kotzen and the late Mrs. Helen Kotzen, believes in a reciprocal relationship between the town and students: "The community must provide adequate facilities for all-around development of youth and must encourage this development through such means as scholarships, contests, and work experience programs. Along with material assistance there must be public understanding and tolerance of the attitudes of the

XUM

youth of today . . . Just as the community must awaken to the needs of youth, especially its recreational needs, youth in turn must involve itself by working with adults in setting up programs for the betterment of the community."

"We dream of schools where teachers and students are frank, we dream of governments that are truthful and operate through a more real democracy, we dream of a military budget that's questioned not only by the science community but more important, by the tax-payers." Miss Sherman is the daughter of Mr. and Mrs. Seymour Sherman, 300 Walnut Street.

There is a different set of dreams today, perhaps expressed by Class President Greg Stoute who regretted that "it must be easier to invent a hydrogen bomb than to put your hand out to someone and say 'I understand . . . I sympathize . . . I love you because I am you.' "

SMUT PEDDLERS—PART I

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. DULSKI. Mr. Speaker, hardly a day goes by that I do not receive complaints from individuals within my district or from elsewhere in the country complaining about the flow of pornographic and smut material through the mails.

The complaints are well justified. Our Post Office and Civil Service Committee has been working constantly on this problem, carefully considering every suggestion on how to curb the flow.

I have introduced new legislation aimed at blocking the mailing of smut into homes where minors reside. This is an area where I believe we can reasonably legislate and our subcommittee will be scheduling hearings soon.

Already on the books is the law which permits any postal patron to demand that his name be taken off a mailing list used to send him smut through the mails. While helpful, that protection comes after the fact; that is, the first mailing has been delivered.

The public justifiably is becoming alarmed at the ever-increasing flow of this material through the mails and the inability of legal authorities to be effective under present laws.

Indeed, the most effective deterrent has been the local volunteer effort which has been started in many communities.

A former House colleague, the Honorable O. K. Armstrong, wrote an article for the September 1965 issue of Reader's Digest which is still very timely. The article follows:

THE FIGHT AGAINST SMUT PEDDLERS

(By O. K. Armstrong)

A dramatic and significant battle is swirling across the United States today. Fighting on one side are the publishers, distributors and sellers of obscene material—a business estimated to gross currently more than a billion dollars a year. In the opposite camp are public prosecutors, parents, teachers and other citizens alarmed at the rising tide of newsstand and mail-order pornography and determined to do something about it.

The stakes in this battle are high. For the peddlers of smut it means the right to maintain and expand their markets. Newsstands flaunt magazines loaded with suggestive nudity and paperback books filled with detailed portrayals of illicit and abnormal sexual relations. To impressionable youths, this flood of pornography conveys the notion that adultery and perversion are acceptable, that moral standards are *passé*.

APPEALING TO THE PRURIENT

The battle began in earnest in 1955, when, following a Kefauver Committee investigation of the pornography racket, U.S. cities launched intensive crackdowns against obscenity. But the resulting court cases produced conflicting rulings and confusion over what is legally obscene. Guidelines were imperative if the drive on obscenity was not to collapse.

In June 1957 a decision by the U.S. Supreme Court supplied those guidelines—most important, an explicit definition of obscenity. Known as the *Roth* ruling, it affirmed convictions of Samuel Roth of New York and David S. Alberts of California, both possessors of long records as pornography distributors. Writing the historic opinion for the majority of the Court, Justice William J. Brennan declared:

"Implicit in the history of the First Amendment is the rejection of obscenity as utterly without redeeming social importance. We hold that obscenity is not within the area of constitutionally protected speech or press." The ruling then proceeded to this definition: "Obscene material . . . deals with sex in a manner appealing to prurient interest." The test should be "whether to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole" makes such a prurient appeal.

Champions of decency hoped that the new decision would clarify the issues in obscenity cases once and for all. Among them was Charles H. Keating, Jr., a Cincinnati, Ohio, attorney who, in 1956, founded Citizens for Decent Literature. Keating recognized that the *Roth* ruling, along with the state and local laws it guarded, could serve as a powerful weapon in the attack on commercialized filth.

Lawyers who defended pornography dealers, however, immediately denounced the *Roth* decision as "vague and unworkable." And, apart from the *Roth* ruling, other problems were apparent. A bookseller in Detroit, for example, had sold a paperback novel to a detective. He was convicted of violating a Michigan law forbidding the sale of publications containing materials injurious to youth. Then the U.S. Supreme Court struck down the state law. The Court ruled that the law's effect was "to reduce the adult population of Michigan to reading only what is fit for children." This decision made it clear that laws covering the sale of materials objectionable for children must not be applied to the public in general.

Another case, *Manual Enterprises, Inc. vs. Day*, which came before the Supreme Court in 1962, illustrated a pitfall of improper procedure. In this case, three members of the Court stated that the Postmaster General should not seize material and require the vendor, through an injunctive action, to prove his right to distribute it. Thus, "prior restraint"—censorship before distribution or sale—by the Postmaster General was a major factor in this reversal of a lower-court judgment.

LEARNING THE PITFALLS

Keating was not disheartened by such decisions. The trouble, he saw, was that the smut dealers were often represented by wily specialists in obscenity law who were ready and willing to pull every legal trick in the book to defend their clients. On the other side were police chiefs and district attorneys with heavy case loads and limited, sometimes inexperienced staffs.

Keating now began an intensive study of the legal pitfalls, to help representatives of the public to compete. He talked with police officials and public prosecutors and examined the obscenity statutes in the 50 states. During his researches, he met James J. Clancy, a deputy district attorney in Burbank, Calif., who had been highly successful in preparing obscenity cases for prosecution.

Both men saw that obscenity laws varied from state to state. Some of these statutes needed updating, others rephrasing to bring them into line with the *Roth* ruling. Citizens for Decent Literature started an educational campaign for the revision and strengthening of these laws.

Next, Keating and Clancy offered their knowledge and experience to any prosecutor who wanted it. Today Keating spends a substantial amount of his time helping to prepare briefs and advising prosecutors on details of obscenity statutes. Clancy's CDL work became so demanding that he joined the national staff as full-time legal counsel. The two men have filed *amicus curiae* (friend of the court) briefs to assist prosecutions in a number of obscenity cases.

Another strong arm is the U.S. Department of Justice. Because of the big increase in obscenity cases in recent years, the department's general-crime division has established a staff of legal experts responsible for dealing with pornography in the mail and in interstate commerce. Two specialists in this field, Edward J. Pesce and Theodore Kleinman, are assigned full-time to the work. They help federal district attorneys follow correct procedures.

SHIFTING THE BALANCE

Through such efforts, the balance of power is now shifting in the legal fight against obscenity. Since the *Roth* decision, scores of convictions in obscenity cases, obtained in state and federal courts, have not been appealed to the U.S. Supreme Court. Records also disclose that from June 1957 to June 1965 the highest court has denied review in 22 crminal convictions for obscenity-law violations.

While these signs are encouraging, some court decisions are alarming—as, for example, a 1963 ruling by Judge J. Irwin Shapiro in the trial court of Queens County, N.Y. The officials of a news-distributing company had been arrested on charges of selling books alleged by the district attorney to be obscene. Judge Shapiro admitted in his ruling that "fully 90 percent of each book is filled with lurid descriptions of sexual activities, in sufficient detail to act as an erotic stimulus to those so inclined," and then dismissed the defendants with this astonishing dictum:

"In the opinion of the court these books are unvarnished trash, but novels and stories of no literary merit have a place in our society. There are those who, because of lack of education, the meanness of their social existence, or mental insufficiency, cannot cope with anything better." Shapiro's ruling prompted *Life* magazine to ask editorially, "Is *any* book legally obscene anymore?" The case is currently on appeal.

More ominous still was the thinking of two U.S. Supreme Court Justices in voting to reverse two Florida civil-proceedings decisions which found the books *Tropic of Cancer* and *Pleasure Was My Business* to be obscene. The Supreme Court reversed these judgments in June 1964 by a close 5–4 verdict, with concurring votes cast by Justices Hugo Black and William O. Douglas. In their opinion, the *Roth* test was unconstitutional. Both Black and Douglas hold that freedom-of-press guarantees forbid restraint on what may be published.

Fortunately, this is a minority view among Supreme Court Justices. To date, the Court has never ruled in favor of pornography or obscenity *per se*. In a recent decision, Chief Justice Earl Warren underscored the responsibilities that officials and citizens must face:

"Courts are often presented with procedurally bad cases, and in dealing with them appear to be acquiescing in the dissemination of obscenity. But if cases were well prepared with the appropriate concern for constitutional safeguards, courts would not hesitate to enforce the laws against obscenity."

MEETING THE CHALLENGE

This challenge can be met if a three-point program is followed:

1. *Police and prosecutors must study obscenity laws and know the proper procedures to enforce them.* If prosecutors are inexperienced in handling pornography cases, they should secure the aid of veteran legal fighters of the racket. District attorneys should concentrate on prosecuting the worst smut peddlers in their areas, attacking the sale of filth so offensive that its meaning and menace are self-evident.

Laws and ordinances should, if necessary, be revised so that their wording is consistent with that of the Supreme Court's decision in the *Roth* case. State legislatures and municipal councils should keep in mind these principles:

(a) Prior censorship (before distribution, showing or sale) has been practically outlawed by the courts.

(b) Nudity and obscenity are not synonymous; the manner and purpose of the showing of nudity, and the intent to arouse prurient interest, determine the offense.

(c) District attorneys should draw on a federal law enacted in 1958, which allows prosecution of pornography purveyors not only in the locality where they mail their filth but also where it is delivered. This law is proving a powerful weapon.

2. *Try all obscenity cases in a criminal court, before a jury.* The criminal court, with jury, is the forum that assures the greatest chance of success, for the 12 person jury, drawn from the local community, can best assess offending materials on the basis of known "community standards." Chief Justice Warren has declared: "It is my belief that when the court said in *Roth* that obscenity is to be defined by reference to 'communtly standards' it meant *community* standards—not a national standard, as is sometimes argued."

Appellate courts are reluctant to overturn verdicts of juries in criminal trials that are properly conducted. In some states, however, the prosecution does not have the right to a jury trial if the defendant waives it. The law should be changed to give the prosecution this right in *all* criminal oases.

3. *The public must strengthen and use every legal means to fight obscenity.* "The main reason obscenity laws are not enforced," says Keating, "is public apathy." Citizens in any community can organize to battle the traffic in filth. They should be widely representative of all churches, of parent-teacher associations, women's clubs, civic clubs, business and labor organizations. These citizen groups should study the news stands and bookstores and file complaints with public prosecutors when material appears to violate obscenity laws. In addition, they should become familiar with the laws that control obscenity, demand revisions where necessary, and insist upon enforcement.

Here is a crusade against a rising evil which all of us—with our courts—should pitch into and win!

CUBAN CONTRIBUTIONS IN MIAMI

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. FASCELL. Mr. Speaker, recently I read a very interesting editorial in a Miami Spanish language newspaper, Diario Las Americas of June 22, 1969.

Diario Las Americas serves our Cuban community well. In an age when communication is the key to understanding, cooperation, and friendship, this newspaper bridges the gap between both Spanish-speaking and English-speaking citizens in the Miami community.

The Cubans have made great strides in the cultural, civic, economic, and educational spheres of Miami life. They have overcome the barriers of varying customs, mores, and language to augment the number of Miami professionals. Cubans and Latins can be counted among the doctors, lawyers, bankers, and private businessmen of the community.

Cuban students have also made advances in and contributions to our culture and have received many awards for excellence in numerous academic and sports fields.

The courage shown by Cuban refugees who had to leave all of their worldly possessions in Cuba in their quest for freedom must be admired. The fortitude they have shown in the face of the obstacles of living, working, and adapting to a foreign culture is just as commendable. We in Miami are proud of the Cubans in our midst, proud of the courage they showed in coming to America, proud of the contribution they have made to our community, and proud that such courageous and energetic people chose to live in our city.

I would now like to bring to the attention of my colleagues the editorial comments:

Undoubtedly those who do not live here and visit Miami frequently are the ones who notice more what the contribution of the Cubans in the cultural, spiritual, civic and economic aspects represents in benefits for the growth of this great Floridian city.

Of course, those who live here can also notice all that which the many thousands of Cuban families have brought in favor of Miami, though for obvious reasons of seeing it every day, the differences are not seen with the same clearness as by those who periodically or from time to time visit the city.

Taking into consideration the extraordinarily difficult conditions, unprecedented in the history of the Americas, in which the Cubans arrive to the United States, it is mandatory to acknowledge the great merit they have in achieving progress, in the midst of great sacrifices, until getting to constitute, as in fact they do, a powerful cultural, civic, and economic group for the American communities where they live, especially in the Miami metropolitan area.

If there did not exist a cultured intellectual capacity, vocation for work, and honesty to perform it, as well as if there did not exist spiritual strength, the Cubans would not have been able to be elements to whom can be assigned, with enough reason, a high percentage of the progresses of this Miami area in the last few years.

Not only the Cubans, but also the Latin Americans in general who live in the United States and especially in South Florida, feel pride and satisfaction over what this community has done, giving thereby testimony of its positive virtues, testimony which includes, undoubtedly, a condemnation for communist imperialism that forced them to leave their country. Those who came were not parasites, but persons capable of succeeding under difficult material and spiritual circumstances. The latter because no Cuban forgets the tragedy of his homeland.

In Cuba there is still a gigantic number of persons who would like to leave the communist inferno and who, in general, have the same attributes of their countrymen in exile. And those cubans in the island—for patriotism—do not cooperate with the communist regime, and because of this the sugar crop is extremely low though the regime has made desperate efforts to improve it.

The Federal and local authorities, as well as the American community in general have proof—and they acknowledge it in different ways—of how much the hard-working and cultured community of Cuban exiles represents for the prestige and prosperity of Miami.

SAN ANTONIO IS MAKING GREAT STRIDES AS MEDICAL AND EDUCATIONAL CENTER

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. FISHER. Mr. Speaker, it is doubtful that there is a metropolitan area in America which is making greater strides today in fields of medicine and education than is to be found in San Antonio, Tex.

Three bills passed by the 61st Texas Legislature promise to make San Antonio one of the Nation's major educational centers.

Three new institutions have been authorized for San Antonio—a school of clinical nursing, a dental school, and a 4-year university, all to operate as a part of the University of Texas system.

The University of Texas Dental School represents the first such school approved in Texas since 1905. Authored by Representative Guy Floyd in the house and Senator Joe Bernal in the Texas Senate, the bill provides for the enrollment of up to 150 first-year students. It will also offer training for dental hygienists and dental assistants. The cost for construction is estimated at $15 million.

The dental school will be located adjacent to the new University of Texas Medical School on the 100-acre University of Texas site in northwest San Antonio at the South Texas Medical Center. This land was donated to the University of Texas system by the San Antonio Medical Foundation. Medical School Dean F. C. Pannill recently predicted that the first class may begin as early as the fall term of 1970, using classroom and laboratory space available in the medical school and the Bexar County teaching hospitals.

The University of Texas School of Clinical Nursing will be located in the same area as the medical and dental schools. The new Bexar County Hospital, which adjoins the medical school, will provide facilities and services for the nursing school at no cost to the State. While the school is being established, students may take the prerequisite liberal arts courses required for their nursing degrees.

Acting on the fact that San Antonio is the only major metropolitan area in Texas without a 4-year, State-supported university, a bill to establish the University of Texas at San Antonio was signed in June by Gov. Preston Smith.

This new university, unlike any other school in Texas since 1923, will have to start from the ground up. For that reason, the University of Texas at San Antonio will begin modestly, perhaps starting in 1972 or 1973 with one or two buildings and 4,000 students. Expansion will be gradual.

Dr. Harry H. Ransom, chancellor of the University of Texas system, has noted that the new university at San Antonio will offer the system the first opportunity for a "complete university." He added in a recent newspaper interview that the school should be distinctive, perhaps looking southward to Latin America for its programs. He said the school will also have a unique opportunity to work in the area of bilingual education.

The coordinating board of the Texas college and university system has placed a $29.7 million price tag on the institution. Currently, the search is underway to find the appropriate site for San Antonio's new academic institution.

AN ADDRESS ON UNIVERSITY STUDENTS BY JOHN A. SCOTT, EDITOR AND PUBLISHER, LAFAYETTE, IND., JOURNAL-COURIER, SOUTH BEND ROTARY CLUB, JUNE 18, 1969

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. BRADEMAS. Mr. Speaker, one of the most distinguished citizens of the State of Indiana is John A. Scott, editor and publisher of the Lafayette Journal-Courier and former mayor of the city of South Bend.

On June 18, 1969, it was my privilege to be able to hear Mr. Scott deliver a most impressive address on the subject of some of the problems facing American universities today. This address, which was delivered at the South Bend Rotary Club, follows:

ADDRESS BY JOHN A. SCOTT

We have recently passed through a period of national bereavement because we lost General Eisenhower. It is not only because he was universally loved that we miss him. He represented values that seem to have slipped away with him. Values like serenity, the quietness of power, unity, and the people's love for their leader. He bridged the generation gap as though it were a 9-iron shot, and he seemed to make life restful.

Now we are beset with anxieties and collisions. Confronted with a tempest all around us, we seem persistently to overreact to our frustrations.

No place, it seems to me, are we overreacting more than on the campuses of America. I am not referring to police activity at this point, although this, in my opinion, soon may become an area of grievous concern.

I am referring here to public reaction as expressed through the legislative and executive branches of state government.

Here in Indiana we have a fascinating example of the management of turmoil on the campus.

At Purdue University, a conservative school by almost all standards, we had a protest movement which in the first semester failed to attract enough students to stage anything more than a caricature of campus unrest.

Then, after the General Assembly cut the university budgets and forced a substantial increase in Purdue tuitions, the movement erupted into demonstrations and finally into a sit-in at the Memorial Union. 229 students were arrested, suspended for the summer and put on probation for next fall. Their cases are still pending in court and their families have been put to great expense in terms of bail bond, transportation for court appearances and legal costs.

It is amusing for some to say that they got exactly what they asked for, except that the ones who were guilty, the leaders of the demonstrations, evaporated as though they had fallen through trap doors just at the point of confrontation. The ones who were arrested were largely adventurous kids who found some kind of exhilaration in the cause or an aphrodisiac in the cloister at the Union Building. While the leaders of the movement are now stirring the pot on some other stove, these kids are taking the rap. They are getting an overdose of "justice" on behalf of the rebels who lured them into the dissent with an attractive target. What we are doing to these students is a remarkable demonstration of how to alienate the moderates.

And the paradox of the alienation is that these adventurous kids really did have a cause.

It was discussed by the founding fathers when they considered the first constitution for Indiana. One portion of it said "It shall be the duty of the General Assembly as soon as circumstances permit to provide a general system of education, ascending from township schools to a state university, wherein tuition shall be gratis and equally open to all."

The present state administration gives excellent speeches on the Constitution, but instead of implementing the original idea of free education, the government has made higher education more costly. So there is a cause.

It is true that some zealots or revolutionaries have tried to twist the cause toward anarchial goals, but the logic of the dissent persists, and the tuition increase has dismayed a lot more than the professional rebels.

Many observers, including me, were disgusted with the human litter in the union building, and there is no question that the scene was conspicuously disgusting. But to judge Purdue by these characters would be like judging South Bend by the number of its muggings and assault cases.

Those people who cop out now on education are more guilty of overreaction than the kids they condemn. Because they won't be tightening their purse strings on the offenders; they will be damaging the very kids who themselves are disgusted with the sit-in. It is a paradox of the present campus that the innocent suffer more than the guilty. The 20,000 moderates will take the beating for the outrages of some spoiled punks, the product of affluent, indulgent parents who have given their progeny all the material things of life and very little understanding of values and virtues. Some of them, of course, are treasonable conspirators, but most of them are naive idealists.

Another simple notion that is kicked around by the general public is the thesis that campus problems are due to gutless university presidents. "They need to smack those kids down, show some backbone", roar the critics over cocktails in the Caribbean.

Spinelessness is not the problem. It would be no trick at all to win a war on the campus. The police and even the national guard are only a phone call away, and there is no question about the power of the state to take over the universities. Where courage is required is in solving the problem without force, or, at most, with a minimum application of force. The reluctance of university presidents who militarize the campuses and lock up the dissidents has little to do with their personal fortitude: they are engaged in a much more heroic effort, namely that of preserving the free university.

And it should not be forgotten that the protest movement has accelerated some reforms that we should applaud with vigor. Complacent administrators have been stirred into action revising procedures, examining curricula, justifying their bookkeeping, checking faculties more carefully and generally working harder. The spotlight has been focused on a lot of administrators who are inept, lazy, self-important and inefficient. And moderate student leadership has been stirred as a wholesome antithesis to the demagoguery that has soiled the Alma Mater.

The old ideals are adequate if they can be preserved. And the place to preserve them is in the free university. Those who would at this critical junction try to treat the symptoms of the present sickness by starving the university will only be joining the ranks of those they loathe most: the enemies of freedom who would destroy the educational system.

It is the right of each new generation of youth to discover it's own "thing" and believe they discovered it. As they mature, they come to realize that they merely re-discovered old truths shaped in new life styles. One truth is that force begets force and violence begets violence.

Here, I think is the danger to us all in this year of convulsion on the campus. If students ignore the established agencies for adjudicating grievences and resort to force, then there exists the potential for counterforce of much greater magnitude. The direction of society then shifts from left to right and the moderate balance of the free culture is shadowed by a new peril which represents some form of democratic fascism.

This is why the young new left tampers not just with the system but with the potential for their own captivity. While it is now a platitude that freedom must be accompanied by responsibility, there is a new urgency and vehemence in that statement when every measure of public opinion indicates that the new left is inviting the methods of despotism.

This unhappy potential ultimately may prove a point that seems so elementary as to be demonstrable already in some portions of the nation. Violence begets violence, and the more the destructive activism from the Left, the more likely will be more demand for repression from the Right. While we may be so big as a country that a police state is unthinkable, it is not unthinkable that we may have enclaves of provincial police control. It will be interesting to watch the city of Berkeley, California, next fall to see whether the cynical process of radicalism versus law and order produces a municipal rigidity that ends up in an absolute disciplined community. Because both sides feed on each other. The more violence from the Left, the more suppression from the Right; the more suppression from the Right, the more attrition of the Moderates as they join the Left in a sympathy movement. The winner is easy to pick. It will be law and order, but the price for everybody may be extravagantly uncomfortable.

What is the answer? Well, I'm not sure what the question is. But one thing is certain. The moderates aren't winning. While we can comfort ourselves in the statistic that only 9% of the students are "anti-establishment," last year at this time the figure was 5%.

One thing we certainly need to do is to start communicating and stop giving lip-service from sanctuary to the counter-militants. We need to encourage campus leaders who want to reform the institution without burning it up. Next fall when school begins, take a campus leader to dinner. See if he can use you as a friend. He represents the brightest college generation we ever produced and if you want him to preserve the values you think should endure, you'd better be able to talk with him. And listen to him.

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SDS AND THE NEW LEFT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. RARICK. Mr. Speaker, J. Edgar Hoover, Director of the FBI, testified before the House Appropriations Subcommittee on April 17.

A portion of his testimony dwelt on the New Left movement, its finances, interlocking membership with other groups, and its threat to our country.

I include that portion of Mr. Hoover's testimony relating to the New Left movement, being pages 522 to 532 of part 1 of the Committee on Appropriations hearings:

INTERNAL SECURITY WORK

Mr. HOOVER. In discussing our field investigative work, I will first turn to our widespread and important internal security work which during the past year has been highlighted by stepped-up activities of the New Left movement, continuing antiwar activity, various kinds of demonstrations, and the proliferation of mass membership organizations, such as certain militant black nationalist groups, whose programs have the effect of undermining respect for law and order.

NEW LEFT MOVEMENT

During 1968, the New Left movement in the United States continued to reveal itself as a firmly established subversive force dedicated to the complete destruction of our traditional democratic values and the principles of free government. This movement represents the militant, nihilistic and anarchistic forces which have become entrenched, for the most part, on college campuses and which threaten the orderly process of education as the forerunner of a more determined effort to destroy our economic, social, and political structures.

The discontent expressed by the movement in this country is also found in other countries. As a result, the New Left movement is a new specter haunting the Western World. It is a movement that is united to some degree by common issues, such as the Vietnam war, civil rights matters, so-called capitalist corruption, and a so-called archaic university system.

FINANCES

New Left funds are generally obtained from contributions, dues, sales of literature, benefits, advertisements, and its publications and fund drives. The main sources of revenue are contributions, and it is estimated that nearly 60 percent of Students for a Democratic Society (SDS) funds, for example, come from this source.

Although the majority of gifts are in the $10 to $50 range, wealthy benefactors who have acquired their fortunes in the United States have contributed substantial amounts in support of the New Left movement and in support of the activities of the SDS in particular. Included among these, for example, are a Cleveland industrialist who has long been a Soviet apologist; the wife of an attorney in Chicago who is a millionaire; an heiress in the New England area who is married to an individual prominent in the academic community who has been active in New Left activities; and a wealthy New York lecturer and writer who for years has been linked to more than a score of Communist-front organizations and has contributed liberally to many of them. These individuals alone have contributed more than $100,000 in support of New Left activities.

The New Left has also received money from several foundations. A very prominent foundation in New York, for example, has contributed more than a quarter of a million dollars from 1961 to 1968 to various individuals and groups, most of which have been identified as either present or past members or sympathizers of the Communist Party—U.S.A. or New Left movement.

Demonstrations are frequently financed by fundraising and collections. For example more than $25,000 was collected from participants and spectators by the organizing committee during the march on the Pentagon in 1967. The organizing committee raised $10,000 from the sale of buttons during an anti-Vietnam war demonstration early in 1967 in New York City.

Funds for antidraft activity by the New Left also have been supplied by organizations such as that known as Resist, located in Cambridge, Mass. This group was formed in 1967 by approximately 300 professors, writers, ministers, and others who signed a statement pledging to raise funds to aid youths who resist the draft and denounce the Vietnam war.

Communist Party-U.S.A. leaders have recently urged party members to give time and money to "New Left demonstrations and causes."

Much of the nationwide travel engaged in by prominent New Left leaders is paid for by honorariums paid to them, generally out of student funds, for their guest speaker appearances on college campuses.

STUDENTS FOR A DEMOCRATIC SOCIETY (SDS)

At the core of the New Left movement in the United States is the Students for a Democratic Society, an organization which became well known in 1968 for its disruptive tactics at a number of universities in this country, the main one being Columbia University in New York City. And if the leaders of the Students for a Democratic Society have their way, they will attempt to create chaos on many more campuses. Their desire is to let the "Columbia Spirit" prevail.

The Students for a Democratic Society advocates, in the terminology of a considerable number of its leaders and members, revolutionary communism. Along this line, at the organization's 1968 national convention, two of the newly elected national officers publicly identified themselves as Communists "with a small c," as many New Left adherents do to signify that while they are Communists they are a brand apart from those in the old-line Communist movement.

While the distinction may seem important to them, it is irrelevant to the rest of Americans because the basic objective of both New Left and old-line Communists and their adherents in our society is to completely destroy our form of government.

The militant mood of the 1968 national convention of the Students for a Democratic Society was obvious from the subjects discussed and the suggestions made at its various workshops. For example, at a workshop dealing with sabotage and explosives, the participants discussed such things as disrupting selective service and police facilities during riots; mailing letters dipped in combustible materials; flushing "bird bombs" in toilets to destroy plumbing; using sharp, tripod-shaped instruments to halt vehicles; jamming radio equipment; firing Molotov cocktails from a shotgun; using electronic firing devices; and inserting "thermite bombs" in manholes to destroy communications.

The same militant mood was evident in suggestions made for a proposed pamphlet by participants in a workshop on self-defense and internal security. Suggested articles included starting rifle and karate clubs; infiltrating right-wing organizations; starting rogues' galleries of police officers and spotting plainclothesmen by observing them as they testify in court.

The 1968 SDS convention also adopted a resolution on the military. This resolution created a project for "GI organizers" and established a coordinating office for the project in New York. The project will support individuals who wish to continue the "struggle against imperialism" by entering the military service in order to "politicize" and organize those in military service to resist authority. The project is to establish "GI drop-in centers" near military facilities in order to offer a political program to aid servicemen in their organizing efforts within the military.

In addition, the resolution encourages local SDS chapters to organize a campaign to involve servicemen in social and political activities; establish a military counseling service; provide support for deserters; and give support through demonstrations and publicity to radicals within the military service.

The meeting of the National Council of the Students for a Democratic Society held in Ann Arbor, Mich., over the recent Christmas holidays was highlighted by a power play by SDS members who are also members of the pro-Peking Progressive Labor Party (PLP). The struggle concerned two main issues. One was the participation in proposed demonstrations at the time of the Presidential Inauguration. The resolution for SDS support and participation in the Inaugural demonstrations was defeated and generally regarded as a PLP victory. The PLP considered the SDS to be unprepared for a confrontation with authorities and also their action would endanger black revolutionary work in the Nation's Capital.

The other issue stemmed from the advocacy by the PLP element for the creation of a broad-based revolutionary group consisting of students and workers. While this resolution was unsuccessful, its defeat by an extremely narrow margin was indicative of the PLP's increasing attempt to influence the SDS and the student New Left.

An SDS National Council meeting was held in Austin, Tex., from March 27, 1969, to March 30, 1969. Michael Klonsky, SDS national secretary, among other things stated, "Our primary task is to build a Marxist-Lenin revolutionary movement." The PLP, continued in its bid to control SDS, however, was unable to pass many of its resolutions. This organization still continues to wield considerable influence in SDS; however, it is now receiving competition from the Communist Party-U.S.A. and the Young Socialist Alliance (youth affiliate of the Trotskyite Socialist Workers Party). The influence of these two groups in competition with PLP is growing in SDS circles and by the time the next SDS annual national convention convenes in June 1969, it can be expected that there will be considerable dissension within SDS ranks as to what course to follow.

It can be fully expected that old-line Communist groups will make every effort to insure SDS follows Marxist-Leninist doctrine for guidance in their activities and building a revolutionary movement.

Although the PLP represents a minority of the SDS members, it is able to wield a disproportionate influence on the national office level due to the militancy of its members and the cohesiveness of its Maoist line. The PLP's ability to seize upon situations ripe for violence was certainly revealed by the Columbia University riots when it attempted to guide the riot leadership.

The PLP is one of several Communist splinter extremist groups formed during recent years to enunciate the tenets of Communist China and Mao Tse-tung. The majority have been ineffectual paper organizations. The PLP, however, is one group which has emerged with a broad-based membership making significant organizational strides in major U.S. cities and on a number of college campuses. It is headed by such devoted revolutionaries as Milton Rosen, one-time labor secretary of the Communist Party, New York State, who was expelled from the Com-

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munist Party for extremist views, and William Epton, who, following his participation in the Harlem race riots of 1964, was found guilty of conspiracy to riot, conspiracy to advocate criminal anarchy, and advocating criminal anarchy. Apropos of the strong rapport existing between the PLP and the Communist Party of Communist China, the latter group informed top-level PLP members in 1967 that it considers the PLP the only revolutionary Marxist-Leninist party in the United States.

There can be no doubt that the New Left movement is a threat to established law and order and to the stability of our society. Through it a comparative handful of revolutionaries have displayed total disregard for the rights and privileges of the overwhelming majority of millions of dedicated and responsible college students. The Students for a Democratic Society will continue to be at the forefront of the organizations making up the New Left movement in taking every opportunity to foment discord among the youth of this country.

Mr. Smith. Mr. Chairman, I will have to leave in a few minutes and I wonder if I may ask a couple questions?

Mr. Rooney. Yes, Mr. Smith.

Mr. Smith. A couple years ago, I thought we were told the Students for a Democratic Society were about to be put on the Attorney General's list.

Mr. Hoover. They have never been put on the Attorney General's list.

Mr. Smith. Are they likely candidates to be placed on that list?

Mr. Hoover. I do not know. The Internal Security Division of the Department would determine that based on all the material we have sent to them.

Mr. Smith. That is all.

Mr. Hoover. I now turn to the antiwar and antidraft activities.

ANTIWAR AND ANTIDRAFT ACTIVITY

Antiwar and antidraft protests and activities continued throughout 1968. Scarcely a day passed that did not see demonstrations by various "peace" groups.

The major antiwar demonstrations held in cities throughout the United States in April 1968 grew out of proposals made at a conference of the Student Mobilization Committee to End the War in Vietnam which was held in Chicago, Ill., in January 1968. This conference was attended by leading young members of the Communist Party-U.S.A.; the Socialist Workers Party and its youth group, the Young Socialist Alliance; the Student Nonviolent Coordinating Committee, a militant black nationalist group; and the Students for a Democratic Society.

Nearly 50,000 individuals participated in a New York City demonstration. Many of the demonstrators carried Viet Cong flags and photographs of Ho Chi Minh and "Che" Guevara. A demonstration at Los Angeles, Calif., attracted some 2,500 individuals who heard speakers, including a member of the Communist Party-U.S.A., urge withdrawal of all U.S. troops from Vietnam. At San Francisco, Calif., approximately 10,000 individuals heard Fred Halstead, the Socialist Workers Party presidential candidate, denounce U.S. foreign policy.

In May 1968, the National Mobilization Committee To End the War in Vietnam, which is headed by David Dellinger who is self-described as a Communist although not the Soviet variety, and which includes representatives of various subversive organizations, such as the Communist Party-U.S.A. and the Socialist Workers Party among its members, planned its Summer of Support. This is a program to establish coffeehouses near military installations throughout the United States for the purpose of attracting military personnel and to serve as alternatives to the "militaristic, drab, occasionally violent Army town environment." Some such coffeehouses have been set up.

Rennie Davis, one of the leaders of the Joint Community Union, the community action group of the Students for a Democratic Society, was selected to head Summer of Support. A letter issued by the group explains that Summer of Support is a national program to support GI's and their right to come home. Sponsors of it include the Reverend James Bevel, an official of the Southern Christian Leadership Conference who has been active in antiwar demonstrations; Marlon Brando, a prominent actor; the Reverend William Sloane Coffin, Jr., who has been convicted for a violation of the Selective Service Act; and David Dellinger.

The Student Mobilization Committee To End the War in Vietnam, which is controlled by members of the Young Socialist Alliance, the youth group of the Socialist Workers Party, sponsored anti-Vietnam war demonstrations in various cities throughout the United States from April 4 to 6, 1969. Many antiwar protest groups participated in the demonstrations which had two main themes—namely, to bring servicemen home from Vietnam and to achieve free speech for servicemen advocating antiwar sentiments. The principal demonstrations were conducted in New York City; Chicago, Ill.; and San Francisco, Calif. At New York City, 30,000 individuals participated in a march and rally. Among the demonstrators were members of the Communist Party, the Socialist Workers Party and its youth group, and Students for a Democratic Society (SDS). At Chicago, approximately 10,000 individuals participated in a march and rally. One of the principal speakers at the rally was an official of the Black Panther Party. At San Francisco an estimated 10,000 demonstrators marched through San Francisco to the Presidio, a military base. Several arrests were made by the San Francisco Police Department and several military policemen were injured when the marchers attempted to force their way into the Presidio.

ACTS OF VIOLENCE

During the past year we have seen some protest groups turn more and more to violent plans and tactics.

In December 1967, Greg Calvert, a national representative of the Students for a Democratic Society, stated at an SDS chapter meeting in Oklahoma that the SDS and other New Left groups were organizing and planning efforts to disrupt the national "warmaking effort" all over the country.

In January 1968, a pamphlet entitled, "What Must We Do Now? . . . An Argument for Sabotage As The Next Logical Step Toward Obstruction and Disruption of the U.S. War Machine," was prepared in Canada and copies were mailed from Toronto, Canada, to anti-Vietnam war groups in this country. The pamphlet referred to the need for increased radicalization of the antiwar movement and urged the utilization of incendiary devices to immobilize local draft boards, Reserve Officers' Training Corps (ROTC) buildings, other Government agencies and war industries. Other acts of violence were also proposed and detailed instructions and diagrams were contained in the pamphlet for the construction of simple incendiary devices. The pamphlet strongly emphasized the clandestine nature of such violent activity and urged that only two or three persons be knowledgeable of any action in order to preclude compromise.

In September 1968, within a 5-day period three ROTC establishments were sabotaged and a fourth threatened at diverse points across the Nation. On September 13, 1968, Callahan Hall, the Naval ROTC building at the University of California at Berkeley, was damaged by explosives which caused in excess of $25,000 in damage. Two previous attempts were made to firebomb this building in 1968. On September 15, 1968, several firebombs were thrown into the ROTC armory at the University of Delaware damaging or destroying 300 military uniforms and public address system equipment. On September 18, 1968, a fire of undetermined origin caused extensive damage in Clark Hall, the Naval ROTC building at the University of Washington in Seattle. Prior to this date members of SDS at this university had announced the Naval ROTC unit as one of their "targets." Furthermore, at the scene of the fire, Robbie Sterns, self-described SDS activist, was observed chanting, "This is No. 1 and the fun has just begun; burn it down, burn it down."

In Storrs, Conn., a source reported that SDS was planning to blow up the ROTC building on September 17, 1968, at the University of Connecticut; however, the bombing attempt did not take place.

On September 29, 1968, the local CIA office at Ann Arbor, Mich., was bombed. Ann Arbor is the home of the University of Michigan where there have been numerous New Left activities in the past several years. The New Left at the university, and specifically SDS, has claimed credit for the bombing of this CIA office.

The New Left by innuendo made additional claims of violence in September 1968, when on September 29, at a Navy and Marine ROTC unit at Eugene, Oreg., a crane was damaged with explosives and several military vehicles were destroyed by being set afire. On September 10, 1968, five heavy army trucks were destroyed in explosions and fires at the National Guard armory at Van Nuys, Calif.

A 16-year-old narcotics addict advised the Detroit Police Department of identities of subjects involved in four recent bombings in the Detroit area. To date, over 10 New Left individuals have been charged with being implicated in these in bombings which were: the September 10, 1968, bombings of a Selective Service Office, Roseville, Mich., and of a U.S. Army vehicle, Detroit, Mich.; the September 29, 1968, bombing of CIA headquarters at the University of Michigan; and the October 14, 1968, bombing of the Science and Technology Building at the University of Michigan.

Five persons active in various phases of the New Left have thus far been charged with a number of bombings in the San Francisco, Calif., area, including the destruction of three Pacific Gas & Electric Co. towers in June 1968.

On February 20, 1969, Michael Siskind, a student at Washington University, St. Louis, Mo., and SDS member, on a plea of guilty on Federal court at St. Louis was sentenced to 5 years' imprisonment in connection with charges stemming from the attempted firebombing of the ROTC headquarters on the campus, December 3, 1968.

Between January 20, and January 28, 1969, high-power transmission towers were dynamited in and around Denver, Colo. On February 14, 1969, Cameron David Bishop, an SDS activist, was indicted by a Federal grand jury in connection with these incidents and is currently being sought as a fugitive.

It is certainly coincidental that in June 1968, at the SDS national convention, as I pointed out earlier, one of the workshops dealt with sabotage and explosives. Many of those who attended the SDS national convention returned to school in September 1968, and as noted previously, acts of violence occurred early in the school year. And the SDS continues to make available information regarding the use of explosives. For example, at a national council meeting of the SDS held in Boulder, Colo., from October 11, 1968, to October 13, 1968, copies of a pamphlet captioned "Sabotage" and setting forth instructions on how to make bombs and incendiary devices were left on the stage of the auditorium where the meeting was held.

The selective service facilities of this country have also been the targets of antiwar violence by individuals, including clergymen, resulting in destruction of or damage to selective facilities or records.

Other acts of violence have occurred during some of the numerous demonstrations erupting on various college campuses since the beginning of 1968. These protest actions have ranged from those directed against the school administration, to those matters relating to the defense effort, such as the war in Vietnam, the draft, and the appearance of military and war industry recruiters on campus. Several of these demonstrations resulted in severe damage to the school facilities. For example, the total costs of the riots at Columbia University in April and May 1968, by the Students for a Democratic Society and other New Leftists, were approximately $500,000. This amount included damages to grounds, furnishings, and buildings and other related expenses.

Those incidents which concern damage to Federal facilities or property receive our immediate investigative attention and the results of the investigation are turned over to the Attorney General for prosecutive consideration. Where no Federal jurisdiction is involved, the matter rests with the local authorities.

DISTURBANCES AND RIOTS

There has been no lessening of racial tension in the United States. A particularly aggravating factor in the past few years has been the increased activity of emboldened Negro agitators and revolutionaries affiliated with black extremist groups who exhort and promote hate and violence. Their appeal to destructive action and guerrilla warfare has intensified, spreading a mood of lawlessness among sympathetic followers and among the young criminal element, thereby increasing the potential for violence.

For example, the assassination of Martin Luther King, Jr., on April 4, 1968, was seized upon by extremist and criminal elements in Negro areas throughout the country as an excuse to riot, loot, vandalize, burn, snipe, and kill. Violence in varying degrees, ranging from minor disturbances to major riots erupted in more than 100 cities across the land following King's death. In the remaining months of 1968, serious disturbances occurred in more than 40 other cities across the Nation.

The April outbreaks and the subsequent disorders resulted in more than 60 deaths, injuries to thousands of persons, and millions of dollars in property damage. In a number of instances, the summoning of the National Guard and Federal troops to help restore law and order was found necessary. Acts of violence and disorder on college campuses and in the lower schools by black student groups, often aided by outside agitators, have reached alarming proportions and have added to the racial strife.

I would like to point out that in connection with recurring disturbances and riots, we have no jurisdiction over the protection of persons and property nor do we have responsibility for the policing or controlling of riotous conditions. Our responsibilities center around the development and dissemination of intelligence data concerning these situations, being ever alert to the detection of violations of Federal laws over which the FBI has investigative jurisdiction, including violations of the antiriot provisions of Public Law 90-284 which was approved on April 11, 1968.

As to intelligence data, through expanding coverage a great deal of valuable information relating to a variety of cases of violence and planned violence has been developed. This information is widely disseminated throughout the executive branch of the Government. In addition, where pertinent, State and local authorities have been kept advised of information developed in this field and the prompt dissemination of such information often enables them to take preventive measures to forestall acts of violence and to combat violence as it develops.

We were able, for example, through our coverage to provide the Baltimore, Md., Police Department identifying data regarding several members of the extremist Black Panther Party from New York City who were reportedly responsible for the firebombing of a supermarket in Baltimore, Md., in late August 1968.

DEMONSTRATIONS AT THE NATIONAL DEMOCRATIC CONVENTION

Months before the National Democratic Conventiion was held at Chicago, Ill., in August 1968, all appropriate Federal and local authorities were fully aware that the convention was the target for disruption and violence by various dissent groups and individuals from throughout the United States.

It was clear from the information received that these groups and individuals desired to deliberately bring about a hostile confrontation with the established authority. Preconvention plans for various demonstrations by New Left, antiwar, subversive, and other militant groups were made. In addition to these plans, allegations involving assassination plots against Vice President Humphrey, Senator Eugene McCarthy, and some prominent Negroes were also received. In view of this background, authorities were compelled to devise necessary and effective security precautions.

Numerous groups and their members were involved, in varying degrees, in the activities aimed at disrupting the convention. These included such organizations as the Communist Party-U.S.A., Student Nonviolent Coordinating Committee, Youth International Party (also nown as Yippies), Students for a Democratic Society, Black Panther Party, and the National Mobilization Committee to End the War in Vietnam.

This latter organization, a coalition organization representing a variety of antiwar, New Left and subversive groups, emerged as the dominant coordinating force in planning disruption at the convention. It is the organization, headed by David Dellinger, which I spoke of earlier and which has sponsored a number of major demonstrations—some of them violent—including the mass assault on the Pentagon during the March on Washington in October 1967.

Although the organizers boasted of having from 100,000 to 200,000 supporters converge on Chicago, only some 10,000 at the most actually appeared. These, however, were well organized for disruption.

Demonstrations held during the convention period included taunting of the police: they were referred to as "pigs," they were spat upon, obscenities were shouted at them and they were the targets of all kinds of unbelievable abuse; on several occasions undisciplined mobs intent on marching to the convention site without legal authority had to be repulsed by the police and National Guard. Reportedly many of the hippies used drugs regularly.

The demonstrations resulted in mass arrests. Also, there were numerous police and demonstrators injured. Approximately 650 arrests were made by local authorities and nearly 200 police officers were injured during the confrontations with the demonstrators. It has been estimated that more than 900 persons obtained emergency treatment for injuries received during the disorder.

Although the disorders were violently disruptive, it should be noted that not one life was lost. Also not to be lost sight of is the fact that the convention itself was not interrupted and the city was not paralyzed.

As an outgrowth of the confrontations with the authorities, numerous allegations were made of violations of Federal civil rights and antiriot law statutes. As to civil rights violations, the FBI investigated over 150 civil rights cases involving more than 200 victims. Nearly 1,300 antiriot law cases were investigated. More than 3,400 reports totaling over 26,000 pages setting out the results of more than 12,000 interviews were submitted. A Federal grand jury at Chicago on March 20, 1969, returned indictments charging eight persons with violating the new antiriot laws, seven police officers with violating civil rights statutes, one police officer for committing perjury before the grand jury and a former employee of the National Broadcasting Co. for concealing a microphone in a meeting room at the time of the Democratic National Convention.

Indicative of the tremendous drain placed on our manpower, the handling of civil rights and antiriot laws cases stemming from the convention demonstrations involved not only virtually our entire Chicago office special agent staff of some 275 in addition to 45 special agents brought in on special assignment, but the investigation was so widespread that general instructions as to the handling of it went to all of our offices.

DEMONSTRATION AT PRESIDENTIAL INAUGURATION

Subsequent to the violent demonstrations at the Democratic National Convention, the National Mobilization Committee to End the War in Vietnam headed by David Dellinger addressed a paper to groups active in protesting the war in Vietnam. This paper called for demonstrations during the election campaign and called for a national action on January 20, 1969, during the Presidential Inauguration. Subsequent planning by the committee led to a program calling for workshops and conferences on Jannuary 18, 1969; rallies, a march, and a counterinaugural ball on January 19, 1969; and an "organized presence" along the inaugural parade route on January 20, 1969.

Rennie Davis, an official of the National Mobilization Committee, was appointed coordinator of the inaugural demonstrations. Local chapters of Students for a Democratic Society and other militant organizations, such as the Coalition for an Anti-imperialist Movement, the Yippies, and Women Strike for Peace, endorsed the demonstrations.

The demonstration activity at Washington, D.C., over the inaugural weekend began on January 18, 1969, with 600 to 1,000 individuals participating in workshops and conferences which were described as completely disorganized and chaotic. Among other activities on January 19 were a march by approximately 4,000 individuals and demonstrations including one at the Smithsonian Institution where a reception was held for Vice President Agnew and his wife. Some of the demonstrators threw clods of dirt and other items and, as a result, it was necessary for police to break up the demonstration. During the meetings on January 19, 1969, several of the demonstrators called for a confrontation with the police on January 20, 1969. The counterinaugural ball, which was held by the demonstrators on the evening of January 19, 1969, was poorly attended and disorganized.

On January 20, 1969, 600 to 800 of the demonstrators positioned themselves along the inaugural parade route, particularly from 12th to 15th Street on Pennsylvania Avenue. They attempted to disrupt the parade by throwing objects, including a few smoke bombs, but were unsuccessful in their attempts. However, their actions made it necessary for police to disperse them.

During the 3 days of demonstrations, 119 individuals were arrested, the majority on charges of disorderly conduct. During the 3 days, six of those arrested were charged with mutilation, burning, or desecration of the U.S. flag. Of those arrested, 10 were juveniles.

It is interesting to note that a source advised that David Dellinger, the leader of the demonstrations, and his group, the National Mobilization Committee, lost control of the activities of the demonstrators during the inaugural parade.

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CHARLES SMITH: RESPECTED WISCONSIN CONSERVATIONIST

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. OBEY. Mr. Speaker, eloquent testimony to the fact that Vietnam war sentiment in this country does not divide merely on partisan or philosophical lines came to my office last week in the form of a letter from one of my most distinguished constituents, Mr. Charles F. Smith, Sr., of Wausau.

In private life, Mr. Smith is a distinguished attorney and a highly respected citizen. In public life Mr. Smith has distinguished himself as a member of the Wisconsin Conservation Commission for 25 years; as chairman of the Wisconsin Conservation Commission for 3 years, and a member of the Wisconsin Resources Development Board for 1½ years.

Lest some would erroneously conclude that Mr. Smith is an impractical "peacenik," it should be pointed out that he has a long record of supporting what he has considered to be necessary and unavoidable use of military force—even to the point of criticizing President Roosevelt in 1944 for not being tough enough against World War II aggressors.

His letter starkly points out the degree to which the Vietnam war has infected and corroded all of society and I commend it to the attention of my colleagues:

JUNE 11, 1969.

Congressman DAVID R. OBEY,
Longworth Office Building,
Washington, D.C.

DEAR CONGRESSMAN: I feel constrained to join in the argument now going on in both Houses of Congress and throughout the country on the war in South Vietnam, which is increasing by leaps and bounds to the point of real danger to this country.

Everyone seems to agree first that the South Vietnam war was a mistake as it is now being waged, and, secondly, that this terrible war is really one of the principal causes of our (1) inflation, (2) our riots and (3) our poor reputation with other countries, and practically all our other serious problems.

President Nixon cited all of these matters in his campaign for the presidency and promised an early end of all of these terrible results of this war. What has he done—practically nothing, except to continue the Johnson policy of "waiting" and "promising," all of which have been repudiated by the people of this country.

What is this policy of waiting really accomplishing—(1) increasing inflation, (2) increasing our shcool riots to the possible breakdown of our colleges and universities, and (3) deteriorating our position with foreign countries as evidenced by the recent South American opposition to Rockefeller's visit to their countries, and finally by killing more thousands and thousands of our youth and spending this nation into possible financial trouble.

Obviously, this waiting game of Johnson and Nixon is a game of trying to save face for political reasons. I ask, is the value of saving face equal to our losses of money, prestige in the world, our own national safety, and last but not least, the lives of thousands of our best young men?

Now, what can we do? Obviously, we are reducing our demands on North Vietnam by the month to the point that we are showing that we intend ultimately to get out of Vietnam on North Vietnam's terms. If so, and North Vietnam knows this, why not admit our mistake now and get out now on terms we know and North Vietnam knows we will finally turn to.

I suggest that if in four or five years we have not been able to train the South Vietnam troops to take over we will never accomplish this. Let's tell South Vietnam that from now on "this is your war, we are going to withdraw not the piddling 25,000 men as suggested by President Nixon, but 50,000 now and another 50,000 more at least every six months, so that the remainder of our soldiers with you can be withdrawn in safety and by a definite time and still allow you time to replace them with your own troops. We have done everything, more than you asked for in the beginning. We must turn this war, your war, over to you and get busy with safeguarding our own country."

Our immediate and urgent, far beyond this unnecessary war, problems of inflation, riots, disrespect for our country and terrible loss of lives and money necessitates this action and far outweighs any further duty that we may owe to South Vietnam.

I urge you, let's forget political or other "saving of face" arguments and consider only "saving our country."

Respectfully,

CHAS. F. SMITH.

SDS FLUNKS TEST OF PRACTICAL POLITICS

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. MILLER of California. Mr. Speaker, a provocative editorial appeared in the San Leandro, Calif., Morning News on July 1, 1969, which I wish to bring to the attention of my colleagues, as follows:

SDS FLUNKS TEST OF PRACTICAL POLITICS

The recent national convention of Students for a Democratic Society in Chicago was more than ridiculous. It was sad.

These representatives of the now generation, the concerned generation, the love generation, may have liberated themselves from the stultifying restrictions of good taste in speech and dress, but they demonstrated that they possess in abundance all the human failings that have plagued mankind through the ages—belligerence, disputatiousness, factionalism, prejudice, self-righteousness and closed mindedness.

It is no criticism of the SDS that its convention was split between two factions and that one of them is apparently going to set up a rival organization. This has happened in other political parties. It can happen anytime a minimum of two persons have a meeting, even if it is only the local garden club.

Nor is it important to know the names of the factions or which one emerged with control, or the claim of control, of SDS. Both are so far out of the mainstream of American thought and political practices that they are not to be given serious consideration.

What is disturbing is that such apparently bright people are ignorant of—nay, opposed to—something that all other successful parties have had to learn in order to survive as responsible entities. That is the art of compromise.

There must be room in any political organization, if it hopes to gain power in a democracy or at least to exert influence on the party that does have power, for a variety of shades of opinions—although the party as a whole may be weighted toward the right or the left.

Compromise is not an unalloyed virtue, of course. It frequently requires the watering down of principles for the sake of expediency and unity. But the give and take of compromise is the only workable method men have arrived at for making orderly progress.

American society needs reforms, and it needs them urgently. It is discouraging that the young and presumably idealistic activists like the SDSers, or ex-SDSers, are the last people one should look to for any hope of accomplishing those reforms.

REWARDING BUT THANKLESS

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. RODINO. Mr. Speaker, Newark, N.J., my home city, is losing the services through retirement of the very dedicated and outstanding public servant, Mr. Louis Danzig. Lou Danzig has served for the past 21 years as executive director of the Newark Housing Authority and has written a record of sound and progressive accomplishments in the field of low-income housing. His tenure of service and strong leadership in the field of public housing will not be soon forgotten, and I simply want to add my voice to his many admirers who wish him well in the years to come.

An editorial from the Newark, N.J., Star-Ledger, follows:

REWARDING BUT THANKLESS

Twenty-eight years ago, when Louis Danzig entered the public housing field, it was an era held in low esteem. In too many instances, it was bitterly opposed and railed against by a private sector that had strong feelings about subsidized housing for low-income families.

Much of the original resentment and antagonism has been dissipated by the economic realities of a modern society, which has been compelled to assume a more responsible social stance in ameliorating the deprived circumstances of millions of Americans.

Louis Danzig, who retired recently after 21 years as executive director of the Newark Housing Authority, has been intimately involved with the transition of low-income housing from its struggling, unwanted infancy to its present maturity as a useful adjunct of governmental function.

Subsidized public housing, conceding its deficiencies in some areas, has been transformed into a constructive social instrumentality, filling a fundamental human need of decent, habitable housing at rentals compatible with minimal income.

For Danzig, the administration of public housing and the city's redevelopment programs has been a difficult, and in recent years, an unpopular responsibility. The redevelopment agency, in particular, has been involved in controversy that attended the location of the New Jersey College of Medicine and Dentistry on urban renewal land assembled by the Housing Authority.

Even the critics of the city's housing and redevelopment programs would concede that Danzig has exerted an enormous influence in the long and costly restoration of an ail-

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ing, declining municipality. During his tenure, more than 5,000 public housing units have been built, with another 2,500 apartments for senior citizens.

Louis Danzig would be the first to concede that the programs he developed in housing and redevelopment had critics, but neither does this detract from the elemental fact that the agencies he directed were strong, potent forces in the complex transition of a changing urban center, a painful rebirth that will eventually change the face of the state's largest city. In many ways it was a thankless job, but for the retired housing official there must be a sense of satisfaction and personal fulfillment.

THE INCREDIBLE DREAM: A WALK ON THE MOON—PART II

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. MURPHY of New York. Mr. Speaker, 9 years ago, America gambled—and it will pay off with next week's moon shot. Technology has put the United States ahead of the Russians in the race to the moon. But the untold story of a multi-billion-dollar gamble is revealed here by New York Daily News science editor, Mark Bloom, for the first time in complete detail. In "Blast-Off Minus 8," the second of his series leading to next week's space spectacular, Mr. Bloom tells of the major gamble that paid off—the decision to use liquid hydrogen. Mr. Speaker, under leave to extend my remarks in the Record, I include this article which tells of the decision which put the United States into the big leagues of rocketry:

[From the New York Daily News, July 8, 1969]

Blast-Off Minus 8: Liquid Hydrogen, a Multi-Billion-Dollar "If"—But It Paid Off

(By Mark Bloom, Science Editor)

Back in the first two weeks of this decade, when Apollo was still the name of a Greek god, the National Aeronautics and Space Administration took a major gamble with America's future.

Hardly noticed at the time, a brief Nasa statement said the agency had decided to use liquid hydrogen fuel for the upper stages of what was to become the Saturn 5 moonrocket.

By putting its money on liquid hydrogen, the space agency was either laying the groundwork for sending men to the moon in the 1960s or setting the stage for one of the biggest fiascos in history.

With this decision, Nasa turned to a highly exotic, totally unproven rocket fuel for its future. It was a fuel so delicate that it would boil away if its temperature rose to over 423 degrees below zero.

But liquid hydrogen—if it could be made to work—would carry almost twice the punch of kerosene, the conventional propellant for rockets. It would vault America into the big leagues of rocketry.

It was a multi-billion-dollar "if." And it paid off.

While learning to handle liquid hydrogen was the biggest technological hurdle the space agency had to pass in the $24 billion Apollo man-to-the-moon project (which was not announced until almost 10 months after the exotic fuel decision), it allowed:

The use of a 7.6-million-pound thrust first stage for the moon rocket, a feat which could be handled with 1960s technology, instead of the much-discussed 12-million pound thrust Nova first stage, which would even now still be in the development phase.

A manned landing on the moon by Americans in 1969 since the Nova did not have to be developed.

America to take over the lead in rocket muscle from the Soviet Union, which is believed to be still attempting to master liquid hydrogen technology.

Victory for the United States in the grand prize of the space race—the first manned landing on the moon.

Fittingly enough, the suggestion that liquid hydrogen would be an ideal fuel for upper stages of huge rockets originated from America's great rocket pioneer, Robert H. Goddard, in a paper published in 1909.

Goddard was an astounding half century ahead of his time. And on Jan. 13, 1960, Nasa was also ahead of its time with the liquid hydrogen decision.

Still 10 months away was the formal start of the Apollo project to land men on the moon "sometime in the 1970s." Not until March 25, 1961, did President Kennedy call for an acceleration of the project which climaxes with Apollo 11.

And not until Nov. 7, 1962, did Nasa make the final decision to drop the Nova concept, and concentrate all of its energies on the Saturn 5. But with that little-noticed 1960 gamble, it had three precious years of liquid hydrogen development under its belt.

Because by that time, the two major upper stage contractors and Nasa were beginning to realize the enormous challenge they had accepted.

Everyone has seen on television the mighty Saturn 5 blast away from Cape Kennedy, a 700-foot-long tongue of orange flame trailing the booster as it climbs rapidly out of sight over the Atlantic.

But enormous as it is, the Saturn 5's first stage—from a technological standpoint—is little more than gigantic V–2 missiles.

And it is not surprising that they would be giant V–2s. The man whose genius led to the development of the V–2 for Hitler Germany is the same man who guided the development of the Saturn 5—Werner von Braun, now director of Nasa's Marshall Space Flight Center in Huntsville, Ala.

Of course, it was a big step from the V–2, a single-engine vehicle with 56,000 pounds of thrust, to the first stage of the Saturn 5, known as the S–1C.

Built for Nasa by Boeing under the direction of the Marshall center, the S–1C stage is 138 feet tall and 33 feet in diameter.

Its five F–1 engines are fueled by 212,846 gallons of kerosene and 346,372 gallons of liquid oxygen, all consumed in about 2½ minutes of flight.

Development of the F–1 engine began in 1958, within months of Sputnik I. No one at the time was sure what use there would be for such a super rocket engine, but in another wise early decision, steps were taken to build one anyway in a contract given to Rocketdyne, a division of North American Rockwell.

If a go-ahead had been given for Nova, the booster's first stage would have had 12 F–1 engines clustered, a far more complex undertaking than the cluster of five F–1s in the S–1C.

Rocketdyne, which makes 12 of the 14 major rocket engines in the Apollo project, was also tapped for the J–2 engine, which burns the more exotic liquid hydrogen/liquid oxygen fuel in the Saturn 5's two upper stages.

Each of the five engines of the rocket's second stage, known as the S–2, was designed for thrust of 230,000 pounds—a total of 1.15 million pounds. Compare this with the 76,000 pounds of thrust of the one stage Redstone which sent Alan Shepard into space in 1961.

The problem faced by North American Rockwell's Space Division, which had the assignment of building the S–2 stage for Nasa, was to build a container which could hold 282,555 gallons of liquid hydrogen at a temperature under 423 degrees below zero, and 85,973 gallons of liquid oxygen at a temperature under 297 degrees below zero.

The container had to be so air-tight, and so well insulated, that Cape Kennedy's balmy weather an inch and a half away—the thickness of the stage's skin—would not affect the temperature of the fuels.

And the difference between the liquid hydrogen's temperature and a normal, summer day at the Cape is more than 500 degrees.

Furthermore, the container had to be built so that the relatively warm liquid oxygen would not heat up the liquid hydrogen. The two fuels have a temperature difference of 126 degrees.

For this insulation, an ingenious "common bulkhead" was developed, said by many authorities to have been the most difficult single feat of the entire Apollo project.

This wall, which forms the top of the liquid oxygen tank and the bottom of the liquid hydrogen tank, measures from one-tenth of an inch to 4¾ of an inch thick, and its development saved about four tons from the total weight of the stage.

It is this type of technology which, according to reliable sources, the Russians are still trying to match, and the failure of Soviet engineers to do it is the reason Americans will be first to walk on the moon.

The third stage of the Saturn 5, known as the S–4B, had many of the same problems in development as the S–2 stage, though its smaller size eased some of the difficulties.

Built for Nasa by McDonnell-Douglas, the third stage, however, had one major requirement the second-stage development did not have to face. The third stage had to be restarted in earth orbit in order to hurl the Apollo spacecraft up to its moonward speed of 24,600 miles an hour.

Powered by a single J–2 engine (identical to the J–2's on the second stage), the third stage carrier 77,680 gallons of liquid hydrogen and 20,107 gallons of liquid oxygen for its two firings—the first to slide the Apollo into a 115-mile-high parking orbit for checkout before starting for the moon.

The major problem encountered in developing the capability for a second firing turned out to be sloshing of fuel in their half-empty tanks.

The solution turned out to be the installation of small solid-fuel rockets on the stage, which fire a few moments before the main engine starts, pushing all the fuel to the bottom of the tanks where pumps can reach it.

Finally, atop this huge stack of three stages, is the instrument unit, a three-foot-high stage filled with computers, gyroscopes and accelerometers.

Built by IBM, this is the brain of the Saturn 5, the unit which keeps track of where the booster is going, and feeds guidance information to its rockets as man starts out for the moon.

EXPANSION OF THE NEW YORK STOCK EXCHANGE

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. FASCELL. Mr. Speaker, I was pleased to learn that yesterday the New

York Stock Exchange opened a new, totally modern extension to their trading floor. This first major expansion of the exchange's trading facilities since 1922 is a tribute to the progressive character of private enterprise in the United States.

The additional room will provide a 20-percent increase in trading facilities. This new area is needed to handle the ever increasing volume of trade which has tripled in the last 8 years and now approximates 13 million shares daily.

The new annex is designed to meet the rising demand for trading space until the exchange's new quarters are completed in about 1975. Furthermore, a number of valuable electronic innovations characterize the new room. The room is lit by incandescent bulbs which automatically increase the intensity of light to ease eye strain as the trading day goes on. The walls are lined with a sound-deadening fabric which reduces the noise level significantly. Finally, the new display system is computerized, automatically updating the last sale prices and bids as well as the asked quotations of stocks traded at the posts.

As chairman of the Subcommittee on Legal and Monetary Affairs of the Government Operations Committee, I have been particularly interested in any steps that our stock exchanges are able to take to meet the increasing demands of the millions of Americans who buy and sell stocks.

I wish to take this opportunity to express my congratulations to the New York Stock Exchange for their modernization effort which represents not only a more efficient method of security trading but also a significant contribution to scientific progress.

THE LIBRARIES DESERVE BETTER FINANCING

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. PEPPER. Mr. Speaker, the libraries of the United States have suffered a serious setback by the Nixon administration's decision to reduce the Federal commitment from the Department of Health, Education, and Welfare to our library system by $191 million. This is an 80-percent reduction as compared with last year. The administration has also seen fit to reduce educational funds down to $3.2 billion. This is a decrease of 25 percent.

The progress of our Nation has depended upon our ability to acquire new knowledge, insights, and talent. The development of our educational system has meant a thrust for equality and responsibility. Now more than ever, with the great knowledge available to all, centers to accumulate this information are a necessity. Educational opportunities cannot be expanded or properly utilized if libraries are deprived of adequate funds.

When educational facilities are financially neglected, the institutions and societies they serve fall into disrepair. I consider the financial crisis that now confronts the libraries to be a dangerous situation equal to the college protesters occupying our campus. They both will not allow those wanting and needing education an opportunity to utilize the treasures of our libraries. Cutbacks might be nonviolent, but they are as detrimental as violence. One cannot reduce a commitment by 80 percent and still hope to maintain the same level of achievement. Now is not the time to retreat. Now is the time to move American education forward.

MIDDLE EAST SITUATION: CAROL KOVNER REPORTS

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. BROWN of California. Mr. Speaker, last October, Miss Carol Kovner, managing editor for Kovner publications in Los Angeles traveled to the Middle East to get a firsthand view of the turmoil in that tense region.

Over the past months, the Kovner newspapers have carried Miss Kovner's reports on events within the Arab and Israeli countries. Recently, she returned again to Los Angeles and these are her final stories from her venture.

I include the following four stories by Miss Carol Kovner in the RECORD at this point:

SOME REALITIES IN THE MIDDLE EAST: ROOTS OF MANY PROBLEMS SCRUTINIZED

(By Carol Stevens Kovner)

There is a small suburb outside of Jericho, on the West Bank, near the Jordan River. It was used as a winter home before the 1967 war, initiated on this front by the Jordanians, by many Jordianian and Arab diplomats and businessmen. It is abandoned, the once luxurious homes empty, plumbing torn out, light fixtures gone, windows and doors smashed. Goat droppings litter the floors of the rooms. One home was obviously used as a stable this winter. Mortar shells lie scattered around the gravel streets. Trees and shrubs are dying for lack of water and fences are pushed over at crazy angles. A Jewish star is on the wall of one house.

The Israel Defense Forces were quartered here for one year following the victory, then left, promising compensation to the owners for all damage by them. When we visited it we found a fresh cigarette box from Amman on the ground. The two Jordanian Arabs and the Israeli journalist with me were convinced that the Fatah were using the houses as a day hideout.

One of the Arabs, who was born in Jerusalem, was working as a policeman for the Israelis. We were curious why he was cooperating so openly with them. "The Fatah will get you," the Israeli joked with him, but he was very young and serious about his job. "I must work," he said simply. "I can't work in a factory."

When we entered Jericho, he removed his jacket and in the suburb where we found the Amman cigarette box he was frightened. Later he said he was coming to America to work for his uncle in New York. There are Jews in New York, too, we told him. "Are you planning to do what Sirhan Sirhan did to Kennedy?" the Israeli joked. The boy smiled, "Politics and business are separate."

We lunched at a large restaurant that had been popular with tourists before the war and now was empty, the patio pool full of scum. "Jazz music" or machine gun fire sounded in the streets while we ate. A swimming pool was filled with Israeli soldiers getting relief from the muggy heat.

We visited a former refugee family that had settled in Jericho. The Israeli who was a historian and worked on the Dead Sea Scrolls dig had known them for years. The host, dressed Kuwaiti style in a long white robe, was very hospitable. There were three brothers and four wives with 27 children living in three houses next to each other. It was a happy family, prosperous seeming. The children wandered in to be teased by the Israeli and to shake everyone's hand around the room. They were part Negro, descended from slaves.

On the way back to Jerusalem, we passed huge deserted refugee camps built of mud wattle and slowly melting back into the red earth in the salty ominous air. High above, plastered against a cliff like a bird's nest, was a Christian monastery. Below, in a fruit tree grove was a mosaic synagogue floor with the Hebrew words "Peace upon Israel." As it was getting dark, the Judean hills would soon be dotted with the flashlights of soldiers, looking for Fatah terrorists who traveled at night to get into the city. Very few did.

One hundred terrorists were rounded up in Jerusalem after the SuperSol explosion in which two students were killed. Most were residents of East Jerusalem, Gaza and Ramalah. Evidence was found proving the Fatah cells in Jerusalem were being directed by the Egyptian government.

A chain was reconstructed from professionals in Jerusalem, including a clergyman of the Anglican church in Ramalah, a prominent doctor, a lawyer, and teachers, that extended to an escaped woman terrorist now based in Amman. From evidence, said the police spokesman David Barelli, who announced the cracking of the ring, it was obvious that she received her orders from the Egyption Embassy in Amman. Enough explosives was discovered, some in private houses, to blow up the heart of Jerusalem. While the terrorists were being rounded up, crowds of children in fanciful Purim costumes paraded the streets of Jerusalem for days and life went on normally.

The group is believed responsible for much of the student demonstrations in Gaza and the West Bank this winter. Israelis are inclined to wink at the demonstrations by school girls because they feel the youngsters are easily led at that age, by radio or by leaders such as those arrested in Jerusalem. They feel the schools are not up to standard anyway, and the additional missing out of classes hurts the students most. Not the Israelis.

Shooting along the Suez Canal, initiated by the Egyptians says General Odd Bull, Chief UN Observer, has cost them heavily. In the exchange, which has gone on intermittently for days, and seems a political maneuver to many, for the purpose of attracting big power attention to the area before the talks, Suez oil refineries, and tankers were hit, and Major General Riad, Egyptian Chief of Staff was killed.

The sudden death by heart attack of Israelis' Prime Minister Levi Eshkol will put Golden Meir at the Helm until the next elections. The former Foreign Minister, she is reputed to be a hard liner, unlike Eshkol who would take second best when he could not get first best. Eshkol kept the quarrelsome political parties in the National Unity Government together and it looks as if the same government will be kept until November.

There are many jokes in Israel about Mrs. Meir not listening to the "people in the street," only her labor Party or the Old Guard. A cartoon by Dosh, showing a startled young Israeli looking at the reflection of Golda Meir in a mirror (she is 70) sums up the mood of the "street," the young Israelis.

Through Sandstorm and Rain Our Foreign Correspondent Tours the Suez

(By Carol Stevens Kovner)

The Sinai at night is the total blackness of the desert, a remote searchlight shooting out and stinging your eyes with the unexpected brilliance. Wind and rain pummeled the buses as our group of newsmen were driven to a tour of the Suez Canal, where extensive artillery duels had taken place, the worst since the 1967 war.

Grey ghostly buildings with pieces bit out of them came temporarily into view as we passed through anonymous towns. In the watery dawn light of the sandstorm they turned to a drained and tired yellow, pocked with bullet holes. Israeli soldiers were always within sight in the vast Sinai.

Our way led through the Mitla Pass, where Egyptian casualties had been terrible from a huge convoy trapped by the Israeli army as they tried to retreat to Egypt. Piles of stones along the road covered we suspected, the bodies of soldiers mummified by the dry air of the desert. Boots and articles of clothing still lay in the sand among the wreckage of war machines and empty ammunition boxes.

Wind whipped over the Pass erasing the traces of death, filling a boot, burying the twisted rusting hulks of tanks, protruding from the fireblackened desert floor like the humps of dinosaur skeletons.

At Suez we could see the city clearly. The fire in the oil tanks from the last artillery duel had been put out the day before. A tall lanky bashful soldier, Captain Yosse, Life's cover boy as he was introduced, told us, "There is no firing now. If there was you wouldn't be here."

Like most of the Israeli soldiers, he looked touchingly young, but his posture was one of confident ease, the ease born of "knowhow". The Israeli military fortifications are no secret now, he went on. They are holding up very well. There are very few casualties and the shells were raining down.

At another point the press corps climbed an embankment and got a better view of the tree-fringed city of Suez on the bank of the green water of the canal. A very tough officer, who apparently was the chief "shepherd" for the "flock" of newspeople, smiled and remarked wistfully, "It is such a beautiful view—why do they want to shoot?"

On the Israeli side, a lone building stood with Hebrew graffiti scrawled all over it. Deep bomb craters surrounded it. The land was flat and open and bare except for the hillocks holding the fortifications, the only relief the rolling rainclouds and a jeep scooting across the network of roads.

Passing the Bitter Lake we could see the trapped ships, hazy in the sand and rain. At Firdan Bridge, a drawbridge that once opened across the canal to let ships pass, there is a UN Observation post manned by an Austrian and a Burmese, both extraordinarily cheerful considering they were hit three times in the duel. They have a strong bomb shelter of sandbags near the post.

At Kantara, East, we stood in the empty mined streets of a town 80 per cent destroyed by Egyptians. Before the war there had been 10,000 people, only two years before. Now two or three dogs scavanged for food in the cratered streets. Forced to leave by the shelling—most were repatriated to West Kantara, directly across the canal. Some went to El Arish. The town is now a shock of destruction, whole houses collapsed into miniature landslides or rubble.

A briefing officer told us, "At this sector of the canal it was relatively quiet. We don't shoot, they don't shoot, in general, until about two weeks ago. They started sniping, then as you know, they started shelling. The artillery duels were fought here too. Now it is quiet. We hope it will stay quiet."

The Kantara Control Center, the United Nations Observer Headquarters of the ceasefire operation of the UN, is here. They have a large building where at one point you can see the UN flag, the Israeli flag and the Egyptian flag flying in close proximity. There are 18 posts, 9 on each side, interlocking each other. The distances make it hard to report accurately, we were told by a tall Scandinavian officer with extremely guarded eyes. Some of the observer's jeeps were laced with bullet holes but most were in working condition. The deep sandbagged bunkers were fully equipped for communications.

Still harried by the sandstorm and the rain, we returned along the road that follows the Mediterranean Sea to El Arish, from there to Jerusalem, a 24-hour trip:

We passed date groves in oasises, camels with riders crossing the desert, and endless bullet-riddled towns, all inhabited. The rails had been removed from the rail road along the highway, used to strengthen the Israeli fortifications by the army engineers. Casualties in shelling were very light compared to last year.

The heavy shelling and artillery duels in the past two weeks happened for two reasons, say the Israelis. To halt the building of the fortifications (already completed for the most part) and to focus attention of the Big Four on the Suez before the big power conference, and worry them into an imposed settlement.

There is high morale at the Suez front in the IDF. The troops are firmly dug in. They can give back good as they get and better, since the vulnerable targets are all on the Egyptian side, as we could see.

Israel's Iron Jewish Mama: Press Conference With Prime Minister Meir

(By Carol Stevens Kovner)

At her first press conference after being sworn in as Israel's first woman Prime Minister, Golda Meir rejected categorically a Four-Power solution to the problems of the Middle East.

Referring to the idea of a new United Nations peace force composed of the United States and Russia, she was mildly surprised at Russia being one of the two, "since its contribution to peace in the area has been so outstanding." Russia was never the staunchest friend we have ever had, she added at another point in the press conference with a wry smile.

She described the "evaporation" of the UNEF troops just before the 1967 war (the Egyptians asked them to leave), and said, "we are asked to put our faith in the same force for the third time . . . So what? Will it be any different than 1949 and 1967? You all know what happened—they were asked to leave and they left."

On West Bank policy, she said, "As long as there is no peace agreement with us and our Arab neighbors, we stand where we are. We will do our duty to all the inhabitants of the West Bank. We will do everything possible for welfare, education and so on. They will find out it is not so terrible to live with us."

"I don't understand the world sympathy to the lack of will of Arabs to come to a peace settlement. The question is this, are the Arabs ready to live in peace with us? It is too simple. Maybe that is why it is so hard to explain to our friends.

"Until they are, nothing will happen. The Arabs have to be faced with the problem. We say yes to peace . . . they have 101 answers, but not one to open the road to a peaceful solution."

She told reporters she was ready to go to Amman to meet with Hussein for negotiation, although Golda Meir in Amman is not exactly what the little King, as he is called in Israel, needs right now. Between Nassar and the terrorists, he doesn't need the iron Jewish Mama, too. "I don't think he has any doubts. He knows Israel is ready to meet him. If he is prepared, certainly we are," she told reporters.

"Nobody has proved to us why it is so outlandish to expect a signed peace settlement. The only peculiarity is that the party that won the war is asking for the agreement. It is not something new for Arabs and Israel to sign an agreement . . . but it seems we must now convince our friends there is no alternative to a peace settlement."

On negotiating with the Fatah, "Not today, not for several years from now can we consider them as partners in negotiation. Their heroism is expressed in marketplace murders. That does not make them a partner for negotiation to my mind."

"Jordan civilians may have been hurt but no one can say rightly that Israel attacked civilians. If Fatah bases are built near civilian villages, we are sorry about hitting them, but no one can compare that with marketplaces. A supermarket is not the military base of the Israeli Army."

Regarding the new settlements in the occupied areas, she said, "How many settlements did we put up in the first months after the war? If Israel is worried about security, it is its duty to do everything possible, if necessary to put up settlements on the other side of the "Green Line," so that children don't have to sleep in shelters."

It would be too good, she said with gentle humor, if there was an agreement right away with President Nixon. It is natural to have different views, not necessarily contrary ones. The talks with the President and his cabinet will go on.

But the United States and our other friends must realize we must have borders that will not tempt the Arabs to attack us, as the former borders on the Golan Heights (transformed to one long underground fortress overlooking the farms below), she explained.

Asked what Israel would do if the Four Powers try to force Israel to an imposed solution, she said, "When life depends on decisions a little country will take them. We will not depend on the good will of Nasser or a UN force—we want secure borders. The Arab countries must have no natural advantage over us. We do not fool ourselves—war breaks out between those countries with peace agreements."

Golda Meir looked in good health, her voice clear and feminine, her manner positive and down-to-earth. Her face normally stern, lit up when someone asked her if she considered herself a "stopgap" until the October elections. "Did I call myself a stop gap," she laughed.

Mrs. Meir has been 48 years in Israel. She was born in Kiev, Russia in 1898. Her family moved to the US, to Milwaukee, in 1906. She still has a pronounced Midwestern accent. When she married she moved to Israel with her husband. She had a son and a daughter. Some of her long government experience was gained in the Mo'etzet Hapo'alot or Pioneer Women in 1928 which launched her on her public career. She came out of retirement to become Secretary-General of the Mapai and later the united Israel Labor Party. In August, 1968, she again resigned.

She was reluctant to accept the premiership because, she said, "Obviously I'm am not an infant. It was the decision of my party to take this post—I took it."

Two Students Killed in Terrorist Bombing of Jerusalem Supermarket

(By Carol Stevens Kovner)

While the Friday morning dynamite took the lives of two immigrant students and injured nine other shoppers in the terrorist explosion at the Jerusalem SuperSol market, I was interviewing a woman who calls them freedom fighters.

Wife of the former Jordanian Ambassador to England before 1967 and onetime Defense Minister, Mrs. Anwar Nusseiba is a pretty young darkhaired woman, softspoken and the mother of six children, two grown daughters with families. She has a reputation as a militant feminist and a militant nationalist. Her husband is now legal consultant to UNRWA.

The Nusseiba home is on the former border between East and West Jerusalem, next to what is left of the Jordanian Army Headquarters, mostly rubble. To reach it from Mea Shercam or the Jewish Orthodox Quarter, you cross the former Mandlebaum Gate area and pick your way across the old no-man's area where there is a new street but few sidewalks. The house looks battered from the outside because it was in the most furious part of the battle for Jerusalem, but it is pleasantly furnished inside.

Both the Nusseiba family and the El Ghoussein, her family from Ramla, are old wealthy landowning families. The Nusseibas have held the key to the Holy Sepulchre since the 12th Century. "We owned property in Ramla, orange groves, in Gaza, all over the area," Mrs. Uusseiba told me. "My mother grew up in wealth and I will never forget when we left, she had to beg for a blanket to cover me. We had to walk 90 kilometres to Jordan."

I responded to her painful memory, but I also remembered a girl I had met on the Greek ship coming to Israel. Her mother's wedding ring, all that was left to her after property, business and belongings had to be left behind, was taken from her before they would let her leave Egypt. It is a familiar refugee story Mrs. Nusseiba told, but I have heard countless Jewish versions the past months, recent refugees from the Arab countries, not Europe. From communities that are hundreds of years old, or were. There are two sides to the coin.

"They want to live peacefully they say," she went on. "Look at what they are doing with Jerusalem. Katamon. This is all Arab property. Is this a legal thing?"

Katamon is a very poor district geographically situated on the outskirts of Jerusalem, a slum really. It is where thousands of refugee families from the Arab countries were settled in haste in jerry-built stone and stucco apartments that look as if they will tumble down any minute. Many who live there still wear Arab dress, but they are all Jewish. Old Bucharians, with rags wrapped Oriental-style around their heads and necks against the Jerusalem cold, ride every day on the bus with their grandchildren who dress well and speak Hebrew. But the old folk still speak Arabic. Katamon could be an Arab village if you did not know the origin.

The Pioneer Women nursery for working mothers I visited in Katamon is filled to overflowing with the children of the immigrants, tiny boys with little black cheek curls, little girls, all very dark skinned. Just over the back fence outside their playground is the Jerusalem-Tel Aviv railway. Before the 1967 War, the Jordanian border was on the other side of the tracks, a few hundred feet away.

Why are they there? Because before the 1967 war, Jerusalem was the dumping ground for thousands of destitute families and they had to be put into homes and quickly. Not clapped into camps for 20 years and left to rot as in Gaza, but absorbed into the only country that would accept them all, the sick and destitute and the old.

"In the long run, we are going to live together," Mrs. Nusseiba said once, "but we don't want all this conflict they are creating. We don't want their rule. In Jerusalem they are bringing their people here . . . there should be a Jewish side and an Arab side, but one city with some legal connection." This was a rare moment of logic in the stream of resentment and hatred she poured out on the Israeli occupation. "The Jews are the last people in the world to do this to another people," she cried.

"After 2000 years of being refugees, 20 years you can't go back? I have to laugh when I talk to them and they say they can't go backward."

The woman who showed me the Katamon nursery had been in tears the whole trip. A boy who had shown great promise had just been killed the morning before. His father had been a brilliant general in the 1956 war and killed in Sinai. In Tel Aviv a friends sister-in-law is slowly going mad, crying her womb is poisoned. She lost her 6-year-old daughter to the violence of Arab villagers who raped and killed her. She has just lost her son while doing his term in the army. Go backward 20 years to what, they would ask if they were alive, these sabras who were born in Israel.

"Politics is the real barbarian," Mrs. Nusseiba told me. "It is a monster to the Arab people. With their politics the world is killing the Palestine people. The Russians, the British, they are killing us. Where is the human consideration?

"Why do they feel with the Jews? Do they expect us to live under his thumb?" she asked. "It is my land, my water, my history! But it is very difficult to go back. If we could have the 1947 partition, we could have some of the Arab rights."

"The freedom fighters," she exclaimed as her face lit up, "how can they be called terrorists?" At that moment the bodies of two students were carried away, in the market I would have been in if I hadn't been talking with Mrs. Nusseiba, for the SuperSol is where I shop every Friday morning.

"We want our name, our nationality, same as any nation in the world." What about the idea of a federation of states in the area, I asked her. It might be a good idea, she said, but I don't know politics. She was one of the most politically-minded women I have ever met.

When asked at a public meeting whether he favored an independent Palestine state General Dayan said, "Were elected representatives of the occupied territories population to approach Israeli government and negotiate for peace, I would advocate we sit down together."

He administers the areas with as light a hand as possible. In the recent school strikes, he went to Gaza and the West Bank schools and told the students and their teachers the Israelis would not interfere with their demonstrations if they were contained in the schools. The Israel government has lifted some of the restrictions on employment from Gaza to ease the situation there a little. Although the Vocational School in Gaza that I visited erupted the next week, it is quiet now.

The terrorism and unrest is to be lived with, say the Israeli leaders, if necessary, for a long time. Until there is an agreed peace and secure borders.

VIEW FROM GAZA—MOST DENSELY POPULATED AREA ON EARTH

(By Carol Kovner)

The road into Gaza town from Beersheba is through a large Moslem cemetery, where little girls play in the dust between the monuments and young men loll against them watching traffic pass.

The unrest rippling through the Gaza Strip these past weeks was not evident among the townspeople who were conducting business, what there was, as usual. The bus depot is also a market place, the most uninviting imaginable. Israeli passengers on the bus, which runs every half hour from Beersheba, were for the most part Jews originally from Arab countries who had come for produce bargains to be wrangled over in their native Arabic. Getting into a rickety cab we careened through the town to the UNRWA compound.

Gaza town is very ugly. Aside from its two refugee camps, it is poor and rundown, bulletholes unrepaired in its buildings and the majority of the population in worn clothing. The reason is because the Gaza Strip is the most densely populated area on earth, with three times more population than the Netherlands, most populated of the European countries. What money there is goes for food and medicine and education.

The Strip has 70 per cent refugees on the UNRWA registration and the rest local population. The huge labor pool has forced the wages of nearly all down to a subsistance level. The only sources of work available, as there is no industry to speak of, are in other Arab countries for the graduates of UNRWA schools and for local labor in the citrus fields, fishing, or handicrafts for the women, mainly embroidery sold through an UNRWA shop in town. Practically the sole employer of Gaza refugees on a meaningful scale remains UNRWA.

UNEF also provided some jobs the secretary of the UNRWA Director told us at the compound, openly resentful of the moveout. Her attitude reminded us of the Poverty War organizations, many of which were also temporary in nature. When they are discontinued there is great resentment because employees have lost good jobs they may not be able to replace. The UNEF troops departure ordered by Nasser left many refugees dependent again only on the UNRWA dole, a 1600 daily calorie diet—a reducing diet in the U.S.

Israeli authorities understand this employment situation. After Dayan toured the Strip recently he told the Israeli public that the unrest is due to the difficult economic conditions there, urging that 35,000 work hours be allotted to the West Bank and Gaza to maintain a decent economic level. The Military Governor of the Strip, Tat-Aluf Mordechai Gur, has also said there would be fewer acts of terrorism if the standard of living was raised. Israel should invest more in industry and vocational training, he said.

At the Gaza UNRWA Headquarters, Mr. Geaney the Director had gone to troubleshoot at the vocational training center where the students were out of classes and "demonstrating in sympathy to the political situation," a phrase used by most Palestinians we talked to about the strikes. Mr. Filfil, a translator at UNRWA, drove us over to see the center, which was what we had come for. Mr. Geaney was trying to persuade the students to return to class. He said later they would probably return by the end of the week.

The students, who live on the premises in new dormitories were well dressed and well behaved. Most were young men in their twenties. They were sitting in groups on the lawn. The large airy well lighted rooms stood empty, the new equipment imported from Europe lying idle. The teachers waited to see what the students would do.

They were meeting in delegations with the principal, Mr. H. Hammad, a harried Palestinian who had studied in Haifa, then gone on scholarship to England. The students were striking in sympathy to the political situation, he told us. There were 513 at present, but only 1 in 6 were accepted who applied. Since 1954 when it began there have been 1496 graduates all taught by refugees who were given scholarships abroad in England, Switzerland, Sweden, and returned to teach.

What was the employment situation for graduates? There were 380 graduates not able to work in Gaza and not being accepted by the Arab countries, as before the war. Only local residents, not refugees, are taken for labor by the Israelis, untrained labor mostly.

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Mr. Hammand said there was enough money and equipment for vocational training; in fact, too much attention was being paid to the vocational training school. It is understandable that he felt this way with his graduates not working and the school being expanded to 556 in September.

Back at UNRWA Headquarters, which was as poor and rundown as the rest of Gaza town, we talked with Mr. Geaney. He has been in Gaza since July, 1967 and with UNRWA since 1952 when he had also served in Gaza. The students can't do less than their colleagues he said, because there is great cohesion among them. If they act any differently, they are looked down upon.

This checked with what an Israeli official had told us in Beersheba, that the people in Gaza are afraid to cooperate remembering 1956 when Gaza was returned to Egypt and "collaborators" were killed. Now they create disturbances so that they can have a piece of paper to show they have been in prison for making trouble for the Israelis. It is not like a school demonstration in Los Angeles where the students are demanding improvements long overdue.

The Jerusalem Post said, "It is widely believed that the demonstrations are instigated by local political activists with the aim of emphasizing the Palestinian element, especially in view of the Four-Power negotiations on the Middle East. They have concentrated on school children to evade countermeasures."

Beside the economic situation and the school strikes in Gaza, the shortage of doctors caused by the Egyptians leaving worried Mr. Geaney. Most doctors come on a volunteer basis or for a very low salary. There are no mental hospitals in Gaza. Mental patients are sent to Israeli hospitals.

There is a $9 million budget for 313,152 registered refugees. (Non-refugees number 141,000.) Those not in the eight camps number 113,378.) There are 39,305 registered children not on the UNRWA ration list because of lack of funds. Somehow, they get fed though, Mr. Geaney told us. When a refugee becomes a wage earner of 1120 liras per month, his ration is cut. Were the rolls inflated, we asked. That has been greatly exaggerated, he said.

There is no vocational training for girls, but there are two six-month sewing courses a year that women can take, and embroidery is encouraged. UNRWA provides for up to the 9th grade in separate girls and boys schools.

What about the anti-semetic textbooks that were used by UNRWA schools and found by the Israelis when they took over the Gaza Strip, we asked. Many were objectionable he said, and are not being used now. UNESCO has taken over that responsibility. In order for a student to graduate in a host country, it was necessary for UNRWA to follow that country's curriculum, it was felt. A strong position was not taken because the students would not be accepted in the Arab universities unless they studied these textbooks. Only a few students leave for Amman or Beirut at present. Higher education is at a standstill now in Gaza, he summed up.

The stumbling block may be the Arab university examinations, but we still feel that distributing hate textbooks was a peculiar thing for a humanitarian organization like UNRWA to do. An Israeli told us that Jewish children are not taught to hate the Arabs because first it is your enemy you kill with hatred, later it can be your brother . . .

Why can't Israel annex Gaza and work with American Jews and the international community to settle the refugees, we had asked the Israeli official in Beersheba the day before. No, he said, it is a political problem and we can't. In Gaza it would not be the same as Jerusalem where there is daily contact and the reality of the united city.

In Newsweek Magazine, in answer to Nasser's interview in the same magazine, Prime Minister Eshkol has said, "any refugees returning now to Israel would be a time bomb. We cannot take them back but we are ready to pay compensation."

The only solution the Israelis feel is for the Arab countries to take them in, because for one thing, Israel hasn't the water to support them. Then almost 50 per cent of the Israelis are of Oriental background. This means they came from the Arab countries, so most Israelis feel it was an exchange of populations. An exchange, Arab politicians like Nasser, have turned into a convenient political football which is not a life or death issue to them, says Eshkol.

So the 380 graduates of the Gaza Vocational Training Center run by UNRWA, ready for careers in radio, TV, mechanics, what the Arab world needs most, vegetate. As idle as the ships in the Bitter Lakes and as caught.

THE HONORABLE HENRY P. EVE, AUGUSTA, GA.

HON. ROBERT G. STEPHENS, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 2, 1969

Mr. STEPHENS. Mr. Speaker, on behalf of my colleague, Mr. Flynt, and myself I wish to pay tribute to the memory of the Honorable Henry P. Eve, of Augusta, Ga., who departed this life Sunday morning after a sudden and unexpected illness.

Mr. Eve was a prominent citizen of Augusta and Richmond County of which he was a native and lifelong resident. He was a senior member of the law firm of Cumming, Nixon, Eve, Waller & Capers, and a former president of the State Bar of Georgia. It is significant and worthy of note that three members of this firm have served as president of the State Bar of Georgia or its predecessor organization, the Georgia Bar Association.

Henry Eve was a dynamic, unselfish, and effective public-spirited man. He gave unstintingly of his time, his talents, and his abilities.

During World War II he served in the U.S. Navy and was decorated for outstanding combat service, as will appear more fully in the editorials which are incorporated in these remarks.

He represented his county and his senatorial district in the house of representatives and the State senate of the General Assembly of Georgia and served with distinction in each house of the legislature of our State.

He is survived by his wife, the former Caroline Hull; and one daughter, Mary Hull Eve; his mother, Mrs. William R. Eve; and one brother, William D. Eve, all of Augusta.

Mrs. Stephens and Mrs. Flynt join my colleague and me in extending our sympathy to his wife and daughter and other members of his family.

He was a fine lawyer, a good citizen, a loyal public servant, and a stanch and devoted friend. With his family we share their loss. We, too, shall miss him.

Mr. Speaker, as a part of my remarks, I include editorials which appeared yesterday in the Augusta Chronicle and the Augusta Herald. These editorials follow:

[From the Augusta Herald, July 1, 1969]

HENRY PRONTAUT EVE

One of the Augusta area's most outstanding and highly-regarded citizens was taken from us with the untimely death Sunday, at the age of 51, of Henry Prontaut Eve.

Throughout his career as an attorney, in his business undertakings, and in his many civic activities, Henry Eve served his community well and unstintingly. His honors in return were many. He did special credit to his chosen profession of the law, serving as president of the State Bar of Georgia and of the Augusta Bar Association. Strongly oriented toward civic service, he was a director of the Augusta Chamber of Commerce and was active in the Committee of 100 and the United Fund. His other offices included presidency of the Augusta Country Club, the Augusta Assembly, directorships of the First Georgia Development Corp., the Richmond County Bank, and the Pinnacle Club. In all of these, the warm and dynamic Eve felt it a privilege to be of service to the community and its people.

In his active life, that service took still other forms. Even before the United States entered World War II, Henry Eve was called to the colors as a reserve apprentice seaman. A man of unflagging cheer and good spirits, he served in combat duty in every theater of war, winning a commission only four months after entering active service. In a naval career that included the torpedoing of his ship off New Guinea in 1942 and rescue after three days at sea in an open lifeboat, he rose ultimately to the rank of lieutenant commander. His decorations included a Bronze Star for outstanding duty as executive officer of a ship involved in action against an enemy submarine.

Interest in and concern for good government took Henry Eve into the halls of the Georgia General Assembly, first as a state representative, and later as a state senator. In Atlanta he was active in sponsoring a bill to provide for absentee voting in Georgia, participated in passing new legislation calling for new and updated voter registration lists to prevent the voting of deceased persons, and in 1955 was a member of a commission named to create the first statewide probation system in Georgia.

Henry Eve gave of himself, his time, energy and dynamism, freely and warmly, and Augusta and the area and state are the poorer for his passing. His was a wide and strongly bound circle of friends. The Herald, which shared those bonds, joins them in extending to his bereaved its most earnest sympathies.

[From the Augusta Chronicle, July 1, 1969]

HENRY PRONTAUT EVE

The untimely death Sunday of Henry Prontaut Eve, at the age of 51, deprives Augusta and this area of one of its most effective professional men and dedicated civic leaders.

A recital of his career in law and of his business activities and honors is impressive. His election as president of the State Bar of Georgia, of the Augusta Bar Association, of the Augusta Assembly, of the Augusta Country Club; his directorships of the First Georgia Development Corp., the Richmond County Bank, the August Chamber of Commerce, and the Pinnacle Club, of which he was a charter member; and his work in the Committee of 100, his church, the United Fund, and various professional and social organizations, all testify to the high esteem in which he was held by his fellow attorneys and fellow citizens. Adding greatly to that esteem was his own vivid and magnetic personality.

But for a full appreciation of the contribution he made to his nation, his state and

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his community, one must have a more intimate knowledge of his achievements. It may be recalled, for example, that he served his country in combat during World War II, being called to duty as a reserve apprentice seaman in September 1941, and being awarded a commission only four months later. He eventually attained the rank of lieutenant commander. His ship was torpedoed off New Guinea in 1942, and he was rescued only after three days in a lifeboat. He served in every theater of war, and was awarded the Bronze Star for outstanding duty as executive officer of a vessel engaged in action against an enemy submarine. Even in hazardous duty, as in peacetime, his neverfailing cheerfulness was always evident.

Henry Eve was vitally concerned with good government for Georgia and Richmond County. As a state representative and later a state senator, he opposed the Cracker organization. He sponsored a bill to provide for absentee voting in Georgia. He participated in putting through legislation requiring possible new registration lists, designed to make it impossible to vote the names of persons who were deceased or removed. He was appointed in 1955 to a commission to create the first statewide probation system for Georgia.

To Henry Eve, the concepts of honor and duty were held in consistently high regard. He has set a noble pattern for all who knew him, and who mourn his departure. These were many, for he radiated charm and warm friendliness. To those friends and his family, The Chronicle extends its heartfelt condolences.

UNIVERSITY OF TEXAS SYSTEM EXPANDED

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. PICKLE. Mr. Speaker, during the course of the recent 61st session of the Texas Legislature, numerous bills were passed which greatly expanded the jurisdictions of an already massive university system. The University of Texas system now is charged with the responsibility of twice as many institutions as were included in the system 3 years ago. The increase has been accomplished through the creation of new educational institutions, unlike the growth of many of the higher educational systems which have grown by absorbing existing institutions.

The seven new institutions are: the University of Texas at San Antonio; the University of Texas at Dallas; the University of Texas of the Permian Basin; the University of Texas Medical School at Houston; the University of Texas Dental School—site to be selected; the Institute of Texan Cultures at San Antonio; nursing school at San Antonio; and nursing school at El Paso.

These new institutions will give the University of Texas system general academic institutions in Austin, El Paso, Arlington, San Antonio, the Permian Basin, and Dallas. The legislative actions will add the Houston Medical School to ones in Dallas, San Antonio, and Galveston. The University of Texas system will have dental branches in Houston and another new one at a site to be selected; and nursing schools in Galveston, Austin, San Antonio, and El Paso.

The Institute of Texan Cultures at San Antonio will pass from the State exhibit for HemisFair 1968 to a research-study facility for the University of Texas system.

The legislature in the bill relating to the transfer of jurisdiction said:

> The Institute of Texan Cultures shall continue to be used principally as a center concerned with subjects relating to the history of culture of the people of Texas, with collecting, organizing, and interpreting information on Texas subjects, and with producing films, film strips, slides, tapes, publications, and exhibits on these subjects for state-wide use on television, in classrooms, in museums, and at public gatherings for the benefit of the People of Texas.

There is already an academic base in Dallas for the University of Texas at Dallas. A very generous offer by the founders of the Southwest Center for Advanced Studies in North Dallas County made it possible for the University of Texas system to request the legislature to allow the University of Texas to accept a $17 million gift of buildings and land which will serve as a base for this institution. There is some 1,000 acres in the University of Texas at Dallas tract of which about 250 acres will be dedicated to the new institution. The University of Texas at Dallas Advanced Research Center will continue to operate as such but control will pass to the board of regents of the University of Texas system from the board of governors for the Southwest Center for Advanced Studies.

In establishing a 4-year academic institution in San Antonio the legislature directed the board of regents to organize an academic program including bachelor of arts, masters, and doctoral degrees and their equivalent with each being approved by the coordinating board, Texas college and university system.

The academic institution in the Permian Basin—Midland-Odessa—will initially offer bachelor of arts and masters degrees or their equivalent.

In establishing a University of Texas Medical School at Houston, the legislature made it possible for the University of Texas and the State of Texas to receive as a gift as a teaching hospital, the Hermann Hospital. The new medical school will be built adjacent to Hermann Hospital, which by the time the school is completed will be enlarged to a 1,000-bed hospital.

The new medical school, dental school, and two nursing schools were critically needed as Texas is well below the national average in graduating physicians, dentists, nurses, and people trained in the allied health fields.

The University of Texas system already has some 58,000 students and 22,000 faculty and staff personnel.

VOCATIONAL EDUCATION IN OHIO

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. MILLER of Ohio. Mr. Speaker, the vocational education program in the State of Ohio stands as a model for the Nation. The success of the program is best illustrated by the fact that Ohio's unemployment rate has been constantly below the national average in recent years. For the benefit of my colleagues and the American public I am inserting in the RECORD an article from the June issue of the Wonderful World of Ohio magazine, published by the State of Ohio Departments of Development, Natural Resources, Highways, and Agriculture. The article describes the outstanding vocational education programs in Ohio:

OHIO—PIONEER AND INNOVATOR IN VOCATIONAL EDUCATION

(By Patricia W. Sperling)

Want to take a trip through Ohio without getting out of your chair? Come along on a unique, pictorial journey to see what's being accomplished in the dynamic, demanding field of Vocational Education . . . Vocational Education that has as its goal, "A Job For Every Ohioan and . . . An Ohioan for Every Job."

Come along with the cameras and discover how more and more young men and women are learning the vocational skills and technical knowledge, and developing the work habits and attitudes needed to ensure them a satisfying job in today's world, where "new technologies demand new job skills."

Come along and glimpse the thrilling future as life challenges education and educators.

Vocational Education not only prepares high school youth for jobs, it follows through with post high school technical training and retraining for the unemployed and underemployed. At the high school level, youth are enrolled in complete programs, which make them immediately employable upon graduation. The unemployed are retrained or taught skills through special courses geared to their specific future jobs. The skills of persons already employed are also upgraded. These people learn how to work with more sophisticated equipment and to adjust to new production techniques.

Since few students (only one out of every seven in Ohio) graduate from college, Vocational Education must fill the great need of all of the others who must qualify for jobs.

Vocational Education is now reaching more and more Ohioans, but more than ever need to be reached. People must be prepared for employment, and this preparation should be equally available to all of them. Future plans include an expanding vocational enrollment, the upgrading of programs in secondary vocational school classes and technical training at the college level.

On your trip with the camera, you'll see people of all ages learning in many educational fields, from agricultural mechanics and business office education to distributive education, home economics, trade and industrial and technical education to community service programs and Family Life Centers. Along your way, you will visit most of them.

Your trip will take you from schools in areas of low population concentration, to facilities in large, densely populated cities.

First, take a look at some adult education as the camera visits Lima, where firemen are learning to be teachers who can train other firemen. Before leaving Lima, ride a few miles out into the countryside to see a house completed by the members of a carpentry class at Lima High School.

Next stop is Penta County Joint Vocational School at Perrysburg, near Toledo. This school operates in the middle of an industrial park, where about 36 industries are already located. Its location carries out the new concept of job training in an industrial center, to provide trained people for the industries located there.

High school students from five counties are

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taking courses at Penta County as an extension of their own high schools, from which they will graduate with a regular diploma. Technical students, in two-year post high school programs, are also taking training in many fields at Penta County. Penta County is a Joint Vocational School District, or center, serving 15 cooperating school districts.

At Penta County, your camera visits the Chrysler Plant that is employing some of the school's graduates, in addition to sending some of its people to the school for further training. The people at Chrysler provide concrete examples of the value of the vocational training at Penta.

The camera leaves Penta County and you travel southeast to Nelsonville to visit the Tri-County Joint Vocational School, which serves Athens, Hocking and Perry Counties. Tri-County has more than 400 high school students and 250 students in the technical institute at the same location.

In a relaxed, well-equipped atmosphere, with plenty of time to work and excellent surroundings, students at Nelsonville are learning to take their places in many rewarding careers.

At Nelsonville, the camera shows you a first in the nation . . . a Ceramics Technology course, geared to fit the needs of the Ceramics Industry. Ceramics Technology is a two-year program which prepares high school graduates for the glass, abrasive, pipe, clay, cement, porcelain and other ceramics industries.

Next, through the camera's lens, you will see a first in Ohio by visiting the Forestry Technology course offered to high school graduates at the Technical Institute. It provides professional training in the management, use and appreciation of the nation's forests and related resources. Since the school is in the Wayne National Forest, it is ideally located to prepare students for professional employment in forestry.

Your camera journey next takes you to visit the Southern Ohio Manpower and Technical Training Center in Jackson, where out-of-school youth and adults are trained and retrained for jobs. This Ohio center is the first residential retraining center in the country. Young people and adults live in Jackson homes while receiving their training.

The goal at Jackson is to make the trainees employable by teaching them skills, some basic education and good work attitudes, while they are living in a good environment. More and more employers are coming to Jackson to recruit the students, and 87 per cent of the graduates go right to work.

After seeing the welding, auto-body shops, accounting classes and landscaping courses at Jackson, it's time to go northward, to see what is being accomplished in Vocational Education in some of Ohio's large industrial cities.

In Akron you and the camera visit the Manpower Training Center, which has the only tire recapping training unit in the country. In addition to providing vocational training, the center reinforces the students' basic education by improving their reading, writing and mathematics skills.

Among the tire recappers who have finished the course is a graduate who is now in charge of an entire recapping center. Most of the programs at the Akron Center are presented to youths up to age 21.

Come along to Cleveland to visit some more large-city Vocational Education facilities. Let the camera take you to West Technical High School, one of the most comprehensive high schools in the state and an independent high school and area vocational school that services the city area.

West Tech has the largest greenhouse, in-school, program in the state. More than 90 per cent of its graduates are placed in Vocational Horticulture jobs.

Next, the camera stops on the shore of Lake Erie at Cleveland's Max Hayes Vocational school for boys, which offers both Vocational and Technical Education. Boys learn everything from advanced machine shop work to printing, and they learn both in school and on the job.

While Max Hayes trains boys, the new Jane Adams Vocational High School is for girls. At Jane Adams, girls are trained for many occupations, from food service supervisors to cosmetologists. Jane Adams offers both high school and post high school courses. Job placement is provided through the school for graduates as well as undergraduates, who work on a cooperative basis while they are being trained.

At Woodhill Family Center in Cleveland, you will see how residents are learning how to budget their money, shop, cook and make a good home.

The Family Life Program is based on the philosophy that "through small, but successful learning experiences, family members can change a self-image of defeat and failure to one of confidence. The long range goal is the development of the individual and her family."

Cleveland's Vocational Education program is attempting to reach people of all ability levels, to develop pride in accompishments of all kinds. It aims at getting people ready for occupations, not fitting them to existing jobs, and at providing vocational, saleable skills.

Mahoning Valley Vocational School at Vienna is the first residential vocational school of its kind in the nation. It is pioneering vocational training for disadvantaged Ohio boys, 16 through 21, out-of-school and out of work. More than 70 per cent of the young men who have received training in at least 16 different vocational areas at Mahoning Valley are now employed in fields related to their training at Mahoning Valley.

Travel on with the camera to visit Clark Joint Vocational School at Springfield. On the same location as the high school, the school's technical institute offers post high school training in both practical nursing and registered nursing.

Clark offers occupational training for those in grades 11 and 12 and for two years of post high school. Students with the interest and ability to profit from Vocational Education courses enroll in the Joint Vocational School through the high school in their resident school diarticts.

Travel on, to Dayton, the home of John H. Patterson Cooperative High School. This school was established in 1914 and graduated its first class of 39 students in 1917. It was the first full-scale Vocational High School in the state.

Dayton's schools offer high school, post high school and adult courses, and provide a program for students who have not found the conventional school program meaningful, through the use of Occupational Laboratory (grade ten) and on-the-job-training (grades 11 and 12).

In the tenth grade, students attend required classes, plus two periods a days in the Occupational Laboratory. Students in the 11th and 12th grades spend a minimum of one-half day in school and the rest of the day on-the-job at actual paying jobs. The program helps students to complete high school and also to have work experience while still under the guidance of the teacher-coordinator. As always, job placement is the key to the success of this program.

Move with the camera to look at a 130-hour, in-service police training session, where volunteer policemen are meeting four hours, two nights a week at the Wayne Township Police Department near Dayton. All regular police officers also take further training.

When the camera arrives at Cincinnati's McMillan Center, you will see that the center offers a new way to acquire education. Students work part-time for pay while they are thoroughly trained for a job.

The Bureau of Vocational Rehabilitation conducts the special services the school offers: evaluation tests, test analysis, individual counseling, group therapy, referral services and others. The public schools handle the actual instruction.

Students at McMillan Center are from the ages of 14 to 20, male or female, and can be either in or out of school when applying. They must be persons who can profit from the special services offered by the center, as its training focuses on those youth who do not find the most value in traditional classrooms.

Make a final stop with the camera at Eastland Vocational School in Columbus, where many more young people are being trained. Look in on the class for dental assistants; walk down the halls in this practical, attractive new school. Sense the spirit of awareness and the desire of the students to learn a productive, rewarding vocation.

Your camera trip has shown what's new in Vocational Education in Ohio and perhaps has provided a small insight into its challenge. Mr. Russell Bearss, plant manager of the Chrysler Machining Plant, located near the industrial park where Penta County Vocational School is operating, has said, "Vocational Education has reached a period where it is getting visibility throughout many walks of life. We are hearing and seeing everyone from the President of the United States on down to our local educational and business leaders discuss the shortage of skilled labor and technicians. *There is nothing more powerful than an idea that has come of age.*"

The translation of this idea into the Vocational Education of people will meet one of the most important challenges of life in today's world, and as Governor James A. Rhodes has said of Ohio, "We shall not be content until we have a program that leads the nation."

BURGER STRESSES DEFENSE

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. JACOBS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

BURGER STRESSES DEFENSE

(By Gene Blake)

JACKSON LAKE, WYO., July 1.—U.S. Chief Justice Warren Earl Burger said here today the defense side of criminal cases needs strengthening more than the prosecution side.

His remarks to judges from six states conflicts with several analyses of his philosophy published since his appointment.

Burger referred to one such account as a "psychoanalysis" which reported he felt prosecutors had been weakened in recent years.

"That couldn't be more wrong," he said. "In the past the defense side has not been strengthened enough."

He said the whole thrust of a report by an American Bar Association committee on prosecution and defense functions, which he headed, was that the defense area must be strengthened.

"We must get better trained lawyers on the defense side," the Chief Justice declared. "The quality of all three legs of the stool—prosecution, defense and the judge—must be strengthened.'"

Burger was the principal speaker at the annual Judicial Conference of the 10th U.S. Circuit. State judges from Colorado, Kansas, New Mexico, Oklahoma, Utah and Wyoming are special guests of the Federal judges.

"Talk of outside activities of judges is totally irrelevant to the matter of improving the administration of justice," Burger said.

"Far from withdrawing from such outside activities, I intend to intensify them."

Gov. Calvin L. Rampton of Utah told the judges that state legislatures have failed to reform criminal law and that is why the U.S. Supreme Court has taken the initiative.

He commended the court for its action, despite controversy over some key decisions.

Gov. Stanley K. Hathaway of Wyoming, in a welcoming address, referred to disclosures of outside activities which led to the resignation of Abe Fortas from the U.S. Supreme Court.

The danger lies not only in whether Fortas was guilty of unethical conduct he said, but in the impact the incident had on the court's public image.

Also attending the conference, which continues through Thursday, are Supreme Court Justices Byron White and Thurgood Marshall and retired U.S. Supreme Court Justice Tom C. Clark.

PITTSBURGH MAN PRIDE OF "PUBLIC TV"

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. MOORHEAD. Mr. Speaker, it is a great pleasure to bring to the attention of my colleagues a feature story appearing in today's Washington Post concerning Fred Rogers, one of my constituents in Pittsburgh, Pa.

His children's program, "MisteRogers' Neighborhood" has been cited as the most popular program in all noncommercial television. This thoughtful, very creative man—who is additionally an ordained minister—has also been a recipient of the prestigious Sylvania and Peabody Awards for excellence in broadcasting.

WQED–TV, which was the first community educational television station in the Nation, is fortunate to have a person of Fred Rogers' enormous talents on their staff—and I might say, so are the children of the country. The Post article follows:

"MisteRogers": TV Idol for the Tots

(By Lawrence Laurent)

Pittsburgh.—John Macy, the president of the Corporation for Public Broadcasting, told the Senate Communications subcommittee that the most popular program in all noncommercial TV is "MisteRoger's Neighborhood."

William J. McCarter, vice president and general manager of WETA–TV (Channel 26 in Washington), says the same program has the highest rating of any program on the station.

The George Foster Peabody Awards committee—the most prestigious in broadcasting—tapped "MisteRogers' Neighborhood" for a Peabody Award.

The chief reason for the success of this program is a soft-spoken, slow-speaking man who lives in Pittsburgh. He is an ordained minister of the United Presbyterian Church; ordained not for the pulpit and adult parishioners but "to work with children."

In one of broadcasting's most celebrated incidents, a radio performer named "Uncle Don" completed a reading of comic strips to children and—thinking the microphone was dead—he added: "That ought to hold the little——."

Such a thought would choke Fred Rogers. He has a deep interest in children. He does not patronize his viewers, although the series is aimed at youngsters between the ages of 3 and 8. He doesn't try to be a father figure, either. Nor is he "Uncle Fred."

"I try," he says in his quiet way, "to be a friend. I try to stress individuality, kindness and to provide some answers for the problems that all children encounter."

He may be the last man anyone would choose to become a television "star." Yet, when he visited the non-commercial TV station in Boston, thousands turned out to shake his hand. He had the same sort of reception when he visited San Francisco and Los Angeles.

The show ran out of money two years ago and production was shut down. Thousands of letters poured into the non-commercial stations, protesting the end of the series. The Sears Roebuck Foundation made a grant of $150,000 to National Educational Television (NET), which matched the sum, to finance a new series of "MisteRogers' Neighborhood" for national distribution.

Fred Rogers is 41. He grew up in Latrobe, Pa., the son of a prosperous manufacturer of silica brick (which is used in the steel furnaces of nearby Pittsburgh). He took a degree in musical composition at Rollins (Fla.) College, but shortly before graduation he became fascinated with the new field called television.

A personal friendship with then-president of NBC Niles Trammel landed him a job in television. He was an assistant producer of "The Voice of Firestone" and the NBC Television Opera Theater.

Before he left commercial TV to return to western Pennsylvania, he had been promoted to network floor director and supervised "Your Lucky Strike Hit Parade" and "The Kate Smith Hour."

In November, 1953, he joined the new noncommercial TV station in Pittsburgh, WQED-TV Station Manager William Wood told him to establish a schedule of programing.

One of his first productions, "Children's Corner," won a Sylvania Award. Fred wrote both script and music, performed and was the show's producer.

His first fling at performing for commercial TV came in the summer of 1955. He did four "Children's Corner" programs for NBC that attracted so much favorable mail that NBC continued the series for 26 weeks during the winter.

The "MisteRogers' Neighborhood" emerged during the 1963–64 season that Fred spent with the Canadian Broadcasting Corp. (CBC) in Toronto.

He came back to Pittsburgh again, this time to the ABC–TV affiliate, with a daily 30-minute program. Those programs were acquired by the Eastern Educational Network (EEN), rebroadcast in Pittsburgh and seen for the first time in New York, Chicago, San Francisco, Philadelphia, Boston, Schenectady and over the Maine Educational Network.

After that, he became the proudest exhibit of non-commercial television.

Fred isn't much of an actor when he's in front of a TV camera. He behaves exactly as he does off-camera. His acting skills show only when he's doing a voice for one of the ten hand puppets on the show. (The voices for Dr. and Mrs. William Duckbill Platypus are supplied by Rogers' close friend, William P. (Bill) Barker. Off-camera, Barker is director of continuing education at the Pittsburgh Seminary of the United Presbyterian Church.)

The show is produced in a large room that was once the laboratory of Pittsburgh Plate Glass. This is part of a grime-encrusted Victorian mansion that houses WQED–TV. The station has a new home under construction, a huge modern building on ground furnished by Carnegie-Mellon University.

Fred drives a Volkswagen running from his home in the Squirrel Hill section of Pittsburgh to the station and to the Arsenal Child Study Center. The child center is a division of Western Psychiatric Institute of the University of Pittsburgh. At the child study center, Fred gets many ideas for his programs.

"A child seeing water running down the drain of a bathtub," he mused, "often worries that he may disappear the same way." Fred's solution is to do a program on plumbing and how it works.

Margaret B. McFarland, a Ph. D. who is director of the Arsenal Child Study Center, had this to say about Rogers:

"He is not only a talented creative artist, he is a well qualified child development specialist. He has a unique capacity for interpersonal relationships with children and is deeply empathic with their needs and feelings, and their perceptions of the world around them."

Fred neither drinks hard alcohol nor smokes. This is the result of a childhood bargain he made with an uncle. His wife, the former Joanne Byrd, does like a little wine with festive dinners.

Rogers' favorite wine is sacramental wine. "I like it," he said, "because it tastes like soda pop."

The Rogers family, including sons James, 10, and John, 8, like to retreat to "The Crooked House," their home on Nantucket in Massachusetts.

Rogers depends heavily on his director, David Chin, who was born on the mainland of China and who made his way from Taiwan to Syracuse University for a master's degree in communication. Fred has promoted Chin to associate producer for next season.

Chin has only one complaint about his boss. "When things don't go right, he never screams. He just sits there and I know he's bleeding."

To the children who watch him on TV, Rogers continually stresses "that good feeling of control." He advises parents that "play is the way children talk to us best."

Another of Rogers' observations: "Most of us talk a lot and that doesn't leave much time for listening."

He uses a direct, thoughtful approach and it is effective. When Rogers testified recently before Sen. John O. Pastore (D-R.I.) the senator commented: "I'm supposed to be a pretty tough guy and this is the first time I have had goose bumps for the last few days."

Only rarely is the calm poise of Fred Rogers disturbed. One of those times came last spring when Fred was at the Hotel Pierre in Manhattan to accept the Peabody Award. A 5-year-old fan stopped him in the lobby and demanded to know: "How did you get out of that box?"

Fred had heard the question before. He quietly explained to the child the difference between seeing a man in person and seeing him on television. The child nodded, smiled and as he started to walk away shouted one more question:

"How will you ever get back in that box?"

UNION OF CONCERNED SCIENTISTS OFFER DETAILED REPORT ON MIRV

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. BROWN of California. Mr. Speaker, the delicate balance maintained in the sensitive world arms race—and in the increasingly important drive for strategic arms limitation talks—could easily be

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thrown completely out of whack by completion of tests and deployment of our MIRV's—the multiple independently targeted reentry vehicles.

Over the past 6 months I have been seriously alarmed by the persistent campaign by the Military Establishment to deploy an ABM system—be it Sentinel, Safeguard or some other name, thick or thin.

Yet, as worried as I have been over the effect that actual ABM deployment might have on the arms race, I am even more upset at the prospect that this Nation is going ahead on MIRV no matter how high the risks. And I believe the dangers stemming from such moves—MIRV—are extremely more sinister than would be immediate ABM deployment.

Unfortunately, information on MIRV and on the overriding implications of MIRV testing has been quite limited until just recently. Lately, with MIRV beginning to crowd into the headlines, more information has been available, but even so, there have been few detailed studies that could be consulted.

Today, I am inserting into the RECORD a very important report just done on MIRV by members of the Union of Concerned Scientists. UCS is a nationwide organization of scientists and professors with extensive backgrounds in these areas of national importance.

The UCS report on MIRV reaches a series of ominious conclusions; it says MIRV is "unnecessary," "dangerous," "avoidable," and "imminent." I hope each Member will look closely at this crucial study of the MIRV system.

Mr. Speaker, I submit for inclusion the UCS report on MIRV in the RECORD at this point:

MIRV

Dwight D. Eisenhower, January 18, 1961: "We should take nothing for granted. Only an alert and knowledgeable citizenry can compel the proper meshing of the huge industrial and political machinery of defense with our peaceful methods and goals, so that security and liberty may prosper together."

MIRV means Multiple Independently-Targeted Reentry Vehicle. The important words are Independently-Targeted; each MIRVed missile contains three or more warheads and each warhead can be aimed at a different target.

The conclusions of our study are these:

MIRV is unnecessary. Our existing nuclear forces will, for a long time to come, be strong enough and secure enough to retaliate after any attack.

MIRV is dangerous. If we install MIRV, surely the Russians will also; and as a result, both sides will be less secure. Because MIRV puts a high premium on striking first, the chances that nuclear war will break out in any crisis will be greatly increased.

MIRV is avoidable. MIRV tests carried out by one side can be detected by the other. If we agree with the Russians not to test any further, each side will know whether the other is complying with the agreement. Such an agreement is the best way of preventing MIRV deployment, and is in the best interests of both sides.

MIRV is imminent. The US is ahead in MIRV development; our testing program is already well advanced. Unless we halt testing immediately, it will become much more difficult to prevent eventual MIRV deployment by both sides.

The Strategic Balance—Discussion of MIRV must begin with a description of the military balance of terror between the United States and the Soviet Union.

The essential feature at present is that neither side has a first strike capability—the ability to launch a surprise attack so powerful that the opponent is unable to retaliate. On the contrary, each side can absorb an all-out attack, and still inflict unacceptable damage with the portion of its force that survives; both sides die together if either attacks. This is called second-strike capability or deterrence.

If one side had a first-strike capability, the other would be at its mercy. A successful first strike requires the simultaneous elimination of the opponent's ICBMs, his submarine-based missiles, and his strategic bomber fleet (or else a completely effective ABM). The attacker must have full confidence in his ability to accomplish all this; if there is any hitch, his homeland is destroyed. At the present time, neither side has even one of the capabilities required for a first strike; many major technological advances would be required in order to alter this situation significantly, and such improvements are not on the horizon.

For example, anti-submarine warfare techniques are highly ineffective, and the Navy has expressed high confidence in the invulnerability of the submarine deterrent well into the middle 70s (see Appendix 2). In addition, long-range radar provides about 20 minutes' warning of an ICBM attack. This is enough time for the defender's missiles to get off the ground before the attacking missiles arrive; the attackers would then hit empty silos. Although one is understandably reluctant to depend on a strategy that requires us to retaliate before knowing the nature of the attack, the mere fact that we could do so must deter the Soviets from launching a first strike.

Thus it is practically impossible for either us or the Soviets to achieve a first-strike capability in the foreseable future. Nevertheless, much of the military planning on both sides seems to be based on the assumption that this is precisely what the opponents intend to do. American and Russian officials have made recent public statements expressing their fear of a first strike intent by the other side. If each side believes this (or professes to believe it) the consequences are as bad as if it were really true: more new weapons, and endless escalation.

Even though a first strike capability is out of the question, there is nonetheless an advantage to the side that strikes first in a nuclear exchange. This could lead to disaster in a time of crisis, when each side fears the other will attack. These fears reinforce each other. As the tension mounts, the leaders of one country may decide to strike first, knowing they will likely suffer many millions of casualties, rather than face total annihilation if the enemy should attack. Any factor that enhances the premium on striking first, or that introduces uncertainty as to the opponent's true strength, thereby increases the chances for nuclear war. We shall argue that the deployment of MIRV would have both these undesirable features.

How Big Are the Nuclear Arsenals? The American strategic arsenal at present consists of about 1000 Intercontinental Ballistic Missiles (ICBMs), over 600 Polaris missiles carried on 41 nuclear powered submarines, and about 2500 nuclear bombs carried by over 600 B–52 bombers. We also have some 7000 nuclear weapons deployed in Europe. These are generally referred to as tactical weapons, but (see Appendix 3) an appreciable number can be delivered on targets in the Soviet Union.

The Soviet ICBM force has expanded considerably during the past couple of years and is now approximately equal in numbers to the American. Many of the Soviet missiles, including the SS–9s with their warheads of over 10 megatons, are liquid fueled. The US has a liquid-fueled, large-warhead missile (the Titan 2) which closely resembles the SS–9. However, all but 54 Titans have been replaced by solid fueled missiles carrying smaller warheads of about 1 megaton (Minuteman). Solid fueled missiles are considered superior because they can be launched in less than a minute, whereas the liquid fueled ones require as much as 15 minutes to get off the ground.

In addition to their ICBMs, the Soviets have about 100 missiles on nuclear powered submarines and about 150 long-range bombers which carry nuclear weapons; both these figures are considerably smaller than the corresponding American ones. In total deliverable warheads our lead is about 4000 to 1500; most of this advantage is due to the bomber force. The exact figures are less important than the fact that each of the superpowers has more than enough strength to devastate the other. A single B-52 carries more explosive power than was used in all the wars of history. It has been estimated that only 400 of our 1-megaton weapons could kill about 70 million Russians and destroy about 75% of Soviet industry. These figures refer to immediate destruction only, and do not include subsequent effects of fallout, contamination, epidemics, etc. The enormity of the nuclear arsenals should convince any sane person of the folly of continued escalation.

MIRV—An impending escalation of the arms race that has received too little public discussion is the introduction of the multiple-warhead missile—many smaller nuclear warheads replacing one large one and launched together by a single booster. The warheads separate in flight. In MIRV (Multiple Independently-targeted Re-entry Vehicle), each individual warhead is aimed at a different target; the targets can be as far apart as 100 miles or so. There is no sizable loss in accuracy in MIRVing. In a related weapon called MRS (Multiple Re-entry Vehicle) the component warheads are not targeted independently. Rather they are all aimed at the same target and are sprayed around in the manner of a shotgun blast.

Multiple warheads are in general more effective than a single large one. They can be used to exhaust an opponent's ABM defense. With many warheads there is greater likelihood that at least one will reach its target. Even though each smaller warhead naturally has a smaller area of destruction, this decrease is not in proportion to the yield of the weapon; the area of destruction of a 1 megaton bomb is more than half that of a 2-megaton bomb. (See Appendix 4 for more details.)

When a missile is "MIRVed" the total yield is decreased—that is, the combined megatonnage of the warheads is only some fraction of the megatonnage that the same missile could carry with a single warhead. The exact size of this fraction is highly secret; estimates as low as 1/20 and as high as ⅔ have appeared. The loss in yield is due to the extra weight of the complicated MIRV guidance and propulsion systems, and the casings and heat shields of the several warheads. Despite the yield loss, most experts consider MIRV to be an improvement in weaponry.

Present Defense Department plans are to replace about 500 of our 1000 Minutemen with MIRVed Minutemen III, and equip 31 of our 41 nuclear submarines with the MIRVed Poseidon missile. The Minuteman III is to carry 3 warheads of 0.2 megatons each, the Poseidon up to 14 smaller warheads. The testing program for both Minuteman III Poseidon began last August, and some half dozen tests of each missile have been carried out since then. The announced testing program was to be of 2 years' duration, with deployment due to begin in 1972 and be completed by 1974.

The Soviets have made three tests of a three-part warhead for their SS-9 missile. Their testing program for MIRV is substantially behind ours.

Still more sophisticated delivery systems are in the Research and Development stage. ARV (Advanced Re-entry Vehicle) is a MIRV in which each re-entry vehicle has is own propulsion system—allowing both improved accuracy and pre-planned evasive maneuvering against an ABM defense. SABRE (Self-Aligning Boost and Re-Entry system) is reported to have, in addition, a sensing mechanism to scan the ground below, and a computer which remembers where the warhead is supposed to land and controls the propulsion system in making last minute course corrections.

Sensible Nuclear Policy.—The nuclear arms race has resulted in a continuous decrease of our national security. Although our forces are vastly stronger today than in 1959, we are far less secure now; and in 1949 we were both less strong and more secure than in 1959. In the era of thermonuclear weapons our prospects for survival are determined largely by our opponent's strength, not by our own; and his strength has, on the whole, increased in step with ours.

Whatever stability exists in today's perilous situation is based on the fact that each of the superpowers has a reliable and universally recognized deterrent (second strike capability). Any action by one side that threatens the reliability of the other's deterrent—whether intentionally or not—is viewed as provocative. Such actions in the past have always been followed by reactions (usually by over-reactions) on the part of the opponent; the net result has been decreased security for both sides. There is no reason to believe that this will not continue to be the rule. Thus, with the vast economic and human resources of the superpowers, truly significant "nuclear superiority" is an illusory goal which neither side can hope to attain. A sensible policy is therefore one that preserves our own deterrent, but avoids moves that threaten—or appear to threaten—the Soviet's deterrent. Such moves are bound to be futile in the long run and can only lead to continued escalation.

One move that threatens the opponent's deterrent is to build an area or city ABM defense; to the extent that such a defense is effective, it limits the adversary's capacity to retaliate. An even more provocative act is to increase the capacity of one's own offensive force to the point where the opponent begins to doubt whether enough of his weapons could survive a first strike. In this connection, we must expect Soviet strategists to act as ours do; overestimate the effectiveness of the enemy's weapons and be excessively conservative in evaluating the effectiveness of their own. As a result, the Russians may feel strongly threatened by, and obliged to respond to, the deployment of a weapon which in our estimation has only a second-strike purpose. Such a situation is most likely to result from the deployment of MIRV, particularly if combined with ABM. We are like two swordsmen who cannot swim, duelling in a canoe over dangerous waters; our next lunge is likely to tip the canoe and drown us both.

It is a paradoxical fact of life in the nuclear age that weapons aimed at cities are considered retaliatory and therefore defensive. They are far less provocative than weapons aimed at the opponent's missiles, for any aggressor would strike first at the other side's missile force, in order to prevent him from retaliating. Of course, neither side can be certain how the other's missiles are targeted. But one strong indication of offensive intentions is a determined effort to develop missiles with extremely high accuracy. A retaliatory strike against cities does not require very high accuracy; the threat of a megaton nuclear bomb exploding anywhere in New York City (or Moscow) is an effective deterrent. On the other hand, high accuracy is essential for an attack on missile silos, which are hardened to withstand anything except an almost direct hit. Therefore, a preoccupation with high accuracy suggests that missile sites are the intended targets, and can justifiably be viewed with alarm by the other side.

A sound policy is one that seeks to stabilize our deterrent, that avoids threats to the Soviet deterrent, and that increases the likelihood of a negotiated freeze in nuclear weaponry at the earliest possible moment.

Why MIRV?—All new nuclear weapons systems, defensive and offensive, must be evaluated in the light of the preceding remarks. Thus we ask the following questions:

1. Is MIRV a necessary countermeasure against an existing or potential Soviet ABM population defense?

2. Is MIRV a necessary reinforcement of our second-strike capability becaues of a potential Soviet first-strike capability?

3. Are Soviet military planners likely to fear that our testing and deployment of MIRV is a move towards first-strike capability, and react accordingly?

4. What will the strategic balance be when both sides have MIRV?

We do not ask: Should MIRV be deployed simply because it is a technically feasible improvement in weaponry? In the age of thermonuclear weapons this is not a sufficient consideration; all too often there are pressures to deploy systems in vast numbers just because they work well, with little heed paid to ultimate consequences.

Let us now take up the answers to these questions.

1. At the present time the Soviet Union has a rudimentary ABM system surrounding Moscow. It consists of only 67 launchers and is far more primitive than Safeguard. Long ago our ICBMs were equipped with penetration aids that allow them to pierce these defenses easily, without MIRV; it is therefore not surprising that the Soviets have refrained from installing the system at other cities. There have been no indications that they are contemplating an ABM system as sophisticated as Safeguard, and according to President Nixon even a greatly enlarged Safeguard would not provide adequate defense of cities against an attack by existing missile forces. Thus there is no Soviet ABM worth worrying about, either in being or in prospect. As a penetration aid against future Soviet ABM, MRV (multiple warheads without independent target) is as effective as MIRV but less provocative.

2. A Soviet first strike would entail the simultaneous destruction of virtually all our 1000 ICBMs in their concrete silos, our 41 Polaris submarines, and our 650 SAC bombers. Some 30 submarines are normally submerged in the ocean, their locations unknown to the enemy; 40% of our bombers are on 15 minute alert, and our ICBMs are easily launched during the 20 minutes between the detection of enemy missiles and their arrival at Minuteman bases. At this time and well into the 1970s, the Soviets are incapable of eliminating the Polaris fleet, and can not confidently synchronize an attack on our radars, ICBMs, and SAC bases so as to catch a major portion of our forces on the ground.

3. The destructive capability of MIRV depends very sensitively (see Appendix 4) on the accuracy with which the separate warheads can be aimed on their yield, and on the number of warheads per missile. With sufficient accuracy each MIRV warhead is capable of destroying a hardened missile silo. (A hardened silo is one built to withstand intense shock waves.) By watching our MIRV tests the Soviets cannot determine the accuracy of our missiles. They are therefore faced with a system, on the verge of deployment, whose potential capability is ominous, while its present capability is largely unknown to them. They will know that the greatest distance between separate warheads (of order 100 miles) coming from a Minuteman III is well suited to attacking ICBM bases, but rather too small for simultaneous attack on sizeable Russian cities (see Appendix 5). They will also realize that if we actually deploy Safeguard ABM, we will be a step closer to massive population defense. Finally, their suspicions will be buttressed by Secretary Laird's request of March 27 for additional appropriations to accelerate work which will "improve significantly the accuracy of Poseidon guidance, thus enhancing its effectiveness against hard sites."

Surely our own military, would, if placed in the Kremlin, be fully convinced that we are embarked on an attempt to achieve first-strike capability. They would not be impressed with any stated intention to attack missile sites in retaliation only. It would be foolish to assume that the actual occupants of the Kremlin will come to a different conclusion. Indeed, they are deploying large ICBMs and submarines at a considerable rate, and may be at the beginning of MIRV tests themselves. Each side responds to its view of the other's future plans, justifying its action with self-fulfilling prophecy.

4. If both sides have deployed MIRV and thus come a step closer to the illusory goal of first strike capability fears of attack by the other side will heighten. Since a single incoming warhead is capable of destroying an entire unlaunched missile with several warheads, there will be a much greater premium on getting missiles into the air first. The situation will be much more complicated, and instability even greater, if both sides have deployed extensive, but imperfect, ABM systems in addition to MIRV.

The period while MIRV and ABM are being deployed will be an exceptionally dangerous one. New military technology on such a vast scale always brings with it uncertainties about one's own system and ignorance of the opponent's. This confusion would increase both the chances of serious international crises arising and the chances of their resulting in nuclear war. And if we survive this hazardous transition period, will we then be safer than today? No, we will both be stronger, and correspondingly less secure.

Is MIRV Inevitable? At the present time MIRV is in the testing stage. Because of its sophisticated nature—several warheads, each to be accurately targeted—extensive tests are needed. These tests require elaborate arrays of radar equipment which are readily recognizable from ships and satellites; the reentry and splashdown of the vehicles may be observed. It is thus possible to monitor the testing of MIRV by another power. On the other hand, after testing is finished it is very difficult to tell, without onsite inspection, whether or not MIRV is being deployed. Even with on-site inspection it may be necessary to take a missile apart to know the number of warheads it carries. Furthermore, once MIRV is deployed it is even more difficult to tell whether improvements are being made—more accurate guidance systems, for example. It is therefore clear that any agreement between the two great powers not to deploy MIRV is far more easily made before either power has finished its testing program.

Since August 1968, the United States has made approximately half a dozen tests each of MIRVed Minuteman and Poseidon. Most have been described as tests of parts of the MIRV system; the complete functioning of the entire system is not reported to have been fully tested yet. Soviet testing is less advanced. In his May 22 testimony before the House Appropriations Committee (released June 12, 1969), Secretary of Defense Laird reported that three tests of Russian missiles with multiple warheads have occurred. These were the first such tests reported. Secretary Laird did not classify them as tests of independently targeted warheads; they may well have been tests simply of Multiple Reentry Vehicles (which we have already deployed on ten Polaris submarines). Presumably the array of Russian radar equipment was not sufficiently elaborate to monitor independently-targeted re-entry vehicles.

The present circumstances are exceptionally well suited to a meaningful agreement between the United States and the Soviet Union to halt MIRV testing. Such an agreement, if respected, would make it impossible for either side to deploy a MIRV system in which it had confidence. Each side could readily verify, without on-site inspection, that the agreement had not been broken. Such an agreement would have highly beneficial effects on international relations. Both great powers would have tangible evidence of the absence of first strike intent by the other, and the security of both sides would be enhanced. Other nations would have tangible evidence of a willingness on the part of the great powers to limit their counterproductive arms race. The agreement would be a productive start toward implementing the provision of the Nuclear Non-Proliferation Treaty which calls for good faith arms-control negotiations.

The time in which such an agreement is possible is sharply limited by the more advanced American testing program. If both sides stop testing, negotiations can proceed at their usual snail's pace without great danger. However, once our testing is complete, or more precisely, once conservative planners in the Soviet Union must assume it is sufficiently far advanced for deployment, any MIRV agreement will be much more difficult. When will this stage be reached? Indications are that we may pass the point of no return late this summer, perhaps sooner. There is, therefore, a pressing need for reconsideration of the MIRV program and its implications. A sensible and important first step is an immediate moratorium on American MIRV tests, as has been urged by many Senators and Congressmen of both parties. Such a step would in no way jeopardize our security. (See Appendix 8.)

If such a step is not taken and there is no MIRV agreement, there will surely be Soviet MIRV testing and eventual deployment. And then will come strong demands from our conservative planners for construction of new weapons; for superhardened missile silos, for maneuverable re-entry vehicles; for bigger ABM systems, and so on. It is no exaggeration to say that a MIRV agreement, besides its contribution to the security of both American and Russian citizens, would save American taxpayers many tens of billions of dollars in the next decade.

In brief, MIRV is certainly not needed as a countermeasure, it is exceptionally provocative and destabilizing, and its testing jeopardizes the possibility of meaningful arms control negotiations.

The present frantic rush towards MIRV is an irresponsible policy.

1. THE NUCLEAR CONFRONTATION

United States

The Table below summarizes, as of early 1969, the strategic nuclear weapons and delivery systems possessed by the U.S. Some of the figures are not official, but represent educated guesses taken from knowledgeable sources: the Institute for Strategic Studies, London, which publishes yearly studies of world armaments, and Aviation Week and Space Technology, the "Variety" of the missile business. Note that:

(i) of the 41 Polaris subs, about 32 are normally on duty at a given time.

(ii) Polaris A3 is now supposed to be equipped with 3 MRV warheads. With the range of A3, no land target is inaccessible.

(iii) Poseidon is said to have twice the accuracy of Polaris, as well as twice the payload.

	Launch weight (pounds)	Range (miles)	Warhead (megatons)	Status
Ground-based missiles:				
Titan II	330,000	9,000	5	Being phased out; 54 remain deployed.
Minuteman I	69,000	65,000	1	650 presently deployed.
Minuteman II	70,000	7,900	2	350 presently deployed.
Minuteman III	76,000	(1)	MIRV	Testing: 500 due to be deployed.
Total deployed missiles, 1,054.				
Submarine-based missiles:				
Polaris A-1		1,400	0.8	Phased out.
Polaris A-2	30,000	1,700	0.8	Deployed in 13 subs (208 missiles).
Polaris A-3	30,000	2,900	0.8	Deployed in 28 subs (448 missiles).
Poseidon C-3	65,000	[2] 2,900	MIRV	Testing: 31 of the 41 Polaris subs to be refitted for Poseidon.
Total deployed missiles, 656.				

[1] About same.

[2] About.

Strategic Bombers: Principal strategic bomber is the B52, of which some 600 planes are operational.

Range: 12,500 miles without refueling.

Speed: About 650 miles per hour.

Bomb load: 75,000 pounds.

The B52 can also carry two Hound Dog Air-to-Surface missiles, equipped with nuclear warheads. Range: 700 miles.

Deliverable bomber-borne warheads: about 2500.

Soviet Union

Information available here on Soviet forces is less detailed than on ours, and upon close reading different authorities contradict each other.

The ground-based ICBM force is estimated at about 1000 missiles.

SS-9: Liquid-fueled, warhead of about 20 megatons. About 200 presently deployed, increasing by perhaps as much as 50 per year.

SS-11: Smaller warhead, about 1 megaton. Approximately 800 deployed. Either liquid fuel (must be kept in refrigerator) or storable liquid fuel (can be kept in missile for time periods) (conflicting published reports).

SS-13: New mobile, solid fuel, ICBM. About 25 deployed.

FOBS: Not deployed yet. Fractional-Orbiting Ballistic-Missile System. A relatively inaccurate weapon, its only first strike potential is against SAC bases.

Submarine-based missiles: about 125 deployed at end of 1968; 13 nuclear submarines and 30 conventionally powered ones carrying long-range missiles:

Serb: sub must surface in order to fire.

Sark: may be fired while submerged, but has short range.

Strategic bombers: Principal strategic bombers are the M-4 Bison of which some 110 planes are operational and the TU-20 Bear of which some 90 planes are operational; 50 of these planes are believed to be deployed as tankers.

Range:

(Bison) 6000 miles without refueling, and (Bear) 7800 miles.

Bomb load: (Bison) 40,000 pounds, and (Bear) 24,000 pounds.

Speed: about 600 miles per hour.

Excerpts from the Strategist's lexicon. Here we collect in one place some of the jargon which is used in discussing the nuclear confrontation.

Counterforce: A weapon used against opposing weapons, not population or industry, is called a counterforce weapon. Counterforce weapons may seem to be aggressive and are therefore destabilizing while anti-city weapons are defensive and stabilizing.

Preemptive first strike: A first strike made under the knowledge or suspicion that the other side is about to make a first strike.

Counterforce or damage-limiting second strike: A second strike aimed not against population, but against military targets. If one side makes a first strike against the other's forces, keeping in reserve sufficient power to threaten civilian targets, the "preferred" response may be against the aggressor's remaining weapons, not against his population.

Launch on Warning Policy: The policy of launching a second strike when Over the Horizon Radar, Ballistic Missile Early Warning System, and Satellite Early Warning System detect an enemy first strike. The government, for obvious reasons, does not say whether or not such a policy is in effect. It similarly does not say whether Minuteman missiles can be disarmed after launching in case a mistake has been made.

Hardening and superhardening: Construction of missile silos capable of withstanding large and very large pressures. MIRV work began when missile sites were soft and missile accuracies were relatively poor. After hardened silos were developed in the early 1960s, MIRV stayed in the R and D (Research and Development) stage until accuracies improved. (See Appendix 4.)

Depressed trajectory: a missile trajectory lower than the one which requires least fuel. An incoming missile, launched from a submarine, on such a trajectory is harder to detect by Radar and arrives sooner. There are plans for dispersing our strategic B52s over more airfields as part of our reaction to this possibility.

References

[1] The Military Balance, 1968–1969, The Institute for Strategic Studies, London, 1968.

[2] Aviation Week and Space Technology. March 10, 1969.

[3] Hearings before Subcommittees of the Committee on Appropriations, May 22, 1969.

2. ANTI-SUBMARINE WARFARE

We discuss the submarine force in detail here as an example; we omit similar discussion of the other retaliatory nuclear forces.

The United States presently has 41 Polaris submarines in operation, each carrying 16 nuclear-tipped Polaris missiles. The missiles have a range of roughly 3000 statute miles and can be launched from a submerged submarine. This force is presently the most nearly invulnerable part of our strategic arsenal.

The primary purpose in using submarines as mobile bases is that they can navigate beneath the ocean's surface in a medium which restricts the propagation of light and radio waves (electromagnetic waves) to negligible distances. The salt water medium provides the best concealment available. Historic accounts of sea engagements in World Wars I and II testify to the remarkable effectiveness of this concealment.

In World War I in the Atlantic, a small force of German submarines, never more than 200 craft, nearly brought the British Empire to its knees. In World War II the Atlantic Allies had some 950 ocean escort ships and 2200 aircraft fighting 430 German U-boats.

In World Wars I and II, submarines were essentially surface vessels capable of only short submerged periods. This was their fatal weakness. Submarines had to surface in order to run diesel engines and recharge batteries, and thereby became vulnerable to radar and visual detection methods and long-range kill weapons. The maximum undersea range of a non-nuclear submarine is only 130 miles.

The capability of nuclear submarines is incredibly superior to that of their forerunners. In 1960 the USS Triton circumnavigated the world submerged. This eighty-four day voyage covered a distance of 41,500 miles. More than a remarkable achievement, this carefully executed operational test was of prime strategic importance.

During the two World Wars the purpose of the submarine was the destruction of the enemy's shipping capability and, to a lesser extent, his naval capability. This required the submarine to operate near shipping lanes and made it susceptible to attack by escort ships or other members of a shipping convoy. Our nuclear submarine, in its strategic role as part of our nuclear deterrent force, need not restrict itself to shipping lanes nor reveal its presence above the ocean's surface until the moment that its long range missiles pierce the surface and begin their rapid flight toward Soviet targets. This provides the strategic nuclear submarine nearly 100 million square miles of working habitat. Therefore any effective ASW system must be capable not only of detecting and identifying a submerged submarine, but also of rapidly scanning vast expanses of ocean. This task is considerably more formidable than that involved in our ASW activity in World War II. Then almost all submarine kills were achieved through visual or radar sightings and the theater of conflict was restricted to a relatively small part of the seas.

The performance of the Polaris submarines is excellent. Admiral Ricketts, late Vice Chief of Naval Operations, said in a speech on January 9, 1964, that "the missiles have proved remarkably reliable. The first Polaris submarine went to sea over three years ago. Since that time, no Polaris submarine has been late in deployment; no patrol has been aborted; no submarine has returned early from its patrol; no communication message has been missed. Over 99% of the time, at least 15 of the 16 missiles have been ready for firing, and all 16 missiles have been ready for firing over 95% of the time."

We can attempt to assess the Soviets' ability to neutralize our Polaris submarine deterrent force by studying our own ASW capability. The crucial problem in ASW is the detection and identification of a submerged submarine. Several kinds of ASW sensors have been developed, but only two are presently relevant to the detection of strategic nuclear submarines. They are the Magnetic Anomaly Detection device (MAD) and the underwater sound equipment commonly known as sonar.

MAD is a sensitive magnetometer which senses local anomalies in the earth's magnetic field. On land natural anomalies are common, but at sea local anomalies are rare because submerged bodies of ore are too remote from the surface for detection. However, when a metallic body such as a submarine nears the surface, the magnetic field disturbance can be measured. The favorable features of this sensor system are that it is unaffected by the surface and is invulnerable to jamming. MAD's severe range limitation of less than 3000 feet is its great drawback.[1] This short range is due to a basic physical property of magnetic fields (magnetic field strength decreases in proportion to the inverse cube of range). This range limitation allows the system to be used only for final confirmation of contact and localization for kill. A system with a 3000 foot range will be deployed beginning next year on the land-based P-3C Orion aircraft. It must be emphasized that MAD is inherently a short range sensor and will never be capable of searching large expanses of ocean.

Sonar has been, and continues to be, the mainstay of ASW sensor capability. There are two broad categories of sonar techniques, the passive sonar and the active sonar. Passive sonar devices simply listen for sounds created by the motion of a submarine through the water or the machinery of the submarine.

The sonobuoy, which may be dropped from aircraft or seeded by surface ship, is a passive device. It consists of a hydrophone suspended below the surface by a buoy. The sounds picked up by the hydrophone are transmitted to the monitoring ship or aircraft by an antenna protruding above the surface. An important variant of this technique involves the use of hydrophones fixed to a submarine, which can lie silently in the depths of the ocean listening for underwater sounds. Passive sonar techniques depend on noise generated by an underwater body. A submarine lying quietly and motionless will not be detected by this instrument.

The active sonar system sends out high energy sound waves which strike underwater objects and return echoes to listening instruments. Even quiet, lurking submarines can be detected by active sonar systems. The active sonar is the prime antisubmarine detection system used by destroyers. It is also used by aircraft.

Some of the weaknesses of sonar detection systems are easily anticipated. Audio signals provide considerably less information than do light signals. If radar or radio is not available, a thick fog at sea forces us to use sound to communicate. The human voice or a fog horn provide some assistance, but one still feels lost.

Some of the problems in the use of sonar detection systems are: (1) Radar on land or above the surface of the sea can report the number, range, and speed of attacking aircraft at great distances, and visual sighting can provide full identification as to the type of aircraft. But active sonar beneath the sea cannot distinguish between a school of fish and the side of a ship at much more modest distances. (2) Sound waves in water are quickly dissipated and absorbed, so that the range over which sonic disturbances can be heard is severely limited. Under normal conditions, sound at 1 kilocycle frequency is attenuated to 1% of its original strength in a distance of 3000 feet. At 100 kilocycles this distance is only 1000 feet. Furthermore, sound cannot be effectively beamed in a controlled fashion as can radar waves. (3) Depending on ocean temperature and salinity profiles, the sound velocity may vary considerably. This causes sound to scatter and to propagate in curved and unpredictable paths. A submarine may be detected and then dive below an ocean gradient which can act as a shield against detection. (4) Naturally occurring sounds of sea life, seismic activity in the ocean floor and wave action in heavy seas or against distant shores coupled with sound noise generated by the sonar listening system itself make "deciphering sonar reflections more black art than science".[1]

The United States ASW hardware deployed at the end of fiscal year 1968 included 23 airborne craft (P-5 seaplanes, P-2 land based patrol aircraft and S-2 carrier based aircraft); 163 escort surface ships including several aircraft carrier contingents; 105 attack submarines, 36 of which are nuclear powered; several types of conventional and nuclear explosive devices for converting detections to kills (ASROC—a torpedo delivery rocket used by surface ships, SUBROC—a torpedo rocket used by attack submarines, advanced torpedoes, and sophisticated depth charges employed by aircraft).

The expense of this effort is several billion dollars annually, and still we presently have no significant capability to detect Soviet nuclear missile-carrying submarines. Using presently existing ASW sensors or those projected for development in the next decade, one must conclude that the cost of ASW "defense" against the nuclear submarine threat will remain many times as expensive as that of "offense" and that this "defense" will not be highly effective.

One indication of how unlikely is the deployment of any effective ASW system in the near future is the lack of discussion of any possible ASW countermeasures. It is true that the development of a quiet submarine is contemplated, but there has been no discussion in the open press of sonar jamming devices or the possibility of decoying MAD devices with long pieces of magnetized or highly magnetic material shed by an escaping submarine.

Rear Admiral Levering Smith, Director of Navy Strategic Systems Projects, gave his views on the future invulnerability of the Polaris fleet in the Washington Post of May 12, 1969:

"1. I am quite positive that Russian submarines cannot and are not following any of our Polaris submarines under water. I am also quite positive that the new generation of Russian submarines that are getting close to operational status, that are now being tested, will also not be able to follow our Polaris submarines.

"2. The Russians have no specific new antisubmarine warfare methods the Navy knows of that would make the Polaris fleet vulnerable to attack, despite many reports of a superior Russian sonar system or satellite detection capability.

"3. Neither the United States nor the Russians can or will likely ever be able to use satellites to detect submarines under the water."

The Navy is working on two major projects to keep the underwater deterrent force invulnerable during the 1970s. One, called Project Sanguine, would spend $1 billion to improve land-based communications with Polaris submarines. The other would spend many billions to build a whole new generation of Polaris submarines called "undersea long-range missile system" or ULMS.

The next decade holds little promise that advances in sonar or other sensor systems presently being studied will provide the basis of an effective (particularly cost-effective) ASW system. Consequently, barring unexpected breakthroughs in sensor technology, nuclear missile-carrying submarines will remain a credible second strike deterrent force through the 1970s. There is a possibility that the vessels can be shadowed by fast nuclear submarines from the moment they first leave port. This takes of course an outnumbering submarine force to encounter a submarine missile force. No such "submarine race" is yet in sight.

3. STRATEGIC USE OF EUROPEAN-BASED TACTICAL NUCLEAR WEAPONS

The Allied Command in Europe is responsible for the defense of all NATO territory. It has, at present, at least 7000 tactical nuclear devices and commands about 2250 aircraft and missiles to carry them. The nuclear explosives are maintained in American custody. The missiles are mobile but of short range, less than 400 miles. The aircraft are of strategic interest.

There are about 400 fighter bombers. These include 325 F-100s and F-4s. (We have not found the individual numbers.) The F-100 (Super Sabre) has a short, 575 mile range and is obsolescent.

The F-4 has a range without refueling of 2300 miles and can be refueled in flight. It operates at 1700 mph, more than two times faster than the B 52. It can carry up to 15,000 lbs in bombs, ample for several nuclear bombs totaling several megatons. Fighters of even higher performance are now being deployed, like the F111.

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[1] M.P. London, Space/Aeronautics Magazine, p. 42 ff, April 1969.

Inspecting a map of Europe, one finds a distance of 700 miles (or 25 minutes for the F-4) between Oslo and Leningrad or between Istanbul and Kiev; Moscow can be reached in about 40 minutes from either Hamburg or Ankara, and so forth.

We conclude that some of the so-called tactical nuclear weapons, together with the F-4 aircraft, constitute a considerable potential for a nuclear second strike on the highly industrialized and populated part of the Soviet Union east of Moscow.

References

[1] "The Military Balance 1968–1969", The Institute for Strategic Studies, London.

[2] Jane's "All Worlds Aircraft 67/68", McGraw Hill Publishing Company.

4. THE MIRV EQUATION

In this appendix we consider the various factors involved in determining the probability that an attack on a hardened missile site be successful. A first strike is feasible only if this probability is very high. It is clear that the probability should increase with the number of incoming warheads, with their yield, and with the accuracy with which they can be aimed; this "kill probability" should decrease as the hardness of the site increases. There is an equation expressing these insights. The reader may notice in the press from time to time statements by experts, both inside and outside the government, on first strike capabilities and missile site destruction. Many of these statements, with their accompanying charts and tables, are merely applications of one simple formula. Armed with it, the reader can be his own expert.

First let us look at the kinds of arguments that enter. Consider two analyses of the MIRVed Minuteman III, those of a modest American general and of a conservative Russian general. The modest American general argues: Our MIRVed Minutemen carry three warheads, each with 150 kiloton yield, and with a CEP of 0.2 miles. CEP is the accuracy (see below); the smaller CEP, the more accurate. This is not a counterforce or first strike weapon; two of the three warheads are not sufficient to destroy a hardened missile site. The kill is not likely; such a missile is purely a second strike weapon. The independent targeting allows us to threaten nearby cities if only a small number of missiles survive a Russian first strike.

The conservative Russian general, on the other hand, estimates the warheads at 200 kilotons and the CEP as less than 0.15 miles and rates his own missile site hardness as something less than 300 psi (a measure of hardness: see below). He sees from the graph that two of the three warheads carried by Minutemen are adequate to kill one of his hardened missile sites. Our MIRVed Minutemen, he then calculates, are specifically a first strike weapon.

Consider, analogously, the dread SS-9. Using the MIRV equation we can deduce that a single 20 megaton warhead requires a CEP of 0.54 for a 90% kill probability against a missile site hardened to 300 psi. Here, the modest Russian general says the CEP is only about 0.75. Hence the SS-9 is not a counterforce weapon. Furthermore, he says, with at most 500 SS-9s by 1975 it is not possible even to contemplate a first strike. The reasons the SS-9 carries a large warhead are, he contends, to be effective against large cities, to allow destructive high altitude explosions at the fringes of the Sprint range when an ABM system is deployed, and to blind an ABM system with radar blackout. All three reasons are simply part of maintaining the credibility of the Russian second strike retaliation to the threatened MIRVed first strike from an ABM protected United States.

Our conservative planners in Washington will, of course, not agree. Although there have been, as yet, no Russian MIRV tests, they point with alarm to the possibility of MIRVed SS-9s with, say five or six two-megaton warheads and CEPs of 0.5 miles or less. (The MIRV equation says 4 two-megaton warheads with CEP .5 give a 90% kill against 300 psi). This is a self-fulfilling prophecy; if there is no MIRV agreement, there will surely be Russian MIRV tests; in time Russian CEPs will improve and the Soviet strategic arsenal will continue to be, in fact, every bit as threatening to us as ours is to them.

Let us see how such calculations can be made. It does not require a detailed knowledge of weapons systems to derive the formula for kill probability:

$$P=\left(\frac{1}{2}\right)^{\frac{39y^{2/3}N}{H(CEP)^2}}$$

The meanings of the symbols are as follows:

P is the probability that the missile site being attacked will survive. (1-P is then the probability that it will be destroyed.) For example, if P is 0.1 the site has a 10% chance of surviving the attack, which implies kill probability of 90%. Note that on the right side of the equation, the fraction ½ is raised to a power; as that power increases, P decreases.

N is the number of incoming warheads attacking the missile site.

y is the yield (in megatons) of each of the incoming warheads. The square of the cube root of y ($y^{2/3}$) enters because the shock from the explosion spreads over a volume of space proportional to y, hence over a geographical area proportional to $y^{2/3}$.

CEP stands for Circle of Error, Probable. It is the radius of the circle inside which half of the incoming warheads are expected to land. CEP is a measure of the accuracy of the incoming warheads; the more accurate they are, the smaller the circle in which they can be counted on to land. $(CEP)^2$ is proportional to the area of this circle. CEP is to be measured, in this formula, in nautical miles (a nautical mile is 1.15 miles). The values of CEP for the various ICBMs, American and Russian, are highly classified by each side (and each side's estimate of the other side's CEPs are also classified). Enough information is available in the press, however, to say that the CEP for new American missiles should be considerably less than 0.5 nautical miles and possibly less than 0.25. Soviet CEP values are generally conceded to be not so good (higher) than American ones and probably over 0.5. It should be emphasized that each power will make its plans assuming the CEP values achieved by the other side are smaller than is probably, in fact, the case. Experts look to the day when CEP will be less than one city block.

H is the hardness of the missile site under attack measured in pounds per square inch of pressure (psi). This number, too, is secret and probably not known too accurately. A value of H often quoted for at least some of the Minutemen sites is 300 psi. Superhardening of missile sites refers to achieving values for H of over 1000 psi. (Heavy concrete buildings are damaged by pressures of 20 to 30 psi.)

The number 39 in the formula is a phenomenological parameter based on published reports of the results of various nuclear tests.

As an example of the use of the MIRV Equation, we can calculate the values of CEP needed to kill hardened missile sites with 90% probability of success. We require that P=0.1 in the equation. Let us assume that H is 300 pounds per square inch. We may then ask what CEP is required, given the number of incoming warheads (N) and the yield (y) of each warhead. Some results are given in the graph for values of N equal to 1, 2, and 10. The equation does not take into account the chance of missile misfire, which must be included in computing the likely results of nuclear exchange.

5. MIRV CAPABILITIES

It is easy to make crude estimates of the dispersal of warheads from a single missile in a MIRV system. As explained in Appendix 4, this dispersal of the independently-targeted warheads can, for some purposes, more than make up for the obvious price paid in MIRVing. The price paid is the reduction in total yield. It buys the weight of the guidance system, the additional heat shields needed for the extra warheads, and the post-boost propulsion rocket.

One can imagine two essentially different systems. For a second strike, retaliatory, city-destroying capability, one might design a wide dispersal of warheads over several hundred miles, one to each city. However, for a first strike (sometimes called counterforce) capability, one is interested in a relatively narrower dispersal, say of 50 miles, corresponding to the dimension of a missile farm, since in this case the warheads would be targeted on missile silos.

What dispersals are possible? We estimate (see below) that a Minuteman with a 6000 mile range can obtain a downrange dispersal of a few hundreds miles, and that a submarine launched Poseidon, with its smaller range, can separate its missiles by only a few tens of miles.

A wide spread such as one might use in a deterrent to threaten several cities seems barely possible for Minuteman and impossible for Poseidon. Apparently one must resort to FOBS, low orbiting missiles which go around the earth the long way and whose landing spot is very sensitive to changes in velocity. These are relatively inaccurate because of complicated re-entry dynamics. Nevertheless, a very wide dispersal of warheads is possible with this type of weapon. They are only credible as second strike weapons. The United States is not developing them.

Of course the MIRVed warheads might be designed to strike very near each other, perhaps in order to penetrate an ABM system. In fact, penetration is the Defense Department's most recent justification for proceeding with MIRV.[1] For this purpose, MRV would do just as well, and it is difficult to see the point of the elaborate independent-targeting system.

The New York Times[2] recently quoted 20–50 miles as the spread of a MIRV. This number is consistent with ours, and if correct for Minuteman III indicates that we have been too generous in the parameters of our calculation. The spread of a Poseidon SLBM is certainly less.

One cannot see in these numbers any advantage for a second strike planner, especially if the report in the Times is correct, whereas the first striker clearly has a great advantage, particularly if the accuracy of targeting can be improved to overcome the loss of megatonnage. We get from the formula given in the previous section that a loss in yield of a factor of 10 for a single warhead can be overcome by an increase in accuracy of a factor of $(10)^{1/3}$ or about 2. At the same time there is a gain in the number of warheads by MIRVing and hence an overall improvement of the first strike (silo-busting) capacity of the missile. The tremendous effort being expended on improving the accuracy of the guidance systems of Poseidon and MM III missiles suggests that the mission of these weapons is for silo busting, not for deterrence.

Footnotes at end of chapter.

Technical Appendix

Basic mechanics allows one to determine the capacities of MIRV to disperse warheads, to the extent that one can guess a few numbers describing properties of the system. We outline the calculation here for the benefit of those who wish to explore it in more detail. The data needed are:

f=weight of the fuel in the "bus" after launch but before separation of the warheads

b=the total weight of the bus and warheads (payload weight)

v_e=a velocity, characteristic of the fuel, which is the speed with which the fuel is ejected from the rocket.

Remember, we are talking about the MIRVing rockets, not the large launch rocket. For a given desired range R, there is a minimum launch speed v. Ignoring the small effect of the earth's rotation, one can determine v from the law of gravity. Let us measure in units of v_F (the FOB speed), which is the speed needed to launch a missile horizontally near the surface into a circular orbit; v_F is about 4 miles per second.

Define:

$$u=v/v_F$$

and

$$x=R/2E$$

where R is the range and E is the radius of the earth Then

$$u^2=\frac{2\sin x}{1+\sin x}$$

it follows by differentiation that for a small downrange change Δu in u, the range is changed by ΔR, where

$$\Delta R=\frac{4Eu\Delta u}{(2-u^2)[1-u^2]^{1/2}}$$

By a similar calculation, the transverse spread ΔT due to a transverse change Δu is

$$\Delta T=\frac{2Eu}{2-u^2}\Delta u$$

Thus if one can estimate Δu, one can find the spread of the MIRVed warheads.

If all the fuel in the bus is expended, it follows from the law of momentum conservation that

$$\Delta v=v_e f/b$$

Actually, (6) is correct only if f/b is small, which is presumably the case. The general formula is

$$\Delta v=-v_e \log(1-f/b)$$

We estimate v_e=.5 miles/sec, or v_e/v_F=1/10. The warheads weigh 1,000-2,000 lbs. per megaton, so let us estimate b=1,000 lbs. The types of rocket motors used in Trailblazer in the 4th stage *RV* tests weigh about 100 lbs.[3] We may guess that the MIRV rockets are about the same size, and estimate f/b=1/10. The number is probably smaller; v_e is a chemical number, and might be as high as 0.2. The f/b estimate may be off by factors of 2 to 5, but probably not 10.

If we use 1/10 for both f/b and v_e/v_F, Δu=.01. For a 6,000 mile trajectory, u is about 0.9, and therefore the down range spread is about 300 miles. For a 1,500 mile trajectory, perhaps typical of a Poseidon SLBM, the dispersion is more like 60 miles. In both cases ΔT is comparable but smaller.

References

[1] The New York Times, June 14, 1969, p. 2.

[2] The New York Times, June 9, 1969, p. 1.

[3] Aviation Week and Space Technology, March 10, 1969.

6. MILITARY RECONNAISSANCE SATELLITES

For the past decade both the US and the USSR have been able to monitor the other's missile deployment and testing from reconnaissance satellites. These are apparently so successful that the US has softened its demand for "onsite inspection" as a prerequisite to arms limitation agreements, and presumably aerial reconnaissance such as the famous U-2 flights have been stopped. When it sees fit the government announces numbers of Soviet missiles, and even their dimensions, with what sounds like absolute certainty. The arms control danger in deployment and refinements of MIRV systems, in contrast to testing, is that these developments do not entail large new constructions or operations that may be monitored from satellites.

Detailed information about military satellites and their capabilities is very difficult to obtain. Over the last few years there have been a few articles in the New York Times[1] and elsewhere[2,3]. Some information obtained by painstaking research has been assembled in articles by Jeremy Stone[4] and by Evert Clark.[5]

Most of the orbiting cameras are put into relatively low orbits between 100 and 300 miles above the surface, and circle the earth every hour and a half. There have been about 280 US military satellites launched and about 160 Soviet ones. Their orbits are specially chosen to monitor crucial areas.

Early satellites looked for spectacular telltale-events—nuclear explosions or rocket launchings—and radioed their information back to earth. Present US satellites take high-resolution telephotos, and "drop" the film in a special capsule while the large satellite continues in its orbit. The capsules have heat shields and parachutes, and re-enter slowly enough to be picked up by airplanes at about 10,000 feet above the ocean. The original satellites orbit for only a few weeks each. It is an expensive, but effective, kind of espionage. Although the cost is largely hidden in the budget, it is probably between $2 billion and $4 billion per year.[5]

The detail that can be seen and recorded by the newest orbiting cameras is fantastic. It is claimed that two objects one foot apart can be resolved.[4,5] Automobiles, buildings, and people can easily be identified. The construction of a missile silo or installation of a missile in a submarine cannot be hidden.

Atmospheric turbulence puts an absolute limit of several inches on the distance between two surface features in order that an optical camera in space (at any distance) can distinguish them. It appears that US and probably Soviet space cameras are approaching this limit. Stone[4] reports discussion of using a 960-inch focal length camera in satellites. An easy calculation shows that with good commercially available film—40 lines per mm—such a camera can resolve objects one foot apart. With effort skilled interpreters can probably make out some features of smaller dimensions. A widely circulated claim that a long telephone wire can be seen against a proper background is not unbelievable[1]

Other satellites have different missions, and their capabilities are more speculative. The highly secret Ferret satellites have been reported able to listen in on ground radiotelephone conversations.[2,4,5] Another is equipped with ultra-high and X-ray detectors and has a very high orbit in order to check for clandestine weapons tests behind the moon. Satellites equipped with infra-red sending devices can penetrate optical camouflage and detect the thermal radiation from underground missile silos. A combination of these techniques enabled the US to identify the units of Russian troops invading Czechoslovakia last year.[2]

Clearly, testing and deployment of an elaborate system such as the ABM could not be kept secret. If Soviet space reconnaissance satellites are as modern as ours are claimed to be, our MIRV field tests would be unmistakable, although it is impossible to guess how much would be learned about them if careful precautions were taken to confuse the spy-satellites. Actual installation of MIRV warheads on already placed missiles does not involve moving about large objects, or construction of new submarines and underground installations. It will be done indoors and underground, and it is easy to imagine that such a move can be kept secret from satellites of the capabilities described above. Perhaps more important, the same is true of future refinements of the guidance systems which could bring one nearer to first strike capability.

Thus the pre-MIRV era may be the last chance for a long time for a realistic arms limitation agreement without on-site inspection, since it may be the last time each will have confidence it knows what the other is doing. After MIRV systems have been tested, both sides will fear that the other has installed MIRV's, unnoticed by the reconnaissance satellites, with the consequent destabilization of the strategic balance.

References

[1] New York Times, March 17, 1967, and April 3, 1966 (New York Times Magazine, p. 27).

[2] U.S. News and World Report, Sept. 9, 1968.

[3] Reference 4 contains a sizable bibliography.

[4] ABM—An Evaluation, ed. A. Chayes and J. Wiesner (Harper and Row, New York, 1969), p. 193.

[5] Newsweek Magazine, April 21, 1969, p. 62.

7. MIRV FUNDING

Neither the total cost of MIRV deployment nor the sums going to individual contractors have been announced. Estimates of the total cost vary from 3 to 12 billion dollars. For example:

Senator George S. McGovern: "I do know that we converted our Polaris missiles to the Poseidon system, which enormously increased their striking power, for a cost of about 3.2 billion dollars."

Donald Brennan, Hudson Institute: "The Senator uses the figure of 3.2 billion dollars for the Poseidon program. And the Minuteman III program costs about two billion dollars, depending on how many missiles are deployed. So it was about a five-billion-dollar arms program that Secretary McNamara laid in offensive force response to about a one-billion dollar Soviet missile defense."

The National Observer (12/23/68): "Deployment of the Multiheaded Poseidon and MM3 ballistic missiles, $12 billion."

Saturday Review (May 1969): "Poseidon and MM3 budget: 7 billion."

Some feeling for the size of the MIRV program can be obtained from the Federal Budget and its appendix which lists expenditures for the 1970 fiscal year (see Table I):

TABLE 1

Program by activities	Department	1970 estimate (direct obligations)
Ballistic missiles	Navy	$485,000,000 (for Poseidon and related support equipment.
Fleet ballistic missile ships.	do	$404,400,000 (conversion to Poseidon capability of 6 ballistic missile submarines).
Research development, test, and evaluation (R.D.T. & E.).	do	$522,000,000.
Ballistic missiles	Air Force	$548,300,000 (procurement of Minuteman ICBM).
Research development, test, and evaluation.	do	$975,300,000.
Procurement and production of raw and special nuclear materials.	AEC	$428,000,000.
Military applications	AEC	$1,090,000,000.

The meaning of these figures is obscured by the difficulty in estimating how much of Research and Development costs and AEC expenditures should be allocated to MIRV. Although the point is somewhat academic, much of the submarine work is not necessarily related to the independent-targeting capability of the missile warheads.

Extensive but fragmented information on MIRV component costs and contracting appears in the pages of Aviation Week and Space Technology. Some of the major contractors of the Minuteman program are:

Boeing (prime contractor).

TRW (operational targeting verification program).

Thiokol (missile 1st stage).

Aerojet (missile 2nd and 3rd stages).

North Am. Rockwell/Autonetics (inertial guidance).

General Electric (Mark 12 re-entry vehicle and penetration aids).

AVCO (Penetration aids).

Honeywell (electronics).

Atlantic Research Corp. (Pitch control motor).

Lockheed/AVCO (spin-thrust rocket motor).

IBM (special test equipment for guidance and control system).

And on the Poseidon program:

Lockheed (prime contractor).

Thiokol Hercules (1st and 2nd stage).

Atlantic Research Corp. (Post-boost propulsion).

MIT, Raytheon (electronics).

Honeywell (attitude control system).

GE (re-entry vehicles).

GE, MIT, Raytheon (inertial guidance).

MIT, Instrumentation Lab (high acceleration and hardened guidance systems development).

Singer's Kearfott division (inertial measuring unit with star-tracker).

One can estimate from this information that a total cost between $7 billion and $10 billion is not unreasonable. The difficulty a citizen encounters in attempting to find the extent and cost of this major military program is unfortunate.

8. PUBLIC STATEMENTS ON MIRV

There is ample evidence that the Congress is becoming increasingly aware of the threats to the strategic balance implied by such new weapons systems as MIRV and ABM.

As early as July 1968, shortly before testing of the MIRV system was initiated, Senator Eugene McCarthy issued a position paper on arms control in which he called for an international moratorium on development of offensive and defensive strategic weapons, beginning immediately with a delay in deployment of the MIRV and ABM systems pending speedy negotiations with the Soviet Union. He stated:

". . . At present, there exists a strategic stability which results from the presence, on both sides, of invulnerable deterrent forces capable of inflicting substantial damage in a retaliatory attack. But the introduction of sophisticated antiballistic missile systems and new missiles equipped with multiple warheads threaten to make the situation unstable. With the deployment of such weapons systems, each side will become concerned as to whether in the event of a preemptive attack it will be able to inflict sufficient damage in retaliation—if not, its deterrent will not be credible. The arms race will thus be impelled to a new intensity. In crises, there could be an incentive to launch a first strike—an incentive which does not now exist because each side can have confidence in its deterrent. . ."

On April 24, 1969, Senator Edward Brooke, in a major policy speech, called for a suspension of MIRV testing. He recognizes the MIRV concept as ". . . the most disturbing breakthrough in strategic weapons since the advent of intercontinental ballistic missiles . . . It creates what could be insurmountable problems for inspection of an arms control agreement . . ."

Expanding his arguments on the need for a cessation of MIRV testing, Senator Brooke said:

". . . In my judgment, the most urgent task is to limit further operational testing of multiple warhead missiles. Once testing of these provocative systems is completed, it will be unlikely either side will believe the other is not deploying them . . ."

Secretary of State William Rogers acknowledged in a statement to newsmen on June 6, 1969, that successful testing of multiple warheads could complicate arms control talks between the United States and the Soviet Union. According to Rogers, "It might be that if MIRV tests are successful over the next few months, it would present new problems of inspection . . ."

In the House of Representatives, Congressman Jonathan Bingham submitted a resolution on May 19, 1969, calling for deferment of further MIRV testing until ". . . every effort is made to achieve a mutual freeze on MIRV development . . ."; the resolution included an urgent call to convene arms control negotiations with the Soviet Union, and was cosponsored by twenty-five other House members. He was joined on June 16 by Representative John B. Anderson, chairman of the House Republican Conference.

And in the Senate, Senator Brooke introduced a resolution on June 17, 1969, urging President Nixon to seek agreement with the Soviet Union to halt testing of multiple-warhead missiles. The resolution was cosponsored by forty Senators—only eleven short of a majority.

Senator Charles Percy, in an arms control speech on April 17, 1969, maintained that what is required ". . . is a mutual freeze on the further deployment of strategic missiles, offensive and defensive, by the United States and the Soviet Union. A moratorium halting the arms race should be the first topic for discussion at the forthcoming talks with the Soviet Union . . ."

He went on to say:

". . . I believe the time has come for us as a people to learn to distinguish between a legitimate interest in insurance—which we already possess in our offensive arsenal—and an obsessive concern with an unachievable total security . . ."

The words of Senator Percy and other leading congressional advocates of arms control are a far cry from the style and tone of those powerful political advocates of a "super-military", such as Congressman Mendel Rivers, Chairman of the House Armed Services Committee, who explains his advocacy of the ABM deployment (he also vigorously supports MIRV) with the following words:

"I don't know why a nation that is approaching a trillion dollars in the gross national product can't afford a gadget to protect its civilization."

Perhaps, Congressman Rivers, the real question is whether civilization can afford such gadgets.

The prospects for MIRV limitation do not appear very favorable. In a special news conference on June 19, 1969 President Nixon was asked, "Mr. President, referring to an earlier question, do you regard further testing of MIRV's as an obstacle to reaching an arms control agreement?" His reply to the question was "We are considering the possibility of a moratorium on tests as part of any arms control agreement. However, as far as any unilateral stopping of tests on our part, I do not think that would be in our interest. Only in the event that the Soviet Union and we could agree that a moratorium on tests could be mutually beneficial to us, would we be able to agree to do so."

CENTRAL OREGON COMMUNITY COLLEGE GIVES STUDENTS VOICE IN GOVERNING

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. ULLMAN. Mr. Speaker, the unrest and violence displayed at several of our major American universities during the past scholastic year dramatizes the need for a fresh approach in the administration of our college campuses. One solution that must be considered is to open the communications lines—some of which have been down for years—between administration and the students to allow new ideas to be transmitted and discussed.

A number of schools are heading off convulsions on campus by pursuing this line. Many are discovering that by giving students a larger voice in the decisionmaking process, a whole new climate of understanding and responsibility is engendered.

As we have seen in recent months, it is not always Harvard or Stanford that leads the way in these new directions. Indeed, it is often at the small, unheralded campuses of our Nation that we find evidence of enlightened administration that is changing with, if not ahead, of the times.

Such a school is Central Oregon Community College at Bend, Oreg., in my home district. A recent article in the Portland Oregonian describes the excellent results that can be attained when administrators, faculty members, and students actively work together. I think it is particularly important to note the comment of the school's president, Frederick Boyle, quoted in the article:

> We have found that students, given an opportunity to exercise responsibility, do exactly that.

I include herewith for your consideration, the full article as written by John Guernsey, education writer for the Oregonian:

[From the Portland (Oreg.) Oregonian, June 26, 1969]

CENTRAL OREGON COMMUNITY COLLEGE GIVES STUDENTS VOICE IN GOVERNING

(By John Guernsey)

BEND.—Many colleges and universities are talking about giving students more voice in policy making at the institutions, but in most cases it is still more talk than action.

Oddly enough, little Central Oregon Community College is showing the big brother four-year institutions the road.

COC students have had a full piece of the action for the past year. The college president, faculty members and students are pleased with the results.

STUDENTS SIT ON PANELS

The powerful college affairs committee is composed of nine members—three students, three teaching faculty members, and three administrators, including COC President Frederick Boyle, who serves as chairman.

The student affairs committee is made up of four students, two administrators, and five faculty members.

Three students sit as members of the 14 member instructional affairs committee, which is in charge of curricula development and teaching programs at the college.

Student membership is necessarily limited on the instructional affairs committee, because the total membership cannot become excessively large, and each faculty department head must have a seat on the committee.

COC is ahead of most of the rest of the college field in involving students for two main reasons.

1. The college officials saw the handwriting on the wall, and moved to bring the students into "the establishment" as a means

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of heading off future student unrest and rebellion.

2. The administration and faculty felt students were entitled to more voice in many areas of the college operation.

Boyle puts it this way:

"When I came to this college two years ago and began taking steps to revise the governing structure, I was convinced that we had an obligation to give students a chance to speak their minds . . . and within a framework where it would have some impact on the goals of the college.

REPRESENTATION PROVIDED

"It had to be through representation on the policy making committees. That's where concerned students should be—with faculty and administrators—when the hard work is being done.

"We want them there for the discussions and debates—which get quite spirited at times—and for the voting.

"We have found that students, given an opportunity to exercise responsibility, do exactly that."

In addition to having membership on the three key committees of the college's governing structure, students also are voting members of subsidiary committees.

EVALUATION MADE

The publications committee is made up of three faculty members and three students; the athletics committee has three faculty members and one student, and the faculty-student conduct committee has three faculty members and two students.

In addition to their active committee memberships, the students have distributed and are now tabulating a questionnaire for student evaluation of the effectiveness of each faculty member.

Here are some of the reactions from key students and faculty members at the college:

Gary Wagoner, student body president from Lowell: "We have enough voting power on one of the most important committees at the college (College Affairs) to significantly influence policy at COCC. That's not to say we can dictate or even make ultimate decisions by ourselves. But three votes out of ten is not bad.

"And really, it is not the numerical voting power that is important. It's the whole philosophy of student representation.

"By establishing committees that have significant student representation, the administration has, in effect, said to us—'Come on, we want you to have a stake in your future and the future of COCC. Help us, give us your ideas, it's your college'."

George C. Zahl, dean of students: "Certainly no one has a greater stake in what goes on at this college than the very students it serves.

"When society spends years beefing up a public education system to the point where students take a genuine interest in their education, colleges better be prepared to provide them with the opportunities for meaningful participation.

"To turn them off, to ignore them at that point, would be both wrong and inflammatory.

GOAL OUTLINED

"Open discussion and mutual counseling between students, administration and teaching faculty will be the mark of successful institutions for years to come."

Rod Simmons, freshman from Redmond: "For me the functioning of 'the system' at COCC is truly democratic and makes this college an enjoyable place at which to get two years of higher education.

"The students really feel they have something at stake here because the faculty and administration are willing to let them in on what is going on and have a say in how decisions are made."

EXCERPTS FROM DIRECTOR HOOVER'S APPROPRIATIONS TESTIMONY

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. ASHBROOK. Mr. Speaker, as I have pointed out before, every year about this time the testimony of Director J. Edgar Hoover of the FBI before the House Appropriations Subcommittee on Departments of State, Justice, and Commerce and Judiciary, and Related Agencies provides authoritative information on crime in the United States, dangers to our internal security through the activities of revolutionary groups, and other data of a similar nature. With its many qualified personnel in 58 offices throughout the country, the Bureau plays a most unique role in overseeing developments in these vital areas. No congressional committee or other Federal agency has the facilities or expertise to gather the information so necessary to the security of this Nation.

For instance, college students who are thinking of joining Students for a Democratic Society to help cure society's ills would, if they are normal, think twice after digesting this statement from the Director's testimony of this year:

> The militant mood of the 1968 national convention of the Students for a Democratic Society was obvious from the subjects discussed and the suggestions made at its various workshops. For example, at a workshop dealing with sabotage and explosives, the participants discussed such things as disrupting selective service and police facilities during riots; mailing letters dipped in combustible materials; flushing "bird bombs" in toilets to destroy plumbing; using sharp, tripod-shaped instruments to halt vehicles; jamming radio equipment; firing Molotov cocktails from a shotgun; using electronic firing devices; and inserting "thermite bombs" in manholes to destroy communications.

Other areas covered by the testimony include antiwar and antidraft activity, Communist Party—U.S.A., Klan-type organizations, extremist militant black nationalist groups, espionage, and counterintelligence, to name but a few of the areas covered.

Because violence and subversion have been areas of prime concern in recent years, portions of Mr. Hoover's testimony have been excerpted from his lengthy statement. Due to their importance and topical nature, I insert them in the RECORD at this point:

INTERNAL SECURITY WORK

Mr. HOOVER. In discussing our field investigative work, I will first turn to our widespread and important internal security work which during the past year has been highlighted by stepped-up activities of the New Left movement, continuing antiwar activity, various kinds of demonstrations, and the proliferation of mass membership organizations, such as certain militant black nationalist groups, whose programs have the effect of undermining respect for law and order.

NEW LEFT MOVEMENT

During 1968, the New Left movement in the United States continued to reveal itself as a firmly established subversive force dedicated to the complete destruction of our traditional democratic values and the principles of free government. This movement represents the militant, nihilistic and anarchistic forces which have become entrenced, for the most part, on college campuses and which threaten the orderly process of education as the forerunner of a more determined effort to destroy our economic, social, and political structures.

The discontent expressed by the movement in this country is also found in other countries. As a result, the New Left movement is a new specter haunting the Western World. It is a movement that is united to some degree by common issues, such as the Vietnam war, civil rights matters, so-called capitalist corruption, and a so-called archiac university system.

FINANCES

New Left funds are generally obtained from contributions, dues, sales of literature, benefits, advertisements, and its publications and fund drives. The main sources of revenue are contributions, and it is estimated that nearly 60 percent of Students for a Democratic Society (SDS) funds, for example, come from this source.

Although the majority of gifts are in the $10 to $50 range, wealthy benefactors who have acquired their fortunes in the United States have contributed substantial amounts in support of the New Left movement and in support of the activities of the SDS in particular. Included among these, for example, are a Cleveland industrialist who has long been a Soviet apologist; the wife of an attorney in Chicago who is a millionaire; an heiress in the New England area who is married to an individual prominent in the academic community who has been active in New Left activities; and a wealthy New York lecturer and writer who for years has been linked to more than a score of Communist-front organizations and has contributed liberally to many of them. These individuals alone have contributed more than $100,000 in support of New Left activities.

The New Left has also received money from several foundations. A very prominent foundation in New York, for example, has contributed more than a quarter of a million dollars from 1961 to 1968 to various individuals and groups, most of which have been identified as either present or past members or sympathizers of the Communist Party—U.S.A. or New Left movement.

Demonstrations are frequently financed by fundraising and collections. For example more than $25,000 was collected from participants and spectators by the organizing committee during the march on the Pentagon in 1967. The organizing committee raised $10,000 from the sale of buttons during an anti-Vietnam war demonstration early in 1967 in New York City.

Funds for antidraft activity by the New Left also have been supplied by organizations such as that known as Resist, located in Cambridge, Mass. This group was formed in 1967 by approximately 300 professors, writers, ministers, and others who signed a statement pledging to raise funds to aid youths who resist the draft and denounce the Vietnam war.

Communist Party-U.S.A. leaders have recently urged party members to give time and money to "New Left demonstrations and causes."

Much of the nationwide travel engaged in by prominent New Left leaders is paid for by honorariums paid to them, generally out of student funds, for their guest speaker appearances on college campuses.

STUDENTS FOR A DEMOCRATIC SOCIETY (SDS)

At the core of the New Left movement in the United States is the Students for a Democratic Society, an organization which became well known in 1968 for its disruptive tactics at a number of universities in this country, the main one being Columbia University in New York City. And if the leaders of the Students for a Democratic Society have their way, they will attempt to create chaos on many more campuses. Their desire is to let the "Columbia Spirit" prevail.

The Students for a Democratic Society advocates, in the terminology of a considerable number of its leaders and members, revolutionary communism. Along this line, at the organization's 1968 national convention, two of the newly elected national officers publicly identified themselves as Communists "with a small c," as many New Left adherents do to signify that while they are Communists they are a brand apart from those in the old-line Communist movement.

While the distinction may seem important to them, it is irrelevant to the rest of Americans because the basic objective of both New Left and old-line Communists and their adherents in our society is to completely destroy our form of government.

The militant mood of the 1968 national convention of the Students for a Democratic Society was obvious from the subjects discussed and the suggestions made at its various workshops. For example, at a workshop dealing with sabotage and explosives, the participants discussed such things as disrupting selective service and police facilities during riots; mailing letters dipped in combustible materials; flushing "bird bombs" in toilets to destroy plumbing; using sharp, tripod-shaped instruments to halt vehicles; jamming radio equipment; firing Molotov cocktails from a shotgun; using electronic firing devices; and inserting "thermite bombs" in manholes to destroy communications.

The same militant mood was evident in suggestions made for a proposed pamphlet by participants in a workshop on self-defense and internal security. Suggested articles included starting rifle and karate clubs; infiltrating right-wing organizations; starting rogues' galleries of police officers and spotting plainclothesmen by observing them as they testify in court.

The 1968 SDS convention also adopted a resolution on the military. This resolution created a project for "GI organizers" and established a coordinating office for the project in New York. The project will support individuals who wish to continue the "struggle against imperialism" by entering the military service in order to "politicize" and organize those in military service to resist authority. The project is to establish "GI drop-in centers" near military facilities in order to offer a political program to aid servicemen in their organizing efforts within the military.

In addition, the resolution encourages local SDS chapters to organize a campaign to involve servicemen in social and political activities; establish a military counseling service; provide support for deserters; and give support through demonstrations and publicity to radicals within the military service.

The meeting of the National Council of the Students for a Democratic Society held in Ann Arbor, Mich., over the recent Christmas holidays was highlighted by a power play by SDS members who are also members of the pro-Peking Progressive Labor Party (PLP). The struggle concerned two main issues. One was the participation in proposed demonstrations at the time of the Presidential Inauguration. The resolution for SDS support and participation in the Inaugural demonstrations was defeated and generally regarded as a PLP victory. The PLP considered the SDS to be unprepared for a confrontation with authorities and also their action would endanger black revolutionary work in the Nation's Capital.

The other issue stemmed from the advocacy by the PLP element for the creation of a broad-based revolutionary group consisting of students and workers. While this resolution was unsuccessful, its defeat by an extremely narrow margin was indicative of the PLP's increasing attempt to influence the SDS and the student New Left.

An SDS National Council meeting was held in Austin, Tex., from March 27, 1969, to March 30, 1969. Michael Klonsky, SDS national secretary, among other things stated, "Our primary task is to build a Marxist-Lenin revolutionary movement." The PLP, continued in its bid to control SDS, however, was unable to pass many of its resolutions. This organization still continues to wield considerable influence in SDS; however, it is now receiving competition from the Communist Party-U.S.A. and the Young Socialist Alliance (youth affiliate of the Trotskyite Socialist Workers Party). The influence of these two groups in competition with PLP is growing in SDS circles and by the time the next SDS annual national convention convenes in June 1969, it can be expected that there will be considerable dissension within SDS ranks as to what course to follow.

It can be fully expected that old-line Communist groups will make every effort to insure SDS follows Marxist-Leninist doctrine for guidance in their activities and building a revolutionary movement.

Although the PLP represents a minority of the SDS members, it is able to wield a disproportionate influence on the national office level due to the militancy of its members and the cohesiveness of its Maoist line. The PLP's ability to seize upon situations ripe for violence was certainly revealed by the Columbia University riots when it attempted to guide the riot leadership.

The PLP is one of several Communist splinter extremist groups formed during recent years to enunciate the tenets of Communist China and Mao Tse-tung. The majority have been ineffectual paper organizations. The PLP, however, is one group which has emerged with a broad-based membership making significant organizational strides in major U.S. cities and on a number of college campuses. It is headed by such devoted revolutionaries as Milton Rosen, one-time labor secretary of the Communist Party, New York State, who was expelled from the Communist Party for extremist views, and William Epton, who, following his participation in the Harlem race riots of 1964, was found guilty of conspiracy to riot, conspiracy to advocate criminal anarchy, and advocating criminal anarchy. Apropos of the strong rapport existing between the PLP and the Communist Party of Communist China, the latter group informed top-level PLP members in 1967 that it considers the PLP the only revolutionary Marxist-Leninist party in the United States.

There can be no doubt that the New Left movement is a threat to established law and order and to the stability of our society. Through it a comparative handful of revolutionaries have displayed total disregard for the rights and privileges of the overwhelming majority of millions of dedicated and responsible college students. The Students for a Democratic Society will continue to be at the forefront of the organizations making up the New Left movement in taking every opportunity to foment discord among the youth of this country.

Mr. SMITH. Mr. Chairman, I will have to leave in a few minutes and I wonder if I may ask a couple questions?

Mr. ROONEY. Yes, Mr. Smith.

Mr. SMITH. A couple years ago, I thought we were told the Students for a Democratic Society were about to be put on the Attorney General's list.

Mr. HOOVER. They have never been put on the Attorney General's list.

Mr. SMITH. Are they likely candidates to be placed on that list?

Mr. HOOVER. I do not know. The Internal Security Division of the Department would determine that based on all the material we have sent to them.

Mr. SMITH. That is all.

Mr. HOOVER. I now turn to the antiwar and antidraft activities.

ANTIWAR AND ANTIDRAFT ACTIVITY

Antiwar and antidraft protests and activities continued throughout 1968. Scarcely a day passed that did not see demonstrations by various "peace" groups.

The major antiwar demonstrations held in cities throughout the United States in April 1968 grew out of proposals made at a conference of the Student Mobilization Committee To End the War in Vietnam which was held in Chicago, Ill., in January 1968. This conference was attended by leading young members of the Communist Party-U.S.A.; the Socialist Workers Party and its youth group, the Young Socialist Alliance; the Student Nonviolent Coordinating Committee, a militant black nationalist group; and the Students for a Democratic Society.

Nearly 50,000 individuals participated in a New York City demonstration. Many of the demonstrators carried Viet Cong flags and photographs of Ho Chi Minh and "Che" Guevara. A demonstration at Los Angeles, Calif., attracted some 2,500 individuals who heard speakers, including a member of the Communist Party-U.S.A., urge withdrawal of all U.S. troops from Vietnam. At San Francisco, Calif., approximately 10,000 individuals heard Fred Halstead, the Socialist Workers Party presidential candidate, denounce U.S. foreign policy.

In May 1968, the National Mobilization Committee To End the War in Vietnam, which is headed by David Dellinger who is self-described as a Communist although not the Soviet variety, and which includes representatives of various subversive organizations, such as the Communist Party-U.S.A. and the Socialist Workers Party among its members, planned its Summer of Support. This is a program to establish coffeehouses near military installations throughout the United States for the purpose of attracting military personnel and to serve as alternatives to the "militaristic, drab, occasionally violent Army town environment." Some such coffeehouses have been set up.

Rennie Davis, one of the leaders of the Join Community Union, the community action group of the Students for a Democratic Society, was selected to head Summer of Support. A letter issued by the group explains that Summer of Support is a national program to support GI's and their right to come home. Sponsors of it include the Reverend James Bevel, an official of the Southern Christian Leadership Conference who has been active in antiwar demonstrations; Marlon Brando, a prominent actor; the Reverend William Sloane Coffin, Jr., who has been convicted for a violation of the Selective Service Act; and David Dellinger.

The Student Mobilization Committee To End the War in Vietnam, which is controlled by members of the Young Socialist Alliance, the youth group of the Socialist Workers Party, sponsored anti-Vietnam war demonstrations in various cities throughout the United States from April 4 to 6, 1969. Many antiwar protests groups participated in the demonstrations which had two main themes—namely, to bring servicemen home from Vietnam and to achieve free speech for servicemen advocating antiwar sentiments. The principal demonstrations were conducted at New York City; Chicago, Ill.; and San Francisco, Calif. At New York City, 30,000 individuals participated in a march and rally. Among the demonstrators were members of the Communist Party, the Socialist Workers Party and its youth group, and Students for a Democratic Society (SDS). At Chicago, approximately 10,000 individuals participated in a march and rally. One of the principal speakers at the rally was an official of the Black Panther Party. At San

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Francisco an estimated 10,000 demonstrators marched through San Francisco to the Presidio, a military base. Several arrests were made by the San Francisco Police Department and several military policemen were injured when the marchers attempted to force their way into the Presidio.

ACTS OF VIOLENCE

During the past year we have seen some protest groups turn more and more to violent plans and tactics.

In December 1967, Greg Calvert, a national representative of the Students for a Democratic Society, stated at an SDS chapter meeting in Oklahoma that the SDS and other New Left groups were organizing and planning efforts to disrupt the national "warmaking effort" all over the country.

In January 1968, a pamphlet entitled, "What Must We Do Now? . . . An Argument for Sabotage As The Next Logical Step Toward Obstruction and Disruption of the U.S. War Machine," was prepared in Canada and copies were mailed from Toronto, Canada, to anti-Vietnam war groups in this country. The pamphlet referred to the need for increased radicalization of the antiwar movement and urged the utilization of incendiary devices to immobilize local draft boards, Reserve Officers' Training Corps (ROTC) buildings, other Government agencies and war industries. Other acts of violence were also proposed and detailed instructions and diagrams were contained in the pamphlet for the construction of simple incendiary devices. The pamphlet strongly emphasized the clandestine nature of such violent activity and urged that only two or three persons be knowledgeable of any action in order to preclude compromise.

In September 1968, within a 5-day period three ROTC establishments were sabotaged and a fourth threatened at diverse points across the Nation. On September 13, 1968, Callahan Hall, the Naval ROTC building at the University of California at Berkeley, was damaged by explosives which caused in excess of $25,000 in damage. Two previous attempts were made to firebomb this building in 1968. On September 15, 1968, several firebombs were thrown into the ROTC armory at the University of Delaware damaging or destroying 300 military uniforms and public address system equipment. On September 18, 1968, a fire of undetermined origin caused extensive damage in Clark Hall, the Naval ROTC building at the University of Washington in Seattle. Prior to this date members of SDS at this university had announced the Naval ROTC unit as one of their "targets." Furthermore, at the scene of the fire, Robbie Sterns, self-described SDS activist, was observed chanting, "This is No. 1 and the fun has just begun; burn it down, burn it down."

In Storrs, Conn., a source reported that SDS was planning to blow up the ROTC building on September 17, 1968, at the University of Connecticut; however, the bombing attempt did not take place.

On September 29, 1968, the local CIA office at Ann Arbor, Mich., was bombed. Ann Arbor is the home of the University of Michigan where there have been numerous New Left activities in the past several years. The New Left at the university, and specifically SDS, has claimed credit for the bombing of this CIA office.

The New Left by innuendo made additional claims of violence in September 1968, when on September 29, at a Navy and Marine ROTC unit at Eugene, Oreg., a crane was damaged with explosives and several military vehicles were destroyed by being set afire. On September 10, 1968, five heavy army trucks were destroyed in explosions and fires at the National Guard armory at Van Nuys, Calif.

A 16-year-old narcotics addict advised the Detroit Police Department of identities of subjects involved in four recent bombings in the Detroit area. To date, over 10 New Left individuals have been charged with being implicated in these bombings which were: the September 10, 1968, bombings of a Selective Service Office, Roseville, Mich., and of a U.S. Army vehicle, Detroit, Mich.; the September 29, 1968, bombing of CIA headquarters at the University of Michigan; and the October 14, 1968, bombing of the Science and Technology Building at the University of Michigan.

Five persons active in various phases of the New Left have thus far been charged wih a number of bombings in the San Francisco, Calif., area, including the destruction of three Pacific Gas & Electric Co. towers in June 1968.

On February 20, 1969, Michael Siskind, a student at Washington University, St. Louis, Mo., and SDS member, on a plea of guilty in Federal court at St. Louis was sentenced to 5 years' imprisonment in connection with charges stemming from the attempted firebombing of the ROTC headquarters on the campus, December 3, 1968.

Between January 20 and January 28, 1969, high-power transmission towers were dynamited in and around Denver, Colo. On February 14, 1969, Cameron David Bishop, an SDS activist, was indicted by a Federal grand jury in connection with these incidents and is currently being sought as a fugitive.

It is certainly coincidental that in June 1968, at the SDS national convention, as I pointed out earlier, one of the workshops dealt with sabotage and explosives. Many of those who attended the SDS national convention returned to school in September 1968, and as noted previously, acts of violence occurred early in the school year. And the SDS continues to make available information regarding the use of explosives. For example, at a national council meeting of the SDS held in Boulder, Colo., from October 11, 1968, to October 13, 1968, copies of a pamphlet captioned "Sabotage" and setting forth instructions on how to make bombs and incendiary devices were left on the stage of the auditorium where the meeting was held.

The selective service facilities of this country have also been the targets of antiwar violence by individuals, including clergymen, resulting in destruction of or damage to selective service facilities or records.

Other acts of violence have occurred during some of the numerous demonstrations erupting on various college campuses since the beginning of 1968. These protest actions have ranged from those directed against the school administration, to those matters relating to the defense effort, such as the war in Vietnam, the draft, and the appearance of military and war industry recruiters on campus. Several of these demonstrations resulted in severe damage to the school facilities. For example, the total costs of the riots at Columbia University in April and May 1968, by the Students for a Democratic Society and other New Leftists, were approximately $500,000. This amount included damages to ground, furnishings, and buildings and other related expenses.

Those incidents which concern damage to Federal facilities or property receive our immediate investigative attention and the results of the investigation are turned over to the Attorney General for prosecutive consideration. Where no Federal jurisdiction is involved, the matter rests with the local authorities.

DISTURBANCES AND RIOTS

There has been no lessening of racial tension in the United States. A particularly aggravating factor in the past few years has been the increased activity of emboldened Negro agitators and revolutionaries affiliated with black extremist groups who exhort and promote hate and violence. Their appeal to destructive action and guerrilla warfare has intensified, spreading a mood of lawlessness among sympathetic followers and among the young criminal element, thereby increasing the potential for violence.

For example, the assassination of Martin Luther King, Jr., on April 4, 1968, was seized upon by extremist and criminal elements in Negro areas throughout the country as an excuse to riot, loot, vandalize, burn, snipe, and kill. Violence in varying degrees, ranging from minor disturbances to major riots erupted in more than 100 cities across the land following King's death. In the remaining months of 1968, serious disturbances occurred in more than 40 other cities across the Nation.

The April outbreaks and the subsequent disorders resulted in more than 60 deaths, injuries to thousands of persons, and millions of dollars in property damage. In a number of instances, the summoning of the National Guard and Federal troops to help restore law and order was found necessary. Acts of violence and disorder on college campuses and in the lower schools by black student groups, often aided by outside agitators, have reached alarming proportions and have added to the racial strife.

I would like to point out that in connection with recurring disturbances and riots, we have no jurisdiction over the protection of persons and property nor do we have responsibility for the policing or controlling of riotous conditions. Our responsibilities center around the development and dissemination of intelligence data concerning these situations, being ever alert to the detection of violations of Federal laws over which the FBI has investigative jurisdiction, including violations of the antiriot provisions of Public Law 90–284 which was approved on April 11, 1968.

As to intelligence data, through expanding coverage a great deal of valuable information relating to a variety of cases of violence and planned violence has been developed. This information is widely disseminated throughout the executive branch of the Government. In addition, where pertinent, State and local authorities have been kept advised of information developed in this field and the prompt dissemination of such information often enables them to take preventive measures to forestall acts of violence and to combat violence as it develops.

We were able, for example, through our coverage to provide the Baltimore, Md., Police Department identifying data regarding several members of the extremist Black Panther Party from New York City who were reportedly responsible for the firebombing of a supermarket in Baltimore, Md., in late August 1968.

DEMONSTRATIONS AT THE NATIONAL DEMOCRATIC CONVENTION

Months before the National Democratic Convention was held at Chicago, Ill., in August 1968, all appropriate Federal and local authorities were fully aware that the convention was the target for disruption and violence by various dissent groups and individuals from throughout the United States.

It was clear from the information received that these groups and individuals desired to deliberately bring about a hostile confrontation with the established authority. Preconvention plans for various demonstrations by New Left, antiwar, subversive, and other militant groups were made. In addition to these plans, allegations involving assassination plots against Vice President Humphrey, Senator Eugene McCarthy, and some prominent Negroes were also received. In view of this background, authorities were compelled to devise necessary and effective security precautions.

Numerous groups and their members were involved, in varying degrees, in the activities aimed at disrupting the convention. These included such organizations as the Communist Party-U.S.A., Student Nonviolent Coordinating Committee, Youth International Party (also known as Yippies), Students for a Democratic Society, Black Panther Party,

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and the National Mobilization Committee to End the War in Vietnam.

This latter organization, a coalition organization representing a variety of antiwar, New Left and subversive groups, emerged as the dominant coordinating force in planning disruption at the convention. It is the organization, headed by David Dellinger, which I spoke of earlier and which has sponsored a number of major demonstrations—some of them violent—including the mass assault on the Pentagon during the March on Washington in October 1967.

Although the organizers boasted of having from 100,000 to 200,000 supporters converge on Chicago, only some 10,000 at the most actually appeared. These, however, were well organized for disruption.

Demonstrations held during the convention period included taunting of the police: they were referred to as "pigs," they were spat upon, obscenities were shouted at them and they were the targets of all kinds of unbelievable abuse; on several occasions undisciplined mobs intent on marching to the convention site without legal authority had to be repulsed by the police and National Guard. Reportedly many of the hippies used drugs regularly.

The demonstrations resulted in mass arrests. Also, there were numerous police and demonstrators injured. Approximately 650 arrests were made by local authorities and nearly 200 police officers were injured during the confrontations with the demonstrators. It has been estimated that more than 900 persons obtained emergency treatment for injuries received during the disorder.

Althuogh the disorders were violently disruptive, it should be noted that not one life was lost. Also not to be lost sight of is the fact that the convention itself was not interrupted and the city was not paralyzed.

As an outgrowth of the confrontations with the authorities, numerous allegations were made of violations of Federal civil rights and antiriot law statutes. As to civil rights violations, the FBI investigated over 150 civil rights cases involving more than 200 victims. Nearly 1,300 antiriot law cases were investigated. More than 3,400 reports totaling over 26,000 pages setting out the results of more than 12,000 interviews were submitted. A Federal grand jury at Chicago on March 20, 1969, returned indictments charging eight persons with violating the new antiriot laws, seven police officers with violating civil rights statutes, one police officer for commiting perjury before the grand jury, a former employee of the National Broadcasting Co. for concealing a microphone in a meeting room at the time of the Democratic National Convention.

Indicative of the tremendous drain placed on our manpower, the handling of civil rights and antiriot laws cases stemming from the convention demonstrations involved not only our entire Chicago office special agent staff of some 275 but in addition to 45 special agents brought in on special assignment, but the investigation was so widespread that general instructions as to the handling of it went to all of our offices.

DEMONSTRATION AT PRESIDENTIAL INAUGURATION

Subsequent to the violent demonstrations at the Democratic National Convention, the National Mobilization Committee to End the War in Vietnam headed by David Dellinger addressed a paper to groups active in protesting the war in Vietnam. This paper called for demonstrations during the election campaign and called for a national action on January 20, 1969, during the Presidential Inauguration. Subsequent planning by the committee led to a program calling for workshops and conferences on January 18, 1969; rallies, a march, and a counterinaugural ball on January 19, 1969; and an "organized presence" along the inaugural parade route on January 20, 1969.

Rennie Davis, an official of the National Mobilization Committee, was appointed coordinator of the inaugural demonstrations. Local chapters of Students for a Democratic Society and other militant organizations, such as the Coalition for an Anti-imperialist Movement, the Yippies, and Women Strike for Peace, endorsed the demonstrations.

The demonstration activity at Washington, D.C., over the inaugural weekend began on January 18, 1969, with 600 to 1,000 individuals participating in workshops and conferences which were described as completely disorganized and chaotic. Among other activities on January 19 were a march by approximately 4,000 individuals and demonstrations including one at the Smithsonian Institution where a reception was being held for Vice President Agnew and his wife. Some of the demonstrators threw clods of dirt and other items and, as a result, it was necessary for police to break up the demonstration. During the meetings on January 19, 1969, several of the demonstrators called for a confrontation with the police on January 20, 1969. The counterinaugural ball, which was held by the demonstrators on the evening of January 19, 1969, was poorly attended and disorganized.

On January 20, 1969, 600 to 800 of the demonstrators positioned themselves along the inaugural parade route, particularly from 12th to 15th Street on Pennsylvania Avenue. They attempted to disrupt the parade by throwing objects, including a few smoke bombs, but were unsuccessful in their attempts. However, their actions made it necessary for police to disperse them.

During the 3 days of demonstrations, 119 individuals were arrested, the majority on charges of disorderly conduct. During the 3 days, six of those arrested were charged with mutilation, burning, or desecration of the U.S. flag. Of those arrested, 10 were juveniles.

It is interesting to note that a source advised that David Dellinger, the leader of the demonstrations, and his group, the National Mobilization Committee, lost control of the activities of the demonstrators during the inaugural parade.

COMMUNIST PARTY—U.S.A.

Although activities of old line Communist organizations in the United States have been overshadowed by the militancy of the New Left and racial disorders, the threat of communism has certainly not diminished. It flows from the Communist Party—U.S.A. with its blind obedience to the Soviet Union and from the various Communist splinter groups such as the Progressive Labor Party, the pro-Peking group I mentioned earlier which, in addition to stepped-up efforts to extend its influence on college campuses, has made a concerted effort to take over the national leadership of the Students for a Democratic Society, the militant, pro-Marxist, anarchistic, campus-based New Left group; the Socialist Workers Party; the Workers World Party; and their affiliates. These organizations seek to transform this country into a Communist state but differ on the plans to be followed.

The turbulence generated by the New Left stimulated all these organizations into moving toward increased militancy themselves. Seizing any pretext as the foundation for a protest demonstration, leaders of these organizations seek to proliferate each demonstration into a massive confrontation with the authorities to generate disrespect for law and order.

A typical example occurred in connection with the coalition group participating in picketing against establishments of the French Government in the United States in July 1968. In the Berkeley, Calif., area this coalition was led by an official of the Socialist Workers Party and included members of the Socialist Workers Party; the Young Socialist Alliance, the youth group of the Socialist Workers Party; Spartacist, a Trotskyite group; and others. The aggressive action taken by this group necessitated a curfew in Berkeley in order to quell the disturbances.

The growing militancy of the old-line Communist organizations was also demonstrated at the Eighth National Convention of the Young Socialist Alliance held November 28, through December 1, 1968, at Chicago, Ill. The Young Socialist Alliance is the youth and training section of the Socialist Workers Party, a militantly revolutionary party based upon the theories of Marx, Engels, and Lenin as interpreted by Leon Trotsky. Among the nearly 800 in attendance were seven enlisted men from the U.S. Army and several members of the Students for a Democratic Society, as well as individuals from Canada, Mexico, France, and West Germany. Members of the Black Panther Party, a militant black nationalist group, were among the speakers at the convention.

One speaker described those in attendance as being the vanguard of the young students and workers who are called upon to bring the liberating ideas of socialism to the American people. Another speaker appealed to the group to increase their efforts to reach the GIs, to invite them to participate in demonstrations, as a group of 100,000 GI's can make the revolution. At the time of the convention, Young Socialist Alliance members were reported to be located in 101 colleges or universities, 32 high schools, and five junior high schools.

While all the splinter organizations have their roots in the Communist movement, it is essential that it be clearly understood that there are ideological differences between them and that all these organizations are not part of the Communist Party—U.S.A. Most of these Communist splinter organizations follow the interpretation of Marxism-Leninism espoused by the late Leon Trotsky or Communist China.

The Communist Party—U.S.A., on the other hand, represents that part of the international Communist movement in the United States which is pro-Soviet. As a result, we find the Communist Party—U.S.A., following the line established by the Communist Party of the Soviet Union regardless of the effect that such action will have on the party's acceptance in the United States. Thus, during the past year we had party leader Gus Hall holding a press conference in Budapest, Hungary, in February 1968, where he declared that United States "imperialism" was the central issue uniting the 67 Communist and workers parties gathered in Budapest for a consultative meeting. It was also at this time that Hall stated the meeting had unanimously approved a proposal by the U.S. delegation that it send a message of sympathy and support to North Vietnam for its valiant stand against "American aggression."

The matter of unanimous support for the party line and other issues, such as the position the party should take as to black power and the fast-growing New Left movement brought about growing factionalism within the Communist Party—U.S.A., during 1968.

There were a number of party functionaries who were critical of the invasion and occupation of Czechoslovakia by Soviet troops and tanks. The position the party should take in regard to the activities of the New Left is also a matter of much discussion but in recognition of the New Left's role in attracting dissident youth, the party will relinquish some of its activity on college campuses to the New Left in order to concentrate on industry. In March 1969, the Communist Party, U.S.A. held a West Coast Youth Conference to revamp its youth organization, the W. E. B. DuBois Clubs of America. Since the membership of the DuBois Clubs has now declined to less than 100, it was deemed necessary to change the concept of the organization from a massive-type organization to a young Communist organization, but it would still remain under the

DuBois label. The loss of student members to the more active organizations of the New Left was indicated by the fact that working-class youth represented about 75 percent of those in attendance at the conference while students represented only 25 percent. In former years the ratio had been reversed.

Because of the factionalism over the issues mentioned above, the special convention of the party which was held in New York City from July 4 through July 7, 1968, was something less than a resounding success for Gus Hall and his supporters in the national leadership. It now appears that the 19th national convention scheduled for the period April 30 through May 4, 1969, will have similar results.

Despite the internal strife besetting it, however, the party makes it clear that while it may disagree with the means to destroy our form of government, it has never deviated from its objective of achieving a communized America.

COMMUNIST PARTY—U.S.A. AND THE BLACK POWER CONCEPT

This is evident in a pamphlet, "Black Power and Liberation—A Communist View," published by the party in December 1967. In it, Claude Lightfoot, chairman of the party's National Negro Commission, wrote that the party's opposition to guerrilla warfare by Negroes in the United States is not based on the rejection of violence. On the contrary, he emphasized that it is a matter of timing. In other words, in line with the historical Communist approach to rebellion, it is wrong to rebel unless one can be assured the time is right, and at this time the party judges the time to be inappropriate.

During 1968 we continued to see the formation of new black extremist organizations, some of which advocate outright anarchy, insurrection, rebellion, and overthrow of the U.S. Government and openly advocate "black power."

The emergence of a militant black power concept in the civil rights movement, particularly on the part of extremist groups, has placed the Communist Party—U.S.A. in a quandary. There is a strong pro-black power current among the lower echelon rank-and-file members of the party and the Negro composition of the party leans toward the black power prophets.

The Communist Party—U.S.A. is confronted with the dilemma of losing hold and influence over the more militant Negro youth within the party because of the attractiveness of the reckless propaganda of black power advocates. Stokely Carmichael and H. Rap Brown, for example, openly espouse the extreme positions of Fidel Castro, the late Ernesto "Che" Guevara, Mao Tse-tung, and the American varieties of irresponsible exponents of violence. The Communist Party—U.S.A. claims to disagree with these extreme positions at this particular time but conciliates with them for fear of being isolated from this sector of youth. It conciliates so much, in fact, that it is hard to determine whether the Communist Party is really for or against black power.

In February 1969 the party's Commission on Black Liberation (formerly the National Negro Commission) adopted a series of motions representing a decided shift from the advocacy of political action to deal with the racial issues to an acceptance of violence and guerrilla warfare as advocated by the violence-prone Black Panther Party which I will discuss later. The commission passed motions to accept the Black Panther Party program, to work as closely with the Black Panthers as the Black Panthers will permit, and to join the Black Panthers if this can be done. These motions were opposed by veteran Communist Party members and further battles concerning these issues can be expected within the party.

MORE PARTY OPEN ACTIVITY

Ever since its 18th national convention in June 1966 the party in this country has been moving more into open activities, running candidates for political office and attempting to improve its image with stepped-up public relations efforts through its publications. All this provides the party with many opportunities to propagandize the American people. While on a trip through the United States, in 1968, Gus Hall stated that through speaking apperances on television, on radio, and in person he was able to reach an estimated 50 million people.

In addition to continuing to publish the twice-weekly newspaper The Worker, party leaders worked hard during 1968 to accumulate finances and staff for a new daily publication, the Daily World, which began publication 5 days a week in July 1968. Publication of The Worker was then discontinued.

SPEAKING APPEARANCES ON COLLEGE CAMPUSES

Also, during the academic year 1967–68, the Communist Party—U.S.A. continued its program of having party leaders appear on college campuses as speakers, 48 such appearances having been made during that school year. This is a small decrease when compared with appearances during previous years. As I pointed out earlier, this is in line with the party's relinquishment of some of its activity on the campuses to the New Left in order to concentrate on industry.

I submit a list of names of these leaders, the dates of their appearances and where they appeared.

Mr. ROONEY. Without objection, we shall insert the list at this point in the record.

(The list follows:)

PUBLIC APPEARANCES OF PARTY LEADERS ON CAMPUSES, SCHOOL YEAR 1967–68

Brooklyn College, Brooklyn, N.Y.: Claude Mack Lightfoot, September 27, 1967.

University of Santa Clara, Santa Clara, Calif.: Herbert Aptheker, October 17, 1967.

University of Santa Clara, Santa Clara, Calif.: Herbert Aptheker, October 18, 1967.

University of Santa Clara, Santa Clara, Calif.: Herbert Aptheker, October 19, 1967.

Gonzaga University, Spokane, Wash.: Milford Sutherland, November 2, 1967.

John Carroll University, Cleveland, Ohio: Philip Bart, November 9, 1967.

Portland State College, Portland, Oreg.: Donald Lee Hamerquist, November 15, 1967.

Los Angeles Valley College, Van Nuys, Calif.: Dorothy Healey, November 21, 1967.

University of the Pacific, Stockton, Calif.: Bettina Aptheker Kurzweil, November 28, 1967.

Raymond College of the University of the Pacific, Stockton, Calif.: Bettina Aptheker Kurzweil, November 28, 1967.

Brooklyn College, Brooklyn. N.Y.: Bettina Aptheker Kurzweil, January 10, 1968.

Queens College, Flushing, N.Y.: Bettina Aptheker Kurzweil, January 11, 1968.

University of British Columbia, Vancouver, British Columbia, Canada: Herbert Aptheker, January 11, 1968.

Universiity of Alberta, Edmonton, Alberta, Canada: Herbert Aptheker, January 12, 1968.

St. Cloud State College, St. Cloud, Minn.: Arnold Johnson, January 17, 1968.

Carroll College, Waukesha, Wis.: Arnold Johnson, January 22, 1968.

University of Dayton, Dayton, Ohio: Herbert Aptheker, January 24, 1968.

Brown University, Providence, R.I.: Herbert Aptheker, February 5, 1968.

Hofstra University, Hempstead, N.Y.: Herbert Aptheker, February 6, 1968.

California State College at Hayward, Hayward, Calif.: Bettina Aptheker Kurzweil, February 8, 1968.

Wayne State University, Detroit, Mich.: Herbert Aptheker, February 10, 1968.

Assumption College, Worcester, Mass.: Herbert Aptheker, February 15, 1968.

Denison University, Granville, Ohio: Herbert Aptheker, February 20, 1968.

University of Oregon, Eugene, Oreg.: Bettina Aptheker Kurzweil, February 21, 1968.

Case Western Reserve University, Cleveland, Ohio: Victor Perlo, February 23, 1968.

Indiana State University, Terre Haute, Ind.: Herbert Aptheker, February 24, 1968.

Valparaiso University, Valparaiso, Ind.: Herbert Aptheker, March 19, 1968.

University of Wisconsin, Madison, Wis.: Herbert Aptheker, March 27, 1968.

Marquette University, Milwaukee, Wis.: Herbert Aptheker, March 28, 1968.

University of Minnesota, Minneapolis, Minn.: Herbert Aptheker, March 29, 1968.

Universiity of South Dakota, Vermillion, S. Dak.: Herbert Aptheker, April 1, 1968.

Stanislaus State College, Turlock, Calif.: Bettina Aptheker Kurzweil, April 3, 1968.

University of Connecticut, Storrs, Conn.: Herbert Aptheker, April 3, 1968.

College of the City of New York, New York, N.Y.: Gus Hall, April 11, 1968.

University of Kentucky, Lexington, Ky.: Herbert Aptheker, April 22, 1968.

Eastern Michigan University, Ypsilanti, Mich.: Herbert Aptheker, April 26, 1968.

John Carroll University, Cleveland, Ohio: Philip Bart, May 5, 1968.

Williams College, Williamstown, Mass.: Herbert Aptheker, May 6, 1968.

San Fernando Valley State College, Northridge, Calif.: Dorothy Healey, May 7, 1968.

San Fernando Valley State College, Northridge, Calif.: Dorothy Healey, May 11, 1968.

University of North Dakota, Grand Forks, N. Dak.: Gus Hall, May 14, 1968.

Purdue University, West Lafayette, Ind.: Herbert Aptheker, May 14, 1968.

Bowling Green State University, Bowling Green, Ohio: Herbert Aptheker, May 15, 1968.

University of Illinois, Circle Campus, Chicago, Ill.: Louis Diskin, May 16, 1968.

Shasta Junior College, Redding, Calif.: Bettina Aptheker Kurzweil, May 21, 1968.

University of Minnesota, Duluth, Minn.: Arnold Johnson, May 23, 1968.

Indiana University, Bloomington, Ind.: James West, Ted Pearson, May 31, 1968.

Indiana University, Bloomington, Ind.: James West, Ted Pearson, June 1, 1968.

MEMBERSHIP

Mr. HOOVER. As late as April 1968, Gus Hall claimed that the party had 14,000 dues paying members and some 100,000 supporters.

MASS MEMBERSHIP ORGANIZATIONS WHOSE PROGRAMS UNDERMINE RESPECT FOR LAW AND ORDER

A serious law enforcement problem is posed by mass membership organizations whose programs have the effect of undermining respect for law and order. Some directly or indirectly advocate defiance of the law and hostility toward constituted authority.

Klan-type organizations

There are 14 major Klan-type organizations in existence with numerous offshoots therefrom. The combined hard-core membership is approximately 8,500 and, in addition, there are thousands of sympathizers. Although overall active membership has decreased in recent years, Klan activity has spread from the South to several northern States. Also, the Klan has continued to engage in acts of violence. For example, in June 1968, two persons connected with a Klan group approached the Meridian, Miss., home of a prominent Jewish citizen with a box containing 29 sticks of dynamite and a timing device. Meridian policemen who were watching this home challenged these individuals and in an ensuing gunfight one of these persons, Kathleen Ainsworth, a Jackson, Miss., schoolteacher, was killed and the other, Thomas A. Tarrants III, was wounded as were a Meridian policeman and an innocent bystander. On November 27, 1968, Tarrants was sentenced in local court to 30 years in prison for the bombing attempt.

We have continued our intensified program to infiltrate the Klan at all levels. This not only provides data to assist us in the investigation of matters under our jurisdiction, but enables us to disseminate a large amount of information to Federal, State, and local authorities regarding Klan plans and activities.

Other hate-type groups

Several small hate-type groups with an exclusively white membership continue to parade under the guise of patriotism, anticommunism, and the like. Underneath the surface, however, is hatred for Negroes, Catholics, those of the Jewish faith, and Government leaders. Although small in numbers, these groups tend to gain considerable public attention by their demonstrations and other publicity-seeking acts.

The American Nazi Party, now known as the National Socialist White Peoples Party, falls in this hate-type category. This is the outfit which was headed by George Lincoln Rockwell until his assassination in August 1967. At that time it had about 100 members but it has since been beset by internal strife and it has a dwindling membership at this time.

The National States Rights Party, based in Savannah, Ga., and led by Dr. Edward R. Fields, is another such group. It has a hardcore membership of about 150 and urges segregation and white power. The group continues its publication "The Thunderbolt," which has a subscription list of approximately 10,000 and many of the people on the list contribute small amounts of money to the organization.

Minutemen

The Minutemen organization is another group receiving our continuing, close attention. This is the group which has the claimed purpose of preparing its members to overthrow the Government of the United States when the Government is taken over by the Communists. It continues to be headed by Robert DePugh and headquarters at Norborne, Mo.

Much disunity exists within the organization as a result of arrests of individual members on local, State, and national charges. On June 22, 1968, seven Minutemen were convicted at Spokane, Wash., of conspiracy to violate the Federal Bank Robbery Statute. This stemmed from their plans to rob a series of banks for the purpose of raising funds to finance their organization. Included in the indictment but not tried were Robert DePugh and Walter Patrick Peyson, one of his chief lieutenants. DePugh and Peyson are currently fugitives from justice as a result of this indictment.

In addition, DePugh, in January 1967, entered a plea of nolo contendere to a charge of willfully causing the transportation of a revolver in interstate commerce in violation of the Federal Firearms Act and was sentenced to imprisonment for 1 year. Appeals were denied and on November 27, 1968, a warrant was issued by the court when DePugh failed to appear as ordered to begin serving the 1-year sentence.

During the early morning hours of August 24, 1968, the Connecticut State Police, acting on information from the FBI, surprised a small band of armed Minutemen as they attempted to storm a camp of a pacifist group at Voluntown, Conn. The Minutemen began firing upon the police and in the ensuing gun battle four Minutemen and one police officer were wounded. A total of five Minutemen were arrested at the campsite and another was taken into custody later. The raiding Minutemen were heavily armed with rifles and handguns. They had a large amount of ammunition and a supply of gasoline-type Molotov cocktails. All of the arrested Minutemen are awaiting trial on local charges stemming from the attempted camp raid.

During November 1968, a series of Minutemen propaganda leaflets were distributed through use of mortar-type devices. The leaflets were contained in cans and lofted through exploding the devices, after which the leaflets fell to the ground over a wide area. These mortars were exploded in scattered cities throughout the country, including Kansas City, Kans.; Dallas, Tex.; New Orleans, La.; Salt Lake City, Utah; Washington, D.C.; and others.

Minutemen, on instructions from their leaders, thereafter constructed additional mortar-type devices to launch leaflet-filled canisters. Five canisters were set off in early February, 1969, in Florida and Texas cities. This propaganda barrage was planned for numerous cities throughout the country and through it the Minutemen hoped to receive considerable radio, television and newspaper publicity. We are conducting intensive investigation to identfy those responsible for the planned detonations and through them to locate the two fugitive Minutemen leaders.

The Minutemen are in the process of reorganizing. This involves the establishment of an underground apparatus. Security is being tightened and members have been instructed to prepare caches of equipment, hideouts, and safe houses. While the group boasts of membership in the thousands, there are actually only about 500 members and many of these have become inactive.

Extremist militant black nationalist groups

Certain organizations claiming to be civil rights organizations but which, in fact, preach hatred for the white race, demand immunity from laws, and advocate violence, constitute a serious threat to our country's internal security. The revolutionary stand taken by many members of extremist black nationalist organizations, including the advocacy of anarchy and revolution and a demand for the overthrow of the U.S. Government, has made it necessary for the FBI to intensify its intelligence operations in this field through the penetration of these groups with informants and sources in order to be kept aware of their plans and objectives. This penetration has been made at all levels including the top echelon of these extremist groups.

These groups claim that the United States only represents the white race; therefore, they have alined themselves with all nonwhite races of the world. Many oppose the U.S. involvement in Vietnam as a war between this predominantly white Nation and nonwhite people. Many are pro-Marxist in their thinking and aline themselves with countries like Cuba and Communist China as proper examples to follow to bring about their own aims and goals, namely, revolution. In an effort to obtain these objectives, they actively study guerrilla warfare, use of firearms and karate in preparation for violent action against the U.S. Government.

The past year has seen a proliferation of these organizations throughout the United States, thus increasing the demand upon the FBI's manpower and resources. Among such groups are the following:

Student Nonviolent Coordinating Committee

The Student Nonviolent Coordinating Committee (SNCC) under the leadership of former National Chairmen Stokely Carmichael and H. Rap Brown, has developed into a full-blown all-Negro revolutionary organization.

One dominant figure at this time in the organization is James Forman. At the national conference held in Atlanta, Ga., in early June 1968, Forman was responsible for a complete reorganization of SNCC patterned after the structure of another militant black nationalist organization, the Black Panther Party. SNCC endeavored to effect a close working alliance with the Black Panther Party; however, due to the extreme militancy of the Black Panther Party, leaders of SNCC severed relations with that organization in July 1968.

James Forman has many contacts with representatives of foreign countries and has made a number of trips abroad. In April 1968, he traveled to Sweden as part of a group which met with individuals representing the North Vietnamese and the National Liberation Front of South Vietnam.

Brown has been sentenced to 5 years in prison and fined $2,000 for violation of the Federal Firearms Act. He has been indicted on a charge of assaulting and intimidating a Federal officer and obstruction of justice. Brown also has been indicted by the State of Maryland on a charge of inciting arson. He is free on bond awaiting appeal or trial on the various charges.

In August 1968, SNCC officially severed relations with Stokely Carmichael because of his "extremist ideas" and the fact that his wife, singer Miriam Makeba, exhibits "imperialistic tendencies."

Carmichael was a prime mover in the formation of the Black United Front in the District of Columbia. This group is a coalition of moderate and militant Negro leaders and organizations which Carmichael declared was organized for the purpose of black people unifying their forces against the major enemy which he said is white America.

Carmichael has affiliated with the Black Panther Party. At a rally of this group held at Los Angeles, Calif., on August 24, 1968, Carmichael was introduced as a leader of the Black Panther Party. His official title is that of "prime minister." Carmichael indicated a need for the black man to obtain weapons, stating black men must unite socially, economically, and militarily to avoid extermination.

Shortly after returning to the United States in December 1967 from an extensive trip abroad, Carmichael established residence in Washington, D.C., where he resided until late November 1968 when he moved to New York City. Carmichael arrived in Stockholm, Sweden, on December 29, 1968, with his wife, Miriam Makeba, who had a singing engagement in that city. Carmichael has indicated he plans to establish residence in Guinea and he did arrive in that country on February 17, 1969.

(Discussion off the record.)

Black Panther Party

Mr. HOOVER. One of the most active black extremist groups is the Black Panther Party. It originated in Oakland, Calif., in 1966 and now has extended its activities to numerous cities throughout the United States.

Its members gained notoriety initially because of their practice of carrying rifles and pistols in plain view on the streets of Oakland while on "defense patrols" to prevent alleged police brutality.

On May 2, 1967, a group of Black Panther Party members armed with rifles, shotguns, and handguns invaded the chamber of the California State Assembly, while that body was in session, to protest pending gun legislation.

More recently its "minister of defense," Huey Newton, is appealing his conviction on Sept. 8, 1968, for having shot and killed an Oakland police officer who had stopped him in connection with a motor vehicle violation in October 1967.

On still another occasion, eight members of this black extremist organization were arrested for complicity in a gun battle with Oakland police on April 6, 1968, during which one Black Panther Party member was killed. Thirteen rifles, four handguns, and four shotguns were confiscated from the participants.

Leroy Eldridge Cleaver, minister of information of the Black Panther Party, achieved notoriety rivaling that of Stokely Carmichael during 1968. A parolee who was freed in December 1966 after serving 9 years in California prisons, Cleaver was returned to prison in April 1968 due to his involvement in a

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gun battle with Oakland, Calif., police. He was again released after 2 months following a court ruling that his parole had been improperly revoked for political activity. This decision was overruled by higher California courts and Cleaver was scheduled to return to prison on November 27, 1968. He failed to appear and on December 10, 1968, a Federal fugitive warrant was issued charging him with unlawful flight to avoid confinement.

Cleaver ran as presidential candidate of the Peace and Freedom Party and in this capacity made a series of speeches on college campuses. These received widespread publicity because of their extreme obscenity and calls for revolutionary action by black people.

Another active Black Panther Party leader is George Mason Murray, minister of education. He is also a member of the Central Committee of the San Francisco State College Black Student Union. The latter organization has been deeply involved in the campus agitation which has plagued that college during the current school year.

The political philosophy of the Black Panther Party is based in part on the writings of Mao Tse-tung of Communist China. It advocates that its members study the teachings of Mao Tse-tung. Instructions have been given to members on the making and the use of Molotov cocktails. Members have also been instructed in guerrilla warfare tactics in preparation for a showdown with established authority. It is reported that in the near future scheduled training sessions in California will teach guerrilla warfare tactics to selected members from all parts of the United States.

Republic of New Africa

The Republic of New Africa was formed in Detroit, Mich., March 30–31, 1968, at a conference sponsored by the Malcolm X Society. Representatives from throughout the United States were in attendance. The announced purpose of the organization is to establish a black nation within the United States composed of the States of Alabama, Georgia, Louisiana, Mississippi, and South Carolina, as well as ghetto areas in large cities.

It elected as its president-in-exile Robert F. Williams, a militant black nationalist and a fugitive from a North Carolina kidnapping charge who fled to Cuba in 1961 and then moved on to Peking, China, in 1966. He traveled to Tanzania, Africa, in May 1968 and returned to China in September 1968.

Two leaders and principal architects of the Republic of New Africa, Milton Henry, an attorney from Pontiac, Mich., and his brother, Richard Bullock Henry, a former civilian employee of the U.S. Army at Detroit, Mich., traveled to Tanzania in June 1968 for the purpose of meeting with Williams to map plans for furthering the formation of the Republic of New Africa.

In the spring of 1968, a pamphlet was distributed containing instructions on how to make explosives of various types, including Molotov cocktails, as well as ways to use these against such military vehicles as an Army tank.

This organization has attempted to buy land in Mississippi on which they hope to establish a colony which will gain control of the State by electing their people to the sheriff's offices. Through this foothold, they will take over the entire State and then in turn the States of Louisiana, Alabama, Georgia, and South Carolina. They have established consulates in Chicago, Cincinnati, Cleveland, Dayton, Detroit, Indianapolis, Los Angeles, and New York City.

The Republic of New Africa (RNA) has established a political arm known as the Afro-American Liberation Party and a military arm known as the Black Legion. The Black Legion will consist of an overt uniformed army to protect RNA property and citizens and a covert or underground army to attack enemies of the nation.

On March 29, 1969, at the conclusion of a session of the second national convention of the RNA held in the New Bethel Baptist Church in Detroit, Mich., individuals apparently acting as bodyguards for Milton Henry opened fire on two policemen, killing one and critically wounding the other.

After the shooting began, RNA members reentered the church where some individuals fired from windows on additional police called to the scene. When the police forced their way into the church these individuals dropped their weapons and mingled with the crowd; 153 persons were arrested and police confisticated three shotguns, two rifles, and one .32 caliber handgun from inside the church. Five RNA members were wounded and hospitalized. A recorder's court judge released 151 of those arrested including some of whom a paraffin test proved they had recently fired weapons, the judge giving as the basis for release the fact that subjects were denied their constitutional rights in that the tests were performed prior to their being advised of their right to counsel. The two remaining were held on carrying concealed weapons charges with one additionally charged with assault with intent to commit murder.

Nation of Islam (NOI)

The long-established Nation of Islam, headquartered in Chicago, Ill., and which teaches violent hatred of the white race and nonallegiance to the United States, continues to be the largest black extremist group in the country. It has been somewhat overshadowed during the past year by other more vocal groups such as the Black Panther Party.

Revolutionary Action Movement (RAM)

RAM is a black extremist organization oriented toward the Chinese Communist interpretation of Marxism-Leninism. Its leader, Max Stanford of Philadelphia, was in prison from July 1967 to May 1968, and is now a fugitive from justice in both Philadelphia, Pa., and New York City. Although RAM has not been active as an organization because of Stanford's troubles with the law, the amount of RAM literature being distributed increased after he was released from prison in May 1968. There are reports of a possible merger of RAM and the Republic of New Africa (RNA), a Detroit organization advocating the establishment of a separate black nation in five Southern States. Robert F. Williams, a fugitive from justice who fled to Cuba and then to Communist China, who now reportedly wants to return to the United States, is associated with both groups. The membership of RAM is less than 50, most of whom are in Philadelphia and New York City.

Third National Conference on Black Power

Some 3,000 persons registered for the Third National Conference on Black Power held in Philadelphia, Pa., from August 29 through September 1, 1968. There were moderates and extremists and the extremism of some of the delegates to the conference was evident by some of the matters discussed in a workshop concerning the control of "white violence." These ranged from discussions of guerrilla warfare and terrorism, to the use of chemicals to make explosive and incendiary devices.

Foreign influences in the black nationalist movement

The question of foreign influences in the black nationalist movement is a matter of grave concern to the FBI and during the course of our investigative activity in this field we are ever alert to this possibility. For one thing there has been travel abroad by such militant black nationalists as Stokely Carmichael of the Black Panther Party, James Forman of the Student Nonviolent Coordinating Committee, Milton and Richard Bullock Henry of the Republic of New Africa, and others.

In April 1968, black power posters were sent to the United States from Cuba. These posters urged "Retaliation to Crime: Revolutionary Violence" and were distributed by the Afro-Asian-Latin American Peoples Solidarity Organization, Havana, Cuba.

Impact of New Left and black extremist student movements

Mr. HOOVER. While the phenomenon of revolutionary "protest movements" manifested by campus rebellions and riotous demonstrations throughout the world, some of which I have briefly described, reached a new peak during the past year, it has been building up for a decade. The wave of extremism, which has been marked by growing violence and lawlessness, has without a doubt had a harmful impact on this country in a number of ways. It has impaired the successful and speedy prosecution of the Vietnam war effort; jeopardized the struggle for civil rights and increased animosity between blacks and whites; severely disrupted the normal processes of our academic system; and has served to advance Communist causes both national and international.

At the same time, the New Left and black extremist student protest activity has contributed greatly to the development of a lawless and insurrectionary atmosphere which has encouraged widespread contempt for established authority and promoted criminal, violent behavior. Overall, it is apparent that these groups are clearly subversive forces which represent an ever increasing danger to our national welfare and security.

In this regard, we have developed information on a number of occasions whereby nonstudents appeared on campuses during periods of student agitation to participate in campus disorders. Information has also been developed indicating that extremist agitators have traveled from one campus to another exhorting students to protest the administration of their schools, and some students have participated in disorders on campuses other than their own.

Information concerning the activities of such individuals is furnished to the Department of Justice for determination as to whether violations of the antiriot laws or other Federal violations exist.

FBI COVERAGE OF SUBVERSIVE ORGANIZATIONS

I am pleased to be able to advise the committee that in spite of the fact that we have been confronted with a growing number of individuals, organizations, and problems in the security field requiring investigative attention, we have been able to follow closely and report on their diverse activities and thus keep the appropriate authorities advised.

Through informants we have been able to penetrate the organizations at high levels, both locally and nationally. The services of these men and women in their informant capacity have also enabled us to continue our deep penetrations in the intelligence operations being conducted in this country by representatives of the Communist bloc particularly Russia, Cuba, and Red China.

Telephone taps

We make use of a total of 49 telephone taps and five microphone installations in Bureau cases in the security field. All were approved in advance and in writing by the Attorney General.

ESPIONAGE AND COUNTERINTELLIGENCE

Reports from a host of reliable FBI sources clearly indicate no letup on the part of the Communist countries in their intelligence attacks against the United States for the purpose of penetrating our national defense interests. As all Americans know, it is the intent and objective of Russia and the other Communist countries to spread their brand of the Communist system wherever possible.

The coverage and thwarting of these foreign intelligence activities have over the years resulted in a steadily increasing workload for the FBI.

Soviet Union and other Communist countries

Bases for the intelligence operations of the Communist bloc continue to be their official

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establishments including their diplomatic establishments and their delegations to the United Nations. The intelligence services of the Communist-bloc countries continue to make full use of all of these as a cover for their operations. Many of the officials assigned to these establishments are actually intelligence officers engaged in the clandestine direction of agents and sources in our country.

In carrying out their aims we find the Communist intelligence services attempting to penetrate such key U.S. agencies as the FBI, CIA, State Department, and Department of Defense.

Soviet-bloc official personnel

The official personnel of the Soviet-bloc countries openly in this country play an important role in this vast intelligence-gathering operation. The number of official personnel of the Soviet bloc here on April 1, 1969, totaled 2,537, including dependents. Some idea of the number of intelligence personnel involved can be obtained from the fact that a Soviet defector has stated that 70–80 percent of all personnel assigned to Soviet diplomatic establishments work in the intelligence field.

This chart shows the total Soviet-bloc official personnel in this country on July 1 for the years 1963 through 1968 and the current complement here on April 1, 1969. It also illustrates the fact that over the years the number has increased substantially.

Most of the official personnel of the Soviet bloc in this country are from Russia. This chart gives a breakdown by countries of the Soviet-bloc official personnel in the United States as of April 1, 1969.

In addition to the officials, there are those deep-cover intelligence agents operating in our country who have no ostensible connection with their foreign principal. Once a deep-cover agent has gained entry to our country, he easily becomes assimilated into our vast population under an assumed identity. His detection and identification at this point become a counterintelligence problem of extreme magnitude.

Cuba

Since Fidel Castro established a Communist beachhead in Cuba in 1959 he has from that point forward spared no effort to expand the Communist takeover to the remainder of Latin America. As a result, Cuba represents the greatest potential threat to peace in the Western Hemisphere. In this regard Castro has not only publicly supported open rebellion by Communist-led groups in most of Latin America, but he has supplied men, materiel and logistical support in a further effort to overthrow existing democratic regimes in Latin-American countries.

Significantly, in addition to the training of guerrillas for the exportation of Castro's revolution to other Latin-American countries, information has come to our attention that Negroes are being trained in Cuba for infiltration into the United States. This is particularly important when viewed in the light of open support given during several recent international Communist conferences held in Havana to the concept of armed insurrection by black power advocates and other black extremist groups in the United States.

Since Castro took over Cuba in 1959, over 400,000 Cubans have left their homeland for refuge in the United States, the flow since December 1965 having been at the rate of over 3,700 a month. This adds to our work in two areas. On one hand, many of the refugees carry on activities to overthrow Castro. These activities have ranged from the bombing of Cuban establishments as well as establishments of countries carrying on trade with Cuba, to sea and air attacks against the Cuban mainland. This continued militancy necessitates our keeping track of Cuban refugee activities and conducting appropriate investigations where there are indications that Federal statutes have been violated.

On the other hand, the possibility of Cuban intelligence agents being infiltrated into this country through the refugee stream is always present and requires continuing investigative attention.

Cuba, of course, as in the case of other Communist bloc countries, relies heavily on its only diplomatic establishment in the United States, the Cuban Mission to the United Nations in New York City, to serve as a legal base of operations for clandestine intelligence gathering activity.

China

The potent threat to our national security posed by Red China still exists. In fact, the blatant, belligerent and illogical statements made by Red China's spokesmen during the past year leave no doubt that the United States is Communist China's No. 1 enemy. This bitterness towards the United States and other Western countries—even the Soviet Union—is a factor in Red China's ambition to equal other major powers economically, militarily and, especially, in scientific endeavors.

This Red Chinese goal has resulted in Chinese Communist intelligence activities in this country, overt as well as covert, to obtain needed material, particularly in the scientific field.

In one clandestine effort in 1967, which we thwarted, a Chinese American attempted to send electronic equipment to Hong Kong by way of Canada. This Chinese American headed an electronic company in the United States and the components involved, which could have been used in aerospace research, missile tracking, and radar, were sent to a Hong Kong businessman, temporarily in Toronto, Canada. Based on information furnished by the FBI, he was arrested by Canadian authorities in Toronto for making a false customs declaration, the electronics components being declared as replacement parts for printing machines. He was convicted and served a 60-day sentence.

We are being confronted with a growing amount of work in being alert for Chinese Americans and others in this country who would assist Red China in supplying needed material or promoting Red Chinese propaganda. For one thing, Red China has been flooding the country with its propaganda and there are over 300,000 Chinese in the United States, some of whom could be susceptible to recruitment either through ethnic ties or hostage situations because of relatives in Communist China.

In addition, up to 20,000 Chinese immigrants can come into the United States each year and this provides a means to send illegal agents into our Nation. There are active Chinese Communist sympathizers in the Western Hemisphere in a position to aid in operations against the United States.

The Chinese Communists do not have a legal base in the United States from which to conduct intelligence operations. In Canada, however, there is an office of the New China News Agency which poses as a legitimate news-gathering organization. Actually, its real function is to serve as a base for Red Chinese propaganda activity.

A growing problem which threatens to place a heavy burden on our investigative resources concerns the approximately 40,000 Hong Kong based Chinese seamen, many actually residing on the China mainland. We are aware of situations where they have served as couriers in intelligence operations. There have also been instances of mutinies on foreign ships by Chinese crews waving the book "Quotations From Chairman Mao Tse-tung."

Of the 40,000-odd crewman, on any given day three-fourths of them are on vessels throughout the world. Some 27,000 of the total crew complement are members of the Chinese Communist-dominated Hong Kong Seamen's Union. In respect to the United States, there are thousands of entries made by these crewmen into the United States cities each year when their ships dock here. Although it is not necessary for a seaman to desert ship to perform an intelligence assignment, it is noted that there were over 700 desertions by Chinese crewmen in the United States in fiscal year 1967, and this accounted for more than 80 percent of the total desertions by Chinese crewmen throughout the world during that year. It is significant to note that desertions by Chinese crewmen jumped to some 930 during the fiscal year 1968.

STUDENTS FOR A DEMOCRATIC SOCIETY

Mr. SIKES. Are you asking that the SDS be listed among subversive groups?

Mr. HOOVER. As I previously indicated, all of our investigative material concerning the Students for a Democratic Society has been submitted to the Internal Security Division of the Department for its consideration in this connection.

Mr. SIKES. Would you recommend this be listed as a subversive organization?

Mr. HOOVER. That is a matter for determination by the Department.

COMMUNIST INFLUENCE ON MILITANT LEFTIST GROUPS

Mr. SIKES. Would you tell us something about the degree of control which the Communists now exercise over some of the more militant leftist groups in this country? There is a feeling that Communist control may have slipped somewhat and that some of these groups are going further than even the Communists would want to go in their demands for destructive action.

Do you feel there has been a lessening of the Communist influence over, for instance, the more militant youth groups?

Mr. HOOVER. I do not, Mr. Chairman. There has been a steadily increasing degree of hardcore Communist influence in the New Left movement which has resulted from a growing acceptance of Marxist-Leninist revolutionary concepts by the leaders of the movement. This is shown, for example, by the fact that the thrust of the movement has gone through four specific stages; namely: (1) civil rights, (2) antiwar, (3) antiimperialism, and finally (4) revolutionary communism. Originally, the New Left movement was basically anarchistic in nature and rejected authoritarianism. Its adherents opposed old-line Communist participation in their activities. Susequently, however, they welcomed Communist participation and members of old-line, hardcore Communist organizations such as the Communist Party—U.S.A. and its youth group, the W.E.B. DuBois Clubs of America; the Socialist Workers Party, and its youth group, the Young Socialist Alliance; the Workers World Party, and its youth group, Youth Against War and Fascism; and the Progressive Labor Party infiltrated the New Left movement extensively. Members of these old-line Communist organizations have had increasing success in their respective efforts to establish their own forms of authoritarian direction and control over the movement.

The growing Marxist-Leninist revolutionary imprint becomes apparent in regard to the disorder and disruption instigated by the New Left movement on college campuses. Colleges and universities are described as instruments of repression and tools of the ruling class used to suppress the working class and must be attacked as such.

What is needed is more guts on the part of many presidents of the universities and colleges. They should expel the violent militants who take the law into their own hands rather than grant them amnesty for their criminal acts. These militants, under the pretense of the struggle for student rights, deny the majority of students their right to pursue education in a peaceful and orderly atmosphere by their disruptive tactics. Yet, at the same time many naive school administrators even go so far as to interfere with the prosecution of these militant hoodlums in criminal courts.

Many of the school administrators appear unable to distinguish between legitimate protest and unlawful acts and there are far too many bleeding hearts among them whose palliative attitude has served only to magnify the problem by encouraging the escalation of demands and further disorders.

Mr. Sikes. I could not agree more fully and appreciate the fact you have said this in such an emphatic way.

My question was addressed primarily to Communist control over the Leftist Youth movements. Would the same answer apply to Communist influence on the more militant Black Power movements?

Mr. Hoover. The Black Panthers, the most violent of all, and several others almost as bad, are organizations that the Communist Party has not been able to control. The black militants are more or less a law unto themselves and want no leadership other than their own.

The Black Panthers originated in California and have now spread throughout the country. This is pure and simple gangsterism. They are recruiting known criminals and hoodlums and encouraging them to engage in a broad range of terroristic tactics and other criminal actions while explaining that such actions, being revolutionary in nature, are justified. As I testified, they are having guerrilla warfare tactics schools in California in the near future.

ANTIWAR PAPERS ON MILITARY BASES

Mr. Sikes. There have been a rash of subversive newspapers, at least anti-war, and in some instances anti-American newspapers, distributed on military bases. Most of them apparently are printed off base but they like to give the impression they are being printed on the base where they are distributed.

At any rate they are distributed on various bases. Has Communist association or direction been associated with these papers or are they simply the work of the nut fringe?

Mr. Hoover. No, the work of the dedicated revolutionaries who are against ROTC and against our war effort in Vietnam.

They are not newspapers in the sense of being published regularly but they are issued from time to time. We have identified most of the writers of this material and have referred these matters to the Department for any prosecutive action warranted.

Mr. Sikes. On at least one occasion I asked the immediate previous Attorney General what action was being taken against Stokely Carmichael. The answer was in each instance that the matter was under study, under investigation. Nothing ever was done.

What are his present activities? Is he out of the country?

Mr. Hoover. He is out of the country.

Carmichael married a singer in this country and lived in Washington, D.C., where he resided until November 1968 when he moved to New York City. He and his wife arrived in Sweden, on December 29, 1968.

Mr. Sikes. He is not under indictment, is he?

Mr. Hoover. No charge has been brought against Carmichael.

Mr. Joelson. I believe your statement said that he went to Guinea in February.

Mr. Hoover. He arrived in Guinea on February 17, 1969.

He spent about 2 months in Sweden where his wife appeared as a night club singer.

STUDENTS FOR A DEMOCRATIC SOCIETY

Mr. Joelson. With regard to the Students for a Democratic Society and their acquisition of funds, it occurred to me that they may be getting funds from foundations which are tax exempt.

Mr. Hoover. We referred to the Internal Revenue Service all instances where foundations or individuals gave large sums of money to SDS.

Mr. Joelson. I remember at one time the Ku Klux Klan was soliciting contributions claiming them to be tax deductible.

I wrote a letter to the Internal Revenue Service and that was stopped. I would imagine the same thing could be done if there are any deductions being asked for contributions for SDS.

Mr. Hoover. I hope so.

Mr. Joelson. With regard to the SDS I notice you call it a Communist——

Mr. Hoover. A Communist-anarchistic group.

Mr. Joelson. My impression of them was that they are against the establishment. They really have no program except to tear down.

Would you say they are a Communist organization in the sense we understand communism, that they want to establish a Communist government?

Mr. Hoover. Again, it is important to understand that the New Left movement is a splintered movement with varying shades of ideology and differing objectives. The hard-line Marxist-Leninist element certainly looks to the establishment of a Communist government in this country. Other elements representative of the nihilistic, anarchistic philosophy would be satisfied simply with the destruction of our form of government to be followed by an ill-defined communal state.

Mr. Tolson. Gus Hall, Communist Party leader, said this is one of the organizations they have going for them.

Mr. Hoover. Hall made that statement publicly.

Mr. Joelson. That is very revealing. I think most people regard them as just anarchists without a program.

Mr. Hoover. They have definite programs for disorder and disruption in regard to their current revolutionary attacks against colleges.

Mr. Joelson. I know they do in colleges but I meant broader programs such as communism.

Mr. Cederberg. I brought with me this morning and made copies for Congressman Slack, but evidently he has taken them with him, a brochure that the SDS puts out. This was brought back from the University of Florida. It is a clear blueprint of just exactly their whole procedure.

Then there is another one which was made available and sent to me telling how they are to go about getting summer jobs, where they go. It gives a complete blueprint of how to do it, how to act when you get there, how to organize within that group, their kind of propaganda. They are two very revealing documents that I think everyone should read.

Mr. Hoover. They receive wide circulation by the Students for a Democratic Society. They have definite programs in regard to establishing a base for revolutionary action in high schools, communities, industry, and the military.

Mr. Joelson. I know they have a program of disruption and destruction, but I was not aware of the fact they had a program beyond that to participate in Communist activities.

Mr. Hoover. Oh, yes; they engage in a broad range of Communist revolutionary activities.

As Hall, the general secretary of the Communist Party of America, said, the Students for a Democratic Society was an organization which the party had going for it.

SOVIET ESPIONAGE ACTIVITIES

Mr. Lipscomb. Mr. Hoover, I believe it would be very helpful if you could discuss with the subcommittee what is occurring in the area of what I am sure are continuing efforts of the Soviet Union to obtain U.S. industrial information, secrets, data and so forth, and how should the U.S. businessman handle situations where they come in contact with Soviet representatives?

Mr. Hoover. There has never been any lessening in the Soviet effort to cultivate American businessmen and obtain from them industrial data and trade secrets. Now socially aggressive, the Soviets push themselves upon their targets in the business world with varied gestures of friendship. It is important for all businessmen to recognize that the "friendly" Soviet, buying drinks and dinners and expensive gifts, is a potential threat. I, of course, recognize that there are legitimate business dealings between Soviet-bloc officials and American firms. The FBI is not interested in such dealings. The FBI is interested, on the other hand, in those Soviets who abuse their presence in our country and try to buy, steal or otherwise obtain our secrets. Businessmen suspecting Soviet acquaintances of such activity should immediately advise the FBI.

Mr. Lipscomb. How active is the Amtorg Trading Corp., the Soviet trading organization, at this time in establishing or attempting to establish relations with business contacts to carry on its activities, including industrial espionage, in the United States?

Mr. Hoover. The Amtorg Trading Corp. continues to be used by the Soviet intelligence services as a cover for placing intelligence personnel in the United States. The case of the Soviet, Igor A. Ivanov, is in point. Ivanov, here as an Amtorg employee, was sentenced in 1964 to 20 years' imprisonment for conspiracy to commit espionage. He remains free on $100,000 cash bail, put up by the Soviet Government, while his case is being appealed. Soviet trade representatives here with Amtorg have legitimate cover to travel and meet Americans. They have great freedom for espionage, and, as the Ivanov case illustrates, make use of it against us.

Mr. Lipscomb. What about Soviet espionage activities carried on through cultural exchange programs and similar activities in which the Communist Party may be active? How serious is the problem?

Mr. Hoover. The intelligence agencies of the Soviet Union do, of course, use the cultural exchange programs to infiltrate intelligence personnel into our country. The Soviet diplomat, Valentin Revin, who was expelled from our country in 1966 for his espionage activities, is the best example. He first entered the United States in 1958 as an exchange student and was here 1 year. He came back in 1963 to the Soviet Embassy. The espionage mission which led to his expulsion involved efforts to obtain sensitive information about our space program from an American businessman. There is no doubt Revin was from the beginning, from his student exchange days, here to prepare himself for his intelligence work.

Insofar as the Communist Party is concerned, each member is politically motivated to assist the Soviets in every way. For years I have warned of the danger of the Communist Party. My concern stems from the fact that its members are ideologically oriented, not to the United States, but to the U.S.S.R. The problem remains a very serious one for all of us.

Mr. Rooney. Mr. Cederberg?

Mr. Cederberg. Off the record.

(Discussion held off the record.)

Mr. Rooney. Mr. Andrews?

CROSSING STATE BOUNDARIES TO INCITE RIOTS

Mr. Andrews. For some time now we have had a Federal law which would allow action to be taken against those who cross State boundaries in order to incite riots.

Are you detecting on our college campuses more evidence of the fact that they are indeed incited by outsiders or are they started by local campus types who have gotten the idea from press and TV accounts as to what is going on on other campuses?

Mr. Hoover. In most of these incidents—of course the local group plays a large part—but individuals like Tom Hayden, Mark Rudd, Mike Klonsky and Bernardine Dohrn travel from one place to another. Hayden, for example, was particularly active in the Columbia University difficulties of last year. He was one of the early leaders of the New Left movement and has been indicted in Chicago in connection with last summer's violent disorders at the Democratic National Convention. Abbie Hoffman is another of the same type.

In addition, the Communist Party-U.S.A. has a program through which its spokesmen appear frequently on campuses. For example, the Aptheker girl, whose father is an official of the Communist Party, travels from place to place. The list I gave to the Chairman which he included in this record shows some of these officials and where they spoke to these college groups. Usually they are invited not by the college but by a group in the college, such as the Students for a Democratic Society.

Mr. ROONEY. Off the record.

(Discussion held off the record.)

Mr. ANDREWS. If these people who go from State to State to start these disorders could be completely stopped, how many of these riots do you think we could get rid of?

Mr. HOOVER. I think there would be a marked reduction in them.

Mr. ANDREWS. I do not know anybody whose judgment I would take as having more weight that that of the Director.

Mr. HOOVER. Thank you. I think there would be a material reduction in them because it is the leadership that sparks the fire. They frequently get out before the police move in. They did not get out in Chicago and as a result were charged with violating the new Federal antiriot laws.

Mr. ANDREWS. This should help.

Mr. HOOVER. It should help. I think the law would be very helpful if enforced, and I think the present Attorney General will enforce it vigorously.

PRESSING NEED FOR RAIL SAFETY

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. DULSKI. Mr. Speaker, a task force on railroad safety has submitted its report to the Secretary of Transportation.

The study involved only a couple of weeks, but the problem is so pressing and obvious that the task force had no difficulty in drawing a picture of the problem—a picture, indeed, which merits wider circulation.

One recommendation, the last, is that the Secretary work with the task force and the congressional committees in drafting implementing legislation. I hope this recommendation will be acted upon forthwith.

The chairman of the House Committee on Interstate and Foreign Commerce already has introduced railroad safety legislation which is a good starting place.

So have I.

This matter of railroad safety is one that cannot be allowed any longer to be brushed under the rug. And legislative action clearly is required if we are going to put any teeth into the rules of the road.

Mr. Speaker, the report of the task force is not very lengthy, but is most informative. Following is the text:

REPORT OF THE TASK FORCE ON RAILROAD SAFETY SUBMITTED TO THE SECRETARY OF TRANSPORTATION ON JUNE 30, 1969

At the request of the Secretary of Transportation, we, the representatives of the railroad industry, railroad labor organizations and State regulatory commissions, met as a task force to examine railroad safety and to advise the Secretary. The Task Force began meeting May 1, 1969, and concludes with this report. There has been a free exchange of information and open discussion. Data supplied by the Federal Railroad Administration and its Bureau of Railroad Safety were used for purposes of analysis of problem areas. The agreed upon time limit did not permit additional outside research.

REVIEW OF THE PROBLEM

Railroad operations involve inherent dangers. Movement of large, heavy equipment at high speeds characterizes the industry. Daily, some two billion ton-miles of freight of all types move on the Nation's railroads. Hundreds of railroad yards receive, classify and dispatch the 1.8 million freight car fleet on an around-the-clock, seven-day-a-week schedule. About 600,000 passengers daily commute to work and 200,000 travel intercity by rail; 630,000 railroad workers average 3.5 million man-hours of work per day.

It is logical to assume that operations of such magnitude will generate accidents. Thus, standards, procedures and rules are necessary to provide for safety. The bulk of existing railroad safety practices were developed over the years by the industry itself. For many years they met the safety requirements and produced the present safety record.

Grade crossing accidents rank as the major cause of fatalities in railroad operations. They account for 65% of the fatalities resulting from all types of railroad accidents, and rank second only to aviation mishaps in severity. Annually, about 4,000 accidents produce approximately 1,600 deaths which is also a matter of major public concern.

The yearly totals of crossing accidents, and accident casualties, in the 1920–1967 period, can be related very closely to the combined amount of rail and highway miles traveled and to the effects of major crossing safety improvement programs. The trend in both accidents and casualties up to 1958 was generally downward. The situation has been reversed since 1958, however, with a disturbing general trend upward in both categories. Only 20% of the total 225,000 grade crossings are protected with automatic devices.

Grade crossing safety receives attention from highway authorities as well as railroad organizations. Under existing law, Federal-aid highway funds may be used on grade crossings on the Federal-aid highway system. This includes interstate, primary and secondary roads which together account for slightly more than 20% of the total number of crossings. However, Federal funds may not be used to reduce hazards at railroad crossings of city streets and on many state supplementary highways and local roads which are not on the Federal-aid system and which represent the remaining 80% of the total. A certain number of safety improvements are being made currently by the carriers and state and local agencies on crossings not on the Federal-aid system. There is an imperative need for an expanded public program to cover these crossings in order to reduce immediately this extremely high fatality rate.

The most obvious trend in any recent examination of railroad safety is the large and steady increase in the number of train accidents. This 8,028 train accidents recorded in 1968, represents a significant increase, by any yardstick, over the 4,148 recorded in 1961. Derailments account for two-thirds of the total.

General causes of train accidents are almost evenly divided among human error, defects in or failure of equipment and defects in or improper maintenance of track and roadbed. Derailments are largely attributable to track and equipment problems while collisions are mostly caused by human error.

Employee safety in railroad operations is of continung concern. In 1968, there were 146 employees killed and 17,993 injured. Employees involved in rail operations and track and roadbed maintenance are more exposed to the inherent hazards of the industry and, therefore, represent a major portion of the employee casualty figure. Contributing factors to the employee casualty rate include inadequate training programs, human errors, equipment defects, poor housekeeping, and non-compliance with safety and operating rules.

The need for transporting ever increasing quantities and varieties of hazardous materials—chemicals, gases, explosives and fuel—creates the possibility of serious accidents that have become a matter of major public concern. Thus, causal factors affecting train accidents—track, equipment, human factors and train-motor vehicle collisions—take on added significance when dangerous commodities are transported.

RAILROAD SAFETY REGULATIONS

Government involvement in railroad safety regulation came early. In 1893, Congress passed the first Safety Appliance Act. Then and in later years various Federal statutes granted varying degrees of Federal authority over locomotives, signalling systems, hours of service limitations on certain employees, air brakes, couplers, hand brakes, grab irons, running boards, sill steps, and draft gears on rolling stock, and accident reporting. The Federal authority to regulate shipment of hazardous materials is applied largely to the packaging of these commodities, although some rules governing handling in transit have been adopted.

Federal statutes do not cover the trucks, wheels and axles of railroad cars nor their design, construction or maintenance. Bridges and tunnels are not subject to Federal regulations and no Federal authority governs track and roadbed. There is no general authority to promulgate standards for employee qualifications, physical requirements and training, nor to prescribe uniform railroad operating rules.

Almost all States have entered the field of rail safety regulation. However, there is no uniform pattern of involvement. Some are quite active in general rail safety matters, but most consideration is on grade crossing safety regulation. Certain States feel they are adequately equipped by statute or existing regulations to deal with any rail safety problem that may arise.

Rules and regulations issued under present Federal and State authority cover only the specific areas reached by the legislative acts. The limitation imposed on the regulatory process by specific, rather than general scope legislative authority, results in only minimal public agency involvement in some problem areas of safety.

PRIORITIES

Railroad safety is wide in scope and requires a more comprehensive national approach. Of first priority is treatment of total rail safety by relating all its various facets to definite goals. This demands a coordinated approach by industry, labor, State and Federal government.

To continue as the major transportation mode, railroads will require more innovation, advanced equipment and higher speed capabilities. Achievement of these advanced capabilities calls for parallel advancement in safe, dependable operation. Therefore, major safety research is essential to guarantee that tomorrow's railroads will not only be more efficient but more safe.

Railroad operating personnel will continue to be the group most involved with rail safety, or the lack of it. New equipment and higher speeds will place great demands on employee skills and railroad operating practices. It is recognized that employee training is inadequate today, and could become more critical as new technology reshapes the industry. It seems imperative that formal, intensive training programs be given high priority along with human factors research. At the same time, railroad rules and practices

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must be kept responsive to change so that a high level of safety may be maintained.

The modern industrial economy is dependent upon hazardous materials that are shipped throughout the country. Consequently, the entire transportation network, particularly the railroads upon which a large share of chemicals, explosives, fuels, and the like travel, must have the capacity to transport them safely. A top priority should be the complete evaluation of all factors related to the transportation of these commodities. Particularly, container standards for hazardous materials must take into account impact and stress requirements commensurate with today's longer, heavier and faster trains.

The motoring public is part of the safety problem at the grade crossing. Drivers must be educated to accept the meaning of warning devices and be required to heed them. Compliance must be enforced. Because this is a matter of public safety, public programs must be immediately initiated and properly funded to provide the motorist with positive, uniform and adequate information about the hazard at the crossing. More emphatically, firm and prompt consideration must be given to better use of existing funds and the making available of additional public funds to meet the increasing costs of crossing protection and grade separation, and to increase the number of grade crossings with automatic protection. There should be a long range, public commitment to eliminate this unnecessary and tragic loss of life.

Other improvements in railroad safety must necessarily involve substantial commitment of public and private resources. For Government, a major commitment should be toward research; for industry, upgrading and maintenance of plant should be foremost. Management and labor should cooperate to reduce human error. The economic restraints on the railroad industry make it essential that public policy be directed toward the development of financial incentives to support rail safety.

SUMMARY CONCLUSIONS

Recognizing that there have been longstanding differences among the three groups represented on the Task Force, the parties sought to emphasize areas of agreement rather than disagreement plus their mutuality of interest in railroad safety. The consensus view of the Task Force is as follows:

Railroad safety is a problem, national in scope, of concern to Federal and State Governments, as well as labor and management and which has been accented in recent years by the increase in the number of train accidents, particulraly derailments.

Fatalities resulting from railroad accidents occur mostly at grade crossings. Trespassers rank second in the number of fatalities, and employees third.

Transportation of hazardous materials—chemicals, gases, explosives and fuels—is an economic necessity. Involvement of these materials in train accidents creates a new dimension of public concern over railroad safety.

Reported causes of train accidents are almost evenly divided among defects in or failure of track and roadbed, defects in or failure of equipment, and human error.

Existing Federal and State rail safety regulations do not, in most instances, provide standards for track, roadbed, equipment, employee training and qualifications or rules governing safe railroad operations.

Accident reporting and investigation practices are inadequate. Available statistics do not relate sufficiently to determination of primary and contributory causes.

Research into factors affecting railroad safety is inadequate because it has been sporadic and not coordinated.

Present Federal, State and industry programs to reduce hazards at railway-highway grade crossings are extremely narrow and inadequately funded.

RECOMMENDATIONS

Regardless of the difference in the views of the parties, it is recognized that the safety experience of the American railroads during the past few years is at a point where some effective steps must be taken to bring the problem under control. It is also recognized that the public and Congress will demand definite assurance that safety will be improved. Solution short of broad Federal regulation may not adequately meet the situation. Therefore, even though further regulation creates some problems for each of the parties, the Task Force agrees that legislation authorizing broad Federal regulatory powers should be enacted with certain safeguards. It is further recommended that a permanent advisory committee be established, by law, representing management, labor, and State regulatory commissions, to guide and assist in the development of safety standards and other related matters. The specific recommendations of this Task Force are:

1. That the Secretary of Transportation, through the Federal Railroad Administration, have authority to promulgate reasonable and necessary rules and regulations establishing safety standards in all areas of railroad safety, through such notice, hearing and review procedures as will protect the rights of all interested parties.

2. In order to strengthen the administration of Federal rail safety regulations, there should be established a National Railroad Safety Advisory Committee to advise, consult with, and make recommendations to the Secretary on matters relating to the activities and functions of the Department in the field of railroad safety. The Committee would be chaired by the Federal Railroad Administrator with the remaining members appointed by the Secretary to represent equally the State regulatory commissions, railroad management and labor. The Secretary would submit to the Committee proposed safety standards and amendments and afford it a reasonable opportunity to prepare a report on the technical feasibility, reasonableness, and practicability of each such proposal prior to adoption. The Committee may propose safety standards to the Secretary for his consideration.

3. Existing State rail safety statutes and regulations remain in force until and unless preempted by Federal regulation. Administration of the program should be through a Federal-State partnership, including state certification similar to the certification principles set forth in the Federal Natural Gas Pipeline Safety Act of 1968.

4. The Advisory Committee be directed to study the present delegation of authority to the Association of American Railroads' Bureau of Explosives in certain areas of the Transportation of Explosives and Other Dangerous Articles Act.

5. A research program be initiated by Government and industry into railroad safety technology, which should be funded immediately for an initial three year period, over and above existing research programs.

6. Formal employee training programs be expanded by railroad management, with the cooperation of labor and government, for the purpose of insuring compliance with safe operating practices and reducing the impact of human error in the accident experience.

7. An expanded, concerted program of grade crossing safety be undertaken utilizing established Federal and State agencies and advisory groups to set uniform procedures and standards. Early attention must be given to the development of improved crossing protection at lower cost plus greater emphasis placed on driver education and traffic enforcement. In addition to more extensive use of existing Federal funds now allocable to present highway safety programs, there must be new sources of funding to finance an expanded grade crossing program.

8. The Federal Railroad Administration should revise, in consultation with railroad management, labor, and state regulatory commissions, its rules for reporting of accidents. The aim should be to make the data more current, more uniform and to identify causes more accurately.

9. The Secretary of Transportation in consultation with and assistance of the Task Force and appropriate Congressional committees should draft proposed legislation to implement these recommendations.

R. N. Whitman, Chairman, Federal Railroad Administrator.

Charles J. Fain, Subchairman, Commissioner, Missouri Public Service Commission; Willis F. Ward, Chairman, Michigan Public Service Commission; and John P. Vukasin, Jr., Commissioner, California Public Utilities Commission.

George E. Leighty, Subchairman, Chairman, Railway Labor Executives' Association; Al H. Chesser, Vice President, National Legislative Representative United Transportation Union; Donald S. Beattie, Executive Secretary, Railway Labor Executives' Association; and William E. Skutt, Assistant Grand Chief Engineer Brotherhood of Locomotive Engineers.

Thomas M. Goodfellow, Subchairman, President, Association of American Railroads; William D. Lamprecht, Vice President—Systems Operations, Southern Pacific Company; James R. Thorne, Vice President—Operating Dept., Seaboard Coast Line Railroad; and C. V. Cowan, Vice President—Operating Group Baltimore & Ohio/Chesapeake & Ohio Railroad Company.

RHODESIAN RECOGNITION POSSIBLE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. RARICK. Mr. Speaker, the Foreign Relations Committee of the other body recently reported a resolution to allow our Government to recognize and exchange diplomats with foreign governments without implying, necessarily, approval of the form, ideology, or policy of that government. This resolution may be good news to Rhodesia. It may be the prelude to U.S. recognition of the Republic of Rhodesia—the first British colony to declare independence from Britain since the United States.

The announced intent of the resolution is to permit diplomatic recognition and exchange with Communist China; but the American people would never tolerate our Government's recognition of Red China while continuing to discriminate against Rhodesia.

I include two news clippings:

[From the Washington (D.C.) Evening Star, July 3, 1969]

BID TO RECOGNIZE PEKING ADVANCES

A resolution that could allow the United States to recognize Communist China has been approved by the Senate Foreign Relations Committee.

Recognition and exchange of diplomats "does not imply that the United States necessarily approves of the form, ideology, or policy of that government," says the resolution introduced by Sen. Alan Cranston, D-Calif., and Sen. George Aiken, R-Vt.

The action yesterday clears the resolution for consideration on the Senate floor. No votes were cast against the measure in Committee.

[From the Washington (D.C.) Post, July 8, 1969]

U.S. TO KEEP CONSULATE IN RHODESIA

(By A. D. Horne)

President Nixon has rejected a State Department recommendation to sever the last thread of official U.S. contact with white-ruled Rhodesia.

State, which two weeks ago denounced Rhodesia's June 20 constitutional referendum as a "travesty," sought to follow these words with action by closing the American consulate general in Salisbury.

The move was to have come within a day of Britain's announcement that its governor in Salisbury was being withdrawn, thereby emphasizing that the American consulate's presence depended on Rhodesia's colonial status and did not imply any recognition of the white minority government of Prime Minister Ian Smith.

The British governor, Sir Humphrey Gibbs, left Government House for retirement Sunday. But the U.S. consulate remained open, and the State Department said yesterday that no decision had been made on the consulate's future.

State and White House officials would not comment beyond that statement. But it was learned that the closing had been blocked at least for now by the President, apparently at the urging of political conservatives and business interests.

The Rhodesian issue is sensitive ideologically and economically. Southern conservatives and the Republican right wing have denounced U.S. policy since Smith's unilateral declaration of independence in 1965, arguing that 230,000 white Rhodesians should be free to rule their voteless black majority of 4.5 million without foreign interference.

American observance of the United Nations boycott on Rhodesian trade has had special impact on U.S. metals producers. Before the boycott, Rhodesia supplied roughly half the U.S. market for chrome ore. Now the chief supplier is Russia, at prices 50 per cent above pre-boycott levels. Two U.S. firms are barred from importing chorme from their own Rhodesian mines.

The Salisbury consulate has been operating at less than half of regulation staff since 1965. The post of consul general has been left vacant since the Smith government declared its independence, and the consulate staff has been cut from 21 to 8. All trade promotion activities stopped after the Smith decree, and the U.S. Information Service closed.

A LANDMARK DECISION FOR GREECE

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. FRAZER. Mr. Speaker, evidence of political torture in Greece continues to mount up. James Becket in the July 7 issue of the Nation magazine writes:

> The question for the commission—the European Human Rights Commission—is no longer whether torture exists or not—nor, one would suppose, whether there are to be hangings in Constitution Square—but whether torture appears in "isolated cases" or is an "administrative practice."

A commission decision, Becket writes, is expected in November. He claims that the "essentially juridical decision has taken on increasing political significance," noting that an unfavorable commission report probably would lead to Greece's expulsion from the Council of Europe. The commission's decision, he writes, will be "a landmark for international law."

The full article follows:

GREECE: THE RACK AND THE BOMB

GENEVA.—Two weeks ago Prime Minister Papadopoulos of Greece announced that he would himself hang in Constitution Square any official who had tortured a Greek citizen. This declaration was provoked by an article in *Look* magazine, "Greece: Government by Torture." Though reports of torture have been in the European press for two years, an article in a mass circulation American magazine hit the junta where it hurts. The usual categorical denial was given, and the "falsehoods" were attributed to "Communists" and "mentally deranged persons." Perhaps the colonels were justified in their annoyance, since it is undeniable that in many parts of the world colonels get on with the business of "national regeneration" with hardly a murmur of protest from abroad. But Greece is a special case, and one of the reasons it is a special case is that Greece is a signatory to the European Convention of Human Rights.

In mid-June in Strasbourg the European Human Rights Commission heard seven more witnesses on Article Three ("No one shall be subjected to torture or to inhuman or degrading treatment or punishment"). After the sessions of last November and December, which were dramatized by James Bandopoulos scenes of escaping junta witnesses (see *The Nation*, January 6), the commission held hearings in Greece in February. Exercising its power under the convention to carry out an investigation on the spot, it examined fifty-one witnesses. But the commission was refused access to certain witnesses, notably the would-be assassin of Papadopoulos, Alecos Panagoulis, who only recently escaped and was recaptured. (The Human Rights Commission is hardly pleased with Papadopoulos' offer to *Look* to come and make a free and "serious investigation" in Greece, when this was denied the commission which enjoys the right under an international convention.)

The seven new witnesses, heard on June 15 and 16, had escaped from Greece with the help of resistance organizations. Two witnesses called from Greece were not permitted to leave the country. One of them, the rightwing lawyer George Mangakis, who has defended many political cases before the courts-martial, had his passport confiscated at the airport. (Thus, for good measure, violating the convention article on freedom to travel.)

The June session, unlike previous ones, was calm. The witnesses had the same story of torture to tell: bastinado, mock execution, electro-shock, sexual abuse, etc. (One new interpreter collapsed after an hour and was replaced by a veteran.) One reason for the calm was the absence of both principals, the Scandinavians and the junta Greeks, at the in camera sessions, and this time no junta thugs were patrolling the premises. This meant also that the junta's chief man on the case, and its most ardent defender on the diplomatic scene, Basil Vitsaksis, was absent. Mr. Vitsaksis has been rewarded with appointment as ambassador to Washington, though he is waiting for the United States to send its ambassador to Greece. There is now the chance that he might be appointed to replace Foreign Minister Pipinellis, who is not well.

The question for the commission is no longer whether torture exists or not (nor, one would suppose, whether there are to be hangings in Constitution Square) but whether torture appears in "isolated cases" or is an "administrative practice." A decision is expected from the commission at the end of November. It will be a landmark for international law. The case is rare in international jurisprudence in that the Scandinavian countries did not bring the action for commercial reasons but for reasons of principle. As the chief agent, Norway's Jens Evensen says: "We fought a war so these things would not happen again. We are bringing this case not just for the Greeks but for the Italians, for all Europeans."

This essentially juridical decision has taken on increasing political significance. The Committee of Ministers of the Council of Europe managed to avoid expelling Greece from the Council with the excuse that it would be more proper to wait for the decision of the Human Rights Commission. This means that if the commission were to find that there had been torture, the expulsion would be almost automatic. The junta's policy, as devised by Mr. Vitsaksis, has been to obstruct, but he is running out of delaying tactics. Expulsion would have serious consequences for the colonels, who fear the operation of a "domino theory" on other, more vital European organizations.

Meanwhile, mass arrests and torture continue. A recent wave of bombings has been aimed at American targets: The PX, Litton Industries, American Express, the Hilton, USIA, etc., as well as around recent NATO exercises in the north of Greece. This expresses the belief of every Greek that the United States is responsible for the current situation, and that only a change of American policy will change the situation. Some observers believe that the United States, the major supporter of the junta, is becoming more and more disenchanted. Greece's Minister of Economics was officially invited to France recently by the Minister of Defense and declared he wanted to give France important contracts. France, South Africa's leading arms supplier, represents the only area for maneuver for Fascist Greece in the event of American pressures. The junta's anti-communism and strategic importance to the West exclude an Eastern or Nasser-like path.

In the face of a probably unfavorable report by the commission on torture, of increased bombings and resistance, and of European dissatisfaction, the Nixon Administration will have to make some decisions it has so far avoided.

HOUSE OF REPRESENTATIVES—*Wednesday, July 9, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

God is our refuge and strength, a very present help in trouble.—Psalm 46: 1.

Almighty God and Father of all mankind, whose love is the light of life and whose law is the litany of liberty, grant us wisdom to use in right ways the freedom which is our heritage by keeping ourselves dedicated to Thee and devoted to our country.

Give us the faith to go out into this day with courage not always knowing where we are going but with the assurance that Thou art with us, Thy hand is sustaining us and Thy spirit supporting us all the way.

Strengthen Thou the men and women in our Armed Forces throughout the world who are risking their lives on our behalf and seeking to keep freedom alive on this planet. By Thy grace may they be temperate in all things and may their homes be kept steadfast in loyalty during these days of separation.

Bless those of our number into whose homes sorrow has come. Comfort them with Thy presence and give them strength as they live through these days.

In life and death, may they and we realize that Thou art our refuge and strength and underneath are Thine everlasting arms.

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

THE LATE HONORABLE WILLIAM H. MILLIKEN

(Mr. Williams asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WILLIAMS. Mr. Speaker, last Friday, July 4, 1969, Mr. William H. Milliken, Jr., a former Member of this House, passed away at the age of 71. His funeral is today. Mr. Milliken, who is known to his thousands of friends as Bill, served in this House for 6 years during the 86th, 87th, and 88th Congresses.

It was my very real pleasure to have been a very close friend of Bill Milliken's for the last 23 years of his life. As his friend, I had an opportunity to observe his outstanding work in private business and in public service.

Bill was born in Philadelphia, Pa., and moved to Sharon Hill, Delaware County, Pa., in 1906 and Sharon Hill was his home for the rest of his life.

Bill Milliken attended the Sharon Hill public schools and the Drexel Institute of Technology in Philadelphia. In private business he worked as a construction foreman and as a sales executive for the Whitehall Cement Manufacturing Co.

His record of public service is most distinguished. He served as burgess of Sharon Hill Borough for 10 years and he served as the Delaware County clerk of courts for 8 years. He also served in the Pennsylvania State House of Representatives and many enlightened, progressive pieces of legislation bear his name.

During his service in the U.S. Congress, he served on the Banking and Currency Committee and on the Appropriations Committee. Bill Milliken did not seek reelection to the 89th Congress due to reasons of health.

Bill Milliken was a 32d-degree Mason, a life member of the Sharon Hill Volunteer Fire Company, and a devout Presbyterian. He is survived by his widow, the former Nan Hitchler, a brother, Harold, and a sister, Mrs. Kathryn T. M. Kilpatrick.

To the thousands of people who knew him, Bill Milliken was a man of deep understanding who was always ready to be helpful. His advice and counsel were sought by many. During his adult years Bill Milliken was always an outstanding leader of his party.

Bill Milliken will be sorely missed by countless people.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS. I am happy to yield to the gentleman from Michigan (Mr. GERALD R. FORD), our distinguished minority leader.

Mr. GERALD R. FORD. All of us were saddened by the passing of Bill Milliken. It was my privilege to have served with him in the House, and particularly to have served with him as a member of the Committee on Appropriations. He was a fine legislator. He had an outstanding overall record of public service. He was a real gentleman at all times and a great asset in the House of Representatives.

I extend to his family my deepest condolences.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from Oklahoma (Mr. ALBERT), our distinguished majority leader.

Mr. ALBERT. I join the gentleman from Pennsylvania in paying tribute to our late friend, the Honorable Bill Milliken. Mr. Milliken was a very constructive and able Member of this body. He was a fine American and an outstanding public servant. His loss will be felt not only by his family and loved ones, but by his country and his fellow men as well.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from Texas, the chairman of the Committee on Appropriations.

Mr. MAHON. Mr. Speaker, I join in honoring the memory of our late distinguished colleague with whom many of us had the honor to be associated on the Committee on Appropriations. He served on several important subcommittees of the Committee on Appropriations, and he made his contributions.

He was a very congenial man. He was understanding. He was cooperative in the processing of the important work of the committee.

May the Lord bless his memory. On behalf of the committee, and myself, I extend deepest sympathy to his family and loved ones.

Mr. CONTE. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from Massachusetts.

Mr. CONTE. I, too, wish to join with my colleagues in tribute to Bill Milliken. I served on the Appropriations Committee with him. He was on my subcommittee. I had the pleasure of visiting many Coast Guard bases all over the country with Bill. I got to know him, and I respected him. He was a true and loyal friend of mine. He was certainly a dedicated public servant.

I know on those trips we took throughout the country looking at Coast Guard stations he would always tell me about his district. He had a deep love and affection for the people from his congressional district. He was truly a dedicated public servant, a great American. He certainly will be truly missed by all his friends.

I would like to extend my deepest sympathy to his family and to his many friends in Pennsylvania.

Mr. RHODES. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS. I yield to the distinguished gentleman from Arizona.

Mr. RHODES. Mr. Speaker, I thank my good friend from Pennsylvania for yielding. I would like to associate myself with the remarks made by the gentleman from Pennsylvania and the gentleman from Massachusetts. I knew Bill Milliken as a member of the Public Works Subcommittee of the Appropriations Committee. We worked very closely together. Bill was always a conscientious and able public servant, and one who was dedicated to the development of the resources of this country.

I can also say, as did the gentleman from Massachusetts, that he frequently mentioned the people of his district and his deep love for them and for the part of Pennsylvania which he represented. He will be missed.

I join my colleagues in sending my own expressions of sympathy to his family upon this great loss.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE REPORT ON DEPARTMENT OF THE INTERIOR APPROPRIATIONS, 1970, UNTIL MIDNIGHT THURSDAY

Mrs. HANSEN of Washington. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight Thursday, July 10, to file a privileged report on the Department of the Interior and related agencies appropriation bill for fiscal year 1970.

Mr. REIFEL reserved all points of order on the bill.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON ROADS, COMMITTEE ON PUBLIC WORKS, TO SIT TODAY DURING GENERAL DEBATE

Mr. CLARK. Mr. Speaker, I ask unanimous consent that the Subcommittee on Roads of the Committee on Public Works be permitted to sit this afternoon while the House is in session. I might say that this has been cleared by all Members.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

THE CHALLENGE

(Mr. JOELSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOELSON. Mr. Speaker, I am about to read something which I have written concerning our warped schedule of priorities at a time of despair in our cities. I do want to stress, however, that I have great admiration for the courage and dedication of our astronauts and that

I deeply hope and pray for the success of their moon voyage and for their safe return:

THE CHALLENGE

There is more challenge in each square block of city slum
Than all the galaxy.
Between brother and brother, more awful distance
Than the long boulevard of lonely space.

It will be written that in 1969, primative man canned himself and catapulted through the void,
While hunger, hate and sickness stalked his earth.
Choosing not to try for heaven, just the moon.

The old gnarled black man, sitting in the steamy summer of Seventh Street amidst the broken glass,
Is wiser than the scientists at Houston.
He knows what vistas cry to be explored.

FISHERIES MEETING WITH ECUADOR AND PERU IS WELCOME NEWS

(Mr. PELLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PELLY. Mr. Speaker, a meeting of representatives of Peru, Chile, and Ecuador with U.S. officials, according to the Peruvian Foreign Ministry, is scheduled to be held in Buenos Aires starting July 30 to try and settle longstanding differences which have resulted in the seizures of American tuna vessels off the west coast of South America.

This is welcome news to those of us on the House Fisheries Subcommittee. I think it is obvious that President Nixon has been distressed at the deterioration in the relationship of the United States with Latin American neighbors. But, as I have said before, if the fishery dispute can be resolved, then other causes of friction can be settled.

The resumption of U.S. arms credit sales, announced by the State Department, indicates that the United States is willing to abandon sanctions, and in this same spirit, the hearings on my bill, H.R. 10607, to ban fish imports from nations seizing our fishing vessels, at my request, are being called off during the four-nation talks.

If an agreement is reached, and I know of no reason why it should not be, obviously there will be no action on this legislation.

URGING EXTENSION OF VOTING RIGHTS ACT

(Mr. COUGHLIN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. COUGHLIN. Mr. Speaker, I believe that a 5-year extension of the Voting Rights Act of 1965 will serve as our legal and moral commitment—necessary and unimpeachable—to the cause of equal rights.

This is simply too important to delay. The right to vote is, perhaps, the most basic civil right of all.

Even sadder than the fact that many citizens do not choose to use the power of the ballot box is the fact that some citizens are prevented effectively from doing so.

The Voting Rights Act of 1965, particularly section 4, went a long way toward correcting these injustices and must not be allowed to expire.

In testimony last May 15 presented to the Committee on the Judiciary, I cited reasons for my cosponsoring of this bill. I said:

> We cannot in good conscience discontinue so vital a program which we have only half completed.

Now, I submit we cannot equivocate on the need for a 5-year extension.

My distinguished colleague from Ohio, the Honorable WILLIAM MCCULLOCH, has stated—eloquently and logically—the case for passing the extension. His leadership in voting rights legislation has been monumental.

I personally feel that we should proceed with the extension of the act of 1965 provisions while studying the administration proposals. I am sure the administration proposals contain many excellent points and I agree with the idea of uniform, nationwide application. At the same time, I would not want to weaken or delay any act that has seen the registration of 800,000 new voters.

HUMAN RIGHTS IN COLONIAL COUNTRIES

(Mr. EDWARDS of Alabama asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. EDWARDS of Alabama. Mr. Speaker, in today's world there is only one block of nations living under the political and economic domination of a colonialist power.

The colonialist power is the Soviet Union. The nations under partial domination of the U.S.S.R. are those such as Czechoslovakia, East Germany, Bulgaria, and Rumania which are independent in name only.

Nations under the complete domination of Moscow are those such as Armenia, Latvia, Lithuania, Estonia, the Ukraine, and Turkistan, which at various times from 1920 to 1940 were forcefully made a part of the U.S.S.R.

Next week the non-Communist world will observe Captive Nations Week as a recognition of the status of these people under Moscow's rule.

None of us need be reminded of the Soviet Army's invasion of Czechoslovakia in 1968 or that of Hungary in 1956, instigated by Moscrow's fears that some extent of deviation from the Kremlin's influence was coming to the surface in those countries.

But more of us do need to be reminded that the Tartars, the Ukrainians, the Latvians, and others within what is known as the U.S.S.R., present an even more tragic scene of subjugation.

I urge President Nixon to issue a declaration of support for these captive peoples on the occasion of the 10th annual Captive Nations Week, July 13 to 19.

I believe it will be fitting for all Americans, who feel a sense of tragedy whenever human rights are violated, to join in this recognition of people who have been subjugated by the Soviet Union Government.

BIG BANKS REPORT RECORD PROFITS

(Mr. MIKVA asked and was given permission to address the House for 1 minute.)

Mr. MIKVA. Mr. Speaker, the impact of an 8½ percent prime lending rate has only begun to press on the home buyer and the consumer-borrower. Even before last month's bite has been fully digested, the banks are already talking about grabbing some more.

This would be bad enough if the banks were hurting profitwise and turned to higher interest rates to solve their problems. Instead, the banks are laughing all the way to the bank with record profits dollarwise, percentagewise, and everywise. That small outfit known as the J. P. Morgan & Co., Inc., showed an 11-percent increase in profits for the second quarter of this year alone. Secretary of the Treasury Kennedy's former bank, Continental Illinois, had a first half net profit of $29 million, up almost $3 million from last year for a 10.7-percent increase. Manufacturers Hanover Corp. had a whopping 21-percent increase in profits the first half of this year over the first half of last year.

The New York Times of yesterday reported that the bankers are generally pleased with the profit showings but a bit apprehensive that the reports could provide fuel for controversy in Congress. I can only hope that there are grounds for the apprehensiveness. At this point, the banks seem to have little to worry about—aside from the fact that they might wreck the whole economy in their avarice.

ADDITIONAL LEGISLATIVE PROGRAM

(Mr. ALBERT asked and was given permission to address the House for 1 minute.)

Mr. ALBERT. Mr. Speaker, I take this time only to advise the House that we will add to the program for tomorrow House Resolution 472, creating a select committee to be known as the Committee on the House Restaurant.

CALL OF THE HOUSE

Mr. CEDERBERG. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 101]

Anderson, Ill.
Andrews, N. Dak.
Aspinall
Bell, Calif.
Berry
Boggs
Bolling
Bow
Button
Cahill
Carey
Celler
Clark
Collier
Corman
Cunningham
Davis, Ga.
Derwinski
Diggs
Edwards, Calif.
Fraser
Frelinghuysen
Gallagher

Garmatz
Gray
Green, Oreg.
Green, Pa.
Hanna
Horton
Kirwan
Landgrebe
Mailliard
Mann
May
Michel
Morton
Mosher
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Powell
Quillen
Rosenthal
Roybal
St Germain
Scheuer
Sisk
Wilson,
Charles H.
Wolff

The SPEAKER. On this rollcall 381 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 3689. An act to cede to the State of Montana concurrent jurisdiction with the United States over the real property comprising the Veterans' Administration Center, Fort Harrison, Mont.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 1647. An act to authorize the release of 100,000 short tons of lead from the national stockpile and the supplemental stockpile.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 545. An act to amend the District of Columbia Bail Agency Act (80 Stat. 327).

S. 1072 An act to authorize funds to carry out the purposes of the Appalachian Regional Development Act of 1965, as amended, and titles I, III, IV, and V of the Public Works and Economic Development Act of 1965, as amended.

S. 1458. An act to prohibit the business of debt adjusting in the District of Columbia except as an incident to the lawful practice of law or as an activity engaged in by a nonprofit corporation or association.

S. 1583. An act to provide that appointments and promotions in the Post Office Department, including the postal field service, be made on the basis of merit and fitness.

S. 1685. An act to provide additional assistance for areas suffering a major disaster.

S. 2185. An act to authorize a Federal contribution for the effectuation of a transit development program for the National Capital region, and to further the objectives of the National Capital Transportation Act of 1965 (79 Stat. 663) and Public Law 89-774 (80 Stat. 1324).

S. 2276. An act to extend for 1 year the authorization for research relating to fuels and vehicles under the provisions of the Clean Air Act.

CONFERENCE REPORT ON H.R. 11400, SECOND SUPPLEMENTAL APPROPRIATION, 1969

Mr. MAHON. Mr. Speaker, I call up the conference report on the bill (H.R. 11400) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. GROSS. Mr. Speaker, reserving the right to object, may I assume that the gentleman and other members of the committee propose to take ample time to explain what happened in this conference?

Mr. MAHON. Yes. If the gentleman will yield, what I thought we would do is briefly summarize the conference report itself, and then after the report is adopted, take some time to discuss the overall Government expenditure limitation, which is one of the amendments in technical disagreement and thus not in the report itself.

The other matters in the conference agreement I believe are not very controversial.

Mr. GROSS. I hope not.

Mr. MAHON. The gentleman may be assured we will undertake to explain the conference bill.

Mr. GROSS. I hope the gentleman will not neglect the money figures in the bill; that he will give us an adequate explanation as to how these figures differ from the bill as originally approved by the House.

Mr. MAHON. We will do that.

Mr. GROSS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 8, 1969.)

The SPEAKER. The gentleman from Texas is recognized for 1 hour.

SUMMARY OF THE CONFERENCE BILL

Mr. MAHON. Mr. Speaker, the items in this conference report are not especially controversial. We had no difficulty in resolving the differences between the two bodies with the exception of amendment No. 90 which relates to an overall limitation on Government spending. It required much discussion in conference before we finally agreed on a compromise. We met on several different days. That matter will come up under a special motion dealing with that amendment.

I should mention that while the bill is a supplemental bill for the fiscal year 1969, which has already expired, it will be recalled that in late June we enacted a special resolution, House Joint Resolution 782, which authorized the various agencies of the Government to proceed to make payments to the employees of the Government and to retired people in anticipation of enactment of the pending bill making the appropriations for increased pay costs. So that to that extent, the pay cost appropriations have in effect already been made for fiscal 1969.

In a number of other instances, language in the bill extends the availability of the funds to meet the necessities of the given situations.

Mr. Speaker, the conference bill is $461 million plus below the budget estimates considered by the House and the Senate. There is a reduction in the budget requests of almost one-half billion dollars.

The conference bill is about $569 million above the bill as passed by the House. Much of that is due to the fact that additional budget estimates—totaling $450 million to be exact—were sent to the other body and not originally considered by the House because they were not ready for presentation to us by the President when we acted on the bill in the House.

The conference bill is below the Senate total by $107 million.

In the conference bill, there is about $1.4 billion for pay increases. There is approximately $1.272 billion included for Southeast Asia—for the war effort. And then there are various items distributed over many agencies and departments of the Government.

Under leave to extend, I include a comparative tabulation summarizing the figures by titles of the bill. The conference report, of course, explains each item of difference in the 92 Senate amendments.

SUMMARY STATEMENT OF CONFERENCE ACTION

Second supplemental appropriation bill, 1969 (H.R. 11400)

Chapter No.	Department or activity	Budget estimate	House bill	Senate bill	Conference action	Conference action compared with—		
						Budget estimate	House bill	Senate bill
	TITLE I							
	Military operations in Southeast Asia:							
	New budget (obligational) authority	$1,496,900,000	$1,234,000,000	$1,272,000,000	$1,272,000,000	−$224,900,000	+$38,000,000	
	By transfer			*(8,910,000)*				*(−$8,910,000)*
	TITLE II							
I	Agriculture: New budget (obligational) authority	13,118,000	9,118,000	13,118,000	13,118,000		+4,000,000	
II	Defense:							
	New budget (obligational) authority	249,682,000	226,050,000	227,950,000	227,000,000	−22,682,000	+950,000	−950,000
	By transfer			*(9,377,000)*	*(4,000,000)*	*(+4,000,000)*	*(+4,000,000)*	*(−5,377,000)*

SUMMARY STATEMENT OF CONFERENCE ACTION—Continued

***Second supplemental appropriation bill, 1969** (H.R. 11400)*—**Continued**

Chapter No.	Department or activity	Budget estimate	House bill	Senate bill	Conference action	Conference action compared with—		
						Budget estimate	House bill	Senate bill
	Title II—Continued							
III	District of Columbia:							
	Federal funds: New budget (obligational) authority	$29,736,000	$10,365,000	$29,101,000	$10,365,000	−$19,371,000		−$18,736,000
	District of Columbia funds: New budget (obligational) authority	*(44,607,000)*	*(25,353,000)*	*(44,089,000)*	*(25,353,000)*	*(−19,254,000)*		*(−18,736,000)*
IV	Foreign operations:							
	New budget (obligational) authority	162,853,000	2,700,000	160,000,000	160,000,000	−2,853,000	+157,300,000	
	By transfer	*(38,000)*	*(35,000)*	*(2,735,000)*	*(2,735,000)*	*(+2,697,000)*	*(+2,700,000)*	
V	Independent offices—Housing and Urban Development:							
	New budget (obligational) authority:							
	1968	7,168,000	7,168,000	7,168,000	7,158,000			
	1969	494,502,000	306,062,000	498,116,000	486,550,000	−7,952,000	+180,488,000	−1,566,000
	Total	501,670,000	313,230,000	495,284,000	493,718,000	−7,952,000	+180,488,000	−1,566,000
	New annual contract authorizations, increase in limitations	*(104,500,000)*	*(82,500,000)*	*(102,500,000)*	*(92,500,000)*	*(−12,000,000)*	*(+10,000,000)*	*(−10,000,000)*
	Release of Public Law 90-364 reserves	*(15,248,000)*	*(15,248,000)*	*(15,248,000)*	*(15,248,000)*			
VI	Interior:							
	New budget (obligational) authority	65,136,000	54,227,000	64,225,000	64,225,000	−911,000	+9,998,000	
	Release of Public Law 90-364 reserves	*(2,886,000)*	*(2,886,000)*	*(2,886,000)*	*(2,886,000)*			
	By transfer	*(1,628,000)*	*(1,628,000)*	*(1,628,000)*	*(1,628,000)*			
	Liquidation cash	*(19,000,000)*	*(19,000,000)*	*(19,000,000)*	*(19,000,000)*			
VII	Labor—Health, Education, and Welfare:							
	New budget (obligational) authority	713,707,000	713,707,000	717,826,000	713,966,000	+259,000	+259,000	−3,960,000
	Release of Public Law 90-364 reserves	*(292,000)*	*(292,000)*	*(292,000)*	*(292,000)*			
	(Limitation on salaries and expenses—trust funds)	*(16,500,000)*		*(21,200,000)*	*(21,200,000)*	*(+4,700,000)*	*(+21,200,000)*	
	By transfer	*(9,346,000)*	*(9,348,000)*	*(9,346,000)*	*(9,346,000)*			
VIII	Legislative branch:							
	New budget (obligational) authority:							
	1968	126,900		126,900	126,900		+126,900	
	1969		30,000	60,000	60,000	+60,000	+30,000	
IX	Public works	70,000,000		70,000,000	70,000,000		+70,000,000	
X	State, Justice, Commerce, and Judiciary:							
	New budget (obligational) authority:							
	1968	860,000	10,000	860,000	860,000		+850,000	
	1969	17,606,350	15,013,500	15,799,500	15,799,500	+1,806,850	+786,000	
	Total	18,466,350	15,023,500	16,659,500	16,659,500	−1,806,850	+1,636,000	
	Release of Public Law 90-364 reserves	*(1,701,000)*	*(1,701,000)*	*(1,701,000)*	*(1,701,000)*			
	Limitation increase	*(147,000)*		*(147,000)*	*(147,000)*		*(+147,000)*	
	By transfer	*(220,000)*	*(220,000)*	*(220,000)*	*(220,000)*			
XI	Transportation:							
	New budget (obligational) authority	7,232,000	2,298,000	4,298,000	2,298,000	−4,934,000		−2,000,000
	Release of Public Law 90-364 reserves	*(28,000)*	*(28,000)*	*(28,000)*	*(28,000)*			
XII	Treasury-Post Office:							
	New budget (obligational) authority	2,755,000	2,285,000	2,695,000	2,695,000	−60,000	+410,000	
	Release of Public Law 90-364 reserves	*(334,000)*	*(334,000)*	*(334,000)*	*(334,000)*			
XIII	Claims and judgments	18,188,688	16,880,812	18,188,688	18,188,688		+1,307,876	
	Total, title II:							
	New budget (obligational) authority:							
	1968	8,154,900	7,178,000	8,154,900	8,154,900		+976,900	
	1969	1,844,516,038	1,358,736,312	1,811,377,188	1,784,265,188	−$60,250,850	+425,528,876	−$27,112,000
	Total	1,852,670,938	1,365,914,312	1,819,532,088	1,792,420,088	−60,250,850	+426,505,776	−27,112,000
	New annual contract authorizations, increase in limitations	*(104,500,000)*	*(82,500,000)*	*(102,500,000)*	*(92,500,000)*	*(−12,000,000)*	*(+10,000,000)*	*(−10,000,000)*
	Release of Public Law 90-364 reserves	*(20,489,000)*	*(20,489,000)*	*(20,489,000)*	*(20,489,000)*			
	Limitation increases	*(16,647,000)*		*(21,347,000)*	*(21,347,000)*	*(+4,700,000)*	*(+21,347,000)*	
	By transfer	*(11,232,000)*	*(11,229,000)*	*(23,306,000)*	*(17,929,000)*	*(+6,697,000)*	*(+6,700,000)*	*(−5,377,000)*
	Liquidation cash	*(19,000,000)*	*(19,000,000)*	*(19,000,000)*	*(19,000,000)*			
	Increased pay costs (included above):							
	Budget authority	*(135,378,400)*	*(116,455,400)*	*(124,846,400)*	*(124,446,400)*	*(−10,932,000)*	*(+8,011,000)*	*(−400,000)*
	Release of reserves	*(18,589,000)*	*(18,589,000)*	*(18,589,000)*	*(18,589,000)*			
	By transfer	*(1,386,000)*	*(1,383,000)*	*(3,983,000)*	*(2,683,000)*	*(+1,297,000)*	*(+1,300,000)*	*(−1,300,000)*
	Total	*(155,353,400)*	*(136,407,400)*	*(147,418,400)*	*(145,718,400)*	*(−9,635,000)*	*(+9,311,000)*	*(1,700,000)*
	TITLE III							
	INCREASED PAY COSTS							
	New budget (obligational) authority	1,464,734,396	1,183,298,454	1,368,137,556	1,287,937,556	−176,796,840	+104,639,102	−80,200,000
	Release of Public Law 90-364 reserves	*(59,510,000)*	*(62,277,000)*	*(59,741,000)*	*(59,741,000)*	*(+231,000)*	*(−2,536,000)*	
	By transfer	*(85,873,000)*	*(81,676,000)*	*(87,916,000)*	*(84,316,000)*	*(−1,557,000)*	*(+2,640,000)*	*(−3,600,000)*
	Limitations on administrative and nonadministrative expenses	*(24,223,000)*	*(22,223,000)*	*(22,223,000)*	*(22,223,000)*	*(−2,000,000)*		
	TITLE V							
	GENERAL PROVISIONS							
	Increases in limitations and transfers from trust funds for personal services pursuant to sec. 502 of bill (H. Doc. 91-50)	*(630,000)*	*(630,000)*	*(630,000)*	*(630,000)*			

SUMMARY STATEMENT OF CONFERENCE ACTION—Continued

Second supplemental appropriation bill, 1969 (H.R. 11400)—Continued

Chapter No.	Department or activity	Budget estimate	House bill	Senate bill	Conference action	Conference action compared with— Budget estimate	Conference action compared with— House bill	Conference action compared with— Senate bill
	RECAPITULATION							
	Grand total, titles I, II, III, and V:							
	New budget (obligational) authority:							
	1968	$8,154,900	$7,178,000	$8,154,900	$8,154,900		+$976,900	
	1969	4,806,150,434	3,776,034,766	4,451,514,744	4,344,202,744	−461,947,690	+568,167,978	−107,312,000
	Total	4,814,305,334	3,783,212,766	4,459,669,644	4,352,357,644	−461,947,690	+569,144,878	−107,312,000
	New annual contract authorizations, increase in limitations	(104,500,000)	(82,500,000)	(102,500,000)	(92,500,000)	(−12,000,000)	(+10,000,000)	(−10,000,000)
	Release of Public Law 90–364 reserves	(79,999,000)	(82,766,000)	(80,230,000)	(80,230,000)	(+231,000)	(−2,536,000)	
	By transfer	(97,105,000)	(92,905,000)	(120,132,000)	(102,245,000)	(+5,140,000)	(+9,340,000)	(−17,887,000)
	Liquidation cash	(19,000,000)	(19,000,000)	(19,000,000)	(19,000,000)			
	Limitations on administrative and nonadministrative expenses	(40,870,000)	(22,223,000)	(43,570,000)	(43,570,000)	(+2,700,000)	(+22,347,000)	
	Increases in limitations and transfers from trust funds or personal services pursuant to sec. 502 of bill	(630,000)	(630,000)	(630,000)	(630,000)			
	Increased pay costs (included above):							
	Budget authority	(1,600,112,796)	(1,299,733,854)	(1,492,983,956)	(1,412,383,956)	(−187,728,840)	(+112,650,102)	(−80,600,000)
	Release of reserves	(78,099,000)	(80,866,000)	(78,330,000)	(78,330,000)	(+231,000)	(−2,536,000)	
	By transfer	(87,259,000)	(83,059,000)	(91,899,000)	(86,999,000)	(−260,000)	(+3,940,000)	(−4,900,000)
	Limitations on administrative and nonadministrative expenses	(24,223,000)	(22,223,000)	(22,223,000)	(22,223,000)	(−2,000,000)		
	Increases in limitations and transfers from trust funds for personal services pursuant to sec. 502 of bill	(630,000)	(630,000)	(630,000)	(630,000)			
	Total	(1,790,323,796)	(1,486,511,854)	(1,686,065,956)	(1,600,565,956)	(−189,757,840)	(+114,054,102)	(−85,600,000)

OVERALL EXPENDITURE LIMITATION

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Texas (Mr. TEAGUE).

Mr. TEAGUE of Texas. Mr. Speaker, I am very frank to admit that I do not know exactly what this bill does or what the report does insofar as our veterans' programs are concerned. For that reason, I would like to ask the chairman a couple of questions.

I would like to point out that when the second supplemental was considered on the floor I queried the chairman as to the status of veterans' programs under the proposed ceiling which the House adopted. At that time the gentleman from Texas (Mr. MAHON) and the gentleman from Tennessee (Mr. EVINS) told me that any action taken by the Congress to increase veterans' benefits or to increase appropriations for the operation of the agency would automatically increase the ceiling and that there was no need for a special exemption for veterans' benefits and programs and services. When this legislation reached the Senate it was handled differently and Senator TALMADGE offered an amendment which specifically exempted all veterans' benefits and services from the expenditure ceiling. My question is, What disposition did the conferees make of the Senate amendment, and specifically, is there anything included in the conference report which exempts veterans' benefits and services from the ceiling?

I would like to remind the gentleman that last week when the independent offices appropriation bill of fiscal 1970 was considered in the House, the Appropriations Committee recommended and the House adopted a budget for the Veterans' Administration of about $50 million in excess of the recommendation of the revised budget. This was mostly for hospital construction and additional personnel for the medical program and some general operating expenses. The committee added these additional funds because it recognized that the Veterans' Administration is experiencing a rising workload as a result of the Vietnam conflict. Here we have the Appropriations Committee recognizing on one hand that VA is in a special category because of the Vietnam conflict, and at the same time a general ceiling is being imposed, as I understand it, $1 billion less than the revised budget. What assurances do we have that the Veterans' Administration will not be required to take a portion of that $1 billion cut while at the same time the Congress is attempting to give the agency more money to meet its rising caseload?

Mr. MAHON. With regard to the colloquy which we had when the bill was originally before us, the answer is still the same as it was at that time, the same answer given by the gentleman from Tennessee (Mr. EVINS) and by myself.

The other body exempted veterans benefits and services. The other body exempted more than half of the spending budget, in fact.

However, in the conference version of the bill now before us, reference is made to the Veteran's Administration, in a limited way in connetction with the so-called cushion which I shall explain later, but the Veterans' Administration is not otherwise specifically exempted. Under the conference agreement, a cut could be applied to any agency, including the Veterans' Administration.

Mr. JONAS. Mr. Speaker, will the gentleman yield for a comment?

Mr. MAHON. I yield to the gentleman from North Carolina.

Mr. JONAS. It is true, as I am sure the gentleman from Texas (Mr. TEAGUE) will agree, that about $5 billion of the Veterans' Administration budget is for compensation and pensions that are fixed by law.

I could not conceive of any President of the United States wanting to make cuts in compensation and pensions in the first place. But furthermore, because of the mandatory nature of them, I do not believe he would be able to make any cuts in those items, and they take care of most of the items in the VA.

Mr. MAHON. It is further true that if Congress appropriates funds above and beyond the budget requests for the Veterans' Administration that would tend to adjust the ceiling upward to make allowance for the related expenditures.

Mr. TEAGUE of Texas. Of course, everyone knows that the workload of the VA is increasing every day, and the gentleman says it tends to adjust, but I would ask the gentleman if we pass legislation which increases the cost of the VA, does it not automatically increase the ceiling?

Mr. MAHON. Yes, the gentleman is right. It would automatically increase the ceiling. The language in that respect in the conference agreement is on all fours with what was in the original House bill.

And in the independent offices and Department of Housing appropriation bill for 1970, the gentleman will recall that for medical care in the Veterans' Administration there was an increase of $17.6 million above the budget; for construction of hospitals and domiciliary facilities, an increase above the budget of $13.9 million; and $3 million was provided above the budget for grants for construction of State nursing homes—a total of $34 million above the budget.

Mr. TEAGUE of Texas. In that independent office appropriation bill that is about $50 million above the budget, this was mostly for kidney machines and for intensive care wards, for renovation and for construction. Now, as I understand this bill today it is $1 billion less than the revised budget. Is there any assurance that the VA will not be required to take a portion of the $1 billion cut while at the same time the Congress attempts to give it some more money because of its rising workload?

Mr. MAHON. It is inconceivable to me that this Congress, which is very friendly toward veterans and veterans causes, would take any action which would be adverse to the welfare of the returning servicemen and veterans. So I do not believe there is any reason whatever for concern in this regard.

Now, with regard to the $1 billion cut, I would hopefully assume that the Congress this year will cut more than $1 billion in expenditures, in which event this feature of the pending conference agreement will be relatively meaningless, especially so with respect to the Veterans' Administration.

So I do not believe there is any reason for apprehension, and I can assure the gentleman from Texas, the able and distinguished chairman of the Committee on Veterans' Affairs, that we will work with the gentleman in a determined and, in my opinion, successful effort to take care of the needs of the veterans, and to see to it that any necessary requirements are taken care of.

Mr. TEAGUE of Texas. Mr. Speaker, I thank the gentleman for his statement.

Mr. BROYHILL of Virginia. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Virginia.

Mr. BROYHILL of Virginia. Mr. Speaker, I thank the gentleman for yielding.

My purpose in taking the floor at this time is to express my concern and the concern of the suburban communities about deletion of $18.7 million from the conference report of the District of Columbia's portion of the funds necessary to start construction of a mass transit system for the Washington metropolitan area.

This delay in starting the system is naturally of concern to everyone. The Congress has acknowledged, then confirmed and reconfirmed time and time again, the need for a rapid transit system in the Washington area if we are ever going to solve our transportation problems. The surrounding communities have also recognized this need and have likewise recognized that they must pay a large portion of the cost of its construction. All of the surrounding communities combined have agreed to pay $573 million of the total cost. Most of the communities approved bond referendums last fall to pay their proportionate share. Further delay in construction of this system will cost more money, and since the need for the system is so great, all of us are most anxious to get started with its construction.

But, Mr. Speaker, mass transit is only a part of our problem. Everyone who knows anything about transportation, as the Congress has repeatedly agreed, knows that a balanced transportation system is essential. This means we must have the necessary number of highways, freeways, bridges and other automobile facilities as well as a mass transit system if the problem is to be solved. The delay in construction of these other transportation facilities has been absolutely ridiculous, and has cost us tens of millions of dollars in additional costs as well as many times that amount in public inconvenience.

An example of how ridiculous this delay has been is the case of the Dulles Airport. We spent $100 million for a new additional airport to serve the area, including an access road which dead ends at the Capital Beltway, Interstate Route 495. It was intended at the time that Interstate Route 66 and adequate Potomac River crossings would provide easy and ready access to this new airport. The airport has now been open for approximately 7 years and is still only being used to a fraction of its capacity while Washington National Airport increases in its use each year even after it has passed the point of being dangerously overcrowded.

One of the main reasons why Dulles is not used more than it is, is the fact that the connecting highway links which were planned over 10 years ago have not been started. This is because of pure stubbornness on the part of the District of Columbia government in steadfastly refusing to approve its portion of the construction projects so that connecting links can be made.

This particular example of the confusion this delay has caused was, along with many others, called to the attention of the House Committee on Public Works when that committee was considering the 1968 Highway Act. The members of that committee were most reluctant to get involved in the specific location and administrative details of the construction of highway projects. But, since they recognized that the delay had been so long that further delay could not be tolerated, particularly in view of the fact that this is the Nation's Capital, and they were considering Federal highway projects, they found it necessary to instruct the District government to proceed forthwith with these projects in the 1968 Highway Act. Amazingly, the District of Columbia City Council has placed itself above the Congress of the United States and the American people, and has completely ignored this mandate of Congress. The Congress, therefore, has no choice but to insist that its will be carried out.

Mr. Speaker, unfortunately it now appears that if the Congress does appropriate these transit funds at this time, we would appear to be acquiescing, and that we would accept the fact that the District is ignoring our mandate and can do so. To do so would encourage the District government to continue to defy the will of Congress and to continue to delay construction of these vitally needed highway projects.

Mr. Speaker, we cannot afford to permit further delay in these vitally needed projects. I feel that we should again insist that the District government must proceed immediately with construction of the projects so that we can release these transit funds and permit construction on the transit system as well. I have consulted with the gentleman from Kentucky (Mr. Natcher), on many occasions about this problem, urging that the necessary funds be appropriated to begin construction of the transit system immediately. He has given me assurance on many occasions that he does intend to release these funds—and I am hopeful that the gentleman from Texas (Mr. Mahon), will yield to the gentleman from Kentucky (Mr. Natcher), so that he can advise us as to his position and the position of the Appropriations Committee regarding these funds.

Mr. MAHON. I will say to the gentleman that the other body added to the bill the following language:

> For an additional amount for "Capital outlay", $18,736,000, of which $1,514,000 shall not be available for expenditure until July 1, 1969.

I now yield to the gentleman from Kentucky (Mr. Natcher), a member of the conference committee, for comment in regard to what the conferees did about this question and why the conferees did what they did.

Mr. NATCHER. I thank the Speaker.

Mr. Speaker, I would like first to say to my friend, the gentleman from Virginia (Mr. Broyhill) and my friend, the gentleman from Maryland (Mr. Gude) and all of those other Representatives from the adjoining metropolitan area that all down through the years we have appreciated their attitude and the stand they have taken in regard to the freeway-rapid transit impasse that we are now confronted with.

I know the gentleman from Virginia and the gentleman from Maryland believe that there is a place in our Capital City for both a freeway system and a rapid transit system.

Mr. Speaker, that is the position of our committee. We believe that there is a place for both a freeway system and a rapid rail transit system in our Capital City. In order to meet the tremendous day-by-day growth of traffic, the highway program must be carried out along with the presently authorized rapid rail transit system.

In 1958, after a 5-year study, the freeway program was set up for the District of Columbia. Since that time millions of dollars have been appropriated for this system and today we have in Federal and District funds over $200,000,000 on hand that cannot be used.

Just to give you some idea, Mr. Speaker, of the cost of some of these projects and how the cost has increased—back in 1961 when we had the east leg of the freeway system before our committee, it was explained that the cost would amount to $26,100,000. Today, in 1969, the cost is estimated at $78,000,000. That gives you an example of what this impasse has done in regard to the freeway system here in the District of Columbia.

Mr. Speaker, in order that there may be no misunderstanding about this matter, our committee still is of the opinion that there is a place for both systems here in the District of Columbia.

Beginning back in 1962 we started having trouble over the freeway system.

In 1966—as the gentleman from Virginia (Mr. Broyhill) knows, as well as the gentleman from Maryland (Mr. Gude) and my good friend, the ranking minority member of the District of Columbia Budget Subcommittee, the distinguished gentleman from Wisconsin (Mr. Davis) also know—we appeared before the House and recommended that the rapid transit money be deleted because the freeway system had been stopped. We said to the Members of the House at that time, Mr. Speaker, that when the freeway system started and when they in good faith started repairing the streets in the District of Columbia, we would come before the House and recommend the rapid transit money.

After the bill passed the House and while it was before the other body, the National Capital Planning Commission was called back into session and on a vote of 6 to 5, they started the freeway system.

We came back with the conference report on that bill and, as my friend from Virginia (Mr. BROYHILL) knows, I said to the House, "The freeway system is now underway," and we receded and recommended the rapid transit money. My friend, the gentleman from Wisconsin (Mr. DAVIS), will tell you that within a few weeks after that time the National Capital Planning Commission was called back into session and changed their vote, and at that time they stopped the freeway system.

In order that there may not be any misunderstanding, we want the House to know that as soon as the freeway program gets under way beyond recall, then we will come back to the House and recommend that construction funds for rapid transit be approved.

The Federal Highway Act of 1968 passed the House and the Senate, and was signed by the President of the United States in August of 1968. As my friend, the gentleman from Virginia (Mr. BROYHILL), knows, the Highway Act of 1968 is the law that we must operate under at this time.

I want to read just a portion of that law which pertains to the freeways of the District of Columbia. The portion of the bill providing for the District of Columbia reads as follows:

> DISTRICT OF COLUMBIA
>
> SEC. 23. (a) Notwithstanding any other provision of law, or any court decision or administrative action to the contrary, the Secretary of Transportation and the government of the District of Columbia shall, in addition to those routes already under construction, construct all routes on the Interstate System within the District of Columbia as set forth in the document entitled "1968 Estimate of the Cost of Completion of the National System of Interstate and Defense Highways in the District of Columbia" submitted to Congress by the Secretary of Transportation with, and as a part of "The 1968 Interstate System Cost Estimate" printed as House Document Numbered 199, Ninetieth Congress. Such construction shall be undertaken as soon as possible after the date of enactment of this Act, except as otherwise provided in this section, and shall be carried out in accordance with all applicable provisions of title 23 of the United States Code.
>
> (b) Not later than 30 days after the date of enactment of this section the government of the District of Columbia shall commence work on the following projects:
>
> (1) Three Sisters Bridge, I-266 (Section B1 to B2).
>
> (2) Potomac River Freeway I-266 (Section B2 to B4).
>
> (3) Center Leg of the Inner Loop, I-95 (Section A6 to C4), terminating at New York Avenue.
>
> (4) East Leg of the Inner Loop, I-295 (Section C1 to C4), terminating at Bladensburg Road.

The gentleman from Virginia (Mr. BROYHILL) knows this act was passed by the House and the Senate and it is the law today—Public Law 90-495.

Notwithstanding the fact that the Public Works Committee brought this bill before the House, explained it in detail, and the bill was then passed by both Houses and signed into law, we find that the District Building ignores it. I say to you, Mr. Speaker, that every day since that law was signed on August 23, 1968, the District Building has completely ignored it.

Our new President, in his message of April 28, 1969, to the Congress, on the District of Columbia, made this statement. Before reading it, I want you to know that this is the first time in 10 long years that any President has had the nerve and the courage to state the facts. Let me read to you what our new President said. This is a portion of his message:

> Mass transit must be part of a balanced transportation network. A subway will not relieve local governments of the duty to modernize and improve their highway systems and other forms of transportation, so that all citizens have an adequate choice as to how they travel. Clearly, the impasse that has arisen between proponents of road and rail transportation in the Washington Metropolitan area has contributed little to the progress of either. There are, however, hopeful signs that a fair and effective settlement of these issues will be reached in the near future. It is in the interest of all those involved—central city dwellers, suburbanites, shoppers, employees, and visitors alike—that this be done.

Mr. Speaker, I agree with every word of this statement that I have just read.

Mr. Speaker, in the supplemental estimates submitted to the House, we had a request for $18,737,000 to start construction of a rapid transit system. We decided not to take action at that time. The supplemental went to the other body and they added this amount to the bill. In conference the other side receded, and it is not in the bill. In connection with the regular bill for fiscal year 1970, we have the sum of $21,586,000 requested as the District's share for construction of the authorized rapid rail transit system.

I will say to the gentleman from Virginia (Mr. BROYHILL) that in addition to that, we also have the sum of $1,299,200 requested for the District's share for operating expenses.

I want the gentleman from Virginia and the gentleman from Maryland to note that as soon as the freeway system is started and underway according to the Highway Act of 1968, we will come to the House and recommend funds for the authorized rapid rail transit system.

In closing, a bill is before the House Committee on the District of Columbia, chaired by the gentleman from South Carolina (Mr. MCMILLAN) which provides for Federal grants of $1,047,000,000 for a regional rapid transit system. The bill that authorized the basic rapid rail transit system in 1965 provided for a 25-mile system to cost $431 million. The bill now pending before the District of Columbia legislative committee calls for $1,047,000,000 in Federal grants. The rapid rail transit system proposed under that bill is 97 miles, not 25 miles—that the distinguished gentleman from Iowa (Mr. GROSS) asked about a number of years ago. They said at that time it would cost $431 million. Now they say it will cost $2.5 billion and the Federal Government will have to put up $1,047,000,000 in Federal grants in addition to the amount authorized in 1965 of $100 million.

As the gentleman from Virginia (Mr. BROYHILL) knows, the impasse with which we are confronted is certainly not helping that bill any. I want the gentleman from Virginia, and the gentleman from Maryland, and my distinguished friend, the gentleman from Washington (Mr. ADAMS)—who has been fair and sound about this matter all through the years—to know how our committee feels about it.

This is the position of our committee.

Mr. MAHON. Mr. Speaker, I yield 1½ minutes to the member of the conference, the gentleman from Wisconsin (Mr. DAVIS).

Mr. DAVIS of Wisconsin. Mr. Speaker, I simply want to say that the gentleman from Kentucky has stated this matter completely and fairly, as I know it from my work on the subcommittee with the gentleman.

Both this Congress and the President have expressed themselves in support of a balanced transportation system. As soon as there is some assurance that we are to have a balanced transportation system, the gentleman from Kentucky and I are committed to providing the initial funds that were included in this supplemental request, and the followup funds that are provided in the 1970 budget.

I think that is a fair position to take, and I think it is the only position we could reasonably take in the light of the mandate of this House in the 1968 Highway Act.

Mr. MAHON. Mr. Speaker, I yield now such time as he may consume to the gentleman from Washington (Mr. ADAMS).

Mr. ADAMS. Mr. Speaker, I appreciate the statement of the gentleman from Kentucky.

I am going to take the position of supporting the gentleman both in the District Committee and publicly. I think the impasse has reached desperate proportions. We are about to put 70,000 people between the Agriculture Building and the Capitol on Independence Avenue, and there is no way in the world we can get those people in and out without a subway system.

I may have reservations about the highway system, but I think it has been clearly stated that the impasse cannot go on any longer.

I publicly urge both the District Building and all others involved, to meet the conditions so we can create a subway system. As I understand the gentleman from Kentucky (Mr. NATCHER), if they indicate the conditions which have been set forth are being met and being started, the subway system will start, and then we will have both things operating in Washington, D.C., and we need them.

Mr. MAHON. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. GUDE).

Mr. GUDE. Mr. Speaker, I should like to associate myself with the remarks of the gentleman from Virginia (Mr. BROYHILL).

The gentleman from Kentucky is completely correct that the District government has refused to obey the law. We have a deep concern over the fact that every day we fail to start construction of this transit system it is costing approximately $250,000.

Last week I stated here on the floor my support of reinstatement of the $18.7 million for construction of the District of Columbia portion of the regional rapid rail transit system. I do not believe it is in the best interest to hold one part of our transportation system hostage to the other.

I should merely like to express our deep concern and regret over this situation.

Mr. MAHON. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. BROYHILL).

Mr. BROYHILL of Virginia. Mr. Speaker, I want to thank the gentleman from Kentucky (Mr. NATCHER) for his further assurance regarding his support of the funds to start construction of our transit system. I also want to commend the gentleman from Kentucky for his untiring efforts in helping us to solve the transportation crisis in the Nation's Capital. The gentleman is absolutely correct in pointing out that we must have a balanced transportation system and that delay on any portion of it is not acceptable and will not be tolerated.

There has already been delay in excess of 10 years on a major portion of the highway and freeway system. It is now quite apparent that the appropriation of these funds at this time would encourage further delay to the extent that we may be several more years in commencing the construction on the other needed parts of the transportation system. I therefore join with the gentleman from Washington (Mr. ADAMS) in expressing my support of the position taken by the gentleman from Kentucky (Mr. NATCHER) and by the Appropriations Committee, in holding up these funds until the District of Columbia government complies with the mandate of the Congress. If they continue to ignore the Congress then I suggest the withholding of other appropriations until they recognize that this is the Nation's Capital and the will of the Congress and the American people must prevail.

Mr. MAHON. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. JONAS).

Mr. JONAS. Mr. Speaker, I expect every Member in the Chamber would agree with me that when we have a bill involving 92 separate amendments one could not find a conference committee which would agree on every dollar figure agreed on in the conference.

Conferences are just exactly what the word indicates they are, conferences between two differing groups trying to reconcile differences between two bills.

I believe, as a member of the conference committee, that we did very well in it. We gave in on some items to the Senate. The Senate conceded on some items. And we compromised some.

As the gentleman from Texas, the distinguished chairman of the House Committee on Appropriations and the chairman of the conference, has already indicated, the conference report is $461,947,690 below the budget. It is a half billion dollars above the House-passed bill. But, as the gentleman from Texas explained, $450 million of that increase was not even considered in the House, because the items were first submitted in the Senate.

If we eliminate the items the House did not have an opportunity to consider, which were added in the Senate, the bill would be only about $100 million above the House figure. It is $107,312,000 below the Senate figure.

The conference report represents the best judgment of the conferees. It was signed by all the managers on the part of the House.

I join the gentleman from Texas, the chairman of the committee, in urging adoption of the conference report.

Mr. MAHON. Mr. Speaker, I yield one-half minute to the gentleman from Minnesota (Mr. NELSEN).

Mr. NELSEN. I thank the gentleman for yielding.

I merely wish to point out I believe the position our good friend the gentleman from Kentucky (Mr. NATCHER), has taken—and his offer of support under the conditions he outlined—is completely fair and should have the unanimous support of the House of Representatives.

I speak because of the fact that I did have a hand in the Subway System Act of the District of Columbia and do feel a responsibility with reference thereto. However, I also want to say that the gentleman's recommendation is very fair and in my opinion it is one that we can follow.

OVERALL EXPENDITURE LIMITATION

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Iowa.

Mr. GROSS. Now, can we have some discussion of the proposed expenditure ceiling and some discussion of the reasons why the personnel ceilings were cast aside? What were the circumstances surrounding those actions?

Mr. MAHON. Those are amendments which will be presented after the report itself is acted upon. I thought it might be more appropriate to discuss those matters as they occur as they are not a part of the conference report.

Mr. GROSS. They are not a part of the conference report?

Mr. MAHON. No. They are reported back in technical disagreement.

Mr. GROSS. Yes, but we will be voting on the conference report very shortly, will we not?

Mr. MAHON. Yes, and we will be voting later on the amendments in disagreement at which time I shall be glad to yield to the gentleman from Iowa.

Mr. GROSS. I shall thank the gentleman for yielding.

Let me say that I find no economy in this bill, none at all, for it contains approximately a half billion dollars more than it did when approved by the House. I understand that a substantial amount of the increase is due to salary increases, but regardless of the nature of the expenditure it is nevertheless increased spending at a time the country faces a financial crisis and taxes are being increased.

And the action of the House-Senate conference on this legislation, wiping out all vestige of the personnel ceiling that was imposed last year, as well as juggling with the expenditure ceiling, plus the increase of $160 million in the funding of soft loan window of the International Development Association, makes this conference report unacceptable and I shall vote against it.

FAIR HOUSING, NEIGHBORHOOD YOUTH CORPS, AND EDUCATIONAL OPPORTUNITY GRANTS

Mr. HAWKINS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from California.

Mr. HAWKINS. In amendment No. 24 as I read it, you have deleted $1 million for the enforcement of the fair housing program and in amendment No. 40 you have eliminated or reduced to the extent of $2.5 million the amount for the Neighborhood Youth Corps program. No. 42 appears to reduce educational opportunity grants by $16 million.

Am I correct in this being the effect of the conference report and, if so, could you enlighten us as to the justification for those reductions?

Mr. MAHON. With respect to the additional funds for fair housing enforcement, funds had already been provided for that purpose in the regular bill for 1969 and they are also provided in the regular bill for fiscal 1970. In fact, the House increased the 1970 figure above what the committee recommended. When we conferred on this item we were approaching the end of the fiscal year and we thought these funds should be deleted and that ample funds had been made available already in the regular 1970 bill.

Mr. HAWKINS. Mr. Speaker, if the gentleman will yield further, when the gentleman refers to "we," is the gentleman talking about the House conferees or the Senate conferees?

Mr. MAHON. The Senate receded to the House position.

Mr. HAWKINS. Was it the Senate position to appropriate the $1 million or was it the position of the House conferees not to appropriate it?

Mr. MAHON. Not to appropriate it.

Mr. HAWKINS. With respect to the Neighborhood Youth Corps program, amendment No. 40, there appears to be a reduction of $2.5 million. In light of the fact that this program is being reduced—the NYC program—by at least 25 percent, we are receiving a tremendous number of questions with reference to it. How does the chairman justify this reduction?

Mr. MAHON. In amendment No. 40 the Senate provided for an amount to carry out section 102 of the Manpower Development and Training Act of 1962 as amended—$10 million, to remain available until September 30, 1969.

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There was no budget request for the $10 million. The Congress had already provided a very large sum for this purpose for fiscal year 1969. Of course, fiscal year 1969 has expired.

The Senate Committee on Appropriations went above the budget and inserted $7.5 million.

There was an addition of $2.5 million on the Senate floor, as the gentleman knows. The House took the position that the $7.5 million in the committee version of the Senate bill was as far as we should go at this time, and the Senate receded from its floor amendment.

Mr. HAWKINS. Mr. Speaker, I would ask the gentleman if he is aware of the fact that this program is being reduced throughout the country, and that there are a tremendous number of applicants for this program who are being told that other programs are available, but these applicants are unable to find these other programs. So that we are cutting back on these youth programs when there is unrest building up in the cities, especially in view of the fact that just a few days ago, or a week ago, almost, we did pass a new tax bill, putting a new tax on the American people on the theory that the money would be used for these programs, and yet the position apparently of the conferees of this House was that this money could be cut back at this time for economy reasons, apparently.

Mr. MAHON. The real decisions with respect to these programs will be made in the regular bills. They were made last year generally through that procedure, and they will be made this year generally through that procedure. This is an additional sum of $7.5 million above the budget for a fiscal year which has already ended, but the conference agreement would make the funds available until September 30, 1969.

Mr. JONAS. Mr. Speaker, if the gentleman will yield, I do not believe the record should stand without it being made perfectly clear that this is not the only money available for this purpose. There was in a supplemental bill a substantial amount of money for this very purpose when it passed for 1969. This item was not considered by the House committee, because it was unbudgeted. It was put in the bill on the Senate side. We thought we were being generous, if I may use that word, in adding $7.5 million to the substantial sums of money that were made available in the regular bill.

Mr. HAWKINS. Mr. Speaker, if the gentleman will yield further, it seems to me that you cannot square that against the fact that this program is being reduced. The gentleman says that money is available but in this amendment and in the next amendment, the educational opportunity grants—and I am sure other Members of the House are receiving letters from the higher institutions of learning in which they say that they do not have money to take care of the people who come to their doors——

Mr. JONAS. I am sure that the gentleman understands that this is not a regular bill; this is a supplemental bill for a fiscal year that has already expired. We are marking up the regular HEW bill for 1970 today, which will contain funds for the program for fiscal year 1970 just as the regular bill for 1969 made funds available for fiscal 1969.

Mr. MAHON. Mr. Speaker, may I say to the gentleman from California that Congress has already provided about $139 million for this purpose, and in this bill we provide an additional $7.5 million above the budget for these programs, which seemed to be the best that could be agreed upon at this time. And now, as we are beginning the new fiscal year 1970, there will be additional appropriation requests in which the House will have the opportunity, as well as in the other body, to work our will with respect to these manpower programs.

Mr. HAWKINS. What the distinguished chairman of the Committee on Appropriations is saying is that in this current fiscal year they are going to provide fully the funding for these educational and manpower programs in accordance with the authorizations, and I am very glad to get that commitment. I hope the gentleman will live up to that commitment. I think it is very obvious that across this country these programs are not being funded fully, as they have been authorized, and that we are building up an explosive situation in the inner cities, because this House has failed to appropriate the money even after the authorization, which is itself inadequate, and has been authorized by this House.

I think it is time for us to stop talking about this so-called economy when we are not meeting the budgeted needs of the people of this country. I get the budgetary explanation, but it certainly does not satisfy me.

I hope that this commitment which apparently seems to be made that you are going to fund fully these programs in the current fiscal year that you did not do in the last fiscal year. I hope that commitment is met.

Mr. MAHON. I wish to repudiate emphatically that the gentleman from Texas now speaking has committed himself with reference to any future legislation involving these programs.

I simply meant to say, and I believe I did say, that for the fiscal year 1970 we will have further opportunity to weigh and consider sums which may be provided for the purpose and that the House of Representatives and the other body would have adequate opportunity to work its will approving the budget requests, or raising the figures or lowering them as might be determined.

But to intimate that anyone in the House has committed himself to appropriation of the full authorizations is completely beside the point and is not correct.

Mr. HAWKINS. I misunderstood the gentleman then.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman.

Mr. GROSS. Is there by any chance any money in this bill for certain Members of the House of Representatives—the gentleman will recall an authorizing bill providing a pay increase for certain Members of the House was passed by the House and sent to the other body and then recommitted to the committee? Is there any money in this bill to provide for those pay increases if and when that authorization bill is passed?

Mr. MAHON. The other body made no changes in items in the House bill that relate solely to housekeeping items of the House, with respect to additional pay or otherwise. That is the time-honored procedure. And I should add that the amounts in the House bill for the additional pay to which the gentleman refers—which were discussed when we had the bill on the floor in May—will shortly lapse if the authorization bill is not soon enacted.

The question in respect to fiscal 1970 will arise when the regular bill for 1970 comes along.

Mr. GROSS. I thank the gentleman.

Mrs. CHISHOLM. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentlewoman from New York.

Mrs. CHISHOLM. Mr. Speaker, I would like to raise a question in the light of what has been discussed here during the past few minutes.

I notice in the Department of Health, Education, and Welfare appropriations on page 17 in amendments 41, 42, and 43 there has been a cutting and a minimization of the amount of moneys in this supplemental budget.

Then, if you turn to page 4 under title I, for the Department of Defense, we have increased that amount which the other body has asked for in this supplemental budget.

I would like to get some kind of explanation, in the light of what is happening, as to why the House in its conference report recommended this increase in the amendments to which I have referred, amendments numbered 41, 42, and 43.

Mr. MAHON. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. FLOOD), a member of the conference committee, for his comments with regard to amendments numbered 41 and 42 involving the $16 million for educational opportunity grants.

Mr. FLOOD. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I would say to the gentlewoman from New York that in the first place the amount appropriated for educational opportunity grants in the regular Labor-HEW appropriations for 1969 was a reduction of $16 million from the budget request. This is the history of this item. It was originally put in last year's bill by the other body. It was not considered by the House, because it was not authorized at the time the House acted on the appropriations bill. The conferees agreed upon an appropriation of $124,600,000 for educational opportunity grants, which was $16 million below the budget estimate and the Senate allowance.

There was no supplemental request by either the Johnson or the Nixon administrations for additional funds for this program, and none were included in the supplemental bill as it passed the House. Since it was not budgeted, and was not included in the House bill, and would have restored a deliberate reduction made by the Congress in the regular bill, it was dropped in the conference report. This is no reflection on the program.

Personally, as a matter of fact, I am just as much for it as you are. That is not true of all of the committee—but that is the history. I find no fault with it.

Mrs. CHISHOLM. I thank the gentleman very much.

Mr. EILBERG. Mr. Speaker, I must confess that I was disappointed when the conferees eliminated from the bill we are now considering an amendment which would have restored the $16 million which was cut last year from the educational opportunity grants program.

Adoption of this amendment would have meant that this program would have been fully funded. Not only this program but all the others the Federal Government has a part in which provide assistance to deserving youngsters so that they can obtain a higher education must be fully funded or the cost in terms of missed opportunities will be vast.

In its education budget requests to fund these various student assistance programs for the 1970 fiscal year, the administration has adopted the position that all these programs, the educational opportunity grants program, the college work-study program, the national defense education loan program, and the medical professions loan program need not be fully funded because the slack will be picked up by the guaranteed student loan program. Such a position is untenable and demonstrates once more the administration's tendency to overlook the facts in presenting their budget requests.

If the administration's budget requests for the educational opportunity grants program are adopted, the result will be that 45,000 fewer students will receive the assistance the program provides. If their requests for the national defense student loan program are adopted, less than half the approved requests from students and their families for assistance under the program will be able to be honored. If the administration's budget requests for the college work-study program are approved, the result will be that 20,000 fewer students will participate. In the medical professions loan program, the administration's budget requests would provide half the funds which were available last year. These are the facts.

In view of this situation, can the guaranteed student loan program pick up the slack? The facts say it cannot. This program was designed to provide assistance to middle-income families with incomes of under $15,000 so their sons and daughters can get the benefit of a higher education. The facts say that 85 percent of the loans made under this program were made to families with incomes of under $12,000. The facts also say that 57 percent of these loans were made to families with incomes of under $6,000. Thus, the program has not reached the income level it was intended to. I have no objection whatever to loans being made to these families. What I do object to is the administration's view that programs which are designed specifically to assist youngsters from low-income homes be cut and the slack taken up by a middle-income program. Middle-income taxpayers support these programs with their taxes. They have every right to participate. However under the administration plan they will not be able to since all loans under the program will go to very low-income families. I believe all these student loan programs should be fully funded. The result of such action on our part will provide that both low- and middle-income youngsters can obtain the help of the Federal Government in continuing their educations. If we had adopted the amendment of the Senate committee restoring cuts in the educational opportunity grants programs we would have made our position on this matter clear. However, I am hopeful that, when the Labor, Health, Education, and Welfare appropriations bill is considered, we will act and make our thoughts on the matter quite clear.

Mr. RYAN. Mr. Speaker, unfortunately, the conference report on the second supplemental appropriation for the fiscal year 1969, like the bill already passed by the House on May 20—H.R. 11400—lumps together funds which are necessary for important domestic programs with some $1.2 billion for military operations in Southeast Asia.

This means a choice of either approving the entire package recommended by the conferees, and thereby allocating still more funds to the prosecution of the war in Vietnam, or voting against the entire supplemental appropriations bill. I regret that the House Appropriations Committee has put us in this situation again. As the Members are well aware, there is strong and conscientious opposition to the continuation of the war in Vietnam. There should be an opportunity for Members to vote separately on the $1.2 billion contained in this package for additional funds for military operations in Southeast Asia. As long as these funds for the Vietnam war remain in the conference report, I cannot support it. As I pointed out during the debate on H.R. 11400 on May 20, one-third of the total amount of money allocated in this package is for prosecuting the war in Vietnam. This is in addition to the some $27 or $28 billion which Congress has already appropriated for the war for fiscal year 1969.

As a matter of fact, the conference report increases by $38 million the amount of money which was provided in the bill as it passed the House on May 20.

The increases approved in conference include an additional $7 million for naval military personnel and $31 million in additional funds for Air Force military personnel. That funds for Southeast Asian military operations could have been actually increased in the face of our mounting domestic crisis is an indication of the overall failure of Congress to reallocate funds in the Federal budget on the basis of the multitude of problems confronting the cities and the unmet social needs of our society.

As in past years, the costs of the war have been underestimated. Each year for the past 5 years Congress has been asked to appropriate supplementary funds for the Vietnam war. On each of those occasions—in 1965, 1966, 1967, 1968, and now 1969—I have pointed out that the only means Congress has to affect Vietnam policy is through the power of the purse. Today Congress has another opportunity to assert control over the conduct of the war. The funds allocated by Congress for the war do more than support our troops. They support the war policy of the administration. What has the policy of the Johnson and now the Nixon administration been since the last occasion on which Congress voted funds in support of the war?

Since May 1968, when the Paris peace talks began, over 14,000 American servicemen have been killed. The destruction and suffering which have been the lot of the Vietnamese people for over 20 years continue unabated.

On June 8 at his conference with South Vietnamese President Thieu on Midway Island, President Nixon announced that he would withdraw 25,000 American troops over the next 3 months. Does this mean that the end of the war is finally in sight? Regrettably, I do not think that it does. In the first place, both President Nixon and President Thieu went to great lengths to point out that this was not really a withdrawal of troops but the replacement of our troops with the South Vietnamese forces. Second, as our former chief negotiator in Paris under President Johnson, Governor Averell Harriman, has pointed out, 25,000 troops is not a significant number and will not affect the negotiations in Paris, which have now been stalled for over a year. During the course of a recent radio interview with me, Governor Harriman emphasized a reduction in the violence by both sides as an essential prerequisite to a negotiated settlement in Paris, and urged that, since the United States had issued orders to General Abrams for all-out fighting, the United States should take the lead in reducing the level of fighting.

Contrary to the optimistic statements of the Nixon administration, the end is still not in sight. The only way that the Congress can exercise any influence on the direction of our foreign policy in Southeast Asia is to vote "No" on appropriations for the war.

For 5 years now the critics of the war in Vietnam have been urging alternative policies in Southeast Asia. In 1964, I urged a specific strategy for neutralization of Southeast Asia to avoid broadening the conflict. But the conflict was broadened. In 1965, I argued against the Americanization of the war and against escalating our military commitment. But the war was Americanized and our commitment escalated. In 1966, I again pointed to the policy alternatives available to us. But instead the choice of continued escalation was made. In 1967, I called for renewed diplomatic efforts and an end to the bombing in the north. But diplomacy took a back seat to the continued emphasis on imposing a military solution.

In March of 1968, candidate Richard M. Nixon said "the next President of the United States must end the war in Vietnam," and indicated he had specific diplomatic strategies in mind as a way of hastening a settlement of the conflict.

Today, despite the fact that the Paris negotiations continue to produce no progress, that the killing of hundreds of American servicemen each week goes on, that South Vietnam continues to be

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destroyed so that it may be "saved"—President Nixon hails the withdrawal of 25,000 American troops as "the opening of the door" to peace.

In South Vietnam, President Thieu has shut down the 37th newspaper since the Saigon government announced an end to press censorship over a year ago, warned the South Vietnamese population that advocates of a coalition government will be punished, and summoned South Vietnamese citizens to police headquarters for "questioning" because they called for a "government of reconciliation" and a negotiated settlement to the war.

This is the state of the war in Vietnam today, for which the conference report before us appropriates an additional $1.2 billion.

As I pointed out earlier in my remarks, the request for supplemental funds for Southeast Asian military operations has been tied to other appropriations for some vital domestic programs which I support and, in several cases, have even proposed.

On January 30, I introduced an omnibus supplemental appropriations bill, H.R. 5562, to fully fund several important housing programs established under the Housing and Urban Development Act of 1968. This legislation would provide supplemental appropriations to bring the section 235 homeownership program, the section 236 rental and cooperative housing program, the rent supplement program, the urban renewal program, and the urban renewal component of the model cities program to the full amounts authorized by Congress.

The conference report includes supplemental appropriations for three programs—section 235, section 236, and low-rent public housing. Both sections 235 and 236 would receive an additional $45 million for fiscal year 1969—which, although it is $5 million more than was approved by the House, still leaves each program $5 million below the amount authorized by Congress. The low-rent public housing program—which remains the only effective way to reach low-income people in our large urban areas—would receive an additional $7,168,000 for fiscal year 1968 and $16 million for fiscal year 1969 in contract authorization.

While I am pleased that the conference report has recommended supplemental appropriations for these three programs, I am disappointed that it does not provide additional funds for the rent supplement program. Each year the rent supplement program has been starved for funds; the current fiscal year is no exception. While the administration recommended $65 million for rent supplements for fiscal year 1969, Congress appropriated only $30 million. Urban renewal, which also would receive no additional funds, was appropriated only $312 million although it was authorized to receive $500 million.

These programs must be funded to the full amount authorized by Congress if there is to be an effective attack of the housing crisis which besets our cities. As has been the case so often before, the supplementary amount recommended for the war in this conference report alone is greater than the amount which would be needed to fully fund urgently needed housing programs.

I am also disturbed that the $1 million appropriation to the Department of Housing and Urban Development for enforcement of fair housing—under title VIII of the Civil Rights Act of 1968—which was approved by the Senate, has been deleted in the conference report. In its budget request HUD requested $2 million to carry on fair housing activities.

As Housing and Urban Development Secretary Romney stated in his testimony in support of this appropriation request for enforcing fair housing:

> It is simply impossible to attain this goal (providing a decent home in a suitable living environment for every American family) without a major and continuing effort in pursuit of fair housing for every person in this country. (Parentheses added.) (Hearings on Second Supplemental Appropriation Bill, 1969, p. 570.)

At present, the fair housing program has received only $2 million to carry on its efforts from Congress. If the fair housing provisions of the 1968 Civil Rights Act are to have meaning, Congress must allocate sufficient resources to fulfill that goal.

During debate on past omnibus appropriation bills, the argument has been made that, since appropriations for important domestic programs are included, the bills should be supported despite the fact that they include appropriations for the war.

I cannot accept that argument because it ignores two basic factors.

First, it is simply not true that the defeat of this bill because of the inclusion of appropriations for the Vietnam war would result in the cutting off of funds for domestic programs. If the House refused to approve the conference report because it contained appropriations earmarked for Southeast Asian military operations, the war funds would be removed, and the other parts of the bill would come back to the floor.

Second, and perhaps more fundamentally, it must be recognized that the vital domestic programs, which are presently receiving leftover scale support, will never be fully funded until the costly Vietnam war is terminated. As long as appropriation bills continue to allocate one-third of available resources to Southeast Asian military operations—as does this bill—our cities will continue to rot; our economy will continue to deteriorate; and our unmet social needs will remain unmet. The solution of our domestic crisis must be preceded by the termination of the Vietnam war.

For 5 long years Congress, through the appropriations process, has acquiesced in a disastrous policy. Some 36,600 American servicemen have been killed and many thousands more maimed and wounded.

For 5 long years the war has consumed national resources desperately needed to combat urban problems. Each year the end of the war, at least according to the administration, was just around the corner—especially at appropriations time. And each year the administration has returned demanding still more resources.

It is time that Congress recognize that it must call a halt to our military involvement in Vietnam. It has the power to do so; namely, through the power of the purse.

Once again the request for funds for the prosecution of the Vietnam war presents us with an opportunity to redirect national policy and to end the death and destruction in Vietnam. I urge that that opportunity be utilized and that this request for supplemental appropriations be rejected until the funds for Southeast Asian military operations are eliminated.

Mr. COHELAN. Mr. Speaker, I rise to express my opposition to the conference report on the second supplemental appropriations bill which is before us today.

While there is a good deal that is worthwhile in this bill—particularly the funds for further acquisition of the Redwood National Park and the additional $90 million for the housing assistance interest subsidy programs. But there is a good deal to be concerned about, too.

I am especially concerned about the expenditure ceiling written into this bill. As you will recall, I introduced amendments on the House floor during the original consideration of this bill to exempt from the ceiling those uncontrollable expenditures which the Congress does not consider annually and which are based only on estimates in the budget. I moved to exempt these items from the ceiling in order to assure that other programs for which Congress had expressed its support in specific annual appropriations would not be cut back inadvertently. I was particularly fearful that if the budget underestimates ran as high as the $6 billion low estimate in last year's budget, the social programs like health, education, job training, and the other antipoverty efforts would be reduced by a substantial amount, perhaps on the order of $6 billion.

I am pleased to note that the Senate adopted my position with regard to the exemption of these uncontrollable items. I am less pleased to note that the conferees agreed to allow only very limited flexibility in connection with these uncontrollable expenses. The conference has provided that $2 billion in underestimates on uncontrollable items can be absorbed without requiring reductions in the other expenditures of the Federal Government.

My worry is that this $2 billion is not enough flexibility. If the underestimates of last year were repeated this year, the $2 billion leeway would certainly not be enough. It is for this reason, to protect our social programs from overruns in the uncontrollable programs, that I will again today vote against this expenditure ceiling.

Mr. SCHEUER. Mr. Speaker, today I cast my vote against the second supplemental appropriation, 1969, out of conviction that this bill once again reflects the lack of concern for the real needs of this Nation.

We are appropriating an additional $176 million for a Southeast Asia military operation, another $265 million for Army personnel, $267.6 million more for Air Force personnel.

As in the past, Mr. Speaker, my prob-

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lem is not with any one part of this supplemental appropriations hodgepodge. My problem is that we have once again failed to assess our priorities. I am gravely concerned that the ceiling we have imposed will result in dollars being taken from the hide of our cities. Past experience demonstrates that, if expenditures are cut along the way, money will come from the social and economic programs so desperately needed to relieve our dying cities.

Any one or all of these appropriations may indeed be worthy. Certainly those appropriations which reflect the latest Federal pay raises are well-justified in the interest of maintaining the high caliber of Federal employees and making Government service attractive on a competitive basis with the private sector. I support the lifting of the foolish restrictions relating to the personnel levels of civilian Government employment.

Nonetheless, I find substantial sums of money appropriated which have not been carefully examined as to need, and which have not been assessed against programs which I regard as more urgent, very much more urgent for our Nation. I become more convinced every day that we need a fundamental and searching scrutiny of our existing programs in order to reallocate our resources where they are most needed. Our military expenditures could easily be pared by billions of dollars. We spend additional billions in support of agricultural programs designed to curb food production, while millions of Americans suffering from malnutrition pay too much for food stamps. Every day reports reach my office of budget cuts affecting our education system, our health programs, our employment programs. We still spend more on our space program than we do to improve the lot of our poor. Middle-class urban taxpayers find their tax load increasing rapidly and are being slowly starved for basic services—schools, garbage collection, recreation facilities, police protection.

I reject the concept that the quiet American must continue to be the victim of our failure to take stock, restate national goals and commitments, and recast priorities. More and more people are speaking out most eloquently against the inequities and unjustifiable burdens being imposed on all Americans, heedlessly and without analysis.

Mr. Speaker, the responsibility of the Congress is to listen thoughtfully and react in a responsive, responsible way. We have not really begun to hear the many voices of protest in today's America, from poor and middle class alike.

Mr. LOWENSTEIN. Mr. Speaker, on May 21, 1969, I joined in a motion to strike title I from the second supplemental appropriation. I made it clear then that appropriating additional funds to carry out the present military policy in Vietnam simply means, in my view, sending more Americans—to say nothing of Vietnamese and others—to pointless deaths.

That effort to strike title I when we sat as the Committee of the Whole House was not successful, and we are now confronted with a conference report in a form that makes it impossible again to put this critical question to a vote of the House.

Congressman RYAN has stated brilliantly the dilemma that this produces, and I want to call the attention of the House to his remarks on this point. It is absurd, and indefensible, that we are not allowed to vote separately on matters that are separate. I cannot believe that it is healthy parliamentary practice—let alone in the best interests of representative government—to follow procedures that often make it impossible to get clear record votes on matters of great moment to the people.

In any event, I must join in Congressman RYAN's protest and reiterate that unless President Nixon begins to withdraw American troops in massive numbers, I—and, I believe an increasing number of my colleagues—will henceforth be forced to vote against any request for appropriations that includes additional money to carry out the present policy in Vietnam, no matter how desirable other items included in the request may be.

Mr. MAHON. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. HOLIFIELD). The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 348, nays 49, not voting 35, as follows:

[Roll No. 102]

YEAS—348

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Alexander
Anderson, Tenn.
Andrews, Ala.
Annunzio
Arends
Ayres
Baring
Barrett
Beall, Md.
Belcher
Bell, Calif.
Bennett
Betts
Bevill
Biaggi
Biester
Blanton
Blatnik
Boland
Bolling
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Caffery
Carter
Casey
Cederberg
Celler
Chamberlain
Chappell
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Collins
Colmer
Conable
Conte
Corbett
Corman
Coughlin
Cowger
Culver
Cunningham
Daddario
Daniel, Va.
Daniels, N.J.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Dennis
Dent
Dickinson
Dingell
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Fallon
Fascell
Feighan
Findley
Fish
Fisher
Flood
Flowers
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Foreman
Fountain
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gaydos
Gettys
Giaimo
Gibbons
Goldwater
Gonzalez
Goodling
Gray
Griffin
Griffiths
Grover
Gubser
Gude
Hagan
Haley
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harvey
Hastings
Hathaway
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Henderson
Hicks
Hogan
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Kazen
Kee
Keith
King
Kleppe
Kluczynski
Kuykendall
Kyros
Landgrebe
Landrum
Langen
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lowenstein
Lujan
Lukens
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McKneally
Macdonald, Mass.
MacGregor
Madden
Mahon
Marsh
Martin
Mathias
Matsunaga
Mayne
Meeds
Melcher
Meskill
Michel
Miller, Calif.
Mills
Minish
Mink
Minshall
Mize
Mizell
Mollohan
Monagan
Montgomery
Moorhead
Morgan
Morse
Moss
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
Obey
O'Hara
Olsen
O'Neill, Mass.
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Preyer, N.C.
Price, Ill.
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Quie
Railsback
Randall
Rarick
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roudebush
Ruth
St Germain
St. Onge
Sandman
Satterfield
Schneebeli
Schwengel
Scott
Sebelius
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stubblefield
Stuckey
Sullivan
Symington
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Tiernan
Tunney
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watkins
Watson
Watts
Weicker
Whalen
Whalley
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Winn
Wold
Wright
Wyatt
Wydler
Wyman
Yates
Yatron
Young
Zablocki
Zion
Zwach

NAYS—49

Anderson, Calif.
Ashbrook
Bingham
Blackburn
Brown, Calif.
Burton, Calif.
Camp
Chisholm
Clancy
Clay
Cohelan
Conyers
Cramer
Dawson
Devine
Diggs
Edwards, Calif.
Farbstein
Frey
Gilbert
Gross
Hall
Harsha
Hawkins
Helstoski
Jacobs
Joelson
Kastenmeier
Koch
Kyl
Latta
Mikva
Miller, Ohio
O'Konski
Ottinger
Podell
Rees
Rosenthal
Roth
Ruppe
Ryan
Saylor
Schadeberg
Scherle
Scheuer
Stokes
Thomson, Wis
Wilson, Charles H.
Wylie

NOT VOTING—35

Anderson, Ill.
Andrews, N. Dak.
Ashley
Aspinall
Berry
Boggs
Bow
Cahill

Carey
Collier
Davis, Ga.
Derwinski
Evins, Tenn.
Fraser
Frelinghuysen
Garmatz
Green, Oreg.
Green, Pa.
Karth
Kirwan
McMillan
Mailliard
Mann
May
Morton
Mosher
Murphy, N.Y.
O'Neal, Ga.
Powell
Quillen
Roybal
Sisk
Stratton
Wilson, Bob
Wolff

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Boggs with Mr. Bow.
Mr. Evins of Tennessee with Mr. Mailliard.
Mr. Murphy of New York with Mr. Frelinghuysen.
Mr. Sisk with Mr. Berry.
Mr. Wolff with Mr. Collier.
Mr. Carey with Mr. Cahill.
Mr. Kirwan with Mr. Derwinski.
Mr. Aspinall with Mrs. May.
Mr. Roybal with Mr. Bob Wilson.
Mr. Garmatz with Mr. Morton.
Mr. Green of Pennsylvania with Mr. Anderson of Illinois.
Mr. Ashley with Mr. Mosher.
Mr. Karth with Mr. Andrews of North Dakota.
Mr. O'Neal of Georgia with Mr. Quillen.
Mr. Davis of Georgia with Mr. Stratton.
Mrs. Green of Oregon with Mr. Mann.
Mr. Fraser with Mr. McMillan.

Messrs. DEVINE, HARSHA, ROTH, THOMSON of Wisconsin, O'KONSKI, SCHADEBERG, AND DAWSON changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENTS IN DISAGREEMENT

The SPEAKER pro tempore (Mr. ALBERT). The Clerk will report the first amendment in disagreement.

Mr. MAHON. Mr. Speaker, I ask unanimous consent to consider en bloc, amendments which are in technical disagreement and on which the managers on the part of the House will offer a motion to recede and concur as follows: Nos. 4, 11, 13, 16, 27, 29, 31, 33, 38, 39, 43, 46, 51, 53, 54, 55, 56, 58, 60, 62, 87, 91, and 92.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read as follows:

Senate amendment No. 4: Page 3, line 18, insert:

"SOIL CONSERVATION SERVICE

"FLOOD PREVENTION

"For an additional amount for 'Flood prevention', $4,000,000 to remain available until expended for emergency measures for runoff retardation and soil erosion prevention, as povided by section 216 of the Flood Control Act of 1950 (33 U.S.C. 701 b–1)."

Senate amendment No. 11: Page 6, line 23, inesrt: "of which $95,000 for the Department of Corrections shall remain available until September 30, 1969, and".

Senate amendment No. 13: Page 8, line 8, insert: "to be derived by transfer from appropriations for 'Economic Assistance', fiscal year 1969, of the Agency for International Development,".

Senate amendment No. 16: Page 9, line 16, insert: "of which $100,000 shall remain available until September 30, 1969;".

Senate amendment No. 27: Page 12, line 23, insert: "of which $150,000 shall remain available until September 30, 1969;".

Senate amendment No. 29: Page 13, line 17, insert:

"OFFICE OF THE TERRITORIES

"ADMINISTRATION OF TERRITORIES

"For an additional amount for 'Administration of territories', $950,000, to remain available until expended."

Senate amendment No. 31: Page 14, line 2, insert:

"HEALTH AND SAFETY

"For an additional amount for 'Health and safety', $750,000 to remain available until September 30, 1969.".

Senate amendment No. 33: Page 14, line 21, insert: ", of which $250,000 shall remain available until September 30, 1969;".

Senate amendment No. 38: Page 15, line 18, insert: ", of which $460,000 shall remain available until September 30, 1969;".

Senate amendment No. 39: Page 16, line 6, insert: "prior to September 1, 1969".

Senate amendment No. 43: Page 19, line 5, insert: "to remain available until September 30, 1969,".

Senate amendment No. 46: Page 20, line 15, insert:

"SENATE

"For payment to Vide G. Bartlett, widow of E. L. Bartlett, late a Senator from the State of Alaska, $30,000.

"The clerk hire allowance of each Senator from the States of Illinois and Texas shall be increased to that allowed Senators from States having a population of eleven million, the population of said States having exceeded eleven million inhabitants.

"For an additional amount for 'Inquiries and Investigations', fiscal year 1968, $126,900."

Senate amendment No. 51: Page 22, line 12, insert: ", of which $40,000 shall remain available until September 30, 1969,".

Senate amendment No. 53: Page 22, after line 23, insert: "of which $101,000 shall remain available until September 30, 1969,".

Senate amendment No. 54: Page 23, line 17, insert: "of which $162,000 shall remain available until September 30, 1969;".

Senate amendment No. 55: Page 24, line 9, insert: "of which $737,000 shall remain available until September 30, 1969;".

Senate amendment No. 56: Page 25, line 1, insert:

"ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

"SALARIES AND EXPENSES

"In addition to the amount made available in the appropriation under this head in the Department of Commerce Appropriation Act, 1969, for retirement pay of commissioner officers and payments under the Retired Servicemen's Family Protection Plan, $147,000 shall be available in that appropriation for such expenses."

Senate amendment No. 58: Page 26, line 14, insert: "of which $205,000 shall remain available until September 30, 1969."

Senate amendment No. 60: Page 25, line 18, insert:

"For an additional amount for 'Fees and expenses of court-appointed counsel', fiscal year 1968, $850,000."

Senate amendment No. 62: Page 27, line 3, insert: ", of which $10,000 shall remain available until September 30, 1969,".

Senate amendment No. 87: Page 65, line 16, insert:

" "Limitation on administrative expenses, Federal Savings and Loan Insurance Corporation", (Release of $4,000 reserved under this appropriation pursuant to section 201 of Public Law 90–364);".

Senate amendment No. 91: Page 73, line 9, insert:

"SEC. 503. Section 201 of the Revenue and Expenditure Control Act of 1968 (Public Law 90–364, approved June 28, 1968), is hereby repealed."

Senate amendment No. 92: Page 73, line 12, insert:

"SEC. 504. Funds appropriated, or otherwise made available, by this Act for the fiscal year 1969, shall remain available for obligation until July 1, 1969, or for five days after the date of approval of this Act, whichever is later, unless a longer period is specifically provided: *Provided,* That all obligations incurred in anticipation of such appropriations and authority for the fiscal year 1969 as well as those for longer periods as set forth herein are hereby ratified and confirmed if in accordance with the terms hereof."

Mr. MAHON (during the reading). Mr. Speaker, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to Senate amendments numbered 4, 11, 13, 16, 27, 29, 31, 33, 38, 39, 43, 46, 51, 53, 54, 55, 56, 58, 60, 62, 87, 91 and 92, and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 6: Page 5, line 7: insert "and in addition, $1,000,000 to be derived by transfer from the appropriation 'Procurement, Marine Corps'."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 6 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$500,000".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 7: On page 5, line 12, insert: "and in addition, $3,000,000, to be derived by transfer from the appropriation 'Research, Development, Test, and Evaluation, Army'."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 7 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$1,500,000".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 8: On page 5, line 18, insert: "and in addition, $5,377,000, to be derived by transfer from the appropriation 'Other Procurement, Air Force'."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 8 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$2,000,000".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 40: On page 16, line 19, insert:

"MANPOWER ADMINISTRATION

"MANPOWER DEVELOPMENT AND TRAINING ACTIVITIES

"For an additional amount to carry out the provisions of section 102 of the Manpower Development and Training Act of 1962, as amended, $10,000,000, to remain available until September 30, 1969."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 40 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$7,500,000".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 42: On page 17, line 11, strike out: "including payments authorized by section 108(b) of the District of Columbia Public Education Act, as amended (Public Law 90–354, approved June 20, 1968), and annual interest grants authorized by section 306 of the Higher Education Facilities Act, as amended (Public Law 90–575, approved October 16, 1968), $11,161,000, of which $3,920,000 shall remain available until expended for said annual interest grants: *Provided*, That, in addition, $160,000 shall be derived by transfer from 'Community mental health resource support', Public Health Service, fiscal year 1969: *Provided further*, That none of the funds appropriated by this Act for annual interest grants authorized by section 306 of the Higher Education Facilities Act, as amended by Public Law 90–575, shall be used to formulate or carry out any grant to any institution of higher education unless such institution is in full compliance with section 504 of such Act" and insert in lieu thereof "of which $3,920,000 shall be for annual interest grants authorized by section 306 of the Higher Education Facilities Act, as amended (Public Law 90–575, approved October 16, 1968), to remain available until expended for said annual interest grants, $360,000 which shall remain available until expended and shall be considered as interest earned on the sum authorized to be appropriated by section 108(b) of the District of Columbia Public Education Act, as amended (D.C. Code, sec. 31–1608) and shall not be considered as an amount appropriated under such section, and $16,000,000 shall be for educational opportunity grants under part A of title IV of the Higher Education Act of 1965, as amended, to remain available through June 30, 1970: *Provided*, That, in addition, $160,000 shall be derived by transfer from 'Community mental health resource support', Public Health Service, fiscal year 1969: *Provided further*, That none of the funds appropriated by this Act for annual interest grants authorized by section 306 of the Higher Education Facilities Act, as amended by Public Law 90–575, shall be used to formulate or carry out any grant to any institution of higher education unless such institution is in full compliance with section 504 of such Act."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 42 and concur therein with an amendment, as follows: In lieu of the matter stricken and proposed by said amendment, insert the following: "$3,920,000, to remain available until expended for annual interest grants authorized by section 306 of the Higher Education Facilities Act, as amended (Public Law 90–575, approved October 16, 1968): *Provided*, That, in addition, $160,000 shall be derived by transfer from 'Community mental health resource support', Public Health Service, fiscal year 1969: *Provided further*, That none of the funds appropriated by this Act for annual interest grants authorized by section 306 of the Higher Education Facilities Act, as amended by Public Law 90–575, shall be used to formulate or carry out any grant to any institution of higher education unless such institution is in full compliance with section 504 of such Act."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 90: On page 69, line 4, strike out:

"SEC. 401. (a) Expenditures and net lending (budget outlays) of the Federal Government during the fiscal year ending June 30, 1970, shall not exceed $192,900,000,000; *Provided*, That whenever action, or inaction, by the Congress on requests for appropriations and other budgetary proposals varies from the President's recommendations thereon, the Director of the Bureau of the Budget shall report to the President and to the Congress his estimate of the effect of such action or inaction on expenditures and net lending, and the limitation set forth herein shall be correspondingly adjusted.

"(b) The Director of the Bureau of the Budget shall report periodically to the President and to the Congress on the operation of this section. The first such report shall be made at the end of the first month which begins after the date of approval of this Act; subsequent reports shall be made at the end of each calendar month during the first session of the Ninety-first Congress, and at the end of each calendar quarter thereafter."

And insert in lieu thereof:

"SEC. 401. (a) Expenditures and net lending (budget outlays) of the Federal Government during the fiscal year ending June 30, 1970, shall not exceed $187,900,000,000: *Provided*, That such amount shall be increased or decreased by the aggregate amount by which the sum of expenditures and net lending in said fiscal year are greater than or lesser than the sum of expenditures and net lending in the fiscal year ending June 30, 1969, for—

"(1) items designated 'Open-ended programs and fixed costs' in the table appearing on page 16 of the budget of the United States for the fiscal year 1970 (House Document Numbered 91–15, part I, Ninety-first Congress);

"(2) the item designated 'Special Southeast Asia support' in the table appearing on page 27 of that budget;

"(3) programs of aid to schools in federally impacted areas, under the Acts of September 23 and September 30, 1950 (U.S.C., chs. 13 and 19);

"(4) the programs to which title IV of the Elementary and Secondary Education Amendments of 1967 (Public Law 90–247) is applicable; and

"(5) the item designated 'Veterans benefits and services' in the table appearing on page 69 of the budget of the United States for the fiscal year 1970 (House Document Numbered 91–15, part I, Ninety-first Congress): *Provided further*, That whenever action, or inaction by the Congress on requests for appropriations and other budgetary proposals varies from the President's recommendations thereon, the Director of the Bureau of the Budget shall report to the President and to the Congress his estimate of the effect of such action or inaction on expenditures and net lending, including the effect on the limitation set forth herein: *Provided further*, That the Director of the Bureau of the Budget shall report periodically to the President and to the Congress on the operation of this section. The first such report shall be made at the end of the first month which begins after the date of approval of this Act; subsequent reports shall be made at the end of each calendar month during the first session of the Ninety-first Congress, and at the end of each calendar quarter thereafter.

"(b) The President shall reserve from expenditure and net lending, from appropriations or other obligational authority heretofore, herein, or hereafter made available, such amounts as may be necessary to effectuate the provisions of subsection (a).

"Such reservations by the President shall be in amounts sufficient to insure reductions of not less than $1,900,000,000 in expenditures and net lending, below the amounts recommended in the April review of the 1970 Budget, for programs other than those designated in subparagraphs (1), (2), (3), (4), and (5) of subsection (a).

"(c) In the administration of any program as to which—

"(1) the amount of expenditures or net lending is limited pursuant to subsection (a), and

"(2) the allocation, grant, apportionment, or other distribution of funds among recipients is required to be determined by application of a formula involving the amount appropriated or otherwise made available for distribution, the amount available for expenditure or obligation (as determined by the President) shall be substituted, in the application of the formula, for the amount appropriated or otherwise made available.

"Expenditures by the Tennessee Valley Authority out of the proceeds from its power operations, from the sale of any power program assets, or from power revenue bonds, notes, or other evidences of indebtedness shall not be subject to any limitations imposed by this title."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 90 and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert the following:

"SEC. 401(a) Expenditures and net lending (budget outlays) of the Federal Government during the fiscal year ending June 30, 1970, shall not exceed $191,900,000,000: *Provided*, That whenever action, or inaction, by the Congress on requests for appropriations and other budgetary proposals varies from the President's recommendations reflected in the 'Review of the 1970 Budget' appearing on pages 9351–9354 of the CONGRESSIONAL RECORD of April 16, 1969, the Director of the Bureau of the Budget shall report to the President and to the Congress his estimate of the effect of such action or inaction on expenditures and net lending (budget outlays), and the limitation set forth herein shall be correspondingly adjusted: *Provided further,* That the Director of the Bureau of the Budget shall report to the President and to the Congress his estimate of the effect on expenditures and net lending (budget outlays) of other actions by the Congress (whether initiated by the President or the Congress) and the limitation set forth herein shall be correspondingly adjusted: *Provided further,* That net Congressional actions or inactions affecting expenditures and net lending reflected in the 'Review of the 1970 Budget' shall not serve to reduce the foregoing of $191,900,000,000 unless and until such actions or inactions result in a net reduction of $1,000,000,000 below total expenditures and net lending estimated for 1970 in the 'Review of the 1970 Budget'.

"(b) (1) In the event the President shall estimate and determine that expenditures and net lending (budget outlays) during the fiscal year 1970 for the following items (the expenditures for which arise under appropriations or other authority not requiring annual action by the Congress) appearing on page 16 of the budget for such fiscal year (H. Doc. 91–15, part 1, Ninety-first Congress), namely:

"(i) items designated 'Social security, Medicare, and other social insurance trust funds';

"(ii) the appropriation 'National service life insurance (trust fund)' included in the items designated 'Veterans pensions, compensation, and insurance';

"(iii) the item 'Interest'; and

"(iv) the item 'Farm price supports (Commodity Credit Corporation)'

will exceed the estimates included for such items in the 'Review of the 1970 Budget' referred to in subsection (a) hereof, the President may, after notification in writing to the Congress stating his reasons therefor, adjust accordingly the amount of the overall limitation provided in subsection (a).

"(2) In the event the President shall estimate and determine that receipts (credited against expenditures and net lending) during the fiscal year 1970 derived from:

"(i) sales of financial assets of programs administered by the Farmers Home Administration, Export-Import Bank, agencies of the Department of Housing and Urban Development, the Veterans Administration, and the Small Business Administration; and

"(ii) leases of lands on the Outer Continental Shelf will be less than the estimates included for such items in the 'Review of the 1970 Budget' referred to in subsection (a) hereof, the President may, after notification in writing to the Congress stating his reasons therefor, adjust accordingly the amount of the overall limitation provided in subsection (a).

"(3) The aggregate amount of the adjustments made pursuant to paragraphs (1) and (2) of this subsection shall not exceed $2,000,000,000.

"(c) The Director of the Bureau of the Budget shall report periodically to the President and to the Congress on the operation of this section. The first such report shall be made at the end of the first month which begins after the date of approval of this Act; subsequent reports shall be made at the end of each calendar month during the first session of the Ninety-first Congress, and at the end of each calendar quarter thereafter."

The **SPEAKER** pro tempore. The gentleman from Texas is recognized for 1 hour.

OVERALL EXPENDITURE LIMITATION

Mr. **MAHON**. Mr. Speaker, the House passed this second supplemental appropriation bill on May 21, 1969. It passed the other body on June 16, 1969. The amendment now before us, amendment No. 90, was the amendment which held up the conference for some time. Let me explain the situation.

Mr. Speaker, the conference agreement establishing a comprehensive ceiling on Government spending for the current fiscal year 1970, is something of a landmark measure in the fiscal affairs of the Government. It breaks new ground. It establishes a precedent. It sets a basic pattern for the future.

For the first time, it places directly in the hands of Congress the specific decision as to the maximum amount to be taken out of the Treasury for payment of the Government's bills in a given 12-month period.

Last year and the year before, Congress adopted spending ceilings of sorts but they were not all-encompassing. They were partial ceilings at best. Last year's ceiling exempted from its provisions about half of the spending total. And the Senate version of this year's ceiling was also only a partial ceiling; it too would have exempted over half of President Nixon's expenditure budget for fiscal 1970.

But we have not adopted the Senate version. We have adopted an all-encompassing provision that keeps the reins for regulating the annual spending rate in the hands of Congress.

We have adopted something very close to the pattern originally voted by the House.

With one limited exception which I shall describe, we have adopted a "floating" or continuously adjusting ceiling based on actions or inactions by the Congress that affect fiscal 1970 expenditures. This is patterned after the House version.

The statement of the managers explains the conference agreement in some detail and contrasts it with the House and Senate versions—and I shall insert the full text of it—but briefly, the conference agreement differs in these respects:

The expenditure ceiling was set by the conferees at $191.9 billion, $1 billion below the amount in the administration's April 15 revised budget. The House bill made no reduction; it was directed primarily to securing focus on and ceiling control of all spending, not primarily to expenditure reduction.

The conference agreement includes the language in the House version which provides for varying the ceiling based on congressional actions or inactions on the budget. Any reductions made by Congress in its individual actions or inactions on the budget would count toward the $1 billion cut.

The Senate version of the expenditure limitation would have exempted from congressional ceiling control about $111 billion of the $192.9 billion spending budget, and would have imposed a reduction of at least $1.9 billion against the remaining $81 billion.

The conference agreement exempts nothing from the ceiling where Congress annually acts on the specific budget requests, but does provide a cushion of not to exceed $2 billion to meet unforeseen increases in a handful of items—such as interest on the public debt, social security, and so forth—where annual action to authorize the expenditures is not required by Congress. In such instances, the President would have to notify Congress of any determinations to draw against this cushion for such administratively uncontrollable expenditures.

The revised budget of April 15 classifies about $100 billion of the $192.9 billion expenditure total for fiscal 1970 as relatively uncontrollable civilian program expenditures under existing law, but several items in this classification are not permitted to be charged to the $2 billion cushion.

So, Mr. Speaker, it would be possible for the Government to spend more than the ceiling of $191.9 billion if Congress authorizes and appropriates additional funds or otherwise takes actions or fails to take actions at variance with the budget. But regardless of what actions may be taken, at least $1 billion must be reduced. There must be a reduction of $1 billion, according to the language now pending before us.

I would say the $1 billion is a modest reduction. I had hoped that we could make a much larger reduction than $1 billion. I am speaking now in terms of expenditures and not in terms of appropriations.

Last year; that is, fiscal 1969, in terms of appropriations, we cut about $13 billion from the budget and in terms of spending we cut, jointly with the executive branch, about $6 billion in the nonexempted areas. But overruns in the exempted areas wiped out the $6 billion.

However, the budget with which we are confronted this year presents a difficult problem, but we thought that under the circumstances we could afford to agree to the $1 billion reduction, hoping, of course, that the Congress through its efforts on the various appropriation bills and other bills will be able to make reductions substantially greater than $1 billion—certainly at least the $1 billion—which is specifically mandated.

But the main objective of the conferees on the part of the House, consistent with the original House version, was to fix an overall expenditure limitation in Government, Government-wide, exempting nothing at all. To reach agreement, we did provide a cushion, a latitude, of up to $2 billion for a limited number of so-called uncontrollable items.

Mr. **GROSS**. Mr. Speaker, will the gentleman yield?

Mr. **MAHON**. I yield to the gentleman from Iowa.

Mr. **GROSS**. A $1 billion reduction from what?

Mr. **MAHON**. A $1 billion reduction from the $192.9 billion submission of President Nixon on April 15, 1969, relating to fiscal 1970 budget outlays.

It should be borne in mind that Mr. Nixon himself in submitting his budget increased the Johnson budget for so-called uncontrollables but reduced the Johnson budget for controllables. So this is the figure from which we operate, from the $192.9 billion.

Mr. **GROSS**. But it gives the President $2 billion of so-called flexibility; is that correct? Would that be above the $191.9 billion?

Mr. **MAHON**. It could be, but only for such things as interest on the national debt, social security, and several others, which are uncontrollable through the normal appropriations process. The specific list is in the pending motion.

Mr. GROSS. This sounds like fiscal legerdemain to me, to say that Congress is going to cut $1 billion and then give the President the flexibility to go up $2 billion.

Mr. MAHON. The flexibility applies only to a limited number of items which do not require annual action by the Congress and which cannot be controlled by the President, such as the interest on the public debt, social security, and other items which are enumerated. These are fixed in various basic laws.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from North Carolina.

Mr. JONAS. On this point, Mr. Speaker, I think it should be noted for the RECORD that the bill when it left the House did not contain any exemptions. The Senate bill contained many exemptions.

Mr. MAHON. The Senate exempted from control about $111 billion out of the $192.9 billion spending budget. And it exempted many more items than are included in the conference exemption list now under consideration. And it did not put any dollar limit on the exemptions.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. MAHON. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I would ask the gentleman the amount of the so-called uncontrollables? The gentleman is talking about the interest payment on the Federal debt, the social security payments, and so forth and so on, but what else?

Mr. MAHON. Under the Senate version of the bill the so-called uncontrollables were calculated to be about $111 billion.

Mr. GROSS. About $111 billion?

Mr. MAHON. About $111 billion.

Mr. GROSS. That still leaves, it would appear to me, a lot of latitude in which to cut when you talk in terms of $111 billion on the one hand, and $191.9 billion on the other. Congress certainly has a lot of room to cut if it wants to.

Mr. MAHON. Congress can work its will. Whatever Congress does today it can undo tomorrow, of course. But the gentleman asked about the uncontrollables that were established by the other body. For example, $25.2 billion was exempted for the war in Southeast Asia. That is not exempted in this conference agreement. Other uncontrollables include some $42 billion for the social security, medicare, and other social insurance trust funds. Interest is $16 billion, plus, which is considered an uncontrollable. There are others in the Senate exemption list.

Mr. GROSS. The gentleman from Oklahoma (Mr. STEED) estimated several weeks ago that it would require some $17.3 billion this year for the interest payment on the Federal debt alone.

Mr. MAHON. I do not believe there is any doubt but what the President would have to utilize a considerable part of the $2 billion cushion in order to meet the interest acceleration on the public debt.

Mr. GROSS. Mr. Speaker, if the gentleman will bear with me for just 30 seconds, I would like to add that I regret that the committee acceded to any such exemption as this. The House bill properly provided no exceptions or exemptions, as far as I know. I am sorry that the conference did this. I know of no reason why the President of the United States should have this $2 billion play, this flexibility of $2 billion.

Mr. MAHON. I will have to say, as the gentleman well knows, that in a conference you do the best you can. I believe we did reasonably well in eliminating several of the exemptions which had been provided.

Mr. GROSS. I believe the gentleman will agree with me that we have seen too often the results of this body giving Presidents the authority to put something into effect if they deem it to be in the national interest. I am opposed to giving this kind of power to the executive branch of the Government, this kind of flexibility.

Mr. MAHON. I was satisfied with the original House version, and much of that version is retained in the conference agreement in the sense that we have a total ceiling on Government spending, which was an important objective.

Mr. Speaker, may I add that over the long stretch of time, covering all administrations of both parties, and for a variety of reasons, there have been great variations between original budget projections of expenditures—not appropriations, but expenditures—for the forthcoming fiscal year and what was actually expended in that year. Original budget estimates of spending simply have a way of not proving out, of missing the mark.

Sometimes, that is due in part to overoptimism.

Sometimes, it is due in part to a natural and understandable desire on the part of the executive branch to put its best budgetary foot forward and project the fiscal outlook as favorably as possible.

Sometimes, it is due in part to unforeseen, even unforeseeable requirements for necessary or mandated programs of government.

And, of course, the outcome is to some extent influenced by the actions of the Congress or inactions by the Congress on budget recommendations.

In short, it is a shared responsibility, but I believe it entirely fair to say that all administrations have tended to shade the projected spending total on the low side. This is not a partisan matter at all. It is simply a condition that exists regardless of party or person.

Let me be specific:

Taking all 14 budgets for the post-Korea fiscal years 1955 through 1968, the projected expenditure totals in the original annual budgets were cumulatively exceeded by about $50 billion. In 11 of the 14 years, the overruns aggregated $53.3 billion. In 3 years, there were underruns aggregating $3.5 billion. But overall for the 14 years, the Government actually expended—for a variety of reasons—about $50 billion more than the sum total of what was projected in the original budgets. That averages to about $3.4 billion a year.

That, Mr. Speaker, is why the original House provision held significant potential for savings if it had been adopted and adhered to.

Taking those 14 budgets by administrations, the first seven, from 1955 through 1961, were under the Eisenhower administration. The net overrun for the 7 years, comparing actual spending to the original budget projection, was about $17 billion.

The 3 years 1962–64 were under the Kennedy administration, and in those 3 years the net overrun was $6 billion.

The 4 years 1965–68 under the Johnson administration show a net overrun of nearly $27 billion.

The Nixon administration is, I feel certain, going to show an overrun for 1970, but it is too early to speak more precisely on this point.

So, Mr. Speaker, while we did not in the conference get exactly the House version, I do say we have its main features:

The ceiling is all-encompassing.

We are putting the spotlight, the focus, on total spending in a given 12-month period. The focus is on control of the rate in the spending of appropriations.

We are taking something of a step akin to the 1946 legislative budget idea which never worked and fell by the wayside.

Of course, Congress controls all spending now. It does so through voting appropriations and other forms of spending authority. But as Members know, not all appropriations voted for a particular year are spent in that same year. Thus the Government accumulates carryover balances unexpended. Under the new budget concept now in use, which embraces all the trust funds as well as Federal funds, the carryovers are now about $226 billion—social security, pipeline funds for defense procurement, and all the rest.

The conference agreement places a regulating ceiling on the rate, the amount that can be paid out from both unexpended carryovers and from new appropriations voted for fiscal 1970.

So, Mr. Speaker, if I were writing an open letter to the administration—any administration, Republican or Democrat—I would express the hope that this comprehensive spending ceiling, which focuses on the totality of budget spending, will lead to more realistic expenditure estimates in future budgets. It is in the public interest, it is in the interest of better understanding by all concerned, if we can have before us—if the Congress, the press, and the country can have before them the most accurate and realistic estimates possible. And to repeat, I express the hope that adoption of this provision will lead to better budgeting and a greater awareness in Congress and the country generally of the totality of Government spending.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Speaker, I thank the gentleman for yielding. We had at least

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four or five sessions on this conference. We were in session 2 or 3 days before the last recess. We did not agree to this conference report without making an effort to eliminate all of the exceptions. But as the gentleman from Texas has already pointed out, anyone who has served on a conference committee with the representatives of an equal body knows that there must be some give and take. This was the best we could do.

Mr. Speaker, I would like to endorse what the gentleman said about this being a sort of a landmark in legislative history. I do not know of any other time since I have been here that a real serious effort has been made by Congress to regain control of the purse strings. We control the purse in a fashion, because it is true that the President cannot spend any money that Congress does not first appropriate. But we know that some of the funds we appropriate in a given year are spent over several years in the future.

In the spending program for this year, for example, the President draws to some considerable extent on funds that were appropriated in prior years. That is clearly set forth in a table in the Budget in Brief to which I would like to draw to the attention of all Members who are interested in this subject.

It shows clearly that in the projected budget outlays for 1970, $109 billion only will come out of the new budget authority granted by the Congress for the fiscal year 1970 and $85.9 billion will come out of funds which were appropriated and were made available in prior years. I am using the January budget in brief.

It is worthy of note also, that of the funds we appropriate this year, some $100,700,000,000 is projected to carry over for spending in future years.

As the gentleman from Texas has indicated, when the Executive has a pot containing about $430-odd billion out of which he can draw funds for spending, there is not much of a way we can exercise any control over the amount of money that will be spent in a given year unless we impose a spending limitation. I think the overall spending limitation we are imposing, the objective we are achieving is worth having to agree to some limited provision for the so-called cushion, which is limited to a few so-called uncontrollable items.

For those who may contend that this is a meaningless exercise or that the reduction is not realistic, let me call attention to the fact that in the budget review made by the President of the January budget, there was a net reduction in projected budget outlays of $2.4 billion. That is below the outlays projected by the previous administration in the budget last January for fiscal 1970. They first updated some of the January budget projections to make them more realistic, adding $1.6 billion, then they reduced the updated figure by $4 billion, giving the net cut of $2.4 billion, and coming down to the $192.9 billion total.

So, Mr. Speaker, this additional $1 billion in the pending amendment, added to the $2.4 billion, makes the total cut at this point $3.4 billion from the January budget total of the outgoing administration.

I should add also that, of course, the administration is not happy with this provision. They would prefer no ceiling. They felt that they had, in the review of the budget, cut what they could and felt that they had a realistic total. And the President has committed the administration to a policy of fiscal restraint.

But, Mr. Speaker, we in Congress have our independent responsibilities. It is for Congress to decide what shall be appropriated and what shall be spent. The pending provision will require a little more belt tightening. And if we will, we can achieve the billion-dollar cut in our actions on the various spending bills.

The conference agreement was the best we could do, and I think under the circumstances was the best that could be reasonably expected.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman.

Mr. YATES. As I understand the ceiling in this conference report, it differs from the ceiling adopted by the Congress last year in one particular respecting Southeast Asia.

The Southeast Asia appropriations last year were considered to be an uncontrollable item and, therefore, presumably not subject to the ceiling.

As I understand the provisions of this report, Southeast Asia is now considered a controllable item, in the same category as domestic programs, and therefore is different from the provision last year. Is that correct?

Mr. MAHON. The gentleman is entirely correct. The expenditures for the war are included in the ceiling, and are not exempted.

Mr. YATES. I thank the gentleman.

Mr. MAHON. Mr. Speaker, so that the Record will be clear, under leave granted I am inserting the full text of the statement of the House managers attached to the conference report, explaining the conference agreement in respect to the overall limitation on Government spending.

Amendment No. 90: Reported in technical disagreement. A motion will be offered to insert a conference substitute for both the House and Senate versions. The Senate struck the House version.

The conference substitute will impose an overall ceiling on expenditures and net lending (budget outlays) of the Government during the fiscal year 1970. As agreed to by the conferees, the *initial* ceiling stated in the provision is $191,900,000,000—or $1,000,000,000 below the amount in the House bill and also $1,000,000,000 below the revised projection of 1970 budget outlays announced by the President on April 12 and summarized in the review of the 1970 budget released April 15, and appearing in the Congressional Record of April 16, at pages 9351–9354.

The conference agreement retains the House language that would operate continuously to adjust the ceiling, as appropriate, to comport with the estimated budget outlay effect of specific congressional actions or inactions in appropriation bills or other bills having an impact on the April 15 budgetary proposals. The conferees have added language to this part of the provision to also make it clear that other actions by the Congress would operate to adjust the ceiling in like fashion. These budgetary and other actions would result in adjustments of the ceiling whether initiated by the President or by the Congress.

And language is included to provide that net reductions made through specific congressional actions or inactions in the various spending bills will count toward the aforementioned $1 billion expenditure reduction rather than being in addition to it.

The conference agreement makes two adjustments to the original House provision. One is the addition, as subsection (b), of a limited lump-sum exemption to the ceiling figure. This exemption would permit the President, after notification in writing to the Congress stating his reasons therefor, to adjust the ceiling figure by an aggregate amount not exceeding $2,000,000,000 in respect to variations in estimates for items enumerated in subsection (b) upon his determination that expenditures and net lending (budget outlays) for the enumerated items will vary from the estimates on which the $192.9 billion April 15 executive budget projection is based. The enumerated items in all instances involve objects and programs for which the budget outlays arise out of appropriations or other authority, or relate to estimated receipts that operate to offset budget outlays, that *do not require current action by the Congress*—in other words, permanent appropriations or other spending authority contained in basic law, or actions or inactions that operate otherwise to determine budget outlays under the unified budget concept.

The other adjustment to the original House provision is the $1 billion reduction. The House bill made no reduction; it was directed primarily to securing *focus* on and ceiling *control* of all spending, not primarily to expenditure *reduction*.

CONTRAST OF CONFERENCE AGREEMENT WITH HOUSE AND SENATE VERSIONS

The House version is explained in considerable detail beginning on page 118 of House Report 91–252. The Senate committee version was modified in some particulars on the floor, but the basic thrust and key features of the Senate version are explained on page 47 of Senate Report 91–228. Briefly:

The House provision was all encompassing; it contained no exemptions. And it did not seek to make a blanket reduction in the projected budget outlay total. The thrust of the House provision was to put the control of *total* spending in the hands of Congress, adjustable *only* by the Congress.

The Senate provision, unlike the House provision, did not put a ceiling on *total* budget outlays. The Senate provision exempted from the ceiling over half of projected expenditures and net lending—about $111.7 billion on the basis of currently estimated amounts. And the Senate provision would have imposed a reduction of at least $1,900,000,000 in the nonexempted areas of the budget, that is, against areas involving budget outlays of about $81.2 billion as projected in the April 15 review. It would, in turn, have fixed a firm statutory ceiling of $79.3 billion on budget outlays in the nonexempted areas. In the exempted items, budget outlays could rise as high as the requirements were determined to be. The President would have to make the necessary reductions to the extent the Congress, through its budgetary actions during the session, did not achieve the $1,900,000,000 figure

The conference agreement would likewise require the President to make any reductions necessary to achieve the $1,000,000,000 cut to the extent Congress, through its budgetary actions during the session, did not do so.

Since the conference agreement sets a comprehensive ceiling which would be continuously adjustable based on congressional actions or inactions on budgetary proposals whether initiated by the President or by the Congress and whether or not inside or outside the April 15 budget review totals, there is no necessity to exempt any area of the budget that Congress normally acts upon each year. Approval of supplemental appropriations to meet existing unbudgeted requirements would be the basis for a corresponding adjustment in the ceiling on budget outlays.

But the situation is different where additional budget outlays—not contemplated in the April 15 budget review or found practicable within the $191.9 billion ceiling figure—arise in respect to *programs and items on which Congress does not act annually* to supply the appropriation or other outlay authority. These are mainly the so-called permanent authorizations that each year automatically stem from various basic laws and thus are not acted upon in the annual bills. It is for a limited number of these instances—instances involving generally large sums and where it is difficult to make accurate projections—that the conferees have made provision, in subsection (b), for the President, if he finds it necessary and so notifies Congress, to allow the increased expenditures above the related estimates on which the $192.9 billion April 15 budget was based. The conference agreement puts a dollar limit of $2,000,000,000 on how far the President can go in so adjusting the ceiling.

The items in respect to which the Presidential adjusting authority could operate if found necessary are:

On page 16 of the budget:

(1) Items designated "Social security, medicare, and other social insurance trust funds";

(2) The appropriation "National service life insurance (trust fund)" included in the items designated "Veterans' pensions, compensation, and insurance";

(3) The item "Interest"; and

(4) The item "Farm price supports (Commodity Credit Corporation)".

Decline of receipts (credited in the budget against expenditures and net lending) derived from—

(1) Sales of financial assets of programs administered by the Farmers Home Administration, Export-Import Bank, agencies of the Department of Housing and Urban Development, the Veterans' Administration, and the Small Business Administration; and

(2) Leases of lands on the Outer Continental Shelf.

Subsection (c) of the conference agreement retains the House provision in respect to periodic executive reports on the operation of the ceiling provision.

LIMITATION ON NUMBERS OF CIVILIAN EMPLOYEES

Mr. Speaker, I should also add, as has been indicated, that in amendment 91, we agreed with the Senate provision repealing section 201 of the Revenue and Expenditure Control Act of 1968 which to some extent limited the number of civilian employees in the Government and generally placed limitations on filling of vacancies as they occurred.

While section 201 was adopted as part of an economizing measure, the weight of the evidence is clear that it has cost more than it has saved and is a very unworkable provision. In the circumstances, we agreed that it should be repealed. In order to make the Record more clear on the basis for this action, I am including the full text of the conference report explanation.

Amendment No. 91: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate, repealing section 201 of the Revenue and Expenditure Control Act which placed limitations on filling of vacancies in certain full-time permanent civilian positions in the Government and on the number of temporary and part-time empolyees in certain Government agencies.

In section 201 itself, and in subsequent enactments in the last session, Congress exempted from the limitations and restrictions about one-third of the Government's full-time permanent positions and about two-thirds of the Government's temporary and part-time positions.

While section 201 was adopted as part of an economizing measure, the conferees are agreed that its impact is, in some cases, contrary to efforts to economize. The weight of the evidence is clear: It has cost much more than it has saved, not only in cases where dollar losses through operation of the section can be identified and estimated, but also in many other less measurable instances through the introduction of imbalances and inefficiencies into day-to-day administration.

It has, according to the evidence, resulted in costly overtime work.

It has, according to the evidence, resulted in a large loss of internal revenue collections to the Treasury.

It has, according to the evidence, resulted in inefficient utilization of personnel.

Particulars in these respects are cited in House Reports 91-264 and 91-265, on the appropriation bills for the Departments of Treasury, Post Office, and Agriculture, and in Senate Report 91-228 on this second supplemental appropriation bill.

The Committee on Appropriations, because of the costly and impractical consequences of operations under section 201, is embarked on a suspension plan for every agency as the appropriation bills are reported. The House has already suspended section 201 with respect to the Departments of Treasury, Post Office, Agriculture, HUD, and many independent agencies during the fiscal year 1970. The motion to be offered would repeal the section altogether.

Congress will, of course, continue to control Federal employment through the traditional appropriations process by providing or withholding appropriations for salaries.

The SPEAKER. The question is on the motion offered by the gentleman from Texas (Mr. Mahon).

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks in the Record on the measure just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALIFORNIA DISASTER RELIEF ACT OF 1969

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6508) to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters.

The SPEAKER. The question is on the motion offered by the gentleman from Alabama.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 6508, with Mr. Young in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Alabama (Mr. Jones) will be recognized for 30 minutes, and the gentleman from California (Mr. Don H. Clausen) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. JONES of Alabama. Mr. Chairman, I yield myself such time as I might consume.

The CHAIRMAN. The gentleman is recognized for such time as he may require.

Mr. JONES of Alabama. Mr. Chairman, H.R. 6508, the California Disaster Relief Act of 1969, the bill before this body today, was reported unanimously by the Committee on Public Works. It follows the pattern of similar legislation reported by this committee over the years. The most recent legislative acts were the Pacific Northwest Disaster Relief Act of 1965 and the Hurricane Betsy bill which assisted the States of Florida, Louisiana, and Mississippi to recover from the damage inflicted by that hurricane in 1965.

California was hit by violent storms and flooding in January and February of this year, and further runoffs by the usually heavy snowpack have affected areas of the State almost up to the present day. The best estimate of the physical damage suffered throughout the State at this particular time is roughly $265 million.

All but six of the 58 counties of the State have been covered by the proclamation of emergency of the Governor of California. In addition, most of the State was declared a major disaster area by the President and all available measures of local, State, and Federal Governments went to work to provide immediate relief and subsequent rehabilitation. Even with all this assistance which has been provided to the State, certain further basic help is required to restore many areas of California to their full capabilities. This is the reason for the legislation before you today.

In keeping with the longstanding policy of the Committee on Public Works, when the extent of the damage was reported and made known to the Congress of the United States, the chairman of the Committee on Public Works, the Honorable George H. Fallon of Maryland, as he has done on many previous occasions for other areas of the country, sent a special subcommittee to California to make a firsthand inspection of the devastated areas and to hear testimony from those people who were affected by the damage. This testimony was heard not only from the State and local officials of California but from many private citizens. The subcommittee in its swing through the State held hearings in Sacramento, Madera, Los Angeles, and Santa Barbara and made a firsthand inspection of the damage on the scene.

Further hearings were held by the committee in Washington, and as a result of these hearings, combined with the hearings held in California, the bill before you today was ordered reported.

I would like to particularly commend the work of the members from California who are on the Public Works Committee. They are Congressman HAROLD "BIZZ" JOHNSON, Congressman GLENN ANDERSON, and Congressman DON CLAUSEN. They worked diligently throughout the committee trip to California and at the hearings in Washington.

The California Disaster Relief Act has been given careful thought and follows the format of previous legislation reported by the committee. It provides assistance in areas where relief cannot normally be given under existing Federal regulations and statutes. This includes permanent highway repairs on a 50–50 State-Federal matching basis, necessary modification, changes, and help for construction and regulations covering one of the vital industries of California—the timber industry—and a modification and a waiver of the rules of the Small Business Administration and the Farmers Home Administration to provide relief to the average citizen who has been so hard hit by these storms.

I believe I would be remiss at this particular time in my opening comments if I did not take the opportunity to point out to this body the record which has been made over the years by the public works projects constructed by the Corps of Engineers which have been built in the State of California.

Completed or useful projects of the Corps of Engineers, constructed at a total Federal cost of $872 million, prevented far greater damages which would have otherwise occurred. Estimates have been made that these prevented damages would, if they had occurred, cost about $1,600,165,000.

I believe this record speaks for itself. It proves once again, as has been shown many, many times in the past, the value of and the need for proper flood control activity. Here is the record:

Flood protection information, Corps of Engineers projects—California (winter of 1968–69 and spring of 1969)

Damages prevented	$1,600,065,000
Damages preventable (had authorized projects been completed)	30,059,000
8 projects under construction	16,620,000
6 projects authorized not started	13,439,000
Total Federal expenditures in construction of corps projects in California	872,000,000
Projects with major savings:	
Los Angeles County drainage area project	1,112,500,000
Prado Reservoir	335,000,000

Damages prevented in project area by completed and partially completed projects—Project-by-project breakdown

Alameda Creek	$450,000
Bear Creek	200,000
Corte Madera Creek	25,000
Los Angeles County drainage area	1,112,500,000
Pine Flat Reservoir	4,250,000
Russian River Basin (Coyote Dam)	1,090,000
Sacramento River and major and minor tributaries	3,000,000
Black Butte Reservoir	200,000
Folsom Dam and American River Levees	$5,000,000
New Hogan Reservoir	2,000,000
Mormon Slough	500,000
Farmington Reservoir	900,000
Merced County stream group	2,900,000
Big Dry Creek Reservoir	5,000,000
Pine Flat Reservoir	5,000,000
Terminus Reservoir	8,000,000
Success Reservoir	3,000,000
Isabella Reservoir	1,000,000
San Joaquin River Levees	4,400,000
Middle Creek	500,000
Sacramento River flood control project	12,000,000
Sacramento River, Chico Landing to Red Bluff	200,000
Sacramento River (bank protection)	300,000
Camanche Reservoir (partnership)	100,000
New Exchange Reservoir (partnership)	1,700,000
Oroville Reservoir (partnership)	500,000
Tuolumne River Reservoirs (partnership)	500,000
Prado Reservoir	335,000,000
City Creek channel	1,500,000
Riverside levees	2,150,000
Santa Clara River levees	52,000,000
Santa Maria River levees	2,200,000
Ventura River levees	2,500,000
San Antonio and Chino Creeks and San Antonio Reservoir	21,000,000
Fullerton Reservoir	50,000
Carbon Canyon Reservoir	4,000,000
Lytle and Cajon Creeks	300,000
Stewart Canyon debris basin	1,000,000
Devil, East Twin, Warm and Lytle Creeks	1,500,000
San Jacinto and Bautista Creeks	6,000,000
Total	1,600,165,000

The following projects under construction would have helped reduce the flood damage:

Damages preventable had project been completed

Buchanan Reservoir	[1] $1,300,000
Hidden Reservoir	[1] 1,300,000
Dry Creek (Warm Springs) Reservoir	545,000
Mojave River Reservoir	8,175,000
New Don Pedro Reservoir (partnership)	2,200,000
New Melones Reservoir	2,200,000
Sacramento River and major and minor tributaries (additional if completed)	400,000
Sacramento River bank protection	500,000
Total	16,620,000

[1] Funding through fiscal year 1970 limited to R/E acquisition and planning.

The following projects not included in the fiscal year 1970 budget for initiation of planning or construction would have helped in reduction of January–February 1969 flood damages:

Damages preventable had project been completed

Alhambra Creek	$40,000
Cucamonga Creek	12,250,000
Knights Valley Reservoir	100,000
Lytle and Warm Creeks	427,000
Santa Paula Creek	520,000
Tahquitz Creek	102,000
Total	13,439,000

The major provisions of the bill follow:

NEED FOR THE LEGISLATION

Section 1 of the reported bill is a statement of recognition by the Congress that the State of California has experienced extensive loss and damage as a result of storm, floods, and highwaters during the winter of 1968–69 and the spring of 1969, and that the Congress recognizes the need for special measures designed to aid and accelerate the State in its efforts to provide for the reconstruction and rehabilitation of these devastated areas.

HIGHWAY REPAIRS

Section 2 authorizes $30 million to be available to the State of California for the period between the enacting date of the legislation and June 30, 1970, for the permanent repair and reconstruction of the permanent street, road, and highway facilities not on any Federal aid systems which were destroyed or damaged as a result of the storms, floods, and highwaters during the winter of 1968–69, and the spring of 1969. The section requires 50 percent participation by the State.

SHARED COSTS FOR RECONSTRUCTION OF TIMBER PURCHASE ROADS

In the Pacific Northwest Disaster Act of 1965, Congress authorized the Secretary of the Interior and the Secretary of Agriculture to reimburse timber sale contractors for reconstruction and restoration of roads which were under construction but had not yet been accepted by the Government as part of the national system of forest development roads and trails at the time of that disaster.

Subsequent to the passage of the Pacific Northwest Disaster Act, timber sale contracts were changed to recognize this problem. This provision of the bill would accomplish basically the same purpose; that is, to help timber operators reconstruct timber sale roads which have been damaged by this disaster. The new language is substantially identical to that which is now contained in the standard timber sale contract. There are 85 timber sale contracts without this language still in effect. There are 445 contracts with this language in them. This would put all timber sale purchasers on an equal footing.

Basically, section 3(a) would provide that the Federal Government would bear the cost of repairing these timber roads under certain conditions:

First. If the timber sale was under 1 million board feet, the contractor would bear the cost of the damage if the additional construction work required by the storm amounted to less than $1,000. If it was more than $1,000 the Federal Government would bear the cost.

Second. If the timber sale was between 1 and 3 million board feet, the figure would increase $1 per 1,000 board feet.

Third. If the timber sale was over 3 million board feet and damage over $3,000, the Federal Government would bear the cost.

Section 3(b) provides the Secretaries of Agriculture and Interior with discretionary authority to cancel a timber purchase contract where it is determined that the damages are so great that restoration, reconstruction, or construction is not practical under this cost-sharing arrangement.

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REDUCTION OF MINIMUM TIME REQUIRED FOR ADVERTISING SALE OF NATIONAL FOREST TIMBER

One of the effects of the 1969 disastrous storms and floods in California has been the disruption or serious impairment of access to sources of timber supply from the national forests for the wood-using industries of the region. The economies of these regions depend largely or entirely upon the timber industry, which, in turn, is dependent upon national forests as a source of supply. Time is of the essence in rebuilding these economies, otherwise these communities will face severe unemployment.

To help avert this condition, section 3(c) would authorize the Secretary of Agriculture to reduce from 30 to 7 days the minimum time required to advertise the sale of national forest timber in the affected area.

COMPLIANCE WITH REQUIREMENTS OF LAW REGARDING ENTRY OF PUBLIC LANDS

Section 4 of the bill grants to the Secretary of the Interior authority to suspend the time limits established in certain public land laws for the performance of acts where the entryman's ability to comply has been interfered with by the floods and high waters.

BUREAU OF RECLAMATION OVERHEAD COSTS

Section 5 would repeal language included in the Public Works Appropriation Act for fiscal year 1967 which required that appropriations expended by the Bureau of Reclamation in connection with disaster relief under Public Law 81-875 as administered by the Office of Emergency Preparedness should be reimbursed in full by that Office to the Bureau of Reclamation. OEP interprets that provision as requiring that funds be on hand to reimburse the Bureau of Reclamation in full before disaster assistance may be provided, and the effect of this interpretation has been to preclude the use of the Bureau of Reclamation knowledge and abilities to relieve distress in disaster areas.

This language will place the Bureau of Reclamation on the same basis as the Corps of Engineers. Through enactment of this provision, the Office of Emergency Preparedness will be in a position to contract with whichever agency can more efficiently and effective and economically do the job.

SMALL BUSINESS ADMINISTRATION

Section 6 applies to SBA disaster loans for property loss or damage as a result of these storms, floods, and high waters to the extent that such loss or damage is not compensated for by insurance or otherwise. At the borrower's option, on that part of any loan in excess of $500, the SBA would be required to cancel up to $1,800 of interest, principal, or any combination thereof.

In addition the SBA would be authorized to defer any or all interest or principal payments during the first 3 years of the loan on a disaster loan made under the Small Business Act as a result of these storms, floods, and high waters, without regard to the borrower's ability to make these payments.

FARMERS HOME ADMINISTRATION

Section 7 applies to Farmers Home Administration disaster loans the same benefits as section 6 provides for SBA loans.

TERMINATION

Section 8 terminates the bill as of June 30, 1970, with the exception that the repeal of the provision of the Appropriations Act of 1967 is made permanent.

TITLE

Section 9 identifies the bill as the "California Disaster Relief Act of 1969."

Mr. Chairman, at this time I yield to the distinguished gentleman from California (Mr. JOHNSON) for the purpose of presenting further justification for the enactment of this legislation.

Mr. Chairman, I yield 7 minutes to the gentleman from California (Mr. JOHNSON).

Mr. FALLON. Mr. Chairman, will the gentlemen yield?

Mr. JOHNSON of California. I yield to the gentleman from Maryland (Mr. FALLON), the chairman of the full committee.

Mr. FALLON. Mr. Chairman, I rise in support of H.R. 6508, the California Disaster Relief Act of 1969. This bill was reported unanimously by the Committee on Public Works. It is legislation which has been drafted by the committee after field hearings were held in California on the site of the disasters and in Washington.

It is similar in nature to the Pacific Northwest Relief Act of 1965 and the "Hurricane Betsy" legislation which aided our Southeastern States. Both bills were reported by the Committee on Public Works and enacted into law by this Congress. This bill gives additional and needed help to the many flood stricken areas of California which were devastated by the winter and spring floods of this year. It provides specific relief in such areas as highway repairs, timber access construction operations, and a basic relief and a greater leeway in granting of aid from the Small Business Administration and the Farmers Home Administration to individuals who have suffered as a result of the disastrous floods in California.

This follows the pattern of previous legislation to provide help to those who need it most and restore one of our great States to full scale operation.

I recommend its passage.

Mr. JOHNSON of California. Mr. Chairman, on behalf of myself and all the people of the State of California let me express my deep appreciation for the consideration which the House of Representatives Public Works Committee extended to the State of California during the crisis we faced this year when an extensive storm struck all areas of the State. Chairman GEORGE FALLON, the distinguished chairman of the full committee, authorized the Subcommittees on Flood Control and Rivers and Harbors to make a joint inspection of the damage. Subsequently, the Flood Control Subcommittee, under the leadership of Representative BOB JONES, held hearings here in Washington. The bill we have before you today is the result of this thoughtful consideration by this committee.

As you recall, we had a similar tragedy at Christmas time in 1964 affecting northern California and the States of Oregon and Washington. At that time, Congress enacted the Pacific Northwest Disaster Act of 1965 which proved to be a tremendous value in getting the States of the Pacific Northwest, including California, back on their feet in the wake of the storms. We are seeking the same type of assistance here today.

RAINFALL RECORDS

This has been an exceptionally wet year throughout the central and southern areas of California. During the normal rainy season, from October to March, most of the areas of central and southern California experienced precipitation up to 250 to 300 percent above normal. In some places, the rainfall was 400 percent above normal. Much of this fell after January 11 in a series of storms which began to bombard the State on that day. During 10 days in late January when the storms were at their peak, some southern California areas received as much as 40 inches of rain; that is an average of 4 inches a day for 10 consecutive days.

In the larger drainage areas of California the following average rainfalls were recorded for the month of January, and again virtually all of the January rainfall came in a 10-day period:

North coast drainage: January, 14.52 inches; normal, 7.73 inches.

Sacramento Valley drainage: January, 15.63 inches; normal, 6.80 inches.

Northeast interior drainage: January, 11.52 inches; normal, 3.43 inches.

Central coast drainage: January, 10.42 inches; normal, 4.14 inches.

San Joaquin drainage: January, 11.58 inches; normal, 3.61 inches.

South coast drainage: January, 12.83 inches; normal, 3.25 inches.

Southeastern desert drainage: 5.44 inches; normal, 1.36 inches.

Looking at Weather Bureau statistics, it is easier to pick out the days in late January and February when it did not rain. In our State capital, for instance, it did not rain from the 14th to the 17th of January, or the 28th of January. It did not rain on the 1st, 2d, and 3d of February, nor the 10th, 12th, or 13th, or the 16th, or the 20th through the 22d, or the 26th of February. That is 11 out of 49 days that there was no rain. On every other day from the 11th of January to the 1st of March, it rained. It not only rained, it poured. Similar records were recorded throughout the State. The mountains were covered with snowpacks well in excess of 30 feet in many areas—that is 30 feet, not inches.

DAMAGE ESTIMATES

In just a few days, the State of California suffered hundreds of millions of dollars of damage in spite of a major flood control program. It should be stressed that in this disaster alone, an estimated $1,230,000,000 in damage was prevented by existing flood control works constructed largely through the wisdom and foresight and leadership of the Congress. With a preliminary estimate of approximately $265 million damage from this one storm alone, you can see that the job is not yet completed and we must continue the timely program of the construction of our flood control programs.

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This, of course, is not part of the disaster relief bill we are considering today.

We are considering only the restoration of damage suffered in the January–February storms. I would like to touch briefly 100 deaths attributed to the storms. Physical property damaged was valued at approximately $265 million. This occurred in 40 of the State's 58 counties and was divided about equally between losses to public property and losses to private property. A substantial portion of this loss was to dikes, levees, and drainage facilities, restoration of which can be provided for under existing programs such as the Corps of Engineers' Public Law 99 authority or the Office of Emergency Preparedness' Public Law 875 authority.

ROADS NEED RESTORATION

As far as H.R. 6508 is concerned, the greatest need is for restoration of storm damaged highways, county roads and city streets. As you know, ours is a mobile society and without adequate transportation facilities, and especially highway routes, our economies collapse. Some $79 million worth of roads, streets, and highways were destroyed during the storms. Of this total $79 million in damage, less than half is eligible for Federal assistance under existing programs.

Reconstruction and restoration of roads under the Federal aid system pose little or no problem since there are adequate funds in the Federal Highway Administration emergency relief program to finance the rebuilding of these. This fund will cover less than $21 million worth of the total damage, however.

Nearly $14 million in road and street damage is eligible for restoration under Public Law 875 through the Office of Emergency Preparedness. The President has allocated $13 million for California disaster relief under Public Law 875, but this covers not only losses to roads and highways not on the federal system, but damages to all other public facilities including water and sewer systems, other utilities, public buildings, and some of the levees, dikes, and drainage facilities under local or state control.

You can see, therefore, that there is a tremendous deficiency which must be made up from State and Federal sources because the local governmental agencies which have jurisdiction over most of these roads and streets just do not have the financial resources to do this work. Helping eliminate this gap is one of the major objectives of the legislation that we have before you, H.R. 6508, sponsored by myself and 28 other members of the California delegation.

STATE COOPERATION

It must be emphasized, Mr. Chairman, that the State of California is doing everything within its power to restore these roads and streets. The motoring public of the Golden State now are paying 1 cent per gallon in extra gas tax in order to do its share in this massive job of rebuilding. The proposal we advance in H.R. 6508 provides Federal matching money for this purpose.

PRIVATE DAMAGES

Turning to the private sector, it is estimated that damage will approximate $100 million; $55 million of it in the agricultural areas, $20 million to residential and commercial buildings, and $25 million to privately owned public utilities. The legislation we have before us strives to assist agriculture, private industry and the homeowner to recover from the disaster.

I would like to outline the provisions of H.R. 6508, as reported by the Public Works Committee, and discuss how the committee recommended that the Federal Government assist in this effort which is so necessary if the desperately hit areas are to recover. This legislation is very similar to that which was enacted following the Alaskan earthquakes, the Christmas 1964 floods in California and the Hurricane Betsy disaster.

SECTION 1—DECLARES DISASTER

Section 1 declares the existence of the disaster and the need for assistance due to the storms, floods, and high waters experienced throughout the State of California during the winter and spring.

SECTION 2—ROAD RESTORATION

Section 2 authorizes $30 million to be made available to the State of California for permanent repair and reconstruction of flood-damaged roads, streets and highways not on any Federal aid system and for which no emergency funds are available under any existing provisions of Federal law.

Title 23 of the United States Code provides that the Federal Government can, through its emergency program, restore to Federal standards, roads, streets, and highways on the Federal aid system.

For roads not on Federal aid systems, the only disaster assistance available is through the Office of Emergency Preparedness and Public Law 875, which permits only emergency restoration of public facilities. This can be extremely limited in scope and can leave a tremendous amount of reconstruction left to be done if we are to rebuild our city streets, county roads and highways to acceptable standards.

Mr. Chairman, we are not talking about improving any roads. We are talking about reconstruction of damaged roads so they are permanently restored to safe levels.

The authorization would remain in effect until the end of this fiscal year and requires that any Federal money spent for this purpose be matched equally by the State of California. As I indicated earlier, this will be financed through a disaster fund raised by a 1-cent gas tax which already is in effect.

SECTION 3—TIMBER OPERATIONS

Section 3 relates primarily to the Forest Service and Bureau of Land Management lands. Basically, it would facilitate a resumption of timber operations by authorizing the Secretaries of Agriculture and Interior to reimburse timber sale contractors for reconstruction and restoration of roads which were under construction but had not been accepted by the Government as part of the national forest road system prior to floods. Where the damage is too great to make completion worthwhile, the section would permit cancellation of the contracts.

These provisions are incorporated in all timber sale contracts entered into since mid-1965. Eighty-five contracts entered into before that time do not have this provision and it is to place these timber purchasers on the same footing as the vast majority that we seek this legislation. Similar provisions were included in Pacific Northwest Disaster Act of 1965. Our own experience in that disaster resulted in the current contract language.

This section also reduces from 30 to 7 days the minimum period of advertising on timber sales. The economies of these regions depend largely or entirely upon the timber industry, which in turn is dependent upon national forests as a source of supply. Time is of the essence in rebuilding these economies, otherwise communities dependent upon the timber industry will face the imminent prospect of mill shutdown and severe unemployment. To help avert this condition, this section would authorize a reduction in the advertising period for timber sales.

Mr. Chairman, I should emphasize that the provisions of section 3 are similar to those in the Pacific Northwest Disaster Act of 1965. These were tremendously successful in solving many of our problems in areas with timber-based economies, and I would hope that they could be reinstated for the current crisis.

SECTION 4—PUBLIC LAND ENTRY

Section 4 authorizes the Secretary of the Interior to grant additional time to persons who have filed but did not complete within prescribed time limits the requirements for entry under the various public land laws because of the floods and storms, including the snows. This is a provision incorporated in the 1965 Pacific Northwest Disaster Act and merely recognizes that people hit by storms of this intensity cannot meet their development schedules at the same pace as if they had not been damaged.

SECTION 5—BUREAU OF RECLAMATION

Mr. Chairman, section 5 seeks to correct a problem which was discovered during the field hearings. The Office of Emergency Preparedness found that it could not deal with the Bureau of Reclamation and the Corps of Engineers on an equal footing in contracting for emergency restoration work. The language of this section would correct this. The net result should be a savings to the Federal Government in that OEP would be able to contract with whichever agency can most effectively, efficiently, and, most important, economically do the job. This is the only provision of this act which would remain in effect after June 30, 1970.

SECTION 6—SMALL BUSINESS ADMINISTRATION

Section 6 relates to the Small Business Administration Disaster Act and provides for a forgiveness of $1,800 in interest or principal on any disaster loan and authorizes the deferment of all interest and principal payments for up to 3 years. This and section 7 are the only grant considerations given the private sector, and it is little enough considering the losses. It has precedent in the Hurricane Betsy Act.

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SECTION 7—FARMERS HOME ADMINISTRATION

Section 7 provides for the $1,800 forgiveness for the Farmers Home Administration emergency loan programs plus the same 3-year deferment offered SBA borrowers. This is the same as was incorporated in the Hurricane Betsy Act.

SECTION 8—TERMINATION DATE

Section 8 terminates the effective date of the act as of June 30, 1970, except for making payments on expenditures and obligations and commitments already agreed to prior to that date. Mr. Chairman, let me emphasize that all the provisions which we have discussed here are directly related to the California disaster and with one exception, are not permanent legislation. The exception is that provision which I do suggest we incorporate in section 5 to allow the Bureau of Reclamation to participate more effectively under Office of Emergency Preparedness, Public Law 875 programs.

SECTION 9—TITLE

Section 9 entitles the act the California Disaster Relief Act of 1969. Mr. Chairman, this has been a lengthy presentation, but I believed it necessary to provide a basis for our hearings.

H.R. 6508 and H.R. 6509 were introduced by me and 28 of my California colleagues February 6, 1969, even as the flood and storm damage was mounting.

The legislation as reported to the House of Representatives by the Public Works Committee reflects some changes and modifications which have been made as a result of the field hearings and the Washington hearings held by the subcommittee under the able direction of its outstanding chairman, my good friend and colleague, BOB JONES, and during the full committee consideration under the guidance of Congressman FALLON. Both of these chairmen are extremely knowledgeable in the field of disaster relief and I want to express publicly the deep appreciation of the people of the State of California for their personal guidance and assistance in this hour of need.

I am confident that the language we bring before you today will meet with the approval of all on both sides of the aisle and in the legislative and executive branches of Government.

Accordingly, I urge the approval of this act.

Mr. DON H. CLAUSEN. Mr. Chairman, I yield myself such time as I may consume.

GENERAL LEAVE

Mr. Chairman, I ask unanimous consent that all Members may have the opportunity to revise and extend their remarks on the bill, H.R. 6508.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Chairman, this past fall and winter the Nation witnessed, once again, the terrible and awe-inspiring devastation of nature on the rampage. And, once again, it was my home State of California that was struck.

As with past disasters of this kind, we have once again realized that past legislation enacted by the Congress to protect Americans from these annually recurring natural disasters is not completely adequate to provide the kind of relief that is necessary and essential from the damage brought about by this latest disaster.

As they have so often in the past, my colleagues here in Congress have risen to the challenge and joined with Members from California in lending not only their sympathy, but their aid and their valuable knowledge of emergency legislation to prepare H.R. 6508, The California Disaster Relief Act of 1969, which is now before you.

This legislation recognizes that the greatest need in California is for restoration of storm-damaged highways, county roads, and city streets. With a mobile society, such as California has, our basic economies are threatened with virtual collapse without adequate transportation access and facilities. Estimates received from State highway officials, indicate that some $79 million worth of roads, highways, and streets were destroyed during the fall and winter storms.

Permit me, at this point, to briefly paraphrase what this bill contains and what it will cost for the benefit of my colleagues:

Section 1 of the bill recognizes and authorizes total storm damage in the amount of $265 million; $165 million for damage to public facilities and $100 million for damage to private property.

Section 2, and most important, authorizes $30 million for permanent repair and reconstruction of flood damaged streets, roads, and highways not on any Federal aid system. This section also requires 50 percent matching funds from the State of California for this purpose.

Section 3 of the bill authorizes $150,000 for the Bureau of Land Management and the Forest Service to reimburse timber purchasers for reconstruction of storm damaged forest access roads which were constructed as part of timber sales contracts, but not yet accepted by the Federal Govermnent.

Sections 4 and 5 are primarily administrative in nature and involve no costs to the United States. The first, section 4, authorizes additional time for public land entrymen to meet the legal requirements for entry provided they were otherwise unable to do so because of storms. Section 5 places the Bureau of Reclamation on the same basis as the Army Corps of Engineers in contracting for reconstruction work with the Office of Emergency Planning.

Section 6 of this legislation waives up to $1,800 indebtedness for Small Business Administration disaster loan borrowers and further authorizes deferments of all interest and principal payments for 3 years at a cost of $1,650,000.

Section 7 extends to FHA borrowers the same benefits extended to SBA borrowers in section 6 at a cost of $4,626,000.

Sections 8 and 9 identify and terminate the California Disaster Relief Act as of June 30, 1970.

This legislation, Mr. Chairman, is not all that Congress intends to do with regard to disaster relief. By way of example, I have introduced, and the committee passed, a resolution to our Flood Control Subcommittee of the Committee on Public Works that would authorize and direct the Secretaries of the Army and Agriculture to make a joint investigation and survey of the San Gabriel River Basin in California. This is the basin that includes the community of Glendora which was nearly inundated by slides of mud and debris.

Subsequently, the Secretaries are to prepare a joint report on such findings as they may conclude and forward their report to the Congress with recommendations for installing works needed to provide necessary flood prevention and control. This resolution was adopted on May 6 of this year.

My purpose in relating this is to illustrate that the legislation now under consideration, while it answers the immediate disaster relief needs of California, is just the first step toward the elimination of the causes of flood and storm damage that might occur in the future under the same or similar circumstances.

I want to make one point absolutely clear here today. In my judgment, the best type of disaster relief is disaster prevention.

At this point, Mr. Chairman, I want to bring to the attention of the Congress and the executive branch the absolute essentiality of applying higher priorities to flood control and prevention in our overall budgetary considerations. Further, I strongly suggest that we reshape our thinking in this regard because protection from and prevention of flood and storm damage should and, in my judgment, must be regarded as an investment—an investment in America, if you will.

The total investment of $900 million for protective works thus far in place in California has saved some $1.2 to $1.6 billion, and thus, more than paid for itself when you consider the total damage that could have taken place last fall and winter had these works not been in place.

While the most extensive damage caused by this flood experience was in southern California, a comparable and potentially devastating threat existed, particularly in my own congressional district on the north coast of California which bore the brunt of the 1964 disaster. This was also the case this year as the threat of still further devastation existed in southern Oregon and northern California where the Sierra snowpack reached a critical stage this year limiting access to forest lands and posing an ominous threat in the lowlands.

Mr. Chairman, while the legislation now before us is desperately needed, we have witnessed once again that we are dealing with an after-the-fact situation. Much of this disaster-relief-type legislation, I submit, could and would be avoided through an orderly program of finance and fiscal priority that recognizes protective and preventive works in the true light of the potential threat it poses to all Americans.

As our astronauts have so clearly proven, most of the land mass that comprises these United States, is largely a flood plain and, therefore, it is only log-

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ical and reasonable that we in the Congress should guarantee security against this potential threat. We can, I believe, redirect our national resources toward the protection of American lives and property—rather than their destruction.

In closing, I want to commend and thank the distinguished members of the Committee on Public Works who have worked so hard to produce this California Disaster Relief Act of 1969. I should also like to thank the many Californians from all walks of life who took the time and made the effort to appear before our committee while it was inspecting the flood and storm damage in California to express their views and their recommendations for the alleviation of the disasterous situation in which they suddenly found themselves.

And, I cannot close without expressing my sincere appreciation to the staff of our committee; all of whom spent many long, weary hours in the preparation of H.R. 6508.

And finally, Mr. Chairman, I strongly and enthusiastically urge each of my distinguished colleagues here in the House to support this legislation, thereby extending a much needed vote of confidence to the people of California who have contributed so much to our country and who, in the past, have asked so little in return.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. DON H. CLAUSEN. I shall be glad to yield to the distinguished gentleman from California, who has been very helpful in furnishing information with respect to the problems in the Santa Barbara area.

Mr. TEAGUE of California. I thank the gentleman very much, and I would like to express my appreciation to each of my colleagues from California, to Mr. JOHNSON and Mr. CLAUSEN and, of course, to all of the members of the Committee on Public Works for the splendid job they have done on this legislation, of which I happen to be one of the sponsors.

Mr. Chairman, this is clearly an emergency situation. Those of you from other sections of the country might be interested in knowing that in my own congressional district we had as much as 60 inches of rain in 10 days, which would be the normal amount of rainfall in 3 or 4 years. As a result of this we had damages estimated at between $40 million, $50 million, or even $60 million in my own congressional district alone.

These people certainly do not expect the Federal Government to take care of all this damage. Local government and private enterprise have done the major job. But this additional provision of assistance from the Federal Government is certainly justified.

My home district was one of those ravaged by the recent storms and floods, and I know only too well the urgency of this legislation. In my district alone, hundreds of acres of farmland were lost, hundreds of homes ruined by debris from the flood, many public facilities—bridges, railroads, waterlines—were disrupted, and human lives greatly endangered. All direct access to Vandenberg Air Force Base, the Nation's largest missile base, was severed.

Similar damage was and and is widespread around the State. Total damage for the storms is estimated at $265 million. In the January floods alone, 92 people were killed and more than 10,000 left homeless. The final toll in lives and property is shocking and tragic.

This legislation is an essential supplement to the current relief efforts of the Federal Government and the U.S. Army Corps of Engineers. Despite these efforts, much of the damage remains almost as it was after the storms. It is estimated that damage to city streets, country roads, and Federal highways exceeds $38 million. Less than half of this total is covered by State or Federal aid programs. Another critical need is for assistance to low-income householders who could not rehabilitate their property without the loans that this legislation makes available. The damage in California is simply too extensive for the available resources—local, State, and even Federal—to provide the necessary relief. This bill is urgently required to meet both public and private relief needs.

My 28 colleagues all support this measure. We understand personally the extent of the recent tragedy and the need for this assistance. I strongly urge unanimous support for H.R. 6508.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. DON H. CLAUSEN. I yield to the gentleman from Iowa.

Mr. GROSS. You only have 60 inches of rain in 3 or 4 years? What do you drink in California?

Mr. TEAGUE of California. Mr. Chairman, if the gentleman from California will yield further, I will respond by saying that we have various types of beverages out there, including lemonade, orangeade, and sometimes we import beverages from as far away as the State of Iowa. But 15 inches of water is an ample supply.

Mr. DON H. CLAUSEN. Mr. Chairman, if the gentleman from Iowa will come to my office I will be pleased to give the gentleman a sample to show the gentleman why we drink this great California wine.

Mr. GROSS. I will be delighted to come to the gentleman's office under those circumstances.

Mr. Chairman, if the gentleman will yield further, I see various criticisms from various agencies of the Government with respect to this bill. I would ask the gentleman from California whether these criticisms were met in the terms of the revised bill?

Mr. DON H. CLAUSEN. I will state to the gentleman from Iowa that the answer is "Yes," most of them are fully met. Let me say that in one instance in particular the original legislation which was commented upon had 100-percent funding of the highways and that was the principal dollar amount involved.

As a result, the committee amended it to coincide with the property damage recommendations to be on a matching basis, which is consistent with the established matching program for highways in other areas of our jurisdiction.

Mr. GROSS. I would ask the gentleman if he can tell me about the interest provisions.

Mr. DON H. CLAUSEN. This was reduced. Originally it was $2,500. It was reduced to conform to the top limitation in the Hurricane Betsy disaster to $100.

Mr. GROSS. That was with respect to the forgiveness feature; was it not?

Mr. DON H. CLAUSEN. The gentleman is correct.

Mr. GROSS. This bill will provide for $30 million; is that correct?

Mr. DON H. CLAUSEN. $30 million is correct, which will be matched by the State government.

Mr. GROSS. In reference to this disaster in California, have there been disaster requests because of this storm, and if so, how much?

Mr. DON H. CLAUSEN. I would state to the gentleman that I do not know that I have the exact figure. This, of course, would be under Public Law 875, and I do not have the exact figure, but the total damages were somewhat in excess of $300 million. This piece of legislation covers and refers only to those not covered by Public Law 875.

Mr. GROSS. To answer the question, we are here dealing with Federal funds?

Mr. DON H. CLAUSEN. The gentleman is correct.

Mr. GROSS. There is no anticipation, I hope, that we are going to underwrite the $300 million worth of losses in California?

Mr. DON H. CLAUSEN. The answer to the question asked by the gentleman is "No."

Mr. GROSS. I thank the gentleman for yielding.

Mr. DON H. CLAUSEN. I thank the gentleman for his questions.

Mr. MINSHALL. Mr. Chairman, will the gentleman yield?

Mr. DON H. CLAUSEN. I yield to the gentleman from Ohio.

Mr. MINSHALL. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I wish to express my sympathy to the victims of the storms which swept California last January and to the purpose of the bill before us now.

I have only just returned from my own State of Ohio which suffered what many regard as the greatest catastrophe in its history last weekend. Estimates are still coming in, but the dollar loss is heading toward the $100 million mark. Fourteen counties have been declared disaster areas by the Governor. The death toll, with many still missing, stands at 33 and other casualties are in the hundreds. I witnessed much of the storm and I have never seen anything like it. It was awesome, terrifying and presented Mother Nature at her worst.

An extraordinary catastrophe such as this—such as the floods which swept California last winter—call for extraordinary measures.

I shall support passage of the bill before us today in the conviction that a natural disaster as devastating as that suffered by California and by my State of Ohio are disasters whose impact are felt by the entire Nation. I urge that the House approve H.R. 6508.

I hope that at the appropriate time when we come to the House floor that the House will see fit to support whatever funds Ohio needs to support, and to

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take care of the tremendous damages we have sustained.

Mr. JONES of Alabama. Mr. Chairman, if the gentleman will yield for a moment, I would like to assure the gentleman from Ohio that the committee is somewhat acquainted with the possible extent of the damages that have occurred in the State of Ohio, but that the chairman of the committee will dispatch a subcommittee next week to visit the affected areas so as to gain firsthand knowledge on the subject.

Mr. MINSHALL. Mr. Chairman, I would state to the gentleman that I appreciate that statement, and that if it is agreeable with the gentleman I intend to go out with that committee to at least show them firsthand the damages that have occurred in the 23d District of Ohio, so that they may see the damages that we have sustained in dollars, not to mention the loss of lives.

Mr. JONES of Alabama. Mr. Chairman, I would state that the gentleman certainly will be welcome.

Mr. DON H. CLAUSEN. I might just add briefly to the gentleman from Ohio (Mr. MINSHALL), your colleague, the gentleman from Ohio (Mr. HARSHA) has brought this very vividly to the attention of all the members of the committee.

I am very pleased our genial chairman, the gentleman has related to you something we already knew, that we are going through Ohio to conduct an on-the-spot investigation.

Mr. STANTON. Mr. Chairman, will the gentleman yield?

Mr. DON H. CLAUSEN. I yield to the gentleman.

Mr. STANTON. Mr. Chairman, I simply take this time to express to you and to the chairman my sincerest thanks for his support and for his recognition of the problem we have in northern Ohio, and specifically in my 11th Congressional District which was one of the hardest hit.

I wish to thank the gentleman at this time and I certainly am looking forward to going with them.

Mr. DON H. CLAUSEN. Mr. Chairman, I want to yield just briefly to the gentleman from California (Mr. LIPSCOMB) and I might add in addition to this legislation we have passed out a resolution which is all that is required legislatively to handle the problem dealing with the ultimate recommendation for the protective works in the San Gabriel Mountain area, which was the area I must describe as the watershed surrounding the Glendora community which was on nationwide television, where the entire mountain slides developed and almost inundated the entire community.

I now yield to the gentleman from California (Mr. LIPSCOMB).

Mr. LIPSCOMB. Mr. Chairman, I thank the gentleman.

Mr. Chairman, I want to express particular thanks to my colleagues from California, Representative DON CLAUSEN and Representative HAROLD JOHNSON and to the chairman of the Subcommittee on Flood Control, the gentleman from Alabama (Mr. JONES), for their very effective action on this particular legislation.

The subcommittee came to California to inspect the widespread damages including in the Glendora-Azusa area in the 24th Congressional District that had such severe damage. This bill will go a long way toward giving Californians support that is needed for the restoration of damaged areas in the 24th Congressional District which I represent.

I join my colleagues in urging enactment of the California Disaster Act of 1969.

The State of California suffered hundreds of millions of dollars of damage as a result of storms, floods, landslides, and high waters during January and February 1969. The Public Works Committee puts the physical devastation in property loss and damage at $265 million. Of this total damage, the 24th District of California, which it is my privilege to represent, contains areas which unfortunately were specially hard hit by the rains, flooding, and mudslides. In my district, the Glendora—which received national attention—Azusa, San Dimas, and Mount Baldy areas experienced particularly severe damages and face a tremendous task of reconstruction and repair. The damage suffered by the people in the 24th Congressional District has been extensive, but it represents only a portion of the havoc caused by the storms throughout California.

With most of the State of California declared a major disaster area by the President of the United States, every effort was made by the Office of Emergency Planning, Corps of Engineers, Small Business Administration, and the Departments of Agriculture, Interior, and Transportation to bring about immediate relief to the disaster-torn area. However, these commendable efforts under existing law have not been enough to rehabilitate the devastated areas to normal conditions. The California Disaster Act is vitally needed to provide the special measures to assist the State in its efforts to reconstruct and repair these stricken areas.

A great need is for restoration of the storm-damaged highways, county roads and city streets. The $30 million authorized in section 2 of the Disaster Act is an important provision for the permanent repair and reconstruction of the permanent street, road, and highway facilities—not on any Federal aid system—which were destroyed or damaged by the California storms. This amount would be available to the State of California on a 50-percent matching funds basis. Since more than temporary repairs must be made which the State and counties are not financially able to do, section 2 helps meet an extensive rebuilding need that exists in California today.

Section 3, authorizing the Secretaries of Agriculture and the Interior to reimburse timber operators for reconstruction of roads which prior to the floods were under construction and were authorized by a contract for the purchase of timber, recognizes the importance of forest road and trail projects. The restoration of these accesses to sources of timber supply from the national forests represent a prudent and necessary investment in our Nation's natural resources. Because the economies of the national forest regions depend largely or entirely upon the timber industry, section 3 further authorizes the Secretary of Agriculture to reduce from 30 days to 7 days the minimum time required to advertise the sale of national forest timber in the flood-damaged areas.

Section 4 recognizes that persons affected by floods of this intensity cannot always meet development schedules as planned. To provide adequate allowance, this section provides additional time for public land entrymen to meet requirements of law for his entry if he is unable to do so because of the storms.

To allow the Office of Emergency Planning to contract with the agency that can more efficiently and economically do the job, section 5 places the Bureau of Reclamation on the same basis as the Army Corps of Engineers in contracting reconstruction work with the Office of Emergency Planning.

Sections 6 and 7 waives up to $1,800 indebtedness for Small Business Administration disaster and Farmers Home Administration loan borrowers and authorizes deferments of all interest and principal payments for 3 years. These sections are particularly important in light of the difficulties experienced by some in obtaining SBA and FHA loans and especially because it is the small businessmen and homeowners who have been hardest hit.

Mr. Chairman, I fully support this bill, and I strongly urge Congress to enact this needed legislation.

Mr. JONES of Alabama. Mr. Chairman, I yield 3 minutes to the distinguished member of the Committee on Public Works who has served during this session of the Congress and has been of such valuable assistance in the work and functions of our committee, the gentleman from California (Mr. ANDERSON).

Mr. ANDERSON of California. Mr. Chairman, as a Member of Congress from California and a member of the Public Works Committee, I wish to express my sincere support for H.R. 6508, the California Disaster Act.

Although my congressional district did not suffer damage, I did observe first hand the severe damage in many other areas of California. It was my privilege to travel with the subcommittee and participate in 4 days of hearings, at which time a great deal of testimony from the executive agencies and from the State of California concerning damage suffered was received. We also observed, on the ground, damage in many areas and the loss experienced to both public and private property.

I was also glad to join with a number of my California colleagues in sponsoring the bill before us today.

The central and southern areas of California this year experienced excessively heavy rainfall coupled with high velocity winds. Most of these areas experienced rainfall of 200 to 300 percent above normal. Through February, in many areas, rainfall experiences was almost 400 percent above normal. In some southern California areas, during a 10-day period late in January, an average of 4 inches of rain a day for 10 consecutive days was experienced. In the Sacramento area, on

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only 11 days out of 49 during January and February, rain was not prevalent. Not only did we experience an unusually heavy rainfall during this period, but snowpacks in many mountain areas are at a near alltime high. I am informed that only in 1906 is it estimated that the snowpack exceeded this year.

Mr. Chairman, I would like to express my appreciation and recognize the consideration Congress has given California over the years in authorizing flood-control structures. I was particularly impressed by testimony of experts from the Federal agencies that an estimated $3 in losses has been prevented for every $1 invested so far in flood-control structures, and so forth, and that additional savings will continue to be forthcoming from these investments. We must, therefore, look forward to the planning of additional flood control projects in order that savings will result in future years and enable us to avoid the disastrous damages that result from storms, and so forth. From this last storm alone, California experienced losses in excess of $265 million. This is one single example of why we must continue the flood-control program in California.

Turning now to the purpose of H.R. 6508, I can only stress to you the urgent need to provide assistance for reconstruction of areas damaged and to provide relief to those of our citizens who are involved with Federal assistance programs.

Mr. Chairman, during the course of our hearings, expert testimony was received from the executive agencies of the Federal Government and the State of California relative to the damage suffered and the rehabilitation needed.

Physical property loss has been estimated being approximately in the area of $265 million. However, I wish to note this is a preliminary figure subject to refinement and, from what I have heard, every indication points to a much higher figure. Damage occurred in at least 40 of California's 58 counties and overall loss was divided approximately equally between public property and private property holders. The greatest need is for restoration of storm-damaged highways, county roads and city streets. However, I understand only a portion of the total rehabilitation needs will be eligible under existing programs. Therefore, H.R. 6508 is important as there is a substantial need to finance rehabilitation of local government facilities as these entities do not have the financial resources to do the necessary work.

I will not burden you with the needs under the several sections of the bill. However, I do wish to assure you that from information that has come to me and from my personal observation during the time of the hearings, that I believe this bill is essential and necessary.

Mr. Chairman, I would also like to stress the need for relief and assistance to our citizens who are involved with the Farmers Home Administration emergency loan program and the Small Business Administration loan program. To many of the participants I feel we must make adjustments and provide relief in order that the original purposes and intent of the respective programs are continued.

Mr. Chairman, I appreciate the opportunity to give my support to H.R. 6508 in order that we can provide assistance to the State of California and its citizenry following the disastrous storms experienced during December 1968, and January and February 1969.

Mr. JONES of Alabama. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California (Mr. TUNNEY).

Mr. TUNNEY. Mr. Chairman, I would like to join my California colleagues in expressing my sincere gratitude to the Public Works Committee for having processed so expeditiously the California Disaster Relief Act of 1969. I think that the gentlemen from California who serve on the Public Works Committee—Mr. CLAUSEN, Mr. JOHNSON, and Mr. ANDERSON—are to be congratulated for shepherding the bill so quickly through the committee, and for making provisions in the legislation that are going to help many small businessmen and small farmers.

I think that the one aspect of the bill which is particularly significant is the fact that it does relieve small businessmen and small farmers from up to $1,800 of any loan in excess of $500, so that they are not going to be totally stuck for the entire cost of rehabilitating their plants and equipment.

I think one other significant provision of the bill is that part of it which allows the Bureau of Reclamation in the future to play an equal part with the Corps of Engineers in relieving distress in disaster areas. In the past, in some of these areas where there has been a local Bureau of Reclamation operation, they have not been able to participate because there were not funds in the Bureau of Emergency Preparedness to pay back the Bureau of Reclamation for the funds that Reclamation expended to relieve the distress. Now there will be no requirement for the Bureau of Emergency Preparedness to pay back any funds.

I believe these are particularly significant provisions in the bill.

Mr. PETTIS. Mr. Chairman, I join my colleagues in appealing for assistance to the State of California which suffered such great losses in the disastrous floods of this year. It is conservatively estimated that losses run in excess of $265 million. It is hard to comprehend the tragedy, as well as the monetary loss, in disasters such as this.

My own district suffered to the extent that nine persons lost their lives and public and private property damage amounted to nearly $80 million. Due to the geography of my district with its many ravines and washes the road damage was exceptionally severe. There were 70 residential dwellings destroyed in San Bernardino County and another 680 dwellings severely damaged. In almost every case, they were the homes of persons of modest means and limited income.

There are cases of persons who have worked all their lives, paying for their homes, finally reaching retirement when they had planned to settle down and try to make a small pension cover their living costs—something that might have been possible because their homes were paid for. Then they lost their homes—wiped out completely, or damaged so severely that they require considerable funds to bring themselves back to livable conditions.

State and local resources have been called upon heavily to make the necessary repairs. The State will collect more than $40 million in additional gas tax levies to be used for repair of flood-damaged roads and highways.

Local highway funds—at least in my district—have been exhausted. Individuals and various relief agencies, such as the Red Cross, have performed magnificently in assisting those families who suffered losses. But it has not been enough. We need help. This bill will provide that help on a matching fund basis for road and highway repair and to individuals through the provisions for expanding small business administration and farmers home administration loans and grants.

California is not asking the Federal Government to do it all—we have done a lot for ourselves already. But, as other States have found when they have been hit by an overwhelming disaster, assistance from the Federal Government is vital to a complete recovery.

Mr. CORMAN. Mr. Chairman, I rise to support the California Disaster Relief Act, which I cosponsored with a number of my colleagues in the House.

The vast destruction caused by storms and floods in many areas of California this past winter and spring created such great havoc that enactment of this legislation is urgent. Total damage to private and public property, caused by drenching rains, floods, snows, mud slides and other related problems, was estimated at $425 million. The number of persons who died as a result of the floods totaled well over 100. Most of the State was quickly declared a disaster area by the President.

While Los Angeles County was so designated, I am grateful that the damage to the flooded areas in my district was not as great as that suffered in other parts of California. Because of prior Federal legislation and because of the farsighted planning of the Army Corps of Engineers in cooperation with local officials, greater harm was spared the San Fernando Valley. In one instance alone because of the Los Angeles drainage project, begun by the Army Corps of Engineers in 1938 as a result of the floods during March of that year—which reeked havoc in the Los Angeles area—an estimated $900 million damage was prevented. Without protective facilities such as this, much of the San Fernando Valley's vast residential areas could have been entirely destroyed and untold personal suffering would have ensued.

Californians were fortunate in the very quick action taken by Chairman FALLON in sending a special subcommittee to inspect the damaged areas. The subcommittee held hearings in Los Angeles. Its members met with Federal, State, and local officials and from their on-sight inspection they were able to determine what assistance should be provided by the Federal Government. The Committee on Public Works acted quickly in calling hearings and reporting out a bill.

The provisions of this bill would give meaningful assistance to the State of California in rehabilitating the disaster areas. At the time of the floods, the emergency assistance offered from all sources was most commendable and brought a good measure of relief to the people caught in the floods. But relief efforts are not enough, and this bill, if enacted, will substantially restore the disaster areas in California to normal living conditions and will revitalize the damaged industries and businesses so that economic progress can continue.

Mr. Chairman, I strongly support this legislation and urge passage of it today.

Mr. LEGGETT. Mr. Chairman, I rise today to urge passage of H.R. 6508 which will in part relieve the tremendous burden of reconstruction necessitated in California as a result of the disastrous storms which inundated large parts of the State last winter.

I personally inspected some of the ravaged areas in the vicinity of Sacramento and can testify that the destruction, especially in the rural areas, was very great indeed. The total storm damage has now been set at $265 million, of which $100 million is attributable to private property losses.

The bill we are considering today will allocate a total of about $35 million for relief. The main authorization is $30 million to be made available to the State for repair and reconstruction of roads and highways not presently on any Federal aid program. This $30 million is part of a matching program, requiring a 50-percent contribution from the State of California.

The rest of the aid package includes a waiver of indebtedness for certain Small Business Administration loans. The maximum individual waiver will be $1,800. This section of the bill will also authorize deferment of interest and principal payments for 3 years on all other SBA loans. I feel this is a very important provision, as many of the establishments ravaged by the storms and floods were small private enterprises and family businesses which cannot under the present financial situation be rebuilt without some Federal assistance. The total cost to the Government under this section is only $1.6 million—a small investment when we consider the gains to be accomplished by getting the small businessman on his feet again. A similar program under this bill extends the same benefits to Federal Home Administration borrowers, and will cost about $4.6 million.

Another provision—section 5—places the Bureau of Reclamation on the same basis as the Army Corps of Engineers in contracting reconstruction work with the Office of Emergency Planning. This provision will enable the OEP to contract with whichever agency can more efficiently and economically do the job thus cutting down on the redtape of renewal. There will be no cost to the Federal Government under this section.

This is a cost effective bill. The economic benefits gained by speedy reconstruction will more than offset the minimal cost of this legislation and, of course, the value in human terms of getting people back into their homes and back into their businesses is incalculable. I strongly urge all of my colleagues to act favorably on this bill today.

Mr. JONES of Alabama. Mr. Chairman, I have no further requests for time.

Mr. DON H. CLAUSEN. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, pursuant to the rule, the Clerk will now read the amendment in the nature of a substitute now printed in the bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress hereby recognizes (1) that the State of California has experienced extensive property loss and damage as a result of storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969, (2) that much of the affected area is federally owned and administered, and (3) that the livelihood of the people in the area is dependent upon prompt restoration and reconstruction of transportation facilities and public works projects, and therefore Congress declares the need for special measures designed to aid and accelerate this State in its efforts to provide for the reconstruction and rehabilitation of these devastated areas.

SEC. 2. There is authorized to be appropriated for the period beginning on the date of enactment of this Act and ending on June 30, 1970, not to exceed $30,000,000 for allocation to the State of California by the President for the permanent repair and reconstruction of those permanent street, road, and highway facilities not on any of the Federal-aid systems which were destroyed or damaged as a result of the storms, floods, and highwaters during the winter of 1968–1969 and in the spring of 1969 in California. No money shall be allocated under this section for repair or reconstruction of such a street, road, or highway facility unless the State of California agrees to share equally with the United States all costs of such repair or reconstruction.

SEC. 3. (a) Where an existing timber sale contract between the Secretary of Agriculture or the Secretary of the Interior and a timber purchaser does not provide relief from major physical change not due to negligence of the purchaser prior to approval of construction of any section of specified road or other specified development facility and as a result of storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969 in California a major physical change results in additional construction work in connection with such road or facility by such purchaser with an estimated cost as determined by the appropriate Secretary (1) of more than $1,000 for sales under one million board feet, or (2) of more than $1 per thousand board feet for sales of one to three million board feet, or (3) of more than $3,000 for sales over three million board feet, such increased-construction cost shall be borne by the United States.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

(c) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that the sale of such timber will assist in the reconstruction of any area of California damaged by storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969.

SEC. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in California as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement resulting from storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969.

SEC. 5. The last paragraph under the center heading "Administrative Provisions" in title II of the Public Works Appropriation Act, 1967 (Public Law 89–689), is hereby repealed.

SEC. 6. In the administration of the disaster loan program under section 7(b)(1) of the Small Business Act, as amended (15 U.S.C. 636(b)), in the case of property loss or damage in the State of California resulting from the storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969, the Small Business Administration, to the extent such loss or damage is not compensated for by insurance or otherwise, (1) shall at the borrower's option on that part of any loan in excess of $500 cancel (A) the interest due on the loan, or (B) the principal of the loan, or (C) any combination of such interest or principal, except that the total amount so canceled shall not exceed $1,800 and (2) may defer interest payments or principal payments, or both, in whole or in part on such loan during the first three years of the term of the loan without regard to the ability of the borrower to make such payments.

SEC. 7. In the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1961–1967), in the case of property loss or damage in the State of California resulting from storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969, the Secretary of Agriculture shall, to the extent such loss or damage is not compensated for by insurance or otherwise, (1) at the borrower's option on that part of any loan in excess of $500 cancel (A) the interest due on the loan, or (B) the principal of the loan, or (C) any combination of such interest or principal, except that that total amount so canceled shall not exceed $1,800 and (2) may defer interest payments or principal payments, or both, in whole or in part on such loan during the first three years of the term of the loan without regard to the ability of the borrower to make such payments.

SEC. 8. This Act, other than the repeal made by section 5, shall not be in effect after June 30, 1970, except with respect to payment of expenditures, obligations, and commitments entered into under this Act on or before such date.

SEC. 9. This Act may be cited as the "California Disaster Relief Act of 1969".

Mr. JONES of Alabama (during the reading). Mr. Chairman, I ask unanimous consent that the amendment in the nature of a substitute be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The CHAIRMAN. If there are no amendments to the committee amendment, the question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. YOUNG, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6508) to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters, pursuant to House Resolution 463, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, and high waters."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill H.R. 6508.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

REAPPOINTMENT OF VICE ADM. HYMAN G. RICKOVER AS HEAD OF NAVAL NUCLEAR PROPULSION PROGRAM

(Mr. HOLIFIELD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HOLIFIELD. Mr. Speaker, the morning Washington Post carried a brief article which deserves the attention of the membership. I refer to an announcement by the Secretary of the Navy, the Honorable John Chafee, regarding the reappointment of Vice Adm. Hyman G. Rickover to another 2-year term as head of the naval nuclear propulsion program.

Admiral Rickover serves in the dual capacity of Director of the Naval Reactors Division of the Atomic Energy Commission and deputy commander of the Navy's nuclear propulsion ship's systems command.

Admiral Rickover has a long and illustrious record in the Navy, and I will append to my remarks a résumé of his record of service.

On June 24 the Joint Committee on Atomic Energy issued a report updating information on the naval nuclear propulsion program—1969. In that report's foreward the committee made the following statement:

> The outstanding success of this program has been achieved under the technical direction of Vice Adm. H. G. Rickover, U.S. Navy. Admiral Rickover's current appointment as head of the naval nuclear propulsion program expires in a few months. The Joint Committee continues to have the conviction that continuity of stewardship of this vital and expanding program by Admiral Rickover and his joint AEC–Navy organization is more important than ever and that all aspects of it must be maintained and supported. The efficiency of the naval nuclear propulsion program and the large task accomplished by so few people are extremely impressive. Admiral Rickover is continuing to provide vigorous and imaginative leadership to this program and is without doubt the most qualified person available to head this vital work.
>
> For some strange reason that has never been clear to the committee, each time Admiral Rickover's appointment has approached expiration during the last 16 years his reappointment has occurred only after considerable public furore. It is difficult to understand how the Navy, which has gained so much through Admiral Rickover's outstanding achievements and dedicated efforts, has always managed to place itself in the position of appearing to be forced by public exposure into retaining Admiral Rickover's services. The committee hopes that the new leadership of the Department of Defense and the Navy will act swiftly to announce their intention to reappoint Admiral Rickover when his present term expires in January 1970 so as to avoid any conjecture to the contrary that might arise again this year based on the poor record of their predecessors in this matter for the past 16 years.

I wish to commend Secretary Chaffee for his decision to reappoint Admiral Rickover.

I wish to especially commend our former colleague, now the Secretary of Defense, the Honorable Melvin Laird. I am sure that Secretary Laird's service on the House Appropriations Committee's Subcommittee on Defense gave him the personal knowledge of Admiral Rickover's contribution to the security of our Nation. I am also confident that his advice and counsel were effective in the decision announced by the Secretary of the Navy.

Since 1961 Admiral Rickover has held his present position. He, more than any other one man, is responsible for our nuclear Navy. He is directly responsible for our great nuclear submarine fleet which has at present 84 nuclear submarines and four nuclear-powered surface ships in operation. An additional 22 nuclear-powered attack submarines and three nuclear-powered surface warships have been authorized by Congress.

Our submarine fleet has steamed over 13 million miles. There has never been a Polaris nuclear submarine which has failed to complete its assigned mission because of a failure of its nuclear propulsion plant. This outstanding record is due to the high standards insisted on by Admiral Rickover.

I believe today that our nuclear submarine fleet stands as the first line of defense for our Nation. It is undoubtedly the most invulnerable weapon system we have due to its maneuverability and its ability to avoid being detected.

We should never forget that each Polaris-type submarine, and there are now 41, carries firepower in its nuclear missiles ranging from 2½ to 5 times greater than all the bombs used in World War II.

A biographical sketch of Admiral Rickover follows:

BIOGRAPHICAL SKETCH OF HYMAN G. RICKOVER

Vice Admiral Hyman G. Rickover was born in Warsaw, Poland, in 1900 and came to the United States with his parents, Abraham and Rose Rickover, at the age of four. He graduated from the U.S. Naval Academy in 1922, was commissioned as Ensign. He later attended the Columbia University School of Engineering and the U.S. Naval Postgraduate School. He became a qualified submariner in 1930.

In 1946, he was assigned to the Atomic Submarine Project, then under the Manhattan Engineer District, as Assistant Director of Operations. Since 1947 he has worked in a dual capacity as Manager Naval Reactors, U.S. Atomic Energy Commission and as Assistant Chief for Nuclear Propulsion, Bureau of Ships, Department of the Navy.

Admiral Rickover first achieved national recognition for his leadership in the development and fabrication of nuclear propulsion systems for submarines and other naval ships. As early as 1946, before the Atomic Energy Commission was established, Admiral Rickover was assigned responsibility for investigating the use of nuclear reactors for this purpose. He assembled a team of naval officers at Oak Ridge, Tennessee, and early in 1948 was made chief of a joint AEC-Navy program to develop the first naval propulsion system.

Later, in collaboration with the outstanding scientists and engineers of Argonne National Laboratory, basic data on the nuclear properties of reactor materials were compiled and conceptual design systems for nuclear propulsion of ships were developed.

Admiral Rickover also brought industry into an active role, and at Bettis near Pittsburgh, Knolls Laboratory near Schenectady, and at the National Reactor Testing Station in Idaho the development of naval nuclear propulsion systems was carried out. A landmark in this effort was the initial operation on March 31, 1953, of the Submarine Thermal Reactor, Mark I, the land-based prototype of the first nuclear submarine propulsion plant.

On June 14, 1952, the keel of the *Nautilus*, the world's first nuclear submarine, was laid at Groton, Connecticut. The event marked the beginning of a revolution in the concepts of naval propulsion. In February, 1957, the *Nautilus* completed operation on its first core, having traveled 62,500 nautical miles in more than two years. For the first time a true submarine had become possible. Nuclear submarines such as the *Nautilus* and the *Skate* voyaged under the North Pole Ice Cap, demonstrating that the polar regions were no longer inaccessible to ships. The *Triton* became the first submarine to circumnavigate the world completely independent of the earth's atmosphere. A graphic demonstration of the scope of Admiral Rickover's efforts and the value of nuclear propulsion to the surface fleet was recently provided when the aircraft carrier *Enterprise*, the guided missile cruiser *Long Beach* and the destroyer *Bainbridge* cruised around the world without refueling. From operating experience at sea, and from land prototypes, the effort to further develop nuclear propulsion has continued with great success.

Comparably important, but not so well known, is his direction and leadership of the Shippingport Pressurized Water Reactor (PWR) project near Pittsburgh, Pennsylvania, from which came not only most of the basic technology for submarine and surface ship reactors but also a large part of the reactor technology used in our present day water-cooled and water-moderated nuclear power plants.

The Shippingport Project was established in 1953 as an important national goal. It was the first large-scale central station atomic power plant in the world and has served as the technical foundation for other reactor plants both private and government-owned. This plant has supplied more than 1.7 billion kilowatt hours of electricity to users in the Pittsburgh area since its initial start-up in late 1957 and has clearly demonstrated that nuclear fission can reliably and safely supply electricity to a utility network on a useful scale.

Notwithstanding its success in the production of electricity, the primary goal of the Shippingport project, under Admiral Rickover's direction, was advancement of the basic technology of water reactors. Some of the specific gains in reactor technology resulting from the Shippingport operation are in the fields of fuel and nuclear poison technology; reactor physics; reactor control; reactor thermal, hydraulic, and mechanical design; basic heat transfer studies; fuel element failure detection systems; refueling procedures; primary coolant water radiochemistry; and disposal of radioactive wastes.

Two of the most important contributions resulting from Admiral Rickover's direction of the Shippingport (PWR) project have been in the fields of reactor physics and reactor fuel technology. The PWR, with its "seed and blanket" design, demonstrated that it is feasible to obtain large amounts of power from a "blanket" of natural uranium surrounding a "seed" of highly enriched uranium which serves as the driving element in a reactor which is cooled and moderated with ordinary water. While producing power the seed-and-blanket design has the additional advantage of making possible the breeding of fissionable material from the very abundant element thorium in the blanket. As a result of Admiral Rickover's achievements in this program, the State of California has submitted a proposal for cooperative construction of a large thorium seed-blanket reactor which the Commission now has under consideration.

In the field of fuel metallurgy the Shippingport PWR project team, led by Admiral Rickover, has been responsible for the development of uranium oxide as a fuel material for large power reactors. Engineering studies of the PWR also produced many design improvements which have extended the life of reactor fuel elements and thus have contributed to the reduction in nuclear power costs. The first PWR core, placed in the reactor in late 1957, operated until February, 1964, more than three times its original design life.

For his many achievements, Admiral Rickover has been awarded the Navy's Legion of Merit and Commendation Ribbon with Oak Leaf Cluster, the Cross of the British Empire (Military Division), the Egleston medal of Columbia University's Engineering Alumni Association, and the Army and Navy Union's Medal of Honor. In 1959 the Congress of the United States presented him with a special Congressional gold medal in recognition of his achievements. He was the third U.S. Navy Admiral ever to be so honored.

On January 14, 1965, Vice Admiral H. G. Rickover was presented with the 1964 Enrico Fermi Award by President Johnson. The citation for the Award states: "For engineering and administrative leadership in the development of safe and reliable nuclear power and its successful application to our national security and economic needs."

Admiral Rickover is married to the former Ruth D. Masters and they have one son, Robert.

REAPPOINTMENT OF VICE ADM. HYMAN G. RICKOVER AS HEAD OF NAVAL NUCLEAR PROPULSION PROGRAM

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, I wish to add my voice to the views expressed by the gentleman from California (Mr. HOLIFIELD). I am certain he speaks for the members of the Joint Committee. I enthusiastically compliment the Secretary of the Navy, and any others who had anything to do with the decision to extend Vice Adm. Hyman G. Rickover's term of office. The contributions made in the past by Vice Adm. Hyman G. Rickover are recognized by all who know him, and we are sure his contributions in the future will be even greater.

Mr. RIVERS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. RIVERS. Mr. Speaker, I would certainly like to associate myself with these remarks.

Mr. Speaker, I think the observations of the gentleman from California and the gentleman from Michigan bespeak the sentiment of every single Member of this body.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. MAHON. Mr. Speaker, I applaud the remarks made by the gentleman from California and the gentleman from Michigan. Admiral Rickover is one of the greats of our time.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. HOSMER. Mr. Speaker, I too desire to join in and endorse the remarks of our colleagues, the gentleman from California (Mr. HOLIFIELD) and our other colleagues in commending the Secretary of Defense and the Secretary of the Navy for the extension of Admiral Rickover's term as head of the naval nuclear reactors program. I wish to call attention to the fact that this great American has, during his service in this position, installed and operated more nuclear reactors by a factor of 5 to 10 than any other person in the world and more than most nations of the world. His service to our Nation is unique and extraordinary. Few men in our Nation's history have had his opportunity to enhance its defense in such great measure. Even fewer have risen so magnificently to the opportunity. We shall for many generations be stronger and safer because of this remarkable man's contributions.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. MILLER of California. Mr. Speaker, I would like to associate myself with the remarks of the gentleman from California and the gentleman from Michigan, the distinguished minority leader, with respect to what they have said about Admiral Rickover.

We all realize Admiral Rickover's great worth. He is one of the leading scientists in the world today.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. ALBERT. Mr. Speaker, I desire to associate myself with the remarks of the distinguished gentleman from California, who certainly is in the position to be able to appraise the work of Admiral Rickover.

I also wish to join in the remarks of others of our colleagues.

I regard Admiral Rickover as one of the really indispensable men of this generation.

Mr. RHODES. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. RHODES. Mr. Speaker, I wish to associate myself with the remarks of the gentleman from California and the gentleman from Michigan and other Members of the House in commending the Secretary of Defense and the Secretary of the Navy for their redesignation of Admiral Rickover as head of the Navy nuclear propulsion program.

I also want to point out how fortunate the people of the United States are in being served by this very fine and able American and in having this man available for the next 2 years.

As a member of the subcommittee of the Committee on Appropriations which is charged with preparing the appropriations for atomic energy, it has been my good fortune to know Admiral Rickover personally and to know his worth for some time. He has both my personal and official admiration.

I am sure other members of the Public Works Subcommittee join with me in expressing our gratitude and our appreciation for his redesignation. It will be a pleasure to work with him in the future as we have in the past.

FREE WORLD SHIPS CARRYING SUPPLIES TO NORTH VIETNAM

(Mr. CHAMBERLAIN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. CHAMBERLAIN. Mr. Speaker, the President's recent decision to reduce the number of American troops in Vietnam is clearly a significant milestone in the course of that tragic conflict and offers great hope that the beginning of the end is now in sight.

Nonetheless, the struggle is far from over, as the weekly casualty figures so unmistakably attest.

Another barometer of the Hanoi regime's commitment to the war is to be found in the steady stream of vessels carrying supplies into North Vietnamese ports. Many of these ships are Communist vessels but a substantial number of these monthly arrivals continue to be of free world registry under charter to various Communist interests.

During the month of June, according to Department of Defense information made available to me, 11 more ships flying free world flags steamed into North Vietnam. This brings the total so far this year to 60 such arrivals and compares

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to the 78 arrivals during the first half of 1968.

Last month this traffic consisted of six ships flying the British flag, with two each bearing the registry of the Somali Republic and Cyprus, plus one of Singapore. While exact information about the cargoes involved is classified, I have seen the reports and am satisfied that strategic goods are included as well as other supplies, which can only help North Vietnam maintain its aggressive policy in the south.

While the incidents of terrorist mortar attacks and assassinations make bigger headlines, the constant flow of these supplies, which help to underwrite this policy of wholesale murder, is obviously of crucial importance.

The reduction in the volume of this traffic from what it was a year ago is encouraging, but it is not good enough. More must still be done to dry up this source of supply for the enemy. Accordingly, I am writing to the President to inquire more fully with respect to the efforts being made by the administration to eliminate this traffic. Despite the announcement a number of our servicemen will be returning home, we still have substantial forces stationed in South Vietnam and we owe it to these men wearing our uniform to put forth our best efforts to deny the enemy the wherewithal to continue their aggression.

At this point in the RECORD I insert a chart indicating free world shipping to North Vietnam during the first 6 months of 1969.

FREE WORLD SHIPPING TO NORTH VIETNAM, 1969

Month	British		Somali		Cyprus		Singapore		Japanese		Maltese		Total	
	Number	GRT DWT	Number	GRT DWT	Number	GRT DWT	Number	GRT DWT	Number	GRT DWT	Number	GRT DWT	Number	GRT DWT
January	8	34,597 47,200	2	8,973 12,600	1	2,137 3,100							11	45,707 62,900
February	6	30,824 44,300			1	2,137 3,100	2	8,148 11,000	1	3,896 6,000			10	45,005 64,400
March	6	27,870 39,600	1	8,997 13,500									7	36,867 53,100
April	7	29,714 50,000	1	3,378 5,000					1	695 717			9	33,787 55,717
May	9	45,802 63,400	1	4,534 6,000	1	2,137 3,100					1	5,333 9,400	12	57,806 81,900
June	6	30,195 47,100	2	7,912 11,000	2	7,308 12,200	1	4,224 6,500					11	49,739 76,800
Total	42	199,002 291,600	7	33,794 48,100	5	13,719 21,500	3	12,372 17,500	2	4,591 6,717	1	5,333 9,400	60	268,911 394,817

DEALING WITH CAMPUS DISRUPTERS

(Mr. KUYKENDALL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. KUYKENDALL. Mr. Speaker, now that the Committee on Education and Labor has taken no action to strengthen the hands of the administrators of our universities and colleges in dealing with campus violence, destruction and seizure, it seems the only course open is to attach an amendment to the appropriation bill for the Department of Health, Education, and Welfare to cut off Federal funds where administrators fail to take appropriate action to uphold the law.

I am very much in sympathy with the approach suggested by the chairman of the subcommittee (Mrs. GREEN). In support of the need for action, I would like to include as a part of these remarks an article from the current, July 14, issue of U.S. News & World Report outlining the guidelines drawn up by eight college presidents for dealing with campus rebellions.

The thrust of the amendment we shall attempt to have enacted will be based on two points:

First. On Mrs. GREEN's approach which is clearly emphasized in the college presidents' report:

> Clear-cut policies and procedures to be followed in case of campus violence or disorder must be thought through, established, and published.

Second. Good faith action should be required of the administrators to implement their own plans in the event action is needed.

Mr. Speaker, I hope all the Members of this body will take note of this report and, for heaven's sake, let us do something before we begin another year of anarchy and chaos.

The article follows:

HOW EDUCATORS WOULD DEAL WITH COLLEGE REBELS

NEW YORK CITY.—No negotiation of student demands under duress . . . and no amnesty for lawbreakers.

These are major rules in guidelines drawn up by eight presidents of colleges in New York City area for dealing with campus rebellions.

After a study of college disturbances in the past school year, the educators issued a report saying:

"Violent and disruptive actions strike at the very heart of constructive dissent, academic freedom and due process in the accomplishments of reform—all of which are the earmarks of a free university—and cannot be countenanced."

In announcing the report on June 30, President Dumont F. Kenny of New York City's York College said colleges cannot continue to "take the battering" to which they have been subjected.

"A year of campus disorders," the report said, "has taken its toll in the colleges in instructional effectiveness, retention of able administrators and public support."

Among the guidelines recommended by the college presidents were these:

"Clear-cut policies and procedures to be followed in case of campus violence or disorder must be thought through, established and published."

"There should be no negotiation of demands under duress, i.e., when personnel are detained or buildings occupied."

"It must be made clear to all that there can be no amnesty for civil or criminal lawbreakers."

"When student governments are representative and legitimate, college administrations should support them against the challenges of . . . a tiny minority purporting to speak for the students."

"Faculties must face up to their responsibilities in dealing with . . . those few faculty members who have engaged in such practices as manipulating and irritating students for their own partisan and political goals."

"Student confidence in their faculty and administration can be enhanced by giving responsible students a chance to 'carry the ball.' "

" 'Layers' of response should be prepared to prevent escalation of issues and help defuse crises. Since trivial or imaginary issues may grow into major demonstrations and disorders, it is important that faculty and administrators respond to all situations quickly."

The presidents opposed passage of special control measures singling out college students, because they already are "subject to the same civil and criminal laws as every other citizen."

As to police, President Kenny said most of the presidents felt that it is good policy to have police visible at the edge of the campus when violence threatens—ready for use if needed.

TIME TO CHANGE—DAYLIGHT SAVING TIME

(Mr. HALL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HALL. Mr. Speaker, the dimension of time has long been a great mystery to man. Throughout the ages he has discovered that he can allot it, beat it, change it, devote to it, find it, gain it, have it, keep it, kill it, make it, mark it, occupy it, prescribe it, race it, serve it, spare it, take it, tell it, waste it, and watch it. However it was supposedly in the area of "saving time" that the 89th Congress concentrated its attention when it passed the Uniform Time Act of 1966.

This law was passed only after heated debate. There can be little doubt that the State's prerogatives were greatly curtailed. Be that as it may, the act is now the law of the land. What must be done now is to amend the act so as to make it fair and equitable to all segments of the population.

In this regard and toward improving this act, Mr. Speaker, I am today submitting a bill whereby daylight saving time would not commence until the Sunday following Memorial Day, and then would cease the Sunday following Labor Day. Why should not daylight saving time begin when unofficial summer begins for the overwhelming majority of our people? I know of no logical reason why daylight saving time should begin so early in the spring and end so late in the fall.

Under the present act, children are forced to go to bed during the school year while the light of day still shines through their bedroom windows. I am sure that most Members of this body are aware how difficult it is to make youngsters sleep under these conditions. Probably the only way to remedy this situation is by the use of a ball bat or by the use of tranquilizers, depending upon the degree of frustration. This problem is compounded in that during certain times of the school year these same children must get up in the morning greeted by a pitch black and dark world and stand shivering in the dark awaiting the school bus. Surely, there is enough confusion facing our schoolchildren in our troubled world, without adding any more.

Not only have our children been placed under the adverse and confusing pressure of this expanded daylight savings time, but so have the remainder of the population. Therefore, Mr. Speaker, it is for these reasons I am introducing this reasonable bill in the nature of a perfecting amendment to the act. I solicit the support of all Members.

Mr. JOELSON. Mr. Speaker, will the gentleman yield?

Mr. HALL. Mr. Speaker, I yield to the gentleman from New Jersey.

Mr. JOELSON. Mr. Speaker, I read of a letter of one constituent—I do not know if this is one of the gentleman's—whose statement said that because of the extra hour of sunlight his crops were being ruined.

Mr. HALL. Mr. Speaker, I do not know about that, but it is awfully hard to milk in the dark, because they still milk on God's time and that is when the milk comes down in the udder.

THE FAMILY OF MANN—BENEFITS FROM SPACE EXPLORATION

(Mr. MILLER of California asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MILLER of California. Mr. Speaker, very recently every Member of the House was sent a booklet produced by the General Electric Co., entitled "The Family of Mann."

Its purpose is to explain in a dramatic yet simple manner the widespread and significant benefits that have come to the average American and his family as a result of our program of space exploration.

It is important, I think, to recognize that a very large economic segment of the Nation's industry, heavily involved in aerospace research and technology, has taken the time and effort and money to publicize widely its recognition of the rewards of space research that have become a part of our everyday life.

You have heard very often, on this floor, and have read in many publications, of the spinoffs that have come from NASA's programs, that are now practical realities. These realities are most often downgraded or even ignored in the arguments of the critics, the chronic complainers who argue that space research represents money being wasted, that we cannot afford the funds we are investing in exploring space, and that the money could be better spent in other directions.

This booklet, "The Family of Mann," is not a figment of imagination. It cites facts. It shows that every major aspect of everyday living is being benefited: Medicine and health, education, housing, urban rehabilitation, communications—the list goes on and on.

Does this represent money being wasted? I do not think so, nor do I think you do. Can we afford the expenditure? We are expending in NASA less than one-half of 1 percent of our gross national product. Is that expenditure, in relation to all our other needs, beyond our means? I say no. We can afford it.

Mr. Speaker, I urge you to thoroughly examine this publication. I urge you to communicate its contents to your constituents. These are the people who will be the principal beneficiaries of our aerospace investments.

WHY DID THEY KILL MARTIN LUTHER KING, JR.?

(Mr. WALDIE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WALDIE. Mr. Speaker, 2 weeks ago a young man from my district, Richard Harvey Mitchell, of John F. Kennedy High School in Richmond, Calif., won second place for individual oratory in the National Forensics League national speech championships. I know I express the pride of our county in Richard's accomplishment when I boast of his success.

His speech, Mr. Speaker, is on a vital subject and may well have within it far-reaching implications to Richard Mitchell, his generation, our generation, and the Nation.

Mr. Speaker, I would like to submit Richard's speech for inclusion in the RECORD:

WHY DID THEY KILL MARTIN LUTHER KING JR.?

(Speech by Richard Harvey Mitchell)

"I have a dream; that one day every valley shall be exalted, every hill and mountain shall be made low, the rough places will be made plain, and the crooked places will be made straight, and the glory of the Lord shall be revealed, and all flesh shall see it together."

Dr. Martin Luther King, Jr., the 1963 March on Washington, the man with the dream is dead.

"I hate America! You mass of paranoic racists! Riding around in your fancy cars, staying in your big hotels, and spending money like you got a printing press in your basement! Well, I'm going shopping today, but instead of money that you use, I'm taking my own credit card—this brick, and this bottle of gasoline!"

So spoke Carmichael and Hamilton in the book, "Black Power," their final solution to the racial problems of America.

In 1963, in his soul-inspiring speech, Dr. King knew; he attempted to warn America of a coming turmoil, but his words fell on ears deafened by the high shrills of fallacious advancement. The black rifle of death found its mark, then silence.

It was a dull Thursday, I was working in the basement of a hardware store in an after school part-time job. The phone rang; I answered; it was my brother. He informed me that Dr. Martin Luther King, Jr. had been shot and killed, the assailant unknown. I put down the phone in a moment of extreme shock and confusion. . . . I went home later that evening and cried.

The next day at school I realized that my feelings were not unique. Students were wandering aimlessly about the campus in what seemed to be a hypnosis of despair. A black student walked up to me informing me of a student mass meeting to be held second period that day. We black students had to talk. I knew the same questions stood with unqualified precedence in our minds; was Carmichael actually right? Was there but one method to achieve social advancement resultant in black self-determination in this Nation, and that being violence?

And King, what of King, the man with the unshaken faith in humanity? What would have been his destiny, and the destiny of his philosophy? But most important of all, with the greatest perpetrator of brotherhood and human understanding destroyed by a lightning bolt of fear and hatred, what would be our road from this point on as Black people?

Carmichael, in a tidal wave of emotion and anger, declared the death of the prince of non-violence; taking into account the American Revolution, and the Civil War, it became his contention that in America, violence was a way of life!

And then Dr. King himself, reflecting an obvious depletion of charisma and strength, stymied by a frustratingly unchanged society, he chose rather than to denounce the riots, to explain them: an explanation that totally satisfied neither Black nor White.

Finally me, left with one of two given alternatives: I could become the "color blind individual" and attempt assimilation into the American middle class. In the attempt to meet all the requirements for entrance into this class, I would face relinquishment of my identity; therefore, losing the very individuality that I so desperately sought. Or, I could become an expressant for the Black community, relating only on a collective level, denouncing this society and all its White inhabitants, and in that denouncement, being championed by many Blacks and hated by many Whites.

But, in that tormentous hour of confusion, I searched for a position unique in itself.

At the time of a previous crossroad, a person had advised me that in order to discover myself, the hardest road would be the more enlightening. I believe the position is more eloquently stated by Dr. King in one of the final documents he wrote before his death explaining his stand against the Vietnam War; a stand which put him at odds with many of both communities.

"There are those who tell me that I should stick with civil rights and stay in my place. I can only respond that I have fought too hard and too long to end segregated public accommodations to segregate my own moral concerns." And that is, indeed, my conviction and that must be the conviction of every American, if we are to survive as a Nation.

Dr. King's inspiring voice has been silenced forever, but I can refuse to accept that his magnificent philosophy died with him. With that in mind, White people cannot take a stand behind law and order, and

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for law and order, without looking at the causative conditions of disorder, and without looking for correctives to those conditions.

Black people, on the other hand, cannot take a stand behind Black Nationalism and for Black Nationalism without making sure that it cannot become, and does not become, Black Racism.

Every American must stand up for universal justice. This is what Dr. King lived for, and this is *why* he died.

There flows a raging torrent of racism with White America on one bank and Black America the other. An arched bridge, weakened by years of deception, reaches from a side. We Black people are upon that bridge, and even past the line signifying halfway. But as we descend to the other side, to our great shock and disappointment, the opposite end slides coldly into the water. The raging torrent begins to rise; temple lifting comes the shout, "everybody off the bridge, for soon it will be out."

Black people filing coldly back and hurt, began to sing instead of "We Shall Overcome," "Forget the Whole Damned Thing."

And I alone on the crumbling bridge that at once did truly fall, and drowning here in the roaring rage I ask, "Whom shall I call?" I think that the best way that I can live up to the tremendous commitment left by Dr. King would be to pattern my life after the words of a simple song as he did, and as he expressed to his congregation "If I can help somebody as I pass along, if I can cheer somebody with a well song, if I can right somebody who's going wrong, then I will not have lived in vain. If I can do my duty as any man ought, if I can bring salvation to a world once wrought, if I can spread the teachings as the master taught, then I will not have lived in vain."

I would like to leave you with an intriguing question: Carmichael told White America to go to hell, and Rap Brown said burn this racist society to the ground: but if those two men presented the greatest threat to this Nation of systematic inequality, then why did they kill Dr. Martin Luther King, Jr.?

PROTECTION OF INDUSTRIAL DEFENSE FACILITIES

(Mr. ICHORD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ICHORD. Mr. Speaker, the gentleman from Tennessee (Mr. QUILLEN) and I have today introduced a bill titled the "Defense Facilities and Industrial Security Act of 1969." Other Members joining with us in the introduction of the bill include Mr. BENNETT, Mr. FISHER, Mr. FUQUA, Mr. WAGGONNER, Mr. COLMER, and several members of the House Committee on Internal Security; namely, Mr. PREYER of North Carolina, Mr. EDWARDS of Louisiana, Mr. ASHBROOK, Mr. ROUDEBUSH, Mr. WATSON, and Mr. SCHERLE.

This is a comprehensive bill with the overall objective of providing a sound legislative base for the protection of defense production against sabotage, espionage, and other acts of subversion, to safeguard classified information released to industry against unauthorized disclosure, and to give express congressional authorization for the maintenance of a personnel security program for access to vessels and waterfront facilities under the Magnuson Act.

It appears that such legislation is both necessary and timely. A number of Federal court decisions have had the result of weakening certain aspects of the industrial security programs hitherto established and maintained by the Government under existing legislation or Executive order. They have also had the literal result of destroying personnel security programs initiated under title I of the Internal Security Act of 1950 with respect to industrial defense facilities and under the Magnuson Act with respect to vessel and waterfront security. This has occurred at a time when we are faced with steadily mounting dangers at home and abroad. Congressional action is necessary if facilities essential to an effective defense posture are to be adequately safeguarded.

The principal features of the bill are as follows:

First: It is a major purpose of the bill to remedy a serious deficiency in the legislative program for the protection of defense facilities arising from a decision of the U.S. Supreme Court in the case of *U.S.* v. *Eugene Frank Robel*, 389 U.S. 258 (1967). In that case, the Supreme Court voided a provision of title I of the Internal Security Act of 1950 which made it unlawful for members of Communist-action organizations to engage in employment in a defense facility.

This provision of law was the principal legislation serving to protect industrial defense facilities from infiltration by subversives.

The bill seeks to remedy this particular deficiency by requiring the President to institute a personnel security clearance program for determining eligibility of persons for access to postions or areas of employment in defense facilities which are determined to be sensitive by the Secretary of Defense.

Second. The bill gives express congressional sanction for the institution of measures and regulations establishing a security clearance program for the protection of classified information released to U.S. industry.

While a program for the protection of classified information has been instituted pursuant to Executive Order 10865, there is no express congressional authority for the maintenance of this program. Because of the absence of such authority, some doubt has been cast upon the validity of important provisions of the Executive order, particularly those provisions placing certain reasonable restraints upon cross-examination to protect intelligence sources. See *Greene* v. *McElroy*, 360 U.S. 474.

Moreover, present procedures require strengthening in several respects which are beyond the competence or power of the President acting alone. Among the pressing deficiencies in the Executive order is the absence of power to issue compulsory process for the attendance of witnesses; the absence of authority for the granting of immunity for compelled testimony; and the absence of authority for the imposition of certain area restraints.

Also needed is some regulation of the jurisdiction of Federal courts. There appears to be an objectionable tendency on the part of Federal courts to intervene in security cases and to enter orders and injunctions having the effect of granting access to classified information to alleged security risks prior to a final determination of the access privilege on the merits by agencies responsible for the safeguarding of such information. See for example, *Shoultz* v. *Secretary of Defense* (D.C. N.D. Cal.) decided February 9, 1968. The bill covers the foregoing and other deficiencies.

Third. The bill requires the President to develop and execute a cooperative, as well as a voluntary, security program with representatives of industry and labor for the protection of defense production. This would embrace certain facilities essential to defense production or mobilization but which are not subject to the screening program authorized for the specific categories of "defense facilities" as defined in the bill.

Fourth. The bill gives express congressional authority for the institution of measures and regulations establishing a personnel security program for access to vessels, harbors, ports, and waterfront facilities under the Magnuson Act (50 U.S.C. 191) to remedy a deficiency in the law resulting from the Supreme Court decision in *Schneider* v. *Commandant, U.S. Coast Guard*, 390 U.S. 17 (1968).

The Court declared in that case that the Magnuson Act gave no express—or even clearly implied—authority to the President to set up a personnel screening program for access to merchant vessels of the United States. As a result of this decision, the personnel security screening program for the protection of vessels and waterfront facilities instituted in 1950 and administered by the Coast Guard has virtually been abandoned. There is presently no adequate program in effect to forestall penetration of this vital area by saboteurs and espionage agents. The bill will restore and improve the effectiveness of the former program.

FIRST AMERICAN TROOPS RETURN FROM VIETNAM

(Mr. RIVERS asked and was given permission to address the House for 1 minute, and to revise and extend his remarks and include extraneous matter.)

Mr. RIVERS. Mr. Speaker, the first American troops have returned from Vietnam; 814 men who have experienced the horrors of war. They do not return shining in the glow of victory, nor do they return with their heads bowed in defeat. They return more in pathos than in splendor.

But they must assuredly return as men disillusioned for having participated in a war for which there never was, and is not now, a plan for a military victory.

Some of these men have seen their closest friends die before their very eyes. And I am sure they need no reminder that 37,000 Americans have given their lives for this war in Vietnam.

These men could well be the forerunners of gradual deescalation.

They have fought superbly and are deserving of all the honors we bestow upon heroes. But they are also the victims of the ridiculous policy of gradual escalation which has brought us to the sad plight that exists in South Vietnam today.

And just as the concept of gradual escalation proved to be the greatest strategic blunder in the history of warfare, so may the concept of gradual deescalation prove to be the second greatest blunder in the history of warfare.

No one can dispute the wisdom of Vietnamizing this war in Southeast Asia. But the withdrawal of American troops can only strengthen the resolve of the North Vietnamese to concede nothing in Paris and to continue their predetermined plan of wearing out our patience.

Every man who has served in Vietnam knows we have the military might to achieve a military victory in Vietnam. And every American serviceman in Vietnam knows that we have not applied this military power.

There is no war in the history of the United States that has been more frustrating to the American people. We have fought the war, from the outset, with a restraint and constraint that baffles military leaders who must order men into battle. We have fought the war in Vietnam with one arm tied behind our back and, since last November, with one leg chained to the ground.

We could have brought North Vietnam to her knees, but a high-level fear of world opinion prevented us from doing so.

The American people have a right to be frustrated, for deep down inside they bitterly resent the fact that American boys have died for the sake of a national image that sought to reflect compassion, but has been interpreted by most of the world as stupidity, or weakness.

THE FIVE-SIDED RIDDLE; OR, THE PENTAGON, WHO IS IN CHARGE HERE—PART II

(Mr. FULTON of Tennessee asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FULTON of Tennessee. Mr. Speaker, last week I placed in the RECORD a portion of the report of the Subcommittee on Economy in Government of the Joint Economic Committee entitled "The Economics of Military Procurement."

At that time I stated that I intend to continue placing a portion of the document in the RECORD until it has been printed in full.

Since that time President Nixon and Defense Secretary Laird have announced the formation of a "blue-ribbon" civilian panel to make a thorough study of the Department of Defense.

This is certainly welcome news here and I can only wish those who share in this monumental undertaking well, for their task is formidable.

The staff director for the group is Mr. Fred Buzhardt, Jr., who is quoted in the press as saying:

> We will try to find out how the D.O.D. can carry out the strategy handed down by President Nixon and the National Security Council with maximum efficiency, economy, and—most important—effectiveness.

It is my hope that this will be the main concern of the group rather than an attempt to gloss over glaring evidence of waste and mismanagement by laying blame on policies and programs of previous Department of Defense officials. If there is responsibility to be placed, then place it; if there is blame to lay, then lay it. But, more important, is that wasteful practices and mismanagement be halted.

Mr. Speaker, a very useful document for the new "blue-ribbon" panel would be "The Economics of Military Procurement" and I place the second installment of the report in the RECORD at this point:

THE ECONOMICS OF MILITARY PROCUREMENT

4. PATENT POLICY

The Government's patent policy similarly tends to reduce competition and increase the concentration of economic power. Briefly, the Government permits contractors to obtain exclusive patent rights, free of charge, on inventions produced in the performance of Government contracts. The Defense Department normally retains only a nonexclusive royalty-free license for itself. The contractor, in other words, obtains a monopoly which he can exploit for his own private gain in the commercial market for inventions paid for by public moneys. This "fringe benefit" of doing business under Government contracts does not get reported as part of the contractor's profits. In effect, the public pays twice. Once through the Government contract; again in the marketing of the private monopoly.

It should be noted that the contractor's own patent policy differs from that of the Department of Defense. When contractors award contracts to independent research institutes, the contractors, not the research institutes, retain the patent rights. Further, the employees of contractors generally must agree that the contractor gets the patent rights to any inventions developed during their employment.

Admiral Rickover and Professor Weidenbaum agreed that permitting contractors to obtain patent rights from Government contracts reduces competition in defense industries because the "ins" get a competitive advantage over the "outs." Rickover stated that one-half of the patents acquired by contractors as a result of Government-financed research and development work are owned by 20 large corporations, "* * * the very same companies that receive the lion's share of contracts."

In contrast to general Government policy, the Atomic Energy Commission and the National Aeronautics and Space Administration are required by law to take Government title to inventions developed under Government contracts, subject to waiver of rights by the Government. The Government's policy amounts to a special privilege to contractors at the expense of taxpayers.

5. SUBCONTRACTING AND PROFIT PYRAMIDING

The study of subcontracting in defense procurement is important for at least two reasons. First, subcontracting can provide an opportunity for small business to participate in Government work. Most small businesses cannot obtain prime contract awards. But they can supply prime contractors with a variety of goods and services. Second, profits in subcontracts turn up as part of the costs of the prime contract. Information about the amount and type of subcontracting and of subcontract profitability could be a valuable guide to current procurement costs and future policy. Unfortunately, the Defense Department has not been able to supply good information on these subjects.

DOD's collection of subcontracting data is inadequate. The only data which has been collected is the percentage of subcontracts that go to small business, on the basis of sampling. In fiscal year 1968, 886 large prime contractors awarded subcontracts worth $15.2 billion. Of this sum, $6.5 billion went to small businesses, according to DOD. DOD also *estimates* that approximately 50 percent of the total amount of prime contract awards is subcontracted. This estimate seems to be based on data gathered by DOD during 1957–63 when prime contractors were required to report such information. Data on the total amount of subcontracting has not been collected since 1963. DOD cannot state with certainty whether subcontracting has increased or diminished since 1963, or whether prime contractors are tending to keep more or less of their work in-house.

Because DOD no longer collects complete data on subcontracting, we cannot know whether subcontracting is being awarded competitively or through sole sources, what kinds of work are being subcontracted, or whether subcontractors are required to submit cost data in compliance with the Truth in Negotiations Act. Admiral Rickover testified that there is a lack of effective price competition both at the prime contract and subcontract levels in shipbuilding procurement and that some major subcontractors have never provided the cost data required by the Truth in Negotiations Act.

Another serious omission has been the failure to collect information on subcontractor profits. The DOD profit review system compiles profit data for a sample of prime contract awards. These figures do not reflect profits taken by subcontractors which could involve several tiers. For example, a prime contractor might purchase a piece of machinery from a subcontractor. The subcontractor might purchase a component for the machinery from another subcontractor, and so on. Each of the subcontractors will earn a profit on the item supplied. The same final item, therefore, is likely to include a profit as part of its cost for each time it changed hands. In this manner, subcontractor profits are pyramided, layer upon layer, into the final cost.

When the prime contractor obtains the item, he too, will add his profit to its cost. The Government pays for it on the basis of the prime contractor's cost plus the prime contractor's profit. Included in the prime contractor's cost are the pyramided profits of several subcontractors. However, profits are often considered to be only the amount realized by the prime contractor. Profit studies normally do not consider the hidden, pyramided layers of subcontractors' profits buried in the prime contractor's costs. Whether subcontractor profits are reasonable is entirely unknown to DOD or any other Government group. For this reason alone, defense profits may be seriously underestimated because the studies include only prime contractors' profits. The present policy of not gathering adequate information on subcontracting could be calculated to minimize the total amount of defense profits that are reported and to frustrate the thorough study of this important subject.

It is well recognized that subcontractors doing Government or non-Government business should be allowed to earn reasonable profits for their work. The issue here is that the DOD does not collect sufficient information to know whether subcontractors' profits on defense contracts are reasonable or excessive. The available data is also inadequate to reveal the level of competition among subcontractors, and the precise interrelationships between the prime contractors and the subcontractors. Further, it is presently not possible to determine whether prime contractors are charging the Government unreasonably for work done by subcontractors. In the subcommittee's judgment, the thorough study and full disclosure of all the

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facts with respect to subcontractors' costs and profits, and their effects on the final costs to the Government, is frustrated by the DOD's present policy and practice.

6. NONCOMPLIANCE AND WAIVER OF THE TRUTH-IN-NEGOTIATIONS ACT

The Truth-in-Negotiations Act was passed in 1962. Its purpose was to give the Government better access to contractors' cost data so as to place Government on a more equal footing with industry in negotiating the prices of contracts. The Act is supposed to protect the taxpayer against overpricing where there is no true competition.

Investigations by this subcommittee and others over the past 2 years have demonstrated widespread noncompliance and other shortcomings with truth in negotiations. The Government's failure to fully implement it seems to be one of the major reasons. Lack of implementation occurs in two ways. First, the Government contracting officer can make a determination that competition is adequate, or that the price is based on a standard catalog price, and therefore that the Act should not apply. Such determination can be made with respect to a negotiated procurement even though there is, in fact, little or no actual competition for the contract. Once there is a determination that adequate competition exists, the Government does not obtain or evaluate cost and pricing data, or require the contractor to reveal the basis for his cost estimates, or to certify the completeness or accuracy of his cost information. Nor does the Government subsequently review the contractor's books or records. In effect, the price is set on the basis of uncertified, unevaluated data supplied by the contractor.

Second, the Government can waive the requirements under the Act for cost data. There is evidence that waivers are granted to many large contractors. In one recent case, the Navy waived the requirement for cost data in a $10 million procurement of propulsion turbines. According to Admiral Rickover, the price of the equipment was substantially higher than for similar equipment on a prior order. In addition, the price included a profit of 25 percent of costs. The contractor was one of the only two available sources capable of building the machinery. In response to requests for cost data, the contractor declined on the grounds that the proposed price was established "in competitive market conditions" and that "to supply any cost estimating data could only lead to misunderstanding." The waiver was granted over Admiral Rickover's objections.

The subcommittee also received evidence that the manufacturers of large computers are simply refusing to supply information specified in the Truth-in-Negotiations Act on orders for new design computers. In the face of contractor refusals to supply cost or pricing data for computers costing millions of dollars each, the Government has waived the provisions of the Act. According to the testimony of the General Services Administration, the Government is faced with a take-it-or-leave-it situation. The contractor will simply refuse to sell if the Government insists on the cost data. Moreover, there is evidence that few basic material suppliers such as steel mills, nickel producers, and forging suppliers comply with the cost data provisions of the Act.

Again, the tactic is (1) to persuade the Government contracting officer that competition is adequate, or that the price is based on a standard catalog price, and that the Act should not apply; or (2) to obtain a waiver of the cost data provisions.

The Truth-in-Negotiations Act permits the Government to make preaward audits of contractors' books to determine the adequacy of cost data in cases where the Act is applied. Investigations by GAO have revealed substantial overcharges to the Government as a result of the failure of the Department of Defense to obtain adequate cost and pricing data. Because preaward audits were not always effective in disclosing inadequate cost estimates, Congress amended the act to give the Government postaward audit rights, Public Law 90–512. The effectiveness of the postaward audit provision has not yet been determined. However, it should be kept in mind that the postaward audit provision cannot solve the problem of the failure to apply the Act, or the granting of waivers. Furthermore, the Comptroller General testified to this subcommittee in 1967 that a GAO review showed there had been full compliance with the Act in only about 10 percent of the transactions tested. We are not aware that the record of compliance has improved.

7. ABSENCE OF UNIFORM ACCOUNTING STANDARDS

In addition, the Truth-in-Negotiations Act often cannot place the Government on a more equal footing with industry in negotiating the prices of contracts, even when there is compliance, because of the inherent difficulties of determining costs and profits under present accounting practices.

For example, it may not be possible for the Government to determine whether direct and indirect costs on Government and commercial work have been properly allocated by the contractor. In one case, reported by Admiral Rickover, the Navy allowed a shipbuilder to charge salaries and other pay directly on Government contracts, while similar costs on commercial contracts were charged as overhead and allocated to both Government and commercial work. The Government was thus paying directly for work done on Government contracts and indirectly for work done on commercial contracts. The Navy had accepted these costing methods because the contractor's system conformed to "generally accepted accounting principles." In this particular case the GAO eventually found that the Government had been overcharged by over $5 million.

The fact is that there is wide disagreement on how particular costs should be handled and profits calculated under "generally accepted accounting principles." For this reason, experts may come to completely different conclusions about costs or profits in an individual case. In a case still pending, where the Government entered into several multimillion dollar contracts with the Westinghouse Co. for nuclear propulsion components, the contractor indicated his price included a 10-percent profit based on costs. GAO found that the contractor made actual profits of 45 to 65 percent of costs, and that he knew or should have known at the time he submitted cost breakdowns that the higher profits would be realized. Later the Defense Contract Audit Agency decided the contractor should have expected to realize 20- to 27-percent profits. Thus, two different Government auditing agencies are in sharp disagreement over the amount of profits in these contracts. The vagueness of "generally accepted accounting principles" is generally acknowledged. In a recent case, the Armed Services Board of Contract Appeals stated in its opinion:

"Except insofar as the ASPR (Armed Services Procurement Regulation) cost principles themselves reflect generally accepted accounting principles, it is difficult for the Board or the parties to cost contracts to govern their determinations by such an elusive and vague body of principles."

Under the Armed Services Procurement Regulations, cost principles are set forth for cost-reimbursement-type contracts for the purpose of denying certain costs, such as bad debts. These principles are not mandatory in fixed-price contracting. Yet fixed-price contracts constitute more than 75 percent of defense procurement. Thus there are no mandatory cost principles in the regulations for 75 percent of defense procurement. The cost principles that do exist have the effect of only disallowing certain items. They do not constitute uniform standards.

Finally, contractors are not required to maintain books and records on firm-fixed-price contracts, constituting 53 percent of defense procurement. Where contractors are required to maintain records, they must conform only to "generally accepted accounting principles," and may not show the cost of Government work. Admiral Rickover testified that a sole source supplier of nuclear propulsion units refuses to keep accounting records showing the cost of manufacturing the components. Thus, although he complies with the Truth-in-Negotiations Act, the absence of accounting records prevents a determination of whether his prices are reasonable. For example, a contractor may submit cost data at the time the price of the contract is being negotiated, but afterwards, during performance of the contract, not keep adequate books and records. Colonel Buesking testified, "I have yet to see a contractor's accounting system in major programs that can adequately determine the unit cost of hardware."

Uniform accounting standards for all defense contracts have been advocated to facilitate the measurement of costs and profits. The GAO is now undertaking a feasibility study of such standards at the direction of Congress. Regardless of the outcome of the study, it is clear that the Government often cannot determine the reasonableness of costs or profits on defense contracts under present cost accounting methods.

8. VOLUMINOUS CHANGE ORDERS AND CONTRACTORS' CLAIMS

It is often necessary to make changes in the design or production of an item after the contract is awarded. This is especially true for the more complex weapons and equipment such as missiles, fighter planes, bombers, and their electronic components. There may be thousands of changes on such procurements. The production of the B–47 bomber in the 1950's involved about 8,000 changes. The Minuteman program has involved at least that number. Change orders generally increase the cost of a contract.

The Government pays the price if it originated the change or was in any way responsible for it. Because of the great number of changes, and the fact that the total cost of the changes may exceed the original price of a given contract, it would be reasonable to assume that records are maintained of the cost of each individual change and of their origin as to the Government's liability. Again, DOD has failed to keep adequate records or to even require that contractors keep adequate records.

Contractors are not required to account for change notices separately. As a result, it is usually not possible to determine the cost of individual changes. Typically, the Government is forced to negotiate a lump-sum settlement to pay for numerous changes since most changes are not priced in advance of the work, and the Government has not checked to see what the cost of the change should have been. Admiral Rickover testified.

"Thus, contractors can use change orders as a basis for repricing these contracts. They have almost unlimited freedom in pricing change orders because their accounting system will never show the cost of the work. The Government can never really evaluate the amounts claimed or check up to see if it paid too much."

Under the present system of nonaccountability, it is possible for contractors to inflate costs by pricing changes, and to attribute cost overruns to contract changes. In the vernacular of the world of defense contracts, change notices are sometimes referred to as contract nourishment.

Many claims against the Government result from formal contract changes. Others are produced by constructive change notices which may occur in a telephone conversa-

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tion between a DOD official and an officer of the contracting company. The contractor might obtain relief orally from meeting a contract specification, or claim that an act of God or a strike prevented him from meeting the contract schedule.

Regardless of the origin of a claim, the Government is often at a disadvantage in meeting it. A contractor may have a large staff begin preparing and documenting a claim the day work begins on the contract. Although fully documented, however, accounting records seldom support the costs claimed. Nevertheless, the claim may be pursued over a period of years until it is finally disposed of. DOD does not keep records of unfounded or exorbitant claims, nor does it consider such information in awarding subsequent contracts.

9. THE FAILURE OF INCENTIVE CONTRACTING

Another attempt to find a substitute for competition has been the use of incentive contracts. The Defense Department began using incentive contracts extensively in 1962. The shift in emphasis reflected the widely held belief within the Defense Department that the cost-plus-fixed-fee (CPFF) contracts commonly used up to that time for major weapons systems procurement did not result in adequate control over costs. Since 1962 the decline of CPFF contracts and the increase of incentive contracts has been substantial.

The goal of the incentive contract is to motivate the contractor to be efficient and control his costs. The mechanism is a provision in the contract entitling the contractor to retain a portion of any cost underrun as additional profits. That is, the Government and the contractor agree on a target cost as part of the contract price. They also agree on a profit as part of the price. If the actual costs turn out to be less than the target cost, the contractor retains part of the underrun as an increased profit. If the actual cost exceeds the target costs, the contractor must bear a portion of the overrun and his profit is reduced. The profit-sharing provision is the hoped for incentive which will cause the contractor to increase the underrun so as to increase his profit.

The Defense Department has maintained that incentive contracting is an improvement over cost-plus-fixed-fee contracts. Beyond question, the problem of cost control during the period when CPFF contracts predominated was very great. Assistant Secretary of the Air Force Robert H. Charles referred in his testimony to the "enormous cost overruns of several hundred percent" for major weapons systems procurement in the past. He attributed a substantial portion of the cost overruns to the use of cost reimbursement type contracts and the absence of price competition.

The question, however, is, first of all, whether incentive contracting is, in principle, an effective means of controlling the costs of procurement, and secondly, whether it has succeeded in practice. The Defense Department claims success on both counts, although conceding the difficulty of demonstrating the effectiveness of incentive contracts as opposed to CPFF contracts, since they cannot both be utilized on the same project at the same time. On the other hand, much evidence was received which casts doubt on the proposition that incentive contracts result in cost savings, at least in practice.

Indeed, the experience of incentive contracting shows that it can increase both profits *and costs*. For while a contractor may increase his profit by performing efficiently to produce an underrun, another way of producing an underrun is to inflate the original target cost as much as possible. As Irving Fisher of the Rand Corp. pointed out in the hearings November 13, 1968, the problem of overstated target costs is significant because most weapon system procurement is negotiated without price competition, and many of the development contracts awarded competitively are awarded on the basis of technical or nonprice rivalry. In situations where target costs are negotiated, the opportunity for contractors to increase them is great.

The evidence suggests that incentive contracts have not accomplished their intended goal of increased efficiency or reduced costs, and that they may actually be contributing to a general upward shift in target costs. Whether this is inherent in the incentive contracting approach, or the result of poorly applied but valid concepts, we are not prepared to say. However, we feel that burden of proof that the concept is indeed valid rests squarely on the Department of Defense. We are so far unconvinced that this approach is the best that can be designed to effectively control procurement contract costs.

GREAT LAKES SHORELINE LEGISLATION

(Mr. SCHADEBERG asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. SCHADEBERG. Mr. Speaker, I am today introducing legislation designed to combat an emergency situation which exists in the First District, Wisconsin, and in every other congressional district bordering the Great Lakes—shoreline erosion of such serious nature that homes, lives and property are being continually threatened with destruction. It is my hope that consideration of this bill by the Committee on Public Works, and its subsequent passage by Congress, will afford adequate relief to the Great Lakes areas and other areas which suffer from this problem.

Mr. Speaker, I was first apprised of the shoreline erosion situation in my district in 1963. At that time, although there was only slight damage which was not beyond the capacity of the individual homeowner to remedy, I began an investigation into the means and methods of controlling shore erosion that today results in appropriate legislation.

Even in 1963, with most damage being slight, there were instances of severe damage. One instance occurred to the Sisters of Saint Dominic who were required to put out $50,000 in measures to preserve their shoreline. In fact, a movie by the Conservation Department of the State of Wisconsin entitled "Mud" tells their story.

What was once a minor problem has developed into one of major proportions. During the past few years a rise in the water level of the Great Lakes has resulted in a threat to all property on the shoreline. Already this year the total damage caused in the lake shore area in the County of Kenosha between 42.30° and 42.40° latitude has been estimated at being over $200,000. This estimate does not even include private financial output to daily combat erosion. In a survey taken in June of this year of 67 property owners living along Lake Michigan between Racine, Wis., and Lake Forest, Ill., it was discovered that they have expended $218,000. This sum does not include the estimated damage to land, buildings, and equipment.

The efforts of these individuals is proof that Federal assistance is not their first request. Time and effort has been spent in trying to meet and solve the problem, but to no avail. I have personally seen the attempts made in my district to halt the onslaught of waves and water: huge 10-ton boulders placed on the shoreline, only to be pushed aside by oncoming waves as if they were small pebbles; old rusted autos and tree trunks placed on the shoreline to break the destructive action of the water, only to be deposited rapidly on the bottom of the lake at the first storm activity; huge concrete culverts placed on, and large pilings driven into, the shore, only to have the water undercut the ground around them. In spite of these efforts the damage continues—garages toppled into the lake, roads cracked and left sitting precariously on the edge of the lake, and homes that once were 300 feet from the shore now stand with views 10 feet from the shore.

What is seriously needed is a concerted Federal effort in the preservation of this property by the building of abutments and jetties to extend into the lake to divert and break up the strength of the waves and to form natural sand and gravel barriers that can fluctuate and change with the changing water levels. The Federal Government, acting through the Army Corps of Engineers, is needed to coordinate the placing of these jetties. Otherwise a situation will result where one individual undertakes preventive measures, and others do not, and the damage to the unprotected property is twice as severe. The entire shoreline must be saved, and this is possible only through the combined efforts of the communities, and the indivduals, acting with the Federal Government whose activities can cut across State borders.

The bill I am introducing today will coordinate all efforts to protect the land along the lakes and to save the lakes from filling with mud and sediment. It has the effect of deleting subsection (d) of the first section of the act entitled "An act authorizing Federal participation in the cost of protecting the shores of publicly owned property," approved August 13, 1946—33 United States Code, section 426e(d). This act currently allows Federal assistance only to be used for protection of public lands and/or private lands used for a public purpose.

With the passage of this bill, private property owners can qualify for assistance to be given by the Corps of Engineers in accordance with already established procedures for civil projects relating to shore erosion on public lands.

The bill I am introducing today also amends subsection (b) of said act of August 13, 1946—33 United States Code section 426e(b)—by allowing the Federal matching grant formula of 50–50 reimbursement to be met by responsible local interests, meaning private citizens who would receive a benefit from protective measures. In this fashion, the individuals, through the process of special municipal assessments, would be able to meet Federal costs to solve a problem, the effects of which go beyond the benefit to the landowner.

Mr. Speaker, I have conducted a very thorough investigation into the current possibilities for Federal assistance. There are none. Under existing law, private homeowners whose lands are being eroded, to their detriment and to the detriment of the conservation of the lakes, have no place to go. The Army Corps of Engineers cannot enter onto any privately owned property for the purpose of shoring lake frontage due to high waves. They can participate if the President of the United States declares that a disaster exists. This process however is long and involved, calling for a special request from a State Governor. It is not available for emergency protection, merely for the relief of areas which have already suffered from a disaster. I would hope that disaster measures will never be needed.

The citizens in my district are more than willing to borrow from the Small Business Administration, who can issue loans at a 3-percent rate, but this activity would provide only temporary relief. It would not solve the long-range problem, where the Federal, State, and even the local government will have to work together to protect what is left of what was once a magnificent lakeshore.

My findings are supported by efforts of other Members of Congress who join me in cosponsoring this measure to obtain assistance, and even guidance, for the lands in their districts. There is nothing that can currently be done except to sit by and see the destruction of miles and miles of beautiful and productive lands. Present policies governing beach erosion must be expanded to bring them into line with the policies governing the elements of other civil works programs.

Congress recognized the need for the expanding legislation last session when it adopted Public Law 90–483. Section 106(a) of this law authorizes the Chief of Engineers, Department of the Army, to determine where in the United States there exists significant erosion; to determine those areas where the erosion so threatens the economic, industrial, recreational, and agricultural factors as to justify assistance; and to determine priorities which are to be reported to Congress.

Although this study has been authorized by Congress, the study is not intended to preclude consideration of changes in general beach erosion and shore protection erosion if sufficient need can be shown to currently exist.

In hearings before the House Committee on Public Work's Subcommittee on Rivers and Harbors last session on a bill entitled "Authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes," considerable evidence was presented that cast light upon the inadequacy of existing shore protection authority. A report submitted by the Secretary of the Army in response to section 314 of the Rivers and Harbors Act of 1965, and printed as Senate Document No. 10, 90th Congress, revealed that accomplishments under existing law are insignificant, relative to the magnitude of the great losses which the Nation is sustaining as a result of erosion.

The committee concluded in its report, House Document 1709, 90th Congress:

> The present legislative base for the Federal shore protection program should be reviewed.

The report continued:

> Accordingly, the committee plans to schedule hearings next year with a view to determining the adequacy of shore protection legislation, and of the program being carried out thereunder.

Mr. Speaker, last week one of my staff assistants went to the offices of many Members of the House whose districts border the Great Lakes. He found that the situation which exists in my district is causing havoc throughout the entire region. The Great Lakes are being threatened now and we cannot wait for a study to be completed by the Corps of Engineers in 1972, with corrective legislation to be made in the middle 1970's. By that time, irremediable damage will have been caused.

We in this great deliberative body have a responsibility to this Nation, to the preservation of our lands, and to the protection of our waterways from contamination and sedimentation. We must not sit idly by when there exists a situation as serious as shore erosion is today.

Mr. Speaker, I am committed to this legislation and to the protection of our shorelines. I am convinced that the situation which exists around Lake Michigan alone would require the enactment of this legislation. I welcome the support of the cosponsors of this bill, and invite those Members who have been faced with the same problem to join me in support.

It is my express hope that the Public Works Committee, of which I am a member, can see the need for this legislation; recognize the support that it has in this Nation; and open hearings on this measure in time to bring succor to those areas presently threatened with destruction.

EXTENSION OF THE TAX SURCHARGE

(Mr. PUCINSKI asked and was given permission to address the House for 1 minute.)

Mr. PUCINSKI. Mr. Speaker, the other body has indicated that the surtax bill which was passed by this House will not be reported out for at least 2 or 3 months, until the Senate has had a chance to insert some tax-reform proposals on to that bill.

This would mean that when the bill comes back to the House, our only vote on tax reform would be a vote on the conference report itself and would deny Members of the House their constitutional right to participate in writing a tax bill.

I believe the other body ought to be reminded, that any attempt to bypass the House in this manner will be met with the strongest resistance in this Chamber.

I should like to take this opportunity to also remind the other body that when we extended withholding of the surtax for 30 days, we did it on a voice vote. No rollcall was asked for. That 30-day extension expires at the end of this month.

If there is an undue delay by the Senate in reporting the bill back here in order to tack reform amendments in the other body thus denying the House a meaningful chance to draft its own version of tax reform, we shall do everything possible to block any further extension when such a resolution is presented in the House at the end of July. It would be my judgment that the chances of such a resolution being defeated would be very good, when we consider the surtax extension carried by only five votes in this Chamber.

Those in the other body who believe they can deny the House its constitutional right to initiate its own tax legislation had better think twice before they try that maneuver.

I would suggest the other body move on the surtax and leave tax reform as a separate item.

Members of this House should be made aware that if the Senate tacks tax reform to the House-passed surtax bill and sends it to the House for approval, many of us who voted against the surtax will be compelled to consider voting for the Senate version because it may be the only vote we will have on tax reform in this Congress. We must not let the other body put us in this posture. I want the House to consider its own tax-reform package because I hope we will be able to increase dependents exemption beyond the present $600 per dependent. There are other reforms I shall support and I have no reason to believe the Senate will include them in their bill.

AMENDING THE CONSTITUTION TO ALLOW PRAYER AND BIBLE READING IN PUBLIC SCHOOLS

The SPEAKER. Under a previous order of the House, the Chair recognizes the gentleman from Connecticut (Mr. MESKILL) for 60 minutes.

Mr. MESKILL. Mr. Speaker, the gentleman from Pennsylvania, Congressman DENT, and I have joined together today in a request for a special order to permit Members of Congress to address the House of Representatives on legislation designed to amend the Constitution to allow prayers and Bible reading in public schools and other public places. From my mail and in talking to people back home in the Sixth District in Connecticut, I have come to the unmistakable conclusion that people are sincerely frustrated and distressed by the Supreme Court's decisions excluding all prayers and Bible reading from our public schools.

My objective in calling for this special order today is to provide a forum for Members of Congress to express their sentiments, and those of their constituents, on a matter of concern to a great many of us. Today, in our sophisticated world, I am sometimes appalled by our lack of perspective. So often, it seems, we find ourselves unable to see the forest for the trees. So it is, I think, with this question of religious observance in our public schools. What was originally intended to define and clarify the first amendment has become a precedent-setting example of the Supreme Court's willingness to interpret the U.S. Constitution to its own satisfaction.

The first amendment states:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

But it does not banish religion or belief in a supreme being. America has had a long history of religious influence. Not only has it been a part of our social and cultural development, religion has played a role in our political history as well. Today, when more than ever before, we need to restore our faith in a being other than ourselves, we find that the Court has outlawed even the voluntary recitation of prayers or the reading of the Biblical Scriptures in a clear case of defying the will of the majority.

That is why I should like to speak briefly this afternoon in support of House Joint Resolution 455, a resolution to amend the Constitution, introduced by myself and my colleague and good friend from the neighboring Fourth District of Connecticut (Mr. WEICKER). House Joint Resolution 455 proposes a constitutional amendment to permit voluntary prayers and Bible reading in public schools and other public places, and it would preserve the authority of this Government, and all other governments in the United States, to publicly acknowledge belief in God or a supreme being. It deems that nothing in our Constitution shall be construed to "prohibit the offering, reading from, or listening to prayers or Biblical Scriptures, if participation therein is on a voluntary basis, in any governmental or public school, instruction, or place."

Ten years ago such a resolution would have been unnecessary. In fact, it would have been unthinkable. But the years since 1959 have seen a series of cases decided by the U.S. Supreme Court which have outlawed prayers and Bible reading from our public schools.

In 1962, the Supreme Court startled the people of this country by deciding in *Engel* v. *Vitale*, 370 U.S. 421, that even nondenominational prayers offered in public schools during regular school hours were a violation of the first amendment of the Constitution. Overnight, practices that had been a well established and highly valued part of the educational process in many parts of the country became illegal. A year later, expression of religious belief in schools was even further curtailed when the Court, delivering the opinion in the case of *Abington School District* v. *Schemp*, 374 U.S. 203, held that the Bible reading in public schools also violated the first amendment.

The effect of these two cases combined with subsequent cases was to bar religious expression, even voluntary religious expression, from our public schools. States and localities which had put a high value on religious expression as an important element in the total scope of their educational program bypassing laws suggesting or requiring some sort of religious observance in public schools, suddenly found that their concern for their children's spiritual development had run aground on the bar of constitutional prohibition as interpreted by the Supreme Court.

Cases subsequent to the two parent cases, Engel and Schemp, following the lead of the original decisions, declared that voluntary recitation of the simple verse—

> We thank you for the world so sweet;
> We thank you for the food we eat;
> We thank you for the birds that sing;
> We thank you for everything.

Is unconstitutional. By any reasonable standards short of the absurd, this could hardly be interpreted to represent a case of "establishment" or the interference with "the free exercise of" religion.

However, I am afraid that no matter how erroneous the Supreme Court's decisions may appear as a matter of constitutional construction, it does not help the rule of law or protect the respect we must have for justice to castigate, demean, or defy the holdings of the Court. Respect for our laws and for our judicial process is too important for that kind of irresponsible rhetoric. I need not remind you that the Court has made its decisions, and those decisions now have the force and authority of the law of the land. No amount of mere oratory will change the situation.

However, if we believe that the effect of the Court's decision is detrimental to the welfare and development of our children and our values, it is up to Congress, in this case, to initiate constitutional revision. That is why I have introduced House Joint Resolution 455. This resolution proposes a constitutional amendment which will once more permit religion to be a part of the educational life of our children, if they and their parents so desire.

The language of the resolution is simple. The language is not complicated because its intended purpose is not complicated. All that it does is to provide that the establishment and free exercise clauses of the first amendment do not forbid voluntary prayers or Bible readings in public schools, or other public places. The first amendment is not rescinded, or even changed. All that will happen is that the Constitution of the United States will declare that voluntary prayers and Bible reading in public schools and other public places are not activities forbidden under the first amendment. Thus, the judgment of the Supreme Court on the constitutionality of voluntary religious observances under the first amendment will be supplanted by a clear statement in the Constitution itself, reflecting the wishes of the people of this Nation.

House Joint Resolution 455 does not merely limit itself to prayers and Bible readings in public places, though. It anticipates further action by the Court. In view of the position taken by the Supreme Court in the past in interpreting the first amendment, it seemed wise to include certain situations which have not specifically come under the scrutiny of the Court. Therefore, section 2 of the resolution provides:

> Nothing in this Constitution shall be deemed to prohibit making references to belief in, reliance upon, or invoking the aid of God or a Supreme Being in any governmental or public document, proceeding, activity, ceremony, school institution, or place, or upon any coinage, currency, or obligation of the United States.

I am certain that every Member of this House is aware of the speculation that has gone on concerning the constitutionality of certain religious practices carried on by our Government. These practices range from our astronauts reading from the Book of Genesis while in outer space to the opening of the Supreme Court each day with the phrase, "God save the United States and this honorable Court." The phrase "under God" in the Pledge of Allegiance has been questioned, and there is doubt in some people's minds whether our coinage can legally bear the motto "In God we trust." And Mr. Speaker, what could the Court say about the inscription directly above the Speaker's rostrum here in the House which reads, "In God We Trust"?

It is true that the Supreme Court has not declared any of these practices unconstitutional yet, but one can only speculate how the Court would decide if such a case as one of these were brought before it. Therefore, I submit that while we are defining certain activities as not being prohibited by the first amendment, we should include these religious practices carried on by our Government, as well.

Mr. GERALD R. FORD. Mr. Speaker, you will remember that when the Supreme Court in 1963 announced its decision that use of the Bible and the Lord's Prayer in schools was unconstitutional, Justice Potter Stewart filed a dissenting opinion. It has always seemed to me that the views of Justice Stewart are far better law and public policy than the decision of the majority.

In the newsletter to my constituents for June 26, 1963, I said:

> The action of the Supreme Court in declaring unconstitutional a state requirement that the Bible be read and the Lord's Prayer recited was not unexpected. But this does not make it right. I strongly disapprove of the majority decision which in effect is a backward step in the development of those principles which have contributed so much to our nation.
>
> Although the Bible was to be read without comment, and in the Pennsylvania case Protestant and Catholic versions as well as the Jewish Holy Scriptures have been used, and although participation by students was voluntary and the parents involved had not availed themselves of the opportunity to have their children excused, nor had they proved that being excused would have injured the students—yet the Court struck down the State laws as unconstitutional under the first amendment. It is significant that one Justice consumed 77 pages to tell why he concurred in the 23-page decision of the Court.
>
> Justice Potter Stewart disagreed with his eight colleagues and wrote a 13-page dissent. His opinion is eminently sound and recognizes the need for the broad view if our children are to have the most comprehensive educational experience.
>
> Fully agreeing with the majority that the government must be neutral in the sphere of religion, Justice Stewart wrote: ". . . A compulsory state educational system so structures a child's life that if religious exercises are held to be an impermissible activity in schools, religion is placed at an artificial and state-created disadvantage. Viewed in this light, permission of such exercises for those who want them is necessary if the schools are truly to be neutral

> in the matter of religion. And a refusal to permit religious exercises thus is seen, not as the realization of state neutrality, but rather as the establishment of a religion of secularism, or at least, as government support of the beliefs of those who think that religious exercises should be conducted only in private." The effect of the Court's decision is to grant to a small minority power which it would not possess as the majority. This hardly seems consistent with broad constitutional principles. I will support a resolution to submit to the state legislatures a constitutional amendment to overrule this decision of the Court.

I also would like to quote the last paragraph of Justice Stewart's opinion. He said:

> What our Constitution indispensably protects is the freedom of each of us, be he Jew or Agnostic, Christian or Atheist, Buddhist or Freethinker, to believe or disbelieve, to worship or not worship, to pray or keep silent, according to his own conscience, uncoerced and unrestrained by government. It is conceivable that these school boards, or even all school boards, might eventually find it impossible to administer a system of religious exercises during school hours in such a way as to meet this constitutional standard—in such a way as completely to free from any kind of official coercion those who do not affirmatively want to participate. But I think we must not assume that school boards so lack the qualities of inventiveness and good will as to make impossible the achievement of that goal.

It does seem to me that our local boards of education do possess the ability to determine what type of religious exercises, if any, should be conducted in the public schools of our country. It seems to me that we should leave this matter to the local authorities rather than to hold unconstitutional for the entire Nation the use of voluntary religious exercises.

As you know, during the 88th Congress legislation was introduced providing for a constitutional amendment overruling the decision of the Supreme Court. When the Committee on the Judiciary appeared to be taking no action on this legislation, a discharge petition to bring the matter to the floor of the House was presented and I signed that petition. However, the Committee on the Judiciary then did hold long and extensive hearings on the subject, hearings which fill three heavy volumes. At the end of the hearings no further action was taken.

The committee took no action to approve the constitutional amendment largely because many of the religious leaders, including some from the orthodox, conservative denominations, endorsed the decision of the Supreme Court and opposed the constitutional amendment.

I can only conclude, therefore, that until the church leaders of our country solidify their positions, it is going to be extremely difficult to obtain a constitutional amendment overriding the decision of the Court.

Mr. DENT. Mr. Speaker, I am pleased to rise today, in association with my distinguished colleague from Connecticut (Mr. MESKILL) and many other colleagues, in support of a matter which has been of great concern to me for several years.

The problem which we are discussing today, that of whether or not our children should be permitted to pray in school, has been created by several, I think wrongly decided, court decisions during the past decade. These cases, with one exception, were carried to the Supreme Court, and that body of men decreed that our age-old practice of remembering God for a few minutes each morning in the classroom was a violation of the first amendment of the Constitution.

For the past several Congresses, I have sponsored an amendment to the Constitution to remedy the ills created by these decisions, and have strongly urged its passage. The amendment reads:

> SECTION 1. Nothing contained in this Constitution shall prohibit the authority administering any school, school system, educational institution, or other public building supported in whole or in part through the expenditure of public funds from providing for or permitting the voluntary participation by students or others in prayer. Nothing contained in this article shall authorize any such authority to prescribe the form or content of any prayer.

Briefly, I would like to sketch for my colleagues the historic opinions handed down by the Court that made me see the great need for this amendment. Four cases in particular are the most important in this regard.

In June 1962 what has come to be called the Regents Prayer case, *Engel* v. *Vitale* (370 U.S. 421), was appealed to the Supreme Court. This simple prayer, "Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers, and our country," composed by the New York State Board of Regents, was recited daily in all New York classrooms.

The Court held this prayer to be a violation of the "establishment clause" of the first amendment, and therefore unconstitutional.

During the 1962 fall term of the Supreme Court two cases that really sealed the fate of prayer in the schools were brought before the Bench. The decision in *Abington School District (Pennsylvania)* v. *Schemp* (371 U.S. 203) removed the practice of reading 10 verses of the Bible at the opening of each school day. And the opinion handed down in *Murray* v. *Curlett* (374 U.S. 203) nullified the practice of reciting the Lord's Prayer in our Nation's schools.

One case that was denied review by our highest Court, *Sein* v. *Oshinsky* (348 F. 2d 999, 1965), upheld the prohibition against kindergarten children's recitation of a short prayer before eating their milk and cookies.

To me, Mr. Speaker, these decisions signal an increasing secularization of our democratic society, which was built on the principle of a belief in God, and our dependence on Him for our continued existence. As Thomas Jefferson so aptly stated:

> God who gave us life, gave us liberty. Can the liberties of a nation be secure when we have removed the conviction that these liberties are the gift of God?

Religion has long been the moral basis for a democratic society. If we let these decisions of the Court stand, what additional attempts to have God removed from our national life can we expect? In his concurring opinion in the Engel case, Justice William O. Douglas spelled out some areas in which the right to believe in God is still acknowledged and permitted to be practiced. Douglas held that such practices as chaplains for our legislatures, Armed Forces, and prisons; chapels at U.S. service academies; references to God in oaths of office, at the opening of legislative sessions and court convenings; on coins and currency; and in patriotic songs and the Pledge of Allegiance to the flag are all unconstitutional by virtue of his interpretation of the "establishment clause" of the first amendment.

My interpretation of the "establishment clause" is that our Founding Fathers wanted to prevent the possibility of one religion being favored over another in our country. I do not agree with Justice Black's statement that Government must remain "neutral" on the question of religion. Religion was one of the reasons our forebearers came to this land, and is one of the principles upon which it was founded.

Thus, Mr. Speaker, I find it imperative to secure these traditions for our Nation. I feel the enactment of an amendment to the Constitution to permit voluntary prayer in our schools will go a long way in spelling out the right to continue these traditions.

In addition to the need to halt the trend toward the secularization of our society, this amendment is needed to clarify just what is permitted or prohibited in the way of public prayer. The Supreme Court decisions have been interpreted in more different ways than one can count. Some school districts have read the decisions in such a way that compelled them to remove all prayer and time for it from the daily schedules; some have set aside periods of meditation for their students; still others have insisted by rule or by statute, that prayer or Bible reading must be practiced every morning. The amendment I propose states that "nothing in the Constitution shall prohibit the voluntary participation of students or others in prayer." It is as simple as that.

We are not trying to coerce anyone into praying. What we are proposing is that prayer is permitted for those who wish to do so. It spells out the right of people to pray if they so desire, where they so desire, and when they so desire, if it is done in a manner which does not violate the rights of those who do not wish to pray. Each school district would thereby be informed that prayer is permitted; they can then decide how this will be done.

As Justice Potter Stewart commented in his dissenting opinion in the Schemp and Murray cases, the people who desire that the school day be opened with prayer have a claim against the State for not being permitted the free exercise of their beliefs. This amendment will permit the free exercise of those beliefs.

Mr. Speaker, let us get back on the right track. Let us interpret our Constitution the way it was written. If the framers of that document intended that we not pray or recognize God in any form, they would have written it that way. Let us stop this trend toward a godless society. As Richard Cardinal McIntire of Los Angeles remarked after the antiprayer and Bible decisions were revealed, this ruling is an "imitation of Soviet philosophy, Soviet materialism, and Soviet regimented liberty." If we let these decisions stand and possible procreate, can we expect anything else to be the case?

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. MESKILL. I am happy to yield to the gentleman from Indiana.

Mr. ADAIR. Mr. Speaker, I thank the gentleman for yielding.

I want to commend the gentleman and those associated with him for bringing this matter so forcibly and well to the attention of the House. It certainly is a matter which deserves our best support, and I am pleased to say to the gentleman that it will have mine. As a matter of fact, I have introduced House Joint Resolution 305, which also proposes a prayer amendment to the Constitution. Hopefully, action can be taken this session, which will allow voluntary participation in the saying of prayers in public places.

Mr. MONTGOMERY. Mr. Speaker, will the gentleman yield?

Mr. MESKILL. I am delighted to yield to the gentleman from Mississippi (Mr. MONTGOMERY).

Mr. MONTGOMERY. Mr. Speaker, I thank the gentleman for yielding.

I also would like to associate myself with the remarks of the gentleman from Connecticut (Mr. MESKILL). I thought they were timely, they were well chosen, and I certainly pledge to the gentleman in the well my support of this resolution.

I introduced a similar resolution last year, as did numerous other Congressmen. I feel very strongly that schoolchildren or other persons gathered in a public place should be allowed to pray on a voluntary basis. I certainly would not require those who do not wish to participate to do so since this would be an abridgment of their constitutional rights. But, by the same token, I do believe those persons who wish to participate in religious ceremonies in public buildings should be allowed to do so. To deny them this right is to deny them their rights to freedom of religion supposedly guaranteed under the Constitution. Religious morals and the belief in a Supreme Being played an important role in the founding of our great Nation and I think they should continue to do so.

Mr. Speaker, I would like to ask the gentleman from Connecticut what chances he thinks the resolution will have, and what action will be taken, and how Members can help.

Mr. MESKILL. Mr. Speaker, I would respond to the gentleman in this way, by saying I shall do everything I can. I think a number of Members who have cosponsored recommendations similar to House Joint Resolution 455 should write letters to the Chairman of the Committee on the Judiciary asking for a public hearing on this bill. I know this matter has had public hearings in past Congresses, but I believe if we could get another public hearing and present more support for this bill it would help. I believe this is the best thing we can do to encourage passage of this much-needed constitutional change.

Mr. MONTGOMERY. I thank the gentleman.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. MESKILL. I am happy to yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I thank the gentleman for yielding, and I want to join the gentleman in the well and the others who have spoken about and in commendation of the gentleman from Connecticut for bringing this subject to the floor of the House, and to the people of the United States. With his keen legal mind, and as a Representative from the State of Connecticut, he has done a real service in showing the other side of the coin. Just as the coin with "freedom" on one side and "responsibility" on the other side seldom lights on its edge whereon "privilege" is written, so must there be another side than the irresponsible side, regardless of the finding of a misled Supreme Court.

Perhaps, being a nonlawyer in the Congress, I do not have the respect for those senile gentlemen of the Court that the law bar association likes to hold for them. Be that as it may, I have been a sponsor of a bill similar to that which the gentleman has espoused in the well of the House today, for the last four Congresses.

I would like to say, in addition, that the answer to the question posed by the gentleman to the Chair about what would happen to the 8-inch-high letters "In God We Trust" above the Speaker's dais, can be answered by me, having been here, and one of those who was partially responsible for them being placed there soon after the infamous decision of the so-called High Tribunal as reaction and riposte to the dietum; and I think they will stay there ad infinitum, as long as this Capitol stands.

The reason I believe this so strongly is because I think I sense the feeling of the people of the United States about the Judeo-Christian religion and its underpinning and founding of this representative Republic under a limited constitution.

The beauty of that Constitution is that it can be changed and made different in three ways on occasion of need, by balloting instead of bulleting.

I would say this inscription and others regardless of the findings or legislative decrees by the Court will persist as long as there is a coequal legislative branch that does believe in the principle of sovereignty of the three branches of Government.

In fact, I would predict that if anybody tries to decree that the legislative branch with reference to the saying "In God We Trust" should come down from our own Hall, we will tell them the same thing that the Congress told the Supreme Court under Chief Justice John Marshall years ago:

> You have interpreted the law—now enforce it.

This could come about and if they tried to make us take down "In God We Trust" over our Speaker's dais, I am sure this legislative body would tell them to come over here and try to enforce it.

This is as it should be with our coequal branches of Government. As the people's representatives we should probably tell them this more often than we do, certainly in specific and well-known instances.

With this background I want to reassert again, I am certainly in favor of the proper processes of amending the Constitution so that we can have voluntary prayers at any time and at any place in this Nation that any group wants to call for prayer to our Supreme Being. I thank the gentleman for his efforts here today.

Mr. MESKILL. I thank the gentleman for his words and for his very serious remarks and the background which he furnished concerning the inscription which appears over the Speaker's dais.

I think many people do not know the story of it.

I was not aware of the time of the inscription being placed there. I think it is of great significance and I certainly appreciate the remarks of the gentleman from Missouri in bringing this to the attention of the House and to the attention of the people of the United States.

Mr. FOUNTAIN. Mr. Speaker, will the gentleman yield?

Mr. MESKILL. I yield to the gentleman from North Carolina.

Mr. FOUNTAIN. Mr. Speaker, I want to associate myself with the distinguished gentleman from Connecticut and his remarks in connection with his and other similar legislation designed to restore the right to voluntary prayer and Bible reading in our public schools and other public places.

For a number of years now, I, too, have introduced legislation which, if enacted, would provide for a proper amendment to the Constitution of the United States.

I want to commend the gentleman for reviewing the Court opinions on this subject and bringing them up to date. I hope our entire House membership will read what he has had to say. If we cannot get action on your resolution or any other appropriate resolution on this subject by the House Judiciary Committee, then I think we should start another drive for a discharge petition. In any event, I want to assure the gentleman of my support and continued efforts toward the goal he is seeking.

During this discussion, I think it is appropriate to point out that today, July 9, in the traditional calendar of saints, is the feast day of Thomas More, scholar and humanist, lawyer and counselor, man of affairs and man of deep faith in God. We might take as our motto on the occasion of this discussion his own simple yet profound prayer:

> The things, good Lord, that we pray for, give us Thy grace to labor for.

By these words he defined the true meaning of genuine prayer as a disposition of the heart which works its way on the will and is translated into daily life. In this sense, prayer may be said to underlie all our actions as the source of strength, inspiration, and renewal that comes from fellowship with the divine.

XUM

It is this which we seek for our Nation as for ourselves.

The voluntary character of religion in America has been noted and praised by many observers and contrasted with other patterns elsewhere in the world where religious allegiance has employed the coercive power of the state to establish uniformity or to forbid dissent. In urging the rightful claim of prayer in our public schools, we in no way repudiate this voluntaristic principle. Rather, we seek simply to acknowledge the deeply religious foundation of our national life, in keeping with hallowed precedent and tradition.

In these days of turmoil and anxiety, much that we cherish seems endangered. In response to what many among us see as a time of crisis for our people, we would associate ourselves with the moving words recently written by a woman who is at 81 perhaps the greatest musical mind in the world today—Madame Nadia Boulanger:

> One feels strongly that (in our poor, troubled world) some essential values cannot be defeated. And one is guided by an inner certitude and love.

It is these essential values, embodied in the custom of prayer, which we would preserve and maintain in the conviction that we may become more aware of the unchangeable background of all life—the reality of God.

Inside the north entry of St. Paul's Cathedral in London there is a brief inscription:

> Si Monumentum requiris, circumspice (If you would seek his monument, look about you).

The reference is to the architect, Sir Christopher Wren. So may it be that due to the renewing power of faith symbolized by our prayers and set forth in the imperishable legacy of the Judaeo-Christian Scriptures, we may come to point with pride to our Nation and to our people, saying: If you would see their monument, look about you.

May our own prayers and the renewing power of our own faith prompt us to work just a little harder to get this Congress to take the kind of action which together we are seeking today.

Mr. FLOWERS. Mr. Speaker, will the gentleman yield?

Mr. MESKILL. I am happy to yield to my colleague, the gentleman from Alabama.

Mr. FLOWERS. Mr. Speaker, I thank my colleague of the Committee on the Judiciary for taking this time and thank him for yielding to me. I am also sponsoring legislation proposing an amendment to the Constitution and allowing a return of voluntary prayer and Bible reading to our public schools and other public buildings.

Ours has always been a religious nation deriving her greatness through collective reliance on the Supreme Being. We can be thankful that the leadership of this Nation has historically embraced this reliance and set examples for the rest of our people. Our Presidents from Washington to Nixon have looked to God for strength and guidance. Both great Houses of Congress open each day's business with prayer, and are attended by Chaplains for the spiritual guidance of the Members. The Supreme Court opens its sessions with a plea for God's help. The oath taken by all members of the legislative, executive, and judicial branches of Government concludes with the traditional words, "so help me God." The sustaining faith of this Nation and its citizens is perhaps best expressed in the simple phrase contained on our coins and currency, "In God We Trust." I am particularly proud that an inscription of this great truth appears above the Speaker's chair in this Chamber.

This same Supreme Court, which opens its sessions with the words, "God save the United States and the Supreme Court," has recently said to our children, the hope for this Nation's future, "you may no longer pray or express your devotion to a Supreme Being while attending public school."

Mr. Speaker, history teaches us many things—if we are only willing to learn. But one principle that has been stated over and over again throughout the annals of time is that a great nation cannot turn her face away from God without losing her greatness. In this time of enormous pressures and complexities in all of our lives, we desperately need more divine guidance as individual citizens and as the most powerful nation on earth.

I support the doctrine of separation of church and state as contained in the Constitution and am also mindful of the words of Christ when he said to the Pharisees:

> Render therefore unto Caesar the things which are Caesar's; and unto God the things that are God's.

But we are not dealing here with the question of the separation of church and state; we are dealing with a problem created by a decision of the Supreme Court which forbids the rendering to the Lord that which is His own. Therefore, I earnestly urge the speedy consideration of legislation which has been referred to as the "prayer amendment" and which will allow the return of voluntary prayer and Bible reading to our schools and other public places.

Mr. MESKILL. I thank the gentleman for his contribution.

Mr. WEICKER. Mr. Speaker, I am proud to follow the lead of my friend and colleague, TOM MESKILL, in cosponsoring House Joint Resolution 455.

During the past several years, there has been a concerted effort to accentuate the technical in our laws, while trying to obscure the fundamental reasons for our present greatness as a nation.

I do not believe that the United States of America could have ever achieved its present position in the world were it not for the belief of its people in a supreme being. Certainly, there had to be on occasion after occasion, an "added ingredient" other than our numbers which enabled us to prevail in the face of what must have seemed at any given time as insurmountable odds. In this regard, I am not only referring to our victories on the battlefield, but also our victories in attaining a better life for our citizens in what historically can be categorized as an extraordinarily short period of time. I attribute our good fortune as a nation as much to religion—all religions—as I do to the laws that have been conceived by men.

To me it is no coincidence that as we have drawn farther away from accepting the viability of God's word as applied to daily problems, we have also lost much of our idealism and that national programs have emphasized the negative rather than the positive.

I hope we, as a nation, will always live the dreams of a brave, idealistic nation whose citizens are dedicated to making God's word a reality in today's universe.

Mr. ARENDS. Mr. Speaker, June 25, 1962, was a dark and foreboding day for the free people of this great country of ours. This was the day that the U.S. Supreme Court handed down the first of a series of decisions which prohibit prayer in our public schools.

Since that grievous day many of us have sought to secure the passage of an appropriate resolution to eliminate this prohibition by amending the Constitution. Literally hundreds of such resolutions have been introduced beginning with the 87th Congress and each succeeding Congress, including this 91st. But they have languished in the House Committee on the Judiciary, and we have never had opportunity to vote on the proposition.

Given this opportunity, I am confident that the House would adopt the proposed constitutional amendment by more than the required two-thirds majority. I am also confident that if the people themselves were given the opportunity to vote on the proposition the amendment would be readily ratified by three-fourths of the States.

I am not unmindful that this matter came before the Senate for a vote on September 21, 1966, in the form of the Dirksen amendment. The vote was 49 yea and 37 nay. While it failed of adoption, not having the two-thirds majority required for a constitutional amendment, a significant majority of 12 favored it.

That was almost 3 years ago. There has since been a moral awakening throughout the country. From the disunity among our people, the unrest and the strife, there has come a realization of a national spiritual need. In the final analysis, a nation is no stronger than the moral fiber of its people.

It is out of appreciation of this all-important fact, and that our future as a Nation depends upon our children, that we are joined here in this effort to bring about an amendment to the Constitution that there may be voluntary prayers in our schools. We seek to return to the teachings of our fathers.

Voluntary prayer in our public schools has no more relationship to the constitutional prohibition against the "establishment of a religion" than the singing of our national anthem which contains a reference to "God" or the recital of our Pledge of Allegiance with its reference to "this Nation under God." Indeed, as a Nation we have prided ourselves in being a God-fearing people. Recognition of dependence on a Supreme Being has been a basic element in our moral fiber.

The Supreme Court's decision was

wrong. It has been having a greater impact on our national life than we presently realize. It has been having an erosive effect on our moral fiber as a God-fearing, law-abiding people. It must be changed, and I join with my colleagues who have spoken here today in a determined effort to make it possible for our citizens of the future to learn the value of prayer in everyday living.

Mr. WAGGONNER. Mr. Speaker, I appreciate this opportunity to discuss for the RECORD the proposition that our children should be permitted to participate in voluntary prayers in our public schools. This is no new subject with me nor one I have had to do lengthy research to prepare myself to discuss. I first introduced a bill to permit voluntary recitation of prayers in our public schools a few days after the Supreme Court, under Earl Warren, took that right away from us back in 1963.

Like so many Americans, I was then and still am genuinely disturbed over this issue and, while it might be politically expedient to avoid the subject and take no part in the contest of views, my conscience would not permit me to do so then and it will not permit me to do so now.

The Supreme Court's attack on the first amendment to the Constitution has created as much confusion among the people as any set of decisions in modern times. Many well-meaning churchmen, church groups, ministers, and laymen are misled into thinking the controversy concerns only prayers in public schools. This is not the case at all.

These same churchmen, church groups, ministers, and laymen are misled into thinking that Congress is attempting to destroy the protection of the first amendment to the Constitution. This is not the case at all.

The truth is: The Supreme Court has already laid the groundwork with which that protection will ultimately be destroyed. What Congress is attempting to do is restore that protection.

The truth is: By itself, the prayers-in-schools issue is important because it signals the further attack on religion in the United States.

I know of no Member of the Congress who wants to tamper with the pure perfection of the first amendment to the Constitution. Certainly, I do not. This is what the first amendment says on the subject of religion:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof * * *.

I know of no way religious freedom could be given the people in clearer language. I know of few other instances in all history when so few words guaranteed so much to so many.

But, the Supreme Court has jeopardized the protection of this amendment and some action must be taken to reinstate it. It is not enough to say: "Hands off. Do not tamper with the first amendment." The first amendment has already been tampered with by the Supreme Court—and this is only the beginning.

Let us examine the Supreme Court case which, for the first time, took the Nation on a sharp turn to the left as far as religion is concerned. It is not the 1962 prayer-in-public-schools case in Engle against Vitale, but in the case of Everson against Board of Education in 1947. The philosophy expressed during this case is the heart of the controversy, not in the more recent prayer cases.

I would like to call attention to those words in the majority opinion which changed the interpretation of the first amendment from what it had always been and added a new dimension to it that the framers of the Constitution and the authors of the first amendment never dreamed of. Pay particular attention to this statement, if you will:

> The "establishment of religion" clause of the first amendment means at least this: neither a State nor the Federal Government can set up a church.
>
> Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another.

Notice how the first amendment has suddenly been made to say:

> Neither can pass laws which aid . . . all religions.

Of course the first amendment says no such thing. It obviously says that neither can "aid one religion" nor "prefer one religion over another," but it does not in anywise say that neither can "aid all religions."

Another way in which additional language was written into the first amendment by the Court appears a little later on.

At 330 U.S. 15–16, we find this statement:

> No tax in any amount, large or small, can be levied to support any religious activities.

Even in the dissenting opinion, this same philosophy was repeated by Mr. Justice Rutledge when he described his concept of the first amendment in these words:

> It was to create a complete and permanent separation of the spheres of religious and civil authority by comprehensively forbidding every form of public aid or support for religion.

And, further on in his opinion:

> The amendment forbids any appropriation, large or small, from public funds to aid or support any and all religious exercises.

Prior to the Everson case in 1947, it was understood by all that the first amendment meant that the U.S. Government could not establish a Federal or national religion or select one particular denomination as the Federal or national religion of this country. It was understood to mean that the Federal Government could not aid one particular denomination or prefer one over the other. It was also understood by all that the Federal Government could not prohibit the free exercise of religion.

It was with this understanding that the people went their separate ways, each worshipping in the way he chose, or not worshipping if he so chose, while the Federal Government gave aid and protection to all religions with complete impartiality. This was an interpretation of the first amendment which no one doubted and to which all adhered.

With the Everson case, the Supreme Court destroyed this interpretation of the first amendment by stating:

> The Federal Government could not aid all religions impartially * * * could not take any step whatsoever, no matter how small, which would further religion in the United States.

This is the philosophy which is the direct cause of the current controversy and it is this philosophy which I feel must be changed if the first amendment is to be restored to its former meaning.

Under the Everson philosophy that the Federal Government could not aid all religions impartially or spend any tax funds which would promote religion, it brings into serious doubt if any of these traditional activities of the Government, among others, are any longer constitutional:

For example, the employment of chaplains in the military service—

The motto of the United States, "In God We Trust";

The words, "under God" in the Pledge of Allegiance;

The tax exemptions enjoyed by all churches;

Tax deductible contributions by anyone to any church;

The Prayer Room in the House of Representatives;

Fire and police protection for church property;

Thanksgiving Day as a national holiday;

Baccalaureate services in public schools;

Observance of Christmas and Easter in public institutions;

Prayers during ceremonies or meetings of any public body.

These are but a few ways in which the Federal Government aids all religions and religion itself. There are many, many more. If the Everson philosophy is followed, each of these practices must and will fall when a case involving them finally comes before the Supreme Court.

The handwriting is already on the wall. Mr. Justice Brennan has said: "the regular use of public school property for religious activities" such as the erection of a nativity scene, may be unconstitutional—374 U.S. at 298. In fact, Justice Brennan's assertion "that morning devotional exercises in any form are constitutionally invalid" compels the conclusion that schoolchildren cannot even think a prayer unless the period of silent thought is called something other than "devotional."

Mr. Justice Brennan has also said that the reference to God in the "Pledge of Allegiance" may merely recognize the historical fact that our Nation was believed to have been founded "under God"—374 U.S. 222. He similarly dismisses any idea that the Nation's motto, "In God We Trust," has any religious meaning. This, to me, says that as long as we are paying homage to old superstitions and traditions, it is constitutionally permitted. If, however, we take it seriously, then it would be unconstitutional.

Mr. Justice Douglas says:

> A fastidious atheist or agnostic could even object to the supplication with which the Court opens each session: "God save the United States and this Honorable Court" (343 U.S. 312–313).

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I do not believe the people of the United States, no matter what their particular denomination, want this Nation to carry its official position of "no position" to this extreme. Any man who has reduced his mind to the point where he has "no position" on any subject, is little more than a vegetable. A nation is no different. A godless nation is not a neutral nation. It is one which has taken a position against God and, I submit, this is the wrong decision. It is one we must not take.

Any person or group which takes the position today that Congress should do nothing to reestablish the first amendment will have no cause to complain when any or all of the practices I mentioned earlier are systematically struck down one by one by the Supreme Court. The Everson philosophy underlies the prayers-in-schools decision and it will be the same philosophy the Court will use when they make all future decisions.

This, then, is what the controversy is all about; not merely whether or not children can be permitted to join in voluntary prayers in school, but the question of the Federal Government's attitude toward the existence of a Supreme Being. The Supreme Court has not taken the view of the believer who says, "Yes, there is a Supreme Being." It has not taken the view of the atheist who says, "No, there is not." It has not even taken the position of the agnostic who says, "I do not know."

The Supreme Court has said that the official position of this country is one of suspended judgment on the question of His existence.

It has been held by some that Congress need only to withdraw from the Supreme Court its appellate jurisdiction in cases involving religion.

This, they claim, will take away from the Supreme Court the right to rule in religious cases and thus, no amendment would be needed. This is a possible solution but as a practical matter, I doubt that it can be done. The principal arguments against such action are first, although this would hamstring the Supreme Court it would not stop lower courts from making the same decisions, and second, it would not strike down the Everson decision and others already made.

There are also some who want to take no action to stop the Court in the hope that it will abandon the Everson philosophy when it is seen how unpopular it is. I can find nothing in the record of the present Court to indicate it is likely to change. As a matter of fact, the Everson philosophy is in perfect accord with the Court's social ideologies and its general trend toward socialism. I believe the Court went to great lengths to establish firmly the Everson philosophy for the sole purpose of using its language as a springboard for all future decisions on any cases involving religion.

There are those who say that Congress is concerned over what the Supreme Court did in the prayer cases because of pressure from religious fanatics and those who do not understand what the Court has done. This is a totally unfair statement. Few Americans would want Congress to be unconcerned over so grave an issue. It would be far easier, from a political point of view, for Members of Congress to ignore the controversy and take no part in it. Those of us who are concerned are reacting to only one pressure: our consciences. Evangelist Billy Graham spoke of his concern when he said:

> What we have seen is only the beginning of what we face. If there is a movement by a small minority to remove the idea of God completely from our national life, I think it extremely dangerous.

His Eminence Francis Cardinal Spellman has taken substantially the same position. I do not believe it can be argued that men like Billy Graham and His Eminence Francis Cardinal Spellman can be accused of reacting because of pressure. Certainly, I am not.

A group of us in the Congress feel that the Everson philosophy paves the way for total removal of God from all public life in which government at all levels has a part. We are searching for the most effective way possible to restore the first amendment to its previous meaning. There is no intent to weaken the amendment, only to strengthen it.

The seeds of godlessness were planted by the Everson philosophy. It has sprouted a poisonous vine, only one branch of which is the school-prayer case. In my opinion, the only solution is to uproot the vine—the Everson philosophy—and, by so doing, kill all the branches which will, sooner or later, choke out religion in every form as far as government at all levels is concerned.

The Supreme Court and some Members of Congress are counting on public apathy to kill this entire issue. They hope to confuse enough people into thinking that nothing has been done except to prohibit prescribed prayers in public schools. The public has not been told the true implications of the Everson philosophy.

I have taken an active part in this issue because, in my meditations, I have asked myself a number of questions. I return always to a single question, however: What is the will of God?

And I remember a passage from the Book of Mark which says:

> Suffer the little children to come unto me, and forbid them not; for such is the kingdom of God.

I want no part in forbidding the little children to approach their God through voluntary prayer in our public schools.

In this age of permissiveness when the vilest pornography is permitted to be sold and viewed, it is anachronistic that the same Court which permits this, forbids little children to pray. They can be led into temptation, says the Court, but they cannot seek deliverance from evil.

If Congress does not take whatever steps are necessary to reverse the Supreme Court in this matter, this Nation, with its priceless heritage of religious freedom under the first amendment will be launched on a sea of godlessness for an endless voyage into darkness.

Mr. MORGAN. Mr. Speaker, I wish to support the pending resolutions and bills to amend our Constitution to allow voluntary prayers in our public schools. At the same time, I wish to commend the earnest and sincere authors of these measures.

I do not by any means consider myself a specialist or an expert on our Constitution. It seems quite evident to me, however, that the simple language of the first amendment has been misconstrued and misunderstood to a very great extent. Our forefathers were worried about the possibility of religious persecution or control in the future and wanted to make certain that the Congress never enacted legislation that would impose a particular form of religion on the people. The men who drafted our Constitution and the Bill of Rights were deeply religious men who wanted to preserve freedom of religion for all. They were keenly aware that many of the early settlers were people who had left Europe to seek religious freedom in America. These early patriots would have been horrified to think that their simple language would ever be interpreted to prevent voluntary, non-sectarian prayers in our public schools.

We have always been a religious people and have always been insistent upon freedom of worship. For over a century our coins have borne the inscription "In God We Trust." It is consistent with all our great heritage of religious freedom to allow prayers in our public schools. Both the House and the Senate open each day's business with prayer. At the opening of each day's session of the Supreme Court, the protection of God is invoked. Every President, from George Washington to Richard Nixon, has upon assuming office asked the protection and help of God.

Technically, the pending bills and resolutions provide for an amendment to the Constitution. Personally, I regard them as measures to clarify the original intent of our patriot-statesmen who drafted the first amendment only to insure that Americans never suffered the restrictions on worship suffered by their own immediate ancestors.

These pending bills seek to correct a fundamental misinterpretation and remove technical legal barriers to voluntary prayer. I think that prayer was never more needed than it is now in our time. As we become more and more conscious of the confused thinking that has multiplied our problems, both domestic and foreign, it is hard to escape the conclusion that all of us would benefit by a little more prayer and contemplation in our lives. I urge passage of this legislation as a vitally needed step in the right direction.

Mr. ANDERSON of Illinois. Mr. Speaker, for the past several years the question of prayer in the public schools has received a great deal of public attention. It would be somewhat redundant to simply list the constitutional arguments surrounding this debate. Even more, it would be an abdication of moral responsibility on our behalf to simply pass this entire matter off as nothing more than a legal problem.

We are dealing not simply with the questions surrounding the legal right of public school prayers, but with the more important questions pertaining to the moral obligation we have as a people to foster respect and reverence for the deity. In so doing, we are not merely dealing with the question of our own religious heritage as a people, but also with obligations which stem from the very fact of our humanity as we stand in judgment before the creator God.

Legally, the Court has declared that even the repeating of a nonsectarian prayer in the public schools violates the separation of church and state as established by the Constitution. I would question the legal reasoning upon which such a decision stands. But more fundamentally, I would ask whether or not we are denying from our children a portion of their humanity. It was, after all, for the right to pray and worship that our forefathers sacrificed their lives, property, friendships, and homelands. What distresses me, therefore, is not so much the legal judgment of the Court—although even here I find myself in disagreement—but the insensitivity of the Court to this basic feature of human existence.

What disturbs me is not even the simple denial of our historical and religious heritage. It is, rather, that at a time when our Nation's young are more than ever before in quest for values and identity, we are denying them the religious foundation upon which such values can be built.

The denial of public prayers in the schools does not protect the rights of that small minority who acknowledge no God so much as it deprives the rights of that large majority who do so acknowledge the Deity. The denial of public prayers in the public schools does not prevent sectarianism so much as it fosters a secterianism of its own—a sectarianism with philosophical roots of scepticism and relativism pertaining to questions of the absolute.

If we deny the fact of our religious dimension as human beings, we increase still further the dangerous tendency to look to the political sector as the final arbiter of all questions. In exchange for religious faith we shall find ourselves left only with political ideologies.

Mr. Speaker, I sincerely urge this body to consider its own obligations carefully in the discussion which surrounds the question of prayers in the public schools. We are dealing not only with a legal question, but with an ethical and philosophical question. And the way in which this question is resolved may well effect the continued well being of our Nation and its people.

Mr. BROCK. Mr. Speaker, it is sadly ironic that a government such as ours, founded on the Judeo-Christian concepts of human dignity and individual rights should prohibit our children from reaffirming that faith in simple, voluntary school prayer.

This strikes at the root of a spiritual heritage as old as the first colonists who set foot in the New World. One of them, William Bradford, in his chronicle of the early Pilgrims, wrote:

> They committed themselves to the will of God and resolved to proceed.

And, down through the centuries, that is what millions of Americans have done. As our country grew and prospered, this set of values and beliefs strengthened our resolve to proceed. It can be seen in the simple faith and courage that built a thousand tiny frontier settlements, and it can also be seen in our great historic documents where, for the first time, a people declared that "they are endowed by their creator with certain unalienable rights."

Today, through the arbitrary action of lower courts extending unreasonably the decision of the Supreme Court, our children have been deprived of a fundamental part of their spiritual heritage. At a time when they are needed more than ever, spiritual values have been driven out of our schools by judicial fiat.

Ever since the Court delivered its decision banning school prayer, I have worked for the passage of a constitutional amendment guaranteeing the right to voluntary expressions of faith in public buildings.

Today, I join with a number of my colleagues in renewing the drive for this important objective. There is as passage in the Book of Matthew that can apply to countries as well as people.

It asks:

> What is a man profited, if he shall gain the whole world, and lose his own soul?

Mr. COLLINS. Mr. Speaker, as we look around us today, we find bigots in every community who are objecting to prayer. From the early days America was built by people having a strong belief and devotion to God. Through the years patriots have had to continually fight for religious freedom against all narrow-minded bigots.

As the Colonies were building their independence they met in Congress in the city of Philadelphia. An interesting book describing the times was "Familiar Letters of John Adams and His Wife, Abigail Adams During the Revolution." I had the enjoyable experience the other day of taking this old yellow-paged book from the Congressional Library and reading this collection of fine letters from a man who later became President of these United States, John Adams, to his wife, Abigail. For all my fine colleagues who appreciate the opportunity we have here in Congress to open our sessions each day with a prayer, I would like to quote directly from the book of a letter from Philadelphia the 16th day of September 1774:

> Having a leisure moment, while the Congress is assembling I gladly embrace it to write you a line.
>
> When the Congress first met, Mr. Cushing made a motion that it should be opened with prayer. It was opposed by Mr. Jay, of New York, and Mr. Rutledge, of South Carolina, because we were so divided in religious sentiments, some Episcopalians, some Quakers, some Anabaptists, some Presbyterians, and some Congregationalists, that we could not join in the same act of worship.
>
> Mr. Samuel Adams arose and said he was no bigot, and could hear a prayer from a gentleman of piety and virtue, who was at the same time a friend to his country. He was a stranger in Philadelphia, but had heard that Mr. Duché (Dushay they pronounce it) deserved that character, and therefore he moved that Mr. Duché, an Episcopal clergyman, might be desired to read prayers to the Congress, tomorrow morning.
>
> ·The motion was seconded and passed in the affirmative. Mr. Randolph, our president, waited on Mr. Duché, and received for answer that if his health would permit, he certainly would. Accordingly next morning he appeared with his clerk and in his pontificals, and read several prayers in the established form; and then read the Collect for the seventh day of September, which was the thirty-fifth Psalm.
>
> You must remember this was the next morning after we heard the horrible rumor of the cannonade of Boston. I never saw a greater effect upon an audience. It seemed as if Heaven had ordained that Psalm to be read on that morning.
>
> After this Mr. Duché unexpected to everybody, struck out into an extemporary prayer, which filled the bosom of every man present. I must confess I never heard a better prayer, or one so well pronounced. Episcopalian as he is, Dr. Cooper himself never prayed with such fervor, such ardor, such earnestness and pathos, and in language so elegant and sublime—for America, for the Congress, for the Province of Massachusetts Bay, and especially the town of Boston. It has had an excellent effect upon everybody here. I must beg you to read that Psalm. If there was any faith in the Sortes Biblicae, it would be thought providential.
>
> It will amuse your friends to read this letter and the thirty-fifth Psalm to them. Read it to your father and Mr. Wilbird. I wonder what our Braintree Churchmen will think of this! Mr. Duché is one of the most ingenious men, and best characters, and greatest orators in the Episcopal order, upon this continent. Yet a zealous friend of Liberty and his country.
>
> I long to see my dear family. God bless, preserve, and prosper it. Adieu.
>
> JOHN.

Mr. BLACKBURN. Mr. Speaker, it seems incredible that in these times someone could feel deep down inside himself that children, before taking milk and cookies in school, are violating the Constitution when they say:

> Thank you for the World so sweet,
> Thank you for the food we eat;
> Thank you for the birds that sing,
> Thank you, God, for everything!

Yet there is a small minority of people who think just that.

As you are aware, more than 80 bills have been introduced with regard to amending the Constitution to allow voluntary prayer and Bible reading in our public schools.

The Supreme Court begins each session with the words:

> God save the United States and this Honorable Court.

Surely, this same privilege should also be allowed the children of our country.

This Nation was founded upon spiritual concepts. It is a nation which has repeatedly affirmed and reaffirmed its belief in an eternal God and its adherence to religious precepts. Almost everywhere we turn in virtually every act of government, there is reference to a Supreme Being.

While I am certainly in favor of separation of church and state, it must be remembered that the separation of God and our Nation is another thing and there is a difference. God and the church are not one and the same. God is the perfect creator of the heavens and the earth. Churches—denominations—are the imperfect human organizations in the process of sanctification.

We have a responsibility to the people of this great land of ours to help meet the needs of the majority and it is quite evident that the majority in our

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country are in favor of Bible reading and voluntary prayer in our schools.

No one challenges the scriptures, when it says:

> Righteousness exalteth a nation, but sin is a reproach to any people." (Proverbs 14: 34)

May the day never come when America will cease to recognize God and seek His blessings in every area of its life—including her public schools.

Mr. KING. Mr. Speaker, I have introduced legislation during this session of Congress proposing an amendment to the Constitution of the United States which would permit the offering of prayer in public schools.

I have joined with others ever since the Supreme Court decisions affecting prayer were handed down, in seeking legislative action to reverse those ill-advised decisions. Nondenominational prayer should be permitted and encouraged in all our public meetings. A very small minority has successfully barred all reference to God, prayer, or the Bible in our schools. We are a God fearing and God loving nation and should be permitted to express our feelings in this regard. Our children need guidance more than ever before. One only needs to read the newspapers to draw this conclusion.

The purpose of my resolution is to protest the prohibiting of prayer and Bible reading in our public schools. More importantly, it would restore the rights of a great majority of children in the free exercise of their religion in the public schools—rights now being denied them because of the objections of a small minority.

My amendment has been very carefully drawn, preserving minority rights and preventing any official dictation in religious matters. As parents, we have the responsibilty to give our children strong moral training at home. We should also expect the schools to continue this training when our children are away from home. There can be no moral training without religion and therefore, I feel some kind of religious instruction is necessary for the schools to fulfill our expectations.

I sincerely hope and strongly urge the Congress to promptly enact legislation this year that will permit the free exercise of religion in our public schools.

Mr. COWGER. Mr. Speaker, I, among the other sponsors of legislation allowing voluntary prayer in public schools, wish to again speak out on this occasion regarding the need for this type of legislation.

Personally I felt solemn regret when the Supreme Court made its far-reaching decision against voluntary, nondenominational prayer and Bible reading in public schools. Then, when I began receiving letters, telegrams, and petitions, I saw the majority of the people, contrary to the Supreme Court's decision, wanted prayer and Bible reading returned to the schools. It is my privilege to voice some of the opinions of this majority today.

It was not within the desires of our Founding Fathers that we should be a nation so indifferent to the influence of our Creator. The first amendment to our Constitution only intended to prevent a State religion. If one woman can have the power to have voluntary prayer and Bible reading removed from the classroom, imagine what the power of a majority, with a common goal, can do to put it back.

In this age of indifference, intolerance, and even hate, we ask that we have a right to voluntary participation in nondenominational prayer in our schools, a simple right of an individual to express his faith in his Creator, without fear of reprisal from the Government or a highly vocal minority of nonbelievers.

This Nation was founded on religious freedom. Many official governmental functions include prayer, with no complaints. Many public ceremonies include prayer, with no complaints. Nearly every civic activity includes prayer, with no complaints. Our Declaration of Independence, and even our currency, contains language of religious significance. Our Pledge of Allegiance includes the words, "under God." There are no responsible complaints.

Now, we the majority, ask that our Nation's Constitution be amended so that the rights of persons lawfully assembled in any public building, which is supported in whole or in part, through the expenditure of public funds, may participate in nondenominational prayer.

And, if this amendment is made by this Congress, the people of this Nation will have the right of expressing themselves on this matter, of making their desires known, through the ratification of the amendment by the legislatures of their States.

Mr. BROYHILL of Virginia. Mr. Speaker, almost 200 years ago a body of men, not unlike ourselves, established this Government under the Divine Guidance of the Creator of us all.

Down through the years our forefathers, our fathers and mothers, and we ourselves, were privileged in the workings of our Government, in the making of our public documents, during our proceedings and activities, in our ceremonies, in our schools, in our institutions, at various other places in this vast land or upon our coinage, currency or obligations, to make reference to belief in, reliance upon, or to invoke the aid of God or a Supreme Being.

In June of 1962, and again in June of 1963, the U.S. Supreme Court rendered a decision which, for all practical purposes, put an end to prayer in our public schools. These decisions denied our children their heritage so valiantly protected throughout our history and cast a cloud of suspicion over other truths we as a people had long held self-evident. Many Americans have bitterly complained against these two decisions because of their belief that our children, as students, should be afforded the same opportunities to participate in prayer in our schools as was afforded their fathers before them, if they so desired.

I firmly believe that each of us are honor bound, as the representatives of the people of our great Nation, to restore to our children this right that has been taken away by these rulings of the Supreme Court. To me, these decisions to remove voluntary prayer from our schools represents and have proved to be an attack on the very foundations of our Republic. I also believe that many of our present problems among our youth result from the removal of voluntary prayer from our schools.

This Nation was conceived under God and has relied on the protection of His divine providence, as was set forth in the Declaration of Independence. Our Nation has survived and prospered all these years only with His help.

Reverence was once one of the virtues that we learned at our mothers' knees, and which the teacher was responsible for continuing in the schoolroom. Even though a child might not have been fortunate enough to have learned such virtues at home, he was at least exposed to them as a part of his necessary education. The result of these decisions has been to remove this guidance from our children while they are attending school and to leave them in a vacuum, void of those teachings of morality and Godly virtues that we were privileged to receive in schooling.

While I do not assume that restoration of voluntary prayer in our schools is a panacea for all the problems that are so evident in the state of our present union, nonetheless, I am sure that establishment of this right in our Constitution will be a step in the proper direction and will aid greatly to bring back a sense of morality and Godly virtues to our school system, which our children need so much.

I therefore join my colleagues today in restating the necessity, as I have previously urged this House when I introduced House Joint Resolution 388, for a constitutional amendment to help at least in part the parents and schools of our Nation to again bring our children the greatest teachings ever to enlighten mankind.

Mr. CRAMER. Mr. Speaker, it is indeed a pleasure to have this opportunity to join with my colleagues in reiterating my support of legislation to permit voluntary religious expression in our public schools.

In 1962, the words "In God We Trust" were added to the marble mantle that rises above the Speaker's chair. It has always seemed ironic to me that just a year after these inspiring words were added to our Chamber, the Supreme Court denied our children the right to voluntary religious expression in our schools. I must express my firm belief that the decisions of the Supreme Court involving school prayer are distortions of the original intent and purpose of the first amendment.

The first amendment was written to prevent National Government control over religion and the establishment of a state church. It was not intended to destroy religion or to make the state and religion alien or hostile to one another or isolated from each other. It was drafted to prohibit the Congress from making a "law respecting an establishment of religion, or prohibiting the free exercise thereof." I find it beyond my comprehension to believe that the voluntary recitation of a simple, nondenominational prayer, or the reading from the several versions of the Bible under noncompul-

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sory conditions, results in the establishment of a religion and thus a violation of the first amendment.

The basic issue before us today is not the extent to which religion is to be promoted in the schools and government activities, but the extent to which it is excluded. Just as our schools teach and promote patriotism and other spiritual and moral values, it should be a permissible part of the curriculum of our public schools to encourage not a particular religion, but at least reverence for God on a voluntary basis.

In brief, I believe it is essential that we formulate and submit to the States for ratification a constitutional amendment which would make it unmistakably clear that the first amendment does not mean the ejection of all traces of religion from our public schools and functions of government. I have reintroduced in this Congress a resolution to this effect. Specifically, my proposal, House Joint Resolution 15, as well as many similar bills introduced by my colleagues, would amend the Constitution by stating that nothing in the Constitution shall be deemed to prohibit prayers or Bible readings in public schools or other public places when done on a voluntary basis. Section 2 makes it clear that there is no constitutional prohibition against making reference to belief in, reliance upon, or invoking the aid of God in any government document, proceeding, activity, ceremony, school, institution, place, or upon any coinage, currency, or obligation of the United States. Section 3 is added to make certain the Court knows what we mean and does not apply the establishment clause to this article.

It deeply distresses me that the legislation I have presented is necessary at all, but it is a fact that the Supreme Court has limited one of our inalienable rights as protected under the first amendment. It is therefore now incumbent upon me to right that wrong by passing legislation in support of voluntary religious expression.

Mr. SCHADEBERG. Mr. Speaker, it is with great reluctance that we in this august body of Congress have had to introduce legislation to amend the Constitution of the United States in order to restore to that magnificent charter of freedom the original intent of the first amendment.

The first amendment to the Constitution, the basic strength of our freedom-loving Nation, states:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

And yet, through various usurpations of the legislative right, the Supreme Court has, through its decisions, made it necessary that the gulf being widened between the American people and their religious rights, be bridged. That is the purpose of the proposed amendment—to restore to the American people the freedom of worship.

The American people are a religious people. That is our strength—we place our faith in God instead of in the rationalizations of man and man's will. We recognize that God is the Creator of the universe, not man, and that reverence for life is due him from whom all things come. Our ancestors came to this land for the freedom to acknowledge this faith.

However, the progeny of these great peoples are being faced with direct Federal intervention in the spiritual aspects of their lives. By denying to them the right to participate in nondenominational prayer in the institutions that have been created, our children are unable to show respect for our Creator in their schools, denying to them a basic article of learning, that all strength comes from God. In public buildings that have been built by the tax moneys of the American people, prayer has been prohibited and thereby the religious faith of the people whose efforts have contributed to the construction of these buildings.

Our institutions and our society of laws presuppose an Eternal Being. Our laws come from religious institutions and tenets, our beliefs in freedom and love and peace from the heritage of ethical peoples. To separate the American people from the right to praise the heritage cannot and must not be allowed.

The amendment which I am supporting is necessary to preserve the freedom and integrity of the United States of America. We in Congress are constantly attempting to provide for a better life for the American people, to protect them from those sources which seek to destroy our rich philosophy and heritage, and to preserve the basic articles of faith upon which this, the greatest Nation of all, was built.

All of our efforts will be in vain if the American people cannot participate in the most basic and fundamental institution of our society—faith and belief in God. We, the chosen representatives of the people, cannot allow the Federal Government, or any body thereof, to destroy what was the instrumental force behind the creation of our Nation. We in Congress cannot allow direct involvement in religion, in violation of the Constitution, by the Government by allowing it to determine that our citizens cannot practice and worship as they please.

If the basic freedom to practice our faith in the United States is not preserved, then there is little value in trying to protect other aspects of life. Life springs from God the Father Almighty. Reverence is paid Him by all types of people who share in common their recognition of their relation to God. To fail to restore this basic freedom to worship as one pleases, will be to allow all that this great country stands for, and has stood for, to slowly slip away, bringing our Nation to its knees faster than could be accomplished by any other internal or external force.

The Declaration of Independence indicated that God is the creator of liberty and that governments are instituted among men to secure this right. One of the surest ways to destroy liberty is to deny the worship of God in the institutions and places of our land to the citizens who consent to be governed. That is why I support this amendment to the Constitution of the United States and pray for its immediate adoption—to restore liberty and freedom to the American people.

Mr. ANDREWS of Alabama. Mr. Speaker, it seems to be the order of things today to encourage that which is bad and harmful and to prohibit that which is infinitely good and helpful.

The incorrigible and arrogant Supreme Court has given the green light to rapists, murderers, filth-peddlers, public servants who defraud and steal from the public, narcotics and drug merchants, and revolutionaries who would overthrow our Government and destroy private enterprise and the entire capitalistic system.

But to those who would simply pause in our public schools to read from the Holy Scriptures and give thanks to the God who gives us our freedoms, and in whose name this Nation was founded and has thrived, the Court quickly flashes a red light.

In matching an alarming degree of incompetence with a natural tendency toward hypocrisy and belligerence, the Court has ordered God-fearing Americans to stop in the name of atheism.

We in Congress have a mandate from the people, from whom our Government is derived, to bring prayer in our public schools back to legitimacy, a position it so rightfully enjoyed before the interference of the Supreme Court.

On the first day of the 91st Congress I introduced legislation calling for an amendment to the U.S. Constitution permitting the right to read from the Holy Bible and offer nonsectarian prayers in public schools or other public places if participation in such is not compulsory. I believe prayer and scripture in the public schools, under these circumstances, to be fair and right.

Prayer in the schoolroom is not a substitute for religious instruction in the home and church, and it is not designed to guarantee order and a return to things spiritual. However, those who wish to give thanks to God or read the Bible in school should be able to do so. Both are small but significant expressions of devotion to the Almighty.

On this special observance of School Prayer Day, I am pleased to join with other Members of Congress in an expression of support for the restoration of religious expression in our public schools.

Mr. SIKES. Mr. Speaker—

> From amidst diversified and often warring creeds: over a vast span of history: in the language of many a tribe and many a nation: out of the mouths of the learned and simple, the lowly and great: despite oceans of bloodshed, and torturing inhumanities, and persecutions unspeakable—the single voice of a greater Humanity rises confidently to heaven, saying, "We adore Thee, who art One and who art Love: and it is in unity and in love that we would live together, doing Thy will."

So writes an eloquent scholar of prayer throughout the world.

Prayer thus conceived is more than any particular form or rite. It touches heart and mind alike with its cleansing, healing power, and brings the diversity of nations and races into a spiritual unity deeper than any sectarian allegiance. It is at once a response to and a resolution of the suffering, the anxiety, and the confusion which mark the record of human history.

We in America have known a long

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tradition of public prayer whose chief value we may assert to have been the manifest recognition of our dependence upon a power and purpose greater than man for the gifts of life and liberty. In furtherance of the preservation of this practice and in the conviction of its inestimable value to our Nation, especially in these days, I have joined many of my colleagues in introducing House joint resolutions to permit the offering of prayer in public schools, and I invite the support of all who are gathered here today for our Prayer Day witness. May we pray this day and always both for guidance in this great deliberative body and for our country's best needs as for the world community, in the words of the Psalmist:

> Send out Thy light and Thy truth that they may lead me, and bring me unto Thy holy hill, and to Thy dwelling-place.

Mr. WYDLER. Mr. Speaker, as one who signed the discharge petition—some years ago—in an attempt to get the matter of prayer in public schools before the Congress, I wish to restate my disappointment that the U.S. Congress was never given the opportunity to vote on this issue of vital importance to our country.

I still believe the Supreme Court decision was a latter day interpretation—and an incorrect one—of the words, the meaning and the intent of the U.S. Constitution.

In any event, I do believe that there should be no constitutional prohibition against voluntary prayer in public places. I do believe that the Congress should be given the opportunity to vote on this issue—and the people of the country should be given an opportunity to express their wishes and desires as well.

Mr. LUKENS. Mr. Speaker, as a devout believer of daily prayer, I am deeply aware that each day one needs to stop, reflect and realize the need for thoughful reflection in every human life. There is logic, of course, and every reason for us to assume that there is something, someone, bigger than all the heads of state in the world—a Supreme Being.

I want again to go on record saying that I feel that the local school board should have authority to allow prayer in their local schools. After all, the local school board is the most representative feeling of the community and therefore the local school officials should have the decision as to whether or not prayer is included in the daily school program.

I am delighted and honored to participate in this Prayer Day ceremony marking the concern of many that the Supreme Court's interpretations, however well meaning, have gone too far to support the rights of the minority at the expense of the majority.

I believe that a person should have the right to pray if he wishes to do so—wherever and whenever he wishes. This country is great because our forefathers founded it on such a solid foundation—a separation of church and state, but a combination, unalterable, of God and country. I do not want this foundation to be shattered and destroyed to the point where the original thought disappears. It is interesting to note that our forefathers produced this great country of ours never thinging that God and country could be separated let alone try to be separated from the daily workings of our country. Prayer is a great time for introspect and deep thought and I believe every human needs this moment daily. There is no better time than that afforded in prayer to wonder who, why, and what, and even that immortal question, "Quo Vadis," wither thou goest. I believe in prayer and practice it daily. I fervently hope that we will see a return to prayer and to the Judeo-Christian concept by all people, especially in the United States, so that once again the future of the world and its people may be permeated with inspiration and hope.

Surely in every man and woman's heart there is no better confidence and no more effective tool in their hands than that powerful thing called prayer. It has moved mountains and men, and to that extent it has truly changed the world. It has given our country a basis upon which to be proud. I hope, above everything, that prayer remains in the heart of those who truly care about a Supreme Being.

Mr. McCLORY. Mr. Speaker, it is most encouraging that Members of the House of Representatives have set aside today as "Prayer Day" in the Congress. This provides each of us with an opportunity to express the hope that the citizens of our Nation will be aware of the divine authority to which mankind can look for guidance in handling human problems. It is not intended by this event that anyone should be coerced to pray or take part in any particular type of prayer. On the other hand, it should be emphasized that there is a greater need today than ever to seek spiritual direction.

Voluntary prayers in our public schools should be protected by our Constitution, and if a constitutional amendment is needed for this purpose, then I see no reason why it should not have overwhelming support. Even silent meditation wherein a person could reflect in his own manner would go a long way toward helping each of us in our daily tasks. Indeed, the silent, unobtrusive prayer to me is more meaningful and effective than audible prayers recited by rote.

I commend my colleagues, the gentleman from Connecticut (Mr. MESKILL) and the gentleman from Pennsylvania (Mr. DENT) on their leadership in organizing "Prayer Day" in the Congress. I am pleased to join with them in this earnest expression of support for a constitutional amendment to allow voluntary prayer in our public schools.

Mr. DONOHUE. Mr. Speaker, ever since the Supreme Court ruled, back in 1962, that it was unconstitutional for New York State to permit its own State school board to compose prayers and order them recited in the presence of a teacher, there has developed great confusion as to the exact meaning and effect of the Court's ruling on this vitally important subject.

There is no doubt that a great many of our citizens very earnestly and sincerely believe that the rulings of the Supreme Court of the United States have rightfully closed the door upon the recitation of prayer in any form and under any circumstances in our public schools and they want these doors to be kept closed.

All of us here, I am sure, deeply respect the views of these people although we differ with them in our own convictions and in our own belief that a majority of our citizens desire a modification of the Supreme Court decision to the extent that voluntary prayer, with parental approval, should be permitted in all our schools. Our belief that voluntary prayer should be permitted in our schools is principally based upon the language our founders inserted in the first amendment to the Constitution wherein it is declared that Congress shall not make any law "prohibiting the free exercise" of religion.

That this belief is very widely and commonly held throughout the country is clearly evidenced by the fact that multitudinous bills have been introduced and are now pending in both branches of the Congress proposing an amendment to the Constitution to establish, in general effect, that nothing in the Constitution should be deemed to prohibit the offering or reading of prayers or Biblical Scriptures in any governmental or public school, institution, building or place, provided participation therein is on a voluntary basis and provided further that the right to decline to participate shall not be abridged.

Mr. Speaker, may I emphasize here that nowhere in any of these measures is there contained or projected an intent toward the establishment of a state church which, all of us agree, would be obviously unconstitutional. What these amendments are mainly concerned with is to legally establish permission for schoolchildren, with approval of their parents, to exercise their right to voluntarily join in prayer, usually at the beginning of their schoolday.

Many of us very earnestly believe that the denial of this right serves to deny these schoolchildren, and others, the wholesome opportunity of acting in accord with the history of the religious traditions of our people, as reflected in countless practices of the institutions and officials of this Government, and of sharing in the spiritual heritage of our great Nation.

Speaking as an individual but, at the same time, I think, echoing the thoughts and desires of a tremendous number of my fellow Americans, I would urge the approval and adoption of any proper, constitutional method and manner of permitting prayer in all our schools and institutions provided, of course, and always, that it would not involve in any way any compulsion or particular denominational projection or representation.

It appears to me that the right and the desirability of voluntary prayer and religious expression under our Constitution is fully and publicly supported by the provision of a Chaplains' Corps in every branch of our armed services; by the practice of having an invocation or benediction at public meetings; by the recitation of prayer by a publicly appointed chaplain at the opening of each daily meeting of the U.S. House of Representatives and Senate; by the recitation, at the opening of each day's session of the U.S. Supreme Court itself, of the invocation, "God save the United States and this Honorable Court"; by the fact that the Declaration of Independence itself contains four affirmations of the existence of God, and by the historical revelation that each of our Presidents, from George Washington to Richard M. Nixon, has, upon assuming his office, asked the protection and help of God.

Mr. Speaker, if these prayerful practices and traditions are permitted and encouraged in the Armed Forces, in public meetings, in our courts, in our legislative bodies, and by the leaders of this great Nation, it is difficult to understand why they are held to be inappropriate for children, especially, and the American people, generally, and particularly in a time and period when our children are being openly exposed to such a widespread and universally feared decline in the high moral and ethical standards proclaimed by our Founders.

In summary, Mr. Speaker, may I say the Bill of Rights provides:

> Congress shall make no law respecting an establishment of religion, or *prohibiting the free exercise thereof.*

On its face, this language surely appears and ought to include the free exercise of religious expression in our schools as well as in public places but always, as I have already emphasized, provided it is done without denominational or sectarian representations through which or by which it could be construed, in any sense, to be "an establishment of religion."

We must always and everywhere and in every sphere protect the rights of minorities but I very earnestly believe we should also and equally act to protect the rights and wishes of the majority. I am confident that the great majority of the American people would approve of the legal establishment of voluntary prayer and religious expression as contained and restricted, in the manner I have outlined, in the amendments that are pending before the Congress, and I hope that the Congress, in its wisdom, will see fit to approve such an amendment.

Mr. ASHBROOK. Mr. Speaker, during hearings before the House Judiciary Committee in 1964 on the question of public prayer, 93 of 98 Congressmen who appeared favored a constitutional change to allow voluntary prayer in public schools.

Unfortunately, such a constitutional amendment was never reported out of the committee and the House has had no opportunity to reflect through vote on the floor the majority opinion in the Nation in favor of voluntary prayer. The hours and years continue to pass without resolution of this issue although it still ranks as one of prime concern for most Americans. Indeed, the issue of prayer in schools has often been cited as generating more expressions of concern to Members of Congress than any other issue in history. Enigmatically, the people realize that while their children are excluded from voluntary prayer in their classrooms, the oath of office recently taken by Chief Justice of the Supreme Court Warren Burger ended with the plea: "So help me God."

Those of us who are troubled over this issue realize that a major segment of the Congress has been thwarted in efforts to finally justify the lines of type on this page of the Nation's opinion. The Congress has ignored the people on the issue to which they have given their greatest support. In response to the wishes of the people, I and many other Members of Congress introduced legislation initiating a constitutional amendment to clarify the status of voluntary prayer in the public schools. We have introduced it in Congress after Congress and we will continue to introduce it until action is taken.

In the meantime, the Nation, and especially our school-age youth feel a great void which should and must and can be filled. Many other Members today have spoken on the merits of this issue and I wholeheartedly support their efforts on behalf of constitutional clarification; in addition, however, we should carefully note what the Supreme Court has limited and what it has not. While we are working to remedy the Court's decisions we must not overlook what can still be done.

In the 1963 decision the Supreme Court pointedly explained that it was not attacking the religious basis of American life. In spite of the decisions and their effects, in one section of the majority opinion the Court testified at length to belief in a Supreme Being throughout American history:

> The fact that the Founding Fathers believed devotedly that there was a God and that the unalienable rights of man were rooted in Him is clearly evidenced in their writings, from the Mayflower Compact to the Constitution itself. This background is evidenced today in our public life through the continuance in our oaths of office from the Presidency to the alderman of the final supplication, "*so help me God.*"
>
> Likewise each house of the Congress provides through its chaplain an opening prayer, and the sessions of this court are declared open by the crier in a short ceremony, the final phrase of which invokes the grace of God.
>
> Again, there are such manifestations in our military forces, where those of our citizens who are under the restrictions of military service wish to engage in voluntary worship . . .
>
> It can be truly said, therefore, that today, as in the beginning, our national life reflects a religious people who, in the words of Madison, are *"earnestly praying, as . . . in duty bound, that the Supreme Lawgiver of the universe . . . guide them into every measure which may be worthy of His . . . blessing."*

In another section of the 1963 majority opinion, the Court affirms:

> The First Amendment, however, does not say that in every and all respects there shall be a separation of church and state. Rather, it studiously defines the manner, the specific ways, in which there shall be no concert or union or dependency one on the other. That is the common sense of the matter. (343 U.S. at 312.)

Again this 1963 decision points out:

> In addition, it might well be said that one's education is not complete without a study of comparative religion or the history of religion and its relationship to the advancement of civilization. It clearly may be said that the Bible is worthy of study for its literary and historic qualities.
>
> Nothing we have said here indicates that such study of the Bible or of religion, when presented objectively as part of a secular program of education, may not be effected consistent with the First Amendment.

While these Supreme Court decisions recognize that belief in God is at the heart of American life, it should be kept in mind that they do nevertheless prohibit religious exercises in public schools.

One of the basic reasons I believe that a constitutional amendment should be offered is the wilderness area which has been created following the 1962 and 1963 decisions. Many schools have wanted to play it safe. To take no chances, they have cut down on Easter and Christmas observances and have secularized baccalaureate services. Few of these steps were required but they indicate how a decision can influence local boards of education and administrators who want to take the safe route.

The American Association of School Administrators through a special commission stated on June 30, 1964:

> The Commission believes that the public school curriculum must give suitable attention to the religious influences in man's development.
>
> A curriculum which ignored religion would itself have serious religious implications. It would seem to proclaim that religion has not been as real in men's lives as health or politics or economics. By omission it would appear to deny that religion has been and is important in man's history—a denial of the obvious. In day-by-day practice, the topic cannot be avoided. As an integral part of man's culture, it must be included.
>
> Whatever else the Supreme Court decisions may or may not have done, they have stimulated the public schools to a search for appropriate means to deal effectively with religion as one of the great influences in man's history . . .
>
> The Commission recognizes three distinct policy areas, related to each other and to the subject of this report, where explicit educational policy, adequate materials, and effective methods need to be devloped.
>
> In one large area, recognition must be given to the role of religion and the religious in literature, in history and the humanities, and in the arts.
>
> In a second area ways must be found to portray the part played by religion in establishing and maintaining the moral and ethical values that the school seeks to develop and transmit.
>
> Finally, the public schools are called on to build an understanding of the relationship between civil government and religious freedom, and to prepare youth for citizenship in a multifaithed society.

Within the limits set by the Supreme Court, there are more than a few opportunities for educators to develop the curriculum so that it faithfully reflects the recognition of God as an integral part of American life.

One thing that teachers can do right now is to make suitable reference to such facts as the following:

First, the Mayflower Compact: 41 Pilgrims on the deck of the Mayflower in 1620 prepared the first written constitution of our land. It opened with these words: "In the name of God, Amen," and stated that the long and difficult voyage to the New World had been "undertaken for the glory of God." They signed it "solemnly and mutually in the presence of God."

Second, Declaration of Independence: This profound document, the cornerstone of American freedom, provides a clear and unshakable basis for our Constitution, Bill of Rights, and all subsequent legislation in behalf of human rights. As finally approved by the Founding Fathers, the declaration makes these four specific references to the dependence of our Nation on God: "the laws of nature and of nature's God," "that all men are created equal, that they are endowed by their Creator with certain unalienable rights," "appealing to the Supreme Judge of the world for rectitude of our intentions," "with a firm reliance on the protection of divine providence."

Third, Thanksgiving Day: From the very start of our Nation, one day each year has been set aside to render thanks to Almighty God. The Chief Executive officially asks each citizen to express gratitude to a bountiful Creator.

Fourth, the American seal: On every dollar bill the seal is pictured with the "eye of God" directly above the pyramid. The words "Annuit Coeptis" signify:

> He (God) has favored our undertakings.

Congress approved this design on June 20, 1782.

Fifth, oath of office: The oath taken by Government employees, witnesses in court, and those seeking passports concludes with the prayerful petition: "So help me God." This practice was originated by George Washington when he took his first oath of office as President of the United States, April 30, 1789.

I have read the inaugural addresses of our Presidents and every one of them referred to God and beseeched his help and guidance in the assumption of the trying responsibilities of the office.

Sixth, national anthem: Francis Scott Key composed the "Star Spangled Banner" during the bombardment of Fort McHenry on the night of September 13, 1814. For 117 years, this song was popular as a patriotic hymn. On March 3, 1931, Congress adopted the "Star Spangled Banner" as our national anthem. It closes this way:

> "Praise the Power that hath made and preserved us a nation.
> Then conquer we must, when our cause it is just
> And this be our motto—'In God is our Trust'."

Seventh, national motto: A joint resolution was also adopted by Congress on July 20, 1956, establishing "In God We Trust" as the national motto of the United States:

> *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled.* That the national motto of the United States is hereby declared to be "In God We Trust."

Eighth, State constitutions: My own State of Ohio as "grateful to Almighty God for our freedom" written into the constitution. In fact, 49 of the 50 State constitutions recognize our dependence on God Himself as the source of human rights and liberties. Here are other excerpts from some of the State constitutions:

> Alaska: "We the people of Alaska, grateful to God and to those who founded our nation and pioneered this great land."
>
> California: "We, the people of the State of California, grateful to Almighty God for our freedom."
>
> Florida: ". . . grateful to Almighty God for our constitutional liberty."
>
> Georgia: "We the people of Georgia, relying upon the protection and guidance of Almighty God . . ." .
>
> Hawaii: "We, the people of the State of Hawaii, grateful for Divine Guidance and mindful of our Hawaiian heritage . . ."
>
> Illinois: "We, the people of the State of Illinois, grateful to Almighty God for the civil, political and religious liberty . . ."
>
> Massachusetts: "We, therefore, the people of Massachusetts, acknowledging with grateful hearts the goodness of the great Legislator of the universe . . ."
>
> Michigan: ". . . grateful to Almighty God for the blessings of freedom, and earnestly desiring to secure these blessings . . ."
>
> Missouri: "We, the people of Missouri, with profound reverence for the Supreme Ruler of the Universe, and grateful for His goodness . . ."
>
> New York: "We, the people of the State of New York, grateful to Almighty God for our freedom . . ."
>
> Pennsylvania: ". . . grateful to Almighty God for the blessings of civil and religious liberty . . ."
>
> Texas: ". . . invoking the blessings of Almighty God, the people of the State of Texas do ordain and establish this Constitution . . ."

Ninth, Pledge of Allegiance: On April 20, 1953, a resolution was introduced in the House of Representatives to add the words "under God" to the Pledge of Allegiance to the flag. Both the House of Representatives and Senate adopted the resolution. It was made the law of the land when President Eisenhower signed the bill on June 14, 1954. The pledge now reads:

> I pledge allegiance to the flag of the United States of America and to the Republic for which it stands; one nation under God, indivisible, with liberty and justice for all.

Tenth, legislative sessions: In the Ohio Legislature and in the U.S. Congress, each session has been opened with a prayer. There are chaplains in the House and Senate who are full-time officers of Congress here in Washington and at least part-time members of the legislative family in Columbus. No Supreme Court decision has deterred our legislators from conducting their deliberations in the atmosphere of religious commitment.

While it may be clearly debatable how religious we are as a people and how deep our commitment is to the faith of our fathers, it cannot be argued that our Government was founded on anything except those Judeo-Christian principles which come from the Bible. While we are waiting to stem the tide which has resulted from the Supreme Court decision, we can nonetheless affirmatively point out many of the truths which are here stated and remind ourselves that our Constitution, our Government, our way of life has a deep religious heritage which should be militantly portrayed rather than shrinkingly withdrawn.

Mr. BARING. Mr. Speaker, there is indeed reason for all Americans to pray today for peace, prosperity, and good health for all mankind. We have witnessed in the past few hours today the arrival home to America the first contingent of soldiers from Vietnam which, hopefully, will be a large step in the right direction toward ending the conflagration of death in Southeast Asia.

I would be the first to pray that this return home by our troops will be a rewarding sign for all of humanity oppressed today by aggressive groups around the world—that eventually indeed, mankind can live in peace.

Mr. Speaker, prayer is an important part of our daily lives and the exhilarating feeling one achieves when in prayer and following prayer should be a reminder to all of us associated with the decisionmaking process of our great body of Congress which guides this Nation. Prayer is essential. Prayer is for everyone and is valid wherever one chooses to pray to his God and in his own way and in his own time.

I call attention to the numerous prayer bills introduced by myself and my colleagues in this session of Congress in hopes that today's commemorative day, inserted into the Record as "Prayer Day," will be a moving occasion for all of us to urge the passage by Congress of the joint resolutions calling for the return of prayer in our educational system. For I believe it is during these formative years that our youth of today gain the outlines that will guide their lives in the future. The few moments given in devout prayer by our children while in school must be realized to be a constructive step to help heal the sore wounds of this Nation and not, as some would have us believe, an infringement on one's personal rights. One's personal rights are inclusive of saying of prayers, if one so chooses. Of all the measures introduced calling for the reinstatement of saying prayers in school, none so state that any authority will have the right to dictate what prayers are said. These measures provide, however, by constitutional authority, the right of all persons to voluntarily say prayers in school.

And, Mr. Speaker, I would point out, that we have a lot to pray about. We can pray for an end to hostilities in Vietnam and in the Middle East. We can pray for a successful landing on the moon by Neil Armstrong and his fellow astronauts on their July 1969 journey. We can pray for ample supplies of food for all mankind so no one will continuously go hungry. We can pray for the employment of all persons. We can pray for the removal of the many forms of pollutants which seemingly are about to gag our society or endanger our lives.

Mr. Speaker, we can pray for the unity of all men and those prayers we desire to say to achieve these ends should be allowed wherever and by whomever and at any time they please.

Mr. BLANTON. Mr. Speaker, it is a pleasure for me to participate in this discussion on voluntary prayers in our public schools. I commend my colleagues, the gentlemen from Connecticut (Mr. Meskill) and Pennsylvania (Mr. Dent), for their role in encouraging the House of Representatives to act on legislation which will allow our schoolchildren to pray in school.

I want to go on record as supporting

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a constitutional amendment which would allow voluntary prayers to be said in our public school systems. To me, I find it hard to believe that we have become so technical in our interpretation of the Constitution, that we must have an amendment passed to allow simple prayer in schools. It should not be necessary to legislate on such a matter, but, of course, the judicial branch has left us no other choice.

The founders of this Republic, in my view, never conceived of prohibiting prayers in schools operated by the general public. Nondenominational thanksgivings to our Creator certainly do not hinder the growth of the intellect of our children. And to my knowledge, no school has ever forced a child to say a prayer, or to acknowledge a particular religion which was alien to his family belief.

The Supreme Court, in banning voluntary prayers from the public schools, interpreted the Constitution to include school prayers in the general constitutional prohibition of Government intervening in religion. The founders of the Republic wrote the Constitution in an age when the colonies discriminated through their Government against religious minorities. This fear of a religious majority persecuting a minority religious sect through the Government apparatus was, in my studies of the Constitution, the only concern the founders had in this area. Certainly I believe it would be ridiculous to assume that the founders believed simple nondenominational prayers would represent Government operation or control of religion.

The separation of church and state doctrine has been carried too far. I believe this Nation has prospered because we are a people tempered and restrained by a moral fiber nurtured by our religious beliefs, however varied they may be. The right to say a prayer in schools should be just as important as the right not to say a prayer, and both should be immune to infringement from the Government. To me, it would be unconstitutional for Government to prohibit a class of children from voluntarily praying to their Maker, merely because they are situated in the confines of a public building when they do so.

In any event, I would like for the people among the States to decide this issue, and therefore I support measures which would allow the States to act on a constitutional amendment allowing prayer in schools, so long as the prayers are not dictated by the Government to the detriment of any other religion or religious beliefs. The voluntariness of the utterance of prayers should never be violated, but equally important, it should never be stymied.

Mr. YATRON. Mr. Speaker, I rise today to assert my fervent support for legislation seeking to amend the Constitution of the United States in order to permit voluntary prayers in the public schools.

Our Nation has a strong religious heritage. Religion permeates the lives of all inhabitants of the United States of America. It is most desirable that prayers be reinstituted in our public school systems—on a completely voluntary basis, of course.

The schools of our Nation are being called upon to bear increasing responsibilities in the moral upbringing of our children. The moral principles imparted by religious training are exemplary guides to live by.

The very opportunity to participate each morning in a moment of introspection and prayer should firmly impress upon the participants the cherished principles of subservience to God and fellowship with man.

In an age where crime rates soar and morality crumbles, it is imperative that the elected leaders of this country take whatever steps are open to reverse this disheartening trend. Reinstituing school prayers constitutes an essential element in effectuating such a reversal.

Mr. WHALLEY. Mr. Speaker, those who like myself have defended prayer and Bible reading in our public schools are moved by a deep and truly sincere concern for the well-being of our country and a profound conviction that our traditions of prayer embody something very precious in our history.

The Book of Common Prayer, in one of its most impressive passages, speaks of man as giving thanks "for our creation, preservation, and all the blessings of this life." No more appropriate phrase can be found to define the human condition and to relate men to the source of all being, all value, and all truth. Perhaps the greatest of our public blessings is the privilege of living in this particular land, where we have the unquestionable privilege to express our religious convictions. This Nation has blended into "One Nation, under God" with people from almost every part of the globe.

By prayer, which rises from our hearts, each of us can also express our love and devotion to this country and for the blessings which are ours by virtue of our American citizenship.

We assemble on this Prayer Day to dedicate our energies toward a common purpose. A part of that purpose is emphasized when we say that life and liberty alike have their ultimate source in God. This Nation was conceived under God, as demonstrated by the Declaration of Independence, and has survived and prospered all these years with His help.

I am convinced that prayer and Bible reading in our public schools is a matter of utmost importance to millions of Americans and it is an issue which must not be swept aside.

I have strongly supported and will continue to support efforts to return prayer and Bible reading to our Nation's public schools. We sincerely hope more people will join us in these efforts.

Mr. DEL CLAWSON. Mr. Speaker, during the earliest stages in the formation of this Government the Founding Fathers in their wisdom recognized the importance, in fact, the need for prayer. An account of the proceedings of the Constitutional Convention by Carl Van Doren describes intervention by Ben Franklin when a virtual impasse had been reached by delegates attempting to resolve conflicting viewpoints on the awarding of equal voting privileges to the States. Van Doren reports as follows:

> At this juncture, Franklin asked if he might be heard. This time he himself read his brief speech in his low, soft, hesitant voice, addressing his words directly to Washington in the Chair, almost as if this matter were between the two.
>
> "The small progress we have made after 4 or 5 weeks close attendance and continual reasoning with each other—our different sentiments on almost every question, several of the last producing as many noes as ays, is methinks a melancholy proof of the imperfection of the Human Understanding. We indeed seem to feel our own want of political wisdom, since we have been running about in search of it. We have gone back to ancient history for models of government, and examined the different forms of those Republics which having been formed with the seeds of their own dissolution now no longer exist. And we have viewed Modern States all round Europe, but find none of their Constitutions suitable to our circumstances.
>
> "In this situation of the Assembly, groping as it were in the dark to find political truth, and scarce able to distinguish it when presented to us, how has it happened, Sir, that we have not hitherto once thought of humbly applying to the Father of lights to illuminate our understandings? In the beginning of the Contest with Great Britain, when we were sensible of danger we had daily prayer in this room for the divine protection.—Our prayers, Sir, were heard, and they were graciously answered. All of us who were engaged in the struggle must have observed frequent instances of a Superintending providence in our favor. To that kind of providence we owe this happy opportunity of consulting in peace on the means of establishing our future national felicity. And have we now forgotten that powerful friend? or do we imagine that we no longer need his assistance? I have lived, Sir, a long time, and the longer I live, the more convincing proofs I see of this truth—that God governs in the affairs of men. And if a sparrow cannot fall to the ground without his notice, is it probable that an empire can rise without his aid? We have been assured, Sir, that 'except the Lord build the House they labour in vain that build it.' I firmly believe this; and I also believe that without his concurring aid we shall succeed in this political building no better than the Builders of Babel: We shall be divided by our little partial local interests; our projects will be confounded, and we ourselves shall become a reproach and bye word down to future ages. And what is worse, mankind may hereafter from this unfortunate instance, despair of establishing Governments by Human Wisdom and leave it to chance, war and conquest.
>
> "I therefore beg leave to move—that henceforth prayers imploring the assistance of Heaven, and its blessings on our deliberations, be held in this Assembly every morning before we proceed to business, and that one or more of the Clergy of the City be requested to officiate in that service."

There is no need to enlarge or embellish this eloquent statement by Ben Franklin. I would simply call attention to its singular appropriateness at this point in our national history. In response to a narrow view of the Constitution verging on the "carping" should we deny ourselves the benefits of guidance by the higher spiritual authority consulted by those who framed the Constitution? If, as the nonbelievers insist, there is no God, then how can they find prayers offensive? If, on the other hand, as most Americans believe, God does live, then why should believers not enjoy the benefits of public prayer, especially if there is no compulsion on anyone to participate?

It is a privilege to join with my colleagues in observation of Prayer Day and

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in support of legislation to allow voluntary prayers in our public schools.

Mr. ROBISON. Mr. Speaker, I am indeed happy to take part in this "Prayer Day" in Congress. I have presented my thoughts on this subject in the RECORD previously, but that occasion was more than 5 years ago.

In the meantime, little has changed legally, with the possible exception of a widespread acceptance of a mistaken interpretation of the initial Supreme Court decision in Engle against Vitale, an interpretation which is unquestionably detrimental to the spirit of the first amendment. I would contend, as previously, that that decision was not a ruling against prayer in the school, but a ruling against the official seal of the New York State Board of Regents on such prayer. It is still my position that a daily prayer period in school, a period of a strictly voluntary nature, would offend no one; indeed, to refuse to permit such moderate practice may constitute a terrible form of discrimination against the majority of people in this Nation.

This thought was the basis of a bill which I introduced at that time. Since then, there have been many bills introduced and no action has been taken. I sincerely hope that it shall not be necessary to take any action that may interfere with the first amendment freedoms of the minority in the process of correcting this situation.

I think that it is fitting that we should recognize, in the form of "Prayer Day," the fact that God and prayer remain an integral part of American tradition. I still receive letters from my constituents who argue that many of this country's current problems may be traced to that fateful decision of the Supreme Court, a decision which is slowly but surely becoming buried in our memories. Perhaps these people are not entirely wrong in pointing to campus disorders and youthful drug use as manifestations of a lack of exposure to ethical and spiritual training. Aristotle contended long ago that the foundation of a virtuous citizen were the ethical lessons ingrained in him during his youth.

But we must remember that times have changed, and not, I believe, for the worse. Having given our young people a taste of spiritual and intellectual freedom, we can no longer expect them to tacitly accept thought which may be new to many of them. If we have not exposed them to this thought or to the responsibility that accompanies this freedom, some of the fault must be our own. As a result of this liberation, however, we can rightly expect many of them to ignore and rebel, much as there is rebellion within most segments of church and society today. The problem with the young generation is not that they will not accept anything; the problem is that they will not accept everything. The problem is not that they will trust no one over thirty; the problem is that they feel those over 30 have failed them too often.

Questioning means change, and change has always been considered as progress in this Nation. We must have faith in this progress, in our youth, and in truth. If our religious beliefs are worthy of our respect, then they do not need the official seal of the Board of Regents of the State of New York. No one will argue with that proposition. We must continue to remember this as we move to pass legislation that will permit prayer in our schools once more. The Founding Fathers demonstrated as much wisdom in writing the first amendment as they did in establishing a reliance on prayer that has persisted through our Nation's history. It is in this spirit, and with the spirit of the Almighty, that our society will move forward.

Mr. McKNEALLY. Mr. Speaker, I rise today to speak in support of a constitutional amendment which is long overdue; an amendment to allow people lawfully assembled in public buildings the right to participate in prayers of a nondenominational nature. This fundamental right of every individual was swept aside by the Supreme Court prayer and Bible-reading decisions of 1962 and 1963.

These decisions represented a grave misinterpretation of the first amendment of our Constitution and the intentions of our Founding Forefathers. The first amendment states:

> Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.

This amendment prohibits the establishment of a state church or national religion. It does not, however, state or imply a disavowal of the historical affirmation by this Nation and its Government of the fundamental truth of theism. As a result of the above-mentioned decisions, such an affirmation is placed in serious doubt.

Throughout the history of the world, man has sought the guidance and assistance of a Supreme Being. The United States and its people are no different. God and prayer are an integral part of our national heritage. We must take action now to maintain and strengthen our religious heritage and restore voluntary prayer in our schools where the youths of today are learning to become citizens of this great Nation.

It has now been more than 6 years since the Supreme Court has handed down its rulings and although numerous prayer amendments have been introduced, none have been voted out of committee and reached the floor of the House of Representatives. Surveys have shown that 80 percent of the people of the United States want a prayer amendment. I believe that the time has come when the voices of the people should be heard and an amendment for public prayer be enacted.

Mr. THOMPSON of Georgia. Mr. Speaker, as the author of legislation to amend the U.S. Constitution and allow voluntary prayers in our public schools, I appreciate this opportunity to voice my support for this legislation by participating in the observance of a "Prayer Day."

One of my colleagues recently pointed out that public opinion surveys show approximately 90 percent of the general public approve of voluntary prayer in the public schools and that it is time we listened to that 90 percent. That is exactly the situation we have here. Mr. Speaker, our national conduct far too often no longer is consistent with the will of the majority, but coincides with the thinking of a small minority.

The question here is not one of violating the traditional separation of church and state, for no one is seeking to establish a religion. What we are seeking to do is reestablish, on a voluntary basis, what the majority of Americans want—voluntary prayer in public schools. No compulsion is involved—for, any constitutional amendment must be voted on by the people's elected representatives through the approval of this amendment by the State legislatures.

Research into the constitutional questions involved in the issue of voluntary prayer in the public schools brings one to these inescapable conclusions:

First, that the establishment clause of the first amendment does not prohibit a recognition of Almighty God in public prayer; second, that a recognition of God was indeed a part of our national heritage; third, that the establishment clause of the first amendment was intended to prohibit a state religion, but not to prevent the growth of a religious state; fourth, that the uttering of a prayer in public assemblies was traditional throughout the Nation; and fifth, that the authorities support the position that a noncompulsory recitation of a prayer causes no pocketbook injury.

Our land has a great religious heritage. "In God We Trust" has been our Nation's official motto since 1956. "In God We Trust" has been officially inscribed on our Nation's coins and currency since 1955. These mottos carry forward a tradition which began when the Pilgrims first came to this country. The first thing they did was enter into in Mayflower Compact in 1620 which began with the recognition of God.

Mr. Speaker, confusion and consternation has reigned and widened since the original Supreme Court decision outlawing voluntary prayer in public schools was issued. This Congress has a responsibility to put an end to the confusion which has been allowed by legislative inaction to spread, by putting before the people for a vote, the question of whether voluntary prayer in the public schools ought to be again allowed. The opponents of this legislation do not want the matter to come to a vote of the people because they know the eventual outcome. They seek to thwart the will of the majority by keeping these bills pigeonholed in committee, away from a vote on the floor of the Congress where they know it will pass, and away from the people.

Mr. Speaker, I know we have nothing to fear from the people. This Government is theirs; they have a constitutional right to speak their minds on this question and I think we should give them that opportunity. I stand here today in their behalf asking that this Congress speak for the majority of God-fearing Americans, and give them the right to express their will for the return of voluntary prayer to the public schools.

Mr. ROBERTS. Mr. Speaker, I am delighted to join with my colleagues in making this "Prayer Day in Congress." The issue of returning voluntary pray-

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ers to our Nation's public schools has long been a matter of grave concern to me. It is my strong belief that the U.S. Constitution protects the right of individuals to turn to God in accordance with their own beliefs. In keeping with this right, I have reintroduced my bill providing for a constitutional amendment which clearly allows voluntary prayer in public institutions. The Supreme Court's decision in favor of Madeline Murray O'Hair's case against school prayer has cast a shadow of doubt on this right. It is the purpose of my bill to clarify the issue.

The smallness of man in the vast universe was never more apparent than it was when three of America's astronauts orbited the moon and viewed earth from this lofty position. The thoughts of these men turned to the spiritual, and the prayers of the world were with them as they read the story of the creation from the Bible. And yet, there were those who objected to even this gesture.

We must do all that we can to protect the right to seek spiritual counsel in times like this. Returning voluntary prayer to our schools is the first step in reestablishing this constitutional right.

Mr. NICHOLS. Mr. Speaker, I am pleased to join with my distinguished colleagues today in urging immediate consideration and passage of the public prayer amendment to the U.S. Constitution. This amendment is of vital importance to our American way of life. The amendment will not force anyone to participate in prayer or other religious activities in our schools and public places, but it will allow continued voluntary participation in such activities.

There has been some misunderstanding about the Supreme Court ruling affecting prayer in our public schools. This ruling did not outlaw prayer, but it prohibited any student from being forced to participate. Many educators, however, have taken the ruling at face value and have completely eliminated religious activities altogether. This amendment would allow the restoration of morning devotionals, baccalaureate services, and other religious programs as long as they are voluntary.

I am pleased to say that our public schools in Alabama have continued to begin each day with voluntary, nonsectarian devotionals. I am sure they will continue to do so even without the enactment of this amendment. But unless we act to make voluntary religious activities in public places a part of our Constitution, there may come a time when the Supreme Court will rule that such activities are unconstitutional even where voluntary. This is the thing we must guard against if we are to continue to allow our people freedom of religion, one of the basic reasons America was founded.

Mr. Speaker, I again want to urge immediate consideration of this constitutional amendment to preserve the right of voluntary prayer in schools and other public places.

Mr. WYLIE. Mr. Speaker, I commend the gentleman from Connecticut (Mr. MESKILL) for his leadership in pointing out the need for this amendment. Resolution 449, which I introduced, is identical to the resolution introduced by my colleague from Connecticut.

Many of my constituents have written me to urge restoration of the right of prayer in public buildings and public schools. On my questionnaire of November 1968, my constituents voted 9 to 1 in favor of such an amendment. This amendment would return to the people of our Nation a religious liberty surely intended by the authors of the Constitution but now thought to be denied by the decisions of the Supreme Court of the United States.

Much of my correspondence notes the travesty of a nation claiming that "in God we trust" and installing its highest officials with an oath ending, "so help me, God," yet at the same time suggesting that the right of prayer to that same God in our public buildings is inappropriate.

I urge immediate action on this amendment so that the United States will make known, unequivocally, to the world that we are still "one Nation, under God."

Mr. CEDERBERG. Mr Speaker, on March 6, 1968, I introduced a joint resolution which deals with allowing prayer and Bible readings to be read on a voluntary basis in any governmental institution or school or public place. My amendment reads:

> That nothing in this Constitution shall be deemed to prohibit making reference to belief in, reliance upon, or invoking the aid of God or a Supreme Being in any governmental or public document, proceeding, activity, ceremony, school, institution or place, or upon any coinage, currency or obligation of the United States.

It is also stated in my joint resolution that my amendment shall not constitute the establishment of religion.

When the Pilgrims came to this country, one of the first things they did was to enter into the Mayflower Compact on November 11, 1620, and the first words of their compact are: "In the name of God, Amen."

The Declaration of Independence of the United States of America was adopted and signed on July 4, 1776, and in this document are written the words:

> And for the support of this declaration with with the affirm reliance upon protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

In the preamble of each State constitution is a statement regarding the faith in God of the people of the State in forming the constitution. More recently on July 11, 1955, Congress passed and the President approved Public Law 84–140 which places the inscription, "In God we trust," on our coins and currency. President Eisenhower, on July 30, 1956, signed a resolution which made "In God We Trust" our national motto. Many of our public buildings today bear witness to our faith in God. One can find it in our Nation's Capitol, in the prayer room, the Nation's motto, in the Supreme Court Building, the White House, the Library of Congress, the Washington Monument, the Lincoln Memorial and the Tomb of the Unknown Soldier.

One of the questions which is constantly brought up is that if this amendment is made to the Constitution of the United States, it will alter the meaning of the Bill of Rights, the first 10 amendments which assert and guard most of our fundamental liberties. I do not feel that the joint resolution, House Joint Resolution 523, which I introduced as a proposed amendment to the Constitution of the United States will jeopardize our Bill of Rights. I have consistently supported efforts to amend the Constituiton for this purpose. The bill I introduced this year is broader than some proposed legislation. I have included not only prayer, but also Bible reading and the use of reference to God in any governmental service or place.

I join in supporting my colleague from Connecticut in his efforts to bring this matter to the attention of the Congress and I hope that we will be able to receive favorable action on this proposal at some future time.

Mr. BUSH. Mr. Speaker, I want to commend my colleagues TOM MESKILL and JOHN DENT for sponsoring this "Prayer Day" so that we all can reaffirm our country's cherished spiritual tradition and help to clear the confusion about the place of voluntary nondenominational prayer in our public life.

As our world has become more complex and as we have redefined again and again the limits of religion in our public life, we have become confused. Many have come to believe that some sort of neutrality about religion—in Government—in education—is what our Bill of Rights intended. But this is not the belief of a majority of the American people. It is not the conviction of the Congress. And it is not the policy of the administration.

Our country was founded by men who came searching for religious freedom. Our political system was developed at a time when it would have been unthinkable to even consider good, efficient government without the influence of religion. George Washington said almost 200 years ago:

> Reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principles.

This is the context in which our Declaration of Independence, Constitution, and Bill of Rights were written. It is not accidental that the first words of the Bill of Rights are:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

And in our public life, both Houses of Congress, as well as the Supreme Court, are opened with an invocation to God. Every President upon taking office asks for the help and protection of God. And President Nixon to emphasize his strong belief in the influence of religion on our lives has instituted nondenominational prayer services in the White House. This action is extremely timely and comes at a time when we must lift the confusion from the minds of the people about the place of prayer in our public life.

And it is with this need in mind that I introduced legislation to permit persons lawfully assembled in public buildings to participate in nondenominational

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prayer. This bill is very carefully drawn, preserving minority rights and preventing official dictation in religious matters. Participation must be voluntary. We must not force a given religion down anyone's throat, but at the same time we must not prohibit prayer by those who wish to do so.

Mr. CAMP. Mr. Speaker, I am of the opinion that this is a democratic form of government in spite of what the Supreme Court says to the contrary. And I am also of the opinion that, under such a form of government, the majority rules. Therefore, it only seems logical to me that if the majority of the people of this Nation want voluntary prayers in their public schools they should have it.

I have never agreed with the Supreme Court decision which outlawed prayers in our public schools in the first place. Thus it strikes me as highly ironic that the people of this Nation are required to amend their Constitution to allow a constitutional action, but if that is what is demanded, I am for it.

The founders of this Nation were Christian men, and the overwhelming majority of the people of this country profess to be Christian. It was presumed by our Founding Fathers that this would be the case. How is it possible, then, that the men who framed our Constitution, and the hundreds of brilliant men who have succeeded them in the 181 years since, could have provided for chaplains to deliver prayers before both Houses of Congress, set aside religious holidays as national holidays, have inscribed "In God We Trust" on our coins, inserted "This Nation Under God" in our flag salute, paid chaplains for our men in military service, and on and on, ad infinitum, when it was all unconstitutional from the beginning? It is totally inconceivable to me how the combined wisdom of nine men in black robes can be superior to the combined wisdom of all the mighty statesmen who have graced these Halls for almost 200 years. The Supreme Court, as have all the courts, placed a great deal of stock in precedent when considering legal matters, but it has been totally blind to precedent when it pontificates on political or moral questions. We are told by the Supreme Court that prayers in schools are unconstitutional because they are supported by public tax money.

I submit that the only logical outcome of this kind of reasoning can only result in the final abolition of any and all religious activities on all public properties.

Mr. Speaker, I am not prepared to see this happen. This very House of Representatives is supported by taxpayers. If this is not a public institution, then I do not know what a public institution is. And if it is deemed wise and prudent to open our daily deliberations by invoking the wisdom and direction of God, why is it not equally proper to solicit the same transcendent power for our schoolchildren.

To be completely consistent, the Members of this House would have to cease our prayers in Congress; we would have to remove all references to God on our coins and the flag salute; we would have to desist in observing religious holidays as national holidays; and we would have to rid the armed services of their tax-supported chaplains. This is just a beginning of all the things we would have to abolish. What about all of the little prayer rooms? What about the oaths of office administered on public properties with a hand on the Holy Bible? How can we, the Members of Congress, enjoy the blessings and comforts of public prayer while it is denied to our children?

If the Constitution of the United States must be amended to protect these things, then I hereby pledge my unequivocal support of such an amendment.

Mr. ZION. Mr. Speaker, I share in the dismay of many Members of this House regarding the announced verdict of our High Court banning public prayer in our public schools. My memory recalls vividly the sense of shock and outrage I experienced in learning that the simple, voluntary prayer recited by schoolchildren in the State of New York was no longer permissible.

Mr. Speaker, have we lost our reason? As I take my place in this Chamber, my eyes travel upward to the place above the Speaker's chair where golden letters proclaim that "In God we trust." I am well aware that the oath of office of every important Federal official, including the President of the United States and Justices of the Supreme Court, concludes with the prayer "So help me God".

Is recognition of the Divine Creator of us all to be confined to the formality of public oaths and ceremonies? Are we saying then that public prayer in our schools is improper while ceremonial references to God are valid because they are meaningless? If they are meaningless, why are they included?

I suggest, Mr. Speaker, that they are there because our Founding Fathers intended that they be there, and that these Founding Fathers saw no violation of intent, in their inclusion, of the prohibited action of the American Congress in "establishing a religion."

Article I of the Bill of Rights is a sound article, a necessary article. Our national experience, drawing on the recent visions of fratricidal church-state conflicts throughout the width and breadth of European history, knew well the dangers inherent in sanctioning one faith over others.

But the same men who lent their hands to the drafting of the Bill of Rights were also God-fearing patriots, well aware of the role of Divine Providence in our national beginnings. They were churchmen of many faiths. They were Roman Catholics and Calvinists and Jews and Methodists and hosted many less defined doctrines of belief. But they possessed, in common, a belief that a Supreme Being had guided this infant state through its traumatic birth and baptism of fire and that the perilous future dictated clearly that the God of us all must be accorded due reverence, devotion, and thanks, regardless of a man's particular interpretation of that Divinity.

How remote has our Supreme Court wandered from the intent of these Founders. Can a simple prescribed prayer, offered on an individual voluntary basis by New York schoolchildren really be held to offend the letter and spirit of the American Constitution? The Supreme Court does so say. And the Supreme Court is, under our constitutional process, the final arbiter of such questions.

It thus becomes apparent that when reason fails in the making of such a judgment, other men from other branches of the Federal structure, must undo that which has been unwisely done. I, therefore, join with my colleagues in calling for a reversal of the Supreme Court decision. I would see this Congress enact positive, unmistakably clear language in the form of a constitutional amendment which would forever guarantee the right of free human beings to acknowledge their God and Creator through the medium of public, voluntary prayer. To do less is to indeed sail our ship of state in perilous times over troubled waters without a pilot at the helm.

Mr. WYMAN. Mr. Speaker, I rise to once again express my support for my resolution (H.J. Res. 469) that will permit voluntary prayers in our public schools. It disturbs me to think that Congress has not yet acted on such an amendment to insure our constitutional right to make continued reference to God Almighty in public places and in public institutions throughout our land.

I cannot understand why U.S. citizens, whether or not connected with a church, oppose allowing children to hear or recite a prayer or decline to do so, on an optional basis, in our public schools.

It seems to me, Mr. Speaker, that the point of the whole problem is that we must remain humble before a Supreme Being. It is wise to encourage our young people to believe in a Supreme Being—no matter what the perspective.

Without such a belief—without the genuine humility it develops—the restrictions of conscience on human behavior can fall by the wayside, for belief in God strengthens conscience.

The United States is a Christian nation under God, conceived as such, and dedicated to religious freedom and to belief in God. Certain reactions to this basic truth, such as the Supreme Court decision of 1963, which was made only in the name of legal verbosity and intellectual technicality, reflect the new cynicism that, when displayed before the great dispenser of infinite justice, can only mean asking for trouble for our way of life.

It has been said so pointedly that the real question in determining the eventual success or failure of democracy in the world is not whether God is on our side but whether we are on the side of God. I pray that Congress will see fit to declare its intent as recognizing, respecting, and thanking Him who has given us all that we have by amending the Constitution and insuring our right to participate in prayer on a voluntary basis.

Mr. WINN. Mr. Speaker, for centuries universal man has acknowledged the existence of a Supreme Being—some almost omnipotent force which is responsible for the creation and order of the universe. And for years, our Nation has been guided by men who, in turn, have been themselves guided by a greater power with which they have

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associated. America, and much of the rest of the world, has come to accept this greater power as God.

It is not our intent today to deny any man, woman, or child the right to worship or not to worship his or her god. It is, though, our intent to reestablish for a great number of our American citizenry the right to pray to God in schools and other public places—in silence and without coercion upon our neighbors to do the same.

Join us on this Prayer Day in Congress in our efforts to reestablish the rights of many while denying the rights of none. Join us in support of a constitutional amendment which will guarantee the right to pray—in silence and on a voluntary basis—in the public buildings of our land.

Mr. ESCH. Mr. Speaker, I am delighted to join with my colleagues in indicating strong support for a constitutional amendment to allow voluntary prayer in our public schools.

Our countryside was settled because of the faith and dedication and devotion of the courageous men and women who came to our shores. Religious liberty was the motivating force behind their immigration to the unknown new world. Their faith and devotion was so strong that they would not tolerate an intolerent society which denied their right to worship freely.

Our Nation was established by men who felt that the freedom of religion was vitally important to free men. Freedom of religion was so important to them that they guaranteed it in the first amendment to the Constitution. I hold that a trust in God is the basic spiritual foundation on which this Nation was built.

I am convinced that the first amendment which guarantees the freedom of religion was never intended to prevent free practice of religion in our public schools and public places. Indeed, the uttering of a prayer in public assemblies has been traditional throughout the Nation. Symbolic of that tradition is the offering of prayer by leaders of all the religious faiths during the inauguration of our President. I am proud of this symbolic commitment of the Nation to a higher purpose and to God.

Mr. Speaker, I very strongly believe that we should teach our children that expressions of reverence are something to be encouraged rather than repressed. While I do not believe that any child should be forced to pray against his beliefs, I very strongly feel that an opportunity for prayer should be provided.

I hope that the House of Representatives, the Senate, and the legislatures of the States will soon be provided an opportunity to express their will on this important constitutional amendment.

Mrs. REID of Illinois. Mr. Speaker, as the sponsor of House Joint Resolution 427, I wish to join my colleagues in support of legislation proposing a constitutional amendment to allow voluntary prayers in our public schools.

The first fundamental principle of our free society is the right of every individual to worship God in his own way. The one single force that gives distinction to the United States of America, unique among all nations, is our heritage of freedom of religion. Ours is the only nation in history conceived, begun and continued as a specific monument to God's great plan. To deny our youth, their teachers, and their counselors the privilege of a communal exercise of their allegiance to God as well as to country is, in my opinion, a rejection of our most constant source of power and strength.

America's young people between the ages of 7 and 21 spend more waking hours at school and in school activities than they do at home and church combined. Many of them have no exposure to their spiritual God except through the student bodies to which they belong.

I realize that much has been written and spoken concerning the decision on prayers in public schools and I have noted the argument that those who differ with us believe their children should not have imposed on them a compulsory period of silence or separation during the recitation of a school prayer. By the same token, it can also be reasoned that the great majority of schoolchildren who have participated or desire to participate in school prayers, have been forced to accept the position of the nonbeliever.

No citizen should be denied his right. No American should be required to embrace a religion. We should remember, however, that those who struggled to put the exact words in our first amendment to the Constitution clearly sought to avoid only a Government-forced form of religion. We are not to establish a denomination—a faith—or a creed. At the same time we are to do nothing to "prohibit the free exercise of religion." Worship is a personal and private matter. Those who choose not to worship may refrain, but those few should not be permitted the power to prevent the overwhelming majority the privilege of their own worship.

There are a great many contradictions in our country, and some of them simply do not make sense. The matter of prohibiting a prayer time for children in our public schools is one of them. Each day when the House convenes, the Speaker gavels for order and then says, "The Chaplain will offer prayer." Chaplains of the House and Senate whose salaries are paid from public funds, offer their prayers in a building built from public funds. When the distinguished Justices of the Supreme Court of the United States are announced by the Court Crier, he asks God to "save this honorable Court." But the Court has ruled that prayers by and for children in public schools are unconstitutional.

In my judgment, these decisions damage our national religious heritage. There is much evidence that an overwhelming majority of the people of our Nation want the right to have prayers in public schools for those who desire them. I believe it is the duty of Congress to submit this question directly to them. This can be done only by a resolution for a constitutional amendment, which when approved by two-thirds vote in each House, can then be submitted to the States for final ratificaiton.

It is my hope that the Committee on the Judiciary will act to report the proposed amendment at the earliest date possible.

Mr. ESHLEMAN. Mr. Speaker, there are many of us in this body who know well the satisfaction of approaching one's Creator with personal prayer. Congress today, like our forefathers who set forth this system of government, is imbued with a deep and abiding sense of accountability to God and to man. Daily, the prayers which open our sessions reaffirm that this Nation is above all spiritual at its roots.

The first written document in America, the articles of government known as the Mayflower Compact, began with the words, "In the name of God, Amen." The Declaration of Independence states that men's inalienable rights are "endowed by their Creator." Our most fundamental foundations rest within a valued tradition of spirituality and God.

Today that tradition is being challenged. A great debate has emerged which is supposedly centered on the expressed American doctrine of separation of church and state. However, in reality, the separation of church and state is not the issue. Few doubt the necessity for maintaining a line of demarcation between the functioning of religion and the functioning of the Government. The true dispute concerns the divorce of God from the Nation. Grave doubts exist about the abandoning of inherent spirituality in our national life.

The central issue in the present debate is whether or not within our public institutions our youths will be permitted again to profess the faith of our fathers. Will prayer, which was for so long a part of our educational process, again be allowed in our public schools? Not prayer which seeks to force certain dogma on the individual, but voluntary prayer which provides an opportunity for the student to seek the same divine guidance that we recognize as so important to our legislative deliberations. It is lamentable, in my opinion, that we have waited so long to define by law a means by which our children can offer constitutionally a simple prayer in their classrooms.

It appears that an amendment to the Constitution will be needed to guarantee that prayer can be brought back into this Nation's schools. I would hope that the Congress will act quickly to pass such an amendment.

Mr. BYRNES of Wisconsin. Mr. Speaker, I am pleased to add my voice to the effort to make possible the voluntary offering of prayers in the public schools.

Throughout our history, beginning with the Declaration of Independence, Americans have asked divine guidance in their public deliberations and undertakings.

Nowhere does the Constitution prohibit such supplication to God and indeed His name is invoked daily in this House. It is beyond me how the Supreme Court could read into the Constitution a prohibition against voluntary, nonsectarian prayers in the public schools. By no stretch of the imagination, it seems to me, can this voluntary practice be construed as the establishment of a religion.

On the other hand, what this judicial

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edict has done is to deny the spiritual foundations of this Nation and to weaken the principle which changed the course of history when it was enunciated by our Founding Fathers in the Declaration of Independence—that man's inalienable rights come from a Creator who stands above man and his works.

To deny to those who wish to do so participation in prayers which recognize this basic principle is to deny the very foundation on which this Nation was built.

Mr. MURPHY of New York. Mr. Speaker, to define prayer is far from easy. Perhaps the simplest definition is also the profoundest—the "Practice of the Presence of God," in the famous words of the title of the much-loved little French classic by 17th-century Catholic Brother Laurence. It is this sense of communion with a "Presence" which gives unity to prayer throughout the ages from every race, every faith, and every part of the world, binding together such widely differing personalities as the simple, unlettered author of the "Practice" in 17th century France to the subtle, complex character of the 19th-century American poet, Emily Dickinson, who wrote of prayer as the "little implement; through which men reach; where presence is denied them."

In these days it appears to many that the practice of prayer has measurably declined together with the general influence of organized religion. Yet religion has proven time and again through history to possess remarkable staying power; its recuperative energies testify to the universal and ineradicable religious hunger of men which will not be denied, though it be forced by new forms of oppression to express itself in strange or hidden ways. The power of prayer lies in its interior life where man may commune with his God in the spirit of Matthew 6:5–6:

> When you pray, go to your private room, and when you have shut your door, pray to your Father who is in that secret place . . .

So ultimately the seat of all deeply religious encounter is in the hidden encounter of the soul with God.

Yet having said this, we recognize also the necessity for some regular, formalized expression.

> To pray together—

Wrote Madame de Stael—whose witness is the more significant in that she herself was far from conventional religious opinion—

> in whatever tongue or ritual, is the most tender brotherhood of hope and sympathy that men can contract in this life.

The history of Christian worship, as of the worship of the synagogue which preceded it and, indeed, gave it shape in the beginning, is a history of corporate prayer; and the only prayer clearly identified with the express will of its founder, in answer to the question, "Lord, teach us how to pray," begins with the significant address, "Our Father." Feelings and virtues which are unexpressed have little or no social impact. So it is with prayer.

Because of this awareness that prayer, like love, like courtesy, like truth itself, must proceed from an all-important inward disposition to an equally important outward expression, and because of the special place which religious faith has held in the American experience from the very foundation of the Nation, we are met here today in common witness to that deep concern for the religious values which are represented by the tradition of voluntary prayer in our public schools. Within my own constituency, this nationwide concern has found expression in the activities of Citizens for Public Prayer, Box 112, Staten Island, one among many such groups across the continent. Sharing this concern, I have associated myself with those who are seeking constitutional change in this area, and, indeed, have actively sponsored pertinent resolutions in this present Congress and in the two previous Congresses. For what indeed are men, in the words of Tennyson:

> ". . . better than sheep or goats
> That nourish a blind life within the brain,
> If, knowing God, they lift not hands of prayer
> Both for themselves and those who call them friend?
> For so the whole round earth is every way
> Bound by gold chains about the feet of God."

The genius of true prayer, suggested in Tennyson's moving lines on the death of Arthur, lies in the realm of gratitude, in that sense of dependence and of thanksgiving which is truly the beginning of wisdom, bred in a saving sense of our finitude and humility. Such prayer can illumine the insight of Justice Oliver Wendell Holmes, who wrote that, "The great act of faith is when man discovers that he is not God." The larger concern which is symbolized by our gathering here today touches on the well-being of our troubled nation and, indeed, of the world at large.

> Man's life—

Writes a distinguished philosopher, scholar, and teacher, not himself a professional religious spokesman—

> Is a becoming; and not only becoming, but self-creation . . . the force that shapes him is his own will. All his life is an effort to attain to real human nature. But human nature, since man is at bottom spirit, is only exemplified in the absolute spirit of God. Hence man must shape himself in God's image, or he ceases to be even human and becomes diabolical. Knowledge of God is the beginning, the center and end of human life.

And, finally—

> Prayer may not be the whole of religion, but is the touchstone of it. All religion must come to the test of prayer; for in prayer the soul maps out the course it has taken and the journey it has yet to make, reviewing the past and the future in the light of the presence of God (R. G. Collingwood.)

The traditions of public prayer in America, suitably protected against sectarian abuse or any form of coercion, are a precious element in our national life which we neglect or abandon at our peril.

Mr. BROTZMAN. Mr. Speaker, the Constitution of the United States is the greatest instrument of government devised by man. I do not believe it should be or need be amended often. But at the same time I feel Congress does have a responsibility to preserve and protect the Constitution from unwarranted mutation by judicial fiat, and under some circumstances an amendmnet may be the only practical means to provide that protection.

I believe that the decisions of the Supreme Court regarding prayer in the public schools have led to a situation that makes such a measure appropriate.

I am aware that the Court did not outlaw prayer as such in its public school decisions. It is doubtful that it could have. What was prohibited was the official designation of a set prayer for use in public schools. Unfortunately this decision has been lost in the implementation of the decision and in effect voluntary group prayer is no longer sanctioned in most of the public schools of the land.

Mr. Speaker, I believe there should be no question regarding the right of public schools to permit voluntary prayer as an integral part of their daily schedule. Therefore, I would support a resolution to offer the States an opportunity to enact a constitutional amendment that would secure this right.

Mr. SANDMAN. Mr. Speaker, I am pleased to join my distinguished colleagues in support of a constitutional amendment to allow voluntary prayers in our Nation's public schools.

Religious freedom was one of the founding principles of our country. God must be kept active in our thoughts and actions and in the operations of our Government.

More than 80 bills have been introduced in Congress. I fully support this legislation to rescind the Supreme Court decision of 1962 banning all prayer in our public schools. I am hopeful we will be able to obtain favorable action during this session of Congress.

To forbid voluntary prayer in our schools and classrooms is to commit our children during their preparatory education to a stifling vacuum instead of providing for their growth in the natural, spiritual atmosphere of the Christian faith that has given our country strength and the will to survive and be the champion of freedom in all of its relationships.

Mr. ZWACH. Mr. Speaker, when our forefathers met in Philadelphia 193 years ago to draft what has become the Declaration of Independence, they made repeated references to a Supreme Being.

In the closing paragraph of that great document they wrote:

> With a firm Reliance on the Protection of divine Providence . . .

When George Washington took the oath as first President of the United States on April 30, 1789, he added a four-word prayer of his own, "So help me God," an invocation still used in official oaths.

In his inaugural address, Washington reverently acknowledged our country's dependence on Almighty God when he said:

> It would be peculiarly improper to omit in this first official act, my fervent supplications to that Almighty Being who rules over the Universe. . . . and whose providential aids can supply every human defect. . . .

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Seven and a half years later, in his farewell message, Washington said:

> Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensible supports.

In his first Thanksgiving Day proclamation on October 3, 1789, the Father of our Country wrote:

> Whereas it is the duty of all nations to acknowledge the Providence of Almighty God, to obey His will, to be grateful for His benefits, and humbly to implore His protection and favor. . . .

When Abraham Lincoln left his home in Springfield, Ill., to serve as President of the United States, he said:

> Without the assistance of that Divine Being who ever attended him (George Washington), I cannot succeed. With that assistance, I cannot fail.

Under the protection of the divine providence, as evoked by our leaders all through the years, God-fearing, God-recognizing America became the greatest nation the world has ever known.

Mr. Speaker, I urge my colleagues to go back to that divine guidance, to allow our schoolchildren to evoke the blessings of providence, so that America, under God, long the light of hope, the cradle of liberty and freedom, maintains its self-respect and the love and admiration of all of the peoples of the world.

Mr. HOGAN. Mr. Speaker, man's most intimate and most public manifestation of reverence and acknowledgement of a power greater than himself, indeed greater than the universe, is prayer. By the act of prayer, public or private, man becomes humble, admits to his fallible nature, impotence, and dependence upon an ultimate source which represents eternal omnipotence, immutable principles, and perfection in all those ideals toward which he strives and relative to which he guides his life and appraises his actions. This Being man chooses to call Creator or God and by so doing grants to Him alone adoration and worship. With the Being man establishes a rapport so intimate that its contents are known only to himself, and thus he reaffirms his individuality. Yet, by the means of prayer, man knows that he is not alone in this vast universe and no matter the human emotion or the circumstance—grief or joy, desperation or fear, need or gratitude, man can resort to prayer as a means of expression or as a source of strength or consolation and above all, as belief in hope.

Like the nature of man, prayer is universal and common to all. More important, the act of prayer binds all mankind and is the giver of real meaning to the term "brotherhood of man" for all, by this act, acknowledge the same Giver of Life. The Declaration of Independence utilized the force of reason to unequivocally declare that the rights of man were an endowment of their Creator. Yet, though our very institutions of Government are based upon this fact, we are forbidden to pay our voluntary respect to that Creator by prayer in our public schools. To be logical, and in keeping with the recognition accorded the Creator in the prime document of our reason for national existence, one must conclude that the Constitution should be amended to permit voluntary prayer in our public schools.

Mr. KLEPPE. Mr. Speaker, on April 29 of this year, I joined with several Members in introducing House Joint Resolution 685 which proposes an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings. In essence, it says very simply:

> Nothing contained in this Constitution shall abridge the right of persons lawfully assembled, in any public building which is supported in whole or in part through expenditure of public funds, to participate in nondenominational prayer.

Apparently it is legal for persons lawfully assembled in public buildings to proclaim that "God is dead."

It seems to me that those of us who believe otherwise should have an equal opportunity to beg forgiveness for them and to assert our conviction that God still lives and will for all time.

Mr. FALLON. Mr. Speaker, since the Supreme Court's decision invalidating recitation of the Lord's Prayer and selective readings from the Bible in our schools, I have received a large number of protests not only from the residents of my congressional district but from all over the country.

From editorials on the subject, apparently there were some who felt the controversy would blow over "when the American people understood the true facts." However, this is not the case. The storm of protest unleashed by the Supreme Court's decision has been tremendous. The controversy provoked by the school prayer cases continues despite the passage of time.

Commentators express consternation at the tenacity of the school prayer and point to court decisions in a number of other vital areas which they deem to possess more far-reaching significance. However, such analysis miss the mark since the average American, whatever his own notions of one man—one vote, fairness in legislative investigations and sundry other matters to come before the Court in recent years, feels the effects of the school prayer rulings in a very personal and intimate way. Rather than insuring against an establishment of religion, he feels that these decisions have been made inroads upon his free exercise of religion.

Like most Americans before him, he has been raised in the practice of beginning the day with a prayer—and in many cases the reading of the Bible and singing of hymns—which he feels in the final analysis are conducive to the fostering of brotherhood and gratitude.

Although the average American may have only dimly perceived, if at all, its value at the time, the process of beginning the day with prayer, had its cumulative, wholesome effect on his development as a worthy and responsible citizen. Moreover, as the passage of years brought on awareness, it formed part and parcel of the tradition that he wishes to pass on to his children.

It is in support of this tradition that I have introduced a joint resolution to permit the recitation of noncompulsory, nondenominational prayer in the public schools. My proposal is free from any and all compulsion. It permits restoration of opening prayer exercises; it does not require it. The entire matter would be in the hands of State and local authorities where it was traditionally and is more appropriately lodged. Wherever the practice is resumed, individual students who, for any reason, dissent from the practice, would be at liberty to withhold their participation. In fact, my amendment would not tolerate resumption of the practice if not characterized by an absolute guarantee of voluntariness on the part of the students, teachers, school officials, and parents. Furthermore, the requirement that the prayer must be denominationally neutral rules out any program which would foster the beliefs of any particular institutional or organized religion.

Mr. Speaker, the Congress has in recent years made significant strides in securing every American his most basic right of citizenship—the right to vote. My amendment, if adopted, is another step in this direction for it permits the American people to vote on this most important of all matters—the upbringing and education of their children.

Mr. LENNON. Mr. Speaker, I am very pleased to join other Members of Congress in emphasizing my belief that prayer is vital to preserving the spiritual life of our Nation.

In September 1963, I first introduced a resolution to amend the Constitution to permit voluntary prayer and reading of the Bible in our public schools. I have reintroduced the resolution in subsequent Congresses.

Voluntary prayer in our public schools and institutions, in my judgment, could well be the moral rearmament needed to inspire our youth to become builders of more orderly and harmonious living within our Nation. Unless our Nation is awakened to the dangerous trend away from the spiritual heritage of our forefathers, I am fearful for the future. Through the years prayer has instilled the moral principles and strength for our form of government.

Recognition that our Nation is not separated from God would not in any way violate the principle of separation of state from church, nor establish any religion. It would, however, allow our citizens to exercise the right inherent in the first amendment of our Constitution—that of freedom of religion.

This is assuredly a time to rededicate ourselves to reliance upon the deep power of prayer.

Mr. FUQUA. Mr. Speaker, a great deal of confusion exists throughout America today because of a lack of understanding relative to Supreme Court decisions regarding prayer in our public schools.

Few decisions have caused as much consternation and concern for our people, and it is my judgment that remedial legislation is necessary.

The measure which I support recognizes that the State should not write mandatory prayers nor should we ever force any person to recite prayers. But it seems to me that there is a corresponding right for the vast majority to engage in simple devotionals while attending schools.

Since our is a nation of laws rather

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than the whims of man, I feel very strongly that we should enact immediately legislation which would clarify this question in the minds of our people. Nothing in the measure which I support and which a great many Members of the Congress support would infringe upon the basic rights of individuals, but rather it would allow those so inclined to engage in simple devotionals without running counter to any court decisions.

The legislation to which I refer was arrived at by a bipartisan committee named by the leadership. I served on that committee, and we spent many hours digesting the various measures which had been introduced and then attempted to arrive at a measure which would allow for maximum voluntary participation in devotional exercises in our schools without infringing on the basic religious freedom which is every American's right.

Today, we join together in a concerted effort to urge that this legislation be reported out of committee so that the Congress can vote either to pass or reject these suggested provisions. Certainly, this is a reasonable request, and I urge the appropriate committees of the Congress to hold hearings at the earliest possible date to consider the bills which have been introduced on this subject.

Mr. BEVILL. Mr. Speaker, in 1962, the U.S. Supreme Court ruled that prayer recital in public schools is an establishment of religion prohibited by the Constitution. Since that time, through subsequent decisions, the Court has continued to maintain this position.

I, along with a great many other Americans, have been deeply concerned about the effect of the Court's position. In both the 90th and this 91st Congress I have introduced proposals to amend the Constitution to allow for freedom of prayer not only in public buildings but wherever Americans gather.

More than 80 other Members of Congress have introduced similar bills during this session, indicating the magnitude of feeling surrounding this issue. I consider this feeling to be conclusive evidence that Americans regard religious freedom as vital to our democratic system. It is my hope that our remarks today will emphasize the importance of our taking action to check the power the U.S. Supreme Court has assumed through its decisions regarding prayer. Americans are justified in wanting their freedom protected.

We open each session of the House with prayer. Each session of the Senate also opens with prayer. I feel that it is important that American children open their schooldays with prayer also.

We must insure the freedom of prayer in this country.

Mr. MOLLOHAN. Mr. Speaker, I wish to thank my distinguished colleague, the gentleman from Pennsylvania (Mr. DENT), for taking the initiative to set aside a time for remarks by those of us who have been active in efforts to establish the principle of nondenominational prayer in schools in our Constitution.

Under the decisions of the Supreme Court there is a pervasive doubt that any such religious activity can now take place in our Nation's public schools without violating the first amendment provision that—

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

Because of the Supreme Court's interpretation of that provision, the wisest course, for those of us who feel that prayer should have a place in the schools, is to amend the Constitution so as to specifically provide for such prayers. Accordingly, I have introduced House Joint Resolution 371 which provides—

> Nothing contained in this Constitution shall abridge the right of persons lawfully assembled, in any public building which is supported in part or in whole through the expenditure of public funds, to participate in non-denominational prayer.

America was a nation conceived in the spirit of the freedom of religious practice. The Mayflower Compact, sworn to by the entire pilgrimage cited the "glory of God" as the purpose of the voyage to the New World. The recognition of a Divine Being appears not only in the state documents of America such as the Declaration of Independence and the Constitution, but in the articles opening the Northwest Territory as well. Our oldest national holiday, Thanksgiving, has a primarily religious motivation.

We should keep in mind our Founding Fathers' vision of religious tolerance. For it was this tolerance, not only for differing choices of the worship of God, but the choice not to worship or even believe in God that found its way into the Constitution through the oath of office and the refusal to set up a religious test in the qualifications for holding office.

Today, we are not attempting to establish a state religion or to provide to all a religious training. We are simply reaffirming the right of Americans to have an observance of God through prayer in a public assembly. We are reaffirming this right in the conviction that while the right to exercise a religious belief, and to do so in public, is equal to the right not to have a religious belief.

The purpose of this amendment is to balance those rights for the great majority of Americans who do have a religious belief, which they wish to be able to express publicly and to have their children express publicly. It should be noted that there is nothing in the amendment proposed by my bill that would infringe on the rights of those who do not share a religious belief. There could not be a requirement that children participate in a religious observance at school. Quite the contrary, this amendment merely allows those who have been barred from such an observance to once again observe their religious belief in a public assembly.

If we are to have religious freedom, that freedom must be for all, not just the few. To prevent that, we must see that the positive right to exercise religious belief is protected along with the right to refrain from such a belief.

Mr. GARMATZ. Mr. Speaker, less than a decade ago, voluntary prayer in public schools was considered a part of our American heritage—it was symbolic of a country whose Founding Fathers believed in religious freedom. Less than a decade ago, it would have seemed unreal to think that legislation would be needed to guarantee such a basic freedom. I still find it unreal when—at this moment in time—Representatives must rise on the floor of Congress to fight for what everyone once took for granted as being guaranteed by our Constitution.

The fact that such drastic changes have been wrought in such a short timespan is cause for alarm; it is a warning that our precious rights and privileges must be zealously guarded.

We are living in a strange age, where reason sometimes seems to give way to whim. This is an age when vulgarity, profanity, obscenity and even pornography are not only countenanced, but openly accepted, under the guise of free speech. It is an age when permissiveness has become an accepted and recommended practice, and is used as an excuse for allowing civil disobedience, campus disorders, and even outright violence to go unpunished. I find it ironic and disturbing that the same era which produced this concept of permissiveness has also produced a movement which would not permit a simple prayer.

Mr. Speaker, I take no pride in the fact that the infamous Madalyn Murray—who helped ban the prayer from schools—lived and did her dirty work in the city of Baltimore, a portion of which I represent. I assure you that most residents of Baltimore and the State of Maryland share my sentiments. I know this from the avalanche of mail I have received, and from remarks made personally to me by countless concerned Americans.

What this Nation needs, and what most of its citizens yearn for, is a return to reason. One of the first steps in that direction is legislation which will permit voluntary participation in prayer in public schools. I have introduced a joint resolution (H.J. Res. 343) which would accomplish that goal by an amendment to the Constitution of the United States.

Certainly, it is reasonable to guarantee that right to every American who cares about how our children are being influenced in their early and impressionable school years. Many other Members of Congress share my sentiment have introduced identical resolutions, and will speak today on the floor in behalf of this amendment.

Mr. Speaker, I hope that their voices will be heard, and I trust that overwhelming support for this resolution will come from both Houses of Congress.

Mr. DOWDY. Mr. Speaker, the flight of the astronauts around the moon renewed and stimulated support, as evidenced by the volume of mail, for our efforts to restore the traditional right of religious expression. I have appreciated every one of the many letters from the people of my district. They have reaffirmed my opinion that a great majority of Americans are opposed to the restrictions which have been placed upon prayer and Bible reading.

This year, as in past Congresses, I

joined others of my colleagues in introducing a proposed amendment to the Constitution of the United States which would state clearly that nothing in the Constituion would be deemed to prohibit the offering of, reading from, or listening to prayers or biblical scriptures, if participation is voluntary, in any school, institution or place in our country.

I believe that such action is necessary so that the boys and girls of this Nation—and their parents—can claim that part of their heritage which allows them to read the Bible and pray together, if they desire, without breaking the laws of the land, as decreed by the U.S. Supreme Court.

It is the right of every American child to know the source of America's strength. There can be no disputing the fact that many of America's leaders have regularly sought God's help, through prayer and reading of the Bible, as they have led our Nation.

It is my opinion, Mr. Speaker, that it should be a matter of pride with us that, in this day when so many demand so much, our people should be guaranteed the freedom of praying together in any lawful assembly if they so desire.

I am happy to join my colleagues in supporting legislation to allow voluntary prayers in our schools.

Mr. HENDERSON. Mr. Speaker, in 1963 the U.S. Supreme Court in the case of Engle against Vitale, ruled that the use of a particular prayer in the public schools of the State of New York was, under the circumstances which prevailed at that time and place, a violation of the 14th amendment of the Constitution of the United States.

In a series of decisions since that time, the Supreme Court has also ruled that prayer and scripture reading in the public schools of other States and under varying circumstances was likewise unconstitutional.

Despite these decisions in specific cases, there remains considerable doubt as to whether the rulings are broad enough to apply to all forms of voluntary prayer and scripture reading in all public schools throughout the Nation.

I personally am inclined to hold the view that in each instance, the ruling did not extend beyond the facts of the particular case and that the type of "devotional" we are accustomed to in the public schools of North Carolina is not prohibited by the Court decisions.

However, in order that there be no doubt in the minds of school officials, pupils, parents, or other interested parties, in 1963 shortly after the first decision by the Court, along with may other Members of Congress, I introduced a resolution which would amend the Constitution to spell out clearly that no prohibition aginst voluntary prayers or Scripture reading is contained therein.

The House Judiciary Committee did not give these resolutions a favorable report in the 88th Congress and consequently they were never voted on in the House. I testified before that committee in 1964 to urge favorable action.

Congress still has taken no action on the many resolutions introduced on this subject, but my position remains unchanged. I have again this year reintroduced my amendment and again urge its favorable consideration by the House.

Mr. HAGAN. Mr. Speaker—"So help me, God."

These words were a part of the oath taken by Judge Warren E. Burger when he was sworn in as Chief Justice of the U.S. Supreme Court. This same Court was responsible for the ruling which began a chain reaction across the country culminating in the removal of prayer from a very large number of our public schools. Not only do we acknowledge God's supremacy in the Supreme Court, but in our Congress and in so many other courts and public offices throughout the land with opening prayers and oaths similar to that given to our Chief Justice.

In a very moving event last Christmas our Apollo 8 astronauts voiced their faith in God by reading from Genesis as they circled the moon. These men had been privileged to see more of God's great firmament than most of us ever will. They had trusted their lives to the orderliness of His creation, and they wanted the world to know of His majesty. Never have we had so great a need for God as we do today. Our young folks need His love and wisdom. One of the most positive actions Congress can take toward helping our youth is to see that once again they are allowed to come under the influence of God's word through Bible reading and prayer in our schools. Yet, today, despite the fact that a number of my colleagues and I have sponsored legislation to permit voluntary prayer in public schools and public places, no action has been taken.

In this modern day when everything is questioned and we see so much cynicism, we need to be reminded of the reality of God and find our way back to Him as a nation. Our moral values and standards have slipped. Until we turn to Him again we will not find the peace and good will on earth we all so earnestly desire.

I am grateful for this opportunity of joining with my colleagues in supporting legislation to allow voluntary prayers in our schools, because of its great importance and the tremendous impact it can have on our country.

Mr. FREY. Mr. Speaker, on February 4 I introduced legislation which would amend the Constitution to permit nondenominational prayer in public facilities.

I join today with my fellow colleagues in "Prayer Day" to declare our united feeling for immediate congressional action on legislation to restore and retain the original meaning of this portion of the first amendment to the Constitution.

Public reaction has been overwhelmingly in favor of voluntary prayer in our schools. The Founding Fathers of our country did not intend that the church and state be hostile and suspicious toward one another. But in recent years Court decisions have tended to discourage the recognition of our religious heritage and bar even nondenominational prayer in schools. In these times when many are claiming the world and this country are proceeding at a fast pace down the road of moral decay, I think it is time to reiterate this Government's recognition and acceptance of the importance of religion in our daily lives and in the heritage of this country.

Mr. ROTH. Mr. Speaker, as a sponsor of House Joint Resolution 407, I am pleased to join in urging action on the proposed amendment to the Constitution. The school prayer amendment is strongly supported by the people of Delaware and by their elected officials. In my recent constituent poll sent to every household in Delaware, I asked the question: Would you favor a constitutional amendment to permit voluntary nondenominational prayer in public schools? Although the results have not been completely counted, more than 80 percent of those responding said "Yes."

Earlier this year, the General Assembly of the State of Delaware adopted Senate Joint Resolution 2, a measure commending Senator JOHN J. WILLIAMS, Senator J. CALEB BOGGS, and myself for our support of the prayer in school amendment. The resolution was signed by Gov. Russell W. Peterson on March 31, 1969.

I do not view the proposed amendment as an attempt to impose a particular religion on any individual. Were that its aim, I would oppose it. But, if Government is barred by the Constitution from establishing an official state religion, neither should it deny individuals the right to pray if they wish.

It seems incongruous that this Nation, whose birth certificate invoked the blessing of our God upon its struggle for freedom, should now outlaw prayer—even voluntary prayer—in public schools. School prayer can never be an effective substitute for parental guidance or religious training. But, return of school prayers would help restore a sense of individual morality that now seems lost, I believe.

School prayers were banned as the result of a judicial ruling and in the face of broad and strong public resentment to that decision. The people have never really been asked their opinions on the subject. It seems to me desirable to place the question squarely before the people. As a sponsor of House Joint Resolution 407, proposing an amendment to the Constitution, I would support it; as a private citizen, I would work and vote for its ratification by my State.

Mr. HUNT. Mr. Speaker, I commend my colleagues, the gentleman from Connecticut (Mr. MESKILL) and the gentleman from Virginia (Mr. DENT), for reserving this time in order that all concerned Members may address themselves to the issue of voluntary participation in prayer in public schools, a practice effectively prohibited by decisions of the Supreme Court.

While I am no constitutional lawyer, it seems to me that the application of the first and 14th amendments by the Court, in those cases involving the subjects of religion and Government, has been so mechanical as to render a reconstruction of the intent of these amendments necessary. To the disbelief of a majority of our population, which traditionally has recognized a spiritual heritage in public as well as private affairs, the lofty semantics so often utilized by this tribunal confounds the layman's understanding of commonsense and good judgment. Only the results make a lasting impact, and in this instance, prohibition of prayer in public schools strikes the majority as being an infringement upon the free exercise of religion guaranteed by the Constitution.

It seems strange indeed that for 152 years since the ratification of the Constitution, the first amendment stood its ground well. It provides that—

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof . . .

Then in 1940, in the case of Cantwell against Connecticut, the Supreme Court in one stroke declared:

> The Fourteenth Amendment has rendered the legislatures of the states as incompetent as Congress to enact such laws.

As a result of this decision, there has been no lack of cases brought by those who not only mock our spiritual heritage and belief in a Supreme Being, but would supplant religious freedom with their own brand of secularism. Subsequent decisions, and with them the complete prohibition of voluntary nondenominational prayer in public schools, have certainly not placed Government in the position of neutrality respecting religion, but instead have fostered the impression of Government-imposed secularism.

I believe this view is best stated, in commonsense terms, by Mr. Justice Stewart in his dissenting opinion in the case of Abington School District against Schempp:

> It might . . . be argued that parents who want their children exposed to religious influences can adequately fulfill that wish off school property and outside school time. With all its surface persuasiveness, however, this argument seriously misconceives the basic constitutional justification for permitting the exercises at issue in these cases. For a compulsory state educational system so structures a child's life that if religious exercises are held to be an impermissible activity in schools, religion is placed at an artificial and state-created disadvantage. Viewed in this light, permission of such exercises for those who want them is necessary if the schools are truly to be neutral in the matter of religion. And a refusal to permit religious exercises thus is seen, not as the realization of state neutrality, but rather as the establishment of a religion of secularism, or at the least, as government support of the beliefs of those who think that religious exercises should be conducted only in private.

That the Supreme Court has mechanically assured there shall be no law "respecting an establishment of religion" while at the same time effectively "prohibiting the free exercise thereof," Mr. Justice Stewart concludes his dissent:

> What our Constitution indispensably protects is the freedom of each of us, be he Jew or Agnostic, Christian or Atheist, Buddhist or Freethinker, to believe or disbelieve, to worship or not worship, to pray or keep silent, according to his own conscience, uncoerced and unrestrained by government. It is conceivable that these school boards, or even all school boards, might eventually find it impossible to administer a system of religious exercises during school hours in such a way as to meet this constitutional standard—in such a way as completely to free from any kind of official coercion those who do not affirmatively want to participate. But I think we must not assume that school boards so lack the qualities of inventiveness and good will as to make impossible the achievement of that goal.

Mr. Speaker, my resolution, House Joint Resolution 424, like numerous others on the subject, seeks to assure that the right of persons to participate in nondenominational prayer in any public building shall not be denied because of a modern-day construction of the Constitution, not intended by its founders nor found acceptable to the large majority of the American people. I gladly add my voice to those who urge that hearings be undertaken in order that the legislation can be given thoughtful and deliberate consideration.

Mr. WHITEHURST. Mr. Speaker, it is a privilege for me today to join with my colleagues in support of a constitutional amendment to permit voluntary prayers in our public schools. The fact that so many Members have introduced bills toward this end encourages me to believe that this body will take positive action. I have received more letters and cards requesting this legislation than any other subject. Surely we cannot remain deaf to the plea of God-fearing citizens who wish to relate their faith to the daily educational routine of their children.

Mr. GOODLING. Mr. Speaker, I would like the record to show that I have joined with a host of Congressmen in introducing legislation designed to amend the U.S. Constitution to permit nondenominational prayers in the public schools and other public institutions. My legislation is House Joint Resolution 287.

I have introduced legislation of this nature to the previous Congress, but unfortunately no progress was made on it. Personally, however, I feel this type of legislation has great merit, so I have again introduced it and hope the Congress will give it serious consideration.

The truth of the matter is that our great Nation had its beginning in prayer, being settled against the background of the Mayflower Compact. This Compact was written in November of 1620, beginning with this prayer:

> In the name of God . . . we, having undertaken for the glory of God, do by these presents solemnly and mutually in the presence of God, and of one another, covenant and combine ourselves together into a civil body politic.

The kneeling figure of George Washington—through the bitter winter in Valley Forge—is a part of this country's religious background that never should be forgotten. In a like manner, it was Lincoln who said:

> I have been driven to my knees many times, for I have had no place else to go.

Too, it is recorded in history that during the Constitutional Convention and the Revolutionary and Civil Wars, the leaders of America constantly sought Divine Guidance through those dark days of our American history.

It is interesting to note that our coins and currency give recognition to the Deity, and all of us are familiar with the "In God We Trust" inscription on our nickels and quarters. This inscription also appears over the Speaker's rostrum in this very Chamber. In a like manner, many of our public documents make reference to God, and witnesses and others in courtroom proceedings swear to tell the truth "and to help them God."

Mr. Speaker, history's verdict on this God-fearing country of America is rather interesting, for while this Nation has supported freedom of spiritual pursuits, so has it arrived at great material attainments. For instance, the United States has only 6 percent of the world's population, but still it has 57 percent of the world's automobiles, 51 percent of its telephones, 41 percent of its radios, and 47 percent of its television sets. In addition, college opportunities in America are more abundant than any other place in the world.

While I feel that nondenominational prayer should be available in public schools and other public institutions for those who want it, by the same token, those who do not choose to take part in such programs should have the right to be excused. Freedom to participate must be balanced by a freedom not to participate.

Mr. Speaker, the Freedom of Religion Doctrine—separation of church and state—implicit to the first amendment to the U.S. Constitution must be preserved. My bill does this by permitting participation in nondenominational prayer, but not forcing it.

Mr. GAYDOS. Mr. Speaker, one of the basic freedoms guaranteed to the American people under the Constitution is the right to worship God according to his own convictions and without any prohibitions. There are those, however, who, denying the existence of a supreme being, would take issue with this fundamental principle and seek to deny us this right. They have voiced their objections to prayer so loudly and vigorously that they succeeded in having Bible reading in our public schools declared unconstitutional by the Supreme Court. Needless to say, the decision of the Supreme Court was not a popular one, nor did it reflect the opinion or will of the majority of the people. In my district, the school board of the city of Clairton, after much deliberation, decided to reinstitute prayers and Bible reading in the city schools despite the U.S. Supreme Court ruling against them. This was not done in defiance of the Court, but in the firm belief that the will of the majority was being subrogated to the will and pressures of a vocal minority, and in fact, the freedom of religious expression was being suppressed. Local newspapers were deluged with a veritable flood of letters to the editor supporting the board's decision and applauding their courageous action. The issue of Bible reading and prayers in school persists in my district. Hardly a day goes by that my mail does not contain a letter or petition urging my support of legislation to restore voluntary prayer in our public schools. The question has been raised whether the Supreme Court erred or whether in fact it had the right under its constitutional power to rule as it did. It is fundamental that the Constitution does not give it legislative power, but only the authority to pass judgment on any law enacted by the Congress. The

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first amendment of the Constitution clearly states:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

I see nothing that says—

> Except the Supreme Court may usurp the power of Congress and prohibit prayer in public schools.

As long as the antiprayer ruling stands unchallenged a precedent will be set which may ultimately lead to a total suppression of religious freedom. It is incumbent upon us, as Members of Congress, to reclaim the constitutional power bestowed by our Founding Fathers and restore to this Nation the right of every citizen to worship God wherever, whenever, and however he pleases.

Mr. TAYLOR. Mr. Speaker, in 1962, the day after the Supreme Court prayer decision was announced, I became the first Member of Congress to introduce a constitutional amendment to overrule the Court and thus permit the resumption of prayer in our schools. I have introduced a similar bill in the 91st Congress.

Since that date, literally hundreds of similar or related bills have been offered in the House and Senate, but very little real action has ever been taken on them by the House Judiciary Committee, aside from limited hearings held a few years ago.

I believe now, as I have always believed, that our forefathers devised language in our Constitution to guarantee and preserve freedom of religion, rather than freedom from religion.

The relationship between church and state was catapulted into headlines by the 1962 decision. Since that date, there has been a continuing controversy between legal purists who support the decision and those of us who have insisted that the decision was contrary to the meaning of our Constitution.

For more than 170 years there had been a practical and accepted interpretation placed on the first amendment to the Constitution by school boards, teachers, and parents. The interpretation had been that this amendment did permit the saying by schoolchildren of nonsectarian prayers recognizing the existence of God and permitted reading of the Bible or any other sacred book so long as the passages read were not given any sectarian interpretation and so long as children whose parents objected were given the opportunity to be exempted from attending such prayers or Bible reading. This, I believe, was and is a wise interpretation.

Mr. Speaker, I believe that the Members of this House should be permitted to vote on a constitutional amendment that would allow voluntary prayer in our public schools.

Mr. COUGHLIN. Mr. Speaker, it is a privilege to join my distinguished colleagues participating in "Prayer Day" and urging the prompt reporting and adoption of an amendment to the U.S. Constitution permitting voluntary, nondenominational prayer in public buildings.

I firmly believe that the right to pray is, at least, as basic and just as the right not to pray.

The Founding Fathers, with their strong religious conviction, would be aghast to see how their words in the Constitution have been interpreted. Those words were certainly not meant to deny prayer in public schools.

Our very national motto, "In God We Trust," and the words "one Nation, under God" in the Pledge of Allegiance to the Flag, demonstrate that acknowledgment of God in part of the very fabric of the United States and that no violation of the principle of separation of church and state arises consequent to such an acknowledgment.

I have joined in the effort to provide a constitutional amendment which would allow voluntary prayer in public places and simultaneously protect those who do not wish to so participate. Nothing in such a resolution would adversely affect constitutional, civil or religious rights of individuals.

Providing no one is forced to participate, prayer in public places no more violates the separation of church and state than the fact we take our oath of office "under God" or sing His name in our national anthem.

The rights of the majority of people believing in God must be protected when they in no way interfere with the rights of others. To do otherwise is to deny the very freedom to worship that the Constitution was designed to preserve.

Mr. CLEVELAND. Mr. Speaker, I rise to commend the gentleman from Connecticut (Mr. MESKILL) for leading this effort to restore a sensible policy on the matter of prayer in public buildings. It is a serious issue of tremendous importance to the Nation.

Ever since the Pilgrim Fathers knelt on the deck of the *Mayflower* on a cold November day 350 years ago, it had been the sacred and valued civil right of citizens on this continent to worship and give thanks to God.

What the Supreme Court has done, however, is effectively to bar all meaningful forms of public worship by citizens assembled on public property. The result has been to put the Government squarely into the realm of religion where it had been aloof—in accordance with the Constitution.

Let us examine the history of these decisions, briefly:

In 1962, the U.S. Supreme Court ruled that 22 words, specified by the board of regents in New York, could not be used as a prayer by students in the public schools.

For the record, those words are:

> Almighty God we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers and our country.

I want to make it clear that I agreed with that decision, and so stated at the time, because the prayer was officially written and prescribed by the top educational authority in the State, the board of regents. Clearly, it is wrong under the Constitution, for government to prescribe a form of worship for carrying out in the public schools.

The decision, however, left the air very clouded and school boards across the land, as well as parents and students were baffled as to what was allowable.

Then in 1963, the Supreme Court struck down the reading of the Bible and the recitation of the Lord's Prayer in the public classroom as unconstitutional.

In analyzing these decisions, Prof. Charles E. Rice of the Fordham University Law School commented in his book "The Supreme Court and Public Prayer"—Fordham University Press, 1964:

> Analytically and practically, the school prayer cases signal a preference by the federal government of the non-theistic, secular approach to the ultimate questions of life.

I think this is an accurate assessment of the effect of these two decisions and the threat they pose to national life.

On April 15, 1969, I introduced House Joint Resolution 639, proposing an amendment to the Constitution, as follows:

> . . . Nothing in this section shall abridge the right of persons lawfully assembled, in any public building which is supported in whole or in part through the expenditure of public funds, to participate in nondenominational prayer.

The adoption of this language, in my opinion, would restore the meaning of the first amendment—to keep the Government out of religion.

There is a strong and disturbing secular swing in public affairs today. Insofar as this is the free choice of the people that is unobjectionable on constitutional grounds. But surely, it is not for the Government to interject a formal policy of promoting secularism. This would be just as bad as formally interfering in the establishing of a religion.

In either case, the Constitution, as I read it, absolutely enjoins the Government from interfering with the establishment of any religion; and by obvious extension, with the disestablishment of any religion.

As I have frequently stated and written to interested constituents, to read the last verse of "America," to read the last verse of our national anthem, to recite the Pledge of Allegiance and the concluding paragraph of the Declaration of Independence is to conclude that any effort to divorce education from an understanding of our traditional reliance on divine guidance is—to say the least—unrealistic.

Mr. HORTON. Mr. Speaker, I humbly join with my colleagues today in Prayer Day to show the vital importance of prayer. I applaud the strong and able leadership of our distinguished colleagues, Congressmen MESKILL and DENT, in initiating this appropriate congressional recognition of the importance of prayer in our lives.

At this time in our history, when people are bewildered and unsure of traditional values, I would say part of this confusion is due to lack of a firm spiritual foundation on which to build a value system. Some people have nowhere to turn to give themselves a truce from the chaos around them.

Godliness is part of our tradition. We must not deny this heritage. We must not deny ourselves the inner growth and awareness of ourselves as men, aware of one's uniqueness and worth—which is partially attained through prayer.

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> May it be our aim, as we meet daily in this historic chamber, to meet the needs of struggling humanity, to strengthen the ties that bind free men together, and to find the way to peace among the nations of the world. . . .

With these words, Rev. Edward G. Latch, Chaplain of the House of Representatives, recently opened a legislative day in the House. Prayer is a traditional part of both Houses of Congress, just as it is a part of American heritage.

The first amendment to the Constitution says:

> Congress shall make no law respecting an establishment of religion. . . .

This phrase was designed, not to discourage religion, but to assure the equal freedom of worship to all.

Unfortunately, many people have taken this phrase to mean that God has no place in our Government.

While the Constitution does prohibit the establishment of any religion by Government, it in no way precludes those in Government from expressing their personal religious beliefs and exercising religious rights.

The Constitution does not require the Government to turn its back on religion, to the point where prayer and religious beliefs have no place in the lives and ceremonies of public officials.

Down through the years our leaders in Congress and in the White House have prayed in the manner of their choice for inspiration and guidance in carrying out their responsibilities.

Prayer was offered at the convention in Philadelphia which produced our Constitution. Prayer is offered as each House of Congress opens it daily sessions.

And, so, Mr. Speaker, I strongly support the observance of Prayer Day on the floor of Congress, and I feel that with all the turmoil in our country today, it would be well to listen to the words of our first President:

> While just government protects all in their religious rights, true religion affords to government its surest support.

GENERAL LEAVE

Mr. MESKILL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of my special order and to include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

NATIONAL SERVICE ACADEMY

The SPEAKER pro tempore (Mrs. Mink). Under a previous order of the House, the gentleman from Michigan (Mr. McDonald) is recognized for 10 minutes.

Mr. McDONALD of Michigan. Mr. Speaker, with each passing year the need for improving our system of military manpower procurement has become more and more urgent. There has been ever-increasing support in Congress, the administration, and the general public to rely to a greater degree on volunteers and recruitment in meeting our defense manpower requirements. An all-volunteer military force is inherently compatible with the basic principles of democracy and our free society. However, we must come to grips with how to attract qualified personnel to fulfill the vast and immediate needs of our Armed Forces. At the present time there are approximately 2.5 million jobs which can only be performed by technically trained personnel. Since the turnover rate in the service is so high, we are faced with a tremendous constant demand for new people to fill these positions.

In addition there has also been an increasing sentiment that there should be a possible alterante way for both young men and women to serve their country in something other than a military capacity. Social service in such organizations as the Peace Corps and VISTA has provided one alternative. Nonetheless, I feel this concept should be expanded even further. Currently, civilian agencies at the local, State, and Federal levels require technically qualified manpower to fill approximately 6.5 million governmental jobs.

Therefore, to build a continuing reserve of young men and women to serve the technical needs of a regular volunteer army, the Reserves, and the National Guard as well as our various civilian agencies, I propose the establishment of the National Service Academy. The purpose of such an institution would be twofold: First, it would provide the military with an experienced pool of personnel to effectively operate our armed services; and second, it would provide the possible chance, depending on international conditions, for young people, trained in a technical field, to fulfill an obligation to their country by working for a local, State, or Federal governmental body. Furthermore, the long-range impact of this project may prove that the byproducts are more important than the primary program. While the immediate goal is supplying people to fill military and Government jobs, our Nation may well receive even greater benefits by providing many young people with classroom and on-the-job training so that they may become more productive citizens.

Many people who are presently or who would eventually perform semi- and unskilled tasks would be attracted by the opportunity for advanced training at the National Service Academy. Upon their discharge they would be equipped for better jobs as a result of their newly acquired classroom and on-the-job experience.

Recruitment would focus primarily on high school graduates, but greater job opportunities would inure to the benefit of dropouts. The job vacancies left by the people who volunteer for service at the National Service Academy could be filled by people of lesser talent or ability.

Although this idea envisions many substantial changes, the concept of a Government-sponsored academy is not new. Our first commitment to this type of an institution was first made in 1802 when the U.S. Military Academy was founded. Moreover, recognition of the need for national military academies has twice been reaffirmed during the last three decades with the establishment of the Merchant Marine and Air Force Academies. Although the purpose of the National Service Academy transcends strictly military preparation, due to the critical need for competent Government personnel in technical fields, active Federal participation in this area certainly seems justified, especially in light of certain facts.

First, if we plan to eliminate conscription, we must realize that this decision will have a severe impact on our Reserve and National Guard manpower. Without the possible threat of the draft, there will be little incentive for a young man to volunteer for these programs. This fact is of particular significance because, regardless of international developments, we have the continuing need for a strong National Guard available to cope with disasters and internal disorders. Second, with more and more schools dropping the ROTC program, there must be an alternative means devised to encourage young men and women to consider a professional career as an officer. Third, due to the substantial opposition, especially among the young, to the Vietnam conflict and role of the Military Establishment in our society, there has been increased interest in providing an opportunity for nonmilitary national service.

I believe that the concept and educational opportunities afforded by the National Service Academy will provide the needed encouragement for people to participate in certain military programs, but also provide the change for national service for others in a nonmilitary capacity. And perhaps even more importantly, our country stands to receive a tremendous fringe benefit from this project in that we will have greatly enhanced our human resources by providing skilled training to a vast number of young people who otherwise would not have received such an education.

In the near future I plan to announce the appointment of an advisory panel to help develop this basic idea into a detailed, workable plan. I would also be interested in any suggestions from my colleagues who feel this general concept has merit.

THE WAR ON INFLATION: IT SHOULD BE FOUGHT WITH RIFLES AS WELL AS WITH CANNON

The SPEAKER pro tempore (Mrs. Mink). Under a previous order of the House, the gentleman from Wisconsin (Mr. Reuss) is recognized for 30 minutes.

Mr. REUSS. Madam Speaker, last April 15 I took the floor to point out that the administration's 1969 war on inflation was not likely to succeed by concentrating, as it has, entirely on fiscal and monetary measures.

The cost of living as of April 15 had increased 5 percent since the beginning of the year. That absolutely inexcusable rate of inflation still continues.

FISCAL AND MONETARY POLICIES ARE SOUND

The reason, I repeat, is because the war against inflation is being fought solely with the cannon of fiscal and monetary policy rather than by also using the rifle of credit and cost-push policy. The

Federal Reserve monetary policy so far this year—increasing the money supply, narrowly defined as including currency outside banks and demand deposits, at a rate of around 2 percent a year—represents an appropriate degree of monetary restraint. Equally, fiscal policy—a combination of expenditure cuts and revenue increases—would lead to an appropriate budgetary surplus.

BUT THEY ARE INSUFFICIENT

But fiscal and monetary measures, as evidenced by the continuing inflation, are alone not enough. They fail to make contact with two important causes of inflation—overextended bank lending to business, and cost-push pressures in strong industries.

Let us look first at credit inflation. As I have said, increases in the money supply have been subject to proper restraint. Nonetheless, the American banking system has increased its lending to business by a staggering 15 percent this year. And interest rates have increased 26 percent since the beginning of the year, to a present prime rate of 8.5 percent. More, leading bankers are now threatening an even further increase, perhaps to 9.5 percent.

EXCESSIVE BANK LENDING CAUSES INFLATION

The banks have been able to increase their business lending, despite tight money, by selling off everything but the president's chair. The New York banks particularly have borrowed heavily on the Eurodollar market, abstracting some $10 billion, more than one-third of the total, from that market. The Federal funds market has likewise been heavily availed of. Banks have decreased their investments, and increased their loans, by selling off Treasury securities and municipal bonds from their portfolios, frequently at a loss. Bank holding company subsidiaries have issued commercial paper in large amounts, thus further augmenting the lending power of the banking system.

Altogether, despite a run-off in the funds banks have obtained through issuing certificates of deposit, they have actually increased their lending power.

BY OVERTAXING PRODUCTIVE RESOURCES

This increased bank lending to business feeds inflation in two ways.

First, corporate borrowers use this bank credit to make investments in plant and equipment over and beyond the immediate needs of economy. This strains our resources of machinery and manpower—precisely the over-heating which causes inflation.

Business borrowers are not deterred by high interest rates. Half of the cost is deductible on their income tax. Moreover, in an inflationary economy they can pass on the added interest costs in price increases.

Thus excessive bank lending overstimulates the economy and is a direct cause of inflation.

BY CAUSING EXORBITANT INTEREST RATES

A second inflationary element in this excessive bank lending are high interest rates, themselves one of the most inflationary elements in our cost-of-living increases. High interest rates especially hurt State and local governments, small business, the homebuilding industry, and the installment consumer. They are caused by the refusal of banks to ration their credit more effectively. Instead, banks have chosen to ration by the purse—by endlessly increasing the interest rate.

Obviously, what is needed is to restrain bank lending. It is all very well to say that in 6 months, tight money will have had its effect and bank lending will therefore decrease because, with slower growth, fewer businesses will want loans. This Pollyanna-like approach ignores the fact the interim inflation is most damaging. It also ignores the fact that the longer we allow inflation to continue, the more difficult it will be ever to bring it under control.

NEEDED: A BAN ON FURTHER BUSINESS LENDING

The administration has issued vague, generalized appeals to the banking community to ration its credit. The appeals have gone unheeded. Because they are generalized in nature, it is very easy for each of our 13,000 banks to assume that Washington is addressing its plea to all the other banks, not to it. And so the credit inflation runs merrily along.

The remedy I have proposed—and I still propose—is for the President, the Secretary of the Treasury, and the Federal Reserve Board to jointly issue a formal request to each bank not to increase its business lending over that outstanding on a given day—say, June 1, 1969. This would end the constant increase in commercial loans.

There is every indication that such a request would be honored by the banking system. Indeed, it should be welcomed by responsible bankers, because it gives each one of them an excellent reason to turn down the request of a business borrower who thinks he has a line of credit.

Since the request would be clearly phrased, a bank which wanted to act in the public interest would not be likely to be penalized by losing business to a bank which tried to flout the administration directive by increasing its business lending.

PAST EXPERIENCE HAS BEEN FAVORABLE

Experience indicates that such a directive would be obeyed. The Federal Reserve banks used such a procedure with outstanding success during the Korean war in the early 1950's. They used a variant of such a plea, again successfully, at the time of the credit crunch in 1966. Voluntary controls on foreign lending by U.S. banks, administered by the Federal Reserve, have worked well for the past 3 years. Similar standstill directives on bank lending are in effect in the United Kingdom and in France, again successfully.

I believe such a directive would work. I believe that it would fight inflation, by causing a slowdown in business spending. I believe it would permit a prompt decrease in the exorbitant prime interest rate, because effective direct rationing by the bankers could take the place of rationing by the purse. Incidentally, a beneficial byproduct of such directives would be the tapering off of the inordinate demand by the New York bankers on the Eurodollar market, a demand which is already causing distress in European financial circles.

Our banks are enjoying recordbreaking profits. A voluntary standstill on credit extensions to business would be a welcome signal that banks are willing to bear some part of the burden of fighting inflation.

It would be a signal, too, that the administration is serious in its anti-inflationary stance. I call upon the administration to delay no longer, and furthermore to issue a voluntary business credit standstill request.

Let us turn now to another neglected aspect of the administration's war on inflation—the wage-price cost-push situation.

THE SUCCESSFUL 1962–66 WAGE-PRICE EXPERIENCES

A dozen years ago, we learned—or should have learned—that merely skimming excess overall demand off the economy does not end inflation. Though we had a recession in 1957–58, prices continued to rise because costs, notably in the concentrated industries, kept on rising even after excess demand had been brought under control.

For 4 years following 1962, we had an expanding economy and no inflation. This was due at least in part to the then existing system of wage-price guideposts. In general, wages and prices were to reflect annual increases in overall productivity. While the policy prevailed, the U.S. anti-inflationary performance was the best in the industrialized world. According to testimony before the Joint Economic Committee in 1968, the wage-price guideposts during the period 1962–66 reduced the annual rate of increase in average yearly earnings by about 1.25 percent; reduced the rate of increase of unit labor costs by about 2 percent; and reduced the rate of increase in wholesale prices by about 1.4 percent.

There were valid criticisms of the way wage-price guidepost policy was conducted in this period. For one thing, the guideposts were announced unilaterally by the Counsel of Economic Advisors, instead of being arrived at after institutionalized consultations with labor and management. For another thing, there was no administrative agency assigned the task of holding hearings and focusing public attention on specific wage or price increases inconsistent with national economic stability.

Whatever the reason, the guideposts were abandoned in 1967. That was the fault of the Democrats.

They have not been revived. That is the fault of the Republicans.

THE GUIDEPOSTS SHOULD BE REVIVED

This year's Joint Economic Committee report, issued in March 1969, makes the following recommendation, by unanimous vote of its majority members:

> This Committee, as it has for a number of years, strongly advocates the development of an effective, realistic and definite set of wage-price guidelines. We also advocate the establishment of a special office at a high level in the administration to assemble and analyze information on a comprehensive and fair basis in order to apply these guidelines to important industries.

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In addition to the successful American guidepost experience in 1962–66, extensive experience elsewhere testifies to the efficacy of wage-price guideposts as a useful adjunct to sound anti-inflationary fiscal and monetary policies. West Germany, for example, has in existence a successful wage-price guidepost program known as concerted action. Other countries which employ wage and price restraints include the Netherlands, Great Britain, Austria, Belgium, Denmark, Norway, and France.

CANADA HAS INAUGURATED GUIDEPOSTS

A recent convert to guidepost policy is Canada, which has just established a Price and Income Commission. The commission is an independent body, financed by the government, which examines broad price, cost, productivity, and income movements. Its approach will be voluntary, with the aim of rallying public support for responsible action by labor and management.

We should revive the wage-price guideposts now. We should improve on the 1962–66 practice by requiring management-labor participation in their formulation, and by setting up an agency to focus the spotlight of publicity on inflationary increases.

In short, Mr. Speaker, the administration is defaulting in the war against inflation. By neglecting voluntary guideposts for commercial lending by the banks, and for wage-price, cost-push inflation, it is unnecessarily prolonging our inflationary ordeal.

ALONG LINES OF EXCELLENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Missouri (Mrs. SULLIVAN) is recognized for 10 minutes.

Mrs. SULLIVAN. Mr. Speaker, the late John F. Kennedy, when asked at a press conference less than a month before his death whether he was enjoying his work as President of the United States, defined happiness as "the full use of your powers along lines of excellence" and said he found, therefore, that the Presidency "provides some happiness."

According to today's news, Vice Adm. Hyman G. Rickover has agreed to serve another 2 years as Director of the Naval Reactors Division of the Atomic Energy Commission and deputy commander for nuclear propulsion of the Navy's Ship Systems Command. Now 69, Admiral Rickover has held his present position since 1961.

Admiral Rickover may or may not define happiness in the same words used by the late President Kennedy, but he has certainly demonstrated over the years the full use of his powers along lines of excellence. In this respect, he has given the rest of us occasion for "some happiness" and great gratitude for his service to the American people in a position of the highest importance and responsibility.

Through my work on the Committee on Merchant Marine and Fisheries, particularly in connection with legislation which we sponsored some years ago to adapt nuclear power to commercial ocean transportation, I came to know Admiral Rickover and to develop the deepest esteem for his patriotism and ability. It is good news that he will now continue in a vital job no one else could possibly fill as well.

I hope that he will continue also to speak out forcibly and with great effectivenes on the trends in our national life and attitudes which reflect an acceptance of mediocrity instead of an insistence upon the highest standards we are capable of achieving.

ESTABLISHMENT OF AN INTERNATIONAL LIVESTOCK QUARANTINE STATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PURCELL) is recognized for 10 minutes.

Mr. PURCELL. Mr. Speaker, recently I introduced H.R. 11832, providing for the establishment of an international livestock quarantine station.

The bill would provide the authority for the Department of Agriculture to establish and operate an international animal quarantine station within the territory of the United States, and permit the movement of animals into the United States otherwise prohibited or restricted under the animal quarantine laws. The quarantine station would be located on an island selected on the basis that the location would permit the maintenance of maximum animal disease and pest security measures. Under the bill, movements to other parts of the United States would be prohibited unless made in accordance with conditions determined by the Department of Agriculture to be adequate to prevent the introduction or dissemination of livestock or poultry diseases and pests from foreign countries.

The Tariff Act of 1930, as amended—19 U.S.C. 1306—contains an absolute prohibition against the importation of all ruminants and swine—except wild zoo animals—and fresh, chilled, or frozen meats of such animals from countries declared by the Department of Agriculture to be infected with foot-and-mouth disease or rinderpest. Under very stringent restrictions, including authority for permanent postentry quarantine, wild ruminants and swine may be permitted entry under the act when such animals are solely for exhibition at an approved zoological park from which they cannot be moved except to another approved zoological park.

Provisions in the act of February 2, 1903, as amended (12 U.S.C. 111) and the act of July 2, 1962 (21 U.S.C. 134 et seq.) provide additional authority and responsibility for prohibiting or restricting importation of animals, meat, and other articles in order to prevent the introduction or dissemination of foot-and-mouth disease and other destructive livestock or poultry diseases and pests such as African swine fever, exotic ticks, African horse sickness, and fowl pest.

These statutes are implemented by extensive and strict regulations in the Code of Federal Regulations, title 9, parts 92, 94, 95, and 96. The regulations apply to the importation of animals, meats, animal byproducts, and materials such as hay, straw, and forage from all countries, especially those where foot-and-mouth disease exists. The regulations are based on the best scientific information available, including the research being done at the Plum Island Animal Disease Laboratory, Long, Island, N.Y.

Mr. Speaker, while our primary responsibility is and must continue to be the prevention of livestock and poultry diseases and pests gaining entry from foreign countries, at the same time we must recognize that there are breeds and types of foreign livestock with the potential of bringing about specific desired improvements more rapidly in U.S. livestock production than can be accomplished with domestic breeds. Research activities have demonstrated the high potential of cross-breeding to increase reproduction, vigor, growth, and efficiency in livestock production. Cross-breeding can bring about changes in the character and composition of the product more rapidly than any other breeding procedure. It has been further shown that the wider the genetic diversity of the parent stock used in cross-breeding, the greater are the benefits from hybrid vigor and the greater the possibility for changing production and product characteristics. For instance, the introduction into the United States of exotic germ plasm of plants from all over the world has been a most important factor in bringing about the phenomenal new varieties of high-yielding crops of numerous kinds that are in everyday use on farms and ranches. The potential benefits in our livestock production, especially of meat-producing animals, from the importation and organized use of exotic breeds of animals are expected to be similar to those experienced in crop production. Some of the improvements in livestock production that might be expected would include:

First, beef cattle—An increase in weaning weight, in postweaning growth rates, and in muscularity; a decrease in carcass waste fat; and improved fertility and calf survival;

Second, dairy cattle—An increase in milk production, fertility, and calf survival;

Third, sheep—An increase in lambing rate, in lamb growth and in muscularity; and a decrease in carcass waste fat; and

Fourth, swine—An increase in prolificacy and muscularity, and improved efficiency of gain.

In spite of the benefits to be derived, the importation of new and different animal breeds from foreign countries must not be done at the risk of introducing diseases and pests not now present in this country which would greatly reduce livestock production. Both objectives can only be obtained by the establishment of an international quarantine station. The establishment and operation of such a station should be under the direct control of the Secretary of Agriculture. It would involve the selection of an island site where maximum disease security measures could be utilized.

Enactment of the proposed legislation would necessitate additional appropria-

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tions of approximately $5.5 million exclusive of any costs which may be involved for land acquisition. Of this total amount, approximately $4.2 million would be on a nonrecurring basis for the construction of facilities, and $1.3 million for the initial operating expenses of the quarantine station would be financed largely by the collection of fees from importers.

Mr. Speaker, I believe there is a great need for enactment of H.R. 11832. I believe that this need is recognized by all those concerned with improving our domestic breeds of livestock. I have been particularly pleased at the cooperation I have received from the Department of Agriculture in drafting this legislation and I hope that this display of a cooperative attitude will continue as we proceed later to other undertakings.

While it is impossible to estimate just what might be the actual final dollar value of the enactment of H.R. 11832 to the United States, I have seen estimates stating that for beef cattle alone, it could represent an increase of nearly $670 million; this takes into account increases in the average weaning weight, increased postweaning growth rate, reduction of waste fat, and improved fertility and survival rates. Similar benefits to dairy cattle, sheep, and swine could amount to as much as $834 million.

Presently, though, these benefits are being denied farmers because of the literally unbelievable difficulties of bringing foreign breed strains into the United States.

Mr. Speaker, while a similar measure has been introduced in the other body by Senator HRUSKA, I think it is incumbent that we in the House of Representatives proceed to an early consideration of H.R. 11832. Accordingly, I intend to schedule hearings before the Subcommittee on Livestock and Grains, which I have the honor of chairing, as soon as the Department of Agriculture can obtain clearance from the Bureau of the Budget to present its views. I sincerely hope that the Bureau of the Budget will not continue to delay the consideration this bill deserves.

AMERICA'S FUTURE ROLE IN ASIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. TUNNEY) is recognized for 10 minutes.

Mr. TUNNEY. Mr. Speaker, 27 years ago, President Franklin Delano Roosevelt asked the Congress to declare war on Japan, and turn back Japanese military aggression in Asia. The Congress agreed, war was declared and a huge American expeditionary force was sent to fight in the Far East.

The people of our country were not primarily fighting to protect China and Southeast Asia from Japanese conquest. They were fighting to defend American territory and vital national interests against an aggressor who perpetrated a sneak attack on Pearl Harbor.

Since the end of World War II and in a period of only 15 years, the United States has been engaged in two additional wars in Asia, involving over half a million casualties and almost $200 billion in expenditures. In both instances the wars were fought to repulse foreign aggression and protect our national security.

The irony of world politics is clearly seen in the Korean and Vietnam conflicts. In both wars the United States has viewed China as the main threat to world order while Japan has been our firm Asian ally. A few years earlier, in World War II, our great ally was China and our implacable enemy was Japan.

To add to the confusion, in the Vietnam war, we are not even pitted on the field of combat against our main antagonist—China. We are fighting Vietnamese in their homeland. There is considerable doubt in the minds of many Americans that we are supporting a government in Vietnam which has broad popular appeal and one which has inherent viability. The pattern of the war does not allow for a neat separation of the Vietnamese protagonists into the forces of good and the forces of evil. An earlier division based upon anti-Communists valiantly struggling against Communist oppressors has lost some of its emotional vitality because it all too often appears that American soldiers are dying to uphold a corrupt, selfish, inefficient regime in Saigon.

The cost of our efforts in Vietnam in manpower, in money, in international friendship, in domestic programs deferred, in moral confusion has led many Americans to question just what our national interests are in Asia and whether we can afford a continuation of present policies.

In the past 6 months I have taken two extensive trips to Asia to try and resolve these questions for myself. Unfortunately there are no clear-cut answers. I am certain of one thing however—the United States has a vital stake in the future of Asia and our present disgust with the Vietnam war must not result in a rejection of all responsibility for the area.

It is critically important that in the next few years long-range policy objectives in Asia be carefully formulated and dispassionately implemented. It is absurd to lurch from crisis to crisis with predictable constancy and outrageous inevitability.

There have been too few responsible governmental officials in the last 20 years who clearly saw the limitations as well as the extent of America's role in Asia. There has been a tendency to play the role of the reluctant imperialist—the Roman who feels morally compelled to bring civilization to the world and then defend the empire from all its enemies.

With a series of bilateral and multilateral alliances after World War II, we took on military responsibilities that we just do not have the resources to handle. Vietnam has clearly demonstrated that the United States cannot be the policeman for the world. We cannot put down every insurgency in every underdeveloped country, nor should the United States want to.

There has been a tendency to think in terms of military reaction to dynamic social changes that are political and economic in nature. In the minds of some officials it is better to maintain the status quo rather than suffer the discomfort of unpredictable change.

Too many Americans think of Asia as a monolith. Actually it extends from India and Pakistan around through Southeast Asia and Indonesia to China, Korea, and Japan. Asia contains over 50 percent of the world's population and includes a multitude of different languages and dialects, racial groupings, and cultures. The people of Asia in the last generation have become imbued with a spirit of nationalism. The force of nationalistic aspirations has been nourished by passionate anticolonial feelings. It is a nationalism which rejects intermeddling by other Asian states, China included, as fully as it disdains European or American interference.

No Asian policy can be uniform in its approach to different countries, cultures, and levels of economic development.

There are for instance two different types of policy commitment in the case of the Korean and Vietnamese wars. It is one thing to repulse northern military aggression in South Korea with an unified South Korean population. It is quite another thing to defeat a combination of guerrilla subversion and northern military aggression in South Vietnam where a substantial portion of the South Vietnamese people are determined to overthrow their Government. Sadly, many Americans are not able to differentiate between the two types of commitments. They have not been helped by simplistic overgeneralizations by responsible officials.

Basic policy goals should be considered in the context of what the United States can afford both materially and spiritually. Potential adverse effects to domestic human resource development programs, balance of payments and the general health of the economy should be weighed before policy is established. There should be a systematic consideration of alternative methods of achieving policy objectives.

If this was done 15 or 10 or 5 years ago does anyone believe that the United States would have opted to get bogged down in a seemingly endless war in Vietnam—a country with less than 2 percent of the population and economic productivity of Asia? If Americans could have made a decision in the early sixties to buy South Vietnam for over 200,000 casualties, 30,000 soldiers killed in action and $100 billion, do you think there would have been many takers?

This is not to say that the United States can, like a recluse, retreat into a fortress America and ignore the rest of the world. The world will not ignore us. What I am suggesting is a careful evaluation of our relationship to countries in Asia within a total framework of American national interest. This means disenthralling ourselves of the notion that the U.S. security is threatened and we must militarily respond whenever there is a revolution against a government located on the periphery of China.

Such an analysis would produce a logical rationale for maintaining a forward line of defense in Asia. It would demonstrate a need to remain in a state

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of military preparedness to resist overt foreign aggression in Korea, against Japan or even in Southeast Asia. We must not, however, in the future confuse revolutionary war, where two or more political elements in a country are fighting for control of the government, with wars of international conquest. To do so, could lead to future Vietnams with even more tragic consequences.

Irrespective of what we may have thought at one time, American military power is limited, and we cannot unilaterally provide a defense shield against Communist subversion throughout Asia. We depend on stable societies with political structures capable of directing the type of capital investment necessary to produce prosperity. Hopefully, the governments will be responsive to their people and will develop self-perpetuating democratic institutions. It is important in this regard that our aid efforts concentrate on self-help projects, education, and institution building. We must always bear in mind that our efforts are merely supplementary to, not substitutive of, local resourcefulness, developmental planning, and execution.

On my most recent trip to Japan in November of last year, Mr. Takeiri, chairman of the Komeito Political Party, in talking to me about the dimensions of American power said:

> In terms of world morality and political reality it is an illusion that the great powers can control small countries. You have tried in Vietnam and have failed. Your assistance does not change the character of governments nor make them better liked by their people.

The fact that we cannot remake nations and peoples in our own image and likeness should not lead us to despair. Japan with a war shattered economy and a completely demoralized population in 1946 has within the last 20 years performed an economic and social miracle in a uniquely Japanese way. In 1968, her gross national product was $116 billion and had been expanding at the rate of 10 percent per year for the last 20 years. This colossal productivity makes Japan the third ranking industrial nation in the world in terms of total output. Japan's development has taken place as a result of Japanese energy, vision, and determination. It has been directed by a freely elected government committed to free enterprise economics.

In surveying our role in Asia, it becomes obvious that Japan is the center of gravity in any policy formulation. Without strategic bases on Okinawa or the main Japanese islands, it would be impossible to logistically support a major military operation in Korea, Taiwan, or Southeast Asia. Without Japan's assistance, our economic and technological aid programs to other Asian countries will fall far short of what is needed to fire the torch of sustained progress. In other words, Japan must be the focal point of our Asian policy.

For too long we have been taking the friendship of Japan for granted. We have ignored the fissures that have appeared in the foundation of mutual support and cooperation. It is time to take a long, unbiased look at our relations. We must identify areas of agreement and disagreement and strive to resolve differences which exist so that ultimate goals uniting our two countries will be achieved.

It is essential that we do not engage in crisis diplomacy in our relationship with Japan. We do not want to ignore conflicts of interest until an explosion is imminent. By systematically addressing ourselves to the various problem areas we can establish a basis for mutual understanding in a calm and rational atmosphere. To drift into acrimonious confrontation with Japan would be a tragic failure of our foreign policy.

The United States and Japan have a common desire in wanting stability and peace in Asia. Japan is particularly concerned that social upheavals and political unrest in the undeveloped countries of Asia which leads to major power intervention could result in a direct military confrontation between China and the United States. Japan fears the result would be an utilization of nuclear weapons by both sides and an eventual destruction of Japan as the ally of and a base for the United States.

Japan shares American interest in the resources and markets of Asia. With a population of over 800 million persons excluding China, with substantial raw material resources, the underdeveloped countries of Asia could in the future be important trading partners to industrial nations on both sides of the Pacific.

Japan wants to remain under the American nuclear umbrella. She knows that if she had not benefited from such protection she would not have reached the present high level of prosperity. Japan has never allocated more than 1.5 percent of her gross national product to defense since World War II. This compares with the 9½ percent that the United States is presently spending on her own and free world defense. If Japan had had to make a similar diversion of resources over the past 20 years, she could never have attained such a high level of economic growth.

Japan's numerous connections with the United States have become close, intricate, and mutually rewarding. Our joint trade is over the $7 billion mark, ranking second only to our trade with Canada and far in excess of any trade that we have with any European country. This is by far the largest transoceanic trade between two countries in history. It accounts for 30 percent of Japan's foreign commerce and 9 percent of our own. Japan is our largest customer for agricultural produce with total purchases approaching the $1 billion mark. She has a wide variety of cultural and intellectual contacts with our country, exceeding by far the number she has with any other nation. Unquestionably our countries have become interdependent at various levels of contact and neither can afford a rupture in this friendly association.

Against a backdrop of cooperation and shared aspirations several serious problems have arisen between our two nations. The first relates to the treaty of mutual security and cooperation and the continued use of military bases in Japan and on Okinawa. Most Americans are totally unaware that a problem exists, and, so, the time bomb ticks toward 1970 in a national atmosphere of complacent ignorance.

It is important to remember that the treaty, Okinawa, and the U.S. bases in Japan are all interrelated subjects which must be evaluated in terms of Japan's crushing defeat in World War II and her subsequent rehabilitation. For the first time in history Japan was occupied by a foreign army and the myth of the Kamikaze or the divine wind which would always save Japan from defeat and occupation was shattered. The Japanese are an immensely proud people and the shock of nuclear attack, defeat, and conquest produced a deep sense of national humiliation. This manifested itself in a pathological fear of atomic weapons, a strong strain of pacifism, and an unalloyed guilt over the militarism that led to Japan's foreign wars and ultimate military destruction.

In the first years following the surrender and occupation, the Japanese accepted the dictates of Amrican policy without objection or reserve. The people were surprised by the generosity of the occupation forces. They had been led to believe that defeat would insure barbaric reprisals against them. These reprisals did not occur. There developed what former Ambassador Edwin Reischauer calls an American fixation. All aspects of economic, social, and political life were contrasted to the way Americans did things. Often the American model was imposed by the Americans from above. Following the signing of the Peace Treaty in 1952 and their subsequent huge economic success the Japanese developed a new self-confidence and a new pride. The American fixation is fading and nationalism is beginning tc assert itself.

It became clear to me several months ago as I talked to scores of Japanese from all walks of life, that the mood of the nation has changed dramatically in the last decade. The young have no guilt about World War II and they are dissatisfied with playing the role of shadow to a dominant U.S. presence. One young businessman summed up the new attitude of Japan by saying:

> The majority of young people complain that Japan does not have as much independence in foreign affairs as she should have. It is not pleasant having foreign bases on your land. We don't like the fact that the United States apparently plans to be in Japan forever.

An integral part of the Japanese psychological dilemma in their relationship with the United States and their ability to pursue an independent foreign policy, is article 9 of Japan's new constitution. In article 9 Japan renounces forever war as the soverign right of a nation and promises not to maintain land, sea, and air forces as well as other war potential. Although this policy is still a part of the Japanese Constitution and no government would dare abolish it, the Japanese presently maintain a balanced military force of over 250,000 men. The government gets around the constitution by calling its soldiers, airmen, and seamen a "self-defense force."

Although most Japanese acknowledge the need for a self-defense force, they

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are opposed to any governmental action which would thrust Japan toward an involvement in a foreign war. They also resist any substantial increase in defense spending, knowing economic growth would suffer.

Emerging from the panoply of postwar national attitudes, the crisis that is approaching for Japanese-American relations in 1970 can be identified. In 1970 the Mutual Security Treaty will have been in force for 10 years and will then be subject to abolition by either party with a 1-year notice of intent to terminate. Leftwing groups in Japan intend to force the government to give notice to terminate by sponsoring mass street demonstrations and rallies adjacent to Americatn military installations.

It is the treaty which provides the legal foundation for U.S. commitment to come to the aid of Japan in the event of armed attack against her. The treaty also grants the use to America of military bases in Japan. It is obvious that the treaty is essential to America's defense posture in Asia. It is equally obvious why Communist and marxist elements in Japan would dearly love to see it eliminated.

The number of die-hard leftwingers is a small percentage of the total Japanese population, but they are presently benefited by three conditions: First, a general belief that the United States has too many bases, too close to civilian population centers and that the United States never intends to abandon these bases. Second, a nearly universal and increasingly vocal desire by Japanese and Okinawans, to have Okinawa and the other Ryukyu Islands returned to Japan as an integral part of the Japanese state. At the present time approximately 1 million Okinawans and other Ryukyuans are administered by an American high commissioner who doubles as commander of U.S. military forces on Okinawa and holds the rank of lieutenant general. Third, a deepseated fear held by many Japanese that U.S. military engagements in other parts of Asia are going to draw Japan into a war with China in which Japan would once again be subject to nuclear attack. The Vietnam war has particularly inflamed this anxiety.

It cannot be doubted that if the United States wants to retain its high level of cooperation with Japan and wants to nurture mutual friendship, accommodations are going to have to be made with popular Japanese sentiment. A way is going to have to be found within the next year to return administrative control of the Okinawan people to Japan and still not compromise the effectiveness of our base structure on the island. A way is going to have to be found to make our military presence less visible to the Japanese on the home islands. This may have to be done by moving our bases out of population centers and perhaps eliminating nonessential bases.

The two factors which greatly complicate a satisfactory resolution of the Okinawa problem is that American bases on the home islands of Japan cannot be used to support a military action elsewhere in Asia without prior consultation with the Japanese Government. Additionally, no nuclear weapons can be stored on bases located in Japan. The question is can the Japanese Government politically afford to resume administrative control of Okinawa without subjecting the American bases there to the same type of restriction on free use and nuclear storages as exists in Japan?

My conversations on Okinawa last November with the American High Commissioner, Lieutenant General Unger, and members of General Unger's staff lead me to believe that the Military Establishment does not think we can restrict our use of the Okinawan bases to the same limitations as exist for the Japanese bases and still have the capacity to live up to our defense commitments in Asia.

A solution must be found to this apparent impasse. It is going to require creative and affirmative thinking by the Nixon administration. A head in the sand approach will resolve nothing and produce an even deeper division on the issue between Japan and the United States.

In my opinion, a possible solution which should be considered is the early announcement that the United States has been burdened with the administrative control of Okinawa for over 20 years. It is time that the Japanese assumed their responsibilities for the overall welfare of the Ryukyuans. We, therefore, are forthwith going to divest ourselves of such control. No mention would be made of free use of the bases or nuclear storage. These points would be left for future negotiations with the recognition that any modification of American rights could well be conditioned upon Japan doing more for itself in the area of self-defense.

A second serious problem area in which Japanese interests are often at cross-purposes with those of the United States is bilateral trade policy. It is not my intent today to catalog the various commodities which constitute the $7 billion commerce between our two countries. I want to point out however, that protectionism is always a nemisis to the health and expansion of trade and that a protectionistic state of mind is gaining strength in both Japan and the United States. Frankly, neither nation can afford it.

Following World War II the United States gave $4 billion in loans and credits to Japan. For the first two decades following the war the balance of trade was heavily in our favor, providing in 1961 the remarkable surplus to the United States of $654.8 million. In 1965, Japan was able for the first time to achieve a parity in her trade with us. In 1968, it was $1.1 billion in Japan's favor. When you consider that Japan is also selling $175 million worth of goods to the South Vietnamese Government, goods purchased with American dollars, you can readily see the extent of the deterioration that has occurred in our overall balance of commercial accounts with Japan in the past several years.

Japanese imports have had a particularly large impact on the steel and textile industries. By way of example, Japan sold $490 million worth of steel and $216 million worth of textiles in the United States in 1965. In 1968, the respective figures are $809 million for steel and $272 million for textiles.

Strong protectionist lobbies are operating on Capitol Hill to restrict Japanese imports. Congress must not succumb to such tempting false panaceas. It takes 435,000 workers to produce the commodities we sell to Japan. A self-defeating and self-sustaining spiral of restrictive trade legislation on both sides of the Pacific could endanger the jobs of one or all of these American workers.

But trade is a two-way street. If the United States is to use restraint in imposing new trade barriers, Japan must reduce those barriers to the U.S. goods which presently exist in violation of her covenants under the GATT Treaty. At the moment she has 121 illegal quota restrictions on various commodities. Japan almost totally excludes U.S. automobiles and computers from her domestic market. Japanese licensing procedures inhibit the importation of many other commodities which are not officially subject to quota restrictions. Many American businessmen throw up their arms in disgust and dismiss as impossible the prospect of being able to cut through redtape and acquire a Japanese import license.

Ongoing negotiations on the details of trade policy between high-ranking American and Japanese officials must be given high priority. Our trade with Japan is vastly more important to the United States than trade with all the rest of Asia combined. The underlying philosophy of any agreements should be to the end that a freer and more expansive commerce is developed between our two countries. This means, and I reiterate, refusal by the United States to establish restrictive trade laws and willingness by Japan to eliminate various practices which unfairly and illegally constrain the importation of goods from the United States.

An American looking at Asia today cannot help but stand in awe of the enormity of the problems facing underdeveloped countries in the region. Teeming populations, inhibiting religious and social customs, grinding poverty, low levels of education, all contribute to institutional structures that produce change at a slow and irregular pace.

Technological innovation and communications are having a dramatic impact on popular attitudes. Misery is no longer accepted as inevitable. Progress is a value of mystical dimensions. Ferment and dissatisfaction have replaced dull reignation to the unchangeable. Political unrest is an inescapable offshoot of this new awakening.

The United States as a revolutionary country should feel sympathetic to the revolution of aspirations occurring in Asia and other parts of the world. Justice, freedom, opportunity, progress are not exclusively Western values. They are human values of universal appeal.

The war in Vietnam has distorted our vision. It has tended to polarize our thought between monolithic communism and noncommunism fighting for supremacy in the third world. In actuality the fever of irresponsible change is multifaceted and is far too effervescent for the United States or any other world power

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to control. We cannot remake the world. We can however in Asia, with the help of Japan, share our technical skills and capital resources to assist in the developmental process. We can relate to Japan of the 1970's and abolish stereotypes conceived during the late 1940's and early 1950's.

We must recognize the bitterness of Asia's colonial heritage and expect that our own motives will at times be held suspect. Our strategy should emphasize social and economic initiatives, not military reaction. It has to be based on long-term objectives not short-term crisis planning. We should not try and shape the present in the image of the irretrievable past. Altered circumstances require fresh vision.

We must not attempt to defend our past mistakes in Asian policy. But neither do we want to make the greatest mistake of all—that of waiting with arms folded and doing nothing for fear of making a mistake. History will judge us harshly if we do.

MALAWI'S INDEPENDENCE

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. DIGGS) is recognized for 10 minutes.

Mr. DIGGS. Mr. Speaker, on the occasion of the 5th anniversary of the independence of, and the third anniversary of the declaration of the Republic of Malawi, I should like to extend warm congratulations and best wishes to President Kamuzu Banda, the Government, and people of Malawi.

Under the leadership of Dr. Banda, the Republic of Malawi is making progress in its economic development. Today, Malawi does not only have diversified agriculture to protect, as much as possible, its economy from the ruinous price fluctuations in world agricultural markets, but it has also started building a light industrial sector to complement its agricultural economy. In this particular regard, I would like to add that Malawi welcomes foreign investors whose contribution to the economic development of Africa is very urgently needed.

In saluting Malawi on this day, I wish to pay tribute to its people for the progress they have made so far and to wish them great prosperity in the years that lie ahead.

INTERNATIONAL HYPOCRISY

(**Mr. PODELL** asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, in light of the developing situation in the Middle East, I should like to present a capsule picture of the situation there. Backed by their Soviet allies, the Arabs grow ever more frantically bold in their desperate efforts to show they have recovered from the paralyzing blow Israel dealt them not so long ago.

Shrilly their radios blast forth messages of hatred and death. There is no mention of compromise or direct negotiations. Nightly, Arab guerrillas probe at the borders of Israel, against whose defenses and awareness their thrusts increasingly fail.

Daily barrages thunder across Suez, as Egyptians violate the so-called cease-fire, using U.N. observers as targets in the process. Constantly their planes take to the air over the area, and just as constantly are brought down to earth by Israel's excellent air force.

I never cease to be amazed at the array of forces Israel is confronted by, sworn to end her national existence. Almost never before in history has such a small state stood up so bravely, consistently and successfully to such a massive, all-fronts assault upon her sovereignty. For this is truly what it is.

In the United Nations, an Arab-Soviet coalition aided and abetted by U Thant utilizes instrumentalities of that body as a forum for anti-Israel propaganda. With regularity, condemnations of Israel issue forth from the Security Council. On lower U.N. levels, attacks are made upon the rights and privileges of Jewish or Israeli organizations to participate in a full range of worldwide U.N. activities.

Internationally, there is an Arab boycott of Israel and her goods. Nations who dare trade with her are subjected to economic blackmail. Acts of terror are perpetrated against Israeli agents or agencies peacefully plying their legitimate trades. Constantly, here commerce is subjected to violence, sanction and discrimination. Yet she is unbowed and undefeated.

In spite of all this, Israel continues to thrust outward in a thousand ways. Her trade and industry expand. Her advisers aid dozens of nations around the world. I consider this tiny state a wonder.

Mr. Speaker, in spite of America's willingness to stand aside quietly at the U.N. and allow Israel to be condemned, she survives and grows. In spite of an unmatched array of enemies thirsting for her blood, she is more vibrant daily. In spite of U Thant and his pro-Arab, pro-Soviet sycophants, she stands unbowed.

Is it not incredible that we in this country debate while 2½ million survivors and children of persecution stand off the entire Arab world backed by Russia? Is it not a matter of true amazement to us to observe her courage, performance, and daring in the midst of strife; strength in the midst of threat; reality in a world of unreality.

America has stood by and let this situation deteriorate. We went along with a severe anti-Israel vote in the U.N., and make no excuses for it. We allow ourselves to be drawn into a mockery of four power talks over the Middle East. But Israel in 1969 is not Czechoslovakia in 1938. She has no desire to win a peace prize at the expense of her national existence. Direct peace talks is her reiterated theme, and she is right. Mr. Speaker, it is incredible to me to see people making grotesque efforts to find a balance of fairness between Israel and the forces arrayed against her. It is a mockery of fairness to condemn her just for the crime of desiring to survive as a national state and live in peace. Surely the world, led by the U.N., is setting some future standard for hypocrisy by its actions.

FEDERAL ACTION TO TEMPORARILY BAN DDT IS IMPERATIVE

(**Mr. PODELL** asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, every few days in the past several months the Nation has been confronted with further evidence that hard pesticides, particularly DDT, are an ever-growing menace to wildlife, ecology, and man.

I have introduced a bill to ban further shipments of this pesticide. Individual jurisdictions are banning it, domestically and abroad. A time has arrived for our Federal Government to impose a temporary ban upon further manufacture, shipment, and use of this pesticide.

To this end, I have sent a letter requesting such action to the Secretary of Agriculture, Commissioner of the Food and Drug Administration, and Chairman of the Interstate Commerce Commission. I am inserting the text of this letter today in the hope that it will be of interest to the membership of the House.

The text of the letter follows:

DEAR MR. SECRETARY: I believe we share a common interest in both prevention of pollution and protection of our land's ecology. Recently, cumulative evidence has delivered a damning indictment of the continuing use of some hard pesticides. Most specifically, the accusing finger points to DDT.

Several species of wildlife face extinction because of this long lasting poison, among them the peragrine and American eagle. Sweden has banned its use of a trial period and Denmark will follow Sweden's lead and halt its use in agriculture, forestry, and horticulture next fall. Michigan has banned it. Arizona has done the same for two years. The New York City Park Department has banned it permanently. California is banning it from homes, gardens and in dust form on farms.

Both Great Britain and the Soviet Union are considering its discontinuation. The case of the Coho salmon and Lake Michigan watershed DDT levels is already well known. Our Department of Agriculture has banned DDT use on lettuce and cabbage, once the heads of vegetable forms.

Other short-life pesticide alternatives are easily and cheaply available. A ban on DDT use would harm no one and aid many. Every conservation group in the land, those lonely courageous voices in our modern wilderness, has been calling for such action for months now. Will it take a major disaster to make us move?

Several measures have been introduced in both houses of Congress which would end DDT's use. Banning its interstate shipment would be an excellent start. I have already introduced a measure to this effect.

It is so terribly sad to see a society which can act so swiftly on behalf of destructive goals acting in so dilatory a manner on a threat which menaces its entire structure. When wildlife is destroyed and ecosystems unbalanced, can permanent and far-reaching harm to man be far behind? Are we blind to the threat? Do we not realize that what kills animal and birdlife as well as vegetation, can and will also eventually kill people? Do we not stir uneasily at the thought of pesticide residues building up to such levels that everyone on all sides of us bans or acts against it? Still, we wait.

Man is not going to be satisfied until he denudes his earth of everything in the way

> of wildlife except parasites who prey upon him alone. He will not be satisfied until his every stream is polluted and all his air is befouled. Until junk, garbage and solid wastes tower in mountainous heaps on every side. Until he has to stand with his back to the wall and struggle for existence with forces he has himself unthinkingly unleashed.
>
> Here is our own land we have despoiled so much . . . ruined so much . . . killed off so much. The buffalo and passenger pigeon are gone. Our virgin forests are gone. Clean water and fresh air shrink daily. We desperately strive to save a wild river here . . . a few redwoods there. Our inheritance shrinks daily. This good and fair land bleeds from thousands of man-inflicted wounds. Then we salt them with pesticides in the name of progress. It is time that the word progress was used with a little more care. Once it was used to advance man. Today it has degenerated to the level of a camouflage term for new despoilation or exploitation.
>
> Such evidence is incontrovertible. It is time the Federal government followed these leads. Therefore, I hope you will seriously consider a temporary national ban on further production, shipment, and use of this pesticide, until the inevitable conclusive evidence is in. In the interests of public health and national safety, I would hope you would consider such action.
>
> Thank you for your consideration.
>
> Sincerely,
>
> BERTRAM L. PODELL,
> *Member of Congress.*

MISTREATMENT BY OVERSEAS NATIONAL AIRWAYS

(Mr. HAYS asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. HAYS. Mr. Speaker, a few days ago our distinguished colleague from California (Mr. VAN DEERLIN) strongly indicated his outrage at the treatment one of his constituents received at the hands of Overseas National Airways, a supplemental air carrier—perhaps better known as a nonsked.

On the chance that you missed the gentleman's words, let me repeat them for you:

> Mr. VAN DEERLIN. Mr. Speaker, apparently it takes a will of iron and the stamina of a fullback to travel these days on some air carriers.
>
> This morning I received a telephone call from a constituent, who reported she had been waiting all night at Dulles International Airport, with 250 other passengers, to depart on a vacation trip to Europe.
>
> She was highly upset, not so much by the delay as the fact that the carrier, Overseas National Airways, had not bothered to tell the passengers what was wrong or to make any effort to ease their discomfort.
>
> I checked with the airport manager, and was told that for about 3½ hours, between 2:30 and 6 a.m., some 450 passengers from at least two Overseas National flights were milling around Dulles. At that time of night, the airport snack bar is manned by a single employee. All other eating facilities are closed, and I understand that frustrated passengers were on the verge of rioting.
>
> Although the carrier never told the passengers this, failure to assemble a complete flight crew apparently was responsible for the delay. By the time a flight engineer could be located—in Buffalo—and brought to Dulles, the duty time of other crew members had expired, thus forcing the plane to remain on the ground.
>
> As I see it, chartered airlines, like overseas National, have a good thing. Perhaps too much of a good thing. They are guaranteed full passenger loads, and they squeeze their customers in like sardines—250 on a single plane.
>
> Perhaps they should show a little regard for the fare-paying passengers in return. Many of the people making these chartered trips are elderly citizens who have scrimped and saved for years for their tickets.
>
> What a way to begin the vacation of a lifetime—dumped at Dulles like so much excess baggage.

Ironically, Mr. Speaker, the gentleman is a member of the distinguished Commitee on Interstate and Foreign Commerce which passed an amendment to the Federal Aviation Act in the closing days of the 90th Congress intended to keep them in business but hardly giving the supplementals a license to commit the sins of which they now appear to be so manifestly guilty.

I am concerned, as is my friend from California, with what happens to passengers at Dulles, booked in good faith by Overseas National Airways and allowed to hang around, hour upon hour, in an aura of uncertainty and indifference.

But I am more concerned, Mr. Speaker, as a member of the Foreign Affairs Committee, with what might happen if such an occurrence was repeated abroad—in Frankfurt; or London; or, more horribly, Moscow or Leningrad—where, I am informed. Overseas National conducts periodic air tours. American prestige abroad is dwindling rapidly enough as it is, Mr. Speaker, without encouraging repititions of the Dulles incident simply because the Civil Aeronautics Board does not police these supplementals to make certain that they honor their contracts with the traveling public and perform only those functions which the 90th Congress thought it was granting them.

It seems to me that the time is at hand to take a good hard, critical look at the supplemental airline industry. This is an industry which, according to reliable sources, is growing faster than any other section of the U.S. airline industry and will be a billion-dollar industry by 1973.

Recently I read where the supplemental airlines vigorously opposed liberal new transatlantic fares proposed by the International Air Transport Association, whose members include scheduled carriers of the United States and foreign nations. The fares proposed for air travelers, as I understand the proposal, would sharply reduce the cost of traveling by air to Europe and contains other benefits for individual and group travelers.

The supplemental airlines cried out against the plan, claiming that it would divert traffic they would have access to. Yet the CAB found that the fares would benefit the public.

The Civil Aeronautics Board granted most of the IATA proposal, but for a realtively short period of time, only 5 months in the winter of 1969–70, pending the completion of a full evidentiary hearing which the supplementals successfully requested. The short period of time of approval threatens to make impossible a fair experiment with the new fares, particularly in the peak summer season of 1970.

In the pleadings of the American carriers which are members of IATA, the CAB was told, among other things, that the fare package was aimed at generating sufficient traffic to meet the requirements of the 747 for which most scheduled world airlines have made heavy financial commitments.

This plea is a reasonable one, capable of withstanding any argument on sound economic grounds. Yet, we find the U.S. scheduled airlines, the foundation-stone of U.S.-flag commercial air transportation, being frustrated in their vital future planning by a relatively new category of air carriers, the supplementals.

Let us not forget that the supplementals' statutory obligation is to provide air service supplementary to that of the scheduled carriers. The Government of the United States has an obligation to maintain a clear distinction between the responsibilities of the scheduled and nonscheduled airlines of this country. The agency directly charged with that responsibility is the CAB, and we are well aware that with its relatively small policing arm, this can be a difficult task.

I also recall reading recently that the CAB was preparing a crackdown on charter groups alleged to be attempting to evade the Board's restrictions. The article to which I refer is the Wall Street Journal story of June 9, 1969, which I would like to enter into the RECORD.

In its own order announcing an investigation into this incident, the CAB pointed up the blatant disregard for regulations shown by the supplemental airlines involved in the charters planned by the International Student Affairs Club, to which the excellent Wall Street Journal article refers. The Board noted that the violations involved "go to the very heart of the charter concept and tend to obliterate the distinction between supplemental air transportation and the individual sales service provided by the scheduled air carriers." The CAB also noted that the two supplemental airlines involved—American Flyers and Trans International—failed to take any steps to see that the tour participants were advised that the eligibility of the charters was subject to question and that the flights faced possible cancellation.

This is outrageous defiance. It should be halted at once. Stricter control of airlines perpetrating such tactics on an unsuspecting public must be established by the CAB.

I can cite other examples of supplemental carriers defiance of Board regulations, such as another airline in this category which allegedly cancelled a Mexico-United States charter just 1 day before the charter trip because, it explained, it lacked traffic rights.

I could get on, but I do not think it is necessary. Further examples of this kind of performance—or nonperformance—can likely be obtained from some of your own constituents who are engaged in the travel agency business.

Steps must be taken now to insure that the supplemental carriers are made

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to conform with the laws under which they are authorized to provide public service.

Further, any authority granted to these carriers must contain safeguards against inflicting injury on the scheduled carriers of the United States in their day-in, day-out operations, particularly the international airlines which are constantly faced with political as well as economic problems all over the globe.

And last but certainly not least in importance, the CAB must bring to a halt the liberal attitude toward the supplemental airlines, whose record of performance is hardly worthy of impeding the efforts of the U.S. scheduled airline industry, which has achieved such a splendid record in many decades of public service.

Mr. Speaker, the Wall Street Journal has been keeping an eagle reportorial eye on the activities of the supplementals since they began breaking the rules and exceeding the limitations set down for them by the 90th Congress.

At a later date I shall ask unanimous consent that these Journal articles be made a part of the Record.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. Aspinall (at the request of Mr. Rogers of Colorado), for this week, on account of death in his family.

Mr. Fraser (at the request of Mr. Obey), for July 9, 1969, through July 21, 1969, on account of official business (Geneva Disarmament Commission).

Mr. Wolff (at the request of Mr. Pike), for today and Thursday, July 10, 1969, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Flowers), to revise and extend their remarks and to include extraneous matter:)

Mr. Reuss, for 30 minutes, today.
Mrs. Sullivan, for 10 minutes, today.
Mr. Purcell, for 10 minutes, today.
Mr. Tunney, for 10 minutes, today.
Mr. Diggs, for 10 minutes, today.
Mr. Diggs, for 60 minutes, on July 10.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Mahon to revise and extend his remarks and insert certain tables and pertinent printed material relating to fiscal affairs of the Government.

Mr. Williams to have the remarks concerning Mr. Milliken printed in the Record immediately following approval of the Journal.

Mr. Madden and to include extraneous matter.

(The following Members (at the request of Mr. Camp) and to include extraneous matter:)

Mr. Whalley.
Mrs. Heckler of Massachusetts.
Mr. Mize.
Mr. Ashbrook.
Mr. Foreman in two instances.
Mr. Duncan.
Mr. Pollock.
Mr. Wydler.
Mr. McDonald of Michigan in two instances.
Mr. Pelly.
Mr. Zwach.
Mr. Goodling.
Mr. Hastings.
Mr. Morse.
Mr. Gude.
Mr. Wyman in two instances.
Mr. Betts.
Mr. Collins in three instances.
Mr. Ayres.
Mr. Esch.
Mr. Saylor.

(The following Members (at the request of Mr. Flowers, and to include extraneous matter:)

Mr. Rooney of Pennsylvania in three instances.
Mr. Diggs.
Mr. Baring.
Mr. Scheuer. in two instances.
Mr. Teague of Texas in eight instances.
Mr. Murphy of New York.
Mr. Rarick in three instances.
Mr. Brademas in six instances.
Mr. Mikva in six instances.
Mr. Olsen in four instances.
Mr. Pryor of Arkansas.
Mr. Helstoski in two instances.
Mr. Hanna.
Mr. Dingell in four instances.
Mr. St Germain in two instances.
Mr. Eilberg.
Mr. Tunney in three instances.
Mr. Ullman in five instances.
Mr. O'Hara in two instances.
Mrs. Chisholm.
Mr. Burlison of Missouri.
Mr. Pepper.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 545. An act to amend the District of Columbia Bail Agency Act (80 Stat. 327); to the Committee on the District of Columbia.

S. 1458. An act to prohibit the business of debt adjusting in the District of Columbia except as an incident to the lawful practice of law or as an activity engaged in by a nonprofit corporation or association; to the Committee on the District of Columbia.

S. 1583. An act to provide that appointments and promotions in the Post Office Department, including the postal field service, be made on the basis of merit and fitness; to the Committee on Post Office and Civil Service.

S. 2185. An act to authorize a Federal contribution for the effectuation of a transit development program for the National Capital region, and to further the objectives of the National Capital Transportation Act of 1965 (79 Stat. 663) and Public Law 89–774 (80 Stat. 1324); to the Committee on the District of Columbia.

ENROLLED BILL SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3689. An act to cede to the State of Montana concurrent jurisdiction with the United States over the real property comprising the Veterans' Administration Center, Fort Harrison, Mont.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1647. An act to authorize the release of 100,000 short tons of lead from the national stockpile and the supplemental stockpile.

ADJOURNMENT

Mr. FLOWERS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 55 minutes p.m.), the House adjourned until tomorrow, Thursday, July 10, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

937. A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to amend Section 5723(b) of Title 5, United States Code, relating to length of service required by teachers in Bureau of Indian Affairs schools when travel and transportation expenses are paid to first post of duty; to the Committee on Government Operations.

938. A letter from the Executive Director, Federal Communications Commission, transmitting a copy of the report on backlog of pending applications and hearing cases as of May 31, 1969, pursuant to the provisions of section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

939. A letter from the Attorney General, transmitting a draft of proposed legislation to improve the judicial machinery in customs courts by amending the statutory provisions relating to judicial actions and administrative proceedings in customs matters, and for other purposes; to the Committee on the Judiciary.

940. A letter from the Director of Management Operations, Department of the Interior transmitting a report covering grants made to nonprofit organizations for support of scientific research programs during calendar year 1968, pursuant to the provisions of section 3 of Public Law 85–934; to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

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for printing and reference to the proper calendar, as follows:

Mr. JOHNSON of California: Committee on Interior and Insular Affairs. S. 574. An act to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments; with amendment (Rep. No. 91-358). Referred to the Committee of the Whole House on the State of the Union.

Mr. JOHNSON of California: Committee on Interior and Insular Affairs. S. 38. An act to consent to the upper Niobrara River compact between the States of Wyoming and Nebraska (Rept. No. 91-359). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROTZMAN:

H.R. 12689. A bill to amend the Food Stamp Act of 1964, as amended; to the Committee on Agriculture.

H.R. 12690. A bill for the relief of the Southwest Metropolitan Water and Sanitation District, Colo.; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 12691. A bill to improve the judicial machinery in customs courts by amending the statutory provisions relating to judicial actions and administrative proceedings in customs matters, and for other purposes; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 12692. A bill to authorize the Interstate Commerce Commission, after investigation and hearing, to require the establishment of through routes and joint rates between motor common carriers of property, and between such carriers and common carriers by rail, express, and water, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DENT:

H.R. 12693. A bill to amend the first section of the act of November 5, 1966, to define the boundaries of the Indiana Dunes National Lakeshore; to the Committee on Interior and Insular Affairs.

By Mr. FLYNT:

H.R. 12694. A bill to establish fee programs for entrance to and use of areas administered for outdoor recreation and related purposes by the Secretary of the Interior and the Secretary of Agriculture, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GERALD R. FORD (for himself, Mr. Arends, Mr. Rhodes, Mr. Bob Wilson, Mr. Meskill, and Mr. Wiggins):

H.R. 12695. A bill to amend the Voting Rights Act of 1965, and for other purposes; to the Committee on the Judiciary.

By Mr. HALL:

H.R. 12696. A bill to amend the Uniform Time Act of 1966 in order to provide that daylight saving time shall be observed in the United States from the first Sunday following Memorial Day to the first Sunday following Labor Day; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLIFIELD (for himself and Mr. Price of Illinois) (by request):

H.R. 12697. A bill to amend section 153 of the Atomic Energy Act of 1954, as amended, to extend the compulsory patent licensing authority of the Atomic Energy Commission for 5 years, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. HORTON (for himself, Mr. Dent, Mr. Diggs, Mr. Leggett, Mr. McCloskey, Mr. Powell, Mr. Rees, and Mr. Stanton):

H.R. 12698. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

By Mr. ICHORD (for himself, Mr. Quillen, Mr. Bennett, Mr. Fisher, Mr. Fuqua, Mr. Waggonner, Mr. Colmer, Mr. Rivers, Mr. Preyer of North Carolina, Mr. Edwards of Louisiana, Mr. Ashbrook, Mr. Roudebush, Mr. Watson, and Mr. Scherle):

H.R. 12699. A bill to amend the Internal Security Act of 1950 to authorize the Federal Government to institute measures for the protection of defense production and of classified information released to industry against acts of subversion, and for other purposes; to the Committee on Internal Security.

By Mr. KUYKENDALL:

H.R. 12700. A bill to etsablish a Joint Committee on Environmental Quality; to the Committee on Rules.

By Mr. LANDGREBE:

H.R. 12701. A bill to amend title I of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LUKENS:

H.R. 12702. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

H.R. 12703. A bill to amend the Gun Control Act of 1968 to strengthen the penalty provision applicable to a Federal felony committed with a firearm; to the Committee on the Judiciary.

By Mr. McEWEN:

H.R. 12704. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. OLSEN:

H.R. 12705. A bill to prevent payment of double subsidies, and to assure availability of tonnage for defense purposes in the national interest, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PERKINS:

H.R. 12706. A bill to amend the Railroad Retirement Act of 1937 so as to increase the amount of the annuities payable thereunder to widows and widowers; to the Committee on Interstate and Foreign Commerce.

H.R. 12707. A bill to amend title XIX of the Social Security Act to continue for an additional period in certain cases the special provision fixing the minimum Federal assistance percentage for a State under the medical assistance program at 105 percent of the Federal share of such State's medical expenditures under all of the public assistance programs during 1965; to the Committee on Ways and Means.

By Mr. PODELL:

H.R. 12708. A bill to amend the Internal Revenue Code of 1954 to restore to individuals who have attained the age of 65 the right to deduct all expenses for their medical care, and for other purposes; to the Committee on Ways and Means.

By Mr. POLLOCK:

H.R. 12709. A bill to authorize the Secretary of Health, Education, and Welfare to make Indian hospital facilities available to non-Indians under certain conditions; to the Committee on Interstate and Foreign Commerce.

By Mr. RHODES:

H.R. 12710. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink; to the Committee on Ways and Means.

By Mr. ROONEY of Pennsylvania:

H.R. 12711. A bill to protect collectors of antique glassware against the manufacture in the United States or the importation of imitations of such glassware; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHADEBERG (for himself, Mr. Vander Jagt, Mr. Hutchinson, Mr. Ruppe, Mr. Landgrebe, Mr. O'Konski, and Mr. Cederberg):

H.R. 12712. A bill to amend the act of August 13, 1946, relating to Federal participation in the cost of protecting the shores of the United States, its territories, and possessions, to include privately owned property; to the Committee on Public Works.

By Mr. TAYLOR:

H.R. 12713. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink; to the Committee on Ways and Means.

By Mr. TUNNEY:

H.R. 12714. A bill to provide that the Federal Government shall pay one-half of the cost of health insurance for Federal employees and annuitants; to the Committee on Post Office and Civil Service.

By Mr. WHITTEN:

H.R. 12715. A bill to amend chapter 44 of title 18, United States Code, to exempt ammunition from Federal regulation under the Gun Control Act of 1968; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL of Virginia (by request):

H.R. 12716. A bill for the relief of the Nightwriter Corp.; to the Committee on the Judiciary.

By Mr. CARTER:

H.R. 12717. A bill for the relief of Dr. Leticia K. Chy-Koa; to the Committee on the Judiciary.

H.R. 12718. A bill for the relief of Dr. Elpidio Kap Koa; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 12719. A bill for the relief of Mrs. Jeoung Sook Choe; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 12720. A bill to provide for the conveyance of certain real property of the District of Columbia to the Washington International School, Inc.; to the Committee on the District of Columbia.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

172. By the SPEAKER: Petition of the Board of Chosen Freeholders, Mercer County, Trenton, N.J., relative to creating an urban mass transportation trust fund; to the Committee on Banking and Currency.

173. Also, petition of the Americans for Patriotism, Inc., Scarsdale, N.Y., relative to a U.S. American Revolution Bicentennial Commission; to the Committee on the Judiciary.

174. Also, petition of the Rochester Police Locust Club, Inc., Rochester, N.Y., relative to redress of grievances; to the Committee on the Judiciary.

SENATE—*Wednesday, July 9, 1969*

The Senate met at 11 o'clock a.m. and was called to order by the President pro tempore.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, creator, preserver, redeemer and judge, infuse our hearts and minds with Thy higher wisdom that we may measure these days against the long years yet to come, and to judge our daily actions by Thy divine decrees. Invest our deliberations and our decisions with eternal meanings, that generations to follow may call us "blessed." Pour out Thy blessing upon this land that we may present unto Thee a nation cleansed, and redeemed. Equipped with righteousness and justice, with grace and generosity, may we have a part in Thy great redemption and at last establish the peace of Thy kingdom. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, July 8, 1969, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

Mr. DOMINICK. Mr. President, reserving the right to object—and I shall not object—I wonder if it is possible to get consent to go beyond 3 minutes.

Mr. MANSFIELD. Oh, yes.

Mr. DOMINICK. I have a 7- or 8-minute speech.

Mr. MANSFIELD. Surely.

Mr. DOMINICK. I have no objection.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nomination of George H. Goodrich, of Maryland.

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDENT pro tempore. The nomination will be stated.

DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS

The assistant legislative clerk read the nomination of George H. Goodrich, of Maryland, to be an associate judge of the District of Columbia Court of General Sessions for the term of 10 years.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

ORDER OF BUSINESS

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I am delighted to yield.

The PRESIDENT pro tempore. The Senator from Mississippi is recognized.

Mr. STENNIS. I thank the majority leader for yielding to me.

Mr. President, speaking as chairman of the committee, it is my concept that it is the committee's duty on the pending matter, the military authorization bill, to do everything possible to get this matter fully presented to the jury, so to speak—to the Senate.

The bill contains many major matters of far-reaching importance that go to the vitals of our security.

Second, I have a very strong feeling about the debate being conducted in open session as much as possible; and only with respect to classified matters that I thought were of the utmost importance would I think of anything other than an open session.

Third, if we can avoid going over the same matter a second time in closed session, I think we should do so.

So, in an effort to continue getting this bill fully presented, not only from my viewpoint, but also from that of all other members of the committee, I believe it would be better now to proceed in this manner: that the Chair have it understood that the Senator from Maine (Mrs. SMITH), who is the ranking minority member of the Committee on Armed Services, will be recognized soon today, to present her views on the bill as a whole. This would further present the picture as we developed it in the committee; that then the two subcommittee chairmen, the Senator from Nevada (Mr. CANNON) and the Senator from New Hampshire (Mr. McINTYRE), and the minority members of those subcommittees be given an opportunity to present their views. Of course, this would all be in open session.

I am not attempting to lay out any pattern for the Chair. I am simply making known the purpose and desires of the committee in presenting this bill.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. STENNIS. I yield. I have discussed this matter briefly with the majority leader.

Mr. President, will the Senator from Montana yield, to permit me to make one additional point?

Mr. MANSFIELD. I yield.

Mr. STENNIS. I wish to emphasize that to make the debate meaningful on matters that ought to be heard in a closed session, I shall judge later as to when I shall ask for a closed session. But I express the hope now, and say for my own part, that it is my hope that we will try to consolidate such matters in one closed session.

Mr. MANSFIELD. That is fair enough. So the Senate is on notice that there will not be a closed session today.

Mr. President, I ask unanimous consent that the order entered yesterday to that effect be rescinded.

The PRESIDENT pro tempore. The Chair is advised by the Parliamentarian and the journal clerk that no order to that effect has been entered.

Mr. MANSFIELD. That is correct; it was an understanding.

The PRESIDENT pro tempore. Then the understanding is withdrawn.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. Mr. President, I think that in this dialog it should be abundantly clear to all that, if there are minority Senators who believe they have matters that ought to be presented in a closed session, they will not be precluded from making that request. Of course, any Senator can so move.

The PRESIDENT pro tempore. The Chair thinks he should make an observation. The rule of recognition in the Senate provides that "the Presiding Officer shall recognize the Senator who shall first address him." It is in the discretion of the Chair to recognize Senators under this rule.

By tradition and through custom that has existed for many years, the Chair does, as a rule, give priority of recognition, first, to the majority leader; second, to the minority leader; then to the Senator who is in charge of a bill; and next to the ranking minority member of the committee or other Senators concerned with presenting the bill. I know of no rule or custom at present that goes beyond that practice.

Every member of the committee—indeed, every Member of the Senate—who wishes to have an opportunity to do so, in the present status of the case, will be afforded an opportunity to speak to his heart's content on this particular issue.

Every Senator who wishes to speak will be recognized in due season, unless the Senate, by unanimous consent, limits debate and precludes him from doing so.

Mr. DIRKSEN. I was addressing my remarks particularly to rule XXXV, under which a Senator can move for a closed session. If his motion is seconded, the rule is automatically invoked by the occupant of the Chair.

The PRESIDENT pro tempore. That, of course, is correct. But any Senator may be recognized, and it might be that before a single word were said in debate

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in closed session, a motion could be made to return to open session. If a majority of the Senate so desired, they could return to open session.

Mr. STENNIS. Mr. President, will the Senator yield to me?

Mr. MANSFIELD. I yield.

Mr. STENNIS. Mr. President, it is not necessary to say this but I wish to kill any kind of inference that anyone has brought in that I was trying to exclude anyone. The rules speak for themselves. The Chair has well stated the custom of the Senate about recognition and I think that is the correct rule. I was merely undertaking to explain to the Senate as a body what the committee was trying to do in presenting the bill.

Several Senators addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Montana yield and, if so, to whom?

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent, in view of the changed situation, that all committees of the Senate be permitted to meet during the session of the Senate today and I ask that attaches notify the committees that are in session to that effect.

The PRESIDENT pro tempore. Without objection, all committees of the Senate will be permitted to meet during the session of the Senate today.

The Senator from Montana has the floor.

ORDER OF BUSINESS

Several Senators addressed the Chair.

The PRESIDENT pro tempore. The Chair understands that the Senate is operating under the 3-minute rule.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDENT pro tempore. The Senator from Montana requests that he may proceed for 2 additional minutes. Without objection, it is so ordered.

Mr. TOWER. Mr. President, will the Senator yield for a question?

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Texas?

Mr. MANSFIELD. I yield.

Mr. TOWER. Mr. President, I would like to ask the distinguished majority leader, in view of this development now, it is possible, is it not, that the closed session would come on tomorrow?

Mr. MANSFIELD. Not necessarily. I would not think so. I think there will be some open discussion first and very likely the closed session will not come tomorrow. What I say is subject to change.

Mr. TOWER. I wish to propound a further question.

Mr. MANSFIELD. Yes.

Mr. TOWER. At the time the motion is made to close the doors will there be propounded a request relative to the presence of staff members on the floor?

Mr. MANSFIELD. There will, indeed.

Mr. TOWER. I would like to serve notice to the Senate that it is my current intent to raise an objection to any staff members being allowed on the floor during the time when the doors are closed.

Mr. MANSFIELD. For the information of the Senate, I have discussed this matter with the distinguished chairman of the committee, the Senator from Mississippi (Mr. Stennis), and the distinguished minority leader (Mr. Dirksen) on the basis of precedents. There were four staff members outside of the regular members of the Committee on Armed Services who were permitted on the floor at the time of the last closed hearing. If this is going to get out of hand I think the only way to face up to it would be that no staff members, not even from the committee, be allowed, because if each Senator is going to ask that his staff member be present I think the need for a closed session goes out the window because we have a hard enough time keeping our own mouths closed. If we get them in here the roof is going to blow off.

If this matter gets out of hand there will be no staff members allowed and that is the way rule XXXV reads. It refers to closed sessions as affecting Senators only.

The PRESIDENT pro tempore. The Chair would ask the clerk to read part 2 of rule XXXVI, which relates to this matter. There has been a good deal of discussion about who should be allowed on the floor. This rule very clearly establishes who shall be allowed on the floor.

The assistant legislative clerk read as follows:

> RULE XXXVI
>
> EXECUTIVE SESSIONS
>
> * * * * *
>
> 2. When acting upon confidential or Executive business, unless the same shall be considered in open Executive session, the Senate Chamber shall be cleared of all persons except the Secretary, the Chief Clerk, the Principal Legislative Clerk, the Executive Clerk, the Minute and Journal Clerk, the Sergeant at Arms, the Assistant Doorkeeper, and such other officers as the Presiding Officer shall think necessary; and all such officers shall be sworn to secrecy.

Mr. TOWER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his parliamentary inquiry.

Mr. TOWER. Mr. President, when the rule refers to officers of the Senate that would mean they would have to be officers of the Senate and could not be individual staff members. Is that correct?

The PRESIDENT pro tempore. Unless it were in the discretion of the Presiding Officer who could permit them under the language of this rule. But it has never been the custom or practice to allow it and the present Presiding Officer would not permit the presence of any attachés, particularly if objection was made, and the Senator from Texas has indicated he would object.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. GOLDWATER. Mr. President, I wish to make one comment with respect to this possible request for advisers to be on the floor from the committees other than the Committee on Armed services.

I think it is proper, if it could be allowed, to have experts from the Committee on Armed Services, but the Foreign Relations Committee has been holding hearings in the field of armed services, and they are unalterably opposed to many things that the Committee on Armed Services is for.

I think it would be a big mistake to allow people on the floor who come with a prejudiced or prejudged view on the matter of weapons, ABM's and so forth. It is the job of the Committee on Armed Services to present the case and not the Foreign Relations Committee. I may be wrong, but I do not think I am.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may be recognized for 2 minutes.

The PRESIDENT pro tempore. The Senator from Arizona can yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, will the Senator yield to me?

Mr. GOLDWATER. I yield the floor.

The PRESIDENT pro tempore. The Senator from Arizona has taken his seat.

Mr. MANSFIELD. One of the difficulties in this body with respect to the committee system concerns the infringement of authority and responsibility. Sometimes the line is drawn pretty thin, and it is hard to say where it lies. Nowadays, because the field of defense is so overlapping, it becomes increasingly difficult to determine where the responsibility of one committee begins and the responsibility of another committee ends. It is overlapping, it is a difficult question, and it goes beyond the committees here involved. I recall that the chairman of the Committee on Foreign Relations has had questions raised about certain hearings held by the Committee on Government Operations, which were in the field of foreign policy.

Mr. GOLDWATER. I am looking at it from a technical standpoint. The expertise in this matter is in the Committee on Armed Services and not in some other committee.

I am very happy that the distinguished Senator from Mississippi refrained from holding hearings on foreign policy. I think that is the job of the Committee on Foreign Relations.

Mr. MANSFIELD. Sometimes the two committees work together on a full committee or subcommittee basis. So far as expertise is concerned, there is enough expertise on the other side, on the anti-ABM side, that should be given consideration. With that in mind, I had a discussion on my own initiative with the distinguished minority leader to the effect that there should be equal distribution respecting staff floor privileges so that the same number of attachés or administrative assistants would be available on each side. In that way no advantage could be achieved one way or the other.

I wish to express my deep personal thanks to the distinguished Senator from Mississippi for what he had to suggest when this matter was brought to his attention, when it seemed it might get out of hand. He stated that as far as he was concerned, he would be glad to bear the load himself and not have the two men from the Committee on Armed Services on hand.

Mr. GOLDWATER. The chairman can do that——

The PRESIDENT pro tempore. The

time of the Senator from Arizona has expired.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. GOLDWATER. The problem that comes up in my mind is, Where do we put an end to this? If the Committee on Armed Services is allowed one for the majority side and one for the minority side and the Committee on Foreign Relations is allowed one, because I do not think there is any minority side to it, then some other Member comes up and says, "I have got an interest in this. I have done a great deal of studying on it. I have a brilliant young man who has spent the past 3 weeks studying this matter and I think he should be on the floor. If we start that, then I suggest that everyone is entitled to have some expert behind him.

Mr. MANSFIELD. I tend to agree with the Senator that we will end up by having no "experts" or none in an unofficial capacity on the floor. Perhaps that is the best way to handle the situation. Certainly, Senators are supposed to have mature judgment and a grasp of the subject which they are discussing in this Chamber. They should be prepared to undertake that responsibility to the full and take it unto themselves, solely, if necessary.

Mr. GOLDWATER. I thank the Senator.

S. 2570—INTRODUCTION OF A BILL PROVIDING FOR THE TERMINATION OF JET AIRCRAFT OPERATION AT WASHINGTON NATIONAL AIRPORT

Mr. DOMINICK. Mr. President, I ask unanimous consent that I may proceed in the morning hour for not to exceed 10 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DOMINICK. Mr. President, I introduce a bill concerning aviation problems at the Nation's Capital. Specifically, my bill proposes to phase out the use of jet planes at Washington National Airport, transferring these plane operations to Dulles and Friendship International Airports.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred.

The bill (S. 2570) to provide for the termination within 18 months of the use of Washington National Airport by jet aircraft, and to develop a plan for high-speed surface transportation connecting the city of Washington with Dulles International Airport and Friendship International Airport, introduced by Mr. Dominick, was received, read twice by its title, and referred to the Committee on Commerce.

Mr. DOMINICK. Mr. President, I fully recognize that jets have been using Washington National regularly since they were first permitted at that airport in April 1966. During the ensuing 3 years or so, the operations involving jet planes have become rather deeply entrenched. Recognizing that to cause a withdrawal of such plane operations overnight would create an undue hardship on the carriers involved, I am proposing a gradual phaseout to cover perhaps 18 months from the time of enactment. I think this is only fair.

But I insist that the jets have got to go from Washington National.

This is not a snap judgment on my part, because I have been considering this situation for 3 years. Back in June 1966, I called the attention of the Senate to the problem that jet operations at Washington National were creating for the people of the metropolitan area.

At that time, I had written to Gen. William F. McKee, Administrator of the Federal Aviation Agency, protesting the jet operations at the airport. I based my protest on four criteria:

First, that the congestion of traffic at this busy air facility was made worse by the advent of jet operations.

Second, that the noise level had become particularly acute, especially in certain areas of the Metropolitan Washington region. With the coming of warm weather, resulting in open windows and increased outdoor activity, the frequent noise problem became all the worse.

Third, that the opening of Washington National to jet planes resulted in a transfer of activity from underutilized Dulles International Airport, which was designed and located to accommodate jets, to Washington National, which was not designed for them, and certainly not located with the jet in mind.

Finally, I pointed out that the use of jets at the close-in airport made use of this facility by general aviation less feasible.

There is, however, still another source of irritation and complaint which has grown steadily worse since the advent of jet aircraft at National. I refer to the sooty exhaust plume which is emitted from these jets as they land and take off over our city.

According to a report from the Secretary of Health, Education, and Welfare, pursuant to the Air Quality Act of 1967, aircraft operating out of Washington National Airport dumped an average of 17.6 tons of pollutants into the air over Washington every day during 1967. With the sharp increase in traffic at National since that time, a new measurement today would undoubtedly show a sharp increase in the amount of pollution being generated by this increased traffic.

Commercial air carriers alone conducted 238,224 landings and takeoffs at Washington National in 1968. Multiply that number of takeoffs and landings by the average pollution emission of these aircraft and we reach the startling result that air carriers using Washington National Airport last year dumped 10,553 tons of pollution on the Nation's Capital.

Probably the most apparent objection by the people of the metropolitan area is, and has always been, their subjection to the noise bombardment every few minutes during heavy traffic periods. Here is what the Washington Post of April 26, 1966, had to say about the introduction of jet planes at Washington National Airport:

> NOISE COMPLAINTS CONTINUE IN 2D DAY OF JET SERVICE AT NATIONAL AIRPORT
>
> National Airport continued to be deluged by noise complaints yesterday while some airline officials, far from complaining, were citing increased passenger business as justification for bringing in the jets.
>
> The Federal Aviation Agency received 223 telephone calls as of late yesterday afternoon complaining about airplane noise. The figure for Sunday, the first day of regularly-scheduled jet service at National, was 176.
>
> The vast majority of complaints, according to the FAA, have come from the Georgetown and Foxhall areas. A few have come from neighborhoods south of the airport.
>
> The jetliners landed mostly from the north and took off heading south on Sunday, so complaints from Georgetown and Foxhall mostly concerned landings.
>
> The wind shifted yesterday, which meant the pattern was reversed with most take-offs heading north. The new jets' highly touted steep-climb capability apparently did not convince Georgetown and Foxhall residents that they were quieter than their predecessors.
>
> Meanwhile, an American Airlines spokesman said that four of the company's six jet flights to Chicago on Sunday were "completely sold out, one was 80 per cent full and the last, the 10 p.m. flight, had 40 passengers. We had a much better day than usual to Chicago."
>
> Eastern Air Lines reported 4740 passengers Sunday. A spokesman said business was up 5 to 7 per cent Sunday and was slightly better yesterday.
>
> United Air Lines reported an 8 per cent over-all increase in passenger traffic.
>
> An FAA spokesman said half of the complaints during the past 48 hours did not mention jets specifically, but just objected to "noise."
>
> He also said, somewhat cheerfully, that there were 14 complimentary calls Sunday and 21 yesterday.
>
> One caller objected to a twin-engine plane flying over the prohibited area between the Capitol and the Potomac. The National tower said they had not controlled the plane and had not even seen it. But the call prompted a careful records check. It was from the White House.

Mr. President, as I mentioned before, Washington National Airport was neither designed nor located to take on jet traffic. We have no less than the word of a former Federal Aviation Administrator on this.

During hearings on Washington, D.C., airports held in 1963 before the House Subcommittee on Transportation and Aeronautics of the Interstate and Foreign Commerce Committee, Administrator Najeeb Halaby was replying to a comment of Congressman Friedel on the use of Friendship Airport. Administrator Halaby, referring to his predecessor at the Federal Aviation Agency, told the subcommittee:

> Mr. Chairman, it occurs to me, in a sense the Federal Aviation Agency diverted traffic to Friendship Airport and gave it this great surge of traffic in the first 3 years of the jet age. If the Federal Aviation Administrator had wished to hurt, to be unjust to Friendship, he would have built up Washington National as a jet airport, and monopolized all the traffic. He didn't do that, sir. He refused the jets in there because Washington National is not built, designed, or set up for jet traffic. Therefore, the Congress built a new airport, in its wisdom.

Administrator Halaby, later in the same hearings, reiterated this specific point while commenting on the buildup of traffic at Friendship brought on by the jet plane. He told the subcommittee:

> Then the jet came in and for the simple, artificial reason that the jet could not properly be accommodated by the Washington National Airport at Gravelly Point, they got an airfall, or windfall of flights into Friendship.

J. B. Hartranft, Jr., in a statement to the subcommittee on behalf of the Aircraft Owners & Pilots Association pointed out that Dulles was designed to serve jet traffic, while Washington National was not.

Mr. President, I insist that it is highly incongruous to foist jet traffic on overcrowded Washington National, which is not designed for such planes, while not doing everything possible to utilize Dulles, and perhaps Friendship, more since they are fully prepared for jet planes.

The maddening congestion which exists at Washington National not only tries the patience of passengers and employees alike, but is a serious hazard to the residents of Washington. Congestion is so bad lately that at times the shuttle flights between Washington and New York have been delayed from 1 to 2 hours in both directions. And under such conditions, a midair collision could result in losses of life and property damage of catastrophic proportions.

A statistical comparison of operations at Washington National with Dulles tells the full story.

During 1968, the total volume of nonmilitary traffic at Dulles was:

[Takeoffs and landings]

Air carriers	58, 876
General aviation	98, 128
Total	157, 004

For 1968, the nonmilitary volume at Washington National was:

[Takeoffs and landings]

Air carriers	238, 224
General aviation	104, 939
Total	343, 163

So there we have it, specifically spelled out. Over twice as many operations crowded in at Washington National than at Dulles. And Dulles is handling a volume which is far below its capacity.

An Editorial Research Reports study, "Airport Modernization," published February 22, 1967, emphasized the point of deliberately underutilizing Dulles while overloading Washington National. The study declared that:

> Dulles International, which opened in 1962, was intended to be the nation's first jet-age airport. Located 26 miles west of Washington, Dulles in its 4½ years of operation has remained a jet-age white elephant, operating at a loss and accommodating only a fraction of the passenger traffic it is capable of handling. In part, this is due to the convenience of National in contrast to the 45-minute motor coach ride, at $2.50 per person, to Dulles; cab fare to the city is $13. The airlines serving Washington failed to shift sufficient flights from National to Dulles because of these factors. As a result, in fiscal 1965 National accommodated 6.5 million passengers while Dulles recorded a total of only 863,000 passengers.
>
> Dulles suffered still another blow when the FAA decided in April 1966 to allow small jets to use National. Almost immediately National was serving 16,000 additional passengers a day, while Dulles was serving 15,000 fewer. Overloading of terminal facilities created chaos at National. Consequently, authorities ordered the airlines to limit combined operations to 40 flights an hour in order to cut the number of passengers crowding into the terminal, and a number of flights were shifted back to Dulles. Nevertheless, during calendar 1966 National served almost 8 million passengers while Dulles served 1.2 million.
>
> Reports that consideration was being given to a $200 million expansion of National to make it possible for larger jets to use the field provoked three dozen citizen groups to organize a campaign to phase aircraft operations out of the Potomac River airport altogether by 1970. FAA officials tried to damp down complaints about noise by requiring pilots in good weather to reduce power at 1,500 feet and follow the Potomac or Anacostia rivers until their planes reached the 3,000-foot level. But pilots contend that reduction of power is not safe, and citizens insist that the noise is not measurably reduced. An FAA study issued January 26 asserted that noise from the jets was no greater than from propeller craft, but the study convinced neither the irate residents nor the citizens' Committee Against National.

The President recently submitted a message to Congress outlining the problems of air transportation in the Nation. In it the President cautioned:

> Existing jet ports are adding to the noise and air pollution in our urban areas . . . These important social and conservation considerations must be taken into greater account in future air systems development.

I think this is indicative of a growing awareness that jet aviation is a significant contributor to our urban air pollution problem, as well as the noise problem. And, recognizing the proximity of Washington National Airport to the city, this caution applies to that air facility.

(At this point Mr. Hollings took the chair as Presiding Officer.)

Mr. DOMINICK. Mr. President, the main attraction at Washington National, of course, is its proximity to the downtown area. In other words, the time-distance factor involved in transportation to and from the facility at Washington National compared to that for travel to and from Dulles Airport places the latter at a disadvantage.

In order to make Dulles more attractive to both carriers and travelers, and incidentally to realize a more equitable return on the obviously large investment at Dulles by way of utilization, we must plan and construct some means of rapid transit to connect the downtown area with the airport.

The problem of travel to and from airports has become a general one since today's airport must be located at a considerable distance from the central city, as is the case of Dulles. In his message on the problems of air transportation, the President recognized that travel between the airport and the city required special attention, and he therefore stated:

> Most important, government at all levels, working with industry and labor, must see to it that all aviation equipment and facilities are responsive to the needs of the traveler and the shipper and not the other way around. Transportation to airports, whether by public conveyance or private vehicle, is as much a part of a traveler's journey as the time he spends in the air, and must never be viewed as a separate subject. A plane travels from airport to airport, but a person travels from door to door. I have directed the Secretary of Transportation to give special attention to all the components of a journey in new plans for airways and airports improvements.

This is exactly what I have in mind, and what I am recommending for Dulles. Such a facility has already been built and placed in service at Cleveland. It was built with the assistance of Federal funds, and appears to be a success. It could serve as a model to serve other cities as a rapid transit link with their airports. The Cleveland facility is a rail transit line.

There are other possible types of rapid transit facility which could be adapted to serving Dulles and other major airports.

One possibility would be the use of a combination bus and monorail system. The bus would travel between the center city and the airport at high speed by suspension using an overhead monorail device. Then at either end of the trip, the bus would disengage from the monorail and travel conventionally. This system would combine the features of high speed for the city-airport trip with full flexibility while in the city and also at the airport.

A regular monorail system operating between the city and the airport would greatly aid the problem of travel to and from Dulles, if the bus-monorail plan would delay such a program or be considered not feasible. The George Washington Parkway, beltway, and Dulles express road affords the right of way needed for a monorail system.

But whatever the system decided upon, high-speed transportation to Dulles International Airport will aid materially in having this excellent terminal achieve its potential.

Mr. President, the people of Washington have waited patiently, and in vain, for relief from the evils that jet operations at Washington National thrust upon them. I fear that the situation will not correct itself, and that it will continue to grow worse. It is evident that only through specific legislation will a solution be found. The bill I am introducing is designed to accomplish this. It is my sincere hope that we act on this matter with all the haste and concern the situation demands.

Mr. President, I just want to say two things quickly.

I tried my living best to get General McKee to take some action on this matter. I do not know how long it was and how many letters I wrote and how many conversations I had with him, but I could not get anywhere.

I have been in the flying business since I got my license in 1935. I have flown all over the country. I had an airplane based at National Airport. I know what the congestion there is. I have been surrounded by three airplanes coming in at the same time at National Airport. The airport is not designed to take that kind of traffic. It is a hazard to health, life, and safety. If we do not do something about it, we are going to have a

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major crash that is going to cause a major catastrophe to the area, the people, and property. We are going to have to do something about it.

I have understood that this bill will probably be sent to committee and be buried. In my opinion, that is totally wrong. We should have hearings on it. We should understand what the problems are. We are not going to solve the pollution problem entirely by the suggestion I have made, but at least we will spread it over a wider area and let some of the atmosphere filters dissipate the pollution and not help create a fog of pollution over this city.

I feel very strongly about this, as the present Presiding Officer can see, and probably as other Members of the Senate can hear, but we have to do something about it before we have another tragic accident, before we create more problems than we already have in the way of pollution, and before we drive practically everybody out of his mind from the noise of so many large aircraft taking off and landing at National.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. DOMINICK. I am happy to yield.

Mr. BYRD of Virginia. Mr. President, I share the deep concern of the distinguished Senator from Colorado as to the great congestion which exists at National Airport. That airport was designed for 4 million passengers. It is now carrying 10 million passengers.

I concur in the statement made by the distinguished Senator from Colorado that, if the air traffic at National Airport continues to increase, the likelihood of a major accident there will increase accordingly.

I am grateful, too, to the Senator from Colorado for focusing attention on the great Dulles International Airport, situated 26½ miles from the city of Washington. Some years ago Congress appropriated $110 million so that Dulles might relieve the traffic congestion at National Airport and Dulles then would become the dominant jet airport in this area, which it was designed to do and which Congress had in mind to be done when the money was appropriated.

Mr. DOMINICK. Mr. President, the Senator is totally correct.

Mr. BYRD of Virginia. But although Dulles was opened in, I believe, 1962—I do not remember the exact date, but it was roughly 1962—only 2 million passengers are going through Dulles at the present time.

It is a great airport. We have facilities there to take care of the great jet aircraft.

It does not seem logical to keep concentrating more and more aircraft at Washington National Airport and leave Dulles underutilized.

Mr. DOMINICK. I thoroughly agree with the Senator.

Mr. BYRD of Virginia. I think the statements in the excellent and eloquent speech made on the floor today by the distinguished Senator from Colorado will tend to focus attention on this very serious problem.

With his permission, I should like to insert in the RECORD at this point a statement made at a hearing before the Subcommittee on Business and Commerce of the Senate District of Columbia Committee by the Honorable Clive L. DuVall II, of McLean, Va., a member of the Virginia House of Delegates and chairman of Virginians for Dulles. In his presentation he gave very interesting evidence in support of the needed development of Dulles International Airport.

I ask unanimous consent that the eloquent statement of Delegate DuVail before the subcommittee be included at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF VIRGINIANS FOR DULLES AT A HEARING BEFORE THE SUBCOMMITTEE ON BUSINESS AND COMMERCE OF THE SENATE DISTRICT OF COLUMBIA COMMITTEE AT DULLES INTERNATIONAL AIRPORT, MAY 27, 1969

Mr. Chairman, I am Clive L. DuVal, 2d, of McLean, a Virginia State Delegate. I speak today as Chairman of Virginians for Dulles.

Virginians for Dulles is an organization composed of hundreds of residents of Northern Virginia, living in an area which stretches from Mount Vernon to Great Falls. Our membership is mainly drawn from some 50 different neighborhoods—some of them with more than 100 families represented. We also have scattered members in many other neighborhoods.

Our members are concerned about the problem of airports and airline service in the Washington area: some of us as users of the airlines, some of us as objectors to the impact of air traffic upon living conditions, most of us in both categories.

We welcome and appreciate the opportunity to testify on methods of increasing the utilization of Dulles International Airport, as well as on alternatives to the Kling report proposal to expend $150 million or more for a massive expansion of National Airport.

In our view, the first and most obvious step to be taken to correct the under-utilization of Dulles is to make a 50% cut in the number of commercial flights presently using National Airport, and to assure that most of the eliminated flights are transferred to Dulles.

As all of us know, the present number of commercial flights using National will generate at least 10 million passengers in 1969, although that airport is designed to handle only 4 million passengers. Conversely, Dulles, which is equipped to handle 6 million passengers annually, will serve fewer than 2 million this year—and will operate at a deficit expected to be $7 million.

This, of course, is an Alice-in-Wonderland situation, where everything is so topsy-turvy that the inclination of the Federal Aviation Administration is apparently not to correct the existing traffic imbalance between National and Dulles but rather *to increase it* by expanding National.

With regard to the method of reducing commercial air traffic at National, we endorse the "sector-radius" proposal of Senator William B. Spong, Jr., which seeks to cut commercial flights back by 30%–50% in order to achieve permanently an annual volume of not more than 7 million passengers at National. The approach of achieving this ceiling by a proportionate reduction of air traffic between National and the four proposed sectors of the eastern United States seems to us simple and fair. We also approve as an interim step Senator Spong's proposal to limit most commercial traffic at National to short-haul trips—by requiring that 60% of all commercial traffic be destined to or originate from cities within 250–350 miles of National.

However, we would go further: we recommend that there be an immediate reduction in commercial flights using National of *not less than 50%*, and that eventually *all* flights to or from National be limited to short-haul trips by V/STOL (vertical short take-off and landing) aircraft.

Our principal reasons for supporting a drastic reduction in commercial traffic at National and a transfer of most of the eliminated flights to Dulles are as follows:

(1) *Safety*. The Airlines Pilots Association has warned emphatically that noise-abatement procedures, particularly for take-offs at National, "directly reduce the level of safety available." Pilots also believe that even the longest runway at National (6855′) lacks the necessary margin of safety. On a hot, windless day, jets such as the Boeing 727 labor off the ground at the extreme end of this runway. Traffic controllers at National have protested traffic congestion there as a threat to safety. FAA has itself in the past publicly stated that National is too crowded for safety, and concedes that the present limit of 60 take-offs and landings per hour at National (not including extra shuttle sections) *exceeds the capacity of National to handle traffic under IFR conditions*.

In contrast, Dulles was intended by Congress and designed to be the jet port for the National Capital area, and can safety accommodate all jet traffic diverted from National. We conclude that FAA by failing to substantially cut back commercial traffic at National in favor of Dulles is courting the increasing likelihood of a horrifying jet crash into one of the densely populated areas in or near Washington, which includes Northern Virginia.

(2) *Noise*. With the advent of jets to National several years ago, the center of the Washington metropolitan area, including portions of Virginia and Maryland, has become what can best be described as a noise slum. In this connection, recent studies disclose that aircraft noise generated by National traffic already exceeds Federal Housing Administration noise standards with respect to homes located within half a mile of the Potomac on both sides of the river between the Woodrow Wilson and Key Bridges. In other words, housing within this area is now being subjected to noise levels so high that the homes would ordinarily be considered almost uninhabitable and hence ineligible for Federal mortgage insurance.

In a far broader area of Northern Virginia outside this half mile strip along the river, many hundreds of complaints from our members and others make it clear that National jet traffic noise is not only a nuisance and a disturber of our peace but a real physical pollutant and hazard to health.

We note that the reduction of noise nuisance and hazard inflicted on residents near airports is part of the stated mission of the Department of Transportation. Former Secretary Boyd has said:

"One of the goals we must have is to maintain an environment in which noise levels do not impair or indeed destroy the normal process of life. For those who must live surrounded by the din of normal city life, the whine of an increasing number of jet aircraft can make life almost intolerable."

The FAA is undoubtedly concerned about noise abatement, but the development of quiet jet engines or of V/STOL aircraft capable of carrying out all commercial operations at National Airport is apparently many years away. We have the word of a former Administrator of the FAA that the only sure way to reduce noise is to reduce traffic.

We therefore ask your assistance and that of members of this Committee to compel the FAA to live up to its responsibilities to the

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citizens of Northern Virginia—and to do this, as we have said, through a 50% reduction of commercial traffic at National and the transfer of most of the eliminated flights to Dulles. The area comprising Dulles International Airport (10,000 acres) is, after all, many times larger than that of National (850 acres), and the extensive buffer zones of airport land on the approaches to Dulles' runways provide a protection for the public against aircraft noise and other hazards that is absent at National.

With reference to other means of improving utilization of Dulles, we are much impressed by proposals originally made by architect Arthur Cotton Moore to construct a second Dulles airport terminal somewhere in the Rosslyn area of Arlington. Eventually, the terminal at Dulles will have to be expanded anyway. Why not locate the additional ticket counters and other facilities in an area within a comfortable cab ride of both downtown Washington via the Theodore Roosevelt and Key Bridges and also the most populous areas of Northern Virginia?

Passengers flying out of Dulles could make their reservations, check in and get rid of their luggage at the new Rosslyn terminal, which would have connections to the various Potomac bridges, the George Washington Memorial Parkway, and Route 66. Passengers would then proceed by high-speed bus via the George Washington Parkway to Dulles Airport. The bus trip by this route would take about 25 minutes; when Route 66 is completed it could be made in 17 or 18 minutes.

Passengers who drove to the new terminal could leave their cars in 2000 parking spaces under the buildings; other parking spaces would, of course, be provided around the terminal.

In the future, this facility could be tied into the metropolitan subway system, since a subway station is proposed at Rosslyn.

We also believe that rapid rail transit connections between the new Rosslyn terminal and Dulles might be provided by utilizing the median of Route 66 within the Beltway and the abandoned right of way of the Washington and Old Dominion Railroad outside the Beltway. (We understand that Vepco now owns this portion of the W. & O. D. right of way, but is most cooperative with respect to its eventual use for rail rapid transit purposes.)

As to cost, we have rough estimates that the new Dulles terminal and roadway connections might cost up to $15 million; and, off the top of my head, the development of rail rapid transit connections between Dulles International and Rosslyn might run double the same figure.

Even so, the total estimated cost of $45 million is a small fraction of the $150 million which would be spent under the Kling report to expand National.

We appreciate this opportunity to express our views on methods of increasing utilization of Dulles; and in closing we urge you to vigorously oppose any implementation of that portion of the Kling report which calls for the expansion of National. This proposal to improve airline service in the metropolitan area by greatly increasing traffic at a small, dangerous, noisy airport, while the magnificent facility here at Dulles continues to be under-used is so illogical, so fantastic, that we can only murmur in awe, "It's wild, man!" We urge you to keep the proposal in the world of fantasy where it belongs.

—

Mr. BYRD of Virginia. Following that, Mr. President, I ask unanimous consent that an editorial from the July 8 edition of the Washington Evening Star concerning the increase in passenger traffic at Dulles International Airport, pointing out that there has also been an undesirable increase in the use of Washington National Airport, and endorsing the proposal of my distinguished colleague from Virginia (Mr. Spong) for a rail line spur to Dulles, be included at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Improvement at Dulles

It is good that passenger traffic at Dulles International Airport increased by some 30 percent in the first five months of this year as compared to the same period in 1968. But this isn't good enough.

The five-month passenger total at Dulles was 832,095. During the same time period at National Airport, however, the total passenger count was 4.1 million. This was a 5.2 percent increase at National, which was dangerously overcrowded a year ago.

Both the plane-riding public and the airlines prefer National, despite the risks, because it is close to downtown Washington. But this is no excuse for tolerating an increasingly hazardous condition when the splendid facilities at Dulles are under-used.

The gain at Dulles demonstrates that it can be attractive to an increasing number of people, and every effort should be made, by persuasion, compulsion, or both, to divert more traffic to its runways. The main hitch, of course, is distance. It now takes longer to get to Dulles and back than is the case with National. But this is not an insuperable problem.

There is no good reason why rapid transit cannot be made to serve Dulles, and Senator Spong of Virginia wants to include $100,000 in the pending Washington metropolitan rapid transit authorization bill for a planning and feasibility study to this end. Senator Spong's idea is to extend the rapid transit system from its currently planned terminus in Falls Church to the international airport, using the median strip of the Dulles access road. This is the least that should be done—and done before disaster strikes at National.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DOMINICK. Mr. President, I ask unanimous consent to proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMINICK. Mr. President, it is totally unbelievable to me that an FAA Administrator will take general aviation out of a general aviation airport—which is what National is—and shift it over to Dulles—which is a jet airport—and take jet aircraft out of Dulles and shift it to National. That is exactly what General McKee did. Over and over and over again I tried to get it through his head that he was going in the wrong direction. It was like trying to carve with a pencil on a block of concrete. You could not get anywhere with him. It was hopeless. And here he was, the second highest paid man in the entire federal system, because he received his military retirement pay as well as his salary as Director of the FAA. It made no sense to me at all.

One more point. My bill—and this I think will be of interest to the distinguished Senator from Virginia—also calls, not only for a phasing out, within 18 months, of jet aircraft from National to Dulles, but as promptly as possible, for the FAA Administrator to submit to Congress a plan for high-speed ground transportation between the two airports, so it will solve that problem and help us get somebody moving, and not locked into a bog.

Mr. BYRD of Virginia. I agree with that.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. GOLDWATER. I was not going to address myself to this point, but since the Senator brought up the matter of mass transportation, I might suggest looking at what the city of Las Vegas and Lockheed Corp. have done jointly in that respect to do away with the need for taxicabs and cars, using a monorail to get passengers from the airport to any hotel at any location in the city of Las Vegas.

I want to compliment the Senator from Colorado for bringing this matter to the Senate's attention. I agree with him. I do not think much will be done about it, unfortunately. There is a question in my mind that goes to the future effect of pollution of the air by jet or turbo engines, which is perhaps an unknown factor at this time. A number of meteorologists can make a pretty good case that it changes the weather pattern in some areas of our country. I do not subscribe to that view yet, but they make a logical argument.

Has the Senator considered the fact that the turbo engine, within 5 years, or perhaps 10 years, will probably replace the reciprocating engine, and that that fact will add to the pollution problem? That brings up a nice problem. Ought we not to be considering the eventual phasing out of National, to be developed for other uses? I personally think Dulles Airport is the only modern airport in the whole United States.

Mr. DOMINICK. I agree with the Senator.

Mr. GOLDWATER. My first impression was that we should bulldoze every airport in the United States and rebuild all of them on the pattern of Dulles. It might cost a lot of money, but as I fly into different airfields, Los Angeles International, for example, I see them wasting money—this is true of my own city of Phoenix—continuing to build old-fashioned runway systems and old-fashioned buildings. I think this would be a topic of interesting debate on the floor and before a committee, if we could ever get something like this before a committee.

I compliment the Senator for bringing this matter to the attention of the Senate. I wish him well on it, although I have my doubts.

Mr. DOMINICK. I thank the Senator.

I may say that I went to Los Angeles and made a speech on that very subject, airport modernization, before the vice president of engineering for all the airlines. I pointed out to him, as the Senator from Arizona has pointed out, that O'Hare Airport is an anachronism. So is Los Angeles. My own field at Denver is likewise. The only modern one we have is Dulles, and we might as well use it while we can.

I do not know that I would want to go

along with the Senator's suggestion that we get rid of Washington National Airport entirely, because I suspect there will be much general aviation, at least, that will want to use that airport and will still be using reciprocal engines for quite a while.

But there may eventually be a shift over, and we may have to get rid of it as an airport and use it for other purposes.

Mr. President, I yield the floor.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

OVERLAPPING OF FUNCTIONS BETWEEN THE COMMITTEE ON ARMED SERVICES AND THE COMMITTEE ON FOREIGN RELATIONS

Mr. MURPHY. Mr. President, I should like at this point to remark on the colloquy that took place earlier in the day with respect to the hearing in the Committee on Armed Services, in which it was suggested that there might be an overlap between the function of the Committee on Armed Services and that of the Committee on Foreign Relations.

I should like to state that as far as I am concerned, it is my understanding and belief that the two committees have completely distinct and different functions, and I see no reason why there should be an overlap in the hearings on the subject matter that is presently before the Senate.

I read from the first page of the report of the Committeee on Armed Services on the pending measure:

> This bill would (1) authorize appropriations during fiscal year 1970 for (*a*) major procurement, (*b*) research, development, test, and evaluation by the Department of Defense, and (*c*) for the construction of certain missile test facilities at Kwajalein; (2) continue the authority for merging military assistance financing for South Vietnam, other free world forces there, Laos, and Thailand, with the funding of the Department of Defense; and (3) authorize the personnel strengths for fiscal year 1970 for the Selected Reserve of each of the Reserve components of the Armed Forces.

It is stated very clearly, it seems to me, that this bill is for procurement, for the purpose of supplying funds necessary, as requested by the Department of Defense and the Secretary of Defense, and as recommended to this body by the Committee on Armed Services after very long and careful hearings, excellently conducted, may I say, by our distinguished chairman.

I think that there are entirely different responsibilities, entirely different purposes, and entirely different areas of interest between the two committees, and I respectfully submit that it is my great hope and desire that my fellow Senators, in their enthusiasm, will not permit a confusion of purposes to occur in the present debate.

The Committee on Armed Services has a very definite purpose. We have considered the request, and we have come before the Senate with recommendations for procurement, and procurement only. The bill has nothing to do with policy; it has nothing to do with Executive orders for distribution, effective deployment, or the rest. Those are matters for another committee.

I sincerely hope that, in pursuing the present order of business, my fellow Senators will bear this distinction carefully in mind.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I am sorry that I was not present in the Chamber when the distinguished Senator from California made some remarks about the colloquy which I had earlier with the distinguished Senator from Arizona. It is my understanding that the Senator's remarks had to do with the authority, the responsibility, and the areas of concern of the particular committees, and it is my further understanding that the Senator from California stated that the lines are pretty clear and distinct.

It is my belief, Mr. President, that in the period since the end of the Second World War, and most especially since the Korean conflict, there has been a very close relationship in the administrations, both Democratic and Republican, between the Defense and State Departments. I personally am unhappy at the amount of authority which the Defense Department has had, by and large, in the foreign policy affairs of this Nation. When I think of the fact that now there are almost 2,700 American bases throughout the world; when I think of the fact that we have something on the order of a million and three-quarters military personnel, dependents, and indigenous workers located on those bases; when I think of the fact that they occupy 4,000 square miles of land, that they are located in 30 countries, and that they cost this Government at least $4.8 billion a year to maintain, then I do think that there is a question about infringement by the Defense Department, or the military, if you will, in the foreign policy of the United States.

I was brought up to believe that the foreign policy of this country was conducted by the Department of State, acting under the direction of the President. Conditions have changed; I realize that. But I think that the military has had too much to say in the promulgation of foreign policy, and I blame that state of affairs on the State Department under previous administrations, and on the Senate for allowing it to happen. The illustration which was brought out during the debate on the national commitments resolution, covering the situation in Spain, is a prime example. There the Secretary of State, under a previous Democratic administration, delegated to the Chairman of the Joint Chiefs of Staff the responsibility for carrying on negotiations seeking to bring about an extension of leases on the bases which we occupy, by grace of the Spanish Government, and at a good price to Spain itself.

The Chairman of the Joint Chiefs, as I recall, delegated that authority to an Air Force general, General Burchinal, who was then stationed, I believe, at Wiesbaden, in West Germany; and he, carrying out his orders—and I find no fault with either General Wheeler or General Burchinal—entered into negotiations with Spanish authorities.

As a result of those negotiations, and only because an article appeared in the U.S. press under the byline of a Flora Lewis, did we know that certain commitments were almost on the point of being made, which would have involved this country in the affairs of Spain vis-a-vis its present or possible future relations with certain African countries.

I would hope that this trend of a dual military-State Department supervision and control of our foreign affairs would be mitigated, at least, and done away with if possible.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MANSFIELD. I ask unanimous consent to proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I think that there is in process under this administration such a move, and if I am correct in my assumption, I assure the President of the United States that the Senator from Montana will give him his full support.

I had thought that the colloquy which I had with the distinguished Senator from Arizona was a frank and candid exposition on an important question which he raised, a question which does confront the distinguished minority leader and the majority leader from time to time, when committee chairmen come to us and tell us that another committee has undertaken to hold hearings in an area where the original committee feels it has full responsibility.

Let me point out to the distinguished Senator from California that there was nothing personal in my remarks in answer to the questions—and good questions they were—raised by the distinguished Senator from Arizona (Mr. GOLDWATER). I thought we understood the bounds within which we could converse and the bounds of the question involved.

I was therefore surprised to note that what I had said may have been taken amiss. I am prepared to debate the subject now, or at any later time.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. MURPHY. Mr. President, I point out that there was no intent or thought

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to criticize in any way the distinguished majority leader, for whom I have the greatest regard and affection. I had listened to the remarks, and I merely felt that as a Senator and as a member of the Armed Services Committee I had a right to express my feelings on what I thought were the functions and the duties and the purposes of this particular committee in this particular fashion.

I could join most heartily in criticizing some of the past policies and activities of both the military and Department of State over the years. I am completely in accord with the distinguished majority leader that a great deal has been left to be desired.

I think that, possibly, had their functions been better carried out, we would have far fewer problems to face today.

I am afraid that maybe my remarks have been misrepresented to the majority leader. I did not rise in contention. I did not rise in criticism. I rose only to say that in my understanding the purpose and function of this particular committee was expressed very well on page 1 of the report and that as far as I was concerned I thought maybe the matters of policy and use and deployment and what happens between the Department of Defense, the executive, and the Department of State might well be kept for another time or another place.

I merely said that it seemed that our function had to do with the procurement of military equipment as set up by request by the Department of Defense and as carefully gone over by the committee under the leadership of the distinguished Senator from Mississippi (Mr. STENNIS).

I hope the Senator will understand my remarks and the fact that they were not in any way meant to be argumentative. I would not presume to do so under any circumstances.

I merely said it was my hope that the limitations we want to be implied were not only applied, but were also carefully spelled out and that the Senate might very well carefully carry on in the particularly difficult job we have before us.

Mr. MANSFIELD. Mr. President, I appreciate what the distinguished Senator from California had to say. I do not at all find his remarks amiss, but I do wish to point out that there is great difficulty in defining the lines where the authority and the responsibility of one committee ends, and where that of another begins. There is overlap.

It is almost impossible in this day and age, for example, to differentiate in some instances the line of demarcation between foreign policy and defense. The example I used of the Spanish bases is one illustration, and the example of the troops stationed abroad is another.

When we station so many troops and maintain so many bases abroad for so long, we invariably create problems that impinge on the field of foreign policy.

I hope, as does the Senator from California, that it would be possible to bring about a delineation between the two, because the military has persisted in its desire to compete with the State Department in many places where it has no primary responsibility.

Let me make it clear that I am not one of those who feel that it is good politics or good sense to denigrate the "brass." I have great respect and admiration for the military, and the fact that a man happens to wear an eagle or a few stars on his shoulders does not dilute that respect one bit.

I am appalled at the intensity of the attack on the military at times. I would hope we would understand, above all others, that those men who wear the uniform are carrying out their duties and their obligations as they are ordered to do and that they are doing the best they can in the light of the ability they possess.

I thank the Senator for clearing up the subject.

Mr. MURPHY. Mr. President, I thank the distinguished majority leader. I am pleased that I find my feelings are so closely in accord with his.

One of the things that bothers me from time to time is that confusion sets in and we lose a direct objective in some of our thoughts and discussions and debates.

As I have said, I heartily agree with the distinguished majority leader and hope for the day when all of these troops deployed around the world can be brought home.

I would hope for the day that all of the bases we have to maintain could be finally closed.

I join with the Senator in deploring some of the policies and mistakes of the past that have made this situation necessary.

One of the reasons I became interested in running for office was the fact that I disagreed with so many of the policies pursued over the last 40 years.

I am pleased to join with the distinguished majority leader in his hope. But I also make the point that, so far as I am concerned, the particular discussion—the matter of the business before the Senate—is the procurement, the testing, and the development of military hardware, not the policy, not the deployment, not the use, not the matters that in my opinion are rightfully in the field of discussion of foreign policy, for the executive, and for the Department of State.

I thank the distinguished Senator.

Mr. MANSFIELD. I thank the Senator. But the Senator knows as well as I that this bill contains the proposal to deploy the Safeguard anti-ballistic-missile system. I am sure that is what the distinguished Senator has in mind basically, as well as the remainder of the bill which will be the pending business shortly. And there are many questions that will be raised about this or, for that matter, any measure that authorizes the expenditure of such a vast sum of money.

With respect to the ABM proposal alone, there is the question of the costs which have already skyrocketed from an initial $6.4 billion to approximately $10.3 or $10.4 billion. There is the question of the reliability of the radar system contemplated, and not only its reliability, but also its vulnerability.

There is a question relative to the reliability of the computer system; a system as complex and complicated as any ever devised according to the experts. And there is the question also that if and when an ABM system is needed, why are there not deployed enough Spartans and Sprints instead of the relatively scarce number contemplated today?

A third factor does bring the question squarely into the field of foreign policy. That is the question of possible negotiations between the Soviet Union and our country seeking to bring about an arms limitation or an arms agreement and the effect of the deployment contemplated in this bill on those negotiations.

If such an agreement can be achieved, it is thought by some of us at least, that not only will a good deal of money be saved and used in facing up to our domestic difficulties—and they are many—but perhaps an era of stability and peace will begin to envelop the people of the world at the same time.

When we get to the subject of negotiations, I think it should be made clear that the President already has announced the appointment of six members to represent this country; and he has indicated that they will start negotiations either the latter part of this month or the first part of August. It would be my hope that these negotiations would get underway. They would be carried on, I believe, under the aegis of the Disarmament Agency, which I believe is an arm of the State Department. In my opinion, it would be proper for that effort to be undertaken; and because of that possibility and that hope, there is a definite relationship, I think, between the ABM and the field of foreign policy.

Mr. MURPHY. I agree with my distinguished colleague that there is a very definite relationship.

First, may I say that I had not intended nor had I thought of the particular discussion of the ABM or any other of the particular matters of procurement individually. I was merely thinking in terms of the functioning of this committee. It seems to me that there is a proper place for the policy discussions, and I would hope that they would take place.

But it also seems to me that the matter of this particular committee has to do with the assessment of the requests for procurement sent by the Department of Defense, to go over them carefully, in an attempt to protect, in every way we can, the rights of the taxpayers, to make certain that there are not unnecessary purchases and unnecessary research and development, and that the matters of policy be left to another time.

I still have the hope that we might resolve some of this without too much direction toward the policy, the use, the deployment, and stay within the responsibility of the committee. I grant that I am a new member of the Committee on Armed Services, and perhaps as time goes on I will be inclined to get into other fields. However, at the moment, as I have said, it would seem that the purpose of the committee, as stated so clearly, is as I understood it; and I would hope that the discussion of policy could and would take place, in which I would be more than happy to join with my distinguished

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colleague, because there are many areas in which I have had differences of opinion over the years.

Mr. MANSFIELD. I appreciate the distinguished Senator's remarks.

CANADA'S NATIONAL DAY

Mr. MANSFIELD. Mr. President, on July 1, our neighbor to the north, Canada, observed its National Day.

There is a very close relationship between the State of Montana and the Province of Alberta especially, but also with the Provinces of British Columbia on the west and Saskatchewan on the east.

It has been my privilege, together with the distinguished senior Senator from Vermont (Mr. AIKEN), the ranking Republican in this body, to represent the Senate in 11 interparliamentary meetings conducted in both the United States and Canada.

We feel that we have an unusually close relationship with Canada, and we are delighted that this nation of 21 million persons, with a gross national product of $67 billion, is progressing as well as it is, and that its future is so bright.

Canada is now a country of 10 Provinces and two territories, stretching from the Atlantic to the Pacific and northward to the Arctic.

I should like to read to the Senate a statement made by the Honorable Campbell Moodie, Consul General of Canada, who is stationed at Seattle, in whose area of responsibility Montana is incorporated—at least, in that general consular area—in which he recently wrote to the Great Falls, Mont., Tribune that in addition to being the United States closest neighbors and allies, Canadians are the people—

> Who occupy a good portion of your environment on this continent.
>
> Who are hosts to about a third of your direct foreign investment in the whole world.
>
> Who account for better than a quarter of your total international trade (far more than any other country and much more than most of the usual groups of countries; in fact, your trade with us is as great as the combined total of your trade with Japan, Britain, Germany and France together).
>
> Who share similar ways of living and common ideals.

Then the Consul General, quoting one of the outstanding "new generation" statesmen, I believe, in the field of world diplomacy, the distinguished Prime Minister of Canada, Pierre Elliot Trudeau, who recently pointed out that as much as the two nations are alike, as much as they have in common both with one another and toward other nations, Canada and the United States are different. The Prime Minister said:

> And each of us is healthier as a result of that difference.

In the words of the Great Falls Tribune:

> The United States is really fortunate to have such a good neighbor and ally as Canada has been.
>
> U.S. friendship with Canada must be cemented in every possible way—by mutual respect, understanding and cooperation.
>
> Canada, a great nation already although in its early development stages, has a tremendous future.

I look forward to continued cooperation between this country and Canada, under the leadership of President Richard Nixon and Prime Minister Pierre Elliot Trudeau. They both have difficult jobs. I wish them both success, because, if they both succeed, it will be all to the best for both our countries.

Mr. President, I ask unanimous consent that the editorial to which I have referred, entitled "Our Neighbor's Holiday—Canada's National Day," published in the Great Falls Tribune, Great Falls, Mont., on July 5, 1969, be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Our Neighbor's Holiday: Canada's National Day

> While celebrating our national holiday, the Fourth of July observance of Independence Day, not many citizens of the United States acknowledge the national holiday of Canada, our closest neighbor and best friend.
>
> Canada observed its National Day on July 1, 102 years after it was born by the unification of four provinces and the attainment of independence.
>
> Canada now is a country of 10 provinces and two territories stretching from the Atlantic to the Pacific and northward into the Arctic.
>
> From its earliest settlement in 1605, Canada has developed into a nation of more than 21 million persons with a gross national product of more than $67 billion.
>
> Campbell Moodie, Consul General of Canada who is stationed at Seattle, recently wrote to The Tribune that in addition to being the United States' closest neighbors and allies, Canadians are the people:
>
> "Who occupy a good portion of your environment on this continent.
>
> "Who are hosts to about a third of your direct foreign investment in the whole world.
>
> "Who account for better than a quarter of your total international trade (far more than any other country and much more than most of the usual groups of countries; in fact, your trade with us is as great as the combined total of your trade with Japan, Britain, Germany and France together).
>
> "Who share similar ways of living and common ideals."
>
> Consul General Moodie quoted Canadian Prime Minister Trudeau who recently pointed out that as much as the two nations are alike, as much as they have in common—both with one another and towards other nations—we are different.
>
> "And each of us is healthier as a result of that difference," Prime Minister Trudeau said.
>
> The United States is really fortunate to have such a good neighbor and ally as Canada has been.
>
> U.S. friendship with Canada must be cemented in every possible way—by mutual respect, understanding and cooperation.
>
> Canada, a great nation already although in its early development stages, has a tremendous future.

NEW APPROACH TO SCHOOL DESEGREGATION GUIDELINES

Mr. HARRIS. Mr. President, the kindest critique of the Nixon administration's wobbly new approach to school desegregation guidelines would be to call it "indecisive."

United Press International, after having a day to mull over the administration's stand, stated:

> The Nixon Administration has scrapped the September desegregation deadline from some Southern schools in a policy statement that seemed deliberately calculated to confuse liberals and Southerners alike into believing each had won:

The announcement of the administration's position was apparently timed for a hoped-for burial on the July 4 holiday weekend, but nevertheless drew the sharp reactions it deserved.

What, exactly, is the administration's position on the guidelines? As defined by the Baltimore Sun, it is abandonment of "full across-the-board school desegregation this fall" while "declaring full commitment to the principle of school integration in the North as well as the South." "As could be expected," the New York Times said, "it had something for everybody."

The National Education Association, composed of a million teachers and school administrators, voted at its Philadelphia convention to "insist" that the Nixon administration restore the September 1969, deadline for desegregation by all southern school districts. I applaud them for this firm and forthright action.

The Department of Health, Education, and Welfare, meantime, issued a policy statement maintaining that the guidelines adopted in March 1968 "are still in effect." The HEW statement—issued 4 hours after the basic policy statement which had been put out jointly by HEW Secretary Robert Finch and Attorney General John Mitchell—was described by the Baltimore Sun as "a bizarre footnote to the day's events."

The New York Times commented:

> When Robert H. Finch . . . failed in the matter of the Knowles appointment, he took comfort in the thought that "Sometimes when you lose one battle you are strengthened for another."
>
> From the administration's long-awaited policy statement on school desegregation it appears that the Secretary has strengthened himself further by losing again, a process that may do him good but is rough on the causes he favors.

Once more, the administration seesawed back the other way and seemingly tried to patch things up with the other side by issuing some orders and filing some court actions. But the basic questions still remain.

Mr. President, when the people elect a President of the United States, they have a right to expect him to lead. At the very least they are entitled to know where he stands on such a fundamental moral issue as desegregation of schools.

The PRESIDING OFFICER. Is there further morning business?

Mr. HARRIS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 11249) to amend the John F. Kennedy Center Act to authorize additional funds for such Center, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 11249) to amend the John F. Kennedy Center Act to authorize additional funds for such Center, was read twice by its title and referred to the Committee on Public Works.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Export Control

A letter from the Secretary of Commerce, transmitting, pursuant to law, the Eighty-Seventh Quarterly Report on Export Control for the first quarter of 1969 (with an accompanying report); to the Committee on Banking and Currency.

Proposed Amendment of Social Security Act With Respect to Individuals in Mental Institutions

A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Social Security Act to limit Federal financial participation under the public assistance and medicaid laws with respect to individuals in mental institutions (with an accompanying paper); to the Committee on Finance.

Report of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on selected aspects of payments and charges to Job Corps members, Department of Defense, Office of Economic Opportunity, dated June 30, 1969 (with an accompanying report); to the Committee on Government Operations.

Transportation and Travel Expenses for Teachers of Bureau of Indian Affairs Schools

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to amend Section 5723(b) of Title 5, United States Code, relating to length of service required by teachers in Bureau of Indian Affairs schools when travel and transportation expenses are paid to the first post of duty (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Proposed Improvement in Judicial Machinery in Customs Courts

A letter from the Attorney General, transmitting a draft of proposed legislation to improve the judicial machinery in customs courts by amending the statutory provisions relating to judicial actions and administrative proceedings in customs matters, and for other purposes (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A petition of the Rochester Police Locust Club, Inc., of Rochester, N.Y., praying for a redress of grievances; to the Committee on the Judiciary.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, with an amendment:

S. 1686. A bill relating to age limits in connection with appointments to the United States Park Police (Rept. No. 91–295).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 1075. A bill to authorize the Secretary of the Interior to conduct investigations, studies, surveys, and research relating to the Nation's ecological systems, natural resources, and environmental quality, and to establish a Council on Environmental Quality (Rept. No. 91–296).

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. DOMINICK:

S. 2570. A bill to provide for the termination within eighteen months of the use of Washington National Airport by jet aircraft, and to develop a plan for high speed surface transportation connecting the city of Washington with Dulles International Airport and Friendship International Airport; to the Committee on Commerce.

(The remarks of Mr. Dominick when he introduced the bill appear earlier in the Record under the appropriate heading.)

By Mr. FANNIN:

S. 2571. A bill to provide for national cemeteries in the State of Arizona; to the Committee on Interior and Insular Affairs.

(The remarks of Mr. Fannin when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. CANNON (for himself and Mr. Bible):

S. 2572. A bill to authorize the Secretary of the Interior to engage in a feasibility study of the Amargosa Project, Nevada and California; to the Committee on Interior and Insular Affairs.

(The remarks of Mr. Cannon when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. BIBLE:

S. 2573. A bill to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments; to the Committee on Interior and Insular Affairs.

(The remarks of Mr. Bible when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. STEVENS:

S. 2574. A bill to amend section 2634 of title 10, United States Code, relating to the shipment at Government expense of motor vehicles owned by members of the Armed Forces; to the Committee on Armed Services.

S. 2575. A bill for the relief of Apolino Taganna Delovino; and

S. 2576. A bill for the relief of Flora Landicho; to the Committee on the Judiciary.

(The remarks of Mr. Stevens when he introduced the first above bill appear later in the Record under the appropriate heading.)

By Mr. PROXMIRE:

S. 2577. A bill to provide additional mortgage credit and for other purposes; to the Committee on Banking and Currency.

(The remarks of Mr. Proxmire when he introduced the bill appear later in the Record under the appropriate heading.)

S. 2571—INTRODUCTION OF A BILL PROVIDING FOR NATIONAL CEMETERIES IN THE STATE OF ARIZONA

Mr. FANNIN. Mr. President, I introduce, for appropriate reference, a bill to provide for national cemeteries in the State of Arizona. It is my understanding that 38 States in the United States now have national cemeteries. Arizona today has a higher percentage of its total population who are veterans of various declared wars and conflicts than any other State in the Union. No doubt this ratio will continue through the years ahead due to the fact that many disabled veterans do migrate to Arizona for health reasons. Since Arizona is now the second most rapidly growing State in the Union and since the population of the State is estimated to double by 1985, it would be most appropriate to have a national cemetery in the State of Arizona.

Mr. President, I ask unanimous consent that Arizona Senate Memorial No. 3, urging the establishment of a national cemetery in Arizona, be printed in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the memorial will be printed in the Record.

The bill (S. 2571) to provide for national cemeteries in the State of Arizona, introduced by Mr. Fannin, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The memorial presented by Mr. Fannin is as follows:

Senate Memorial 3

A memorial urging the establishment of a national cemetery in Arizona

To the Congress of the United States:

Your memorialist respectfully represents:

The State of Arizona does not have a National Cemtery within its boundaries. The influx of veterans into the State of Arizona is due to the fact that for many years there have been many military installations located in the State. Moreover, thousands of veterans have moved to Arizona to take advantage of the dry, healthful climate.

A deceased veteran, who has expressed a desire to be buried in a National Cemtery, has to be transported to a distant point in another State for burial.

Wherefore your memorialist, the Senate of the State of Arizona prays:

1. That the Congress provide for the establishment of a National Cemetery in the State of Arizona.
2. That the Secretary of State of the State of Arizona transmit a copy of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives, and to each member of the Arizona Congressional delegation.

S. 2572—INTRODUCTION OF A BILL TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO ENGAGE IN A FEASIBILITY STUDY OF THE AMARGOSA PROJECT, NEVADA AND CALIFORNIA

Mr. CANNON. Mr. President, I am introducing, on behalf of Senator Bible, of Nevada, and myself, a bill authorizing the Secretary of the Interior to engage in a feasibility study to determine the economic practicability of taking water from the underground Amargosa River, near Beatty, Nev., for irrigation, municipal and industrial uses.

A recent study by the Interior Department indicates there are approximately 93,000 acres of arable land in the Amargosa Valley which would be receptive to widespread irrigation if it were feasible. Valley residents are keenly interested in developing their resources as a contribution toward the growth and development potential of the region.

Limited irrigation has been developed in the area by privately owned wells but private development is beyond the financial resources of most potential irrigators.

The project would be undertaken by the Bureau of Reclamation. The proposed plan provides for drilling additional wells, and constructing the necessary distribution and drainage facilities to provide a water supply for 21,000 acres of irrigable lands.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2572) to authorize the Secretary of the Interior to engage in a feasibility study of the Amargosa project, Nevada and California, introduced by Mr. Cannon (for himself and Mr. Bible), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 2573—INTRODUCTION OF A BILL RELATING TO FEASIBILITY INVESTIGATIONS OF CERTAIN WATER RESOURCE DEVELOPMENTS

Mr. BIBLE. Mr. President, I introduce, for appropriate reference, a bill to authorize the Secretary of the Interior to engage in a feasibility investigation of the Brunswick Canyon damsite on the Carson River, Brunswick Division, Washoe project, ultimate phase in Ormsby, Douglas, and Lyon Counties, Nev.

The heavy storms and extensive stream runoff of the past season have pointed up the need of additional facilities on western Nevada streams to not only conserve surplus waters but to provide for flood control in this water deficient area. A further study of the Carson River at this locality could furnish information on which a solution of our problems could be based.

I trust the committee will add this proposal to those now under consideration.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2573) to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments, introduced by Mr. Bible, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 2574—INTRODUCTION OF A BILL DECREASING THE COST OF SHIPPING MILITARY MOTOR VEHICLES

Mr. STEVENS. Mr. President, I introduce, for appropriate reference, a bill to amend section 2634 of title 10, United States Code, to authorize the military departments, in certain cases, to ship automobiles to and from the State of Alaska by commercial motor carrier via the Alaska Ferry System, and by means of other surface transportation.

Mr. President, this bill would give the military departments more flexibility in moving privately owned automobiles of military personnel stationed in Alaska to and from Alaska in that it would allow shipment by water transportation, railroad transportation, or a combination thereof.

At the present time there is only one carrier serving Anchorage directly by water. The language of the existing law prohibits use of any mode of transportation except a water carrier. This means that under existing law the carriers serving Anchorage by water have all the military privately owned vehicle business. There are other land carriers interested in the business, who would be able to compete.

In addition, the military departments have indicated in the past, and I am certain that feeling has not changed now, that they would like to have several modes to choose from. As a rule, competition for Government business keeps Government costs down. Therefore, Mr. President, if my bill is enacted benefits will be threefold:

First, it will allow several carriers to bid on the military business to and from Alaska.

Second, it will give the military departments greater flexibility in their contracting authority.

Third, it will assure the taxpayers that transportation of the vehicles is being provided the Government at the lowest possible cost.

Mr. President, I ask unanimous consent that the text of my bill be printed at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2574) to amend section 2634 of title 10, United States Code, relating to the shipment at Government expense of motor vehicles owned by members of the Armed Forces; introduced by Mr. Stevens, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the Record, as follows:

S. 2574

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

(1) striking out the word "or" at the end of clause (1);

(2) striking out the period at the end of clause (2) and inserting in lieu thereof a semicolon and the word "or"; and

(3) adding at the end thereof a new clause as follows:

"(3) in the case of movements to and from Alaska, by commercial motor carrier via highways and the Alaska ferry system or other surface transportation between customary ports of embarkation and debarkation, if such means of transport does not exceed the cost to the United States of other authorized means.

S. 2577—INTRODUCTION OF A BILL PROVIDING ADDITIONAL MORTGAGE CREDIT

Mr. PROXMIRE. Mr. President, I introduce a bill to extend for another year the authority of the Federal banking agencies to regulate the maximum rate of interest which financial institutions can pay on time and savings deposits. In addition, the bill contains a number of amendments designed to increase the effectiveness of monetary policy and to avoid another crippling blow to the housing industry.

I am sure many Members of the Senate remember the disastrous credit crunch of 1966 which severely clobbered the homebuilding industry. Housing starts dropped from a seasonally adjusted annual rate of 1.6 million in January of 1966 to 850,000 by October, a drop of nearly 50 percent.

In real terms, residential construction expenditures declined by $5 billion over 1966 and 1967 whereas all other investment expenditures rose by $20 billion. Sherman Maisel, a Federal Reserve Board Governor has estimated that the housing industry accounted for 70 percent of the reduction due to the Fed's 1966 tight money policy whereas it only comprises 3 percent of gross national product. These figures should make it abundantly clear that tight money has a disproportionate impact on the housing industry.

Not only does tight money discriminate against housing; but within the housing industry tight money discriminates against the poor. During the 1966 credit crunch, the sale of homes priced under $12,000 dropped 51 percent; those priced between $12,500 and $15,000 dropped 42 percent; while those priced over $30,000 actually increased by 10 percent.

Just as minority groups are the first fired during a recession, so low- and moderate-income housing is the first to be cut in a credit crunch.

Today we are faced with a potential repetition of the 1966 credit crunch. The increase in the bank prime rate to 8½ percent is an ominous indicator of an impending crunch. Escalating interest rates have not been successful in curtailing business borrowing which contributes heavily to inflation; but high rates will exact an onerous burden on millions of home buyers, farmers, and small businessmen, and State and local governments.

In criticizing the increase in the prime rate, I want to make it clear that I am not opposed to the fight against inflation. But sky-high interest rates are not the answer. To the extent large corporations pass along the cost of higher interest rates to the consumer, the increase in the prime rate will actually add to inflation.

Simply put, the problem of inflation is that the total demands upon our economy exceed our ability to produce. Some kinds of spending must either be canceled or postponed if we are to stop inflation. The critical question is "Whose demands are to be cut back?"

In an overheated economy, a responsible policy should restrict those projects

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which are of low priority and those which can be safely deferred. Applying this criteria to our present situation, it is my contention that there are two areas where sizable reductions are both possible and desirable—Government spending on military, space, and public works; and private corporate spending on plant and equipment.

Even though Congress and the administration must do more to cut Federal spending, I cannot agree that the entire burden of fighting inflation rests with the Federal Government. Business could do more to cut back on capital spending. And the banking community could do much more to cut back on business loans which help to feed the inflationary business investment boom.

Corporate planned expenditures on plant and equipment have skyrocketed. Last February, surveys revealed corporations planned to increase plant and equipment spending in 1969 by 13.9 percent over 1968. The most recent surveys show capital outlays still increasing by 12.5 percent despite the continuation of the Fed's tight money policy and astronomically high interest rates. Almost all economists agree that this rate of business investment is unsustainable, particularly since manufacturers are operating at only 84 percent of capacity.

Nonetheless, the business investment boom continues virtually unchecked by escalating interest rates. What has been the role of commercial banks in this process? How helpful have commercial banks been in restraining business spending?

The answer is not very much. Bankers have talked a good game about fighting inflation, but they have turned cartwheels to continue supplying funds to their corporate customers. Because of weak supervision by the Federal Reserve, our larger banks have become virtually immune to monetary policy.

When a bank is faced with excess business loan demand, it has two options. It can refuse loans and ration its available funds; or it can get more funds to meet its borrowers' demands. Unfortunately, our larger banks have elected the second option. In so doing, they have had to pay higher and higher rates to obtain the funds needed to continue their business loans. The high cost of obtaining money has in turn been used as a reason for an increase in the prime rate.

Despite the arguments of banking spokesmen, the increase in the prime rate was not inevitable. The banks brought it on themselves. Business loans at the 350 largest banks increased at an annual rate of 18 percent over the last 7 months, even though excessive business investment is adding to inflation.

Instead of turning down loans and rationing credit, large banks have scrambled across two continents searching for funds to feed the inflationary corporate investment boom. This excessive competition for funds has sent interest rates sky high, thus burdening millions of home buyers, small businessmen, and farmers while failing to curb corporate investment.

However, the real blame lies with the Federal Reserve Board for permitting the large banks to undermine the Fed's tight money policy. For example, during the period from December 4 to June 25, the tight monetary policy of the Fed caused demand deposits to fall by $400 million at large commercial banks. And because the Fed refused to increase the maximum rate which can be paid on time deposits, large banks lost $8 billion in time deposits, mostly in negotiable CD's. Total deposits, both demand and time, thus fell by $8.4 billion.

During the same period, business loans grew by $7.1 billion or at an annual rate of 18 percent. How was it possible that large banks could be increasing their business loans by a whopping 18 percent a year when they lost $8.4 billion in deposits? Where did they get the money?

First they got $7.1 billion by dumping Treasury securities. This naturally increased their rate, thus adding to the general escalation of rates as well as the interest burden on the national debt. The capital losses on these security sales exerted downward pressure on bank earnings, and upward pressure on the prime rate.

Second, banks obtained $6.6 billion by borrowing Eurodollars from their foreign branches. Through a loophole in regulation Q, Eurodollar liabilities are not covered, hence the larger banks are free to bid excessively for additional Eurodollars. The current Eurodollar rate is 10.4 percent and is one of the reasons cited by banks for the prime rate increase.

Third, the larger banks borrowed $5 billion from other sources by issuing capital debentures, by borrowing in the Federal funds market, and by other means. Some banks have also been able to exploit an apparent loophole in the Holding Company Act, which permits a holding company to issue commercial paper while channeling the proceeds to its subsidiary bank. As in the case of Eurodollars, this form of borrowing is thus far exempt from the regulation Q ceiling.

These three devices alone netted large banks an additional $18.7 billion—more than enough to offset the entire deposit loss of $8.4 billion and to pump an additional $7.1 billion into business loans.

If these loopholes had been closed and if the Federal Reserve had exerted stronger pressure on commercial banks to cut business lending, we would not have had the deplorably high interest rates we have today. The 8½-percent prime rate is not an inevitable result of past Federal spending. It is due to the inflationary actions of banks themselves and the failure of the Federal Reserve Board to restrain those actions.

In saying this I am not pointing the finger of moral blame at the banks. Banks are private institutions and have an obligation to their stockholders. Moreover, most bankers hate to say no to longtime business customers, even when saying no is in the best interest of our economy. The private interest of a bank is not always identical with the public interest.

But bankers cannot have it both ways. They cannot operate counter to monetary policy and then claim they are valiantly fighting inflation. Nor can they assert that they are powerless to prevent an increase in the prime rate when it was their actions which laid the conditions for such an increase.

Neither can the Federal Reserve Board escape responsibility. The Federal Reserve authorities could have restrained the lending activities of our larger banks in a variety of ways:

They could have written a letter to all banks, as they did with some effectiveness in 1966, urging cutbacks in business loans;

They could have shut the discount window to those banks dumping Government securities;

They could have closed the loopholes in their regulations which permit banks to borrow excessive amounts of Eurodollars;

They could have closed another loophole in their regulations which permit banks to raise funds through holding company affiliates.

None of these actions was taken.

Since the Federal Reserve and administration have not acted, I am introducing legislation to increase the effectiveness of monetary policy and to help shield the mortgage market from another credit crunch. Housing starts have already dipped from a seasonally adjusted rate of $1,878,000 in January to $1,509,000 in May, a drop of 24 percent. The National Association of Homebuilders has projected that housing starts for all of 1969 will only reach 1,395,000 compared to 1,547,000 starts in 1968.

When the projected level of housing starts is measured against housing needs, the shortfall becomes even greater. The First Annual Report on National Housing Goals submitted to Congress by former President Johnson on January 17, 1969, indicated that housing starts would have to reach about 1,800,000 in calendar year 1969 to meet the 10-year goal established by Congress in the 1968 Housing Act. Thus, projected starts are already 400,000 below our needs and the shortfall could grow even greater if interest rates continue their meteoric rise.

The estimate of housing needs is not pie in the sky but is solidly related to the rate of family formation and existing housing stocks. Housing vacancy rates are at their alltime low, indicating an extremely tight housing market.

The housing industry is already severely depressed. Another credit crunch could spell disaster for the industry and for the would be homebuyer. It could set us back 2 years or more in achieving our housing goals. And it could do irreparable damage to our struggle to eradicate slum housing in our Nation's cities. We cannot afford to let it happen again.

EXTENSION OF RATE CONTROL AUTHORITY

Mr. President, section 1 of the bill I have introduced will extend for an additional year the authority of the Federal banking agencies to regulate the maximum rate of interest which can be paid by financial institutions on time and savings deposits. This authority was enacted by Congress during the height of the 1966 money crunch in order to restrain excessive competition for funds on the part of commercial banks and savings and loan associations.

The law gives the Federal Reserve Board the authority to establish different ceilings according to the size of the deposit. While the Banking Act of 1933 provided similar authority to the Federal Reserve Board, until 1966 the Board did not have the authority to establish lower rates for small denomination certificates of deposit which compete directly with savings deposits at thrift institutions.

Thus, the flexible authority provided by the 1966 law makes it possible to have higher ceilings for large denomination certificates of deposit in excess of $100,000. These are issued primarily by the large New York money market banks and are highly competitive with Treasury bills, commercial paper, and other short term instruments.

On the other hand, the Board has maintained fairly low ceilings on small denomination certificates of deposit thus preventing a "rate war" between commercial banks and savings and loan associations. As a result, savings and loan associations are able to attract a reasonable supply of funds for the mortgage market thereby lending direct support to the level of activity in the homebuilding industry.

Most Federal officials feel that a renewal of this authority is absolutely essential to prevent a repetition of the disastrous rate war between banks and savings and loan associations which took place in 1966 and which caused thrift institutions to lose billions of dollars in savings deposits.

UNINSURED INSTITUTIONS

Section 2 of the bill would extend to uninsured financial institutions the same rate control provisions on deposits presently applicable to insured financial institutions. The problem of uninsured financial institutions is particularly acute in the State of Massachusetts where certain uninsured savings banks have been able to divert funds from insured institutions by offering higher deposit rates. As long as it is necessary to place insured institutions under the rate control authority, it is necessary, in the interests of competitive equality, to extend the same provisions to uninsured institutions.

If this authority is not extended to uninsured institutions, the amount of funds flowing to insured institutions could be substantially curtailed with potential adverse effects on their financial soundness.

TREASURY BORROWING AUTHORITY

Section 3 of the bill would amend section 11(i) of the Home Loan Bank Act which authorizes the Federal Home Loan Bank Board to borrow up to $1 billion from the Treasury.

The legislation would require the rate to be charged the Federal Home Loan Bank Board on such borrowing to be set at the current market yield on Treasury obligations. The present law permits borrowing at the average of the so-called coupon rates on outstanding Treasury obligations. Since the coupon rate is substantially below the current market rate, the change of language would remove any subsidy involved in such borrowing.

Secondly, the legislation would provide the Treasury with a positive mandate from the Congress to permit such borrowing authority to be used in a constructive manner. Specifically, it is expected by the Congress that the authority would be used to permit savings and loan associations to continue to supply reasonable amounts of funds to the mortgage market during periods of tight money. Any funds so borrowed would be repaid by the Home Loan Bank Board at the earliest practicable date, thus avoiding any permanent impact on the Federal budget. Moreover, the authority would only be used as a last resort when other alternative means cannot be effectively employed.

Mr. President, a similar provision passed the Senate Banking and Currency Committee last year by a vote of 8 to 4, but failed on the floor of the Senate by a vote of 45 to 44. However, last year's provision, which I offered as an amendment to the Rate Control Act, would have required the Federal Reserve Board to have loaned funds to the Federal Home Loan Bank Board during periods of tight money. At the time, many objections were raised that this provision could jeopardize the traditional independence of the Federal Reserve System.

While I do not share these fears, I have modified my proposal to eliminate any possibility that the independence of the Federal Reserve System would be endangered. The current language would authorize Treasury borrowing rather than Federal Reserve borrowing. Since both the Federal Home Loan Bank Board and the Treasury are under the direction of the President, it is evident that the President would be able to exercise complete control.

Mr. President, the aim of this authority is to enable the Federal Home Loan Bank Board to advance funds to savings and loan associations during a credit shortage. When interest rates undergo a rapid rise, there is a tendency for funds to be diverted from thrift institutions into the securities market. The immediate consequence, as has been shown in 1966, is a drastic reduction in the rate of mortgage lending on the part of savings and loan associations.

Theoretically, the Federal Home Loan Bank Board could borrow in the open market in order to continue supplying funds to savings and loan associations. The problem, however, is that frequently open market rates rise so high that member savings and loan associations no longer can afford to borrow from the Federal Home Loan Bank Board at prevailing market rates. For example, at the present time the Federal Home Loan Bank Board is paying 8 percent on its consolidated debentures. If these funds were reloaned to member associations at 8 percent, member associations would have to obtain at least a 9-percent yield on their mortgage loans in order to break even. If the mortgage lending rate is to be held to 8 percent, savings and loan associations cannot afford to pay much more than 7 percent in order to obtain funds. Thus, if the Federal Home Loan Bank Board were to charge member associations the going rate on Home Loan Bank Board debentures, many associations would be priced out of the market.

On the other hand, the current average rate on Treasury obligations is approximately 6.5 percent; therefore, if the home loan banks could borrow from the Treasury at this rate and reloan the proceeds to member associations, the volume of mortgage lending by savings and loan associations could continue.

The authority provided under section 3 would permit this type of borrowing to take place during periods of tight money and rapidly rising interest rates. It would not completely insulate the mortgage market from the impact of tight money, but it could soften the blow. Since the housing market already bears a disproportionate share of monetary restraint, it is only fair that the Federal Government take measures to spread the burden of adjustment more equitably.

REMOVAL OF TREASURY VETO ON HOME LOAN BANK BOARD BORROWING

Section 4 of the bill would remove the current veto power of the Treasury over the issuance of debentures by the Federal home loan banks. This provision would give the Federdal home loan banks the same status as Federal intermediate credit banks, the central bank for cooperatives, the regional banks for cooperatives, and the Federal land banks, all of which provide credit to the agricultural sector of our economy.

While the Department of the Treasury is supposed to act as a traffic cop in order to insure an orderly flow of agency issues to the capital markets, at times the Treasury has exercised its veto as an instrument of stabilization policy.

For example, during 1966 the Treasury prevented the Federal home loan banks from borrowing additional funds even though the market rates then prevailing were within the reach of many member associations. By shutting off access to the capital market, the Treasury Department sealed the fate of the home building industry. The inability of the home loan banks to borrow led to a drastic reduction in the flow of mortgage credit from savings and loan associations.

While the absolute vote power of the Treasury would be removed, it is expected the Federal Home Loan Bank Board would consult with the Treasury in order to insure that the timing of its issues were coordinated with other agency issues and Treasury obligations.

HOLDING COMPANIES ISSUING COMMERCIAL PAPER

Section 5 of the bill would strengthen the authority of the Federal Reserve Board to administer regulation Q which establishes the maximum rate of interest which commercial banks can pay on time and savings deposits. At the present, there is a gaping loophole in regulation Q permitting large commercial banks to obtain funds in excess of the regulation Q ceiling through the bank holding company device. As currently practiced by seven or eight large New York City banks, a bank holding company will issue short-term notes in the commercial paper market at prevailing rates which at the present time are more than 1 percentage point higher than the regulation Q ceiling. The proceeds can then be channeled by the parent holding company to its subsidiary bank. This can be

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done by purchasing participation certificates in the bank's loan portfolio or even purchasing loans outright. In either event, the bank has additional loanable funds to continue its business lending activity.

The language in section 5 would make it clear that the Federal Reserve Board has adequate authority to bring this kind of borrowing under the regulation Q ceiling. I am convinced the Federal Reserve Board already has this authority under existing law, although there are some who are uncertain on this point. In order to remove any doubt, I am suggesting that Congress adopt the language under section 5 to clarify the authority which the Federal Reserve Board already has under the Federal Reserve Act.

EURODOLLAR BORROWING

Mr. President, another gaping loophole in the administration of regulation Q is the practice of large commercial banks borrowing Eurodollars. The overseas branches of U.S. commercial banks are free to bid for Eurodollar deposits held in other countries at rates considerably in excess of regulation Q ceiling. The oversea's branches can then reloan the funds to the parent bank at the prevailing Eurodollar rate, thereby circumventing the regulation Q ceiling.

The Eurodollar loophole makes it possible for large commercial banks to offset the impact of tight money and to maintain its lending activity notwithstanding a considerable reduction in its conventional time deposits.

Governor Brimmer of the Federal Reserve Board has said publicly that the impact of monetary policy on the business sector is considerably delayed because of the Eurodollar inflow. If we are to restore monetary control by the Federal Reserve Board over large commercial banks, this loophole must be plugged.

The language of section 6 would permit the Federal Reserve Board to establish marginal reserve requirements on additional Eurodollars obtained by U.S. commercial banks. The additional increase in Eurodollars would be measured from a base date which the Federal Reserve Board would from time-to-time establish. The Board could subject these Eurodollar funds to a reserve requirement of up to 100 percent.

The Federal Reserve Board has recently issued a proposed regulation establishing a 10-percent reserve requirement on incremental Eurodollar debentures. While this reserve requirement would effectively raise the cost of Eurodollar borrowing, I am not entirely confident that it will do the job. We have seen commercial banks pay fantastic rates in order to obtain loanable funds, hence a 10-percent increase in the effective price of those funds will not be an effective long-term deterrent. However, a 100-percent reserve requirement, if applied by the Federal Reserve Board, could effectively close the Eurodollar loophole. Since any Eurodollar obtained by a bank would have to be placed in reserve, the bank would have no incentive to borrow additional Eurodollar funds. It is expected this authority would be used sparingly by the Federal Reserve Board. But it would constitute a powerful tool which the Fed could exercise when necessary to insure the effectiveness of its monetary policy.

VOLUNTARY CREDIT RESTRAINT PROGRAM

Sections 7 and 8 of the bill would reactivate the authority under which the Federal Reserve Board administered a voluntary credit restraint program during the Korean war. This authority was contained in the Defense Production Act of 1950. It authorized the President to consult with representatives of the financial community in order to establish voluntary programs of credit restraint.

Under this authority the Federal Reserve Board established industry committees of banks, investment banking firms, life insurance companies, savings and loan associations, and mutual savings banks. These committees established voluntary lending criteria designed to channel credit to the most essential uses. While there were a number of problems in the implementation of the criteria, by and large the program achieved its objectives.

A National Voluntary Credit Restraining Committee issued a statement on March 10, 1952, evaluating the success of the program. This statement was published in the March 1952 Federal Reserve Bulletin and reads as follows:

> At the outset of the Program, which was without precedent in the country's financial history, there was widesperad skepticism as to what might be accomplished by a self-regulation effort in the highly competitive field of lending. This has been supplanted by a recognition that the Program has proved practicable, workable, and effective as a supplement to fiscal, credit, and other anti-inflationary weapons. . . . The Program has been an important factor in holding prices level during the first year of its operation. (Statement released by National Voluntary Credit Restraint Committee, March 10, 1952.)

Mr. President, I do not think the economy has reached the point where a voluntary credit restraint program is called for. Nonetheless, I do feel that the Federal Reserve Board should have this authority on a standby basis should its use be required in the future. I understand that William McC. Martin, Chairman of the Federal Reserve Board, in testimony before the House Banking and Currency Committee suggested that it might be useful to have such authority reactivated on a standby basis.

Mr. President, the measures I have suggested will not completely solve the problem of high interest rates but I believe that in total they will provide for a more reasonable allocation of the impact of tight money on our economy and in particular they will help to insure a reasonable supply of mortgage credit so that we do not fall further behind in meeting our national housing goals. In view of the pressing need for decent housing in our central cities, I do not see how we can permit another drastic reduction in the level of housing starts.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2577) to provide additional mortgage credit and for other purposes, introduced by Mr. PROXMIRE, was received, read twice by its title, and referred to the Committee on Banking and Currency.

ADDITIONAL COSPONSORS OF BILLS

S. 1075

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Washington (Mr. JACKSON), I ask unanimous consent that at the next printing of S. 1075, the National Environmental Policy Act of 1969, the names of the Senator from North Dakota (Mr. BURDICK), the Senator from Arizona (Mr. FANNIN), the Senator from Alaska (Mr. GRAVEL), the Senator from Oregon (Mr. HATFIELD), the Senator from South Dakota (Mr. McGOVERN), the Senator from Montana (Mr. METCALF), and the Senator from Utah (Mr. MOSS) be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 1758

Mr. JAVITS. Mr. President on behalf of the Senator from Wyoming (Mr. HANSEN) I ask unanimous consent that, at its next printing, the name of the Senator from Nebraska (Mr. HRUSKA) be added as a cosponsor of the bill (S. 1758) to designate the Interstate System as the "Eisenhower Interstate Highway System."

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 1827, S. 1828, AND S. 1829

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Oklahoma (Mr. HARRIS), I ask unanimous consent that at its next printing, the name of the Senator from Minnesota (Mr. MONDALE) be added as a cosponsor of the bills S. 1827, to amend the Internal Revenue Code of 1954 to impose a minimum income tax, to require the allocation of deductions allowed to individuals in certain circumstances, and for other purposes; S. 1828, to amend the Internal Revenue Code of 1954 to increase the minimum standard deduction; and S. 1829, to amend the Internal Revenue Code of 1954 to reduce and extend the tax surcharge and to suspend the investment credit during the remaining period of applicability of the tax surcharge.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2076

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Texas (Mr. YARBOROUGH) be added as a cosponsor of the bill S. 2076, the national wildlife disaster bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2524

Mr. GOLDWATER. Mr. President, I ask unanimous consent that, at its next printing, my name be added as a cosponsor of the bill (S. 2524) to adjust agricultural production, to provide a transitional program for farmers, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

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S. 2561

Mr. SCOTT. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Wyoming (Mr. Hansen) be added as a cosponsor of the bill (S. 2561) to incorporate Pop Warner Little Scholars, Inc.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISPOSITION OF FUNDS APPROPRIATED TO PAY A JUDGMENT TO CERTAIN INDIANS—AMENDMENT

AMENDMENT NO. 67

Mr. HARRIS submitted an amendment, intended to be proposed by him, to the bill (S. 885) to authorize the preparation of a roll of persons whose lineal ancestors were members of the Confederated Tribes of Weas, Piankashaws, Peorias, and Kaskaskias, merged under the treaty of May 30, 1854 (10 Stat. 1082), and to provide for the disposition of funds appropirated to pay a judgment in Indian Claims Commission Docket No. 314, as amended, and for other purposes, which was referred to the Committee on Interior and Insular Affairs and ordered to be printed.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH—AMENDMENT

AMENDMENT NO. 68

Mr. COOPER. (for himself, Mr. Hart, Mr. Javits, Mr. Mansfield, Mr. Percy, Mr. Cranston, Mr. Gore, Mr. Williams of New Jersey, Mr. Fulbright, Mr. Symington, and Mr. Mondale) submitted an amendment, intended to be proposed by them, jointly, to the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorize personnel strength of the Selected Reserve of each reserve component of the Armed Forces, and for other purposes, which was ordered to lie on the table and to be printed.

(The remarks of Mr. Cooper when he submitted the amendment appear later in the Record under the appropriate heading.)

Mr. McGOVERN subsequently said: Mr. President, I ask unanimous consent that my name be added as a cosponsor to the amendment to S. 2546 offered by the gentleman from Michigan (Mr. Hart) and the gentleman from Kentucky (Mr. Cooper) relating to deployment of and the acquisition of sites for an anti-ballistic-missile system.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia subsequently said: Mr. President, at the request of the distinguished Senator from Massachusetts (Mr. Kennedy), I ask unanimous consent that, at its next printing, his name be added as a cosponsor of the Cooper amendment to the bill (S. 2546).

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARINGS

Mr. BIBLE. Mr. President, I wish to announce that hearings have been scheduled before the Subcommittee on Parks and Recreation of the Committee on Interior and Insular Affairs on three bills to establish national historic sites in recognition of three of our great Presidents. They are:

S. 2000, to establish the Lyndon B. Johnson National Historic Site;

Senate Joint Resolution 26, to provide for the development of the Eisenhower National Historic Site at Gettysburg; and

S. 560, to provide for the establishment of the William Howard Taft National Historic Site.

The hearings will be held in room 3110, New Senate Office Building on Tuesday, July 29, 1969, commencing at 10 a.m.

Anyone desiring to testify on any of these proposals should advise the staff of the Senate Committee on Interior and Insular Affairs.

NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Farley E. Mogan, of Oregon, to be U.S. marshal for the district of Oregon for the term of 4 years, vice Eugene G. Hulett;

John O. Olson, of Wisconsin, to be U.S. attorney for the western district of Wisconsin for the term of 4 years, vice Edmund A. Nix.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Wednesday, July 16, 1969, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

THE FAILURE OF VETERANS TO UTILIZE THE COLD WAR GI BILL IS A NATIONAL TRAGEDY

Mr. YARBOROUGH. Mr. President, one of the great disappointments of a democracy is when a law is passed for the benefit of the people, but the people who could benefit from it remain ignorant or unaware of the law and its potential.

One such disappointment is the cold war GI bill, which I sponsored and after a long fight was finally enacted by the 89th Congress. The disappointment arises from the excruciating fact that only one out of 10 of the returning Vietnam veterans, who have not completed high school, have made use of the high school entitlement. This matter is discussed in a thoughtful editorial appearing in the San Francisco Examiner recently.

I have long felt that the Veterans' Administration is not doing an adequate job of informing these returning veterans of the opportunities available to them under the cold war GI bill. The editorial discusses the matter of utilization and poignantly focuses on this problem.

I ask unanimous consent that the editorial, entitled "GI Benefits," published in the San Francisco Examiner of June 7, 1969, be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

GI Benefits

At a time when anti-poverty programs are being drastically curtailed it is ironic, to say the least, that so few eligibles are taking advantage of the solid economic elevator provided by the GI Bill of Rights. Figures made available by the Veterans Administration indicate that something is shockingly wrong somewhere.

After World War II, some 50 percent of veterans availed themselves of the GI bill help to get more education—the best possible route out of poverty and third-rate jobs. As of the first of this year, however only 19 percent of eligible Vietnam veterans were using the bill to get more training at colleges, vocational schools or on-the-job programs.

What is especially disturbing about the lowered figure is that an estimated 500,000 of the 2.7 million Vietnam veterans thus far discharged do not have even high school diplomas. Yet of the 500,000 only 21,000 today are taking advantage of a special high school subsidy.

Sen. Ralph W. Yarborough (D-Tex.), calling the situation a "tragedy," blames the VA for "not doing anything to get these men into school." He said the VA, despite the fact that the GI bill is virtually open-ended in funding, is soft-pedaling the education opportunities in order to hold down its budget. The VA vehemently denies the charge.

We simply do not know who or what is responsible, but we agree the situation is tragic—and inexcusable. Perhaps the VA, as it claims, is "doing more than ever" to inform returning veterans of all their GI bill benefits. Obviously much more must be done. Returning veterans in need of further education somehow must be persuaded to take wider advantage of the opportunities available, not merely "informed" of them.

DR. JOHN N. KNOWLES

Mr. DOLE. Mr. President, I do not know Dr. John H. Knowles, but I agree with the opinion expressed in the Tuesday, July 8, issue of the Evening Star, that the decision not to appoint him as an Assistant Secretary of Health, Education, and Welfare was apparently a proper one.

I doubt whether many Senators really had strong feelings for or against Dr. Knowles, and would also guess that his nomination would have been confirmed had his name been submitted and that I would have perhaps voted for its confirmation.

In retrospect, since Dr. Knowles is now becoming a spokesman not for medicine, but for what he considers to be the political ills of this country, I, for one, am thankful that he was not appointed. Apparently, Dr. Knowles is not content to concern himself with medicine, but he now poses as an expert on school guidelines and appears to have become an instant political analyst.

At any rate, I believe the editorial in the Evening Star, "Telling It Like It Isn't," will be of interest, I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Telling It Like It Isn't

Dr. John H. Knowles, recently turned down by the President for the nation's top health post, says he "likes to speak out and tell it like it is."

He was talking in that context about Medicaid, which he called the "lousiest waste of taxpayers' money and the most ill-conceived program which ever came down the chute."

Being a medical man and a hospital administrator, Dr. Knowles may be qualified to pass judgment on Medicaid. But when he undertakes to diagnose the performance of the President, he not only fails to tell it like it is, he talks like a diagnostician who has never even seen a political medical school.

According to the Associated Press, Dr. Knowles told a Boston television audience on Sunday that the White House under President Nixon "is in the grip of the arch conservatives and progress is at a complete standstill." He went on to say that the influence of conservative pressure groups on the President is "absolutely catastrophic."

This doesn't sound like the pronouncement of a physician whose professional training should make him wary of hyperbole. Neither does it make any sense.

Let's take a look at the political record. Dr. Knowles says he sees Mr. Nixon as a man "who's got his finger on the pulse of 51 or 52 percent of the people involved in a conservative backlash—a swing to the right."

Last November the Nixon winning margin was about 43.4 percent of the total vote. If the latest Gallup poll is accurate, however, 63 percent of the people today approve of the way the President is handling his job. Only 16 percent disapprove, the others being listed among the "no opinions."

This massive expression of approval is hardly what one would expect in the case of an administration which, in a little more than five months, turned in a performance which is "absolutely catastrophic." Nor do the extravagant comments by Dr. Knowles reflect any mature understanding of the fact that Nixon, in contrast to Hubert Humphrey, campaigned as a relatively conservative White House aspirant.

All of which leads us to something of a word-eating reflection: Politics aside, maybe the President was right in deciding that it was better to leave Dr. Knowles in charge of the Massachusetts General Hospital than to name him as Assistant HEW Secretary for Health and Scientific Affairs.

THE PESTICIDE PERIL XXII

Mr. NELSON. Mr. President, an article by Hunter James, published in the Sunday Baltimore Sun, reviews the current controversy over the use of the persistent pesticide, DDT.

The article traces DDT from its initial development and use as a killer of malaria, typhus, cholera, and Rocky Mountain spotted fever to its present threat as a killer of wildlife, fish, and potentially man. DDT has been linked to cancer, and some authorities predict an epidemic-like outbreak of DDT-related cancers within the next 10 to 30 years.

Mr. James reports:

> The fear among scientists is not just that the cumulative effects of DDT may one day manifest themselves in horrible ways, but that the damage may be irreversible.

Most action responding to this alarming threat has been on the State level. Some States have banned its use outright, and many other State legislatures are presently considering similar proposals.

Alternatives to DDT are being studied. It appears that biological control—such as the use of natural predators—is one of the most effective and safe.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

DDT—Persistent Protests, a Little Action, Growing Threat

(By Hunter James)

A single-engine crop duster comes clattering down over the summer landscape. A cloud of DDT billows down, covers the young plants with a noxious dusty film, drifts with the wind across the surrounding fields and roadsides or into the nearby woods, killing the grasshoppers and junebugs as well as the boll weevils and tobacco worms.

And goes on killing them all summer long.

The deadly and lasting effectiveness of DDT has worried scientists since the day it came into general use. Unlike less potent insecticides, it does not break down and dissipate readily. It gathers over long periods in the soil and water, on the leaves of growing things, and in the fatty tissues of animals and man—and its effect is cumulative. That's what makes it so economical to use and also why it poses a threat to human life.

The threat has only recently become tangible enough to cause widespread alarm. And there are still those who believe that the good of DDT outweighs the bad.

SILENT SPRING

Invented in Sweden a quarter of a century ago, the compound has helped make American farms the most productive in the world. It has also been used to knock out malaria, typhus, cholera, Rocky Mountain spotted fever and other serious diseases.

But the clamor against DDT and its derivatives is big and growing. It began seven years ago with the publication of Rachel Carson's "Silent Spring," a book now regarded as an almost-classic statement on the subject of pesticide poisoning. Miss Carson cited massive kills of frogs, snakes and birds as evidence of the damage DDT can cause. The long-term effects are quite different, but just as deadily. In the American bald eagle, for example, the poison manifests itself in the reproductive process. Eggshells become too thin to protect the young, and for that reason the bald eagle and other magnificent species—peregrine falcon, osprey and others—rapidly are becoming extinct.

In man the effect may be even more subtle, even more dangerous. Numerous studies have linked DDT to cancer. The relationship has not been definitely established, but most scientists feel there is more than enough evidence to justify banning the stuff. Some authorities, including Dr. W. C. Hueper, former director of the National Cancer Institute, believe there could well be an epidemic-like outbreak of DDT-related cancers within the next 10 to 30 years.

NELSON LEGISLATION

Last March, the Food and Drug Administration helped focus attention on the pesticides problem with a seizure of more than 21,000 pounds of coho salmon from warehouses in Wisconsin and Minnesota. A sample of the same batch of fish, taken from Lake Michigan, had been found to contain DDT residues of 12 to 19 parts per million, far higher than what had been found before and almost three times as high as the federal tolerance for beef.

The seizure brought prompt action from Robert Finch, Secretary of Health, Education, and Welfare. Despite opposition from five Republican governors in the Great Lakes region, he set a relatively stringent tolerance level for fish: five parts per million. Surprisingly, it was the first time there had been a limit of any kind. Mr. Finch also appointed a committee to investigate the pesticide menace and report back in six months with recommendations for bringing it under control.

Senator Gaylord Nelson (D. Wis.), more alarmed than his state's governor (one of the five opposing Secretary Finch's action) took the occasion to introduce legislation permanently outlawing the use of DDT. The frightening thing to him was that the pesticide residues in the fish had "probably traveled hundreds of miles through the air, water and soil" and had been "consumed through the normal food chain of up to a half-dozen organisms."

The senator is among those who believe that Miss Carson may have understated her case in "Silent Spring." Yet he has little hope that his bill will pass. He introduced a similar measure last year and the year before. Each time it died in the Senate Agricultural Committee.

LAWS ARE WEAK

Except possibly for the Food and Drug Administration, federal agencies have been singularly unresponsive to the threat posed by pesticides. Laws are weak and implementation weaker.

The Agriculture Department's Agricultural Research Service is the agency chiefly responsible for policing the registration, distribution and use of pesticides. If the government's General Accounting Office can be believed, the agency's performance has been inexcusably lax.

The GAO says the department has seized only a fraction of the products found to be below government standards and has repeatedly failed to take legal action against shippers accused of violating the law. Furthermore, the GAO says it has permitted food-handling establishments to use the pesticide Lindane despite reservations voiced by health authorities.

Although pesticide control is plainly a federal problem, since dust from Iowa can harm plants and wildlife in Nebraska, Congress has been reluctant to act. Most of what action there is exists in the states.

BIOLOGICAL CONTROL

About a third of them have no laws at all governing the use of DDT. Others, including Maryland, have recently adopted mild restrictions. Still others have banned it outright.

After the coho salmon seizure, the Michigan Agricultural Commission banned the sale of DDT indefinitely. Senator Nelson's state, Wisconsin, has been holding hearings on the problem for almost six months and will probably decide this fall whether to follow suit. After the first of the year California will not allow its use except in non-dust form. Arizona has banned it for a year, and the New York Pesticide Control Board wants it banned permanently except for emergency use. Rhode Island plans to outlaw it as soon as a safe substitute can be found and perhaps before. The Texas Legislature is studying the problem.

Of the alternatives to DDT, biological con-

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trol is potentially the most effective as well as the safest. All sorts of experiments are under way: the use of natural predators; the use of sound and light to trick the insects out of the ground prematurely, in winter, and cause their death and the use of synthetic substances to trap and confuse them. There is also a feeling the genetic manipulation will prove useful.

Much of the argument in favor of pesticides is that they are cheap. But biological control may be cheaper. One California exterminator said to rely exclusively on natural means of control charges about $8 an acre each year. Crop sprays can cost a farmer up to $75 an acre.

Perhaps it is too early to prove conclusively that pesticides can cause cancer in man or otherwise send him to an agonizing death. It is interesting that Sweden, where DDT originated, has banned it simply because there is not proof that it will not do so. The fear among scientists is not just that the cumulative effects of DDT may one day manifest themselves in horrible ways, but that the damage may be irreversible.

THE OZARKS REGIONAL COMMISSION AND SENATE PASSAGE OF S. 1072

Mr. EAGLETON. Mr. President, the Senate yesterday passed S. 1072, a bill to authorize funds to carry out the purposes of the Appalachian Regional Development Act of 1965, as amended, and title V of the Public Works and Economic Development Act of 1965, as amended.

Title II of this bill is of particular importance to my State, for it includes significant amendments to title V of the Public Works and Economic Development Act of 1965 which authorized the Secretary of Commerce to designate "economic development regions."

The Ozarks Regional Commission was designated by the Secretary on March 1, 1966, and held its organizational meeting on September 7, 1966. Forty-four counties in southwest and south-central Missouri are included in the Ozarks Region. Parts of Arkansas, Kansas, and Oklahoma are also included.

Two sections in the bill passed today are of particular importance to the Ozarks Regional Commission and the other title V Commissions. Section 505 of the Public Works and Economic Development Act authorizes technical and planning assistance to the commissions. S. 1072 expands this authority to permit broader use of these funds for studies, technical assistance and demonstration projects, and training programs. This will give the regional commissions direct control over their own program development.

S. 1072 also amends section 509 of the Public Works and Economic Development Act significantly. Heretofore, this section authorized supplemental grant assistance to foster the use of existing Federal grant-in-aid programs within the development regions. This section would be amended to allow a commission to use funds authorized to it as "first dollar" money when there are insufficient funds for the Federal share under ongoing Federal grant programs.

The regional commissions are given greater flexibility under the amendments provided by S. 1072. They are given better tools with which to confront the problems of regional economic development. The Ozarks Regional Commission has had almost 3 years to develop a coordinated plan for economic development. When the Commission was first designated, many people in my State felt that it would offer the potential for increased opportunities and benefits to citizens of an area with unique cultural assets, but comparatively low economic development.

I hope that with the amendments provided by S. 1072, including an authorization of $50 million to the Ozarks Commission for fiscal years 1970 and 1971, the promise of this multistate, cooperative governmental effort can begin to be realized.

Mr. President, I have the privilege of being a member of the Senate Committee on Public Works and the Subcommittee on Economic Development of that committee. The distinguished gentleman from West Virginia, Senator Jennings Randolph, has led the full committee in consideration of this matter, and the able gentleman from New Mexico, Senator Joseph Montoya, directed the work of the subcommittee in its thorough and deliberate examination of the problems of economic development relating to the bill. I joined many other Senators in cosponsoring S. 1072, as originally introduced by Senator Randolph, and S. 1090 which was introduced by Senator Edmund Muskie. The bill we passed yesterday incorporates elements of both bills. It is a tribute to the leadership of the committee; it continues the outstanding program of the Appalachian Regional Commission, and it provides new opportunities to the regional economic development commissions.

THE DEPARTMENT CLUB OF PORT ARTHUR, TEX., CALLS FOR ESTABLISHMENT OF 100,000-ACRE BIG THICKET NATIONAL PARK

Mr. YARBOROUGH. Mr. President, the Department Club of Port Arthur, Tex., adopted a resolution on May 5, 1969, urging the passage of my bill, S. 4, to create a 100,000-acre Big Thicket National Park in southeast Texas.

The Department Club of Port Arthur refers to the Big Thicket as "the biological crossroads of North America." They recognize the richness and diversity of the Big Thicket's plant and animal life.

At least 300 species of birds live year-round in the Big Thicket including four kinds of owls, three kinds of hawks, a few last bald eagles, and an almost unsurpassed variety of water birds. The all-but-extinct whooping crane has been seen there, as have the rare red-cockaded woodpecker and Bachman's sparrow. It may be the last refuge of that endangered giant-among-woodpeckers, the ivory-billed.

The Big Thicket used to cover more than 3.5 million acres. Now less than 300,000 acres remain. Once the Big Thicket is gone, it will be gone forever. With it will go its wildlife, the rare birds, and the beauty. America will have lost irrevocably an integral part of herself.

Mr. President, I ask unanimous consent that the resolution, including the names of its signers, be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Whereas the Texas Federation of Women's Clubs have gone on record supporting the legislation to preserve 100,000 acres of the Big Thicket of Southeast Texas as a National Park, and

Whereas The Department Club of Port Arthur, Texas which is composed of 375 women is affiliated with the Texas Federation of Women's Clubs, it therefore urges that you work diligently NOW for the passage of Senate Bill S-4 creating a 100,000 acre Big Thicket National Park in Southeast Texas before this area designated as "the biological crossroads of North America" is lost for today's citizens and future generations.

Mrs. Herman Taylor, Jr.,
President.
Mr. Fred Crawford,
Secretary.

PESTICIDE POEM

Mr. NELSON. Mr. President, I recently received a letter from an 11-year-old constituent, David Michaud, of Waukesha, Wis., who expressed his concern about the threat of DDT to our environment and human health in a three-verse poem.

It is significant that this young boy, who yet has no voice or vote in the decisionmaking processes of our Nation but who will have to inherit the results of his elders' mistakes, is trying in his small way to let us know the consequences of the continued use of this persistent pesticide.

I ask unanimous consent that David's poem and his brief letter to me be printed in the Record.

There being no objection, the letter and poem were ordered to be printed in the Record, as follows:

Waukesha, Wis.
June 30, 1969.

Dear Senator Nelson: I am an eleven year old boy writing to tell you about how I feel about DDT. Not only in Wisconsin, but in all the United States.

Enclosed you'll find a three-versed poem that I wrote.

Very sincerely,
Dave W. Michaud.

P.S.—I typed every thing myself.

DDT

People are using ddt,
To get rid of pests;
But DDT is using them,
And making more unrest.

DDT is killing birds,
And many other game;
But men don't seem to understand.
It could kill us just the same.

We are using it in trees,
Then it starts to rain;
DDT flows into waters,
Many fish are being slain.

INDEPENDENCE DAY

Mr. MURPHY. Mr. President, under date of July 2, 1969, there appeared in the Washington Daily News a column by the distinguished minority leader, Senator Dirksen, entitled "A Day for Looking Back." It deals with Independence Day and is very informative and interesting. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

A Senator's Notebook: A Day for Looking Back

(By Everett McKinley Dirksen)

Independence Day Friday, the observance of our 193rd year as a nation, will remind many of us that we are slipping away from our heritage in some repects.

All over the land this weekend our people will be traveling for fun and pleasure—to play golf and to participate in picnics. Generally, they will forget that such a wonderful thing as independence preserved thru the centuries is something Americans fought for with a courage and dedication seldom before demonstrated by man.

Independence Day ought to mean more to us than a day off from work, part of a weekend of fun and frolic.

In all the cities and hamlets of our country, in years gone by, the Fourth of July was celebrated with patriotic speeches, parades and thoughts of both the past and the future. This year, however, as in other recent years, there are many cities that won't even have a parade, that won't officially honor Independence Day.

As a nation, we may be losing some of our concern for the glorious past, a past that should bridge us into the unknown future. This week, then, is the right time to state a few facts of history that will help us to face tomorrow.

The Second Continental Congress, meeting in Philadelphia on July 2, 1776, passed a resolution in favor of Independence and, on July 4, that Congress agreed to the Declaration of Independence. The Declaration was signed by 56 courageous, farseeing Americans, truly the fathers of our country, on Aug. 2.

Despite the Declaration, the Revolutionary War continued and was not won until the British under Lord Cornwallis surrendered at Yorktown Oct. 19, 1781.

There was dissent in 1776, as there is today. There was no unanimity for independence. The Tories in the colonial states wanted to dwell under the rule of King George III. Many delegates to the Continental Congress didn't want to sign the Declaration that came alive in the words of Thomas Jefferson. Some of them stayed away from the meeting place in the steepled state house in Philadelphia. But when it came time to be signed, they forgot the dissent and they returned to affix their deathless signatures to the document of freedom.

They decided they were Americans. They stood up for independence. They silenced their dissent. They forged a nation.

Who were those signers of the Declaration of Independence? I mention only two—you can read the other names in a copy of the Declaration in your dictionary or encyclopedia. There was John Hancock, of Massachusetts. He was wealthy for his day, and he had contributed $100,000 to the cause of freedom. Had the revolution failed, his property and business would have been seized by the king. There was Charles Carroll, of Carrolltown, Md. He, too, was wealthy, probably the richest of all the signers. He staked his wealth and his very neck on the successful pursuit of the war for freedom. Many others of the 56 were men of means and property.

They all risked their every acre of land and farthing of money on an idea that men should be free. They engaged in the dissent of the day and helped to make their views into a dream come true, a dream for a better America where there would be opportunity for all.

They exhibited their devotion to their cause in the highest degree as they signed the document under the last sentence that Jefferson had written into the Declaration: ". . . And for the support of this declaration with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes and our Sacred Honor."

How easily we forget that 193 years later we are all of us beneficiaries of the men who signed the Declaration of Independence. They signed for us who live in the turmoil of 1969. They sacrificed for us who may sometimes forget to express our appreciation of their courage and devotion and their willingness to pledge all in the cause of freedom.

A few simple things would do to mark our 1969 observance of Independence Day with reverence for the past and faith in the future. We can display the Flag. We can gather our family and friends about us and read aloud the Declaration and the names of the signers, perhaps putting to shame the commercialized ceremonies where the Declaration will not be recalled to the ears of millions.

We can stop awhile and think about the past that bridges the centuries to come.

REALISM IN INTERNATIONAL AFFAIRS

Mr. PELL. Mr. President, on June 30, 1969, Ambassador Charles W. Yost gave one of the most provocative and interesting speeches to the General Synod of the United Church of Christ in Boston, Mass.

I have always believed one of the real tests of Government leaders is to make the complicated simple. So often we seem to do just the opposite.

I am glad to see that Ambassador Yost has succeeded in reducing to simple terms some of our complicated problems and, in the process, presenting the paradoxes of our times.

I think his speech is most thought provoking and believe it would be of interest to my colleagues. For this reason I ask unanimous consent to have his speech printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Realism in International Affairs

(By Ambassador Charles W. Yost, U.S. Representative to the United Nations)

Those of us who concern ourselves with international affairs—whether in government or in private institutions and organizations such as yours—are constantly being urged by colleagues and critics to be "realistic". Politics is the art of the possible, we are told. Let us set practical, achievable goals. Let us be toughminded and hard-nosed about pursuing them. Let us not be deluded into chasing rainbows or frightened into being soft about what is necessary for our national interest and national security.

Of course, none of us would dispute this argument up to a point. We are all of us, I am sure, practical men and women and not Utopians. But what exactly is "realistic" in this world which science and technology are so swiftly and radically transforming? Thirty years ago anyone who had said man would land on the moon in three decades would have been thought an utter fool, totally unrealistic. Yet we expect to do it next month. Even ten years ago anyone would have been ridiculed who predicted that by 1969 birth control would be a subject both of ordinary parlor conversation and of vast government programs. Yet it has happened.

Even in my lifetime the world's strongest military powers have twice been totally crushed, and worldwide empires which had lasted for centuries have suddenly disintegrated. Their leaders had certainly thought they were practical men, but were they?

I venture to say that there are two elements which have always been essential to true realism in international affairs but which are particularly so in our fantastic time. They are objectivity and far-sightedness.

Of course we all know how difficult it is to be objective in any human affairs, to balance our own interests rationally and compassionately with those of our neighbors, to see ourselves as others see us. You may know the little rhyme of Piet Hein:

> "Men, said the Devil
> Are good to their brothers;
> They don't want to mend
> Their own ways, but each other's."

We are all too inclined to make the mistake the lady made at the cocktail party who said to her husband: "Darling, you've had too much to drink. You're getting all blurred." Yet if we cannot be objective about our real strengths and our real weaknesses, we are certain to miscalculate and, if our miscalculations are sufficiently serious, to suffer disaster. A so-called realism which is not objective about the rights, needs and complexes of other people, as well as about our own, is not realism but self-deception.

Similarly a realism which may be tactically appropriate but is strategically false, which takes account of next year but not of five or ten years hence, can also be fatal. I sometimes wonder whether a hard nose is not one you can't see beyond the end of. It is probably unwise to be, constitutionally and consistently, either a hawk or a dove, but it is certainly necessary for both of them to weigh very carefully, very realistically, where the consequences of their hawkishness or their dovishness would be likely to put the country a decade hence. Realism can no longer be merely a matter of keeping both feet on the ground, when the ground is shifting as rapidly as it now is. Someone had said—"Show me a man with both feet on the ground and I'll show you a man who can't get his pants on." It could hardly be argued that either astronauts or ministers of the gospel are satisfied to keep their feet on the ground, yet who among us is more deserving of respect.

Many of the disasters of modern times have occurred in large part because statesmen, who believed they were hard-nosed and realistic, were neither objective nor far-sighted. After the War of 1870 the German General Staff, over the objections of Bismarck, insisted on annexing Alsace and Lorraine in order to provide the security of a "strategic frontier" for Germany. The result was wholly to alienate France, to concentrate her energies on revenge and to pave the way for German defeat in two world wars. Similarly all the European powers before 1914 organized themselves in alliances and piled up armaments in order to ensure security, and ended by creating a situation which was fatal to the security of all of them. On the other hand, in the 1930's British and French "realists", drawing comfortable but undiscriminating conclusions from their earlier experience, failed to suppress or contain Hitler and Mussolini in time and thus helped bring on World War II.

If we attempt to be realistic, to be objective and far-sighted, about international affairs today, what do we see? I see four particularly dramatic and disturbing paradoxes.

The first paradox is that, while national armament is of course designed to promote national security, and never in history have nations been so well armed, yet never have they been so insecure. Never would the actual use of the full range of ready arms be so certainly fatal to so much of mankind and to civilized society. And in a certain sense precisely those nations which are the best armed are the most insecure because they

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would be the first targets if a nuclear war should tragically occur. This is no one's fault—it is a consequence of technological advance in weaponry—but it does impose on the leaders of those best-armed states an enormous responsibility to find means of escaping from this hideous and stupid paradox. Realism could have no higher or more imperative goal than to resolve it.

The second paradox is that, while technology each year knits the world more closely together, while we can see around it in seconds and fly around it in hours, its people continue to be more and more fragmented into separate national sovereignties, more than 130 of them at latest count. And each of these nations insists on unrestricted independence to do exactly what it likes, precisely at a time when the *inter*dependence of each and all is becoming more and more preemptory.

The third paradox is that just when science seems at long last to have solved the problem of production, when the gross national product of the developed nations is growing by leaps and bounds, when poverty is no longer inescapable, the gap between rich and poor nations is still widening rather than narrowing. Two-thirds of the world's population continues to exist below minimum standards of decency. As we are seeing today inside our own country, on a much smaller scale, this is a very explosive situation which, if not dealt with in time, can in the end tear the world apart.

The fourth paradox is related to the third. It is that our very triumphs if ungoverned can bring us to disaster, that the triumphs of medicine may increase our population to the point of asphyxiation and breakdown, that the triumphs of engineering and chemistry may fatally pollute our air, water and soil, that the triumphs of communication and surveillance may be misused to disorient or dominate the masses whom they should enlighten and safeguard.

Realism in international, as in national, affairs in the last third of the 20th century should, in my judgment, be concentrated with the utmost urgency on the resolution of these four paradoxes.

Unfortunately, during most of the past two decades the foreign affairs of the great developed nations have been distracted from these long-term concerns, that should be overriding, by the real and imagined exigencies of the Cold War among them. I say real and imagined because they are both.

The breakdown and desperation in Western and Eastern Europe and in the Far East after World War II were real; the Communist expansion from the Pripet marshes to the Elbe, throughout China and into some of the lands around China was real; the oppressive and regressive nature of Communist society under Stalin was real, nor, as Czechoslovakia bears witness, does it seem to have become much more progressive since Stalin. I am personally proud to have been associated with the imaginative, generous and decisive measures with which the United States and its allies during the ten years after the War, through the Marshall Plan, in NATO, in Korea and in Southeast Asia, restored stability and balance and made much of the world safe, if not for democracy, at least for self-determination and diversity.

There were, however, also during those years, as always during great international confrontations, many presumed exigencies of the Cold War which existed only in the heated imagination or the oversimplified doctrine of one side or the other. What I have called the law of disproportionate response to miscalculated challenge was tragically illustrated in many parts of the world. Capabilities of the adversary were exaggerated, intentions were misread, each prepared to meet the worst possible contingency, preparation for it on one side provoked preparation on the other, and both brought the awful contingency closer by the very act of seeking to forestall it.

All this had nothing to do with realism. In historical perspective it will be seen to have been a colossal display of irrationality on both sides. The conduct of the Cold War has long ceased to meet the test of objectivity and farsightedness. More and more thinking people on both sides have begun to suspect that Pogo in the comic strip might have been right when he said, "We have met the enemy and they are us."

It is for this reason that the world welcomed with a great sigh of relief President Nixon's heartening inaugural address five months ago in which he stated his intention to move from confrontation to negotiation. "We cannot expect to make everyone our friend," he said, "but we can try to make no one our enemy. Those who would be our adversaries, we invite to a peaceful competition—not in conquering territory or extending dominion, but in enriching the life of man." After taking the oath of office he added: "And to that oath I now add this sacred commitment: I shall concentrate my office, my energies and all the wisdom I can summon, to the cause of peace among nations."

This commitment, in light of the precarious balance of terror under which we live, I call the highest realism. But it is not a commitment that can be met unilaterally. It takes at least two to negotiate as it takes two to confront. Fortunately there seems substantial evidence that the President's offer to negotiate on issues of the gravest importance is meeting, at least initially, with a positive response.

One of President Nixon's first initiatives in foreign affairs was to emphasize the need for United States and other great power assistance in bringing about a settlement—or at very least a defusing—of the conflict in the Middle East. In the two years since the latest major explosion there the parties in confrontation have shown again their inability to make peace with each other. As a cartoonist has pointed out, they recently passed the 700th day of the 6-day war. Yet until a just and durable peace is established, not only will the peoples of the Middle East live in fear and insecurity but the wider peace of the world will be threatened. Certainly permanent members of the United Nations Security Council, not only moved by a realistic understanding of these dangers but conscious of their own responsibilities under the Charter could hardly do less than lend their weight and wisdom to bringing this conflict to a close. They have agreed among themselves that they cannot impose a settlement but, if they should fail to seek one earnestly and urgently, they would be delinquent to their own national interests as well as to their Charter obligations.

An intelligent and sober realism also prompts the Administration's position toward negotiating a settlement in Vietnam. No one who knows Southeast Asia, as I do, could deny either the justice or the expediency of our assisting the people of that area up to a point—I emphasize, up to a point—to maintain their right to self-determination and independence. On the other hand, no one can, in my judgment, deny that there comes a point at which the scale of that assistance becomes disproportionate to what can be assimilated in the area, to what our national security requires, and to other more imperative demands on our resources both at home and abroad. The recognition of our other overriding needs prompts the assiduous effort of this Administration to negotiate at Paris as soon as possible a peace which will be both honorable and permanent.

The most significant current measure of statesmanship and realism will be the opening next month of U.S.-Soviet negotiations on the control and reduction of nuclear weapons. This will be a long overdue attempt to deal realistically and farsightedly with the first paradox I mentioned earlier, the paradox of arms so numerous and so powerful that, if ever used, they would destroy civilization, and yet never numerous or powerful enough to provide real security for either side as long as the competition and the escalation continues. This senseless arms race is of course of profound concern not only to the United States and the Soviet Union—though both its burden and its threat weigh most heavily on them—but to the rest of the world which would not escape if nuclear war occurs and which, in its underdeveloped parts, bitterly resents the vast waste of resources when its own unmet human needs are so great.

So I come finally—in this analysis of true as contrasted with the short-term national interest of the United States—to the institution with which I have been intermittently associated ever since its establishment, at which I am now representing our government. I speak of course of the United Nations to whose high purposes and principles I am sure we are all dedicated. We must, however, not fail to apply to this great but still adolescent institution the same tests of realism which we have been applying to other factors in international affairs. To what extent can the United Nations—as presently constituted, or as it might realistically be expected to be reinforced over the next ten years—meet the urgent needs of modern society, meet specifically the decisive questions posed by the four paradoxes I mentioned.

We must be frank in admitting, first, that the authors of the Charter were themselves modest and realistic in proposing to set up not a world government or even a world federation but simply an organization of independent sovereign states with very limited powers of its own; and second, that this organization has not in practice been able to exercise, except on very rare occasions and with uncertain results, even some of the significant powers conferred upon it.

First, a word on the membership. In consequence of the division of several great nations following World War II, those nations have either been unrepresented or only partially represented in the United Nations. Their absence substantially reduces the capabilities of the organization. On the other hand, there has been an increasing trend to admit indiscriminatetly smaller and smaller states. While justified on the principle of self-determination, this practice is in fact contributing, first, to a growing fragmentation of the world just when its integration is most required, and, second, to a decline in the authority and representative character of the General Assembly. This anomalous situation, moreover, is increasingly reflected in the important councils of the United Nations as regional groups tend to choose their candidates for these bodies on the principle of simple rotation rather than on that of capacity to contribute to the Councils. This growing weakness cannot be cured until means are found to grant very small states a status which assures them of the protection and assistance of the United Nations without imposing on them obligations they are incapable of supporting.

A second field in which a significant element of unrealism has crept into the activities of the United Nations is in the application of sanctions under Chapter VII of the Charter. It was anticipated that these would be invoked by the Security Council in cases where there was a clear breach of or threat to international peace and security and where milder action had failed. There has come to be in recent years great pressure to apply such sanctions to states or regimes in Southern Africa which deny the right of self-determimnation or equal political and human rights to the black majorities of their

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population. These denials are of course in the highest degree reprehensible and fully deserving of condemnation by the world community. It is also true that over the long run they may come to constitute threats to international peace and security since the oppressed majorities may eventually refuse any longer to tolerate their oppression. It would seem to me, however, to be stretching the intent of the Charter to claim that the present situation, outrageous as it is, constitutes a present threat to international peace and seucrity.

In any case the risk of proceeding from this premise to the application of economic sanctions is shown by the failure of such sanctions, so far at least, to achieve the desired results even against Rhodesia, a territory whose economy is relatively vulnerable. How much less likely would they be to achieve decisive results against neighboring and stronger countries, particularly when the overwhelming, the quasi-unanimous world opinion required to make such sanctions work is obviously absent. Let us not further weaken the authority and the potentiality of the UN by demanding of it prematurely more than it can realistically be expected to deliver. For the time being let each nation be the judge of what posture both moral imperatives and political farsightedness suggest it should assume toward Southern Africa.

Of course there are some who argue that the whole conception of the United Nations is unrealistic, that in a world of nationalisms only nation states can act effectively, and that the UN Charter is only pious rhetoric. I would most vigorously dispute their claim. On the contrary, I would argue that, in this interdependent world, the capacity of even the strongest individual nations to act effectively alone is growing ever narrower. There are coming to be more and more actions of the greatest consequence which, if they are to be done safely or even done at all, must be done by international agreement and international action.

I would argue that the most important of them is peacekeeping. Of course it is incumbent upon all nations to keep the peace. That has been a Christian principle for 2000 years but unfortunately it has not yet become an invariable Christian practice. But there is no nation today, no matter how powerful, capable of maintaining a pax romana or pax britannica around the world or even over any large part of it. If any should attempt to do so, it would incite both the rival ambitions of other great powers and the stubborn nationalism of a host of small ones. There can be, I suggest, no permanent peace imposed by any nation or group of nations. There can only some day we trust be a permanent peace imposed by a world community which has collectively decided that only by living in peace can it be sure of living at all.

In the meantime, the very epitome of realism, I would argue, is to strengthen in every possible way the international organizations we have, the United Nations and all its great family of specialized agencies, to enable them better to cope with the paradoxes of our times. Dag Hammarskjold, U Thant and many others have long reminded us that the United Nations has only as much authority and resources as its members are willing to give it or lend it. Insofar as it has failed it has done so, not because of inherent flaws in its concept or constitution, but because its members have refused to let it have the necessary power and means to achieve the purposes they themselves have set for it. Their attitude has too often been that of the mother in the old nursery rhyme:

"May I go swimming, mother dear?"
"Yes, My darling daughter,
Hang your clothes on a hickory limb
But don't go near the water."

Fortunately that attitude is changing. As to peacekeeping, the disastrous hangover of the Article 19 controversy, in which all of the participants including the United States behaved shortsightedly and foolishly, is wearing off. All of the great powers, including the Soviet Union, are showing significant interest in developing a more reliable UN peacekeeping capacity, first of all for use in supporting a Middle Eastern settlement but clearly also to be available to deal with other situations which the members of the Security Council might agree constitute serious threats to international peace. There does now seem to be a reasonable hope that, as the risks and burdens of unilateral response to such threats become more obvious, there may be an increasing acceptance of the necessity of an effective multilateral alternative such as the UN could provide.

It may be premature to show even this guarded optimism about the ability of the United Nations to cope in the near future with the other great paradoxes of our time, with the gap between living standards and prospects of developed and undeveloped countries, with the deteriorating quality of our environment as a consequence of inordinate population growth and promiscuous modernization, with the fragmentation of the human family into smaller and smaller national units. Certainly in this country, for example, aid to developing nations seems to have fallen into disrepute just at the moment when, if continued, it seems most likely to achieve some of its most dramatic successes.

On the other hand, it may be that multilateral aid, aid extended through the United Nations family, the World Bank, the UN Development Program and some of the specialized agencies, may be to some extent exempt from this general disrepute. Our Administration, for example, is requesting of the present Congress increased funds for some of these purposes. I very strongly hope that these requests will be approved and as time goes on may be further expanded. I urge that every one of you support these requests. I would consider it in the highest degree unrealistic to ignore or underestimate the grave danger to world stability, indeed to our own national interests, which would certainly flow from a frustration of the demand of the underprivileged two-thirds of the world's people that they share in benefits which modern science has so lavishly conferred on the privileged third. I would, moreover, consider it wise that a large part of what the rich nations do contribute to redress this balance be channelled through international agencies which are less likely to become involved in political complications than are national donors or lenders.

In the field of population control also the United Nations is at last substantially seized of the problem. A recent report of the U.S. United Nations Association by a distinguished panel, headed by John D. Rockefeller, recommended a very large increase in UN programs for this purpose and a large increase in U.S. contributions. I hope that both of these increases will take place. Similarly the UN is beginning, as we are here at home, to be deeply concerned with the pollution of our air, water and soil. These are scrouges affecting all industrialized societies but more and more affecting to some degree societies of all kinds. The United Nations is planning an international conference on this subject in 1972 and the United States is preparing to do whatever it can to ensure that the conference has the maximum possible impact and benefit.

My friends of the United Church of Christ, ever since Moses, probably long before, man has been dreaming of the Promised Land. Even in Moses's time it was possible for small groups of men, inspired by faith, endowed with courage and enterprise, to make deserts bloom and to offer their children lives which were both rewarding and noble. To our generation, for the first time in history, is offered the possibility to offer to *our* children, and I mean all children of the family of man, lives of this quality, lives no less rich in adventure and challenge for being secure, healthy and harmonious, lives during which the age-old promise of "peace on earth and good will to men" might at last begin to be fulfilled.

Is this unrealistic? Of course it may be. Of course it *will* be if we insist on looking no farther than the ends of our hard noses, if we insist on setting no higher aim than national or racial or ideological advantage. In closing, I would argue again that, in light of the miracles, technological or devine, which now permit us to land on the moon, to blow up our planet or to feed the multitudes, the highest realism is to choose soberly among these miraculous new capabilities, to control and root out together those that could destroy us, to develop together to the *n*th power those that can enrich and unite us.

A recent British Ambassador to Washington remarked that "man is a peculiarly constructed animal who can't read the handwriting on the wall until he has his back to it." Let that not be said of us. Let us read in time both the evil tidings and the good tidings written on the wall and, asking God's help, choose wisely and realistically between them.

WELDON OWENS, OF THE DALLAS TIMES HERALD, ENDORSES FOLKLIFE FOUNDATION PROPOSAL

Mr. YARBOROUGH. Mr. President, earlier this year, I introduced S. 1591, a bill to create an American Folklife Foundation. On June 25, 1969, Mr. Weldon Owens who authors a popular column, entitled "Cross Country," published in the Dallas Times Herald, endorsed my proposal. Mr. Owens is a knowledgeable commentator on events all across Texas, and I am highly flattered to have his support.

I ask unanimous consent that an extract from Mr. Owens' column of June 25, 1969, be printed at this point in the RECORD.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

CROSS COUNTRY

(By Weldon Owens)

Extra: A thousand thanks to Sen. Ralph Yarborough for his introduction of a bill to establish an American Folklife Foundation (Smithsonian Institution agency).

SOFTENING THE SCHOOL DESEGREGATION GUIDELINES

Mr. MONDALE. For the past half year the school desegregation program has been forced to operate in a context of ambiguity, vacillation, and equivocation. Despite the existence of guidelines that clearly reflected the law and relevant court decisions, administration spokesmen continually suggested that these guidelines would be softened, and the deadlines relaxed.

I and a number of other Senators from both parties were relieved to hear Secretary Finch state on two occasions in late April and early May that the existing school desegregation guidelines were going to be enforced. Unfortunately last Thursday's statement of retreat by Secretary Finch and Attorney General Mitchell destroyed that promise. The deliberately confusing statement they issued on school desegregation—indicating

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at least that some school districts would have more time to desegregate, and at worse that many school districts would have more time to desegregate—was unnecessary and tragic.

As editorial published in Monday's Washington Post summarized very well the unfortunate consequences that the administration's policy of vacillation and retreat, capped by the Finch-Mitchell statement, has had and will have on the effort to finally eliminate the dual school system some 15 years after the Supreme Court of the United States declared it unconstitutional. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, July 7, 1969]

WATCH WHAT WE DO

There are a number of lessons the Nixon Administration could have learned from the Knowles affair, and chief among them is that short term buying and selling do not constitute good politics. For in the name of political exigency and at the altar of some presumed nitty-gritty, the President made an awful bargain and did himself more damage than he conceivably could have done by resisting outside pressure and taking a definable stand on the issue months ago.

We bring all this up because the Administration appears to have gone through the whole gruesome, self-damaging process over again, this time in relation to the Federal guidelines for school desegregation.

At the end of five months of internecine manglings and counter manglings, and less than a week after Secretary Finch had asserted that no relaxation of the 1969–1970 deadlines for compliance was contemplated, the Administration has come forth publicly with an inconclusive, teeter-totter position: a lengthy statement beginning with a sanctimonious attack on nameless others who apparently don't share its rectitude in this matter ("This Administration does not intend to continue those old procedures that make satisfying headlines in some areas . . ."), and simultaneously announcing that the 1969–1970 deadlines will be relaxed and that they will hopefully also be enforced. The point is that the statement which, ironically, purports to "strip away the confusion which has too often characterized discussion of this issue," instead has compounded it. There is a little something for everyone; the range of possible interpretations is wide; the hard questions have yet to be faced or answered.

The guidelines are merely a system of standards and measures worked out by HEW, and derived in part from court rulings, whereby it is possible to judge a school district's compliance with the law and its consequent qualification (or lack of qualification) to receive Federal funds. Eighty-nine per cent of the districts in the South already are in compliance with the law. Nor is there any question that, taken together, the Civil Rights Act of 1964, with its provision for denying money to offending schools, and the Elementary and Secondary Education Act of 1965, which provided the first hefty sums that could be granted or denied, have functioned as an incentive to getting on with desegregation in the South. That is what the guidelines are all about. Only 11 per cent of the South's school districts remain in one stage or another of non-compliance, and a year and a half ago they were given until the fall of 1969 to comply, or until the fall of 1970 under certain special circumstances. It is the fate of these relatively few school districts that has had the Nixon Administration in such a dither since it came to office—a dither, it might be added, which has not taken very shrewd account of how the act of rewarding the holdouts might affect the overwhelming majority of Southern districts which have already complied.

Two things may be said about the Administration's performance as an exercise in politics. One is that no matter how the practical issue finally is resolved, the Administration is bound to pay a heavy political price as a result of having opened the question in the first place. The other is that there was neither reason nor need to have done so. This, in other words, has been self-generated *angst*. The guidelines as formulated contained enough artful language to allow a reasonable degree of flexibility in their application. Again, the fall of 1969 deadline had built into it a dual advantage: it rested on the interpretation of court rulings, thus providing the Administration with a credible reason for deciding not to alter it; and it brought this thorny problem to its conclusion in the least political season of the next four years, a schedule designed to minimize the pain, cost, and temptation to posturing on the part of all concerned. Finally, momentum had been gathered; an aspect of inevitability had been perceived and even accepted by all but the most hard core Southern resisters; the end of the legal phase was in sight. Now, the Administration's ambiguity has undermined those deadlines, whether it intends ultimately to maintain them or not. It is odd that Mr. Nixon, who is so keenly attuned to the psychological necessities of the bargaining table in other connections, has permitted his Administration to give the Southern holdouts every reason to hope he is not serious about enforcing the guidelines and every incentive to resist HEW's warnings. A number of Southern school districts have already, in his term, withdrawn compliance plans they had reluctantly submitted to HEW. It is also odd that he did not perceive that by fiddling around with the guidelines, only partially hidden backstage, and letting this internal Administration drama play itself out in public, he was leading the Southern resistance to believe that he had it in his power to do them a favor—a situation that will naturally lead to bitter disappointment if he ultimately lets them down, and one that was wholly avoidable.

A few days before the guidelines statement was issued, Attorney General Mitchell made an extraordinary remark to a group of black protesters in his office, and one that is not without relevance to what has happened since. "You'd be better informed if instead of listening to what we say, you watch what we do," the Attorney General said.

Surely, it is not romantic to believe that what the Administration says and what it does should have a rather close connection—especially where the sending out of signals on this delicate and potentially explosive issue is concerned. This one can't be solved by equivocation, more delay, or on the cheap. That in our opinion is the best *political* advice Mr. Nixon's political advisers have given him—never mind the big legal and moral questions.

HEW AND DESEGREGATION

Mr. BAKER. Mr. President, on June 20, Mr. Leon E. Panetta, Director, Office for Civil Rights, Department of Health, Education, and Welfare, addressed the Southern Regional School Boards Association annual convention in Gatlinburg, Tenn. Mr. Panetta was formerly a legislative assistant to former Senator Kuchel of California, and assumed his present difficult position subsequent to the inauguration of President Nixon. In my discussions with him, I have always found him to be a competent, cooperative, personable administrator.

In his remarks Mr. Panetta enunciates the philosophy of HEW on the school desegregation issue. As we all know, this is a highly controversial and volatile issue. I believe that Mr. Panetta's remarks would be most helpful to anyone seeking a better understanding of the position of HEW on this matter. Therefore, I ask unanimous consent that the text of his address be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS BY MR. LEON E. PANETTA, DIRECTOR, OFFICE FOR CIVIL RIGHTS

Please permit me first of all to thank you for your invitation to speak to the annual meeting of the Southern Region School Boards Association. Having worked in the United States Senate for three years, I know what it means when an elected official cries in anguish: "I need a lot more friends and a lot fewer enemies." I am sure many of you have often suffered the same anguish. Let me say that while the Office for Civil Rights is not going to win any popularity contests in this Government, I can assure you we relish every opportunity to win some understanding observers, if not more friends.

But moreover it gives me the chance to speak to each of you . . . to listen to each of you . . . to help reopen communication with you . . . to reason together with you in an area that is more infamous for its controversy, its emotion and its turmoil than its logic or reason.

I have had the honor of talking to many of you personally—in negotiating sessions, over the telephone, and at meetings similar to this. I understand your problems—how well I understand your problems—for I too must bear a responsibility for those problems when I enforce the law. It is a monumental responsibility for each of us. You must face your community and their pressures, and anxieties, and their desires, and yet, you must seek a sound and equal education for your children. I, as a member of the Executive Branch am sworn to uphold the law as written by the Congress and as interpreted by the courts and yet, I believe that I too must seek, in the end, a sound and equal education for the children of America. Over and over again I have reiterated that the position of my office is not "integration and to hell with education"—but, at the same time, I cannot and do not say: "education and to hell with the compliance with the law."

It is within this context that the various questions and problems surrounding desegregation arise. Such questions as: Are the two goals—education and compliance with the law—compatible and can they be achieved together or are they mutually exclusive? Does integration destroy the educational quality of a system? Is the law wrong? Is the *Brown* decision wrong and outdated? Is separate but equal education the best kind of education? What are the real difficulties involved in compliance with the law?

Let us, if we can today, survey some of the answers to these questions and try to understand a little better between us some of the real problems we share in this area.

First of all, what of the law itself—how clear is it? On the question of separate but equal education, the law as stated in the *Brown* decision of 1954 is quite clear: separate education is unequal education. On the issue of the dual school system the law is again quite clear: where a school has been established as an all black or an all white school under the dual school system, its racial identifiability must be disestablished. The Civil Rights Act of 1964 is also quite clear in its aim: when a school district continues to discriminate on the basis of race, color or national origin, Federal funds going to that district must be terminated. On the question of free choice, the Supreme Court has spoken unequivocally: where there is a more efficient or effective way of disestablishing the dual school system, freedom of choice must be held unacceptable. The court did not outlaw the use of free choice but it did say that such a method must be effectively disestablishing the racial identifiability of schools in that system.

What of your obligation under the law as members of a school board? The obligation of a school board is to come forward with a plan that promises realistically to work and promises realistically to work *now*. And so, whether you agree with the law or not, whether you believe the law has gone too fast or too far or not fast enough. I believe the obligations under the law with regards to school desegregation are quite clear: a local school system must go as far and as quickly as it is administratively feasible, regardless of the attitudes of the community, to disestablish the dual school system at the earliest practicable date.

How does this same law apply in the North where there is no dual school system and where alleged de facto situations prohibit enforcement under Title VI? The Office for Civil Rights proceeds on the basis that if we can establish deliberate acts of discrimination resulting in segregated education, we will proceed against such a school district under the law. For too long, Title VI enforcement has been regionalized to the South. Discrimination is not restricted to any geographic area—it extends across the Nation and must be dealt on a national basis. Today, for the first time, the Title VI staff is equally balanced North and South and we intend to keep it that way.

In general then, the law is clear on this issue, and this Administration must continue to enforce that law. There is a great deal of talk these days about law and order, but such law and order is not what each of us would like it to be but what the Congress and the courts have said it must be. It is not a citizens' prerogative to determine which laws he will obey and which he will ignore. If true law and order is to exist, all citizens must abide by the laws of this land regardless of personal likes or dislikes.

What are some of the other difficulties of compliance? Is it the impact on the educational quality in a community?

Recently, a district court judge rendered his decision with the following observation:

"In any community where one school is black and one predominantly white nobody needs to be told which is considered the good school. This is the case whether segregation is the result of an old housing pattern, the flight of white residents or the construction of a new school on a site beyond the walking distance of Negro children. The implication, and not infrequently, the assertion, that the Negro school is 'undesirable' disheartens both pupils and teachers and limits their expectations. Because it saps the pupil's motivation, his achievement level drops below his actual capacity and gives ostensible confirmation to the fear that he is somehow deficient. In other words, the school which should help him to resolve his self-doubts, strengthen his self-respect and encourage his aspirations actually does the reverse.

"The correlation between high expectations and excellent performance, low expectations and poor performance is so obvious and well documented that even without test scores to prove the point, it should be obvious that Negro children make better progress in desegregated schools where success is the rule than in all-Negro schools where it is usually the exception."

In addition, a recent appraisal of school desegregation by Dr. Meyer Weinberg concludes that the Negro pupil learns more in a desegregated class, while the white student continues to learn at his accustomed rate. Negro aspirations, already high in terms of what he wants to achieve, increase in desegregated classes.

In another study, a large number of Negro 4th, 5th, and 6th graders in five desegregated schools were compared with a similar number in three all Negro schools. Academic achievement of the desegregated Negro students was considerably higher and the students desegregated at the 4th grade level fared even better than those who were in the 5th and 6th grade classes.

Other studies substantiate the fact that desegregation does serve to improve the overall quality of education for all students. Surely, there may be exceptions—where teachers are desperately deficient, where differences in educational quality have been excessive—but the fact remains that desegregation does advance equal educational opportunity for all.

Assume, then, that the law is clear and desegregation does not have a serious or adverse impact on educational quality, why is it so difficult to desegregate a school district? Why? Because it is not the law that is the greatest barrier nor is it the educational quality. You and I know that the most difficult barrier you face is the community reaction that must be encountered and responded to in seeking compliance with the law and equal educational opportunity. Call it feelings, however sincere or honest; call it prejudice; call it hate; call it fear; call it custom; call it history; call it whatever you will but in the end, it is the reason for white escapism . . . it is the reason whites will not attend formerly all black schools . . . it is the reason whites are creating a private school system that in many cases is grossly inferior to the public school system . . . it is the reason why black schools are being closed and predominantly white schools overcrowded . . . it is the reason blacks today are opposing one-way integration and seek to keep open good facilities that have been all black. And all of this is nothing new. We have all recognized its existence. We know the tension of all communities. We know that regardless of what a court may say or the Federal government require—attitudes of hate or fear or distrust cannot be changed overnight. And yet, I do not believe that we as a Nation can afford to be satisfied that this must always be the case—that our society must forever remain divided.

Only last week, a member of Congress told me: "Nothing is going to change . . . people are just not going to mix . . . just leave things the way they are." I left his office with a feeling of hopelessness. For what does this type of attitude mean—that we should be satisfied that blacks are being separated and get an inferior education? Does it mean that our society must continue not as one but as two? Does it mean that we should continue to plant the seeds of doubt and fear and anxiety in our young much as they were implanted in our hearts?

You and I, my friends, are at a crucial time in our history. Our greatest hope lies in giving to our children a hope and trust in all mankind—regardless of his color. If we continue to separate races, we will continue to divide a Nation—it is as simple as that. The America of tomorrow cannot afford to be burdened by the fears and prejudices of today. Nor can it afford to be frightened by the screams of either extreme, right or left. But that process can only begin in the open and free minds of our young.

You, the leaders of your various communities, face the awesome responsibility of making the hope for one America become a reality. It is not an easy task and yet, much to their credit, over 89% of the school districts in the South have taken the step and are today in compliance with the law. I only hope that as we progress to enforce the law in the North, school boards and superintendents will possess a small part of the courage and strength that thousands of their southern brethren have shown. For those districts that remain, facing some of the most difficult districts to desegregate, the challenge will be great. For many of you, the only way out in achieving compliance with the law and yet facing your community will be to place the blame on HEW or the Justice Department. I understand this process and am prepared to face such animosity in the future. But there are other more positive steps that can be taken—the formation of biracial committees to advise the board and assist in the transition, additional courses to better prepare teachers for desegregation, increased remedial education to help repair in children the deep scars of discrimination, and most of all the courage and strength of the school board to continue to do what is right.

We in the Federal government also have our job to do in this task. I do not believe that the Federal government should merely tell a school district that it is in noncompliance and then leave it up to them to find the difficult answers. This is a Federal law that is being enforced—it is equally a Federal responsibility to provide whatever assistance, technical and financial, may be required. For example, recent court decisions have for the first time recognized the importance of working with HEW in developing effective desegregation plans. Beyond this, it is necessary not only to provide technical and financial assistance but improved and better coordinated enforcement as well. This means plugging the obvious gaps that still remain and that make it so difficult for school districts to abide by the law. It is essential that the Government move against court order districts that are ignoring their orders. It is essential that we move against terminated districts that remain in violation of the law and yet are not receiving any Federal assistance. It is essential that we move against majority Negro districts that have for so long been ignored in the enforcement process. These are all efforts that can smooth the way to compliance with the law. In these ways, I believe the Federal government can fulfill its responsibility to help you fulfill yours.

Let no one minimize the challenge we face. But we must face it together; we must work together; and we must reason together. In the end, we can and we will give life to the words of the President in his inaugural address:

"To go forward at all is to go forward together. This means black and white together, as one nation, not two. The laws have caught up with out conscience. What remains is to give life to what is in the law: to insure at last that as all are born equal in dignity before God, all are born equal in dignity before men."

POSSIBILITIES FOR ALASKA COMMUNICATION

Mr. GRAVEL. Mr. President, on June 16, 1969, I had the honor to inform the Senate of some monumental possibilities for Alaska communications. During the weeks since then, much has happened to increase our optimism that one of the world's last communications backwaters—Alaska—will receive prompt attention.

When I last spoke on this subject I had just requested the National Aeronautics and Space Administration to transmit a live telecast of the Apollo 11 moon mission to Alaska. No live television has ever been transmitted into Alaska from outside and I felt that it would be altogether fitting if the first such telecast was one of such historic consequence.

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I am privileged to report that my efforts have been successful and that there will be live reception of the Apollo 11 flight in Alaska.

On July 4, 1969, Secretary of Defense Melvin Laird informed me of his decision to have the Defense Department participate and cooperate. I am personally grateful for his decision and the support of the Office of the Director of Defense Research and Engineering. This weekend, a mobile satellite receiver station will be in Anchorage.

I want to say also that NASA and numerous private companies lent invaluable assistance to this effort. It will represent the first use of the Defense Department's TACSAT satellite in this fashion and thereby will serve worthwhile experimental purposes in addition to affording Alaskans the same opportunity that other Americans will have to witness the historic Apollo 11 mission.

I only regret that but one portable ground station was available for use, and other Alaskans located outside Anchorage will not be in the general reception area.

This live telecast reinforces my belief that the technological elements exist to bring communications to rural Alaska communities—communities which may not otherwise see television nor enjoy adequate communications for a decade or more unless action is taken now.

On July 2, 1969, I asked the Administrator of the National Aeronautics and Space Administration to consider making available for Alaska the ATS–1 satellite for a period of 10 months, starting as soon as possible after September 1. This application would bring educational, medical, vocational, rehabilitation, and cultural television to a number of rural Alaska communities. A large portion of Alaska's population lives in cities and villages without reliable communications with the outside world. Children go to school in this isolation confronted with language problems and the types of difficulties encountered in one-room schoolhouses shared by children of many grade levels. In other parts of the world technology is permitting children in similar conditions to have the benefit of educational television and to help span a generation of contact with Western culture. And our Nation is rightly providing the leadership in that effort. Our problem in Alaska is identical, and so what I am asking is the use of developed technology and available equipment for use in a modest experiment to demonstrate the use of educational television in the classroom.

Small communities could be linked with a major city for this experimental period to help Alaskan authorities plan for a permanent satellite communications link. This project is unique in that it would be the first time that public institutions, now without generalized communications, can learn and plan for the future State infrastructure able to cope with the most modern of communications.

I ask unanimous consent to have printed in the RECORD a summary of a pilot program for use of satellite communications for Alaska; briefly describing the experimental organization involved in education, in community planning, in network organization, in program management, in facilities maintenance, and in all the organizational procedures necessary to harness the satellite and the specialized ground equipment for the public good.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

A SUMMARY OF THE ALASKA PILOT PROGRAM FOR EDUCATIONAL AND PUBLIC COMMUNICATIONS BY SATELLITE

(By U.S. Senator MIKE GRAVEL)

INTRODUCTION

On June 16, 1969, Senator Gravel issued a statement in the United States Senate in which he described the urgent need for generalized communications in Alaska. This document describes how an experimental project, six to nine months in duration, would be of great benefit to Alaska in the State's organizational planning for a permanent system.

It is important to note the uniqueness and experimental nature of the Pilot Program. Alaska is the only American territory where generalized communications throughout is feasible in the near future only by use of satellite communications. Alaska has, therefore, no outside source of experience to turn to in order to plan the terrestrial infrastructure to cope with such a unique modern system.

THE REQUIREMENT OF THE PILOT PROGRAM

To enable Alaskan authorities to plan an effective management organization for eventual permanent satellite communications throughout the State.

THE NEED

To bring data, voice, broadcast and television communications to all areas of the State in the near future.

To bring to rural communities and formative institutions their only access to authorized facilities such as the National Network for Biomedical Communications and the Networks for Knowledge.

To bring to the only Americans now without such facilities the modern educational, vocational, public health and cultural programs now available in the United States.

To bring to Alaska all the cultural and social benefits from public broadcasting.

TIMETABLE

September, 1969 to July, 1970. Due to organizational costs and limited hardware availability, two rural communities at a time could participate for four or five months, and a second pair of communities for the remaining period, or any suitable combination of one principal location, and three rural extensions.

AUTHORITY

The appropriate State authorities will be the sole judges of the content of all programming in the field of educational and vocational training.

The State will be assisted by the Corporation for Public Broadcasting to judge the selection and transmission of cultural programming.

TECHNICAL MANAGEMENT

Competent industrial organizations will be retained to operate the receiver installations, to maintain local distribution from the reception station to school rooms and community or village centers, and to transmit the programming authorized by the State.

The National Aeronautics and Space Administration will make available ATS–1 (an experimental communications satellite located in synchronous orbit south of the Bay of Alaska) and insure the controls and technical availability, to the limits of feasibility, of ATS–1 for the Pilot Program. Optionally, perhaps a SYNCOM satellite could be assigned for utilization by the State of Alaska with the operational support of NASA.

FUNDING

The unique nature of the utilization experiment is such that NASA will make available free-of-charge those operating expenses not unique to this pilot program. This does not preclude independent arrangements by NASA for other use of ATS–1 for other time segments.

Funding is available to assist Alaskan communities through existing Federal Public Laws and from Foundations. The Corporation for Public Broadcasting has indicated its full cooperation and the assistance of its good offices to the State of Alaska.

Local funding and resources will also be available in Alaska.

CLASSROOM AIDS AND COMMUNITY VIEWING

The important impact on classroom effectiveness cannot be measured. New equipment, such as electronic blackboards now successfully tested, might be used. Sufficient supplies of ETV programs are available for selection by the Alaska educational authorities. Public Broadcasting programs of varied adult interests are also available for selection.

BACKGROUND

The pilot project is timely since the satellite facilities may be available on a permanent basis in a few years. The project will enable the State to organize itself appropriately.

The Canadian authorities have indicated their willingness to make capacity available to Alaska in a manner consistent with the agreement of the United States and the eventual Intelsat Agreement.

The Federal Communications Commission and the Communications Satellite Corporation are expected to clarify, respectively, policy and responsiveness, as concerns domestic services to meet unique needs.

The three large network broadcasters have suggested an experiment for extending commercial public service telecasts on a live basis to Alaska where such television distribution of nationally broadcast programs are now delayed. It is possible to share the use of one of the ground stations for this pilot program should the three networks successfully negotiate their independent proposal.

RESIDUAL BENEFITS

The pilot program will enable all competent authorities to establish clear cost estimates for a permanent communications program. Based on estimates, formulated from experience in end-costing large programs of similar nature, the estimated annual cost per person over the first twenty years of generalized communications would be one dollar per month, predicated on an annual population growth of five percent.

ANOTHER NEUROLOGICAL DISEASE RESPONDS TO TREATMENT BY L-DOPA

Mr. ANDERSON. Mr. President, I want to call attention to an article in the Washington Post on Saturday, July 5, 1969, which discusses the use of L-Dopa at Washington's Children's Hospital to treat dystonia musculorum deformaris, a disease which causes twisting and crippling of the limbs. The first use of the drug for dystonia was accomplished by Dr. Mary Coleman, a research neurologist at Children's Hospital. The results were remarkable.

A first use of the compound L-Dopa was at the Atomic Energy Commission's Brookhaven National Laboratory in Upton, N.Y., where Drs. George C. Cotzias, Paul S. Papavasiliou, and Rosemary

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Gellene used it in treating patients suffering from Parkinson's disease. They have achieved some remarkable results by means of long-term treatment. Slowly increasing oral doses of L-Dopa has resulted in at least partial improvement of some manifestations in a series of 28 patients. These patients ranged in age from 46 to 72 years and had been afflicted with Parkinson's disease for from 1 to 30 years. Improvement in the performance of these patients was graded as modest in four cases, moderate in four, marked in 10, and dramatic in 10.

The greatest result of the work of Dr. Cotzias and his group was the clear demonstration that L-Dopa can effectively reverse most of the disabling symptoms of Parkinson's disease and that L-Dopa can be given over a long period at high dosage levels, if the increase is made slowly. This same long-time careful increase in dose tends to ameliorate side effects.

The National Institute of Neurological Disease and Blindness has estimated that the cost for the care of victims of Parkinson's disease is about $400 million annually in the United States, and that there are between 500,000 and 1,500,000 affected with the disease.

If the use of L-Dopa caused a sufficient improvement in only half the patients so that they were self-sufficient, the direct financial benefit would be roughly $200 million per year. This figure does not include any estimate of the earnings capacity of those people who have returned to work, as have a doctor and an attorney.

I want to commend Dr. Cotzias and his group for the marvelous contribution they are making to the public health and welfare, and compliment the AEC for supporting their work. I would like to commend Dr. Coleman and her coworker, Dr. Ann Barnet, for their efforts in showing that treatment by L-Dopa appears to conquer another malady, dystonia, which, like Parkinson's disease, gets progressively worse with time.

Mr. President, I ask unanimous consent that the Washington Post article concerning Dr. Coleman's work be included at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Remedy Seen for Limb Disease: New Drug, L-Dopa, Is Being Tried at Children's Hospital

(By Victor Cohn)

A disease that twists its victims' limbs and sometimes makes them writhe uncontrollably from head to foot appears to be responding to the powerful drug L-dopa.

L-dopa has been successfully used in the past two years in thousands of cases of Parkinson's disease—shaking palsy.

Because of this, one prominent doctor recently called it "the most important contribution to treatment of a neurologic disease in the past 50 years."

Now seven patients—three of them at Children's Hospital here—have responded dramatically to treatment of the grotesquely crippling dystonia musculorum deformans, to use the disease's full name.

A girl, 8, here is standing normally. Before treatment, she could stand only with support, leaning on the top of one twisted foot.

A man, 30, was able to walk to the platform to get his college degree this month, though he still must use a wheelchair most of the time.

A girl, 10, was rescued from a point near death after a bout of chronic vomiting that caused her to lose a third of her weight.

L-dopa was first used in dystonia by Dr. Mary Coleman, associate director of Children's Hospital's Clinical Research Center.

The 10-year-old was the first patient, starting last February. She had been treated at another hospital without any benefit.

Her neck was twisted slightly—the result of her dystonia—but her really serious symptoms were gastrointestinal disease, including vomiting, and lasting insomnia.

Dr. Coleman—a research neurologist—tested her brain chemistry, and found she was low in production of the powerful brain and nerve chemical, serotonin. The doctor tried a drug called 5–HTP, which should induce serotonin production.

In this case it did not, and, says Dr. Coleman, "I decided some other chemical in balance with serotonin might be even lower. I postulated it might be her catecholamines—serotonin, and the catecholamines control a part of the brain."

L-dopa initiates catecholamine production. And L-dopa has worked so far in this case and two others treated at this hospital, both with far more serious muscular expressions of dystonia.

"We can only say 'so far,'" Dr. Coleman adds. "It will be a year from now before we can even begin to say whether or not this is a lasting treatment, without any serious side-effects."

In any case, it is the most dramatic chemical attack yet made on this serious genetic disorder. Brain surgery sometimes helps it, but the good effects tend to disappear after a few years.

Dr. Coleman and Dr. Ann Barnett of Children's Hospital made a report on their work to the American Neurological Association in Los Angeles.

Their research spurred Dr. George C. Cotzias of Brookhaven National Laboratory on Long Island to try L-dopa in dystonia musculorum deformans.

He has effectively treated two more patients. Another two have been treated in Montreal by Dr. Andre Barbeau.

Cotzias is the doctor who first used L-dopa in Parkinson's disease. It relieves symptoms profoundly in many Parkinsonism patients, but does cause undesirable side effects in some.

Several drug firms are now pressing the Food and Drug Administration for general release of the drug for this ailment.

The National Institute of Neurologic Diseases and Stroke and a group of collaborating doctors are evaluating it for FDA.

FROM VIETNAM

Mr. HANSEN. Mr. President, all of us hear a great deal about campus unrest and the militant attitude of some of the young people of our country.

But there is another side to young America. There is a group of young people who are serving their country in the military. These young men exhibit the highest kind of loyalty, patriotism, and dedication. They are willing to let their actions speak for them and are perhaps more typical of our youth than those who are causing violence on college campuses. As an example, a Sheridan, Wyo., man has recently written his family:

> To get out and see and be with the men and fight along side of them makes me proud to be an American and proud of my men.

I think, Mr. President, this clearly tells what this unheard segment of our young people is really like and I commend their courage and patriotic dedication. I would like to share a few paragraphs of a letter from the Sheridan soldier who has been in Vietnam because it points up this dedication to duty:

> Last week was very busy with the increased enemy activity. We had a bad week losing three men and about twenty-five wounded. Things have pretty well calmed down right now except in the Dakto Ben Het area next to the border. I'll probably go over there in the next day or two. I've been getting out a lot. Usually two or three times a week. It's the only way you keep ahead of the situation and find out what your batteries are doing.
>
> Of course I learned a lot in Nha Trang but up here where all the action is taking place, really makes one feel he is making a contribution to the war effort. To get out and see and be with the men and fight along side of them makes me proud to be an American and proud of my men. We have some of the bravest men I've ever seen who face death daily but just won't stop when the chips are down.
>
> I've seen them run from the safety of their bunkers during attacks to get to their "dusters" and "quads", get knocked down by incoming mortar rounds, get back up and keep going. Our men would rather be out fighting than back in the safety of base camp.

Mr. President, this kind of activity and this kind of dedication provides a truer picture of our dedicated young citizens. I am proud of them.

TRIBUTE TO DR. EDWARD C. CRAFTS

Mr. JACKSON. Mr. President, one of the great leaders of the progress in the field of Government conservation programs in the past several years has been Dr. Edward C. Crafts, who with the advent of the new administration stepped down as Director of the Bureau of Outdoor Recreation in the Department of the Interior.

He was the Bureau's first Director, and how well he performed in his 7 years in that position is eloquently described in the July issue of American Forests, the magazine devoted to forests, soil, water, wildlife, and outdoor recreation, and published by the American Forestry Association.

Dr. Crafts, always "Ed" to his legion of friends and admirers, has been named special articles editor for the magazine.

Mr. President, I request unanimous consent that this article, which is a well-earned tribute to a great conservationist, appear in the Record at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Crafts Named Special Articles Editor

Dr. Edward C. Crafts, former Director of the Bureau of Outdoor Recreation, has always had a special affinity for The American Forestry Association and American Forests Magazine.

While he was a sophomore at Dartmouth College a special issue of American Forests in July, 1930, on the 25th Anniversary of the U.S. Forest Service convinced him that forestry was for him. Later he graduated *summa cum laude* from the University of Michigan School of Forestry. He also received his M.A. and Ph.D. degrees from Michigan.

Thus, in 1932, began a 37-year career as a federal career forester. For 11 years, starting in 1951, he was Assistant Chief in charge of program planning, legislation and congressional relations for the Forest Service. He was

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Director and driving force in the special Forest Service Task Force that compiled the Timber Resources Review. On the Hill, he had a major hand in enactment of the Multiple Use-Sustained Yield law, the Multiple Use Mining Act of 1955, and other key Forest Service legislation.

In 1962 Dr. Crafts struck out in a new direction by pioneering in the burgeoning outdoor recreation arena when he became Director of the Bureau of Outdoor Recreation in the Department of the Interior. He built the new Bureau from scratch and today the Bureau coordinates programs of 60 federal agencies and is cooperating with all 50 states in developing comprehensive plans for outdoor recreation. It also administers the $200 million a year Land and Water Conservation Fund. In 1968 the Bureau was instrumental in securing passage of acts creating a Redwoods National Park, a North Cascades National Park, a National System of Trails, and a National Wild and Scenic Rivers System.

Last year he was awarded the $10,000 Rockefeller Public Service Award by Princeton's Woodrow Wilson School of Public and International Affairs. In 1968 he also was awarded an honorary Doctor of Science degree from the University of Michigan. This year he was recipient of *Holiday* magazine's commendation for a more Beautiful America. Dr. Crafts is the only person to receive Distinguished Service Awards from both the Departments of Agriculture and Interior.

When Dr. Crafts stepped down as Director of BOR early this year with the advent of Secretary Hickel, American Forests decided that Dr. Crafts' great ability and experience should not be permitted to lie fallow. Accordingly, the magazine invited him to join the staff as a special articles editor and he accepted. Dr. Crafts will do a series of carefully selected judgment articles on subjects of current concern. Some of these will include:

Whither BOR?—The first director of a new federal bureau invariably develops a father image for members of that bureau and Dr. Crafts is no exception. In this article Dr. Crafts will touch on the need to maintain a high degree of professionalism, the avoidance of political boondoggles on the part of an agency that allocates more than $200 million a year to the respective states. Even more specifically he will elaborate on the proposed nationwide Outdoor Recreation Plan yet to surface and already long overdue, and other needed conservation and recreation measures.

The Saga of a Law—Dr. Crafts kept voluminous notes on the story behind the scenes of the Multiple Use-Sustained Yield Act. From this wealth of experience and fact he will develop a story not alone on the background and intent of this act and its legislative history, but on new trends and directions in administering it, including the pressure to increase the cut on federal timberlands and the growing conflict of recreation versus timber.

The Respective Roles of the National Parks and National Forests in Recreation—No one is better equipped than Dr. Crafts to write about the delicate and sometimes explosive relationships between two great government bureaus. What is the rightful role of each in our recreation pattern and how can we achieve the best results? What land swaps are needed and how can the basic conflict in the National Park Act be resolved? How much of the Parks should be wilderness? Dr. Crafts will offer his judgment.

Islands in Time—The public was greatly intrigued several years ago when the Johnson Administration proposed a survey of millions of islands over 10 acres in size off the coast of the United States and in the major lakes and rivers. This survey was conducted in Dr. Crafts' regime. We now have a Wilderness System, a Scenic Rivers System, a National Trails System, as well as National Systems of Parks and Forests. Next on the list may be a National Island System. Few are closer to this subject than Dr. Crafts and his observations and thinking on the subject will be read with vast interest.

TO ACHIEVE CLEAN WATER

Mr. HANSEN. Mr. President, Commissioner of the Federal Water Pollution Control Administration David D. Dominick recently provided a concise approach to what needs to be done by all sectors of government to achieve clean water.

Commissioner Dominick's remarks were before the Federal Water Quality Association and his statements are important as we work to upgrade the quality of our environment. Mr. Dominick, from Cody, Wyo., served as my legislative assistant for over 2 years before joining the Nixon administration as FWPCA Commissioner in March. He is doing an outstanding job and we are proud of his stewardship of this office.

It is an important crusade and one that will require the best efforts of all of us. Because I think his remarks have a great deal of merit, I commend them to the attention of my colleagues and ask unanimous consent that his speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS OF DAVID D. DOMINICK, COMMISSIONER, FEDERAL WATER POLLUTION CONTROL ADMINISTRATION, BEFORE THE FEDERAL WATER QUALITY ASSOCIATION

I want to discuss with you today some of the hopes and thinking of the new clean water team leadership in Washington.

Our water resources have been misused and abused by careless and greedy segments of our society as have the other elements of our natural environment.

Fortunately, America has become alert to, and alarmed by, the shocking deterioration of environmental quality. Evidence of environmental decay affronts the American people at every turn. They smell it, taste it, see it.

Consequently, the call for effective environmental management is becoming insistent.

For the most part, we have come to this realization:

Man is a thinking, dominating animal. But man, nonetheless, is dependent entirely on the ecological balance of his planet to sustain him.

The harm has been done because man has fancied the role of master, and refused to recognize that he is a part of a total ecosystem.

Secretary of the Interior Hickel has said:

"Our national production machinery is humming, but at what price? Oil from offshore pollutes beautiful beaches and endangers marine life; air pollution injures health; pollution from human and industrial waste threatens our major streams; poisonous pesticides and fertilizers contaminate our food; one of the Great Lakes is considered fatally ill.

"We cannot turn back the clock. Technology is here to stay. The problem is that we have carelessly assumed that nature can absorb unlimited punishment. Now we are paying the bill."

The administration is totally committed to the improvement and maintenance of environmental quality. President Nixon has said:

"If we are to maintain our curernt high standard of life, we must protect our environment, we must conserve our natural resources, we must see that the true wealth of this nation is administered in an economical and sensible fashion . . .

"In order to maintain a high quality for our environment and conserve natural resources, the Federal Government must provide strong leadership to coordinate an integrated program which will include all levels of government, private industry, and individuals throughout the country.

As you know, the President is planning to establish an Environmental Quality Council to give leadership and direction to Federal efforts to create a healthy environment. The Council would comprise the President and the Vice President, and the Secretaries of Agriculture, Health, Education, and Welfare, Housing and Urban Development, Interior, and Transportation. The effective management of the natural environment will require wisdom, and imagination, and ideas, and discipline, and money. But above all it will require *action*.

I'm talking about action that will keep us on the move to prevent problems rather than react to them.

With respect to water pollution, it seems to me that too much time and energy has been consumed in the past tussling with problems which have been permitted to assume large and sometimes fearful proportions. You know the the kind of problems I'm referring to—oil spills and blowouts, floods, fish kills, pesticide poisoning, beach closings, the near destruction of Lake Erie, the threat to Lake Michigan, and so on.

Our pollution control experiences with Lake Erie and Lake Michigan have underlined the necessity and merit of taking action to prevent pollution problems from developing or tackling them before they become serious or even unmanageable.

The House Public Works Committee in its report of H.R. 4148, the Water Quality Improvement Act of 1969, said:

"Repeatedly, increasing scientific and technical expertise have brought to the fore aspects of the broad problem of which we were not aware, or with which we had dealt inadequately in the past. Events of catastrophic proportions have confronted us with dramatic evidence of the need for new or better preventive or control laws and procedures."

We certainly do not claim to have immediate answers for all the problems that confront the Federal Water Pollution Control Administration. But I want to assure you as earnestly as I can that we will not be faulted for lassitude, for a lack of desire, energy or action.

We will make the good fight in the knowledge, as some once said, that no one conquers who *doesn't* fight.

Secretary Hickel has said:

". . . moderation in defense of clean water, clean air, good parks and bountiful wildlife is not necessarily a virtue. One has to be zealous about it, attack the problems as if it were war. Because it is. The potential extinct species are not certain animals and birds, but *people*—you and me."

We don't intend to be losers at FWPCA. We will act.

The basis for action is ideas—ideas which inspire and propel and provide purpose and goals.

I am sure that you here today and other associates and friends of the Federal Water Quality Association have some ideas that would help us. I solicit ideas from you and the Association and from any other group or citizen concerned about the future of our water resources.

I'll go further. I'll solicit your dreams because, as has been said, dreams are the stuff of which progress is made.

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Dreams generate ideas and ideas breed action.

Carl Sandburg wrote:

"The republic is a dream. Nothing happens unless first a dream."

We need more than facts, more than tools and money, to win the war against dirty water. We need dreams full of hope and pride and vision.

One of the first tasks of the new Federal water team leadership has been to conduct a sweeping review of Federal water quality programs and the administration of them. This review is continuing.

At the same time we are proceeding to implement and utilize present laws while determining the need, if any, of new legislation to step-up the effectiveness of the national clean water program.

Certainly, we must be ready as well to assist the States in more ways to develop programs which will have as their main purpose the *prevention* of water pollution, the *prevention* of those problems to which I alluded earlier.

Secretary Hickel told the Senate Subcommittee on Air and Water Pollution:

"We must establish the proper guidelines so that each entity will know its responsibilities. Industry must know what is expected of it, as must the municipalities, the States and the regional and interstate groups. We must develop the technical capability that is needed. We must have training programs. There is much that needs to be done."

And I heartily concur with this Congressional testimony by Mr. Hickel:

"I am convinced that with proper administration, adequate financing, and good tough enforcement the objectives (of the Water Quality Act of 1965) as outlined by Congress can be attained. Our Federal program requires a cooperative effort by local, State, and National Governments, coupled with the support of private industry and the general public. It is only when all these elements of society work together that we can realize progress in cleaning up the polluted waters and prevent further pollution."

Now, of course, there is a good deal of concern expressed about the shortage of Federal funds to assist the clean water program—a shortage brought on by budgetary constraints which are affecting a number of domestic programs.

In this instance at least, I do not necessarily believe with George Bernard Shaw that the "lack of money is the root of all evil."

I think in this instance that *action* can be at least a partial substitute for money.

If the clean water teams at all levels of government will adopt and implement the slogan "less talk and more action" we will get rid of the dirty water. We won't however, if we spend all our time whimpering about the lack of money.

The clean water teams need your help and counsel if they are to put an action program in motion. They need the help of organizations like the Federal Water Quality Association and other groups of citizens concerned with the state of our water resources.

And you and other groups must keep after government to do the job.

Goad us, harry us, stay on our backs. Do this and, believe me, we'll get the job done.

STARVATION IN BIAFRA

Mr. NELSON. Mr. President, for 3 years now the ugly Nigerian-Biafran civil war has dragged ruthlessly on and nearly 2 million Biafran civilians have become casualties of disease and starvation. It is understandable that the Biafran Government believes that its people are the victims of a devious plan for genocide or the systematic extermination of all Biafrans.

Genocide is a frightening word that evokes memories of horrible periods of the world's history when one group or government attempted the extermination of another group. Whether the starvation and death of innocent Biafran civilians caught in the middle of a war can be defined as a kind of genocide, is unimportant. What is important is that hundreds of thousands of Biafrans have died and will continue to die.

Until late in 1968, much of the world seemed unaware of the thousands of civilians who were dying as war raged around them on the west coast of Africa. It was at that time that the shocking report that 10,000 Biafrans were dying each day became known, and a world conscience was aroused. A private relief effort began under the combined efforts of the World Council of Churches, Caritas Internationalis, and the International Red Cross. For several months that program survived—often at the cost of lives and at great personal loss. Biafrans continued to die of starvation and disease during that period, but not by such vast numbers as they had previously.

Unfortunately, the lifesaving assistance could not continue. Nigerian nationals, fearing that arms were being smuggled in with the food and medicine, put an end to the minimal assistance by an intensified effective air blockade. Negotiations also failed on a plan to permit food and medical supplies to be brought in over land or water.

Trying to head off the threat of five million Biafrans dying the agonizingly slow deaths of starvation and disease, the International Red Cross has reached an agreement with the Nigerians to permit a resumption of food and medical flights that will be inspected by neutral observers to insure that guns are not going to the Biafrans. The concern now is that General Ojukwu, the Biafran leader, will refuse the flights. In the past he has refused to accept food that comes out of inspection stations in Nigeria because he fears poisoning of his people.

While the issue remains unresolved, the starving Biafrans continue to die. Last week, Dr. Jean Mayer, the President's Special Consultant on Hunger was quoted in the Washington Post as making the almost unbelievable prediction that unless international relief can continue that "within the next 3 weeks, 2 million more people will die of starvation." At that rate the entire population of the secessionist government will soon be eliminated.

The mass deaths of those Biafran civilians may not be genocide in the strictest definition of the word. It may simply be as Chief Awolowo, the ranking civilian in Nigeria, said so callously that "all is fair in war, and starvation is one of the weapons of war."

Starvation, genocide, or an effective weapon of war—all are meaningless words. People are dying. Innocent people caught in the middle of a civil war. The U.S. Government should be demanding that these people be saved and we should make it a humanitarian national priority. Time is rapidly diminishing for the people of Biafra.

The story of the threat of starvation in Biafra is an issue that no rational person can ignore. In recent days the stories have been reported in the press and editorials have called for action in such responsible newspapers as the New York Times, the Washington Post, and the Christian Science Monitor.

I ask unanimous consent, Mr. President, to have these editorials and news stories printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the New York Times, July 2, 1969]

Starvation the Weapon

Nigeria's hardliners have won an important political debate in Lagos and the immediate result is likely to be the deaths of hundreds of thousands of innocents, mostly children, in the blockaded Biafran enclave. Mass starvation is a certainty if the relief airlifts, mounted by the International Committee of the Red Cross and Joint Church Aid, remain in suspension.

Lagos says it will continue to permit relief shipments into Biafra, but it knows full well that the stringent conditions it has imposed would block effective assistance indefinitely. It would be more honest to say what Chief Awolowo, the ranking civilian in the Federal Government, said last week: "All is fair in war, and starvation is one of the weapons of war."

As with so many tragedies in the Nigerian conflict, however, over-all blame cannot be assigned exclusively to one side. For months, the Federal Government offered immunity for daylight airlifts; but Biafra, citing security reasons, refused them. Lagos also accepted the proposal of some American members of Congress early this year for reactivating the Obilagu airstrip for round-the-clock flights, and trucking relief supplies a few miles into Biafra; General Ojukwu again refused.

The Biafran regime, time and again, has been willing to exploit starvation in order to advance its political ends. Lagos resented the fact that some relief agency workers, supposedly concerned only with humanitarian efforts, became political propagandists for the Biafran cause.

But none of this justified Nigeria in throwing out Dr. Auguste Lindt, the fairminded and incredibly patient Swiss coordinator for the International Red Cross, or in shooting down a Swedish Red Cross relief plane June 6. These were clearly blind, panicky reactions by Lagos to the unexpected Biafran bombing raids by the highly publicized "mini-air force" of the Swedish Count, Carl Gustav von Rosen.

As a sovereign nation recognized by all but a handful of countries, Nigeria has a legal right to enforce a blockade in order to put down what it regards as a simple rebellion. But this is no longer primarily a matter of international law; and whatever Chief Awolowo may believe, world opinion will no longer accept the starvation of millions of innocent people.

The United States, which has supplied $70 million in relief supplies to both sides, should make this point forcefully to Lagos. It will help if the friends of Biafra, recognizing General Ojukwu's share in the responsibility for this appalling situation, will press equally hard for a more reasonable attitude by his regime in the interest of saving lives.

[From the Washington (D.C.) Post, July 2, 1969]

Biafra Millions Seen Dying in Food Cutoff

(By Spencer Rich)

The President's Special Consultant on Hunger said yesterday that 2 million Biafrans will die of starvation within the next three

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weeks if international relief for the hungry is cut off.

Dr. Jean Mayer, the Harvard professor and internationally known nutritionalist who was chosen by President Nixon to organize the White House Conference on Food, Nutrition and Health, said there were nearly 3 million persons dependent on international food shipments, and most of these "already were hanging on a slender thread." A reduction of food now could send millions to their deaths, Mayer said.

Mayer, who went to Biafra on a study mission last February, made his comments in the wake of Monday's announcement by Nigeria that it was taking over from the International Committee of the Red Cross (ICRC) the function of coordinating food relief to the hungry in Nigerian-held areas of the civil war-torn country.

At the same time, Nigeria announced that it would allow food shipments into landlocked Biafra only if first cleared by Nigerian police or soldiers, and not when flown directly into Biafra from abroad.

Rescue agencies fear that the new regulations will be used to choke off food to Biafra. Chief Awolowo of Nigeria, highest civilian in the federal administration, said recently that starvation was a legitimate means of making war.

Mayer's sentiments were echoed yesterday by Marcel Naville, the new president of the ICRC, who predicted in Geneva, Switzerland, according to press reports, that "hundred of thousands of children" will starve in the next few days alone unless international food relief to Biafra was allowed to continue.

Naville, like Mayer, said millions of persons could die of starvation.

In Washington, State Department spokesman said the U.S. was worried that relief operations might be hampered by the new Nigerian policy.

Dr. Mayer, referring to the Biafra situation, said, "We're really seeing the death of a nation right now." He said his study mission had concluded that 1.5 million persons had already died as a result of food shortages and "within the next three weeks, 2 million more people will die of starvation" unless international relief can be continued.

"There are three million people in refugee camps completely dependent on outside food supplies," he said. "So unless they get the food they'll die."

A Nigerian spokesman said here yesterday that pending the takeover of relief coordination functions by a Nigerian government commission—which would be very soon and was already beginning—the ICRC would continue in that role.

He said direct night flights of food into Biafra from abroad would continue to be banned, and day flights allowed only if they first stopped at Lagos or other Nigerian areas to be sure cargoes did not include war materials.

[From the Christian Science Monitor, June 28, 1969]

Biafra Famine Looms Without Airlift

(By David Winder)

London.—Unless supply airlifts are immediately resumed, conditions in Biafra could return to those critical days of July and August, 1968, when massive starvation threatened.

Food supplies in Biafra are reportedly almost exhausted since the suspension of night relief flights by the International Red Cross (IRC) on June 6 and Joint Church Aid on June 15.

Joint Church Aid says some 3 million people face starvation if the flow of relief supplies is not resumed at an increased level.

[Reuters reports that, according to Joint Church Aid operations headquarters in Copenhagen, the organization has flown 26 tons of food and medicine into Biafra from the Portuguese island of São Tomé.

[Danish Col. T. Wichmann, chief of the Joint Church Aid flight operations, was on one of the planes that made the flight Friday. He reported that everything was normal.

[The operations headquarters quoted the colonel as saying a cable that full-scale relief flights by Joint Church Aid would be resumed immediately.

[Urgent consultations continue in Geneva, Lagos, and Copenhagen over resumption of full-scale deliveries by relief agencies, Reuters reports.]

Yet the IRC, which stopped all night flights after a Nigerian Air Force plane shot down a Red Cross DC–7 June 6, is not prepared to continue until given adequate guarantees of safety.

Added to this difficulty the relief organizations are becoming increasingly concerned over the tougher federal line or airlifts to Biafra.

The Nigerians have long been irritated by some of the methods used by the Red Cross in its aid work, and just recently Dr. Auguste Lindt, head of the Red Cross relief organization, was forced to quit under Nigerian pressure.

There are further indications that Nigerians are becoming even more restless with the whole relief question.

Chief Obafemi Awolowo, vice-chairman of the Federal Nigerian Executive Council, for instance, is reported as saying: "All is fair in war, and starvation is one of the weapons of war. I don't see why we should feed our enemies fat, only to fight us harder."

Asked how severe the problem in Biafra was following suspension of relief supplies, a senior IRC spokesman in Geneva told this newspaper:

"It's almost impossible to generalize. In some areas we are probably out of danger. In other areas not."

But the spokesman did go on to say that unless the airlifts were restarted within the next three weeks the situation would be back to the crisis period in July and August, 1968. At that time there were fears for the survival of the entire nation, although federal Nigerian sources suggested the extent of distress was greatly magnified.

Until the suspension of the night relief flights (Biafra does not accept them during the day for tactical reasons) "hundreds of thousands of children," according to the spokesman, "were being fed every day." The May total was put at 1.5 million, the majority of them children.

But the importance, he stressed, was a sustained effort.

Until June 6, when one of its planes was shot down, the Red Cross had reserve supplies for two weeks in Biafra. "Since then we have had to decrease the rate of distribution so that reserves will last longer."

Meanwhile the IRC can still continue supplying food to people in Nigerian-held territory. Thus far some 50,000 tons of food has been transported into these areas either by road or rail from Lagos.

While the logjam over Biafran-destined supplies continues, it is hoped the problem might be solved either by agreement of both sides on day flights, or a mutual willingness to dispatch food stocks up the River Cross in the Calabar region and to unload them near Ikot Okporo in Biafra.

Both propositions have run into difficulty.

Observers here believe that the river proposal, an American initiative, would have the best hope of success.

But after initial agreement by Nigeria's Dr. Okoi Arikpo, Chief Anthony Enahoro, Information Commissioner, subsequently refused to confirm the statement. The Biafrans in turn agreed in principle, but sought some further guarantees from the United States.

One source believes that if the river proposition were to come into being it "would effectively put the kibosh on relief by air and so end Biafra's arms ferry."

The Biafrans, however, are suspicious of any routes that traverse federal territory.

[From the Washington (D.C.) Post, July 2, 1969]

Genocide

One word now describes the policy of the Nigerian military government toward secessionist Biafra: genocide. It is ugly and extreme but it is the only word which fits Nigeria's decision to stop the International Committee of the Red Cross, and other foreign relief agencies, from flying in food to Biafra. Nigeria says it intends to take the control of all relief measures into its own hands. But lest there be any doubt of what that means, let it be noted that a few days ago Chief Awolowo, the highest civilian in the Lagos government, was quoted as saying that starvation was a legitimate means of war. Upward of a million people in Biafra have already died of starvation and its attendant ravages, and it now is likely—according to the President's consultant on nutrition, Professor Jean Mayer—that *two million* more may die within a matter of a few weeks.

For the Nixon Administration there should be no confusion or delay in deciding how to respond. The United States must immediately and unequivocally join in what we trust will be a worldwide demand that Nigeria not interrupt the flow of food and drugs to the civilian victims of the Nigerian civil war. As the principal relief donor Washington can do no less without becoming an accomplice to official genocide. Quite rightly, Nigeria states that providing relief to rebels is an act of political intervention. Nigeria is right too in claiming that Biafra's leadership has not hesitated to increase its own people's suffering as bait for world sympathy. It may be true that Red Cross flights have been misused as a cover for running arms. But so what? There are no diplomatic or political considerations so overwhelming that the United States must stand quietly by while another government murders a million or more souls.

CIGARETTE ADVERTISING

Mr. HANSEN. Mr. President, in view of the present controversy over cigarette advertising and the emotionalism involved, a recent letter to the editor of the Washington Star seems to place the issue in the proper perspective.

An appraisal of the question now before the Congress by Dr. J. B. Nesbitt of Rockville, Md., should cause some sober reflection on the fairness and merit of proposed Federal restrictions on advertising by the tobacco industry.

I believe there is considerable logic to Dr. Nesbitt's conclusions and I ask unanimous consent that his letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

A Nonsmoking Doctor Speaks

Sir: The tobacco industry obviously needs a friend. As a devoted non-smoker, and as a physician who often advises patients to quit smoking, I am an unlikely prospect. But I have a couple of questions for the anti-smokers, and specifically concerning the laws requiring the warning on cigarette packages.

First of all the potentially harmful products which we use daily, cigarettes are the only product whose manufacturers have been required by law to practice self-condemnation. We are not told on a liquor bottle that we may become alcoholic or our livers cirrhotic. Our new cars are not plastered with bumper stickers reminding us of possible injury or death in accidents. Why "The Scarlet Letter" for tobacco?—possibly because cancer is an easier issue on which to crusade.

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But it is no more deadly or prevalent than liver disease and auto accidents.

Secondly, and more important, is the issue of individual freedom. The surgeon general has advised us of the dangers of tobacco use, and I believe this is an appropriate function. But the expenditure of public funds, and the efforts of public institutions should end there. Knowledge of the danger is—and should be—universal. Big Brother should then step aside and leave further crusading to private organizations, so that financial donations toward persuading people not to smoke are voluntary. Let the consumer then decide whether the pleasures of smoking outweigh the risks. Further intrusions of the federal government into the area of individual freedom are likely to occur if this self-condemnation law goes unchallenged.

If the federal government feels compelled to discourage smoking (or alcoholism) maybe it should consider another method: possibly denying medicare to people with self-inflicted diseases of this kind. This would preserve individual freedom, and cost taxpayers less, not more.

J. B. Nesbitt, M.D.

Rockville, Md.

UNITED STATES CANNOT REST UPON ITS LAURELS IN THE AREA OF INTERNATIONAL HUMAN RIGHTS

Mr. PROXMIRE. Mr. President, for the past few days, I have been talking about some of the specific human rights conventions which we as a Nation have failed to ratify despite their introduction into the Senate over a decade ago. These documents are important cornerstones upon which a sorely needed foundation for guaranteeing human beings certain basic rights can and must be built.

Over the years, our own Nation has been engaged domestically in a difficult struggle to advance the rights of all of our citizens through the processes of law. The Warren Court, as the highest judicial body in the land, will go down in history as being very instrumental in this area. Their effort and the efforts of others have reaped considerable gains for the people of the United States. They have held the attention and aroused the concern of men everywhere connected with the goal of providing to each individual the equal stature and privileges to which he is entitled.

But while acknowledging these domestic victories, we cannot rest upon them and disclaim interest in the same evils abroad that we have taken steps to abrogate at home. It is only fitting that a country which has taken such great strides for her own citizens should also play a leading role in the attempt to see human rights respected in all sections of the globe.

Many scholars, including Arthur Goldberg, former Secretary of Labor and Ambassador to the United Nations, have voiced the opinion that the root of most political frictions and disputes lies in social abuses remaining unchecked—discrimination, persecution, suppression. We must realize that until these abuses, these abnegations of an individual's basic rights, are eradicated, until a high minimum standard for the observance of human rights prevails throughout the world, then we shall not see the birth of a truly peaceful day.

Clearly, this should not be construed as implying that these human rights conventions are the long-sought-after panacea, the mysterious cure-all for all social woes. Neither would it be fair to assume that they will guarantee complete solutions for the problems to which they are addressed specifically. Nevertheless, they are very definite and positive steps in the proper direction, and as such, the United States should support them.

Mr. President, way back in 1783, the late Edmund Burke, the noted political philosopher, said:

> The rights of men—that is to say, the natural rights of mankind—are indeed sacred things; and if any public measure is proved mischievously to affect them, the objection ought to be fatal to that measure. . . . If these natural rights are farther affirmed and declared by express covenants, if they are clearly defined and secured against chicane, against power and authority, by written instruments and positive engagements, they are in a still better condition. . . . Indeed, this formal recognition, by the sovereign power, of an original right in the subject, can never be subverted but by rooting up the radical principles of government, and even of society itself. . . .

In view of our reputation as being a nation which stands up for the oppressed, as the guardian of man's inalienable rights, our record on the ratification of the human rights conventions is particularly indefensible. Prof. Richard N. Gardner of Columbia University has repeatedly pointed out that—

> Our membership in the small company of United Nations members who have refused to ratify human rights treaties has become a major diplomatic embarrassment. Our friends cannot understand it; our adversaries exploit it. It is a costly anachronism which we should liquidate without further delay.

Mr. President, in these times of fragmentation and alienation, we cannot tolerate or passively acquiesce to the denial of fundamental human liberties. The ratification of these treaties should be one of our top priorities, for as Arthur Goldberg has said:

> We must demonstrate that this nation will not stand aloof from a major world effort to elevate human rights.

MINNESOTA PRINCIPALS GIVE VIEWS ON AID TO EDUCATION

Mr. MONDALE. Mr. President, several months ago I wrote to the school principals of the State of Minnesota to get their opinions and suggestions regarding national legislation in the field of education. I received very useful responses from many of these principals and wish to invite the attention of Senators to several of the recommendations that were most often mentioned.

First, the majority of principals expressed their enthusiasm for continued and expanded Federal education programs, but felt that if these programs were more flexible, they would be more responsive to the particular needs of each individual school and school district.

Finding ways to cut redtape was regarded as essential to the continued success of national education programs. Much of the paperwork requirement, the principals felt, is time consuming and pointless.

Several principals suggested that advance funding of education programs would facilitate getting the money where it would do the most good in the shortest amount of time.

Highest on the list of priorities was the urgent need to make Federal funds available for more teachers and higher teachers' salaries, especially in poverty areas.

Several principals emphasized the need for more Federal funds for school construction and for new or special equipment.

I received numerous excellent suggestions for the use of funds for special programs—vocational education, increased guidance and counseling services, expanded Headstart programs, programs for poor children, gifted children, children with special learning disabilities—which I hope the Congress will consider carefully.

Mr. President, I ask unanimous consent that the letters I received be printed in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Lincoln Hills Elementary School,
Richfield Public School,
Richfield, Minn., April 3, 1969.

Senator Walter F. Mondale,
U.S. Senate,
Washington, D.C.

Dear Senator Mondale: In response to your letter of March 27th my own belief is that too many proposals submitted for federal aid to education have missed the fundamental and basic needs of education. We have had expenditures for research—of the ivory tower variety. May we provide direct grants to the states?

The state departments of education can then distribute the funds to school districts on the basis of need and student population. What do I mean by basic needs? Relief for the tax-paying homeowner. Means for meeting the needs of each child. As a principal of a school with my staff and with close proximity to parents, we don't need to find out what the needs are—we see them everyday. Provide the funds on a direct basis to the state is the major federal educational responsibility. Do we need greater involvement by the federal branch of government? I seriously question such involvement.

Sincerely yours,

John Bleedorn.

Ortonville Public Schools,
Ortonville, Minn., April 3, 1969.

Hon. Walter F. Mondale,
U.S. Senate,
Washington, D.C.

Dear Senator Mondale: I was very pleased to hear that you will be serving Minnesota and education on the Senate Subcommittee on Education with the 91st Congress.

As a citizen and as an educator I wish to stress to you the crucial need for continuation of present federal support, and for initiation of new programs and legislation to support education at all levels. The increasing demands of todays educational needs, and the burden that the local tax-payer is bearing make this support an absolute necessity.

Federal involvement beyond direct financial support should be minimal. In my opinion, legislation that would appropriate directly to the states a sum for each pupil unit attending school, would be sound legislation. Whatever the nature of federal support—we need it—and we need it badly. Thank you for your

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kind consideration. Rest assured that anything you personally can do for education in Minnesota and in the United States will be appreciated.

Sincerely,

Morris G. Tietjen,
Elementary Principal.

Truman Public Schools,
Truman, Minn., April 1, 1969.

Walter F. Mondale,
U.S. Senate,
Washington, D.C.

Dear Sir: Recently you wrote a letter asking for any suggestions as far as federal involvement in education is concerned.

Some of my suggestions are certainly not new, but just a reaffirming of what has already been discussed in proposed legislation.

I would like to see the following things happen:

1. The Project Headstart which is now under O.E.O. be put under the Department of Education where it belongs. I know there has been talk of this but as far as I know there has been no action taken as yet.

2. There was a recent proposal which I thought had some merit as far as federal assistance to local school districts. That is, give the districts $100 per pupil—with 50% of this money going for programs and 50% for salaries.

3. If the federal government wants to assist the local districts financially make it easier for districts to secure this money. As it is now set up there seems to be a lot of unnecessary red tape before districts get to use this money.

4. I feel that if we are to retain quality educators they must be given a decent wage. If personal property is taxed to the limit, which I think in some cases it probably is, then we must develop some other means to support local education. Possibly with assistance from the federal government something in this area can be done.

I want to thank you for your time and consideration in these matters.

Sincerely,

James Andrzejek,
Elementary Principal.

Ashby, Minn.,
April 1, 1969.

Hon. Senator Walter F. Mondale,
U.S. Senate,
Washington, D.C.

Dear Senator Mondale: It is a little hard to suggest changes in some education programs because of the many agencies involved. However, it seems to me that some schools have staff members that are capable of presenting well written plans and programs which seem very impressive while others do not have anyone who can do this. My concern is, "Is it fair to the boys and girls in one school to get these benefits while others are deprived of it?" Perhaps some system where all pupils in our schools receive aid would be more fitting to our American way of life.

Please keep up the good work you are doing. Help get the Nations hungry fed *now.* My best wishes and support in trying to solve the big city ghetto school problem, but remember not all the poor are there in the city we have many in rural Minnesota also.

Sincerely,

Keith Kapphahn,
High School Principal.

Onamia Public Schools,
Onamia, Minn., March 28, 1969.

Senator Walter F. Mondale,
U.S. Senate,
Washington, D.C.

Dear Senator Mondale: Thank you for your letter of March 25, 1969. Yes, I do have some proposals for legislation. I believe the *Federal* Government is going to have to play a *bigger role in education* in this country if we are to attain an educational level commensurate with our technical advancement.

Our needs are great. We need better schools, better teaching and broader curriculum. Onamia is a small community and school, yet our enrollment (477—grades 7–12, 850 total) puts us in about the middle, for size, throughout the state.

We need a *new plant.* A bond issue to build a new high school was defeated twice. We need more teachers and a broader curriculum. We offer 56 courses and the state tells us we should have a minimum of 80. Our enrollment does not justify 80 courses. We should consolidate with Isle. (Total enrollment of about 500). We do not even have a kindergarten. I realize that many of these problems are state and local problems, however, the Federal Government could help indirectly. I believe we are typical of many schools of our size in the state.

The *NEA sponsored bill* which would provide *$100.00* per pupil would help tremendously. The Federal Government should not tie the hands of local boards and administrators to specific things like PL 8910, however, they should require local effort and require local schools to improve education in such things as buildings, subject offerings and new programs.

I understand Congress is holding back on funding or fully funding the NEA programs. These programs have helped education and should be fully supported.

I thank you for your concern. I hope this letter can give you some insight to some of the problems we face on a local level and we are anxiously waiting for federal assistance.

Sincerely yours,

Kenneth E. Haapoja,
Principal.

Junior High School,
Fairmont, Minn., April 1, 1969.

Walter F. Mondale,
U.S. Senate,
Washington, D.C.

Honorable Senator Mondale: Thank you for your letter of March 20th. I appreciate the opportunity of expressing my viewpoint.

Concerning Federal involvement, I've felt that Federal Aid to Education has helped immeasurably in tackling some of the problems in education. Specifically, many programs have been started which never would have been tackled without Federal support.

It would seem to me that the best way to improve the situation at this point would be to make more Federal money available with fewer strings attached.

It's gotten to the place where many projects are being written on the basis of what can be approved rather than the basis of really meeting the educational needs of a specific situation.

It looks as though Federal money will be necessary for teacher salaries and perhaps general budget assistance. I would like to see a part of the funds made available on the basis of numbers of students.

Thanks again for this opportunity to express my views.

Sincerely Yours,

R. B. Tanquist,
Principal.

Butterfield-Odin, Ind.,
District No. 836,
Butterfield, Minn., March 28, 1969.

Senator Walter F. Mondale,
U.S. Senate,
Washington, D.C.

Dear Mr. Mondale: I was very happy to hear that you will be serving on the Senate Subcommittee on Education. I do have a few suggestions. One is federal aid for physical education. The program should be supported with funds and instructors and equipment for every boy and girl in the country. I also suggest funds for summer recreation programs in every school so well organized and supported with funds to keep all children ages 8 to 18 in organized recreation a part of each day during the summer.

Sincerely,

Eugene Thares.

Tyler Public Schools,
Tyler, Minn., March 31, 1969.

Senator Walter F. Mondale,
Washington, D.C.

Honorable Senator Mondale: I am in receipt of a letter in which you ask for suggestions in regard to legislation pertaining to federal funds for education. I am interested in the projects in elementary schools which are being funded with federal money.

I don't know how capable I am in giving suggestions, but since I attempt the administration of the project, I have become aware of some things that could bring about an improvement.

We have found that not knowing what money will be available to our district in advance of writing a project makes it difficult to plan effectively. When additional money becomes available in February or March, spending this to the best advantage for the students becomes an impossibility. An estimate which falls short nine or ten dollars isn't working well. So far we have attempted to incorporate a summer school session to use this money, but this does not always seem to be the best way to expend these funds.

Most schools are in agreement that a more effective program would result for the students of a given school if the money could be made available to the districts with the understanding that the school administrators use it in a way most suited to the schools' particular needs. Thus far the stipulations for the use of the money often do not serve best the type of situation our schools find themselves in. Insisting that most of the money be spent on personnel in an area completely devoid of certified personnel doesn't seem sensible.

Could the state department be put in command of the allotments? Perhaps the state departments would be better acquainted with the particular needs of a school in a given area of their own state.

Some of the paper-work requirements become absolutely asinine. An example of this is the type of evaluation of the projects which we are required to make. Requests for test scores on things not measurable by tests become absurd. State personnel will tell us that no progress can possibly be made in specific areas, yet we are required to spend much time and money in sending in five copies of something in the line of evaluation, all of which is completely meaningless.

In summary, then, I make a plea for a situation in which the government will indicate a greater faith in the school administrators and in the Title I administrators. Surely, those people who are guiding the education of the children in their community, should be considered adequately capable, and dedicated enough to the children, to use the money in a way that will best suit the needs of their school population.

Sincerely,

Leona K. Oerter,
Title I Administrator.

Clinton Public School,
Clinton, Minn., March 25, 1969.

Senator Walter F. Mondale,
U.S. Senate,
Washington, D.C.
Re: Letter dated March 20.

Dear Mr. Mondale: Thank you for your letter regarding your work on the Senate Subcommittee on Education.

The only thing I would like you to be aware of in rural Minnesota is that we feel it is necessary for the local school districts to be custodians of any governmental money which we may have. Secondly, many govern-

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ment programs are currently being curtailed or cut back which place a hardship on the local tax structure if we are to maintain programs or services started under title funds.

Thank you for giving me this opportunity to express my views.

Sincerely,

DuWayne Discher,
Principal, Elementary School.

Pine City Public Schools,
Pine City, Minn., March 31, 1969.
The Honorable Walter F. Mondale,
U.S. Senate,
Washington, D.C.

My Dear Senator: In response to your letter of March 25 offering assistance in problems in education. I would like to see *emphasis* put on *elementary education*. I realize persons aware of education's problems and needs know of the importance of a good beginning education. Unfortunately as a class, group or individually, the local boards—the final controlling force—fall far short of realizing the importance of a sound, comprehensive beginning education.

I believe there is a need for some control, regulation, etc. to require an equalization of expenditure for elementary program!

Too often we can analogize, as in the old poem, "For want of a nail, the shoe was lost", etc. So it is in education we decry poor students, drop outs, delinquents and run crash programs for these people. But do we work at the source, a poor beginning program.

Any positive efforts you can take to rectify what I feel is a gross iniquity will be supported by me to the utmost.

Respectfully yours,

James S. Lamont,
Elementary Principal.

Minneapolis Public Schools,
Minneapolis, Minn., March 28, 1969.
Hon. Walter F. Mondale,
U.S. Senate,
Washington, D.C.

Dear Senator Mondale: Thank you for your letter informing me of your position on the Senate Subcommittee on Education. I know you to be a true friend of education in general and concerned about our special problems in the core-city.

I and the other administrators of the North Pyramid will try to keep you informed of our concerns in regard to legislation dealing with education.

Sincerely,

Donald L. Burton.

F. Wilson Pond Elementary School,
Bloomington, Minn., March 27, 1969.
Hon. Walter Mondale,
U.S. Senate,
Washington, D.C.

Dear Senator Mondale: Your letter dated March 20, 1969 was received with sincere appreciation. Your concern to inform educators of your assignment on the Senate Subcommittee on Education is gratifying.

In order for me to respond intelligently regarding legislation that would be of vital interest to me, could you, through newsletters or other informative materials, keep me informed of legislation pertinent to our Minnesota and national educational community?

The educational gains that have been made since P.L. 89–10 are vast and exciting. I hope that these gains can be continued and extended by those of you who represent all of us.

Sincerely yours,

John W. Workman,
Principal.

Minneapolis Public Schools,
Minneapolis, Minn., March 28, 1969.
Mr. Walter F. Mondale,
U.S. Senate,
Washington, D.C.

Dear Sir: I received your letter of March 26 with the information that you are serving on the Senate Subcommittee on Education. As a principal in the Minneapolis Public School System, I share your concern as attempts are being made with . . . "serious issues of federal involvement and support in education at all levels."

If there are ways in which we can cooperate to bring about greater awareness and understanding, I will certainly be available and willing to cooperate.

Sincerely,

J. Howard Stratton,
Principal.

Mora Public Schools,
Mora, Minn., March 28, 1969.
Hon. Walter Mondale,
U.S. Senate,
Washington, D.C.

Dear Senator Mondale: We wish to thank you for your letter of March 25th informing of your position on the Senate Subcommittee on Education and your interest in aiding our local committee in upgrading educational facilities and programs.

We are faced with a unique problem in Mora in that we are experiencing an increasing number of severely retarded children classified as trainables within our immediate area and, therefore, are in need of proper facilities and trained personnel to deal with this problem.

Approximately two years ago the Pine-Kanabec Day Activity Center was organized and incorporated to service these children. During the past two years we have enrolled 28-plus severely retarded children and running two school buses to facilitate their transportation to the center which, at the present time, is the educational wing of a local church. These facilities are very inadequate and we are planning to construct a permanent educational unit in the very near future.

We have involved the Office of Economic Opportunity (Lakes and Pines Community Action Council) in our planning and we are at the present time using some of their personnel. Our immediate need is a permanent educational building together with housing facilities for those students orthopedically handicapped or having similar disability. The age groups we plan to have will range from 6 to 65 plus. We plan to make this a "home away from home" for the severely retarded in this area which includes Pine County, Kanabec County, Isanti County, and Milaca County.

Any aid and/or assistance you can give us in determining a source of financing the construction of an educational unit together with increasing the personnel of the present staff will be greatly appreciated.

Thank you again for your letter of March 25th informing us of your interest in aiding us in such a program.

Sincerely yours,

Bob Lorence,
High School Principal.
Joe Johnson,
Elementary Principal.

Le Sueur Public School,
Le Sueur, Minn., March 27, 1969.
Hon. Walter F. Mondale,
U.S. Senate,
Senate Office Building,
Washington, D.C.

Dear Senator Mondale: I was most surprised to receive your letter of March 20th. May I congratulate you on your assignment to the Subcommittee on Education.

I do have some concerns regarding Federal Aid to schools of which the Le Sueur district receives $26,467.00 under title I of 89–10. Of this $11,000.00 is currently being used for a Four Year Old Program. This program is in addition to the Head Start Program which we have had the past two Summers. The Four Year Old Program is the first in the State and we are in our second six weeks session with two groups coming each day for 2½ hours. The purpose is to improve language and motor skill development.

This program has already stimulated education and educators, plus improve the child's learning environment.

It is my belief that one of the functions of Federal Aid is to continue to stimulate education as it has in the past. My second concern is the broadening of the term deprived. Let me use a true example; I have had a boy in another school who was capable of doing eleventh grade work, but tested out at eighth grade level. You see, he was three years behind. Please understand the boy when tested was in the sixth grade. This boy also came from a good middle class home. We have got to have money to develop programs for the gifted elementary school child.

Perhaps I could be of more help if I could react to future legislation rather than just sounding off. If you wish to send me copies of the bills I would be happy to react to them.

I do remember your presentation last Fall here in Le Sueur, and also the fun we had in taking you away from the student editor so you could get some radio time.

Best regards to you also.

Sincerely,

Roger Field,
Elementary Principal.

Central High School,
Crookston, Minn., March 28, 1969.
Hon. Walter F. Mondale,
Senate Office Building,
Washington, D.C.

Dear Senator Mondale: May I present to you a few ideas I have regarding Federal Aid to Education.

I am hearing more and more rumblings regarding high property taxes, especially when it relates to taxes needed for education. Some way must be found to return more money from the federal government to the states for education. This aid must be for buildings, teachers salaries, and new programs. The local district is not able to carry this heavy burden any longer. The rich district will be allright, but what about the poor areas where the taxable base is low and money is hard to raise.

We must also provide more money for high schools to train our high school students in vocational fields. We have been paying too much attention to the college bound student and not enough to the average and below average student. Most of our college bound students will get there under almost any type of educational system, even if it is rather a poor system they will have enough ability and drive to get the education needed, although I realize the better trained they are the easier college will be for them.

The poor student is almost forgotten in most schools because we lack the money and space to provide these youngsters with reading specialists (this is where most of them have trouble), social workers, and psychologists. Along with their reading difficulties these students are the ones with emotional problems. If we can help them to do better in school and then educate them in some trade they are interested in we might keep many off the welfare lists, and also out of trouble with the law.

We need to change our curriculum to fit these youngsters. There is a definite need to cut out four years of English and many other requirements which these youngsters are bored with and in the end will not do them much good.

All this will take billions of dollars which must come from the federal government.

We cannot afford to teach college bound and poor students the same subjects and in the same manner.

I hope I have not taken too much of your valuable time.

Sincerely yours,

Ray A. Flom,
Principal.

Harmony Area Schools,
Harmony, Minn., March 26, 1969.
Hon. Senator Mondale,
U.S. Senate,
Washington, D.C.

Dear Senator Mondale: I think this is the first time any senator has asked for advice concerning educational problems since I have been an administrator. Thank you for thinking enough of those at the "grass roots", so to speak, because you should get some fine suggestions. We took a little time at our school to have Mr. Elstad (our Federal Program director) to write several suggestions that we think most practical and important. Since he works in this area each day he is most aware of some of the problems associated with Federal programs. His suggestions are attached.

There is definite need of Federal aid to education—there is little doubt of that. We do think that there is a great deal of "red tape" connected with it. I have been personally appalled by the amount of paper work necessary to get a student a needed piece of equipment. Perhaps Al Quie is correct in thinking that the four categorical aid programs should be consolidated. It would certainly cut down on paper work. We are looking for more flexibility with the Federal Programs.

Eventually, it seems, the Federal government may have to extend aid in helping to *pay for teacher salaries*. This may be especially true in poverty areas of the various states.

We again wish to thank you for your letter and the knowledge that you are interested in education for the state of Minnesota.

Sincerely,

S. L. Houdek.

Memorandum

To: Mr. S. L. Houdek, High School Principal.
From: Martin K. Elstad, Assistant Principal.
Subject: Education, Legislative Suggestions For.
March 24, 1969.

1. Re: Title I, P.L. 89–10:

Advice on funding should reach State Departments of Education much earlier. Funding should merit a term longer than the annual basis now in effect. (e.g. It is very difficult for a school administrator to contract for a teacher in April of 1969 when he will not be advised of funding for the next term until October or November of 1969.)

2. Re: Procurement of Equipment:

*Need for up-to-date, modern equipment still exists in schools. Equipment should not be eliminated as an approvable expense.

*Audio visual, computers, etc.

3. The 1960 census is not a realistic guideline for identification of deprived children in our community. They are not here.

Martin K. Elstad.

Anoka-Hennepin Independent
School District No. 11,
Anoka, Minn., March 26, 1969.
Hon. Walter F. Mondale,
U.S. Senate,
Washington, D.C.

Dear Sir: Thank you for your letter informing me of your appointment to the Senate sub-committee on education. There are two ways in which you could truly help a school district such as Anoka-Hennepin Independent School District No. 11.

1. A school district such as ours in which we receive 2,000 or more new pupils each year needs additional aid for construction of new schools. During the past year the taxes in our school district went up 78 mills. It would seem an apparent necessity that the federal government must aid rapidly expanding school districts such as ours.

2. A rapidly growing district such as ours will also need additional moneys for general aid if we are to continue to provide the best in education for our students.

Your help and interest in these matters will be sincerely appreciated by the patrons of our school district. Thanking you, in advance, for your efforts in our behalf, I am

Sincerely yours,

Roy Humbert,
Principal.

South Junior High School,
Moorhead, Minn., April 18, 1969.
Hon. Walter F. Mondale,
U.S. Senate,
Washington, D.C.

Dear Sir: Thank you for the recent letter in which you requested proposals for legislation or modification of present legislative programs.

I feel that the placement of Head Start, under the jurisdiction of the school districts again, was a move in the right direction.

In legislative matters, we generally consider proposals in our Western Division Secondary Principals Association. This group in turn will submit adopted proposals to the Minnesota Association of Secondary Principals for action.

We are happy to learn that you have been appointed to serve on the Senate Subcommittee on Education and we trust that your efforts will be fruitful.

Sincerely,

Howard Wergeland,
Principal.

Minneapolis, Minn.,
April 4, 1969.
Hon. Walter F. Mondale,
U.S. Senate Office Building,
Washington, D.C.

Dear Senator: In reply to your letter requesting suggestions on action to improve the total educational program, I have a few that may be timely.

(1) Increased federal aid in the area of supplemental teaching and individual tutoring of handicapped and disadvantaged children to lessen the burden on the local school district.

(2) Some standardization of qualifications for teachers in the area of SLD (special learning difficulties) tutoring. Although this falls under the jurisdiction of state department of education, federal guidelines more clearly defined would be helpful.

(3) Some adjustment should be made in regard to teacher retirement. I plan to retire in June 1970 at age 63. My pension on TRA (Teacher's Retirement Association) will be $80.00 a month plus $132.30 under FICA. Were I to continue teaching to age 65, the latter figure would be increased by $13 per month. In both instances I received these figures from the respective offices recently. The TRA is this low because of out-of-state teaching. The year before I returned to teach in Minnesota the policy was changed so that no credit would be allowed on out-of-state teaching. I have taken advantage of all "buy-backs" available since 1952 and yet the pittance is only $80, and that, under plan A with no refund.

I admit that teachers are today receiving a living wage. By the same token, those of us who are "oldsters" and near retirement have benefited only a few years from improved salary conditions. I taught in this state as recently as 1952 for $3100 a year. Slight opportunity with such a salary to save for retirement. One reason for recent militancy of career teachers is the inadequate pension provisions in retirement. If a plan could be implemented whereby the federal government could compensate, in some measure, those teachers who are victims(?) of out-of-state teaching, their retirement years would become less of a penury.

If I can be of assistance in the areas of resource or implementation for improved education legislation, I shall be more than happy to get involved.

Sincerely,

Elroy R. Johnson.

Midland Lutheran College,
Fremont, Nebr., April 1, 1969.
Hon. Walter F. Mondale,
U.S. Senate,
Washington, D.C.

Dear Senator Mondale: It is with utmost urgency that we request the United States Senate Labor and Public Welfare Committee to give due consideration to raising the National Defense Student Loan appropriation to the earlier approved amount of $191 million.

We have been given an estimated allocation of NDSL funds which is 25 per cent less than we received and used this year. Such a decrease for Midland College and all other institutions will be detrimental to our program of assisting needy students to enroll in college and of keeping these students in college.

Your immediate attention to the NDSL appropriations and to the appropriations for the other federal programs of student financial assistance is respectfully requested.

Sincerely,

Harold E. Nott,
Financial Aids Officer.

Windom Public Schools,
Windom, Minn., April 8, 1969.
Walter F. Mondale,
Senator, State of Minnesota, Senate,
Washington, D.C.

Dear Senator Mondale: It certainly pleases me that you will be serving on the Senate sub-committee on education during the 91st Congress.

I have always been impressed with your feeling for people and I certainly believe that our young people do need leaders of your calibre working for them. In my opinion, education doesn't receive its appropriate share of the national budget.

Presently the suggestion I would have would be to finalize the legislation at an early date so that we have plenty of time to plan and work on programs after they have been authorized. This has not necessarily been the case with Federal aid to education in the past.

Thank you very much for your March 27th letter. You will be hearing from me in the future regarding legislation.

Respectfully yours,

(Mr.) Aubrey Fillbrandt,
Elementary Director.

Minneapolis Public Schools,
Minneapolis, Minn., April 8, 1969.
Hon. Walter F. Mondale,
The U.S. Senate,
Washington, D.C.

Sir: Many thanks for the opportunity to write to you relative to pressing educational problems.

1. Schools are in great need of specialized resources to focus on young people with unique learning and emotional problems. I'm referring to the need for an improved counselor ratio 1–200 rather than the present 1–400, more psychologists, psychiatrists and social workers. Schools are all the time receiving more young people with serious problems—many of them beyond the school's ability to cope with them—at least with present resources.

2. The need to focus intensive reading help on Kgn—3rd grade has been crystal clear for years. The upper grades and secondary schools would have fewer kids in reading distress if we placed a higher level of concern on teaching reading in the lower grades. A good teacher knows by second or third grade who's going to have reading troubles. This, then, is the place to pull up the big guns (the extra help) and to go to work intensively, not in grades 7–8–9 or 10.

You may be aware that a serious reading handicap is the one most generalized characteristic of youth and adults in trouble with the law. At a much less severe level it's the principal characteristic of young people having school or learning problems.

3. In the third place we need laws or a policy that permits schools more freedom or options in working with the 14–15 year old boy unhappy with going to school. Age 16, the minimum legal leaving age, marks an opportunity or time for part-time work programs. The 15 year old, often times physically mature, is closed out of work programs.

4. Finally, urban and most rural schools too are still too much college oriented. The non-academically inclined youth too often has the cards stacked against him. We need vocational opportunities not unlike what Charles F. Nichols is presenting at the Work Opportunity Center in Minneapolis. This program is tremendous. We're asking why not a W.O.C. along Lake Street serving south Minneapolis, principally Central and South High School students—usually the drop-out type. Nichols, along with all school people, are worrying about Federal Funds running out on the W.O.C. at this early date. This Center must be kept going.

I could point up a dozen other problems, but I'll stop.

Best Wishes.

Sincerely,

Russell D. Brackett,
Principal.

Northfield, Minn.,
April 4, 1969.

Senator Walter F. Mondale,
Washington, D.C.

Dear Senator Mondale: You wrote our school principal asking for our proposals for legislation, etc. I shall try, but probably won't be brief.

It is most necessary to raise the level of salaries for teachers in both the elementary and secondary level. Teaching should become a profession and not a way of supplementing a husband's salary or, for the single woman, a better choice than being a stenographer. The salary should be adequate to attract and keep men with families to support, who now soon move up into administration, and talented women who now go into college teaching or one of the other better-paid profession. Good teachers are an economy in the long run.

Now salaries can't be raised to the proper level because real estate taxes aren't an adequate source of revenue. Obviously the Federal government must reinforce the state and local governments financially. And the funds are available! If we can spend 100 billions (more or less) on defense which means the destruction of our own and other countries resources we can find money for education, anti-pollution and urban problems.

You have my support and that of many others when you work for peace in Vietnam and reject the insanity of ABM and other equally disastrous military ventures.

Yours sincerely,

Mrs. Jacqueline B. May.

Minneapolis Public Schools,
Minneapolis, Minn., April 7, 1969.

The Honorable Walter F. Mondale,
The U.S. Senate,
Washington, D.C.

Dear Senator Mondale: I am pleased to learn from your letter of March 24, 1969 that you are serving on the Senate Subcommittee and hope that I can contact you from time to time about specific educational problems.

First, we now know the importance of early education, yet we still spend considerable more at the secondary level. All the latest research confirms that money spent early is far more economically sound, yet we continue to pour money into "drop-out" programs and attempt to rehabilitate those who should have been "saved" long ago. At Howe school I can pick out ten Kindergarten children who need specialized help *now*, or they will be serious problems in junior high school. Next year, in first grade, these same children will begin to develop negative concepts about themselves, school and learning. A first grade teacher with thirty children cannot do the job that needs to be done. Every school in a large city faces about the same situation—limited funds and increasing problems. We don't need money for *new* programs. We need to adequately finance programs that we already know to be sound—i.e. providing a successful and satisfying start for all children.

If funds were available, this is how I would spend the money.

(1) Begin a pre-school program with a strong emphasis on helping parents understand the importance of their role.

(2) Initiate a testing program before children fail academically, that would diagnose specific areas of weakness and prescribe teaching techniques to overcome these weaknesses. (Such tests are available; however, elementary schools need counselors and psychologists to administer tests, etc.)

(3) Give additional help to first grade teachers to insure that the first exposure to reading will be a positive experience for children.

(4) Provide opportunities for parents to come into the school to learn more about what is being done. I suggest paying parents for attending certain meetings at school. This makes more sense to me than paying a wealthy tobacco farmer for not growing tobacco.

This country faces a serious threat. Billions of dollars for defense, billions of dollars to Viet Nam and billions of dollars for an ABM system will not save us. "Unless we support education while we are rich, we shall surely become poor."

Sincerely,

Richard F. Cornwall,
Principal.

USE OF CLOSED JOB CORPS CENTERS

Mr. CRANSTON. Mr. President, on June 30, 1969, the Senator from Wisconsin (Mr. Nelson), the distinguished chairman of the Labor and Public Welfare Committee's Employment, Manpower and Poverty Subcommittee, of which I am a member, submitted an amendment which he intended to propose to his bill, S. 1809, to extend the Economic Opportunity Act. Senator Nelson's amendment is designed to insure that the facilities and equipment which have been abandoned at the more than 50 Job Corps centers which have recently been shut down would be put to good use in socially valuable programs.

I wish to congratulate Senator Nelson on his excellent amendment and on his continuing concern—which I share very strongly—for the future of the Job Corps program. The more than $60 million involved in capital expenditures in these abandoned centers should be able to be employed constructively to serve ends similar to those sought by the Job Corps, if the Labor Department and the Bureau of the Budget proceed in an imaginative and energetic fashion.

In California alone, there are tied up in capital investment in the eight centers shut down there a total of $11 million. My office has received numerous letters from individuals and organizations inquiring as to plans for those facilities. And I have passed these inquiries along to the Department of Labor with special reference to the Interagency Committee established by the Bureau of the Budget to study this problem.

Although I continue to believe very firmly that the Job Corps shutdowns were a tragedy for the young men and women involved and for the Nation as a whole, I feel that we must now turn our attention to salvaging as much physically and spiritually as possible from that program. I have joined with Senator Nelson and the ranking minority member of the subcommittee and the full committee, the most able senior Senator from New York (Mr. Javits), in attempting to insure so far as possible a fair shake for the individual young men and women affected by the shutdowns—both those in the centers closed and those frozen in the pipelines. Unfortunately, I fear, we have been only partially successful.

The other aspect of the situation is the use to be made of the now unused physical facilities. In this regard, I ask unanimous consent that there be printed at this point in the Record the text of a July 1, 1969, letter and enclosure to me from the Secretary of Labor dealing with the proposed uses for various centers, including specific data regarding 27 centers, five of which are in California.

This amendment of Senator Nelson's would provide an effective context for establishing appropriate priorities for the utilization of these abandoned resources for public service programs. I intend to offer in subcommittee, however, an amendment to Senator Nelson's language to include "youth conservation work and other conservation programs" as one of the enumerated examples of uses for these center facilities under section 10(a).

It seems to me that this modification would be in line with the essential purpose of Senator Nelson's amendment which is to continue to use these facilities for Job Corps-type purposes. Conservation work has always played a significant role in the Job Corps, and most of the closed Job Corps facilities were conservation camps within national parks or reservations.

There being no objection, the items were ordered to be printed in the Record, as follows:

U.S. Department of Labor, Office
of the Secretary,
Washington, D.C., July 1, 1969.

Hon. Alan Cranston,
U.S. Senate,
Washington, D.C.

Dear Senator Cranston: Thank you for your letter of June 2, 1969, asking about the use of closed Job Corps Centers. The interagency task force on the use of the closed centers recently submitted its recommendations. Consistent with the recommendations, the closed conservation centers will revert to the Department of Interior or Agriculture as appropriate. It will be the responsibility of these Departments to find "socially useful" programs for the centers, such as (1) remedial or work-vocational-educational training for disadvantaged youth with emphasis on a conservation work experience; (2) youth conservation education, and/or work experience programs; (3) residential rehabilitation and/or correction programs; (4) other manpower programs; and (5) summer camping

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programs for disadvantaged youth; and (6) regular Agency conservation programs. The enclosed sheets give information on some of the uses now being considered for the various conservation centers.

Kilmer and Parks Men's Urban Centers and Clinton and Moses Lake Women's Urban Centers will go to GSA. Leases will be terminated at the other centers as soon as it is possible.

I hope this provides the information you desire.

Sincerely,

GEORGE P. SHULTZ,
Secretary of Labor.

TAB C

Center	Location	Use	Remarks
Cedar Flats	Idaho County, Idaho	1. State police and patrolman academy	A Federal-financed State program. State of Idaho is anticipating a grant in conjunction with war on crime program.[1]
		2. State correctional institution	The State of Idaho is interested in the center for use as a federally financed youth rehabilitation center.[1]
		3. Summer youth programs	Lewiston, Idaho, school system interested for summer youth program. Would involve many school districts in Idaho and Washington.
Pagosa Springs	Archuleta County, Colo	1. State reformatory honor camp	The State of Colorado Division of Corrections would sponsor and finance operation and maintenance on a year-long basis. Will do conservation work.
		2. Boys' Club of America	Boy's Club of America would like to run a year-long program. Now have permit for summer use on the Roosevelt National Forest.
Clear Creek	Ormsby County, Nev	1. Correctional institution	State detention center for 12-to-18-year-old youth.
Grants	Valencia County, N. Mex	1. Joint use by U.S. Forest Service and New Mexico State College.	The U.S. Forest Service has need for the residences and shop facilities at Grants. A request for the remainder of the center has been made by New Mexico State University for a Grants branch college to be financed by the State of New Mexico. The region recommends that the center be used by the State of New Mexico for the branch college with the exception of the housing area and the shop building.
Mountainair	Torrence County, N. Mex		No inquiries for use to date.
Alder Springs	Glenn County, Calif	1. Forest Service would like to use shop buildings for Regular program.	No other use is indicated for remainder of the center. The region recommends disposal since the modular type buildings with flat roofs are not suited to the severe weather and heavy snow loads common to the area. The isolation of the center (43 miles from nearest town) has caused continual problems of staff recruitment and retention, corpsman morale, and has contributed substantially to the high cost of operation.
Fenner Canyon	Los Angeles County, Calif	1. MDTA programs	This would be a residential and/or semiresidential training program involving several labor unions.
		2. Conservation education	Los Angeles County proposes to use the facility for teaching conservation education.
		3. Corrections institution	Los Angeles County wants to use the facility as an inmate conservation crew camp.
Five Mile	Tuolumne County, Calif	1. MDTA program	The forest supervisor is working with the Carpenters Union and the local community action agency to develop an MDTA program.
		2. Conservation education	Stanislaus County proposes to teach conservation education and to cooperate with San Francisco State College to use student teachers. They also plan to conduct some programs for disadvantaged San Francisco grade school children.
		3. Junior college	The Columbia Junior College in Sonora, Calif., would like to use the facility as an extension of their campus.
Los Pinos	Riverside County, Calif	1. Fire crew base	The Forest Service wants to use part of the camp for a 40-man hot shot fire crew.
		2. Narcotics rehabilitation center	This is an unconfirmed inquiry by a Los Angeles church group for use of the facility as a narcotics rehabilitation center.
Sly Park	El Dorado County, Calif	1. Combination ranger headquarters and regional training center.	The Forest Service wants to use part of the site as a ranger headquarters and the remainder of the facility as a regional training center.
		2. Conservation education	El Dorado County would like to use the facility for teaching conservation education and as an extension of their junior college campus.
		3. Conservation education	Sacramento County wants the facility to teach conservation education.
		4. Correctional facility	El Dorado County wants to use as a correctional facility.
Cispus	Lewis County, Wash	1. Conservation education program	The Forest Service wants to operate this center for year-long conservation education programs in cooperation with school districts, colleges, and universities.
Frenchburg	Menifee County, Ky	1. Conservation education center	The Forest Service wants to establish a conservation education center in conjunction with the Red River Gorge development. The program would be sponsored by the Forest Service in cooperation with school districts, colleges, and universities.
		2. State corrections institution	
Hodgens	LeFlore County, Okla		No inquiries for use to date.
New Waverly	Walker County, Tex	1. Conservation education center	Forest Service sponsored conservation education programs in cooperation with school districts, colleges, and universities.
		2. Vocational training program	State of Texas proposes to operate a residential vocational training program.
		3. Summer camp	Texas Agriculture Extension Service would like the facility for a summer camp.
Anthony	Greenbrier County, W. Va	1. Vocational skill training center	State Senator John Bowling proposes establishment of vocational skills center. Financing is uncertain but probably would be a combination of State and Federal funds.
		2. Basic adult skills center	The State department of education proposes to sponsor the program.
		3. Alcoholics rehabilitation center	Sponsor would be the division of alcoholism, department of mental health.
		4. Correctional institution	The State department of corrections proposes to establish a forestry work camp for 16 to 18 year-olds.
Blue Jay	Forest County, Pa	1. Adult vocational program	The State would sponsor the program for Forest and Venango Counties. Financing would be from Federal, State, and Appalachia funds.
		2. Youth Camp	Sponsor would be State of Pennsylvania Department of Community Affairs.
		3. Correctional institution	Marienville Civic Improvement Association would work through the State for establishment of either a State or county correctional facility.
Clam Lake	Bayfield County, Wis	1. Vocational school	Would be sponsored by State of Wisconsin.
		2. Summer forestry camp	Sponsor would be Stevens Point College.
Hoxey	Wexford County, Mich	1. Vocational training school	Program would be year-long and sponsored by the Cadillac School Board working with the State.
		2. Corrections facility	This would be a work camp for offenders sponsored by Michigan State Department of Corrections. Michigan State law stipulates that they may work only on State lands.
Isabella[2]	Lake County, Minn		No potential users known at this time.
Lydick Lake	Cass County, Minn	1. Vocational training for Indians	The sponsor would be the division for Indian education, State board of education.
		2. Conservation education	Sponsor would be the Minnesota Environmental Resource Council, the Golden Valley Center.
		3. Bemidji State College	Bemidji State College wants use of the center to expand their education program. Senator Mondale is alert to this.
Poplar Bluff	Butler County, Mo	1. Work-vocational training for migrant workers	CAP and the Missouri Association for Migrant Workers would sponsor. Workers and their families would live on center.
		2. Correctional facility	Missouri Conservation Department proposes to sponsor an honor camp for prisoners who would work on both national forest and State lands.
		3. Missouri National Guard	Weekend training.
		4. College	Three Rivers Junior College proposes to utilize classroom space.
Ojibway	Gogebic County, Mich		No use identified at present.

Footnotes at end of table.

TAB C—Continued

Center	Location	Use	Remarks
Ripton[2]	Addison County, Vt	1. Conservation education program	The Vermont Natural Resources Council proposes to sponsor the program for Vermont youth.
		2. Post high school academy for high school dropouts	This would be sort of a college preparatory program sponsored by the University of Vermont.
		3. Vermont Grange	The Vermont Grange wants to use the center for record storage, State grange fair, junior and youth grange programs, and museum. Senator Prouty has been in on this.
Vesuvius	Lawrence County, Ohio		No indicated use at present; however, the Forest Service is evaluating the possibility of using it as a regional training center.
Alpine	Greelnee County, Ariz	1. Correctional institution	State department of corrections—State of Arizona honor conservation camp within youth division (about 100 boys). Would do conservation work on national forest and vocational training.
		2. Youth programs and college seminars	University of Arizona wants the center for seminars, conferences, and youth development programs. Sponsored by Cooperative Extension Service of University of Arizona. State would finance. Governor is in favor, but legislature would need to appropriate funds.
Dickinson	Stark County, N. Dak		Land and improvements owned by U.S. Government in the name of GSA; leased annually to Forest Service.
Luna	San Miguel County, N. Mex		Land donated to United States under OEO Act and improvements purchased utilizing Job Corps funds; land owned by U.S. Government in the name of OEO.

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[1] Governor Samuelson has contacted the Department of Labor and the President regarding uses 1 and 2.

[2] OEO has already relinquished their interests to Forest Service.

CAMP KILMER REVISITED

Mr. WILLIAMS of New Jersey. Mr. President, an old saying is:

Act in haste. Repent at Leisure.

An illustration of the truth of that comment can be seen in the situation involving the Camp Kilmer job training site. The administration rushed to get it closed; now the rush is on to get it open. Additional costs are involved in a program that allegedly was supposed to save money.

An editorial published in the Newark, N.J., Evening News sums up the situation. It also makes the excellent point that the new training center at Camp Kilmer is little and late.

Clearly, our Nation needs more, not fewer, training programs. I see no sign that the administration is moving toward that goal.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

REVIVAL AT KILMER

Camp Kilmer is going back into business as a center for training disadvantaged young men for useful careers. The State Department of Education takes over part of the camp today for a program to be financed by a $1.6-million grant from the U.S. Department of Labor.

This makes Camp Kilmer the second of the near-city residential training centers being established as part of the Nixon administration's overhaul of job-training programs. It is an encouraging result of second thoughts in Washington about sweeping abandonment of Job Corps centers like that which had operated at Kilmer for four years, but it is still a sharp comedown from what Kilmer had been providing.

Camp Kilmer had been training 1,700 men at a time, from several Eastern states, and at an investment of $9 million a year. Now it's to enroll only 350 youths, most of them from Central New Jersey. It's staff, recently 600, will be down to 130.

What is more, the federal government, which turned Kilmer into a ghost camp a month ago, will now begin putting part of it back into shape. New faculty and trainees will have to be recruited, courses worked out anew, equipment adjusted. Not until September will the new center be ready for occupancy and full operation isn't expected before November.

While it is good to find Kilmer returning to usefulness in helping develop needed skills, we can regret once again that Washington did not thoroughly work out the adjustments in the first place. While supposedly motivated by a desire to save money, it is now involved in the additional expense of making buildings ready again. And in the process Kilmer's facilities will stand idle for up to five months, to the loss of young men whose training could have been continuing there.

CONSERVATION ECOLOGISTS ENDORSE SLEEPING BEAR DUNES NATIONAL LAKESHORE

Mr. HART. Mr. President, I am delighted to invite the attention of Senators to the support of the Michigan Association of Conservation Ecologists for the proposed Sleeping Bear Dunes National Lakeshore. MACE is an organization of professional ecologists working for the public interest in resource management.

At the May meeting of the MACE executive board, a statement of support for Sleeping Bear Dunes was adopted and the group resolved to work for establishment of the national lakeshore. This is further evidence of statewide united support for this needed conservation project.

My proposal and the bills sponsored in the House of Representatives by Representative JAMES O'HARA, Representative LUCIEN NEDZI, and Representative GUY VANDER JAGT, who represents the area concerned, seek to preserve the special features and qualities of this landscape without adverse impact on existing homes and communities. Our instrument to accomplish this is the national lakeshore, and the careful planning and control it can bring to the 61,000-acre area involved in these bills.

Mr. President, I welcome this further support for the Sleeping Bear Dunes National Lakeshore and ask unanimous consent that the statement of the Michigan Association of Conservation Ecologists be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY MICHIGAN ASSOCIATION OF CONSERVATION ECOLOGISTS IN SUPPORT OF SENATE BILL 1023 TO ESTABLISH THE SLEEPING BEAR DUNES NATIONAL LAKESHORE

The Michigan Association of Conservation Ecologists (MACE) is an organization of 350 professional people working in the broad field of natural resources management. One of MACE's objectives is to assure that the public interest is best served in the management of our resources.

At the May Executive Board Meeting, MACE voted to work toward establishment of the Sleeping Bear Dunes National Lakeshore. The following statement summarizes why we feel that prompt action must be taken.

The Michigan Association of Conservation Ecologists (MACE) agrees with the arguments advanced by others for immediate establishment of Sleeping Bear Dunes National Lakeshore. We find particularly pertinent the recognition of increasing recreational demands, the rising costs of land, and the threats of uses incompatible with the natural state of the area. Within those scientific disciplines in which we as ecologists feel particularly well-qualified, we recognize the unique geologic features of the Sleeping Bear Dunes and its surroundings. On this landscape, an unusual vegetative pattern has developed as a result of soil and climatic conditions. Especially dramatic are the contrasts found where the moving sand of the dunes adjoins a more stable forest floor.

If the vegetative and geologic contrasts of the area are to remain in their natural state within convenient proximity to each other improvements within the Sleeping Bear Dunes area must be adapted to the features of the landscape, not dictated by the caprices of ownership patterns. Furthermore, as in many areas where sandy soils are prevalent, these landscapes are especially vulnerable to disturbances. For instance, a groundfire which removes the leaf litter and humus can so change the soil moisture and nutrient conditions that the entire plant community is changed to a more pioneer state for a prolonged period.

MACE recognizes that public ownership of contiguous areas is needed to assure that the attractive features of the Sleeping Bear Dunes region remain in their natural state and available for the enjoyment and enlightment of everyone. Thus, we urge the establishment of the Sleeping Bear Dunes National Lakeshore as proposed in Senate Bill 1023.

Respectfully submitted,
CARLOS FETTEROLF,
President.

THE NATIONAL ENDOWMENT FOR THE ARTS: WHO IS IN CHARGE?

Mr. WILLIAMS of New Jersey. Mr. President, the National Foundation on the Arts and the Humanities represents the first serious effort on the part of our country to bring the United States into what a Washington Star editorial calls "the general civilized practice of the world in regard to the arts."

It all began in September 1965, with the enactment of legislation establishing the National Endowment for the Arts and the National Endowment for the Humanities. Both endowments have raised our hope and expectations in the arts. Both endowments have done a remarkable job in the allocation of their meager funds. Both endowments have generated a renaissance in American culture. Yet, now, one of the endowments for the arts is being threatened by the lack of leadership. Roger Stevens who has further distinguished himself as chairman of this endowment for the past 4 years has vacated his position. Four months have passed, and President Nixon has failed to appoint a successor or reappoint Mr. Stevens.

Failure to fill this vacancy immediately will further disrupt the continuing of both endowments. The future of the arts in this country should not be at the disposal of a political decision that has to be cleared down through channels. This post and the momentum it has generated in the performing arts is too important for President Nixon to delay any further in his selection.

A Washington Star editorial makes this point quite clear. I ask unanimous consent that the editorial, entitled "A Man For the Arts," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A MAN FOR THE ARTS

It is a rule of our democratic society that when the government is silent on any issue of general interest, the vacuum is immediately filled by the press, which advises the government on what it should do, warns the public on the perils of action or inaction and, most especially, publishes news of what the government has done, often with some ground for the reports.

In this spirit, it has been one of the journalistic treats of recent months to watch the appointing and then unappointing of a whole series of candidates for the position vacated by Roger Stevens as head of the National Council on the Arts.

Child actresses, newspaper publisher-dowagers, department store tycoons, even museum directors, have come and gone in the busy swirl of a column. It's been fun, but it's beginning to pall.

This increasing exercise of natural gifts of invention indicates chiefly not a defect in journalism but one in government. The parade of appointments and firings really means—perhaps not consciously—that the government has been greatly remiss. The post is important, representing the first serious effort to bring the United States into the general civilized practice of the world in regard to the arts. Most nations have thought of the arts in the way we think of the aerospace industry, as something good for the country but not capable of supporting itself and therefore requiring government subsidy.

The importance of fast action is increased at this time of awareness of expense, even in the Pentagon. At such times such projects as the Council on the Arts are peculiarly liable to cutting back by congressmen not terribly art-minded. A chairman is desperately needed, and we urge the President to act immediately to fill the post so ably filled by Roger Stevens.

The fact is, of course, that nobody in the country is as well equipped to handle the job as is Mr. Stevens. What President Nixon really ought to do is reappoint the man who created the job to carry it forward.

OVERCROWDING AND US

Mr. HART. Mr. President, I invite the attention of the Senate to an excellent article published in the April 1969 issue of National Parks magazine. In this article, entitled "Overcrowding and Us," Dr. Paul Ehrlich, a biology professor at Stanford University, succinctly sets forth the grave problem of overpopulation facing this country as well as the rest of the world.

Mr. Louis Potter, of East Lansing, Mich., sent me Dr. Ehrlich's article and a letter in which he asks "when will our national leaders will have the courage and perception, and the sense of urgency regarding the problem, to speak out candidly and bring direction and purpose to meeting the crisis of the critical problem of overpopulation?" When, he asks, will we stop the insane arms race, pull out of the morass in Vietnam, and redirect our national priorities and energies toward our very survival? It is a timely question.

In our preoccupation with individual issues of the moment, we must step back in order to recognize the fundamental problem of population growth which lies behind so many of these individual problems. Dr. Ehrlich, in this article and in his recent book, "The Population Bomb," has offered us a careful, penetrating—and frightening—assessment of the problem we face. I hope that we have the sense of priority and national maturity to face this crisis now, to face it squarely without hiding the difficult issues under the rug any longer.

I ask unanimous consent that Mr. Potter's letter and Dr. Ehrlich's excellent article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EAST LANSING, MICH.,
June 21, 1969.

Hon. PHILIP HART,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HART: I am presuming to send you herewith a copy of an important article by Dr. Paul Ehrlich in the April, 1969, issue of National Parks Magazine. It is an article which should be read by every American over seventeen years of age, and I hope that you will take the time, within your very demanding schedule, to read it.

I am sure that many, many citizens wonder, as I do, when our national leaders will have the courage and perception, and the sense of urgency regarding the problem, to speak out candidly, and bring direction and purpose to meeting the crisis, on the critical problem of overpopulation. Will it be done before time runs out on us? When will we stop the insane arms race, pull out of the morass in Vietnam, and re-direct our national priorities and energies toward our very survival?

With much appreciation and esteem for your great work.

Sincerely,

LOUIS POTTER.

OVERCROWDING AND US

(By Paul R. Ehrlich)

Population pressure has been defined as "numbers threatening a value." By this standard, the United States is today a seething nexus of population pressures; virtually everything we value as the "American way of life" is currently being threatened by overpopulation. Yet very few Americans seem to be aware of the threat. Certainly, most informed Americans recognize that we are facing staggering problems—pollution, congestion, urban blight, resource depletion, overcrowded schools and courts, social unrest—the list goes on and on.

They are also aware that many areas of the world are facing a rapidly widening population-food gap. They know that people are starving to death every day, right now, and that the situation will probably get much worse in the very near future. These Americans will agree that India has a population problem, that Latin America and Southeast Asia have a population problem, even if they are a bit unsure just what should be done about it. But they *don't* think the United States has a population problem. All of *our* problems are environmental—with the proper action they could all be solved. Foresight and planning will allow us to provide for all future Americans. They assume the United States has the means to feed its increasing population for centuries to come—after all, we are paying farmers now *not* to grow food. And all those empty miles in Nevada, in Utah, in Arizona—we have lots of room for expansion. The population problem mentioned with increasing frequency by the news media is very foreign and distant, pertaining only to the far corners of the globe. It is really no concern of ours—except of course for our humanitarian desire to alleviate suffering among the less fortunate citizens of underdeveloped countries.

I must disagree. There is a growing number of signs that there are today already too many of us in the United States. We create more solid waste than we can dispose of, so it litters our landscape. We produce more sewage than we can treat, and along with myriad byproducts of our affluent society it pollutes our waters. We lower our water tables as we attempt to assuage our growing national thirst, permitting salt water to invade water-bearing strata. We ignore the principles of ecology when we cut forests, plow fields, and battle insect pests, thereby slowly ruining the food-producing capacity of our land. In many areas vehicular traffic is inexorably grinding to a halt as more and more people travel overcrowded streets and highways. The air in many cities is unfit to breathe; indeed, people are being advised to flee them if they wish to preserve their health. Parks, beaches, and resorts are mobbed. Ghettos and urban slums grow, and riots have become, like thunderstorms, a regular summer phenomenon. While the centers of our cities decay into uninhabitable slums, prime farmland is swallowed up by subdivisions. American babies suffer malnutrition, and some starve to death. There are not enough doctors to treat our population. Our schools are understaffed and overcrowded, as are hospitals and most other social agencies.

From rubbish to riots to starvation we are faced with an array of problems, all of which can be traced, at least in part, to too many people. That there are many other factors, and that any one of these problems, taken alone, might *theoretically* be solved without reducing the size of the population, is irrelevant. Few of our problems can be isolated, and none can *realistically* be solved without stopping our population growth.

After all, if our problems are in fact soluble without population control, why are they not being solved today? Smog is nothing new, and it is rapidly getting worse. Ghettos are nothing new, and neither is urban blight; but we see little improvement in either condition. Our water shortage and pollution problems have been recognized for decades, and yet they continue to grow worse. Indeed, our water problems are so severe that Dean Richard Jahns of Stanford's School of Earth Sciences recently said to me that the only remaining question was whether we will run out of water quantity or quality first. For years our highways have been jammed, our schools and hospitals overcrowded, and our resorts mobbed, despite continual efforts to relieve each of these situations. In our search for solutions we have insisted on considering each problem in isolation, ignoring its relationship with each of the others, and to population size. It is not surprising, then, that our attempted solutions fail. Continually increasing population, coupled with our incredible level of consumption, keeps the best efforts we are able to make far from adequate. Until the interrelationships of our problems are recognized and programs are adopted which include population control, our "solutions" are doomed to failure. A friend recently put it very well: "Whatever your cause, it is a lost cause without population control."

Americans, as individuals, show little sign of giving up the behavior patterns which, multiplied by 200 million, result in our current dilemma. These behavior patterns are based on deeply held beliefs and attitudes. One, of course, is the belief that every couple has the right to have as many children as it wishes and can afford. This "right" has deep social and religious bases, and is still considered to be taboo for discussion by most politicians and public officials. The most important issue of the day, population control, is seldom mentioned. I say the most important issue because the only other issue of similar magnitude is peace—and peace with an exploding population is as likely as Niagara Falls reversing itself.

Another fundamental attitude can be traced to the philosophy of the frontier. We have now exhausted all of the world's frontiers, and have no more vast new areas to settle and exploit, occasional nonsense about interplanetary colonization notwithstanding. We stew in our own effluents, and yet we act as if we could leave our ruined farmland, littered and polluted landscape and teeming cities and move on to a fresh frontier if we wished. Those days are gone forever, but the philosophy lives on in our behavior. As yet Americans have not made the ideological change necessary to living in a limited environment with limited resources.

Many Americans, however, do realize that we are running out of air, water, and other natural resources, and that we have no frontier to escape to. Unfortunately, that is where another dangerous false premise appears: our faith in Science and Technology. Overpopulation scares were wrong before—Science and Technology will save us again. Poison in the air? We'll invent new automobiles, filters, precipitators, and whatnot to clean it up. Running out of water? Nuclear power for desalting sea water, new methods of treating sewage, cloud seeding, and other vast public works will take care of that. Not enough food? We'll develop ways to grow crops in the sea, new high-yield grains, and perhaps new means of "creating" protein. Limited natural resources? New building materials, energy sources, and synthetics will solve that.

It all sounds so simple. But none of these things will come about soon enough or in quantity enough, even with a level of funding and cooperation unknown in the history of the nation. What are the chances that the consensus and the cash to attempt technological solutions will materialize? One need only pick up a daily newspaper to read of the defeat of school bonds, the financial plight of urban transit proposals, the inability of state and federal governments to compel pollution abatement, of the lack of satisfactory techniques to cure our various social ills. This inaction is not the cause of our impending disaster, but it accelerates the arrival of the day of reckoning. The cause is unchecked population growth, with which no amount of money and technology can ultimately cope.

Of course, a major cause of the overpopulation of the United States is our economic philosophy. Our prosperity is believed to depend on a growing population and monumental waste. Population growth is hailed by businessmen and politicians alike as ensuring our economic future. Each new baby is viewed as a potential consumer of manufactured goods. In this day of automation, however, we must also learn to view each new baby as a potential member of the unemployed, an additional polluter, a user of irreplaceable resources, an increaser of crowds, and even a potential rioter. It is, in fact, likely that our population growth is a drag on our economy, just as population growth is unquestionably a drag on the economies of undeveloped nations. Some of our distinguished economists now feel that our capitalist system need not be fueled by an ever-growing population. Dr. J. J. Spengler has said: "In the future, economic growth will depend mainly upon invention, innovation, technical progress, and capital formation, upon institutionalized growth-favoring arrangements. Population growth will probably play an even smaller role than I have assigned it in earlier discussions. It is high time, therefore, that business cease looking upon the stork as a bird of good omen." The continuing success of our capitalistic system aside, it is futile to depend on population growth and resource depletion to support our economy indefinitely. Many vital resources are in limited supply and will eventually be exhausted. Furthermore, no biological population can continue to grow forever. For instance, continued human population growth at the present rate would raise the population density on Earth to some 1700 people per square yard in about 1000 years. Needless to say, we shall never reach this hypothetical density.

Recently, attempts to get Americans to act on the population problem have been impeded by irresponsible statements that the population explosion in the United States is over. These statements are based on statistics showing our birth rate to be at a record low—about 17 per thousand per year. There is an all-too-human tendency to grasp at any hopeful straw in a grim situation, and the low birth rate is just such a straw. Unfortunately, it is the difference between birth and death rates that is critical, not the rates themselves. Since our death rate now stands at about 9.5 per thousand per year, our population is increasing at a rate which will allow it to double in about 90 years. Those who cheer the recent decline in the birth rate should also remember that birth rates are changeable, like the weather. They have minor fluctuations as well as long-range changes, determined in no small degree by the state of the economy, wars, family-size fads, and so forth. The current low should no more be hailed as the end of our population explosion than should a warm December 26th be welcomed as the coming of spring. We are a long way from a stabilized population. In fact, our birth rate will almost certainly rise in the next few years, as the women born in the post World War II baby boom reach their peak reproductive years. We cannot continue to leave our population size fluctuations to chance, any more than we leave our economic growth to chance; there is too much at stake.

If the United States is overpopulated now, it is only logical to ask how many people this country should have. Unfortunately, there is no easy answer to this question. I once hoped to start a discussion by throwing out 150 million as a suggested optimum population size for the United States. It is a size familiar enough to be "real" to most people. A population of that size is fully capable of running a highly technical, affluent society—our population was about that large in 1950. In an age of missiles 150 million Americans would be more than capable of defending themselves. We fought World War II with fewer people. Reducing our population to this size would reduce the pressure on irreplaceable resources and vital institutions, especially if the reduction were accompanied by an intelligent program aimed at restoring a liveable environment and maintaining the population in balance with that environment.

Ultimately we will be forced to reduce our population to a level much below 150 million. As the 20th Century Fund Survey U.S.A. and Its Economic Future put it: ". . . the United States now is definitely labeled as a have not country for many vital materials, a label it will have to live with in the years ahead." Unless a world disaster intervenes to end all population problems forever, we will rather quickly exhaust our supply of non-renewable natural resources, and we will have to find ways to live on renewable resources. We will be compelled to maintain a population size consistent with that requirement. And that day is coming sooner than many Americans realize. As famine strikes much of the rest of the world (estimated by agricultural experts William and Paul Paddock as most likely to occur in the mid-1970's) we will be denied many of the materials we now import. Starving nations are not going to be willing to send us raw materials when we are unable to send them food, and regardless of what some "experts" say we cannot hope to feed the entire world. Money will be worthless to these nations—they will be unable to buy food elsewhere, either. No one is so naive as to believe other nations will continue to supply us with the materials for our good life while they quietly starve.

The United States cannot avoid serious problems when other countries slip into massive famine. But starvation is just one potential consequence of the worldwide population-food-environment crisis, and the other consequences contain other, more deadly threats to our existence. If international pressures caused by massive starvation erupt into the holocaust of World War III, we will not be able to escape. If new deadly virus strains develop in the seething masses of hunger-weakened people or escape from our biological warfare laboratories, they will be quickly spread around the world by modern transport, and we will not escape. So, in addition to a fearsome array of domestic problems, all related to overpopulation, we are facing a really desperate worldwide situation, also due to overpopulation. We can ignore the world problem only at the peril of all mankind.

The United States is the world's richest nation, its greatest super-power. But all of this wealth and power will not permit it to remain aloof in this crisis. If there is to be any hope of getting the world through the coming crisis with civilization intact, the United States must assume the lead in taking drastic action immediately. This gives us one more urgent reason for decreasing our population. For us to succeed in persuading other people to decrease their birth rates we must be able to advocate "do as we are doing," not "do as we say." There are many who are eager to accuse us of racism or national interest to deny them ammunition for this attack, we must be doing what we demand of others.

FOR BUSINESSMEN ONLY: AN APPROACH TO SOLVING CRIME

Mr. **WILLIAMS** of New Jersey. Mr. President, "law and order" and "crime

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in our streets" are overworked phrases in our present-day vocabulary. Americans are bombarded daily with news articles and speeches warning and alerting them, but little is offered in the way of constructive solutions.

Mr. Richard L. Gelb, president of Bristol-Myers Co., in a speech April 28, 1969, before the annual meeting of the U.S. Chamber of Commerce, took a positive and constructive stance on the facts of crime. He outlined an approach needed from businessmen of this country to meet the challenge of reducing crime.

Industry as a whole should heed Mr. Gelb's call for support and, more important, involvement, in responsible crime control and correction. Their degree of participation will determine the quality of our society.

I ask unanimous consent that the text of Mr. Gelb's remarks be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

CRIME: A BUSINESSMAN'S CHALLENGE

(By Richard L. Gelb)

I have very mixed feelings as I stand here before you today. On the one hand, I am rather overwhelmed at the honor of your invitation; on the other, I am saddened by the fact that this first luncheon meeting should have to be devoted to the problem of crime in our nation. Five years ago most of us were basically unaware of the impact of crime. Today you are not only aware of it but you want to do something about it. Across the country the amber light has finally changed—the signal is now green—we are ready to move against crime and against the breakdown of law and order. President Nixon signalled his continuing concern on April 23 in his message to Congress. The people through the ballot box and through the polls have already signalled their concern, and I am quite sure that the Attorney General will give you some very clear signals shortly.

How we may help is a more difficult question and before attempting any answer, I would like to make several brief observations concerning the special interest of business in the crime picture of our nation.

Today, for perhaps the first time, American business is facing up to the reality that crime is not just something in the movies or on TV, but rather, it is a fact of life which vitally affects American business in several ways.

Take costs—high crime costs in high taxes—our crime control system now costs more than four billion dollars a year. That figure is equal to roughly 5 per cent of all American business profits in 1968. High crime rates cost people higher prices—all of you are aware of the impact organized crime has on any business which it controls. For the first time the public is becoming equally aware of the problem. Crime reduces our market. Fear of crime causes people to stay at home. One study in the Crime Commission Report indicated that 43 per cent of the people in some areas of this country stay off the streets after dark. Crime inhibits business expansion. A company moves out of a city not because it wants to but because its women employees are afraid to walk the streets at night. Crime can mean the difference between a profit or a loss. The Firemen's Fund Insurance Company stated that 30 per cent of all business failures was due to theft by the employees of those companies. Finally and most important, the businessman personally, as a citizen, deplores crime. He often lives and usually works in the city. What does it avail him—or anyone in fact—to build a career and an income if he must live in fear of becoming a crime victim. Money is no good if you live in a jungle.

Less than two years ago, I was grateful for the opportunity to present a businessman's view of crime and law enforcement to our nation's top police officials.

I urged these leaders to call upon their counterparts in business, to adopt their techniques and practices where needed and invoke the might, power and influence of business in this common effort.

Today I say to you that the time has come for us as citizens and particularly as businessmen, to take measures to defend against crime. What we must do is take part in an effective organized control strategy against crime. This is the only way to create an impact. It is not just a case of new devices, or more policemen, or larger jails. The entire criminal justice system needs a strengthening which it cannot achieve without our full support and participation.

As with any new endeavor it is difficult to know how to begin and specifically what to do. In this regard I would like to draw on my experience as a Trustee of the National Council on Crime and Delinquency in presenting what I believe are effective action suggestions—things that you can actually do and thereby know that the results of your actions will be felt—particularly with the desirable multiplier effect resulting from action in almost every community in America which is represented in this room. Each such community must invoke an additional multiplier by using the leverage of the organizations in which you are active in order to spread the word. You are the men and women who will motivate the activities of your Chambers of Commerce, Church Groups, Rotary, School Boards, Planning Boards and other civic organizations.

1. The businessman can begin this effort right at home in his plant or place of business. Most of us never think of the possible consequences of having a seemingly innocuous employee taking bets at work. Many of us would be shocked to think it exists. Some of us are apt to be permissive about what seems to be just a little gambling. But "on premises" gambling can lead to trouble and those who are familiar with even the rudiments of organized crime will be able to prophesize the probable results of such activities.

Organized crime is not limited to gambling. Next comes loan sharking. Some employees who bet go broke and inevitably seek to borrow money. The mob knows this and has a ready lender who not only has been waiting to lend the money but is also waiting to exert the pressure that follows nonpayment. What happens next is limited only by the imagination.

Good inside information can lead to hijacking, extortion or successful payroll stick-ups. It is difficult to defend yourself against crime's fifth column—the enemy within your own ranks—and you are inviting him in when you have criminal activity, especially gambling, taking place on your premises.

2. As businessmen and respected members of the community you can exert political power. Help prevent the election of politicians who look the other way when it comes to illegal gambling or other criminal activities.

If we are going to do this job of fighting crime, we must get rid of corruption in government at all levels as a starter.

3. The businessman can use his financial strength as a lever to fight crime. For example, a large corporation was planning to move into a California City. So was organized crime. The corporation had warned city officials and business leaders "if the mob comes in, we stay out." The community kept the mob out.

Before going into a city determine if it is in the clutches of organized crime. Is the criminal justice system a good one? You will have a big stake in that community and these questions are every bit as important as whether or not there is a good school system, good transportation or an adequate labor supply.

4. As businessmen, we can make our weight felt when local governmental budgets are drawn up to make sure that the criminal justice system gets its share. Alone, but more effectively through the Chamber or other business groups, we can press for appropriations to do something about poorly paid police, understaffed criminal courts and ineffective correctional programs. A sound criminal justice system is as important to your city as any other governmental service.

5. Businessmen can help gear their trade associations to become a stronger anti-crime force. Although trade associations and the Chamber cannot and should not get into the crime business, they can encourage and stimulate programs and seminars to educate and draw the blueprints for action with regard to the other points about which we are speaking.

6. The businessman can become a valuable resource for law enforcement agencies. Such help is offered to almost every other branch of government. The knowledge we have, and which we have so often given to other branches of government, of sound management and administrative principles should be made available to our own local law enforcement agencies.

7. You can shape crime control legislation. Your influence with legislators at each level can make a difference. A lack of such interest and contact by you shows that you really don't care.

8. As businessmen we can help provide opportunities for offenders so they are not forced onto the treadmill of crime. On his own, a businessman can employ released offenders. He can permit work-release programs to operate in his plant. He can urge others to endorse and adopt such programs.

9. The businessman can encourage his friends and associates to undertake crime control projects.

In your fight against crime, not only must yon get involved, but you must get others involved. The National Council on Crime and Delinquency has compiled a list of fifty citizen action projects which show individual citizens how to effectively engage in combating crime and delinquency in their communities.

Let's sum up the nine ways you can actively fight crime:

1. Clean house.
2. Use your political power.
3. Use your financial strength.
4. Support a better criminal justice system.
5. Get your business and civic organizations involved.
6. Make yourself available to law enforcement agencies.
7. Support anti-crime legislation.
8. Support new ideas.
9. Get your associates, your employees, your friends and your family involved.

One final word on what you and your community can do and should do. It stems from this recommendation of the President's Crime Commission dated March, 1967 and I quote, ". . . all of the city's activities against crime should be planned together, by a single body. The police, the courts, the correctional system and the non-criminal agencies of the community must plan their actions against crime jointly if they are to make real headway."

In response to that suggestion in New York City that same month Mayor Lindsay created the Criminal Justice Coordinating Council to act as a single planning body for crime control measures and for the reform of the administration of criminal justice in New York City. The Council has about sixty members, half representing public agencies and half from the private sector. The work that it is doing is innovative and action oriented and in just eighteen months we have made radical improvements in the criminal justice system. I mention it today only to let you know that we have knowledge and experience in New York City that has been developed, not in a laboratory but rather in a city that is perhaps more heavily involved in all kinds of crime than any other. I know that we have already shared this information with some cities. Mayor Lindsay has asked me to tell you that when and if your city is ready to move ahead in this area our city will make whatever knowledge we have available to you.

Today our country is grievously afflicted by a problem which daily grows larger. This affects our businesses. But far more important, it affects the quality of life in America. It engenders fear, distrust, lack of faith in government. It is not a good climate for business; it is not a good climate for living.

If we are to change this situation, all of us will have to get involved. You, as business leaders are in the vanguard of every important social effort in the country; you will have to take leadership roles in this field, too.

Our nation has grown great and strong, not because we relied solely on government, but because of the determination, the skill, and the courage of our private citizens. Now we must use the same qualities and apply them in safeguarding what we have built. This is why I urge you to get involved in responsible efforts to control crime—to make this a peaceful and safe and just society.

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Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate stand in recess subject to call of the Chair, but not later than 1 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Thereupon (at 12 o'clock and 12 minutes p.m.), the Senate took a recess subject to the call of the Chair.

At 1 o'clock p.m., the Senate reassembled, when called to order by the Presiding Officer (Mr. GOLDWATER in the chair).

AUTHORIZATION OF APPROPRIATION FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each reserve component of the Armed Forces, and for other purposes.

The Senate resumed the consideration of the bill.

The PRESIDING OFFICER. Under the previous order, the Chair recognizes the Senator from Maine.

Mr. MANSFIELD. Mr. President, will the Senator yield, without losing her right to the floor?

Mrs. SMITH. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. EAGLETON in the chair). Without objection, it is so ordered.

Mrs. SMITH. Mr. President, I speak in favor of this bill and I commend the distinguished chairman of the Armed Services Committee for his able and comprehensive presentation. Senator STENNIS has stated well the actions of the Armed Services Committee which devoted so many weeks to the consideration of this important legislation.

The authorization for the procurement of major weapons, research and development, and reserve strength is a matter of significant importance this year and I urge Senate passage.

In speaking in favor of this legislation I speak in the interests of our national security. At a time when it has become fashionable to question, challenge, and defy defense spending I urge a word of caution to those who would emasculate our Nation's defense posture.

In pressing for passage of this bill I am not unmindful of the many ills that plague the Nation. I am keenly aware of our economic and fiscal problems and the need to match the Federal budget against a selective list of national priorities.

There are no instant solutions to our perplexing domestic problems and by the same token there are no instant solutions to countering the threat in a troubled world. I ask the Members to consider my remarks in the light of those realities in which we live, the actual world we are experiencing today and not the utopia that we would all like to see.

I recommend that in the deliberation of this bill extreme care and thought be given to the complexities of modern arms production. Also I ask that the members examine well the need to provide the time necessary for development of modern weaponry.

The provisioning of adequate aircraft, missiles, ships and other major items is far more complicated than authorizing and appropriating. The modern arsenal of today and more particularly that of the next decade require extensive and painstaking investigation. The lead time for deployment of these modern arms has multiplied manifold. The range of uncertainties in fabrication to insure reliability will not be lessened by postponement and incremental funding.

The high defense costs are repugnant to many Americans just as they are to me. But this is another fact of life that is no less real and I prefer to pay the price and avoid gambling with our security.

In my 29 years of congressional service I have strongly supported our national research and development programs and I will continue to do so. I did not favor cuts in research which were made in the Armed Services Committee.

The strategic advantage long held by the United States begins to disappear in 1969. Certainly on the rapid rate to achieve parity by the Soviets the balance may dip in the early 1970's. Until now we have maintained a viable military deterrent. I attribute this considerable achievement to our research and development effort.

In urging passage of this measure I caution those who would cut or curtail our strategic offensive capability. There has been much criticism of what was done wrong. I do not condone misfeasance, nonfeasance or malfeasance. But lest they lose sight of our destination, those desperate-minded critics should stop and pause for a reassessment. Heaping scorn on the Pentagon and making our uniformed personnel the scapegoats for our national and international ills represents the cynicism of those very elments that threaten our property, our institutions, and our lives. This critical chorus does little to enchance public confidence and does much to obscure the realities of 1969.

Mr. President, for the foreseeable future a strong military posture remains absolutely essential to our national survival. The recommendations of the Armed Services Committee on the offensive weapons of the future were decided upon only after a most searching examination of the threat and the alternatives. To delay or delete the aircraft and naval vessels contained in the bill is to settle for obsolescence. Cuts or deferrals in these areas is tantamount to acceptance of mediocrity.

Everyone must know the avowed goal of the Kremlin and Peking masters and we all know that the United States is the only nation that has denied them the attainment of their objective. Since we have accepted the challenge of leadership in this conflict of ideologies I, for one, will not support a policy of diminishing returns. I cannot in good conscience support a reduction of our offensive capability and a relinquishment of our technical superiority.

Mr. President, most assuredly it is a costly process but our cherished freedoms were not purchased at the bargain counter. Those who oppose us have always had a very high esteem for our offensive strategic forces. I strongly urge that we meet these needs now if we are to fulfill our national aspirations. I think America is equal to the task. Mr. President, I urge passage of this legislation.

In closing, I want to say a few words in defense of the muchly maligned military officers of our Nation. They are currently the favorite whipping boy of critics who have shared neither their responsibilities, experiences, sacrifices, nor risks.

Today they are the No. 1 targets just as the State Department's careerists were in the early 1950's when varying numbers of State Department personnel were accused of being card-carrying Communists.

In 1950 I spoke in defense of the State Department personnel who were being

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smeared from this immunity-cloaked Senate Chamber with tactics of half-truths, guilt-by-association, trial by accusation, and other techniques against which those smeared had no adequate way in which to defend themselves and prove their innocence.

Recently I have read some commentaries concluding that our country was returning to those days of the smears. I think we have already returned and just as I defended the smeared State Department personnel nearly two decades ago, now I want to defend the castigated military personnel of today.

Why are they being attacked? The answer to this question is very simple. Many want to find a scapegoat for the long, drawn-out, and unpopular Vietnam war. They have selected the military to be the scapegoat. They seek to blame the Vietnam war on the military. They seek to place the military in the role of the devil and of evil men who have no concern for the very critical, urgent and desperate domestic problems here at home.

How quickly we forget the military after they have successfully defended our Nation. But in this case, the most amazing aspect of the vitriolic attacks on the military stemming from weariness and concern about the Vietnam war is the failure to do the honest thing and recognize that this has not been a war of their choosing nor of their direction.

They did not make the decisions to intervene in Vietnam. Those decisions were made by their civilian bosses. They did not make the decisions to expand, intensify and escalate the war. Those decisions were made by their civilian bosses.

They did not make the decisions to observe sanctuaries from which the enemy could regroup and resupply to attack again—and even from which the enemy could shoot. Their civilian bosses made those decisions.

It was not the military who misled the public with such irresponsible optimistic statements that the boys would be back home from Vietnam by Christmas 3 or 4 years ago. It was not the military that was so tragically wrong in such estimates about ending the war. It was their civilian bosses who were so tragically wrong in evaluation and estimates of the enemy. It was their civilian bosses who made the unjustified optimistic predictions that ultimately undermined public confidence in the credibility of our Government.

Make no mistake about it, the military not only did not make the decisions, but their advice was repeatedly rejected and scorned and deprecated. Make no mistake about it, the military was derogated by their civilian bosses and subjected to open contempt by the decisionmaking "whiz kids."

Now, attempts are being made to make the military the scapegoats for the disastrous decisions made by their civilian bosses through the elite, but woefully inexperienced "whiz kids."

Make no mistake about it, the military has only been following the orders of the civilian bosses. Make no mistake about it, the military has not been formulating strategy and tactics as in past wars. Instead the strategy, and even the battlefield tactics, have been devised by their civilian bosses.

Make no mistake about it, the mistakes that have been made are the mistakes of the civilian bosses rather than the military.

Yet, the pattern has been always to credit the civilian bosses with any successes and to blame the military for any failures. This has even extended to the most recent withdrawal proposal advocated by former Secretary of Defense Clifford.

For actually the proposal advanced by Mr. Clifford is really a basic plan that General Westmoreland proposed some time ago but for which he has been given no credit.

Mr. President, we are all weary and tired and frustrated with the Vietnam war. But in that weariness, discouragement, and frustration, I plead that all of us strive for greater perspective. I plead that instead of making the military a whipping boy for decisions, policies, and actions of its civilian bosses that we all take a good hard look at ourselves and ask if we have any responsibility for what has happened.

I see no more justification for the intense campaign against the military now than for the intense campaign against the State Department personnel back in the early 1950's.

Mr. STENNIS. Mr. President, will the distinguished Senator from Maine yield?

Mrs. SMITH. I am happy to yield to the Senator from Mississippi.

Mr. STENNIS. I want especially to thank the Senator from Maine for her long contribution to the problems and work of our committee and particularly with reference to the bill. We began working on it in January, giving it a great deal of time from then until now. The Senator from Maine is always constructive in her approaches and in her remarks, and is always frank in her counsel and is always well informed. That means a great deal. She deserves special credit. The committee is indebted to her. I am even more indebted to her as the committee chairman.

I commend the Senator from Maine for a very fine, pointed speech which sums up the needs for our security and the proper approach, I think, toward reaching sound decisions on the items to which she refers.

I am pleased, too, that she made the remarks she did about our professional military men. I hold no special brief for them. I am not connected with them in any personal way. I admire them greatly for the hard decisions they make and the heavy responsibilities they often carry. I am proud to be a part of a country that can afford such men.

I include in these remarks the fine young men who have been fighting in Vietnam. This country has never been represented on the battlefield by a finer group of young Americans.

I shall have something more to say about personnel later, but at this time I want especially to commend the distinguished Senator from Maine once more, and thank her for her very fine, unselfish work.

Mrs. SMITH. Mr. President, I want to express my deep appreciation to the distinguished chairman and our able colleague. It has been a very great privilege to work with him. I have a good teacher in him.

Mr. HOLLAND. Mr. President, will the distinguished Senator from Maine yield?

Mrs. SMITH. I am happy to yield to the Senator from Florida.

Mr. HOLLAND. I should like to say to the distinguished Senator from Maine that I, too, am happy to have heard that portion of her speech which I was able to be present to hear. Her speech was fine, inspiring, and uplifting.

It should remind us of some of the things we need to recall. One of them is with respect to the limitation of our objective in the Vietnam war, that the military certainly did not make that decision. To them it was an almost unknown thing to have their objective so limited. It was our own national policy in foreign matters, the decision of our leaders in the field of foreign affairs from the President right on down who were responsible for that decision. I think we should always remember that.

We here in the Senate have a particular reason to remember that the passage—almost unanimously—of the Gulf of Tonkin resolution was an assumption of our responsibility in the matter, which we should never forget. It certainly was not the act of the Armed Forces.

I appreciate so much the speech of the distinguished Senator from Maine. As always, we find in her expressions of conscience—the conscience of a gentle but firm New Englander—an uplifting experience for all of us.

Mrs. SMITH. Mr. President, I deeply appreciate the very generous words of my able colleague and friend from Florida.

Mr. MURPHY. Mr. President, will the distinguished Senator from Maine yield?

Mrs. SMITH. I am happy to yield to the Senator from California.

Mr. MURPHY. Mr. President, I should like to congratulate the distinguished ranking minority member of the committee for having carefully and clearly delineated a condition that all of us should be conscious of at all times but which, unfortunately, in the complexities of our society today, we sometimes tend to forget.

Sometimes, when things happen which we like, the honor goes to the wrong place.

Sometimes, in matters with which we are not too well pleased, the blame is put in the wrong place.

I can think of no one more capable of explaining this complex problem in clearer terms than the distinguished Senator from Maine has just done.

I think her speech is timely. It is important, and I should like again to congratulate most heartily my distinguished colleague.

Let me say one other thing, that as a new member of the committee involved in this particular bill, it has been one of the most gratifying experiences of my life to serve under the distinguished chairman, and under the distinguished

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ranking minority member. It has been the finest exhibition of the committee system in action. I give most of the credit to the two leaders, the Senator from Mississippi (Mr. STENNIS) and the Senator from Maine (Mrs. SMITH).

Again, I thank her very much for her fine presentation and associate myself with her remarks.

Mrs. SMITH. Mr. President, I want to thank my good friend and able colleague from California for his kind words. It has been a very great privilege to have had seven colleagues on my side of the table present most of the time, and always present at the hearings that were held. The senior Senator from California has made an invaluable contribution to the work of the committee.

Mr. BROOKE. Mr. President, will the distinguished Senator from Maine yield?

Mrs. SMITH. I am happy to yield to the Senator from Massachusetts.

Mr. BROOKE. Mr. President, I take this opportunity, on the occasion of the speech of our distinguished ranking minority member on the Armed Services Committee, to commend the distinguished Senator from Mississippi, the Honorable JOHN STENNIS, our chairman, and Senator MARGARET CHASE SMITH, from Maine, our distinguished ranking minority member on the Armed Services Committee.

They have conducted the hearings in a most fair and impartial manner at all times. They have given every member of the committee an opportunity to voice his opinion. They have given every member an opportunity to serve on important subcommittees at great sacrifice, particularly to the distinguished ranking minority member of the Armed Services Committee, Mrs. SMITH.

I certainly want to commend them and to say at this time, that as a new member of that committee, it has been a great privilege to work with them. At all times, they have displayed the best kind of leadership qualities of any chairman or ranking member, I am sure, of any committee in the Senate. And they have done this in spite of the voluminous work they have had put before that committee.

I certainly want to associate myself with the words spoken by Senator SMITH so far as the armed services are concerned. I think what she said needed to be said. I think the Nation should know those are the facts. If there is criticism, the criticism should not be directed to the professional members of the armed services, because in our form of government it is the civilian branch of the Government which makes the ultimate policymaking decisions. We want to keep it that way. We certainly do not want at any time to use the military as a scapegoat for our mistakes or as a target for our mistakes.

So I associate myself with those statements, and I commend the Senator from Maine for bringing them before the Senate and the Nation. I commend her for the entire statement. I say to her and to the Senator from Mississippi (Mr. STENNIS) that I am honored to have the opportunity to serve with them on this important committee.

Mrs. SMITH. I am grateful to my able colleague from the State of Massachusetts. It has been a pleasure to have had him on the committee and to have had the benefit of his wise and respected opinions. I am grateful to him.

Mr. GORE. Mr. President, will the Senator yield?

Mrs. SMITH. I yield.

Mr. GORE. Mr. President, the fine compliments that I have just heard rendered in favor of the distinguished senior Senator from Maine recall the occasions when I had the pleasure of hearing the distinguished Senator from Maine when she was then an honorable Congresswoman from Maine. To my colleagues who have been making these eloquent statements let me say that they have had a privilege which I have enjoyed since the time when the senior Senator from Maine and I were Members of the other body. I share in the fine sentiments expressed with respect to her speech and her service.

I rose to ask the distinguished and charming Senator from Maine to yield for the purpose of addressing some thoughts with respect to a sentiment or view she has expressed in her speech, which I have followed word by word in its entirety. The Senator expressed support and interest in the necessity of preserving and having a viable deterrent. I wish to endorse fully her views in that regard and to associate myself with those views.

In this nuclear age, in this era in which great nations have the power to obliterate each other, and to destroy civilization in the Northern Hemisphere, there can be no victor in a nuclear war. In an all-out exchange between the United States and Russia, they would lose, we would lose, the world would lose, all would be lost. So in such a tragic and dangerous situation, the only practical and viable defense strategy—peace strategy—is, as the Senator, in my view, has said, to preserve a viable deterrent, a deterrent which will prevent the Soviets, or any other nuclear power that might sometime achieve such a power of destruction, from initiating a nuclear war against us.

I think the able senior Senator from Maine will agree with the senior Senator from Tennessee that the United States has no intention of initiating a nuclear attack against the Soviet Union. So the way to prevent a nuclear war, and thus preserve peace and freedom and life for all the American people, is to prevent a nuclear war by deterrence. Deterrence, in my view, as I expressed in the Senate late one evening this week, is of two parts: First, the power to retaliate with the destruction of a nation that might level a nuclear attack upon us; and, second, the will to use that power in retaliation if we should be so attacked.

That being the case, I go then to another part of the Senator's speech, if she will be so kind and tolerant as to yield to me a moment further. That is to preserve the offensive power necessary for such a viable deterrence.

Mr. President, though I do not now wish to draw the able Senator into a discussion of the ABM issue, just let me say that the proposed ABM weapons system does not fit into this strategy. The ABM would be purely a defensive mechanism, designed to shoot down—maybe—some incoming nuclear missiles. This is not something that, in my opinion, would deter the Soviets from initiating a war. It would seem reasonable to conclude that the Soviets would not be likely to be any more apprehensive about U.S. ABM weapons than we are now apprehensive of Soviet ABM's. What they fear, or would fear in event an attack upon us should be under consideration, is the power of retaliation against them. This, then, makes very pertinent the remarks of the very able Senator, in the opinion of the senior Senator from Tennessee, of the necessity of preserving a viable deterrence.

In this age of danger and technology and capability of total destruction, it is necessary, in my view, as the Senator from Maine has said, to keep a viable deterrent. I think we have it. I think the Soviets know we have the power to retaliate with their destruction. We want to be sure also that they believe we have the will to so do.

I thank the able Senator for yielding to me.

Mrs. SMITH. I want to thank the distinguished Senator from Tennessee for his observations. I especially appreciate such generous words from one with whom I have worked for so many years, in both the House and the Senate and for whom I have such high regard.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mrs. SMITH. I yield.

Mr. GOLDWATER. Mr. President, we who live in the West have always been charmed by the people from New England. They go away back into our early history. We often wonder what it is about these people from the Northeast part of our country that makes them so acceptable to all of us. It is something past their charm, attractiveness, and gentleness. Today we have an example of what I have been trying to ascertain, which for a long time I have suspected was true. It is the honesty of these people, as expressed and exemplified by the distinguished senior Senator from Maine (Mrs. SMITH), their ability to say what they want to say, and say it quickly. I think to have such a speech as this made in such a short time is a fine example of that quality.

I compliment the Senator from Maine, who is my leader on the minority side of the committee, for what she has said here today, and for the very persuasive and precise way in which she has said it. I associate myself particularly with that portion of her remarks which pertains to the protection of the men in uniform.

It has been my pleasure to have served with the Senator from Maine on this committee in the years before I took a little leave, and it is my pleasure to serve with her once again. I look forward to enjoying that pleasure for years to come; and I thank the Senator for her very able and honest remarks.

Mrs. SMITH. Mr. President, I wish to express my deep appreciation to my able and distinguished colleague from Ari-

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zona. Words such as his, coming from one who knows people well, mean a great deal to me. We are very pleased to have him back on the committee. He has been of tremendous help to us.

Mr. MANSFIELD. Mr President, will the Senator yield?

Mrs. SMITH. I am happy to yield.

Mr. MANSFIELD. Mr. President, I wish to join my colleagues in what they have said about the speech just made by the distinguished Senator from Maine. I noted that she recalled, indirectly, her declaration of conscience made almost two decades ago, and tied it in with an attempt which is seemingly being made by some elements in this country today against the military.

One thing about the Senator from Maine is that she has always been candid. She wastes few words, which I think is a New England characteristic, and always comes to the point. I want her to know that, as one who served as a seaman second class in the Navy, a private in the Army, and a private first class in the Marine Corps, I agree with her remarks about the attacks being made against the military at this time.

I do think that the military has made plenty of mistakes; but I believe, as the Senator has indicated she believes, that what they have been doing is carrying out policy and assignments laid down, in large part, by their civilian superiors, not only in the executive branch, but also in the Senate and the House of Representatives because we, in the Congress, did not exercise enough supervision, authority, and responsibility. Because of that, I believe that Members of this body should not find too much fault with what the military has done on the basis of what their superiors in the civilian areas of this Government have suggested, requested, or ordered.

When a man puts on a uniform, he undertakes a most serious obligation; and to the best of my knowledge, our men, regardless of their rank, have done a good job in looking after the interests of this Nation, in carrying out their responsibilities and obligations as good citizens; and if they have made mistakes in the awarding of contracts and in carrying out various kinds of assignments, that is to be expected, as mistakes will be made by all elements in our population.

I join the Senator in emphasizing the fact that the mistakes made by the military, policywise and otherwise, have in many instances been the fault of the executive branch and of Congress; and if we are going to lay around the blame, it is my very strong belief that we should look first at the mote in our own eye, look at the policies laid down by the executive branch, and share the blame as equitably as possible, and not place upon the military the blame for all the ills which beset this country.

Vietnam is bad enough. It is worse than bad enough; it is a tragedy. We should never have become involved there. But the military did not get us involved except incidentally, because the responsibility and the authority did not lie with them.

I would hope that this mania which seems to be affecting some portions of our population as far as the military is concerned would realine itself, stabilize itself, and look at the facts for what they are, not seeking scapegoats, but rather cures for illnesses which may exist, and which may be cured or may in the future be prevented.

I again thank the distinguished author of the declaration of conscience for the fine speech she has made today, and for giving all of us the benefit of her remarks and recommendations.

Mrs. SMITH. Mr. President, it has been a very great privilege to have served with the majority leader in both the House of Representatives and the Senate. As always, he is most understanding and most kind; and even though we are on opposite sides of the aisle, I have always found we are much in agreement on very many issues. I thank the Senator very kindly.

Mr. THURMOND. Mr. President, it is a pleasure for me to commend Senator MARGARET CHASE SMITH for her fine statement today in defense of the military. I endorse her views, and I congratulate the distinguished Senator from Maine for speaking up for our men and women in uniform.

Mr. President, I plan to make a substantial statement at the first opportunity in support of our Armed Forces. My colleagues and I are as concerned as other Americans about our defense costs. We are equally concerned about our military who are responsibile for our Nation's security. It is time to put the blame where it belongs, and I intend to do so in my address in the very near future.

Mr. McINTYRE. Mr. President, it was my privilege to chair the special Subcommittee on Research and Development appointed to help the full Armed Services Committee in its consideration of the Department of Defense authorization bill.

I want to compliment the chairman of the Armed Services Committee, the Senator from Mississippi (Mr. STENNIS). He has, as we all know, assumed the chairmanship of this great committee after the years of distinguished leadership given it by the senior Senator from Georgia (Mr. RUSSELL).

The Senator from Mississippi quickly proved his capacity for carrying out this difficult task by vigorously moving ahead to deal with the problems presented by the authorization bill we are now considering. He made great strides in opening up sources of information to Members which were not available to them in other than highly classified form in previous years. He appointed subcommittees to probe the key parts of this proposed legislation. He conducted a long series of hearings, including those on ABM, so that the members of the committee, and, where possible, the public, could be educated in the important facts and figures concerning our defense posture. And he was able to bring to the Senate an authorization bill that insures the security and defense of the Nation while still effecting needed economies.

I want to say a word of praise, too, for the distinguished Senator from Maine (Mrs. SMITH), who is the ranking Republican on the committee. Her knowledge and understanding have always been of enormous assistance to all who serve on the committee.

It was my pleasure to work with the Senator from Ohio (Mr. YOUNG); the Senator from Virginia (Mr. BYRD); the Senator from California (Mr. MURPHY); the Senator from Massachusetts (Mr. BROOKE); and Everette L. Harper, of the Armed Services Committee staff, in carrying out this assignment.

The subcommittee was asked to study the research, development, testing, and evaluation budget and to make judgments on funding levels for research and exploratory projects, social and behavioral sciences research, and systems calling for sharp increases in research and evaluation funding for fiscal year 1970 and R. & D. and developmental increases in the future.

The committee found here, Mr. President, a great deal of work that needs to be done in the future. But I wish to stress right here that the subcommittee took a long, strong, and hard look at these various aspects.

To be completely fair, time was working against us. We took a look, as I state later on in my remarks, at about 20 projects of significance. We spent about 40 hours in briefings in depth, questioning the governmental witnesses, Government scientists and experts; and I do not deny the fact that at many times it was a labyrinth that caused at least this Senator to find many stairs and avenues leading into passages where it was difficult to discern the light. But we did look, and we looked hard.

Specifically, the subcommittee was called upon to examine the request for authority to obligate about $8 billion for defense R.D.T. & E.

This figure represented more than a third of the authorization bill as originally submitted by Secretary Laird.

Needless to say, Mr. President, this budget presented the subcommittee with a most demanding challenge.

It is difficult enough to make judgments on the procurement program, but in that category, programs are reasonably well defined, costs can be estimated with some degree of hopeful certainty, and the military requirement for the weapon system under consideration has been validated. Detailed studies have been completed on available alternatives, and the Defense Department has recommended specific courses of action.

This is not the case with research and development, for research and development operates at the very frontiers of technological uncertainty.

I want the Senate to know that it was thoroughly impressed upon the committee as we started work that the one great advantage our country has in our competition with the Soviet Union is that we have a strong technological base. Nothing we are doing here or recommending undermines that, in my opinion.

The burden of responsibility borne by this subcommittee is attested to by the fact that, operating in the absence of firm decision factors, judgments had to be made on today's research and development efforts which would determine the limits of our deployment options 8, 10, or 12 years from now.

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The budget for R.D.T. & E. covers a spectrum of responsibility ranging from the maintenance of a technological base to the deployment of weapon systems, and beyond that to the updating and modernization of existing weapons systems.

To make valid judgments on those considerations, the subcommittee attempted to follow the guidelines set down by the Director of Defense Research and Engineering—but within the broader framework of simultaneously considering other national priorities.

Dr. Foster's guidelines were:

> Consider the total range of uncertainties and make decisions on programs to provide all reasonable hedges against possible new needs or changes in threat. We continuously make a series of calculations starting with intelligence to compare our own estimated leadtime with the worst case for the deployment leadtime of a potential enemy. We carry out R. & D. to provide all reasonable options. We deploy either when there is a clear, actual or imminent threat or when we cannot insure against our uncertainty with only a R. & D. program.

Dr. Foster admits that this is a low-risk policy. By low-risk policy, I mean low risk to the people and the peace and security of the American people. Dr. Foster explains it in these words:

> Where threat information is adequate, we invest in amounts sufficient to meet the threat. Where information is inadequate and uncertainty high, we run some risks of over-investment to insure that our capability will be adequate, that it is sure to fulfill our strategic objectives.

Now the low-risk policy is a logical policy if viewed from the traditional disposition to err on the side of strength when it comes to matters of national security. It is also a very expensive policy.

But all of us in this distinguished body are aware of the tremendous drain on our national resources made by today's truly staggering defense requirements, and none of us is unaware of the crying domestic needs unmet because of defense demands.

The matter of national priorities had to be considered, and it was the subcommittee's consensus that the low-risk policy afforded some cushion for realistic budget cuts that would not jeopardize security.

Still another factor helped determine the operating procedures of the subcommittee. That factor was time.

The subcommittee was created on February 28, 1969. At the outset it was determined that it would be impractical, because of time limitations, to make a detailed examination of the thousands of line items in the budget.

Instead, the subcommittee elected to test the integrity of the decisionmaking process. We looked for soft spots in the R.D.T. & E. program. We looked for interservice duplication or parallel developments leading toward the same or similar weapon systems as an end product. We examined the operational requirements for which some costly systems were being developed with a view toward measuring the ultimate cost against the priority. We found that a number of systems proposed for development did not stand up to a searching analysis in these terms.

It was the conclusion of our subcommittee that in a number of cases—even if a system were successfully developed at a cost of hundreds of millions of dollars—it would not enjoy a high enough priority for development to compete for funds with other costly and vitally needed operational systems.

Where the subcommittee was able clearly to identify such doubtful programs we recommended reduction, stretchout, or outright cancellation of the project.

In the course of its considerations, the subcommittee devoted more than 40 hours to 19 briefings from the committee staff, the Director of Defense Research and Engineering and members of his staff, the CIA, and military departments. Subcommittee members also heard testimony before the full committee by officials of the Department of Defense and the military departments and closely examined the witnesses on research and development activities.

I am sure the other members of the subcommittee share my appreciation of the generous allocation of time for such questioning that was afforded us by the chairman of the full committee.

The Senate knows what it means when the chairman of a committee gives a generous allocation of time for presentation. The chairman of the full committee, the distinguished Senator from Mississippi (Mr. STENNIS) afforded us a generous time allocation.

The material the subcommittee obtained from its briefings, from the full committee hearings, and from reports provided by the Defense Department and other sources led to certain conclusions.

First, it was apparent that there were a number of programs where R.D.T. & E. efforts in one service did indeed parallel those under development in another service. In these areas the subcommittee determined that stretchout or an outright elimination of R. & D. would not seriously hamper the defense mission.

Examples would be the Army and Navy heavy-lift helicopter programs and the radar programs of the Air Force AWACS and Navy E2C projects. The subcommittee recommended that the Army heavy-lift helicopter program, $15 million, and the Navy E2C radar program, $66 million, be deleted, a total reduction of $81 million.

Let me give you the essence of our reasoning for these cancellations:

We did not believe the Army heavy-lift helicopter development was justified. Because of the enormous estimated cost per copy—$15 million each—of this machine we felt it was extremely doubtful that it could compete with other high priority deployments for the heavy funding required in the mid-1970's.

The HLH appears to be designed to operate on a permissive battlefield, yet it is not at all clear that this would be the environment the Army would face in the mid-1970's.

This is one of the things I want to stress. As defense scientists and military planners see these threats coming over the horizon, they develop a counter, and at first the budget just creeps along a million or two; and then suddenly the decisional process is at work, and we find the $1, $2, or $3 million suddenly escalating to $15 or $20 million. Then, if you look down the road far enough and say, "Well, when the time comes that you want to deploy this weapon, what is it going to cost?" Sometimes those figures are staggering. This is one of the things the subcommittee learned.

While only $15 million is required for R. & D. funding for the HLH in fiscal year 1970, the funding requirements would escalate sharply within the next few years. This year appeared to be the decision point at which maximum savings could be achieved.

Moreover, it was felt that a large portion of the Army's requirements for heavy-lift helicopters can be met by its existing flying crane, or if necessary, by procurement of Navy heavy-lift helicopter equipment.

On the other hand, it was felt that the Navy/Marine requirement for battlefield recovery of disabled helicopters in Vietnam was necessary and could be met by a much less ambitious Navy heavy-lift helicopter program that could be completed and deployed on a much more timely schedule.

The Navy was requesting this year $5 million in R.D.T. & E. for its heavy-lift helicopter. The Army was requesting $15 million. Even though the word "commonality" is sort of out of place right now, the subcommittee said, "Why isn't there a common design here?" We necessarily found, as we talked to the Navy and Army experts, that there were different specifications, different areas of accomplishment, in which they were interested. But the Navy helicopter was within the state of the art. The Army heavy-lift helicopter was beyond the state of the art. It looked toward a deployment date of the mid-1970's. So the subcommittee, as I have said, canceled the Army heavy-lift helicopter, but recommended going forward with the Navy heavy-lift helicopter. This can be accomplished with a total R. & D. effort of $60 million, and initial operational capability could be achieved much earlier than the Army development.

Let me say a word about the heavy-lift helicopter, the crane, in Vietnam today. This helicopter has a remarkable record of recovery of downed helicopters. It has done outstanding work. It does not have such a good record when you talk about recovery of downed airplanes, but the subcommittee had no difficulty in going along with the Navy's request. But, after a great deal of thought, we did decide that the Army heavy-lift helicopter should be canceled.

In selecting a vehicle for its airborne warning and control system, the Air Force evaluated the Navy's E2C aircraft as a possible candidate. But this aircraft fell short on the three crucial counts: It is a short-range aircraft having an endurance of something over 4 hours. It is too small to mount the radar which can give automated discrimination capability of low-flying targets over land. And even if its range were extended by refueling,

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it could not carry a large enough crew to provide extended time on station.

So the subcommittee was looking at another situation where we felt that we had found a parallel development. This was the case of the radars in the airborne warning system and the E-2C Navy system.

The subcommittee felt that a more productive way of looking at consolidation of the Air Force and Navy requirements would follow this line:

In almost any future operation involving the employment of tactical air strikes, it would be feasible to employ a long-range Air Force AWACS. It is difficult to conceive of any extensive operation of this kind that would not employ both Navy aircraft and the strike aircraft of the Tactical Air Command. Therefore, it should be both feasible and desirable to have these strikes controlled by a single control authority.

Granted the validity of this premise, then it might be possible to reduce the Navy requirement for carrier-based AWACS to the single mission of controlling interceptors protecting the fleet against aircraft attack. If relieved of the strike control mission, the remaining mission could be performed with fewer E2A's per carrier and the 52 aircraft in the inventory probably could handle this situation so far as the Navy is concerned.

What we said, in essence, was this: Here is the Navy trying to develop a sophisticated radar. Here is the Air Force working along the same line. It is the conclusion of the subcommittee that the Air Force should go ahead, AWACS should go ahead. The Navy's attempt to develop control for tactical air strikes, flying off the carrier, could in almost every situation be handled by the Air Force project, rather than two—Navy and Air Force—thus eliminating the need for $66 million additional with the E-2C program.

The second conclusion reached by the subcommittee involved a number of programs of doubtful operational priority.

Some of these programs would have taken only a small share of the R. & D. budget in fiscal year 1970, but would have amounted to hundreds of millions or billions of dollars in ultimate R. & D., procurement, and deployment costs.

The subcommittee felt that such programs would have little probability of deployment when competing with other urgently needed weapon systems in the late 1970's.

In this category, examples would include the undersea long-range missile system, surface-to-air missile, sea-based ballistic missile intercept system—the Navy's concept of ABM—and the manned orbiting laboratory program. The last named program was on the subcommittee's list for recommended deletion before the administration's announcement that it had been dropped.

The subcommittee recommended that each of these programs be deleted for a total net reduction of $373 million.

The subcommittee's reasoning concerning the Sam-D, surface-to-air missile development, should be of interest to the Senate.

Sam-D is a followon surface-to-air missile program to replace the Nike-Hercules and Hawk systems and give the Army a capability for defending against high performance aircraft and short-range ballistic missiles. It is a battlefield system. It is designed as a mobile system for deployment with field armies, as well as for deployment in the United States as a replacement for Hercules missiles in the bomber defense system.

Fiscal year 1969 development costs on Sam-D were $60 million, and the fiscal year 1970 budget is $75 million. Total estimated R. & D. cost for the system is $682 million. The total deployment cost of Sam-D is estimated in 1969 at nearly $2½ billion for deployment in the mid-1970's.

There is little doubt that surface-to-air missiles are an effective complement to other forms of air defense, and little doubt that the Sam-D would represent a substantial improvement over either the Hawk or Hercules systems. It would permit the engagement of short-range ballistic missiles as well as high performance aircraft and would make possible the simultaneous intercept of a number of targets.

But in considering the $75 million item in the fiscal year 1970 budget, the subcommittee was impressed with the tremendous cost of providing what is really a rather limited defensive capability. And this raised the question of whether Sam-D has a sufficient standing in the Army's priority system to give it a reasonable chance for deployment even if it is successfully developed.

Do I make myself clear? As things go down the pipeline of R. & D. suddenly decisions are made. Suddenly the question arises: Should we go into deployment? Should we install 49 batteries of the Sam-D missile system? At that time, it has to compete with other items under consideration in the budget. So this was a controlling factor with the subcommittee. We did not think it had a reasonable chance for deployment if successfully developed.

It will be competing for procurement funding in the mid-1970's with a number of high cost systems, several of which are designed to provide protection against air attack. It is fairly obvious that we will not be able to deploy all of these systems against the single facet of the threat.

The subcommittee questioned the need for substituting Sam-D for Hercules in the bomber defense of the United States. This year a number of operational Hercules batteries were phased out on the grounds that the current bomber threat does not justify continued expenditures of O. & M. funds for their operation.

The subcommittee also questioned the threat for which Sam-D is designed. Is a tactical Sam system needed to defend against high performance aircraft? The Vietnam war has demonstrated that even high performance aircraft deliver their strikes at subsonic speeds. Assuming the threat of short-range surface-to-surface missiles, is it feasible to deploy Sam systems in sufficient numbers effectively to defend against short-range ballistic missiles? Such missiles presumably would be fairly cheap and could be launched in quantities sufficient to saturate Sam defenses.

The subcommittee thus concluded that in the present climate of austerity it would be unrealistic to expect to allocate sufficient resources to the Sam-D requirement to develop and produce this weapon system.

The third major conclusion by the subcommittee involved a number of programs of such highly charged emotional content in the eyes of many as to call for particularly diligent scrutiny.

In instances where such programs were deemed to have low priority and, as symbols of controversy, threatened more needed R. & D. programs, the subcommittee recommended their reduction.

Such programs included chemical and biological warfare, behavioral, and social sciences, and Federal contract research centers or "think tanks."

These, then, are some of the highlights, but in sum the subcommittee recommended R.D.T. & E. budget cuts totaling about $1.3 billion. The full committee, after considering these recommendations, ordered reductions totaling $1,042,900,000.

The full committee, and its other subcommittees, recommended the deletion of the following additional R. & D., line items: AH-56A Cheyenne helicopter, RF-111 aircraft, light intra-theater transport, tactical AGMC-3 missile, a 75-percent reduction in the airborne warning and control system, and a cut of $14.9 million in the Maine battle tank program.

Other items relating to the development of chemical and biological weapons were recommended for deletion, and activities relating to military science, aircraft, ordnance and combat vehicles, and missile programs were recommended for substantial reductions.

The R. & D. budget request for the three services and the Defense agencies was thus reduced by 12.7 percent.

This $1,042,900,000 reduction from the $8.227 billion asked by Secretary of Defense Laird is the largest reduction in an R.D.T. & E. budget made by the Armed Services Committee in recent years. I am hopeful this will indicate to all of my colleagues in the Senate that a conscientious, sincere, and diligent effort to effect judicious cost reduction has been made by the subcommittee and the full committee.

I would like to take this opportunity to compliment Chairman STENNIS on his decision to appoint three subcommittees to screen the authorization budget, to thank the chairman and the members of the Subcommittee on Bomber Defense and the Subcommittee on Tactical Air for their help in scrutinizing the R.D.T. & E. items in their respective categories, and to express my personal appreciation for the work done by the members of the subcommittee and their staff members, and the full committee staff, with particular reference to Colonel Harper.

The future work of the Subcommittee on Research and Development would be greatly facilitated by additional staff help, for it is the subcommittee's intention to broaden and deepen its examination of the authorization budget next year in order to make even more detailed recommendations to the full committee.

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One major effort by the subcommittee will be to encourage greater comparability among the various budget presentations brought to the Congress by the Department of Defense.

Elimination of confusing differences between sets of figures relating to individual programs will do much to help Members better identify the exact amounts of expenditures being requested.

This is not to imply that the various figures are incorrect or deliberately confusing. In most instances, the differences are attributable to variations in computing objectives. Nevertheless, comparability for clarity of understanding must be a primary goal in next year's authorization consideration.

In a time when the proper ordering of national priorities is of such importance, it is crucial that cost and potential impact of every program under consideration be clearly understood and carefully weighed.

It was very difficult at times to follow some of these items through the labyrinth of the budget lines.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. McINTYRE. I am nearly finished with my remarks and then I will be glad to yield to the Senator.

Within the limits of time and available staff, the Subcommittee on Research and Development tried to do that this year, Mr. President.

In conclusion, let me emphasize that the reductions in the authorization recommended by the subcommittee and the full Armed Services Committee should not imply lack of faith in the research and development activities of the Department of Defense.

Our Defense leaders, our scientists and other experts, through R. & D. efforts over the years have developed world leadership in technology. All Americans can take pride in the contributions made by these dedicated men. We are continuing to maintain that technological advantage. In these uncertain times we cannot afford to lose it.

It is my view, shared by those who have studied these reductions along with me, that we have not recommended reductions which would reduce our technological advantage. We believe that these reductions can be absorbed while retaining our leadership base in technology.

Mr. STENNIS. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. GRAVEL in the chair). Does the Senator yield?

Mr. McINTYRE. I yield.

Mr. STENNIS. I wish to highly commend this subcommittee for the very fine job they did and to commend especially the chairman for his unrelenting efforts and very effective leadership in this vast field. It is a large undertaking to have $8 billion worth of a multitude of research projects thrown into one's lap with a very few weeks before the hearings are to start on the major bill. One can hardly imagine the variety of problems that are involved in connection with research and development. The subcommittee has done an amazing amount of work and they have accomplished a great deal in their work. I thank them especially. I think this is the forerunner of even greater work that they will be able to do in future assignments in this field.

I commend the Senator as well as thank him. I believe his work there will prove to be sound, solid, and lasting.

Mr. McINTYRE. I thank the Senator. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. Just before the Senator concluded, I thought he mentioned petroleum.

Mr. McINTYRE. Petroleum? No.

Mr. FULBRIGHT. I so understood him.

Mr. McINTYRE. I did not mention petroleum.

Mr. FULBRIGHT. I am prompted to ask a question about a recent story about petroleum that appeared in the newspapers. Apparently the armed services were unable to account for some $21 million worth of petroleum supply in Thailand.

Recently I was discussing this matter with a man who is the head of one of the largest petroleum-gathering organizations in this country. By that I mean he operates oil pipelines and trucklines and gathers production of a great many small producers. That is why he has expertise in this area.

He told me he could not understand how it was possible for the armed services to lose track of any substantial amount of petroleum in view of the modern measuring techniques which have been developed and which are in daily use by industry.

Can the Senator enlighten us as to what happened to the $21 million worth of petroleum that disappeared?

Mr. McINTYRE. I wish I could. The Senator is referring to headlines that appeared in newspapers recently?

Mr. FULBRIGHT. Yes.

Mr. McINTYRE. I do not have the answer. My subcommittee's jurisdiction was in a different area. I would be glad to find out what the Department of Defense has to say about it.

Mr. FULBRIGHT. Is the committee concerned with the disappearance of $21 million worth of petroleum or not?

Mr. McINTYRE. Yes.

Mr. FULBRIGHT. Have they looked into it at all, or inquired about it?

Mr. McINTYRE. I think the Senator will have to direct his question to the chairman of the full committee. I have been busy with the behavioral sciences.

Mr. FULBRIGHT. That was the next question I was coming to.

Mr. McINTYRE. I will get the Senator off petroleum.

Mr. FULBRIGHT. I thought the Senator mentioned petroleum but am prompted now to ask about the social sciences. This is a matter we talked about a little bit last year, I believe. Can the Senator refresh my memory as to how many foreign universities are going to be included in the coming year's program for research?

Mr. McINTYRE. I do not know the precise number offhand, but we have taken a hard look at it. I want to assure the Senator that in his statement of May 1, most of the time when he talks about research in foreign universities, he puts it under the heading of social and behavioral sciences, when it is really hard science. If we take a look at what the projects are about, they are hard, physical sciences.

I can tell the Senator that out of $630 million under military sciences—and that is a big figure, I want to assure the Senator from Arkansas—in the short time allotted, we did not get the opportunity to take an item-by-item look. We did start to look and quickly learned that out of the $630 million, only about $6 million will embrace what the Senator is talking about. Under universities, only about $6 million will be spent in foreign countries. A good share of that will go to American personnel.

As to how many universities, I could count them.

Mr. FULBRIGHT. Was this reported to the committee?

Mr. McINTYRE. Yes. I have very adequate information on it this year.

Mr. FULBRIGHT. Last year, when I inquired about it, the Senator did not have any information about it.

Mr. McINTYRE. Last year, when the Senator inquired about it, the Research and Development Subcommittee had not yet been established; the Senator was inquiring about a $5 or $6 million item in a budget of about $22 or $23 billion.

Mr. FULBRIGHT. I agree with the Senator that that is a big figure. That is the reason why the Senate has not been informed to any reasonable degree as to what is spent, because we are always being confronted with such enormous sums of money that we give up in utter hopelessness and frustration.

To me, $6 million is quite a lot of money. For 4 years I have been trying to get less than that for a project on the Little Red River in Arkansas and I cannot begin to get it off the ground yet. The Senator speaks of $6 million as if it were just a drop in the bucket and he could not be bothered with it. I am not so much interested in that amount of money—although, of course, I am interested in it—but I am interested in the Department of Defense going abroad and injecting itself into foreign countries either in its universities or in projects such as Camelot and things of that kind, because it is this kind of activity that brings us into disrepute among the countries of the world and does a great damage to our foreign relations. Our foreign relations are already bad enough without the Department of Defense adding to it. I would like to know, how many countries will the Senator let out contracts to? Surely the Senator should know that.

Mr. McINTYRE. Let me give the Senator some idea——

Mr. FULBRIGHT. I raised that question last year.

Mr. McINTYRE. Let me answer the Senator's question in broad terms—he is asking the question in narrow terms. The bulk of the money spent in foreign countries by the Department of Defense is for the gathering of information. Let me give the Senator a classic example. If we are studying the effects of high altitude on men, the place to go is Peru. There is where one gets high altitude and he can

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find out what happens to men under certain stresses of heavy work. That is where we would go to find out something about that.

Mr. FULBRIGHT. They do not go nearly so high as Apollo will go, do they? Why is that so necessary?

Mr. McINTYRE. I have not finished.

Mr. FULBRIGHT. I am sorry.

Mr. McINTYRE. If we want to take a look at some other problems, such as one having to do with the hardening of silos and the effects of bursting bombs on weapons, one of the places to go is to examine the crust of the earth in areas around Greece where many volcanic eruptions and earthquakes have taken place in the past. The Department of Defense, if it knows of an expert in Vienna, or in Liege, Belgium, or of any top man who knows something about aerodynamics, or on another project of that kind which is important to our Nation, the Department of Defense does not hesitate to hire such men and to contract with universities for a 2- or 3-year program. That is where the bulk of the money the Senator was complaining about last year was spent overseas. It is not always possible to find what we need to know to solve some of the gigantic problems we have in the United States. It is not always possible to find in this country the man we need who is most informed.

Mr. FULBRIGHT. The Senator mentioned Peru. Is the Senator saying that it is necessary, because the mountains in Peru are so much higher than they are in the United States, to go down there, that their altitudes are greater than they are in this country?

Mr. McINTYRE. Their altitudes are higher than here.

Mr. FULBRIGHT. Their mountains are higher than our mountains?

Mr. McINTYRE. I am not an expert on topography, but I have been to Peru, and it is one place where there is going to be a project to study how much a man can endure in a very high altitude.

Mr. FULBRIGHT. I thought the Himalayas were higher than the Andes. But if we want high altitudes, those mountains are not nearly so high as the Apollo mission can go, are they? Why would they want to know how much a man can endure? What relation does that have to the military defense of our country?

Mr. McINTYRE. I would imagine in some future military effort. We never can tell.

Mr. FULBRIGHT. What kind?

Mr. McINTYRE. I would not know. That would be a behavioral or a physical need of tomorrow.

Mr. FULBRIGHT. A need tomorrow. That is why I said last year, and now, that there are many projects in this bill that should be disassociated from the Department of Defense. They cannot possibly be justified as matters of defense. By that I mean the approach of persons like Mr. Teller on the subject of nuclear weapons. He says that nothing should stand in the way of research—no matter what it is. He was against the Test Ban Treaty, for example, because, he says we need to know, and nothing should stand in the way of knowledge. I do not agree with that. I do not agree with the Department of Defense that because something needs to be known by someone, if it has any relation to a function or a mission of the Department of Defense, the Department should be producing it. I think that the social sciences and research projects, no matter how valid they are in themselves and no matter how suitable for the New School for Social Research in New York City, nevertheless should not be sponsored by the Department of Defense which takes the taxpayers' money and spends it in that fashion.

The chairman, as chairman of the subcommittee, should be able to give to the Senate an itemized list of the kind of projects that this money is being spent on, in how many countries, and in which institutions. I personally object to these projects unless absolutely essential for the Department of Defense itself. I object to going abroad to other countries—some of which used to be quite friendly—and injecting ourselves into their activities, just as in the same way the Department did in Chile on the project called Camelot. I know this kind of thing has been done in some other countries, too. Before this debate is over, the Senator should be able to supply that information for the benefit of the Senate and the public.

Mr. McINTYRE. What is it the Senator wants to know about? Is the Senator talking about social sciences, or physical sciences? I have got to know what the Senator is talking about before I can answer.

Mr. FULBRIGHT. The social sciences. Let us start with that.

Mr. McINTYRE. Let me read from the social sciences the Senator is talking about, where we are spending money overseas. That is in his speech of May 1 this year.

Mr. FULBRIGHT. I was inquiring. I was not telling the Senator. On May 1, I was asking for information.

Mr. McINTYRE. The Senator starts out in his talk complaining about money being spent for social and behavioral sciences by the Department of Defense, and then the Senator proceeds to list—oh, my goodness, I do not know—there are 30 or 40 countries he lists, in which I cannot find one on social and behavioral sciences. Here, for instance, is one of the subject matters—in Argentina—X-ray spectrometry and galactic studies from the Southern Hemisphere.

Incidentally, where would the Senator suggest that the Department of Defense go if it wants to study the effects of the aurora borealis on satellite communications?

Mr. FULBRIGHT. Let me make it clear that I obtained the list I put in the RECORD from the Department of Defense. I would not pretend to understand many of those titles. Most of them are gobbledygook to me. I have not the faintest idea what they mean. I put them in the RECORD because I got the whole list from the Department of Defense. I put them in the RECORD for the information of the Senate. I did not have the means nor the understanding to analyze studies like the Senator has just referred to. I did not say that every one of them had no relation to the Department of Defense. I say a great many of them have. I believe they have. I thought the committee was going to come prepared this time to justify each of these projects and show they have some relationship to the mission of the Department of Defense.

Mr. McINTYRE. I will be happy to appear before the Senate and justify it. I tried, before the Senator arrived on the floor, to give a brief analysis of the recommendations of the full committee. We can talk about the social behavorial sciences and the physical sciences for the rest of the day, but I will be glad to come here and give a defense of them, because they can be defended. As a matter of fact, the committee looked into most of the social, behavioral science projects. We are in complete accord with them. Those are not the ones the Senator complains of.

Mr. FULBRIGHT. Can the Senator give me an example of a behavioral science project that the Senator thinks is justified?

Mr. McINTYRE. To give the Senator an idea, I think a behavioral science project relating to men working on our air carriers in Vietnam, who suddenly develop a hearing difficulty, is justified. By behavioral studies, we learned it was wise to keep these men on the deck of an aircraft carrier only a limited amount of time, and then have them go below. We tested them to see if their hearing was affected as a result of the loud jet noises on aircraft carriers.

We also went into the question of a pilot's possibly losing his sight from flash blindness because of bombing.

A behavioral science project could justifiably go into the question of why we have a 29-percent turnover in our Armed Forces today. I think any study can be justified that indicates a group of men can be tested in order to eliminate the 10 percent or 15 percent of the men who would not have a good chance of passing a radar operator course. If we could eliminate that 10 or 15 percent of the men who are going to fail beforehand, we would save ourselves money.

With reference to the justification of these behavioral science studies, it should be pointed out that we use some complicated instruments, radars, and sensors that require men to sit in a rather uncomfortable position, watching radar, for example, for hour upon hour. We want to know when those men begin to lose their efficiency and when they should be taken off that duty. A man must sit there for 4 or 5 hours, watching some lines.

Social behavioral science studies as applied to the Department of Defense have saved millions of dollars.

When we get down to the areas the Senator from Arkansas is talking about, he has something to complain about. They are hard to justify. When we go to the science studies in Europe, for example, which are 99 percent physical sciences, to find a man there in a certain area, that is something else. We need a study of how the aurora borealis affects people so it can be helpful in the space program. The committee has recommended reductions in some of these areas.

Mr. FULBRIGHT. I may have used the wrong language. I would have thought that a study of the effect of the exhaust of an airplane on a man's hearing would have been more in the field of medical science. I would not think it was in the field of social sciences.

Mr. McINTYRE. It would be biomedical.

Mr. FULBRIGHT. I read in the paper the other day that there were 50,000 desertions from our Army during the past year. This would clearly be more in the field of social sciences. Has the committee made a study of why so many of our soldiers have deserted? Has the committee studied that question? Has the committee given any attention to it? Is there a project on it?

Mr. McINTYRE. Excuse me. My attention was distracted.

Mr. FULBRIGHT. Has the committee a project studying the question of why so many of our soldiers have deserted our Army? I think I read in the paper that this past year the number was over 50,000.

Mr. McINTYRE. There again we get into the question of definitions. Does the Senator know the difference between AWOL and desertion?

Mr. FULBRIGHT. Well, a desertion is an absence of more than 30 days.

Mr. McINTYRE. As a former military lawyer in World War II, I defended many who were away 60 days, and they were not charged with desertion.

Mr. FULBRIGHT. Well, it is a fact that there has been a substantial increase in desertions in the past year over 5 years ago or 3 years ago. Is that not correct? Has the committee made any study as to the number of AWOL's, whether it involves a week, 3 weeks, or 30 days?

Mr. McINTYRE. Yes, we have.

Mr. FULBRIGHT. Can the Senator give us that information?

Mr. McINTYRE. The Senator from Hawaii (Mr. INOUYE) was chairman of a subcommittee that went into the question of AWOL's and desertions. We were particularly interested because of the State Department's putting its big nose into some of these situations, which resulted in an uneven pattern of punishment, to the extent that someone who had gone AWOL in Tampa, Fla., had the book thrown at him, while some member of the Armed Forces who had gone to Norway was taken home and given a free ride and 10 days off. There is a report on that matter which speaks very strongly on it. The Senator from Hawaii (Mr. INOUYE) was chairman of that subcommittee.

Of course there is an increase in AWOL's. Of course there is an increase even in desertions. We had them in World War II. Why should there not be with this unpopular conflict in Vietnam?

Mr. FULBRIGHT. Has the committee made a study of that question? Is that increase in desertions due to the character of the war in Vietnam?

Mr. McINTYRE. I have not made the study. The subcommittee has.

Mr. FULBRIGHT. The Senator mentioned behavioral sciences and some of these studies.

Mr. McINTYRE. Is the Senator acquainted with the subcommittee's report, by the Senator from Hawaii, on the question of AWOL's and desertions?

Mr. FULBRIGHT. No.

Mr. McINTYRE. Is the Senator acquainted with the work of the committee to upgrade the charge of being AWOL?

Mr. FULBRIGHT. No. I saw in the papers that there was a very large increase. I think the article said there were over 50,000 last year. I cannot remember whether it was 1,500 or 15,000, but I think there were 1,500 prosecutions in the courts. This was an article within the last 2 or 3 weeks. I may be able to look it up. I thought it was a very interesting subject. I thought it might be one on which there was a research project. It would seem to me to be pertinent to the activities of the Defense Department. A number of those studies have no relation, I think, to the Defense Department.

Mr. McINTYRE. Of course, the distinguished Senator from Arkansas realizes when he talks in generalities of desertions and AWOL's, that a man who fails to get on a morning report is considered to be AWOL. We have statistics that show AWOL increases. The number has been increasing. The subcommittee of which the Senator from Hawaii (Mr. INOUYE) is chairman did go into that question. That information can be obtained for the Senator.

Mr. FULBRIGHT. The Senator is a member of the committee. I thought he was undertaking to give to the Senate and to the public statistics about it. I am not a member of the Armed Services Committee. If I have misstated it or given the wrong impression, I ask the Senator to straighten me out. How many desertions have there been? Define what a desertion is. What is an AWOL? I am only looking for light and understanding on the subject.

Mr. McINTYRE. What is it that the Senator is hoping to find? That the AWOL's and desertions are very high because of the unpopularity of the war?

Mr. FULBRIGHT. If the Senator knows, I would expect that information from him.

Mr. McINTYRE. The Senator expects quite a bit if he expects me to tell him how many desertions and how many AWOL's there are, and how much we are spending on universities on projects, and so forth. I am here today discussing research and development. All this other information is easily available.

Mr. FULBRIGHT. It is not for me. I have great difficulty obtaining any information from the Defense Department.

Mr. McINTYRE. Has the Senator asked for information on desertions?

Mr. FULBRIGHT. No. I thought the Senator would give it today. There are other members of the committee here, if they care to give it. I do not care which member of the committee furnishes it.

Mr. McINTYRE. We are here on an authorization bill. The Senator wants to ascertain how many desertions there are. We will have that information for the Senator tomorrow. Is that satisfactory?

Mr. FULBRIGHT. Well, that is all right, too. Any time. I apologize if the Senator does not like the question.

Mr. McINTYRE. May I say to the Senator from Arkansas that we are talking today about a $20 billion budget, and I thought the Senator wanted to know how many universities we are spending the money in.

Mr. FULBRIGHT. It is an $80 billion budget.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. McINTYRE. Certainly.

Mr. STENNIS. Mr. President, last year there was a special subcommittee of the Committee on Armed Services, chaired by the Senator from Hawaii (Mr. INOUYE), which made a special study of these AWOL's, absences, and alleged desertions, and filed a very fine report thereon. I have asked someone to telephone for him, and have not received any response as yet. Apparently he has some other duties to take care of.

But the matter has been fully covered, and strong recommendations were made to the Department of Defense about the first part of this year.

My recollection is that the statistics are not nearly as alarming as the Senator from Arkansas might have been advised, in comparison, say, with World War II. But I do not have that report broken down. I have not seen it in several months, and I do not know that that is the subject of any special research by the Department of Defense; but I know it is a subject of concern, and that they are digging deeply into it.

My strong recommendation, personally, was that they were going to have to deal out more punishment in the proper cases, and that disparity of punishment was one of the factors. I will obtain a copy of that report for the Senator.

Mr. FULBRIGHT. Mr. President, will the Senator from New Hampshire yield further?

Mr. McINTYRE. I yield.

Mr. FULBRIGHT. I do not wish to press the Senator on anything that is not within his area of responsibility. All the Senator needs to say is that it is not. I would agree with the Senator from Mississippi that it seems to me this is a subject which is a little more appropriate for research for the Department of Defense than is the effect of heights on a man in the Peruvian Andes, or some other place, which does not quite seem to me to be as interesting to the Defense Department or to the people of this country as why we have so many desertions.

I have been trying to make the point, as I did last year, that a number of these research projects struck me as being irrelevant to the function of the Defense Department.

I wish to cite another case which embarrassed me very much. I happen to be a member of the Board of Regents of the Smithsonian Institution. They were engaged as a kind of subcontractor—I do not know what the exact legal relationship was—for research, in the Pacific islands on the subject of bird migration. Then it was alleged the project had to do with germ warfare. I wish to state that of my own knowledge I do not know whether it had to do with germ warfare or not, but the contract turned out

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to be embarrassing to the Smithsonian Institution. Is the Senator familiar with that particular incident? If not, it is all right; but there was something in the newspapers about it, which was drawn to my attention.

I later received a letter from the Smithsonian, asking my advice as to whether the Smithsonian should have any further dealings with the Department of Defense, because of this embarrassment. I was, of course, put on the spot to give my recommendation, since I was a Regent of the Institution.

Is the Senator familiar with the incident I am talking about? If not, we will drop the subject and I can look it up somewhere else.

Mr. McINTYRE. I may have read something on that question.

Mr. FULBRIGHT. The contract was alleged to have been a part of the biological warfare activities of the Defense Department. Does that have anything to do with the Senator's responsibilities on the committee?

Mr. McINTYRE. Yes.

Mr. FULBRIGHT. Does he have jurisdiction over research in biological warfare?

Mr. McINTYRE. Just a moment. The Senator's complaint is as to the work done by the Smithsonian?

Mr. FULBRIGHT. I am not complaining; I am asking. I am not complaining about anything at the moment. I am trying to find information.

Mr. McINTYRE. If the Senator will give me a moment, and bring the subject up again later, I have something here on the Smithsonian's involvement, but I cannot seem to put my finger on it at the moment. I have information here on some 200,000 projects.

I suggest that if the Senator will give me a few minutes here, and will bring the subject up again, I will try to give him the answer he seeks.

Mr. FULBRIGHT. All right. I do not wish to press the Senator. Let me close by saying this: I wonder whether at a later time in the debate we could discuss the justification for a number of the research projects that the committee is recommending in this bill. I should like to do that as an illustration of the point that I am making. I reiterate, just for future reference, that I am not saying that these subjects are not in themselves worthy of someone's attention. I raise the question whether they should be funded and supported by the Defense Department, because they are not really properly related to the Department. We will raise the question again at a later time; I do not wish to pursue it now.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. McINTYRE. I yield.

Mr. GOLDWATER. While the distinguished chairman of the subcommittee is looking up his answer, I might call to the attention of the distinguished Senator that on page 1609 through page 1613, and including a part of page 1614, of the Senate report, is a complete list of the countries involved, numbering some eight or nine, and the subjects covered by these research programs.

I might say to the Senator from Arkansas that I feel this to be a lucrative field where we can do some cutting; and the subcommittee has already recommended close to a 13-percent cut in these particular figures. I join the Senator from Arkansas in believing that there are a lot of these items that are not needed.

I do not know how, though, we can discuss them on the floor of the Senate, to determine which are needed and which are not. I simply wanted to refer the Senator to those countries, and to the lists of projects under them.

Mr. FULBRIGHT. That is at page 1609?

Mr. GOLDWATER. Yes.

Mr. STENNIS. Yes, they begin there.

Mr. CRANSTON. Mr. President, will the Senator yield?

Mr. McINTYRE. I am happy to yield.

Mr. CRANSTON. In connection with behavioral science projects, have there been or are there now, or are there authorized, studies of men under stress and in grave danger? Have there been studies of the effect of grave danger on their ability to make wise decisions, their ability to think clearly, and their ability to carry out difficult and complicated orders under certain conditions?

Mr. McINTYRE. Under the branch of social and behavioral sciences, there are two areas called human performance and human factor engineering. Both of these fields have brought to light a great deal of information about the human being.

It has been discovered, for example, that something like 40 percent of all our weapons failures and aircraft and other problems occur, not because the machine gives out, but because the man makes a mistake under great stress such as the Senator has indicated. Particularly with the sophisticated weaponry we have today, to which I have already alluded, like radar operations, the sensors, and everything else we have, when men are required to work long periods of time under difficult circumstances, these studies have been of great benefit.

Mr. CRANSTON. Do those studies in depth go into circumstances such as might involve the commander of a Poseidon submarine, who presumably has the ability, if he wishes, to make a decision whether to launch? Do the studies explore the factors of stress and danger, and the effect upon a man of having the grave responsibility, virtually in his own hands, of deciding whether to launch a missile under certain circumstances?

Mr. McINTYRE. I do not know whether the stresses involved in the exact situation of which the Senator is speaking have been studied or not. The Senator is assuming, of course, that a Polaris or Poseidon commander would have the authority to press the button. I imagine studies they have conducted involving command decisions under great stress would be part and parcel of the overall picture.

Mr. CRANSTON. And have studies been made not only of stress, but of stress under grave danger, danger to life, and its effect upon the ability of a man to judge and to make delicate and vastly important decisions?

Mr. McINTYRE. I would be guessing if I were to try to answer that. I think the subject of stress has been studied, yes, but as to stress under grave danger, I do not know.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. McINTYRE. I yield.

Mr. JACKSON. It is my understanding that the officers in charge of strategic weapons have all been given detailed psychiatric tests in connection with their regular medical examinations.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. McINTYRE. I yield.

Mr. STENNIS. Mr. President, to complete the record, I point out to the Senator from Arkansas that the committee report on page 47 gives some exact figures about the reductions.

One is foreign military security environments. There is a recommendation there for an actual reduction of $800,000. That is almost 10 percent on that item. The next one has to do with policy planning studies. It is recommended that the reduction in that item be $700,000.

In the last paragraph, at the bottom, the committee is recommending that a number of these efforts be transferred to other agencies—some to the Department of State, some to Arms Control and Disarmament, and some to the National Science Foundation and to others.

It takes a great deal of weeding out to be specific with reference to many of these categories.

I call that part of the report to the attention of the Senator. I appreciate the earnestness of his inquiry.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. McINTYRE. I yield.

Mr. FULBRIGHT. Mr. President, I am very glad that the chairman of the committee has called that to the attention of the Senate. I am especially glad to see the last part which recommends the transfer of a number of these programs to other agencies. For example, the Senator mentions the National Science Foundation, which is one that, it would seem to me, would be appropriate.

I assume that one reason they were not there to begin with is that they did not have the money for the programs. Will the Senator transfer them the money to fund them?

Mr. STENNIS. We will transfer the appropriation bill, if the Senator's committee has its way, over to his committee and others.

Mr. FULBRIGHT. Mr. President, I want to pursue the matter a moment. I want to give the Senator an illustration so that he will not think I am being too nit-picking about the matter.

Mr. President, I have in my hand a document that is a research project. I will read the specific name. This is from the University of Massachusetts. It is entitled "The Ataturk Revolution in Turkey. Religion and Revolution. A Study of Comparative Politics and Religion."

This is funded by funds for research projects from the Department of De-

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fense. This is an aspect of what this is about.

It states:

> Beginning with a brief discussion of the decline and fall of the Ottoman empire, the report analyzes the interplay between Ataturk and the forces of religious traditionalism in the Turkish revolution. Special attention is given to the role of religion in the struggle for national sovereignty that ended in 1923. The report concludes with a brief discussion of the position of Islam in contemporary Turkish society.

That is an example of what I was raising a question about, as to the appropriateness for the Department of Defense to have funds authorized, and for us to appropriate money, that is spent for matters of that kind.

I do not see why this is a matter that the Defense Department should undertake.

I do not urge the Senator to answer now. I would let him have a look at the matter first. However, I am giving it as an illustration of what I have in mind.

Mr. McINTYRE. Would the Senator tell me what fiscal year this is planned for?

Mr. FULBRIGHT. This is a completed one. This was 1968.

Mr. McINTYRE. You are now talking about fiscal year 1969.

Mr. FULBRIGHT. That was an illustration of what I meant.

Mr. McINTYRE. Is the item in the budget for the fiscal year 1970?

Mr. FULBRIGHT. No. That is something that has gone by. It is an illustration of the type of activities I have reference to that are not related to military affairs. There are a number of these.

I do not have the ones that are in process as yet. I got all the information I could. However, for the Department of the Army, for example, in the hearings beginning on page 2209, many pages and many items are listed.

I assume they are still underway on plans for fiscal year 1970.

We notice some of them are on the right. These are some that I got from the Department of Defense. They indicate the type of things that have been done.

Mr. McINTYRE. What page is the Senator referring to?

Mr. FULBRIGHT. This is from the hearings of the Committee on Armed Services. It is the one that was on my desk.

Mr. McINTYRE. What page?

Mr. FULBRIGHT. Page 2209.

Take the first item there. This is in fiscal year 1970. It says:

> Beliefs and habits of certain foreign populations of significance for psychological operations.

I suppose that in some areas psychological understanding is necessary or helpful. If we had had any understanding of the psychology of the Vietnamese, I do not think we would have gotten into that war. There was a complete lack of understanding of what the Vietnamese people were like. I cannot say it would not have been helpful.

I do not think that particular one has any relation to the military responsibility. I doubt that the military is the proper one to handle it, simply because they are not familiar with that type activity.

I have two others here. I do not wish to burden the Senator at the moment. I hope that at a little later time the Senator will be prepared to discuss some of these projects which I have discussed and possibly I will offer an amendment to strike them out, if that is an appropriate way to pursue the matter on the ground, that they have no place in the authorization.

Mr. McINTYRE. I think that is a perfectly appropriate way to handle the matter.

This gives a little idea of the difficulty the Research and Development Subcommittee had.

In calling attention to page 2209, the Senator is now talking about funds that are spent in Washington, at George Washington University. Even the item mentioned there is coded. I do not know if it is terminated now or if it is being continued.

If the Senator will supply us in advance with the 10 or 20 items he picks out of what amounts to 200 or 300 items, we will not have to spend all night figuring the matter out. If the Senator gives us advance notice of what he is criticizing, we will be here to either defend the matter or criticize it.

If the Senator is talking about the gamma gamma goat which turns out to be a six-wheeled track vehicle used in Thailand——

Mr. FULBRIGHT. If a sophisticated member of the Armed Services Committee thought it was a goat, I do not think he should blame me.

Mr. McINTYRE. I think everyone thought it was a goat. However, it is a six-wheeled track vehicle.

Mr. FULBRIGHT. I do not even know of a goat that has six wheels.

Mr. McINTYRE. Let us agree on the areas the Senator wants to complain about. Then if the Senator gives us advance notice, we will be prepared to defend or concede.

Mr. FULBRIGHT. That is fair enough. We brought this matter up tentatively last year. We had a little debate. I know that the chairman anticipated that I would bring the matter up again.

What I am really trying to do is to tighten up the whole operation. I think a lot of the civilian activities in our country are suffering from an overexpansion of the Military Establishment into fields which are really unrelated.

Mr. McINTYRE. The Senator has expressed my own sentiments. I think the Senator is justified in calling the attention of the committee to this work.

Because of our scrutiny of this area, action has been taken by the Department of Defense to tighten up the organization. The programs have been cut. We are asking the Senate to cut them even further. The subcommittee cut a billion dollars. There has been action. It is extremely difficult because of the multitudinous items to discuss one that the Senator suddenly picks up from nowhere.

Mr. HART. Mr. President, will the Senator yield?

Mr. McINTYRE. I yield.

Mr. HART. Mr. President, whatever develops as we go down the road on this research and development matter, as the Senator from New Hampshire has indicated, perhaps on an item-by-item review there will be further limitation.

I rise to thank the Senator from New Hampshire, the Senator from Mississippi, and the committee for digging into this area and coming in here with a recommendation that trims R. & D. by in excess of a billion dollars.

A year ago last April I offered an amendment that sought to maintain the research and development figure for the fiscal year 1969 at the level of the 1968 fiscal year. At that time the Committee on Armed Services recommended an increase in research and development of approximately $508 million, even though we were all going through a great deal of discussion about the need to economize. My amendment—on which we voted on April 18, 1968—failed by just two votes.

I cite that experience to make the point that all of us, in the passage of 12 months, have developed a much greater and a much clearer understanding of the responsibility that the entire Senate carries with respect to what heretofore had been rather esoteric, box-car-type figure problems.

So I thank the Senator from New Hampshire and the committee. I wish that a year ago we had been able to keep the $500 million from being added on.

I am sure that in part we reflect the mood of the country. But more than that, I think there was some leadership from the Senate to persuade the country to this move. Today we find ourselves receiving from the Committee on Armed Services a report which reduces by more than a billion dollars the research and development figure which a year ago we fell short of trying to keep from being increased a half billion dollars, and that, in anybody's book, is progress.

Mr. McINTYRE. I thank the distinguished Senator from Michigan. It was his good work of leadership that propelled us into taking a hard look, and we should continue taking a hard look, and look even harder.

Mr. CRANSTON. Mr. President, will the Senator yield?

Mr. McINTYRE. I yield.

Mr. CRANSTON. I should like to refer to the behavioral science area we were discussing. It is an area in which I believe there may be need for more research in the interest of national security.

I wonder whether the Senate from New Hampshire could advise Senators, before consideration of this measure is complete, a bit more about the area of studies of men under danger—not stress so much as personal danger. There are behavioral scientists who believe that under conditions of grave danger to one's life, the ability to think wisely and carefully and to judge soundly is adversely affected.

The Senator from Washington (Mr. JACKSON) has advised me that men in positions of grave responsibility, such as commanding Poseidon submarines, are

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given psychiatric tests, and those likely to crack up generally are weeded out.

But the fact may be that the human being generally, by normal human practices or characteristics, tends to lose his ability to judge wisely when in grave danger. He is suddenly filled with adrenalin, his muscles swell, and he desires to smash whoever may be threatening him. The question of how this would affect the judgment of men who do have grave responsibilities at times of grave danger to themselves and to loved ones at home is one about which we should be fully knowledgeable. This could be the weakest link in and the gravest threat to the whole security performance of the United States, in the opinion of scientists.

Mr. McINTYRE. The Senator from California would like the chairman of the committee to find out what studies have been conducted or are planned that concern men under great physical danger who are in a decisionmaking capacity?

Mr. CRANSTON. Exactly that.

Mr. McINTYRE. We will try to find that out.

Mr. GORE. Mr. President, will the Senator yield?

Mr. McINTYRE. I yield.

Mr. GORE. I wish to express my very deep personal gratitude for the eloquent and informative speech of the able Senator from New Hampshire. It gives to the entire Senate a better understanding of the delicate and intense problems with which his committee has been coping. There are but few Senators who could command the audience of Senators and hold their attention as he has done today. He is favored, too, with the presence in the gallery of a charming lady, Mrs. McIntyre, during this long debate.

I thank the Senator both for his speech and for her presence.

Mr. McINTYRE. I thank the distinguished Senator from Tennessee. He is always so generous.

Mrs. SMITH. Mr. President, will the Senator yield?

Mr. McINTYRE. I yield.

Mrs. SMITH. Mr. President, earlier this afternoon, the chairman of the Committee on Armed Services, the Senator from Mississippi (Mr. STENNIS), commended the chairman of the subcommittee and the members of that subcommittee for the job they had done.

While there were areas in the recommendations with which I was not in full agreement, I do want to commmend Senator McINTYRE, the chairman of that subcommittee, and the members of the subcommittee for the tremendous job they have done. They have put in a great deal of time. While this is the first year they have gone into this matter in such great depth, I think that out of it will come some good.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. CRANSTON. I yield.

Mr. TYDINGS. I ask the Senator from New Hampshire whether as a result of a colloquy he had with the Senator from Arkansas, he is going to provide the Senate with the name of each foreign educational institution which receives funds from the Pentagon, and also whether he is going to provide us with the purpose of the grant and the amount of the grant.

Mr. McINTYRE. The Senator from Maryland asks easy questions compared with those asked by the distinguished Senator from Arkansas.

I believe we can place the information in the RECORD, subject to the security question, which is always bothersome. We have here the names of universities, other centers of intelligence, for the countries where DOD is planning to spend money for fiscal year 1970. I think we can make it available, if not place it in the RECORD. This appears to have been in the RECORD, so it can be put in the RECORD again.

Mr. TYDINGS. I have another question. On Monday evening there was a colloquy on the floor between the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Montana (Mr. MANSFIELD). I refer to page 18492 of the RECORD. In his statement, the distinguished majority leader mentioned some figures, and I will now quote from his statement. He is referring to Pentagon expenditures which found their way to the Hudson Institute:

> In going back only 3 years, including this year, the figures show that in 1967, this organization received from the Department of Defense $713,000. In 1968 it received $444,000, under a Democratic administration, I might say. So far in 1969, under both a Democratic and Republican administration, I would assume, it received $873,000. That comes to about $2 million covering 3 years, and the third year has not been completed.

In his concluding sentences, the majority leader said:

> I wonder how much of the research money, which comes to $8 billion last year for the Department of Defenes alone, has been siphoned to the Hudson Institute, the Rand Corp., colleges and universities, and other institutes in this country.

My question now to the Senator from New Hampshire is this: How much did the Hudson Institute receive, directly or indirectly, from the Department of Defense or the Pentagon in 1967, in 1968, in 1969, and how much is it going to receive in 1970? I think it might be helpful if the Senator could provide any information with relation to the amount of the cost of the book "Why ABM?" authored largely by members of the Hudson Institute, of Croton-on-Hudson, N.Y., and the relationship between that book and the funds received by the Hudson Institute from the Pentagon.

Mr. McINTYRE. In answer to the Senator's question I can only say I have before me a sheet of paper which has been forwarded to me by the Department of Defense entitled "Funding Summary for Federal Contract Research Centers." This is a table which reflects that the Hudson Institute under actual fiscal year 1966 received $827,000. The table shows that for fiscal years 1967, 1968, 1969, and planned fiscal year 1970 the Hudson Institute received none or none is now planned to be turned over by the Department of Defense to the Hudson Institute as a Federal contract research center.

We will have to inquire if this was a grant or if it is involved in this matter. We will try to find the information for the Senate.

Mr. TYDINGS. Forgetting that question, if we could, I would like to go back to how much money the Hudson Institute received directly or indirectly from the Pentagon in 1967, 1968, 1969, and 1970, and if we could have the total budget of the Hudson Institute and the percentage of their budget which is financed or carried by the Pentagon, I think it would be helpful. Could the Senator provide those figures?

Mr. McINTYRE. The only answer I can give the Senator is that it is listed here as a Federal contract research center in 1966. For all other years, 1967 through 1970, the Hudson Institute shows no appropriation whatever. Directly, or indirectly, we will provide the information. I will place this table in the RECORD.

Mr. TYDINGS. The Senator will provide the information. I thank the Senator.

(At this point, Mr. GURNEY assumed the chair.)

Several Senators addressed the Chair.

Mr. McINTYRE. I yield to the Senator from Washington.

Mr. JACKSON. At the same time will the Senator supply for the RECORD the amount of money supplied the Massachusetts Institute of Technology by the Department of Defense?

Mr. GOLDWATER. Would the Senator yield so that I may amend that request?

Mr. McINTYRE. Just a moment. Does the Senator want an answer?

Mr. JACKSON. Does the Senator have the information now? It runs into the millions.

Mr. McINTYRE. As a Federal contract research center the figure is about $65 million. I do not believe that is all.

I wish to say this in explanation of what seems to be the difficulty in providing these figures. The subcommittee, in going into this matter, found a baffling series of line items and areas where one could make these figures jell and coincide. We are trying to get them, particularly for the Hudson Institute and MIT.

The Massachusetts Institute of Technology, as a Federal contract research center, looks like $65 million.

Mr. JACKSON. Is it not a fact that MIT receives more Federal money in the national defense and national security area than any other educational center in the United States?

Mr. McINTYRE. I believe that is correct.

Mr. GORE. Mr. President, will the Senator yield?

Mr. McINTYRE. I yield.

Mr. GORE. I do not know whether the funds under contract with the Massachusetts Institute of Technology or the Lincoln Laboratory or the Hudson Institute are justified. What I rise to suggest is that it is not realistic to put into juxtaposition a great institute of learning like the Massachusetts Institute of Technology with a so-called think-tank like the Hudson Institute. It seems to me that whether either expenditure is justified or unjustified is one matter, but to compared these two institutes or organizations is quite unrealistic.

Mr. JACKSON. Mr. President, will the Senator yield?

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Mr. McINTYRE. I yield.

Mr. JACKSON. Mr. President, to complete the subtle questioning here, if it is subtle, I think it is well known that there are certain people at MIT who have strong anti-ABM feelings. I had the impression by reason of the question asked by the distinguished, able, and very fine Senator from Maryland, that the two were being linked.

I did not raise the qeustion but as long as we go down that road it would be interesting to follow through with other institutions.

Mr. TYDINGS. I think the pertinent point would be that percentage of the money of the Hudson Institute which comes directly from the Pentagon. If the institute or a group of scientists are dependent primarily from one source for their whole sustenance and livelihood, they are more likely than a great institutions that has been in operation for years to produce the type answers that the source of their funding would suggest.

I would think that the link would be the percentage of their budget which comes from the source which may influence them.

Mr. JACKSON. Freedom of speech has not been interfered with in this regard. MIT, which receives more money than any other educational institution in the country, has a lot of spokesmen speaking against Department of Defense programs. In fact, they have a most active anti-ABM group, some of whom have testified before Senate and House committees recently.

Mr. TYDINGS. Does the Senator know whether the percentage of the budget of the Hudson Institute which comes from the Pentagon is more than 50 percent?

Mr. JACKSON. I do not know, but since this matter has been brought up I thought it pertinent to point out that at MIT, which receives the most money, they have more people opposing the ABM. I wonder what influence DOD money had on those people.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. McINTYRE. I yield to the Senator from Arizona.

Mr. GOLDWATER. We are not talking about MIT. We are talking about Lincoln Laboratory. I think Lincoln Laboratory last year received something like $31 million. Dr. Wiesner is one of the top deans of MIT and opposes the ABM. Mr. Kahn of Hudson Institute happens to favor the ABM. I hope we would not get into innuendos where we suggest that Hudson might be dealing off the bottom of the deck, and we have to doubt the veracity of learned people at Lincoln. I was sorry to see this whole matter injected into the discussion the other evening. I thought is was completely out of place in the record.

Mr. McINTYRE. I thank the Senator.

Mr. President, I ask unanimous consent to have printed in the Record at this point a table entitled "Funding Summary for Federal Contract Research Centers" for the fiscal year 1966 through planned fiscal year 1970.

There being no objection, the table was ordered to be printed in the Record, as follows:

TABLE II.—FUNDING SUMMARY FOR FEDERAL CONTRACT RESEARCH CENTERS

[Dollars in thousands, all appropriations]

FCRC's[1]	Actual fiscal year 1966	Actual fiscal year 1967	Actual fiscal year 1968	Estimated fiscal year 1969	Planned fiscal year 1970
University centers (total)	($26,711)	($22,272)	($21,438)	($21,130)	($17,735)
Math Research Center (Wisconsin)	1,295	1,300	1,300	1,350	1,455
HumRRO (GWU)	2,750	3,367	3,427	3,995	4,253
CRESS (AU)	2,347	1,939	1,560	1,960	2,100
Hudson Labs (Columbia)	4,759	4,710	4,800	3,412	
ORL (Penn State)	9,512	8,120	7,159	7,433	7,407
APL (University of Washington)	6,048	2,836	3,192	2,980	2,520
Systems analysis and technical direction (total)	(94,102)	(108,120)	(104,565)	(108,403)	(114,619)
MITRE Corp	27,859	33,222	32,578	34,131	36,350
Aerospace Corp	66,243	74,898	71,987	74,272	78,269
Specialized research (total)	(77,773)	(108,288)	(71,913)	(76,323)	(83,206)
Lincoln Labs (MIT)	40,400	59,549	39,120	40,043	41,990
APL (JHU)	37,373	48,739	32,793	36,280	41,216
Operations research and systems analysis: (total)	(58,082)	(57,045)	(55,653)	(57,321)	(61,605)
IDA	13,257	11,239	10,546	10,898	11,150
RAND	19,628	20,805	20,440	21,171	23,855
RAG	11,125	9,842	9,619	9,985	10,800
ANSER	1,345	1,340	1,500	1,572	1,600
CNA (University of Rochester)	7,000	9,119	8,838	9,195	9,500
ECAC	4,900	4,800	4,710	4,500	4,700
Hudson Institute	827				
Total[2]	256,668	295,725	253,569	263,177	277,165
APL (JHU)	18,504	12,205	9,375	12,106	11,160
Lincoln Labs (MIT)	23,035	18,189	24,130	27,530	23,210
ORL (Penn State)		1,403	2,212	1,125	950
Total subcontracts	4,539	31,797	35,699	40,761	35,320
Computer service to Government as opposed to professional services APL (JHU)				1,200	1,200
Grand total	289,207	327,522	289,268	305,138	313,685
Grand total (R.D.T. & E. only)	253,814	291,602	252,300	270,500	283,400
Percent of fiscal year 1966:					
Grand total:[3]					
Gross	100	109.83	97.00	102.32	105.19
Adjusted[1]	100	104.59	87.98	88.38	86.54

[1] Includes 5 percent per annum for increases in the cost of living.

[2] The above amounts include subcontracts of less than $1,000,000 per FCRC. Below are the amounts subcontracted by each FCRC where the total per FCRC is greater than $1,000,000.

[3] Grand total less subcontracts over $1,000,000.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. McINTYRE. I yield.

Mr. FULBRIGHT. Mr. President, to answer the question propounded by the Senator from Maryland, just a few weeks ago I had Dr. Brennan appear before the Committee on Foreign Relations. I shall now read from page 371 of the committee hearings, where I asked Dr. Brennan these questions:

> Senator Fulbright. What percentage of the support of the Hudson Institute is attributable to Government sources?
>
> Dr. Brennan. I cannot give you an accurate number over any particular period of time, but I think if I said something like 80 percent over the past 2 years it would probably be roughly correct.
>
> Senator Fulbright. What was it when you were president? Was it about that when you were president?
>
> Dr. Brennan. No, sir, it was higher.
>
> Senator Fulbright. How high was it?
>
> Dr. Brennan. Probably around 90 percent.

That was the testimony of Dr. Brennan, who is still the head of that organization, and partly had to do with this book. He is on the staff and was president in March.

I think the point of the Senator from Maryland is quite correct. This is a relatively small institute. As he said, 80 to 90 percent of his funds come from this area.

The Senator from Arizona said the lab at MIT is a semiautonomous. I had a delegation of students before me about a month ago. I think there were a few faculty members from MIT. They raised this question. They were primarily students who were concerned with the reputation of MIT. They sought counsel on whether or not they should urge their administration at MIT to completely disassociate itself from the Lincoln Lab because of the dissatisfaction that has arisen in many student bodies because of the association with the Department of Defense. It is a very active problem. But MIT, as such, is a great institution aside from the laboratories.

Mr. McINTYRE. Mr. President, I yield the floor.

Mr. JACKSON. Mr. President, first, I want to associate myself with the remarks made today and yesterday by the able chairman of the committee, the distinguished Senator from Mississippi (Mr. Stennis). His approach to the budget this year has been excellent. He proceeded to appoint subcommittees to go into the key areas of concern at the outset of the year.

The able and distinguished Senator from New Hampshire (Mr. McIntyre) has done a very fine job as chairman of the Subcommittee on Research and Development, and I want to compliment him.

The same applies to the chairmanship of the Subcommittee on Tactical Air, as handled by the able and distinguished Senator from Nevada (Mr. Cannon).

The Senator from Mississippi, as chairman of the full committee, undertook chairmanship of the Bomber Subcommittee, an all-important one. In my judgment, the bill now before the Senate reflects the kind of thorough review, investigation, and study made of this most important area of our national security.

All members of the committee were most diligent in pursuing the problems with which they were faced.

I want to single out once again the distinguished lady from Maine (Mrs. SMITH) who, as always, in a very conscientious way, made a great contribution to the committee.

The Senator from Tennessee (Mr. GORE) mentioned earlier today her association in the House of Representatives. I had the privilege of serving with her in the House, where she was an able and distinguished member of the House Naval Affairs Committee, now a part of the House Armed Services Committee. Thus, Mr. President, we have been fortunate in having that kind of support in the committee in bringing this bill to the floor of the Senate.

Mr. President, in considering the fiscal year 1970 Department of Defense authorization bill, which is now before the Senate, I can think of nothing more essential for the Congress than clear thinking about the Soviet Union.

How can we reach sound judgments on the national defense budget if we do not understand the nature of the Soviet adversary?

Can you think of a top American business leader who would make decisions determining the survival of his company before he had carefully studied his chief competitors and what they were up to? Yet many in Congress seem willing to make decisions that could determine the safety and survival of this Nation and the future of individual liberty without facing up to what the Soviet Union is up to.

Recently, we have heard a great deal about "national commitments," disarmament, and threats to "cut and cut and cut and cut" the defense budget. But we have heard precious little discerning comment from those same sources about the nature of Soviet leadership and what is really going on in the Soviet Union.

Who are the Kremlin rulers today? What sort of people determine the foreign and defense policy of the Soviet Union?

Briefly, these are the members of the 11-man Politburo, in alphabetical order:

Leonid Brezhnev, age 62, General Secretary of CPSU Central Committee. Russian by birth, he began his career during the Stalin purge of 1936–38 in the Ukraine where there were three survivors of the 102-man local central committee. This is one of the men who denounced others on innumerable occasions. Orthodox in outlook, built his career on the political platform of return to doctrinal rigidity, partial rehabilitation of Stalinism, and crackdown on liberal writers. His political priorities are protection of the supremacy of the party, tightening the ties of the Socialist camp under Soviet dominance, protection of defense goals through allocations to heavy industry, with agricultural allocations ranking second.

Andrey Kirilenko, age 62, Secretary of CPSU Central Committee. Russian by birth. Rose from a career of bloody and petty intrigue in the provincial Ukrainian party committees. Thus far one of Brezhnev's most loyal political supporters. Alternates with Suslov in deputizing for Brezhnev when the latter is out of town. Has been increasingly prominent in the past year and may now have edged Suslov out as the No. 2 man in the party. Kirilenko displayed a strong proconsumer bias during the Khrushchev years and in the period immediately after his ouster. These views have been muted since 1966 when ideological orthodoxy and preoccupation with the needs of defense began increasingly to dominate the thinking of the leadership.

Aleksey Kosygin, age 65, Chairman of U.S.S.R. Council of Ministers. Russian, born in Leningrad. Took the first moves in his career in the great purge of 1936–38. He played an active role in party life at a time when the main "activity" was the denunciation and purge of the previous secretaries and bureaus, and when the Leningrad Communists were being slaughtered on a very large scale. During that time he advanced rapidly—moving up in four steps, from shop manager in a Leningrad factory to a post in the Soviet Government in about 2 years. Pragmatic with a strong interest in a balanced economy, especially interested in increased attention to consumer goods and "rationalization" of economic planning methods. His age, desire to preserve his privileged position, and orthodox Marxist training, however, limit his receptivity to new ideas and methods.

Kirill Mazurov, age 55, First Deputy Chairman of U.S.S.R. Council of Ministers. Byelorussian by birth. Started his career in the party at the time of the 1936–38 purge. He has served some years in KGB operations. Pragmatic in outlook, responsible for light industry, but also interested in agriculture. Is behind a grandiose plan for the "urbanization" of the countryside being strongly pushed by the Byelorussian party organization, but currently hard up for funds. In foreign policy, Mazurov seems to favor an aggressive stance against the West. Alternates with Polyansky in deputizing for Kosygin.

Arvid Pelshe, age 70, Chairman of Party Control Commission. Latvian by birth and career, began his rise in the Latvian party during Suslov's proconsulship of that area, and is reported to owe his present high position to Suslov's patronage. A colorless party functionary, orthodox in outlook, he has spent important years in KGB operations.

Nikolay Podgorny, age 66, Chairman of Presidium U.S.S.R. Supreme Soviet. Ukrainian by birth and career. Under Khrushchev, identified with relatively liberal views, but since early 1966 has moved steadily toward orthodoxy in support of Brezhnev.

Dmitry Polyansky, age 51, First Deputy Chairman of U.S.S.R. Council of Ministers. Ukrainian by birth, career ties to the Crimea, and thus far a loyal member of the Ukrainian group in the Politburo. Has served in both party and state positions. As First Deputy Premier is responsible for agricultural production and is a zealous champion of investment in the agricultural production base. As a result has been increasingly in direct competition with the military for scarce resources. He is interested in doing business with the West and acquiring advanced Western technology, but otherwise seems to be ideologically orthodox in his foreign policy views.

Aleksandr Shelepin, age 50, Chairman of All-Union Central Council of Trade Unions. Russian, made his career in the Komsomol, then as head of the KGB. One of the most powerful figures in the leadership at the time of Khrushchev's ouster. Since 1966 his political position has steadily weakened. Interested in administrative efficiency and modern methods of control. Was behind move to rehabilitate Stalin in early 1966 and seemed to favor a tough, chauvanistic foreign policy. There are now indications that he is in search of a new platform to "run" on. Is said to have opposed Politburo handling of Czech crisis, but was an advocate of the aggressive line in the 1967 Middle East war.

Petr Shelest, age 61, Ukrainian by birth and career, still based in Kiev. First Secretary of Ukrainian Central Committee. Conservative on most domestic issues though something of a Ukrainian nationalist and champion of the "rights" of the republics, which however does not prevent him from applying harsh measures against his independently minded Ukrainian countrymen. A hard-liner on military matters. His remarks on foreign policy issues have been consistently tough, and he is reported to have pushed hard for a military intervention in the Czech crisis, fearful of the spread of the freedom virus to the bordering areas of the Ukraine.

Mikhail Suslov, age 66, Secretary of CPSU Central Committee with informal ranking of second in command. As the 1936–38 purge struck, Suslov began his spectacular rise, becoming one of the Rostov provincial secretaries. In 1939 he was appointed First Secretary of the Stavropol Regional Committee, where in 1944 he became involved in the deportation of the Karachai people. Proving successful in this, he was made Chairman of the Bureau of the Central Committee for newly occupied Lithuania in 1944 and reimposed Soviet rule against a bitter resistance. High priest in doctrinal matters with special interest in the cohesion of international communism. Orthodox in outlook and long opposed to "revisionism" in any field.

Gennady Voronov, age 58, Russian by birth. Grew up in the Soviet far east and for many years party boss of one of the large districts bordering on Communist China. Chairman of RSFSR Council of Ministers. Ambitious figure with no apparent political ties with other members of the Politburo. Has been outspoken defender of the technocracy and favors establishing Western-style management training schools.

The often neglected truth about this group of men who are now on top in Rus-

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sia is that they are the first generation of rulers who are actually the products of the Stalin system. Those who rose with Brezhnev, Kosygin, Suslov, Kirilenko, and the others in the purge of 1936–38 were qualified for promotion by their denunciations of their colleagues. To have moved ahead in those days is a certain sign of complicity in Stalin's terror.

Now, in power, these men have shown themselves unable and apparently unwilling to make the reforms, small or large, required to meet the needs of an increasingly more complex, sophisticated Russian society. As one Russian observer put it:

> There are no liberals at the top. Not in the Politburo. No Soviet Dubceks in sight, and no viable faction within the Party that would support one. That's the worst of it all.

Indeed, the repressive measures employed today to intimidate, frighten, and stifle expression of dissent approach those of the 1930's and 1940's in their intent and in the dogged intensity with which the Politburo executes them. There are more intellectuals now incarcerated in jails, committed to mental hospitals, or exiled to Siberia than at any time since Stalin's terror—Aleksandr Ginzburg, Yury Galanskov, Pavel Litvinov, Larissa Daniel, and all the others. In addition, Soviet official organs employ countless other methods of repression. Liberals are slandered in the official press. Travel abroad is denied dissenters. Writers are denied the right to publish their works in their own country.

The lack of qualifications of most of the Politburo in dealing with foreign affairs is obvious. Careerists in the provincial or Central Party apparatus, they are generally narrow-minded, nationalistically oriented, basically hard-boiled Communists, limited men, concerned for their own positions and privileges, and knowing little of foreign reality.

After World War II, Maxim Litvinov used to take foreign diplomats and newspapermen aside and warn them that Stalin and his colleagues were thoroughly ignorant of the outside world, and that this constituted a very great danger. It seems that most of the present Politburo are no better off in knowledge of the outside world, some of them probably worse off. Clearly, we cannot discount the danger that these men, who are showing themselves unequal to the need for reforms at home, may make serious errors of judgment in their conduct of affairs abroad.

This is the group that chose to use armed force to strangle the evolutionary democratization of its own friend and ally, Czechoslovakia, which under Dubcek's leadership was indicating to the Soviet Union itself a way out of the vicious circle of repression, fear, repression. This is the group that then concocted the ominous Brezhnev doctrine of limited sovereignty which asserts the right of the Soviet Union to intervene unilaterally in all Communist-run countries.

It is difficult to see how one could have thought up a more clumsy and self-defeating rationalization of the Czech invasion. All the talk about the subordination of international law to the "laws of the class struggle" and the doubletalk about defending sovereignty by denying sovereignty gives no comfort to any other Communist ally, and shows a crude and deliberate disregard for the political interests of other Communist parties, particularly many in Western Europe, who, to retain the credibility of their effort to gain power by parliamentary means and of their willingness to support "bourgeois liberties," feel they must repudiate the theory of imperialist communism and Soviet Party predominance.

If anyone had any doubt about the capacity of the Politburo to blunder, its performance in the case of Czechoslovakia should dispel the doubt. The similarities between Moscow's forcible methods and Nazi methods are now fully visible to the peoples of all the Warsaw Pact countries, beginning with Rumania, and to Communist comrades around the world whose interests the Soviet leadership brazenly ignored.

Meanwhile, there is little doubt that a struggle for power and influence goes on within the Politburo, and that the outcome is uncertain.

In the Soviet Union a few leaders, conspiring when they choose, can make and unmake a man's power without his knowledge or that of the public. That is what happened to Khrushchev in 1964.

Will change, when it comes, bring merely a reshuffle of the same old party apparatchki—Suslov or Kirilenko in place of Brezhnev; Voronov or Podgorny in place of Kosygin? Or will it bring a change of generations of party apparatchki—Shelepin, Mazurov, Polyansky?

Will the change continue to restrict Soviet politics to the self-perpetuating Kremlin circles? Even now, the police appear to be gaining ground. As Michel Tatu, one of the most astute analysts of the Soviet scene has said, it is no accident that Yury Andropov, the KGB chief, has been promoted to be an alternate member of the Politburo, for the first time since the notorious Lavrenti Beria was in the top group. Andropov has presided over the crackdown by the KGB on liberal Soviet intellectuals and signs of him in action during the Czechoslovak crisis have not indicated any doubts on his part concerning the intervention.

Also now, the influence of the Stalinist-type political commissars appears to be on the rise. General Shtemenko, Stalin's former chief of staff, downgraded two ranks on his master's death, has not only been reappointed to high position in the Soviet military hierarchy but is now Chief of Staff of the Joint Armed Forces of the Warsaw Pact states, and is campaigning to refurbish Stalin's image as a military leader. General Yepishev, a particularly sinister figure, who was Stalin's assistant minister of state security in the horrible Doctors' Plot period, was made chief political commissar of the Soviet Armed Forces in 1962, and promoted to full membership of the Central Committee following the fall of Khrushchev. He is noted for his continual attacks on the liberal writers and on the so-called "foreign imperialists." And one gets no comfort from Yepishev's chilling article, widely circulated this year in Kommunist, the official Communist Party journal. In that article he says that "classical Leninist teaching" on the inevitability of "a series of frightful clashes" between capitalism and communism still applies in the nuclear age, and that World War III would "guarantee the construction of socialism and communism."

The resurgence of Soviet thinking in terms of the class struggle, reflected in military doctrine as well as in the Soviet approach to international law, must cause apprehension about the road ahead.

Now, the fact of the matter is that an increasing number of the informed Western analysts of Soviet developments assess the Soviet Union as a dangerous, unpredictable opponent—on the verge of a leadership crisis, the outcome of which cannot be forecast.

In this perspective, the fast-growing military capabilities of the Soviet Union take on added significance.

No one is sure of the future and one has to be prepared for surprises.

I am reminded of the lively discussion of the Czech crisis on August 7, 1968, at a high-powered workshop. The discussion produced a show of hands on the probability of Soviet military occupation of Czechoslovakia. Twenty present believed such an eventuality unlikely; two thought it probable.

One participant later suggested as a possible subtitle for the workshop, "Or Why We Were So Wrong."

We do not know who will have the finger on the Soviet trigger in the months and years ahead. The enormous Russian arsenal will be at the disposal of whatever "strong man" or ascendant faction of tough, ambitious figures come to the fore in the Soviet power struggle.

Hence, there is everything to be said for the United States to maintain a solid and prudent stance.

Mr. President, the essence of a solid and prudent stance is a protected U.S. second-strike capacity which gives us the capability to retaliate against a strategic nuclear attack, and therefore to discourage such an attack. This is the first essential of national security and individual liberty, and of the survival of us and our allies in freedom.

In recent years recognition has grown decisively among officials and scientists that we want to maintain the second-strike capacity—not of just one, but of all major vehicle types of our strategic force: Minuteman, bombers, and Polaris-Poseidon.

As our Armed Services Committee report states:

> Each system has different limitations, is subject to varied uncertainties and requires distinct modes of attack. Each type must be protected, so as to insure no easy defeat of our system by an enemy. It must be of serious concern therefore if any part of our deterrent mixture is adversely affected by changing adverse forces and technologies.

The Senate Armed Services Committee has voted to cut about $2 billion from the proposed 1970 Defense Department authorization bill. I joined in those votes. We can do without some of the less

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urgent military programs. But in the face of the likely dangers ahead, tampering with the strategic offense and defense core of the Defense budget is a very risky business.

Of real concern is the continuing Soviet development of their gigantic SS-9 missile, on which they have already begun to test multiple reentry vehicles, and not without success. The evidence is firm that the Soviets have more than 230 SS-9's operational or under construction. If the Soviets continue to deploy additional missiles at the same rate as in the past few years, by the mid-1970's the survivability of most of our Minuteman forces, as presently deployed, would be in question.

Also of special concern is the threat to our bombers from the growing number of Soviet Polaris-type missile submarines, and the danger to our Polaris system from Soviet efforts in nuclear attack submarine construction and in anti-submarine warfare. As the report of the Armed Services Committee puts it:

> We cannot assume that our Polaris system will be the first weapon in history to remain invulnerable.

Also of concern is the hard work which the Soviets have put into their ABM for many years. The Soviets are completing the deployment of some 60 Galosh ABM missiles on launchers around Moscow. And, very important, we now have hard evidence that the Soviets are testing an improved long-range ABM, which apparently has a "loiter" capability, so that, after the initial firing, the missiles can coast or "loiter" for a period of time, until a specific target is selected, at which point it can then be restarted and maneuvered to the target. The Tallinn defense system, very extensively deployed throughout the Soviet Union, is believed by many in the intelligence community to be subject to upgrading so as to give it an ABM capability.

Faced with these problems, President Nixon has recommended a phased program to deploy an ABM defense. The functions of the Safeguard ABM program are to help protect, first, the Minuteman silos; second, our manned bomber force; and third, the command and other facilities necessary in a crisis to assure national political control of both our land- and sea-based strategic forces. It is intended also to, fourth, provide a partial but useful protection of our people against an accidental, irrational or reckless small missile attack.

The opponents of the Safeguard program initially seemed to deny the fact that we confront increased threats to our deterrent forces in the mid and late 1970's. They now appear to have retreated from that position and are trying to make a case for alternatives to deploying an ABM system which in their view would be better.

Several Senators and scientists have suggested that, rather than defend our offensive forces, we should expand our offensive forces—our Minuteman or our Poseidon, or both. Yet buying more Minutemen without protection is certainly more destabilizing than an active defense of Minutemen silos, since it increases the capacity to strike first. And buying more MIRVed Poseidon forces would surely be viewed from the Russian side as more threatening than a limited ABM defense of our forces.

Moreover, any significant expansion of our offensive nuclear weapons is more costly than the Safeguard program.

The President and the proponents of the Safeguard system are in my judgment the real moderates on this issue.

Some opponents of ABM advocate delay in deployment—of what they call "an inadequately tested, unproven missile defense system." In fact, the Safeguard system is the result of a very comprehensive research and development effort. The components are more fully advanced and better tested than were the components of the Polaris missile system, when a comparable go-ahead was given.

Mr. President, how can we now prove this system, except through a prototype-like deployment? Phase I of Safeguard is, in effect, a prototype installation that will enable the Defense Department to complete engineering, installation, and shakedown and tests and to have the two stations fully operative by 1974. If we delay the decision for about a year, as some propose, the soonest these two sites could be ready for complete checkout would be in 1976. This would leave us with no option to provide active defense for the essential portion of our Minuteman force on the schedule that may be necessary if we do not reach agreement with the Soviets on limiting or reducing strategic forces. There is obviously no substitute for time. And, what is more, the delay would cost us an extra expenditure of several hundred million dollars.

We can expect, as in the case of every other offense and defense system, that we can improve its effectiveness over the years. But we urgently need the experience of a deployed working prototype. The idea that we should not be getting this experience in this very important defense area of nuclear weaponry, while the potential opponent was not dormant and has had the opportunity to obtain some of this experience for many years, is to me the height of imprudence.

The statement to our committee by Freeman J. Dyson, of the Institute of Advanced Study, at Princeton, includes this perceptive comment:

> In the long run the battle between offensive and defensive technology is a battle of information. If the defense knows where the offensive warheads are, it is not too difficult to destroy them. For the last 20 years the offensive has had an overwhelming advantage, but this advantage is being reduced as defensive information-handling capability improves. In the long run, I believe the defense will prevail because the defense will have more accurate and timely information than the offense. Defensive batteries within a hundred miles of the battle should ultimately be able to out-maneuver incoming offensive vehicles controlled from a command center 5000 miles away on land or in a submarine off-shore. The offensive command will be fighting the battle blind, without any possibility of quick reaction to defensive moves. I consider that it is only a question of time, perhaps ten or twenty years, before these inherent advantages of the defense become actual. The time that it will take to overturn the doctrine of the supremacy of the offensive will of course depend on political decisions as well as on technological developments.

Some of the campaigners against ABM deployment argue that before deciding to proceed with deployment we should negotiate with the Russians.

Why either one or the other?

Why not both?

If we do not have our ABM system moving along, what inducement is there for the Soviets to negotiate with us on a freeze or a reduction in their ABM deployment? Can anyone seriously maintain that Moscow will agree to limit its ABM's if we now, and unilaterally, abandon deployment of our ABM's? Nothing in the record of negotiations on the control of arms suggests that this would be the way to have a successful negotiation with the Soviets.

I do not think that we can realistically expect the Politburo to sign an arms agreement that rules out a limited Soviet ABM defense and leaves their country vulnerable to nuclear coercion and attack from Communist China and other secondary nuclear powers. And I also very strongly doubt that the American Congress and people would accept an agreement under which the Soviets are permitted to have their ABM system while we have no comparable ABM protection well underway here.

Thus I believe the chance is promising that we could come to an agreement with the Soviet Union for a limited ABM defense on both sides—an agreed ceiling on the number of ABM's, for example—provided that we do not foolishly throw that chance away by now scuttling our own program.

In my judgment, anyone who wants a successful negotiation with the Soviets to halt the further evolution of dangerous strategic armaments should be a strong proponent of the Safeguard ABM.

President Nixon has asked us to give him the funds to proceed with the Safeguard ABM as a matter "essential for national security."

After thorough consideration, a majority of the Senate Armed Services Committee has supported the President's request.

President Nixon believes that he would be in a much stronger position in the forthcoming negotiations with the Soviets on limitation of offensive and defensive nuclear systems if he had the backing of Congress on his Safeguard program. I agree with that analysis. Indeed, in my opinion, nothing would be more detrimental to our diplomatic effort—and more shortsighted—than to deny the President the strong hand he needs just as his negotiators are about to sit down at the conference table.

I have no doubt that the Senate will evidence its commonsense and vote to go forward with the ABM program as part of the 1970 Department of Defense authorization bill.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. JACKSON. I am glad to yield to the distinguished Senator from Texas.

Mr. TOWER. I express my appreciation to the distinguished Senator from Washington for one of the best speeches

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on defense research that I have heard in a long time. It is information that everyone should heed. I think, certainly, that it makes the strongest possible case for the acceptance of research and deployment of the ABM.

Now that we are witnessing the resurgence of Stalinism, does not the Senator believe that the time remaining for a detente is less, probably, than in previous years?

Mr. JACKSON. I think the Senator is correct. If anyone has doubts about the nature of the present regime, I suggest that he read some of the quotations from the writings of that long-time Communist, Marshal Tito. Marshal Tito was a member of the Communist Party before many of the present members of the Politburo were even eligible to join the Young Communist League. Marshal Tito is so much concerned that he is now arming his peasants for guerrilla warfare.

If anyone has further doubts, he should listen to the words of the Communist leaders in Romania.

If we want to leave that area and move to Western countries, we can read what Luigi Longo, the head of the Communist Party of Italy, has said about the present regime. Can any Senator imagine how embarrassed the head of a Communist Party must be in a Western country, where free and open elections are held, to have to admit on the platform that if his party comes to power, according to the Brezhnev doctrine, that country, will then come under the discipline of the Soviet Union, and be subject to unilateral occupation by the Soviets.

No wonder the leaders of so many of the Communist Parties in the Western World have denounced the leadership in the Politburo as dangerous and, indeed, a threat to the peace of the world. Yet I am amazed to hear it said in the United States and elsewhere that the Soviet Union is no problem, and this at a time when the top ranking leaders of the Communist world outside the Soviet Union are warning, over and over again, about Soviet imperialism. In fact, the major foreign policy problem which confronts us is Russian imperialism.

Mr. President, the Brezhnev doctrine cannot be explained in the doctrinal terms of Marxist-Leninist philosophy. This doctrine is a most fantastic proposition. It can be explained, however, in terms of Russian history, in terms of Russian imperialism.

I submit that with all the discussion that has been going on about defensive systems and offensive systems, we have spent altogether too much time talking about the military hardware and we have not been debating the central issue. The central issue which you have to decide first, before you can decide what kind of military budget you should have or what kind of foreign policy you should have, is: What kind of adversary do you face, and what is he up to?

I submit that even if we just listen to the representatives of the Communist world outside of the Soviet Union, we get a pretty good measure of the threat as they witness it.

Mr. TOWER. Mr. President, will the Senator yield for a question?

Mr. JACKSON. I yield.

Mr. TOWER. The Senator is obviously knowledgeable on this matter. Does he discern any genuine desire on the part of the present hierarchy of the Soviet Union to reduce the current pace of arms technology, development, and deployment?

Mr. JACKSON. Mr. President, there is a direct relationship to the coming of power of the present group in the Politburo and the increase in Soviet strategic arms. They are directly related. There is a direct relationship, of course, to the use of force to subjugate Czechoslovakia and the enunciation of the now-infamous Brezhnev doctrine. I do not think there is any doubt that the men who are running the Politburo today are unsure of themselves. They are not very competent. I think they present to the western world—and to the Communist world outside of the Soviet Union—a real, and unpredictable threat.

Mr. TOWER. Further, does it appear that historically Soviet arms development and Soviet stockpiling of arms, the expansion of Soviet military capacity, is directly related to what we have done in the way of arms development? In other words, have they simply reacted to the things we have done?

Mr. JACKSON. This is not, of course, the case. The Soviets, in my judgment, have decided on what they feel they might need if they ever got into a nuclear war, in order to be in a better position than the opponent if such a war does come. Obviously, there is some interaction between their programs and ours, but it is not the simple action-reaction pattern that some people call it.

In my statement I referred to General Yepishev, who made some rather startling comments about the fact that war was still inevitable, even in a nuclear age. The Senator will recall that Mr. Khrushchev walked away from that position. He said that obviously Mr. Lenin, when he laid down the idea of the inevitability of war, did not have in mind the possibility of catastrophic thermonuclear weapons, and therefore thermonuclear war was unthinkable.

But now we have a high functionary, and influential official in the Soviet Union, writing in an official organ, the Kommunist, saying, in effect, that we might have nuclear war and that indeed the possibility of it was inevitable and that if we did it would "guarantee the construction of socialism and communism."

I think this presents some measure of the preparations that they are making.

Mr. TOWER. Then the Senator would reject the somewhat fragile contention and the historically unprovable contention that if we develop and deploy an ABM, we are simply fueling the arms race for the Soviet Union, that they will react by something greater.

Mr. JACKSON. I do not have the direct quotation before me, but in 1967 this very question was asked of Mr. Kosygin at a press conference in London. They asked Mr. Kosygin, in effect, "Are you not fueling the arms race by deploying an ABM system?" He, in effect, said, "There are two systems—offensive and defensive—and a defensive system is merely in defense of the country, and it does not add to or fuel the arms race." This is Mr. Kosygin's position.

I will point out that the Soviet Union was the first to develop an ICBM, the first to deploy an ABM—which we have not yet done, the first to set off a 60 megaton bomb—something we have never done. They were the first to deploy a fractional orbital bombardment system.

I should observe at this point that from 1945 until the fall of 1949, we in effect unilaterally disarmed so far as the hydrogen bomb was concerned. We had the understanding, the talent, and the know-how from the days at Los Alamos to go ahead with what was then called the super project. We made no move in this regard until Klaus Fuchs was apprehended and we had the conclusive evidence that the Russians knew a lot about it. Klaus Fuchs, of course, turned out to be the greatest traitor in this century, especially in the field of technology and science. He had given this information to the Soviets. But for 4 years we did nothing about developing a hydrogen bomb, because we did not want to fuel the arms race.

We need not go into detail about what the Soviets did in the postwar period when we had an absolute monopoly of nuclear weapons. There are too many people in Central Europe in chains today who testify to what they did. There were the continuing harassments of Berlin, and so on. But there were limits as to how far Moscow would go when it was in a totally inferior nuclear position. But if they get into a position where they feel they could move, from a strategic point of view, with relative impunity, I wonder what they would do in this troubled world in trying to extend their influence. I think they would be tempted to take great risks and this could lead to the most dangerous kind of confrontations with us, and with other powers.

Mr. TOWER. Then, would it not be valid to say that even if we should unilaterally initiate a cessation of development, production, and deployment of strategic weapons in this country, we could not expect the Soviets to do the same?

Mr. JACKSON. There is evidence to completely corroborate the Senator's statement.

The Senator will recall that President Johnson invited Mr. Khrushchev not to go ahead with the production of any more fissionable material with the new plants that were underway. There was a unilateral move on our part. We ourselves announced a shutdown. Mr. Khrushchev indicated he was going to do likewise, but instead they added to their capacity. The Russians went right ahead and added to their production of fissionable material.

Mr. TOWER. I thank the Senator for his remarks, and I should like to associate myself with those remarks.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. DOMINICK. I should like to congratulate the Senator for what I think is one of the best speeches I have heard in a long time.

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I think one of the problems we have been facing—and I have said this over and over, to the extent of walking out in anger from one of the Armed Services Committee meetings—is the fact that when we are given data, it is always marked "secret" with respect to what the enemy is doing, but by and large it is not with respect to what we are doing. So the whole security picture has been turned around, and the people of this country have not been permitted to know what the Soviet Union in fact has been doing.

All the information I have—and I would ask the Senator whether this is correct—is that when we leveled off on our Minuteman production and deployment, it is our hope at that time that this would bring down, as I understand it, or would create an atmosphere in which the Soviets themselves would stop their production of offensive weaponry. Am I correct?

Mr. JACKSON. The Senator is correct.

Mr. DOMINICK. What happened?

Mr. JACKSON. The Soviets went right ahead and proceeded to harden their strategic missile sites. They did this at a time when they knew we did not have a first-strike capability.

In fact, today the Soviets are the only one building toward a first-strike capability. We do not have that capability and we do not want it. We made that decision in 1961 when we decided to go ahead with Minuteman. We told the whole world we were going for a second-strike capability and none other than that.

Mr. DOMINICK. In the meantime, did they not produce and deploy the SS–9 and the SS–11 and a good number of their other missiles which are in evidence, and have they not accelerated production, no matter whom they may be targeted on?

Mr. JACKSON. The nature of our position in this matter is well known. The Senator will recall that we entered into a nuclear test ban moratorium with the Soviets. The way in which they announced the termination of the agreement was to set off a 60-megaton bomb. We were acting in good faith and we were not prepared to resume testing. The result was that they were able to test strategic nuclear weapons that were invaluable to them, including ABM weapons, in which 2 years' work was involved.

As a result of their action in this regard they were able to obtain data and information in the strategic weapons field that we have not been able to get because we went along with the nuclear test ban treaty. I supported that agreement. But I point out we had this agreement and without warning they abrogated it. They knew very well their intentions in that regard because from what they were able to do it was apparent they had made the decision months and months previous to the time they broke the moratorium in September 1961.

Mr. DOMINICK. The Senator emphasized the leadership of the Soviet Union in the context of what it might be like 5 years, 6 years, or 7 years from now. I would hope that before we are through we would also get the same type of information with respect to the leadership of the Red Chinese.

Mr. JACKSON. I think the Russians would like to get that information also.

Mr. DOMINICK. I think they would, and I would be happy to have the Senator do the same type of research he has done on this matter and get that information out if he could.

It seems to me that I recall President Johnson urged that we deploy the Sentinel system against a possible Chinese attack in the middle 1970's. I remember reading myself the words of Mr. Mao, who is in charge of that country, saying they would not mind a nuclear world war because they could survive it out of sheer numbers, which would leave no speculation with respect to what might happen if they had more nuclear power than they now possess.

I hope we can get some background analysis of the upcoming leadership in that area and put that information in the RECORD with respect to the forces we are facing.

I congratulate the Senator.

Mr. JACKSON. I thank the Senator. I wish to comment on the remarks of the able Senator.

I think that the Soviets during these tense days with the Chinese Communists are counting heavily, on having in the period ahead, among other things, an ABM system that can deal with nuclear blackmail efforts or an irrational act on the part of the Chinese. We know that very substantial Soviet conventional and strategic forces have been moved into the Sino-Soviet border area. We do not know what might happen. Anything could happen out there. It is a most explosive situation.

I feel quite strongly that, if there is a chance to reach an agreement involving strategic weapons, it is primarily in this area of the antiballistic missile system, because I believe the Russians are going to insist on a minimum number of ABM's, especially in order to deal with the Chinese problem as it is now, and as they may find it in the period ahead. But to get the Soviets to limit the number of their ABM's, I think we need to have our own ABM system really underway—to bargain with. That is the point I developed in my earlier remarks.

Mr. DOMINICK. Mr. President, will the Senator yield further?

Mr. JACKSON. I yield.

Mr. DOMINICK. One of the things that has been of increasing concern to me is the semantic somersaults made in some areas of the country where people who say we have an overkill say we should not deploy the ABM because that would be provocative; and they say build more offensive weapons. That does not make sense to me. It seems to me that if we have an overkill, we should maintain the ability of that overkill to be used as needed.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. JACKSON. I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, I heard the statement of the able Senator from Colorado, regarding the support by opponents of ABM of offensive weapons as an alternative. The distinguished Senator from Washington has made the same statement. In the testimony of Secretary Laird before the House committee, he made a similar statement.

It is said that those who oppose deployment of the anti-ballistic-missile system this year, a defensive system, favor additions of missiles to our offensive systems.

I must say that is incorrect. The framework in which such a statement has been made is—that if a year from now the Soviets are proceeding with the deployment of the SS–9, perhaps armed with MRV or MIRV, at that time, if necessary to protect our deterrent, we could protect our assured deterrent by building additional Minuteman missiles and additional Polaris of Poseidon-type submarines. That is the context in which such statements have been made.

Mr. JACKSON. The Senator is correct regarding his own position certainly.

Mr. COOPER. Yes, but the implication, and I say this with all courtesy as the Senator knows my regard for him, of the statement made here today, and made by Secretary Laird in his testimony before the House Appropriations Committee, is that opponents of the anti-ballistic-missile system are arguing for an alternative; that is, additional ICBM's and the Polaris should be deployed. This is not correct.

Mr. JACKSON. I say in response to the statement of my good friend that it is far less provocative to try to defend our deterrent; then later if that is not adequate, the decision can be made about going ahead with an addition to the offensive system.

We did have some testimony before our committee, the Committee on Armed Services, to the effect that if the situation reaches the point where the Minuteman is really threatened, so that it no longer has a credible position in the deterrent system, then it would be preferable to go the offensive route, rather than try an ABM defense. I think I stated it correctly.

Mr. COOPER. My position is that arms control is the best means of security. But if talks fail—if the threat to this country becomes as serious as the Secretary of Defense says—we can increase offensive weapons to meet the threat. He conjures up a bleak picture for the United States—but one based on several assumptions: First, that the Soviet Union will proceed with the deployment of the SS–9 and construction of Polaris-type submarines. The second assumption, if the Soviet Union takes that course, is that the United States would then protect itself both by the deployment of a better and effective ABM system and by the construction of more intercontinental ballistic missiles, and by Poseidon. These measures would be available to the United States to protect and defend its nuclear deterrent. The assumptions to my mind, are not correct. But they are argued to make the case upon which the ABM is based. The fact is—the Soviets may not proceed as assumed—but if they do—we can protect our security without timelag.

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Mr. JACKSON. Let me say in response to my good friend that the Secretary of Defense, of course, must make certain assumptions because prudence tells him that there is a leadtime factor involved. In other words, what we are really talking about, as the Senator knows, is what the Soviets may have in the way of strategic arms in the 1974–76 and beyond time frame. We look at what they are doing and try to make certain extrapolations from that as to what they may have during that period. Unless we allow for the leadtime, we will not have the means to protect our deterrent in that period. The big debate turns on that.

Mr. COOPER. We shall get into those points later, during debate. But on the question of leadtime, if it should become necessary to build additional offensive weapons I believe the Senator will agree that there would be time to do so.

Mr. JACKSON. Well no. This involves cranking up production of Minutemen and Poseidon missiles, producing and deploying them which takes time. Polaris submarines take time. We have had various estimates of the leadtime required, and they can be supplied to the Senate. What we are really talking about is what the capability will be during the mid-seventies and beyond.

Mr. COOPER. We shall be prepared on these points.

Mr. DOMINICK. Will the Senator from Washington yield so that I may make one more comment?

Mr. JACKSON. I yield.

Mr. DOMINICK. In my comment, I did not mean to impugn anything about one of my most beloved friends in the Senate, my friend from Kentucky (Mr. Cooper). I had not meant it personally. What I have said is that from all over the country, and from many scientists, they have said that we are capable of building a defensive weapons system that will be provocative, but if we build an offensive system it will be nonprovocative. That seems to me to be a question of a semantic somersault. I can understand it in the context of putting it in what the Senator is talking about, but this is not the context in which many people are putting it, including the previous Secretary of Defense.

Mr. COOPER. I have heard the testimony of the scientists before the Armed Services Committee, and the subcommittee of the Foreign Relations Committee chaired by the Senator from Tennessee (Mr. Gore), except when I was ill. I have read the testimony. I do not know any scientist—I may be wrong, but I have not so read or heard—who said that, as an alternative to ABM, offensive weapons should be deployed

Mr. JACKSON. On that one point, the Senator has read the testimony of many experts from each side of the ABM. I do not have that at my fingertips, but in the next few days I will place in the Record a number of statements. It was my understanding that if the threat reached the point that it was, indeed, a grave threat to the Minuteman deterrent, they would advocate going forward with a buildup of the offensive forces. I shall place that in the Record. I believe that was the testimony, for example, of Dr. Rathjens and Dr. Chayer, and possibly others such as Dr. Wiesner.

Mr. COOPER. I think that is correct. That is the statement I have made.

Mr. JACKSON. I thought the Senator said they did not say it.

Mr. COOPER. In the event of a threat that materialized——

Mr. JACKSON. Let us put in the Record what it is.

Mr. COOPER. We would have the option, if necessary, of deploying additional offensive weapons.

Mr. JACKSON. But, as I recall, they said it was in preference to the ABM. It seems to me, from the Russian point of view, that going ahead with an offensive system would be far more provocative and destabilizing than providing for a defensive system. That was my point. But, in any case, the record will speak for itself as to what they and others have said.

Mr. COOPER. We will place in the Record their statements——

Mr. JACKSON. May I just add this other thing, since the colloquy referring to the leadtime necessary to crank-up Minuteman production and deploy a substantial number, I am advised that the leadtime is a number of years—some estimates run as high as 4 to 5 years.

Mr. COOPER. I do not think so. Perhaps the Senator can produce the facts for the Record during debate.

Mr. JACKSON. I will supply data on this matter.

Mr. COOPER. I have listened to the speech of the Senator from Washington very carefully. He always makes a very effective and informative speech. I am not going to question the judgment of the Senator from Washington regarding characteristics of the Politburo. I do not contradict the Senator's statement about the new doctrine which the Soviet Union declared——

Mr. JACKSON. The Brezhnev doctrine.

Mr. COOPER. In connection with Communist countries. It is an unusual innovation in any system of law and international relations. Czechoslovakia was a brutal example.

I would argue that if the Soviet leaders are as unpredictable as it is said they are—and they may be—and if the threat which the Senator has pictured so grimly, as has Secretary of Defense Laird, is a true threat, and knowing that both countries are armed to the teeth, that the United States has more men under arms around the world than the Soviet Union and that though the United States possesses three times as many nuclear warheads as the Soviet Union, that both countries have the capability of destroying the other, even if first struck by a nuclear attack—then the Senator's speech supports the argument that we are making. Let our great and humane country try in negotiations, to determine whether it is possible to reach an agreement to control both offensive and defensive weapons rather than deploying new weapons systems such as ABM or MIRV. If not an agreement in formal terms, a tacit agreement proved by a halt in their deployment by the Soviet Union and the United States.

This course of action, of effort, offers at least some ray of hope for the people of our country and the rest of the world. It is better to make the effort, even if it fails, than to vote to pile up these weapons, particularly at a time when we are preparing for negotiations to urge their control.

Mr. JACKSON. Let me respond to my good friend from Kentucky by saying that I have the highest regard for his sincerity in presenting his point of view. No one that I know of, on the committee or in the Senate, has stated that we do not have this awesome strategic nuclear capability at the present time. I have been trying to emphasize that we are not talking about that now. We are talking about 1974–76. I do think that the Senate should know what is happening in the strategic arms field. The Soviet Union, as the Senator knows, now has deployed or has under construction, more land-based, long-range missiles, not to mention their medium-range missiles, targeted on Western Europe, than the United States. Also, as the Senator knows, the Soviets have a greater megatonnage deliverability capability right now than we have.

Speaking of nuclear arms, we should remember, when we are talking about nuclear strategic capability, that it is not just the number of warheads that matters; it is warhead numbers, times yield, times deliverability, that spells out the nuclear posture.

I want to add that I share the Senator's desire to negotiate with the Soviets. I have supported all moves in that regard. But now I want to ask a simple question:

Why would the Russians negotiate to give up or limit an ABM system if they have one and we do not have one? Where is our bargaining power in that situation?

Mr. COOPER. They may not. The Senator has answered the question in his own speech. He said it may well be, as a result of these negotiations, that the Soviets and the United States may decide they want an ABM system. But this would be the result of agreement.

Mr. JACKSON. I think it is desirable to have a limited number of ABM weapons. I do think, in light of the condition that exists between the Soviet Union and Communist China—and the Senator is fully aware of what has happened there is recent weeks—there is a good chance that, while the Soviets would not want to eliminate the ABM system, they might agree to limit the ABM's they would deploy—that is, if we do not scuttle our own ABM program before the talks even begin.

Mr. COOPER. That is the issue the Senator raised—that the Soviets would not abandon their ABM system. The argument that we should make a decision now on deploying ABM to help in negotiations does not hold water. I do not believe that a decision now to start deployment of an ineffective ABM system, which cannot be deployed or tested as an integrated system until 1974, is going to have any weight with the Soviet Union. Either Dr. Foster or Secretary Laird testified before the House committee that we could destroy their partially deployed ABM system around Moscow. We would

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just overcome it with missiles. I would consider that the Soviets believe they could similarly overcome our ABM system.

Mr. JACKSON. Did he mean now?

Mr. COOPER. Of course, we have the MIRV. They have MIRV, we believe.

Mr. JACKSON. We are not so sure they do not have MIRV.

Mr. COOPER. We know what we have. If we are to have control and limitation of arms, I believe the factor that either country has the power to destroy the other will be the deciding factor, rather than an ABM system which may be physically deployed 4 to 6 years from now, and not an effective one, even then.

Mr. JACKSON. Again, on the negotiation question, the Senator will recall that the debate on the ABM grew out of the military construction bill. We discussed foreign and defense policy in connection with the military construction bill for over a week.

The Senator will recall that the argument was made that if we went ahead and first deployed the ABM system, the Russians would not talk. It is all in the record. I do not need to go into detail. The argument was that they would not talk. I took the position that if we went forward with the ABM, we would increase the Soviet incentive to come to the conference table. The Senator will recall that on a Monday we voted to go ahead with the ABM, and on a Thursday Mr. Gromyko asked for talks. This is the significant point. I did not assert at the time that by going ahead we would force the Russians to talk, but I did point out that the constant argument being made that the Russians would not talk if we went ahead did not make sense. The record speaks for itself.

Mr. COOPER. I remember that. I was one of those who argued——

Mr. JACKSON. I do not recall that the Senator took that position, but other Senators did.

Mr. COOPER. I want to be honest——

Mr. JACKSON. I was trying to protect the Senator.

Mr. COOPER. I doubt that the Soviets are so loosely organized that they would make such a decision in 3 days, upon a vote by the U.S. Senate to deploy the Sentinel system. I am almost ashamed to make the debating point that last year the argument was made that construction of the Sentinel system would bring the Soviets to talks. This year, we have abandoned the Sentinel system as ineffective. We should not vote to deploy ABM before we commence negotiations. The objective is to stop the arms race—not accelerate it.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. FULBRIGHT. The Senator has made a very interesting speech characterizing the leadership of the Russian Government. I am not sure his speech will promote talks, or very friendly talks, but that is beside the point.

Mr. JACKSON. Has the Senator read the series of articles by Anatole Shub recently published in the Washington Post?

Mr. FULBRIGHT. I did. I read another article following that which is contradictory to it. But that is neither here nor there. It does not matter what Mr. Shub said. The Senator is a distinguished Senator from Washington and a leading Senator, who would have been Secretary of Defense, according to all reports, if he had wanted to be. It is quite a different thing to read what the Senator from Washington said and to read what Mr. Shub said. Mr. Shub is a fine newspaperman who was in Russia but was asked to leave by the Soviet Union. I imagine he was not pleased by that development. I do not wish to make any point of that.

I understood the Senator to refer a moment ago to "first-strike capability." I am wondering in what way he uses the term "first-strike capability." What does that term mean to the Senator from Washington?

Mr. JACKSON. It means to the Senator from Washington an ability to destroy their nuclear strike force to the point where they would not be able to provide a creditable strike force against us.

Mr. FULBRIGHT. A retaliatory one?

Mr. JACKSON. Yes. I am not saying what the Soviets intend to do with the capability they are building. I do not know what they intend. I am talking only about capability.

Mr. FULBRIGHT. A moment ago I understood the Senator from Washington to say—not in this colloquy, but just before—that the Soviets today have the only first-strike capability in the world; we do not have a first-strike capability.

Mr. JACKSON. I believe the Soviets are building toward a first-strike capability. We are not seeking a first-strike capability.

Mr. FULBRIGHT. I would like the Senator to elucidate that a little.

Mr. JACKSON. Yes; I shall be happy to. As the senior Senator from Tennessee (Mr. GORE), who is a member of the Joint Atomic Energy Committee, will recall, we were advised several years ago that the decision had been made not to go ahead with big nuclear bombs.

Mr. FULBRIGHT. That is right. They are big, but not as big as theirs. I would say one megaton is pretty big.

Mr. JACKSON. I am talking about nuclear weapons that are capable of destroying hardened silos in the Soviet Union. Mr. McNamara made the decision in 1961, when we moved rapidly with the deployment of the Minuteman force, that we had bombers that could deliver nuclear weapons of many megatons greater than the Minuteman or the Polaris or the Poseidon, when it is deployed; but—and this is the point—we could not use manned bombers to knock out the hardened silos in the Soviet Union, for the simple reason that by the time the bombers got there, with the warning the Soviets would have, the silos would be empty.

Does that answer the question of the Senator?

Mr. FULBRIGHT. No. I asked the question, or perhaps the Senator from Missouri (Mr. SYMINGTON) did, of the present Secretary of Defense, Mr. Laird, if he considered that the Russians had the capacity now to knock our retaliatory capacity. In other words, did they have a first-strike capability? If I recall, he said they did not. So we have a direct conflict between the Senator's testimony and that of the present Secretary of Defense, which strikes me as rather odd, inasmuch as the Senator from Washington could have been Secretary of Defense, had he chosen to be. I am sure that is correct.

Mr. JACKSON. No.

Mr. FULBRIGHT. I mean correct about the difference, not about the Secretaryship.

Mr. JACKSON. Let us stick to the present question the Senator poses. The Soviet Union does not now have a capability of destroying our retaliatory force.

Mr. FULBRIGHT. The Senator said a few minutes ago they did.

Mr. JACKSON. I made a very clear distinction in the colloquy with the Senator from Kentucky. I said we are not talking about our current capability. We are talking about what it will be in 1974 or 1976. I am sorry if there was any misunderstanding.

Mr. FULBRIGHT. This is what I am trying to clarify: I think the Senator said prior to that, because I made a note of it, that the Soviets today have the only first-strike capability in the world, that we do not have a first-strike capability.

Mr. JACKSON. No; that is not correct.

Mr. FULBRIGHT. I was simply going to ask the Senator to clear it up now, because I thought he just now said they did not have a first-strike capability; but he says they do have it now?

Mr. JACKSON. What I am saying is that a first-strike capability, of course, is not achieved, in a technical sense, until you can destroy a sufficient number of the hardened or, shall we say, submerged submarines of the adversary, as well as a sufficient number of the ICBM's to the point that he cannot make a credible retaliatory response.

But I am pointing out to the Senator that I do not know why the Soviets would want to have a 25-megaton capability in their missile, if it is only for a second strike? I would like to obtain a response to that question. I think with a 25-megaton warhead, if you get enough of them, you have a first-strike capability, and you can have a second strike, third strike, fourth strike, many different strikes. But when they get enough of that kind of megatonnage in the warhead of a missile, and enough missiles, if there are no other steps taken to protect our missiles, with the number of Minutemen that we have now deployed, the Soviets could destroy a large enough number to make our land-based retaliatory force ineffective.

Mr. FULBRIGHT. We spent 3 hours, I believe—the Senator from Tennessee was there—in executive session the other day with the present Secretary of Defense and the Director of the CIA, much of it on this point. The Secretary finally agreed that all he was talking about, as to capability, was that these SS–9's were capable of destroying a Minuteman silo. He did not mean to imply that this would be a first strike capability, because they had no feasible way to deal with either our bombers or the Poseidon, and so on.

In other words, he retracted, in my view, what he publicly had said in the first meeting with our committee, when he said:

> They are going for a first strike capability, let there be no doubt about it.

All I am trying to do is clarify the record. I do not wish to precipitate a big argument on the merits, although I will have to say, in view of what the Senator has said, that there was a deliberate decision on the part of our Government not to go for these big ones, because they are a less efficient use of our fissionable capacity.

After all, a megaton in a Minuteman is a terrific weapon; it is 50 times the force that destroyed Nagaski. It was felt that there was no point in developing one that big, and I assume that the Senator from Washington agreed with that decision.

Mr. JACKSON. That was correct.

Mr. FULBRIGHT. This was a deliberate decision, because it was the most efficient way to use our fissionable material.

Mr. JACKSON. I cannot agree with the Senator on that at all. The decision was not based on the efficient use of nuclear material. The decision was made that we would not go for a first strike capability against the Soviets. Bear in mind, we had a wide lead then. The decision was made that we would have a second-strike force that would be usable only against soft sites—cities airfields, and so on—I want to make it clear that the decision was not made on the basis of efficient use of fissionable material.

Mr. FULBRIGHT. You get much more out of a number of small ones than one big one; I think that should be obvious. When you consider the capacity for destruction of a megaton, it is a terrific weapon. You can destroy a city like Washington with one of them.

Mr. JACKSON. The Senator is correct; but he has to make the point, however, when he argues in that direction, that it requires only a minimum megatonnage to knock out a city.

Mr. FULBRIGHT. But we have plenty for a retaliatory strike, if they knocked them all out. That is one point I am making.

Mr. JACKSON. We are talking about what the situation is going to be in 1974, or 1976. I emphasize that, because that is the issue.

Mr. FULBRIGHT. Yes; and that is based upon a lot of assumptions. It is assuming that the Russians will continue to develop theirs, and we will stand still and will not make any more, and that has been argued at great length.

I wish to ask a few other questions. I also understood the Senator to say, and I want to see if I am correct—I believe the RECORD will show—that the Senator said the Russians have deployed a fractional orbital bombardment system. Did he say that, or not?

Mr. JACKSON. That is correct.

Mr. FULBRIGHT. They have deployed it?

Mr. JACKSON. Yes.

Mr. FULBRIGHT. And it is workable, and in operation?

Mr. JACKSON. I might say to the Senator, he can find the statement in open literature. A top-ranking Soviet officer, in one of their official publications, so announced it. And we know that they have deployed some.

Mr. FULBRIGHT. Some. But I mean, is it an operating weapons system?

Mr. JACKSON. They have an operational system. It is limited in numbers at this time. One of the problems in this regard is that they use, as a booster, the SS-9.

Mr. FULBRIGHT. But did the Senator say it? I am not arguing with the Senator; I just want to be sure I heard the Senator correctly.

Mr. JACKSON. The Senator heard me correctly.

Mr. FULBRIGHT. That it is an operational FOBS system?

Mr. JACKSON. That is right. They have available for use an operational fractional orbital bombardment system.

Mr. FULBRIGHT. Deployed?

Mr. JACKSON. Deployed.

Mr. FULBRIGHT. Very well. I just wanted to be sure.

The Senator mentioned a time when we offered to freeze testing fissionable material, and the Russians, in return, tested a large bomb?

Mr. JACKSON. No, I did not say that.

Mr. FULBRIGHT. What did the Senator say?

Mr. JACKSON. What I said was that in 1961, in September, I believe, the Soviets, without warning, broke the nuclear test moratorium and set off a 60-megaton bomb. I think it was on the same day.

Mr. FULBRIGHT. Was that a formal moratorium, or a tacit one?

Mr. JACKSON. It was an understanding. I ask the able Senator from Tennessee, who is present in the Chamber, and who, I think, attended some of the meetings at Geneva.

It was an understanding, in any event. Whether it was reduced to writing, I do not know for sure. I will come to the other question.

Mr. FULBRIGHT. That we offered to freeze the further manufacturing of fissionable material. Did the Senator say that?

Mr. JACKSON. No, I did not say that. I will answer the question.

Mr. FULBRIGHT. I do not want to put words in the Senator's mouth. I am asking whether he said something to that effect.

Mr. JACKSON. No, I did not. I said that President Johnson announced that we were closing some of our nuclear reactors. He had taken this up earlier with Mr. Khrushchev, and Mr. Khrushchev agreed to close, or not go ahead with, some of the new reactors that the Soviets were building. What happened, though, was that we closed ours, and the Soviets went ahead and finished theirs, and they are in operation. I believe the chairman of the Joint Committee on Atomic Energy at that time, the distinguished Senator from New Mexico, Senator ANDERSON, can corroborate what I have just said.

Mr. FULBRIGHT. Then I misunderstood. We did not, either then or at any other time, offer to freeze the development of fissionable material?

Mr. JACKSON. No. This point came up, as the Senator may recall, in a question raised by the able Senator from Texas (Mr. TOWER) about unilateral disarmament proposals. I stated that this was a proposal that we had made and I mentioned what had happened as a result of it.

Mr. FULBRIGHT. I, of course, am not prepared, and do not wish to try to question any of the Senator's characterizations of the members of the Politburo. I do not know them personally. I have read some of the descriptions of them, as the Senator mentioned, particularly those by Mr. Shub and also others. I would agree that the members of the Politburo have not shown, in my opinion, very good judgment, particularly with regard to Czechoslovakia. As the Senator from Washington said, it was a great mistake. I believe he said that. I forget how he characterized it.

Mr. JACKSON. It was a terrible tragedy for the people of Czechoslovakia.

Mr. FULBRIGHT. That is correct.

Mr. JACKSON. But, as the Senator knows, Moscow did not stop with the invasion; the Politburo laid the groundwork for further invasions with the Brezhnev doctrine, which they announced, after the assault on Czechoslovakia, and as an attempt to justify it.

Mr. FULBRIGHT. I think the Senator is correct. But I am not so sure that there is a great difference between the attitude of what they call the Brezhnev doctrine and the recent doctrine of our former Secretary of State, who made statements to the effect that we do not have to have treaties in order to preserve peace around the world; that we were prepared to—I forget the exact language, but the purport was that we were prepared to intervene at almost any time or anywhere that we thought that it was in our interest to prevent the spread of communism.

Mr. JACKSON. I do not think the Secretary said that. May I comment on that point?

Mr. FULBRIGHT. Yes; certainly.

Mr. JACKSON. My understanding was that Secretary of State Rusk had indicated the number of treaty obligations we had throughout the world. Then, after going through that long list, he said there might be situations in the world where it would be in the national interest of the United States to come to the aid of a country, even though we did not have a formal treaty. I think that was what he said.

Mr. FULBRIGHT. I do not see much difference between what I said and what the Senator from Washington said.

Mr. JACKSON. The Senator from Arkansas said "intervene."

Mr. FULBRIGHT. Well, "come to the aid," if the Senator wishes. The Russians are saying that they came to the aid of the sound and God-fearing Communists in Czechoslovakia.

They were coming there to the followers of Novotny who had been put out. Every big country always takes the position that they are coming to the aid of their friends and of those who believe in the same gods they believe in. This is characteristic of all big countries.

It is very unpopular ever to equate one's own country with another country with whom one disagrees or a country that has a different point of view.

The belief that the big countries are characterized by some common faults is not much accepted. The belief is: "It is very good to take the position we are taking." That was the position more or less of the late John Foster Dulles who took the position that we are good people and all other people are suspect, and particularly the Russians.

The Russians are very shortsighted people, in my opinion, in many respects. However, I cannot say on the other hand that everything we have done has been above suspicion and motivated by the common good.

I think we have our national interest at heart. As the Senator has said, wherever our national interests are affected, we act. In the Dominican Republic, in the face of specific treaties that said specifically that we would not under any circumstances intervene in Latin American countries, we did intervene. And we did it without even notifying the OAS until after we had done it.

I am not trying here to argue about the particular merits of the matter. I say that action was very similar to action taken by any big country whenever it feels that its interests are involved. I think if we are ever to go along the road that the Senator from Kentucky mentioned a moment ago and if we are ever to make any progress away from the constantly increasing arms race and the piling up of more and more armaments, we have to have some kind of political agreements.

To make statements condemning the leaders of another country, and one of them in particular, saying that he engaged in bloody intrigue is not a very good way to have talks.

Mr. JACKSON. Mr. President, let me observe that I would think that the first question that any logical person would want to resolve in deciding how to vote on a defense appropriation bill would be: What kind of an adversary do we face? This is what I have done. I have tried. And I spent a lot of time on this matter. I must say that I think we face a very rough adversary, a very dangerous adversary, and an unpredictable one.

I think this is a logical and sensible approach. Let me get to the other two points the Senator raised before I yield to the Senator.

The Senator mentioned Czechoslovakia and said that maybe the Russians were intervening at the request of the Czechs.

If the Senator will recall, early on the night of the invasion or the next morning, the Russians got out a statement saying that they were intervening at the request of the Czech leadership. Of course, the whole handling of the Czech affair by the Russians was so clumsy that it turned out the request had not been made. They were so crude that they did not even go through the usual Communist ritual of setting up some kind of pro forma request. When they got into Czechoslovakia they could not find a "quisling" to work with and they had to get Dubcek out of jail, where they had put him, and deal with him again.

The Senator has mentioned the Dominican Republic and apparently tried to compare this with Czechoslovakia. What we did there resulted in a free and open election. What kind of election is being held in Czechoslovakia?

Mr. FULBRIGHT. I did not say anything about an election. I did not say the Russians were invited by Dubcek. They were not. But they said they were.

I am not saying they did not lie about it. I think they did. All I am saying is that they put it on the ground of protecting Communists. We originally put our action in the Dominican Republic on the ground, as the President said, of protecting American lives.

I was at the White House when the President told us that 500 Americans were threatened and that we were going to take them out. He never alleged that the Dominican Government asked us to intervene. However, later on different reasons developed.

Mr. JACKSON. However, there was a free and open election there.

Mr. FULBRIGHT. That is another matter.

Mr. JACKSON. That is a very important matter, Mr. President.

Mr. FULBRIGHT. That is not the point I am making. I am not trying to make the point that they are a democracy and we are not. We are a democracy, and we have a Constitution, thank God. And we have a Senate that functions. We are trying to make it function now.

The real point of the debate is not the ABM as such.

The whole point of the debate is an effort on the part of some Members of the Senate to reassert some control over the military department. The Senate is the only agency of the Government that can do it. I do not exclude the President. The Senate is the only agency that can bring about any degree of control over the military department because of the peculiar situation in our Government. That is what the debate is about.

The point that is being argued happens to be the ABM. It could have been any other of a number of things that might develop. However, the ABM developed out of a variety of circumstances.

That is what it is all about. I do not deny that we are a democracy. I am glad that we are, but we should not be so self-righteous about it as to say that we do everything because of some fine motives. That is not right. We do it to protect our interests.

I do not decry that in every case. We do it when our interests are involved, and not through some misunderstanding of a situation.

That is the point I am making. It is the same thing with weapons. We have been told we have enough weapons to kill them 10 times over. The Senator from Kentucky said that a moment ago. And I agree with him. The Senator from Missouri (Mr. SYMINGTON) was here. It was said that we have three times as many lethal strategic weapons.

I believe he said that a moment ago. He said deliverable strategic weapons. We are not talking about IRBM's, the short-range vehicle. We are talking about the Minuteman, the Poseidon's, and those that are deliverable by airplanes and so forth.

Mr. JACKSON. If the statement is limited to the long-range manned bombers, we do not have that figure.

Mr. FULBRIGHT. Of course, we have got some manned bombers that are not so long range, too. The Senator knows that. They can deliver them. The reference was to deliverable strategic weapons.

I do not wish to engage in a numbers game. We have enough to destroy them. The Senator from Tennessee discussed it in the hearings and said that we had far more than enough to destroy the 50 largest cities in Russia, to hit each one of those 50 largest cities with 48 missiles.

The point is that, it seems to me, the whole thread of the Senator's argument is, first, that the Senate should not intervene. We should not intervene to put our decision or our judgment in the place of the President's on the ABM, which means the Defense Department.

Mr. JACKSON. Before the Senator goes on to that point, one thing I wanted to get clear is his position. Do I correctly understand that the Senator feels that it is wrong for the Senator from Washington to discuss the nature of the adversary? He said it is going to hurt Soviet relations.

Mr. FULBRIGHT. I do not think it is wrong.

Mr. JACKSON. What was the point, then?

Mr. FULBRIGHT. It is not wrong for the Senator to take the position which I think he does. The thrust of his argument is that there is no point in having talks or trying to make agreements with the Russians. They are so bad that they are beyond the pale.

Mr. JACKSON. I have never said that.

Mr. FULBRIGHT. I said that is the thrust of his argument.

Mr. JACKSON. No, that is not so at all.

Mr. FULBRIGHT. And the effect of what he says about the leadership is that he has not the slightest hope that the Russian leaders will make an agreement.

Mr. JACKSON. You obviously did not listen carefully to what I said, because I argued for serious arms control negotiations with the Soviets.

What concerns me is that many Senators say there is not enough information available about weapons systems, so we are going into executive session——

Mr. FULBRIGHT. I did not ask to go into executive session.

Mr. JACKSON. I did not say that. I said Senators have made this point. Surely we also need as much information as we can get about the Soviets. I was really surprised when the Senator raised the question that somehow it was out of order to discuss the nature of the adversary.

Mr. FULBRIGHT. I did not say it was out of order. The Senator is never out of order. He says what he pleases. That is why we have the Senate. That is the only place it can be done.

Mr. JACKSON. I would think that the No. 1 order of business in the Committee on Foreign Relations would be to hold hearings on current developments in the Soviet Union—in short, on the nature of the adversary.

Mr. FULBRIGHT. This is interesting. The press did not pay much attention to it, but the Committee on Foreign Relation has held three hearings this year and we had one last year on this point. We made inquiry as to whether there were any competent people in the field of psychology or psychiatry studying the Russians. No such research is going on. We have all kinds of research sponsored by the Defense Department, but, according to the best authorities we could get, such as Dr. Karl Menninger, who is acknowledged to be one of the greatest psychiatrists in the world, and certainly in this country, and Dr. Hall—nobody is really trying to understand the Russians. The Committee on Foreign Relations has tried to foster studies to understand what the Russians are motivated by and what they are like.

Mr. JACKSON. Before the committee called the psychiatrists, I would think it would have called in experts on the Soviet Union.

Mr. FULBRIGHT. We had anthropologists.

Mr. JACKSON. Before the committee called the anthropologists, I would think it would have called the Kremlinologists.

Mr. FULBRIGHT. What is an expert on the Soviet Union, in the Senator's opinion?

Mr. JACKSON. I think there are a lot of scholars in this field who have devoted their life to the study of the Soviet Union and who know a lot about it.

Mr. FULBRIGHT. Would the Senator give me some information about that?

Mr. JACKSON. Yes. I would call, as an outstanding witnesses, Dr. Philip Mosely, of Columbia, one of the great scholars in this field; also Dr. Fainsod, of Harvard; also Dr. George Taylor, of the University of Washington. There are men like Ambassador Tommie Thompson. There are distinguished authorities like Ambassador Chip Bohlen, who has been in the Foreign Service and served in Russia a long time. I would think it would be a matter of concern to find out what is really going on in the Soviet Union.

Mr. FULBRIGHT. We have had all those at different times in the past. The Senator misunderstands.

Mr. JACKSON. Has the committee made a study of the Politburo? Has the committee gone into it in detail? Who were the witnesses.

Mr. FULBRIGHT. We have had before our committee, both formally and informally, Thompson and Bohlen, in the usual course of events.

Mr. JACKSON. I assume they were there as Ambassadors. They had to come up to be confirmed. What I was talking about was hearings on current developments in the Soviet Union, including the present Soviet leadership.

AN ALTERNATIVE TO SAFEGUARD

Mr. HART. Mr. President, I bring to the attention of the Senate a study by a group of able University of Michigan scientists who support additional defense of Minuteman missiles but reject the Safeguard system on technical and cost grounds.

These scientists conclude that Safeguard, because of radar and computer problems and because of inadequate testing opportunities, is unlikely to provide a credible defense.

They claim that even if technical problems were solved satisfactorily, the proposed Safeguard system would have to be expanded to more than 1,200 Sprint missiles to provide an effective defense for Minuteman.

The study puts the cost of Safeguard, including projected overruns, at $28 billion; of the expanded system, at $40 billion.

Noting their support for defending our Minuteman deterrent, the scientists estimate that for $5 billion we could further harden our silos to the point which would require Russia to launch 6,000 missiles to insure destruction of our retaliatory force.

The Secretary of Defense justifies the need for Safeguard on the grounds that Russia may have 500 missiles by 1975.

The study makes clear that, if indeed it is important to increase protection of our Minuteman missiles there is at least one alternative which is cheaper and more effective than Safeguard.

The study also notes that Moscow could interpret installation of Safeguard as an effort to develop a first-strike capability, thereby stimulating the arms race.

I ask unanimous consent that the report be printed at this point in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

A Report of the Cost of the Safeguard ABM and Alternative Proposals

SUMMARY

We present assessments of the Safeguard ABM, and of an alternative to ABM that we believe provides better defense of the U.S. ICBM force at significantly less cost.

In developing our cost estimates of the Safeguard system, we have taken cognizance of the radar vulnerability and the small number of Sprint missiles destined for defense of our ICBM's. We conclude that critical reviews of Safeguard would call for much more extensive deployment of radars and Sprints than proposed and for abandonment of most sites not involved in ICBM defense. We estimate the final cost of the currently proposed Safeguard at 28 billion dollars, while 40 billion dollars is our estimate for the revised ABM. This estimate takes into account technical problems such as the short time available from target detection to Sprint ignition and the outstanding computer programming difficulties involved in target recognition under realistic conditions, and the overruns characteristic of deployments requiring solution of such technical problems. On technical grounds it is likely that neither system would provide a credible defense.

The alternative defense of our ICBM force, which we strongly support, is a superhardening of Minuteman silos. The military has made a proposal for greatly strengthening and isolating the silos which can now withstand some 200 pounds per square inch blast overpressure. This hardening would significantly reduce the distance at which a nuclear weapon could render the Minuteman inoperative. We make several analyses dependent on a range of realistic values for Soviet missile accuracy and payload, and find, for example, that the Soviet Union would have to launch some 6000 missiles of the S-9 category against our superhardened sites, in order to assure 95% destruction of our Minuteman installations, which destruction level is usually taken as one requirement for a "successful first strike." This result applies equally to attacking missiles with 25 megaton warheads and to use of multiple warheads. (The first strike would also have to be similarly effective against all other U.S. deterrents.) It is estimated that this hardening program will cost 5 billion dollars and will not require substantial advances in technology. We submit that it is likely to be a credible defense and that beyond its technical feasibility and much lower cost, it offers the special advantages over ABM of its completely passive nature and its ever-ready standby status.

I. SAFEGUARD AND A REVISED ABM

Introduction

The Safeguard Anti-Ballistic Missile system proposed by the Nixon administration has two goals: The "area" defense of a large portion of the United States, and a "point" defense of portions of several Minuteman ICBM bases. The "area" defense, relying primarily on Spartan missiles with a range of several hundred miles, is proposed in order to counter a "light" attack by a small number of IBCM's against centers of population. President Nixon stated this purpose in his news conference of April 18, 1969:[1] "The other reason (for Safeguard) is that . . . by 1973 (the Chinese communists) would have a significant nuclear capability which would make our diplomacy not credible in the Pacific unless we could protect our country against a Chinese attack aimed at our cities." The "point" defense utilizes Sprint missiles with a range about twenty five miles and is supposed to protect our Minuteman missiles in order that they will be available to retaliate after a nuclear attack. We will deal only briefly with the area defense proposal. There are many reasons to believe that this portion of Safeguard should be omitted, and the suggested phased deployment for Safeguard would permit just that.

Unlike the area defense, a point defense of some of our ICBM's may be feasible in terms of present technology, although it could be overcome by a variety of Russian countermeasures.

Because of this possible feasibility and because of the extreme importance of effective protection of our nuclear deterrent, we feel this to be the essential part of the Safeguard proposal. In Section I of this report we will review the Safeguard proposal and introduce a Revised ABM proposal designed to remove incapacitating weaknesses in Safeguard as protector of our ICBM deterrent. We argue that such revisions would be made in the course of review if it were decided to continue with the ABM program. In Section II of this report we assume that we will use Safeguard or the Revised ABM to try to protect our Minuteman retaliatory force and we assume that the Soviet Union will not develop sophisticated countermeasures. We discuss technical difficulties and costs facing ABM. The cost we estimate is substantially more than the administration estimate, largely because of predictable cost overruns. The Revised ABM is even more costly because

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it contains added components in spite of our omission of the Spartans and many Safeguard sites. Finally, in Section III, we discuss other strategic deterrents and alternate defenses for our ICBM's. In particular, there are persuasive reasons for supporting the "Hard-Rock superhardening program for the Minuteman silos.

Critique of the safeguard area defense against light attack

Sufficient arguments have been developed over the past year to convince almost every scientist who has studied the problem of area defense against ICBM's that it would be unwise and wasteful to deploy an ABM system for that purpose at the present time.[2] We are unaware of any detailed attempt to justify this scheme against these arguments. Briefly, the arguments are: (1) The proposed Spartan missiles can be, at most, only marginally effective against incoming ICBM's which employ merely elementary radar-confusing devices, i.e., simple decoys, chaff, and previous nuclear explosions appropriately placed. (2) An important claim for Spartan is that it might disable an ICBM through x-rays at a distance of, say, fifty miles. This possibility would depend, however, on a number of unknown factors, and there would be no choice but to also try to kill the enemy ICBM with Sprints unless the Spartan was known to have detonated only a few miles from the ICBM. (3) If the area to be protected is near the coast, there is no effective defense against either short-range missiles launched from off our coasts or cruise missiles which fly at very low altitude and can maneuver in flight. Because these missiles can be fired from immediately off shore, areas near the coast may have little or no warning. It is inconceivable that any protective systems should have the "hair-trigger" necessary for a defense against such a short-range light surprise attack. (4) It is most unlikely that any nation would be so irrational as to launch a light attack with ICBM's because the damage inflicted upon us would be much less than the destruction we would inflict upon them. Only the ICBM, of the several means available for a light attack, can be definitely traced back to the nation ordering the attack. But the ICBM light attack is the only form for which the Spartan missile has any capability.[3]

Nevertheless, it may be claimed that, although the Safeguard area defense is neither technically nor theoretically sound, we have nothing to lose by deploying the system as a full-scale experiment.[4] The danger in this delusion is that if the Soviet Union believes, or if certain elements in the Soviet Union could effectively argue, that this useless system might work its deployment would severely escalate the arms race. In the mad logic of nuclear deterrence this consequence follows from the fact that the Safeguard area defense is an offensive threat because we could use it to protect the United States after we had launched a first-strike attack. The effectiveness of ABM area defense would be greater under these circumstances because: (1) This complex system is more likely to work as planned if given advance warning (2) The attack might be uncoordinated and weak after the U.S. first strike. Thus an area defense is both ineffective and at the same time stimulates the arms race.

Given that the deployment of an area defense system seems unwarranted at present, we assume for our Revised ABM that it will not be deployed and we deduct that part of the cost. We do so because it seems likely that the promised yearly reviews of the ABM situation will conclude that area defense should not be deployed without considerable additional research and successful innovation. Twelve sites in the continental United States are proposed for deployment in Safeguard. Seven of these are area defense sites, four are ICBM defense sites, and the last is a Washington, D.C., site proposed to defend hardened control centers. We will drop the seven area defense sites in our revised ABM. We think it is realistic to assume that the Washington site will remain in the program. We drop the Spartans at the five remaining sites, although this is not a major cost item. It seems reasonable to retain the long-range radar capability.

McGraw Hill's Defense Marketing Survey has investigated costs of the proposed Safeguard system allowing for no cost overruns.[5] Their estimate is that a system completed by 1975 will cost $11 billion. This includes $8.0 billion, corresponding to the somewhat lower administration figure of $6.6 billion plus warhead procurement, plus some $3 billion for research and development and operation and maintenance. Defense Secretary Laird has since confirmed the $11 billion figure.[6] Since the portion for the area defense system, not counting long-range radars PAR's would in their estimate cost close to $4 billion, the net cost for research and development and for deployment of a point defense system at four Minuteman bases (and for a protected headquarters in Washington, D.C.) would be about $7 billion. In the following section we discuss the sources of added costs if a minimal first-generation ABM system is to be deployed by 1975 or shortly thereafter.

Protection of more Minutemen with more Sprints

Dr. John S. Foster, Jr., Director of Defense Research and Engineering, DOD, has stated that 300 of our Minutemen should survive a first-strike attack in order that our deterrent be credible. This estimate coincides with statements of Robert McNamara. The Safeguard proposal involves protection initially of the Grand Forks, N.D., and Malstrom, Montana, Minuteman farms, which are stated to hold a total of 350 Minutemen. However, although proposed numbers of Sprints have not been revealed, it is apparently proposed to have one cluster of about 75 Sprints at each farm.[7] Each cluster could cover a region some 40 miles in diameter which would contain some 50 Minutemen (The Minutemen are about 5 miles apart).[8]

When this same program is extended as proposed in Safeguard to two additional Sprint bases at Warren AFB, Wyo., and Whitman AFB, Mo., a total of 200 Minutemen would have some protection, i.e. about 300 Sprints worth. This proposal is not adequate. (Cost considerations lead us to believe that we have not grossly underestimated the proposal.) If 300 Minutemen are to survive an attack it would appear that a minimum of 400 should be protected and that each Sprint base protecting 50 Minutemen should have at least 150 Sprints. We conclude for our Revised ABM proposal that four other Sprint bases must be added to the program, giving a total of 1200 Sprints to protect 400 Minutemen. A reasonable probability estimate shows that if twice as many attacking ICBM's are used against the 400 Minutemen as against undefended Minutemen, i.e., if two perfect reentry vehicles with warheads, RV's, are used against each silo (and none against the radars) then about three-fourths of the emplaced ICBM's, or a total of 300, would not be harmed.[9] Actually many Sprints should be used to defend radar so that the number of Sprints should be even greater than 1200.

Reduction of radar vulnerability

A possibly crippling weak-link of the defensive system we are discussing is the vulnerability of the radars. They cannot be hardened so great accuracy is not needed to disable them. A very small number of missile site radars, MSR's, is proposed, in fact only one for each site. A rapid sequence of ICBM's could be employed as a relatively cheap way to knock out the MSR. Prof S. Weinberg has shown that Safeguard could be very cheaply exhausted in this manner, because if the defense does not use up its Sprints defending the radar, the radar will surely be destroyed leaving the remaining Sprints useless.[10] In one of his examples, a battery of 75 Sprints is used up against 33 RV's, with the MSR having only a 10% chance of surviving this attack in spite of the defense. In the overall picture, Weinberg finds that a roughly one percent increase in total enemy ICBM's, at a cost to them of roughly $100 million, would negate two Sprint bases of 75 Sprints each if the extra weapons were used against the radars. It has also been pointed out that the Soviet Union could employ SS–11's, which are inadequate for attacking silos, to attack the radars.

We suggest that a change in Safeguard, with good reason, will soon be recommended as essential to the viability of the ABM system: Rather than one MSR installation per site there should be several, spaced, say, 15 miles apart.

We will add the cost of three backup MSR for each proposed MSR (i.e., 36 at nine sites: five, sites retained from Safeguard and four added) for our Revised ABM proposal.

II. TECHNICAL PROBLEMS AND THE COST OF ABM

Technical problems with radar, data analysis, and control

The missile site radar (MSR), the data-processor, and command and control face a severe problem in the expected conditions of a first strike accompanied by simple countermeasures, i.e., a massive attack with initial explosions leading to radar blackout and with simple decoys, at the top of the atmosphere. We calculate that if a Sprint is to cover a 20 mile horizontal range, it must be fired when the incoming RV (reentry vehicle with warhead) is about 30 miles up (see figure). This is approximately at the top of the atmosphere where the blackout and decoys are still effective.

These numbers are derived from the statement that it is *possible* to unmask, or distinguish, simple decoys by acceleration and other measurements (from the actual RV) at 20 to 30 miles altitude and below, and that radar blackout will be effective for a significant time (several minutes) over an appropriately large area (about twenty miles diameter) at altitudes of about 30 miles and higher.[11] In principle, then, the detection-control system could start a Sprint toward an incoming RV when the latter is some 20 to 30 miles high (see figure). According to information about the velocities of the vehicles, if the impact point is 20 miles off, the Sprint will take about seven seconds from ignition to arrival. The RV will impact from 30 miles up in about 7 to 8 seconds or from 20 miles in about 5 seconds.[12]

To summarize, the time before impact when the RV becomes possibly discernible and the time for the Sprint to reach it before impact are essentially the same—*about 7 seconds!*[13] This is an astonishing demand upon the detection and control system. The time pressure is relieved up to several seconds if the Sprint is installed close to the point of impact. This means that, to protect, Sprints must be assigned an area much smaller than their range. This substantially increases duplication and costs, and places a premium on very fast data analysis. The analysis of this section and the section "More Sprints to Defend More Minuteman" suggest that the Sprint is not ideal for Minuteman protection. A smaller shorter range missile deployed in greater numbers would be more effective.

This severe time squeeze is, however, only a part of the most crucial problem. Scientists and engineers among our readers are asked to consider the information taken in by the

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MSR scanning well over 1000 square miles in the event of a massive attack with many RV's and many hundreds of simple decoys (any one of which is indeed unmaskable *after careful analysis* if it is below, say 30 miles) and with previous explosions (at, say 30 miles) resulting in reflection, absorption, and noise. Many hundreds of trajectories must be simultaneously found and tracked in this radar input, and analyzed in detail. The information is to be gathered and fully analyzed over a period of, say, 3 seconds *at most* and Sprints dispatched (another second to ignition?) and guided. Such a programming problem in pattern recognition is not yet solved. Progress with this type of problem has been much slower than was estimated in advance, and development much more expensive. The time-sharing problems involved in these computations are also staggering.

Professor J. C. R. Licklider has discussed the fact that as computer programs have become larger, programmer effectiveness has dropped. The processing units for the ABM system would have to be many times larger than any previously built and the programming far more extensive, complex, and sophisticated. Professor Licklider writes. "The significant thing is that the main causes of inefficiency lie outside the individual programmer. If the number of programmers working on a given system were increased from 100 to 1000, the hourly productivity of each would decline to one-third or one-fifth—or possibly one-twentieth. It may well be that, for any given state-of-the-art, there is an upper limit to the rate of production of complex integrated software . . ."[14]

We would like to add that development of an effective detector-control system for Sprints as discussed *will be possible only through extensive realistic experiments* or tests. A system developed with experience of one missile reentry with decoys will not operate in the presence of many missiles and decoys, and a system developed with experience of these will not operate in the presence of recent nuclear explosions. As Dr. Foster has stated, it would be very valuable (in our opinion, practically essential) to develop it with tests involving atmospheric explosions (forbidden by the test ban treaty).

It is correct to include the expense connected with these difficulties under the heading of cost overruns, since it arises from the difficulty in the course of development to meet specifications for particular hardware and software. Cost overruns are included in our final estimate as discussed below. We will not include added costs for premature deployment of an inadequate electronics system in, say, 1971 or 1972. We hope such premature deployment will not occur.

Cost overruns

History of Overruns

Detailed analysis of Department of Defense contracting reveals that the Pentagon consistently pays substantially more than was initially estimated for its weapons systems. The actual cost divided by the original cost estimate is called the cost overrun factor. The problem we now consider in our analysis of ABM costs is determination of a reasonable cost overrun factor. We shall discuss both the record of other weapons systems and the general reasons for substantial initial underestimates of cost.

The cost of previous systems can readily be separated into costs for development and costs for production. Average overruns appropriate for application to the ABM are found to be about the same for the two types of costs. A study by Professors Merton J. Peck and Frederic M. Scherer contains a record of cost overruns for development of a number of missile and aircraft projects, mainly in the late 1950's.[15] Their results, with added information, are presented in Table I. These sample projects were of high priority; however, they were typical, not exceptional, in overruns. Several of the well known cases of failure and very high overruns of the period are not included (e.g., Hound Dog, SAGE).

The asterisks in Table I indicate the projects in which "state-of-the-art" problems were severe. They illustrate situations in which techniques to be used were not well-understood or well-developed at the initial stages of the program, so that new areas of engineering had to be developed in addition to the more conventional design work. At present, as we have stressed in Section II above, a useful ABM design would have severe "state-of-the-art" problems in its electronic components, particularly in programming. On the other hand, prototype missiles have flown and thus development difficulties are not expected there. It is not clear how severe warhead research problems will be Since the major portion of projected development costs is for the electronics system, the appropriate cost factor is among the higher values in Table I, such as those marked by asterisks: it should be more than a factor of 3. Considering that research has been under way for some time and that the contractor, Bell Telephone Laboratories, is particularly strong, we shall use the factor of 3. Previous experience suggests that, along with this overrun, development would be completed approximately two years later than predicted.

Table I.—Development cost overruns

Program:	*Overrun*
Atlas *	4.0
Sparrow III	3.5
Talos *	5.0
Land Talos	2.0
Bomarc *	7.0
Nike Ajax	3.0
Nike Hercules	2.0
B–58	2.4
F–4H	2.5
Jupiter	0.7
F–105	3.0
Average	3.2

*Projects with severe "state-of-the-art" problems.

Production costs play a larger part of projected ABM costs than development costs. A study by Professors A. W. Marshall and W. H. Meckling contains a record of production cost overruns.[16] These are listed in Table II, according to difficulties with the state-of-the-art: small risk, medium risk, and high risk. Highly complex weapons systems with extensive electronics are classified as the riskiest projects. The Safeguard ABM clearly falls into the "high risk" category—that is, by Richard A. Stubbing's definition, "a system in which at least one major component must be redesigned. The radar, computer and circuitry are the heart of each electronic system, and redesign in this area reflects the very highest degree of uncertainty as regards expected performance."[17] The average cost for "high risk" systems is 3.4 times the initial estimate. However, Stubbing notes that "the largest cost increases are in missile development, which during this period advanced into a new and radically different technology, involving computers and other electronic equipment capable of solving complex guidance and control problems without human assistance." The average cost for "high risk" missiles was 4.6 times the initial estimates. We see that production overrun experience is very similar to development overrun experience.

Table II.—Production cost overruns

Small risk:	
Cargo aircraft	1.6
Cargo aircraft	1.5
Cargo aircraft	.9
Cargo aircraft	.8
Fighter	2.0
Fighter	1.5
Average	1.4
Medium risk:	
Bomber	2.8
Fighter	2.5
Fighter	2.0
Fighter	1.2
Fighter	.6
Missile	1.3
Average	1.7
High risk:	
Missile	7.0
Missile	6.4
Missile	6.0
Missile	2.7
Missile	.8
Bomber	4.0
Bomber	1.2
Fighter	4.0
Fighter	1.0
Fighter	.8
Average	3.4

The cost-overrun history cited above has continued in this decade without noticeable change. Let us discuss the two projects which are at this time very prominent in the news: the C-5A transport and the F-111 fighter-bomber. Professor Scherer has recently testified on overruns in these programs:[18] "The cost for developing the F-111 was originally estimated at $700 million by General Dynamics and $900 million by military analysts. By 1968, actual development costs had soared to $2 billion. The Phoenix air-to-air missile for the Navy version of the F-111 was to be developed for $175 million. Actual costs were nearing $420 million when the program terminated." The production costs follow the same pattern of grossly underestimated costs for the final product. The initial estimate was $2.8 million, including engine, for the Air Force version. The final price is about $6 million for each F-111A. Initially the cost of the Navy's F-111B was put at $3.5 million for each aircraft. The final cost would have been about $9 million. This weapons system would probably have been initially placed in the medium-risk category of Table II. Similar very large overruns apply to the Cheyenne helicopter, Ma in Battle Tank (MBT), short range attack missile (SRAM) and other recent projects.

On the C–5A, Scherer testified, "No one seems to know what the true overrun in the C–5A program is, but, for example, as nearly as one can tell, the cost of the first 58 airframes will exceed Lockheed's contract cost estimate by about $900 million, or 64 percent. Compared to the F–111 experience, this is not at all bad. But transport programs have traditionally attempted less ambitious technical advances than combat-weapon systems, and their cost overruns have been correspondingly lower." As shown in Table II, low risk aircraft showed an average cost increase of 40%. By this yardstick, the C–5A is not an improvement.

Thus we see that any internal reforms initiated by Robert McNamara did not change the cost overrun picture which has been well documented for the 1950's. Indeed, we shall now present arguments that such overruns are inherent to our general system of new weapons development and procurement. We conclude that overrun factors of 3 or more are to be expected on the basis of past experience for a system such as ABM. We

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shall apply a factor of 3 to projected costs other than construction and maintenance (where we assume no overrun).

Basic Reasons for Overruns

Basic reasons for cost overruns have been given as (i) inflation, (ii) Defense Department and contractor "optimism," (iii) contractor inefficiency, and (iv) technological uncertainty (state-of-the-art problems).

(i) Inflation: The effect of inflation is calculable. Apologists for the contractors notwithstanding, unforeseen inflation should not have been an important element in the overruns.

(ii) "Optimism": Professor F. M. Scherer in recent testimony pointed out: [18]

"Getting a major weapons program started is not easy and realistic cost estimates have a sobering effect. Recognizing this, industrialists and military officers are inclined to view a program's future prospects through rose-tinted glasses." Scherer presented two illustrations, the Skybolt and the Nike Hercules (an ancestor of the proposed ABM): "Prime contractor for the Skybolt guided missile program was Douglas Aircraft Company. In the spring of 1959, when 14 firms were competing for the Skybolt job . . . Douglas found its backlog situation desperate. Skybolt appeared to be its best new opportunity, and it went all-out in the design competition. . . ." Scherer goes on to detail the dramatic denouement of this case whose repercussions remain with us. The Nike Hercules, was executed under prime contracts by Western Electric and its affiliate, Bell Telephone Laboratories (as with Safeguard). At the beginning in 1953, it was projected that the ground guidance and control equipment for Hercules could be obtained by converting existing Nike Ajax equipment in the field for $210,000 a battery. "However, when negotiations for the first production contracts began in the early months of 1955, Western Electric announced a new (and better) approach . . . This turned out to cost $1.7 million per battery . . . In interviews, Western Electric representatives acknowledged that their production engineering staff members knew early in the game that a field modification program would prove to be impractical, but that they had presented the highly optimistic field modification cost estimates because they were more "sellable" to the Army and Congress."

In the past the only authority that has attempted to bring about some realism to cost estimates before major decisions are made is the Office of the Secretary of Defense, OSD. But there are good reasons why one might expect OSD efforts to be inadequate, including the length of lines of communications within DOD and, particularly, lack of motivation. Other considerations such as balance between the services may be more important than cost.

(iii) Contractor Inefficiency: Contractor inefficiency is a difficult problem because the projects are very long-term and thus are non-competitive over long periods, because there is a very close relationship between DOD and contractors, and because it appears to be in the national interest to see major weapons contractors maintain their capabilities. Problems such as support of excess staff during lean periods and the fact that it would indeed be unreasonable to make contractors suffer for natural difficulties going beyond the state-of-the-art make it very difficult to monitor and judge proper costs. The decision-making process calls for constant consultation between contractors and DOD at all stages. In many respects the DOD and its contractors function as one administrative structure. Consequently, the problems of policing costs cannot be solved by admonishing the DOD to supervise its contractors more closely.

(iv) State-of-the-Art: We feel that technological difficulties are underestimated as a serious impediment to accurate cost estimates. In the private sector, corporations are very cautious in developing new products. Technically difficult projects are not pushed prematurely. Contrast the military: A tremendous premium has been placed on new kinds of capabilities and relatively less stress on simplicity and reliability. In areas where new technology has to be developed, it is not possible to estimate costs in advance without the likelihood of a large error. Rather than being realistic about this, the military is strongly motivated to err on the low side. Thus we see great fluctuation in cost overruns from project to project and large cost overruns on the average, particularly where problems with the state-of-the-art were severe

Thus, although there have been many attempts to improve the cost-overrun situation and although these will continue, efforts made after the initial estimate has been made will at best have marginal benefits. The problems are inherent, and will not be circumvented by procedural changes in DOD or showcase default of contract cases. Possibly Congress can develop an independent expert group charged with monitoring programs both technically and economically. However, such a possibility would have little effect on a project beginning now. Our conclusion is that cost overruns for new programs, such as ABM, will be characteristic of similar programs in the past. Thus we estimate that final costs will be 3 times the initial estimates for all R and D and procurement items.

Are Overruns Related to Success or Failure of the Program?

Some high-overrun projects were very successful and well worth the cost. More typical in cases of sophisticated systems is inability to meet specifications. Stubbing cites a "sample of 13 major Air Force/Navy aircraft and missile programs with sophisticated electronics system initiated since 1955 at a total cost of $40 billion . . . Less than 40% of the effort produced systems with acceptable electronic performance—an uninspiring record that loses further lustre when cost overruns and schedule delays are also evaluated." [17] Many of the projects listed in the tables above must be regarded as failures to meet reasonable overall specifications.

We stress the relevance of this to Safeguard, where the carrot or yearly reevaluation has been held out to Congress. The probability is low that the radar data-processing control system will work as a whole under realistic conditions. There is a likelihood, based on experience with past systems, that the attempt to make it work will continue at great expense even after overwhelming difficulties become apparent to technical staff.

This important point can be illustrated by the TFX or F111. The TFX provides an excellent analogue to the ABM because it too was an entirely new weapons system—and a very expensive one. An important factor in continuing the expenditures is the scarcity of hard data available to the public for estimating costs. Despite rumors as early as December, 1964, that the TFX costs were spiraling and a Department of Defense communiqué admitting that they were higher than the original estimates, the president of General Dynamics, Frank W. Davis, felt secure enough to issue, in November 1967, a public denial that the plane was caught up in a price increase.

The public finds itself constantly reassured that its billions of dollars of tax money are being well spent, even if they are not. In March, 1965, it was learned that the Navy version was overweight, that the engines were malfunctioning, and that its missile weapons system was still incomplete. On April 22, 1967, an F–111B crashed. More technical problems were found that August. The Navy version had trouble taking off from an aircraft carrier in September, and later that month a fire broke out in the tail of an F–111. In October, Assistant Navy Secretary Robert A. Frosch said that although the F–111B "will probably not meet all the initial specifications . . . [it] represents the finest fleet air defense system available in the immediate future." Almost a year of expenditures was to go by before the Navy was to cancel the overweight F–111B.

The Air Force, however, persevered optimistically through 1968 in the face of highly publicized crashes, difficulties with terrain-avoidance radar, and too-high cost. General G. P. Disoway, commander of the Tactical Air Command, belittled the reports of troubles with the F–111A saying: "We always have a lot of problems with airplanes until we get them out into the field and then the people in the field seem to cure it." Finally, in January, 1969 the Air Force relented and cut back its orders with General Dynamics. Severe difficulties continue, but Secretary Laird insists upon keeping the assembly lines at Fort Worth running.

The money for this failure cannot be shut off. Once a program begins too much money and prestige are at stake for it to be readily terminated.

We stress, in concluding this subsection, that experience suggests that very deleterious technical difficulties in ABM development are unlikely to prevent substantial deployment. Although there are examples to the contrary, it is hard to stop a program under way. The cost overrun is likely to be large regardless of whether the system is technically a success or a failure.

Cost Estimate

The Revised ABM involves 9 sites with a total of 36 MSR's and 1250 Sprints. Other expenses are scaled from the Defense Marketing Survey [5] estimates for Safeguard as shown in Table III. A cost overrun factor of 3 is introduced for research, development and procurement, but not construction, operation and maintenance. The total cost of the Revised ABM is $40.5 billion and of the Safeguard ABM is $27.7 billion.

TABLE III.—COST ESTIMATE IN BILLIONS OF DOLLARS (THROUGH 1975 FOR PROGRAMS WITHOUT OVERRUNS)

Item	Safeguard		Revised ABM	
	Without overruns	With overruns	Without overruns	With overruns
PAR (long range radar)	0.56		0.56	
MSR (missile site radar)	1.5		4.5	
Spartans	1.05			
Sprints (at $800,000 each)	.56		1.0	
Data processing, command and control	2.0		3.25	
Warheads	.21		.25	
Total, procurement	5.9	17.7	9.6	28.7
Construction	2.10	2.1	3.5	3.5
R.D.T. & E. (research and development, testing and evaluation—for the particular system in question)	2.40	7.2	2.4	7.2
Operation and maintenance	.70	.7	1.15	1.15
Total	11.1	27.7	16.6	40.5

Footnotes at end of article.

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III. AN ALTERNATE TO ABM

Superhardening

The primary purpose of the Safeguard ABM system is to provide a high level of protection for our Minutemen ICBM's force against a Russian first strike. We shall now consider an alternative approach to the problem of ICBM security and its relative advantages.

The U.S. Air Force "Hard-Rock" program provides such an alternative.[19] Hard Rock is a program to bury Minuteman silos deeper and to further isolate and strengthen them. Measured in terms of blast pressure that can be sustained, the proposal is to superharden our Minuteman silos from the present average 300 pounds per square inch over-pressure to a planned 3000 psi, with control areas approaching a hardness rating of 7000 psi in some instances. Some $58 million was allocated to the program in Fiscal 1970, but the program has been brought to a virtual standstill by the Nixon administration in the attempt to sell Safeguard ABM.

There is no question that the hardening of underground missile silos renders them extremely invulnerable to the effects of nuclear explosions. A missile silo hardened to 3000 psi could survive the air blast of a 10 megaton explosion at ranges of less than 1000 feet.[20] The principal damage mechanism to these underground structures is not the air blast, but the tremendous ground shock accompanying a surface or near surface nuclear blast. There is considerable evidence that heavy, well designed underground structures will sustain no heavy damage from ground shock beyond 1¼ crater radii from "ground zero", that is, just outside the ground crater dug by a nuclear blast. The dimensions of the crater formed depend primarily on the yield of the weapon and the type of soil in which the burst occurs. A 10 megaton surface explosion in dry soil will cause a crater of 1400 feet radius, with heavy damage to underground structures extending 1745 feet.[21]

The effectiveness of a superhardened silo thus depends on the accuracy with which the enemy warhead can be brought on target. At present, U.S. and Russian ICBM's are capable of CEP's[22] of about 2500 feet. Although this figure could conceivably be improved somewhat by technological breakthroughs, we expect no more than a marginal decrease in ballistic missile CEP's.[23]

The Department of Defense has stated that the Russians would not attempt a first strike unless they could destroy 95% of our Minuteman missiles, thus rendering our ICBM retaliation ineffective. The question, then, is how many warheads the Russians would have to launch at our 1000 superhardened Minuteman in order to destroy at least 95% of them.

Table IV gives the number of warheads, of various yields, that must be delivered at a superhardened silo in order to achieve a 95% probability of destroying the target. Three different CEP's are used to account for possible state-of-the-art improvements in weapon delivery accuracies.

If we assume that all Russian missiles will carry a 25 megaton warhead and will have a CEP of ⅓ nautical mile of 2000 feet, then four missiles would have to be detonated per Minuteman. In order to destroy 95% of our 1000 Minutemen they would have to launch about 6000 missiles (assuming 67% probability of successful launch and detonation).[24] This is to be compared with Secretary Laird's estimate that the Soviets would have about 500 such missiles in the mid-seventies.

TABLE IV.—NUMBER OF WARHEADS REQUIRED FOR A 95-PERCENT PROBABILITY OF DESTROYING A SUPERHARDENED SILO

Weapon yield (megatons)	Destruction radius (feet)	Number of warheads to achieve 95 percent kill		
		CEP= 2,500 ft.	CEP= 2,000 ft.	CEP= 1,500 ft.
1	811	42	27	15
4	1,287	17	11	6
10	1,746	9	6	4
25	2,368	5	4	2
49	2,963	3	2	2

Our calculation involves the assumption that first strike capacity would be credible only if the first wave of missiles were adequate. Dr. Foster and Richard Latter have suggested that the Russians could plan to send over second and third waves of ICBM's after somehow observing which Minuteman silos did not suffer close hits.[25] We already assume a great deal of optimism on the part of the initiators of a first strike if we assume that they would trust that our ICBM's would not be fired before the first wave. The suggestion that they would plan to trust the U.S. to await second and third waves without retaliation is, indeed, surprising.

An examination of Table IV shows that multiple warheads do not significantly affect the picture.[26] Thus with superhardening, where the CEP of the attacking weapon is comparable or greater than the radius at which the emplaced ICBM can be damaged, MIRV (Multiple Independently-targetable RV) capability is of no value. It would not add first-strike capability. Detailed study of this important result is needed.

The cost of the Hard Rock superhardening program is estimated at over $5 billion. A four year research and development program has been proposed for a new superhardened silo at $50 million a year.[21] These numbers are to be compared respectively with our $40 billion estimate for an ABM system and with the $½ billion a year R & D program for ABM's. The relatively low R & D costs for superhardening illustrate the fact that it is a civil engineering problem involving no great advances in state-of-the-art.

The principal advantages of superhardening vs. anti-ballistic missiles are cost (approximately one-seventh of the cost of ABM as estimated in this report), effectiveness, reliability (there are few mechanical or electrical parts which could fail and render the system useless), and relative invulnerability to countermeasures. Most important from the standpoint of the arms race, superhardening is passive. It does not pose a long run threat of increased offensive capability. It need not inspire a race to develop countermeasures.

Conclusions

Protection of the U.S. nuclear deterrent is of the highest priority. Proponents of the Safeguard ABM have claimed that it is necessary and credible as protection against a Soviet first strike, deployable at a cost of $11 billion and completely defensive and therefore not a step in weapons escalation.

If these claims were true, we would support the Safeguard, but the proposal is questionable on every one of these points.

Necessity for ABM

The need for an ABM is a relative question. It must be judged with due reference to the total U.S. defense system: the U.S. has four deterrents such that a small part of any one of them is adequate.[28] The ABM is proposed as a marginal protection for one of these. The four deterrents are (1) ICBM's, (2) SAC long range bombers (which remain a remarkably credible deterrent), (3) nuclear missile submarines[29] and (4) thousands of warheads deliverable by some 2000 vehicles (intermediate range planes and missiles) stationed at aircraft carriers and hundreds of foreign bases. There are various means of protection for all four deterrents. For ICBM's, aside from ABM, there is mobility (which the U.S. has apparently not chosen), timing (i.e., the missiles can be fired before the attack is completed)[30] and hardening. We have shown in the previous section that superhardening would be very effective.

Credibility of ABM

Arguments have been presented on the technical problems faced by ABM. These arguments can be summarized by the statement that ABM is an unusually complex system that cannot be fully developed by realistic trial and error. Experience indicates that the system as a whole is unlikely to work. In addition, the Safeguard proposal itself does not call for adequate deployment to create a credible defense.

Cost of Deployment

Our cost estimate, based on experience with analogous systems and on expansion of Safeguard into a Revised ABM with some credibility, is $40 billion compared to some $5 billion for superhardening.[31]

Potential for Escalation

The ABM approach to defense begins a spiral of measures and countermeasures leading to rapidly increasing cost and, perhaps, to instability. Reacting to actual and potential Soviet deployment of ABM, the U.S. has already developed: hardened warheads,[32] electronic countermeasures, and sophisticated decoys. Development and deployment of a sequence of very costly measures and countermeasures can easily be envisioned. The offense holds a lead time of about a decade in this race.

For the above reasons we oppose deployment or partial deployment of ABM. We support continued research and development of ABM at a reasonable level. The present level of some ½ billion dollars a year is, perhaps, excessive.

We also support action in the near future to safeguard our ICBM's if that action can be shown to be relatively inexpensive, credible, and not conducive to a rapid arms spiral. On this basis we support superhardening of Minteman silcs.

FOOTNOTES

[1] New York Times, April 19, 1969.

[2] "ABM", Abram Chayes and Jerome B. Wiesner, Editors, The New American Library, 1969; "ABM, ABC", Union of Concerned Scientists, P.O. Box 289, MIT Branch Office, Cambridge, Mass., 1969; "A Critique of the Safeguard ABM", Council for a Livable World, Washington, D.C., 1969; R. L. Garwin and H. A. Bethe, Scientific American, 1968.

[3] On occasion, protection of SAC bomber bases and protection against accidental attack have been advanced as subsidiary reasons for ABM area defense. The former is unreasonable from a cost stand point compared to alternatives. If the highly unlikely possibility of accidental attack is considered to require a defense, an ABM system could be designed which would provide some defense if given adequate warning. This system would not be Safeguard.

[4] A particular disadvantage of deployment in the continental U.S. is that natural tests of the system will not be possible.

[5] McGraw Hill's Defense Marketing Survey, Inc. Reported, e.g., by Sen. J. S. Cooper, Congressional Record, May 8, 1969.

[6] New York Times, June 14, 1969.

[7] Number of Sprints: D.M.S. Survey, ref. 5; S. Weinberg, ref. 10.

[8] Number of Minutemen Protected: Deduction from number of Sprints; CBS–TV Documentary, May 1969; R. Lapp, The New Republic, June 28, 1969.

[9] If we assume each Sprint has an 80% probability of being effective, and assume reasonable strategies of attack and defense then 1200 Sprints would actually protect 77% of the 400 Minutemen if each is attacked by two perfectly aimed and function-

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ing RV's. This assumed success rate of four-fifths is, on the basis of experience, excellent field performmance for a system such as Sprint including detection and analysis of incoming RV, command, launch, guidance and detonation. The problem of reliability of complex systems is brought out by experience with the Apollo shots. Very large expert teams employing long count-downs with the replacement of many dozens of parts during count-down are required for the launches to go on schedule with reasonable reliability. Experience with demonstration launches of installed Minutemen, presumably under standard conditions with no count-down, has been frequent failure.

[10] S. Weinberg, Essay in "ABM", ref. 2.

[11] Decoys: See, for example, Harm Bruning, "Flight Mechanics of Space and Re-entry Vehicles", The University of Michigan Engineering Summer Conferences, 1963, p. 127. Radar Blackout: See, for example, R. L. Garwin and H. A. Bethe, Scientific American, March, 1968, and H. A. Bethe, essay in "ABM", ref. 2.

[12] Sprint Velocity: Cecil Brownlow, Aviation Week and Space Technology, March 24, 1969, pp. 27, 28. RV Velocity: H. Bruning, ref. 11, and "Current Research in Astronautical Science, Rome, 1959", L. Broglio, Editor, Pergamon Press, 1961.

[13] The stated time is optimistic for Sprint because we have not fully accounted for the fact that Sprint is slowed by the atmosphere for a distant low level intercept, while the RV time decreases with increasing altitude of intercept.

[14] J. C. R. Licklider, Essay in "ABM", Abram Chayes and Jerome B. Wiesner, Editors, The New American Library, 1969.

[15] Merton J. Peck and Frederic M. Scherer, "The Weapons Acquisition Process", Harvard Graduate School of Business Administration, 1962, p. 22.

[16] A. W. Marshall and W. H. Meckling, Essay in "The Rate and Direction of Inventive Activity", R. R. Nelson, Editor, Princeton University Press, 1962, pp. 461–475.

[17] Richard A. Stubbing, Congressional Record, February 7, 1969, p. 3171.

[18] F. M. Scherer, Testimony before the Subcommittee on Economy in Government of the Joint Economic Committee, U.S. Congress, June 9, 1969 (Published in Congressional Record and to be published by Public Affairs Press).

[19] Donald C. Winston, Aviation Week and Space Technology, April 28, 1969, p. 16. See also AWST, May 13, 1968, p. 32.

[20] "The Effects of Nuclear Weapons", United States Department of Defense, published by the U.S. Atomic Energy Commission, April 1962, p. 300.

[21] P. 293, ref. 20.

[22] The CEP, or Circular Error of Probability, is the radius of an imaginary circle drawn around the target in which 50% of the delivered warheads will fall.

[23] Basic research is presently being done on terminal guidance systems that guide the reentering warhead directly to the target. It is conceivable, although not probable, that the massive technological problems involved could be overcome to make such a system feasible. However, such systems are extremely vulnerable to counter measures that will render them totally ineffective; thus we do not consider them as a threat.

[24] If they could achieve a CEP of ¼ n.m., or 1500 feet, then they would have to launch about 3000 missiles. If we assume 80% success for their missiles and a CEP of ¼ n.m., as Dr. Foster has in one of his estimates, then they would have to launch 2500. This degree of accuracy is not available to the Soviet SS–9 missile being deployed.

[25] New York Times, May 13, 1969 and Allen-Goldsmith Column, Ann Arbor News, June 9, 1969.

[26] For example, even if each multiple warhead had the same accuracy as the single missile, which will not be true, then three 4-megaton IRV's will be no more effective than the one 25-megaton weapon. Eight one-megaton IRV's will be no more effective than the 25-megaton weapon. These numbers correspond roughly to the maximum number of MIRV's which could be carried instead of one 25-megaton RV. Without superhardening, MIRV's could be relatively effective, as has been stressed by the Defense Department. Assume three 4-megaton IRV's per missile with 20% malfunction rate for the independent targeting but otherwise ⅓ n.m. accuracy and ⅔ reliability as assumed above. Then without superhardening about 1300 missiles (i.e., 4 RV's per silo) would be needed for an effective first strike against our Minutemen.

[27] Ref. 15 and Walter Andrews, Aerospace Technology, January 15, 1968.

[28] G. Rathjens, Scientific American, April 1969; I. F. Stone, New York Review, March 27, 1969.

[29] Some 41 Polaris submarines are presently in service; at least 31 of these will be equipped in the near future with Poseidon missiles. Proposals exist to equip the Poseidon missiles with multiple independently targeted warheads, MIRV's. Up to ten warheads per missile are contemplated. Assuming that ten warheads per missile are used, and there are 16 missiles per submarine, there will be 160 warheads available in a single Poseidon submarine. By Defense Department criteria just *two* such submarines constitute a massive deterrent.

The effectiveness of this SLBM (Submarine Launched Ballistic Missile) deterrent is dependent on the continuing mobility and invulnerability of the nuclear submarine. These factors will be compromised only if the U.S.S.R. develops an anti-submarine technology capable of detecting and continuously tracking all missile submarines in transit and on station. Rear Admiral Levering Smith, director of the U.S. Navy's strategic systems project, states that "he is quite positive that the Polaris system will remain relatively invulnerable for another forty years. He knows of no new Soviet anti-submarine warfare methods."

We note that from the standpoint of the arms race the SLBM is mainly a defensive weapon since it is neither highly accurate nor powerful and so would be ineffective against hardened sites.

[30] R. Lapp, ref. 8.

[31] Another comparison cost is roughly $10 billion to deploy the present Minuteman force.

[32] The proposal by the AEC to build production facilities for these warheads was announced in 1967; the cost was $32 million.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I ask the distinguished majority leader about the program for tomorrow and also tonight.

Mr. MANSFIELD. It is my understanding that today, after the general debate on the pending measure is disposed of, the distinguished Senator from West Virginia intends to call up the supplemental conference report.

For tomorrow, we will continue on the debate.

ORDER ADJOURNMENT UNTIL 11 A.M., TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent at this time that when the Senate completes its business this evening, it stand in adjournment until 11 o'clock tomorrow morning.

The PRESIDING OFFICER (Mr. HUGHES in the chair). Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, will the Senator yield for an inquiry?

Mr. MANSFIELD. I yield.

Mr. YARBOROUGH. Will committees be permitted to meet until 12 noon tomorrow?

Mr. MANSFIELD. Yes.

ORDER FOR RECOGNITION OF SENATOR HOLLINGS ON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished Senator from South Carolina (Mr. HOLLINGS) may be recognized for not to exceed 40 minutes after the disposition of the Journal on tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM THURSDAY, JULY 10, UNTIL 11 A.M., FRIDAY, JULY 11, 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tomorrow, it stand in adjournment until 11 o'clock on Friday morning, July 11, 1960.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR CHURCH ON FRIDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that after the disposition of the Journal on Friday, July 11, the distinguished Senator from Idaho (Mr. CHURCH) be recognized for not to exceed 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, on Friday, will committees be permitted to meet during the 1 hour when the Senator from Idaho is recognized?

Mr. MANSFIELD. Yes.

Mr. DOMINICK. Subject to the right, however, of an objection—through the period for the transaction of routine business?

Mr. MANSFIELD. Yes. That is all the Senator is talking about.

Mr. HOLLAND. Will there be a period for the transaction of routine business?

Mr. MANSFIELD. Both mornings.

Mr. HOLLAND. The two Senators from Florida wish to introduce a bill at that time. It may take 15 minutes.

Mr. MANSFIELD. Fine.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11400) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 4, 11, 13, 16, 27, 29, 31, 33, 38, 39, 43, 46, 51, 53, 54, 55, 56, 58, 60, 62, 87, 91, and 92 to the bill and concurred therein; and that the House receded from its disagreement to the amendments of the Senate numbered 6, 7, 8, 40, 42, and 90 to the bill and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills:

S. 1647. An act to authorize the release of 100,000 short tons of lead from the national stockpile and the supplemental stockpile; and

H.R. 3689. An act to cede to the State of Montana concurrent jurisdiction with the United States over the real property comprising the Veterans' Administration Center, Fort Harrison, Mont.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The Senate resumed the consideration of the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

Mr. FULBRIGHT. Mr. President, I do not wish to detain the Senator much longer. I think he misunderstood the point I was trying to make.

Actually, the hearings I am speaking of were not designed to try to find out what the Russians' political position is today, or the intrigue and gossip with the Kremlin, or even in the White House and in our own Government.

The point of the hearings was to try to understand what it is that has afflicted us and other people over the years in our ability to come to agreement which would avoid the creation of war.

We have had CIA representatives at our committee. We have had them on two or three occasions, as the Senator knows. Personally, I think they are probably the best information about the Russians in this area—not in the area I am speaking of—of any of the people the Senator has spoken of. When he mentions people like Fainsod, and so forth, they are experts, such as they are, with very limited personal acquaintance and knowledge in Russia. That is no fault of their own.

I have been told by Ambassador Llewellyn Thompson, as a matter of fact, that Senator ELLENDER, a distinguished Senator of this body, has seen more of Russia and knows them better than anybody in the State Department, more than Llewellyn Thompson himself. Llewellyn Thompson told me that Senator ELLENDER was allowed to go places and to see factories and sites all over Russia that they would not allow Ambassador Thompson himself to see. In effect, Senator ELLENDER saw more of Russia than one of our Ambassadors who had been there on two tours of duty.

But this is not what I am talking about. I think it is a most unusual phenomenon that two great countries, we and the Russians, are unable—and it is not the first time—to come to some kind of modus vivendi. We cannot come to where we are able to stop this expenditure of our funds. In this country it amounts to $80 billion this year, and we have created a situation, in the richest country in the world, that now threatens us with a form of bankruptcy—that is, in the sense of such high interest rates and such a shortage of credit that we are verging upon the creation of a panic. Something is wrong.

What I was trying to get at is what it is that makes these countries, the Russians as well as ourselves, take postures which make it almost impossible to come to an agreement. This year we are spending, in this budget, approximately $80 billion. The Russians, to the best estimate of the CIA, are spending the equivalent in purchasing power of $60 billion. It is a lot more than either one of these countries should be spending on arms.

What I am getting at is not how they devised their budget and all the other superficial and other arrangements they make. I am trying to find out why two great communities act like such fools. I do not believe anybody has studied it.

As a matter of fact, my committee had before it an anthropologist who said that in World War II this country sponsored a very intensive study of the Japanese with respect to what makes them tick, why they feel as they do about the Emperor, why they feel as they do about one another, how they feel about big business, and so forth. The researchers did a good job in that study and they made recommendations to General MacArthur which our Government followed, and which were beneficial and contributed to the American success in that operation.

I asked our witness: "Is there anybody to your knowledge making similar studies about the Russians?" He said, "No." That is the point I was making. We do not make a serious effort to understand the motivation of the Russians when we consider the kinds of programs we are discussing here today.

The CIA is the one Government agency that I have seen that has given me some hope that we have some people who are seriously trying to understand the Russians. I do not see anybody else who is trying to understand them. All we are doing is following the traditional way of dealing with possible enemies, by building more and more arms. Apparently it is the easiest thing to do although it is more expensive. That is all we seem to know how to do: More arms. What we are doing is not designed to bring about the kind of agreement the Senator from Kentucky (Mr. COOPER) spoke about a moment ago.

Mr. STENNIS. Mr. President, will the Senator yield to me briefly.

Mr. JACKSON. I yield.

Mr. STENNIS. Mr. President, I shall not elaborate. I think the Senator's speech and his discussion were outstanding. He is always outstanding in this field or in any other field he undertakes to become informed in. He has made a real contribution. Later I shall comment on certain paragraphs of his speech.

Mr. LONG. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. LONG. Mr. President, I compliment the Senator on his fine presentation. It has been my privilege during my service in the Senate to serve on the Committee on Armed Services and the Committee on Foreign Relations. It is very unfortunate that the Committee on Foreign Relations seems to have decided it should be the Committee on Armed Services. Their functions are entirely different. The function of the Armed Services Committee is to keep this country so strong that we can defend ourselves. Is that correct?

Mr. JACKSON. The Senator is correct.

Mr. LONG. The function of the other committee is to try to get along with other people.

I might say there was a time when I was on the Committee on Finance and the Committee on Foreign Relations. There were six members from the Committee on Foreign Relations who served on the Committee on Finance. The change of heart they had when they left that committee room was absolutely beyond belief. Six Senators would vote and vote to give away the Capitol Dome, and then walk across the square to the Committee on Finance and be as tight as Dick's hatband because the whole thinking of the other committee is different

The Committee on Foreign Relations would spend money and give it all away, with no feeling of responsibility; but the philosophy of the Committee on Finance is that we must pay for things, and we do not give away anything unless we get something in return. The difference in point of view was absolutely fantastic. Six Senators would walk across that square and vote diametrically in opposition to the way they voted in the Committee on Foreign Relations.

Finally, this Senator began to feel as if he were suffering from schizophrenia. Therefore, I resigned from the Committee on Foreign Relations so I could think one simple way: if I am going to pay something, I want to get something. If I do say so, I have been very happy with being on the Committee on Finance and the Committee on Commerce where one always thinks in terms of—"Let me see. Is this a good thing for Louisiana; or is this a good thing for America?"

I read this statement by Dick Goodwin. He said our biggest mistake was when we provided the Army with equipment to fight a war. He said that is why we are in the war in Vietnam and that if we had no weapons we could not fight and, therefore, there would be no war.

The logical extension of that philosophy would be that since we would have no weapons and no defense, we would just about have to apply for annexation

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to the Soviet Union, and, in that way, avoid war.

Frankly, I think we should defend ourselves and we should have the strength and courage that goes with pride in our country. I think the answer is that we should be as strong as the other fellow. I take it that is the burden of the Senator's argument. We should be able to defend ourselves. As I understand it, the Senator is not saying we should overkill the other man, but just be able to defend American homes.

Mr. JACKSON. The basic problem we face is not new. It is the age-old problem of preserving and nourishing individual liberty. From time to time, an adversary has come to the fore on the world scene, in the form of a totalitarian society such as the Nazi dictatorship in World War II, or as we face today in the form of Soviet imperialism. The problem is basically, as I see it, the question of whether or not we are willing to do the things necessary to preserve and encourage individual liberty.

Mr. LONG. Mr. President, will the Senator yield further?

Mr. JACKSON. I yield.

Mr. LONG. It appears that what was said by Magsaysay in the Philippines is correct. He said, "Here are two things, my clenched fist and my open palm. You can shake my hand or if you want to fight I will fight you." That is the approach of Americans. We never had a war with the Soviet Union and there is no reason why we should. However, the best way to assure there will be no fighting is that we stay strong enough to defend ourselves.

Mr. JACKSON. Mr. President, I wish to conclude by saying what I said several times during my prepared remarks. I do not think there is any greater priority than the requirement to try to reach agreement with the Soviet Union to limit arms. Of course, this agreement has to be enforceable. I feel very deeply that we have the best chance of reaching an agreement from a position of strength, and if anyone has any doubt about how to negotiate with the Soviets, ask the Czech people.

Mr. YARBOROUGH. Mr. President, will the Senator yield to me for 1 minute in light of what the Senator from Louisiana has just said?

Mr. JACKSON. I yield.

Mr. YARBOROUGH. Mr. President, what the distinguished Senator from Louisiana said reminds me of certain expenditures we are making, and I think that in our debates on these different points we should bear in mind the question of national resources.

The budget for January called for $5.2 billion in ammunition for 1 year in Vietnam. I thought there were 250,000 Vietcong and North Vietnamese soldiers there, but I checked with the distinguished Senator from Missouri (Mr. Symington), and he checked with the Department of Defense, and we are advised that there are 240,000 North Vietnamese and Vietcong soldiers in South Vietnam rather than 250,000.

Mr President, assuming there are 240,000 North Vietnamese and Vietcong combat troops in South Vietnam, if one were to take $5.2 billion which was asked for ammunition alone for 1 year, that would be $21,666.66 for ammunition alone for 1 year to shoot at each Vietcong and North Vietnamese soldier in South Vietnam.

If one were to take the estimated cost of the war of $3 billion a month or $36 billion a year and divide it by 240,000, being the number of North Vietnamese and Vietcong troops in South Vietnam, that would be $150,000 a year to fight each Vietcong and North Vietnamese soldier in South Vietnam.

However, on schools we have requested a budget of $2.3 billion for all elementary and secondary education for 52 million American schoolchildren.

That figures out to $44 per year for schoolchildren in America, to educate them. In other words, $44 for 52 million American schoolchildren, and $21,666.66 a year just for ammunition to shoot at each Vietcong in Vietnam. If there is a more unsound, economic, domestic political policy, I cannot imagine what it would be. I think it is a piece of folly what we have done and are doing.

I do not wish to prolong this discussion. The distinguished Senator from Washington has said that he has yielded the floor but the Senator from Louisiana (Mr. Long) went into this question of priorities and throwing away money, and I thought I would add that footnote as to how we are really throwing it away.

Mr. PERCY. Mr. President, it would be my intention to make a few comments on the colloquy now going on, and then to yield to the distinguished Senator from Kentucky (Mr. Cooper) for the purpose of introducing an amendment; then to follow it up with some comments on a very important agreement reached with the West German Government today by the administration. But before doing that, I should like to yield to my friend from Arizona who has been patiently waiting for what he tells me will be a 30-second comment.

Mr. GOLDWATER. Mr. President, I thank the distinguished Senator from Illinois for yielding to me.

Mr. President, there was some discussion on the floor a short time ago about the Hudson Institute and the Lincoln Laboratory of MIT.

I have acquired some information which I think is needed and will be of interest to the Senate.

On the Hudson Institute, the percent of the budget which is defense funded for the fiscal year ending June 1968 is as follows:

Total budget $1.36 million; nongovernment $370,000, or 27 percent; Department of Defense $950,000, or 69 percent; other Government agencies $40,000 or 3 percent. In the case of the Lincoln Laboratory at MIT, 100 percent of the budget is Government funded; 99 percent from the Department of Defense; and 1 percent from NASA, the National Science Foundation, and the Department of Health, Education, and Welfare.

Once more I thank the Senator from Illinois very much for yielding to me.

AMENDMENT NO. 68

Mr. PERCY. Mr. President, I yield at this time to the distinguished Senator from Kentucky (Mr. Cooper).

Mr. COOPER. Mr. President, I ask unanimous consent that I may submit an amendment, with the understanding that the Senator from Illinois (Mr. Percy) will not lose his right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COOPER. Mr. President, I submit an amendment to S. 2546 on behalf of the Senator from Michigan (Mr. Hart) and myself. I ask that it be printed, and that it also be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Chair would inquire of the Senator from Kentucky, does he wish to call it up at this time?

Mr. COOPER. No, Mr. President.

The text of the amendment is as follows:

At the end of the bill add a new section as follows:

"Sec. 402. Funds authorized to be appropriated by this Act or any other Act for the acquisition of an antiballistic missile system may be used only for research, development, testing, evaluation and normal procurement incident thereto, and may not be used for the deployment of an antiballistic missile system or any part or component thereof or for the acquisition of any site or preparation of any site for the deployment of any such system."

The PRESIDING OFFICER. The amendment will be received and will lie on the table.

Mr. PERCY obtained the floor.

Mr. GORE. Mr. President, will the Senator from Illinois yield for a question?

Mr. PERCY. I am delighted to yield to the Senator from Tennessee for a question.

Mr. GORE. Mr. President, has the Senator from Illinois noticed the shift in strategy, emphasis, and the attempted justification which has appeared yesterday and today?

Before the Senator answers that question, let me bring to his attention that when President Nixon appeared on television before the American people to announce his position with respect to the ABM issue, his principal reason given for recommending deployment of the ABM was that it was necessary in order to preserve the integrity of our deterrence.

When Secretary of Defense Laird appeared before the Armed Services Committee and the Committee on Foreign Relations, he said that deployment of the ABM is necessary "in order to preserve the integrity of our deterrents."

Now yesterday, in public comment, the able and distinguished Senator from Mississippi (Mr. Stennis), chairman of the committee, has put principal emphasis upon another point.

Both he and the Secretary of Defense have abandoned advancement of the earlier position.

Now, today, the distinguished Senator from Mississippi says that it is necessary to improve our bargaining position with the Soviets.

Today, the distinguished Senator from Washington (Mr. Jackson) poses his remarks on that point. The President has asked for it, he said; we must do it to strengthen our bargaining position with the Soviets.

We are back to the old canard of arming in order to parley. No longer is it advanced that deployment of the ABM is

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necessary in order to preserve the integrity of our deterrence.

Mr. President, if it is not necessary, then who wants this thing?

This basic point is no longer advanced. Read the colloquy now published by Secretary of Defense Laird. He retreated from that position. The Senator from Mississippi has retreated from that position. The Senator from Washington has now retreated from that position.

Now a new position is being taken, not that it is necessary in order to preserve the integrity of our deterrence, not that it is necessary for our defense, but that it will strengthen our bargaining position with the Russians.

Has not the Senator noticed that shift in emphasis?

Mr. PERCY. I had noticed that. I should make comment on it, before we leave tonight, if I am able to make a few remarks. But right now I can classify such logic, most respectfully, as pure hogwash.

Mr. STENNIS and Mr. JACKSON addressed the Chair.

Mr. PERCY. Mr. President, I have been asked to yield to the distinguished Senator from New York, who has been waiting quite some time to make a short comment, and then I would be glad to yield to the Senator from Mississippi.

Mr. JACKSON. Mr. President, as long as the two Senators just referred to are on the floor and standing on their feet, I think that in all fairness, we should be heard.

Mr. PERCY. I am happy to yield to the Senator from Mississippi.

Mr. STENNIS. Mr. President, I do not want to prolong this argument on the ABM, but the Senator from Tennessee (Mr. Gore) is mistaken when he states he has noticed a change in my position. I say that with all respect to him. There is no change in my position about the ABM as a deterrence, nor is there any change in my thought that the President of the United States is going to negotiate.

I would hope he would not have the rug pulled out from under him before he speaks to the Russians by any Republican, Democrat, or anyone else—it does not make any difference who it might be. That is just commonsense. I have said that since January, somewhere along there. I continue to say that because that is my belief. We do not have to read any books to find that out. I thank the Senator from Illinois very much for yielding.

Mr. JACKSON. Mr. President, will the Senator from Illinois yield?

Mr. PERCY. I yield.

Mr. JACKSON. I want to say exactly the same thing. I have not changed my position regarding the ABM. I think it is very clear that it is needed to protect our deterrence. The fact that I relate it to negotiations at this time, I think, is most pertinent. It is important that the President of the United States, as a representative at the negotiating table, does not have the rug pulled out from under him. That is the way it will be interpreted, if we deny funds for ABM at this time.

That is my position, and I have not changed my views.

Mr. LONG. Mr. President, will the Senator from Illinois yield?

Mr. PERCY. Mr. President, I could comment further on that same point, but right now I yield to my distinguished colleague from New York (Mr. Javits).

Mr. JAVITS. Mr. President, there are two observations I should like to make on the remarks which have just been made by my colleagues on the question on negotiation. One is the dimension, which has not been mentioned sufficiently in debate, and I hope it will have the attention of all Members of the Senate; namely, that it is not so much what we can expect from the negotiators as they stand now, but what we can expect from them when they actually are in negotiation. It is my judgment, as one Senator—and I think there is a great deal of opinion on this subject—that the dimension of the negotiations will be very much more serious in trying to come to a big rather than a small agreement, from our deployment of Safeguard. That is a critically important point because of the impact on others.

If we are there with our hands for the moment in the cookie jar; that is, they have some kind of ABM and we have some kind of ABM, the result will be a mouse or the whole of the negotiations may amount to preventing atomic weapons on the seabed or something like that. We have got to put on an abrasive attitude toward committing ourselves not to deploy, and then we will be in there fighting for a big agreement through negotiation.

That is the very atmosphere and attitude that negotiations require if they are really going to meet what the world has a right to expect. Otherwise we are going to have people, as if in the grocery business, all of whom may have some kind of atomic weapons, arriving at little agreements, as a result of little "buy this" negotiations, and letting the press think they have done something big.

I think the greatest argument against deployment is that then we are really building a fire under our negotiators to do something appreciable, because we are running risks. The Senator from Washington is right, we are running risks. As the Senator from Kentucky (Mr. Cooper) has said, that is the very reason why we should do what we suggest be done, because the running of risks will enable us to get something big rather than something miniscule, which will be the case if we go on this way, and we will settle nothing until we get an atomic holocaust.

As the Senators from Michigan and Kentucky have invited Senators to ask to join them, I myself have the honor, with the permission of the Senate, to ask unanimous consent that I may be included as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. PERCY. I yield.

Mr. MANSFIELD. Mr. President, there has been a great deal of talk about negotiating from strength. The ABM system is supposed to give us strength 6 or 8 years from now.

There has been some talk that the Soviet Union exceeds us in ICBM's, the Minuteman and Titan. I do not think that is applicable. I say that most respectfully, although I do admit that by the end of this year, according to our best intelligence estimates, they may be 25 or 30 ahead of us as far as ICBM launchers are concerned.

As far as sea launchers are concerned, at the end of last year there were 656 Poseidon missiles, compared with 45 missiles of similar type on Soviet submarines.

The third is in the intercontinental bombers, the B-52 and the B-58. This country had 645, and the Soviets had 150 of their bombers. I think the Soviet figure still would not exceed that, because it had gone down from 155 the preceding year.

So if we are talking about strength, we have it, and they know we have it.

Mr. PERCY. Mr. President, I ask unanimous consent to join as a cosponsor of the amendment submitted by the Senator from Kentucky and the Senator from Michigan.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PERCY. Mr. President, I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may be a cosponsor of the pending Cooper-Hart amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRANSTON. Mr. President, will the Senator yield?

Mr. PERCY. I yield.

Mr. CRANSTON. Mr. President, I ask unanimous consent that I may join in the same manner.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORE. Mr. President, will the Senator yield?

Mr. PERCY. I yield.

Mr. GORE. Mr. President, I make the same request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PERCY. Mr. President, I believe the debate this afternoon, the colloquy that followed the speech of the distinquished Senator from Washington, was extremely valuable. I think it is very important that the colloquy followed because of the very grim picture that was painted by the Senator from Washington (Mr. Jackson) and the grim picture that was painted of the position of my distinguished friend and our former colleague in the House, Melvin Laird, which, if left unclarified, might cause some people to believe that we should erect an iron curtain; in fact, that we should triple-plate it; that the situation was so critical that we should insulate and isolate ourselves.

Yet we know that is not the interpretation the Secretary of Defense placed on it. In the concluding comment made by the distinguished Senator from Washington, he clarified completely that he did not intend that at all; that he himself earnestly hoped we could find a negotiated settlement of the arms race now going on; that we could find a way to de-

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escalate the danger and the terror along the path on which the two nations are now proceeding.

I believe that this is the interpretation which all of us would like to place on these remarks, remarks the Senator had every right to make. He is not speaking for the U.S. Government or the administration. He is speaking as one Senator. There are people who would agree with every word in his speech.

The intention in this country, on the part of every President we have had in our time, whether Democrat or Republican, is to bring down the curtain, to perforate it, to bring about a thaw in the cold war, to try to normalize in every way our relations with the Soviet Union. That was the policy of President Johnson and President Kennedy, and of President Eisenhower before them, and it is certainly the policy today of President Nixon. I do not think anyone would say that President Nixon is naive about communism or the Soviet Union, or their intention or their capability. He is alert to all of that. He has been a lifetime student of the Communist movement.

On the other hand, President Nixon has taken the initiative and he has set the tone for this country and the hope for the country in saying:

> Let us work toward these negotiations. We are willing to start them as of July 31, the end of this month.

Certainly he has full expectation that those talks will be underway very early in August.

I do not think any one of us could say that the Soviet Union will negotiate an agreement with us that is just in our interest and not in their interest. No one would believe that they would, or even, perhaps, should. We are not unaware of the fact that we cannot hope to have an agreement with the Soviet Union unless it also serves the Soviet interest.

We have a coincidence of interests. Faced with a coincidence of interests, we have the opportunity for agreements. That was how we achieved an agreement on Austria. That was how we achieved an agreement on the testing of atomic weapons. We had that same coincidence of interests when we agreed on a nonproliferation treaty. It is hoped that we will have many more bases of accord in the future.

I would simply say that there is no question in anyone's mind that we must have a credible deterrent. In this respect I agree completely with the distinguished Senator from Tennessee. He has indicated, and I would indicate, that a credible deterrent depends upon two principal factors: First, the power to retaliate against anyone who dares to strike against us and, second, the will to use that power; and let no nation have any question about either point, the first or the second. We have the power. We have the will to use that power if attacked and if the free world is endangered by any nation.

Having said that, I think we can carry on this debate on the military procurement bill before us.

I think the way we carry this debate on will be exceedingly important. It is important because the Nation is watching us. The Nation is divided on many issues. People are settling these issues in different ways. We are going to settle this issue with reason, not emotion. We are going to resolve our differences because we are 100 men with this great responsibility in this Chamber, equally divided, roughly, on one very important part of the military procurement authorization bill. But we are going to approach this problem by trying to analyze it, look at the conditions, look at the adversary, or the potential adversary, and look at and weigh all the alternatives.

I would like to say that I think it is with great pride that all of us will have this debate led by the distinguished chairman of the Armed Services Committee, the Senator from Mississippi (Mr. STENNIS).

I think we all have a good feeling about having that committee under his chairmanship, because he is a man of great intelligence, a man of utter fairness, as demonstrated time and again in his relationship to his colleagues, and a man of absolute integrity. It would be hard to fill the shoes, in this job, of Senator RUSSELL; but I think all of us, unanimously, including Senator RUSSELL himself, would feel that no one is better qualified; and in this instance, the national interest, the seniority system of the Senate, and the great ability of the distinguished Senator now holding the chairmanship all coincide.

I myself am very proud to have had the privilege, over the past 2½ years, of working with the Senator who will lead those who oppose the ABM deployment at this time. The distinguished Senator from Kentucky (Mr. COOPER), a sister State of Illinois, has been a friend of mine for many years. I think he embodies the qualities which citizens want and deserve in their representatives. He is beloved in his own State; he is respected throughout the country. He is respected by every Member of this body, and by the President of the United States.

I have seen him study this issue as I have never seen anyone study any issue before. I have sat alongside him for well over a year now, as he has interrogated experts in the field of intelligence, the military field, and the appropriate scientific fields, to try to discover what the truth of this matter is.

He is a man of great judgment; and I think it is a remarkable thing that the battle will be headed by the two men probably best qualified to oppose each other. Each of them has come to a different conclusion after weighing the same set of facts. This is perhaps why the administration admitted, when they made the decision to go ahead with an ABM system, that it was a marginal decision.

It is a very difficult decision. We happen to think that we have the votes to win, and we will win in the effort to delay deployment, for a number of reasons; but we respect the judgment of those who take a different position than we do.

I should like to make a few comments that I put together this morning to answer, to a degree, the points that have been raised by the distinguished Senator from Washington.

The issue before the Senate regarding the anti-ballistic missile system is between those who would start ABM deployment now and those who would continue research and development, testing, and evaluation to produce a more workable system than is now available if it should ever become necessary to deploy that system.

By continuing research, development, and testing, by not beginning deployment in the United States now, we can make the deployment decision later. That decision can be based on whether we can develop a system that will work and on what we learn of Soviet intentions at the forthcoming nuclear arms talks.

Proponents of starting ABM deployment now say it would strengthen the President's hand in talks with the Soviet Union. I would simply, respectfully, say that in my judgment this is hogwash.

The President will be in a strong position if the Congress orders continued testing, research, and development to make the now-vulnerable Safeguard system really effective. Hasty deployment of a highly vulnerable ABM system cannot possibly increase the credibility of our military defenses.

The Safeguard proposal for beginning deployment at sites in Montana and North Dakota will require early installation of today's vulnerable missile site radars—MSR's—and construction of ABM sites where realistic testing really cannot occur. It would freeze the system in an ineffective state.

It would make far more sense to redesign the radars, to test them at Kwajalein, and to deploy a full system out there where intercepts of nonnuclear missiles can be tested.

I am not a technician nor a scientist; but I was down here some 25 years ago as a procurement officer for the Navy. I spent some 25 years as a defense contractor. I have worked with the military over a period of many years, including 3 years in military service.

The situations I fear most, and the times I have gotten into the deepest trouble as an industrialist or as a procurement officer, have been when we rushed ahead with a system that was not yet ready for production. We invariably delayed, in the end, deployment or production. We delayed and frustrated the objective we were trying to achieve, in our haste to put into production something that was untested.

Proponents of immediate deployment contend that a year's delay will make it impossible to catch up with the proposed schedule of putting two sites in operation by the end of 1973 and making the whole system operational by 1975.

This is untrue. If we do not begin deployment now, but rather—and I for one would be willing—begin preproduction of long leadtime components, we can at relatively small cost start deployment—should it later appear advisable—a year from now and still meet the Pentagon's schedule.

In my dedication to the security and national interest of the United States—and I know that my dedication is matched by the dedication of every other Member of the U.S. Senate—I will support, and I know every other Senator will support, whatever level of military spending seems required.

But I think the word "sufficiency," as used by the President of the United States, was one of the most significant words yet contributed to the vocabulary of this dialog.

I have not been convinced that deployment of the ABM will yield any net gain in national security. The fact is that this system in its present stage of design and development—even if approved by the Congress—will probably never be fully deployed because it has yet to be perfected as a weapons system. We need lose no time as we conduct arms talks with the Soviet Union, because we can use that time for development of less expensive, smaller radars which can be better defended than the present vulnerable design permits.

The main reason cited for ABM deployment is to deny the Soviets a preemptive first-strike capability. The fact is that it would be sheer lunacy for the Russians to attack the United States with nuclear weapons even without us having the ABM because:

First. The underwater Polaris fleet remains ready to strike a devastating response.

Second. At any time about 250 of our intercontinental bombers are on 10-minute alert, and their air-to-ground nuclear rockets would be part of the retaliatory strike.

Third. It is impossible that our entire Minuteman Titan force could be wiped out with one blow.

These are facts of which the biggest, rashest hawk in the Kremlin is well aware.

In order for the ABM to make sense, the Soviets would have to believe: First, they could with a sudden attack wipe out all our nuclear forces if we did not have it; and, second, our ABM would preserve enough of our nuclear forces intact to make any such Soviet attack suicidal.

However, the present ABM system is too vulnerable to provide such protection, and our overall missile forces are sufficiently protected to maintain a devastating second-strike capability without the ABM.

On the eve of the arms talks with the Soviet Union, let us continue—even accelerate—the research, development, and evaluation process. Let us also give ourselves a reasonable period of time to determine, in the words of Secretary of State Rogers:

> If the Russians want to go out of the ABM business.

Then we can do the same same.

I urge that we do nothing that would in any way frustrate the success of these negotiations, nor do anything that would in any way appear to look cynically upon such negotiations, which I truly believe are in our common interest.

BALANCE OF PAYMENTS

Mr. PERCY. Mr. President, I want to commend the administration for its announcement today of a new 2-year offset arrangement with Germany to help defray U.S. military balance-of-payments costs for maintaining U.S. troops in Germany. The new agreement goes a long way toward correcting the absolutely scandalous arrangements that have been concluded in recent years under which, on very short-term loans, at prevailing market rates of interest, we are paying interest on money to defend and to provide for the defense of Western Europe.

Speaking as one Senator, I think that those arrangements have been simply impossible to continue. And I think they would have imperiled our whole ability to support our level of forces in Europe.

The new 2-year offset arrangement is for $1,513 million which represents around 80 percent of the total U.S. balance-of-payments costs in Germany. Sixty-one percent of the total offset will be in the form of purchases in the United States by Germany for a total of $925 million. The other $595 million will take the form of other financial transactions. The largest single other item is that Germany will buy $250 million of U.S. Treasury bonds with a 10-year maturity at 3½ percent. This represents a considerable advance over past offset loans where interest rates were at prevailing market rates of interest. Even more important is that Germany is blocking interest on its past loans to the United States and leaving it in the U.S. Treasury. The $32.5 million of interest will be applied to military purchases in the United States.

In addition, Germany is buying up $118 million of Eximbank and Marshall Plan debts owed to the United States; is prepaying $44 million of other German debts to the United States; and is setting up a special fund of $150 million for German investment in the United States.

It is my understanding from the Under Secretary of the Treasury on the telephone this afternoon that that is the only part of the financial arrangement that will carry commercial interest rates.

This new agreement is a major step toward creating a sounder financial basis for U.S. expenditures in NATO in that it covers 80 percent of all our balance-of-payments expenses, primarily using purchases.

We must still strive for a 100-percent offset; an offset that involves only purchases and not loans. If loans are to be used, we must be absolved of any interest costs.

This is the principle that I was striving for when I presented a plan to the NATO North Atlantic Assembly in June for a multilateral automatic offset arrangement for all military expenditures within NATO. The principle is that no country should gain or lose on the military balance-of-payments account as a result of its commitment to the common defense of NATO.

The administration has taken a big step toward this goal, and I am encouraged that in the future we shall be able to arrive at an agreement that will automatically offset military expenditures 100 percent through the use of purchases in the United States. This would also eliminate the agonizing, and I would say disturbing, and some would say humiliating, bilateral negotiations that endanger German-American relations.

As rapporteur—working chairman—of the Balance of Payments Subcommittee of NATO, I plan to continue my work toward this goal.

I know of no greater threat to the continuation of our current U.S. troop level in Europe than the balance-of-payments crisis that we face today. We must continue our efforts until we reach a total offset on our NATO military balance-of-payments account.

Mr. President, I yield the floor.

SECOND SUPPLEMENTAL APPROPRIATIONS BILL, 1969—CONFERENCE REPORT

Mr. BYRD of West Virginia. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11400) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of July 8, 1969, p. 18604, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. MUNDT. Mr. President, I think we should have a short quorum call.

Mr. BYRD of West Virginia. I agree. Mr. President, I ask unanimous consent that I may put in a brief quorum call without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, the grand total of the budget estimates of new obligational authority considered in connection with this bill was $4,814,305,334. The House version of the bill recommended $3,783,212,766, and the Senate version of the bill recommended appropriations of $4,459,669,644. The Senate will recall that subsequent to the House committee consideration of the bill, supplemental emergency requests submitted directly to the Senate amounted to a figure in excess of $450 million. The final bill agreed to in conference is in the amount of $4,352,357,644. This is a reduction under the total

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budget estimates of $461,947,690. The final bill is $569,144,878 over the House bill and $107,312,000 under the Senate bill. After the Senate has completed consideration of this conference report, it is my intention to ask unanimous consent to insert into the record a tabulation which will completely detail each item in the bill by listing the budget estimate, the House and Senate allowances for each item, and the final conference agreement.

Perhaps I should comment briefly on the rapid transit money which the Senate had inserted in the bill.

All down through the years, the House Committee on Appropriations has expressed the belief that there is a place for both a freeway system and a rapid transit system in the Capital City. Since 1962, a series of delays and obstacles to the construction of the authorized highway projects have occurred. I want to call to the Senate's attention what has transpired.

In 1966, the National Capital Planning Commission approved a balanced freeway system. This occurred after the House had acted on the District of Columbia appropriation bill for fiscal year 1967. The Senate added $4,527,000 for the rapid transit system, and the House conferees receded and concurred in the Senate amendment. Subsequently, the Planning Commission repudiated its approval, and the newly created Department of Transportation entered into the picture to such an extent that the entire Interstate Highway System in the District of Columbia was blocked. Last year, the Congress enacted legislation in the Federal-Aid Highway Act of 1968 directing that work commence on certain highway projects in the District. This directive has been stalemated through actions of the National Capital Planning Commission and the District of Columbia City Council as well as the Department of Transportation. The various delays since 1962 have caused highway projects which had undergone the complete appropriations process to be shunted aside so that the District has accumulated approximately $200 million in funds that cannot be used. Furthermore, the Department of Highways and Traffic has expended about $3,300,000 for preliminary engineering and design plans which have been discarded due to changes in planning and $1,400,000 in plans held in abeyance, for a grand total of $4,700,000 for design work that in all likelihood will not be used.

The House committee has continually stated each year that as soon as the highway program is allowed to proceed without recall they will recommend funds for rapid rail transit. They demonstrated this responsiveness in 1966 when there was a slight breakthrough and I am definitely of the opinion, from my meetings with the conferees on this bill and from my understanding of the current impasse that has developed, that there has been no change on the part of the House committee in respect to this matter. The Senate conferees, therefore, were forced to yield and the moneys were stricken.

Amendment No. 90 was the most controversial portion of the bill. Original language was inserted into the bill in the House, setting a limitation on fiscal year 1970 budget outlays. This original House language was stricken in the Senate and, as an alternative, a completely different approach was proposed. The final language agreed to, after a number of meetings between the House and Senate conferees, is a compromise of the positions of the two Houses.

The House provision as originally written set an overall expenditure ceiling for fiscal year 1970. Of significance is the fact that it contained no exemptions. The House provision also did not make an expenditure reduction in the projected budget outlay figures for fiscal year 1970.

On the other hand, the provision adopted by the Senate provided for an expenditure reduction in fiscal year 1970 of not less than $1.9 billion. This reduction was to be made in the so-called controllable portion of the budget. The Senate provision exempted from any reduction the so-called uncontrollable items, and among these were funds for the financing of the war in South Vietnam. The Senate provision also contained a ceiling for fiscal year 1970, which could be adjusted upward for the items which are uncontrollable, such as interest, social security payments, and the like.

The language which has been agreed to in conference is a compromise between the proposals of the two Houses. At this point, I would like to say that I personally preferred the Senate provision since it effected a reduction in the new budget of President Nixon of not less than $1.9 billion, and I fail to see why such a reduction could not be made in the face of a request to the Congress to continue the surtax. However, my personal views did not prevail in the conference, and the language which has been agreed to—which sets an expenditure ceiling of $191.9 billion—also provides that that ceiling will be adjusted, upward or downward, as a result of congressional actions or inactions on budgetary proposals, whether initiated by the President or by Congress, and whether or not the expenditures were included in the budget review of April 15. This means that although there will be a reduction of $1 billion in expenditures, this does not necessarily mean that the President's budget will be reduced $1 billion. The President's budget may be adjusted upward as a result of actions or inactions by Congress, and although a $1 billion reduction will ultimately be effected from the total expenditures finalized by Congress, such authorized expenditures may exceed, in the controllable area, the budget figures proposed by President Nixon in the April review.

The compromise language exempts from the imposed ceiling—to the extent of $2 billion—increases in such uncontrollable items as social security, veterans' life insurance, interest, farm price supports, and certain items where receipts may be less than anticipated in the budget.

Mr. President, the best that can be said for the compromise language is that it does set a ceiling on expenditures, which must be periodically adjusted based upon the action or inaction of Congress and the $2 billion to which I referred; and, in addition, it does effect a reduction of $1 billion under some figure which is not known at the present time because of the actions or inactions of Congress. As I said before, I did not favor this compromise language. I favored the Senate amendment. Mr. President, I believe that this compromise language will serve to provide a reduction in overall Federal expenditures, which is what I understood the will of the Senate to be.

Mr. President, I now wish to express appreciation to the other conferees who worked so diligently, so faithfully, and so patiently, and upon whom I had to lean for support and encouragement. Especially do I wish to express my appreciation to the ranking minority member, the Senator from South Dakota (Mr. MUNDT).

I invite attention to the fact that this bill was in conference from June 25 until July 8. We had several meetings, and of course the conferees tried to uphold the position of the Senate in all matters. But, as Senators know, there must be a spirit of give and take in such conferences; and the Senate, of course, had to yield on some items and the House receded on others. I feel that in the main this is an excellent conference report, particularly with respect to the money items therein.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. MUNDT. Mr. President, I concur with the distinguished chairman of our conference in his feeling that, dealing with the money items, the conference was a very fair and equitable conference and that in the main the Senate action prevailed.

I share with him, however, disappointment in the fact that the Senate language on a limitation of expenditures was thought to be thoroughly unacceptable so far as the House members were concerned, and we could not move them a single inch in our direction.

Mr. BYRD of West Virginia. I do not think that is quite the case. I think they moved several inches in our direction, but we also had to move several inches in their direction.

Mr. MUNDT. But not as far as the basic philosophy of the Senate language was concerned, which was largely the brainchild of the distinguished Senator from West Virginia. We, on the Senate side, had worked out a very firm commitment on the part of Congress for some actual savings in expenditure.

I really am disappointed in the final result. It is better, I agree with the Senator, than the House language previously enacted. But I would be less than candid with my colleagues in the Senate and the House if I did not call attention to the fact that the basic language as finally adopted retains the earlier language of the House, which has an escape hatch so wide that a nearsighted farmer could drive a full load of alfalfa through it without touching either gatepost. I want to read it to you because the Senate should be advised of that. It is on page 11 of the conference report on behalf of the managers of the House.

At this point I pause long enough to say that I continue to regret that the Reorganization Act of Congress, passed by the Senate a year ago, has not been approved by the House, because among other reforms it provided that the U.S. Senate and its membership would also get a conference report prepared on behalf of the managers of the bill on the part of the Senate. It has always rankled me a little to have to rely entirely upon the description and the analysis of the conference action as viewed exclusively by the Members of the House. Our conferees come to the Senate time after time emptyhanded, with no written report as to what transpired and as a consequence very few Senators ever get a completely clear picture of the conference action. This is a weakness in our system which should be corrected.

I now wish to read the escape-hatch language, because I am afraid it will not result in the kind of economies which we hoped might flow from this effort. This appears on page 11 of the conference report on behalf of the managers of the House:

> The conference agreement retains the House language that would operate continuously to adjust the ceiling, as appropriate to comport with the estimated budget outlay effect of specific congressional actions or inactions in appropriation bills or other bills having an impact on the April 15 budgetary proposals. The conferees have added language to this part of the provision to also make it clear that other actions by the Congress would operate to adjust the ceiling in like fashion. These budgetary and other actions would result in adjustments of the ceiling whether initiated by the President or by the Congress.

Once that language is included in any so-called spending limitation formula, Mr. President, we have the phenomenon of a moving ceiling that moves up or down according to the action by Congress on the various appropriation bills. I submit that in reality that kind of moving ceiling has very little advantage compared with no ceiling at all. To all intents and purposes, this so-called ceiling on spending would work as well, suppose, if we had not used a figure of some $191 billion, but had used instead the figure $19 billion, the ceiling will move up automatically any time we go beyond it anyhow. I say that because I share with my colleagues in the Senate and House the inspiration that induced us to make a noble effort to write a legitimate, tight ceiling on expenditures to help squelch the fierce fires of inflation.

The House Committee on Appropriations felt, and we on our side felt, that instead of having the matter handled as was done last year, by the House Committee on Ways and Means and the Senate Committee on Finance, which wrote in their concept of expenditure ceilings and employment ceilings, we would undertake the job in our appropriation committees. In my opinion, we pretty badly failed. I do not know whether the House Committee on Ways and Means could have had any better luck in approaching this matter. However, insofar as I am concerned, I openly invite the members of the Committee on Ways and Means and the members of the Committee on Finance, if they feel inclined to do so, to take a whack at it. We found it was a most difficult thing to do.

We tried, on both sides of the Capitol, to do a responsible job. I think we largely failed. Because I think we largely failed, I think the invitation has to be extended to all concerned to evolve some ingenious method to accomplish the results which we desire, that is, a reduction in expenditures which will enable us, after having passed the necessary tax legislation, to make some dent in the battle against inflation.

Certainly I shall welcome any wisdom that the Committee on Ways and Means and the Committee on Finance can write into legislation, or any formula they can conceive of, which will achieve results.

So far as I am concerned, I have very little confidence in the efficacy of a moving ceiling. It is like a moving target. It is an ellusive thing. We did not have that fluctuating feature in the Senate bill, I might add.

Of course, Congress can always spend more than is provided by some arbitrary ceiling which it fixes for itself, but under our Senate language it has to go through the painful, obvious, well publicized process of specifically exempting increased expenditures from the ceiling limitation. This will not now be necessary under the House language. It will simply be automatic—after the fact. For the next few days, the computing machines, the analysts, the economists, and the master mathematicians of the two bodies will figure out what impact this action will have on the moving ceiling. They will then have a new dollar figure for a ceiling, one which will go up or down each time Congress acts on money bills. I do not think that is an adequate answer to our serious problem. It was the best we could do in conference, unfortunately. Certainly we tried valiantly to uphold the Senate postion, but we failed.

Mr. President, except for that failure I think that the remainder of the conference report certainly merits the approval of the Senate, and there is nothing we can do to correct this situation here.

Therefore, I shall vote for the adoption of the conference report, as I agreed to sign it. It is the best we can bring about because of the inability to get anything better between the two appropriation committees.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. HOLLAND. Mr. President, I think this is a rare occasion. I am doubtful that I have seen anything like this in a long time where two Senators who labored so long, and I think so effectively, in creating this bill are so modest about their attainment. I think they attained a great deal. Beginning in April, there were long and painful hearings. They presented the bill splendidly on the floor of the Senate, where it was agreed to. Then, it went to conference. I am not at all of the feeling that they should be so modest in describing the result of their efforts, which I think have been largely successful. I compliment them.

Anyone who inspects this Record will find that there were 92 amendments in conference and, in the main, the Senate prevailed in conference.

The second point I wish to make is that I think the concept of the control of expenditures begun in the Committee on Appropriations in the other body this year and carried forward here is a very fine one and should be a part of the appropriations process of the two Houses, rather than to come as it did last year from the exhaustive and very fine efforts of the two Senators—and it was a bipartisan effort—who are members of the Committee on Finance. So the final effort to control expenditures which, in many respects was successful last year, was really the product of the tax raising committee rather than the tax spending committees, as it should be.

I am not at all of the feeling of my distinguished friends about the provision for control of expenditures. As weak as they think it is, I think it is an improvement over the House version.

When the Senator from Rhode Island called attention to the manifest weaknesses, and the conference included the amendments to meet his views, they materially strengthened the measure.

So far as the question of a moving ceiling is concerned, that is what it was last year, and that is what it is always going to be unless the Senate and the House enact this control measure the very last day of the session.

In this instance, we enacted it before any annual appropriation bill had been called up, and I think that is the time to enact it; but by being enacted at that time it has to contain machinery to reflect the actions of Congress for the remainder of the session on annual appropriation bills.

I cite just one instance and that is with respect to the food stamp appropriation where the Senate wrote into the bill the other day an increase of $410 million for availability in fiscal year 1970. Under the provision in the final version of the expenditure control features of the conference bill whatever will be reported by the Bureau of the Budget in the way of expenditures in fiscal year 1970 out of the $410 million, if it be enacted in the Agriculture appropriation bill, will serve to increase the new ceiling. It will be the action of the Congress and the representatives of the people and it should not be ignored or taken out by the Bureau of the Budget or the Executive after we get away from here.

As far as the Senator from Florida is concerned, he thinks that a fine service has been rendered in that particular part of the conference bill and that the conference bill reflects the excellent and effective work of the Senator from West Virginia and the Senator from South Dakota. The Senator from Florida does not like to hear them downgrade themselves or their service. He is here to pay tribute to them as having done a fine job and he is sorry they could not accomplish everything they described, but who has ever been able to do that in the Congress. After all, we consist of a good many people, 100 Senators and 435 Representatives. When one gets through with a conference it is certain to reflect the views of the two able Senators who struggled hard on a bill such as this one.

I congratulate the Senators. This is a good conference report and a good bill. As one who has seen every phase during the creation of a bill and who has participated in a modest way, I do not want to see my friends disregard the credit I think they are due and which I am willing to give them at this time.

Mr. BYRD of West Virginia. Mr. President, I appreciate the very generous and gracious remarks made by the Senator from Florida (Mr. HOLLAND). I cannot express enough appreciation for the support he gave me in conference and the work he rendered, and the efforts he put forth to help bring back a good conference report.

I do share the feeling of the Senator from South Dakota to the effect that the moving ceiling pretty much knocks out any suggestion of any real bona fide reduction in Federal expenditures insofar as the conference report is concerned. We have been successful in requiring a $1 billion reduction in some figure. We do not know what that "some" figure is and we will not know until all the figures are in. But it was the best we could do. Moreover, any increase in uncontrollables over the $2 billion cushion may result in a forced offsetting reduction in expenditures elsewhere.

I cannot reconcile myself to the idea of having the Congress extend the surtax to permit the Government to tax the people and siphon off more moneys to be spent in turn by the Government on new programs.

But that is what we are being asked to do. We are being asked to extend the surtax. We should be willing to tighten our belts and curtail a few of the expenditures if we are going to continue to saddle the burden on the American people of a 10-percent surcharge throughout the remainder of the calendar year and 5 percent thereafter until June 30 of next year. I regret that the conference report does not show a determination at this time to enforce expenditure cuts. It does not make sense to me.

I think we must all agree that one of the major factors contributing toward inflation in this country is the gigantic expenditure of Federal moneys. Yet, what we are apparently going to see is the extension of a surtax which will draw more money from the pockets of the taxpayers while, at the same time, the Federal Government turns right around and spends more money on Federal programs. Such expenditures will fuel the fires of inflation. In other words, we are told that we must have the surtax to fight inflation. What it amounts to is simply that we will collect more money to fight inflation, and we will spend more money to feed inflation. It just does not make sense to me.

That is the position I take. I know that forced expenditure reductions would pinch my feet a little bit, too. Of course, I am going to try and increase appropriations over the budget estimates for certain items, such as public works projects in my State, but I was willing when I brought this bill to the Senate floor in the first instance to accept offsetting reductions elsewhere for any appropriation increases in certain areas that the Congress might, in its wisdom, wish to make.

Of course, those offset reductions elsewhere might have evoked some complaints from me, too. But I think Congress should be willing to make some cuts in Federal expenditures, if we are going to extend the surtax. But, apparently, that is not the case. So we did the best we could in conference. As I say, we did not bring back a conference report which is entirely to my liking, but I cannot have it all my way. I think we possibly made some gains, but we also lost. However, I do appreciate the kind remarks of the Senator from Florida, and again I thank the Senator from South Dakota.

Mr. MUNDT. I want to say to the Senator from Florida that I thank him for his generous comments. I would be ungracious if I did not express my appreciation for what he said. But it was not exactly out of a sense of humility that the Senator from West Virginia and I felt that we should "come clean" and point up this "escape hatch." We did so rather out of an abundance of caution when we felt that it plumb could not work and that we should so warn our colleagues.

Mr. BYRD of West Virginia. I think it is pretty much meaningless.

Mr. MUNDT. I hope we are wrong, but I do not want the Senator from Florida to think that we are the two humblest Members of the Senate. I do not suppose we are any more faithful disciples of Uriah Heep than anyone else in our closed society—and there are not many people in our Chamber winning prizes for modesty these days—but we feel we had to work out a formula that would work or describe to you the weaknesses of this substitute ceiling-fixing language as we see them.

The difference between a moving ceiling, which is as good as no ceiling at all—it is not any better, it is not any worse, but it kind of fools the people. I am afraid—but the difference between a moving ceiling and a fixed ceiling concept such as we had written in on the Senate side is this. We were to increase the food-stamp plan or some other expenditure with a fixed ceiling, we would have to have economies somewhere else along the rest of the year in order to get back that money and keep within the fixed ceiling.

The purpose of the ceiling is to compel Government to live within it. It compels us to economize. A moving ceiling does nothing. It would work as well, I suppose, if we had $1 billion as a proposed ceiling. That would make headlines all over the country. The conferees put on a ceiling on expenditures of $1 billion. However, if the Congress went beyond it, it would not be too important, there would be no confession of failure, because that ceiling—whatever it is—moves up and up automatically, while the people with the calculating machines are reporting back how much it had moved up and the dollar-figure involved in the new and still temporary expenditure ceiling.

So, I hope we are wrong. I hope we get the economies. If we do, it will be a bill at a time, a vote at a time, and an amendment at a time, as the appropriation process unfolds. I do not think, however, we will get the needed economies by the machinations of a moving ceiling such as the House proposed and pushed through the conference.

Mr. YARBOROUGH. Mr. President, will the Senator from West Virginia yield?

Mr. BYRD of West Virginia. I yield.

Mr. YARBOROUGH. I discussed this with the distinguished Senator. Under the House language, the ceiling that they put on would not apply to the educational appropriations. The subcommittee amended this to apply—the House knocked out the provision that we put in the Vocational Education Act last year that exempted all education appropriations from this ceiling. According to the House bill, they knocked out the House provision which would have repealed the prohibition against a ceiling on educational appropriations.

Congress passed the vocational educational amendments last year. My question is: Did the Senate prevail with that amendment?

I have read the language of the limitations on fiscal year 1970 budget outlays. Could the distinguished Senator indicate to me that the Senate did prevail? What are the facts about the educational appropriations? Do we have the status as it was before the House language which knocked out the language in the Vocational Education Act last year, or did the House prevail?

Mr. BYRD of West Virginia. The House language in the original bill did not do what the Senator states.

Mr. YARBOROUGH. When it was debated in the Senate, no one contended that it did.

Mr. BYRD of West Virginia. The House had no language in the bill limiting expenditures by the Office of Education. The Senate Appropriations Committee wrote the repealing language into the bill, but the Senate, at the urging of the distinguished Senator from Texas, and as a result largely of the efforts made by the Senator from Texas knocked out the language that had been written in by the Committee on Appropriations of the Senate, which would have repealed the law.

Mr. YARBOROUGH. I want to thank the Senator for——

Mr. BYRD of West Virginia. I want to emphasize that but for the Senator from Texas and his efforts, I think the language inserted by the Senate Committee on Appropriations would have stayed in the bill.

Mr. YARBOROUGH. Mr. President, I want to thank the Senator for his——

Mr. BYRD of West Virginia. Mr. President, I defended the committee's position on the floor, but the Senator's work was more effective than mine and he prevailed.

Now in answering the Senator's question——

Mr. YARBOROUGH. Mr. President,

will the Senator from West Virginia yield for one more comment?

Mr. BYRD of West Virginia. No, not at this time, but shortly. If I may just continue, because I want to allay the concern of the Senator from Texas (Mr. YARBOROUGH), the Senator undid the work of the Senate Appropriations Committee. Consequently, that item was not in conference. The result is that the basic law, which was embraced in the education amendments of last year, I would say, largely because of the work of the Senator from Texas and the former Senator from Oregon, Mr. Morse, is still the law.

In summation, the answer to the Senator's question is that expenditures of the Office of Education are not affected in any way by the conference report. Now I gladly yield to the able Senator.

Mr. YARBOROUGH. I want to congratulate the distinguished Senator from West Virginia. I serve on the committee with him. I am glad to be corrected. I had an error in my statement about the House. I commend the Senator's diligence. He knows exactly what is in the bill. I serve on that committee with him and he always has his homework done completely and has an exact knowledge of it. I want to commend him and thank him for his clarification which will relieve many people who have been worried about this question and asked me about it.

I want to say to the distinguished Senator from West Virginia that he gives me too much credit. Fifty Senators were working on that. I was only one of the instruments among all the half a hundred. I am very grateful to him for clarifying this matter.

Mr. BYRD of West Virginia. Other Senators, including Mr. PELL, should have a great deal of credit, but I know I am right in saying that the Senator from Texas, (Mr. YARBOROUGH) did lead the fight. One day when I was very busily engaged in defending the committee's position with the respect to the expenditure limitation, he was lining up names of cosponsors for his amendment.

I pay tribute to the Senator from Texas.

Mr. YARBOROUGH. I want to commend the Senator from West Virginia for his diligence but I would say it was not a case of who prevailed—I am certain he would not object to what is right, but I think wisdom prevailed rather than a humble servant on the committee, one of nine Senators. Many of us worked on it. As the Senator knows, no one man could have done it. It was a case of wisdom and the desire of the people to see education furthered in this country.

Mr. BAYH. Mr. President, I have had the opportunity to discuss with my friend from West Virginia the fate of the $16 million which the Senate restored in the supplemental for the program which is known as educational opportunity grants; so will the Senator yield for a comment or two as well as one or two questions which I would hope he would comment on, if I may?

Mr. BYRD of West Virginia. I am happy to yield to the able junior Senator from Indiana.

Mr. BAYH. Mr. President, first of all, I should like to add my understanding to that which has already been abundantly expressed about the difficulties and the heavy task of the Senator from West Virginia.

I know of no greater difficulty than to try to supervise an appropriation measure, to try to allocate limited funds within this body, unless it would be to allocate limited funds between this body and the other body. So my remarks—and I want to emphasize this—are not in any way directed at the Senator from West Virginia. Rather, if I may, I would like to direct these few words to our colleagues in the House. Each body is independent, of course.

I would like, as one Senator—and that is all I can speak for—to serve notice that, at a more propitious time than during the consideration of this supplemental appropriation bill at this late hour, I intend to do everything I can in my power—here again as one Senator—to see if we can reorient these priorities. I think they are out of kilter as far as that $16 million for the education opportunities grants are concerned.

We wisely, of course, have given great consideration to the need for efficiency. It has been my experience, in a relatively short period of time, only 7 years, but 8 years prior to that time in the State legislature, to observe that everyone is in favor of efficiency until it comes to cutting one particular project that is of significant interest to the one who previously talked of efficiency. I recognize that. But when we look at the whole operation of the Federal function in the area of education, we have to reorient our priorities. We have to take a hard, realistic look at the times in which we live. We have to realize there are things going on on some of our campuses which cannot be tolerated or, frankly, excused.

I think the record will bear out my observation that these misdeeds are participated in by a relatively small percentage of our students, but, because of the great notoriety they have received, there is a reaction—I sense it in the country as well as in my own constituency in Indiana and other places—which threatens to disembowel our whole educational effort at the Federal level and threatens to turn back the clock in the effort in which many of us have participated, along with the Senator from West Virginia, to try to broaden the base for educational opportunities.

That is my judgment from talking to thousands of young people, not only in my State but throughout the country. The young people want to learn. They want to face up to the challenges. They are asking questions which perhaps we should have asked 10 or 20 years ago.

Some of them point out the inconsistencies between what some of us in the older generation say and what we do. One of these inconsistencies is pointed out very vividly in the insistence on the part of the House that the $16 million of education opportunities grants be stricken from the conference report.

I allude to this inconsistency because, if there is one area that is fraught with controversy, it is the area of poverty. The whole area of guaranteed income, negative income tax, welfare, supplemental housing is a very hot potato. Yet there is one thing I have found no disagreement on. A person may be the most conservative person there is with respect to welfare, may be totally opposed to the Job Corps, but when it gets down to the fundamental question, there seems to be total agreement that the final solution to the problem of poverty is education.

I firmly believe that, although it is not quite that simple.

There is a total inconsistency in saying that education is the solution to the problem of poverty, and then striking out grants that are designed to permit unfortunate people who have been, through no fault of their own, born into families and environments that almost defy description, to have scholarship opportunities which would permit them to raise themselves by their own bootstraps and raise another generation in another environment with a better chance of being first-class Americans.

The Senator from West Virginia has been very indulgent, and I did not intend to get involved in this statement; but let me add that I have talked with officials at both private and State institutions in Indiana—and we have some very fine ones. Two weeks ago I had an opportunity to go to the Greensboro branch of the University of North Carolina and speak with a gentleman who is in charge of the educational assistance programs. He gave the same message that our education officials have been giving in the areas and schools where the dropout rate is high. We all know what happens to the youngster when he drops out. These officials have been giving the message to the poor and the underprivileged children, "Stick by your guns. Study. Stay in the classroom. Get your diploma. We are going to make is possible for you to get further training and get a college degree"—which is unheard of in many of these communities—"and have a whole new life for your family."

These children have stuck to programs like Upward Bound and others. They have stuck by their guns. Yet these people, both in North Carolina and in Indiana, and I imagine it is the same throughout the country, tell me that without this $16 million we are not going to have enough funds to give scholarship grants to young people who have been in the Upward Bound program, let alone those who have not. It seems to me this is going to be a terribly disastrous thing. Not only will it be a loss of know-how and creative ability and a great humanitarian loss, but I suggest we are dealing with dynamite when we raise the expectations of these young people and say, "Here is a chance for you to have a better tomorrow," and then, when the time comes to cross the threshold, tell them that, because of the action of the House of Representatives, the door has been literally slammed in their faces.

I do not need to repeat the axiom we are all familiar with, that the future of America depends on our commitment to our educational needs of tomorrow.

So perhaps we ought to make an examination or reorient our priorities and see whether we should do more in the area of education. Education is not a

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field in which we can cut back 1 year and make it up the next year. Each youngster who drops out of the education process has very little likelihood of getting back in. I not only suggest we need to continue the programs which we have undertaken to date, but, as far as investment of dollars is concerned, we have no better investment or way of doing a better job with our dollars. This is the key to the future.

I think some of us are going to do everything we can to see that the House of Representatives does not cause us to lose that key before we can take advantage of it.

I thank my friend from West Virginia for his indulgence. I know he did everything he could, but I think the House, in this instant, has been extremely shortsighted. I hope we can energize a force within this body to let the House know we mean business.

Mr. BYRD of West Virginia. Mr. President, I am very sympathetic to what the Senator from Indiana has just said. I was sympathetic to the item to which he has addressed his remarks. However, the conferees found the House to be adamant in its position.

I do not believe that the door, to paraphrase the Senator's words, has been slammed back in the faces of young people who want to receive an education. This is an ongoing program, and $124,600,000 was allotted to the program after conference action on the 1969 regular appropriation bill. So, although it is true that it would have been desirable to have the additional $16 million, I think we have to recognize that the 1970 appropriation will be coming along from the House at the end of this month, at least I would hope so. At that time, I am sure Senators will want to renew their efforts in behalf of this item by presenting to the appropriate subcommittee on appropriations—and it does not happen to be the one of which I am chairman—their viewpoints in support thereof.

I must point out that this item was not budgeted, and it is extremely difficult to take an unbudgeted item to conference and get the House to yield on the item.

I think the fact that it was not budgeted is largely responsible for our temporary defeat. It was not that the House conferees wanted to slam the door on anyone; it was simply that the House felt that if items are so necessary and needed, the executive branch ought to send up a budget request.

I would hope that those Senators who are interested in this item—and I am interested in it as well, though I was not one of those who led the fight for its inclusion in this bill; as a matter of fact, the suggested amendment came to our attention very late, we had no hearings on it, the House committee held no hearings, and as I have already stated there was no budget estimate, so we were at a great disadvantage in conference, in our attempt to prevail—will take encouragement from the realization that there was a very sizable amount of money appropriated in the 1969 appropriation bill, and undoubtedly there will be a considerable amount appropriated in the 1970 regular bill.

The battle is not wholly lost. I congratulate the Senator, and I commend the other Senators who joined with him in support of this item. They did a very fine job. I wish we could have prevailed in the conference.

Mr. BAYH. Mr. President, will the Senator yield for one further brief comment, although he has already, as I have stated before, been overly indulgent to me?

Mr. BYRD of West Virginia. I yield.

Mr. BAYH. I know how hard the Senator tried on this matter, and I know that at this late hour, we are not going to do anything about it in this bill. I think the Senator's admonition to start looking now to the next bill is certainly what we must do.

But as we do that, I hope that we will recognize the responsibility that the legislative branch has to deal with the inequities that exist in the system, and not fall back on the fact that the executive branch downtown did not feel that this was important.

The large sum to which the Senator referred is there, it is true, but when you consider the number of scholarships, the NDEA program, the EOG program, the loan program—which is practically dried up because of the interest rate, though I and some other Senators have introduced a bill to try to free it—as far as providing resources for the young people who want to go ahead and get an education, this whole program has become really regressive, and it deeply concerns me. I am a bit despondent about it all. I am sure I shall feel better tomorrow, but not enough to lose my determination to hope we can do better.

What better investment is there than to give these young people the resources they need to expand their knowledge, intellects, and skills, so that they can help solve some of these problems the rest of us have not yet been able to solve?

I thank the Senator from West Virginia.

Mr. BYRD of West Virginia. I thank the Senator from Indiana for his helpful comments.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. MONDALE. I share with the distinguished Senator from Indiana his appreciation of the task which the Senator from West Virginia has before him, in seeking to satisfy not only the Members of the Senate, but the conference committee as well, on a difficult supplemental appropriation bill such as this, involving, as I understand it, nearly $4.3 billion.

I deeply regret, however, that this second supplemental appropriations bill did not include any of the $16 million supplemental appropriation for the educational opportunity grant program which the original Senate version of the supplemental bill included.

This $16 million supplemental for the EOG program, which the Appropriations Committee added to the Senate version of the bill, would have restored the money which last fall's conference committee on the Labor-Health, Education, and Welfare appropriation cut from the original Senate appropriation for this program. It would have made 32,000 additional grants available for initial year EOG students, and prevented a severe reduction in the size of this program from occurring this fall. It would have kept faith both with our institutions of higher learning and with our disadvantaged students.

This is the second time, as I understand it, that the Senate has sought to include this $16 million figure for the purpose of maintaining the level of initial year educational opportunity grants, and the second time it has been dropped by conference committees.

The net effect is that serious cutback in the initial year EOG grants that will be available. We funded educational opportunity grants for 123,000 initial year students in the first year of this program, the school year 1966–67; for 133,000 initial year students in the school year 1967–68; and for 140,000 initial-year students in 1968–69; but, because we failed to include this $16 million, the figure this year will drop to 100,000 new students. Percentagewise, it is a substantial and severe cut. It involves denying the possibility of higher education to as many as 40,000 able young men and women in this country—young men and women who have the ability to go on to college, but, because of the financial gap which exists between them and the rising costs of a higher education, will be prevented from doing so.

Many of these young men and women have been approached through such Federal programs as Talent Search or Upward Bound. Many of them have been approached by the colleges and universities, have been identified as able young men and women, and have been encouraged to believe that they could afford to go to college through a combination of loans, grants, and work-study. The educational opportunities grants are essential; they are the foundation on which loans and work-study programs are built.

Several Senators wrote the full committee urging the inclusion of this $16 million, which was included by the committee in the Senate version of the bill. The Senate Appropriations Committee decision to restore this $16 million was applauded in floor statements by the Senator from New York (Mr. JAVITS), the Senator from Massachusetts (Mr. BROOKE), the Senator from Illinois (Mr. PERCY), the Senator from New York (Mr. GOODELL), the Senator from Indiana (Mr. BAYH), the Senator from Michigan (Mr. HART), the Senator from Wisconsin (Mr. NELSON), the Senator from California (Mr. CRANSTON), the Senator from Missouri (Mr. EAGLETON), and myself. And many other Senators, as the Senator from West Virginia knows, are most interested in it.

The reason for this interest and support is that very few programs have worked as successfully as the EOG. Very few programs have elicited the strong support of American educational institutions that this program has.

I do not have to remind the Senator from West Virginia that the cost of education is rising almost twice as fast as the cost of living. It is now literally out of range for an estimated 700,000 able young men and women, who cannot afford to go on to college today because of the rising cost of education. Within 3 years, there will be 1,250,000 able young men and women who cannot afford to go on to college because of the rising cost of education.

This would have been the time, in my opinion, to substantially increase the educational opportunities grants program, so that we could take in an ever larger share of these able young men and women, and give them a chance to go on through college and contribute more effectively, not only to their own lives, but to the lives of their relatives, their neighborhoods, their States, and this Nation. Surely the experience we had with the GI bills ought to persuade us that this is not only right for these young men and women, but it is a good investment for the Nation.

The World War II GI bill of rights law has already repaid the Federal Government, and we have years and years to go with it. The Government is making a nice profit from the World War II bill of rights as well as from the other educational programs. That is why I find the loss of this $16 million particularly grievous. I do not know how we can explain to these young men and women the kind of priorities we have.

I appreciate the fact that the Senator sought to include this additional funding. But we have before us a supplemental budget involving additional appropriations of $4.3 billion, of which, I understand, about one-half is defense-related. We wanted to include $16 million merely to maintain an existing program at a level nearly as great as it has been in the last 3 years. That may not mean much to us in the Senate, but it will profoundly affect the lives of 32,000 gifted young men and women.

I would hope that somehow we could develop a strategy to cause the House to understand the nature of this problem, and to do a far better job of enlisting their support, in some way, than we have thus far.

I am not being at all critical of the conferees, because I appreciate their difficulties, which we have already discussed.

Perhaps this problem was best expressed in the words of the president of the University of Minnesota, Malcolm Moos, who said:

> Such federal cutbacks jeopardize not only our work with low income students presently at the university, but also our future recruitment programs. In addition, these cutbacks create hardships for the student group least able to cope with them, and may well increase campus tensions as institutions are unable to assist our economically deprived.

As the Senator from West Virginia understands, this issue will arise again in the regular budget-making process before the appropriate subcommittee. I wish it to be known that I shall do all I can to make the realities of this program, the compelling need for this program, the basic commonsense and justice underlying it, known in the Senate and known before the appropriate committee, because I feel there are few things that Congress can do now that will go further, that will help more, that constitute a better investment, than the educational opportunity grant program.

Reductions in educational investments are simply false economies. I believe that the conference committee decision not to include any supplemental for the educational opportunity grant program was a serious mistake, just as I believe the administration's proposed budget reductions in education programs for fiscal year 1970 are serious mistakes. I am disappointed that this effort to keep the educational opportunity grant program operating at a steady level has been unsuccessful, and I pledge my support for efforts to assure that important programs of Federal aid to education—from preschool education to elementary and secondary, higher education and adult education—are funded at a fuller and more adequate level in fiscal year 1970.

Mr. BYRD of West Virginia. I thank the Senator from Minnesota. I am only sorry that I do not possess the eloquence of the Senator from Minnesota and the Senator from Indiana; otherwise, we might have prevailed in conference.

Mr. MONDALE. I thank the Senator from West Virginia. We were hoping that the Senator would prevail because of his greater eloquence.

Mr. JAVITS. Mr. President, first I join with the views of my colleagues on the Education Subcommittee and express also my desire to work with them.

I shall certainly do my utmost to have adequate funds inserted for the educational opportunty grants in the regular HEW bill and fight for them all of the way.

I would, however, at this moment like to thank the Senator from West Virginia (Mr. Byrd)—I have been waiting for some time to do this—and I should also like to thank the Senator from South Dakota (Mr. Mundt), who has apparently left the Chamber momentarily, for following through as they did with respect to the matter of summer employment.

I think they did well to get $7.5 million out of $10 million. We should have had a very much larger allocation, but all we could get in the Senate was $10 million. So, to come back from the conference with the House with 75 percent in a case in which they had nothing is a very fine achievement. I have been in those conferences and have fought very hard in them.

More than that, it gives me great gratification that an act of the Senate after debate and consideration is not just tossed off lightly.

The Senator from West Virginia told me that he had contended for this measure in conference as if it were his own. And he obviously did, or it would not have come out this way.

I do not think there is any finer tribute that a Senator can pay another Senator than to say to him: "You did what you would have done for your own amendment if it had carried in the Senate, and you did this on a matter on which you had some doubts. You took the amendment and said you would follow through on it, and you did."

Not only am I grateful—because that is not very important—but I also think the Senate will find itself with an extremely helpful, though small amount of money. It will be very critical at a time when I think it will be demonstrated that every drop of this kind of rain will fall on very barren soil.

I thank my colleague for everything he did, and especially for sticking so closely, so precisely, to what he told the Senate and what he told me he would do in respect to the matter.

Mr. BYRD of West Virginia. Mr. President, it should be said that but for the efforts of the Senator from New York, I do not think we would have the $7.5 million in the bill. It was not my intention originally to insert it. However, as a result of his unflagging diligence and work, I offered the substitute amendment which carried in the amount of $10 million. The Senator is precisely correct in saying that, having done that, I fought for it hard in conference.

As a matter of fact, I think I felt a greater responsibility to contend for that amendment in conference than I would have felt had it been my own legislative brainchild, so to speak, from the beginning.

So the Senator, I think, can feel very good about it all. I have no hesitancy in saying frankly and candidly, as I have here, that whatever credit there may be due anent this item, the Senator from New York can really feel proud, because it is mostly due him. I support the Neighborhood Youth Corps type programs, but it was he who generated the climate and pressed the fight to include the funds.

Mr. JAVITS. Mr. President, that is very kind of the Senator, but I still maintain what I have said. The Senator did it as if it were his own, and this is a very, very fine thing.

Mr. SPONG. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. SPONG. Mr. President, initially, I commend the Senator from West Virginia and his fellow colleagues for their diligence and their relative success in the conference from which they have emerged.

There is an item, however, on which I think the conferees have been shortsighted.

For the benefit of the Record, I should like to ask the Senator from West Virginia a question or two about that item.

Mr. BYRD of West Virginia. Certainly.

Mr. SPONG. Mr. President, pursuant to the land-grant authorization for Federal City College and Washington Technical Institute, the House appropriated $7.24 million which the Senate did not see fit to leave in the bill after it came here. Am I correct?

Mr. BYRD of West Virginia. The Senator is correct.

Mr. SPONG. Mr. President, this money was programed to be used in part by Federal City College for a land-grant extension program and on the part of Washington Technical Institute for a vocational program and environmental science program. These programs could not be expanded otherwise.

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The Senate agreed to an amendment on the floor which would have appropriated in lieu of a $7 million-plus endowment $360,000 which would have enabled these two institutions to go forward with these programs. Am I correct?

Mr. BYRD of West Virginia. The Senate did agree to a proposal, at the behest of the distinguished junior Senator from Virginia, to add the $360,000.

Mr. SPONG. Mr. President, it is my understanding that in the conference the House felt it would not settle for anything other than the $7.24 million endowment on its part. Am I correct?

Mr. BYRD of West Virginia. The House expressed the viewpoint that if the Senate position prevailed, and the $360,000 were allowed, the door would thereby be opened for continuing requests for a new and permanent program in subsequent years which requests, in the view of the House, would become larger each year than the amount which was originally inserted at the request of the Senator from Virginia.

The House was adamant in opposing the position of the Senate. The Senate conferees, I suppose largely at my suggestion, were firm in opposing the $7.24 million inserted by the House.

It was my feeling that, in view of the fact that the item had come to the subcommittee in the form of a supplemental request and that the hearings themselves did not produce sufficient testimony on which to support the $7 million figure, the budget request should come up again and go through the normal channels and go before the regular appropriations subcommittees in the two Houses handling the particular item, so that they might exercise their considered judgment thereon after eliciting whatever testimony they might be able to secure in justification thereof.

The result was that the House yielded insofar as the Senate position was concerned anent the $7.2 million, and the Senate was forced to yield in connection with the smaller amount. The slate was wiped clean, and no money was included.

Mr. SPONG. Mr. President, implicit in what the Senator has said is that the House position was in substance that if any appropriation was to be made, they wanted it to be made for the endowment of $7.24 million.

Mr. BYRD of West Virginia. The Senator is again correct.

Mr. SPONG. I think the RECORD should show that until the endowment is appropriated, and as a result of the lack of action by the conference, these two institutions for the time being will not be able to expand programs in nutrition, child care, consumer education, and other aspects of family living in the District of Columbia, as well as environmental science programs and mechanical arts programs of which I already have spoken.

I think the expansion of these programs, particularly in the District of Columbia, are vital at this time. I was glad to hear the Senator from West Virginia say that he felt that in the regular proceedings to take place before the proper Appropriations Committees, the entire $7.24 million will again be considered. But I feel that these programs should be expanded in the District. I think they are needed. I think we are shortsighted when we appropriate money for food stamps and food programs, without recognizing that nutrition education, and these other extension programs are necessary. I hope that Congress will see fit to provide for the full endowment in the 1970 budget.

I thank the Senator from West Virginia for reviewing this matter with me.

Mr. BYRD of West Virginia. Mr. President, I wish to make one slight correction, not necessarily in the Senator's remarks, but perhaps in my own.

If I said that the item "will be considered" in the 1970 budget, I do not think that is a precise statement. I am not sure that it was included in fiscal year 1970 budget estimates that were sent to Congress by the President. I am just not knowledgeable in that regard. But if an estimate has not yet been sent up, the Senator can, of course, ask the President to send up such a request. If the President does not accede to that request, and if there is no budget estimate before the Congress for this item, the Senator can approach the Appropriations Committee in the Senate and ask that it insert the money.

May I say that I hold no particular prejudice against this item, and it will not come before my subcommittee, if it does come up in the regular 1970 request. I have no prejudice against this item, per se. I did not feel that it had been justified in the hearings. Perhaps that was partly my own fault; perhaps I should have asked for additional testimony on it.

Nevertheless, I have no doubt that the able Senator from Virginia (Mr. SPONG) will continue in his efforts until he succeeds. I am sure he will do everything he possibly can, and I commend him on his unflagging devotion to this cause.

Mr. SPONG. I say to the Senator from West Virginia that upon reviewing the record of the testimony before the Senate subcommittee, I can only agree with him that there was a lack of proper information upon which the Senate should act. But the fact remains that this money in lieu of land has been authorized by virtue of the status of this college. These programs have been authorized and planned, but as a result of this, they cannot go forward, and they are all badly needed. Whether through the endowment of otherwise, I shall continue wherever I can to see that something is done about it.

Mr. BYRD of West Virginia. I know the Senator will do that. I know he is disappointed at the action of the conferees, but I am confident that if this item can be justified, the Senator from Virginia will see that it is so justified.

Mr. SPONG. I thank the Senator from West Virginia.

Mr. BYRD of West Virginia. If it should happen not to go before the regular subcommittees as a result of a budget estimate submitted, and if it should come again before this subcommittee during the fall, I can assure the Senator that there will be ample testimony taken on it; and the Senator from Virginia will be given an opportunity to appear before my subcommittee and present the facts which he has been able to develop, and which reveal so much resourcefulness and effort on his part.

I commend him. He has temporarily lost a battle. But if I know my man, I think he will win the final and decisive battle when the time comes.

Mr. SPONG. I thank the Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, I urge that the conference report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER. The clerk will state the amendments in disagreement.

The assistant legislative clerk read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 6 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert: "$500,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 7 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert: "$1,500,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 8 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert: "$2,000,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 40 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert: "$7,500,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 42 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the matter stricken and proposed by said amendment, insert the following: "$3,920,000, to remain available until expended for annual interest grants authorized by section 306 of the Higher Education Facilities Act, as amended (Public Law 90-575, approved October 16, 1968): *Provided,* That, in addition, $160,000 shall be derived by transfer from 'Community mental health resource support,' Public Health Service, fiscal year 1969: *Provided further,* That none of the funds appropriated by this Act for annual interest grants authorized by section 306 of the Higher Education Facilities Act, as amended by Public Law 90–575, shall be used to formulate or carry out any grant to any institution of higher education unless such institution is in full compliance with section 504 of such Act.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 90 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert the following:

"SEC. 401 (a) Expenditures and net lending (budget outlays) of the Federal Government during the fiscal year ending June 30, 1970, shall not exceed $191,900,000,000: *Provided,* That whenever action, or inaction, by the Congress on requests for appropriations and other budgetary proposals varies from the President's recommendations reflected in the 'Review of the 1970 Budget' appearing on pages 9351–9354 of the CONGRESSIONAL RECORD of April 16, 1969, the Director of the Bureau of the Budget shall report to the President and to the Congress his estimate of the effect of such action or inaction on expenditures and net lending (budget outlays), and the limitation set forth herein shall be correspondingly adjusted: *Provided further*, That the Director of the Bureau of the Budget shall repost to the President and to the Congress his estimate of the effect on expenditures and net lending (budget outlays) of other actions by the Congress (whether initiated by the President or the Congress) and the limitation set forth herein shall be correspondingly adjusted: *Provided further*, That net congressional actions or inactions affecting expenditures and net lending reflected in the 'Review of the 1970 Budget' shall not serve to reduce the foregoing limitation of $191,900,000,000 unless and until such actions or inactions result in a net reduction of $1,000,000,000 below total expenditures and net lending estimated for 1970 in the 'Review of the 1970 Budget'.

"(b) (1) In the event the President shall estimate and determine that expenditures and net lending (budget outlays) during the fiscal year 1970 for the following items (the expenditures for which arise under appropriations or other authority not requiring annual action by the Congress) appearing on page 16 of the budget for such fiscal year (H. Doc. 91–15, part 1, Ninety-first Congress), namely:

"(i) items designated 'Social security, Medicare, and other social insurance trust funds';

"(ii) the appropriation 'National service life insurance (trust fund)' included in the items designated 'Veterans pensions, compensation, and insurance';

"(iii) the item 'Interest'; and

"(iv) the item 'Farm price supports (Commodity Credit Corporation)'

will exceed the estimates included for such items in the 'Review of the 1970 budget', referred to in subsection (a) hereof, the President may, after notification in writing to the Congress stating his reasons therefor, adjust accordingly the amount of the overall limitation provided in subsection (a).

"(2) In the event the President shall estimate and determine that receipts (credited against expenditures and net lending) during the fiscal year 1970 derived from:

"(i) sales of financial assets of programs administered by the Farmers Home Administration, Export-Import Bank, agencies of the Department of Housing and Urban Development, the Veterans' Administration, and the Small Business Administration; and

"(ii) leases of lands on the Outer Continental Shelf will be less than the estimates included for such items in the 'Review of the 1970 Budget' referred to in subsection (a) hereof, the President may, after notification in writing to the Congress stating his reasons therefor, adjust accordingly the amount of the overall limitation provided in subsection (a).

"(3) The aggregate amount of the adjustments made pursuant to paragraphs (1) and (2) of this subsection shall not exceed $2,000,000,000.

"(c) The Director of the Bureau of the Budget shall report periodically to the President and to the Congress on the operation of this section. The first such report shall be made at the end of the first month which begins after the date of approval of this Act; subsequent reports shall be made at the end of each calendar month during the first session of the Ninety-first Congress, and at the end of each calendar quarter thereafter."

Mr. BYRD of West Virginia. Mr. President, I move that the Senate concur in the amendments of the House to the amendments of the Senate numbered 6, 7, 8, 40, 42, and 90.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a tabulation which reflects the budget estimates, the House and Senate allowances, and the conference action on the amounts in the bill.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

SECOND SUPPLEMENTAL, 1969 (H.R. 11400)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL

TITLE I—MILITARY OPERATIONS IN SOUTHEAST ASIA

H. Doc. No.	Department or activity	Budget estimate	Version of bill		Conference
			House	Senate	
	DEPARTMENT OF DEFENSE—MILITARY				
	MILITARY PERSONNEL				
91–94	Military personnel, Army	$136, 200, 000	$110, 000, 000	$110, 000, 000	$110, 000,000
91–94	Military personnel, Navy	21, 500, 000	14, 500, 000	21, 500, 000	21, 500,000
91–94	Military personnel, Air Force	146, 000, 000	115, 000, 000	146, 000, 000	146, 000, 000
	Total, military personnel	303, 700, 000	239, 500, 000	277, 500, 000	277, 500, 000
	OPERATION AND MAINTENANCE				
91–94	Operation and maintenance, Army	144, 600, 000	96, 310, 000	96, 310, 000	96, 310, 000
91–50	Operation and maintenance, Marine Corps	24, 300, 000	15, 390, 000	15, 390, 000	15, 390, 000
	By transfer			*(8, 910, 000)*	
91–94	Operation and maintenance, Air Force	307, 300, 000	242, 700, 000	242, 700, 000	242, 700, 000
	Total, operation and maintenance	476, 200, 000	354, 400, 000	354, 400, 000	354, 400, 000
	By transfer			*(8, 910, 000)*	
	PROCUREMENT				
91–94	Procurement of equipment and missiles, Army	717, 000, 000	640, 100, 000	640, 100, 000	640, 100, 000
	Total, title I, military operations in Southeast Asia, Department of Defense, military	1, 496, 900, 000	1, 234, 000, 000	1, 272, 000, 000	1, 272, 000, 000
	By transfer			*(8, 910, 000)*	

TITLE II

H. Doc. No.	Department or activity	Budget estimate	House	Senate	Conference
	CHAPTER I				
	DEPARTMENT OF AGRICULTURE				
	AGRICULTURAL RESEARCH SERVICE				
91–94	Salaries and expenses	$1, 400, 000	$1, 400, 000	$1, 400, 000	$1, 400, 000
	EXTENSION SERVICE				
91–94	Cooperative extension work, payments and expenses	218, 000	218, 000	218, 000	218, 000
	SOIL CONSERVATION SERVICE				
S. Doc. 91–18	Flood prevention	4, 000, 000		4, 000, 000	4, 000, 000
	AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE				
91–50	Sugar Act program	7, 500, 000	7, 500, 000	7, 500, 000	7, 500, 000
	FARMERS HOME ADMINISTRATION				
	Emergency credit revolving fund		*(Language)*	*(Language)*	*(Language)*
	Total, chapter I: New budget (obligational) authority	13, 118, 000	9, 118, 000	13, 118, 000	13, 118, 000

Footnotes at end of table.

SECOND SUPPLEMENTAL, 1969 (H.R. 11400)—Continued

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued

TITLE II—continued

H. Doc. No.	Department or activity	Budget estimate	Version of bill		
			House	Senate	Conference
	CHAPTER II				
	DEPARTMENT OF DEFENSE—MILITARY				
	MILITARY PERSONNEL				
91-50	Reserve personnel, Navy	$8,500,000	$4,150,000	$4,150,000	$4,150,000
	Increased pay costs (included above)—budget authority	*(3,500,000)*	*(3,150,000)*	*(3,150,000)*	*(3,150,000)*
91-94	Reserve personnel, Marine Corps	6,800,000	4,500,000	6,400,000	5,450,000
	Increased pay costs (included above)—budget authority	*(1,600,000)*	*(800,000)*	*(1,600,000)*	*(1,200,000)*
91-50	Retired pay, Defense	175,000,000	175,000,000	175,000,000	175,000,000
	Increased pay costs (included above)—budget authority	*(13,000,000)*	*(13,000,000)*	*(13,000,000)*	*(13,000,000)*
	Total, military personnel	190,300,000	183,650,000	185,550,000	184,600,000
	Increased pay costs (included above)—budget authority	*(18,100,000)*	*(16,950,000)*	*(17,750,000)*	*(17,350,000)*
	OPERATION AND MAINTENANCE				
91-50	Operation and maintenance, Navy	[1] 26,100,000	20,000,000	20,000,000	20,000,000
	Increased pay costs (included above)—budget authority	*(26,100,000)*	*(20,000,000)*	*(20,000,000)*	*(20,000,000)*
91-50	Operation and maintenance, Marine Corps	[2] 4,600,000	3,600,000	3,600,000	3,600,000
	By transfer			*(1,000,000)*	*(500,000)*
	Increased pay costs (included above):				
	Budget authority	*(4,600,000)*	*(3,600,000)*	*(3,600,000)*	*(3,600,000)*
	By transfer			*(1,000,000)*	*(500,000)*
91-50	Operation and maintenance, Army National Guard	13,000,000	10,000,000	10,000,000	10,000,000
	By transfer			*(3,000,000)*	*(1,500,000)*
	Increased pay costs (included above):				
	Budget authority	*(7,600,000)*	*(6,000,000)*	*(6,000,000)*	*(6,000,000)*
	By transfer			*(1,600,000)*	*(800,000)*
91-50	Operation and maintenance, Air National Guard	15,682,000	8,800,000	8,800,000	8,800,000
	By transfer			*(5,377,000)*	*(2,000,000)*
	Increased pay costs (included above) budget authority	*(6,682,000)*	*(5,200,000)*	*(5,200,000)*	*(5,200,000)*
	Total, operation and maintenance	59,382,000	42,400,000	42,400,000)	42,400,000
	By transfer			*(9,377,000)*	*(4,000,000)*
	Increased pay costs (included above).				
	Budget authority	*(44,932,000)*	*(34,800,000)*	*(34,800,000)*	*(34,800,000)*
	By transfer			*(2,600,000)*	*(1,300,000)*
	Total, chapter II:				
	New budget (obligational) authority	249,682,000	226,050,000	227,950,000	227,000,000
	By transfer			*(9,377,000)*	*(4,000,000)*
	Increased pay costs (included above):				
	Budget authority	*(63,082,000)*	*(51,750,000)*	*(52,550,000)*	*(52,150,000)*
	By transfer			*(2,600,000)*	*(1,300,000)*
	CHAPTER III				
	DISTRICT OF COLUMBIA				
	FEDERAL FUNDS				
91-50	Federal payment to the District of Columbia	11,000,000	10,365,000	10,365,000	10,365,000
91-50	Loans to the District of Columbia for capital outlay	18,736,000	Not considered	18,736,000	
	Total, Federal funds	29,736,000	10,365,000	29,101,000	10,365,000
	DISTRICT OF COLUMBIA FUNDS				
91-50	*General operating expenses*	*1,070,000*	*975,000*	*975,000*	*975,000*
	Increased pay costs (included above)—budget authority	*(940,000)*	*(845,000)*	*(845,000)*	*(845,000)*
91-99	*Public safety*	*10,457,000*	*10,034,000*	*10,034,000*	*10,034,000*
	Increased pay costs (included above)—budget authority	*(8,098,000)*	*(8,098,000)*	*(8,098,000)*	*(8,098,000)*
91-50	*Education*	*13,931,000*	*13,931,000*	*13,931,000*	*13,934,000*
	Increased pay costs (included above)—budget authority	*(13,085,000)*	*(13,085,000)*	*(13,085,000)*	*(13,085,000)*
91-99	*Health and welfare*	*111,000*	*111,000*	*111,000*	*111,000*
	Increased pay costs (reallocations) (included above)—budget authority	*(111,000)*	*(111,000)*	*(111,000)*	*(111,000)*
91-99	*Sanitary engineering*	*252,000*	*252,000*	*252,000*	*252,000*
	Increased pay costs (reclassifications) (included above)—budget authority	*(252,000)*	*(252,000)*	*(252,000)*	*(252,000)*
91-99	*Settlement of claims and suits*	*50,000*	*50,000*	*50,000*	*50,000*
91-50	*Capital outlay*	*18,736,000*	Not considered	*18,736,000*	
	Total, District of Columbia funds	*44,607,000*	*25,353,000*	*44,089,000*	*25,358,000*
	Increased pay costs (included above)—budget authority [3]	*(22,486,000)*	*(22,391,000*	*(22,391,000*	*(22,391,000)*
	Total, chapter III, new budget (obligational) authority	29,736,000	10,365,000	29,101,000	10,365,000
	CHAPTER IV				
	FOREIGN OPERATIONS				
	DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE				
	SOCIAL AND REHABILITATION SERVICE				
91-50	Assistance to refugees in the United States (Cuban refugee program.)	2,853,000	2,700,000		
	By transfer			[4] *(2,700,000)*	[4] *(2,700,000)*
	By transfer—increased pay costs	*(38,000)*	*(35,000)*	*(35,000)*	*(35,000)*
	FUNDS APPROPRIATED TO THE PRESIDENT				
	INTERNATIONAL FINANCIAL INSTITUTIONS				
S. Doc. 91-19	Subscription to the International Development Association	160,000,000		160,000,000	160,000,000
	Total, chapter IV:				
	New budget (obligational) authority	162,853,000	2,700,000	160,000,000	160,000,000
	By transfer	*(38,000)*	*(35,000)*	*(2,735,000)*	*(2,735,000)*
	Increased pay costs (included above):				
	By transfer	*(38,000)*	*(35,000)*	*(35,000)*	*(35,000)*

Footnotes at end of table.

SECOND SUPPLEMENTAL, 1969 (H.R. 11400)—Continued

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued

TITLE II—continued

H. Doc. No.	Department or activity	Budget estimate	Version of bill		Conference
			House	Senate	
	CHAPTER V				
	EXECUTIVE OFFICE OF THE PRESIDENT				
	OFFICE OF EMERGENCY PREPAREDNESS				
91-94	Salaries and expenses, telecommunications	$777,000	$500,000	$777,000	$500,000
	FUNDS APPROPRIATED TO THE PRESIDENT				
	DISASTER RELIEF				
91-94	Disaster relief	35,000,000	35,000,000	35,000,000	35,000,000
	INDEPENDENT OFFICES				
	FEDERAL TRADE COMMISSION				
91-94	Salaries and expenses	650,000	600,000	600,000	600,000)
	Release of Public Law 90-364 reserves	*(81,000)*	*(81,000)*	*(81,000)*	*(81,000*
	Increased pay costs (included above):				
	Budget authority	*(500,000)*	*(500,000)*	*(500,000)*	*(500,000)*
	Release of reserves	*(21,000)*	*(21,000)*	*(21,000)*	*(21,000)*
	Total	*(521,000)*	*(521,000)*	*(521,000)*	*(521,000)*
	NATIONAL SCIENCE FOUNDATION				
91-50	*Salaries and expenses*	[illegible] *Language*		*Language*	
	SELECTIVE SERVICE SYSTEM				
91-50	Salaries and expenses	3,139,000	2,573,000	3,139,000	2,850,000
	Increased pay costs (included above)—budget authority	*(2,139,000)*	*(2,139,000)*	*(2,139,000)*	*(2,850,000)*
	VETERANS' ADMINISTRATION				
91-50 and S. Doc. 91-18	Compensation and pensions	276,600,000	179,000,000	276,600,000	296,600,000
91-50 and S. Doc. 91-18	Readjustment benefits	89,200,000	14,200,000	89,200,000	89,200,000
91-50 and S. Doc. 91-18	Medical care	53,800,000	46,189,000	53,800,000	53,800,000
	Release of Public Law 90-364 reserves	*(15,167,000)*	*(15,167,000)*	*(15,167,000)*	*(15,167,000)*
	Increased pay costs (included above):				
	Budget authority	*(39,006,000)*	*(31,395,000)*	*(39,006,000)*	*(39,006,000)*
	Release of reserves	*(15,167,000)*	*(15,167,000)*	*(15,167,000)*	*(15,167,000)*
	Total	*(54,173,000)*	*(46,562,000)*	*(54,173,000)*	*(54,173,000)*
91-50	General operating expenses	12,500,000	12,000,000	12,000,000	12,000,000
	Increased pay costs (including above)—budget authority	*(7,900,000)*	*(7,900,000)*	*(7,900,000)*	*(7,900,000)*
	Total, Veterans' Administration	432,100,000	251,389,000	431,600,000	431,600,000
	Release of Public Law 90-364 reserves	*(15,167,000)*	*(15,167,000)*	*(15,167,000)*	*(15,167,000)*
	Increased pay costs (included above):				
	Budget authority	*(46,906,000)*	*(39,295,000)*	*(46,906,000)*	*(46,906,000)*
	Release of reserves	*(15,167,000)*	*(15,167,000)*	*(15,167,000)*	*(15,167,000)*
	Total	*(62,073,000)*	*(54,462,000)*	*(62,073,000)*	*(62,073,000)*
	DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT				
	MORTGAGE CREDIT				
91-50	*Homeownership and rental housing assistance* (*annual contract authorizations, increase in limitations*):				
	Homeownership assistance	*(50,000,000)*	*(40,000,000)*	*(50,000,000)*	*(45,000,000)*
	Rental housing assistance	*(50,000,000)*	*(40,000,000)*	*(50,000,000)*	*(45,000,000)*
	RENEWAL AND HOUSING ASSISTANCE				
91-50	*College housing* (*annual contract authorization, increase in limitation*)	*(4,500,000)*	*(2,500,000)*	*(2,500,000)*	*(2,500,000)*
91-50	Low-rent public housing annual contributions:				
	1968	7,168,000	7,168,000	7,168,000	7,168,000
	1969	16,000,000	16,000,000	16,000,000	16,000,000
	Total, renewal and housing assistance	23,168,000	23,168,000	23,168,000	23,168,000
	DEPARTMENTAL MANAGEMENT				
91-50	Payment of participation sales insufficiencies	4,836,000			
91-50	Fair housing program	2,000,000		1,000,000	
	Total, departmental management	6,836,000		1,000,000	
	Total Department of Housing and Urban Development:				
	1968	7,168,000	7,168,000	7,168,000	7,168,000
	1969	22,836,000	16,000,000	17,000,000	16,000,000
	Total	30,004,000	23,168,000	24,168,000	23,168,000
	New annual contract authorizations, increase in limitations	*(104,500,000)*	*(82,500,000)*	*(102,500,000)*	*(90,000,000)*
	Total, chapter V:				
	New budget (obligational) authority:				
	1968	7,168,000	7,168,000	7,168,000	7,168,000
	1969	494,502,000	306,062,000	488,116,000	486,550,000
	Total	501,670,000	313,230,000	495,284,000	493,718,000)
	New annual contract authorizations, increase in limitations	*(104,500,000)*	*(82,500,000)*	*(102,500,000)*	*(92,500,000)*
	Release of Public Law 90-364 reserves	*(15,248,000)*	*(15,248,000)*	*(15,248,000)*	*(15,248,000)*
	Increased pay costs (included above):				
	Budget authority	*(49,545,000)*	*(41,934,000)*	*(49,545,000)*	*(49,545,000)*
	Release of reserves	*(15,188,000)*	*(15,188,000)*	*(15,188,000)*	*(15,188,000)*
	Total	*(64,763,000)*	*(57,122,000)*	*(64,733,000)*	*(64,733,000)*

Footnotes at end of table.

SECOND SUPPLEMENTAL, 1969 (H.R. 11400)—Continued

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued

TITLE II—continued

H. Doc. No.	Department or activity	Budget estimate	Version of bill		Conference
			House	Senate	
	CHAPTER VI				
	DEPARTMENT OF THE INTERIOR				
	BUREAU OF LAND MANAGEMENT				
91-94	Management of land and resources	$10,410,000	$10,410,000	$10,410,000	$10,410,000
	By transfer	*(1,628,000)*	*(1,628,000)*	*(1,628,000)*	*(1,628,000)*
	Release of Public Law 90-364 reserves	*(275,000)*	*(275,000)*	*(275,000)*	*(275,000)*
	Release of Public Law 90-364 reserves (and transfer hereto)	*(175,000)*	*(175,000)*	*(175,000)*	*(175,000)*
	By transfer	*(1,178,000)*	*(1,178,000)*	*(1,178,000)*	*(1,178,000)*
	Release of reserves	*(450,000)*	*(450,000)*	*(450,000)*	*(450,000)*
	Total	*(1,628,000)*	*(1,628,000)*	*(1,628,000)*	*(1,628,000)*
	BUREAU OF INDIAN AFFAIRS				
S. Doc. 91-18	Education and welfare services	2,781,000		2,781,000	2,781,000
91-94	Resources management	2,769,000	2,769,000	2,700,000	2,700,000
	Release of Public Law 90-364 reserves	*(426,000)*	*(426,000)*	*(426,000)*	*(426,000)*
	Increased pay costs (included above):				
	Budget authority	*(1,619,000)*	*(1,619,000)*	*(1,619,000)*	*(1,619,000)*
	Release of reserves	*(426,000)*	*(426,000)*	*(426,000)*	*(426,000)*
	Total	*(2,045,000)*	*(2,045,000)*	*(2,045,000)*	*(2,045,000)*
	BUREAU OF OUTDOOR RECREATION				
91-94	Land and water conservation:				
	Repayable advance to the Land and Water Conservation Fund	*(19,000,000)*	*(19,000,000)*		
	Liquidation of obligations out of the Land and Water Conservation Fund	*(19,000,000)*	*(19,000,000)*	*(19,000,000)*	*(19,000,000)*
	OFFICE OF TERRITORIES				
S. Doc. 91-18	Administration of territories	950,000		950,000	950,000
	GEOLOGICAL SURVEY				
1-94 and S. Doc. 91-18	Surveys, investigations, and research	2,242,000	2,092,000	2,242,000	2,242,000
	Increased pay costs (included above)—budget authority	*(1,792,000)*	*(1,792,000)*	*(1,792,000)*	*(1,792,000)*
	BUREAU OF MINES				
91-18	Health and safety	750,000		750,000	750,000
91-50	Helium fund (borrowing authorization)	10,000,000	5,000,000	10,000,000	10,000,000
	OFFICE OF OIL AND GAS				
91-50	Salaries and expenses	123,000	48,000	48,000	48,000
	Increased pay costs (included above)—budget authority	*(48,000)*	*(48,000)*	*(48,000)*	*(48,000)*
	BUREAU OF COMMERCIAL FISHERIES				
91-50	Payment to Fishermen's Protective Fund	60,000	60,000	60,000	60,000
	BUREAU OF SPORT FISHERIES AND WILDLIFE				
91-94	Management and investigations of resources	1,353,000	1,353,000	1,353,000	1,353,000
	Release of Public Law 90-364 reserves	*(139,000)*	*(139,000)*	*(139,000)*	*(139,000)*
91-94	Construction	400,000	200,000	400,000	400,000
	Total, Bureau of Sport Fisheries and Wildlife	1,753,000	1,553,000	1,753,000	1,753,000
	Release of Public Law 90-364 reserves	*(139,000)*	*(139,000)*	*(139,000)*	*(139,000)*
	Increased pay costs (included above):				
	Budget authority	*(1,103,000)*	*(1,103,000)*	*(1,103,000)*	*(1,103,000)*
	Release of reserves	*(139,000)*	*(139,000)*	*(139,000)*	*(139,000)*
	Total	*(1,242,000)*	*(1,242,000)*	*(1,242,000)*	*(1,242,000)*
	NATIONAL PARK SERVICE				
91-94	Management and protection	2,479,000	2,479,000	2,366,000	2,366,000
	Release of Public Law 90-364 reserves	*(195,000)*	*(195,000)*	*(195,000)*	*(195,000)*
	Increased pay costs (included above):				
	Budget authority	*(1,679,000)*	*(1,679,000)*	*(1,679,000)*	*(1,679,000)*
	Release of reserves	*(195,000)*	*(195,000)*	*(195,000)*	*(195,000)*
	Total	*(1,874,000)*	*(1,874,000)*	*(1,874,000)*	*(1,874,000)*
91-50 and S. Doc. 91-18	Construction	1,103,000	100,000	1,103,000	1,103,000
	Total, National Park Service	3,582,000	2,579,000	3,469,000	3,469,000
	Release of Public Law 90-364 reserves	*(195,000)*	*(195,000)*	*(195,000)*	*(195,000)*
	Increased pay costs (included above):				
	Budget authority	*(1,679,000)*	*(1,679,000)*	*(1,679,000)*	*(1,679,000)*
	Release of reserves	*(195,000)*	*(195,000)*	*(195,000)*	*(195,000)*
	Total	*(1,874,000)*	*(1,874,000)*	*(1,874,000)*	*(1,574,000)*
	Total, Department of the Interior	35,420,000	24,511,000	35,163,000	36,153,000
	Release of Public Law 90-364 reserves	*(1,210,000)*	*(1,210,000)*	*(1,210,000)*	*(1,210,000)*
	By transfer	*(1,628,000)*	*(1,628,000)*	*(1,628,000)*	*(1,628,000)*
	Liquidation cash	*(19,000,000)*	*(19,000,000)*	*(19,000,000)*	*(19,000,000)*
	Increased pay costs (included above):				
	Budget authority	*(6,241,000)*	*(6,241,000)*	*(6,241,000)*	*(6,241,000)*
	Release of reserves	*(1,210,000)*	*(1,210,000)*	*(1,210,000)*	*(1,210,000)*
	By transfer	*(1,178,000)*	*(1,178,000)*	*(1,178,000)*	*(1,178,000)*
	Total	*(8,629,000)*	*(8,629,000)*	*(8,629,000)*	*(8,629,000)*

Footnotes at end of table.

SECOND SUPPLEMENTAL, 1969 (H.R. 11400)—Continued

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued

TITLE II—continued

H. Doc. No.	Department or activity	Budget estimate	Version of bill		Conference
			House	Senate	
	CHAPTER VI—Continued				
	DEPARTMENT OF AGRICULTURE				
	FOREST SERVICE				
91-94	Forest protection and utilization:				
	Forest land management	$25,028,000	$25,028,000	$24,374,000	$24,374,000
	Forest research	1,564,000	1,564,000	1,564,000	1,564,000
	State and private forestry cooperation	124,000	124,000	124,000	124,000
	Release Public Law 90-364 reserves	*(1,676,000)*	*(1,676,000)*	*(1,676,000)*	*(1,676,000)*
	Increased pay costs (included above)—budget authority	*(6,932,000)*	*(6,932,000)*	*(6,932,000)*	*(6,932,000)*
	Total, Department of Agriculture, Forest Service	26,716,000	26,716,000	26,062,000	26,062,000
	Release of Public Law 90-364 reserves	*(1,676,000)*	*(1,676,000)*	*(1,676,000)*	*(1,676,000)*
	Increased pay costs (included above)—budget authority	*(6,932,000)*	*(6,932,000)*	*(6,932,000)*	*(6,952,000)*
	NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES				
91-50	Salaries and expenses	3,000,000	3,000,000	3,000,000	3,000,000
	Total, chapter VI:				
	New budget (obligational) authority	65,136,000	54,227,000	64,225,000	64,225,000
	Release of Public Law 90-364 reserves	*(2,886,000)*	*(2,886,000)*	*(2,886,000)*	*(2,886,000)*
	By transfer	*(1,628,000)*	*(1,628,000)*	*(1,628,000)*	*(1,628,000)*
	Liquidation cash	*(19,000,000)*	*(19,000,000)*	*(19,000,000)*	*(19,000,000)*
	Increased pay costs (included above):				
	Budget authority	*(13,173,000)*	*(13,173,000)*	*(13,173,000)*	*(13,173,000)*
	Release of reserves	*(1,210,000)*	*(1,210,000)*	*(1,210,000)*	*(1,210,000)*
	By transfer	*(1,178,000)*	*(1,178,000)*	*(1,178,000)*	*(1,178,000)*
	Total	*(15,561,000)*	*(15,561,000)*	*(15,561,000)*	*(15,561,000)*
	CHAPTER VII				
	DEPARTMENT OF LABOR				
	BUREAU OF EMPLOYMENT SECURITY				
91-94	Unemployment compensation for Federal employees and ex-servicemen	20,000,000	20,000,000	20,000,000	20,000,000
	MANPOWER ADMINISTRATION				
	Manpower Development and Training Activities			10,000,000	7,500,000
	WAGE AND LABOR STANDARDS				
	BUREAU OF EMPLOYEES' COMPENSATION				
91-94	Employees' compensation claims and expenses	15,900,000	15,900,000	15,900,000	15,900,000
	Total, Department of Labor	35,900,000	35,900,000	45,900,000	43,400,000
	DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE				
	OFFICE OF EDUCATION				
91-50	Higher educational activities	11,161,000	11,161,000	20,280,000	3,920,000
	By transfer	*(160,000)*	*(160,000)*	*(160,000)*	*(160,000)*
	Increased pay costs (included above)—by transfer	*(160,000)*	*(160,000)*	*(160,000)*	*(160,000)*
	PUBLIC HEALTH SERVICE				
	OFFICE OF THE SURGEON GENERAL				
91-50	Comprehensive health planning and services:				
	By transfer	[6] *(9,186,000)*	[6] *(9,186,000)*	[6] *(9,186,000)*	[6] *(9,156,000)*
	Release of Public Law 90-364 reserves	*(292,000)*	*(292,000)*	*(292,000)*	*(292,000)*
	Increased pay costs (included above))—release of reserves	*(128,000)*	*(128,000)*	*(128,000)*	*(128,000)*
91-15	District of Columbia Medical Facilities	15,000,000	15,000,000		15,000,000
	SOCIAL AND REHABILITATION SERVICE				
91-50	Grants to States for public assistance	651,546,000	[7] 651,546,000	651,546,000	251,546,000
91-50	Assistance for repatriated United States Nationals	100,000	100,000	100,000	100,000
	SOCIAL SECURITY ADMINISTRATION				
S. Doc. 19-18	*Salaries and expenses (increase in limitation)*	*(16,500,000)*		*(21,200,000)*	*(21,200,000)*
	Total, Department of Health, Education, and Welfare	677,807,000	677,807,000	671,926,000	670,566,000
	Release of Public Law 90-364 reserves	*(292,000)*	*(292,000)*	*(292,000)*	*(292,000)*
	By limitation increase	*(16,500,000)*		*(21,200,000)*	*(21,200,000)*
	By transfer	*(9,346,000)*	*(9,346,000)*	*(9,346,000)*	*(9,346,000)*
	Increased pay costs:				
	Release of reserves	*(128,000)*	*(128,000)*	*(128,000)*	*(128,000)*
	By transfer	*(160,000)*	*(160,000)*	*(160,000)*	*(160,000)*
	Total	*(288,000)*	*(288,000)*	*(288,000)*	*(288,000)*
	Total, chapter VII:				
	New budget (obligational) authority	713,707,000	713,707,000	717,826,000	713,966,000
	Release of Public Law 90-364 reserves	*(292,000)*	*(292,000)*	*(292,000)*	*(292,000)*
	By transfer	*(9,346,000)*	*(9,346,000)*	*(9,346,000)*	*(9,346,000)*
	By limitation increase	*(16,500,000)*		*(21,200,000)*	*(21,200,000)*
	Increased pay costs (included above):				
	Release of reserves	*(128,000)*	*(128,000)*	*(128,000)*	*(128,000)*
	By transfer	*(160,000)*	*(160,000)*	*(160,000)*	*(160,000)*
	Total	*(288,000)*	*(288,000)*	*(288,000)*	*(288,000)*

Footnotes at end of table.

SECOND SUPPLEMENTAL, 1969 (H.R. 11400)—Continued

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued

TITLE II—continued

H. Doc. No.	Department or activity	Budget estimate	Version of bill		Conference
			House	Senate	
	CHAPTER VIII				
	LEGISLATIVE BRANCH				
	SENATE				
	Gratuity to widow of deceased Senator			$30,000	$30,000
	SALARIES, OFFICERS AND EMPLOYEES				
	Administrative and clerical assistants to Senators			*(Language)*	*(Language)*
	CONTINGENT EXPENSES OF THE SENATE				
91-94	Inquiries and investigations, 1968	$126,900		126,900	126,900
	HOUSE OF REPRESENTATIVES				
	Gratuity to mother of a deceased Member		$30,000	30,000	30,000
	CONTINGENT EXPENSES				
	Miscellaneous items		*(Language)*	*(Language)*	*(Language)*
	ARCHITECT OF THE CAPITOL				
	House office buildings		*(Language)*	*(Language)*	*(Language)*
	Total, chapter VIII—New budget (obligational) authority:				
	1968	126,900		126,900	126,900
	1969		30,000	60,000	60,000
	CHAPTER IX				
	PUBLIC WORKS				
	DEPARTMENT OF THE ARMY				
	CORPS OF ENGINEERS—CIVIL				
91-18	Flood control and coastal emergencies	25,000,000		25,000,000	25,000,000
	ATOMIC ENERGY COMMISSION				
91-21	Plant and capital equipment	45,000,000		45,000,000	45,000,000
	Total, ch. IX—New budget (obligational) authority	70,000,000		70,000,000	70,000,000
	CHAPTER X				
	DEPARTMENT OF JUSTICE				
	LEGAL ACTIVITIES AND GENERAL ADMINISTRATION				
91-98	Salaries and expenses, general administration	127,000	65,000	65,000	65,000
	Release of Public Law 90-364 reserves (and transfer hereto)	*(233,000)*	*(233,000)*	*(233,000)*	*(233,000)*
	Increased pay costs (included above):				
	Budget authority	*(25,000)*	*(25,000)*	*(25,000)*	*(25,000)*
	Release of reserves	*(233,000)*	*(233,000)*	*(233,000)*	*(233,000)*
91-98	Salaries and expenses, general legal activities	1,667,000	1,314,000	1,277,000	1,277,000
	Release of Public Law 90-364 reserves (and transfer hereto)	*(100,000)*	*(100,000)*	*(100,000)*	*(100,000)*
	Release of Public Law 90-364 reserves	*(100,000)*	*(100,000)*	*(100,000)*	*(100,000)*
	Increased pay costs (included above):				
	Budget authority	*(878,000)*	*(878,000)*	*(878,000)*	*(878,000)*
	Release of reserves	*(200,000)*	*(200,000)*	*(200,000)*	*(200,000)*
91-98	Salaries and expenses, Antitrust Division	99,000	99,000	99,000	99,000
	Release of Public Law 90-364 reserves (and transfer hereto)	*(262,000)*	*(262,000)*	*(262,000)*	*(262,000)*
	Release of Public Law 90-364 reserves	*(90,000)*	*(90,000)*	*(90,000)*	*(90,000)*
	Increased pay costs (included above):				
	Budget authority	*(5,000)*	*(5,000)*	*(5,000)*	*(5,000)*
	Release of reserves	*(352,000)*	*(352,000)*	*(352,000)*	*(352,000)*
91-98	Salaries and expenses, United States attorneys and marshals	2,833,000	2,505,000	2,505,000	2,505,000
	Release of Public Law 90-364 reserves	*(150,000)*	*(150,000)*	*(150,000)*	*(150,000)*
	Increased pay costs (included above):				
	Budget authority	*(1,468,000)*	*(1,468,000)*	*(1,468,000)*	*(1,468,000)*
	Release of reserves	*(150,000)*	*(150,000)*	*(150,000)*	*(150,000)*
	Total, legal activities and general administration	4,726,000	3,983,000	3,946,000	3,946,000
	Release of Public Law 90-364 reserves	*(935,000)*	*(935,000)*	*(935,000)*	*(935,000)*
	Increased pay costs (included above):				
	Budget authority	*(2,376,000)*	*(2,376,000)*	*(2,376,000)*	*(2,376,000)*
	Release of reserves	*(935,000)*	*(935,000)*	*(925,000)*	*(925,000)*
	Total	*(3,311,000)*	*(3,311,000)*	*(3,311,000)*	*(3,311,000)*
	FEDERAL PRISON SYSTEM				
91-50	Salaries and expenses, Bureau of Prisons	2,319,000	2,319,000	2,319,000	2,319,000
	Release of Public Law 90-364 reserves	*(250,000)*	*(250,000)*	*(250,000)*	*(250,000)*
	Increased pay costs (included above):				
	Budget authority	*(1,842,000)*	*(1,842,000)*	*(1,842,000)*	*(1,842,000)*
	Release of reserves	*(250,000)*	*(250,000)*	*(250,000)*	*(250,000)*
91-98	Support of U.S. prisoners	2,500,000	2,500,000	2,500,000	2,500,000
	Total, Federal Prison System	4,819,000	4,819,000	4,819,000	4,819,000
	Release of Public Law 90-364 reserves	*(250,000)*	*(250,000)*	*(250,000)*	*(250,000)*
	Increased pay costs (included above):				
	Budget authority	*(1,842,000)*	*(1,842,000)*	*(1,842,000)*	*(1,842,000)*
	Release of reserves	*(250,000)*	*(250,000)*	*(250,000)*	*(250,000)*
	Total	*(2,092,000)*	*(2,092,000)*	*(2,092,000)*	*(2,092,000)*

Footnotes at end of table.

SECOND SUPPLEMENTAL, 1969 (H.R. 11400)—Continued

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued

TITLE II—continued

H. Doc. No.	Department or activity	Budget estimate	Version of bill		Conference
			House	Senate	
	CHAPTER X—Continued				
	DEPARTMENT OF JUSTICE—Continued				
	BUREAU OF NARCOTICS AND DANGEROUS DRUGS				
91-94	Salaries and expenses	$1,422,000	$1,187,000	$1,187,000	$1,187,000
	Release of Public Law 90-364 reserves	*(400,000)*	*(400,000)*	*(400,000)*	*(400,000)*
	Increased pay costs (included above):				
	Budget authority	*(450,000)*	*(450,000)*	*(450,000)*	*(450,000)*
	Release of reserves	*(400,000)*	*(400,000)*	*(400,000)*	*(400,000)*
	Total	*(850,000)*	*(850,000)*	*(850,000)*	*(850,000)*
	Total, Department of Justice	10,967,000	9,989,000	9,952,000	9,952,000
	Release of Public Law 90-364 reserves	*(1,585,000)*	*(1,585,000)*	*(1,585,000)*	*(1,585,000)*
	Increased pay costs (included above):				
	Budget authority	*(4,668,000)*	*(4,668,000)*	*(4,668,000)*	*(4,668,000)*
	Release of reserves	*(1,585,000)*	*(1,585,000)*	*(1,585,000)*	*(1,585,000)*
	Total	*(6,253,000)*	*(6,253,000)*	*(6,253,000)*	*(6,253,000)*
	DEPARTMENT OF COMMERCE				
	ECONOMIC DEVELOPMENT ASSISTANCE				
91-94	Operations and administration (*release of Public Law 364 reserves*)	[3]*(116,000)*	[3]*(116,000)*	[3]*(116,000)*	[3]*(116,000)*
	Increased pay costs (included above)—release of reserves	*(116,000)*	*(116,000)*	*(116,000)*	*(116,000)*
	ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION				
S. Doc. 91-18	*Salaries and expenses (language limitation)*	*(147,000)*		*(147,000)*	*(147,000)*
	MARITIME ADMINISTRATION				
91-50	*State marine schools (liquidation of obligations—by transfer)*	*(210,000)*	*(210,000)*	*(210,000)*	*(210,000)*
	THE JUDICIARY				
	SUPREME COURT OF THE UNITED STATES				
91-94	Printing and binding Supreme Court reports:				
	1969	27,000	27,000	27,000	27,000
	1968	10,000	10,000	10,000	10,000
	Total, Supreme Court of the United States	37,000	37,000	37,000	37,000
	CUSTOMS COURT				
91-94	Salaries and expenses	155,850	113,000	113,000	113,000
	Increased pay costs (included above)— budget authority	*(92,900)*	*(92,900)*	*(92,900)*	*(92,900)*
	COURTS OF APPEALS, DISTRICT COURTS AND OTHER JUDICIAL SERVICES				
91-94	Salaries of judges	2,075,000	1,975,000	1,948,000	1,948,000
	Increased pay costs (included above)—budget authority	*(1,830,000)*	*(1,830,000)*	*(1,830,000)*	*(1,830,000)*
91-50	Salaries of supporting personnel	2,865,000	2,412,000	2,412,000	2,412,000
	Increased pay costs (included above)—budget authority	*(2,165,000)*	*(2,165,000)*	*(2,165,000)*	*(2,165,000)*
S. Doc. 91-18	Fees and expenses of court-appointed counsel:				
	Fiscal year 1968	850,000		850,000	850,000
	Fiscal year 1969	850,000		850,000	850,000
91-50	Travel and miscellaneous expenses	525,000	400,000	400,000	400,000
91-94	Administrative Office of the United States Courts	141,500	97,500	97,500	97,500
	By transfer	*(10,000)*	*(10,000)*	*(10,000)*	*(10,000)*
	Increased pay costs (included above):				
	Budget authority	*(87,500)*	*(87,500)*	*(87,500)*	*(87,500)*
	By transfer	*(10,000)*	*(10,000)*	*(10,000)*	*(10,000)*
	Total	*(97,500)*	*(97,500)*	*(97,500)*	*(97,500)*
	Total, court of appeals, district courts, and other judicial services:				
	Fiscal year 1968	850,000		850,000	850,000
	Fiscal year 1969	6,456,500	4,884,500	5,707,500	5,707,500
	By transfer	*(10,000)*	*(10,000)*	*(10,000)*	*(10,000)*
	Increased pay costs (included above):				
	Budget authority	*(4,082,500)*	*(4,082,500)*	*(4,082,500)*	*(4,082,500)*
	By transfer	*(10,000)*	*(10,000)*	*(10,000)*	*(10,000)*
	Total	*(4,092,500)*	*(4,092,500)*	*(4,092,500)*	*(4,092,500)*
	Total, the Judiciary:				
	Fiscal year 1968	860,000	10,000	860,000	860,000
	Fiscal year 1969	6,639,350	5,024,500	5,847,500	5,847,500
	Total	7,499,350	5,034,500	6,707,500	6,707,500
	By transfer	*(10,000)*	*(10,000)*	*(10,000)*	*(10,000)*
	Increased pay costs (included above):				
	Budget authority	*(4,175,400)*	*(4,175,400)*	*(4,175,400)*	*(4,175,400)*
	By transfer	*(10,000)*	*(10,000)*	*(10,000)*	*(10,000)*
	Total	*(4,185,400)*	*(4,185,400)*	*(4,185,400)*	*(4,185,400)*

Footnotes at end of table.

SECOND SUPPLEMENTAL, 1969 (H.R. 11400)—Continued

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued

TITLE II—continued

H. Doc. No.	Department or activity	Budget estimate	Version of bill		Conference
			House	Senate	
	CHAPTER X—Continued				
	DEPARTMENT OF JUSTICE—Continued.				
	CUSTOMS COURT—Continued				
	THE JUDICIARY—Continued				
	Total, chapter X:				
	New budget (obligational) authority:				
	1969	$17,606,350	$15,013,500	$15,799,500	$15,799,500
	1968	860,000	10,000	860,000	860,000
	Total	18,466,350	15,023,050	16,659,500	16,659,500
	Release of Public Law 90-364 reserves	*(1,701,000)*	*(1,701,000)*	*(1,701,000)*	*(1,701,000)*
	Limitation increase	*(147,000)*		*(147,000)*	*(147,000)*
	By transfer	*(220,000)*	*(220,000)*	*(220,000)*	*(220,000)*
	Increased pay costs (included above):				
	Budget authority	*(8,843,400)*	*(8,843,400)*	*(8,843,400)*	*(8,843,400)*
	Release	*(1,701,000)*	*(1,701,000)*	*(1,701,000)*	*(1,701,000)*
	By transfer	*(10,000)*	*(10,000)*	*(10,000)*	*(10,000)*
	Total	*(10,554,400)*	*(10,554,400)*	*(10,554,400)*	*(10,554,400)*
	CHAPTER XI				
	DEPARTMENT OF TRANSPORTATION				
	OFFICE OF THE SECRETARY				
S. Doc. 91-18	Salaries and expenses	4,634,000		2,000,000	
	NATIONAL TRANSPORTATION SAFETY BOARD				
91-94	Salaries and expenses	298,000	298,000	298,000	298,000
	Release of Public Law 90-364 reserves	*(28,000)*	*(28,000)*	*(28,000)*	*(28,000)*
	Increased pay costs (included above):				
	Budget authority	*(150,000)*	*(150,000)*	*(150,000)*	*(150,000)*
	Release of reserves	*(28,000)*	*(28,000)*	*(28,000)*	*(28,000)*
	Total	*(178,000)*	*(178,000)*	*(178,000)*	*(178,000)*
	COAST GUARD				
91-50	Retired pay	2,300,000	2,000,000	2,000,000	2,000,000
	Total, chapter XI:				
	New budget (obligational) authority	7,232,000	2,298,000	4,298,000	2,298,000
	Release of Public Law 90-364 reserves	*(28,000)*	*(28,000)*	*(28,000)*	*(28,000)*
	Increased pay costs (included above):				*(150,000)*
	Budget authority	*(150,000)*	*(150,000)*	*(150,000)*	*(28,000)*
	Release of reserves	*(28,000)*	*(28,000)*	*(28,000)*	
	Total	*(178,000)*	*(178,000)*	*(178,000)*	*(178,000)*
	CHAPTER XII				
	TREASURY DEPARTMENT				
	BUREAU OF THE PUBLIC DEBT				
91-50	Administering the public debt	1,978,000	1,978,000	1,978,000	1,978,000
	Release of Public Law 90-364 reserves	*(334,000)*	*(334,000)*	*(334,000)*	*(334,000)*
	Increased pay costs (included above):				
	Budget authority	*(543,000)*	*(543,000)*	*(543,000)*	*(543,000)*
	Release of reserves	*(334,000)*	*(334,000)*	*(334,000)*	*(334,000)*
	Total	*(877,000)*	*(877,000)*	*(877,000)*	*(877,000)*
	SECRET SERVICE				
S. Doc. 91-18	Salaries and expenses	470,000		470,000	470,000
	EXECUTIVE OFFICE OF THE PRESIDENT				
	COUNCIL OF ECONOMIC ADVISERS				
91-94	Salaries and expenses	107,000	107,000	100,000	100,000
	Increased pay costs (included above)—budget authority	*(42,000)*	*(42,000)*	*(42,000)*	*(42,000)*
	NATIONAL SECURITY COUNCIL				
91-94	Salaries and expenses	200,000	200,000	147,000	147,000
	Total, Executive Office of the President	307,000	307,000	247,000	247,000
	Total, chapter XII:				
	New budget obligational authority	2,755,000	2,285,000	2,695,000	2,695,000
	Release of Public Law 90-364 reserves	*(334,000)*	*(334,000)*	*(334,000*	*(334,000)*
	Increased pay costs (included above):				
	Budget authority	*(585,000)*	*(585,000)*	*(585,000)*	*(585,000)*
	Release of reserves	*(334,000)*	*(334,000)*	*(334,000)*	*(334,000)*
	Total	*(919,000)*	*(919,000)*	*(919,900)*	*(919,000)*

Footnotes at end of table.

SECOND SUPPLEMENTAL, 1969 (H.R. 11400)—Continued

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued

TITLE II—continued

H. Doc. No.	Department or activity	Budget estimate	Version of bill		Conference
			House	Senate	
	CHAPTER XIII				
	CLAIMS AND JUDGMENTS				
91-101 and S. Doc. 91-18 and S. Doc. 91-22.	Claims and judgments	$18,188,688	$16,880,812	$18,188,688	$18,188,688
	Total, title II:				
	New budget authority:				
	Fiscal year 1968	8,154,900	7,178,000	8,154,900	8,154,900
	Fiscal year 1969	1,844,516,038	1,358,736,312	1,811,377,188	1,784,265,188
	Total	1,852,670,938	1,365,914,312	1,819,532,088	1,792,420,088
	New annual contract authorizations, increase in limitations	*(104,500,000)*	*(82,500,000)*	*(102,500,000)*	*(92,500,000)*
	Release of Public Law 90-364 reserves	*(20,489,000)*	*(20,489,000)*	*(20,489,000:*	*(20,489,000)*
	Limitation increases	*(16,647,000)*		*(21,347,000)*	*(21,347,000)*
	By transfer	*(11,232,000)*	*(11,229,000)*	*(23,306,000)*	*(17,929,000)*
	Liquidation cash	*(19,000,000)*	*(19,000,000)*	*(19,000,000)*	*(19,000,000)*
	Increased pay costs (included above):				
	Budget authority	*(135,378,400)*	*(116,435,400)*	*(124,846,400)*	*(124,446,400)*
	Release of reserves	*(18,589,000)*	*(18,589,000)*	*(18,589,000)*	*(18,589,000)*
	By transfer	*(1,386,000)*	*(1,383,000)*	*(3,983,000)*	*(2,683,000)*
	Total	*(155,353,400)*	*(136,407,400)*	*(147,418,400)*	*(145,718,400)*
	TITLE III				
	INCREASED PAY COSTS				
	New budget (obligational) authority	1,464,734,396	1,183,298,454	1,368,137,556	1,287,937,556
	Release of Public Law 90-364 reserves	*(59,510,000)*	*(62,277,000)*	*(59,741,000)*	*(59,741,000)*
	By transfer	*(85,873,000)*	*(81,676,000)*	*(87,916,000)*	*(84,316,000)*
	Limitations on administrative and nonadministrative expenses	*(24,223,000)*	*(22,223,000)*	*(22,223,000)*	*(22,223,000)*
	TITLE V				
	GENERAL PROVISIONS				
	Increases in limitations and transfers from trust funds for personal services pursuant to sec. 502 of bill (H. Doc. 91-50)	*(630,000)*	*(630,000)*	*(630,000)*	*(630,000)*
	RECAPITULATION				
	Grand total, titles I, II, III, and V:				
	New budget (obligational) authority:				
	1968	8,154,900	7,178,000	8,154,900	8,154,900
	1969	4,806,150,434	3,776,034,766	4,451,514,744	4,344,202,744
	Total	4,814,305,334	3,783,212,766	4,459,669,644	4,352,357,644
	New annual contract authorizations, increase in limitations	*(104,500,000)*	*(82,500,000)*	*(102,500,000)*	*(92,500,000)*
	Release of Public Law 90-364 reserves	*(79,999,000)*	*(82,766,000)*	*(80,230,000)*	*(80,230,000)*
	By transfer	*(97,105,000)*	*(92,905,000)*	*(120,132,000)*	*(102,245,000)*
	Liquidation cash	*(19,000,000)*	*(19,000,000)*	*(19,000,000)*	*(19,000,000)*
	Limitations on administrative and nonadministrative expenses	*(40,870,000)*	*(22,223,000)*	*(43,570,000)*	*(43,570.000)*
	Increases in limitations and transfers from trust funds or personal services pursuant to sec. 502 of bill	*(630,000)*	*(630,000)*	*(630,000)*	*(630,000)*
	Increased pay costs (included above):				
	Budget authority	*(1,600,112,796)*	*(1,299,733,854)*	*(1,492,983,956)*	*(1,412,383,956)*
	Release of reserves	*(78,099,000)*	*(80,866,000)*	*(78,330,000)*	*(78,330,000)*
	By transfer	*(87,259,000)*	*(83,059,000)*	*(91,599,000)*	*(86,999,000)*
	Limitations on administrative and nonadministrative expenses	*(24,223,000)*	*(22,223,000)*	*(22,223,000)*	*(22,223,000)*
	Increases in limitations and transfers from trust funds for personal services pursuant to sec. 502 of bill	*(630,000)*	*(630,000)*	*(630,000)*	*(630,000)*
	Total	*(1,790,323,796)*	*(1,486,511,854)*	*(1,686,065,956)*	*(1,600,565,956)*

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[1] Also proposes that $17,000,000 now earmarked for maintenance of real property be utilized for the general purposes of this appropriation.

[2] Also proposes that $1,500,000 now earmarked for maintenance of real property be utilized for the general purposes of this appropriation.

[3] Includes reallocations under Department of Public Health ($111,000), and reclassifications under Department of Sanitary Engineering ($252,000).

[4] To be derived by transfer from "Economic assistance" appropriations of the Agency for International Development.

[5] To permit purchase of 1 replacement aircraft from available funds at an estimated cost of $300,000.

[6] And an additional $250,000 proposed to be made available through congressional action to reduce funds earmarked for planning grants.

[7] Combined under the heading "Grants to States for public assistance" in the bill.

[8] Also language reducing by $800,000 the amount to be advanced from this appropriation to the Small Business Administration for loan processing services.

ORDER FOR RECOGNITION OF SENATOR CANNON TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at the conclusion of morning business on tomorrow, the distinguished Senator from Nevada (Mr. CANNON) be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENTS AND PROMOTIONS IN THE POST OFFICE DEPARTMENT

Mr. YARBOROUGH. Mr. President, I enter a motion to reconsider the vote by which S. 1583 was passed by the Senate on July 8.

The PRESIDING OFFICER. The bill will be stated by title.

The BILL CLERK. A bill (S. 1583) to provide that appointments and promotions in the Post Office Department, including the postal field service, be made on the basis of merit and fitness.

The PRESIDING OFFICER. The motion will be entered.

Mr. YARBOROUGH. Mr. President, I move that the Secretary of the Senate be authorized to request the House to return the papers on S. 1583 to the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF AMENDMENT

S. 2546

Mr. BYRD of West Virginia. Mr. President, at the request of the able Senator from Iowa (Mr. HUGHES), who now presides over this Chamber with a degree of efficiency and dignity "so rare as a day" in July, I ask unanimous consent that, at its next printing, his name be added as a cosponsor of the amendment offered by Senator COOPER and Senator HART to the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The PRESIDING OFFICER. Without objection, it so ordered.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 7 o'clock and 9 minutes p.m.) the Senate adjourned until tomorrow, Thursday, July 10, 1969, at 11 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate July 9, 1969:

DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS

George H. Goodrich, of Maryland, to be an associate judge of the District of Columbia court of general sessions for the term of 10 years.

EXTENSIONS OF REMARKS

VICTORY AT MONTE CASSINO

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. HELSTOSKI. Mr. Speaker, from the dawn of history, Cassino stood as the southern gateway to Rome. On the adjacent mountain known as Monte Cassino, many temples and altars were built to unknown deities by unknown worshipers in the dim past.

St. Benedict arrived there in the years 525 to 529 and found a complete pagan acropolis, which he rebuilt, in a Christian pattern, into the abbey of Monte Cassino.

Here, the Poles tried to grasp the always elusive, to them, freedom—when the Polish Legions under Gen. Henryk Dabrowski were guarding this territory for the armies of Napoleon; then again in 1918, when the Polish Army of the West was being organized from Polish-Austrian prisoners of war; and in May 1944, when the Second Corps of the Polish Army-in-Exile wrested the mountain from the Germans.

On the slopes of point 593, these poignant words are written:

> We Polish Soldiers,
> For your freedom and ours,
> Have given our souls to God,
> Our bodies to the soil of Italy,
> And our hearts to Poland.

This simple inscription is carved on the spire which stands above a military cemetery at Monte Cassino, in Italy. There lie buried the 860 Polish soldiers of the Polish Second Army Corps who gave their lives in the capture of the most crucial German fortification in Italy.

The story of these Polish forces is perhaps one of the most tragic chapters in the history of World War II—but it is a chapter the last pages of which have not yet been written until the free world proves that these men who were faithful to their service did not give their lives in vain.

May 18 marked the 25th anniversary of one of the most important and momentous battles of the Second World War. On that day in 1944 Monte Cassino, that rugged and seemingly impregnable citadel in Italy, fell to a stubborn, gallant, and undaunted Polish Army, after unsuccessful previous attempts by the Americans and British had failed.

Since the free world seems to have forgotten and overlooked this great contribution of the Poles to the cause of freedom, I take this occasion to relate again these historic facts which need recording in the archives of history.

The initiative in the battle came from the Americans. When the U.S. 5th Army was blocked by the Germans at the Anzio beachhead, a joint American-French frontal attack was staged on January 20, 1944, to capture the Monte Cassino and open the way to Rome. The attack was preceded by heavy artillery fire during which 31,000 shells were dropped in a half hour on German positions. The attack failed. The U.S. 34th and 36th Divisions suffered heavy losses, while the French lost 1,300 men.

On February 11, a British unsuccessful attack took place. The Royal Sussex, Rajputana Rifles, and a New Zealand tank unit were smashed to bits.

On March 11, a third general attack was undertaken with a total of 12 brigades of the best English, Hindu, and New Zealand troops. During 3 hours of this battle, 578 cannons hurled 1,200 tons of ammunition and 514 planes dropped 1,100 bombs at the fortified Abbey of Monte Cassino. It was the most concentrated bombardment in the war. The attacking troops entered the ruins of Cassino. After 10 days the offensive failed because of the heavy losses of the attacking force, with the Hindu Division alone losing 3,000 men.

Then on May 11, 1944, at 11 p.m. the Appenine Peninsula began to tremble from a renewed violence; 2,000 heavy artillery guns opened fire on Monte Cassino. With American, British, French, New Zealand, and Polish troops participating, the Poles were given the assignment to capture Monte Cassino in a frontal assault where three previous bloody offensives failed.

At 1 a.m. on May 12, main elements of the Polish 2d Army Corps—the 3d and 5th Divisions under the command of Lt. Gen. Wladyslaw Anders, began to attack German positions, capturing under withering enemy fire and in hand-to-hand combat Points 593 and 569, and finally the Phantom Ridge. The battle lasted a whole week. The Polish fighters were being killed like flies by the murderous German fire. In the last phase of the battle, after using all reserves and even technicians from the Engineer Corps and antiaircraft units, the Polish command mobilized three half battalions composed of cooks, orderlies, drivers, telephone operators, supply men, and everyone else who could bear arms, and threw them into battle which finally brought victory as the Polish unit captured the Abbey of Monte Cassino on May 18, 1944, at 10 a.m., unfurling the Polish white and red flag above the smoke-filled and blood-stained battlefield.

Peace returned to the ruins of Monte Cassino. The road to Rome and ultimate victory for the Allies was opened. The Fifth Army under Gen. Mark Clark entered Rome and continued the offensive onward.

Immediately after the battle, General Leese, commander of the 8th British Army, told the press correspondents:

> I want to tell you that the capture of Monte Cassino was entirely an achievement of the Poles. I am glad that you are here on this historic day for Poland, when Monte Cassino has been taken by the soldiers of the Second Polish Army Corps.

Without respite the Poles marched on to victory at Ancona, at Bologna, and in the Emelian Apennines. Those were the proud days for the 2d Army Corps and for all Poles, and yet at that time the goal of national independence for which they were all fighting seemed as far away as it had in the grim days of 1939.

One year later, in March 1945, a committee was formed for the purpose of rebuilding the Monte Cassino Abbey. However, it made very little progress.

Then on October 10, 1945, the Polish Embassy at the Vatican notified the Papal Secretary of State, that the soldiers of the Polish 2d Corps are willing and ready to rebuild the abbey. The Pope accepted this offer with deep gratitude. The British command assigned 200 German prisoners of war, who worked a whole year on the project under Polish officers and men.

Thus, the Poles not only conquered the enemy on Monte Cassino, but were the first to start working on the restoration of the abbey to its former glory.

As Fred Majdalany points out in his book, "The Battle of Cassino":

> By their selfless immolation the Poles turned that grim mountainside into a memorial to soldiers everywhere.

It is fitting that we honor this occasion in order to assure those gallant men that their objective has not been forgotten here in the United States. We all look forward to the day when freedom will be resorted to the homeland of our forefathers and Poland can take her rightful place as a proud, free, and independent nation.

Today, there are some who would minimize or completely conceal the facts about the roles of the Poles in this struggle, and who would deny the Poles their God-given right to freedom and liberty. I wish to take this opportunity of restating the true facts for posterity.

Mr. Speaker, a few weeks ago, I had the privilege of being the main speaker at the Shrine of Our Lady of Czestochowa, Doylestown, Pa., where several thousand people attended mass in thanksgiving for the victory at Monte Cassino, and later attended appropriate festivities on the grounds of the shrine.

Each of the speakers praised the gallantry and heroism of the Poles in this battle to recapture Monte Cassino from the German forces and thus begin the offensive march toward ultimate victory in that area of battle.

The Poles, longing for the day of deliverance, do need our words of hope and encouragement to sustain them in psychological resistance to communism and Soviet domination.

Although Poland, today, has some semblance of freedom, there is always that knowledge that the Government of Poland is still alien to the desires and needs of the Polish people. They await the day when once again they can face the world as a fully free and independent nation. In this desire for freedom we wish them the attainment of their goal.

KIWANIANS BUILD

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Wednesday, July 9, 1969

Mr. FANNIN. Mr. President, there are more than 5,600 Kiwanis Clubs around the globe. The members of Kiwanis International, of which I am privileged to be an honorary member, carry out their conviction that this is a good world, but that it can be made better by voluntary action.

In a time when we are so troubled by disruptions and strife, when so many seem to have the hand forever extended for the dole rather than to help someone else, I am pleased to see an organization making continuing efforts to improve the lot of those less fortunate.

Clarence W. Hall has written an excellent article, published in the July issue of the Reader's Digest, which sums up the worldwide benefits of this fraternal, civic organization. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THEIR MOTTO IS "WE BUILD"

(By Clarence W. Hall)

One scorching day in 1919, a sharp-eyed promoter named Allen S. Browne sat in an angry meeting and watched the features of his brainchild being altered beyond recognition. Four years before, in Detroit, Browne had put together a men's luncheon club called "Kiwanis," an Indian word meaning "To make oneself known." Dedicated to fraternal jollity and mutual profit gained from members' favoring each other's interests, the rapidly expanding club had paid its founder well: he owned it lock, stock and barrel.

But now, in this convention at Birmingham, Ala., delegates representing 138 clubs were in open revolt, demanding radical change in the Kiwanis character. With community and national problems demanding attention everywhere, they reasoned, the "you scratch my back and I'll scratch yours" motive for association had become repugnant. The club should devote itself to good rather than greed, to service rather than selfishness.

To Browne, such a notion was arrant nonsense, and he resisted manfully. Cried down, he settled for $17,500 for his rights of ownership, pocketed the members' personal checks for that amount and thereby relinquished all control. The victorious delegates promptly wrote a new Kiwanis constitution pledged to giving "primacy to the human and spiritual rather than to the material values of life." As a symbol of this pledge, they made the club slogan "We Build." Today, a half-century later, Kiwanis International is spread around the globe: 275,000 members in 5600 clubs in 29 countries, each member charged with being a VIP—Kiwanis parlance for a "very involved person."

Optimistic by nature, Kiwanians believe that this is a good world, but that it can be made better by voluntary action. Thus, facing a need, they spend little time decrying it or calling for government action. They simply ask, "What can we do about it?" And then they do it.

For example, at one of the weekly Kiwanis luncheons in Phoenix, Ariz., three years ago, Juvenile Judge Jack D. H. Hays told of the tragic lack of effective correctional facilities for youths. Convicted of minor crimes, youngsters were either being sent to tough prisons among hardened criminals or being released in parents' custody with only a reprimand. Either measure, said the judge, only encouraged more crime. Needed was a special disciplinary facility where erring youths could be given a correctional jolt without taking them out of school or totally away from family. The trouble was: Maricopa County had no funds for such a project.

Phoenix Kiwanians scooped up the gauntlet, enlisting nearby clubs to help. Result: a fine new $60,000 detention center where the erring young spend after-school evenings and weekends, subject to skilled counseling plus work assignments related to the problems that got them in trouble in the first place. For example, reckless drivers do hospital work with traffic-accident victims, and vandals make improvements in local parks and playgrounds. The unique institution has attracted nationwide notice.

Of paramount interest to Kiwanians is the encouragement of responsible citizenship—in themselves and others. Mindful that good government begins on the local level, more than 96,000 Kiwanians in the United States and Canada serve without pay on governmental boards of their own communities.

Kiwanians also believe that good citizenship requires quick response to human needs. Commanding many clubs' attention now is the plight of elderly people caught in the squeeze between meager pensions and constantly rising living costs. To meet this need, Kiwanians in Sandusky Bay, Ohio, set up Sandusky Bay Senior Citizens, Inc., a nonprofit corporation, in 1966. This done, they obtained a long-term federal loan of $2,075,000 and erected a ten-story building including 153 living units, plus an activities center for the entire community. Similar projects have been pushed by Kiwanis clubs in such places as Hamilton, Ontario; Charlotte, Mich., and Tiffin and Dayton, Ohio.

Crippled children have always moved the Kiwanis heart. One of the most ambitious efforts is a foundation established in 1951 by Kiwanis' Illinois-Eastern Iowa District to underwrite research aimed at uncovering the hereditary causes of spastic paralysis. Originally backed by Kiwanis pledges of $190,000, and now maintained by annual donations, the foundation works with Chicago's Children's Memorial Hospital and the University of Illinois College of Medicine in developing techniques to prevent spasticity.

Not all Kiwanis projects relate to sizable groups. Consider the case of Mary Tomlin, a housewife in Rockmart, Ga., who suffered third-degree burns over a large part of her body when a bottle of solvent exploded. Although her life was saved, her recovery depended upon months of intensive care and many costly skin grafts. The family savings account was soon exhausted by hospital bills running to $1700 a week. Rockmart Kiwanians organized the "Mary Tomlin Fund," employed such fundraising schemes as band concerts, rummage sales, paper drives and community barbecues. By late September 1968, total proceeds reached $11,000—with Mary Tomlin recovering and every bill paid.

Of all Kiwanis concerns, none has been stressed by more clubs than work with youngsters. Nine years ago, for example, Kiwanian Clifford Rothrock, a school administrator in Anaheim, Calif., took the problem of troublemaking students—many of them underachievers, most of them potential dropouts—to his club. "I know these boys," he said "In their defiance of teachers and police they are simply grandstanding, trying to get recognition that their grades can't give them."

Heads together, Rothrock and his Kiwanian colleagues came up with a program called "Service Gents." Recruiting the troublemakers was difficult at first, but a number finally responded. Their first project was to design and build a recreational area for their school. Once started, the Gents gradually grew enthusiastic, doing all the sodding, seeding and cement-laying themselves.

From there, the Gents dreamed up their own projects: ushering at school plays, painting litter containers, planting trees and shrubs on school grounds, repairing school property, cutting lawns for the elderly, painting houses for the infirm. Their Kiwanis sponsors counseled them on personal and home problems, tutored them in their studies, invited them into their homes. The Gents program proved so successful that it was adopted on nine campuses of the sprawling Anaheim Union High School District. It has contributed significantly to the district's lower dropout rate, which averages ten percent—well below the national average of 24 percent. Moreover, since its founding in 1960, many of the Gents have gone on to college or into responsible careers.

Seeking to motivate high-school students toward academic excellence and future leadership, the Kiwanis club at Quincy, Ill., in 1959 formed the "Society for Academic Achievement," designed to be the high-school equivalent of Phi Beta Kappa. The society has since spread to 12 states, involving more than 9000 students and 600 faculty members.

Many other clubs have established college scholarships—more than 18,000 of them in a single recent year. And when the Kiwanian principal of a high school in Pittsburgh, Pa., pointed out that "there are many young people whose inclinations and qualifications indicate a need for education other than college," his Kiwanis colleagues in 1964 set up a loan program to give scholarships at technical training institutes. The result, according to one prominent educator, was that "scores of young people have been turned from a bleak future as manual laborers to-

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ward lucrative and satisfying careers as skilled industrial technicians."

Out of its preoccupation with the young sprang Kiwanis' two lively youth organizations: Key Club International, for high-school students, and Circle K International, a college men's organization. Through them Kiwanis is raising a whole new generation of the concerned.

Key Club today has 92,000 members in 3500 clubs across the United States, Canada and the Bahamas. A sample project: In 1965, Key Clubbers at the Earl Warren High School in Downey, Calif., expanded a school project into a beautification campaign aimed at making Downey "the most attractive community in California." After 4200 man-hours, they had cultivated, weeded and trimmed flowering trees along a main boulevard; painted and landscaped welcome-to-the-city signs; repainted 270 bus-stop benches; cleaned, waxed and polished 42 city police cars; dug trenches for water lines and planted 800 shrubs in Golden Park; refinished 75 city trash receptacles.

Circle K now has 850 clubs on as many college and university campuses, with a total membership of 15,000. It is described as "a new type of fraternity for college men, devoted strictly to service to school and community."

At the University of Pennsylvania, for example, Circle K men have rounded up a small army of students to work with underprivileged and homeless boys. Several others were set to tutoring prospective civil-service employes desiring to enter government work but unable to meet the qualifications.

Whatever the need or issue, the Kiwanis way for a half-century has been to meet it head-on, with person-to-person directness, without bureaucratic fussiness or political entanglement. Today more than ever, such volunteer service is as invaluable as it is irreplaceable.

NEW DEPARTURES FOR AMERICA

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. MIKVA. Mr. Speaker, we are all aware of the division which the accelerating rate of progress is causing in our society. While the young, with the benefit of an advanced educational system, are pressing toward new horizons, much of our society is quite comfortable where they are. And while progress brings greater and greater wealth to the rich, the poor seem to get poorer.

I would like to insert in the Record the following speech by Herbert H. Hyman, a distinguished scientist who resides in my district, to the Federation of American Scientists. This speech contains the kind of far-reaching proposals which will eventually be required if we are successfully to meet the challenge of the future. It follows:

Talk on New Departures for the Federation of American Scientists, April 8, 1969

(By Herbert H. Hyman)

Let me start by listing a few of the problems facing all of us in this country today. Obviously, the first and most overwhelming is the ending of any actual combat and the prevention of any escalation, most particularly the prevention of escalation to nuclear war. In this area the FAS has historically taken its strongest positions. It is on the whole reasonably well united, and I'm afraid very ineffectual. The reason is simple enough.

The overwhelming emotional motivations which affect people in this area are those of nationalism or some sophisticated or modified version of nationalism. In this area scientists as a whole are uniquely out of tune with the bulk of all populations. Their orientation is international, their thinking is international; they simply do not, on the whole, understand the motivations that affect most of the people and while there isn't the slightest doubt that in this area nationalism poses terrible threats to the survival of the national units themselves, it is simply naive to expect scientists to have much influence in this direction except in the very long run. Our best hope there is to fight vigorously for maximum international interchange of people, materials, ideas, cultural activities, anything and everything we can do. It isn't very much, it isn't going to work very fast, but internationalist appeals of any kind in the present state of affairs consist of people talking to the already convinced and will have no impact on politicians trying to get elected let alone the public at large. In dealing with one specific aspect of this problem, the influence of the military industrial complex, scientists might play a very important role. Unfortunately, they have been pulled in both directions. The most important contribution FAS can make is to fight for alternate support for science. I'll be more specific very shortly.

The second broad problem facing this country is the problem of racial antagonisms. Again it is important for those of us who have not on the whole been particularly guilty of such antagonisms to pay a little attention to the psychological factors involved. I think we may take it for granted that most individuals are interested in a reasonably short term advantage for themselves and the particular groups with which they identify. Such groups may be racial, religious, ethnic, cultural or job-oriented. All of us, for example, are concerned about the status and influence of scientists as scientists. Most of us are relatively less concerned about our status or lack of status as black or white or yellow or as part of a specific ethnic group within the American mix, although many of us do share a specific, ethnic concern. (I'm sure all of you who know me recognize my long standing interest in and commitment to Jewish cultural and philanthropic activities.) The only significant contribution the FAS can make immediately and directly to the racial problem is to urge as many black scientists as possible to encourage their fellow young men and women to look upon science as a reasonably unprejudiced and satisfying way of life, and to recognize that it is appropriate and in fact desirable for black scientists who wish to support a variety of black centered activities, to do so freely and effectively without sacrificing their identification with and participation in their role as scientists. We all take for granted that scientific values are relatively free of ethical and cultural bias. I would strongly urge black scientists to fight vigorously against any attempt to down-grade mathematical and scientific studies for culturally deprived or minority groups in a transitory attempt to concentrate on ethnically centered activities. Here the role of the FAS as an FAS can only be a peripheral one.

The third broad problem area is that of poverty; the American anomaly of bewilderingly large segments of very poor in a society which has more total wealth than man has ever accumulated. Here our role is clearcut and unequivocal. We must point out that the existence of poverty, of an enormous excess of child mortality, of malnutrition and hunger, is a disgrace to the country as a whole and completely intolerable in American society. At the same time we must recognize that for the hardworking and thrifty working class taxpayers who are far from affluence, the simple hand-out which makes not working relatively more profitable than working is itself politically untenable. We cannot in American society completely divorce the rewards of productivity from productive effort. Scientists are particularly able to advocate the only possible solution to this dilemma; namely, a progress sharing scheme.

We know that in the next generation our increasing productivity will, in fact, double our true per capita income. We know that this increase will not be due to individuals working harder or suddenly become smarter or more efficient or to any brilliant managerial insights. It is simply the routine payoff for continuing support of science and technology. We also know that if we were to take half this gain and distribute it uniformly instead of with the peculiar bias with which it will otherwise be distributed, we would completely eliminate poverty in the grinding and absolute sense from the United States. Now each person will have his own pet mechanism for actually doing this job once he is convinced it can or should be done.

My own is a rather simple device. I would like to put an increasing progress sharing tax on all income no matter how derived. A tax on all income that increased by 1% per year would build up a quite respectable trust fund. For this part of the discussion one might asume this fund is invested in government bonds just as our present social security fund is, although I'll later point out a more effective use for the fund. In any event if we distributed say 20% of the trust fund each year uniformly to all individuals, we can see that in 20 or 25 years everyone would be getting a reasonable minimum stipend from this fund. In addition, of course, any working man would continue to receive whatever he earned. The existing welfare system would gradually wither away. There are a number of related social benefits which would clearly result from such a system, but I haven't the time to go into them and I'm sure all of you can think of a variety of ways of handling the details. The important principles I would stress are first, an increasing general distribution, not of existing income but of the future income to be derived from technical progress, a distribution to all so as to not place any special burden on the middle income individual. The marginal worker would exactly preserve his relative position vis a vis the existing unemployed since he would share equally in the redistribution program and keep his earned income. This scheme is not the main point of my talk although I strongly favor such a program and think the FAS should adopt a policy in favor of such a program.

I'm much more concerned with the problem I consider basic to the further development of our society, assuming we are lucky enough to avoid nuclear destruction, the problem of generational conflict, and its Siamese twin, the problem of sustained progress.

We're all in favor of progress defined as "the long thin line that leads to *me*." Unfortunately, whenever progress in some reasonably generalized sense boils down to a significant change in the way of life for any identifiable group, it usually doesn't matter that there are potential advantages even for the group itself. The opposition is vigorous, and to the extent that the group has any power within society as a whole, progress is drastically delayed, or often prevented entirely. It doesn't do any good to complain about the individuals standing in the way of progress—the poor, the uninfluential we can simply run over. Those with status, financial power or political power are pretty much immune. The result, of course, is quite predictable. When we examine any existing aspect of our society, our schools, our transportation system, our political system, any existing manufacturing establishment—you name it, it doesn't matter. Any impartial examination will show that the system is illogical, designed to preserve the interests of a small, powerful group and ranges

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roughly in order of its age from mildly inefficient to totally insane.

This is, of course, what strikes the young, bright, partially educated student of society. Wherever he looks, as soon as he learns enough to analyze any existing system he sees obviously desirable changes, obvious improvements to make, and often drastic deficiencies which anyone with a little common sense could easily rectify. He immediately concludes that it is either stupidity or since this seems on the face of it rather unlikely, an evil conspiracy of some sort which tends to preserve this obvious error. What the young man finds difficulty in recognizing is that built into every system is an accumulated history of challenge and response to specific situations. Built into every job there is an expertise painfully and tediously accumulated sometimes over years of experience and not readily devalued simply because some new developments elsewhere have now made it possible to accomplish the same end with much less effort.

I think it is important to recognize this as a real factor and to recognize that men of status, power, wealth, what have you, the establishment (including us, of course) are simply not going to give up their status, etc., simply because they no longer deserve it. It is not a question of justice, or what's right or what's more efficient or what's best for the country or anything else, it's simply a fact of human nature which I, for one, see no particular prospect of changing in the foreseeable future.

Youth recognizes that experience is the only asset that age actually possesses. To the extent that experience may be bypassed by new developments and techniques, the balance of power in the generational war clearly favors the young.

Science plays a peculiar and very special part in this generational struggle. Scientists as individuals are at least as conservative in their thinking, in their daily jobs, in the way they organize themselves, as any other group; but science in its inevitable association with change, with progress, with new ways of doing things, is the most radical, most potent force available in our society. Science and technology, not scientists, are inevitably on the side of the young in this generational battle.

Now the conflict between sons and fathers is hardly new to our generation. What is new or at least of much greater importance today are two basic trends in our society. First we have the vast increase in the resources we are putting into science and technology and the resulting rapid change which this makes possible in the way of life of an increasingly large fraction of our population. For all of us, our expertise rapidly becomes obsolete.

The second factor which drastically compounds the problem lies in the increasingly large numbers of individuals who we are educating to the point where they can recognize these facts and challenge the existing establishment on its own terms. There always were a few who recognized ways to bypass existing channels and open up new paths to the top, found new industries, create new institutions, etc. They were, however, a rather small minority and it is due to that small minority that progress has been as rapid as it is. But today we have not a small minority but a much larger one and there doesn't seem to be enough room for this group to move ahead without running rather roughshod over large elements of the existing establishment. It is this situation which seems to me poses the basic problem of generational conflict so forcefully in our society and it is this situation with which I propose to deal. I must apologize for the absurdly long introduction but I haven't figured out how to shorten it adequately.

For reasons which will become obvious, I have entitled my concept "Project New Manhattan." It is designed to combine most of the virtues which I at least found in the Manhattan project and in the settling of the new world, most exemplified of course by Manhattan and the words on the Statue of Liberty.[1] It is not easy to remember that those of us living in this country are almost entirely the descendants of either rebels or rejects, people who found the society in which they were born distasteful or people who were unable to build a satisfactory life for themselves and their children within that society.

I haven't studied the figures in any detail but I suspect a high percentage of immigrants to America were under thirty. And indeed, I would take it for granted that many of our young people who express an obvious dissatisfaction with the society in which they find themselves would cheerfully take advantage of the opportunity to help build a new world. And that, of course, is the essence of my suggestion. Continuous creation of an effective frontier is the only long range solution to the collision of any establishment with a revolutionary young element wishing to take advantage of the changes in our society that technological innovation would make possible. Again there may be innumerable ways of carrying out the principles I would suggest and while I have a number of ideas of my own, I would like to encourage all of you to speculate on them. I would create self-sustaining new communities, based in part on a large national laboratory complex devoted to a significant current problem with technological implications, at least one each year, financed by self-liquidating investment from a large revolving fund such as the trust fund noted above.

Before I go into detail, I would like to enunciate a few principles. First, I believe that freeing the young and the imaginative to build technologically based new enclaves will increase our total wealth rapidly rather than cost money. While I hope to see a substantial revolving fund set up to finance this program I would prefer to see all advances on a loan basis so that there is no net cost to any existing establishment. Secondly, the communities created must be self-governed to the maximum feasible extent. They must pay their share of taxes and respect constitutional guarantees, but radical experimentation in social organizations should be encouraged. Thirdly, we should seek the maximum feasible diversity, geographically, in research areas, and in community organization. Fourthly, one must anticipate failures. If those selecting projects find all their projects financially sound in a short time, they are obviously being much too conservative. In some cases disaster will be visible in short order, in others success or failure may hang in the balance for a long time, in still others a long slow growth will eventually produce financial stability.

Let me develop these a little more. The first principle is, I believe, most important for the ultimate success of our campaign. We have noted a growing resistance to government support of scientific projects.

There is no substitute for such support of basic research on a large scale, but I don't know why we should confuse this with support of science and technology directed to specific useful ends. We are producing a growing number of technically trained people, most of whom are not going to earn their living doing basic research. We must use these scientists and engineers efficiently and effectively and in such a way as to meet their objectives. This means largely, that we must provide the opportunity for them to select socially desirable goals and carry them out with a minimum of resistance from an existing establishment. But they certainly will expect to "earn their keep." I have nothing in principle against subsidizing a lot of socially useful activities, but I believe that any establishment that pays for innovation will find convenient methods of sabotaging such innovation to the extent they achieve significant changes. I would like to minimize the hold of the establishment on the innovative process.

I would like to see a program set up on a continuing recycling basis without recurrent requests for congressional approval or authorization. This would only be possible with a revolving fund and no net congressional appropriations (e.g. TVA).

One version of the scheme that I offer as an example is a commitment to set up roughly one new national laboratory every year, a new national laboratory located near but not of course directly in, an existing urban center. The management of this laboratory could be a nonprofit institution of some sort and might serve as the basic managerial authority for a "new town" new community to be located near or around the national laboratory. Each national laboratory is to have a basic practical area of research and development interest, e.g., housing, crime, transportation, energy sources, etc. The nonprofit institution desirous of running such a laboratory will be responsible for selecting personnel and preparing a prospectus setting forth the broad outlines of their goals. They should suggest at least roughly the areas in which research and development will be originally oriented and the physical geography of the area available for the new community. One might suggest that community size of the order of 10,000 acres including perhaps 1,000 for the national laboratory itself and ultimately housing perhaps 10,000 families might be a minimum sort of development suitable for heavily built up areas while some projects might readily approach 10 or 20 times this scale. Many areas of research and development suggest themselves. Housing dominates with a number of regional centers as possibilities. Transportation, exploitation of the ocean resources, information retrieval and communication sciences, techniques in education, and energy generation or conversion are obvious topics. There is already some national research in atomic energy, agriculture, and health which are funded somewhat differently, but if this process proves successful the continuing investment in health sciences which ordinarily meets less resistance than other areas of innovation might provide a similar basis for community development. (In this case an additional trust fund tied to a medical insurance program might be employed. Financing the program and the services of the laboratory might be partially paid for by such insurance funds in lieu of more direct earnings.)

Naturally we would expect other demands for scientists and engineers to continue. Universities will teach (and with a strong demand for scientists will continue to teach all that they can). Existing companies will grow and indeed will easily find a role in at least some of the communities. We must assume that many of the young want nothing more than maximum opportunity to do their thing in the existing framework. If the "national laboratory in forestry products" operated by Georgia Tech finds that cooperation with Georgia Pacific in improved logging techniques and Monsanto Chemical in improved land structure complements their improved trace element and irrigation program, while a privately owned local furniture factory goes well with their upgraded irradiated wood, fine.

Conversely, if the University of Michigan decides that a cooperative marketing procedure is the best way to handle their line of steam powered automobiles and by-pass the existing Detroit establishment, they ought to get a fair chance to make it work. They probably won't put General Motors out of business, but might drastically alter the appearance of American cities in a generation or two.

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[1] "Give me your tired, your poor, your huddled masses yearning to breathe free, the wretched refuse of your teeming shore. Send these, the homeless, tempest-tost to me, I lift my lamp beside the golden door"—Emma Lazarus.

It is important to emphasize that most established adults will not be affected at all by the most drastic experimental innovations. There is, of course, no age barrier to new ideas and interests and many older people will cast their lot with the young. With increased longevity, many will seek early retirement and a new start to everyone's benefit. But much as many enclaves of Europe resisted change while their sons fled to America; much as many rural villages today provide gentle refuge for those who choose not to tackle our urban environment; so we must assume that there will be many havens of stability for those who know when they're well off.

Like most visionaries I, too, have a dream, a dream not of a sterile utopia in some wise man's image, but rather the endless variety of a very mixed up America with maximum mobility for the dissatisfied, adequate wealth to ease the burdens of the unsuccessful, or merely unlucky, and exciting new opportunities to challenge the young of any chronological age.

FARM SUBSIDY BONANZA

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. MADDEN. Mr. Speaker, last year and again this year the House of Representatives by a substantial vote limited all annual subsidy farm payments to any one farm operation to $20,000.

The other body repeating last year's disregard of the House action has again ignored this limitation and has placed the farm subsidy under the same unlimited payments to large corporation farm operations which has degenerated the so-called farm relief project into a national scandal. Almost 90 percent of this annual $3.5 billion aid bonanza goes to large farm operations which defeats the real intent of the Congress to give the small farmers aid and financial relief.

I wish to include with my remarks the following editorial which was in yesterday's New York Times:

NO CEILING ON FARM SUBSIDIES

The poor go hungry in America as the nation, in an unconscionable paradox, lavishes subsidies on its large farm operations to encourage them not to grow more food. Yesterday, the Senate voted to continue these subsidies without ceiling in obtuse perpetuation of such indefensible policies.

Successive medical surveys have established beyond doubt that there is hunger in this land fat with agricultural surpluses. The Senate Select Committee on Nutrition and Human Needs estimates that as many as 10 million Americans—5 per cent of the population—suffer from hunger and malnutrition and from the lassitude and disease they can cause. There does not, however, seem to be enough money in an otherwise outsized Federal budget to mount even a minimally effective food effort in their behalf. President Nixon has proposed putting off a meaningful effort until the next fiscal year.

Meanwhile, farm subsidies, continue higher than an elephant's eye and nearly reach the sky. Representative Paul Findley of Illinois, leading advocate of a $20,000 ceiling on subsidies paid for any one farm operation, has pointed out the grim disparities of present policy. In Texas last year, according to Mr. Findley, forty-six counties refused to participate in any food program for the poor while the farmers of these same counties harvested $26,462,217 in subsidy payments. In Kansas, twenty-nine counties had no food programs for the poor although farm operators received $4,274,533 in subsidies. In Missouri, the figures were thirteen counties without food programs and farm subsidies of $1,185,276.

"Plainly," he charged, "the political leadership of these counties finds Federal handouts to wealthy farmers something they can live with, but Federal handouts to the hard core poor something else."

The increasingly urban orientation of the Congress—only thirty-one members of the House now represent districts that can be classified as even twenty-five per cent rural—will eventually require a revision of the nation's presently distorted farm and food policies. Ceilings will be imposed on subsidies, perhaps more gradually than Representative Findley would like, but imposed. Members of the Senate will join members of the House in responding to pressures from urban areas. The discouraging aspect of yesterday's vote is that so many members of the Senate consider these pressures so unpersuasive today—and are apparently so unaffected by the crying need to alleviate hunger and accomplish justice quite apart from political considerations.

AN OPEN LETTER TO PRESIDENT RICHARD NIXON

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. MIZE. Mr. Speaker, the Morrill & Janes Bank and Trust Co. of Hiawatha, Kans., recently published in the Hiawatha, Kans., Daily World, an open letter to President Richard Nixon. The thrust of this letter is to recommend to the President the wisdom of directing efforts toward revitalizing existing communities throughout the country rather than investing in entirely new cities from the ground up. Those of us who are sponsoring the Rural Job Development Act feel the same way and heartily endorse the points made in this open letter, So that my colleagues who represent hundreds of small towns and know about the many advantages for family living they offer can have a chance to read this letter and endorse its purpose, too, I include it in the RECORD as an extension of my remarks. The letter follows:

AN OPEN LETTER TO PRESIDENT RICHARD NIXON

DEAR PRESIDENT NIXON: Not long ago a syndicated magazine that is distributed in our area published a list of the great problems confronting our nation.

There were spaces for the reader to check those he thought were the most pressing.

Among them was the problem of congestion in our overcrowded cities. A predicament everyone agrees belongs near the top of the list.

There are those who say, to meet this situation we must build more cities[1] . . . new cities . . . from the ground, up, to get people away from the squalor and violence of those large population centers.

But, Mr. President, why should we build more cities? . . . More public buildings, schools, churches, hospitals in new locations? . . . Why should we organize more city governments when we have, all over rural America, thousands of small towns already established—some of which are qualified to serve as a nucleus for such a project? . . . Towns with their roots already deep in the American tradition of "liberty and justice for all." . . .

People have left these rural towns in large numbers—not from choice—but because they must, to find employment for a good and comfortable life. They would gladly come back from the crowded cities if there were industries to give them employment in the towns from which they came.

Take, for example, the town of Hiawatha, Kansas . . . Hiawatha is surrounded by fertile farm lands that show increasingly high yields because of technological advances in agriculture. But—with these increases goes an ever decreasing need for man-power . . . for people to operate these farms. There is not enough work for all.

So they leave.

More and more they go to the overcrowded cities to find work . . . cities which, because of their very bigness are unable to provide suitable living conditions for all . . . And the towns from which they came are left struggling . . . Struggling by every possible means to attract new industries . . . new ways to keep their people at home.

You see, we're not talking about the stagnant, dying little places that have given up hope . . . We're talking about those vigorous, ambitious towns that are still eager to grow and succeed. Such towns, working against tremendous odds have managed through sheer tenacity, to hold their own—and even to grow!

Mr. President, don't you think they've proven their worth?

Hiawatha, Kansas is such a town. In spite of a dwindling farm population it has grown. And it has done it without federal assistance . . . A dedicated, hard working Industrial Development Committee has secured new manufacturing plants and established an Industrial Park which will be traversed by new Union Pacific Railroad tracks. Two of the largest of these industries are entirely independent. They are not tributary to large city organizations. They are Hiawatha's own!

Do you think towns with so much get-up-and-go should be passed by and left to struggle along on their own, ignored and forgotten, while they pay federal taxes to be used for bulldozers and steel, to construct totally new cities?

We don't think so.

It is said, "Success grows out of the needs of one segment of society being met and supplied by another." . . . The large cities of America need help . . . The rural towns of America need help. Why not devise a plan whereby they can help each other? . . . Why not begin in a community like Hiawatha, Kansas? . . . Why not begin in Hiawatha!

We do not propose to outline a plan for accomplishing this. But we have faith to believe a country that can send its people to the moon can surely work out a means of solving its problems here below.

Mr. President, we think this is a challenge that should have the immediate and serious attention of you and the Congress of the United States.

LEARN TO READ WITH A PENCIL

HON. DAVID PRYOR

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. PRYOR of Arkansas. Mr. Speaker, Sunday's Washington Post reprinted a most inspirational speech which was de-

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[1] Refer to "New Cities Program Committee" Duluth, Minn.

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livered by Prof. David McCord, a poet and essayist who taught at Harvard for 40 years. Professor McCord gave his address at Colby College, Waterville, Maine, at recent graduation exercises. I think without reservation this speech is a classic and should be brought to the attention of our colleagues.

The speech follows:

Learn To Read With a Pencil

(By David McCord)

I am no stranger to the State of Maine, so let me begin by reminding you that a Maine Guide's license may be worth more than the bachelor's degree. At least it guarantees you won't get lost. But since life is the only thing we have to live, and since your life will be rich for others only as it is rich for you, I propose to talk about one way in which you can attain at an early age what Justice Oliver Wendell Holmes referred to as "the subtle rapture of a postponed power."

Many of you have surely noticed in your reading in the past few months an increasing use of the word "autodidact." Without going to the dictionary, where you may not find it anyway, you can guess that it means a person self-teaching or self-taught. Now, Lincoln, Darwin, Edison, Bell, Burbank, Franklin, Whitman, Edward Lear, Winslow Homer, Mark Twain, Henry Ford and Ernest Hemingway were autodidacts. Not one of them went to college.

Of course, it is the function of our schools, our colleges and universities to teach us to be autodidacts, but the tragedy is that most of the learning process as we learned it dies with the diploma. You may pursue this dismal thought somewhat in Jowett, introducing Plato:

"The want of energy is one of the main reasons why so few persons continue to improve in later years. They have not this will, and do not know the way. They never 'try an experiment' or look up a point of interest for themselves; or make no sacrifices for the sake of knowledge . . . hardly any one keeps up his interest in knowledge throughout a whole life."

FOREIGNERS SHAME US

The most appalling phase of this indictment is, of course, the crass indifference of the average U.S. citizen toward the English language—the speaking, reading and writing of the richest, most sonorous, poetic, searching and rewarding of all tongues west of Babel; Shakespeare's universal language; the one language which circles the globe; the one language which people born in France, Germany, Holland, Denmark, China, Japan, Brazil and India, as I have heard them, often handle with a grace, command and reverence enough to shame us: my friend Chiang Yee, the self-styled "Silent Traveler," for example; or Vladimir Nabokov; or Prof. Kozo Tada of the University of Tokyo; or the late Isak Dinesen of Denmark, one of the great stylists of our time, whose voice I have heard on records.

I do not ask why this is so, but I do ask why the self-teaching instinct in us, so strong when we are learning to play baseball, collect stamps, skin-dive, ski or reassemble a gasoline engine, fails to focus in our riper years on what can give delight, distinction and explicit power to our speech, our writing, our reading and—so infinitely more important—to the art and spiritual enjoyment of living which means you and me. Or, wanting for this, just why the autodidact in us fails to focus on our lanuage as a simple tool, the mastery of which has proved itself for centuries an asset beyond price in business, industry, the professions; in marriage, parenthood and in the daily commerce and "noble merchantry," as John Buchan said, of our so-called civilization.

The autodidact in the poet does not fail him. Great poetry—good poetry—is free of jargon. Poets know, as Emerson said, that "every word was once a poem." They read aloud to themselves; they hear as well as see. They have an ear for tone and overtone, else they are not poets. They flush the cuckoo adjective out of the nest of nouns and verbs. They seek exactness out of inexactness. They hear their own echoes—all words disastrously repeated—and eliminate them.

They loathe and avoid the cliche—"no problem, that's the way the ball bounces, let's face it, get with it, that's what you *think*, you can say that again, as a matter of fact, no kidding, let me put it this way." They choose the muscular metaphor above the weaker simile: something is, not something is *like*. "Up from India glances the silver sail of dawn," which is Housman. "The smell of liver and bacon sidled into the street with onions on its breath," which is Dylan Thomas. Poets are masters of precisions—the *precis*.

Every poet worth his salt gets the essential shiver down the backbone at sight or sound of the inevitable, distilled in the alembic:

"I have seen old ships sail like swans asleep
Beyond the village which men still call
Tyre."

He knows why "over the hills and far away," out of an anonymous nursery rhyme, has been called by G. K. Chesterton one of the most beautiful lines of verse in English. Six famous poets, Tennyson, Scott and Stevenson among them, have taken it for their own, without quotation marks. What the magic is, which one of us can say? But who will say it is not there?

And, quite conversely, who will deny the wit of this quatrain by Dr. Harold T. Meryman, a cryobiologist? (Cryo from the Greek kyros, you remember, meaning icy cold.)

"I have no doubt that I could freeze
My mother-in-law with the greatest ease.
The only thing that gives me pause
Is, what would happen when she thaws?"

Or, conversely again, listen to these words of Philip Hofer on Edward Lear. What greater tribute than to say of one shy, humble, bumbling genius of a man, "He tried so little to exploit the world, and put so much back into it."

A 5-FOOT GIANT

When I was an undergraduate uneasy in determination to become a physicist, I took very lightly the solemn counsel of Prof. Charles T. Copeland—Copey of Calais, Maine—that reading poetry and trying one's hand with poetry was the best, and for many people the only, way to learn to write responsible, respectable, persuasive prose. By the time I reached the graduate school and was listening to Prof. John Livingston Lowes at the peak of his power in that vast and thrilling study of Coleridge which he subsequently called "The Road to Xanadu," I knew that Copey was right.

But if poetry was important, so was poetic prose itself. Prof. Lowes was a stylist with a powerful sense of drama and detection. It was this 5-foot giant with the booming voice and occasional outbursts of choleric temper who urged upon us the art of reading with a pencil: not to disfigure a book with schoolboy underscoring—a book, of course, for which we had paid good money—but to put a small vertical line in the margin opposite the significant sentence, word or paragraph, and to write on a blank page at the back folio 161 (or whatever), quote the word, phrase or sentence in question, make a note of our dissent if we differed, or a comparison with or a parallel to something else if we had a comparison or a parallel available, or an extension of an idea if we could extend it. A page or two of such notes, and the heart of the volume is yours forever.

I have never forgotten the excitement of that moment when I learned how to make a book utterly my own—not yours or the next fellow's—but mine. Wherefore today, some thousands of volumes and many years later, I say to you: begin to build your personal library now. Not the family library, not a library of sets unopened, uncut and unread, but an intimate library, a library as close to you as your clothes, your watch, or your car. In a few years' time, this alter ego collection will number 50 or 100 or several hundred volumes, totally a part of you.

"Great books," said E. M. Forster, "make you feel small in the right way." And if each book is truly a great or influential book, tested by years or generations or centuries of other readers—a great or influential book germane to you and to your need because you read it with delight; a good book, a wise book, that is, like "Moby Dick," "My Antonia," "The Outermost House," "A Passage to India," "Walden," "Arabia Deserta," "The Tempest," "Hamlet." "Peer Gynt," "Samson Agonistes," "The Heart of Emerson's Journals." "Pickwick," "Alice," "The Sea and the Jungle," "Father and Son," "The Oregon Trail," "Kim," "Far Away and Long Ago," "Aequanimitas," "Life on the Mississippi," "Of Human Bondage," "Tarka the Otter," "The Small Years," "The Mirror of the Sea," "War and Peace," "Religio Medici," "The Practical Cogitator," "The Crock of Gold," "The Country of the Pointed Firs," "Cobblers," "Come Hither," "The Dyer's Hand," "The Castle" or "The Road to Xanadu"—then, I say, your correspondence, paper, reports, articles, recommendations, everything you write will reflect possession of this body of knowledge, pursuit of style and effortless reference.

The book of quotations has not been made that will hold a candle to what you carry in your head so far as you are concerned. For what you will carry in your head will be the flavor of good writing. Your everyday speech will have taken on a hue and a quality above that of your friends and colleagues.

THE FLAWLESS LETTER

I am not talking miracles, I am talking facts. For example, as your daily intake of mail increases over a decade—and you will wish it would not—you will find, as I have found, that it is a lucky morning when one unfolded letter rests on the top of the pile because it is flawless in composition, correct in punctuation, original in voice, engaging in tone, compelling by enthusiasm, yet dismaying in the thought that you have not the wit to answer it in kind.

But when you have answered it, have cheerfully sweated over every paragraph, you will be cheerfully surprised to discover that reading with a pencil has taught you the truth of what Mark Twain observed somewhat ahead of us: "The difference between the right right word and the nearly right word is the difference between lightning and lightning bug."

Dr. Robert B. Greenough, the cancer surgeon, once received the perfect bread-and-butter letter after a house party he had given on Cape Cod. "Dear Bob," wrote C. F. Weed, a graduate of Trinity College. "Some parties deserve a letter, some don't. Yours does. Here's mine." These are the right words; they are not rude words, and not one of them can be deleted. Right words also are these from another source, "If I can do anything to help you, hesitate to ask me."

One thing more: I advocate what Prof. Reuben Brower of Harvard proposes in a book called "In Defense of Reading." "Slow down the process of reading to observe what is happening . . . to the words, their uses and their meanings." Speed reading, useful to an editor or scholar in search of something in particular, has no more place in your cultural growth than a book club. Slow down! Read the way a poet does; to taste, to reflect and to savor.

Haunt the second-hand bookstores, and zero in on the right books for you the way we used to line a bee-tree out in Oregon—by triangulation. When several critics or

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friends with a trusted background of learning say at different times, "You have never read Erskine Childer's "The Riddle of the Sands'," go out and find it. I am no sailor of small boats, but that is precisely how I came upon "The Riddle of the Sands"—as you may also; a breath-taking adventure with this classic in its field. Be not autoecious, living on one book. Be alert in your diversity.

My maternal grandfather, a Presbyterian minister, was an Emersonian and a good Greek scholar. Though he died before I was born, my mother inherited the priceless legacy of reading aloud.

I was brought up on Edward Lear, Lewis Carroll, the Oz books, Ralph Henry Barbour, Gilbert distinct from Sullivan, the King James version of the Bible, Jules Verne, Dickens, Stevenson, the Reliable Poultry Journal, Hugo Gernsbach's prophesying Modern Electrics and, finally, Emerson. This odd admixture gave me not only the feel of words and their texture: Lear and Carroll let me see the play in words and nonsense at its best. My own marginal notes over the years, therefore, have varied from the fanciful and foolish to the severely technical in subject.

To support my thesis, let me say that a great part of this annotation which I propose is not far from the creative process itself. You are dealing, to be sure, with other men's and other women's ideas, idioms and styles; but the residual power of suggestion is very strong, and the interplay of these notes in a subliminal sense begins to enrich your understanding of what makes a great style, what constitutes an original voice.

Visiting a vastly impressive display of the portrait photographs of Yousuf Karsh at the Boston Museum of Fine Arts, I felt that his camera was invariably close to his printed comment on his subjects. There was the famous portrait of Sir Winston Churchill, and under it one of the most memorable summaries ever written on the finest hour in World War II. "Here was the man who marshaled the English language and sent it into battle when we had little else."

Quite apart from the self-teaching aspect of putting pen to paper as I make my marginal notes, just because a few of them manage to stick in a slippery mind simply through the physical act of transcription, I always have the miser-like feeling of the small boy dropping his penny through the slot in the china pig. This is my savings account against black Saturdays, bleak winters, disappointment and impoverished inspiration. Which is why I felt a kinship with Karsh under the silent dominion of the photographs of all those many men and women of genius he had met.

In 1935, when I was severed from my appendix, my old friend Henry Beston sent me a vaseful of herbs from his garden. Not flowers, mind you, but dittany, rue, sweet marjoram, lavender and thyme. As we assemble here, suspended between Carbon 14 and Strontium 90, I am mindful of the earth in all its elemental mystery: the planet we are plundering, the great forests we are cutting down, the doubtful gains, material and otherwise, computered toward the day when man will dredge his plankton breakfast from the sea. I look to my notes in Henry Beston's "Herbs and the Earth":

"Peace with the earth is the first peace," wrote Henry. "For man is of a quickening spirit and the earth, the strong, incoming tides and rhythms of nature move in his blood and being; he is an emanation of that journeying god the sun, born anew in the pale South and the hollow winter, the slow murmur and the long crying of the seas are in his veins, the influences of the moon, and the sound of rain beginning. Torn from earth and unaware, without the beauty and the terror, the mystery and ecstasy so rightfully his, man is a vagrant in space, desperate for the inhuman meaninglessness which has opened about him, and with his every step becoming something less than man.

"Peace with the earth is the first peace. Unto so great a mystery, to paraphrase a noble saying, no one path leads, but many paths."

TAILOR-MADE LINES

Somewhere in your reading, you will one day make your own small note relating to this college—relating you to this college, to say it better. Two such notes relate me still to mine.

Harvard celebrated her tercentenary in 1936, and the brief history of that occasion needed a subtitle. Surely the right words, the inevitable words, were somewhere in Thoreau, who had been graduated just 99 years earlier. To go through Thoreau's collected works would have taken me months; but to go through my marginal notes in "Walden" and the rest took but ten minutes. And there, indeed, recorded without any thought of immediate use, was the subtitle tailor-made: "Not that the story need be long, but it will take a long while to make it short." I had copied it, surely, just because the sound of it pleased me.

The other instance is a note in the first edition of Willa Cather's "My Antonia," a work of genius which for one reader, remains about as close as we have come to the great American novel. My note says in quotation marks, "That is happiness; to be dissolved into something complete and great." These were, I reasoned, the right words for one electing to spend his life in a university. No critic, to my knowledge, ever singled out that observation of Miss Cather's: 11 words defining, in this instance, my own unstated philosophy.

Well, some years after Willa Cather died, I stopped at the shady edge of the burial ground in Jaffrey, N.H., to pay my respects to her grave. No one directed my search. It seemed to me that she would have chosen the western rim, looking out on Monadnock and west toward her Nebraska. I chose a headstone, not different from the others, and walked diagonally toward it. At the top of the stone was her name, her dates; and across the bottom, "That is happiness; to be dissolved into something complete and great."

Marking one's books alerts the reader for impressive, sometimes amusing, parallels. Besides Sir Winston, the second voice of World War II for some of us was the voice of H. M. Tomlinson. What man or woman has said of human or inhuman conduct what he wrote for the Atlantic in the first days of the then-called phony war?

Looking down on the English Channel, empty of shipping, he put it once for all—words indelible for his time and for ours: "Out of the viewless comes a corruption of the instinctive loyalties of men." Does anything in Orwell quite equal that?

When Whistler said, after he was dismissed from West Point for failing in chemistry, "If silicon had been a gas, I'd have been a major general," would you have failed to make a note of it? Havelock Ellis warns the writer to "be clear, be clear; be not too clear," and we move a little closer to the poems of Wallace Stevens.

Then along comes Lloyd Frankenberg, writing of James Stephens, immortal for "The Crock of Gold," a man who would today stand cubits higher if his friend James Joyce had never lived. "We should never be too clear," says Frankenberg. And of Stephens himself, he adds, "He has a simple faith in complexity."

Not always, though, for Stephens was Irish and had the Gaelic as well. For example, "They fell out over pigs, let them fall in over pigs." Or again, of the young bully of his Irish school, "He was densely packed with pugnacity." Or of the young wife, "She could play the piano with such skill that it was difficult to explain why she played it badly."

It was a marginal note in my reading which first directed my attention to the strength of the monosyllabic line. At a time when the writers of four-letter words are coming down to meet the four-letter word readers coming up, do not forget, as Sir Winston Churchill did not forget, that the good short words—usually Anglo-Saxon—are the strong words. "Aye, but to die, and go we know not where," says Shakespeare, a master of the monosyllable.

In Robert Frost's selected poems, you will find that some 65 begin with a monosyllabic line and some 47 conclude with one.

"Whose woods these are I think I know . . ."
"And looked down one as far as I could."
"Home is the place where, when you have to go there, they have to take you in."
"We love the things we love for what they are."
"Some say the world will end in fire, some say in ice."

PINWHEEL AND SHOWPIECE

I offer now two set pieces: a pinwheel and a showpiece in the way we used to end a smoky 4th of July when I was a boy. Neither of these poems of mine would have been written but for a mosaic of marginal notes set down over a good many years in many different books. Indeed, all that I have said today has been at random, somewhat the way Ken Coleman and Mel Parnell will recall historic double plays and robberies committed in deep left field to kill time while the cart rolls from the bullpen with a warmed-up pitcher.

Years of noting what I call root words gave me what follows. You must look for the absent prefix: not uncouth, but couth; not unkempt, but kempt; not inane, but ane. I am afraid you must also listen carefully. I offer this poem, "Gloss," to you as an expression of freedom.

"I know a little man both ept and ert.
An intro-? extro? No, he's just a vert.
Sheveled and couth and kempt, pecunious, ane.
His image trudes upon the ceptive brain.

When life turns sipid and the mind is traught,
The spirit soars as I would sist it ought.
Chalantly then, like any gainly goof,
My digent self is sertive, choate, loof."

And now this last poem called "The Walnut Tree." In southwest Pennsylvania, before World War I, my family and I visited an abandoned farm. Somewhere on it, at the edge of the hill that overlooked the valley, stood an old walnut tree with the tallest swing I ever saw. The ropes were safe enough, and so I swung.

For half a century I thought about that experience but never could visualize it as a poem. I wanted it to be not like Stevenson's swing—not romantic and childlike—but about life itself. The swing was a symbol. Three years ago, as I drove through the mill section of Lynn, Mass., I suddenly saw the poem spelled out in a red traffic light, wrote a couple lines of it, pulled through the green and wrote the rest. It was all so spontaneous, out of the subconscious, that I know how much original, youthful happiness is in it; also how much of my instinctive love of the land.

Let me remind you that on the only occasion when Henry James met Rupert Brooke, he told him not to be afraid to be happy. I tell you the same. And I should like you to think there is something of Henry Beston and the State of Maine in "The Walnut Tree," for it was Henry who said, "It is only when we are aware of the earth and of the earth as poetry that we truly live."

THE WALNUT TREE

"There was once a swing in a walnut tree,
As tall as double a swing might be,
At the edge of the hill where the branches spread

So it swung the valley right under me;
Then down and back as the valley fled.
I wonder if that old tree is dead?
I could look straight up in the lifting heart
Of the black old walnut there and start
My flying journey from green to blue
With a wish and a half that the ropes would part
And sail me out on a course as true
As the crows in a flock had dared me to.

I swung from the past to the far dim days
Forever ahead of me. Through the haze
I saw the steeple, a flash of white,
And I gave it a shout for the scare and praise
Of being a boy on the verge of flight.
And I pumped on the swing with all my might
Till the valley widened. Oh, I could guess
From the backward No to the forward Yes
That the world begins in the sweep of eye,
With the wonder of all of it more or less
In the last hello and the first goodby.
And a swing in the walnut tree is why."

HEALTH BENEFITS FOR CIVIL SERVICE EMPLOYEES

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. TUNNEY. Mr. Speaker, in 1959 Congress passed a piece of legislation of vital importance to millions of civil service employees. The Federal Employees Health Benefits Act created a highly desirable hospital and medical insurance protection program. However, during the creation of this program the Congress made a miscalculation. It is now time to correct that miscalculation.

Today I have introduced legislation intended to modernize the Federal Employees Health Benefits Act. The bill, when enacted, will ease the burden now hanging heavily on the civil servant; and it will rectify the miscalculation of 1959.

When the program was originally being developed, an important consideration was the belief that many Federal employees could not afford an expensive health plan. Hence, the act provided that two levels of benefits should be offered by the Civil Service Commission. The two levels have become known as the high option and the low option. By paying the difference between the cost of low option and high option an employee could secure the increased protection of the more expensive plan.

The assumption made in 1959 was that the majority of employees would choose the low option plan. This assumption has proved false; and today 90 percent of the employees have chosen to purchase the extra protection of the high option plan.

Consequently, the presumption that the Government would pay 50 percent of the cost of insurance—the intent of the 1959 act—has also proved incorrect. Statistics provided by the Civil Service Commission indicate that in the leading Government-supported plans—Blue Cross-Blue Shield and Aetna plans—employees have in the last 2 years contributed 70.6 percent of the cost, while the Government has contributed only 29.3 percent.

Mr. Speaker, the bill I have introduced today will remedy this imbalance by equalizing the contributions as was intended in 1959. The bill provides that the Government will share the expenses by allocating as its contribution an amount equal to one-half of the cost of the least expensive of the "high option" plans. This adjusts the present law to reflect the reality of the preferences which have been expressed by the employees whom the law is designed to protect.

I feel strongly that an employee should not be penalized, because he chooses to subscribe to the best available protection for himself and his family. Adjusting the Government contribution as the bill proposes will serve to eradicate this inequity.

ELIMINATING DOUBLE SUBSIDY WASTE AND PROVIDING SHIP AVAILABILITY IN CONDITIONS SHORT OF WAR

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. OLSEN. Mr. Speaker, I am today introducing a bill to prevent payment of double subsidies, and to assure availability of tonnage for defense purposes in the national interest, and for other purposes.

This bill deals with the present practice of paying subsidy to U.S.-flag lines to meet foreign-flag competition, and then permitting the subsidized lines to use the subsidy to bid against unsubsidized operators for carriage of cargoes reserved for U.S.-flag ships. In this way, the subsidy paid is wasted, the U.S.-flag share of our foreign commerce is reduced, and unsubsidized operators are deprived of the cargos they need if they are to survive with direct Government subsidy.

Cargos reserved for U.S.-flag ships under the cargo-preference laws are in all respects similar to cargos moving in the domestic commerce of the United States, which are also reserved only for carriage by U.S.-flag ships. For domestic cargoes, the Merchant Marine Act of 1936 provides that if a subsidized line carries any domestic cargo, it must pay back a portion of the subsidies it has received to meet foreign-flag competition.

This bill applies the same principle to the other cargos reserved for U.S.-flag ships.

Under the bill, subsidized operators must agree to forgo operating subsidy and to repay construction subsidy in the proportion that preference-cargo revenue bears to the total revenue: the more preference cargo they carry, the less subsidy they would retain. If any such operator refuses to agree, its vessels may not be used for preference cargo unless other vessels are not available, in which case the freight or charter rate is in any case to be reduced as required by the above formula.

Enactment of the bill would assure that subsidy payments would be used for their real purpose: to assist subsidized lines to meet foreign-flag competition. Without additional appropriations for subsidy, a larger subsidized fleet could be supported, the U.S.-flag share of foreign commerce would increase, and a larger and stronger unsubsidized fleet would result.

Section 2 of the bill meets an asserted deficiency in existing law for the use of ships by the Government in conditions short of national emergency or war. The DOD has complained that the subsidized fleet was not made available in the Vietnam war in the number required. The bill provides that whenever the Government determines it would be in the national interest to do so, it can require vessels enjoying any benefits under the Merchant Marine Act—whether subsidy, mortgage aid or cargo preference—to be made available for service, either on liner or charter terms. Applicable rates would be subject to the just compensation provisions of section 902, and the Government would endeavor to divide the burden equitably among carriers.

THE 1970 CENSUS—NO MYTH HERE

HON. JACKSON E. BETTS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. BETTS. Mr. Speaker, recent critics of census reform apparently have not given much study in depth to the reasons back of the reform movement. They seem to be enchanted with the idea that the Census Bureau has the right to secure from the people any information which is desired by Government or business even by compulsory methods backed by fine and imprisonment. Their only justification seems to be that it is needed. But the argument of need runs headlong into some persuasive and convincing counterarguments; namely, whether the present methods are proper, effective, or acceptable. The following editorial from the Wall Street Journal of July 7 is an important contribution to the argument for census reform:

NO MYTH HERE

In suggesting there's something uncomfortably sweeping about the laws allowing the Census Bureau to ask whatever it wants and compel everyone to answer, we once asked, "Shall we become a nation where the government can jail anyone who declines to discuss the condition of his plumbing?"

We now find ourselves called to task by columnist Sylvia Porter, in an article based on an interview with a census official and entitled, at least in New York, "Census: Count the Myths." Here we find ourselves in the uncomfortable company of an otherwise unidentified "Southern newspaper" and a "recorded telephone message," both spreading malicious nonsense about the forthcoming census.

The fact is, though, that the Government *can* throw a citizen in jail for refusing to discuss the state of his plumbing. To be sure, it has never done so. The 60-day jail sentence for refusing to answer census questions has never been imposed, and the $100 fine only rarely. Yet there is the law.

After telling us the compulsory provisions practically never need to be enforced, census officials next tell us the same provisions are absolutely necessary to statistical accuracy and the common weal. Also they add that we can trust them; they would never pry.

Well, some of us still believe the civics books maxims about a government of laws being preferable to a government of men. And in establishing the purity of present census-takers, Miss Porter provides a dandy

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illustration of the unwisdom of leaving everything to bureaucratic discretion.

She reports, "In 1880 and 1890, individuals were asked [such] questions as whether they often had to be restrained by a strait-jacket; the head size of any 'idiot' in the family; whether the respondent was 'habitually intemperate,' a 'tramp,' 'syphilitic,' or a 'habitual drunkard.' Now that was nosy!"

You bet it was; and the laws that allowed it are still on the books.

CONSTITUTION AND COURT

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. GOODLING. Mr. Speaker, considerable concern has been expressed in recent times over the transformation that has been effected in the U.S. Constitution through interpretations of the U.S. Supreme Court. A pertinent and thought-provoking article written by Mr. Frank E. Masland, Jr., appeared in the July 5, 1969, issue of the Evening Sentinel, a leading newspaper in my congressional district, published in Carlisle, Pa. I insert this article into the CONGRESSIONAL RECORD for the attention of my colleagues:

CONSTITUTION AND COURT

To the Editor of the Sentinel:

Might the demise of Chief Justice Earl Warren and the advent of Chief Justice Earl Burger be an appropriate time for the nation to recall the words of Benjamin Franklin? It seems that when he was leaving Independence Hall following the signing of the Constitution a woman stopped him and asked "What kind of a government have you given us Mr. Franklin?" To which Franklin replied: "A Republic madam—if you can keep it."

Franklin said something more, something I think we could take to heart today. He added that the Constitution gave us a government high in positive powers checked and balanced to prevent misuse of them but fundamentally so much a government of the people that its ultimate character would be determined by the character of the people.

Franklin went on to say that the Constitution would either bring happiness to the people through the wisdom and integrity of those they chose to govern them—or it could end in despotic rule when the people were too corrupted for anything but despotism. It is regrettable that every high school student is not called upon to memorize the Constitution of the United States. It is also regrettable that our school history courses do not so clearly point up the mistakes we as a people have made, that we do not repeat them.

Were we more intimately acquainted with the Constitution, it is less likely we would have permitted it to be rewritten during the years of the Warren Court. Were we more aware of the mistakes made in the past, it is unlikely we would place credence in the policies advocated by the Fulbrights and Kennedys.

Following the adjournment of the Constitutional Convention the document produced was hailed abroad "as the greatest ever devised by the mind of man." It seems to me that anyone reading the roster of those who composed the Constitution must sense that God raised up for that particular time and that particular mission a company of men eminently qualified, probably unequaled since.

Let us call the roll of those who built the base on which this country lived and grew and prospered—Washington, Madison and Franklin, Jefferson, the Adams and Alexander Hamilton, Mason, Wythe, Robert and Gouverneur Morris, Rutledge, Johnson, King, Martin, Livingston, Sherman, Ellsworth, Patterson, Patrick Henry, John Dickinson and Carlisle's own Wilson.

Compare the calibre of these men with that of those of the Warren Court who with colossal presumption have rewritten the Constitution, in effect saying "We are more capable of providing guidelines than were those who founded the nation."

There was probably not a man among those who participated in the events of those historic days in Philadelphia who envisioned or would have approved the decision by the Supreme Court that Bible reading in our schools was contrary to the intent of the Constitution. They would with equal unanimity damn those decisions of the Warren Court which held that the Constitution they drafted was intended to permit unrestricted obscenity and rampant pornography.

With equal vehemence they would have disclaimed recent opinions of the Court rendering it complex, difficult and in many cases impossible to successfully prosecute even self confessed criminals.

One has but to compare the men who drafted our Constitution with those who have presumed to rewrite it to know that the rewritten document does not represent the intent of those who composed it. They were men of character, most of them possessing deep religious convictions, men who could not have conceived of decisions negating the practice of prayer anywhere at any time or opening the door for licentious obscenity and pornography or for measures that permit the criminal to avoid retribution.

Washington commented—"Of all the dispositions and habits which lead to political prosperity, Religion and Morality are indispensable supports."

And again "Can it be that Providence has not connected the permanent felicity of a Nation with its virtue?"

Almost certainly if Franklin were to be accosted today his reply would be "We gave you a Republic and told you it would bring happiness or misery depending upon the wisdom and integrity of those you chose to govern. Only by blind unwillingness to recognize unpleasant facts can you continue to think of your nation as a Republic."

I think he might also call to our attention words from Washington's farewell address. "If we remain one People under an efficient government the time will come when we may choose peace or war as our interest shall counsel."

We are confronted with a nation which openly states that its intention is to destroy the free peoples of the world—specifically, the United States. It should be clear to all who prefer not to live in a Communist world that we cannot afford to accord such an enemy the privilege of choice.

What is our mood as we commemorate our day of independence. Will we as a people indicate clearly to those who govern that we insist upon a return to those constitutional interpretations that brought us so successfully through the past two hundred years? Will we heed the advice of George Washington to maintain our strength no matter what sacrifice may be called for?

Very truly yours,

FRANK E. MASLAND, Jr.

RD 6, CARLISLE, PA.

REPORT ON INCOME

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. TUNNEY. Mr. Speaker, in recent months there has been considerable public concern about the ethics of persons who serve in the executive, judicial, and legislative branches of the Federal Government.

This concern has been focused, and rightfully so, upon the circumstances under which an official's independent judgment might be affected by non-Federal sources of income and business affiliations.

I have consistently supported legislative proposals requiring Members of Congress to disclose their financial interests, for I believe that a Congressman's source of outside income is a matter which should be revealed to the public.

Therefore, I wish to publicly report that the only income which I received in 1968, in addition to my Federal income, came from investments in stocks and bonds of the following companies:

American Metal Climax.
American Standard.
Becton Dickinson.
Betz Laboratories.
Carrier Corporation.
Cons Freightways, Inc.
Hess Oil Chemical.
Heublein Inc. Com.
Holiday Inns.
Intl Flavors Frag.
Johnson Johnson Com.
Lowes Companies, Inc.
McLean Industries.
Pennzoil Untd 1.33 pr.
Reeves Telcom.
Royal Dutch Petroleum Co.
Spartans Ind 5% cv.

Otherwise, I received no legal fees, performed no services for compensation, nor received any honorariums in 1968.

AMENDMENTS TO PACKERS AND STOCKYARDS ACT OF 1921

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. ZWACH. Mr. Speaker, I have introduced a bill to amend the Packers and Stockyards Act. The revisions that I have suggested are not all inclusive and they deal primarily with the problem of assuring the producer payment for his livestock that he sells through packers.

In order to provide this payment assurance, it is necessary that the definition of packers be expanded in order to update the present method of handling or purveying meat. The basic act of 1921 needs to be amended in this respect.

Formerly, most of our livestock went through public stockyards channels and eventually were sold to packers through selling agents that were licensed to operate in the public yards. Certain qualifications must be met by these commission firms in order to engage in this highly professional duty of exposing the livestock for sale, and getting the most dollars for the producer. Today, much of our livestock goes directly into packers hands, thus bypassing the safety standards that are provided by practice and law at the public stockyards. Estimates are that up to 50 percent of the livestock used by packers is now purchased direct from feedlots or from farmers. While the instances or purchases by insolvent meatpackers are not common, still they are frequent enough that certain precautions should be provided to livestock producers of receiving their money for the sale of the livestock. The bill of necessity makes other minor changes in the 1921 act in order to bring in a more complete assortment of resources to producers. I urge your study and comment on this bill.

REMOTE AREA MEDICAL FACILITIES ACT OF 1969

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. POLLOCK. Mr. Speaker, today I am introducing the Remote Area Medical Facilities Act of 1969. This legislation takes two steps toward making more effective and more economical use of scarce medical resources and personnel.

First, it will authorize the Secretary of Health, Education, and Welfare to make remote Indian medical facilities available to non-Indians under certain conditions. Second, it will allow private physicians to treat non-Indians in remote area hospitals.

Part 1 of this plan has already been adopted in my home State of Alaska pursuant to 48 U.S.C. 49, and has proven successful. There, the State has designated certain areas as "remote" with respect to health services, and in these areas the Public Health Service hospitals provide services to nonbeneficiaries on a reimbursable basis. This act will extend the Alaska program to remote areas in other parts of the country.

Part 2, which allows private physicians to treat non-Indians in Indian hospitals is not in effect in Alaska, but is a measure which the Public Health Service has been requesting for years.

Both the needs of the Indian peoples and the need to make the most efficient and economical use of scarce medical resources are taken into account under the procedure in both parts of the proposal. The consent of the major tribes served by the facility must be obtained, and first priority will be given to the needs of the Indian peoples. Control of the hospitals will remain in the hands of the Division of Indian Health. In short, the measure insures that the primary mission of the hospitals will remain; the quality medical care of the Indian community.

In addition, however, the act will provide for full use of facilities by allowing non-Indians to utilize hospitals on a "space available" basis. Consequently, pockets of deprivation—like that near Owyhee, Nev., Indian hospital where non-Indians must travel 90 miles to the nearest hospital that will admit them—will be eliminated.

The HEW Secretary will establish rates to be charged non-Indians which will reflect the reasonable cost of their use of the facilities. Thus the Government will in no way be subsidizing the program.

The act provides for the sensible use of public health facilities, maintaining their primary purpose of health care for Indians and authorizing their full use to benefit all persons living in remote areas where coordination of Government and private medical resources is the only way to obtain adequate health care for all.

ARID LAND PROBLEMS REQUIRE BOTH SOCIAL AND PHYSICAL SCIENCES

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. MILLER of California. Mr. Speaker, both social and physical sciences are required to resolve the problems of the development of arid lands. I was reminded of this truth on reading a paper on "Organizing for Public Action To Resolve Arid Lands Problems" delivered by the Honorable William E. Warne at the third plenary session of the International Arid Lands Conference at Tucson, Ariz., on June 9, 1969.

Mr. Warne said that "institution building" is as important as dam building in developing successful water resources projects over the world. Mr. Warne's 35 years of experience in private enterprise and public agencies, in State of California, Federal, and international programs of the constructive type have given him a unique background for the discussion.

Some veteran Members of the Congress will remember when Mr. Warne came from California and entered the Bureau of Reclamation in 1935. Others will remember when he was Assistant Secretary of Interior for Water and Power in 1947. Some of us also knew him when he was director of the aid missions in Iran, Brazil and later in Korea where I had the pleasure of visiting him 10 years ago.

Those of us who have worked consistently for sound development of water programs in California and the West, however, will remember the work done under Mr. Warne's direction in putting on the road such projects as the great Central Valley project in California and the Columbia Basin project in Washington. His great service as California's water resources director was the launching of the State water project.

I had the honor and privilege long ago as executive secretary of the California Fish and Game Commission of learning firsthand about California's water problems, of the need for comprehensive and integrated development, and of the importance of avoiding a strictly technical engineering solution without testing how well such a solution will serve the people and the wildlife of a region. Mr. Warne's first appointment in California on coming home from Korea was as director of the Department of Fish and Game. In California, I am proud to say, since I feel that I helped to bring it about, water resources programs have been adopted and pursued that seem to meet the whole panoply of the needs of our people.

Mr. Warne's paper stresses the requirement for this broad perspective and for adequate public organization to conduct water development programs over the world. I present it for publication in the RECORD:

ORGANIZING FOR PUBLIC ACTION TO RESOLVE ARID LANDS PROBLEMS [1]

(By William E. Warne, water resources consultant)

The problems of agricultural production on arid lands usually require in their solution intricate water management that is out of the economic reach of private citizens who may be engaged in irrigation farming. One way or another, public action has been found necessary for successful irrigation and drainage ventures of scale throughout the world.

Where institutions capable of taking the required public action have existed or where they have been created, irrigated agriculture has expanded and flourished in the arid regions. Where such institutions once existed but have disappeared, the water projects have shrunk or fallen into disuse and the population of succeeding generations has been reduced in numbers. Where irrigation systems have been provided in the absence of institutions through which to supply the needed public action to develop and maintain them, there has been inadequate use made of the water and the land. Such projects have not succeeded in achieving their goals.

Many authorities have cited the need of institutions in developing water projects in arid lands. Former Secretary of Interior Stewart L. Udall told a symposium in Lubbock, Texas, in 1967,[2] that John Wesley Powell often considered the father of development of arid lands in the United States, foresaw the best opportunity for irrigation in the conservation and development of large streams. "This would require a new pattern of cooperation between man and government. Powell's idea was that in irrigable valleys settlers could join to form irrigation districts and apply to the Federal Government for a survey." Powell's idea was, Mr. Udall said, "a political idea, but you had to have new human institutions, political institutions . . . the irrigation districts."

"Fifteen hundred years before the birth of Christ there existed one of the greatest conservation programs and irrigation systems ever known in the history of civilized man," Governor John Connally of Texas told the same symposium[3] at which Secretary Udall spoke of Major Powell. "During the height of the civilizations of Babylon, of Nebuchadnezzar, there existed in Mesopotamia a system of water and soil utilization that supplied the valley of the Tigris and the Euphrates with foodstuffs sufficient to support 17,000,000. But as time progressed, nomads overran this great civilization. They did not understand or appreciate the tremendous value of water and soil conservation. The canals were permitted to silt. The land that once supported a population of 17,000,000 has never since, in the 3,500 years of recorded history of man, been able to sustain a population in excess of 3,000,000."

I know the Khuzestan region of Iran quite well. It is probable that statistics of its use in ancient times are included in the estimates that Governor Connally gave of the population of Mesopotamia, since the Khuzestan geographically is closely related. Here the Persian Empire once had its seat. Traces of the canals that once served the area, now desert, that Herodotus described as fertile

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Footnotes at end of article.

and flourishing, are still visible from the air. Ancient hulks of canals, now silt ridges with a meandering ditch making its way along them, still bear such names as "The Darius Canal." Here the Government was destroyed as was the government of the Mesopotamia, and the water systems were abandoned. The people were reduced in stature and number. A civilization fell.

Luna B. Leopold, Research Hydrologist of the United States Geological Survey said, also speaking at the symposium[4] mentioned earlier, "Considering, then, that any useful classification of water problems inherently involves the climate or the atmosphere within which we view water in the environment, it is not illogical to add a seventh to the list of major water problems of the world. I here call it the social problem of water, meaning the relationship of society to its water resource expressed through attitudes, procedures for economic evolution (sic), legislation, standards and customs. There is reason to believe that these, in their interaction may be more important than any other water problem that we face."

The importance of organizing for public action to achieve water development in arid lands may be demonstrated in many ways. Engineers may construct irrigation projects, but until the people who must use them to water their crops are organized, the works will not be used nor will they be maintained. In the Helmand Valley in Afghanistan, a technically well conceived project for this reason has not prospered in many years. On the other hand, despite the willingness, nay the anxiety, of the new settlers in California a century ago to farm the arid lands of the Central Valley, their uncoordinated efforts for decades were largely futile. The California State Legislature enacted the Wright Act in 1887, authorizing the people to form irrigation districts among themselves, and the problem was solved.

The Wright Act, carefully drawn, redrawn and amended through the years, has been the instrument of major irrigation development in California. Many other types of water districts have been authorized and formed in California. During recent years few new irrigation districts have come into existence in the state. The irrigation district nevertheless remains today the backbone of California's water development.

Hear what Albert T. Hanley, member of the California District Securities Commission and an authority on California water districts, has to say about the Wright Act and the irrigation districts organized under it ". . . the discovery of the legal formulas of these organizations was of infinitely greater value to California than the discovery of gold a generation before. They are an extraordinarily potent engine for the creation of wealth.[5]

Organizing for public action is considered necessary as a condition precedent to water development in under developed countries. Charles E. Kellog and Arnold C. Orvedal in January, 1968 in an unpublished paper entitled "World Potentials for Arable Soils" said, "Many factors contribute to the current problems of agriculture and economic development. . . . Among the essential steps to be taken, institution building for agriculture and economic development, in both public and private sectors, is the most critical and the most difficult." A measure of the need will be found in the size of the task of irrigation development that is ahead.

Orville I. Overboe, Agricultural Economist, Water Resources Branch, Natural Resources Economics Division, Economic Research Service, USDA, said in a paper prepared for the March/April, 1968 issue of International Agricultural Development Newsletter, "Approximately 11 percent or 880 million acres of the total potential arable land in the world requires irrigation for even one crop. The remaining seven billion acres can be used to raise at least one crop without irrigation, and over a considerable area, multiple-cropping is possible. Without additional irrigation, multiple-cropping could increase the gross cropped area (the cultivated area times the number of crops per year) to 9.8 billion acres annually. This is about two billion acres more than the total potentially arable land and about three times the presently cultivated land. A further increase of 6.5 billion acres in gross cropped area is estimated possible by irrigation, assuming that double or triple cropping would be possible on some of the additional irrigated land. This could increase the world's maximum gross cropped area to 16.3 billion acres."

There were 20 million acres of irrigated land in the world in 1880.[6] Many large and sophisticated irrigation projects constructed mainly in India, Russia, the United States, and Egypt raised the total to about 100 million acres by 1900.[6] About 368 million acres are irrigated today.[7] About ten percent of the total is in the United States.

Mr. Overboe points out that despite the fact that only a small percentage of the world's potentially arable land is under irrigation, a large proportion of the world's food supply is produced on irrigated land. He adds that with present technology it is possible to add greatly to the present irrigated area.

"The greatest remaining potentials are in Africa, the Near East and Central Asia, but significant possibilities also remain in Southeast Asia, India, Pakistan, Ceylon and China," Mr. Overboe reported.

By 2000 A.D., Mr. Overboe estimated there may be about twice as much land irrigated as is irrigated today.

From the statistics of growth, the task ahead for the "institution builders" in the arid zones is shown. The task is complicated because not all of the potentially irrigable land is in areas which have displayed marked initiative in public organization to combat problems growing out of aridity. Frequently the governments of such areas do not have ready capital to invest in water projects. Just as frequently they do not have the traditions and ready expertise to build the needed local institutions. They are not prepared to instruct the local populations in the needed new ways to cooperate in agencies of mutual service. In "Agricultural Water Management in India," published by the United States Department of Agriculture International Agricultural Development Services April, 1966, it was stated as a condition precedent to needed irrigation development that "The Central and State Governments need to fix organizational responsibility as well as policy and motivation in order to achieve any major impacts on water use." The report was by a Soil Conservation Service team, consisting of D. A. Williams, Ray Walker, John Sutton, and John Douglas. It declared:

"If India is to move forward at a rate anywhere near consistent with its need for intensification of agricultural production it must adopt at the Ministerial level and motivate throughout the Central, State, District, Block and Village levels some effective policies on land and water use.

"Such policies must take into account land capability, priorities of water use, allocation of resources on a selective basis, coordination of public works with intensity of agricultural objectives, land ownership adjustments and consolidations consistent with land and water management objectives, and definite fixing of organizational responsibility for efficient administration," adding:

"Mr. Hatt of Ford Foundation pointed out in 1962 that 'Many groups of cultivators whose water problems require community action lack qualified institutions through which the necessary actions can be taken . . . some type of organization is needed with responsibility for village water control whose officials have specific powers (1) to secure rights of way for improvements, (2) to commit its members to financial and other obligations required for construction and maintenance of community irrigation and drainage works, (3) to enforce equitable distribution of irrigation water, and, (4) to represent the members in dealings with officials of various departments. . . .' "

The team added emphatically, "Our team fully subscribes to the quoted statement."

Thus the irrigation district, the need for which was seen by Major Powell at the outset of western development in the United States and the energy of which was graphically described by Mr. Henley when he reviewed a century of agriculture development in California, today also is visualized as a prerequisite to increasing the agriculture goals of India; either the irrigation district as known in the United States or satisfactory substitutes for it as a local institution.

Reverting to discussion of the Khuzestan, the area where the Biblical city of Suza once rose in all its splendor, the desert today again is being pushed back through the development of the Dez Irrigation Project. Mr. David E. Lilienthal, who lent his genius to the organization of the Tennessee Valley Authority and who was a founder of the firm of consultants that made the comprehensive plan, built Pahlavi Dam and started the canals, foresaw the essential need for institutionalization of the development. The required public agency has been provided in the Khuzestan Water and Power Authority. The KWPA was organized when the Iranian Government adopted a TVA-type authorization act. It was initially staffed with people who had been counterparts for training purposes of expatriate engineers and other experts of the consultant's staff at work on the development.

Since 1963, the Dez Pilot Irrigation Project of 20,000 hectares, a 200-hectare Field Trial Farm, where crops and varieties are tested for adaptability to the area, and the 6,000-hectare Haft Tapeh Sugar Cane Plantation, have been developed and managed by the Dez Irrigation Project organization of the KWPA. With a $30,000,000 loan granted a few weeks ago by the International Bank for Reconstruction and Development, the DIP will be expanded into its First Stage of 57,000 hectares.

The development of Iran is being supervised by the Plan Organization with the wise guidance and support of His Imperial Majesty, the Shah-in-Shah. Three five year plans have successfully been completed, and the Fourth Plan was started a year ago. The Fourth Plan emphasizes agricultural development. The Ministry of Water and Power, which has charge of the water resource development programs of the country, has used the KWPA as a model in fashioning regional authorities that now cover all areas of Iran. The Ministry has adopted an agribusiness program, pioneered on the DIP, as a means of causing its dams and canal systems to make the most immediate impact on the traditional subsistence agriculture of the area and of making the quickest contribution to the Fourth Plan goals of increased agricultural production.

The agribusiness program is linked with encouragement of foreign investors to come in with capital and know-how and to launch intensive, commercial-type farming ventures in the newly irrigated areas. The investors will not own the land, and will, in 20 or at most 30 years, be required to turn the farms over to Iranians, who, it is planned, will have acquired sufficient training in the meantime to be able to operate modern mechanized, integrated agribusiness on their own.

The KWPA, through its Dez Irrigation Project Staff, will fill the institutional needs. The organization has the powers of an irrigation district in California, and, in addi-

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Footnotes at end of table.

tion, is authorized and equipped to fill other organizational deficiencies in a society that has been isolated and turned in upon itself for a thousand years, a society in which rural initiative is at low ebb. The DIP has a health service, an extension staff, a credit service, a farm machinery service, and otherwise has adjusted its jib to the local breezes. The KWPA obtains the services of advisors and consultants in its far flung operations. With the Plan Organization providing the financial backing from Iran's large petroleum earnings, with the IBRD assisting in the construction and development both with its loan and from its experience gained around the world, with expertise drawn in as needed in both the technical areas of project development and in irrigation farm management and the processing and marketing of farm products, with a staff of increasing competence and a group of native farmers, many of whom already are showing promise of throwing off the chains of traditionalism, the KWPA would seem to have answered the problem of organizing for public action to resolve the problems of developing the arid lands of the Khuzestan.

California was confronted for years with the water problem of shifting waters from North to South statewide. The problem was unsolvable until the State Department of Water Resources was made by special legislation an institution authorized to construct and to operate and maintain the great California State Water Project. With the institution, California in nine years has constructed the major part of one of the world's most demanding and intricate water projects. Water is already being delivered through half of the length of the California Aqueduct and many other features are fully operative. Many observers have assumed that adoption of a plan of financing was the sole key necessary to unlock the California water problem. Through my personal experience, however, I can assure you that in addition to examination of the engineering plan and the water bond act both the Legislature and those who sold and bought the bonds scrutinized the Department of Water Resources to determine whether it, in their judgments, was an institution capable of performing the tasks that were assigned to it. It is proving to be an institution to justify the confidence reposed in it.

The American genius for creating public agencies to meet the requirements of westward expansion, of development of the arid west, of the agriculture revolution of the last half century, is not everywhere present. An Italian leader told me recently that what he called "the willingness of the American people to innovate, to accept new things," had impressed him as the most important factor in western development. He did not believe anything quite like it existed in his country, although some quite remarkable changes are beginning to be in evidence in Italy. He said he felt sure that this essential factor was absent in degrees matching their lagging development in the underdeveloped countries of the world.

In many arid regions, the surge of energy and initiative that is necessary to carry through water developments once, for a period, was present. Periods of growth and development occurred, I believe, at times when governments were stable and spawned institutions capable of organizing and maintaining intricate water projects. The periods closed when either the morale of the people or their stamina was lowered, when governments were swept away, and when different ethics and goals were established, when public action for the common purpose of watering the crops was no longer of sufficient importance to the populace to assure maintenance of the canals.

In these and many other areas within the arid zone it is possible to do as Iran has done in the Khuzestan and to recreate what has been missing, the necessary institutions.

The expectation of this century to double the present production from irrigated land, however, cannot be achieved in the absence of programs that place as much emphasis on building institutions to organize and channel public action as is placed on the construction of dams. Today, the engineers are far ahead with their dams. Unless there is some catching up done soon, the capital being invested in water project development in underdeveloped arid regions will result in many unused canals by 2000 A.D., and the great expectation of increasing food supplies will be shattered. Remember what failure to use their resources cost the people of Mesopotamia. The price of failure to provide the public institutions that will be needed will be no less dear in the next generation.

FOOTNOTES

[1] Delivered at Third Plenary Session, International Arid Lands Conference, Tucson, Arizona, June 9, 1969.

[2] ICASALS Publication No. 1.

[3] IBID.

[4] IBID.

[5] Albert T. Henley, "The Evolution of Forms of Water Users Organizations in California," (1957) 45 California Law Review 665, 667.

[6] "The World Food Problem," a report of the President's Advisory Committee, Volume II, GPO, Washington, D.C., 1967.

[7] "A World Geography of Irrigation," Leonard M. Canter, Robert Cunningham and Sons, London, 1967.

EXPANSION OF THE FAN JET FALCON PROGRAM

HON. FERNAND J. ST GERMAIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. ST GERMAIN. Mr. Speaker, for more than 9 years now I have been deeply concerned over the outflow of U.S. dollars and the reaction by an economically conscious Nation to this. I have been particularly concerned with what some of my colleagues refer to as the fortress America concept. Nothing could be more dangerous to our economic well-being than for us to limit our business opportunities to the continental United States. We must do everything possible to facilitate the free flow of goods if we are ever to overcome the balance-of-payments deficit.

Because of my concern in this area, I was particularly pleased to learn of the agreement between Pan American World Airways and Avions Marcel Dassault of France further expanding Pan Am's fan jet Falcon program to include construction of a smaller, four- to seven-passenger business jet to be delivered in 1972.

Some 175 Falcons are in service today in North and South America and in a number of countries in the Middle and Far East. Many of these fan jets are being used by American businessmen abroad to develop export markets for American goods. In fact during 1968 more fan jet Falcons were delivered to corporate owners than any other business jet aircraft.

This latest in a series of expansions dating back to 1965 is an outstanding example of industrial cooperation between major French and American companies. It is significant that this effort continued despite periods of extreme friction between our two countries. What is even more significant from my vantage point as a member of the Banking and Currency Committee is that total sales of the fan jet Falcon in 1968 amounted to $41,967,000.

The contemplated acquisition of 40 of these new jets, with options for 120, comes on the heels of record sales of the current fan jet Falcon plus increasing demands of the business aircraft market.

This latest expansion of the fan jet Falcon program is expected to make even greater contributions to the commercial and technical success of this international effort but above all it makes a healthy contribution to keeping our foreign trade efforts strong.

I have every confidence that we will continue to make economic progress, keeping our dollar strong throughout the world, and congratulate Pan American and Avions Marcel Dassault of Paris in their bold undertaking.

DID YOU SALUTE THE FLAG ON THE FOURTH?

HON. WALTER S. BARING

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. BARING. Mr. Speaker, I ask all Americans if they saluted the flag and their country on the Fourth of July. I know Nevadans did, whether physically or in thought, depending on where the holiday weekend took them.

I wish to insert in the RECORD today a stalwart editorial by one of my Nevada editor friends who really spoke for the entire State of Nevada and this great Nation. The patriotic column is from the Ely Daily Times by editor, Zane Miles, July 3, 1969:

PAY HOMAGE TO THE COUNTRY WHEN THE FLAG IS CARRIED BY

Another Fourth of July, another Independence Day.

Another day of picnics and parades and rodeos and traffic fatalities and reunions and sunburns.

Another day in a decade of growing disrespect for our Flag and growing disloyalty to our country. Another day when the tenor of our Congress seems to be "billions for tribute, but not one cent for defense."

Another day when Americans dying in a foreign land to keep that bloodshed from our own shores are reviled by some of their countrymen as "imperialist murderers."

Another day when it isn't safe to walk the streets of our nation's cities as dusk approaches—or even in the full light of day.

Another day spent ignoring history's dictum that only those who are willing to die for freedom are fit to possess it.

I don't believe the Fourth of July should be another day when our Flag, our National Emblem, should be used as a wrap for nude actresses in an off-Broadway play. I don't believe the Fourth of July should be another day for the Flag to be burned by a howling mob of "students" who study seldom and learn less often. I don't believe our Flag should be a scalp to be taken with impunity as a trophy by a fourth-rate nation.

Do you?

You don't?

Then stand tall and proud when those Flags are carried up Aultman Street in Friday's parade. Be proud of what the Fourth of July has meant for us, and what it can mean for our children.

It's not just a piece of cloth you salute, just as a soldier isn't really saluting the man when he lifts his hand to his forehead in recognition of another soldier of higher rank.

"You're saluting the rank, not the man," the drill sergeant tells his recruits.

And when the Flag goes by, and we salute, we're not saluting the cloth, but the United States of America.

WHETHER, WEATHER

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. OLSEN. Mr. Speaker, for more than 10 years Butte, Mont., has been without the services of a local weather station. The residences of this city have relied on the somewhat hit-and-miss predictions of the regional center and as a result inconvenience and financial loss have been incurred. It is time that the U.S. Weather Bureau recognizes Butte's needs.

For the information of my colleagues, Butte, Mont., is nestled near the crest of the Continental Divide. The city proper is 1 mile high, rivaling the great city of Denver. Butte sits in a bowl, with rimmed peaks extending 7,000 to 8,000 feet on all sides. With this topography, the weather in Butte can be vastly different from that of Helena, a mere 60 miles away. For the safety of the air carriers, for those using the surrounding mountain passes, for the local commerce, and for just everyday living Butte needs a weather station.

I applaud the efforts of the local newspaper, the Montana Standard, for leading the struggle to reinstate the services of a weather bureau in Butte. For the edification of my colleagues, I enclose a recent editorial defending the need for a Butte weather station:

WHETHER, WEATHER

It was in the regressive action of the Eisenhower Administration that Butte lost its weather station. It is the regressive policy of the Nixon Administration which may delay, or even deny us, a weather facility, which other less industrialized communities have.

There are two courses open to Butte. Approach the Weather Bureau for the service or ask for direct legislative action. In the end we may have to go to Congress to get weather service made available to the industry, commerce, business and people of this community.

Our only prospect of favorable Weather Bureau action lies in establishing that substantial losses result from lack of the service. It was pointed out in a hearing last week in Butte that such losses do occur in industry, construction, road building, industry and farming when weather service is not readily available.

The Weather Bureau wants figures on actual and potential losses. If they are substantial enough the bureau may be impressed. Of course, we have no assurance we will get a weather station. However, since there must be considerable financial loss under the present weather forecasting service we should get the figures to the Weather Bureau people as soon as possible.

While the bureau shows interest in the financial loss, we would like to impress upon it the loss in human comfort when people do not have access to weather information. Who is to say much misery or even lives of people, as well as livestock, cannot be saved by general weather forecasting? We feel strongly that the federal Weather Bureau is not giving sufficient consideration to the adverse effects on the mental and physical welfare of the individual.

For the last 16 years there has been no place for the people to call for the temperature—when it is mild or when it is hot; no place to call to find out if the petunias or the pets will freeze tonight; no place to call to find out whether you will be heading into or out of a storm; whether to go to town or stay at home; whether to wear heavy clothes or light.

When you can't match one whether to the other weather discomfort results, even danger to one's welfare, and health, property and financial loss.

A WORKABLE REFORM ALTERNATIVE TO TAX-EXEMPT MUNICIPAL BONDS

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. ULLMAN. Mr. Speaker, the House Ways and Means Committee is embarked on a sweeping review of this country's tax laws. My committee colleagues and I are intent upon eliminating many of the anomalies that exist in our present tax structure, and closing the large number of loopholes that allow a few to escape the responsibility of taxation, leaving most of us to bear the added burden.

Today, I offer a proposal that I will present in the committee regarding one of those areas where there is particularly strong pressure for trying a new approach: the tax treatment of State and local, or municipal bonds.

The exemption of municipal bond earnings from Federal income taxes has sparked State and local authorities to utilize them for financing thousands of capital improvement projects across the country in recent years. But, at the same time, this exemption has resulted in the creation of a tax haven overcrowded with commercial banks and other financial institutions. These concerns now hold more than $50 billion worth of municipal bonds on which they pay no tax. For the commercial banks, tax-exempt interest amounts to about one-third of their economic income. As a result, the effective rate of taxation for commercial banks has dropped off sharply.

In my judgment, the tax haven problem is of such magnitude that reform is necessary. I am not, however, advocating change that would preclude the use of tax-exempt municipal bonds. What I am working for in the committee is an optional approach that could prove more attractive as a financing tool.

My plan would differ from legislation proposed to the Congress by several legislators, including Senator SPARKMAN of Alabama, Senator PROXMIRE of Wisconsin, and Congressman PATMAN of Texas. While these proposals go a long way toward providing a viable alternative to tax-exempts, they both falter at a major point of concern for State and local authorities. They would develop federally oriented systems which would place State and local authorities at the mercy of annual congressional appropriations. And they would inject a measure of Federal control over the judgment of these authorities regarding which projects are worthy, and which are not.

I would eliminate both of these worrisome aspects and offer what I believe is the most realistic, workable answer to the tax-exempt problem. Let me explain in some detail:

Senator SPARKMAN has introduced a bill that would create an Urban Development Bank—Urbank—to lend money directly to the governments for capital expenditures for public works and community facilities. In his bill, the loans to the States and local authorities could have maturities up to 40 years. The interest charged the governments would be set at not less than two-thirds of the current average yield on the obligations issued by the Urbank to the general public to finance its activities. Interest payments by the Urbank would be taxable, but its obligations would not be guaranteed by the Federal Government. The difference between the interest payments by the Urbank on its obligations and its interest receipts on loans would be made up annually through the appropriations process.

Governments that borrow from the Urbank would be subject to Federal Government scrutiny in several ways. Projects financed by the Urbank could not be inconsistent with comprehensive planning for the community or disruptive of Federal programs assisting similar or like projects. Securities issued by the Urbank as its obligations would require approval by the Secretary of the Treasury.

The major weakness of this proposal is that it requires approval of the bonds by the Federal Government, if for no other reason than to give Washington assurance that the State or local government will meet its payments.

Senator PROXMIRE and Mr. PATMAN would propose an annual subsidy to defray one-third of the interest cost on taxable bonds issued by the State or local government for new public facilities. Securities that qualify for the subsidy would also receive a Federal guarantee of principal and interest payments by a special government corporation established for this purpose. To qualify for this treatment, governments desiring this one-third interest payment on their bonds would be required to enter into a debt service guarantee contract with this special corporation. Contract conditions would include preparation by the corporation of a comprehensive report concerning the financial condition of the borrowing government, determination by the corporation that the amortization provisions do not exceed the debt-paying capacity of that government, and a judgment by the corporation that the public facility project involved is economically sound.

As I have suggested, these proposals, and others like them, contain two major inadequacies from the viewpoint of the governments likely to be affected. I question whether State or local governments would want to be dependent on annual Federal appropriation actions to meet their annual interest costs. I also question whether these governments want Washington looking over their shoulders and telling them when they are in a position to borrow and whether their reasons are justified.

I am proposing that State and local governments, simply by electing to issue taxable bonds could automatically become eligible for an interest subsidy. I have concluded that the subsidy could best be determined by computing the differential between taxable and tax-exempt bonds in the marketplace on the date of enactment, and fixing it as a floor. If market conditions changed, there would be an opportunity to increase the subsidy. But in no case would the subsidy drop below the fixed floor level.

A permanent appropriation could be provided, identical to the appropriation for interest payments on the Federal Government's public debt. This would preclude the need for annual congressional legislation to make the payments. The payments would be made automatically on the outstanding debt until it has been retired.

The procedure would be entirely voluntary. No requirements would be imposed upon the issues, or the project, or the government involved, other than the stipulations that the interest payments on the bonds be made taxable. The taxable character of the bond and the higher interest rate associated with the issue would enhance its attractiveness to middle-income taxpayers whose marginal tax rate is too low to make the present yield on tax-exempt bonds attractive. Moreover, residents in the municipality issuing the bonds would find the yield financially attractive. The greater yield also would broaden the market for the bonds to include various institutions, such as tax-exempt foundations and pension funds, whose income is not taxable and who seek the highest obtainable yield. That shift would reduce the excessive reliance upon commercial banks for purchase of the vast bulk of tax exempts.

It would seem to me that any action of this type which would create a more diversified source of funds in the municipal bond market should be welcomed by the governments.

Since this proposal will provide a choice that State and local governments can elect entirely in terms of their own interests, the governments will not be sacrificing their tax-exempt privilege and may be able to utilize both types of issues if they found this advantageous.

The Federal Government, in time, will be able to regain revenues that have been foregone and introduce greater equity into the income tax structure. When enough governments accept the interest payment subsidy, the Federal Government will find itself in a position where its revenue loss from the tax-exempt privilege does not exceed the benefits to State and local governments.

The National Governors Conference has developed its own alternative to tax-exempt bonds which in general provides for the issue of taxable bonds by States and local governments and for a Federal subsidy of the interest payments. A comparison of what I am proposing with the Governors' suggestions reveals agreement on most major considerations. I am confident that differences concerning the individual procedures for carrying out the proposals can be resolved.

AMERICAN SHOE WORKERS NEED PROTECTION

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. WYMAN. Mr. Speaker, many Members of Congress are deeply troubled by the continuing failure of the Commerce Department to enter into negotiations with foreign shoe importers looking toward a lessening of the floods of imports that are putting many domestic shoe employers into bankruptcy. Special committees within the industry have appealed for this help. A petition to President Nixon signed by more than 300 Members of Congress has asked for this relief.

In the meantime, more and more of our American shoe industry is forced to purchase foreign sources of manufacture and assembly to meet cost competition. Many concerns, such as Melville Shoe, are increasing these investments as a protective measure, the direct effect of which is to cost American shoe employees their jobs.

As the following news accounts indicate, three New Hampshire shoe corporations have closed this year, the most recent of which is Jodi Shoe in Derry, N.H., and before that, New Market Shoe in New Market, N.H., and Montclare Shoe in Clairmont, N.H.

Illustrative of the seriousness of the situation are news accounts from the New York Times of July 3, the Washington Evening Star of July 2, and the New England Footwear Association's report concerning footwear imports for the period January through May 1969:

SHOE INDUSTRY FINDING IMPORTS PAINFUL TO BEAR, EASIER TO WEAR

(By Isadore Barmash)

The domestic shoe industry's problems are growing because of the increasing competition from foreign imports. Thirteen New England shoe producers have gone out of business since January under the combined pressure of burgeoning imports and rising wage scales, Mark Richardson, president of the National Footwear Manufacturers Association, said here yesterday. The result has been a loss of some 2,500 jobs in New England.

On Wednesday, a special imports committee of the Volume Footwear Retailers Association of America, will meet to discuss the status of industry efforts to limit imports and to set a position on the matter by the association. Edward Atkins, executive vice president, said that his association, whose retailer members account for about 30 per cent of the pairage sold in the United States, has historically been against the setting of import quotas.

ACTION IS URGED

The urgency being expressed about the effect of shoe imports from Japan, Italy, Spain and Taiwan, comes not only from the recent plant closings but from the fact that domestic shipments this year through April are down about 10 per cent from last year. However, imports through May have risen about 20.7 per cent.

The national footwear manufacturers' group has sought some action from Washington on a restriction on imports after a ceiling is reached, rather than a direct quota system, Mr. Richardson said.

Other countries have adopted a ceiling restriction on imports from the United States, he said, adding that this country might do well to emulate it to save more jobs.

However, the cries over the adverse effect of imported shoes on domestic business have obscured two rather significant facts, industry sources pointed out:

About one-third of the 180 million pairs of imported shoes that flowed into this country last year represent foreign companies started or backed by American producers. These concerns, such as the Melville Shoe Corporation, are increasing their investments abroad as a protective measure.

SHOE INDUSTRY IN NORTHEAST FACES THREAT

WORCESTER, MASS. (AP).—The shoe industry, once the backbone of New England's economy, is in danger of becoming extinct.

The reason, as described by an industry executive, is "the tidal wave of shoe imports" that is swamping the country.

Irving R. Glass, executive vice president of the Tanners Council, said it is a wave that needs restraint but thus far virtually no official action has taken place in Washington and New England has lost about 2,500 jobs since the year began.

Nine women's shoe manufacturers have shut down since January. Two more are due to close within two weeks.

IMPORT THREAT

Maxwell Field, executive vice president of New England Footwear Association, said "the women's shoe industry has been faced with several serious aspects involving competition from imports.

"It has been more than just the cost factor—the cheap labor and substantially lower rates than are paid in New England—but it's also the drastic style changes of the last two years.

"These changes have helped foreign producers more than domestic. They either originate the styles or have the lasts and dies flown over and then produce them at a growing rate."

The nine manufacturers that have closed this year are: Ramer Shoe Co. of Haverhill, Mass; Jodie Shoe of Derry, N.H.; David Shoe of Lynn, Mass.; Newmarket Shoe of Newmarket, N.H.; Shapiro Bros. of Auburn, Maine; Caswell Shoe of Lynn, Mass.; Montclare Shoe of Claremont, N.H.; Dartmouth Shoe of Brockton, Mass., and Sanford Shoe of Sanford, Maine.

"I see no other choice for the industry but to follow the pattern set by Melville Shoe Corp. the parent company of Thom McAnn Co. of Worcester, Mass., and own companies abroad.

"I think the trend now is to invest in these foreign plants."

Glass said the 370,000 shoe and leather workers in this country are averaging $3 an hour. Their counterparts abroad earn from about 75 cents an hour in Euope to as little as 20 cents in the Far East.

Imports have grown from virtually nothing eight years ago to a projected 220 million pairs this year, 40 percent of the total market. Imports in 1968 totaled 176 million pairs or 30 percent of the market.

U.S. FOOTWEAR IMPORTS, JANUARY–MAY 1969

May's new wave of total leather and vinyl imports reveal more realistic gains than were previously available due to the distortion caused by the dock strike through the first third of this year.

Leather and vinyl imports of 20.7 million pairs were 27.8% ahead of May last year when 16.2 million pairs were docked. May imports amounted to 41.6% of an estimated domestic production of 49.7 million pairs.

First five months imports of leather and vinyl footwear of 92.3 million pairs were 8.2% ahead of the same period last year. Average value (fob) per pair increased by 14%. Shipments of leather and vinyl footwear were 36.3% of domestic output estimated at 254 million pairs, and accounted for 26.6% of the total market available for consumption.

Men's and children's leather and vinyl footwear have continued to make substantial gains over last year. Women's and misses' leather and vinyl has just reached the turning point and now level with volume imported during the first five months of 1968.

Spain and China T. (Taiwan) continue to record tremendous gains in volume. Shipments from Japan and Italy are advancing and should shortly close their performance gap caused by the strike earlier this year. Details by country are shown below.

Shoes and slippers (leather and vinyl) from—	January–May				
	1969 (thousands pairs)	1968 (thousands pairs)	Percent change, 1969 from 1968	Percent share of total	
				1969	1968
Japan	26,446.1	29,182.4	−9.4	28.7	34.2
Italy	32,588.3	33,726.8	−3.4	35.3	39.6
Spain	9,114.8	5,281.7	+72.6	9.9	6.2
France	1,651.4	1,745.9	−5.4	1.8	2.0
China (Taiwan)	12,952.9	7,090.6	+82.7	14.0	8.3
All other countries	9,546.9	8,237.7	+15.4	10.3	9.7
Total pairs	92,300.4	85,301.2	+8.2	100.0	100.0

TOTAL IMPORTS OF OVER-THE-FOOT FOOTWEAR

Type of footwear	May, 1969, (thousand pairs)	Percent change in May, 1969 from 1968	5 months, 1969			Percent change, 1969 from 1968	
			Number (thousand pairs)	Value (in thousands)	Average value per pair	Number	Value
Leather and vinyl, total	19,993.0	+27.1	89,641.5	$169,044.0	$1.89	+7.7	+22.6
Leather excluding slippers	10,809.9	+28.4	48,483.9	140,280.9	2.89	+8.3	+23.7
Men's, youths', boys'	2,915.7	+49.4	13,506.4	50,411.6	3.73	+28.0	+40.3
Women's, misses'	6,718.8	+13.8	30,609.4	81,193.2	2.65	−2.9	+12.2
Children's, infants'	924.8	+182.0	3,298.3	4,682.9	1.42	+123.5	+144.7
Moccasins	59.4	−13.7	275.8	357.5	1.30	−16.4	+2.6
Other leather (including work and athletic)	191.1	+14.6	793.9	3,635.7	4.58	−10.1	+26.8
Slippers	25.2	+28.6	86.1	191.1	2.22	−15.3	−15.7
Vinyl supported uppers	9,158.0	+25.6	41,071.4	28,572.1	.70	+7.0	+17.7
Men's and boys'	908.8	+22.6	3,840.6	4,114.7	1.07	+13.3	+29.3
Women's and misses'	7,194.5	+23.5	32,707.1	21,750.1	.66	+2.6	+13.5
Children's and infants'	884.7	+51.7	3,747.8	2,339.2	.62	+55.8	+47.2
Soft soles	170.1	+22.0	775.9	368.1	.47	+9.2	+2.6
Other nonrubber types, total	675.3	+50.5	2,658.9	2,432.5	.91	+28.8	+66.2
Wood	53.5	+166.2	365.9	863.5	2.36	+204.4	+225.0
Fabric uppers	593.2	+55.4	2,013.0	1,285.4	.64	+12.8	+16.1
Other not elsewhere specified	28.6	−39.0	280.0	283.5	1.01	+75.7	+211.2
Nonrubber footwear, total	20,668.3	+27.8	92,300.4	171,476.5	1.86	+8.2	+23.0
Rubber soled fabric uppers	3,655.8	−9.2	18,811.0	13,582.9	.72	−13.4	+5.5
Grand total, all types	24,324.2	+20.4	111,111.4	185,059.4	1.67	+3.8	+21.5

Note: Details may not add up due to rounding. Figures do not include imports of waterproof rubber footwear, zories and slipper socks. Rubber soled fabric upper footwear includes non-American selling price types.

Source: National Footwear Manufacturers Association estimates from census raw data.

TVA

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. DUNCAN. Mr. Speaker, the Tennessee Valley Authority has set many examples for other areas to follow in developing a relatively poor, flood-prone region into a productive, fertile land.

TVA, through its many projects, has provided a better life for the people who live in the Tennessee Valley. Perhaps its best known projects are flood control and electric power production.

In lieu of tax payments, TVA each year pays large sums to local and State governments and makes large contributions to the U.S. Treasury. I would just like to point out some figures released this past weekend by TVA concerning these payments.

With the June payment the total amount the TVA has paid to State and local governments in lieu of taxes will pass $150 million.

These payments began in 1933, but about half of the total has been paid in the past 7 years due to the increasing TVA electric power revenues.

TVA payments will total $14,509,633 for the fiscal year ending June 30. This is up more than $1,400,000 over last year's total, and is nearly double what TVA paid in 1963.

In all, about $82,600,000 is being paid to various levels of government from TVA power revenues this year, including $63 million to the U.S. Treasury in payments on investment in addition to the payments to State and local governments. As provided by law, TVA's payments this year represent 5 percent of last year's taxable power revenues.

TVA is a success story well worth studying.

"DEAR VIRGINIA"—A REPLY TO CENSUS SKEPTICS

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. OLSEN. Mr. Speaker, I note that one of our colleagues recently presented his views on the 1970 census at a meeting sponsored by the American Management Association, and his remarks were included in the RECORD. It should not be overlooked that the same organization also heard from the very capable Assistant Secretary of Commerce for Economic Affairs, Mr. William H. Chartener.

I believe every Member should have the opportunity to examine Mr. Chartener's remarks on a matter of great importance to the American people. Mr. Chartener is well qualified to discuss the census. He did so with both wit and wisdom in his address to the American Management Association. He shattered a number of false notions that have spread about the census and thoroughly explained the need to keep it on a mandatory basis.

The Assistant Secretary clearly set forth the facts and provided for a better understanding of the census in his speech of June 23. I am pleased to submit his text for the RECORD:

DEAR VIRGINIA

Eventually this will turn out to be a talk on "The Businessman's Stake in Better Census Information"—as advertised. But first I should tell you why I chose the title "Dear Virginia."

The inspiration, as you may guess, is the famous editorial in the New York Sun back in 1897 addressed to Virginia O'Hanlon, who wanted to know: "Is there a Santa Claus?"

My Virginia today is collective—being the ladies who comprise the Virginia Federation of Women's Clubs. In the past few days it seems as if every one of them has written a letter to Secretary of Commerce Stans—not to ask about Santa Claus, but to protest about the 1970 Census.

I am very fond of Virginia. I have lived there myself. And women are my favorite sex. So I hope you will excuse me if I use this occasion—as Francis Pharcellus Church used the editorial columns of the Sun—to make a public response to Virginia. For I believe that Virginia, like so many others, has been told some things about the Census that are not so.

And I want to say to her: "Virginia, your little friends are wrong. They have been affected by the skepticism of a skeptical age."

This meeting has a special significance to me. Our Co-Chairman, John T. Connor, was the Secretary of Commerce who invited me to be a member of his Economic Advisory

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Board back in 1966. Our host as President of the American Management Association, Alexander B. Trowbridge, was the Secretary of Commerce who asked me to serve as an Assistant Secretary.

Both these men along with Secretary Stans, who asked me to continue in this office, have demonstrated their support for the Census Bureau and the manner in which it plans to conduct the 1970 Census. I mention this because these are men who have been answerable to the President, to the Congress, and to the people for the conduct of the Census Bureau, which is in the Department of Commerce. They have come to know its operations and its personnel. Two of them served in a Democratic Administration; one in a Republican Administration. This is not a partisan matter. Plans for the 1970 Census have been developed over a period of several years by competent professional civil servants. There has been extensive consultation with government agencies of many types, with Members of Congress, and with interested individuals and groups in the general public. The Nixon Administration and Secretary Stans fully support these plans. Indeed, they could hardly do otherwise and still have a useful Census.

I hope that this will be the last speech I shall have to make on the current controversy over the Census, and on the stake of business and all our people in resolving it promptly and properly. My first talk on the subject was almost exactly one year ago in Hot Springs, Arkansas. Since that time I have tried to acquaint people from Florida to California with the facts about the Census. I have talked with statisticians and Senators, carpet makers and Congressmen, stockbrokers and students.

Quite a variety of objections have been raised. Many have been expressed earnestly and courteously, as by the ladies in Virginia. Others have been snide and vicious.

Just a few weeks ago you could call a dial-a-lie telephone service and hear a perverted message beginning with "Let Freedom Ring!" This message appeared to come from an organization whose identification with the Liberty Bell is with the crack.

It likened the Census to the techniques of Nazi Germany and "Russia and its slave satellites." It told you that your answers to questions regarding income "had better jibe with what you put in your tax return or you will be subject to criminal prosecution by both the Commerce Department for perjury and the IRS for possible income tax evasion."

In a few moments I shall come back to these blatant prevarications.

There have also been some quaintly whimsical observations. Like the man who asked: "Why do we need the Census? You can find all this information in the World Almanac."

For a time, slanted press releases provided fodder for editorial writers who did not bother to verify the inflammatory charges. But there have also been many conscientious pieces of reporting and syndicated columns in newspapers and other publications presenting a more rounded picture of the debate.

Lately, the reporters appear to have become bored with the whole business, as the news value in the controversy has been pretty well drained.

The privacy issue supposedly raised by the Census may now be moving into book form. This is a disturbing development. People will accept what they read in the newspaper as fact, and what they see in the Congressional Record as law. But what they find between hard covers they regard as eternal truth.

Despite extensive hearings before three different Congressional committees and printed words that must run into the millions, there remain a number of questions and doubts about the 1970 Census. These are raised by concerned citizens who are aware of the growing influence of government in our personal lives and who are worried about the accumulation of information on all of us in private as well as government files.

A combination of misunderstanding about the Census and a valid concern about a general loss of privacy has turned against the 1970 Census many people who would normally be looking forward to filling out their questionnaires cheerfully as a small but significant obligation of citizenship. I believe this is a fair characterization of our ladies in Virginia.

So, on my way to talking about the businessman's stake in the Census, I should like to deal briefly with some of the more commonly raised questions and doubts.

1. CONSTITUTIONAL MANDATE FOR A CENSUS

Virginians have a great attachment to the Constitution, and they like it the way James Madison and his colleagues wrote it. Thus it is not surprising that one of the WHEREAS clauses of the women's resolution should assert: "there are some 120 questions dealing with 67 subjects on the proposed census form but only six questions are directly related to the count of the number of people living in our country."

Most of the current proposals for limiting the 1970 Census would provide that people could be required to answer only six or seven questions. Typically these would ask for name and address, age, sex, marital status, relation to head of household, visitors in the home, and possibly race. Any other questions would have to be asked on a voluntary basis.

The choice of these particular questions reflects a curious innocence of the Constitutional provision on which they are presumed to rely. The authorization for a decennial "enumeration" is in Article 1, Section 2, whose original language provides:

"Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons."

For those who insist they really want just a "head count," as required by the Constitution, can you see the need for inquiring about age, sex, marital status, or relation to head of household? Indeed, if you stop to think about it, these probably include the most personal and potentially embarrassing questions in the entire Census.

The reason for the sanctity of these questions is that they trace back to the first Census conducted in 1790. Even then the Congress interpreted its Constitutional mandate somewhat loosely and used the Census to derive other information it felt was essential to carrying out its own Constitutional duties. Specifically, it wanted to know the number of males over the age of 16 who could be utilized for defense purposes.

That first Census, incidentally, was directed by one of the greatest Virginians of them all, Thomas Jefferson.

2. WHY ALL THESE PRYING QUESTIONS?

This question requires answers to several others that are implicit in it.

First, it suggests that the number of questions asked in 1970 is going to be much greater than in past Censuses. This is not the case. The *total* number of questions will be about the same as were asked in 1960 and in 1950 and less than were asked in 1940 and some earlier Censuses. The questions themselves, with very few exceptions, will be the same as those asked in the last Census.

Most households—four out of five—will be asked to answer only a short form with about 23 questions. One home in five will be given a longer questionnaire. The longest form, given to only one household in 20, will require answers to about 89 questions. Through this use of sampling, *the average number of questions asked per household in 1970 will be the smallest in over 100 years.*

The "why" part of this query can readily be answered in general terms: The questions included in the Census represent a careful screening of many hundreds of suggestions. They have all been demonstrated to be important in providing information needed by Congress itself and by government agencies—including State and local governments—so that they may properly plan and carry out their legitimate responsibilities. The information is sought in the Census because it cannot be obtained effectively in any other way.

I emphasize that *the information must be needed by the government,* for this is a paramount test for any question put on the Census. Later I shall talk about business use of the Census, which is a welcome by-product—but *never* a reason for including a question.

Justifying the individual questions, one by one, would be a tedious task for an occasion like this. We have put explicit statements on each question in the records of three Congressional Committees, and we are happy to supply these to anyone who wants them. Secretarial officers of three Cabinet Departments—Health, Education and Welfare; Housing and Urban Development; and Transportation—testified last week regarding the particular questions that are essential to them in dispensing intelligently many billions of dollars of taxpayers' money.

A great many of the questions stem specifically from statutory instructions given to the Census Bureau by Congress itself. I would note particularly that information concerning housing "characteristics (including utilities and equipment)" is required to be a part of the Decennial Census in accordance with the Housing Act of 1949.

3. THE "PERSONAL NATURE" OF THE QUESTIONS

It has been contended that many of the questions on the Census form are of a personal nature or constitute an unnecessary invasion of privacy. When pressed for specifics, those who raise this objection frequently cite the questions on income, on bathroom facilities, and one to women asking how many babies they have had. On this last matter, some women have charged discrimination because we are not asking men how many babies *they* have had.

The first point I would make is a general observation: Ideas of privacy or of what is personal are highly relative. Considering what has been happening lately on the stage, in movies, and in female fashions, it is clear that one person's privacy is another person's exhibitionism.

But let's look specifically at asking a person or family to report its income in a Census form. In some families, I suppose, men still feel that even their wives have no business knowing how much money they make. In some business firms, revealing one's salary to fellow employees may lead to dismissal. Yet people working in all sorts of government jobs are accustomed to the fact that anyone with the curiosity to want to know can find out their salaries down to the last penny. And corporate executives with six-figure incomes will find their compensation published annually in *Business Week.* You must, of course, report your income to tax authorities. You may have to supply it in applying for credit.

Clearly, then, there are no absolute concepts of privacy with regard to income. But the inquiry can seem nonetheless prying unless it has some point.

The point is that Congress and many government agencies need information on income characteristics of groups of people—*not* of individuals—so that they can plan and carry out a wide range of major pro-

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grams. These extend from school lunch programs to housing to veterans' benefits and social security. This information is not available from tax statistics, because many low-income people do not file returns. Moreover, tax statistics offer no information about family income and not very much information on the characteristics of taxpayers such as age and education. Only a Census can provide this kind of essential information.

The questions on bathroom facilities have enjoyed considerable attention, in part because of the inviting potential for outhouse humor. These have also been the most frequently distorted of all the Census questions.

As recently as January of this year the man most closely identified with proposals to revamp the Census said in remarks reported in the Congressional Record that every person receiving the long Census form would be required to report "with whom bathroom and kitchen facilities are shared." This after some two years of specialization on the Census.

The fact is that the Census form does not and never had any such question. The original wording of the question was:

"Do you have a bathtub or shower?

"Yes, for this household only.

"Yes, but shared with another household.

"No bathtub or shower."

At Secretary Stan's direction the wording of the second option has been changed from "shared with" to "also used by" another household, in order to prevent any connotation of simultaneous use. The Census Bureau has no interest in exposing hanky-panky in the shower. And it is not even concerned with whether people use their bathtub or shower.

Again, what is the point of these questions? Simply that the presence of bathroom facilities is one of the single best indicators of whether a housing unit is substandard. This in turn is important information in identifying the areas in which efforts to improve housing conditions should be directed.

Let me give you a specific instance. Governor Mandel of Maryland wrote in a letter regarding the Census:

"In the field of housing aid, either under one of the various programs administered by H.U.D. or under the Farmers Home Administration, we are asked for proof that our state's inhabitants are more deserving of aid than those in other locales. For example, the need for special aid for rural housing in Maryland is best understood against the background of figures which reflect that nearly 30% of the housing units on Maryland's Eastern Shore lack running water toilet facilities. Such information not only dramatizes the dimensions of a problem but also serves to guide limited resources to objects most urgently in need of help."

There has been a suggestion that many women would feel very sensitive about being asked the number of babies they have ever had, particularly if there had been an illegitimate birth or a child by a previous marriage. It is, to be sure, reasonable to think that some women might have such a sensitivity. So I asked the Census Bureau what had been the past experience with this question, which was first asked in the Census of 1890. Records for the 1960 Census indicate that this question has raised no particular problems. It was about average among all the sample population questions with respect to the percentage of women who provided a usable response.

Some of the thinking on this and similar questions in the Census has not been especially notable for clarity and consistency. As I remarked earlier, the questions on age, marital status, and relation to head of household seem to me every bit as personal and revealing as asking the number of children ever born. Yet virtually all critics of the Census would keep these as questions to be asked of everybody on a mandatory basis.

Once again, you are still entitled to know why the government wants to know how many children you have had.

One of the important uses of Census data for research and planning is in the forecasting of population changes. And the single most important variable is the number of babies who *will* be born in future years. Obviously, this is of critical importance in planning of schools and other public facilities.

You might think that women behave pretty much the same with regard to having children now as they did a decade ago. But the results of a sample survey just released by the Census Bureau last week show this is not so. According to the report, American women of childbearing age in 1968 had 20 percent fewer children under the age of five living with them than did their counterparts only eight years earlier. The decline was particularly sharp—33 percent—among women in the 15–19 age group. The 1970 Census will provide much more detail on this significant development and yield results that will aid in planning on a State and local basis.

4. BIG BROTHER'S PERSONAL DOSSIERS

The Census is sometimes pictured as a monstrous snooping operation designed to assemble incriminating evidence on people. Fortunately, this is done only in the most irresponsible of the attacks, such as the recorded telephone message I cited earlier.

The facts are that the Census Bureau is strictly forbidden by law to reveal any information on any individual to any other government or private agency for any purpose whatever. This prohibition includes turning over Census records on individuals to the Internal Revenue Service for comparison with tax returns. Information is published only in the form of statistical aggregates which are carefully designed to prevent identification of any individual response.

Heavy penalties are provided by law for any violation of this confidence by a Census employee. But in the long history of the Census there has never been a known case of such a violation.

It is suggested that the development of computers makes possible the compilation of personal dossiers on the basis of Census data. Possible, yes. But that does not mean it will ever be done. Tyranny does not need technology, as history abundantly demonstrates.

I am very much impressed by one example of the Census Bureau's exemplary devotion to personal rights. Perhaps the most shameful mass violation of these rights by the U.S. Government in modern times was the herding of Japanese-Americans—including native-born American citizens—into concentration camps after the Pearl Harbor attack in 1941. President Roosevelt endorsed this hysterical operation, and even the Supreme Court showed no hurry in redressing the grievance of these people.

The Census Bureau was approached on providing lists of people of Japanese birth or ancestry from the 1940 Census to aid in the round-up. It stood firm and refused to do so.

5. WHY NOT A VOLUNTARY CENSUS?

We have been asked many times why all, or at least part, of the Census could not be conducted on a voluntary basis. Since the Decennial Census has *always* been entirely mandatory since 1790 and virtually every similar venture in other countries is also mandatory, the burden of proof *should* be on those who propose the change. This is particularly the case when nobody has yet shown how anybody has been harmed by the mandatory procedure.

We are told that Gallup, Roper, Harris, Nielsen, and other pollsters use voluntary methods and seem to get satisfactory results. Of course, they have no choice but to use voluntary polls, and admittedly they do a good job. Even the Census Bureau itself runs a great many voluntary surveys.

This argument omits two vital considerations:

First, these voluntary surveys and polls are usually directed at producing only an approximate result for a large area, perhaps even the entire country. The Census, on the other hand, must yield precise information for areas as small as city blocks as a basis for apportionment of representation and expenditure of government funds.

Second, the validity of sample surveys and voluntary polls rests very largely on the scientific basis for devising samples and evaluating results which comes from the more comprehensive Census data. Make the Census voluntary, and you have no benchmark against which to gauge your results.

It is suggested that the American people, who have high standards of citizenship, would respond even better to a voluntary Census than to one that is mandatory. Both logic and experience suggest just the opposite.

One businessman who appeared before a Senate Committee recently and argued for a voluntary Census remarked, at another point in his testimony, that his own firm had a policy of never replying to any questionnaire unless it was legally required to do so! How many people faced with the long form next year would fill it in and return it if they were told they could do so or not, as they pleased? And of those who did return the form, how could you know they were representatives of the total population?

An illustration might help. In the last couple of years the Census Bureau has had several trial runs of preliminary forms of the 1970 Census. These were done on a mail-out-mail-back basis—which will be used for initial contact with over 60 percent of all households next year. (This will mean that three households out of five never need to see a Census enumerator, making the 1970 Census more convenient and more private than any previous Census.)

The initial response rate on the mail questionnaires varied greatly. In Madison, Wisconsin, it was over 90 percent. In Trenton, New Jersey, about 65 percent. This is indicative of what might happen in a voluntary Census unless intensive and expensive personal follow-up procedures were used. Areas with large proportions of low-income, poorly educated people, who are suspicious of government, would most likely have the poorest response rate. Yet these are the very people about whom we have greatest need for the kind of information only a Census can provide.

Couldn't we make part of the Census mandatory—those six supposedly "essential" questions—and the rest voluntary?

First of all, the distinction is specious. Answers to some of the six questions, without the information provided by some of the other questions such as those on education and income, would be of little practical use or interest. *All* the questions are important, or they wouldn't be asked.

Second, the split between mandatory and voluntary portions would serve to create confusion and undoubtedly require greatly increased follow-up work at enormous expense.

This is simply not an issue that can be resolved by splitting it down the middle. It's like dividing an ice cream cone by giving one kid the ice cream and the other the cone.

6. WHY DO WE NEED PENALTIES?

The Census has always had penalty provisions to back up its mandatory nature. Obviously, it would be idle to say something is required by law unless there is some kind of sanction behind the requirement. Since 1790 there has been a fine for willful failure to respond. Since the 1930 Census there has been provision for a fine of up to $100 or a jail sentence of up to 60 days.

The penalty provision has been imposed only twice, so far as we know. Both cases, in 1960, involved flagrant and ostentatious refusal to respond to the long Census form. The Government could scarcely avoid prosecuting such cases unless it wanted to invite widespread imitation. Such activity indeed should be offensive to the millions of good citizens who willingly participate in the Census.

The present penalty is certainly no threat to the housewife who makes an error or omits an answer in her response. There is no mention of the penalty on the Census form, and it is unlikely that most of you will ever be told about it by a Census employee. It is there so it will not have to be used.

The provision for a jail sentence has never been used, but we believe it should be retained. It is needed to afford some discretion to the court in fitting the sentence to the nature of the offense and the circumstances of the individual. To a wealthy individual, a $100 fine might seem a cheap way of taking out his spite against the Government. But he might think twice about going to jail.

Your concern over the fine and jail penalty provisions in the Census law, Virginia, reminds me of the story about Neville Chamberlain, the British Prime Minister of 30 years ago who was famed for his umbrella and Groucho Marx moustache. Chamberlain was accosted by a forthright woman who said to him: "Sir, there are two things about you that I don't like—your foreign policy and your moustache." Chamberlain eyed her and responded: "Madam, don't worry. You will never come into contact with either one."

7. BUSINESS USE OF THE CENSUS

A final point about the Census that continues to disturb some people is the fact that the resulting information is used so much by private business. Indeed, it is often charged—quite incorrectly—that some of the questions are asked because plumbing manufacturers, air conditioning salesmen, and advertising agencies want them put on the Census. This charge is then followed with the accusing question: "Why don't they do their own market research or pay some private organization to do it rather than ask to have it done at the taxpayers' expense?"

Let me repeat what I said earlier: *Every question asked on the Census is there because of a demonstrated need for it to aid in carrying out some legitimate function of government.* If the information is useful to private individuals, we should regard this as a worthy by-product. But it is *never* a justification for a Census inquiry.

It has always been the policy to publish the results of the Census. And business firms are just as free to make use of this information as are college professors, high school students, women's clubs, or anyone else. As taxpayers, you are entitled to benefit from the Census in this way.

Published Census reports are available through the Government Printing Office to anyone at a price reflecting printing costs. This is standard GPO policy. The Census Bureau also is frequently asked by both government agencies and private individuals, organizations, and business firms to make data available in the form of computer tapes or to provide data in greater detail or a different arrangement than what is presented in the published reports. It is glad to do so—*provided* that—

The individual or agency pays any additional expense.

The additional data do not violate the Census Bureau's strict rules against revealing information about any individual person or business firm.

As I see it, the fact that private business can make good use of Census data in marketing, locational planning, and a host of other ways should be a reason for satisfaction and pride—not for embarassment and apology. Ours is, after all, an economy of private enterprise. Four out of five jobs are in the private—as opposed to government—sector of our economy. Whatever the government can do to make the private portion of our economy work better helps us all.

At the outset I promised that this would eventually be a talk on the businessman's stake in better Census information. I hope that what I have had to say will help make the point clear.

The businessman's stake—and your stake, Virginia—is in having the best possible information on our people, our economy, our resources, our problems so that we can all do a much better job of planning for the future in our government, our business activities, and our own homes. This is what the 1970 Census is set up to do—and with scrupulous regard for the rights of the individual. I hope it will enjoy, as in years past, your willing cooperation and full support.

VOCATIONAL EDUCATION APPROPRIATIONS

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. PUCINSKI. Mr. Speaker, yesterday, the Appropriations Subcommittee on the Department of Health, Education, and Welfare, under the able leadership of Congressman DANIEL FLOOD, began to mark up the HEW appropriations bill for fiscal 1970.

I am inserting in the RECORD the statement which Lowell A. Burkett, executive director, American Vocational Education Association, presented before the Appropriations Subcommittee.

I am hopeful that this statement will encourage my colleagues on the Appropriations Committee to increase substantially the amount of funds which have been requested for vocational education by President Nixon.

The statement follows:

STATEMENT OF LOWELL A. BURKETT, EXECUTIVE DIRECTOR, AMERICAN VOCATIONAL ASSOCIATION BEFORE THE SUBCOMMITTEE ON APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH, EDUCATION, AND WELFARE, U.S. HOUSE OF REPRESENTATIVES

Mr. Chairman, and members of the Subcommittee: We are grateful for this opportunity to appear before you today in support of appropriations for vocational-technical education programs operated throughout the fifty states and territories.

Last year when we appeared before this Subcommittee, the House and Senate Committees were in the process of considering legislation to vastly increase and expand the Nation's programs of vocational-technical education. That legislation became a reality when the Vocational Education Amendments of 1968 was signed by the President on October 16.

You will recall that the Vocational Education Act of 1963 represented a major revision of our Federal statutes pertaining to vocational-technical education. This new Act made no fundamental changes in the process of vocational education itself, but it did give a new dimension to vocational education by providing Federal funds on the basis of people to be served. We still retained the traditional purpose of meeting manpower needs which was a concept of the Smith-Hughes Act; however, instead of allocating funds on the basis of occupational categories, the 1963 Act spelled out the groups of people to be served. The mandate was broad and all-inclusive—it spoke of "all people of all ages of all communities" who need and want vocational education.

The 1968 Amendments are based on the concept of serving people, as well as providing for specific occupational training geared to the manpower needs of our economy. But we have, through the 1968 Amendments, added still another dimension. The Act contains the word access, giving us a mandate to make vocational education a central focus of education, thereby enabling all persons to have an opportunity to prepare for the world of work. This key word "Access" has implications for both in-school youth and out-of-school youth and adults.

The Vocational Education Amendments of 1968 repealed the previous statutes relating to vocational education (with the exception of the Smith-Hughes Act, but funds appropriated by that Act are deemed to be funds appropriated pursuant to section 102 (a) of the 1968 Amendments), and for the first time, we have in Federal legislation a comprehensive approach for aiding the many facets of vocational education.

If fully funded, the 1968 Vocational Education Amendments can have a significant impact on education by enabling the schools to meet the social and economic needs of the citizens of this Nation. For purposes of this hearing, I would like to comment on several significant aspects of this legislation:

1. The Act makes it necessary for States, and local communities, to engage in comprehensive planning for vocational-technical education. The planning process at the State level must include long-range projections of a minimum of three years. State plans must be developed in consultation with the State Advisory Council, and must be the subject of a public hearing.

The planning process at the local level must be done in consultation with representatives of the educational and training resources available in the area to be served; plans must provide for the persons to be served with education programs that will make substantial progress toward preparing them for a career; local plans must be related to the appropriate comprehensive areas manpower plan (if any exists) for meeting the vocational education needs in the area or community served.

This planning process, Mr. Chairman, has been underway since the first of the year and is now in the process of completion. The States, and many local communities, have reported to us that this activity has engaged thousands of people and countless hours of energy. For example, the State of Maryland last week held its public hearing on the proposed State plan. Some three thousand copies of the plan were circulated to local school boards, community action agencies, educational groups, industrial development boards, and other groups that have an interest in vocational-technical education.

2. Another significant aspect of this legislation is the potential it holds for making vocational education a central purpose of our schools. This legislation recognizes the fact that vocational education must expand vertically by reaching down to get to youngsters at an earlier age in terms of influencing attitudinal approaches to work; at the same time, vocational education is moving upward in terms of specific vocational skills. Much of vocational education, particularly at the highly skilled levels, is going to demand post-high school programs.

Vocational education, through this new legislation, will also expand horizontally in order to re-train and up-date our labor force. Vocational education is not only an in-school program, but also an educational process that must meet the needs of people at any given point in time.

3. The 1968 Amendments attempt to involve all the groups and segments of society

that have a contribution to make to the vocational education process. The Act provides for a National Advisory Council, appointed from broadly based groups, to advise with the U.S. Commissioner of Education on the implementation of the Act. Similar Advisory Committees are being appointed by the governors of the States to assist in development of State plans and to evaluate the total program at the State level. Provision is made for the private sector, including the use of proprietary institutions through contracting services; the participation of business and industry, particularly in the cooperative vocational education program, is invited; the Act also involves business and industry in the training and re-training of vocational teachers, in exemplary and innovative programs; local advisory councils involving labor, business and industry are to be established for all vocational education programs; special consideration in funding is provided for the disadvantaged and the physically handicapped; in fact, this legislation seeks to involve the total community.

4. This legislation gives great emphasis to meeting the needs of our citizens in urban areas through special funding provisions. Heretofore, Federal funds for vocational education have been so limited that it was impossible to make any impact on the massive problems of the cities. I do not need to remind the members of this Subcommittee of those problems—I simply point out that in terms of specific appropriations, and in terms of the priorities for allocation of funds within the States, the large urban areas will be given urgently needed resources enabling them to move into many vocational areas.

I have reviewed some highlights of this legislation, Mr. Chairman, because we believe that these will indicate to you some reasons why we believe full funding of this Act is absolutely essential. Let me summarize these reasons:

1. As you are well aware, Congress has funded many remedial programs for the unemployed, the disadvantaged, the undereducated. The need for these programs came about because our schools have not done for the non-college-bound student what they have been able to do for the college-bound. We have a school system that is geared and oriented to serve the college-bound student. This system has to change, we believe it *is* changing, and we further believe that the 1968 Vocational Education Amendments will bring about even greater changes if the Act receives full funding.

As we search for answers to our social and economic problems we must recognize that education is not a quick and easy solution. The problems that we are trying to solve have been a long time in the making, and they will not be solved overnight. We believe that action is needed, but we also believe that we must face the reality of what we are doing when we provide a series of remedial and retrieval programs that may, in the long run, create even more serious problems. I see a danger that we may be moving toward a regimented society by creating a dual school system. One system serves the student who succeeds in the college-bound curriculum, and the other system serves those who are the rejects.

It has been my privilege to serve on the National Manpower Advisory Committee for the past three years. I have observed that the narrowly conceived skill training programs that have characterized the noninstitutional MDTA programs (JOBS, CEP, OJT) are only increasing the frustrations of those whom it is designed to help. In addition, it appears to me that some of the costs of these programs are prohibitive. We have a report from one of the Nation's major cities showing that for every person who received and kept a job as a result of the CEP program, the Federal government spent a total of $12,980.63 per enrollee. The business groups who have undertaken to provide on-the-job training in these programs have found that the first thing they must do is provide basic education—reading, writing, and arithmetic. We believe that our schools, if given the resources for vocational education, will do this job and we know that they can do it at far less the cost of the so-called on-the-job training that we are now providing. I do not for one moment denigrate the efforts of the business community in moving to meet these problems; we recognize that without their help, vocational education cannot function, and for that reason we gave our support to the 1968 Amendments which spelled out industry's involment in education and training.

2. Another urgent need for full funding is created by the mandate to not only change vocational education, but to bring vocational education and general education closer together in an effort to more adequately serve all students. This creates a tremendous need for funds for research and training, for we must have some knowledge of where we are going and how we are to get there. We are talking about research in teacher training, leadership development, curriculum, guidance and counseling. The $1.1 million that is now allocated for research in the President's budget is totally inadequate. Let me remind you that we are trying to establish and promote programs that have implications for fully 80% of our school population, and for an adult population which must be up-dated and retrained in their occupational fields several times throughout their working lives. When I saw the figure of $1.1 million that is allocated for vocational education research—funds to change and improve curricula, to develop programs in new careers, to improve teacher training, to relate occupational education to manpower needs, to support the 48 research coordinating units in the States that were established after passage of the 1963 Vocational Education Act—when I think of all these needs being met with $1.1 million dollars I remember the fact that one of the major universities of this Nation has received approximately $3 million from the U.S.O.E. just to revise the curriculum in high school physics. Now, certainly the physics curriculum needed to be revised, but if we are serious about meeting the occupational needs of those who make up the bulk of this Nation's population, then we are going to have to put our commitment to the test—and that is the problem that is now facing this Subcommittee.

3. Another urgent reason for full funding has been created because of the set-asides that are written into the language of the 1968 Act. In order to focus more attention on the vocational education needs of the physically handicapped, the disadvantaged, and to encourage development of programs at the post-secondary level, Congress has written into the legislation that 40% of each State's funds shall be spent for these purposes.

If full funding is provided, these set-asides create no problems; in fact, we welcome the opportunity to move into these areas. However, if funded at the level recommended by the Budget Bureau for Part B, over two-thirds of the school districts in this Nation will receive a cut in vocational education funds in the next fiscal year. In order to meet the requirements of the Act, the States will be forced to cut funds for programs that are now in existence in order to meet the new requirements of the set-asides.

This problem is made even more serious by the fact that the level of Federal funding was unknown while school budgets were being prepared for the fiscal year beginning July 1, 1969. Therefore, the schools planned for vocational education purposes on the assumption that funds would, at a minimum, remain at the level of last year. Since the budgeting process for FY 1970 is now completed in almost all States, it is unreasonable to expect that States and local school districts can cover the loss of Federal funds for their on-going programs.

In anticipation of new programs, State and local communities have engaged in extensive planning processes. If the Act is not fully funded, these plans will not be implemented, and the existing programs will be cut.

The American Vocational Association made a survey of the States in an effort to determine the number of school districts, and students, that will be affected by the decreased funds recommended for State grants (Part B). The results of the survey, made by Congressional District within each State, are included as *Appendix A* of this testimony. With your permission, I would like to have this survey included as a part of my statement. In summary, the survey shows that almost 50 per cent of the total vocational enrollment will be affected by programs where funds will be reduced. It also indicates that 69% of those school districts which are presently receiving Federal funds for vocational education will have reduced resources as a result of diverting money for the set-asides in P.L. 90–576.

Appendix B of my statement is still another chart which shows the funds needed by the States in FY 1970 to implement the 1968 Amendments. We surveyed the States to ask what funds they could spend wisely, and match, in this next fiscal year in each of the categories specified in the Act. According to this survey, the States could invest a minimum of $900.1 million, and match these with funds, where required, with State and local funds. The difference in that figure and the Budget Bureau recommendation is some $629,557,464.

Appendix C of my statement is still another chart which shows the impact of reduced funding, by State. You will note that 46 of the 50 States will receive less vocational funds, in State grants, than they received last year.

I am sure, Mr. Chairman, that you and your colleagues who serve on this Subcommittee, are acutely aware of the changes as well as the controversies that are so much a part of public education. As a major institution of our society, education is being challenged by students, by parents, and certainly by Mr. Average Citizen who pays the taxes. We believe that changes are needed; and we believe they can be brought about within the framework of existing institutions—we must not completely tear down our institutions in order to bring about those changes.

It is easy to generalize about "student unrest" and even easier to dismiss it by being in favor of "law and order." But I have been impressed by one example of how our institutions can change to meet the needs of students:

Laney College is a public junior college with some 10,000 students. It has both day and night programs, with enrollment about evenly distributed between the two sessions. It has a black enrollment of 29%; Mexican-American, 6%; Oriental, 5%. It is located in Oakland, California.

Five miles from Laney College is the University of California at Berkeley which, as you know, has been the scene of almost countless explosions for some two or three years. Seven miles across the Bay is San Francisco State College which was strikebound for four months. Within 50 miles of Laney College are the College of San Mateo, San Jose City College, and San Jose State—all of which have undergone the agonies of what we call "student unrest."

Laney College, located in downtown Oakland, has existed in a supercharged atmosphere of student dissent and community violence. Some 26 bombings occurred in the Oakland community within a period of five months. Included was an attack on the police station and the County Court House, neither of which is more than 10 city blocks from the Laney campus.

In this setting, Laney College has gained recognition as a community college with a predisposition to change, as well as having an uncommon ability to keep its students busy and its campus orderly. What made the difference?

In response to this question, Dr. Wallace T. Homitz, president of Laney College from 1966–69, replied:

"Whatever else we did at Laney, we had some magnificent people—students, faculty, and others.

"First of all, 30% of our students were enrolled in vocational education. In addition, fully 60 to 80% of our students worked while they went to school. Most of the innovative approaches we used at Laney had, in one way or another, the purpose of giving students jobs while they were with us. They needed jobs as an economic fact and as a laboratory to test the principles they learned in the classroom.

"We let our students help us plan, help us set priorities to spend our money, help us teach their peers, help us find ways in which the college could help save city life as we want it.

"The point involved here is that there was created at Laney an atmosphere which students the world over are saying is the only relevant one for students on a school campus: an atmosphere of 'meaningful participation.' Meaningful participation, I have learned, is participation in the world of work—varied, practical, relevant work. It is the binding force which connects emotions, muscles, and intellect with a disciplined fusion that makes experience real. If we wish to make education relevant, if we wish to make the schools meaningful, if we wish to fulfill our obligation to our young people, if we wish to give them a future better than their past, then we need to reconstitute our total educational system so that vocational education becomes the general education of all. There is no other kind."

In conclusion, Mr. Chairman, we submit that full funding of the Vocational Education Amendments of 1968 will be a most crucial factor in helping our schools and colleges to make needed changes. We urge you to give highest priority to the funding of this important legislation.

APPENDIX A

FEDERAL FUNDING FOR VOCATIONAL-TECHNICAL EDUCATION PROGRAMS, FY 1970 BY STATES

(A Survey Conducted by the American Vocational Association, 1510 H Street, N.W., Washington, D.C. 20005, May 1969)

This survey was to determine the number of school districts, and students, that will be affected by the decrease in funds for State grant programs (Part B, P.L. 90–576) as recommended by the Budget Bureau, for FY 1970, and to assess the effects created by the 40% set-asides required in Part B, P.L. 90–576.

State by congressional district [1]	Number of school districts receiving Federal funds for vocational education, fiscal year 1969 [2]	Number of school districts for which Federal funds will be reduced as a result of diverting money for the set-asides in Public Law 90–576, fiscal year 1970 [3]	Number of students enrolled in vocational education by school districts, fiscal year 1969	Number of students affected by programs where funds will be reduced, fiscal year 1970 [3]
Alabama	(4)	(4)	(4)	(4)
Alaska:				
Congressional District: 1st	32	1	10,621	10,621
Arizona:				
Congressional District:				
1st	9	4	7,500	2,000
2d	32	8	4,500	1,100
3d	52	3	3,400	250
Arkansas:				
Congressional District:				
1st	76	19	25,305	6,500
2d	57	14	21,119	5,300
3d	99	25	25,479	6,400
4th	75	19	25,829	6,500
California:				
Congressional District:				
1st	27	(5)	22,737	(5)
2d	47	(5)	29,172	(5)
3d	3	(5)	14,585	(5)
4th	35	(5)	25,338	(5)
5th	1	(5)	46,367	(5)
6th	4	(5)	5,844	(5)
7th	5	(5)	23,490	(5)
8th	8	(5)	30,563	(5)
9th	8	(5)	19,887	(5)
10th	11	(5)	59,149	(5)
11th	7	(5)	33,948	(5)
12th	23	(5)	37,599	(5)
13th	13	(5)	26,800	(5)
14th	10	(5)	27,561	(5)
15th	17	(5)	42,191	(5)
16th	26	(5)	25,361	(5)
17th, 19th through 32d	45	(5)	411,596	(5)
18th	19	(5)	28,010	(5)
33d	11	(5)	27,576	(5)
34th	4	(5)	7,096	(5)
35th	14	(5)	24,449	(5)
36th	3	(5)	10,664	(5)
37th	4	(5)	31,294	(5)
38th	25	(5)	24,517	(5)
Colorado:				
Congressional District:				
1st	1	1	23,372	23,372
2d	19	19	20,824	20,824
3d	79	79	14,397	14,397
4th	84	84	15,529	15,529
Connecticut:				
Congressional District:				
1st	15	14	7,062	1,140
2d	33	33	5,920	2,800
3d	17	16	6,268	1,140
4th	14	11	7,711	2,250
5th	22	21	8,081	1,700
6th	31	30	8,523	2,250
Delaware:				
Congressional District: 1st	35	6	26,417	8,000
District of Columbia	1	1	7,500	0
Florida:				
Congressional District:				
1st	8	8	21,854	10,932
2d	24	24	26,788	18,985
Florida—Continued				
3d	1	1	16,045	11,298
4th	11	11	23,035	19,498
5th	2	2	28,295	10,935
6th	1	1	28,483	11,540
7th	6	6	23,568	13,684
8th	1	1	47,040	19,371
9th	10	10	29,804	13,060
10th, 11th, and 12th	3	3	125,741	38,683
Georgia:				
Congressional District:				
1st	13	4	17,169	432
2d	16	2	21,651	413
3d	15	6	16,226	735
4th	3	0	11,484	0
5th	2	0	25,835	0
6th	20	2	26,725	50
7th	22	6	36,160	1,055
8th	21	7	19,258	848
9th	28	9	21,645	1,114
10th	18	9	26,226	1,010
Idaho:				
Congressiona District:				
1st	49	49	8,311	8,311
2d	45	45	11,667	11,667
Illinois				
Congressional District:				
City of Chicago, 1st, 7th, 8th, 9th, and 11th	2	(6)	56,893	(6)
2d	1	(6)	679	(6)
3d	2	(6)	657	(6)
4th	12	(6)	7,032	(6)
5th	1	(6)	898	(6)
6th	2	(6)	1,621	(6)
10th	5	(6)	3,505	(6)
12th	22	(6)	7,996	(6)
13th	6	(6)	6,791	(6)
14th	14	(6)	6,813	(6)
15th	44	(6)	10,866	(6)
16th	42	(6)	11,852	(6)
17th	70	(6)	15,357	(6)
18th	52	(6)	9,267	(6)
19th	51	(6)	11,983	(6)
20th	58	(6)	10,735	(6)
21st	75	(6)	18,555	(6)
22d	56	(6)	13,495	(6)
23d	71	(6)	14,459	(6)
24th	20	(6)	9,683	(6)
Indiana:				
Congressional District:				
1st	8	6	3,595	2,800
2d	29	24	9,147	7,500
3d	20	20	5,702	5,700
4th	24	23	8,145	7,500
5th	40	38	10,798	10,000
6th	24	20	6,283	5,000
7th	39	34	9,890	9,000
8th	33	30	13,755	12,000
9th	36	28	12,945	11,000
10th	30	28	10,970	10,500
11th	3	1	3,927	2,000

Footnote at end of table.

State, by congressional district [1]	Number of school districts receiving Federal funds for vocational education, fiscal year 1969 [2]	Number of school districts for which Federal funds will be reduced as a result of diverting money for the set-aisdes in Public Law 90-576, fiscal year 1970 [3]	Number of students enrolled in vocational education by school districts, fiscal year 1969	Number of students affected by programs where funds will be reduced, fiscal year 1970 [3]
Iowa:				
Congressional District:				
1st	33	(7)	7,430	
2d	38	(7)	8,684	
3d	51	(7)	13,907	
4th	46	(7)	10,580	
5th	19	(7)	10,396	
6th	57	(7)	10,866	
7th	60	(7)	11,168	
Kansas:				
Congressional District:				
1st		(6)	6,979	(8)
2d		(6)	7,787	(8)
3d		(6)	1,136	(8)
4th		(6)	7,028	(8)
5th		(6)	6,344	(8)
Kentucky:				
Congressional District:				
1st	36	(9)	13,825	(6)
2d	29	(9)	13,361	(6)
3d	2	(9)	6,344	(6)
4th	20	(9)	4,085	(6)
5th	35	(9)	12,512	(6)
6th	34	(9)	10,788	(6)
7th	33	(9)	[10] 11,025	(6)
Louisiana:				
Congressional District:				
1st and 2d	5	5	44,243	(11)
3d	8	8	18,875	(11)
4th	6	6	18,271	(11)
5th	11	11	13,439	(11)
6th	6	6	20,989	(11)
7th	6	6	18,422	(11)
8th	12	12	16,761	(11)
Maryland: Congressional districts	24	24	133,000	(12)
Massachusetts:				
Congressional District:				
1st	41	16	28,629	12,015
2d	22	0	25,716	0
3d	54	21	36,116	14,736
4th	22	0	26,775	0
5th	29	0	35,623	0
6th	29	12	34,248	13,843
7th	16	7	18,030	7,688
8th	5	0	9,039	0
9th	2	0	20,603	0
10th	32	0	25,673	0
11th	21	7	26,914	11,342
12th	43	0	33,591	0
Michigan:				
Congressional District:				
1st	1	0	735	0
2d	36	33	11,611	9,710
3d	36	32	10,705	9,026
4th	57	55	10,359	9,891
5th	21	20	7,377	6,300
6th	30	28	9,277	7,409
7th	22	17	8,892	6,986
8th	40	37	11,781	9,099
9th	40	33	6,665	5,506
10th	46	45	8,273	7,745
11th	48	41	8,540	7,168
12th	23	19	18,685	14,485
13th and 17th	1	0	37,208	0
14th	3	2	513	487
15th	13	9	7,673	6,182
16th	10	6	9,780	8,021
Michigan—Continued				
Congressional District:				
18th	15	13	8,975	7,101
19th	13	8	13,418	8,894
Minnesota:				
Congressional District:				
1st	67	67	11,793	11,793
2d	87	87	11,129	11,129
3d	22	22	6,299	6,299
4th	9	9	12,787	12,787
5th	1	1	7,775	7,775
6th	114	114	16,511	16,511
7th	112	112	14,417	14,417
8th	35	35	5,958	5,958
Mississippi:				
Congressional District:				
1st	86	28	19,335	6,750
2d	88	32	25,780	8,600
3d	54	22	15,468	7,350
4th	120	16	23,202	6,500
5th	98	36	19,385	6,400
Missouri:				
Congressional District:				
1st, 2d, and 3d	24	10	25,322	5,000
4th	39	7	11,757	3,460
5th	1	0	6,529	0
6th	61	21	12,884	4,719
7th	65	24	18,102	6,250
8th	63	26	13,063	5,382
9th	57	30	12,151	6,390
10th	51	16	15,038	4,800
Montana:				
Congressional District:				
1st	41	35	9,139	3,102
2d	54	49	8,333	4,152
Nebraska:				
Congressional District:				
1st	68	66	20,776	17,663
2d	15	9	16,449	8,764
3d	98	94	16,938	15,497
Nevada:				
Congressional District: 1st	15	14	17,620	8,358
New Hampshire:				
Congressional District:				
1st	25	2	3,560	91
2d	36	3	4,656	97
New Jersey:				
Congressional District:				
1st	7	5	1,958	1,298
2d	7	5	4,628	4,098
3d	28	26	29,370	26,790
4th	23	23	8,188	8,188
5th	18	17	9,968	9,908
6th	7	6	8,900	8,150
7th	15	13	16,910	14,580
8th	10	10	6,764	6,764
9th	15	11	15,130	13,440
10th	14	14	8,188	8,188
11th	13	8	23,140	10,480
12th	8	4	9,434	7,764
13th	35	34	17,800	17,700
14th	10	8	8,010	5,580
15th	14	14	9,612	9,612
New Mexico:				
Congressional District:				
1st	29	15	6,537	3,000
2d	46	22	11,490	5,000

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[1] Reporting agency did not break information down by individual congressional district in 3 nstances.

[2] Reporting agency did not break information down by school district in 1 instance.

[3] At the time of the survey, reporting agencies in California, Illinois, and Texas were not able o estimate where the cuts would take place. Alabama, New York, and Ohio gave narrative comments.

[4] ". . . unless we get a considerable increase in funds from Federal and/or State sources, drastic reductions will have to be made in ongoing programs due to the set-asides of 10, 15, and 15 percent which are required."

[5] Estimates not available.

[6] Unable to estimate at this time.

[7] Estimates 40-percent reduction of overall program.

[8] Anticipates "at worst" a loss of 20 percent enrollment.

[9] Most cuts probably will be in construction and adult programs in Congressional Districts 1, 2, 3, 4, and 6.

[10] Plus 42,000 adults.

[11] ". . . the present level of funding will result in reduced Federal support in virtually every vocational program . . ."

[12] 25 percent of each of 24 counties.

Note: Reports were not available from Hawaii and Maine.

NEW YORK

The following excerpt is the narrative response by the State of New York:

When the 1963 Act was passed, New York State took two actions which permitted us to move rapidly with expansion and improvement of the State's vocational education program. First, funds allotted under the Smith-Hughes and George-Barden Acts were transferred to the '63 Act to permit greater flexibility in terms of the purposes for which the funds could be expended and second, we began a phasing out of the old procedures whereby minimal amounts were given to school districts as partial reimbursement of vocational teacher salaries. All reimbursements end June 30, 1969.

Ending the reimbursement system permitted us to utilize better than two million additional dollars for program development. We next moved to a system of lump sum grants to agencies for project proposals based on long-range plans developed locally. Federal funds used in this manner were considered direct grants without a requirement that the dollars be matched with an equal expenditure at the local level. In other words, if an agency needed $150,000 for equipment to establish a new program we did not require the district to expend $75,000 of its own funds as a share of the cost for equipment. Matching funds were developed from the operating costs of programs which are supported under the general school aid program. You should know, as well, that *New York State reported a total expenditure for all vocational education programs last year of close to $200 million of which approximately $17 million was Federal.*

The distribution of Federal funds among the several purposes for fiscal year 1969 is shown on the attached table. Several explanations are required. The large urban areas received better than 70 percent of the funds identified in purposes one, three and four with New York City being allocated $2 million. The two-year colleges were allotted $1.5 million, which is less than previous years because our construction requirements increased significantly with legislation passed two years ago permitting our Boards of Cooperative Educational Services to own school facilities. Prior to having this permissive legislation, it was not possible to begin much needed construction of permanent facilities. Therefore, better than one-third of the total funds were expended for post-secondary programs in 1965 through 1967. This means that the total over the five years allotted for post-secondary purposes amounted to approximately $13 million, which reflects close to 18 percent of the total funds allotted to the State during the life of the '63 Act.

In addition, I should like to point out our commitment to the disadvantaged and handicapped, where $2,450,000 was earmarked for purpose four, special needs, in fiscal year 1969. This amount represents 14 percent of our total allotment. Based on figures from the Office of Education, a total of $9,368,000 was committed by all the states for this purpose last year. New York State's commitment represents better than 26 percent of the National total for special needs.

At the same time, our enrollments at all levels continue to climb. Our secondary enrollments have been growing by better than 10,000 students per year during the past three years. *This year 43 percent of all students in the upper two grades in high school are enrolled in vocational programs.* This percentage excludes enrollments in nonvocational business subjects and the general homemaking program. Significant increases took place at the two-year college level as well.

When the 1968 amendments were enacted, I was delighted with the clear expression of intent and the magnitude of financial commitment in the authorizations. The basic provisions are ones which could do much to move our State's program further ahead faster than we can at present. It would even have been possible to live with the mandated set asides if the full amounts authorized in the several sections of the statute were requested. The second column in the table clearly identifies the problems we face. In total, New York State will receive less for State programs based on the administration request than we received in fiscal year 1969. Since we have continuing commitments under ancillary services as well as advanced commitments to school districts for the construction of area facilities, the programs which will suffer most severely are those at the secondary and adult levels. In particular, the mandated set asides will require us to reduce by at least $3 million the amount available for continued development of expanded opportunities for secondary school students. *The effect of this necessary reduction could reduce the allotment to New York City, as an example, by more than $500,000.*

When a rough distribution of the funds was made earlier, this possible reduction did not concern me as much because it was my impression that funds would be made available under Section 102(b) for the disadvantaged in urban areas of the State. It was our intention to utilize these additional dollars totally in the large cities where problems are reaching crisis proportions. Without these funds, the areas most in need will suffer. *These same problems in the cities could have been alleviated even more had full authorized amounts been requested for work-study and cooperative education, both of which are desperately needed in the cities.*

It is entirely possible that the cities will face extremely troubled times this summer. I am concerned that idle young men and women in the heat and pressure of crowded cities may erupt in disorder and violence unless it is possible to provide special assistance and extra programs during summer months. We have looked forward to funds under Section 102(b), as well as cooperative education and work-study, to be used for productive work and learning activities to help "cool" the cities.

The third column in the table demonstrates one possible distribution of the full authorizations, assuming the use of the minimum amounts permissible for the mandated set asides. If full authorizations were appropriated, including the amount for the special categorical programs, it could mean almost $10 million more going to the cities alone.

The general costs of education continue to rise. Financial restrictions within the State are placing school districts in an untenable position in terms of reducing costs. We are concerned that vocational education will suffer greatly as school budgets reach the breaking point of taxpayers willingness to increase the local share. There have already been instances where school districts are planning to reduce their vocational education programs. If only the amounts requested in the administration budget are appropriated, many of the good things we have been able to accomplish may be lost.

I have only touched on the highlights and most significant parts of our problems. There are many additional concerns for the future success of vocational education in New York State. While I realize that dollars alone cannot do the job, the evidence I have of the accomplishments of the last five or six years indicates that New York State has used its dollars wisely and creatively in order to effect change and improvement. *Our basic concept of utilizing available dollars as incentives to encourage school districts to produce better and more programs for persons who have in the past not been served with an adequate education has been an effective device.* Much still needs to be done and without the support intended by the Congress in enacting the Vocational Education Amendments of 1968, we may not be able to even maintain that which we now have.

The needs of our people are great. If we are to overcome disadvantagement, unemployment and undereducation, Federal dollars authorized by the statute must be appropriated.

COMPARATIVE DISTRIBUTION OF VOCATIONAL EDUCATION FUNDS—NEW YORK STATE BASIC GRANTS (NEW PART B)

	1969 (1963 act)	1970 requested	1970 authorized
Set asides:			
(2) Post secondary	$1,500,000	$2,449,788	$5,122,685
(4a) Disadvantaged	2,450,000	2,449,788	5,122,685
(4b) Handicapped		1,633,192	3,415,123
Subtotal	3,950,000	6,532,768	13,660,493
(1) Secondary	4,923,218	[1] 1,900,000	[1] 6,000,000
(3) Adult	1,500,000	[1] 900,000	[1] 5,000,000
(5) Construction	5,000,000	[1] 5,000,000	[1] 6,000,000
(6) Guidance	(2)	[1] 300,000	[1] 1,400,000
(7) Private schools			[1] 300,000
(8) Ancillary services	1,650,000	[1] 1,699,150	[1] 1,790,740
Subtotal	13,073,218	9,799,150	20,490,740
Total	17,023,218	16,331,918	34,151,233
Categoricals (new part C–H):			
(c) Research	(3)		3,794,581
(d) Exemplary		200,603	3,909,053
(e) Residential			1,366,318
(f) Homemaking		1,030,532	1,672,236
(g) Cooperative		482,191	2,132,859
(h) Work-Study			2,790,538
Special Needs (sec. 102b)			2,676,191
Total of all sections	17,023,218	18,045,244	52,493,009

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[1] Estimates are for illustrative purposes only and are not based on the completed long-range plan or annual program plan.

[2] Included in secondary.

[3] Included in ancillary.

State, by congressional district [1]	Number of school districts receiving Federal funds for vocational education, fiscal year 1969 [2]	Number of school districts for which Federal funds will be reduced as a result of diverting money for the set-asides in Public Law 90-576, fiscal year 1970 [3]	Number of students enrolled in vocational education by school districts, fiscal year 1969	Number of students affected by programs where funds will be reduced, fiscal year 1970 [3]
North Carolina:				
Congressional District:				
1st	23	12	18,826	3,855
2d	18	3	17,412	717
3d	10	7	17,789	3,939
4th	9	2	14,566	175
5th	12	5	14,413	1,648
6th	10	1	15,826	1,347
7th	14	4	18,184	1,192
North Carolina—Continued				
Congressional District—Continued				
8th	16	8	18,844	2,121
9th	8	1	11,746	244
10th	15	2	15,497	464
11th	22	9	16,385	2,456
North Dakota: 2 congressional districts	123	123	14,191	14,191

[1] Reporting agency did not break information down by individual congressional district in 3 instances.

[2] Reporting agency did not break information down by school district in 1 instance.

[3] At the time of the survey, reporting agencies in California, Illinois, and Texas were not able to estimate where the cuts would take place. Alabama, New York, and Ohio gave narrative comments.

Note: Reports were not available from Hawaii and Maine.

OHIO

The following is the narrative response of the State of Ohio:

Ohio has 24 Congressional districts. Districts, or parts of Districts 2, 3, 9, 12, 14, 15, and 16, and 22 through 23 would gain most in terms of set-asides for handicapped and disadvantaged. The Districts listed serve approximately 20 school districts with approximately 84,000 students. But these 84,000 would not benefit. Approximately 16,800 would benefit by these set-asides the first year. These Districts, and all other Districts, however, will lose in relationship to construction funds for needed facilities, adult and apprenticeship programs of vocational education, guidance services, local leadership, personnel, teacher education, supplementary equipment, exemplary and pilot programs.

All Districts (585) serve 282,000 students annually.

Districts, 2, 7, 9, 10, 12, 13, 16, and 17 and 20 through 23 covering approximately 175 Districts would likely gain funds in terms of post-secondary set-asides, but again these Districts and all 585 Districts, would lose money on the above listed items. Approximately 8,000 would benefit the first year under the set-asides for post-secondary education.

Since there is less money available under the new appropriation for both the existing program and the set-asides, the result will be a process of destroying the existing programs and services which are already inadequate in order to establish new programs. To destroy and build again is inefficient. The present programs are directed toward economic and social needs. The Congress envisioned growth, not a tearing down process.

State, by congressional district [1]	Number of school districts receiving Federal funds for vocational education, fiscal year 1969 [2]	Number of school districts for which Federal funds will be reduced as a result of diverting money for the set-asides in Public Law 90-576, fiscal year 1970 [3]	Number of students enrolled in vocational education by school districts, fiscal year 1969	Number of students affected by programs where funds will be reduced, fiscal year 1970 [3]
Oklahoma:				
Congressional District:				
1st	16	16	7,799	7,799
2d	74	74	15,567	15,567
3d	109	109	19,507	19,507
4th	78	78	14,171	14,171
5th	10	10	10,593	10,593
6th	103	103	14,063	14,063
Oregon:				
Congressional District:				
1st	39	(4)	21,479	
2d	47	(4)	12,202	
3d	6	(4)	7,368	
4th	26	(4)	12,714	
Pennsylvania: [5]				
Congressional District:				
1st through 5th		(6)	41,791	(7)
6th		(6)	8,424	(7)
7th		(6)	5,898	(7)
8th		(6)	9,135	(7)
9th		(6)	4,146	(7)
10th		(6)	8,192	(7)
11th		(6)	9,982	(7)
12th		(6)	13,808	(7)
13th		(6)	6,694	(7)
14th		(6)		(7)
18th		(6)		(7)
20th and 27th		(6)	32,700	(7)
15th		(6)	8,897	(7)
16th		(6)	6,525	(7)
17th		(6)	12,655	(7)
19th		(6)	8,228	(7)
21st		(6)	8,760	(7)
22nd		(6)	10,073	(7)
23rd		(6)	9,615	(7)
24th		(6)	12,345	(7)
25th		(6)	11,418	(7)
26th		(6)	11,163	(7)
Rhode Island: Congressional District 2	24	17	5,812	2,451
South Carolina:				
Congressional District:				
1st	13	13	8,682	5,680
2d	20	20	9,936	5,887
3d	15	15	10,744	6,341
4th	10	10	10,040	6,035
5th	12	12	12,252	7,572
6th	23	23	17,325	10,750
South Dakota:				
Congressional District:				
1st	70	70	7,619	(1)
2d	52	52	6,007	(1)
Tennessee:				
Congressional District:				
1st	15	7	9,088	437
2d	12	9	7,810	498
3d	12	8	10,599	106
4th	26	10	8,393	269
5th	1	1	5,392	390
6th	16	13	8,734	567
7th	24	14	8,435	276
8th	24	11	8,344	347
9th	1	1	11,757	851
Texas:				
Congressional District:				
1st	86	(7)	16,818	(7)
2d	84	(1)	15,895	(7)
3d	3	(7)	3,470	(7)
4th	74	(7)	18,467	(7)
5th	3	(7)	3,470	(7)
6th	72	(7)	20,728	(7)
7th [8]				
8th [8]				
9th	17	(7)	10,841	(7)
10th	47	(7)	12,262	(7)
11th	63	(7)	16,455	(7)
12th	5	(7)	7,069	(7)
13th	67	(7)	8,528	(7)
14th	33	(7)	16,783	(7)
15th	29	(7)	9,477	(7)

Footnotes at end of table.

State by congressional district [1]	Number of school districts receiving Federal funds for vocational education, fiscal year 1969 [2]	Number of school districts for which Federal funds will be reduced as a result of diverting money for the set-asides in Public Law 90-576, fiscal year 1970 [2]	Number of students enrolled in vocational education by school districts, fiscal year 1969	Number of students affected by programs where funds will be reduced, fiscal year 1970 [3]
Texas—Continued				
Congressional District—Continued				
16th	26	(7)	7,486	(7)
17th	102	(7)	15,436	(7)
18th	70	(7)	16,542	(7)
19th	51	(7)	10,430	(7)
20th	3	(7)	8,392	(7)
21st	36	(7)	15,678	(7)
22d [8]				
23d	109	(7)	11,355	(7)
The following figures are for secondary enrollments only:				
7th	7	(7)	5,265	(7)
8th	9	(7)	10,046	(7)
22d	2	(7)	4,810	(7)
The following figures are for post-secondary enrollments only:				
7th, 8th, and 22nd	2	(7)	2,345	(7)
Utah:				
Congressional District:				
1st	31	27	21,500	21,750
2d	9	8	18,500	18,900
Vermont:				
Congressional District: 1st	52	36	14,025	7,296
Virginia:				
Congressional District:				
1st	10	0	17,394	0
2d	2	1	12,037	4,700
3d	3	1	15,116	4,850
4th	19	0	16,569	0
5th	15	2	20,537	2,500
6th	14	1	17,246	1,050
7th	24	3	17,343	4,500
8th	19	1	21,501	2,150
Virginia—Continued				
Congressional District—Continued				
9th	15	3	19,220	5,300
10th	5	1	25,080	19,000
Washington:				
Congressional District:				
1st	14	14	73,677	73,677
2d	35	35	42,221	42,221
3d	51	51	42,879	42,879
4th	60	60	37,915	37,915
5th	44	44	29,821	29,821
6th	21	21	45,439	45,439
7th	9	9	26,588	26,588
West Virginia:				
Congressional District:				
1st	11	11	8,736	4,280
2d	20	20	10,685	7,125
3d	7	5	14,085	2,720
4th	10	6	11,573	3,260
5th	7	2	8,991	2,240
Wisconsin:				
Congressional District:				
1st	20	15	20,100	3,200
2d	48	38	26,000	4,300
3d	80	49	16,200	5,200
4th	4	3	20,700	1,800
5th	4	3	14,200	2,100
6th	23	23	18,400	2,700
7th	38	32	16,000	3,000
8th	29	23	18,500	3,400
9th	11	11	10,300	1,400
10th	52	40	18,100	4,000
Wyoming:				
Congressional District: 1st	78	60	9,966	4,000

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[1] Reporting agency did not break information down by individual congressional district in 3, instances.

[2] Reporting agency did not break information down by school district in 1 instance.

[3] At the time of the survey reporting agencies in California, Illinois, and Texas were not able to estimate where the cuts would take place. Alabama, New York, and Ohio gave narrative comments.

[4] Reduction will be shared proportionately by all districts.

[5] Statewide adult D.E., 7,383.

[6] All districts will receive less funds than in fiscal year 1969.

[7] No estimates available.

[8] Partial figures are shown following Texas 23d District below.

Note: Reports were not available from Hawaii and Maine.

APPENDIX B

FEDERAL FUNDS FOR VOCATIONAL-TECHNICAL EDUCATION AUTHORIZED BY THE VOCATIONAL EDUCATION AMENDMENTS OF 1968 (PUBLIC LAW 90-576)

[A survey of the States made by the American Vocational Association and the National Association of State Directors of Vocational Education, May 1969]

Purpose	Amounts authorized, fiscal year 1970, Public Law 90-576	Budget Bureau request for fiscal year 1970	Funds necessary for fiscal year 1970 to implement Public Law 90-576 according to survey of 50 States [1]	Increase needed over Budget Bureau recommendation to meet minimum needs of States, as authorized [2]
Grants to States for Vocational Education, sec. 102(a) and sec. 131(a)	$565,000,000	[3] $7,161,455 230,336,000	$496,451,154	$258,953,699
Programs for the disadvantaged (sec. 102(b))	40,000,000	0	69,248,042	40,000,000
Exemplary programs (pt. D)	57,500,000	13,000,000	36,866,145	23,866,145
Demonstration residential schools (pt. E)	30,000,000	0	97,447,996	30,000,000
Grants to States for residential schools (pt. E)	15,000,000	0	11,800,761	11,800,761
Consumer and homemaking education (pt. F)	25,000,000	15,000,000	28,138,761	10,000,000
Cooperative work-study (pt. G)	35,000,000	14,000,000	30,698,466	16,698,466
Work-study (pt. H)	35,000,000	0	33,414,835	33,414,835
Curriculum development (pt. I)	10,000,000	2,000,000	16,184,909	8,000,000
Vocational education professions development (title II)	35,000,000	0	90,803,850	35,000,000
Total	847,500,000	281,497,455	911,054,919	

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[1] Plus the District of Columbia and the Territories.

[2] $566,002,545 (col. 1 total minus col. 2 total).

[3] Smith-Hughes.

APPENDIX C

VOCATIONAL EDUCATION AMENDMENTS OF 1968[1] AUTHORIZED $565,000,000

State	1969 allotments: Vocational Education Act of 1963	1969 allotments: George-Barden and Supplemental Acts	1969 allotments: Smith-Hughes Act	1969 allotments: Total	Basic grants[2]	Increase or decrease 1970 over 1969
Total	$198,225,000	$49,990,823	$7,161,455	$255,377,278	$237,497,455	−$17,879,823
Alabama	4,614,302	1,140,849	143,330	5,898,481	5,493,553	−404,928
Alaska	248,662	259,576	30,000	538,238	293,153	−245,085
Arizona	1,854,445	279,450	51,789	2,185,684	2,237,119	+51,435
Arkansas	2,521,671	797,790	85,107	3,404,568	2,963,572	−440,996
California	14,922,781	2,549,008	534,067	18,005,856	18,153,766	+147,910
Colorado	2,017,684	434,455	66,744	2,518,883	2,410,681	−108,202
Connecticut	2,172,944	461,753	92,547	2,727,244	2,613,726	−113,518
Delaware	390,613	232,631	30,000	653,244	478,774	−174,470
District of Columbia	546,924	228,058	0	774,982	650,227	−124,755
Florida	6,176,783	967,146	187,558	7,331,487	7,393,929	+62,442
Georgia	5,814,837	1,291,071	172,456	7,278,364	6,961,237	−317,127
Hawaii	770,673	230,196	31,661	1,032,530	943,321	−89,209
Idaho	867,516	335,250	39,430	1,242,196	1,032,903	−209,293
Illinois	8,170,538	2,130,336	360,319	10,661,193	9,870,472	−790,721
Indiana	4,730,738	1,440,031	193,488	6,364,257	5,660,581	−703,676
Iowa	2,778,374	1,327,878	122,556	3,228,808	3,309,767	−919,041
Kansas	2,304,812	784,270	91,385	3,180,467	2,789,750	−390,717
Kentucky	4,134,806	1,324,728	143,135	5,602,669	4,894,998	−707,671
Louisiana	4,540,971	912,068	134,293	5,587,332	5,488,273	−99,059
Maine	1,180,574	310,388	48,182	1,539,144	1,387,705	−151,439
Maryland	3,299,377	666,815	118,672	4,084,864	4,025,023	−59,841
Massachusetts	4,550,020	833,089	179,461	5,562,570	5,409,065	−153,505
Michigan	7,485,612	1,798,634	497,765	9,582,011	9,105,044	−476,967
Minnesota	3,629,968	1,312,235	141,929	5,084,132	4,346,673	−737,459
Mississippi	3,135,370	1,613,305	107,308	4,405,983	3,755,696	−650,287
Missouri	4,518,813	1,390,638	173,605	6,083,056	5,453,944	−629,112
Montana	816,523	299,881	38,665	1,155,069	971,393	−183,676
Nebraska	1,492,576	642,728	64,271	2,199,575	1,742,754	−456,821
Nevada	337,994	228,058	30,000	596,052	390,324	−205,728
New Hampshire	713,245	228,058	34,050	974,353	834,902	−140,451
New Jersey	5,370,458	876,457	201,903	6,448,818	6,497,533	+48,715
New Mexico	1,301,356	245,693	43,107	1,590,156	1,524,933	−65,223
New York	13,747,518	2,700,384	575,316	17,023,218	16,331,918	−691,300
North Carolina	6,717,387	2,032,505	221,793	8,971,685	7,956,680	−1,015,005
North Dakota	836,196	434,085	42,740	1,313,021	975,062	−337,959
Ohio	9,805,752	2,201,568	369,365	12,376,685	11,817,532	−559,513
Oklahoma	2,963,910	735,384	96,258	3,795,552	3,531,214	−264,338
Oregon	1,995,016	508,946	73,613	2,577,575	2,410,600	−166,975
Pennsylvania	11,264,655	2,343,066	437,176	14,044,897	13,347,672	−697,225
Rhode Island	855,836	231,350	37,901	1,125,087	1,031,291	−93,796
South Carolina	3,617,426	973,362	114,757	4,705,545	4,365,478	−349,067
South Dakota	835,145	436,475	42,940	1,314,560	978,137	−336,423
Tennessee	4,958,986	1,426,595	159,386	6,544,967	5,843,004	−701,963
Texas	12,579,049	2,357,417	359,602	15,296,068	15,170,553	−125,515
Utah	1,211,106	228,854	38,478	1,478,438	1,445,921	−32,517
Vermont	476,650	228,058	33,318	738,026	563,453	−174,573
Virginia	5,406,574	1,294,292	173,136	6,874,002	6,456,132	−417,870
Washington	2,887,280	723,517	113,306	3,724,103	3,519,602	−204,501
West Virginia	2,405,400	604,758	91,340	3,101,498	2,836,702	−264,796
Wisconsin	4,083,226	1,364,517	162,147	5,609,990	4,890,133	−719,857
Wyoming	362,756	228,058	30,000	620,814	416,792	−204,022
American Samoa	32,102	81,875	0	113,977	47,465	−66,512
Guam	111,293	135,910	0	247,203	147,807	−99,396
Puerto Rico	3,602,108	1,528,432	0	5,130,540	4,122,310	−1,008,230
Virgin Islands	57,669	68,892	0	126,561	83,706	−42,855
Trust Territory of the Pacific	0	0	0	0	132,500	+132,500

[1] Public Law 90-576 replaces all former vocational education legislation.

[2] Does not include $15,000,000 for "Consumer and Homemaking Education."

SOVIET WARSHIPS OFF COAST AT DISTRICT OF COLUMBIA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. RARICK. Mr. Speaker, aggressive Soviet provocations against the United States have increased in recent months, just as foreseen by the Czech defector, Gen. Jan Sejna—see CONGRESSIONAL RECORD, June 26, 1969, page 17594, et seq.

Russian aircraft fly against our west coast, a large fleet of Soviet spy ships stand off the Atlantic coast disguised as fishing vessels, and now Russian warships are off the coast at Washington, D.C., steaming toward their Havana base in the Soviets' Caribbean colony, just 90 miles from U.S. shores.

President Monroe was a farsighted leader when he promulgated the Monroe Doctrine.

The American people will be watching to see what response, if any, is made by the administration to this reckless demonstration of military might in our backyard.

Judging from past performance, the President will send Henry Kissinger in a U.S. rowboat, symbolic of our meekness to welcome the Red fleet commander, and offer our reassurance to the Russians of their right of free use of our coastal waterways.

It is considered by our experts at Foggy Bottom that only Cubans in exile attempting to return to their Cuban homeland create global tensions.

I include a local news clipping:

[From the Washington (D.C.) Post, July 9, 1969]

U.S. TRACKS RED SHIPS NEAR CUBA

NORFOLK, July 8.—A spokesman for the Navy's Commander in Chief Atlantic Fleet (CINCLANT) said today the Navy is conducting regular air surveillance of seven Russian warships which are bound for Cuba in what the Kremlin has said is a "friendly visit."

Navy Cmdr. F. R. Ellis, CINCLANT Deputy Public Information Officer, said the Russian ships are more than 200 miles off the U.S. coast. "There is nothing sinister about them," Ellis said.

The task force, which consists of a rocket cruiser, two screening ships, two submarines, a submarine tender and a tanker, keep splitting up and reforming, Ellis said.

Ellis gave no definite position for the Soviet ships but said they were expected to be off the Virginia coast by about Thursday.

THE TRAGEDY AND THE HOPE OF THOMAS MBOYA

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. CONYERS. Mr. Speaker, the assassination of Thomas Mboya, Economic Minister of Kenya, came as a personal sorrow as well as a tragedy for Kenya and the world. The death of this young leader marks the passing of one of Africa's most forward-looking leaders and the developer of some of Kenya's most creative plans for the future. Afro-Americans have lost a black man who symbolized the political participation which they have been seeking in this Nation for so long.

From the outbreak of the Mau Mau rebellion in British Kenya in 1952 until his violent death July 6, 1969, Mboya remained dedicated to a philosophy of African nationalism. Beginning with his work to strengthen trade unionism under British rule and climaxing with his powerful role in guiding an independent Kenya during the pangs of development, Mboya rallied Kenyanites to the goal of self-determination.

As a politician, he spurned the divisive tactic of tribalism, choosing to promote instead a unifying nationalism. He subordinated his personal ambition to the good of the nation. Thus in 1963 with Kenya's independence approaching, he bowed to popular demand to allow Jomo Kenyatta, recently released from prison, to become the leader of the party which Mboya had lead to victory in the general elections. His political skill, nevertheless, won admiration even from his opponents. With Kenya's independence, he became Minister of Justice and soon thereafter Minister of Economic Planning and Development. His administrative strategy included a dogged attack on immediate problems such as hunger, education, and employment which plague all developing nations while ever anticipating the future with his farsighted plans for economic growth. His life was marked by efficiency as an administrator and a philosophy that stability demands a government founded on strong institutions, not strong personalities. Tom Mboya, the politician, the administrator, the economist, was above all a Kenyan nationalist and a strong proponent of Pan-Africanism. As such he provided underdeveloped Kenya an essential symbol of itself as a sovereign yet a determinedly African member of the world community.

As with all great men who die leaving unfulfilled hopes, the most meaningful tribute that can be paid to Mboya is for his mourners to remember not the tragedy of his death but rather to actualize that hope which his life began. To black men throughout the world, he stood for the integrity of the African heritage. He showed that Africa need not adopt the "Western way of life" to gain the benefits of its life style. They must rather learn how to live with the Western culture while maintaining their own identity, as did Mboya, Afro-America could look to him as a black man controlling black destinies. As a Kenyan politician, Mboya's sole concern was the nation—not his personal future or the advancement of a particular segment of society such as one tribe at the expense of another. His unswerving belief in self-determination for blacks resulted in him being regarded as one of the most modern and forward-looking leaders in Africa. His loss will be felt by those who recognized Mboya as unique among leaders on any continent or in any culture. The man may no longer be with us but the aspirations which he symbolized remain.

REMARKS BY ROGER LeGRAND, VICE PRESIDENT OF WITI-TV MILWAUKEE DELIVERED AT THE TV AWARDS LUNCHEON FOR NPPA MEMBERS, JULY 3, 1969

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. REUSS. Mr. Speaker, I present the remarks of Roger LeGrand, vice president of WITI-TV in Milwaukee, delivered at the recent TV Awards Luncheon for National Press Photographers Association members for insertion in the RECORD at this point:

HOW THE "LENSMAN" IN AN AGE CRYING FOR BETTER COMMUNICATIONS CAN STAY "IN FOCUS"

This convention is made up of "lensmen" . . . photographers . . . with a large majority of you engaged in reporting the news. Your still pictures, your motion pictures, communicate with the public through magazines, newspapers, television networks and stations. What you shoot becomes extremely important, not only for you in your personal careers, but to the public you serve. You can bring truth and impact to a report or narrative by being a responsible camera reporter, or you can use your camera unfairly and distort an incident.

My business is television, and, as general manager of a television station in one of America's major markets, reaching hundreds of thousands of homes every day, I share this kind of responsibility for fairness with you. Many of my colleagues in the television industry became extremely upset several weeks ago when the United States Supreme Court upheld a government rule requiring broadcasters to give people attacked over the air a chance to reply. The rule is an outgrowth of the Federal Communications Commission's "Fairness Doctrine," which had been challenged by a group of broadcasters as inhibiting free speech.

Some broadcasters didn't like that Supreme Court decision. They felt the decision took the position that the First Amendment (guaranteeing freedom of speech) was giving a different order of protection to broadcasting than to the printed press. Because a broadcaster, the owner and operator of a television or radio station, is using a frequency which is not available to all, he does have an obligation to comply with a standard of performance that may not be demanded from an unlicensed media. A former Chairman of the Federal Communications Commission, Fred Ford, put it very simply when he described the difference between the press and radio and TV: "A newspaper has the *right* to be *unfair*. A broadcaster has the *obligation* to be *fair*."

There may well be a danger here. With a firm, tight grip on the broadcaster by a government agency, some broadcasters might not be likely to pursue controversial topics for discussion. A broadcaster might decide to avoid all controversial discussion and thereby avoid the necessity to give anyone a reply. He might say: "If I don't editorially criticize a person or group of persons and avoid controversial discussions and documentary programs, then I won't have to be concerned about living up to the FCC expectations of fairness, and my license to broadcast will never be suspect."

This, of course, would be most unfortunate. Here would be a broadcaster, owning and operating a television or radio station in the public interest, but refusing to use the impact of his media to become involved in the vital issues around him. Not only would this be unfortunate . . . it would be a disservice to the public.

I doubt that many broadcasters will take this route. By and large, most of them . . . in fact, the vast majority of them, are responsible, involved individuals who appreciate and respect the power of the medium they control.

I do not believe the "Fairness Doctrine" and this recent ruling of the high court confirming its validity will do harm to the broadcasters. On the contrary, I believe we need the guiding principles embodied in the "Doctrine." We are operating on publicly allocated frequencies with the custodial power to program persuasive material on those frequencies.

As I said, the vast majority of broadcasters *are* responsible, dedicated individuals. However, let's be honest. There *are* some who are not. And, without a "Fairness Doctrine" to control them, there's no end to the damage they might accomplish in their own self-interest. They could tout their own personal beliefs . . . their own social philosophies . . . and fail to give a balanced, fair presentation of all the facts on their powerful electronic platforms. This is the type that is kept in line . . . forced to be fair . . . through the "Fairness Doctrine." The responsible radio and television operators, and they are in the majority, will always be fair . . . with or without a "Fairness Doctrine."

Those of you who are involved in the news operations know full well that it is not always easy to be fair, try as you might. The issues on which we report today are highly controversial, involving people who are firmly convinced that their views are totally right and those they oppose are totally wrong. People are quickly angered, frustrated, embittered. And to satisfy all involved with what both sides consider a fair and thorough report is extremely difficult. Most of the time they want you to show and say only what they desire to see and hear. To them, you are fair only when you show their side. The electronics medium is especially the target of criticism. Perhaps it is because television has such powerful impact. Every story becomes a front page story, because it is the *only* story being told at a given time. It stands alone. This is unlike a newspaper that can cram ten stories on one page without any special emphasis on any of them.

It seems if you really want to be fair today, you've got to work at it. In the recent Milwaukee brewery strike, we wanted the public to know what the strike was all about. Our newsroom worked hard at reporting all angles on what has got to be one of the major local stories of the year. After all, "beer town" was slowly but surely running out of suds. The breweries were shut down. The public, the beer-drinking public, had a right to know how the strike was coming along. Some violence occurred at the Schlitz bottlehouse when the brewery moved trains, loaded with beer, out into the yards. Pickets tried to stop the trains, and there were skirmishes with police when strikers refused to move off the tracks and permit the trains to move in and out of the plant. At one point, union officials told our reporters Schlitz was deliberately fomenting the trouble at the bottlehouse. The company wanted these incidents to occur, they said, to make the strikers look bad.

In attempts to balance out the story, our news people went to the company representative and asked for a statement. In fact, they tried for several days to get a statement. It never came. Now here was an opportunity for the company to calm a very touchy, explosive situation. They declined. This is an example of how sometimes you do your level best to be fair and seek out all sides of an issue . . . but, in this day of broad communications, they just refuse to communicate. It was unfair to the public, but we were forced to report a one-sided story. Not our fault, you say? Of course not. But we didn't like it. I'm sure it will happen again in similar situations, and again, we'll try hard to give both sides of the story.

Need I remind you this is an era of protest . . . of dissent . . . much of it healthy, some of it damaging? Reporting on a country in revolt (and that is really what we have today whether we like it or not) is a most difficult assignment. Many old, hard-line news editors . . . men with long years of experience in journalism . . . will tell you it's never been so difficult. No matter what you report, it seems you're damned if you do, damned if you don't. We in television constantly hear from people who say: "Why do you put all those kooks on the air? If you didn't give them coverage and recognition, they just wouldn't make trouble any more." It's hard for us, who see the events of the world go by every day, to believe that we still have people who think that if you ignore a problem, it will go away. But, I fear, that is exactly what some of them would like us to do. An we cannot do that. We need to apply the best kind of journalistic know-how and judgment and hope and pray we're making the right . . . the fairest . . . decision possible.

Apparently in television we're not doing too badly. We must be making some right decisions. At least there's no longer any doubt about television's power and popularity and its impact on today's society. We get our share of criticism, but most of that criticism comes from professional intellectuals. While they go on talking to each other about how bad television is, that great mass of American people are watching the tube . . . and, for the most part, are liking what they see. According to an extensive Roper Survey released several months back, 59% of Mr. and Mrs. America have chosen television as their prime source of information. Newspapers were chosen by 49%; radio by 25%; and magazine by 7%. Multiple answers, which were recorded, accounted for the total of over 100%. No one, including the press, has seriously challenged that survey.

If television is the prime source of information, obviously it has great influence. Whatever appears on the tube can be a source of good or evil . . . for clarity or distortion . . . for honesty or dishonesty.

There's an old expression that is so familiar to photographers: "The camera doesn't lie." Well, it's true the camera shoots and records what is there . . . but a news photographer's coverage, the series of pictures he shoots, *can* lie. By highlighting certain aspects of a story, and ignoring others, he can give an entirely different version of the actual happening.

And, television's cameras can lie in the same manner. Unless that broadcaster, who strives to be fair, has people in his news department who also believe in fairness, his hopes for honest, straightforward reporting are lost. His television station can be telling a very convincing, persuasive lie if the wrong people are manning the news cameras.

A still man can shoot a picture on a story that will take the whole incident out of context. He can accent the negative side of the story and give the public a false impression of what really went on . . . as we say, *a lie*. And, if he shoots sound-on-film, the story can be even more seriously distorted on the editing tables by taking sound quotes out of context and isolating them. There's no end to the mischief, damaging mischief, that you men with a camera can cause if you so choose.

Probably good examples of what I'm trying to say were found in Chicago during the now famous Democratic Convention of a year ago. Live TV cameras, motion picture TV photographers, and still pictures, clearly showed police beating demonstrators unmercifully. No one can deny this happened. But, what about the other side? Rarely did we see those bent on causing violence taunting police, daring them to make an arrest, calling them obscene names. Somehow, I feel both sides were not represented in a fair, balanced report.

In some of our university demonstrations, again we saw police clubs swinging, tear gas permeating over the campus, blood spilled by police officers forcing arrest. We rarely saw, or heard, the taunting, the obscenities from the foul-mouthed anarchists. Nor did we see the majority of students diligently going about their business of getting an education. We need to tell the whole story. We have the obligation to tell it like it really happened.

And look at Vietnam. We see our planes strafing, dropping deadly napalm. But, when's the last you saw the results of a Vietcong attact on a village, where all was burned to the ground, where women and children and old people were deliberately, savagely slaughtered. We can't seek out only the sensational aspect of a story and dwell on that. The whole story is there to tell, and we are obligated to tell all of it.

There are so many other incidents where the man with the camera can impress his viewer in an honest or dishonest manner. Pictures, whether they're still shots or on motion picture film, and properly, skillfully taken, can bring us so close to the actual happening. This is an age that cries for better communications, and you are the communicators. With that camera, you hold a powerful instrument for good or for evil, for distortion or for clarity.

At a time when there is so much misunderstanding, your pictures can bring understanding. At a time when there is so much mistrust among our people, your pictures can build trust and confidence. You can make violence more violent; or you can show violence in its true perspective . . . as a last resort for only a few misguided people. Use your camera well, and use it with good conscience. Thank you for this privilege of being with you. Good luck . . . and . . . stay in focus!

AMERICA IS ABOUT TO PUT MEN ON THE MOON

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. TEAGUE of Texas. Mr. Speaker, as we approach closer to the day when three outstanding Americans will set foot on the moon it is appropriate to note that the North American Rockwell Corp., one of the prime contractors of the Apollo program, has placed a thought-provoking and significant advertisement in the news media. During these days when we must consider the future of our national space program and what we will do with the investment that we have already made in this effort, these words make significant reading:

AMERICA IS ABOUT TO PUT MEN ON THE MOON

Please read this before they go.

Perhaps the best way for anyone to try to understand the size of such an undertaking is not for us to list the thousands of problems that had to be overcome, but for you to simply go out in your backyard some night, look up, and try to imagine how you'd begin, if it were up to you.

But our reason here is not to talk about the technicalities of the Apollo project. Rather, it is simply to ask you to think, for at least one brief moment, about the men and women who have applied their heads and their hearts and their hands—and a good many years of their lives—to putting a man on the moon.

Many of these people have worked for less money than they could have made in other places, and it is safe to say they have worked through more nights and weekends and lunch and dinner hours than they would have anywhere else.

And the astronauts, the brave men who will fly again down that long, dark and dustless corridor of space, this time to set foot—to walk upon the surface of the moon—they know the price that's often paid in setting out for lands uncharted. They know the price their fathers' grandfathers paid just to walk across the wilderness of America for the first fifty years.

For a long time now, we have been involved with the people who are the thinkers and the designers and the builders and the pilots of America's man-to-the-moon dream, of America's man-to-the-moon determination. We have worked with them, eaten with them, lived with them.

Yet our appreciation and admiration for them continues to grow each day—for their energy, for their imagination, their confidence, for their patience, their resourcefulness, for their courage.

We ask you, in the days ahead as we wait for the big one to begin, to understand this fantastic feat for what it is and to put it in proper perspective, a triumph of man, of individuals, of truly great human beings. For our touchdown on the moon will not be the product of magic, but the gift of men.

In James A. Michener's novel, "The Bridges at Toko-Ri," an American admiral stands on the deck of his carrier early one morning and ponders the subject of his brave men. And thinking to himself, he asks a question of the wind which we believe all of us should ask as we think of the men who will finally make it to the moon and of the men who got them there: "Why is America lucky enough to have such men? . . . Where did we get such men?"

NORTH AMERICAN ROCKWELL.

JOB OPPORTUNITIES

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. AYRES. Mr. Speaker, it was very pleasing to me to see the promptness with which Secretary of Labor George P. Shultz is attacking the problem of job training. Certainly this subject should have a top priority.

In a very comprenensive report, Secretary Shultz tells us that more than a million job opportunities for the disadvantaged will be available in the next 12 months.

President Nixon in his inaugural address said that his administration would "Lift up the poor and hungry."

He also declared that:

> We shall plan now for the day when our wealth can be transferred from the destruc-

tion of war abroad to the urgent needs of our people at home.

We find now that President Nixon is making strides to carry out this commitment. His present budget calls for 1,054,230 opportunities for fiscal 1970—an increase of almost 80,000 over fiscal 1969. This represents an 8-percent increase in job training opportunities over fiscal 1969 under the Manpower Development and Training Act, the Economic Opportunity Act, and the social security amendments.

When we consider that the dollar investment for this worthwhile project is increased by 16.4 percent, one realizes that the Nixon administration is making sincere efforts to improve the lot of those who have not been prepared to enter the industrial field.

It was very pleasing to me to see that Secretary Shultz had a concern for our immediate problems in this field. He tells us that the number of summer jobs for youth—under the Neighborhood Youth Corps and the JOBS program spearheaded by the National Alliance of Businessmen—will reach an alltime peak this summer. A record number of disadvantaged young people will be entering the business world for the first time.

Secretary Shultz' detailed announcement follows:

In major programs slated for F.Y. 1970, the *Job Opportunities in the Business Sector* (JOBS) program has more than doubled its dollars and opportunities, going from $160 million to $420 million and from 51,000 opportunities to 140,000 opportunities. In doing so, the plan being sponsored by the National Alliance of Businessmen expands from 50 of the largest metropolitan areas in the Nation to 125. The goal of the Alliance has also been increased from 500,000 by June 1971 to 614,000 disadvantaged persons hired and in training by that date. The NAB already has met its first year goal of 100,000 hired and in training by June 30, 1969. More than 102,000 are on the job.

The *Concentrated Employment Program*, with its major components of classroom and on-the-job training contracts with schools and employers, has been increased by nearly $79 million and 20,000 opportunities. This includes the Manpower Development and Training Act funds earmarked for the classroom, OJT and part-time work projects.

One of the major new directions during the new fiscal year will be the emphasis placed on *upgrading* of job skills for persons newly on the job and for those marking time in static situations.

This emphasis will be applied in the regular MDTA on-the-job training programs, and through the JOBS contracting options which will, for the first time, assist in the cost of upgrading workers through this program.

Secretary Shultz has pointed out that upgrading must become an integral part of any job-entry training effort if workers are to move ahead once they learn basic jobs and skills. Upgrading results in new entry job opportunities, he said.

Referring to the cutback in *Job Corps* openings, from 35,000 to 22,300, the Secretary said that this was made up more than sixfold by the increased overall manpower training program budget.

"The Job Corps," the Secretary said, "is, and was, a relatively small part of the massive total job training effort that is being undertaken."

The 47 Job Corps centers have room for nearly 17,400 youths. Upwards of 2,700 are expected to be enrolled each month. An additional 300 will be recruited each month for the residential manpower centers when all 30 new centers are established and operating for 4,600 youth.

State Employment Service offices have already begun assignments of 1,750 youths to residential centers: 720 to the men's centers, 822 to the Conservation centers, and 216 to the women's centers.

The first of the new centers, with a total capacity of 700 youths, have been announced for Fall opening in Phoenix, Ariz., and Edison, N.J.

A listing of programs and budgets are attached for Fiscal Year 1969 and Fiscal Year 1970. Job Corps totals are included in the 1969 listings, even though it was not a part of the Labor Department program, to permit proper comparisons.

A COMPARISON OF THE FISCAL YEAR 1969 PROGRAMS AND THOSE PROPOSED FOR FISCAL 1970

	Fiscal year 1969		Fiscal year 1970	
	Amount	Opportunities	Amount	Opportunities
Job opportunities in the business sector	$159,750,000	51,000	$420,000,000	140,000
Concentrated employment program	115,400,000	105,242	209,000,000	156,200
Institutional MDTA training	186,000,000	98,800	186,000,000	98,800
On-the-job MDTA training	54,608,000	83,240	54,608,000	83,240
Upgrading, part time, and other MDTA training	24,728,000	52,956	10,084,000	21,590
Title V, State supplements			20,000,000	10,000
Special summer	13,000,000			
Program support	75,916,000		111,313,000	
Carryover	5,040,000			
Neighborhood Youth Corps:				
In school	$50,900,000	81,600	$62,400,000	100,000
Summer school	138,300,000	336,000	121,500,000	291,000
Out of school	124,140,000	46,100	98,000,000	32,500
Operation Mainstream	41,000,000	10,700	41,000,000	10,700
New careers	18,600,000	4,400		
Special impact	9,788,000	3,300		
Public and community employment (new careers and other)			50,000,000	16,700
Job Corps	280,000,000	35,000	180,000,000	22,300
Work incentive program	105,419,000	66,300	73,500,000	71,200
Total	1,402,589,000	974,638	1,637,405,000	1,054,230

ALLOW VOLUNTARY PRAYERS IN PUBLIC SCHOOLS

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. HASTINGS. Mr. Speaker, my colleagues who have arranged for Prayer Day to underscore their efforts to amend the Constitution to allow voluntary prayers in public schools cannot be commended too highly. I fervently pray—if I may be permitted to use such an expression without raising the hackles of those Constitution-watchers who feel the halls of freedom will collapse into a dusty heap if a child speaks the name of God in a schoolroom—that the sponsors of Prayer Day will meet with greater success in this session of Congress than in the past.

I cannot believe that the minds of the men who gave us our Constitution intended that a child's prayer should be considered unlawful. It is against the very nature of this Nation whose heritage is based on a devout belief in a Supreme Being. But the Court has spoken and the results have been widespread public concern. I feel the school prayer ruling has been incorrectly and unrealistically interpreted by perhaps a well-intentioned minority which disregards the religious character of the majority of our society. Free choice to worship or not to worship is the rule. It should be the same for prayer.

The writers of our Constitution never meant that its words should be interpreted so a minority could exercise its will over the majority. More than 80 bills relating to prayer in public schools have been introduced. All are not the same but they generally point in the same direction—legislation which would permit voluntary prayer in public schools. Again I say a prayer that this may be achieved during the current session of Congress.

SMUT PEDDLERS—PART II

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. DULSKI. Mr. Speaker, the merchants of smut can be put out of business, but it will take the combined efforts of all of us.

Legislation can help in its own way. But the most effective attack is on the local scene.

A former House colleague, the Honorable O. K. Armstrong from Missouri, wrote an interesting article for the March 1966 edition of Reader's Digest—an article which still is quite timely. The text follows:

FILTH FOR PROFIT: THE BIG BUSINESS OF PORNOGRAPHY

(By O. K. Armstrong)

"*We are starting a new line of paperbacks and need tough, hard-hitting, sex-action-filled books, geared to the demands of today's competitive market. What we seek is offbeat sex, with emphasis on deviations. The sex must be as strong and as offbeat as possible.*

The above was sent by a publisher to prospective writers in November 1963. Sick as it may seem, it offers only a glimpse into one corner of a huge underworld—the extremely profitable business of pornography.

Until the early 1950's obscene materials were sold privately. Now hard-core obscenity has emerged into the open. On countless newsstands, paperback books by the score present explicit accounts of sexual perversion. "Stag" movies and slides, records of obscene songs and humor, pornographic pictures and comic books—all are available on the open market, to buyers of any age.

According to Henry B. Montague, chief inspector of the U.S. Post Office Department, at least 100 million copies of "objectionable" publications go through the mail each year. The Department estimates that a half-billion-dollars' worth of obscene materials is distributed, by mail or truck and express.

Who produces this filth? Most pornographers are reluctant to discuss their trade. But since many are under indictment, or have been convicted, for violating laws against obscenity, the major facts about the lucrative racket can be established from court records.

According to James J. Clancy, a former assistant district attorney of Los Angeles County who has been active in the prosecution of many big smut peddlers, about 60 percent of the lewd magazines and paperbacks that circulate in the United States are published by California firms. Two big West Coast producers of magazines or books declared obscene by the courts are Sanford E. Aday of Fresno and Milton Luros of Los Angeles. Aday began publishing paperbacks as early as 1952. Records show that, operating under several firm names, he produced 826,840 volumes featuring lurid sex in one five-month period. He has been indicted numerous times, and he and an associate were convicted in a federal court in Grand Rapids, Mich., in 1963, under a law which permits prosecution of a publisher wherever his obscenity is sold. The court assessed heavy fines and imposed a prison sentence, but the case is on appeal. Meanwhile, Aday's firm continues in business.

The companies controlled by Luros turn out a tremendous volume of offensive literature, some paperbacks featuring lesbianism, incest, perversion, sadism and homosexuality. Court records show that from July 1963 through July 1964 Luros also published 2,490,000 copies of girlie magazines, retailing for an average $1.50 a copy. In that same 12-month period, he turned out at least 28 nudist magazines, averaging 25,000 copies of each. His total annual sales approximate six million dollars. Luros has been indicted four times, convicted twice. (The second conviction, at Sioux City, Iowa, in January 1966, will be appealed.)

In the New York area, Edward Mishkin has held front rank among numerous publishers and sellers of sex literature. In 1960, New York City police, armed with a search warrant, seized 42 different titles of paperbacks in one of Mishkin's retail stores. The writers testified that Mishkin had directed them to fill the books with raw sex scenes. Leotha Hackshaw, one of the authors, told the court: "The sex had to be very strong; it had to be rough; it had to be clearly spelled out. He wanted scenes in which women were making love to women, men with men—sex in an abnormal and irregular fashion."

Mishkin was convicted, and the verdict was upheld by the New York Court of Appeals. His case is on appeal before the Supreme Court.

By late 1965, according to the National Office for Decent Literature (an organization that screens all paperbacks for guidance of Catholic families), the offensive soft-bound books were hitting the market at the rate of about 200 new titles a month. In addition, magazines for the "homosexual trade" have multiplied. Last fall, I counted 19 in one bookstore in Washington within a block of the White House.

After the opening of the first "sunbathing" camps in the United States during the early 1930's, a few nudist cults issued privately circulated publications, using photographs taken at the camps. They were not pornographic. "But today the situation is changed," declares Mervin Mounce, editor and published of *Eden*, one of the legitimate nudist magazines. "The new so-called nudist publications, which number more than 100, are simply girlie magazines." They use pictures of professional models posed to excite prurient interest.

How do the publishers of pornography operate? The going rate of pay to an author of a smutty paperback is $600. The author grinds out a manuscript in about a week. Retail price per copy, when published, is 95 cents. Paper, artwork for the cover, and printing cost a total of about 10 cents. National and local wholesale distributors, retailers and transportation expenses take another 45 cents or so. That leaves 40 cents for the publisher. If all of a standard printing (30,000 copies) is sold, he stands to realize approximately $12,000—minus the $600 for the author.

"And many of these publishers make no capital investment," says Clancy. "Their business is done on credit."

One of the biggest mail-order smut dealers in the nation is John Amslow and Associates, of Culver City, Calif. Amslow uses an assortment of pseudonyms, selling by direct mail such items as nudist films, pornographic records, pictures and playing cards, and lingerie. One enormous mailing recently went out advertising records that present "the actual sounds of erotic love." During 1965, thousands of families received advertising matter from "X Sales, Winnetka, Calif.," openly soliciting the purchase of stag movies. The films portray the worst in perverted sex.

Printing the magazine and paperback smut is itself a substantial business. At least 25 firms work at the job in the Los Angeles area. Two of these are Nu Cal Litho and London Press, the latter owned by Milton Luros. Gross income for the printer runs about 15 cents for a magazine, 10 cents for a paperback. Also, many small legitimate firms take on print orders for a girlie magazine or two for the extra profit. At one plant I saw presses, which had just completed 100,000 "nudies," being readied for a run of a monthly religious publication.

The final step for the pornography publisher is distribution. Ordinarily he tries to arrange for a wholesaler to handle his wares. "We leave with each retail outlet, on consignment, the number of copies of each publication we think that outlet will sell, based on past performance," a big distributor told me. Most general distributors protest that they do not pressure retailers to take the sexy magazines and paperbacks. But many retailers say: "We have to take the bad publications with the good, or be penalized."

Some big distributors have taken the ultimate step in merchandising: they underwrite their own retail stores. Shops have been opened in many large cities to handle lewd magazines and paperbacks almost exclusively.

If this tide of obscenity is to be beaten back, citizens must recognize pornographic materials as the public enemies they are—destructive of the values essential to a wholesome, law-abiding society. We need not stand by helplessly; the multi-million-dollar smut industry is vulnerable to determined, united effort by concerned citizens. The first Amendment to the Constitution, which guarantees free speech, does not make the smut peddlers immune to prosecution. The U.S. Supreme Court has declared: "Implicit in the history of the First Amendment is the rejection of obscenity as utterly without redeeming social importance. Obscenity is not within the area of constitutionally protected speech or press."

Here is a program of action that citizens of any community can follow:

1. *Speak out.* The spread of pornography results from public apathy and ignorance of the problem. Do *not* act as a self-proclaimed censor, but make your voice heard. Examine the paperback books, magazines and films sold in your community. If you think some material is offensive, say so. Ask your town attorney if it violates any law.

2. *Organize community support.* Clergymen, parents, civic, business and labor groups can form an effective committee to demand action from law-enforcement officials. Citizens for Decent Literature, Inc., 3300 Carew Tower, Cincinnati, Ohio, has helped to establish 300 such committees across the country.

3. *Secure expert legal advice.* The battle against pornography is often won or lost in the courtroom. Convictions depend upon vigorous prosecution backed by strong laws. Make certain that the anti-obscenity statutes in your state are powerful and consistent with the latest Supreme Court decisions, and that your police officials know the proper procedures to enforce them. Urge that all cases be tried in a criminal court before a jury, by an attorney experienced in obscenity law.

CITIZENS CRUSADE FOR CLEAN WATER ASKS MORE FEDERAL FUNDS FOR SEWAGE TREATMENT PLANTS

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. REUSS. Mr. Speaker, the Citizens Crusade for Clean Water, a group of more than 40 citizen organizations, has urged that the full $1 billion authorized for sewage treatment plants in the Clean Water Restoration Act be granted in fiscal 1970. The administration has requested only $214,000,000 of that amount. I include the June 9, 1969, statement of Mrs. Donald Clusen, vice president of the League of Women Voters of the United States, setting forth the program of the Citizens Crusade, in the RECORD at this point:

STATEMENT TO PRESS CONFERENCE, CITIZENS CRUSADE FOR CLEAN WATER

(By Mrs. Donald Clusen)

The entire effort to clean up the nation's waters has been based from the beginning on federal promise to help finance sewage treatment plants. This program is now on the brink of financial disaster, and it is this crisis which has brought together the organizations which realize the need for money in an attempt to galvanize public demand and public support for funds before it is too late.

In a rare show of unanimity Congress, in 1966, passed the Clean Water Restoration Act. This Act authorized $1 billion for federal sewage treatment facility construction grants-in-aid in fiscal 1970. Thus far the new Administration has left unaltered the fiscal 1970 budget request of the former Administration which amounts to $214,000,000. This sum, the same amount appropriated for fiscal 1969, is inadequate to accelerate water cleanup. The nation will never achieve the water quality standards set by the states unless improved treatment plants and interceptor sewers are built. Construction will not be encouraged by $214,000,000 in federal help. The Citizens Crusade for Clean Water is asking the President to request and the Congress to appropriate the full $1 billion authorized for fiscal 1970.

The grant program is authorized in the Federal Water Pollution Control Act as amended. The total federal appropriation for this grant program is allotted among the states according to a formula set forth in the law. Each state then allocates its share among localities selected by the responsible state agency. Plans for construction and for funding the local share must meet state and federal requirements.

Congress has consistently failed to meet its commitments to the states and localities via the grant program. In fiscal 1969, Congress authorized $700,000,000 in treatment facility grants but appropriated $214,000,000. The Clean Water Restoration Act of 1966 raised expectations when it removed the dollar ceiling, offered a larger percent of federal aid, and increased the amount authorized for construction grants.

In reality these increases never materialized because federal appropriations have been so low. By 1968, 23 states, Puerto Rico and the Virgin Islands had passed legislation authorizing a state share of 25–30 percent, but in the same year the Congress appropriated only $203,000,000 instead of the $450,000,000 authorized. Thus the incentive offered by the Clean Water Restoration Act has been almost no incentive at all. Only states able to undertake prepayment of the federal share in expectation of reimbursement can get leverage out of the promise implicit in the percentages of the Act. State legislatures that met after the President's budget was sent to Congress in 1967 had scant reason to authorize appropriation of matching state funds.

Every year that we expend less money at the federal level on the grant program, the effect is felt all the way down the line. These are incentive grants and they represent seed money to encourage local and state investment. In the last 11 years, the Federal Water Pollution Administration reports, investment of $1,200,000,000 has stimulated construction of more than $5 billion of waste treatment facilities in local communities.

The Citizens Crusade for Clean Water today issues a call to every American who objects to water pollution. Instead of handwringing and lamenting about how dirty the river or lake is, every interested citizen should write his Representative and Senator and the President. The message is simple—a much bigger share of our tax money spent to clean up the water. The public has been told on innumerable occasions that what is required for cleanup is a public opinion that is angry and vocal. Members of organizations cooperating in the Citizens Crusade for Clean Water will put this theory to the supreme test and let the Executive and Legislative branches of our government know that pollution abatement has more than citizen support, it has citizen demand.

HELPING CHILDREN OVERCOME LEARNING DISABILITIES

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. PUCINSKI. Mr. Speaker, the General Subcommittee on Education, which I serve as chairman, is this week holding hearings on H.R. 8660 and related bills to help school-age children with learning disabilities.

"Learning disabilities" can be described as a disorder in one or more of the basic psychological processes involved in understanding or using language, spoken or written, which disorder manifests itself in imperfect ability to listen, speak, read, write, spell, or do mathematical calculations. The term "learning disabilities" does not include children with learning problems which are primarily the result of visual, hearing or motor handicaps, or mental retardation, of emotional disturbance, or of environmental disadvantage.

It has been estimated that between 3 and 5 million of our school-age children have one or more learning disabilities which, while in no way interfering with their intelligence and potential, severely hampers them from absorbing classroom material as readily as other students.

In order to keep my colleagues in the Congress abreast of the interest and concern among teachers, parents, doctors, therapists, and educators in coping with learning disabilities in our classrooms, I wish to include an article which appeared in the May issue of Today's Health, entitled "Helping Children To Overcome Learning Disabilities."

This article provides some insightful information into these increasing phenomena in our American school system. Our subcommittee has heard equally impressive testimony from qualified individuals in this field, and we are hopeful this legislation will be acted upon by the House and Senate during this session of Congress.

Mr. Speaker, the article follows:

HELPING CHILDREN OVERCOME LEARNING DISABILITIES

(By Theodore Irwin)

When he reads aloud, seven-year-old Johnny reverses letters in words, saying "was" for "saw" and "cupperbut" for "buttercup." Susan, at six, can't tell left from right. In class, Bobby is hyperactive, exploding in sudden rages and tantrums. Other youngsters handle a pencil clumsily, can't concentrate, or seem confused in their speech.

Your own child may have one or more of these and other learning blocks. Yet he could be intelligent, his health, hearing, and eyesight perfectly normal. Your child would not be unique. According to Dr. James Cavanaugh, chief of pediatrics at Boston's St. Elizabeth Hospital, "one out of four American kids has some problem in regard to learning."

Often it's termed a "perceptual motor difficulty," involving impressions received through the senses and appropriate movements. It's possible—but by no means certain—that a child's special learning handicap may be due to a subtle, *slight* irregularity of brain functon. The condition, or syndrome (a group of characteristic symptoms), has come to be generally known as minimal brain dysfunction (MBD) or special learning disabilities—a relatively new entity in the health field. Last May, a Congressional Subcommittee on Education conservatively estimated that one to three percent of our school poulation may have learning disabilities severe enough to require special remedial procedures.

This does *not* necessarily mean that if a child misbehaves or does poorly at school, his brain functioning is out of whack or that he's "retarded." He may just be a late starter, have a poor teacher, feel an emotional conflict, show an hereditary lag in development, or suffer a low-grade physical ailment. Some other innocuous hidden factor also could be responsible. Still, it is important for parents and teachers to understand, recognize, and know what to do about MBD, if that's the eventual diagnosis.

The following careful definition of "learning disability" has been suggested by the National Advisory Committee on Handicapped Children: "Children with special learning disabilities exhibit a disorder in one or more of the basic psychological processes involved in understanding or in using spoken or written languages. These may be manifested in disorders of listening, thinking, talking, reading, writing, spelling, or arithmetic . . . They do not include learning problems which are due primarily to visual, hearing, or motor handicaps, to mental retardation, emotional disturbance, or to environmental disadvantage."

Various states refer to learning disabilities by other names, such as educational handicaps, special learning disorders, or perceptual impairments.

An increasingly recognized element in learning failure, minimal brain dysfunction is a catch-all technical phrase for widely differing problems. When a child is diagnosed as having MBD, he may have no demonstrable brain injury, as in cases of cerebral palsy or epilepsy, which show irregular electroencephalograph (EEG) patterns.

"MBD is largely an inference, and cerebral impairment is assumed," says Dr. Norman Sher, child psychiatrist at Maimonides Medical Center, Brooklyn, New York. "The assumption is that there is anatomic damage, that it may be minute and limited to highly focal areas of the brain."

Significantly, whatever hindrance in the nervous system there may be in a mild learning-disability case is "minimal," subtly affecting learning and behavior without evident lowering of a child's general intellectual capacity. In other words, these youngsters may be smart. When tested, they achieve near average, average, even above average in intellectual functioning.

About 100 symptoms of MBD have been identified, and each affected child has his own particular cluster. Signs may show up in various combinations of impaired visual or hearing awareness, language, memory, concept-formation, or muscular function.

Among early medical symptoms are slowness or awkwardness of movement, an inability to develop a sense of up and down, a deficiency in the senses of touch, time, or distance. An MBD-child's hearing, vision, and voice may be normal, but something in his brain centers may not understand the messages received by his eyes and ears; or his brain centers may not direct his tongue and lips to talk properly.

Behavioral clues include overactivity or underactivity, lack of normal attention span, and displays of unusual and changeable emotions. Educational symptoms are detected in a child's reading, writing, spelling, and arithmetic.

Many of the characteristics, however, tend to smooth out and vanish spontaneously as the child grows older, with the natural maturing of his central nervous system. Very bright children with reading problems often learn to read later, when they're highly motivated. They compensate for their original difficulty by interest and intelligence, though they may be hampered by a spelling problem.

If the multiple symptoms confuse you, the labels being applied to MBD are even more perplexing. "Terms are often used to lend a touch of mystification to ignorance," contends Dr. Alfred L. Abrams, senior staff psychiatrist at Queens College, New York.

In an effort to clarify the lingo, a task force of 14 experts was assigned to the job by the National Institute of Neurological Diseases and Blindness. Their report revealed that some 38 terms are employed to describe conditions grouped as minimal brain dysfunction. Labels range from "association-deficit pathology" to "organic behavior disorder," "perceptual cripple," "clumsy-child syndrome," and "dyslexia."

Perhaps the most familiar and fashionable term today is "dyslexia." Simply, this means a child is a poor reader. He may reverse letters or words, "mirror write," be unable to translate symbols on a printed page into meaningful ideas, or exhibit other symptoms.

The syndrome is *not* caused by brain damage, in the opinion of Dr. Lloyd J. Thompson of the University of North Carolina Medical School. It's accounted for, he believes, by "an innate or constitutional developmental lag," and a child can catch up through special treatment. Doctor Thompson calls dyslexia "a congenital word-blindness and word-deafness" comparable to color-blindness, which is independent of intelligence. Others say that while dyslexia often accompanies MBD, an MBD child is not necessarily dyslexic.

The very existence of specific dyslexia is questioned by some knowledgeable authorities, although more than 20,000 books, articles, and reports have been published on the condition. Dr. Henry F. Eichenwald of the University of Texas Southwestern Medical School maintains that most of what's written on dyslexia is "speculation, faddism, unproven theory, uncontrolled data, or dogma presented as fact." The vast majority of otherwise normal children called dyslexic, contends Doctor Eichenwald, could do as well, perhaps better, if they were left alone to "have time to heal their trouble."

Parents are apt to accept, perhaps even welcome, the dyslexic label because it's respectable—not a report-card "F." If Mary brings home a poor paper from school, her suburban mother might say, "I must find out if Mary is dyslexic."

In cases of faulty learning ability attributed to MBD, what are the causes? Medical researchers have found that neurologic disorders such as MBD are significantly linked to pregnancy complications of the mother and to prematurity. In the prenatal period there may be "insults" (physical or chemical injuries) to the embryo or fetus; at birth, anoxia (lack of oxygen) could affect the central nervous system. Or there may have been an illness or injury during the critical development years of the brain and central nervous system. Frequently, however, the cause of the brain dysfunction cannot be traced.

It's not unusual for a learning problem to be tied to emotional disturbance. They could be related, but it's hard to say whether the learning trouble triggers the emotional upset or vice versa.

Says Dr. J. G. Minskoff, director of the U.S. Bureau of Education of the Handicapped: "Parents should bear in mind that a learning-disabled child may be physically intact and intellectually normal except for one or more areas, such as learning arithmetic."

Currently, concepts, orientations, and approaches to the problem vary widely among professionals in the field. Thus, they often differ over methods of diagnosis and treatment.

How is an MBD-learning disability detected?

"Diagnosis of minimal brain dysfunction," explains Dr. John Emmette Peters, director of child psychiatry, University of Arkansas Medical Center, "is made on the basis of clinical behavior, history, psychologic evaluation, and neurologic signs. These must be evaluated against the background of environmental and interpersonal factors."

Ideally, evaluation includes both a physical and an educational checkup. The first symptoms may be observed by a parent or teacher. Initially, the question is whether anything is wrong medically. The family physician, pediatrician, pediatric neurologist, and other specialists all may play a role.

Starting with a thorough medical history and physical (including neurological) examination, a full check should be made of vision and hearing. When advisable, the physician may ask for special tests. For example, he may order an EEG to record the electrical activity within the brain or refer the child to an endocrinologist for tests of brain chemistry.

An educational or behavioral diagnosis encompasses an analysis of the child's school record, psychological tests, an assessment of his speech and coordination, his ability to use ideas meaningfully, his language development, plus observation of behavior in a variety of situations. With all this data, a hypothesis is arrived at to see what may be expected of the child and what can be done for him.

Experts explain that in most instances MBD is an unproved diagnosis. Warning against alarming parents with an unwarranted diagnosis of "brain disorder," Doctor Abrams of Queens College recommends that, in cases where brain dysfunction can't be proven, a descriptive term such as "delayed or irregular maturation" should be used.

Specialists in the field rely on a wide range of diagnostic tools. Some exams measure visual-motor functions or visual perception. Others focus on psychological areas as related to language abilities. Many phonics tests analyze a child's ability to relate sounds and symbols. The best diagnostic clinics tend to use several of these, plus observation of the subject.

Philosophies and techniques differ among clinics throughout the country. One of the most up-to-date facilities is the Learning Rehabilitation Service at Maimonides Medical Center. Part of the Community Mental Health Center, it was started three years ago as part of the child psychiatry program headed by Dr. Norman Sher. The service, helping about 650 children a year, was developed and is now directed by a vibrant educational psychologist, Dr. Cecelia Pollack.

In her diagnosis of a child's learning problems, Doctor Pollack looks for developmental lags, beginning with observations of behavior (distractability, attention span, etc.). She notes such factors as coordination, directional awareness, and sense of rhythm. The child is asked to skip, hop, balance on a board, face right and left, throw and catch a ball. Sundry other psychological and physical tests are given. The service has access to such hospital departments as pediatrics and neurology; when necessary, a psychiatrist, ophthalmologist, speech therapist, or other specialists are consulted.

The other morning, chubby, eight-year-old Tommy bounced in for diagnosis. Hyperactive, he moved quickly, touching one object after another as though driven. He asked, "What's this?" and reached for something else without waiting for an answer. On various tests, he couldn't balance himself or tell one direction from another. When Doctor Pollack moved a pencil in front of him, Tommy moved his head and shoulders with it. His eye motions were erratic. Shown a sketch of a chicken, he failed to discriminate whether it was looking up or down. The psychologist said words like "swing-sling" and "butterfly—flutterby," and Tommy was asked to tell if they were the same or different.

During three such sessions, Tommy submitted to some 30 different tests. Then Doctor Pollack called in the boy's parents to analyze his condition. Tommy had perceptual motor disabilities and poor coordination. He was unable to deal with written symbols in a meaningful way, could not combine his visual, auditory, and motion senses. Emotionally, he was on the level of a three-year-old. Based on the entire spectrum of symptoms, Doctor Pollack's diagnosis was that Tommy was a learning-disabled child.

The remedial program is based on the diagnosis. Doctor Pollack believes in delineating the areas of a child's weakness, then trying to treat these specific areas. "I prefer to call ours a rehabilitation clinic," she says. "I believe learning functions *can* be rehabilitated."

For example, seven-year-old Martha may be given various visual exercises to help her develop a sense of spatial relationships—awareness of her body in space. Later, an intersensory reading method may heighten her reading skills. Such a method combines linguistic and phonic principles, employing visual, auditory, and kinesthetic (motion) senses. Speech-sound skills, letter recognition, and reading are developed gradually.

Many training methods begin with a phonic readiness kit to develop a "phonetic ear." These systems work with sounds, build them into words, then into sentences—in a programmed sequence. Thus Martha will learn to read, write, and spell simultaneously.

Elsewhere in the nation, efforts to help the learning-disabled take multiple forms. Mild cases may be corrected by a regular classroom teacher, but only a small percentage of schools give special attention to those with more severe difficulties. Sometimes two or three schools share the time of an itinerant special teacher and a resource room. A hopeful trend is the enactment by 13 states—including California, Illinois, and New Jersey—of legislation to set up educational programs to deal with learning disabilities.

"The need for clinical teaching is apparent from the great variety of programs presented," notes Dr. Jeanne McCarthy, associate professor of education, University of Illinois. "Each child has his own learning style. A system that works for one youngster may not work for another. So the teacher must precisely match the learner and his treatment. What these youngsters need is individualized attention."

One treatment method which has occasioned a great deal of publicity and controversy is the Doman-Delacato system for neurologically handicapped children. The treatment, which includes a variety of exercises and "patterning" of motions, has been sharply criticized by medical specialists.

Writing in *The Journal of the American Medical Association*, Dr. Roger D. Freeman, a Temple University psychiatrist, concludes that the claimed results are "inappropriate and have not been documented in a scientific manner . . . No generally accepted proof exists that . . . the patterning or other techniques used by the Doman-Delacato Institutes . . . give superior results in management of brain damage."

An official statement prepared by the American Academy of Pediatrics and the Committee on the Handicapped Child notes, "There is no empirical evidence to substantiate the value of either the theory or practice of neurological organization."

At approved remedial centers in hospitals or universities, certain medicines sometimes are helpful. "The purpose of the medication," says Robert A. Kramer, professor of pediatrics at Johns Hopkins University, "is to correct an aberrant pattern in the central nervous system. There is no way of knowing which child will respond well."

Some overactive MBD children may quiet down with a prescribed medication so that they can study in regular classes. According to * * *.

Beware of Dubious Clinics

Overanxious parents are being taken in by certain private reading "services," "clinics," and "institutes" which make extravagant claims. While some appear to be doing a good job, many others are ineffectual, have poorly trained instructors, tend to exaggerate a child's difficulty, and offer facilities far less than those in up-to-date public schools.

One private Eastern school, boasting a long list of "consultants," charges $2000 to $3000 a semester. At a thriving private clinic in New England, parents pay $100 for a battery of tests, after which their alarm is apt to be heightened by a diagnosis of "dyslexia."

XUM

If you listen to this clinic's director, "anyone who is one or two years below grade level is dyslexic"—even though grades differ from one community to another.

In one Southern state, for $24 you can buy a kit containing material for training preschool kids who are "perceptually handicapped." A reputable psychologist describes this kit as "illiterate."

Hundreds of summer camps have also been getting into the act, including "remedial reading" among their attractions. Inexperienced "reading teachers" may receive only a week of indoctrination before the campers arrive. Dr. Gertrud L. Wyatt, child psychologist in the Wellesley, Massachusetts, public schools, observes that not much can be accomplished in eight weeks: "Children may learn something about the mechanics of reading but fail to understand the meaning of a sentence."

To detect a quack, Dr. Roger D. Freeman of Temple University School of Medicine suggests that you note whether the clinic makes grandiose claims without good evidence or if it provides services for which the practitioners clearly lack training and experience.

"Check into the training of the tutors themselves, not just the director of the clinic," adds Dr. Jeanne McCarthy, a University of Illinois education professor. "Be wary of persons who provide services in areas for which they do not have specific training."

Before taking your child to a learning clinic, check it out. Inquire about it at the nearest university or hospital which deals with child development.

CAN MAN SURVIVE? HIS RECORD HINTS NO

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. DINGELL. Mr. Speaker, the Detroit News of Sunday, July 6, 1969, carried an article by the respected columnist, Marquis Childs headlined, "Can Man Survive? His Record Hints No." Citing an exhibit marking the 100th anniversary of the American Museum of Natural History in New York City, Mr. Childs notes the great damage which man has done to his environment during the last few decades. He also points up the fact of inadequate funding for our air and water pollution control and abatement programs.

Mr. Childs' column points out the need for an independent agency to oversee those activities which have an impact on our environment. Such an agency is the Council on Environmental Quality which would be created under the terms of legislation recently approved by the Subcommittee on Fisheries and Wildlife Conservation of the Merchant Marine and Fisheries Committee.

So that my colleagues may have an opportunity to read Mr. Childs' column, I include it at this point in the CONGRESSIONAL RECORD:

CAN MAN SURVIVE? HIS RECORD HINTS NO

(By Marquis Childs)

NEW YORK.—For its 100th anniversary the American Museum of Natural History has an exhibit that would have startled the daylights out of the Establishment figures who financed one of the most comprehensive collections of man's past and present on this troubled planet.

It is called "Can Man Survive?" With films, sound tracks and blown-up photomontage, the despoiling of the elements fundamental to life—air, earth and water—is shown in appalling detail.

Here is industry belching out vile fumes and dense smoke—133 million tons of aerial garbage a year, says the sound track. Waste poured into rivers big and small that are hardly more than sewers.

The consequences of the population explosion are shown in the proliferation of peoples far beyond the food supply in many parts of Asia and Latin America. The films of Asians on the ragged edge of starvation are strong stuff, hardly conducive to sitting down to that full dinner with complacent disregard for one's fellow man.

In a few decades technological man has begun to undermine the elements built up over millions of years as the first animate creatures crawled out of the slime. The answer to the question posed by the exhibit must be a hesitant maybe yes, maybe no.

The setting points up the drama of the challenge. The museum's great hall is dedicated to Theodore Roosevelt and his robust words are in imperishable bronze celebrating the strenuous life. In the hall of African mammals are trophies of his big-game hunts from that far-off time before much of African wild life was threatened with extinction.

In bronze, too, are the plaques to the donors, the men who early in the century built their large fortunes on America's resource base which at that point seemed inexhaustible.

With a jolt this country has begun to wake up to a realization of how far down the road to devastation we have gone. The first small steps are being taken to reverse the trend. But as an answer to "Can man survive?" they are only the most tentative footprints in the wasteland.

Among the bureaucracies created in Washington to clean up the rivers and restore the balance in the polluted air of our cities is the Federal Water Pollution Control Administration, housed in the Department of Interior.

Secretary Walter Hickel has testified that the administration could effectively spend $600 million a year in grants to build sewage disposal plants. This is almost $400 million more than the request in the budget for the coming fiscal year.

The estimate of leaders in the clean-up drive—Sentaor Edmund Muskie of Maine in the forefront—is that between 1969 and 1973 it will take $10 billion to make a substantial advance. At the rate of $214 million a year, the budgetary request, you can see how far we'll get in four years.

Most states which pay 40 percent of the construction cost for sewage plants as against 60 percent from the federal grant, put the cleanup cost much higher than the federal estimates. This is particularly true in the big-city states where industry adds a constant stream of pollution to the raw sewage flowing into rivers and lakes.

Here in New York state the federal estimate is $1 billion. The state's own estimate is more than twice that amount. Maine, where the vision is of sparkling streams and lakes, sets a goal of $148 million as against the federal estimate of $47 million.

The National Center for Air Pollution Control, in the Department of Health, Education and Welfare, has requested $95.8 million for next year. As with water, that is woefully inadequate when measured against the cost of doing a job that will begin to remove the poisons millions breathe every day.

Senator Gaylord Nelson of Wisconsin, a valiant champion of a clean environment, tells a story of how the animals of the earth held a congress to charge man with destroying their world. They voted with only one exception to find man guilty as charged. The exception was the dog. Pay no attention to him, said the presiding officer, he's an Uncle Tom.

CONTINUING THE TAX SURCHARGE

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. MILLER of Ohio. Mr. Speaker, this past Monday I voted in support of the bill to continue the income tax surcharge, repeal the investment tax credit, and to provide an income tax allowance for low-income families. I voted for this measure only after prolonged study and deliberation on the crisis that is confronting our economy.

I regret that the present state of the Nation's fiscal affairs requires the Congress to ask our overburdened taxpayers to carry the additional tax load represented by the 10-percent tax surcharge.

During the past 2½ years I have continually stressed the need for restraint in Federal spending policies. We have seen a pattern of more and more spending and larger and larger Federal deficits. In fiscal year 1968, the Federal deficit totaled an astounding $25 billion. There should be no mystery why our present economic situation borders on chaos. We have runaway inflation, the highest interest rates in more than a century, and the American dollar is in danger of being devalued in our international accounts.

The new administration has gone on record with a top priority goal of stopping inflation. President Nixon has already cut $4 billion out of the budget left by President Johnson. At last we have an economy-minded administration that intends to exercise financial responsibility. The surcharge is necessary to achieve a balance in the Federal budget for the coming fiscal year after a series of mounting deficits. Without the surcharge, Federal revenues would be reduced by $9 billion and Washington red ink would flow for another year.

It is indeed ironic that many of those opposing extension of the surtax are the same big spenders responsible for the chronic deficits that necessitate a surtax. They were so eager to spend money we did not have and now back away from the responsibility of paying the bills. They would like to have it both ways.

I voted against the tax surcharge when it was enacted last year because I had voted against the free-spending policies that required the tax increase. I am still opposed and voting against excessive spending, but now that inflation has taken hold, we have no choice but to keep the fiscal pressure applied until the economy cools off and we can again look forward to stable prices.

The costs of combating inflation are high, but the consequences of allowing inflation to continue are much more severe. The diminished value of savings; soaring costs of food, clothing, higher education, appliances and housing; higher interest rates, and doubts about the stability of the dollar in international trade will be compounded if we relax anti-inflationary pressures at this crucial time.

To extend the tax surcharge is an unpleasant task. But to not extend it would further stimulate an overheated and inflationary economy. We must pay for past spending sprees either by taxes or by inflation. Inflation is the cruelest tax of all because it amounts to a permanent tax that grows from year to year.

It is very important that this be the last time it be necessary to vote for a surtax. The President has stated that the budget will be cut and that we will have less spending. The continued surcharge will be phased out completely in 1 year. I feel that the new administration should be supported for this period as they work to put the Nation's financial house in order.

Our choice is between two evils. Clearly an extended tax surcharge is necessary along with reduced Government expenditures if we are to effectively stem the inflationary tide.

FAILURES AND SUCCESSES OF ECONOMICS

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. COHELAN. Mr. Speaker, with approval of the Full Employment Act of 1946, and establishment of the Council of Economic Advisers and the Joint Economic Committee in Congress, the United States gave official recognition to the importance of the science of economics.

With good cause, we as a Nation were aware of the human misery and national hazards inherent in the unrestrained "boom and bust" business cycles of the 1920's and 1930's. The Full Employment Act established national economic goals and our commitment to their realization.

Prof. Kenneth E. Boulding, writing in the May–June 1969 issue of Think, recounts both the successes and failures which practitioners of the once-considered dismal science can claim.

Mr. Speaker, as we in the Congress seek to solve the most serious of our economic problems—the control of inflation and the elimination of unemployment—Professor Boulding's article on the strengths and weaknesses of economics as a science is of special interest. I insert it at this point in the Record:

FAILURES AND SUCCESSES OF ECONOMICS

(By Kenneth E. Boulding)

(Note.—Just as medical men can point a finger of pride at falling death rates, says the author, economists can boast of falling unemployment and steady economic growth. But in every success story, he adds, there are failures to consider; here he explains what they are and how we can learn from them. Dr. Boulding is a program director of the University of Colorado's Institute of Behavioral Science.)

Economics is one of the big success stories of the last generation, so much so that one is a little frightened of it. The success is reflected in the establishment of the Council of Economic Advisers, the Joint Economic Committee in Congress, and the presence of economists in virtually every government department and most corporations. This demand is reflected in the salaries of economists, which now are the highest in the academic profession, exceeding even physicists. The success is in two fields.

The first success was the development of national income statistics, macroeconomics and full employment policy; the tax cut of 1962 and the great rising market of the 1960s are the historical monuments. Just as the doctors can point with pride to the falling death rate, so American economists can point in the 1960s to falling overall unemployment rates and to a reasonably steady and satisfactory rate of economic growth.

The second success is less apparent, but may be equally important. Concepts of what economists call "maximizing behavior" have penetrated decisionmaking in business and government. The evidence is the use of such things as linear programming, program budgeting, systems analysis and the general attempt to improve the information system that underlies decisions and so to make decision-making more "rational." The rise of computer technology may have performed somewhat the same role here that the development of national income statistics did for the Keynesian revolution and employment policy, but the contribution of economics is real nevertheless.

Nothing, however, fails like success if we do not learn from it. And if we fail to learn, the successes may do us no good in the long run.

There are failures first in the successes themselves. The success of full employment policy and the great achievement of having gotten through nearly thirty years without a major depression should not blind us to the fact that we have still not solved a critical problem: how to get full employment and satisfactory growth without a constant inflation of the money-price-wage level? The dismal theorem of the new economics is the "Phillip's Curve," which suggests that, beyond a certain point at least, the more employment the more inflation. At present it looks as if we cannot have an acceptable volume of employment and rate of growth without an unacceptable amount of inflation, or we cannot have an acceptable amount of price stability without an unacceptable amount of unemployment and sluggishness in growth.

This is a dilemma which obviously requires institutional solutions, yet very little attention has been paid to proposals for institutional reform. Those of Gardiner Means (*Pricing Power and the Public Interest: A Study Based on Steel*) are the only ones I am familiar with, and these have received virtually no discussion. One has a feeling that somewhere in the dark recesses of potential tax systems there is an answer to this problem by discriminating against a rise in money income, which is a result of an increase in the price-wage level, and in favor of a rise in money incomes, which is a result of increasing productivity. Whether this would be enough to solve the problem, however, nobody knows. Certainly since 1945 we have oscillated between "liberal" periods, when we have been prepared to pay for high employment with a little inflation, and "stingy" periods, when we have paid for price stability with a level of unemployment that was uncomfortably high, and a rate of economic growth uncomfortably low.

SUBTLE FAILURES

At the "micro" level of decision-making, the failures may be more subtle and less observable, but they may be nonetheless dangerous. The greatest and most subtle danger here is that of "suboptimization." This goal may let us find the best way of doing something that should not be done at all, or maximize something that should not be maximized, or be efficient in the production of an undesirable output. This might be described also as mission-oriented behavior, that is, finding the best way of accomplishing a mission without asking whether the mission should in fact be accomplished.

Oddly enough, economics is virtually the only social science which has addressed itself to this problem, which is precisely the problem of the "invisible hand" of Adam Smith. How can we be sure that when everybody is doing his best, the best for everybody is in fact being done? The economists' solution to this problem is perfect competition. Under such circumstances it is not difficult to show that profit maximization and the free movement of resources among occupations from those perceived as lower, to those perceived as higher in advantage to the person making the choice, do in fact produce some sort of optimum solution for the society as a whole. Unfortunately, perfect competition is impossible for several reasons, the most important of which is that economies of scale and organization produce organizations which are large enough to destroy perfect competition in the environment.

The failure of economics at this point is reflected in the present condition of what is usually called in economics departments, "government regulation of business." It seems fair to say at the moment that government regulatory agencies are floundering, perhaps not hopelessly or helplessly, but nevertheless floundering in the absence of any clear principles which can give them direction.

There are two problems at issue here. One is the problem of the "ideal" structure of relative prices. The other is the problem of competition within a structure of institutional checks, balances and alternatives which prevents undue concentration of power and provides an optimum degree of security for the powerful decision-maker—not too secure or he would never take any risks.

Conventional economic theory has argued that the ideal set of relative prices is that which is the same as the set of alternative costs. If sacrificing, say, one pound of butter releases resources which can then produce 10 pounds of bread, then, in terms of alternative cost, one pound of butter is "worth" 10 pounds of bread, in terms of real resources employed. If now in the marketplace one pound of butter does *not* exchange for 10 pounds of bread, the commodity that is high-priced in the market, relative to its alternative cost ratio, will be unusually profitable, the commodity that is low-priced by a similar comparison will be unusually unprofitable, and in the absence of monopolistic constraints, resources will move from producing the less profitable to producing the more profitable commodity. The result will be a rise in output and fall in price of the high-priced commodity, and a decline in output and rise in price of the low-priced commodity. This will go on until resources are distributed in such a way that all lines of production are equally profitable.

Thus, suppose that butter in the market was a dollar a pound and bread was 10 cents a pound. Under these circumstances, it would not pay to switch production from one to the other, for the resources that could produce a dollar's worth of butter could also produce a dollar's worth of bread. If, however, the prices in the market were, let us say, 10 cents a pound for bread and 80 cents a pound for butter, resources that could produce only 80 cents' worth of butter would be able to produce a dollar's worth of bread, and if (a very big if) the transfer of resources is costless, producers would tend to shift out of butter into bread production. As they do this, however, the output of bread will increase, the price of bread will decline, let us say, to 9 cents a pound, butter production will decline and the price of butter will increase, let us say, to 90 cents a pound until the alternative cost ratio of 1 to 10 is reestablished, at which point further movement will cease.

A QUESTIONABLE IDEAL

Economists have often regarded that structure of relative prices in the market which corresponds to the alternative cost ratios as in some sense "ideal" and much of their criticism of monopoly and restriction, from Adam Smith on, rests on the assumption that such restrictions prevent the achievement of this ideal price structure.

This ideal, however, can be criticized from at least two directions, both from the point of view of development and from the point of view of distribution.

From the point of view of economic development, it may well be that there is a "developmentally ideal" set of relative prices which is not the same as the set of present alternative costs. The primary reason for this is that the rate of development depends on the proportion of existing resources which are allocated to what might be called "developmental occupations," or "the developmental industry." It is not easy to define in practice what development industry includes, but obviously education and capital industries are more likely to be developmental, where luxury goods and items of conspicuous consumption are not. A high rate of development, therefore, may well require the "distortion" of both the relative price structure and the distribution of resources towards the developmental occupations, so that the developmentally ideal price structure would have the prices of developmental goods "high" by comparison with the existing alternative cost structure. The failure of economists to recognize this may be in part, at least, the explanation for the lack of success of economics in the theory of development. Development, indeed, is a total integrated social process and presumably requires a total integrated social theory, an intellectual product that economists cannot be blamed altogether for not producing. Even within the framework of economics itself, however, the absence of any developmental price theory may well have made economics a negative input when it comes to solving the problems of development. Certainly, the advice which peripatetic economists have given to the poor countries on how to get rich quick has not always been of the highest value to them.

The other problem of the ideal relative price set arises because the set which corresponds to present alternative costs may not satisfy the prevailing sense of social justice and may result in a distribution of income which is politically unacceptable. The whole problem of justice in distribution is very thorny.

There is a problem, for instance, of justice between the generations. If economic development involves the sacrifice of one generation for the benefit of its posterity, there is at least an important question implied in the plaintive question of one gentleman, "What has posterity ever done for me?" There is a problem also of distribution over the life span. We might have a society, for instance, with what looked like a very unequal distribution of income, but in which all the poor people were young and all the rich people were old, and in which over the total life span everybody had about the same income.

There are problems also of short-run adjustments which last for an extraordinarily long time. Agriculture is a good case in point; where agriculture is technologically progressive with constantly increasing productivity, it will, paradoxically enough, tend to be depressed because, having an inelastic demand for its product, an increase in the productivity of agriculture results in a decline in the proportion of resources devoted to it. We see this very dramatically in the United States, where the resources devoted to agriculture have fallen over two hundred years from something like 90 percent of G.N.P. to a little over 5 percent, entirely because of an enormous increase in agricultural productivity which now enables the average farmer to feed at least twenty families. This decline, however, has only been accomplished by a squeeze, that is, by making agriculture relatively less attractive than other occupations.

Current confusion in economics in regard to price policy is admirably illustrated by the results of American agricultural policy in the last thirty years. Since 1933 there has been extensive governmental intervention into the prices of agricultural commodities, ostensibly in the interests of social justice. This, incidentally, is a good example of suboptimization, for the ideal of "parity," that is, the terms of trade for agriculture equivalent to what prevailed in the period 1909–1914 is a preposterous ideal from any point of view and illustrates the dangers of an arbitrary measurement becoming a political ideal.

If technical improvement proceeds faster in agriculture rather than in other occupations the alternative cost of agricultural commodities will decline, and justice requires that the relative price of agricultural commodities should decline also. If they do not, agriculture will be "too profitable." Nevertheless, from the point of view of development, the policy has been an extraordinary success. American agriculture was technologically rather slow in the period from 1880 to 1930, but from 1933 on we have achieved almost a 6 percent per annum increase in per capita productivity in agriculture, as compared with slightly under 3 percent in manufacturing and almost certainly minus something in education. Developmentally it is clear that the distortion of the price structure in favor of agriculture paid off.

THE RICH GET RICHER

From the point of view of social justice, the results are much more dubious. If we try to change the distribution of income by manipulating prices we will always benefit the rich more than the poor, for it is the rich who have a lot to buy and sell. Certainly agricultural price supports benefited the rich farmer much more than the poor one. Indeed, the poor farmer has been driven out of agriculture on a large scale, which has helped to create the present problem of the cities! A contributing factor in the development is the greater security from price fluctuations which price supports afforded. This reduction in uncertainty may actually have been more important in encouraging investment in development in agriculture than the actual level at which prices were supported. This, again, is something which economists have neglected. Far too much economic theory assumes that decisions are made under conditions of certainty about the future, whereas in the real world this is never the case.

Some of the confusion which economics has created in the field of price policy has come from its obsession with exchange to the neglect of what I have been calling lately the "Grants Economy," or that segment of the economy which deals with the one-way transfer of exchangeables. In an exchange, A gives an exchangeable to B and B gives an exchangeable to A.

In a grant, or transfer, A gives an exchangeable to B, but B gives no exchangeable to A, though he may give him something intangible or unexchangeable, such as prestige or status. Thus, when I buy a shirt I participate in an exchange in which I give the store an exchangeable asset in the form of money and the store gives me an exchangeable asset in the form of a shirt. If, however, I give money to a beggar, my assets are diminished and his are increased in the transaction.

THE POLITICAL ECONOMY

The grants economy in the United States, which includes both private and public transfers, has risen from about 3 percent in 1910 to over 13 percent today, which is a major structural change. Indeed, it is one of the three major structural changes in the American economy in this period, the other two being the decline in agriculture and the rise in the war industry. Yet the grants economy has been accorded little study, either theoretically or empirically, until very recently. There is indeed now a small association for the study of the grants economy, but the number of people who are actually working in this field is still very small. I believe, however, that this is likely to be one of the most fruitful areas of inquiry in the next generation. In the exchange economy, not only is there a good deal of theory, and some strong normative principles, but there is also a great deal of information. In the grants economy, both theory and information are scarce. Nevertheless, qualitatively this represents the heart of political economy, because it is precisely at the level of one-way transfers that the political system intervenes in the economic system.

Political interventions, indeed, may be conceived as an attempt on the part of the collective or community-oriented organs of society to correct perceived defects in the pure exchange economy. If the exchange economy is perceived as not developmental enough or as too unjust, it is likely to be subject to intervention through one-way transfers. Part of these are likely to be private, as, for instance, grants within the family or through private charity or foundations. Increasingly, however, the grants economy is becoming public, the public grants economy being defined as the tax system, plus that aspect of government expenditure which is not "government business." Part of government, such as the post office, is in the exchange economy; by far the larger part these days, however, is in the grants economy. Yet there is very little discussion in economics of the principles which determine either how large the overall grants economy is going to be or how it is going to be distributed.

The key to the understanding of the grants economy is to be found in the study of what I have been calling the "integrative system." This is that aspect of social life which deals with such matters as status, identity, community, legitimacy, loyalty, benevolence, trust, and so on. A one-way transfer is a symbol of an integrative relationship of some kind. It suggests that the parties belong to the same family, or the same church, or the same community, or the same nation, or perhaps one day to the same planet. The total magnitude of one-way transfers depends more than anything on the strength of community and on the extent to which people find their identity in identifying with others of the same community.

One of the aspects of the grants economy which has been badly neglected is the fact that it is an "economy" in the sense that the total of grants is not indefinitely expansible, being limited by the strength of community, and that hence grants are subject to scarcity, for if A gets one, B does not.

DOES CRIME EVER PAY?

The grants economy has another and more sinister aspect which, likewise, has been almost completely neglected by economists. This is the grant as tribute, or as an aspect of the threat system, rather than of the integrative system. Grants may be made out of fear rather than out of love, and the economics of fear has been neglected even more strikingly than the economics of love. Economists have tended to regard the war industry and the police as consisting of activities as much beyond their ken as a volcanic eruption. There is, however, an economics of crime and violence, both domestic and international, which is well worth investigation. Under what circumstances, for instance, does crime pay, or if it does not pay, why does it persist? There has been some study in recent years of the perverse dynamic processes such as arms races by which we get involved in the shockingly wasteful game of deterrence, but there has been virtually no analysis of the circumstances under which tribute is cheaper than defense.

It may be, of course, that economics should be prepared to lose its life in the interest of a larger social science. I have sometimes argued this, for the sociosphere is a single system and the divisions among the social sciences are due much more to the accidents of history than they are to anything inherent in the nature of reality. Nevertheless, scientific disciplines, like nations, are useful concessions to the need for defending ourselves against information overload, and I have long held that they should be redeemed rather than abolished. Their redemption, however, implies perceiving them in a larger framework and at the moment these frameworks are very weak. The Social Science Research Council, for instance, is about as effective as the United Nations, and while these frameworks are not to be despised, being all we have, neither can they be contemplated with complacency. The organization of the republic of learning, like the republic of mankind, involves a long learning process in which we are still at the kindergarten level.

RESTRAINT OR CONTROLS?

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. WYMAN. Mr. Speaker, I opposed the pay increases for Members of Congress and certain others in the executive and judicial branches of our Government. It was my conviction that the raises were too high, of the wrong type, and that they would make it much more difficult to hold the line against escalating demands from all segments of the economy.

This is proving to be the case. In this connection I include at this point in the RECORD, the interesting and challenging editorial observations of Mr. Walter J. Campbell, editor in chief of Steel magazine issue of June 23, 1969.

This sort of thing continued indefinitely will surely lead to wage and price controls. Anyone familiar with the operation and vitality of the free enterprise system knows full well that wage and price controls are the death knell of our economy. Let no working man or woman be misled for one moment into believing that controls mean improvement in their net take-home pay. In the long run everyone is harmed by mandatory controls that only build up pressure in the boilers of demand and supply until the boiler bursts and then everybody gets hurt. The article follows:

HOLD YOUR HATS

Unskilled construction laborers in Lorain County, Ohio, have just won wage and benefit increases totaling $2.20 an hour over the next 13 months. By July next year, their base rate will be $6.68 an hour. That will be $267.20 for a 40-hour week, or nearly $14,000 a year, without overtime.

Percentagewise, the laborers' raise rivals those gained earlier this year by congressmen, cabinet officials, high court justices, and the President. Dollarwise, of course, the administrative and legislative leaders, whose prime job now is to combat inflation, still have an advantage.

We really can't blame the wheelbarrow pushers in this inflationary environment for striking for all they can get. But the Lorain settlement, and others like it, scare us. We think those outsize wage grants should scare all people, including those in Washington.

We believe those 40 percent wage increases should trigger some real action to halt inflation.

We believe the Administration should lay aside its timidity and forget its fears that anti-inflation action would slow down full employment.

Actually, we today have overemployment. The competition is not for jobs. The competition is among employers for people—even for warm bodies. Such overemployment lowers productivity, prompts excessive wage demands, and puts a megaton thrust behind inflation.

While the oversize wage settlements have been most pronounced in the service, construction, and related industries, those settlements inevitably will affect demands in the manufacturing industries quickly. U.S. manufacturers already are at a sharp disadvantage with overseas competitors and further widening of the employment cost gap would price us out of the world market even more and create an impossible imbalance of international payments.

It is past time for Washington to recognize that inflation is really a survive-or-perish problem and requires quick and stern measures.

Meanwhile, hold your hats.

WALTER J. CAMPBELL,
Editor in Chief.

THE SUBSIDIES TO 10,000 RICHEST FARMS EXCEED U.S. FUNDS FOR HOUSING POOR

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. GUDE. Mr. Speaker, it has been for me both interesting and significant to note the considerable emphasis which has been placed within recent months on the question of national priorities. Various distinguished colleagues both in this Chamber and in the other body have undertaken studies, examinations, conferences and the like in search of some sort of accurate sounding of this country's priorities—economic, military, and social. And in many instances from the studies which they have conducted have come calls for reassessment and realinement.

I am, therefore, bringing to the attention of my colleagues the following article written by Laurence Stern and Richard Harwood for the July 2, 1969, issue of the Washington Post with the thought first, that it might give new impetus and fuel to the general trend of investigating national priorities and, second, that it might again reveal the vast inadequacies in our present approach to poverty. The article follows:

SUBSIDIES TO 10,000 RICHEST FARMS EXCEED U.S. FUNDS FOR HOUSING POOR

(By Laurence Stern and Richard Harwood)

The Federal Government is spending $335 million this year to underwrite its program of low-rent public housing in the United States. It will spend somewhat more than that—about $390 million—to maintain 10,000 affluent American farmers and farm corporations in the style to which they have grown accustomed.

This tells us something about the order of priorities in this country and it says something about our system of politics.

That system has decreed that ceilings of some sort should be placed on welfare handouts to poor people, whether in the form of subsidized housing or subsidized incomes. In the case of Mississippi—the worst possible case for comparison—the ceiling on subsidies to a dependent child has been fixed at $9.50 a month or $114 for a full year.

The same system has decreed that ceilings of that sort are inappropriate for the welfare handouts to wealthy commercial farmers. Accordingly, one large farm corporation received more than $4 million in subsidies from the Federal government in 1967 and more than $3 million in 1968. The average payment to the 10,000 most favored commercial farmers in the country last year was $38,610.

For years it has been argued by the farm lobby and its Congressional spokesmen that there is a crucial difference between handouts to farmers and handouts to poor children, that farmers are not really subsidized; instead they are compensated by their government for reluctant "adjustments" to the market economy.

That argument was demolished formally a few weeks ago by Agriculture Secretary Clifford M. Hardin. More than $1 billion in farmer payments last year, he said, were income supplements, pure and simple—a form of guaranteed annual wage. They had nothing to do with crop diversions, marketing quotas or any of the other complex rationalizations for farm subsidies. And the bulk of this money went to the wealthiest and most successful farms.

In the case of cotton, $784 million was paid out, of which $508 million was for "income supplements." One of the recipients of this money was Sen. James O. Eastland's Mississippi plantation—$116,978. Using Hardin's formula, the Eastland welfare payment was $78,000, an amount adequate to maintain 684 dependent children for a year under the Mississippi program.

Innumerable economic studies have shown that the subsidy programs operated by the Agriculture Department benefit most those farmers least in need of assistance.

Last year for example, these programs dispensed $52 million to 264 of the largest commercial farms in the country and dispensed the same amount, $52 million, to 540,000 of the smallest farms. The average payment to the big farms was $200,000; the average for the smallest farms was about $100. Over-all, more than 80 per cent of the Government's farm subsidies go to fewer than 20 per cent of the farmers.

One of the critics of this upside-down welfare program is John A. Schnittker who had considerable experience with it as Under Secretary of Agriculture in the Johnson Administration. If a payment ceiling of $10,000 a year were to be applied to the program, Schnittker has said, the Government could save more than $250 million a year (enough to expand the public housing program by 75 per cent) without any harmful effect on the agricultural situation.

The House of Representatives feels much the same way. It voted last month to impose a $20,000 limitation on payments to any one farm. The Senate Appropriations Committee, however, has rejected the House proposal in favor of the status quo. If things follow the patterns of the past, the full Senate will go along soon with its Appropriations Committee and the big farmers will continue to enjoy subsidized affluence.

In their zeal to reorder the Nation's priorities, leading members of LAC (the Liberal-Academic Complex) have exhibited a single-minded preoccupation in recent months with the Pentagon and its bloated budget. The wondrous workings of the farm program suggest that it is not only the Pentagon that has its priorities out of focus. LAC might look into that, the only difficulty being that some of its Senate heroes—J. William Fulbright and John Sherman Cooper, for example—are among the leading proponents of the agricultural status quo.

LEHIGH UNIVERSITY'S COLLEGE BOWL TEAM RETIRES UNDEFEATED

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, recently, Lehigh University sent a team of scholars to compete in the General Electric College Bowl program on the National Broadcasting Co. network.

Just as its students traditionally have done in many fields of endeavor, Lehigh's College Bowl team demonstrated its scholarly excellence by winning five consecutive contests, defeating the "brains" of five other outstanding U.S. colleges and universities.

Upon their fifth consecutive victory, the members of Lehigh's "brainpower" team were declared undefeated champions, a feat accomplished by only five other teams this past year.

Lehigh University's president, Dr. W. Demming Lewis, his administrative staff, the Lehigh faculty, and student body are understandably proud of their College Bowl champions. The city of Bethlehem, home of Lehigh, shares the university family's pride and paid tribute to the scholar team by resolution of commendation enacted by the city council.

I am proud to have Lehigh University in my congressional district. And I am particularly proud that a member of the team, Jeffrey C. Bowker, of Bethlehem, and the team coach, Dr. Jack C. DeBellis, associate professor of English and resident of Bath, Pa., are my constituents.

Several of my colleagues, too, will be pleased to know that their constituents are members of the championship Lehigh scholars and I am proud to recognize them as well—the remaining team members, Alexander Miller, of Rockville, Md.; Craig R. Biddle, of Baden, Pa.; Seth E. Frankel, of Brooklyn, N.Y.; Donald W. Miles, of Cranford, Pa.; and Michael S. Silverberg, of Short Hill, N.J.

All of them have my warmest congratulations and very best wishes for a future I know will be successful.

This fall Lehigh plans to pay special tribute to the entire team—a most deserved honor. In addition to bringing nationwide attention and acclaim to Lehigh, they have earned $19,500 in scholarship funds for the university.

Through their intellectual achievements, they will enable other young Americans to receive a college education.

THE INCREDIBLE DREAM—A WALK ON THE MOON (PART III)

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. MURPHY of New York. Mr. Speaker, in a moment of national gloom, a glorious concept came forth. On the heels of the Vostok I flight of Russians Cosmonaut Yuri Gagarin, the first man to orbit the earth, the late President John F. Kennedy asked Vice President Lyndon Johnson on April 20, 1961, to commission a top-secret, urgent survey of the Nation's space potential. Next Wednesday—July 16—man's incredible dream becomes a reality when the brave and bold crew of Apollo 11 blasts off from Cape Kennedy on the first lunar landing mission. In the third article of his revealing series—"Blast-off Minus 7"—New York Daily News science editor Mark Bloom today unveils the drama and struggle behind the efforts that has made America the world leader in space expertise. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include Mr. Bloom's concise reportage of the events setting up the climatic mission of Apollo 11:

BLAST-OFF MINUS 7—IN A MOMENT OF GLOOM . . . A GLORIOUS CONCEPT

(By Mark Bloom)

Eagle and Columbia are proud symbols of America's glorious tradition, and it was fitting that they should be chosen by the Apollo 11 astronauts as call signs for the two spacecraft which will carry out man's first landing on the moon.

But the origins of this mission spring from one of the least glorious periods in the nation's history.

It was early spring of 1961, and the Bay of Pigs fiasco had just followed on the heels of the Vostok 1 flight of Russian Cosmonaut Yuri Gagarin, the first man to orbit the earth.

On April 20, 1961, President Kennedy asked Vice President Johnson to commission a top-secret, urgent survey of the nation's space potential in a search for something dramatic where America could be first.

Could we be first with a manned orbital laboratory? A manned flight around the moon? A manned landing on the moon? A manned flight to Mars? Anything, so long as it was dramatic and important and America would be first.

On May 5, Alan B. Shepard became America's first man in space, a 15-minute dart above the atmosphere. The National Aeronautics and Space Administration made a great fuss over the achievement, but it was clearly a weak response to Gagarin's orbital flight.

The following morning, six men met secretly at the Pentagon in response to Kennedy's request.

At this meeting on the Nasa side were Administrator James E. Webb, Associate Administrator Robert Seamans, and Planning and Evaluation Director Abe Hyatt. On the Defense Department side were Secretary Robert McNamara, Deputy Secretary Roswell Gilpatric, and Assistant Secretary John Rubel.

The six men all realized that in order to catch up and pass the Russians in space, a difficult objective had to be selected, one the Russians might not be able to match.

The Defense Department representatives argued strenuously for a manned mission to Mars, but the Nasa officials contended that such a flight was too complex to even consider at that stage of space expertise.

They argued for a manned landing on the moon before the end of 1969, and won. Seamans and Rubel prepared a memorandum over the weekend for Johnson, who agreed with the recommendation.

On May 8, Kennedy received and approved the memorandum, and on May 25, he announced to Congress: "I believe this nation should commit itself to achieving the goal, before this decade is out, of landing a man on the moon and returning him safely to earth."

With these words, the strategy had been decided. But decisions on the tactics were still in the future. Still to be figured out was the little matter of how a manned landing on the moon would be achieved in less than nine years. As a matter of fact, it was almost a year before Nasa succeeded in orbiting John Glenn.

The Apollo project had been originally announced in October 1960 with the vague goal of sending three men to the surface of the moon sometime in the 1970s. There was the possibility of a manned flight around the moon in the 1960s.

At the time, there were three major techniques under study for carrying out a manned lunar landing, and the one most favored was called earth orbit rendezvous.

In this technique, a series of four or five launchings would be carried out, and each would carry a new piece of hardware for construction of a moonship in orbit. Once the ship was ready, it would carry three men directly to the surface of the moon. They would return to the earth in the same vehicle.

Another possibility lay in a variation of the earth orbit rendezvous technique. This would involve two launches—one of a ready-made moonship, and the other of a rocket fuel tank. The manned spacecraft would rendezvous and link up with the fuel tank, head directly to the moon, and return in the same ship.

The third technique was to develop a monster rocket called the Nova which would launch a manned spaceship directly from the earth to the surface of the moon, the crew returning in the same vehicle.

While a furious debate raged over the relative merits of these three techniques, an engineer at Nasa's Langley Research Center in Hampton, Va., who had nothing to do with manned space flight, had another idea.

His name was John Houbolt, and he believed the best, cheapest and fastest way to accomplish a manned landing on the moon was to send a pair of linked spacecraft into lunar orbit.

His idea was to have one astronaut remain in lunar orbit aboard the command cabin, while the other two descended to the surface aboard a landing vehicle.

After they had explored the moon, the two astronauts would launch from the surface, fly into rendezvous with the command ship, and link with it. They would discard the landing vehicle, and fly home in the command ship.

Houbolt, who was chief of theoretical mechanics at Langley, and his colleagues calculated that the entire mission could be flown with the launch of a single Saturn 5 rocket. He reasoned that there would be a great saving of fuel weight since only half of what went to the moon would return.

He first presented his ideas to Seamans in September, 1960. Seamans was not impressed.

Neither were chief flight director Christopher Columbus Kraft Jr. nor Saturn 5 developer Wernher von Braun when Houbolt broached the idea at a mission studies task group meeting in the summer of 1961.

Finally, Houbolt leaped over channels and wrote a letter to Seamans in November, 1961 complaining that his proposal deserved more than being virtually ignored by Nasa planning personnel.

Seamans, who by then had become intrigued with lunar orbit rendezvous, ordered Brainerd Holmes, then Nasa's associate administrator for manned flight, to make a serious study of Houbolt's idea.

By July 1962, the Houbolt idea had so taken hold of Nasa that Seamans authorized Holmes to begin consideration of hardware for such a mission—a spacecraft which could fly such a landing flight.

Nevertheless, there was still strong opposition to the plan, most vocally expressed by Dr. Jerome B. Wiesner, who was Kennedy's science adviser. In late July, Wiesner's Presidential Science Advisory Committee issued a report strongly criticizing the technique.

On Sept. 11, 1962, Kennedy was making a tour of Nasa's Marshall Space Flight Center in Huntsville, Ala., when a shouting match over lunar orbit rendezvous erupted between von Braun, by then a convert to the plan, and Wiesner. Embarrassed, Kennedy stood by quietly.

In October, Webb sent a letter to Wiesner indicating that Nasa was going ahead with Houbolt's plan. Later in the month, Wiesner publicly called again for the earth orbit rendezvous concept.

On Nov. 7, 1962, Nasa announced formally that Americans would fly to the moon and return via lunar orbit, and that the Grumman Aircraft Engineering Corp., of Bethpage, L.I., had been selected to build the two-man landing craft.

Because of the controversy on tactics for lunar travel, Grumman had a late start on building the craft which was first known as the lunar excursion module and later simply lunar module.

As a call sign, it was known as Spider on Appollo 9, Snoopy on Apollo 10, and now it is Eagle on Apollo 11.

And Grumman was always aware of the dominating specter surrounding the lunar module. It had to work as advertised on its first landing on the moon or two astronauts would be killed. There is no possibility of rescue on the moon.

The possibility of the slightest little thing causing tragedy was all the more highlighted by the Apollo 1 fire in the command cabin which had been slated to fly America's Apollo crew—Gus Grissom, Ed White and Roger Chaffee in earth orbit.

The pre-launch fire at Cape Kennedy Jan. 27, 1967, which killed this crew, set the Apollo project back more than a year, but it resulted in a safer, more reliable command cabin for today's Apollo crews.

Known as Columbia on Apollo 11, the command module and service module (the steering rocket) form the mothercraft which is built by the Space Division of North American Rockwell in Downey, Calif. The three-man vehicle was known as Gumdrop on Apollo 9 and Charlie Brown on Apollo 10.

Awarded the command and service module contract by Nasa on Nov. 28, 1961, North American had a year's head start on Grumman. This however, had its drawbacks, since new and better ways of building spacecraft came along in the mid-1960s. North American was so far along, it had to build, in effect, two versions of the command module.

The early "block one" missions would be launched by the Saturn 1B rocket, the smaller brother of the Saturn 5, while development work on the big moon launcher proceeded.

Apollo 1 was to be the first "block one" vehicle flown. After the fire, it was decided that only the improved "block two" spacecraft would be flown.

And when they were, first by Apollo 7, they turned out to be magnificent machines, shuttling Apollo crews between the earth and lunar orbit with the apparent ease of a drive through the countryside, and setting up the climactic mission of Apollo 11.

TIMBER

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. DINGELL. Mr. Speaker, pursuant to permission granted, I insert into the Congressional Record an excellent editorial appearing in National Parks magazine, the official publication of the National Parks Association, in the June 1969 issue of that fine publication entitled "Timber!" pointing out several problems meriting consideration of the Nation with regard to timber supply, national parks, and similar conservation matters:

Timber!

The timber interests having just launched a vigorous campaign for overcutting the national forests, we are moved to reminiscences and forecasts.

The national forest system arose out of widespread raids on the public domain which were leaving forest land in devastation. Gifford Pinchot was the most important figure among a handful of men who brought significant portions of the public lands into the forest reservations and eventually the national forests. Pinchot was an advocate of what we would now call ecological forestry (of which more below), and a bitter enemy of wholesale clearcutting.

Some twenty years or more ago we took part in the successful defense of the national forests against proposals for their surrender through the states to private interests, which were to return them to the Government, after cutting, to hold through the costly period of regrowth, and for eventual surrender again for private harvest and profit.

And more recently there were serious attacks in terms of certain large private grazing interests.

Now it is said to be a housing emergency; more lumber is needed; most of the remaining saw timber is in the national forests; the large private forest holdings have been heavily cut over; most of the small woodlots have been in ruin for generations.

This situation strikes us as a confession of bankruptcy on the part of the private corporate timber interests, and hardly a justification for stepping up the cut in the national forests at the expense of the future. We predict—we do not exhort, but merely predict—that conservationists and environmentalists will unite in opposing the increased cuts in the national forests.

A bad situation in the private timber lands ought not to be pinned on housing. In this day and age there are plenty of other materials if lumber is really short. And perhaps it is not so short, and someone should take a hard look at the lumber inventories of the large corporations. Recent sharp rises and drops in lumber prices more than hint at a privately administered price and supply situation.

Confusion between private and public property also seems to have arisen at Mineral King in Sequoia National Forest in California.

We are wholly in favor of the use of the national forests for the kind of natural outdoor camping recreation which has been typical in the national forests in the past.

We have never questioned a reasonable use of the national forests for skiing; we have favored cross-country skiing, non-mechanized, in both national parks and national forests. But when it comes to enormous resorts like Mineral King with a splurge of mechanical ski lifts, a cityful of so-called chalets, the inevitable shopping centers, attendant parking lots, even though at a distance, and the logistics of big highways, the discourse drops to a lower level.

We still think the Forest Service should abandon Mineral King as not in keeping with sound recreational development in the national forests. We think the Department of the Interior should rescind permission to construct an access highway across an arm of Sequoia National Park. We recommend to the prospective concessioner that it withdraw from the enterprise in the interest of its own public relations. And we think conservationists should continue to oppose the project.

It is not just Mineral King; it is the example which will be set for similar developments in other national forests. Simple campgrounds for natural outdoor recreation are one thing; building up vested private interests in big construction is another; subsidizing concessioners with huge roads and sanitary facilities is yet another. Mineral King moves in the wrong direction and ought to be stopped.

The laws governing the national forests provide authority, among other things, for multiple-use management.

We always thought this arrangement was good and will continue to support it. If the traffic which is smothering our national parks, to the injury of what people seek there, is to be mitigated, recreational facilities must be provided outside the parks, and among other places in the commercial cutting areas of the national forests. If timber-harvest and recreation are to be reconciled under the heading of multiple use, harvesting has to be by compatible methods.

Not only for recreational reasons, but for the sake of soil, waters, wildlife, scenery, and most certainly the perpetual yield of wood and wood products, ecological forestry must become the norm. In recent years the harvesting of forest products has been linked too heavily to the convenience of big machinery; it has trended away from selective cutting to clear-cutting; this trend must be reversed. There needs to be a wider understanding that selective cutting was once regarded as the standard of excellence by good foresters; that forests can be managed and timber harvested in ways not incompatible with considerations of recreation, wildlife, and scenery. The journals of the conservation movement, ours among others, should dedicate themselves to such education.

And it is also time we got going on a reforestation program in America. The revelations provided by the timber interests in connection with the present overcutting program should shock us as a nation into action.

The national forests are in relatively good condition because the principle of sustained yield has never been wholly abandoned. There are enormous areas of privately-owned land, however, often in large tracts, which were cut in such manner as to leave them unproductive. Small holdings all over the continent, including farm wood lots, have been timber-mined and high-graded to the point where little remains but brush. Complex economic and legal problems are involved but are not so difficult as to defy solution.

We think that the present Administration should have a look at the timber problem as a whole, refrain from being stampeded by pressures for quick solutions which solve nothing, and offer the nation some plans based on the protection of present public holdings against overcutting and recreational commercialization, and for ecological forestry and vigorous reforestation.

The growing awareness of the significance of the entire environment in the life of the nation would ensure a cordial response and strong support for such a forward-looking forestry program.

WILLIAM BECHILL: FRIEND OF THE AGED

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. COHELAN. Mr. Speaker, the Older Americans Act of 1965 gave testimony to our concern for the very special problems of our older citizens and established the Administration on Aging within the Department of Health, Education, and Welfare.

Mr. William Bechill served as the first Commissioner of this important Government agency. Under his aegis were launched, throughout the country, programs which have brought hope and comfort to thousands of our senior citizens:

Opportunities for work, recreation, and education have been developed;

Hundreds of senior centers have been established;

Federal-State-local partnership programs have stimulated programs by nongovernmental groups on behalf of older citizens;

Research on nutritional problems of the aged has been started;

Efforts are underway to expand the volunteer service which the aged can provide.

Bill Bechill worked untiringly and effectively for the improvement and expansion of these programs, aware always of the great need and of the marked difference which a modest program could make in the lives of our elderly people.

He knew what a joy a foster grandparent felt in bringing happiness to a disadvantaged youngster.

He knew what a tragic waste we make of the wisdom, experience, and concern when we ignore our retirees' rich talents.

He knew how keenly old people, living alone, anticipated the daily treat in one community that utilized, in off-hours, its school cafeteria to provide a warm meal, and a social hour for the neighborhood's aged.

Last month, under the leadership of our very able colleagues, Congressmen John Brademas and Ogden Reid, we voted to extend the Older Americans Act, embodying in it many of Mr. Bechill's suggestions. As he left Government service to continue work in the social welfare field at the University of Maryland, he would ask no finer tribute than our continued dedication to the cause he served so well.

I hope that the other body will also approve the new amendments and that both Houses will fund the programs properly. The Washington Post, in an editorial on July 8, underscores their importance, and I insert it at this point in the Record:

The Senior Americans

In a country where youth, sex, speed and beauty are glorified almost to the point of liturgy, it is small wonder that 19 million older people are often kept out of sight and out of touch. A small wonder but a large disgrace.

The Older Americans Act of 1965, and its later amendments, was an attempt at meeting the rights and needs of the elderly, 40 per cent of whom are poor or near-poor. As far as they went, programs generated by the Act were effective: over 1000 community projects were funded through the Title III programs, serving over 660,000 older persons in such things as home health aide services to paid part-time jobs. Nevertheless, in FY 1969, only $1.10 was spent per senior citizen, with $1.41 the appropriation for this year.

In mid-June, the House, led by John Brademas and Ogden Reid, approved an authorization of $62 million for FY '70. Despite this, the Nixon Administration appears determined to stand firm with its niggardly $28.3 million budget request for the program's continuation. It is tempting for politicians to feel that they can get away with shortchanging the old: many are too worn or weak to fight back; they have no lobby to speak of and less prospect of an opportunity for future political reprisal.

But the Nation needs the elderly. The Foster Grandparents program alone has used the talents and energy of 4000 older people who, on a small stipend, are matched on a personal basis of service with 8000 orphaned and disturbed children. If this simple idea of matching the leisure time of the old with the special needs of the very young has worked for 4000 old people why can't it be done with 40,000 or 400,000?

The answer, or at least the political answer, is lack of funds. Yet in recruiting the elderly for community projects, massive funds are not necessarily needed. For example, the House Education and Labor Committee adopted the Retired Senior Volunteer Program (called RSVP) which requires only $5 million—money that will be returned many times over in services rendered by the elderly.

The Senate Labor and Public Welfare Committee will shortly consider new amendments to the Older Americans Act, and will likely see the need for an authorization figure equal to the House's $62 million. It is not too late for the Administration to go beyond its $28.3 million sum and begin recognizing that 19 million older Americans have not just rights and needs to be met, but contributions of talent and wisdom to be made.

TRIBUTE TO DWIGHT DAVID EISENHOWER

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. SNYDER. Mr. Speaker, Dwight David Eisenhower can be regarded as perhaps America's last true hero. In an age when heroes are fashioned from blind and emotive desperation—and, at a time when our citizens are beckoned forth to the recurrent apotheosis of mediocrity—the image of this man can be clearly discerned through it all—surrounded by the serenity of confidence and swathed in the memories of all those Americans who believed in him and in what he stood for.

Dwight Eisenhower in his calm and unassuming manner received the respect of America and became what we are likely to see little of in the future—a true leader. In seeking out the finest qualities of leadership, I think we must agree that the tendency to heroism should be included on the list, together with executive ability and, in the rare case, accompanied by a genuine proclivity for modesty.

These have been the qualities of all the outstanding heroes of our national history—from George Washington through Abraham Lincoln to Dwight D. Eisenhower—all of whom could reach decisions with dispatch, carry them out firmly and without trepidation. And all of them would know, ultimately, that they acted not so much as the direct agents of divine intelligence but merely as humble human beings acting with whatever talents they were fortunate enough to have at their command.

Such are the qualities of our great men, and such are the qualities we witness all too seldom in this age of turbulence, weakness, confusion, and periodic chaos. The traditional and honored institutions of our great land are under furious onslaught by the marshaled forces of philistine error. Dwight Eisenhower, the man, is gone, but Dwight Eisenhower, the constant symbol, remains to serve as an example to recall, to praise, and to salute with pride. His record in battle inspired our country in time of war, and brought us from the brink of horror and destruction to the point of glorious victory. He brought us victory as a general. He brought us peace and prosperity as President of these United States.

General Eisenhower captured the spirit of the citizen-soldier, and, therein, lay the secret of his great popularity which buoyed our Army and drove us to victory. And how did he accomplish this? By bold, straightforward policies, unmixed by political pettifogging. He was uncomplicated and direct—and his soldiers loved him for it.

President Eisenhower captured the spirit of the citizens of this country—the voters—and therein lay the secret of his great popularity at home, which buoyed our country and brought us peace and prosperity. This he accomplished in the same fashion as he accomplished his military success—by bold, straightforward policies—uncomplicated and direct. The American people loved him for it—and they always will.

Ike was a winner. He knew that war had only one purpose; to win. And when the war was over and General Eisenhower returned, to what could have been the greatest hero's welcome in the history of our planet, he requested and obtained a modest welcome. If he had wished, he could have paraded in every city of America—every city in the Allied world, in fact—and he would have been assured of a jubilant and cheering turnout. But that was not his style. He knew that victory was his only purpose and that applause is not the stuff of victory.

As long as America remains great, she will be in the vanguard of the struggle for freedom. We will always be well advised to emphasize the spirit which Dwight Eisenhower engendered; the spirit of victory; the spirit of democratic triumph—a spirit which electrified the Republic in those dark days, and which, if permitted to flourish, will electrify the Nation once again.

Ike will endure not simply as a great man, but as a symbol—a symbol which unified America. He stood and stands above the petty machinations of small men as the wise and understanding leader, the eminent counselor.

In trying times, it is, indeed, a credit to the memory of this great man that his final tribute was not a vast and cacophonous caterwauling from the brutish mob, but a thunderous silence of dignified respect for the man and for what he represented.

Dwight David Eisenhower is dead. But he has quietly and indelibly emblazoned his memory on the past, present and, hopefully, the future of our Nation.

ETERNAL VIGILANCE

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. ASHBROOK. Mr. Speaker, now perhaps more than ever American citizens are realizing that their civic duties under our representative system do not end with the election of men to the many offices of government on the local, State, and Federal levels. Little by little, it seems, citizens are getting the message that their necessary oversight of government is a serious and never-ending process.

The idea of citizen responsibility and involvement has been a favorite theme of Meldrim Thomson, Jr., of Orford, N.H., candidate for Governor in the last election and a leader in education in the State of New Hampshire.

His column of February 20, 1969, in the Farmington News and his talk given at the townhall in East Kingston, N.H., on April 26, both efforts dealing with education in his State, are excellent examples of why citizens must be vigilant in their concern over governmental matters. In the area of the judiciary too, public concern is a prime necessity if the interpretation of our laws are not to deviate to the extreme. Mr. Thomson's address on last Law Day to the Plymouth Lions Club outlines briefly the trend which has come to pass when sociologists don judicial robes.

The thoughts of Meldrim Thomson in these areas are worthy of consideration, I think, for students of good government, and for this reason I include them in the RECORD at this point:

[From the Farmington (N.H.) News, Feb. 20, 1969]

OUR STATE AND YOU

(By Meldrim Thomson, Jr.)

Professional days for teachers, such as those engaged in by the organized teachers of Manchester, Plaistow and Franklin, and the one threatened in Dover, were recently described as "illegal" by the lawyer for the New Hampshire Education Association.

Attorney Frederick Upton, counsel for N.H.E.A., appeared before the House Education Committee last Wednesday, in opposition to HJR No. 27, a resolution that would create an impartial legislative committee to investigate the cause and scope of teacher militancy and unrest.

He admitted, under questioning by the committee, that the "professional days" of organized teachers in Manchester and Plaistow were "illegal."

How "professional" are teachers when they bluntly openly and defiantly commit "illegal" acts? What kind of example are they setting for the young, impressionable minds they daily teach?

What should be the responsibility of school board members, our representatives of the public in local school matters, when the teachers call a "professional day" and fail to appear for scheduled classes?

At the very least they should withhold the pay of teachers for time lost from school. And at most, they could cancel their pending contracts and deprive them of tenure for their "illegal" acts. It would seem that board members owe this much to the public they represent.

In this matter of teacher unrest and active militancy, the public has a vital concern—the education of its children.

This is why only good could result from the passage of HJR No. 27, sponsored by Representative Richard Smith of Rochester.

Already, the hearing on this resolution has developed valuable information.

For example, the "conflict of interest" fact that the president of N.H.E.A., Norman Cook, is a full time employee of the Department of Education at a salary from the state of $11,100; and also the fact that the National Education Association helped N.H.E.A. finance its biased report entitled "New Hampshire—A State of Neglected Opportunities."

In future columns we will talk about the "sanctions alert" on New Hampshire and present some facts about the salaries of teachers and sanitation employees.

WHO RUNS OUR SCHOOLS?—THE INVISIBLE EDUCATION EMPIRE

(By Meldrim Thomson, Jr.)

One-fifth of the entire population of our State is part of that vast hope constituting our public schools.

At the core of this army of approximately 152,000 are the educational leaders, numbering about 300.

Almost 100 couriers as superintendents, assistants, and teacher consultants scurry among 6,400 teacher-captains who in turn ride herd on 145,000 students.

This multitude is provisioned by an annual local-State outlay which in this next fiscal year will amount to about $150,000,000—by far the largest sum appropriated for any of our State services.

Who controls and directs this powerful public school force?

Since we call them public schools it would seem obvious that the public—you and I, as voters control our schools. But do we; really?

More than 300 years ago when New Hampshire was a part of Massachusetts, the first public school law was enacted. It stated simply that whenever there were fifty or more householders they should provide for the instruction of their children.

In 1784, about 150 years after this first public school law was enacted, we provided in our State constitution for "spreading the opportunities and advantages of education through the various parts of the country."

During the next 100 years, in response to this constitutional direction, several thousand autonomous public school districts were created. For many years they received neither funds nor direction from the State.

Before the turn of the century the centralization of our public schools was on the way. Then in 1919 our legislature enacted what was considered the strongest centralized school system possessed by any State up that time.

In the past 50 years the process of centralization has hurried apace, though haphazardly; until now, we have public schools supported by the public's tax dollars, filled with the public's children, but for the most part controlled and directed by denizens of an invisible empire.

If you were one of the many public-spirited voters who attended your last annual school meeting and voted on a school budget and for a school trustee, you may feel that you and your fellow voters run your school.

Hold on to your textbooks and let's see how far from the chalkboard you are.

COMPONENTS OF THE EMPIRE

Some parts of the invisible education empire, are like the visible, tiny tops of massive icebergs, we can see; but most of the empire and especially its power and its operations, are seldom in view.

The State board of education

A State board of education, described by statute as similar to a board of directors of a corporation, heads our public school system.

The seven members are appointed by the Governor for five year terms which generally overlap the term of the appointing Governor.

Neither you, the voters, nor your representatives in the legislature, have anything to say about the membership in this State board of education.

And yet this board holds absolute and dictatorial power over our schools.

The commissioner of education and superintendents are employed by it: School districts are arbitrarily assigned to or taken from supervisory unions, at times in the teeth of lawful but ineffective votes of local school districts: Minimum school standards, no matter how capricious or unreasonable some may seem, are fixed by it; building plans and sites must be approved by it; even regulations drafted by your school board for the operation of your school must pass the scrutiny of the State board.

The power of this board is awesome, its success in building an empire has been great.

It presently favors a broad base tax. Its appetite for your tax dollars is insatiable and is whetted with arrogance. Witness its budgetary request for $69,000,000 for the next biennium, an increase in the current figure of 2½ times, and please bear in mind it would take a sales tax of 4 to 5 cents just to raise the extra money now demanded by the State board of education.

The department of education

Operating below the board and answerable only to it is the department of education, staffed principally by professional educators.

The membership of this department was suddenly doubled a year ago when Federal monies became available. And now they are asking for many more new positions.

Here is where the will of the board is executed, statistics gathered, inspections made, and plans for new expansions on the periphery of the empire are constantly being formulated.

Here operates that chamber of horrors for teachers, the certification division, that grinds out such absurd decisions as that a teacher with a major in art cannot teach art in the elementary school because she lacks one three-hour methods course.

The superintendents

Perhaps in all this great empire none have a greater influence in shaping the direction of our public schools than do the superintendents.

These are the professional generals in our public school army—though at times, when viewed through a pedagogical kaleidoscope they look more like masters of intrigue, dictatorial satraps, or big-time promoters.

I say this, knowing full well that there are many dedicated, conscientious, and hard-working superintendents, without specifics I would not indict any one of our 75 superintendents.

But I bitterly indict a system that not only tolerates but encourages the arbitrary and mean actions practiced by some superintendents!

Superintendents are nominated by supervisory union boards and employed by the State board. Supervisory unions, you know, operate on a high plateau of obscurity, descending annually to the voters level with their sacred budgetary tablets for perfunctory approval.

The salaries of superintendents are paid in small part by the State and largely by local taxpayers within a supervisory union. The

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salary fixing process is done by school board members of several districts when acting as members of the supervisory union. Once the salary is established by the supervisory board it can not be changed by the voters.

Many superintendents' salaries exceed those of the heads of State departments and agencies. For example, at least seven superintendents now receive salaries that are higher than the maximum $17,160 provided by statute for the commissioner of education. In addition, they receive substantial in-state travel allowances that run as high as $2,000 per year.

Salaries for superintendents, teacher consultants and business administrators amounted to $1,108,000 in 1967–68. This figure rose to $1,251,000 in 1968–69, an increase in salaries in one year of $143,000. Much of this, I believe, could be saved by our taxpayers if we abolished supervisory unions and made superintendents employees of the department of education.

Special groups

In addition to the hard core of professional educators and State officials—the State board members, the officials and employees of the department of education, and the superintendents—there are several semi and unofficial groups that exert a profound influence on the course of public education in this State. These include, among many, the New Hampshire School Boards Association, the New Hampshire Education Association, and the New Hampshire Council for Better Schools.

THE DIMINISHING POWER OF THE PUBLIC

Aligned with or opposed to this great power structure of the invisible education empire, depending on what education you believe our public schools should pursue, are you, the voters, and your 749 school board members, when they march in step with you, as I believe most school board trustees try to do.

In only two practical areas can you now control or direct your public schools. These are the election of your school trustees and the appropriation of local taxes for school purposes.

And yet, if the education empire is able to continue for just a few more years its mad flight to power, it will reduce both the number and role of school trustees. In the past five years the number of school trustees in this State has been reduced from 849 to 747.

It will, if it can, impose a broad base tax so that fiscal control—the last great hold that the local voter has on his schools—is broken. This means that all State money for public schools would be raised at the State level, as now advocated by Dr. James Conant and his powerful brainchild, the Education Commission of the States.

When that happens all moneys for schools will flow from Concord and Washington, and so too will all control over them!

And when that day arrives you will have nothing to say about what goes on in your schools, not even through a local trustee, and most certainly you will then have no direct voice over school taxation. What a day in June—what a utopia—that will be for the professional educator!

THE INTERLOCKING FORCES

Let us see how intertwined are the sinews of our invisible education empire.

Until recently one member of the State Board of Education serves simultaneously as a member of his local school board.

The executive secretary of the School Boards Association is a former superintendent. He was also chairman of the recent Legislative Education Study Commission, which produced some rather startling legislative bills, innocently called housekeeping measures, but so substantive in nature that they would have made kindergarten mandatory for all schools and would raise to 50 the number of petitioners required to call a special school meeting.

The president of the New Hampshire Council for Better Schools is a member of the influential House Education Committee. He, like his council, is on record as favoring a broad base tax.

The House Education Committee is heavily weighed with former teachers and one superintendent, many of whom have voted in the past for a broad base tax.

One of the greatest of their inter-locking forces—and perhaps the grossest example of a possible conflict of interest in our State government—is the dual role played by the president of N.H.E.A. who is also a full time employee of the Department of Education at a salary of $11,140.00.

The N.H.E.A., you will recall, is that militant teachers' association that has placed a sanction alert on our "state of neglected opportunities"—as they have meanly labeled New Hampshire.

It operates on a budget in excess of $100,000 made up primarily from dues of $25.00 per member. It is pushing for a minimum teachers salary law of $6,200; a professional negotiation law that would provide for union-like check-off of dues, shop stewards, and a closed shop; and threatens to strike or abandon the classrooms if its demands are not met.

Can you see any conflict of interest in being president of the N.H.E.A., on the one hand, and being an employee of the Department of Education receiving taxpayers' money, on the other?

If you can you are more discerning than either the executive secretary of the N.H.E.A. or the Commissioner of Education.

The former has publicly testified that he saw no conflict, and the latter has written a letter saying the same thing.

These are but a few examples of the interlocking forces of our invisible education empire—wheels within wheels, within wheels! Many other such examples could be added.

SOME EVILS OF OUR PRESENT SYSTEM

We have many anachronisms and obsolescent appendages in our present school laws.

Two glaring examples are teacher contracts and teacher tenure.

Under our law (RSA 189:39) teachers are nominated by superintendents and elected by the contracting school boards.

In actual practice teachers are hired by the superintendents. Few, indeed, are the school board members who actually interview or carefully examine the qualifications of a teacher.

I have always wondered how a board member could make a meaningful election without interviewing and checking the credentials of the candidate.

Further, it has long been my belief that our present practice in hiring teachers does not in fact constitute an "election", as provided in Part I, Art. 6 of our State constitution, and might some day be contested by an aroused taxpayer.

Our tenure law as set out in RSA 189–14–a, is a cruel hoax on beginning or transferring teachers. It places them completely at the mercy of the superintendent until they have passed the magic and meaningless mark of three years service in a school.

I have drawn, and am pressing for the passage of a bill that would change this law by establishing tenure for a teacher who has taught one or more years, which tenure would apply to employment anywhere in the State.

Here, let me give you several examples of what I consider abuses of power in connection with the contract and tenure provisions of our law.

1. A teacher signed a contract of employment with one school district and several weeks later signed another contract for the same teaching period with another district. Neither of the superintendents involved were particularly concerned. However, an irate school board held the teacher to the first contract until the superintendent found a replacement.

2. A teacher with 20 years of teaching in New Hampshire but with less than 3 years at the latest position, refused to let an intern teacher who was an acknowledged member of Students for a Democratic Society assist in his social studies course. This teacher's contract was not renewed and his teaching services have now been lost to New Hampshire.

3. A married teacher finishing her third year was told by her superintendent that because she might become pregnant and lived 23 miles from school she would not be rehired. She was also told that if she would quietly resign she would be given a letter of recommendation.

4. A teacher who falsified his college credits in order to graduate, when exposed, was still retained by his superintendent on the ground that he was a good teacher.

I have heard of almost 50 cases of teachers who will not be rehired next year!

Never again will I place credence in statistics telling us there is a teacher shortage!

There can be no such shortage in this State when superintendents can play a cruel cat and mouse game with the economic lives of new or transfer teachers!

The N.H.E.A. would like to use against our schools the union weapon of strikes. I challenge this association in the name of thousands of our good, dedicated, and tremendously effective teachers, to be as solicitous of the untenured teacher as they are concerned about their unholy sanctions.

No union, that I am aware of, would allow one of its members to work 3 years and then be discharged without one word as to cause!

And any school board that will hide behind the technical shield of silence now, unfortunately, afforded by our law, can not be much of an inspiration to the children whose education is entrusted to them!

A NEW SCHOOL LAW NEEDED

This state is in urgent need of a completely new education law—one that focuses on a sound, clean, and basic education for our children—one that will keep our schools "public", that is responsive to the will of our people.

We must reject the patchwork process of legislative change of the past and cut a new cloth from a new pattern of partnership, in which the professional educator in his field of expertise and the public in the area of taxation and policy are full partners.

With such a new school law, New Hampshire can enter the decade of the seventies with a highly effective and truly Democratic educational system—one that we can afford!

DESTROYING AMERICA WITH FREEDOM

(By Meldrim Thomson, Jr.)

On this May Day, Communists around the world celebrate the substantial success of their revolutionary and nihilistic way of life.

Here in America we celebrate May 1st as Law Day.

It is a farce for us to pay tribute to the role of law in our country while from the national fountains of judicial learning pours forth the dark waters of decisions that are destroying our great American civilization.

In the name of the constitutional guarantee of free speech, our Supreme Court has fashioned a tool of self-destruction for America. Even now, on our college campuses, this weapon is pointed at the jugular vein of our body politic.

For almost two hundred years we have jealously guarded and vigorously defended our personal liberties.

By the Declaration of Independence our Founding Fathers pledged their lives, fortunes and sacred honor to establish the truth that all men are endowed with the right to life, liberty, and the pursuit of happiness.

Eleven years later they established the Constitution of the United States of America to secure the blessings of liberty to themselves and their posterity.

Then to this great document they added a Bill of Rights consisting of ten amendments.

The First or Freedom Amendment constrains the Congress from making a law respecting the establishment or prohibiting religion, or abridging freedom of speech or of the press, or the right of the people peaceably to assemble and petition their government.

When New Hampshire on June 21, 1788 ratified the Federal Constitution, and by this action established the United States of America, it asked that twelve amendments be added.

New Hampshire version of the Freedom Amendment provided, "Congress shall make no laws teaching religion, or that infringe the rights of conscience."

For many years, even after the adoption of the Fourteenth Amendment, prohibiting a state from making a law that would deprive any person of life, liberty or property without due process of law, the First Amendment was considered to apply only to Acts of Congress.

Then, in the Gitlow case in 1925 and the Fiske case in 1927, the Supreme Court decided that the "liberties" protected against state acts by the Fourteenth amendment also meant those in the First Amendment.

Thus, no state law, as well as no act of Congress, can abridge the freedoms guaranteed in the First Amendment.

The court, in interpreting the First Amendment through a long line of decisions, gradually evolved what came to be known as "the clear and present danger test."

By this doctrine the court said that a state law abridging the freedoms established in the First Amendment, was invalid if "no clear and present danger to life or property existed."

The famous lines of Justice Holmes in the Schenek case, decided in 1919, neatly state the clear and present danger test when he said: "The most stringent protection of free speech would not protect a man in falsely shouting fire in a theatre and causing a panic."

It was Justice Douglas in 1949 in the Terminiello case who turned the course of this doctrine into the avenue of permissiveness.

He said, "a function of free speech under our system of government is to invite dispute. It may indeed best serve its high purposes when it induces a condition of unrest, creates dissatisfaction with conditions as they are, or even stirs people to anger."

Justice Jackson took sharp exception to this new direction proposed for the clear and present danger test.

Actually, the language used in the case had provoked hostile mobs to riot.

"A great number of people," said Justice Jackson, "do not agree that introduction to America of communism or fascism is even debatable. Hence, many speeches such as that of Terminiello, may be legally permissible but may nevertheless in some surroundings be a menace to peace and order. When conditions show the speaker that this is the case, as it did here, there certainly comes a point beyond which he can not indulge in provocations to violence without being answerable to society."

It is easy to see how the road taken by Douglas has led the court to find recently in two New York cases that desecration of the American flag and threatening the life of the President were not permissible under state laws because such acts were protected by the guarantee of freedom of speech.

Earlier this year in the Tinker case involving the wearing of black armbands by school children to protest the war in Vietnam, Justice Fortas held the school could not stop the students from wearing such insignia.

Fortas said the act of wearing armbands was closely akin to free speech and protected by the First Amendment. "It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate."

Justice Black, in a blistering dissent, set the record straight for millions of Americans when he said he did not hold that "the Federal Constitution compels teachers, parents, and elected school officials to surrender control of the American public school system to public school students."

Freedom has become a hippie word of love for a majority of our Supreme Court.

The freedoms of the First and Fourteenth Amendments not only permit the indulgence of personal filth by an individual, a freedom no one would argue against even though offensive to passing olfactory glands, but constitute a license to destroy.

The noble doctrine of freedom of speech has fostered the emergence of every mean, dangerous and filthy characteristic of man. It has left our society almost destitute of any effectual means of protecting itself against uttter destruction.

The "freedom" decisions of the court have created a clear and present danger to our Republic.

No society can endure if it fails or refuses to exercise its inherent right to survival.

Surely, deep within our nation there is a reservoir of faith in our ultimate destiny and strength to achieve it. Let us move upward from our present morass of social discord so that next year Law Day might also be a great day of freedom for America and all of her citizens.

A TRIBUTE TO TOM MBOYA

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. BRADEMAS. Mr. Speaker, I wish to express my deep sorrow at the tragic assassination of Tom Bboya, Minister of Planning and Economic Development in the Government of Kenya.

The death of this young and dynamic leader is a tremendous loss, not only to the Government and people of Kenya, but also to all those who hope and work for the future development of the continent of Africa in peace and freedom.

For Tom Mboya represented all that was good in the new generation of African leaders.

He came to maturity in the turbulent period of the Mau Mau uprisings of the early 1950's, and his own experience of the destructiveness of insensate violence strengthened his commitment to orderly processes of change.

At the age of 23 he became head of the Kenya Federation of Labor. He welded this organization into a potent force for African nationalism which did much to hasten the end of British colonial rule.

As leader of the African National Union, he led his party to victory in national elections. Then, when independence had been won, bowing to the wishes of the Kenyan people he stepped aside to allow the venerable Jomo Kenyatta to assume the Presidency.

In a continent painfully deficient in trained leadership at independence, Mr. Mboya proved to be a brilliant administrator and an incisive politician.

In a continent too often subject to the demagogery of extremist leaders, Mr. Mboya worked for the development of institutions strong enough to survive the passing of individuals.

In a continent rent by bloody tribal conflicts, Mr. Mboya rose above tribal loyalties and helped to develop a constructive sense of nationality from which the effort to modernize could draw its strength.

It would indeed be both tragic and ironic if his death should spark the same tribal conflicts which he labored so hard to avoid.

I had the pleasure of spending some time with Mr. Mboya and his wife at his home in Nairobi last November. In talking with him, I was impressed both by the sharpness of his intellect and the depth of his concern for his people.

Mr. Mboya is the second moderate African leader to be assassinated in recent months. Earlier this year, Eduardo Mondlane, the Mozambique freedom fighter, met the same fate in Dar Es Salaam. The cause of moderation in Africa has thus been dealt two staggering blows. The future of the continent has been darkened.

We Americans, who have also seen our finest young leaders struck down in their prime, can extend our deepest sympathy to the family of Mr. Mboya and to the people of Kenya, whom he so ably served in his brief and tragically shortened life.

Mr. Speaker, at this point in the RECORD, I insert an article by Anthony Astrachan, published in the Washington Post, entitled "Mboya Envisioned a Greater Africa."

Mr. Speaker, I also insert an editorial which appeared in the Washington Post on July 9, 1969, in tribute to Tom Mboya.

The articles follow:

MBOYA ENVISIONED A GREATER AFRICA

(By Anthony Astrachan)

LONDON, July 5.—The assassination of Tom Mboya is a tragedy for Kenya and for Africa in ways far beyond his association with the West, where he was one of the continent's best-known public figures.

It is a tragedy because it strikes a note of individual violence that has left upheaval in its echoes every time it has been heard in Africa—as in the assassination of Patrice Lumumba in the Congo in 1961 and four Nigeria's civilian leaders in 1966.

It is a tragedy because it deprives the country and the continent, new to modern statehood, of a leader young enough to provide continuity when the elder generation of nationalists passes from the scene. Mboya at 38 was a leading contender for the succession to elderly, ailing President Jomo Kenyatta of Kenya, who is 76. It is a rare country in Africa whose second generation of leaders shows promise of improving on the first.

BUILT INSTITUTIONS

Mboya's death is a tragedy because, in a continent where politics is usually personal and tribal, he was one of the few leaders with a well-articulated concept of the need for building institutions in the state that would outlast any individual or generation—that would provide at least the chance of viability for countries that need every chance they can get.

His friends in the West will mourn his supposed attachment to Western style democracy. His understanding of the uses of power and of African politics made many observers doubt the depth of the attachment.

Others will mourn the death of the man whose vital Ministry—economic development—often seemed one of only two or three in Kenya to function with anything remotely approaching efficiency.

Others will wonder about and perhaps shudder at, the prospects of Kenya's future without Mboya. None of his allies in Kenya's faction-fighting seems strong enough to fight for an institution-building regime without him. None of his enemies has shown the capacity to do as much for the country as he could.

IRONIC LEGACY

Mboya knew that, and the way he showed his knowledge made him more enemies. Still, if his assassin is found and turns out to be politically motivated, the bitterness could poison Kenya's already troubled air for years.

That would be an ironic legacy from the man who first made Kenya's trade unions an irritant, but a feared irritant, to the British colonial rulers—i.e., made them an African national force: from a man who organized an airlift of hundreds of students to America in a crash attempt to provide the trained manpower Kenya lacked for the independence she received in 1963: from a man who deferred his own vast ambition in devotion to Kenyatta, the prime leader brought from prison to power.

There is also something personal to regret about Mboya apart from the tragic violence of his death. He was a man who enjoyed life in both African and Western styles, who could combine serious talk with cocktail chat, who moved from quasi-revolutionary to realist-reformist with a minimum of trauma and maximum of vibrancy.

[From the Washington (D.C.) Post, July 9, 1969]

TOM MBOYA

No country is so well endowed with leadership talent that it can afford to lose men of the caliber of Kenya's Tom Mboya, dead at 38 of an assassin's bullet on a busy street in Nairobi. Mission educated, he was first employed as a colonial health inspector—at a fifth the pay of his white counterpart. British sanctions diverted him into trade unionism, where he sharpened his political and managerial skills and made the crucial "modern" leap from tribal to national affairs. That he was a Luo in a country dominated by Kikuyu, and that he lacked the nationalist martyr's credentials of Jomo Kenyatta, had kept him from becoming Prime Minister. But upon Kenya's independence in 1963, he became Minister of Justice and he ended in the key modernizing post of Minister of Economic Planning and Development. Those who know Africa well regarded him as one of its ablest men.

His own people, of course, are the principal losers by his death, but he had a special meaning to whites outside Kenya. More than any man, he personified the possibilities of African progress. Handsome and articulate, he traveled often in Europe and the United States, as though to exhibit his own competence to skeptics along the way. His poised performance on *Meet the Press*, at age 29, was for many Americans the first occasion they began to take Africa seriously. It was only natural that he should run the ministry (Planning) set up to tap the West's money and technology and to fuse them with Kenya's own resources. Similarly, he could convey to the West an impression of faith in democracy and yet operate effectively in his country's own peculiar ways. Where many of his fellow Africans were hobbled by rage or fear in dealing with the West, Mr. Mboya could treat directly and pragmatically. It cost him politically but it helped his country. Africa needed Tom Mboya and Africa's friends needed him too.

INTERNATIONAL COMMUNISM—HOOVER'S REPORT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. RARICK. Mr. Speaker, FBI Director J. Edgar Hoover testified before a subcommittee of the House Appropriations Committee on April 17.

A portion of his testimony covered the Communist Party—U.S.A., Red diplomats, Cuba, and Russia.

I include that portion of Mr. Hoover's testimony relating to the international Communist movement, being pages 532 to 536 and 543 to 546 of part 1 of the hearings before the Appropriations Committee:

EXCERPTS FROM THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS HEARINGS FOR 1970

COMMUNIST PARTY—U.S.A.

Although activities of old line Communist organizations in the United States have been overshadowed by the militancy of the New Left and racial disorders, the threat of communism has certainly not diminished. It flows from the Communist Party—U.S.A. with its blind obedience to the Soviet Union and from the various Communist splinter groups such as the Progressive Labor Party, the pro-Peking group I mentioned earlier which, in addition to stepped-up efforts to extend its influence on college campuses, has made a concerted effort to take over the national leadership of the Students for a Democratic Society, the militant, pro-Marxist, anarchistic, campus-based New Left group, the Socialist Workers Party; the Workers World Party; and their affiliates. These organizations seek to transform this country into a Communist state but differ on the plans to be followed.

The turbulence generated by the New Left stimulated all these organizations into moving toward increased militancy themselves. Seizing any pretext as the foundation for a protest demonstration, leaders of these organizations seek to proliferate each demonstration into a massive confrontation with the authorities to generate disrespect for law and order.

A typical example occurred in connection with the coalition group participating in picketing against establishments of the French Government in the United States in July 1968. In the Berkeley, Calif., area this coalition was led by an official of the Socialist Workers Party and included members of the Socialist Workers Party; the Young Socialist Alliance, the youth group of the Socialist Workers Party; Spartacist, a Trotskyite group; and others. The aggressive action taken by this group necessitated a curfew in Berkeley in order to quell the disturbance.

The growing militancy of the old-line Communist organizations was also demonstrated at the Eighth National Convention of the Young Socialist Alliance held November 28, through December 1, 1968, at Chicago, Ill. The Young Socialist Alliance is the youth and training section of the Socialist Workers Party, a militantly revolutionary party based upon the theories of Marx, Engels, and Lenin as interpreted by Leon Trotsky. Among the nearly 800 in attendance were seven enlisted men from the U.S. Army and several members of the Students for a Democratic Society, as well as individuals from Canada, Mexico, France, and West Germany. Members of the Black Panther Party, a militant black nationalist group, were among the speakers at the convention.

One speaker described those in attendance as being the vanguard of the young students and workers who are called upon to bring the liberating ideas of socialism to the American people. Another speaker appealed to the group to increase their efforts to reach the GIs, to invite them to participate in demonstrations, as a group of 100,000 GI's can make the revolution. At the time of the convention, Young Socialist Alliance members were reported to be located in 101 colleges or universities, 32 high schools, and five junior high schools.

While all the splinter organizations have their roots in the Communist movement, it is essential that it be clearly understood that there are ideological differences between them and that all these organizations are not part of the Communist Party—U.S.A. Most of these Communist splinter organizations follow the interpretation of Marxism-Leninism espoused by the late Leon Trotsky or Communist China.

The Communist Party—U.S.A., on the other hand, represents that part of the international Communist movement in the United States which is pro-Soviet. As a result, we find the Communist Party—U.S.A., following the line established by the Communist Party of the Soviet Union regardless of the effect that such action will have on the party's acceptance in the United States. Thus, during the past year we had party leader Gus Hall holding a press conference in Budapest, Hungary, in February 1968, where he declared that United States "imperialism" was the central issue uniting the 67 Communist and workers parties gathered in Budapest for a consultative meeting. It was also at this time that Hall stated the meeting had unanimously approved a proposal by the U.S. delegation that it send a message of sympathy and support to North Vietnam for its valiant stand against "American aggression."

The matter of unanimous support for the party line and other issues, such as the position the party should take as to black power and the fast-growing New Left movement brought about growing factionalism within the Communist Party—U.S.A., during 1968.

There were a number of party functionaries who were critical of the invasion and occupation of Czechoslovakia by Soviet troops and tanks. The position the party should take in regard to the activities of the New Left is also a matter of much discussion but in recognition of the New Left's role in attracting dissident youth, the party will relinquish some of its activity on college campuses to the New Left in order to concentrate on industry. In March 1969, the Communist Party, U.S.A. held a West Coast Youth Conference to revamp its youth organization, the W. E. B. DuBoise Clubs of America. Since the membership of the DuBois Clubs has now declined to less than 100, it was deemed necessary to change the concept of the organization from a massive-type organization to a young Communist organization, but it would still remain under the DuBois label. The loss of student members to the more active organizations of the New Left was indicated by the fact that working-class youth represented about 75 percent of those in attendance at the conference while students represented only 25 percent. In former years the ratio had been reversed.

Because of the factionalism over the issues mentioned above, the special convention of the party which was held in New

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York City from July 4 through July 7, 1968, was something less than a resounding success for Gus Hall and his supporters in the national leadership. It now appears that the 19th national convention scheduled for the period April 30 through May 4, 1969, will have similar results.

Despite the internal strife besetting it, however, the party makes it clear that while it may disagree with the means to destroy our form of government, it has never deviated from its objective of achieving a communized America.

COMMUNIST PARTY-U.S.A. AND THE BLACK POWER CONCEPT

This is evident in a pamphlet, "Black Power and Liberation—A Communist View," published by the party in December 1967. In it, Claude Lightfoot, chairman of the party's National Negro Commission, wrote that the party's opposition to guerrilla warfare by Negroes in the United States is not based on the rejection of violence. On the contrary, he emphasized that it is a matter of timing. In other words, in line with the historical Communist approach to rebellion, it is wrong to rebel unless one can be assured the time is right, and at this time the party judges the time to be inappropriate.

During 1968 we continued to see the formation of new black extremist organizations, some of which advocate outright anarchy, insurrection, rebellion, and overthrow of the U.S. Government and openly advocate "black power."

The emergence of a militant black power concept in the civil rights movement, particularly on the part of extremist groups, has placed the Communist Party—U.S.A. in a quandary. There is a strong pro-black power current among the lower echelon rank-and-file members of the party and the Negro composition of the party leans toward the black power prophets.

The Communist Party—U.S.A. is confronted with the dilemma of losing hold and influence over the more militant Negro youth within the party because of the attractiveness of the reckless propaganda of black power advocates. Stokely Carmichael and H. Rap Brown, for example, openly espouse the extreme positions of Fidel Castro, the late Ernesto "Che" Guevara, Mao Tse-tung, and the American varieties of irresponsible exponents of violence. The Communist Party—U.S.A. claims to disagree with these extreme positions at this particular time but conciliates with them for fear of being isolated from this sector of youth. It conciliates so much, in fact, that it is hard to determine whether the Communist Party is really for or against black power.

In February 1969 the party's Commission on Black Liberation (formerly the National Negro Commission) adopted a series of motions representing a decided shift from the advocacy of political action to deal with the racial issues to an acceptance of violence and guerrilla warfare as advocated by the violence-prone Black Panther Party which I will discuss later. The commission passed motions to accept the Black Panther Party program, to work as closely with the Black Panthers as the Black Panthers will permit, and to join the Black Panthers if this can be done. These motions were opposed by veteran Communist Party members and further battles concerning these issues can be expected within the party.

MORE PARTY OPEN ACTIVITY

Ever since its 18th national convention in June 1966 the party in this country has been moving more into open activities, running candidates for political office and attempting to improve its image with stepped-up public relations efforts through its publications. All this provides the party with many opportunities to propagandize the American people. While on a trip through the United States, in 1968, Gus Hall stated that through speaking appearances on television, on radio, and in person he was able to reach an estimated 50 million people.

In addition to continuing to publish the twice-weekly newspaper The Worker, party leaders worked hard during 1968 to accumulate finances and staff for a new daily publication, the Daily World, which began publication 5 days a week in July 1968. Publication of The Worker was then discontinued.

SPEAKING APPEARANCES ON COLLEGE CAMPUSES

Also, during the academic year 1967–68, the Communist Party—U.S.A. continued its program of having party leaders appear on college campuses as speakers, 48 such appearances having been made during that school year. This is a small decrease when compared with appearances during previous years. As I pointed out earlier, this is in line with the party's relinquishment of some of its activity on the campuses to the New Left in order to concentrate on industry.

I submit a list of names of these leaders, the dates of their appearances and where they appeared.

Mr. Rooney. Without objection, we shall insert the list at this point in the record.

(The list follows:)

PUBLIC APPEARANCES OF PARTY LEADERS ON CAMPUSES, SCHOOL YEAR 1967-68

School	Speaker	Date
Brooklyn College, Brooklyn, N.Y	Claude Mack Lightfoot	Sept. 27, 1967
University of Santa Clara, Santa Clara, Calif	Herbert Aptheker	Oct. 17, 1967
Do	do	Oct. 18, 1967
Do	do	Oct. 19, 1967
Gonzaga University, Spokane, Wash	Milford Sutherland	Nov. 2, 1967
John Carroll University, Cleveland, Ohio	Philip Bart	Nov. 9, 1967
Portland State College, Portland, Oreg	Donald Lee Hamerquist	Nov. 15, 1967
Los Angeles Valley College, Van Nuys, Calif	Dorothy Healey	Nov. 21, 1967
University of the Pacific, Stockton, Calif	Bettina Aptheker Kurzweil	Nov. 28, 1967
Raymond College of the University of the Pacific, Stockton, Calif	do	Do.
Brooklyn College, Brooklyn, N.Y	do	Jan. 10, 1968
Queens College, Flushing, N.Y	do	Jan. 11, 1968
University of British Columbia, Vancouver, British Columbia, Canada	Herbert Aptheker	Do.
University of Alberta, Edmonton, Alberta, Canada	do	Jan. 12, 1968
St. Cloud State College, St. Cloud, Minn	Arnold Johnson	Jan. 17, 1968
Carroll College, Waukesha, Wis	do	Jan. 22, 1968
University of Dayton, Dayton, Ohio	Herbert Aptheker	Jan. 24, 1968
Brown University, Providence, R.I	do	Feb. 5, 1968
Hofstra University, Hempstead, N.Y	do	Feb. 6, 1968
California State College at Hayward, Hayward, Calif	Bettina Apetheker Kurzweil	Feb. 8, 1968
Wayne State University, Detroit, Mich	Herbert Aptheker	Feb. 10, 1968
Assumption College, Worcester, Mass	do	Feb. 15, 1968
Denison University, Granville, Ohio	do	Feb. 20, 1968
University of Oregon, Eugene, Oreg	Bettina Aptheker Kurzweil	Feb. 21, 1968
Case Western Reserve University, Cleveland, Ohio	Victor Perlo	Feb. 23, 1968
Indiana State University, Terre Haute, Ind	Herbert Aptheker	Feb. 24, 1968
Valparaiso University, Valparaiso, Ind	do	Mar. 19, 1968
University of Wisconsin, Madison, Wis	do	Mar. 27, 1968
Marquette University, Milwaukee, Wis	do	Mar. 28, 1968
University of Minnesota, Minneapolis, Minn	do	Mar. 29, 1968
University of South Dakota, Vermillion, S. Dak	do	Apr. 1, 1968
Stanislaus State College, Turlock, Calif	Bettina Aptheker Kurzweil	Apr. 3, 1968
University of Connecticut, Storrs, Conn	Herbert Aptheker	Do.
College of the City of New York, New York, N.Y	Gus Hall	Apr. 11, 1968
University of Kentucky, Lexington, Ky	Herbert Aptheker	Apr. 22, 1968
Eastern Michigan University, Ypsilanti, Mich	do	Apr. 26, 1968
John Carroll University, Cleveland, Ohio	Philip Bart	May 5, 1968
Williams College, Williamstown, Mass	Herbert Aptheker	May 6, 1968
San Fernando Valley State College, Northridge, Calif	Dorothy Healey	May 7, 1968
Do	do	May 11, 1968
University of North Dakota, Grand Forks, N. Dak	Gus Hall	May 14, 1968
Purdue University, West Lafayette, Ind	Herbert Aptheker	Do.
Bowling Green State University, Bowling Green, Ohio	do	May 15, 1968
University of Illinois, Circle Campus, Chicago, Ill	Louis Diskin	May 16, 1968
Shasta Junior College, Redding, Calif	Bettina Aptheker Kurzweil	May 21, 1968
University of Minnesota, Duluth, Minn	Arnold Johnson	May 23, 1968
Indiana University, Bloomington, Ind	James West, Ted Pearson	May 31, 1968
Do	do	June 1, 1968

MEMBERSHIP

Mr. Hoover. As late as April 1968, Gus Hall claimed that the party had 14,000 dues paying members and some 100,000 supporters.

MASS MEMBERSHIP ORGANIZATIONS WHOSE PROGRAMS UNDERMINE RESPECT FOR LAW AND ORDER

A serious law enforcement problem is posed by mass membership organizations whose programs have the effect of undermining respect for law and order. Some directly or indirectly advocate defiance of the law and hostility toward constituted authority.

FOREIGN INFLUENCES IN THE BLACK NATIONALIST MOVEMENT

The question of foreign influences in the black nationalist movement is a matter of grave concern to the FBI and during the course of our investigative activity in this field we are ever alert to this possibility. For one thing there has been travel abroad by such militant black nationalists as Stokely Carmichael of the Black Panther Party, James Forman of the Student Nonviolent Coordinating Committee, Milton and Richard Bullock Henry of the Republic of New Africa, and others.

In April 1968, black power posters were sent to the United States from Cuba. These posters urged "Retaliation to Crime: Revolutionary Violence" and were distributed by the Afro-Asian-Latin American Peoples Solidarity Organization, Havana, Cuba.

IMPACT OF NEW LEFT AND BLACK EXTREMIST STUDENT MOVEMENTS

Mr. Hoover. While the phenomenon of revolutionary "protest movements" manifested by campus rebellions and riotous demonstrations throughout the world, some of which I have briefly described, reached a new peak during the past year, it has been building up for a decade. The wave of extremism, which has been marked by growing violence and lawlessness, has without a doubt had a harmful impact on this country in a number of ways. It has impaired the successful and speedy prosecution of the Vietnam war effort; jeopardized the struggle for civil rights and increased animosity between blacks and whites; severely disrupted the normal processes of our academic system; and has served to advance Communist causes both national and international.

At the same time, the New Left and black extremist student protest activity has contributed greatly to the development of a lawless and insurrectionary atmosphere which has encouraged widespread contempt for established authority and promoted criminal, violent behavior. Overall, it is apparent that these groups are clearly subversive forces which represent an ever increasing danger to our national welfare and security.

In this regard, we have developed information on a number of occasions whereby nonstudents appeared on campuses during periods of student agitation to participate in campus disorders. Information has also been developed indicating that extremist agitators have traveled from one campus to another exhorting students to protest the administration of their schools, and some students have participated in disorders on campuses other than their own.

Information concerning the activities of such individuals is furnished to the Department of Justice for determination as to whether violations of the antiriot laws or other Federal violations exist.

FBI COVERAGE OF SUBVERSIVE ORGANIZATIONS

I am pleased to be able to advise the committee that in spite of the fact that we have been confronted with a growing number of individuals, organizations, and problems in the security field requiring investigative attention, we have been able to follow closely and report on their diverse activities and thus keep the appropriate authorities advised.

Through informants we have been able to penetrate the organizations at high levels, both locally and nationally. The services of these men and women in their informant capacity have also enabled us to continue our deep penetrations in the intelligence operations being conducted in this country by representatives of the Communist bloc particularly Russia, Cuba, and Red China.

TELEPHONE TAPS

We make use of a total of 49 telephone taps and five microphone installations in Bureau cases in the security field. All were approved in advance and in writing by the Attorney General.

ESPIONAGE AND COUNTERINTELLIGENCE

Reports from a host of reliable FBI sources clearly indicate no letup on the part of the Communist countries in their intelligence attacks against the United States for the purpose of penetrating our national defense interests. As all Americans know, it is the intent and objective of Russia and the other Communist countries to spread their brand of the Communist system wherever possible.

The coverage and thwarting of these foreign intelligence activities have over the years resulted in a steadily increasing workload for the FBI.

SOVIET UNION AND OTHER COMMUNIST COUNTRIES

Bases for the intelligence operations of the Communist bloc continue to be their official establishments including their diplomatic establishments and their delegations to the United Nations. The intelligence services of the Communist-bloc countries continue to make full use of all of these as a cover for their operations. Many of the officials assigned to these establishments are actually intelligence officers engaged in the clandestine direction of intelligence agents and sources in our country.

In carrying out their aims we find the Communist intelligence services attempting to penetrate such key U.S. agencies as the FBI, CIA, State Department, and Department of Defense.

SOVIET-BLOC OFFICIAL PERSONNEL

The official personnel of the Soviet-bloc countries openly in this country play an important role in this vast intelligence-gathering operation. The number of official personnel of the Soviet bloc here on April 1, 1969, totaled 2,537, including dependents. Some idea of the number of intelligence personnel involved can be obtained from the fact that a Soviet defector has stated that 70–80 percent of all personnel assigned to Soviet diplomatic establishments work in the intelligence field.

This chart shows the total Soviet-bloc official personnel in this country on July 1 for the years 1963 through 1968 and the current complement here on April 1, 1969. It also illustrates the fact that over the years the number has increased substantially.

Most of the official personnel of the Soviet bloc in this country are from Russia. This chart gives a breakdown by countries of the Soviet-bloc official personnel in the United States as of April 1, 1969.

In addition to the officials, there are those deep-cover intelligence agents operating in our country who have no ostensible connection with their foreign principal. Once a deep-cover agent has gained entry to our country, he easily becomes assimilated into our vast population under an assumed identity. His detection and identification at this point become a counterintelligence problem of extreme magnitude.

CUBA

Since Fidel Castro established a Communist beachhead in Cuba in 1959 he has from that point forward spared no effort to expand the Communist takeover to the remainder of Latin America. As a result, Cuba represents the greatest potential threat to peace in the Western Hemisphere. In this regard, Castro has not only publicly supported open rebellion by Communist-led groups in most of Latin America, but he has supplied men, material and logistical support in a further effort to overthrow existing democratic regimes in Latin-American countries.

Significantly, in addition to the training of guerrillas for the exportation of Castro's revolution to other Latin-American countries, information has come to our attention that Negroes are being trained in Cuba for infiltration into the United States. This is particularly important when viewed in the light of open support given during several recent international Communist conferences held in Havana to the concept of armed insurrection by black power advocates and other black extremist groups in the United States.

Since Castro took over Cuba in 1959, over 400,000 Cubans have left their homeland for refuge in the United States, the flow since December 1965 having been at the rate of over 3,700 a month. This adds to our work in two areas. On one hand, many of the refugees carry on activities to overthrow Castro. These activities have ranged from the bombing of Cuban establishments as well as establishments of countries carrying on trade with Cuba, to sea and air attacks against the Cuban mainland. This continued militancy necessitates our keeping track of Cuban refugee activities and conducting appropriate investigations where there are indications that Federal statutes have been violated.

On the other hand, the possibility of Cuban intelligence agents being infiltrated into this country through the refugee stream is always present and requires continuing investigative attention.

Cuba, of course, as in the case of other Communist bloc countries, relies heavily on its only diplomatic establishment in the United States, the Cuban Mission to the United Nations in New York City, to serve as a legal base of operations for clandestine intelligence gathering activity.

CHINA

The potent threat to our national security posed by Red China still exists. In fact, the blatant, belligerent and illogical statements made by Red China's spokesmen during the past year leave no doubt that the United States is Communist China's No. 1 enemy. This bitterness towards the United States and other Western countries—even the Soviet Union—is a factor in Red China's ambition to equal other major powers economically, militarily and, especially, in scientific endeavors.

This Red Chinese goal has resulted in Chinese Communist intelligence activities in this country, overt as well as convert, to obtain needed material, particularly in the scientific field.

In one clandestine effort in 1967, which we thwarted, a Chinese American attempted to send electronic equipment to Hong Kong by way of Canada. This Chinese American headed an electronic company in the United States and the components involved, which could have been used in aerospace research, missile tracking, and radar, were sent to a Hong Kong businessman, temporarily in Toronto, Canada. Based on information furnished by the FBI, he was arrested by Canadian authorities in Toronto for making a false customs declaration, the electronics components being declared as replacement parts for printing machines. He was convicted and served a 60-day sentence.

We are being confronted with a growing amount of work in being alert for Chinese Americans and others in this country who would assist Red China in supplying needed material or promoting Red Chinese propaganda. For one thing, Red China has been flooding the country with its propaganda and there are over 300,000 Chinese in the United States, some of whom could be susceptible to recruitment either through ethnic ties cr hostage situations because of relatives in Communist China.

In addition, up to 20,000 Chinese immigrants can come into the United States each year and this provides a means to send illegal agents into our Nation. There are active Chinese Communist sympathizers in the Western Hemisphere in a position to aid in operations against the United States.

The Chinese Communists do not have a legal base in the United States from which to conduct intelligence operations. In Canada, however, there is an office of the New China News Agency which poses as a legitimate news-gathering organization. Actually, its real function is to serve as a base for Red China propaganda activity.

A growing problem which threatens to place a heavy burden on our investigative resources concerns the approximately 40,000 Hong Kong based Chinese seamen, many actually residing on the China mainland. We are aware of situations where they have served as couriers in intelligence operations. There have also been instances of mutinies on foreign ships by Chinese crews waving the book "Quotations From Chairman Mao Tse-tung.

Of the 40,000-odd crewmen, on any given day three-fourths of them are on vessels throughout the world. Some 27,000 of the total crew complement are members of the Chinese Communist-dominated Hong Kong Seamen's Union. In respect to the United States, there are thousands of entries made by these crewmen into the United States cities each year when their ships dock here. Although it is not necessary for a seaman to desert ship to perform an intelligence assignment, it is noted that there were over 700 desertions by Chinese crewmen in the United States in fiscal year 1967, and this accounted for more than 80 percent of the total desertions by Chinese crewmen throughout the world during that year. It is significant to note that desertions by Chinese crewmen jumped to some 930 during the fiscal year 1968.

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CONSUMER INTERESTS AT STAKE IN MOUNTING CORRUPTION IN PIPELINE CONSTRUCTION

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. HANNA. Mr. Speaker, the Wall Street Journal is providing the public with a glimpse into the murky undercurrent of the pipeline construction industry. Corruption, bribery, violence, and extortion involving respected corporate executives, union officials, and some who hold public office are causing the cost of laying pipeline to soar.

According to the Journal, $443 million was spent last year in constructing some 12,829 miles of pipeline. This is twice the cost for laying the same amount of pipe 10 years ago. The 100-percent increase in price, however, cannot fully be written off to the traditional factors of manpower, material, and financing costs. The Journal reporters have uncovered "some observers who say some of the rise is due to the high cost of graft."

The consumer is affected adversely. Almost all of our country's natural gas is moved underground through pipes, and more than half of our petroleum is moved through underground pipelines. The Federal Power Commission allows transmission companies to figure in the cost of constructing pipeline in determining the rates they will charge local gas utility companies. And, of course, gasoline prices are directly affected by the cost of pipeline construction. In the end the consumer pays the bill, and his bill is disproportionately higher because somewhere down the line millions in graft and extortion changed hands.

The present circumstances impinging upon the construction of vital pipelines are intolerable. Public exposure, and the reported Justice Department crackdown, will be helpful. However, I believe that in justice to both the consumer and the industry, the appropriate committees of the Congress should investigate the sordid state of affairs in pipeline construction.

I commend to the attention of interested Members the series of three articles now appearing in the Wall Street Journal. The following is an excerpt from the lead article:

INVISIBLE INDUSTRY: FIRMS ASSERT PAYOFFS ARE ACCEPTED PRACTICE IN PIPELINE CONSTRUCTION

In Newark, N.J., earlier this year, Justice Department lawyer Herbert J. Stern described to a jury "naked corruption" the likes of which, he said, "rarely if ever" had been disclosed in Federal court.

The criminal case involved Colonial Pipeline Co., operator of a pipeline from Houston to Linden, N.J. The $400 million line, which transports gasoline and other oil products, is the largest privately financed construction project in history. It is owned by nine major oil companies.

The jury found six defendants, including the former president of Colonial and the municipal council president of Woodbridge Township, N.J., guilty of offering or accepting $110,000 in bribes to expedite construction on the pipeline in New Jersey in 1963 and 1964. In a second trial just ended, also in the Federal District court for the district of New Jersey, Peter Weber; the powerful head of New Jersey's Local 825 of the Operating Engineers Union, was found guilty of forcing a contractor to award a subcontract to a favored company and of receiving a cash payoff of $30,000 on the same pipeline job.

The case shocked pipeline executives—particularly because men who paid bribes were prosecuted along with the recipients. Many pipeline officials are inclined to view Colonial's actions as an unfortunate mishap in an otherwise ethical industry. "I don't know anything about shakedowns," typically says James B. Henderson, president of Transcontinental Gas Pipe Line Corp. of Houston. "We don't participate, and we won't. Contractors, to our knowledge, don't get shaken down either."

But a Wall Street Journal investigation suggests a contrary view. Talks with pipeline operators, contractors, Federal agents and labor union officials indicate widespread corruption that results in higher prices to users of natural gas and petroleum. These sources assert that:

In Louisiana, violence or the threat of violence against pipeline builders who refuse to pay off public officials or submit to unusual union demands has reached extreme proportions.

—In the Philadelphia area, coercive union tactics have forced at least one pipeline contractor out of business and severely hurt others. A quiet but intensive Federal investigation is under way.

—In Connecticut, New York and other states, evidence of intimidation of pipeline officials is mounting.

—Throughout the pipeline industry, fear of reprisals makes pipeline executives afraid to testify about extortion. An attitude persists that bribes to unions and others are a necessary cost of doing business.

—And across the nation, slowdowns and featherbedding practices of some pipeline unions have increased.

SOARING COSTS

No one can estimate the damage to the industry or the cost to the public from these conditions. But there are indications. Last year construction of large, cross-country pipelines totaled $443 million for 12,829 miles of pipe. Ten years ago nearly as much pipe was laid for around half the cost. Some observers say some of the rise is due to the high cost of graft. Others say the increase is almost entirely due to more legitimate increases in manpower and material costs, including a near doubling of the labor bill.

More than half the nation's petroleum energy and nearly all its gas moves underground in a network of over one million miles of pipeline. The cost of oil pipelines affects the price of gasoline, and the cost of natural gas pipelines is the key factor in the price the Federal Power Commission allows transmission companies to charge local gas utilities. Thus, any extra costs in pipe construction can wind up in the price of gas to the public.

For various reasons, pipelines are prime targets for extortion. "It's an industry with a lot of money to begin with," says a Federal investigator, "Then there is a lot of pressure to get the job done quickly, so the tendency is to pay off and get on with the job." The haste is due to the seasonal nature of pipelaying (rain and cold weather shut down most jobs), the high fixed cost of equipment on a pipe job and the frequent desire to finish a pipeline in time to capture winter heating markets.

The contractor who builds a pipeline is vulnerable because his bid is generally a fixed price and his profit depends on how many feet of pipe he can lay per day. Thus, a $10,000 bribe may look preferable to a labor slowdown or a delay in obtaining a municipal permit—problems that might cost the contractor five times that amount.

REPRESENTATIVE PAUL W. CRONIN EARNS MASTER OF PUBLIC ADMINISTRATION DEGREE

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. MORSE. Mr. Speaker, a young State representative from Andover, Mass., who formerly served as my administrative assistant, was the first legislator to earn a master of public administration degree from the John W. Kennedy School of Government this June.

Paul W. Cronin is a vigorously active and dedicated public servant who felt he needed to take the time to think through some of the congeries of problems which both State and National legislators must find solutions to daily. From this experience, Representative Cronin brought a new proposal, which he devised and wrote about for his thesis, for revising county government in Massachusetts so that it might take account of the functional needs of modern counties.

So impressive was his proposal that the Committee on Counties of the Massachusetts Legislature asked for $50,000 and a commission to study the plan.

I have been proud to be associated with Paul Cronin and I think my colleagues may be interested in two articles from the Lowell Sun and the Lawrence Eagle Tribune about this truly fine young man. Under unanimous consent I submit these articles for inclusion in the CONGRESSIONAL RECORD, as follows:

FROM JAPAN—FROM LIBYA—FROM ANDOVER STATE HOUSE

The trade secretary of Japan, the minister of development in Libya, the vice president of a bank in Colombia, win degrees tomorrow from Harvard's John F. Kennedy School of Government.

So will Rep. Paul W. Cronin, 31, R-Andover, first legislator to graduate from the School.

Cronin crammed two years of courses into one to get his master's degree in public administration, attended on an administration fellowship.

"I enjoyed this year very much," he said yesterday in the House lobby. "You don't have time to think things out here many times—you are tied up doing things. But this year at the Kennedy School forced me to take time and think about problems as well as solutions."

One problem he thought about was county government. A paper he wrote on a School assignment was the core of a plan to re-align the state's 14 counties with the main thrust on regional services.

A professor graded the paper "B", but Cronin filed a bill based on his research and won the praise of the Committee on Counties, usually slow to embrace county reforms. The Committee liked the idea so much it is asking $50,000 and a nine-man commission to study the plan.

The School, began in 1965, was dedicated as a memorial for the late President. The national prefers to it as "the government in exile for the future Kennedy administration."

But Republican Cronin calls the 99 graduates in the class of 1969 "the people who will be running the world in the next five years."

Graduates include ministers and business executives on leave from Asian and mid-east countries and Africa.

Wednesday luncheons for students Rep. Cronin calls "the most incredible part of this experience." Here, the 99 class members rubbed shoulders and compared experiences. "You got to know the other people in the School on a very close basis," he reports.

The Andover representative is in his second term in the House of Representatives, was the youngest selectman to serve in his home town and later was administrative assistant to Cong. F. Bradford Morse, R-Lowell.

He is married to the former Kathleen Sears, of Andover, and they are the parents of Kevin, 11, and Kim, 10.

Andover Solon-Student Wins His Master's Degree at Harvard

(By Loring Swaim, Jr.)

State House.—Henceforth, it will be: Rep. Paul W. Cronin, B.A., M.P.A.

This week, the young Andover Republican legislator was awarded a master's degree in public administration from the John Fitzgerald Kennedy graduate school of government at Harvard university.

Cronin, 31, completed the rigorous two-year course in one year—and was a state representative at the same time.

He was the only legislator—and one of the rare Republicans—in the newly formed government school founded in memory of the late President Kennedy.

"I certainly feel the experience made me a better legislator, he told the Sunday Sun. "It opened up associations with leaders who will be running their countries in the next five years. And it meshed the theoretical and practical side of public administration which is my chosen profession."

Among Cronin's 99 colleagues at the institute were cabinet-rank officers from governments around the world. There was the permanent secretary of The Nigerian Natural Resources department, the deputy secretary of the Indian cabinet at New Delhi, the Libyan minister of planning, the trade promotion chief of the Japanese foreign office.

Certainly the session at Kennedy institute will be no handicap if and when Cronin aspires for higher office in pursuit of his career. An eventuality which could not be far distant, in case Congressman F. Bradford Morse decided to move to other duties, as has been rumored.

Cronin is what could be termed an Irish Republican, no small asset in Democratic country. He was Morse's administrative assistant for several years and ran two of his successful reelection campaigns.

For the first semester at the Kennedy school, Cronin himself was engaged in an eyeball-to-eyeball confrontation with another state representative incumbent. The two fought for one seat and Cronin won.

Most classes at Kennedy were in the mornings, some being on Saturdays, which allowed Cronin to fulfill his obligations to constituents by voting in House actions from 1 p.m. onwards.

"For the last three weeks, as the end of the course was in sight," he says somewhat wistfully, "I went with two hours sleep every second night."

The thesis Cronin wrote for his M.P.A. degree—a proposal for revising county government in Massachusetts—was submitted as the basis for legislation before the General Court. The normally skeptical and defensive committee on counties, which shot down in flames reform proposals offered by Gov. Francis Sargent, took kindly to Cronin's approach. The committee recommended a study, and a $50,000 appropriation to finance it, no small achievement.

In essence, Cronin proposed the dedrawing of county lines to correspond to new functional needs of modern counties. He suggested a regrouping of the communities along the Merrimack Valley as a natural focus for one dedesigned county: a "Cosmos County" of 1.5 million inhabitants of Greater-Boston; a suburban county comprising towns between routes 128 and 495.

In addition, he redistributed the customary functions of counties, assigning some to the state, some to local communities, but most to a restructured county government.

"The attainment of a graduate degree from Harvard at a period when you have also been engaged in the faithful discharge of your legislative duties," runs a letter Cronin received Friday from his boss in the House, Minority Leader Rep. Sidney Curtiss, "deserves the highest of commendations.

"The work you have done to achieve the distinction of M.P.A. will enhance your political aims and objectives.

"Of even greater significance is the lifetime of gratification which this reward for your diligence has bestowed on you."

Cronin during his business on Beacon Hill has worked with four other liberal young Republicans in sponsoring practical legislation which achieved considerable success in passage. The group was called "The Monday Club," modelled after Cong. Morse's notable "Wednesday Club," the liberal congressional group which brought forth such leaders as Mayor John Lindsay of New York.

Cronin lives with his wife Kathleen and two children, Kimberly 11 and Kevin 10, at 8 Punchard Ave., Andover. He attended Merrimack College, then Boston University where he had a double major, in both government and economics.

"To be effective is my goal in public life," says Cronin.

Masters Degree for Cronin

Representative Paul W. Cronin of Andover was one of 58 men who received a Masters degree in Public Administration from the John F. Kennedy Graduate School of Government at Harvard University. He is the first Legislator from Massachusetts to be so honored. Cronin received a fellowship for his studies and was able to accomplish what is normally a two year program in one academic year.

The school, a part of President Kennedy's legacy, annually chooses government leaders from around the world for training. Cronin's classmates included the Trade Secretary from Japan, the Minister of Development in Libya, the Vice-president of the Bank of Colombia, as well as ministers and leaders from Asia, Europe, Latin America, and Africa. Cronin commented that these are the people who will be running the world in the next five years.

Minority leader Sidney Q. Curtiss stated: "The attainment of a graduate degree from Harvard at a period when you have also been engaged in the faithful discharge of your legislative duties deserves the highest commendations. The work you have done to achieve the distinction of Master of Public Administration will enhance your political aims and objectives. Of even greater significance, is the lifetime of gratification this reward for your diligence has bestowed upon you.

The Andover Representative in his second term in the House of Representatives, was the youngest Selectman to serve in his hometown, and later was the Administrative Assistant to Cong. F. Bradford Morse.

YOUTH AND GOOD CITIZENSHIP

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. PEPPER. Mr. Speaker, it is my privilege to call to the attention of my colleagues the splendid essay which Mr. Nicholas A. Manzini of my district has written on "My Responsibility as a Citizen—in the Family, in the Community, and in the World."

This outstanding young man, a student at Miami Jackson Senior High School, came to Miami only 6 years ago as a refugee from the Communist tyranny which Fidel Castro has imposed upon the beautiful island of Cuba. His sentiments are an inspiration to all of us, and they have won for him the $1,000 top award of the southern region of the Soroptimist Federation of the Americas, Inc. He will enter Princeton University this fall on a scholarship and will make there, I am sure, an outstanding record. This summer, he is spending his summer living his commitment to better citizenship by working as a volunteer for our Miami antipoverty program, our Economic Opportunity Program, Inc., in its continuing community action effort.

I am pleased, Mr. Speaker, to include this splendid essay, as follows:

Youth Today

(By Nicholas A. Manzini)

"And both that morning equally lay
In leaves no step had trodden black.
Oh, I kept the first for another day,
Yet knowing how way leads on to way,
I wonder if I should ever come back,

"I shall be telling this with a sigh
Somewhere ages and ages hence:
Two roads diverged in a wood, and I,
I took the one less travelled by,
And that has made all the difference."

The rather simple words of Robert Frost in *The Road Not Taken* depict this new pattern of contemporary thinking and the stage at which young people find themselves right now, a stage of making decisions, of questioning, of reaching awareness of life's values, and of accepting or rejecting such. Adolescence is a period of formation for one's character, and thus, holds an enduring influence in the development of our philosophies towards social structures. The period of chrysalis in the worm is analogous to a human being's adolescence . . . the worm turns into a butterfly; the human being, after unrestful youth, becomes a self-defined and mature person. It would be inexcusable to assume that upon reaching maturity, we're through with our search for self-knowledge. This often anguished inquiry never ends, for Man is a process of becoming, and that process is inevitably endless.

But since relevance and realism are major goals of my generation today, and since I'm not a misanthropic individual in a society, but instead, a concerned one, I have established a set of goals through which I feel I can effectively do my part as a member of this thing so often erroneously labeled "establishment" and thus, someday be able to estimate how important I as a productive person really am to an ever-changing world like the one we're living in. Therefore, I've given a great deal of consideration to this word "responsibility" which puzzles so many people today.

When seven years ago my family migrated to the United States from Cuba in search of political exile and refuge, we arrived at an environment which was completely alien to us and found a great number of difficulties in adapting, the most obvious and hardest to overcome being the language barrier with which we were faced. However, depressed as we were after a tormenting exodus from all we knew and loved, we started our new life with a strong desire to belong. My parents by being restrained from their normal job practices due to their inability to speak the English language fluently, found it hard to find employment, and yet, though they faced many disappointments, they remained infalliable, and demonstrated to my sister and me a great strength of spirit. Thus, we admired them immensely and learned to cooperate with them whenever necessary. Our family unit became closer knit, it became a one. Today, when most of the original obstacles have been conquered, our family remains close with a keen sense of understanding. We have never experienced or confronted a generation gap because we have never allowed one to exist. We're mutually receptive to all of our problems and the parent-child relationship has become more of a friendship. We're proud of this unmarred unity.

My consciousness and concern extend to the small community I live in where urban problems have emerged. Since today's world relies so greatly on social structures, how men can adapt to living in a society is going to determine our survival, and hopefully, our progress as a people. If communal brotherhood within a community could be accomplished, maybe then many of the problems with which such communities are faced could be overcome. I, as an individual, can develop a sense of pride and satisfaction when I can give to others and watch them benefit. When last summer the Neighborhood Youth Corps instituted a program for the enrichment of disadvantaged community youth, it established a sense of communication between people of different socio-economic levels. When as a counselor, advisor, and tutor, I exchanged ideas with other less fortunate people in the same community I live in, I realized that *sharing* could be beautiful.

But I feel reluctance in narrowing my experiences to my family and community. If my concern were not just for all the people on this mad planet, if national margins were so blinding as to keep me from loving all for being part of this race we call the homo sapiens, then I would feel as if I were slowly dehumanizing. Nationalism needs not restrict our ideas, our awareness of a universal law for Man. I, who consider myself a citizen of this far-stretching world, must keep an open mind and must stop and avoid generalizing in order to view other people, not as masses divided by sectional boundaries, but as people involved in basically the same struggles, and with perhaps a more beautiful common goal in mind, that of peace for all mankind.

I HAVE A DREAM

HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. WYDLER. Mr. Speaker, the national emphasis on strife and misunderstanding between races and generations disheartens many of us. Therefore, Mr. Speaker, it is with much pleasure that I rise to commend two young men from my congressional district—young men of differing races, differing backgrounds, and youthful years—for their successful joint effort to interpret musically the inspiring speech of Dr. Martin Luther King, Jr., "I Have A Dream."

The music was composed last year by 17-year-old Arthur Lee McClanahan of 118 Brixton Road, Garden City, N.Y., when he was a high school senior. The merit of the score was perceived by 19-year-old Robert Jackson of Portsmouth, Va., a music major at Adelphi University in Garden City, who arranged and conducted the public premiere by the Adelphi Octet, a racially integrated group of musical excellence sponsored by the Students' Association of the university. This dynamic combination of youth and talent resulted in a performance of such outstanding caliber that requests for performance are being received by the composer and the conductor from many significant organizations.

I deplore the daily diet of dark predictions about the future of America and about the inability of races and generations to communicate with each other. Martin Luther King, Jr., was not of the same generation as these two young men, yet his meaningful message moved them to professional accomplishments. These two young men are not of the same race but, grasping the essence of Dr. King's message, they have jointly echoed in music his high hopes for the future of our land. This is the vital quality of America that will ultimately translate the dream into reality.

TIME PASSES, BUT MAGAZINE SALES PRACTICES LINGER ON

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, 3 years ago Mr. Rice Odell wrote a series of articles for the Washington Daily News discussing the tactics being used by magazine subscription salesmen in the Washington, D.C., area.

Mr. Odell's articles were written during a time when the magazine subscription sales industry supposedly was operating under a voluntary "code of fair practices." Yet, despite the code, deceptive and fraudulent practices flourished then.

Today, in fact for the past 18 months, a more stringent code of fair sales practices, presumed to have substantially greater impact because of its endorsement by the Federal Trade Commission, governs the methods of selling magazine subscriptions. Nevertheless, the unscrupulous practices which mark magazine subscription sales under the FTC-endorsed code of fair practices are the same unscrupulous practices which prevailed 3 years ago.

Mr. Speaker, as further evidence the magazine subscription sales industry's self-policing program is a failure, I should like to insert in the RECORD the series of articles written by Mr. Rice Odell 3 years ago. Nothing has changed since his series appeared in print—only the victims, and occasionally the sales personnel, are new.

The articles follow:

[From the Washington (D.C.) Daily News, May 4, 1966]

NO CATCHES FOR A CHANGE

(By Rice Odell)

You probably know the pitch well: The phone rings and a cheerful voice brings you "good news" about a batch of magazines you can subscribe to for practically nothing.

These calls, and the follow-up visits, are not the result of some fly-by-night, door-to-door operation passing thru the area. They represent a well-entrenched and thriving business—and a big one.

Some of the practices used to solicit subscriptions—by some, not all of the roughly 15 companies in the field here—are questionable, however.

BEST WISHES

Consider this suggested telephone pitch, printed for one of the area's largest periodical services (but which its head denies is used):

"I do have a surprise for you today with no catches for a change. You see we are asked to contact you by the National Editors Index and since you are a resident, with all our best wishes and entirely at our expense, you will receive the next 60 issues of . . ."

At this point the caller names five out of a list of magazines, chosen with a view to whether he's talking a man or a woman. Then:

"All of this with our compliments and entirely at our expense. That's quite a surprise to you, right? Well, let me assure you, Mrs. ——, there is no catch involved. There is a sound business reason for the whole thing.

"Have you ever noticed the advertising on the back covers of Look? Well, they always have ads for cigarets or soft drinks and these advertisers have just renewed their contracts with us on a circulation basis for the next 60 issues, so we have been authorized by them to send the books I mentioned so they know their ads will be read. You will receive a written and bonded guarantee . . ."

Then, inevitably, comes the "catch:"

"Now," the suggested words continue, "the only thing we can't control are the postal regulations that prohibit free and unclassified mailing. Now, all that means, is it will take just 36 cents a week on your part to cover delivery cost. Now this is all you pay . . . Now isn't that wonderful? . . . Just to be sure I've explained everything properly you will receive all five magazines for the next 60 months and only 36 cents a week takes care of everything, okay?"

The use of such references to postage is flatly denied by the firm head, who said his firm has a code of ethics prohibiting it.

POSTAGE RATES

Thirty-six cents a week, referred to solely as delivery cost or postage, is appealing. It doesn't sound like much, at least not like the final total of $93.60.

Divided by five magazines, the 36 cents is just over seven cents each per week. Often overlooked by the customer, however, is that most of the magazines sold are monthlies, and the most frequently sold by the company, Look Magazine, is published once every two weeks.

Magazines are sent at the Post Office's low bulk, second-class mailing rate—2.8 cents per pound for all zones on editorial content and from 4.2 cents to 14 cents a pound, depending on the zone, for advertising content.

Let's say a typical issue of Look weighs 12 ounces, a little more than half of it advertising. Even if mailed from the farthest zone, which would be a rarity, its postage charge would be less than 7 cents.

A little more arithmetic applied to the

monthlies as well clearly shows that subscribers are paying well above the cost of delivery.

This is true even tho, in many cases, the salesman adds a magazine or two to the list of five when he comes around a few days later to close the deal and get a contract signed. This company's men usually throw in a year or two of Look as a gift for someone of the subscriber's choice. Another frequent addition is several months of the Insider's Newsletter.

Several days ago, a man here subscribed to six magazines after he was told by another firm which operates in the area, that has payments were to cover postage only. The total amount to be paid is $104.

VALUE

Aside from the claims about paying delivery costs or postage only, what kind of value does the subscriber get for his money?

The first company head points out, the subscribers are also getting the advantage of paying on a "budget" or time-payment plan. Thus they don't have to pay the full cost of all the five-year subscriptions at once.

His company contracts usually involve a $3.60 down payment and additional payments of $3.60 for each of the next 25 months. Thus the total is compressed into two years, with no payments due the last three years.

He said in addition a person can't get five-year subscription rates from most magazines if he approaches them directly.

[From the Washington (D.C.) Daily News, May 5, 1966]

A GOOD YEAR OF MAGAZINE SALES CAN BRING $20,000

(By Rice Odell)

Some years ago, magazine subscription salesmen would sweep into town in droves, canvass neighborhoods intensively from door-to-door, rack up an amazing number of customers and then move on, to return another day.

By and large they were fast talkers, and they weren't always above such tricks as faking a limp and pretending to be an injured war veteran.

This cash business, finally tarnished by bad publicity, more or less faded away, and taking its place are about 15 selling operations which deal in time payments by check, and which maintain permanent offices in the area and are therefore more concerned about their image in the eyes of local authorities.

PERSUASIVE

Still a staple operational ingredient, however, is the highly persuasive sales pitch. In many cases here, this even includes assurances that all a subscriber need pay is the postage for the magazines—claims which appear to be correct but which are actually false.

One large firm has another profitable gimmick: On its standard $91 contract (usually for five-year subscriptions to five or six magazines), it collects an additional $2.60 in sales taxes. It does so in Virginia, where there is no sales tax. And in Maryland and D.C., where there are sales taxes, it hasn't been paying them.

Many of the firms here apparently don't resort to such practices, and consider claims of "postage only," or the talk of "special offers" or how people have "won something," to be deceptive.

WIDESPREAD

There's big money in subscription selling here, as well as thruout the country "There are millions of dollars involved," says one man in the field. "It's a big-time operation."

Estimates of the number of salesmen working the area range from 75 to 100. They can cover a lot of ground in a full day on the job, and a good man having a good year can make $20,000.

FRANCHISE

Nearly every one of the agencies here is franchised by one of three major periodical publishing companies, which have large subscription selling subsidiaries to control a nationwide chain of these agencies.

Naturally the franchses are expected to include the name of their parent company's magazines on the list of those sold, as often as possible. This includes the offer of gift subscriptions to such magazines to fill out the subscriber's contract.

TWO SIDES

One man in the business here says that if a customer signs a contract but can't think of anyone he wants to send the proffered gift to, the salesman often goes back to his office and just puts down a name out of the phone book.

"This is a common practice all across the United States," he said.

This is one of several devices he said are used to build up a magazine's circulation, and thereby its advertising rates, a more important source of income.

[From the Washington (D.C.) Daily News, May 6, 1966]

I EVEN STARTED TO GIVE HIM A CIGAR

(By Rice Odell)

The age-old combination of an irresistible and sometimes deceptive, sales pitch, used on people who aren't careful enough about what they sign, is saddling hundreds of people here with magazine subscriptions that they belatedly decide they don't want or can't afford.

Nearly all the subscription selling agencies do their best to collect the money due them, short of actually going to court.

But the head of one firm, using a credit collection agency of which he is also president, has in the first four months of this year, filed suits in D.C.'s small claims court against more than 350 disillusioned subscribers.

SHOWED UP

This represents a very high percentage of all his customers. In addition, most of them have made only one or two of the 26 payments of $3.60 called for under his agency's standard $93.60 contract. Because of the quick onset of "buyer's remorse," they are thus sued for almost the full amount.

One main reason is that, when told what their wives have signed up for during the day, husbands forbid them to go thru with it. Others simply realize they're involved in paying more money than they thought.

One young woman says that a man came around last October and she got the impression the subscriptions were free. "After I got my name on the paper, he said I'd have to pay," she said. She had signed up for five-year subscriptions to Look, McCall's, Flower and Garden, True and American Home.

She said she didn't get beyond the down payment because she was in the hospital after a car accident and no longer had a job. The collection agency sued her for $90.

Unlike most of those sued, she showed up in court. Judge Milton Dronheim Jr. and the agency's attorney gave her a chance to settle for a lesser amount, and she was finally persuaded to do so, for $30, payable at $5 a month.

"You can babysit for that much if you can't get a job," an employe of the agency urged her.

BAD POLICY

Another woman, who didn't show up to answer her summons and was therefore judged in default, didn't fare so well. She owes the full $87.50, plus 6 per cent interest, plus court costs—and a writ was issued to garnishee her wages.

Another man sued in court that day had a canceled check to show he was up on his payments. The attorney, sensing that an error had been made, quickly agreed to dismiss the case. (He had been brought to court before after he stopped paying because, he said some of the magazines didn't arrive.)

The man said he was worried about his credit rating, and had to take off from his job to appear, and was therefore planning to sue the company.

He said when he was first called he was "elated at having all these magazines for $3.60 a month." And when the salesman came, "He was shaking hands and congratulating me . . . I even started to give him a cigar."

Other selling agencies avoid courtroom collecting like the plague, however. "We've never taken anyone to court," says the head of one. "We think it's a bad policy."

On the same day, another type of magazine operation cropped up. Several defendants had been sued by a District retail firm in connection with the sale of a large portrait of Martin Luther King, with subscriptions to Jet, Tan and Ebony magazines allegedly included as a bonus.

They told Judge Kronheim they thought the deal was for $19.95, not the $69.95 they were being billed and sued for.

Judge Kronheim listened to a few of these and later called the same attorney, representing the firm, into his chambers. He asked him to find out what was going on.

LANDING ON THE MOON COMMEMORATIVE STAMP

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. SAYLOR. Mr. Speaker, in the next few days three brave Americans will begin one of the most incredible adventures ever attempted by man—a landing on the moon. The fact that this mission and event are within reach is a demonstration of the total commitment and dedication to achieving this feat on the part of the American taxpayer, the National Aeronautics and Space Administration, and the thousands of individuals connected with our Nation's space effort.

Upon successful completion of the flight of Apollo 11, many honors and ceremonies will be bestowed upon Astronauts Armstrong, Aldrin, and Collins. It is my belief that one more signal honor should be accorded this great event and the Post Office Department should be preparing for it now—the issuance of a "Landing on the Moon" commemorative stamp. The country, and indeed the world, will expect such a stamp and I am proud to report a ground swell of public support is much in evidence.

As you may know, the only "Apollo" post office facility in the United States is in my district, and it is located in Armstrong County. The significance of the upcoming event, combined with the juxtaposition of the names Apollo and Armstrong, have prompted me to suggest to the Postmaster General that the Apollo postal facility be designated the place of the stamp dedication and first-day sale.

I am pleased to report that a number of my colleagues have written to Postmaster General Blount suggesting that a "Landing on the Moon" commemorative stamp be issued and that Apollo, Armstrong County, Pa., be designated as the

XUM

first-day sale site. I hope other Members of Congress will join me in urging that this honor be accorded our astronauts.

A partial list of the supporters for my suggestion follows:

PARTIAL ALPHABETICAL LIST OF SUPPORTERS FOR "LANDING ON THE MOON" COMMEMORATIVE STAMP SUGGESTION OF REPRESENTATIVE JOHN P. SAYLOR

Representative Edward G. Biester, Jr., of Pennsylvania.

Representative Frank T. Bow, of Ohio.

Representative Garry Brown of Michigan.

Representative Laurence J. Burton of Utah.

Representative John N. (Happy) Camp of Oklahoma.

Representative Frank M. Clark of Pennsylvania.

Representative Robert J. Corbett of Pennsylvania.

Representative Lawrence Coughlin of Pennsylvania.

Representative John Dent of Pennsylvania.

Representative John D. Dingell of Michigan.

Senator Thomas J. Dodd of Connecticut.

Representative Edwin D. Eshleman of Pennsylvania.

Governor Frank L. Farrar of South Dakota.

Representative Dante B. Fascell of Florida.

Mr. Francis S. Filbey, President, United Federation of Postal Clerks.

Representative Edward A. Garmatz of Maryland.

Representative George A. Goodling of Pennsylvania.

Representative James M. Hanley of New York.

Governor Stanley K. Hathaway of Wyoming.

Representative Margaret M. Heckler of Massachusetts.

Mr. Henry M. Heyl, President, National League of Postmasters.

Representative Frank Horton of New York.

Representative Craig Hosmer of California.

Mr. Jerome Husak, Executive Secretary, American Topical Association.

Representative Albert W. Johnson of Pennsylvania.

Mr. Lonnie Johnson, President, National Association of Post Office Mail Handlers, Watchmen, Messengers & Group Leaders.

Governor Claude R. Kirk, Jr., of Florida.

Governor Paul Laxalt of Nevada.

Governor Harold LeVander of Minnesota.

Governor John A. Love of Colorado.

Representative Donald E. Lukens of Ohio.

Mrs. Carole McCoy, Astrophile Editor, Space Topics Study Group.

Representative Joseph M. McDade of Pennsylvania.

Senator Gale McGee of Wyoming.

Senator George McGovern of South Dakota.

Governor Keith H. Miller of Alaska.

Governor William G. Milliken of Michigan.

Governor Arch A. Moore, Jr., of West Virginia.

Representative William S. Moorhead of Pennsylvania.

Representative John T. Myers of Indiana.

Representative Robert N. C. Nix of Pennsylvania.

Governor Louie B. Nunn of Kentucky.

Mr. Fred J. O'Dwyer, President, National Association of Postal Supervisors.

Governor Richard B. Ogilvie of Illinois.

Governor Russell W. Peterson of Delaware.

Governor Walter Peterson of New Hampshire.

Representative Alexander Pirnie of New York.

Mr. James H. Rademacher, President, National Association of Letter Carriers.

Lieutenant Governor Ed Reinecke of California.

Representative John J. Rhodes of Arizona.

Representative Fred B. Rooney of Pennsylvania.

Representative Richard L. Roudebush of Indiana.

Representative Philip E. Ruppe of Michigan.

Representative Herman T. Schneebeli of Pennsylvania.

Senator Hugh Scott of Pennsylvania.

Senator Richard S. Schweiker of Pennsylvania.

Senate of the Commonwealth of Pennsylvania (by Resolution).

Representative Lionel Van Deerlin of California.

Representative G. Robert Watkins of Pennsylvania.

Representative J. Irving Whalley of Pennsylvania.

Governor Edgar D. Whitcomb of Indiana.

Representative William G. Whitehurst of Virginia.

Governor Jack Williams of Arizona.

Representative Lawrence G. Williams of Pennsylvania.

Representative Gus Yatron of Pennsylvania.

Representative O. C. Fisher of Texas.

Representative Barry M. Goldwater, Jr., of California.

Representative Thomas E. Morgan of Pennsylvania.

Representative Arnold Olsen of Montana.

Representative John S. Wold of Wyoming.

WHO WILL SPEAK OUT FOR THE AVERAGE TAXPAYER?

HON. ED FOREMAN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. FOREMAN. Mr. Speaker, recently, a New Mexico constituent of mine wrote to me expressing his concern over high taxes and excessive government spending programs. He summarized his anxious interest by asking the question, "Who will speak for the average taxpayer, like me?" Because many others may share this same feeling, I submit hereafter a copy of my reply:

DEAR SIR: Thank you for your thoughtful letter expressing your justifiable concern over the burdensome tax load carried by the American taxpayer, and further, your timely question, "Who will speak out for the average taxpayer, like me?"

Had you reviewed the news coverage, our regular reports and/or attended any *one* of my many public meetings throughout New Mexico, you would have been well aware of who is speaking out for the average taxpayer. As your Representative in Congress, I have continuously and diligently worked and voted to cut out unnecessary, wasteful spending and reduce the size, cost and control of government. I will continue my work to correct some of the foolish, incentive-killing welfare schemes of the past, and reestablish some of the basic free-enterprise, job-creating programs that build strong self-respect and individualism.

Specifically, speaking up for the overburdened American taxpayer, here is just a partial list of corrective legislation that I have proposed in the 91st Congress:

H.R. 50. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer.

H.R. 8521. A bill to amend Title II of the Social Security Act to increase from $1,680 to $3,000 the amount of outside earnings permitted each year without deduction from benefits thereunder.

H.R. 8939. A bill to temporarily suspend the recent increases in fees for grazing of livestock on public lands.

H.R. 9283. A bill to rescind the pay increases for Members of Congress and other federal officials pursuant to Presidential recommendations to Congress in the budget for the 1970 fiscal year, to abolish the Quadrennial Commission on Executive, Legislative, and Judicial Salaries and for other purposes.

H.R. 9365. A bill to provide specific and additional penalties for the use or carrying of firearms in the commission of crimes.

H.R. 9679. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel.

H.R. 10244. A bill to repeal Chapter 44 of Title 18, United States Code (relating to firearms), to reenact the Federal Firearms Act, and to restore Chapter 53 of the Internal Revenue Code of 1954 as in effect before its amendment by the Gun Control Act of 1968.

H.R. 10292. A bill to prohibit the dissemination through interstate commerce, or the mails, pornographic materials harmful to persons under the age of 18 years, and to restrict the exhibition of movies or other presentations harmful to such persons.

H.R. 10496. A bill to amend Title 19 of the Social Security Act to permit states greater flexibility in establishing and modifying medicaid plans.

H.R. 10595. A bill providing for the extension of the Great Plains Conservation Program . . . authorizing the Secretary of Agriculture to enter into contracts with land owners to conserve, develop, protect farm and ranch lands and to install soil and water conservation measures.

H.R. 10672. A bill to amend Title 18, United States Code, to make it unlawful for any person to carry a weapon on the property of any institution of higher education which receives or disburses federal funds while such person is acting in violation of a law, regulation, ordinance, or rule.

H.R. 10887. A bill to amend Title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes.

H. Con. Res. 90. A Concurrent Resolution calling for an immediate halt to all United States aid and trade with countries assisting our North Vietnam enemies.

You may rightly question the disposition of this corrective program of responsible legislation. Unfortunately, the U.S. Congress—both the House and Senate—is still controlled by the same free-spending, high-taxing majority that helped to create the deficient, near-bankrupt condition in which we find our country today. Hopefully, I believe the taxpayers of this great land are gradually awakening to the mismanagement and irresponsibility of the recent past and will work to elect only those representatives—Democrat and Republican—whose votes and actions match their campaign oratory—then, and only then, can the real, best interests, rights and responsibilities of the "average taxpayer" be properly protected and preserved.

In addition to my introduction of corrective legislation. I have worked and/or voted consistently in the Congress against unnecessary programs and unwise spending such as:

First. The International Development Association soft loan gift program to foreign countries.

Second. The congressional pay raise bill for Members of Congress, the Supreme Court Justices, and other high Government officials.

Third. Foreign aid programs, the irresponsible and uncontrolled giveaway of our tax dollars to thankless nations around the world.

Fourth. The extension of the surtax charge from July 1, 1969, through June 30, 1970.

I have worked and/or voted for the necessary programs which I believed served the best and necessary interests of my constituents such as:

First. Elementary and secondary education programs, the extension of Federal participation.

Second. Repeal of the freeze on funds for ADC, aid for families with dependent children.

Third. Milk program, H.R. 5554, making available a special milk program for children.

Fourth. Independent offices-HUD appropriations, making appropriations for necessary agencies and the Department of Housing and Urban Development for the fiscal year 1970.

Each measure, I have carefully considered, with the best interests of my New Mexico constituents in mind. I have supported those programs I believed were necessary, and I have opposed those that I believed we could do without. I do not intend to vote for any new tax increases, nor do I think it advisable to vote for the extension of any temporary taxes. If any Member of Congress has earned the right to justifiably oppose increased taxes, I believe I have . . . and I intend to continue to do so!

Certainly, I recognize that I cannot always vote to please all of the people, all of the time . . . but I do honestly and sincerely try to vote and work for the best interests of most of the folks, all of the time.

Thank you for your interest and consideration. I will always welcome your constructive suggestions, observations or criticism to assist and direct me in doing a better, more effective job for you as your Congressman . . . as I work, vote, and speak out for you and "the average taxpayer."

Sincerely,

ED FOREMAN.

COUNCIL ON ENVIRONMENTAL AND POPULATION ADVISORS

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. DINGELL. Mr. Speaker, pursuant to permission granted, I insert into the CONGRESSIONAL RECORD an excellent article appearing in the National Parks magazine, June 1969 issue, by Anthony Wayne Smith, president and general counsel of the National Parks Association, urging the establishment of a Council of Environmental and Population Advisors.

Legislation to establish a Council on Environmental Quality has been reported unanimously by the Subcommittee on Fisheries and Wildlife Conservation to the full Committee on Merchant Marine and Fisheries of the House of Representatives as H.R. 12549. It is my hope and expectation that in the immediate future this legislation will be reported by the Merchant Marine and Fisheries Committee to the House of Representatives for consideration and passage.

The proposed Council will answer an urgent national need for an independent agency to analyze our environment and man's impact thereon and to report to the President, the Congress, and the people of the United States on environmental problems and solutions thereto.

For far too long we in the United States have taken a haphazard approach to our environment. The dangers which this approach has posed for mankind can no longer be ignored for a healthy and well-balanced environment is obviously essential to the continued existence of man on this planet.

A Council on Environmental Quality, established by statute and directed at enabling man to live happily and harmoniously with his environment, will enable us to take rational and coordinated action to resolve the host of pollution and contamination problems which have become evident in recent years. The text of the article follows:

WASHINGTON NEEDS A COUNCIL OF ENVIRONMENTAL AND POPULATION ADVISORS

(By Anthony Wayne Smith)

The establishment of a Council of Environmental and Population Advisors, responsible directly to the President of the United States, would be one of the most important contributions Congress could possibly make to the welfare of the American people.

We have a great many agencies of the government which are involved in one way or another in management of natural resources or operation of programs affecting the life environment of the American people. Many of these agencies are working at cross-purposes. It is important that a top-level institution be established with power to bring operations into a semblance of harmony. It is also important that this kind of harmonization of programs proceed in the perspective of a set of goals formulated by policy-minded persons not involved in the pulling and tugging of the operating agencies and their clienteles.

For example, practically all the organizations in the United States concerned with resources and the environment have banded together to protest to the Secretary of Transportation against construction of a huge jetport in the Everglades country in Florida. This jetport would probably destroy Everglades Park, to which Florida and the United States have committed large funds in the past and in which the American people have a great interest, and would result in serious environmental damage in terms of air and water pollution, pollution by insecticides and fertilizers, noise pollution, and comparable destruction. On one hand we have the Department of the Interior, National Park Service, and other agencies concerned with preservation of the life environment; and on the other hand, working against them, agencies like the Federal Aviation Administration and Federal Highway Administration pushing for construction.

This is just one example. In the Potomac River Basin we have the Army Engineers pressing for construction of a large number of big dams, ostensibly to dilute pollution and provide water; and hopefully on the other hand the Federal Water Pollution Control Administration working for prevention of pollution, which would make dilution unnecessary and would provide pure water without much storage. A great coalition of farm, labor, conservation, and citizens organizations arose some years ago to protect the Potomac from Army-type dams, and great efforts are being expended throughout the basin by American citizens, fighting their own government bureaus. We need to get the question settled as to what we really want to do with our river basins: build useless pyramids? Or protect a decent life environment for human habitation?

It has been suggested that some kind of presidential-level agency can be established by executive order which would serve the purpose of the coordination which everyone now agrees is necessary. I have endorsed this approach in past times as one possible solution, but now strongly urge that a Council of Environmental Advisors be established by statute, comparable to the Council of Economic Advisors, which has proved itself a valuable institution.

We have had a President's Council on Recreation and Natural Beauty in the executive offices of the President for several years. It has not worked well. It was established by executive order and consists of the secretaries of the various departments and agencies thought to be concerned with environment and natural resources. The difficulty is that the secretaries and heads of these agencies never attend meetings themselves; they send second- or third-string people without authority to act, and the council has normally been paralayzed. The chairmanship of the council has rotated and has most recently been vested in the Vice President; but staff procedures within the offices of the Vice President and Bureau of Outdoor Recreation, assigned by executive order to the work of the council, have prevented effective action. I see no difference between these institutions, as they presently exist, and the proposal to establish a new interdepartmental coordinating group by executive action, even though chaired by the President himself (he would probably deputize a subordinate), or by the Vice President, as has been the case in the past. The situation calls for something much stronger than this.

Until now the Bureau of Outdoor Recreation has attempted to function in a staff capacity to the President's Council on Recreation and Natural Beauty. The organic law of the BOR gives it the power to recomend coordinating policies to the various federal departments and bureaus. The executive order makes it the staff agency to the President's Council. In practice, the President's Council has agreed upon seven interagency policy statements on matters involving parks, recreation, etc. These statements have been implemented by signed interagency agreements. Supposedly they could be enforced by a mere word from the President or Vice President, but they have not been effectively enforced. I have urged for several years that this machinery was available and that it should be used; but it now seems clear that it will not be used and for that reason I think that statutory institutions are needed.

Several years ago Congress established a Water Resources Council consisting of the heads of the departments and agencies having one or another kind of responsibility for water and water-related resources management, with a separate staff and director. The council has engaged itself in coordinating preparation of water-related resources plans on a river-basin basis. A number of regional commissions have been created, and in some instances interstate compacts have been suggested. There is no indication that any adequate retarding operation has been developed to protect the people in our river basins against over-pretenious programs which will do more harm than good.

We have also seen the recent establishment of a National Water Commission comprised of persons not presently associated with the resources and construction operating agencies. This is a relatively temporary group; its members, serving without security or indications of continuity, have inadequate staff facilities and authority. We may not hear very much from it; something much stronger is needed.

The new proposals to re-cast the interdepartmental administrative structure by executive order will be no more effective than the old arrangements. Needed, in my judgment, are:

A President's Council of Environmental and Population Advisors comparable to the President's Council of Economic Advisors, to be created by law. The council should consist of three or five persons nominated by the President and confirmed by the Senate, who should have tenure for a substantial period of years to make certain that they are not merely political appointees.

The law should specify that council members should be persons with policy minds, capable of formulating long-range goals for environmental management in the United States and having no connections, whether active or as retired persons, with any operating agency. The members of the council should be well paid and provided with all the fringe benefits, particularly security, necessary to attract top talent. The council should have it own paid staff, and the authorization should not be limited to any specific amount, but should be capable of providing appropriations in whatever measure may be deemed necessary from time to time.

The council should have authority to enter a stop order in the name of the President against any construction project or other program of the federal government which it deems may have an adverse effect on any aspect of the life environment of the American people, pending full review by the council.

This stop-order authority is of extreme importance. We have had coordinating agencies which served merely to expedite the environmentally destructive activities of the existing agencies—to move them ahead ever more rapidly, to eliminate conflict among them, and in the end to make destruction more efficient.

The technological capabilities of modern man have in many instances outrun his ability to plan for their use; not construction, but destruction has been the result. The need is not for acceleration, but for delay sufficient to inform us about both destinations and tendencies. We need to slow up before we destroy ourselves. Stop-order authority in the hands of the President on recommendation of the proposed council is an imperative necessity.

The problem of environmental protection has two facets: first, perhaps, good planning in terms of purposes, coupled with a braking operation to make sure that ecological and sociological complexes are not seriously disrupted by so-called progress; but secondly, the question of congestion, overcrowding, overpopulation. By almost any test—atmospheric pollution, water pollution, poisoning by pesticides and even fertilizers, noise disturbances, traffic congestion, and a multitude of others—this nation is already overpopulated. Unless we can reduce our rate of reproduction to an average of 2.2 children per woman in the future, our population will continue to grow and congestion will choke our standard of living. The problems of protecting the life environment which lie ahead will become overwhelming unless we can stabilize (and hopefully reduce) our population. No matter what efforts are made by private groups along educational and moral lines, vigorous action by government in terms of education will be needed if we are to cope with this problem in time. Protection of the environment cannot be separated from the problem of population; hence, the council must have express authority to make recommendations to the President on demographic issues. This necessity has not been considered, so far as I am aware, in any legislation thus far presented; but such legislation will be a massive futility unless this additional consideration is introduced. By whatever name, the agency under consideration should be a President's Council of Environmental and Population Advisors. There should be specific provision in the law that at least a minority of the members of the Council have professional qualifications in the demographic and population fields.

The conservation and population organizations in this country know very well that they are fighting with their backs to the wall at present. Governmental agencies are working at cross-purposes; but sometimes this is good, because it blocks action in the wrong direction. Fundamentally the trouble is that the agencies are working without properly formulated social goals. Many of the results are destructive, and the private, educational and scientific institutions which are wrestling with these difficulties find themselves putting out one fire after another.

There could be no greater service to the American people, and indeed to the people of the world, who will follow America's example, than to establish by law, with adequate funds and staff, a Council of Environmental and Population Advisors, serving the President of the United States, at the earliest possible opportunity.

IMPRISONMENT AND TORTURE IN SOUTH VIETNAM

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. CONYERS. Mr. Speaker, I recently returned from a field study project in South Vietnam with the U.S. Study Team on Religious and Political Freedom in Vietnam. A report of our findings was entered into the Record on June 17 by Senator Abraham A. Ribicoff and Representative Ogden R. Reid of New York. This report cannot help but prompt serious thought among all those concerned with the goals and actualities of our involvement in Vietnam. The report relates gross neglect of fundamental human rights by the government in Saigon through actions that are completely contrary to the ideals of the 35,000 Americans that have died there.

Perhaps the most graphic example of the neglect of human rights by the government in Saigon occurs in the area of arrest and imprisonment. The accelerating number of political arrests occurring as an outgrowth of the pacification program and the U.S. financial assistance in the area of prison construction make these physical abuses all the more disturbing. As was pointed out in the U.S. study team report, the abuses range from lengthy imprisonment without trial to actual torture.

Another report of conditions in this area has been brought to my attention by Mr. Alfred Hassler, the executive secretary of the Fellowship of Reconciliation. The report is written by an exiled South Vietnamese journalist with whom we talked during the study group tour. I wish to commend this incisive and harrowing report on imprisonment and torture in South Vietnam to my colleagues:

Imprisonment and Torture in South Vietnam

(By Pham Tam)

AN INTRODUCTORY WORD BY ALFRED HASSLER

This is the story of the scores of thousands of men and women, civilians, who clog the prisons of South Vietnam, charged with "political" offenses. It is a horror story, told in a low key, matter-of-fact style, and all the more horrifying for that reason. It is told by a Vietnamese journalist who spent four years as such a prisoner, shuttled back and forth between the crowded noisome holes that pass for prisons, but drawing also on others' intimate knowledge of the whole prison system.

No one knows how many political prisoners there are in the Republic of Vietnam. The lowest estimates, based on official figures, top 20,000; less biased observers tend to agree that the total is probably close to 200,000. They range from villagers charged with being accomplices of the Vietcong to some of the country's best-known political, religious and intellectual leaders.

Discussions of their "guilt" are fruitless: in South Vietnam one is guilty if he favors peace, or calls for negotiations, or says that the country should be neutralized, or expresses opposition to the ruling clique of generals headed by President Thieu and Vice-President Ky. Where there are trials they are hasty, before military courts, with none of the safeguards of a free judiciary and with no right of appeal; but thousands of the victims are held without trial for months and years.

Many of the prisoners have confessed to whatever offenses were laid against them by their jailers, and many of them have implicated others who in turn have been arrested and jailed. The confessions and the implications are the consequence of the torture to which most political prisoners are subjected, ranging from the primitive brutality of beatings with rifle butts or heavy sticks to such "sophisticated" devices as the application of electric wires to the testicles of male prisoners and the forcing of bottles or live eels into the vaginas of the women.

None of this is the consequence of the accidental rise to power of a few pathological sadists. Rather it is the deliberate expression of the desperate determination of the Thieu-Ky government to stay in power by suppressing all dissent. Open opponents of the government are immobilized by being imprisoned themselves or by being frightened into exile by the fear of being imprisoned and undergoing the torture themselves. Some of them have taken refuge abroad; others have fled to the National Liberation Front, submerging whatever qualms they have about it in the desperation of seeing no other choice.

Even so, the dissent continues, the demands increase for the replacement of Thieu and Ky by a genuinely representative government that will bring the war to an end. Students, academics, Buddhist monks and Catholic priests confront the terror and insist on calling for peace.

It is this insistent, indefatigable body of the country's ablest and most respected citizens, not allied with the NLF but demanding a "government of peace," that Thieu and Ky and the American establishment in Saigon fear most. It is they, in their non-violent but unremitting opposition, who disclose the instability of the government even more than do the military attacks of the NLF and North Vietnamese.

Some Americans, reading this account, will take refuge in that ancient canard that has it that Orientals have somehow a lower regard for human life and suffering than do we more sensitive Westerners. Leaving aside the consideration that we sensitive Americans have been engaged in indiscriminate slaughter in Vietnam in a fashion that has revolted people throughout the world, the assertion itself is a lie. War evokes the worst in men and allows the most brutal of men to come to power. Vietnamese torture other Vietnamese; still others carry on a struggle without violence and with a sense of compassion not often matched in the West.

What Americans need to face is that these horrors are being perpetrated with American assent, by a government kept in power solely by American military might, by men paid for by American dollars, and in a system permeated throughout by American advisors. This is part of the black and spreading stain of shame that the Vietnam war has cast on this country's reputation. To win a war, or to end it "with honor"—honor, no less—we condone and finance a totalitarian government in the total suppression of individual rights, and in a pattern of imprisonment and torture that should be turning our stomachs with revulsion.

(EDITOR'S NOTE.—The case of five South Vietnamese peasants who found themselves entangled in a net lowered from an American helicopter and, thereafter, trapped in a web of arrest, examination and torture which, after a year, left them still liable to trial for "actions contrary to state security," is symbolic of the fate of millions of South Vietnamese people today. Almost everyone is subject to arrest at any time on an array of often vague and ill-formulated charges from draft evasion to "anti-patriotism," or simply and pragmatically for being unable to bribe the right official. Interrogation is all too often a euphemism for torture, and it may be carried on by one or several of the dozens of official and semi-official agencies and subagencies responsible for political security. Detention without trial is legal in South Vietnam for periods of six months to two years, after which prisoners may be re-examined and returned to detention. Trials are often summary. Imprisonment after trial generally means a continuation of the conditions of brutality under which the prisoner has been held during his interrogation. The fact that thousands of South Vietnamese citizens are being held as political prisoners by the Saigon Government has, during the last year or so, become common knowledge in the United States. Not until recently, however, have we begun to read reports in our press and periodicals of the officially instigated torture and other mistreatment which accompany political imprisonment. This account, written from personal experience and observation, by a journalist who spent four years in South Vietnamese jails, gives a more complete and authoritative account of the system of surveillance, torture and imprisonment in South Vietnam than any that has heretofore been available. "Pham Tam" is, of course, a pseudonym. For obvious reasons, the identity of the author must remain secret.)

I. THE WEB OF CONTROL: SAIGON AND THE CITIES

"Anyone with a gun can make arrests." This is not just a cynical Saigon remark. While such a law cannot be found in any body of legislation, it is part of an unwritten code that Vietnamese civil servants at all levels understand and apply.

The network arrest system in Saigon consists of six different agencies and their subagencies. In addition to the Official Police Headquarters of Saigon, there are five secretly functioning agencies, the Active Service Police or *Hoat Vu*, the Bureau of Military Security, the Central Intelligence Service, the American Special Forces, and the Secret Service.

1. The Official Saigon Police Headquarters (*Nha Giam Doc Canh Sat Do Thanh*) is centered in one large station, with a branch station in each of the nine districts of Siagon. Each station, besides a large number of uniformed police, has a section of plainsclothesmen, who have unlimited powers of arrest and have also special rooms for the unofficial interrogation, torture and confinement of prisoners. The Official Saigon Police are said to make many arrests for purposes of personal revenge or blackmail, and to accept bribes to void the sentences of real criminals.

2. The Active Service Police, or *Hoat Vu*, judging from their activities, are, in fact, the secret police. Theirs is the most important agency in the network arrest system, and its aim is to repress all popular movements struggling for peace and neutrality, all organizations whose policy is opposed to that of the Government, and to wipe out secret NLF bases within the capital.

Currently the *Hoat Vu* center directs more than twenty stations situation in the big towns (Dalat, Can Tho, Nha Trang, Qui Nhon, Hue, Danang). In the Saigon-Gia Dinh region alone there are eight such stations. These are set up in large villas, surrounded by high walls topped with barbed wire and often electric fencing, and are patrolled by watch dogs and by guards in civilian clothes who carry carefully concealed pistols. Each of these eight Saigon-area stations has from 80 to 120 official employees, plus two or three hundred informers. There are two *Hoat Vu* stations in the Cholon area, one in Binh Dong, one in Thi Nghe, one in Khanh Hoi, one near the Tan Son Nhut Airport, one in Phu Lam, and another in Gia Dinh.

The *Hoat Vu* belongs to the Special Police Force (*Khoi Canh Sac Dac Biet*) within the National Police Force (*Tong Nha Canh Sat Quoc Gia*), and it receives orders directly from the Presidency, from the American Intelligence Service, from the Chiefs of Staff of the South Vietnamese Army, and in many cases, from the American Special Forces.

This Special Police Force operates the Central Bureau of Investigation (*Trung Tam Tham Van*) situated at the National Police Force headquarters. The Bureau is fully equipped with instruments of torture, and includes eight or ten smaller interrogation units, each one staffed by five persons. There are three detention centers, *Cau Luu Xa A, B, and C*, and a communal prison, *Lao Xa Tong Nha*. All political prisoners from Saigon, as well as many of the more important prisoners from the provinces, must go through the Central Bureau of Investigation, where files are completed, fuller inquiries undertaken, and decisions made as to whether the prisoners will be tried, sent to detention camps, or some other dispositon made of their cases.

3. The Bureau of Military Security (*Cuc An Ninh Quan Doi*) is commonly called the "second bureau," a name that strikes terror into the hearts of the people of Saigon and has haunted them since the arrival of the French Army in Indo-China. Most of those arrested by the "second bureau" are beaten to death, maimed for life, or have to be hospitalized after their release. The Bureau is an agency of the Army Chiefs of Staff and is administered by a colonel. Secret agents of the Bureau are present and active within every army unit and have an organization parallel to that of the army. Their field of action, however, is not limited to the army; they have the power to arrest civilians and to search buildings in areas near army installations. There is close cooperation between the Bureau of Military Security and the other agencies in making arrests as well as for the exchange of documents and files. At the headquarters of the Bureau and in each sub-station there are detention centers and torture rooms.

In Saigon, apart from the Bureau of Military Security, there are also numbers of agents working in collaboration with the Military Police, among them men from all the army units in the Saigon-Cholon region. These "soldiers of safety" (*quan nhan cong an*) go around looting the cafes and the bars, the dance halls and the brothels. The bosses and prostitutes in these areas are exploited and subjected to blackmail. Many Military Police officers become pimps and owners of houses of prostitution. The regular police and even the *Hoat Vu* dare not penetrate the areas they control, and they settle many an account by exploding a grenade. Politically speaking, the Military Police have the right to arrest journalists, professors and students who have written or spoken against the army. Arrested soldiers, along with civilians suspected of being their accomplices, are sent directly to a military tribunal. Other prisoners are handed to the Special Police at the Central Bureau of Investigation.

In addition to the Bureau of Military Security, there is also an intelligence bureau at army headquarters. It is endowed with the right to arrest arbitrarily, but its activities are more secret and confined than those of many of the other agencies.

4. The Central Intelligence Service (*So Trung Uong Tinh Bao*) is also thought to be the American center for secret and double agents. The Central Intelligence Service makes arrests in great secrecy, gives orders and supplies information to both the *Hoat Vu* and to Bureau of Military Security, as well as to the Army Intelligence Bureau. Prisoners going to the Intelligence Center are sent blindfolded and are often made to travel at night. Since they can still hear, however, they have been able to testify that it is located on the Bach Dang Embankment near the *Nha Quan Phap* (military tribunal) and the naval headquarters.

5. The American Special Forces (*Luc Luong Dac Biet My*) is said to have a headquarters some place in Saigon. A great number of prisoners sent to the Central Investigation Bureau relate that they were arrested and interrogated by the American Special Forces. Their files bear this out, but so far no one can testify as to the exact location of the headquarters.

6. The Secret Service (*Mat Vu*) is composed of a large number of devoted officers who work under the direct orders of President Thieu. Their task consists essentially of kidnapping, assassinating, or otherwise eliminating officers and politicians who oppose Government policy. Their headquarters move constantly between three villas—from one on Cong Ly street (near Tan Son Nhut Airport) to another in the first district of Saigon, to a third in the third district. Each officer in the *Mat Vu* has under his direction from three to five young delinquents, whom he pays for each "job." These youths are provided with forged military papers, military identity cards, a quartermaster's card to give them valid reason for being loose on the town, and even a folder containing fake military records. The youths are quite likely to be suspected by the local police of avoiding the draft, and, as forged identity cards are common among civilians, many different documents have to be produced in order to allay suspicion. The special papers are valid for only two weeks, by which time the "job" must be completed.

II. THE WEB OF CONTROL: THE PROVINCES

Each province has a National Police station (*Ty Canh Sat Quoc Gia*) and a Special Police force (*Ty Can Sat Dac Biet*). In the large cities there is also an Active Service Police Station (*Hoat Vu*). These are the official agencies of control. Annexed to these are Military Security (*An Ninh Quan Doi*), and under the control of the American military forces are the Army Special Forces, the Provincial Reconnaissance Units of the CIA, the Coastguard, and several other special groups. None of the latter, except for the South Vietnamese Military Security, has permanent headquarters. They accomplish their arrests and tortures in one day, then pass their more fortunate prisoners over to the Special Police force. (The less fortunate prisoners are either beaten to death or drowned on suspicion of being NLF agents). Of these groups, the *PRU* is the most savage in its methods of torture.

The Special Police forces in the provinces make arrests in the chief towns of the districts, but seldom go into the surrounding countryside except during times of military operations. In the country, ordinary soldiers have the right to arrest, interrogate and imprison citizens. As these soldiers are far removed from central authority, laws are virtually meaningless, and they are more or less at liberty to act as they choose. People in the provinces may also be arrested by the Civil Guards (*Dan Ve*), the village administrative bodies, the cadres of the Provincial Government Rural Reconstruction Program, as well as by the local militia when there are military operations under way in the area.

XUM

The arbitrary nature of many political arrests and their consequences are illustrated by the following story:

Among the prisoners sent from the South Vietnamese Army Headquarters to the Central Bureau of Investigation, there was once a group of five men, all over fifty years old, peasants who had been rounded up in the hamlet of Tan Sinh. Having received permission to go outside the hamlet one day, they were scything grass in the fields, when they were suddenly trapped in a net dropped from an American helicopter and then arrested on suspicion of belonging to the NLF. After subjecting them to interrogation and torture and finding them not to be NLF members, the Americans sent them on to the South Vietnamese Army Headquarters to be released and returned to Tan Sinh. They had, however, already been designated as "political prisoners" by the American army administration, and their files were stamped accordingly. They could not, therefore, be released until some determination had been made of the reasons for their arrest, so for six months they were sent from one military camp to another for examination and re-examination. Arriving finally at the Central Bureau of Investigation, they were informed that it would be another five months before officials had time to draw up the papers that would send them before a military court.

The end of the story of the five old men is not known, but other prisoners in similar situations have been charged with actions contrary to state security—most frequently with paying takes to the NLF. If found guilty, as they most often are, they are sentenced to three years' imprisonment, and the letters C.T.P. (*Chinh Tri Pham*: political prisoner) are stamped on their identification cards. Other peasants with as little evidence against them have been judged guilty of the graver crime of "anti-patriotism," which carries a minimum sentence of five years of forced labor on the prison island of Con Son.

All political cases brought officially to trial are handled by the military courts, of which there are two kinds, the Ordinary Military Court (*Toa An Quan Su Thuong*) and the Front Military Court (*Toa An Quan Su Mat Tran*), the latter established by Nguyen Van Thieu and Nguyen Cao Ky, to take the place of the infamous Special Military Tribunal, abolished after the *coup d'etat* of November, 1963. The Special Military Tribunal had been created by Ngo Dinh Diem in 1959 to suppress all political opposition to his Government, and it moved about the country, carrying with it the guillotine, functioning both as judge and executioner of its victims. Except that the guillotine is no longer used, the Front Military Court acts in the same way and fulfills the same functions as the Special Military Tribunal. There is no appeal from its decisions except—when a death sentence has been imposed—to the mercy of President Thieu.

The Ordinary Military Court holds trials in the Palace of Justice in Saigon and at a special court in Ben Bach Dang. It examines the cases of army law violations by military men and political crimes attributed to civilians. It has six offices for preliminary investigations and takes care of about eighty per cent of all political offenses, handing down indictments from twenty days to one week before trial. As it is extremely slow in its procedures, it cannot respond as rapidly as the Front Military Court to the political strategy of the Government, which aims at the immediate suppression of all anti-war movements, and political opposition.

Both courts belong to the Department of National Defense; their judges and most of their officials are military men, and they have no connection with the judiciary branch of the civil government. Though the preliminary investigation offices of neither court are equipped with sophisticated torture devices, they are both supplied with clubs and other instruments for the administration of beatings.

III. ACCUSATION AND TORTURE

When he makes an arrest in the forest or out in the rice fields during military operations, the soldier seeks answers to four main questions: Where has the prisoner hidden his weapons? To what unit of the NLF does he belong? Where is the unit located, and where does it store its arms and provisions?

The response to these questions is the same, whether true or not: "I am not a VC," and "I do not know." Then begins the torture. The methods used in such situations are direct and unsophisticated. Prisoners are beaten, slugged with gun butts, strangled with leather belts or barbed wire, their heads plunged under water and held there, the flesh of their bodies sliced or stabbed, while threats are made to cut open their stomachs. This torture may last for hours. If the peasant is a member of the NLF, he can end the torture by one of two alternatives: confession or death. If he is *not* an NLF member, he has no choice but death. (This explains why the peasants, whether or not they belong to the NLF, must either take flight or hide when the U.S. armies and their allies arrive.) If by chance, the prisoner emerges alive from the torture, he is classed as an NLF member. Weapons found any place in the area of his arrest will likely be identified as his, and the man will be considered part of the last NLF unit to have passed that way, perhaps even its leader.

At the Central Bureau of Investigation, I once met a peasant who had been sent there from the South Vietnamese Army Headquarters. Cao (not, of course, his real name) was a strong, healthy young man, but rather slow, and could hardly read. In his files, which had been compiled with scrupulous care by the Army to note the minutest details of his arrest and supposed mission, he was identified under another name as the leader of a certain NLF battalion. A year later, I met him again at the Chi Hoa prison. He was wearing an identity plate which bore the initials C.T.T.A. (convicted political prisoner), and was about to be exiled to the island of Con Son, where the prison of Polo Condor is located, under a sentence of twenty years of forced labor. Soon after his departure, three political prisoners were brought in from My Tho. All were members of the NLF and had been taken to My Tho for hospitalization after being wounded and captured by the U.S. Army at the battle of Kien Phong. Among them was a man said to be the chief of the very same NLF battalion my friend Cao had been accused of leading, and he bore the same name that Army Headquarters had assigned to Cao. After seeing the warmth and respect with which the other prisoners welcomed him, I was convinced that he was the real battalion leader. What, then, of young Cao? Who was he? Probably he was merely a peasant, victim of vicious torture, the unwitting subject of the maneuvering of South Vietnamese soldiers to gain commendation from their superiors and their American advisors.

Even more feared than the soldiers by the peasants are the *Dan Ve*, or Civil Guards. The true meaning of the words, *Dan Ve* is "organization of the people for self-protection," but its name cannot disguise the real character of the organization. Since the peasants feel very deeply that they have been displaced by the U.S.-created war machine, most of them refuse categorically to enlist in the *Dan Ve*, which is consequently composed of hoodlums who are attracted by the possibilities for exploitation that it offers. These Civil Guards receive half the salary of South Vietnamese soldiers, plus a supply of arms and grenades. During the day, they tour the villages searching for NLF members, while stealing pigs and poultry, molesting women, etc. At night they return to their quarters to drink and gamble; when they feel bored, they fire guns blindly and indiscriminately. They know very well which house has just sold a pig or some poultry, or which family has just taken a sampan of rice to the city. They force their way into these houses, denouncing their occupants as NLF collaborators. If their victims are not able or quick enough to offer them money, the *Dan Ve* take them to their quarters to be tortured so that evidence of crime can be manufactured.[1] In most cases, peasants who fail to invite the *Dan Ve* to family feasts are denounced as NLF members. One has only to read the Saigon newspapers to know that every day there are stories of murder, rape and torture of innocent victims, as well as arbitrary imprisonment of peasants by the Civil Guards.

The *Dan Ve* operate under the direction of a Province Chief. At every level, they have prisons and torture chambers of their own. After arresting and torturing their prisoners, they send them to the National Police (*Ty Can Sat Quo Gia*) in the small towns or in the provincial capitals, so that their information may be further exploited.

The village administrators and the local police chiefs carry on the same kind of activities as the *Dan Ve*. People arrested by the National Police receive somewhat lighter tortures, since this is the most open and accessible of all government agencies. But every prisoner arrested by the National Police is sent on to the Security Police Bureau (*Cong An*) or to the *Hoat Vu* branch, so that all possible information may be drawn from him.

The typical prisoner who is taken in the cities or larger towns has to undergo three sessions of torture at the office of the police who have arrested him. During the first and worst session, the police attempt to discover the names of others who may have collaborated with him. Even if he is innocent, he may, under torture, find some names to say—perhaps those of friends or relatives. This is one of the reasons there are so many unjust arrests. The second session of torture is for the purpose of extracting information about activities of the enemy. The third session, for the purpose of recording the prisoner's confession, is less harsh than the other two, except when the prisoner tries to deny any parts of his earlier confessions. (If he does not deny what he has said, however, his eventual sentence is likely to be exceedingly severe.) No matter what he says, the record of the interview is really a creation of the interrogator, with all details arranged to illustrate the prisoner's crime. At the bottom of the record, there is always this notation: "After having listened to this recording, or these lines, three times, I acknowledge that everything in them is true, and I, therefore, sign my name together with [that of] the interrogator." The prisoner will be beaten every day until he agrees to sign.

Depending on whether the original arresting office was in the provinces or in Saigon, the prisoner's record and his "confession" are then turned over to the appropriate provincial or Saigon supervisory bureau. Officials of this bureau have the right to interrogate and torture him again. Sometimes his records are sent to several bureaus, and he is subject to re-examination by as many of these agencies as are interested in him. It may be six months or more before he knows where or by whom he is to be tried, or, even if he is not tried, whether he will be released or detained[2] for a term in prison, or whether further exploration of his case has been recommended. If the latter is true, he will have to start with interrogation and torture all over again, from the beginning.

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[1] One of the Civil Guards' favorite methods of torture is to hammer nails into the bones and flesh of their prisoners, and, as a consequence of this, the peasants in their trading and bargaining, are often heard to say, "Isn't this too low a price to pay for the nails of the *Dan Ve?*"

The methods of torture by which the Army Intelligence Bureau, the *Hoat Vu* and the Security Police Bureau extract confessions from their prisoners are generally similar to each other. The officials who apply the tortures have had long experience in their jobs.

IV. METHODS OF TORTURE

Briefly, these are some common torture methods:

The prisoner's hands are placed, palm up, on a table and beaten, fifty times each, with a heavy wooden truncheon. This turns the hands black; the fingers swell up so much that the prisoner cannot hold a bowl of food in his hands for a week or more. Usually, during this process, the table shatters, so that the hands are also full of splinters.

The prisoner is made to lie on his stomach with his knees bent so that his feet are in the air. The soles of the feet are then beaten with heavy truncheons, so that he feels pain in three places—the feet, the knees and the heart, as the blood is forced up in his body.

The prisoner is positioned with his hands tied behind his back in such a way that his chest is taut and protruding. Then his chest is beaten with rubber truncheons. This causes him to spit blood and excrete, and those who endure this torture are usually left with permanent lung damage.

The prisoner is hung by a thin metal wire tied to his big toes and beaten like a punching bag by four men. This is the best known and most common method of torture; it is generally called "the plane ride."

The prisoner is placed inside a barrel with water up to his neck. The barrel is then beaten full force with cloth-covered wooden cudgels, producing great pressure on the body of the prisoner: the heart is shocked severely, the liver and kidneys swell, and the bladder bursts. This torture is the speciality of the Army Intelligence Bureau. The peasants call it *chen ve*—a slang term meaning "beneath the water or mud."

The prisoner is forced to cup his hands, and pins are thrust into the quick of his nails. Some prisoners endure ten pins in their fingers and yet say nothing because they are innocent and have no information to give. A more elaborate development of this torture is for a pin with a feather attached to be thrust in half its length. Then an electric fan is switched on, the air from which makes the feathered pin rotate violently in the wound.

The prisoner has nails driven into his kneecaps or into the bones of his heels or ankles. These are often left there for several days.

The prisoner is laid on a bench, with his hands tied by the wrists and his head tilted back. Very salty or soapy water is then forced into his nose and mouth, until he loses consciousness. Sometimes, when the water enters the lungs, the prisoner may die. They call this kind of torture "taking the submarine."

The prisoner receives an electric shock of twelve volts from a hand-operated generator. Wires from the machine are tied to his thumbs or to his toes and sometimes even to his sex organ if he is a male. If the prisoner is a woman, the wires are tied to the tips of her breasts. Those who have heart trouble may die at the first shock. All torture rooms are equipped with the same kind of generator, a machine that looks like a square pepper grinder.

The prisoner is made to stand naked on top of a small stool with light projectors with 200- to 500-watt bulbs all around him, or he may be forced to stand facing the wall with a 500-watt bulb placed about fifteen inches behind his head. He must stand in this same position for many days, except for brief moments when he is allowed to relieve himself or when he is fed. There are prisoners who stand this way for as long as a week before they collapse. Recovery from this ordeal may take several weeks, and a number of its victims break down completely and never recover.

The prisoner is tied firmly to a chair. Above his head is placed a can of ice water which drops upon his head slowly, drop by drop. The effect of this is that after about three hours, the prisoner begins to feel each drop falling upon him as the stroke of a hammer.

There are special forms of torture for female prisoners. For example, bottles or eels may be introduced into their vaginas, causing hemorrhages which may last for many weeks.

The forms of torture are limited only by the ingenuity of the torturer, but the foregoing are the most usual. They may even become an amusement for professional interrogators. There are those who become so attached to their instruments that they take care of them as knights used to care for their swords. Some interrogators have carpenters make them wooden clubs with strange images and with carved lettering that may say something like this: "If you confess, you may live, if you don't, you shall die." One end of such a club is called the "life end," the other, the "death end." The "life end" is small, round and smooth, while the "death end" is bigger and knobbed. One interrogator at the Central Bureau of Investigation owns a club carved in the form of a penis. The club is called "the penis of Heaven," and the owner has been nicknamed *Than Ong Cac Troi*—Mr. Heavenly Penis-Stick. Strangely enough, this man seems happy with his nickname. There is another interrogator who has had all his instruments of torture covered with zinc. Even his handcuffs are covered with zinc, though they originally bore the trademark "Made in U.S.A." and were already considered beautiful.

Many times prisoners are tortured, not so much for interrogation as for punishment, and often for capricious reasons. For example, a prisoner may be punished for having a name like *Cao* (tall) when he is short, or *Tuoi Sang* (bright) when he has dark skin, or a name like *Hung Dung* (hero) when he is small and slender. He may be punished for not being able to laugh or cry at the order of an interrogator. Once I saw a young man being beaten on his head until his scalp split open for not agreeing to drink a cup of tea with live cockroaches in it. He was finally made to eat them. When he was asked whether they were good or not, he responded that they were not, so he was beaten again for his answer. When at last he said that they were good, he was beaten still a third time for lying.

There was another young man who was beaten so severely simply because he had a mustache, that he had to crawl back to his cell, although his guards knew as well as the prisoner that it is impossible to get a razor in prison. The young man was made to stand in front of his tormentors and to pull out his mustache, hair by hair, with his fingers. If by chance he took out two hairs at once, he would have be beaten five strokes. During the period in which he removed half his mustache, he received 145 strokes. Next week, he was forced to pull out the other half of the mustache. Altogether he received more than 3,000 strokes during the five months he was in prison—all because of his mustache. Finally, after his parents sold their house and used the money to bribe an official in the Special Police force, the young man was judged innocent and released.

V. PRISONS IN SOUTH VIETNAM

It is difficult to know how many prisons there are in South Vietnam, because—besides the official prisons—there are a multitude of secret prisons and semi-official prisons set up by the Army of the Republic of South Vietnam, by the local army, by the American army, by the intelligence services, secret services, security services, and by the different levels of administration of the local areas.

Official prisons: The Minister of the Interior, who has jurisdiction over the official prisons, has created an administrative agency called the Department of General Administration of Rehabilitation Centers (*Nha Tong Quan Doc Cac Trung Tam Cai Huan*) to supervise these prisons throughout South Vietnam. Colonel Tran Van Tu heads this agency; its headquarters are located near the Chi Hoa prison at the end of Hoa Hung Street in Saigon.

Under Colonel Tran Van Tu's administration, there are 58 official prisons in 58 provinces and cities, plus five big prisons: Chi Hoa, Tan Hiep, Thu Duc, Phu Quoc and Con Dao (The Con Dao Polo Condor Prison on Con Son Island). There is also another smaller prison located at the Cho Quan hospital to house sick prisoners taken from the five large prisons.

The province chiefs, who are usually lieutenant colonels, supervise the administration of the prisons in the provinces, but do not directly run them. The five big prisons are run by officers of the Army of the Republic of Vietnam.

Four types of personnel are employed to take care of the prisons:

Local army men (*dia phuong quan*): These look after the military aspects of the prison area. Their major responsibility is the security of the prison walls. They concern themselves with the prisoners only in the event of a revolt.

Professional supervisors (*giam thi chuyen nghiep*): Each is in charge of a certain number of prisoners and has the responsibility of seeing that the cell doors are secure. They carry out the orders of the courts with regard to transferrals of prisoners, their release or exile.

Cadres for rehabilitation (*can bo cai huan*): They look after the education of ordinary prisoners, the political indoctrination of political prisoners. They can also make recommendations with regard to extension of a prisoner's detention.

Public security agents (*cong an*): These are sent directly from the Special Police Force (*Khoi Canh Sat Dac Biet*). They specialize in beating and torturing prisoners who have violated prison regulations. Their job is to prevent political action in the prison, and they try to suppress any movements aimed toward improvement of prison conditions.

In these official prisons, there are usually three kinds of inmates: political prisoners, ordinary prisoners, and military prisoners. The majority, however—from sixty to eighty per cent—are political prisoners.

1. The five big prisons

Chi Hoa: Thought of as the prison crossroads of South Vietnam, this institution houses from 6,000 to 8,000 prisoners and is located in Saigon. Prisoners are brought in from the Security Police Headquarters and from all the provinces. Many are in transition to Con Dao or Phu Quoc or they may have come from these prisons after having served a term there. In Chi Hoa they wait either to be released or to be transferred to Tan Hiep or some other prison in the provinces.

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[2] Detention (to be distinguished from a sentence served as the result of a trial) is legal in South Vietnam for periods of up to two years, but may be prolonged indefinitely by a re-examination (or a series of re-examinations) after which the detention period is extended. In 1968, it was found that some political prisoners had already served nearly ten years in Polo Condor prison, and they are still there.

The Chi Hoa prison is built in the form of an octagon four stories high with a court in the center. The interior of each of the eight sections is divided into four parts. Each of the eight sections is given the name of a letter in the alphabet from A to H. Attached to the side D, there is a square building which has been given the letter I, and which has four stories numbered from 0 to 3. Each story of the octagon itself can be divided into four parts by combining two adjoining sides, A and B to form AB, or A and H to form AH, etc. Each of these combinations has a special use. For example, section AB contains comfortable and spacious quarters and is used for officials imprisoned for corruption or on similar charges, or for rich merchants who have obtained these quarters through bribery. Section 1E of ED is reserved for military officials; Section 3B of BC is especially for prisoners awaiting execution; Section 1H of AH is for lodging the *cong vu* (prisoners who are doing office work), officers and clerks and for medical personnel; Section FG is for political prisoners, except for 1G which is reserved for prisoners who work in the kitchen. Except for OD, which is used as an infirmary, O is reserved for political prisoners who have not been observing the political regulations of the prison; the three stories of section D are composed of very small dark cells reserved for political prisoners who are considered dangerous. On the outside of Section E, there has been built a large one-story building called the Hall of Photography and Pictures (*Phong Dien Anh*) but it is, in reality, the headquarters of the prison's security service.

There are many kinds of torture instruments. From the walls near the floor protrude iron bars to which prisoners are shackled. The room also contains a number of very small closed cells, the size of lockers. In the sections of the octagon that have not been mentioned are two categories of rooms: small, individual rooms for political prisoners, and larger rooms for military and regular prisoners.[3]

Phu Quoc: This prison on Phu Quoc Island near the Cambodian sea border, houses about 30,000 prisoners from fifteen to sixty years old, who have been captured by American or Vietnamese soldiers during military operations, and who have been suspected of being NLF members. They are guarded by a number of ordinary prisoners who have committed acts of piracy or murder, etc. This prison is administered by a lieutenant colonel and other military officers.

Thu Duc: This prison houses from 3,000 to 4,000 prisoners and is located in the Thu Doc district of the Gia Dinh province. It is reserved for female prisoners who were arrested in the Saigon, Cholon or surrounding areas; or for other female prisoners from other provinces who have heavier sentences, or for those who have not been tried. The prison is administered by a commanding officer of the army.

Tan Hiep: This prison also houses from 3,000 to 4,000 prisoners and is located near the Bien Hoa airstrip on the old highway between Bien Hoa and Vung Tau. This is a detention place for political prisoners who have not had a trial and for those prisoners who have already served a prison term but who have not been released. It is now being moved to Vung Tau.

Con Dao Polo Condor (Con Son Island): This prison houses more than 15,000 prisoners. Con Dao is an island with a governmental administration comparable to that of a province. There is a town hall as well as a Provincial Security Service (*Ty Con An*) but there are no civilian residents—only soldiers, civil servants, supervisors and their families, and prisoners. Here there are two big prisons, "Prison House No. 1" and "Prison House No. 2," and another small prison at the Security Service headquarters. Also on the island are the dreaded "tiger cages"[4] for important prisoners. Con Dao is administered by a lieutenant colonel, a security chief and a number of other military officers.

2. *Official provincial prisons*

Each one of the 58 provincial prisons usually houses from 500 to 1,000 prisoners, though there are some that are much larger, like the one in Gia Dinh province, located near the Gia Dinh Town Hall. The Gia Dinh prison holds from 1,500 to 2,500 persons and is used for the temporary confinement of prisoners being sent by the National Police to Tan Hiep and Con Dao. Other important prisons are Ben Tre and My Tho, each with from 1,000 to 1,500 and sometimes 2,000 prisoners; the Nha Trang, which keeps political prisoners who are waiting to be brought before military courts in the southern provinces, and has a capacity of between 2,000 and 3,000; Qui Nhon, Da Nang, and Hoi An, with an average capacity of 1,500. In Hue, there are two large prisons, Thua Phu and Mank Ca Nho. The Thua Phu prison takes military prisoners, political prisoners and ordinary prisoners who have been tried. In the Mang Ca Nho prison (as is also true of the Tan Hiep prison in the south), there are only prisoners being held in detention. Thua Phu and Mang Ca Nho each houses about 2,500 prisoners.

Secret and Semi-Official Prisons: Saigon

The list that follows accounts for only a part of the secret and semi-official prisons in South Vietnam. No one really knows how many there are, as secret prisons are hidden away in private villas, in public buildings, in army barracks, etc. In general, these prisons are administered by the officials who have arrested the people incarcerated in them.

In the general headquarters of the National Police Force (*Tong Nha Canh Sac Quoc Gia*) in Saigon, there are two prisons, each with a capacity of from 2,000 to 3,000 prisoners. One is located within the limits of the Central Bureau of Investigation and is called *Cau Luu Xa* (detention center); it has three rows of cells for political prisoners who are being investigated. About two hundred meters from *Cau Luu Xa*, still within the grounds of the National Police Force Headquarters, there is a big L-shaped prison, two stories high, with six large rooms and more than ten cells. Among the prisoners here, only about ten percent are criminals; the rest are political prisoners who have been sent from other prisons for interrogation by the Central Bureau of Investigation, or who have fully served their sentences or detention terms, but are still held for indefinite terms in prison.

The *Hoat Vu* has eight secret prisons in villas scattered throughout the Saigon-Cholon-Gia Dinh area, with perhaps 100 to 200 prisoners held in each. (See reference in Part I). The District Police Headquarters in Saigon operates nine prisons, each housing from 50 to 100 prisoners. There is one prison at Official Police Headquarters with a capacity from 50 to 100, and the Bureau of Military Security (*Cuc An Ninh Quan Doi*) operates a prison near the Saigon Zoo in District 1, that can accommodate between 300 and 600 prisoners. The Secret Service of the Army Headquarters own a prison housing 300 to 500, located near the Tan Son Nhut Airport, and the Central Intelligence Service also has a prison located at Ben Bach Dang that holds from 200 to 500. (This number was furnished by a political prisoner who stayed in the Central Intelligence Service prison for about six months. He said that the figures may not be accurate, since the activities of the Central Intelligence Service are kept very secret.)

Secret and Semi-Official Prisons: The Provinces

The National Police, the Special Police, the *Hoat Vu*, the Military Security Forces, and the Local Army Forces each have one prison in the provinces, and there is one in each military barracks of the American and Allied Forces. Every one of these prisons houses an average of thirty to fifty prisoners.

In each district of every province there is one prison that holds the combined prisoners of the Security District Branch of the Special Police, the *Dan Ve*, the Cadres of the Provincial Government Rural Reconstruction Program, and those arrested by the district chief. Here and there in every district, wherever there is a barracks, no matter how big or small it is, there is always a small room that serves as a prison for the captives of the *Dan Ve* and of the village councils.

Finally, in each barracks in the district, there are one or more rooms reserved for the "night prisoners." These are peasants who have not violated the law but who are considered potential violators. They are in prison only from 6:00 p.m. to 8:00 a.m. and are allowed to go home during the day.

The number of prisoners held in these provincial jails varies greatly, of course, depending on the political and military situation and on the mood of those who are in power.

VI. INSIDE THE PRISONS

Though conditions differ somewhat from one prison to another, they are bad enough in all to weaken or destroy the physical and mental health of most prisoners. Torture, filth, overcrowding, malnutrition—these are the common lot of the victims of South Vietnamese justice.

Chi Hoa

Chi Hoa in Saigon is considered the best of the prisons, and is, in fact, used as a showcase to obscure the horrors common to the rest of the prisons in South Vietnam, although visitors who are aware of its showcase status could scarcely feel sanguine about conditions elsewhere.

The quarters in Chi Hoa vary in quality from one section to another (See Part V), but the communal cells which house most of the political prisoners are occupied by sixty to eighty persons—thus providing a space of about fifty square decimeters (or approximately 5 square feet) for each prisoner. There is enough air to breathe in these rooms because one of the four walls in each is barred.

Prisoners in Chi Hoa receive two full meals each day, plus soup for breakfast. Each prisoner is allowed one and one-half kilos of cooked rice, 200 grams of vegetables, seventy grams of meat or fish, and twenty grams of sugar per day. These provisions are bought by a contractor who receives a commission and hands out the goods to regular prisoners (i.e., those convicted of crimes such as robbery) in charge of the prison kitchen. There are deals between the contractor and the prison administrators to take some of the food allowance for themselves, so that the prisoner rarely receive their just quota. The above amounts are the official quotas per prisoner, but not what they actually receive. Although rice is the staple diet of the prisoners, the quality of rice they are given is very low. It is of coarse grade and contains grit.

Saigon is extremely hot, especially in the summer, which lasts eight months of the year. The water supply in the prison is always low. At each corner of the octagon is a tank of water measuring about five cubic meters. This water must provide for all the needs of the 900 to 1000 prisoners in the sixteen communal cells. Each receives a maximum of about five liters (1.8 gals) of water a day which must serve for cooking, drinking, bathing, washing, etc.

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[3] The foregoing description of Chi Hoa can best be understood by visualizing a structure like the one diagrammed below, keeping in mind that the sections are combined differently on different floors.

[4] See Section VI for a description of "tiger cages."

All political prisoners are required to pledge allegiance to the flag and to practice shouting patriotic slogans. At least five times a week, they must receive prison administrators or visitors to the prison, greeting them with these slogans. They are forbidden to discuss politics or any news coming from the outside, and they may not refer to Chi Hoa as a prison. They must call it a rehabilitation center. After curfew at seven or eight o'clock in the evening, they are not allowed to sit or stand or talk to one another but must lie down and go to sleep. In the non-curfew hours, they are not allowed to lie down. Those who violate any of these rules are sent into the Hall of Photography and Pictures (*Phong Dien Anh*), where they are tied up and beaten. Sometimes they are placed in solitary confinement for days on end in a dark room filled with mosquitoes. A considerable number of political prisoners refuse from the beginning to obey any of the regulations. After a week of punishment in the Hall of Photography and Pictures, these prisoners are shut up in individual windowless cells in the OB and OC section of the octagon, and their diet is reduced to plain rice and salt. Every two weeks they are brought back to the Hall of Photography and pictures for more punishment.

Prisoners who have not been tried may receive visitors and supplies only with the permission of the military court, and those who have violated prison rules are allowed no visitors or supplies. Usually prisoners may see their families and receive gifts from them once a month and, after they are sentenced, the visits may be increased to twice a month with the permission of the prison administration, but prisoners and their visitors must always sit far apart. They may not touch each other, and the visits last for only five minutes.

Censorship of mail is very strict. Often prisoners receive letters with everything deleted but the salutation and signature. Neither incoming nor outgoing letters may mention any personal problems; incoming letters must not be written on colored stationery, and may not be typed. All papers, magazines and books, except for small dictionaries, are forbidden.

There is a hospital at Chi Hoa run by a doctor, but his priority patients are military officers and administrative personnel and their families. Part of his job is to perform quick autopsies on dead prisoners and to sign their death certificates. Invariably he finds that any deaths in the prison occur as the result of disease, whereas, in fact, many result from the treatment inflicted in the Hall of Photography and Pictures. The hospital is in the ED section of the octagon, but a number of prisoners who suffer from leprosy, tuberculosis or mental illnesses are sent to a special prison in the Cho Quan hospital in Saigon.

Often during the night, one may hear tragic and desperate voices crying for help. "Sir! Sir!" someone may cry. "There is a man vomiting blood in room 2F!" or "Sir! Sir! There is someone in room OB who is dying!" Generally no one comes to help, although sometimes a nurse appears with a little powdered quinine. (This is used as a treatment for every disease and ailment, from colds and stomach ache to hemorrhages.) As often as not the prisoner ends his cry with the desperate shout, "That's that! The man has just died in room OB. Do you hear, Sir?"

Con Dao, Polo Condor

Often referred to as the Island of Con Son, Con Dao is called "hell" by persons confined there. Here are to be found the notorious "tiger cages," and it is here that murder by starvation is most commonly used as a punishment.

Many prisoners who have been sentenced to hard labor are sent to Con Dao, and many of these are put to work at the centers of Lo Voi or So Cuil. At Lo Voi prisoners work in quarries, breaking and carrying stones for the construction of prison units, road repair, etc., and some are made to wade deep into the sea to gather shells for the lime kiln.

At So Cui, the prisoners must climb long distances over high mountains to gather half a cubic meter of wood each day. The forests on the mountains have been exploited for years; trees are scarce, and it is forbidden to cut many of those that remain. At the end of the day, if it has not been possible to find the allotted amount of wood, the prisoners are beaten so severely that they must often crawl back to their cells. Yet the next day they are expected to go back to the mountains for more wood. What they gather is used to make furniture for the mainland homes of military officers and supervisors of the prison.

Three months after their arrival at Con Dao, prisoners who have a trade are selected to go to work at So Moc, the carpentry center, So Chan Nuoi, the livestock center, So Ray, the agricultural center, or So Luoi, the fishing center. The best produce from these centers is kept for the Province Chief, a lieutenant colonel, who is also the director of the rehabilitation center of the prison. Military officials are given the next best produce, and the rest is for supervisors and soldiers.

As in all other prisons, the prisoner's food in Con Dao is provided by a dealer and there is always an agreement between him and the administrators to keep some of the money that is supposed to be spent on food. Once a month, a supply ship comes from the mainland to the island, bringing rice of very low quality, dried fish, so poor and rotten that it would be used only as fertilizer outside prison, and some pigs and a number of cows. Military officials, supervisors, and soldiers are not anxious to share the rice or the fish, but are very willing to take the larger share of the pigs and the cows, leaving each prisoner with an average of about 10 grams of pork and beef per month.[5]

Because of the shortage of food, prisoners sent to work at So Ray and So Luoi, the agricultural and fishing centers, must steal whatever fish and vegetables they can, though if caught, they are sent to the "tiger cages." These tiger cages are housed in two long cement structures divided into thirty units each. The cages are too small for a man to lie full-length inside them. The barred top of each cage is so low that it can be reached with the hand. Over the bars is a catwalk for the guards, and over all is a roof or awning made of corrugated metal.

When a prisoner is consigned to a period of punishment in one of the tiger cages, his clothing is first removed and he is beaten into a state of unconsciousness. Then he is thrown into the cage. While he is there, he is not allowed to take a shower or even wash himself; his cage is his bathroom; his only food is bowls of rice lowered into the cage from above; the metal roof above the cage makes it very hot during the day and very cold at night; supervisors may suddenly pour down water from above or urinate onto the head of the prisoner. Sometimes they throw rocks or filthy excremental liquids. Their aim is to keep the prisoner in a state of contant fear, pain and despair.

Once or twice a week, guards and supervisors bring ordinary prisoners (those convicted for criminal offenses), armed with sticks to administer beatings to those within the cages. After the beatings, more water is poured down upon their heads. When I was at Chi Hoa, a supervisor from Con Dao told me that after having seen the liquid swilling around the cages, a mixture of water, blood, excrement and white rice vomited by prisoners after a beating, he was unable to eat for three days.

Some prisoners are kept caged for several months; only about thirty percent of these survive.

Because there are not enough tiger cages for all the prisoners the administration wants to punish, hundreds of others are locked in dark cells with only a few air holes. They are not permitted to wash themselves, have no toilet facilities, and are fed only unsalted white rice, and their confinement may last for months. After the first twenty days, one out of every two hundred prisoners dies; after a month, two die, and so it goes on up to the point where from five to ten prisoners die every day. Their corpses are removed from the cells once every three days.

As times goes on, the prisoners' bodies darken gradually from the feet upward and there is no feeling in the parts of the body that have gone dark. Death is approaching slowly, minute by minute, and the prisoners are very well aware of this. When the death rate reaches fifty percent, the administrators open the cells and stop the punishment. Prisoners from Con Dao have told me that when the cell doors open, the survivors try desperately to crawl into the yard and eat the grass. These blades of grass are sufficient to postpone their deaths and to keep them alive for the next wave of punishment.

Tan Hiep

The number of political prisoners at Tan Hiep is increasing rapidly, the majority of them being sent there on suspicion. As the Government has not found enough evidence against them to bring them before a military court, they are being held in detention. Tan Hiep is the most crowded of the official prisons. In a large prison room, each prisoner may have a sleeping space of only 20 centimeters by 2 meters (about 8" x 80"). Prisoners are not allowed to lie facing each other because the administration fears any communication between political prisoners, even if it is only by movement of the lips or eyes. That is why one sees hundreds of prisoners all lying on the cement floor, facing the same direction. They can change the direction only with the permission of the night guard whom they elect themselves and who is approved by the prison administration.

During the night, if they wish to go to the lavatory, they must raise their hands. The prisoner may have to wait for hours before he is allowed to go, since there is only one WC for each prison room and that is occupied night and day.

The list of regulations in this prison is very long, and the prisoners must learn it by heart during the first five days after their arrival. Those who do not resign themselves to the iron regulations here are punished by regular beatings before being sent to the tiger cages or the confinement cells of Con Dao.

Cau Luu Xa (the detention center) and the prison of the general headquarters

In both prisons, men are packed like sardines into the cells. There are rooms in the detention center where prisoners have to be divided into three groups, so that everyone can have a chance to sleep for a few hours during the night; one group sleeps lying down, one group sleeps sitting down, and one group clings to the iron bars to make room for the other two groups.

At the detention center, each prisoner is allowed to wash once a day, but at the Prison of the General Headquarters, there is not so much water. Every three days, each prisoner is given two liters (about two

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[5] Prisoners do their own cooking and combine the small portions of meat that come to them infrequently with rice in a common stew. Only certain prisoners who were formerly high grade civil servants, military officers, businessmen, or rich politicians are granted higher living standards. They manage this by bribing the administration or by using family influence within the Government circle.

XUM

quarts) of water for washing clothes and bathing. Because of the lack of water, prisoners must use chemical toilets located inside the cell.

Many of the prisoners here have skin diseases and coughs. Every night there are prisoners who suffocate and lose consciousness, and there are a considerable number who contact tuberculosis.

The Prisons of the Hoat Vu

Because of the need for secrecy, the *Hoat Vu* cannot set up well-organized prisons, and must put prisoners into rooms wherever they can find them, often into servants' quarters in private villas. To prevent escape, they chain prisoners to iron bars, sometimes five or ten prisoners to each bar. Strong prisoners have their hands tied as well.

Most of those arrested and taken to the *Hoat Vu* jails consider suicide, for they know that they have no way to escape the tortures which await them. Even if they are innocent, even if they resist making confessions, even if they confess all or make false confessions—whatever they do, they will be submitted to torture and punishment.

A prisoner who attempts suicide or who is suspected of making a suicide attempt is punished by being bound hand and foot and by having a wooden cylinder placed between his jaws and tied with wires behind his head. He is fed on soup with the cylinder still in his mouth, and is sometimes left in this state for a week. Prisoners punished in this way cannot close their mouths for 24 hours after the torture is ended and cannot chew food for at least a week.

The Cho Quan Hospital Prison

Cho Quan is a hospital for the treatment of mental illnesses and dangerous contagious diseases. In the compound of this hospital is a prison housing about 600 very ill prisoners. Both ordinary criminal prisoners and political prisoners are sent here from the five big prisons and the *Hoat Vu* and the Police Services in the Saigon-Cholon-Gia Dinh area. All these diseases are common: leprosy, tuberculosis, venereal disease, mental illness. Cho Quan is considered to be the dirtiest prison in South Vietnam. At least two or three prisoners die daily, mostly from tuberculosis. Each year several prisoners die of injuries received after they have attempted to climb into a very slippery sanitary toilet. Insane prisoners sometimes go berserk and murder others.

The principal medicines in use here are quinine, sulfa, phenobarbital, and camphor oil. They are used for treating all diseases.

Who are the political prisoners? The easiest and best way to learn of the social position, political affiliation and religious tendencies of political prisoners in South Vietnam is to read the daily report made out by the administration of each prison. For example, the September 15, 1968, report[6] from the Chi Hoa Prison reads as follows:

Religious affiliation	Political prisoners	Ordinary prisoners	Military prisoners	Total
Catholic	163	29	24	216
Buddhist	1,315	42	51	1,408
Protestant	32	5	11	48
Cao Dai	31	1	4	36
Hoa Hao	42	3	7	52
No religion	72	10	28	110
Total	1,665	90	125	1,870

According to the report, if one examines only the case of political prisoners one will see:

Buddhists equal 1315 divided by 1655, or 79 percent.

Christians equal 163 plus 32 divided by 1655, or 12 percent.

Followers of other religion or non-religious prisoners equal 9 percent.

Apart from this report, there are 3 other kinds of reports: the number of prisoners per room (to calculate the food supply); the number of prisoners accused of being communists; the social position of political prisoners.

The last two reports are secret, and are sent to *Van Phong Kiem Tra*, the head office of the Hall of Pictures and Photographs. They are also incorporated in the general daily report that is sent by the Chi Hoa prison administration to the General Director of Rehabilitation Centers. The two items that are most important in the report are the numbers of communists and peasants. When I took note of the report on section FG at Chi Hoa prison, the number of communists were 50 out of 1655 political prisoners. That is about 3.3 percent of the prisoners. The number of peasants was listed at 1062 (about 64%). What will people think if they look at the percentages in the report? Twelve per cent of the prisoners are Catholic, 79% are Buddhist, 3.3% are communists and 64% are peasants?

VII. AFTER SERVING THE TERM

Some years ago, prison administrators used to attempt to persuade prisoners to obey regulations by promising them shortened terms. These promises were never kept and administrators have stopped making them. Now they promise that if the prisoner behaves himself, he will be released after he has fully served his term.

This promise is meaningful, because of late years, most prisoners are not released at the end of their terms, but detained in prison for another six months to a year. Those in unofficial prisons are often kept indefinitely. Political prisoners with families in Saigon are released after serving their sentences, only if they produce a written guarantee signed by three relatives certifying that they will take responsibility for the future political actions of the prisoner.

Upon his release, the prisoner receives only a temporary resident card issued by the Chief of the Special Police. He must present himself once a week or once a fortnight thereafter to the police headquarters of his district and also to the Central Bureau of Investigation. Each time he goes, he must relate in minutest detail all of his activities, what he has done, whom he has seen and so on, and each time, he must take with him some clothes, a towel and a toothbrush in case he is rearrested. Where he goes, he is followed by an Active Intelligence Service agent, who sometimes comes directly into his house and demands a monthly payment for "protection."

The former prisoner now lives in a permanent state of anxiety, feeling that he has no real freedom, not daring to visit intimate friends because, if he did, he would have to mention their names at the Bureau of Investigation. Eventually he is either rearrested or finds himself obliged to escape the city and seek refuge with the NLF, as he feels that he cannot return to the terror of the torture room and the prison.

LAGGING DRAFT REFORM

HON. JACK H. McDONALD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. McDONALD of Michigan. Mr. Speaker, it is with great interest that I call to the attention of my colleagues an editorial in today's Washington Post pertaining to draft reform. This subject has been of great importance to me for some time. I am a cosponsor of a resolution praising the President for his establishment of a Commission on a Volunteer Army. I have also devoted a considerable amount of time to the study of this concept. Furthermore, on July 3, I wrote the chairman of the Armed Services Committee requesting that hearings on draft reform proposals be scheduled at the earliest possible time. As one of the 22 House Members who visited our Nation's college and university campuses, I can personally attest that the inequitable operations of the present Selective Service System serve as a significant problem among students. I feel it is essential that draft reform be considered before 1971 when the existing Selective Service laws expire.

While I do not necessarily agree with all of its observations, I believe the editorial is certainly noteworthy and it is with pleasure that I submit it for the benefit of all Members. The text is as follows:

LAGGING DRAFT REFORM

The foot-dragging on Capitol Hill in regard to draft reform and the Administration's seemingly lax attitude toward it are disappointing. When the President sent his draft proposals to Congress a few weeks ago, they were described as interim changes designed to make the Selective Service less onerous while long-range plans to replace the draft are being worked out. Now the supposed interim relief measures are being treated as if they were long-range reforms to be considered only in connection with renewal of the Selective Service Act in 1971.

We can see no excuse for such delay. The weaknesses of the present system are a substantial cause of unrest among young men of draft age. Many complain about the potential disruption of their lives by unforeseeable draft calls that may come at any time from age 19 to 26. These men would have a much better opportunity to plan their schooling, their careers and their private lives if the period of their maximum liability could be shortened to one year, as both President Nixon's and Senator Kennedy's plans recommend. There is no good reason to ask them to wait two years for such an obviously desirable change.

We think that random selection of draftees would also diminish the feeling that the draft operates unfairly. Since the armed forces need fewer men than would be exposed to the draft at age 19 (plus deferred students who would have a year of maximum exposure to the draft at the end of their college studies) selections from this group by lottery would keep favoritism and special privilege at a minimum. Here again the improvement ought not to be something for legislators to ponder for two years but to put into effect at the earliest possible date.

The army too has an interest in prompt action on this bill because it would take younger men into the service at an age when they make better soldiers.

If any action is to be taken this year, however, the Administration will have to bestir far more than it has done to date. Some key legislators are complaining that they have not yet been supplied with information as to how the proposed lottery would work. The Administration's bill has not even been introduced in the Senate for want of a sponsor on the Armed Services Committee. This suggests a critical lack of follow-up work at the White House.

When these reforms were recommended a few weeks ago this newspaper said that they "ought to be regarded as urgent business in both houses of Congress." We still think so. But something more than wishful thinking at the White House and apparent disinterest on Capitol Hill will be necessary if anything is to be done before the present legislation expires.

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[6] This report is chalked on the walls of the offices of six sections in the Chi Hoa prisons. The numbers are changed every day at 9 a.m.

NEW ASSOCIATION OF BLACK CONSULTANTS CHARGES FEDERAL AGENCIES SUPPORT RACIAL BIAS IN CONTRACT AWARDS—NATIONAL ASSOCIATION OF BLACK CONSULTANTS AND URBANOLOGISTS

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. DIGGS. Mr. Speaker, the National Association of Black Consultants, a newly formed group of black-owned private consultant firms, announced today that—

> A petrified pattern of black discrimination, collusion, and white favoritism controls the awarding of contracts by Federal agencies to private white consulting firms.

The association charged:

> There is a prima facie case of blatant favoritism in the awarding of Federal contracts to pre-selected white firms and a callous contempt for black consulting firms.
>
> An amount of $500,000,000 in Federal funds for consulting services will be expended during FY 1970. Of the approximately 400 firms in the consulting industry, a mere 20 firms or 5 percent will receive 60 percent of the expenditures. On the other hand, the 80 black-owned firms which comprise 20 percent of the total number of firms, will receive less than 1 percent of these same Federal expenditures.

Member firms of the NABCU have over $10 million worth of pending proposals with various Federal agencies. They indicated:

> During the next few weeks the Association will examine very closely the actions of those agencies in the awarding of these contracts.
>
> If there is to be *any* implementation of this Administration's commitment to the black community to generate more community-controlled programs and more black self-help in developing a viable economic base for the black community's growth, one way to begin is with the maximum utilization of black professionals.
>
> NABCU does not claim any kind of a priori expertise on the black experience. But by the same token, it vigorously opposes the prevailing plantation psychosis in the Federal government that only white experts, white consultants and white urbanologists are able to program the economic, educational and social growth of the black community.
>
> Unless white tokenism ceases in the awarding of Federal contracts to all black companies, corporations and firms, an irreversible alienation between black and white will become endemic.

NABCU suggested that the Federal Government could take affirmative action in three areas to implement a policy of equal achievement in the consulting industry:

> 1. Enforcement of the equal opportunity programs of Federal agencies by reviewing *all* contracts awarded and determining whether a pattern of favoritism exists for certain pre-selected white firms.
>
> 2. Maximization of small business participation in Government procurements through section 8(A) of the Small Business Act.
>
> 3. An investigation by the Department of Justice to determine violations of antitrust regulations in the awarding of consulting contracts and to determine the extent of collusion of certain segments of industry with officials in the Federal Government.

NABCU said it was currently in the process of securing meetings with administration leaders and agency heads to present documentation of their charges and to demand an immediate end to this pattern of discrimination and bias in the awarding of Government contracts.

The National Association of Black Consultants and Urbanologists is a Washington-based organization of black-owned consulting firms and urban planning companies. It was formed as the result of a meeting in Atlanta, Ga., in December 1968.

A partial listing of member firms include:

1. Association Control Research Analysis, James Gee, President.
2. B.L.K. Group, Inc., Kenneth Vallis, President.
3. Burrell Associates, Berkeley G. Burrell, President.
4. Curber Associates, Dr. Bert Phillips, President.
5. Impact Studies, Inc., Phillip A. Chase, President.
6. Sam Harris Associates, Ltd., Samuel E. Harris, President.
7. Koba Enterprises, Inc., Ford T. Johnson, Jr., President.
8. Roy Littlejohn Associates, Roy Littlejohn, President.
9. The Match Institution, Timothy L. Jenkins, Chairman.
10. Nellum Associates, Al Nellum, President.
11. Opportunity Systems, Inc., George H. Walker, President.
12. SACAPS, Napoleon Rhodes, President.
13. Supportive Services, Inc., Edward Scraggs, President.
14. J. Cameron Wade & Associates, Inc., Jay C. Wade, President.
15. 2MJQ Environmental Research and Development, Development Corporation, Casey Mann II.

SENATE—*Thursday, July 10, 1969*

The Senate met at 11 o'clock a.m. and was called to order by the President pro tempore.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, King of Kings, and Lord of Lords, from whom proceeds all power and dominion in heaven and on earth, we beseech Thee to look with favor upon Thy servants, the President of the United States, the Members of the Congress, the diplomats in distant places, the leaders of our military forces, and all others whom we have set in authority. Imbue them with the spirit of wisdom, goodness, and truth; and so rule their hearts and bless their endeavors that they may lead us in high achievement and steadfast righteousness. May these days of crisis be times of spiritual renewal and moral resurgence when the nations of the earth find their way to true brotherhood and lasting peace. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, July 9, 1969, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the order previously entered, the Chair recognizes the Senator from South Carolina (Mr. HOLLINGS) for not to exceed 40 minutes.

Mr. MANSFIELD. Mr. President, will the Senator yield, without losing his right to the floor?

Mr. HOLLINGS. I yield.

ORDER FOR RECOGNITION OF SENATOR HOLLAND

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the conclusion of the remarks of the distinguished Senator from South Carolina (Mr. HOLLINGS), the distinguished senior Senator from Florida (Mr. HOLLAND) be recognized for not to exceed 15 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. HOLLINGS. I yield.

Mr. STENNIS. Just for an inquiry. Under a previous order, the Senator from Nevada (Mr. CANNON) is to speak after the morning hour. Is that correct?

Mr. MANSFIELD. That is correct.

The PRESIDENT pro tempore. The Chair is advised that the Senator from Nevada is to be recognized at the conclusion of the morning business, under the order heretofore entered.

Mr. STENNIS. I thank the Chair.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HOLLINGS. I yield.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR THURMOND

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. HOLLINGS. I yield.

Mr. DIRKSEN. Mr. President, if it is proper and in order, I should like to request of the Chair that the Senator from South Carolina (Mr. THURMOND) be recognized for 30 minutes after the Senator from Nevada speaks.

Mr. MANSFIELD. On the bill?

Mr. DIRKSEN. On the bill; yes.

The PRESIDENT pro tempore. Without objection, the senior Senator from South Carolina will be recognized for 30 minutes at the conclusion of the remarks of the Senator from Nevada.

EFFECT OF U.S. FOREIGN TRADE POLICY ON BASIC MANUFACTURING INDUSTRIES

Mr. HOLLINGS. Mr. President, we are in the 7th month of the 91st Congress and of the new administration. Congress has been patiently awaiting the development of administration programs in many areas before rolling up its own sleeves and getting down to the task of legislating solutions to the difficult problems which challenge the health, welfare, and economic security of the American people.

Included in the major problems requiring our attention is that of our Nation's foreign trade policy, especially as it relates to our basic manufacturing industries. Many of America's basic industries are facing strong and increasing import competition. Some indication of the wide-ranging extent of this problem is given in a recent report of the Trade Relations Council of the United States.

Using U.S. Government statistics, the council made a computer analysis of employment, output, and foreign trade of 349 of the Nation's 425 manufacturing industries as defined at the 4-digit level of the standard industrial classification. The correlation of foreign trade data with domestic employment and output data at this level of industry classification is a difficult undertaking. Data were available to make such an analysis possible for the period 1958 through 1966 for a total of 313 industries.

Mr. President, the 313 industries accounted in 1966 for about two-thirds of total employment in all U.S. manufacturing industries. They supplied 85 percent of the value of shipments of manufactured goods in 1966. Products like or competitive with the output of these 313 industries accounted for 99 percent of total U.S. imports of manufactured goods in 1966, and of 85 percent of U.S. exports. These data show that the 313 industries are quite representative of the manufacturing sector of the U.S. economy.

Of the 313 industries, the council found that there were 128 which experienced a balance of trade deficit in 1967. These 128 industries accounted for 25 percent of total employment in all manufacturing industries in 1966, and for 29 percent of the value of shipments of manufactured goods. Imports of manufactures were concentrated in the product lines of these industries to such an extent that articles like or competitive with their output accounted for about two-thirds of the total imports of manufactured products in 1966, but their exports accounted for only 12 percent of total U.S. exports.

From the point of view of the impact of this imbalance in foreign trade on the United States, it is most significant that the balance of trade deficit in these industries was equivalent, at the value of shipments per worker in each industry, to a net loss of nearly 368,000 jobs. For the most part, these 128 industries are labor-intensive industries, so that the lost employment opportunities represent the waste of an especially precious asset to the Nation; namely, job opportunities for comparatively unskilled workers.

It is our hard-core unemployed, residents of economically distressed inner city areas, and the less developed sectors of our Nation such as the Appalachian region, who are the principal victims of the loss of job opportunities represented by the extreme foreign trade imbalance in the products of these 128 industries.

Mr. President, Members of this body are aware that I have been vigilant, in season and out of season, in my efforts to secure relief from excessive import pressures for the textile industry. My efforts to contribute to a solution of the textile import problem should not be taken, however, as any indication that I am less interested in the comparably distressed position of other basic manufacturing industries in my State and in the Nation.

Mr. President, economic hardship to U.S. manufacturing industries stems primarily, though not exclusively, from our trade with Japan. The previously mentioned study of the Trade Relations Council shows that in 1967, of our foreign trade in manufactured products, we experienced a deficit of $1.3 billion in our trade with Japan. Our next largest deficit was incurred in our foreign trade in manufactures with West Germany, where we suffered a deficit of nearly $600 million—large but less than half as great as that we experienced in our trade with Japan.

Mr. President, the experience of my own State is a reflection of what is happening broadly in the Nation as a result of the inordinate volume and rate of increase of imported manufactured goods. South Carolina has made strenuous and highly successful efforts to attract manufacturing industries to establish facilities and jobs within the State. This is part of the major and important efforts which the entire South has made to escape from the limiting economic effects of being merely an agricultural economy.

We currently have 786,000 residents of our State who are employed on nonagricultural payrolls, and 330,000 of them are employed in manufacturing occupations. During the past 10 years, employment in manufacturing industries in South Carolina has increased more rapidly than total employment on nonagricultural payrolls. In 1967, there were nearly 3,300 manufacturing establishments operating in South Carolina with an annual payroll of about one and a half billion dollars. Of the major industries located in our State, the following experienced a foreign trade deficit nationally in 1968:

Textile mill products, $437.3 million. At the output per worker shown by the 1967 Census of Manufactures of $21,232, this foreign trade deficit represented the loss of 20,600 jobs.

Apparel and related products, $674.5 million. At an output per worker of $15,224, this foreign trade deficit represented the loss of 44,316 jobs.

Lumber and wood products, $317.2 million. At an output per worker of $19,316, this foreign trade deficit represented the loss of 16,418 jobs.

Paper and allied products, $431 million. At an output per worker of $32,546, this foreign trade deficit represented the loss of 13,240 jobs.

Stone, clay, and glass products, $515.1 million. At an output per worker of $24,412, this foreign trade deficit represented the loss of 21,103 jobs.

Iron and steel mills and foundries, $1,430.9 million. At an output per worker of $32,613, this foreign trade deficit represented the loss of 43,880 jobs.

Miscellaneous manufactured articles, $416.7 million. At an output per worker of $19,889, this foreign trade deficit represented the loss of 20,951 jobs.

These seven basic manufacturing industries are of major importance to the economy of South Carolina. Together they provide employment for 222,000 residents of our State, over 70 percent of the manufacturing jobs in the State. Neither my State nor the Nation can afford to ignore the fact that U.S. foreign trade in products like or directly competitive with the articles produced by these seven industries resulted in a deficit of $4.2 billion. Further, we must be concerned about the loss of 180,508 new or existing jobs in these industries.

Mr. President, to this point in my remarks I have not alluded to the very serious import problems affecting the domestic footwear industry. There are no footwear manufacturing plants in the State of South Carolina, but in view of my general interest in the national aspects of the foreign trade problems affecting our basic manufacturing industries. I am, of course, familiar with the serious plight of the domestic footwear industry.

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In 1968, our Nation had a balance of trade deficit of $377.3 million in footwear. In that year, domestic consumption of leather footwear amounted to 804.0 million pairs of shoes, of which imports supplied 175.4 million pairs. Thus in 1968, imports were equivalent to 21.8 percent of domestic consumption, up sharply from the import penetration ratio of 5.8 percent in 1961. There can be no question about the fact that the domestic footwear industry is faced with a very serious problem.

The rapid increase in the penetration of the domestic market by imports has contributed to an absolute loss of 3,100 jobs in the industry during the 1961–68 period. The latest data for the month of May 1969 shows that employment has decreased by an additional 6,000 jobs in comparison with the average employment in 1968.

Mr. President, my priority of attention to the import problems of the textile industry is based upon the fact that the textile and apparel group accounts for 182,000 of the 222,000 jobs provided by this group of industries in South Carolina.

It is not merely on the basis of employment in South Carolina that the textile import problem calls for priority of attention. With 2,525,000 workers, the textile mill products, apparel, and manmade fiber producing industries are by far the Nation's largest employers of workers among manufacturing industries.

But I say to my friends from other States who are concerned, as I am, not only with textiles but with steel, footwear, glass, wood products, paper, chinaware and pottery, synthetic organic chemicals, and electronic products, that the national policy we establish in the textile import area should be useful in guiding the way to a legislative solution in these other basic industrial product areas. I ask them, therefore, to join with me in setting about to exercise in a constructive way the initiative which belongs to the Congress under our Constitution to fashion a policy for the regulation of foreign commerce in the textile area with the realization that in so doing, they will also be contributing to the establishment of national policy for the regulation of imports in the product areas of these other basic and import-sensitive manufacturing industries.

Mr. President, this brings me in my remarks to a specific consideration of the policy problems which some people believe to exist in applying a corrective to the excessive importation of textile articles into the United States.

When Secretary of Commerce Stans together with his associates traveled to Western Europe and then to the Far East to consult with our Nation's trading partners concerning the textile import problem, he found that he had been preceded by an advance man not of his choosing who had undertaken to brief representatives of the foreign governments and their textile industries concerning that person's concept of the textile import problem. I refer, Mr. President, to the general counsel for the American Importers Association who traveled in advance of Secretary Stans to present information evidently intended to fortify the other nations to resist the invitation of the United States, expressed through Secretary Stans, to engage in meaningful consultation in regard to the U.S. textile import problem. These views on behalf of the American Importers Association are set forth in a memorandum which, with unanimous consent, I ask to have printed in the RECORD following my remarks.

The PRESIDING OFFICER (Mr. PEARSON in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. HOLLINGS. Mr. President, as Members of this body are aware, those of us who have been concentrating on the search for a solution to the textile import problem during this and preceding administrations encounter frequently arguments conceived by Americans who act as apologists for maintaining the status quo in defense of the assumed economic interests of those foreign countries who are the principal suppliers of imported textile articles into the U.S. market.

These arguments have a sameness in quality and in concept. Much of the content of the paper distributed on behalf of the American Importers Association consists of such arguments, newly adorned with statistical array.

Mr. President, the memorandum of the American Importers Association serves a useful purpose by bringing out into the open and reducing to writing the arguments being used behind the scenes in opposing the achievement of an agreeable solution to the textile import problem. It deserves our careful study, and it is now my purpose to take up one at a time the contentions of the importers' paper and to refute them with incontrovertible fact. I shall support my analysis of that paper with statistical data compiled from official sources and ask unanimous consent that my numbered tables be inserted at the appropriate places in my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLINGS. Mr. President, first, the importers assert that "the textile industry has enjoyed a phenomenal growth from 1961 through 1968." The word "phenomenal" means extraordinary or remarkable, according to Webster's Third International Dictionary. The record shows that the textile industry's growth has been neither extraordinary nor remarkable. In the data presented in my table 1, it is established that during the period 1961 through 1968 the average annual rate of growth in the sales of textile mill products and apparel was below that of the average of all manufacturing industries in the United States. Can a below-average rate of growth fairly be described as "phenomenal," Mr. President?

TABLE 1.—U.S. SALES OF TEXTILE MILL PRODUCTS AND APPAREL COMPARED WITH ALL MANUFACTURING, 1961–68

[Sales in millions of dollars]

	Textile mill products		Apparel		All manufacturing	
	Sales	Change (percent)	Sales	Change (percent)	Sales	Change (percent)
1961	$13,398		$12,365		$356,424	
1962	14,449	+7.84	13,241	+7.08	389,917	+9.40
1963	15,092	+4.45	13,696	+3.44	412,678	+5.89
1964	16,249	+7.67	14,880	+8.64	443,072	+7.37
1965	18,028	+10.95	16,263	+9.29	492,201	+11.09
1966	19,513	+8.24	18,110	+11.36	554,180	+12.59
1967	18,672	−4.31	18,170	+0.33	575,427	+3.83
1968	20,841	+11.62	20,718	+14.02	631,911	+9.82
Average annual change (percent)		+6.64		+7.74		+8.57

Source: FTC–SEC quarterly financial report for manufacturing corporations.

Second, the importers' memorandum, under the heading "Analysis," offers the statement that "every indicator of performance shows a picture of health and growth in the textile and apparel industries." I have just shown that this is not the case when measured by the sales of the industry. Now let me turn to the next indicator referred to by the importer, that of profits.

My table 2 shows that profits of both the textile mill products and apparel industries, whether measured before taxes or after taxes, expressed as a percent of sales, persisted far below the average of all manufacturing industries, and below profits of the nondurable goods industries, to which textiles and apparel are most closely identified, throughout the 1961–68 period. The ratio of profits after taxes to sales for the apparel industry remained less than half that of the nondurable goods and all manufacturing industries throughout the period, while those of the textile mill products industry failed to rise above 60 percent of the average of all manufacturing and nondurable goods industries by the end of that period.

Mr. President, can two basic manufacturing industries be said to evidence "a picture of health and growth" from the standpoint of profits when their earnings rate remains from 40 to 50 percent below that of the average of all manufacturing industries and of the nondurable goods sector of manufacturing industries throughout the most recent 8-year period?

TABLE 2.—THE COMPARATIVE "PROFIT" PERFORMANCE OF THE TEXTILE MILL PRODUCTS AND APPAREL INDUSTRIES 1961–68

[Dollar amounts in millions]

	1961	1962	1963	1964	1965	1966	1967	1968
Textile mill products:								
Profits before taxes	$589	$724	$721	$947	$1,268	$1,272	$982	$1,276
Profits after taxes	$280	$354	$354	$507	$694	$702	$540	$654
Profits as a percent of sales:								
Before taxes (percent)	4.4	5.0	4.8	5.8	7.0	6.5	5.3	6.1
After taxes (percent)	2.1	2.4	2.3	3.1	3.8	3.6	2.9	3.1
Apparel:								
Profits before taxes	$331	$415	$414	$553	$644	$740	$728	$931
Profits after taxes	$157	$212	$189	$318	$377	$432	$420	$507
Profits as a percent of sales:								
Before taxes (percent)	2.7	3.1	3.0	3.7	3.9	4.1	4.0	4.5
After taxes (percent)	1.3	1.6	1.4	2.1	2.3	2.4	2.3	2.4
Nondurable goods industries:								
Profits before taxes	$13,862	$15,114	$16,421	$18,324	$20,260	$22,610	$22,050	$24,756
Profits after taxes	$8,450	$9,150	$10,011	$11,611	$12,983	$14,564	$14,429	$15,546
Profits as a percent of sales:								
Before taxes (percent)	7.6	7.8	8.1	8.5	8.6	8.6	8.0	8.4
After taxes (percent)	4.7	4.7	4.9	5.4	5.5	5.5	5.3	5.3
All manufacturing industries:								
Profits before taxes	$27,508	$31,863	$34,924	$39,567	$46,487	$51,787	$47,772	$55,405
Profits after taxes	$15,308	$17,727	$19,481	$23,208	$27,521	$30,934	$29,008	$32,069
Profits as a percent of sales:								
Before taxes (percent)	7.7	8.2	8.5	8.9	9.4	9.3	8.3	8.8
After taxes (percent)	4.3	4.6	4.7	5.2	5.6	5.6	5.0	5.1

Source: FTC-SEC quarterly financial report for manufacturing corporations.

Third, the importers point to the fact that shipments in 1968 were larger than shipments in 1961 by some 55 percent as though that in some way corroborated their claim of "phenomenal growth" by the U.S. textile industry. The fact of the matter is, as my table 3 establishes, that shipments of textile mill products and apparel increased at a slower rate than the average of all manufacturing industries. Again, Mr. President, the question may fairly be posed: Is an expansion in the value of shipments at a rate below that experienced by the average of all manufacturing industries any evidence of "phenomenal growth"? In my book "below average" is not equal to "extraordinary" or "phenomenal."

TABLE 3.—VALUE OF SHIPMENTS BY THE TEXTILE MILL PRODUCTS AND APPAREL INDUSTRIES COMPARED WITH ALL MANUFACTURING INDUSTRIES, 1961–68

[Value of shipments in millions of dollars]

	Textile mill products		Home goods and apparel		All manufacturing	
	Value of shipments	Change (percent)	Value of shipments	Change (percent)	Value of shipments	Change (percent)
1961	13,999		36,997		370,612	
1962	15,154	+8.25	39,555	+6.91	399,696	+7.85
1963	16,537	+9.13	39,759	+0.52	417,291	+4.40
1964	17,808	+7.69	41,750	+5.01	445,552	+6.77
1965	19,318	+8.48	44,909	+7.57	483,343	+8.48
1966	20,407	+5.64	49,609	+10.47	528,448	+9.33
1967	19,241	−5.71	51,206	+3.22	548,542	+3.80
1968	21,458	+11.52	55,126	+7.66	603,718	+10.06
Average annual change		+6.43		+5.91		+7.24

Source: U.S. Department of Commerce, "Business Statistics," 1967; "Survey of Current Business," June 1969.

Fourth, the importers' text is unclear but implies that production of textile mill products and apparel increased rapidly over the period. The fact of the matter is that in production, as in the case of the other indicators which I have discussed, the performance of the textile mill products and apparel industries was significantly below the average of all manufacturing industries. A rate of increase well below the average of all manufacturing industries cannot fairly be characterized as a rapid increase. The word "rapid" connotes some relative measure. If we gage the pace of production by the benchmark of the average of all manufacturing industries, we find that production of textile mill products and apparel increased relatively slowly, not rapidly. This is shown by my table 4.

TABLE 4.—INDEX OF PRODUCTION IN THE TEXTILE MILL PRODUCTS AND APPAREL INDUSTRIES COMPARED WITH ALL MANUFACTURING INDUSTRIES, 1961–68

[1957–59=100]

	Textile mill products		Apparel		All manufacturing	
	Index	Change (percent)	Index	Change (percent)	Index	Change (percent)
1961	107.1		112.1		109.6	
1962	115.3	+7.66	118.9	+6.07	118.7	+8.30
1963	116.9	+1.39	125.6	+5.63	124.9	+5.22
1964	122.9	+5.13	134.1	+6.77	133.1	+6.57
1965	134.9	+9.76	145.1	+8.20	145.0	+8.94
1966	142.5	+5.63	150.1	+3.45	158.6	+9.38
1967	142.0	−0.35	147.6	−1.67	159.7	+0.69
1968	150.4	+5.92	149.4	+1.22	166.2	+4.07
Average annual change		+5.02		+4.24		+6.17

Source: Federal Reserve Board.

Fifth, the importers cite a gain of about 300,000 workers in the textile mill products and apparel industries as additional evidence of "phenomenal growth" between 1961 and 1968. The facts are again contrary to the impression which the importers' statement purports to convey.

In my table 5 I have traced the growth in employment in the textile mill products and apparel industries compared with all manufacturing and compared with the growth in the Nation's total labor force. It is very significant, I believe, that the average annual rate of change in employment in the textile mill products industry is only about half that of all manufacturing industries, and is well below the rate of growth in the Nation's total labor force. Clearly the textile mill products industry is being retarded in its capacity to generate new employment to accommodate its share of the responsibility for providing jobs for the Nation's ever-increasing labor force.

It is of interest that while the apparel industry is increasing employment at an average annual rate far below that of the average of all manufacturing industries, it has maintained a growth of employment in excess of the rate of growth in the Nation's labor force. Realistically we must recognize that the tremendous quantities of broadwoven and knitted fabric being imported into the United States are the raw material for apparel plants, where it is cut and sewn into finished textile products. The apparel industry is being forced, as other American industries before it have been forced, to attempt to stay alive in the face of import competition by reducing its costs wherever possible, including the substitution of cheap foreign-produced fabric for the more expensive domestic article.

The employment growth rates in my table 5 clearly suggest that the victim of these combined pressures is the textile mill products industry whose employment growth rate is significantly below that of the apparel industry—though, as I have already pointed out, growth in apparel employment is far below the rate of growth in all manufacturing industries.

In any event, Mr. President these data certainly do not support the use which the importers attempt to make of the overall change in employment; namely, as support for their thesis that the textile industry has enjoyed a "phenomenal growth" during the past 8 years.

Sixth, the importers turn to statistics concerning the mill consumption of fibers in a further effort to bolster their notion that the textile industry has enjoyed phenomenal growth and is the picture of health. They content themselves with calling attention to the fact that the amount of fiber consumed in 1968 was 47 percent greater than that consumed in 1961 and calling attention to the increased use of manmade fibers in U.S. textile operations.

It is not surprising, Mr. President, that U.S. textile mill consumption reflects an increased use of manmade fibers in comparison with cotton and wool. The American textile industry has pioneered, innovated, and promoted the use of manmade fibers, alone and in blends, in conventional and new fabric constructions in an imaginative effort to gain and hold the allegiance of consumers for increased expenditures for textile articles. To a degree this effort was successful in the past, and it is this success that for a time helped cushion the blow of the rising import competition.

TABLE 5.—EMPLOYMENT IN THE TEXTILE MILL PRODUCTS AND APPAREL INDUSTRIES COMPARED WITH ALL MANUFACTURING AND WITH THE NATION'S TOTAL LABOR FORCE, 1961–68

[Employment data in thousands]

	Textile mill products		Apparel		All manufacturing		The Nation's total labor force	
	Employment	Change (percent)	Employment	Change (percent)	Employment	Change (percent)	Employment	Change (percent
1961	893.4		1,214.5		16,326		73,031	
1962	902.3	+1.00	1,263.7	+4.05	16,853	+3.23	73,342	+0.43
1963	885.4	−1.87	1,282.8	+1.51	16,995	+0.84	74,571	+1.68
1964	892.0	+0.75	1,302.5	+1.54	17,274	+1.64	75,830	+1.69
1965	925.6	+3.77	1,354.2	+3.97	18,062	+4.56	77,178	+1.78
1966	961.5	+3.88	1,398.8	+3.29	19,186	+6.22	78,893	+2.22
1967	951.5	−1.04	1,390.7	−0.58	19,434	+1.29	80,793	+2.41
1968	984.9	+3.51	1,416.8	+1.88	19,740	+1.57	82,272	+1.83
Average annual change		+1.43		+2.24		+2.76		+1.72

Source: Bureau of Labor Statistics.

As the liberally administered restraints of the Long-Term Cotton Textile Arrangement placed some limitations, however generous, on exports of cotton textiles to the United States, the principal supplying nations shifted increasingly to the use of manmade fibers, alone and in blends, in part to escape the restraints under the LTA, and in part to take advantage of the consumer demand which had been stimulated by the developmental and promotional programs of the U.S. textile industry.

As in the case of the other alleged indicators of phenomenal growth cited by the importers, it is not sufficient, as they do, merely to call attention to the fact that there has been an increase in the consumption of fibers. I can accept for purposes of discussion the thesis of the importers that overall fiber consumption should be considered rather than a segmented study of cotton, wool, and manmade fibers. Indeed, I am happy to see the importers take this position, as it is precisely this fact which has been the basis for the efforts of the American industry and textile State Members of Congress to persuade the executive branch of the Government to recognize that the textile industry complex is interdependent from a fiber point of view and that all-fiber regulation is required, not merely imports of cotton textiles.

The fact is, however, Mr. President, that the rate of increase in mill consumption of all fibers in the United States has lagged seriously behind the increase in consumer disposable income and of personal consumer expenditures for clothing articles in the United States. It is also significant that textile sales valued in constant dollars have grown at a rate very close to that of mill consumption, both being far off the pace of the growth in consumer disposable income and expenditures for clothing.

As will be shown in a subsequent section of my remarks, the mill consumption of fibers standing alone is an insufficient indication of the pace of activity in the textile mill products industry. The heart of this industry is represented by the establishments engaged in the production of fabric for use in apparel. A substantial part of the fiber consumed in the United States goes into floor coverings and industrial textiles. The growth rate in these sectors, including, notably, tufted carpets and rugs, has been exceptional and the amount of fiber consumed in such manufacturing activity tends to invalidate the use of mill consumption data standing alone as an index of textile mill activity. This point is emphasized by the data in my table 6 concerning the production of broadwoven goods, where the annual average rate of change is far, far below the increase in the mill consumption of fibers.

These facts, established by my table 6, refute the suggestion contained in the importers' memorandum that in some way the change in mill consumption of fibers supports their general thesis. The facts as set forth in my table 6 show that in this area, as in the case of the other factors cited by the importers, the truth is opposite to the impression they seek to create.

Seventh, the importers next contend that "imports have increased modestly in comparison with the spectacular growth in mill consumption." They insist that data pertaining to the apparent domestic consumption of textiles and to imports be evaluated on an overall pound equivalent basis. They then point to the smaller increase in the quantity of textile imports than they assert occurred in the taxtile mill consumption of fibers as support for their contention that "there has been no injury to domestic production due to imports."

The importers' argument is facile: By substituting the concept of "injury to domestic production" for the more appropriate test of "injury to the domestic industry" the importers seek to avoid the implications of the retarded growth rate in employment and sales, and the marginal earnings performance of the textile mill products and apparel industries in comparison with the average of all manufacturing industries which I have previously discussed and documented.

Their stratagem should not succeed, Mr. President, because it is addressed superficially and in a misleading way to a fragment of the data reflective of the industry's situation which is far less cogent in evaluating the industry's position than the systematic analysis which I have presented in these remarks.

A study of the relationship of imports to the mill consumption of fibers can be helpful, Mr. President, if it is approached with a correct understanding of the structural nature of the textile import problem and with appropriate methodology. This I shall now undertake to do.

A fair analysis of the textile import problem must begin with the recognition that manmade staple fiber, filaments, and filament yarn are textile articles, recognized as such by the United Nation's Standard International Trade Classification, the Brussels Nomenclature, the Tariff Schedules of the United States, the Tariff Commission in its January 1968 report on "Textiles and Apparel" made at the joint behest of the President and the chairman of the Ways and Means Committee of the House of Representatives, by the textile industry itself in its testimony before congressional committees and the Tariff Commission, and in the definitions of all of the pending textile import quota bills.

TABLE 6.—TEXTILE MANUFACTURING ACTIVITY AS MEASURED BY MILL CONSUMPTION OF FIBERS, BROADWOVEN GOODS PRODUCTION, AND TEXTILE SALES IN CONSTANT DOLLARS, 1961–68

	1961	1962	1963	1964	1965	1966	1967	1968	Average annual change (percent)
Mill consumption of all fibers (millions of pounds)	6,561.0	7,042.1	7,246.1	7,782.1	8,494.4	9,007.5	8,982.0	9,781.7	
Percent of change		+7.33	+2.90	+7.40	+9.15	+6.03	−0.28	+8.90	+5.92
Broadwoven goods production, all fibers (millions of linear yards)	11,863	12,301	12,104	12,766	13,431	13,304	12,753	12,968	
Percent of change		+3.69	−1.60	+5.47	+5.21	−0.95	−4.14	+1.69	+1.34
Textile sales, 1961 (millions of dollars)	$13,973	$14,971	$15,510	$16,673	$17,910	$19,311	$19,279	$20,708	
Percent of change		+7.14	+3.60	−7.50	+7.42	+7.82	−0.17	+7.41	+5.82
Consumer disposable income (billions of dollars)	$364.4	$385.3	$404.6	$438.1	$473.2	$511.6	$546.3	$589.0	
Percent of change		+5.74	+5.01	+8.28	+8.01	+8.11	+6.78	+7.82	+7.11
Personal consumption expenditures:									
Clothing and shoes (billions of dollars)	$27.9	$29.6	$30.6	$33.5	$35.9	$39.8	$42.1	$45.7	
Percent of change		+6.09	+3.38	+9.48	+7.16	+10.86	+5.78	+8.55	+7.33

Source: Textile Organon, March 1969; Bureau of the Census; Bureau of Labor Statistics

This recognition leads necessarily to the inclusion of imports of manmade fibers in the data which undertake to measure in pound equivalents, imports of textile articles. Just as imports of apparel articles have an impact upon the textile mills which weave fabric by displacing the consumption of domestic fabric by domestic apparel plants, so, too, the importation of apparel, fabric, yarn, and staple of manmade fiber have an impact upon the manmade fiber producers, part of the textile industry complex, by displacing domestically produced fiber in textile articles destined for consumption in the U.S. market.

The importers ignore this basic fact in their memorandum and, hence, their data significantly understate the true extent of import penetration of manmade fibers as measured by the ratio of imports to domestic consumption of fiber. My table 7 sets forth the data pertinent to this measurement. The importers have undertaken to measure only the ratio of imports of secondary textile articles to domestic consumption, whereas the true measure must be based upon the ratio of total imports of textile articles, including manmade fibers, to domestic consumption. Thus, the correct measurement of the import penetration of textile articles on an all-fiber basis in the year 1968 is 10.5 percent rather than the 7.7 percent claimed by the importers in their memorandum.

TABLE 7-A.—RATIO OF IMPORTS OF TEXTILE ARTICLES TO DOMESTIC CONSUMPTION, 1961-68

[Amounts in millions of pounds of fiber]

		Imports			Ratio of imports to domestic consumption (percent)	
	Domestic consumption	Primary manmade fiber products	Secondary cotton, wool, and manmade fiber products	Total	Secondary	Total
1961	6, 564. 0	60. 1	339. 8	399. 9	5. 2	6. 1
1962	7, 206. 4	87. 6	486. 0	573. 6	6. 7	8. 0
1963	7, 422. 2	145. 2	493. 0	638. 2	6. 6	8. 6
1964	7, 938. 0	158. 2	491. 3	649. 5	6. 2	8. 2
1965	8, 758. 9	159. 3	595. 7	755. 0	6. 8	8. 6
1966	9, 425. 4	212. 7	772. 2	984. 9	8. 2	10. 4
1967	9, 339. 0	196. 3	697. 8	894. 1	7. 5	9. 6
1968	10, 235. 5	293. 2	784. 3	1, 077. 5	7. 7	10. 5

Source: Textile Organon, March 1969.

But these data, even when corrected as by my table 7-A, still conceal the true extent of the import penetration of textile articles in the most seriously affected area of the industry; namely, the apparel manufacturing sector with the supporting textile mill products operations which supply the yarn and fabric which ultimately become apparel articles. It is possible to determine that portion of the mill consumption of textile fibers in the United States which has apparel as its end use. Imports of yarn, fabric, and apparel on a fiber pound equivalent basis can then be related to the domestic consumption of fiber for apparel use to derive a more accurate indication of the extent of import penetration in this major and most sensitive sector of the textile industry. This analysis is presented in my table 7-B, which establishes that in 1968 imports accounted for nearly 18 percent of domestic consumption of textile fiber in apparel manufacture, more than double the extent of import penetration in 1961.

Mr. President, the use of overall statistics concerning imports and domestic consumption on an all-fiber basis not only tends to obscure the heavy impact of imports in the apparel sector of the industry and those sectors of the textile mill products and fiber industry which support apparel manufacturing; it also obscures the very grave position of the woolen and worsted industry in the United States as a result of inordinate import pressures. My table 7-C shows that the penetration of textile articles of wool has risen to the extraordinary level of 31.3 percent in the year 1968, up sharply from the already excessive level of imports which existed in 1961 of 23.8 percent.

TABLE 7-B.—RATIO OF THE AGGREGATE IMPORTS OF YARN FABRIC, AND APPAREL TO THE DOMESTIC CONSUMPTION OF FIBER IN APPAREL END USE, 1961-68

[Amounts in millions of pounds]

	Domestic consumption of fiber in apparel end use	Imports of yarn, fabric, and apparel	Ratio of imports to domestic consumption (percent)
1961	2, 883	270. 2	9. 4
1962	3, 065	408. 1	13. 3
1963	3, 152	430. 5	13. 7
1964	3, 342	424. 5	12. 7
1965	3, 469	526. 1	15. 2
1966	3, 618	680. 3	18. 8
1967	3, 623	612. 7	16. 9
1968	[1] 3, 971	699. 6	17. 6

[1] 1968 consumption calculated based on ratio of apparel end use to total consumption in 1967, applied to 1968 domestic fiber consumption as reported in source.

Source: Textile Organon, March issues, 1964, 1966, 1969; January 1969.

TABLE 7-C.—RATIO OF IMPORTS TO DOMESTIC CONSUMPTION FOR WOOL, 1961-68

[Amounts in millions of pounds]

	Domestic consumption	Imports	Ratio of imports to domestic consumption (percent)
1961	535. 0	127. 4	23. 8
1962	570. 3	145. 6	25. 5
1963	558. 6	152. 5	27. 3
1964	490. 8	141. 1	28. 7
1965	527. 5	156. 1	29. 6
1966	500. 4	142. 9	28. 6
1967	423. 5	121. 7	28. 7
1968	466. 4	146. 0	31. 3

Source: Textile, Organon, March 1969

Mr. President, the issue posed by the contentions of the American Importers Association and the currency which those contentions gained as a result of their energetic distribution and exposition by that association's representatives in advance of Secretary Stans' visit to the nations whose representatives he consulted in regard to the U.S. textile import problem can be stated as follows: Does the Congress wish, as a matter of policy, to leave without remedy basic American industries whose rate of growth is retarded under the pressure of excessive and rapidly increasing import competition to a degree where such industries fall below the average rate of growth of the manufacturing sector of the American economy and below the rate of growth required if the industry is to contribute proportionately to the employment of the growing labor force of the Nation?

The importers seek to obscure this fundamental issue by simplistic presentation of absolute growth figures over an 8-year period without in a single instance relating such growth to the growth of the Nation's work force, or of its economy, or of the manufacturing sector of the economy, or to the earnings performance of other industries. The essence of the importers' position is that the Congress ought not to inquire into the relative performance and growth of the textile industry in comparison with the rest of the American economy nor be concerned about a submarginal growth rate for a basic American industry.

Mr. President, I believe that the issue is clearly joined by the type of attack which the American Importers Association is making upon the U.S. textile industry and the manner in which the importers have set about to obfuscate the essential facts.

To my colleagues in this body I state that the time has come when we must cleanly and squarely face up to our responsibilities. It is we who are charged with the regulation of foreign commerce. It is we who are expected to strike a balance between the legitimate interests of foreign nations intent upon trading with the United States and benefiting by our open market, on the one hand, and the equally legitimate interests of American industries to sustain on a reasonable basis their work force and economic growth so that they may continue to contribute to the strength and well-being of our Nation.

It is not, Mr. President, a heinous act for Members of this body to respond to their constitutional responsibilities. It is not an unworthy act for a Congress which has always been keenly sensitive to our Nation's moral and legal obligations to other members of the community of nations to act now to develop a policy based upon concepts of fairness and equity which will afford our basic domestic industries at least an equal opportunity to share in the economic life and progress of our Nation.

In view of our traditions, we recognize as Americans that freedom is accompanied by responsibility. The right to freedom of choice does not give any of us the right to shout "fire" in a crowded

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theater, nor the right to drive at a reckless rate of speed irrespective of the right of others on a public highway. By act of Congress our free enterprise system does not give any American manufacturer the right to pay wages below the statutory minimum nor to require his employees to work in excess of the maximum hours without the payment of the prescribed overtime. Our free enterprise system must also yield to the strictures of the antitrust laws and to the prohibition contained in the Federal Trade Commission Act against the use of unfair practices in commerce.

Why is it that we in the Congress, with the full realization that no responsible member or group in society have the right to exercise their liberty in a way that does positive harm to their neighbors, refuse to recognize the true nature of excessive import competition based upon the competitive advantage of wage scales and working conditions which are outlawed in this country? Opponents of import regulation choose to state the problem in terms of simplistic alternatives, using expressions such as "shutting out imports." That type of dialog does a disservice to the difficult task which is our responsibility as Members of the Congress to recognize the problems, to study and understand them, and to have the courage to undertake their solution.

It is no longer sufficient, given the widespread exposure of our basic industries, for us to take refuge in the thought that the best solution, as implied in the Trade Expansion Act of 1962, is for the Federal Government to subsidize the relocation of entire industries and their workers to some other line of endeavor. Mr. President, it is manifestly impossible to "relocate" the textile and apparel industries: they are spread across the face of America in literally hundreds of communities. It is difficult to retrain the workers in the textile industry for some other occupation. In many cases the textile mill represents the only source of gainful employment for miles around the community in which it is located. In Appalachia and a 50-mile belt surrounding it, employment in the textile mill products, apparel, and manmade fiber industries accounts for one out of every four jobs in manufacturing industries available to that depressed economic area.

Mr. President, for many years the United States has based its foreign trade policy on the myth that our capital-intensive industries whose technological sophistication enables them to compete in world trade will supply jobs for all of the workers who are displaced by rising import competition in the product sectors of our labor-intensive industries. The study to which I referred at the outset based on a computer analysis performed on behalf of the Trade Relations Council of the United States demonstrates conclusively that this assumption is fallacious.

I have already alluded to the fact that the labor-intensive industries included in the Trade Relations Council study suffered a net loss of 367,552 jobs as a result of the balance of trade deficit experienced in our foreign trade in products like or competitive with the output of those industries in 1966 alone. The Council's study also established that the foreign trade surplus of the capital-intensive industries generated employment equivalent to only 201,532 jobs, leaving the U.S. economy with a net job deficit in manufacturing of 160,000 jobs. While the capital-intensive industries generated in dollars a trade surplus of $10.4 billion, somewhat greater than the trade deficit of $9 billion of the labor-intensive industries in 1967, the net favorable dollar balance of $1.4 billion will not supply a surplus of jobs as a result of our foreign trade in manufactured products.

Mr. President, this Nation will always require a complete range of manufacturing industries, including the labor-intensive as well as the capital-intensive, if our responsibilities to provide employment for all of the members of our work force are to be met. The Nation's labor force does not now, nor will it ever, consist entirely of persons possessing the types of technical skills which are needed in the sophisticated capital-intensive industries; nor will those industries ever be able to employ the entire portion of the work force which must find its employment in the manufacturing sector of the economy.

What we are witnessing is a strong erosion of jobs and job opportunities in labor-intensive industries because our foreign trade policy exposes those industries to unrelieved pressure from sharply rising imports without hope for limitation. Unless we promptly undertake to create a realistic foreign trade policy that will preserve for our labor-intensive industries equal opportunity to share in the growth of the American market with foreign products, we are dooming our basic manufacturing industries to a slow death and their workers to an insecure and uncertain future.

I say to the Members of this body that the time is overdue in which we manfully face our responsibilities and undertake to act in the interests not only of the textile mill products, apparel, and man-made fiber industries, but also the other basic industries which are similarly affected by excessive imports. To this end, Mr. President, I shall shortly introduce as an amendment to an appropriate bill pending before this body a legislative solution not only to the textile import problem, but also to the problems besetting any other American industry which is being harmed in its employment or economic health by excessive import competition. I shall at an appropriate time ask the distinguished Members of this body who have displayed leadership on these problems to join with me in the sponsorship of this important new approach to the solution of these problems.

EXHIBIT 1

AMERICAN IMPORTERS ASSOCIATION, INC.,
New York, N.Y.

Attached is a revised copy of our earlier Memorandum entitled "Memorandum on the Performance of the United States Textile and Apparel Industries and the Impact of Imports." The revisions include several 1968 figures which had been estimated or were preliminary. Most of them apply to sales and profits, Table 1, Figures 1 and 2.

MICHAEL P. DANIELS,
General Counsel.

MEMORANDUM ON THE PERFORMANCE OF THE U.S. TEXTILE AND APPAREL INDUSTRIES AND THE IMPACT OF IMPORTS

[Figures referred to not printed in RECORD]

The purpose of this memorandum is to summarize the reasons of AIA-TAG for asserting the complete lack of economic justification for controls on imports of textiles and apparel products, whether by way of legislative quotas or a negotiated international agreement. A more extensive treatment is contained in the statement of AIA-TAG before the Committee on Ways and Means on Foreign Trade and Tariff Proposals (Part 6, pages 2415, 2417, et seq. 1967).

Foreign governments, it is believed, will reject approaches to enter into an international agreement controlling world trade in textiles and apparel because of the absence of data supporting the United States industry's special pleas for such controls.

SUMMARY

The textile industry has enjoyed a phenomenal growth from 1961 through 1968. This growth was briefly interrupted by a slight recession in the general economy in 1967 resulting in a minor downturn from the record levels achieved by the industry in 1966. In 1968, the industry completely recovered from this recession and surpassed, in almost every instance, the record performance of 1966. Indications are that 1969 will be another record year for the textile industry. This depends largely upon general economic factors and the overall condition of the American economy.

Imports over the period have also grown, but such growth has been commensurate with the growth in domestic production. Imports also declined during the slight recession of 1967, but picked up in 1968. During 1968, and at the present time, imports have been stimulated by extraordinary demand conditions within the United States and inflationary price levels. Nonetheless, imports represent a very modest and stable proportion of domestic consumption of textile and apparel products.

Import growth must be seen within the context of the growth in domestic production and domestic consumption of such products. Figures showing the growth of imports in percentage terms without reference either to the absolute volume of increase or outside of the context of overall domestic consumption are misleading and considerably distort reality.

Another major distortion engaged in by the domestic industry is analyses by each fiber: cotton, man-made, and wool. Man-made fibers are substituting for both cotton and wool. This is clearly admitted by the United States textile industry. The consequence of that admission, however, is that one must look to the overall performance of all fibers in making valid comparisons.

ANALYSIS

An analysis of every indicator of performance shows a picture of health and growth in the textile and apparel industries. These indices are shown on the attached tables and charts.

SALES AND PROFITS

Sales of the textile mill products industry grew from 13.4 billion dollars in 1961 to 20.8 billion dollars in 1968, an increase of 55.6 percent. Sales for 1968 were 11.6 percent above the level for 1967.

Profits of the textile mill products industry grew from 589 million dollars in 1961 to 1,276 million dollars in 1968, an increase of

116.6 percent. The increase in profits for 1968 compared to 1967 was 29.9 percent.

Apparel industry sales grew by 67.6 percent from 1961 to 1968. Profits grew by 181.3 percent over this period from 331 million dollars to 931 million dollars. These figures are shown on Table 1 and are plotted on Figures I and II.

SHIPMENTS

Shipments from the textile mill products industry grew from 14.0 billion dollars in 1961 to 21.7 billion dollars in 1968, an increase of some 55 percent. These figures are shown on Table 2 and Figure III.

PRODUCTION

Industrial production increased rapidly over the period. For the apparel industry there was a slight decline in 1967 but a pickup in 1968 almost to the peak level of 1966. The textile mill products industry also showed a slight decrease from 1966 to 1967, but a strong upward turn in 1968 with an increase of about 8 points in the index of industrial production. These figures are shown on Table 3 and Figures IV and V.

EMPLOYMENT

Employment has also shown an increase over the period with a gain in almost 300,000 workers from 1961 to 1968. During 1968 alone, there was a gain of 50,000 workers. These figures are shown on Table 4 and Figure VI.

MILL CONSUMPTION OF FIBERS

Mill consumption of cotton, wool, man-made and other fibers are shown on Table 5 and Figure VII. It should first be noted that total consumption of all fibers, which is a measure of overall textile activity, increased from 6.6 billion pounds in 1961 to 9.7 billion pounds in 1968, an increase of 47 percent. What the figure illustrates so graphically is the switch from the natural fibers to the man-made fibers. Thus, the performance of wool has remained fairly static with some decline evident and there was a drop in cotton consumption. Man-made fibers, on the other hand, have increased from 2.1 billion pounds to 5.2 billion pounds, an increase of 115 percent. In 1968 for the first time, man-made fibers surpassed cotton consumption. It is this dramatic switch to the man-made fibers which has made analysis by separate fibers irrelevant.

The domestic industry can point to a declining performance of cotton and wool. This is not attributable to imports, however, but to the competition from man-made fibers. Total consumption, as shown on Figure VII, has increased.

COMPARISON OF IMPORTS AND DOMESTIC CONSUMPTION

Table 6 and Figure VIII show mill consumption, apparent domestic consumption, (mill consumption, plus imports, minus exports) imports and exports. Imports have increased modestly in comparison with the spectacular growth in mill consumption. It is here that the "percentage game" is belied. It is true that imports have increased by 135 percent from 1961 to 1968, whereas mill consumption has increased by 47 percent. However, the absolute magnitudes are the important factor. While imports increased by 450.7 *million* pounds, mill consumption increased by 3.1 *billion* pounds. Thus, the growth in mill consumption was about seven times the growth in imports. Of the total growth in mill consumption plus imports, imports accounted for only 12.7 percent, while domestic mill consumption accounted for 87.3 percent.

Certainly as Figure VIII illustrates, there has been no injury to domestic production due to imports. The slight decline in mill consumption in 1967 was matched by a greater decline in imports (see Table 6). As Table 6 also shows, the ratio of imports to domestic consumption has remained fairly stable, certainly since 1962. The ratio in 1968 was only one point above the 1962 ratio and in 1967 and 1968 there was an actual decline from the highest ratio reached in 1966. This overall measurement has a number of imperfections so that the ratio should not be taken as accurate in the absolute sense; however, as an index it measures the relative performance of the domestic industry compared to imports.

ANALYSIS BY FIBER

As pointed out above, analysis by separate fibers is unfair and misleading.

The situation in wool and cotton is impossible to illustrate because of the rapid substitution of man-made fibers for the natural fibers on the cotton and the woolen and worsted systems. Thus, simple minded comparisons of imports, chiefly of cotton or wool with domestic production by chief fiber, are completely misleading.

The domestic industry has made a large point of the growth in imports of man-made fiber products. These figures compared with mill consumption and apparent domestic consumption are shown on Table 7 and Figure IX. Imports have grown from 23.2 million pounds in 1961 to 172.4 million pounds in 1968. Mill consumption, however, during the same period grew from 2.1 billion pounds in 1961 to 5.2 billion pounds in 1968. Thus, while imports increased by 149.2 *million*, mill consumption increased by 3.1 *billion*. As the figure also illustrates, the ratio of imports to domestic consumption has remained at extremely low rates, at its highest, 3.3 percent in 1968.

COMPARISONS BY SEGMENT

Even in the overall figures discussed above, there are a number of distortions when all imports and domestic products are combined in terms of weight. The most valid and revealing comparisons are separate comparisons by the major categories of yarns, fabrics, and apparel. Unfortunately, it is almost impossible to compute figures for 1968 because of the time lag in statistical reporting, and even in 1967, there are difficult problems. Judgments as to conversion factors and other technical matters complicate the matter. The most reliable computations available are those by the United States Tariff Commission. The Commission found that the ratio of imports to consumption in 1966 for yarns was 1.4 percent, for broad woven fabrics, 6.5 percent, and for apparel (in 1965), 5.1 percent.

Given the general relative performance of imports and domestic production for 1967 and 1968, we do not believe that these percentages would have materially changed. Indeed, the overall analysis showing a higher ratio in 1966 than in 1967 or 1968 (see Table 6), can be taken as an indication that in some areas the ratios might also have declined.

ANALYSIS BY INDIVIDUAL PRODUCTS

The domestic industry has often cited particular products, for example, white shirts, with very high ratios of imports to domestic consumption as reason for overall quotas. Such particular instances, however, affecting a minute portion of the trade, cannot be utilized to support overall controls. In many instances, even with a very high ratio of imports to consumption, imports cannot have been deemed to have caused any injury to domestic production. This depends on the particular nature of the trade and the nature of the product, where, in many instances, one is dealing with specialties traditionally imported in large proportion from overseas.

Such particular products should, in our view, be handled through the Escape Clause mechanism, first to determine whether imports have caused or threatened serious injury, and second, to determine what relief might be appropriate if injury is found.

To this end, we have endorsed the general notion of an Escape Clause amendment suggested by the report of the Special Representative for Trade Negotiations and by the Hon. Wilbur Mills, Chairman of the House Ways and Means Committee, as the appropriate method of dealing with the problems of particular products. Such problems, if any, will certainly not support the overall quota relief sought by the domestic industry.

TABLE 1.—SALES AND PROFITS: U.S. TEXTILE AND APPAREL INDUSTRIES, 1961–68

[Dollar amounts in millions]

	Textile mill products		Apparel and other finished products	
	Net sales	Net profits before Federal income tax	Net sales	Net profits before Federal income tax
1961	$13, 398	$589	$12, 365	$331
1962	$14, 449	$724	$13, 241	$415
1963	$15, 092	$721	$13, 696	$414
1964	$16, 249	$947	$14, 880	$553
1965	$18, 028	$1, 268	$16, 263	$644
1966	$19, 513	$1, 272	$18, 110	$740
1967	$18, 672	$982	$18, 170	$728
1968	$20, 841	$1, 276	$20, 718	$931
Increase 1961 to 1968 (percent)	55. 6	116. 6	67. 6	181. 3
Increase 1967 to 1968 (percent)	11. 6	29. 9	14. 6	27. 9

Source: Federal Trade Commission, Securities and Exchange Commission.

TABLE 2.—U.S. MANUFACTURERS' SHIPMENTS: TEXTILE MILL PRODUCTS, 1961–68

[Millions of dollars]

1961	13, 999
1962	15, 179
1963	15, 734
1964	16, 998
1965	18, 294
1966	19, 608
1967	19, 241
1968	21, 742

Increase: 1961–68, 55 percent.

Increase: 1967–68, 13 percent.

Source: U.S. Department of Commerce, Bureau of the Census.

TABLE 3.—INDEX OF INDUSTRIAL PRODUCTION

	Textile mill products		Apparel products	
Annually:				
1961		107. 1		112. 1
1962		115. 3		118. 9
1963		116. 9		125. 6
1964		122. 9		134. 1
1965		134. 9		145. 1
1966		142. 5		150. 1
1967		142. 0		147. 6
1968		150. 3		149. 9
	1968	1967	1968	1967
Monthly:				
January	147. 6	141. 4	145. 2	150. 2
February	148. 8	139. 2	146. 4	147. 1
March	149. 9	139. 2	148. 5	146. 3
April	146. 3	138. 3	148. 9	142. 5
May	147. 2	138. 3	149. 6	142. 6
June	148. 8	136. 9	151. 4	142. 4
July	150. 9	135. 8	150. 4	144. 2
August	151. 4	137. 9	149. 0	146. 4
September	152. 0	140. 6	149. 9	146. 8
October	153. 3	144. 3	152. 1	146. 2
November	155. 1	147. 1	152. 5	148. 6
December	153. 5	151. 9	149. 2	150. 9

Note: Monthly figures seasonally adjusted.

Source: Federal Reserve Board.

TABLE 4.—EMPLOYMENT: U.S. TEXTILE AND APPAREL INDUSTRIES

[In thousands]

	Textile	Apparel	Total
Annually:			
1961	893	1,215	2,108
1962	902	1,264	2,166
1963	885	1,283	2,168
1964	892	1,303	2,195
1965	926	1,354	2,280
1966	964	1,402	2,366
1967	957	1,400	2,357
1968	985	1,417	2,402
1968 monthly:			
January	972	1,399	2,371
February	981	1,403	2,384
March	979	1,408	2,387
April	979	1,417	2,396
May	982	1,422	2,404
June	990	1,433	2,423
July	987	1,416	2,403
August	990	1,412	2,402
September	987	1,422	2,409
October	988	1,426	2,414
November	992	1,419	2,411
December	994	1,425	2,419

Note: Seasonally adjusted.

Source: U.S. Department of Labor, Bureau of Labor Statistics.

TABLE 5.—U.S. MILL CONSUMPTION OF FIBERS, 1961–68

[In millions of pounds]

	Cotton	Wool	Man mades	Others	Total
1961	4,081.5	412.1	2,057.7	12.7	6,567.0
1962	4,188.0	429.1	2,418.5	12.4	7,048.0
1963	4,040.2	411.7	2,787.8	13.1	7,252.8
1964	4,244.4	356.7	3,174.3	14.2	7,789.6
1965	4,477.5	387.0	3,624.1	13.3	8,501.9
1966	4,630.5	370.2	4,002.2	14.7	9,017.6
1967	4,423.0	312.5	4,240.4	10.4	8,986.3
1968 [1]	4,136.1	345.0	5,175.0	11.9	9,668.0

[1] Estimated.

Source: U.S. Department of Agriculture.

TABLE 6.—U.S. MILL CONSUMPTION OF ALL FIBERS, COMPARED TO THE FIBER CONTENT OF IMPORTS AND EXPORTS OF ALL SEMI-MANUFACTURED AND MANUFACTURED TEXTILE AND APPAREL PRODUCTS, AND APPARENT DOMESTIC CONSUMPTION, 1961–68

[In millions of pounds]

Year	Mill consumption	Imports	Exports	Apparent domestic consumption	Imports as a percent of domestic consumption
1961	6,567.0	333.6	326.0	6,574.6	5.1
1962	7,048.0	485.4	313.4	7,220.0	6.7
1963	7,252.8	492.7	307.6	7,437.9	6.6
1964	7,789.6	491.2	325.5	7,955.3	6.2
1965	8,501.9	595.7	320.2	8,777.4	6.8
1966	9,017.6	771.4	342.8	9,446.2	8.2
1967	8,986.3	697.7	333.0	9,351.0	7.5
1968 [1]	9,668.0	784.3	321.0	10,131.3	7.7

[1] Preliminary.

Source: U.S. Department of Agriculture.

TABLE 7.—U.S. MILL CONSUMPTION OF MANMADE FIBERS, COMPARED TO THE MANMADE FIBER CONTENT OF IMPORTS AND EXPORTS OF SEMIMANUFACTURED AND MANUFACTURED TEXTILE AND APPAREL PRODUCTS, AND APPARENT DOMESTIC CONSUMPTION

[In millions of dollars]

Year	Mill consumption	Imports	Exports	Apparent domestic consumption	Imports as a percent of domestic consumption
1961	2,057.7	23.2	82.5	1,998.4	1.2
1962	2,418.5	30.0	89.0	2,359.5	1.3
1963	2,787.8	35.9	95.1	2,728.6	1.3
1964	3,174.3	49.9	105.7	3,118.5	1.6
1965	3,624.1	79.0	131.2	3,571.9	2.2
1966	4,002.2	121.5	141.0	3,982.7	3.1
1967	4,240.4	137.5	134.4	4,243.5	3.2
1968 [1]	5,175.0	172.4	124.0	5,223.4	3.3

[1] Estimated.

Source: U.S. Department of Agriculture.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. HOLLINGS. I yield to the Senator from New Hampshire.

Mr. COTTON. Mr. President, I compliment the distinguished Senator from South Carolina for this masterly analysis of the desperate situation which confronts the textile industry, as well as other industries in this Nation. I commend him not only for his analysis, but particularly for the concluding words of his speech, in which he justifiably states that the time has come for something more than words. It is time for action on the part of Congress.

As the distinguished Senator knows, I have been in conference with him, and shall wish to join him when he introduces the bill which he is preparing. I have two bills of my own before the Senate on this subject.

In my own State, where we have lost the bulk of our textile industry, we find we are now going down the same road with the shoe industry, which is vital to my section of the country. Eleven plants have recently closed, seven of them within the last 3 years. Nearly 3,000 jobs have been destroyed, and, in the last 6 months, the trend has speeded up to the point where we have lost over a thousand more jobs in the shoe industry alone.

The PRESIDING OFFICER. Under the previous order, the time of the Senator from South Carolina has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator's time be extended 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COTTON. I shall only use 2 of those minutes.

Mr. President, I shall not take the further time of the Senate, except to repeat, in a few sentences, what I said when the Senator from Georgia made his speech to the Senate on this subject the other day.

This is not in any way a reflection upon the very able speech of the Senator from South Carolina—but time after time we have had a field day in the Senate, and Senators have delivered speech after speech about this situation, but it has ended here and been limited to talk.

Now the straws in the wind indicate that the present administration is preparing or is inclined, at least, to follow the example of the administrations of President Johnson, President Kennedy, and President Eisenhower, and place our foreign relations and the attitude of the State Department ahead of the preservation of American jobs.

I am a friend and admirer of the President of the United States, and I am with him 98 percent of the time, I hope. But the time has come to do something more than talk; and the opportunity will be before the Senate within a very few days to indicate our intent to do something about this situation. I think such an indication would strengthen the administration rather than hurt it, because it is time that the world should know and the country should know that Congress is prepared to perform its duty to save the jobs provided by American industry.

I commend the Senator from South Carolina.

Mr. HOLLINGS. Mr. President, I thank the Senator from New Hampshire for his remarks. The Senator from New Hampshire has given most distinguished leadership in Congress over a period of a decade or more in an effort to present to Congress the desperate situation of textile industry employment in America.

The Senator from New Hampshire as the senior committee member on the minority side, and the Senator from Rhode Island (Mr. PASTORE), as a member of the Special Textile Committee and as the senior committee member on the majority side, have led the fight over the years.

Rather than talk, we have given hard statistical information and gotten down to the root of the problem and told it like it is.

As the Senator from Missouri stated the day before yesterday with reference to the importers' position in his brief remarks:

> Let us lay the facts on the table and then talk in adjectives and specific language.

I thought it was time to get to the facts.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. HOLLINGS. I yield.

Mr. MURPHY. Mr. President, I associate myself with the remarks of the distinguished Senator. I have never heard the case stated more clearly and the problem put forth in a more practical and understandable way.

In my State, the manufacturing industry depends upon the textile industry as the eighth largest in the State. It has a payroll of $280 million a year. It is worthy of all our consideration. The industry employs 68,000 people, of whom 50,000 people are employed in my particular area of Los Angeles.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MURPHY. Mr. President, I ask unanimous consent for an additional 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. Mr. President, I point out that there are 230,000 businesses, mainly small. They form the main strength and backbone of this industrial complex that we call America. Large numbers of the members of the minority groups who need special help are employed in the industry.

I point out to the distinguished Senator from South Carolina that as the story is told and as the bill comes up for consideration, I would like to do whatever I can to join enthusiastically with the Senator and others in this most needed concern for this particular industry.

Mr. HOLLINGS. Mr. President, the distinguished Senator from California (Mr. MURPHY) was a strong worker and supporter of a similar measure in the past. There is industrywide support in California. As we emphasize the need for this measure and as we see southern support for the northern textile industry, we are talking about a national industry.

Mr. BAKER. Mr. President, I would like to associate myself with the concern for the textile import problem that the distinguished junior Senator from South Carolina has expressed. The textile industry is the largest manufacturing employer in the State of Tennessee, with many plants being located in rural areas. I am particularly concerned that jobs for workers in these areas may be jeopardized. I am most hopeful that the Nixon administration will be able to negotiate a fair and reasonable voluntary import quota system.

The PRESIDING OFFICER. Under the previous order, the Chair recognizes the Senator from Florida for 15 minutes.

Mr. HOLLAND. Mr. President, I understand that the distinguished majority leader wishes me to yield briefly.

Mr. MANSFIELD. Without losing his rights to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL ENVIRONMENTAL POLICY ACT OF 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 287, S. 1075.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1075) to authorize the Secretary of the Interior to conduct investigations, studies, surveys, and research relating to the Nation's ecological systems, natural resources, and environmental quality, and to establish a Council on Environmental Quality.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, to strike out all after the enacting clause and insert:

SHORT TITLE

SEC. 1. That this Act may be cited as the "National Environmental Policy Act of 1969".

PURPOSE

SEC. 2. The purposes of this Act are: To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Board of Environmental Quality Advisers.

TITLE I

DECLARATION OF NATIONAL ENVIRONMENTAL POLICY

SEC. 101. (a) The Congress, recognizing that man depends on his biological and physical surroundings for food,. shelter and other needs, and for cultural enrichment as well; and recognizing further the profound influences of population growth, high-density urbanization, industrial expansion, resource exploitation, and new and expanding technological advances on our physical and biological surroundings and on the quality of life available to the American people; hereby declares that it is the continuing policy and responsibility of the Federal Government to use all practicable means, consistent with other essential considerations of national policy, to improve and coordinate Federal plans, functions, programs, and resources to the end that the Nation may—

(1) fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(2) assure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings;

(3) attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;

(4) preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice;

(5) achieve a balance between population and resource use which will permit high standards of living and a widesharing of life's amenities; and

(6) enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

(b) The Congress recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

SEC. 102. The Congress authorizes and directs that the policies, regulations, and public laws of the United States, to the fullest extent possible, be inerpreted and administered in accordance with the policies set forth in this Act, and that all agencies of the Federal Government—

(a) utilize to the fullest extent possible a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decisionmaking which may have an impact on man's environment;

(b) identify and develop methods and procedures which will insure that presently unquantified environmental amenities and values may be given appropriate consideration in decisionmaking along with economic and technical considerations;

(c) include in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment, a finding by the responsible official that—

(i) the environmental impact of the proposed action has been studied and considered;

(ii) any adverse environmental effects which cannot be avoided by following reasonable alternatives are justified by other stated considerations of national policy;

(iii) local short-term uses of man's environment are consistent with maintaining and enhancing long-term productivity; and that

(iv) any irreversible and irretrievable commitments of resources are warranted.

(d) study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of land, water, or air;

(e) recognize the worldwide and long-range character of environmental problems and lend appropriate support to initiatives, resolutions, and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of mankind's world environment; and

(f) review present statutory authority, administrative regulations, and current policies and procedures for conformity to the purposes and provisions of this Act and propose to the President and to the Congress such measures as may be necessary to make their authority consistent with this Act.

SEC. 103. The policies and goals set forth in this Act are supplementary to, but shall not be considered to repeal the existing mandates and authorizations of Federal agencies.

TITLE II

SEC. 201. To carry out the purposes of this Act, all agencies of the Federal Government in conjunction with their existing programs and authorities, are hereby authorized—

(a) to conduct investigations, studies, surveys, research, and analyses relating to ecological systems and environmental quality;

(b) to document and define changes in the natural environment, including the plant and animal systems, and to accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes;

(c) to evaluate and disseminate information of an ecological nature to public and private agencies or organizations, or individuals in the form of reports, publications, atlases, and maps;

(d) to make available to States, counties, municipalities, institutions, and individuals, advice and information useful in restoring, maintaning, and enhancing the quality of the environment;

(e) to initiate and utilize ecological information in the planning and development of resource-oriented projects;

(f) to conduct research and studies within natural areas under Federal ownership which are under the jurisdiction of the Federal agencies; and

(g) to assist the Board of Environmental Quality Advisers established under title III of this Act and any council or committee established by the President to deal with environmental problems.

SEC. 202. (a) In carrying out the provisions of this title, the President is authorized to designate an agency or agencies to—

(1) make grants, including training grants, and enter into contracts or cooperative agreements with public or private agencies or organizations, or individuals, and to accept and use donations of funds, property, personal services, or facilities to carry out the purposes of this Act;

(2) develop and maintain an inventory of existing and future natural resource development projects, engineering works, and other major projects and programs contemplated or planned by public or private agencies or organizations which make significant modifications in the natural environment;

(3) establish a system of collecting and receiving information and data on ecological research and evaluations which are in progress or are planned by other public or private agencies or organizations, or individuals; and

(4) assist and advise State and local government, and private enterprise in bringing their activities into conformity with the purposes of this Act and other Acts designed to enhance the quality of the environment.

(b) There are hereby authorized to be appropriated $500,000 annually for fiscal years 1971 and 1972, and $1,000,000 for each fiscal year thereafter.

SEC. 203. In recognition of the additional duties which the President may assign to the Office of Science and Technology to support any council or committee established by the President to deal with environmental problems and in furtherance of the policies established by this Act, there is hereby established in the Office of Science and Technology an additional office with the title "Deputy Director of the Office of Science and Technology." The Deputy Director shall be appointed by the President by and with the advice and consent of the Senate, shall perform such duties as the Director of the Office of Science and Technology shall from time to time direct, and shall be compensated at the rate provided for level IV of the Executive Schedule Pay Rates (5 U.S.C. 5315).

TITLE III

SEC. 301. (a) There is created in the Executive Office of the President a Board of Environmental Quality Advisers (hereinafter referred to as the "Board"). The Board shall be composed of three members who shall be appointed by the President to serve at his pleasure, by and with the advice and consent of the Senate. Each member shall, as a result of training, experience, or attainments, be professionally qualified to analyze and interpret environmental trends of all kinds and descriptions and shall be conscious of and responsive to the scientific, economic, social, esthetic, and cultural needs and interest of this Nation. The President shall designate the Chairman and Vice Chairman of the Board from such members.

(b) Members of the Board shall serve full time and the Chairman of the Board shall be compensated at the rate provided for Level II of the Executive Schedule Pay Rates (5 U.S.C. 5313). The other members of the Board shall be compensated at the rate provided for Level IV of the Executive Schedule Pay Rates (5 U.S.C. 5315).

SEC. 302. (a) The primary function of the Board shall be to study and analyze environmental trends and the factors that effects these trends, relating each area of study and analysis to the conservation, social, economic, and health goals of this Nation. In carrying out this function, the Board shall—

(1) report at least once each year to the President on the state and condition of the environment;

(2) provide advice, assistance, and staff support to the President on the formulation of national policies to foster and promote the improvement of environmental quality; and

(3) obtain information using existing sources, to the greatest extent practicable, concerning the quality of the environment and make such information available to the public.

(b) The Board shall periodically review and appraise Federal programs, projects, activities, and policies which affect the quality of the environment and make recommendations thereon to the President.

(c) It shall be the duty and function of the Board to assist and advise the President in the preparation of the annual environmental quality report required under section 303.

(d) The Board and the Office of Science and Technology shall carry out their duties under the provisions of this Act at the direction of the President and shall perform whatever additional duties he may from time to time direct.

SEC. 303. The President shall transmit to the Congress, beginning June 30, 1970, an annual environmental quality report which shall set forth: (a) the status and condition of the major natural, manmade, or altered environmental classes of the Nation; and (b) current and foreseeable trends in quality, management, and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the Nation.

SEC. 304. The Board may employ such officers and employees as may be necessary to carry out its functions under this Act. In addition, the Board may employ and fix the compensation of such experts and consultants as may be necessary for the carrying out of its functions under this Act, in accordance with section 3109 of title 5, United States Code (but without regard to the last sentence thereof).

SEC. 305. There are hereby authorized to be appropriated $1,000,000 annually to carry out the purposes of this title.

Mr. JACKSON. Mr. President, the bill was reported unanimously from the Senate Committee on Interior and Insular Affairs. The ranking minority member of the committee, the Senator from Colorado (Mr. ALLOTT), is here. He will concur that the committee went into this matter in great detail. We have had it under consideration for some time, and the bill was given the unanimous support of the committee.

Mr. ALLOTT. Mr. President, that is entirely correct. I add that I concur in the statement which I believe the distinguished chairman of the committee is going to make for the RECORD.

Mr. JACKSON. Mr. President, S. 1075, the National Environmental Policy Act of 1969, as amended and as reported by the Senate Interior and Insular Affairs Committee on July 8, 1969, is in my judgment the most significant and important measure in the area of long-range domestic policymaking that will come before the 91st Congress. Without question, it is the most significant measure in the area of natural resource policy ever considered by the Congress.

As reported by the committee, S. 1075 provides a considered congressional statement of national goals and purposes for the management and preservation of the quality of America's future environment. The bill directs that all Federal agencies conduct their activities in accordance with these goals, and provides "action-forcing" procedures to insure that these goals and principles are observed. The bill specifically provides that its provisions are supplemental to the existing mandates and authorizations of all Federal agencies. This constitutes a statutory enlargement of the responsibilities and the concerns of all instrumentalities of the Federal Government.

Title II grants new authority to agencies of the Federal Government to engage in research and to incorporate the results of this ecological and environmental quality research into all of their planning and development activities. In addition, title II strengthens the Office of Science and Technology's capabilities in the area of coordinating Federal environmental management activities by adding the new position of Deputy Director.

Title III, of the measure creates a Board of Environmental Quality Advisers in the Executive Office of the President. Both the Board of Environmental Advisers and the Office of Science and Technology are to carry out their duties under the bill at the direction of the President.

The Board is directed to provide a continuing study and analysis of environmental trends, the factors which effect these trends, and to relate each area of study and analysis to the conservation, social, economic, and health goals of the Nation.

Finally, S. 1075 requires the submission by the President to the Congress and to the American people of an annual environmental quality report. The purpose of this report is to provide a statement of progress, to establish some baselines, and to tell us how well—or as some suspect, how bad—we are doing in managing the environment—the Nation's life support system.

In many respects, the only precedent and parallel to what is proposed in S. 1075 is in the Full Employment Act of 1946, which declared an historic national policy on management of the economy and established the Council of Economic Advisers. It is my view that S. 1075 will provide an equally important national policy for the management of America's future environment.

Mr. President, a statement of environmental policy is more than a statement of what we believe as a people and as a Nation. It establishes priorities and gives expression to our national goals and aspirations. It serves a constitutional function in that administrators may refer to it for guidance in making decisions which find environmental values in conflict with other values.

What is involved is a congressional declaration that we do not intend, as a government or as a people, to initiate actions which endanger the continued existence or the health of mankind. That we will not intentionally initiate actions which will do irreparable damage to the air, land, and water which support life on earth.

An environmental policy is a policy for people. Its primary concern is with man and his future. The basic principle of the policy is that we must strive, in all that we do, to achieve a standard of excellence in man's relationships to his physical surroundings. If there are to be departures from the standard, they will be exceptions to the rule and the policy. And as exceptions, they will have to be justified in the light of public scrutiny.

The Senate Interior and Insular Affairs Committee has devoted a great deal of time to this legislation over the past few years. The members of the committee and the Senate as a whole can be justifiably proud of this measure. It returns to the Congress the responsibility and the initiative for domestic policymaking in this important area of national concern. At the same time, the measure is designed to complement the President's recently established interagency, Cabinet-level Council on the Environment and the responsibilities of the Federal agencies in the field of environmental management.

Mr. President, I ask unanimous consent that selected portions of the committee's report on this measure be printed in the RECORD.

There being no objection, the excerpt from the report was ordered to be printed in the RECORD, as follows:

EXCERPT FROM COMMITTEE ON INTERIOR AND INSULAR AFFAIRS REPORT ON S. 1075

INTRODUCTION

It is the unanimous view of the members of the Interior and Insular Affairs Committee that our Nation's present state of knowledge, our established public policies, and our existing governmental institutions are not adequate to deal with the growing environmental problems and crises the Nation faces.

The inadequacy of present knowledge, policies, and institutions is reflected in our Nation's history, in our national attitudes, and in our contemporary life. We see increas-

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ing evidence of this inadequacy all around us: haphazard urban and suburban growth; crowding, congestion, and conditions within our central cities which result in civil unrest and detract from man's social and psychological well-being; the loss of valuable open spaces; inconsistent and, often, incoherent rural and urban land-use policies; critical air and water pollution problems; diminishing recreational opportunity; continuing soil erosion; the degradation of unique ecosystems; needless deforestation; the decline and extinction of fish and wildlife species; faltering and poorly designed transportation systems; poor architectural design and ugliness in public and private structures; rising levels of noise; the continued proliferation of pesticides and chemicals without adequate consideration of the consequences; radiation hazards; thermal pollution; an increasingly ugly landscape cluttered with billboards, powerlines, and junkyards; and many, many other environmental quality problems.

Traditional national policies and programs were not designed to achieve these conditions. But they were not designed to avoid them either. And, as a result, they were not avoided in the past. They are not being avoided today.

Traditional policies were primarily designed to enhance the production of goods and to increase the gross national product. As a nation, we have been very successful at these endeavors. Our gross national product is approaching $900 billion a year. The American people enjoy the highest standard of living in the world. Our technological ability is unrivaled. But, as a nation, we have paid a price for our material well-being. That price may be seen today in the declining quality of the American environment.

As the evidence of environmental decay and degradation mounts, it becomes clearer each day that the Nation cannot continue to pay the price of past abuse. The costs of air and water pollution, poor land-use policies and urban decay can no longer be deferred for payment by future generations. These problems must be faced while they are still of manageable proportions and while alternative solutions are still available.

If the United States is to create and maintain a balanced and healthful environment, new means and procedures to preserve environmental values in the larger public interest, to coordinate Government activities that shape our future environment, and to provide guidance and incentives for State and local government and for private enterprise must be devised.

In spite of the growing public recognition of the urgency of many environmental problems and the need to reorder national goals and priorities to deal with these problems, there is still no comprehensive national policy on environmental management. There are limited policies directed to some areas where specific problems are recognized to exist, but we do not have a considered statement of overall national goals and purposes.

As a result of this failure to formulate a comprehensive national policy, environmenal decisionmaking largely continues to proceed as it has in the past. Policy is established by default and inaction. Environmental problems are only dealt with when they reach crisis proportions. Public desires and aspirations are seldom consulted. Important decisions concerning the use and the shape of man's future environment continue to be made in small but steady increments which perpetuate rather than avoid the recognized mistakes of previous decades.

Today it is clear that we cannot continue on this course. Our natural resources—our air, water, and land—are not unlimited.[1] We no longer have the margins for error that we once enjoyed. The ultimate issue posed by shortsighted, conflicting, and often selfish demands and pressures upon the finite resources of the earth are clear. As a nation, and as a world, we face these conditions:

A population which is doubling at increasingly shorter intervals;

Demands for resources which are growing at a far greater rate than population; and

A growing technological power which is far outstripping man's capacity to understand and ability to control its impact on the environment.

The committee believes that America's capacity as a nation to confront these conditions and deal more effectively with the growing list of environmental hazards and problems resulting from these conditions can be improved and broadened if the Congress clarifies the goals, concepts, and procedures which determine and guide the programs and the activities of Federal agencies. Moreover, this can be done with the reasonable prospect that State, local, and private action will also be favorably influenced.

The committee is aware, as are other committees of both Houses which handle environmental legislation, that it is extremely difficult in our increasingly complex Government to achieve coordinated responses among the numerous Federal agencies[2] (aside from private enterprise and State and local agencies) involved in the multiple uses of our Nation's natural resources unless there are established common approaches to determine what actions are necessary to advance the public interest in healthful and quality surroundings. To provide a basis for advancing the public interest, a congressional statement is required of the evolving national objectives of managing our physical surroundings, our land, air, water, open space, and other natural resources and environmental amenities.

In view of this situation, the committee considered, amended and reported S. 1075 to the floor of the Senate.

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PURPOSE

The purpose of S. 1075, the National Environmental Policy Act of 1969, is to establish, by congressional action, a national policy to guide Federal activities which are involved with or related to the management of the environment or which have an impact on the quality of the environment.

Recent years have witnessed a growing public concern for the quality of the environment and the manner in which it is managed. The cause of this concern appears to be twofold: First, the evidence of environmental mismanagement is accumulating at an ever-increasing rate as a result of population growth, increased pressures on a finite resource base, and advancing technological developments which have enlarged man's capacity to effectuate environmental change. Second, the American people—as a result of growing affluence, more leisure time, and a recognition of the consequences of continuing many present environmental trends—are placing a much higher value on the quality of the environment and their surroundings than ever before.

The public's growing concern has figured prominently in many different areas of Federal activity. Most often it is seen in the form of citizen indignation and protest over the actions or, in some cases, the lack of action of Federal agencies. Examples of the rising public concern over the manner in which Federal policies and activities have contributed to environmental decay and degradation may be seen in the Santa Barbara oil well blowout; the current controversy over the lack of an assured water supply and the impact of a super-jet airport on the Everglades National Park; the proliferation of pesticides and other chemicals; the indiscriminate siting of steam fired powerplants and other units of heavy industry; the pollution of the Nation's rivers, bays, lakes, and estuaries; the loss of publicly owned seashores, open spaces, and other irreplaceable natural assets to industry, commercial users, and developers; rising levels of air pollution; federally sponsored or aided construction activities such as highways, airports, and other public works projects which proceed without reference to the desires and aspirations of local people.

S. 1075 is designed to deal with many of the basic causes of these increasingly troublesome and often critical problems of domestic policy. A primary purpose of the bill is to restore public confidence in the Federal Government's capacity to achieve important public purposes and objectives and at the same time to maintain and enhance the quality of the environment. It is the Committee's belief that S. 1075 will also provide a model and a demonstration to which State governments may look in their efforts to reorganize local institutions and to establish local policies conducive to sound environmental management. This objective is of great importance because many of the most serious environmental problems the Nation faces are within the scope and, often, within the exclusive jurisdiction of State action and State responsibility.

S. 1075 is also designed to deal with the long-range implications of many of the critical environmental problems which have caused great public concern in recent years. The challenge of environmental management, is, in essence, a challenge of modern man to himself. The principal threats to the environment and the Nation's life support system are those that man has himself induced in the pursuit of material wealth, greater productivity, and other important values. These threats—whether in the form of pollution, crowding, ugliness, or in some other form—were not achieved intentionally. They were the spinoff, the fallout, and the unanticipated consequences which resulted from the pursuit of narrower, more immediate goals.

The purpose of S. 1075 is, therefore, to establish a national policy designed to cope with environmental crisis, present or impending. The measure is designed to supplement existing, but narrow and fractionated congressional declarations of environmental policy.

The "National Environmental Policy Act of 1969" would contribute to a more orderly, rational, and constructive Federal response to environmental decisionmaking in five major ways. These are briefly set out below:

1. Management of the environment is a matter of critical concern to all Americans. Virtually every agency of the Federal Government plays some role in determining how well the environment is managed. Yet, many of these agencies do not have a mandate, a body of law, or a set of policies to guide their actions which have an impact on the environment. In fact, the authorizing legislation of some agencies has been construed to prohibit the consideration of important environmental values.

Section 101 of S. 1075 rectifies this by providing a congressional declaration that it is the continuing policy and responsibility of the Federal Government to use all practicable means, consistent with other essential considerations of national policy, to improve and coordinate Federal planning and activities to the end that certain broad national goals in the management of the enviroment may be attained.

2. A statement of national policy for the environment—like other major policy declarations—is in large measure concerned with principle rather than detail; with an expression of broad national goals rather than narrow and specific procedures for implementation. But, if goals and principles are to be effective, they must be capable of being applied in action. S. 1075 thus incorporates certain "action-forcing" provisions and procedures which are designed to assure

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Footnotes at end of article.

that all Federal agencies plan and work toward meeting the challenge of a better environment.

3. One of the major factors contributing to environmental abuse and deterioration is that actions—often actions having irreversible consequences—are undertaken without adequate consideration of, or knowledge about, their impact on the environment. Section 201 seeks to overcome this limitation by authorizing all agencies of the Federal Government, in conjunction with their existing programs and authorities, to conduct research, studies, and surveys related to ecological systems and the quality of the environment. This section also authorizes the agencies to make this information available to the public, to assist State and local government, and to utilize ecological information in the planning and development of resource-oriented projects.

Recognizing the leading role which the President has delegated to the Office of Science and Technology for the coordination of Federal activities in the area of environmental administration, the committee has adopted provisions designed to assist and strengthen this office. The committee also authorizes the President to designate one or more lead agencies to carry out a grant program, to maintain an inventory of development projects which make significant environmental modifications, to establish a data collection system, and to assist State and local governments.

4. Title III establishes an independent, high-level, three-member Board of Environmental Quality Advisers in the Executive Office of the President. The Board is patterned very closely after the Council of Economic Advisers which was established by the Full Employment Act of 1946.

The Board's function is to provide a continuing study and analysis of environmental trends and the factors which affect these trends, and to relate each area of study and analysis to the social, economic, health, and conservation goals of the Nation. The Board will provide an overview of how effectively the Nation is maintaining a quality environment for future and present generations. In addition, it will be uniquely equipped to serve an early warning function by identifying emerging environmental problems at an early date so that proper responses may be prepared before situations reach crisis proportions and before the costs of dealing with problems grow large.

The Board would also strength the Office of the President by providing advice, assistance, and staff support on the formulation of national policies and other measures to improve the quality of the environment. In addition,the Board would assist the President in the preparation of an annual environmental quality report.

5. Section 303 requires the President to submit to the Congress an annual environmental quality report on the current status and condition of the major natural, manmade, and altered environmental systems of the Nation. In addition, the report is to identify current and foreseeable trends in quality, management, and the utilization of these environmental systems and the effects of these trends on the social, economic, and other requirements of the Nation.

At present, there is no report available which summarizes and brings together in one convenient place an authoritative and periodic statement on the status of the environment. Instead, there are hundreds of reports which deal with some small aspects of environmental management. More often than not these are technical in nature and do not provide meaningful measures of how well the Nation is meeting environmental goals and objectives. The annual report required by S. 1075 would provide a baseline and a periodic objective statement of national progress in achieving a quality environment for present and future generations of Americans.

BACKGROUND

Legislative history

S. 1075, the National Environmental Policy Act of 1969, was introduced in the 91st Congress on February 18, 1969, by Senator Jackson. Hearings on this and two related bills introduced by Senators Nelson (S. 1752) and McGovern (S. 237) were held on April 16, 1969, before the full Committee on Interior and Insular Affairs.[3] Following a staff study and consultations with the staff of the Office of Science and Technology and with representatives of a number of the Federal departments, the committee considered S. 1075 in executive session on June 18, 1969. Following the adoption of a number of committee amendments, the measure was ordered reported to the Senate on June 18, 1969. At the request of the Director of the Office of Science and Technology and representatives of the Bureau of the Budget, the committee voted, on July 8, 1969, to reconsider the measure for the purpose of considering additional amendments. The amendments were proposed by the Bureau of the Budget in a July 7, 1969, letter to the chairman of the committee. The proposed amendments to titles I and II of S. 1075 were adopted. Amendments proposed to title III by the Bureau of the Budget were adopted in part and rejected in part. Following the adoption of other amendments suggested by members of the committee, the measure was ordered reported to the Senate on July 8, 1969.

S. 1075, as introduced, was substantially the same measure as S. 2805 which was introduced in the 90th Congress on December 15, 1967, by Senators Jackson and Kuchel. The far-reaching objectives of S. 2805 and similar legislation introduced in the 90th Congress by Members of both Houses were considered at a unique joint House-Senate colloquium convened by the chairmen of the Senate Committee on Interior and Insular Affairs and the House Committee on Science and Astronautics on July 17, 1968, to discuss a national policy for the environment.[4]

Many of the concepts and ideas incorporated in S. 1075 were drawn from ambitious measures introduced in previous Congresses. Of particular relevance were S. 2549, the Resources and Conservation Act, introduced by Senator Murray in 1959 and S. 2282 introduced by Senator Nelson in the 89th Congress. The Murray bill, endorsed by a distinguished group of Senators in the 86th and subsequently in the 87th Congress, called for the establishment of more efficient machinery in the resident's Office to coordinate resource conservation on the basis of national goals. The Nelson bill included broad provisions to cope with inadequate use and application by Federal agencies of ecological knowledge and research methods for attaining better management of our physical environment. Extensive hearings were held on each of these and other environmental measures before the Senate Interior Committee.[5]

Other concepts and ideas incorporated into S. 1075 were drawn from the proceedings of the previously mentioned joint House-Senate colloquium, from technical reports, conferences and symposai, and from books and journals dealing with environmental problems.[6]

In addition, the committee has reviewed and drawn upon concepts and ideas incorporated into many measures introduced in this and previous Congresses related to various aspects of environmental management.[7]

Need for the measure

This committee has compiled a great deal of testimony demonstrating instances of shortcomings, problems, and even national crises arising in many respects from the inadequacies of the Nation's environmental management policies and practices. Similar evidence has been compiled by other congressional committees and is a recurrent topic in the news media and in popular and technical publications.

Extensive collections of commentary regarding specific examples of environmental problems along with commentary by recognized spokesmen and authorities in the field have been published by this committee in the transcripts of the joint House-Senate colloquium to discuss a national policy for the environment (90th Cong., second sess.), in the hearing on a national environmental policy (91st Cong., first sess.), and elsewhere.[8] The latter document includes an appendix entitled "Bibliography on Environmental Issues," which lists numerous books, papers, articles, and other published material dealing with the critical problems of the environment.

It would be impracticable to attempt a summary of this voluminous data in this report. Drawing upon the testimony presented to this and other committees, however, the committee believes that the following basic propositions summarize the situation of contemporary America and the Federal Government regarding the management of the environment:

1. Population growth and increasing per capita material demands are placing unprecedented pressures upon a finite resource base.

2. Advancing scientific knowledge and technology have vastly enlarged man's ability to alter the physical environment.

3. The combination of the foregoing conditions presents a serious threat to the Nation's life support system. The pursuit of greater material wealth and increased productivity, the quest for scientific knowledge, and the requirements of worldwide responsibilities have had unplanned and often unforeseen consequences in the form of resource depletion, pollution, ill conceived urbanization, and other aspects of environmental degradation.

4. The attainment of effective national environmental management requires the Nation's endorsement of a set of resource management values which are in the long-range public interest and which merit the support of all social institutions. The Federal role will involve in some measure nearly every Federal agency. Successful Federal leadership in environmental management must be based upon the best possible information and analyses concerning the status and trends of environmental conditions. Federal action must rest upon a clear statement of the values and goals which we seek; in short, a national environmental policy.

There is no general agreement as to how critical the Nation's present environmental situation has become. Some respected scholars insist that a number of crises already exist. Others maintain that there is yet time to prevent them. There is nearly unanimous agreement, however, that action is needed and that, at least in some instances, dangerous conditions exist.

The Senate Interior and Insular Affairs Committee has not concluded that the complex environmental problems we face are susceptible of easy solution. It is however, clear that the Congress cannot disavow its responsibility to establish basic policies and to exercise supervisory powers over the agencies it has created. The Senate Committee on the Judiciary stated this responsibility clearly:

> "Policymaking is not a function that can be performed properly by a small group of appointed officials, no matter how able or well intentioned. Only in Congress, where the Members are directly answerable to the electorate, can competing political interests be adequately represented and properly accommodated."

Footnotes at end of article.

In gathering testimony on various aspects of national environmental policy over the past decade, the Senate Interior Committee has received broad support and encouragement from diverse segments of American society—from the scientific community, the universities, business and labor, and from public affairs groups. The committee believes that it is necessary to move ahead to define the "environmental" desires of the American people in operational terms that the President, Government agencies at all levels, the courts, private enterprise, and the public can consider and act upon.

RELATIONSHIP OF S. 1075 TO EXISTING POLICIES AND INSTITUTIONS

Existing policies

Congress over the past decade has passed a procession of landmark conservation measures on behalf of recreation and wilderness, national recreational planning, national water planning and research, wilderness preservation, review of public land policies, establishment of a system of national trails and a system of national scenic rivers, air and water pollution control, noise abatement, preservation of endangered wildlife, urban planning for open space, oceanography, beautification of highways, protection of shorelines and estuaries, and other related areas. Many of these measures originated in the Senate Interior and Insular Affairs Committee.[9] Others originated in other committees of both the Senate and House. All of them, in specific and specialized ways, constitute congressional mandates on various aspects of environmental policy. Taken together, these measures provide an impressive record of congressional action and concern.

Nevertheless, on the basis of recent hearings, seminars, colloquia, and staff studies conducted by the committee, it is clear that there is very real reason for concern for those areas in which no policies have been established or in which the conflicting operational policies of different agencies are frustrating and complicating the achievement of environmental quality objectives which are in the interest of all. Many older operating agencies of the Federal Government, for example, do not at present have a mandate within the body of their enabling laws to allow them to give adequate attention to environmental values. In other agencies, especially when the expenditure of funds is involved, an official's latitude to deviate from narrow policies or the "most economical alternative" to achieve an environmental goal may be strictly circumscribed by congressional authorizations which have overlooked existing or potential environmental problems or the limitations of agency procedures. There is also reason for serious concern over the activities of those agencies which do not feel they have sufficient authority to undertake needed research and action to enhance, preserve, and maintain the qualitative side of the environment in connection with development activities.

S. 1075, as reported by the committee, would provide all agencies and all Federal officials with a legislative mandate and a responsibility to consider the consequences of their actions on the environment. This would be true of the licensing functions of independent agencies as well as the ongoing activities of the regular Federal agencies.

In addition, by providing a statement of national environmental goals, policies, and procedures, S. 1075 would given renewed and vigorous emphasis to the importance of existing environmental programs and legislation.

The problem of providing for better Federal environmental management practices is not totally caused by the lack of a policy. As noted earlier, there are many specific and specialized legislative policies on some aspects of the environment. The present problem also involves the need to rationalize and better coordinate existing policies and to provide means by which they may be continuously reviewed to determine whether they meet the overall goal of a quality life in a quality environment for all Americans.

Titles II and III of S. 1075 provide coordinating and oversight measures which are designed to insure that a coordinated Federal response to the problems of environmental management are prepared.

Existing institutions

The Federal Government, at present, is not well structured for the administration of complex environmental issues or to offer meaningful alternatives to past methods of coping with environmental problems.[10] Compensatory measures have been sought through interagency agreements and understandings which require joint consultation and planning in specified cases of natural resources administration.[11]

While this represents an improvement in some areas of environmental administration and policymaking, the compensatory measures are more in the nature of palliatives than basic reforms, more in the nature of administrative statesmanship rather than basic policy determinations. In effect, they treat the symptoms rather than the basic problems.

Functions of oversight and assessment, insofar as they are presently fulfilled, are vested with a number of committees of the Congress and with the Bureau of the Budget. Budget's concern has proven to be more fiscal than policy oriented. The segmented committee structure of Congress, coupled with inadequate time and staff to survey the broad range of environmental quality problems, make it improbable that all of the committees of Congress will, or can be expected to provide a continuous and informed substitute for legislation through which a comprehensive environmental public policy can be developed and applied.[12]

The present administration has recognized that dealing with complex environmental questions requires the establishment of a focal point for the consideration of environmental values within the Federal Government. On June 3, 1969, President Nixon established by Executive Order 11472 an interagency Environmental Quality Council to be composed of six Cabinet officers and to be chaired by himself. The Executive order also established a Citizens' Advisory Committee on Environmental Quality, revoked a number of prior Executive orders, and delegated certain staff functions to the Director of the Office of Science and Technology.

During the April 16 hearings on S. 1075, members of the Committee expressed approval of the announcement by the Secretary of the Interior and the President's science adviser of the President's intent to establish this interagency Council on the environment. There was general agreement that the Council could be effective in dealing with environmental problems which were of concern to more than one Department of the Federal Government and which required "action."

Many members of the Committee did, however, question whether an interagency council alone could provide the objective and impartial advice and adversary support the President needs in dealing with environmental problems.

Senator Jackson, in a dialog with Dr. DuBridge, noted that— "* * * the advice, with all due respect, that the President would receive from the departments will be advice that will not be adverse to them. It will be compromised advice. This has been the history of the agencies. It is hard for the President to get objective advice. This is why the Bureau of the Budget plays such an important role. This is why your office [Office of Science and Technology] plays an important role. You have science in every department of the Government, and the President really needs to be armed with information with which he can effectively deal with the Cabinet departments. He needs to be armed with impartial advice, even advice of an adversary nature which will place the options for decision before the President.

"What I am concerned about, you see, is whether or not the President is going to be presented with a series of options that stem from an impartial source. This is casting no reflection on any department, but every Cabinet officer gets pressures right from the bottom on up."

Concern was also expressed by other members of the Committee over whether the President and the Cabinet officers involved would have the time and energy to provide the continuity of effort required. Concern was voiced over the level of staff support which the Office of Science and Technology would be able to make available to assist the President's Council.

Based upon a review of the strengths and weaknesses of both the President's Council and an independent board of environmental advisers as proposed in S. 1075, the Committee believes that both are needed. Their functions and activities as expressed in the Executive order and in title III of S. 1075 are not in conflict. They are complementary bodies: one action-oriented and composed of those Cabinet officers chiefly concerned with environmental matters, and the other providing objective and impartial advice as well as a long-range overview and problem identification function.

SUMMARY

Although historically the Nation has had no considered policy for its environment, the unprecedented pressures of population and the impact of science and technology make a policy necessary today. The expression "environmental quality" symbolizes the complex and interrelated aspects of man's dependence upon his environment. Most Americans now understand, far better than our forebears could the nature of man-environment relationships. The evidence requiring timely public action is clear. The Nation has in many areas overdrawn its bank account in life-sustaining natural elements. For these elements—air, water, soil, and living space—technology at present provides no substitutes. Past neglect and carelessness are now costing us dearly, not merely in opportunities foregone, in impairment of health, and in discomfort and inconvenience, but also in a demand upon tax dollars upon personal incomes, and upon corporate earnings. The longer we delay meeting our environmental responsibilities, the longer the growing list of "interest charges" in environmental deterioration will run. The cost of remedial action and of getting on to a sound basis for the future will never again be less than it is today.[13]

Natural beauty, increased recreational opportunity, urban esthetics and other amenities would be important byproducts of a national environmental policy. They are worthy and important public objectives in their own right. But the compelling reasons for a national policy are more deeply based. The survival of man, in a world in which decency and dignity are possible, is the basic reason for bringing man's impact on his environment under informed and responsible control. The economic costs of maintaining a life-sustaining environment are unavoidable. We have not understood the necessity for respecting the limited capacities of nature in accommodating itself to man's exactions, nor have we properly calculated the cost of adaption to deteriorating conditions. In our management of the environment we have exceeded its adaptive and recuperative powers, and in one form or another we must

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Footnotes at end of article.

now pay directly the costs of maintaining air, water, soil, and living space in quantities and qualities sufficient to our needs. Economic good sense requires the declaration of a policy and the establishment of a comprehensive environmental quality program now. Today we have the option of channeling some of our wealth into the protection of our future. If we fail to do this in an adequate and timely manner, we may find ourselves confronted, even in this generation, with an environmental catastrophe that could render our wealth meaningless and which no amount of money could ever cure.

FOOTNOTES

[1] An excellent up-to-date assessment of our present resource posture has been prepared by the Committee on Resources and Man, National Academy of Sciences-National Research Council. The summary of findings and recommendations is presented as appendix 1 of the hearings before the Senate Interior Committee, "National Environmental Policy," Apr. 16, 1969.

[2] A recent analysis conducted by the staff of the Senate Interior Committee showed that environmental programs are presently administered by 63 Federal agencies located within 10 of the 13 departments as well as 16 independent agencies of the executive branch.

[3] National environmental policy, hearings held before the Committee on Interior and Insular Affairs, U.S. Senate, 91st Cong., first sess., on S. 1075, S. 1752, and S. 237, Apr. 16, 1969. S. 1752, as introduced by Senator Nelson, would create a five-member Council on Environmental Quality in the Office of the President. This Council would be responsible for assisting the President in preparing an annual environmental quality report which would be transmitted to Congress. The report would be reviewed by a Joint Committee on Environmental Quality. The measure would also authorize the Secretary of the Interior to conduct studies of the natural environment, evaluate and disseminate such information, and consult with and provide technical assistance to departments and agencies of the Government.

S. 237, as introduced by Senator McGovern, would require that the President transmit to the Congress an annual report on the state of the environment. The measure would also authorize the creation of a Council of Advisers on Resources, Conservation, and the Environment which would be in the Executive Office of the President. The three-member Council wouuld assist the President in the preparation of the annual report and in developing and recommending national policies to maintain and improve the environment. For the purpose of consideration of the annual report and plan, this bill would establish in the Senate and the House, special committees to be known as the Select Committees on Resources, Conservation, and Environment.

[4] The proceedings were published under the title: "Joint House-Senate Colloquium To Discuss a National Policy for the Environment," hearing before the Committee on Interior and Insular Affairs, U.S. Senate, and the Committee on Science and Astronautics, U.S. House of Representatives, 90th Cong., 2d sess., July 17, 1968.

Following the colloquium, a "Congressional White Paper" was prepared at the request of Cochairman Henry M. Jackson and George Miller by the Legislative Reference Service, Library of Congress. This document, issued as a joint committee print by the Senate Interior Committee and House Science and Astronautics Committee and distributed to the entire Congress in October 1968, summarized the key points raised in the dialog between Members of the Congress and the colloquium participants which included five Cabinet Secretaries, the President's Science Adviser, Mr. Laurance Rockefeller, and Dean Don K. Price of Harvard.

A special report to the Committee on Interior and Insular Affairs on "A National Policy for the Environment" was prepared for the committee's use and was printed as a committee print on July 11, 1968. The report was prepared by Dr. Lynton K. Caldwell of Indiana University and William J. Van Ness, special counsel to the committee. The report was used as a background document for the colloquium. It raises and discusses in detail many of the issues and questions implicit in establishing a national environmental policy.

[5] Proposed Resources and Conservation Act of 1960, hearings before the Committee on Interior and Insular Affairs, U.S. Senate, 86th Cong., second sess. on S. 2549, Jan. 25, 26, 28, and 29, 1960. Ecological Research and Surveys, hearings before the Committee on Interior and Insular Affairs, U.S. Senate, 89th Cong., second sess., April 27, 1966, on S. 2282.

[6] For a detailed listing of these documents see app. A, entitled "A Documentation on Environmental Problems, p. 25, in A National Policy for the Environment, committee print, Senate Interior and Insular Affairs Committee, July 11, 1968; see also the "Bibliography on Environmental Issues," pp. 192–204 in National Environmental Policy, hearing before the Committee on Interior and Insular Affairs, U.S. Senate, 91st Cong., on S. 1075, S. 237, and S. 1752, Apr. 16, 1969.

[7] In the closing days of the 90th Cong., the Legislative Reference Service tabulated over 100 bills which were directly concerned with environmental issues, covering a broad area of interest—cleaning up the Nation's rivers and better approaches to smog control, improving the use of open space and prevention of disorderly encroachment by superhighways, factories and other developments, improved protection of areas of high fertility, wiser application of pesticides, whose residues affect both man and wildlife, and the control of urban sprawl, unsightly junkyards, billboards, and power facilities that lower the amenities of landscape.

In the present Congress, an initial tabulation indicates that over 40 bills have been introduced which are concerned either with a national policy for the environment or the establishment of machinery to study the overall problems of the human environment. Of the 16 standing committees of the Senate, eight have broad jurisdiction of this type of legislation. Of the 21 House standing committees, 11 are similarly involved. See "A National Policy for the Environment, app. B, p. 29, committee print of the Senate Interior and Insular Affairs Committee, July 11, 1968; "Congressional White Paper on A National Policy for the Environment," app. p. 17, Senate Committee on Interior and Insular Affairs and the House Committee on Science and Astronautics, October 1968; and Legislative Reference Service Multilith, TP 450, SP 170 entitled "Environmental Quality: Selected Bills and Resolutions," June 20, 1969.

[8] See, for example, "Selected Excerpts on Environmental Management Policy," in the Congressional Record, Feb. 6, 1968, by Senator Jackson, and the committee publications cited in previous footnotes.

[9] See or example, "A Brief Presentation of the Committee's History and Jurisdiction, and A Summary of its Accomplishments During the 90th Congress," committee print, Committee on Interior and Insular Affairs, U.S. Senate, 90th Cong., 2d Sess.

See, also the existing legislation which affects coordination of Federal, air quality, water quality, solid waste disposal, and related public works projects cited in S. 2391, introduced by Senator Muskie and others on June 12, 1969.

[10] This deficiency has been thoroughly discussed in two documents of the National Academy of Sciences: Paul Weiss, "Renewable Resources: A Report to the Committee on Natural Resources" (NAS–NRC Publ. No. 100A, 1962; "Resources and Man," NAS–NRC. (In press.) Also see Lynton K. Caldwell, "Administrative Possibilities for Environmental Control," in The Future Environments of North America (Natural History Press, 1966), and the hearings on S. 1075.

[11] The inadequacies of such compensatory measures are discussed in the following: Stephen K. Bailey, "Managing the Federal Government," in Agenda for the Nation (Brookings Institution, 1968).

[12] This fundamental issue was fully discussed in the "Congressional White Paper on a National Policy for the Environment," op. cit.

[13] For a discussion of the economic and social costs of continuing past environmental management practices see page 5, "A National Policy for the Environment," Committee Print, Senate Interior and Insular Affairs Committee, July 11, 1968.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute.

The committee amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended so as to read: "A bill to establish a national policy for the environment; to authorize studies, surveys, and research relating to ecological systems, natural resources, and the quality of the human environment; and to establish a Board of Environmental Quality Advisers."

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ALLOTT. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JACKSON. Mr. President, I express my thanks to the distinguished senior Senator from Florida for making time available.

Mr. HOLLAND. Mr. President, I thank my friend, the Senator from Washington. I was happy to yield, and I support the measure which he has just carried through to passage.

SENATE JOINT RESOLUTION 133—INTRODUCTION OF A JOINT RESOLUTION REDESIGNATING CAPE KENNEDY AS CAPE CANAVERAL

Mr. HOLLAND. Mr. President, the tragic death of our late, beloved President John F. Kennedy, by an assassin's bullet, left this Nation and other free nations throughout the world stunned with grief. Along with millions of others, I shared the grief on that sad occasion.

Understandably, during our period of mourning some things were done without our properly thinking through the actions taken. Upon reflection and further study, we find that the action taken by the Board of Geographic Names of the Department of the Interior, upon the request of President Johnson, redesignating Cape Canaveral in Florida as "Cape Kennedy," was ill-advised. However, the President's Executive Order 11129, dated November 29, 1963, desig-

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nating the facilities of the National Aeronautics and Space Administration and the Department of Defense located on Cape Canaveral as the John F. Kennedy Space Center, was most fitting.

Mr. President, the people of Florida are in complete accord with the action taken by President Johnson in designating the NASA and Department of Defense facilities on Cape Canaveral the John F. Kennedy Space Center. It is a proper and lasting memorial to a dearly loved President whose every effort was to aid his fellow man, his country, and the people of the world to a better and more peaceful way of life and whose inspired leadership did so much to advance our exploration of outer space. Our Florida people are proud to have on our soil the John F. Kennedy Space Center.

However, Mr. President, I do not believe that John F. Kennedy, who was a historian of note and who cherished the heritage of this Nation, would have wanted action taken that would in any way cause us to lose any of our historical background attained throughout the years. The name Cape Canaveral is one of the oldest known and most continuously used place names on the American Atlantic coast. The discovery of this landmark is accredited to Ponce de Leon and its name is recorded on many of the earliest known Spanish and French maps and charts before even Cape Cod, Cape Hatteras, and Jamestown bore their proud names. It was in use on maps and charts of world navigators from the days of the discovery and exploration of Florida until 1963, well over 400 years.

Therefore, Mr. President, I am today submitting a resolution for myself and my distinguished colleague, Senator GURNEY, which would redesignate Cape Kennedy as Cape Canaveral. I emphasize that this is a joint, bipartisan, and even nonpartisan resolution offered jointly by the two Senators from Florida. This resolution also provides that the facilities of NASA and the Department of Defense referred to in Presidential Executive Order 11129 dated November 29, 1963, shall continue to be known permanently as the John F. Kennedy Space Center.

I might add that I have personally discussed the introduction of this resolution with the senior Senator from Massachusetts so that he would be apprised of the fact that the Florida State Legislature recently passed a resolution requesting that Cape Kennedy be officially redesignated Cape Canaveral and would understand the attitude of the people of the State of Florida regarding the proposal as reflected in numerous newspaper editorials throughout the State, and by the resolution of the Florida State Historical Society and by numerous other historical and civic bodies.

I ask that this resolution be received and appropriately referred to the Interior and Insular Affairs Committee.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 133), to redesignate the area in the State of Florida known as Cape Kennedy as Cape Canaveral, introduced by Mr. HOLLAND (for himself and Mr. GURNEY), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs (by unanimous consent).

Mr. HOLLAND. Mr. President, I now yield to my distinguished colleague, the Senator from Florida (Mr. GURNEY).

Mr. GURNEY. Mr. President, I am most happy to cosponsor this resolution with my distinguished colleague, the senior Senator from Florida.

I reiterate what he has said, that this represents the overwhelming sentiment of the people in the area of Cape Canaveral, Cape Kennedy, and the Kennedy Space Center, as well as other parts of Florida. I perhaps know the area better than any other Member of Congress, because I represented it for 6 years in the House of Representatives, before I began my service in the Senate. I know personally a great many of the people who work in the space center and who work outside of the space center.

I can attest to the fact that it is the overwhelming sentiment of the people of the area that the name be changed back to its former name, Cape Canaveral, from its present name.

As the senior Senator from Florida has pointed out, this sentiment is overwhelmingly supported not only by the people of the area but also by resolutions of the Florida Legislature, bipartisan and nonpartisan, joined by Democrats and Republicans. It also represents the wishes of the congressional delegation from Florida.

Actually, I think the change of the name of the geographical point, Cape Canaveral, was probably a mistake. I did quite a bit of research in this matter some years ago, in 1963, when the name was changed. The Executive order of the President, which was referred to by Senator HOLLAND, makes no mention, of course, of Cape Canaveral. It simply refers to the Air Force station and to the NASA installation and designates them as the Kennedy Space Center—something with which the people of Florida agree; and we are very proud that it bears the name of the late President Kennedy.

Actually, however, further research that I did on this matter 5 years ago indicated to my satisfaction that the name change accomplished by the Board of Geographic Names, which is the Federal agency charged with this responsibility, was really a mistake.

Without going into the details of the facts and circumstances, there were no hearings at the time as required by law. As a matter of fact, there was not even a meeting of the full Board. How it came about, I do not know. But I do not think the intention at that time was really to change the name of the geographic area.

I might further point out—and I think this is really the meat of the situation; the Senator has touched upon it, and I will emphasize it—that the historical significance of the name "Cape Canaveral" goes back well over 400 years. As a matter of fact, the earliest date is 1530, so the Library of Congress has informed me, and the name then appeared upon an early map of that date. It appeared on other maps, also. It may well be the oldest geographical point in the United States. It certainly is one of the earliest in the United States and the Western Hemisphere, for that matter.

The people who desire the name change really want to preserve the historical significance of the name "Cape Canaveral." That is the reason for the introduction of the resolution, and that certainly is the reason for the unanimous support behind it. Everybody wants the name of the space installation to remain as it is today—the Kennedy Space Center. But the overwhelming sentiment is that the geographical point now known as Cape Kennedy be changed back to Cape Canaveral.

I would hope that the Senate would early consider and speedily and favorably pass upon this resolution.

Mr. HOLLAND. Mr. President, I thank my distinguished colleague for his able and very fine remarks.

I yield the floor.

ORDER OF BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the transaction of routine morning business, with statements therein limited to 3 minutes.

THE ABM SYSTEM

Mr. PEARSON. Mr. President, the point of concentration in the pending debate is upon the ABM and its deployment, yet the issue is wider. One cannot deal with the question of the ABM in isolation, but of necessity must consider it in its relationship to our strategic force levels and its companion and supplemental systems. For example, it is impossible to consider the ABM unless at the same time we contemplate the implications of MIRV's.

Much has been said about the action-reaction effect of the nuclear arms race. Ineed, none of our actions and none of our systems are unrelated to the behavior of other nuclear powers; nor are they unrelated to our military or diplomatic responsibilities around the globe. Mr. President, there are hopes within this Chamber that some compromise on the present issue can be reached. The distinguished Senator from Kentucky (Mr. COOPER) and the able Senator from Michigan (Mr. HART) have proposed a sound alternative.

Yet, let us project our thoughts beyond the debate today. It seems essential that we consider the forthcoming arms limitation talks with the Soviet Union and their prospects. All approach these negotiations with profound hope; but good intentions are nothing more than good dreams unless they are accompanied by action.

How can we create the best conditions and best attitude to commence these talks?

I would suggest the Senate proceed with the military procurement bill now before us but delay or set aside action upon the ABM system. I would suggest that the administration announce that we would cease all testing of the MIRV system. Indeed it might be advisable to proclaim that we will cease all production of strategic forces, continuing only on those essential for the war in Vietnam, and that these things would be done upon the condition that the Soviet Union take reciprocal action. This would be a moratorium in effect upon strategic weapons development. It would allow us to enter negotiations under what I deem to be the best circumstances. We could begin these talks under conditions superior to those in Paris, where negotiations must labor under "fight and talk" conditions. Moreover, Mr. President, this is a position that would show our good faith, our good will, test the good faith of the Soviet Union, and in fact put us in an aggressive position in the fight for peace. It would represent a posture of putting us in a strong affirmative position as we enter these negotiations.

Mr. President, this proposal has been presented, in an indirect manner, to the Executive. I am assured it will be seriously received and considered. Yet, I emphasize that it bears no mark of approval by the President or by his administration.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. PEARSON. I yield to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, I commend the distinguished senior Senator from Kansas for his remarks on the ABM and the suggestions he has made.

As always, the Senator has come to the point. He has made a proposal which in my opinion has a great deal of merit. It indicates that there is a need for a compromise on the situation relative to the ABM. The compromise which will be before the Senate at the appropriate time is the Cooper-Hart amendment, which he thinks, as I do, has a good deal of merit.

I would hope that the administration would pay serious attention to what the distinguished Senator has had to say. As always, what he has had to say is worth noting.

Mr. PEARSON. I thank the majority leader.

Mr. YOUNG of Ohio. Mr. President, will the Senator yield?

Mr. PEARSON. I yield.

Mr. YOUNG of Ohio. Mr. President, I also desire to compliment the distinguished senior Senator from Kansas for the remarks he has just made. Not only do I compliment him, but also, I associate myself with the views he has expressed.

Mr. PEARSON. I thank the distinguished Senator.

ORDER OF BUSINESS

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may proceed for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

VIETNAM IS A NATIONAL TRAGEDY—LET US LEARN FROM OUR MISTAKES

Mr. YOUNG of Ohio. Mr. President, in my lifetime I have served as both a private and an officer in the Armed Forces of our Nation in time of war. In World War II, I served for 37 months. During that period I was in North Africa and Italy most of the time. While I personally found it much harder to be a private than to be an officer, the facts are I never attained a very high rank in our Army being discharged early in 1946 with the rank of lieutenant colonel. I have always held the officers of our Armed Forces in the highest admiration. The truth is that in 1945 I toyed with the idea of remaining in the Army and making that service my career.

I have no personal knowledge that military officers of our Nation have been much maligned nor that they are currently the whipping boys of critics of our involvement in a civil war in South Vietnam, of whom I certainly am one.

In recent years irresponsible optimistic statements on the progress of the Vietnam war have been made by civilian officials in the executive branch of our Government and also by some of our generals and admirals. I assert that these generals, admirals, and civilian officials in the executive branch of our Government have been proven tragically wrong. Their unjustifiably optimistic predictions were proven so thoroughly wrong that no doubt public confidence in the credibility of our military and civilian leaders has undermined to some extent public confidence in the credibility of our Government.

Mr. President, in October 1965, I spent nearly a month in Southeast Asia, and in that period I visited every area in South Vietnam, visiting Army, Marine, and air bases and also our naval base at Cam Ranh Bay not yet completed at that time. I visited all our air and coastal bases in Thailand and had the experience of being flown by helicopter over the South China Sea, landing on the U.S. carrier *Bon Homme Richard* and observing our bomber planes returning from their missions.

Last year I was again in South Vietnam, also in Laos and Thailand. Again, I was in every area in South Vietnam and also in Laos. It was frightening to me to be told that Laos might well be the next place in Southeast Asia where Americans would be fighting and dying. I was on a factfinding mission. It was my endeavor to be objective, fair and impartial. In the course of my visits in Vietnam I had the opportunity to interview that flamboyant Air Marshal Ky who as an officer in the French Air Force fought with the French seeking to reestablish their lush Indochinese Colonial Empire against the forces of the National Liberation Front then termed Viet Minh, now termed VC. This fellow is now vice president of the militarist Saigon regime headed by General Thieu.

In my judgment this regime lacks the support of more than 20 percent of the Vietnamese living in South Vietnam. Except for the support of half a million fighting men of our Armed Forces, I am convinced that the present Saigon regime lacking support of its own people could not exist 1 week.

I recall distinctly that Gen. William C. Westmoreland stated in 1965:

> All I can say is that we Americans are no longer losing the war.

I wish to pay tribute to Gen. Matthew B. Ridgway under whom I served in World War II. General Ridgway said:

> It is my firm belief that there is nothing in our code that requires us to bomb a small Asian nation back into the stone age.

Also, to Gen. James Gavin, former chief of Army plans and operations and later American Ambassador to France who said during the period of our heaviest escalation of the war:

> To increase the bombing and to bomb Hanoi will add to our problems rather than detract from them, and it will not stop the penetration of north Vietnamese troops into the south.

Gen. Omar Bradley, a heroic commander in World War II and former Chief of Staff, wisely stated:

> For the United States to be drawn into a war on the Asian mainland would be the wrong war in the wrong place at the wrong time against the wrong enemy.

Another great American, Gen. David M. Shoup, former Commandant of the U.S. Marine Corps in 1966 stated:

> In my judgment, the whole of Southeast Asia as related to the present and future safety and freedom of the American people is not worth the life of a single American.

In an article in the April 1969 edition of Atlantic Monthly, General Shoup charged that an ambitious elite of high-ranking officers from all branches of our Armed Forces prefer war to peace and are turning the United States into a militaristic and aggressive nation. He has asserted that the search for promotion, interservice rivalry, and an eagerness to test military doctrines were the prime factors behind our involvement in Vietnam. General Shoup charges that military, naval, Marine, and Air Force leaders were so eager and so obsessed to test new equipment and tactics in Vietnam that they encouraged the Johnson administration to mire the United States in the quagmire of Vietnam. This, from one of our Nation's greatest fighting men and a former member of the Joint Chiefs of Staff.

Mr. President, I could go on at length citing great American military and naval leaders who have been critical of our involvement in the immoral, undeclared war in Vietnam. I could also spend a great deal of time recalling the remarks of generals and admirals who supported that effort. Senators will recall that in a recent issue of the Reader's Digest, Adm. U.S. Grant Sharp, former commander of our naval forces in the Pacific, stated that our air power could have won the war in Vietnam. He assailed former Secretary of Defense Robert S. McNamara as the principal villain for our failing to do so. The admiral claimed that had we bombed railroad yards and power stations in Hanoi and the docks in Haiphong "we could have quickly broken North Vietnam's resistance." He failed to mention that had we done so we would have killed hundreds of thousands of civilians—children, women, and men, including no doubt some officers and crew members of freighters of foreign nations including Poland, the United Kingdom,

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the Soviet Union, West Germany, and other nationals. Also, that such aggressive action might have precipitated world war III. Also, that we would have run the dangerous risk of Communist Chinese intervention and our involvement in a land war in Asia with Communist China and its 800 million people. This myopic admiral chose to ignore almost completely the fact that this would very likely have led to nuclear war and perhaps the killing of 40 or 50 million Americans and the end of civilization as we know it. Civilian policymakers did not veto the bombing of Haiphong Harbor because, as the admiral claimed, "it would not affect the enemy's capability of waging war in South Vietnam," but because they retained the foresight and good sense to realize that this might widen the war into a worldwide nuclear holocaust. Our civilian leadership realized that this little agrarian country, 10,000 miles from our shores, is of no strategic or economic importance to the defense of the United States and was not worth this fantastic risk.

Admiral Sharp's reasoning was perhaps not only a mere misconception and distortion of history, but the beginning of an attempt by some military and naval leaders to exonerate themselves completely for our failure in Vietnam and to place the blame on civilian leadership.

Mr. President, it is clear that no one person, civilian or military, is responsible for the tragedy, in fact for the insanity, of our involving more than half a million young Americans now engaged in fighting a war in Vietnam and more than 2 million young Americans who have fought there in recent years. All those who participated in the decisionmaking processes of Government during our escalation and expansion of this civil war into an American air and ground war from the President, the Secretary of State, the generals of our Joint Chiefs of Staff on down bear heavy responsibility. All who stood idly by and did not speak out as we became ever more mired down in the Vietnam quagmire also bear some responsibility.

Vietnam is a national tragedy of immense proportions. Let us hope that the war will soon come to an end. Then, let us as a united people begin to correct the evils which it has perpetrated and prolonged in our society. Let us then begin to rebuild our society and to restore confidence in America and in our foreign policies.

Most important, we must be temperate in placing responsibility and blame on any one group of policymakers, whether they be civilian or military, for our mistakes in Vietnam. Likewise, if we are to learn from our mistakes of the past we must resist the temptation to whitewash those responsible for this tragedy.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 6508) in which it requested the concurrence of the Senate.

THEY WERE NOT LISTENING

Mr. PEARSON. Mr. President, it has come to my attention that two of my distinguished colleagues, the Senator from Ohio (Mr. SAXBE) and the Senator from Kentucky (Mr. COOK), have been subjected to one of the oldest and most tattered of charges known in political life; namely, of campaigning one way and voting another.

These two distinguished Senators need no defense from me. Jesse R. Shaffer, the Cincinnati Enquirer's bureau chief, has set the record straight in an article he wrote on July 6, 1969, which I ask unanimous consent to have printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"THEY WEREN'T LISTENING"

(By Jesse R. Shaffer)

WASHINGTON.—When Marlow W. Cook, Republican candidate for the U.S. Senate from Kentucky, finished speaking before a state Chamber of Commerce luncheon in Louisville last August, one of the ladies in the audience exclaimed: "My, what a wonderful speaker!"

"Did you like what he said?" she was asked.

"I'm not sure what he said," came the reply, "but he sure is a wonderful speaker."

During that same campaign period, across the Ohio River, a Portsmouth, Ohio, resident was asked his views on the race between Senate candidates William B. Saxbe and John J. Gilligan.

"I don't really know how they stand," he said, "but I do know that I'd never vote for that Gilligan."

Multiply this inattentiveness, this lack of interest—call it what you will—by thousands of times and it is easy to understand why both Cook and Saxbe now find themselves being cast in the role of publicity seekers, mavericks, traitors to their Republican party or, as one Ohioan referred to Saxbe recently, "A Republican Frank Lausche."

(This latter description, of course, refers to Saxbe's predecessor in the U.S. Senate, Frank J. Lausche who, while running as a Democrat, voted more often with the Republicans.)

Conservatives in both Ohio and Kentucky now are accusing the two freshmen lawmakers of changing horses after they arrived in Washington to take up the posts to which they were elected last November.

Yet both claim that they have not changed.

"I haven't done anything down here (in Washington) I didn't indicate I would do during my campaign," Saxbe declared recently, adding: "If they (his critics) don't know that, they weren't listening."

Cook agrees.

"I don't know of anything that I've changed my position on since the campaign," the Kentuckian said. "I think Saxbe's right, they just were not paying any attention to what we said."

A check of speeches and position papers drafted by the candidates during the campaign, as well as statements made by them since the election indicate that the two may have hit upon the answer—the people weren't listening.

Most of the criticism stems from the public stands the two have taken on the Vietnam war, military spending and welfare issues.

Yet both men last fall were speaking out against over-commitment in Vietnam; the need to "win or get out."

Almost as though the two had the same campaign speech writer, both said early in their campaign that the United States could no longer serve as a world policeman. They are both repeating the same beliefs now.

Both said the 10% surtax should be abolished, and both continue to say it here.

They called for saving millions of dollars being wasted on unproductive programs, both in the military and nonmilitary fields. They are still calling for these same cutbacks.

And both men called during the campaign for reordering the national priorities with a view toward paying more attention to solving domestic problems. That is still their stand.

Probably the most criticism has come because of the united stand Saxbe and Cook have taken on one big controversial issue, the Nixon administration's plan to deploy an anti-ballistic missile system.

While the Ohio and Kentucky lawmakers are vehemently opposed to the administration's plan, they were on record as being opposed long before President Nixon reached a decision on deployment.

So far, Mr. Nixon and his advisors have been unable to convince Messrs. Saxbe and Cook that he's right, they're wrong.

Unlike many of the liberals with whom they're lumped and who oppose the ABM on moral or emotional grounds, Cook and Saxbe maintain their opposition is technical and that their position is, despite what the critics claim, the position of a true conservative.

"I came to Washington on record as being opposed to wasteful spending," Cook said recently.

"I will not vote to spend billions of dollars for a system that will not work, or that will be outmoded before it's completed.

"If that isn't the view of a true fiscal conservative, then I don't know what it is."

Saxbe, likewise, said he opposed the ABM because he doesn't believe it will work, and, therefore, isn't worth the money.

The two senators believe that their position is much more defensible than that of so-called conservatives who vote for huge military spending programs, then vote against such legislation as the surtax extension bill which would provide at least a portion of the money that goes to pay for the programs.

"We're consistent conservatives, at least," remarked Cook.

Studying the two men and their records, it appears that both were voted into office by an electorate not fully—or, in some cases, not even remotely—aware of their positions on various issues.

Neither man was ever as conservative as many Republicans believed, but the ultraliberal opposition both faced last November did nothing to mar that image.

Except for their differing opinions on one or two major issues, both are cast in the moderate mold that seems to also suit President Nixon.

They are not, nor do they need to be, as willing to make political concessions to either the liberal or conservative factions as Mr. Nixon seems to be on the basis of their records thus far.

While both seem a bit surprised that they have been tabbed as mavericks by many of the people back home, they feel that this image will change.

Saxbe claims that by the end of the current session, he will have voted with the administration more than he has voted against it.

Cook says he, too, believes it's too early for anyone to be attacking his voting record. He'll speak up for the administration whenever his conscience allows.

However, the question again is: Will anyone be listening?

LATEST AMERICAN CASUALTIES IN VIETNAM

Mr. GORE. Mr. President, today I inquired of the Department of Defense

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with respect to the casualties in Vietnam, and it has reported that there were 1,737 casualties last week in killed and wounded.

This brings the total, since President Nixon's inauguration, to more than 48,000 American casualties in Vietnam.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CALIFORNIA DISASTER RELIEF ACT

Mr. MANSFIELD. Mr. President, after clearing this matter on both sides, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 6508.

The PRESIDING OFFICER laid before the Senate H.R. 6508, to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, and high waters, which was read twice by its title.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all after the enacting clause of H.R. 6508 be stricken and that there be substituted therefor the full text of S. 1685, as passed by the Senate on July 8, 1969.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment was agreed to.

The bill was ordered to a third reading, was read the third time, and passed.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ABM

Mr. KENNEDY. Mr. President, the Senate soon will turn to the amendment—submitted yesterday by Senators Cooper and Hart—to prohibit deployment of the Safeguard ABM. A number of other Senators and I have joined with the Senator from Kentucky and the Senator from Michigan in sponsoring this amendment, because of our belief that deploying this weapons system at this time would be a serious error.

A number of discussions on the Senate floor yesterday picked up the outlines of the arguments for and against deployment which have been before us for more than a year. The distinguished Senator from Tennessee noted in his remarks, for example, that the emphasis of the arguments of those favoring deployment appears now to have shifted to Safeguard's hypothetical utility as a bargaining card—or, as it has sometimes been referred to, as a multibillion-dollar poker chip.

It is not surprising that this particular "bargaining card" argument has been resurrected. For the searching examination the ABM in recent months has uncovered deep cracks in the other arguments—particularly the one that Safeguard will protect our deterrent.

I have recently read a short paper which describes graphically and dramatically this serious flaw in the Safeguard Phase I deployment, as recommended by the administration and approved by the Armed Services Committee. This flaw is the relative ease with which the Soviets could neutralize Safeguard. The paper is not technical; it is, rather, based primarily on commonsense. Because of its significance, I shall ask unanimous consent to have it printed in the Record so that all Senators may study it.

It points out that Safeguard Phase I—the ABM recommended—will not be completed for at least 60 months. Yet, in from 6 to 12 months, the Soviets could build enough new ICBM's—on top of those they already have—to make it entirely ineffective and useless. These new ICBM's would simply exhaust our defending missiles, laying bare the hypothetical target—our own Minutemen missiles.

To me, this argument appears irrefutable, at least as it applies to the potential threat. As it applies to a hypothetical threat from another source—as, for example, an irrational Chinese attack—it is hard to understand why the Chinese would attack precisely those two sites where we had defensive missiles. They would be much more likely, I should think, to attack our cities, which would be undefended—and which cannot be defended.

This is a compelling argument to vote against the funds for deploying Safeguard Phase I. We would be better advised, it seems to me, to continue our research into the problem of ballistic missile defenses generally, as amendment No. 68 would require. We may yet develop an effective ballistic missile defense—but Safeguard does not appear to be the one.

Mr. President, I ask unanimous consent that the report to which I have referred be printed in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

The Safeguard ABM: Its Essential Weakness

The Defense Procurement Authorization bill presently before the Senate would authorize $345.5 million for deployment of the Safeguard ABM in fiscal year 1970. To this $345.5 million would be added $15 million in carry-over appropriations, bringing the total procurement funds to $360.5 million for the current fiscal year.

This sum would permit the Army to begin construction work on Phase I of Safeguard—two operational ABM sites at our Minuteman ICBM fields in Montana and North Dakota. The Administration has recommended deployment of only these two sites, and the Committee on Armed Services has authorized only those funds for FY 1970 necessary to carry deployment through June 30, 1970. The remaining funds for Phase I deployment—some $940 million—will have to be authorized in subsequent years.

The essential weakness of the Safeguard ABM can be readily demonstrated if we assume the completion of Phase I. Secretary of Defense Laird has estimated the "equipment readiness date" for the Grand Forks site as January, 1974, and for the Malmstrom site as July, 1974. Past experience with complex military weapons systems indicates that these dates will probably not be met, but will actually be at least 6 months to a year later than estimated.

The Minuteman fields at Grand Forks and Malstrom have roughly one-third of our 1000 Minuteman missiles. Yet Secretary Laird has testified that Safeguard Phase I will provide a "fairly thick cover" for "10–20 percent of our Minuteman force," or 2 of the 6 Minuteman wings. A "fairly thick cover" is protection by both the Spartan and Sprint missiles—or a "point defense". Thus, Safeguard Phase I would protect only from 100 to 200 of our 1000 Minuteman missiles—at a cost of $2.1 billion.

The number of Sprint and Spartan missiles we would employ in Safeguard Phase I remains classified. Yet we can be certain that once construction of our Sprint and Spartan missile silos begins, the Soviets will, through satellite reconnaissance, know with certainty how many we intend to deploy. The Soviets would then have a simple task before them to neutralize Safeguard Phase I—which of course their defense planners will seek to do just as we have plans to neutralize *their* ABM. Pentagon witnesses have testified that our neutralizing technique is saturation: if they have 70 anti-ICBM missiles, then we fire at these 70 missiles 70 warheads of our own, thus exhausting the defense and wiping out the protection of the target.

This is the simplest way of countering an ABM, and the surest. There are, of course, others—utilizing mechanical and electronic penetration aids. But this saturation technique is so obvious and so comparatively inexpensive as to be almost certain to be used.

Since the number of Safeguard Phase I Sprints and Spartans is classified, we can make a table using various numbers of these missiles to reveal how simply the Soviets can neutralize Phase I. This table appears at the end of this paper.

It shows quite clearly that if Safeguard Phase I had 300 Sprints/Spartans, then the Soviets in *12 months* could produce enough *new* SS–9s, each with 10 warheads, to neutralize Safeguard. If the SS–9's had 20 warheads, then it would take only *6 months*. We should not forget that Safeguard Phase I is estimated to be completed in July, 1974—or 60 months from now.

This is the essential weakness of Safeguard. It shows quite clearly that Safeguard Phase I would add to our national security *only* if the Soviets chose to ignore it—an assumption only the most naive would make. In sum, Safeguard would not appear to be anything but false security and a waste of scarce Federal funds.

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TABLE I

Number of Sprints/Spartans	Number of SS-9's needed to saturate		Months needed to produce new SS-9's	
	10 warheads	20 warheads	10 warheads	20 warheads
100	10	5	4	2
300	30	15	12	6
600	60	30	24	12
1,000	100	50	40	20

NOTES

1. This table assumes that both our ABM and the Soviet ICBM's have 100 percent reliability. This is of course a false assumption; a 70-percent figure might be more realistic.

2. The SS-9 can easily be designed to carry 10 or 20 or perhaps even more MIRV'd warheads by 1974.

3. The Soviets now have 230 SS-9's; by 1975, they "are expected to have somewhere around 400" (Secretary Laird) This is a deployment rate of roughly 3 per month.

4. The Soviets do not need to use the SS-9 to saturate the ABM. They could instead use the smaller, less expensive SS-11 or SS-13, each of which have good accuracy and could carry multiple warheads.

The PRESIDING OFFICER. Is there further morning business?

TERMINATION OF THE USE OF NATIONAL AIRPORT BY JET AIRCRAFT

Mr. CANNON. Mr. President, yesterday my distinguished colleague from Colorado introduced a bill—S. 2570—that would direct the Secretary of Transportation to prepare and implement a program that would terminate the use of National Airport by pure jet aircraft. The legislation would also direct the Secretary to prepare and submit a plan to Congress for a high-speed surface transportation system that would connect Washington with Dulles and Friendship airports.

To my knowledge this is the first legislation introduced in the Senate that would bar jet aircraft from National.

The Senator, in introducing his bill, among other things, said, "I have understood that this bill will probably be sent to committee and be buried."

Unless the proposal contained in a bill lacks merit, it is not buried in the Commerce Committee, and so if this bill lacks merit it will be treated accordingly.

It seems to me it is a little unfair for the author to accuse a committee of burying his bill before it is even printed.

If it comes to the Aviation Subcommittee and we believe it is deserving of public hearing, it will get public hearing.

I should point out that the discontinuance of jets at National would result in a serious cost of manpower to the Nation. The shuttles alone carry approximately 20,000 persons per day, and 1 hour longer travel time for each per day would result in thousands of hours of loss in productivity to the Nation's economy.

The Commerce Committee has been extremely concerned about many of the problems which the Senator points to, and which affect especially Washington National Airport. The committee has taken the leadership in Congress in seeking to come to grips with the problem of noise and pollution created by jet airplanes. As a matter of fact, last year the committee held hearings, then reported a bill which ultimately became Public Law 90-411 which directs the FAA to prescribe certain minimum noise abatement regulations relating to jet aircraft operation. At the present time, pursuant to this law, the FAA is promulgating regulations which when in effect will significantly reduce the noise level of commercial jet transports.

The Commerce Committee and particularly the Aviation Subcommittee far from seeking to, as the Senator puts it, "bury legislation designed to meet the problems of civil aviation," has on the contrary provided the leadership in many of these areas and the record on legislation from this committee speaks for itself. Together with the distinguished Senator from Washington (Mr. MAGNUSON), the chairman of the committee and former Senator Monroney, the distinguished previous chairman of the Aviation Subcommittee, we have moved forward and will move forward in the future to consider all legislation which has a bearing on making our aviation system both more safe and efficient.

ORDER FOR RECOGNITION OF SENATOR GOODELL TOMORROW

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senator from New York (Mr. GOODELL) be permitted to speak for 20 minutes following the time allotted to the distinguished Senator from Idaho (Mr. CHURCH) tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

AWARD OF THE SPINGARN MEDAL TO CLARENCE M. MITCHELL, JR.

Mr. KENNEDY. Mr. President, the distinguished Senator from Maryland (Mr. TYDINGS) will make some remarks and lead the tributes to Clarence Mitchell for his having received the Spingarn Medal. I will take the opportunity simply to express my congratulations to Mr. Mitchell.

He is deserving and worthy of this high honor. Over the years since I entered the Senate, I have counseled with him many times, as have most Senators who seek to forward the goals and dreams of the civil rights movement. His judgment is superb and his wisdom unsurpassed. I am delighted that he has been chosen to receive this recognition.

I applaud the Senator from Maryland for bringing this matter to the attention of the Senate.

Mr. TYDINGS. Mr. President, I rise at this point to pay tribute to an outstanding American. I should like to have delayed my remarks until such time as he might be able to hear them personally in the gallery, but he is presently testifying before an important committee on an extremely vital measure; namely, the extension of the Voting Rights Act of 1965; so he cannot be here at this moment to hear what I have to say.

However, knowing that this is the time set aside for me and others to speak on this subject, I shall go ahead as planned.

Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TYDINGS. Mr. President, each year the National Association for the Advancement of Colored People selects a particular outstanding Negro American to receive the Spingarn Medal, an award instituted in 1914, to recognize distinguished merit or achievement during the year or years preceding.

Last week, at the NAACP Convention in Jackson, Miss., the 1969 medal was awarded to a Marylander, a distinguished son of the Free State, Clarence M. Mitchell, Jr.

The award message reads as follows:

> For his selfless devotion to the task of ending racial bias;
>
> For his uncompromising rejection of racism, white or black;
>
> For his wisdom and tenacity in the pursuit of just laws;
>
> For his abiding faith in the democratic process as a means of achieving freedom and equalty for all; and
>
> For the pivotal role he has played in enactment of civil rights legislation, particularly the Civil Rights Act of 1968, with its fair housing title.

Mr. President, I have this morning received a telegram from Andrew J. Biemiller, director of legislation for the AFL-CIO, which reads as follows:

> JULY 10, 1969.
>
> Hon. JOSEPH D. TYDINGS,
> *U.S. Senate*
> *Washington, D.C.*
>
> The AFL-CIO is proud to join you in honoring Clarence Mitchell as recipient of the coveted Spingarn Medal. During our long relationship with Mr. Mitchell, he has earned our deepest respect and admiration for his courage and integrity.
>
> Clarence Mitchell, by his words and his actions, has proved that civil rights victories can be won through the democratic system. As Director of the Washington Bureau of the NAACP, he has been a leader of the continuing battle for social justice.
>
> The AFL-CIO has worked closely with Clarence Mitchell on Capitol Hill and through the executive agencies of the Federal government. We know full well the crucial role he has played in securing enactment of the major civil rights laws passed during the 1960s. We know, too, of his continuing efforts to see that the intent of these laws is upheld.
>
> No one is more entitled to the Spingarn Medal. The AFL-CIO is pleased to join in saluting our good friend and respected ally, Clarence Mitchell.
>
> ANDREW J. BIEMILLER,
> *Director of Legislation,*
> *AFL-CIO.*

Mr. MATHIAS. Mr. President, it is a privilege to join in congratulating my good friend and fellow Marylander, Clarence M. Mitchell, who was recently honored by the National Association for the Advancement of Colored People as the 54th recipient of the Spingarn Medal.

This award pays tribute to Clarence Mitchell for his service and his accomplishments not just during the past year, but throughout the more than two decades which he has devoted to the cause of equal rights and peaceful progress under law.

In these days of turmoil, shouting, and disruption, it is more important than ever to pay tribute to the men and women who have labored quietly, patiently and effectively within the democratic process and the legislative halls to secure in law and in fact those rights and liberties pledged to all Americans in the Constitution. Clarence Mitchell is one such man. Impelled by deep conviction and sustained by remarkable energy and faith, he has been as instrumental as any single man in conceiving, shaping and gaining passage of some of the most important legislation of this century.

The Civil Rights Act of 1957, the Civil Rights Act of 1964, the Voting Rights Act of 1965 and the Civil Rights Act of 1968 are commonly called landmarks in our national drive toward social justice. None of these laws bears Clarence Mitchell's name, but all of them bear his mark. And it is a real tribute to the man that he has made this mark with dignity, with honesty, with the kind of personal integrity which is recognized even by those who may not always share his views.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. TYDINGS. I am happy to yield to the Senator from Pennsylvania.

Mr. SCOTT. I should like to join in the remarks of the distinguished Senator from Maryland, and say that we are all very much pleased, and we are all honored, too, by the honor extended to Mr. Clarence Mitchell in the award of the very much coveted Spingarn Medal, which is not awarded lightly, and which carries with it the attributes of dedication, devotion to a cause, willingness and competence to follow through to the achievement of difficult ends, and recognition that there is no higher challenge to a human being than to strive continually to improve the estate of man and the dignity of humankind.

And in this our friend, Clarence Mitchell, has established himself not only as a man, but also as a standard around whom others, from conscience and conviction can share his views and his recognition of formidable challenges.

In recognizing him as a standard, we honor ourselves as well as the causes to which we commit ourselves. It is a great pleasure to be able to join in the tribute with the distinguished Senator from Maryland.

Mr. TYDINGS. Mr. President, I thank the distinguished minority whip, the Senator from Pennsylvania.

Mr. President, I now yield to the distinguished Senator from Michigan.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. HART. Mr. President, today we pay long deserved tribute to a man who embodies all that is best in lobbying.

He lobbies not for special financial interests, but for the rights guaranteed in our Constitution.

He asks not for special favors, but for equal treatment.

On July 3 he received the coveted Spingarn Medal, presented annually since 1914 to recognize achievements of the American Negro.

I refer, of course, to Clarence Mitchell, director of the Washington Bureau of the National Association for the Advancement of Colored People.

Not only does Mr. Mitchell lobby for human causes, but he lobbies effectively.

In reporting on the effort to enact the civil rights bill of 1968, the Congressional Quarterly said:

> Seldom has an individual lobbyist been accorded so much credit for the outcome of a bill as was Mitchell.

As floor manager for that bill I attest to the accuracy of that observation.

Mr. President, in seeking to pay tribute to men such as Clarence Mitchell one always gropes for the correct words. In this case however, the task is made easier, for Mr. Mitchell supplied the works himself in accepting the Spingarn Medal. He said:

> I have spent most of my life hoping for and working for the right of all men to share in the blessing of our Constitution. I, too, am a law and order man. But I am a man who seeks just law. I am a man who seeks the kind of order that makes freedom grow instead of stifling it.

Indeed, Mr. Mitchell is a lobbyist for law and order in the highest use of those terms.

Mr. President, I ask unanimous consent that an article about Mr. Mitchell from the Afro-American of July 12 be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CLARENCE MITCHELL AWARDED NAACP'S SPINGARN MEDAL

(By Art Carter)

JACKSON, MISS.—Clarence M. Mitchell Jr., for nearly 20 years an effective lobbyist in Washington, Tuesday night was saluted by the NAACP as "the 101st United States Senator."

Head of the NAACP's Washington Bureau since 1950, the 57-year-old Mitchell, a resident of Baltimore who commutes daily to his office near the U.S. Capitol in Washington, was awarded the 54th Spingarn Medal amid a resounding crescendo of applause at the Jackson City Auditorium.

A long-time worker in the veteran civil rights organization, Mitchell was lauded as "one of our own." The citation accompanying the celebrated Spingarn Medal read:

"For his selfless devotion to the task of ending racial bias; for his uncompromising rejection of racism white or black; for his wisdom and tenacity in pursuit of just laws; for his abiding faith in the enactment of civil rights legislation, particularly the Civil Rights Act of 1968 with its fair housing title:

"The NAACP proudly presents this 54th Spingarn Medal to its own Clarence M. Mitchell Jr., "the 101st United States Senator."

The presentation was made by Mrs. Bruce B. Benson, president, League of Women Voters of the U.S.

Mrs. Benson paid tribute to Mitchell as "an unchallenged expert in the complex machinery of self-government."

She declared that since 1950, Mitchell has "maintained his special brand of steady, quiet, and consistently effective pressure on the national government." Mrs. Benson continued:

"For nearly two decades he has been the dean of lobbyists for civil rights. He has served this association and the Leadership Conference on Civil Rights, but no organization can claim him as exclusively its own. He has kept the lines of communication open to all groups, to alert them on how to replace agony with justice.

"His vision, stubborn courage and mastery of his job have set a standard of thought and action to which working with them throughout the years that I have been a part of the NAACP."

Mitchell emphasized that he has "the good fortune to be a part of a winning team in the field of federal legislation" which is effective because "we are a cross section of America. We do not draw the color line in our membership, nor do we ask about a man's religion or his national origin."

Mitchell publicly thanked "all members of the team who work in their home communities and states, everyone might well aspire."

In accepting the medal, Mr. Mitchell, in his customary modest manner, declared: "I have spent most of my life hoping for and working for the right of all men to share in the blessing of our Constitution, I, too, am a law and order man. But I am a man who seeks just law. I am a man who seeks the kind of order that makes freedom grow instead of stifling it."

Then Mitchell said "It is a solemn and greatly valued moment of my life to receive the Spingarn Medal. This is a tie that binds me ever more closely to some of the distinguished men and women who were given this honor in the past."

In this vein he cited the late Walter White and Roy Wilkins, NAACP executives; Justice Thurgood Marshall; the late Dr. Channing Tobias; the late crusading editor, Carl Murphy of the Afro-American; Mrs. Daisy Bates, the heroine of Little Rock; former Cabinet member, Dr. Robert C. Weaver, and two who gave their lives in the cause of freedom—Harry T. Moore of Flordia and Mississippi's own valiant son, Medgar Evers.

He said he named them among the list of "other great citizens because I have had the privilege of * * * who give their time, who spend their money and who come to Washington when we need them," for "what you have done and will continue to do to make freedom and justice a living reality in America."

The famed Washington lobbyist declared "as I look at the history of the fight we have been making I feel a sense of inspiration because I am privileged to live in a time when we have gotten all three branches of our national government to work for civil rights."

He added that "We have reason to renew our faith in the government of free men when we ponder the great fact that President Lyndon B. Johnson from Texas, Chief Justice Earl Warren from California, and Vice President Hubert Humphrey from Minnesota all shared a common desire to establish first class citizenship under just laws."

But he warned his delegate friends that "having won the fight to get laws enacted, we must and we shall see that these statutes work and we must improve them whenever and however it is necessary to do so.

"We must be on guard against and repudiate those forces that would destroy us and our country by causing us to lose faith in the power of just law. Whether it comes from a Ku Klux Klan meeting in a cow pasture or a street corner meeting in Harlem, the voice that ridicules our Constitution, that demeans our Supreme Court and discounts our civil rights laws is the sound of man's ancient enemy—ignorance.

"The best proof of how much both black and white racists really rely on the courts for their own protection is the fact that whenever they get into trouble the first thing they look for is a lawyer and the second thing they seek is a way to get their case to the U.S. Supreme Court."

Mitchell urged an increase in "our political wisdom and our political participation," and paid tribute to some members of the "new team in Washington, like Secretary John Volpe of the Department of Transportation, and Secretary George Romney of the Department of Urban Affairs, who show promise in their approach to the civil rights duties of the federal government."

The determined lobbyist said, "We are challenged for what we have won and we accept the challenge. We shall win that fight. We do not intend to let any political party rob our children and our grandchildren of their birthright."

Also he told the delegates that "We must fight to save the Republican Party from its new found allies like Senator Strom Thurmond."

"We do not object to putting the spirit of Abraham Lincoln into Mr. Thurmond, but we do object to putting the spirit of Mr. Thurmond into the party of Mr. Lincoln," he stressed.

"We must save the Republican Party by giving massive support to those Republicans in office who back civil rights, and we must save the soul of the party from the hell of equivocation and delusions about 'regional' legislation," he added.

Mitchell depicted America as a country of "many religions, many races, many points of view, but one people," and said that if we are really concerned about the slow pace of school desegregation and other social ills, "we must raise the money, do the work and fight the fight that will speed up and accomplish what we seek."

In conclusion, Mitchell had a word for "the wonderful, impulsive, handsome and idealistic young people who are rightly impatient with the evils of our times."

Speaking directly to the youths in the audience and around the country, Mitchell declared: "I say to you that we are the first to admit that we have not gotten rid of sickness, poverty, inequality and discrimination in our country and the world. But we have made a good start; we have laid a firm foundation and we in the NAACP are passing to you a better world than we inherited in 1909 when the NAACP was born. We have worked and continue to work to improve that world.

"We believe that we are giving you a way of life that is worth defending. We are asking you to share in the building of a democracy that is a shield for the humble and weak as well as a sword for the strong and the just.

"We ask you to keep your head among the stars that you might see better and brighter worlds for mankind. But we ask also that you keep your feet on the paths of common sense so that you do not destroy instead of build.

"We ask that you use your strength, your idealism and your intelligence to move the human race ever forward and ever higher."

Mr. Mitchell, a landmark in Washington legislative circles, assumed his position as director of the Washington NAACP bureau ten Congresses and five presidents ago. In 1957, after he had laid the groundwork for the crucial vote-counting, the Congress passed its first civil rights act in over 80 years.

In 1964, he promoted the passage of the 1964 Civil Rights Act, and there is other vital legislation which bears the Mitchell imprint.

In her tribute, Mrs. Benson asserted, "Mr. Mitchell's vision, faith, and tenacity pushed the country to extend the body of civil rights law so that it now includes housing, education, employment and voting. His skill and his timing were right. I know that he will also use these qualities to see that the law is enforced."

Mr. TYDINGS. Mr. President, I thank the distinguished Senator from Michigan.

I am delighted to yield now to the distinguished senior Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. CASE. Mr. President, I thank the Senator for yielding.

I associate myself with the Senators who have already spoken in applauding and saluting Clarence Mitchell as the 54th Spingarn medalist.

No man—and I say this advisedly—has ever been more deserving of that honor. I have known Clarence Mitchell for a long time. I have known him since I first came to Congress. That is a generation or more.

It has been a pleasure and a privilege to work with him over all of these years in the continuing struggle to secure for every man an equal opportunity to contribute to and to share in the workings of our society.

As the legislative director and as head of the Washington Bureau of the NAACP, Clarence Mitchell has represented that organization and all its causes superbly.

Always fair, always completely honest in discussion, in thought, and in action, he is deeply respected by everyone including those who may not be in agreement with him on a particular issue. Never flamboyant, nevertheless he has done more than any other individual whom I know to achieve the legislative milestones that have marked the last decades.

In many ways he epitomizes the cause to which he has dedicated most of his adult life. He gives each individual, regardless of race, religion, creed, or station in life, that respect for human rights and freedoms to which he believes all men are equally entitled.

It is quite right, Mr. President, that the citation which accompanies the award notes that, in addition to his legislative work, it is:

> For his selfless devotion to the task of ending racial bias; for his uncomprising rejection of racism, white or black; for his wisdom and tenacity in pursuit of just laws; for his abiding faith in the democratic process as a means of achieving freedom and equality for all.

He is a great hearted man, Mr. President, whom I am proud to count as a dear friend.

I have special interest and I am especially touched by his being the recipient of this award. Seventeen years ago—I was chosen to present the Spingarn award at the national convention of the NAACP out west. Clarence Mitchell was the one who took me there. He was my host on that occasion. The recipient then was one of the martyrs of the struggle for civil rights, as Clarence Mitchell is one of its great heroes.

This long association with the awards and with him in connection with it makes this particular occasion even more gratifying and deeply satisfying to me.

I join my colleagues in the warmest of congratulations to the organization and to him.

Mr. TYDINGS. Mr. President, I thank the wise and respected senior Senator from New Jersey for his very eloquent and moving remarks.

As director of the NAACP's Washington office since 1950, Clarence Mitchell is well known to all of us in the Senate. He is held in the highest esteem for his brilliant and tireless work to defend and, where necessary, to restore the unalienable rights of all Americans.

It is because Mr. Mitchell, his wife, distinguished son and family are all well known and respected residents of Maryland, that it is a particular pleasure for me to add my personal compliments to the virtually unanimous acclaim with which this award has been received throughout the Nation.

The words of the Spingarn Award are well chosen, as the distinguished Senator from New Jersey (Mr. CASE) has stated. It has been Mr. Mitchell's abiding faith in the democratic process, his tenacity, the strength of his remarkable character and intellect that have sustained him and all who have been associated with him through the discouragements of the fifties and the stresses, strains, and successes of the sixties.

There is no doubt that the experiences of the fifties, some of them bitter, laid the groundwork for the shift in public opinion that made possible the historic 1964 Civil Rights Act banning racial discrimination in places of public accommodations; the Voting Rights Act of 1965—now unfortunately imperiled by the present administration's willingness to let it expire—it will not expire because those of us in the Senate who fought the battle before will fight it again—and the landmark fair housing title of the 1968 Civil Rights Act.

Public opinion does not shift of its own accord. It is a lesson to political activists and idealists of today who are impatient for change and for progress that the Nation's conscience finally was aroused and laws that have proved effective were enacted because of the work of Clarence Mitchell and a few others—patient, dedicated, nonviolent work by men of the wisdom and leadership of Clarence Mitchell.

It was not my privilege to serve in the U.S. Senate during those early struggles; but in the few years that I have been privileged to represent Maryland in the U.S. Senate, I have come to count on Clarence Mitchell for invaluable support on a wide variety of matters vitally affecting the public interest and the interest of the citizens of Maryland—and, indeed, to count on the entire Mitchell family of Maryland for public spirit leadership of the highest caliber in community, State, and National affairs.

Clarence Mitchell's lifetime work is an inspiration not only to those of us who are his fellow Marylanders but also to everyone who has had the good fortune to be associated with him in the struggle to make this "a more perfect Union."

I might say to those of the generation to follow, the generation which will soon take over leadership, the generation which has all the wonderful impatience of youth, that the work, the struggles, and the success of this man should be a guide to those today who are impatient with our system and the ability of our institutions to change rapidly enough. The work of Clarence Mitchell shows the democratic system at its finest.

So, Mr. President, I take great honor in paying tribute to this 54th recipient of the Spingarn Award to a great American, Clarence Mitchell.

Mr. President, I yield the floor.

Mr. HARRIS. Mr. President, I would like to join my colleagues in paying tribute to Clarence M. Mitchell, Jr., who was recently chosen by the NAACP as the 54th Spingarn medalist. He is truly deserving of this award which recognizes the outstanding contribuion he has made in the enactment of civil rights legislation and other just and equitable legislation.

As a Senator, I have admired and respected the manner in which Mr. Mitchell has advanced the cause of the disadvantaged citizen. His intelligent and consistent appeal for fairness and justice has had a tremendous impact on all Members of Congress. For his accomplishments, he has not only been awarded the Spingarn Medal, but has also been awarded the satisfaction of knowing that he has in fact advanced the civil rights of all citizens of this Nation.

Mr. BROOKE. Mr. President, last week the NAACP, meeting at its annual convention in Jackson, Miss., recognized one of its own for his outstanding service in the promotion of brotherhood and human understanding. This organization could have found no more fitting time or place to publicly cite the immense and unremitting efforts of Clarence Mitchell in the cause of civil rights.

For 23 years Clarence Mitchell has devoted himself to the service of the NAACP and the people of America. He has spent 19 of those 23 years as the organization's chief representative in Washington.

Since coming to Washington it has been my privilege to work with Clarence Mitchell on many projects. His efforts were instrumental in passing the open-housing legislation which Senator MONDALE and I proposed last year. This year his efforts have been focused largely on revealing and eliminating inequities in the Federal employment structure.

Clarence Mitchell works quietly, but the effects of his labors will be felt by millions of Americans for many years to come. It was the American authoress Willa Cather who once observed:

> That is happiness; to be dissolved into something complete and great.

If that, indeed, is an accurate definition of happiness—and I have every reason to believe that it is—then Clarence Mitchell, with his lifelong dedication to a worthy cause—is a happy man indeed. I salute him proudly upon his receipt of the coveted and distinguished Spingarn Medal, which he so richly deserves.

Mr. PERCY. Mr. President, I would like to join my colleagues in commenting on the tremendously important contribution which Clarence M. Mitchell, Jr., has made to civil rights legislation and the advancement of all black Americans. The Washington Post recently hailed him as the 101st U.S. Senator. To this, I would say that few of us have been able to represent our constituency as well as has Mr. Mitchell in his untiring devotion and dedication to the principles of true equality and justice under the law. At a time when we must all realize that segregation is not the answer to a tradition of racism and prejudice, I believe that Mr. Mitchell's efforts in the enactment of the fair housing provision of the Civil Rights Act of 1968 take on a new meaning and importance. Mr. Mitchell has chosen not only the most peaceful but the most influential means of dissent by seeking legislatively to bring his 100 other colleagues to know the true extent to which black people have been advantage poor and opportunity poor in this otherwise prosperous Nation.

Mr. Mitchell not only richly deserves the 1969 Spingarn Medal from the NAACP but also the respect and cooperation from every Member of Congress and every citizen, black and white.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT OF AGREEMENTS UNDER THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, a report of title I agreements under the Agricultural Trade Development and Assistance Act of 1954 (with an accompanying report); to the Committee on Agriculture and Forestry.

REPORT ON OVEROBLIGATION OF AN APPROPRIATION

A letter from the Secretary of Transportation, reporting, pursuant to law on the overobligation of an appropriation by the Federal Aviation Administration (with an accompanying paper); to the Committee on Appropriations.

PROPOSED ADJUSTMENT OF SALARIES OF MEMBERS OF THE DISTRICT OF COLUMBIA COUNCIL

A letter from the Chairman, Civil Service Commission, transmitting a draft of proposed legislation to adjust the salaries of the Chairman, the Vice Chairman, and other members of the District of Columbia Council (with accompanying papers); to the Committee on the District of Columbia.

PROPOSED LEGISLATION ACQUIRING PROPERTY ADJACENT TO FORD'S THEATER IN THE DISTRICT OF COLUMBIA

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to acquire certain property adjacent to the Ford's Theatre in the District of Columbia, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

PROPOSED ESTABLISHMENT OF A VOLUNTEERS IN THE PARK PROGRAM

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to establish a Volunteers in the Park program (with an accompanying paper); to the Committee on Interior and Insular Affairs.

REPORT ON AWARD OF THE YOUNG AMERICAN MEDALS FOR BRAVERY AND SERVICE FOR 1967

A letter from the Attorney General of the United States, reporting, pursuant to law, on the valor of American youth as demonstrated recently by the award of the Young American Medals for Bravery and Service for 1967, dated July 8, 1969; to the Committee on the Judiciary.

PROPOSED IMPROVEMENT IN THE ADMINISTRATION OF THE LEAVE SYSTEM FOR FEDERAL EMPLOYEES

A letter from the Chairman, Civil Service Commission, transmitting a draft of proposed legislation to improve the administration of the leave system for Federal employees by amending title 5, United States Code (with accompanying papers); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by the Americans for Patriotism, Inc., of Scarsdale, N.Y., praying for the enactment of legislation to increase the size of the American Revolution—Bicentennial Commission; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

The PRESIDING OFFICER announced that on today, July 10, 1969, the Vice President signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

S. 1647. An act to authorize the release of 100,000 short tons of lead from the national stockpile and the supplemental stockpile; and

H.R. 3689. An act to cede to the State of Montana concurrent jurisdiction with the United States over the real property comprising the Veterans' Administration Center, Fort Harrison, Mont.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 2785. An act to authorize the Secretary of the Interior to convey to the State of Tennessee certain lands within Great Smoky Mountains National Park and certain lands comprising the Gatlinburg Spur of the Foothills Parkway, and for other purposes (Rept. No. 91–297).

By Mr. DIRKSEN, from the Committee on the Judiciary without amendment:

S. 2462. A bill to amend the joint resolution establishing the American Revolution Bicentennial Commission (Rept. No. 91–299); and

S.J. Res. 85. A joint resolution to provide for the designation of the period from August 26, 1969, through September 1, 1969, as "National Archery Week" (Rept. No. 91–300).

By Mr. SCOTT, from the Committee on the Judiciary, without amendment:

S. 267. A bill for the relief of Lt. Col. Samuel J. Cole, U.S. Army (retired) (Rept. No. 91–298).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 571. A bill for the relief of Dr. Diego Aguilar Aranda (Rept. No. 91–301);

S. 1526. A bill for the relief of Dr. Zeliha Bilsel (Rept. No. 91–308);

S. 1527. A bill for the relief of Dr. Yilmaz Bilsel (Rept. No. 91–307);

S. 1645. A bill for the relief of Andrew Chu Yang (Rept. No. 91–305);

S. 1798. A bill for the relief of Dr. Yavuz Aykent (Rept. No. 91–306);

S. 1963. A bill for the relief of Wu Hip (Rept. No. 91–304);

S. 2019. A. bill for the relief of Dug Foo Wong (Rept. No. 91–302);

H.R. 1828. An act to confer U.S. citizenship posthumously upon James F. Wegener (Rept. No. 91–303);

H.R. 1948. An act to confer U.S. citizenship posthumously upon Pfc. Joseph Anthony Snitko (Rept. No. 91–312);

H.R. 2224. An act for the relief of Franklin Jacinto Antonio (Rept. No. 91–311);

H.R. 2536. An act for the relief of Francesca Adriana Millonzi (Rept. No. 91–310);

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H.R. 2890. An act for the relief of Rueben Rosen (Rept. No. 91–309);

H.R. 3166. An act for the relief of Aleksandar Zambeli (Rept. No. 91–313);

H.R. 3167. An act for the relief of Ryszard Stanislaw Obacz (Rept. No. 91–314);

H.R. 3172. An act for the relief of Yolanda Fulgencio Hunter (Rept. No. 91–315);

H.R. 3376. An act for the relief of Maria da Conceicao Evaristo (Rept. No. 91–316); and

H.R. 10060. An act for the relief of L. Cpl. Peter M. Nee (2465662) (Rept. No. 91–317).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 1110. A bill for the relief of Nickolas George Polizos (Rept. No. 91–318).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session, the following favorable reports of nominations were submitted:

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare:

Hubert B. Heffner, of California, to be Deputy Director of the Office of Science and Technology;

William David McElroy, of Maryland, to be Director of the National Science Foundation; and

Dr. Roger O. Egeberg, of California, to be an Assistant Secretary of Health, Education, and Welfare.

By Mr. EASTLAND, from the Committee on the Judiciary:

Gerald S. Levin, of California, to be U.S. district judge for the northern district of California;

H. Emory Widener, Jr., of Virginia, to be U.S. district judge for the western district of Virginia;

Charles S. White-Spunner, Jr., of Mobile, Ala., to be U.S. attorney for the southern district of Alabama;

R. Jackson B. Smith, Jr., of Georgia, to be U.S. attorney for the southern district of Georgia;

Charles H. Anderson, of Tennessee, to be U.S. attorney for the middle district of Tennessee;

Wade H. Ballard III, of West Virginia, to be U.S. attorney for the southern district of West Virginia;

James M. Sullivan, Jr., of New York, to be U.S. attorney for the northern district of New York;

Leigh B. Hanes, Jr., of Virginia, to be U.S. attorney for the western district of Virginia;

Henry A. Schwarz, of Illinois, to be U.S. attorney for the eastern district of Illinois;

Evan LeRoy Hultman, of Iowa, to be U.S. attorney for the northern district of Iowa;

Robert J. Roth, of Kansas, to be U.S. attorney for the district of Kansas;

Donald E. Walter, of Louisiana, to be U.S. attorney for the western district of Louisiana;

James E. Williams, of South Carolina, to be U.S. marshal for the district of South Carolina;

Isaac George Hyltin, of Virginia, to be U.S. marshal for the eastern district of Virginia;

Frank M. Dulan, of New York, to be U.S. marshal for the northern district of New York;

George E. Tobin, of California, to be U.S. marshal for the northern district of California;

Charles R. Wilcox, of Wyoming, to be U.S. marshal for the district of Wyoming;

Melvin A. Hove, of Iowa, to be U.S. marshal for the northern district of Iowa;

Robert G. Wagner, of Ohio, to be U.S. marshal for the northern district of Ohio;

William F. Howland, Jr., of Virginia, to be a member of the Board of Parole; and

William E. Amos, of Maryland, to be a member of the Board of Parole.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN:

S. 2578. A bill to amend section 165(g) of the Internal Revenue Code of 1954 which provides for treatment of losses on worthless securities; to the Committee on Finance.

By Mr. SCOTT:

S. 2579. A bill to authorize the Commissioner of Education to make Vocational Education Opportunity Grants; to the Committee on Labor and Public Welfare.

(The remarks of Mr. Scott when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. SPARKMAN (by request):

S. 2580. A bill to increase the authority of savings and loan associations to aid in providing housing in inner cities and elsewhere, to enable such associations to obtain additional working capital, and for other purposes; to the Committee on Banking and Currency.

By Mr. SCOTT (for himself, Mr. Allott, Mr. Boggs, Mr. Case, Mr. Cooper, Mr. Dodd, Mr. Goodell, Mr. Javits, Mr. Mathias, Mr. Packwood, Mr. Pell, Mr. Ribicoff, Mr. Schweiker, and Mr. Tydings):

S. 2581. A bill to authorize the reduction or elimination of the hazards of public rail-highway grade crossings along the high-speed rail line between Washington, District of Columbia, and Boston, Massachusetts; to the Committee on Commerce.

(The remarks of Mr. Scott when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. DOMINICK (for himself, Mr. Allott, Mr. Bellmon, Mr. Bible, Mr. Cannon, Mr. Church, Mr. Curtis, Mr. Dole, Mr. Fannin, Mr. Fong, Mr. Goldwater, Mr. Hansen, Mr. Hruska, Mr. Jackson, Mr. Jordan of Idaho, Mr. Magnuson, Mr. Mansfield, Mr. Metcalf, Mr. Montoya, Mr. Mundt, Mr. Murphy, Mr. Pearson, Mr. Stevens, Mr. Thurmond, Mr. Tower, Mr. Young of North Dakota, and Mr. Moss:

S. 2582. A bill to authorize the minting of clad silver dollars bearing the likeness of the late Dwight David Eisenhower; to the Committee on Banking and Currency.

(The remarks of Mr. Dominick when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. McGEE:

S. 2583. A bill to provide for the conveyance to the county of Washakie, State of Wyoming, of certain real property of the United States; and

S. 2584. A bill to amend the Federal Property and Administrative Services Act of 1949 so as to permit donations of surplus personal property and surplus real property to States and political subdivisions thereof for use in establishing and maintaining public museums; to the Committee on Government Operations.

By Mr. ERVIN:

S. 2585. A bill to amend title II of the Social Security Act so as to permit certain additional individuals who become disabled prior to attaining age 31 to become entitled to disability insurance benefits; to the Committee on Finance.

By Mr. MUSKIE:

S. 2586. A bill for the relief of Gun Wa Mok;

S. 2587. A bill for the relief of Yu Chan;

S. 2588. A bill for the relief of Yuen Fung; and

S. 2589. A bill for the relief of Shui Choy Chan; to the Committee on the Judiciary.

By Mr. MOSS:

S. 2590. A bill to provide for the establishment of a Commission on Marihuana; to the Committee on the Judiciary.

(The remarks of Mr. Moss when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. GURNEY:

S. 2591. A bill to amend section 203, Federal Property and Administrative Services Act of 1949, to provide for the distribution of surplus personal property to State and local police organizations; to the Committee on Government Operations.

(The remarks of Mr. Gurney when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. MONTOYA:

S. 2592. A bill to provide financial assistance to States and nonprofit private organizations for the establishment of comprehensive drug abuse prevention and rehabilitation centers, and for other purposes; to the Committee on Labor and Public Welfare.

(The remarks of Mr. Montoya when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. HOLLAND (for himself and Mr. Gurney):

S.J. Res. 133. A joint resolution to redesignate the area in the State of Florida known as Cape Kennedy as Cape Canaveral; to the Committee on Interior and Insular Affairs by unanimous consent.

(The remarks of Mr. Holland when he introduced the joint resolution appear earlier in the Record under the appropriate heading.)

By Mr. TYDINGS (for himself, Mr. Brooke, Mr. Dodd, Mr. Goodell, Mr. Gravel, Mr. Harris, Mr. Hollings, Mr. Mathias, Mr. McClellan, Mr. Moss, Mr. Muskie, Mr. Packwood, Mr. Pell, Mr. Randolph, Mr. Stevens, and Mr. Yarborough):

S.J. Res. 134. A joint resolution authorizing the President to proclaim the week of September 28, 1969, through October 4, 1969, as "National Adult-Youth Communications Week"; to the Committee on the Judiciary.

(The remarks of Mr. Tydings when he introduced the joint resolution appear later in the Record under the appropriate heading.)

By Mr. HARRIS (for himself, Mr. Curtis, Mr. Hatfield and Mr. Ervin):

S.J. Res. 135. A joint resolution to authorize the President to proclaim September 30, 1969, as "Bible Translation Day"; to the Committee on the Judiciary.

(The remarks of Mr. Harris when he introduced the joint resolution appear later in the Record under the appropriate heading.)

S. 2579—INTRODUCTION OF A BILL AUTHORIZING THE COMMISSION OF EDUCATION TO MAKE VOCATIONAL EDUCATION OPPORTUNITY GRANTS

Mr. SCOTT. Mr. President, I am introducing today, the Vocational Education Opportunity Grant Act of 1969, or "New Start program." It is designed to provide job training for 100,000 youths from poverty areas each year.

It would provide grants up to $2,500 per year for 2 years to persons 17 years of age or older for full-time training in accredited private vocational schools of their choice. The grants would be reserved for those who are academically, socially, economically, or culturally disadvantaged, and have not completed their secondary education or have not been able to obtain regular employment.

This bill would operate much like the GI bills which provide financial assistance to veterans for education and career training in fields of their choice. The experience gained during the past quarter-century under the GI bills, which helped many returning veterans make a new start, can be used to assist the underprivileged youth of America.

Since the first veterans' assistance program started operation, many highly qualified private technical schools have grown up across the country. I propose, with this bill, to enlist these institutions in the effort toward full employability of those able to learn a skill.

While many employers are searching for workers to fill vacant jobs, high school dropouts, and many graduates as well, find themselves without marketable skills. These are the hard-core unemployed. They want the training which would qualify them for these jobs, but they cannot afford the tuition of private technical schools, and the public vocational schools are often unable to accommodate their needs.

The public vocational system is not geared, in most cases, to accept older, more mature men and women who want to move ahead very quickly to acquire a skill which can be turned into earning power.

Dr. Herbert Striner of the Upjohn Institute for Employment Research, Washington, D.C., who has given me valuable assistance in preparing this legislation, said:

> Separation from the school system by virtue of time and experience suggests that these former students can no longer be regarded as potentials for returning to the public system.

The private technical training schools are set up to handle the type of applicant who would be eligible for assistance under my bill. These schools provide a curriculum which reflects the current needs of industry and they also usually provide excellent counseling and placement services, which is an essential follow-up to the assistance I have in mind.

This new program, along with existing public vocational education programs, can offer a new start and new opportunities to those with the desire and the ambition to work and to become contributing members of their communities.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2579) to authorize the Commissioner of Education to make Vocational Education Opportunity Grants, introduced by Mr. Scott, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

S. 2581—INTRODUCTION OF A BILL RELATING TO THE HAZARDS OF GRADE CROSSINGS ALONG THE HIGH-SPEED RAIL LINE BETWEEN WASHINGTON, D.C., AND BOSTON, MASS.

Mr. SCOTT. Mr. President, I introduce for appropriate reference, safety legislation to reduce or eliminate the hazards of public crossings on highways and roads along the routes of the new high-speed passenger trains now serving the Northeast rail corridor. Both the parties of the Washington, D.C.-to-New York "Metroliner," and its New York-to-Boston turbine-powered counterpart, are included in my bill to insure that each has an opportunity to reach the full potential envisioned when these trains were launched as prototype demonstration projects under the High Speed Ground Transportation Act of 1965, legislation which I was privileged to cosponsor.

I welcome as cosponsors of my bill today Senators Gordon Allott, Republican of Colorado; J. Caleb Boggs, Republican of Delaware; Clifford P. Case, Republican of New Jersey; John Sherman Cooper, Republican of Kentucky; Thomas J. Dodd, Democrat of Connecticut; Charles E. Goodell, Republican of New York; Jacob K. Javits, Republican of New York; Charles McC. Mathias, Jr., Republican of Maryland; Robert W. Packwood, Republican of Oregon; Claiborne Pell, Democrat of Rhode Island; Abraham Ribicoff, Democrat of Connecticut; Richard S. Schweiker, Republican of Pennsylvania, and Joseph D. Tydings, Democrat of Maryland.

Although none of the 43 public crossings are located in my Commonwealth of Pennsylvania, my interest in this proposal is in no way diminished. Pennsylvania has long been identified with an interest in high-speed ground transportation generally, and especially with the "Metroliner," the cars for which were built in my State in an effort which involved, directly or indirectly, the jobs of some 20,000 Pennsylvanians.

Of even more immediate importance is the fact that without crossings improvements, neither of these trains will ever be able to offer to the residents of my State, or to members of the traveling public from any other, the benefits of truly high-speed rail passenger service.

Mr. President, the introduction of this bill comes at a time when the Senate Commerce Committee's Subcommittee on Surface Transportation, of which I am a member, has initiated hearings on the crucial subject of rail safety. Because of their spectacular nature, air crashes have tended more often to capture the focus of public attention and concern. But if there is one theme which has dominated our subcommittee hearings, it is that the Nation's railways, too, are confronted with a safety problem of growing magnitude. For trains designed to travel at speeds in excess of 100 miles per hour, the potential danger to life and property is particularly critical. Road crossings, and the hazards they pose to both rail and highway traffic, are an integral part of this problem.

Forty-three public crossings lie along the combined routes that compose the Washington, D.C.-to-Boston, high-speed Northeast rail corridor. These include, by State, 15 in Maryland, four in Delaware, seven in Connecticut, 16 in Rhode Island, one in Massachusetts. Certain of these crossings in Delaware and Maryland are already the object of agreements between those States, and the Department of Transportation, which will provide interim safety advances through modernized warning systems and other improvements. Yet the introduction of high-speed service into a corridor already crowded with traffic demands that more permanent solutions, including in many instances the total separation of road and rail, be realized. This is the purpose of my bill.

In practice, this proposal would require that the Secretary of Transportation give first consideration, where practicable, to the total closing of a crossing as the ultimate means of safety. It is intended that the Secretary would promulgate appropriate criteria based on all relevant factors in order to avoid any indiscriminate application of the practicability standard. It is further intended that public hearings, where necessary, would be held in order to facilitate fairly such decisions.

Where it was determined, for public convenience or other reasons, that such a closing could not be "practicably effected," the Secretary would then be specifically authorized to enter into project agreements on a shared-cost basis with the States or their political subdivisions, and the railroads. For the payment of Federal costs, my bill proposes a flexibility that would make available not only general revenues, but where appropriate and in keeping with the public interest, the use of Federal-aid highway funds, instead.

Because it is doubtful that Congress could authorize the expenditure of public funds from any source for the 36 private crossings that are also a part of the Northeast high-speed rail corridor, my bill does not attempt to accomplish this. I believe it can be hoped realistically, however, that the enactment of this legislation would provide the necessary incentive to encourage private arrangements to meet this problem as well.

Mr. President, similar proposals have already been the subject of hearings in the House of Representatives. I urge early and favorable Senate consideration of this vitally needed rail safety legislation.

Mr. President, I ask unanimous consent to have the full text of my bill printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2581) to authorize the reduction or elimination of the hazards of public rail-highway grade crossings along the high-speed rail line between Washington, District of Columbia, and Boston, Mass., introduced by Mr. Scott (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 2581

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of Transportation shall pay to each State and the District of Columbia the cost of every project to reduce or eliminate the hazards of each public ground-level rail-highway crossing along the route of the high-speed ground transportation demonstration project between Washington, District of Columbia, and Boston, Massachusetts, being conducted under the authority of the Act entitled "An Act to authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation, and for other purposes", approved September 30, 1965 (49 U.S.C. 1631 et. seq.).

(b) Each project to eliminate the hazards of such a crossing shall be subject to section 130 of title 23, United States Code, in the same manner and to the same extent as any other project subject to the same section, except that if the highway involved is not on the Federal-aid highway primary or secondary system (including their extensions within urban areas) or on the National System of Interstate and Defense Highways, then the entire Federal cost of such project shall be paid out of sums appropriated to carry out this Act and not from amounts apportioned to the State under section 104 of title 23, United States Code.

SEC. 2. Before paying any part of the cost of a project under the first section of this Act, the Secretary shall—

(1) determine that the elimination of the hazard at such crossing cannot be practicably effected by the closing of such crossing, and

(2) determine that the State has entered into an agreement with its affected political subdivisions and the railroads involved in such project to provide all non-Federal costs of such project.

SEC. 3. There is authorized to be appropriated such sums as may be necessary to carry out this Act as it applies to projects not on the Federal-aid highway systems.

S. 2582—INTRODUCTION OF A BILL AUTHORIZING THE MINTING OF DWIGHT DAVID EISENHOWER CLAD SILVER DOLLARS

Mr. DOMINICK. Mr. President, I am introducing a bill today to provide for minting and issuing an Eisenhower silver dollar. I am joined in this proposal by 26 cosponsors.

This will be a prestige coin of which this country can be proud. It will very possibly be the last silver coin to be minted by the United States. It will honor Dwight David Eisenhower, a man who symbolizes the highest traditions of service to his country in both war and peace. To the very last day of his life he was a symbol of strength and honor for the people of the United States and the world.

I am a member of the Joint Commission on Coinage. That Commission together with Secretary of the Treasury, David M. Kennedy, announced on May 12, 1969, its decision to request authority to discontinue the minting of silver half-dollars and mint a silverless half-dollar and a new dollar coin with no silver content. I oppose that decision.

The decision has been made to sell our reserves of silver. We will retain only 165 million ounces in our strategic stockpiles under the Office of Emergency Preparedness and some minor reserves in other agencies.

The decision has been made to remove the U.S. Government from the silver market. Given these decisions I can see no better way to accomplish these goals, mark the end of an era in our country's history and pay a tribute to a truly great American.

This bill amends section 101(a) of the Coinage Act of 1965, 31 U.S.C. 391a. It simply adds the dollar coin containing 40 percent silver and an 800 fine cladding. It will be identical, in composition, to the Kennedy half dollar.

It provides that the coin shall bear the likeness of Dwight David Eisenhower.

It further provides that no less than 100 million coins annually shall be minted for 3 years from January 1, 1970. It is hoped that the number actually coined and issued will far exceed these figures. It does recognize the limitations of our present reserves and allows Congress the opportunity to review this matter after 3 years. These amounts are wholly realistic both in terms of remaining silver reserves and production capacity of the U.S. Mint.

The Treasury has approximately 150 million ounces left in reserves. We are auctioning one and one-half million ounces a week on the open market. The sales price on July 1, 1969, was $1.59 an ounce. The decision has been made to divest ourselves of these silver stocks. The Government will be out of the silver business in less than 2 years providing the sales continue. The silver held by the Treasury in the form of bullion and coins is an asset of the U.S. Treasury. There are two ways to divest ourselves of this asset. We can continue sales as we are now and get $1.59 an ounce, or whatever the market rate on the day of sale, or we can mint and issue a silver coin as we are doing with the Kennedy halves. The monetary value of silver received for a coin is $3.16 an ounce. Simply stated there is approximately one-third of an ounce of silver in a dollar coin as set out in this bill. When this coin is issued through the Federal Reserve bank the U.S. Treasury receives a dollar in exchange. If a person wanted to melt down the coins and sell the silver he must melt 3.16 dollar coins to obtain 1 ounce of silver. In other words the U.S. Treasury gets $3.16 an ounce for its silver. This holds true whether the coins are in circulation or not. The price of silver would have to reach $3.16 an ounce before as much could be realized by direct sales.

It has been argued that the Government can make even more with base metal coins, such as our quarters, because the materials only cost a few cents. This is certainly true, but what do we do with our assets of silver stocks? The only question remaining is where we can get the best price. We get the greater monetary return by minting and issuing coins. At a market price of $1.59 the increase in value is $1.57, almost double the sales price.

It has been argued that these coins will not circulate and this is the only purpose of money, as a medium of exchange. Certainly many of these coins will not circulate. It obviously is, in part, a commemorative coin just as was the Kennedy half-dollar.

Some will be collected or just held. Some will be melted down and the silver sold when it can be done at a profit. Some will return to circulation. The principal point still is, however, at what price do we sell our remaining silver—$1.59 an ounce or $3.16 an ounce. If the Treasury is concerned only with circulation they can mint and issue base metal coins simultaneously.

There are other complex issues involved concerning silver use and production. The die has been cast, however, so far as any direct role the Government will play by disposing of our silver assets. The silver market is affected by many factors. The sale of silver by the U.S. Treasury at $1.29 an ounce prior to 1967 artificially depressed the market. Sales at the market price since that time has seen a slight rise in the average price of silver. Wide fluctuations still occur. It has, however, been estimated that a reduction in sales to one-half million ounces a week from Treasury stocks would cause only a nominal rise in the price under current conditions. All of this only points out that this will give no special advantages nor cause any significant disadvantages to any silver interests.

We are divesting ourselves of our silver. The remaining reserves are adequate to mint an Eisenhower silver dollar and continue some sales at a lower level or decreasing level. We can receive a much higher value for our remaining silver assets by coining as opposed to outright sales.

More importantly, we will mint a coin of great prestige and value. We can honor Dwight David Eisenhower, a man who gave so much to our country. It is only fitting that we so honor our late President, as we did for the late John F. Kennedy, with a coin of real value. This great Nation should have a prestige coin. We cannot return to the old silver cartwheels just as we cannot return to the era of which they are a symbol. We can, however, mark the end of another era with a coin that reflects the greatness of this country and commemorates the man who devoted his life to service of that country. An Eisenhower silver dollar is a tribute not only to the man, but to the Nation and ideals he served.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2582) to authorize the minting of clad silver dollars bearing the likeness of the late Dwight David Eisenhower, introduced by Mr. DOMINICK (for himself and other Senators) was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. HANSEN. Mr. President, I am pleased today to join my good friend and colleague, the distinguished Senator from Colorado, in introducing a bill to authorize the minting of clad silver dollars bearing the likeness of the late Dwight David Eisenhower.

It is appropriate that such a coin should commemorate a man held in esteem by so many millions of Americans and other millions all over the world, a man who in the true American tradition rose from a modest start in a small Kansas town to lead America and the allied forces to victory in Europe. He was President of all Americans, as proved by the overwhelming vote by which he was reelected to a second term, and by his sound counsel to those who sought it after his retirement from public life.

It is especially fitting that a silver dollar, the once proud symbol of American solidarity and fiscal soundness, should be an Eisenhower dollar. It is fitting, too, that such a symbol should be available to all of the millions who remember General and President Eisenhower as one of their own, a leader but also an ordinary and humble man.

Silver dollars in Wyoming and other Western States—the "old cartwheels"—were not only a proud and solid symbol but were also the principal medium of exchange in retail establishments until they disappeared from the scene a few years back. None have been minted in recent years and the few million remaining in Treasury stocks went into collector's seclusion after quarters and dimes were reduced to their present lowly and brassy state. Only the Kennedy half dollar retains any actual intrinsic value with a 40-percent silver content and the Treasury even threatens to do the same to them as it did to the dimes and quarters.

But it seems to me that the least we could do for our two late great Presidents is to preserve their memory in something of real value but at the same time something within the reach of all as a keepsake and something that can also offer a little sense of security to the cash register's clink or the jingle in a cowboy's jeans.

There is enough silver set aside in a national strategic stockpile to take care of any emergency defense or space needs and to those who say the remaining Treasury stocks should go into teapots and silver service sets, I say it is just as important that this modest amount be used to mint a coin and symbol for the use of all—as a proper tribute to a great American.

S. 2590—INTRODUCTION OF A BILL TO PROVIDE FOR THE ESTABLISHMENT OF A COMMISSION ON MARIHUANA

Mr. MOSS. Mr. President, I introduce, for appropriate reference, a bill to establish a Presidential Commission to study the legal, social, and medical questions arising out of the growing use of marihuana in our country.

Within 2 years after its establishment, the Commission would be required to submit to the President and the Congress a comprehensive report on its study and investigation, including recommendations for specific legislative proposals which should be considered, or the administrative action which should be taken.

The information available on marihuana is most confusing. We can make only an educated guess as to how many of our young people use marihuana, but we think it is at least 2 million. There is a great difference of opinion among authorities as to its effects on the psychological and physical functions of the human body. About the only thing on which everyone seems to agree is the individuality of the drug experience. Yet we have in effect Federal laws which make the possession, sale or use of marihuana a crime, subject to severe penalties. As my colleagues may remember, I have spoken a number of times on the Senate floor in the past few years on the importance of knowing far more than we know now about marihuana and its effects before we can seek proper controls.

Some of the questions I have raised in the past are these:

"How dangerous is marihuana?"

"Does it, like alcohol, pose primarily a problem of use as opposed to abuse?"

"Or is it a drug the use of which should be discouraged at all costs—a drug which under certain conditions and dosages can lead to hallucinations, to a faulty sense of time, to a loss of judgment, to a lack of muscular coordination, and to many other undesirable, physical and mental manifestations?"

"Again, what are the long term effects of smoking marihuana? Could it induce lung cancer, as we know the smoking of cigarettes made of tobacco can, or would its continued use cause chromosomal changes, as we know can be the case in even the limited use of LSD?"

"To what extent may the use of marihuana lead to the use of other drugs, such as heroin or morphine or cocaine, whose serious effects we have established?"

In 1937 when the Marihuana Tax Act was signed into law, Congress was fully convinced of marihuana's "injurious effect upon the health and morals of the people of this country." The act, which is enforced by the Bureau of Narcotics, requires registration and payment of a graduated occupational tax by all persons who import, manufacture, produce, compound, sell, deal in, dispense, prescribe, administer, or give away marihuana. Penalties for possession in violation of the law vary from a minimum of 2 years for a first offense to a maximum of 40 years for smuggling, selling or otherwise transferring marihuana, with the most severe penalties applying to the transfer of marihuana from an adult to a minor.

This law had been on the books for only a few years when Fiorella La Guardia, New York's unpredictable mayor, ordered a survey on the use of marihuana in New York, and its effects. The La Guardia Committee report challenged many of the conclusions on which the Federal law was based, and the La Guardia Committee conclusions were in turn attacked by the Journal of the American Medical Association. Other reports and more discussion followed, reaching new heights in 1963, when the Kennedy Commission recommendations came out, and again when the President's Commission on Law Enforcement and the Administration of Justice—the Crime Committee, as we call it—reported in 1967, and discussed marihuana among other things.

But nowhere—at any time—has an attempt been made to study and coordinate all of the available findings and statistics and observations, and distill from them any sort of integrated recommendations. This undoubtedly should be done.

Each time I have spoken in the Senate, I have pointed to a Federal research program now underway which I hope will give us clearer answers to some of our questions. It is the drug research program of the National Institute of Mental Health, which encompasses several studies on marihuana. Each year I have made a particular point of supporting the NIMH budget request for drug research. It has been going gradually up, despite the fact that other programs have taken substantial cuts. In the fiscal year 1968, $4 million was appropriated, in fiscal 1969, $4.6 million, and the request for fiscal 1970 is for $4.95 million. I trust it will be granted.

If we can continue the work which has been started, sound information should soon begin to emerge. The Institute was delayed in undertaking scheduled research on the behavioral effects of marihuana because adequate supplies were not available either of marihuana or of a synthetic used in testing it, called tetrahydrocannabinol. Now, I am told, these supplies are on hand, and good behavioral studies are underway which should give us some tentative answers at least on the fundamental mechanisms of perception, emotion and memory.

NIMH is also moving to get some firm information on the long-term effects of the use of marihuana. Observations on the natural histories of the lives of marihuana-using young people in this country obviously would be delayed for many years. So NIMH is negotiating for permission to make studies among the populations of several countries where large numbers of its citizens have traditionally used marihuana over a long period of time. The mental and physical health and habits of habitual users will be contrasted with that of non-users in the same area and with the same background and heritage.

Also, the Institute is making headway on several surveys on patterns of drug use among high school and college students, so we will have some acceptable national figures. Dr. Stanley Yolles, the Director of NIMH, reported progress on these studies when he appeared recently before the Labor and HEW Appropriations Subcommittee. He stated:

> Several aspects are nearing completion on the patterns of drug use by high school and college age youth. A survey instrument is being developed for collaborative investigations into the prevalence and characteristics of drug use by these groups. Preliminary reports from the college surveys indicate that approximately 18 percent of college students have used marihuana one or more times, and that about 8 percent have used hallucinogenic drugs at least once. These data need to be followed up by more extensive survey information, utilizing the instruments developed in the pilot studies.

One of the surveys to which Dr. Yolles referred has been completed and its results reported in a recently published book, "Students and Drugs" by Richard H. Blum and associates. Although the survey was small in scope, and perhaps for this reason cannot be considered fully authoritative, it showed a substantial increase in the use of marihuana by college students.

First. In 1968, up to 57 percent had tried marihuana—plus or minus 12.75 that is, between 44 percent and 70 percent—as compared with 21 percent the previous year. Of these, almost all intend to continuing using—53 percent.

Second. In 1968, 14 percent used it

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somewhat regularly as compared with 4 percent the previous year.

Third. A predicted 70 percent will have tried marihuana by spring 1969.

Fourth. Approximately 8 percent began use in high school.

The statistics reported by Mr. Blum are based on a sample from "School I"—300 students covered—which was a part of a survey of five west coast colleges conducted during the 1966–67 academic year, compared with a small followup survey—100 students covered—of randomly selected students in 1968 from the same school. Throughout the book he emphasizes the small scope of the survey and advises caution in use of the data reported.

Mr. President, there is already a large body of information on marihuana—enough for us to begin analyzing the problem, and to begin to formulate ideas on what should be done. During the next year or so, even more authoritative information will be available.

So I feel that the time has come when we should set up the machinery to evaluate what we already know about marihuana, and to analyze the new material about its effects and use as it comes to us.

We should also take a look at our present laws on marihuana. Are they realistic? Are they too severe, or not severe enough? Should the courts differentiate in the handling of the occasional user, the frequent user and the chronic user, and the person who shares his drug with another person and the dealer who sells for a profit?

The widespread use of marihuana, particularly among college students, has been accompanied by increasing support among some groups for legalization. Other critics of the law, while not supporting legalization, take the position that marihuana should be classed with the hallucinogens controlled by the Drug Abuse Act, which provides far less severe penalties for violations, and no penalty for possession. Who is right?

Mr. President, marihuana is evidently second only to alcohol in its use among our young people to escape reality. More and more of them are smoking "reefers" or "grass" or "weeds" or "pot" or whatever is the current name for marihuana in their locality.

If the continued use of marihuana even approaches causing the harm and heartbreak which comes from the continued use of alcohol to an alcoholic, or if it induces physical ills even half as serious as lung cancer and emphysema and heart disorders which result from cigarette smoking, then we should be in a position to forewarn our young people.

I believe it would serve our national purpose to establish a Presidential Commission on Marihuana so we can stop generalizing about marihuana and start being specific about it and its use and effects.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2590) to provide for the establishment of a Commission on Marihuana, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 2591—INTRODUCTION OF A BILL PROVIDING FOR THE DISTRIBUTION OF SURPLUS PERSONAL PROPERTY TO STATE AND LOCAL POLICE ORGANIZATIONS

Mr. GURNEY. Mr. President, I am introducing a bill today to amend the Federal Property and Administrative Services Act of 1949 to allow State and local police agencies to participate in receiving U.S. Government surplus personal property.

At present this act only provides for the distribution of these surplus materials for use within the States for purposes of education, public health, or civil defense. Local law-enforcement agencies do not fall into any of these categories and so are not presently eligible to participate. This bill would include police organizations in the group of recipients of Federal surplus property.

Criminal violence is the most serious domestic crisis facing this country. The violent rate today is double the rate in 1950 and 65 percent over the 1960 rate. These statistics represent an epidemic of crime and violence which has affected virtually every segment of American society.

Law-enforcement agencies are desperately in need of these surplus materials in their battle to restore law and order. As we all know, the cities and large metropolitan areas are in trouble, and simply do not have sufficient funds to cope with local problems. The local tax dollar is not adequate to fill the needs of law-enforcement agencies. Inflation has forced metropolitan police departments to appropriate the major part of their budget for salaries, leaving little to buy, maintain, and operate needed equipment and supplies.

The list of equipment that the U.S. Government has for disposal is endless. Photographic, communications, and printing equipment, boats, automobiles, ambulances, station wagons, buses, could be used advantageously by police agencies everywhere.

Printing equipment, an item which I am sure that the Government declares surplus at various times, can be used to print training material for police officers, for community education and public relations materials. Only a few police departments can now afford helicopters, which have proven an effective deterrent against crime. Mapmaking equipment is needed to pinpoint districts of high crime incidence, and photographic equipment is needed for aerial photography. A large portion of this surplus equipment could also be used for rescue work, searches for lost children in outlying areas of the city, and rural areas adjoining the city.

The Federal Property and Administrative Services Act already has the machinery for the proper disposal of U.S. Government property through the States. This bill would simply add police organizations to the existing groups now eligible for such property. Under present law the Secretary of Health, Education, and Welfare determines the usefulness and necessity of surplus property for purposes of education and public health. The President makes the same determination for civil defense purposes. This amendment would put police organizations in the same category as civil defense, and leave determination of usefulness and necessity up to the President.

Crime in all of its ramifications is the number one problem facing the country. This would be an effective first step toward the solution of that problem. I urge the Congress to act.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2591) to amend section 203, Federal Property and Administrative Services Act of 1949, to provide for the distribution of surplus personal property to State and local police organizations, introduced by Mr. GURNEY, was received, read twice by its title, and referred to the Committee on Government Operations.

S. 2592—INTRODUCTION OF A BILL ESTABLISHING COMPREHENSIVE DRUG ABUSE PREVENTION AND REHABILITATION CENTERS

Mr. MONTOYA. Mr. President, after thoroughly studying the drug abuse problem, I am persuaded that one of our current best hopes of preventing crime and delinquency resulting from drug addiction, and for controlling illegal drug traffic, is to provide funds for rapidly establishing comprehensive treatment centers to treat drug addicts and users. Additionally, I believe there must be an aggressive publicity and educational campaign aimed at vulnerable age and social groups in our population, and—as part of this educational approach—a requirement that Federal officials periodically brief State and local governments to make them aware of what is going on in the field of drug abuse, the means available for improving controls over both usage and illegal traffic, and a coordination of efforts to improve these controls nationally.

Accordingly, Mr. President, I am introducing legislation that would:

First, authorize the Secretary of Health, Education, and Welfare to make grants to States, municipalities, and nonprofit institutions for establishing comprehensive prevention, treatment, and rehabilitation centers for drug addicts and abusers—on a voluntary basis, under civil commitment, and for addicts released pending criminal proceedings and on probation or parole;

Second, authorize the National Institute of Mental Health, in conjunction with its research on narcotics addiction and drug abuse, to carry on an intensive effort to publish educational and other materials on drug abuse. In coordination with State departments of health, the NIMH would be authorized to disseminate such materials and carry out demonstrations and other programs designed to acquaint the general public with respect to the dangers of drug addiction and abuse and encourage programs for their prevention;

Third, require the Justice Department's Bureau of Narcotics and Dangerous Drugs, in consultation with the organized crime and other components of the Department, to make State and local officials aware of what is going on in the drug abuse and illegal drug traffic areas, as well as require them to cooperate and coordinate their efforts in order to improve controls on a nationwide basis.

Mr. President, the phenomenon and tragedy of drug addiction and experimentation is increasingly recognized as a dangerous health problem of international proportions. But its consequences are not limited to the shattered lives of the users themselves. There are, of course, medically sound reasons for using drugs in man's battle against pain and disease. And while there is no consistent public policy prohibiting things that are bad for us, nevertheless the law-abiding citizen is seriously affected by drug abuse—both in terms of the high frequency of crime which it spawns and the high cost of repeatedly enforcing laws against the use of mind-altering drugs when there is little hope of rehabilitation or cure for the user.

Despite advances in treatment of the past several years, a person addicted to heroin or barbiturates has less than a 10-percent chance of full recovery to social and psychological independence. As long as he is addicted, his life in the subterranean drug culture revolves around the next "fix," and home, job, and educational opportunities do not exist for him. A habit which can cost $30 and more per day almost inevitably leads to criminal means to support it, and law-abiding citizens become victims of drug abuse as addicts rob, shoplift, and burglarize to pay for their habit.

Mr. President, it is generally recognized that it is no longer sufficient to rely on criminal preventive sanctions enacted at a time when little was known about the etiology of narcotics addiction or the elements of successful treatment. Just as the threat of long prison terms does not seem to deter the addict, neither does the reality of prison life cure him. After release, with no help in confronting his underlying addiction problem so as to prevent readdiction, it is not surprising that most addicts rejoin the illegal drug traffic and resume their prior habit.

It is necessary therefore to differentiate between addicts who are motivated to abandon drugs, and those who must be isolated as substantial threats to society. In short, the occasional marihuana smoker should not go to prison with the confirmed heroin user with criminal tendencies, nor should the same laws apply to the addict who buys as apply to the drug profiteer who sells.

The comprehensive rehabilitation programs which my bill envisions would complement other drug abuse legislation which has been introduced to permit more flexible treatment of youthful drug offenders, and those addicts prosecuted for selling drugs to support their own habit. It would, as I indicated earlier in my statement, be designed to treat drug addicts both on a voluntary basis and under civil commitment, as well as those addicts released pending criminal proceedings and on probation or parole.

Mr. President, in connection with this proposed measure, I must touch upon one point which my bill is also designed to help cure and which I acknowledge is particularly painful to me.

I am angry with a great anger at the atrocious deeds of those who deal in illicit drug traffic—particularly those whose sole motive is profit. In my opinion, the outrages which the dope peddlers in this Nation and other parts of the world have been and are continuing to perpetrate are an offense against all civilization.

None of us here can have observed and read about the disintegration and ruin of many fine young lives as the result of drug pushing activities without a profound feeling of outrage and horror. We are filled with sorrow as well that any society so penetrated with rationalism as is ours should be endangered and degraded by abominations of this sort.

Those who traffic in drugs are heaping crime upon crime in their terrible greed. They are one and all working to bring disaster on our country. Their motives and acts are heavily fraught with evil, and they have no share in the national honor.

The specter of the threat posed by drug pushers cannot be ignored, neither by private citizens nor State and local governments. Indeed, we must enlist the help of concerned Americans in fighting, step by step, this obstinate menace. While the police are doing the best they can, identification of drug pushers is complicated by the fact that in drug transactions both pusher and user attempt to avoid the police. Hence, there are usually no complainants in narcotics cases. As a result, the police often lack the "probable cause" necessary to make an arrest for possession of drugs.

In the belief that an educational program is the sine qua non of any effort to solve this social menace—and until more far-reaching programs of education which I have proposed in my bill can be instituted—I am preparing a pamphlet which I plan to distribute extensively within my State of New Mexico. It is designed to help concerned members of my constituency, local officials, and the vulnerable themselves, understand the truth about hazards and risks involved in drug abuse. I am hopeful that it will also encourage all New Mexicans to learn as much as they can about drugs and narcotics, and to consult with or report suspected drug abuse to local doctors and/or other appropriate officials. Only through working together—private citizen, local, State and Federal Governments alike—to identify those who are illicitly selling and buying drugs can we save a lot of fine young people from a life of hell, ruin, and slow, living death.

Given the difficulty in shackling man's unleashed curiosity—including that of experimenting with some of the newer mind-altering drugs—nevertheless we must win in spite of these sinister and ruthless forces that are debasing the lives of many of our citizens. I believe the legislation which I am proposing, together with the cooperation of every concerned American, is one mode for helping to expose and punish those trading on practices injurious to our civilization. Indeed, there must be stern execution of justice upon these evildoers, and I shall also strongly support all other legislation designed to prosecute them under the maximum penalties.

If, to paraphrase Franklin, men are to cease to be wolves to one another, we must quickly enact this legislation. In doing so, we shall be articulating the ideas to which we give allegiance, and helping to put an end to this affliction which is weighing so heavily upon us all.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2592) to provide financial assistance to States and nonprofit private organizations for the establishment of comprehensive drug abuse prevention and rehabilitation centers, and for other purposes, introduced by Mr. MONTOYA, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2592

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Drug Abuse Control Act of 1969".

STATEMENT OF PURPOSE

SEC. 2. It is the purpose of this Act to provide financial assistance for centers for treatment and rehabilitation for drug addicts and for the prevention of drug abuse, and to strengthen drug abuse educational programs and the coordination of drug law enforcement activities, in order to contribute to the prevention and decline of crime and delinquency resulting from drug addiction.

TITLE I—GRANTS FOR TREATMENT AND REHABILITATION CENTERS FOR NARCOTIC DRUG ADDICTS AND FOR THE PREVENTION OF DRUG ABUSE

AUTHORIZATION OF APPROPRIATIONS

SEC. 101. There are hereby authorized to be appropriated $50 million for the fiscal year ending June 30, 1970; $75 million for the fiscal year ending June 30, 1971; $75 million for the fiscal year ending June 30, 1972; and $75 million for the fiscal year ending June 30, 1973 for the purpose of carrying out this title. Sums appropriated pursuant to this section shall remain available until expended.

ALLOTMENTS

SEC. 102. (a) From the sums appropriated pursuant to section 101 for each fiscal year the Secretary shall allot not more than 5 per centum thereof among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their specific needs. From the remainder of such sums the Secretary—

(1) shall allot to such State an amount which bears the same ratio to 50 per centum of such remainder as the number of persons who are determined to be drug addicts and drug abusers in such State bears to the number of such persons in all States, and

(2) shall allot to each State an amount which bears the same ratio to 50 per centum of such remainder as the population in such State bears to the population in all States. For the purposes of this subsection, the term "State" does not include Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

(b) The portion of any State's allotment under subsection (a) for a fiscal year which the Secretary determines will not be required, for the period such allotment is available, for carrying out the purposes of this title shall be available for reallotment from time to time, on such dates during such period as the Secretary may fix, to other States in proportion to the original allotments to such States under subsection (a) for such year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum which the Secretary estimates such State needs and will be able to use for such period for carrying out such portion of its State application approved under this title, and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts are not so reduced. Any amount reallotted to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for such year.

(c) The number of persons determined to be drug addicts or drug abusers in a State and in all States shall be computed by the Secretary on the basis of the most recent satisfactory data available to him.

STATE PLANS

SEC. 103. (a) Any State desiring to receive its allotment of Federal funds under this title shall submit a State plan consistent with such basic criteria as the Secretary may establish under section 104. Such plan shall—

(1) designate a single State agency for the administration of the plan;

(2) set forth a comprehensive statewide program for the construction, expansion, operation and modernization of centers for the treatment and rehabilitation of drug addicts and for the prevention of drug abuse in the State, under which at least 75 per centum of all Federal funds granted to the State agency under this title for any fiscal year will be available to local governmental bodies and nonprofit private organizations in such State for the construction, expansion, operation and modernization of such centers;

(3) provide, whenever practicable, satisfactory assurance that the control of funds and title to property derived therefrom shall be in a public agency for the use and purposes provided in this Act and that a public agency will administer such funds and property;

(4) provide for the designation of a State advisory council which shall include representatives of non-governmental organizations or groups and of public agencies, concerned with the operation, construction or modernization of centers for the treatment and rehabilitation of drug addicts or for the prevention of drug abuse;

(5) provide assurances that the State will pay from non-Federal sources the remaining costs of such program;

(6) provide minimum standards to be set at the discretion of the State, for the maintenance or operation of such centers;

(7) set forth policies and procedures designed to assure that Federal funds made available under this title will be so used as not to supplant State or local funds, but to supplement and, to the extent practicable, to increase the amounts of such funds that would in the absence of such Federal funds be made available for the purposes of this title;

(8) set forth procedures under which the State agency shall not finally disapprove an application for funds from an appropriate agency or nonprofit private organization within such State without first affording such agency or organization reasonable notice and opportunity for a hearing;

(9) set forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State agency (including such funds paid by the State agency to any such agency or organization within such State) under this title; and

(10) provide for making such reasonable reports in such form and containing such information as the Secretary may reasonably require to carry out his functions under this title and for keeping such records and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports.

(b) The Secretary shall approve any State plan and any modification thereof which complies with the provisions of subsection (a).

BASIC CRITERIA

SEC. 104. As soon as practicable after the enactment of this Act the Secretary shall after consultation with the director of the National Institute for Mental Health and the head of the Bureau of Narcotics and Dangerous Drugs in the Department of Justice, by regulations prescribe basic criteria to be applied by the State agency under section 103. In addition to other matters such basic criteria shall provide—

(1) the general manner in which such State agency shall determine priority of projects based upon (A) the relative need of the area within such State for centers for the treatment and rehabilitation of drug addiction and for the prevention of drug abuse, (B) the relative ability of the public agency and of private resources in such area to support a program of construction, expansion, operation, or modernization of such centers, and (C) the extent to which the project contributes to carrying out the purposes of this Act;

(2) general standards of construction and equipment necessary for the treatment and rehabilitation of drug addicts.

PAYMENTS

SEC. 105. (a) Except as provided in subsection (b), payment under this title shall be made to those State agencies which administer plans approved under section 103. Payments under this title from a State's allotment with respect to the cost of carrying out its State plan shall equal 75 per centum of such costs for any fiscal year. In determining the cost of carrying out a State's plan, there shall be excluded any cost with respect to which payments were received under any other Federal program.

(b) No payments shall be made to any State from its allotment for any fiscal year unless and until the Secretary finds that the State which will carry out the State plan for that year will have available during that year for expenditure from non-Federal sources for the purposes of treatment and rehabilitation of drug addicts and for the prevention of drug abuse not less than the total amount actually expended by such States for such purposes from such sources during the fiscal year ending June 30, 1969, plus an amount equal to not less than the non-Federal share of the costs with respect to which payment pursuant to subsection (a) is sought.

(c) Payments to a State under this title may be made in installments and in advance or by way of reimbursement with necessary adjustments on account of overpayments or underpayments and they may be paid directly to the State or to one or more public agencies designated for this purpose by the State or to both.

ADMINISTRATION OF STATE PLANS

SEC. 106. (a) The Secretary shall not finally disapprove any State plan submitted under this title, or any modification thereof, without first affording the State agency submitting the plan reasonable notice and opportunity for a hearing.

(b) Whenever the Secretary, after reasonable notice and opportunity for hearing to the State agency administering a State plan approved under section 103, finds that—

(1) the State plan has been so changed that it no longer complies with the provisions of such section, or

(2) in the administration of the plan there is a failure to comply substantially with any such provision,

the Secretary shall notify the State agency that the State will not be regarded as eligible to participate in the program under this title until he is satisfied that there is no longer any such failure to comply.

JUDICIAL REVIEW

SEC. 107. (a) If any State is dissatisfied with the Secretary's final action with respect to the approval of its plan submitted under section 103 or with his final action under section 106, such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary. The Secretary thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

(b) The findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(c) Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

DIRECT FUNDING

SEC. 108. In any case in which a State fails to submit a State plan pursuant to this title within six months after the date of enactment of this Act, the Secretary may make grants to the extent practicable in accordance with the provisions of this title to general public political subdivisions within such State and nonprofit private organizations within such State.

RECOVERY

SEC. 109. If any center with respect to which funds have been paid under this title shall, at any time within twenty years after the completion of construction or within twenty years after completion of expansion or modernization—

(1) be sold or transferred to any person, organization (A) which is not qualified to file an application under this title or (B) which is not approved as a transferring center by the said agency designated pursuant to section 103 or its successor; or

(2) ceases to be a center for the treatment or rehabilitation of drug addicts or the prevention of drug abuse, unless the Secretary determines in accordance with regulations that there is good cause for releasing the applicant or other owner from this obligation, the United States shall be entitled to recover from either the transferor or the transferee (or, in the case of a center which has ceased to be public or nonprofit, from the owners thereof) an amount bearing the same ratio to the then value (as determined by the agreement of the parties or by action brought in the district court of the United States for the district in which the center is situated) of so much of the center as constituted an approved project or projects, as the amount of the Federal participation bore to the cost of the construction, expansion or modernization under such project or projects. Such right of recovery shall not constitute a lien upon said facility prior to judgment.

TITLE II—GENERAL PROVISIONS

DRUG ABUSE EDUCATION PROGRAM

SEC. 201. In order to educate the general public with respect to the dangers of drug addiction and encourage programs for the prevention of drug abuse, the Secretary—

(1) shall prepare and disseminate to appropriate State and local public agencies and other appropriate private nonprofit institutions and organizations such information resulting from the care, treatment and rehabilitation of drug addicts, and such information developed by any Federal agency on the prevention of drug abuse, as he deems appropriate;

(2) is authorized, upon request, to provide advice, counsel, technical assistance, and demonstrations to appropriate State and local public agencies and nonprofit private organizations and institutions undertaking or expanding prevention of drug abuse programs; and

(3) shall prepare and disseminate to appropriate State and local agencies and other appropriate nonprofit private institutions and organizations an annual report setting forth such developments in the field of prevention of drug abuse as he deems will contribute to carrying out the purposes of this Act.

(b) There are authorized to be appropriated not to exceed $15,000,000 or the fiscal year June 30, 1970, and for each of the three succeeding fiscal years, to carry out the provisions of this section.

LAW ENFORCEMENT INFORMATION PROGRAM

SEC. 202. The Attorney General, through the Bureau of Narcotics and Dangerous Drugs, after consultation with the head of the organized crime and racketeering section of the criminal division and the Administrator of the Law Enforcement Assistance Administration, shall develop and carry out a program to—

(1) collect and disseminate to State and local law enforcement agencies and to appropriate educational agencies and institutions relevant information with respect to drug abuse and narcotic drug traffic;

(2) provide effective procedures for the coordination of Federal, State and local drug abuse law enforcement activities.

(b) There are authorized to be appropriated $15 million for the fiscal year ending June 30, 1970, and for each of the 3 succeeding fiscal years to carry out the provisions of this section.

DEFINITIONS

SEC. 203. As used in this Act—

(1) "construction" includes the preparation of drawings and specifications for centers for the treatment and rehabilitation of drug addicts and the prevention of drug abuse; erecting, building, acquiring, altering, remodeling, improving, or extending such centers; and the inspection and supervision of the construction of such centers. Such term does not include interests in land or off-site improvements;

(2) "drug abuse" means the use by any person, on a periodic or continuous basis, for their psychotoxic effects alone and not as therapeutic media prescribed in the course of legitimate medical treatment, any drug or drugs capable of altering or affecting, to a substantive degree, the consciousness, mood, motivation, or critical judgment of an individual, or the psychomotor coordination or the perception of the auditory or visual sense of an individual. Such drugs shall include among others, the opiates, cocaine, marihuana, barbiturates, and amphetamines, but shall not include alcohol.

(3) "drug addict" means any individual who habitually uses any narcotic drug as defined by section 4731 of the Internal Revenue Code of 1954, as amended, so as to endanger the public morals, health, safety, or welfare, or who is or has been so far addicted to the use of such narcotic drugs as to have lost the power of self-control with reference to his addiction.

(4) "modernization" means any program or project designed to enhance the prospect of successful treatment and rehabilitation of drug addicts or to improve the possibility of prevention of drug abuse in any State, including but not limited to the acquisition of equipment necessary for new techniques for such centers, innovative training projects to strengthen the number and quality of personnel serving such centers.

(5) "State" includes, in addition to the several States of the union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

(6) "Secretary" means the Secretary of Health, Education, and Welfare.

(7) "treatment" means confinement and treatment in a hospital and under supervised aftercare in the community and includes, but is not limited to, medical, educational, social, psychological, and vocational services, corrective and preventive guidance and training, and other rehabilitative services designed to protect the public and benefit the addict by correcting his antisocial tendencies and ending his dependence on addicting drugs and his susceptibility to addiction.

ADDITIONAL COSPONSORS OF A BILL

S. 2518

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Indiana (Mr. HARTKE), I ask unanimous consent that, at its next printing, the names of the Senator from Ohio (Mr. SAXBE), the Senator from New Mexico (Mr. MONTOYA), the Senator from Michigan (Mr. GRIFFIN), and the Senator from Idaho (Mr. JORDAN) be added as cosponsors of the bill (S. 2518) to amend title II of the Social Security Act, so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance thereunder.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE JOINT RESOLUTION 134—INTRODUCTION OF A JOINT RESOLUTION PROCLAIMING NATIONAL ADULT-YOUTH COMMUNICATIONS WEEK

Mr. TYDINGS. Mr. President, I introduce, for appropriate reference, a joint resolution which would authorize the President to proclaim the week of September 28, 1969, through October 4, 1969, as "National Adult-Youth Communications Week."

The inspiration for this bill comes, appropriately, from young people: ninth graders from Ridgely Junior High School in Maryland. The bill was conceived by the students in connection with a social studies project involving the study of the legislative process. Their purpose is twofold: First, to put their classroom learning into practice; and, second, to produce a bill to aid in decreasing the communications gap which exists between the generations. What is noteworthy about the students' initiative is their faith and interest in the legislative process, and their conviction that they, like other teenagers, can make meaningful contributions to our society. I would like to commend the ninth grade class of Ridgely Junior High School for their initiative, for their energy, and for the constructive contribution they are making to our society by bringing this bill to the attention of Congress. Their faith in the democratic process should provide inspiration for all of us, young and old.

The times are the best witness to the appropriateness of this bill. Every day beings new evidence of misunderstandings between we parents and our children—campus unrest, anti-Vietnam demonstrations, draft resistance, and despair at the pace of progress on civil rights. We have adopted a catch phrase which is descriptive of the great divide between parents and their children: we call it the "generation gap." But like many such phrases, this is too simple a description of a complex problem. The root of our difficulties is a serious breakdown in communications between young and old, between parents and their children.

Communication is effective, of course, only if the dialog runs both ways—from old to young and from young to old. In my view, neither side of the generation gap can be very proud of its efforts to close the divide.

On the one hand, the flow of information from the young to adults has seemingly been reduced to a trickle, and what gets through is frequently distorted. Many adults are aware of only the manifestations of discontent and alienation—the picketing, sit-ins and campus unrest—and miss the sincere protestations lying behind them. For this breakdown in communications, both sides are responsible: youth for their intransigent propensity to "demand" rather than reason, and adults for their intransigent failure to listen.

On the other hand, the flow of communications from adults to youth has been substantially reduced. We adults have a world of experience to share, but we misread the abilities of our youth and their sincere dedication when we try to proselytize or to preach rather than to offer the lessons of our experience as would a friend or mentor. Our children rightfully challenge us, as well, to make the realities of our world match our rhetoric.

In short, upon both the young and the old rest twin obligations, both to speak and to listen. This bill provides a first step in establishing the context for bridging the generation gap. The bill would authorize the President: First, to call upon the Nation's TV networks to hold a series of programs to present the views of each generation to the other; second, to call upon secondary schools and colleges to promote similar discussions; and third, to call upon businesses to encourage family participation in recreational group activities during the week by setting special family rates. This bill, inspired by the constructive energy of representative young people, offers a significant beginning toward reestablishing unstructured dialog between the generations.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 134) authorizing the President to proclaim the week of September 28, 1969, through October 4, 1969, as "National Adult-Youth

Communications Week," introduced by Mr. Tydings, for himself and other Senators, was received, read twice by its title, and referred to the Committee on the Judiciary.

SENATE JOINT RESOLUTION 135—INTRODUCTION OF A RESOLUTION PROCLAIMING BIBLE TRANSLATION DAY

Mr. HARRIS. Mr. President, I introduce, for appropriate reference, a joint resolution to authorize the President to issue a proclamation designating September 30, 1969, as "Bible Translation Day."

I have been privileged to introduce this resolution on several occasions, and the support of the Senate has been received. This year we are confident that the other House will also act favorably, thereby authorizing the President to issue this proclamation.

I am particularly interested in the passage of this resolution because of my admiration and respect for the Summer Institute of Linguistics, which operates a linguistics institute, among other places, at the University of Oklahoma each summer. At such institutes, young men and women are trained to develop the means of reducing unwritten languages into a written form. Through their efforts, hundreds of groups now unable to communicate effectively with the outside world will be given the means of attaining the light of literature and science.

Last Saturday, an article by Mr. William Willoughby, appeared in the Washington Evening Star in which the work of the Summer Institute of Linguistics and other Bible translation groups is featured. I ask unanimous consent that this article, along with the joint resolution, be printed at this point in the Record.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the article and joint resolution will be printed in the Record.

The joint resolution (S.J. Res. 135) to authorize the President to proclaim September 30, 1969, as Bible Translation Day, introduced by Mr. Harris, for himself and other Senators, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S.J. Res. 135

Whereas there are over two thousand tribes living generally in out-of-the-way areas of the world in cultural isolation without books or even an alphabet and much less the Bible; and

Whereas the translation of the Bible into these tribal languages requires that an alphabet and a thorough grammatical analysis of the language be produced, and results in an expansion of literacy and an improvement of the cultural base of the language groups affected; and

Whereas this effort has cultural, economic, social, and political significance quite apart from its spiritual significance; and

Whereas a large group of linguistic scholars trained at the Universities of Oklahoma, North Dakota, Washington, Michigan, Indiana, California, Pennsylvania, Texas, and elsewhere are engaged in this task on a nonsectarian basis with the cooperation of foreign governments and institutions of higher learning, and deserve our encouragement; and

Whereas the first translator of both the Old and New Testaments, Saint Jerome, died on the 30th of September: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating the 30th day of September 1968 as "Bible Translation Day" and inviting the governments of States and communities and the people of the United States to observe such day with appropriate ceremonies and activities.

The article presented by Mr. Harris is as follows:

[From the Washington (D.C.) Evening Star, July 5, 1969]

Translators and Insects—Making the World Literate

(By William Willoughby)

The young medical doctor, studying at the University of Oklahoma's Summer Institute of Linguistics to be a missionary, was traveling westward from the university to the annual Indian festival at Anadarko when he, his wife-to-be and another couple stopped to buy a watermelon. They sat along the roadside in the shade of trees eating it.

Inevitably the conversation of the four missionary candidates turned to eating native foods—one of the biggest fears and most unappetizing prospects each faces. The prospect of unfriendly arrows or of getting lost in the jungle takes a back seat to anticipating eating lizards, snakes, monkeys or insects.

"I wouldn't mind eating a locust," the teasing bride-to-be said to her doctor fiance.

Immediately he picked up a hapless grasshopper, held it near his mouth and said, "Here, I'll go halves with you." He popped it into his mouth with due deliberation, biting it in two.

Next week, Oklahoma's Sen. Fred Harris and Nebraska's Sen. Carl Curtis will introduce a measure in the Senate which would honor the work of thousands of missionaries, not for eating grasshoppers, but for a profound work in reducing unwritten languages to writing. The resolution would officially recognize Sept. 30 as Translation Day.

Sept. 30 was picked for the observance because that is the birthday of St. Jerome, the first Christian translator of note.

The Summer Institute of Linguistics and Wycliffe Bible Translators, which are related organizations, Catholic and Lutheran translators, have been working for at least three years to have official recognition. They also are trying to get the day recognized on church calendars. Each year, in the House at least, the resolution gets locked into the Judiciary Committee.

Wycliffe, now the largest foreign missionary society in the world, with about 2,500 missionaries in the field, is the prime mover in the translation field. It is reducing 400 languages into writing now. Its aim is to reduce the 2,000 other unwritten languages before the turn of the century and get at least one of the Gospels translated into each of them.

Their motivation, of course, is religious, evangelistic. They feel it is necessary to spread the Gospel, and to do this, it is necessary that the language barrier be cracked. They're out in isolated valleys in New Guinea among Stone-Age cannibals to prove their conviction, or squatted around an Indian fire in South America or in a hut in the African bush country.

This fall they'll be in the Caucasus Mountains reducing languages for Russian officials in the tribes of Georgia and Azerbaijan. At least 60 unreduced languages were found there, and an agreement was reached only months ago for the linguists to come in.

The translators are popular with the governments of developing nations, and in some cases are even sought out by them. The governments realize the economy of their nations cannot develop if the natives—out away from the cities—can't read. It's just this simple. They can't read if there's not even an alphabet in their own language.

The spirit behind the Wycliffites, and a man highly respected by Catholic and Lutheran translators, is Dr. Cameron Townsend. Fifty years ago he was a perplexed Bible salesman in Guatemala. Bibles sold well among the Spanish-speaking, but not among the Indians, who stuck to their own languages.

"If your God is so smart," the guide asked Townsend as the American was trying to convert him, "why doesn't He speak my language?" From that time on Townsend had a new ministry, seeing to it that God became more fluent. Since then, through the Summer Institute of Linguistics, more than 12,000 missionary linguistics serving more than 100 mission boards, have received this highly demanding training.

Making God fluent in the forgotten languages isn't easy. Some missionaries have met with strong resistance when they begin to write down the native sounds. "They're trying to steal our language," the tribesmen reason. Getting some of them to want to read is another thing. They think the white man is casting some sort of spell over them.

Lest the educated American look askance at this primitive notion, he would do well to realize that the word "spell," as used in the writing of words, is strongly related to the meaning when we speak of "casting a spell on someone." The early Englishmen, not yet literate, often looked in fear at the person who could spell as having some kind of demonic influence—a person able to cast a spell on the person who couldn't read.

Dr. Kenneth L. Pike of the University of Michigan is the intellectual spark behind the translators. As president of the Summer Institute of Linguistics, each year his program trains 500 or more linguists.

The problem, forboding to the outsider, is made "simple" by Pike. "There are only so many parts that wiggle in any person's speech mechanism in any part of the world," he reasoned. But how these parts wiggled in different languages is the problem. The possibilities run to over a million.

Pike reduced the possibilities to about 300 symbols, which the translators learn and use. Thus, out of the million possible sound combinations, the linguists are able to indicate them by symbols. Later, as in English or any other written language, this is refined to an alphabet of from 20 to 40 or so letters.

Oh—about our young medical missionary friend. That grasshopper stunt was all part of a well-calculated plan. His fiancee was a girl it would be hard for a man to get ahead of, having the competency a good missionary must possess.

As was anticipated, as soon as he had called her bluff by biting the insect in two, she bowed her head, put both hands over her eyes and cried, "Oh, no!"

He had won the day. While her hands were over her eyes, he quickly spat his half out, handing over her half. To this day, she is that far behind him—not as willing to catch up as she thought.

He, undoubtedly, is one of the few men ever to stay ahead of his woman. Try it some time.

But what if she bites?

SENATE CONCURRENT RESOLUTION 34—CONCURRENT RESOLUTION RELATING TO NATIONAL INDIAN POLICY

Mr. McGOVERN. Mr. President, I submit for myself and for Senators Anderson, Burdick, Church, Cranston, Fannin, Gravel, Harris, Hatfield, Kennedy, MANSFIELD, MCCARTHY, MCGEE, METCALF, MONDALE, MONTOYA, MOSS, MUNDT, and NELSON a statement of national policy toward the American Indians and Alaskan Natives. I ask unanimous consent that the text of the concurrent resolution be printed in the RECORD at the end of my remarks and that a resolution adopted by the executive council of the National Congress of American Indians in January of this year also be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGOVERN. Mr. President, almost 3 years ago, I introduced Senate Concurrent Resolution 114, defining the direction and policies which the United States should pursue in fulfilling its responsibility to the American Indian. This same resolution, as Senate Concurrent Resolution 11, passed the Senate in 1968, but was not acted on by the House of Representatives. Today, I am introducing the same resolution with the hope that it will command the prompt attention of both the Senate and the House of Representatives.

In the 3 years since I first introduced the resolution, some progress has been made in improving the social and economic conditions of Indian citizens.

The Bureau of Indian Affairs, or at least portions of it, is moving—painfully and reluctantly—away from a discredited philosophy of paternalism and guardianship, in administering Indian affairs to a role as adviser, partner, and resource in the free development of the Indian people. This transition has begun with some significant actions:

A National Indian Education Advisory Committee has been established by the Bureau of Indian Affairs with strong Indian representation;

The Bureau is experimenting with the use of contracts with Indian tribes to provide many of the services to Indian tribes and people presently carried out by the Bureau;

Administrative guidelines have recently been formulated by the Bureau to permit Indian tribes to elect school boards, to assume control of the schools operated by the BIA for Indian children;

No longer must Indian tribes depend solely upon the traditional agencies—the Bureau of Indian Affairs and the Division of Indian Health—for the many services needed by Indians. Many Federal agencies, such as OEO, EDA, FHA, et cetera, now offer their services to Indian tribes directly;

The practice of seeking prior consultation with Indian tribes in matters affecting them is increasing among agencies providing services to Indian tribes.

In 1968, President Johnson created by Executive order a National Council on Indian Opportunity, chaired by the Vice President of the United States with Cabinet-level representation and with vigorous representation from Indian tribes and the Indian community. For the first time, at the highest level of Government, an agency has been created to coordinate the diverse Federal services available for Indians. For the first time, at the highest level of Government, an agency exists which can oversee all of the policies and programs of the United States in its relations with Indian tribes.

There has been some progress and some limited successes. Let me take a moment to point out some of the progress being made by the Indians of my own State.

Housing programs sponsored by the Indian tribes of South Dakota are having a significant impact in improving living conditions on several reservations. The Rosebud Sioux Tribe pioneered a new approach in community housing by pooling the funds and cooperation of several Federal agencies to construct low-cost, low-income housing.

The BIA-operated schools on the Cheyenne River and Rosebud Sioux Reservations in South Dakota have been consolidated with the local public school system to provide an integrated, quality education for both Indian and non-Indian children in those communities.

Industrial development efforts on or near Indian reservations, aimed at providing jobs and a local purchasing base are moving ahead with some encouraging progress. Tribal enterprise itself is growing and showing considerable promise for future development of local resources. For example, the Cheyenne River Sioux Tribe in South Dakota now owns and operates its own telephone system serving both the Indian and non-Indian population in two countries. It owns and operates a supermarket, livestock sales pavilion, and a cattle enterprise.

Finally, the tribal community action programs, funded by the Office of Economic Opportunity, have been outstandingly successful. They have illuminated the competence of the Indian people in directing and maintaining self-help programs which focus the energies of the target community on problems of collective concern.

Other reservations around the country are making similar progress. And in most instances, the successful program is undertaken and managed by the Indian people themselves.

These successes serve also to emphasize the great task remaining. They underscore the poverty, disease, illiteracy, and despair which is still the common inheritance of the Indian people.

When I introduced this resolution in 1966, I stressed the importance of basing our Indian programs on the principles of self-determination and self-help. It is essential also that programs be geared to the special geographic and ethnic factors which define local Indian problems, and that they be adequately funded on a dependable basis. While these guidelines are beginning to find currency in the administration of Indian affairs, a forthright congressional statement, as contained in this resolution, is still necessary—and overdue.

There is not yet a firm U.S. commitment, in terms of adequacy of funds and constituency of policy or programs, to free the Indians from the chains of poverty. There is not yet a firm resolve on the part of the United States to solve the problem where it exists—on the reservation.

This resolution is needed to release the American Indian from the fear, real or imagined, of a hasty, ill-conceived termination of Federal supervision. Testifying before my subcommittee when I held hearings on Senate Concurrent Resolution 11 on March 5, 1968, the late Senator Robert Kennedy said of this policy:

> This termination policy, as many have pointed out, has thoroughly "poisoned the well" of meaningful dialogue among government officials, legislators and the Indian people. After suffering a period of constant threat of termination and disenfranchisement, Indian tribes across the Nation have become deeply suspicious of any new program.

This resolution will refresh the well of dialog and erase the fears and suspicions of the Indian people.

With a new spirit of cooperation and a new sense of our mutual destiny, we can approach the seminal question—what role for the Indian in American society today? In many ways it is the American problem—uniquely our own, inextricably a part of our culture and a product of our history.

The anomolies of our Indian education policy defy logic and offend our sensibilities. Of approximately 150,000 Indian children in school today, one-third attend school in federally operated institutions. This is the only school system in America entirely operated and funded by the Federal Government. In this postsputnik era of great concern in the Congress and in the Executive for the quality of education in our Nation's schools—after the great debates here in the Congress on Federal aid to elementary and secondary education—after the enactment of landmark legislation for Federal aid for elementary and secondary education, we should surely expect that the only school system owned, operated, and funded solely by the Federal Government to be a model of excellence in quality education and an example to the public school system of our Nation. We should expect that it serve as a laboratory for innovative programs in quality education—in bilingual education—in education of minority children—in education of culturally deprived and disadvantaged children.

Yet, Mr. President, we find the record of Federal education of Indian children—both in federally operated schools and in public schools for which the United States provides special Indian-related financial assistance—showing:

A dropout or pushout rate of 50 percent before the 12th grade, twice the national average;

An overall education level of all Indians of 5 years, half the national average;

An achievement level for Indian children far below those of their white counterparts, with progressive failure the longer the child stays in school;

Statistics which indicate that 16,000 or more school-age Indian children are not in school.

The Coleman report, a report on equal educational opportunities in public schools, revealed in 1966:

> Only 1% of Indian children in elementary school had Indian teachers or principals;
>
> One-fourth of elementary and secondary

school teachers—by their own admission—would prefer not to teach Indian children;

Indian children, more than any other group, believe themselves to be "below average" in intelligence;

Indian children in the 12th grade have the weakest self-concept of all minority groups tested.

The only conclusion we can draw from such statistics is that we have failed, and failed badly, in our efforts to educate Indian children. The general public school system, hard pressed as it is for funds, facilities, and personnel, has—except in educating Indian children and other minorities—far outperformed the system which should be its model.

In the March 5, 1968, hearings on Senate Concurrent Resolution 11, the late Senator Kennedy again cut to the core of the question when he said:

> I am convinced that the Federal Government has a moral and legal commitment to provide or subsidize not just an educational program, not just an average education program, but an educational program unsurpassed in its excellence and effectiveness for as many Indian children as can be properly considered within the Federal government's direct or indirect responsibility.

Mr. President, the United States does have a legal and moral obligation to educate Indian children. It is unthinkable that we should accept anything less than excellence in that effort.

I am hopeful that the Special Subcommittee on Indian Education, formerly chaired by Senator Robert Kennedy and now chaired by Senator EDWARD KENNEDY, will bring this problem more forcefully into focus for the Senate. I hope that the recommendations of that subcommittee will receive the most thoughtful consideration of this body.

HEALTH

The Federal assumption of responsibility for the health needs of the American Indian date back to the early 1800's, when Army physicians undertook to curb smallpox and other contagious diseases among Indian tribes living near military posts. Our present-day program for Indian health grows out of treaties subsequently negotiated, which include various provisions for medical services.

Yet, after a hundred and fifty years of Federal responsibility for Indian health, the statistics depicting the health conditions of the American Indian are closer to the health statistics of an underdeveloped nation of Africa or Asia than to the national averages for the United States. Let us take a moment to look at some of these statistics:

The average age of death for an American Indian is, today, 44 years, for all Americans, it is 65,

The infant mortality rate for Indians is 35 deaths per 1,000 births, 11 points higher than the national average and 20 points higher than for white middle class America;

Eighteen percent of the deaths among Indians occur in children under 1 year of age;

An incidence of tuberculosis among Indians and Alaska natives of about five times the national average;

The mortality from influenza and pneumonia is twice as high among the Indian population as in the United States as a whole; among Alaska natives the figure is three times as high;

An incidence of streptococcal infections among Indians that is eight to 10 times that of the general population.

It is unacceptable that, in the greatest era of medical technology in the history of man, there exists a people living, medically, in the 18th century.

It is unacceptable that there exists in our midst a people suffering from diseases long eradicated in the United States and now found only in the most primitive of nations.

It is unacceptable that here is hunger and malnutrition and attendant diseases almost unknown in much of this Nation and found only among the most backward people.

We have made improvements in providing for the health of our Indian citizens. But, as the health standards of the Indians have risen, so have the health standards of the Nation as a whole and the gap is as great as ever. It is unconscionable for us to continue to tolerate this gap as a way of life for the Indian people. It must be closed.

HOUSING

Housing conditions for the inhabitants of our Indian reservations are, quite frankly, a national disgrace. Housing conditions on Indian reservations are among the worst in the Nation.

More than half of Indians and Alaska natives live in one- or two-bedroom houses. Or in shacks. Or in car bodies. Three-fourths of approximately 76,000 houses on reservations and trust land fall below minimum standards.

What does "below minimum standards" mean? It means: water for more than 50 percent of Indian families comes from open wells or ditches, and what there is of it comes by hand from potentially contaminated sources; wind, cockroachs, and rats come through the walls which in at least 80 percent of Indian homes are of tarpaper or mud; on the average, five to six people spend their nights in the same room, often in the same bed—parents right alongside of the children; more than 70 percent of Indian houses are too dilapidated to repair. It means that thousands of American Indians—our first citizens—fight a twilight struggle for bare minimum existence in the most affluent nation the world has known.

ECONOMIC AND SOCIAL DEVELOPMENT

The conditions I have described in Indian education, health, and housing derive in large part from the inadequate rate of economic development on Indian reservations and communities.

Indian tribes own, individually or as a tribe, approximately 2 percent of all the land in this Nation. If that 2 percent was consolidated, the resulting area would be more than the size of six New England States. But the image is misleading. When reservations were being formed, Indians were permitted to retain only those lands which were considered worthless for non-Indian economic use. Much of that land is still of only marginal economic benefit.

Yet, a number of tribes have found that the worthless lands they were allotted now have considerable value in mineral, timber, water, and other natural resources. Some, such as the Agua Caliente Band of Mission Indians of the Palm Springs area, have found their lands to be strategically located in the expansion of urban and resort areas.

But all too often the pattern has been for outside, non-Indian interests to exploit and develop these resources. It is true that a few low-paying jobs for the Indians are generated by such development. But the real profit yield of the resource flows out of the reservation and its economy into the hands of outside concerns, while the tribe reaps only below-yield, short-term, rental payments. In many cases, the resources remain undeveloped—locked in the land—for lack of adequate capital and credit sources for the Indian community or for lack of appropriate incentive to outside interests to develop the resource.

The Indian people themselves are the greatest resource and potential asset of the reservation, eager and enterprising when presented with a challenge and the tools to meet it. Yet, they remain the victims of a vacillating and unresponsive national commitment. They must extract a living from a seasonal, wage-earning economy with a minimum or below-minimum income level. Many tribes depend wholly on a submarginal agriculture economy with a future of steadily diminishing return. The average unemployment rate for Indians is near 40 percent—10 times the national average. On some reservations, such as the Pine Ridge Sioux Reservation in my own State of South Dakota, the unemployment rate reaches, at times, an unbelievable 75 to 80 percent of the total available labor force.

Three-fourths of all Indian families exist on an income below the poverty level of $3,000 a year—one-half or more earn less than $2,000 a year .

The sociological costs of such decay and neglect are beyond reckoning. The culture and values of the Indians have survived a hundred and fifty years of concerted attempts to break them down; but they are most critically challenged by the poverty and despair which afflicts their community today.

The close-knit family structure of the Indian people is under a heavy strain. Broken homes and unwanted, untended orphans—foreign to traditional Indian practices—are increasing. Suicides among teenagers, traceable to cultural alienation and hopeless despair, are the highest in the Nation. Crime, for the most part minor felonies and misdemeanors, has become commonplace on Indian reservations.

In several States, one-third of the adult and juvenile inmates in State penal institutions are Indians—as in South Dakota, where Indians comprise only 5 percent of the total population.

Indians need, above all, to develop the community, social, and political skills required for long-term self-help. And it can be done.

Community action programs exist on over 100 Indian reservations, covering more than 80 percent of all service population Indians. The uniqueness of the CAP approach—funding tribal councils directly—has brought a new Indian leadership to the forefront; and this largely explains the overwhelming Indian acceptance of the program. For the first time, Federal funds have been entrusted to the complete discretion of Indian tribal councils. Resources for maintaining paid professional staffs has resulted in the return of more natural Indian leaders to reservations for full-time paid work. If this kind of approach, recommended in my resolution, was embraced by all our Indian programs, Indian society would become more stable and productive.

It is a comprehensive approach, combining administrative reform, economic and educational initiatives and a new emphasis on self-determination to fashion a unified Federal program. It is not enough to criticize the dismal record of the Bureau of Indian Affairs and the Division of Indian Health—though such criticism is often warranted. They are, after all, only instruments of our will and our policies. While they may do less than is required of them, they can do no more than we authorize.

It is not enough to call for a reorganization or transfer of functions in Indian affairs—though this may be needed. A careful, well-conceived plan of reorganization or transfer without new direction and a firm commitment to action will only result in a continued inadequate performance. A hasty, ill-conceived plan could well mean disaster for the Indians on a monumental scale.

It is not enough to appropriate more money—though more money is required. Money without motive insures failure. More money without new direction, after consultation with the Indian people, will only bring about failure on a larger scale.

It is not enough to promise Indians self-determination and self-help—though that must be the cornerstone of our Indian policy. That raises the hopes and aspirations of the Indian people. A failure of commitment and the means to carry through on that commitment will only crush those hopes and aspirations more cruelly.

In short, our understanding of the problem must be thorough, our commitment to the solution of the problem must be unwavering, and our promises must be given genuine substance.

Enactment of this resolution is not an end in itself. It will not, of itself, solve the demanding problems of the Indian people. It will not, by itself, insure success in meeting age-old responsibilities and in solving longstanding problems.

But it will create an atmosphere for success.

Among the Indian people, it will create an atmosphere of confidence and trust in Federal programs and in the sincerity of our commitment to the common good. It will erase old fears and suspicions engendered by the termination policies of House Concurrent Resolution 108.

It will create an atmosphere in which dignity and self-respect can be reclaimed by the Indians, with the sure knowledge that they have a major role in determining their own destiny.

It will create an atmosphere in which administrators of Indian affairs can, in close cooperation and consultation with the Indian tribes and people, be flexible and innovative in their approach to the problems.

INDIAN SUPPORT

The resolution has already given hope to the Indian people and encouragement to their aspirations. The hearings which I held on the resolution on March 5 of last year brought forth a unanimous expression of Indian support for the resolution. Domingo Montoya, president of the All-Pueblo Council representing the 19 Pueblo tribes, stated at that time:

> When the day comes that this policy—rather than the manual under which it currently functions—becomes the "bible" of the Bureau of Indian Affairs, then I believe the crossroads will have been reached, and the turning point will be here in Indian affairs . . .

Mr. President, I am introducing this resolution and asking for the favorable consideration of the Congress so that we can reach that crossroad. I ask that it be appropriately referred.

The concurrent resolution (S. Con. Res. 34), which reads as follows, was referred to the Committee on Interior and Insular Affairs:

S. CON. RES. 34

Whereas it is recognized by Congress that American Indians and Alaska natives (Eskimos, Indians, and Aleuts) suffer from adverse economic, health, education, and social conditions which prevent them from sharing equally in the great social economic advancements achieved by our Nation; and

Whereas it is the understanding of Congress that periodic reversals in our Government's Indian policy throughout the years have ruled against full development of human and economic potential of Indian communities, thus prolonging the aforementioned deplorable conditions; and

Whereas improved and expanded services in Indian communities in recent years through direct Federal Indian service programs and a wide variety of other services have begun accomplishing encouraging breakthroughs; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—

(1) the deplorable conditions of American Indians and Alaska natives can only be alleviated through a sustained, positive, and dynamic Indian policy with the necessary constructive programs and services directed to the governing bodies of these groups for application in their respective communities, offering self-determination and self-help features for the people involved; and that our Government's concern for its Indian citizens be formalized in a new national policy so that the beneficial effects may be continued until the day when the Nation's moral and legal obligations to its first citizens—the American Indian—are fulfilled.

(2) modern day needs of Indian people are no longer responsive to the programs and services of the two major Federal Indian service agencies alone (the Bureau of Indian Affairs and the Division of Indian Health), but the complete solution of Indian problems will require new and innovative services for the full development of Indian and Alaska native people and their communities, and that the National Council on Indian Opportunity created by Executive Order numbered 11399, because of the representation on the Council of the Secretary of the several Departments concerned with the welfare of the Indian people and of the representation of the Indian leaders and because of the responsibility of the Council, under the chairmanship of the Vice President of the United States, for coordination of efforts of the Executive branch in Indian affairs, should be charged with the important responsibility of coordinating the wide range of Federal, State, and local resources.

(3) Indian and Alaska native governing bodies should be recognized as having the full authority to determine the extent and manner of utilizing all available resources for their communities.

(4) American Indian and Alaska native property will be protected; that Indian culture and identity will be respected; that the necessary technical guidance and assistance will be given to insure future economic independence; that continued efforts will be directed to maximum development of natural resources; that inadequate and substandard housing and sanitation will be corrected; that a comprehensive health program incorporating and assuring curative and preventive physical and mental health will be further developed for Indian and Alaska natives; and that a long-term general, vocational, technical, and professional education program will be encouraged and developed for both old and young American Indians and Alaska natives so that they may share fully in our society;

(5) that the National Council on Indian Opportunity should periodically review all the activities of the Bureau of Indian Affairs and all other agencies of the Federal Government concerned with Indian welfare to assure Congress of maximum utilization of Federal, State, and local resources for Indian and Alaska native well-being; and that the National Council on Indian Opportunity should submit an annual report with necessary legislative recommendations to Congress to indicate the manner in which the intent of this resolution is being carried out; and

(6) American Indian and Alaska native communities should be given the freedom and encouragement to develop their maximum potential; and that Congress will support a policy of developing the necessary programs and services to bring Indians and Alaska natives to a desirable social and economic level of full participating citizens.

The resolution, presented by Mr. McGOVERN, is as follows:

RESOLUTION

Whereas, the current alleged policy of our government enunciated in House Concurrent Resolution 108 is a policy for the eventual termination of Indian tribes and reservations and serves as an obstacle to the development of our tribes and reservations; and

Whereas, Senate Concurrent Resolution 11 in the 90th Congress, if enacted, would encourage the development of tribal reservations and assist the various tribes in achieving greater parity with the rest of the people of the United States.

Whereas, this Resolution died in the last session of the 90th Congress and is due for re-introduction again.

Now, therefore, be it resolved, that the National Congress of American Indians in Convention assembled September 24–27, 1968, hereby strongly supports Senate Concurrent Resolution 11, and urges that it be enacted at the earliest possible time.

Now, therefore, be it further resolved, that the Executive Council of the National Congress of American Indians, assembled in Session at Washington, D.C., on January 21–23, 1969, support the said Senate Concurrent Resolution 11 and urges that it be enacted at the earliest possible time.

Adopted by the Executive Council of the National Congress of American Indians, assembled in Session at Washington, D.C., on January 21–23, 1969.

Rev. WENDELL CHINO,
President, National Congress of American Indians,
Mr. BENNY ATENCIO,
Chairman, Resolutions Committee, NCAI.

Attest:

Mr. BENNY ATENCIO,
Recording Secretary, National Congress of American Indians.

XUM

ADDITIONAL COSPONSOR OF A CONCURRENT RESOLUTION

S. CON. RES. 24

Mr. MURPHY. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Alaska (Mr. Stevens) be added as a cosponsor of the resolution (S. Con. Res. 24) to establish a gerontology center in California.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, July 10, 1969, he presented to the President of the United States the enrolled bill (S. 1647) to authorize the release of 100,000 short tons of lead from the national stockpile and the supplemental stockpile.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH—AMENDMENTS

AMENDMENT NO. 69

Mr. McINTYRE submitted amendments, intended to be proposed by him, to the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for the procurement of aircraft, missiles, vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes, which were ordered to lie on the table and to be printed.

(The remarks of Mr. McIntyre when he submitted the amendments appear later in the Record under the appropriate heading.)

NOTICE OF HEARINGS ON TRENDS IN LONG-TERM CARE

Mr. MOSS. Mr. President, as chairman of the Subcommittee on Long-Term Care, Special Committee on Aging, I wish to announce that the subcommittee will begin hearings on July 30 dealing with the subject of Trends in Long-Term Care. Testimony will begin in room 3110, New Senate Office Building, at 10 a.m.

Our overall objective is to explore many subjects related to quality and availability of care in nursing homes and other long-term care facilities. The subcommittee will also seek information and opinions related to a new set of Department of Health, Education, and Welfare standards promulgated for skilled nursing homes under medicare.

I ask unanimous consent to have inserted at this point a recent statement I made to discuss the Health, Education, and Welfare standards and other matters to be discussed at the hearing.

There being no objection, the statement was ordered to be printed in the Record, as follows:

The basic fault in the regulations recently approved by Secretary Robert H. Finch for skilled nursing homes is that, in the vital area of nursing services, they fail to be responsive to the statute they purport to implement. The regulations on nursing service contain nothing that was not required by HEW policy before the new law was enacted.

A part of the Moss amendment to the Social Security Amendments of 1967 calls for "adequate and properly supervised nursing services . . . all hours of each day and all days of each week." The Department's obligation was to set out in regulations what constitutes "adequate nursing services" and what is required for them to be "properly supervised," and to do so in terms that State agencies could apply in surveying and approving nursing homes.

In fact, they put off for a full year the need to maintain standards which are in effect now.

The new regulations provide that, by July 1, 1970, licensed practical nurses in charge of nursing activities on all shifts must be qualified by graduation from a state-approved school of practical nursing or have background equivalent to such training.

But until then, nurses in charge on other than the day-shift may be licensed practical nurses "waivered" by a state licensing agency.

Recognizing the significance of this relaxation of standards for a year, HEW's announcement emphasizes that "any state that is not meeting this standard by December 31, 1969, must inform the Secretary of Health, Education, and Welfare of its plans for doing so."

The Department also notes that the newly published standards match those in the handbook of public assistance administration that regulated services until January 1 of this year, with the exception of the waiver granted for the employment of nurses who are not qualified by formal training.

We are left, therefore, with regulations that say, in effect, that a single, untrained practical nurse on duty in a home with 200 or 300 patients or more constitutes "properly supervised nursing services" on the afternoon and night shifts.

It is also questionable whether the provision for what HEW calls "background equivalent to such training," will in fact provide properly trained supervisory personnel. This language permits a state licensing authority to determine that an individual has "background considered to be equivalent" to graduation from a state-approved school of practical nursing. I fear this may mean serious state-to-state differences in supervisory quality.

Much is said about the necessity to hold down standards because of shortages of skilled nursing homes and of nurses. This is known as being "realistic." Granted there are areas in which there are no facilities meeting acceptable standards.

But the problem is not solved but only obscured by calling facilities skilled nursing homes when they are not.

We will be realistic when we stop labeling facilities as skilled nursing homes when we know they are not, stop paying public funds for services which are not being delivered but we tell ourselves they are, stop telling ourselves we are serving patients by placing them in institutions that may not be appropriate for their needs.

Until we begin to be "realistic in these terms, patients will suffer and public money will be wasted. With more than $1 billion every year of Federal tax collections being spent on nursing homes, it is the duty of Congress and of HEW to see to it that the patients who must use nursing homes receive the quality of care being purchased.

Because of the importance of the issues raised by the regulations, I am going to begin hearings on July 30 on the subject of "Trends on Long-Term Care." I had expected to begin those hearings later in the year, but it has become obvious that the Subcommittee on Long-Term Care of the U.S. Senate Special Committee on Aging cannot very well ignore a current crisis while it considers future trends.

Accordingly, I will ask witnesses on July 30 to comment on the regulations. I believe their testimony will provide useful information that should be considered before the final decision is made on the regulations. I will be especially interested in comments from the American Nursing Home Association.

For the overall Subcommittee study—which will take several months to complete, I will also seek testimony on such matters as: new techniques to improve care and to emphasize rehabilitation, advanced building methods to reduce costs and provide more attractive and functional surroundings, the place of the long-term care institution in the development of comprehensive health care facilities for communities and regions, the need for trained professional and other staff, the effects of the development of "chain" facilities, methods of keeping costs to a minimum, and improvements in Federal programs related to nursing home construction or operation.

ADDRESS BY SENATOR TYDINGS BEFORE WASHINGTON COLLEGE ALUMNI BREAKFAST MEETING

Mr. KENNEDY. Mr. President, the Senator from Maryland (Mr. Tydings) made an excellent speech on student unrest before the Washington College alumni breakfast meeting last May 31. The Senator showed deep insight and sensitivity in his discussion of the frustration which is leading many moderate young people into the camp of confrontation politics. Senator Tydings warns us that it will be our generation and not that of our children which will be to blame if students bent on reform have no alternative to violence. I ask unanimous consent that the speech be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by Senator Tydings

Student unrest is a subject which increasingly has bewildered and distressed the American people. Our brightest and best educated youth profoundly trouble us.

They express a disenchantment with the values and quality of American life; despair over the operation of many of our traditional institutions; futility about the prospects for change.

A few succumb to the blandishment to "turn on, tune in, and drop out," and disappear into the drug subcultures of San Francisco and New York.

However, a much larger number carry their grievances to the universities and colleges. Campuses across the country are astir with protest and demonstrations—demonstrations which in the past year have erupted into violent confrontations with civil authorities.

Many have responded simply by condemning and castigating these students. Few have taken the time to seek out the causes of their alienation and discontent, the reasons for their protest and dissent.

It is this latter course that I wish to explore with you this morning. For I am convinced that unless we—as the parents of these students and as the present custodians of this society—acquire the understanding to bridge the generation gap, our future and that of our children is imperiled.

Our efforts to understand the current restiveness on our campuses must begin with a fundamental distinction: We must not confuse the small minority who would employ anti-democratic means to achieve societal change with the great majority of students who seek reform within a democratic framework.

For the former labor under the dangerous misconception that totalitarian means can successfully hasten the realization of democratic objectives. They fail to recognize the bitterly learned lesson of the twentieth century: That democracy is a process. Violate it as a means and you lose it—whatever your objectives.

Therefore, those who denounce freedom of speech, the will of the majority, and nonviolent negotiation as outmoded obstacles to change must be stopped. On this there can be no question: those who hold themselves above the law must be dealt with firmly and fairly under the law.

Violence and coercion cannot be tolerated. The survival of democracy permits no alternatives.

However, there remains the other group—the overwhelming majority of students who accept the democratic process but reject much of what they see in America. More often than not the best informed and most committed of our youth, these students are issuing a critical challenge to this Nation to live up to its ideals; to realize its promise.

They can be neither ignored nor surpressed.

Much of their disaffection is with matters that should be equally disturbing to us: a pointless war in Southeast Asia which drags on and on while thousands of American and Vietnamese die; a military draft that favors a few and disrupts the lives of all; a distorted set of national priorities which permits the Federal Government to spend far more on the instrumentalities of death than on the necessities of life; a nation with a GNP about to top the trillion dollar mark in which millions still struggle for survival ill-clothed, ill-housed, ill-fed; a society dedicated to the proposition that "all men are created equal" while forcing Negroes, Puerto Ricans, Mexican-Americans and Indians to endure second-class citizenship; a people who preach the primacy of matters of the spirit while preoccupied with the materialistic pursuit of split-level homes and chrome-covered cars.

Our young people are frustrated and embittered by the reluctance of major institutions to correct these national shortcomings; their seeming inability to promote needed change.

Too often, student cries for reform appear to fall on the deaf ears of parents, educators, politicians and bureaucrats who are inflexibly wedded to the status quo.

Too often, our entreaties that demands for change must be handled through the "proper channels" are perceived by students as hypocritical rhetoric designed to sidetrack their concerns.

Too often, in short, our young people have come to believe that their views do not matter, that no one is listening.

Thus, we begin to understand as one statesman put it, "Why so many of our young people have turned from engagement to disengagement, from politics to passivity, from hope to nihilism . . ."

Clearly, this is not a state of affairs we can accept if we hope to survive as a free, prosperous nation. Something must be done. But what?

We must begin by reexamining our own performance in recent years as the generation in power. Too often, we have been guilty of reinforcing the wrong modes of behavior in our young people.

For example, legitimate student requests forwarded through the "proper channels" have been ignored in many universities, only to be granted at a later date in response to violence and "non-negotiable demand." In student eyes the lesson is clear: The university only responds to coercion. Those who counsel against violence and disorder lose their credibility.

Some students have begun to advocate the "politics of confrontation" as the best hope for positive change. I do not agree. Confronting each other across "gulfs of hostility and mistrust" will only produce disaster.

However, unless institutions start to demonstrate greater flexibility and willingness to adjust to changing conditions, the number of young people willing to use violence and destruction to achieve reform will surely grow. And the responsibility for this tragedy will rest with us—the men and women who direct these institutions.

In a period of disagreement and discontent such as ours, a democracy's only hope is the mutual consent of all citizens to abide by certain basic ground rules. All must agree to respect the fundamental individual rights of others, regardless of the degree of dissatisfaction and antipathy involved.

For if these ground rules only can be implemented through the repeated use of State coercion, democracy will perish. Once compulsion replaces consent, a different form of government exists.

By showing that we are sincerely interested in what students are saying, by judging their proposals on the basis of merit rather than age, and by promptly translating their legitimate grievances into remedial action, we will generate the good will and mutual trust that are the prerequisites of democratic consent.

By demonstrating that the democratic ground rules of our society apply equally to young and old, we will build respect for those rules.

The challenge of youth to this Nation is direct: That America's deeds match her rhetoric; that the substance of our lives reflect the principles of our heritage. If we fail to meet this challenge, we will not only have failed our children, we will have failed ourselves as well.

In our quest to span the gap between the generations, we would do well to heed the advice offered by Robert Kennedy in his last book, "To Seek a Newer World."

"We may find some of their ideas impractical, some of their views overdrawn. Still, there is no question of their energy, of their ability, above all of their honest commitment to a better and more decent world for all of us. It is for us now to make the effort, to take their causes as our causes, and to enlist them in our own, to lend to their vision and daring the insight and wisdom of our experience."

CHARACTER, MORALITY, AND COURAGE

Mr. TALMADGE. Mr. President, we have heard a great deal recently about the poverty of millions of our citizens today.

And of course it is a problem. In my opinion, however, we have not heard enough about what one distinguished Georgian recently called "the poverty of character, morality and courage." Speaking at the graduation exercises of Georgia College, Mr. William R. Bowdoin, vice chairman of the Trust Co. of Georgia, urged students to construct their future by relying not on the group but on the individual.

He castigated those extremists who would change "individual" to "mob," and "opportunity" to demands." And he castigated all Americans who apathetically rely on the Government to provide them with things they could obtain themselves. Mr. Bowdoin described the American free enterprise system as the greatest antipoverty program the world has ever known, citing as proof the 10 million new jobs created in the last 6 years alone.

Mr. President, the message of this distinguished citizen is one from which we can all profit. I ask unanimous consent that it be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Speech to Georgia College Graduation, Milledgeville, Ga.

(By Wm. R. Bowdoin, vice-chairman, Trust Co. of Georgia, Atlanta, Ga., June 6, 1969)

Dr. Bunting, Members of the Graduating Class, Trustees, Staff, Faculty, Parents and Friends of Georgia College.

On the pages of this fine institution's illustrious history are recorded the names of many renowned individuals who have visited here and have been honored by an invitation to speak to the student body. I am privileged to stand where they have stood, but I cannot lay claim to their great accomplishments. It is regrettable I do not possess the eloquence of diction to properly express my deep appreciation for the honor you have accorded me, so I will just resort to two of the nicest words in the English language and say—thank you.

The ceremony today signifies satisfactory completion of the first major endeavor of the members of this class. I shall remember with unbounded pride the opportunity to share the occasion with you. The gray clouds of sadness a time of parting at graduation often brings will soon be rolled back by the sunshine of opportunity and challenge that awaits each of you in a changing world.

Whatever course you may chart for your career, the greatest opportunity for proper influence and leadership in mending a torn society is yours to a higher degree than at any time in our history.

I could attempt to speak in platitudes with emphasis for this occasion on the goodness of all your surroundings. That would be an imposition on your tolerance and an insult to your intelligence. That unfortunately is not the kind of society and world into which you now move.

Therefore, I will speak briefly about your new environs and responsibilities you have toward the preservation and expansion of a decent society.

My remarks will be addressed primarily to members of the graduating class, but I hope parents and friends will listen because you, too, have a continuing responsibility to these wonderful young ladies and gentlemen.

Some of you no doubt will disagree with my comments. That is still your privilege and I pray that you never lose it.

When you receive your diploma this morning, you cross the threshold into full citizenship. As one of a generation over thirty, I welcome you. We want and need your help because we respect and trust you.

The relatively few years since the members of your class first saw the light of day have brought many changes in the philosophy and activities of our people. Some have been for the better, others leave a big question. Some have been necessary; some have been an imposition.

Lest you draw any erroneous conclusions about my attitude, I want to make it crystal clear that I do not share a feeling of hopelessness for our country's future expressed by the faint hearted. I do, however, have a strong feeling of concern about the growing disease of apathy infecting too many of our people. I am concerned that we are using tolerance as an excuse instead of the virtue it is. I am concerned that we permit the extreme minorities to reflect adversely upon the vast majority of decent people of all ages.

I am concerned that today as never before in our history we are prepared to be the masters of our own destiny, yet never have we been so confused about where the destiny lies.

We seem to have forgotten that what is now the United States was a great land when it was discovered, but it took men and women of character, courage, vision, ability, faith and understanding to make it a great nation. Only the dominance of these qualities can keep it great. These qualities cannot be determined by the color of a man's skin, but only by the dedication and loyalty within his heart.

Proof of this is the great work of Booker T. Washington, George Washington Carver, and the late Dr. Rufus Clement, for thirty years president of Atlanta University. The strong character and gentle but firm and able hand of these dedicated men have made a contribution to the educational and cultural well-being of our area and nation that will benefit people of all races for generations to come, if their teachings are heeded.

I do not subscribe to the philosophy that this nation was built by the common people as often suggested. It was built by uncommon people. Uncommon in the sense of possessing a desire to work, a willingness to sacrifice if need be, to study, to build upon a firm foundation of loyalty and understanding among all people. Undergirded by this philosophy, the uncommon people have pointed the way to a better life for all who follow their example and leadership.

One of the former heroes of France, Marshal Petain, after France's fall in World War II, said, "Our spirit of enjoyment was stronger than our spirit of sacrifice. We wanted to have more than we wanted to give. We spared effort and met disaster."

There is mounting evidence everywhere today that more and more basically good people are doing nothing to correct an apathetic attitude toward the preservation and proper expansion of those basic fundamental principles upon which this nation was founded—reverence for God, loyalty to country, respect for the law, and the proper discharge of individual responsibility.

These are the principles that through the years have inspired young men and women to dream dreams and older men and women to work for a future they will probably never live to see—principles for which men have fought and given their lifeblood to preserve from Valley Forge to Vietnam.

These are the principles that for generations have been the rallying point to build courage when courage seemed to fail—to regain faith when there seemed little cause for faith, and to create hope when hope becomes forlorn.

Today this great bulwark of inspiration and strength is being pressured by every available means that can be dreamed up by those who would like to see it crumble and fall—those who would have us believe the pattern of their action was set by our forebearers in 1776. Nothing could be more incorrect.

Those gallant men and women of 1776 were teachers, doctors, preachers, farmers, merchants, bankers, lawyers, hunters and fishermen. They owned *their* businesses, *their* land, practiced their professions and, under God, had hopes of growing in affluence and influence as the result of *their* abilities and *hard work*. They were not ordinary people voicing ordinary complaints. The men who fought under Washington were not a nameless impoverished people. Little men and big men, they placed in jeopardy *their* lands, *their* businesses, *their* loved ones, and *their* lives. They were England's finest Englishmen and were never so truly English as in the hour of revolution. But this was no revolution of little men filled with big hates, but a revolution of big men who hated littleness in government and were resolved to put an end to it.

Edmund Burke said, "For evil to triumph, good men have but to do nothing."

Many years ago, Mr. John D. Rockefeller said, "Every right implies a responsibility; every possession an obligation, and every opportunity a duty."

This sound philosophy hurls a challenge to you and me and we cannot sidestep it in the hope someone else will pick it up.

Those who roam the countryside shouting about freedom, flailing others who refuse to do their bidding, should be reminded that a reckless abuse of freedom so prevalent in their actions turns freedom into a terrible mockery.

Those who preach non-violence but encourage violation of the law have in fact created more violence, strife and turmoil than has been known in our nation's history. The right to protest, to air grievances has been a privilege enjoyed since our country's beginning, but it has never included the right of the protesters to deny others by any available means the right they claim.

Those who subscribe to this concept should be reminded that fair debate and honest opposition are the foundation stones of our democracy, but must never be supplanted with vilification and bigotry.

The privileges we enjoy as free people do not necessarily in time become our inalienable rights.

A democracy is not a self-perpetuating form of government, but depends upon the character and abilities and contribution of each generation for its survival and expansion.

All sound-thinking individuals realize that regardless of our personal preference or opinion, we must live within the law with the same dignity and pride that has marked our people from the beginning of our nation. If this is to be accomplished, we cannot sit in silence and surrender to unwarranted demands of the howling, screeching mobs who mock the law by acts of violence and spit on those who wear the uniform of authority.

What inspires the action of these misguided creatures? I have no positive proof, but I am concerned about a recent statement by Gus Hall, head of the Communist Party USA, when he said, "Fronts are a thing of the past. We don't need them. We've got Student Non-Violent Coordinating Committee and Students for a Democratic Society going for us."

How much longer will responsible citizens tolerate the actions of such groups while the cream of American manhood is fighting and dying in Vietnam and on other foreign shores? How much longer, in good conscience and in good faith toward our fighting forces and our nation can we tolerate it?

We have been represented in South Vietnam since 1950 when the first advisory team was sent there. We have been locked four years in mortal combat, *on the defensive*, and what have we accomplished? The loss of more than 36,000 American boys killed, more than 150,000 wounded, many disabled for life, the expenditure of nearly $100 billion dollars of American taxpayers' money, exclusive of $23 billion more wasted on ill-designed aircraft and other armament. During this period there has been established in South Vietnam, if reports are true, one of the most corrupt governments the world has known since the days of the Roman Empire. Is this a just reason for pride? Certainly not.

I readily admit my intolerance of those who make a joke of patriotism because I happen to be one who still stands with pride and a little misty-eyed when the "Star Spangled Banner" is played or the flag passes in review. I happen to be one who believes with all my heart this is still the greatest nation on earth, but within it live some very disreputable individuals who enjoy the privileges afforded by dedicated and conscientious efforts of decent people. I also happen to be one who long since has grown tired of American boys being sacrificed for aimless political missions the world over. But whether we approve the cause or not, I also happen to be one who believes that every able-bodied man should be ready to answer "present" when his name is called for service in the armed forces of our nation. Both moral and military strength must be maintained.

Mrs. Bowdoin and I are proud and fortunate parents who every day turn to God in gratitude that our older son has returned safely after 1300 hours of combat flying as a helicopter gunship pilot in Vietnam. Our younger son is preparing to follow in his brother's footsteps.

We live in a time of strange concepts.

We boast of our greatest era of prosperity and hear more about poverty than at any time in the history of America. Honest poverty deserves the concerted and prayerful attention of all who are blessed with a better life.

Professional poverty, encouraged by Federal hand-outs now reaching into the third generation, is repulsive to all concept of decency and ambition.

Yet we hear all too little about the real poverty that confronts us—the poverty of character, morality and courage. Instead of affluence being a blessing, we are allowing it to become a terrible agony.

The American private enterprise system, although under constant attack, has proven through the years to be the greatest anti-poverty program the world has ever known. Within the last six years alone, more than ten million new jobs have been created—new jobs affording a living wage and an atmosphere of dignity that generates ambition.

In a time of greatest necessity for higher education, we are experiencing throughout the nation unbelievable destruction of physical facilities and moral fibre in our colleges and universities. Impossible demands are being made upon administrators of colleges and universities by students aided by outside agitators and some faculty members who are traitors to their commitment.

It was my privilege recently to spend an evening of round table discussion with a group of college students. It was a very enjoyable occasion. There is no doubt in my mind the vast majority of our young men and women are better educated and more responsible than ever before. Students in institutions of higher learning have some legitimate complaints. They are entitled to be heard, and their recommendations considered and adopted when appropriate to the betterment of the college or university, but students cannot be given control of our educational institutions. A student's primary mission is the pursuit of education and not to manage the affairs of the college in accordance with personal desires. There are many examples of the results the latter development produces.

A great philosopher once said, "Those who do not remember the past are condemned to repeat it."

There is an old Turkish saying, "Read new books but old proverbs." New books stimulate a vision of the future and old proverbs contain the convictions from experience that men must live by. We must retain from the past all that is sound and good and just, and use it today in building for the future. In our building we must be willing to change when change is required.

The members of your generation and mine must make every effort to blend the experience of the past and abilities of the present to provide a future richer in advantages and opportunities and freedom than have been ours to receive. This means individual dedication and cooperation.

As Clarence Manion has said, "It must be remembered that 95% of the peace, order and welfare existing in human society is always produced by the conscientious practice of man-to-man justice and person-to-person charity."

I believe we can correct many of our social and political deficiencies by placing less emphasis on minorities and majorities, and giving more stress to the *individual*. This is the American way. America is based upon the concept of the *individual* whose personality is inviolate because he is created in the image of God. Our rights come from the Creator, not from some organization to which we may belong. This sacred truth is proclaimed in the Declaration of Independence and guaranteed by the Constitution of the United States, although some in high places would have us believe otherwise.

These documents intend that all citizens should be recognized regardless of race, creed or color, for their *individual* worth, and must always have opportunities to improve themselves and their lot in life, but must always discharge properly the concept of individual responsibilities for good citizenship placed upon them by our founding fathers.

The key words in the whole American system are "individual" and "opportunity." These words can never be translated to mean *mobs* and *demands*. Individual opportunity can never be truthfully transposed to read *group guarantees*.

That is why it disturbs me to see many of our young people who, instead of attracting attention by dignity and worthwhile achievement, resort to some weird personal appearance or boisterous acts of sound and fury signifying nothing but trouble. Where are the parents of these wayward individuals?

Any individual who damns the land of his birth, desecrates our flag, and mocks **Him** who died on Calvary's cross is a disgrace to the concept of a nation created under God.

One of the greatest justices ever to sit on the United States Supreme Court in the days when that court was honored and revered throughout the world, Justice Oliver Wendell Holmes, said, "As life is action and passion, it is required of us that we should share in the action and passion of our times at the peril of being judged not to have lived."

My young friends, your contribution to strong and constructive leadership can mean much to a troubled nation. Our adversaries within this country are small in number but loud in voice. Our cooperative efforts can diminish their influence rather than allow it to spread.

Too many of our people today are saying, "Well, I am just one person and there is very little I can do." Our very poor voting record bears out this tragic attitude. A one-man cheering section in a 50,000 seat capacity stadium is muted by the vastness of the structure, but add that one voice to 50,000 others and you have your answer. Our destiny in the final analysis rests with the acts of individual citizens because the unit of our society is the individual.

That is why I urge you to develop strong and meaningful convictions. Be enthusiastic and energetic about your convictions and stand for something worthwhile. Don't just sit idly by while the flames of misunderstanding and strife and discord envelop you.

Make it your business to be informed, to know what is going on in your community, your state and your nation. Get the facts. Communicate your opinion to those in whom you entrust the management of your government and community affairs. You ask the impossible of these representatives when you don't give them the benefit of your opinion and let them know what you stand for. When you are too otherwise occupied to go to the polls and cast an intelligent ballot for the candidate of your choice, you forfeit your right to criticize the results. If you feel your representatives are right, support them. If you think they are wrong, tell them why you think they are wrong. They are entitled to that consideration.

That great American, General Dwight Eisenhower, said, "There is nothing wrong with America that faith, love of freedom, intelligence and energy of her citizens cannot cure." I believe that and pledge to each of you my full support and active cooperation in a joint effort to insure continued sound growth and development of this wonderful land of ours.

I shall always remember with pride the honor of participating in your program today. To all of you ladies and gentlemen of this graduating class, I extend my heartiest congratulations.

I have great faith and confidence in your ability and, as your march toward even greater achievements in the years ahead, I hope your thoughts and actions will be guided by a simple philosophy—have courage tempered with humility; ambition tempered with moderation; sound judgment tempered with understanding, and above all, "do justly, love mercy, and walk humbly with thy God."

COMMUNITY ANTENNA TELEVISION

Mr. McCLELLAN. Mr. President, one of the most complex issues confronting Congress is the consideration of legislation providing for the orderly development and regulation of the cable television industry.

The National Observer for the week of July 7 contains an informative article on this subject written by William J. Lanouette. In addition to reviewing the major policy issues presented by the CATV controversy, the article focuses on the television programing available in Texarkana on the Texas-Arkansas border. The programs currently distributed to the citizens of the Texarkana area of Arkansas come from three stations in Shreveport, La. Such stations obviously do not meet the community needs of southwestern Arkansas. Mr. Lanouette describes how the citizens of the Texarkana area are being denied the opportunity to receive the television programs they desire because of the regulations adopted by a majority of the Federal Communications Commission.

The National Observer article concludes by stating that "it may take an act of Congress" to assure adequate television service to the people of my State. For some time, I have been urging the various parties involved in the CATV issue to exert every effort to reach agreement on a joint recommendation to Congress. I regret that little progress has been made so far. If the parties cannot reach some accommodation, then Congress will have to proceed actively with the preparation and consideration of appropriate legislation.

Because of the widespread public interest in the CATV question, I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the National Observer, July 7, 1969]

Technology Tangles With Bureaucracy in CATV Tiff—In Texarkana, Television Viewers Ask: Who Wants To See Clyde Fant Eat Chicken?

(By William J. Lanouette)

Texarkana.—Texarkana, split by the Texas-Arkansas state line, is a city in search of its own identity. With separate municipal governments, separate police and fire departments, and traditionally strong loyalties to their respective state capitals in Austin and Little Rock, the 60,000 citizens of this city face one further divisive complication. All television programs in town come from three stations in Shreveport, La.

Blame for the inconvenience of the boundary rests with the cities' founding fathers, and most citizens have made a virtue of its existence. Residents here however, blame the Federal Communications Commission (FCC) for the television confusion, making this independent regulatory agency one of the cities' few common enemies.

By almost universal agreement the townspeople see a way out of their communications gulch. Their answer is community antenna television (CATV), or "cable TV," a technique that can pick up distant television signals from the air or by microwave relay and deliver them by coaxial cable from a central source to subscribers' homes for about $5 a month. It is used in many towns around Texarkana and others across the country.

The citizens of Texarkana have been waiting for CATV since their two city governments awarded franchises to a cable company in August 1965. But because the FCC has placed them in the Shreveport television market area—one of the nation's top 100—and also ruled that CATV cannot bring distant signals into these areas, plans have been stalled ever since in the red tape and politics of Washington.

TECHNOLOGY VERSUS BUREAUCRACY

Texarkana, and dozens of cities like it, are at once enticed by the promise of CATV and stymied by the present state of regulations that surround it. "It's a fight of technology against bureaucracy," one Federal agency spokesman said, "and it's going to get a lot grimmer."

But the regulations reflect deeper conflicts:

Cable television has created a technological revolution that now challenges not only the television industry, but all forms of electronic communication.

CATV has become a multimillion-dollar industry by serving the remote areas of the United States. Its next step, movement into and saturation of big cities, could turn the communications industry upside down, and has been fought bitterly by established broadcast, network, and utilities companies.

Reluctance by the FCC to regulate this struggle has drawn the Supreme Court, Congress, and the Justice Department into the disputes.

The battlefield at the moment is Washington, D.C., and the battle is just beginning. Its resolution may change the nation's concepts of education, home entertainment, police protection, retail sales, and neighborhood politics. Even the contestants in this struggle aren't sure of CATV's full potential or its ultimate problems.

GROWTH IS INEVITABLE

"There is no doubt that CATV will grow," an industry spokesman said; "it's just inevitable. The only question is 'how fast?' and that's up to the FCC."

Even with restrictions, the CATV industry has made impressive gains. It has grown in

20 years from small one- and three-signal systems that brought distant signals to coal-mining towns in the mountains of Pennsylvania or to remote ranchers in the West into a multimillion-dollar, 2,300-system industry that now brings up to 20 signals into 3,600,000 homes in 49 states.

"When I said a few years ago that in 10 years 85 per cent of American homes would be receiving television by cable, most of my colleagues thought I was crazy," says Irving B. Kahn, president of TelePrompTer Corp., a CATV company with 24 systems from New York state to Hawaii, and one of the two franchises in Manhattan. "Today many people in the industry consider that estimate conservative."

But where CATV goes from here depends on three factors: continued development of technology, continued subscribed and investment support, and the effect of continued Government regulations.

THE STRONGEST ASSET IS TECHNOLOGY

Technology has always been CATV's strongest asset, and the more forward-looking members of the industry anticipate that CATV will revolutionize not only television, but all of electronic communications.

Today, even in the large cities, most conventional over-the-air television sets can receive only three or four signals well, and the advent of color has made reception of a clear signal even more critical. CATV subscribers, on the other hand, are able to receive all stations clearly, both very high frequency (VHF) and ultra high frequency (UHF). In the large cities CATV subscribers often have channels available only to themselves that feature neighborhood public-service programs, educational programs, news, weather, and stock-market reports. And CATV spokesmen are talking of cable-television hook-ups for hospitals, police surveillance, direct-order marketing, and data transmission.

CATV subscriber and investor support also is encouraging. Subscriptions increase at a rate of about 25 per cent each year. Estimated annual revenues now exceed $300,000,000; plant investment is more than $500,000,000. The average size of a CATV system is still about 1,850 subscribers, but with the gradual entrance into major metropolitan markets, CATV systems of 100,000 or more will become common. Big-city potential is seen in the fact that 15 companies have applied for New York City's three franchises when they come up for renewal. Of the dozen largest CATV companies that have gone public, eight have shown gains this spring.

Yet, despite professional optimism, the CATV industry is not the runaway enterprise that many of its promoters think it could be, for a variety of reasons.

For one, conventional, over-the-air broadcasters have opposed CATV, fearful of its potential. And when the cable stations begin originating local programs as they have done in New York and talk of interconnecting with other CATV systems in network-like fashion, the broadcasters howl.

KILL CABLE TELEVISION

The motion-picture industry also is running scared. Until CATV, movie houses had exclusive rights to show first-run films and closed-circuit sports events. CATV could, potentially, buy the rights to films and local sports events. It might even charge its subscribers an added fee for particular games, such as the World Series or a prize fight. To meet the challenge of such a possibility, theaters along Broadway in upper Manhattan, where Mr. Kahn's cable franchise is in its third year of operation, have joined in and confused the issue by raising the specter of "pay TV." Some theater owners have trimmed their marquees with such warnings as "Stop Pay TV" and "Kill Cable Television." Pay TV, however, employs another concept: A "scrambled" television signal is transmitted over the air and can only be "unscrambled" by a converter attached to the subscriber's set.

As CATV expands it will unavoidably disrupt existing advertising and broadcast patterns, and the large networks sense this. As a way of hedging its bets, CBS has recently been investing in CATV stocks, though NBC and ABC fought the CATV trend through the influential National Association of Broadcasters (NAB), which represents the major networks and larger television stations. "Let's face it," a CATV executive admitted. "If I had millions tied up in a profitable station, I wouldn't take this lying down either."

In an attempt to maintain orderly development of the television industry, and allow for the expansion of CATV without undue disruption of existing operations all within "the public interest," the FCC has tried to set regulations that will reconcile opposing viewpoints. None of the contestants is satisfied with the results. CATV spokesmen think the FCC is repressive, the broadcast industry finds the FCC irresponsible, the telephone companies believe the FCC is unnecessarily upsetting the status quo, and holders of television copyrights think the FCC has given their property away.

For years the FCC contended that it had no need to assert its jurisdiction over CATV systems, but in 1962 it entered the field indirectly by prohibiting a microwave company, over which it does have jurisdiction, from transmitting television signals to a CATV system. By 1965 the FCC had finally applied its authority to those CATV systems fed by microwave transmission, and the following year it set up a CATV task force and claimed jurisdiction over all cable systems.

Then in 1966, the FCC made a major decision that limited CATV's expansion. It prohibited CATV from importing distant signals into the top 100 television markets. The commission did allow CATV to carry strictly local signals to those markets, but this has very little commercial appeal outside the larger cities.

Two Supreme Court decisions in 1968 reinforced the FCC's responsibility for CATV. One upheld the Commission's authority in the field, and another found that CATV broadcasts are not "performances," and thus not subject for payment of copyright fees.

"There's a parental and protective instinct in all independent regulatory agencies," says John Cole, Jr., a Washington lawyer whose firm specializes in representing CATV systems before the FCC. "They like to protect and promote their own. Over the years the broadcasters have been the FCC's favored children, while CATV people were seen as disruptive neighborhood brats. But, lately, there has been a decided softening of this attitude. It may even grow into a real affection, but that will take time."

Of its rules that have restricted CATV growth, one insider says: "The FCC is sooner or later going to have to admit that CATV won't go away."

In the industry's attempt to reach a compromise with the broadcast and copyright interests, an interstaff agreement was drawn up in May by the NAB and the National Community Television Association (NCTA), which among other things, abandoned the CATV's plans to interconnect in network fashion in exchange for expanded operations in the major metropolitan markets. But, though the NCTA officials accepted the agreement, NAB turned it down, and the two sides are now back on the firing line. At their annual convention in San Francisco last month, the NCTA members talked of future technology, but admitted their present frustrations. "We've just about given up on the FCC," an association spokesman said. "Our only salvation now lies with Congress."

Behind this struggle lies much more than the orderly division of existing television markets. Concerned outsiders have been drawn into the fray. Congress is still uncertain about CATV's copyright responsibilities, and, in an attempt to reconcile the cable and broadcast interests with those of the artists and copyright owners, Sen. John McClellan, Arkansas Democrat and chairman of the Judiciary subcommittee on patents, trademarks, and copyrights, has called for suggestions to amend the 1909 copyright law. Last week he also urged the broadcast, cable, and copyright officials to bring a compromise to Congress by the end of August.

Too, Senate and House commerce subcommittees are considering proposals to define the FCC's role in regulating CATV. But, as Rep. Torbert Macdonald, Massachusetts Democrat and chairman of the House communications subcommittee, told NCTA members recently: "Please remember it would be much easier for Congress to take no action. The appearance of indecision or division [by the industry] is an invitation to do just that. Don't make that happen."

The states, too, are becoming interested in the regulation of CATV, mainly as a possible source of revenue. In all states but two, franchises are awarded to CATV companies by each locality, usually in return for 5 per cent of the station's gross annual revenues. In Nevada a state law has incorporated the franchises previously awarded, and now allows future franchises to be made by the state's Public Utilities Commission. In Connecticut, the Public Utilities Commission awarded franchises two years ago, but the awards have been bound up in contesting litigation since.

WHO WOULD CONTROL PROGRAMING?

Another question behind the current struggle is the role that CATV might play if it is declared a "common carrier," like the telephone companies. Some observers of CATV's growth have warned that the decision about what will be televised should not be left entirely to the system owners. Others contend that since the CATV system is a private arrangement between the company and its subscribers, only they need determine program content. Usually the municipality awarding the franchise stipulates that a certain number of channels be set aside for community or educational use, though this number varies from one city to another.

Also, the telephone companies, which control poles and right of way in most cities, would like to share in this potential growth by providing CATV cables rather than simply leasing the pole space as is now common.

The American Civil Liberties Union has filed an opinion with the FCC requesting that CATV be regulated as a common carrier, "and make a fixed proportion of their channel capacity available . . . to any and all persons and organizations desiring to communicate to the public."

"The common-carrier concept is really the big fight of the future," said Paul Laskin, staff director of a New York City CATV study. "This is the only solution that ensures access and regulates the tremendous concentration of channels in one hand."

The guarantee of community channels is eagerly anticipated in Texarkana, where its Model Cities director, Tom McRae, notes: "This community suffers from a tragic unawareness of itself, and cable TV could do something to help."

Richard Arnold, a resident of Texarkana, Ark., and attorney for the media group that owns the city's two daily papers, one television station that serves the market, and one of the city's four radio stations, admitted: "Local news coverage is not as good as it should be. CATV would allow the community to participate in such things as the setting of water rates or the Model Cities hearings."

"We really get itchy for CATV during foot-

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ball season," another city resident says. And Ben Mizell, city manager of Texarkana, Texas, explains: "The reason we're so loyal to the statehouses and the sports teams is because we're at the tail end of our two states. We're back-to-back here, and just can't forget it."

Other citizens would like more air time devoted to the activities of local civic clubs, to high-school football, or to outdoor programs. And some are just tired of hearing about Shreveport. Said one: "I'm sick of watching Clyde Fant [mayor of Shreveport] cut ribbons and eat chicken dinners. I would like to find out what [Arkansas Gov.] Winthrop Rockefeller did last night." For that to happen, however, it may take an act of Congress.

McGEE SENATE INTERNSHIP CONTEST

Mr. McGEE. Mr. President, each year it is my pleasure to conduct for high-school students in my State of Wyoming the McGee Senate Internship contest, which brings back to Washington one boy and one girl for a week of observing democracy in action—here in the Senate and in Washington. The contest is designed to stir up interest among high-school students in national and international questions.

As a part of the contest each student was required to complete an essay on "Our President: How Should We Choose Him?" Frankly, it was a study of our electoral college system. This year, as I am each year, I was impressed with the depth of understanding and the dedication to our democratic principles displayed by these young people in their essays. This topic is one of vital interest today, and the essays reflect sound reasoning which should be of interest to us all.

Of course, it would be impossible for everyone to read all these essays, but I think some of the most outstanding ones selected by an impartial panel of three judges should receive wider circulation, and I ask unanimous consent that two of these essays, written by David L. Shaul, of Cheyenne, Wyo., and Joyce Swanson, of Saratoga, Wyo., which received honorable mention in the McGee Senate Internship contest, be printed in the RECORD.

There being no objection, the essays were ordered to be printed in the RECORD, as follows:

OUR PRESIDENT: HOW SHOULD WE CHOOSE HIM?

(By David L. Shaul, East High School, Cheyenne, Wyo.)

The late Dwight David Eisenhower once remarked in an article in *Reader's Digest* that our national nominating conventions were a "disgrace" and pondered how the television transmissions of these "capitalistic" spectacles influenced the opinions which foreign audiences might form of America. Although we know ourselves that the conventions are merely overtones of life in these United States, the starving people of India or the citizenry of one of the virgin African nations must, upon seeing telecasts or tapes of these proceedings, wonder what America is really like. The conventions of this summer past, notably the Democratic Convention in Chicago, dramatically emphasize the crying need for modifications of our nominating process.

How, then, can we choose the candidates for the Presidency in some intelligent way, instead of by partying? It would be a mistake to eliminate the two party system, since both parties have adequately represented the will of the people throughout our history. American law and politics, though comparatively young in the terms of international statecraft, are based on certain traditions, without which we would be at a loss. Just as our courts uphold precedents based on centuries of English jurist tradition, our other divisions of government embrace customs which have almost always been adhered to, since they were established by Washington, Adams and Jefferson to fill a basic need which was often left out by the Constitution. This unwritten Constitution has become an integral part of our working government. It would therefore be impractical to abandon these practices, since they make our political system workable and do not distort the desires of the people to any alarming extent.

As mentioned earlier, the conventions, two-thirds of whose members are chosen by party machinery, have gotten out of hand. In this age of electronic wizzardry, it would no longer be impractical to have a national primary, the details of which could be worked out. This would be more "democratic" in the strictest sense of the word. When the Progressive movement swept the land as the Grangers and Populists did earlier, the idea of "The cure for democracy is more democracy!" was advanced. It has been said that today too many Americans don't really care. People who have no faith in humanity at all look up, expecting a bomb at any moment. Our nation's youth are condemned and yet it is said that a "busy boy" is not synonymous with "bad boy." The "good boy" is good because he is "busy"—he is *involved*. Isn't it about time that we got involved in our nation's fate? What better way can we begin with than in the choosing of the two people who will vie for the People's Office?

Candidates, rather their respective parties, now have a wide spectrum of mass media to broadcast their appeals to the people with. The ideal campaign is somewhere between reason and emotion; however, it should be honest and realistic. Such is the case in our newest state. Despite her composite racial and cultural forces, Hawaii conducts the kind of campaign that is fair, yet effective, much like what President Wilson was noted for: intelligent reason with the touch of human sentiment. The words of Kamehameha III, which became the motto of the Kingdom and later the State, express this sentiment exactly. "Ua mau ke ea 'o ka 'aina i ka pono." "The life of the land is preserved in righteousness."

The electoral college was framed by men who created something well adapted to their times. Fewer people were educated and schooled in those times than are now, and by having an educated and *elect* man vote for an illiterate Revolutionary War veteran, it kept the reins of government in the hands of those wise people who had money (freeing them from having to earn a living) as well as an education. In addition to this "rich man's plot," which actually yielded the best results for its day, it was claimed that the country's sparse population made a plebiscite impractical. However, today, in many respects, a high school student has a better education than what was offered in some graduate colleges up until the 1870's or the 1880's. The maze of communications we now possess are quite sufficient to handle a direct vote.

Some steps have been taken in this direction. The Lodge-Gossett Amendment of 1950 offered a compromise between the old system and the new ideas. Some have suggested reviving the district method, and of course, some advocate giving the franchise to the people. A plebiscite would interest more people and attract more voters, although pledged electoral voting is the general practice and about half of the states have the general-ticket system, since we are, unlike a country like Germany, a political nation. It would be advantageous to eliminate an outmoded system which, even with the help of the Twelfth Amendment, has ignored the will of the people at times, and, although it has elected only four minority Presidents, it has produced, at times, several serious disagreements. Some practices that are associated with the electoral system, like the convention balloons, are a gross waste of money.

In these troubled times when we don't know what is after Armageddon, we shouldn't be pessimists, but we should be careful. We should choose our President carefully, and we should choose him (or her) by ourselves. The electoral college is on the way out, the plebiscite is on the way in, and the people are on the way up. Dag Hammarskjold once quietly said, "Unless the world has a spiritual rebirth in the next few years, civilization is doomed." But a little bird once aroused someone by saying: "Where there's a will, there's a way!"

OUR PRESIDENT: HOW SHOULD WE CHOOSE HIM:

(By Joyce Swanson, Platte Valley High School, Saratoga, Wyo.)

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States and will, to the best of my Ability, preserve, protect and defend the Constitution of the United States."

An awesome responsibility is presented to one man every four years. This single man must swear that his decisions will be as right as can be humanly made. Few people in America will not be affected by those decisions, and heads of government in every nation of the world will hear them. His reach is great and his wisdom must match it.

Men of astounding foresight made up a document that has become the precious instrument that regulates the functioning of democracy in America. The signers of the Constitution, after much thought, provided for the selection of the chief executive in the fairest and the most logical manner possible for their time. Thus, the electoral college came into being.

From the time of our Independence to the early twentieth century, the citizens of the United States were, for the most part, rural, isolated, uneducated, and unaware of the world-wide implications of presidential policies. They had come from foreign soil. Peasants came from China. Starving laborers came from Ireland. Dissatisfied or fortune-seeking Englishmen abandoned their native land for this one. Italians, Slavs, Frenchmen, Spanish, and Scandinavians sailed to a new shore.

From this conglomeration of races, customs, traditions, and beliefs, one solitary man had to be chosen to take the responsibility to lead and guide this mass of humanity.

Two hundred years ago the population was too new, too foreign to the principles of Democracy, too steeped in the European and Asian customs, to intelligently single out a satisfactory leader for America. The very men who wrote the documents we live by were raised in a class-system world. They believed that only the higher classes should have a voice in the selection of a leader. At that time perhaps there was some wisdom in the exclusion of those poorer, more scantily educated people from the government leadership. The "lower" class may have lacked the real understanding of the problems at hand and they were not given the opportunity that we have today to study the problems from an intellectual point of view. That was the purpose of the Electoral College—to remove the heaviest burden of responsibility from the shoulders of the general public.

In removing this burden, this system also

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removed a right—the right of the people to select their leader.

It is absolutely essential that our population be led by the best available man. This man necessarily has to be a man of the nation, not of one state or of one group. He must know the people of the country, their occupations, their cultural needs, the commodities they produce, the markets they need, as well as their social problems. He has to know what potentials geography and nature have provided in any particular area. He has to be an expert in economics, finance, psychology, and political science. He should be at least brilliant in military strategy, recreation, education, and conservation, not to mention foreign affairs. His public speaking ability has to be almost perfect, his personality pleasing, his mind clear, and his foreign image untarnished. He is both inventive and selective at the same time. He must consider all suggestions and choose the most preferable for the majority of the public. In short, he must be a genius and a popular one.

Could a public made up largely of uneducated, uninformed, provincial people choose such a man out of the entire population? Probably not, and most certainly not in 1800. The Party system was developed to aid in the first selection. The parties narrow the choice considerably and make the voter's job much easier.

Political parties have a knowledge of all those capable and qualified to serve. The sorting and selection of the most competent candidates is their duty. Although this method of nomination has come under fire from concerned Americans, none have yet proposed a more adequate and plausible method. If the mechanics of this system are imperfect, it is the obligation of the parties themselves to study and institute a satisfactory substitute for the convention. No matter what changes are made in technical details, the parties still must narrow the choice to the few most competent men.

We, the people of the United States, also have a responsibility. We are to choose the president of this, the greatest nation of all time. But how can we properly execute this responsibility, how can we forge a future for our children if the ultimate choice is taken from us?

The population has reached a level of intelligence and awareness never dreamed of when the ink of the Constitution was still fresh. Education has been made available to every citizen. Communication has made isolation become a thing of the past. Fifty states have grown a network of interchange of information that enables them to become one nation with similar problems and opportunities.

Through contemporary news media—newspapers, radio, television, and periodicals, the citizenry of the United States not only knows what the candidate says, but is informed of the factors which motivate the statement.

National attention is focused on national issues. The voter understands these issues from the larger perspective of a national rather than a strictly local point of view. The child watches the ball game from the restricted vision offered by a knothole in the fence. The adult sees the entire playing field from his stadium seat. America has grown up. Americans are adults. They see issues on a three-dimensional scale where there are two sides and a depth to every problem, and Americans are learning to consider all angles.

Equalities have become the most recent concern of the public. Our constitution promises rights to all. How can these rights be exercised if we do not back up the "one-man, one-vote" principle? The importance of the individual is a cause for great pride among patriotic Americans. The individual of today is qualified to elect a president.

There was a time when the general population could not be expected to make so great a decision as choosing a leader, but that old era is gone. Time has changed us. Our new, higher standard of living has made us more perceptive. Uncertainty of early immigrants has been replaced with surety that comes from educational opportunities and realization of the position of the United States in the scheme of world events from better, faster news coverage. There is an alertness and world-mindedness about Americans that could not be found fifty years ago.

Loyalties are no longer divided. Americans seldom remember fidelity to the European or Asian countries of their family origins. The only country these second, third, or more generation Americans feel allegiance to is the United States.

Americans know the duties of the President and they understand what type of man must fill that office. The public realizes the extent of responsibility their leader must take and how important his decisions will be. Through expanded communications the populous is informed of each candidate's ideas, policies, and, quite accurately, his capabilities.

America, as a nation, has changed. Methods of government have also been changed to accommodate the advancing nation. That which does not change to adapt to environment does not survive in nature. Democracy is a living, breathing thing through its government. Restriction to outdated tradition is slowly strangling the life away. We citizens do not wish to be held responsible for the death of our free society. Our voice should no longer be muffled by translation through the electoral college.

Where this country goes and how it moves is of more than slight concern to the entire population. It is of particular concern to the threshold generation. It is a matter of our liberty, of enjoying our rights, of standing tall and proud, and of gasping in awe at the beauty of the flag of the United States of America against a free blue sky. So give us the privilege of direct balloting for the leader whose decisions will impell our nation toward continuing greatness.

PARTNERS OF THE ALLIANCE PROGRAM

Mr. SPARKMAN. Mr. President, the June issue of the National League Journal, the official publication of the National League of Insured Savings Associations, contains an excellent article on the Partners of the Alliance program, written by the programs director, Mr. James H. Boren.

My State of Alabama, in partnership with Guatemala, has participated in the program, and I know that much progress in the areas of mutual understanding and trade has been made. Among the persons from the private sector mentioned in the article is Mr. Arthur Tonsmeire of Mobile, Ala. Mr. Tonsmeire has been in the forefront of the efforts made in Alabama under the Partners of the Alliance program, and I was pleased to see this recognition of the good work that he has done.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Alliance Has Many Partners

On May 14, 1969, in Salt Lake City, 350 delegates from 17 hemispheric nations rose to their feet and cheered as they unanimously adopted a special resolution requesting air transport assistance for the movement of program volunteers and donated equipment in grassroots projects of the Partners of the Alliance program.

Their action was not the result of convention platitudes and resolution-passing, but of a demonstrated need.

In 1968, funds provided through the National Association of the Partners of the Alliance by A.I.D. enabled 350 program volunteers to work on Partners projects. During the same period, private donations in the United States enabled 1200 project volunteers to travel to Latin America, and funding from Latin America enabled 560 Latin American volunteers to work on activities in the United States.

Last year, more than 660 tons of new and carefully screened used equipment were shipped to Latin American Partners through privately arranged means.

The tragedy, however, is that the Partners committees in the United States could have made available several hundred more professional and technical volunteers to literally thousands of tons of hospital equipment for rural hospitals; tractors and other implements for agricultural schools or cooperatives; educational equipment and supplies; steel cable for suspension bridges to bring isolated villages into national life; generators; engines; new books for libraries; rice hullers for Amazonian settlements; and countless other types of commodities for people-oriented projects.

The problem was transportation.

This was the setting in Salt Lake City when the private sector leaders from throughout the hemisphere sprang to their feet and cheered in support of the resolution which called for the assignment of one airplane to the Partners of the Alliance . . . one airplane to be devoted to bringing together the citizens of the Americas in an action program dedicated to the cause of understanding and peace.

The airplane—and the program itself—can be justified by the cost-benefit ratio in terms of dollars, but the real value of the Partners of the Alliance and the contribution which could be made by the assignment of the air transport is to be found in the intangibles which come from people working together with people in a spirit of partnership.

After the resolution was passed, a petition was presented to the Assistant Secretary of State for Interamerican Affairs, Charles Meyer, by action of the delegates to the IV Interamerican Conference of the Partners of the Alliance.

But what is the Partners of the Alliance? Who are the people who met in Salt Lake City, and what are they trying to do?

The Partners are people . . . people doing something about hemispheric understanding by working together in an action program. They are men and women of many fields of interest bound together by a common determination to help make the hemisphere a better place in which to live.

They are such men as Rex Baker of Houston and Arthur Tonsmeire of Mobile; Royden Derrick of Salt Lake City and Hickman Price of Washington, D.C.; Will Pirkey of Denver and Edgar Ribas of Curitiba, Brazil. They and thousands of their private sector colleagues from throughout the hemisphere are working in the cause of orderly development and hemispheric peace.

In its early days, the Alliance for Progress was little understood by people throughout the hemisphere, and while its goals were nobly expressed in the Charter of Punta del Este, its translation in terms of citizen participation was lost in the organizational drive of government-to-government programs.

To the rural campesino or to the citizen living in the barrio of an urban area, there was little understanding and little visibility in the early stages of building a savings and loan system even though such a system would help meet the basic need of housing and ultimately have high visibility. The expansion of institutions of higher education, the development of distant ports, the improvement of communications, and the effect of agricultural research were lost in the maze of day-to-day problems of the campesino or barrio dweller.

To them, the Alliance for Progress had meaning to the degree to which there was response to their own self-help efforts . . . a roof for a school which they had constructed of adobe; a pump for the well they had dug; hand tools with which to convert a trail into a farm-to-market road; or a loan to a cooperative for the purchase of a truck to haul products to market.

These high-impact but economically low-priority activities could not fit into the nation's economic development plan. The citizen level initiative, however, reflected the spirit of the Alliance for Progress at its best.

While a need existed to respond to local level self-help activities in Latin America, many citizens and private organizations in the United States were ready and willing to help. In the early days of the Alliance, those who were working in the government-to-government programs were asked by highly skilled and motivated individuals. "What can I do? Is there a constructive way in which I or my organization may give of time or means to the Alliance?"

The answer could have been, "Write your congressman and ask him to support the foreign aid bill." This, however would have been neither effective nor appropriate.

While support of the AID appropriations was vital, the people wanted to be involved directly. No means existed, however, to articulate that interest in the form of an operational program of private citizens.

In bringing about involvement of people at the grassroots level, another factor had to be considered, the factor of human dignity. The people of Latin America, just as the people of the United States, strongly resent and properly reject any program which is put forward in a patronizing way. While real and recognized needs in the economic and social areas were receiving attention, very little thought was being given to the contribution which Latin America could make to the United States.

A need existed to bring the people of Latin America into the role of participants, rather than recipients. Combining this principle with the fact that the people of other American Republicans have much to contribute to the United States, we had the elements of "partnership" activities which give full recognition to importance of "dignidad." Private sector groups in the United States can respond to local self-help efforts in Latin America, but they can also receive contributions from their Partners in the form of touring art collections, visiting teachers in language, music, art, history, and other fields.

Thus, the Partners of the Alliance was born of a set of opportunities, as well as needs.

First conceived on a cold and bouncy train ride from Puno to Arequipa on the high plains of the Peruvian Andes, the Partners of the Alliance now involves citizens in 37 states and 37 areas in 16 Latin American nations. The goal: to bring people into the action orbit of the Alliance for Progress, and by so doing establish friendships that transcend not only official national borders, but national differences in terms of official policies on trade or aid.

The Partners of the Alliance office in AID was established to serve as the initial catalyst to bring together private citizen groups in the United States and Latin America. Partners of the Alliance committes are formed on a state-wide basis by interested leaders in the fields of education, business, health, labor, agriculture, and finance. Civic clubs, student groups, trade associations, and individual citizens can participate through the instrument of the Partners committees.

Following the formation of the counterpart committees and after basic information has been exchanged, funds provided by the Agency for International Development are made available for the transportation and per diem expenses of a "program development team" representing the U.S. Partners committee to meet with the Latin American Partners organization.

For approximately two weeks, the U.S. team visits schools, hospitals, agriculture projects, rural medical posts and hospitals. They eat the dust and wade in the backwash of the rivers. The final two days of the team visit are given to discussions from which evolve mutually identified projects of a self-help nature which the Partners will implement from private resources.

Most Partners projects fall into the categories of: (1) education, (2) public health and medicine, (3) agriculture and rural development, (4) business and industry, and (5) cultural exchanges.

By March of 1969, the U.S. Partners had been responsible for a flow of more than $13,000,000 in hard contributions to their Latin American partners. This figure does not include another $2,000,000-plus from Partners-inspired foundation assistance.

Nor does it include very significant contributions in the form of packing, shipping to port, transporting donated equipment by sea or air, room and board for students on scholarships or for volunteer participants from Latin America, or local administrative costs and a significant amount of local and international travel.

As the resolution says, one airplane—designed for purposes of war to be converted to serve the cause of peace and understanding in the hemisphere—is wanted by the Alliance for Progress Partners of the Alliance.

EXTENDING THE VOTING RIGHTS ACT—THE CASE AGAINST COMPROMISE

Mr. TYDINGS. Mr. President, democracy, as has so often been said, is a process. Deny or distort any of the basic elements of this process and democracy dies. Therefore, no compromise can be countenanced in this matter. For "partial democracy" is nothing but tyranny by another name.

Thus, the tragedy of the administration's current indecisiveness regarding the extension of the Voting Rights Act of 1965.

This act was adopted by the Congress to make good on a constitutional promise made more than a century ago and then abandoned as part of a political deal at the end of Reconstruction in 1876. For 90 years, Negroes in much of the South were forced to exist in a political limbo closer to slavery than citizenship. In Mississippi, as late as 1964, less than 7 percent of the black populace over 21 years of age was registered to vote.

In short, to black Americans in much of the South "democracy" was a hollow shibboleth—a bitter joke—rather than an operational reality. Owing to discriminatory voting laws and procedures, while the 14th and 15th amendments declared them free men and full citizens, in fact many Negroes remained in a state of political servitude.

It was the transparent hypocrisy of a Nation calling itself a democracy while denying certain citizens the right to vote because of their color that finally created the civil rights movement of the past decade. Stirred by the nonviolent determination of Martin Luther King and his courageous followers, the senseless brutality of Selma, and the murder of freedom marcher Rev. James Reeb, in early 1965, the conscience of the Nation demanded that Congress act.

The result was the passage of the Voting Rights Act of 1965, in which I was privileged to play a role as a member of the Committee on the Judiciary.

In brief, the act automatically suspended literacy tests and other discriminatory devices used as prerequisites for registering or voting in any State or political subdivision which maintained them and also had a voting-age population of which less than 50 percent was registered or actually voted in the 1964 Presidential election. In addition, the act provided for the assignment of Federal examiners to register eligible voters and observe polling places in the States and counties covered, and prohibited these States and counties from changing their voting qualifications without either the approval of the U.S. Attorney General or the District Court of the District of Columbia.

To obtain a release from these provisions, a State must file a suit in the district court for the District of Columbia showing that it has not employed any test or device to deny the right to vote because of race or color during the 5 years preceding the filing of the suit. Since the six States initially covered by the act in 1965 have been forbidden by the act to employ any discriminatory tests or devices, these States will automatically be exempted from the act's provisions in 1970 unless the Congress votes to extend coverage beyond the present 5-year limit.

As I see it, there are three grounds on which an extension of the act might logically be opposed.

First, an extension might be opposed if it were concluded that the act was not effective. But the statistics show this has clearly not been the case.

In 1964, just prior to the passage of the Voting Rights Act, the percentage of the nonwhite voting age population registered to vote in Mississippi was 6.7 percent; now it is 59.8 percent. In Alabama, the percentage has risen from 19.3 percent to 51.6 percent; in Georgia, from 27.4 percent to 52.6 percent; in Louisiana, from 31.6 percent to 58.9 percent; in South Carolina, from 37.3 percent to 51.2 percent; and in Virginia, from 38.3 percent to 55.6 percent. For the first time, more than 50 percent of the black voting age population is registered in every Southern State in the Union.

How much of this impressive gain can be attributed directly or indirectly to the Voting Rights Act?

Records of the Civil Service Commission show that as of December 31, 1967, Federal examiners had been dispatched to 58 counties in the South and had registered 158,094 persons to vote. In addition, it is estimated that nearly 500,000 Negroes have been registered by local officials since the passage of the act.

In short, as a result of the Voting Rights Act, black Americans are active participants in Southern politics for the first time since Reconstruction.

And this participation is not limited strictly to voting. When the Voting

Rights Act was passed 4 years ago there were almost no black elected officials in the six Southern States fully covered by the act. Today there are 267.

Therefore, claims that the Voting Rights Act of 1965 has failed to markedly reduce obstacles to Negro political participation in the States covered are not substantiated by the facts.

Second, extension of the act's coverage might logically be opposed on the grounds that the act was no longer needed because the legislation's objectives were fully achieved. But again, this is clearly not the case.

While Negro registration and voting figures in the States covered by the act reflect dramatic improvements, much remains to be done. There are still 185 counties in these States in which less than 50 percent of the Negroes of voting age are registered. In five of these six States, the percentage of whites of voting age registered to vote exceeds that of blacks by 30 percent or more. As a recent Civil Rights Commission report stated, with regard to Negro voting in the South "full equality is far from a reality."

Furthermore, the six States wholly covered by the act have failed to repeal any of the tests and devices for registering and voting—including the literacy tests—suspended by the Voting Rights Act. If the act's coverage is allowed to expire next year, these requirements will automatically be revived returning us to the discriminatory situation of 4 years ago.

In addition, any of these States could then pass legislation requiring all voters to reregister. This means thousands of black voters who had been denied the ballot because of discriminatory laws and who registered for the first time under the Voting Rights Act could again be without the franchise.

Whether the States in question would carry matters to this extreme or not, failure to extend the act's coverage would surely constitute an abandonment of Negroes in the South before they have developed sufficient political strength to repeal any attempts to reimpose discriminatory voting practices.

Therefore, to argue that the act need not be extended because its objectives have been fully accomplished is to blindly disregard the facts.

Finally, extension might be opposed on the grounds that a more effective substitute proposal exists that could be shepherded through Congress before the current act expires. This is, in effect, what Attorney General Mitchell purported to offer in his testimony of June 26 before the House Judiciary Committee.

In my own view, the Attorney General's case is suspect on two levels. To begin with, it is terribly unlikely that any major piece of civil rights legislation could be enacted by the Congress in the 12 months before the coverage of the current Voting Rights Act expires. Under far more propitious conditions, with the public clamoring for action after witnessing peaceful demonstrators put upon by dogs and fire hoses in Selma, the Congress required 6 months to pass the 1965 act.

But more important than the time factor, the proposals contained in the Attorney General's testimony do not comprise a satisfactory legislative alternative to extended coverage of the Voting Rights Act.

The administration is proposing the following: A nationwide ban on literacy tests until January 1, 1974; a nationwide ban on residency tests for Presidential elections; additional authority for the Attorney General to dispatch voting examiners and observers on a nationwide basis; nationwide authority for the Attorney General to initiate voting rights law suits and to ask for a freeze on discriminatory voting laws; and the appointment of a national voting commission to study voting discrimination and other corrupt practices.

There is nothing wrong with most of these proposals, though I suspect some of them are directed at the straw man of nonsouthern voting discrimination. However, they must be viewed by Congress as possible supplements to the Voting Rights Act to be considered after the act's coverage is extended—not as possible substitutes for extension.

For acceptance of the administration's proposals as a substitute for extension carries a number of deleterious consequences.

First, section 5 of the act would be eliminated. This is the section that prohibits States covered by the act from implementing new voting qualifications or procedures without first obtaining the approval of the Attorney General or a declaratory judgment from the District Court of the District of Columbia stating that the new qualification or procedure "does not and will not have the effect of denying or abridging the right to vote on account of race or color."

This section constitutes an important enforcement device in the act. For the States and subdivisions covered have attempted many subterfuges to escape the act's intent and purpose. Over the past 4 years, they have switched to at-large elections and consolidated counties to nullify local black majorities, extended the terms of white incumbent officials, substituted appointment for election, increased filing fees, added requirements for getting on the ballot, and imposed barriers to the assumption of office. Such actions argue strongly for the retention of section 5.

Second, substituting the administration's proposals for extension of the present act would force a return to the case-by-case, county-by-county approach through the courts which proved so inadequate in the years before the Voting Rights Act of 1965. In fact, it was the obvious inability of this approach to meet the dimensions of the problems of racial discrimination in voting that prompted the 1965 legislation. Sacrificing the automatic coverage of the present act would be turning the clock back 4 years.

Third, the ban on discriminatory tests and devices other than the literacy test would be dropped.

Fourth, and finally, substituting the administration's "nationwide strategy" for extension of the present act's coverage would lead to a serious dilution of the Federal effort in the South—the one area where serious voter discrimination against nonwhites still exists.

In short, adopting the administration's proposals in place of extending the coverage of the current act would critically undermine the real progress in voting rights that has been realized over the past 4 years.

The case for extending the Voting Rights Act of 1965 is an overwhelming one. For the consequences of not extending it are dangerous and anti-democratic.

How can we urge aggrieved minorities to take their grievances to the ballot box while barring the door to the polls without creating explosive frustrations? And how can we claim to ourselves and to the world that America is a democracy when we draw back from action needed to simply guarantee every man the right to vote?

IL PENSEROSO JUNIOR STUDY CLUB OF LOCKNEY, TEX., URGES ESTABLISHMENT OF 100,000-ACRE BIG THICKET NATIONAL PARK

Mr. YARBOROUGH. Mr. President, support for the establishment of a 100,000-acre Big Thicket National Park in southeast Texas continues to grow. The Il Penseroso Junior Study Club of Lockney, Tex., has passed a resolution urging the preservation of at least 100,000 acres of this beautiful and unique area.

In addition to the rich and diverse plantlife and birdlife which are found throughout this wilderness, the Big Thicket provides a home for a profusion of small game—including beaver, mink, otter, nutria, muskrat, wildcat, fox, wolf, red and gray squirrels, flying squirrels, raccoon, opossum, and many others. The seriously threatened American alligator can still be found in the sluggish bayous. The endangered Texas red wolf has taken refuge here and has managed to survive.

Highways, pipelines, oil wells, timber operations, real estate developments, and other encroachments have already reduced the Big Thicket from its original size of 3.5 million acres to about 300,000 acres. It is continuing to disappear at a rate of 50 acres per day. We must act now if we are to save even a small part of this great area.

Mr. President, I ask unanimous consent that the resolution passed by the Il Penseroso Junior Study Club, including the name of its signer, be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

> Whereas, the Big Thicket of Texas is a meeting place for eastern, western and northern ecological elements; and
>
> Whereas, this is the last stand in Texas of the nearly extinct Ivory-billed Woodpecker; and
>
> Whereas, this beautiful and unique area is rapidly being destroyed by bulldozer and chain saw; therefore
>
> Be it resolved that The Il Penseroso Junior Study Club of Lockney, Texas, urges the preservation of at least 100,000 acres containing the most unique areas of the Big Thicket, these areas to be connected by environmental corridors; and
>
> Be it further resolved that the Interior and Insular Affairs Committee of the Sen-

ate of the United States be requested to set immediate hearings on S4 which would create a Big Thicket National Area.

Mrs. Don Duvall,
President, Il Penseroso Jr. Study Club.

BIRTHPLACE OF THE REPUBLICAN PARTY OF KANSAS

Mr. DOLE. Mr. President, the birth of the Republican Party of Kansas 110 years ago is colorfully described in an article written by a Kansas freelance writer, Mrs. Dorothy C. Bishop, of Osawatomie, Kans. Dorothy Bishop has been active in the civic, church, and social affairs of the community since 1939 and returned to a business career in 1954. Her article was published in the Osawatomie Graphic-News of May 15, 1969.

I ask unanimous consent that it be printed in the Record:

There being no objection, the article was ordered to be printed in the Record, as follows:

Kansas Republican Party Was Formed in Osawatomie 110 Years Ago Sunday

(By Dorothy C. Bishop)

It was 110 years ago this coming Sunday, May 18, that the Republican Party of Kansas was born in Osawatomie, then a village of at most 150 houses.

Lincoln was invited to attend the convention which was called to organize the Republican Party in Kansas but was too busy to do so. Another great American, Horace Greeley, a champion of freedom whose pin and voice supported Free Kansas, purposely was not invited to attend but came and received an enthusiastic welcome. As founder and editor of the New York Tribune, Greeley was influential in bringing about the nomination of Lincoln. Later, in 1872, the famous journalist accepted the nomination for president but was defeated by the incumbent president, Ulysses S. Grant.

Greeley made an able and effective speech that day in Osawatomie, but, contrary to popular belief, not to the convention. He spoke from an extemporized platform outside and just north of the Osage Valley House where the convention occupied the second story which had been fitted up for the occasion (The American State Bank, Sixth and Main Sts., is now located on the site.) The preliminary work of the convention was done in an upstairs front room in the Jillson House which stood north of the present Presbyterian Church on Main St.

The convention was a memorable incident in the political history of Kansas, and, not unlike the present-day political convocations, had its factions and conflicts of opinion. One of the major issues was on the question of the Negro in Kansas. It was because of the diversities of views that Greeley was not invited to participate in the convention and that Osawatomie was selected as the site of the convention in preference to some more prominent and convenient location where the local influence might have given predominance to one or the other factors.

Speaking in Osawatomie on May 18, 1898, 39 years later, the president of that first convention, Oscar E. Leonard of Coffey County, told how it was to the Republican Editorial Association of the Second Congressional District.

"Perhaps the fact of my selection as president of the convention also was an outgrowth of the diversity of views," said Leonard. "I had been somewhat active in rallying one of the elements to attend the convention, Hon. W. A. Phillips being put forward for the position on the other side, the radical wing. (Later Phillips became a congressman, a colonel who established the town of Salina, and author of "The Conquest of Kansas.") Not that I entertained extreme views on the issue, but rather that I did not, but believed that these differences, somewhat personal, might be harmonized, as they fortunately were.

"There were radical abolitionists among us, able men, and true to their convictions; there were also (and it was numerically the strongest) a conservative element, not a few of whom were called 'black-law men' because they favored the entire exclusion of the Negro. This hardly seems possible, in the light of the persistent and unyielding opposition to slavery that characterize the early struggles of Kansas. A majority of free-state men of Kansas had no purpose or wish to interfere with the institution of slavery where it existed, nor did they covet the presence of the colored element, slave or free."

The Osawatomie meeting requested the constitutional convention of July 5, 1859 at Wyandotte to incorporate an article in the constitution prohibiting slavery, and this received an overwhelming mandate of 48 to one; but, on the other hand, an amendment to prohibit admission of Negroes to schools came perilously close to passing. An effort to strike the word "white" from the definition of qualified voters was voted down. The suffrage question was also introduced—and rejected.

The differences of opinion over the place of Negroes in Kansas explains why Greeley did not address, and was not invited to address the convention.

"There was a feeling," said Leonard, "that Mr. Greeley, with his very pronounced views, and his lack of understanding of the peculiar status of our affairs, might serve to aggravate, rather than to placate the prevailing differences; and while entertaining all due respect and admiration for that gentleman, it was not by the majority deemed advisable to invite him to participate in the business of the convention."

Invited or not, Greeley's appearance at the convention caused controversy in Kansas. Those who opposed the organization of the Republican Party thought that meddling in local politics by an outsider like Horace Greeley could not be condoned.

On April 28, 1859, Greeley had announced in the New York Tribune that he proposed taking a trip Westward to California "returning across the continent or by the Isthmus." On the way west he planned to look in "on the first distinctively Republican Convention of the Freemen of Kansas, which meets at Osawatomie on the 18th of May . . ." Greeley also asked T. D. Thatcher, editor of the Lawrence Republican, "to state in such manner as you think fit that I propose to attend your Territorial Republican Convention at Osawatomie . . . I have written and talked about Kansas some, until I want to see it . . . hope to see some old friends whom I may more easily find at Osawatomie than by traveling over your broad prairies."

Greeley had been prodding the government to build a transcontinental railroad, and this, no doubt, more than anything else, prompted his journey across the continent. He made notes along the way of the physical characteristics which would affect construction of a railroad and his letters to the New York Tribune describing the difficulties of the trip pointed up the need to connect the two coasts.

Martha B. Caldwell, writing about Horace Greeley's overland trip for the May 1940 Kansas Historical Quarterly, states that a "rumor spread that Frank P. Blair of Missouri and Gov. S. P. Chase of Ohio, as well as Greeley, were expected to be present at the convention to give the Republicans some wholesome advice . . . the Democrats especially made political capital of the story.

"The Leavenworth Herald wrote, 'We find the so-called Republicans of Kansas sending all the way to New York for the great Agamemnon of Black Republicanism—Horace Greeley—to aid in the organization of their party in this territory. He comes with a platform in his breeches pocket . . .

"So much was made of these reports that Greeley authorized the editor of the Lawrence Republican to say in the columns of his paper that the story was without a shadow of foundation; that no one, either in or out of Kansas, solicited his presence at the convention; that the moment he determined to visit Kansas he wrote the articles which appeared in the Tribune and Lawrence Republican."

On Monday, May 9, Greeley left New York for his journey west which he made by train, steamer, stage, and wagon. He arrived at Atchison Sunday morning, May 16. Greeley's paper, the New York Tribune, was widely read in Kansas and it is doubtful that the arrival of any other man in Kansas at that time would have created more of a sensation.

In 1859 Kansas was still isolated—no railroads or telegraphs in Kansas, unless possibly at Ft. Leavenworth, and the telephone would not be invented for nearly 20 years.

To get to Osawatomie at that particular time was a test of man's pluck and endurance. It was during the rainy season, the roads well-nigh impassable and the streams swollen to overflowing and filled with driftwood. When Greeley reached Osawatomie about 9 o'clock in the morning of May 18 he was amazed at the crowd of nearly 1000 who had gathered for the occasion.

During his overland journey, Greeley wrote 34 letters to the Tribune which were later republished in book form, "The Overland Journey to California."

The famous editor left Atchison early May 16 in a two-horse wagon. At 11 a.m. May 16 the party reached Leavenworth where they were joined by Leavenworth delegates who had given up the idea of reaching Osawatomie, certain that the convention would be postponed because of the high water. Putting their horses and wagon on board the steamer, D. A. January, they descended the Missouri River about 50 miles to "Wyandot" where they spent the night . . . the next morning at 6 o'clock they set out for Osawatomie, about 50 miles distant, hoping to get there before night . . . a heavy rain had fallen the day before and the Kansas River bottom was covered with water and the road was all but impassable . . . they passed the Prarie Village of Shawnee, a town of 20 or 30 houses with a large hotel, then directly south which brought them in sight of the Santa Fe Trail with its "white-topped emigrant wagons, and three great contract trains." Crossing the trail at right angles they left "the small village of Olathe a mile or so to the west and struck off over the prairie almost due south.

At Spring Hill, a hamlet of four or six dwellings "including a store but no tavern," the party stopped to give their horses food and rest. Unable to secure horse feed in the town they again set out after lunching on crackers and herring and a "homeopathic dose" purchased for a quarter from a passing wagoner . . .

Their direct route led due south through Paola but being assured by persons they met that Bull Creek was impassable on this road, they turned to the west through Marysville and crossed the creek at Rock Ford, three miles beyond. Greeley confessed that this "wide, impetuous stream, so impenetrable to the eye, and so far above its average level, wore a vicious look" when they plunged into it . . .

Twelve miles more brought them to Stanton where they stayed the night. Stanton was a little town of 20 or 30 houses, including two stores and a tavern. At the tavern they found five or six persons bound for Osawatomie "one of whom had swam three streams since morning." Later in the evening 15 or 20 more arrived, among them the Lawrence and Douglas County delegations.

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After supper, a meeting was held in the schoolhouse where Greeley and others spoke to a well-filled house.

The delegation got an early start the next morning, May 18, and were soon at the Marais des Cygnes River, a mile from Stanton. The river, ordinarily fordable, was 15 or 20 feet in depth. The rope to Josiah Bund's ferry was buried in the water and the tree to which it was attached standing in the middle of the stream. After a long wait, a new rope was secured and the party was ferried across finally reaching Osawatomie about 9 o'clock in the morning.

Greeley described Osawatomie as a village of some 150 houses, situated in the forks of the Marais des Cygnes and Pottawatomie, a somewhat smaller creek, which comes in from the southwest. He wrote:

"The location is pleasant and favorable but not a commanding one; the surrounding country is more considerably cultivated than any I had passed south of the Kaw. The two creeks supply abundant and good timber; (Ed. note: Easterners still refer to Kansas rivers as creeks, even at flood stage) an excellent stream sawmill has taken the place of that which the border ruffians burned; a flouring mill, tannery, brewery, and a large hotel, are being erected or completed. I presume there is a larger town somewhere in what is known as Southern Kansas, though I do not know which it is."

Greeley was introduced by O. C. Brown, a founder of Osawatomie. The editor talked for an hour and a half. He reviewed the old political parties, the steady growth of the slave power and then dwelt on the origin, history, principles and objects of the Republican Party. "It was a labor of love so to speak," wrote Greeley of the occasion. The Lawrence Republican printed the speech in full, May 26, and posted up the proof-sheets with corrections in Greeley's own handwriting. Later the entire speech was published in the May 31, 1859 edition of the New York Tribune.

In the course of his speech, Greeley said:

"The able and gallant Lincoln, of Illinois, whom we had hoped to meet and hear today, has happily illustrated the squatter sovereignty principle thus: 'If A. wants to make B. a slave, C. must not interfere to prevent him.' "

Forty-six years after the convention, Leonard told how they "sat down on" Greeley. "He came out to Kansas," Leonard asserted, "with a number of theories and intended to dictate to us." But right there was where Mr. Greeley miscalculated. We treated him with the courtesy due the great editor that he was but we merely pushed him aside and held the convention in our own way.

Although Greeley didn't participate in the business of the convention it is not known how much influence he exerted among the committees. He was accused of writing the platform but this was denied vigorously by John A. Martin, editor of the Atchison Champion, a member of the platform committee, who declared that Greeley had never seen the platform until a copy was handed to him in Lawrence.

That long-ago May when Greeley attended the birth of the Republican Party in Kansas must have been much like this May, green and luxuriant after the spring rains, for Greeley was much impressed with the beauty of this region, declaring:

"If the Garden of Eden exceeded this land in beauty or fertility I pity Adam for having to leave it."

POLISH AMERICAN CONGRESS ENDORSES PRESIDENT NIXON'S AIR FORCE ACADEMY SPEECH

Mr. DODD. Mr. President, President Nixon's June 5 address before the Air Force Academy served both as a tocsin and a source of inspiration. In a comment which I gave over the radio on the following day, I expressed the belief that it reflected the views of the great majority of the American people. I have received a number of evidences that this is so. One of the most eloquent items of evidence was a resolution adopted by the Polish American Congress, District of Connecticut, at its quarterly meeting in Hartford, Conn., on June 8, 1969.

I ask unanimous consent that the text of the resolution be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

The Polish American Congress, District of Connecticut, assembled at the Quarterly Meeting held in Hartford on June 8, 1969, do hereby unanimously resolve:

1. We warmly welcome and fully endorse President Nixon's clear, resolute and profoundly wise statements on the defense policy of the United States, as expressed in his address at the Air Force Academy in Colorado Springs on June 5, 1969.

2. We believe that all new isolationists, defeatists, naive pacifists and advocates of weakness and unilateral disarmament, clamoring for peace at any price, instead of helping to preserve or bring about peace, are actually prolonging or even promoting wars, by indirectly inviting aggressors to easy conquests, as history had proven it over and over again.

3. We are deeply convinced that only by being strong and determined, America can preserve peace, protect and defend her own security and also freedom in the world.

4. We hold it as a self-evident fact, that this great country of ours was chosen by the grace of God and historical destiny to bear the lofty burden of world wide responsibilities as the champion and defender of freedom in the world, threatened by communist tyranny.

5. We also strongly feel and insist that the United States Government take all necessary steps and exert all efforts to strive for, and ultimately bring about the liberation of Poland, Czechoslovakia and other Captive Nations in Eastern and Central Europe, which, as a result of the infamous Yalta agreement were left in the Russian sphere of influence and are now suffering under the imposed communist regimes and neo-colonial Russian oppression and exploitation.

6. We believe that peace at home, with law and order and with justice and equal opportunities for all should be and must be the ultimate goal of Federal, State and local governments as well as of all the citizens, to make America a shining example for the whole world as a champion and defender of freedom, democracy and justice to all.

HUMAN RIGHTS CONVENTIONS ARE AN IMPORTANT ELEMENT IN A PEACEFUL WORLD ORDER

Mr. PROXMIRE. Mr. President; I rise today to speak once again of the three human rights conventions that have languished in the Senate Foreign Relations Committee for over 20 years.

Critics of these conventions have found it difficult to attack them frontally. Few are willing to assert that such things as the equal rights of women, immunity from forced labor or the prohibition of genocide are undesirable.

But these critics have found numerous ways to attack the conventions obliquely, to prevent their ratification by undermining their foundations.

One such criticism would have us believe that, however worthy the conventions, they are nothing more than words on paper and thus powerless to affect real events. Political theorists, the argument runs, have long affirmed that in the end it is relationships of political power and not highminded statements of ideals that determine political action. Thus conventions like the ones I speak for today can be little more than sops to moralizers or facades behind which political business proceeds as usual.

I take issue with this argument, Mr. President. It misrepresents the nature of political relations and completely misses the value of statements of political intent.

It is indisputable that relationships of power are a major determinant of political action. But they are just that—a major determinant, and not the whole story. The successful operation of any political grouping depends not simply on coercive force, but on a measure of consent as well. Were it not for this mutual acquiescence to the privileges, obligations and sanctions of the system, no political entity could long survive, no matter how much force was employed in the attempt to hold it together.

What applies to the city, the State and the Nation applies equally, and perhaps more, to the system of nations. If there is truly to come about a peaceful world order based on mutual respect for the rights of others, there must first come a profound and uncoerced agreement on the nature and value of these rights. There must be among nations that same kind of concensus that is so vital to the cohesion of the most successful and longlasting of nations.

How then, Mr. President, if these thoughts are true, can it be asserted that conventions like the ones before us are ineffectual and meaningless? For these conventions, if commonly held, represent nothing less than the first important step toward establishment of the concensus upon which a genuinely peaceful world order must be constructed.

Admittedly the conventions are only the first step in a long and difficult process. But this process we must attempt, and it has little chance of success if we fail at the very beginning, as we must surely do if we continue to ignore these conventions. If these principles are not mutually held, they do indeed become meaningless and ineffectual—mere words on paper.

It is for this reason, Mr. President, that I once again urge the Senate to act promptly to add our name to the long list of nations that have already affirmed their agreement to these important conventions.

TOM MBOYA

Mr. McGEE. Mr. President, we have again been shaken by the reality of assassination, this time of a young and dynamic, very promising leader in Africa—Minister of Planning and Economic Development Tom Mboya, of Kenya. His death is a severe loss, for Tom Mboya was young—only 38—yet had years of experience, having been leader of the Kenya Federation of Labor and of

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the African National Union, as well as a high official in the Government headed by his friend Jomo Kenyatta.

Having had the pleasure of meeting Mr. Mboya, I can say from firsthand that he was a man sparked by the desire to uplift his people, and all the people of Africa, regardless of tribal loyalties and other transitory evidences of diviseness. He was a builder who was, as Anthony Astrachan wrote in the Washington Post recently, busy building institutions in the state that would outlast any individual or generation—that would provide at least the chance of viability for countries that need every chance they can get.

Mr. President, Kenya and all of Africa needed Tom Mboya. But he has been taken away by an act of senseless violence, not unlike those we ourselves have experienced. His example, however, cannot be taken away. He will be remembered with great favor here, as I am sure he will be in his native country, whose people I join in mourning his loss and in extending condolences to his widow and family.

POLICY ON CHEMICAL AND BIOLOGICAL WARFARE

Mr. MOSS. Mr. President, in March of 1968 an accident occurred at Dugway Proving Grounds in which 6,000 sheep were killed. This was the first blemish on an admirable safety record for the testing ground. In light of this I began to investigate the entire operation at Dugway and our national policy concerning chemical and biological warfare.

Since that time in 1968, I have attempted to keep abreast of new developments in this field. Recently the Army announced it would shortly dispose of 20,000 tons of lethal GB nerve gas. The initial plan called for the rail movement of this gas from the Rocky Mountain Arsenal—RMA—located outside Denver, Colo., to Earle, N.J., for disposal in the sea through Operation Chase—cut holes and sink 'em.

When news of this plan was made public a number of serious objections were raised. The main focus of complaint was the danger involved in the rail shipment of such lethal gas through large urban areas.

In response to the public outcry raised against this plan, the Army requested the National Academy of Sciences to study alternative methods of disposing of the obsolete nerve gas.

In a report released on June 25, 1969, the NAS recommended that the gases not be moved and that the processes of demilitarization and detoxification begin immediately at the RMA.

As a less desirable and far more dangerous alternative the NAS tentatively recommended that the gases be transported by rail to the Tooele Army Depot in Utah for demilitarization and detoxification.

The reason for this alternative plan was, in my opinion, the political pressure that was being brought to bear on the Army by various public figures to get the gas out of Colorado.

I then, and still do, object to this needless exposing of citizens in Colorado and Utah to this lethal gas that could be released in transit by the slightest accident.

The reasons why I consider this alternative proposal both needless and dangerous are two:

First. The NAS recognized the inherent danger of transporting live nerve gas bombs by rail. The increasing rate of railroad accidents, as witnessed by the recent railroad car explosion at Wells, Nev., and the unnecessary exposure of U.S. citizens to this danger, seem overwhelmingly persuasive to keep the gas at RMA.

Second. With the monetary restraint that Congress is experiencing this year, it seems an unnecessary waste of the taxpayers' money to spend approximately $14 million to construct a new demilitarization and detoxification plant at Tooele, when one already exists at the RMA.

In examining the entire nerve gas problem I do see a danger with the present RMA facilities, that could be easily corrected.

When the Army planned to ship the nerve gas bombs to Earle, N.J., for disposal, they were removed from their protected storage area and placed in unprotected boxcars, where they remain today. These railroad cars are easily seen from the air either approaching or taking off from Stapleton airport.

Presently the airspace above the arsenal is not restricted. Jet aircraft and other airplanes fly directly over these boxcars. The only limitation is that all aircraft must be above 2,500 feet.

In light of this I am asking first, that the Army remove the M-34 bombs from the railroad cars and place them in the protected storage areas within the confines of the arsenal. Second, I am asking the FAA to restrict the air space above the RMA to all aircraft at all levels below 40,000 feet. These two modifications would correct this needless danger to the public.

In discussing this proposal with the FAA they have commented that this could be accomplished with no significant handicap to the Stapleton International Airport, which is located a short distance from the RMA. Stapleton presently has 300 to 350 flight operations daily. Stapleton Air Field was first opened October 17, 1929. Planes have been flying over RMA ever since the arsenal was constructed, which includes World War II.

If Colorado State officials are really concerned about the formulation of creative solutions to difficult problems, they should support corrections of this obvious danger to the public.

ADMIRAL RICKOVER'S REASSIGNMENT

Mr. JACKSON. Mr. President, I am very gratified that on the strong recommendations of Admiral Moorer, Chief of Naval Operations, Secretary of the Navy Chaffee has announced the retention of Vice Admiral Rickover on active duty in the Navy as the head of our naval nuclear propulsion program.

Admiral Rickover has ably filled this post for over 20 years, during which time his genius, determination, and personal courage have been the decisive factors in placing the United States into world leadership in nuclear-powered warships.

Today, our Polaris submarines stand out clearly as our most formidable deterrent against nuclear war. These submarines would not exist except for the contributions made by Admiral Rickover's program. We owe a great deal to Admiral Rickover, and I am particularly pleased that Secretary Laird has had the wisdom and foresight to insure that the Nation will retain his invaluable services for another 2 years.

I also note that Admiral Rickover will, during this extension, have the same duties, responsibilities, and authority he has had to date. This is imperative if the present high standards set by Admiral Rickover in all phases of the naval nuclear propulsion program are to be maintained.

THE MAGNIFICENT MATCHBOX FLEET

Mr. CASE. Mr. President, many of my colleagues will remember Representative Gordon Canfield, of New Jersey, who served with great distinction for 20 years in the House. His deep interest and work in behalf of the Coast Guard earned for him the title of "Father of the Coast Guard Reserve." Mr. Canfield has called my attention to a story which appeared in the May–June issue of the Review, a publication of the Defense Supply Association.

I ask unanimous consent to enter in the Record "The Magnificent Matchbox Fleet," H. R. Kaplan's vivid account of the role played by 50 U.S. Coast Guard cutters on D-day, June 6, 1944. It is eloquent testimony to the Coast Guard's continued efforts today to maintain its reputation as the smallest military component in constant readiness for peace or war time service.

There being no objection, the article was ordered to be printed in the Record, as follows:

D-Day Revisited: The Magnificent Matchbox Fleet

(By H. R. Kaplan)

Reporters named it the "matchbox fleet." Actually, it was a flotilla of fifty modest wooden 83-foot U.S. Coast Guard cutters, hastily organized to carry out rescue services during the most gigantic amphibious landing operation ever carried out in the long and tragic history of war—the Allied invasion of Europe in June, 1944. Before that fateful June 6 was over, the men of Coast Guard Rescue Flotilla No. 1 would see the white sands of the French beaches stained red with blood, and the sight of dead bodies would become commonplace. In the next couple of days, young men would be reshaped in the fiery crucible of war into seasoned veterans.

The idea of a rescue flotilla emanated from no less a personage than the Commander-in-Chief himself, President Franklin D. Roosevelt. A yachtsman and a former Assistant Secretary of the Navy, he had developed a healthy respect for the small-boat expertise of the Coast Guard. He reasoned that in the probably crowded and chaotic conditions of the Channel during the landings, only small vessels, expertly handled, could operate with any degree of success. Their job would be simple but dangerous. They were to accompany the initial invasion waves to within less than one mile of the

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beaches. At that point they were to heave to, waiting for the first casualties to come in. They would be sitting ducks for the heavy German gun emplacements of the "Atlantic Westwall," one of the most heavily fortified lines in the world.

All along the French coast the Germans had mounted fortifications manned by battle-hardened veterans. Against this awesome array of firepower, the Allies were about to attempt one of the most difficult tasks in the science of war—assault of a strongly fortified sector from the water. However, what the Americans and their allies did have going for them were enormous resources in men and materials and the element of surprise. Nevertheless, the problem was to put those men and supplies on the beaches and to keep them there long enough to develop a foothold for penetration to the interior. All of this would have to be done in the face of murderous, ranking German fire.

The cutters of the Flotilla, commanded by LCdr. Alexander V. Stewart, were to take on board as many wounded men as possible, even to the danger point. Then they were to dash to larger vessels, transfer their survivors, and return to search for more. Their crews were American and English, and the skippers were mostly young lieutenants, junior grade. For a long time they had trained for this moment. Everything they had learned would at last be put to the test. The very fortunes of the Free World depended on the outcome of this day. As the great Sir Winston Churchill had put it, "The New World in all its power and majesty" was "coming to the rescue of the Old." If they survived this day, they would have something to tell their children many years later. *If* they survived.

For the young skippers and their crews, the night of June 5, 1944, would be one of the longest of their lives. As the hours slipped by till morning, a strange quiet descended on the cutters. Each man wondered: Would he make it back? Would he, when the test came, have the guts to meet it? Others withdrew into some private place within themselves, thinking of a girl left behind, a farm, or a special place where they had been happy in a world left irrevocably behind. This was no training exercise, but the long-awaited invasion itself.

Typical of the mood on the cutters was that of Rescue Cutter No. 62, commanded by Lieutenant, junior grade, Raymond M. Rosenbloom, Jr. On the night before the invasion, he had called all hands together in the tiny galley. In his early twenties, Rosenbloom was grim and unsmiling as he prepared to give his men their final briefing. A combat correspondent on board recorded his words.

"Well, girls," he said, "Sometime tomorrow more ships than the world has ever seen will sail from England to put our troops in France." No one said anything.

"We probably won't reach the beach ourselves," he continued, "and you ought to thank God." Some of the men looked a little uncomfortable about that, but they remained silent.

"We will be with the first convoy," said Rosenbloom, "and as you know, our job will be to pick up survivors from the torpedoed ships. We may have a lot to do, but we hope we won't."

Rosenbloom then outlined the plan, reminding his men that the Navy's job was to put the Army on the beach and that the particular task of Coast Guard Cutter 62 was to pick up Army men from the Channel and put them on the nearest large craft going to France.

"When you pull these men out of the water, the lieutenant said, "they will have rifles strapped on their backs. Their first instinct, past experience has shown, will be to get rid of the rifle since even after they are pulled aboard the horror will remain that the rifle is pulling them down. You will not let them throw overboard either rifles or ammunition. The first thing you will let these men know is that the war is not over for them but that they are going to be put aboard another invasion craft."

There was absolute silence, as if the men were hypnotized by Rosenbloom's words. This was no 24-year-old speaking, but a tough veteran. Speaking slowly in a matter of fact voice, Rosenbloom continued. "We're going to have to be callous. That's going to be the hardest part of our job. When we get a load we're going to have to back away, no matter how many men are in the water. Don't feel sorry for a boy, even if he has a broken leg and is screaming to be pulled aboard. Like in a department store, our value is in a quick turnover and a quick return. As soon as we've unloaded one batch of boys on a larger ship, we'll go back for another. If the boys in the water won't get out of the way we'll have to back right through them and they'll have to take a chance of being hit by the propellers."

"If a man is dead," Rosenbloom paused briefly. "The pharmacist's mate told you how to tell if a man is dead, didn't he?" The men nodded.

"All right, if a man is dead, and the ship is loaded and you're rushed for time, you're not to waste any sentimentality on him because it may mean other lives. You'll cut off one of his dog tags, put your foot under him and hoist him over the rail. And keep hauling in live men as fast as you can. Even with the nets and ropes, they'll have trouble getting aboard. If we lose a big ship there'll be a lot of them in the water and there's going to be no time to lose."

Some of the crew had turned white as the lieutenant spoke. Rosenbloom gave them a few seconds to absorb the impact of what he had said. Relentlessly, he continued: "The wounded will be a problem. The damage and first-aid crew under Chief Dickey will handle them as best they can. The worst wounded will be given a shot of morphine, the others quick first aid. Chief, as far as possible, if a man is wounded, let his own buddies take care of him."

"Men who are able to walk, you will herd below as fast as you can. Stuff them in the fo'c'sle and stuff them in the wardroom. If the ship gets too full, stuff them in the lazarette."

"The first men pulled aboard, if they are healthy, put to work helping you pull in the others. You will find them as meek as lambs, experience has shown. They'll do everything you say. They'll be so damned glad to be out of the water, especially at night."

Once again the lieutenant waited before going on. "Remember this. Anyone who goes below to light a cigarette must put on a pair of red goggles." This instruction was intended to prevent night blindness.

"The only lights below will be covered with a red shield or an orange shield", Rosenbloom said. "Also to take care of night blindness. These shields will not be removed under any circumstances."

"We will not fire on any aircraft unless we are directly attacked. The flashes will give away our position. In case, through confusion, one of our own ships fires on us, we will not give away our position by firing the recognition rocket unless a real salvo lands in our neighborhood. Every time we pass a ship Signalman Fernandes (Tony Fernandes of Westfield, Mass.) will keep his blinker gun trained on the bridge, ready to give the signal.

"If we are sunk ourselves and washed ashore on the German side, don't touch anything. It may be boobytrapped. Just find yourself a soft place and lie there until you see some of our troops."

"We will be on the port side of the convoy and will be vulnerable to E-Boat attack. You know the E-boats. We will not fire unless we are directly attacked. If we are attacked, do the best we can with the pea-shooters. Remember, we're specialists, and our specialty is not shooting but rescuing men. Now have you read your gas instructions?"

The men nodded.

"All right. I don't need to tell you that if you use your gas equipment correctly you will be safe. If you don't use your equipment properly—well, you've all seen gas victims of the last war walking about." The briefing was over. For the first time, these young men had had a look at the frightening face of war.

Only a few hours later, the mighty invasion force was on its way. Soon the skies were dark with clouds of fighters and bombers streaking towards the French coast to soften up German defenses. The roar of their motors was deafening. On they sped through the late English twilight. As dawn emerged out of the grey mists of the Channel, the Coast Guard rescue flotilla groped its way with the rest of the invasion fleet through miles of mine fields. Lighting their path were intermittent flashes of flares and gunfire. By now all hell had begun to break loose as the German defenders reacted feverishly to the seemingly endless flow of men and ships.

By six a.m. of June 6 the first waves of troops had hit the beaches where they were immediately pinned down by deadly German fire. Bomb blasts sent rivers of fire along the beach. This was the big show all right, and it wasn't long before the first wounded started coming in. The time had arrived for the Rescue Flotilla to show its mettle. From that time until well into the invasion, every man on board the cutters worked without stopping as long as he could stand on his feet. Rest was out of the question when all those men were tossing around on the dark water. With the superhuman energy which comes to men at such times, they pulled every man possible out of the water.

The wounded were transferred from the small boats, bobbing like empty bottles in the rough seas and banging sharply against the larger vessels. But the transfers were managed somehow with skill and gentleness. As weary soldiers leaned on railings and stared down, the casualties were brought on board. Litter cases were swathed in blankets soaked with spray, waterdrops beading the exhausted faces and closed eyes. Straps were slipped under the ends of the stretchers which were quickly hoisted, while guide ropes held the small craft safely off the side of the transports. Wounded men able to walk came up ladders assisted from below, grabbed by strong hands from above. As each came aboard, two soldiers took his arms around their shoulders and led him inside to the dressing stations.

In preparation for this grim time, the larger vessels had been equipped with bunks for hundreds of wounded, operating rooms, plasma, sulfas, penicillin, and the latest medical stores. Most of the litter cases were taken directly to the operating room, while the less seriously wounded were looked after in the wardroom, converted into a first-aid station. Every available space was lined with waiting litters as the wounded began coming aboard fast. In corridors, minor casualties sat on chairs, or lay on the floor. And over everything hung the sickening stench of blood, sweat and wet filth. Every man who could help was pressed into service. They removed temporary bandages, now wet and dirty, cleaned wounds with disinfectants, picked out stuck bits of clothing, sand, grass, and often metal. For two days and nights the doctors and their assistants worked with no sleep. There were amputations, chest and abdominal-cavity perforations. Yet none of the wounded died before the ships reached England.

Sometimes the wounded were in such a desperate state that medical and surgical treatment had to be administered immediately on the rescue cutters.

While the Coast Guard cutter was circling a British transport, a German shore battery opened up. Three large shells struck the water about 35 feet away. The explosions from the large-caliber guns flung hot water into the men's faces. A British destroyer immediately struck out for shore, hurling shells at the enemy emplacements, finally silencing them.

Altogether, Coast Guard Rescue Flotilla No. 1 made 1,438 rescues from the English Channel during the invasion of France. Even months after the operation had been completed, they were still on the job picking men out of the cold, angry water.

All of this was a quarter of a century ago, and nothing remains of the gallant cutters of the "matchbox fleet" in the Coast Guard. Nothing that is, except affection in the hearts of men grown elderly who bless every inch of their wooden hulls. And who is to say that is not the greatest monument of all?

NAVIGABILITY OF CONGAREE RIVER OR WATEREE RIVER, S.C.

Mr. HOLLINGS. Mr. President, in July 1969, a concurrent resolution was adopted by the South Carolina General Assembly, whereby it was requested that the Cooper-Santee River Basin Development Association, the U.S. Army Corps of Engineers, and all other State and Federal agencies not take any action toward making the Congaree River or the Wateree River navigable until the State of South Carolina, acting through its appropriate State agencies or the general assembly, determines that such navigability would not interfere with the propagation of striped bass.

Since the proposal to make the Congaree or Wateree navigable is an important and significant transportation proposal, both to the State of South Carolina and the Nation, I ask unanimous consent that the concurrent resolution be printed in the RECORD.

There being no objection, the concurrent resolution was ordered to be printed in the RECORD, as follows:

CONCURRENT RESOLUTION

Requesting the Cooper-Santee River Basin Development Association, U.S. Army Corps of Engineers, and all other State and Federal agencies not to take any action toward making the Congaree or Wateree Rivers navigable until the State of South Carolina, acting through its appropriate State agencies or the general assembly, determines that such navigability would not interfere with the propagation of striped bass

Whereas, it has been suggested and planned by certain groups and individuals that action be taken toward making the Congaree or Wateree Rivers navigable; and

Whereas, it has not yet been determined to be feasible or practicable to develop these rivers for these purposes; and

Whereas, such development could result in inestimable damage to fish, wildlife and wildlife breeding areas adjacent to said rivers and may also cause damage to landowners adjacent to the rivers as a result of flooding. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That the Cooper-Santee River Basin Development Association, the U.S. Army Corps of Engineers and all other state and federal agencies are requested not to take any action toward making the Congaree or Wateree Rivers navigable, other than to conduct studies thereof if deemed advisable, until the State of South Carolina, acting through the General Assembly, determines that such navigability will not interfere with the propagation of striped bass.

Be is further resolved that a copy of this resolution be forwarded to the United States Corps of Engineers, to each United States Senator from South Carolina, and to each member of Congress from South Carolina.

State of South Carolina, in the House of Representatives, Columbia, South Carolina, July 2, 1969.

I hereby certify that the foregoing is a true and correct copy of a Resolution passed in the House of Representatives and concurred in by the Senate.

INEZ WATSON,
Clerk of the House.

FURTHER ACTION ON PESTICIDE CONTROL URGED OF THE DEPARTMENT OF AGRICULTURE

Mr. NELSON. Mr. President, the Department of Agriculture announced yesterday the suspension of the use of DDT and eight other pesticides in its departmental programs.

As reported by today's Evening Star, the New York Times, and the Washington Post, the Department's action resulted from the recent recommendations of a National Academy of Sciences-National Research Council pesticide study.

DDT is now registered by the Department of Agriculture for about 240 agricultural uses, and also is authorized for other uses such as for control of Dutch elm disease and for mosquito control. DDT production in the United States is at more than 100 million pounds a year.

I understand that a special Department of Agriculture committee is recommending to Secretary Clifford Hardin that aerial dusting of DDT and the use of the pesticide in aquatic areas be stopped. Such action would be a step forward, but it alone would not be enough to prevent further damage to the environment, to fish and wildlife, and possibly to man, from this persistent pesticide.

In a letter to Secretary Hardin, I have urged instead that the Department ban DDT immediately canceling the registration for all its uses except those that may be absolutely necessary for the protection of human health, or by setting a specific timetable for doing this.

DDT has proved to be not only hazardous, but expendable. The question is not whether to eliminate its use, but when. And I believe we must accomplish it on a timetable not of years but of months.

Six years ago, the President's Science Advisory Committee concluded that the goal must be the elimination of the use of persistent, toxic pesticides. With each passing year, this matter becomes more urgent, and yet, progress toward this end at the Federal level has been disappointingly slow.

In this country, DDT has been banned in Arizona and Michigan, and, overseas, in Sweden. It would be unfortunate if the Federal Government were cast in the role of following, rather than leading, in this critical national concern. At best, any limitation or banning of some DDT uses could be considered only an initial step. Action must be taken not only with regard to DDT, but for other pesticides as well. While the use of DDT has decreased substantially in the recent years, use of the even more toxic insecticides aldrin and dieldrin has actually increased. And predictably, dangerously high concentrations of these compounds are also being found in the environment.

I ask unanimous consent that the articles from the Evening Star, the New York Times, and the Washington Post be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, July 10, 1969]

REPORT CRITICAL OF DDT SHELVED, NELSON SAYS

(By Mark Brown)

Sen. Gaylord A. Nelson has charged the Department of Agriculture with sitting on a report condemning the general use of DDT.

Agriculture officials denied any such report exists, but did announce yesterday the department had ordered a temporary halt in the use of nine persistent or long-lasting pesticides—including DDT—in government pest control programs.

The Wisconsin Democrat called on Secretary of Agriculture Clifford M. Hardin to ban use of the toxic pesticide altogether.

Nelson said the department has kept the report quiet because "they haven't done anything about it."

But Dr. G. W. Irving Jr., administrator of the USDA's agricultural research service, and Harry W. Hays, director of the pesticides regulation division, said no such recommendations have been made to Hardin.

"If there had been a report I would have known about it," Irving said.

Nelson acknowledged the report may not yet have reached Hardin's desk. But he added. "There is no doubt in my mind the report exists."

He contended the department's temporary halt to use of DDT in its own programs was a "ridiculous palliative" designed to assuage public opinion.

"The Department of Agriculture is America's worst offender," Nelson asserted. "It is locked in with the agricultural interests that use DDT."

Nelson said Hardin set up a special intradepartmental committee to study the National Academy of Sciences-National Research Council Report on Persistent Pesticides.

The USDA committee recommended a ban on aerial dusting with DDT and use of the pesticide in "aquatic areas"—near lakes, rivers and streams, he said.

Nelson has contended DDT is contaminating America's waters—especially in the Great Lakes area—and poisoning the environment for fish, wildlife and even man.

The committee's recommendations don't go far enough, he said, even though they are "a step forward."

The temporary suspension—good until completion of a 30-day review—affects USDA pest control operations on military and civilian airports, joint federal-state projects and national forests.

In addition to DDT, pesticides involved are Dieldrin, Endrin, Aldrin, Chlordane, Toxaphene, Lindane, Heptachlor, and BHC. All are "persistent" long-lasting pesticides.

Undersecretary of Agriculture J. Phil Campbell, who announced the suspension, said it was ordered because of "the present concern over protection of our environment from contamination."

Only a minor percentage of the persistent pesticides used in the United States are used in the programs affected by the temporary ban, Irving said.

XUM

[From the New York Times, July 9, 1969]

FEDERAL USE OF DDT RESTRICTED PENDING RESULT OF 30-DAY STUDY

(By Gladwin Hill)

LOS ANGELES, July 9.—Under pressures from many quarters about the harmful side effects of "hard" pesticides, the Department of Agriculture announced today that it was suspending the use of DDT and eight other similar compounds in its programs pending a 30-day "review."

The action was in line with recent recommendations of a National Academy of Sciences-National Research Council pesticide study requested by the department

The most controversial of the current programs is the application of dieldrin, which is more toxic than DDT, to airports to avert any insect infestation from airplanes from overseas.

The projected treatment of Kelly Air Force Base in San Antonio, Tex., which was disclosed last week, brought protests from conservationists that accidental runoff might poison the waters of the Gulf of Mexico.

More than 250,000 pounds of dieldrin has been applied in the program to 56 military and civilian airports across the country over the last 15 years, including the principal airports around New York and Washington.

Besides DDT and dieldrin, the suspension covers endrin aldrin, chlordane, toxaphene, lindane, heptachlor and benzene hexachloride. The action was announced in Washington by J. Phil Campbell, acting Secretary of Agriculture in the absence of Secretary Clifford M. Hardin, who is traveling in the West.

Senator Gaylord Nelson, Wisconsin Democrat who has been campaigning against DDT, urged Secretary Hardin, in a communication released today, to impose a national ban on the application of DDT by aerial "dusting" and by any method in areas close to bodies of water, as constructive steps toward eventual elimination of the compound.

These restrictions were said to have been recommended by an unpublicized intradepartmental committee that was recently set up by Secretary Hardin to assess the Academy of Science-Research Council report.

All the pesticides involved in the suspension belong to the man-made chemical family of chlorinated hydrocarbons, which are distinctive for their toxicity and longevity. They do not dissolve readily in water and tend to remain concentrated. They accumulate particularly in the organs of fish and birds, and apparently disrupt reproduction.

DIELDRIN KNOWLEDGE SCANT

Most humans now have DDT in their bodies although the body tends to eliminate it before it reaches a toxic level. On dieldrin and the other compounds, knowledge is less specific.

The Agriculture Department has been using what it called "the persistent pesticides" to counter such insects as the Japanese beetle, the white-fringed beetle, pine bark beetles, the European chafer and the Tussock moth, in the airport program, in national forests and in various Federal-state projects.

The department announcement said that the review "will consider possible alternative control methods, including other chemicals."

"Although the programs are carefully planned, to insure maximum safety to man, animals and our natural resources," Mr. Campbell said, "the present concern over protection of our environment from contamination warrants a further review of our control operations."

The review will be conducted by department personnel, but its conclusions will be subject to review in turn by the intradepartmental Federal Committee on Pest Control, which oversees Federal control programs.

The Academy of Science-Research Council report had recommended that "further and more effective steps be taken to reduce the needless or inadvertent release of persistent pesticides into the environment."

AT LEAST 23 BASES TREATED

Regarding the dieldrin program, the director of the Agriculture Department's plant pest control division, Donald R. Shepherd, said in a telephone interview that at least 23 military bases and 33 civilian airports had been treated and, in a number of cases, retreated since 1954, with the idea of making the soil lethal to any insect coming off an airplane.

About 75,000 acres of land were involved. The standard application is 30 pounds of a 10 percent granular dieldrin-and-clay compound per acre, representing three pounds of pure dieldrin.

Dieldrin was used, Mr. Shepherd said, because one pound of it was equal to about eight pounds of DDT in insecticidal effects calculated to last from five to seven years, minimizing reapplications.

Some scientists say the use of such a powerful chemical is unnecessary and that this widespread application of it may well account for some of the dieldrin that is regularly showing up, along with DDT, in fish and birds.

"There's enough of it around now to kill eagles and peregrine falcons, and we're finding it regularly in West Coast pelicans," Dr. Robert Risebrough, a biochemist of the University of California at Berkeley, said in a telephone interview.

HIGH RATE OF TOXICITY

"In the Lake Michigan Coho Salmon," said Dr. Charles Wurster, a biologist at the State University of New York at Stony Brook who has been prominent in the national anti-DDT campaign, "where there will be 7 parts per million of DDT, you may find one-quarter of a part per million of dieldrin. There's less of it, but it's much worse than DDT in terms of toxicity.

"This use of dieldrin on airports is foolish. All the insects have to do is get off the plane and fly. The solution is to treat the airplane, not poison the environment around it."

Mr. Shepherd said that attention had been given in each case to local ecological factors—that treatment of Travis Air Force Base in California was deferred pending a study of its colony of burrowing owls, which might be poisoned.

But he acknowledged that a runoff of the chemical had resulted in "a few fish kills" during the program. He said that at Norfolk, Va., where there had been intensive applications, state agencies found dieldrin in oysters and shrimps, but that "it wasn't considered hazardous."

[From the Washington (D.C.) Post, July 9, 1969]

AGRICULTURE DEPARTMENT SUSPENDS USE OF DDT

The Agriculture Department yesterday ordered a halt to use of nine long-lasting pesticides, including DDT and Dieldrin, in its pest control programs.

The order followed urgent requests by Sen. Gaylord Nelson (D–Wis.), that all use of DDT be banned, and by Rep. Bertram L. Podell (D–N.Y.), that DDT not even be produced.

Undersecretary of Agriculture J. Phil Campbell said the departmental suspension was ordered pending a review of the pest control programs, to be completed in 30 days.

Campbell's order affected programs conducted by the Agricultural Research Service and the U.S. Forest Service which involve applications of DDT, Dieldrin, Endrin, Aldrin, Chlordane, Toxaphene, Heptachlor and BHC.

Departmental pest control operations on military and civilian airports will be halted along with cooperative Federal-state projects and application of pesticides in national forests, Campbell said.

KANSAS EDITOR WRITES PERCEPTIVELY ON FOREIGN POLICY

Mr. PEARSON. Mr. President, I recently had the opportunity to read two excellent editorials published in the Salina, Kans., Journal. And at a time when we are very much concerned with foreign policy and defense matters, I wish to call these editorials to the attention of Senators.

The editor, Mr. Whitley Austin, observes with great perception that many of our policies have been based on myths and exaggerated notions of our power to control world events. As he puts it:

> We have fondly believed we can whip anyone, out-produce anyone, out-bank anyone, out-boss anyone.

But we are "getting our come-uppance." We must now make a realistic assessment of "what we can actually do and get away with and then proceed to do it."

One of the things we must strive for is more effective communication with the great powers—Russia, China, Japan, and West Germany. Mr. Austin states it well:

> We don't have to get in bed with them but we can talk and trade with them on a basis of mutual advantage. Stress the "mutual"—it is the only way to make a successful bargain.

I ask unanimous consent that the editorials entitled "Fairy Tales, the Basis of Our Foreign Policy," of June 27, and "Where Do We Begin Our National Defense?" of July 2, be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Salina (Kans.) Journal, June 27, 1969]

FAIRY TALES THE BASIS OF OUR FOREIGN POLICY

How long can the United States operate its foreign policy on the basis of fairy tales?

In essence, this was the question Alf Landon asked in his lecture at Kansas State University earlier this week.

Because Washington has placed its faith in characters that might have come out of the Wizard of Oz, we are in a bushel of trouble, from Vietnam to the Holy Land, from the city ghettos to the market places of Europe and Asia, and in the long stretch of South America.

We have fondly believed we can whip anyone, out-produce anyone, out-bank anyone, out-boss anyone—and we are getting our come-uppance.

At the same time that we seem scared to death of the Russian Dragon breathing the fires of Communism, we act as if China didn't exist.

We burn incense to the Good Fairy Democracy while we cultivate the Dictator Witches.

But ours isn't a Never-Never Land; it's a hard, real world; and Alf Landon thinks we should shape up to it.

First, we should burn our illusions. Our strength is not as the strength of ten, neither is our heart pure.

Having discovered what we actually can do and get away with, we should proceed to do it. This is not isolationism, new or old. It is practical common sense, including acceptance of our limitations.

Landon certainly is not an isolationist. In sum, he believes that, while warily keeping our vitals clutched, we should deal hardheadedly with both China and Russia to restore trade and peace to the world.

XUM

And although these three, the United States, Russia and China, are the great powers, they also have their limitations Even collectively, they are not Imperial Wizards. So we should use our heads and deal with the rest, not as a Good Fairy distributing gold dust and diamond promises, but as a merchant cultivating customers, particularly important ones such as Japan and West Germany.

Perhaps in the dank cellars of the White House or the rooftop cocktail lounge of the State Department a foreign policy of this kind is being shaped. Perhaps. There are few signs of it. The gnomes and fairies are still busy on Capitol Hill and in the Pentagon. Mr. Nixon seems content to apply kisses to the scratches, emporizing, waiting, game playing.

Alf Landon has shown the way out of the picture book department. But articulation of a new foreign policy must come from those with the power to apply it. Until that policy is spelled, proof-read and published, we may expect more nightmares.

[From the Salina (Kans.) Journal, July 2, 1969]

Where Do We Begin Our National Defense?

"If we pull out of Vietnam, where do we stop?", a friend asked the other evening.

A better question is: "Where do we begin?"

If the issue is national defense, it involves more than protection of U.S. geography or salvation of disastrous pride.

Because no great nation can live in isolation, we need a world enough at peace so we can trade and communicate with most of it.

We have tried several ways but they have not worked.

Except in some of its humanitarian aspects, the United Nations has been a disappointment. We are far from ready to discard it but we cannot rely upon it.

Collective security treaties as elaborated by the late Foster Dulles have become close to worthless. What nation, including those in the area and directly concerned, has given us more than nominal help in Vietnam? If NATO were put to the test, what would or could it do? The web of treaties seem mostly to entangle, not shield us.

We have discovered to our sorrow that we are not effective world policemen, even upon a selective basis. We saved all of China and are left wet-nursing Formosa. Korea remains a potential bomb; South Korea prospers only because of a constant infusion of our money and troops.

Our tragic Vietnam effort has not deterred the spread of Communism but invited it in Southeast Asia; rather than establish liberty we have created a colonial dictatorship; we may end up having to fight the South Vietnamese as well as the North.

So when do we begin a plan that works?

Not, let me write at once, by razing the Pentagon. Aside from protecting our continental and island possessions, we need to ride shotgun on our lines of communication. A look at the globe tells us this means sea power and air power, not a land expeditionary force.

It is even more important to have something to communicate and parties on the other end of the lines. Whether you like them or not, the other important powers today are chiefly Russia, China, Japan, and West Germany. We don't have to get in bed with them but we can talk and trade with them on a basis of mutual advantage. Stress the "mutual"; it is the only way to make a successful bargain.

This may seem more an expression of greed than of ideals. Perhaps but not necessarily. And it is free from the paranoic fears that have crippled and misled us. What is evil about diminishing poverty and hunger?

This also is a vast over-simplification of the problems. But it is a good premise on which to begin. To stop the old mistakes is to clear the way for a start.

THE PESTICIDE PERIL—XXIII

Mr. NELSON. Mr. President, further evidence of a possible link between cancer and the widespread use of certain persistent pesticides was presented at hearings of a New York State legislative subcommittee yesterday on a proposal to ban DDT, as reported by this morning's New York Times.

Dr. James T. Grace, director of Roswell Park Memorial Institute, told the Environmental Health Subcommittee of the New York State Legislature—just one of the many State legislatures considering proposals to ban DDT and other persistent pesticides—that research done by the institute "indicates certain chlorinated hydrocarbons clearly produced tumors in mice." He warned that if these chemicals create problems in lower forms, then we must be careful on how we gamble on their use in our environment.

The New York State Pesticide Control Board has urged immediate controls of the chlorinated hydrocarbon pesticides and a ban on sales of DDT by 1971. The board's action adds to the growing concern in our country and throughout the world for the potential threat to our environment and human health of the continued use of toxic, persistent pesticides.

I ask unanimous consent that the New York Times article, and a second Times article regarding the annual report of Dr. M. G. Candau, Director General of the World Health Organization, in which he cited the continued use of DDT as a disease eradicator and stressed the need to develop substitutes to take the place of chlorinated hydrocarbons in the safeguarding of human health, be placed in the Record at this point.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Times, July 10, 1969]

Some Pesticides Are Linked to Cancer

(By Bill Kovach)

Buffalo, July 9.—A possible link between cancer and the widespread use of certain pesticides was added to the growing concern over the use of such chemicals at hearings of a state legislative subommittee here today.

Dr. James T. Grace, director of Roswell Park Memorial Institute, told the Environmental Health Subcommittee of the State Legislature of soon-to-be published research done by the institute that indicates certain chlorinated hydrocarbons (a class of chemicals included in DDT and a number of other pesticides) "clearly" produced tumors in mice.

"If we find these chemicals create problems in lower forms," Dr. Grace told the legislators, "then we must be extremely careful on how we gamble on their use in our environment."

Though Dr. Grace was careful to draw no direct connection between his research and cancer in humans, he said the lack of detailed knowledge of cause and effect itself was reason for caution in the use of "potent compounds with potent effects which are persistent and whose build-up becomes concentrated."

The testimony came as the subcommittee joined by two other legislative committees concerned with agriculture and conservation, opened the first of a series of hearings to consider the need for state legislation on pesticide controls.

CONFLICTING VIEWS ON SAFETY

Representatives of government and the chemical industry presented two conflicting pictures of the dangers posed to human welfare by a group of pesticides in wide use, including DDT, Chlordane and Rhothane.

The State Pesticide Control Board recently urged the commissioner of health, agriculture and markets, and conservation to begin immediate controls of this group of pesticides. The board has also called for a ban on sales—except in emergencies—of DDT by 1971 and legislation to require the licensing of all who use such pesticides.

Dr. J. Henry Wills, secretary of the Pesticide Control Board, said the board took the action because it was "disturbed by the possibility of adverse effects of halogenated (or chlorinated) hydrocarbon pesticides on human health." He cited evidence that their "uncontrolled use" could result in a number of diseases in humans.

Later a representative of the Shell Oil Company, which manufactures some pesticides but not DDT, charged that much of the testimony heard by the committee, was "unsubstantiated as far as we're concerned." T. R. Fitzsimmons said his company's pesticide workers who had been exposed to the chemicals for up to 15 years "are among the healthiest employes of our company."

He joined representatives of the New York State Farm Bureau in urging the legislators to "go slow" in the area of controlling or planning pesticide use.

The subcommittee Chairman, Assemblyman Chester R. Hardt, Republican of Williamsville, said the committee would continue the study at meetings to be announced later.

DDT Curb Questioned

(By John H. Fenton)

Boston, July 9.—The Director General of the World Health Organization counseled today against restrictions of the pesticide DDT in countries where the eradication of insect-borne diseases was of prime importance.

In his annual report to the 22d assembly of the association, Dr. M. G. Candau, the Director General, said, "We must not forget the enormous benefits insecticides have brought to humanity." Sessions of the assembly opened yesterday at the War Memorial Auditorium and will continue through July 25.

Dr. Candau, a Brazilian, whose country includes jungle territory, told the delegates of more than 100 nations that the concept of malaria eradication rested "completely" on the continued use of DDT.

"The record of the safety of DDT to man has been outstanding in the last 20 years," said Dr. Candau, "and its low cost makes it irreplaceable in public health at the present time."

NEW COMPOUNDS SOUGHT

Limitations in the use of DDT, he went on "would give rise to grave health problems in the majority of the developing countries."

At the same time, Dr. Candau said, the World Health Organization was seeking compounds that might take the place of chlorinated hydrocarbons in public health. He said there was every possibility that effective nonpersistent and economically feasible substitutes might be found.

DDT is a chlorinated hydrocardon. Its scientific name is dichloro-diphenyl-trichloro-ethane.

Dr. Candau asserted: "I hope that restrictions applied to the use of DDT because of its effects on wild life in some parts of the world where insect-borne diseases are rare will not lead to similar and unjustifiable measures in countries where these diseases are of paramount importance."

XUM

In covering a broad field of concern to the organization, Dr. Candau also said that in the effort to improve world health, priority must be given to the manpower situation. The lack of trained personnel, he said, affected both developed and developing countries.

ON NEED FOR DOCTORS

"Physicians in all countries," he went on, "could be used to better advantage if they were relieved of functions that could be carried out by other members of the [health] team."

Dr. William H. Stewart, Surgeon General of the United States Public Health Service, who was elected president of the World Health Organization yesterday, addressed the delegates earlier.

Dr. Stewart said that a minimal goal of the organization was that "no man or population group should be compelled to expose themselves to preventable risk of disease or disability as a condition of employment or as a condition of urban or rural living."

THE GOOD PEOPLE OF BREA, CALIF.

Mr. MURPHY. Mr. President, I rise today to express my appreciation for the efforts being made by the good people of Brea, Calif., on behalf of our young Marines at Camp Pendleton 75 miles away. These are the Marines who have fought so heroically in Vietnam, a land half the size of this State in which they were trained. Brea, Mr. President, is a small community of about 16,000 people. But size is no requisite for achievement or compassion. Brea has a big and very warm heart. Brea knows humility, but its story deserves to be told. It deserves to be heard, for I believe all of us can learn even a little from it. Critics and supporters of that far off war will agree, I believe, that there is a significant moral in the story of Brea.

Almost 18 months ago, the people of Brea opened their doors and hearts to Marines who were being sent to Vietnam. They call it the Brea Marine Weekends, and until now more than 3,500 Marines have spent such holidays in 340 homes of Brea. The project has the full support of Brea's city council, its mayor and other members of the city government. It is sponsored by the Brea Congregational Church, whose minister, Charles E. Harlow, says briefly:

> This program has been uniquely successful. Lives have been changed—those of the Marines and of the weekend "parents."

Mr. President, one out of every 35 Marines in Vietnam has spent a weekend with a Brea family. And three out of every four of them write to these families from the battlefront. If this is not eloquent testimony to such friendship and compassion then I do not know what is.

Several weeks ago I asked the U.S. Marine Corps headquarters for its comments on the Brea program. Since then I have been informed by the Commandant of the Marine Corps that he has forwarded a certificate of appreciation to the community of Brea for this "outstanding example of unselfish community and public service." The Marine Corps tells:

> The program has indeed been of exceptional benefit to the morale of those Marines fortunate enough to participate.

During their 13-month hitches in Vietnam, as I have mentioned, many of these Marines write to their Brea "families." They write: "You mean you really care?" or "Why do you do this?" or "May God bless you." And they write that their weekend visits have led many of them to stop and ponder their future.

Mr. Harlow has expressed concern that he has been unable to find any similar community programs for our servicemen throughout the country. He believes that too often this neglect can make these men feel like second-class citizens when, in fact, we all realize they represent our defensive first line. I join him in the hope that other cities across the country might find merit in the Brea experience which has resulted in such binding ties between our military of whom we ask so much and the civilians they serve so well.

Finally, Mr. President, when these men return home from the war, many of them set aside a few days of their precious leave time to pay return visits to their Brea "family." I hope my distinguished colleagues will join me in saluting these deserving people of Brea.

FORMATION OF THE GEO-TRANSPORT FOUNDATION OF NEW ENGLAND

Mr. PELL. Mr. President, I rise today to bring to the attention of my colleagues a significant development in the field of high-speed ground transportation

Announcement is being made today of the formation of the Geo-Transport Foundation of New England, Inc., a private nonprofit group organized to facilitate development of effective high-speed ground transportation services between Boston, my own State of Rhode Island, central Connecticut, and New York City.

I would like to say at the outset, Mr. President, that I have been in close touch with the founders of the Geo-Transport Foundation since the group first met informally more than a year ago as the New England air road study group—NEAR. During the past year I have attended several meetings of the NEAR group. I have encouraged their interest and their efforts toward development of high-speed ground transportation.

I have in the past several Congresses introduced legislation to provide for regional rail passenger service authorities; and as a result of my participation in the NEAR group discussions, I have modified my bill in this Congress to reflect the comments and suggestions offered by members of the group.

It has been for me a most stimulating and encouraging experience, because the NEAR group and the Geo-Transport Foundation represent an awakening on the part of the business community to the prospects and potential of high-speed ground transportation.

Mr. President, the Congress, in 1965, recognized the need for improved public ground transportation by adopting the High Speed Ground Transportation Act. That legislation, in which I am proud to claim a paternal interest, provided for a relatively modest program of research, development, and demonstrations in high-speed ground transportation.

It has been clear from the outset, however, that the Government's role in development of high-speed ground transportation would be a limited one. Indeed, the 1965 act provided what was essentially seed money for research and development in this passenger transportation field in which there had been no significant research and development efforts for the past 50 years.

The program, in short, is designed to provide leadership and stimulation to private enterprise. But if there is to be any significant implementation of high speed ground transportation systems, private industry must play the major role.

I am therefore delighted that this group of responsible and prominent business leaders in the New England area has demonstrated such a deep interest in high-speed ground transportation systems to serve the region.

I would emphasize that this group is composed of experienced business leaders with a vision of the future. I ask unanimous consent, Mr. President, to insert in the RECORD at this point a list of the current members of the Geo-Transport Foundation.

The function of the Geo-Transport Foundation, Mr. President, is viewed as a transitional one. Essentially, the foundation will attempt to devise and lay the groundwork for a new organization or agency that can provide the required coordination and cooperation between public and private sectors.

The ultimate goals of this new agency, as outlined by the Geo-Transport Foundation, are ambitious and far reaching. The new organization would seek: First, to take over and operate intercity railroad passengers services; second, to design, build, and operate a new-technology high-speed ground passenger transport system; third, to effectively blend public and private capital in the conduct of these operations; and, fourth, to be eligible to receive grants from local, State, and Federal transportation assistance programs.

As one who has had a deep and continuing interest in improved rail passenger and high-speed ground transportation services for the people of this country, I am heartened by the formation of the Geo-Transport Foundation. I believe the foundation's program and objectives deserve the most serious and sympathetic consideration by all government and private groups concerned with providing balanced transportation services to meet the transportation needs of the future.

I ask unanimous consent to insert in the RECORD at this point a statement of the background and goals of the Geo-Transport Foundation of New England, Inc., prepared by the foundation.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

GEO-TRANSPORT FOUNDATION MEMBERS

The members of NEAR and the Geo-Transport Foundation are:

Paul Baran, Treasurer, Institute For The Future, Middletown, Connecticut.

Richard M. Bissell, Jr., Director of Economic Planning, United Aircraft Corp., East Hartford, Connecticut.

Frank P. Davidson, President, Institute For The Future, New York City.

Georges F. Doriot, President, American Research & Development Corp., Boston, Massachusetts.

Byron K. Elliott, Retired Chairman of the Board, John Hancock Mutual Life Insurance Co., Boston, Massachusetts.

George P. Gardner, Jr., Partner, Paine, Webber, Jackson & Curtis, Boston, Massachusetts.

Charles Jackson, Jr., Attorney, Gaston, Snow, Motley & Holt, Boston, Massachusetts.

Charles L. Miller, Professor of Engineering, M.I.T., Cambridge, Massachusetts.

G. William Miller, President and Chief Executive Officer, Textron, Inc., Providence, Rhode Island.

Ernest B. Tracy, Partner, Dillon, Read & Co., Inc., New York City.

William C. Whittemore, Senior Vice President & Treasurer, John Hancock Mutual Life Insurance Co., Boston, Massachusetts.

The members have counseled with—

Hon. Claiborne Pell, United States Senate, Washington, D.C.

Walter A. Barry, Jr., Vice President, DeLeuw, Cather & Co., Chicago, Illinois.

T. G. Fellows, Managing Director, Tracked Hovercraft Limited, London, SW 1, England.

John S. Gallagher, Jr., Director of Transportation Research, Battelle Memorial Institute, Columbus, Ohio.

L. M. Horner, Division Vice President, Surface Transportation Systems, Sikorsky Aircraft, Stratford, Connecticut, and various management representatives of the Penn Central Transportation Company.

GEO-TRANSPORT FOUNDATION OF NEW ENGLAND

BACKGROUND

The Geo-Transport Foundation started late in 1967 when a group of distinguished New Englanders initiated a series of informal meetings concerning the dilemma posed by the decline of public passenger transportation in New England. Growing highway congestion, the delays and shifting patterns of air service, and the rapid decline of railroad passenger service were visible to everyone, and having an adverse effect upon the economic health of New England. This group, which called itself the New England Air Road (NEAR) Study group, determined to see what could be done to reverse this passenger transport service deterioration.

Initial attention was given to corridor routes linking southern New England with New York. A group of informal studies were undertaken which pulled together previous similar efforts and sought to determine whether it is technically and economically feasible to provide good quality, medium distance intercity ground passenger transportation which could assist in relieving the overburden on local air and highway transport facilities. Whether such a service might assist in the future growth and development of New England was also investigated.

The NEAR Study Group Reached Six Principal Conclusions:

1. The provision of high speed intercity ground transportation services in the corridors between Boston, Providence, Rhode Island-central Connecticut and New York, is an object of established public policy.

2. The United States Department of Transportation's East Coast Corridor Program is conceptually and technically sound, but has been seriously hampered north and east of New York by the lack of an adequate mechanism for implementation.

3. The exigencies of the present situation call for an evolutionary approach, starting with an improvement of existing rail intercity passenger services and progressing through several stages of development to the design, construction and operation of an entirely new high speed ground service utilizing the best of the new technologies.

4. The implementation of such plan requires the active support and cooperation of local, state and federal governments and of private industry. However, no mechanism exists for establishing this essential cooperation and implementing the resulting service.

5. An excellent opportunity exists to construct an international SST jet port in eastern Connecticut-western Rhode Island which could effectively serve Boston and New York, in addition to all of southern New England, if good high speed ground transport service could be available to and from the airport site.

6. There exists a demand for high speed service over shorter route segments (such as Hartford to New York, and Providence to New York) where highways are congested and good air service is expensive to support and difficult to provide. Further, The Boston-New York market is growing so fast there is need right now for a good high speed ground transport system to relieve air and highway congestion, both areas where future major increases in capacity will be difficult and costly to achieve.

The study group reviewed the reports and studies of the U.S. Northeast Corridor Project, the New England Regional Commission, United Aircraft, and others. It also had DeLeuw, Cather & Co., Dillon Read & Co., and Battelle Memorial Institute correlate and review presently available data concerning several service alternatives to get a sense of their probable ecoonmic feasibility. These studies indicate that with modest local, state, and federal assistance it would be possible to create and maintain an attractive useful intercity ground passenger transport service on a self-supporting basis in the Boston-New York corridors, both for an interim railroad service and for an ultimate new-technology high speed service.

Informational briefings have been held with several New England governors and senators, and with representatives of the Penn Central Transportation Company. The response has been encouraging.

FORMATION OF GEO-TRANSPORT FOUNDATION

The NEAR study group decided that it could best be of assistance in getting active high speed ground transport development and implementations under way in southern New England by creating an organization which could bring about the necessary coordination and cooperation between the concerned public and private sectors, and by providing a mechanism for implementing resulting plans.

Accordingly, the Geo-Transport Foundation of New England was formed with the specific task of setting up a new agency which can (1) take over and operate intercity railroad passenger services; (2) Design, build and operate a new-technology high speed ground passenger transport system; (3) Effectively blend public and private capital in the conduct of these tasks; (4) Be eligible to receive grants from local, state and federal transportation assistance programs.

The Geo-Transport Foundation of New England is incorporated under the laws of Massachusetts as a not-for-profit organization concerned with the evolutionary development and implementation of high speed intercity ground transport in New England. It is intended to be a regional organization in nature and supported by New England industry and government, and therefore responsive to local interests and concerns.

The GTF is intended as a transitional organization which will bridge the gap between an informal study group and the creation of a new, permanent agency which can actually finance, acquire, build and operate interstate high speed ground passenger transport systems. GTF has as its principal task the creation of this new agency and getting it set up and in business. Blending the interest of the public and private sectors of the economy to provide a mechanism for implementing joint regional federal high speed ground transport programs is a prime goal of GTF.

CURRENT GTF ORGANIZATION AND FUNDING

Initially the Foundation is being supported by principal New England industries. It is desired to have the governments of the New England states represented in and supporting the organization. Application is being made to the New England Regional Commission for funds to support a study of alternative organizational forms for the ultimate agency which will enable it to finance, launch and manage a high speed ground transport service in New England. Funds will be needed from other sources, including state governments, to finance the development of the first two stages of evolutionary service (improved intercity service over existing Penn Central lines, and the institution of modernized railroad passenger service over two routes between Boston and New York) and the correlation of these with regional, state and local transportation plans.

Planning for the new technology high speed route will be initiated after plans are under way for a take-over of existing railroad intercity passenger services.

SHORT RANGE PLANNING

Within the next year the Foundation intends to complete detailed plans for the creation of an organization which can implement the plans being drafted. Hopefully, the resulting organization will combine the interest of local and state governments, and of local industry in designing and operating a service which will be eligible for support by the United States Department of Transportation under plans which have been jointly developed by everyone concerned.

The Foundation also intends to draft work plans for the initial tasks to be undertaken by the new organization, and to initiate discussions with the Penn Central so the new organization can start up with a minimum of lost time and effort.

ILLINOIS DEMONSTRATES STATE RESPONSIBILITY

Mr. PERCY. Mr. President, I am proud to share with my colleagues in the Congress important actions taken by our Illinois State Legislature that are of general interest.

In 1969 in Illinois at least one positive answer has been given to the question of whether State governments will move to shoulder their share of the domestic problems confronting this Nation. In 6 short months, Gov. Richard Ogilvie, with bipartisan support in the general assembly, has coaxed, pushed, and pulled the government of the State of Illinois into a position of leadership.

An effective State government must attack the domestic problems of today. The State must be willing to take on the responsibility of exercising the taxing powers available to it to insure adequate revenues from an equitable tax system. The State must take a positive and aggressive role in those program areas that appropriately are run at the State level. The State must not play simply a caretaker role, on the one hand, nor abdicate its responsibilities by turning continually to the Federal Government for program development and initiative, on the other hand. And perhaps most important, the effective State must use its powers to help local communities in their tasks of providing services and attacking the critical

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problems that have become so apparent in recent years.

This is the course that has been laid out for the State of Illinois. While Gov. Richard Ogilvie would be the first to admit that this is only a beginning, the steps made thus far are impressive.

INCOME TAX

Within the restrictive provisions of an archaic State Constitution and in a setting of widespread and longstanding emotional opposition to an income tax, the Ogilvie administration constructed, proposed and steered through the Legislature, working closely with the Speaker of the House and the President of the Senate, the most significant reform in the State tax structure in the history of Illinois.

The needs of the State and local governments have been met in the past by near-total reliance on regressive sales and property taxes with their attendant hardships on low and fixed income families. The yields from these taxes do not grow in succeeding years commensurate with the increased needs for schools, welfare, and other vital services. Frequent increases in the rates of these taxes over the years has only accented the inequities.

The State was fiscally seriously sick and the band-aid palliatives and politically expedient fiscal gimmicks of the past several years were simply not adequate. A bold prescription of unpleasant tasting strong medicine was needed. Governor Ogilvie met that test and brought the State of Illinois into the front-rank of States meeting their responsibilities and meeting the challenge of progressive action.

A 2½-percent flat rate tax on gross income of individuals without any loopholes was enacted. A 4-percent rate was applied to corporations. A liberal $1,000 exemption for the taxpayer and each dependent is the only deduction provided from adjusted gross income—line 9 of the Federal tax form—in addition, capital gains, dividends, and State and local bond interest are taxed fully as ordinary income. This tax was accepted by the legislature with virtually no alterations to its structure.

REVENUE SHARING

The establishment of a new broadly based source of revenue for the State was accompanied by a specific State-local fiscal partnership by the provision that one-twelfth of the revenues from the tax would be shared by direct per capita distribution to city and county governments. This principle, which many of us have supported and worked for on the Federal level for a Federal-State partnership has become a reality in my home State. This breakthrough is eloquent testimony to the commitment the States are willing to make to the cities in the form of unrestricted block-grants over and above the continuation, and in fact increase, in various existing State-local categorical aid programs.

Illinois also adjusted the sharing of sales tax revenues with the cities by increasing the city share by one-third and decreasing the State portion an equal amount. This greatly adds to the cities' ability to cope with their own diverse problems as they best see fit under the principles of homerule, and still prevented the onerous sales tax from being raised above its existing 5-cent total.

We in the Federal Government would be well advised to recognize this type of commitment to the levels of government closest to the people and move now in our deliberations on tax reform to include major tax-sharing with the States as an integral part. I am pleased to cosponsor such legislation and will work with many of my colleagues for its enactment.

MEETING THE NEEDS

Education was rightfully singled out as the first priority of the Ogilvie administration and Illinois this year took a giant step forward in having the State bear a greater proportion of the increasing costs of our schools. State support for schools was increased by over 75 percent and special weighting provisions were added to give additional help to some urban school districts.

Higher education made great advances when the State support for our 2-year community college system was more than doubled and two complete senior universities were established, the first new institutions since 1896.

The most ambitious highway and road-building program in the history of Illinois was authorized by the creation of a Trust Authority empowered to issue $2 billion in bonds along with increases in various user and license fees.

The necessity to match Federal highway funds has required four-fifths of available revenue sources in Illinois—leaving a small amount for all other State and local roads. This has meant a steady deterioration of that system with over 6,000 miles of roads and over 1,000 bridges below minimum design and safety standards. In addition, a supplemental freeway system of 2,000 miles of new roads is vital to future economic growth and development, especially in the underdeveloped areas of southern and western Illinois where jobs are needed now.

The needs for highway safety will come first in this highway program and something will be done about the carnage on Illinois roads which last year involved 350,000 motor vehicle accidents with 155,000 injuries and 2,500 deaths.

EXECUTIVE MANAGEMENT

Upon taking office in January 1969, Governor Ogilvie made a commitment to provide strong central leadership to a State government which in the past has been little more than a collection of autonomous agencies. To carry out this commitment, a bureau of the budget within the executive office of the Governor was established and patterned after our Federal Bureau of the Budget. By agreement with the legislative leadership, the Governor converted the State from a biennial to an annual budget for fiscal year 1970 in order to make the heretofore ritualistic budget process a strong planning and management tool in Illinois.

The Governor's office of human resources was established by executive order to focus top-level attention on the needs of minorities and to expand the opportunities for all of our citizens. This office constitutes a major commitment by the State to coordinate and implement both OEO and model cities programs and to develop innovative answers with the State to our urban crisis.

Many other steps were taken, both large and small. A full department of law enforcement was established with an IBI modeled after the FBI to wage the war on organized crime in the State. A department of local government affairs was created to consolidate several separate agencies so that municipalities might get one-stop service in dealing with the State and a more efficient partnership developed.

CONCLUSION

The most important message that comes from a review of what has happened in Illinois in the last 6 months is precisely that—a great deal has happened. Gov. Richard B. Ogilvie has led Illinois in a demonstration that State government can be a major positive force in our federal system. He and a majority of legislators in both the State senate and house have shown that a State can face up to its responsibilities—They have had the rugged courage to follow what in their view was the responsible course, politically risky though it may have been.

Strong legislative leadership provided by Representative Ralph T. Smith, speaker of the house, and Senator W. Russell Arrington, president pro tempore and majority leader of the senate, meant that all the creative energies of the State government were harnessed together in common cause. I am very proud of the political courage and high sense of public responsibility which these leaders have shown in Illinois.

The Illinois story is concrete proof of the new and exciting chapters which will be written in the next 4 years in the revitalized partnership of our Federal system.

Illinois has not previously been in the forefront in facing up to its responsibilities. But great progress has been made in this past 6 months that forecasts a better tomorrow for all our citizens and a stronger, more constructive role for the State and its municipalities.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The PRESIDING OFFICER (Mr. HUGHES in the chair). The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength

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of the Selected Reserve of each reserve component of the Armed Forces, and for other purposes.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. Pursuant to the previous order, the Chair recognizes the Senator from Nevada.

Mr. CANNON. Mr. President, I ask unanimous consent that I be permitted to suggest the absence of a quorum, without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assignment legislative clerk proceeded to call the roll.

Mr. CANNON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CANNON. Mr. President, Senator Stennis on February 28, 1969, appointed me chairman of a special ad hoc Subcommittee on Tactical Air Power of the Armed Services Committee.

Other Members appointed to serve on this subcommittee were Senator Symington, Young, Thurmond, Tower, and Goldwater.

Senator Stennis requested that we conduct as searching an inquiry as possible into the request of the military for billions of dollars pertaining to the tactical aircraft of all three services. Specifically, Senator Stennis requested that we examine the new fighter programs—namely, the Air Force F–15 and the Navy F–14. In addition, he requested that we examine the F–111 program and the many types of tactical air-to-ground missiles that are an important part of our tactical aircraft.

I was pleased and honored to serve as chairman of the Tactical Air Power Subcommittee. We spent many days in receiving extensive briefings from the military. The purpose of these briefings, of course, was to become thoroughly familiar with the intended operational mission of the weapons systems involved; their performance characteristics; whether they are on schedule; the magnitude of the costs involved; and other related matters. In particular, it was our purpose to determine the justification for initiating or continuing the many programs that fall within the sphere of tactical aviation.

I want to say at the outset that tactical aircraft and the related missiles associated with such aircraft is a very broad area and encompasses many types of individual aircraft and missiles.

I believe it would be well to dwell briefly on an explanation of what is meant by tactical aircraft so that the Senators may have an appreciation of the type of military equipment that I am talking about.

The primary objective of tactical air forces is to assist our ground forces in fighting nonnuclear wars. They achieve this objective by performing three essential missions:

First. Air superiority: The most important mission for tactical air forces is to defend our land forces from attack by enemy air forces. This is done by possessing a superior air-to-air capability over any enemy air force. It is oftentimes referred to as a "dogfight" capability.

Second. Close air support: Tactical aircraft provide firepower in support of our land forces by inflicting casualties and damage on enemy troops and equipment immediately adjacent to our ground forces.

Third. Interdiction missions: Tactical aircraft are used to restrict and impede the enemy's movement of men and materiel. This is done by striking road and rail networks behind the lines, transportation points, supply depots, air bases, and so forth.

It is important to be aware of the fact that the design requirement for an air superiority aircraft are largely dissimilar from aircraft performing the latter two missions, which are air-to-ground missions. The requirement for air-to-air combat dictates that the aircraft be light, fast, highly maneuverable, and so forth. The requirement for carrying a large number of bombs over long distances on air-to-ground missions generally dictates that these aircraft are heavier, slower, and less maneuverable. As a consequence, these aircraft cannot compete in successful air-to-air combat with enemy dogfighters. To survive, they must operate in what is known as a "permissive air environment."

I will discuss later in my speech the vital need for a new fighter. Before doing so, I would like to mention the specific weapons systems that the Tactical Air Power Subcommittee reviewed; some of the pertinent facts concerning these weapons systems; the recommendations that we made to the full Armed Services Committee; and the final action taken by the Armed Services Committee in respect to our recommendations.

The programs reviewed by the Tactical Air Power subcommittee were: The RF–111, a reconnaissance version of the F–111 aircraft; the light intratheater transport—LIT; the AGM X–3 air-to-ground missile; the Cheyenne helicopter; the F–111 aircraft programs; the AX tactical aircraft; the A–7 tactical aircraft; the A–37 tactical aircraft; the Harrier, a new V/STOL aircraft; the Tow antitank missile; the Condor air-to-ground tactical missile; the Maverick air-to-ground tactical missile; the F–15 new Air Force fighter; the F–14 new Navy fighter; and the A–6 tactical aircraft.

I would now like to discuss very briefly each of these programs for which the services requested very substantial funds in the fiscal year 1970 authorization bill, and the actions taken by the Tactical Air Power Subcommittee.

First. The RF–111: The RF–111 is a reconnaissance version of the F–111 currently being produced for the Air Force. The Air Force requested $15 million to initiate R. & D. However, our investigation revealed that the total cost for the program would amount to $821 million. The purpose of the RF–111 was to perform the reconnaissance role for tactical Air Force.

We determined that the Air Force already has purchased 481 RF–4C's; a substantial quantity of RF–101's; the very effective SR–71's, and also has available other reconnaissance equipment. Therefore, it was our recommendation that the justification for this program lacked sufficient merit in that the value to be realized for this large expenditure was not justified.

It was the feeling of the Tactical Air Power Subcommittee, Mr. President, that this was one of the better illustrations of the proper role that the Congress can play with reference to military programs. Although the request for this year was relatively small, namely, $15 million, and therefore not nearly as substantial as many other on-going programs, we felt that one of the vital roles we could play was to "nip in the bud" programs of questionable justification before our investment became large. After programs have been underway for several years and the investment in Government funds is high, it is extremely difficult to cancel them. After all, to do so would result in the almost complete loss of our previous investment, with no visible return to our defense establishment through increased readiness. This type of decision is all the more difficult where the remaining funds needed to complete are relatively small when compared with large prior expenditures. That is why the Tactical Air Power Subcommittee concentrated particularly hard on those programs that the military desired to initiate this year but whose ulimate expenditure over future years would amount to billions of dollars.

The full Armed Services Committee agreed with our recommendation to delete the $15 million requested to initiate R. & D. for the F–111. Denying the initiation of this program will result in a total savings to the Government of at least $821 million.

Second. LIT—Light intratheater transport—was a proposal by the Air Force to develop a new tactical airlift aircraft to replace the C–123 and the C–130 aircraft in the mid 1970's. It was to be a tilt-wing, turbo-prop aircraft. The request by the Air Force was small, namely only $1 million for R. & D.

The Tactical Air Power Subcommittee recommended that funds for this aircraft be denied, and the full committee agreed with our recommendation. The reason for our action was twofold:

First, the C–130 has done an excellent job in meeting this mission requirement in Vietnam and the Department of Defense indicated that, if necessary, it could continue to rely on this aircraft in the 1970's.

Second, the tilt-wing concept of aircraft appeared to our committee to be questionable technologically. Well over $100 million was spent to build five XC–142 tilt-wing aircraft. Four of the five crashed. Further, Air Force testimony indicated that the fate of nearly every V/STOL aircraft we have built has been the same—they have crashed. Therefore, although the funds request was small, we denied the request. It is extremely important to note that the total cost of this program would have been $437 million as a minimum for R. & D. alone. No production costs were available, but it is thoroughly reasonable to conclude that the total cost for this pro-

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gram would have exceeded $1 billion once production costs were included.

Third. The AGM X–3 is a new tactical air-to-ground, standoff missile. The Air Force requested $3 million to initiate R. & D. The committee denied the request for $3 million, and the full Armed Services Committee supported our recommendation.

The primary reason for our denial of the fund request was the fact that all three services currently have a large family of air-to-ground missiles either in being or in R. & D., including the Tow, Walleye, Bullpup, Maverick, Condor, Shrike, Standard Arm, and so forth.

The Tactical Air Power Subcommittee felt that before any new additional air-to-ground missile development work should be undertaken, that the Department of Defense should study thoroughly the entire family of air-to-ground tactical missiles for all three services. In addition, we felt that the Department of Defense should analyze all existing programs to determine if the requirements for each type is still valid and to insure the elimination of any duplication of military effort.

We did recognize that the AGMX–3 had some proposed performance characteristics that were different from our existing family of weapons. However, we were not persuaded that these few characteristics were sufficient to justify starting out on a program that would cost at least $200 million for R. & D. alone. The Air Force had no cost information on how much it would cost to produce these missiles. The ultimate cost of this program unquestionably would exceed $500 million, and therefore we felt that the ramifications of cancelling a $3 million request for this item in fiscal year 1970 was significant indeed.

Fourth. The Cheyenne: The Cheyenne is a rigid rotor helicopter being developed by the Army for the close air support of its ground forces. They intended to buy 375 Cheyennes. As a matter of fact, 10 test aircraft have been produced, and one of them recently crashed. The program encountered serious technical difficulties. As a result, the Army recently decided to cancel the production contract with the Lockheed Aircraft Corp.

The Tactical Air Power Subcommittee took note of the Army's decision to cancel the contract, and subsequently the full Armed Services Committee eliminated the entire $429 million contained in the Army's request for the Cheyenne program.

The Army desires to continue R. & D. on the Cheyenne aircraft. However, its request to continue R. & D. came after the Tactical Air Power Subcommittee had completed its deliberations. Therefore, all funds with respect to this aircraft had been eliminated.

I think it would be fair to say, however, that the Tactical Air Power Subcommittee would favor continuing the R. & D. at some reasonable level, because this aircraft represents a quantum jump in the state of the art. Also, it would not seem reasonable to merely junk the nine existing aircraft which we already have paid for. However, as I stated, the Army's reivsed request for funds was received too late to take action thereon, and all money for the Cheyenne was removed from the bill.

Fifth. The F–111: The F–111 aircraft is the Air Force version of the TFX. The original design mission for this aircraft was the low level delivery of nuclear bombs. In 1964 it was given an additional interdiction mission to deliver general purpose bombs. It is the only Air Force tactical aircraft fully capable of operating at night and in all weather conditions. The present program calls for the purchase of 550 operational aircraft. These aircraft will cost $6.667 billion—$1.569 billion for R. & D. and $5.089 billion for production. The average unit cost is $12.5 million each, including R. & D., compared with the original estimated cost of $3.4 million each, made in November 1963.

The subcommittee of course examined in some detail the reasons for the substantial increase in costs. They are as follows: A reduction in the overall program from 1,388 to 550 aircraft; a reduced production rate; many configuration changes to the aircraft; the purchase of different models; drastic inflation during the past 4 years; and contractual underestimation of cost.

The subcommittee deliberated at considerable length relative to this program. It concluded that the request of the Air Force for $800.2 million, including $73 million for R. & D., $71.4 million for overruns, and $655.8 million for 68 aircraft, was justified. We were persuaded by the fact that it is the only aircraft that can perform tactical missions at night and in all weather, and has the longest range of any other tactical aircraft. This is an extremely important role for tactical aircraft to perform.

Quite obviously we cannot dictate visual or good weather during periods of conflict with an enemy. We must have an aircraft that can perform at night and in bad weather. No one regrets the cost increases more than I do.

There is one special area relative to the F–111 that the subcommittee also analyzed in detail. That is the rather well publicized Mark II avionics for the F–111D model. The F–111A is equipped with the Mark I avionics, costing about $400,000 each.

Mr. GORE. Mr. President, will the Senator from Nevada yield at that point?

Mr. CANNON. I would prefer, if the Senator would not mind, to go through my entire statement and then I will submit to questions on all parts of it.

Mr. GORE. I do not quite understand the term "avionics." I wonder would the Senator explain that to me?

Mr. CANNON. Avionics consist of the sophisticated electronic gear in the aircraft which permits it to carry out its navigational mission, its bombing mission, and so forth. It makes it possible to go to a preselected point and to get there with pinpoint accuracy in the performance of the mission and to return. That is generally referred to in the term of "avionics."

Mr. GORE. I thank the Senator.

Mr. CANNON. Mr. President, it was decided by the Department of Defense to purchase a new Mark II avionics for the F–111D in order to give it the accuracy required to drop conventional bombs. It was estimated to cost $750,000 per aircraft. The present cost is about $2 million per aircraft. We registered our vital concern relative to the cost of the Mark II system with the Air Force. Subsequently, the Air Force stated that it intended only to buy those Mark II's which already are under contract and for which funds already have been previously appropriated. Therefore, it was our feeling that approximately $85 million could be removed from the fiscal year 1970 authorization request for this aircraft, or that additional F–111's could be purchased with this money. The Air Force felt that only about $60 million could be saved by not purchasing new additional Mark II avionics sets.

The final action taken by the Armed Services Committee was to direct the Air Force to not purchase any additional Mark II sets with fiscal year 1970 funds and to take this money and purchase additional F–111 aircraft therewith.

The Air Force presently is determining the amount of money that can be applied to additional F–111 aircraft procurement and also what type of modified avionics system will subsequently be installed on the remaining F–111D aircraft.

I would like to add that the cost figures that I have mentioned previously refer only to the F–111 A/E/D. We did not analyze the FB–111 program, which is a strategic bomber version of the F–111 and which involves an additional $1 billion.

I also should point out that the spare parts cost for the F–111 tactical fighter aircraft is now estimated at $532.7 million. The total estimated cost of the 550 F–111 tactical fighter, including spare parts, will be $7.2 billion.

Sixth. AX: The AX is a new tactical aircraft proposed by the Air Force to supply close air support for Army ground forces. The Air Force requests $12 million to initiate research and development this year. The Tactical Air Power Subcommittee recommended, and the Armed Services Committee approved, this request.

During our briefings it was apparent that the Cheyenne helicopter and the AX aircraft were clearly competitive for the same mission. It was clear to the members that we definitely would not support both of these programs because we felt that both of them were not justified. However, when the Army canceled the Cheyenne helicopter program and after independently reviewing the proposed AX program, we recommended that funds for it be authorized.

It is quite clear that today and in the near future there is a distinct requirement for aircraft specifically designed for the close air support mission. Today in Vietnam we are using multipurpose aircraft such as the A–6, A–7, A–37, F–100, and even the F–4 to perform this role in addition to Army helicopter gun ships. The Air Force states that it will use existing technology and anticipates that the aircraft can be developed quickly and without substantial difficulty. The total research and development costs are estimated at $137 million which appears high. The total estimated production costs, including spare parts and support equipment, will be $1.33 billion. Therefore, the total program cost estimate is $1.467 billion. This is a substantial sum as the members know and, if the program is pursued to completion, will buy slightly less than 1,000 aircraft.

The Air Force estimates that this aircraft can be purchased for approximately $1.2 to $1.3 million each.

We have today no specialized aircraft to perform this role. It was the opinion of the subcommittee that we should have such an aircraft for the 1970's. We felt that during the past few years we have concentrated too much on the "multipurpose" aircraft which has degraded our aircraft in the performance of their primary mission. It is just not possible to build one aircraft to perform several missions. Too many compromises are built into the aircraft and, furthermore, numerous additional costs are involved.

Seventh. A-7: The A-7 is a single-seat, single-engine tactical aircraft developed by the Navy for both close air support and interdiction missions. Both the Navy and the Air Force are purchasing this aircraft. The Air Force requested $348.2 million to purchase 128 aircraft, and $26.5 million for long-lead items. The Navy requested 27 aircraft to cost $99.6 million, and $4.4 million for long-lead items.

It was clear from Air Force testimony that they are not enthusiastic about the A-7 aircraft. It was clear, further, that former civilian officials in the Department of Defense had been very enthusiastic about this aircraft because it was supposed to be economical. Originally, it was to cost slightly over $1.2 million. Its present cost approximates $3 million which is comparable to the present cost of the F-4 fighter aircraft. It is clear that the F-4 is our only air superiority-type aircraft. The Chief of Staff of the Air Force testified that the F-4 could perform the close air support and interdiction missions almost as well, if not as well, as the A-7. Therefore, in view of the Air Force's complete lack of enthusiasm for this aircraft, the subcommittee removed all A-7 funds from the Air Force fiscal year 1970 request, amounting to $374.7 million. We authorized the Air Force to buy 120 F-4 aircraft for the $348.2 million and to use the $26.5 million for long-lead items for the F-4.

The Air Force has already received funds for 74 A-7 aircraft. However, very few of them have been delivered. Most of them are in the very early stages of production. As a result, we denied the Navy's request for 27 aircraft, costing $99.6 million and the $4.4 million for long-lead items. We requested the Department of Defense to make the necessary budgetary and other arrangements to permit the Navy to receive out of the previously funded Air Force money the equivalent number of A-7's which would have been procured under the Navy's request in this bill.

The committee, of course, had nothing against the A-7 aircraft. However, its prime mission is to deliver heavy bomb loads over long distances. It does require a permissive air environment in which to operate because it cannot conduct an effective air battle with an enemy fighter. We therefore agreed with the Air Force position that our national defense would be better served by purchasing the F-4 rather than the A-7. Also most importantly we believe that additional costs incurred, if any, would be nominal indeed.

Subsequent to the testimony by the Chief of Staff of the Air Force the committee eliminated all A-7 procurement and recommended purchase of F-4 aircraft instead. I should add that the Chief of Staff of the Air Force called on me yesterday to furnish information recently developed by the Air Force.

The information indicates that after a new reappraisal, for various reasons, including financial, the Air Force prefers to continue purchasing A-7's. I have not had time to completely evaluate this most recent Air Force information nor to discuss it with other members of the subcommittee and am not prepared to make any other recommendation. I firmly support the committee's position.

Eight. A-37: The A-37 is a tactical aircraft being purchased by the Air Force for the close air support role. It is a modified T-37-B which is a twin jet trainer aircraft. The Congress has already authorized funds for several squadrons which are to be turned over to the Vietnamese Air Force. The $38.5 million that the Air Force requested in fiscal year 1970 for 96 A-37-B's were for active Air Force units. However, deliveries of these aircraft would not commence until late 1970. More important, their use in the active Air Force is planned to be confined to Southeast Asia because of their relatively limited capabilities. Upon termination of the war in South Vietnam they are to be turned over to the Air National Guard. The Tactical Air Power Subcommittee, with the subsequent concurrence of the full Armed Services Committee, reduced the request of the Air Force from 96 to 36 A-37's. We felt that introducing large numbers of these limited capable aircraft into the inventory was not justified. Therefore, the Air Force request was reduced by $22.5 million from $38.5 million to $16 million.

Ninth. Harrier: The Harrier is a V/STOL aircraft developed by Hawker-Siddley in England which the Marine Corps desires to purchase. It requested $57.6 million for 12 aircraft. The Tactical Air Power Subcommittee reviewed this program in considerable detail. One of the very attractive features of this program is the fact that it will require no research and development funds. The aircraft has already been developed. The Marine Corps will conduct extensive operational tests with the 12 aircraft. They persuaded us of the merit of this program because of the aircraft's ability to operate from small helicopter-type landing pads whether these pads are on land or on board ship.

Another persuasive factor relative to this request is that the Marine Corps gave up the purchase of 17 F-4's for a comparable amount of money. Therefore, additional Government funds were not involved.

The Tactical Air Power Subcommittee felt that, inasmuch as the military has never had any V/STOL operational aircraft, this program should be pursued to determine once and for all the military advantages of this type of aircraft. All previous V/STOL aircraft were R. & D. prototypes.

We were concerned about the balance-of-payments aspects. The Marine Corps assured us that it had studied this aspect thoroughly and made the necessary arrangements so the balance-of-payments impact would be negligible, if any.

Tenth. Tow: The Tow is a wire-guided antitank missile. It also has capability against hard targets. The Army requested $2.1 million for research and development and $156 million for procurement. The subcommittee was impressed with the capabilities of this missile, which can be used on the ground and was also planned to be installed on the ill-fated Cheyenne helicopter.

The subcommittee did feel that the Army was building up too rapidly the quantities of these missiles to be purchased. Therefore, we recommended, and the Armed Services Committee concurred, a reduction of $14 million from the procurement request; namely, from $156 to $142 million.

This is another in the large family of tactical missiles launched both from the air and from the ground which we felt the military might well be buying excessive types and quantities. Therefore, I am herewith requesting that the military completely review this family of weapons.

Eleventh. Condor: The Condor is an air-to-ground tactical missile being developed by the Navy. The Navy requested $12.9 million to continue research and development. This program is over 1 year behind schedule because of technical difficulties. We were extremely concerned about this schedule slippage and whether or not this missile will be a successful addition to our military arsenal. We did not feel it wise to deny the $12.9 million which would in effect cancel the program, inasmuch as we have already invested over $100 million. The current estimate is that total research and development will cost $15 million.

If significant progress is not made this year on this program then I would certainly recommend a searching reappraisal next year, and specifically before we authorize any production funds for this missile.

Twelfth. Maverick: The Maverick is the new air-to-ground tactical missile being developed by the Air Force to kill enemy tanks and small fixed targets. The Air Force requested $39.6 million to continue research and development in fiscal year 1970. The Tactical Air Power Subcommittee and the full Armed Services Committee approved continuation of this program. Three primary reasons for the Maverick are that, first, it can attack at lower altitudes and has a better range-speed capability; second, being a smaller weapon, more missiles per aircraft can be carried, and third, being a smaller weapon, it is less expensive.

The total research and development program is estimated at $142.8 million, of which $70 million has been authorized in prior years. The total production cost is estimated at $306 million. Our concern is not with the Maverick but the

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principle that the services purchase fewer types of air-to-ground missiles. This is an additional missile in the family of air-to-ground missiles. I am herewith requesting the Department of Defense to analyze it thoroughly to see if there is any duplication with other programs. This program is on schedule and therefore we authorized funds for it to continue in research and development.

Thirteenth. A–6: The A–6 is a tactical aircraft developed for the Navy. It is the Navy's only night, all-weather capable aircraft. They requested $62.5 million for 12 aircraft. It has proven itself in many combat sorties over North Vietnam. The Navy requested 12 aircraft for attrition; namely, to replace forecasted losses. We were impressed with its combat performance and authorized the aircraft.

Mr. President, because of their importance, I left the following programs until last: The Air Force's F–15 and the Navy's F–14. The F–15 is a new air-to-air superiority fighter to be developed for the Air Force. It is to be operational by 1975 and will replace the F–4. The Air Force's request was for $175 million to initiate research and development in fiscal year 1970. The total program will cost an estimated $5.14 billion, including $1.080 billion for research and development and $4.060 billion for production, spares, and ground support equipment. The estimated unit cost is $10 million per aircraft.

The F–14 is a new air superiority fighter being developed for the Navy. It also must perform the Fleet Air Defense mission that was intended to be performed by the F–111B. The F–14A will use the P–12 engine and the Phoenix missile developed for the F–111B. The F–14B will incorporate a new advanced technology engine which will also be the same basic engine to be used on the Air Force F–15. The F–14C will have new avionics. It is to be a variable sweep-wing aircraft with a two-man crew. The Navy requested $464 million; namely, $225 million for research and development, and $239 million for procurement, including six aircraft. The total estimated cost for the F–14 program including all three models will be $6.4 billion, including $1.3 billion for research and development and $5.1 billion for production cost to purchase 463 aircraft. The cost per aircraft including research and development is estimated at $15 million.

Mr. President, I would now like to discuss why, in my opinion, it is so critical that the United States pursue the development of these two aircraft and why we need to commence these programs this year when economic considerations are so important. To be able to fight a successful conventional war it is essential that we have an air superiority aircraft that can dominate the battlefield. This requires an aircraft that can meet and defeat any enemy aircraft in air-to-air battle. This in turn permits our other tactical aircraft to support our ground forces by bombing enemy troops, supply lines, etc. Without an air superiority fighter capable of protecting all of our other tactical aircraft which require a "permissive" air environment we would be faced with a very dangerous situation.

The only aircraft in our inventory today with an acceptable air-to-air combat capability is the F–4. This aircraft has proven to be an excellent weapon system. However, it is critically important to recognize that its technology dates back to 1955. In an age of rapidly advancing technological achievements, it is not only questionable but doubtful that it could cope successfully with potential adversary aircraft in the mid-1970's.

The most likely enemy air superiority aircraft threat today is the MIG–21. Extensive testimony by the Preparedness Investigating Subcommittee last year established that the F–4 was at least equal in performance to the MIG–21 at normal fighting altitudes. Our best military experts state that today, therefore, there is relative equality between the F–4 and the MIG–21.

We are then faced with several important issues: What has the Soviet Union done recently and what will it do in the future with respect to fighter aircraft development? Most importantly, what air-to-air fighter capability will the Soviets possess by the mid-1970's? Can the United States continue to rely upon the F–4 in the mid-1970's? The answer provided by all recognized experts is that the F–4 will be technologically outmoded by the mid-1970's and, therefore, we cannot rely upon the F–4 to achieve or maintain supremacy in air-to-air combat with a potential enemy.

The informed experts agree that an aircraft designed on a technology of the 1955 time frame will be totally inadequate to cope with the highly sophisticated aircraft of potential enemies in the mid-1970's. As the Preparedness Investigating Subcommittee's report unanimously concluded in October 1968:

> We have grave concern over the ability of the United States to establish and maintain control of the air during the 1970's.

It is well recognized that if the air space is controlled, then the battle area and surrounding terrain is controlled. If the airspace is not controlled, especially against a first-class airpower, then tactical aircraft designed for air-to-ground roles will be relatively ineffective in the performance of their missions. Even modern aircraft designed for air-to-ground roles require a "permissive" air environment, that is, no heavy enemy fighter opposition, if they are to carry out their mission with success.

The committee is compelled to point out that for the last few years the United States has concentrated on the development of "multipurpose" missions, including air-to-air combat and air-to-ground missions. The requirements for an aircraft to be capable of performing "multipurpose" missions unquestionably compromises an aircraft in the performance of its primary mission, irrespective of the nature of its primary mission. It is the committee's judgment that we now concentrate on the development of the fighter aircraft specially configured and confined to the "air superiority" role. We have long neglected undertaking a new program in this area, relying exclusively on the capability of the F-4.

Now let us examine in unclassified form the development by the Soviet Union to improve on the Mig–21 which we already stated is equal in fighting performance to our F–4.

The Soviets since 1955 have flown 18 new models of modern-type aircraft. Obviously, not all of these different models will go into production or become operational. However, it does afford the Soviets with a wide selection of high performance flying prototypes from which it can select the very best for production.

Seven of the 18 new models were seen for the first time by the free world at the July 1967 Moscow airshow. It was at this show that we first saw the Foxbat, the present holder of the world's speed record. Intelligence sources estimated that at least three of the new fighters seen for the first time at that airshow are currently in or will go to production.

It is a well-established fact that during the past decade the Soviet Union has introduced at least one new type operational fighter every 2 years. A total of six, with 11 models; namely, five models of the Mig–21 Fishbed; two models of the Fishpot, one model each of the Fitter, Firebar, Fiddler, and the Flagon.

It is also well established that the Soviet Union has concentrated its development and production efforts on tactical aircraft specifically oriented for the air superiority role. In general, this means it concentrates on aircraft that are light fast, and highly maneuverable.

In contrast, with Soviet emphasis on producing many types of aircraft devoted to control of the air, the United States has developed and is relying completely on only one air superiority weapon system—the F–4.

It is fundamental to conclude that the new Soviet aircraft flown in 1967 by the Soviets are and will be superior to the Mig–21. Further, when they become operational they will be superior to the F–4. After all, a nation with its eyes on the future and on what potential adversaries may do will not develop new weapon systems that are inferior to existing models.

It is important to note that all seven types of tactical aircraft flown by the Soviet Union at its July 1967 airshow were designed before 1964. It is extremely reasonable to assume that the Soviets since the airshow have continued its design efforts to improve upon the impressive aircraft flown at the 1967 airshow. It is also reasonable to assume that new and improved types are now being flown or are in advanced stages of development. The U.S.S.R. does not make frequent announcements of its progress in aircraft or other military fields of endeavor.

I earnestly believe that the high level of effort being undertaken by the Soviets during the past few years and a conservative assessment of its future activities dictates that the United States must, of necessity, seriously concern itself today with the development of new air superiority fighter aircraft.

A modern fighter takes several years to develop and produce. This is an inevitable and inescapable fact. Therefore, even though it is decided to approve and fund a new fighter today, it will be 1975 before it is operational. There is one exception to this rule: The F–14A will be operational at a substantially earlier date because it will use the existing engine and avionics technology developed for the F–111B program.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a brief question at that point?

Mr. CANNON. I would prefer not to yield until I have completed my statement. Then I shall be happy to yield for questions on anything I have pointed out.

Mr. FULBRIGHT. Very well. I did not know which the Senator preferred.

Mr. CANNON. It is important to point out that the United States and its free world allies have approximate numerical parity in tactical aircraft with the Soviet Union and other Communist alined nations.

People also will ask the logical question: Why do we need both the F–14 and the F–15?

I would like to state that the F–15 will be developed by the Air Force for the sole mission of achieving a maximum air-to-air capability. As such it will be light, fast, and highly maneuverable. Most importantly, it would not be able to operate from an aircraft carrier. If it were given this assignment, it would of necessity have to be structurally substantially heavier and it would be compromised in other respects in order to have the necessary operating characteristics required by the Navy. The F–15 will also have only a single pilot and will have the minimum avionics necessary to perform its mission.

The F–14 Navy fighter of necessity must be designed structurally to operate from a carrier. Anyone who has witnessed carrier landings and catapult launchings will recognize the structural integrity requirements for such an aircraft. Also, most importantly, the operating environment of carrier task forces requires that the F–14 must perform the fleet air defense mission. This requires that it be able to fly long distances and to loiter for substantial periods to protect the carrier against incoming enemy bombers, fighter aircraft, missiles, and so forth. It also requires a more sophisticated avionics system to detect incoming enemy aircraft.

The F–14 will fill the role of the canceled F–111B in performing the fleet air defense mission and the F–14B will replace the F–4 fighter aircraft in the air superiority role in the mid-1970's. The Navy has limited space aboard its carriers. Therefore, it must design its fighter aircraft to perform multiple missions. The threat it faces includes not only attacks from bombers and missiles but from highly maneuverable fighters as well. The Navy must defend against this multiple threat with limited numbers of fighters. Therefore, this forces their design to accommodate the multiple capabilities required. As a result, the Navy F–14 will be a larger aircraft with two crewmembers. It is unnecessary and would be very unwise to install these various requirements into the Air Force's F–15.

An important factor in developing both aircraft is that we will have two air superiority aircraft in case either program should run into unforeseen difficulties during research and development. Perhaps the most important factor is that each service will have an aircraft optimized for its own operational environment without compromise to the other. The F–111 is a classic example of compromise—neither the Navy nor the Air Force realized the performance goals which were originally envisioned for that aircraft.

It is also significant that the advanced technology engine presently under competitive development will be basically the same for both the F–14B and the F–15. A common engine makes sense but a common airframe does not.

In conclusion, Mr. President, with respect to the actions of the Tactical Airpower Subcommittee and the Armed Services Committee, I feel it is imperative to point out to the Members precisely what our national policy is. It is that our military forces are charged with the responsibility of being able to fight a war of indefinite duration in Asia—as we are currently doing in South Vietnam—and at the same time have the capability to wage a large-scale conventional NATO war for a stipulated period of time. The exact duration is classified. The responsibility of the Military Establishment is to insure that we have on hand sufficient military forces and hardware at all times to successfully carry out this very important responsibility. If we do not provide our military leaders with sufficient forces to meet our stated national policy objectives then I feel it essential that, first, our stated national policy objectives should be changed or, second, we should recognize that national policy objectives may exist which the military is incapable of carrying out. I feel, Mr. President, this is a most important principle which must be understood by all the Members of Congress. Reducing the Military Establishment in funds is a desirable objective but we must know what risk we will run when we do so. I am not stating that the funds requested by the military are sacrosanct or justified, but I do feel they should be scrutinized most carefully before reductions are made. It was with this guiding principle in mind that the Tactical Airpower Subcommittee acted under the mandate from Senator STENNIS and did its very best to conduct a conscientious review of the military programs presented to it.

In summary, Mr. President, we reviewed 15 major programs in detail. We reduced the authorization request in the tactical area by $588.5 million. I would like to emphasize that three of the programs that we refused the military permission to initiate R. & D.; namely, the RF–111, the Light Intratheater Transport, and the AGM X–3, that although only $18 million was requested and denied for these three programs in fiscal year 1970, that the total cost of these three programs if they had been permitted to proceed to completion would have cost the Government over $2.3 billion.

STATEMENT ON ADVANCED MANNED STRATEGIC AIRCRAFT

Mr. President, at this point I would like to make a short statement relative to the action taken by the Armed Services Committee on the AMSA—Advanced Manned Strategic Aircraft.

The budget, as revised by Secretary Laird and as approved by the committee, contains $95.2 million in research and development funds for AMSA. If this is approved by the Congress, the fiscal year 1970 AMSA program will be $100.2 million since an additional $5 million is available from fiscal year 1969 funds.

The AMSA development which Secretary Laird approved in March 1969 would lead to an operational capability in the latter half of the 1970 decade. AMSA, in the opinion of the committee, will be badly needed at that time as a replacement for the aging B–52 G and H modles.

I should want to emphasize, however, that the approval of fiscal year 1970 budget request does not commit the United States either to full-scale development or to production and deployment of AMSA. It does accelerate the engineering and development process. It does not provide funds for a full-scale development contract.

I assure the Senate that the planned AMSA program includes a number of milestones at which the progress of the program can be assessed and decisions made as to whether the program should continue as planned. The Defense Department plans to use these reviews to take advantage of all technological advances up to that point and to reconsider our approach in the light of the updated information on the likely threat.

The basic reason for commencing the AMSA program is to maintain a flexible overall strategic force, taking account of any possible vulnerability of any part of our missile force, and thereby complicate Soviet defense plans by our progress toward a new bomber with improved penetration capability.

AMSA will contribute to the attainment of U.S. military and political objectives by the controlled application of offensive airpower over the complete range of possible conflict situations, either conventional or nuclear.

Studies have shown that the most cost-effective approach to maintaining our general war assured destruction and damage-limiting capabilities in the face of Soviet advanced defenses is a mixed force of bombers and missiles. A mixed force insures against unexpected Soviet developments or tactics that might reduce the deterrent or war-fighting value of either bombers or missiles alone. A mixed force minimizes any relative Soviet advantage in a protracted but limited nuclear exchange.

In addition, a requirement for selective response and precision delivery may exist in either a nuclear or a nonnuclear conflict where constraints preclude the commitment of U.S. missile forces. Studies, including our experience in Vietnam, have demonstrated that large, high performance bombers can provide cost-effective augmentation of our general purpose forces in nonnuclear conflicts.

Since AMSA is a completely new de-

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sign, its physical characteristics can be tailored to assist in penetration. It is difficult now to determine just what will be done in this area, and how the actions will contribute to penetrability. However, the problem will be thoroughly investigated before the final design of AMSA is frozen for the purpose of insuring that the best trade-offs of survivability and penetration are made.

The committee has recommended that the entire amount in fiscal year 1970 for AMSA be approved and we hope that this will be sustained by the Senate.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. CANNON. I yield.

Mr. STENNIS. Mr. President, I commend not only the distinguished Senator from Nevada, but also the full committee for the splendid work he and the members of the committee have done since they started on the mission in about the middle of February. The Senator from Nevada has taken the lead in it, but every other committee member has made a very substantial contribution.

We have in this analysis of the work of the Senator one of the fine presentations of the year in the military field, a fine analysis, a fine summary, and, I think, sufficiently sound conclusions.

I wish there had been time—but the Senator did not have time—to have copies of the speech available in advance so that it could have been studied and followed by Senators as it was delivered. I will point out quite briefly a few of the items the Senator did go into.

First, on page 6 of the copy I have, the Senator analyzes the problem that goes with AGM X–3. The Senator makes recommendations in connection with that. Even though only $3 million is involved now, it was a very fine piece of work the Senator did.

I refer now to page 25 of my copy, near the end of the speech, where the Senator points out that the actual operations of the committee on the bill reduced it by $588 million. The potential costs of the programs would have been $2.3 billion.

As a Member of the U.S. Senate, that is my idea of the way to get at a number of these expensive programs and nip them in the bud if they are not needed, if they are duplicative, or if they do not show prospect.

I want to have our feelings about the entire bill reflected here and show what has been done by all the committee members who have worked on the matter.

I note what the Senator said about the AMSA, and I know he made a contribution there, even though that was not a subject that the subcommittee had a chance to get into fully.

The Senator is, of course, eminently qualified to speak on that item, but the funds in the bill do not commit Congress to that bomber program beyond the research and development.

That is what the Senator has spelled out here as I understand it. Am I correct?

Mr. CANNON. The Senator is correct. Previously a letter from Secretary Foster to the Senator from Wisconsin (Mr. PROXMIRE) was printed in the CONGRESSIONAL RECORD. That letter made the situation absolutely clear that this was no production program, that this did not authorize production and did not authorize contract definition.

Mr. STENNIS. I thank the Senator again and point out that the ranking minority member of the committee, the Senator from South Carolina (Mr. THURMOND), who served on the subcommittee, is going to seek the floor shortly.

Mr. President, the printed record released today of hearings on Intelligence and the ABM before the Senate Foreign Relations Committee has been cited by the chairman of the Senate Foreign Relations Committee as evidence there is disagreement between Secretary of Defense Laird and Director of the Central Intelligence Agency, Mr. Helms, in their assessment of the strategic threat which makes the ABM necessary.

The distinguished chairman of the Foreign Relations Committee maintains that the testimony now of record tends to establish a disagreement between the intelligence estimates of the Department of Defense and the CIA. I have not seen the testimony and therefore do not comment on it. However, after several press reports on the alleged disagreements appeared at the time I was preparing, as chairman of the Senate Armed Services Committee, for debate of the Defense authorization bill, it became clear to me that the Members of the Senate should have available for their consideration the assessment of the strategic threat and that we should know the extent of agreement or disagreement on the threat between the Department of Defense and the CIA.

For that reason, I wrote to Secretary Laird, asking him to state his definition of the threat and whether his definition and evaluation is concurred in by the CIA, particularly Mr. Helms. At the same time, I wrote to Director Helms, asking him to respond appropriately indicating his agreement or disagreement with Mr. Laird's response.

Both Secretary Laird and Mr. Helms have replied and both have made it clear there is no disagreement between them as to the strategic threat.

This makes it very clear to me and I hope to other Senators that there is no disagreement on this intelligence issue. I ask unanimous consent that my letters to Secretary Laird and Mr. Helms and their replies to me be placed in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JULY 3, 1969.

Hon. MELVIN R. LAIRD,
Secretary of Defense, The Pentagon, Washington, D.C.

DEAR MR. SECRETARY: In preparation for Senate debate on the Defense Department Authorization bill which will include authorization of funds for the Anti-ballistic Missile System, it is important that I know the assessment of the Intercontinental ballistic missile threat and the degree of agreement, or disagreement within the intelligence community.

Therefore, I would appreciate your immediately providing me with the following:

(a) Your definition and evaluation of the ICBM threat facing the United States from any and all nations.

(b) Whether your definition and evaluation is concurred in by the Central Intelligence Agency, particularly Mr. Richard Helms, Director, and if there is disagreement, to what extent and in what regard.

With best wishes, I am.

Sincerely yours,

JOHN STENNIS,
Chairman, Senate Armed Services Committee.

JULY 3, 1969.

Mr. RICHARD HELMS,
Director,
Central Intelligence Agency,
Washington, D.C.

DEAR MR. HELMS: The enclosed letter to Secretary of Defense Melvin Laird is self-explanatory.

I emphasize the necessity of having for the debate on the Defense Authorization bill the assessment of the Intercontinental Ballistic Missile threat and whether or not there is disagreement within the intelligence community, particularly, as between the Department of Defense and the C.I.A.

Therefore, I would greatly appreciate if you would respond appropriately after consultation with Secretary Laird indicating your agreement or disagreement with any aspects of his response.

With every good wish, I am

Sincerely yours,

JOHN STENNIS,
Chairman,
Senate Armed Services Committee.

THE SECRETARY OF DEFENSE,
Washington, D.C., July 8, 1969.

Hon. JOHN C. STENNIS,
Chairman, Committee on Armed Service, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I am pleased to have this opportunity to respond to your letters of July 2nd and July 3rd. In your letter of the 2nd, you refer to certain newspaper accounts quoting members of the Foreign Relations Committee to the effect that I had changed my position concerning a potential first strike threat from the Soviet Union during the period of the mid-1970s. Let me first state categorically that my position on this matter has not changed. As a matter of fact my concern about the Soviet threat to our deterrent has been stated and restated before your Committee and every Committee of the Congress before which I have addressed this issue since assuming office on January 20th. In a letter to the Chairman of the Senate Foreign Relations Committee dated July 1, I addressed this question and restated once again the essentials of my position concerning this matter. I enclose a copy of my letter to the Chairman of the Foreign Relations Committee for your information.

In your letter of July 3rd, you asked for my definition and evaluation of the Intercontinental Ballistic Missile Threat facing the United States from any and all nations.

Since January 1969, there have been serveral new developments in the Soviet Strategic Forces, all tending to confirm the statements I made in my first appearance before your Committee concerning the threat to the national security of the U.S. in the mid-1970s. In summary, these developments are: continued deployment of the SS–9, SS–11 and SS–13; testing of the SS–9 with multiple reentry vehicles; continued deployment of the Polaris-type submarine; continued efforts to improve anti-submarine warfare capabilities; and continued testing of the improved ABM.

During 1969, the deployment of the SS–9 has continued at about the same rate as in 1967 and 1968. If this rate of deployment is continued, the USSR could have about 400 SS–9 operational launchers deployed by the mid-1970s.

The Soviets now have well over 1200 ICBM launchers completed or under construction. This includes the older SS–7s and SS–8s as well as the SS–13s, SS–11s, and SS–9s. All of these will be operational before mid-1971.

Three tests of the SS–9 with multiple re-entry vehicles have taken place since March. These three tests were to the mid-Pacific covering a distance of 5,100 nautical miles. There is some difference of opinion in the intelligence community concerning the precise nature of these tests but all are agreed that the USSR has the capability to deploy hard target multiple independently-targeted re-entry vehicles by the mid-1970s.

At least eight or nine new Y-class Polaris-type 16 tube ballistic missile submarines have already been launched and several are believed to be operational. Continued deployment at the current rate will allow the USSR to match the U.S. Polaris fleet by the mid-1970s.

Testing of the improved Soviet ABM interceptor continues.

In short, we believe the USSR has the capability of acquiring, by the mid-1970s; some 400 SS–9 ICBMs, multiple independently-targeted re-entry vehicles, SLBMs matching the U.S. Polaris fleet, ICBM retargeting capability.

This capability would constitute a very grave threat to our Minuteman forces and our bomber forces in the mid-1970s. As a consequence, the deterrent to nuclear warfare would be eroded seriously.

Although the potential Chinese ICBM threat has slipped somewhat, it is estimated that a first generation ICBM could reach Initial Operational Capability by 1972. By 1975 operational ICBM launchers might fall somewhere between 10 and 25. During the 1970s, China could develop a significant production program in thermonuclear weapons and associated delivery systems and, consequently, would represent a considerable threat to U.S. bases and allies in Asia, and a growing threat to the continental United States.

If I may, Mr. Chairman, I would like to sum up for you my position with regard to the Soviet threat as it relates to the urgent need for approval of the Safeguard ABM proposal.

As a Defense planner, as well as a Cabinet officer and a member of the National Security Council, I have a special role in the use of intelligence provided by the intelligence community. It is my responsibility to propose policies and plans which will fulfill the mission assigned to the Department of Defense, one aspect of which is to deter the Soviet Union from starting a nuclear war.

As a part of this responsibility, I must apply my own best judgment to the available intelligence to ensure that the President's policies and the mission of the Department of Defense are fulfilled. Consequently, I must consider not only what are the probabilities of future development and the state of current activities as expressed in the assessments of the intelligence community, but also the possibilities of future developments based on available current information.

That is why in my testimony before the Congress and in my public comments I have stressed the possible capabilities of the Soviet Union for the future in terms of relative strategic power. My discussion of Soviet capabilities has been derived by projecting to future years their demonstrated capabilities for production and deployment of strategic weapons and by making allowances for the rate of technological achievement.

It is my carefully considered judgment, in which all of my principal military and civilian advisors agree, that the Soviet Union *could* achieve, or reach a position where they believe they have achieved, a capability to gravely weaken our deterrent by the mid-1970s—*if* we do nothing now to offset it. This judgment is based upon the following conclusions:

1. The Soviet Union could acquire a capability to destroy virtually all of our Minuteman missiles. To be able to do so, in the present context they would need: (a) at least 420 SS–9s with three independently-targeted re-entry vehicles which have a capability of separating from one another by some relatively small number of miles; (b) each of these re-entry vehicles would have to have a warhead of approximately 5 megatons and a reasonably good accuracy; (c) the SS–9s would have to be retargetable; and (d) the range would have to be sufficient to reach all of the Minuteman silos.

2. The Soviet Union could acquire a capability to threaten severely the survival of our alert bombers. To do so in the present context they would need: (a) a force of about 15 Y-class (Polaris-type) submarines on station off our shores; and (b) the ability to launch the missiles on a depressed trajectory.

3. Although we confidently expect our Polaris/Poseidon submarines to remain highly survivable through the early to mid-1970s, we cannot preclude the possibility that the Soviet Union in the next few years may devise some weapon, techniques or tactic which could critically increase the vulnerability of those submarines. Nor can we preclude the possibility that the Soviet Union might deploy a more extensive and effective ABM defense which could intercept a significant portion of the residual warheads. In any event, I believe it would be far too risky to rely upon only one of the three major elements of our strategic retaliatory forces for our deterrent.

In summary, Mr. Chairman, it is entirely possible that the Soviet Union could achieve by the mid-1970s a capability to reduce, in a surprise attack, our surviving strategic offensive forces below the minimum level required for "Assured Destruction," and thus gravely weaken our deterrent. In my judgment, the overall strategic balance between the United States and the Soviet Union is much too close to run that risk. Therefore, something more must be done now to ensure a favorable strategic balance in the mid-1970s and beyond.

Short of achieving a workable agreement with the Soviet Union on the limitation of strategic armaments, which will take some time, we are convinced that the approval of Phase I of Safeguard would be the most prudent and economical course we could pursue at this particular juncture. This action would place us in a position to move forward promptly not only with the defense of our Minuteman and bomber forces should the Soviet threat develop as I have described, but also with the defense of our population against the Chinese ICBM threat should that emerge during the next few years.

In your letter of July 3rd, you also asked whether the Director of Central Intelligence, Richard Helms, concurs in my formulation of the threat. I have furnished a copy of this letter to Director Helms and he assures me that he has no disagreement with the statements concerning the potential Soviet and Chinese Communist strategic capabilities, as seen from the intelligence point of view.

Sincerely,

MEL LAIRD.

CENTRAL INTELLIGENCE AGENCY,
Washington, D.C., July 8, 1969.

Hon. JOHN STENNIS,
Chairman, Committee on Armed Services,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: In your letter of 3 July 1969 to Mr. Helms, you requested that he consult with Secretary Laird on Secretary Laird's response to your inquiry concerning the strategic threat to the United States.

Although Mr. Helms is presently out of town, he has read the text of Secretary Laird's reply. Mr. Helms wishes to assure you that he has no disagreement with the statements in Secretary Laird's letter to you of 8 July concerning the potential Soviet and Chinese Communist strategic capabilities, as seen from the intelligence point of view.

Sincerely,

R. E. CUSHMAN, Jr.,
Lieutenant General, USMC, Acting Director.

Mr. TOWER. Mr. President will the Senator yield?

Mr. CANNON. Mr. President, the Senator from Tennessee previously asked me to yield.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. GORE. Mr. President, I yield to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. FULBRIGHT. Mr. President, I thank the Senator for yielding.

The Senator has made a very excellent speech. I congratulate him for it. I should like to ask him one or two questions for my own information.

What the Senator had to say about the long leadtime being necessary reminded me of an article which was published in the newspaper about a recent air show in Paris. It noted that the Swedes had a fighter called the "Begar." I think in English it means a thunderbolt.

It surprised me that this small country of 7½ million people had produced this particular aircraft which was perhaps the most modern, best, and newest model fighter in the air show. Did the Senator know about that?

Mr. CANNON. I did not happen to attend the air show this past year.

Mr. FULBRIGHT. The article was in the newspaper.

Mr. CANNON. However, I must say that the last time I did attend the air show, the Swedes exhibited what appeared to be a fine model. So I am satisfied that they are doing some work along that line.

Mr. FULBRIGHT. I was surprised that such a small country would be able to do this. These are rather expensive programs.

Mr. CANNON. They are. The Senator recalls that in my talk I covered the Harrier aircraft, which is produced by the British. The Marines are trying to get that aircraft.

I saw the aircraft perform in Washington a while ago. It was quite impressive. The Marines are anxious to purchase 12 of those aircraft so that they can experiment and find out if there is a use for that plane.

Mr. FULBRIGHT. I would think that would be an efficient way to do it, if I might offer a layman's point of view.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. CANNON. I yield.

Mr. GOLDWATER. Is it not true that the United States has some money in the development of the Harrier?

Mr. CANNON. Yes; the United States has. I will supply the exact figures a little later. It is either $50 or $100 million in the development of the Harrier, in the predecessor to the Harrier.

Mr. FULBRIGHT. It is a sort of joint venture.

Mr. CANNON. It was a model different from the Harrier itself, and it went principally into the engines. It was in a 1127 model. I will supply the details in a moment.

It was $50 million. That was in the predecessor to the Harrier, which was being developed by the British. It was called the B-1127. Most of the $50 million in this joint effort went into the research and development for engines that could be used for this type of program.

Mr. FULBRIGHT. Near the end of his speech, the Senator referred to something which interested me very much. I know that I do not know as much about it as I should. The first time it was called to my attention, it was part of the so-called posture statement of the former Secretary of Defense, Mr. McNamara.

If I understood the Senator correctly, he referred to what I supposed would be called the "mission" or the responsibility of the Military Establishment to fight a war, a full-fledged war, in Asia, and to be prepared to fight one in Europe and, if I recall correctly, to be prepared also to fight at least a smaller war or to take care of an uprising or insurgency in Latin America.

What I wish to ask the Senator is this: Does the Committee on Armed Services participate in making that kind of estimate of what our posture should be, or is that done strictly by the Secretary of Defense?

Mr. CANNON. That is a matter of national policy.

Mr. FULBRIGHT. Who determines it?

Mr. CANNON. Our committee does not participate in the determination of that national policy. It is presented to us as being a matter of national policy, and, therefore we try to implement the services requirements so that they can carry out their mission.

Mr. FULBRIGHT. I can understand that, if that is the policy and it is presented to the committee. Of course, I think the Senator is quite right. What I was inquiring about was the origin of the policy. It seems to me that this is quite an ambitious policy to take upon our shoulders alone—this extensive commitment.

I am reminded of the refrain that the Senator from Missouri has made rather prominent in talking about over-commitment, with which I completely agree.

It strikes me that if this is the policy of the Government, it may be that we have commitments beyond a reasonable expectation of our capacity in view of our needs at home. I do not say this in any critical way, because I do not know who produces this policy, who starts this, whether it starts with the Secretary of Defense, whether it is a product of the National Security Agency, or just who formulates these contingencies we are expected to meet.

The way it was described to me—and I tried to understand it as best I could from this posture statement—is that, having adopted this policy, then we must assume, in order to plan, the worst possible contingency that could arise out of these three areas. That seems to present an almost unlimited demand.

Mr. CANNON. That is why I said we have either to change our national policy objectives, if we are not going to try to support them, or to proceed on the assumption that national policy objectives may exist which the military is incapable of carrying out.

Mr. FULBRIGHT. I agree with the Senator completely on what he has said. I raised this matter because he mentioned it, not because I am prepared to go into it too far. I raise the question to ask if this is perhaps one of the sources of the difficulty that confronts some of us. This national policy is very closely related to foreign policy. I understand that a discussion occurred in the Chamber yesterday, of which I was not aware until I read the RECORD, about the proper lines between foreign policy and armed services policy. This is an example, it seems to me, of how difficult it is to disentangle them.

If it is going to be our policy to defend the whole world or to be prepared to fight all over the world, or the three major areas, we are taking on a tremendous responsibility which I question whether we are quite capable of fulfilling. I would not want to put a requirement up to the military that is beyond its reasonable capacity to fulfill. When I say "reasonable," I mean in view of all the needs of the country at home.

I congratulate the Senator for bringing up that point. I think it is a very important point—it has never been expressed sufficiently in the past—as to what is the objective or what is the policy of the Government with regard to our military requirements.

Mr. GORE. Mr. President, will the Senator yield?

Mr. CANNON. I yield.

Mr. GORE. Mr. President, first, I should like to express satisfaction and gratitude to the chairman of the committee, the senior Senator from Mississippi, for his leadership in promoting subcommittee consideration and responsibility.

We have heard now two major efforts, informative speeches, as a result. Today I have listened intently to a very able and distinguished Senator speak on the aircraft program. I am impressed with the inadequacy of my knowledge, but I must acknowledge that I know far more than I did before the Senator from Nevada began, and I thank him. It was an able, informative address, of great service to the Senate and to many, many people who will read the RECORD.

Now, if the Senator will yield further, there are two matters of quandary on my part. I am sure he can be of assistance. I have heard with some concern the length of time during which our country has not developed a fighter plane. The Senator has referred to the F-4 as being equal to the Mig, but I seemed to detect some apprehension on his part when he said that its technology dated to 1955. Did I correctly understand the Senator?

Mr. CANNON. The Senator's understanding is correct.

Mr. GORE. The Senator did not state when the F-4 was first operational. Would he have that in mind?

Mr. CANNON. I think it was really 1959 when it first became operational.

Mr. GORE. So it has been 10 years in operation.

Mr. CANNON. The Senator is correct.

Mr. GORE. Do I correctly understand the Senator now to say that even 10 years later, we do not yet have on the drawing board what he would regard as a competent, competitive, air-to-air fighter?

Mr. CANNON. The Senator's understanding is correct. As an air superiority fighter, we have nothing on the drawing board insofar as, let us say, a contract definition or anything of this sort. We do have a number of contractors who, of course, are thinking along these lines, and some who perhaps have proposals ready to present. But we have not a real fighter on the drawing board and ready to go into production at this time.

Mr. GORE. I congratulate the Senator upon recommending that we undertake such an achievement.

As chairman of the subcommittee that is generally referred to as the Disarmament Subcommittee, I would like to suggest that disarmament, as such, seems to be a very distant goal. The goal, which may be within the grasp of Americans today and people of the world today, is a limitation of armaments. Even a limitation must flow, it seems to me, from a relative standoff position, a balanced position of strength—not necessarily a superiority of strength. I believe President Nixon expressed it differently later as a sufficiency of strength.

So with the long leadtime necessary, with the very unusual extended period in which we have not attempted to develop a superior air-to-air fighter, I am led to the conclusion to support wholeheartedly the conclusion of the committee. With that——

Mr. CANNON. Mr. President, if the Senator would permit me, I may have made one statement which would have misled him. When I said "air superiority fighters," I was talking about the Air Force. With respect to the F-14, the Navy version I mentioned, there is some procurement money in here for six models they want to go ahead.

The reason this airplane can come at an earlier date is for the reason that they would use on the first model of the F-14 the engines developed for the F-111B program, and the Phoenix missile which was developed for the F-111B.

The F-14A would come in at an earlier time than if it was starting from scratch now, but the F-14B later would incorporate a new engine to be developed and new avionics to give it capability.

Mr. GORE. I thank the Senator for that addendum and I appreciate it.

Now, the question I wish to propose is not one relating particularly to this matter, but the one that I ask out of curiosity, searching for knowledge. I ask a question which has been asked of me many times by the people I have the honor in part to represent. I ask it of the Senator because I recognize him as one of the students and authorities on aviation in the Senate and in the country.

The question is: With all the tonnage which is reported to have been dropped by the Air Force on Vietnam, how can we explain the seemingly inadequate, if not minimal, results achieved? I do not wish to promote any argument about the war. I ask the question for information.

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Mr. CANNON. I thank the Senator for his kind remarks.

I would like to summarize briefly and say that when a service is shackled in trying to perform a job, and restrictions are placed on them, one can add bombs to bombs ad infinitum, and it will not get the job done unless they are permitted to do the job assigned to them.

That is an oversimplification, but, Mr. President, you can continue dropping bombs all over North Vietnam and South Vietnam from here to kingdom come, and it never will solve the problem if you are not going to permit them to attack the root of the problem.

Several Senators addressed the Chair.

Mr. CANNON. The Senator from Arizona had asked me to yield to him.

Mr. GOLDWATER. Mr. President, I congratulate the chairman of the subcommittee for having done an excellent job in presenting a subject not too well known by too many Members of this body.

Because the distinguished chairman of the Committee on Foreign Relations is in the Chamber and because he raised what I think is a question that is very much at the nub of this entire argument developing on the floor of the Senate—the argument about the ABM, MIRV, and the cost of military equipment—I would like, if I can, to have some answers or even proposed thoughts that might be of help to all of us.

When we talk about national policy I think I am correct in saying that our obligations around the world have some bearing. When we talk about the views of the military, I think these treaties and arrangements also have a bearing. Looking over a list of commitments we have under collective defense agreements I see we have the North Atlantic Treaty Organization with 15 different countries, the Rio Treaty with 22 countries, the CENTO Treaty, the SEATO Treaty with eight countries, the treaty with the Republic of Korea involving two countries, a treaty with the Republic of China involving two countries, the Philippine Treaty involving two countries, and the Japanese Treaty involving two countries.

The language in some of these treaties or agreements seems to me to be rather specific about our use of arms in going to the fulfillment of the arrangement or treaty. Others are rather ambiguous and limit us to a constitutional interpretation of what the need might be. I do not know whether this can be done or not but if it could be, I think it would be of great help to this body, the administration, and certainly the American people, in understanding just what we are talking about when we talk about our global commitments. I can recognize the policy we are operating under as an international policeman role, but we must remember we have some rather specific treaties which I interpret as calling upon us to do what we are doing in South Vietnam, even though that was not by treaty.

I am asking if it would be possible for the Committee on Foreign Relations to possibly reopen hearings—not hearings, but perhaps a study on these treaties, so that we might have some idea from the Committee on Foreign Relations on how far they think we have to go. I think if we could ever get that determination of how permanently we are committed to use arms, let us say, in country "X," then go through all of them, I think it would be a lot easier for us to stand on the floor of the Senate to argue.

Does the Senator from Arkansas have anything to report along that line?

Mr. SYMINGTON. Mr. President, who has the floor?

Mr. CANNON. I have the floor. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. One of the first things we did in the beginning of this session was to review, along the line of the comment of the Senator from Arizona, all of our commitments. We have had some discussion of that. The Senator read the list of treaties and agreements accurately. There are varying degrees of responsibility under those treaties. I would rank NATO No. 1 in the sense that it is a flat declaration that an attack on one nation is regarded as an attack on all. That is not common. We go all the way down to some that are statements of good will which state in effect, "If you get into difficulty, we will consider it."

I do not wish to argue what SEATO means. It is ambiguous in that it has two classifications, one involves overt aggression and the other subversion. That is another matter that comes up in another way.

But the Senator is quite correct. That is one reason I raised the question with the Senator from Nevada. This gets to the nub of the matter of our responsibilities. It is the responsibility of the Committee on Foreign Relations to review these commitments.

The Senator from Missouri is the chairman of a special subcommittee which will go into a study of some of the physical aspects of these commitments. His committee dealt with these Spanish bases which was a kind of extracurricular obligation, in my view, and I believe, of the Senator from Missouri's. We think there is a similar one in another country, which we will be studying. Our purpose is to do what the Senator from Arizona suggests—that we review all of our commitments, consider them, understand them, and at least try to make recommendations as to what limits might be applicable to them, because this open-ended approach we have had grew out of the war. I do not disavow my own responsibility for not having done it earlier. The Senate should have, including myself. But in any case better late than never for us to try to do that. I think that after we have had sufficient time to consider the report of the Senator from Missouri's subcommittee, the committee as a whole will consider and make recommendations along that line.

Mr. GOLDWATER. I am glad to hear the chairman say that. As I have studied this more and more, I am convinced that the size of our military outlays depends and will depend on just what we interpret our commitments to be. In other words, if we are called upon tomorrow to go to Europe to defend a country with whom we have a clear obligation to defend, it means one thing. If we have a way of renegotiating a treaty so that we can get other language, that would be something different. Then we can really go to work on this military budget. But until we have a really clearly defined, fenced-in idea of what our responsibilities are, I cannot see much hope of reducing military expenditures outside the end of the Vietnamese war.

I congratulate the Senator for having started these studies and hope that they can be finished and in readable form in the near future. It is something that the American people should know about.

I have found, in the years since I came here and traveled around the country, that when I mentioned mutual security agreements, the ears of my audience popped up because they had not heard of them, probably because we did not give them much publicity in the years that we were passing them. It will be good for the American people to know what our specific obligations are, and just what we as a body, and eventually the administration, feel about these commitments.

Mr. CANNON. Mr. President, before I yield to the distinguished Senator from Missouri, the Senator from Tennessee asked me when the F-4 became operational. I said that I thought it became operational in 1959. It actually flew first in 1958 and then became operational, with the Navy, in 1961.

Mr. GOLDWATER. If I may interject there, I remember when the Senator from Nevada and I went to Langley Field to fly the F-4 in 1959.

Mr. CANNON. The Senator is correct.

Now, Mr. President, I am glad to yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, as the ranking majority member of the distinguished Senator from Nevada's Subcommittee on Tactical Air Power, it has been my privilege to work with and for him on this report.

In the years since I came to the Senate I have never seen a more thorough and constructive job done in analyzing these various programs.

I am sure the people of his State are as proud of him as are those of us who worked with him during the long and careful hours of the subcommittee's preparation, work, and actual hearings that he has engaged in.

I do not agree with every conclusion, but especially because of the outstanding accomplishment, it is my privilege to support the report.

It is always a pleasure to congratulate one on a job well done. I did my best to be a regular attendant, and believe the information presented to the Senate on this subject today is the best analysis of tactical air power we have had to date.

I am impressed with the method and manner in which the able Senator developed the importance or unimportance of various proposed models, and was impressed also with the question asked by the Senator from Tennessee, in which he wondered why so much had been done in the way of airpower effort with so relatively little results.

Many know why that is. Shortly after we got into this war a great number of rules were laid down, and weapons systems were used in a manner for which they had never been designed.

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I might make a contribution to this discussion by pointing out that, on good authority, it would appear, during the past 4 years, to the Vietnam theater, we have shipped more tonnage of materials than we did to Europe during the entire World War II, even though we have one-eighth of the number of troops in Vietnam that we had in Europe during that war.

Accordingly, I would hope that no one would judge the efficacy, or lack of efficacy, of airpower on the basis of the way air power has been handled under directions from higher authority to the Air Force and Navy.

I was also impressed with the questions asked by the distinguished Senator from Arkansas with respect to the Swedish plane. It is ironic that an American manufacturer now loses some planes in this recommended budget, because we have no V/STOL airplane, no STOL plane, and no VTOL plane.

It is a fact, as the Senator from Arizona commented—and he is one of the true authorities in this body on air power—that the Soviets have three types of V/STOL airplanes, all above mach 2; that the French have a STOL airplane; that the British have a V/STOL airplane, that the Swedish have a V/STOL airplane; and that despite the fact we have spent many billions of dollars a year, all we have to show for that money are discussions and arguments. We get the arguments. These other countries, including Soviet Russia, get the hardware.

Commercially, we have arranged to that the British have a V/STOL airport, so that we can accommodate foreign planes which come to this country, or foreign airplanes purchased by the military and civilians in this country for use in this country.

I am glad this point has been brought out.

In closing, let me again congratulate the Senator from Nevada. He has made a real contribution from the standpoint of how to spend, and how not to spend our defense appropriations.

Mr. CANNON. Mr. President, I want to thank the distinguished Senator from Missouri for his very complimentary remarks. Let me say again that all on the committee did a great job in working on this project and its problems. I appreciate it very much. We had a very able staff that did a tremendous amount of work and were responsible to a great extent for the very fine report we are able to present to the Senate. I want to thank them for their support.

Mr. STENNIS. Mr. President, if the Senator from Nevada will yield briefly——

Mr. CANNON. I yield.

Mr. STENNIS. I should like to comment on the matter of commitments. The question was raised here about what are our commitments and what is the Armed Services Committee trying to meet.

Certainly that is a timely question, a question well expressed by the Senator from Arizona. But that is an old subject. Whatever our policy, or whatever our commitments are, they were not originated in the Armed Services Committee. Since I came to the Senate, various treaties and commitments have come before us but they came out of the Committee on Foreign Relations. That is where they should be sent. We have been concerned about this in the Armed Services Committee, as many Senators know, for several years.

We started into this matter of commitment and our ability to meet them—I think it was 2 years ago—but the war in Vietnam got worse, shortages there existed; so we turned to the problems of the war.

On pages 2200 and 2201 of the hearings is found a letter to me in response to my letter, with a list of all the nations with which we have defense treaties and other defense arrangements. I ask unanimous consent that those two pages be inserted in the RECORD at this point in my remarks, for the information of the Senate.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

Hon. JOHN STENNIS,
Chairman, Committee on Armed Services, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: In response to your letter of April 14 requesting a simplified compilation of treaty commitments and other defense arrangements of the United States, the two enclosures to this letter have been prepared for your use.

The first enclosure is a tabular listing of the countries with whom the United States has entered into defense commitments pursuant to multilateral or bilateral treaties. The table also indicates, in addition, those countries with whom the United States has entered into Executive agreements or a general treaty containing defense assurances.

The second enclosure extracts the pertinent provisions of the treaties and Executive agreements relating to consulation and action in the event of armed attack.

Sincerely,

L. NIEDERLEHNER,
Acting General Counsel.

PARTIES TO DEFENSE TREATIES AND OTHER DEFENSE ARRANGEMENTS

Parties	Multilateral treaties				Bilateral treaties	Bilateral executive agreement or general treaty
	Rio	NATO	SEATO	Anzus		
Argentina	X					
Australia			X	X		
Belgium		X				
Bolivia	X					
Brazil	X					
Canada		X				X
Chile	X					
China					X	
Colombia	X					
Costa Rica	X					
Cuba [1]	X					
Denmark		X				X
Dominican Republic	X					
Ecuador	X					
El Salvador	X					
France		X	X			
Germany Federal Republic of		X				
Greece		X				
Guatemala	X					
Haiti	X					
Honduras	X					
Iceland		X				X
Iran						X
Italy		X				
Japan					X	
Korea					X	
Liberia						X
Luxembourg		X				
Mexico	X					
Netherlands, the		X				
New Zealand			X	X		
Nicaragua	X					
Norway		X				
Pakistan			X			X
Panama	X					X
Paraguay	X					
Peru	X					
Philippines, the			X		X	
Portugal		X				
Spain						X
Thailand			X			
Trinidad and Tobago	X					
Turkey		X				X
United Kingdom		X	X			
Uruguay	X	X				
Venezuela	X					

[1] Cuba was excluded from participation in the Inter-American System by Resolution VII, 8th meeting of Foreign Ministers, Punta del Este, 1962.

Mr. STENNIS. Mr. President, I raised the point in my opening remarks on the bill, saying we had some kind of committals, or defense agreements, with 46 nations, and so long as we had those we had to make some kind of attempt to be prepared to directly defend ourselves and to live up to our commitments. I said, further, as one Senator, that I would be perfectly willing to open the issue of our national commitments and debate it; I further said I would favor a review and a renegotiation of these commitments, if we could. I think we have learned a lot since the commitments were made. And I sincerely hope we have.

I know the Senator from Missouri (Mr. SYMINGTON) will do a good job in whatever he undertakes, but a great deal of the talk—not from him, but a great deal of the talk—is that there should be an investigation of our military. I am glad to get clear that we should really investigate the commitments, and try to bring that out, so that not just our com-

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mittee or the Senate, but the whole Nation, will learn of it. The Senator from Missouri and I are in pretty much accord as to our being overcommitted as I see it.

I pointed out the other day that we have to do something, as I see it, when the shooting stops in Vietnam, with reference to the size of our military personnel. Personnel cost run into real money.

Up to now, we have been trying to prepare for two conventional wars. We already have one going on. Everybody knows where that is. The other war we are thinking about primarily would be in Western Europe. It seems to me we also have a policy to go where there is trouble in a little country wherever it may be. In view of all this, the committee has tried to arrive at a sound, effective minimum military program. This is the purpose of the items in the bill.

I do not want to frighten anyone as a result of what I said about preparing for two conventional wars, but that is what we are doing. It would take a higher power to know the possibilities of a nuclear war but that is, of course, a possibility.

I thank the Senator for yielding.

Mr. CANNON. I yield now to the Senator from Texas.

Mr. TOWER. I thank the Senator. I know the Senator has been on his feet for a long time. I want to commend the Senator for the fine presentation he has made to the Senate and note that, in my opinion, it is the most thoroughgoing analysis of our tactical air power needs that I have heard in this body. I thank the Senator for making such a full presentation. I think it is extremely fortunate that the subcommittee was chaired by a man who has had long experience in the Air Force.

I have spent a great deal of time with combat pilots over the last few years. I spent time with them in Southeast Asia. I think they will be grateful to the Senator for recognizing what their problems are and what machines and weapons they need to do the job required of them.

I think the Senator has very accurately and completely reflected the mood and desire of the men who have to fight with those machines. That, I think, alone deserves a commendation.

The Senator from Tennessee made the point about our bombing not being very effective. I think it should be pointed out that we have had to operate under severe restrictions there. To begin with, we developed the system of bombing one section at a time, so the enemy knew what we were going to bomb next, and brought in the most sophisticated air defense equipment known.

The port of Haiphong was not interdicted. Ordinarily you hit the enemy where the biggest amount of his supplies are being brought, through whatever bottleneck there is. As a matter of fact, before the bombing moratorium, we were bombing the railroad from Kwangsi Province, China, into Hanoi, which brings in about 18,000 metric tons a month. You have to keep pounding something like that to keep it out of operation, because it is fairly easy to repair. But at the same time, Haiphong, where 150 or 160 metric tons a month were coming in, was off limits. So is it any wonder that we have not been as effective in the role of interdiction, as we could have been if these restrictions had not been put into effect? I think the Senator has done a good job of bringing that matter up. I think it should be reemphasized.

When we talk about tactical aircraft, we are talking about five or six different kinds of aircraft. I think we made a mistake in supporting the concept of commonality in trying to develop the TFX, now the F-111. It was wrong. It could not be done. So now we are alert to the damage that was done. The Russians are ahead of us in terms of air-to-air interceptors. We tried to put into the TFX an airplane that would be able to serve as close support for ground troops, one that would be an attack bomber, an air-to-air interceptor, one that could operate in two different roles off carrier decks. It just has not been done.

The Senator from Arkansas noted that the Swedes have developed a better interceptor than we have. What we have to understand is that the Swedes devote their entire resources to the development of defensive weapons.

They do not devote any of their resources to the development of strategic weapons. They can think purely in terms of defense of the homeland.

When you put all your eggs in one basket, you can do anything. If we decided to channel all of our research and development efforts into one area, we could develop the best of any one thing we wanted to in the world. We have the engineering and technological know-how, in this country, for doing everything from developing a better detergent to developing a better strategic weapon. Now is the time that we have to think in terms of priorities. I think the distinguished Senator from Nevada has underscored what the priorities in terms of tactical air support are, and I offer him my thanks.

Mr. THURMOND. Mr. President, I happen to have been the ranking member of the Cannon subcommittee on tactical air power, and I should like to join with other Senators in commending the distinguished Senator on the leadership he gave the subcommittee.

I feel that the report of this subcommittee will be of great value in years to come, and I feel that our Nation will benefit because the study was made.

Mr. CANNON. I thank the Senator from South Carolina.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Pursuant to the previous order, the Senator from South Carolina (Mr. THURMOND) is recognized for 30 minutes.

Mr. THURMOND. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Maine, without it being counted against my time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. SMITH. Mr. President, I wish to commend the Senator from Nevada and his subcommittee members for the outstanding work they have performed. I commend them most highly.

I would also like to make a short statement on a matter related to this bill.

Mr. President, in connection with the debate on the military authorization bill now before us, I want to read into the RECORD an appeal delivered to my office yesterday indicating some of the activity of interns with a group that calls itself "PEACE."

Of particular interest in the appeal is the statement:

> Weekly meetings to coordinate research and recruit intern help will also serve to foster those burgeois needs of love, affection, human warmth and contact.

I ask unanimous consent that the entire paper be placed in the body of the RECORD at this point.

There being no objection, the appeal was ordered to be printed in the RECORD, as follows:

PEOPLE ENGAGED IN AUGMENTING CONSTRUCTIVE EFFORTS

(1135 Bellview Road, McLean, Va., Telephone 759–2811)

Attention: INTERNS: United States cities burn. Vietnamese cities burn. Appalachian children die of malnutrition, and India is threatened with mass starvation. The U.S. national purpose appears confused: its human and material resources being wasted, Men and women of conscience ask, "Is there not an alternative?"

The DOD appropriation commits much national energy, skill and resources. It is therefore good sense that this expenditure be scrutinized and evaluated. Interns are invited, with the permission of their member, to learn about and contribute to the several inquiries into defense spending presently in progress. PEACE is intended to be voluntary and done on the intern's own time, unless the intern's member approves of the activity full time. Weekly meetings to coordinate research and recruit intern help will also serve to foster those bourgeois needs of love, affection, and human warmth and contact.

The first meeting will be Friday, July 11, 1969. Beer will be served. Dress informally. (Coed volleyball and softball will begin at 7:30). After the games, about 9:30, speakers will give short talks concerning the different areas which need more attention.

As an introduction to the project the following articles are suggested and people are encouraged to have read them by Friday:

(1) "The Economics of Military Procurement," *Report of the Subcommittee on Economy in Government of the Joint Economic Committee of Congress,* May 1969, (printing Number 29–493 O).

(2) Galbraith, John Kenneth, "How to control the Military" Harper's, June 1969. Reprint in Cong. Rec. May 23, 1969, pp. 13560–13567.

(3) Benson, Robert S., "How the Pentagon Can Save $9 Billion," Washington Monthly, March 1969. Reprint Cong. Rec. May 12, 1969, pp. 12002–12006. (Ed. no: long and boring, but documents inefficiency outside of new weapons systems).

(4) Shoup, General, "The New American Militarism," Atlantic, reprint Cong. Rec., March 26, 1969, pp. 7775–7777.

(5) Newman, Barbara, "Can Budget Bureau Put Lid on Pentagon Spending," Washingtonian, July 1969.

Directions to 1135 Bellview Road, McLean, Va.:

1. Memorial Bridge to George Washington Pkwy.
2. to Rt. 495 (G. Wash. Parkway splits, take left fork towards S. Va. and Dulles Airport)

XUM

3. Take Exit 13 off of Rt. 495, to Rt. 193, Great Falls 1st Exit

4. Turn right at stop sign at end of exit ramp onto 193 (also called Georgetown Pike).

5. Go 2.3 miles to sign "Greenway", turn left onto Bellview.

6. Go to 1st intersection (Old Dominion Dr. and Bellview) continue on Bellview for exactly 1 mile, turn left onto drive (mailbox has name "White" on it, before left turn there is old dilapidated barn on the right).

Don't panic—traveling time from Washington: a mere 20 minutes.

Mr. THURMOND. Mr. President, it is long past time for dedicated Americans to speak up for our military. I know of no better time than now to challenge the critics who have been carrying on continuous and unjustified condemnation of our military. Passage of the authorization bill as it has been submitted would reassure our military that our Nation stands behind them.

Mr. President, this bill has received a penetrating review by the Senate Armed Services Committee, under the outstanding leadership of our distinguished Committee Chairman, Senator STENNIS. The Committee has been fully cognizant of the costs for defense and the other needs of our country. We have already made substantial cuts in the bill. In fact some cuts, especially in research and development, were too severe, and I question the soundness of some reductions. Any further cuts in the authorization bill would be an unacceptable risk to our security.

Mr. President, the procurement of these major items and the maintenance of our reserve components represent the minimum essential for our Armed Forces. I speak in favor of this bill, and for our Defense Establishment. In my support, I think the time is propitious for answering the critics of our military who would slash the deterrence that has prevented nuclear war.

Our Armed Forces must have the united support of our Nation. Critics in Congress, the press and other elements of our society have been generally unjust in their charges. Condemnation of our so-called military-industrial complex will not solve our problems. Objective dialog, constructive criticism and peaceful dissent are healthy for our country. But continuous condemnation not founded on facts is a disservice to our military and harmful to our country.

Many critics blame our Defense Establishment for our social ills, a prolonged war, the Soviet buildup, and the conflicts throughout the world. It is time the critics recognize that the Communists, and not our military, are responsible for the confrontation we live in today. Even the liberal-minded Washington Post recently concluded a series of articles showing the present Soviet leadership was reaffirming the Stalinist line.

Many among the antimilitary and the militant left ignore the Communists' longstanding design for world domination. Lest they forget, this is what caused the United States to rearm after practically disbanding the world's most powerful military force in 1946.

If the military and industry did not have team unity, including competent personnel with military experience in industry, then we could well be in World War III already. Those who would weaken this power of deterrence and undermine our military widen the unity gap.

Mr. President, in the face of the growing Soviet threat and their continuous provocative actions throughout the world, it is inconceivable that our Nation will not respond with the unity which has always marked our history in time of peril. Our national security depends on unity more than ever before. Those leaders and others who attack our Armed Forces and second-guess our commanders in the field are doing as much damage to the morale and discipline of our forces as the radical groups who are mounting deliberate assaults on our military services.

No wonder our military commanders are beset by cases of mutiny, disobedience, racial strife, and desertion. Even a Federal judge ruled that an individual as a matter of "honest belief" can determine for himself when a limited war is "unjust" and refuse to serve. Such irrational judgment by a member of the Judiciary makes it difficult to define sedition.

The recent decision of the Supreme Court to have civilian courts instead of military courts prosecute servicemen for crimes not service-connected is questionable. It will jeopardize the control of discipline and downgrade military authority which is essential for our Armed Forces. Justice William O. Douglas' vicious attack on our military lawyers is not warranted. He characterized military courts as "singularly inept in dealing with nice subtleties of constitutional law in spirit and in practice." Military lawyers are well trained, and more familiar with the military implications than civilian lawyers.

This is another example of Justice Douglas undermining the military. His recent article entitled, "The Public Be Damned," in which he made a blistering attack on the Army Corps of Engineers, demonstrated his lack of propriety. After reading his article, one can make his own assessment as to whether or not Justice Douglas would be objective in any case before the Supreme Court involving the Corps of Engineers. These outside activities downgrade the dignity of the Supreme Court and demonstrate his susceptibility to prejudiced views and conflicts of interest.

Mr. President, the antiwar emotionalism is causing many people to lose their perspective. This continued onslaught on the military, which is fed fuel by many leaders, could seriously jeopardize discipline in our Armed Forces.

President Nixon responded to those who attack our Military Establishment. I support the views expressed in his recent commencement address at the Air Force Academy. His credo of nine points for the defenders of our Nation placed our Defense Establishment in the proper perspective.

I would like to quote the essence of President Nixon's nine points in his military creed. He said:

> 1. I believe that we must balance our need for survival as a nation with our need for survival as a people.
>
> 2. I believe that our defense establishment will remain the servant of our national policy of bringing about peace in this world, and that those in any way connected with the military must scrupulously avoid even the appearance of becoming the master of that policy.
>
> 3. I believe that every man in uniform is a citizen first and a serviceman second, and that we must resist any attempt to isolate or separate the defenders from the defended.
>
> 4. I believe that the basis for decisions on defense spending must be "what we need for our security" and not "what will this mean for business and employment."
>
> 5. I believe that moderation has a moral significance only in those who have another choice.
>
> 6. I believe that defense decisions must be made on the hard realities of the offensive capabilities of our adversaries and not on our fervent hopes about their intentions.
>
> 7. I believe we must take risks for peace—but calculated risks, not foolish risks.
>
> 8. I believe that America is not about to become a Garrison State, or a Welfare State, or a Police State—
>
> 9. And I believe this above all: That this Nation shall continue to be a source of world leadership and a source of freedom's strength, in creating a just world order that will bring an end to war.

I was also glad to note that President Nixon clarified what President Eisenhower really said about the military-industrial complex. President Eisenhower has been quoted out of context. When one reads the Eisenhower farewell address, I suggest that he gave a balanced assessment appropriate to the time, that placed the emphasis on the need for this complex in the face of the Soviet threat. I believe President Nixon's citation of General Eisenhower pointed out this balance when he said:

> Our arms must be mighty, ready for instant action, so that no potential aggressor may be tempted to risk his own destruction.

Mr. President, it appears to be a popular pastime today to quote great Americans out of context in order to frighten the public or make political gain. Some critics rejoice in such exercises.

Some have already used President Nixon's Air Force Academy address out of context in a game of semantics. It has been alleged that President Nixon is trying to ignore the Senate in making a judgment on defense appropriations. This accusation is based on the President's statement that "the President of the United States is the man charged with making that judgment." His next sentence stated that "after a complete review of our foreign and defense policies, I have submitted requests to the Congress for military appropriations." His critics refused to note the latter sentence. It is this kind of political footwork that creates distrust and agitation in the American people.

Mr. President, while the Communists seek to move closer and closer to their objective of the annihilation of the capitalist system, many of our misguided and the New Left promote neo-isolationism, unilateral disarmament and dissolution of collective security alliances. If we had failed to stand firm in Berlin, Korea, Vietnam, and other areas, the Communists would have engulfed the rest of the world by now. America's presence overseas must be maintained in the face of the Soviet threat. However, I do agree that our scale of assistance to our allies should be reappraised and there should be more contribution from them. History refutes the view that weakness and unilateral disarmament is the road to peace.

Our Nation suffers because of those who have lost their patience and spirit. Some are willing to reduce our strength and would negotiate from fear in disregard of the catastrophies of history under such an appeasement approach. Now is not the time to grow weary and retreat in the face of minority dissension. It is time to reassert our firmness and national interests.

Mr. President, deeds, not words, are the only indicators of Soviet intentions. I am not aware of any peaceful deeds of the Communists. On the contrary, they have never before been stronger, nor committed more aggressive acts than they have in the last 10 years. Yet, the stronger the United States has become, the more restraint and weakness we demonstrate to show our good faith. The Communists do not respect weakness. Nevertheless, we again have demonstrated our good faith and desire for peace by taking calculated risks in the bombing halt and troop withdrawal.

Mr. President, the antagonists of our Military Establishment in our country allege that our Nation is addicted to military intervention and chronic warfare. One only has to review the conflicts in the world to show the shallowness of this allegation. We have not been the world's policeman in the troubled areas of the Middle East, Czechoslovakia, Hungary, Africa, Malaysia, Indonesia, India, Pakistan, Laos, Algeria, and other areas. Yet, the Communists have been busy interventionists or aggressors in these areas. Critics rarely condemn the enormous amount of money, weapons, and military supplies that the Soviet Union and Red China pour into North Vietnam.

If we show weakness now, the Communists will certainly continue their aggression in Asia and Europe. This is not the time to renege on our military commitment overseas. Some politicians would have one believe that military strength or an arms race breeds war.

Mr. President, our military are accused of being too influential in foreign policy. They are accused of being responsible for stationing our forces in many foreign countries. They are accused of formulating national policy. These criticisms are totally unfounded and an injustice to our men and women in uniform.

The military have never been under greater civilian control than in recent years. Civilians formulate foreign policy, not the military.

Civilians, with congressional approval—not the military—determine our force structures, personnel strengths and procurement of weapons systems. Unfortunately, civilians have exercised too much control of the selection of weapons systems which were both wasteful and injurious to our security. The military do not choose the commitments around the world, but they execute the policies at the direction of the President. They execute them with courage, sacrifice, and at great risk and hardship.

Civilian mismanagement of the military has prolonged the war in Vietnam. Gradualism violates all military principles for victory. A no-win policy is disastrous and unknown in American history. I am confident we could have won the Vietnam war a long time ago if our effort had not been throttled by civilians. It is ridiculous that this war has been allowed to go on for over 7 years. In the early stages, it could have been resolved by our airpower and seapower within 60 days.

Mr. President, the role of the Armed Forces is service to our people and for their security. It is true that this security is costly, but the Kremlin has not been willing to accept any alternative. They have yet to accept serious arms control proposals with on-site inspection which we have been earnestly and sincerely pursuing for many years. Consequently, the American people have recognized the growing Communist threat and demanded continued security. I hope that recent overtures for arms talks are in good faith.

I also agree with President Nixon that "the American Defense Establishment should never be a sacred cow, nor should the American military be anybody's scapegoat." Inefficiency and waste cannot be tolerated. I am confident also that there were some areas of the defense budget that could have been reduced, and this has been done.

Our Armed Services and Appropriations Committees have given the defense budget a comprehensive study with a view toward the elimination of low priority and nonessential weapons. There are always ways to improve efficiency, especially when managing the vast resources the size of the Defense Department with 4.8 million people and a $77 billion budget. Excessive overcosts and contractual procedures are receiving a thorough examination. Our distinguished chairman of the Senate Armed Services Committee recently implemented new controls and procedures to insure that weapons and contracts receive continuous penetrating review.

It appears that there is an attempt to make Americans believe that the military are deliberately making short estimates and causing overruns for weapons systems. They are being unjustly blamed for inflation.

As Dean Acheson said:

> I can't imagine anyone taking seriously the thought that military officers could be engaged in a conspiracy to waste funds of the United States.

General Wheeler said, he "has yet to meet his fellow conspirators."

Mr. President, the avalanche of criticism of our military today ignores the fact that this administration inherited some ineffective procedures and policies. The inefficiency, cost overruns, and waste that are being exposed by this administration can be credited to the previous administration and civilians in defense systems analysis who have been tagged as "computerized whiz kids." The Defense Department is already taking steps to eliminate waste and the procurement of unsatisfactory or low-priority weapons, such as the Cheyenne helicopter, the Manned Orbiting Laboratory, and phasing out of the FB–111 program.

In the past, weapons were put into production before they were fully developed. The Secretary of Defense is taking measures to eliminate such waste. I suspect, also, that a lot of the waste of the previous administration was the result of the civilian leadership being a "captive of a scientific-technological elite" which President Eisenhower also warned against. Billions of dollars worth of weapons and sophisticated electronic gadgetry have been produced in the past 10 years, but we have not produced a single supersonic air superiority tactical fighter aircraft to counter those already being produced by the Soviets.

Mr. President, the threat to this country is in the Kremlin—not the Pentagon. The overwhelming assault on the military, the generals, the weapons systems, the Pentagon, the military-industrial complex, the draft, the conduct of the war, and the ROTC is primarily emotional hysteria. Distress over the tragic Vietnam war should not disillusion thoughtful Americans.

The verbal assault is aimed at our total military capability. Here is our security. Yet, many supposedly loyal American leaders place themselves in the same category with the violent demonstrators on the campus and elsewhere who protest these same security assets. It has been said by some philosophers that haters ultimately hate themselves and that protestors of violence ultimately become violent. I hope that this trend reverses in the face of the Soviet threat.

The free world has faced and must continue to face the hard reality of our times—that is, the growing economic and military power of the Soviets and that we shall continue to face it until the U.S.S.R. is convinced that the only recourse to prevent their own destruction is arms control and eventual disarmament.

The Kremlin is making an exhaustive effort to surpass America's strength.

The Soviets are seeking to dominate the oceans with expanding global sea power. They now have 375 submarines to our 142, and all their subs have been built since World War II, while 50 percent of ours are of World War II vintage.

Their capacity to produce nuclear subs of high speed and to produce subs of the U.S. *Polaris* type has been greatly increased. In fact, they have one submarine yard capable of building more submarines than all of the U.S. submarine yards put together.

The Soviets have also surpassed the United States in ICBM's. They have over 1,200 compared with our 1,054. The Russians have also developed a huge missile called the SS–9 capable of carrying heavy megatonage, while the United States has no missiles of this type. Added to this picture is the fact the Soviets have around 700 intermediate range ballistic missiles to none for the United States. This entire situation becomes even more foreboding when we consider that they are continuing to build ICBM's and we have stopped our production.

In deliverable megatonage the Soviets have a decided advantage over the United States, and here again our plans call for a decline in this area, while intelligence shows the Russians are increasing in this capability.

On comparative bomber strength, the Russians have 900, including some 200 heavy bombers, while the U.S. strength is only 549. Furthermore, they have developed and are flying a supersonic transport capable of bomber conversion, while we have none.

In the tactical air power area, the Soviets have flown 18 new air superiority aircraft since 1955, while we developed the F-4, which remains today as our only air-to-air plane. We are clearly behind in this critical area of maintaining control of the skies over our fighting men. While they were developing the Foxbait and Floger, we were struggling with the F-111, which is not a true air superiority fighter.

The Soviets are also testing a fractional orbital bombardment system and antispace weapons, while we have taken no action in these critical areas. Further, they deployed their ABM in 1962, 7 years ago.

We can be assured that they will bleed us as long as they can in Vietnam, and they will propose arms control talks so long as they might gain an advantage.

The Soviets are experts in the art of planned misinformation. While engaged in disarmament talks in 1957, the Kremlin announced the successful firing of an ICBM. So, why should we be trapped as some would have us do, by delaying the ABM and stopping our tests of MIRV? Military technology must not be stifled on the basis of hopeful diplomacy.

Mr. President, costs for security and waste on some weapons are one thing, but the other allegations tagged on for "overkill" of our military are something else again. This is unfair to the men and women in uniform. Such unjust accusations shatter esprit de corps and incentive. It disillusions the military. How can we expect loyalty and dedication when we fellow Americans ridicule our military?

We should never lose sight of the fact that the Soviets' increasing threat to the free world is the real cause. The Communists rejoice at our attacks on our military. It encourages their goal of world domination.

Some of our people seem to be seized by a fear psychosis. Assaults on the military now remind me of the early sixties in reverse. Then, rather than face the facts of life—the real threat—it was commonplace, beginning in 1961, to muzzle and censor the military. Now, as the facts of the real threat of Soviet military and economic power are spread before us, there are those who want to tuck tail and run.

It reminds me of what Rudyard Kipling said:

> This is the time to fear . . . When he shows as seeking quarter, with paws like hands in prayer, that is the time of peril—the time of the Truce of the Bear.

As President Kennedy indicated:

> We must never be lulled into believing that the Communist powers have yielded their ambition for world domination.

There are too many indulging in wishful thinking. When faced with realities or danger, too many are filled with nostalgia. Their answer is conciliatory accommodation. If we are that scared of the Soviets, then there is not much to stop them taking over the rest of the free world by the piecemeal method.

Mr. President, what has happened to dedication, determination, spirit, unity, duty, and country? This is the code by which the military lives. It would be good for our country if the irresponsible critics and violent protestors would take heed of this code. Ill-informed condemnation by the politically ambitious and others is not a substitute for intelligent and constructive criticism. It does serious damage to the foundations of our great institutions, organizations, and our security.

The military leaders have long since been denied the spirit for any decisive action. If the demoralization continues, the spirit for victory may not be there when it is needed most for our survival.

Mr. President, so long as diplomacy continues to fail, our military is our only security. To continue to shatter the morale and spirit of our Armed Forces, especially when diplomacy fails, will guarantee that the free world will not survive.

Mr. President, in closing, I urge the Senate to pass this authorization bill without further reductions in order to protect the security of our country and our people.

Mrs. SMITH. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. Cranston in the chair). Does the Senator from South Carolina yield?

Mr. THURMOND. I yield.

Mrs. SMITH. Mr. President, I wish to express my personal appreciation for the defense of the military made by the distinguished senior Senator from South Carolina. He has rendered a great service by setting the Record straight.

Mr. THURMOND. Mr. President, I wish to thank the able and distinguished Senator from Maine, who is the ranking member on the minority side and who has done such a magnificent job in this position.

Mr. BROOKE. Mr. President, in my brief remarks yesterday at the conclusion of the very able speech by the ranking minority member of the Committee on Armed Services, the Senator from Maine (Mrs. Smith), I expressed my gratitude, as a new member of that committee, for the remarkable openness and impartiality shown by the chairman and the other senior members of the committee. I wish to reiterate my appreciation at this point, and to express at the same time my very special gratitude to the able Senator from New Hampshire (Mr. McIntyre), chairman of the Subcommittee on Research and Development, on which I was privileged to serve. As a friend and fellow New Englander, Senator McIntyre has shown the greatest kindness and fullest cooperation to me and to my staff. For his aid and consideration I will always be thankful. Let me also say it was a great privilege for me to work with my other colleagues on that subcommittee—Senators Young of Ohio, Byrd of Virginia, and Murphy.

Ours was a most demanding and challenging task, Mr. President. None of us on the subcommittee are scientists, yet we had the responsibility for examining the proposed research, development, test and evaluation budget of more than $8 billion. We heard testimony and attended briefings involving 20 major weapons systems, many of which are still little more than visions in the eyes of their creators. We spent many hours, in and out of committee, examining detailed reports, hypotheses, and predictions. We knew, as we proceeded with our difficult task, that our determinations could have a decisive effect upon our country's security and technological capability for many years to come.

Obviously a subcommittee which was formed on February 28 and submitted its report to the full committee only 4 months later could not investigate in great detail all the hundreds of items which the military is presently developing. We had to draw a line, and draw it early. Consequently, as the chairman has observed, we looked for "soft spots"; or, more specifically, for duplication, overlap, or excessive cost overruns in the research and development stage. We also considered priorities, asking the basic questions: What kind of wars are we likely to be fighting 5 or 10 years from now when these weapons are actually operational? And what type of weapon is the enemy likely to rely on at that particular stage in our development?

Projections of this nature can never be perfect, but I believe the subcommittee was on solid ground in its efforts to delete overlapping systems development and to insist that the services not only work together in the research and development stage but plan for systems which will also work in conjunction once they are actually deployed.

Mr. President, I have no intention of going over again the ground covered by the distinguished chairman of the subcommittee in his statement delivered yesterday. The reductions in the various systems, the deletions which were made, the recommendations which accompany our report—all speak clearly for themselves. After the most careful deliberation we have concluded, and the full committee has upheld our view, that a total of $1,042,000, or 12.7 percent, can reasonably be cut from the research and development budget without endangering—in the least—our national security or our progress on the technological advances necessary to sustain our defense. The savings in future years, resulting from consolidation of system research and reordering of our priorities, will run to many billions of dollars more.

I shall comment briefly, however, on a few of the major systems considered by the subcommittee.

Major reductions were made by the subcommittee in continental air defense. This is essentially an antibomber defense, and intelligence estimates played a heavy role in our deliberations. For one thing, the chances of a bomber attack upon the United States are remote, and become more so as we and our adversaries proceed with increasingly complex and reliable missile development. Second, it is significant that the Soviet Union has four times fewer bombers than the United States, and is not now building more.

For these reasons, it was decided that continental air defense would have low priority in terms of procurement in the years ahead, and, therefore, maximum consolidation and savings could be instituted at this stage. Thus, funds for the Navy E2A/C aircraft, a sea-based duplicate of the Air Force AWACS system, were deleted from the budget. Reductions were also made in the CONUS air defense interceptor, and funds for the Army's Sam-D missile were deleted in full from the budget.

In other areas, the subcomittee has recommended a deletion of $8 million for chemical and biological weapons research, thus supporting an overall committee reduction of $16 million for this extremely controversial program. The subcommittee, recognizing the problems which have occurred and the heavy cost overrun which has been encountered in the development of the main battle tank, has reduced research and development funds for that program by $14.9 million, and has ordered a reorientation of the program as well.

The subcommittee also recommended that funds for the Army heavy-lift helicopter be deleted from the budget. This is an example of the application of our judgment that there was no need for both the Army and the Navy to be working on the same type of aircraft. Since the Navy is likely to have more use for such a vehicle in the future, it was decided that a considerable amount could be saved if the Navy alone were assigned responsibility for this program.

Deletion of funds for the Manned Orbiting Laboratory represents another considerable saving, both in the present budget and in years to come. Testimony collected by the subcommittee led us to the conclusion that most, if not all, of the functions planned for the MOL could be performed as effectively, and certainly at far less cost, by an unmanned satellite.

Finally, I should like to mention a number of recommendations made by the subcommittee with regard to research by the Department of Defense in the social and behavioral sciences. I believe that the military has a clear and definite reason for authorizing studies of the physical and phychological capabilities of the men in the miltary, their training needs, and the optimum designs for weapons systems so that they may be operated with a minimum of stress.

But I have long believed that such areas as foreign environments and policy planning studies should fall more within the purview of other branches of our Government. It caused me great distress, for example, to learn that the Department of State has an annual budget of only $100,000 for contingency policy planning, while the budget for comparable work in the Department of Defense totals $36 million. For this reason, I was pleased to see the subcommittee impose a 12-percent reduction in funds for research in these areas and recommend in its report that more of these efforts be turned over to the Department of State, the Arms Control and Disarmament Agency, and the National Science Foundation. I commend this step, and urge Senators who have responsibility for the budgets of these other agencies to take note of this recommendation.

I conclude, Mr. President, by pointing out that the work of the Research and Development Subcommittee does not stop with the passage of this authorization of individual proposed weapons must broaden and deepen our investigation of individual proposed weapons systems, and remain as current as humanly possible on technological problems and advances. We must work to insure that the recommendations contained in this report are carried out, that "comparability" in weapons development is enforced wherever possible, that clear priorities are established and carefully observed.

Again, let me say that it has been a great privilege and a great learning experience for me to be able to work with the members of the Committee on Armed Services and its informed and competent staff. I thank my colleagues, especially the chairman, and look forward to many more years of this association.

Mr. RUSSELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. RUSSELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR TOWER TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the conclusion of the period for the transaction of routine morning business tomorrow, the distinguished Senator from Texas (Mr. Tower) be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The Senate resumed the consideration of the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

AMENDMENT NO. 69

Mr. McINTYRE. Mr. President, I send to the desk an amendment to S. 2546 which would insert a new title dealing with the Safeguard-ABM system and ask that it be printed.

Mr. President, in order that this amendment will be readily available to Senators, I also ask unanimous consent that it be printed in full at this point in the Record.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table; and, without objection, the amendment will be printed in the Record.

The amendment (No. 69) is as follows:

Amendment No. 69

On page 5, at the end of line 6 insert the following new title:

"TITLE IV—SAFEGUARD ANTIBALLISTIC MISSILE SYSTEM

"Sec. 401. (a) In the case of funds authorized under this Act for the Safeguard Antiballistic Missile System, such funds may be used only for—

"(1) Research, development, testing, and evaluation of the System's radars, computers, and related electronic equipment.

"(2) Pre-production expenses of the Sprint and Spartan missiles and the production of such missiles for research, development, evaluation, and testing.

"(b) The equipment described in clause (1) of subsection (a) may not be installed at any proposed ABM site, except at or near Grand Forks Air Force Base, North Dakota, and Malmstrom Air Force Base, Montana.

"(c) None of the funds appropriated pursuant to this or any other Act may be expended for the acquisition of land, not now owned by the United States, or the use of land owned by the United States, for the construction or installation of any ABM facilities at any proposed ABM site, except at or near Grand Forks Air Force Base, North Dakota, and Malmstrom Air Force Base, Montana.

"(d) None of the funds appropriated pursuant to this or any other Act may be expended for the procurement, installation, or deployment of any operational missile as a part of any antiballistic missile system, nor for the construction of any silos or other launch facilities for any operational missile as a part of any antiballistic missile system."

On page 5, line 7, strike out "Title IV" and insert in lieu thereof "Title V."

On page 5, line 8, strike out "Sec. 401" and insert in lieu thereof "Sec. 501."

Mr. McINTYRE. Mr. President, I ask unanimous consent that my supplemental views appearing on pages 66 and 67 of the report of the Committee on Armed Services be printed in the Record.

There being no objection, the supplemental views were ordered to be printed in the Record, as follows:

Supplemental Views of Mr. McIntyre

I did not vote in the committee when it considered Safeguard-ABM. I do not believe that a "yea" or "nay" answer for or against Safeguard-ABM is adequate. I believe that an alternative to Safeguard-ABM is the proper answer.

I had the chance to discuss my alternative during the committee action on Safeguard-ABM but I did not call for formal consideration and a vote at that time. Rather, I prefer that this proposal be considered on the floor of the Senate when the authorization bill is being voted upon.

The alternative proposal which I am offering to Safeguard-ABM would—

(1) Authorize a concentrated developmental testing program of the radar, computer, and related electronic components of the Safeguard system at the North Dakota and

Montana locations suggested by the President.

(2) Authorize production engineering and continued developmental testing of the system's missiles.

(3) Preclude the deployment or production of operational Sprints or Spartans, the construction of missile launch facilities, and the acquisition of land at other than the two locations.

(4) Require full congressional review and approval before any such deployment or production of weapons, silo construction, or further land acquisition.

A concentrated developmental testing program with a clear expression of congressional desire to withhold the deployment of more nuclear weapons would lose nothing and gain much.

This alternative will retain the option to deploy substantially on the President's schedule if Congress decides next year to authorize full deployment.

There would be a delay of only 4 to 5 months in the completion of the Grand Forks site, none at Malmstrom site, and only 1½ months in the testing of the integration of the two systems.

There would be a gain of another year's intelligence information to try to clarify the current projections about the possible threat of a Soviet first strike.

The current disagreement between the CIA and DOD underlines how difficult it is to make long-range intelligence projections with confidence and precision.

As Secretary Laird has pointed out:

"Our intelligence projections over the next 2 or 3 years are reasonably firm. But when we project 5 or 6 years ahead we are getting into an area of considerable uncertainty. * * * Our national intelligence projections for the mid-1970's involve a large measure of judgment rather than hard evidence."

The alternative I am proposing would give us another year's "hard evidence" to inform our final decision about full deployment. If the Soviets are not trying to develop a first strike, their buildup should begin to level off. If they are, it will persist, perhaps even accelerate.

If future intelligence information clearly demonstrates the Soviet intention and ability to develop a first strike capability, the concentrated testing program I am proposing would have retained our option of meeting a threat to our Minuteman with Safeguard. If the Soviet threat of a first strike does not materialize, we can decide with confidence and a sense of security not to deploy Safeguard.

By withholding the decision to deploy more nuclear weapons, and by meeting the long leadtime problem of Safeguard, a concentrated testing program, neither gives the Soviets reason to increase their arms nor lets our own guard down.

The alternative I am proposing would concentrate on the most difficult technical problems in the system. Dr. John Foster, head of DOD Research and Development, as well as most informed and responsible critics, have emphasized the difficulty in developing a reliable computer program, integrating this complex system of radars and computers, and relying on uniformed personnel. This testing program would enable us to concentrate on these problems, work out the bugs, make any necessary improvements, and raise our confidence in the system.

The alternative I am proposing would also help strategic arms limitations talks.

A decision now to deploy more nuclear weapons—even if defensive—would complicate strategic arms limitation talks. If there is a beginning of the construction of missile silos, as requested in the Safeguard proposal, the Soviets could misinterpret this activity as the beginning of a dramatic expansion of offensive weapons. Even if they accept statements that the silos would be filled with purely defensive missiles, they could use the intent to deploy more nuclear weapons as an excuse to deploy more of theirs.

On the other hand a concentrated developmental testing program which retains the option to deploy Safeguard substantially on schedule gives the Soviets a realistic incentive to enter into effective SALT talks. The knowledge on their part that to overcome Safeguard, if deployed, would require an expensive addition to .their strategic arms, should help to dissuade them from trying to develop a first strike capability and should motivate them to proceed with SALT talks. It was this kind of realism that enabled us to negotiate a nuclear nonproliferation treaty and a test ban agreement.

Finally, the alternative I am proposing would symbolize our Nation's desire to turn the corner on the arms race and to affirm a fresh set of national priorities. In fiscal year 1970 there would be a saving of at least $15 million in construction funds for missile silos alone. But the long-range savings due to improvements in the system or an eventual decision not to deploy could well be dramatic.

In sum, the alternative I am proposing would not intensify the arms race; it would help us secure an effective arms limitation agreement; it would seek to answer the hardest questions about the system's workability; it would symbolize our turning the corner on defense spending; and it would preserve the ability to meet in time any clear Soviet threat to the strategic balance in the 1970's.

And above all it strikes a balance in the consideration of the twin problems of achieving national safety and a secure peace.

THOMAS J. MCINTYRE.

Mr. AIKEN. Mr. President, I wish to commend the Senator from New Hampshire (Mr. MCINTYRE) for offering his amendment to the legislation which is now pending.

I also wish to commend the Senator from Kentucky (Mr. COOPER) and the Senator from Michigan (Mr. HART) for proposing their amendment yesterday.

While these two amendments differ in some degree, they represent a determination on the part of their sponsors for a workable modification of the ABM proposal.

It has been obvious for sometime that authority for the Defense Department to proceed with the development of an unlimited ABM system could not be approved by this Senate.

In fact, without modification I would have had to vote "No" on this proposal.

It is, however, imperative that in the world as it is today the security of the United States be firmly maintained and that our defenses, including our deterrent and retaliatory powers, be kept up to date.

The issue before us is not whether we should agree with those who contend that the United States should set an example to the world through unilateral disarmament or those who apparently hold that the solution to international differences can best be solved by the dropping of bombs.

While the Polaris submarine has undoubtedly been our greatest deterrent to a widespread war, yet we should not regard the matter before us as an issue between the Polaris and other branches of our Defense Department.

Above all else, the situation with which we are confronted calls for the exercise of common sense, fairness, and clarity.

As I have indicated, we should not grant authority for the deployment or permanent installation of ABM missiles at this session of Congress, but neither should we retard the research which would be essential to the ultimate installation of ABM missiles should circumstances prove such a course to be advisable.

I am particularly interested in research as it pertains to the improvement of our presently inadequate radar systems—and, I might add, our sonar systems as well.

A special reason for perfecting our radar system is the fact that within the next decade or so, supersonic air transportation between the continents will become an accomplished fact and the same radar which would be used to detect oncoming enemy missiles would also be used for the civilian economic requirements of the future.

The moon flight shot scheduled for July 16 is another reason for the need to develop more sophisticated tracking devices which can be used for civilian purposes as well as military, not that our present tracking system to the moon is not excellent but it must be perfect before outerspace travel can be extended to greater distances.

It is rather ironic that much of the civilian economic progress of mankind has come about as a result of war or preparation for possible war.

We have paid an exceptionally high and unnecessary price for this progress, but until mankind learns to govern itself and keep its passions under control, it is unlikely that we will be able to digress from this course which has persisted over the centuries.

Therefore, it is essential that the legislation now before us be modified to prohibit the permanent installation or deployment of ABM missiles but not to such an extent that it impairs the security of the Nation or impedes the economic progress upon which our future depends.

It has been said repeatedly that legislation authorizing an ABM program is needed to strengthen the hands of the President at the upcoming meeting with Russia.

May I point out, however, that if the United States enters into a conference with Russia looking to control of armament and aimed at developing a less tense relationship between the two countries, that even though the legislation as written could be approved by as many as 51 or 52 votes in the Senate, which I doubt, we would be in an extremely weak bargaining position.

I believe it is absolutely necessary for President Nixon to have a much larger number of votes of the Senate supporting him when we enter into such a conference.

The pending legislation relating to the ABM must be modified to the extent that strong approval of the Senate will be obtained.

Again I wish to commend the Senator from New Hampshire and the Senator from Kentucky for recognizing this sit-

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uation, and I express the hope and belief that before this debate is ended, a mutual and satisfactory common ground will be reached.

Mr. MANSFIELD. Mr. President, will the Senator from Vermont yield?

Mr. AIKEN. I yield.

Mr. MANSFIELD. Mr. President, I commend the distinguished senior Senator from Vermont, the ranking Republican in this body, for the thoughtful speech which he has just made.

As I stated to the distinguished Senator from Maine (Mrs. SMITH) yesterday, those of our colleagues who come from New England do not waste words. They get to the point quickly. The Senator has indicated that the amendment offered by the distinguished Senator from New Hampshire, as well as the amendment offered yesterday by the distinguished Senator from Kentucky (Mr. COOPER) and the Senator from Michigan (Mr. HART) are steps in the right direction, if not necessarily the right answer.

The Senator also has indicated that authority for the Defense Department to proceed with the development of an unlimited ABM system could not be approved by the Senate.

This is an indication of the closeness of the vote, under present circumstances, which may well accrue if the matter is faced up to without a sizable change in the proposal.

The Senator indicates:

> In fact, without modification I would have had to vote no on the proposal.

That, in relation to his approval, in a sense, of the offer of the two amendments referred to, indicates that the Senator has an open mind and is not prepared, even as yet, to commit himself. As a matter of fact, it might well be that the determination of this issue could be decided by the distinguished Senator from Vermont, who now has the floor.

As the Senator has said:

> It is, however, imperative that in the world as it is today the security of the United States be firmly maintained and that our defenses, including our deterrent and retaliatory powers, be kept up to date.

With that statement, I agree.

Then the Senator goes on to say:

> The issue before us is not whether we should agree with those who contend that the United States should set an example to the world through unilateral disarmament or those who apparently hold that the solution to international differences can best be solved by the dropping of bombs.

I agree wholeheartedly because both of these positions, in my opinion, represent not logic and reason, but, rather, emotion farfetched.

That is the only part of this debate which has disturbed me, when those of us who have raised questions about the ABM—some of us, at least—have been charged with advocating unilateral disarmament.

Fortunately, I know of no Senator who has advocated that this matter of international differences can be solved by the dropping of bombs.

The Senator from Vermont also said:

> Above all else, the situation with which we are confronted calls for the exercise of common sense, fairness, and clarity.

That is absolutely correct. That is what the Senator from Vermont is trying to inject into this debate. He said further:

> As I have indicated, we should not grant authority for the deployment or permanent installation of ABM missiles at this session of Congress, but neither should we retard the research which would be essential to the ultimate installation of ABM missiles should circumstances prove such a course to be advisable.

That is correct. Then the Senator said:

> I am particularly interested in research as it pertains to the improvement of our presently inadequate radar systems.

I am, too. But there is a grave question about the softness or vulnerability of the radar system which is proposed to be installed at missile sites, especially in Montana and North Dakota. I should think, as a suggestion, that perhaps it would be possible to achieve the same results if testing were to be carried on at such missile sites as Kwajalein, which has been in operation for some time, if my information is correct, and at Eniwetok, which I understand, is 500 or 600 miles from Kwajalein—in other words, approximately the same distance as between Grand Forks, N. Dak., and Malmstrom, Mont.

Furthermore, there would be no indication that something was being attempted which might prove to be a steppingstone, a nose under the tent, or a foot in the door to the building of a complete ABM system, not only at those two sites, and not only as to computerized Sprints and Spartans, but the same being applied to the other 10 missile sites that are underway.

What the Senator from Vermont has said indicates, of course, that he has given this subject a great deal of thought. Different views may exist among us, but I do not question the integrity or the patriotism of any Member of this body, whether he be for or against the system. Whether or not one is against it is, of course, a matter of judgment, which all of us must face up to. The President has faced up to his responsibility and has rendered a judgment. We have to face up to our responsibility and render a judgment, as well.

The Senator from Vermont also said—and I am getting close to the end of this interpolation:

> It has been said repeatedly that legislation authorizing an ABM program is needed to strengthen the hands of the President at the upcoming meeting with Russia.

That is a doubtful thesis. No one can read the minds of the Russians. No one really knows what the effect will be of a system of this kind being built. It might be beneficial; it might be harmful. It is a doubtful thesis.

The Senator from Vermont also said:

> May I point out, however, that if the United States enters into a conference with Russia looking to the control of armament and aimed at developing a less tense relationship between the two countries, even though the legislation as written could be approved by as many as 51 or 52 votes in the Senate, which I doubt, we would be in an extremely weak bargaining position.

The Senator is correct. I join him in his remarks because the situation is one which cannot be avoided now. It must be faced up to in some manner or in some form.

When the Senator, in his last paragraph, after commending the Senator from New Hampshire and the Senator from Kentucky, expresses "the hope and belief that before this debate has ended, a mutual and satisfactory common ground will be reached," I join him, but I emphasize the importance of achieving an objective of this sort.

As has happened so often in my years in the Senate, the distinguished Senator from Vermont has rendered a service to all of us, regardless of our position. I hope that in the light of his remarks, we will do a little reevaluating and rethinking. I congratulate him for a fine speech.

Mr. AIKEN. Let me thank the Senator from Montana for his analysis of the remarks which I have just made. I am willing to confess that the remarks pertaining to the radar installations were put in there for the purpose of pointing out what is possibly the only issue which will require a better understanding among Members of the Senate. This is one thing which will have to be worked out and reconciled before we can get a large vote for the bill, or for the ABM part of the Defense authorization bill, in the Senate.

I believe it is essential, not perhaps so much for the purpose of trading the ABM with the Russians, but indicating to the Russians that the Congress, or at least the Senate, is behind the President in his efforts to achieve a limitation of armaments as well as better relations between the two countries. I think the size of the vote on the amendment which will finally be produced—and I do not think any of the sponsors or introducers of the two amendments already before the Senate can claim perfection—will carry great weight in the disarmament conferences when they take place, which we understand will probably be sometime next month.

I yield now to the Senator from New Hampshire (Mr. MCINTYRE). I commend the Senator again for presenting the amendment he has submitted.

Mr. MCINTYRE. Mr. President, I thank the Senator for yielding to me. I also want to thank him for the kind and judicious remarks he had made about the amendment I have just offered. It is rewarding indeed to one who has participated in the Armed Services Committee hearings and who has studied this subject, as I am sure every Member of this body has, to have those remarks from the distinguished and great Senator from New England—if I may put him in that category right now. I thank the Senator.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. FULBRIGHT. Mr. President, I want to join the Senator from Montana in commending the Senator from Vermont for his statement. I think he has analyzed the question extremely well. I think it is very beneficial to this debate and will put it in a perspective which makes it much more understandable to the public at large. I congratulate the Senator for rendering a real service to this debate.

Mr. AIKEN. I thank the Senator.

Mr. GORE. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. GORE. The able senior Senator from Vermont has today, as on many other occasions, rendered a notable service. The spirit of accommodation which he says is needed in the national interest, prevails, in my view, in the Senate.

Perhaps I can be permitted to say that, as chairman of the Disarmament Subcommittee which held extensive hearings on the subject of the ABM, hearing witnesses both pro and con, some 6 weeks ago I called an unpublicized executive session of the subcommittee. So far as I know, there has been no publicity about it. For 3 hours members of the committee, in an absolutely nonpartisan, bipartisan spirit, discussed the responsibility of Senators in this context.

We came to the conclusion, rightly or wrongly, that deployment of the antiballistic missile system could be every detrimental—might be even disastrous—to the coming conference. In any event, whether we were right or wrong, we reached the conclusion that we could not compromise on deployment; but with the coming of the conference, at which time, we had been assured then, the administration was nearing the end of its negotiating position and would soon indicate a readiness to go to conference, we considered, as I said, the responsibility of Senators in this regard.

Around the table, a spirit of accommodation was unanimously expressed. So with the approval of the group then present—again unanimously—I designated two members to convey to President Nixon the attitude of the members of the subcommittee.

I think that spirit of accommodation still prevails. I think it prevailed when, late last Monday afternoon, the pending bill was made the business of the Senate and debate began. But, because this spirit of accommodation had not met with reciprocation, it became necessary to join issue for a showdown battle, if necessary.

I say, in all sincerity, I doubt if that a showdown battle on this issue would be in the President's interest, would be in the national interest, or that it would be in the interest of the Senate. But, as the Senator from Montana has said, reciprocity, accommodation, and compromise is a two-way street. The able senior Senator from Vermont has now stepped right into the middle of the street and is beckoning in both directions.

I join the Senator from Montana in again expressing appreciation to him and in expressing a willingness to cooperate with him to the extent of full research and development.

Mr. AIKEN. I hope the Senator from Tennessee realizes there is an island in the middle of that street.

Mr. GORE. If we need to build some traffic protection for the Senator, I am willing to do that, too.

Mr. AIKEN. Otherwise, it might be a precarious position.

Mr. President, I yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, it has been my privilege to know the distinguished Senator from Vermont for a good many years, and I have served with him on two committees over a period of years.

The more you know the Senator, the more you respect him. It would not be possible not to like him. This afternoon, once again he has shown that he is a great Senator, a wise and able statesman.

Because of the nature of this debate, and its import with respect to the future of these United States, I hope with all my heart that Senators on both sides of the aisle will give full respect to the thoughts this wise man has presented us today.

Mr. AIKEN. Mr. President, I would not be human if I did not appreciate the remarks of the Senator from Missouri. But let me say, finally, that my fondest hope is that the Members of the Senate will agree upon a modification of the ABM for research and development work as well as enable us to get a very large percentage of the Members of the Senate to vote in favor of it, because the President must have that backing for the upcoming arms talks.

I would not interpret our vote this year to be in support of an ABM deployment next year, the year after, or the year after that, or whenever it might come about, as much as I would an indication that we are behind the President in his efforts to secure better relationships with other countries of the world. I am particularly thinking of Russia with whom continuous competition and arms rivalry is turning out to be a very expensive affair for all of us.

Mr. DOMINICK. Mr. President, I have reviewed the speech, or the "release when given" comments of the Senator from Vermont. I am sorry I was not here when he presented them. I should like to make just a few comments on those, and then comment upon the amendment of the Senator from New Hampshire (Mr. McIntyre), which I think is particularly important.

The Senator from Vermont, for whom I have great admiration and respect, has said, on his opening page:

> It has been obvious for some time that authority for the Defense Department to proceed with the development of an unlimited ABM system could not be approved by this Senate.

Then he goes on to say:

> In fact, without modification I would have had to vote no on the proposal.

Mr. President, it is not my understanding that either the committee or the President has advocated the development of an unlimited ABM system. As a matter of fact, it is quite limited, and the President, in his speech endorsing this proposal, very carefully stated that he was reserving the option, during the process of negotiations, to be able to halt whatever was going on at any time that he felt so inclined, and that by going forward now with procurement of certain items, we still retained our option to stop deployment while at the same time we were perfecting the ability of all the components to work together, in the event that they were needed.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. DOMINICK. I am happy to yield to the Senator from Vermont.

Mr. AIKEN. I simply wanted to observe that I would interpret any authorization for deployment of the missiles to be the ultimate objective, so far as unlimited development went, because once we started deploying them, there would be no end to the procedure. Some of the witnesses have testified that the ABM proposal as written into the bill was a good start, indicating that they expected to go on from there, and on and on, until nobody knows what the end would be.

It might be limited, but from the witnesses I heard, it sounded very much as if they viewed it as a start toward an unlimited program.

Mr. DOMINICK. With all due respect to the Senator from Vermont, I think he is probably reading more into this than the committee is, at least more than they intended to authorize, and certainly more, I believe, than the President indicated in his speech in support of the proposal.

I shall leave the matter there, because I believe Senators can read the report of the committee on this matter, and read the President's statement, and see that this is a very careful limitation, in order to preserve our option to put an ABM, eventually, in 1974, in two places, and be able to observe the credibility of our deterrent force.

I was certainly happy to see the statement of the distinguished Senator from Vermont that:

> Our defenses including our deterrent and retaliatory powers (should) be kept up to date.

I think this is part of the process of doing it, and on that process perhaps we disagree to a certain extent.

Mr. President, I also wish to comment on the amendment offered by the Senator from New Hampshire (Mr. McIntyre), for whom also I have high regard.

As I said the other day, I think the Senator from New Hampshire and the other members of the Subcommittee on R.D.T. & E. did a very fine job of analysis of the proposed budget. By virtue of the work which he and other members of the committee did, we were able to cut off almost $1 billion from the proposed budget. Undoubtedly, as we continue in this effort, we can do some more.

I know his reservations about the ABM, and have now reviewed his proposed amendment, and would like to indicate some of the problems that I see in this if—and I say "if" because I hope there will not be any withdrawal from the position we are in—but if we have to take anything at all, there are problems with this amendment which are inherent in the total program of research and development, and on deployment as well.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. MURPHY. I should like to request information as to how other Senators could obtain copies of the amendment, so we could more closely follow the colloquy. Have they been printed?

Mr. DOMINICK. I happen to have a copy here, which I assume comes from Senator McIntyre's office. I will be happy

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to let the Senator look at it and return it.

Mr. MURPHY. I thank the Senator very much. I now have one here.

Mr. DOMINICK. The problem with the amendment is that it casts a cloud of doubt over the entire Safeguard developmental effort, as I see it, because the body of the authorization bill, as it came from the committee, authorizes certain expenditures for the Safeguard system in general terms; the proposed amendment purports to redefine and limit this authority by an enumeration of activities for which funds may be used. By implication, at least, expenditure for anything that does not appear on the list of enumerated activities is unauthorized. The list contained and the language used in the amendment appear, on examination, to be so incomplete and ambiguous as to raise serious difficulties with implementation if it were put into effect, and to cast doubt on the authority to conduct certain necessary developmental and preproduction activities.

The following are examples of some of the practical problems of interpretation and ambiguity that would arise under the amendment:

First, S. 2546 in its title states that the authorization of test facilities at Kwajalein is a specific purpose of the bill and this is implemented by section 203. Yet the absence of language in subsection (a) of the amendment specifically authorizing funds to be spent for such facilities and R.D.T. & E. effort on radar and missiles at Kwajalein, coupled with the further limitation in subsection (b) forbidding the installation of "equipment described" in subsection (a)(1)—that is, radars, computers, and related electronic equipment—at "any proposed anti-ballistic-missile site" other than Grand Forks and Malmstrom, could lead to the conclusion that construction and installation of facilities at Kwajalein is unauthorized. These additional facilities at Kwajalein are required for essential system tests with radars and missiles.

Second, likewise, the provision in subsection (b) limiting the installation of "equipment described" to two specified sites may preclude the establishment of essential modifications to training facilities; it may also prohibit the modification of existing command and control facilities and the production and installation of the tactical software control site at Whippany, N.J., which is essential to the developmental testing program.

Third, subsection (a)(2) raises even more serious ambiguities. This is the only portion of the amendment dealing with what is permitted in the way of preproduction and production type activity. It permits "preproduction expenses"—an ambiguous term—but only for missiles. Considering that subsection (a)(1) permits funds to be used only for research, development, testing and evaluation of system components such as radars, computers, and related electronic equipment, but not for production of these items, it is unclear how funds—particularly PEMA funds—can be used to procure these items for the Grand Forks and Malmstrom tactical sites. The amendment is silent with respect to production engineering and preparation for manufacture of nonmissile items such as radars and computers. Absence of such authority would have a serious impact on timely future deployability of the system.

Fourth, there is no specific authorization for funds to be used for development or procurement of necessary and ancillary supporting facilities that are not "related electronic equipment."

Fifth, this amendment could be interpreted as preventing the accomplishment in fiscal year 1970 of survey, advanced engineering, and site selection for phase 2 sites. If this site selection activity is not carried out in fiscal year 1970 on several of the phase 2 sites, there will be several months of delay in proceeding with these sites if their later deployment is approved.

So the problem, as I see it in general—and I am not trying to be critical of it because as I say it is trying to accomplish some kind of compromise—if we go forward with this type of amendment, we have ambiguities in what we can or cannot do that will no doubt cause a very great delay in future deployment in the event we need it next year. That is the main problem with the Cooper amendment and with the McIntyre amendment.

Mr. McINTYRE. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. McINTYRE. Mr. President, I have listened to the critique of the language of my amendment.

I have had numerous sources of advice as to how to draw this—from legislative counsel, from members of our own staff, members of the Committee on Armed Services.

I assure the Senator that his critical comments made here will be looked at carefully. In the event we find some merit in them, we will try to make the appropriate modifications in the amendment now at the desk.

There should be no doubt concerning my amendment, as it is very clearly spelled out in the supplemental views in the committee report. However, I appreciate—and I am sure the Senator does—how difficult it sometimes is to put down in exact, legal language in an amendment to a bill the very thoughts that we expressly have in mind.

There is always the question of some ambiguity creeping in.

We will take recognition of the Senator's remarks.

Mr. DOMINICK. I fully understand that. That is the reason why I spoke up. I thought that if the Senator wanted to perfect his amendment, it would give him a chance to do so. Second, in all fairness, regardless of the amendment, the Senator is trying to prevent the deployment in fiscal year 1970 of deployable items. I must in all conscience oppose the amendment, since it will do that.

Mr. AIKEN. Mr. President, may I ask the Senator if he has discussed this matter with the White House?

Mr. DOMINICK. I have not been in touch with the White House. However, I have been in touch with other representatives, and I am sure they agree with that.

Mr. COOPER. Mr. President. There is no need to add to the tributes that have been paid to the senior Senator from Vermont. He was asked by us to approach the question before the Senate with commonsense, fairness, and clarity. These are qualities which have always marked the distinguished Senator from Vermont.

I hope that we will follow his suggestion.

I know there was no intention on the part of any of us who opposed last year the deployment of ABM, to confront the then President of the United States—and now with a new President and one of my party, there is no desire or pleasure on our part for a confrontation.

We have offered an amendment which would provide to the administration all the money it has asked, but to be used for research, development, testing and evaluation of all the components of the system so there would be no timelag if in the future—next year, before, or even later—it should become evident that the threat which the Secretary of Defense has projected had become a reality.

As the distinguished Senator from Colorado has called attention to the amendment which the Senator from Michigan (Mr. HART) and I offered for ourselves and on behalf of many others who hold the same position, I point out that the amendment is not ambiguous.

Its sponsors decided as a group to provide to the administration all of the money it asked so that it would be enabled in fiscal year 1970 to proceed with research, development, testing, and evaluation and do so in ways that it thought best, but with the option of developing a more effective system than the Safeguard, if one became needed.

We provide, incident to research and development, that the administration could make such procurement as it believed necessary for such testing. As the Secretary of Defense himself stated in his testimony before the House Subcommittee on Appropriations that no part of the system could be deployed as an integrated unit until 1974, or as separate component parts during the coming year, we have not deprived the administration of anything if the amendment should be agreed to, except the political decision of actual deployment at this time.

Our reasoning is, as many have stated, that, approaching the arms talk, it would be better for the administration to go to the talks without commencing the deployment of the weapons, offensive and defensive, which the very negotiations seek to control. It is to determine if the nuclear arms race can be brought under control.

Our amendment is clear. It will be elaborated in view of the statement of my friend, the Senator from Colorado, I again make this explanation of the purpose of our amendment.

Mr. FULBRIGHT. Mr. President, a few moments ago, the distinguished Senator from Mississippi (Mr. STENNIS), the chairman of the Armed Services Committee, made a brief statement. The first paragraph reads as follows:

> The printed record released today of the hearings on Intelligence and the ABM before the Senate Foreign Relations Committee has

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been cited by the Chairman of the Senate Foreign Relations Committee as evidence of the disagreement between Secretary of Defense Laird and Director of the Central Intelligence Agency, Mr. Helms in their assessment of the strategic threat which makes the ABM necessary.

Then later, in the next to the last sentence, it states:

> Both Secretary Laird and Mr. Helms have replied and made it clear that there is no disagreement between them as to the strategic threat.

I thought it was necessary to clear up the record, because the transcript of the hearing held with Mr. Helms and Secretary Laird, which was released today, does not allege that there was any difference with regard to the strategic threat. I want to read the paragraph. There are differences, but not of that character, because I do not think the CIA has made an assessment of that particular matter. I read from page 6 of the hearings which were released today. This is in a letter which I addressed to Mr. Laird based upon his letter and the hearings:

> In fact, as the record now stands it leaves the impression that there have been no disagreements within the intelligence community as far as certain recent developments in Soviet weaponry are concerned. I felt that I had no choice but to agree to the deletions requested by the executive branch on the grounds of national security. But the fact of the matter is that there have been disagreements within the intelligence community on such recent developments, although all the testimony given at our June 23 meeting indicating such disagreements has been deleted from the public record.

Now, those disagreements did not relate to the strategic threat. I wish to make it clear that they do relate, however, to other aspects of the matter which were deleted. They were deleted because all of the testimony of Mr. Helms was deleted on the usual grounds of national security. But I have the hearings before me. I would be very pleased to show them to the chairman of the Committee on Armed Services, to illustrate what I mean. There were distinctly differences of view as to certain weapons systems and their characteristics, and this is what was referred to in my letter to Mr. Laird.

I only wanted to make this statement in order to clarify the record. To say that there were no differences on the strategic threat is, in a sense—I am not sure what the right characterization is, whether it is a red herring or not. In any case, that is not what was at issue at all. I assure the Senator that I hold in my hand the document which clearly shows there were differences between the two agencies—that is, between the intelligence community and the Secretary of Defense—with regard to certain weapons systems and things of that nature in arriving at a judgment as to what the intentions are and also what the necessity of the ABM is at this time—such differences, I may say, relating to the ABM and the Russians, and so on. These are differences with which the Senator is familiar. Those are the differences I was discussing.

Mr. STENNIS. Mr. President, I should like to respond to the Senator's comment, if he will yield to me.

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Mississippi?

Mr. FULBRIGHT. I yield to the Senator.

Mr. STENNIS. I thank the Senator. In the first place, the opening sentence of the statement I made uses the term "which makes the ABM necessary." It was not my purpose to imply that Mr. Helms testified that the ABM was necessary. The words should have been "which gives rise to the question of whether or not the ABM is necessary." That is a refinement of language that makes clear what I said—which gave rise to the question of whether or not the ABM is necessary. I was talking about the strategic threat.

Mr. President, it is hardly possible to describe how many things have been said and written about this conflict in the testimony given by Mr. Laird and Mr. Helms. It has been mentioned to me on the Senate floor by Senators who are interested from one point of view and the other.

Finally, in the rush of all these other matters, I made some effort to look at the testimony of both men. It was not convenient to get it, although I was not denied access to it. It was not convenient for me to see it. But the release of the testimony of Mr. Laird and Mr. Helms, with the deletions, gives rise to the question again: Well, what is the conflict between these men?

I anticipated that the best I could by writing each of them a letter and pointing out that the alleged conflicts had been called to my attention many times and that in preparation for this debate I wanted to know the facts. They are responsible men, in responsible positions.

I attached to my brief statement a copy of the letter to Mr. Helms. I will not burden the Senate by reading both of them, except to read the last paragraph:

> I would greatly appreciate if you would respond appropriately after consultation with Secretary Laird indicating your agreement or disagreement with any aspects of his response.

I said to Mr. Laird that I wanted to be provided with a statement and—

> Whether your definition and evaluation is concurred in by the Central Intelligence Agency, particularly Mr. Richard Helms, Director, and if there is disagreement, to what extent and in what regard.

Those are very pointed questions.

An answer was received from Mr. Laird. Mr. Helms happened to be out of the country, but this matter was communicated to him. It was read to him, and he has sent a reply through General Cushman, and I will put that in the RECORD. General Cushman was Acting Director in the absence of Mr. Helms from the city. He said:

> Although Mr. Helms is presently out of town, he has read the text of Secretary Laird's reply. Mr. Helms wishes to assure you that he has no disagreement with the statements in Secretary Laird's letter to you of 8 July concerning the potential Soviet and Chinese Communist strategic capabilities, as seen from the intelligence point of view.

I should like to dwell on that for a moment—strategic capability. That is the capacity and the possibility of what appears to be the course of events and evaluation of what indications arise as to what the plans are for the future; that is, the capability of our adversary as to the strategic threat. That is as far as Mr. Helms' duties go, as the Senator knows. Mr. Helms does not advise whether we need an ABM—never; nor whether we need an F–14 or F–15 or any other weapons. He works, as the Senator well knows, upon the intelligence, the capabilities.

Mr. Helms is not going any further than that in his duty; and they certify here that there is no disagreement on these matters so far as Mr. Helms' duty goes; and I think that clarifies the situation a great deal.

Now, we can go back and pick up fragments here, there, and yonder about what Mr. Helms thinks about the indications from—we cannot discuss these things too much—but fragments of matters he may know about, or what Mr. Laird thinks about that. I do not think that is so relevant. But Mr. Laird has the duty of enunciating a policy the best he can.

He and the President and others passed on this intelligence. There is where the matter about the ABM comes in.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I wish to make one comment, and then I shall yield to the Senator from Missouri unless he wishes me to yield to him right now.

Mr. SYMINGTON. No, but I would appreciate it if the Senator would yield to me later.

Mr. FULBRIGHT. I shall.

Mr. SYMINGTON. I thank the Senator.

Mr. FULBRIGHT. First, I wish to emphasize what is said in that last letter in case those who do not read it carefully should miss it. I refer to the letter to Senator STENNIS from General Cushing. I reiterate that the letter says:

> Mr. Helms wishes to assure you that he has no disagreement with the statements in Secretary Laird's letter to you of 8 July concerning the potential Soviet and Chinese Communist strategic capabilities.

And I wish to emphasize, "as seen from the intelligence point of view."

Now, coming to the letter of Mr. Laird, he said:

> In short, we believe the USSR has the capability of acquiring, by the mid-1970's: some 400 SS–9 ICBMs, multiple independently-targeted re-entry vehicles, SLBMS matching the U.S. POLARIS fleet, ICBM retargeting capability.

This illustrates a point that has been very slippery in this entire matter. I wish to show to the Senator from Mississippi that the committee of which I am a member did not seek this controversy. We were not trying to nitpick. The whole matter of difference arose out of the statement made by the Secretary of Defense in open session before the subcommittee headed by the Senator from Tennessee to the effect that the Soviet Union was going for a first strike capability. Then, he added, for emphasis:

> There is no question about that.

This is a very significant statement. This is where the matter started. This did not start with any little meeting in secret between our committee and the Secretary of Defense or the CIA. We were trying to clarify a statement which was extremely provocative, a statement that, if true, and based upon a finding of the intelligence community, should be taken most seriously.

That statement was generally interpreted to mean that the Soviet Union was preparing for a first strike, which means utter destruction of the United States beyond the possibility for retaliation. I will read his statement. This is from that hearing. This is the Secretary of Defense speaking:

> The Chairman has quoted your statement before the committee which was carried on television. But for the sake of my question I would like to repeat it:
>
> "With the large tonnage the Soviets have, they are going for our missiles and they are going for a first strike capability. There is no question about that."

Secretary Laird did it for emphasis. This is what started the whole matter. This raises extremely serious questions about our whole relations with the Soviet Union. If that statement by the Secretary could be taken literally and fully, my goodness, an ABM would be mighty small potatoes compared to that kind of threat. This is what we have been trying to clarify. And that is why we had this meeting: in order to determine what the Secretary meant.

Immediately after Secretary Laird said what I quoted about a first strike, I inquired of the intelligence division of the State Department, and later of the CIA and the Chairman of the U.S. Intelligence Board to this effect. I asked if that Board ever found that the U.S.S.R. was going for a first strike capability. In other words, were they producing weapons or doing anything else which led the intelligence community to make such a finding? They make that annual finding in the fall and then they meet once a week to update whatever their newest intelligence may bring to their attention.

I was assured they had never made such a finding. In other words, this statement of the Secretary of Defense had been made on his own authority without being based on findings of the intelligence community. That is what started this matter. I think it is important that it be clarified.

I believe that in this last hearing, the Senator should read carefully the committee hearing, and especially the questioning of the Senator from Tennessee who pursued this matter at great length. He was chairman of the subcommittee in which this statement was made. I believe the Senator from Mississippi will find there quite a qualification by the Secretary of Defense himself as to what he intended. I do not believe he intended to give the impression that he did give by that statement. I think he has drawn back from that.

That is the only point I wanted to make with respect to the strategic threat or capability. I am not saying and I do not think anybody is saying that given an all-out effort the Russians could not make lots of weapons and we could not make lots of weapons. This proposition is centered around the thought that by having a meeting with them, and the President has committed himself to having a meeting with them, we can control or stop at least this vast acceleration of the arms race. I think we can, and if we understand the situation better and if each side is convinced that the other side is not going to destroy the deterrents, then I think a negotiated settlement is possible.

I yield to the Senator from Missouri, who wishes to respond.

Mr. STENNIS. Mr. President, if I may, I would like to make a few remarks in response.

Mr. FULBRIGHT. I yield.

Mr. STENNIS. I appreciate the Senator's statement. I am sure he appreciates what I was doing with these letters. I do not know if we have a qualified statement, but I wanted to get something by both of them to put side by side in this debate.

Now, we know, as far as these letters go, there is no difference between them.

Mr. FULBRIGHT. I do not accept the statement that there is no difference between them. There is no difference on that point. I would not want to let it pass that there is no difference.

Let me say to the Senator that I did not wish to have Mr. Helms come and be confronted by the Secretary of Defense. The Secretary of Defense is a powerful political figure on his own. For a long time, he was an influential Member of the House of Representatives. This puts him with a man who can be dismissed tomorrow morning by the President if he does not suit him. I did not want to have the two men together. It was not done at the insistence of the Director of the CIA. I do not like to ask him, "Do you disagree with the Secretary of Defense?" That puts him in the intolerable position of standing up and disagreeing with a man who, in our political system, is far more secure. I did not want to do that in the first place. I think the letter in which he replied is couched very carefully. I certainly hope beyond all things that as a result of these exchanges, the Director of the CIA is not dismissed. I have been afraid of that, or even to mention him in public after I saw what happened to Mr. FitzGerald and others in the bureaucracy when they disagreed. I have been concerned about that and I did not want to expose Mr. Helms to anything of that kind unnecessarily because he should not be.

Mr. STENNIS. On the question of the first strike capability, that rests more in the minds of our adversaries than anywhere else, I think we can talk about it a long time and no one could put his hand on the answer.

I thank the Senator for yielding.

Mr. FULBRIGHT. The Senator inspired me to make a comment.

I asked a great psychiatrist, 2 weeks ago, about the principle of projection, that it is entirely in the mind. What occurred to me was that when one makes a public statement to the effect that someone else is about to do something, it is a common psychological phenomenon that one really is speaking what is in his own mind. Is the Senator familiar with that principle? [Laughter.]

Mr. STENNIS. The Senator is far beyond me in many things, including psychiatry.

Mr. FULBRIGHT. That was Dr. Carl Menninger who said that, not I.

Mr. SYMINGTON. Mr. President, perhaps it is unfortunate that I am the only Senator who listens to the testimony of the Secretary of Defense and the Director of the CIA before the Committee on Foreign Relations, the Armed Services Committee, the Subcommittee on Central Intelligence, and the Appropriations Committee. I have listened carefully to all said testimony.

As a result of the appropriations testimony of the distinguished Secretary of Defense, prior to his latest appearance before the Foreign Relations Committee, I came to the conclusion that there was a difference between these two gentlemen, and that the difference was chronological.

Therefore, as the chairman of the Foreign Relations Committee will remember, I called up and stated, in my opinion, both of these gentlemen were sincere, and the difference was a chronological difference.

To make my point, I went over the appropriations testimony of the distinguished Secretary of Defense with the chairman of the Foreign Relations Committee.

We later had that last hearing, and I must say I felt at that time that over 90 percent of any difference was cleared up to the satisfaction of all concerned.

Mr. President, I take this opportunity not only to observe that I have great respect for the integrity and ability of the Secretary of Defense, but also have the same convictions about the Director of the CIA. It has been my experience during the some quarter of a century that I have been in Government, that every time we draw the Central Intelligence Agency into public discussion or debate—and I must say that this time no Member of the Senate was involved—we get ourselves into a situation which is not in the best interests of the security of the United States.

I would hope, above everything else, that this debate does not in anyway hinder the fine work that Mr. Helms is doing. In my opinion, he is the best Director the CIA ever had.

Mr. FULBRIGHT. I would say that I feel as the Senator does. He is an excellent man. I have always felt that we got the most objective information from him that could be had in our Government.

Mr. GORE. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. GORE. Mr. President, one of the crucial points in this whole debate, not only in this debate but in the justification advanced for deployment of the ABM, is the question of Soviet intent to seek to achieve a first-strike capability.

The able chairman will recall that when President Nixon announced to the

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American people his decision to recommend deployment of the ABM, he placed great emphasis upon the necessity of ABM deployment to preserve the credibility of this country's deterrents.

Mr. FULBRIGHT. That is right.

Mr. GORE. Then when Secretary Laird went before the Armed Services Committee, he made the same point. In fact, it was the principal point. It was the principal reason advanced for the deployment of the ABM weapon system.

Then, when he came before the subcommittee of which I have the honor to be chairman, before an audience of the American people of many millions via television he said, as the chairman has now quoted him:

> With their great tonnage, they are going for our missiles, and they are going for a first strike capability.

Then, for emphasis, he added:

> There is no question about that.

Does not the Senator recall that the next day the newspapers of the Nation headlined that the Secretary of Defense had said that the Russians were going for a first-strike capability, and, therefore, that ABM's must be deployed?

Mr. FULBRIGHT. That is correct.

Mr. GORE. So, Mr. President, with the American people involved in this issue, this became crucial, crucial in debate, and crucial in the decision. If in fact the National Intelligence Board had reached a conclusion that the Soviets were going for a first-strike capability, which means, in the terminology of the military, the ability to render against this country such a blow that we could not retaliate with unacceptable risks for them, then, Mr. President, ABM's would not be sufficient.

Oh, no. ABM's would not be sufficient, because then we would be facing the threat, if not the intent, of annihilation of this country should the Soviets achieve a first-strike capability, the United States would not then have the power to deter a nuclear war.

Mr. President, as I tried to say time after time on the floor of the Senate, our whole strategy to avoid nuclear war has been postulated on deterrence.

Mr. FULBRIGHT. That is right.

Mr. GORE. We realize that in a nuclear exchange between the United States and Russia, there would be no winners. In fact, Dr. Kistiakowsky expressed the opinion to us that an all-out nuclear exchange would render at least the Northern Hemisphere uninhabitable.

Thus, we are not only talking about a nonvictor as between the United States and Russia, but the world would also lose. All would be lost.

Not only have we postulated our position on deterrence to prevent a nuclear war, so have the Soviets. Now we have reached this balance of terror, when both countries have a second-strike capability and thus the power of deterrence.

I doubt whether many Americans are frightened by the Russian ABM's. Is the Senator from Arkansas? They are not aimed at Little Rock. [Laughter.] In fact, they go only a short distance.

By the same token, I doubt whether the Russians would be very apprehensive about some of our ABM's in Montana and North Dakota which have a range of not more than 500 miles.

I dare say they would be concerned, were they contemplating an attack upon the United States, about the Poseidon missiles in our nuclear submarine fleet; about our intercontinental ballistic missiles; about our missiles on the surface of naval vessels; about the missiles in certain foreign countries near them; about our tactical missiles in Western Europe under our command, some of which can reach the Soviet Union; or about our intercontinental bombers.

I think they would be concerned about that with which we could retaliate upon their country, and not about an ABM "shoot-'em-down-maybe" short-range defensive capability.

Mr. President, here we are talking about the central issue in this battle. The Secretary of Defense arrogated to himself, it semed to me, some special responsibility that Senators do not have for the security of their country. He does have a responsibility, but so do we. Before millions of the American people and a Senate committee he said, and I repeat:

> They are going for a first strike capability. There is no question about that.

We promptly set about to examine it and found, I say unequivocally—and if there is a secret session, we will show the record—that there has been no finding of the National Intelligence Board to support that conclusion.

The Secretary of Defense has a right to reach any conclusion which he feels justified. I do not question that. But so do Senators.

We found no evidence that the Soviets were going for a first-strike capability; and that was the principal justification given for deploying ABM's.

Mr. President, they have retreated from that. The Secretary of Defense has retreated from that. It is no longer advanced. Now the principal reason given in support of ABM deployment is that the President needs it in order to go to the conference.

In other words, we arm to parley. That has failed many a time in history. But now, fortunately, this afternoon, it seems to me the senior Senator from Vermont has pointed a signal for accommodations. I stand ready, in the hope that such an accommodation can be reached in the national interest, and I say in the interest of the President, and in the interest of the Senate. He advocates continuation of research and development but no deployment. I agree, but it must be only research and test.

Mr. FULBRIGHT. Mr. President, I appreciate very much what the Senator from Montana has said. He said it extremely well, as he always does. He made a great contribution to the hearings and to the clarification of this very point, which I think is now understood.

I agree with what the Senator said about the Senator from Vermont. I think he has pointed a way to a settlement of this question which I hope can be brought about. I hope it will be brought about.

I agree with the Senator that the best way to strengthen the hand of the President in the forthcoming trip—or in the negotiations with the Russians would be a good, solid vote on this matter, which, if you would like, can be called an accommodation. I am not quite sure of the terms in this—an accommodation in the sense I believe the Senator from Vermont used that phrase. I hope that can be worked out.

Mr. STENNIS. Mr. President——

Mr. FULBRIGHT. Does the Senator want me to yield to him?

Mr. STENNIS. On this one point.

Mr. FULBRIGHT. I yield.

Mr. STENNIS. I think these letters from the men referred to speak for themselves. One word about Mr. Helms. I certainly want to point out, with great force, that, as it seems to me, he is outstanding in his work. I do not have the slightest indication that there is any other sentiment than that toward him or Mr. Laird or anyone else. I have not talked to Mr. Laird about Mr. Helms except in a general way, and I know he has a very high regard for him.

I did not want to leave this discussion in a way that might cause disagreement if something came up.

Mr. FULBRIGHT. I really said what I did as a preventive. If something happened, it would be too late. I wanted to take the opportunity to say in advance that I, certainly, and I believe the Senator from Mississippi shares my view, felt Mr. Helms speaks very forthrightly. I refer not only to this event, but I go back 3 or 4 years, when he used to report his findings. It seemed to me that subsequent events justified his estimates of affairs and supported his findings, particularly in the Vietnam area and others, a great deal more than they did some of the optimistic findings of some members of the Department of Defense. So I already had a considerable prejudice in his favor in the reliability of his estimates.

Mr. STENNIS. I thank the Senator.

Mr. FULBRIGHT. Mr. President, I yield the floor.

Mr. STENNIS. Mr. President, to the extent that I am the floor manager, I do not know of any other Senator who desires to address the Senate this afternoon on the pending measure. There will be debate tomorrow. We have already set the speech of the Senator from Texas (Mr. TOWER), by a special order, for tomorrow, following the morning hour, I believe.

Mr. HART. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. HART. Mr. President, I rise to comment on the remarks made a few minutes ago by the Senator from Vermont (Mr. AIKEN). I regret that he is not on the floor, but I am delighted that the Senator from Kentucky (Mr. COOPER) is.

First, may I explain the reason for my absence at the time the Senator from Vermont was speaking. Unfortunately, I was chairing a subcommittee meeting.

The Senator from Vermont was gracious enough, before he made his remarks, to see that I had a copy of them. I have read them. I rise now simply to express delight that the Senator from Vermont counseled the Senate that we are not yet ready to deploy an anti-ballistic-missile system; that we need to move forward in research and testing. What Senator Aiken counsels us is, I think, the counsel of wisdom, as we hear so often from that magnificent Senator from Vermont.

I would hope that we would recognize the desirability that the testing be of maximum value and utility. You do not get that kind of testing in the middle of the continent of the United States. You get that testing out in the reaches of the Pacific.

Additionally, when you put equipment that relates to an anti-ballistic-missile system in the Pacific and you say you are testing it, there is credibility to it, because that is its only real virtue out there. There you get the opportunity to lob missiles at it, and you can readily identify its weaknesses and react accordingly.

However, I think it would be a mistake for us to assume that we could get that kind of effective test or believability if we placed these devices, and labeled them "test only," at the ABM missile sites themselves in either Montana or the Dakotas.

I understand that our able majority leader, in reacting to the suggestion of the Senator from Vermont, made the point that Kwajalein and Eniwetok will be appropriate and suitable for fully effective tests. We really want to find out where the "bugs" are. We really want to fix that machine up for the day, if it ever comes, when we have to deploy it in fact. That is the test area in which to find out.

We all recognize that the stakes are very high, and we are all devoted to insuring the security of this country. We disagree on occasions as to the means, and indeed as to the definition of security. But I am delighted that Senator Aiken has spoken as he has against the deployment of an anti-ballistic-missile system as recommended by the committee and the administration.

Mr. GORE. Mr. President, will the Senator yield?

Mr. HART. I am delighted to yield to the Senator from Tennessee.

Mr. GORE. Is it the view of the Senator from Michigan that the leadtime involved in the emplacement of radar and computer components, as well as other components, is greater than would be the case for missiles which have already been tested, which can be moved into place in a relatively short period?

Mr. HART. It is my understanding that the leadtime is greater.

Mr. GORE. So we could not, in good faith, undertake in the name of research and development the essential and most difficult parts of an ABM system and, with credibility and good conscience, say that this is merely research and development?

Mr. HART. I could not.

I thank the Senator from Mississippi.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, returned to the Senate, in compliance with its request, the bill (S. 1583) to provide that appointments and promotions in the Post Office Department, including the postal field service, be made on the basis of merit and fitness.

ENROLLED BILL SIGNED

The message announced that the Speaker had affixed his signature to the enrolled bill (H.R. 4153) to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard.

PROPOSAL THAT JULY 21 BE PROCLAIMED AS A NATIONAL DAY OF PRAYER AND THANKSGIVING

Mr. MATHIAS. Mr. President, the spirit of America will be committed on July 21, as our resources have been for 10 years, to the concept of liberating man from a single planet. On that day we shall abolish horizons as the limit of vision and open the opportunity for a future that is literally without limits.

It should be a time to celebrate the personal achievement of the two men who walk the Moon that day and of their brother astronauts and 200 million fellow Americans who walk with them in spirit. It should be a day of prayer that this achievement, which draws upon the knowledge and wisdom and experience of all men everywhere, will bring peace by showing the fruits of man's peaceful labors.

On July 21 we can pray that as man is released from Earth's bonds, he may be relieved of Earth's ancient scourge of war; that as man turns his eyes to the stars, he shall no longer live in the shadow of Cain, who was his brother's killer; that through peace the marvels of God's universe should be unfolded before us.

I am, therefore, by resolution, which I shall propose in the Senate, and by a letter, which I shall send to the President of the United States, suggesting that the 21st of July be proclaimed as a national day of prayer and thanksgiving.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 11 A.M.

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 4 o'clock and 45 minutes p.m.) the Senate adjourned until tomorrow, Friday, July 11, 1969, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate July 10, 1969:

Diplomatic and Foreign Service

Leonard C. Meeker, of New Jersey, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Romania.

The following-named person, now a Foreign Service officer of class 2 and a secretary in the diplomatic service, to be also a Consular Officer of the United States of America:

William B. Kelly, of Ohio.

For appointment as a Foreign Service officer of class 2, a Consular Officer, and a secretary in the diplomatic service of the United States of America:

John M. Thomas, of Virginia.

Now Foreign Service officers of class 3 and secretaries in the diplomatic service, to be also Consular Officers of the United States of America:

John T. Dreyfuss, of California.
Ronald A. Gaiduk, of Florida.

For appointment as Foreign Service officers of class 3, Consular Officers, and secretaries in the diplomatic service of the United States of America:

Leo Arel, of Maryland.
Richard Elliot Benedick, of California.
Marvin E. Brenner, of Pennsylvania.
Miss Gloria L. Gaston, of the District of Columbia.

For reappointment in the Foreign Service as a Foreign Service officer of class 4, a Consular Officer, and a secretary in the diplomatic service of the United States of America:

Stanley P. Harris, of Maryland.

For appointment as Foreign Service officers of class 4, Consular Officers, and secretaries in the diplomatic service of the United States of America:

Robert L. Gingles, of Florida.
Herbert G. Hagerty, of New Jersey.
Miss Carol M. Sheehan, of Massachusetts.

For promotion from Foreign Service officers of class 6 to class 5:

A. Edward Elmendorf, of California.
Joseph Edward Lake, of Texas.

For appointment as a Foreign Service officer of class 5, a Consular Officer, and a secretary in the diplomatic service of the United States of America:

Lawrence D. Russell, of Florida.

For promotion from Foreign Service officers of class 7 to class 6:

Charles S. Ahlgren, of Iowa.
David Russell Beall, of Michigan.
John P. Bell, of Virginia.
Charles G. Billo, of New York.
Miss Janina Bonczek, of California.
William G. Crisp, of Virginia.
Vincent J. Farley, of New York.
Leon S. Fuerth, of New York.
Robert A. Gehring, of Connecticut.
Victor S. Gray, Jr., of New York.
James H. Holmes, of Pennsylvania.
William A. Kirby, Jr., of New Jersey.
Arthur L. Kobler, of New Jersey.
James B. Leonard, of Vermont.
Robert A. MacCallum, of Pennsylvania.
John F. Maisto, of Pennsylvania.
Kevin J. McGuire, of New York.
Jonathan C. Menes, of California.
Richard N. Otto, of New York.
Richard R. Peterson, of Illinois.
Kenneth M. Quinn, of Iowa.
Samuel Vick Smith, of Washington.
David H. Stebbing, of the District of Columbia.
Miss Carol K. Stocker, of Illinois.
Keith L. Wauchope, of New York.
Stephen W. Worrel, of Ohio.
Lacy A. Wright, Jr., of Illinois.
John William Zerolis, of California.

For promotion from Foreign Service information officers of class 7 to class 6:

Miss Mary J. Anderson, of Iowa.
Robert Barry Fulton, of Pennsylvania.
Richard J. Gilbert, of New York.
David W. Hess, of Iowa.
David K. Krecke, of Michigan.
George D. Langham, of Arizona.
Jeffrey H. Lite, of Illinois.
Paul E. Paryski, of New York.

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Douglas S. Rose, of California.

Daniel Scherr, of New York.

Terry B. Shroeder, of California.

William J. Weinhold, of Wisconsin.

John G. Wilcox, of Michigan.

For promotion from a Foreign Service officer of class 7 to class 6 and to be also a Consular Officer of the United States of America:

Charles L. Daris, of California.

For appointment as Foreign Service officers of class 6, Consular Officers, and secretaries in the diplomatic service of the United States of America:

Harry E. Jones, of Pennsylvania.

Robert B. Lane, of the District of Columbia.

Chester F. Polley, Jr., of Illinois.

For promotion from Foreign Service officers of class 8 to class 7:

John Christopher Grigassy, of Texas.

Arthur J. Hardman, of New York.

Sherman N. Hinson, of Vermont.

E. Stewart Johnston, of California.

John R. Malott, of Illinois.

Scott Huston Ochiltree, of Connecticut.

Peter S. Perényi, of Connecticut.

Miss Judith Rodes, of Texas.

Miss Ernestine H. Sherman, of Oregon.

Robert E. Snyder, of Massachusetts.

Frank J. Spillman, of Hawaii.

Randolph A. Swart, of Maryland.

Miss Xenia G. Vujnovich, of New York.

Matthew P. Ward, Jr., of Pennsylvania.

For promotion from Foreign Service information officers of class 8 to class 7:

L. Michael Haller, of Illinois.

William H. Maurer, Jr., of Pennsylvania.

Miss Joanne A. Rinehart, of Pennsylvania.

For appointment as Foreign Service officers of class 7, Consular Officers, and secretaries in the diplomatic service of the United States of America:

Douglas B. Archard, of Wisconsin.

Bruce Anthony Beardsley, of Nevada.

Robert W. Beckham, of Florida.

Daniel V. Clark, of New Jersey.

Louis Creveling, Jr., of California.

Jeffrey Davidow, of Minnesota.

Daniel Linus Dolan, of Maryland.

James R. Goeser, of Illinois.

George A. Gowen III, of North Carolina.

Mahlon Henderson, of Virginia.

Richard W. Hoover, of Ohio.

Robert F. Hopper, of California.

John David Isaacs, of New York.

Charles Bowman Jacobini, of Illinois.

Ralph R. Johnson, of Washington.

James D. Lee, of Virginia.

D. Thomas Longo, Jr., of the District of Columbia.

Randolph I. Marcus, of New York.

Joseph Hanthorn Melrose, Jr., of Pennsylvania.

John P. Modderno, of Maryland.

David Richard Moran, of Nebraska.

Miss Alynn Joelle Nathanson, of New York.

Michael P. Owens, of Texas.

David A. Pabst, of Washington.

John L. Pitts, of Washington.

Ints M. Silins, of the District of Columbia.

Richard L. Stevens, of Iowa.

Lawrence Palmer Taylor, of Ohio.

Albert A. Thibault, Jr., of Pennsylvania.

Stanislaus R. P. Valerga, of Texas.

Paul H. Wackerbarth, of New Jersey.

George F. Ward, Jr., of New York.

Reed T. Warnick, of Colorado.

David M. Winn, of Texas.

Geoffrey E. Wolfe, of Maryland.

For appointment as Foreign Service information officers of class 7, Consular Officers, and secretaries in the diplomatic service of the United States of America:

Miss Alison Arsht, of Delaware.

Sheldon H. Avenius, Jr., of New York.

Mark A. Glago, of New York.

Edward J. Hinker, of Minnesota.

Edward S. Ifshin, of Florida.

David L. Jamison, of Maryland.

Miss Kathryn L. Koob, of Iowa.

Anthony A. Markulis, of Virginia.

Michael J. Nugent, of Maryland.

James C. Palmer, of Utah.

Miss Cornelia M. Sheahan, of New York.

David P. Wagner, of New York.

John David Watt, of Texas.

For appointment as Foreign Service officers of class 8, Consular Officers, and secretaries in the diplomatic service of the United States of America:

Paul H. Blakeburn, of New Hampshire.

Miss Ann S. Carroll, of the District of Columbia.

Daniel Chester Cochran, of Illinois.

Miss Susan Jo Crane, of New York.

Jan de Wilde, of Virginia.

John Seabury Ford, of Ohio.

Miss Carolee Heileman, of Nebraska.

Karl K. Jonietz, of Illinois.

Stephen Kindel, of New York.

Frederic William Maerkle, III, of California.

David Jordan Mangan, Jr., of Wisconsin.

Bennett A. Marsh, of New Jersey.

Miss Mary Helen Maughan, of Utah.

David J. Peashock, of Pennsylvania.

William Morris Pollack, of New York.

John F. Schunhoff, of California.

William H. Siefken, of Texas.

Jeffrey R. Siegel, of New Jersey.

Charles B. Smith, Jr., of New York.

Miss Susan J. Walters, of Connecticut.

Franklin Miller Zuttermeister, Jr., of Florida.

For appointment as Foreign Service information officers of class 8, Consular officers, and secretaries in the diplomatic service of the United States of America:

Miss Geneviéve N. Cerisoles, of New York.

Miss Ann Jeryl Martin, of Tennessee.

Miss Susan Davis Todd, of Virginia.

Foreign Service reserve officers to be Consular officers of the United States of America:

Ramon Frank Durand, of California.

Miss Margaret Ann Murphy, of California.

Haviland Smith, Jr., of Virginia.

Foreign Service Reserve officers to be Consular officers and secretaries in the diplomatic service of the United States of America:

Ernest C. Baack, Jr., of California.

Charles R. Baquet III, of Louisiana.

Gordon H. Bell, of South Dakota.

Brendan A. Burns, Jr., of Florida.

Johnnie Carson, of Illinois.

Royal E. Carter, of California.

Taylor M. Chamberlin, of Virginia.

Thomas A. Clayton, of California.

Philip C. Cohan, of Maryland.

Gordon F. Compton, of New Jersey.

Vytautas A. Dambrava, of Virginia.

Miss Ruth A. Davis, of California.

Warren Burton Duerbeck, of Maryland.

Jake M. Dyels, Jr., of California.

Joseph D. Ellis III, of Virginia.

John K. Eney, of Virginia.

John T. Enkoji, of California.

Joseph L. Fisher, Jr., of New York.

Daniel Flores, of the District of Columbia.

Lyman P. Flynn, of Maryland.

Jack W. Gallagher, of Pennsylvania.

Robert W. Garrity, of Massachusetts.

Comer W. Gilstrap, Jr., of Maryland.

John P. Gower, of Maryland.

William J. Graver, of Maryland.

Harris C. Greene, of Virginia.

Theodore J. Groll, Jr., of Ohio.

Paul B. Henze, of Maryland.

John H. Hicks, of Missiouri.

Philip P. Holts, of Maryland.

John W. Isaminger, of West Virginia.

Gerald L. Jacoby, of Virginia.

Wesley D. Johnson, of Minnesota.

Serge Karpovich, of the District of Columbia.

Milton Kovner, of Maryland.

Arthur T. Ladenburg, of Nebraska.

William D. Lieser, of Virginia.

Kent W. Long, of Virginia.

Richard F. Long, of Maryland.

Kenneth Longmyer, of California.

Robert N. Margrave, of the District of Columbia.

John E. Marsh, of Virginia.

Ernest Mayerfeld, of New York.

Donald R. Morris, of Virginia.

Jack H. Mower, of California.

James A. Natsios, of Virginia.

Donald J. Nicol, of California.

James B. Noland, of Colorado.

James J. Olson, of Washington.

James M. Potts, of Maryland.

Ross S. Quan, of California.

Phillip H. Ringdahl, of the District of Columbia.

Jonathan Roosevelt, of the District of Columbia.

McKinney H. Russell, of Florida.

Brooks Ryno, of Virginia.

Verne F. St. Mars, of Minnesota.

Clifton J. Schaefer, of Maine.

Sol Schindler, of Pennsylvania.

Oleg N. Selsky, of Virginia.

David G. Smith, of New York.

Lewis C. Smith, of Missouri.

R. Harden Smith, of Maryland.

Miss Sylvia G. Stanfield, of Texas.

Miss Diane K. Stanley, of the District of Columbia.

Edwin M. Terrell, of California.

José Villalón, of Puerto Rico.

David Wei-Tsi Wang, of Maryland.

William G. Warnell III, of the District of Columbia.

James M. Warrick, of Nebraska.

Robert A. Wood, of Maryland.

Foreign Service staff officers to be Consular officers of the United States of America:

Miss Katherine E. Barry, of New Hampshire.

Samuel C. Case, of California.

Miss Patricia R. Clark, of Iowa.

William T. Cozort, of Oklahoma.

Richard V. Davis, of West Virginia.

David C. Fields, of California.

Philip D. Gutensohn, of North Dakota.

Richard G. Haegele, of Illinois.

Mrs. Eva May Heathcote, of West Virginia.

Howard T. Jackson, of the District of Columbia.

George E. Knight, of Pennsylvania.

Arnold C. Long, of Washington.

Stewart W. Macdonald, of Rhode Island.

Jerry J. Malone, of Arkansas.

Gerald S. Mathews, of Illinois.

Edward M. Milburn, of Illinois.

Dean R. Miller, of Iowa.

Herbert B. Moller, Jr., of Florida.

Stephen E. Montgomery, of Texas.

Clyde A. Plunkett, of Tennessee.

Cecil S. Richardson, of New York.

Alan A. Rogers, of California.

Miss M. Virginia Schafer, of Washington.

Leonard J. Scioli, of Pennsylvania.

Everard S. Taylor, of Florida.

Gerald R. Toney, of Texas.

Walter A. Weber, of New Jersey.

IN THE ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. William Joseph McCaffrey, 022065, U.S. Army.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified under the provisions of title 10, United States Code, sections 3283 through 3294 and 3311:

To be major

Kinder, Jimmie B., O4005693.

To be captain

Allison, Raymon E., Jr., O5330569.

Alm, Philip F., O2321452.

Brophy, Edward P., O4062457.

Byrd, Roscoe W., Jr., O2316968.

Christensen, Christen, O5707675.

Chun, Merton M. K., O5513913.
Courtney, William H., MN2308702.
Czechut, Mark, O5513342.
Donnelly, James H., O5705702.
Fahringer, Robert H., O2311263.
Giron, Amos D., O2300330.
Hagwood, Henry M., Jr., O5405596.
Hamilton, Donald C., O5410865.
Key, Robert C., O5510689.
Kunde, Gerald R., O2306151.
Meisel, Bernard F., Jr., O5210957.
Morse, Decatur W., O5405695.
Murphy, John E., O2291573.
Patterson, Gordon W., O5316886.
Peterson, Samuel B., Jr., O5212412.
Robbins, Frederick E., O5540726.
Roberts, Donald A., O4063815.
Sanzotera, Robert H., O2295706.
Serwatka, Walter J., O5240603.
Soehren, Stephen E., O5255701.
Stemsley, Sylvester O5403009.
Sundstrom, Carl F., O5312490.
Thompson, Charles F., O5307660.

To be first lieutenant

Atkins, Edsel R., O5239700.
Augsburger, Grayson T., O5531055.
Banks, William C., III., MN2328735.
Barry, Russell W., O5230638.
Barta, Donald F., O2300045.
Blaylock, James R., O5515849.
Bond, Leroy M., O5321628.
Bouldin, James R. M., O5318319.
Bray, William G., Jr., O5415679.
Cejka, David C., O5532250.
Coschignano, Maximill O5214240.
Cramer, Walter E., O5320767.
Findlater, John W., Jr., O5326706.
Fousek, Richard J., O5235824.
Garrett, Jimmie L., O5414739.
Hallam, William H., O5222621.
Halliday, Arthur J., O5536288.
Heimericks, Leonard L., O5536880.
Herge, John C., O5418886.
Hicks, Thomas M. B. IV, O5324580.
Holcomb, Vernon A., O5325744.
Holt, Ronald J., O5327713.
Hopkins, Roger N., MN2324696.
Howe, James R., O2320275.
Hunt, Carl V., Jr., O5418801.
Hunt, William O., O5419464.
Hutcheson, Marguerite, N5242498.
Kollenborn, Byron B., O5333196.
Lempke, Duane A., O5424633.
Lightner, George M., O5245009.
Long, Walter M., O5406342.
Lumpkin, William L., O2317273.
Mancini, Thomas M., O5326743.
McClaskey, John R., O5326436.
McCloy, Michael N., O5229480.
McGraw, Marvin E., Sr., O2318491.
McGurk, Francis W., O5015653.
Meador, James E., O5223381.
Mitten, John N., MN571A5615.
Moss, Paul R., O5228747.
Muse, Frank R., O5328094.
Orell, Patrick H., O5422852.
Orr, Robert V., O5419047.
Pack, John T., MN5417424.
Palmieri, Ralph A., Jr., O5225905.
Person, Rodney M., MN5241531.
Pheneger, Michael E., O5214211.
Robb, John Francis, O5536938.
Sanders, Luther L., O5418012.
Scott, Billy L., O5316368.
Seymour, Richard S., MN5520806.
Shamanski, Daniel M., O5322453.
Siegrist, George E., O5325330.
Tarowsky, Edward G., O5229386.
Thompson, Marilee, N5519543.
Walters, Billy F., Jr., O5421090.
Weiskopf, James D., O5237061.

To be second lieutenant

Alton, John F., O5427403.
Bale, Hugh O., O5348765.
Brownfield, John R., O5251738.
Caldwell, John E., O5429028.
Dennard, Hoyt L., Jr., O5332405.
Goates, Donald R., O3176647.
Groome, Nelson S., III, O5237396.
Hansen, William W., O5708999.
Heindl, Francis J., O5253932.
Hutchinson, Craig R., O5532993.
Jeffery, David G., O5538920.
King, James C., O5248952.
Montgomery, John E., O5247748.
Oenning, Lester C., Jr., O5431551.
Ott, John J., Jr., O5244297.
Padovano, Daniel J., O5252625.
Pike, Joseph L., O2332353.
Powell, Raymond F., O5238567.
Rolston, David A., O2328552.
Savage, Calvin K., O5237090.
Shadburn, Robert P., O5434219.
Sienkiewicz, Richard, O5237831.
Singer, Joseph B., O5255996.
Swinehart, Lewis S., O5339116.
Vukelich, Vincent M., O5521074.
West, Charles E., O5339301.

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 2106, 3283, 3284, 3286, 3287, 3288, and 3290:

Ackroyd, Harry E.
Allen, Harry C.
Antu, Emilio G.
Armour, Raymond L., Jr.
Arness, Gary N.
Astheimer, Peter F.
Ball, George T.
Barker, Rodney W.
Becker, Ronald J.
Best, Robert B.
Brown, Bruce R.
Buffington, John C.
Castonguay, Cleo P.
Ceo, John J., Jr.
Chesnut, James R.
Cortes, Carlos R.
Deboer,Michael D.
Devault, Lee
Dozier, Larry H.
Fargo, Richard E.
Forte, Michael
Galloway, Arthur L., Jr.
Gibbs, James R.
Gillette, John Milton
Gladd, Edward J.
Goodson, Gerald L.
Gore, Bernard L., Jr.
Guttau, Michael K.
Hagewood, Eugene G.
Heard, Gerald M.
Hernandez, Samuel I.
Hester, Ellsworth G.
Jones, Richard B.
Jones, William W.
Jurchenko, Daniel A.
Katzmann, Steven E.
Kunzig, Michael B.
LaRue, Charles D.
Leatherman, Marlin G.
Leigh, Joseph J., Jr.
Lynn, Milton N.
Malkasian, Douglas E.
Maxwell, Frank F., Jr.
McClinton, Nathaniel
Olson, Donald E.
Peek, Robert S., II
Peterson, Michael H.
Rice, Kenneth E.
Rodriguez, Emilio
Russell, John W.
Stacy, David R.
Stevens, Vlad
Stone, Steven C.
Suir, Burton J.
Taylor, Lewis J., III
Terrell William F.
Till, Peter W.
Watson, Jesse L., III
Williams, Dwight, Jr.

HOUSE OF REPRESENTATIVES—*Thursday, July 10, 1969*

The House met at 12 o'clock noon.

Rev. Milton B. Crist, Metropolitan Memorial United Methodist Church, Washington, D.C., offered the following prayer:

Gracious Heavenly Father, from the very beginning of time the human heart has sought Thee, desiring guidance and understanding.

So, we today would bring our restless spirits into the calm strength of Thine everlasting purpose.

In the confusion of shifting ideas and principles, so prevalent in the world today, help us to hold fast to that which is eternal, because it is grounded in Thy will for mankind.

Bestow upon us the patience to seek more deeply a firm understanding of the true values in life, so that we do not drift first one way then another, but walk steadily in the path of righteousness that Thou hast set before us.

Help us to enlarge our capacity for appreciation and grant to us that waiting and receptive attitude of soul, wherein we may find the hidden springs of high endeavor and fruitful action.

May we have the courage and the wisdom to build justice into every area of our national life.

Lead us to discover the thrill of true brotherhood—when every man can trust his neighbor, because he, himself, has learned to be trustworthy.

Grant to each of us the dedication necessary to play our part in the things that matter most in our time, and thus leave the world a better place for our having been here. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11400) entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes."

The message also announced that the Senate concurred in the House amendments to Senate amendments Nos. 6, 7, 8, 40, 42, and 90.

The message also announced that the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 1583) entitled "An act to provide that appointments and promotions in the Post Office Department, including the postal field service, be made on the basis of merit and fitness," together with all accompanying papers.

ACTION ON DDT BY AGRICULTURE

(Mr. PODELL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PODELL. Mr. Speaker, it has been announced that the Department of Agriculture has suspended use of DDT and eight other "hard" pesticide compounds in its programs, pending a 30-day review.

In the face of overwhelming evidence that DDT is a menace to environment and wildlife, I feel sure that definite danger to man will be proven in relatively short order. In the meantime, getting this pesticide out of mass circulation and use is imperative, and this has been a necessary first move by Agriculture. Now individual States and jurisdictions have excellent reason to follow this example.

The other day I called for just this action, and although this is not a permanent ban, I feel hopeful that it will be extended until conclusive evidence is in.

Now that we have pushed this potential killer out of the Government's programs, we must insure that its use is not restored at the end of 30 days. I fervently hope that the Government will also see fit to consider my proposal of making the ban total on a coast-to-coast basis. This can be done by forbidding further manufacture through Executive order, and further shipment across State lines.

It would be most desirable if the Department of Agriculture will use its innumerable services to our Nation's farmers to advise them not to use DDT or other "hard" pesticides which have such long lives. Dissemination of such urgings in the broadest sense would cut their use down further. The result would be less runoff of residues into watersheds. I believe it is utterly essential to mount as broad an attack against further use of these poisons as soon as possible. All scientific opinion, including that of the National Academy of Sciences-National Research Council, seems to point in this direction. Every further ounce of these substances poured into the environment adds to our national danger.

PERMISSION FOR SUBCOMMITTEE ON ROADS, COMMITTEE ON PUBLIC WORKS, TO SIT TODAY DURING GENERAL DEBATE

Mr. KLUCZYNSKI. Mr. Speaker, I ask unanimous consent that the Subcommittee on Roads of the Committee on Public Works may sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

TRIBUTE TO THE LATE GLADYS SWARTHOUT

(Mr. RANDALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RANDALL. Mr. Speaker, the world of music is poorer today because of the death of Gladys Swarthout.

Miss Swarthout, who passed away the day before yesterday, was born in Deepwater, Mo., a small community in Henry County which is in the Fourth Missouri District, which I am privileged to represent. She was a child prodigy and started her career as a member of a church choir in this little community at the age of 13, and then went on at the early age of 20 to the Chicago Civic Opera.

Not only did Gladys Swarthout thrill the world of music during the early 1930's, but also she made that a golden age of music.

Miss Swarthout was a mezzo-soprano whose good looks made her one of the Met's most glamorous stars. She slept away the other day in Florence, Italy, where for the past 10 years she has maintained her summer home. Although she was 64 she appeared at least 20 years younger.

In the 1950's she appeared in many movies including "Ambush," "Champagne Waltz," "Give Us This Night," and "Romance in the Park."

While her first radio broadcast was for General Motors in 1930, thereafter she appeared regularly on shows as the "Ford Symphony," the "Prudential Family Hour," and the "Camel Caravan."

Miss Swarthout introduced a good deal of new music and tried to get away from the stereotyped. When she was told that audiences wanted only the potboilers, she replied, "This simply isn't true."

Deepwater, Mo., and all those who remember her from her childhood grieve today because of the passing of this great star. All of west-central Missouri mourns today because those who live in that area were able to claim her as one of their own and to enjoy the reflected glory that was hers. She was a beautiful lady, who was loved not because of her beauty, but because of her talents.

I repeat, the world of music is poorer today because of the passing of the great lady of music, Miss Gladys Swarthout.

PERMISSION FOR SUBCOMMITTEE ON GOVERNMENT PROCUREMENT, SELECT COMMITTEE ON SMALL BUSINESS, TO SIT TODAY DURING GENERAL DEBATE

Mr. CORMAN. Mr. Speaker, I ask unanimous consent that the Subcommittee on Government Procurement of the Select Committee on Small Business be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION FOR COMMITTEE ON MERCHANT MARINE AND FISHERIES TO FILE A REPORT ON H.R. 12549 UNTIL MIDNIGHT SATURDAY

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may have until midnight on Saturday, July 12, to file a report on H.R. 12549, the Environmental Quality Council.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

A BILL TO BAN GLUE AND PAINT PRODUCTS CONTAINING TOXIC SOLVENTS

(Mrs. MINK asked and was given permission to address the House for 1 minute, to revise and extend her remarks and include extraneous matter.)

Mrs. MINK. Mr. Speaker, I am introducing legislation today which will give the Secretary of Health, Education, and Welfare the authority to ban the use of solvents in paint and glue products which are used for "sniffing" by our young people.

The deliberate inhalation of vapors from these products is a serious problem in Hawaii and the Nation. While full information is still being sought on the potential toxic effects of prolonged "sniffing," it is clear that this is a highly dangerous practice. Solvents in the vapors can act as poisons, resulting in permanent damage to the nervous system and liver, and large enough doses can be fatal. Some children have died as a result of glue or paint "sniffing."

Children take up the "sniffing" habit in search of "thrills" or "kicks." A 1962 report by the National Clearinghouse for Poison Control Centers noted that "such inhalation can cause a syndrome resembling acute alcoholic intoxication." A study of young boys using these products showed that all became "drunk," "dizzy," or euphoric.

The 1962 report said:

> A number described vivid dreams, often in color, or hallucinations. . . . There was some evidence that these feelings either could or did lead to impulsive or destructive behavior, possibly even more frequently than in persons acutely intoxicated by ethyl alcohol.

Because of the seriousness of the problem, various efforts have been made to combat glue and paint "sniffing"—but so far, none have succeeded. Drs. Edward Press and Alan K. Done, in the journal Pediatrics, reported in 1967:

> Thousands of adolescents and teen-aged youngsters in many cities throughout the United States and other countries are deliberately inhaling vapors of a wide variety of organic solvents in order to induce repeated states of inebriation. Although the practice itself is not new, its occurrence in epidemic proportions in many areas and the passage of legislation prohibiting the act in many cities and States in the United States have brought the problem into nationwide prominence.

My own State of Hawaii, where the "sniffing" problem is particularly acute, is among those which have outlawed the practice. Other States acting in this field include New York, Massachusetts, New Jersey, Illinois, and Maryland. Yet making "sniffing" a crime merely punishes the victims, our children, and it does not really prevent the practice since law enforcement authorities cannot reasonably be expected to find and arrest all of the thousands of children who may be secretly seeking thrills in this reckless and dangerous manner.

Other possible methods of solving the problem include finding substitute solvents which will not produce intoxicating effects, or including obnoxious substances during the manufacture of glue and paint so as to discourage deliberate inhalation of the fumes. While these solutions may seem reasonably easy to achieve, manufacturers have failed to act. It is difficult to say whether this is because of technical problems or simply the failure to assign enough importance to the "sniffing" syndrome.

The fourth conference on inhalation of model airplane glue solvents was held in Berkeley, Calif., on January 17, 1963. It included representatives of industry, law enforcement, and health agencies. At this meeting it was reported that of 94 additive compounds which were under investigation in 1962, 48 were selected and further investigation narrowed the field to 17. To date, however, it appears that no acceptable substitute has been found.

The Hobby Industry Association of America, Inc., has helped coordinate the efforts of manufacturers to find a solution. Prior to 1964, a leading biochemical laboratory was retained to develop a substance which could be added to model glue to produce sneezing, nausea, or other unpleasant effects if purposely inhaled in excessive concentrations, and/or a substitute solvent for model glue.

In response to my inquiry this year, the association stated:

> The findings of the biochemical laboratory retained by our Association were forwarded to each of our adhesive manufacturers several years ago. Considerable testing and additional research has and is being done in the laboratories of our manufacturers. As of this date, we have nothing specific to report regarding an acceptable additive.

Later, the association's counsel informed me:

> More recently we have some indication that a solution may have been found . . . An effort is now being made to check out the preliminary findings which appear to be favorable.

I hope that the industry will indeed find a solution, but the years of delay are not cause for optimism. Nor is the association's stated position that legislation outlawing "sniffing" will provide the tools needed to control the social problem.

It seems far more likely to me that the inclusion of an obnoxious substance would end "sniffing." As long as they believe that glue or paint "sniffing" is fun and can produce a "kick," children are not going to be able to resist the temptation to experiment—regardless of the existence of a law against it. Thus, it is up to our scientific and technological brains to come up with a solution. In a time when we are sending men to the moon, it is difficult to believe that such a substance cannot be found.

The potential solution seems so simple that I believe it can be required by law. My bill would simply give the Secretary authority to ban glue and paint products used for "sniffing" under the Hazardous Substances Act. This would place the responsibility squarely on the shoulders of the manufacturers to substitute nontoxic solvents, include nauseating substances, or prove that either solution is impossible.

I am interested in hearing the evidence supporting the industry's position when hearings are held on my bill.

Finally, to give indication of the seriousness of the "sniffing" problem, I am including at the close of my remarks an article from the Honolulu Star-Bulletin of June 23, 1969, analyzing a study of Hawaii's young "sniffers." The study shows that in the past 4 years the number of Oahu youngsters referred to the family court for drug offenses has registered an astounding increase of 1,449 percent. As the article states, while the national emphasis is on the marihuana problem, "we in Hawaii must pay much more heed to the increasing rate of paint sniffing."

Solvent sniffing is a deadly problem to the young people of Hawaii and the rest of the Nation, and I urge my colleagues to give full consideration to this legislation to protect our young people from its dangers.

The Star-Bulletin article follows:

ISLE YOUNGSTERS TURN TO DRUGS IN GROWING NUMBERS

(By Tomi Knaefler)

The number of Oahu youngsters referred to the Family Court for drug offenses during the past four fiscal years represented a startling upsurge of 1,449 per cent.

This is revealed in the first definitive study of a sample of Hawaii's young drug users just completed by Dr. Christopher E. Barthel III, mental health consultant to Hawaii's Family Court System.

The psychologist stresses that the study is confined to youngsters, who have been arrested and referred to the Family Court.

For interpretations of the data, therefore, he warns that "there are probably large numbers of young people in the community who use drugs of various sorts who are never arrested . . ." They and users already under court supervision were not included in this study.

His survey shows that drug referrals here totaled 59 in 1964–65 and soared in this way during the succeeding years: 109, 297 and 907.

The tally for the first three months of this year is already at 218 and Barthel estimates that the number for sniffing arrests alone will likely spill over 1,000 by the end of this year.

Four out of five of those studied were males coming from a wide range of racial and income groups. While most of them lived in Honolulu, cases reflected a widespread geographical scattering.

Half of the youngsters were from families where one or both of the original parents were absent.

According to Barthel, the referrals "consist almost entirely of arrests for use of marijuana or glue or paint inhalants" and that the latter far outweighs the former.

Therefore, "while rather severe maladjustments undoubtedly occur" among both types of users, the psychologist points out that sniffing of toxic substances "constitutes a problem worthy of considerably more attention in Hawaii than does the use of marijuana."

He states that locally as nationally, much more emphasis has been placed on pot smoking. "Today, however, we in Hawaii must pay much more heed to the increasing rate of paint sniffing among our youth" for these reasons:

1—Four times more sniffers than smokers pass through the court.

2—Sniffers tend to have used their drug more frequently in the past, while marijuana users profess more experimentation.

3—Of even greater concern is that sniffers tend to come from a younger age group, usually in the pre-teens or early teens.

Barthel's study indicates "clear-cut differences" between the youthful pot and paint users. He considers findings in that realm as "the most meaningful results."

"Sniffers," he states, "are often the 'have-nots' of our society. They have less material wealth, fewer tangible signs of success and fewer traditional channels open to them via school or employment. They are generally youngsters who face a bleak reality each day."

The data show that a sizable number of sniffers, compared with pot smokers, come from environments characterized by lower income and larger family size, welfare assistance, public housing, attendance at schools with a high juvenile crime rate.

Two-thirds of the youngsters referred for marijuana use came from four large Oahu high schools. They are, in order of frequency, Kalani Radford, Kaimuki and Kailua high schools.

Two-thirds of sniffers, on the other hand, came from 11 Oahu intermediate and high schools, indicating a wider spread and less concentration of inhalant abuse among the schools.

They are, in order of frequency: Kalakaua Intermediate, Farrington High, Dole Intermediate, Stevenson Intermediate, Waianae High, Washington Intermediate, Kaimuki High, Waipahu High, McKinley High, Central Intermediate and Roosevelt high schools.

While sniffers seem to come from larger families often on welfare and in public housing, Barthel found that a far greater proportion of marijuana users come from families with incomes exceeding $12,000 a year.

The sniffer, he noted, is "decidedly from a non-Caucasian ethnic background, the majority being from Hawaiian, part-Hawaiian and Oriental families.

Seventy-four per cent of pot smokers were Caucasians.

"Interestingly," the psychologist notes, "there is a very clear-cut difference in the manner in which parents of the two groups of young drug offenders explain their child's drug behavior."

Parents of sniffers see the use of inhalants as a result of external factors, with explanations such as that their child "hangs around with the wrong crowd and is a follower."

Parents of pot smokers, on the other hand, attribute the cause to internal factors, such as that their child is "curious and wants to experiment or that he is lonely and seeks security in drug use with friends."

Barthel found that a third or fourth of the drug users showed "definite negative adjustments in various spheres—home, school or with their peers."

His survey shows that a significantly higher number of youngsters arrested for pot than for sniffing denied their offenses. This may be because of greater anti-authoritarianism or legal sophistication on the part of pot smokers.

The researcher believes that "one of the most important hypotheses that can be drawn from this study is that if a youngster in Hawaii tends to come from an environment that is relatively impoverished, the exchanges of his using inhalants are augmented."

He points out that sniffers and their families "often hold an 'I-am-a-pawn-of-fate' attitude about their lot in life; feel powerless to better themselves and feel controlled by outside forces."

He notes that this impotent quality is more tangible and measurable in terms of economics or social alternatives, while the deprivation of the pot smoker is "perhaps more subtle . . . more abstract and more internalized." Barthel stresses that "a sizable decrease in the rates of sniffing among Hawaii's youth would occur if the problems (housing, employment, recreation, education and others) of this State's 'socially disadvantaged' persons . . . were more thoroughly understood and vigorously attacked."

Further, he states, "a high statistical relationship exists between sniffing and the incidence of juvenile crime.

"Trying to develop means of solving the problems which give rise to juvenile crime, therefore, might also lessen the incidence of sniffing. Such would not seem to be the case in terms of marijuana use, however."

Barthel concludes that the drug problem is not the responsibility of just one agency and urges a coordinated effort among the legal, school and social agencies, along with the general community and the youngsters and their families as well.

In noting treatment needs, he states that many sniffers "will not respond to the hopeful future-oriented approach of middle class counselors and teachers because these youngsters don't feel that they have the power to bring change or to modify the future.

"Thus, to expect these youngsters to control themselves easily or to exercise internalized responsibility for future behavior . . . would reflect blindness on the part of a counselor or education.

"Such control and responsibility must be taught, not expected," he said.

To place the drug problem in proper perspective, Barthel comments that drugs have been used for other than medical purposes for thousands of years—probably ever since man's appearance on earth."

AMERICA'S SHORELINES

(Mr. RUPPE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RUPPE. Mr. Speaker, it has been a pleasure for me to cosponsor legislation designed to help solve a costly and grievous problem along America's shorelines. The bill, introduced with the gentleman from Wisconsin (Mr. SCHADEBERG) and others, will allow Federal assistance, in the form of matching grants, for the construction of devices and facilities to protect against shoreline erosion. Existing law limits Federal matching assistance to publicly owned property.

The need for this legislation is perhaps most apparent in my own district, where in recent years the high water in Lake Superior has resulted in millions of dollars of damage to shoreline property and dwellings. For the individual homeowner, the cost of constructing protective breakwaters and abutments is often prohibitive. Their only recourse is collective efforts with matching Federal assistance.

Mr. Speaker, one might ask why the Federal Government should assist in the protection of private shoreline. I believe that there is ample justification. First, we know that shore erosion pollutes our waters and this contamination affects all our citizens. Secondly, in many areas of the Nation, water levels are directly controlled to some significant degree. For example, Lake Superior's water level is regulated by the International Joint Commission established in 1917. The American operation for the maintenance of prescribed water levels is conducted by the U.S. Army Corps of Engineers. For the past 2 years, heavy precipitation has brought about extremely high water in the lake, which the corps has not been able to effectively control. The resulting damage all along the Lake Superior shoreline has been severe, and the prospects for relief are not good.

Mr. Speaker, I urge Congress to correct the act of August 13, 1946, to allow Federal matching funds to be used for the protection of private as well as public shoreline.

PERMISSION FOR COMMITTEE ON THE DISTRICT OF COLUMBIA TO FILE CERTAIN REPORTS UNTIL MIDNIGHT FRIDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia may have until midnight Friday, July 11, to file certain reports.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

TO CREATE A COMMITTEE ON THE HOUSE RESTAURANT

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 472 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 472

Resolved, That (a) there is hereby created a select committee to be known as the "Committee on the House Restaurant," which shall be composed of five Members of the House of Representatives to be appointed by the Speaker, not more than three of whom shall be of the majority party, and one of whom shall be designated as chairman. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

(b) On and after July 15, 1969, until otherwise ordered by the House, the Architect of the Capitol shall perform the duties vested in him by section 208 of Public Law 812, 76th Congress (40 U.S.C. 174k) under the direction of the select committee herein created.

The **SPEAKER.** The gentleman from Indiana (Mr. MADDEN) is recognized for 1 hour.

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules I call up this resolution for immediate consideration. The resolution is to create a select committee to supervise the House Restaurant. It will be composed of five Members of the House of Representatives to be appointed by the Speaker.

The function of this committee will be to establish rules and regulations for the management and the operation and control of all food facilities under control of the House of Representatives, and effective on July 15, 1969. The Architect of the Capitol shall manage the House food facilities under the direction of this select committee.

Mr. Speaker, I understand, the restaurant has been going in the red deeper and deeper, as time marches on, and the food situation down there, according to some of the Members, is not of the standard it should be. So for the betterment of the health and welfare of the Members, and also the improvement of the eating facilities of the House of Representatives, I believe that it is the desire of the Congress that this select committee should be appointed.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding, and I would ask him if he thinks that this will provide more food for less money, or less food for more money?

Mr. MADDEN. Mr. Speaker, I would say to the gentleman from Iowa that I believe he has narrated the situation in a correct and practical way, and that the proposed committee will provide better food for less money.

I know that the Speaker will appoint a committee who undoubtedly have been experienced in the art of producing and selling food. We have some outstanding successful purveyors of food among the Members of the House who are certainly well qualified to conduct all of the restaurant and food facilities here in the House of Representatives.

I think under this resolution, when this committee is appointed it will function so that every Member of the House will be happy for improvement and operation of our House restaurants.

Mr. GROSS. Can the gentleman give us any assurance that this will not mean another huge staff to go into this matter or can we expect this to operate without too much expenditure of money when the select committee is appointed?

Mr. COLMER. Mr. Speaker, will the gentleman from Indiana yield?

Mr. MADDEN. I yield to the gentleman from Mississippi.

Mr. COLMER. In response to the question of my friend, the gentleman from Iowa to the gentleman from Indiana, I would like to assure my friend that as I conceive what this bill means, there will not be any staff and there will not be any expenditure of money.

This committee will function in a purely supervisory way, somewhat like the Select Committee on Parking.

Mr. GROSS. I will say to the gentleman I will rely on his assurance, and I am sure that it is underwritten by the distinguished gentleman from Indiana (Mr. MADDEN), these two gentlemen being the two chief assurers on the majority side of the Committee on Rules, and I would like to rely on them at all times. I thank both gentlemen and have no further questions.

Mr. COLMER. In response to that, may I say to my friend, the gentleman from Iowa, I am always glad to see him on his feet looking after the taxpayers—and the gentleman knows I am very sincere when I say that.

Mr. GROSS. I thank the gentleman.

Mr. COLMER. If the gentleman wants any further assurance, I can assure him that the gentleman from California, the ranking Republican member of the Committee on Rules (Mr. SMITH) can give him further assurance from that side of the aisle if he so desires.

Mr. GROSS. I thank the gentleman from Mississippi and the gentleman from Indiana.

Mr. MADDEN. I thank the gentleman.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, may I simply say that this resolution has been adequately explained.

The purpose of it is to improve, if possible, the conditions in connection with the operation of the House restaurant.

The main reason why it is handled in this way is because the law actually provides that this is under the charge of the Architect. This is a House resolution and upon its adoption, a committee is created.

If we were trying to change it to set up a select committee where we would have employees and all such things as that, then we would actually have to change this law, section 28, Public Law 812.

So we are doing it in this way and they will function until otherwise ordered by the House.

The distinguished Speaker of the House was extremely kind and courteous and came before the Rules Committee and explained the purpose of this and expressed his desire to improve the conditions—and I am more than pleased to assure the gentleman from Iowa that we hope this will be a step in the right direction.

Mr. Speaker, I urge the adoption of this resolution, House Resolution 472.

Mr. MADDEN. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 472, 91st Congress, the Chair appoints as members of the Committee on the House Restaurant the following Members of the House: Mr. KLUCZYNSKI of Illinois, chairman; Mr. STEED of Oklahoma, Mr. CABELL of Texas, Mr. COLLIER of Illinois, Mr. THOMSON of Wisconsin.

PROVIDING FOR CONSIDERATION OF H.R. 11702, MEDICAL LIBRARY ASSISTANCE EXTENSION ACT OF 1969

Mr. MATSUNAGA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 464 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 464

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11702) to amend the Public Health Service Act to improve and extend the provisions relating to assistance to medical libraries and related instrumentalities, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interstate and Foreign Commerce now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. MATSUNAGA. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio (Mr. LATTA), pending which I yield myself such time as I may consume.

The SPEAKER. The gentleman from Hawaii is recognized.

Mr. MATSUNAGA. Mr. Speaker, House Resolution 464 provides an open rule with 1 hour of general debate for consideration of H.R. 11702, a bill to amend the Public Health Service Act to improve and extend the provisions relating to assistance to medical libraries and related instrumentalities, and for other purposes. The resolution also makes it in order to consider the committee substitute as an original bill for the purpose of amendment.

The purpose of H.R. 11702 is to extend for 3 years—from June 30, 1970, to June 30, 1973—the current programs providing financial assistance for: construction of medical library facilities; training of biomedical librarians and information specialists for service and research; and expansion and improvement of health library resources. Federal assistance would also be continued for projects of research, development, and demonstrations in medical library science and health communications, and related special scholarly scientific projects for development of regional medical library programs and for biomedical scientific publications projects.

The authorizations contained in the bill total $21 million for each year, broken down as follows: For construction of facilities, $10 million; for training in medical library science, $1 million; for special scientific projects, $0.5 million; for research, development, and demonstrations in medical library science and related fields, $3 million; for improving and expanding the basic resources of medical libraries and related instrumentalities, $3 million; for regional medical libraries, $2.5 million; and for support of biomedical publications, $1 million.

The committee substitute incorporates a number of technical and clarifying amendments to existing law to facilitate the programs as extended.

Mr. Speaker, H.R. 11702 deserves our unanimous support, and I urge the adoption of House Resolution 464 in order that the proposed legislation may be considered and passed.

I yield to the gentleman from Ohio.

Mr. LATTA. Mr. Speaker, I yield myself such time as I may desire.

Mr. Speaker, I agree with the statement just made by my friend from Hawaii.

The purpose of the bill is to extend for 3 years, through fiscal 1973, the Medical Libraries Assistance Act. Authorizations for the 3 years are at the same level as for fiscal year 1970. Programs covered include, for each fiscal year:

Facilities construction	$10,000,000
Training in medical library sciences	1,000,000
Scientific projects funding	500,000
Research and development in medical library sciences	3,000,000
Improvement and expanding medical library resources	3,000,000
Regional medical libraries	2,500,000
Support for biomedical publications	1,000,000

The total authorizations in the bill is $63 million for the 3 fiscal years at $21 million per year.

Most of the bill consists of technical amendments to the existing act to insure that the administration and operation of the programs conforms with the original intent of the Congress first expressed in 1955.

The need to expand facilities and research, manpower and technological assistance for improving health sciences information, and medical libraries is well documented. The magnitude of the needs for improving medical libraries and related health communication services requires continuation of the 1965 act.

Among the amendments included in the bill are several which require that, in making construction grants, priority be given to the effectiveness and potential of the facility for meeting local and regional needs.

With respect to the program for construction grants, the Federal contribution may not exceed 75 percent of the construction costs. Currently, nine medical schools, one school of optometry, and one school of veterinary medicine are participating in this program. To qualify under the program, a library must be part of a construction project which is to a substantial degree for teaching purposes since eligibility is primarily designed to increase student enrollment in the medical library sciences.

Grants for training of students enrolled in medical library sciences are also available under the act. This program authorizes continuing education and retraining for librarians in the health fields as well as assistance to train students for new careers in these fields.

The committee report estimates that for the period 1971–75 there is a need for up to 8,200 trained medical librarians and other health communications specialists.

The bill authorizes $2,500,000 for the next 3 fiscal years for grants to develop regional libraries to serve as backup libraries assisting those at the local level in large geographic areas and to provide superior informational services at the local level.

Mr. MATSUNAGA. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION FOR SUBCOMMITTEE ON NATIONAL PARKS AND RECREATION, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, TO SIT DURING GENERAL DEBATE TODAY

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent that the Subcommittee on National Parks and Recreation of the Committee on Interior and Insular Affairs be permitted to sit during general debate this afternoon.

This has been cleared with the gentleman from Pennsylvania (Mr. SAYLOR), the ranking minority member.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 4284, AUTHORIZING APPROPRIATIONS FOR THE STANDARD REFERENCE DATA ACT

Mr. MATSUNAGA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 446 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

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H. Res. 446

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4284) to authorize appropriations to carry out the Standard Reference Data Act. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science and Astronautics, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Hawaii is recognized for 1 hour.

Mr. MATSUNAGA. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. Smith), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 446 provides an open rule with 1 hour of general debate for consideration of H.R. 4284 a bill to authorize appropriations for the Standard Reference Data Act.

The purpose of H.R. 4284 is to authorize an appropriation for the Department of Commerce such sums as may be necessary for fiscal years 1970 and 1971, but not to exceed a total of $6 million, to carry out the Standard Reference Data Act.

The act, which became Public Law in July 1968, established within the Department of Commerce a standard reference data system to be administered by the National Bureau of Standards. It declared as the policy of the Congress the making of critically evaluated reference data readily available to scientists, engineers, and the general public. To carry out this policy, the Secretary of Commerce was directed to provide or arrange for the collection, compilation, critical evaluation, publication, and dissemination of standard reference data.

The system seeks to deal with one aspect of the broad science information problem, by producing and disseminating compilations of critically evaluated data on the physical and chemical properties of materials. This includes, for example, measurements of the amount of energy released when chemical elements combine to form new compounds, or the ability of various substances to conduct electricity or heat under certain conditions. The system would save countless hours and dollars by making it unnecessary for scientists seeking certain information to repeat experiments already conducted successfully by others.

The information now provided by the system is used daily as basic reference material by scientists and engineers in Government, industry, and universities, and is necessary in such diverse fields as transportation, electronics, construction, and the manufacturing of commercial goods, medicines, and other products.

The recommended authorization of $6 million includes $2.4 million for fiscal year 1970 and $3.6 million for fiscal year 1971. These funds will permit the continued support of ongoing efforts of the standard reference data system and the orderly expansion of existing data projects, together with the initiation of new projects to fill gaps in important areas.

Mr. Speaker, I urge the adoption of House Resolution 446 in order that H.R. 4284 may be considered and passed.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the able gentleman from Hawaii has explained the rule and the bill in very fine detailed manner.

House Resolution 446 does provide for a 1-hour open rule.

The purpose of the bill is to authorize for 2 years the continued operation of the standard reference data system, administered by the Bureau of Standards, in the Department of Commerce.

The sum of $6,000,000 is authorized for the 2 years. The report states that $2,400,000 is for 1970 and $3,600,000 is for 1971.

Under Public Law 90-396, a standard reference data system was authorized, to be operated by the Bureau of Standards. Its purpose was to collect and disseminate compilations of critically evaluated scientific data on the physical and chemical properties of materials. This is of vital interest to science, industry and government.

There are no minority views. The Department of Commerce supports the bill as does the Bureau of the Budget.

Mr. Speaker, I urge adoption of the rule and passage of the bill.

Mr. MATSUNAGA. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MEDICAL LIBRARY ASSISTANCE EXTENSION ACT OF 1969

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11702) to amend the Public Health Service Act to improve and extend the provisions relating to assistance to medical libraries and related instrumentalities, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 11702, with Mr. Edwards of California in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from West Virginia (Mr. Staggers) will be recognized for 30 minutes, and the gentleman from Illinois (Mr. Springer) will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is an important bill in the health field. It was ordered reported by the committee unanimously, and we urge its passage.

The bill is a 3-year extension of the program of assistance to medical libraries initially established for a 5-year period in 1965. At the hearings, the administration presented its own recommendations, which were for a 1-year extension, with a few revisions in the program primarily clarifying existing authorities.

The committee voted to adopt minor modifications recommended in the administration's proposal and extend the program at existing authorization levels for 3 years. This means $21 million a year for 3 years.

In the 1950's, the Congress started substantially increasing the amounts made available to medical schools and other research organizations for the conduct of medical research programs, leading to a very substantial increase in the number of scientific papers published, together with an increase in the number of publications. This flood of new information was more than the existing medical libraries at medical schools, hospitals, research institutions, and the like were able to handle. Unfortunately, new construction in the library field, and new means of handling this flood of information, were not developed, so that by the early 1960's medical libraries had more information to handle than they could possibly take care of.

For example, in the 1965 hearings it was estimated that the medical schools in the United States alone needed over $100 million in new construction of medical library space, and they were an additional $100 million behind in obtaining needed publications. These figures are without regard to the substantial needs of the other approximately 6,000 medical libraries in the United States which had comparable needs. In the field of personnel, it was estimated that there were only 3,000 trained medical librarians available to staff over 6,000 libraries.

The 1965 legislation was designed to take some steps in the direction of meeting these needs, but in a relatively modest fashion. Total authorizations over the 5-year period amounted to $95 million, but appropriations have only amounted to approximately $41 million. Because of increasing needs in recent years again rising out of the flood of new information and new discoveries, we have done no more than just about hold our own since the 1965 legislation, and the reported bill will hopefully help make some dent in the needs for the future.

The full committee was unanimous in recommending the bill to the House, and we urge passage of the bill.

Mr. MELCHER. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I am happy to yield to my colleague from Montana.

Mr. MELCHER. Mr. Chairman, I support H.R. 11702, a bill introduced by my distinguished colleagues, the gentleman from West Virginia (Mr. Staggers) and the gentleman from Illinois (Mr. Springer), because of the great importance of the bill to my district in Montana.

The health sciences library of Columbus Hospital in Great Falls, Mont., is an extremely valuable resource in eastern Montana. It is used by doctors and other medical personnel, as well as by both secondary and college students. A reference index from the library is located at the College of Great Falls.

Columbus Hospital now has on file an application for Federal funding. It is impossible to know when the application will be approved, and it is essential that the Medical Library Assistance Act be extended so that this hospital can receive funds.

Likewise, other hospitals in eastern Montana will eventually require funds for medical libraries. We are far from the Nation's major medical centers in Montana, and for this reason, it is important that we provide the best possible medical services right in the State.

Montana hospitals have also benefited greatly from use of the Pacific Northwest Regional Health Sciences Library in Seattle, and there is fine interlibrary cooperation between the College of Great Falls, Columbus Hospital, the Great Falls Public Library, and the Seattle Library. For this cooperation to continue, it is necessary that full funding be made available for those libraries which come under the provisions of the Medical Library Assistance Act.

I would like to mention the widespread support in Montana for this kind of program. I have letters from the health sciences librarian and directors of Columbus Hospital, as well as from ordinary citizens who are interested in this important service.

Mr. PODELL. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I am happy to yield to the gentleman from New York.

Mr. PODELL. Mr. Chairman, I wish to congratulate the chairman on this excellent program.

Mr. Chairman, the Medical Library Assistance Extension Act of 1969 is worthy of our most sympathetic consideration. It extends for 3 years current programs providing financial assistance for a series of programs in the medical field. These are:

Construction of medical library facilities;

Training of biomedical librarians and information specialists for service and research;

Expansion and improvement of health library resources;

Projects of research, development, and demonstrations in medical library science and health communications, and related special scholarly scientific projects;

Development of regional medical library programs; and

Biomedical scientific publications projects.

Mr. Chairman, it is essential that this House act favorably upon this extension. At this moment, America plunges deeper into what can be easily called a far-reaching medical crisis. On every hand the cost of any service connected with medical care is skyrocketing. We have a major, deepening shortage of doctors and nurses. Pay for almost all medically connected personnel besides doctors is appallingly low. Facilities require upgrading and hospital beds are in increasingly short supply.

It is imperative that the Government of our Nation act to alleviate this situation and end the medical service imbalance which grows daily. This act is but one portion of the massive program which is needed.

There is no reason in the world why this country cannot act to insure a proper supply of doctors and nurses. There is no reason why we cannot have adequate hospital facilities and beds.

Dozens of different types of medical specialists and supporting personnel from nurses, on, should have their professional status and pay upgraded to adequate levels. Research facilities can and should be expanded, adequately equipped, and staffed.

It is the shame of our Nation that we have reached a point where we are poised to place a man on the moon, but deny adequate treatment to millions of citizens and adequate compensation to nurses, medical technicians, and other aides.

Blame can be placed squarely upon inaction by the Government. If there is hesitation and unwillingness to take bold, decisive action, we shall see our medical crisis deepen and medical tragedies multiply. When doctors are unavailable and nurses leave the profession in droves; when there is inadequate research or facilities are lacking; when a few make small fortunes at expense of the many; when there is a remarkable gap between medical services available to various income groups; then America is at fault and must correct this situation.

It is my hope that we shall act today to extend this assistance act to these facilities and programs, and go on beyond it.

Mr. BIAGGI. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from New York.

Mr. BIAGGI. Mr. Chairman, I would like to present a brief but pointed statement in support of the Medical Library Extension Act of 1969, H.R. 11702.

I shall begin by underscoring the committee's interpretation of "medical library" to embrace the full and functional meaning of health information and communications. Little do we realize in the context of today's information explosion how much of that information is in the health field, how difficult it is to retrieve that information, and how important such retrieval is to the lives of all of us. The latest advancement in diagnosis and treatment, the latest precaution in the use of a drug, a simple innovation in surgical procedure, the analysis of a forthcoming viral epidemic, a new idea in preventive medicine—may not be lost to those seeking health service in or near the large medical centers of the Nation. However, what a pity it is when such advances cannot be applied to the broader population and when health service is less than optimum because of gaps in information and communication.

If we are to keep up with the output of the billions of dollars invested in biomedical research over the past 20 years, if we are to make medical literature available to all medical and paramedical practitioners throughout the country, and if the lifesaving intent of the regional medical programs and hospitals are to be more fully realized, then informational sources and materials must be increased in number and in availability.

H.R. 11702 and the committee's report thereto recognizes the need and makes provision for the informational problems arising from the rapidly accelerating demands for high-quality health care and services. It points to the growing number of new medical institutions and to the emphasis on continuing education in relation to the delivery of health care. The flow of biomedical information is crucial to these developments.

If there is to be equal opportunity for health there must be equal access to health information, there must be prompt and easy access to the information, and there must be wide dissemination and application of information in crucial health documents.

Mr. Chairman, the movement of knowledgement from the laboratory and clinic to the bedside will not be accomplished by what the busy physician and nurse retain from their formal training, nor will it be accomplished by the duplication of specialized medical textbooks in library collections around the Nation. Important as these medical monographs are, what is more important is the organization, preservation, and dissemination of the information which they contain in a form applicable to immediate use for the family physician and for consultations on specialized cases. H.R. 11702 correctly provides funds for improving and increasing library manpower for this purpose, as well as for specific training in medical library science, medical information demonstration projects, health library construction projects, and for scholarly studies of medical and community health problems.

Mr. Chairman, the greatest advances in the Nation's health at the moment can be made by the application of existing knowledge to those in need of health care and service. That knowledge can be applied only if it is made available to all of those in the health professions, urban and rural locations alike. The focal points of information and communication as envisioned by the Medical Library Assistance Act of 1965 have already begun to bring order to medical literature and documents and up-to-date health information service to hundreds of practitioners and institutions. The path ahead is the proposed extension of that act. I support that extension under the provisions of H.R. 11702.

Mr. HALL. Mr. Chairman, will the distinguished chairman of the committee yield to me?

Mr. STAGGERS. I am happy to yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I appreciate the distinguished chairman of the Committee on Interstate and Foreign Commerce yielding to me.

I want to say immediately that I commend the committee and the subcommittee for bringing this legislation and this extension to the floor within the

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budget, and thus continuing a truly worthwhile program. I wish it could have limited the authorization to the expected appropriation and expenditure.

I have just two questions I would like to ask as points of information. The first is a result of my thorough reading of the committee report, including the Ramseyer portion thereof.

Has it been the general intention of the committee to change the granting of grants, the establishment of fellowships, and funds for bricks and mortar for medical library services and the advancement of data and dissemination thereof from the Surgeon General of the Public Health Service to the Secretary of Health, Education, and Welfare, or not?

Mr. STAGGERS. I might say that under Reorganization Plan No. 3 of 1966 the functions of the Surgeon General are now with the Secretary of Health, Education, and Welfare.

Mr. HALL. Do I understand that in spite of the existing law the powers lie with the Secretary and not the Surgeon General of the Public Health Service? I know full well, Mr. Speaker, that the U.S. Public Health Service and the Commissioned Officer Corps thereof, including the Office of the Surgeon General of the United States, has been placed in the Department of Health, Education, and Welfare and I do not care to argue that point at this time. But, I cannot determine the full intent from the Report and the amendments and the Ramseyer print here, although I can see from the original clarifying and technical amendments in the bill that it was the intent to change from the Surgeon General of the Public Health Service, all of these powers to the Secretary of the Department of Health, Education, and Welfare.

Do I understand the distinguished chairman of the Committee on Interstate and Foreign Commerce to say that this is because of an Executive order under the Reorganization Act which simply makes this in conformity to the law?

Mr. STAGGERS. That is correct.

Mr. HALL. I would say, Mr. Speaker, if the gentleman will yield further, that I accept this original set of conforming amendments to make it in compliance with the Executive order, but I would again sound a warning as I did some 3½ years ago before the distinguished gentleman's committee that we are in danger of conforming to the point where we have appointees of social workers assigning these grants in highly technical fields of a scarce category of medical knowledge, rather than the professionals who know best how to do it.

In fact, I have previously predicted the demise of the Commissioned Corps of the U.S. Public Health Service. But I would hope that some reasonable changes in administration might protect and prolong it at least until after study of this distinguished committee can determine whether that is the best course to follow, or not.

I happen to be one who believes we should keep the Public Health Service for many, many reasons and, particularly, the Commissioned Corps and, indeed, aid and abet them by a Reserve Corps which could be called upon to perform duties of a Public Health Service emergency or part-time nature from time to time.

Be that as it may, however, I would hate to see the carte blanche elimination of the Surgeon General, but to make conforming amendments when he is, indeed, according to the encoded statutes of the United States "the Surgeon General of the United States," regardless of what department he is in, or assigned. He has served in the Department of the Interior long before the Department of Health, Education, and Welfare existed. The original law establishing the Public Health Service intended that it be a separate agency such as exists with reference to a lot of our commissions in the present-day governmental operations, directly responsible to the President; and, indeed, that is why he was so identified in the Public Health Service, rather than the Surgeon General of the Army or the Surgeon General of the Navy or the Air Surgeon General, for example.

So, I wonder as to whether or not these technical amendments are going to be interpreted to mean that these positions will be filled by social workers, political appointees, or otherwise—or whether they are going to be filled by professionals and more properly and wisely selected personnel. The Commissioned Corps of the U.S. Public Health Service has served well from the time of its earliest inception, with the merchant marine, quarantine service, customs, preventive medicine, interstate and international quality health care and coordination. I do not wish to have aborted these and other functions which they have performed with pride.

Mr. Chairman, I hope that this distinguished committee will look into this in some detail before we blot out by fiat and decree the responsibility of the Surgeon General of the United States.

Mr. STAGGERS. I may say to the distinguished gentleman from Missouri that I agree with the gentleman and that the committee intends to do this. I share with him his views about the Public Health Service. Further, I might say that it is one of the oldest agencies of the Government, being created in 1798. It has performed yeoman service to the Nation since that time. Therefore, I do agree with the gentleman in what he says as to the service they have rendered the Nation.

Mr. HALL. Mr. Chairman, I appreciate the statement made by the gentleman. It is an honorable service, and it has rendered great professional service in all areas of quarantine and many others mentioned and unmentioned, and if we are going to the moon next week, it may be even more important than we had ever deemed it before to be.

Mr. Chairman, my second question, if the gentleman will yield further, is the question of coordination of the libraries and communications data in the regional medical areas with the regional medical programs themselves.

Mr. Chairman, I again want to commend the committee for its report, and in their recorded perception, decision, and wisdom, have decided not to change the term "medical library," but to enlarge its horizons and scope to include communications facilities pertaining to medical data, and so forth. This is very important and, as I am sure the gentleman's committee knows, we are setting up under the regional medical programs responsible data systems in realtime for the reading of electrocardiograms, of X-rays, of consultation on networks in intensive care units—and of course we hope and pray there will be found in it additional reporting media for the scope of cancer and stroke, similar to that which has already been set up for the heart.

My concern is if we set this up under the Library Extension Act that there might be a little question of jurisdiction granting of funds, or unnecessary duplication. I hope it is the intent of the committee to see that these communications and these data predicated on the library, or translation and transmission of excerpts, abstracts, and reprints of the library, whether it be the National Library of Medicine through the networks or other, be in assistance to, not necessarily subservient to, the regional medical program which is also under the jurisdiction of the Committee on Interstate and Foreign Commerce.

Mr. STAGGERS. I might say to the gentleman that I do not see there will be any question about any jurisdictional dispute. These programs are intended to be coordinated and operate with everyone working together. This bill does not supersede activities under the regional medical programs.

Mr. HALL. I thank the gentleman.

Mr. KAZEN. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I am happy to yield to the gentleman from Texas.

Mr. KAZEN. Mr. Chairman, I would ask the gentleman if there is anything in this bill that would require every hospital, regardless of its size, to have a registered medical librarian?

Mr. STAGGERS. I believe I have answered that question already. The answer is "No."

Mr. KAZEN. If the gentleman will yield further, is there anything in this bill that would require that every hospital, regardless of size, before they can get any type of grant, should maintain a medical library?

Mr. STAGGERS. I would say, in answer to the inquiry of the gentleman from Texas, that the answer is "No"; there is none.

Mr. KAZEN. I thank the gentleman.

The CHAIRMAN. The Chair now recognizes the gentleman from Illinois (Mr. SPRINGER).

Mr. SPRINGER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, during the last several years the Congress has enacted many laws dealing with the subject of medical facilities and programs. Some have been aimed at the lack of facilities for medical treatment of various kinds, from general hospitals to community mental health centers. Some have been aimed at manpower problems in the attempt to provide more doctors and all other kinds of health professionals. To do this the laws have helped to build and otherwise create more schools for the training of health manpower, and then provision has been made to encourage and assist those who would follow a health profession to acquire the education and pursue the calling.

Still other laws have been aimed at the more subjective aspects of health services by providing new and improved approaches to the organization of health services in the attempt to deliver the best of services to all communities and all citizens. Among these has been the partnership for health program which is gradually consolidating the previously scattered and diverse public health activities. Yet another program, first known as the heart, stroke, and cancer program and eventually as the regional medical program, was designed to encourage entirely new arrangements among all of the elements of the health services to make the best possible use of the knowledge and medical skills available and to become available.

At the heart of all this progress is the collection, dissemination, storing and recall of medical knowledge. Nothing will work if the necessary scientific information is not available when and where it is needed. That is the medical library complex.

Recognizing the absolute need for a system of library facilities, Congress first provided for a National Medical Library as a part of the National Institutes of Health. That gave the research material somewhere to go. It was quickly realized that one central library facility would be wasted unless the same information, or certain parts of it, were quickly available at regional and local levels. University and hospital libraries can and do carry out such work. They will continue and are the basic framework upon which the system has to be built. This program is designed to help them. It is designed, however, to do several other things such as research new methods.

The bill before us today is an extension of a 3-year-old program which has had a history of support but which can and should contribute much to the improvement of medical service. Under the current act $40 million was authorized for construction but only $11.25 million was actually appropriated and none of this was for renovation or alteration. We can add to that the desired information centers in hospitals where less than 20 percent have adequate professional health library facilities. This bill does not attempt to cure everything at once. It maintains the fairly modest authorization of $10 million per year for this construction purpose for a 3-year period. It is to be hoped that greater proportions of the authorization find their way to actual appropriation and by way of grants to construction.

As previously mentioned, there is a great deal more to collecting and disseminating medical knowledge than building structures. Not just anyone can come in off the street and handle specialized scientific information. So the training of qualified careerists in biomedical information is important also. The bill authorizes $1 million per year for grants to individuals and institutions to support such training. By 1975 we will need 8,200 medical librarians and health communications specialists, and the number now is in the hundreds.

As the delivery of health services changes and improves so must the use of medical information. This requires constant probing for better ways to handle it. The answer is research and demonstration. Try new ways and find the best. For this purpose the bill authorizes $3 million per year. From this we can hope to have vastly improved techniques, systems, and equipment to store and retrieve scientific information relating to health.

Many libraries already trying to upgrade their materials and services find that many of the books and periodicals are beyond their means. Some find that material which is available cannot be adequately indexed. Grants to improve basic resources of the medical libraries have been included in the law which is here being extended. The bill before the House includes $3 million per year for the purpose. It also expands the measure to allow use of the funds to assist in the initial stocking of resources material where a library comes into being, as well as to uplift the materials made available by existing institutions.

It is a long way from the National Library of Medicine to the local hospital medical library at Bremerton, Wash., for example. When scientific medical information is needed, it is needed quickly. No local or school library can ever hope to be complete and offer every bit of medical information which might ever be needed. It can do its job, however, if it has access to larger collections close by. The answer seems to be in the establishment of several regional libraries. Seven have been approved and started since the program began. A few more may be desirable, and the bill provides $2.5 million per year for that purpose. To make the projects more useful to others and to assure thorough preliminary work, this part of the law is being amended to allow use of the funds for data gathering and for planning activities. Some of these funds can also be used by regional libraries to help other local programs build up source material and either get underway or become more effective.

The provisions outlined here are the basic components of a good medical library program. A good system for gathering and using medical knowledge is vital to solving the complex problems in the delivery of medical services throughout our country. So the bill before us looks small and possibly even insignificant in comparison to many other massive and popular health programs brought before the House for attention. But it is, in fact, an extremely important link in that chain. We provide here for overall authorizations of $21 million per year for 3 years. Some parts of the program may then be done, others may have to continue further. We shall examine that possibility when the progress made in this field, and in all of the other health efforts, is again examined by our committee. I recommend that the House approve H.R. 11702 as reported by the committee.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman.

Mr. GROSS. What was the actual appropriation for the fiscal year 1969?

Mr. SPRINGER. That is $6.287 million.

Mr. GROSS. That is the same as you expect will be appropriated for the 1970 fiscal year?

Mr. SPRINGER. No, the figure I gave was for the fiscal year 1970. The figure I gave you was for that year.

Mr. GROSS. What was the actual appropriation for this purpose in fiscal year 1969?

Mr. SPRINGER. I am sorry I cannot give that to the gentleman.

Mr. GROSS. Does the gentleman think it is more than $6 million, or was it less?

Mr. SPRINGER. I have no way of knowing what it was in 1969. I have the figure only for the fiscal year for which we are now projecting.

Mr. GROSS. Will the gentleman from Illinois yield to me to propound a question to the Members on the other side of the aisle, if they know what the actual appropriation was for this purpose for the fiscal year 1969?

Mr. SPRINGER. Yes, I yield to the gentleman.

Mr. STAGGERS. It was $5,789,000.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. SPRINGER. I yield to the gentleman.

Mr. GROSS. This bill would authorize a tremendous increase from the $5 million plus of last year, and a proposed expenditure of $6.287 million for the fiscal year 1970. Then it is proposed to jump to $21 million a year for each of the next 3 years or a total of $63 million.

Mr. SPRINGER. I can very easily tell the gentleman the reason for the jump.

Mr. GROSS. Yes, I would like to hear the reason.

Mr. SPRINGER. The authorization for 1970 was exactly the same as for 1971, 1972, and 1973. Now there is only $6.287 million this year, because there was nothing for construction of medical libraries but only for training.

In 1971, 1972, and 1973 there is $10 million authorized for each year for construction. That is the jump—and that is why we exepect something near $21 million to be appropriated if we are to go forward with the program. Of course, that is up to the Committee on Appropriations. If they do not appropriate for that purpose, we are not going forward with it. They are in charge and we only authorize.

Mr. GROSS. This is a question that occurs to me. Do not the hospitals have some responsibility for providing their own librarians? Why should the Federal Government undertake to inject itself into a huge library construction program?

Mr. SPRINGER. I think we might as well abandon the medical program unless you have some sources of information for the program, such as were dismissed by the gentleman from Missouri, Dr. HALL, involving informational activities under this program and under the regional medical programs.

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Mr. GROSS. What is the responsibility of the hospitals and the medical profession generally in the matter of providing library facilities?

Mr. SPRINGER. I would say that this question could be argued, but it was the belief of this committee that this bill is the best way to approach it.

I understand what the gentleman is talking about. I presume he thinks his own hospitals in Iowa should supply this information. We just came to the conclusion that there were not the resources there to do that and that is why we did it this way.

This bill also has to do with training. For instance, there are at the present time only 600 qualified medical librarians in the hospital libraries throughout the country and there are several thousand hospitals in the country. They have to have the training and I do not know where you are going to get that training done unless we do it.

Mr. GROSS. If the gentleman will yield further.

Mr. SPRINGER. I yield to the gentleman.

Mr. GROSS. I appreciate the gentleman yielding and I appreciate the time he is giving me on this matter. I am concerned—yes, my concern is that I think there is some responsibility at least upon the hosptials themselves to provide the facilities for medical libraries.

The gentleman has said that this authorization of $63 million is approved in the Nixon budget. My response is that apparently it is going to be up to Congress to save the Nixon administration from itself. Altogether too many bills are coming to the House authorizing tremendously increased expenditures. This Congress only a few days ago approved a 10-percent surtax. For what purpose? To haul another $10 billion to Washington to be spent?

If the gentleman will indulge me further and briefly, the only way to stop inflation is to cut down expenditures. Yet here we are confronted today with another ballooned request. I would not mind going along with a bill to continue as we have in the past, but to jump this to $21 million per year for 3 years seems to me to be pretty unconscionable.

Mr. SPRINGER. May I say to the gentleman that we are continuing at exactly the same authorization figure we did in 1967, 1968, 1969, and 1970—$21 million authorization.

Mr. GROSS. But the door is wide open to the Appropriations Committee by this authorization to go to $21 million.

Mr. SPRINGER. The gentleman is exactly correct. However, it seems to me the Appropriations Committee has acted with due discretion. They apparently felt that they could not spend $21 million, or at least they thought they should not spend $21 million, so they authorized the expenditure of only $6.287 million. The Appropriations Committee has just as big a duty in this matter as we do. But we heard the evidence as it came from representatives of the administration that they felt $21 million was not excessive if we are to have any construction, and carry out the other activities under the program.

The Appropriations Committee came to the conclusion that there should not be construction. I do not know whether they will come to that conclusion again in 1971, 1972, and 1973 or not. But we did authorize what we felt was not exorbitant. We felt it was a modest sum. I do not know how you are going to construct a whole lot of facilities for as many hospitals as we have in this country with $10 million, but that amount can serve as a starter.

Mr. GROSS. I do not want to hamstring in any way the availability of medical knowledge to those who need it. Not at all. That is not my purpose. But somewhere along the line, I will say to my good friend from Illinois, we are going to have to put the brakes on expenditures and cut them back.

Mr. SPRINGER. May I say that the Appropriations Committee apparently took somewhat the view of the gentleman in relation to appropriations for 1970. But that is not a matter that we have any jurisdiction over. We merely authorized what we felt was needed under the circumstances; it was requested and it is within the budget.

Mr. Chairman, for that reason I recommend passage of the bill.

Mr. STAGGERS. Mr. Chairman, I yield whatever time he might require to the chairman of the subcommittee, the gentleman from Oklahoma (Mr. JARMAN). I wish to commend him and the members of the subcommittee for the work they did in preparing the bill and getting it to the full committee. I yield now to the gentleman from Oklahoma (Mr. JARMAN).

Mr. JARMAN. Mr. Chairman, the Subcommittee on Public Health and Welfare, on which I have the honor to serve as chairman, considered this bill carefully and unanimously recommended its passage, as amended, to the full committee, which unanimously ordered it reported to the House. The principal purpose of this bill is to extend the current program of grants to support the provision of biomedical information. It extends for 3 years the Medical Library Assistance Act of 1965 which provides for the expansion and improvement of health library resources, the construction of medical library facilities, the training of biomedical librarians and information specialists, projects of research, development, and demonstrations in medical library science and health communications, the development of regional medical library programs, and the support of biomedical scientific publications projects. The bill would authorize support in the amount of $21,000,000 a year for each of the 3 years of the extension.

The need to expand and improve facilities and resources, manpower and technological assistance for processing health sciences information was well documented in information presented before the Committee on Interstate and Foreign Commerce in hearings in 1965. It was apparent at that time that unless major attention was directed to the improvement of our national medical library base, the continued and accelerating generation of scientific knowledge would become increasingly an exercise in futility.

Impressed with the magnitude and verity of the needs for improving the status of medical libraries and related health communications services, the Congress passed the Medical Library Assistance Act of 1965. As the preamble to that act stated:

> Much of the value of the ever-increasing volume of knowledge and information which has been and continues to be developed in the health science field will be lost unless proper measures are taken in the immediate future to develop facilities and techniques necessary to collect, preserve, store, process, retrieve, and facilitate the dissemination and utilization, of such knowledge and information.

I think that we are all aware that we are living in a new era with respect to health in this country. The focus is on providing health care of the highest quality to all citizens, regardless of their income or where they may live. We must be sure that the wonderful advances of health research reach the patients who can benefit from them and the students in all our health schools receive the best possible training. These things cannot be accomplished if knowledge is not transmitted rapidly and completely from the medical explorer to the physician at the bedside. The goal of this act is to help ease the inequity, the injustice of the timelag between the discovery of new scientific knowledge and the application of this knowledge in ordinary practice.

Efficient and effective dissemination and utilization of medical knowledge is essential to the objective of bringing the best possible care to the patient's bedside. Improvement of the Nation's health can advance only as dissemination and utilization of knowledge advances. The establishment of new medical schools and the expansion of continuing education programs require new health science libraries and information facilities. The benefits of new hospitals, increased health manpower, regional medical programs, medicare, and other efforts can be gained only if there is effective access to medical knowledge. The magnitude of the information problem has a direct bearing on patient care.

The Medical Library Assistance Act of 1965 made a good beginning to the solution of the problems of health information. Unless these programs of assistance for medical libraries and health communications are continued and expanded, as proposed under this act, major programs for health services, education, and research will be jeopardized and the development of better health care retarded. There are no other programs which are addressed directly to health information; these programs are both unique and effective.

The initial assistance provided has been highly effective as a stimulant and catalyst. The momentum developed with the assistance of this act must be utilized and continued.

Approximately $42 million will have been appropriated during fiscal years 1966–70 under the Medical Library Assistance Act. Eleven new health sciences libraries will have been constructed, providing seating for over 15,000 students, faculty, and practitioners. The 11 schools will be able to provide space for more than double their current collections as well as to inaugurate new and innovative services. In addition, resource grants will

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have been awarded to 392 health science libraries to allow them to improve and expand their services to users. Grants totaling $5 million have also been awarded to five institutions allowing them to institute regional library services. These cooperative regional partnerships will provide for more efficient and economical use of the Nation's biomedical information resources.

In 1965, the country had 6,000 medical libraries, but less than 3,000 trained librarians to staff them. With just under $4.5 million appropriated under the Medical Library Assistance Act, some 20 graduate and postgraduate training programs have been initiated, and 309 persons will have received training through 1970. These programs have highlighted the application of modern concepts and innovative technology to problems of information processing.

While I am impressed with the accomplishments which have been made through the 1965 act, I am more impressed by the magnitude of the problems which remain. Testimony presented before the Subcommittee on Public Health and Welfare indicated that there are still grossly inadequate facilities, resources, and manpower for health information services in the face of rapidly increasing demands on health libraries and related facilities. The volume of information to be assimilated is growing at an astronomical rate and the cost of processing this information is skyrocketing.

This act will extend for 3 years the current programs of grants authorized by the Medical Library Assistance Act of 1965. At the hearings of the Public Health and Welfare Subcommittee on May 22, 1969, all witnesses who appeared testified in favor of continuation of the current legislation. Among the witnesses testifying for the bill were the American Library Association, the Medical Library Association, the Association of Research Libraries, and the American Optometric Association. Statements of support were also submitted by the American Association of Dental Colleges, the American Medical Association, and the Association of American Medical Colleges, as well as a number of other institutions and individuals. All of the witnesses who testified at the May hearings spoke of the need to continue the programs authorized under the Medical Library Assistance Act.

I am personally convinced that the need to improve and expand facilities and resources, manpower and technology which were documented when the original bill was passed in 1965, continue and that, in fact, the deficits have grown since that time. It is my opinion that the passage of the bill before us today will effectively help to correct these deficiencies. That act, which created a coordinated program of support, provided unique authorities for many of the programs to aid medical libraries and I regard its extension as vital.

The act which I propose would also incorporate a number of technical and clarifying amendments to facilitate the programs administration.

I therefore urge the House give favorable consideration to this bill to extend the Medical Library Assistance Act for 3 years.

Mr. ROGERS of Florida. Mr. Chairman, I rise in support of H.R. 11702, a bill to amend the Public Health Service Act to improve and extend the provisions relating to assistance to medical libraries and related instrumentalities.

The legislation would extend for another 3 years the current program begun in the act of 1965 to provide financial assistance for construction of medical library facilities and general overall improvement in medical library resources.

This act has applied, and will continue to apply, to all of the fundamental and applied sciences related to health, including medicine, dentistry, optometry, pharmacy, osteopathy, veterinary medicine where relevant to human health, nursing, public health and other health-related fields.

For the 5 years that this program has been authorized, $21 million per year has been authorized, or a total authorization of $105 million, but thus far only approximately $41 million has been appropriated. This legislation would continue the existing authorization of $21 million per year for 3 years.

Mr. Chairman, the testimony before the committee and experience indicates that the need is far greater than the authorization or appropriations under this program. Although approximately $41 million has thus far been appropriated under this program, in 1965 testimony revealed that construction needs alone were more than $100 million and collection needs another $100 million or more.

If we are to fully realize the benefits of new information, practices and achievements in the area of patient care and treatment, then we must be able to transmit this information to the physician, dentist, nurse and others in related health professions in order that they may better care for the patient.

This legislation will enable us to continue our efforts to improve patient care through increased knowledge of new dimensions of medical science, and I hope the House will act favorably on this bill.

Mr. BURLISON of Missouri. Mr. Chairman, the principal purpose of the reported legislation is to extend for 3 years the current programs providing financial assistance for construction of medical library facilities; training of biomedical librarians and information specialist for service and research; expansion and improvement of health library resources; projects of research, development, and demonstrations in medical library science and health communications, and related special scholarly scientific projects; development of regional medical library programs; and biomedical scientific publications projects.

The need to improve and expand facilities and resources, manpower, and technological assistance for processing health science information was well documented in information presented at hearings held before the committee on September 14, 1965.

The committee was impressed with the magnitude of the needs identified for improving medical library and related health communication services in the United States, and accordingly reported favorably on the bills which subsequently led to the passage of Public Law 89-291, the Medical Library Assistance Act of 1965.

At the May 22, 1969, hearings held before the committee in behalf of the proposed 3-year extension of this legislation, the witnesses who testified unanimously spoke to the need to continue the programs initiated under the Medical Library Assistance Act. The committee agrees that major health library deficits continue to exist and have in fact increased since 1965 as demands for health information services continue to expand. The committee concludes that the programs implemented under the Medical Library Assistance Act of 1965, with minor modifications, can effectively help to correct these deficiencies.

The Medical Library Assistance Act of 1965 provides unique authorities for many of these programs. The committee regards as essential the extension of the legislation which provides for these coordinated programs of support. The legislation reported is designed to assist in meeting the needs for expanded health information services in the United States by continuing for 3 years the programs under the Medical Library Assistance Act with amendments.

In the September 1965 hearings held before the committee, witnesses for the Medical Library Association and others reported construction needs for medical school libraries in excess of $100 million, and medical library collection needs based on suggested standards of over $100 million.

Witnesses this year report that these startling deficits in health library space and equipment materials and staff have not been significantly met. The committee agrees with the testimony of the supporting witnesses and the evidence cited, that further expansion and improvement of health information services and resources are essential in the face of rapidly accelerating demands for high-quality health care and related health services. The committee particularly wishes to recognize and underscore the importance of health information services in helping to transmit medical advances from the laboratory to the bedside.

Mr. Chairman, the above constitutes a brief résumé of the conclusions of the Committee on Interstate and Foreign Commerce. I join with them in this analysis and urge passage of the legislation. It can also be stated that, among others, the following organizations have expressed strong support for this bill: American Medical Association, American Library Association, Medical Library Association, Association of Research Libraries, American Optometric Association, and American Osteopaths Association.

Mr. ANNUNZIO. Mr. Chairman, I rise today in support of a bill which, on the surface, may appear somewhat less glamorous, less dramatic than most legislation relating to the health of this Nation. But I believe that upon thoughtful reflection my colleagues will agree the Medical Library Extension Act of 1969 would constitute one of the soundest in-

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vestments the Congress could make in the Nation's health at this particular time.

This bill, H.R. 11702, would improve and carry forward what we began under Public Law 89-291. Through this bill we can continue to expand or renovate existing health science libraries or construct new ones. Through this bill we will have the means to add much-needed manpower in health information specialities and communication research. We can provide assistance for special scientific projects on documentation, evaluation, and the analysis of advances in health sciences, or we can support projects dealing with health communications problems. Through this bill, too, we can assist in enlarging and improving library collections, as well as—through regional medical libraries—expand our resources and/or facilities to encourage better geographic access to biomedical information. And finally, through this bill we can further the preparation and production of publications on information of interest, first, to scientists, practitioners, educators, or medical librarians and, in turn, to all of us.

I wish to commend the Honorable JOHN JARMAN, my distinguished colleague from Oklahoma, who presided over the excellent Subcommittee on Public Health and Welfare of the House Committee on Interstate and Foreign Commerce, as well as the members of that subcommittee on their thorough examination of the various facets of this proposed legislation.

Through their efforts we are reminded that when the Congress passed the original Medical Library Assistance Act in 1965 we had only 6,000 medical libraries in the country. We are reminded that those libraries, more often than not, were in deep trouble from lack of funds for staff or for housing book collections. We had only 3,000 trained librarians to staff those facilities. That was a half a person for each.

The book collections were often highly inadequate, and what books or journals there were were bogged down in backlogs in cataloging and classification, or there was no space to make them readily accessible to the potential users. Indexing systems were often outmoded—so much so that some witnesses testified before the subcommittee that it was easier, and less expensive, to duplicate research than to dig through the outmoded and inadequate libraries to determine whether the research had already been performed. Now, we know research is not inexpensive—in terms of dollars, time, or scarce manpower—and we can ill afford duplication.

This was the framework within which our otherwise dynamic scientific programs in the health field had to work in recent decades when we have been anxious to make available billions of dollars to further health research. This is the framework within which medical practitioners have worked who need desperately to know the latest medical advances coming from the dynamic research programs. This is the framework that still existed when President Johnson emphasized the need to apply the wonderful results of the research we have been supporting these many years. And it was within this framework that we created the regional medical programs to help expedite the transmission of new medical knowledge to those whose lives depend upon it.

For years scientists, physicians, librarians, and even Congressmen have been alarmed at the well-named "information explosion." The Senate Government Operations Committee, for example, concerned itself, many years ago, with the great need for better coordination and communication in the biomedical sciences. The Office of Science and Technology also earnestly studied the problem of information explosion. None could escape the truth that we were outrunning ourselves so badly that much of our investment in research and training in the biomedical and health science fields was going down the drain because we could not begin to keep up with the medical literature.

So, at long last, in 1965, Congress began to put a plug in the dam—through the Medical Library Assistance Act—not by decreasing the medical literature, but by organizing it and making it more readily accessible to the users. It is not surprising that it took some time to get people and facilities trained and organized once we had determined to alter this woeful situation. In fact, only a portion of the original authorizations have been spent, even now, simply because it takes time to get things untangled and to clear the path ahead. Meanwhile, the literature has continued to explode; librarian turnover has continued at an alarming pace; and many other age-long problems have continued to increase the pressures upon the libraries and librarians.

Despite this, a commendable start has been made in relieving these pressures—made possible through the Medical Library Assistance Act. As one witness before the House Subcommittee on Public Health and Welfare put it:

> The appropriations made thus far have paid great dividends, but they need to be at least doubled if we are to catch up in anywhere near reasonable time with the current deficiencies built up over decades of neglect.

That this issue is crucial to all facets of medical advancement is clear from the uniformly favorable testimony on behalf of H.R. 11702 by physicians, dentists, representatives of medical teaching facilities and hospitals, librarians, paramedical personnel, and so on—all insisting on the importance of strengthening this base upon which their efforts may succeed or fail.

Today we are conscientiously tightening our money belt, even in regard to the health efforts of the Nation. No one denies that we must give careful consideration to priorities. But I submit that this bill warrants a particularly high priority because without its passage not only will our original investment in it prove a waste, but so will much of our investments in biomedical research, training, and medical care administration.

In closing, I think of the many times medical specialists and health officials have testified before congressional committees that while much research is needed in the medical and health fields, nonetheless much could be accomplished in improving the Nation's health, in removing and preventing medical disasters—for example, mental retardation—if we but applied what we already know.

Mr. Chairman, I, for one, am convinced that the Medical Library Assistance Extension Act of 1969 is mandatory if we are to apply what is already known, or if we are to continue to move forward in search of new knowledge. To me, this legislation is not unglamorous; it is not undramatic. This legislation is a major supporting beam in the health of our Nation.

The CHAIRMAN. There being no further requests for time, pursuant to the rule the Clerk will read the committee amendment in the nature of a substitute now printed in the bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Medical Library Assistance Extension Act of 1969".

THREE-YEAR EXTENSION OF EXISTING PROGRAMS

SEC. 2. The following provisions of the Public Health Service Act are each amended by striking out "June 30, 1970" and inserting in lieu thereof "June 30, 1973":

(1) Subsection (i) of section 393 (42 U.S.C. 280b–3(i)) (relating to assistance for construction of medical library facilities).

(2) Subsection (a) of section 394 (42 U.S.C. 280b–4(a)) (relating to grants for training in medical library sciences).

(3) Section 395 (42 U.S.C. 280b–5) (relating to assistance for compilations or writings concerning advances in sciences related to health).

(4) Subsection (a) of section 396 (42 U.S.C. 280b–6(a)) (relating to research and development in medical library science and related fields).

(5) Subsection (a) of section 397 (42 U.S.C. 280b–7(a)) (relating to assistance to improve or expand basic medical library resources).

(6) Subsection (a) of section 398 (42 U.S.C. 280b–8(a)) (relating to grants for establishment of regional medical libraries).

(7) Subsection (a) of section 399 (42 U.S.C. 280b–9(a)) (relating to assistance for biomedical scientific publications).

GRANTS FOR CONSTRUCTION OF MEDICAL LIBRARY FACILITIES

SEC. 3. Section 393 of the Public Health Service Act (42 U.S.C. 280b–3) is amended—

(1) by amending clause (B) of subsection (b)(1) to read as follows: "(B) sufficient funds will be available to meet the non-Federal share of the cost of constructing the facility, and";

(b) by striking out subsection (c) and redesignating subsections (d), (e), (f), (g), (h), and (i) as subsections (c), (d), (e), (f), (g), and (h), respectively; and

(3) by striking out in subsection (c) (as so redesignated by this section) ", and shall give priority to applications for construction of facilities for which the need is greatest".

GRANTS FOR SPECIAL SCIENTIFIC PROJECTS

SEC. 4. (a) Section 395 of the Public Health Service Act (42 U.S.C. 280b–5) is amended—

(1) by striking out in the second sentence "for the establishment of special fellowships to be awarded to physicians and other practitioners in the sciences related to health and scientists" and inserting in lieu thereof the following: "to make grants to physicians and other practitioners in the sciences related to health, to scientists, and to public

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or nonprofit private institutions on behalf of such physicians, practitioners, and scientists"; and

(2) by striking out in the third sentence "In establishing such fellowships" and inserting in lieu thereof "In making such grants", and by striking out in such sentence "fellowships are established" and inserting in lieu thereof "grants are made".

(b) Subsection (b)(3) of section 390 of such Act (42 U.S.C. 280b) is amended by striking out "the awarding of special fellowships to physicians and other practitioners in the sciences related to health and scientists" and inserting in lieu thereof "grants to physicians and other practitioners in the sciences related to health, to scientists, and to public or nonprofit private institutions on behalf of such physicians, practitioners, and scientists".

RESEARCH AND DEVELOPMENT IN MEDICAL LIBRARY SCIENCE AND RELATED FIELDS

Sec. 5. (a) The second sentence of subsection (a) of section 396 of the Public Health Service Act (42 U.S.C. 280b–6) is amended by striking out "research and investigations" and inserting in lieu thereof "research, investigations, and demonstrations".

(b) Subsection (b)(4) of section 390 of such Act is amended by striking out "research and investigations" and inserting in lieu thereof "research, investigations, and demonstrations".

GRANTS FOR BASIC RESOURCES OF MEDICAL LIBRARIES

Sec. 6. (a) Section 397 of the Public Health Service Act (42 U.S.C. 280b–7) is amended—

(1) by striking out in the first sentence of subsection (b) "for the purpose of expanding and improving" and inserting in lieu thereof "for the purpose of establishing, expanding, and improving";

(2) by amending paragraph (2) of subsection (c) to read as follows:

"(2) In no case shall any grant under this section to a medical library or related instrumentality for any fiscal year exceed $200,000; and grants to such medical libraries or related instrumentalities shall be in such amounts as the Secretary may by regulation prescribe with a view to assuring adequate continuing financial support for such libraries or instrumentalities from other sources during and after the period for which Federal assistance is provided."; and

(3) by striking out in the heading of such section "IMPROVING AND EXPANDING" and inserting in lieu thereof "ESTABLISHING, EXPANDING, AND IMPROVING".

(b) Subsection (b)(5) of section 390 of such Act is amended by striking out "improving and expanding" and inserting in lieu thereof "establishing, expanding, and improving".

GRANTS FOR ESTABLISHMENT OF REGIONAL MEDICAL LIBRARIES

Sec. 7. Section 398 of the Public Health Service Act (42 U.S.C. 280b–8) is amended as follows:

(1) Subsection (b) is amended (A) by striking out "and" at the end of clause (4), (B) by redesignating clause (5) as clause (6), and (C) by inserting after clause (4) the following new clause:

"(5) planning for services and activities under this section; and".

(2) Subsection (c)(1) is amended by striking out "(A) to modify and increase their library resources so as to be able to provide supportive services to other libraries in the region as well as individual users of library services" and inserting in lieu thereof "(A) to modify and increase their library resources, and to supplement the resources of cooperating libraries in the region, so as to be able to provide adequate supportive services to all libraries in the region, as well as to individual users of library services."

(3) Subsection (c)(2) is amended by striking out clause (A) and by redesignating clauses (B) and (C) as clauses (A) and (B), respectively.

(4) The following new subsection is added at the end thereof:

"(f) The Secretary may also carry out the purposes of this section through contracts, and such contracts shall be subject to the same limitations as are provided in this section for grants."

FINANCIAL SUPPORT OF BIOMEDICAL SCIENTIFIC PUBLICATIONS

Sec. 8. Section 399 of the Public Health Service Act (42 U.S.C. 380b-9) is amended—

(1) by striking out in the second sentence of subsection (a) "public or private nonprofit institutions of higher education and individual scientists" and inserting in lieu thereof "public or nonprofit private institutions and organizations and individual scientists"; and

(2) by inserting before the period at the end of subsection (b) the following: ", except in those cases in which the Secretary determines that further support is necessary to carry out the purposes of this section".

REDESIGNATIONS

Sec. 9. (a) Title III of the Public Health Service Act is amended—

(1) by redesignating part I as part J;

(2) by redesignating the part H entitled "PART H—NATIONAL LIBRARY OF MEDICINE" as part I; and

(3) by redesignating sections 371, 372, 373, 374, 375, 376, 377, and 378 as sections 381, 382, 383, 384, 385, 386, 387, and 388 respectively.

(b)(1) Subsection (c) of the section of such Act redesignated as section 382 is amended by striking out "section 373" and inserting in lieu thereof "section 383".

(2) The section of such Act redesignated as section 385 is amended by striking out "section 373" and inserting in lieu thereof "section 383".

(3) Section 391(2) of such Act is amended by striking out "section 373(a)" and inserting in lieu thereof "section 383(a)".

(4) Section 392 of such Act is amended—

(A) by striking out in subsection (a) "section 373(a)" and inserting in lieu thereof "section 383(a)",

(B) by striking out in such subsection "section 373" and inserting in lieu thereof "section 383",

(C) by striking out in subsection (d) "section 373(d)" and inserting in lieu thereof "section 383(d)", and

(D) by striking out in such subsection "part H which deals with the National Library of Medicine" and inserting in lieu thereof "part I".

(c)(1) Section 395 of such Act is amended—

(A) by inserting "(a)" immediately after "Sec. 395.",

(B) by striking out in the second sentence "under this section" and inserting in lieu thereof "under this subsection", and

(C) by amending the section heading to read as follows: "ASSISTANCE FOR SPECIAL SCIENTIFIC PROJECTS, AND FOR RESEARCH AND DEVELOPMENT IN MEDICAL LIBRARY SCIENCE AND RELATED FIELDS".

(2) Section 396 of such Act is amended—

(A) by striking out "Sec. 396. (a)" and inserting in lieu thereof "(b)",

(B) by striking out in the second sentence of subsection (a) "under this section" and inserting in lieu thereof "under this subsection",

(C) by redesignating subsection (b) as subsection (c), and

(D) by striking out the section heading.

(3) Sections 397, 398, 399, 399a, and 399b of such Act are redesignated as sections 396, 397, 398, 399, and 399a, respectively.

MEANING OF SECRETARY

Sec. 10. As used in the amendments made by this Act, the term "Secretary" means the Secretary of Health, Education, and Welfare.

EFFECTIVE DATE

Sec. 11. The amendments made by this Act shall apply with respect to appropriations for fiscal years ending after June 30, 1970.

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that the committee amendment in the nature of a substitute be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The CHAIRMAN. Are there any amendments?

There being no amendments to be proposed, the question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Edwards of California, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 11702) to amend the Public Health Service Act to improve and extend the provisions relating to assistance to medical libraries and related instrumentalities, and for other purposes, pursuant to House Resolution 464, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. SPRINGER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 370, nays 3, not voting 59, as follows:

[Roll No. 103]

YEAS—370

Abernethy
Adair
Adams
Addabbo
Albert
Alexander
Anderson, Calif.
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Annunzio
Ashley
Ayres
Baring
Barrett
Beall, Md.
Belcher
Bell, Calif.
Bennett
Betts
Bevill
Biaggi
Biester
Bingham
Blackburn
Blanton
Blatnik
Boland
Bolling
Brademas
Brasco
Bray
Brinkley
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Caffery

XUM

Carter
Casey
Cederberg
Celler
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clawson, Del
Clay
Cleveland
Cohelan
Collins
Colmer
Conable
Conte
Conyers
Corbett
Corman
Coughlin
Cowger
Cramer
Culver
Cunningham
Daddario
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Dennis
Devine
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Feighan
Findley
Fish
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Foreman
Fountain
Friedel
Fulton, Pa.
Fuqua
Galifianakis
Gallagher
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodling
Gray
Griffin
Griffiths
Grover
Gubser
Gude
Hagan
Haley
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harsha
Harvey
Hastings
Hathaway
Hawkins
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Hogan
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, N.C.
Jones, Tenn.
Karth
Kastenmeier
Kazen
Kee
Keith
King
Kleppe
Kluczynski
Koch
Kuykendall
Kyl
Kyros
Landgrebe
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lowenstein
Lujan
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McKneally
McMillan
Macdonald, Mass.
MacGregor
Madden
Mahon
Mailliard
Marsh
Martin
Mathias
Matsunaga
May
Mayne
Meeds
Melcher
Meskill
Michel
Mikva
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Mizell
Monagan
Montgomery
Moorhead
Morgan
Morse
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Obey
O'Hara
O'Konski
Olsen
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Podell
Poff
Pollock
Preyer, N.C.
Price, Ill.
Pryor, Ark.
Pucinski
Purcell
Quie
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes
Riegle
Roberts
Rodino
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Ruppe
Ruth
Ryan
St Germain
St. Onge
Sandman
Satterfield
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Sebelius
Shriver
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Sullivan
Symington
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watkins
Watson
Watts
Weicker
Whalen
Whalley
White
Whitehurst
Widnall
Williams
Wilson, Bob
Wilson, Charles H.
Winn
Wold
Wright
Wyatt
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—3

Camp
Gross
Saylor

NOT VOTING—59

Abbitt
Andrews, N. Dak.
Arends
Ashbrook
Aspinall
Berry
Boggs
Bow
Brock
Burton, Calif.
Burton, Utah
Cahill
Carey
Clausen, Don H.
Collier
Dawson
Dent
Derwinski
Dickinson
Diggs
Dingell
Edwards, Ala.
Fascell
Flowers
Fraser
Frelinghuysen
Frey
Fulton, Tenn.
Goldwater
Green, Oreg.
Green, Pa.
Hays
Joelson
Jones, Ala.
Kirwan
Lukens
Mann
Miller, Calif.
Mollohan
Nix
O'Neal, Ga.
Powell
Price, Tex.
Quillen
Rivers
Robison
Rogers, Colo.
Roybal
Scheuer
Shipley
Sikes
Sisk
Steiger, Wis.
Tunney
Whitten
Wiggins
Wolff
Wydler
Yatron

So the bill was passed.

The Clerk announced the following pairs:

Mr. Kirwan with Mr. Cahill.

Mr. Hays with Mr. Steiger of Wisconsin.

Mr. Boggs with Mr. Arends.

Mr. Whitten with Mr. Edwards of Alabama.

Mr. Aspinall with Mr. Andrews of North Dakota.

Mr. Carey with Mr. Don Clawson.

Mr. Dent with Mr. Brock.

Mr. Green of Pennsylvania with Mr. Frelinghuysen.

Mr. Sikes with Mr. Ashbrook.

Mr. Shipley with Mr. Collier.

Mr. Rivers with Mr. Bow.

Mr. Rogers of Colorado with Mr. Berry.

Mr. Jones of Alabama with Mr. Frey.

Mr. Miller of California with Mr. Goldwater.

Mr. Abbitt with Mr. Burton of Utah.

Mr. Wolff with Mr. Wydler.

Mr. Burton of California with Mr. Wiggins.

Mr. Dingell with Mr. Lukens.

Mr. O'Neal of Georgia with Mr. Derwinski.

Mrs. Green of Oregon with Mr. Scheuer.

Mr. Fraser with Mr. Dickinson.

Mr. Fulton of Tennessee with Mr. Price of Texas.

Mr. Sisk with Mr. Nix.

Mr. Roybal with Mr. Powell.

Mr. Mollohan with Mr. Diggs.

Mr. Joelson with Mr. Dawson.

Mr. Tunney with Mr. Flowers.

Mr. Fascell with Mr. Yatron.

Mr. Mann with Mr. Robison.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

AUTHORIZING APPROPRIATIONS FOR THE STANDARD REFERENCE DATA ACT

Mr. DADDARIO. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4284) to authorize appropriations to carry out the Standard Reference Data Act.

The SPEAKER. The question is on the motion offered by the gentleman from Connecticut.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 4284, with Mr. EDWARDS of California in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Connecticut (Mr. DADDARIO) will be recognized for 30 minutes, and the gentleman from California (Mr. BELL) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Connecticut.

Mr. DADDARIO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the purpose of H.R. 4284 is to authorize appropriations for the continuation of standard reference data activities at the National Bureau of Standards in fiscal years 1970 and 1971. This would involve authorization of $2.4 million for fiscal year 1970 and $3.6 million for fiscal year 1971.

The standard reference data bill was first considered and passed by the House in August 1966, and signed into law in July 1968. When first proposed to the House, the Bureau of Standards wanted a rapidly expanding program which would grow from $1.86 million the first year to $4.8 million the second year. Because of the budget situation and the war in Vietnam, the House recommended a less accelerated program and required that the program be reauthorized this year.

In keeping with congressional intent, the Bureau did scale down its program, and the bill now before us represents, we believe, a reasonable level of effort.

Mr. Chairman, the purpose of the standard data system is to make critically evaluated quantitative data on the physical and chemical properties of substances readily accessible to scientists and engineers throughout the country. This includes, for example, measurements of the amount of energy released when chemical elements combine to form new compounds, or the ability of various substances to conduct electricity or heat under certain conditions. It also shows how various metals or compounds react to different stresses and strains, or temperature changes.

This type of information is urgently needed not only for the efficient conduct of our national research and development effort, but is required in the commercial sector of our economy as well. It is used as basic reference data in such diverse fields as transportation, electronics, construction, and the manufacturing of commercial goods, medicines, and other products.

The raw data from which standard reference data are developed result from property measurements produced through research conducted by millions of scientists and engineers throughout the world, and are published in the many thousands of scientific journals and reports. Therefore, while these data theoretically are available to anyone who is prepared to search the literature to find them, it is quite often difficult to locate a specific number or value in the millions of pages of scientific literature. Of equal importance is the fact that once the number or value is located, it is difficult to determine just how reliable such information is. Only a specialist in the field can tell which number is most likely to be correct, and it is these specialists who, working with the National Bureau of Standards, select a single value or range of values as the best or "standard" value to be incorporated in the standard data system. The data may then be used with confidence, and scientists and engineers may depend upon the reliability of the measurements without having to again conduct the experiments.

During the past year, the Bureau has continued to gather and evaluate data in the seven broad areas covered by the program. These are nuclear properties, atomic and molecular properties, solid state properties, thermodynamic and transport properties, chemical kinetics, colloid and surface properties, and mechanical properties.

In fiscal year 1969, the Bureau published a total of 15 standard data compilations dealing with such subjects as molten salts, thermal conductivity, reaction kinetics, and electron impact.

The publication on molten salts, for example, contains data on the properties of 174 salts gathered from 256 references in several languages which has been evaluated to determine a consistent set of values. Without this book, scientists and engineers requiring this information would be faced with the task of doing their own search of the literature dating as far back as 1904. Data on molten salts have increasing industrial and scientific importance because most metals are prepared or purified by electrolytic or chemical processes involving molten salts. In addition, molten salts are used in a variety of batteries and fuel cells, and the so-called molten salt reactor is one of the most promising of the new generation of nuclear power reactors under development.

In fiscal years 1970 and 1971, the Bureau will continue to place primary program emphasis on the fields of thermodynamic and transport properties and upon atomic and molecular properties. In determining program priorities, the Bureau considers first, the need for critically evaluated data in a given field; second, the present level of activity; and third, the "ripeness" of the field for critical evaluation—that is, whether the measurement techniques appear to be sufficiently stabilized that the data will remain current for a reasonable period.

In the field of nuclear data, for example, there is a clear need for the data, but the Atomic Energy Commission has been able to satisfy most of the demands, and the Bureau has not become heavily involved in this area. However, in fiscal years 1970 and 1971, the Bureau will be supporting, in conjunction with the Atomic Energy Commission, data relating to radioisotopes. This data is of great value to physicists involved in basic nuclear research, as well as to engineers concerned with nuclear reactors. Nuclear chemists engaged in isotope tracer studies and analytic chemists who are developing sensitive means of chemical analysis must have such data. There are also increasing demands in the medical and biological fields, and in fact almost every scientist or engineer who uses radioactive isotopes has some need for this data.

Unlike the situation existing in the nuclear field, in atomic and molecular and thermodynamic and transport data there is no single Government agency or private group that has been active in the field, and since the need is still great, the Bureau has made a substantial effort in this area. Generally speaking, this type of data cuts across conventional disciplinary lines, and is used by most scientists and engineers. Engineers, for example, require information relating to the thermal conductivity, heat capacity and viscosity of the materials with which they are working.

In addition, the entire chemical industry rests upon a base of thermodynamic data since the efficiency of every chemical process is governed by the thermodynamic properties of the substances involved.

Mr. Chairman, the increasing complexity of Government and industry leads to demands for a greater variety of data and for data of higher accuracy. The data compilations used in the past are insufficient in scope and accuracy for modern needs, and the standard data program at the Bureau must be continued.

As I view it, Mr. Chairman, this program can be considered an effort to promote efficiency of operations and to avoid duplication of effort in our entire research and development effort. It is an important program and it deserves the support of the House.

Finally, Mr. Chairman, I should point out that this program has the approval of the Nixon administration, and while the overall budget of the Bureau of Standards was reduced from $41 million to $38 million, the President did not change the amount requested for the standard data program.

Mr. Chairman, I would now like to answer any questions the Members may have.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. DADDARIO. I yield to the gentlemna from Missouri.

Mr. HALL. I appreciate the gentleman's yielding. I was anxious not to interrupt his statement, but still I would like a little information.

As I understand the bill, it will merely authorize to be appropriated sufficient funds to carry out Public Law 90-396. That law is already in effect, and the merits of the bill, so far as collecting the data, collating it, and using computers, and so forth, so that it will be universally available, is not under discussion, although at the time of the discussion it might have been considered that was a function of industry, or of the using industries of the data rather than the Federal Government. Is that a correct assumption to start with?

Mr. DADDARIO. It is a correct assumption except in regard, I might say, to the idea that industry could in fact compile this information on its own or that the using agencies could in fact do it. Over a period of time it was found that this was not being done. For the past decade or so this information was not being compiled. We found a need to put the data together in this way, and that recommendation was in fact made and followed by this House last year.

Mr. HALL. Therefore, because it is the law of the land at the present time, all we are doing is authorizing the appropriation?

Mr. DADDARIO. That is correct, sir.

Mr. HALL. I can understand how this data is being collected at such a rapid rate in so many different languages from so many different sources and notions, and that there might be a need for collation and proper portrayal.

But, getting down to the bill itself, as I understand it, the committee will mark out the open-ended feature by striking—

and such sums as may be necessary for succeeding fiscal years

And limiting it to a $6 million ceiling for the fiscal years 1970 and 1971.

Mr. DADDARIO. That is correct. That is the way the bill came to us from the administration.

Mr. HALL. The bill has been approved by this administration, although it was submitted by former Secretary of Commerce Smith, just prior to the inauguration; is that correct?

Mr. DADDARIO. It has been approved by the Nixon administration.

I should like to add that the administration supports this in this amount of $2.4 million for fiscal 1970, even though the Bureau's overall budget request was reduced.

Mr. HALL. Therefore, it is budgeted and it was approved by the Bureau of the Budget as I determined from the committee report.

Mr. DADDARIO. That is correct.

Mr. HALL. What I am leading up to, Mr. Chairman—and I appreciate the gentleman's statements—is that this $6 million is the sum total of $2.4 million which is expected to be expended by the department in fiscal year 1970, and the $3.6 million in 1971. In other words, this is not an authorization of $6 million for each of the fiscal years 1970 and 1971?

Mr. DADDARIO. The gentleman is correct.

Mr. HALL. I thank the gentleman.

Mr. GROSS. Mr. Chairman, will the gentleman yield to me?

Mr. DADDARIO. I certainly do.

Mr. GROSS. I thank the gentleman for yielding.

Is there any charge made for the information collected through this process?

Mr. DADDARIO. There is a charge being made, I might say to the gentleman, to the users of the data. At first it had been expected that the return would be something on the order of 25 percent of the overall costs, but this, as we have been able to review it, was an optimistic figure. It is expected that the users will

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repay something along the line of 10 to 15 percent of the overall cost.

Mr. GROSS. They are presently paying 10 to 15 percent or will be in the future?

Mr. DADDARIO. It is expected that they will.

Mr. GROSS. But it is not the 25 percent which, as the gentleman said, was a little overoptimistic?

Mr. DADDARIO. That is correct.

Mr. GROSS. How does this compare with the expenditure for fiscal year 1969 for this purpose? We have had enough experience now, I presume, to judge that.

Mr. DADDARIO. The estimate is based on a long-range study of this particular situation. We really have not had that much experience from what we have done since 1969. Rather, this estimate is based on a review of the overall situation and how it looks for the future.

Mr. GROSS. If the gentleman will yield further, I am not talking now about the percentage return or the fee charged as a percent of the cost—the fees paid to the Government.

May I ask this question: Do these funds go to the General Treasury or are they returned to NASA?

Mr. DADDARIO. This is not a NASA activity; this is the National Bureau of Standards. The funds go back to the General Treasury.

Mr. GROSS. The money then goes to the Treasury of the United States or to the Department of Commerce?

Mr. DADDARIO. It is my understanding that it goes back to the Treasury of the United States.

Mr. GROSS. I see. Did you have a full year's appropriation last year?

Mr. DADDARIO. Yes, sir.

Mr. GROSS. In 1969?

Mr. DADDARIO. There was an authorization and an appropriation last year.

Mr. GROSS. What was the actual appropriation for the fiscal year?

Mr. DADDARIO. $1.9 million.

Mr. GROSS. What is the reason for the step-up to $2.4 million in fiscal 1970 and to $3.6 million in 1971?

Mr. DADDARIO. Because it is a program which we were just getting underway. It was understood that it would gradually increase to something on the order of $18 to $20 million over the course of many years. That overall figure also has now been reduced because since we have begun doing this other countries have begun to participate, and it looks as though the overall job will be done in a cheaper way. Nonetheless, the increase as we go along is to develop a capability to handle this very important matter and to develop the personnel and capability to do it. We will naturally start with the low sum, and we will work up from there. As I said, we expect next year an expenditure in the amount of $3.6 million.

Mr. BELL of California. Mr. Chairman, will the gentleman yield?

Mr. DADDARIO. I yield to the gentleman from California.

Mr. BELL of California. Is it not also true that there has been a considerable demand for this type of work on the part of the National Bureau of Standards and data organizations of the industrial and academic communities?

Mr. DADDARIO. There is no question but that there has been a tremendous demand. The reason this program was developed was because of this need and the inability of the private sector in fact to be able to do it because of its complex nature.

Mr. BLATNIK. Mr. Chairman, will the gentleman yield?

Mr. DADDARIO. I shall be glad to yield to the gentleman from Minnesota.

Mr. BLATNIK. Mr. Chairman, I wish to commend the gentleman for the splendid contribution which he and his colleagues on the Subcommittee on Science, Research, and Development have made in several very important areas, including some very complicated scientific fields. There also exists an excellent working relationship between our Committee on Public Works and the Committee on Science and Astronautics in matters dealing particularly with problems in the field of pollution. I know the chairman understands that we are interested in this question of pollution.

Although I do believe we are in agreement, for clarification of the RECORD, may I ask for an explanation of the language which appears in the report at the bottom of page 2, the last paragraph, which reads as follows:

> To date the program in the field of chemical kinetics has emphasized the analysis of data on the chemical reactions of gases. In fiscal years 1970 and 1971, this emphasis will shift to the chemical reactions of solutions because of the need for this data to combat water pollution.

Then at the top of page 3—and this in my opinion needs clarification—there is the following:

> In order to develop procedures to control stream and river pollution, it is necessary to understand the rates and mechanisms of reactions of possible pollutants with water.

The question which I would like to ask the gentleman, my very good friend, is this: Is it correct that these provisions would not provide or authorize you to make grants to research what is occurring in various solutions and in various technical fields, but this merely authorizes the collection of data as developed from other sources?

Mr. DADDARIO. What this does is to develop and evaluate information on such matters, for example, as waste soap. Soap disolves in water and this is designed to determine at what rate it dissolves and this information can then be evaluated. This would involve not only soaps, but detergents and other soluble matters. Then this information would be put together and evaluated in a critical way which would be of benefit to the water pollution programs which come under the jurisdiction of the committee on which the gentleman from Minnesota serves. Similarly, the work being done in various other fields such as nuclear energy would be of benefit to the Atomic Energy Commission.

Mr. BLATNIK. The reason I ask the question is because we have already authorized for research and demonstration grants, grants to attempt to solve many problems which remain unsolvable and to seek solutions to control some of these sophisticated chemicals. We have already authorized anywhere from $60 to $100 million in the Water Pollution Control Act.

Mr. DADDARIO. May I say to the gentleman that there is no conflict in this regard. The information which will come from this program is the kind of information which is forwarded to the National Bureau of Standards and then which is compiled into this list of critical data. It is not an exclusive area, but it is a compilation of such information wherever it might be found so that it can be made available, and it preserves the work being done through research in the area which the gentleman is discussing and in many other areas as well.

Mr. BLATNIK. Mr. Chairman, the gentleman has answered and clarified my questions to my satisfaction.

We have authorized seven regional and two national water pollution control laboratories for the first time which delve in great depth into very complicated and precise problems, including chemical studies and reactions that lead to pollution, causes of pollution and steps or procedures necessary to abate that pollution or maintain it at a permissible level. This operation would authorize the Bureau of Standards to gather this data from all sources, whether it be a Federal laboratory, a university, or a chemical industry.

The proposal made here would be to allow the Bureau of Standards to gather all this information into a readily available booklet. It may even be computerized. Their purpose would not be that of going into creative research work, but merely the collecting and the filing of other research work.

Mr. DADDARIO. The gentleman from Minnesota is correct, Mr. Chairman, in this regard. Wherever this information is available, and after it is analyzed, it can be made available by the Bureau of Standards. So the Bureau of Standards might not be working just in this one particular area, but in other areas as well, and perhaps in conjunction with other groups. The results of the work of an agency such as the one the gentleman referred to, having special talents to do that particular research, would do it, and the results would then be available to the Bureau of Standards.

Mr. BLATNIK. Mr. Chairman, I thank the gentleman for yielding, and I commend him. This is a very badly needed service, especially with the proliferation of scientific knowledge into so many complex and highly specialized fields. The average, busy scientist, regardless of the area in which he specializes or works, needs such assistance so that that information and data can be readily available to him from a central source.

Mr. Chairman, I thank the gentleman for his explanation and for his clarification, and I strongly urge the adoption of this measure.

Mr. DADDARIO. Mr. Chairman, I appreciate the questions that have been asked by the gentleman from Minnesota, and I thank the gentleman for having done so.

The CHAIRMAN. The Chair now recognizes the gentleman from California (Mr. BELL).

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Mr. BELL of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in favor of H.R. 4284, the Standard Reference Data Act.

I would also like to compliment my distinguished colleague from Connecticut on his remarks and on his diligent performance as chairman of the Subcommittee on Science, Research, and Development.

This legislation was unanimously reported by the committee.

Dr. Allen Astin, Director of the National Bureau of Standards, testified before our committee that the standard reference data program is one of the Bureau's most sophisticated activities and is one which contributes significantly to understanding and communication among scientists and engineers.

Both the sophistication and the need for the program are, I believe, self evident.

The acceleration of scientific technological achievements during the past decade has been breathtaking.

I would ask my colleagues to reflect for just a moment on the fact that the extent of accomplishments in science and technology since World War II will be duplicated in the next 5 years.

Indeed, the flood of information pouring from the world's laboratories has nearly overcome the capacity of normal scientific processes to digest it.

The standard reference data system exists to keep this output manageable.

I want to point out to my colleagues that this is not an open-ended authorization.

The Fulton amendment adopted by this body on August 14, 1967, provides for annual authorizations, and I commend the gentleman from Pennsylvania for his foresight.

Annual review will allow us continuing influence over the management of all this material, its availability and distribution.

Mr. Chairman, I urge that my colleagues recognize the essential function performed by the national standard reference data program and give their full support to the bill before us.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BELL of California. I yield to the gentleman.

Mr. FULTON of Pennsylvania. I congratulate the gentleman on his excellent statement and commend the work of the subcommittee on this legislation as well as the full Committee on Science and Astronautics.

Mr. Chairman, I favor this legislation. I believe it is necessary if we are going to be able to have available for our engineers and scientists the fruits of science and modern progress and be able to have this information readily available in many fields and disciplines.

So I strongly feel this bill should be passed.

Mr. DADDARIO. Mr. Chairman, I yield to the gentleman from California (Mr. MILLER), chairman of the Committee on Science and Astronautics, such time as he may desire.

Mr. MILLER of California. Mr. Chairman, for centuries it has been the custom to sort and classify and store the results of scientific investigations. This store is a resource from which scientists and engineers draw information on the matter and materials of the world in order to fashion the goods upon which our standard of living is based.

But the exponential growth of the volume of scientific results being produced has left the old fashioned sort and store operations way behind. The new material is so vast that the sorting cannot be kept up to date; even the sorted data includes unreliable numbers, contradictory numbers. The scientist or engineer who needs this information is in for a time-consuming and often frustrating time. His time and his frustration add up to a colossal waste over the whole of our scientific and technological activity.

The new concept introduced by the standard reference data system is the comprehensive, systematic evaluation of data so that they are available when and where needed. Experts select only those numbers for the properties of matter and materials they believe to be the most reliable. The result is a much reduced searching time, and a much increased chance of finding useful and reliable data.

The data we are talking about here are the life blood of our modern technology. A nuclear power plant designer decides how much cooling fluid is required by knowing how rapidly heat is conducted through the coating of the uranium fuel element in the reactor core, how rapidly heat is conducted through the shielding material, and how rapidly heat is transferred though the material of the steam generator. To the extent that these data do not exist, are not readily available, or are unreliable, we delay the progress of our technology and waste our resources.

A good start has been made toward the establishment of an operating standard reference data system, but this program requires our continuing support. It can enhance our scientific and technological progress at a relatively miniscule investment, and I urge the House to support the bill.

Mr. PETTIS. Mr. Chairman, the standard reference data program administered by the National Bureau of Standards is an excellent program that is directed at solving the problem of recording, validating, and storing the world's scientific and technical output. The program allows for a sifting through of the tremendous amount of data on the properties of matter and materials produced by modern science and technology to find the most reliable and accurate values of these properties.

The result of this work is that the individual scientist and engineer need not do this sort of work himself. Because of this, the program not only saves valuable time and manpower in science and industry but also gives us reliable standards, universally accepted.

We are all aware of the need for scientific and technological information now and in the next decade that will give us the answers to solving our problems of hunger, pollution, overcrowded cities, and the greater use of our resources. Any program that will aid our scientists and technologists in gaining time in reaching decisions needs our support.

Significantly, the Soviet Union patterned their standard reference data system after ours and I feel the following article from a Soviet Union publication in August of 1966 is of interest to the Members:

> From the experience gained by the national service of the USA and the preliminary evaluation of the efficiency of such a service in our country, it is possible to conclude that the GSSSD (State Service of Standard Reference Data) is a highly economical system. The application of this service on a countrywide scale will help sharply to reduce the time spent by experts in science and technology on obtaining information, to decrease rejects due to unreliable data on the properties of substances and materials at all the stages of industrial planning, production, utilization, and repairs; to speed up adoption of new materials in production, and eliminate the duplication of work. The profits obtained as a result of the GSSSD activity on a national scale will greatly exceed the expenditure required for its establishment.

The standard reference data bill, H.R. 4284, is sensible and should be supported.

Mr. TEAGUE of Texas. Mr. Chairman, the standard reference data program is an important program and should be supported. I should also point out that the bill was unanimously reported by the committee.

I believe one point which deserves emphasis is that the Government itself is a major user of standard reference data. The programs of the Department of Defense, National Aeronautics and Space Administration, Atomic Energy Commission, and many other agencies are critically dependent upon accurate data. The design of rocket engines, life support systems, long-range communication systems, and nuclear reactors all require data of extremely high accuracy. And from what I understand, our sophisticated methods of missile defense often depend upon standard reference data in the areas of chemical kinetics, atomic and molecular properties, and thermodynamic and transport properties. In planning its program, the needs of the Government are always considered and provided by the Bureau.

Another way to illustrate the Government involvement in standard data is to consider the production of the raw data which is evaluation. It is easy to trace the producers of data from the documentation which is present in the standard data publications, and the Bureau recently made a survey of the references quoted in three of their publications which appeared during fiscal year 1969—NSRDS-NBS-15, 20, and 25. Among references to work carried out in the United States, over 70 percent gave acknowledgments of work done by or for specific Government agencies, mainly AEC, DOD, and NSF. In addition, this figure tends to underestimate the actual Government involvement, since it covers only specific projects and grants and does not consider the more general forms of Government assistance to universities which may in fact be used to conduct research.

In this light, the standard data program may be considered as an integral

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part of the total Government research and development program. The utility of the research supported by the various agencies of the Government is greatly enhanced by the consolidation, critical evaluation, and dissemination which is carried out by the Bureau. I should also point out that the cost of this program is a very small fraction—perhaps one-tenth of 1 percent—of the total Government support of basic research alone, and an even smaller fraction of the $16 billion Government research and development effort. If these funds for the standard data program can improve the efficiency of the Federal R. & D. program, then I believe the funds will have been well spent.

Finally, I would like to point out that this is one of the few programs in Government where we can take advantage of, and receive a benefit from, the research work being conducted in foreign countries—Russia, England, Germany, and France. Another interesting point which came out of this survey I mentioned is that 51 percent of the references cover work done in foreign laboratories. Much of this foreign work was reported in obscure journals, and was conducted in laboratories whose competence would be unknown to many American scientists and engineers. By making these foreign results available to U.S. scientists after critical evaluation by the Bureau, it is possible to realize a considerable savings. It would be difficult to make a meaningful quantitative estimate of these savings, but it is clear that if the evaluated data of foreign origin were not available, it would be necessary to repeat many of the measurements in U.S. laboratories.

Mr. BELL of California. Mr. Chairman, I have no further requests for time.

Mr. DADDARIO. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there are hereby authorized to be appropriated to the Department of Commerce such sums as may be necessary for the fiscal years 1970 and 1971, but not to exceed a total of $6,000,000, to carry out the purposes of the Standard Reference Data Act (Public Law 90-396; 82 Stat. 339).

Mr. DADDARIO (during the reading). Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with and that it be printed in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 1, lines 6 and 7, strike "and such sums as may be necessary for succeeding fiscal years,".

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. PRICE of Illinois) having assumed the chair, Mr. EDWARDS of California, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4284) to authorize appropriations to carry out the Standard Reference Data Act, pursuant to House Resolution 446. he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FULTON of Pennsylvania. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 367, nays 2, not voting 63, as follows:

[Roll No. 104]

YEAS—367

Abernethy
Adair
Adams
Addabbo
Albert
Alexander
Anderson, Calif.
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Annunzio
Ashley
Ayres
Baring
Barrett
Beall, Md.
Belcher
Bell, Calif.
Bennett
Betts
Bevill
Biaggi
Biester
Bingham
Blackburn
Blanton
Blatnik
Boland
Brademas
Brasco
Bray
Brinkley
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Caffery
Camp
Carter
Casey
Cederberg
Celler
Chamberlain
Chappell
Clark
Clawson, Del
Clay
Cleveland
Cohelan
Collins
Colmer.
Conable
Conte
Conyers
Corbett
Corman
Coughlin
Cowger
Cramer
Culver
Daddario
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Dennis
Devine
Dingell
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Fish
Fisher
Flood
Flynt
Ford, Gerald R.
Ford, William D.
Foreman
Fountain
Friedel
Fulton, Pa.
Fuqua
Galifianakis
Gallagher
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodling
Gray
Griffin
Griffiths
Grover
Gubser
Gude
Haley
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Harsha
Harvey
Hastings
Hathaway
Hawkins
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Hogan
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kastenmeier
Kazen
Kee
Keith
King
Kleppe
Kluczynski
Koch
Kuykendall
Kyl
Kyros
Landgrebe
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Lowenstein
Lujan
McCarthy
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McKneally
McMillan
Macdonald, Mass.
MacGregor
Madden
Mahon
Mailliard
Marsh
Martin
Mathias
Matsunaga
May
Mayne
Meeds
Melcher
Meskill
Mikva
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Mizell
Mollohan
Monagan
Montgomery
Moorhead
Morgan
Morse
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Obey
O'Hara
O'Konski
O'Neill, Mass.
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Podell
Poff
Pollock
Preyer, N.C.
Price, Ill.
Pryor, Ark.
Pucinski
Purcell
Quie
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes
Riegle
Rivers
Roberts
Rodino
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Ruppe
Ruth
Ryan
St Germain
St. Onge
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Scheuer
Schneebeli
Schwengel
Scott
Sebelius
Shipley
Shriver
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Sullivan
Symington
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watkins
Watson
Watts
Weicker
Whalen
Whalley
White
Whitehurst
Williams
Wilson, Bob
Wilson, Charles H.
Winn
Wold
Wright
Wyatt
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—2

Gross
Michel

NOT VOTING—63

Abbitt
Andrews, N. Dak.
Arends
Ashbrook
Aspinall
Berry
Boggs
Bolling
Bow
Brock
Burton, Calif.
Cahill
Carey
Chisholm
Clancy
Clausen, Don H.
Collier
Cunningham
Dawson
Dent
Derwinski
Dickinson
Diggs
Edwards, Ala.
Flowers
Foley
Fraser
Frelinghuysen
Frey
Fulton, Tenn.
Goldwater
Green, Oreg.
Green, Pa.
Hagan
Hansen, Wash.
Hays
Joelson
Jonas
Kirwan
Long, Md.
Lukens
McClory
Mann
Nix
Olsen
O'Neal, Ga.
Ottinger
Passman
Powell
Price, Tex.
Quillen
Robison
Rogers, Colo.
Roybal
Sikes
Sisk
Tunney
Whitten
Widnall
Wiggins
Wolff
Wydler
Yatron

So the bill was passed.

The Clerk announced the following pairs:

Mr. Kirwan with Mr. Bow.
Mr. Hays with Mr. Collier.
Mr. Aspinall with Mr. Andrews of North Dakota.
Mr. Carey with Mr. Cahill.
Mr. Dent with Mr. Derwinski.
Mr. Green of Pennsylvania with Mr. Clancy.
Mr. O'Neal of Georgia with Mr. Ashbrook.
Mrs. Green of Oregon with Mr. Frelinghuysen.
Mr. Fraser with Mr. Berry.
Mr. Sisk with Mr. Don Clausen.
Mr. Roybal with Mr. Lukens.
Mr. Mann with Mr. Brock.
Mr. Nix with Mr. Olsen.
Mr. Ottinger with Mr. Cramer.
Mr. Joelson with Mr. Cunningham.
Mr. Boggs with Mr. Arends.
Mr. Abbott with Mr. Dickinson.
Mr. Whitten with Mr. Edwards of Alabama.
Mr. Foley with Mr. Frey.
Mr. Tunney with Mr. Goldwater.
Mr. Passman with Mr. Jonas.
Mr. Burton of California with Mr McClory.
Mr. Hagan with Mr. Price of Texas.
Mr. Rogers of Colorado with Mr. Quillen.
Mr. Flowers with Mr. Robison.
Mr. Fulton of Tennessee with Mr. Widnall.
Mr. Long of Maryland with Mr. Wiggins.
Mr. Sikes with Mr. Wydler.
Mr. Yatron with Mr. Diggs.
Mrs. Chisholm with Mr. Dawson.
Mrs. Hansen of Washington with Mr. Powell.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. DADDARIO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

RETURN TO THE SENATE OF S. 1583, APPOINTMENTS AND PROMOTIONS IN THE POST OFFICE DEPARTMENT AND ACCOMPANYING PAPERS

The SPEAKER. The Chair lays before the House a request from the Senate.

The Clerk read as follows:

> That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 1583) entitled "An Act to provide that appointments and promotions in the Post Office Department, including the postal field service, be made on the basis of merit and fitness", together with all accompanying papers.

PARLIAMENTARY INQUIRY

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state the parliamentary inquiry.

Mr. GROSS. Mr. Speaker, is this the bill that was passed by the other body on Tuesday morning without any debate whatsoever, the only explanation being the bill as printed in the RECORD?

The SPEAKER. The Chair is not aware of what action took place in the other body.

The Chair is aware of the action of the other body which is now before the House.

Without objection, the request of the Senate is agreed to, the Committee on Post Office and Civil Service is discharged from further consideration of the bill S. 1583, and the Clerk will return the bill to the Senate.

There was no objection.

LEGISLATIVE PROGRAM

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time for the purpose of asking the distinguished majority leader the program for the remainder of this week and the schedule for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished minority leader, we have finished the legislative business for this week.

The program for next week is as follows:

Monday is District Day. There are 16 District bills as follows:

H.R. 9551, Metropolitan Police Band;

H.R. 1783, to incorporate Paralyzed Veterans of America;

H.R. 257, to prohibit picketing near church;

H.R. 4183, pensions to retired police and firemen's widows;

H.R. 4184, to equalize retirement benefits for totally disabled police and firemen;

H.R. 9548, to exempt Maryland and Virginia wages from attachment in District of Columbia;

H.R. 6947, to amend grandfather clause regarding chancery locations;

H.R. 9549, to amend Podiatry Act;

H.R. 9553, to amend District of Columbia Minimum Wage Act for hospital employees;

H.R. 4181, to amend statute of limitations regarding actions on property improvements;

H.R. 255, to deduct interest in advance on installment loans;

H.R. 12677, to convey property to Jewish Historical Society;

H.R. 8868, the Interstate Compact on Juveniles;

H.R. 12720, to convey property to Washington International School, Inc.;

H.R. 5967, two auto tags per Member; and

H.R. 12671, to permit employment of minors, 14 to 16.

On Tuesday:

H.R. 4018, to provide for the renewal and extension of certain sections of the Appalachian Regional Development Act of 1965—open rule, 2 hours of debate.

On Wednesday: No legislative business.

On Thursday:

H.R. 7491, to clarify the liability of national banks for certain taxes—open rule, 1 hour of debate; and

H.R. 8261, acquisition of control of air carriers—open rule, 1 hour of debate; making in order the committee substitute as an original bill for purpose of amendment.

This announcement is made subject to the usual reservation that conference reports may be brought up at any time and any further program will be announced later.

APOLLO 11 LAUNCHING

Mr. ALBERT. Mr. Speaker, all Members are aware that the Apollo 11 launch, one of the historic events in the history of this country, is scheduled for Wednesday next. Many Members are expected to be present at the launching. As I understand, all Members have been invited. In view of that, I ask unanimous consent that when the House adjourns on Tuesday next, it adjourn to meet on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, in view of the dire necessity to meet the financial crisis that this country is in, I am unable to find any reason at all why a substantial amount of money should be spent to transport to Florida—I do not know how many Members of Congress and their wives or other members of their families—to this launching. I do not know how much this enterprise is going to cost, but I do know it will cost a tremendous amount of money. I have no other way of protesting this sort of thing. I think this is one of the most ill-advised operations that we could have at this time.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Oklahoma.

Mr. ALBERT. The gentleman is a very responsible and important member of the party which operates the administration.

Mr. GROSS. Which administration?

Mr. ALBERT. As I understand, the invitation to attend the launching has come from the administration, not from the House of Representatives.

Mr. GROSS. The remarks that I just made still apply, I will say to the gentleman, regardless of whose administration it came from.

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Texas.

Mr. TEAGUE of Texas. I am just as concerned as the gentleman is.

About 60 years ago, here on the House floor, the same kind of debate was taking place on the airplane. The House was told that it would never contribute to the economy of our country. I wonder what the Members who stated such views would say if they were here today?

We are spending between $3 and $4 billion a year on our space program. I do not believe there is any way that a layman, such as our Members are, can have a feeling for the space program without just flat seeing part of it, and I think this is a very popular subject for our people today, the Members of Congress.

I am very sorry the gentleman feels

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the way he does. I wish he would go down to Florida. If he would go down there and see something of our space program and how it is operating, he would get a feel of what our country is doing. If there is anything in the world today our country is on top of, it is the space program. Around the world there is nothing that gives our country a better image than our space program.

Mr. GROSS. I do not know of a single thing that a Member of Congress can contribute by way of a safe launching of this vehicle or the safe return to earth of this vehicle by having taken a trip down to Florida. I do know one thing. I believe every Member of this House has a television set. I intend to be watching on television, to the extent of the time I have to devote to it. I will be interested in reading newspaper accounts and hearing radio accounts of this launching and the flight of this vehicle. Yes, of course, I will, but I do not need to go to Florida to spend the taxpayers' money for that purpose in an enterprise to which I could make no good contribution.

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. Yes, of course, I yield to the gentleman from Texas.

Mr. TEAGUE of Texas. There are many Members of this body who have been present for one launching, and I would tell the gentleman that there is not one of those who would say he could have learned from TV what he saw going on down there while witnessing the launch. It is just different. That is all there is to it.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Oklahoma.

Mr. ALBERT. I desire to associate myself with the remarks of the distinguished chairman of the Subcommittee on Manned Space Flight who, as everyone knows, is a very outstanding Member of the House, and is certainly always conscious of our responsibilities to the taxpayers. I observed the Apollo 8 launching and had an opportunity to inspect the facilities at Cape Kennedy. I believe the gentleman would have a better working basis on which to judge future requests for money on the part of NASA if he were to go down there and see the operation. I really think the gentleman would.

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield for one further comment?

Mr. GROSS. I yield to the gentleman from Texas.

Mr. TEAGUE of Texas. Mr. Speaker, if I can arrange a trip for the gentleman from Iowa which does not cost the taxpayers a cent, will the gentleman go down and look over the space program at Cape Kennedy and the launching?

Mr. GROSS. No; I thank the gentleman, because I do not think I can contribute anything to the launching by making such a trip. If I thought I could contribute, I would go. I do not think anyone else is going to contribute anything to it other than those who are closely associated and connected with the program and have a knowledge of what is taking place.

Mr. Speaker, I have no desire to prolong this.

Mr. Speaker, I object to the request.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes; I yield to the gentleman from California and withhold my objection.

Mr. MILLER of California. Mr. Speaker, I asked the gentleman to yield because I wanted to make a statement correcting a statement made by the distinguished majority leader, and I know the gentleman will accept it.

The majority leader said this was the time of one of our greatest days in this country when these people will be launched. I would like to amend that and say it is one of the greatest days in the world. It is a day when for the first time in the history of mankind we will send men out who will put their feet on another celestial body. This is far greater than anything that has taken place. I hope the gentleman will accept the request.

Mr. ALBERT. Mr. Speaker, if the gentleman will yield further, I am glad to yield to the gentleman's appraisal of the situation. It certainly is a momentous moment in the history of the world.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, I object.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, in view of what has transpired, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ADJOURNMENT TO MONDAY, JULY 14, 1969

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. FULTON of Pennsylvania. Mr. Speaker, reserving the right to object, I wish to make it plain that the invitation to attend the Apollo 11 launch at Cape Kennedy on Wednesday, July 16th, is a bipartisan invitation on the part of the NASA Administrator and the Democratic side of the House as well as the Republican side of the House. The invitation is for the U.S. day of history, man's first journey to the moon, the Apollo 11 launch of three U.S. astronauts for the moon on next Wednesday, July 16. Gee whillickers, what a day we have, all of us in the Congress.

Mr. Speaker, unless we people back these three fine U.S. astronauts on the most dangerous mission that we have ever had anybody undertake in this country for a peacetime purpose, I think we will be letting our U.S. astronauts down. Our American people do care, we in Congress care, and we will show our confidence by showing up to see our U.S. astronauts successfully on their way.

It must be remembered that in 1961 when President Kennedy stated as a national goal that this Nation would try to make a manned flight to the moon and return within this decade, on my motion a rollcall was held on the floor of this House, and this House unanimously authorized this particular journey and this tremendous Apollo program. To me it seems a shame that everyone in this House does not feel the same way and that some very, very few have changed their minds in spite of the tremendous successes of the United States in space to date.

I would suggest, Mr. Speaker, that certain people lift their sights above the cornstalks on either side of the row they are hoeing.

In peaceful competition, I am for our team of astronauts to land on the moon first, and for our good country to be preeminent in space, science, technology, and progress.

Sour grapes at this time in trying to prevent the 254 Members of the House from going to Cape Kennedy who have already accepted the invitation to cheer our team on, will not succeed in reducing our enthusiasm. Any Member can decide to stay home, but to attempt to block all the others against their will is simply poor sportsmanship.

Our hopes, our fears, and our cheers ride with our U.S. astronauts—brave, fearless, and dedicated, daring, competent, trained, and ready. What a time to be alive, what a privilege to participate in the Apollo program, I am deeply grateful.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SECRETARY KENNEDY USES SCARE TACTICS OF PRICE CONTROLS

(Mr. PATMAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PATMAN. Mr. Speaker, Secretary Kennedy should stop threatening general wage and price controls as a scare tactic about inflation.

Wage and price controls would have to be imposed by legislation and Secretary Kennedy does not have a chance of getting such a measure through the 91st Congress.

The Secretary of the Treasury is deceiving the country through these outlandish suggestions of controls that he has no power to impose. It is time for the Secretary to learn his job and to face up to the hard facts involving our monetary and fiscal problems. The use of scare tactics is childish and ineffective.

The imposition of wage and price controls would create an administrative monstrosity.

We would be administering millions of price and wage controls, and, as we discovered during World War II, these types of controls are almost impossible to administer fairly. We would create a huge black market operation and we would not accomplish the purposes for which the legislation might be intended.

As chairman of the Banking and Currency Committee, which has jurisdiction over price controls, I would consider wage and price controls only as a last resort when other measures have failed.

The Secretary and the administration could use the great powers of moral suasion at their command to control prices in many areas. The Secretary could have used moral suasion to prevent the latest increase in the prime lending rate by the major banks. This has been effective before and it would be effective now if the Secretary would use it. Instead, he resorts to silly and meaningless scare tactics about general statutory price controls.

By allowing the banks to raise the prime rate, Secretary Kennedy has already cost the American people an additional $15 billion a year in excessive, exhorbitant, and usurious interest rates. After striking this blow at the American people, I would hope that the Secretary would not do further damage by popping off about general wage and price controls.

IMPROVING THE FEDERAL DONABLE PROPERTY PROGRAM

(Mr. MONAGAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, I am sure that more than anyone else, you, yourself, have an understanding of and concern for the Federal donable property program. Your vision and effort during the years when you sat on the Government Operations Committee have resulted in a program which today can rightly claim to have given incalculable assistance to thousands of schools, hospitals, and other essential institutions throughout the United States. By this program, authorized under section 203(j) of the Federal Property Act, surplus personal property owned by the Federal Government may be donated to State and local governments and private tax-exempt organizations which serve educational, public health or civil defense purposes. The property to be donated is transferred by the General Services Administration to special State agencies in accordance with determinations and allocations of the Department of Health, Education, and Welfare or the Department of Defense. The State agencies, which are required to be established by the act, make distribution of the property to eligible organizations within the State. During fiscal year 1968, personal property originally costing the Government $309,774,429 was allocated for donation under this program.

The last substantive amendment to the donable property provisions of the Federal Property Act occurred in the 87th Congress. Then, Public Law 87–786 authorized donations to several special types of educational institutions such as schools for the mentally retarded and physically handicapped, educational television and public libraries. Since that amendment in 1962, a number of individual amendments affecting the donable property program have been proposed. None has been enacted. I believe there is a need now for the Congress to consider revisions of the act which would strengthen and otherwise improve the efficiency and effectiveness of the program.

I am, therefore, introducing today a bill embodying such amendments. These are by no means all of the amendments which have been or are now being proposed with respect to the donable property program. However, I believe those in my bill are particularly worthy of our consideration. They have as their general objective the simplification, consolidation and strengthening of the responsibilities of the affected Federal agencies and the statutory guidelines under which they operate.

The principal things this bill would do are these: It would give the Secretary of Health, Education, and Welfare the responsibility of allocation of personal property under the control of the Secretary of Defense to institutions which the Secretary of Defense has determined to be of special interest to the armed services, as well as the Red Cross, the Boy Scouts, the Girl Scouts, the Campfire Girls, Boy Clubs, and the USO. It would simplify the operations of Federal agencies disposing of property under the exchange/sale provisions of section 201(c) of the Federal Property Act. It would raise from $2,500 to $4,000 the acquisition cost of an item on which HEW may impose conditions and restrictions relating to the use of the property. It would give flexibility to HEW to determine whether a local government institution or tax-exempt organization may be regarded as serving an educational or public health purpose entitling it to be a donee. HEW already exercises this broader authority in connection with the transfer of real property for educational and public health services under subsection 203(k) of the act.

I believe that amendment of the act along the lines of my bill would greatly facilitate efficient and economic operation of the program and correspondingly redound to the public benefit by further strengthening the material base of those indispensable institutions providing education, health protection and security from disaster for all of our people.

CLEANING UP THE POLLUTION PROBLEM

(Mr. OBEY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. OBEY. Mr. Speaker, last week Mr. Carl Klein, Assistant Secretary of the Interior for Water Quality and Research told a water pollution conference that States and localities must clean up their own pollution because the Federal Government cannot afford to do so now.

Mr. Klein was quoted by several newspapers as saying:

> The local governments created the pollution problem and they're going to have to come up with the money to solve it.

If that statement by the Assistant Secretary truly reflects the administration's point of view, then it is just another sad example of the many indications we see daily that our Government's priorities are incredibly out of kilter.

It is unbelievable that the Nation's Government can sit in Washington, D.C., surrounded by sewers which the mapmakers tell us are really lakes and rivers and still say that we cannot find money in the Federal Treasury for pollution abatement.

If a Congress and an administration can levy the taxes we levy, and spend the dollars we spend and still not provide ample money to cleanse our rivers, streams, and air, then we simply do not know how to govern, we do not know how to make intelligent choices, and we have no sense of values worthy of mention.

In the past 6 years, Congress has passed the Clean Air Act of 1963; the 1965 and 1966 amendments to that act; the Air Quality Act of 1967; the Water Quality Act of 1965; the Clean Water Restoration Act of 1966; and the Solid Waste Disposal Act of 1965. That legislation encourages States to adopt environmental quality standards and promised local governments financial help to construct municipal sewage treatment plants. But how hypocritical the promise of that legislation appears when viewed in the light of Federal action.

It is a strange thing, Mr. Speaker, but the people of this Nation believed Congress when it said it would spend $1 billion to fight water pollution. But President Nixon has followed his predecessor's disastrous request for just $214 million to fund water pollution programs for fiscal year 1970—instead of the $1 billion promised and now, in spite of high-sounding legislation which encourages States to establish water quality standards by holding out the promise of Federal help, a top official in the administration tells us that as far as pollution is concerned, "we cannot do everything from Washington for the locality."

In my own State of Wisconsin, the State Department of Natural Resources has said that more than $211 million worth of municipal pollution control construction is required in the next 6 years. Federal aid has been requested this year for 93 projects, but will only be available for approximately 12.

Unless we can come to our senses, history will tell that ours was a generation which worked with computers of unimaginable complexity, sent men to the moon, and functioned with thousands of devices which are a gadgetmaker's dream, but did not show the wisdom, the good sense, or even the good taste to clean up its own habitat.

TO INCREASE BANKING COMPETITION IN THE NATIONAL CAPITAL REGION

(Mr. HANNA asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter and tables.)

Mr. HANNA. Mr. Speaker, I am pleased to join with my colleague, Congressman

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ANNUNZIO, in introducing a bill to allow expansion of banking institutions of the District of Columbia. I would like to address myself to the economic arguments for this legislation to increase banking competition in the National Capital region.

Let us try to get the economy of the National Capital region in perspective. First of all, you may be surprised to discover how vital and growing this area truly is. Table I will show you our growth rate—measured by population and personal income—and comparable growth rates in other metropolitan areas.

You can see from this table that the National Capital region has had a higher growth rate in income and population than any of the 20 largest metropolitan areas in the Nation—greater than the spectacular records of Dallas, Houston, Seattle, and Los Angeles.

Another interesting statistic is the vitality of the central city, the District.

Table II compares employment growth in the District with the other large central cities. Sometimes we are inclined to look at the District of Columbia as a city with declining employment opportunities. Nothing could be further from the truth. The District's record in employment growth is the highest in the Nation—6 percent ahead of second-place San Francisco.

Table III also supports our argument that the District is a vital economic force. The latest income data available—for 1966—show that the total income of the metropolitan area was $9.3 billion. Of this total, $5.7 billion, or 61 percent of the total was earned in the District.

Still another interesting economic statistic is the relationship of the Federal payroll to the total personal income by a factor of 2.75 you will come very close to predicting the total personal income of the area.

What all this proves to us is that the National Capital region is one of the most prosperous and fastest growing parts of the country. These figures also indicate that the real underlying base of this economic vitality is the Federal payroll in the District of Columbia—supplying a source of basic income to Federal employees who are in turn serviced by the retail and service establishments including banks in this area.

Now let us turn to some figures that are not so encouraging. The total area is doing fine. We cannot say the same of the District.

If you will turn to table V, you will find that in 1950 most of the economic benefits of the District went to District residents. But some time between 1950 and 1959, the tide turned, and the suburban areas moved ahead of District totals.

Table V shows that in 1950, 58 percent of the total income of the metropolitan area went to persons who lived in the District. By 1967 only 33 percent of area income went to District of Columbia residents.

What happened? Table VI gives you the answer.

Table VI shows that in 1960, 53 percent of the jobs in the District were held by District of Columbia residents. By 1968 this percentage had dropped to 40 percent. There was an absolute loss of nearly 17,000 jobs by District of Columbia residents in this 8-year period.

On the other hand commuters from the Virginia and Maryland suburbs increased their percentage of District jobs from 47 percent in 1960 to 55 percent in 1968—an absolute increase of about 125,000 jobs.

Some 341,000 suburban residents come to the District every day to work—200,000 from Maryland and 141,000 from Virginia.

All this shows that the District has been, is now, and will be a dynamic and vital source of employment and income because of the Federal payroll. But it also shows that the majority of the employees working in the District pocket their paychecks and go home to the suburbs. The figures on retail sales and bank deposits show that the tendency is to deposit their checks in suburban banks and to spend their money in suburban retail stores.

The reason is quite simple—the ladies control the bank accounts and spend the money. They cannot be blamed for using the most convenient stores and the most convenient banks.

The large retail establishments of the District have long ago recognized this fact and kept abreast of the trend by putting their stores near their customers. In doing so they did not desert the District. On the contrary it is quite apparent that sales in the suburbs have helped these retailers maintain their level of service in the District.

District banks on the other hand have not been able to compete for the payroll checks that go out of the District each pay day to the suburbs of Maryland and Virginia. We have tried, but no device—bank by mail—or others today is as effective as a conveniently located bank. We run into a wall—a legislative wall—at the District borders and cannot move out with people who have been our customers.

Table VII shows that District of Columbia banks held 83.8 percent of the area deposits in 1947. By 1968 this figure had dropped to 55 percent.

Another way to look at this picture is to compare the relative growth in deposits. From 1955 to 1957 the deposits of District banks increased by 88 percent. The deposits of suburban banks increased by 334 percent.

If the trend continues, and I see no reason to expect a sudden reversal, the District banks will unquestionably play a greatly diminished role in the banking competition in this area.

Indeed it is possible to foresee a day when District of Columbia banks would be hard pressed to meet the credit demands of the District. If the District economy is revitalized, as it must be and will be, large commercial credits will be needed. The question arises—Where will the District banks get the deposits to meet the demands.

Mr. Speaker, all these figures indicate to me that the restrictions limiting District banks to the 61 square miles of the District of Columbia pose a real threat to the orderly growth of the whole area. The bill will increase competition throughout the area and provide a sound banking base for future growth.

As a separate but I believe related presentation, Mr. Speaker, I draw my colleagues attention to the political economies of the Washington, D.C., area. It is predictable, even understandable, that a bill with the thrust and purpose of this one will be energetically opposed by interests in the immediate counties of Virginia and Maryland. Basically I believe such opposition is ill-directed in that the improvement of the competitive posture of the banks of the single economically interdependent metropolitan area will inure to the benefit of all within the perimeters regardless of State lines. However, if this be disputed, would it be unfair to note that history has provided an abundance of example of decisions which time proved to be substantially in favor of the contiguous State areas of Maryland and Virginia and if not a burden certainly of lesser or questionable value to the economic welfare of the District?

Is it too much to suggest that for once a primacy of consideration be bent towards the interest of economic entities within the District? Surely there are some of my colleagues who must feel that the District of Columbia was not set up as the personal thralldom of the two neighboring States. In this instance a determination can be made in this legislation to form an approach to a banking problem, singularly acute within the District, which can in the long run work beneficially for all those within the metropolitan district which has at its hub and at its heart the National Capital. A National Capital which requires and deserves some privacy and some of the short-term consideration so long extended the neighboring States at the Capital's expense—the careful and favorable consideration of this proposal is earnestly solicited and we would hope that the Banking and Advisory Committee could hold early hearings.

TABLE I.—INCOME AND POPULATION GROWTH IN 20 LARGEST AREAS

Rank	SMSA	Total personal 1967 [1] income (billions)	Average annual percent increase in total personal income 1959-67 [1]	Average annual percent increase in population, 1960-67 [2]
1	New York	$50.2	5.7	1.1
2	Los Angeles	28.8	6.4	1.8
3	Chicago	28.1	5.8	1.2
4	Philadelphia	16.4	5.5	1.4
5	Detroit	15.8	6.6	1.3
6	San Francisco	13.3	7.0	1.8
7	Boston	13.1	5.9	.6
8	Washington	10.1	8.0	4.0
9	St. Louis	8.2	5.8	1.3
10	Pittsburgh	8.1	4.4	.1
11	Cleveland	7.7	5.2	1.0
12	Newark	7.6	6.2	1.6
13	Baltimore	6.8	6.4	1.4
14	Minneapolis	6.5	6.8	1.4
15	Houston	5.7	7.3	3.8
16	Seattle	5.2	7.2	1.9
17	Milwaukee	5.1	5.4	.7
18	Patterson	4.8	6.7	1.8
19	Dallas	4.9	7.4	3.3
20	Cincinnati	4.6	4.8	1.0

[1] Survey of General Business (May 1969).

[2] Bureau of the Census, series P-25.

Note: Summary: Highest growth in the Washington standard metropolitan statistical area.

TABLE II.—EMPLOYMENT GROWTH IN THE CENTRAL CITY AND SMSA BY PLACE OF WORK, IN THE LARGEST SMSA'S[1]

	Annual average percent growth in employment, 1959–65	
	Central city	SMSA
New York	1.0	1.6
Chicago	.1	1.6
Philadelphia	.1	1.5
San Francisco	2.0	3.4
Boston	.3	1.4
Washington	2.6	4.6
St. Louis	.6	1.6
Newark	1.1	2.4
Baltimore	.1	1.9
Minneapolis	.9	2.6
Patterson	.4	3.5

[1] Employment data had to be used for this comparison rather than income data because the latter not available for cities except Washington, D.C.

[2] Employment data for the central city available for 11 of the 20 SMSA's of table I.

Note: Conclusions: Washington employment growth is highest in both the central city and SMSA for the largest SMSA's.

Source: Lewis Wilfred, Jr. "Urban Growth and Suburbanization of Employment—Some New Data," the Brookings Institution (1969).

TABLE III.—INCOME BY PLACE OF WORK IN THE WASHINGTON AREA

Years	District of Columbia	Suburbs	SMSA[1]
1950	2.3	0.8	3.1
1960	3.8	2.0	5.8
1966	5.7	3.6	9.3
1975 (projected)	10.3	8.0	18.3
Percent annual growth 1966–75	[2] 6.8	[2] 9.37	[2] 8.0

[1] SMSA=Standard metropolitan statistical area.

[2] Income growth by place of work is the highest of the largest urban areas of the United States.

Source: Component analysis using data from: U.S. Department of Commerce, Regional Economic Information System; U.S. Department of Commerce, Survey of Current Business (August 1968); U.S. Department of Commerce, Bureau of Census, County, Business Patterns; U.S. Civil Service Commission employment data.

TABLE IV.—ECONOMIC MODEL OF DISTRICT OF COLUMBIA AND SMSA GROWTH

For all practical purposes, the total personal income of District of Columbia, the suburbs or the SMSA (metropolitan area) equals:

TPI=2.75 Egr.
TPI=Total personal income in billions of current dollars.
Egr=Earnings of Government employees residing in area.

A comparison of the actual and estimated data shows:

	Estimated TPI		
	Egr	2.75 Egr	Actual TPI
SMSA (Washington standard metropolitan statistical area):			
1940	377.7	1,020	1,080
1950	1,114.3	3,080	3,060
1959	2,030.2	5,570	5,450
1966	3,333.5	9,180	9,290

TABLE V.—TOTAL PERSONAL INCOME IN THE DISTRICT OF COLUMBIA AND SUBURBS (1950-75) BY PLACE OF RESIDENCE

The total person income of residents of the District of Columbia and its suburbs (remainder of the Washington standard metropolitan statistical area) is—

	Billions of current dollars				
	1950	1959	1966	1967	[1] 1975
District of Columbia	1.79	2.23	3.11	3.34	4.76
Suburbs	1.27	3.22	6.18	6.79	13.54
Total	3.06	5.45	9.29	10.13	18.30
District of Columbia as percent of total	58	41	35	33	26

[1] Note: Estimated from historical trends (1959–67).

Source: U.S. Department of Commerce, Regional Economics Information System (computer printouts) except projections. District of Columbia data published in Survey of Current Business (August 1968).

TABLE VI.—CHANGE IN CENTRAL CITY JOBS HELD BY IN-COMMUTERS, DISTRICT OF COLUMBIA, 1960-68

	At place jobs			
	1960		1968	
	Number	Percent	Number	Percent
Held by residents of—				
District of Columbia	270,199	53.0	253,850	41.1
Maryland suburbs	123,020	24.1	200,740	32.5
Virginia surburbs	92,274	18.1	140,820	22.8
Subtotal	(485,493)	(95.2)	(595,410)	(96.4)
Other	24,498	4.8	22,240	3.6
Total	509,991	100.0	617,650	100.0

Source: 1960 from "Journey to Work," U.S. Bureau of the Census; 1968 Economic Survey, by Hammer, Greene, Siler Associates.

TABLE VII.—IPC DEMAND AND TIME DEPOSITS FOR DISTRICT OF COLUMBIA COMMERCIAL BANKS AND BANKS IN DC SMSA

[Dollars in thousands]

Date	Total IPC deposits for District of Columbia banks	Total IPC deposits for SMSA No. 166[1]	District of Columbia percent of total SMSA deposits
Dec. 31, 1947	944,053	1,127,096	83.8
June 30, 1949	895,851	1,094,590	81.8
Dec. 30, 1950	1,162,111	1,454,346	79.9
June 30, 1952	1,221,378	1,569,989	77.8
June 30, 1954	1,260,908	1,664,751	75.7
June 23, 1958	1,453,473	2,043,693	71.1
June 15, 1960	1,478,875	2,201,452	67.2
June 30, 1962	1,693,977	[1] 2,585,875	65.5
June 30, 1964	1,978,727	3,247,704	60.9
June 30, 1966	1,990,082	3,438,779	57.9
June 29, 1968	2,281,284	4,150,486	55.0

[1] Figures for suburban banks based on actual office location.

Source: 1947–64—Federal Reserve Board, 1966–68—FDIC.

TO INCREASE BANKING COMPETITION IN THE NATIONAL CAPITAL REGION

(Mr. JOHNSON of Pennsylvania asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. JOHNSON of Pennsylvania. Mr. Speaker, the current restrictions limiting commercial banks in the District of Columbia to the 61 square miles of the District pose a threat to the orderly economic development of the National Capital region. I am pleased to join with the gentleman from California (Mr. HANNA) in introducing a bill to increase banking competition in the entire National Capital region. I believe that a detailed explanation of what this legislation would and would not do is in order at this time.

Under the existing provisions of the Bank Holding Company Act of 1956, a registered bank holding company must obtain the approval of the Federal Reserve Board before acquiring control of any bank, and the Board is prohibited from granting its approval where the acquisition would cross a State line—that is, where a holding company has subsidiary banks in one State and seeks to acquire a bank in another State. This State-line limitation is contained in section 3(d) of the 1956 act.

Because this restriction has given rise to special difficulties in the metropolitan area of Washington, D.C., the attached bill would modify section 3(d) with respect to the Washington metropolitan area. The bill would add a proviso to section 3(d) permitting the Board to approve a bank acquisition across a State line only in the following two specific circumstances:

First. Where the holding company is based in the District of Columbia—that is, where its banking subsidiaries are principally located in the District of Columbia—the Board could approve the company's acquisition of a bank located in the immediate suburban areas of Maryland and Virginia. Specifically, the acquired bank would have to be located in "the National Capital region," which has been defined in several other Federal statutes as follows:

> National Capital region means the District of Columbia, Montgomery and Prince Georges Counties in the State of Maryland, Arlington, Fairfax, Loudoun, and Prince William Counties and the cities of Alexandria and Falls Church in the Commonwealth of Virginia, and all other cities now or hereafter existing in Maryland or Virginia within the geographic area bounded by the outer boundaries of the combined area of said counties and cities. (United States Code, title 40, section 652(a)).

The definition quoted is from section 103 of the National Capital Transportation Act of 1960, although other statutes also define the National Capital Region as encompassing this same area.

Second. Where the holding company is based anywhere in the States of Maryland or Virginia, the Board could approve the company's acquisition of a bank located in the District of Columbia.

This amendment is intended to make it possible for individual banks in Washington to become affiliated, through registered holding companies, with banks in Maryland and Virginia in order to improve banking services and increase banking competition throughout the area. A District of Columbia-based bank holding company could acquire banks only in the immediate suburbs of Washington, although a holding company based anywhere in Maryland or Virginia could acquire a District of Columbia bank.

The bill would not alter Federal or State law in any other way. Thus, for example:

The bill would not reduce or alter the existing authority of Maryland and Virginia over the establishment of State-chartered banks and branches within their jurisdictions. It would not permit any District of Columbia or other out-of-State bank to come into Maryland or Virginia and establish branches there. Just as at present, new banks or branches could be established only with the approval of the State banking authorities, in the case of State-chartered banks, or the Comptroller of the Currency, in the case of national banks.

The bill would not reduce or alter the existing authority of Maryland and Virginia banking agencies to examine and supervise State-chartered banks within their jurisdictions. Thus, a State-chartered bank acquired by a holding company under this proposed legislation would retain its separate identity and continue to be subject to supervision and examination by State authorities. Similarly, the bill would not authorize the merger of Maryland or Virginia banks with District banks.

The bill would not alter the legality of bank holding companies in Maryland or Virginia, since the formation of bank holding companies currently is permitted by the law of both States.

The bill would not alter the standards or requirements for Federal Reserve Board approval of an acquisition, except for the specific modification of the State-line restriction described above. Under the existing provisions of the Bank Holding Company Act, the Board would be requried to seek the views of the appropriate State banking agency on any proposed acquisition of a State-chartered bank. If the State agency disapproved of the acquisition, the Board would have to hold a full hearing on the matter, and its decision would be subject to review in the courts. Moreover, the Board is required to give heavy weight to the competitive considerations involved in any proposed acquisition, and to notify the Attorney General of every application the Board receives, so that the Justice Department's Antitrust Division may present its views and have an opportunity to challenge the acquisition under the antitrust laws.

The bill would not alter the supervisory powers of the Federal Reserve Board over registered bank holding companies. A holding company formed pursuant to this bill would be subject to the same strict regulation as now provided under the 1956 Act for all other registered bank holding companies.

The bill would not affect the current controversy concerning "one-bank holding companies." This bill relates exclusively to registered bank holding companies, and its desirability will not be affected by the outcome of the one-bank holdng company controversy, whatever that outcome may be.

Mr. Speaker, in conclusion may I observe that the approach embodied in the bill makes good economic sense, but it also preserves the rights of the States of Maryland and Virginia to supervise and to regulate banks in their respective jurisdictions.

A SALUTE TO MARY CRUTCHER, RESPONSIBLE JOURNALIST

(Mr. WRIGHT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WRIGHT. Mr. Speaker, today I would like to offer a salute to Miss Mary Crutcher, a distinguished Texas newspaperwoman, for what I consider an extraordinary public service to the people of the United States.

Miss Crutcher is assistant city editor of the Fort Worth Press. During the many years she has served in this difficult and demanding position, she has won the unstinting admiration of her colleagues in the newsroom.

Probably few people outside the profession of journalism fully realize what tremendous complexities, responsibilities and stresses are involved in the day-to-day news operations of a metropolitan newspaper. It is like writing history in a pressure cooker.

As assistant city editor, Mary Crutcher is right in the middle of the daily battle to make each day give an account of itself. Under the gun from the clock, the competition and the inherent vagaries of the business of gathering news, hers is not a job for the lazy, the easily discouraged, the fainthearted or the excitable.

Miss Crutcher not only survives the job but thrives on it. To her work she brings the intelligence, perceptiveness and seasoned judgment of a true craftsman, yet somehow maintains the same zest and enthusiasm that she brought to her first newspaper job.

It was all these qualities, plus an inherent dedication to justice and simple fairness, that led Mary Crutcher to undertake a sort of personal crusade against an ill-considered Government policy that amounted to racial discrimination in reverse.

The situation was brought to light as a result of complaints lodged by citizens seeking to secure FHA loan guarantees on homes whose titles contained restrictive racial covenants.

Such covenants are patently illegal and everybody knows it. The Supreme Court of the United States had made it abundantly clear that restrictive covenants based on race or color are invalid and legally unenforceable—as indeed they should be.

The FHA, too, recognized the illegality of these restrictions, and adopted administrative regulations which allowed them to be waived in cases where members of a minority race were seeking FHA loan guarantees. If the prospective home buyers happened not to be members of a minority race, however, the FHA was refusing to insure the mortgages. In other words, the FHA was pretending that such deed restrictions had some tinge of legality, which of course they do not.

The result was discrimination in reverse—ignoring the covenants when the would-be home buyers were minority group members, observing them when they were not.

Patiently, persistently, Mary Crutcher began assembling facts. She interviewed Government officials, real estate experts, prospective home buyers—anybody who could shed light on the situation.

Not surprisingly, she discovered that this unwise policy was causing needless problems and frustration, as well as economic loss to innocent individuals, not only in the Fort Worth area, but indeed across the entire Nation.

Confronted with the facts that Miss Crutcher had painstakingly assembled and presented to readers of the Press, the FHA changed its policy. Regulations prohibiting the insurance of mortgages on property encumbered by covenants were rescinded last month, and the existence of such legal nullities no longer disqualifies property as security for an insured mortgage, regardless of the race or color of the prospective purchaser.

So Mary Crutcher won her fight, and the entire Nation is better off because of it. It is a textbook example of responsible journalism, and my colleagues will share my sentiments when I say to this dedicated newspaperwoman, "Thanks, and well done."

TOWARD A REVIEW OF U.S. OVERSEAS INFORMATION ACTIVITIES

(Mr. FASCELL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FASCELL. Mr. Speaker, today I am joining a group of my distinguished colleagues in introducing legislation calling for the appointment, by the President of the United States, of a "blue ribbon" committee to review the overseas information activities of the U.S. Government.

I cannot think of a single study which can make a more important impact on the course of our Nation's foreign policy than the one suggested in the bill, H.R. 12722.

Surely the events of the past year, the bitter attacks, verbal and physical, on representatives of the United States, should convince us that our national image has been slipping abroad.

This has not furthered the achievement of our foreign policy objectives. It has made our Government's undertakings more difficult, and created problems for our private sector's overseas operations.

In the long run, this decline in the U.S. image can seriously erode our position of leadership in the free world, creating mounting difficulties for our country and for the cause of peace and freedom in the world.

There is a way of getting at this problem—and it has to begin with a thorough reappraisal of our overseas information activities.

Such a review was recommended late last year by the Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs. As chairman of that subcommittee, I participated in the lengthy studies which culminated in our report on "The Future of U.S. Public Diplomacy."

The review was also advocated, last year and again in May of 1969, by the U.S. Advisory Commission on Information headed by Dr. Frank Stanton, president of the Columbia Broadcasting System.

There has also been widespread editorial support for just such a review in newspapers throughout the Nation. One of the most recent and most comprehensive of these appeared Monday, July 7, in the Miami Herald, as follows:

EFFECTIVE VOICE NEEDED FOR AMERICA'S MESSAGE

The Pentagon wastes more money on one project than the U.S. Information Agency spends on world communications in one year.

The Soviet Union spends five or six times as much on its foreign informational program as the U.S.I.A.

The Rockefeller mission learned that throughout Central America and the Caribbean, Cuban radio propaganda outstrips the Voice of America in key hours.

Foreign affairs are conducted through four channels: diplomacy, trade, communications and force. The first three complement each other in trying to avoid the fourth.

But the United States spends 19 times as much on force as it spends on the other three.

The Defense Department's budget is $80 billion; the U.S.I.A. budget totals $173 million.

Those figures which seem so clearly out of balance reflect an imbalanced attitude in Washington, a reluctance to emphasize the preventive.

"International communication is rapidly moving beyond the domain of information, persuasion, and influence . . . It is on the verge of becoming an integral part of the international political process—providing the means for the resolution of conflicts in a peaceful way, and for the improvement of man's material condition," a congressional subcommittee chaired by Miami's Dante B. Fascell found last year.

That subcommittee recommended a thorough overhaul of the U.S. government's information policy, particularly including the U.S.I.A.

The U.S. Advisory Commission on Information recently issued its 24th report and arrived at a similar conclusion that the national commitment is incomplete in this field.

Both groups deal with the fact of public diplomacy's increasingly important role in world affairs and the importance of the U.S.I.A. within that role. They recommend it as a means of strengthening U.S. foreign policy.

The advisory commission suggests the U.S.I.A. better utilize its operations in 105 foreign countries to feed research and information back to this country on prevailing attitudes that might determine foreign policy effectiveness; commended the 90th Congress for establishing a career corps of Foreign Service information officers; suggested a larger participation in policymaking and urged the Voice of America to emphasize standard radio rather than short wave bands for its programs.

There is an urgency for candor and frankness that expand the communications exchange and increase its acceptance. An old-time correspondent in Moscow, for example, recently commented that Voice of America broadcasts to Russia never had any true impact until they stopped using exile announcers on them. The Russian audience equated the exile with a political point of view, not with candor or frankness.

We believe, too, that greater emphasis on communications exchange—or public diplomacy—is a proper part of the effort to de-escalate world concentration on the military.

An improved U.S.I.A., with an enlarged role in foreign affairs, is a sound way to begin.

I may add, Mr. Speaker, that a group of distinguished American citizens, organized as the Emergency Committee for a Reappraisal of U.S. Overseas Information Policies and Programs, and headed by Dr. Edward L. Bernays, of Cambridge, Mass., has been working diligently for the same objective.

Only the impetus of a Presidential Commission can give this study the scope, authority, and effectiveness needed to bring about substantial and meaningful changes in our overseas information policies.

If all of these recommendations continue to be ignored, I predict—and I do so with a heavy heart—a rising level of unpleasantness, misunderstanding, frustration, and disillusionment, in our relations with foreign countries.

Mr. Speaker, I want to take this opportunity to compliment my colleague from Alabama, the Honorable JACK EDWARDS, for his initiative and diligence in presenting this matter to the House. In doing so, he has performed a valuable service to our country.

The text of my bill follows:

H.R. 12722

A bill to establish a committee to examine the oversea information activities of the United States Government; and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is established the Committee for the Review of United States Oversea Information Activities (hereafter in this Act referred to as the "Committee").

SEC. 2. It shall be the duty of the Committee to review the objectives, the organization, and the operations of all informational, educational, cultural, and related activities of the United States Government in foreign countries; to assess the relevance and the effectiveness of such activities in terms of the support which they provide for the attainment of United States foreign policy objectives; to examine the extent to which foreign public opinion is considered in the formulation and execution of United States foreign policy, and the manner in which this is done; and to submit its findings and recommendations.

SEC. 3. The Committee shall be composed of nine members as follows:

(1) One Member of the Senate appointed by the President of the Senate.

(2) One Member of the House of Representatives appointed by the Speaker of the House of Representatives.

(3) One member of the National Security Council appointed by the President of the United States.

(4) One officer or employee of the Department of State appointed by the President of the United States.

(5) One officer or employee of the United States Information Agency appointed by the President of the United States.

(6) One member of the United States Advisory Commission on Information appointed by the President of the United States.

(7) Three individuals from private life appointed by the President of the United States from among individuals with knowledge and experience in the fields of information, education, and cultural affairs, one of whom the President shall designate to serve as chairman.

A vacancy in the Committee shall be filled in the same manner as the original appointment was made.

SEC. 4. (a) Except as provided in subsection(b), members of the Committee shall each be entitled to receive $100 for each day (including travel time) during which they are engaged in the actual performance of duties vested in the Committee.

(b) Members of the Committee who are full-time officers or employees of the United States shall receive no additional compensation on account of their services on the Committee.

(c) While away from their homes or regular places of business in the performance of services for the Committee, members of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as the expenses authorized by section 5703(b) of title 5, United States Code, for persons in the Government service employed intermittently.

SEC. 5. Five members of the Committee shall constitute a quorum.

SEC. 6. The Committee shall meet at the call of the Chairman or a majority of its members.

SEC. 7. The Committee may appoint and fix the compensation of such personnel as it deems advisable.

SEC. 8. For the purpose of carrying out this Act, the Committee may hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, direct and contract for such studies, as it deems advisable. The Committee may administer oaths or affirmations to witnesses appearing before it.

SEC. 9. The Committee may secure directly from any department or agency of the United States information necessary to enable it to carry out this Act. Upon request of the Chairman of the Committee such department or agency shall furnish such information to the Committee.

SEC. 10. The Committee shall submit a final report to the President and to the Congress not later than two years after the date of enactment of this Act. Such report shall contain the results of the investigation and study conducted under this Act, together with such recommendations as the Committee may deem appropriate. The Committee shall cease to exist thirty days after submitting its final report under this section.

SEC. 11. There are authorized to be appropriated to the President such sums as may be necessary to carry out the purposes of this Act.

BURNING FOOD IN INDIA

(Mr. GROSS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. GROSS. Mr. Speaker, I wish to call attention to an incredible event which is being planned in India.

A religious leader in the western part of that country says he is going to burn 9,000 tons of food—I repeat, 9,000 tons of food—in a sacrifice that is supposed to "foster universal peace and the welfare and prosperity of the human race."

This same religious leader burned over a half million dollars worth of food last year in a similar ceremony.

This year, the so-called sacrifice will, if carried out, destroy $16 million worth of food.

I am advised that he plans to put to the torch 1,860 tons of rice, 930 tons of barley, 930 tons of butter, 375 tons of sugar, 4,590 tons of sesame seed, and 375 tons of herbs.

The Government of India made no effort to prevent last year's much smaller bonfire because, I am told, it would have been "impolitic" to interfere with such a religious ceremony.

I assume it would be just as "impolitic" to stop this one.

Mr. Speaker, I have no desire whatever to meddle in the internal affairs of India, but a few things should be set straight right now. We are told over and over and over again that these people are among the poorest in the world and are among the hungriest residents of this planet.

Since the end of World War II, this Nation has given India $7.2 billions in foreign aid—a staggering amount of it in food—and the Nixon administration is on Capitol Hill right now with a request for another $400 million handout.

And here is this religious leader getting ready to set fire to $16 million worth of food.

As I said before, I have no desire to meddle in the foreign affairs of India, but I see no reason whatsoever why the American taxpayer should be gouged for one more red cent for aid to a nation whose government will permit this sort of thing.

If the Indians want to burn every bushel of rice or barley in the country; if they want to put the torch to every last pound of butter and sugar within their borders, that is their business and it is perfectly all right with me.

But why the American people should be called upon to subsidize this is utterly beyond me.

At the proper time, Mr. Speaker, I intend to offer legislation that will appropriately affect the U.S. aid program to India if plans for this bonfire are carried out.

WHEAT EXPORTS

(Mr. MIZE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MIZE. Mr. Speaker, today the United States begins a series of crucial meetings at the ministerial level on the future of wheat exports under the provisions of the International Grains Arrangement.

Secretary of Agriculture Clifford Hardin, as leader of the U.S. delegation, will chair the Washington talks. Representatives of the "big five" wheat exporting regions within the scope of the IGA—Canada, Australia, Argentina, the European Community, and the United States—will discuss the deteriorating international wheat marketing situation.

Mr. Speaker, the United States enters these negotiations from a position of decided disadvantage. Competitors are taking some traditional American markets by underselling American exporters.

Simply put, the United States is unable to price wheat competitively and—at the same time—conform to the treaty obligations of the IGA.

Our competitors are selling below the established minimums in some cases. These minimums, set at a time when wheat was in greater demand, are now considered unrealistic.

Our competitors have been found to market quality wheat at fictitiously low grade levels. They sometimes openly disregard their IGA commitments in this fiercely competitive market.

To make matters worse, the Soviet Union has become an exporting Nation. The Russians, unfortunately, are not signatories to the treaty.

Mr. Speaker, the United States cannot tolerate further abuses of the IGA without an appropriate response. An understanding must be reached on future marketing practices in the shortest possible time.

I congratulate the Secretary of Agriculture for calling high level meetings at this time. His response to a most urgent situation is appropriate.

I also congratulate Assistant Secretary of Agriculture Clarence Palmby for his no-nonsense statement on the deficiencies of the IGA, which I inserted in the Congressional Record on July 1, 1969.

Mr. Speaker, wheat is in great surplus. The U.S. carryover at the beginning of the 1969 marketing year is estimated at nearly 800 million bushels. Incredibly, the combined carryover of Canadian, Australian, and United States wheat producers will soon reach 2.3 billion bushels.

If the United States is willing to sustain the financial burdens of the carryover, and the further burdens of supply management programs, so also must our competitors bear these same burdens. Open price warfare could result if pressures—political as well as economic—continue to hobble the IGA.

Mr. Speaker, Kansas wheat farmers must depend upon foreign sales for disposal of half their crop. Prosperity in Kansas and other wheat-producing States depends upon the success of these talks on the IGA.

Those of us from the wheat States await the outcome with guarded optimism. Secretary Hardin and Assistant Secretary Palmby have demonstrated their understanding of the importance of foreign wheat sales, and the difficulties we are experiencing under the terms of the International Grains Arrangement.

Mr. Speaker, the time for decisive action on behalf of the wheat industry is now.

HOUSING AND URBAN DEVELOPMENT ACT

(Mr. MOORHEAD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MOORHEAD. Mr. Speaker, in recent years there has been a growing recognition of the need for a dramatic expansion of housing production, particularly housing for low- and moderate-income families.

The Congress recognized this need by stating as its goal—in the Housing and Urban Development Act of 1968—the production of 6 million dwellings for moderate- and low-income families over the next 10 years and for increasing other production to an average rate of 2 million dwellings.

We can make this shift from low to high production only if we have the commitment and the cooperation of the homebuilding industry, and the genius of American business to supply the needed skill, resources, and technology. We also need the commitment of American labor pledged to supply manpower without discrimination, the good working relationships of government at all levels, and the people themselves.

The urgency of this matter requires that steps be taken immediately to develop cost-saving building innovations. One of the biggest stumbling blocks to this effort has been the thousands of different, often conflicting building codes across the country. Combine this with the lack of an authoritative technical institution to review and approve innovative construction techniques, and the result is higher costs of homes and obstacles to the introduction of new materials.

The legislation which I am introducing today, with 27 cosponsors, proposes a solution to this problem. My bill would establish a nongovernmental institution, called the National Institute of Building Sciences, to be organized under the auspices of the National Academies of Science and Engineering which would supply technical advice to the building industry, and act as a clearinghouse for the many governmental agencies, institutions, and professional groups now engaged in developing cost standards and appraising new housing materials and construction methods.

To facilitate the initial program, I propose that the Federal Government provide annual grants of up to $5 million for the first 5 years, after which the Institute would be self-supporting through fees, subscriptions, grants, and contracts with industry and government.

The proposal has the endorsement of the National Commission on Urban Problems—the Douglas commission—the President's Committee on Housing, the American Institute of Architects, and the Housing Producers Council.

The growth and development of similar institutions throughout Europe has been extremely valuable in overcoming severe housing shortages since the end of World War II. They usually operate as governmental agencies in each country. In this country, however, I feel that such an institution, whose operations would be directed by representatives of industry, professional societies, labor unions, academic and technical institutions, and the general public would be most effective as a nongovernmental advisory body, serving as an umbrella for the many existing organizations and agencies which now operate on an uncoordinated basis.

In addition to providing an imaginative impetus for needed housing at reasonable costs, this legislation would have the additional effect of creating more jobs and lowering the rate of seasonable unemployment in the building trades industry.

If we are serious about our housing goals, it is imperative that action be taken now.

Mr. Speaker, I am delighted that this bill is being cosponsored by Members from every section of the country, and by representatives of both parties.

THE CLEAN WATER RESTORATION ACT

(Mr. DINGELL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DINGELL. Mr. Speaker, under date of June 6, 1969, I wrote the Governors of each of the 50 States, the Commissioner of the District of Columbia, and the Governors of Guam, Puerto Rico, and the Virgin Islands as follows:

> As you probably know, funding of the construction grant program under the Clean Water Restoration Act has been grossly short of the authorizations contained in that Act.

XUM

The House Committee on Appropriations is currently considering a recommendation that $214 million in funds be provided for fiscal year 1970, the same as was provided in fiscal year 1969. The authorization for fiscal 1969 was $700 million and the authorization for fiscal 1970 is $1 billion.

I would greatly appreciate your providing me with information on the impact this short-funding has had on the water pollution control and abatement programs in your State. Have water pollution control and abatement programs been held back, or have arrangements been made to take up the slack resulting from the short-fall in Federal funds? If the latter, how much has been the additional cost to your State?

I and several other Members of the House, both Democratic and Republican, have joined together in an effort to secure full funding of the Act for fiscal year 1970. I believe the information which I have requested of you would be helpful in this effort.

To date, I have received responses from approximately half of the State Governors and from the Governors of Guam and the Virgin Islands. I am pleased to be able to report that a substantial majority of those who have responded support the efforts of myself and others to secure full funding of the Clean Water Restoration Act construction grant program for fiscal year 1970.

So that my colleagues may have an opportunity to acquaint themselves with the feeling of our Governors with regard to this matter, I include the responses I have received to date in the Congressional Record at the end of my remarks. In due course, I shall place the additional responses I receive in the Congressional Record.

The material follows:

Office of the Governor,
Phoenix, Ariz., June 16, 1969.
Hon. John D. Dingell,
House of Representatives,
Washington, D.C.

Dear Mr. Dingell: This is in reply to your letter of June 6, 1969 regarding funding of the construction grant program under the Clean Water Restoration Act.

Arizona's allocation of PL–660 money has been sufficient to meet the demand for the past several years. During the immediate past three years the requests for PL–660 money have almost exactly equaled our allotment. Based on our present projections we anticipate that our 1970 allotment of approximately two million dollars will be sufficient to again satisfy all applicants. It is possible, of course, that several projects will develop that we have not anticipated. This is particularly true of projects on our Indian Reservations that are being stimulated by grants from the Economic Development Administration.

I appreciate your interest and concern in this matter.

Sincerely,

Jack Williams.

State of Arkansas,
Little Rock, June 17, 1969.
Hon. John D. Dingell,
House of Representatives,
Washington, D.C.

Dear Congressman Dingell: We have received your request of June 6th, and take pleasure in transmitting the following information.

The "short funding" mentioned in your letter has not caused a great impact on the overall grant program prior to the past two fiscal years. However, with the adoption of the Water Quality Standards, with its abatement schedule for existing sources of pollution, the amounts appropriated for fiscal years 1968 and 1969 have not been sufficient to fully fund all needed projects. Under the FY 1969 appropriation of $214,000,000, Arkansas received an allotment of $2,829,800; in addition to this amount we have received $231,620 in grant funds reallocated from other states, making a total of $3,061,420 in useable funds. As of this date the construction grant fund balance is $984,017, with grant requests and anticipated grant increases remaining to be made of $922,000, which will leave a balance of approximately $62,000. As this money is available until December of 1969, it can be added to the $2,829,800 which Arkansas will receive for FY 1970 under the present proposed national appropriation of $214 million, giving a useable allocation of $2,891,800.

Grant requests are on hand at this time from four of the municipalities on the abatement list (Hot Springs, Little Rock, Dardanelle, North Little Rock) totaling $3,400,410; in addition to this, requests are expected from other municipalities which will probably total approximately $1,000,000. Subtracting the proposed allocation shown above will result in a deficit of approximately $1.5 million for the coming fiscal year.

To combat this situation in prior years, the Arkansas Pollution Control Commission has initiated a policy of giving a municipality a partial grant and making up the remainder during the next fiscal year, however, this practice cannot be carried on indefinitely as the program is authrized only until June 30, 1971.

Under the present authorization, Arkansas will receive about 1.3% of the national allocation for FY 1970; carrying this percentage forward, the State would receive over $13 million should the full authorization of $1 billion be appropriated. Obviously this would be far more money than could possibly be used, however, it is felt that the amounts now received are short of those needed to complete the work at hand. A realistic estimate of the amounts needed for the two next fiscal years would be between 4.5 and 5 million dollars. At this time no State monies have been appropriated relative to the construction grant program and it is not expected that any will be forthcoming soon.

As another matter of extreme interest to the Commission, the monies appropriated under Section 7(b) of the Act have repeatedly fallen short of the percentages authorized for Federal assistance in the maintenance of State water pollution control programs. It is hoped that consideration will also be given to this facet of the overall program, as it is felt to be of equal or greater importance as the construction grants program.

I hope the foregoing information will enable you to properly evaluate the grants program with respect to Arkansas, however, should we be of any further assistance, please do not hesitate to call on us.

Will all good wishes,

Sincerely,

Winthrop Rockefeller,
Governor.

State of California,
Sacramento, July 2, 1969.
Hon. John D. Dingell,
Rayburn House Office Building,
Washington, D.C.

My Dear Congressman: The lack of funds for the construction grant program under the Clean Water Restoration Act, referred to in your letter of June 6, has indeed held back the water pollution control and abatement program in California.

For fiscal year 1969, our State Water Resources Control Board received 174 applications for grants totaling $55 million. From the $214 million appropriation, California's allocation was approximately $15 million. This provided for 52 grants, less than one-third of the requests.

For fiscal year 1970, 183 applications have been received requesting grants totaling $59 million. Already, 38 projects have qualified or are pending certification for grants which would exceed the anticipated total of $15 million from the $214 million recommended in the federal budget. In other words, the presently anticipated allocation would be exhausted before the fiscal year even began.

A bill has been introduced in the California Legislature to provide state funds to match federal grants. However, under the formula of the Federal Water Pollution Control Act, this would result in providing for larger grants but to fewer projects. There is no state program at present which would provide for grants to construct sewerage works.

The authorization in the Act of $700 million for fiscal year 1969 and $1 billion for fiscal year 1970 lead communities to believe that ample grant funds would be available. The actual appropriation of only $214 million tends to discourage the construction of all necessary sewage treatment facilities since communities are reluctant to provide for the entire cost when there is a prospect of grant assistance.

Your efforts to secure full funding of the Act for fiscal year 1970 are very much appreciated and have my support.

With kind regards,

Sincerely,

Ronald Reagan,
Governor.

Colorado Department of Natural Resources,
Denver, Colo., July 1, 1969.
Hon. John D. Dingell,
Rayburn House Office Building,
Washington, D.C.

Dear Congressman Dingell: Your letter of June 6, 1969 to Governor Love was referred to me for reply. Please forgive the delay in answering your request. To properly respond, it was necessay to obtain information from the Water Pollution Control Division of the Department of Public Health.

Since 1957 Colorado has been requiring the construction of secondary sewage treatment facilities. As a result, over 98 percent of the sewered communities in Colorado are presently equipped with secondary facilities. Also, unlike states in other parts of our country, Colorado has very few large communities. Most of these large communities installed sewage treatment facilities in the early years of the Construction Grant Program. Requests from these communities now are generally restricted to Federal aid for enlargement of their treatment plants rather than completely new facilities. As a result Colorado has not found that the reduction in Federal funds for the Sewage Construction Grant Program has had much effect on our abatement program. However, it is our understanding that at least two communities are presently considering new metropolitan-type facilities which will dip quite heavily into our construction grant monies and could possibly affect our abatement program in the next year or so.

I hope this information will be helpful to you in your efforts to obtain full funding under the Clean Water Restoration Act.

Sincerely yours,

T. W. Ten Eyck.

State of Connecticut,
Hartford, June 10, 1969.
Hon. John D. Dingell,
House of Representatives,
Washington, D.C.

Dear Representative Dingell: Thank you for your letter of June 6 and for your interest in water pollution abatement.

In 1967, the Connecticut General Assembly adopted a Clean Water Act for this State and approved a $150 million bond issue to finance it, that sum being considered at the time to be sufficient.

However, because Federal funds have not been forthcoming in the amount that we expected, it was necessary for me to call upon the General Assembly this year for an additional $100 million in bonds to keep our pollution control program on schedule.

The program is being administered by the State Water Resources Commission, a division of the Department of Agriculture and Natural Resources, and I am asking the Commissioner of that Department, Joseph N. Gill, to write to you in more detail about this matter.

Sincerely,

JOHN DEMPSEY,
Governor.

STATE OF CONNECTICUT DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES,
Hartford, June 20, 1969.

Hon. JOHN D. DINGELL,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE DINGELL: Governor Dempsey's letter of June 10th advised that you would receive more detailed reaction to your letter of June 6th from this agency. Short-funding has curtailed abatement progress in Connecticut ever since the enactment of the Federal Water Pollution Control Act of 1956. The Clean Water Restoration Act of 1966 by providing for federal reimbursement offered a possibility of proceeding with a reasonable program. Connecticut immediately passed legislation and provided funds for the federal share to abate all the pollution within the state within a period of five years. This program contemplated pre-financing more than $110 million of federal grants and receiving under the existing authorizations about $48 million through fiscal 1971, with the hope of recovering the remainder from subsequent federal programs. In the two years we have been operating under this program the State has pre-financed $37,393,098 which will increase rapidly in the next few months. During this period we have received from the Federal Government $5,859,300. This experience leads us to conclude that the accumulative inadequacies in federal appropriations are increasingly difficult to handle by even the most progressive state plan.

In addition to providing this requested information I believe it is also appropriate to comment on the efforts during the last year and a half to secure fuller funding by the Federal Government. It is our understanding that the budget problems of the Federal Government will allow full authorized funding only by some form of contracted delayed payments of bonded obligations. From a state's viewpoint it should matter little in what form the obligation of the Federal Government is provided.

However, the suggestions which were considered in Congress last year complicated or nullified the benefits which might accrue from such additional funding by contractual arrangements.

1. There was a condition that the arrangements for reimbursement would be terminated. Such a condition would completely stymie Connecticut's efforts to operate a cooperative program with the Federal Government.

2. There was a suggestion to eliminate the use of tax free municipal bonds for the financing of sewage disposal facilities. Such a provision would so increase interest rates that local financing would become difficult, illegal or impossible.

3. There is a suggestion that municipalities issue bonds to cover the federal share of the project as well as their own. To stay within fiscal or statutory requirements on bonded indebtedness the scope of the projects would have to be so reduced that they would be merely stop-gaps or inadequate efforts.

4. It was suggested that the additional funding be limited by criteria which would have prevented financial assistance to the correction of many important pollution problems.

5. There was the suggestion that federal contractual arrangements would only cover principal and not interest. This would produce an administrative problem for state agencies in deciding which municipality would receive full federal aid and which would have to bear part of the interest cost.

If methods of more fully funding the federal program are again considered such undesirable features may again be drafted, or new and more disagreeable conditions might be developed. In following these legislative attempts to provide additional funds, we have always deemed the incorporation of these difficulties as unnecessary. It would appear that a simple change in the Federal Act which would permit a contractual agreement by the Federal Government to pay the annual costs of those bonds which have been issued by a state to provide to the municipality the federal funds which were or are not available would accomplish what seems to be the legislative purpose without disruption of progressive state plans.

There seems to be no difficulty in state bonding at reasonable rates for funds sufficient to obtain the construction of the needed facilities. The paper work and administrative difficulties would be eliminated because the projects have already been processed and approved for federal grants. It would be easier for the Federal Government to work with a few state agencies than with thousands of municipalities. With such encouragement more states would be inclined to adopt a pre-financing arrangement so that their pollution abatement program can be put on firm schedules and those who already have such programs, which I believe includes your State, would be inclined to enlarge the pre-financing concept as may be required.

The difficulty with such a suggestion is that it appears so simple that one suspects there must be a hidden difficulty that has already prevented its adoption. However, we have exposed it many times to those in charge of pollution abatement programs in other states, to people working on interstate programs or in the regional offices of the Federal Water Pollution Control Administration and to Commissioner Dominick and have uncovered no unforeseen difficulty. Actually, this discussion of our proposal was developed in cooperation with the Director of the State Water Resources Commission, John J. Curry, who operates our state program.

It is hoped that you will find this rather lengthy additional response to the information you solicited worth your consideration in your efforts to secure full funding, a task to which you carry our fullest hope.

I have taken the liberty of providing copies of this answer to Connecticut's Congressional delegation because it should be opportune for their consideration of this problem.

Very truly yours,

JOSEPH N. GILL,
Commissioner.

STATE OF DELAWARE,
Dover, June 11, 1969.

Hon. JOHN D. DINGELL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN DINGELL: Thank you very much for your letter of June 6 regarding the Clean Water Restoration Act.

I am forwarding a copy of your correspondence to Mr. John C. Bryson, Executive Director of the Delaware Water and Air Resources Commission, for his review and direct reply to you. I am sure that Mr. Bryson will be able to give the information that you request regarding the impact that the fund shortages have on our water pollution control and abatement programs in the State of Delaware.

Sincerely,

RUSSELL W. PETERSON,
Governor.

STATE OF DELAWARE WATER AND AIR RESOURCES COMMISSION,
Dover, June 23, 1969.

Hon. JOHN D. DINGELL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN DINGELL: Governor Peterson has asked me to reply to your letter to him of June 6, 1969. The appropriations of $214 million as opposed to the $1 billion authorized will drastically reduce the efforts of the State to meet the 1972 deadline imposed by the Water Quality Act of 1967.

The states, in good faith and with the understanding that such funds would be authorized, gave commitments to the Secretary of the Interior for a five-year clean up program. This accelerated push for pollution abatement used up all of Delaware's construction funds without any effort on the part of the agency to encourage projects via the aid route. In fact, we now have several projects pending that we will not be able to finance within the foreseeable future. Our needs during the next five years will be approximately $75 million. Of this amount (at the current rate) only approximately $5 million of federal aid will be available. Therefore, you can readily appreciate the great void between the 30% eligibility ($22.5 million) and the amount of funds allocated to the State for construction grants.

It is my opinion that it will be necessary for Delaware and many other states to resubmit time schedules for compliance with the 1967 Water Quality Act. Currently, the major responsibility for this slow down lies with the federal government. This is due to both hesitation in approving state standards and the drastic reduction in construction grant funds made available to the states. Unfortunately, we have been unable to provide state funds to keep up Water Pollution efforts, since we have found it necessary to undergo some rather major tax programs in the state to meet current fiscal obligations. It is anticipated that some state aid for sewerage construction can be made available next year.

If you have any further questions, please feel free to contact me.

Sincerely,

JOHN C. BRYSON,
Executive Director.

HAWAII EXECUTIVE CHAMBERS,
Honolulu, June 19, 1969.

Hon. JOHN D. DINGELL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN DINGELL: This is in reply to your request of June 6, 1969 relative to the State of Hawaii's construction grant program for water pollution abatement.

Our water pollution control program in Hawaii has been temporarily retarded. During the fiscal year 1968–69, the total estimated cost for all projects was $7,100,000 of which $2,345,000 was anticipated to be the federal grant portion. However, the annual federal allotment for fiscal year 1968–69 to Hawaii was $951,750 which was only 40% of the total federal grant request. Attached is a copy of our fiscal year 1968–69 summary of our construction projects.

In an effort to compensate for the federal short funding, the Department of Health submitted an administrative request bill for an appropriation of $5,000,000 to the State Legislature. The Legislature, however, passed an amended bill of only $1,500,000 which

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still left a balance of $3,500,000 million in the total estimated project costs for the State during this period.

In spite of the adverse change in federal funding, our State continues to move ahead with plans for the control of water pollution in anticipation of federal funds. Your efforts to secure full funding of the Clean Water Restoration Act is most encouraging. We hope that enough support can be generated in Congress so that the federal government can provide the authorized funding for the abatement phase of our water pollution control program.

With warm personal regards. May the Almighty be with you and yours always.

Sincerely,

JOHN A. BURNS.

WATER POLLUTION CONTROL CONSTRUCTION PROJECTS' 1968-69

	Estimated total project costs	Estimated amount of Federal grant to be requested
City and county of Honolulu:		
Nanakuli interceptor	$1,500,000	$495,000
Makaha sec. 3 interceptor	350,000	115,500
Hawaii County:		
Kailua interceptor	900,000	297,000
Kawaihae-Puako secondary treatment and interceptor	750,000	247,500
Kauai County: Lihue-Nawiliwili interceptor	850,000	280,500
Maui County:		
Honokowai secondary treatment and interceptor	1,500,000	497 000
Kaunakakai secondary treatment and interceptor	750,000	247,500
Lanai secondary treatment and interceptor	500,000	165,000
Total	7,100,000	2,343,000

STATE OF ILLINOIS,
Springfield, June 25, 1969.

Hon. JOHN D. DINGELL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN DINGELL: In your letter of June 6, 1969, you stated that the House Committee on Appropriations is currently considering funding of construction grants for sewage treatment works under the Clean Water Restoration Act (Public Law 84–660).

The authorization for fiscal 1970 is $1 billion, but the proposed appropriation is for $214 million. Therefore, the Illinois allotment will be approximately $9.8 million vs. the $53.3 million at maximum authorized. This short funding has a serious impact on progress in Illinois toward construction of necessary abatement works. This is particularly true of the cities along the Illinois River, Lake Michigan and other interstate waters. The proposed funding will be sufficient for about 20 to 25 projects only.

There are now on hand, Federal grant applications for 273 projects having a total cost of $187 million, and eligible for $55 million in grants at 30 percent. Fifty-six projects requesting $18 million in grants are in the metropolitan Cook County; 217 projects are outside Cook County with grant requests of $37 million. All of these projects are required to be completed by July, 1972 in compliance with the Federal-State Water Quality Standards established in accord with the Federal Water Quality Act of 1965.

* * * * *

Many construction projects have been held back and others have been progressing slowly because of difficulties with financing. Practically all interstate projects were planned and scheduled in expectation that funds authorized by the Clean Water Restoration Act would be available. In spite of this, twenty downstate projects and two Metropolitan Sanitary District projects did proceed in FY 69 under potential reimbursement features of the Federal Act.

A one billion dollar Water Resources General Obligation Bond Referendum for Illinois in November, 1968 received a majority of "Yes" votes. However, because a majority of votes cast in the election was required, the issue did not receive legal approval. This bond issue was intended, in part, to assist municipalities in construction of sewage treatment works.

Sincerely,

RICHARD B. OGILVIE,
Governor.

STATE OF MAINE,
Augusta, June 19, 1969.

Hon. JOHN D. DINGELL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN DINGELL: I have noted the concern expressed by your letter of June 6, 1969 for the effect of the lag of appropriations by the Congress behind the authorizations of the Clean Water Restoration Act.

Here in Maine we are equally concerned, have tried to keep the program momentum with pre-financing provisions of a limited nature, and now have before the Legislature a bond issue bill which carries a pre-financing provision as well.

Our water quality restoration implementation plan was based upon the authorization and is now in danger of falling out of gear badly. The first two years of the Act's four year authorization period would, if fully funded, have provided Maine with a total of $7.5 million in aid generating approximately $15 million in construction. Instead the direct aid figure amounted to about $3.5 million generating $6.8 million in construction. Fortunately some projects were saved by a pre-financing provision authorized by the 1967 Legislature leaving only $0.7 million of authorization uncovered.

To the best of our knowledge the Fiscal Year 1970 aid figure will approximate $1.8 million for Maine which will drop us behind from an authorized $6.1 million figure and provide a lag of $4.3 million in aid and $8.6 million in construction. In Fiscal Year 1971 $7.3 million was authorized and if there is a continuation of present policy we will slip back another $5.5 million. So as matters now stand we will be out of line by $21 million dollars worth of construction by July 1, 1971.

There is a bill before the current Legislative session to provide fifty million dollars in state money for the program including pre-financing but in addition to Legislative approval, it must pass Statewide referendum as well. A problem somewhat unrelated but nevertheless a problem is that Maine must recover the $5.3 million now invested in pre-financing from 1970 and 1971 funding of the federal grants in aid unless it is to sacrifice this money.

Maine communities under present construction costs must participate in something over $150 million in abatement projects and it is easy to see the impact of short fall on the program. At the present time the cost increase in construction is a prime factor in estimating the cost of delay.

I wish to express my gratitude for your concern in this matter and assure you that we will be pleased to supply any additional information at any time.

Sincerely,

KENNETH M. CURTIS,
Governor.

EXECUTIVE DEPARTMENT,
Annapolis, Md., June 25, 1969.

Hon. JOHN D. DINGELL,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN DINGELL: At the request of Governor Mandel, I am replying to your letter of June 6th concerning the funding of the construction grant program under the Clean Water Restoration Act.

Governor Mandel recently appeared before the Public Works Subcommittee of the Senate Finance Committee, at which time this subject was under discussion.

We are pleased to enclose herewith a copy of Governor Mandel's testimony of June 9th as we feel that his remarks will give you, substantially, the information you requested.

Sincerely,

JOSEPH G. ANASTASI,
Administrative Officer.

TESTIMONY OF GOV. MARVIN MANDEL

Mr. Chairman, members of the Committee, I appreciate the opportunity to be here to express my support for increased appropriations for sewage purification plants.

Specifically, I appear before you today to urge you to appropriate the full sum of money authorized in the Federal Water Pollution Control Act for grants to communities for the construction of sewage purification works. The Act authorizes one billion dollars for that purpose in fiscal year 1970. I am informed that the President's budget requests only 214 million dollars—the same as last year.

Mr. Chairman, 214 million dollars is woefully inadequate. One billion dollars is not enough. And I believe the Governors of all the states would agree with me. If support for sewage purification works is limited to that amount, the effectiveness of the national water pollution control effort will be severely lessened.

Let me assure you that I am aware of the extraordinary pressures on the nation's budget. I fully appreciate the desire of the President and some members of Congress to cut back and defer expenditures wherever possible.

State and local budgets are under similar pressures. In Maryland, and in many other states, it is unwise to defer construction of water pollution control facilities—unless we can defer pollution too.

So many of the problems I face today as Governor of Maryland—and you face too in the area of your own responsibilities—are embedded in social and economic disparities that no amount of public expenditures alone can remedy. The point is, the aggravating problems caused by municipal sewage pollution can be solved now. They can be solved by the simple expenditure of a relatively small sum of money. Furthermore, construction of sewage purification plants now is the cheaper method. Deferring the ultimate construction of these needed plants means adding the social and actual costs of inadequate pollution control to the construction costs of the plants.

In addition, municipal sewage is one source of pollution that we know how to control. It can be corrected now. It will never be less expensive to correct than today.

I stated earlier in my testimony that one billion dollars is inadequate for the construction of sewage purification works in fiscal 1970. Let me tell you about our experience in Maryland to illustrate the point.

In 1967 Maryland entered the local, State and Federal program of the Clean Water Restoration Act of 1966. Water quality standards were adopted for all waters of the State. Standards and plans for implementation for interstate waters were approved by the Secretary of the Department of Interior. These standards thus became Federal as well as State.

The Maryland plan requires that by 1971 all municipalities in Maryland have arranged financing and have completed or have under construction the most advanced sewage purification works available under current technology.

In 1966, when Maryland began this program, approximately 720 thousand persons were contributing to water pollution for lack of modern sewage purification works. In addition, Maryland is growing at an average

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rate of approximately 80 thousand persons per year. Thus, in a five year period, it was imperative that Maryland finance sewage works for a total of 1.12 million people—or an average of 224 thousand per year for five years.

Maryland's experience in 1966 was that the grant eligible portion of sewage facilities cost about 150 dollars per person. That figure increases at the rate of about 15 per cent per year. That means that by 1971 Maryland can expect to pay 300 dollars per person.

The average annual cost of the plan eligible for Federal and State grants (at an average construction rate providing service for an additional 224 thousand persons per year at an average cost of 225 dollars per person) is 50.4 million dollars. Maryland's communities are fully eligible for the maximum Federal grant. Thus the allotment to Maryland to finance a 55 per cent grant is slightly more than 27.7 million dollars.

If Congress appropriates one billion dollars, Maryland's allotment will be close to 17 million dollars. This is about 11 million dollars short of the amount needed. In order for Maryland to receive the allotment needed to finance the plan approved by the State and Federal governments, Congress would need to appropriate 1.64 billion dollars.

At the level of President Nixon's budget request, Maryland can expect to receive 3.5 million dollars in fiscal year 1970. This is about one-eighth of the amount needed to comply with the approved plan. New sewage purification facilities to complement the population growth that qualify for Federal grants total almost 10 million dollars—or about three times that which Maryland would be entitled to receive under the President's budget request.

Clearly, one billion dollars is not enough to finance the Federal share of construction of municipal sewage purification facilities. 214 million dollars is grossly inadequate.

Maryland's plan did not anticipate that Federal grant funds would be sufficient to fully finance the Federal share in the first five years. Instead, the Maryland General Assembly authorized the sale of 150 million dollars in bonds to pay the outright State grant and to pre-finance any deficiency in the Federal grant offer. This was done on the basis of the authorization for reimbursement through fiscal year 1971 and the hope that the reimbursement provision would be extended beyond 1971 in later amendments.

A Sanitary Facilities Fund was established for those purposes. The law authorizing the sale of bonds provides that reimbursements received from the Federal government be deposited in the fund to be used to finance other works. Thus, the fund was designed to provide capital to make up the deficiency in the early years of the program. If reimbursements came in as expected, Maryland could continue to build for growth and modern sewage purification works. The State share would be taken out of the fund until it was depleted early in 1980.

Maryland did not anticipate the default in the appropriation schedule authorized by the Federal Act. As a result, because our carefully conceived plan is working well, Maryland is in financial trouble. During the first two years the backlog of purification needs was reduced from 720 thousand to approximately 300 thousand. If the Federal government appropriates the amounts authorized in the Act, Maryland's backlog needs will be financed and under construction by mid-1970, months ahead of our target date.

At the present rate of Federal appropriations, Maryland will receive about 14 million dollars for fiscal years 1968 through 1971. 57.5 million dollars was anticipated under the Federal Act for the same fiscal years. Thus, the Sanitary Facilities Fund will go broke early in fiscal year 1970 unless Federal appropriations are increased.

You might be interested in the fact that actual Federal grants for construction of sewage purification works in Maryland average less than 10 per cent compared to the 55 per cent grant authorization of the Federal Water Pollution Control Act.

In closing, I want to express my concern in support of increased appropriations for sewage purification plants. Our people are fed up with billion dollar talk and million dollar action.

The example set by Congress can greatly enhance or hinder the national water pollution control effort.

An effective program has been developed in Maryland. This program includes local, State and Federal partnership. But unless Maryland continues to receive Federal support the program will fail for lack of financial support.

This means other states will be less apt to try and work out programs involving all three levels of government. And this means that industry will be less apt to place a high priority on nonproductive water pollution control investments. These are two very serious consequences of decreasing the amount of Federal involvement in the sewage purification effort.

In summary, pollution caused by municipal sewage is unnecessary. This type of pollution can be lessened by constructing modern sewage purification works. The cost of building these plants five years from now will be double today's cost. This is one problem that can be solved—with a modest expenditure of Federal funds now.

Therefore, I urge this subcommittee to look favorably on appropriating the full one billion dollars for construction grants in fiscal year 1970 as authorized in the Federal Water Pollution Control Act.

STATE OF MICHIGAN,
Lansing, June 27, 1969.

Hon. JOHN D. DINGELL,
Rayburn House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE DINGELL: Governor Milliken has asked me to reply to your request for information on the effect of the short-funding of the Clean Water Restoration Act on Michigan's water pollution control program. The people of Michigan have expressed their concern over this growing threat to our environment by passing the $446 million Clean Water Bond issue last November. The Michigan Legislature responded to this mandate of the people and on June 12, 1969, Governor Milliken signed into law Public Act 21 which is the enabling legislation for the disbursement of $285 million of the Clean Water Bond issue to be used in the construction of sewage treatment facilities eligible under provisions of P.L. 84–660. I am enclosing a copy of this Act for your information. Sec. 3(2) of Act 21 provides that a treatment works qualifying for a grant under this Act and under P.L. 84–660 shall receive a 25% state grant, an additional payment from the state water pollution control fund as an advance against the prospective federal share and a portion of the annual allotment to Michigan under provisions of P.L. 84–660. The Act provides that the total grant shall not be less than 55% of the eligible cost until June 30, 1971 which is the expiration of the funding authorization of P.L. 84–660.

The needs study which provided the factual information on which the Clean Water Bond issue was based indicated a total need of $570 million for treatment works which would be eligible for $285 million in grants under P.L. 84–660 at the 50% Federal participation commitment. In addition, this study projected a need for an additional $641 million expenditure for the control of storm water overflows and for lateral sewers. The bulk of this $641 million will have to be furnished by local units of government without the assistance of grants from the Federal government. Fifty million dollars of the Clean Water Bond issue will be utilized to assist small communities in Michigan in the construction of lateral sewers based on financial and water pollution control needs. This enabling legislation is currently in its final stages in the Legislature.

The foregoing information illustrates the concern of the people of Michigan over the water pollution problem. The Clean Water Bond issue and the passage of the implementation legislation resulted in a slowdown in the construction of sewage treatment facilities in Michigan from early 1968 to the present time. On June 25, 1969, the Michigan Water Resources Commission presented to the Michigan Legislature, in accordance with Act 21, P.A. of 1969, two lists of projects eligible for grant funds under the State Act and under P.L. 84–660, copies of which are enclosed. The first list, titled "Applicants eligible for additional grant funds under Sec. 3(1) of Act 329, P.A. of 1966, as amended" is a listing of 39 projects on which construction commenced after June 30, 1967. These 39 projects have a total of $48,496,912 and are eligible for $24,248,456 under provisions of P.L. 84–660. These projects have already had committed a total of $13,020,822 in Federal grants under P.L. 84–660, primarily at a 30% rate and are now eligible for an additional $11,227,634 from the Federal government to bring them up to the 50% Federal participation commitment. The second list consists of applicants who intend to award construction contracts before December 31, 1969. This list contains 54 projects with a total estimated project cost of $133,179,225 and are eligible for $66,589,612 under the 50% Federal participation commitment.

The additional cost to the State and the local units of government is the interest cost of bonding for the unpaid Federal commitment. Based on past appropriations for P.L. 84–660 grants, the Federal government will only be providing an estimated 5% of the total needs, instead of 50%.

I am also enclosing a copy of Governor Milliken's press release of June 12, 1969, when he signed Act 21. I would like to call to your attention the following portion of this release "Moreover, new Federal legislative proposals have been put forward which would alter the basic legislation and change the ground rules under which the programs of Michigan and other states have been formulated. Clearly, this would represent a serious breach of faith with the states and more important would delay effective pollution control immeasurably."

I trust this will provide you with the information you require. If we may be of further assistance, we shall be glad to do so.

Sincerely yours,
JAMES C. KELLOGG,
Executive Assistant.

GOVERNOR MILLIKEN SIGNS LEGISLATION

Gov. William G. Milliken Thursday signed the enabling legislation for the allocation of $285 million for local grants for sewage treatment control under the Clean Water Bond Issue approved by voters last November.

In signing the bill (S–107 I.E.) at a ceremony in his office, the Governor was critical of "inaction by the federal government" on pollution control. He also urged local governments in Michigan to "expedite" their plans for pollution control.

The Governor said:

"This legislation is a major step in combatting the ominous threat of pollution in Michigan, and in achieving clean water by 1980.

"By a number of actions, Michigan has demonstrated its commitment to this goal. Those legislators and citizens present at this

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ceremony deserve the appreciation of all of Michigan for their efforts on behalf of the bond issue, and the enabling legislation.

"Last November, the citizens of Michigan approved a $335 million bond issue to help finance local wastewater treatment facilities. At the same time, approval was given for a $100 million bond issue for the development of State and local outdoor recreation facilities. Our pollution control goal is to remove, by 1980, the threat to our inland lakes, our rivers, and the Great Lakes by the construction of approximately 210 new treatment plants, the improvement of 126 existing sewage treatment plants, and the construction of sewers for an additional 3½ million people. $285 million will be distributed as grants for treatment plant construction and $50 million will be used to aid small, unsewered communities in the construction of sewer systems necessary to correct existing pollution.

"Our financing formula for the treatment plant and interceptor phase of the program was based on Federal legislation which provided for Federal assumption of 50 percent of the costs of eligible projects if the State would pay 25 percent.

The federal legislation also authorized the appropriation of funds by 1971 which would, as divided among the states by specified formula, have by then covered half the Federal government's obligation to Michigan's estimated project needs. Michigan's bonding program is geared to 25 percent Federal financing by 1971 with the State to prefinance the other Federal 25 percent as well as paying its own 25 percent.

"Unfortunately, Federal performance has not been forthcoming at a rate that will equal even one-half of the Federal promise. For example, in the upcoming fiscal year, Michigan's share of the total amount authorized for this program would be roughly $42 million, but it appears that less than $8 million will be forthcoming.

"I find it exceedingly difficult to understand the low Federal priority assigned to the sewage treatment works grant program when, in referendum after referendum across the country, the citizens of America have clearly demonstrated their very firm support for cleaning-up our lakes and streams.

"Moreover, new Federal legislative proposals have been put forward which would alter the basic legislation and change the ground rules under which the programs of Michigan and other states have been formulated. Clearly, this would represent a serious breach of faith with the states and more important would delay effective pollution control immeasurably.

"Michigan, with or without the Federal support promised, will move ahead as rapidly as possible. It must be understood, however, that the tremendous potential of effective Federal-State-local partnership has not only been circumscribed in this program, but will be increasingly difficult to invoke in any future programs.

"Through inaction, the Federal government is faulting on its commitment to environmental control. By authorizing one billion dollars and appropriating only $200 million, Congress is providing about one-fifth of what is needed to carry out federal responsibility.

"With this legislation signed today, the State government can provide grants to local government. I urge local governments to expedite their pollution control programs in order to qualify for these grants.

"I also urge favorable action by the Legislature on the companion bill to the legislation signed today. The pending legislation would provide $50 million which would allow economically depressed communities to move ahead on their programs of collecting sewers and sewage treatment facilities.

"Water pollution was the subject of my first message to the Legislature on February 6.

"I am highly pleased now, four months later, to be able to sign the enabling legislation for clean water bond program."

[From Public Acts of 1969, State of Michigan, 75th Legislature]

ENROLLED SENATE BILL 107

An act to amend the title and sections 1, 2, 3, 6, 8 and 11 of Act No. 329 of the Public Acts of 1966, entitled "An act to provide state grants for sewage treatment facilities," as amended and added by Act No. 75 of the Public Acts of 1968, being sections 323.111, 323.112, 323.113, 323.116, 323.118 and 323.121 of the Compiled Laws of 1948; and to add sections 3a and 12 to 18

The People of the State of Michigan enact:

SECTION 1. The title and section 1, 2, 3, 6, 8 and 11 of Act No. 329 of Public Acts of 1966, as amended and added by Act No. 75 of the Public Acts of 1968, being sections 323.111, 323.112, 323.113, 323.116, 323.118 and 323.121 of the Compiled Laws of 1948, are amended and sections 3a and 12 to 18 are added to read as follows:

"TITLE

"An act to prevent the discharge of untreated or inadequately treated sewage or other liquid wastes into any waters of the state; to provide financial assistance to local agencies for the construction of treatment works to prevent such discharge; and to abate and prevent pollution of the waters in and adjoining the state; and to implement Act No. 76 of the Public Acts of 1968.

"SEC. 1. (1) A fund to be known as the state water pollution control fund is established to be used for assisting counties, cities, villages, townships or other public bodies created by or pursuant to state law and having jurisdiction over disposal of sewage or other liquid wastes, hereinafter referred to as local agencies, in financing their construction of treatment works.

"(2) As used in this act:

"(a) 'Treatment works' means the various devices used in treatment of sewage or industrial wastes of a liquid nature, and extensions, improvements, remodeling, additions and alterations thereof, including necessary intercepting sewers, outfall sewers, pumping, power and other equipment and their appurtenances.

"(b) 'Intercepting sewer' means a sewer, including necessary pumping stations, designed or constructed for 1 or more of the following purposes:

"(i) To receive the existing flow of untreated or inadequately treated sewage or other liquid waste from 1 or more sewers or outlets, other than from a building or dwelling, that discharge or formerly discharged the flow into any waters of the state; and convey the flow to a treatment works.

"(ii) To serve in lieu of an existing or proposed treatment works.

"(iii) To convey sewage from a sewage collection system directly to a treatment works.

"(c) 'Outfall sewer' means a sewer designed or constructed to convey the effluent from a treatment works to the point of final disposal.

"(d) 'Construction' means the engineering architectural, legal, fiscal and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures and other similar action necessary to the construction of treatment works; the erection, building, acquisition, extension, improvement, remodeling and additions to or alterations of treatment works; and the inspection and supervision of the construction of treatment works. 'Construction' does not include acquisition of lands and rights of way.

"SEC. 2. The proceeds of sale of $285,000,000.00 of the bonds authorized by Act No. 76 of the Public Acts of 1968, being sections 323.371 to 323.382 of the Compiled Laws of 1948, or any series thereof, and any premiums and accrued interest received on the delivery thereof, shall be deposited with the state treasurer in the water pollution control fund. Disbursements from the fund shall be made only for specific eligible treatment works projects approved by the appropriation committees and by the legislature by concurrent resolution adopted by a roll call vote of a majority of the members elected to and serving in each house. A concurrent resolution shall include all or part of the projects on the list of eligible projects reported by the water resources commission as provided in section 16, but in case of a part only it shall be an entire part representing all projects on the list having priorities higher than those of projects not included in the resolution and projects out of the priority order shall not be included. The income from temporary investments of the proceeds shall be deposited in the general fund.

"SEC. 3. (1) Grants shall be made under this act only for treatment works eligible for federal grants under United States Public Law 84–660, as amended, and on which construction commenced after June 30, 1967, and shall be made in an amount equal to 25% of that portion of the treatment works cost that is eligible for such federal grant. However, (a) treatment works which receive federal grants only under federal laws other than United States Public Law 84–660, as amended, and on which construction commenced after June 30, 1967, are eligible for state grants not to exceed 25% of the cost of treatment works, and; (b) the sum of state and federal grants on projects which receive federal grants only under federal law other than United States Public Law 87–660, as amended, shall not exceed 75% of the cost of the portions of such treatment works which would have been eligible for grants under United States Public Law 84–660, as amended.

"(2) Commencing July 1, 1967 and ending June 30, 1971, a treatment works qualifying for a 25% state grant under this act and a federal grant under United States Public Law 84–660, as amended, is eligible to receive an additional payment from the state water pollution control fund as an advance against the prospective federal share of the eligible treatment works cost authorized by United States Public Law 84–660, as amended, so that the combined state grant, state advance of the federal share, and federal grant apportioned to the treatment works shall not be less than 55% of the eligible cost. After June 30, 1971, the combined state grant and state advance of the federal share shall not be less than 50% of the eligible treatment works cost.

"(3) Financial assistance shall be given under this act to a local agency only if it has agreed, when filing its application for assistance under this act, to adjust the amount of its request for federal grants to the amount that is determined by the water resources commission to be available for apportionment. This agreement shall not affect the eligibility of the local agency for future reimbursement of costs of the treatment works, which were prefinanced by the local agency but which would have been eligible for federal grants if funds therefor had been available.

"(4) Financial assistance shall be given under this act to a local agency only for treatment works on which eligibility for a federal grant has been established and construction contracts awarded or construction commenced after June 30, 1967.

"(5) Notwithstanding the provisions of subsections (1) and (2) of this section, when a treatment works owned by a local agency is to be replaced in whole or in part by a system of another local agency under an official plan approved by the water resources commission after June 30, 1967, the project costs eligible for a state grant to the regional local agency may include 50% of the present value of the treatment works or part thereof that is to be replaced, less the land value and any state or federal grants used in the construction thereof. The present value shall be based on a straight line depreciated cost including any capital improvements thereto based on a maximum life of 40 years for structures and 20 years for equipment from the date the treatment works was placed in operation. The grant shall be made only if the regional local agency has entered into an agreement for acquisition of the treatment works or part thereof to be replaced and applies the grant toward such acquisition.

"Sec. 3a. (1) Disbursements from the fund shall be made by the director of the department of administration and the state treasurer in accordance with the accounting laws of the state only for the following purposes for which the bonds have been authorized:

"(a) Expense of issuing the bonds.

"(b) Grants and advances to local agencies as provided in subsections (2) and (3) and subsection (5) of section 3.

"(2) Before any disbursement from the fund, as provided in subsection (3), is made to a local agency to assist it in constructing treatment works, the water resources commission shall certify to the director of the department of administration and the state treasurer that such agency is eligible for financial assistance under this act. The certificate shall include or have attached thereto a certificate by the water resources commission, or by the state department of public health when so requested by the commission of the necessity and sufficiency of the treatment works and all portions thereof.

"(3) Disbursements from the fund to a local agency, as authorized by section 3, shall be made on certification to the director of the department of administration and the state treasurer by the water resources commission that such disbursements are due. A local agency is eligible for this certification at the same time and in the same proportions that federal grant payments are authorized. However, a disbursement shall be made from the fund to a local agency for 50% of the reasonable cost of preparing completed final construction plans and specifications for that part of the treatment works that is eligible for a federal grant, on (a) issuance of a construction permit by the department of public health for the treatment works for which the construction plans and specifications have been prepared (b) receipt of evidence satisfactory to the commission of the local agency's ability to finance the local share of the project cost and (c) certification to the director of the department of administration and the state treasurer by the water resources commission of the necessity and sufficiency of the plans and specifications.

"Sec. 6. Federal funds allocated to the state before July 1, 1971, in excess of 5% of the eligible costs of treatment works that have been certified for financial assistance under this act, shall be used under the reimbursement provisions of United States Public Law 84–660, as last amended by United States Public Law 89–753, to reimburse local agencies in full, for that portion of the federal share which they advanced, before such federal funds are used for reimbursement to the state of any portion of the federal share which the state has advanced. Federal funds received by the state, for reimbursement of the portion of the federal share which the state advanced, shall be deposited in the state water pollution control fund for state assistance in financing treatment works under this act.

"Sec. 8. An official plan shall:

"(a) Provide for timely construction of treatment works which will prevent the discharge of untreated or inadequately treated sewage or other wastes as defined by Act No. 245 of the Public Acts of 1929, as amended, being sections 323.1 to 322.12a of the Compiled Laws of 1948, into the waters of the state.

"(b) Provide for adequate planning, zoning, population projections and engineering and economic studies to delineate with all practicable precision those portions of the area which public sewerage systems may reasonably be expected to serve within 10 years, and within 20 years, and any areas in which the provision of such services is not reasonably foreseeable.

"(c) Be in compliance with the state pollution control plan required by United States Public Law 84–660, as amended.

"(d) Set forth a time schedule and proposed method of financing, construction and operation of the pollution control system.

"(e) Be reviewed by the official planning agencies having jurisdiction within the local agency, including the regional planning agency, if any, for consistency with programs of planning for the area, which reviews shall be transmitted to the water resources commission with the plan.

"Sec. 11. (1) The water resources commission, with the consent of the head of any other agency of this state, shall utilize such officers and employees of such agency as may be found necessary to assist in carrying out the purposes of this act.

"(2) A recipient of assistance under this act shall keep such records as the commission shall prescribe, including records which fully disclose the amount and disposition by the recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with such assistance given or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit. The commission, the auditor general and the state treasurer or any of their duly authorized representatives shall have access, for the purpose of audit and examination, to any books, documents, papers and records of the recipient that are pertinent to grants received under this act.

"Sec. 12. Notwithstanding any other provision of this act or of any rule of the water resources commission, compliance with sections 12 to 16 is a prerequisite to the making of a grant or advance under this act. Sections 12 to 16 provide procedures for establishing the priority of eligible projects and for certifying projects for an allocation of grants and advances for treatment works construction. The point system is designed to give ½ weight to financial needs and ½ weight to water pollution control needs.

"Sec. 13. (1) Points assigned to a treatment works project as a complete measure of financial needs shall not exceed 15.

"(2) One-fifth of a point shall be assigned for each $5.00 or major fraction thereof, based on estimated reasonable cost of the treatment works as entered on the application issued therefor by the administering federal agency, per capita of equivalent population established by the applicant's engineer as the basis of design of the treatment works.

"(3) One-fifth of a point shall be assigned for each $5.00 or major fraction thereof, based on applicant's oustanding financial obligations, exclusive of school debt, on the date the application is filed, per capita of population established by the latest federal census. In case of a project to be constructed by 1 local agency to serve any other local agency or portions thereof, or project to be constructed by a new local agency formed by existing local agencies to be served, debt obligations per capita shall be based on the combined financial obligations and population of the areas served.

Sec. 14. (1) Points assigned to a treatment works project as a complete measure of pollution control needs shall not exceed 15.

"(2) Two points shall be assigned for each of the following interests subject to pollution-caused injuries, which injuries will be corrected or substantially lessened by the proposed project:

"(a) Public health, safety or welfare but not including bathing.

"(b) Public water supply for domestic use.

"(c) Water supply for commercial or industrial use.

"(d) Irrigation or livestock water supply for agricultural use.

"(e) Organized public recreational use including bathing.

"(f) Aesthetic value or utility of riparian lands.

"(g) Water supply for wild animals, birds and fish, and adverse effects on aquatic life or plants.

"(h) Usefulness of fish or game for human consumption.

"(3) A treatment works required to be constructed in compliance with a judgment rendered by a court of competent jurisdiction, or with a stipulation or an order of the water resources commission, or an agreement with the department of public health, shall be assigned from 1 to 4 points in accordance with the following schedule, if the stipulation, order or agreement specifically recites the existence of unlawful pollution and was in effect not less than 30 days before the deadline for filing applications, and if the pollution abatement date is such that compliance therewith would make it necessary to start construction during the year ending:

"(a) June 30 of the fiscal year for which the application is filed, 4 points.

"(b) June 30 of the first succeeding fiscal year, 3 points.

"(c) June 30 of the second succeeding fiscal year, 2 points.

"(d) June 30 of the third succeeding fiscal year, 1 point.

"(4) An applicant in default of a performance date specified by an order, stipulation or agreement may be assigned points under the preceding schedule only at the discretion of the water resources commission.

"(5) A treatment works project, which qualifies for less than 4 points under subsection (3) and for which construction contracts are awarded before the deadline date for filing applications, shall be assigned from 1 to 4 points, so that the combined points assigned pursuant to subsections (3) to (5) shall equal 4.

"Sec. 15. (1) Total priority points for a treatment works project shall be the sum of the points assigned for financial needs and for water pollution control needs.

"(2) If 2 or more projects receive the same priority point totals the water resources commission shall assign priorities to the tied projects in the relative order of their points for water pollution control needs. If the projects have the same point totals for water pollution control needs the commission shall assign priorities after considering factors such as waters affected, extent of public interests involved, relative magnitude of pollution injury and other factors as the commission deems appropriate.

"Sec. 16. (1) For the purposes of sections 12 to 16 the fiscal year is July 1 to June 30.

"(2) An application for a treatment works construction grant for a specific fiscal year shall be filed with the water resources commission not later than September 15 preceding the fiscal year for which the application is filed. An application postmarked not later than midnight of September 15 will meet this requirement.

"(3) A point total shall be assigned by the commission to each application that has been timely filed and conforms to the requirements of the administering federal agency no later than the following January 1.

"(4) Projects entitled to construction grants shall be certified to the administering federal agency from the eligibility list as established by the water resources commission as approved by the legislature. Certification shall be made within 7 days after approval by the legislature and after receipt of federal authorization to certify projects.

"(5) Priority certification of a project to the administering federal agency is subject to the condition that construction contracts for the project be awarded by the next October 1. Failure to comply with this condition of certification will be considered cause for the commission to request the administering federal agency to take action necessary to withdraw any grant offer that may have been obligated to the project. However, on a showing satisfactory to the water resources commission that the project will proceed within an extended period, the commission may allow 30 day extensions totaling not more than 90 days.

"(6) An application for a treatment works construction grant filed with the commission is valid only for the year for which the application is filed.

"(7) The commission shall report to the legislature by January 15 of each year the projects eligible for grants and the points and priorities assigned to them pursuant to this act and the projects which failed to comply with the condition of certification set forth in subsection (5). Within 10 days after the effective date of this act, the commission shall submit to the legislature its June 27, 1968 list of projects and points and priorities assigned to them for projects which it appears can now be certified in accordance with the terms of this act and for which the applicants have provided assurance that they intend toward construction contracts before December 31, 1969. If legislative approval or rejection of eligible projects is not given each year within 45 days after receipt of the commission's list of eligible projects, the commission list will be considered approved.

"SEC. 17. It is the intent of this act that the water resources commission encourage local agencies to use grants provided herein to assist in abatement of any unlawful pollution of waters of this state. When the commission is petitioned relative to such pollution and determines that untreated or inadequately treated sewage or other liquid wastes are being discharged into the waters of the state from any system of sewers, drains or existing treatment works, including but not limited to combined sewer overflows from regulating structures owned, operated or maintained by a local agency or a combination of local agencies, the commission shall take prompt and timely action under procedures prescribed by law to obtain the abatement of unlawful pollution caused by such discharges.

"SEC. 18. Notwithstanding any other provision of law in the contrary a petition under chapters 20 or 21 of the drain code of 1956 may be filed by 1 public corporation when the purpose thereof is to alleviate pollution of the waters of the state."

SEC. 2. This act shall take effect June 15, 1969.

This act is ordered to take immediate effect.

PROJECTS FROM JUNE 27, 1968, PRIORITY LIST FOR WHICH APPLICANTS HAVE PROVIDED ASSURANCE OF THEIR INTENTIONS TO AWARD CONSTRUCTION CONTRACTS BEFORE DEC. 31, 1969

[Key to points for financial and pollution control needs: Col. A—Construction cost per capita; B—Debt per capita; C—Financing dependent upon Federal grant; D—Pollution injury created; E—Order status; F—Voluntarily advanced project]

Project No.	Applicant	Priority points								Total points	Project cost	55 percent grant[1]
		Financial need				Pollution need						
		A	B	C	Subtotal	D	E	F	Subtotal			
1304	Warren	2.8	17.4	0	15.0	8	4.0	0	12	27.0	$5,300,000	$2,915,000
1387	Detroit (63 communities)	.8	12.0	0	12.8	10	4.0	0	14	26.8	80,000,000	44,000,000
1358	Ravenna	10.0	15.8	0	15.0	6	4.0	0	10	25.0	300,000	165,000
1384	Monroe County (Petersburg)	19.0	.0	0	15.0	4	3.0	0	7	22.0	950,000	522,500
1349	Ashley	5.2	10.4	0	15.0	2	4.0	0	6	21.0	105,300	57,900
1394	Waldron	16.8	7.4	0	15.0	2	4.0	0	6	21.0	217,500	119,600
1391	Camden	10.2	4.0	0	14.2	2	4.0	0	6	20.2	141,000	77,500
1397	Kalamazoo	.2	7.4	0	7.6	8	4.0	0	12	19.6	2,512,000	1,381,600
1337	Bellevue	11.4	0	0	11.4	4	4.0	0	8	19.4	515,500	283,500
1207	Saginaw	.4	13.8	0	14.2	4	0	0	4	18.2	1,552,500	853,800
1339	Trenton	1.6	4.2	0	5.8	8	4.0	0	12	17.8	1,436,250	789,900
1347	Oakland County (Walled Lake-Novi)	1.8	8.0	0	9.8	4	4.0	0	8	17.8	2,335,500	1,284,500
1353	Monroe County (Monroe Township)	5.4	1.8	0	7.2	6	4.0	0	10	17.2	3,245,000	1,784,700
1373	Ypsilanti Township, Washtenaw County	.2	8.8	0	9.0	4	4.0	0	8	17.0	540,000	297,000
1414	Genesee County (Swartz Creek interceptor)	1.6	14.8	0	15.0	2	0	0	2	17.0	4,755,000	2,615,200
1357	Dimondale	6.6	0	2	8.6	4	4.0	0	8	16.6	348,000	191,400
1343	Hopkins	6.8	0	0	6.8	6	3.0	0	11	15.8	120,000	66,000
1374	Monroe County (Frenchtown Township)	5.2	2.6	0	7.8	4	4.4	0	8	15.8	3,630,000	1,996,500
1377	Vermontville	4.4	3.4	0	7.8	4	4.0	0	8	15.8	109,000	59,900
1352	Flushing	2.4	11.2	0	13.6	2	0	0	2	15.6	143,300	78,800
1302	Breckenridge	5.2	4.2	0	9.4	2	4.0	0	6	15.4	155,000	85,200
1381	Onekama	11.4	0	0	11.4	4	0	0	4	15.4	284,275	156,300
1328	Birch Run	3.8	8.4	0	11.2	2	0	0	2	14.2	113,000	62,100
1306	Rose City	9.6	0	0	9.6	4	0	0	4	13.6	111,000	61,000
1335	Lake Odessa	3.6	1.4	0	5.0	4	4.0	0	8	13.0	359,000	197,400
1319	Reading	7.0	0	0	7.0	2	4.0	0	6	13.0	259,300	142,600
1396	Monroe County (Bedford Township)	7.0	0	0	7.0	2	4.0	0	6	13.0	2,100,000	1,155,000
1354	Benton Harbor	1.4	5.4	0	6.8	6	0	0	6	12.8	431,500	237,300
1351	Ottawa County (Hudsonville-Georgetown)	1.6	8.6	0	10.2	2	0	0	2	12.1	1,132,000	622,600
1405	Genesee County	3.2	6.8	0	10.0	2	0	0	2	12.0	3,420,000	1,881,000
1312	Perry	4.4	3.4	2	9.8	2	0	0	2	11.8	166,000	91,300
1406	Genesee County (Davison)	.4	9.4	0	9.8	2	0	0	2	11.8	96,000	52,800
1360	Marcellus	8.8	1.2	0	9.6	2	0	0	2	11.6	250,300	137,700
1365	Litchfield	5.2	.2	0	5.4	2	4.0	0	6	11.4	148,200	87,000
1342	Brooklyn	5.0	4.4	0	9.4	2	0	0	2	11.4	150,300	82,600
1307	Essexville	1.8	2.4	0	4.2	4	3.0	0	7	11.2	325,000	168,700
1375	Monroe County (South Rockwood)	.4	4.8	0	5.2	2	4.0	0	6	11.2	116,300	63,900
1326	North Branch	9.0	0	0	9.0	2	0	0	2	11.0	338,400	186,100
1330	Bay City	1.4	5.0	0	6.4	4	0	0	4	10.4	2,565,200	1,410,800
1355	Beulah	4.4	1.8	0	6.2	4	0	0	4	10.2	154,000	84,700
1412	Genesee County (Fenton Township)	3.2	2.8	0	6.0	4	0	0	4	10.0	836,000	459,800
1311	Three Oaks	3.6	0	0	3.6	2	4.0	0	6	9.6	351,600	193,300
1372	Lansing	0	7.6	0	7.6	2	0	0	2	9.6	240,000	132,000
1363	Decatur	5.2	0	2	7.2	2	0	0	2	9.2	323,000	177,600
1410	Genesee County (Fenton)	1.0	5.8	0	6.8	2	0	0	2	8.8	242,000	133,100
1392	Middleville	4.8	1.0	0	5.8	2	0	0	2	7.8	356,300	195,900
1303	St. Charles	3.0	2.0	0	5.0	2	0	0	2	7.0	180,000	99,000
1345	Pigeon	4.6	0	0	4.6	2	0	0	2	6.6	149,000	81,900
1334	Pinckney	4.2	0	0	4.2	2	0	0	2	6.2	106,500	58,500
1402	Genesee County (Mount Morris Township)	.8	1.2	0	2.0	4	0	0	4	6.0	1,613,000	887,100
1322	Richland Township, Saginaw County	3.6	.0	0	3.6	2	0	0	2	5.6	90,000	49,500
1411	Genesee County (Vienna Township)	1.0	.0	0	1.0	4	0	0	4	5.0	1,096,000	602,800
1367	Grand Rapids (Cascade-Grand Rapids Townships)	1.4	1.4	0	2.8	2	0	0	2	4.8	654,000	359,700
1338	Portage	.8	1.6	0	2.4	2	0	0	2	4.0	3,590,000	1,974,500
	Total										133,179,225	[2]

Amount required for 55 percent grant, $133,179,225×.55	$73,259,573
Amount of Federal funds available as of June 23, 1969	3,114,356
Amount of State funds required	70,145,217

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[1] Rounded down to nearest hundred.

[2] See the following table:

APPLICANTS ELIGIBLE FOR ADDITIONAL GRANT FUNDS UNDER SEC. 3(1) OF ACT 329, PUBLIC ACTS OF 1966, AS AMENDED

[Key to points for financial and pollution control needs: Col. A—Construction cost per capita; B—Debt per capita; C—Financing dependent upon Federal grant; D—Pollution injury created; E—Orde status; F—Voluntarily advanced project]

Project No.	Applicant	Priority points: Financial need: A	B	C	Subtotal	Pollution need: D	E	F	Subtotal	Total points	Project cost	55 percent grant[1]
1166	Wayne County (Huron Township, Flat Rock)	3.4	11.0	0	14.4	6.0	4	0	10	24.4	$2,033,230	$1,118,200
1146	Detroit	1.0	9.2	0	10.2	10.0	3	0	13	23.2	4,465,000	2,455,700
1125	Port Huron	7.0	8.6	0	15.0	4.0	0	4	8	23.0	143,731	79,000
1191	Grand Rapids	.6	8.4	0	9.0	10.0	4	0	14	23.0	890,000	489,500
1193	Kent County (Plainfield Township, Rockford)	1.6	4.0	2	7.6	10.0	4	0	14	21.6	2,377,000	1,307,300
1118	Stevensville	11.4	13.8	0	15.0	2.0	4	0	6	21.0	597,000	328,300
1032	Eau Claire	2.6	11.0	0	13.6	2.0	4	0	6	19.6	134,000	73,700
1157	Kalamazoo	0	6.6	0	6.6	8.0	4	0	12	18.6	792,000	435,600
1121	Montcalm Community College	9.0	1.2	0	10.2	4.0	0	4	8	18.2	144,119	79,200
1167	Wayne County (Flat Rock plant)	.8	6.4	0	7.2	6.0	4	0	10	17.2	384,500	211,400
1175	Genesee County (Grand Blanc Township)	2.6	10.6	0	13.2	4.0	0	0	4	17 2	1,376,000	756,800
1012	Webberville	4.8	10.2	2	15.0	2.0	0	0	2	17.0	209,000	114,900
1143	Crystal Falls	4.8	1.4	2	8.2	4.0	4	0	8	16.2	565,800	311,100
1134	Monroe County (Luna Pier)	8.0	0	0	8.0	4.0	4	0	8	16.0	834,400	458,900
1154	Flushing	.4	13.6	0	14.0	2.0	0	0	2	16.0	131,636	72,300
1109	Oakland County (Oakland interceptor)	2.8	4.8	2	9.6	6.0	0	0	6	15.6	25,804,400	14,192,400
1009	St. Clair County (Algonac)	1.6	3.6	2	7.2	4.0	4	0	8	15.2	824,000	453,200
1369	Wright Township, Ottawa County	6.4	0	0	6.4	2.0	0	4	6	14.4	112,500	61,800
1169	Wayne County (Brownstown Township)	2.6	5.6	0	8.2	2.0	0	4	6	14.2	132,500	72,800
1177	Genesee County (Grand Blanc City, Township)	.6	9.4	0	10.0	4.0	0	0	4	14.0	621,000	341,500
1003	Howard City	4.2	1.8	0	6.0	4.0	4	0	8	14.0	112,808	62,000
1103	Forsyth Township, Marquette County	4.6	1.2	0	5.8	4.0	4	0	8	13.8	361,000	198,500
1122	Jonesville	11.2	.4	0	11.6	2.0	0	0	2	13.6	870,000	478,500
1107	Ovid	2.6	2.8	2	7.4	2.0	4	0	6	13.4	156,000	85,800
933	Vernon	6.8	0	2	8.8	1.0	3	0	4	12.8	100,895	55,400
1172	Genesee County (Fenton)	.8	7.6	0	8.4	4.0	0	0	4	12.4	126,150	69,300
1041	Norway	3.0	.8	0	3.8	4.0	4	0	8	11.8	382,500	210,300
1120	Sparta	3.2	3.8	0	7.0	4.0	0	0	4	11.0	429,306	236,100
1010	Kent City	5.0	0	0	5.0	2.0	4	0	6	11.0	94,600	52,000
1161	Sterling Heights	.2	4.6	0	4.8	6.0	0	0	6	10.8	102,004	56,100
1136	Carson City	4.6	1.0	0	5.6	4.0	0	0	4	9.6	183,486	100,900
1038	Potterville	2.8	4.6	0	7.4	2.0	0	0	2	9.4	211,000	116,000
1013	Big Rapids	.8	6.0	0	6.8	2.0	0	0	2	8.8	582,494	320,300
1180	Genesee County (Flint Township)	1.6	4.4	0	6.0	2.0	0	0	2	8.0	111,040	61,000
1016	Adrian	.2	1.0	0	1.2	2.0	4	0	6	7.2	219,200	120,500
1011	Saranac	1.2	0	0	1.2	2.0	4	0	6	7.2	185,856	102,200
1001	Kalkaska	3.8	0	0	3.8	2.0	0	0	2	5.8	145,757	80,100
1047	DeWitt Township, Clinton County	3.0	0	0	3.0	2.0	0	0	2	5.0	1,144,700	629,585
1015	Lakeview	.8	0	0	.8	2.0	0	0	2	2.8	39,300	21,600
	Tekonsha[2]										119,000	65,400
	Macomb County[2]										248,000	136,400
	Total										48,496,912	(3)

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[1] Rounded down to nearest hundred.

[2] Subject to receipt of revised application.

[3] See the following table:

Amount required for 55 percent grants, $48,496,912×0.55	$26,673,301
30 percent State and Federal grants presently committed	14,300,029
Additional State funds required	12,373,272

STATE OF NEBRASKA,
EXECUTIVE OFFICE,
Lincoln, June 11, 1969.

Hon. JOHN D. DINGELL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN DINGELL: This will acknowledge your letter concerning the funding of the Clean Water Restoration Act.

I am referring your letter to Mr. Ted Filipi in our Environmental Health Office to reply to your letter in detail.

Very truly yours,
NORBERT T. TIEMANN,
Governor.

STATE OF MISSISSIPPI,
EXECUTIVE DEPARTMENT,
Jackson, June 25, 1969.

Hon. JOHN D. DINGELL,
Rayburn House Office Building,
Washington, D.C.

DEAR JOHN: Your request regarding the funding of the construction grant program under the Clean Water Restoration Act is appreciated.

The short-funding of the construction grant program has had essentially no effect on the water pollution control and abatement programs in Mississippi up to this time. No programs have been held back, so it has not been necessary for us to take up slack. We have no State program which could be used for such a purpose, since we have felt that a greater number of local governments would benefit without one.

We expect to use substantially all the funds allocated to us for fiscal year 1969 for the first time since the program was initiated in 1956. We also expect to encumber approximately the same amount during fiscal 1970. It is possible that we could use a slight increase, but this is not definite.

I recognize your problems in this area, but our situation is different in this respect.

With best wishes.

Sincerely yours,
JOHN B. WILLIAMS,
Governor.

STATE OF NEBRASKA, DEPARTMENT OF HEALTH, WATER POLLUTION CONTROL COUNCIL,
Lincoln, Nebr., June 16, 1969.

Hon. JOHN D. DINGELL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN DINGELL: Your letter of 6 June 1969 addressed to Governor Tiemann was received and forwarded to me for reply of details. The municipal officials of Nebraska are in need of financial assistance for construction of wastewater treatment plants. Already 50 municipalities have been ordered by the Nebraska Water Pollution Control Council to provide secondary treatment. The City of Omaha has now under way a project that will cost approximately 25 million dollars and Mayor Sorenson informed me that they will be glad to carry on our directive if we can show them how financial arrangements can be made. A similar program faces Lincoln, where-in the wastewater treating plant already giving secondary treatment is inadequate and the plant must be enlarged, both for capacity, and production of a higher quality effluent.

There is now under consideration by the Nebraska Legislature, the proposal of state aid for municipalities. If this bill passes, and if funded it will automatically demand an additional 20% Federal Funds for fulfilling the 55% allotment.

I regret, that at this time I cannot give you specific figures, for all of the projects that are now under consideration. These, if you so desire, can be made available to you in approximately 15 days.

Please be assured that Nebraska needs this financial assistance, and if there is any means that we can use to further the cause, please let us know how we can help.

Yours very truly,
TERRENCE A. O'BRIEN,
(for T. A. Filipi, Executive Secretary).

THE STATE OF NEVADA,
Carson City, Nev., July 2, 1969.

Hon. JOHN D. DINGELL,
Rayburn House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE DINGELL: Your recent letter requested information on the impact of short funding for construction grants provided under the Clean Water Restoration Act.

Federal funding for water pollution control projects in the past has been adequate to enable participation in all projects, but with the increased awareness of the actual and potential problems by the public and the rapid growth in Nevada's population, funding has not been adequate for the past two years for direct participation in all projects and we have been certifying projects on a reimbursable basis.

Proposed construction for fiscal year 1969 total in excess of $12 million and of which approximately $10.9 million is eligible for 660 funding or for a total of $3.6 million. Nevada's allocation this year is $919,000. If the communities can afford to wait for payment, it would take approximately four years to re-imburse for fiscal year 1970 construction and five years to repay current re-imbursable and 1970 projects.

Such obligations, of course, will have a serious effect upon applications for projects to be constructed after fiscal year 1970. What the ramifications will be, we are unable to assess at this time, but we anticipate serious delays in necessary projects.

The proposal to repay the federal share over a thirty year period would be valueless to Nevada communities because most of our communities today are at the maximum legal tax rate and have incurred bonded indebtedness which would not permit them to bond for the federal share. The only possible means by which proper water pollution control measures can be implemented is through adequate federal funding to provide for participation in all eligible projects.

The State of Nevada has no statutory or financial provisions to assist political subdivisions in the construction of water pollution control works and since the legislature only meets biannually and recently adjourned, such assistance cannot be provided for at least two years.

If the total authorization of $1 billion dollars was funded for fiscal year 1970 and a similar amount for fiscal year 1971, assuming Nevada would receive a proportionate share of the difference, funding would be available to meet the re-imbursable projects approved to date and to meet the projected needs for fiscal year 1970 and projects being planned for fiscal year 1971.

At that time, if the federal government wished to reassess its program and reduce funding, given sufficient notice, it would be possible to attempt to provide for assistance from the state level.

Thank you.

Sincerely,

PAUL LAXALT,
Governor of Nevada.

STATE OF NEW HAMPSHIRE,
Concord, June 12, 1969.

Hon. JOHN D. DINGELL,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN DINGELL: Thank you for your letter of June 6th concerning the funding of the construction grant program under the Clean Water Restoration Act. I offer the following information concerning the effects of the failure to fully provide Federal funding.

At the present time, the State of New Hampshire is receiving approximately 32% of funds authorized under the Clean Water Act for the Fiscal Year 1969–70. We have been informed that our State allocation will be about $1,300,000, while the Act itself authorized $4,100,000 for the same period.

At present, there are no funds left from our 1969 allocation and one project which has been approved for funding (Newport), has received a partial grant for $400,000, leaving about $550,000 which must come from 1970 funds.

Several New Hampshire communities have gone ahead with prefinancing of their projects, hoping to receive Federal grants in the future. These communities are: Merrimack, Durham, Dover, and Laconia. The eligible work is approximately $8 million, which would mean $4 million in Federal grants when the money is available.

In addition, the towns and cities of Concord, Farmington, Franklin, Jaffrey, Lebanon, Newport, Pembroke-Allenstown and Peterborough, are ready to proceed with their work with total eligible costs of about $14 million and no Federal funds available for some time to come.

New Hampshire has always fulfilled its obligation for 40% State Aid on each project and our present Legislature, I am confident, will approve the Commission's request for the next biennium.

There is but one good solid course of action which should be taken and that is for the Federal government to at least appropriate the full amount of money voted under the Clean Water Restoration Act of 1966.

In addition, serious consideration should be given to further implementation of the grants program especially in light of construction costs which are going up at the rate of nearly 10% each year.

Sincerely,

WALTER PETERSON.

STATE OF NEW JERSEY,
DEPARTMENT OF HEALTH,
Trenton, June 20, 1969.

Hon. JOHN D. DINGELL,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN DINGELL: Your letter of 6 June 1969 to Governor Richard J. Hughes has been referred here for response. It relates to new Jersey's capital needs for grants toward construction of sewerage facilities found to be eligible under the Clean Water Restoration Act.

The cost of sewage treatment plants needed in New Jersey in the next five years closely approaches $1 billion. If they are not realized it will be only because of inability of New Jersey municipalities to finance them.

The yellow-backed booklet enclosed is a presentation of Anticipated Capital Needs for Sewerage Facilities in New Jersey as seen in February 1969. In response to these stated needs the New Jersey Legislature has seen fit to put to referendum in November 1969 a bond issue in amount of $271 million, $242 million of which is to provide 25% State Grants to projects which are eligible for Federal grants under U.S. Public Law 660, as amended.

Governor Hughes has indicated that he will sign the referendum bill 2 July 1969.

Enclosed, also, is a copy of statement which I made before the U.S. Senate Sub-Committee on Air and Water Pollution on 11 April 1968 related to S–3206, Water Quality Improvement Act of 1968.

Also enclosed is a copy of my testimony presented last week to the Interstate Abatement Conference on Pollution of the Hudson River called by the Department of the Interior. This statement further expresses our current views concerning State and Federal funding of sewerage construction.

If all of the funds authorized by Federal law for Federal grants in this area were appropriated, New Jersey's share would be about 11% of the estimated capital needs described in the enclosed report. This being the case the promise in the Federal statute of 55% Federal funding is one that cannot be fulfilled in the best of circumstances. If the present rate of actual appropriations continues New Jersey will receive from the Federal government less than 3% of its current capital needs.

In my opinion the effect so far of the Federal grant-in-aid program for sewerage construction has been to slow down progress rather than to hasten it. I am confident that our State's Clean Water Bond Issue will be approved by the voters in the fall. Unless, at the very least, the full authorization of Federal funds is appropriated the badly needed facilities will not be constructed on an acceptable timetable even with the proceeds of our State bond issue.

Almost as important as full appropriation is the retention in the statute of the reimbursability feature, contrary to the suggestion being made by some now that it should be removed. Without reimbursability and with limited federal funds we will find ourselves in the position of ordering municipalities to proceed to construct with the knowledge that if they do they will be foreclosed from ever receiving federal assistance. This is an impossible situation.

We hope that you and your associates will be successful in persuading the Congress to give full support to the water pollution control effort in the form of maximum grant appropriations.

Very truly yours,

RICHARD J. SULLIVAN,
Director, Division of Clean Air and Water.

STATEMENT OF RICHARD J. SULLIVAN

My name is Richard J. Sullivan. I am Director of the Division of Clean Air and Water which, in New Jersey, is the agency responsible for air pollution control, solid waste disposal and water pollution control.

I am glad to have the opportunity to speak to this distinguished forum for a few minutes about S-3206 and its effect on New Jersey's water pollution control efforts.

More than 90% of our state's citizens live in communities served by a sewerage system. This is probably the highest percentage of any state in the nation. Every one of our sewered communities provides treatment of its waste before discharge into the receiving waters. We may be the only state in the nation in which this is true.

In the last twenty years we have spent more than $600 million on the construction of collection and treatment facilities. Less than 3% of this amount was federal aid. None of it was state aid. The 97% was paid by local communities or regional groupings of them.

Despite this effort many of our streams are seriously polluted. The degree of treatment of waste is inadequate. In ours, the most densely populated state in the nation, growth has outdistanced pollution control.

New Jersey is on the threshold of a vast corrective effort to eliminate the pollution of our streams, estuaries, bays, lakes, and coastal waters—pollution which now limits their use and which corrupts our physical environment. In what we believe to be a systematic, orderly, and scientific program, the stage has been set for the construction of large regional waste water treatment facilities.

Water quality standards have been defined and all the waters of the state have been classified after public hearing establishing as a matter of policy our water quality objectives for all waterways. Engineering feasibility studies have been done for most of the area of the state and others in process will shortly be completed. These studies have been arranged for the most part on the initiative of our Department and have been paid for by state funds approaching $2 million. Additionally, the Department has contracted for sophisticated oceanographic studies along the length of our coastline. To achieve our water quality standards waste water treatment regulations have been promulgated for all of the drainage basins of the State. Pursuant to statute we have lent to those responsible for treatment plant construction about $4½ million to defray engineering costs for the work that must precede actual construction.

Our Department has issued more than 200 enforceable, administrative orders directing the construction of the needed collection, distribution and treatment facilities.

We are plainly ready to go.

The key word now for us in New Jersey is not *legislation*. We have all the State law we need to accomplish the required construction. Neither is the key word *enforcement*. Although we will continue to enforce rigorously and conspicuously. Nor is it *planning*. Most of the planning is done and we are ready to build. The key word is not *research*. While the solution to certain pollution problems obviously requires more knowledge we know how to build the treatment plants we need. The key word is *money*. Lots of it.

Our estimate of the cost of facilities now needed to serve the public, to avoid pollution of our waters, to meet water quality standards, and to conform with the treatment

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regulations and administrative orders described above is $762 million. This is the cost of trunk lines and treatment facilities eligible for aid. The cost of local collection systems which will be built to accompany these facilities is about 200 million.

These facilities can be constructed over the next five years. For the five years following it is our estimate that $100 million per year will be needed for additional collection, distribution, and treatment works. This means that the price tag on effective water pollution control in New Jersey for the next decade is $1.5 billion, not counting private investment.

(I have attached to this brief statement a report prepared by us on 1 March 1968 describing the anticipated capital needs for pollution control in New Jersey and setting forth in some detail, among other things, the basis upon which we have drawn the estimates I have just given.)

In 1967, New Jersey adopted legislation permitting State government to award construction grants. In the current fiscal year we have appropriated modest funds to match the modest federal funds allocated to us. Presumably, we will do likewise for the fiscal year starting 1 July 1968. At present these funds are so small as to have no measurable impact on our program.

It has in fact always been a curiosity to me that when the statute proposed here to be amended was adopted it permitted a maximum of 55% federal aid for an eligible project. But the full 4-year authorization, if appropriated, would give the State of New Jersey only 14% of the total eligible cost. The separation between the 14% and the 55% is so unrealistic as to have the negative effect of creating expectations which it is not possible to meet. The circumstances have been made even more difficult because of the fact that grant appropriations made last year, and proposed for this, amount to less than 5% instead of 14.

If the $1.5 billion is spent in New Jersey it surely will not solve our water pollution problem. Other things must be done and obviously the effort must continue beyond the next 10 years as we continue to grow. But the construction of the regional treatment facilities that this money will buy will permit most of our streams to achieve the water quality standards we have set for them—standards which were recently approved by the Secretary of the Interior.

In any case it is absolutely certain that if these regional treatment facilities are not soon constructed our bad pollution problem will get worse. Some of our waterways will be dead but not buried.

For these reasons we strongly support and urge the adoption of Senate Bill 3206. In our judgment the bill is an ingenious, practical device to get things moving as originally planned without the necessity at this difficult moment of appropriating the full amount of the required capital aid funds.

While we strongly endorse this legislation we are not fully in accord with every provision of it. I would now like to comment on several specific provisions.

1. We strongly favor the requirement that aid be limited to facilities which will serve populations in excess of 125,000, except where this is impracticable. The entire corrective program in New Jersey contemplates the construction of large regional facilities serving drainage basins rather than continuing the proliferation of treatment plants serving individual municipalities. We already have the authority to disapprove any proposed construction which is not adequately regional; this authority was recently upheld in a court challenge.

2. We likewise favor the requirement that a system of charges imposed upon users pay for the amortization of the original investment and the cost of operation and maintenance. Such a system in our judgment is most equitable.

3. We also favor the operator certification program imposed as a conditional requirement to the receipt of grants. For fifty years, New Jersey law has required that treatment plants be operated only by persons licensed by our Department, after examination.

4. We find that the bill contains no formula for the allocation of contract funds to the respective states. Such a formula, of course, does apply to grant funds. We think this is a deficiency. An allocation formula should be included for all funds. First, in the interest of planning it would be most helpful to have at least an estimate of the amount of construction that can be funded with federal aid either by grants or under the contract provision. Second, we do not welcome the prospect of projects in different states competing with one another for the approval of the Secretary. The formula allocation would be more equitable. Third, presumably it will be necessary for the state to fund 25% of the cost of a project in order to entitle it to the maximum federal aid. Without a formula allocation we cannot know our share in sufficient time to arrange for state appropriation of the funds needed for matching purposes.

5. We find *very* disagreeable the termination of the existing reimbursability provision on projects initiated after 1 July 1968.

Elected local officials responsible for the construction of public works are under great pressure to exhaust all possibilities of state and federal aid before imposing burdensome taxes upon their constituents. Such an official who moves too early or too late or without diligence may find himself unemployed next time around. The federal aid program recently has been filled with uncertainty. I cannot emphasize too strongly that the amount of the aid is less important than the certainty of its availability. We do not need 80% federal and state funding to make this program move. It would probably move just as fast with 50% non-local funding, if the money were on hand. And in any case, 25% for sure is better than 50% maybe. The technique of reimbursability takes the local official off the hook. If he qualifies his project *now* for whatever aid may be appropriated later he is sure—and the voters are sure—that he has done all possible to ease the burden upon them. If this bill is adopted and New Jersey gets its full share of federal assistance next year this share will be but a fragment of the money we must spend next year if the construction is to proceed on schedule. Without reimbursability all those who would not get any of the limited funds next year will be asked to proceed with construction with the knowledge that if they do they will never get any aid. Our ambitious program may be standing around with its hands in its pockets waiting for better days ahead.

Furthermore, several weeks ago the State Commissioner of Health and I testified before Governor Richard J. Hughes Special Commission to Evaluate the Capital Needs of New Jersey. In our testimony we recommended that the State establish a $400 million capital fund to defray half the cost of trunk lines and treatment plants now needed. We advised that half of this amount would be the states 25% share of the cost and the other half was likely to be reimbursed in time by the Federal government under the pre-financing provisions of existing law. If S-3206 is adopted that testimony will prove to have been very bad advice.

In summary, New Jersey has a carefully constructed program for the elimination of the pollution of its waterways. We are ready to build the needed treatment plants and associated facilities. The key word is money. For our program to be complete we must spend in the next five years more capital funds than we have spent in the last fifty years. Federal and state assistance to local government is necessary to make this happen. The bill before you would in effect increase the amount of available federal aid and should be adopted. We recommend that it be altered to provide for an allocation formula for the states and to keep in place the reimbursability provisions of existing law.

ANTICIPATED CAPITAL NEEDS FOR SEWERAGE FACILITIES IN NEW JERSEY

New Jersey State Department of Health, Division of Clean Air and Water: Roscoe P. Kandle, M.D., State Commissioner of Health; Richard J. Sullivan, director, Division of Clean Air and Water.

A. INTRODUCTORY STATEMENT

Water pollution

To say that New Jersey has a serious water pollution problem is to state the obvious. We state it nevertheless.

It is not a problem caused by a small number of indifferent polluters. It is the result of the growth of our communities having greatly outdistanced our pollution control efforts. Seven hundred fifty treatment plants put more than one billion gallons per day of inadequately treated sanitary and industrial wastes into our waterways. *This* is the essence of the problem. It is augmented by agricultural run-off, animal wastes, the use of insecticides, storm water run-off and transitory dumping, or pollution episodes.

As a consequence many of our bayshore beaches and the bays themselves have been lost to recreational uses, including inland waters bordering communities along the southern shore whose whole economy is water-oriented.

A number of our rivers, including the Passaic and the Raritan, are the receiving waters for inadequately treated wastes but must serve as well as the sources of public drinking water supplies.

Several of our largest lakes, whose entire development has been based upon the use of the water for recreational purposes, are now threatened with pollution.

Seventy-nine thousand nine hundred fifteen acres of bay waters in the Raritan basin and along our southern coast have been closed to the harvesting of shellfish because the water has become so highly contaminated.

The use of private septic systems in some areas of our state where sewers are not available not only causes pollution of the ground and of nearby streams but contaminates wells which would otherwise be usable for drinking water supplies.

The continued disposition of partially treated wastes just off shore on our north Atlantic coast, if permitted to go uncorrected, may threaten the use of the surf waters themselves.

Industry which considers locating in New Jersey is surely influenced by the quality of our environment. For a so-called "wet" industry the quality of water available for use is often a crucial factor in deciding upon a new location.

In several places in our state in cases referred to below the courts have ordered that growth stop until adequate waste disposal facilities can be made available.

All of our major and most of our minor waterways now fail to meet the water quality standards established for them.

Remedies

In any discussion of water pollution control in New Jersey the three key words are *enforcement, regionalization* and *costs*—in reverse order of importance.

Enforcement

The Division of Clean Air and Water of the State Department of Health is the agency in the state which has primary enforcement responsibility for water pollution control. We are committed to an unremitting enforcement program. The years of 1967 and 1968 have seen more enforcement activity than in any period in memory.

Water quality standards were defined with the aid and advice of the Division of Fish and Game and promulgated as our definitions of water quality objectives. After public hearing, all of the streams, rivers, bays, estuaries, and coastal waters of the state have been classified as to the water quality to be achieved. This means that the degree of water purity has been established for each waterway as an enforceable objective.

To cause these objectives to be met the state further promulgated regulations establishing the required degree of treatment of all waste entering any of these waterways. To achieve compliance with these regulations the Division has issued 236 administrative orders. These orders incorporate timetables for compliance. The recipients, which for the most part include municipalities, authorities and industries, are subject to the sanctions provided by statute if they fail to perform the necessary work in accordance with the schedule set forth.

In a series of recent court cases the state has demonstrated its willingness to litigate where its requirements are violated. In addition to Superior Court injunctions direcing compliance with our orders the Division last year sought and obtained an unprecedented remedy. The state requested the court to order nine communities in Morris County to cease the issuance of building permits until adequate provisions can be made for the disposal of liquid waste. The same remedy was applied in the High Ridge Sewer Company case, in Washington Township in Gloucester County, and in the City of Bridgeton.

The Water Policy and Supply Council has augmented our enforcement policy by refusing to issue permits for water diversion unless the applicant can show that the ultimate disposition of the wastes generated will be in accordance with Health Department requirements.

Because the compliance schedules contained in extent administrative orders are not being met in many cases, in 1969 we expect to initiate a greater number of court actions.

While rigorous enforcement is surely necessary to the effective administration of the statutes, to press those who are reluctant to move, and to deal with individual pollution problems it is not an adequate response to the problem. However unrelenting the enforcement it cannot by itself cause the state's needs to be met.

Regionalization

For many years in New Jersey the tradition was upheld that no community is complete without its own sewage treatment plant. Because sewage disposal was provided as needed as any other municipal service, treatment plants in New Jersey proliferated. There are now about 750 sewage treatment plants in this state. The proliferation is graphically shown by the map of our state presented as Plate No. 1.

By statute treatment plants cannot be constructed unless permits for them are approved by the State Department of Health. Until 1966 however the Department had no statutory authority to disapprove a treatment plant because it was non-regional. In 1966 the Legislature established as public policy the need to require the construction of sewage disposal facilities on the basis of drainage basins rather than municipal boundaries. Even in the absence of that statute several large regional facilities had already been constructed, such as the facility of the Passaic Valley Sewerage Commissioners, the Bergen County Sewer Authority, and the Middlesex County Sewerage Authority. In those cases logic prevailed over custom, in the absence of statutory requirements for regionalization. For most of the State, however, this has not been the case.

All of the administrative orders issued to local government require that the construction of new facilities be in accordance with developed plans for regionalization. The Department's power to prohibit non-regional facilities was upheld in 1968 in a court challenge by a municipality.

In order to develop the engineering plans for regional treatment facilities the Legislature in 1966 authorized the State Health Department to make grants to cover the cost of engineering feasibility studies. At a cost of $1.766 million the Department has funded such feasibility studies for almost all of the state's drainage basins. These studies are referred to in Table 4. There is still considerable reluctance in some parts of the state to accept regionalization. The advantages, however, are quite apparent: (a) as a rule, the larger the treatment facility the less the cost of construction and operation per capita, (b) more efficient and capable plant operation is attainable in large facilities. Such plants are able to hire qualified supervisory and operating personnel as well as to provide adequate laboratory controls. Many small plants are now operating without these necessities, (c) in order to meet the needs of growing New Jersey greater water re-use will be employed. This will require highly sophisticated treatment which cannot be accomplished with anything less than the most capable maintenance and operation; (d) many of the existing treatment plants are focal points of local blight. Many of these were conditionally approved when they were built as interim facilities which must be abandoned when a regional system is within reach, (e) there is much more flexibility and stability in the operation of a large plant. This makes the plant able to absorb sudden changes in the characteristics of the wastes being treated. This capability is most necessary in the handling of wastes derived from a wide variety of industrial processes.

The map on Plate 2 shows the location of proposed regional treatment facilities in accordance with the plans developed by feasibility studies. A glance also at Plate 1 will show the extent to which the proposed regionalization will reduce the number of small plants now operating.

Costs

The Federal Water Pollution Control Act (P.L. 84–660) authorizes the Secretary of the Interior to make grants to any authorized agency to assist in the construction of interceptor sewers, wastewater treatment plants and outfall sewers. The Clean Water Restoration Act of 1966 (P.L. 89–753) amended the basic act by increasing the amount of Federal Grants if the states participate in the grant program.

The New Jersey State Legislature enacted the "State Public Sanitary Sewerage Facilities Assistance Act of 1965" which authorized State participation under the Clean Water Restoration Act of 1966 and appropriated State funds to assist in the construction of wastewater treatment disposal facilities. This legislation authorized the State Department of Health to award grants not to exceed 30% of the construction cost of water pollution control projects which qualify for Federal aid assistance under the "Federal Water Pollution Control Act."

The State legislature appropriated a total of $5,798,200 for Fiscal Years 1968 and 1969 for State Construction Grants. These funds were apportioned in accordance with priorities established by the Department of Health to projects eligible for Federal aid. Ten projects were funded at a rate of 9.2% of the eligible construction cost from Fiscal Year 1968 funds and it is anticipated that ten projects will be funded at a rate of approximately 11% from Fiscal Year 1969 funds. (See Tables 1 and 2.)

Under the terms of the federal statute local government is eligible for 30% of the cost of construction of sewage treatment plants and trunk lines. This eligibility can be increased to 55% if the state provides the legal authority and the money to fund 25% of the cost of all such projects.

The state does have such legal authority in the 1965 Act listed above. In fact, however, neither the state nor the federal government has appropriated funds in amounts representing more than a tiny fragment of the needs.

The four-year authorization contained in the federal funding statute would, in accordance with statutory formula, provide New Jersey a total of about $109 million in aid or 12% of the costs described below. However, if the funds *appropriated* continue for the next two years at the level of the last two years federal aid will amount to less than 3% of the total needs described below.

To date federal and state aid funds that have actually been appropriated have been in such small amount as to have no measurable impact on the pollution control program.

In last year's statement of capital needs and again in this discussion the Department has made as careful an assessment as the facts would allow of the capital costs of constructing regional sewage treatment plants and trunk lines needed to serve the public, to correct pollution of our waterways, and to conform with the treatment regulations and administrative orders described above. Last year's estimates were presented in testimony before the Governor's Commission to Evaluate the Capital Needs of New Jersey. These estimates have now been updated.

The total estimated costs of all facilities now needed is $906,000,000. The cutoff date in this estimate is 1 July 1697. Any project for which construction was begun prior to that date is not included. This total therefore includes approximately $53 million of eligible facilities which were partially funded by state grants in fiscal 1968 and 1969, almost all of which are now under construction. These projects are presented on Tables 1 and 2. It also includes an additional $50 million of projects for which engineering plans are completed and approved by the Department and which have already been certified as eligible for federal and state aid.

The main list of needed facilities with a total cost of $803 million is presented as Table 4. These projects have not advanced to construction plans; most have not even begun the engineering work which must precede construction.

The $906 million total is the estimated cost of treatment plants, trunk lines and outfalls now needed in New Jersey and which are eligible under law for federal and state construction grants. The total does *not* include the cost of upgrading the treatment plant and conveyance systems of the Passaic Valley Sewerage Commissioners. No information of any kind is available to us as to the cost of that project. The Commissioners contend that separate legislation must be enacted to give them authority to raise construction funds. It should be noted, however, that the treatment plant in question is the largest in the state; it is under administrative order to meet existing requirements, and has been taken to court by the Department for its failure to do so. That case is still pending. It is our *guess* that the cost of bringing these facilities into conformity with state law and Department requirements is in excess of $100 million.

The total estimate in our 1968 statement of anticipated needs was $762 million. Several comments should be made as to the reason for the increase of this number to the present estimate of $906 million: (1) it is a year later and the list of needs is commensurately longer. The starting point in time is the same for last year's estimate, i.e. 1 July 1967. This date was selected because any project for which construction commences after that date which receives 25% state aid is eligible for the maximum 55% federal aid. Projects starting construction before that date are eligible for a maximum of 33% federal aid no matter whether the state participates or not; (2) projects have been added, such as sludge digesters for Middlesex County, and the bayshore outfall for Monmouth County which were not contemplated a year ago (3) the estimates in this report are a refinement of those presented last year. The refinement has been made possible by the completion of feasibility studies in the interim. The basis upon which all estimates are made in this report is set forth in Section C(4) construction costs have risen at a remarkable rate so as to make some of last year's estimates obsolete. If the rise continues this year's estimate will prove conservative in the light of next year's construction costs. All estimates presented are in 1968 dollars.

As noted above the $906 million is the assessment of the cost of eligible facilities. It will be necessary to accompany the construction of these eligible facilities with the construction of an estimated $225 million of sewage collection systems which are not eligible for federal and state aid (there is some eligibility for limited federal aid for such collection systems from the federal Department of Housing and Urban Development and other federal agencies. There is no eligibility for aid from the principal funding agency: The Federal Water Pollution Control Administration, Department of the Interior.)

In our judgment it is wholly unrealistic to expect local government with the little federal aid now available to bear the enormous cost of constructing sewage facilities now needed.

To do so would place an unconscionable additional burden upon the property owner in the form of additional property taxes or use charges. Furthermore, in the concept of regionalization discussed above an area-wide problem is solved on an area basis. In many cases this means the construction of expensive trunk lines with sufficient capacity to serve upstream users when the need arises. It is unreasonable to expect those who now will use the system to pay all by themselves for a waste disposal facility that will accommodate growth and development that has not yet arrived. The question, it seems to us, revolves around the proper distribution of the costs among local, state and federal government.

While the federal aid appropriations have been very small to date interest in water pollution control is high in the Congress and we have good reason to believe that the federal aid program will be extended beyond the current law's expiration date, 30 June 1971.

If the state funds all projects at a level not less than 25% it will assure its local government of maximum eligibility for federal funding now and in the future.

Furthermore, soon to be introduced in the Congress is a revised version of last year's S. 3206 which passed both Houses with some differences that could not be resolved in the short time remaining at the end of the session. This bill would augment federal grants with mortgage contracts between the federal government and local entities which construct eligible sewerage facilities. The form of the contract would be a guarantee that the federal government would pay a share of the amortization cost over a period not to exceed thirty years. This contract arrangement is designed to make up the difference between cash appropriations and the federal law's authorizations in the alternative form of long-term payments of principal and interest.

It is our understanding through discussion with federal officials that this year's bill will call for the disposition of all such mortgage funds to the states in accordance with the following formula: 50% of all the money to states on the basis of population; the other 50% would be distributed *only* to those states that have the legal authority *and the money* to fund at least 25% of the costs of all eligible sewerage construction. New Jersey has the law but it does not have the money. If such a bill is enacted considerable sums of money will be lost to New Jersey if it does not provide funds of its own to underwrite at least 25% of eligible construction costs.

Under present New Jersey law the Department is authorized to lend to those responsible for the construction of sewerage facilities money to pay the costs of the engineering work which must precede construction. As a rule of thumb the cost of this engineering work is about 5–6% of the total cost of the project. The money is lent for three years without interest. If the loan extends beyond three years interest is charged at the rate of 2% per annum for the entire period of the loan. To date we have lent approximately $5.3 million.

If the state moves ahead with a construction program of the proportion needed, additional engineering loan appropriations must be made. Considering the likely timetable of construction, the amount of money involved and the likely rate of pay-back into the revolving fund it is our estimate that a $20 million fund should suffice. The estimate is very difficult to make because of uncertainty as to the schedule of pay-back and because of uncertainty as to how many of those responsible for the projects will actually make application for such loans. The $20 million figure is therefore an imprecise estimate.

It is not known what the source of these funds can be, whether through direct appropriation from the general treasury or by some other means. If the State were to provide capital funds for construction grants the *possibility* could be considered of using the established capital fund as a source of either loans or advance grants for engineering costs. An impediment to the advanced grant concept is that it would require the initiation of a grant before the project has moved well enough along to qualify for a grant under present requirements.

Varying capital funding alternatives are available for consideration involving varying degrees of participation by the three levels of government. The alternatives as we see them are presented in Table 5, discussed in Table 6, and the costs to the state of each are summarized in Table 8.

Our recommendation concerning state funding is on the following page.

B. RECOMMENDATION

Almost as important as the amount of non-local aid for sewerage construction is the certainty of its availability. Elected and appointed local officials responsible for the construction of sewers and treatment plants are under great pressure to exhaust all possibilities of state and federal aid before imposing burdensome taxes or charges upon their constituents. Such an official who moves too early or too late, or without diligence, may find himself unemployed next time around. The current federal aid program since its inception has been filled with uncertainty. Unless we can somehow assure local government of a fixed amount of aid, and eligibility for additional aid should it become available later from the federal government, our ambitious program may continue to stand around with its hands in its pockets waiting for better days ahead.

Last year in our appearance before the Government's Commission to Evaluate the Capital Needs of New Jersey, State Health Commissioner Roscoe P. Kandle and I recommended that the state finance 50% of the cost of eligible and necessary sewage disposal facilities. Under our recommendation half of this 50% would be the state's share of the construction cost, the other half would be money with which the state would prefinance hoped-for federal assistance. To the extent to which the federal government thereafter provided aid that money would reimburse the state's general treasury. In this manner local government would proceed to construct with the assurance that at least 50% aid would be available from the state, or the state and federal government in combination.

This remains our recommendation. It is presented as alternative funding plan number 5 in Table 5. The cost to the state would be about $435 million less whatever federal grants may be appropriated.

If the judgment is made that however logical and equitable the 50% aid program may be, the amount of state funds required is simply too large to be supportable we would offer an alternative recommendation. The best alternative in our judgment is presented as number 4 in Table 5. This plan calls for 25% state aid. This was the recommendation made to the Governor by his Capital Needs Commission last year and in turn made by the Governor to the Legislature. This is the least percentage of state aid which can be afforded local government and still assure it of maximum eligibility for federal grants.

Under this proposal all eligible projects would get 25% state aid; eligible projects would receive 30% federal aid as far as appropriations would permit. Local government would provide 45% of the cost and receive from the Federal government an unsigned I.O.U. for 25% additional aid when and if federal appropriations will allow.

Under this funding plan the cost to the state would be about $222 million. If even this amount is considered to be too high we would ask: Which of the projects on the attached list of needs should be scratched or deferred indefinitely? Which of these projects will we expect to proceed to construction without *any* state aid, and with reduced eligibility for federal aid?

What would happen if, for example, the Legislature decided to provide $100 million for state sewerage aid? In our opinion within eighteen months this total amount would fully be committed to projects with the greatest readiness to move ahead. It would not be spent in that period but it would be committed. There would be no aid funds for almost two-thirds of the facilities now needed. As a result those projects would not even move to do the *engineering planning* for construction with no prospect of aid. Eighteen months after a referendum the Legislature would be back again faced with the same question that it faces today.

In our judgment all of these needed facilities will be built sooner or later. If it is later they will cost appreciably more and we will suffer the effects of their absence in the meantime.

If we are willing to make this substantial commitment of our financial resources, New Jersey's waterways can be made clean. If we are not willing they will continue to become more polluted; and all the legislation, enforcement, planning, research, and hand-wringing lamentations on the desecration of our environment, won't make any difference.

C. VALIDITY OF COST ESTIMATES

The estimates provided in this statement were derived from one of the following sources. (1) comprehensive regional sewerage feasibility studies conducted by consulting engineering firms and financed by the State Department of Health; (2) engineering studies conducted by private or municipal engineers; and (3) engineering estimates by private or municipal engineers based upon final and detailed engineering plans. These estimates are based on 1968 dollars and no attempt was made to adjust the cost for normal inflation, or inflation of construction cost because of competition for services. When developing these estimates the Department did not consider such factors as the ability to pay or the time required to design and construct these facilities. The list represents the best estimates available of the current costs of all facilities now needed.

The Federal Water Pollution Control Administration's waste-water treatment plant construction cost index (Plate 3) for the New York area is made a part of this statement. It should be noted that the average construction cost index has risen sharply during the past year and particularly during the last six months. There is no way of predicting the exact effect this continuing rise will have on the estimates presented in this statement. We can say that the costs will in fact be much higher than these estimates based on our best engineering judgment at this point in time and that the longer construction is postponed the higher the cost will be.

D. BASIS OF COST ESTIMATES

Atlantic County: The cost estimates for Atlantic County were established by a regional sewerage feasibility study financed by the State Department of Health. The study report was completed in April 1968 and was accepted by the Department for payment on October 9, 1968. The cost figures presented in the March 1, 1968 statement on "Anticipated Capital Needs" were based on preliminary estimates before the sewerage feasibility study was completed. Much of the construction of sewerage facilities is necessary to comply with orders issued by the Department.

Bergen County: The cost estimates for Bergen County were established by engineering studies completed by consulting engineers for the Bergen County Sewer Authority, Northwest Bergen County Sewer Authority and the Borough of Edgewater.

A portion of the construction estimate presented in the 1968 "Anticipated Capital Needs" statement for the Bergen County Sewer Authority appears in Tables 1 and 2. The remainder of the estimate has been revised in accordance with completed engineering studies.

Additional costs for the Northwest Bergen County Sewer Authority appears on Table 1.

The Borough of Edgewater has been ordered by the Department to upgrade the wastewater treatment process to meet the State water quality standards. The estimate for the Borough of Edgewater is identified as an individual project because at this time a more accurate determination can be made of the cost of needed facilities. In the 1968 statement this project was included in the estimate for unlisted projects.

Burlington County: The Burlington County estimate of the cost of providing needed sewerage facilities was developed as part of a regional sewerage feasibility study financed by the Department which is presently in the final stage of completion.

No estimate was identified for Burlington County in the 1968 statement because it was impossible at that time to evaluate the needs and arrive at even a preliminary estimate because of the lack of necessary information. The anticipated needs for Burlington County were included in the broad estimate for unlisted projects.

Camden County: The cost estimates for Camden County were established by a regional feasibility study financed by the Department and reflects the cost of the sewerage facilities to serve the immediate needs of the county as outlined in the study report. A large proportion of the required construction is necessary to comply with orders issued by the Department. Date of Report: December 1967.

Cape May County: A regional sewerage feasibility study financed by the Department for Cape May County is presently nearing completion. Enough information is available at this time to establish a firm estimate of the cost of needed sewerage facilities. This information was not available when the 1968 statement was prepared. The comprehensive study revealed a much greater need for sewerage facilities in Cape May County than was previously estimated due to the need to protect public health, the extensive recreational and shellfish harvesting areas and the need to comply with Departmental Orders.

Essex County: Almost all of the construction of sewerage facilities needed in Essex County will fall under the jurisdiction of the Passaic Valley Sewerage Commissioners which will be covered separately in this statement. However some construction is required in the Township of Cedar Grove and the Borough of Fairfield. These estimates are identified separately whereas they were lumped in the estimate for unlisted projects in last year's statement.

Gloucester County: The cost estimates presented for Gloucester County are based upon a regional sewerage feasibility study financed by the Department and reflect the cost of those facilities which the Department believes are necessary at this time. Date of report: July 1967.

Hudson County: The Hudson County estimates are broken down into several specific projects, some of which appeared in the 1968 statement. Since that time more definitive engineering estimates and studies have been made. The estimate for the City of Hoboken in last year's statement anticipated some construction which was later determined to be ineligible for federal and state grant participation. Therefore this estimate has been revised downward to reflect this change.

Projects for North Bergen Township, West New York and the City of Bayonne have been more clearly defined and these projects are listed as individual items in this statement. These projects were included in the estimate of unlisted projects in the 1968 statement.

Hunterdon County: Engineering studies have been completed by engineers for the Raritan Township Municipal Utilities Authority which established the cost of regional facilities to serve Raritan Township and the Borough of Flemington. A regional feasibility study is presently being financed by the Department for the remainder of Hunterdon County. No costs are included here for the region under study.

Mercer County: The estimate for Mercer County comprises an updating of the East Windsor Municipal Utilities Authority estimate and the inclusion of the Ewing-Lawrence Sewerage Authority and Hamilton Township. These projects were included in last year's estimate for unlisted projects. However, studies have been completed to develop cost estimates since the preparation of the 1968 statement. Also included in the estimate for Mercer County is an expanded Stony Brook-Millstone River region which more than doubled the previous estimate for this region.

Middlesex County: The cost estimate for the Middlesex County Sewerage Authority has been updated based on engineering estimates and includes sludge digestion facilities which will be required because of a recent decision of the federal government. The remainder of the estimate for Middlesex County is based upon recently completed engineering studies and estimates and are now listed as individual projects. The latter were included in the estimate for unlisted projects in the 1968 estimate.

Monmouth County: The cost estimates for the Northeast Monmouth County Regional Sewerage Authority and the Middletown Township Sewerage Authority are listed on Tables 2 and 3 and do not appear on the comprehensive list. The Ocean Township Sewerage Authority project is not listed this year since the project was started before July 1, 1967 and is not eligible for further federal grant participation. The remainder of the Monmouth County estimate is based upon feasibility studies and engineering estimates that have been completed for the specific projects. The Bayshore Sewerage Authority project is now included in the listing.

Morris County: The Morris County comprehensive regional sewerage feasibility study financed by the Department was just completed in January 1969. This study provided the basis for establishing reliable cost estimates for needed sewerage facilities in Morris County.

The present estimate is significantly higher than that presented in the 1968 statement. The major portion of this increase has been caused by developments in the Rockaway valley involving the regional facilities operated by the City of Jersey City.

Ocean County: The cost estimates for Ocean County are based upon a regional sewerage feasibility study financed by the Department and completed in December 1967. The report reflects the cost of those facilities which the Department feels are necessary at this time and to comply with Departmental Orders.

Passaic County: The southern portion of Passaic County is served by the Passaic Valley Sewerage Commissioners facilities. Cost estimates for needed construction for this area are not available. The "Comprehensive Report on Sewerage Facilities" for the Wanaque Valley Regional Sewerage Study Committee was completed in April 1968 and was not available when the cost estimate was developed for the 1968 statement. The estimate presented in this statement more realistically covers the needs of this area.

A regional sewerage feasibility study has recently been initiated to study the needs for the remaining portion (Mid-Passaic Basin) of Passaic County. This study is being financed by the Department and has progressed to the point where only a preliminary estimate has been developed.

Salem County: The estimates for Salem County have been developed by engineering studies performed for Penns Grove, Pennsville, and Upper Penns Neck.

Somerset County: The estimates for Somerset County were derived from engineering estimates developed by consulting engineering firms retained by the municipalities shown on the list.

Sussex County: The estimate for Sussex County includes an updating of the estimate for the Wallkill Valley Region. Just after the submission of the 1968 statement, the Sussex County regional sewerage feasibility study was completed and was used as the basis for the estimates for the remainder of Sussex County. This study was sponsored and paid for by the Department of Health.

Union County: The estimates for Union County were derived from engineering studies and engineering estimates by consulting engineering firms employed by the sewerage authorities. The estimate for the Rahway Valley Sewerage Authority appears on Table 3.

Warren County: The cost estimates for Warren County were developed by a regional sewerage feasibility study financed by the Department and completed in March 1968.

Passaic Valley Sewerage Commissioners: At the time the 1968 statement was prepared it was impossible to develop an estimate with any validity for the cost of constructing needed facilities in the commissioners district.

In March 1967 the State Department of Health issued an order to the Passaic Valley Sewerage Commissioners which contained work performance schedules and included a requirement to complete studies and preliminary engineering by a specified date. The Passaic Valley Sewerage Commissioners failed to meet these schedules and were taken to court by the Department. In this action the Department's jurisdiction was contested. The court decision was favorable to the Department and the Commissioners filed an appeal in the Appellate Division of Superior Court. The cast is pending.

It is still impossible to present a reliable estimate for these construction needs. Our *guess* is that the cost will be in excess of $100 million.

E. EXPLANATION OF TABLES

Table 1

Table 1 is a listing of eligible projects that were certified for federal grants and were not under construction by June 30, 1967. These projects became eligible to participate in the State Construction Grant program which was initiated for fiscal year 1968.

There was sufficient funds in the State Construction Grant account to award grants of only 9.2% of the eligible construction cost instead of grants "not exceeding 30%" allowable under the "State Public Sanitary Sewerage Facilities Assistance Act of 1965" as amended February 1967. It will require additional funds of $4,334,576 to raise these grants up to 25% as was originally intended.

Table 2

Table 2 is a listing of eligible projects which have been certified for federal grants and which can be funded during the present fiscal year. The eligible cost figures for these projects are not firm at this time since the federal authorities have not completed the review of all the listed projects. It was very likely that some of these figures will change. However, based on the stated figures there are sufficient state funds available to award state construction grants amounting to approximately 11% of the eligible cost. Additional funds amounting to $3,557,637 will be required to raise these grants to 25% of the eligible construction costs.

Table 3

Table 3 is a listing of all projects which have been certified for federal grants under the reimbursable provisions of the Federal Water Pollution Control Act as amended by the Clean Water Restoration Act of 1966. Funds have not been obligated to any of these projects and the eligible cost figures are engineering estimates based upon final detailed engineering plans. It will require funds amounting to approximately $12,700,000 to provide state grants of 25% of the eligible construction costs. It is very likely the eligible costs of these projects will increase when construction bids are received.

In summary the amount of money needed to provide 25% grants to all the projects listed on Table 3 and to raise the grants of those projects listed on Tables 1 and 2 to 25% will require approximately $20,555,000.

Table 4

This Table sets forth estimates of costs of eligible needed facilities not including those listed in Tables 1–3.

Financing Alternatives

Table 5

There are several alternatives for providing the funds needed for construction of needed waste treatment and disposal facilities: (1) financing 33% by the federal government and 67% by the local agency with non-participation by the state; (2) if the state provides 30% of the project funds, the federal government can provide 44% leaving the local agency to raise 26% of the project funds; (3) if the state provides 25% of the eligible construction cost, the federal government can contribute 55% leaving the local agencies to raise 20%; (4) if the state provides 25% grants and prefinances an additional 25% for federal government's share leaving 30% to be financed by federal grants and 20% from the local agency; and (5) if the state contributes 25% construction grants and if all applicants agree to accept 30% federal grants (instead of the 55% for which they would be eligible) then this will leave 45% of the construction cost to be raised by the local agencies.

The allocation to each state of federal construction grant funds is based on a fixed statutory formula and not based on the total needs of the state. (See Table 6.) However, even if the federal government provides New Jersey with its full allocation of funds and with state participation it will be impossible to generate enough construction activity to meet New Jersey's needs for sewerage facilities. It is therefore necessary for the State to fund sewerage projects independently of federal grants or prefinance a portion of the federal government's share of construction grants with the possibility of being reimbursed by the federal government in future years.

Financial Summary

It is obvious from Table 5 that without state participation it will be totally impossible for local agencies to raise the money necessary to provide the needed sewerage facilities even with federal participation. Either of alternates 2 and 3 would be feasible providing the federal government appropriates sufficient funds. However this is doubtful when a review is made of Table 7. There is no way of predicting at this time just how much federal grant money will be available in future years. If the present trend continues the federal government will appropriate only a small percentage of the authorized funds.

Alternates 3, 4 and 5 appear to be the only logical alternatives at this time. It may be possible to modify alternative 4 to fit the actual financial situations by prefinancing smaller federal grants thus allowing greater coverage with the federal money and requiring a larger contribution from the local agency. Under the provisions of the Federal Water Pollution Control Act as amended an applicant receiving a 25% state construction grant is automatically eligible to receive a 55% federal construction grant providing the state has water quality standards approved by the federal government and the proposed facilities are of a regional nature. These two requirements are met in New Jersey.

Under alternative 5 it will be necessary for the local agency to express its acceptance of a 30% federal construction grant and accept eligibility for the additional 25% which it may receive in the future if Federal appropriations are sufficient. This arrangement would permit spreading the limited Federal funds over a larger number of projects.

Table 6

This Table summarizes state funds needed for construction of sewerage facilities eligible for financial aid for alternative funding plans.

Table 7

This Table sets forth the New Jersey share of authorized and appropriated Federal funds.

Table 8

This Table summarizes all cost estimates.

TABLE 1.—SEWERAGE PROJECTS RECEIVING STATE CONSTRUCTION GRANTS FROM 1968 FISCAL YEAR FUNDS

	Eligible construction cost	Amount of State grant[1]
Borough of Allentown	$339,100	$31,200
City of Plainfield	586,400	53,948
Township of Warren	482,200	44,362
Borough of Hillsdale	620,300	57,067
Town of Clinton	881,500	81,098
Middlesex County Sewerage Authority	5,458,400	502,172
Township of Hamilton	4,132,000	380,144
Borough of Fair Lawn	1,583,200	145,654
Borough of Caldwell	471,400	43,368
Northwest Bergen County Sewer Authority	12,660,000	1,130,036
Total	27,214,500	[2]2,469,049
Total eligible cost	27,214,500	
25 percent of eligible cost	6,803,625	
Amount of State grants[2]	2,469,049	
Additional State money needed to raise grants to 25 percent	4,334,576	

[1] Grants amount to 9.2 percent of the eligible construction cost.

[2] This figure does not include a grant of $427,758 to the Netcong-Musconetcong Sewerage Authority.

TABLE 2.—SEWERAGE PROJECTS DUE TO RECEI VE STATE CONSTRUCTION GRANTS FROM FISCAL 1969 FUNDS

	Eligible construction cost	Amount o State grant[1]
Bergen County Sewer Authority	$3,039,000	$341,188
Montville Township Municipal Utilities Authority	1,327,000	148,982
Bridgewater Township Sewerage Authority	1,934,000	217,130
Township of Roxbury	1,391,000	156,167
Town of Phillipburg	47,500	5,333
Ewing-Lawrence Sewerage Authority	426,000	47,827
Madison-Chatham joint meeting	2,450,000	2 75,061
East Windsor Township Municiapl Utilities Authority	249,000	27,955
Pompton Lakes Municipal Utilities Authority	475,000	53,328
Northeast Monmouth County Regional Sewerage Authority	14,492,000	1,627,017
Total	25,830,500	2,899,988
Total eligible cost	25,830,500	
25 percent of eligible cost	6,457,625	
State funds to be obligated	2,899,988	
Additional State funds needed to raise State grants to 25 percent	3,557,637	

[1] State grants amount to approximately 11 percent of the eligible construction cost estimates.

TABLE 3.—*Projects certified for Federal grants (reimbursable) for which no grant funds have been obligated*

	Estimated eligible cost
Bergen County Sewer Authority	$1,950,000
Dover Township Sewerage Authority	14,433,000
Lower Township Municipal Utilities Authority	2,098,000
Bergen County Sewer Authority	1,300,000
City of Millville	2,750,000
Carlstadt Sewerage Authority	736,200
Middletown Township Sewerage Authority	11,113,000
Bergen County Sewer Authority	1,355,000
City of Summit	216,700
Borough of Fair Lawn	100,500
Rahway Valley Sewerage Authority	10,800,000
Hackettstown Municipal Utilities Authority	2,500,000
Borough of Fairfield	212,400
Borough of Allendale	283,100
Total	49,847,900

NOTE.—25% of Eligible Cost=$12,662,000.

TABLE 4.—*Itemized costs of needed eligible facilities*

Atlantic county:	
Atlantic coastal region	$29,350,000
Great Egg Harbor River region	2,283,000
Mullica River region	947,000
Subtotal	32,580,000
Bergen County:	
Bergen County Sewer Authority area	39,200,000
Northwest Bergen Co. Sewer Authority:	
Mahwah-Ramsey area	2,500,000
Oakland Borough	4,000,000
Edgewater Borough	3,200,000
Subtotal	47,900,000
Burlington County	30,000,000
Camden County Sewerage Authority:	
Cooper River region	7,400,000
Big Timber Creek region	15,800,000
Pennsauken Creek region	1,600,000
Delaware River region	28,300,000
Subtotal	53,100,000

TABLE 4.—*Itemized costs of needed eligible facilities*—Continued

Cape May County:	
Lower region	$20,800,000
Middle region	11,460,000
Dennis Creek region	1,350,000
Tuckahoe River region	650,000
Upper region	9,140,000
Subtotal	43,400,000
Essex County:	
Cedar Grove	500,000
Fairfield	380,000
Subtotal	880,000
Gloucester County Sewerage Authority:	
Consolidated region	20,000,000
Maurice River region	2,100,000
Racoon Creek region	200,000
Subtotal	22,300,000
Hudson County:	
City of Hoboken	10,500,000
Jersey City Sewerage Authority	33,000,000
Bayonne City	7,000,000
North Bergen Township	7,500,000
Town of Secaucus	5,700,000
Town of West New York	5,500,000
Subtotal	69,200,000
Hunterdon County: Raritan Township Municipal Utilities Authority	1,000,000
Mercer County:	
Ewing-Lawrence Sewerage Authority	10,000,000
Hamilton Township	10,400,000
Stony Brook-Millstone River region	27,000,000
East Windsor Township Municipal Utilities Authority	3,000,000
Subtotal	50,400,000
Middlesex County:	
Middlesex County Sewerage Authority	125,000,000
City of Perth Amboy	3,500,000
City of South Amboy	2,000,000
Woodbridge Township	6,500,000
Madison Township Sewerage Authority	1,000,000
Borough of Carteret	3,000,000
Borough of Sayreville	2,500,000
Edison Township	6,000,000
Subtotal	149,500,000
Monmouth County:	
Atlantic Highlands-Highlands area	2,100,000
Bayshore Ocean outfall	12,000,000
Borough of Union Beach	3,500,000
Hazlet Township sewerage Authority	5,000,000
Neptune Township region	3,500,000
Long Branch Sewerage Authority	3,000,000
Wall Township:	
Northern region	4,100,000
Southern region	3,300,000
Manasquan region	7,500,000
Subtotal	44,000,000
Morris County:	
Whippany watershed	3,000,000
Rockaway watershed	30,000,000
Pompton-Pequannock watershed	9,000,000
Subtotal	42,000,000
Ocean County:	
Metedeconk region (Inc. part of Monmouth County)	$25,200,000
Toms River region	26,140,000
Forked River-Cedar Creek region	13,970,000
Mill Creek region	15,340,000
Southern Ocean County region	11,850,000
Subtotal	92,500,000
Passaic County:	
Mid-Passaic Basin	15,600,000
Wanaque Valley region	23,500,000
Subtotal	39,100,000
Salem County:	
Pennsgrove, Upper Penns Neck Township	1,000,000
Pennsville Township	700,000
Subtotal	1,700,000
Somerset County:	
Bridgewater Township Sewerage Authority	5,000,000
Somerset-Raritan Valley Sewerage Authority	3,000,000
Montgomery Township	300,000
Manville Borough	300,000
Warren Township	2,000,000
Subtotal	10,600,000
Sussex County:	
Wallkill Valley region	12,500,000
Musconetcong-Lake Hopatcong region (including part of Morris County)	30,000,000
Subtotal	42,500,000
Union County:	
Linden-Roselle Sewerage Authority	6,500,000
Elizabeth Joint Meeting (including part of Essex County)	20,000,000
Subtotal	26,500,000
Warren County:	
Belvidere region	1,800,000
Phillipsburg complex	1,200,000
Blairstown area	1,120,000
Subtotal	4,120,000
Grand total	803,280,000

TABLE 5.—*Alternative funding plans (total cost, $853,128,000)*

ALTERNATIVE NO. 1 (STATE NOT PARTICIPATING)	
33 percent Federal	$281,532,000
67 percent local	571,596,000
ALTERNATIVE NO. 2	
44 percent Federal	375,376,000
30 percent state	255,938,000
26 percent local	221,814,000
ALTERNATIVE NO. 3	
55 percent Federal	469,220,000
25 percent state	213,282,000
20 percent local	170,626,000
ALTERNATIVE NO. 4	
45 percent local	383,908,000
30 percent Federal	255,938,000
25 percent state	213,282,000
ALTERNATIVE NO. 5	
Present:	
45 percent local	383,908,000
25 percent state plus 25 percent state prefinanced Federal	426,564,000
5 percent Federal	42,656,000
After Federal reimbursement:	
55 percent Federal	$469,220,000
25 percent state	213,282,000
20 percent local	170,626,000

TABLE 6.—*Summary of State funds needed for construction of sewerage facilities eligible for financial aid for alternative funding plans*

Alternative 1	$0.0
Alternative 2	255,938,000
Table 1	4,335,000
Table 2	3,558,000
Total	263,831,000
Alternative 3	213,282,000
Table 1	4,335,000
Table 2	3,558,000
Total	221,175,000
Alternative 4	213,282,000
Table 1	4,335,000
Table 2	3,558,000
Total	221,175,000
Alternative 5	426,564,000
Table 1	4,335,000
Table 2	3,558,000
Total	434,457,000

TABLE 7.—FEDERAL CONSTRUCTION GRANT FUNDS AUTHORIZED AND APPROPRIATED FOR NEW JERSEY

Fiscal year	Federal funds authorized for New Jersey	Federal funds appropriated for New Jersey
1967–68	$14,040,400	$5,790,000
1968–69	22,384,400	6,171,100
1969–70	32,397,200	(1)
1970–71	40,397,200	(1)

[1] Not available.

TABLE 8.—*Summary of cost estimates sewerage construction in New Jersey*[1]

The cost of trunklines and treatment plants eligible to receive Federal and State aid and now required to conform with the statutes, regulations, and orders enforced by the State department of health:	
Facilities already partially funded (tables 1 and 2)	$53,045,000
Certified facilities, not funded (table 3)	49,848,000
All other needed facilities (table 4)	803,280,000
Total[2]	906,173,000
Local collection system which will be built to accompany facilities described in No. 1 above and which are ineligible for State aid and for Federal aid from Federal Water Pollution Control Administration. These systems may be eligible for limited aid from Department of Housing and Urban Development and other Federal agencies	225,000,000

[1] All estimates are based on 1968 construction dollars.

[2] Passaic Valley Sewerage Commissioners needs not included.

STATE OF NORTH CAROLINA,
Raleigh, June 18, 1969.
Hon. JOHN D. DINGELL,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN DINGELL: I have your letter and comments on construction grants under the Clean Water Restoration Act.

Col. George Pickett, Director of the Department of Water and Air Resources, will be in touch with you with more details.

Cordially,
ROBERT W. SCOTT.

STATE OF NORTH CAROLINA, DEPARTMENT OF WATER AND AIR RESOURCES,
Raleigh, N.C., July 7, 1969.
Hon. JOHN D. DINGELL,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN DINGELL: Reference is made to your letter of June 6, 1969, addressed to Governor Robert W. Scott, concerning the proposed funding of the construction grant program under the Clean Water Restoration Act. In this connection, you requested information on the impact this low level funding has had on the water pollution control and abatement program in North Carolina.

The funding of this program at the low level of $214 million during F.Y. 1969 and the recommended appropriation in the same amount for F.Y. 1970 has and will continue to delay the construction of needed wastewater treatment facilities in North Carolina. With an appropriation of $214 million, North Carolina's allotment is approximately $5,300,000. Applications were filed by municipalities for F.Y. 1969 funds requesting $7,717,150 covering projects estimated to cost more than $31 million, whereas on July 1, 1969, applications requesting grant funds in the amount of $8,323,000 were pending. These projects have an estimated construction cost of more than $28 million. This means that many of the projects for which applications were filed during both F.Y. 1969 and F.Y. 1970 could not be funded due to the lack of Federal grant funds; thus, the construction of these projects has or will be delayed until grant funds become available. This not only results in delaying needed waste treatment facilities, but due to the increasing cost of construction, much of the benefits derived from the grants are usurped by increasing costs.

In addition to the above, many small incorporated communities which do not now have public sewage collection and treatment facilities are delaying initiation of such projects due to the lack of grant funds at a level which will permit them to finance the local share through bond issues which can be amortized with available sources of revenue. We believe, therefore, that the level of the grants should be increased considerably above 30% of the cost of construction and that the increase should not be contingent upon the availability of State grants as is now the case. In the final analysis, it matters little whether the non-Federal share is financed solely by the municipalities or jointly through State and municipal funds. It is suggested, therefore, that this particular aspect of the grant program be given further study.

We appreciate the opportunity of commenting on this important matter and hope that you and your associates in the House will be successful in your efforts to obtain appropriations more in keeping with the authorizations contained in the Clean Water Restoration Act.

Sincerely yours,
E. C. HUBBARD,
Assistant Director.

STATE OF NORTH DAKOTA,
Bismarck.
Hon. JOHN D. DINGELL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN DINGELL: Thank you very much for your recent letter requesting information from North Dakota on the impact of short funding on the water pollution control and abatement programs in our state.

Water pollution control construction grants have had tremendous impact on the State of North Dakota. Our State has been fortunate in the fact that our allocations have amounted to approximately one million dollars per year which has been sufficient to provide grants to all communities requesting aid. Over the twelve year period that this program has been in operation, these funds have assisted 230 projects in North Dakota.

We fully realize that the situation in the more populous states is much different than that in North Dakota and in like low population states. We know that many states have had to develop priority ratings and that many communities have been deterred from building waste treatment facilities because of lack of sufficient grant funds.

We strongly support your efforts to secure full funding of the construction grant program under the Clean Water Restoration Act so that pollution control programs nation-wide can proceed in an orderly manner.

Sincerely yours,
WILLIAM L. GUY,
Governor.

OHIO WATER DEVELOPMENT AUTHORITY,
Columbus, Ohio, June 16, 1969.
Hon. JOHN D. DINGELL,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN DINGELL: Your letter of June 6, 1969 was forwarded to this office by Governor Rhodes. Your efforts on obtaining funding for the Clean Water Restoration Act are deeply appreciated by the State of Ohio. Last year, $9.4 million was received by the State of Ohio for the 30% grant-in-aid program. A survey made in March of this year indicated 224 counties and municipalities were on orders from the Ohio Water Pollution Control Board for primary, secondary, and tertiary waste treatment facilities in the amount of $459 million. It is obvious that less than $10 million a year funding for this program is not the answer. The State of Ohio is proposing to utilize $100 million of funds from a State Bond Issue to extend the 30% grant-in-aid program to all political subdivisions on notice from the OWPCB for sewage treatment facilities.

The total cost to the State due to the short funding of the federal program is considerable. Obviously the $100 million will be the State's expense to compensate for the lack of funding on the federal level over the next five years. The unfortunate thing that has occurred due to the lack of federal funds is that municipalities are reluctant to construct sewage facilities on the basis of 100% local cost if there is hope of receiving a 30% federal grant. Since only a small percentage of applicants are able to receive the federal grant, the remainder wait in hopes of receiving it at a later date. Since construction costs have increased approximately 10% on this type of construction per year during the last few years, a municipality which waits three years, in effect, receives no benefit from the 30% federal grant, and if they wait longer, they are actually penalized on the construction costs.

We hope the above is of value to you in your endeavors to receive better Clean Water Restoration funding and if we can be of further assistance to you in the future, please contact us.

Sincerely,
NED E. WILLIAMS,
Executive Director.

STATE OF OREGON,
Salem, June 18, 1969.
Hon. JOHN D. DINGELL,
House of Representatives,
Washington, D.C..

DEAR CONGRESSMAN DINGELL: I am sending for your information Senate Joint Memorial 11, House Joint Resolution 14, and House Bill 1074, all of which speak to the water pollution problem, and reflect the principal action taken by the Oregon Legislature in the Session just concluded. I am also sending copies of correspondence between my office and our Congressional delegation, and my Administrative Assistant in Washington, D.C., Mr. Dale Mallicoat. This issue also has been discussed in detail recently with the Governors of California, Illinois, Michigan, Wisconsin, and New York.

I agree with you wholeheartedly in the need for adequate and reliable funding of the program by the Federal government. Our programs have been held back, and we sit with more than $30 million dollars worth of projects ordered by our Sanitary Authority, and designed, engineered, and approved, with state and local funds in hand, but not being constructed because of failure by the Federal government to fund their promised portion. Inadequate funding also brings extremely unfair situations into play, and calls for unnecessarily difficult decisions. Some cities are funded 50–25–25, others 70–30, and still with others where the need is paramount, the local user may be required to pay 100% of the cost.

You will note in our House Joint Resolution 14 that Oregon is pledging the money needed to do the job from our standpoint. The states need not promises, but performance. There is no question in my mind but that the people of this nation will support strongly federal funding to the authorized level. The recent Gallup poll for the National Wildlife Federation clearly indicates this attitude. And as our SJM 11 says, it is a matter of keeping faith with the American people, and I hope the Congress can be so persuaded.

Sincerely,
TOM MCCALL,
Governor.

COMMONWEALTH OF PENNSYLVANIA,
Harrisburg, June 26, 1969.
Hon. JOHN D. DINGELL,
Rayburn House Office Building,
Washington, D.C.

MY DEAR MR. DINGELL: Your letter of June 6, 1969, requested information concerning the impact on the sewage treatment plant construction program in Pennsylvania as a result of appropriations under the Clean Waters Restoration Act being considerably less than the authorizations. We appreciate the opportunity to comment on this subject.

In Fiscal Year 1968 our Department of Health received 51 applications requesting basic 30% grants amounting to $28.6 million for Fiscal Year 1969 toward projects estimated to cost about $125.8 million. Pennsylvania's allocation of federal funds for Fiscal Year 1969 was $11,032,600, or about 39% of the amount needed for 30% grants.

Similarly, in Fiscal Year 1969, the Department of Health received and is processing 57 applications requesting $23.0 million as

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basic 30% grants against Fiscal Year 1970 funds.

Pennsylvanians have approved a Land and Water Conservation and Reclamation Fund which makes $100 million, of a $500 million program, available for construction of sewage treatment facilities over a ten-year period. Under this program $20 million was appropriated for the period July 1, 1967, to June 30, 1969, for the sewage facilities.

In planning this program, it was hoped that these funds could be used to complement the federal funds under Section 8 of the Federal Water Pollution Control Act, as amended by the Clean Waters Restoration Act, to make our communities eligible for increased grants. Since the federal allocations have been less than authorized by law, we have had to use our state funds to make combination state-federal grants of 30% of eligible costs. The 70% of costs raised by the local citizens has resulted in annual sewerage service charges in many cases exceeding $150 per family per year, a hardship in many of our small communities.

From the foregoing you will note that the fortunate availability of state funds has made it possible to move many projects into construction which would have been retarded otherwise by the lack of federal funds. However, the current needs exceed even the combination of state and federal funds.

The construction program in Pennsylvania will become more critical in the next several years due to over 150 orders issued in the past two years to municipalities to construct or upgrade treatment facilities in consequence of new water quality criteria on both interstate and intrastate streams. We, therefore urge the increased appropriation of federal funds for Fiscal 1970 and subsequent years.

Sincerely,

Raymond P. Shafer.

State of South Carolina,
Columbia, June 20, 1969.

Hon. John D. Dingell,
House Office Building,
Washington, D.C.

Dear Congressman Dingell: Thank you for your recent letter concerning the funding of the construction grant program under the Clean Water Restoration Act. I am referring a copy of your letter to the Director of the State Pollution Control Authority for his comments.

I appreciate your bringing this to my attention.

Sincerely,

Robert E. McNair.

South Carolina State Board of Health,
Columbia, S.C., June 30, 1969.

Hon. John D. Dingell,
Rayburn House Office Building,
Washington, D.C.

Dear Mr. Dingell: The Honorable Robert E. McNair, Governor of South Carolina, has referred your letter of June 6, 1969, to this office for reply.

The State of South Carolina, being a rather small state populationwise, has experienced little difficulty in the utilization of funds as provided under Public Law 660.

It has been our experience in the past that the smaller projects have been initiated, thus allowing for the satisfactory distribution of funds. Now, however, upon the initiation of construction to serve the more densely populated areas, we are finding it difficult to arrange financing under present limitations of Public Law 660.

We do greatly appreciate the efforts that you and other members of Congress are making to insure the full funding of the Clean Waters Restoration Act for the Fiscal Year 1970. It is evident that if adequate funds are not provided the likelihood of our initiating and completing projects presently proposed in this state will be seriously hampered.

Very truly yours,

W. T. Linton,
Executive Director, Pollution Control Authority and Director, Bureau of Sanitary Engineering.

State of South Dakota,
Pierre, June 18, 1969.

Hon. John D. Dingell,
House of Representatives,
Washington, D.C.

Dear Representative Dingell: This will acknowledge receipt of your letter of June 6, 1969, regarding funding of the Construction Grant Program for water pollution control facilities.

To familiarize you with the past utilization of the Department of Health, Education, and Welfare and the Department of Interior water pollution control construction grant funds in South Dakota, we submit to you the following tabulation:

Year	Fiscal year Federal grant allotment	Calendar year Federal funds approved and used
1957 and 1958	$1,324,825	$887,202
1959	676,700	355,190
1960	680,700	117,848
1961	646,400	432,844
1962	999,760	1,047,358
1963	1,095,570	423,949
1964	1,205,150	47,470
1965	1,150,650	[1]406,278
1966	1,302,070	449,834
1967	1,393,350	[1]755,800
1968	1,460,400	328,153

[1] Includes EDA.

As you will note from the above tabulation, the State of South Dakota has not been able to utilize entire federal grant allotments in all cases. However, this should not justify reducing the Federal appropriations for facility construction. In the near future, it is hopeful that several large projects can be undertaken which will need approximately $2 million of Federal grant monies in one year.

The construction of water pollution control facilities in many small communities (100 to 500 population) in this State has been held back, not by lack of Federal Water Pollution Control Administration funds, but by financial and bonding limitations of the community itself and the necessity of obtaining Farmers Home Administration, U.S. Department of Agriculture, loan and grant monies to finance the projects. If Farmers Home Administration money were available, many of our lagging communities would have facilities constructed without delay.

Sincerely yours,

Frank L. Farrar,
Governor.

Tennessee Executive Chamber,
Nashville, June 13, 1969.

Hon. John D. Dingell,
House of Representatives,
Rayburn House Office Building,
Washington, D.C.

Dear Representative Dingell: Your letter of June 6, 1969, arrived at the time the Tennessee Stream Pollution Control Board is considering the priorities for grants under the Clean Water Restoration Act for fiscal year 1970.

The Board has received 26 applications for work totaling $81,044,000 and the 33 per cent grants would be $24,287,000. I understand that the Tennessee allocation will be about $4,300,000 if the appropriation is the recommended $214 million.

We believe that almost all of the projects could be under construction by June 30, 1970, if the funds were available. A few of the small projects may be delayed if supplemental grants applied for from other Federal agencies are delayed.

Our Board believes that the water pollution control and abatement program in Tennessee is being delayed because it has received from two to three times as many applications each year as it has had grant funds for the past five years. Arrangements have not been made to finance the projects with local funds and in most of the cases the projects have waited.

The present backlog for construction is more than the $81,044,000 shown above since the Board has not encouraged all of the towns which need to build facilities to file an application.

If we can furnish additional information, please let me know.

Sincerely,

Buford Ellington.

Texas Water Quality Board,
Austin, Tex., June 17, 1969.

Hon. John D. Dingell,
House of Representatives,
Washington, D.C.

Dear Congressman Dingell: Governor Preston Smith has given me your letter of June 6, 1969 and asked that I reply to you directly on behalf of his office and that of the Texas Water Quality Board.

At the outset, I know that Governor Smith appreciates, as I do, your long and continued interest and support of clean water programs and other conservation programs throughout the Nation. This state has benefited from your work on fisheries and wildlife conservation over a long period of time.

The State of Texas has been quite fortunate in the field of water pollution control and water quality management in that, up until recent times, the state had few large urban centers and limited industrial capacity. The low population density, therefore, minimized the intensity and number of water pollution control problems in the state. At the same time, the State of Texas began a well-planned and aggressive water pollution control program many years ago, with the result that the state's situation with regard to the construction of municipal sewage treatment plants substantially kept pace with the growth and expanding need within the state. We acknowledge fully, in this connection, that the Federal assistance beginning in 1956, or thereabouts, through the Federal Water Pollution Control Act and its successor acts has constituted, and will continue to constitute, an essential facet of the Texas municipal waste control program.

In reviewing the municipal waste treatment needs throughout the state, and comparing them with the financial capabilities of the state's municipalities, and considering the municipalities' needs in other directions, it is our conviction that the present level of funding for the Construction Grants Program under the Clean Water Restoration Act will insure in this state a continuation of the state's program at a satisfactory level. Generally speaking, we are finding that we are funding construction grant requests as fast as those requests are being received, and essentially as fast as is reflected by the state's need.

To supplement the foregoing, we do see, a few years from now, a need for the construction of several regional sewerage systems in the larger metropolitan areas of the state. To adequately fund such projects may well require a change in the present thirty percent (30%) limitation for the construction grants, and possibly some increase in the overall funds available to this state. This situation, however, is not expected to obtain within the next two or three years, perhaps for a considerably longer period than that.

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Speaking specifically to the questions in the third paragraph of your letter, the Texas water pollution control and abatement program has not been held back by the present level of funding and it has been unnecessary to make special arrangements resulting from any lack of Federal funds. Insofar as suggesting that there has been or could be an additional cost to the state, the municipalities of Texas have historically provided their share of construction funds without calling upon the resources of the state and, accordingly, this state does not presently have a funded state construction grants program, although one is authorized in the legislation organizing the Texas Water Quality Board. Still, in this connection, it is my view that it is difficult to define that a reduction in a Federal program constitutes an additional cost to a state, certainly not to the taxpayers of the state. Fundamentally, the funds available to local government, to state government, and to the Federal government result from the economic activities of the same set of taxpayers.

In closing, may I restate, on behalf of Governor Smith and myself, our appreciation of your interest and effective work.

Sincerely,

Hugh C. Yantis, Jr.,
Executive Director.

Commonwealth of Virginia,
Governor's Office,
Richmond, June 9, 1969.

Hon. John D. Dingell,
House of Representatives,
Washington, D.C.

Dear Mr. Dingell: I am forwarding your letter of June sixth to the Virginia Water Control Board for further comment on your inquiry concerning the proposed appropriation under the Clean Water Restoration Act.

Sincerely yours,

Mills E. Godwin, Jr.

State of Vermont,
Executive Department,
Montpelier, Vt., June 30, 1969.

Hon. John D. Dingell,
House of Representatives,
Washington, D.C.

Dear Congressman Dingell: I am pleased to learn of the effort that you and others are making in Congress to increase the Federeal appropriation for the Clean Water Restoration Act.

I am sending a copy of your letter to Mr. Reinhold Thieme, Commissioner of Water Resources for the State, and asking him to provide the information that you need. We would like to help you in this cause as the reduction in Federal appropriations has greatly hindered our anti-pollution efforts here in Vermont.

Unfortunately, we have not been able to supplement the loss of Federal funds with State money because of the fiscal problems we have ourselves. I am sure that Commissioner Thieme can give you more specific information in this regard.

Thank you again for your letter.

Sincerely,

Deane C. Davis.

Commonwealth of Virginia,
State Water Control Board,
Richmond, Va., June 20, 1969.

Hon. John D. Dingell,
House of Representatives,
Washington, D.C.

Dear Sir: In response to your letter to Governor Godwin, please find attached a tabulation of the grant requests and recommendations based on available money of the past 8 years. We must point out that Virginia has a policy of not holding a grant application from one year to the next so that the same request may show up in each of several years before it is funded.

You will note from the tabulation that only ¼–⅓ of the projects are funded in any given year. The State does not have a grant program of its own, and to our knowledge no plans are afoot to initiate State grants to supplement grant funds available under the Federal Water Pollution Control Act. The 1968 General Assembly authorized the Board to administer such State funds if the General Assembly saw fit to appropriate funds for this purpose.

I believe that these few remarks speak for themselves, although I will be happy to answer any questions which arise.

Sincerely,

A. H. Paessler,
Executive Secretary.

State of Utah—Department
of Social Services,
Salt Lake City, Utah, June 26, 1969.

Hon. John D. Dingell,
House of Representatives,
Washington, D.C.

Dear Mr. Dingell: This is in answer to your request of June 6, 1969, for information regarding Federal funding of the construction grant program under the Clean Water Restoration Act.

Utah's water pollution control and abatement program has not been held back as a result of short funding under the Act. In fact, during the past two years Utah has not used its entire allotment of construction grant money because the major part of our municipal waste treatment program has been completed.

We do have some small municipalities still in need of construction grants, and we are presently undertaking a campaign to accelerate completion of the needed projects. However, available funds are beyond what we anticipate as necessary in the next two or three years.

Some money will need to be committed to revamping of overloaded plants and possible to the addition of tertiary treatment in some areas. However, we still do not foresee any slowdown in our water pollution control plan under the present funding setup.

Sincerely yours,

E. Arnold Isaacson, M.D., MPA
(For G. D. Carlyle Thompson, M.D.,
Director of Health.)

GRANT APPLICATIONS PROCESSED OVER THE PAST 8 YEARS IN VIRGINIA

Year	Number of grant requests	Total cost of proposed projects	Grants requested on eligible portions	Number of projects approved	Amount grant money available
1962–63	45	$33,000,000	$5,224,390	18	$1,852,920
1963–64	52	33,000,000	7,584,260	14	1,846,755
1964–65	49	30,000,000	6,302,704	16	2,050,150
1965–66	46	30,000,000	5,937,694	21	3,100,000
1966–67	66	54,000,000	11,965,835	13	4,150,600
1967–68	56	54,000,000	12,315,756	16	4,278,100
1968–69	75	74,000,000	18,946,889	33	4,448,400
1969–70	87	68,000,000	20,195,417	26	[1] 4,500,000

[1] Approximate.

State of Washington, Office of
the Governor,
Olympia, June 23, 1969.

Hon. John D. Dingell,
U.S. House of Representatives,
Washington, D.C.

Dear Congressman Dingell: The following information is presented in response to your inquiry of June 6 with the hope that it will assist you during Congressional consideration of proposed appropriations for the implementation of the Public Law 84–660 Construction Grants Program.

During fiscal 1969 the Washington State Water Pollution Control Commission considered applications for financial assistance under the provisions of the Clean Waters Restoration Act of 1966 which represented a total value of facilities eligible for grant participation of $22,390,000. Other applications representing a value of several million dollars were held pending under the reimbursement provisions of the Act. Appropriations limited grant participation to only 49% of the total eligible value of the requests considered in the State of Washington.

During the first rating period for fiscal 1970 the Commission considered applications representing a value of $18,772,000. Additional applications representing a value of $23,162,000 in eligible projects were held pending under the reimbursement provisions of the Act. In this first rating period for fiscal 1970 appropriations limited grant participation to only 56% of the total eligible value of the requests. A second rating period for fiscal 1970 will be held in December to disburse funds reallocated to the state. At that time additional applications will be considered. Anticipating that appropriations for fiscal 1970 will be similar to those for fiscal 1969, the grant participation will be provided for some percentage less than 56%.

In the general election of November 5, 1968, Washington voters, by more than a 75% majority, approved Referendum 17 which authorized up to $25,000,000 in state obligation bonds to be used to assist local governments in the development of water pollution control facilities. The $25,000,000 was determined to be the amount needed at the state level to match federal grants on the basis of the existing formula for financing facilities, which is the federal funds providing 30% of eligible costs, state funds for 15% of eligible costs and the local jurisdiction providing 55% of the eligible costs. The present determining factor limiting the effective utilization of Washington State's bonds at the rate of expenditure originally anticipated is the reduced amount of the federal appropriation below the amount authorized in the enabling legislation.

We therefore urgently endorse a level of appropriation sufficient to implement Public Law 84–660 to make Washington State's matching grant program fully effective.

Up to the present time no arrangements have been made "to take up the slack resulting from the short-fall in federal funds." Enabling legislation has recently been passed by the Washington State Legislature to allow for making independent state grants and loans to municipalities for the construction of water pollution control facilities. No appropriations, however, were made to implement this enabling legislation.

We understand that Congress is currently considering proposals which would modify the present Construction Grant Program. Revised programs would call for contract grants to municipalities of up to 30% of the eligible costs of construction of water pollution control facilities over a 40-year period. This type of program would provide a substantial benefit to the water pollution control effort in the State of Washington, particularly in view of the insufficient funding of the existing grant program. However, it should be pointed out that the effectiveness of a contract grant program would be greatly reduced unless the federal government included in its obligation to the municipalities the payment of principal and interest on its assumed portion of the eligible construction costs.

Your interest and efforts in this area are appreciated. We sincerely hope that you will exercise your influence in the House of Representatives to support adequate funding of the Construction Grants Program and the inclusion of the payment of interest as well as principal in the Contract Grant Program.

Sincerely,

Daniel J. Evans,
Governor.

The State of Wisconsin,
Madison, June 19, 1969.

Hon. John D. Dingell,
House of Representatives,
Washington, D.C.

Dear Mr. Dingell: Your support for realistic funding of the construction grant program under the Clean Water Restoration Act is greatly appreciated.

On the assumption that the authorizations in that Act would be honored, Wisconsin began a program of partial funding in Fiscal Year 1967. So that the limited funds could be applied to stimulate more project starts, municipalities were persuaded in that year to accept initial grants of 10 percent of project costs with the assurance that additional increments would be forthcoming.

In Fiscal Year 1968, Wisconsin honored that commitment, raising previous years' projects another 10 percent and starting a few new projects at the 20 percent level of funding. This pattern was continued in the current fiscal year. The result, of course, was that most of the available funds had to be used to raise projects from the previous two years to the 30 percent federal aid level. Of the $4,500,000 which Wisconsin received, only $1,500,000 was available to initiate new construction. At the 30 percent federal aid level, this produced new starts of approximately $5,000,000 cost at a time when immediate sewage construction needs of at least $100,000,000 have been identified in the state.

Complicating the situation is the fact that Wisconsin communities are now eligible for 50 percent federal grants since the state has approved Interstate Water Quality Standards and a state grant program providing 25 percent of project costs.

If we were to raise those projects now at 30 percent federal aid levels another 10 percent in Fiscal Year 1970, the result would be disastrous—all of the available funds would go toward existing construction, permitting no new pollution abatement starts. This is clearly an untenable situation!

Meanwhile, the backlog of vital pollution abatement projects in Wisconsin accumulates. We now estimate that approximately 500 projects costing $300,000,000 should be commenced in the next six to ten years.

My administration has attempted to fill this void. A state bonding program has been developed and approved in referendum. The enabling legislation, when enacted, will permit Wisconsin to advance from 25 to 30 percent of the federal funds for which projects would be eligible. This is an admitted gamble, considering that some elements in Washington would like to strike the reimbursement provisions from the federal act.

Your efforts to restore construction grant funds to a meaningful level have my wholehearted support. Wisconsin and Michigan also share a common interest in maintaining and extending the reimbursement provisions of the federal act.

Sincerely,

Warren P. Knowles,
Governor.

Wyoming Executive Department,
Cheyenne, July 13, 1969.

Hon. John D. Dingell,
Rayburn House Office Building,
Washington, D.C.

Dear Congressman Dingell: I am writing with reference to your recent letter regarding the funding of the construction grant program under the Clean Water Restoration Act. Fortunately, Wyoming does not have any serious water pollution control problems and, therefore, the failure of the Congress to appropriate the full amounts that were authorized has not adversely affected my state.

With all good wishes.

Sincerely,

Stan Hathaway,
Governor.

Territory of Guam,
Agaña, Guam, June 30, 1969.

Hon. John D. Dingell,
House of Representatives,
Washington, D.C.

Dear Mr. Dingell: In your letter of June 6, 1969, just recently received, you inquired as to the impact short funding for construction grants under the Clean Water Restoration Act has had on the water pollution control and abatement program in Guam.

Guam is fortunate in being provided funds under the Rehabilitation Act P.L. 88–170. Water and sewer projects have been funded under this Act, the last being the Agat/Santa Rita sewer system which includes a sewer treatment plant. A grant under the Federal Water Pollution Control Act was obtained for this treatment.

While we have other projects planned under the water pollution control and abatement program in Guam none have reached the stage of funding. Accordingly, none have been or are being delayed because of short funding under the Clean Water Restoration Act.

I appreciate your writing to me on this subject.

Sincerely,

Manuel F. Guerrero.

The Virgin Islands
of the United States,
Charlotte Amalie, St. Thomas,
June 24, 1969.

Hon. John D. Dingell,
House of Representatives,
Washington, D.C.

Dear Congressman Dingell: The shortfunding on the construction grants program under the Clean Water Restoration Act has not held back the water pollution control and abatement programs of the Virgin Islands.

Prior to 1968, the Virgin Islands never utilized the construction grants funds allocated. This was because of the low priority allocated to water pollution behind housing, water, etc. In this way approximately ten million dollars were lost.

We are now moving ahead on the construction of waste treatment plants. We are utilizing all of our 1968 and 1969 allotments and half of our 1970 this year. In addition we have expended $268,000 for three sewage treatment plants required in 1969.

The Virgin Islands are eligible for fifty-five percent grants. We have thus expended $147,400 in order to take up the slack.

Sincerely yours,

Cyril E. King,
Acting Governor.

THE ADMINISTRATION'S SCHOOL GUIDELINES

(**Mr. THOMPSON** of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Georgia. Mr. Speaker, yesterday I sent a letter to the Secretary of the Department of Health, Education, and Welfare, Mr. Finch, calling on him to bring his Department into compliance with the law with reference to the school guidelines situation.

Now, Mr. Speaker, on October 11 of 1968, Public Law 90–557 went into effect. This was the appropriations law for the Department of Health, Education, and Welfare.

Section 409 of that law provided as follows:

> No part of the funds contained in this Act may be used to force busing of students, the abolishment of any school, or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent in order to overcome racial imbalance.

The act further provided that they may not withhold funds in order to accomplish these purposes.

In my own district in Georgia, Mr. Speaker, Fulton County, in which Atlanta is located, under the Johnson administration we thought we were in compliance. The irony of the situation is that I, a Republican, learned in April of this year that we cannot assign children to schools closest to their homes because this is in violation of the guidelines unless it produces integration.

We were further told that to comply with guidelines we should abandon a 6-year-old high school because every student attending that school was black although they live closer to this school than any other school. The reason for closing this school and busing these students is in order to achieve a racial balance.

We have been further told that if we do not close the school we must assign the children on a geographical basis, gerrymandering the districts, not based upon the proximity of the schools, as a means of establishing boundaries but by using race as to establishing boundaries and that the racial balance must be the same in each school.

This is in direct conflict of the law of the Congress and I call upon the Secretary of the Department of Health, Education, and Welfare to obey the law and to bring his Department into conformity with the law. If he refuses to do so, I have no recourse but to consider the possibility of asking for his impeachment.

STATEMENT ENDORSING DIRKSEN'S PRAYER RESOLUTION

(Mr. MIZELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MIZELL. Mr. Speaker, after a great deal of study, deliberation, and prayer, I rise today in support of voluntary prayer, not only in our schools, but also in every public facility and facet of our free society. I do not believe this is the time or the place for us to retreat from the attacks of the atheists and agnostics whose desire is to remove the honoring of our Lord from all segments of our society, and I want to be on record today as unequivocably in support of prayer.

Referring to the Bible, we will find that verse 12 in the 33d Psalm say, "Blessed is the nation where God is the Lord." Our Nation was founded by men who know the value of prayer. The nondenominational recognition of God has been practiced in this great Nation of ours ever since the first settler con-

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structed his log cabin on our eastern seaboard. Based on a godly foundation, this Nation in just a few hundred years has developed from a mere wilderness into a thriving, productive land—the greatest, wealthiest, and freest nation known to man. The United States of America is the envy of the world, truly the land of milk and honey.

The men who have defended this Nation throughout the years have been men of prayer. Our first President George Washington was known to have been seen on his knees in prayer when times were dark and seemed hopeless. Abraham Lincoln told of the many times he was driven to prayer when there was nowhere else to turn. President Eisenhower in his inaugural address said:

> Before all else, we seek, upon our common labor as a nation, the blessings of Almighty God.

President Nixon, for the first time in history, has established worship services in the White House. All these men are the great leaders of a great Nation.

I believe our Nation has been blessed because we have been a Nation which honored God. I also believe that God will continue to honor us as He is given His rightful place in our society.

Our laws and moral codes are based on a godly heritage. The very religious freedom assured us by our forefathers has given us the guidelines to bring up our young people to be responsible, moral, productive citizens. The success of this great Nation of ours has come about because we have constantly been reminded of this godly heritage.

Now we see a number of minority elements, the agnostics and the atheists who would like to see the free worship of God banished from every segment of our society. They cry for the removal of our chaplains in the armed services, the removal of God from our pledge of allegiance, the removal of "In God We Trust" from our currency. They even want to restrict our astronauts from praying publicly from outer space. For the past 3 or 4 years, the aim of these groups has been to devoid our schools of prayer.

This controversy is not new to you by any means, but I am deeply concerned over the results of the refusal of the Supreme Court to review a number of lower court decisions on this subject, that prayer in the public school controversy has become confused and subject to contradictory lower court decisions. For some unknown reason, the Supreme Court has avoided clarifying its position on this vital subject.

In its historic decision in the case Murray and Schempp, the Supreme Court made it explicitly clear that the first amendment of the Constitution permits the recognition of God in public prayer. The decision further revealed that the worshipping of Almighty God is in fact a part of our national heritage.

The Court confused the issue, however, by at a later date, refusing to hear an appeal of a lower court decision. In the New York case Stein against Oshinsky, a group of parents and their 21 children were refused by a Federal Court the right to read the Lord's Prayer, hold voluntary prayer, and to thank God for His blessings before eating their lunches in school. The Supreme Court refused to hear an appeal on this decision. A thorough study of these two decisions will reveal that they are contradictory, and, therefore, have caused widespread confusion, not only in the lower courts, but also in the minds of the public as well.

We cannot have any law, ruling, or court decision that will ban the guaranteed right of Americans to worship God as they please. The strength of this Nation lies in the home, the church, and the school. To say to our children that they should honor God in their homes and churches, but cannot pray the Lord's Prayer at school or say a blessing before eating their school lunches, would be a catastrophy.

There have been in recent years a large number of resolutions submitted to Congress in an effort to clearly define the law as it refers to prayer in public schools. I am also deeply concerned that the legislative branch of this Government has also failed to take the responsibility to rule on this issue.

More than 3 years ago, Senator EVERETT DIRKSEN introduced a resolution intended to define the law as it applies to prayer in public schools. This resolution over the past few years has been altered, and, as it is now written, clearly defines a responsible position on the public school prayer question.

I want to make it clear that I am against compulsory prayer in our schools, and I am completely against the promotion of state religion. I am, however, in full support of any legislation which would insure the right of every American to pray voluntarily in public as well as in the confines of his home or church.

I would, therefore, like to submit for House consideration, a companion resolution to that of Mr. DIRKSEN's Senate Joint Resolution 6.

This resolution calls for a constitutional amendment, and if passed by Congress, would have to be ratified by the individual State legislatures. If there is anyone here today that is concerned about the general feeling of the clergy and the opinion of the layman on this matter, I will assure you that when this legislation is passed, the quick ratification by the States will prove an impressive tribute to your decision.

CLARENCE MITCHELL CHOSEN BY NAACP AS RECIPIENT OF COVETED MEDAL OF HONOR, THE SPINGARN MEDAL

The SPEAKER. Under a previous order of the House, the gentleman from Michigan (Mr. DIGGS), is recognized for 60 minutes.

Mr. DIGGS. Mr. Speaker, last week, in Jackson, Miss., more than 2,000 delegates to the national convention of the National Association for the Advancement of Colored People—NAACP—met and paid special tribute to a man commonly referred to as "the 101st U.S. Senator" or the 436th Member of the U.S. House of Representatives.

Clarence Mitchell was chosen by the NAACP as its 54th recipient of its coveted medal of honor—the Spingarn Medal.

According to NAACP Executive Director Roy Wilkins, the nine-member Spingarn Medal Award Committee selected Clarence Mitchell in recognition of Mitchell's vital role as lobbyist for civil rights legislation and particularly his crucial contribution to the enactment of the fair housing title of the Civil Rights Act of 1968.

Mr. Wilkins also pointed to Clarence Mitchell's 23 years of dedicated service to the NAACP, the last 19 as director of the NAACP's Washington bureau. In Mr. Wilkins' words—

> The Spingarn Medal is awarded annually to an American of African descent for distinguished achievement during the preceding year or years. On the basis of his superb performance as our legislative representative in Washington, Clarence Mitchell richly deserves this recognition.

I agree wholeheartedly with Roy Wilkins and commend the NAACP for giving due recognition to one of the most effective, dedicated and widely respected persons in Washington.

Clarence Mitchell is indeed a rare person. He has an unusual, and remarkable combination of outstanding qualities. He moves quietly but swiftly and effectively; he speaks softly but with wisdom and authority; he is a man of faith and patience but militantly persistent and stubbornly courageous.

Clarence Mitchell does not seek the spotlight. He is a genuinely modest—a humble man—who shies away from television cameras and news reporters.

For the past 19 years, as director of the Washington office of the NAACP, Clarence Mitchell has been a "creative agitator" for change in making our Federal Government more responsive and relevant to the needs of black people, in particular, and the poor and disadvantaged in general.

Commenting on Mr. Mitchell's effectiveness as lobbyist for the 1968 fair housing bill, the authoritative Congressional Quarterly said:

> Seldom has an individual lobbyist been accorded so much credit for the outcome of a bill as was Mitchell.

In an editorial published on April 14, 1968, the Washington Post said:

> The real heroes of legislative battles are often unseen and unsung. Too often the kudos and hurrahs go to those who are most visible, while the prime movers go unpraised. A special salute is in order, we think, to Clarence Mitchell, for the part he played in bringing the latest civil rights bill to enactment—and for the part he has played in the adoption of every civil rights measure for more than a decade past. Clarence Mitchell is the director of the Washington Bureau of the NAACP and the chief lobbyist for the Leadership Conference on Civil Rights. It was he who persisted, when others faltered, in conviction that a full-scale civil rights bill with a bona fide open housing provision could be enacted in this session of Congress. It was he whose faith in Congress and the American people stedfastly thwarted and denied failure. All Americans are in debt to him.

Clarence Mitchell was also a leader in the fight for the 1957 Civil Rights Act, the first civil rights legislation in

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over 80 years—the 1960 amendments to the Civil Rights Act, and the passage of the historic 1964 Civil Rights Act, without crippling amendments.

During these civil rights legislative battles, Mitchell as legislative chairman of the leadership conference on civil rights, was a commanding general in developing strategy, organizing his team of forces, and maintaining regular liaison with the White House and both the Senate and House.

Under the direction of Clarence Mitchell, the Washington bureau of NAACP has carried a major part of the successful effort to end segregation in the armed services and to eliminate Jim Crow in navy yards, schools on military posts, veterans' hospitals, atomic energy installations, and other Federal establishments.

There is much more I could say about Clarence Mitchell, the man, civil rights leader, legislative architect, dean of Washington lobbyist.

However, I think the Spingarn citation sums up the feelings of admiration and praise many of us have for our friend Clarence.

The Spingarn citation reads:

> For Clarence M. Mitchell, Jr., 1969 Spingarn Medalist;
>
> For his selfless devotion to the task of ending racial bias;
>
> For his uncompromising rejection of racism white or black;
>
> For his wisdom and tenacity in pursuit of just laws;
>
> For his abiding faith in the democratic process as a means of achieving freedom and equality for all; and
>
> For the pivotal roles he has played in enactment of civil rights legislation, particularly the Civil Rights Act of 1968 with its Fair Housing title:
>
> The National Association for the Advancement of Colored People proudly presents this 54th Spingarn Medal to its own Clarence M. Mitchell, Jr., "the 101st United States Senator."

Mrs. CHISHOLM. Mr. Speaker, I have only a few things to say about Mr. Mitchell and others will have said them already, I am sure. But the complete and absolutely unremitting dedication of this man to an often thankless task that many people with his talents would consider drudgery cannot be praised enough.

His more than 20 years of devotion to his job; his constant appearance before Senate and House committees, often alone, to drive home the inequities of this country; in his total selflessness are the marks of a man deeply in love with and dedicated to his country.

His major efforts have been toward equal rights for the black people and other colored minorities of this country. But that only fully demonstrates his total allegiance to the basic principles of the country, and his dedication to the total eradication of the injustices that the principles of hate expressed at every level have forced upon us.

There have been few Clarence Mitchells in the whole history of man. It is an honor and a privilege for me to have known this one.

But the saga of Clarence Mitchell is not yet over. Nor is the job that captured his devotion. It is not the fault of Clarence Mitchell though. It is rather the fault of many of the Members who sit here today offering brief platitudes or bored silences and in some cases quietly seething anger. If the good Lord desires to put more Clarence Mitchells on this earth during the balance of this century, I hope that he allots the major portion to this august body.

Mr. STOKES. Mr. Speaker, it gives me great pleasure to bring to the attention of my colleagues that Clarence Mitchell, a distinguished leader, has received the coveted Spingarn Medal Award from the National Association for the Advancement of Colored People.

The Spingarn Medal was instituted in 1914 by the late J. E. Spingarn—then chairman of the board of directors of the NAACP. The purpose of the medal is twofold—first to call the attention of the American people to the existence of distinguished merit and achievement among American Negroes, and second, to serve as a reward for such achievement and as a stimulus to the ambition of Negro youth.

Clarence Mitchell has given 23 years of outstanding and courageous service to the Washington bureau of the NAACP. Among some of his successful efforts have been the passage of the 1957 Civil Rights Act, the enactment of the 1964 Civil Rights Act, and the 1965 Voting Rights Act. I feel that all Americans are indebted to Clarence Mitchell for the service that he has rendered to our country and it is in this vein that I ask this great body to recognize this truly great American.

Mr. HAWKINS. Mr. Speaker, I wish to associate myself with the remarks of the gentleman from Michigan (Mr. DIGGS) and to commend him on taking this occasion to allow us the opportunity to commend Clarence Mitchell for having won the 54th Spingarn Medal of the National Association for the Advancement of Colored People in recognition of his distinguished career in the field of civil rights.

Mr. Mitchell has been both a friend and counsel of mine for many years and I have profited greatly in both capacities. He has been able to maintain a vigorous civic life while remaining a family man and he has fought militantly on issues without engendering hatred.

Clarence Mitchell stands at the top of the list as an effective lobbyist and a crusader with a brilliant mind and dedication. His contribution in winning such legislative battles as the Civil Rights Act and the enactment of the fair housing legislation of 1968 stand as landmarks of achievement in a period of which civil rights has had many fair-weather friends but few consistent leaders with accomplishments.

I proudly join with my colleagues in saluting Clarence M. Mitchell and express the wish that his service will continue as I am sure it will for many years into the future.

CREATION OF COMMERCIAL BANKING AREA WITHIN NATIONAL CAPITAL REGION PROPOSED

The **SPEAKER.** Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, I have introduced today H.R. 12768 for the purpose of creating a commercial banking area within the National Capital region, and for the furtherance of present plans to revitalize the economy of the District and to insure the free flow of commerce throughout the region.

As far back as 1924, in establishing the National Capital Park and Planning Commission, Congress has recognized the need to deal with the National Capital region on an areawide basis. In the 1952 amendment to the act which created the National Capital Planning Commission, the Congress stated that:

> The Congress hereby finds that the location of the seat of government in the District of Columbia has brought about the development of a Metropolitan Region extending well into adjoining territory in Maryland and Virginia; that effective comprehensive planning is necessary on a regional basis and of continuing importance to the Federal Establishment; (66 Stat. 781).

Later legislation has dealt with the region as a geographic entity on such topics as water pollution, relocation of Government offices, maintenance of parks and playgrounds, transportation, and other area problems. One regional problem though, as yet untouched by congressional action, has been the flow of commercial banking funds throughout the National Capital region.

What in specific is the problem today in District banking? At the present time, District of Columbia banks are restricted from movement outside of the District's 61-square-mile boundaries. What makes this restriction a problem? Of the 20 largest metropolitan regions in the United States, the Washington metropolitan area ranks No. 1 in growth with an average annual increase in population of 4 percent and with an average annual increase in total personal income of 8 percent.

Also No. 1 in the area of employment, the average annual growth in employment in the National Capital region far exceeds the growth rates of such major urban areas as San Francisco, Newark, and St. Louis. While the National Capital region has shown tremendous progress, this is not reflected in the District. In 1940, the population of the District of Columbia represented over 65 percent of the total regional population. By 1966, this percentage had slipped to about 30 percent. Or to state it another way, while the population of the District of Columbia since 1940 has increased only 20 percent, the surrounding suburbs have increased in population over 400 percent. The total personal income of the residents of the area by 1975 is estimated to be over $8 billion, but the District residents are only expected to share in approximately one-fourth of this income. These facts coupled with the present trend to bank at home rather than at work, have led to a sharp decline in the proportion of bank deposits in the District compared with that of the region. How sharp a decline in percentage of deposits held have the District banks been experiencing? Since 1947, deposits in the District banks have shrunk from a total of over 80 percent of the area deposits to little better than 50 percent. While this decrease has taken place, the deposits in the suburbs have shown an increase of over 300 percent.

This drain on bank deposits has placed the District banks in a perilous position. This District of Columbia is under a congressional mandate to maintain sufficient and comfortable working and living conditions for the employees of the Federal Establishment—35 percent of all employment in the region is composed of Federal employees. The economic burden which this mandate places upon the District can and should be met by private enterprise as well as by Federal aid. In 1968, the District of Columbia banks loaned $200 million to area residents for home construction and over $400 million for commercial and industrial uses. But, with this decrease in the proportion of regional deposits, a substantial cutback in approvals will be necessary in the near future. Coupled with this cutback in loans, there will also be a cutback in employment by the banks. A cutback in employment will substantially stifle the employment goals of the District banks. These goals can be seen in the records of the two largest District banks which show that minority employment in these two banks, excluding janitorial employees, ranges from between 26 to 30 percent. This figure which is steadily increasing can be matched by no other banking institution in the United States which has resources of over $200 million and should be a model for any urban-based enterprise. If anything, we need an increase in such areas, not a cutback. But this cannot be done when banking business is being siphoned off at an increasingly rapid rate to those areas which do not represent the needs of the urban centers.

This bill also, is further recognition of the fact that the National Capital region has long since become the seat of the Federal Government. Today, with the rapid expansion of the Federal Establishment not just in employees, who have increased sevenfold in the last 50 years, but also in Government facilities located outside the District line, it is unrealistic to maintain that the Nation's Capital does not extend beyond the 61.4-square-mile limit. See appendix A for a breakdown of present and future Government employment. The burden is today upon the region, not just the District, to provide for the increase in the Federal Establishment. As population has increased, the large retail establishments have moved to the suburbs to continue their service to the residents of the area. The District banks have tried to compete for the deposits of the rapidly increasing suburban areas but because of their boundary restriction, they have met with little success. What has resulted, as I have stated before, is a decrease in the proportionate share of regional deposits in the District banks. If the challenge of the cities is to be met in Washington and the needs of the Federal Establishment are to be met on a regional basis, competition for deposits must be accomplished.

How can we increase competition and stop this drain? The bill before you would permit the District banks with the approval of the Federal Reserve Board to acquire as a holding company, a suburban-based bank. Both Virginia and Maryland banking agencies would still maintain their control of these suburban banks. In no way would this bill detract from the power of the Virginia and Maryland banking agencies and the plan would also be reciprocal with the Maryland and Virginia banking institutions. By allowing the purchase of a suburban bank by a District bank holding company, the District banks would be able to replenish their much-needed reserves of saving and time deposits. This would in turn allow an increase in loan availability to area residents and therefore, make it possible for the District banks to meet the ever-increasing loan demand of the Nation's fastest growing urban center.

We are all familiar with the basic principle of competition upon which our economic system is based. We have always felt that the needs of the people are best met by allowing members of the private sector to compete among themselves to decide who will serve the public. We allow such competition to take place within a State between individual banking institutions. And, it has been recognized many times by Congress that the problems of the people of the National Capital region must be solved on a regional level. Why then do we continue to restrict such competition in the region? Why then do we afford special privileges to suburban banks who have placed their branch offices upon the District lines without also affording them responsibilities equal to their privileges? It cannot be denied that these suburban banks have gained immeasurable benefits because of their proximity to the Nation's Capital.

The National Capital region is one geographic unit. The time has come to treat the region as a unit for banking purposes. If private enterprise is to shoulder part of the responsibilities of the metropolitan area, District banking institutions must be allowed the means to accomplish their task.

APPENDIX A

Federal Establishment: The National Capital Region should prepare for an increase of at least 130,000 Federal employees over the next 20 years. In the District, new employment should continue to be concentrated in the central employment area, although there should be a sizable growth in the rest of the city. Outside the District, allocation of Federal employment to suburban new towns can stimulate private development in the new cities.

THE PROPOSED COMPREHENSIVE PLAN FOR THE NATIONAL CAPITAL—NATIONAL CAPITAL PLANNING COMMISSION

Summary of Changes Programed for Federal Employment on Federal Sites in the National Capital Region: 1964 and 1985 [1]

	1964		1985		Changes: 1964–85	
	Number of employees	Percent of NCR total	Number of employees	Percent of NCR total	Number of employees	Percent change
Total, National Capital region	311,500	100	440,000	100	128,500	41
District of Columbia	178,200	57	259,000	59	80,800	45
Central area	151,700	49	211,500	48	59,800	39
Central employment area	125,700	41	147,200	33	21,500	17
Outside the CEA	26,000	8	64,300	15	38,300	147
Remainder of District of Columbia	26,500	8	47,500	11	21,000	79
NCR outside the District of Columbia	133,300	43	181,000	41	47,700	36
Virginia [2]	84,600	27	99,600	23	15,000	18
Immediate environs of District of Columbia	45,100	14	37,700	9	−7,400	−16
Remainder within NCR	39,500	13	61,900	14	22,400	59
Maryland [2]	48,700	16	81,400	18	32,700	67

[1] Does not include Federal employees occupying leased space.

[2] Federal employment in new towns has arbitrarily been divided equally between Maryland and Virginia. Such employment should be allocated in accordance with criteria which would result in an equitable distribution between 2 States.

FOREIGN INFORMATION ACT

The SPEAKER. Under a previous order of the House, the gentleman from Alabama (Mr. EDWARDS) is recognized for 5 minutes.

Mr. EDWARDS of Alabama. Mr. Speaker, I am introducing today a bill providing for the implementation of the recommendation made by the U.S. Advisory Commission on Information in its 24th report to Congress issued in May. It is called the Foreign Information Act.

I invite my colleagues to participate as cosponsors of this legislation. The bill, is an effort to translate the findings of the Commission into effective action.

The recommendation, stated briefly, is to establish a committee for the purpose of conducting a major review of U.S. foreign public information programs in their conception and execution.

More specifically, it is an effort to conduct a full and complete examination of all informational, educational, cultural, psychological, and political objectives of U.S. programs of public information in other countries; to take a hard look at the role of foreign public information considerations in the formulation and execution of U.S. foreign policy; and to make a basic study of the organization and operations of the U.S. Information Agency.

The vehicle I propose to get this job done is the same as recommended by the Commission: a committee of nine persons. Of these nine, one would be a Member of this body appointed by the Speaker. One would be a Member of the other body. Four others would represent the USIA, State Department, National Security Council, and the Commission itself, respectively. And three would come from private life as appointed by the President.

The Commission's recommendation leans in the direction of assigning the study work to a professional body as determined by the Committee. My own preference would be that the Committee approach this matter with a complete open mind as to whether the work of the study be done by a professional group or by staff selected for this specific purpose.

This entire project is, in my opinion, fully consistent with the excellent report submitted some months ago by the Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs of this body.

That report is a committee print submitted as Report No. 6 in a series on the future of U.S. public diplomacy, dated December 22, 1968.

I call attention also to the U.S. Advisory Commission's 23d report to Congress dated March 26, 1968.

The 23d report is an outstanding document which should be examined by every Member of Congress. In recommending this same examination project it says that "new directions, new dimensions, new duties, and new emphases" must be injected into our foreign information programs.

It says:

> It is time for a searching reexamination of USIA mission and execution.

It expresses convincingly the real need to examine assumptions which have gone largely unexamined for many years. It specifically stresses not dollars, but direction.

The Commission's reinforcement of its recommendation this year, in the 24th report, stresses:

> Effective, accurate, open communication can make the difference between peace and war. Moreover, it can make the difference in the eventual outcome of the contest now being waged betwen reform and revolution.

Mr. Speaker, the question of U.S. programs of foreign public information has a history of complexity and even controversy, going way back to World War I days when George Creel was making this country's beginning efforts in this field.

It is an issue which has gone largely unnoticed by the U.S. public and so, too, by this Congress. Until this year there was exceedingly little literature available on the subject.

I think it is no exaggeration to say that most of us in this body know very little about what the USIA is doing, why it is doing it, and how it is doing it. We know even less about the role of foreign information considerations on overall foreign policy decisions.

Yet it is also no exaggeration to say that foreign public information is one of four channels through which we as a Nation are conducting foreign affairs; the other three being diplomacy, trade, and military action.

I request that appropriate consideration be given to this proposal. There is no partisanship in this, and no personal gratification for anyone. There are no ideological lines to be drawn and no factional differences of any kind of which I am aware.

It is a matter of simple commonsense and the national welfare. Let us give heed to the longstanding recommendation of a highly responsible body, the U.S. Advisory Commission on Information by enacting legislation to support it.

Following is the text of the bill:

H.R. 12726

A bill to provide for an examination of United States Government public information activities in foreign countries

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is established the Committee for the Review of United States Overseas Information Activities (hereafter in this Act referred to as the "Committee").

SEC. 2. It shall be the duty of the Committee to review the objectives, the organization and the operations of all informational, educational, cultural and related activities of the United States Government in foreign countries; to assess the relevance and the effectiveness of such activities in terms of the support which they provide for the attainment of United States foreign policy objectives; to examine the extent to which foreign public opinion is considered in the formulation and execution of United States foreign policy, and the manner in which this is done; and to submit its findings and recommendations.

SEC. 3. The Committee shall be composed of nine members as follows:

(1) One Member of the Senate appointed by the President of the Senate.

(2) One Member of the House of Representatives appointed by the Speaker of the House of Representatives.

(3) One member of the National Security Council appointed by the President of the United States.

(4) One officer or employee of the Department of State appointed by the President of the United States.

(5) One officer or employee of the United States Information Agency appointed by the President of the United States.

(6) One member of the United States Advisory Commission on Information appointed by the President of the United States.

(7) Three individuals from private life appointed by the President of the United States from among individuals with knowledge and experience in the fields of information, education, and cultural affairs, one of whom the President shall designate to serve as chairman.

A vacancy in the Committee shall be filled in the same manner as the original appointment was made.

SEC. 4. (a) Except as provided in subsection (b), members of the Committee shall each be entitled to receive $100 for each day (including travel time) during which they are engaged in the actual performance of duties vested in the Committee.

(b) Members of the Committee who are full-time officers or employees of the United States shall receive no additional compensation on account of their services on the Committee.

(c) While away from their homes or regular places of business in the performance of services for the Committee, members of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as the expenses authorized by section 5703(b) of title 5, United States Code, for persons in the Government service employed intermittently.

SEC. 5. Five members of the Committee shall constitute a quorum.

SEC. 6 The Committee shall meet at the call of the Chairman or a majority of its members.

SEC. 7. The Committee may appoint and fix the compensation of such personnel as it deems advisable.

SEC. 8. For the purpose of carrying out this Act, the Committee may hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, direct and contract for such studies, as it deems advisable. The Committee may administer oaths or affirmations to witnesses appearing before it.

SEC. 9. The Committee may secure directly from any department or agency of the United States information necessary to enable it to carry out this Act. Upon request of the Chairman of the Committee such department or agency shall furnish such information to the Committee.

SEC. 10. The Committee shall submit a final report to the President and to the Congress not later than two years after the date of enactment of this Act. Such report shall contain the results of the investigation and study conducted under this Act, together with such recommendations as the Committee may deem appropriate. The Committee shall cease to exist thirty days after submitting its final report under this section.

SEC. 11. There are authorized to be appropriated to the President such sums as may be necessary to carry out the purposes of this Act, but not to exceed $350,000.

ABUSES OF LABOR LAW BY THE NLRB

The SPEAKER. Under a previous order of the House, the gentleman from South Carolina (Mr. WATSON) is recognized for 10 minutes.

Mr. WATSON. Mr. Speaker, over 2 years ago when I first proposed that Congress abolish the National Labor Relations Board and in its place establish a U.S. Labor Court, the abuses of labor law by the NLRB had reached the intolerable stage. Although it seems hardly possible, the situation in the last 2 years has seriously worsened and no relief appears in sight.

As is so often the case with many Federal agencies, the NLRB has grown very fat at the expense of the American taxpayers, and it has become so mired in its own bureaucracy that any hope for self-imposed reform has long since vanished.

Since its creation as an independent agency under the Wagner Act of 1935, the NLRB has consistently fought against any change in its organization and procedure. Originally conceived as an impartial agency to carry out the intent of Congress in the field of labor-management relations, it is obvious to me that the Board has become so partisan in its decisions until that underlying philosophical concept is now looked upon as a joke.

The NLRB is under constant criticism from the American Bar Association for its disregard for needed change. Since 1941, when the Board opposed changes put forward by the Attorney General's Committee on Administrative Procedure, the record has been simply appalling. No other agency of the Federal Government has so successfully resisted efforts by the Congress and the executive branch to change the status quo.

But, if its record of resisting much-needed procedural changes is shocking, the list of NLRB decisions, especially in the past 10 years or so, is just unbelievable. While I could cite any number of such decisions, one of the most memorable was the case of the J. P. Stevens Co. in which the Board decreed that an employer must publicly confess to employees that the company was guilty of unfair labor practices despite the fact that the company maintained its innocence.

The Stevens case was symbolic. It should have proved to even the most diehard NLRB supporter that the Board was anything but neutral—that it was in fact blatantly antibusiness. In that decision, the Board issued an extremely militant release which virtually condemned the J. P. Stevens Co. The "supposedly" impartial Board issued the release even before the company had an opportunity to read the decision and prepare its defense. Instead of reading in the normal judicial language of calmness and restraint, the release could not have been more boisterous, rabid, and downright vehement if it had been written by a public relations official for the executive council of the AFL–CIO.

While the Stevens decision is only one of many in which the Board has sought to chastise business, it served to point up the very dangerous situation that we now find ourselves in; namely, that big labor controls the NLRB and as such, union leaders have worked themselves into a position where they are the sole judge of their objectives and actions.

Not only has the intent of Congress been systematically thwarted and the rights of management violated by the NLRB, but in recent years the Board has become increasingly unfair to individual workers when their rights have been trampled upon by union bosses. In case study after study, the NLRB has demonstrated that in its obsession to accommodate union leaders it will assist in coercing individual workers who dare to differ with the union overlords.

My concern, Mr. Speaker, is for the American workingman, the industries that employ him, and the consumers who depend on his magnificent efforts. Since the NLRB will not police itself, it is time for Congress to step in and get tough. It does us little good to painstakingly perfect the law in regard to labor-management relations and then have an agency of the Federal Government turn right around and deliberately thwart the intent of Congress by handing down decisions contrary to the law.

If the NLRB cannot protect individual union employees from the violence and outright coercion to which they are subjected by national union leaders; if it cannot honor the letter and the spirit of the law as enacted by Congress; if it cannot assume some degree of objectivity in labor-management disputes and; if it continues to laugh up its sleeves at the American consumer, then I say let us get rid of the entire organization and start from the bottom up to give the American people something better for their money.

Mr. Speaker, as I have said before, the method of resolving labor-management disputes is through the court system. In fact, it is the only way to attain any predictability in labor law. Therefore, once again I urge the Congress to approve a bill I am introducing today which would abolish the NLRB and replace it with a 15-judge U.S. labor court. It is obvious that Federal judges would be more carefully selected than NLRB members and would certainly be less likely to bow to political pressure and harassment. In addition, a separate labor court would have much more prestige than the present Board since it would be more inclined to decide cases on the basis of prior decisions and those laws enacted by Congress.

While I have mentioned some of the features of this legislation in previous remarks to the House, I might reiterate that the 15 judges would be appointed by the President with the advice and consent of the Senate for 20-year terms with the exception of original appointees, who would serve staggered terms. Also, the General Counsel of the NLRB would be replaced by an Administrator appointed by the President with the advice and consent of the Senate, and NLRB trial examiners would be replaced by 90 Commissioners appointed by the court.

REDUCTION IN THE PERCENTAGE OIL DEPLETION ALLOWANCE FOR OIL AND GAS

The SPEAKER. Under a previous order of the House, the gentleman from Pennsylvania (Mr. SAYLOR) is recognized for 30 minutes.

Mr. SAYLOR. Mr. Speaker, this Congress cannot continue to delay in enacting legislation to meet one of the most urgent needs of our Nation—tax reform. I voted against the surcharge on Monday because as a tax on tax, it magnifies the inequities that exist in our tax structure. Those who have avoided paying taxes altogether because of various tax loopholes will also pay no surcharge. Those who have paid taxes at a lower rate than their incomes would indicate they should have paid will pay the surcharge at the same low proportionate rate. Temporary solutions—although one begins to wonder how "temporary" the surcharge will prove to be—are not the answer. We must have a far-reaching, comprehensive revision of our tax structure to remove the glaring inequities which place intolerable burdens on too many taxpayers and at the same time cause distortions in our economy.

I am grateful that the surcharge legislation did include tax relief for some 2 million families with incomes at or below poverty income levels, but we must go further and provide relief for the overburdened middle income taxpayer. He cannot be expected to carry the load of the taxes that should not have been collected from the poor and also be expected to pay the taxes that should have been collected from high income individuals and high profit businesses.

Fortunately the proposed surcharge legislation includes the repeal of the investment tax credit. The elimination of this unnecessary subsidy to business should eventually increase Federal revenues by nearly $3 billion annually.

Now we must reform another subsidy to business—the tax treatment of the oil and gas industry, particularly the 27.5 percent depletion allowance. Over 40 years have passed since the percentage depletion allowance for oil and gas was written into our tax laws and as is so often the case with laws that benefit powerful groups, it has acquired a sacrosanct aura through the passage of time. The mere suggestion of a change in it brings such cries of anguish that one feels guilty of blasphemy.

Under present tax law, extractive industries may choose between two methods of recovering capital costs invested in the development of natural resources. Under one method, cost depletion, such outlays may be deducted over the productive life of the property, much as other businesses may take deductions for the depreciation of capital goods. The other method, percentage depletion, permits a deduction of a flat percentage of gross income, but not more than 50 percent of net income. Percentage depletion is not limited to the cost of the investment as is cost depletion.

The highest depletion rate allowed for any extractive industry is the 27.5 percent for oil and gas. There certainly should not be anything sacred about this figure. It was a compromise between the 25 percent recommended by the House and the 30 percent recommended by the Senate when the percentage depletion allowance was first enacted in 1926. As might be expected, cost depletion is rarely used in the oil and gas industry and as a result the Treasury Department estimates the average oil and gas operator recovers his original investment at least 19 times by utilizing percentage depletion.

The result is that the effective tax rates for oil and gas producers are far less than those borne by other industries, and the Federal Government suffers a serious revenue loss. The recently published study by the Consad Research Corp. prepared under contract for the Treasury Department concluded that the elimination of the percentage depletion allowance for the oil and gas industry would result in an additional $1.2 billion in tax revenue at current production levels.

Figures published in the August 5, 1968, issue of Oil Week for 23 of the largest oil refiners in the United States show that from 1962 through 1967 the average Federal tax payment in every one of the 6 years for these companies was less than 10 percent. In 1967 Standard Oil of New Jersey, the largest of them all, paid $166 million in Federal taxes on net income before taxes of $2,098 million, or 7.9 percent. Atlantic Richfield Co. had a net profit in 1967 of $130 million and paid no Federal income tax at all. These figures are truly incredible when you consider that the individual taxpayer in the lowest bracket paid taxes at a rate of 14 percent.

The percentage depletion allowance is not the only tax privilege available to the oil and gas industry. Intangible drilling costs which include expenditures for labor, fuel, power, materials, and other expenses that do not have a salvage value incurred in bringing a well into production may be written off as a current expense in the year in which they are incurred. Other industries must capitalize these costs.

In addition to these tax benefits, U.S. companies operating abroad may claim a tax credit for income taxes paid to foreign governments. There is also a special deduction against taxable income for U.S. companies operating in the

Western Hemisphere—which of course includes oil-rich Venezuela.

All of these special benefits are justified because of national security. It is claimed that special incentives are needed because of the unusual hazards in the exploration and development in the petroleum industry to maintain sufficient production and reserves at home to meet our needs in time of emergency. The industry propaganda line has been that without these tax privileges this country would be in dire straits—becoming totally dependent upon such unstable foreign sources as the Middle East.

Even if we accept the premise that these special benefits are necessary they are wasteful and inefficient. The Consad report also concluded:

> 1. The elimination of percentage depletion as an option would reduce existing reserve levels by 3%. . .
>
> 2. Elimination of the option to expense intangible drilling cost would reduce existing reserve levels by from 1.9% to 4.0%, depending on the alternative tax policy.
>
> 3. Percentage depletion is a relatively inefficient method of encouraging exploration and the resultant discovery of new domestic reserves of liquid petroleum.

The Consad report also points up the inconsistency of a tax policy which purports to stimulate domestic production but in reality encourages exploration overseas. The Consad report points out that over 40 percent of percentage depletion for the oil and gas industry is paid for foreign production and nonoperating interests in domestic production.

Royalty payments to foreign countries, especially in the Middle East, are often disguised as income taxes. Royalty payments are recognized deductions from taxable income, but since income taxes to a foreign government are a credit against U.S. taxes owed, it is preferable, if the foreign government cooperates, to have these royalty payments designated as taxes. In addition to the tax incentives stimulating foreign exploration, risks are also minimized since there is an abundant supply of oil and drilling costs are low because the oil is close to the surface.

Despite vehement protests to the contrary by industry spokesmen, the American taxpayer who subsidizes the oil and gas industry, is not rewarded by lower prices as a consumer. State prorationing laws keep the prices up on domestic production.

Opponents of tax incentives point out as their major objections that the costs are hidden and that programs are not subjected to continuing review as they would be if they were budgeted items. The percentage depletion allowance for oil and gas, unchanged since 1926, is certainly a case in point.

We cannot continue this unfair tax policy in the name of national security. There must be a fairer, less expensive and more efficient method to accomplish our goals. Percentage depletion should be replaced by cost depletion, but that objective is probably unattainable in the immediate future. For the present, let us make a small beginning by reducing the percentage depletion allowance, initially, to 20 percent and look toward greater reduction in the future.

Genuine tax reform cannot be thought of solely in terms of achieving additional Federal revenue. It means increasing the equity of the tax structure even if it costs money. If it is fair to eliminate the payment of income taxes for those living in poverty, so must we distribute taxation among those who do pay in the most equitable manner. Overall, I am sure, tax reform in combination with sharp control of Federal spending will yield sufficient revenue to take the steps necessary to restore equity in the taxation of all Americans. We will be able to increase the personal exemption, increase the standard deduction and eliminate discrimination in the taxation of single individuals.

We have studied and debated long enough. President Nixon, in a letter to the minority leader of the House on Monday stated:

> There is no reason why a far-reaching tax reform bill cannot be put before the House of Representatives this summer. . . .

He is absolutely right; prompt action is necessary. We cannot settle for tokenism in achieving tax reform. A reduction in the percentage depletion allowance for oil and gas is a "must" if such reform is to be meaningful.

MILWAUKEE JOURNAL SAYS TAX REFORM MUST ACCOMPANY SURTAX

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. Reuss) is recognized for 10 minutes.

Mr. REUSS. Mr. Speaker, the Milwaukee Journal has made a strong plea for prompt and meaningful tax reform. In a July 7 editorial, the Journal urged the Senate to hold the surtax extension bill hostage until a meaningful tax reform package is attached to it. I commend this editorial to my colleagues:

Tax Reform Now

Now that the house has agreed to extend the federal income tax surcharge, the immediate priority must be a genuine start on reforming the federal tax system itself.

Congress' czar on taxation, Rep. Wilbur Mills, says that the house ways and means committee is preparing a "good, real, wholesome, effective reform measure." President Nixon, in a special letter, reaffirmed his earlier commitment to "prompt and meaningful reform." Wisconsin's Rep. John Byrnes, ranking Republican on the ways and means committee, predicts the committee will report out a reform bill by mid-August . . . "and there will be plenty of reform in it."

It sounds very tidy and conclusive. However, the obstacles ahead should not be underestimated. Beneficiaries of special tax exclusions will not easily give up their privileges. Byrnes expects that some congressmen now screaming for reform could be singing a softer tune when they see the ways and means committee's package. And the president, despite his pledge, is still on record against an essential target of any reform—the excessive oil depletion allowance.

Over the years, the federal tax system has been punctured with scores of loopholes, some designed to serve a useful social function, others created largely because some pressure group exerted enough muscle. "Meaningful" reform, therefore, means different things to different people. But, at a minimum, it should include these ingredients:

Reduction of the 27½% depletion allowance that now unjustifiably permits the oil industry—and the oil industry only—to escape its fair share of federal taxes.

Imposition of a formula that will insure that some income tax is paid by some rich citizens who now escape all, or virtually all, taxation through a maze of special preferences.

Stiff new restrictions on "conversion rackets"—devices to convert ordinary income into capital gains and thus elude higher taxes.

Tougher restrictions on gifts, estates and capital gains that can be used to preserve large concentrations of wealth from generation to generation; stricter surveillance of tax exempt foundations and special debt-equity devices that conglomerate corporations use to buy out smaller firms and avoid taxation at the same time.

The objective of all this should be to achieve equity, a fairer distribution of the costs of government, and to rebuild confidence in government.

Basic reform has been talked about and promised so often in the past that it has become almost a ritual. This time it must be made real. To insure that it is, a growing number of senators feel that reform amendments must be attached to the surtax bill or that the bill itself must be held in hostage (the tax would be kept alive through special month to month extensions) until an acceptable reform package emerges.

Crass as this strategy sounds, it makes sense. Reform efforts have floundered too often in the past. The surtax bill provides leverage this time to make at least a good start on reform. There is a special urgency involved, too. Congress is notoriously reluctant to deal with tax matters in an election year. Congressional elections are coming up next year. This means that the time for reform is now.

ENVIRONMENT HEALTH CENTER

The SPEAKER. Under a previous order of the House, the gentleman from West Virginia (Mr. Staggers) is recognized for 15 minutes.

Mr. STAGGERS. Mr. Speaker, on June 28, 1969, in a public ceremony, a deed for land, building, and equipment donated by the University of West Virginia and the city of Morgantown, W. Va., was turned over to the Public Health Service. The deed was accepted for the Government of the United States by Charles C. Johnson, Administrator for Consumer Protection and Environmental Health Service. His remarks on that occasion indicate the use of this new facility and something of the benefits the Appalachian area will receive from the service. It is one more evidence of how the locality and the Central Government can work together for the assurance of progress. I believe Mr. Johnson's remarks will be of interest to Members of Congress and to our citizens in general, and I insert it in the Record at this point:

Remarks by Charles C. Johnson, Jr.

Thank you, Dr. Harlow. I gratefully accept for the United States Government this generous gift from the University, and the people, of West Virginia.

Ladies and gentlemen, the transfer of this deed marks the beginning of a new program of great significance to all the people of Appalachia. In my opinion, it is, moreover, a program with meaning for all the people of the United States.

In a sense, what we are beginning here today should prove, once again, some truths that are fundamental to the American dream. We hope to show that the future can, indeed, redeem the mistakes of the past. We hope to show that man's control over his own destiny includes, at the very least, an

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ability to change those circumstances of his life that are themselves the result of human activity—no matter how unalterable or overwhelming these may sometimes appear to be. We hope to prove, as the British statesman, Disraeli, expressed it, that "Men are not the creatures of circumstances; circumstances are the creatures of men."

As it has been remarked, I am a native of the State of Iowa. But, like most Americans, I am a mountaineer at heart. These majestic mountains have entered into the folklore and cultural heritage of all Americans, and have helped to form the heart and character of our whole Nation. Moreover, the wealth of natural resources that has flowed from Appalachia has helped to build an American economy which is the wonder of the entire world.

Perhaps we are beginning today to repay a part of the debt we owe to West Virginia and the other States of Appalachia. For in our haste to exploit certain of the areas resources, we have wasted and destroyed other, equally important, natural treasures, and have been all but indifferent to the preservation of its most precious resource, its people.

Thousands of your men who have gone down into the dust of the mines suffer from black lung; others have been killed or maimed by explosions or cave-ins. Appalachian streams that were once clear and sparkling are polluted by acid run-off. Mountain air once pure and bracing is fouled by smoking slag heaps and fumes from chemical plants and factories. In many places, your hills have been levelled, your unmatched scenery despoiled.

In Appalachia, more perhaps than in any other part of our country, we can see the price which man must pay for heedless and random manipulation of the ecological system. Yet we are paying the price elsewhere too—notably in our great cities, where the quality of life is steadily deteriorating in a morass of environmental problems that seem almost beyond solution.

Throughout the world, we stand at a point in history when man's capacity to enhance or degrade the environment has reached awesome proportions. Yet we have not fully learned to use this capacity for the benefit, rather than the harm, of our own and future generations. We have overwhelmed many of nature's processes for environmental stability and have misused, without knowing it, biological processes upon which the preservation of life depends.

I think it is important to remember, however that the problem of our time is not to choose between a healthful environment and the great benefits made possible by our technological genius and industrial progress. The problem is to assure that we have both. I believe that all over the world, people are beginning to recognize that all the various systems and sub-systems which we devise to maintain ourselves on the planet—systems of agriculture, economics, transportation, education, etc.—that all these should contribute to the *total* health and well-being of the people they were designed to serve. The challenge of our time is to put our science and technology to work to solve the very problems that science and technology have themselves created.

It is to meet this challenge, here in your section of the country, that the new Appalachian Center for Environment Health is being established. We celebrate today the first steps in the construction of a new building. But in a larger sense, we are not here just to dedicate a building site, but rather to dedicate ourselves to the vital goals which it is intended to serve.

Here in these buildings, we expect to bring the best that we have in scientific skill to bear on the *human* problems created by environmental change. Here, we hope to find, in technology, practical, workable solutions for some of the many environmental ills that plague this lovely mountain land. We believe that here in this new Center we can help the people of Appalachia reverse the trend toward environmental destruction that threatens not only their health, but their social, economic and cultural progress as well.

I think I speak for all of us who represent the Department of Health, Education, and Welfare and the Consumer Protection and Environmental Health Service when I say that we share your love for Appalachia and your pride in her wonderful people. With the establishment of this Center, we have become partners with the West Virginia University and with the people of Appalachia in an effort to enhance human health and well-being. I pledge the commitment of the Department of Health, Education and Welfare to continuation and expansion of this partnership. We are committed as I believe all of you are—to the proposition that man need not become the pawn of blind technological forces which he himself has set in motion. We believe, indeed, that "men are not the creatures of circumstances," but that "circumstances are the creatures of men."

BRAND NAME DRUGS: DECEPTION TO BOOST PRICES AND CREATE MEDICAL CONFUSION

(Mr. PODELL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, ordinary profit does not seem to satisfy our drug industry. As their prices on essential drugs soar, the elderly and growing families pay the penalty financially. Helplessly, those in desperate daily need of such medication are preyed upon for the sake of greater and ever greater drug company profits.

Drugs are not luxuries. They are essential to health, well-being, and often life itself to so many. It is a degrading spectacle to see them preyed upon when they are in extremis.

For years, drug companies have used brand names for their products, thus giving them an excuse to sell them for much higher profits. Even individual ingredients are assigned special names to give them greater appeal, even when such activity is unwarranted.

Generic names are deliberately ignored or played down, in order to deprive the public of a chance to purchase them at more reasonable rates.

In order to promote sale of these products, drug companies spend vast sums on advertising in all media. Individual patients are reached through mass media. Doctors who prescribe are reached by specialized ads in technical publications. All costs of such activity are eventually borne by patients.

Drug companies constantly arbitrarily raise prices on high-sale, brand-name products. Patients under steady medication are of course hit the hardest. At times of worst stress, the most dependent and vulnerable person is struck hardest in order for a drug company to profit most.

Drugs may be prescribed by physicians by brand or generic name. The latter is a chemical name by which a drug is known and classified. Due to profusion of drugs on the market, doctors often know only a brand name, prescribing accordingly. Often they lack knowledge of generic nature of a drug. Evidence to this effect is overwhelming. Thalidomide, the deforming tranquilizer, was sold for some time after being identified. Brand names disguised it, allowing it to wreak more havoc.

It has recently been estimated that in 1966, our elderly lost some $41.5 million in drug costs because physicians prescribed by brand rather than generic names. Think of what this would have meant to millions of these citizens with their limited incomes.

Our drug industry is a $5 billion annual operation. We cannot afford this profiteering from a major segment of our national economy. Dr. Goddard, former head of FDA, recently indicated that the rate of return in our drug industry is 18 percent on invested capital, compared to 8 to 9 percent in most other areas of endeavor.

Prescription drug costs include a staggering $800 million annual outlay for advertising and promotion, and a claimed research and development outlay of $430 million. Almost $2 spent on ads for each $1 spent on research. Further, the Federal Government is financing through research grants much of the research drug companies are engaged in, and from which they directly benefit.

Requiring that drugs be sold by generic name only could eliminate costly brand-name sales promotion. Physician confusion would be vastly reduced with resultant patient benefit. All companies would be able to offer a product, but it would be a standard product. Doctors could prescribe with far greater knowledge and confidence.

In no way do I aim to endanger physicians' initiative in prescribing. Nor do I wish to inhibit a pharmacist who fills the prescription. If, however, we insure standard methods of labeling and naming, as well as pricing by quality and quantity, we have a fair standard to operate from for benefit of all.

Mr. Speaker, today I am introducing a third in a series of bills to insure attainment of these goals. My first bill, H.R. 7900, introduced on February 27, provided for establishment of a Federal drug compendium listing all prescription drugs under their generic name. It would provide doctors and pharmacists brand name, manufacturer, suppliers, and prices of each drug.

My second measure, H.R. 9562, introduced on March 26, provided for drug coverage under medicare for outpatients, as long as drugs were prescribed under generic names.

The measure I introduce today amends the Food, Drug and Cosmetic Act to require that labels on all drug containers dispensed to patients bear the generic name of the drug. In cases where there is a combination of drugs, generic names of active ingredients must appear on the label. All down the line, from physician to pharmacist to patient, pertinent facts on a given drug and prescription would be made available.

Mr. Speaker, we have arrived at a point where we must decide whose interest takes precedence. Is it the patient or the drug company whose interests are preeminent? Shall we make it easier for

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the physician and pharmacist? Or do we continue to cater to an industry which is already spending vast sums on ads while Government subsidizes much of its research? Shall we allow the elderly to be penalized for the sake of drug company profit? Reform in this area is long overdue.

LOOTING AMERICA—OIL COMPANY STYLE

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, I was most gratified to hear the pledge of the distinguished chairman of the Ways and Means Committee on the urgent matter of tax reform. Certainly it is a fact that all loopholes remain gaping wide and A-OK as of today. No single grouping of tax privileges is more outrageous or unfair to the people of this country than those presently enjoyed by our oil industry.

With this in mind, I have garnered relevant SEC statistics on Federal taxes paid by individual oil companies in 1968. Comparing them with what was paid in 1967 makes highly illuminating reading. I have, therefore, dispatched a letter to the distinguished chairman of the Ways and Means Committee, requesting most respectfully that he place oil industry tax privileges first on the agenda of his committee for purposes of tax reform.

I have included appropriate statistics on taxes paid which have just been mentioned. I offer the text of the letter and these statistics for inclusion in the RECORD for consideration of the rest of the membership of this body:

Hon. WILBUR D. MILLS,
Chairman, Committee on Ways and Means, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Much has been said on the subject of tax reform in recent months. As one who joins you in your desire for meaningful, thorough-going reform, I do not think there is any better starting point than our oil industry and the numerous tax privileges it presently enjoys at expense of the public.

I have taken it upon myself to make a study of Federal tax figures paid by major oil companies in this country during 1967 and 1968. These figures are submitted by law to the Securities and Exchange Commission. All of them have been verified by that agency. I am enclosing a copy of the findings for your consideration.

I cannot adequately express the outrage that one cannot help but feel over this intolerable situation which emerges so clearly. Several illustrations are most enlightening. In 1967, Gulf Oil Corporation earned $955,968,000. It paid $74,142,000 in Federal taxes, 7.8% of its income. In 1968, that same company earned $977,321,000. It paid $8,005,000 in Federal taxes. Its percentage of Federal income taxes is .81%. Mobil paid 4.5% of $594,593,000 in 1967. In 1968, that same company paid 3.3% of $673,739,000.

In 1967, Atlantic Richfield earned $145,259,000 and paid no Federal tax. In 1968, that company earned $240,272,000. It paid $2,999,000 in Federal taxes, which is 1.2% of this staggering income. Best of all, Mr. Chairman, Sinclair Oil earned $101,265,000 in 1968. It paid no Federal tax, and the Federal government owes them a tax credit of $2,747,000.

These are talented people, indeed . . . the proletariat of Dunn and Bradstreet plowing their golden ruts. Such loot deserves some public genuflection. The oil industry makes the Mafia look like a pushcart operation. It is a fourth level of government, and its passionate devotion to old-fashioned virtues, such as greed, is amazing. Mr. Chairman, I regret I have only one Gulf Oil Corporation to give for my country.

Today, our various tax loopholes gape wide open. Through them, professional tax evaders like the oil industry churn like panzers over foot soldiers.

Our tax laws are a labyrinth of fiscal delusion made up of deliberately opaque syntax designed to deceive the layman. Mr. Chairman, such outrages speak for themselves. We are paying foreign taxes for oil companies in the form of foreign tax credits. We are paying for their well drilling expenses. We are paying for their 27½% foreign and domestic oil depletion allowances. We are paying for their phony gas station games and the offshore pollution they cause by their drilling. Only the few benefit. Only the majority pay.

I earnestly urge you to place thorough, complete tax reform of oil industry privilege first on your agenda, with total elimination of the foreign and domestic depletion allowances first on the list.

I thank you for your courtesy.

Sincerely,

BERTRAM L. PODELL,
Member of Congress.

TAXES PAID BY A SELECTED GROUP OF THE NATION'S LARGEST REFINING COMPANIES—1967 AND 1968

[In thousands]

	Net income before tax	Federal tax	Percent	Foreign, some State's tax	Percent	Profit after tax
Standard Oil, New Jersey:						
1967	$2,098,283	$166,000	7.9	$700,000	33.0	$1,232,283
1968	2,303,587	223,999	9.7	802,907	34.8	1,276,681
Gulf:						
1967	955,968	74,142	7.8	303,539	31.8	578,287
1968	977,321	8,005	8.1	342,997	35.1	626,319
Texaco:						
1967	892,986	17,500	1.9	121,100	13.5	754,386
1968	1,019,930	23,800	2.4	160,600	15.8	835,530
Mobil:						
1967	594,593	26,900	4.5	182,300	30.7	385,393
1968	673,739	22,000	3.3	223,500	33.2	428,239
Standard Oil, California:						
1967	513,067	6,000	1.2	85,400	16.6	421,667
1968	569,431	16,700	2.9	100,900	17.7	451,831
Standard Oil, Indiana:						
1967	366,847	74,021	20.2	10,576	2.9	282,250
1968	395,064	74,678	18.8	10,892	2.7	309,494
Shell:						
1967	342,022	44,940	13.1	12,233	3.6	284,849
1968	387,767	63,378	16.3	12,298	3.2	312,091
Cities Service:						
1967	165,289	32,347	19.6	5,105	3.1	127,837
1968	138,613	12,683	9.2	4,594	3.3	121,336
Union:						
1967	163,820	10,400	6.3	8,457	5.2	144,963
1968	164,232	5,955	3.6	7,045	4.3	151,232
Sun:						
1967	146,946	24,700	16.8	13,670	9.3	108,576
1968	227,790	44,290	19.4	19,070	8.4	164,430
Atlantic-Richfield:						
1967	145,259		.0	15,254	10.5	130,005
1968	240,272	2,999	1.2	37,713	15.7	199,560
Marathon:						
1967	138,520	3,700	2.7	60,962	44.0	73,858
1968	155,335	4,350	2.8	67,659	43.6	83,326
Sinclair:						
1967	130,017	10,585	8.1	24,060	18.5	95,372
1968	101,265	−2,747	.0	27,429	27.0	76,583

SUMMER EMPLOYMENT? JAY HANLON'S PERCEPTIVE COMMENTARY

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, the problems facing our younger generation today are many and complex. An article appeared recently in the Manchester Union Leader published in Manchester, N.H., regarding one aspect of the problems facing teenagers. The article is a perceptive commentary deserving careful reading by lawmakers, whose laws so often defeat in part at least, their stated purpose.

Jay Hanlon's candid views concerning the summer employment problem facing the young should be carefully read. I commend Mr. Hanlon for his perception and excellent contribution to the cause of sensible legislation. I urge that the Congress and State legislatures read and heed his words—a loud clear call for commonsense and a return to reason:

JAY HANLON'S NOTEBOOK

Anyone who has ever wondered to himself—as I have—"what in the world is the younger generation coming to?" might well ponder the problems facing the younger generation when it comes to finding summer employment.

Said one of my kids the other day: "It almost seems as though no one wants us to work, that they want us to have little or nothing to do all summer so they can criticize us for being lazy and bawl us out when we get into trouble."

With my customary fatherly understanding, I promptly said he was crazy, that there are plenty of jobs available for the kid who really wants to work. And in his usual, respectful filial manner, he said it was me that was crazy and he challenged me to look into the matter.

So I did. And doggone it, he's right! Well, at least he's more right than wrong. Even my quick research shows there are too few steady summer jobs for teenagers, especially those in the 14 to 16 age group.

The villain here is not private enterprise, as you might first suspect. Rather, it is a combination of factors, foremost among them the complexities of state and federal labor laws and minimum wage provisions and, to a lesser extent, insurance companies which have an indirect say in the age of kids to be hired by certain industries.

Said the president of one of the state's largest construction companies: "I'd love to hire teenagers during the summer but my insurance company won't even let me look at a kid under 18. And if I do hire 18-year-olds, unskilled though they are, I have to pay them the same hourly rate I pay skilled workers who are breadwinners. I know it isn't right but that's the way it is."

Said a prominent hotel executive: "We are extremely limited in who we can hire and the hours we can work a kid. The laws as to hours and wages have taken away the necessary flexibility you must have in the hotel industry if you are to work teenagers."

The hotel man also noted with some chagrin that even in this enlightened age of fair employment practices and non-discrimination, that women are still treated as minors in the eyes of labor law which prohibits them from working more than 48 hours.

But getting back to teenagers, the hotel man has a teenager who he would like to employ this summer. "I'd like him to learn the business as I did, but I don't know how I can do it without showing favoritism in the hours he could work."

A State official in the field of employment candidly admits that the state and federal child labor laws "are much too restrictive and are in need of major overhaul." He noted the paradox wherein society expects teenagers to act more like adults yet continues to treat them as kids through its labor laws.

Asked why then he doesn't push for the much-needed reforms, he said, "Let's be practical. I'd get my head shot off by every do-gooder group in the state, claiming I was trying to turn back the clock and exploit little children."

Speaking of child labor, it is noteworthy to reflect on the Dunfey clan whose enterprises now gross some $13 million annually and provide employment for some 2,000 persons. Had today's restrictive child labor laws been in effect—or rigidly enforced—in the mid-1940s when the Dunfey brothers, then teenagers, opened their clam stand at Hampton Beach, it is entirely possible the Dunfey hotel chain would not exist today.

The tragedy in this picture lies in the fact that today's teenagers want to work; they want to be productive, they want to be involved and they want to make money. Indeed many of them must make money if they are to help put themselves through school and college.

Some teenagers call it being relevant. And while I'm not sure just what they mean by that overworked word, if they want to work I'm all for it, whatever their reasons may be.

Yet when they apply for summer jobs all too often they are turned away because our outmoded laws or minimum wage provisions or some other government-decreed regulation or restriction have failed to keep pace with the needs and demands of today's highly competitive business, commerce and industry.

This, of course, only adds to the teenager's list of frustrations, real or imagined, and serves to turn him further away from the so-called Establishment he is forever complaining about.

Additionally, and equally important, it leaves far too many teenagers idle time to reflect on what's wrong with the society that expects them to become responsible citizens, yet denies them the chance to become dues-paying members.

Next time you have occasion to wonder what the younger generation is coming to, you might ask yourself, instead, what are we doing for the younger generation by way of that all-important summer job?

PASSPORT CRISIS 1969

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, the Morning Record of Meriden, Conn., published on June 28, 1969, an editorial which adds a new dimension to the passport-granting facilities problem.

Citizens in Connecticut wishing to travel abroad this summer have been put to great inconvenience in their attemps to procure passports. As the number of Connecticut applicants for passports has grown, the facilities for issuing passports have been diminished; hence Connecticut applicants and those from the other Northeastern States have been experiencing what the Record calls "unnecessary and intolerable" inconvenience.

The Meriden Record's editorial goes beyond the inconvenience aspect of the passport problem. The paper very properly asks what would be the typical American reaction to such a gigantic snafu occurring annually in a foreign country. The typical American response, the Record points out, would most probably be a quick denunciation of the inability of foreigners to do anything right.

For several years now I have been pressing the State Department to exhibit more of the American traits of ingenuity and efficiency when it comes to the issuance of passports. While advocating the same thing, this editorial puts the case for administrative reform in a persuasively different context. The article follows:

UNNECESSARY AND INTOLERABLE

> As it has been doing for years, the Middlesex Superior Court is still accommodating area residents by issuing passports for foreign travel. An earlier report from official sources announced the closing of passport offices in Bridgeport and New Haven, coupled with notification that only one office in Hartford will remain open to serve the entire state. The Middletown court, however, expects to remain open at least until September.
>
> This cut-back announcement provoked prompt protest, spearheaded by newspaper editorials, and the intervention of Congressman John Monagan, who has urged an expansion of passport-granting facilities in the state.
>
> The effects of the closing of such facilities have been felt in New York. New York City passport agency offices, already overcrowded and under-staffed, were swamped this week with applications from persons seeking to go abroad this summer. Among them were applicants from Bridgeport and other Connecticut communities who had turned to New York City for help.
>
> An unidentified official of the Passport Agency in New York called the present situation—which exists on a national scale—a "disgrace." "My experience is that a situation like this has to reach crisis proportions before it gets better," he said. To the thousands of New Yorkers who stood in line for hours awaiting the processing of their applications, and to the Connecticut residents who have had to make appointments weeks in advance at the Hartford issuing office, the situation appears to have already reached crisis proportions.
>
> If such a gigantic snafu occurred in a foreign country. Americans would be quick to denounce it as a typical example of the inability of foreigners to do anything right. But it happens right here in the good old U.S.A., in an affluent, automated, computerized nation which is only a few days away from putting a man on the moon.
>
> For a country whose inhabitants make a fetish of efficiency, such incompetence is intolerable as well as inexcusable. The Passport Office of the State Department should act at once to clear up the mess and to prevent its recurrence.

NATIONAL CAPITAL REGION ONE UNIT FOR ORDERLY PLANNING AND ECONOMIC DEVELOPMENT

(Mr. ANNUNZIO asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, the executive, legislative, and judicial branches of the Federal Government have long recognized that the National Capital region must be regarded as one unit for orderly planning and economic development. Let us look at the history of such recognition.

In 1966 in a transmittal letter to Congress on the Washington Metropolitan Area Transit Authority Compact—Public Law 89–774, 80 Stat. 1324—President Lyndon Johnson spoke of the needs of the citizens of the entire Washington metropolitan area.

> This is the Congress which promised its citizens of the Nation's Capital a new system of mass transportation. I hope it will also be the Congress which extends that promise to the citizens of the entire Washington Metropolitan Area.
>
> The economic well-being of this region—and the efficient functioning of the government itself—depends more and more each year on adequate mass transportation.

This recognition of the needs of the entire Washington metropolitan area was not new. Congress has many times before recognized that because of the rapid expansion of the Washington area, any attempt to deal with area problems must be done at the regional level. In 1960, Congress passed the Washington Metropolitan Region Development Act:

> The Congress hereby declares that, because the District which is the seat of the government of the United States and has now become the urban center of a rapidly expanding Washington Metropolitan Region, the necessity for the continued and effective performance of the functions of the government of the United States at the seat of said government in the District of Columbia, the general welfare of the District of Columbia and the health and living standards of the people residing or working therein and the conduct of industry, trade, and commerce therein require that the development of the District of Columbia and the management of its public affairs shall to the fullest extent practicable be co-ordinated with the development of other areas of the Washington Metropolitan Region and with the management of the public affairs of such other areas, and that the activities of all the departments, agencies, and instrumentalities of the Federal Government which may be carried out in, or in relation to, the other areas of the Washington Metropolitan Region shall, to the fullest extent practicable, be co-ordinated with the development of such other areas and with the management of other public affairs; all toward the end that, with the cooperation and assistance of the other areas of the Washington Metropolitan Region, all the areas therein shall be so managed as to contribute effectively toward the solution of the community development problems of the Washington Metropolitan Region on a unified Metropolitan basis.

In this act, the Washington Metropolitan Region Development Act, Congress defined the Washington metropolitan region to include "the District of Columbia, the counties of Montgomery and Prince Georges in the State of Maryland, the counties of Arlington and Fairfax and the cities of Alexandria and Falls Church in the Commonwealth of Virginia—Public Law 86-527, 74 Stat. 224."

The legislative history of this definition goes back to 1924 with the establishment of the National Capital Park and Planning Commission. By means of this Commission, Congress attempted "to develop a comprehensive, consistent, and coordinated plan for the National Capital and its environs in the States of Maryland and Virginia, to preserve the flow of water in Rock Creek, to prevent pollution of Rock Creek and the Potomac and Anacostia Rivers, to preserve forest and natural scenery in and about Washington, and to provide for the comprehensive, systematic, and continuous development of park, parkways, and playground systems of the National Capital and its environs"—40 U.S.C. 71(a), June 6, 1924, 43 Stat. 463.

In 1952, the provisions relating to the creation and duties of the National Capital Park and Planning Commission were revised. In restating the purpose of the newly named National Capital Planning Commission, Congress stated that:

> The Congress hereby finds that the location of the seat of government in the District of Columbia has brought about the development of a Metropolitan Region extending well into adjoining territory in Maryland and Virginia; that effective comprehensive planning is necessary on a regional basis and of continuing importance to the Federal Establishment; . . . As amended July 19, 1952, c. 949, § 1, 66 Stat. 781.

Here also was included a definition of the National Capital region:

> "[R]egion" or "National Capital region" means the District of Columbia; Montgomery and Prince Georges Counties in Maryland; Arlington, Fairfax, Loudon, and Prince William Counties in Virginia; and all other cities now or hereafter existing in Maryland or Virginia within the geographic area bounded by the outer boundaries of the combined area of said counties. (As amended July 19, 1952, c. 949, § 1, 66 Stat. 781.)

Perhaps the greatest amount of legislation concerning the National Capital region—Washington Metropolitan area—has dealt with transportation. In 1960, in a congressional statement of findings and policy on the National Capital Transportation Act of 1960, Congress stated that:

> The Congress finds that an improved transportation system for the National Capital region (1) is essential for the continued and effective performance of the functions of the government of the United States, for the welfare of the District of Columbia, for the orderly growth and development of the National Capital region, and for the preservation of the beauty and dignity of the Nation's Capital; (2) requires the planning on a regional basis of a unified system of freeways, parkways, express transit service on exclusive rights-of-way, and other major transportation facilities: . . . Pub. L. 86-669, Title 1, § 102, July 14, 1960, 74 Stat. 537.

And also:

> The Congress therefore declares that it is the continuing policy and responsibility of the Federal Government, in cooperation with the State and local governments of the National Capital region, and making full use of private enterprise whenever appropriate, to encourage and aid in the planning and development of a unified and co-ordinated transportation system for the National Capital region. Pub. L. 86-669, Title 1, § 102, July 14, 1960, 74 Stat. 537.

As with other legislation dealing with the region, the statute provided a definition of the National Capital region with the same geographic area as had been provided by the act of July 19, 1952, which was previously cited. To further the intent of the Transportation Act of 1960, Congress approved the regional compact for mass transportation negotiated by representatives of Virginia, Maryland, and the District of Columbia. In the preamble to the joint resolution of September 15, 1960, concerning the compact, it was stated that:

> Divided regulatory responsibility is not conducive to the development of an adequate system of mass transportation for the entire Metropolitan Area, which is in fact, a single integrated, urban community.

And further:

> This Compact adequately protects the National interest in mass transit service in the Metropolitan Area and in the Nation's Capital and properly accommodates the national and state interest in and obligations toward mass transit in the Metropolitan Areas. (Preamble to Act of September 15, 1960.)

In the National Capital Transportation Act of 1965, further recognition was given to the idea of a single integrated, urban community. By stating the purpose behind the establishment of a coordinated regional transportation system, Congress emphasized that the problems were not limited to any one section or segment of the National Capital region:

> A coordinated system of rail rapid transit, bus transportation service, and highways is essential in the National Capital region for the satisfactory movement of people and goods, the alleviation of present and future traffic congestion, the economic welfare and vitality of all parts of the Region, the effective performance of the functions of the United States Government located within the Region, the comfort and convenience of visitors to the Region, and the preservation of the beauty and dignity of the Nation's Capital. (Pub. L. 89-173, § 2, Sept. 8, 1965, 79 Stat. 663.)

In reviewing this mass of congressional legislation for the region, we must also look to the courts to find out what, if any interpretation, has been applied to these statutes. In the recent case of *D.C. Transit System* v. *Washington Metro. Area Transit Comm'n* (376 F.2d 765), a case decided by the U.S. Court of Appeals for the District of Columbia, the court interpreted congressional approval of the transit compact of 1961 as an election by Congress to treat the National Capital region as a geographic entity.

> When Congress consented to the Washington Metropolitan Area Transit Regulation Compact in 1961, it elected to treat the Metropolitan Area of Washington as a geographic unit. (376 F.2d 765, 767 (1965).)

Therefore, by means of executive, legislative, and judicial acts, the National Capital region has been dealt with as a geographic entity on such matters as transportation, water supply and sewage disposal, parks and recreation areas, relocation of Government agencies, and in general, those areas which in reality demand regional action.

Mr. Speaker, if the Federal Government has determined that the National Capital region must be treated as a unit in the areas I have listed, what sense does it make to limit commercial banks in the District of Columbia to the 61 square miles of the District? I do not think it makes sense, and I am pleased to join in the introduction of legislation to provide for more banking competition in the National Capital region.

RAISING THE INTEREST ON SAVINGS BONDS

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, from time to time I have expressed my feeling that the interest on series E and H bonds had to be raised if those patriotic Americans who have been buying such bonds, usually systematically under payroll plans, were to receive equitable treatment from our Government. The clear need to increase the return on such bonds was succinctly stated in a recent editorial of the Miami Herald which I here quote in full:

> It's unfair, and nearly everyone knows it. Persons and institutions who can afford to lend the Treasury tens or hundreds of thousands of dollars can earn 'rent' of 6½ per cent or more. Small investors buying Series E and H bonds through payroll deductions get only 4¼ per cent if they let Uncle use their money for a full seven years.
>
> Both groups are making loans to the federal government. Both should receive a fair return.
>
> The Treasury recognizes the inequity, according to Rep. Dante Fascell and is reviewing the whole complex setup. Action is in order, as we suggested in these columns recently.
>
> Management of the swollen national debt isn't easy. Neither is the effort to control inflation, which gets a big lift when individuals save money instead of spending it. Still, if wage earners are expected to continue buying savings bonds through payroll deductions, the Treasury will have to give them a better deal.

An editorial in today's Wall Street Journal indicates that increasing the interest rate from 4¼ to 5 percent would make U.S. savings bonds so attractive as investments that a greater portion of the national debt would be financed at the low rate of 5 percent. I agree with all parts of the editorial except its headline, "The United States Is a Poor Investment." In my book the United States is never a poor investment. The full purport of the editorial, however, which I am inserting, explains what its writer means by the headline.

The Treasury several months ago assured me that it was aware of the need to increase the interest rates on savings bonds and that it was considering proposing legislation for that purpose. This information was given to me in my capacity as chairman of the Legal and

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Monetary Affairs Subcommittee of the House Committee on Government Operations because the subcommittee had been considering the economic problems raised by the ever-increasing numbers of conversions of such bonds by their purchasers. I was, therefore, delighted by the statement of the Secretary of the Treasury on Tuesday confirming that the administration will ask that interest paid on U.S. savings bonds be raised. I trust that submission of the administration's legislative proposals, already long overdue, now will be hastened.

The editorial from the Wall Street Journal follows:

The United States Is a Poor Investment

It is, at any rate, for those people who put their money in U.S. savings bonds. Awareness of the situation appears to be growing, since savings bond redemptions last month exceeded sales for the seventh month in a row.

The trouble, of course, is the legally fixed 4¼% interest rate, a rate well below what individuals can obtain at savings and loan associations and elsewhere. The Treasury wants Congress to raise the ceiling to 5%, a rate that would be more competitive.

When savings bonds are competitive, they offer perhaps the least inflationary way to finance a portion of the Federal debt. That's a matter that is of prime concern right now.

While the Federal budget situation has improved in recent months, the debt is still very much a burden. It's about time for the Government to offer the public an incentive more solid that patriotism for helping to carry the load.

HIGHWAY SAFETY COMMENTARY
No. 6

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, I wish at this time to continue my series of commentaries on the need for highway safety. The shocking number of highway accidents, which over the Memorial Day and the Fourth of July weekends claimed more than 1,200 American lives, is accepted all too complacently by many citizens and public officials. Public apathy and governmental neglect cannot duck the fact that in 1968 alone, more than 55,000 people lost their lives as a result of traffic accidents.

In analyzing the problem of highway safety, three different aspects come into play. First is the driver. Second is the vehicle, which the driver must control—barring mechanical failure, which could cause the driver to become manipulated by the vehicle. Third is the the line of travel, or the road. The condition of the road also plays an important role in the ability of driver and car to operate properly.

Clearly, safety standards should be determined in such a way as to take into consideration the interdependent nature of these three factors. This is not always done. Standards for highway safety are determined by three independent agencies. The Bureau of Public Roads adopts or concurs in acceptable standards of highway design and traffic control devices. The National Highway Safety Bureau prescribes vehicle safety standards for almost all motor vehicles and is developing Federal highway safety standards, which eventually will be used by the States to define many characteristics of drivers. The Bureau of Motor Carrier Safety develops and enforces standards through regulations which apply to the safety of operation and equipment and the qualifications and hours of service of drivers of motor vehicles in foreign and interstate commerce, and the transportation of hazardous materials.

The compatibility of the safety standards developed for the driver, the vehicle, and the road, is questionable when we realize that these three interrelated aspects of automobile safety are being regulated in such a diverse manner.

To emphasize this very important point, I wish to include for the benefit of my colleagues the following study done by the National Transportation Safety Board. The study concerns the compatibility of standards for drivers, vehicles, and highways. The examples that are found in the appendix of this study attest to the incompatibility between the safety standards for the driver, the vehicle, and the road. The study follows:

A Study of Compatibility of Standards for Drivers. Vehicle, and Highways

This study considers the problems of everyday traffic situations in which the interrelationships of all elements of the traffic safety system—drivers, vehicles, and the highway environment—are not adequately described by existing standards. The results of incompatibility of standards are described and interpreted in terms of existing problems and future difficulties in achieving a systems view of highway operations. Incompatibility of standards is seemingly a technical problem but it is much more. It contributes to (1) confusing safety decisions (2) the failing of the elements to operate safely within the system and (3) retarding advanced development. This adds up to traffic accidents and the loss of lives. Incompatibility arises from the wide variety of organizations which create and influence standards and the variety of their goals.

The extent of possible coordination of standards available to the Federal Highway Administrator is quite broad. He exerts statutory authority or other forms of leadership over most of the standards or other technical descriptions which define performance of all three elements of traffic safety—the driver, the vehicle, and the highway. The Bureau of Public Roads adopts or concurs in acceptable standards of highway design and traffic control devices, and compliance with these standards is now a condition for the receipt of Federal aid for much of the most advanced highway construction programmed or underway in the United States today.

The Bureau of Public Roads is the leading user of these standards, which are also employed by many other jurisdictions. The National Highway Safety Bureau prescribes mandatory vehicle safety standards applicable to almost all motor vehicles. It has published 16 Federal Highway Safety Program Standards, with others in the developmental stage, which are being used by the States to define many characteristics of drivers and as guidelines for their highway safety programs. The Bureau of Motor Carrier Safety is responsible for the promulgation and enforcement of regulations which apply to the safety of operation and equipment and the qualifications and hours of service of the drivers of motor vehicles in foreign and interstate commerce and the transportation of hazardous materials.

The standards considered in this study are those which in some way prescribe the performance of a part of the driver-vehicle-highway system. These prescriptions take many different forms and are called by other names as well as "standards." One form of standard, for example, is the Snellen eye chart used to test the vision capabilities of drivers. These charts imply, but do not describe, the ability of the driver to see the other parts of the system, such as signs and traffic controls or vehicle instruments. Another form of "standard" is drawings showing preferred layout of highway intersections from which the types of movement and maneuvers a vehicle and its driver will encounter could be determined, and the directions of necessary visibility analyzed. Descriptions of standard instrumented dummies which represent the human body in crash injury tests are another type of standard. These dummies can be used in standard tests which relate the stresses felt by the body to the speed of impact. We are not concerned here with descriptions or standards which are internal to one element of the system, such as the strength of concrete in the pavement, the voltage used for vehicle lights, or standards for threaded fasteners or the driver's eyeglass prescription.

These standards and descriptions, when assembled, constitute the primary language in which the combined safe operation of the driver, the vehicle, and the highway is described, analyzed, or controlled. The standards are used by engineers in designing highways and vehicles and by maintenance men in renewing them. To the degree that this language of the standard describes the working relationships between drivers, vehicles, and highways, it makes the operation understandable and controllable. The fact that standards must serve to interrelate drivers, vehicles, and highways, as parts of an operating system, is illustrated by four examples in the appendices of this report. Example 1 (Windshield Visibility and Traffic Signing) explains how a description of visibility through the windshield in a vehicle safety standard is incompatible with the method of specifying in a traffic manual the placement of traffic signs. The incompatibility prevents the resulting unsafe operation of vehicles at intersections from being obvious to the traffic engineer or the vehicle engineer when they make their design decisions.

The second example (Driver Vision Capability and Traffic Signing Legibility) shows the lack of any relationship between specifications for drivers' vision requirements used by driver licensing agencies and standards for traffic sign lettering used by highway departments. This obscures the significance of the interrelationship of sign placement, allowable speeds, and State vision requirements, creating a potential hazard through unrealistic sign placement.

The third example (Rearview Mirror Visibility and Geometric Design of Highways) shows how the vehicle standards for visibility through the rearview mirror, side windows, outside rearview mirror, and standards for geometric design of highways are stated in different terms, preventing certain direct comparisons which would immediately reveal the hazards involved in certain highway situations which vehicles cannot meet. Compatible standards would point to the design alternatives for resolving the hazards.

The fourth example (Compatibility of Vehicle Design Standards and Highway Design Standards) indicates the existing gap between the methods of describing the ability of vehicles to withstand crashes with minimal injuries to their occupants and specifications for highway crash barriers into which the vehicles will crash. The specifications of vehicles in terms of crash behavior of parts and the specifications of barriers in terms of resistance to crashes of a narrow range of vehicles are still widely separated. The initial problem of compatibility is to insure that the test methods of the near future will someday make the results comparable. When that is achieved, it will be possible definitively to reduce injuries in a vehicle which crashes into barriers through coordinated requirements of vehicle and barrier standards.

These four examples reveal present and future problems in safety, but the *incompatibility of standards also influences operational efficiency of highway systems.* For example, the problems of traffic sign placement and of uncoordinated visibility conditions in merging lead to congestion as well as to accidents. The confusion of uncoordinated sign sizes, vision requirements, and speed can lead not only to drivers passing a desired turnoff but to accidents.

The problem caused by incompatible standards can severely inhibit future development of the Nation's highway system. There is an increasing tendency among system designers to consider the traffic system as a whole and to define carefully the boundaries of operation in which the driver, the vehicle, and the highway operate. For example, the proposed Century Expressway concept[1] seeks to raise safe vehicle operating speeds in a logical way by establishing a special class of drivers, vehicles, and highways. Operations are then planned for efficiency at high speed, and safety will be achieved by defining operations according to known conditions. The New York State Safety Car system concept sought to establish types of vehicles according to existing highway and street environments and a known range of variations in drivers. These vehicles would operate most efficiently and with highest safety over a specified range of highway environment and driver conditions. The vehicle would be subject to operating restrictions when used in an environment for which it was not designed.

The New York Safety Car Feasibility Study reported one of the problems of incompatibility of standards, as it related to future vehicle design. "It is well-recognized that the driver, the road, the other named factors are only poorly defined from the standpoint of safety performance at present. Nevertheless, the vehicle's performance cannot be defined except in relation to these other factors. The program will attempt to use existing definitions, but will necessarily have to create some new definitions. These definitions are intended to be stated in terms of performance wherever possible, *since it is only in terms of mutually compatible definitions of performance that the different elements of a traffic system can be assembled and seen as an operational system.* Definitions based on design or construction always require an intermediate step of interpretation before they can be used to relate one part of the traffic system to another . . ."[2] Emphasis in original.)

The development of a framework for compatibility in these standards is urgent. New standards or technical descriptions for drivers, vehicles, and highways are being rapidly developed by many agencies without organized attention to their compatibility with standards for all other parts of the system. Thus, the number of standards which will someday have to be changed, is increasing. Further, the need to understand more directly the operating interrelationships is increasing because the range of characteristics of the system is increasing. Speed capabilities of vehicles on the roads have increased, but congestion (zero speed) on high-speed roads also seems to be increasing. The range of vehicle sizes and weights is tending to increase. Larger and heavier vehicles are being advocated and, at the same time, very small and lightweight vehicles are entering the system.

The task of developing compatibility in these standards is a technical problem, but also a problem in organization and authority. There are estimated to be thousands of standards or descriptions which are in some way useful in interrelating driver, vehicle, and highway. It may be eventually necessary to change tests or measurements in many of these standards. This cannot be done overnight, but it must be done eventually if substantial inefficiency and loss of safety are to be avoided.

Present standards arise from the many groups concerned with portions of the driver-vehicle-highway system. Some of these groups outside FHWA include the American Association of State Highway Officials, Institute of Traffic Engineers, International Association of Chiefs of Police, National Committee on Uniform Traffic Laws and Ordinances, National Association of County Officials, American Municipal Association, Society of Automotive Engineers, American Association of Motor Vehicle Administrators, American Medical Association, National Safety Council, and the United States of America Standards Institute; the National Bureau of Standards and the General Services Administration which are within the Federal Government.

In general, it has not been a conscious goal of these sources to create descriptions that can facilitate integrating functions of driver, vehicle, and highway into an operating system. Rather, they have been concerned with other valid problems such as adding more standards, creating uniformity of the same type of standard on a national basis, and deciding the degree of safety warranted in a standard. These problems do not produce coordination between different kinds of standards.

There is active liaison and consultation among many of these groups, but liaison and consultation have not provided a sufficient relationship to insure coordination among autonomous standardizing agencies having different goals and interests and separated from one another geographically. One of the most important sources of highway standards, the American Association of State Highway Officials, states the role of its standards thus:

"The question arises as to whether the changes herein to update the Blue Book, after a period of a decade, are bold or radical enough to reflect sufficient vision so that highways constructed in rural areas with this book as a guide will be fully adequate for the life of the highway. The answer is that the contents are based on the facts and trends as they were found. To design highways for the future is not the province of the maker of guides and standards but rather that of the designer himself, who in the planning and design stages, must choose values for those elements which are basic to highway design from the data available to him and the trends which reveal those values . . . The 1954 Blue Book proved to be a valuable tool and served highway engineers well. It is hoped that this updated Blue Book will be equally serviceable."[3]

This role may seem adequate to highway interests in relation to the practical problems of highway construction as they are seen today by the highway building professions. The words do not actively consider the needs or goals of other parts of the system, however. Standards must support the vitally necessary coordinated operational systems view of highway transportation or they may slow the development of future concepts.

The department of Transportation has often employed or approved the use of standards originated by private organizations in order to fulfill its highway responsibilities. With these standards comes the technical framework wihch reflects the approach taken by the originating organization and may or may not provide for new situations. The need for compatible technical standards and descriptions used by the Bureaus and Offices within DOT is implied by the mission assigned to DOT. The significant missions are to:

(1) provide leadership in the identification and solutions of transportation problems;

(2) stimulate technological advances in transportation; and

(3) facilitate the development of a coordinated transportation service.

DOT does not have full regulatory authority in all transportation areas, but it does have various functions of leadership and initiative in all areas.

It is clear that this type of coordination will require the development of new and different relationships between FHWA and the standards-writing agencies. It is possible that some changes of direction are needed in research or the employment of research funds to determine the full scope of desirable compatibility.

It is also apparent as a practical consideration that some period of time will be required to develop coordination of standards and to develop organized communications between the numerous independent standard-setting organizations. A technique for dealing with this delay is needed during the interim. The examples in this study show that it is possible to create interim transitional definitions based upon existing technical knowledge which will enable the linking of a number of existing standards in a compatible manner by defining their relationship. Such transitional definitions could be the subject of technical attention through a coordinated effort within the Federal Highway Administraiton. Other standardizing agencies could be consulted.

An example of an interim transitional definition will best illustrate the point that is being made here. In example No. 2 on Driver Vision Compatibility and Traffic Sign Legibility (see Appendix), it is shown that charts or tables can be developed for a given sign that will relate the distance such a sign can be seen by persons with various specified visual acuity, and the amount of warning time that will need to be provided at various speeds to enable the performance of required maneuvers. As a first approximation, these charts could be calculated as suggested in example No. 2. Traffic signs can be classified according to their primary purpose (e.g., regulatory or informational), or as to their letter or symbol size, and given classification numbers which would refer to a specific chart or table. The chart or table would set forth the detailed specifications for the installation of signs of each classification. The charts or tables could be made available as part of the Manual on Uniform Traffic Control Devices for Streets and Highways or other such technical publications. In this particular case, the interim transitional definition would require nothing more than the preparation of a chart or table and its adoption by the Federal Highway Administration as authorized.

In light of the need for compatible standards, the Safety Board makes the following recommendations:

1. That the Administrator of the Federal Highway Administration work with a view to having all new standards for drivers, vehicles, and highways developed or prescribed or approved by the Bureau of Public Roads, the Bureau of Motor Carrier Safety, and the National Highway Safety Bureau compatible in all aspects and that existing standards are brought into operational compatibility as soon as possible. Such compatibility should be described in terms of operational performance of drivers, vehicles, and highways in the highway system and make more apparent the interrelated effects determined by the standards.

2. That the Federal Highway Administration assert leadership among such standardizing or standards-influencing organizations as the American Association of State High-

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way Officials, Institute of Traffic Engineers, International Association of Chiefs of Police National Committee on Uniform Traffic Laws and Ordinances, National Association of County Officials, American Municipal Association, Society of Automotive Engineers, American Association of Motor Vehicle Administrators, Vehicle Equipment Safety Commission, American Medical Association, National Safety Council, and others to take the necessary steps so that standards for drivers, vehicles, and highways originating within these organizations will be technically compatible. This effort should include a detailed review of the communication and field of responsibility factors which may determine the technical framework of standards. The review should recommend steps by the Federal Highway Administration that may be necessary to insure compatibility of future standards.

3. That, as an intermediate step, until the time when compatibility of standards is obtained, FHWA develop technical definitions of an interim transitional nature to bridge the gaps of incompatibility among existing standards used by the various Bureaus of FHWA. Such interim transitional definitions may be employed to assist the understanding of the relationships between rules, regulations, specifications, and other documents as needed to insure the coordinated safe operation of the driver-vehicle-highway system.

APPENDIX

Example 1. Windshield visibility and traffic signing

The first example for the need for technical coordination of standards to provide a completely defined system is in the area of windshield visibility and traffic signing. The National Highway Safety Bureau describes the angular visibility through vehicle windshields in terms of vertical and lateral angles. These angles are employed to describe requirements for windshield defrosting and defogging systems[4] and windshield wiping and washing systems.[5] In the case of defrosting and defogging systems, certain angular zones must be cleared after a prescribed period of operation. In the case of wiping and washing systems, the windshild wipers must clear angular zones which are defined in the same manner employed to define defrosted and defogged zones. In both cases, the angles of visibility are determined in relation to the driver and do not consider the variations in visibility of roadside objects created by changes in driver eye height, which is not subject to a standard. This makes it difficult to analyze the visibility of signs and traffic signals when establishing the locations of these devices, since the eye height can range from as low as 3 feet for a small car to over 7 feet for a bus or 8 or 9 feet for some trucks.

On the highway side of the standards problem, the locations of signs and signals are defined in terms of horizontal and vertical distances from locating points at the surface of the pavement. For example, consider the traffic signal problem. The *Manual on Uniform Traffic Control Devices for Streets and Highways,*[6] concurred in by the Federal Highway Administrator, defines the height of a traffic signal in terms of distance to the bottom of the signal housing above the pavement grade. The maximum height is 17 feet, and this requires that a driver must be able to see to a minimum height of approximately 20 feet in order to view the usual three indications (i.e. red, amber, green). The transverse location of these signal faces is defined in terms of linear distance from the edge of the pavement. The minimum requirement is that the signal shall be no more than 10 feet off the edge of the pavement.

These dimensions are operationally related to the location of highway stop lines because drivers must be able to see the traffic signals when their vehicles are halted at the stop lines. In the same Manual, the stop line locations are defined in terms of the distance from the nearest edge of the intersecting roadway. Where there is a crosswalk, the stop lines are ordinarily placed 4 feet in advance of the crosswalk.

If there is no crosswalk, the stop lines should be placed no more than 30 feet from the nearest edge of the intersecting roadway. The Manual does not require the use of a stop line, but makes the stop line optional. Where there is no stop line, motorists normally tend to stop at various locations a few feet from the edge of the intersecting roadway.

These two methods of definition, one angular and the other linear, do not prevent analysis of operating conditions, but they make such analysis very difficult. An analytical placement of a stop line would require not only knowledge of the windshield defrosting and defogging system standard, but also the use of trigonometric calculation and the determination of whether visibility was provided at the contemplated location for all extremes of the vehicular standard. This would require a rather complex analysis.

Not only does this incompatibility imply increased workload for the traffic engineer, but it appears that the difficulty of relating the two standards may have contributed to an existing inadequacy in operational visibility. For example, under the Motor Vehicle Safety Standard No. 103 for Windshield Defrosting and Defogging Systems, a vehicle which has been in operation for 40 minutes will meet the standard if the windshield is sufficiently cleared to provide an upward angle of visibility of 7°. (See Table I, Motor Vehicle Safety Standard 104, (1969).) It can be shown by calculation that for a vehicle in which the driver's eye height is 55 inches above the ground, this standard would not insure that a traffic signal which meets the standard of the *Manual on Uniform Traffic Control Devices* could be seen at any point closer than 126 feet from the traffic signal. At any closer point, a driver would be required to move from his normal seated position in order to see the traffic signal. This distant location at 126 feet is much farther from the traffic signal than the stop line would be placed at allowable locations in the Manual. The standards do not reveal that the driver must move or indicate what movement would be required.

In the lateral direction the same standard for defrosting and defogging indicates an angle of 16° visibility to the left is assured after 40 minutes of driving. Here calculation shows that the driver would have to be located at least 56 feet from the allowable traffic signal location in order to see the traffic signal from his normal seated position. This location in the street is also much farther from the traffic light than is contemplated by the *Manual of Uniform Traffic Control Devices*. Again, the standards do not reveal the problem.

This form of incompatibility also applies to visibility when windshield wipers must be used, with exactly the same problems.

The practical operating difficulty which arises from the confluence of these incompatible standards is the following. When windshield wipers or defrosting units are in operation and an automobile approaches an intersection on a red signal, the driver will normally stop at the stop line. At that point, he is already well within the zone from which either the overhead traffic signal or a traffic signal located to the left could not be seen from the normal seated position. In order to detect the changes of signals, it is necessary for the driver to lean far to the right, downward or forward to a degree that is not specified or determinable from the standards. If the traffic engineer foresees this difficulty, he can forestall it by placing enough additional traffic signals so that at least one can be seen through the cleared angle of the windshield. However, there is nothing in the standards of the traffic control devices manual nor in the vehicle standards which would allow the traffic engineer to compare directly the performance of the traffic signals. He would have to analyze the vehicle safety standards, select the applicable angle for a variety of visual conditions, and make trigonometric calculations for each possible location of a traffic signal which might solve the problem.

A problem of this type can be resolved by studying the respective standards and writing additional definitions which describe the performance of the various locations of the signals as related to the motor vehicle standards. These might be called interim transitional definitions. For example, descriptive charts could be furnished with each traffic signal to guide its installation based upon the visibility standards. Such charts would be prepared for both overhead and side locations and would indicate the minimum normal visibility distance as a characteristic of the signal location for a given motor vehicle safety standard. The development of a chart would also require a restatement of the Motor Vehicle Safety Standard so that the visibility statement includes the factor of variable eye height of the driver. Thus it is seen that in order to understand the operational implications of the highway and the vehicle safety standards, it is necessary to study their effects in specific operational situations and, in this case, to revise the standards so that the effects can be directly visualized to guide practical decisions. This can be accomplished by coordinative liaison among those responsible in establishing these standards.

Example 2. Driver vision capability and traffic signing legibility

The second example for the need for technical coordination of standards to provide a completely defined system is in the area of standards for driver vision capability and traffic signing legibility. What is involved is the difficulty in integrating such factors as (1) requirements of driver vision testing, including variations among the States; (2) traffic sign letter heights and sizes: (3) placement of signs relative to highway features; and (4) allowable speeds. The lack of definitions coordinated in an operational system makes it unnecessarily difficult to analyze these factors at highway locations, and problems are created.

The Federal authority to prescribe Highway Safety Program Standards may, in the future, encompass minimum requirements for driver vision to be employed by the States. Thus, the study of these factors is an appropriate Federal problem. An examination of the 1967 vision requirements for motor vehicle operators in all States revealed that the minimum visual acuity required varied from 20/40 to 20/70. This form of driver vision standard is universal, but it describes vision in terms of comparison of the subject driver with other drivers, not directly in terms of what letter sizes would be needed at what distances in order to insure that letters of the signs could be read. Highway personnel who place signs are thus unable to consider the range of driver acuity in the same form as that employed to licensed drivers. Signing practices originate in handbooks and manuals developed on a national basis.

It is difficult to describe in these manuals the variations in vision requirements among States or different speed limits. In some States, vision requirements are not uniform within the State. For example, in some States, visual acuity must be at least 20/40 without glasses but only 20/70 with glasses. Thus, several States now license some drivers who are unable to detect words on signs until they are 43 percent closer to the sign than other drivers licensed in the same

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States. These drivers will therefore have less time to react to traffic signs, not only in their own State, but in States where more stringent visual acuity standards apply.

In addition to the variations in visual acuity, the States also have a variety of speed limits. Some of the States having very high speed limits also employ the lowest standard for visual acuity while, conversely, some States having the lowest speed limits, have the highest standard of visual acuity. Drivers do not, of course, operate only in their own States.

These are apparent inconsistencies, and well-known. The point here, however, is that the significance of these differences among States in highway operations is difficult to explain and analyze because the different standards for driver vision, traffic sign letter height, size, and placement are technically incompatible. The nationally distributed manuals[7] do not attempt to account for these differences.

On the highway side of the standards problem, the operational requirement for safety is to know the time of advance warning provided by a specific sign under conditions where the speed limit and driver vision capability are given. If standards allowing such comparisons were available, it would be immediately clear as to what operational hazard may result when low-vision drivers from other States operates under sign placements established for local speed and vision requirements. An example will illustrate, *The Manual for Signing and Pavement Marking of the National System of Interstate and Defense Highways,* concurred in by the Bureau of Public Roads, requires the use of an EXIT (XX) M.P.H. sign where it is necessary to indicate a lower speed on an exit ramp. The Manual requires that the sign shall be mounted on the right-hand side of the ramp roadway just beyond the gore, with the exit speed indicated by the sign being the safe speed as determined by the conditions of the exit road at each individual location. Sign size, along with letter and numeral sizes, are pictorially illustrated in the Manual. The aforementioned EXIT (XX) M.P.H. sign is required to be 48 by 60 inches. The critical portion of the sign, the numerical speed indication, is required to be 16 inches in height. Let us assume that the exit requires a 20 m.p.h. sign located on a 60 m.p.h. Federal-Aid expressway and that this location is in a State where 20/70 vision is allowed legally (visiting drivers will have 20/70 vision in any case).

A motorist having 20/20 vision[8] is, according to the Snellen standard, able to read the 16-inch numerals indicating the required safe speed at a point 920 feet from the sign, as shown by a calculation based on the Snellen chart definition. For 20/70 vision, this distance is reduced to 263 feet. Thus, the driver having 20/70 vision, traveling at the highest legally allowed speed of 60 m.p.h. at this location, has 3 seconds for perception, reaction, and braking to reduce his speed from 60 m.p.h. to the posted ramp speed of 20 m.p.h. At this point, he is well within the zone where he does not have the necessary distance available to him to complete safely the functions of perception, reaction, and braking. This does not mean that the operations at these exits are all unsafe, because drivers do not rely entirely on signs as indications of slower speed. It does mean that the placement of the sign does not provide assurance that it is adequate under actually existing conditions.

A problem of this type in a State can be resolved by studying the respective standards, assuming a national visual acuity requirement, and writing additional descriptive definitions which rate the performance of signs based upon visibility distance at a given speed. One method would be the creation of a so-called interim transitional definition that would coordinate the Snellen chart with sign heights by the use of charts. A more advanced approach to a coordinated standard could account for driver reaction time. As with the previous example of traffic signal placement, it is seen that in order to design operations properly in a certain traffic situation, it would be necessary to apply only the signing standard and the highway speed limit to determine the appropriate location of the sign.

Example 3. Rearview mirror visibility and geometric design of highways

Operational difficulties of significant proportions are implied by conceptual incompatibility between the standard for rearview mirror[9] visibility and allowable forms of geometric highway design adopted by the Bureau of Public Roads as suitable for the Federal-Aid Highway System. The Federal-Aid Highway System and the Interstate System not only allow, but frequently employ, entry of vehicles into traffic lanes at such angles that visibility of approaching vehicles is not assured by the Federal rearview mirror requirements or by other requirements for vision directly through windows.

Figure 1 and Figure 2 (figures not printed in the RECORD) show several of the types of intersection design allowable on the Federal Highway System in which vehicles must merge into another lane or perform a weaving maneuver while potentially being overtaken by traffic approaching from the left or right rear. These Figures are examples only, and many other illustrations are shown in *A Policy on Geometric Design of Rural Highways.*[10]

Figure 1 shows weaving sections in which vehicles transfer from one road to another by crossing all lanes from the left to right to left. Figure 2 shows types of rotary interchanges in which vehicles must enter lanes tangentially from the right. In dual rotary roadway (Type D, Figure 2), a vehicle must cross a lane in which traffic may be approaching from the left rear. These traffic maneuvers are acceptable on all Federal-Aid Highways. Tangential entries are allowable on the Interstate System, and in fact are the normal method of entry to high-speed lanes on that System. These geometric design policies state standard conditions which must be met by vehicles. However, there are no numerical descriptions that can be related to vehicle vision.

The other type of standard is the Federal Motor Vehicle Safety Standard No. 111 which specifies "requirements for rearview mirrors to provide the driver with a clear and reasonably unobstructed view to the rear." This standard requires an inside rearview mirror which provides the driver a view to the rear of at least 20°. The line of sight, however, may be partially obscured by seated occupants or by head restraints. Since the degree of obscuration is indefinite, almost any proportion of obscuration is allowable under the standard. In practice, in such vehicles as station wagons, the obscuration may approach 100 percent, so that an outside mirror on the driver's side is also required. This standard provides a view having a horizontal angle such that all points up to 8 feet out from a tangent plane 35 feet behind the driver's eyes can be seen. Again, the line of sight may be partially obscured by rear body or fender contours. The meaning of the word "partially" is not definite. The standard speaks of linear dimensions related to the vehicle, but analysis of the position of the point which must be seen shows that it approximates an angle of vision to the left rear of 13° leftward from the axis of travel of the vehicle. This means that the driver cannot reliably see a car to his left rear in the outside mirror until his vehicle has turned sufficiently so that it is within about 10° of the axis of the lane with which he seeks to merge.

Now let us see what happens. If the driver approaching the lane cannot see approaching traffic in his inside rearview mirror (and this is normally the situation), he looks to the left rear through the side windows of the vehicle by twisting his head and upper body to the left rear. While doing this, it is extremely difficult to see forward. The view to the left rear under this circumstance through the windows is not assured under the windshield defrosting and defogging standard[11] nor the windshield wiping and washing standard,[12] nor is there assurance that the outside rearview mirror will be operative in weather. A driver who wishes to be assured of adequate vision in this direction during merging must roll down his window whenever the glass is obscured. At that time, those inside the car will be subjected to whatever wind or weather may enter through that window.

It is very evident that this situation is not only undefined by the standards, but under weather conditions, is downright hazardous whenever the side windows are partially obscured. Drivers may, in this circumstance, come to a complete stop in a lane which does not require stopping, and they may be approached by other vehicles from the rear proceeding at reasonable merging speeds. When a driver seeking to merge is second in line among cars seeking to merge, he must simultaneously observe the merge and the car ahead to determine whether its driver will be successful in merging or will stop. It is virtually impossible under these circumstances to maintain adequate vigilance both forward and to the left rear.

The point in this analysis is not that the situation is hazardous, for anyone who has attempted to merge under these circumstances, in an automobile of current manufacture, is generally aware that a hazard is present. The point is that the standards used to describe the vehicle's vision capability and the standards which describe the road situation are not compatible and do not directly reveal the shortcoming.

It is theoretically impossible for highway intersection designs to be characterized by standards language in terms of specific requirements for vision from vehicles necessary to negotiate the intersection safely. For example, a tangential entry into a traveled lane might require angular vision from the driver's location of 90° in both directions from the axis of travel of the vehicle. Such a requirement, of course, would be immediately appreciated as very difficult to obtain by current rearview systems and efforts to design a better system could be begun on a logical basis. On the other hand, if it is not possible to provide vision from the side windows or rearview vision reliably in bad weather, the highway entry might be designed and standardized to allow merges with only forward vision through the windshield.

An example of a description which can be employed to develop a transitional definition is the description of "Field of Vision of the Driver" found in FHWA Notice of Proposed Consumer Information Regulation issued 12/10/68. This description includes a chart which characterizes blindspots of rear vision. Classes of blind areas could be established in this chart and used as a basis for classifying highway intersection designs according to whether the design did or did not require visibility in the blind areas. If designs which meet the predominant blind area classes are impractical, then it is immediately obvious that a superior system or a higher standard of vision is required on the vehicles.

It is not the Safety Board's objective to indicate any specific solution to this problem, but to point out that compatibility of standards is necessary in order to conceive fully of the problem that is raised.

Example 4. Compatibility of vehicle design standards and highway design standards

Another area requires close coordination between highway standards and vehicle crash safety standards in order to minimize injuries resulting from collisions. At present,

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there are Federal Motor Vehicle Safety Standards which seek to minimize injuries in collisions, but these standards are based on tests of individual parts of the car employing methods having no direct relationship to real crash objects encountered on highways. There are also highway standards under cognizance of the National Cooperative Highway Research Program which are used by the Bureau of Public Roads. For example, Report No. 54 [13] of the NCHRP describes location, selection, and maintenance of highway guardrails and median barriers. This Report was circulated to regional administrators and division engineers of the BPR on October 2, 1968. The Director of Public Roads strongly advocates consideration of the information in actions pertaining to barrier and guardrail installation and maintenance.

This document is a considerable advance over the earlier discussions of guardrails, providing warrants for the use of guardrails based upon a variety of highway variables. Variables such as embankment geometry and location of various roadside obstacles are considered. However, the statement in the Report as to performance of the guardrails or barriers indicates that they were tested by only one type of vehicle. That vehicle weighed 4,000 to 4,200 pounds and was traveling at 60 to 65 miles an hour and struck the barrier system at a 25° impact angle.[14]

This method of testing is an advance over earlier barrier designs which were often made up locally according to opinions of the person in charge of the highway. The test does not, however, consider what will happen when the barriers are struck by vehicles of less than average test size and weight or vehicles of greater than average test size and weight. The barriers are not standardized for performance, but are characterized by their design and by the amount of deflection which they will allow under the single rather narrow type of test proposed. The various barriers described allow different degrees of deflection under the test collision, but the significance of impact upon the vehicle of the various degrees of deflection is not discussed.

This is a situation in which the state of the art of highway barrier standards and the state of the art of vehicle collision standards are growing but have not yet come together. In a next step it would be quite practical to characterize barriers and other roadside hazard objects by more than one type of performance test and to include a large range of vehicles. It would also be possible to establish standard test objects for vehicle crash impact testing which would represent the various barriers and the other hazardous features of roads, such as embankments, bridge columns, trees, and utility poles.

The long-range goal of compatible design and construction of vehicles and highways is that vehicles which run off the road into roadside obstacles will be harmlessly deflected and that the injury-preventing features of the vehicles will coordinate with those of the highway obstacles in every case. This goal cannot possibly be achieved unless both the vehicle and the highway obstacles are defined in an interrelated and detailed way. Only a small portion of this task has begun at the present.

FOOTNOTES

[1] A Future Intercity Highway Concept, by Robert A. Wolf; presented before the Third Annual Meeting of the American Institute of Aeronautics and Astronautics, November 29 to December 2, 1966.

[2] *Feasibility Study, New York State Safety Car Program, Final Report,* State of New York, Department of Motor Vehicles, August 31, 1966, p. 1–8.

[3] *A Policy on Geometric Design of Rural Highway,* American Association of State Highway Officials, Washington, D.C., 1965, p. v and vi.

[4] Motor Vehicle Safety Standard No. 103, Windshield Defrosting and Defogging Systems, DOT, FHWA, NHSB, Effective January 1, 1969.

[5] Motor Vehicle Safety Standard No. 104, Windshield Wiping and Washing Systems, DOT, FHWA, NHSB, Effective January 1, 1969.

[6] *Manual on Uniform Traffic Control Devices for Streets and Highways,* U.S. Department of Commerce, Bureau of Public Roads, Washington, D.C., June 1961.

[7] *Manual for Signing and Pavement Marking of the National System of Inter-State and Defense Highways,* American Association of State Highway Officials, Washington, D.C., 1961.

[8] The definition (Snellen) is that 20/20 vision is that of a person who can read letters of 5 minutes of arc letter height. In the Snellen system of measurement, visual acuity decreases in direct proportion to the base index (i.e., 20/40 vision is half of the normal 20/20 vision and would require approach to one-half the distance to allow the same letters to be read).

[9] Motor Vehicle Safety Standard No. 111, Rearview Mirrors, DOT, FHWA, NHSB, Effective January 1, 1968.

[10] *A Policy on Geometric Design of Rural Highways,* American Association of State Highway Officials, Washington, D.C., 1965.

[11] Motor Vehicle Safety Standard No. 103, Windshield Defrosting and Defogging Systems, DOT, FHWA, NHSB, Effective January 1, 1969.

[12] Motor Vehicle Safety Standard No. 104, Windshield Wiping and Washing Systems, DOT, FHWA, NHSB, Effective January 1, 1969.

[13] National Cooperative Highway Research Program Report 54, *Location, Selection, and Maintenance of Highway Guardrails and Median Barriers,* Highway Research Board, Washington, D.C., 1968.

[14] National Cooperative Highway Research Program Report 54, *Location, Selection, and Maintenance of Highway Guardrails and Median Barriers,* Highway Research Board, Washington, D.C., 1968, Page 6.

WHAT DO YOU GIVE AN UNCLE WHO HAS EVERYTHING?

(Mr. DORN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DORN. Mr. Speaker, I commend to the attention of my colleagues and to the people of our country a superb and timely advertisement which appeared in the Wall Street Journal on July 3:

WHAT DO YOU GIVE AN UNCLE WHO HAS EVERYTHING?

Uncle Sam is 193 years old this year. It's hard to think of anything he doesn't have already.

So we've decided to give him our best.

The respect and belief we practice at McDonald's every day. We show our respect by flying the American flag. We back our belief by demanding American products in all our 1150 restaurants.

And that belief doesn't stop with beef raised on American farms either. Every nail, brick, and splinter at McDonald's is American. Then there's cheese from Wisconsin. Apples from Washington. Potatoes from Idaho. Our buns are made from Kansas wheat. And our sparkling cold Coca-Cola comes from Georgia.

We're not embarrassed to offer our rich uncle an American hamburger. It's his kind of sandwich.

And we serve it at his kind of place.

McDONALD'S CORP.

THE WARREN ERA—AN ASSESSMENT

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, contemporary assessments of the Warren era of the Supreme Court are beginning to appear with regularity. Many commentators seem to be engaged in a contest to pile up enough favorable words and images to balance what they seem to know will be the historical assessment of the Warren era. Some of the glowing tributes we have been subjected to of late would lead the unsuspecting to believe that the Court singlehandedly saved the country from a terrible plague, or rescued the Nation from some horrible foe. The facts of the matter are quite the opposite and I believe that sooner or later, judicial scholars will come to realize that the Warren era did more to rend the constitutional fabric of this great Republic than did any other Court in any previous 16-year period.

Shakespeare, in the play "Julius Caesar," had Mark Antony speak prophetic words applicable to the Warren era when he said, "the evil that men do lives after them." This is certainly the case with the effect of the decisions of the Court during the past 16 years. I want to bring to the attention of our colleagues an assessment of the Warren era by a judicial scholar which strips away the attempts to "praise Caesar" and looks at the evil that has been left behind.

In an article in this morning's Wall Street Journal, Mr. Richard W. Duesenberg, of St. Louis, an attorney and former professor of law at New York University, has in a straightforward manner, described the evil. His comments are valuable and instructive; they lead one to conclude that it may take another 16 years to repair the damage done during the Warren era. The article follows:

THE WARREN COURT AND CIVIL LIBERTY: AN APPRAISAL

(By Richard W. Duesenberg)

Amid accolades of "civil rights" supporters, the turbulent Warren era of the Supreme Court has drawn to a close. In the years ahead analyses of the period may not be so kind as those of contemporary commentators.

Cited in support of the Warren Court's supposed orientation are numerous decisions, from the school prayer cases to due process in criminal proceedings, the politics of election, and not least those emerging from the race controversy. The retired Chief Justice himself opined that the apportionment, school desegregation and criminal due process decisions were his most important.

These decisions, of course, do not make up anywhere near the totality of the Court's rulings over the 16-year span during which Earl Warren exercised whatever influence flows from the chair of Chief Justice. Even if they did, an impressive argument can be made that in some of them were sown the seeds of a judicial autocracy potentially antiethical to those political institutions of the country designed to allow expression of individual action. Earl Warren's best-loved cases may themselves be examined to illustrate the point.

ONE MAN, ONE VOTE

With the 1962 decision of *Baker v. Carr* the Court began its series decreeing that representative government presumes election according to geographic spread of population. These are the cases that established the "one man, one vote" principle by which the elective bodies of all states must now be selected. In the finale to this line, the Court applied the same principle under the Constitution to the Federal House of Representatives. The opportunity to remake history has effectively been denied the Court as to the Federal Senate, for that body was clearly and specifically ordained to be made up of two members from each state, the Constitution itself speaking expressly to the point.

The states from which these cases came all had constitutional mandates of nondiscriminatory representation. Had the Court merely enforced these, much of its objective of fairer representation would have been achieved. It went considerably further, however, when the Chief Justice, expressing the spirit of the decisions, wrote that the "plain objective" of the Constitution is to exact "equal representation for equal number of people."

On the surface, to rule that elective bodies should be chosen on a criterion of geographic population seems fair enough. But at stake is a much more sophisticated issue. The political philosophy undergirding these decisions is one requiring representative government to be more egalitarian than the Constitution ever demanded. One clear principle that emerged from the incisive debates accompanying the forging of the Republic was that the voice of the majority was not to be the *vox dei* and that on certain matters majority opinion would nevertheless be ineffective.

De Tocqueville long ago observed that there is no necessary correlation between pure democracy and freedom. And the founding fathers seemed to believe that government representation of people and of interests would assure greater protection of individual and minority rights than pure democracy. This thought was at the very foundation of the concepts which spawned federalism, the system of checks and balances accomplished through separation of the Executive, Legislative and Judicial functions, and the sanctioning of unequally constituted bicameral legislatures.

Chief Justice Warren apparently disagreed, for otherwise he could not have reasoned that equal protection is denied when legislators do not represent equal numbers of citizens. Many others, too, in contemporary America seem not to grasp that the majority can be as totalitarian as any other power group.

THE POWER OF QUANTITY

If, as one commentator has written, *Baker v. Carr* and the cases built upon it was the Warren Court's "single biggest piece of judicial activism," it also reads into the Constitution a "winner-takes-all" philosophy of democratic government. It thus exalts the power of quantity in derogation of the individual as the object of protected civil rights. The logical practical extension of this is to minimize the qualities that each constituent of society represents and to crush private interests wherever they are alleged to collide with those of the majority.

The "public will," whatever that may be, sooner or later assumes a mystical quality of superiority over private action and private rights. It becomes the rallying point, when the stage is set, for political activists to assume the role of spokesmen for an entire population. History records this story too often for there to be much doubt.

Another Warren Court landmark—though not one in which the Chief Justice wrote the opinion—can be cited to test its reputation for allegedly being a tribunal that championed individual freedom over state power. In mind is *Jones v. Mayer*, the famous—or infamous—"fair housing" decision in which it was declared that an owner of property may not refuse to sell to another on the ground of race or religion.

That decision has generally been hailed as one of the Warren Court's civil-rights high points, because, according to its supporters, it gives everybody the right and freedom to buy or live wherever he desires. What a staggering misunderstanding of concepts and terms. Absolutely no connection exists between the status of being free, in a political sense, and having a "right" to live where one chooses. The standard rationale for characterizing the "fair housing" decision as an expansion of freedom is to declare that one is not free unless he is free to buy where and what he wants.

The illogic of this reasoning is demonstrated conclusively by showing that if one has the right to live where he wishes, then someone else living there must surrender his possession to the demanding party. The "right to buy" assumes the power to deny another the right to withhold sale. To phrase it somewhat differently, the decision is an expression of authoritarianism and not of liberty. Analyzed correctly, in a free society, one has only the right *to offer* to buy but never the right to buy until a willing seller and a willing buyer have come to terms.

To speak of promoting freedom and liberty through fair-housing legislation or judicial decree is to engage in a potentially disastrous and insidious perversion in the meaning of the basic condition of a good society, the condition of liberty.

Also involved in the "fair housing" decision was as flagrant an abuse of judicial authority as ever the Court has perpetrated. Unlike with the issues presented in the school desegregation and reapportionment cases, the legislature had spoken on the subject of "fair housing." Yet the Court saw fit on the flimsiest of authority to supersede the expressed will of the elected representatives of the people.

Lawyers understand full well that courts engage in judicial legislation, but unless one's objectivity is blurred by enthusiasm for the results reached in this particular case, it cannot be doubted that this time the Court seemed to see no limit to its self-assumed role of alternate legislature. And this by the least democratically constituted of all our governmental institutions.

MORALITY NOT AT ISSUE

Lest these comments on the "fair housing" decision be misconstrued, they go only to the twisted understanding of freedom and the expanded role of the Court that the decision evinced. As such, they are directed as a challenge to a main pillar among those giving the Warren Court a "civil rights" appearance. Comment is not being offered on any moral issue that may be involved in an individual's refusal to sell based simply on the color or creed of a potential purchaser. That is another issue.

Where the retired Chief Justice has better earned his reputation is in the school desegregation, criminal due process and free speech decisions. By relying on psychological and sociological evidence, the Court ruled in the school desegregation case of 1954 that separate facilities for white and black children were inherently unequal and harmful and thus deprived the latter of equal treatment under law. Accepting the weight of this evidence, it effectively put an end to an earlier decision from the Reconstruction period by saying that its test of equality could not be met through segregated facilities. For this reason the Court banned segregation in public educational institutions, and ultimately in a variety of other public facilities. But it did so in a reasonably solid legal fashion, albeit not without criticism.

On the other hand, when in the final days of Chief Justice Warren's last term the Court ruled illegal the exclusion from a private club of persons on the basis of race or religion, its action clearly bore the seeds of authoritarian interference with private conduct. Even one of the Court's long-standing champions of integration decisions was prompted to write that the Court's interpretation of the Commerce Clause was giving "the Federal Government complete control over every little remote country place of recreation in every nook and cranny of every precinct and county in every one of the 50 states."

Clear strides in the protection of the individual against ruling power came in the area of criminal procedure. Strangely enough, the Warren Court has here suffered its most hostile criticism. Some aspects of these decisions may have gone too far in protecting criminals at the expense of the public's right to adequate and effective police protection. But to rule that a defendant has an inherent right to legal counsel and to exclude in criminal proceedings evidence obtained in violation of due process are noteworthy accomplishments. Ironically, so far as concerns the reputation of the Warren Court, the procedural rights carved out for the individual in this area hopefully are not ones that the vast majority may expect to invoke. They are nonetheless important, and the fundamental concepts underlying these decisions are not at war with the classic political philosophy of liberty and freedom on which our political institutions were founded.

Somewhat the same comments may be made concerning the free speech cases of the Warren years, since most of them involved literature of questionable quality or social value. The Court has taken an almost absolutist approach to the protection of speech, undoubtedly more under the influence of Justices Douglas and Black than of the Chief Justice. Though some room for regulation through censorship was carved out as to the commercialization of pornographic materials, the right of verbal expression was well-guarded by the Warren Court.

Missing from most supporting comments on the Warren Court's accent on the individual has been a long sequence of cases where private action in the business sector has succumbed to Government power abetted by Warren Court decisions. No less than 43 of 45 cases brought by the Department of Justice in the antitrust field were decided in favor of the Government. Not all of these involved a behemoth of industry; nor were they necessarily helpful to individual citizens. It is much too simple to dismiss these cases, and others involving issues of property rights, as not indictments of the Warren reputation for protecting individuals because they involved business arrangements. Business activities are a matter of private action and are entitled to consideration in the array of social enterprises carried on by citizens of a state. To the extent that they are restricted, an issue of state authority against private conduct is at stake. And that is, when all is said and done, the central theme of civil rights.

LONG-RANGE CONSEQUENCES

The purpose of these comments has been not to criticize the now retired Chief Justice or the Court over which he has presided. In the long run, the reputation of Earl Warren, or for that matter of any Chief Justice, is not important to the country. What is critical is to recognize that certain long-range consequences are implicit in every decision rendered by the nation's highest court, and that the implications of these consequences should constantly be weighed against the libertarian objectives of our Constitutional system. Doing this, the popular conception of the Warren Court begins to waver.

If professor Bork of the Yale Law School is right in identifying as one reason for dissatisfaction with the Warren Court that "It has assumed an omnicompetence in problems of political philosophy, economics, race relations and criminology . . . that no small group of men, particularly no group with very limited investigatory facilities, could conceivably possess," then the power that this posture presumes—taking into account the historical frailty of human nature in the misuse of power—might well prove inimical to civil rights.

Freedom depends upon the insistence on limited authority in those who govern; yet many among us—including, it seems, the activists of the Court of recent years—appear to be moving away from the tenet of our founding that basic human freedoms are a matter of indefeasible right and not a concession granted by ruling authority.

It was Voltaire who defined freedom as a condition of fragmented power, a perceptive observation. Against this test—considered after the emotionalism surrounding the decisions of the Warren Court has worn away—the reputation of the Court as one expanding the right of private action may not long endure.

PEACEFUL USES OF OCEAN SPACE

(Mr. GALLAGHER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. GALLAGHER. Mr. Speaker, today I have introduced a resolution which expresses the sense of the House of Representatives with respect to the adoption of a treaty governing the use of the deep oceans and their resources.

The draft suggested in my resolution is broadly modeled on the treaty relating to the peaceful uses of outer space which was formulated under United Nations auspices in 1967.

Just as man reaches for the "oceans" of the moon, so does he probe the oceans of earth. But there are no international laws which regulate the exploration and exploitation of the deep waters; indeed, in that area we have a potential source of great conflict among nations.

The countries of the world now look to the oceans as future sources of food, fuel, and a host of other commodities which are rapidly vanishing from land sources. Even more, the world waterways continue to fulfill their traditional function of providing an extra defense for nations against attack. However, the wood frigates of old have been replaced by nuclear-powered, nuclear-armed craft which stalk one another above and below the ocean surface. There is the danger, then, of an underseas arms race which would push mankind even closer to nuclear disaster. While there are international agreements to regulate arms control on land, there are none which apply to the oceans.

Mr. Speaker, these considerations have been the object of intensive discussion in the United Nations during the past 2 years; this discussion has been of great interest to the Subcommittee on International Organizations and Movements, which I have the honor to Chair, and to the Congress as a whole.

As many of my colleagues will recall, last December, the United Nations General Assembly formalized its concern for this issue through the creation of a standing Committee on the Peaceful Uses of the Seabed and Ocean Floor beyond the Limits of National Jurisdiction. As congressional adviser to this Committee, I have been especially interested in its considerations of the legal, scientific, and humanitarian principles which ought to be incorporated into an international, U.N.-sponsored declaration or treaty on the oceans.

In general, Nations should agree that, as stated in my resolution:

> The exploration and use of ocean space and the resources in open space shall be carried out for the benefit and in the interests of all mankind, and shall be the province of all mankind.

This fundamental principle must be recognized if we are to draw benefits from the deep oceans rather than drawing a new field of conflict.

It is also urged that there be freedom of scientific investigation in ocean space and that States should facilitate and encourage international cooperation in such investigation. This principle must also be treated as basic to the requirements of future survival; it is a principle which the late President John F. Kennedy eloquently recognized in his inaugural address:

> Let both sides seek to invoke the wonders of science instead of its terrors. Together, let us explore the stars, conquer the deserts, eradicate disease, tap the ocean depths, and encourage the arts and commerce.

I should like, at this point, to compliment my friend and colleague, Senator Pell, of Rhode Island, who was the first in Congress to prepare a draft treaty on the oceans and to introduce it in the other body. I am delighted to join with Senator Pell in endorsing the concept of such a treaty.

I would note, however, that what is required now is a full discussion of the issues involved in the draft treaty. Neither I nor any Member of this House can be in a position to approve each and every draft principle in the resolution without such discussion. A full consideration of the principles here presented must take place as well in the United Nations Committee and within our own executive branch. In this way we will prepare a sound base for the future treaty.

With this objective in mind, I have introduced this resolution. Let us move toward a new world of law in the use of our ocean depths.

Mr. Speaker, the text of my resolution follows:

H. Res. 478

Whereas the development of modern techniques for the exploration of the deep sea and the exploitation of its resources carries with it the threat of legal confrontation, between nations of the world over the ownership and jurisdiction of the bed of the deep sea and the superjacent waters, and the resources therein; and

Whereas the threat of anarchy now exists in the field of scientific exploration and commercial exploitation of the deep sea and its resources: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the President should make such efforts, through the United States delegations to the United Nations, as may be necessary to place before the Committee on the Peaceful Uses of the Seabed and Ocean Floor beyond the Limits of National Jurisdiction for its consideration at the earliest possible time the following draft resolution outlining a number of suggested principles for governing the activities of nations in ocean space:

"DECLARATION OF LEGAL PRINCIPLES GOVERNING ACTIVITIES OF STATES IN THE EXPLORATION AND EXPLOITATION OF OCEAN SPACE

"Preamble

"The General Assembly,

"*Inspired* by the great prospects opening up before mankind as a result of man's ever-deepening probe of ocean space—the waters of the high seas, including the superjacent waters above the continental shelf and outside the territorial sea of each nation, and the seabed and subsoil of the submarine areas of the high seas outside the area of the territorial sea and continental shelf of each nation,

"*Recognizing* the common heritage of mankind in ocean space and the common interest of all mankind in the exploration of ocean space and the exploitation of its resources for peaceful purposes,

Believing that the threat of anarchy exists in the exploration and exploitation of ocean space and its resources,

"*Desiring* to contribute to broad international cooperation in the scientific as well as the legal aspects of the exploration and exploitation of ocean space and its resources for peaceful purposes,

"*Recalling* the four conventions on the Law of the Sea and an optional protocol of signature concerning the compulsory settlement of disputes, which agreements were formulated at the United Nations Conference on the Law of the Sea, held at Geneva, Switzerland, from 24 February to 27 April 1958, and were adopted by the Conference at Geneva on 29 April 1958,

"*Recalling* the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies, which was unanimously endorsed by General Assembly resolution 2222 (XXI) of 19 December 1966 and signed by sixty nations at Washington, London, and Moscow on 27 January 1967, and considering that progress towards international cooperation in the exploration and exploitation of ocean space and its resources and the development of the rule of law in this area of human endeavor is of comparable importance to that achieved in the field of outer space,

"*Recalling* General Assembly resolution 2467A (XXIII) of 20 December 1968, which provided for the establishment of a Committee on the Peaceful Uses of the Seabed and Ocean Floor beyond the Limits of National Jurisdiction,

"*Recognizing* that the problems resulting from the commercial exploitation of ocean space are imminent,

"*Believing* that the living and mineral resources in suspension in the high seas, and in the seabed and subsoil of ocean space, are free for the use of all nations, subject to international treaty obligations and the conservation provisions of the conventions on the Law of the Sea, adopted at Geneva on 29 April 1958,

"*Convinced* that international agreement on principles governing the activities of States in the exploration and exploitation of ocean space and its resources would further the welfare and prosperity of mankind and benefit their national States,

"*Solemnly declares* that in the exploration of ocean space and the exploitation of its resources States should be guided by the following principles:

"I—GENERAL PRINCIPLES APPLICABLE TO OCEAN SPACE

"1. The exploration and use of ocean space and the resources in ocean space shall be carried out for the benefit and in the interests of all mankind, and shall be the province of all mankind.

"2. Ocean space and the resources in ocean space shall be free for exploration and exploitation by all nations without discrimination of any kind, on a basis of equality of opportunity, and in accordance with international law, and there shall be free access to all areas of ocean space.

"3. Ocean space is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means.

"4. There shall be freedom of scientific investigation in ocean space and States shall facilitate and encourage international cooperation in such investigation, but no acts or activities taking place pursuant to such investigation shall constitute a basis for asserting or creating any right to exploration or exploitation of ocean space and its resources.

"5. The activities of States in the exploration and exploitation of ocean space and its resources shall be carried on in accordance with international law, including the Charter of the United Nations, and the principles set forth in this Declaration, in the interest of maintaining international peace and security and promoting international cooperation and understanding.

"6. States bear international responsibility for national activities in ocean space, whether carried on by governmental agencies or non-governmental entities or nationals of such States, and for assuring that national activities are carried on in conformity with the principles set forth in this Declaration. The activities of non-governmental entities and nationals of States in ocean space shall require authorization and continuing supervision by the State concerned. When activities are carried on in ocean space by an international organization, responsibility for compliance with the principles set forth in this Declaration shall be borne by the international organization itself.

"7. In the exploration of ocean space and the exploitation of its resources, States shall be guided by the principle of cooperation and mutual assistance and shall conduct all their activities in ocean space with due regard for the corresponding interests of other States.

"8. States shall render all possible assistance to any person, sea vehicle, or facility found in ocean space in danger of being lost or otherwise in distress.

"9. States engaged in activities of exploration or exploitation in ocean space shall immediately inform other interested States and the Secretary-General of the United Nations of any phenomena they discover in ocean space which could constitute a danger to the life or health of persons exploring or working in ocean space.

"II—USE OF OCEAN SPACE EXCEPT SEABED AND SUBSOIL

"1. All States have the right for their nationals to engage in fishing, aquaculture, in-solution mining, transportation, and telecommunication in the waters of ocean space beyond the territorial seas of any State.

"2. This right shall be subject to the treaty obligations of each State and to the interests and rights of coastal States and shall be conditioned upon fulfillment of the conservation measures required in the agreement entitled 'Convention on Fishing and Conservation of the Living Resources of the High Seas', adopted by the United Nations Conference on the Law of the Sea at Geneva on 29 April 1958.

"3. Any disputes which may arise between States with respect to fishing, acquaculture, in-solution mining, conservation, and transportation activities of States in the high seas shall be settled in accordance with all the provisions of such convention setting forth a compulsory method for the settlement of such questions. The provisions of Article 27 and Annex 4 of the International Telecommunication Convention, signed at Geneva on 21 December 1959, shall be applicable to any disputes which may arise between States with respect to telecommunication activities in the high seas.

"III—USE OF SEABED AND SUBSOIL OF OCEAN SPACE

"1. In order to promote and maintain international cooperation in the peaceful and orderly exploration, and exploitation of the natural resources, of the seabed and subsoil of submarine areas of ocean space, States shall engage in such exploration or exploitation only under licenses issued by a technically competent licensing authority to be designated by the United Nations, and to be independent of any State.

"2. The natural resources referred to in this Article consist of the mineral and other nonliving resources of the seabed and subsoil together with living organisms belonging to sedentary species, that is to say, organisms which, at the harvestable stage, either are immobile on or under the seabed or are unable to move except in constant physical contact with the seabed or the subsoil.

"3. The activities of nationals and non-governmental entities of States in the exploration of submarine areas of ocean space and the exploitation of the natural resources of such areas shall require authorization and continuing supervision by the State concerned, and shall be conducted under licenses issued to States making application on behalf of their nationals and non-governmental entities. When such activities are to be carried on by an international organization, a license may be issued to such organization as if it were a State.

"4. It shall be the duty of the licensing authority to act as promptly as possible on each application for a license made to it. In issuing licenses and prescribing regulations, the licensing authority shall apply all relevant provisions set forth in this Declaration, shall give due consideration to the potential impact on the world market for each resource to be extracted or produced under such license, and shall apply the following criteria:

"(a) The license issued by the licensing authority shall (i) cover an area of such size and dimensions as the licensing authority may determine, with due regard given to providing for a satisfactory return of investment (ii) be for a period of not more than fifty years, with the option of renewal, provided that operations are conducted with the approval of the licensing authority (iii) require the payment to the licensing authority of such fee or royalty as may be specified in the lease (iv) require that such lease will terminate within a period of not more than ten years in the absence of operations thereunder unless the licensing authority approves an extension of the period of such license, and (v) contain such other reasonable requirements as the licensing authority may deem necessary to implement the provisions of this Article and to provide for the most efficient exploitation of resources possible, consistent with the conservation and prevention of the waste of the natural resources of the seabed and subsoil of ocean space.

"(b) If two or more States apply for licenses to engage in the exploration of the seabed and subsoil of ocean space or the exploitation of its natural resources in the same area or areas of ocean space, the licensing authority shall, to the greatest extent feasible and practicable, encourage cooperative or joint working relations between such States and be guided by the principle that ocean space shall be free for use by all States, without discrimination of any kind, on a basis of equality of opportunity. But, if it proves impractical for the license to be shared, the licensing authority shall determine which State shall receive the license with due regard given to the encouragement of the development of the technologically developing States.

"(c) A coastal State has a special interest in the conservation of the natural resources of the seabed and subsoil of ocean space adjacent to its territorial sea and continental shelf and this interest shall be taken into account by the licensing authority.

"(d) A coastal State is entitled to take part on an equal footing in any system of research and regulation for purposes of conservation of the natural resources of the seabed and subsoil of ocean space in that area, even though its agencies or nationals do not engage in exploration there or exploitation of its natural resources.

"(e) The exploration of the seabed and subsoil of ocean space and the exploitation of its natural resources must not result in any unjustifiable interference with navigation, fishing, or the conservation of the living resources of the sea, nor result in any interference with fundamental oceanographic or other scientific research carried out with the intention of open publication.

"(f) A State or international organization holding a license is obliged to undertake, in the area covered by such license, all appropriate measures for the protection of the living resources of the sea from harmful agents and shall pursue its activities so as to avoid the harmful contamination of the environment of such area.

"5. Subject to appropriate regulations prescribed by the licensing authority and to the following provisions, a State or international organization holding a license is entitled to construct and maintain or operate on the seabed and subsoil of ocean space installations and other devices necessary for its exploration and the exploitation of its natural resources, and to establish safety zones around such installations and devices and to take in those zones measures necessary for their protection:

"(a) The safety zones referred to in this paragraph may extend to a distance of 500 metres radius around the installations and other devices which have been erected, measured from each point of their outer edge. Ships of all nationalities must respect these safety zones.

"(b) Such installations and devices do not possess the status of islands and have no territorial sea of their own.

"(c) Due notice must be given of the construction of any such installations, and permanent means for giving warning of their presence must be maintained. Any installations which are abandoned or disused must be entirely removed by the State or international organization responsible for its construction.

"(d) Neither the installations or devices, nor the safety zones around them, may be established where interference may be caused to the use of recognized sea lanes essential to international commerce and navigation.

"6. To the greatest extent feasible and practicable, the licensing authority shall disseminate immediately and effectively information and data received by it from license owners regarding their activities in ocean space.

"7. If a license owner has reason to believe that an activity or experiment planned by it or its nationals or nongovernmental entities in the area covered by its license would cause potentially harmful interference with activities of other States in the peaceful exploration and exploitation of such area of ocean space, it shall undertake appropriate international consultations and obtain the consent of the licensing authority before proceeding with any such activity or experiment. Any interested State which has reason to believe that an activity or experiment planned by a license owner would cause potentially harmful interference with activities in the peaceful exploration and exploitation of submarine areas of ocean space may request consultation concerning the activity or experiment and submit a request for consideration of its complaint to the licensing authority, which may order that the activity or experiment shall be suspended, modified, or prohibited. Review of any such order shall be allowed in accordance with the provisions of paragraphs 12 through 16 of this Article.

"8. All stations, installations, equipment, and sea vehicles, machines, and capsules used on the seabed or in the subsoil of ocean space, whether manned or unmanned, shall be open to representatives of the licensing authority, except that if there is objection to this procedure by the licensee, such facilities shall be open only to the Sea Guard of the United Nations as set forth in Article VII of this Declaration.

"9. Whenever a license owner fails to comply with any of the provisions of a license issued to it under this Article, such license may be canceled by the licensing authority upon thirty days notice to the license owner, but subject to the right of the license owner to correct any failure of compliance within a reasonable period of time to be specified by the licensing authority, and, in any event, to request review of the decision of the licensing authority as set forth in paragraphs 12 through 16 of this Article.

"10. Any dispute which may arise under this Article between license owners and the licensing authority, shall first be submitted for settlement by the licensing authority, which shall determine its own procedure, assuring each party a full opportunity to be heard and to present its case.

"11. In all cases of disputes under this Article, whether among license owners or between license owners and the licensing authority, the licensing authority shall be empowered to make awards.

"12. In the case of any dispute under this Article, if the licensing authority shall not have rendered its decision within a reasonable period of time or if any party to a dispute under this Article desires review of the decision of the licensing authority, such dispute shall, at the request of any of the parties, be submitted to a standing review panel which shall consist of not more than three members to be appointed by the International Court of Justice. The decision of the licensing authority shall be final and binding upon all parties to a proceeding before it unless a request for a review of such decision is made under this paragraph within a period of thirty days from receipt by such parties of notice of such decision.

"13. No two members of the panel may be nationals of the same State. No member may participate in the decision of any case if he has previously taken part in such case in any capacity or if he is a national of any party involved in the case.

"14. Members of the panel shall serve at the pleasure of the International Court of Justice. The Court shall fix the salaries, allowances, and compensation of members of the panel. The expenses of the panel shall be borne by each party to proceedings before the panel in such a manner as shall be decided by the Court.

"15 The panel shall determine its own procedure, assuring each party to the proceeding a full opportunity to be heard and to present its case.

"16. The panel shall hear and determine each case within a period of ninety days from receipt of a request for review of such case, unless it decides, in case of necessity, to extend the time limit for a period not exceeding thirty additional days. The decision of the panel shall be majority vote and shall be final and binding upon the parties to the proceeding; except that if any party to the proceeding desires review of the decision, or if the panel has failed to render its decision within the period prescribed in the preceding sentence, the case shall be within the compulsory jurisdiction of the International Court of Justice as contemplated by paragraph 1 of Article 36 of the Statute of the International Court of Justice, and may accordingly be brought before the Court by an application made by such party.

"IV—USE OF SEABED AND SUBSOIL OF OCEAN SPACE FOR PEACEFUL PURPOSES ONLY

"1. The seabed and subsoil of submarine areas of ocean space shall be used for peaceful purposes only.

"2. The prohibitions of this Article shall not be construed to prevent—

"(a) the use of military personnel or equipment for scientific research or for any other peaceful purpose;

"(b) the temporary use or stationing of any military submarines on the seabed or subsoil of ocean space if such submarines are not primarily designed or intended for use or stationing on the seabed or subsoil of ocean space; or

"(c) the use or stationing of any device on or in the seabed or subsoil of ocean space which is designed and intended for purposes of submarine or weapons detection, identification, or tracking.

"3. All States shall refrain from the implacement or installation on or in the seabed or subsoil of ocean space of any objects containing nuclear weapons or any kinds of weapons of mass destruction, or the stationing of such weapons on or in the seabed or subsoil of ocean space in any other manner.

"4. All States shall furthermore refrain from causing, encouraging, or in any way participating in the conduct of the activities described in paragraph 3 of this Article.

"5. All stations, installations, equipment, and sea vehicles, machines, and capsules, whether manned or unmanned, on the seabed or in the subsoil of ocean space shall be open to representatives of other States on a basis of reciprocity, but only with the consent of the State concerned. Such representatives shall give reasonable advance notice of a projected visit in order that appropriate consultations may be held and that maximum precautions may be taken to assure safety and to avoid interference with normal operations in the facility to be visited. All such facilities shall be open at any time to the Sea Guard of the United Nations referred to in Article VII of this Declaration, subject to the control of the Security Council as set forth in such Article.

"V—REGULATIONS ON THE DISPOSAL OF RADIOACTIVE WASTE MATERIAL IN OCEAN SPACE

"1. The disposal of radioactive waste material in ocean space shall be subject to safety regulations to be prescribed by the International Atomic Energy Agency, in consultation with the licensing authority referred to in Article III of this Declaration.

"2. In the event of the conclusion of any other international agreements concerning the use of nuclear energy, including the disposal of radioactive waste material, to which all of the original parties to the international agreement implementing these principles and parties, the rules established under such agreements shall apply in ocean space.

"VI—LIMITS OF CONTINENTAL SHELF

"In order to assure freedom of the exploration and exploitation of ocean space and its resources as provided in this Declaration, there is a clear necessity that fixed limits must be set for defining the outer boundaries of the continental shelf of coastal States. For the purpose of the provisions of this Declaration, the term 'continental shelf' is used as referring (a) to the seabed and subsoil of the submarine areas adjacent to the coast but outside the area of the territorial sea to a depth of 550 metres, or to a distance of 50 miles from the baseline from which the breadth of the territorial sea is measured, whichever results in the greatest area of continental shelf, (b) to the seabed and subsoil of similar submarine areas adjacent to the coasts of islands. In no case, however, shall the continental shelf be considered for such purposes to encompass an area greater than the area (exclusive of territorial sea) of the State or island to which it is adjacent. Recognizing the desirability of achieving agreement on unsettled questions relating to defining the boundaries of the continental shelf, States shall accept any agreements which may be reached in the event a conference is convened to consider such questions as provided for in Article 13 of the Convention on the Continental Shelf, adopted at Geneva on 29 April 1958; and any agreement so reached shall become effective for purposes of this Declaration when approved by the conference.

"VII—SEA GUARD

"1. In order to promote the objectives and ensure the observance of the principles set forth in this Declaration there shall be established as a permanent force a Sea Guard of the United Nations which may take such action as may be necessary to maintain and enforce international compliance with these principles.

"2. The Sea Guard shall be under the control of the Security Council of the United Nations, in consultation with the licensing authority referred to in Article III of this Declaration. Paragraph 3 of Article 27 of the Charter of the United Nations shall be applicable to decisions of the Security Council made with respect to the Sea Guard. The licensing authority shall be responsible under the Security Council for the supervision of the Sea Guard in connection with the performance by the Sea Guard of such duties as the licensing authority may deem appropriate to assign or delegate to the Sea Guard for purposes of the implementation of Article III of this Declaration.

"3. States are encouraged to provide to the Sea Guard such personnel and suitable scientific and sea patrol vessels as are necessary for the establishment and maintenance of the Sea Guard.

"VIII—NATIONAL LAWS TO APPLY TO CRIMES IN OCEAN SPACE PENDING INTERNATIONAL AGREEMENT ON CODE OF CRIMINAL LAW

"Pending agreement upon an international code of law governing criminal activities in ocean space and the institution of an appropriate tribunal with jurisdiction over violations of such code of law, personnel of States and non-governmental entities of States and international organizations engaged in activities of exploration or exploitation in ocean space shall be subject only to the jurisdiction of the State of which they are nationals or the State which bears responsibility for their activities in respect of all acts or omission occurring while they are in ocean space, unless otherwise provided for by international law or in this Declaration;

"*Requests* the Committee on the Peaceful Uses of the Seabed and Ocean Floor beyond the Limits of National Jurisdiction established by General Assembly resolution 2467A (XXIII) of 20 December 1968 to prepare a draft international agreement to implement the principles set forth in this Declaration;

"*Requests* the Committee on the Peaceful Uses of the Seabed and Ocean Floor beyond the Limits of National Jurisdiction to report to the twenty-fifth session of the General Assembly on the progress of its work on such draft agreement."

HEARINGS ON SHIPMENT OF LETHAL NERVE GAS ACROSS COUNTRY BY RAIL

(Mr. GALLAGHER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GALLAGHER. Mr. Speaker, recently the House Foreign Affairs Subcommittee on International Organizations and Movements, which I have the privilege to chair, held hearings on the Army's proposed shipment of lethal nerve gas across the country by rail. Fortunately, the subcommittee has been successful in urging the Army to follow recommendations of the National Academy of Sciences in detoxifying and burning the gas at the various storage sites.

But, the issue of nerve gas disposal continues to trouble our society. Voices have been raised throughout our Nation in opposition to the continuing proposals to ship various forms of the gas, contained in canisters or rockets, to seaboard ports for dumping in the ocean. The international implications of such ocean-dump proposals are as staggering as the threat to human life.

Mr. Speaker, in the midst of all the eloquent arguments against the dumping proposals, we find perhaps the most articulate, sensitive, and perceptive statements in a series of letters I received from a fourth-grade elementary school class in New Providence, N.J.

The teacher of that class, Mrs. Albert Boyance, conducted a discussion of current events in which the subject of the Army's proposed shipments arose. The children in the class concluded that the proposal was not wise and wrote to me expressing their concern.

Mr. Speaker, these are among the most moving and fascinating letters I have ever received. To be sure, Mrs. Boyance must be congratulated for conducting this discussion on public affairs and in suggesting the letters. But what is truly inspiring here is the simple eloquence and concern expressed by members of the class. We find a reverence for life which transcends all other considerations. It is this reverence which is so tragically absent from so many deliberations in our Government.

If there is a generation gap here, it is only that the wisdom in these letters is far beyond the years of their authors. One cannot help but wish that our own discussions could be as straightforward and clear as those of this fourth-grade class. Here we find no statistics, no charts, no computers, no chemical analyses of the pros and cons of sending the gas up, down, or straight across; rather, the leitmotif is simple: nerve gas is deadly, and deadly materials are not for dumping in the ocean or transporting through populated cities.

Mr. Speaker, in simplicity there is often more than grace; there is, indeed, truth. The words of Mrs. Boyance's class say it all better than I; so, I am placing the text of these letters in the RECORD at this point that the Members of this House may consider the pearls of wisdom which have come out of the mouths of babes:

NEW PROVIDENCE, N.J.,
May 20, 1969.

DEAR MR. GALLAGHER: I am very worried about them putting the Nerve gas in the ocean. They will kill many things in the ocean. I hope they change their minds about the nerve gas.

Thank you.

KAREN TUSCANO.

NEW PROVIDENCE, N.J.,
May 20.

DEAR MR. GALLAGHER: This nerve gas is very dangerous. I think you better stop it now. A lot of lives are in danger. These riots for example, some people could smash it. Why couldn't you freeze it? Nobody could smash it then. But please do something.

From,

LAURA A. NEVILL.

NEW PROVIDENCE, N.J.,
May 20, 1969.

DEAR MR. GALLAGHER: Our fourth grade is very interested about the nerve gas. I would be very happy and so would a lot of people if you could do something about it. Because a great deal of lives are in danger. I would rather have them take it apart than lose my life. Maybe we could get a paper started and have people sign their names. I hope you will do something.

Sincerely yours,

KATHLEEN A. HAYES.

NEW PROVIDENCE, N.J.,
May 21, 1969.

DEAR MR. GALLAGHER: Could you find out for me if they could put the nerve gas somewhere it wouldn't pollute the oceans and be a danger to people's lives? I am very concerned about this affair. I think that others should be concerned about it, too.

Sincerely,

DENISE FUCHS.

NEW PROVIDENCE, N.J.,
May 21, 1969.

DEAR MR. GALLAGHER: I think the Army should send the nerve gas to a woods or land that isn't being used and bury it. If they put it in the ocean people won't be able to swim in it.

Yours truly,

NANCY LIDDY.

NEW PROVIDENCE, N.J.,
May 20, 1969.

DEAR MR. GALLAGHER: I am firmly against the shipment of nerve gas across the state. Especially through Elizabeth. It is a very populated city and many people could be killed with that turn in the railroad. But I suppose railroad is the cheapest. I presume that the army doesn't care about nature and just *has* to have money in their pockets. Let men die but at least let nature live on. But man wants to live too. Why take the chance of all death? Stop the nerve gas shipment. I want all forms of life to live but not with pollution.

Sincerely,

LIA M. COOPER.

NEW PROVIDENCE, N.J.,
May 20, 1969.

DEAR MR. GALLAGHER: How come the Army is shipping nerve gas across the country? If they put the nerve gas in the ocean it will kill the fish and we will eat them. I do not think it is right. Do you? The Army has not been fair to their country.

What if a can of nerve gas breaks?

Yours truly,

KAYDEE FAIRMAN.

NEW PROVIDENCE, N.J.
May 20, 1969.

DEAR MR. GALLAGHER: I would like to tell you that I think dumping the gas in the ocean is not a very good idea. It could kill all the fish and sea turtles and the rest of the living things in the ocean. And we couldn't go swimming any more. I would like it if you would make up your mind which one of the two are you going to do. I would rather you to break it down so it will then be harmless, to animals, plants, and especially to people.

Sincerely yours,

MEG MORONEY.

NEW PROVIDENCE, N.J.,
May 20, 1969.

DEAR MR. GALLAGHER: When they ship the nerve gas across country what if an accident happens and the tanks burst open or they burst when they get it to a great depth in the ocean? It would be more adivsable to take the gas apart.

Sincerely,

MICHAL RADOM.

NEW PROVIDENCE, N.J.,
May 20, 1969.

DEAR MR. GALLAGHER: I think that the nerve gas should not be shipped across our State. The Army should neutralize it where it is!

Yours truly,

BRAD TOMLINSON.

NEW PROVIDENCE, N.J.,
May 20, 1969.

DEAR MR. GALLAGHER: I am very concerned about this nerve gas. It is not right for them to put nerve gas in the ocean. Just think how would they like it if they were a fish and someone came along and dumped nerve gas near you and you died. Why can't they just take it apart? Because they're just lazy. It will pollute the water, too.

Sincerely,

RACHAEL ROBERTS.

NEW PROVIDENCE, N.J.,
May 20, 1969.

DEAR MR. GALLAGHER: I do not think that the Army should dump the nerve gas in the ocean because it will kill the people when they go swimming and it will kill the seaweed too. And it will kill the fish and we will not have any more fish to eat.

Yours truly,

RUTH ANN FARAGI.

NEW PROVIDENCE, N.J.,
May 21.

DEAR MR. GALLAGHER: Our class has been talking about the nerve gas. I think that it is better to take the nerve gas apart since they can put it together they should be able to take it apart so that it would not hurt anything. I would like you to use your influence to stop them from shipping the nerve gas then dumping it in the ocean.

MARY STASHBIK.

SUMMIT, N.J.,
May 20, 1969.

DEAR MR. GALLAGHER: I would be glad if you could tell me about the nerve gas. The army wants to put it in the ocean but some big fish like a shark could break the can. But what will happend if they burn the gas? I think it will give out more pollution in the air which we don't need. After years to come the ocean can get polluted. So I would like to know why it can't be stopped.

PETER PAUL SECOLI II.

NEW PROVIDENCE, N.J.,
May 20, 1969.

DEAR SIR: In class we were talking about the shipment of nerve gas. I think that they should break it down into something useful. They should at least destroy it. They said that by the time the cans deteriorated the nerve gas would be destroyed. Why take chances? If it wasn't destroyed by then it would pollute all the water in the world little by little. Why risk the whole world if the nerve gas can be destroyed in another way?

DAVID SMITH.

NEW PROVIDENCE, N.J.,
May 21, 1969.

DEAR MR. GALLAGHER: About the nerve gas. Why can't the army keep it where it is? Also I read in the paper that the nerve gas can be made so it is not harmful but it will cost about a million dollars. Which would they rather have people die or use a million dollars? I think they should think about that. I think somebody that could do something about this should read this letter.

Sincerely yours,

JANET STUMPF.

NEW PROVIDENCE, N.J.,
May 20, 1969.

DEAR MR. GALLAGHER: I think it is terrible for the army to dump the nerve gas into the ocean. Anything could happen. If the container broke it might kill the fish and other life under the ocean if it got that far. It might break on the train and kill other people. I think you should use your influence to make them think about other ways to dispose of it before it's too late. Thank you.

Your friend,

EILEEN ARNOLD.

NEW PROVIDENCE, N.J.,
May 21, 1969.

DEAR MR. GALLAGHER: I am concerned about the nerve gas travels. I don't think that it is safe to put it in the ocean. I think that it could make water pollution. I think that they should think more about it.

Sincerely,

JANET WINKELMAN.

NEW PROVIDENCE, N.J.,
May 20, 1969.

DEAR SIR: That nerve gas is getting to be a problem. I think we should burn it. If they put it into space it might land on something and blow up. And we might live there some day. They shouldn't put it in the sea because there are so many things in the sea it all might blow up! Only one thing about burning it, it might blow up!

From,

DEIRDRE GEDDIS.

NEW PROVIDENCE, N.J.
May 20, 1969.

DEAR MR. GALLAGHER: I think if they dumped the nerve gas in the water the cans would open and the fish may drink it then the men that catch the fish may get sick and may die.

MARY JANE NATALE.

NEW PROVIDENCE, N.J.,
May 20, 1969.

DEAR MR. GALLAGHER: How come you can't make the nerve gas into something useful or burn it or find some way to destroy it? Because if some cans are broken some people could die. That is not very good to ship it across Elizabeth or the rest of the country.

STEVE CLYDE.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SIKES (at the request of Mr. ALBERT), for today, on account of official business.

Mr. CAREY (at the request of Mr. ALBERT), for Thursday, July 10, 1969, on account of death in family.

Mr. THOMPSON of New Jersey, for July 14, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PATMAN, for 60 minutes on July 14, and 60 minutes on July 15, and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. CAMP) and to revise and extend their remarks and include extraneous matter:)

Mr. HALPERN, for 10 minutes, today.

Mr. EDWARDS of Alabama, for 5 minutes, today.

Mr. SAYLOR, for 30 minutes, today.

Mr. WATSON, for 10 minutes, today.

(The following Members (at the request of Mr. JONES of Tennessee) and to revise and extend their remarks and include extraneous matter:)

Mr. REUSS, for 10 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. STAGGERS, for 15 minutes, today.

Mr. LOWENSTEIN, for 30 minutes, on July 15.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

All Members (at the request of Mr. JONES of Tennessee) to have 5 legislative days to extend their remarks on the special order given by Mr. DIGGS today.

(The following Members (at the request of Mr. CAMP) and to include extraneous matter:)

Mr. HASTINGS.
Mrs. HECKLER of Massachusetts.
Mr. HALPERN.
Mr. LATTA.
Mr. BOB WILSON.
Mr. THOMPSON of Georgia.
Mr. ZWACH.
Mr. SCHADEBERG.
Mr. KUYKENDALL.
Mr. STEIGER of Wisconsin in two instances.
Mr. SCHNEEBELI.
Mr. REID of New York.
Mr. WYMAN in two instances.
Mr. BROTZMAN.
Mr. BROCK.
Mr. SAYLOR.
Mr. JOHNSON of Pennsylvania.

(The following Members (at the request of Mr. JONES of Tennessee:))

Mr. ANDREWS of Alabama.
Mr. CULVER.
Mr. MATSUNAGA.
Mr. BRASCO.
Mr. GAYDOS in three instances.
Mr. REES.
Mr. ANNUNZIO in five instances.
Mr. EDWARDS of California in two instances.
Mr. MURPHY of New York.
Mr. RARICK in three instances.
Mr. RYAN in five instances.
Mr. BINGHAM in two instances.
Mr. NICHOLS in two instances.
Mr. GONZALEZ in two instances.
Mr. BLATNIK in four instances.
Mr. RANDALL in two instances.
Mr. ANDERSON of California.
Mr. THOMPSON of New Jersey.
Mr. WOLFF in three instances.
Mr. GREEN of Pennsylvania in two instances.
Mr. CHARLES H. WILSON.
Mr. DULSKI in three instances.
Mr. RODINO.
Mr. GRIFFIN in two instances.
Mr. EVINS of Tennessee in four instances.
Mr. REUSS in six instances.
Mr. EDMONDSON in three instances.
Mr. WILLIAM D. FORD.
Mr. ECKHARDT in two instances.
Mr. ROONEY of Pennsylvania in two instances.
Mr. BOGGS in two instances.
Mr. MOORHEAD in two instances.

ENROLLED BILL SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4153. An act to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard.

ADJOURNMENT

Mr. JONES of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 4 minutes p.m.) under its previous order, the House adjourned until Monday, July 14, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

941. A letter from the Administrator, Foreign Agricultural Service, U.S. Department of Agriculture, transmitting a report of agreements signed under Public Law 480 in May and June 1969 for foreign currencies, pursuant to the provisions of Public Law 85-128; to the Committee on Agriculture.

942. A letter from the Secretary of Transportation, transmitting a report of an Antideficiency Act violation by the Federal Aviation Administration, pursuant to the provisions of section 3679 of the Revised Statutes, as amended (31 U.S.C. 665(1)(2)); to the Committee on Appropriations.

943. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to adjust the salaries of the Chairman, the Vice Chairman, and other members of the District of Columbia Council; to the Committee on the District of Columbia.

944. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to establish a Volunteers in the Park program, and for other purposes; to the Committee on Interior and Insular Affairs.

945. A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to acquire certain property adjacent to the Ford's Theatre in the District of Columbia, and for other purposes; to the Committee on Interior and Insular Affairs.

946. A letter from the Attorney General, transmitting a report relative to the awarding of the Young American Medals for Bravery and Service for 1967, pursuant to the provisions of the act of August 3, 1950; to the Committee on the Judiciary.

947. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to improve the administration of the leave system for Federal employees by amending title 5, United States Code; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. TEAGUE of Texas: Committee on Veterans' Affairs, H.R. 11959. A bill to amend chapters 31, 34, and 35 of title 38, United States Code, in order to increase the rates of vocational rehabilitation, educational assistance, and special training allowance paid to eligible veterans and persons under such chapters; with amendment (Rept. No. 91-360). Referred to the Committee of the Whole House on the State of the Union.

Mrs. HANSEN of Washington: Committee on Appropriations. H.R. 12781. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1970, and for other purposes (Rept. No. 91-361). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 257. A bill to prohibit the intimidation, coercion, or annoyance of a person officiating at or attending a religious service or ceremony in a church in the District of Columbia (Rept. No. 91-362). Referred to the House Calendar.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 4183. A bill to provide that the widow of a retired officer or member of the Metropolitan Police Department or the Fire Department of the District of Columbia who married such officer or member after his retirement may qualify for survivors benefits; with amendment (Rept. No. 91-363). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 4184. A bill to equalize the retirement benefits for officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia who are retired for permanent total disability; with amendment (Rept. No. 91-364). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 6947. A bill to amend the act of October 13, 1964, to regulate the location of chanceries and other business offices of foreign governments in the District of Columbia; with amendment (Rept. No. 91-365). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 9548. A bill to amend section 15-503 of the District of Columbia Code with respect to exemptions from attachment and certain other process in the case of persons not residing in the District of Columbia (Rept. No. 91-366). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 9549. A bill to amend the act entitled "An act to regulate the practice of podiatry in the District of Columbia," approved May 23, 1918, as amended; with amendment (Rept. No. 91-367). Refererd to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 9551. A bill to amend the act of July 11, 1947, to authorize members of the District of Columbia Fire Department, the U.S. Park Police force, and the White House Police force to participate in the Metropolitan Police Department Band, and for other purposes; with amendment (Rept. No. 91-368). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 9553. A bill to amend the District of Columbia Minimum Wage Act to authorize the computation of overtime compensation for hospital employees on the basis of a 14-day work period (Rept. No. 91-369). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 4181. A bill to amend title 12, District of Columbia Code, to provide a limitation of actions for actions arising out of death or injury caused by a defective or unsafe improvement to real property (Rept. No. 91-370). Referred to the House Calendar.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 1783. A bill to incorporate the Paralyzed Veterans of America; with amendment (Rept. No. 91-371). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR (for himself, Mr. Bray, Mr. Roudebush, Mr. Myers, and Mr. Landgrebe):

H.R. 12721. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. FASCELL:

H.R. 12722. A bill to establish a committee to examine the oversea information activities of the U.S. Government, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BURTON of California:

H.R. 12723. A bill to provide benefits for members and survivors of members of the Philippine Scouts on the same basis as such benefits are provided for other members of the Armed Forces and their survivors, and for other purposes; to the Committee on Armed Services.

By Mr. CORMAN:

H.R. 12724. A bill to expedite delivery of special delivery mail, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DADDARIO:

H.R. 12725. A bill to amend the Internal Revenue Code of 1954 to encourage higher education, and particularly the private funding thereof, by authorizing a deduction from gross income of reasonable amounts contributed to a qualified higher education fund established by the taxpayer for the purposes of funding the higher education of his dependents; to the Committee on Ways and Means.

By Mr. EDWARDS of Alabama (for himself, Mr. Pollock, Mr. Andrews of Alabama, Mr. Button, Mr. Friedel, and Mr. Beall of Maryland):

H.R. 12726. A bill to provide for an examination of U.S. Government public information activities in foreign countries; to the Committee on Foreign Affairs.

By Mr. EILBERG:

H.R. 12727. A bill to provide cost-of-living adjustments for employees in the postal field service; to the Committee on Post Office and Civil Service.

By Mr. ESCH:

H.R. 12728. A bill to end discrimination in the availability of Federal crop insurance; to the Committee on Agriculture.

By Mr. GRAY:

H.R. 12729. A bill to authorize appropriations to be used for the elimination of certain rail-highway grade crossings in the State of Illinois; to the Committee on Public Works.

By Mrs. GRIFFITHS:

H.R. 12730. A bill to continue certain rules relating to the deductibility of accrued vacation pay; to the Committee on Ways and Means.

By Mr. HALEY:

H.R. 12731. A bill to amend section 5723(b) of title 5, United States Code, relating to length of service required by teachers in Bureau of Indian Affairs schools when travel and transportation expenses are paid to first post of duty; to the Committee on Government Operations.

H.R. 12732. A bill to designate certain lands within the Passage Key National Wildlife Refuge in Florida as "wilderness"; to the Committee on Interior and Insular Affairs.

By Mr. HANNA (for himself and Mr. Annunzio):

H.R. 12733. A bill to amend section 3(d) of the Bank Holding Company Act of 1956; to the Committee on Banking and Currency.

By Mr. HATHAWAY:

H.R. 12734. A bill to amend the Social Security Act; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 12735. A bill to provide that the membership of local selective service boards reflect the ethnic and economic nature of the areas served by such boards; to the Committee on Armed Services.

H.R. 12736. A bill to promote public health and welfare by expanding, improving, and better coordinating the family planning services and population research activities of the Federal Government, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 12737. A bill to amend the Public Health Service Act so as to add to such act a new title dealing especially with kidney disease and kidney-related diseases; to the Committee on Interstate and Foreign Commerce.

H.R. 12738. A bill to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; to the Committee on Post Office and Civil Service.

H.R. 12739. A bill to provide increased annuities under the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

H.R. 12740. A bill to provide for the issuance of a commemorative postage stamp in honor of Anthony Sadowski; to the Committee on Post Office and Civil Service.

H.R. 12741. A bill to amend the Internal Revenue Code of 1954 to provide that the first $5,000 received as civil service retirement annuity from the United States or any agency thereof shall be excluded from gross income; to the Committee on Ways and Means.

By Mr. KAZEN:

H.R. 12742. A bill to prohibit the dissemination through interstate commerce or the mails of materials harmful to persons under the age of 18 years, and to restrict the exhibition of movies or other presentations harmful to such persons; to the Committee on the Judiciary.

By Mr. LOWENSTEIN:

H.R. 12743. A bill to amend the Military Selective Service Act of 1967 clarifying the definition of conscientious objector so as to specifically include conscientious objection to military service in a particular war and to remove the requirement of religious training and belief; to the Committee on Armed Services.

By Mr. McCLURE (for himself, Mr. Aspinall, Mr. Dulski, Mr. Garmatz, Mr. Mills, Mr. Rivers, Mr. Teague of Texas, Mr. Beall of Maryland, Mr. Blackburn, Mr. Brown of Michigan, Mr. Cowger, Mr. Griffin, Mr. Halpern, Mr. Hanna, Mr. Johnson of Pennsylvania, Mr. Minish, Mr. Mize, Mr. Stanton, Mr. Williams, Mr. Wylie, Mr. Adair, Mr. Addabbo, Mr. Anderson of Tennessee, Mr. Andrews of North Dakota, and Mr. Ashbrook):

H.R. 12744. A bill to authorize the minting of clad silver dollars bearing the likeness of the late Dwight David Eisenhower; to the Committee on Banking and Currency.

By Mr. McCLURE (for himself, Mr. Ayres, Mr. Baring, Mr. Belcher, Mr. Berry, Mr. Betts, Mr. Biester, Mr. Bray, Mr. Broomfield, Mr. Brotzman, Mr. Brown of Ohio, Mr. Buchanan, Mr. Burke of Florida, Mr. Burton of Utah, Mr. Camp, Mr. Carter, Mr. Cederberg, Mr. Don H. Clausen, Mr. Cleveland, Mr. Collier, Mr. Conable, Mr. Coughlin, Mr. Cramer, Mr. Cunningham, and Mr. Dellenback):

H.R. 12745. A bill to authorize the minting of clad silver dollars bearing the likeness of the late Dwight David Eisenhower; to the Committee on Banking and Currency.

By Mr. McCLURE (for himself, Mr. Denney, Mr. Derwinski, Mr. Devine, Mr. Dickinson, Mr. Duncan, Mr. Edmundson, Mr. Erlenborn, Mr. Eshleman, Mr. Findley, Mr. Fish, Mr. Flynt, Mr. Foley, Mr. Foreman, Mr. Fulton of Tennessee, Mr. Goodling, Mr. Grover, Mr. Gubser, Mr. Hansen of Idaho, Mr. Hawkins, Mr. Hicks, Mr. Hungate, Mr. Hunt, Mr. Johnson of California, and Mr. King):

H.R. 12746. A bill to authorize the minting of clad silver dollars bearing the likeness of the late Dwight David Eisenhower; to the Committee on Banking and Currency.

By Mr. McCLURE (for himself, Mr. Kleppe, Mr. Kuykendall, Mr. Kyl, Mr. Langen, Mr. Leggett, Mr. Lloyd, Mr. Lukens, Mr. MacGregor, Mr. McCloskey, Mr. McCulloch, Mr. McDade, Mr. McDonald of Michigan, Mr. Martin, Mr. Mathias, Mrs. May, Mr. Mayne, Mr. Meskill, Mr. Michel, Mr. Miller of Ohio, Mr. Mizell, Mr. Montgomery, Mr. Myers, Mr. Nelsen, and Mr. Nichols):

H.R. 12747. A bill to authorize the minting of clad silver dollars bearing the likeness of the late Dwight David Eisenhower; to the Committee on Banking and Currency.

By Mr. McCLURE (for himself, Mr. Olsen, Mr. Pelly, Mr. Pettis, Mr. Pollock, Mr. Price of Texas, Mr. Railsback, Mrs. Reid of Illinois, Mr. Reifel, Mr. Rhodes, Mr. Riegle, Mr. Rogers of Florida, Mr. Rooney of Pennsylvania, Mr. Ruppe, Mr. Sandman, Mr. Schadeberg, Mr. Scott, Mr. Sebelius, Mr. Sisk, Mr. Skubitz, Mr. Slack, Mr. Smith of New York, Mr. Snyder, Mr. Steiger of Arizona, and Mr. Steiger of Wisconsin):

H.R. 12748. A bill to authorize the minting of clad silver dollars bearing the likeness of the late Dwight David Eisenhower; to the Committee on Banking and Currency.

By Mr. McCLURE (for himself, Mr. Stuckey, Mr. Talcott, Mr. Thompson of Georgia, Mr. Thomson of Wisconsin, Mr. Tunney, Mr. Ullman, Mr. Utt, Mr. Wampler, Mr. Watkins, Mr. Watson, Mr. Weicker, Mr. Whitehurst, Mr. Wiggins, Mr. Bob Wilson, Mr. Winn, Mr. Wold, Mr. Wright, Mr. Wyatt, Mr. Wyman, Mr. Yatron, Mr. Zwach, Mr. Mailliard, Mr. Hastings, and Mr. Quie):

H.R. 12749. A bill to authorize the minting of clad silver dollars bearing the likeness of the late Dwight David Eisenhower; to the Committee on Banking and Currency.

By Mr. McFALL:

H.R. 12750. A bill to amend section 403(b) of the Federal Aviation Act of 1958 to permit the granting of reduced-rate transportation to guides or dog guides accompanying totally blind persons; to the Committee on Interstate and Foreign Commerce.

By Mrs. MINK:

H.R. 12751. A bill to amend the Federal Hazardous Substances Act to authorize the Secretary of Health, Education, and Welfare to ban glue and paint products containing toxic solvents; to the Committee on Interstate and Foreign Commerce.

By Mr. MONAGAN:

H.R. 12752. A bill to amend the Federal Property and Administrative Services Act of 1949 with respect to donable surplus property, and for other purposes; to the Committee on Government Operations.

By Mr. PODELL:

H.R. 12753. A bill to amend the Federal Food, Drug, and Cosmetic Act, as amended, to require that the label of drug containers, as dispensed to the patient, bear the established name of the drug dispensed; to the Committee on Interstate and Foreign Commerce.

By Mr. REID of New York:

H.R. 12754. A bill to provide additional protection for the rights of participants in employee pension and profit-sharing retirement plans, to establish minimum standards for pension and profit-sharing retirement plan vesting and funding, to establish a pension plan reinsurance program, to provide for portability of pension credits, to provide for regulation of the administration of pension and other employee benefit plans, to establish a U.S. Pension and Employee Benefit Plan Commission, and for other purposes; to the Committee on Education and Labor.

H.R. 12755. A bill to amend the Immigration and Nationality Act to provide for the issuance of nonimmigrant visas to certain aliens entering the United States under contracts of employment, and for other purposes; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 12756. A bill to require that State plans under titles I and XVI of the Social Security Act provide for the establishment and maintenance of health and safety standards for rental housing occupied by recipients of assistance under such titles; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 12757. A bill to amend the act of August 31, 1964, providing for the establishment of the Allegheny Portage Railroad National Historic Site and the Johnstown Flood National Memorial in the State of Pennsylvania; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR (for himself and Mr. Skubitz):

H.R. 12758. A bill to authorize the Secretary of the Interior to establish a Volunteers in the Park program, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WAMPLER:

H.R. 12759. A bill to amend chapter 44 of title 18, United States Code, to provide that such chapter shall not apply with respect to the sale or delivery of certain ammunition for rifles or shotguns; to the Committee on the Judiciary.

By Mr. WATSON:

H.R. 12760. A bill to amend title 28 of the United States Code, "Judiciary and Judicial Procedure," and incorporate therein provisions relating to the U.S. Labor Court, and for other purposes; on the Committee on the Judiciary.

By Mr. CHARLES H. WILSON:

H.R. 12761. A bill to establish a Joint Committee on Environmental Quality; to the Committee on Rules.

H.R. 12762. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1 200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. BUSH:

H.R. 12763. A bill to incorporate the Historic Naval Ships Association; to the Committee on the Judiciary.

By Mr. BUSH (for himself, Mr. Fisher, and Mr. Roberts):

H.R. 12764. A bill to amend the Submerged Lands Act to establish the coastline of certain States as being, for the purposes of that act, the coastline as it existed at the time of entrance into the Union; to the Committee on the Judiciary.

By Mr. DORN:

H.R. 12765. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

H.R. 12766. A bill to authorize the minting of clad silver dollars bearing the likeness of the late Dwight David Eisenhower; to the Committee on Banking and Currency.

By Mr. GAYDOS:

H.R. 12767. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HALPERN:

H.R. 12768. A bill to amend section 3(d) of the Bank Holding Company Act of 1956; to the Committee on Banking and Currency.

By Mr. HORTON:

H.R. 12769. A bill to establish the calendar year as the fiscal year of the U.S. Government; to the Committee on Government Operations.

H.R. 12770. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. JONES of North Carolina (for himself and Mr. Henderson):

H.R. 12771. A bill to clarify and strengthen the cargo-preference laws of the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. LANDGREBE:

H.R. 12772. A bill to incorporate the Gold Star Wives of America; to the Committee on the Judiciary.

By Mr. LIPSCOMB (for himself and Mr. Devine):

H.R. 12773. A bill to revise the Federal election laws, and for other purposes; to the Committee on House Administration.

By Mr. MOORHEAD (for himself, Mr. Addabbo, Mr. Bingham, Mr. Brown of California, Mr. Button, Mr. Conyers, Mr. Dent, Mr. Diggs, Mr. Farbstein, Mr. Fraser, Mr. Fulton of Pennsylvania, Mr. Koch, Mr. Hechler of West Virginia, and Mr. Leggett):

H.R. 12774. A bill to provide a more effective approach to the problem of developing and maintaining a rational relationship between building code requirements and building technology in the United States, through the establishment of a National Institute of Building Sciences which can establish standards and make definitive technical findings available to all sectors of industry and government; to the Committee on Public Works.

By Mr. MOORHEAD (for himself, Mr. Lowenstein, Mr. Matsunaga, Mr. Mikva, Mr. Olsen, Mr. Ottinger, Mr. Pepper, Mr. Podell, Mr. Pollock, Mr. Rees, Mr. Rodino, Mr. Rosenthal, Mrs. Sullivan, Mr. Tunney, and Mr. Whalen):

H.R. 12775. A bill to provide a more effective approach to the problem of developing and maintaining a rational relationship between building code requirements and building technology in the United States, through the establishment of a National Institute of Building Sciences which can establish standards and make definitive technical findings available to all sectors of industry and government; to the Committee on Public Works.

By Mr. OLSEN:

H.R. 12776. A bill to provide cost-of-living adjustments for employees in the postal field service; to the Committee on Post Office and Civil Service.

H.R. 12777. A bill to implement the Federal employees' pay comparability system by adjustments in the rates of compensation of employees holding positions under either the classified general schedule, or within the Department of Medicine and Surgery of the Veterans' Administration, or under section 412 of the Foreign Service Act of 1946, as amended; to the Committee on Post Office and Civil Service.

By Mr. PEPPER (for himself, Mr. Addabbo, Mr. Anderson of California, Mr. Blatnik, Mr. Brasco, Mr. Button, Mr Clark, Mr. Conyers, Mr. Daniels of New Jersey, Mr. Dent, Mr. Donohue, Mr. Dulski, Mr. Duncan, Mr. William D. Ford, Mr. Fulton of Tennessee, Mr. Gilbert, Mr. Gonzalez, Mr. Hawkins, Mr. Helstoski, Mr. Johnson of California, and Mr. Kluczynski):

H.R. 12778. A bill to create a Department of Youth Affairs; to the Committee on Government Operations.

By Mr. PEPPER (for himself, Mr. Macdonald of Massachusetts, Mrs. Mink, Mr. Morgan, Mr. Nix, Mr. Pettis, Mr. Powell, Mr. Preyer of North Carolina, Mr. Price of Illinois, Mr. Pucinski, Mr. Rees, Mr. St Germain, Mr. Tiernan, Mr. Thompson of New Jersey, Mr. Waldie, Mr. Charles H. Wilson, Mr. McCulloch, and Mr. Wolff):

H.R. 12779. A bill to create a Department of Youth Affairs; to the Committee on Government Operations.

By Mr. STAGGERS:

H.R. 12780. A bill to amend the Federal Airport Act, and to provide additional Federal assistance in connection with the construction, alteration, or improvement of airports, airport terminals, and related facilities, to provide relief of congestion at public airports, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mrs. HANSEN of Washington:

H.R. 12781. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1970, and for other purposes.

By Mr. DOWNING:

H.J. Res. 812. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. WHITEHURST:

H.J. Res. 813. Joint resolution proposing an amendment to the Constitution relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H. Res. 478. Resolution to express the sense of the House of Representatives that the President should make all necessary efforts to place before the United Nations Committee on the Peaceful Uses of the Seabed and Ocean Floor Beyond the Limits of National Jurisdiction a resolution endorsing basic principles for governing the activities of nations in ocean space; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CORMAN:

H.R. 12782. A bill to extend the term of U.S. Letters Patent No. 2,579,304; to the Committee on the Judiciary.

By Mr. DUNCAN:

H.R. 12783. A bill for the relief of Dr. Tuneo Yamada; to the Committee on the Judiciary.

By Mr. GAYDOS:

H.R. 12784. A bill for the relief of Joseph C. Petrick; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

STEMMING THE TIDE OF POPULATION GROWTH

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. SCHEUER. Mr. Speaker, several weeks ago, Representative George Bush and 60 of my colleagues in the House, in a display of political and ideological nonpartisanship rare in congressional annals, joined me in sponsoring a population bill designed to provide the United States with a coordinated, comprehensive, and effective population policy which, if enacted, will establish the machinery by which the United States will be able to move to curtail uncontrolled population growth at home. The measure was sponsored by Senator Joseph D. Tydings, Democrat, of Maryland, and 22 of his colleagues in the other body.

It was noted at the time that the scope of the problem, of great import and consequence nationally, was worldwide in nature. If present population growth continues unabated, the present world population of 3½ billion will double to 7 billion by the year 2000. Even more critical is the fact that 80 percent of this increase will occur in the developing nations of the world. In low-income countries, population is doubling every 25 years or less. This means currently available and new education and health facilities will be immediately subjected to intolerable burdens, and indeed, will be inadequate as soon as built. Resources needed for industrial development will have to be diverted to meet ever increasing needs of people who are undernourished, undereducated, undertrained, and unemployed—living in the kind of squalor most Americans cannot even begin to imagine. Rapid population growth makes it virtually impossible to improve conditions of the poor in underdeveloped countries by nullifying any chance to increase per capita income. Unrestrained population growth is indeed the treadmill which undermines all efforts to improve the lot of our fellow human beings in most parts of this planet.

A distinguished panel established by the United Nations Association of the United States of America has prepared an excellent report on the world population situation which is worthy of the attention of every Member of this distinguished body, indeed of every American. The panel was chaired by John D. Rockefeller III, the distinguished chairman of the Rockefeller Foundation and consisted of an impressive group of businessmen, educators, and professionals, including former Budget Director David Bell, Director of AID John A. Hannah, former President of the International Bank for Reconstruction and Development George D. Woods, and others. The report does an excellent job in defining the problem, pointing up the need for action and setting forth reasons for involvement of the United Nations and the U.N. system. It establishes a population commissioner to serve as an international administrator of population programs. It describes the activities of a variety of United Nations agencies formulating policies which can be relevant and acceptable to participating member nations and which policies would be executed by participating governments. It sets forth the type of programs that could be undertaken in the areas of technical assistance, training, and operational research projects. It points up the need for meaningful research and notes the contribution that could be made by the U.N. system to a comprehensive, balanced, coordinated population program.

This report is most timely. Both Secretary General U Thant and World Bank President Robert S. McNamara have sounded warnings about the crisis we face throughout the world. Secretary General Thant gives us 10 years to reverse the world population growth before it becomes an irreversible and unmanageable catastrophe. Mr. McNamara called the situation one of "dynamic misery, continuously broadened and deepened by a population growth that is totally unprecedented in history."

I would commend to my colleagues a careful reading of the national policy panel report. In my judgment it reflects a sober analysis of the most critical problem confronting us next to the elusive attainment of world peace. The report is moderate, politically feasible and a useful guide to the architects of our foreign policy. Within the near future I will ask my colleagues to join me in sponsoring a resolution urging the President to make the recommendations of the report part of our foreign policy. The summary and recommendation of the panel follows:

> The Panel believes that high fertility and high rates of population growth impair individual rights, jeopardize national goals and threaten international stability.
>
> The Panel believes that all governments in developed and developing countries should attempt to ensure that their peoples have knowledge of and access to family planning information and services, and that the vast majority of such governments need policies intended to reduce the rate of population growth.
>
> The Panel welcomes the increasing level of bilateral commitments in the field of population and family planning and hopes that through discussions in forums like OECD, existing and potential donor countries may decide to devote even greater resources to these activities.
>
> The Panel believes that the UN system has a legitimate concern with the population problem and is uniquely qualified to make an important practical contribution towards its solution.
>
> The Panel believes that the World Health Organization has an especially important role to play in support of national family planning programs and should make a major effort in this area.

XUM

The Panel believes that the precondition for successful UN system action is radical upgrading in the priority accorded to population activities by the agencies involved and that this can be achieved through a series of feasible and realistic programs.

The Panel therefore recommends:

(1) that a Commissioner for Population be appointed within the United Nations Development Program and a high-calibre staff recruited; that the Commissioner—acting with the agreement of the Administrator of UNDP—have the central role in planning and coordinating UN system assistance to the population programs of member governments; and that, in this work, he report to the Governing Council of the UNDP.

(2) that the Commissioner for Population be responsible for handling the Population Trust Fund recently established by the Secretary-General; that all decisions concerning budgets and work programs financed from the Population Trust Fund be made by the Commissioner with the approval of a Special Population Committee of the UNDP Governing Council, the membership of which Committee would be drawn from those countries which have made contributions to the Population Trust Fund and from those countries which wish to receive assistance from it; and that the Commissioner—with similar approval of the Special Population Committee—have authority to allocate funds to UN agencies, other bodies outside the UN system or directly to governments.

(3) that the Commissioner for Population have responsibility for the implementation and expediting of projects financed from the Population Trust Fund as well as population projects financed from the regular resources of the UNDP.

(4) that provided this system of strong central coordination and direction is working successfully, the Population Trust Fund be expanded from its present level of $1.5 million to $100 million a year by the end of a three-year period, thus permitting a meaningful multilateral commitment in the population field and providing a real incentive to the governments assisted to develop effective and imaginative projects.

(5) that the Commissioner for Population be prepared to sponsor or support projects extending across the whole spectrum of population and family planning programs, such as the training of medical and paramedical personnel; family planning components of health facilities; the use of mass-communication techniques; the manufacture of contraceptive materials; the establishment of special population study centers as well as ongoing statistical census and demographic work.

(6) that the Commissioner for Population devote substantial resources from the Population Trust Fund to the support of research into better methods of fertility control into the operation of family planning programs and into the relationship between population policy and development policy.

(7) that the Commissioner for Population serve as a principal representative of the UN in those intergovernmental forums where population policies and programs are or should be under discussion, such as meetings of the UN and its Specialized Agencies, the World Bank's Consortia and Consultative Groups, the Inter-American Committee of the Alliance for Progress (CIAP), the Development Assistance Committee (DAC) of OECD, the Regional Development Banks and the Regional Economic Commissions.

If the recommendations of this Report are favorably received, we urge that the governments principally concerned press for early action to put them into effect. The United Nations system will be as effective as its member nations and its Specialized Agencies choose to make it. The Panel believes that a full-scale UN system effort in the population field would make a unique contribution to individual happiness, the prosperity of nations and world peace. It is a contribution which, surely, would be consistent with the highest hopes and ideals of those who met together in San Francisco nearly twenty-five years ago to found a great organization.

There is, at the present time, a great debate in the United States concerning priorities. Responsible Americans have begun to question seriously the need to alter our fundamental approach to the critical problems confronting our society. We are looking far more carefully into the ways we utilize our resources. Philosophically, we have given lipservice to peace, but heretofore we seem unable to mobilize our energies to achieve meaningful peace just as we mobilize our resources to successfully prosecute a war.

We now approach a turning point in man's quest for survival that has nothing to do with war; but has much to do with the way we live in peace. Overpopulation, air and water pollution, the piling of garbage in our urban areas, are a few of the problems to which we must devote our attention or suffer deplorable consequences. We no longer can afford to identify these matters with tags marked anything less than "top priority."

The U.N. Association's report is another graphic illustration of the urgency of the population problem. Stemming the tide of population growth is the first order of business for a world dedicated to peace. We must conceptualize and then design and create a world without war, destruction, and violence—a world in which the quality of life is more revered than the quality of death. The time for such action is now.

CESAR CHAVEZ; A LEADER OF PEOPLE

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Thursday, July 10, 1969

Mr. YARBOROUGH. Mr. President, in the past few weeks, two national magazines have published major articles on an American whose philosophy of nonviolence and deep concern for his fellow citizens have been overlooked until now.

Cesar Chavez has become through his unstinting efforts and unquestioned personal integrity a symbol of how one man with ideals can change the attitudes of the entire Nation. He has brought the problems of the migrant worker and especially the Mexican American to the attention and the conscience of the United States. I believe that it is fitting that both the New Yorker magazine and Time magazine have written such fine articles on Mr. Chavez and his work.

I ask unanimous consent that the articles from Time magazine of July 4, 1969, entitled "The Little Strike That Grew to La Causa" and the New Yorker magazine of June 21 and 28, 1969, entitled "Profile—Organizer" be printed in the Extensions of Remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

THE LITTLE STRIKE THAT GREW TO LA CAUSA

Item: At a dinner party in New York's Westchester County, the dessert includes grapes. The hostess notices that her fellow suburbanites fall to with gusto; the guests from Manhattan unanimously abstain.

Item: At St. Paul's, a fashionable New Hampshire prep school, grapes are the only part of the meal invariably left untouched.

Item: In San Francisco, a Safeway official observes: "We have customers who come to the store for no other reason than to buy grapes. They'll load up their car with grapes and nothing else.

Item: In Oakland, a conscience-ridden housewife explains apologetically to her dinner companions: "I really wanted to have this dessert, and I just decided that one little bunch of grapes wouldn't make that much difference."

Item: In Honolulu, the Young Americans for Freedom organizes an "emergency grape lift" by jet from the mainland, inviting "all of those starved for the sight of a California grape to come to the airport."

Why all the excitement about this smooth, sweet and innocent fruit? The answer is that the table grape, *Vitis vinifera*, has become the symbol of the four-year-old strike of California's predominantly Mexican-American farm workers. For more than a year now, table grapes have been the object of a national boycott that has won the sympathy and support of many Americans—and the ire of many others. The strike is widely known as *la causa*, which has come to represent not only a protest against working conditions among California grape pickers but the wider aspirations of the nation's Mexican-American minority as well. *La causa's* magnetic champion and the country's most prominent Mexican-American leader is Cesar Estrada Chavez, 42, a onetime grape picker who combines a mystical mien with peasant earthiness. *La causa* is Chavez's whole life; for it, he has impoverished himself and endangered his health by fasting. In soft, slow speech, he urges his people—nearly 5,000,000 of them in the U.S.—to rescue themselves from society's cellar. As he sees it, the first step is to win the battle of the grapes.

MAGNIFIED MOVEMENT

To enter the public consciousness, a labor conflict must ordinarily threaten the supply of essential goods and services, like steel or transportation. Politicians and the public take notice only when there is great impact on the economy, when spectacular bloodshed occurs or when well-recognized issues are at stake. The grape strike seems to meet none of these criteria. Americans could easily live without the table grape if they had to, and even that minor sacrifice has been unnecessary. The dispute has been relatively free of violence. Neither great numbers of men nor billions of dollars are involved. The welfare of agricultural workers has rarely captured U.S. attention in the past, but the grape strike—*la huelga*—and the boycott accompanying it have clearly engaged a large part of the nation.

The issue has divided husband and wife, inspired countless heated arguments at social occasions and engendered public controversy from coast to coast. As if on a holy crusade, the strikers stage marches that resemble religious pilgrimages, bearing aloft their own stylized black Aztec eagle on a red field along with images of the Virgin of Guadalupe, patroness of Mexicans and particularly of those who work the soil. As the workers and their sympathizers march, supermarket chains, middle-class consumers, and even the grape growers are choosing sides. Some supermarkets are leaving the choice to the shopper. Others sell only grapes imported from Africa or Israel, and make a point of advertising that they do not carry the California product. On Capitol Hill, diners in the House restaurants have not seen a grape for months, while the Senate refectory has been using 15 lbs. to 20 lbs. a week. When one California Congressman sent large bags of grapes to each of his colleagues, many of the recipients returned them. Within a few hours, the corridor outside the Congressman's office was asquish with trod-upon fruit.

Governor Ronald Reagan calls the strike and boycott "immoral" and "attempted blackmail." Senator George Murphy, like Reagan an old Hollywood union man-turned-conservative, terms the movement "dishonest." The Nixon Administration has seemed ambivalent, putting forward legislation that would ostensibly give farm workers organization rights but would also limit their use of strikes and boycotts. The Pentagon has substantially increased its grape orders for mess-hall tables, a move that Chavez and his followers countered last week by preparing a lawsuit to prevent such purchases on the ground that grapes are the subject of a labor dispute. Some auto-bumper stickers read: NIXON EATS GRAPES. The growers' answering slogan: EAT CALIFORNIA GRAPES, THE FORBIDDEN FRUIT.

Edward and Ethel Kennedy, following the late Robert Kennedy's example, have embraced Cesar Chavez as a brother. The so-called Beautiful People, from Peter, Paul and Mary to the Ford sisters, Anne Uzielli and Charlotte Niarchos, are helping to raise funds for the strikers. That support is one of the few issues that find Chicago Mayor Richard Daley, iconoclastic Writer Gloria Steinem, and liberal Senators Jacob Javits and George McGovern in total agreement. Ralph Abernathy lends black help to what is becoming the Brown Power movement.

The fact that it is a movement has magnified *la huelga* far beyond its economic and geographic confines. At stake are not only the interests of 384,100 agricultural workers in California but potentially those of more than 4,000,000 in the U.S. Such workers have never won collective bargaining rights, partially because they have not been highly motivated to organize and partially because their often itinerant lives have made them difficult to weld into a group that would have the clout of an industrial union. By trying to organize the grape pickers, Chavez hopes to inspire militancy among all farm laborers. Because most of the grape pickers are Mexican Americans, he also believes that he is fighting a battle on behalf of the entire Mexican-American community, which as a group constitutes the nation's second biggest deprived minority.

UNLETTERED AND UNSHOD

Like the blacks, Mexican Americans, who are known as *Chicanos*, are a varied and diverse people. Only recently have they emerged from a stereotype: the lazy, placid peasant lost in a centuries-long siesta under a sombrero. Unlike the blacks, who were brought to the U.S. involuntarily, the *Chicanos* have flocked to the U.S. over the past 30 years, legally and illegally, in an attempt to escape the poverty of their native Mexico and find a better life. Whatever their present condition may be, many obviously find it better than their former one, as evidenced by the fact that relatives have often followed families into the U.S. The *Chicanos* do not speak in one voice but many, follow no one leader or strategy. Their level of ambition and militance varies greatly from *barrio* to *barrio* between Texas and California.

No man, however, personifies the *Chicanos'* bleak past, restless present and possible future in quite the manner of Cesar Chavez. He was the unshod, unlettered child of migrant workers. He attended dozens of schools but never got to the eighth grade. He was a street-corner tough who now claims as his models Emiliano Zapata, Gandhi, Nehru and Martin Luther King. He tells his people: "We make a solemn promise: to enjoy our rightful part of the riches of this land, to throw off the yoke of being considered as agricultural implements or slaves. We are free men and we demand justice."

The dawning of Chavez's social awareness came in a seamy San Jose, Calif., *barrio* called *Sal Si Puedes*—"Get out if you can." Through Fred Ross, a tall, quiet organizer for Saul Alinsky's Community Service Organization, Cesar began to act on Alinsky's precept that concerted action is the only means through which the poor can gain political and economic power. Chavez, a Roman Catholic, has delved deeply into the papal social encyclicals, especially *Rerum Novarum* and *Quadragesimo Anno*.[1] "What Cesar wanted to reform was the way he was treated as a man," recalls his brother Richard. "We always talked about change, but how could we go about it?" Cesar Chavez went about it by working with the C.S.O. among Mexican Americans for ten years. Then, in 1962, he left to form a farm workers' union.

The conditions under which farm laborers toil have improved somewhat since the squalid Depression era so well evoked by John Steinbeck in *The Grapes of Wrath* and *In Dubious Battle;* yet field work remains one of the most unpleasant of human occupations. It demands long hours of back-breaking labor, often in choking dust amid insects and under a flaming sun. The harvest-time wage for grape pickers averages $1.65 an hour, plus a 25¢ bonus for each box picked, while the current federal minimum wage is $1.60.

Despite this, the seasonal and sporadic nature of the work keeps total income far below the poverty level. Average family income is less than $1,600 a year. There is no job security, and fringe benefits are few. If they are migrants, the workers must frequently live in fetid shacks without light or plumbing (though housing, bad as it is, is frequently free or very cheap.) As a result, many have moved to the cities, where even unskilled labor can find work at decent wages.

Chavez was not the first to try to organize farm workers. Ineffective efforts to found agricultural unions date back to the turn of the century. But only in Hawaii, where Harry Bridges' tough longshoremen's union used its muscle to win the first farm-labor contract for sugar-cane workers in 1945, did unionization take hold. Agriculture is outside the jurisdiction of the National Labor Relations Board, which has provided federal ground rules for industrial workers' unions since 1935; on a national level, there is no similar mechanism for farm workers. In May the Nixon Administration proposed an independent Farm Labor Relations Board, but chances for passage of such a law this year are small. Without NLRB protection, and with farm labor normally transient and seasonal, the difficulties of organizing are enormous.

ROSE GRAFTS AND TABLE GRAPES

Undeterred by these obstacles, Chavez took his $1,200 in savings and started the National Farm Workers' Association seven years ago, setting up its headquarters in the San Joaquin Valley agricultural town of Delano. He clicked off 300,000 miles in a battered 1953 Mercury station wagon, crisscrossing the San Joaquin and talking to more than 50,000 workers in the first six months. His money was soon gone, but he found people who were willing to give him food. The N.F.W.A. had its first formal meeting in Fresno in September 1962; 287 people showed up. Chavez soon started a death-benefits plan for his members, a curious echo of the burial societies organized decades ago by Eastern European immigrants on their arrival in the U.S. He also set up a credit union with $35 in assets (it now has more than $50,000). By August 1964, he had 1,000 members, each paying $3.50 a month in dues—no small sum for a farm worker's family. Soon he began publishing a union newspaper called *El Malcriado* (The Misfit), whose circulation is 18,000.

At last the union felt strong enough to tackle the growers on a substantive issue. In 1964, the N.F.W.A. took one employer to court for paying less than the then minimum wage of $1.25 per hour, and after months of wrangling, won the case. The amounts of money gained were small but the point was made: a boss could be beaten. Then the association sued the Tulare County housing authority over the rents and conditions at two labor camps, built in the late 1930s and intended to be used for only a few years. The camps were a hideous collection of 9-ft. by 11-ft. tin shacks, boiling in the summer sun and lacking both indoor plumbing and heat for the chill nights. Tulare officials subsequently built modern accommodations.

In May 1965, Chavez signed up a group of rose grafters and won a strike vote for higher wages. Everyone pledged not to go to work, but just to make sure that no one did, Chavez and Dolores Huerta, his tiny, tough assistant, made the rounds early on the strike's first morning. Mrs. Huerta saw a light in one house where four of the workers lived. She reminded them of their pledge, but they had changed their minds. Mrs. Huerta moved her truck so that it blocked their driveway and put the key in her purse. The incident illustrated the charge that Chavez and his aides sometimes coerce those who would rather work than strike. After only four days of the strike, the grower agreed to give the workers a 120% wage increase.

That same spring, in the Coachella Valley east of Los Angeles, the largely Filipino grape pickers of the A.F.L.-C.I.O.'s fledgling Agricultural Workers Organizing Committee won a brief strike for pay equal to that given field hands imported from Mexico. When the workers moved north to Delano at the end of the summer, grape growers there refused to make a similar agreement, and A.W.O.C. once more went on strike. On Sept. 16, which just happened to be Mexican Independence Day, Chavez's group held a tumultuous meeting and voted unanimously to join the walkout. The hall of the Roman Catholic church on Delano's west side resounded with cries of *"Viva la huelga!" "Viva la causa! Viva la unión!"* The N.F.W.A. and the A.W.O.C. merged two years later to form the United Farm Workers Organizing Committee, headed by Chavez.

Table-grape growers are particularly vulnerable to strikes because their product requires continual attention through much of the year. Since the appearance of the fruit affects its value—unlike the case of wine grapes—the bunches must be carefully picked by hand. Because of their vulnerability, Chavez picked the table-grape growers as his first target. In 1966, after a strike, he got his first contract when Schenley Industries capitulated because it had a nationally known name at stake. Later that year he won the right to represent workers at the mammoth Di Giorgio ranch in an election monitored by the American Arbitration Association. Both Di Giorgio and Schenley have since sold their tablegrape holdings, however, and Chavez's only contracts now are with wine producers: Gallo, Christian Broth-

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[1] *Rerum Novarum*, published by Leo XIII in 1891, contended that the rich had in effect enslaved the poor, and that every man has a right to a decent wage and reasonable comfort. Pius XI, in *Quadragesimo Anno* (1931), criticized the economic despotism that results from "limitless free competition" and reiterated the principle of a just wage.

XUM

ers, Masson, Almadén, Franzia Brothers and Novitiate.

BOYCOTT AND BREAKTHROUGH

Chavez has never been able to get large numbers of laborers to join the strike. Many of those who do follow him are fanatic in their loyalty, but a large segment of the shifting, transient work force continues to be indifferent to unionism. Wages have been rising even in the absence of contracts, and few farm workers can afford to go unpaid for long. Although federal regulations theoretically prohibit the hiring of aliens, or "green-carders," as strike breakers, the owners have nevertheless continued to use imported workers of Mexican citizenship.

Chavez decided to resort to the boycott to keep pressure on the table-grape growers. He applied it first in 1967 to the Giumarra Vineyards Corp., the largest U.S. table-grape producer. Giumarra started using the labels of other growers—in violation of Food and Drug Administration rules—to circumvent the boycott. In retaliation, the Chavez people began to appeal to stores and consumers not to buy any California table grapes at all. The boycott has been extended overseas to Britain and Scandinavia.

Chavez has now finally achieved a breakthrough: nationwide grape sales were off 12% in 1968, and prices for this year's first California grapes are down as much as 15%. Last month ten growers representing about 12% of the state's table-grape production announced that they would sit down with Chavez to write a contract. If negotiations with Chavez succeed, some other vineyards may also sign contracts, but a determined majority still barely acknowledge his existence and remain adamantly opposed to union recognition.

If the union does begin to win contracts with an increasing number of growers, a new difficulty could arise: How is the consumer to tell the difference between union and nonunion grapes? Boxes can be labeled easily, but not loose bunches of grapes in a market. The union claims that existing boycott machinery can be turned around to promote the produce of those who have signed; they could be marketed through the chain stores that have refused to handle the produce of struck growers. However, any such confusing procedure is bound to dilute the boycott's effectiveness.

Most of the growers bitterly dispute Chavez's contentions. His claim to represent the workers is false, they say; only 3% of California's grape pickers have joined his union. Chavez has not been able to strip the fields of workers and, they argue, even if he personally preaches nonviolence, his followers do not practice it. Packing sheds have been set afire, foremen threatened, tires slashed. Chavez also has outside help. Long-haired pickets came down from Berkeley in the early days of *la huelga*, and the union gets $14,500 a month in grants from the A.F.L.-C.I.O and Walter Reuther's United Automobile Workers. By insisting that all workers join his union, moreover, Chavez wants what amounts to a closed shop (which is illegal under the Taft-Hartley Act, but the act does not apply to agricultural workers). This means that, for now at least, Chavez's goal, however unpalatable, is a legal one. Chavez opposes placing farm workers under the National Labor Relations Board precisely because that would make the closed shop he seeks unlawful.

The growers of Delano are difficult to cast as villains. Many are self-made men, Yugoslavs and Italians who came to the valley between 1900 and 1940 with nothing and worked hard to amass enough capital to practice the grape-growing arts they learned in Europe. Most of the Delano spreads are family enterprises, and many of them have had rough going. Costs have risen sharply over the past decade, and grape prices have now begun to decline.

The California growers also pay the second highest agricultural wages in the U.S. (after Hawaii, where unionized workers average $3 an hour).

While they generally belittle the extent of his support, however, the growers have gone to some lengths to counter Chavez's moves. The anti-U.F.W.O.C. campaign even included for a time a group called Mothers Against Chavez. The growers are using the J. Walter Thompson agency to place $400,000 worth of ads extolling the benefits of table grapes. The California public relations firm of Whitaker & Baxter has been retained to advise the growers about how to counter the boycott. Whitaker & Baxter helped to manage Richard Nixon's unsuccessful campaign for governor of California in 1962, and masterminded the American Medical Association's attempt to defeat Medicare.

ON $10 A WEEK

One reason for the lack of comprehension between Chavez and the growers is that each has different concepts of the fundamental issue. The growers see themselves as management in a classic labor dispute, while Chavez and his followers believe that the cause of all Mexican Americans is at stake.

That is what inspires Chavez's devotion to *la causa*. For years he and his wife and eight children have lived jammed into a tiny two-bedroom house in Delano, subsisting on $10 a week from the union and on food from the communal kitchen in nearby union headquarters. Chavez has grown increasingly ascetic. He has given up casual socializing as well as liquor and cigarettes; his idea of a real treat is an eclectic meal of Chinese food, matzohs and diet soda. The fight has become his life. "The days and weeks and months run together," he told Time Correspondent Robert Anson. "I can't think back to a time when we were not on strike." Nor does he contemplate surrender to the growers. "Either the union will be destroyed," he says, "or they will sign a contract. There's no other alternative."

The use of only peaceful means has been central to his thinking since a 1953 showdown in the San Joaquin Valley between his Mexican-American C.S.O. pickets and a public official. Suddenly, he realized that if there were any violence or serious disorder it would be his responsibility. He began reading Gandhi, and he says now: "If the strike means the blood of one grower or one grower's son, or one worker or one worker's son, then it isn't worth it."

In February 1968, Chavez began a 25-day fast "as an act of penance, recalling workers to the nonviolent roots of their movement." Although he insisted that his decision was essentially a private one, the fast took on a certain circus aura and raised suspicions that its motivation was more theatrical than theological. During the fast, Chavez had to make a court appearance in Bakersfield, on charges of improper picketing, in a case that has yet come to trial. As he did so, 2,000 farm workers knelt outside in prayer. One woman solemnly asked him if he were indeed a saint. When the fast ended, Senator Robert Kennedy knelt next to him to receive Communion. Some 8,000 others joined them in Delano's Memorial Park for a bread-breaking ceremony.

The fast, and Chavez's years of 12- to 16-hour days, took their toll. Last September he suffered a muscular breakdown in his back—he had been in pain for years before that—and found his legs nearly paralyzed. After spending more than two months in traction, he has now substantially recovered, but is still bedridden much of the time. Instead of spending long hours driving around the state, he receives a constant stream of subordinates at his bedside.

Chavez's religious conviction mingles with the exigencies of the movement. He opposes birth control for his people, but only partly out of conventional Catholicism; he argues that smaller families would diminish the numerical power of the poor. A priest brings him Communion daily. To Correspondent Anson he explained: "God prepares those who have to suffer and take punishment. Otherwise, how could we exist? How could the black man exist? There must be something special. I really think that He looks after us."

Cesar Chavez came to his mission from a background of poverty and prejudice that is a paradigm of that of many *Chicanos*. Like most Mexican Americans, he is of mixed Spanish and Indian blood, with liquid brown eyes, deeply bronze skin and thick, jet-black hair. He was born on an 80-acre farm in Arizona's Gila Valley near Yuma, where his parents tried to scratch a living from the arid desert earth. Chavez met racial hostility early in daily rock fights between Anglo and *Chicano* kids at the village school.

The farm failed in the Depression, and when Chavez was ten, the family packed everything it owned into a decrepit automobile and headed across the Colorado River into California. In Oxnard, Chavez's father found work threshing lima beans; when all the beans were harvested, the family took off, looking for other jobs and often turning up just a few days after a crop was in.

ANGLOS ON THE LEFT

That first winter back in Oxnard, with the little money earned in the fields already gone, was the family's worst time. Cesar's brother Richard remembers: "There was this nice lady there, and she had a vacant lot that she let us use. So we put up a tent. It was a very small tent—I guess about 8 by 10. That's all we had. All the family stayed there. And it rained that winter. Oh, it rained. Rain, rain, rain. We had to go to school barefoot. We had no shoes. I can't forget it."

The family lived that winter on beans, tortillas and an occasional potato. Chavez's father sometimes picked peas for 50 cents a day, half of which went to the contractor who drove the workers to the fields in the back of a flatbed truck. There was nothing else to do. By the next spring, the family had learned more of the harvest schedule, and it set off for the first of many years on the circuit familiar to every migrant worker in California. Starting in the Imperial and Coachella valleys of the south, through the state's bulging middle, the San Joaquin Valley, on up north of San Francisco and into the Napa Valley, they worked each crop in its turn: asparagus, grapes, beets, potatoes, beans, plums, apricots—anything that needed picking, hoeing, thinning, leafing, tipping, girdling, digging or pruning.

In 1941, the family moved to Delano, where Chavez met his future wife, Helen Fabela. At the movies with her one night, he had a jarring brush with discrimination. He refused to stay on the right side of the theater, which was reserved for Mexicans, and sat instead with the Anglos on the left. "The assistant manager came," Chavez recalls. "The girl who sold the popcorn came. And the girl with the tickets came. Then the manager came. They tried to pull me up, and I said, 'no, you have to break my arms before I get up.' " Chavez, then 16, was hustled off to the station house for a lecture from the chief of police, but he would not promise not to do the same thing again.

Like many other teen-age Mexican Americans, Chavez became a *pachuco*, affecting a zoot suit with pegged pants, a broad flat hat and a ducktail haircut. Some sociologists now see the *pachuco* movement as the first example of militant separatism among *Chicanos*, an assertion of a distinct identity hostile to Anglo culture. The Anglos took it that way, in any case, and reacted violently: during a series of riots in the Southwest during the summer of 1943, several thousand soldiers, sailors and Marines beat up hundreds of *Chicano* youths. Police promptly arrested some of the victims.

Because of his own experience of poverty and acquaintance with prejudice, Cesar Chavez has made *la causa* more than a labor movement. He is determined to better the lot of all Mexican Americans. There is much room for improvement. There have never been Jim Crow laws against them, like those against blacks, but overt discrimination undeniably exists. *Chicanos* still find it hard to get into the barbershops and public swimming pools of south Texas. Still, though the *Chicano* is set apart by language, assimilation is often easier for him than for the Negro. For this reason, and because most of the *Chicano* population lives in relative obscurity in the *barrios* or rural areas, the Mexican-American community has been slow to develop aggressive leadership.

Now, because they have seen that organized black action gets results, the *Chicanos* have begun to stir with a new militancy. They have formed the *Brown Berets,* modeled on the Black Panthers, and set up a $2,200,000 Mexican-American Legal Defense and Educational Fund, financed by the Ford Foundation. "We are about ten years behind the Negroes, and we must catch up," says Dr. Daniel Valdes, a Denver behavioral scientist. "But I think we will do it without extreme violence." Lawyer Donald Pacheco puts the plight of the Mexican American more bluntly: "We're the 'nigger' of ten years ago."

If he is a migrant farm worker, the Mexican American has a life expectancy of about 48 years *v.* 70 for the average U.S. resident. The *Chicano* birth rate is double the U.S. average—but so is the rate of infant mortality. More than one-third live below the $3,000-a-year level of family income that federal statisticians define as poverty. Eighty percent of the Mexican-American population is now urban, and most live in the *barrio*.

FORBIDDEN LANGUAGE

The overwhelming majority work as unskilled or semiskilled labor in factories and packing plants, or in service jobs as maids, waitresses, yard boys and deliverymen. Particularly in Texas, Mexican Americans sometimes get less pay than others for the same work. Even the few who have some education do not escape discrimination. *Chicano* women find that jobs as public contacts at airline ticket counters are rarely open; they are welcome as switchboard operators out of the public eye. Mexican-American men who work in banks are assigned to the less fashionable branches. Promotions come slowly, responsibility hardly ever.

One major impediment to the Mexican American is his Spanish language, because it holds him back in U.S. schools. Mexican Americans average eight years of schooling, two years less than Negroes and a full four years less than whites. Often they are forced to learn English from scratch in the first grade, and the frequent result is that they become not bilingual but nearly nonlingual. In Texas, 40% of *Chicanos* are considered functionally illiterate. In Los Angeles, only an estimated 25% can speak English fluently. *Chicano* children in some rural areas are still punished for speaking Spanish in school. Only this year, *Chicano* students at Bowie High School in El Paso—in a predominantly Mexican-American section—managed to get a rule abolished that forbade the speaking of Spanish on the school grounds.

The *Chicano* is as vulnerable to mistreatment at the hands of the law as the black. Seven Mexicans were beaten by drunken policemen at a Los Angeles police station on Christmas Eve, 1952; six of the officers were eventually given jail terms. During an 18-month period ending last April, the American Civil Liberties Union received 174 complaints of police abuses from Los Angeles Mexican Americans. Two of the recent landmark Supreme Court decisions limiting police questioning of suspects involved Mexican Americans—*Escobedo* v. *Illinois* and *Miranda* v. *Arizona*. Many Mexicans still look on the Texas Rangers and U.S. border patrols with terror.

PLURALISM V. THE MELTING POT

That Chavez has dramatized the problems of Mexican Americans in the city as well as on the farm seems beyond dispute. Father Bernardo Kenny, a Sacramento priest with a sizable Mexican-American congregation, believes that even if Chavez never wins his strike he will have made a "tremendous contribution." Says Kenny: "He focused attention on the problem of the farm workers, and he made the Mexican Americans proud to be Mexican Americans. Chavez must be given credit, I think, for really starting the Mexican-American civil rights movement." Ironically, mechanization hastened by unionization may eventually diminish Chavez's farm-labor base—but it will not slow the momentum of *la causa*.

The new Mexican-American militancy has turned up a mixed *piñata* of leaders, some of them significantly more strident than Chavez. In Los Angeles, 20-year-old David Sanchez is "prime minister" of the well-disciplined Brown Berets, who help keep intramural peace in the *barrio* and are setting up a free medical clinic. Some of them also carry machetes and talk tough about the Anglo. Reies Lopez Tijerina, 45, is trying to establish a "Free City State of San Joaquin" for *Chicanos* on historic Spanish land grants in New Mexico; at the moment, while his appeal on an assault conviction is being adjudicated, he is in jail for burning a sign in the Carson National Forest. Denver's Rudolfo ("Corky") Gonzales, 40, an ex-prizefighter, has started a "Crusade for Justice" to make the city's 85,000 Mexican Americans *la causa*-conscious.

As with the blacks, the question for those who lead the *Chicanos* is whether progress means separatism or assimilation. Cal State Professor Rafael Guzman, who helped carry out a four-year Ford Foundation study of Mexican Americans, warns that the *barrio* is potentially as explosive as the black ghetto. He argues for a new pluralism in the U.S. that means something other than forcing minorities into the established Anglo-Saxon mold; each group should be free to develop its own culture while contributing to the whole.

Yet there is no real consensus in the *barrio*. The forces for assimilation are powerful. A young Tucson militant, Solomon Baldenegro, contends: "Our values are just like any Manhattan executive's, but we have a ceiling on our social mobility." While federal programs for bilingual instruction in Mexican-American areas are still inadequate, that kind of approach—if made readily available to all who want it—leaves the choice between separatism and assimilation ultimately to the individual *Chicano* himself. He learns in his father's tongue, but he also learns in English well enough so that language is no longer a barrier; he retains his own culture, but he also knows enough of the majority's rules and ways to compete successsfully if he chooses to.

Cesar Chavez has made the *Chicano's* cause well enough known to make that goal possible. While *la huelga* is in some respects a limited battle, it is also symbolic of the Mexican-American's quest for a full role in U.S. society. What happens to Chavez's farm workers will be an omen, for good or ill, of the Mexican-American's future. For the short term, Chavez's most tangible aspiration is to win the fight with the grape growers. If he can succeed in that difficult and uncertain battle, he will doubtless try to expand the movement beyond the vineyards into the entire Mexican-American community.

AN ANGLO-CHICANO LEXICON

As with other minority groups, there is a special vocobulary used by and about Mexican Americans. The words, naturally, are mainly Spanish. Among them:

Anglo: white, non-Mexican American. Though normally used simply in a neutral, descriptive manner, the term sometimes has pejorative overtones. It has to some extent replaced *gringo*. *Agringada* describes a Mexican American who has gone completely *Anglo* in his way of life.

Barrio: literally "district," the Spanish-speaking quarter of a U.S. city; also, *colonia*.

Bracero: Mexican citizen brought into the U.S. temporarily and usually in groups to add to the existing labor force at times of peak activity. The program, begun during World War II to relieve manpower shortages, was ended—over farmers' protests—in 1964. However, individuals known as "green-carders" (for the permits they hold) can work as aliens.

La Causa literally, "the cause." Cesar Chavez's farm-labor movement; also, more broadly, the advancement of Mexican Americans.

Chicano: Mexican American. A shortened, corrupted form of *Mexicano*, with the first syllable dropped and the "x" pronounced like *ch* in *cheese*, in the fashion of Mexico's Chihuahua Indians.

Hispano: descendant of the original Spanish settlers of areas now part of the U.S. Used chiefly in New Mexico and Colorado to distinguish such Spanish-speaking Americans from later immigrants of Indian descent.

La Huelga: the strike.

Malinchista: traitor to the Mexican-American cause. From Malinche, the daughter of a Mexican nobleman, who became Cortés' mistress and aided the Spanish in their conquest of Mexico.

Mestizo: person of mixed Spanish and Indian blood, as are most Mexican Americans. *Gueros* have relatively light skins; *trigueños are somewhat darker*.

Pachuco: tough guy. Used of teenage Mexican-American boys in gangs. During World War II, dressed in gaudy zoot suits, they were the target of racial violence in Los Angeles and elsewhere.

La Raza: the race, meaning all Mexicans and Mexican Americans, and derived from the mystical theory of the 19th century philosopher, Joseé Vasconcelos, that people of mixed race will inherit the earth. At best, it is a rallying cry betokening a mild form of cultural nationalism; at worst, it connotes outright racism.

Tio Taco: literally "Uncle Taco," the Mexican-American equivalent of an Uncle Tom. An equally contemptuous synonym is *vendido,* sellout.

Wetback: illegal immigrant from Mexico, so called because a common means of entry was to swim the Rio Grande.

PROFILES

ORGANIZER I

One Sunday morning last summer, I knocked on the door of a small frame house on Kensington Street, in Delano, California, that is rented by the United Farm Workers Organizing Committee for the family of its director, Cesar Estrada Chavez. It was just before seven, and no one came to the door, so I sat down on the stoop to wait. The stoop was shaded by squat trees, which distinguish Kensington Street from the other straight lines of one-story bungalows that make up residential Delano, but at seven the air was already hot and still, as it is almost every day of summer there in the San Joaquin Valley. On Kensington Street, a quiet stronghold of the middle class, the Chavez house drew attention to itself by worn yellow-brown paint, a patch of lawn between stoop and sidewalk that had been turned to mud by a leaky hose trailing away into the weeds, and a car, lacking an engine, which appeared not so much parked as abandoned in the driveway. Signs that said "Don't Buy California Grapes" were plastered on the car, and "Kennedy" stickers, fading now, were still stuck to posts on the stoop. The signs suggested that the dwelling was utilitarian, not domestic, and that the Chavez family's commitment was somewhere else.

In the time it must have taken Chavez to put on the clothes that are his invariable costume—a plaid shirt and work pants—and to splash water on his face, the back door creaked and he appeared around the corner of the house. "Good morning," he said, raising his eyebrows, as if surprised to see me there. "How are you?" Though he shook my hand, he did not stop moving; we walked south on Kensington Street and turned west at the corner.

Chavez has an Indian's bow nose and lank black hair, with sad eyes and an open smile that is both shy and friendly. He is five feet six inches tall, and since a twenty-five-day fast in the winter of 1968 he has weighed no more than a hundred and fifty pounds. Yet the word "slight" does not properly describe him. There is an effect of being centered in himself so that no energy is wasted, and at the same time he walks lightly.

In the central part of Delano (pronounced De-*lay*-no), the north-south streets have been named alphabetically, from Albany Street, on the far west side, to Xenia, on the east; the cross streets are called avenues and are numbered. On Eleventh Avenue, between Kensington and Jefferson, a police car moved out of an empty lot and settled heavily on its springs across the sidewalk. There it idled while its occupant enjoyed the view. Having feasted his eyes on the public library and the National Bank of Agriculture, the policeman permitted his gaze to come to rest on the only two citizens in sight. His cap, shading his eyes from the early sun, was much too small for him, and in the middle of his mouth, pointed straight at us, was a dead cigar. He looked me over long enough to let me know he had his eye on me, then eased his wheels into gear again and humped on his soft springs onto the street. Chavez raised his eyebrows in a characteristic expression of mock wonderment. Then he waved at the back of a building that fronted on Jefferson Street. "That's our station house," he said, in the manner of a man who is pointing out, with pardonable pride, the main sights of his city. As we walked on, he talked about how he had come to be a labor organizer.

Until Chavez appeared, union leaders had considered it impossible to organize seasonal farm labor, which is in large part illiterate and indigent, rarely remains in one place long enough to form an effective unit, and is composed mostly of minority groups that invite hostility from local communities. In consequence, strikes, protests, and unions had been broken with monotonous efficiency—a task made easier by the specific exclusion of farm workers from the protection of the National Labor Relations Act, which authorizes and regulates collective bargaining between management and labor. In a state where cheap labor, since Indian days, has been taken for granted, like the sun, reprisals were swift and sometimes fatal, and the struggles of Mexican-American farm workers for better conditions have met with defeat after defeat.

In 1947, when Chavez was twenty, he himself picketed the cotton fields of Corcoran, a few miles north of Delano, for the National Farm Labor Union, and watched the union fail. As a migrant laborer who had not been able to afford enough time from the fields to get past the seventh grade, he often discussed the frustrations of the poor with his wife, Helen, and his brother Richard, but he saw no way to put his feelings into action until 1952. That year, when he and Richard were living across the street from each other in San Jose and working together in the apricot groves, a new venture called the Community Service Organization, which had been set up in Los Angeles to do something about the frustrations of the Mexican-American poor in California, was preparing to open a chapter in San Jose. The C.S.O. was a project of the Industrial Areas Foundations, based in Chicago and headed by Saul Alinsky, who describes himself as a "social activist." When the man Alinsky had assigned to organize the C.S.O. asked a parish priest in San Jose for a list of likely recruits, he was given the name of Cesar Chavez. "I came home from work and they told me this gringo wanted to see me," Chavez said. "In those days, when a gringo wanted to see you it was something special—we never heard anything from whites unless it was the police. So, anyway, Helen says, 'Oh, no, it must be something good for Mexicans—money and a better job and things!'" Chavez's expression conveyed what he thought then about promises of something good for Mexicans. "You see, Stanford had people nosing around, writing all kinds of screwy reports about how Mexicans eat and sleep—you know—and a lot of dirty kind of stuff, and Berkeley had its guys down there, and San Jose State. All the private colleges. They were interested in the worst barrio, the toughest slum, and they all picked Sal Si Puedes."

"What?" I said.

"Sal—"

"Escape If You Can?"

"Yah. That's what our barrio was called, because it was every man for himself, and not too many could get out of it, except to prison. Anyway, we were just sick and tired of these people coming around asking stupid questions. I said to hell with him. Well, he came the next day again and said he would come back in the evening, so when I got home I went across the street to Richard's house, and in a little while this old car pulled up and this gringo knocked on my door, and Helen told him I was working late or something. As soon as he left, I came back and said, 'What happened?' and she said, 'He's coming tomorrow,' and I said, 'Well, I'm not going to be here tomorrow.' So I came home from work and just dumped my lunch pail and my sweater and went over to Richard's house, and the same thing happened again. Helen said he was coming back tomorrow, and I said I wouldn't see him, and she said, 'Well, this time you tell him that, because I'm not going to lie to him anymore.' So he came and talked to me. His name was Fred Ross. I was very closed. I didn't say a thing. I just let him talk. I'd say, 'Yes,' and nod my head, but half the time I was plotting how to get him. Still, there were certain things that struck me. One of them was how much I didn't like him even though he was sincere. I couldn't admit how sincere he was, and I was bothered by not being able to look at it. And the other thing was he wore kind of rumpled clothes, and his car was very poor. Well, he wanted a meeting as soon as possible to talk about what the C.S.O. could do, and I said, 'How many people do you want?' and he said, 'Oh, four or five,' and I said, 'How about twenty?' 'Gee, that'd be great!' I had my little plan, you see. So I invited some of the rough guys in the barrio, and I bought some beer and told them how to handle it—when I switched my cigarette from my left hand to my right, they could start getting nasty."

The memory of his own behavior made Chavez frown. "These damn people used to talk about fifty-year patterns, and how did we eat our beans and tortillas, and whether we'd like to live in a two-bedroom house instead of a slum room—things like that. They try to make us real different, you know, because it serves their studies when they do that. I thought this guy meant to snoop like all the rest. We didn't have anything else in our experience to go by. We were being pushed around by all these studies. So we were going to be nasty, and then he'd leave, and we'd be even. But I knew all the time that this gringo had really impressed me and that I was being dishonest. So we had a meeting, and he came in and sat down and began to talk about the Mexican-Americans—no, not about them but about farm workers. And then he took on the police and the politicians—not rabble-rousing, either, but saying the truth. He knew the problems as well as we did—he wasn't confused about the problems, like so many people who want to help the poor. He talked about the C.S.O. and then the famous Bloody Christmas case, a few years before, when some drunken cops beat up some Mexican prisoners down in L.A. I didn't know what the C.S.O. was or who this guy Fred Ross was, but I knew about the Bloody Christmas case, and so did everybody in that room. Some cops had actually been sent to jail for brutality, and it turned out that this miracle was thanks to the C.S.O. By this time, a couple of guys began to get a little drunk, you know, and began to press me for some action. But I couldn't give the signal, because the gringo wasn't a phony. I mean, how could I? I couldn't do it, that's all. So some of them got nasty, and I jumped in and said, "Listen, the deal's off. If you want to stay here and drink, then drink, but if you can't keep your mouth shut, then get out." They said I had chickened out, so I took them outside and explained. There were a couple of guys that *still* wanted to get this gringo, but, anyway, the meeting continued, and he put everything very plainly. He did such a good job of explaining how poor people could build power that I could even taste it, I could *feel* it. I thought, Gee, it's like digging a hole—there's nothing complicated about it! There was still a note of discovery in Chavez's voice, sixteen years later.

"You see, Fred was already an organizer when Alinsky hired him. I guess some of his theories came from Alinsky, but I learned everything from Fred. Anyway, I walked out with him to his car and thanked him for coming, and then I kind of wanted to know—well, what next? He said, 'Well, I have another meeting, and I don't suppose you'd like to come?' I said, 'Oh, yes, I would.' I told the others I would be right back, and I got in his car and went with him, and that was it. That first meeting . . . I'd never been in a group before, and I didn't know a thing. Somebody asked for a motion, and I didn't know what the hell they were talking about. The next day, I tried to get answers from my friends, and none of us knew. We were just a bunch of *pachucos*—you know, long hair and pegged pants. But Fred had wanted to get the *pachucos* involved—no one had really done this—and he knew how to handle the difficulties that came up, and he didn't take for granted a lot of little things that other people take for granted when they're working with the poor. He had learned, you know. Finally, I said, 'What about the farm workers?' and he said that the C.S.O. could be a base for organizing farm workers, and it was a good prediction—not exactly as he envisioned it, but it came about."

Chavez laughed. "I was his constant companion. I used to get home from work between five and five-thirty, and he'd say, 'I'll pick you up at six-thirty—give you a little time to clean up and eat,' and I'd say, 'No, I don't want to clean up and eat. Pick me up at five-thirty—wait for me!' So he would be waiting when I got home from work, and I'd just drop off my lunch pail and rush right out—maybe change my shirt. I was observing how he did things, how he talked to people and how patient he was, and I began to learn. A lot of people worked with him, but learned what I learned. I think the reason was that I had more *need* to learn than anybody else. I really *had* to learn. So I'd pay attention to the smallest detail, and it became sort of a—well, I'd use the word 'game' if it didn't throw a wrong light on it. It wasn't a job, and at the same time it was very, very important, trying to understand these things and then apply them."

Chavez first joined the C.S.O. as a volunteer in a voter-registration drive. The organization of Mexican-American bloc voting was a first lesson in his understanding of how to build a power base. "Most of the volunteers were college people, or had good jobs. Very few were farm workers. I had a part-time job in a lumberyard. The voter registration depended on as many evenings as you could give, and soon so many people stopped showing up that we had to find a new chairman every day. Finally, I was the only one who went with Fred every night, so he made me chairman. So here I am in charge, and where do I start? I can't go to the middle class, or even the aspiring middle class, for my deputy registrars—I have to go to my friends in Sal Si Puedes. So I round up about sixteen guys"—at the memory, he began to smile—"and not one of them can qualify as a deputy registrar, not *one*. They can't even *vote!* Every damn one of those guys had a felony!" He laughed. "Well, they could still knock on doors, you know, and they put out a lot of energy."

Some months later, with Alinsky's approval, Chavez was hired by Fred Ross as an organizer to work on voter registration and citizenship training. After six months in San Jose, he took over Ross' C.S.O. chapter in Decoto, and two weeks later was asked to start a new chapter in Oakland. He was still so poorly educated that he could scarcely read. He was small and thin, and looked much younger than his twenty-seven years, and he lived in terror of the meetings he was supposed to run. He would drive back and forth in front of the house where one was to be held, then dart in and sit in a corner until he was forced to identify himself as the organizer. But his first big meeting in Oakland was a success, and Fred Ross recognized it as a kind of turning point for him; soon after, Ross put Chavez in charge of the whole San Joaquin Valley. In the next few years, Chavez established chapters in Madera, Bakersfield, and many other towns. He was already a good organizer, and he got better as he developed techniques of his own. He learned to beware of established precepts, to cut around the entrenched local leadership, and to avoid philosophizing in favor of clear illustration and example ("You have to draw a simple picture and color it in," he often says), and, above all, he recognized that organizing required time. From forty to fifty per cent of California farm workers, he estimates, are illiterate in English and nearly so in Spanish. "You have to spend time with people that's all," he told me. "If he is interested, it make no difference if a man can read of write—he is a man."

In the early fifties, the Cold War reaction that congealed around McCarthyism was widespread in the Valley, and a man who encouraged Mexican-Americans to vote struck many people as an obvious subversive. Cowed by local patriots, his own people in the Madera chapter began investigating Chavez for symptoms of the dread Communism, and then retreated, abashed, when he challenged them to do this in his presence, not behind his back. According to Chavez, the experience taught him not so much how foolish it was to expect gratitude as how pathetically afraid poor people were. Subsequently, he had to return to San Jose and rebuild the C.S.O. chapter there: in the absence of strong leadership, the people had withdrawn again into apathy. Nevertheless. the C.S.O. was gaining strength. and its new power was reflected, among other ways, in the increased expense accounts of its staff. Politicians and professional people attached themselves to the organization for purposes of prestige, and meanwhile the organization's own leaders opposed what they regarded as Chavez's impractical demand that they try to organize a union of farm workers. At meeting after meeting, Chavez spoke out against the new luxurious habits and the softening of purpose—the "erosion," which he speaks of to this day as the thing most to be feared in his own union. To symbolize his protest, he showed up at meetings unshaven and tieless—he has been tieless ever since—and refused any further increase in his own salary. "To come in a new car into a community of poor people to organize them—that doesn't work," he told me. "And if you have money but dress like they do, then it's phony. Professional hunger." He grunted in disgust. "You can be hungry and have money in the bank, or you can be hungry and have nowhere to go. There's a big difference."

In 1962, having failed to interest the C.S.O. in organizing farm workers, Chavez quit the organization and settled in Delano, where he began his campaign to win for farm workers the right to organize in their own behalf that is enjoyed by all other large labor groups in the United States. The union he heads is now engaged in a strike to organize the workers of the entire California grape industry, and it has called a nationwide boycott to support the strike. If his organization survives, it will be the first effective farm workers' union in American history.

A car coming up behind us slowed down suddenly. Chavez, like a feeding deer, showed his awareness with a sidelong flick of his brown eyes, but he did not turn, and he did not stop talking. A voice called out in Spanish, asking him if he would like a lift. He smiled and waved, then pointed to a church two streets away. *"No, gracias! Yo voy a la misa!"*

A sign giving the name of the pretty stucco church at the corner of Eleventh Avenue and Clinton Street—Our Lady of Guadalupe—was garish and utilitarian, and the churchyard was a parking lot, enclosed by a chain-link fence. But the place was planted with cypress, pines, and yew, which, in the early light, threw cool, fresh shadows on the white stucco under a red tile roof. Two white crosses stood outlined against the hot blue of the sky. Chavez hurried across the concrete. Though he had said nothing to me about church, it appeared that he had been bound here all along. "Let's just go in for a little while," he murmured. He was hurrying now as if a little late, though in fact the Mass was very near its end. Inside, he moved into the shadows on the left, where he crossed himself with water dipped from a font in the rear wall and subsided onto his knees behind the rearmost pew. The people had begun to sing "Bendito." All were standing, but Chavez remained there on his knees behind them until the hymn was finished Alone in the shadows of the pew, the small Indian head bent on his chest and the toes of his small shoes turned inward, he looked like a child at prayer beside his bed.

Outside, under the evergreens, members of the congregation greeted Chavez.

"Buenos días!"

"Cesar! Cómo está?"

At one point, Chavez answered *"O batallando con la vida!"* ("Oh, I am still struggling with life!") He grinned at me. A Filipino in his sixties came up with a fine, wordless smile and pumped Chavez's hand in both his own.

"That's one of the brothers." Chavez said when the old man had gone. (The term "brother" is used to describe a union member. but it also has the connotation of "soul brother." and is so used by Chavez.)

A young priest. Father Mark Day. came up and spoke heartily to Chavez. The following Sunday. he said. the Catholic churches of Delano would speak out in favor of the workers' right to form a union. Hearing this, Chavez merely nodded. Many national church groups, and particularly the Migrant Ministry of the National Council of Churches, had long ago come to his support, with personnel as well as money, and Father Day, a Franciscan, had been assigned to the farm workers in 1967. But the local clergy, Catholic as well as Protestant, had denounced the grape strike or dodged the issue, for fear of offending the growers, most of whom are Catholics of Italian or Yugoslav origin and are important contributors. Chavez's union was allowed to hold its strike vote in the parish hall of Our Lady of Guadalupe in 1965, but until Father Day and two other Franciscans took it over the church did not support the strike. ("I find it frankly quite embarrassing," Father Day has said, "to see liberals and agnostics fighting vehemently for social justice among agricultural workers while Catholic priests sit by and sell them religious trinkets along with distorted notions of Christianity.") It was only in recent months that—more and more embarrassed by the example of outside clergy of all faiths, many of whom had marched in the union picket lines—the Delano clergy had begun making some attempts to reconcile the growers to the union.

The young priest spoke to Chavez of the large Zaninovich clan, some of whom came to Mass at Our Lady of Guadalupe. "If they would just get together with their workers," he said, "we wouldn't have any problems."

Chavez looked doubtful, but he nodded politely. "Yes," he said, after a moment, "this church is really coming to life." With Chavez, it is often impossible to tell when he is joking and when he is being serious, because he is so often both at the same time.

A worker in a soiled white shirt with a fighting cock in bright colors on the pocket stood waiting for a hearing. Though Chavez is available to his people day and night all week long, it is on Sunday that they usually come to see him, and his Sundays are all devoted to this purpose. ". . . *buscando trabajo*," I heard the worker say when he had Chavez's ear: he was looking for work. The man had just come in from Mexico on a "green card," or visa, which is a symbol of the most serious obstacle that Chavez's organizing effort faces: the century-old effort of California farmers to depress wages and undercut resistance by pitting one group of poor people against another.

By the eighteen-sixties, the Indians who were used as near-slaves in Spanish California had all but disappeared. In agricultural areas, they had been largely replaced, after the Gold Rush, by Chinese labor, originally brought in to work on the Southern Pacific Railroad. But the thrifty Chinese were resented and persecuted by a rabble of jobless whites for whom the Gold Rush had not panned out, and also by small farmers, who could not compete with the cheap labor force. Chinese immigration was ended by the Chinese Exclusion Act of 1882, and after that the big farmers turned to the importation of Japanese. The Japanese, too, were soon bitterly resented, because they undercut all other labor. Even worse, they were better farmers than the Americans and they brought and cultivated poor land that nobody else had bothered with; this impertinence was dealt with by the Alien Lands Law of 1911, which prevented further acquisition of farm land by aliens. The next waves of farm laborers in California contained Hindus, Arabs, Armenians, and Europeans. The European and Armenian immigrants, less oppressed than other groups by the racial discrimination that had advanced the economy of California from the start, gained a strong foothold. and the parents of many of the Valley farmers of today were among those immigrants. Mexican peasants had always crossed the border more or less at will, and after the Mexican Revolution of 1910 starving refugees presented the growers with

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a new source of cheap labor, which, because it was there illegally, had the additional advantage of being entirely defenseless. Filipinos were brought in in the nineteen-twenties, and for a time cheap Mexican labor was undercut by cheap Filipino labor. Most of the Mexicans were deported after 1929, when the Okies and Arkies and up-country Texans swarmed into California from the dust bowl; the Depression produced a heavy labor surplus among the native-born, and an effort was made to keep the border closed. Mexicans had been predominant in the farm-labor force from 1914 until 1934, and in those years, because of their illegal status, they had tended to be more tractable than other groups. For the most part, it was Filipinos and Anglos—as non-Mexican whites are called in California—who staged the famous farm strikes of the nineteen-thirties. The Filipinos became known during this period for their militance and for their refusal to scab on other workers or underbid them. After the Philippine Islands Independence Act of 1934, the importation of Filipinos came to an end, and their numbers have been dwindling ever since. By 1942, the Chinese had long since moved to the cities, the Japanese had been shut up in concentration camps, the Europeans had graduated from the labor force and become farmers, and other Anglos had drifted into the booming war economy of factories and shipyards; the minority groups that remained were not numerous enough to harvest the enormous quantities of produce that the war demanded. The farm-labor emergency was met by a series of agreements with the Mexican government known collectively as the *bracero* program, under which large numbers of Mexican field hands, or *braceros,* were brought into California and other states of the Southwest by truck at harvest time and trucked out again when the harvest was over. The *bracero* program was so popular with the growers that it was extended when the war ended. In Washington, lobbyists for the growers argued successfully that Americans would not do the hard stoop labor required in harvesting cotton, sugar beets, and other crops; hence the need for extension of the *Bracero* program. Everyone conveniently forgot that the white fruit tramps of the thirties had done plenty of stoop labor, and that workers of all colors were available to the farms if a living wage and decent conditions could be obtained. But the Mexicans, whose poverty was desperate, worked long, hard days for pay as low as sixty cents an hour, and were used to undermine all efforts by indigenous workers to hold out for better treatment. By 1959, an estimated four hundred thousand foreign workers (mostly Mexicans but including small numbers of Canadians, in the potato fields of Maine, and British West Indians, in the Florida citrus groves) were obtaining work in the United States, although four million people here were unemployed. Churches and various citizens' groups began protesting the lot of the farm workers—especially that of domestic migrant laborers—and at the end of 1964 Public Law 78, the last and most notorious phase of the *bracero* program, was allowed to lapse. (This was a year in which Congress passed significant poverty and civil-rights legislation, but P.L. 78 was primarily a casualty of congressional concern over the outflow of gold.) The death of P.L. 78 seemed to be the birth of hope for a farm union, but by 1965, when the current grape strike in California began, the growers had found another means of obtaining the same cheap labor. Under P.L. 414 (the Immigration and Naturalization Act of 1952), large numbers of foreigners were permitted to enter the United States as "permanent resident aliens," on a special green visa card. "Green-carders" can become citizens after five years or residence—and pay taxes, be drafted, and qualify for Social Security while they wait. A migrant agricultural worker can earn fifteen times as much for a day's work in the United States as he can in Mexico, but most Mexicans have declined the opportunity to become citizens. Instead, they "commute," taking their high harvest wages—an estimated fifteen million dollars' worth in 1967—back to their homes each year. Under the law, no green-carder is supposed to work in a field where a labor dispute has been certified, but enforcement has been desultory, to say the least, and although almost half of the members of Chavez's union are not United States citizens, many Mexicans have become strikebreakers. As long as farm workers are excluded from the provisions of the National Labor Relations Act, they have no legal means of forcing employers to negotiate. When their strike was subverted by imported scabs and antipicketing injunctions, they resorted to what the growers call an "illegal and immoral" boycott.

The man with the fighting cock on his shirt was a union green-carder who did not wish to cross picket lines. At the moment, however, there were more union workers than union jobs—only three growers out of several dozen in the Delano area had signed contracts with the United Farm Workers Organizing Committee—and Chavez encouraged the man to take a job wherever he could find it. He did not have to encourage the man to help the union on the job by whatever means he could; the man complained that Social Security payments had been deducted from his last paychecks even though no one had asked for his Social Security number. Chavez says that workers who cannot read are chronic victims of petty paycheck chiseling on the part of both labor contractors and growers. "Those people make a lot of money that way," Chavez said. "A *lot*." At that moment, he looked ugly. "In the union, they get an honest day's pay, because both sides understand the arrangement and accept it. Without a union, the people are always cheated. And they are so innocent."

We walked along Eleventh Avenue to Albany Street and turned south along cotton fields. The day was hot now, and the flat farmland stretched away unbroken into dull mists of agricultural dust and sprays, still unsettled from the day before, that hid the round brown mountains of the Coast Range. Chavez said that many of the green-carders, and especially those who intended to return to Mexico, felt they could do better than the union wage scale by working furiously for nonunion growers on a piecework basis; others refused to join the union out of ignorance—they had never heard of a union—or out of fear of reprisal. "Out at Schenley—we have a contract there now—there was a guy named Danny," Chavez said. "Danny was so anti-union that he went to the management and said, 'Give me a gun. I'll go out and kill some of those strikers.' He just hated us, and he didn't know why. He was working inside when we came with the picket line, and I guess he felt guilty about not joining us, so he went too far. And also, he told me later, 'I didn't know what a union was. I never heard of a union—I had no idea what it was or how it worked. I came from a small village down in Mexico.' You see? It's the old story. He was making more money than he had ever seen in Mexico, and the union was a threat. Anyway, we won there, and all the guys who went out on strike, they got their jobs back. And, man, they wanted to clean house, and they wanted to get Danny, and I said no. 'Well, he doesn't want to join the union,' they said. 'And if he doesn't join the union, he can't work here.' And so I challenged them. I said, 'One man threatens you? Do you know what the real challenge is? Not to get him out but to get him in. If you are good organizers, you will get him, but you're not—you're lazy!' So they went after him, and the pressure began to build against him. He was mad as hell. He held out for three months, and he was encouraged by the Anglos—the white guys. They had the best jobs—mechanics and all—and they didn't want to join the union, either. But finally Danny saw the light, and they did, too. It took about six months before we actually got down to negotiating a contract after we won the election, and by the time we got around to setting up a negotiating committee Danny had not only been converted but been elected to the committee. So when the committee walked in there, Danny was one of them, and the employers stared at him. 'What are you doing here, Danny?'" Chavez laughed. "And now he's a real St. Paul. He'll never turn against the union, because he knows both sides. People who don't know, and come on so enthusiastic and all at first, they might be turncoats one day, but not the ones like Danny. That's why the converted ones are our best men."

A car passed us, bursting with cries, and rattled to a halt a short way beyond. Two workers were driving a third out to the Forty Acres, the site of a new union headquarters that is being built, and Chavez suggested that we ride out there with them. The car turned west and rolled two miles through cotton and alfalfa to a barren area of mud, shacks, and unfinished construction on the north side of the road. The Forty Acres lies between a state road and the city dump. Useless for farming in its present condition, the land was obtained in 1966 from a widow who is no longer wanted to pay the taxes on it. Here the car left us, to go back to town, and the third man, shouting cheerily to Chavez, went off to water some scattered saplings that were shrivelling in the summer heat.

"We've planted a lot of trees," Chavez said. "Elms, mostly, and Modesto ash—only the cheapest kinds." He stood with his back to the road, hands in hip pockets, gazing with pleasure at the desolation. "Don't get me started on my plans," he said. To Chavez, the Forty Acres, on which he envisions the country's first migrant workers' center, is already very beautiful; he goes there regularly to walk around and let his plans take shape. "There's alkali in this land," he said, putting it mildly. "We're trying to get something growing here, to cut down the dust."

Near the highway, an adobe building with an orange tile roof, designed to house gas pumps, an automobile repair shop, and a cooperative store, had recently been completed, but was not yet in use. Behind it was a temporary aggregation of shacks and trailers. These accommodated a clinic and the offices of the union newspaper, *El Malcriado* ("The Rebellious Child," "The Nonconformist," "The Protester"—there is no simple translation), which puts out editions in both English and Spanish every fortnight. A green trailer bearing the legend "Mobile Health Center" was a contribution of the International Ladies Garment Workers Union; its medical staff, like the staff of *El Malcriado* and most of the rest of the U.F.W.O.C. operation, was entirely volunteer. So was the labor being done, intermittently, on the headquarters building, a gray shell on the west side of the property. The work at the Forty Acres was being supervised by Chavez's brother Richard, who was away just then on a trip to help out with the boycott in New York. "The strike is the important thing," Chavez said, moving toward the headquarters building. "We work on the Forty Acres when we get a little money, or some volunteers." The day before, six carpenters from a local in Bakersfield had given their Saturday to putting up gray Sheetrock interior walls, and Chavez, entering the building, was delighted with the progress. "Look at that!" he kept saying. "Those guys really went to town!" He told me that plumbing had been done by a teacher at Berkley, and that, two weeks before, forty-seven electricians from Los Angeles, donating materials as well as labor, had wired the whole building in six hours. "You should have seen it," he said. "I could hardly get into the building. Everywhere I went, I was in somebody's way, so I just went out through the window." He turned in a complete circle. "Those guys *really* went to town! It's entirely changed! The first center for farm workers in history!"

Outside again, we walked around the grounds, in the hot emptiness of Sunday. "Over there"—he pointed—"will be another building, a little training center, mostly for people in the union, the organizers and ranch committees. Non-violent tactics, you know—though if it were just a matter of non-violence, that could be studied in a monastery. It has to be real, you know—the mechanics of union work, and so forth. And also we want to be very strong about honesty. Some of these guys will be getting a lot of power as the union develops, and some will be very good and some won't know how to handle it. If someone in the hiring hall is willing to take a bribe to put one guy ahead of another for a job, he may also be willing to steal a hundred dollars from the union, or accept a hundred dollars for an act of violence. There's all kinds of chances for corruption, and things can go to hell very fast—we've seen that in other unions. So the best way to teach them is by example."

Chavez glanced at me. He is the least boastful man I have ever met, and, being a truly humble man, he does not waste his own time or his listener's with false humility, yet he is uncomfortable when the occasion arises to speak about himself, and may even emit a gentle groan. He grinned suddenly, glad to change the subject. "You know, we have some great guys in this union, some really great guys. We've put together farm workers and volunteers, people who just wanted to do something for the cause. We have so many volunteers that we save only the best. In a way, we're all volunteers, even the ones—the lawyers and everybody—whose salaries are paid by outside people. They're not making any money. You start paying the strikers for what they should do for themselves, then everything is done for money and you'll never, never be able to build anything. Most of us work for five dollars a week. Outside people thought we were crazy—the Teamsters and everybody—but really it's the only way we can stay in business. It's a long, long haul, and there isn't any money; and if we start paying wages, then it means that only a few can be hired, and a few can't do as much as many. It has to be done that way. I've been in this fight for too long, almost twenty years, learning and learning, one defeat after another, always frustration. And then, of course, raising a family—you have to get your family to suffer along with you, otherwise you can't do it, you know. But finally we are beginning to see daylight, and that's a great reward. And then, you see, these farm workers will never be the same. If our union was destroyed today, these people would never go back to where they were."

Under the eaves of the garage, in the shade of its north wall, a blue wooden bench had been placed against the adobe. We sat there for an hour or more, cut off from the hot highway by the cool clay wall. Across the property to the north, dead cars glittered on the crown of the city dump, and to the west was a farm, with a solitary black-and-white cow in the barnyard; surrounding all was the flat, low, dusty green of vast crops. The adobe walls and orange tile roof were Chavez's own wish, to be repeated in the other buildings as they take shape; this idea came from the old Franciscan missions and from an adobe farmhouse of his early childhood. "The people wanted something more modern—you know, kind of flashy—to show that they had a terrific union going here, but I wanted something that would not go out of fashion, something that would last," he said. Eventually, the entire Forty Acres will be surrounded by a high adobe wall, which will mercifully shut out its grim surroundings. The flat, hard sky will be broken by trees, and there will be a fountain in a sunken garden, and a central plaza where no cars are to be permitted.

Chavez drew his hopes in the dust with a dead stick. "Inside the walls, paths will lead everywhere, and we'll have places for the workers to rest," he said. "There will be little hollows in the walls—you know, niches, where the people can put little statutes if they want, or birds and things. We'll have frescoes. Siqueiros is interested in doing that, I think. This place is for the people, and it has to grow naturally out of their needs." He smiled. "It will be kind of a religious place, very restful, quiet. It's going to be nice here." He gazed about him. "I love doing this—just letting it grow by itself. Trees. We'll have a little woods." He pointed to some Arizona cypress that had been planted along the property lines, but I noticed that many of the seedling trees had yellowed and died in the heat.

Near the blue bench, a shaded passage penetrated the building. Opening off it to the left was a back door to the cooperative store, which was stocked with food for the strikers donated by individuals and agencies all over the United States. (During the strike, members have been able to get food there when not holding a job, and, if necessary, their rent has been paid out of the strike fund.) Opposite this back door to the cooperative was the door of a small storeroom, eight feet by six. It was in that small room, behind thick walls that sealed away the sounds of the outside world, that Chavez had fasted for some three weeks.

The fast began on February 14, 1968, just after Chavez returned from a fund-raising tour around the country. (Of such tours Chavez once remarked, "The speaker is just a little man in a big box. When the speech is over, he is put back in his box and carried on to the next place.") Everywhere he had gone, the militant groups that supported him or sought his support had been talking about the violence and was being planned for the summer of 1968, and in Delano his own people were rivalling the growers with loose talk about quick solutions. It was winter, in the hungry time between the pruning and the girdling of vines, and the grape strike had been going on for two and a half years, and the workers were muttering that they had waited long enough. Hadn't violence got results in the ghetto riots of 1967? Perhaps a little burning in Delano, or an explosion or two, might force the growers to negotiate. Chavez could not deny this. "If we had used violence, we would have won contracts long ago," he once told me, "but they wouldn't be lasting, because we wouldn't have won respect." Depressed, he decided on the fast as a kind of penance for the belligerence that had developed in his own union.

Chavez had fasted twice before, for periods of four days and ten days; he had no idea when he began how long this fast would last. "I started to fast on a Wednesday, and on Monday I called a special meeting in town and told the people what I was doing. I said that there was nothing to debate or decide, because it was a personal decision—that I knew I would not be able to carry out all my duties, because I would be in bed, but that I would do the best I could, and would always be available to them. I told them I thought the best place for the fast was our own Forty Acres. I told them that I didn't want anybody else to fast. Somebody might say, 'Well, if Caesar can do it I can do it,' but there was no reason for them to starve themselves. For me, it was different—I was prepared and everything. So I got out of the meeting and I walked a couple of miles, and then Helen got a ride and caught me, and walked with me the rest of the way out here to the Forty Acres. I told everybody that the fast should be kept as secret as possible, and if it got out I wouldn't talk to the press. The people could come to see me day or night, and the strike would go on as usual. But it didn't, and there was a lot of confusion. Even at the meeting, there were some people against, some people for. It was the sixth day or the eighth day before everybody accepted it. When I disappeared, there was a rumor that I had been shot, and then everybody said that I was very sick, and finally we had to tell them the truth, but we still said we didn't want any interviews or pictures or anything. I didn't talk to the newsmen—didn't want to. I just wanted to continue working."

He laughed. "I did more organizing out of that bed than I did anywhere. It was really a rest, though. To me, it was a vacation. As soon as the word got out, the members began to come. Just people! From all over the state! Mexicans, you know—farm workers. We estimated that ten thousand people came here during the fast—we never turned anybody away. And Negroes came, and Filipinos. Everybody! I didn't know how the people were going to respond to the fast, but the Filipinos and the Mexicans have very similar traditions—the Spanish went to the Philippines and they did pretty much what they did in Mexico. Any way, everything went beautifully. The Filipinos came and began to paint the windows in some of the buildings, and all kinds of little things began to appear. They weren't artists, but the things looked *beautiful*." He spoke this last word with great intensity, turning to look at me. "I think the fast was a sort of rest for the people, too. You know? Oh, I could go on for days about the things that happened in the fast that were really great! I guess one time I thought about becoming a priest, but I did this instead, and I'm happy to be a part of it. For me, this work is fun. It's really fun! It's so great when people participate. Mexico is such a poor country, and I could never understand how after the Revolution they could produce all that beautiful art. But now I see it in our own strike. It's only a very small revolution, but we see this art beginning to come forth. Art is becoming important to the people, and they are bringing these things. When they find themselves like this, they begin to appreciate some of the other things in life. I didn't understand this at first, but they began to bring things. Offerings, you know—religious pictures, mostly. Some people brought a hundred-and-fifty-year-old Christ of the Miners, handmade out of silver down in Mexico, and there were some other really valuable pieces. We've got everything safe, and we'll put it on display one day here at the Forty Acres. The only pictures we got that weren't of Christ or of a saint were of John Kennedy—there were many of them. And the people learned more about Martin Luther King and about Gandhi in that fast than if we had sat them down for a whole year of lectures.

"Something else very beautiful happened. For years and years, the Mexican Catholics have been very discriminatory against the minortly Mexican Protestants. They didn't know anything about them, they were just against them, and I didn't like it a bit. Well, we used to hold Mass every day in the store across from my room—we made it into a kind of chapel. And about the fifth day a Protestant preacher came. He works out there at Schenley, and he has a little church in Earlimart. And I said, 'How would you like to come and preach at our Mass?' And he said, 'What?' I mean, such a thing had never happened, and he thought he would be stoned, because there was a lot of nonsense still going on between Catholics and Protestants. I told him this was a wonderful time to begin to repair some of the damage that had been done, the bad feeling, but he said, 'I can't preach here. I'll get thrown out.' I said, 'No, if that hap-

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pens I'll go out with you.' So he said. 'All right, fine.' And when he came I introduced him, gave the full name of his church and everything, so there was no room for doubt about where he came from. And he did it in great form, something like the Negro Southern preacher, but it wasn't too much or anything. He knew the Bible by heart. He spoke about non-violence—from Matthew, I think. I think it was from Matthew. And the people accepted him. There was a great spirit. They just took him in. So three days later. I asked another one to come, and he came, and he was also great, and then a Negro minister came—it was beautiful. So then I went back to the first one and told him to come again and bring his whole group and sing some of those Mexican Protestant hymns. He said, "Gee, no.'" Chavez shrank back and imitated the clergyman's voice. "'Sure,' I said. 'The people will love it.' So they came and sang some real great Mexican Protestant music that we're not familiar with because of that prejudice. And now our Franciscan priest has gone and preached out there, in that little Protestant church in Earlimart!"

I asked him if his concept of the fast derived from Gandhi.

"Well, partly," he said. "In India, fasting is part of the tradition—there's an Indian engineer here who is a friend and comes to see us, and he says that in India almost everybody fasts. But Mexicans have the Catholic concept of sacrifice. The *penitencia* is part of our history. In Mexico, a lot of people will get on their knees and travel for five miles. I don't know much about Gandhi, so I read everything I could get my hands on about him, and I read some of the things that he had read, and I read Thoreau, which I liked very much. But I couldn't really understand Gandhi until I was actually in the fast. Then the books became much more clear. Things I understood but didn't feel—well, in the fast I *felt* them, and there was some real insights. There wasn't a day or a night that I lost. I slept in the day when I could, and at night, and I read. I slept on a very thin mattress, with a board—soft mattresses are no good. And I had the peace of mind that is so important. The fasting part is secondary."

In the heavy Sunday silence of the Valley, Chavez got up from the bench and stretched and grinned, and we went back out into the sun. Ten o'clock had come and gone, and the blue sky had paled to a blue-white. In one corner of the Forty Acres, just off the highway, was a heavy wooden cross made of old telephone poles, with ten-foot arms. It had been consecrated soon after the fast, and after the assassination of Robert Kennedy it was covered with a shroud. In late June, after two attempts to burn it, vandals had sawed it down. The charred remnants had been left there in the mesquite-desert dust, so that no one on either side should forget the event. Chavez glanced at the despoiled cross but made no comment. We went out onto the highway and walked toward town.

During the fast, Chavez subsisted on plain water, but his cousin Manuel, who often guarded him and helped him to the toilet, was fond of responding to knocks on the door by crying out, "Go away, he's eating!"

I asked if in the fast he had had any hallucinations.

"No, I was wide awake," he said. "But there are certain things that happen, about the third or fourth day, and this has happened to me every time I've fasted. It's like all of a sudden when you're up at a high altitude and you clear your ears. In the same way, my mind clears—it is open to everything. After a long conversation, for example, I could repeat word for word what had been said. That's one of the sensations of the fast. It's beautiful. And usually I can't concentrate on music very well, but in the fast I could see the whole orchestra and everything, that music was so clear. That room, you know, is fireproof, and almost soundproof—not quite but almost. There's a ten-inch wall, with six inches of poured concrete. There were some Mexican guitars around—this was about the nineteenth day—and I turned to Helen and my brother Richard and some of my kids and said, 'I hear some singing.' So everybody stopped talking and looked around. 'We don't hear anything.' So I said, 'I'll bet you I hear singing!' So this time they stopped about forty seconds. 'But we don't hear anything!' 'Well,' I said, 'I still hear singing.' Then my sister-in-law glanced at Richard. Her expression was kind of funny, so I said, 'We'd better investigate this right now, because either I'm hearing things or it's happening.' They said it was just my imagination, and I said, 'Richard, please investigate for me, right now, because I won't feel right if you don't.' So Richard went outside, and there were some guys there across the yard having a drink, and they were singing." Chavez laughed. "Then, toward the end, I began to notice people eating. Helen and everybody. I'd never really noticed people *eat*. It was so . . . so . . ." He struggled for words to express fascination and horror. "Well, like animals in a zoo. I couldn't take my eyes off them."

I asked Chavez what had persuaded him to end the fast.

"Well, the pressure kept building, especially from the doctor. He was getting very concerned about the acids and things that I didn't know anything about. A kind of cannibalism occurs, you know—the acid begins to eat your fat, and you have to have a lot of water to clear your kidneys. First of all, at the beginning, I wouldn't let him test me. I said, 'If you declare me physically able to begin the fast, then it's not a sacrifice. If you find out that I'm ill, there will be too much pressure not to do it. So let me begin, and after I've started, *then* we'll worry about what's wrong with me.' But I forgot that the doctor was responsible for me—that if something went wrong with me he would get it. So I argued and he worried. Finally, after the twelfth day, I let him check my urine, and about the seventeenth day I let him check my heart, and he said, 'Well, you're fit.' And I said, 'I know I'm fit. I knew it when I got into this.'" On the twenty-first day of the fast, Chavez's physician, Dr. James McKnight, insisted that he take medication, and also warned him to drink a few ounces of bouillon and unsweetened grapefruit juice. Dr. McKnight and many other people felt that Chavez might be doing himself permanent harm. Chavez did not agree. He said that the back pains that had been bothering for about ten years gave him less trouble during the fast than they had for some time, and that the chronic headaches and sinusitis from which he had suffered also disappeared. "After the fast, they gave me a complete analysis—blood and all that stuff—and do you know something?" Chavez smiled, shaking his head. "I was perfect!"

Chavez told me that he could have gone on longer than he did, but that the pressure—all kinds of pressure— kept mounting. He smiled again. "Usually there was somebody around to guard me—give me water, or help me out if I had to go to the rest room—but one time, about two o'clock in the morning, they were singing out there, and then they fell asleep, and the door was open. And this worker came in who had come all the way from Merced, about fifty miles from here, and he'd been drinking. He represented some workers's committee, and his job was to make me eat and break my fast." Chavez laughed. "And he had tacos, you know, with meat, and all kinds of tempting things. I tried to explain to him, but he opens up this lunch pail and gets out a taco—still warm, a big one—and tries to force me. And I don't want to have my lips touch the food. I mean, at that point food is no temptation—I just thought that if it touched my lips I was breaking the fast, you see, and I was too weak to fight him off. This guy was drunk, and he was pretty big, and so he sits on top of me, he's wrestling with me, and I'm going like this." Chavez twisted and groaned with horror, rolling his eyes and screwing up his mouth in an imitation of a man trying to avoid a big, warm taco. "Oh! Ow!" he cried. "Like a girl who doesn't want to get kissed, you know. I begin to shout for help, but this guy really meant business. He had told his committee, 'Look, you pay my gas and I'll go down there and make him eat. He'll eat because I'll *make* him eat. I won't leave there *until* he eats.' So he didn't want to go back to Merced without results. First he gave me a lecture, and that didn't work. Then he played it tough, and that didn't work. Then he cried, and it didn't work. And then we prayed together, and that didn't work, either."

I asked if the man was still sitting on him while they prayed, and Chavez said he was. "He got my arms, like this." Chavez gestured. "And then he got my hands, like *this*." He gestured again. "In a nice way, you know, but he's hurting me, because he's so heavy. I'm screaming for help, and finally somebody—I think it was my cousin Manuel—opens the door and sees this guy on top of me. Manuel thinks he's killing me, but he's so surprised he doesn't know what to do, you know, so he stands there in the door for at least thirty seconds while I'm yelling, 'Get him off of me!' Then about fifty guys rush in and pull him out of there. I thought they were going to kill him because they thought he was attacking me. I can hardly speak, but I try to cry out. 'Don't do anything to him! Bring him back!' 'No!' they yell. 'Bring him back!' 'No!' they yell. I'm shouting, you know. 'Bring him back! I have to talk to him! Don't hurt him!'" In describing this scene, Chavez made his voice quaver piteously. "So finally they brought him back. He wasn't hurt—he was too drunk. So I said, 'Sit down. Let me explain it.' And I explained it, step by step, and the guy's crying—he's feeling very dejected and hurt." Chavez stopped on the highway shoulder, laughing quietly at the memory, in genuine sympathy with the emissary from Merced.

"Anyway, the kids began to feel the pressure, and my father and mother," he went on. "My dad began to lose his sleep. He'll never talk about himself, but he's over eighty, you know, so I got a little worried. He has fasted a couple of times himself. Once, he had dysentery and he couldn't clear it up, and he was dying. And one of those hoboes on their way through—this was in the Depression and they were white Okies, mostly—one of them told my father not eating could take care of it. He said, 'I'll either save you or I'll kill you, and I'll be back in three days, so you think it over.' Well, my dad had been to a specialist and everything, and nobody could help him, but he said, 'Hell, how can I stop eating? I can't stop eating for even a half a day.' An the hobo said, 'No, you can go for twenty days, maybe thirty days.' So, anyway, when the hobo came back my dad said he would try it. So he stopped eating, and in three days he got rid of the dysentery—there was nothing to feed it. He went for twenty days. So I said to him, 'Dad, you fasted for twenty days,' and he said, 'Yes, but that was different.' I had no set date in mind, but a combination of things made me end it on March 10th, after twenty-five days. I could have gone a few days more. I broke the fast on a Sunday—it must have been about one or two o'clock. I ate a small piece of bread. But actually I kept on fasting for the next four days, because you can't eat right away. So really I felt weaker *after* I broke my fast."

During the fast, Chavez had received a telegram from Senator Robert Kennedy ("I want you to know that I fully and unswervingly support the principles which led you to undertake your fast. . . . Your work and your belief have always been based solely upon principles of nonviolence. . . . You have my best wishes and my deepest concern in these difficult hours"), and the Senator, with a phalanx of the press, appeared in person on the epochal Sunday when the fast ended. Chavez had first met Robert Kennedy in Los Angeles back in 1960—a brief early-morning meeting concerned with a voter-registration drive for John Kennedy's Presidential campaign—and in 1966, as a senator, Robert Kennedy had come to Delano for hearings of the Senate Subcommittee on Migratory Labor. "Even then, I had an idea he was going to be a candidate for the Presidency, and I was concerned for him because he endorsed us so straightforwardly, without straddling the line," Chavez told me. "This was a time when everybody was against us—the only people for us were ourselves. He didn't have to go so far. Instead of that awful feeling against politicians who don't commit themselves, we felt protective. He said that we had the right to form a union and that he endorsed our right, and not only endorsed us but joined us. I was amazed at how quickly he grasped the whole picture. In the hearings, when they began to call the witnesses, he immediately asked very pointed questions of the growers. He had a way of disintegrating their arguments by picking at the very simple questions. He had to leave just before the hearings ended, but he told the press that the workers were eventually going to be organized, and that the sooner the employers recognized this the sooner it was going to be over. And when reporters asked him if we weren't Communists, he said, 'No, they are not Communists. They're struggling for their rights.' So he really helped us, and things began to change."

On March 10, 1968, while Senator Kennedy was in Los Angeles, he was notified that the fast was ending and he chartered a plane and flew to Delano with Paul Schrade, head of the West Coast United Automobile Workers. At first, according to some of the people around Chavez, Kennedy seemed rather cold. "He felt kind of uneasy, and one of our people heard him ask Paul Schrade or somebody, 'What do you say to a guy who's on a fast?' " Chavez told me. "He was only in the room with me about thirty seconds. He looked at me"—Chavez grinned mischievously—"and he says, 'How are you, Ce-*zar?*' I said, 'Very well, thank you. And I thank you for coming.' He said, 'It's my pleasure,' or something. So then we kind of changed the subject. I was very weak, and I did not know what to say, either. I think I introduced him to Paul Schrade." Chavez laughed. "The TV people were there, and one poor cameraman got blocked out. I saw he was frantic, and I was too weak to shout, but finally I signalled to let him in, and they let him in. The poor guy was really pale. And he said, 'Senator, this is probably the most ridiculous request I ever made in my life, but would you mind giving him a piece of bread?' And the Senator gave it to me, and the camera rolled, and the man said, 'Thank you very, very much.' "

Chavez, who used to be rather stocky, had dropped from a hundred and seventy-five pounds to a hundred and forty during the fast; bundled up in a dark checked hooded parka against the March cold, he was half carried to a Mass of Thanksgiving held in a Delano park, where an altar had been set up on a flatbed truck. During the offeratory, Paul Schrade, on behalf of his auto workers, presented the union with fifty thousand dollars for the construction of its new headquarters at the Forty Acres. Reies Lopez Tijerina, a leader of New Mexico's Mexican-Americans, gave a fiery speech, and Kennedy declared that he was present out of respect for "one of the heroic figures of our time." After taking Communion with Chavez, he gave a speech in a Spanish so awful that he stopped to laugh at himself. "Am I murdering the language?" he inquired, and was wildly cheered. "*Hool*-ga!" he shouted, in an effort to say *"huelga,"* which is Spanish for "strike." "*Hool-ga!*"

The Mass was attended by from four thousand to ten thousand people, depending on the source of the estimate, and Kennedy's meeting with Chavez and with the crowds in Delano obviously enlivened him more than anything had in a long time. "He had a heck of a time getting from where we were sitting to the car," Chavez told me. "The crowd was pushing and surging, and when he got there he didn't get in. The way the people were reacting, he wanted to stand there and shake their hand and talk to them. Everybody was afraid of so many people pushing like that, and when he got inside, the people were saying through the windows, 'Aren't you going to run? Why don't you run? Please run!' Then the car got moving, and Kennedy turned to some people in the car with him and said, 'Maybe I will. Yes, I think I will.' So when he announced his candidacy a week later, it was no surprise to us. When Paul Schrade called to ask if I would endorse the Senator and run to be a delegate, I knew it would not be honorable to ask for something in return. With most politicians, this would have been all right, but not with this man who had already helped us so much. After a three-hour discussion, our members voted unanimously that I should be a delegate, and we immediately began a voter-registration drive for the primary in June. We worked right up to the last minute. We had a beautiful time, and the drive was a tremendous success. Some precincts went out a hundred per cent for Kennedy. But I was very tired after the voting, and I felt embarrassed when my name was called at the victory rally at the Ambassador in Los Angeles, and so I left early, before the Senator came downstairs. The last time I ever talked to him was when he gave me that piece of bread."

Our shoes scuffed along on the highway shoulder, over the slag of broken stone, tar bits, glass, and flattened beer cans. Passing cars buffeted with hot wind the big yellow sunflowers that had gained a foothold between the asphalt and the dull, man-poisoned crop, and pressed toads, as dry as leaves, gave evidence in death a few wild things still clung to life in this realm of organophosphates and chlorinated hydrocarbons. Hard-edged and monotonous as parking lots, the green fields seemed without life. The road we walked across the Valley floor was as straight and rigid as a gun barrel, without rise or curve.

Of all California's blighted regions, the one that man has changed most is this great Central Valley, which extends north and south for almost four hundred miles. The Sacramento Valley, in the northern half, was once a sea of grass parted by rivers; the San Joaquin Valley, adjoining the Sacramento to the south, was a region of shallow lakes and bulrush or tule marshes. Both of these sections of the Central Valley supported innumerable animals and birds, among which waterfowl, antelope, and tule elk were only the most common; there were also significant populations of wolves, grizzlies, cougar, deer, and beaver. To the Spanish, centered in the great mission holdings along the coast, the grasslands of the interior were scarcely known, and their destruction was accomplished almost entirely by the wave of Americans that followed hard upon the Gold Rush. Game slaughter became an industry, and the carnivores were poisoned; unrestricted grazing by huge livestock herds destroyed the perennial grasses. Oat grass, June grass, and wild rye gave way to tarweed, cheatgrass, and thistle, which were crowded, in turn, by rank annual weeds escaped from the imported food crops of the settlers. In the last part of the nineteenth century, the huge corporate ranches were challenged for the dying range by huge corporate farms; the first big factory crop was wheat, the second sugar beets. One by one, the tule marshes were drained and burned over; by the beginning of our century, the lakes and creeks, like the wild creatures, had disappeared without a trace. As the whole Valley dried, the water table that had once lain just below the surface sank away; the search for water became fiercely competitive, and in some places people resorted to oil-drilling equipment, tapping Ice Age aquifers hundreds of feet down. To replace the once plentiful water, the rivers were dammed and rechanneled; Shasta Dam destroyed the Sacramento, and Friant Dam choked off the San Joaquin. Today, there are no wild rivers in the Valley, and very few in all of California; the streams of the Coast Range and the Sierras have been turned to irrigation, seeping across the Valley floor in concrete ditches.

A car, bulging with children, slowed down, and the driver offered us a lift; when Chavez refused, the occupants shouted in surprise. The car swayed on, and a woman's voice drifted back to us: " . . . su penitencia?" Chavez, glancing at me shyly, grinned. "Si, si," he murmured. "Mi penitencia." The driver of the next car, seeing Chavez refuse the ride, blared a loud greeting on his horn, and a child's voice—"Hi, Mr. Chavez!"—was whiled upward and away in the hot, dusty wind of the car's wake.

A farm truck came by as we approached the town, and the sunburned face of a blond boy stared back at us. I wondered if he had recognized Chavez. "Some of the growers still get pretty nasty," Chavez remarked, after a moment. "The worst are some of these young Anglo kids. They come by and give you the finger, and you wave back at them. Then they give you a double finger, and you wave back again. You don't wave back to make fun of them—you just wave back."

As he spoke, Chavez stopped to pat a mangy dog, which flinched away from him; he squatted down to talk to it. " '*Hay más tiempo que vida*'—that's one of our *dichos*. 'There is more time than life.' We don't worry about time." (In a letter to the head of a growers' association, he once wrote, "Time accomplishes for the poor what money does for the rich.")

Children and a woman greeted him from a shady yard, and he called back to ask the woman about her husband's job. The woman's house was right next door to the old union office, now the hiring hall, a gray stucco building at the corner of Albany Street and First Avenue; this is the far southwest corner of Delano, and across the street, to the south and west, the vineyards stretch away. The hiring hall, which was originally a grocery, is in poor condition, because of old age and cheap construction, and also because of several hit-and-run assaults. "One truck backed right into it," Chavez said, bending to show me a large crack in the wall. "Practically knocked down the whole thing. See? See what he did there?" He straightened. "They broke all these windows. One time, they threw a flaming gasoline-soaked rag through the window—that just about did it. But someone saw them and called the fire department, and they put it on the radio, and my brother Richard was listening to the radio and took off and got over here quick. He had it out before the fire department got here." Chavez shook his head. "One second more and the whole thing would have gone." He laughed suddenly. "Man, they used to come here with bows and shoot fire arrows into the roof! We had to keep a ladder and a hose on hand for a long time."

Rounding the corner into First, we approached the union headquarters, in a building known as the Pink House. Although it was Sunday, several cars were parked along the street, and two workers in clean denims stood on a bleached patch of lawn behind a low picket fence. Chavez hailed them: "*Qué tal?*"

I talked with the two workers for a little while. In telling me about Chavez and the union, they interrupted each other out of pure enthusiasm. They both said that if a secret ballot could be taken, ninety-five per cent of the workers on most ranches would be pro-union but that the workers were uneducated people who did not speak English very well and were afraid. "They scared if they do anything the boss just kick them out," one of the men said. "And if you got kids you *got* to work, you know. If you got kids, you got to work every day." He was a very big man with heavy eyebrows and steel-rimmed glasses. At the mention of children, he looked worried.

"We know we livin' in a free country, but the growers don't know it yet," said the other man, whose broad open face had a small mustache on it. "Why they don't want a secret ballot? Because they afraid! When the picket line comes, they have *everything* out there to drown it out." The man snickered with delight. "Man, they have radios, they have loudspeakers, car horns, bells!"

One non-union grower, the men told me, was paying a dollar-sixty an hour at the moment, because he needed people for the harvest, but later he could drop the wage to a dollar-forty, and anybody who didn't like it was out of a job. Union workers had a two-year contract, giving them a dollar-ninety an hour, which would automatically be raised ten cents the following year. Not only that but the work hours were regulated now, with time and a half for overtime.

The face of the man with glasses wrinkled in distaste. "Before Cesar was there, everybody was afraid." To illustrate, he doffed his hat in a slow, obsequious gesture. "Now we not afraid no more."

"We got paid vacations now," the other man said, in a voice suggesting that he could still scarcely believe it. "We got seniority. You know Henry? Well, we got this colored fella, Henry, that was out there eleven years and never got no seniority on the best jobs. Now he's drivin' a tractor, and he don't believe it. He just don't believe it."

Both men were silent. Then the man with the mustache said, "I want the union for every poor people in this country. I win more money, then they must win it, too. If you got a big family, one-forty an hour is not much—you got to work twelve to sixteen hours every day. This is the way they killin' the peoples. A man workin' seven days a week for twenty, thirty years—I don't think that man is livin'."

In the late afternoon, Chavez sat down in the shade of the Pink House with a delegation of high-school students from East Los Angeles called the Young Adult Leadership Group. On his busiest day, Chavez seems unhurried; he is altogether where he is. Once, I asked him about a magazine interview in which his responses to the reporter seemed too simple, and Chavez nodded. "He was in a hurry," he said. "So I was, too." The students were mostly Mexican-Americans, along with a few whites and blacks. Some were straight and some wore long hair and hippie beads, but all were interested in helping the union boycott by picketing the East Los Angeles supermarkets. "We had a great reception in East L.A. when we went down to get the vote out for Senator Kennedy," Chavez told them. "I went to many polling places and talked to the ladies and the men, and they knew all about the union. We made a lot of friends there. They send us food now, and some have come to visit us in Delano. Anyway, don't let them kid you about those grapes coming from Arizona or Mexico. In East L.A., they shouldn't be selling any grapes at all." He grinned. "They should only be selling tacos and tamales, things like that." The Mexican students laughed.

Chavez talked about race prejudice and the problems he had had with it in his own union. "The *chicanos*"—the Mexican-Americans—"wanted to swing against the Filipinos. We don't permit that against anyone. I told them they'd have to get somebody else to run the union. You don't take a vote on those things—whether to discriminate or not. You don't *ask* people whether they want to do that or not—you just don't do it." He regarded his audience of black, white, and brown students. "That doesn't mean you can't be proud to be what you are. In the union, we're just beginning, and you're just beginning. Mexican-American youths is just beginning to wake up. Five years ago, we didn't have this feeling. Nobody wanted to be *chicanos*. They wanted to be anything but *chicanos*. But three months ago I went up to San Jose State College and they had a beautiful play in which they let everybody know that they were *chicanos* and that *chicanos* meant something and that they were proud of it." He paused again. "In a conflict area like here in Delano, you have to be for your people or against them. We don't want to see anybody on the fence. I walk down the street here and I get insulted almost as many times as I get a friendly wave. And that's the way it should be—you have to be for or against. If you aren't committed one way or the other, then you might as well lie in the weeds."

The students told Chavez that the police in East Los Angeles had become very hostile, especially against the Brown Berets, a group of young Mexican-American militants who pattern themselves after the Black Panthers. A girl said, "The Man is after everybody now. I think they're out to crush the whole *chicano* movement." Discussing the police, the young people sounded tense and worried, and in their haste to confide their worry to Chavez, who looked worried himself, they interrupted one another.

"Them thirteen that were arrested—"

"Club you, man. They club you—"

Chavez was nodding; he has told me that he feels it is only a matter of time before brown communities start exploding like the black ones. "But those police clubs will organize the people," he told the young visitors.

After Chavez excused himself, the students chattered excitedly among themselves. Already a few of them had acquired buttons that said "VIVA LA CAUSA!" and "HUELGA!" One of the hippie contingent, a boy with dark skin and long hair, wearing wild beads and a green Che fatigue shirt, was pinning on a "GRAPE OF WRATH—DELANO" button. "We'll show these guys," he told me. "Cesar don't believe in violence, but we do." Fists on hips, he tossed his chin toward his fellow-students, who were squealing, jostling, squalling, and flirting their way to a bus. "The Young Adult Leadership Group," he said, and he gave a low, mocking whistle.

At the Stardust Motel, I ran into the sunburned blond boy I had seen staring at Chavez from a pickup truck. He turned out to be the nephew of a local grower, and was working in the vineyards for the summer, before going to college. He had started at Chavez because a foreman in the truck had said that whenever he say a Mexican near Albany Street it was probably one of Chavez's men, and now he was surprised to learn that he had actually seen Chavez himself. Most of the growers, I had already discovered, had never laid eyes on this dangerous figure, and probably would not recognize him if they did. The nephew was handsome, pleasant, and polite; he called me "sir." He said that although his generation felt less strongly than their fathers, and although some sort of farm workers' union seemed inevitable, the Delano growers would let their grapes rot in the fields before signing a union contract with Chavez. I asked if this was because Chavez was a Mexican. No, he said, it was because Chavez was out for himself and had no real support; even that three-day fast last winter had been nothing but a publicity stunt.

A few days later, I drove down the Sandrini Road to Lamont, a farming town southeast of Bakersfield, where a small vineyard was to be picketed by Chavez's people. The Lamont-Arvin-Weedpatch fields, celebrated by John Steinbeck in "The Grapes of Wrath," are the southernmost in the San Joaquin Valley; here the grape harvest, which had scarcely begun in Delano, thirty-five miles to the north, was almost complete.

At dawn, the hot summer air was already windless, and a haze of unsettled dust shrouded the sunrise. Trucks were unloading empty grape boxes for work crews at the ends of long rows of vines, which looked almost fresh in the thin dew, and men in charge, standing beside their pickups, watched my strange car approaching from a long way off.

As I drew up behind the waiting vehicles, two men in the middle of the road began to argue. One said, "You don't want to do that, Abe. You don't want to do that. You do that and they'll know they're getting to you."

But the other, small and bespectacled, stomped over to my car. "You on our side?" he demanded.

His companion, a husky, dark-haired man in his late twenties, came over to calm him down. Politely, to elicit my identity, he introduced the small man—Abe Haddad. "Barling's my name," he added, hand extended. "Most people around here call me Butch." He glanced at Haddad, who glared at me, unmollified. "Our dads are partners in this field," Barling explained.

I asked how they had known they would be picketed this morning.

"How did *you* know?" Haddad countered.

I said that I had learned it from the union office.

"Well, we have a spy system, too," he said. "But their system is a hell of a lot better." He pointed to some unpicked vines near the public road, where his pickers would be working within easy reach of the voices from the picket line. The pickets, he said, would arrive around seven-thirty, when the pickers were well settled at their work. If even one worker could be persuaded to walk off the job and give his name to agents of the United States Department of Labor, then a labor dispute would be certified, under P.L. 414. "I think me and Johnston's are the only ones left around here that do not have a certified strike," Barling remarked. But, in fact, I knew he was wrong: several people had walked off the Johnston farm after work the day before.

Haddad and Barling told me that Chavez had been losing ground with the workers. "As far as your local help here, they don't want no part of him," Haddad said. "They wish he'd get the hell out of here."

I asked why.

"Because they're makin' more money here than they could ever make with the union!" Haddad said.

"The union, they only work a forty-hour week, so even with their wage increase they make less money," Barling said. "On your union ranches, sure the wages are just as good, maybe better, but they don't let 'em work the hours, work the days. The union is tryin' to run a farm like a factory, and you cannot run a farm like a factory!

When Haddad had gone. Barling acknowledged that the boycott had hurt him. "Today the market is three dollars a box—I'm breaking even. Next week I could be going backward." He laughed at his own helplessness. And even a grower with a small holding, like Barling, is far better off than a man trying to subsist on a family farm. Two-thirds of California's farms are of less than a hundred acres, and even without the pressure of a strike the family farms are going under; California has lost fifty-three thousand farms—nearly half—in the last decade. Since 1960, more than a quarter of America's family farms have vanished, but it is the family that vanishes, not the farm; farm land, absorbed by the large growers, has decreased only about four per cent in the same period. The small farm, with small capital and small margin, can afford neither the labor force nor the new machinery that keep increasing the advantage of the large ones. Rarely do the small farms cooperate in their production and distribution operations, or join forces to support the price of their smaller crop. Huge corporate enterprises, which can make money on a small profit from an enormous volume, are actually far more of a threat to Barling than Chavez's union.

We stood around awhile, waiting for the pickets. Before long, Barling said, "Here they come now." A caravan of ancient cars had appeared on the Sandrini Road. They drew off the pavement, and fifteen or twenty people got out, stretching. Carrying horns and "HUELGA!" banners, the pickets split into two groups, stationing themselves opposite two main crews of pickers.

"Well, this is a pretty good-looking group," Barling said, starting across the highway. "Sometimes we get a lot of these guys with long hair and beards." He grinned bitterly through his own early-morning stubble. "Course, *we* know they're actual grape pickers, not just a bunch of hippies from L.A.," he said. "Don't get me wrong." For the first time, and the last, we laughed together. He crossed the public road. Arms folded on his chest, legs wide apart, he took up a position where his workers could get a good look at the boss.

Up and down the road, red strike flags fluttered, the only brightness in the sunny haze that stretched away to the brown shadows of the Tehachapi Mountains. Already the voices of the pickets were calling to the workers.

"Venga! Véngase! Compañero!"
"Huelga! Huel-ga!"

To Chavez, the picket line is the best school for organizers. "If a man comes out of the field and goes on the picket line, even for one day, that man will never be the same," he once told me. "The picket line is the best possible education. Some labor people came to Delano and said, 'Where do you train people? Where are your classrooms?' I took them to the picket line. *That's* where we train people. That's the best training. The labor people didn't get it. They stayed a week and went back to their big jobs and comfortable homes. They hadn't seen training, but the people here see it, and I see it. The picket line is where a man makes his commitment, and it's an irrevocable commitment. And the longer he's on the picket line the stronger the commitment. The workers on the ranch committees who don't know how to speak, or never speak—after five days on the picket lines they speak right out, and they speak better. A lot of workers make their commitment when nobody sees them—they just leave the job and they don't come back. But you get a guy who, in front of the boss and in front of all the other guys, throws down his tools and marches right out to the picket line—that's an exceptional guy, that guy, but that's the kind we have out on the strike. Oh, the picket line is a beautiful thing, because it does something to a human being. People associate strikes with violence, and we've removed the violence. Then people began to understand what we are doing, you know, and after that they're not afraid. And if you're not afraid of that kind of thing, then you're not afraid of guns—these things can't frighten you. If you had a gun and they had a gun, then you would be frightened, because it becomes a question of who gets the first shot. But if you have no gun and they've got a gun, then—well, the guy with the gun has a lot harder decision to make than you have."

In the first months of the strike, in the autumn of 1965, local sheriffs and the state police of Kern and Tulare Counties followed the strikers everywhere they went. At that time, many of the ranch foremen carried guns, and shotgun blasts destroyed picket signs and car windows. The growers, startled by a walkout of several hundred harvest workers in the first few days, apparently meant to see to it that this strike was broken as quickly as all the rest, and they set about their business with a will. With policemen watching, they marched up and down the picket lines slamming the strikers with their elbows, kicking them, stomping their cowboy boots down on strikers' toes; they cursed them, spat on them, and brushed them narrowly with speeding trucks. On September 23, 1965, while picketing the house of a scab-labor contractor in Delano, a small striker named Israel Garza was knocked down repeatedly by a grower before the police intervened; they had been warned by Chavez that he could not control the crowd if the attacks continued. The police reported to the Fresno *Bee* that they had dispersed the crowd "when one picket fell down." The strikers accepted this treatment, in the expectation that arrests would soon be made, but those arrested were invariably strikers, who were taken into custody for such offenses as shouting, the public use of bullhorns, the public use of the word *"huelga,"* and, in one case, the public reading of Jack London's "Definition of a Strikebreaker."

Of all the tactics of harassment, the threatening use of trucks was the most dangerous, but repeated complaints got nothing more from the police than the statement that no crime had been committed. At one point, a Filipino union member named Alfonso Pereira, who said that he had lost faith in the non-violent philosophy, announced that he was old and despondent and wanted to trade his life for that of a grower. He got into his car, drove around a field to pick up speed, and then launched himself into a trio of growers by the roadside. All but one jumped clear; the victim, John Zaninovich, got away with a broken hip. Pereira was dealt with swiftly by the courts, and went off to spend a year in jail, apparently with no regrets.

A few months later, a striker was run down. The complaint charged:

On or about Oct. 13, 1966, at the packing shed located at Garces Highway and Glenwood St. in the City of Delano, County of Kern, State of California, at or about the hour of 10 A.M. of said day, defendant Lowell Jordan Schy, acting within the course and scope of his employment did maliciously, deliberately, and willfully assault and batter plaintiff by driving a flatbed truck, California license number W49–554, over plaintiff's body.

The plaintiff, Manuel Rivera, who had been one of the first workers to walk off the job and join the strike in 1965, was permanently crippled, and very nearly lost his life. The man who crippled him was not a trucker but the sales manager of a large grower; he had got angry when the drivers refused to cross the picket line, and decided to drive a truck himself. But, having run down Rivera, he rolled up the windows of the truck cab and subsided into a funk. If the episode had taken place out in the vineyards instead of in town Schy would almost certainly have been killed. Had Chavez not arrived very quickly, he might have been killed anyway, because the truck was coming down around his ears when Chavez got there. Chavez had left the scene a few minutes before the accident; Helen Chavez phoned him at the office, and he came rushing back. Schy was actually calling for Chavez to come and save him, but Chavez could not reach the truck door through the angry crowd. Finally, he crawled under the truck bed and surfaced at the running board of the cab, where he rose like a vision before the mob. But the people were cursing non-violence; they wanted blood, and Chavez was in their way. Chavez yelled that they would have to get him, too, then, and at last the people in front calmed down enough to listen, and he brought them back under control. He escorted Schy to the packing-shed offices, where he confronted the owner, a man named Mosesian. "That was the maddest I ever got," Chavez told me. "I really let him have it. I told him, 'You people value your damned money more than you value human life.' " Mosesian said he was sorry about what had happened, but subsequently a citation was issued against Manual Rivera, for obstructing traffic. An assault case against Schy is still pending, and Rivera has received no compensation.

The mood of that time has been described by the Reverend James Drake, Chavez's administrative assistant: "Everybody thought Rivera was going to die, so everybody wanted to get the cops, who had been practically goosestepping up to the picket line with their clubs, and they wanted to get the driver. One of the strikers, carrying a gun, walked up to Cesar and said, 'Goodbye. It's been nice knowing you.' He said how enjoyable it had been, working with Cesar and the union. So Cesar said, 'Where are you going?' and the man said, 'I'm going to kill that guy.' So Cesar put his arm around him and said, 'Let's take a little walk.' Anyway, in a situation like that you forget your philosophy. I've been on the picket line ten different times when I didn't even know myself—you just see red and you have to do something."

I had followed Barling out onto the public road, and he pointed out two Labor Department officials and a heavy man in a white shirt who was leaning against a pale-blue car, arms folded. This was Joseph Brosmer, of the Agricultural Labor Bureau—an organization set up, in effect, to protect the growers by keeping them from getting "overly excited," as Barling put it. "Some of your growers lose their tempers fairly easy, particularly if they are picked on or aggravated at, or so on and so forth," Barling said. He introduced me to Brosmer, who, upon discovering that I had a journalistic interest in the strike, asked me if I was aware of the fact that a worker who had been employed only one second could walk off the job and give his name to the gentleman over there—he pointed to the Department of Labor people—in order to certify a labor dispute. "This situation tends to lend itself pretty well to plants," he said.

Approaching the strikers, I was stopped by by the picket captain, a husky blond man with glasses. He had seen me talking with the growers, and he asked for my identification. "I want to know if you're a friend or enemy," he said. I told him that on a public road I was under no obligation to identify myself. "I'm asking anyway," he said, neither rudely nor politely, and I obliged him, because if he could not stop me from asking questions, he could stop me from getting answers. This picket captain was Nick Jones, a member of the staff of the Migrant Ministry, a Protestant group that attends to the needs of migrants in many states and, in Jones's opinion, does a poor job of it everywhere but in California. A sign that read "NO TRESPASSING: SURVIVORS WILL BE PROSECUTED" attracted Jones's attention, and he went over to an old Volkswagen and got out an old camera to record it. In the foreground of his picture he placed a stout Mexican woman striker with a bullhorn, whom he addressed as Mrs. Zapata. She wore a big, cone-peaked straw sombrero with a pink brim, which was festooned with Kennedy buttons, an A.F.L.–C.I.O. badge, a "GRAPES

OF WRATH—DELANO" button, a small portrait of Jesus, and a purple feather. In the long rise and fall of loudspeaker rhetoric, she talked nonstop most of the morning. She told the workers that they should not be afraid of the *patron*, that they, the strikers, had known hunger, too and were seeking to better the lot of the poor, that all workers must organize and fight so that their children would not have to work like animals, as they had. *"Vénganse, señores!"* she bawled. *"Para su respeto y dignidad!"* Her entreaties were carried to the workers on waves of *"Huelga! Huelga!"* from the picket line, and the workers glanced at her uneasily and kept working. Now and then, Mrs. Zapata was drowned out by a passing truck, which would blare its horn from a half a mile away and continue blaring after it had passed, its dust cloud rolling off into the fields. These trucks were driven at high speed, skimming the the road edge just behind the strikers. Once, I had to jump, and each time I was shaken by the passing blast of air. Then the strike cries would resume again: *"Huelga!"*

Since many of the first-line strikers were now working on the boycott in the Eastern cities, what was left was a sort of skeleton crew. The men pickets that morning were mostly aged Filipinos, the women mostly Mexicans who were out of work. One pretty woman told me that she had been knocked unconscious by nitrate fertilizer spray while she was working in the Coachella Valley a few weeks before. She was a green-carder from Mexico City, Magdelena by name and beautician by trade, who had come to make some quick money during harvest time. She was gaily attired in a green shirt with huge white polka dots, a yellow bandanna, lavender slacks and fake red hair, all set off by a small silver Virgin on a chain, and she was extremely cheerful about her ailments, which included nosebleeds, headaches, and sore lungs. It still pained her to breathe, she told me, and she could not go near the smell of sprays without a recurrence of her symptoms.

"Huel-ga!" the pickets shouted. *"Vénganse! No tengan miedo del patrón, señores! Vénganse!"* The old Filipino men beckoned with their arms, or waved red banners back and forth like fans. When they saw a countryman among the work crews, they would switch from poor Spanish and English and cry out to him in their native Tagalog: *"Mag labas kayo, kabayan! Huelga!"*

Jones told me that he was optimistic about the progress of the strike. The Johnson ranch had been struck yesterday; no workers had walked off the job during the picketing, but a whole group had come into the farm workers' office afterward. "If we get the base here, we can start sweeping, take a lot of ranches further north," he said. "Those guys aren't going to make us boycott, because that hurts them worse than the strike itself. Much as they dislike Cesar, they'll sit down and negotiate."

"Esquirol!" a woman shouted at the workers. *"Esquirol!"*

I asked her what the word meant, and she said it was a term used for scabs. *"Es un animal."* She laughed, making an ambiguous writhing motion with her hand. *"Ni aquí ni allá."*

"Man, they don't like Cesar," Jones went on. "And behind the dislike for Cesar is the whole Mexican thing—someone they called 'boy' is standing up and asking to negotiate."

Chavez himself has given a good deal of thought to the growers' feelings about race. "Let them have their pride," he once told me. "What we want is the contract. This is what they fail to understand. We are not out to put them out of business, because our people need the work. We are out to build a union, and we'll negotiate half of our lives to get it. If we can get better wages and conditions for the workers, we are willing to give up something. But they choose to make it a personal fight, so we have to do something to save their face. It's not hard to understand why they feel the way they do, because they've had their own way for so long that they've got the habit of it. So things can't look as if we are getting a victory and they are not."

The perfunctory yells and catcalls on the picket line gained sudden momentum; red flags danced as the pickets gathered in a single spot, like a flock of birds. Down a row of vines, perhaps fifty yards away, a work crew had run out of boxes, and while they waited for a truck they turned toward the picket line and sat down to listen. The strikers' big gun, Mrs. Zapata, was moved into position, and while she huffed and blew into her bullhorn a Filipino shouted at the work crew in an old, hoarse voice that could scarcely be heard. Most Mexicans in the vineyards do not speak English, and this man's Spanish was not up to the job. *"Ven!"* he cried. "Come on, you! All of you! *Ven!* Come on! *Leesten*, you!" He wore a red "HUELGA" kerchief tied into the band of a plastic straw hat, and a purple button that said "DON'T BUY SCAB GRAPES."

"Para respeto, hombre!" Jones yelled. "Come on!"

The workers appeared to be arguing among themselves. Then one boy stood up and started for the picket line. After a few steps, he retreated, to argue some more. A second time he started down the road, motioning over his shoulder for his friends to follow. Though several got to their feet, they did not move. When the boy reached a point perhaps ten yards from the property line, he looked back and saw that he was all alone. He was no more than eighteen, and very small and thin, with a red-and-white kerchief tied around a homely narrow head. He stared at the dancing banners of the picket line—*"Véngase! Venga!"*—and at his boss, Barling, and at Joseph Brosmer, and at the two federal officials. He glanced back again at the *campesinos* he had left. Then he sank slowly to one knee and picked at the earth. He forced a smile, to suggest that he was only playing a game. He glanced back again to where he had come from.

"Venga! Véngase! Nosotros también tenemos hambre!"

The boy with the red-and-white kerchief waved a thin, ragged arm at the workers he had left behind. No one was working now; the boy's crew had been joined by others. But after a while the other crews dispersed and went back to work. Soon the long row was almost empty, stretching away southward into the dusty sky. The boy got up. He hesitated, then he spun away, cringing in a howl of disappointment that went up from the pickets. Shoulders hunched, he hurried down the row. Staring at the ground, kicking at clods, he lifted both hands high into the sky, thumbs outward, and, without turning, waggled a goodbye with his fingers to the picket line.

The picket line subsided in discouragement; the boy had dissipated any pressure that might have been built up, and the morning was a failure. Mrs. Zapata moved a few rows away, where, using the bullhorn, she burst into song. "Nosotros Venceremos" ("We Shall Overcome") was followed promptly by "Huelga General" ("General Strike"):

Viva la huelga en el "fil"!
Viva la causa y la historia!
La raza llena de gloria!
La victoria va cumplir!

A big woman came to the edge of the fields and shouted violently at Mrs. Zapata. Through the bullhorn, Mrs. Zapata notified the workers that she knew this broad only too well and that she was entirely untrustworthy; in fact, she owed fifteen dollars to Mrs. Zapata herself, which she refused to pay. The woman, calling Mrs. Zapata a bitch, shrieked out an invitation to cross the property line, at which time she would be paid in full. In response, without letting up on the bullhorn, Mrs. Zapata saluted the woman with one finger. (To cross the property line, as the workers knew, was to get arrested.) Laughing, the picketline disbanded. The strikers got into their old cars and drove away.

When I recrossed the road, Barling said, "That Mexican gal with the bullhorn is terrific. She's better than all the rest of their people put together." He seemed more tense than ever. Barling and Brosmer had been joined by a young grower named Dan Surber of Caratan Farms. "Him and I have some grapes together, too," Barling said.

"Them geese are making one-forty an hour fertilizing that pond," Surber said, pointing at some white geese in a farm pond behind his truck, "and they're goin' on strike."

Brosmer laughed.

Barling had promised to let me go into the fields and talk with his workers once the pickets were gone, and when I reminded him of his promise he looked unhappily at Brosmer.

"I think that would be useless, Butch," Brosmer said. "I think it would be better to wait until you finish your day." To me, Brosmer said, "People have a natural-born curiosity, and you may only talk to two, but every ——— one of 'em is going to stop working to watch. It's just human nature." Barling nodded, in discomfort. He did not look me in the eye. Brosmer continued, "I think I'd have to agree with Butch that you'd better hold off going in there until Butch finishes his working day."

Apologetically, Barling said that after work he would take me in and let me pick out any worker I wanted to talk with, and I asked him why, now that the strikers were gone, it would not be all right for me to walk into the fields by myself.

"I guess we're not communicating," Brosmer said before Barling could speak. "You would be a disruptive factor."

But Barling said, "That would probably be all right. Just so long as I don't get disrupted."

"No," Brosmer said. "I think you're making a mistake."

"Well, let's go, then," Barling said ambiguously, looking at no one. He set his jaw and started for his truck, and I went with him and got into it.

"You're making a big mistake!" Brosmer called after him.

We drove down a side road into the fields. It was nearly noon, and the truck raised big, evil clouds of hydrocarbon dust. Barling swung off into a service lane that crossed the rows of vines, and stalled the truck at the edge of a crew of workers. "I ain't *never* goin' to get this crop out of here if them damn people don't leave me alone," he said. His voice was tight and his face red.

Down the rows, I spotted a red-and-white kerchief on a head that sank down behind the leaves. I waited a little while, and then I asked Barling if I could talk with the worker of my choice. Sure, he said. Which one? If he didn't mind, I said, I'd like to operate alone—it might be more spontaneous. He grunted and let me go. But the big woman who had shouted at Mrs. Zapata saw where I was going. "*That* young kid?" she called. "There weren't any boxes, and he said, 'I'm going to have some fun with them while I'm waiting.' That's why he walked out there and sat down."

The boy was deep under the vines, which were no higher than my chest. In the shadows, the filtered sun gave the big bunches of green grapes a soft glow. Crouched there, he stared up at me. He did not speak English.

"Buenos dias," I said.

He did not so much answer the greeting as repeat it, in a hushed voice full of fear.

In bad Spanish, I told him please not to be afraid, and then asked why he had gone back.

I had expected a few frightened murmurs, but he spoke right out, in passion and pain. He was a green-carder on vacation from an insurance job in Mexico, and he could speak frankly because in harvest time no one was fired. His voice grew louder. Besides, as an insurance man he would be here only two weeks more before his vacation ended. The insurance man poked his head out of the vines and looked up and down the row before continuing, in a lower voice. *Si*, he was in favor of a union. "The ranchers have no concern for us. Everybody should have a union."

Persisting, I repeated my question: Why had he not walked out an hour before?

The boy picked at the dust on his sandals. "The whole world was awaiting me," he murmured, "and I became afraid."

PROFILES

ORGANIZER II

The walls at the headquarters of the United Farm Workers Organizing Committee, in Delano, California, are decorated with photographs of Martin Luther King and Mahatma Gandhi; beside them is a blood-red poster of Emiliano Zapata, complete with mustachio, cartridge belts, carbine, sash, sword, and giant sombrero, under the exhortation *"Viva la Revolución."* All three, in their different ways, are heroes of U.F.W.O.C.'s director, Cesar Chavez. There are also portraits of John Kennedy and Robert Kennedy, black-bordered and hung with flowers, as in a shrine. Here and there is the emblem of U.F.W.O.C., a square-edged black eagle in a white circle on a red background, over the word "HUELGA," which in Spanish means "strike." According to one legend, the eagle appeared in a dream to Chavez! according to another, the inspiration came to Chavez's cousin Manuel from the label on a bottle of Gallo Thunderbird wine. The truth is that after Cesar Chavez settled on an Aztec eagle as an appropriate symbol for the union, Manuel sketched one on a piece of brown wrapping paper with the help of Cesar's brother Richard. They then squared off the wing edges so that the eagle would be easier for union members to draw on the handmade flags that are now a familiar sight on picket lines near vineyards in the San Joaquin Valley and elsewhere in California, where for nearly four years U.F.W.O.C. has been conducting a strike to win union contracts for the grape workers.

I was shown around the offices and introduced to members of the staff one morning by LeRoy Chattfield, one of Chavez's assistants. Before joining the union movement, three and a half years ago, Chatfield, a man in his early thirties, with the white hair of a blond child in summer and a wide-eyed, bony face, had been known as Brother Gilbert, of the Christian Brothers. He had been a teacher at Garces High School, in Bakersfield, but it was Cesar Chavez, he told me, who had given him his education. Chatfield introduced me to two staff lawyers, Jerry Cohen and David Averbuck; to the Reverend James Drake, a young Protestant clergyman who has been working with Chavez since 1962; to Philip Vera-Cruz, a Filipino vice-president of the union; and to Chavez's wife, Helen, who runs U.F.W.O.C.'s credit union. Mrs. Chavez speaks very softly, but Chatfield told me later that she has a hot temper, which has been known to erupt on rare occasions. "Sometime she has less faith than Cesar in nonviolence," Chatfield said.

Manuel and Richard Chavez were on the point of setting off for New York by car to try and gain support for a boycott of California grapes, which seemed to be faltering. Large quantities of Thompson seedless grapes had been arriving in New York in boxes marked "Hi-Color," a label belonging to a subsidiary of the DiGiorgio Fruit Corporation, with which Chavez had signed a contract. and which was therefore exempt from the boycott. According to Manuel Chavez. DiGiorgio had not been harvesting table grapes in recent months, and workers had reported seeing "Hi-Color" boxes in the vineyards of non-union growers. "I am going over to New York," Manuel Chavez said. "How far is it?" His face had been serious. but suddenly he laughed.

One of the union's vice-presidents is Dolores Hureta, a very pretty, sad-eyed young woman who does not look like the mother of seven children but is. Mrs. Huerta told me that she met Chavez through a man named Fred Ross. Ross had been active in behalf of the migrant Okies during the Depression, had taken up the problems of displaced Japanese and Nisei during the war, and was working to help Mexican-Americans by setting up branches of a private agency called the Community Service Organization when Chavez and Mrs. Huerta came under his influence. In 1955, when Mrs. Huerta first met Chavez, she was an active member of the Stockton chapter of the C.S.O. "I had heard a lot about him from Fred Ross—Cesar this and Cesar that—but I didn't really get a chance to talk to him, and he didn't make much of an impression on me," she said. "I forgot his face. I knew he was a great organizer, but he never showed it. It came out in the reports. He was very unassuming, you see—did a lot of work but never took any leadership role. The first time I really heard him speak was at a board meeting in Stockton in 1957. He had to respond to sharp questions from an attorney, and I was very impressed by the way he handled it. You couldn't tell by looking at him what he could do. You had to see him in action to appreciate him. In 1958, they made him organizing director of the whole C.S.O., but even then he wasn't the forceful leader that he is now." Mrs. Huerta paused, and laughed. "Of course, everywhere he worked tremendous things happened," she said. "Those things didn't just happen by themselves. The rank and file began to see Cesar as the real head of the organization long before the leadership did."

For a year and a half, between August, 1958, and November, 1959, Chavez worked at organizing the farm workers of Oxnard against the inequities of the so-called *bracero* program, which he believed was being abused for the growers' benefit by both the Farm Placement Service of the California Department of Employment and the Bureau of Employment Security of the United States Department of Labor. The program had been set up during the Second World War, when there was a scarcity of farm laborers, to bring Mexican *braceros*, or field hands, into this country on a temporary basis. Even in the late nineteen-fifties, Chevez found that American laborers supposedly assigned to jobs by the F.P.S. still had trouble getting work when any *braceros* were available. According to law, the American workers should have been given first choice. Chevez documented hundreds of cases of illegal job discrimination by taking groups of unemployed workers to fill out employers' work cards day after day and keeping a record of the results. Then he staged sit-ins—his men went out and stationed themselves opposite the *braceros* who had taken their jobs—and protest marches, at the end of which the cards were burned in a gesture of contempt for the corruption of the hiring practices. Reporters were invited to the fires. These maneuvers anticipated tactics that Chavez would refine in his own union, and they worked. Because of all the publicity, American workers began getting more jobs. They were some eighteen hundred workers around Oxnard who were loyal to Chavez, and they held firm when he demanded better wages and working conditions. The growers met his terms, though not officially. Without giving their names, they would call up and ask him to send so many workers to be picked up by a truck near a certain church. Chavez wanted very much to get a union shop, but his C.S.O. job did not give him authority to negotiate an actual contract, and he watched in despair as the Packinghouse union of the C.I.O. took over what he had begun to build. Under routine trade-union direction, the organization soon disintegrated.

In the aftermath of Chavez's experience at Oxnard, I was told, he offered a year's service without salary to the C.S.O. if it would support a new union of farm workers. At a C.S.O. convention in Calexico in March of 1962, the board voted down Chevez's plan. At that point, Chavez stood up and said simply, "I resign." Immediately, people started arguing with one another, as if he weren't there. Chavez *couldn't* resign, they decided. But he had, and that evening, when he and Dolores Huerta and Fred Ross went across the border to Mexicali to get something to eat, they were all very depressed. According to Mrs. Huenta, Chavez was heartbroken.

Chavez was immediately offered a well-paid job as an organizer for the Agricultural Workers Organizing Committee, a farm workers' union that had been set up by the A.F.L.–C.I.O. in Stockton during his own successful organization of the workers in Oxnard, but at the time he wanted no part of traditional trade-union methods, and he turned it down. He spent two weeks finishing up his work for the C.S.O., and on March 31st, his thirty-fifth birthday, he drove off with his wife and his children—he had eight—to Carpinteria Beach, southeast of Santa Barbara, and not far from where he had picked tomatoes for several seasons during his own time as a migrant worker. This was the last vacation he has ever had time or money enough to take. After six days on the coast, Chavez had made up his mind how and where he would begin his own organization drive for farm workers, and the Chavezes went straight to Delano, where his wife's family lived and where his brother Richard had been head of the local C.S.O. chapter. Chavez himself had first worked in Delano's vineyards and cotton fields in 1937, when he was ten. He has said that he chose Delano because he knew that hard times were ahead and his family would not starve there, but another good reason for choosing Delano was the composition of the work force. There are seventy-odd grape ranches in the Delano area, with an estimated thirty-eight thousand acres of table-grape vineyards, and grapes, unlike most crops, require tending of one kind or another—pruning, tying, thinning, girdling, leafing, cultivating, spraying, and so forth—for almost nine months of the year. Because of the long work season, the farm workers of Delano are less transient than most, and many stay the year round—a situation that makes organizing them both simpler and more effective. The growers are doubtless right in their contention that Delano's grape workers, who average twenty-four hundred dollars a year, are the best-paid farm workers in California, but, in Chavez's opinion, the most desperately poor are not necessarily those most inclined to take action; unlike people who have glimpsed a spark of hope, the destitute are often too defeated to revolt.

In Delano, Mrs. Chavez got a job picking grapes at the DiGiorgio Corporation's huge Sierra Vista Ranch, and Chavez took a three-day trip to "absorb" the Valley, from Marysville south to the Tehachapi Mountains, crisscrossing the flat countryside on long, straight roads. Then he returned to Delano and got a job picking peas—the first of a series of part-time jobs that helped to support the beginnings of his organization, which was called the National Farm Workers Association.

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At first, Richard Chavez did not appreciate what his brother was trying to do. Richard was earning his living as a carpenter, and had small interest in a farm workers' union. As for Manuel, he was working at that time in San Diego, making good money as a car salesman; when Cesar asked him to join the new association, he flatly refused. "We aren't farm workers anymore," he said. "We got away." But Cesar argued that because the Chavezes had got away didn't mean they could abandon all the others. Finally, Manuel agreed to join up for one month. He has never left.

Apart from Mrs. Chavez, the only person who was enthusiastic from the start of what is now known as *La Causa* was Mrs. Huerta. When Chavez left the C.S.O., she told him she would be honored to work for him—the verb is hers—and a few months later she quit her job as a lobbyist for the C.S.O. at the state capitol in Sacramento and moved to Delano. Not long after Chavez started to work in Delano, the Reverend Chris Hartmire, the state director of the Migrant Ministry of the National Council of Churches, who had worked with Chavez in Oxnard, assigned James Drake to Delano. Drake had just arrived in California, and this was his first mission. Like Mrs. Huerta, he was not overwhelmed by his first encounter with Chavez. "Cesar was very quiet," he told me. "He just mentioned that he had quit his job to start organizing farm workers around Delano. I was expecting to do the same thing, more or less. I was assigned to spend six weeks in Delano, and I'm still here."

When Chavez first got to Delano, the cheapest rental he could find was a house on Kensington Street, a block north of the one he lives in today. He had a small garage that he used as a headquarters, and it was so hot in there, Drake recalls, that all the ink melted down in a mimeograph machine the Migrant Ministry had lent him. "Everything was so oppressive that first summer that everything he wanted to do just seemed impossible," Drake told me. "He had so many kids, and they had almost nothing to eat, and they had an old 1953 Mercury station wagon that burned much too much gas and oil—it belonged in a museum even then. So I really thought this guy was nuts. Everybody thought so except Helen—even Helen's family. I had a car and a credit card, but I couldn't really help much besides that. They had no money, but whatever they had they shared. I'd bring a lunch with me, but it was very important to them that I eat with them, and they were so gracious that I finally gave in. What impressed us most at the Migrant Ministry was that even though Cesar was very hard up for financing, he didn't want *our* money. He made it clear right from the start that whatever organization he got going would be entirely independent; he didn't want any Teamster money or any money from the A.F.L.-C.I.O. or any other money that might compromise him."

"Cesar had studied the structure of the C.S.O.," Mrs. Huerta said, "and he tried to correct its mistakes in his organization. Mainly, he wanted the people who did the work to make the decisions. He wanted the workers to share, to participate, and he still does, because without that the union has no real strength. This is why he would never accept outside money—not, at least, until the strike began. He wanted the workers to see that they could pay for their own union." Very early in his struggle, Chavez turned down a private grant of fifty thousand dollars, offered without conditions, because he felt that the gift would put pressure on him to obtain immediate results. "Manuel and I almost quit," Richard Chavez told me.

In that first year, after Chavez had spent his own savings, amounting to twelve hundred dollars, he sometimes found himself asking people for food. This was hard on his pride, as he admits, but he came to believe that the union got some of its best members as a result of this begging. He has frequently said, "The people who give you their food give you their hearts."

Chavez got up early every morning and worked until midnight, taking a survey up and down the Valley to find out what farm workers really wanted. With his youngest child, Anthony, who was then four, he went from door to door and out into the fields, distributing eighty thousand cards on which the workers were invited to set down how much they thought they should be earning. At that time, the average wage was ninety cents an hour, and it is a measure of their morale that most of the workers said that they deserved a dollar-ten, or perhaps a dollar twenty-five. Occasionally, a man would say that he deserved a dollar-fifty, or even a dollar seventy-five, and a few might scrawl on their card a note of encouragement or hope. These people Chavez visited in person, and many became the first members of his association.

"His consistency and perseverance really struck me," Drake told me. "A disability case, a worker injured on the job—he would stay with that worker day and night, day and night, until he could locate an attorney who would take the case for nothing, or find some way of settling it that was of benefit to the worker. That's how his union was built—on plain hard work and these very personal relationships. It was a slow, careful, plodding thing. The growers didn't even know he was in town. Even when the strike started, they had no idea who Cesar Chavez was. But the workers did. Day and night, they came to his house, because his office was his house. He just built up this very basic trust. He ran a series of house meetings and never talked about forming a union—just an association of concerned people—because there had been unions and unions and strikes and strikes, and every one of them had failed. He learned out of a government manual how to keep books, and he set up a credit union. He talked about coöperatives and everything, but he never used the word 'union' until 1965, when the strike began."

One of the early members was a man named Manuel Rivera. Rivera came to Chavez in 1963 with the complaint that his labor contractor not only had refused to tell him what his hourly wage was for work already done but, when he protested, had kicked him out of the truck and let him walk back to town; the police had shown no interest in his case. Chavez learned that Rivera's old car had broken down for good, and that the Rivera family had spent three days at the bus station in Delano. The Chavezes took the whole family into their own small house and lent Rivera an old Volvo. When Rivera had saved a little money and was ready to move on, he said, "How much do I owe you?" and Chavez answered that he didn't owe anything; he owed help to other farm workers. After returning Chavez's old car all polished up, Rivera left Delano, and Chavez soon forgot about him. Six months later, Rivera showed up again. Over Chavez's protest, he paid union dues for all the months since Chavez had taken him in, and on the job spoke so fervently of Chavez to other workers that he eventually brought in more than a hundred new members. (In 1966, Rivera was run down and permanently crippled by a flatbed truck belonging to a grower whose fields were being picketed.)

The organizing work has always gone slowly and it was especially difficult at first. Manuel Chavez still has his 1963 N.F.W.A. card. On it, along with a green eagle, is printed "Delano Local Number 2. Cesar Chavez, General Director. Manuel Chavez, Secretary-Treasurer." Manuel laughed as he showed it to me. "I guess Cesar was one local and I was the other. We were the membership, too. It's a good thing Richard was still a carpenter—he was kind of supporting us." In this dark period, Chavez, who was penniless, turned down a job, at twenty-one thousand dollars a year, as director of the Peace Corps in a four-country region of South America.

Chavez held on, and by August, 1964, his association had a thousand members. A number of these new members, including Julio Hernandez, who is now a union officer, came from the town of Corcoran, about twenty-five miles northwest of Delano. It was in Corcoran, on October 4, 1933, that five thousand cotton pickers, many of them Mexicans, began a strike that spread up and down the cotton fields of the San Joaquin Valley, and eventually involved eighteen thousand workers. As was customary in the Depression, wages had been drastically pushed down by advertising for many more workers than could be used, then letting starving men with starving families underbid each other for jobs, until the pay ran as low as fifteen cents an hour. When the cotton pickers struck, the growers armed themselves and, after evicting the strikers from their camps, followed them to a rally in Pixley, just north of Delano, where they opened fire on the crowd and killed two workers. A third worker was murdered the same day at Arvin, a town southeast of Delano, in Kern County. Eleven growers were arrested and eleven were acquitted. The strike, which lasted for twenty-four days, won a small wage increase for the workers, but the leaders of the union that ran the strike—the Cannery and Agricultural Workers Industrial Union, an unabashedly pro-Communist organization—were flogged, tarred and feathered, and finally jailed. At the time of the Corcoran strike, an assistant sheriff was quoted as saying, "We protect our farmers here in Kern County. They are our best people. They are always with us. They keep the country going. They put us in here and they can put us out again, so we serve them. But the Mexicans are trash. They have no standard of living. We herd them like pigs." Like the signs of Chavez's childhood that read "No Dogs or Mexicans Allowed," remarks of this sort are considered poor public relations these days, but the underlying attitude, I was told by members of Chavez's union, is still very much alive.

After a new surge in membership, Mrs. Chavez left the fields to work full time at running the credit union, and Mrs. Huerta took over the bookkeeping and other responsibilities. At about this time, a man named Gilbert Padilla was assigned by the Migrant Ministry to work with Drake on the problem of improving condtions in labor camps run by the counties of Kern and Tulare for migrant workers. A large-scale rent strike organized in the Linnell and Woodville camps of Tulare County by Drake and Padilla and a lawyer named Gary Bellow finally closed them down and led to the construction of new camp buildings. "The county was making a big profit on those camps, which were just slums," Drake told me. "When the workers found out about that profit, it wasn't hard to organize a rent strike." The workers Drake and Padilla had organized during their rent strike came into Chavez's association in February, 1965, and in the summer of that year Padilla led them in a strike at the J. D. Martin Ranch, in Tulare County near Earlimart, and won a pay raise for the grape pickers there. This small victory lifted morale in the new union, and that September what is now known as the California Grape Strike began in earnest.

The Agricultural Workers Organizing Committee, the A.F.L.-C.I.O. farm workers' group Chavez decided not to go to work for in 1962, had made some small gains for its members—most of whom were Filipinos—but it got no further than the unions of the past in winning legal contracts and the rght to collective bargaining. (Because of the failures of farm unions in the past and a general feeling that unions dominated by what are known as Anglos had actually worked with employers against the interests of Filipino and Mexican-

American farm workers, the Agricultural Workers Organizing Committee, like Chavez's National Farm Workers Association, avoided the word "union" in its title.) On September 16, 1965, the Mexican Independence Day Chavez's N.F.W.A., which was made up mostly of Mexican-Americans, voted to support an A.W.O.C. strike for a wage increase which had started a week before. Led by two Filipino organizers, Larry Itliong and Ben Gines, six to eight hundred A.W.O.C. workers had struck a number of Delano vineyards, including the huge holdings of the DiGiorgio Fruit Corporation; in supporting the A.W.O.C. strikers, Chavez's group voted to strike two other large growers—Schenley Industries, Inc., and Guimmarra Vineyards, Inc. On September 20th, eleven hundred members of N.F.W.A. walked off the job.

Chavez, seeking funds and volunteers, spoke at a number of colleges, and appealed to CORE and S.N.C.C. for people with experience in confrontations to act as picket captains until the farm workers could be trained. The response to Chavez's appeal was mixed. At public meetings, he would be asked when he had last paid dues to the Communist Party. Once, he was actually pelted with eggs and tomatoes, but he kept right on with his speech, and before he was through the booing had changed to wild applause. Besides S.N.C.C. and CORE people, a number of clergymen, of all faiths, came to man the picket lines, and there were also volunteers from other groups, such as Students for a Democratic Society and the W. E. B. DuBois Clubs, as well as an assortment of hippies of uneven quality, some of whom were less help than hindrance. Chavez eventually got rid of those who were becoming financial burdens, or sources of embarrassment because of their behavior. "He didn't act nearly as fast as the rest of us wanted," Chatfield told me. "He agonized about those kids for months. But when he did move—" Chatfield made a chopping motion with his hand. "*Man!* Like a knife!"

The strikers' main efforts in the early months were concentrated on Schenley Industries. The Schenley farm in Delano was such a small part of the company's operation that a defense against the boycott that was undertaken in late 1965 might scarcely have seemed worth the negative publicity Chavez's volunteers were trying to give the Schenley trade name all across the country. But the Schenley fight was costly for the farm workers. Hundreds of people already poor had sacrified their jobs to strike, and that first autumn exhausted the strike fund. Despite a good many misgivings in some quarters about Chavez and his allies, the labor movement began to provide some support for the strike. A workers' clinic was operated by a volunteer nurse, and out-of-town doctors gave free service. (No local doctor ever volunteered.) In San Francisco, the Teamsters refused to cross the Schenley picket lines, and in mid-December Walter Reuther, of the United Automobile Workers, marched through the streets of Delano with Chavez and Larry Itliong and spoke out in defense of the Schenley boycott. "We'd rather not do negative things like boycotts," he said, "but when the growers refuse to sit down at the bargaining table there is no alternative." Reuther handed over a check for five thousand dollars, and pledged the same amount every month until the strike was over. The A.F.L.–C.I.O. was underwriting A.W.O.C. at ten thousand dollars a month, and collections had been taken up by the Garment Workers, Seafarers, Packinghouse Workers, and other A.F.L.–C.I.O. unions, as well as by church and student groups. But the combined sums did not pay for the strike, which was costing forty thousand dollars a month. The deficit was made up in hardship.

By the middle of March, 1966, when the Senate Subcommittee on Migratory Labor conducted hearings in California, the two organizations involved in the strike—N.F.W.A. and A.W.O.C.—had conducted by far the longest farm strike in California history, and seemed to be on the edge of total defeat. The chairman of the subcommittee was Harrison A. Williams, Jr., a Democrat from New Jersey, who had been supporting the interests of farm workers in Congress since 1959—the year the subcommittee was established—and he was accompanied by Senator Robert Kennedy, of New York, and Senator George Murphy, a California Republican. Chavez addressed Senator Williams's subcommittee with his usual frankness. "Although we appreciate your efforts here, we do not believe that public hearings are the route to solving the problem of the farm worker," he said. "In fact, I do not think that anyone should ever hold another hearing or make a special investigation of the farm-labor problem. Everything has been recorded too many times already, and the time is now past due for immediate action. Or, some people say education will do it—write off this generation of parents and hope my son gets out of farm work. Well, I am not ready to be written off as a loss, and farm work could be a decent job for my son, with a union. But the point is that this generation of farm-labor children will not get an adequate education until their parents earn enough to care for the child the way they want to and the way the other children in school—the ones who succeed—are cared for. . . . All we want from the government is the machinery—some rules of the game. All we need is the recognition of our right to full and equal coverage under every law which protects every other working man and woman in this country." Chavez was referring to the fact that growers, unlike most other employers, are under no legal obligation to bargain with their employees, since farm workers have been specifically exempted from the terms of the National Labor Relations Act, and only a few farm workers have been affected by federal minimum-wage legislation. In the course of the hearings, Bishop Hugh A. Donohoe, of Stockton, expressed unanimous support for the strikers on the part of the eight Roman Catholic bishops of California and made an eloquent appeal for full collective-bargaining rights for farm workers.

On March 17th, the day after the hearings, Chavez set off on a widely publicized workers' march—or *peregrinación*, as he called it—from Delano to the steps of the capitol at Sacramento. The *peregrinación* was inspired in part by the freedom march from Selma, Alabama, that had taken place a year before, but, like a fast that Chavez undertook two years later, it had a religious connotation as well. Its emblem was the Mexican patron saint of the *campesinos*, La Virgen de Guadalupe, and the *peregrinación* was to arrive at the capitol steps on Easter Sunday. Chavez had suggested that the march should be penitential, like the Lenten processions of Mexico—an atonement for past sins of violence on the part of the strikers, and a kind of prayer. But *La Causa* was supported by a number of Protestants, Jews, and non-believers, and some of them made it clear that they did not see the slightest reason for atonement on the workers' part—weren't the workers the victims? "The question was brought up at a special meeting," Mrs. Huerta told me. "We put the Virgin to a motion, and virginity won." Sixty-seven strikers set off on the three-hundred-mile march to Sacramento, where they hoped to meet with Governor Edmund G. Brown. The progress of the *peregrinación* was slow and ceremonial; as Chavez had anticipated, it received a good deal of support and participation from people along the way, in the form of food and shelter for the marchers. More than fifty of the strikers, who came to be known as *los originales*, made the entire march from Delano to Sacramento, which lasted twenty-five days, and when they arrived on the capitol steps, in the rain, on Easter morning they were joined by thousands of supporters and some notable figures in politics and labor. Governor Brown had forsaken notables and *originales* alike in favor of a weekend at Palm Springs with Frank Sinatra, but the occasion did not lack a climax, for it was announced that Schenley had agreed to negotiate a contract. The contract, which was signed in June, 1966, provided an hourly wage of a dollar seventy-five and a union hiring hall. Except for some contracts the International Longshoremen's and Warehousemen's Union had won for pineapple workers in Hawaii, it was the first real contract for farm workers in the history of American labor.

The strikers now turned their attention to DiGiorgio, whose Sierra Vista Ranch occupied forty-four hundred acres near Delano, and began to establish a boycott of DiGiorgio's products. Suddenly the Teamsters union, which had provided important support for the strikers in the fight against Schenley, announced that it was prepared to represent the DiGiorgio workers, and the company quickly arranged an election in which workers could choose the Teamsters, Chavez's N.F.W.A., or no union at all. The election was held on June 24th, but Chavez told his people not to vote, and Governor Brown ordered an investigation by Ronald W. Haughton, of the American Arbitration Association, who recommended that a second election be held. There followed two tense months of accusations, violence, reprisals, injunctions, and arrests. Among those arrested was Chavez. Having persuaded ten workers to walk off the job at DiGiorgio's Borrego Springs property, northeast of San Diego, Chavez and two clergymen, one Protestant and one Catholic, accompanied them into the ranch to retrieve their belongings and were arrested for trespassing. All of them except the Catholic priest were then stripped naked and chained together by some zealous sheriff's deputies.

The Teamsters was the only union that had supported the retention of the *bracero* program, and, as Chavez saw the situation, the Teamsters had entered into an alliance with DiGiorgio to work out what is known as a "sweetheart" contract—one that would almost certainly benefit the union and the employer but might or might not help the workers. Under these circumstances, Chavez concluded that he had no choice but to merge N.F.W.A. with A.W.O.C., under the banner of the A.F.L.–C.I.O. The merger took place in August, before the second election at DiGiorgio, and the last phase of the battle with the Teamsters was extremely vicious. The A.F.L.–C.I.O., which had expelled the Teamsters in 1957, charged that the Teamsters were controlled by gangsters, and the Teamsters countered that the new organization, called the United Farm Workers Organizing Committee, was influenced by an international Communist conspiracy. Prevented from picketing at the Sierra Vista Ranch, the strikers held nightly vigils outside the labor camps, at a shrine set up in the back of Chavez's old Mercury station wagon; the workers, some of whom had been recruited by DiGiorgio from as far away as Juárez, Mexico, were proselytized when they came out to pray. The second election was held at Sierra Vista on August 30th, and anyone who had worked there for fifteen days or more during the previous year was eligible to vote. The Teamsters already had a large California membership of workers directly dependent on agriculture, which is a four-billion-dollar industry in the state and the workers in the packing sheds voted 94 to 43 to join the Teamsters. But the field workers, some of whom had heard about the election in Mexico and had come back at their own expense, voted for U.F.W.O.C. by 530 to 331.

Nine days after the DiGiorgio election, the field workers walked out of the vineyards

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of A. Perelli-Minetti & Sons, demanding to be represented by U.F.W.O.C. But the company, which makes Tribuno wines, signed a contract with the Teamsters. After another inter-union struggle, in the course of which a U.F.W.O.C. picket, John Shroyer, was beaten up, the Teamsters reversed their policy and came to terms with Chavez. Under a general agreement reached in July, 1967, U.F.W.O.C. gave the Teamsters representation of certain shed workers in return for representation of all field workers, including those at Perelli-Minetti, whose union contract was at once transferred to U.F.W.O.C. After these developments, Gallo, Almaden, Christian Brothers, and the other large California wineries presented very few difficulties for Chavez; the big wineries, which sell their products under their own nationally advertised brand names, would be especially vulnerable to a boycott, and by September of 1968, when the Paul Masson vineyards signed, almost all of them had contracts with U.F.W.O.C.

Meanwhile, the growers of table grapes, who are less vulnerable, continued to resist, and they were unquestionably heartened in November, 1966, when Ronald Reagan, who had spoken out against the grape strike from the start of his campaign, was elected governor. In that same month, U.F.W.O.C. won another representation election at the vineyards of Mosesian-Hourigan-Goldberg, a relatively small firm in Delano, by a vote of 285 to 38, but that was the last new representation election any table-grape grower has permitted. In fact, there had not been much good news of any sort for the union in many months until a few days ago, when ten table-grape growers in the Coachella Valley indicated that they would be willing to negotiate with Chavez.

Chavez eats no breakfast and is careless about lunch. He usually sits down to a modest meal in the evening. During the day, he drinks a great deal of Diet-Rite Cola, and he keeps a supply of dried apricots and prunes and a package of matzos in a drawer in his desk at U.F.W.O.C. headquarters in Delano. On the other hand, he is very fond of Chinese food, and I drove thirty miles with him one evening last summer to eat dinner at his favorite Chinese restaurant in Bakersfield. It was a family outing. Helen Chavez and four Chavez daughters went in one car, with a friend; Chavez and I were in a second car with the youngest daughter, Elizabeth, and the two young Chavez sons, Anthony and Paul. The only child missing was Fernando, nineteen, who was living with his Chavez grandparents in San Jose.

All eight of the Chavez children have nicknames. Elizabeth, who was then ten, had pronounced her own name as "Titibeth" when she was a baby, and it had stuck; Paul, eleven, who had been an especially rotound infant, started out as Bubble, and the name was later modified to Babo; and Anthony, who had just turned nine, was called Birdie, because of his supposed resemblance to a bird. "My own name was Manzi," Chavez told me. "As a small child, I was supposed to have liked *manzanilla*—you know, camomile tea? So the family always called me Manzi."

The memory made him smile. There is a single silver strand in the black Indian hair that falls across his forehead, and a black mole on the brown skin just below his lower lip seems to balance a gold tooth in his smile. He went on talking cheerfully about his childhood. His paternal grandfather had been a peon in Mexico, but had come to the United States with his family in 1889 and acquired, as a homesteader, about a hundred and sixty acres of sage, and mesquite desert in the Gila River Valley some fifteen miles northeast of Yuma, Arizona. Chavez's parents were both born in Mexico, but Cesar Estrada Chavez entered the world, on March 31, 1927, as a citizen of the United States. According to Chavez, his grandfather, another Cesar, greatly admired the big Mexican haciendas, and since he had nine sons and six daughters, some of whom had families of their own, he designed his house on the same scale. It lasted a half century, and might have lasted indefinitely in that dry climate if the roof had been of tile instead of adobe, because the walls were twenty-four inches thick. The house was cool in summer, warm in winter; it stood on a slope against the hills, with a laundry and a woodshed on one side and a garden on the other side. The farm produced cotton, lettuce, carrots, and watermelon, with maize, grain, and alfalfa for the animals, and it fed not only the Chavez families but many strangers who were wandering up and down the land in the Depression years. "At that time," Chavez said, "my mother's patron saint was St. Edwiges—I think she was a queen who gave everything to the poor—and my mother had made a pledge never to turn away anyone who came for food. And so, you know, ordinary people would come and have the food, and there were a lot of hoboes that used to to come, at any time of day or night. Most of them were white. We lived in my aunt's house in Yuma for a while, and my mother sent my brother Richard and me out into the street sometimes to look for *trampitas*—that was our affectionate way of calling the hoboes. I remember the first one. We found him sitting under a retaining wall, right around the corner, and we wanted this one bad, so we could quit looking and go play. But when we told him all about the free food just waiting for him around the corner, that tramp couldn't believe it. 'What for?' he said. 'What are you doing it for?' 'For nothing,' we said. 'You just come with us.' So we hustled him around the corner, and he ate the food, but he still didn't believe it. She'd just give them very simple things—beans and tortillas and hot coffee—but it was a meal, and soon all the hoboes knew about her, because word spreads. We didn't have much, and sometimes there was enough for everybody and sometimes there wasn't."

Manuel Chavez, who is first cousin to Cesar and Richard, came to the farm to live when he was small, and has been so close to Cesar ever since that the two men refer to each other in as "my brother." For a while, this produced a certain amount of confusion in the union movement. The story goes that one time someone came to Cesar and begged him for enlightenment: *Was* Manuel his brother? In this period, Manuel's volatile nature was a constant threat to Cesar's program of nonviolence, and Cesar considered the question a few seconds before he answered it. "Sometimes," he said.

The farm in the Gila River Valley represents a lost home to all three men. By 1937, Chavez's grandfather had died and the family's money was all gone; the farm was seized by the county to pay off the local taxes and the water bill. While they were working in the Imperial Valley last summer, Manuel and Richard drove over to see the homestead, and reported to Cesar that they found only a ruin of fallen adobe on another man's farm. "I missed that house," Cesar told me. "When I was living there, we had all kinds of space—it seemed like the whole world belonged to us. In the cities, I couldn't get used to the fences. We couldn't play like we used to. On the farm, we had a little place where we played, and a tree in there was ours and we played there. We built bridges and we left everything there and when we came back the next day it was still there. You see, we never knew what stealing was, or to be stolen from. Another thing that we learned after we left the farm—my dad especially—was that people would lie to you. Lie without batting an eye. For instance, they'd say, 'If you go to so-and-so place, they have a job for you, at a very high wage.' And we always went for it, hook, line, and sinker. They'd get you to go because you were competition. And we'd get there and we'd find there was no housing. The wages weren't what they'd said, and in many cases there wasn't even a job. I remember now that my dad and my mother had a heck of a time trying to understand why anyone would really—you know—just *lie*."

Chavez was quiet for a while. "We went to live in Brawley, and we used to shine shoes, and we really hustled. The cops wouldn't let us into Anglo Town, where the white people lived, but there was a diner right on the line, kind of, and everybody talked about how it was supposed to have beautiful hamburgers. It also had a sign reading 'WHITE TRADE ONLY,' but we had just come from the country, from Arizona, from a community that was mostly Mexican or whites too poor to bother about us. So we didn't understand yet, and we went in. The counter girl was up at the far end with her boy friend, and I said, 'Two hamburgers, please!'" Chavez shook his head. "The girl said, 'What's the matter—you can't read? ———dumb Mex!' She and her boy friend laughed, and we ran out. Richard was cursing them, but I was the one who had spoken to them, and I was crying. That laugh rang in my ears for twenty years. It seemed to cut us out of the human race."

With the loss of their land, the Chavez family became migrant farm workers. Up and down California they followed the crops, struggling for shelter, clothing, food. When the trek began, Manuel was twelve, Cesar ten, and Richard eight. Their childhood was already over. They worked with their parents in the fields, picking prunes and figs and apricots, turning grapes for raisins, hunching and stooping down row upon row, from the Imperial Valley north to Marysville, and then south again in November, taking such poor, segregated schooling as they could find in the brief winter season between pruning and girdling. Chavez says that he attended more than thirty schools, without ever reaching high school. Although all members of the family were United States citizens, they were in constant peril of deportation: the Border Patrol, known as "la migra," rarely concerned itself with the difference between Mexicans and Mexican-Americans. "My mother was so frightened of 'la migra' that she would be trembling whenever we were near the border," Chavez said. Sometimes the family lived in tents or under bridges, eking out a meager diet with fish and greens culled from roadside ditches. "Mexicans like hogweed," he said enigmatically. He and Richard saved tinfoil from old cigarette packs found on the highways; from the sale of an enormous ball weighing eighteen pounds, he remembers, they made enough to buy two sweatshirts and one pair of tennis shoes. In 1939, in San Jose, Cesar's father joined a C.I.O. union that was organizing workers in the dried-fruit industry; this union was broken, like all other farm workers' unions, as soon as it went out on strike.

Chavez stopped talking to point out some freight cars on a railroad siding; in the twilight, I could just make out that the cars were heaped with sugar beets. "That is one crop I am glad is automated," he said. "That was work for an animal, not a man. Stooping and digging all day. And the beets are *heavy*. Oh, that's brutal work. And then to go home to some little place, with all those kids, and hot and dirty—*that* is how a man is crucified. *Crucified.*" He spoke with a low, intense burst of anger, gazing back at the cars of beets. "The growers don't care about people, and they never will. Their improvements, their labor saving devices are all for their own benefit, not for ours. But once we get union contracts, we'll be protected. We're not afraid of automation. We'll split the profits of progress with them, fifty-fifty."

At Bill Lee's Bambo Chopsticks, in Bakersfield, we all sat at one big table in a corner. The older girls announced that they wanted the combination shrimp plate, and there were jokes between Chavez and his children about shrimp strikes and hungry strikebreakers who might cross the picket line in the middle of the table. In the excitement, Chavez repeatedly confused the names of Sylvia and Linda, his very pretty older daughters, and at last Linda shouted, "He doesn't know us apart!" Chavez shook his head ruefully; he gazed at her until she looked at him and smiled. But then he called Linda "Sylvia" again, and his wife hissed at him with real vehemence.

Mrs. Chavez, whose maiden name was Fabela, has fierce Spanish eyebrows. Her father was a colonel under Pancho Villa in the Revolution, and Chavez sometimes teases her about her hot blood. They met in Delano during the Second World War when Chavez, then fifteen and still migrating, found himself stranded there, out of a job. She was working in a grocery store. "She used to give me gas coupons, I think," Chavez told the children. "Then she asked me to a show. How could I say no?"

Unwillingly, it seemed, Mrs. Chavez began to smile.

"Who paid?" Sylvia asked.

"She did, of course." He laughed a little, smiling warmly at his wife. "She had a job and I did not—what could I do?"

"Were you a lover in your days?" Linda inquired.

"Love 'em and leave 'em, I bet," another daughter said, and the shrimp eaters giggled as a group. The children were all salty and affectionate with their father without being impolite.

"Well, I was very friendly, you know. A lot of girls were my friends, but I was not a lover." Chavez said this simply, without coyness.

Chavez was called to the telephone while we were breaking open our fortune cookies, and we waited for him a little later in the street. There was a bookstore right across the street from the restaurant, and Mrs. Chavez said, "I hope it isn't open—he'll be in there all night." She said that he was the same way about camera stores. Her shyness made me feel shy myself. At any rate, I had no wish to intrude upon her, and confined myself to the observation that I supposed she would be very glad when the strike was over. Helen Chavez's smile, when it appears, is a beautiful surprise. "Yes," she said, paying no attention to the fatuity of my remark. Standing there on the sidewalk, considered life without the strike, she spoke the word with all her heart.

On the way home, Chavez reminisced about the two years he spent in the Navy, where he first became interested in photography. "I got in this poker game," he said. "I think that was the first time and the last time I ever gambled. And I won and I won and I won—I could not stop winning. There was more money lying there than I had ever seen before. And I couldn't quit. The guy who gets that far ahead, he can never quit." Finally, a loser begged Chavez to buy his camera so that he could keep on losing. Chavez said he had forgotten what happened to the money, but he kept the camera and started taking pictures.

He had joined the Navy in 1944, and he served for two years on a destroyer escort on weather patrol out of Saipan. He had never been on a ship before, and at first he was seasick, and frightened of the sea. In fact, the ocean still disturbs him. "I like the sea, but I don't rest there," he said. "I think. The waves coming in, you know. They make me think. I love the woods. Big trees. That's where I rest."

In 1948, Cesar Chavez and Helen Fabela got married. "We went to live on a farm near San Jose, and there was a little tiny house for me and my family. I was married, Richard was married, and there was my mother and my dad, my sisters, and my other brother. We worked the strawberries, sharecropping—it was horrible. We worked there for two and a half years, and we never made any money. We figured later that the whole family together was making twenty-three cents an hour. At the end of the month, we just didn't have anything left over. We worked two and a half years. Every day, every single day—Saturday, Sunday. And I couldn't get my dad to leave. I didn't want to leave him there, yet I couldn't get him to leave—because he'd made a commitment, you know. His word! There were hundreds of people caught in this exploitation. Finally, we got him to admit that we were being taken, and that the best way was just to leave the whole damn thing."

In 1950, Richard and Cesar went to work in a lumber camp on the Smith River, just south of the Oregon border. It was summer, and they slept in the big woods along the river. One day, they asked the foreman if they could build a cabin in the woods, and because they were both good, dependable workers the permission was granted. In their spare time, they built a serviceable cabin, and in the process learned basic carpentry. For Richard, this was a turning point, because not long after that he became an apprentice carpenter. The brothers loved the cool forest and the river, they were proud of their cabin, and they were making good money. But although both had steady work and could have brought their families there, they returned in the same year to San Jose, where they lived in a slum area known as Sal Si Puedes—a name that may be translated, roughly, as Escape If You Can. Before long, Richard became a carpenter, and Cesar, supporting his family as best he could, took the first steps in his career as a labor organizer and the founder of what may become the first effective farm workers' union in America.

It is as an organizer, rather than a union leader, that Chavez sees himself, and one afternoon while we were driving back to Delano from some appointments he had had in San Francisco he told me, with cheerful fatalism, that when his union is established and his own people, no longer preoccupied with survival and aspiring to consumer status, find him too thorny for their liking and kick him out, he might like to go and organize somewhere else—maybe in the Mexican slums of East Los Angeles. He always speaks passionately about organizing, but he does not romanticize his work. "There's no trick to organizing, there's no shortcut. A good organizer is someone willing to work long and hard," he said. "Just keep talking to people, and the people will respond. People can be organized for the most ridiculous things. They can be organized for bad as well as good. Look at the John Birch Society. Look at Hitler. The reactionaries are always better organizers. The right has a lot of discipline that the left lacks. The left always dilutes itself. Instead of merging to go after the common enemy, the left splinters, and the splinters go after one another. Meanwhile, the right keeps after its objective, pounding away, pounding away."

Going south through Oakland toward the freeway, Chavez pointed out St. Mary's Church, in whose hall he had held his first big meeting for the Community Service Organization. "I was green, you know, but we brought in over four hundred people. Oh, I was so happy! I was *happy!*"

By the time we reached the freeway, it was nearly five, and an hour later we were still caught on a belt of noise and ugliness that bored through the sprawling suburbs of the Bay area. The rush-hour traffic was stifling any chance we had of reaching Delano in time for a union meeting that evening, and Chavez said, "Maybe I could stop in San Jose and just say hello to my mother and my dad." Aside from his parents and his son Fernando, he has two sisters and a brother living in San Jose. The brother is a carpenter. One sister is married to a carpenter, the other to a plasterer. "They're pretty good guys," Chavez said. "But they're not interested in what we're doing. I don't see too much of them." Chavez talked a lot about his sister Rita, who became president of the San Jose C.S.O. In a fight to get blacks into her chapter, he said proudly, she had beaten down the prejudice against them that she found among many of the Mexicans. "Oh, Rita's great!" he said. "If she had a choice, she'd be swinging with us right now, down in Delano."

Chavez has always wanted to have his family involved in his organizing work as much as possible. "Of course, I'm lucky to have an exceptional woman," he said. "Even if I come home at four in the morning, I give her a full report on what has happened, and to this day—well, most of the time—she still wants me to do this."

We left the freeway, turning east up the gleaming glass-plastic-neon boulevard that is San Jose's main thoroughfare; at the end of it low, bare ridges of the Santa Clara Mountains ease the eye. Toward the eastern edge of town is Sal Si Puedes. Of the many communities that Chavez has known since he left the Gila River Valley, he feels drawn most strongly to Sal Si Puedes, where he lived for long periods both before and after he was married. He pointed out a wooden church that he had helped to build. Sal Si Puedes was the first community that he organized for the C.S.O., and there is scarcely a house along those small streets that he hasn't been in. The part of the *barrio* where his parents live has a few trees and patches of lawn among the bungalows. We stopped at a mailbox marked "Chavez," and he went into the yellow stucco house to see if his parents were at home. When he came out to get me, he was tailed by two toddling nephews, and he was laughing.

Chavez's parents are about eighty, and they both have spectacles and snowy hair. The father, who must have been a very strong, good-looking man, has been troubled for several years with age and weight and deafness; his wife is still very alert and active. After I had said hello to Chavez's parents, he introduced me to niece of his, a pretty fifteen-year-old named Rachel, and to his son Fernando, a tall, strong-looking boy with a generous, open face and manner. Fernando held a golf iron in his hand.

Chavez, sitting on the couch with his mother in the living room, asked Rachel if she was coming to Delano the next summer to help in the strike, and she said enthusiastically that she would like that. I had the feeling that he was talking to his son, and apparently Fernando thought so, too, because he murmured mildly that he had meant to accompany Manuel to New York to help with the boycott and wondered why Manuel had not let him know that he was leaving.

Chavez looked at his son. "I guess you know we don't pay people to strike," he said in a flat voice.

"I know," the boy said uneasily. "I wanted to go anyway." He met his father's gaze.

"Well, it's never too late, I guess," Chavez said. He turned back to his mother.

Fernando glanced at me and smiled; the smile made no comment. I asked him about his golf, and he told me that he shared a bag of clubs with a friend and that he had once broken seventy.

Chavez spoke with his mother for all but a few minutes of the hour or so we spent in his parents' house; the pleasure he took in her company was a pleasure to see, and I doubt if her eyes left him once during the visit. His father sat quietly on a chair by the door. Chavez speaks warmly of his father, from whom he learned his contempt for that special kind of male self-consciousness that Mexicans call *machismo;* unlike most Mexi-

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can-Americans, Mr. Chavez never considered it unmanly to bathe his children or take them to the toilet or do small menial jobs around the house.

Before we left, Chavez took his mother's fragile hands in his and said goodbye. On the way to the road, he knelt to talk with his small nephews, giving them ten cents each. He asked the older child his name, and the boy said he was Aguilar Chavez Junior the Third. Everybody burst out laughing except Aguilar Junior the Third, who merely looked pleased. The boys said goodbye to "Tio Cesar," and he left them grinning broadly. "You see?" he told me. "Money talks."

In the car, I told Chavez that I thought Fernando had seemed sincere about going to New York, and he nodded. Apparently, Manuel had mentioned before leaving that Fernando wished to go along, but Cesar had not taken it seriously. Now he did, however, and for a while, as we drove south, he spoke proudly of Fernando. "We'll make a good organizer out of him yet," he said in a delighted tone. But then he caught himself and laughed. "I know," he said. "This time I'll let him come on his own decision, with no pressure. That will be best."

From San Jose, we continued south on U.S. 101, following El Camino Real—the Royal Way—which once connected the old Franciscan missions of California. Since Chavez had given up any idea of getting to the union meeting, he decided to visit one of the most beautiful of all the missions, which was only a few miles off our route. "Our time is our own for the rest of the evening," he said. "We can spend it as we like."

Along both sides of the road were pretty orchards, but Chavez took no pleasure in them. Belted in, shrunk down in his seat, he peered out at them through a corner of his window. "Oh, I picked a lot of prune, a *lot*," he said. "I hated it." Farther on, the orchards gave way to the soft, flowing golden hills of the small Santa Clara Mountains, and here and there, like islets in the stream of golden grass, stood old, dark, sturdy oak trees. The oaks made him sit up again; he called my attention to the more beautiful ones as we rode along, and said that oaks—*los robles*—were his favorite trees. With disgust, he pointed out a place where giant oaks had been hacked down to make way for a big raw-metal cistern.

At Gilroy, it was late in the summer day, though the light was still warm on the round crests of the low hills. On one of these hills, to the south, the Mission San Juan Bautista was founded, in 1797. Its hill overlooks a small valley and is overlooked, in turn, by higher hills. The mission is of white adobe, roofed with tiles of fine old reds, and the church, with the portico of its monastery, forms one side of one of the oldest Spanish plazas in California. The plaza is fronted on two other sides by high adobe and frame buildings of the nineteenth-century West—the Golden West, to judge from the nugget color of their paint. The columns of the portico are three feet thick, and they reminded Chavez of the walls of the abode farmhouse in the Gila River Valley. He laid his small brown hand on the old surfaces. "You can always tell when adobe walls are thick," he said. "Even from head on and far away. It's almost magical."

We walked the length of the empty portico. Dark was coming, but the light was so clear—we were far from the cities—that different reds could still be made out on old tiles of different ages. All was softened by ancient evergreens and crusting lichens, and under the eaves violet-green swallows flitted out and returned. Chavez pointed out the old floor of the portico, which was a broken, weathered mix of stone, adobe, ancient brick, and concrete—anything that had come to hand over the years. He said that he longed to have such a floor in the buildings at the Forty Acres, the new union headquarters outside Delano, but that the members would never tolerate it. "They're real Americans," he said affectionately. "They want everything to look slick and expensive, to show the world that their union is a success." He laughed. "Well, we're going to put a wall around the Forty Acres, to make it a kind of cloister, like this mission, and the beautiful side will be facing *in*, so that the people who built it can enjoy it. If outsiders wish to come in and look, they'll be very welcome."

Our shoes whispered on old stones. Slowly, we walked around the mission in the gathering dusk. Chavez said that he liked to think his adobe buildings at the Forty Acres would weather as well as the old missions, but the state had demanded steel reinforcements; he said this as if steel, lacking the right spirit, might prove to be the weakest link.

"I can't remember when my interest in the missions started," he said. "It must have been very deep. When I got married, Helen didn't know very much about missions, so on our honeymoon we visited just about all of them, from San Diego north to Sonoma. What appeals to me is their ability to withstand the ages. Some are two hundred years old, you know. And this is for me a sort of symbol of what happens to people with the right attitudes. Everywhere else, they slaughtered the hell out of the Indians, all across the country, but in the missions it was different. Everywhere else, the Indians were exploited—whatever religion they had was taken away from them and they were made Chritsians. Of course, the missions used them, too, but the whole spirit was different. The Mexican government perceived this, and that's why they wanted to destroy the missions. Oh, they were animals, some of those Mexican governors! They were *animals!* You see, it was really a Dark Age in terms of human life, but the missions gave sanctuary to the Indians, and it was a whole new approach to human beings. The Franciscans came and they said, 'These are human beings.' And the missions reflect this spirit—not just the architecture but the way they have lasted." He looked around him, and continued, "They are beautiful. They are peaceful. And I think that comes from a kind of crusading spirit, completely opposed to what was happening in the country before and afterward. There were few Indian uprisings here, very few. The big fight was between the Franciscans and the governments—first Spain and then Mexico—to keep the soldiers from rape and looting. Those Spanish soldiers were terrible. Hopeless. They were always at odds with the Franciscans, because the priests wouldn't give in on moral grounds. 'You can't abuse Indians,' they said. 'You can't abuse women.' The Franciscans made the soldiers respect the Indians. There were abuses on their side, too, but in general the moral force was great. Their history was long and most of the records have been lost, so the abuses by the Franciscans have been exaggerated. Most people don't realize what these priests did for the Indians—in South American and Mexico as well as here, and at great cost. They neutralized the governments. If the Church had been active in the United States at the time the Negroes were coming in, with the same kind of moral force, the present mess would never have developed. And it wouldn't have happened with the Indians—the mass slaughters, wiping them out." He sighed "Bartholomé de Las Casas—he was a great Dominican missionary, and he fought the Crown, and finally he made them understand. Today, the Franciscans have only about four of the old missions. There's one mission that has been fully restored by the government—La Purísima Concepción, near Lompoc, on the coast. They made the tiles exactly the way the tiles were made by the Indians, and it's beautiful, but it's empty. It's cold. If the Church is not there—the people—it loses its life. It dies."

He recalled one Sunday when his wife succeeded in getting him to accompany the family on a picnic. There were so many workers coming to see him on their day off that he planned to leave very early in the morning to avoid refusing them. But a few arrived before he could get away and had to be left unattended to, and Chavez felt so miserable all day that he ruined the picnic for everybody. That evening, he told his wife that he was being pulled apart, that he had to give his full time to the people and just do the best he could with his own family. "It's lucky I have Helen there, because I'm never really home," he said. "I was home when two of the children were born and away for all the rest." He closed his eyes and massaged them with the fingers of one hand—a characteristic gesture of distress. "You know, I always felt that because I really wanted to do something for people this would be all right. But we talk about sacrificing ourselves and often we are sacrificing others. By the time Birdie came, Helen was pretty much used to it, I guess, but . . ." He stopped speaking for a minute, then opened his eyes, and when he spoke again his voice was harsher. "You cannot have it both ways. Either you concentrate your attention on the people who have claims on you or you say, 'No, I have to help many more at their expense.' You don't exclude them totally, and they get more attention that anybody else, but they aren't going to get enough. You can't have it both ways. You cannot! Anybody who uses the family as an excuse not to do what he has to do . . ." He stopped again, then resumed, in a quieter voice, "I haven't been home in four nights. Sometimes I'm away for ten nights, maybe more. It hurts me not to be home with my family, you know—I feel it. The whole thing is rough on the children. I know that. They don't like living in poverty, especially when they know that it's intentional on my part. And things get harder as they get older—it's harder to get nice hand-me-down clothes and everything. But they are great, they are just great!" He smiled. "I told them that they were better off than the migrants, that at least they had a purpose in their lives, and they understood this—they really did. Of course, they think I'm pretty old-fashioned. I tease Sylvia about always fixing her hair—the waste of time, you know. I told her that women are prettier the way they are made, that they should leave their hair the way it came. And I make a lot of fun of people who give their spare time to mowing the lawn, or washing their cars, or playing golf. To me, it's such a waste of time. How can you justify doing that sort of things as long as all these other things are going on—the suffering?"

I said nothing, and a moment later, very quietly, he went on. "There's a saying in Spanish, *'Lo que no puedes ver en tu casa, lo has de tener'*—'That which you don't like you wind up having at home. Sylvia finished high school, and I've asked her several times about registering for college, but she won't go. And Fernando . . ." He nodded. "My son is a good golfer. He is a *real* Mexican-American." This was the first truly bitter remark I had ever heard him make. He caught himself immediately. "Well, that isn't fair," he said. "By 'real Mexican-American' I mean someone who is just interested in material things. But Fernando isn't that way at all. He had a hell of a time in school, you know—we finally had to take him out. One fight after another. There was one grower's son who was really out to get him. Here I was, dedicated to non-violence, and my son fighting right and left." He managed a smile. "He always won. I think they finally had a great big fight that was supposed to settle things once and for all, and Fernando knocked him out." Chavez frowned a little, evidently to repress a small note of pride. "By that time, anyway, he had already lost interest in the strike."

Chavez was quiet for a while, and then he said, "I never once took him fishing or to a ball game, or even to the movies." His tone in judging himself had the same harshness that he had levied on his son. "I only took him to the office or out on the picket line. He'd be interested at first, but after a while he lost interest. He still doesn't know what he wants to do. He's out of a job, and he's not really in school, and he's liable to the draft." Chavez rubbed his eyes again.

"My family is deprived," he said flatly, after a time. "And we're going to stay deprived until we can get education. I can't get them to read. If I could just get *one* of them . . ." He paused. "Maybe Birdie." Nodding, he repeated, "Maybe Birdie."

Between the Oakland suburbs and San Jose, a countryside of small truck farms and farmhouses has not yet been sealed over with asphalt and concrete. Chavez remarked on how pretty these small farms were in comparison with the huge food factories in Delano. "They have life in them," he said. "People still live here." Seeing men and women stooping in the fields, he talked about the short-handled hoe, which he regards as a symbol of man's exploitation of man. "You have to caress a plant tenderly to make it grow, and the short hoe makes you bend over and work closer to the plant," he said. "But a good man can work just as well with a long hoe, without the exhaustion." Stoop labor with the short hoe is so painful that in speeches to workers an attack on the short hoe brings a wild cheer of anger and approval every time he uses it.

When the United States acquired California, the Indians who were inherited from the mission farms were paid half of what other workers got, and their objection to this treatment was a factor in a general massacre that took place between 1850 and 1852, when Indian numbers in California, already low, were reduced from perhaps eighty-five thousand to about thirty-one thousand. This free-enterprise solution to the Indian problem caused a temporary labor shortage, but the advantages of the discriminatory pay scale in keeping labor groups at odds with one another were obvious, and the device has been used effectively ever since. For example, when the Filipinos arrived in force, in the nineteen-twenties, they were paid even less than the Mexicans, who were already in a very poor bargaining position, since most of them had entered the United States illegally, as "wetbacks," and could be, and often were, deported before payday came around, or when they protested too strenuously about anything. Traditionally, Mexicans and Filipinos have competed for the available work—usually stoop labor, since preference in the tree jobs is given to the Anglos—and, despite Chavez's most earnest efforts, there is still noticeable distance in the union between the two groups that formed it in 1965.

"I hear more and more Mexicans talking about *la raza*—to build up their pride, you know," Chavez told me. "Some people don't look at it as racism, but when you say *'la raza,'* you are saying an anti-gringo thing, and it won't stop there. Today it's anti-gringo, tomorrow it will be anti-Negro, and the day after it will be anti-Filipino, anti-Puerto Rican. And then it will be anti-poor-Mexican, and anti-darker-skinned Mexican. We had a stupid guy who just wanted to play politics with the union, and he began to whip up *la raza* against the white volunteers, and even had some of the farm workers and the pickets and the organizers hung up on *la raza*. So I took him on. These things have to be met head on. On discrimination, I don't even give the members the privilege of a vote, and I'm not ashamed of it. No, the whole business of discrimination can't exist here. So often, these days, the leaders are afraid, and even though they feel strongly against racism, they will not speak out against it. If the leadership is united, then it can say, 'All right, if you're going to do things that way, then you'll have to get rid of us.' You have to speak out immediately, the first time. Anyway, this guy was talking to people and saying he didn't like Filipinos taking over the union. So a small group came to me and said that a lot of people were very mad because the Filipinos were coming in. And I really reacted. I said a lot of people would be mad if Negroes came in in large numbers like that, and I said they were going to accept the Filipinos if I had to shove them down their throats." Chavez paused, as if surprised at his own violence. "I told them, 'That's the way I feel.' And so they left. A couple of days later, they said they wanted a big meeting. And I said, 'O.K., let's have a big meeting.' So at the big meeting they said they wanted to discuss discrimination—in other words, they wanted to take a vote to discriminate. And I said, 'Over my dead body. There will be no such vote taken here, and, furthermore, before you get rid of the Filipinos you'll have to get rid of me.' 'No vote?' they said, and I said, 'It can't be done. Those of you who don't like it, I suggest that *you* get out, because you're not doing anybody any good. Or, even better, *I'll* get out. I'll join the Filipinos, and we'll build a trade union.' Well, I'd say ninety-five per cent of the audience stood up and applauded. And this small group felt isolated. The employers, of course, have used this for years and years—one group set against the other. I explained this to the audience, and I told them that the Filipinos would be a tremendous asset—new people, new ideas. That's what a union is. *La raza* is a very dangerous concept. I speak very strongly against it among the *chicanos*. At this point in the struggle, they respect me enough so that they don't emphasize *la raza*, but as soon as this is over they'll be against me, because I make fun of it, and I knock down *machismo*, too. Oh, I heard a sick, sick speech by a Mexican the other day. I don't like to see any man discriminating. But when a Mexican discriminates—*ooh!*" He winced. "That *really* cuts me. As a Mexican-American, I expect more of them than of anybody else. I love them, and I guess I'd like them to be perfect."

Severe back pains that had been dragging Chavez down for months finally forced him to take some time off last autumn, and he went to St. Anthony's, a Franciscan seminary in Santa Barbara, where he could have daily therapy at a hospital. I found him flat on his back in bed. In crisp white pajamas, he looked small. He greeted me cheerfully but made no effort to sit up when he took my hand, his drawn face patched with gray from months of pain. Over his head, three rosaries hung from an extended bar, and with them a Jewish mezuzah on a silver chain, which he always puts on under his shirt when he goes out. "I'm sure Christ wore a mezuzah," he said, with a grin. "He certainly didn't wear a cross." On a wall of the room, as in his office in Delano, there was a Mexican straw crucifix. It was a small room, and the bed, a washstand, two stiff chairs, and a small bureau filled it. On the bureau was a borrowed tape recorder, with tapes of some flamenco music by Manitas de Plata and songs of Joan Baez. There was also a framed photograph of Gandhi.

There had been some bad news from Delano. Mack Lyons, the workers' representative at DiGiorgio, had found two groups of non-union pruners working in DiGiorgio's Arvin vineyards, and when the pruners were questioned they said that the vineyards had been sold. Since the union had been unable to obtain a so-called successor clause in the contract with DiGiorgio, guaranteeing that the contract would bind a new owner, this was a serious blow, and Chavez had called an emergency meeting to discuss how to handle the new threat. The next phase of the long battle was clearly going to be a difficult one, and Chavez would need all his strength for it. (In March of this year, Dr. Janet Travell, who treated President Kennedy, concluded that Chavez's back trouble was not a degenerative-disc condition, as had been thought, but a muscle spasm caused by the fact that one of his legs is shorter than the other and one side of his pelvis is smaller—an imbalance to which, as he grows older and less resilient, his muscles can no longer adjust. Dr. Travell's treatment is the first that has given Chavez any real relief.)

Last fall in Santa Barbara, there was speculation that the long fast Chavez had made earlier in the year might have aggravated his back condition, and in the sun on a porch outside his room I talked with Helen Chavez about the fast. She told me that at the beginning he had kept it secret for about three days. At home, he would pretend that he had already eaten or that he wasn't hungry. Then one day Manuel said to her, "Is he still fasting?" After that, she offered Cesar all his favorite foods, and still he would not eat. Finally, she confronted him in his office, and when he admitted he was fasting she got very upset; she was sure he would harm himself. "The kids were already worried," she said. "And when I told them, they said, 'Dad looks awful. Will he be O.K.? But after another day or so we got used to the idea and went along with him."

Not everyone went along. The fast, which lasted twenty-five days, split the union down the middle. Mrs. Chavez and Richard and Manuel knew that he had been fasting before he announced it, but even they were stunned by his intention of prolonging the fast indefinitely. So was LeRoy Chatfield, who still speaks with awe of the speech in which Chavez announced his decision. Chavez had called a special meeting for twelve noon on Monday, February 19, 1968, at a hall in Delano, and the strikers and the office staff as well as their families were there. Several acts of violence had been committed by union people, and he talked for an hour and a half about nonviolence. He discussed Vietnam, wondering aloud how so many of his listeners could deplore the violence in Asia and yet promote it in the United States. He said that the Mexican tradition of proving manliness—*machismo*—through violence was in error. *La Causa* must not risk a single life on either side, because it *was* a cause, not just a union, and had to deal with people not as membership cards or Social Security numbers but as human beings, one by one.

"Cesar took a very hard line," Chatfield told me. "He said we were falling back on violence in the strike because we weren't creative enough or imaginative enough to find another solution—because we didn't *work* hard enough. One of the things he said in the speech was that he felt we had lost our will to win—by which he meant that behaving violently or advocating violence, or even thinking that maybe violence isn't such a bad thing, is really losing your will to win, your commitment to win. This seems like a very idealistic position, but there's truth in it. Anarchy leads to chaos, and out of chaos rises the demagogue. That's one of the reasons he is so upset about *la raza*. The same Mexicans that ten years ago were talking about themselves as Spaniards are coming on real strong these days as Mexicans. Every one should be proud of what he is, of course, but race is only skin-deep. It's phony, and it comes out of frustration—the *la raza* people are not secure. They want to use Cesar as a symbol of their nationalism. But he doesn't want any part of it. He said to me just the other day, 'Can't they understand that that's just the way Hitler started?' A few months ago, a big foundation gave some money to a *la raza group*—they liked the outfit's sense of pride, or something—and Cesar really told them off. He feels that racism will destroy our union faster than anything else—that it plays right into the growers' hands if they can keep the minorities fighting, pitting one race against another, one group against another."

In his speech that day, Chavez discussed

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the civil-rights movement and how, in its recourse to violence, it had made black people suffer; black homes, not white, were being burned, and black sons killed. The union, he said, had raised the hopes of many poor people. It had a responsibility to those people, whose hopes, along with all the union gains, would be destroyed after the first cheap victories of violence. Finally, he announced the fast. It was not a hunger strike, because its purpose was not strategic; it was an act of prayer and love for the union members, because, as their leader, he felt responsible for the acts of all of them. There would be no vote on the fast, which would continue for an indefinite period, and had, in fact, begun the week before. He was not going into seclusion, and would continue his work as best he could. He asked that the people in the room keep the news entirely to themselves. Since it was difficult to fast at home, and since the Forty Acres was the spiritual home of the union, he would walk there as soon as he had finished speaking, and remain there until the fast was done. "His act was intensely personal," Chatfield told me. "And the whole theme of his speech was love. In fact, his last words to us before he left the room and started that long walk to the Forty Acres were something like 'I am doing this because I love you.' "

Helen Chavez followed Cesar from the hall, and everyone sat for some time in silence. Then the meeting was taken over by Larry Itliong, the assistant director, who said straight out that Brother Chavez should be persuaded to come off the fast. Manuel Chavez then declared that Cesar was an Indian, and therefore stubborn, and that once he had made up his mind to do something, nothing anyone could say was going to stop him. Other members made many other comments. One man, for example, dismissed all the talk about striker violence as grower propaganda, and therefore saw no reason for the fast. Some of the Protestants and agnostics in the union, white and brown, still resented the Catholic aura of the Sacramento march of the year before, and now they felt offended all over again. They were supported by some Catholics, who felt that the Church was being exploited, and also by most of the white volunteers, the Jews especially, who disliked any religious overtone whatever. For the first week or so, almost the whole board of directors was against the fast. On the other hand, the membership, largely Catholic, accepted it in apprehensive faith. The people complied with Chavez's request that no one try a fast of sympathy on his own, but he learned later, from the candidly expressed annoyance of their wives, that three young men had taken a vow of chastity for the duration of the fast, and held to it. He speaks of this sacrifice with awe and regret, but it seemed to him a moving example of the farm workers' new spirit.

There were many misgivings and many doubts about what Chavez was trying to accomplish. "When we visited Cesar in his little room at the Forty Acres," Chatfield told me, "he would point at the wall and say. 'See that white wall? Well, imagine ten different-colored balls, all jumping up and down. One ball is called Religion, another Propaganda, another Organizing, another Law. and so forth. When people look at that wall and see those balls, different people look at different balls, and each person keeps his eye on his own ball. For each person, the balls mean different things, but for everyone they can mean something.' I began to see what he meant. My ball was Propaganda, and I kept my eye on that. I could therefore be perfectly comfortable, and understand the fast completely in those terms, and not negate the nine other balls—Organizing, say. And, as a matter of fact, we never organized so many people in such a short time, before or since. The fast gave the lie to the growers' claim that we had no following. Some people came every night to attend Mass at the Forty Acres—came sixty-five, eighty-five miles every night. People stood in line for an hour, two hours, to talk with him. Cesar saw it as a fantastic opportunity to talk to one man, one family, at a time. When that person leaves, he goes away with something. He's no longer a member, he's an organizer. At the Sunday Mass, we had as many as two thousand people. That's what the growers don't understand—we're all over the state. In fact, there's nowhere in this state of anywhere in the Southwest where the people don't know about Cesar Chavez and the United Farm Workers. And they say, 'When is he coming? Are we next?' "

As the fast wore on through February and into March, many of the farm workers became worried, and a number of strikers came to Manuel and swore that they would never be violent again if he could just persuade Cesar to quit. Other union members were made increasingly uncomfortable by the religious implications of the fast, especially after the seventeenth day, when Chavez asked his brother Richard to construct a simple cross—the materials cost a dollar and a half, according to Richard—which was later burned by vandals. The cross was the ultimate affront to at least two volunteers. One dismissed the entire fast as "a cheap publicity stunt." The other, who had once been a priest, accused Chavez of having a Messiah complex. Both soon quit the United Farm Workers for good.

At a Mass of Thanksgiving that concluded the fast, Chavez was too weak to speak, and a brief speech was read for him, in English and in Spanish. After describing the purpose of the fast, he concluded as follows: "When we are really honest with ourselves, we must admit that our lives are all that really belongs to us. So it is how we use our lives that determines what kind of men we are. It is my deepest belief that only by giving our lives do we find life. I am convinced that the truest act of courage, the strongest act of manliness, is to sacrifice ourselves for others in a totally non-violent struggle for justice. To be a man is to suffer for others. God help us be men."

ALLOW VOLUNTARY PRAYER IN PUBLIC SCHOOLS

HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. KUYKENDALL. Mr. Speaker, in his inaugural address, President Nixon said that the ills of the Nation must be cured by a new spirit as well as new laws. I do not believe that this spirit can be encouraged while prayer is banned in the public schools. For this reason, I have introduced an amendment in the House which would spell out in the Constitution the legality of voluntary prayer in any public building. It is the companion amendment to the one presented by the Honorable Everett Dirksen in the Senate. In placing it before you, I ask you earnestly to consider whether it is in the name of freedom and "equal justice under law" that schoolchildren are not given the opportunity to pray if they wish to do so. In my opinion, this is just as much a violation of our essential freedoms as forcing prayer on those who do not wish to pray. This is a matter of the individual's choice, but the choice must be available for him to make, not denied to him. No person should have to make an apology for what he believes, nor should he be forced to hide his beliefs.

It is quite paradoxical that we conduct the Nation's business in this Chamber beneath a plaque bearing the words "In God We Trust." Are we not willing to acknowledge His presence in our public schools as well as in Congress?

STAND UP FOR FREEDOM

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. BOB WILSON. Mr. Speaker, under unanimous consent to extend my remarks in the Record, I wish to include a Fourth of July address given by my colleague, James B. Utt before a meeting held jointly by the Kiwanis, Lions, Optimists, and Rotary Clubs of La Jolla, Calif.

The address teaches the origin of freedom and liberty, and stresses the importance of eternal vigilance. It points up the responsibility of the so-called silent majority to involve itself in the preservation of our great heritage.

The address follows:

Stand Up for Freedom

(Speech of Hon. James B. Utt, of California, Before the Joint Meeting, July 3, 1969, La Jolla Kiwanis Club, Lions Club, Optimists Club and Rotary Club)

It is a high privilege to share and have a part in your series of patriotic programs, under the general theme of "Our Heritage of Freedom." My suggested assignment in this series is "Stand Up for Freedom." It is refreshing to be with an organization which does not consider patriotism "corny." It is also refreshing to associate with those who do not believe that the Constitution of the United States is an outdated agrarian document, with little or no current import.

It is sometimes difficult for people to realize that the moral and religious precepts set forth in the Declaration of Independence and our Constitution are as absolute today as when they were first set down to writing. These moral and religious postulates are under severe attack by many who want to change our form of government, by those who, for lack of character, have lost the self-discipline which is so necessary to self-government. Moral and religious absolutes did not begin with the United States Constitution. They were set forth in the Holy Scriptures, thousands of years before Columbus set foot in America.

The Declaration of Independence was not a result of unanimous thought. Only nine of the thirteen colonies approved the Declaration of Independence on July 1, 1776. New York and Pennsylvania and South Carolina considered it to be the most foolhardy thing for America to do. They could foresee nothing but disaster to the colonies. However, they were persuaded the next day, by the eloquence and the logic of John Adams, to throw their support to the declaration, which was finally adopted by the continental Congress on the evening of the 4th of July.

The signers of the Declaration were men of talent, dedication and substance. They had a lot to lose, but they were willing to risk it all, to preserve the greatest gift of God to man—liberty.

Following the signing of this great document, there were four long years of war, death, destruction, suffering, sorrow, everything that goes into the crucible to purify an ideal. There were reverses; there were battles won and there were battles lost; but through it all there was a determination which won the victory. Few of us today would sacrifice what our forefathers did to preserve liberty.

What do you do with liberty after you win it? How do you preserve it? We were alone in a troubled world, bled white from the ravages of war, but still the great patriots gathered together to form a government that should endure.

This was no easy task. It is difficult enough to get two people to agree, let alone thirteen colonies ranging in size from Rhode Island to Virginia. Who was to control the power structure? The little States felt helpless. The big States were conciliatory, and so a Constitution was hammered out providing for a balance of power with checks and balances—with the main purpose being to preserve freedom. The bill of rights was soon added to the Constitution. A new nation was born, a nation which was to rely upon a divine providence, a nation which declared that each individual was endowed by his creator with unalienable rights of life, liberty and the pursuit of happiness. This was to be a nation founded upon the Puritan ethic, a Puritanism which came from England. The Puritan ethic produced a system of government morally superior to those around it.

The American Revolution was, and still stands, as the only true revolution in the last 500 years. It was a revolution which created a centripetal force, which drew the individual to the center and made him the core and center upon which our political, social and economic system revolves, thus giving the dignity to the individual that the Creator had intended. All other revolutions before and since have created a centrifugal force, throwing the individual to the outside and drawing the governing elite to the center.

The American constitution was considered by the great political minds of the world to be the greatest document delineating the rights, the privileges, the duties, and the immunities of the individual that had ever been set down to writing. There were problems, but the new country began to grow, to expand, to provide opportunities for those coming to our shores seeking opportunity, freedom and liberty.

Our strength had to be tested again when England began to seize our ships on the high seas and to impress our citizens into the Royal navy. The war of 1812 established our rights on the high seas to protect our American citizens. In my opinion, it is high time that our country protect its tunaboats on the high seas. There is no foundation for any sovereign country to extend its territorial waters to any arbitrary point it desires.

When Benjamin Franklin was asked what kind of a government the constitutional convention had given us, he replied, "A republic, if you can keep it." We did pretty well for the first 130 years, more or less.

The founding fathers were students of history and government. They were well aware of the fact that the tendency of men and of governments is to acquire a position of power and, from that position of power, the human tendency is to extend dominion and control over men and over nations. They knew that the forms of government range from anarchy, at one extreme, which is no government at all, to dictatorship, at the other extreme, which is total government. They reasoned that, in between anarchy and dictatorship, there must be a point of balance which would give freedom and liberty and still preserve a government of laws and of order, they created a Republican form of government and guaranteed that form to every state coming into the union. Beyond this, they created a legislative body representing the people and a senate representing the states, with a veto power to the chief executive, and a supreme court to rule upon constitutional issues. This concept has been slightly eroded, but still it is the proper concept.

I feel that the most important job of a member of the House or a member of the Senate is to preserve that delicate balance between anarchy and dictatorship. If we do not, some exterior force will impose one or the other extreme upon us.

Before America had been in existence a half-century, the whole world was wondering what made this great country tick. It just was not a normal thing to happen, and so the great French historian, de Tocqueville, decided he would come to America and take a look-see. After his visit he wrote, in substance: "I looked for the greatness of America in her harbors, and I did not find it there. I looked for it in the great industrial cities and did not find it there. I looked for it in the rich farming valleys, and did not find it there. And not until I went into the churches of America and heard the stirring and patriotic sermons of those ministers, did I find it. America is great because she is good. When America ceases to be good she will cease to be great."

Love for our country and love for our children inspires within us a deep concern for the welfare of both. That concern is manifested by all those who are alarmed by the evidence of anarchy in our schools and in our cities. We all acknowledge that this is a loud and militant minority, and that the great majority are opposed to these actions and these attitudes. That may be true but, if the majority remains a silent majority, it will be completely overcome. Have you ever seen 99 good apples cure a rotten apple? The silent 99 apples will become rotten in a very few days. It is no different with people. If the majority of people do remain silent, we might just as well cash in our chips.

The cause of freedom is not advanced by the non-student leaders at Berkeley, who are taking over the so-called "People's Park." That may be a symbol, but it is a symbol of disaster. Here I quote from Governor Reagan's address to the Commonwealth Club in San Francisco on June 12, 1969:

"The real leaders, of course, were Goldberg and a number of others whose records include participation in the Oakland Induction Center riot, the seizure of Moses Hall, the Chicago riots and last summer's bloody riot in Berkeley when many of the same people demanded that Telegraph Avenue be closed off and turned over to them as a park—perhaps 'playpen' is a more appropriate word. The names are all on the police blotter: Mike Delacour, Stuart Edward Albert, Paul Glusman, William Miller, and Frank Bardacke—to name a few—none of them are students of the university."

Here are some dramatic examples of left wing socialization for which you, as taxpayers, are footing the bill. One of the courses in the experimental college at San Francisco State College was reported on March 15, 1968, as a "Seminar on Guerrilla Warfare: Theory and Tactic in Contemporary America." The Committee on Public Education of the Fire and Police Association of Los Angeles made the following comment in a report, "Public Higher Education in California: Some Causes of Student Revolt."

"This course is taught by Robert Kaffke, described as having served with guerrilla bands fighting against the Government in Nicaragua. The Berkeley Barb (UC Berkeley) proudly states that Kaffke told his classes, 'The revolution is coming very fast to Latin America and in another sense to the United States; if you don't believe that, I don't know what you are doing here.'

"The Barb also blandly states that Kaffke is teaching 'practical preparation for urban warfare.' "

During the spring of 1968, the students for an independent left at UCSF held a student activities-approved seminar on revolution. Professor Herbert Marcuse and other left-wing faculty appeared before the regularly scheduled classes of this student group. Comments about the seminar were printed in both campus and community newspapers.

The "Open Process," on November 17, 1967, while still an official publication of the associated students at San Francisco State College and under the supervision of the college's board of publications, presented the following information:

"How do you commit sabotage? Break war related laws: Draft, security, Federal trespassing. Damage war equipment. Join with your fellow workers in strikes, slowdowns, and 'botching the job' in key war industries: Steel, transportation, aerospace, electronics, etc. Publish state secrets you have access to, either in the press or as leaflets.

Messages that promote drug use appear to co-exist with leftist propaganda. The following citations are reported as being somewhat representative of this category of messages:

Item: the San Francisco State College "Daily Gater" ran a three part series on the cultivation, preparation, and uses of marijuana, beginning with the March 15, 1968, issue. In the series, the students are told precisely how to grow the weed in their apartments; how to trim it; the drying and processing of the plant to make a usable end product; how to roll marijuana cigarettes; and uses of pipes for consuming the drug. The February 14, 1968, issue of the paper contained an article entitled "prices and sources," and gave useful advice on the procurement of marijuana.

Item: John Gerassi, then an instructor in international relations, was quoted in the November 25, 1967, issue of the "Daily Gater" as stating that "protestors in this country would be put in concentration camps if the Vietnam war escalates into a world wide conflict." The article continued: "the bearded Gerassi, a former newspaper editor, has come into contact with many Latin American radicals. After having participated in last week's anti-draft demonstrations, he said, 'American radicals can bring about a change in the imperialistic US Vietnam policy. One man with a rifle can do more than 1,000 peaceful demonstrators.' "

Item: the February 18, 1968, issue of the "Daily Gater" carries the headline "Gerassi sees violence as a necessary tool of resistance," and quotes Gerassi as having told, by tape, the San Francisco State members of the resistance that "resistance to American policies must be carried out with violence at home." Significantly, Gerassi pointed out that terrorism in Paris was in part responsible for French withdrawal from Algeria. The inference for students, both those attending the presentation meeting, and those reading the school paper, is obvious.

The professor who prates that "human rights are higher than property rights" is either a skilled Communist or a dumb pedagogue. There is not a single human right that is not based upon a property right. Ergo, when you destroy a property right you destroy a human right. Only a small minority of people understand what constitutes a property right. They conceive it to be real estate, period. Such is not the case. I have a property right in my job. My human right is to fill that job and to enjoy the fruit of my labor. I have a property right in my life insurance. The human right is for my beneficiary to have the fruit of that policy. I have a property right in my bank account. My human right is to use that bank account for any purpose I desire. I have a property right in this suit of clothes. My human right is to wear it to this meeting. And so it goes on, ad infinitum. There is not a country that has destroyed property rights which still recognizes any human right. It is simply a phrase that sounds good and is repeated thoughtlessly, over and over again.

Government is not charity. It is plain, brute force. And it must either be controlled by the people, or it will control the people. Many of those who demonstrate against constituted authority are naive and misled by the dedicated hard core of international Communist conspirators. Many of them are "flower children," who do not want war. But the world is run by force, and those who are not strong enough to preserve their freedom will be taken over by aggressors. Many of these people believe they are working for freedom by urging socialism, Marxism and communism, when in truth they are asking for the most oppressive form of dictatorship known to man. They forget that Hitler, the dictator, killed six million Jews without batting an eye. They forget that Stalin murdered twenty million of his own countrymen because they disagreed with him. Don't say "it can't happen here."

If we are to preserve freedom, we must learn that the principal responsibility is on the individual and not on society. It is time we quit blaming society for all of our evils. Society can create a climate where each individual can develop his talents to the highest degree of excellence that his desire dictates. Motivation is the greatest driving power known to man, and yet not one of our welfare programs is geared to promote motivation.

The cause of freedom is not advanced by violating the rights of others. Personal freedom ends where it invades the rights of others.

Two of the great commandments are "thou shalt not steal" and "thou shalt not covet." Most of the law-abiding citizens recognize and obey these two commandments as individuals, but sophistry has injected itself in the form of collectivism. Let me explain. You, as an individual, would not enter upon my ranch and steal my cow, either for your own benefit or for the benefit of a neighbor. But it is considered to be all right if you are part of a large group which has decided to take my cow and give it to a needy person. The theory is that the end justifies the means, and so, under the guise of collectivism, we have set up a system of laws which permits a group of individuals to take something from other individuals and give it to a third party who, in the judgment of the takers, is more deserving than the original owner. This is what I call the Robin Hood doctrine, but it cannot be justified.

If I were to steal money from a bank, and then put it in the collection plate at church, such action would not justify or sanctify the evil deed.

We move in the same atmosphere under the doctrine of "non-violence." Non-violence in no way can justify the performance of an illegal act. It is classical mummery and dialectical materialism. Rape is rape, whether it is committed violently or nonviolently. Murder is murder, even though the murderer is singing a hymn while he sticks the knife in your back. It just cannot be justified.

It is impossible to give a talk on freedom, liberty, or patriotism, without quoting from the great heroes of the past, as I have done before and, at this point, do again. Lincoln said, "If danger ever reaches us it must spring up amongst us: It cannot come from abroad. If destruction be our lot, we must ourselves be its author and finisher. As a nation of freemen, we must live through all time or die by suicide."

Gus Hall, chairman of the Communist party of the U.S.A., does not advance the cause of freedom when he attends the International Communist Convention in Moscow, and returns to the United States with the resolutions of the international Communist conspiracy and proceeds to implement their deadly course in this country.

George Washington said that "religion and morality are essential to political success." Any person or group of persons who makes a target of either religion or morality, to destroy it, is not standing up for freedom.

The National Council of Churches and the World Council of Churches are not advancing the cause of freedom when they advocate law breaking and violent revolution, as they have done, and give their financial support to the militant revolutionaries of our country.

The non-student militants at Berkeley, in their drive to take over private property, have listed thirteen demands in a manifesto. Let me read some of these to you:

"Young people leaving their parents will be welcome with full status as members of our community."

"We will turn the schools into training grounds for liberation."

"We will shatter the myth that U.C. is a sacred institution with a special right to exist."

"Through rent strikes, direct seizures of property and other resistance campaigns, the large landlords, banks and developers who are gouging will be driven out."

"Space will be opened up and living communes and revolutionary families will be encouraged."

"We will demand a direct contribution from business, including Berkeley's biggest business—the University, to the community until a nationwide assault on big business is successful."

"The people of Berkeley must arm themselves and learn the basic skills and tactics of self defense and street fighting."

"We shall attempt to bring the real criminals to trial; where this is impossible, we shall implement revolutionary justice."

"We will create a soulful socialism in Berkeley."

"We will unite with other movements throughout the world to destroy the racist-capitalist-imperialist system."

"We will create an international liberation school in Berkeley as a training center for revolutionaries."

"We will protect and expand our drug culture."

Individually, or collectively, these demands are the battle cry of anarchy, and again I say the silent majority must not remain silent, if it is to survive, in this convulsive and fermenting society.

If I may paraphrase Daniel Webster, I was born an American, I expect to die an American, and in between the dignity of birth and the glory of death, I shall make every effort to live as an American.

I now look back on three-score years and ten, and as I approach the judgment seat of God, the more convinced I am that he rules in the affairs of men. I am persuaded that he will preserve freedom to those who wait on the Lord. The darkest night is always followed by the dawn. I subscribe to the theology of hope and discard the doctrine of despair.

My hope is that we can preserve the freedom and liberty which has been woven into the tapestry of our American life.

"This is my country, land of my birth;
This is my country, grandest on earth.
I pledge thee my allegiance, America, the bold,
For this is my country, to have and to hold!"

And, by the grace of God, so may it ever be!

AID AND COMFORT TO THE ENEMY

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. THOMPSON of Georgia. Mr. Speaker, recently we witnessed the spectacle of having the names of casualties of the Vietnam war read on the steps of the Capitol by antiwar protesters. While this may appear to be an effective way of drawing public attention to their protest, this action was deeply offensive to many people, most particularly to the parents of battlefield victims.

A few days ago, I received from the mother of one of the victims, whose name was among those read on the steps of the Capitol, a letter expressing her sincere feelings opposing the use of her son's name in such a protest. Although his death in the service of his country is a matter of public record, this mother feels that the indiscriminate utilization of her son's name without permission in such a protest is an invasion of privacy and is offensive to her since the protesters are in her judgment giving "aid and comfort" to the very enemies who killed her son.

I asked her permission to enter the text of her letter today in the RECORD as a means of expressing in her behalf, and in the behalf of other parents of war dead, their resentment over the use by antiwar demonstrators of the names of victims in any demonstration of this type. One particular sentence of her letter sums up her feelings:

> Since these demonstrators could not give full support to our men while they were on the battlefield, they have no right to use their names now to further a cause of their own.

Mr. Speaker, with the permission of the Chair, I will enter the full text of her letter into the RECORD, as follows:

JUNE 17, 1969.

Hon. FLETCHER THOMPSON,
House of Representatives,
Washington, D.C.

DEAR SIR: I am enclosing a copy of a letter which will speak for itself. I barely had time to send it out when the news reports out of Washington, D.C., tell of the antiwar demonstration which took place yesterday in the Pentagon in which the demonstrators used the names of the war dead.

My letter to you is not a letter of petition as I know neither you nor government agencies have control over the lists of the war dead getting into the hands of irresponsible people and used by them in an irresponsible manner. However, as one of your constituents I just want to go on record about how I feel about a matter that is vital to me even if it may seem insignificant to others.

My son did not ask anyone to fight his battles while he lived; he did not ask anyone to take his place where his military obligation was concerned. All he asked was the support and prayers of his fellow countrymen. Through the efforts of anti-war demonstrators much aid and comfort has been given to the opposing forces, a fact which no doubt has been important in the list of reasons why the opposition has not been and is not ready to negotiate for peace. Since these demonstrators could not give full support to our men while they were on the battlefield, they have no right to use their names now to further a cause of their own. The names of these war dead are to be honored, not abused.

Lest anyone believe I am a warmonger or whatever it is called; I, too, hate war. How I hate war; I have every reason to hate it. But I do feel that as soon as even one of our men is sent to the battlefield, he has the right to expect and receive full support of all his fellow countrymen. (I believe those in power and influence, especially legislators and/or politicians who have heaped abuse on the military while our men are facing danger on the battlefield, have much to answer for concerning the number of casualties and the length of the war.) The time to debate the right or wrong of why men were sent should be postponed until they are brought home. When a child falls into a pool, one does not stand around and argue who's to blame. All effort is made to save the victim, and only then is time taken to pinpoint the blame or cause, and measures taken to be sure it doesn't happen again. I do not feel these anti-war demonstration help the cause of peace, nor do they contribute to the safety of our men in combat.

As I have said, I know there is nothing you can do about these demonstrators but when the time comes when it is to be argued about whether THEIR rights are being violated, I'd like for my representatives in government to know how I feel about this matter. I will not deny anyone the right to free speech but I think these people should be made to realize that using the names of the war dead without consent is also a violation of someone's right.

Thank you for your attention.

Sincerely,

MARTHA M. FOX.

U.S. PRISONERS OF WAR IN NORTH VIETNAM

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, July 10, 1969

Mr. THURMOND. Mr. President, it is encouraging that President Nixon's administration is taking a long overdue and aggressive approach to secure the release of our military personnel who are prisoners of war of North Vietnam. The two previous administrations were afraid to take steadfast and forceful action because of fear of retaliatory mistreatment of our boys by the Communists. It is obvious to the world that the uncivilized treatment of our servicemen has not diminished under the previous policy.

Mr. President, I am hopeful that this administration's policy of bringing maximum and continuous pressure on the Communists to abide by the Geneva Convention on prisoner-of-war treatment and to effect their release will be successful. This Nation must leave no stone unturned in its perseverance to obtain humane treatment and release of our servicemen. Our military who are prisoners of war and enduring brutal torment and inhuman indignities deserve our country's complete moral and diplomatic strength, and other measures as necessary in their behalf.

Mr. President, I congratulate the editor of the State newspaper in Columbia, S.C., for his commentary editorial on this administration's policy on prisoner-of-war treatment. The editor made an astute evaluation of the failure of past policies. His assessment of the Communists' negative response to achieve relief for our boys characterizes the typical attitude of the Communists toward weakness.

Mr. President, I ask unanimous consent that the editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DEALING FROM A NEW DECK

The Defense Department has confirmed a shift in policy toward the mistreatment of GIs held captive by the Communists. In the past, which is to say during the Kennedy and Johnson years, Washington said as little as possible on the subject. The feeling was that, if we complained, the enemy might retaliate by brutalizing captive GIs even more.

It was a senseless policy. Far from discouraging maltreatment, Washington's silence simply convinced the Communists that the United States was prepared to suffer the most outrageous atrocities without so much as a grumble. Even that mover of mountains, world opinion, was not to be enlisted in behalf of civilized treatment of military prisoners. Mistreatment, as a consequence continued undiminished.

The new policy began to surface last May, when Defense Secretary Laird called a press conference for the purpose of demanding that Hanoi abide by the Geneva Conventions on prisoner-of-war treatment. North Vietnam claims to treat U.S. prisoners humanely, the secretary said. "I am distressed," he added, "by the fact that there is clear evidence that this is not the case."

But the new administration did not stop with a single press conference—or even a dozen press conferences. In addition to making public statements, both Pentagon and State Department officials have met privately with the families of captured servicemen to remind them of Washington's concern. More important still, Secretary Laird has briefed the U.S. ambassadors to England and Belgium and asked them to solicit support from European governments.

Hanoi may resist these pressures, but at at least some pressure is being applied. This alone should accomplish something. For one thing, the brutality of the enemy is laid bare; and for another, Washington has begun to discharge its moral obligation to its servicemen in Vietnam—those already captured and those asked to run the risk.

That isn't all. It is possible to detect in the new approach to the prisoner problem an underlying shift in Washington's method of dealing with the Communists. Those were the governments of England and Belgium, friendly nations, whose interest Secretary Laird sought to enlist.

Previously it had been Washington's practice to slip notes to the Russian ambassador when some unruly Communist got out of hand. Top Johnson administration officials, bemused by the boss' talk of building bridges eastward, halfway expected the Kremlin to bail us out of Vietnam—so they hinted—until well after the Czech invasion.

All this has changed. Secretary Laird talks tough on prisoner mistreatment. Two Soviet correspondents are ordered out of the country in a tit-for-tat response to Soviet expulsion of two American Newsmen. Nixon wants—actually *wants*—the Safeguard ABM system as a defense against the Russians, not the safe-to-hate Chinese (McNamara's excuse). If this keeps up, we may get a prisoner exchange and the Communists may learn to treat the United States with new respect.

HUBERT F. LEE

HON. HERMAN E. TALMADGE

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Thursday, July 10, 1969

Mr. TALMADGE. Mr. President, Dixie Business, a magazine published in Decatur, Ga., is celebrating its 40th anniversary this year. During this time, it has had but one editor, the Honorable Hubert F. Lee. His achievement was recognized in Atlanta, where he appeared on a television news program. In answer to a question regarding which article he thought best of all the ones he had printed, Mr. Lee chose one from 1930, dealing with the Georgia Power Co. and demonstrating remarkable foresight.

Mr. Lee has had a remarkable life, as a column from the Atlanta Times indicates. It deals with a trip Mr. Lee once took down Peachtree Street in Atlanta with "Buffalo Bill" Cody.

I ask unanimous consent that Mr. Lee's article on Georgia Power and Frank Veale's column be printed in the Extensions of Remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Dixie Business, March 1930]

GEORGIA POWER CO.

(By Hubert F. Lee)

A majority of Georgians know that the Georgia Power Company provides electrical service in approximately 300 Georgia communities and operates street railway systems in several of the larger cities. They likewise are aware that in the larger cities, as well as in some 60 odd others, the Company maintains retail stores for the sale of a wide variety of electrical appliances; and that a rapidly growing network of rural power lines is being extended into agricultural areas of the state.

But one of the most beneficial services rendered to the state as a whole by the Company remains unknown to a large proportion of even those citizens living in the territory served by the Company's lines.

This is the activity of the industrial department of the organization, which is maintained solely for the purpose of attracting large industries to Georgia. New industries have brought to Georgia in recent years new capital investments running into millions of dollars, have provided employment for thousands of persons, have created spot markets for Georgia products, and have increased general prosperity, and the Georgia Power Company's advertising in national publications and its personal solicitation of industrial prospects are generally recognized as having been a factor in bringing this to pass.

The Company is quite candid in stating that its efforts to aid in stimulating industrial development of the state are primarily for the purpose of increasing its own business, both in additional revenues received from the new industries for electrical service and in added business resulting from the increase in general prosperity. The Company can grow and branch plants in other sections, supplies them with accurate detailed information about Georgia's advantages and about specific industrial sites in the state, and answers a large number of inquiries resulting from the Company's advertising.

This advertising has been published regularly for the past several years in national publications selected as the best mediums through which to present Georgia's story to the nation's big executives. The advertising is devoted to interesting facts and figures about Georgia's attractions to industries and it mentions the Company and its services incidentally. In addition, booklets and other literature about Georgia are published by the Company and sent to a selected list.

Under the direction of the Atlanta office, inspections and engineering surveys have been made of many industrial sites in the

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state and these are cross-indexed with every possible bit of information bearing on the desirability of particular sections and sites. Whether it be potentially for the dairy industry, or the location of a textile mill, tire-fabric concern or road material organization, expert information pertinent to the peculiar accessibility and availability is gathered, filed and furnished to the New York office, which acts as "contact" bureau for the Company, interviewing executives of leading industries, supplying prompt information requested and arranging for personal tours of inspection of the sites recommended.

To the inquiring industrial executive in the North or East, the department's representatives do not merely point out that this section or that site would be a suitable location for a contemplated plant. Their information includes all the facts about localities which already have been investigated thoroughly and indexed, the mineral content of the water supply, the educational facilities, availability of labor, cost of construction, availability and cost of raw materials, nearness of markets, rail and port facilities, average rainfall—even the expected number of days of sun-shiny weather during a year.

Yet no effort is made to publicize Georgia beyond its natural and developed resources. El Dorado yarns are not spun to entice industries to come to the state merely to clog its confines with numbers. Permanence of establishment is sought, with an eye to the greatest advantages to be derived by the industries which place their faith in the Empire State of the South.

These activities have elicited widespread comment by editors, advertising executives and industrial groups.

"The Georgia Power Company," says the Tri-County Advertiser of Clarkesville, Ga., in a recent editorial, "is rendering a service to this state that cannot be measured in dollars and cents. It is taking a burden off the shoulders of hundreds of communities who 'would like to invite' industry to their particular localities, but these communities, lacking the concerted effort of their citizens and often because the failure of civic organizations to prepare data and properly distribute it, take no action toward the upbuilding of their town or county."

That excerpt is typical of more than a score of recently published editorials in various newspapers in the state commenting on the work of the industrial department of the company.

In 1928 capital investment in the section of Georgia served by the Georgia Power Company as represented by the establishment in the state of outside industries and expansion of others amounted to $12,190,000. Figures compiled in January of the present year show that during 1929 fourteen new industries were established or announcement of intention to establish in the territory served by the Georgia Power Company was made. These fourteen industries represented a capital investment of $11,950,000 and, in addition, six large industries already located in the territory spent $7,200,000 in expansion programs during the year, bringing the total of new capital investment to $19,150,000 for 1929. With location of these new industries, employment will be provided for 7,925 workers, with a total annual payroll aggregating $6,010,000.

[From the Atlanta Times, July 14, 1964]

ATLANTAN REMEMBERS HIS RIDE WITH BUFFALO BILL IN 1911

(By Frank Veale)

When Buffalo Bill swaggered into Atlanta and paraded his prancing horses down Peachtree Street in 1911, Hubert Lee, editor of Dixie Business here, got the "greatest thrill in his life."

"I will never forget that day," recalled Mr. Lee. "Buffalo Bill came to town and there was a wonderful parade with horses, cowboys and Indians, stagecoaches and wild steers."

"I went up to Buffalo Bill at the start of the parade and shook hands with him and asked Buffalo Bill if he would let me ride with him."

"He let me—and never have I been so thrilled as I was during that Buffalo Bill parade down Peachtree Street."

Mr. Lee remembers that a wildly enthusiastic crowd turned out that great day in Atlanta, comparable to the crowds that welcomed Lindbergh back from his trans-Atlantic flight to Paris.

"Buffalo Bill got a hero's welcome," the Dixie Business editor recalled. What impressed the boy of 11 years back then was his kindness. "He was as enthusiastic about asking me to ride with him as I was about riding."

"I rode all the way down Peachtree and out Whitehall right next to Buffalo Bill. He looked like the Wild West in person. He looked like a Kentucky colonel, the best of the West."

Buffalo Bill even let the happy youngsters hold the reins to the horses. "I'll never forget that day," Mr. Lee reminisced. "And for years to come I basked in the reflected glory of Buffalo Bill."

Right next to the memory of Buffalo Bill in Mr. Lee's mind are the days when he used to meet a train with a load of watermelons.

"I would unload them for a quarter—and all the watermelons I could eat."

CURRENT NATIONAL ISSUES QUESTIONNAIRE

HON. DELBERT L. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. LATTA. Mr. Speaker, every year I send a questionnaire to my constituents wherein I solicit their views on current national issues. I have found that most of the people in the district like this method of expressing themselves and not only do they complete the questionnaire but they use the back side to comment on other matters not specifically listed. I have just finished tabulating this year's returns and I would like to call them to the attention of the Members of the House. They are as follows:

[Results in percent]

1. Should President Nixon fail in his present efforts to bring peace to South Vietnam through negotiations—

(a) Should the United States pull its troops out of South Vietnam regardless of the consequences?

Yes	48
No	52

(b) Should additional military pressure be brought to bear on North Vietnam in an effort to force a military victory?

Yes	80
No	20

2. Do you approve of President Nixon's decision to build a limited anti-ballistic-missile defense system to protect our own missile sites?

Yes	65
No	35

3. The space program is now costing $3,877,520,000 per year. In view of our many domestic needs, should this program be cut back by (check one):

(a) 0 percent	24
(b) 25 percent	24
(c) 50 percent	40
(d) 100 percent	12

4. (a) Should the surtax be continued for one year beyond June 30th in order to balance the budget, or

Yes	43
No	57

(b) should the surtax be discontinued and cutbacks be made in Federal programs to cover the loss from the surtax?

Yes	85
No	15

5. Do you agree with the administration's decision to enforce the law to terminate financial assistance to college students found guilty of disrupting school activities?

Yes	96
No	4

6. Do you favor the abolition of the electoral college and the election of the President and Vice President by popular vote?

Yes	85
No	15

7. Should the voting age be lowered to 18 years?

Yes	33
No	67

8. Would you favor a constitutional amendment which would give the Congress the authority, by a two-third vote, to override a Supreme Court decision?

Yes	70
No	30

9. As a part of a general revision of our tax laws, would you favor my proposal to increase the income tax exempt per individual from $600 to $1,000?

Yes	93
No	7

10. Would you favor a constitutional amendment making presidential primaries mandatory in all 50 States?

Yes	74
No	26

11. Do you approve of the administration's decision to close certain Job Corps centers and to transfer jurisdiction over the remaining centers to the Department of Labor?

Yes	73
No	27

12. Are you satisfied or dissatisfied with the manner in which Mr. Nixon has executed the office of President during his first 3 months?

Satisfied	77
Dissatisfied	23

SENATOR GORE ON McGEE REPORT

HON. ALBERT GORE

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

Thursday, July 10, 1969

Mr. GORE. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks the text of an interview conducted by Mr. Frank McGee, of NBC.

There being no objection, the interview was ordered to be printed in the RECORD, as follows:

Mr. McGEE. What in your opinion are the factors that have led to the doubting and mistrust of the military?

Senator Gore. Like most of our problems, this one has crept up on us; and once we've opened our eyes to it we're surprised at how large it is and why we were not concerned about it before. **I believe three major factors** have conspired to cause the people to open their eyes, maybe several but three come to mind. One, the misassessment, the miscalculations, the false predictions of the Vietnam War, and the frustration and disappointment of the people involved in that. Number two there has been a rash of very small items which even small children can grasp, uh, like a fuse that the ordinary citizen can buy for nineteen cents, costing two dollars and seventy-five cents in military procurement. This is not an actual example but typical of a whole rash, hundreds of such items coming to light.

And, then, on the top of this has been the shocker of the A.B.M. issue, the question of Anti-ballistic missile deployment. Only a year ago, the Joint Chiefs of Staff were saying to the Congress and to the American people that it was absolutely necessary for the security of the country, that A.B.M.'s be deployed around our cities, that our big cities be defended. And then, suddenly, because of some political commotion around Boston and Chicago and Seattle, there was a decision that this was very unwise. Now the security of the country depended upon—depended absolutely upon—deployment of A.B.M.'s around two missile sites in Montana and North Dakota. Well, it seemed ridiculous.

And all of these things (plus I'm sure others that do not come readily to mind) have conspired to shock the people into opening their eyes and looking at this thing, and there they see this enormous problem, the great imbalance and political pressure, that culmination of industry, of Congressmen's political interests, of Senators' political interests and communities' economic interests, and the military with a big military combine and promotions and rank, cost-plus contracts, big profits, all of which go to make up this enormous problem of the industrial-military complex, and its great political influence, and the threat to the nation's economy, and to the nation's priorities.

Mr. McGee. Now Senators, I've heard a lot of people question things like where they will have a mountain in Vietnam and then they'll kill fifty guys taking it, two days later abandon it. In the first instance they said it was—it had great strategic value, because it over-looked a valley used as an infiltration route. Two days later they said it doesn't have that value anymore.

Senator Gore. Well, people have been disturbed about what is called strategy one day and tactics another, or maybe two days later an objective that had no real military value. The hill which today must be taken because it over-looks a valley, is abandoned. A week later, the hill's still there, the valley's still there, only the dead have been removed. There seems to be sort of a sporting element involved. We take this hill; why? because Vietnamese boys are up there and we can kill 'em, and it'll be a great military victory, because we can kill more of them than they can kill of us. We have greater fire power. But one wonders, and the American people have come to wonder, *is* this a sound strategy? is "search-and-destroy" the road to peace in Vietnam? Are the losses of lives worth the taking of these hills? Is such killing in itself a justifiable means to an end?

Mr. McGee. And then, sir, the whole idea that somehow in the last decade people seem to perceive that world communism is no longer a monolith. And from this, perhaps, they conclude that communism doesn't pose as grave a threat as it once did to us, do you think there's any validity in citing that as a reason?

Senator Gore. Communism has been an abiding, deep, emotional, political motivation in our country for a long, long time. It's, it's something which all of us instinctively dislike. (I say nearly all of us—perhaps ninety-nine and nine-tenths percent of us.) And yet, it has caused us to become obsessed—our fear of it, our dislike of it, our reaction to its threat. Now we see that Communism is deeply split, the two great populous Communist powers denouncing each other with vehemence. We see revisionism within the Communists. It's no longer a monolithic, solid, anti-democratic bloc. And then, when we see on television, hear on the radio, and see in the newspapers day after day that so many hundred Communists were killed in Vietnam, many thoughtful people, who realize that the overwhelming proportion of these Vietnamese present youths are illiterate, wonder if they are actual Communists. Karl Marx; *Das Kapital* is a rather complicated, technical book; indeed, Communism is a sophisticated political doctrine. How many of these illiterate Vietnamese that we've killed have made an intellectual commitment to Communism? Perhaps they know which side they're on, they know which side they're fighting on, at least, but are they in fact Communists, as we are told from day to day, and many people have asked me that, and wondered; and they wonder if Tito, whom we've been aiding, is the threat to democracy that any Communist is regarded by—was regarded, say by the Joe McCarthy school. If so, why do we aid him? So this has created a great amount of questioning in the public mind, and they wonder.

Mr. McGee. What role, if any, has the student-campus movement abreast, upheaval, played in the developing doubts about the military?

Senator Gore. I have been, for the past three years, on the lecture circuit of American colleges and universities a great deal. My son is a senior in college this year. So, I've been very close to the student body, as close as one of my generation could be, I think. I have sensed the alienation, I've sensed the rejection of the body politic, I've heard them question—I've had them question me about our values. They seem to feel that we've gone to seed on materialism, that we somehow lost our way and have come to give premium for brawn over brain. This has had a big effect, and 'though the country has been exasperated at violence on our campuses, nonetheles don't forget that these millions of college youths who have not been rioting go home on Easter, go home at Christmas, and they take home to their parents the questions and the doubts which my son has brought to me. And in the homes of millions and millions of people, have been planted sincere questions and doubts about our priorities, about our values, about our policies. This has had, I think, a very deep effect upon America.

Mr. McGee. What role do you think critics such as yourself, Senator Fulbright, Senator Proxmire, Kennedy (you know the group that I'm talking of), in your actions in the Senate, in the debates that you've had there and the issues you've raised, what role do you think you may have played in bringing this question to the fore?

Senator Gore. The Senate has been playing more nearly its Constitutional role in the last four years than, I think, has been the case for a long time. You may recall when we started the deb—the hearings on the Vietnam War issue, I made a statement, which appeared to many people brash, on the very first day of that hearing. I said that we had been unable to reach President Johnson, that we were undertaking to go over the head of the President to the American people, in order to reach the President. Well, the President, as you know, has, um, many uh, um, all Presidents, in recent years, have had a habit of going over the heads of the Congress to the people. This was the first time that the Congress had attempted to go over the head of the President to the American people. We did so, in the Committee's hearing on the Vietnam war issue. I will leave to the American people to determine the profoundness of the effect, the educational value, the influence on policy, the influence upon Presidential politics, the intensive influence upon President Johnson himself, of those hearings.

Now let me give you another example: The A.B.M. issue. I have been involved in this for more than two years as chairman of the Disarmament Sub-committee. Because it involved so many secrets, I held the first hearing in secret. There was very little public debate. We lost the issue on the floor with not very much public attention. Here it was changed, and came this time even larger. So I decided, and my committee agreed with me, that we should involve the public in this issue. After all, it is their country, it is their money, and we are a democracy. So we got together experts, scholars, men of unquestioned integrity on both sides of the issue and proceeded to have public hearings. Television found them interesting, the public found them engrossing, and we have had now a wide-spread national debate into every living room and around every coffee table about the A.B.M. issue. It's been of tremendous educational value. The outcome is uncertain, but the people know more about it and they've been involved in an issue. And I think this is a milestone in our democracy. No longer will we run from public debate or public hearings on a technical question because of its technicality, because of its complicity. We have taken one of the most difficult of all and have aroused the public and involved the public in this debate.

Mr. McGee. One further question on this general area, Senator. I wonder what effect, if any, you think the campaign for Presidential nomination of Senators Kennedy, and McGovern, and McCarthy may have had in contributing to this, uh, casting doubt on the omnipotence of the—of the—military.

Senator Gore. The Presidential campaigns of last year for the Presidential nominations as well as for the office itself, stirred the American people deeply. The debate brought to light serious questions of policy, fundamental contests of views. Senator McCarthy, in his campaign in New Hampshire, alerted the entire country to the existence of unrest and frustration of the Vietnam war issue. The late Senator Kennedy's campaign showed that this unrest went to the working class, to the students. The campaign between Mr. Nixon and Mr. Humphrey was a divisive one. Though President Nixon did not take specific—many very specific positions on issues, the fact that he could run this kind of a floater type, gumshoe campaign and win made many people wonder if something wasn't basically in error in our democracy. Why could a man win without taking affirmative positions? The answer many people came up with is this is negativism, this is nihilism, this is doubt; this is not confidence, this is fear. And we're groping for answers to that right now.

Mr. McGee. Now I'd like to get into the second large area of questioning. And I realize this is asking you to crystal ball a little bit, but we must raise it. And that is how do you think this issue will be resolved? Will the supporters of the military establishment win or will the opponents, or say the critics of it, win? How do you think it will be resolved? Who will win it?

Senator Gore. The issue on the size, the magnitude, the danger to the American system of government, of the industrial-military complex has been joined. The ABM issue has been the touchstone. The ABM issue in and of itself is important, but it has a symbolic value far greater. If those of us who oppose what we regard as an unsound, unwise, unnecessary expensive weapons system win in this instance, then we will have won a historic battle. It will be but the first one. If we win this one, we will win again and again and again. And the contractors, the military, the manufacturers, the people who have an interest, economic, political, career-wise, and the people who have sympathies with this group, know that this is a showdown battle. They, too, know that if they lose on this one, they will lose again and again and again. Because, actually, the contest is between the greed and the ambition, however sincere it may be in many instances, and the aspirations of this, the many components of the industrial-military complex, on the one hand, and the many needs of the people on the other.

In other words, there is at issue here a choice of priorities. What is more important in our society, better education or better missiles?

Mr. MCGEE. Now lets—let's suppose that the supporters of the military lose, in the context we are talking about. There are many who have issued warnings that this will have a very grave effect on our national security. I'd like for you to comment on that point, if you would. What effect would it have on national security, should they lose?

Senator GORE. The security of our country is paramount with all of us. I think it's been a little too fashionable in certain circles this year to assume that only the President or perhaps the Secretary of Defense had primary responsibility for the security of our country. This is the primary responsibility of every Congressman, every Senator, as well as the President. What is security? How do we vouch it safe?

I don't think that it can be measured alone in weaponry, in military might. Some people say that might makes right. But on the other hand, right makes might. We can be no stronger in the world than we are at home. Our militarism, our excessive missilry, our excessive reliance upon force as the arbiter of issues, both at home and abroad, will, if continued, threaten to destroy us within. We need to be sound, progressive, liberal, tolerant, educated, humane and compassionate at home, in order to be strong and influential abroad. This is real security.

Mr. MCGEE. By the same token, the same people are worried about the effect it would have on our allies. Could you comment on that?

Senator GORE. The United States has allies. I'm not sure that we have as many genuine allies now as we have had heretofore. But leadership in the world is composed of two things: power and affinity, affinity of views, of interests, of ideals. We have the power, economic and military. And if we lacked a weapons system, the world will know that American industry, American ingenuity, American technology and American resources could soon produce to meet the need of any material matter.

The thing in greatest question now is that of an affinity with our spirit, with our idealism, with the goodness which we feel we have, but which many of them have come to doubt.

Mr. MCGEE. They also say that this would represent a retreat from our responsibilities around the world and that we would have to radically reorder our foreign policy.

Senator GORE. A reduction in armaments, a reduction in number of men in uniform, a reduction in Air Force, a reduction in naval might, would in fact cause us to thin out our presence. It creates problems. But with the inability to be everywhere with enough to solve by force all problems, whatever they are, wherever they are, whenever they arise, forces us to choose. We must choose on the basis of priorities. What are the things most important? I think things of the spirit, the things less material than more of material. This does not mean that we must not have force. It must be a mobile force. It must be a force that can be brought to bear whenever our vital security interests are involved, but only when our vital security interests are involved should we use force. Otherwise, we should help the people help themselves with our aid programs; we should encourage them with cultural exchange, with educational aids. We should lead them by spirit and precept and principle, not try to use our force to bring about the changes which we think may be right.

Mr. MCGEE. And actually one of the biggest questions of all is if it is severely cut back, what effect would it have on our domestic policies and problems?

Senator GORE. A large cutback in economic spending for the military, for armaments, would have a large effect upon our economy. It might have a very beneficial effect upon our economy if we act wisely. For instance, during the last several months, the number of new homes started has been dropping, dropping, dropping. Meanwhile, the number of new family formations has been going up and up and up. Unless somehow we begin to start more new home construction, we face in the near future a severe housing shortage. Of course, other countries, such as Russia, has an enormous housing shortage. Such a shortage is not known in America. It may become known in America unless we can organize our economy and our policies so that funds and materials and labor will be available to build homes. This is but one example.

We have so many postponed needs in our national life that if at the same time we reduce our expenditures for the military, we give priority to those pentup demands, the solution of those problems that cry out for solution, community facilities, schools, hospitals, roads, water systems, recreation areas, better health, education and welfare, more homes, both private enterprise and public enterprise, I think that we could have a healthier economy, indeed a booming economy, if we would but use our resources on things that we need at home, rather than to go excessively to military expenditures.

Mr. MCGEE. Senator, do you sense the mood of the country as being one that would support the kind of approach you just outlined?

Senator GORE. The sentiment in the country might very well oppose large programs of economic—large economic expenditures to solve our problems at home. This is a—this is a political battle which we would have to fight. But America is accustomed to fighting political battles. And I would think in the end that the needs of the people would be met.

Mr. MCGEE. One final question on this area. Some have expressed concern that, should the military lose this contest, it would have a very deleterious affect on the morale of the professional military soldier and officer. Could you comment on that for me?

Senator GORE. I am not an authority on the military morale. By the very nature of the professional—of the training of professional military officer, his morale is perhaps higher when there is a military challenge, when there is a mission to accomplish. In other words, when he has fighting to do. That's what we train them for. And I wouldn't—I'm rather proud of—of their willingness to serve, their courage, their valor. But we can't be foolhardy in order to keep their morale up. We must have wise policies, and their purpose, their duty, is to serve that policy, not to make it.

Mr. MCGEE. Now one final question, Senator. Let's suppose that the military does not win in this and the country elects to go in a different direction than it has gone in the past, what kind of a judgment do you think that history would make of such a decision on the part of this country at this time?

Senator GORE. I think this country faces a grave threat, a threat that goes to the very heart of our society. Our priorities have become unbalanced, our values warped. If we persist in the solution of all problems, both at home and abroad, by force, by the use of force, then we may very well face fundamental destruction of our values and our sense of values at home.

Mr. MCGEE. And if we elect to go the other way, sir?

Senator GORE. If we are able to right our course, to place emphasis upon first things first, then I can see for America a broadened horizon, where life and liberty and the pursuit of happiness is more equitably available for all. This is the goal for which our forefathers sought. I think it is a goal for which we should search now.

FORMER NEW YORK STATE SUPREME COURT JUSTICE EMIL N BAAR

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. BRASCO. Mr. Speaker, in these days of tension and strife, I believe it is fitting to call attention to a citizen who, after a half century of active communal services, continues his good deeds to mankind. I would like to take this opportunity to salute him as a true example of a good substantial American.

I refer to former New York State Supreme Court Justice Emil N. Baar, of Kings County.

Justice Baar was recently honored by the Rabbinical Council of America "in appreciation of his dedicated efforts and warm help" in securing $100,000 from a trust fund established by the late Jacob Schiff, philanthropist, for use as pension funds to care for orthodox rabbis upon their retirement.

Mr. Schiff provided a $100,000 fund to the Union of American Hebrew Congregations in 1918 for distribution among various religious groups for rabbinical pensions. The trust funds have since increased to about $250,000. The fund was to be divided equally among the reform, conservative, and orthodox groups.

In 1944, the portion held for the reform rabbis was paid over to the rabbinical pension board, the pension arm of the Union of American Hebrew Congregations and of the Union of American Hebrew Congregations and CCAR.

In 1947, the Rabbinical Assembly of America established a pension plan for rabbis of the conservative group. One-half of the balance of the so-called Schiff fund was distributed to that pension plan.

In 1948, the Rabbinical Council of America, representing the orthodox group established a pension plan for its rabbis. However, it was not until 1966 that a request was made for its share of the Schiff fund.

Justice Baar, who is honorary life chairman of the American Hebrew Congregations, and chairman of the governing body of the World Union for Progressive Judaism, was called upon to aid in the distribution of the funds. Through his efforts, the Rabbinical Council of

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America recently received $100,000 of the funds for its pension program.

LEGISLATION TO PERMIT THE ISSUANCE OF TEMPORARY VISAS TO IMMIGRANTS

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. REID of New York. Mr. Speaker, I am today introducing legislation that will amend the Immigration and Nationality Act of 1965 to permit the issuance of temporary visas to nonimmigrants who wish to enter the United States temporarily under a contract of employment to perform services or labor.

The principal intention of this bill is to provide relief for the many American housewives who wish to secure the services of alien domestics in their homes, and who are finding that there are increasingly long delays before visa numbers are available for these women. The language of the bill is broad enough, however, to apply to other kinds of temporary employment as well.

I have long believed—and still do believe—that the major purpose of the Immigration and Nationality Act is to promote the reuniting of families. Accordingly, I think it is unwise to permit the use of visa numbers available under the law for persons who are coming to this country to work and who, in many, if not most cases, do not intend to become permanent residents. Thus, I would hope that a policy of temporary visas, unlimited in number and not chargeable to the annual worldwide total or to the annual limitation of any given country, would be a solution to this problem.

There is no question but that in some areas of the Nation there is a definite shortage of persons who are willing to work as live-in domestics. Often, such assistance is needed by working mothers with small children, or by motherless families, or for a variety of other reasons. The reasons are not really the business of the Government; the fact is that the need exists and that it frequently cannot be filled by day workers. Transportation in many suburban areas is such that it is simply not feasible for day workers to get to jobs located off main bus routes. Families requiring live-in domestics very often need the reliable services of a person known to and trusted by their children when the parents are not home in the evening.

Briefly, my bill provides for a new category K under section 101(a)(15) of the Immigration and Nationality Act. This category would define as a nonimmigrant "an alien having a residence in a foreign country which he has no intention of abandoning who is coming to the United States under a contract of employment to perform services or labor—other than services referred to in subparagraph (H) of this paragraph."

Such aliens would be subject to three conditions for the issuance of a temporary visa:

First, they must be in possession of a contract for employment for a period not to exceed 1 year. Such contract would be renewable, for periods aggregating no more than 5 years. In other words, these temporary visas would be for no more than 5 years, and if the alien then wished to become a permanent resident, he would have to follow the procedures now established by law and regulations for adjustment of status, subject to the usual availability of visa numbers in the preference category for the country to which he is chargeable. The fact that he has been in this country on a temporary visa would not make a difference in any application for permanent residence.

Second, the alien would be strictly bound by the terms of the contract and could not perform services or labor not specified in the contract or work for another employer not named in the contract without the approval of the Secretary of Labor.

Third, the alien would have to obtain the labor clearance now required for all workers entering the United States under section 212(a)(14) of the law. Among other things, this certification indicates the finding of the Secretary of Labor that the alien's employment will not adversely affect similarly employed U.S. workers, and that there are not sufficient workers in the United States who are able, willing, qualified, and available to perform the work for which the alien seeks certification.

In my judgment, this legislation would meet the objections that the Department of Labor has frequently raised to any proposals of temporary visas. First, the Department frequently contends that household workers are permanent, not temporary, and that if the Congress wishes to admit more permanent workers, the law should be amended to provide for a greater number of visas. My continued contact with housewives who wish to employ aliens seems to indicate that the need for live-in domestics is a permanent one but that any given alien who comes to this country to perform domestic work is only temporarily in this country and has little intention of becoming a permanent resident. I think that this point is made most cogently by a housewife in my district who has employed aliens in her home for 16 years. Mrs. Walter Stein of Scarsdale, in a recent letter to me, said:

> It is precisely because the need for domestic employees is permanent that it cannot be solved by permanent immigrants. Most of the girls entering the States as bona fide domestics have no intention or desire to remain here. I speak with experience. In the course of the years, I have employed 21 European live-in domestics and governesses (all of whom, without exception, stayed with me the contracted time or longer). Of these, 17 returned permanently to their native countries, only 4 remained here.

Mrs. Stein—whose comments apply to alien domestics from any country—goes on to point out that a permanent immigrant does not want to remain a domestic for very long. She leaves to seek an office position, for example, and her employer then must find another alien domestic to take her place.

A second argument that the Department of Labor makes against temporary visas for this purpose is that household domestic service workers usually have little experience in the field and then move on to other employment shortly after coming to the United States. I believe that my bill would answer this point by making visa issuance contingent upon a contract for a specific job with a specific employer and requiring that any change in employment be approved by the Secretary of Labor. Thus, it would not be possible for aliens admitted as temporary domestics to leave their employment and engage in other work unless the Secretary of Labor found that such a change was justified and would not jeopardize the employment of U.S. workers.

In fact, the issuance of permanent visas for domestics seems to encourage precisely the effect that the Department so deplores. A permanent visa places no restrictions on the kind of employment in which the alien may engage; thus, if a particular girl—one admitted for permanent residence—tires of her domestic work and finds a position in another occupation, there is no control whatsoever on the impact of her new position on American workers also seeking employment. Further, her former household employer is still in need of domestic help and will simply have to file again for another domestic, and, eventually, another visa number will be allotted, possibly to result in this same situation.

I wish to make it quite clear that I have no interest whatsoever in depriving Americans of every possible opportunity to find productive and meaningful employment. I think that my long record and many public statements in support of job training programs and concerted employment action by the public and private sectors attests to this. But I think it is essential that we in Congress and the Department of Labor face the realities of this situation and recognize that it is becoming increasingly difficult to find American workers who are willing and able to fill the available positions as domestics.

I wish that this were not the case, but unless and until the circumstances change, I do not believe that it is within the purview of the U.S. Government to tell its citizens what kind of household help they may employ and under what conditions. I do not question the need for the labor certification under section 212(a)(14) of the law in order to insure that American workers are not displaced by aliens, but I do not think that, in an effort to reduce the number of permanent visas issued to domestics, the Department of Labor should be in the business of establishing criteria which entitle one to be able to employ an alien at wages specified by the Government.

For example, Floyd Sherrod, Jr., Special Assistant to former Secretary Wirtz, stated in a letter to me dated December 13, 1968, that—

> The needs of employers and the recruitment of workers can be met by large increases in the number of child day care centers, household service companies, and numerous other arrangements.

I know of no change in this policy in the present administration, and, quite frankly, I do not think that any agency of the Federal Government has the right to tell an American citizen how to run his household, as this statement implies.

I believe that the legislation I am proposing will obviate the necessity for many of the complex and demanding regulations that the Department has adopted. I hasten to add that it will not eliminate all the delay and it will not eliminate the necessity for employers and aliens to comply with certain standards and requirements. But I believe that this bill will result in a more sensible policy on a question that now succeeds in alienating many Americans from their Government and that demands far too much time and resources on the part of the Labor Department.

The administration of this system would be no more complex than that now involved in a labor certification and would, I hope, free the Department for its more important task of improving the employment status of those Americans who are underemployed and unemployed.

THE TROOPS RETURNED FROM VIETNAM

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, July 10, 1969

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks an editorial entitled "Stand Tall and Be Proud," published in the Washington Daily News of today, July 10, 1969.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

Stand Tall and Be Proud

When the first troops withdrawn by President Nixon from Vietnam arrived at McChord Air Force Base Tuesday afternoon it was somehow different from the homecomings of American fighting men in other wars.

There were cheering friends and relatives and a brass band, of course. And their former commander, Gen. William C. Westmoreland, now Army Chief of Staff, was there to talk to them. But about it all, judging from the televised scenes and the written descriptions, there was a reservation unlike the wild excitement of past wars. The returning soldiers were solemnly quiet.

Undoubtedly it was a reflection of the puzzlement and frustration many Americans feel about the Vietnam war. This one that we got into more or less by accident and have never been able to justify fully to ourselves and the world, in spite of the certainty that without our participation the spread of communism thruout Southeast Asia would have proceeded like wildfire.

But we need to remember that the men who are and have been in Vietnam—and those who are still going—didn't choose the duty as a glorious, exciting adventure. They were and are fulfilling an obligation, doing what they are required to do.

Of the men who served and still are serving in Vietnam, we can be proud. They are the best. They deserve the best from us. We should see that they get it enthusiastically. As Gen. Westmoreland told them:

"You men . . . have demonstrated your sense of responsibility—the responsibility of an American citizen to serve his country.

"You can stand tall and be proud. You can look any man in the eye knowing that you served your country when you were called."

WAR IN VIETNAM IS DIFFICULT TO ASSESS

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. ZWACH. Mr. Speaker, pressure is mounting for the United States to withdraw its troops from Vietnam. Never before in our history has our country engaged in such a "no-win" conflict.

No one seems to know what is the best policy to pursue. Our highest Government officials, as well as the man in the streets, seem to be groping for an answer.

The Brainerd Daily Dispatch recently printed an aditorial on this strange sort of war which I would like to share with my colleagues:

War in Vietnam Is Difficult To Assess

It's a strange sort of war.

The above may be the understatement of the year and one which has been used many times during the decade that the Vietnam war has been in progress.

It is a war like all wars in that men are killing and being killed. But it is not a war like the one against Germany and Japan more than 25 years ago when this nation and others were mobilized to go all out with men and firepower to gain a smashing victory.

Instead, in this war, bombs are not dropped on certain areas, particularly the enemy's homeland and there are certain points beyond which our troops do not advance.

When the wars with Germany and Japan were over, the nation rejoiced when its soldier boys returned home in victory. There were parades and festivals of jubilation as they came marching home again—that is, the ones who lived to march home.

Now some American soldiers are again being returned from a battlefront as the result of a recent decision by President Nixon and in the homes of their families and loved ones, there is jubilation.

But it is not the same across this land as when those other soldiers came back home.

These men are not returning from a clear-cut victory which helped cement their nation as one of the major powers of the world. Actually they have won a number of battles—they have fought, bled and died valiantly on the field, but there has been no real victory. The war is as much on now as it ever has been, even though the talks drone on and on at the Paris conference table.

The homefront to which these soldiers are returning is also different. During World War II, this nation united almost like one huge family in its effort to smash the temporary strangle hold of the Nazis and the Japanese.

There is no unification at home on the Vietnam war. Debate on the conflict has raged from the Senate floor to the beer joint on the corner.

Many say we have no business there and all of our troops should be pulled out. Some say this is the place to halt Communist advances and we should fight on.

Others, many of them veterans of the last major conflict, say that if we are going to fight at all, let's get in there and smash them good, once and for all.

And so it goes. The soldiers fight, bleed and die. The politicians argue and harangue. The people debate and complain.

What is the answer?

We don't know. It's a strange sort of war.

NATIONAL PRIORITIES

HON. ALAN CRANSTON

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Thursday, July 10, 1969

Mr. CRANSTON. Mr. President, the American Institute of Architects recently published their excellent resolution concerning national priorities.

In the hope that all of my colleagues will heed its plea, I ask unanimous consent that the statement along with my letter to the institute be printed in the Extensions of Remarks.

There being no objection, the statement and the letter were ordered to be printed in the RECORD, as follows:

Resolution of American Institute of Architects

It has become clear in both moral and economic terms that our nation can no longer afford or pretend to intervene in the political and military affairs of nations throughout the world, maintain a military and weapons establishment of unlimited size, explore the moon and, at the same time, rebuild our decaying cities, provide an adequate supply of housing, and finance domestic programs needed to solve pressing social problems.

Therefore, be it resolved by the Architects of America that:

One. We call upon the President and the Congress to assume responsibility for a comprehensive reexamination and reordering of our national priorities, recognizing that we have neither unlimited wealth nor wisdom, and that we cannot sensibly hope to instruct other nations in the paths they should follow when we are increasingly unable to demonstrate that we know how to maintain a viable society at home.

Two. We call upon our leaders, at all levels of government, to recognize that an efficient and humane environment is basic to the maintenance of a harmonious and prosperous society and that the skills to produce it are well within our grasp. At the same time, we wish to remind our representatives that neither hope, time, nor technology will solve the problems that presently make urban life a dirty, difficult and dangerous experience. Only a wholehearted commitment of will and money will enable us to apply the skills needed to erase the shame of urban America.

Approved and adopted by The American Institute of Architects at its annual convention in Chicago, Illinois, June 26th, 1969.

JULY 9, 1969.

The AMERICAN INSTITUTE OF ARCHITECTS,
Washington, D.C.

GENTLEMEN: Congratulations on your full-page statement carried in the Washington Post this morning.

You have eloquently expressed the sentiments of millions of Americans, and I want to commend you for this forthright position. You can be sure that I, along with many of my colleagues, will be working hard toward those goals which we all share.

Best wishes.

Very sincerely,

ALAN CRANSTON.

LONDON SHOUTS "NO" AT NOISE

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, "the city of London is at war. The enemy is noise." So begins a story appearing in the Christian Science Monitor of July 10, 1969, a story that points out one detrimental result of technological and industrial progress.

As the United States moves closer and closer to becoming a completely urban society, the problem of noise disturbances will be brought home to more and more citizens. Recognition of the seriousness of the situation is now generally limited to communities located adjacent to large airports. Undoubtedly, jet aircraft noise is presently the principal target of noise abatement advocates and from firsthand experience I can testify that the effects of such noise are quite unfortunate. However, my colleagues would be well advised to note that even though their districts are safe from the din created by arriving and departing aircraft, the problem of noise abatement will ultimately be their problem too. Cars, buses, and trucks honking their horns, grinding their gears, and blasting their radios on snarled city streets, pneumatic drills chewing up worn-out concrete, piledrivers banging away at the steel reinforcements of the building being built next door, the arguments of your neighbors, or the sound of a baby crying or a dog barking coming through the paper-thin walls that have become a trademark of new apartment houses, all these sources of noise are increasing as cities expand and as populations rise.

The problems already exist for some. We recognize it and are working to see the implementation of controls that will alleviate the burdens that have come into being. I am presently preparing a bill that will provide the needed revenue to subsidize the aviation manufacturing industry in order to encourage design changes needed to bring about lower levels of sound generated by jet aircraft. This legislation will insure that the revenue shall be raised from those who benefit from jet flight most, the airlines and the passengers and will not require additional Federal Government outlays.

But passage of my proposed legislation will not solve the problem. Congress is presently considering various bills aimed at establishing environmental committees, commissions, panels, and so forth, to prevent man from destroying his environment. Preemptive measures must be taken in the battles against air pollution, water pollution, and noise pollution. We must change from our usual stance of reacting to already existant problems and act to prevent them from arising. Members of Congress should realize that urbanity is becoming the common denominator of the United States. The problems of Los Angeles, New York, and Chicago will eventually be the problems of every community in the land unless we work together now to solve them and prevent their future spread. My call for controls over our environment is not the introduction of a new idea. Many of my colleagues have voiced their concern. My call for noise abatement legislation is not made just for my constituents or only for the people living next to airports throughout the country. While it is an attempt on my part to bring relief to my district, it is also an effort to make the Congress cognizant of the larger problem of noise pollution that will affect, if it has not already done so, their constituents and their congressional districts. My call is for action now rather than reaction later.

The Christian Science Monitor article follows:

LONDON SHOUTS "NO" AT NOISE

(By David P. Shaw)

LONDON.—The City of London is at war. The enemy is noise.

That one square mile of finance houses, stone-walled banks, and high-rise blocks of steel-and-glass offices populated by 400,000 businessmen is bombarded by noise—constantly.

But what sort of noise is it?

Airliners circling overhead seeking a place in line for Heathrow Airport?

Lorries and buses snarled up in narrow city streets?

Pneumatic drills chewing up the roadway?

SPECIAL STUDY TIMELY

The City of London Corporation says the compact, unique character of the city is ripe for a special study of noise.

To this end the corporation has arranged a special "keep the city quiet" campaign. It was launched by Lord Mayor Charles Trinder.

On the forecourt of the Royal Exchange, Sir Charles activated a noisometer. As traffic rumbles past or within earshot its lights flash and a reading shows on a thermometerlike vertical scale.

Afternoon traffic, when this correspondent passed by, registered around 80 decibels. That is said to be tolerable. Ninety decibels is said to be most unpleasant. Even a noisy lorry failed to activate the flashing lights that high on the scale.

CRICKET GETS FIRST LOOK

The noisometer intrigues passersby but holds their attention far less than the newscaster flashing the latest cricket scores.

Colored posters in the vicinity invite spectators to visit the special exhibition at nearby City of London Hall. There, manufacturers of noise control and measuring equipment, of muffled power tools, of double glazing for homes and offices, have their stalls. Others cooperating include the government's Ministry of Public Building and Works and the Noise Abatement Society.

PUBLIC A TARGET

In addition to the publicity leaflets and posters about the antinoise war, some 12,000 questionnaires have been sent to London firms and workers asking, "What noise annoys you most?"

Deputy medical officer for the City of London, Dr. Dilwyn Jones, explains the corporation is trying to educate the public. They can, he says, be less noisy themselves. They are affected by it and can, to some extent, prevent noise.

The campaign, says Dr. Jones, is a research project. His Health Department wants to know what the primary causes of noise annoyance are. Then when opinions are collated, the corporation will consider what can be done about the problem.

If the primary cause is aircraft noise, little can be done about it at present. On the other hand the information gathered may result in something positive being accomplished to aid the noise-afflicted office workers and the city's resident population of just under 5,000 people.

What is plain is that man is harassed by noise. This is said to affect his work efficiency.

Thus, if a way can be found to win this noise war then business efficiency in the City of London must rise. Who knows, the capital's export business might even increase.

SDS SELLS ROTC

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. NICHOLS. Mr. Speaker, as a graduate of the Reserve Officer Training Corps program and as a strong supporter of ROTC, I am pleased to see that the program continues to grow in strength despite the attacks being made on it by leftwing student groups and other liberals. The Montgomery Advertiser recently ran an editorial which outlined the growing strength of ROTC, and credited the Students for a Democratic Society with the responsibility for that growth. While I do not want to go on record as congratulating the SDS for their help in selling ROTC to college students, I include the editorial in the RECORD for our colleagues to read:

SDS SELLS ROTC

The word from Washington is that the idiotic attacks on college ROTC may have been the best advertisement the reserve officer training program ever had.

Thanks in part to the SDS assaults on college "militarism and warmongering," many young men and their parents have apparently become educated to the attractive benefits of ROTC, including monetary. The result is that the number of ROTC units is increasing steadily and so is the number of graduates who get service commissions.

The Air Force has four student applications for every opening in its program; all three services have long waiting lists of colleges which have applied for programs. The Navy backlog, according to the Wall Street Journal, is 130 institutions long. When the Air Force tried to drop eight colleges recently because they weren't producing enough officers, the colleges raised the roof. Four were reinstated.

The outlook for September is a substantial climb in ROTC enrollment, all the services can possibly use, and would be far greater if all students and colleges wanting ROTC could be accommodated.

Last year, about 23,000 ROTC graduates were commissioned, up 1,700 from the previous year. These accounted for 50 per cent of the Army's new officers, 35 per cent of the Air Force's and 20 per cent of the Navy's.

Thus the threatened pull-out under fire of such Ivy League institutions as Harvard, Brown and Dartmouth is no real worry to the military. For one thing, it costs more to educate a young officer candidate at such schools than at many other institutions which turn out at least as good a product.

The fractured SDS plans more assaults on ROTC in the fall. This could have serious consequences, but not in the way the hysterical thugs plan it: it could increase the number of applicants and colleges begging to be admitted to the program.

The rejections may cause more ill will among more people than the SDS ever could in its mad-dog attacks on the one officer

training program which serves as a liberalizing antidote to the creation of a "military class system."

ALEX C. COCKE RECEIVES SERVICE PLAQUE

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. BOGGS. Mr. Speaker, New Orleans, as you know, is the Nation's second largest port. We are very proud of that title. The maritime industry is our largest employer, our greatest economic contributor, and indeed the keystone of our economy. It was as a seaport that New Orleans first came into being, and it has been as a seaport that it has achieved its record of progress and growth over the past 300 years. We in New Orleans are determined to maintain the kind of business climate in which the maritime industry can continue its historic role in our community life. We believe that a strong maritime industry is essential to the continued economic health of our city, our State, our region, and our Nation.

Recently, a prominent New Orleanian was honored as a man who has devoted his life to the maritime industry, Alex C. Cocke, Sr., was cited for his years of work in the field of arbitration for the industry by the American Arbitration Association. I would like to take this opportunity to give my personal commendation to Alex Cocke and to insert in the RECORD an article that appeared in the New Orleans Times-Picayune on Sunday, June 8, regarding this recognition he so richly deserves:

[From the New Orleans (La.) Times-Picayune, June 8, 1969]

CONSULTANT, ALEX C. COCKE RECEIVES SERVICE PLAQUE—HONORED FOR CONTRIBUTION TO COMMUNITY

(By Capt. Thomas L. Lewis U.S. Navy (retired))

Donald B. Straus, president of the American Arbitration Association, has presented a plaque to maritime consultant Alex C. Cocke of New Orleans for his "service as arbitrator" and his "contribution to the administration of justice in your community."

An enviable tribute is indicated in Straus' letter of transmittal of the plaque to Cocke: "Voluntary arbitration could not exist but for the contribution of the arbitrator, who draws upon his wisdom, his public dedication and his impartiality to settle the controversies of his fellow citizens."

Indicating the standards the plaque reads: "American Arbitration Association—Economy, Justice, Speed." Pointing to it Cocke remarked "The scales of justice are always in the middle."

In bronze beneath is inscribed: "Service as Arbitrator Alex C. Cocke, 1968."

Congratulations to Cocke. His long career in the maritime industry has merited many a tribute of which this is but one. The origins, destinations and handling of traffic in foreign commerce have been (and still are for that matter) his main interests.

Many years ago he was asked why ships use "This Port" more than "That Port" in the world of maritime traffic. His answer was ships serve the ports where there is cargo for lifting and where discharge of cargo is economically justified. In both cases it is the port, with its modern and adequate facilities and stable labor that are indispensable for attracting both export and import cargo."

DR. MELVIN D. WOLFBERG OF SELINSGROVE, PA.

HON. HERMAN T. SCHNEEBELI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. SCHNEEBELI. Mr. Speaker, this Saturday, July 12, an outstanding citizen of Selinsgrove, Pa., Dr. Melvin D. Wolfberg, will become president of the American Optometric Association.

I would like to publicly commend this young man for the many years of diligent work on behalf of his profession; effort which has brought him to the highest position of leadership possible among the nearly 20,000 optometrists licensed to practice in America today.

I am certain the citizens of Pennsylvania's 17th Congressional District share my pride in the knowledge that a vital and vibrant national professional organization will for the next year be guided by a gentleman from our own State who is known to his townspeople and to his profession as a dedicated and public-spirited individual.

I know of Dr. Wolfberg's willingness to exert the qualities of vigorous and well-informed leadership in civic affairs; his contributons of time, energy, and personal resources for the good of his profession are equally well known.

Dr. Wolfberg is vice chairman of the board of trustees of the Pennsylvania College of Optometry, one of the oldest and finest of the 10 optometric educational institutions in the country. In that capacity, he has demonstrated his sincere faith in the future of his profession, and in the young people who choose optometry as their way of making a very important contribution to the health of our Nation.

Dr. Melvin Wolfberg was born in Pennsylvania in 1926. Upon completion of his service in the U.S. Army, 80th Infantry Division, which won him the Silver Star, Bronze Star, and other military decorations in World War II, he took his 2 years of preprofessional education at Pennsylvania State University. He is a graduate of the Pennsylvania College of Optometry, having been awarded the doctor of optometry—O.D.—degree in 1951.

Dr. Wolfberg has served with distinction at every level of his State and national professional optometric organizations. To mention but a few, he has been a member of the board of directors of the Better Vision Institute; president of the Pennsylvania Optometric Association; and trustee, secretary-treasurer, vice president, and president-elect of the American Optometric Association.

We are justly proud of Dr. Melvin D. Wolfberg and the contributions he has made, personally and professionally, to advance the cause of better professional vision care for his fellow citizens. We wish him well during his tenure as president of the American Optometric Association.

CONSORTIUM CREDIT TO THE REPUBLIC OF SOUTH AFRICA

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. ANDERSON of California. Mr. Speaker, I wish to bring to the attention of my fellow colleagues in the House of Representatives a recent action, taken May 24, 1969, by the executive and finance committee of the Episcopal Church's executive council, which has decided to end the council's involvement with those banks participating in the consortium credit to the Republic of South Africa.

The consortium is an arrangement involving 10 major American banks whereby $40 million in revolving credit is extended to the South African Government. The council presently has over $2 million in deposits, checking accounts and investments in three member banks of the consortium; all would be withdrawn should these banks continue in the consortium after the next annual renewal date early in 1970.

This action followed a full day of hearings from representatives of the three banks and South African opponents of the apartheid system. After the hearings, the executive and finance committee concluded that, because of the laws of South Africa, the involvement of the banks participating in the consortium was not a positive factor in helping to promote the general welfare and the breakup of the apartheid system.

The executive and finance committee's action was then taken in compliance with a resolution of the executive council in December 1968, which directed the committee to hold hearings and to terminate the council's involvement with participants in the consortium unless they felt that the consortium's efforts in South Africa were productive in terms of increasing the general welfare of all Africans.

I include at this point in the RECORD the full text of the resolution of the Executive Council of the Episcopal Church, and the subsequent resolution of the executive and finance committee of the same body:

RESOLUTIONS PERTAINING TO THE CHURCH'S INVESTMENTS IN SOUTHERN AFRICA, AS ADOPTED BY THE EXECUTIVE COUNCIL, DECEMBER 11 and 12, 1968

I. *Resolved*, That the Executive and Finance Committee, on behalf of the Executive Council, examine and apply, in relation to the investments of the said Executive Council in companies and banks doing business in southern Africa, the following criteria:

(a) Is the bank or business making credit available to or doing business in southern Africa, especially including South Africa, South West Africa, Rhodesia, Angola and/or Mozambique?

(b) If so, how significant is this involvement in the economy of the southern African country?

(c) If the involvement is significant, what is the effect in promoting such things as:

Education of Africans; Development of family life; Labor-management relations and the collective bargaining process; Increased skills of the African labor force and integration into higher levels of leadership; Equalization of wage scales, pension provisions and social security; Hospitalization and other benefits; Breaking down of the pass law system and other restrictions; and be it further

Resolved, That, wherever the answers to criteria (a) and (b) are positive, then decision as to whether the Council invest and/or deposit the Church's fund or continue to invest and/or deposit in such companies and banks be dependent on *how* positive is the answer to criterion (c); and be it further

Resolved, That, nonetheless, where feasible in promoting the welfare or education of all the people of southern Africa without regard to race, the Council consider investments in such companies or banks promoting such projects.

II. *Resolved,* That the Executive Council direct the Executive and Finance Committee to consult with the banks in which the said Council has deposits or investments, and which are members of the consortium extending credit to the government of South Africa; and that, unless the said Executive and Finance Committee concludes that the involvement of the said banks is positive in respect of helping to promote the activities listed in Section (C) of Resolution I, the Treasurer be directed to terminate the Council's involvement with such banks within a reasonable period of time.

III. *Resolved,* That the Executive Council report its action on the above Resolutions to the Committee on Trust Funds and request them to examine their investments and to take appropriate action along similar lines and request that the Committee report its actions to the Council as soon as possible.

IV. *Resolved,* That the Executive Council shall report its action on the above resolutions to the dioceses and parishes and request them to examine their own investments and to take appropriate action along similar lines. To accomplish this the Council shall send the resolutions to the dioceses along with appropriate background materials and request the dioceses to draw these actions and materials to the attention of the parishes and other groups in their jurisdictions in the implementation of the 1967 General Convention's "Resolution on Apartheid".

Resolution of the Executive and Finance Committee of the Executive Council of the Episcopal Church as Adopted May 24, 1969

Resolved, That this Executive and Finance Committee does not conclude that the involvement of the banks participating in the Consortium Credit to the Republic of South Africa is positive in respect of helping to promote the activities listed below:

Education of Africans; Development of family life; Labor-Management relations and the collective bargaining process; Increased skills of the African labor force and integration into higher levels of leadership; Equalization of wage scales, pension provisions and social security; Hospitalization and other benefits; Breaking down of the pass law system and other restrictions.

And therefore directs the Treasurer of the Executive Council to terminate the involvement of this Council with the said banks (except oveseas missionary accounts, and those only until other media of exchange can be found); and be it further

Resolved, that with respect to any bank participating in the Consortium, this action by the Executive and Finance Committee shall take effect immediately after the next annual renewal date of the line of credit in question, provided that such bank shall continue its participation in such line of credit thereafter; and be it further

Resolved, That the Executive and Finance Committee offer all assistance in its power which may aid the banks to understand the significance of the proposed action in the eyes of this Church and the profound concern which led to it.

NATION'S CITIES MAGAZINE SUPPORTS PROGRAMS TO STRENGTHEN SMALLTOWN AMERICA

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. EVINS of Tennessee. Mr. Speaker, I am pleased to note that the magazine Nation's Cities, published by the National League of Cities, devotes its current issue to the importance of strengthening and improving our smaller cities—the heartland of America.

I am delighted to see this support develop as I have for many years urged in every possible forum that greater emphasis be placed on improving and developing our smaller cities as a part of the solution to our overall urban problems.

As chairman of the Subcommittee on Appropriations that recommends funding for the programs for all our cities, I have repeatedly urged an equitable balance in programs for large and small cities because the outmigration stemming from lack of jobs and opportunities in our smaller communities is continuing to intensify and aggravate the problems of our metropolitan areas.

Much progress has been made in the solution of these interrelated problems.

Under the Department of Housing and Urban Development's planning assistance program, 48 percent of the grants have been for planning in areas with populations under 50,000.

In HUD's public facilities loan program 98 percent of the projects and 80 percent of the loans go to communities under 50,000 in population.

In HUD's public works planning program some 85 percent of the projects and 67 percent of the advances for the engineering and design have been made to communities of under 50,000 and priority is given to communities under 10,000 where over 50 percent of all advances have been made.

More than 80 percent of the projects under HUD's water and sewer facilities grant program have been in communities under 50,000 in population and over 40 percent in communities under 10,000.

Of the approximately 2,000 projects under HUD's urban renewal program, 50 percent are in cities with populations under 50,000 and of these, 700 have populations under 25,000.

In HUD's low rent public housing program of the total of approximately 1 million low rent public housing units under reservation or in a more advanced state of development, over one-third are located in cities and towns with populations under 50,000.

In fiscal 1970 a total of $43 billion is budgeted for aid and assistance to urban areas.

Our smaller communities have benefited greatly from such programs as urban renewal, public housing, grants for water and sewer facilities, grants for neighborhood facilities, grants for acquisition of open space for parks, loans to plan and construct public facilities among many others.

I am pleased to have had some small part in developing and funding these programs for progress.

Upon my recommendation an Office of Small Town Services was established in the Department of Housing and Urban Development.

HUD is to be commended for bringing government to the people with a successful, pioneering experiment in circuit riding which brought Federal officials face to face with local officials and leaders to discuss problems and programs.

Upon my recommendation the model cities program has been expanded to include smaller cities.

In this connection the Tennessee Valley Authority has initiated Operation Townlift to directly assist communities in preparing programs of progress. TVA is to be congratulated.

Upon my recommendation the House Small Business Committee, which I am honored to serve as chairman, held extensive hearings on the problems of small towns, and out of these hearings came a recommendation for legislation to provide tax incentives to encourage growth and progress in small town America.

I have introduced this legislation in three successive Congresses, and the matter is now before the Committee on Ways and Means as a part of its consideration of reforms and changes in our tax structure.

And so I am pleased to note that the magazine Nation's Cities has devoted its current issue to the problems of small towns.

In this connection, I place herewith in the RECORD an article from Nation's Cities by Mr. Samuel C. Jackson, Assistant Secretary for Metropolitan Development of HUD, concerning "HUD's Concern for the Small Town" because of the interest of my colleagues and the American people in this most important subject.

The article follows:

HUD's Concern for the Small Town—Office of Small Town Services Promotes Better Communities

(By Samuel C. Jackson)

The concern of the Department of Housing and Urban Development for the future of small towns is as old as the laws under which it and its predecessor agencies operates—dating back some six Presidents and 16 Congresses.

The 1965 law creating the department charged HUD with concern for *all* of the Nation's communities—"town, village, or other local governments." Specific provision was added by Congress to assure that nothing in the act be construed to deny or limit the benefits of any program, function or activity of HUD on the basis of population or corporate status except as may be expressly provided by law.

The funds appropriated by Congress must

flow to the local units on the basis of the merits of the local program and local need. When limits have been placed on a program by size of community, those limits have been upper population limits.

Thus, in response to the question posed to me around the country, "Has the federal government written off the small city?" I can answer unequivocally that HUD in rule and in practice, has written *in* the small city.

However, we are approaching the limits of what HUD can do alone. In this connection, I concur with Sec. George Romney when he said: "The role of Government is limited, but it is also vital. It involves taking the leadership in developing national policies, goals and priorities, and then in helping to mobilize resources to carry out those policies and meet those goals." In short, there is much that small towns can and should be doing by themselves to revitalize their environment.

HUD recognizes that all cities may have been created equal but that the smaller community faces certain disadvantages in terms of ability to identify problems and priorities, to ascertain where assistance is needed and to mobilize available resources to seek and qualify for such assistance.

The creation of the Office of Small Town Services within HUD's Office of Metropolitan Development underscores our concern toward ensuring that the small community point of view and condition are fully recognized in developing policy and program decisions.

Thus, the Office of Small Town Services serves as a central point in HUD for focusing on the problems of smaller communities. A balanced program of activities and projects is being undertaken to:

Facilitate and ensure that HUD resources are available to assist the nation's small towns in their community development process.

Familiarize the small towns of America with HUD programs designed for improved local development.

Ensure that smaller community needs and problems are recognized, analyzed, and reflected in departmental policy and program decisions.

Work closely with federal, state, and local agencies as well as appropriate private organizations to provide smaller communities with needed specialized information and advisory services support.

Coordination of various HUD programs with other federal and state programs which serve small town development will be stressed through conferences, seminars, local visits, surveys, and studies. The smaller community's lack of adequate information regarding federal programs and technical capability to cope with the growing perplexities of urbanization will be key areas of focus. A greater involvement and capability of HUD central and regional offices and the states to assist small towns will be emphasized.

A comprehensive study dealing with the "Identification of Small Community Needs as Related to HUD Programs" is being conducted with the Office of Small Town Services responsible for providing the technical direction and monitoring. This effort will lead to a more effective delivery of programs to small towns.

The chief concern of this office is the small community and its problems and needs. The staff will work closely with local officials, HUD program officials, other federal agencies, the states, and other public and private groups. Activities will be coordinated through state agencies, particularly those funded under various HUD grant programs. Expertise in the areas of housing, relocation, planning, public facilities, manpower, management assistance, equal opportunity, etc. (available elsewhere in HUD and outside) will be brought into play to achieve quick and effective results.

This coordinating role is implicit in the grant and loan programs of HUD which are concerned with basic community needs and geared to aid communities in providing the kind of environment and services that business seeks for its employees, that citizens seek for a full and productive life.

Employer or employee, senior citizen or high school senior, shareholder or sharecropper—all look for decent and available housing, modern health facilities, pleasant park and recreation areas, a plentiful supply of power and water, a good public library, and other municipal services.

An examination of many of the HUD program elements bearing on small communities will give you an idea of what HUD's approach is and how it may be related to any small city.

Let us look at a few of these in terms of assisting the small city to meet its needs:

More than 80 per cent of the cities in the public housing program are under 25,000 in population.

Almost two-thirds of the urban renewal projects have been in cities of under 50,000 population. Over 50 per cent of participating cities have, in fact, populations of less than 25,000.

Public facilities loans are almost totally restricted to communities under 50,000 population. Ninety-three per cent of the projects assisted have been in communities under 10,000.

More than 83 per cent of water and sewer facilities grants have been to communities under 50,000. In the last fiscal year, out of a total of $175 million in grants, $120 million went to communities under 50,000 and $30 million went to communities under 10,000.

Thirty-six of the cities selected to receive planning grants under the Model Cities program are communities under 50,000 population.

The latest tools to be added to our arsenal were provided in the 1968 Housing and Urban Development Act.

Of key concern to rural America is a new category of assistance—grant funds of two-thirds to three-fourths—for multi-county planning in rural and other areas outside of metropolitan areas.

Its basic purpose is to help preserve and utilize our very great human and economic investment in small towns and rural areas. Collaborating with the Department of Agriculture, we are hopeful of funding several dozen of these multi-county plans this year.

HUD does not seek out favored recipients for our financial resources. We have depended and will continue to rely upon local responsibility and local initiative to work its way.

We feel this will not only prove the best way to solve many problems, but only in this way can we create for all Americans a rewarding and meaningful environment.

It is our conviction that one of the more effective ways of reducing innercity pressures is by enhancing the quality of life in the small towns. This would give those urban residents who might prefer living in smaller communities an option which, in many cases, is not now available to them. I should emphasize that it is not HUD's policy to stimulate this movement—we simply want to make available to core city residents the option of a rewarding life in our small towns.

To sum up, the federal government is not crossing out the small city. Every federal program is as relevant to the small city as to the large city; in every great domestic program, the strengthening of community life and an improved environment for its citizens can be traced.

We are doing everything possible to broaden the options for settlement—not to dictate distribution—but to enhance people's freedom of choice.

For, as President Nixon said: "We must assist small communities to develop an environment—of community services, recreational facilities, educational opportunities, better medical care, and job opportunities—that will alleviate poverty, that will hold out hope for a brighter future, and that will ease the pressures upon these citizens to join the march to the cities."

THE FORT JACKSON EIGHT: A TRAVESTY

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mrs. CHISHOLM. Mr. Speaker, tomorrow Pvt. Tommy Woodfin, a resident of my congressional district, will come before an administrative board in Fort Jackson, S.C., where he is being considered for removal from the Army with a possible undesirable discharge. Private Woodfin has been subjected to continual harassment because of his political views since his arrival at Fort Jackson. Because I believe his case is an example of the great suppression of dissent in the Army today, I think it is worth some comment.

Private Woodfin's case began early this year when he was arrested for collecting signatures on a petition concerning the war in Vietnam addressed to the commanding general at Fort Jackson. He was acquitted, largely due to the genius of his attorney, Mr. Howard Moore of Atlanta, Ga., but, as he put it:

> Although acquitted, the fact remains that I was brought before a court for exercising a right guaranteed to me by the Constitution.

Then, on March 20, 2 days after his acquittal, Private Woodfin took part in a discussion on the war outside his barracks. There were about 20 GI's outside the barracks and about 200 others in the windows of the barracks listening to the discussion. There was nothing disorderly, just a "big rap session" about the war. They were exercising their constitutional rights of free speech and assembly. But on the following day, four GI's were put in the post stockade and four others, including Private Woodfin, were placed under barrack arrest.

The charges resulting from this "rap session" were later dropped against all of "the Fort Jackson eight," and there was no court-martial. But several days later Private Woodfin was again arrested. This time he was charged with AWOL and assault. Private Woodfin pled guilty to the AWOL charge and he was convicted; he did leave the base without a pass. But he had been there since January and had not received a single pass since that time. He had been, in effect, a prisoner in the Army. He felt that he simply had to leave, and he did. His conviction brought a 30-day sentence of restriction to the base.

Private Woodfin was acquitted of the assault charge, which had arisen from an argument in which he had thrown a cup of coffee at another person. This charge, once again due to the genius of Mr. Moore, could not be upheld.

And tomorrow, Private Woodfin must appear before a board which will consider giving him an undesirable discharge from the Army. This type of discharge will exempt him from many veterans benefits and may hinder him in finding gainful employment in civilian life.

Mr. Speaker, I have been appalled by the manner in which the Army has used its regulations to prohibit the exercise of free speech and other constitutionally guaranteed rights of citizens of the United States. The Fort Jackson episodes, of which Private Woodfin was a part, and the Presidio "mutiny" trials in California are only two of what I am sure are many examples.

Soldiers are citizens, too, and they should be afforded all the rights and privileges of civilians. Authoritarian repression cannot and must not be tolerated in any area of a democratic society, including its armed forces.

I urge my colleagues in this Congress to take appropriate steps to insure that cases similar to Private Woodfin's do not recur in this Nation's Armed Forces. Moreover, I believe that the entire system of military "justice" should be revamped to guarantee that soldiers receive just and fair treatment while in the Armed Forces.

BORDER COMMUTER PROBLEMS—HEARINGS ON H.R. 12667

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. THOMPSON of New Jersey. Mr. Speaker, I would like to call attention to hearings scheduled next Wednesday and Thursday, July 16 and 17, by the Special Subcommittee on Labor of the House Education and Labor Committee on my bill H.R. 12667, introduced on Tuesday, July 8, and explained by my remarks of that day as appearing in the Record at page 18728 of the Extensions of Remarks.

The distinguished junior Senator from Minnesota (Mr. Mondale) has introduced an identical bill in the Senate—S. 2658—and provides additional explanation of its provisions and objectives in alleviating the border commuter labor problem at page 18573 of the July 8 Record. Senator Mondale's Subcommittee on Migratory Labor has held hearings in May on the so-called green card admission of aliens to work in the United States.

Mr. Speaker, I hope that other Members of this body who are concerned with the problem of low-wage imported workers and runaway plants south of the border will take note of our hearings. Members are invited to testify or submit statements to express their views on my bill, the text of which is contained at the conclusion of my remarks:

H.R. 12667

A bill to amend the National Labor Relations Act, as amended, so as to make it an unfair labor practice to employ aliens whose principal dwelling places are in a foreign country during a labor dispute

Be it enacted by the Senate and House of Representatives of the the United States of America in Congress assembled, That section 8(a) and section 10(l) of the National Labor Relations Act, as amended, are amended as follows:

Add a new paragraph to section 8(a) to read as follows:

"(6) to employ any alien unlawfully present in the United States; or to hire during a labor dispute as replacements for a person or persons ordinarily employed by such employer any alien lawfully admitted to the United States for permanent residence whose principal, actual dwelling place is in a foreign country contiguous to the United States: *Provided,* That this section 8(a)(6) shall apply to any employer, whether or not he employs 'employees' as defined in section 2(3)."

Sec. 2. Amend the first sentence of section 10(l) of the National Labor Relations Act by adding the words "or section 8(a)(6)," after "or section 8(b)(7),".

MOORER REAPPOINTMENT

HON. GEORGE W. ANDREWS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. ANDREWS of Alabama. Mr. Speaker, although Alabama's Adm. Thomas H. Moorer belongs to the Nation, we are especially proud to claim this native son. Upon his graduation from the Naval Academy in 1933, he began a distinguished career in naval service; as a flier during World War II, commander in chief of the Pacific Fleet, commander of the U.S. 7th Fleet in the Far East, Supreme Allied Commander in the Atlantic, commander in chief in the Atlantic Fleet, and for the past 2 years as Chief of Naval Operations. Because of his outstanding performance in this post, it came as no surprise that he was requested to remain for another 2-year term.

Our country is blessed to have men of his caliber and dedication as they have served to keep our Nation strong and free. I would like to use this means to express appreciation for a job well done, as well as to extend best wishes for the tasks ahead.

As I felt the following editorial from the July 16 issue of Navy Times would be of interest to my colleagues and the readers of the Record, I insert it herewith:

Moorer Reappointment

Adm. Thomas Hinman Moorer has been tapped for a second two-year term as Chief of Naval Operations beginning August 1. His first tour saw the Navy tested in the most gruelling, unremitting tempo of Fleet operations that ever prevailed in our Navy in peace time. War in Vietnam, confrontation with Russian sea power on the other side of the world in the Mediterranean and the Pueblo and EC-121 plane incidents in between.

Most of the Navy's ships were old at the start of his tour, and they have got no younger with the passing months. Turnaround time has been shorter, hours longer and the strain on men and ships has become greater.

Thanks to Moorer and the dedication of the men and officers he leads, the Navy has met its grinding commitments.

While the list of problems in these two years has been formidable and the difficulties many, there's progress to report too. Most glamorous, perhaps, is development of river warfare in Vietnam. Less spectacular are the sound achievements in procurement of ships under multi-year contracts, shifting to distillate fuels, and the advent of LHA amphibious assault ships, the F14 (first new fighter plane since the mid-fifties!) and rocket-assisted projectiles.

With Moorer at the helm for another term, the nation can be assured the Navy will continue to move ahead and to meet its commitments no matter how heavy.

ECOLOGY—PESTICIDE INTO PEST

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. DINGELL. Mr. Speaker, the July 11, 1969, issue of Time magazine carried an excellent article setting forth the dangers of persistent pesticides such as DDT. So that my colleagues may be assured of an opportunity to read this article, I submit the article for inclusion in the Congressional Record, as follows:

Ecology—Pesticide Into Pest

Few chemicals concocted by man have been so widely used and so thoroughly applauded as dichlorodiphenyl-trichloroethane, more commonly known as DDT. It has proved its unmatched power in the worldwide battle against those pestborne killers, typhus, encephalitis and, particularly, malaria. Its mastery over the mosquitoes that carry malaria has undoubtedly spared millions of people from death and debilitating infection. Equally potent in saving crops, it has almost doubled the yield from U.S. cotton fields in the past two decades by controlling the boll weevil. Even the Swedes, who have decided to ban the chemical, readily acknowledge its effectiveness. In 1948 they awarded the Nobel Prize for chemistry to Swiss Chemist Paul Müller for his discovery of its "miraculous" capacity for destroying insects.

Now, growing numbers of scientists and politicians are convinced that Müller's miracle is more curse that cure. Long after exterminating the bugs at which it is aimed, DDT goes on performing its lethal work, washing from fields into rivers, lingering on the leaves of trees, floating about in the atmosphere for years—and contaminating everything it touches. There are some scientists who estimate that as much as two-thirds of the 1.5 million tons of DDT produced by man may still be adrift.

POISONOUS BROTH

More widespread than radioactive fallout, DDT it found in every kind of aquatic life and in almost every animal. Even mother's milk exhibits traces of DDT two or three times as high as the maximum standard for cow's milk set by the Food and Drug Administration. In any other container, a current quip has it, mother's milk would be prohibited from crossing state lines.

It is also in trouble within the states. Arizona has already banned DDT spraying. Michigan recently imposed a similar ban after the FDA condemned some 700,000 coho salmon from Lake Michigan because they had unacceptably high concentrations of DDT. Stringent controls are now being considered in the states of Massachusetts, New York and Wisconsin.

Europeans have taken even more decisive action. Following discovery of the chemicals in their herring catch, the Swedes ordered a two-year ban on DDT, as well as the related pesticides lindane, aldrin and dieldrin. The Netherlands decided to stop using DDT. So did Denmark. West Germany limits spraying so severely that only 192 tons of the substance were used throughout the country last year. France and Britain are keeping a watch on pesticide levels within their borders. The Russians, too, are concerned, as Premier Aleksei Kosygin indicated when he offered to join with the Swedes in cleaning up what Europeans call the "poisonous broth" conditions in the Baltic Sea.

THE DEADLY SEVEN

That will be no easy task, considering DDT's extraordinary durability and mobility. The chemical belongs to a family of organochlorine pesticides—the "deadly seven" as ecologists call them.* Like the other organochlorines, DDT does not dissolve in water. Thus it accumulates in rivers, lakes and seas for years after the original contamination. Moreover, its unusually long half-life of ten to 15 years means that it retains 50% of its effectiveness for more than a decade after it is first used.

Despite its resistance to water, DDT is easily soluble in fats and highly susceptible to '"biological magnification" as it makes its way up the food chain. A typical case of this kind of metabolic mayhem occurred in Long Island Sound. After some mosquito-infested marshes were sprayed, the DDT was found in the nearby water in a "safe" concentration of .000003 parts per million. Nonetheless, the DDT quickly accumulated in more concentrated form in the Sound's tiny Zooplankton (.04 ppm), then built up further in the fatty tissue of plankton-eating fish (.5 ppm). These small fish, in turn, were devoured by larger fish with yet another increase in DDT concentration (2.0 ppm). By the time the chemical had passed into the bodies of such fish-eating birds as cormorants, mergansers and ospreys its concentration (25 ppm) had increased an astounding 10 million times over the original amount.

DDT also interferes with the reproductive cycle. Adult fish, for example, are able to tolerate relatively high levels of DDT. The fish embryo, on the other hand, dies almost immediately when it begins to absorb the pesticide through the fatty yolk sac. In birds, DDT kills off the young by interfering with the female's egg-laying process. Though the exact chemistry is still obscure, the pesticide apparently sends the mother birds' liver into a frenzy of enzyme production. The excess enzymes break down such steroids as estrogen that are essential to the manufacture of calcium. Lacking adequate calcium, the bird's eggs emerge thin-shelled and flaky, offering scant protection for the embryo. In at least one instance, reports the National Audubon Society, which has just joined the public crusade against DDT, a bald-eagle egg was found on the shores of Lake Superior with no shell at all—just a fragile membrane. According to University of Wisconsin Ecologist Joseph Hickey, DDT has caused a disastrous decline in the population of the bald eagle, which is the U.S. national symbol—and the emblem of next week's Apollo 11 flight. Other predators, such as the osprey and peregrine falcon, are gradually vanishing, as are the brown pelican and the extremely rare Bermuda petrel.

AIRBORNE CATS

Beyond the danger to fish and birds lies DDT's threat to the whole ecological system. Concentrations of DDT no larger than a few parts per billion in plankton, says Biologist Charles F. Wurster, Jr., chief scientific adviser to a New York conservationist group called the Environmental Defense Fund, can substantially hinder the photosynthesis process. On a larger scale, such interference could have a devastating effect, since phytoplankton produces 70% of the earth's oxygen.

A bizarre case of ecological damage from DDT occurred in Borneo after the World Health Organization sprayed huge amounts of the pesticide. The area's geckos, or lizards, feasted on the houseflies that had been killed by DDT. The geckos, in turn, were devoured by local cats. Unhappily, the cats perished in such large numbers from DDT poisoning that the rats they once kept in check began overrunning whole villages. Alarmed by the threat of plague, WHO officials were forced to replenish Borneo's supply of cats by parachute.

Since DDT's effects are so severe in nature, many scientists think that it will inevitably exact a toll of man. The National Cancer Institute in Bethesda, Md., has produced evidence incriminating DDT and related pesticides as the cause of tumors of the liver and lungs in mice. When men are consistently exposed to such chemicals, adds the University of Colorado's Dr. David R. Metcalf, there is deterioration of memory and reaction time.

IMPAIRED EFFECTIVENESS

The pesticide's defenders consider the dangers vastly exaggerated, although DDT poisoning can cause tremors and convulsion in man. "There isn't anything that doesn't have some toxic effect," insists Vanderbilt University Toxicologist Wayland J. Hayes, a former Public Health Service official and DDT's stoutest supporter. "The toxic effect of mashed potatoes," he adds rather irrelevantly, "is obesity." As proof of DDT's innocence, Hayes and others often point to studies of workers at the Montrose Chemical Corp., the world's largest DDT producer, and federal prisoners who voluntarily accepted daily doses of DDT in Atlanta. In both cases, they say, there was no damage. But other scientists, including Stanford Molecular Biologist Joshua Lederberg, a Nobel laureate, explain that far too little is known about how DDT reacts with other body chemicals to acquit the pesticide so readily.

In spite of its defenders, the use of DDT has already declined sharply. In 1962, when Racheal Carson published *Silent Spring,* the U.S. produced 167 million lbs. Last year production slipped to 138 million lbs., nearly 80% of which was exported. Not only has adverse publicity curtailed the chemical's use; its efficiency has been impaired by the resistance developed by many strains of insects. One scientist estimates that 150 pests formerly controlled by DDT are now immune to it. Nor do scientists expect to produce a new all-purpose bug killer. Instead they are emphasizing more subtle and selective methods of pest control—among them, the breeding of new insect-resistant crops, trapping pests with light and sound, and eliminating insects through sterilization. None of these methods pose anything like the dangers of DDT. The problem is that neither do they promise anything like its effectiveness.

ISRAEL AND RHODESIA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. RARICK. Mr. Speaker an interesting editorial appearing in last night's Washington Evening Star pointed out the double standard of ideals and hypocrisy of the United States and U.S.S.R. and the sham of the United Nations Organization in the role of peacemaker.

I include the editorial:

ISRAEL AND RHODESIA

Once again Israel has been unanimously censured by the United Nations Security Council. This time the censure has been voted to express the U.N.'s disapproval, "in the strongest terms," of new moves by Prime Minister Golda Meir's government to annex Jerusalem as a permanent, integral part of the Jewish state. The Israelis, however, apparently have no intention whatever of giving up their present hold on the city, which is uniquely holy for Jews, Arabs and Christians alike.

There is a great deal to be said—as it has been and will continue to be said—against Israel's position on this matter. Morally, spiritually, politically, their takeover of the place is gravely questionable. But the fact remains that they are there with physical force too strong to be challenged by the Arabs without resulting in a new Mideast crisis that could explode into a general war involving an American-Soviet confrontation.

This is one of the reasons why the latest U.N. censure of Israel amounts to little more than rhetoric. It carefully avoids any reference to economic or other sanctions, although it does speak of another meeting to consider further action if Israel remains obdurate. It is quite toothless, in short, and perhaps wisely so, because neither Moscow nor Washington wants to bring the Jerusalem issue to a boil at this time, if ever. This is a state of affairs, however, which contrasts ironically, if not ridiculously, with the American, Soviet and other votes in the U.N. calling for unlimited sanctions against Rhodesia.

These sanctions, which are supposed to correct alleged racial grievances, are based on the claim that the situation in Rhodesia is a threat to peace. Surely the situation in Jerusalem is a far greater threat.

EASTON, PA., MANUFACTURER PIONEERS IN PLASTICS

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, one of the finest testimonials to the American free enterprise system can be found in the success story of one of my constituents and very good friend, Mr. Morton Sobel.

Mort Sobel is president of Sobel Industries, Inc., of West Easton, Pa. Originally a metal stamping plant, Sobel Industries today is a busy firm which gambled successfully on the potential of plastics.

Since he purchased his first plastic molding machine in 1959, Mort Sobel has expanded his plastic molding production to a point where today he has 16 molding machines, has three more on order and expects to expand to 40 machines within a few years.

His story of success is not restricted to personal achievement. Mort Sobel, while guiding his industry to remarkable heights, has shown real concern for the unemployed and the unemployable. As a result, all of his personnel are individuals who have received their training "on the job—as operators, machine people, maintenance and electrical technicians, machinists, toolmakers, and mold makers—without relying on Federal assistance of any kind.

The May issue of American Machinist magazine relates the story of Mort Sobel and Sobel Industries, Inc. I include the article in the RECORD at this point, because I believe it will be of interest to my colleagues:

GET READY FOR PLASTIC MOLDING

(By Rupert Le Grand)

(NOTE.—Molded plastic parts are making big inroads in the domain of metalformed parts. Here are the reasons why, and a look at

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* The others: dieldrin, aldrin, endrin, heptachlor, chlordane and lindane. They are also sometimes called chlorinated hydrocarbons.

XUM

a onetime metal stamper who has switched to plastics.)

If you don't have plastics molding machines now, there's a good chance that you will soon. Proof? Just look at the number of machines in use by various metalworking industries today—upwards of 25,000 injection and compression units—and most of them under ten years old (see Table on page 123).

That's a trend in any industry, and it's a trend that can affect your business from the standpoint of competition if nothing else.

How come this comparatively sudden popularity? Take a look at how the pros outweigh the cons:

Advantage 1: Molding machines have been developed to a high state of control—you can set up a job, run it off and use the cycle data two months or more later to produce a second batch.

Advantage 2: Comparing plastics molding with machining, scrap reduction is 90%, handling reduction 80%, reduction in finishing costs often 100%.

Advantage 3: Developments in mold design have reduced the size of runners to the point where they can be removed with the greatest of ease. This excess material and any defective parts are merely ground up (if made from heat-softening thermoplastics) and put back into the plastic-feed hopper of the injection molding machine.

Advantage 4: Operation is cleaner than when working with metals.

Advantage 5: Relatively unskilled personnel (women, usually) can be used.

On the other hand:

Disadvantage 1: Molding machines are big machines. Plenty of floorspace is needed not only for the machines themselves, but for inspection stations, packaging conveyors, cartons, and access by lift truck.

Disadvantage 2: A great deal of cooling water is needed.

Disadvantage 3: Power consumption is high.

Disadvantage 4: A lot of storage space may be needed for palletized plastics awaiting molding, and for finished moldings packed for shipment.

Disadvantage 5: Area surrounding the machines must be swept constantly because contamination cannot be tolerated. Oils, greases and dirt must be removed from floors.

THE BIG SWITCH

Sobel Industries, West Easton, Pa., is an outfit that has gambled on the future of plastics in a big way. This onetime metal stamping plant, organized in 1953, bought its first plastics molding machine in 1959, now has 16 of them, has three more on order, and hopes to get up to 40 machines within two or three years.

The shift from metal to plastics at Sobel is probably more complete than in most shops that have made the transition. This is because of the peculiarities of the firm's business and the pioneering instincts of owner Morton Sobel.

When he started the company in 1953, Sobel began making stamped and wireformed parts for women's undergarments. He soon recognized the potential advantages of plastics in this field. Delrin acetal resin has the mechanical and physical properties required to compete with metal in these applications and Sobel today uses more than 600,000 pounds of Delrin a year, expects to up that figure to 1,000,000 pounds next year.

How come? Well, five billion (yes, *billion*) brassiere buckles, plus garter grips, plus all-plastic corset stays, and similar parts add up to a lot of plastic.

Today, however, the garment industry accounts for only 25% of Sobel's plastic consumption. Dixie Cup holders for American Can Co., bag expanders for Playtex nursing bottles, marking-pen assemblies, pharmaceutical containers and caps, water-color sets, etc., now consume the bulk of the plastic material used—about 20 kinds. Principal plastics used are Zytel nylon resin, styrene and polypropylene, in addition to Delrin.

PRIOR KNOWLEDGE PAYS OFF

Prior training in the metalworking field pays off handsomely in setting up and maintaining a molding plant. For example, Adolf Pfund, chief engineer at Sobel for 16 years, is an expert toolmaker, methods man, tool designer and process innovator. If a molding machine breaks down and the builder cannot supply spare parts for 12 weeks, Pfund welds the plastic feed barrel, polishes it and has the machine running again in a few days.

In another instance, a machine rebuilder may quote two months. However, Pfund can rebuild all the toggles, replace the old steel bushings with Ampco bronze bushings, make new pins for the toggles, and replace fiber bushings with Ampco bushings in a much shorter time. New gibs are made, fiber wear plates are replaced with bronze. Sobel estimates that inplant rebuilding costs one-third as much as an outside job, and that the machine will last twice as long.

In other words, operator skill need not be of a high level but good tooling capability is absolutely essential in a plastics molding plant to make real profits. Planning of methods and tooling, especially in the assembly area, is the key to effective labor saving.

SELECTION OF MACHINES

Many metal stampers attempt to use a mechanical press rated at or near the tonnage estimated for the die which is to be used. The experts can quickly point out the fallacies of this idea and the cost of press repairs.

With an injection molding machine, hydraulics are involved. Theoretically, if the clamping pressure and injection pressure are adequate, and the extrusion temperature is correct, the job should run at maximum possible production rate and with little or no scrap. This doesn't prove true in practice. Nobody can be 100 per cent certain as to how a given plastic part will mold. It is best to use the largest injection molding machine available (consistent with machine hourly rate), as this test case will show. The production story for three sizes of injection molding machine on a specific part can be summarized:

Machine size (tons)	Daily output (dozen gross)	Bad pieces (percent)
175	1,500	20
225	2,200	10
350	3,200	

In the last case, bad parts produced were nil and output was twice that of the smallest machine.

Of couse, the machine hour rates involved are different, but it is not difficult to figure out just which injection molding machine will produce a part at the least cost.

Practical observations such as this one make Sobel think in terms of larger machines, perhaps a 2700-ton monster costing $250,000 will be among the next 20 units that he expects to buy.

MOLDS FIT LARGER MACHINES

All molds are built to go into any size of machine equal to or larger than the one originally selected. This is possible because of SPI (Society of the Plastics Industry) tooling standards. Average times to change molds, depending on their degree of complication, are:

Machine size (tons	Change-over time (hours)
50	1½-2
250	2½-3½
450	4-5½

Because of new-mold tryouts, mold changes and maintenance, the number of molding machines installed should be about 20% greater than the number of machines actually needed to carry out production.

MACHINE MODIFICATIONS

Various changes have been made in Sobel's molding equipment. The first machine was an F. J. Stokes Model 701-3, originally a plunger-type machine rated at 2 oz per shot. But lingeries buckles are Delrin, which becomes plastic at 423 F and literally explodes into a gas at 15° over plasticizing temperature. Therefore, Sobel designed and built its own screw feed with precise temperature control to three points on the barrel: the starting end, the middle and the nozzle.

The screw feed and the heating elements provide uniform plasticizing of the Delrin and keep it under control. Production is also increased because the modified machine is now capable of injecting 3 oz per shot, or 32 buckles plus runners.

Since installation and modification of the first machine, Sobel has installed equipment to run 64-cavity molds for the garment trade. Other modifications are:

For safety and maintenance of production, when any machine goes down for any reason, the appropriate control station shows a red button, and a flashing light and an alarm bell on top of the machine draw attention.

Special pyrometers are connected to thermocouples at the front, middle and nozzle of the injection-screw barrel to maintain the plastic at the designed temperature. This additional equipment makes it possible to run nylons and other engineering plastics.

One machine is devoted to proving out experimental single-cavity molds for product design, mold design, material response, and so on.

INSTALLATION OF MACHINES

Because of uneven floors, Sobel builds a concrete platform about 8 in. high at the desired location for a new machine. Nearby, electric supply and water connections are provided for this machine and *only* this machine. When the machine is placed on its platform, or raised concrete bed, the electric and water connections are made in two to three days, instead of weeks or months. For example, the latest Natco 350-ton machine arrived Thursday morning and was in production on the following Monday morning.

LOADING OF PLASTICS

So far the storage hoppers of the plastic molding machines are replenished by hand, except in four or five cases.

Because of the large number of colors that Sobel runs (pens—11 colors; bra buckles more than 150 colors) and with only 100 to 150 lb per color, the firm has developed a technique for making colored plastic in small lots. These small lots are loaded into hoppers by hand.

For bigger lots, Gaylor palletized containers, holding 1500 lb of plastic, and vacuum loaders are used. Within a year continuous production runs on certain larger machines will require the installation of outdoor silos containing a carload of plastic each—say 50,000 to 100,000 pounds.

MUCH WATER NEEDED

Plastic molders usually locate where there is a cheap source of abundant water. They quickly get into trouble if there is a drought for any length of time, and they can't afford to buy city water if there is any other potential supply. Morton Sobel know this, and one of his reasons for purchasing the plant site was the existence of springs that produce 900 gallons of cold potable water per minute. You might say that that amount is an awful lot, but it is really not enough by itself.

Sobel pumps 2 million gallons in a 3-shift day, seven days a week. Normally, about 14 out of the 16 machines will be running at any one time. So on the average each of these machines, ranging from 75 to 500 tons clamping pressure, will require about 160 gallons per minute and the operating group of machines needs about 2000 gallons per minute.

Obviously, a natural flow of 900 gallons per minute will not take care of mold cooling needs. So a 90-foot-diameter cooling pond with an aerating-cooling fountain has been built. With this amount of cooling capacity, it is seldom necessary to use water chillers in summer.

MOLD PROCUREMENT

When Sobel operated exclusively as a stamping plant, its tool procurement policy was based on these premises:

(1) The firm's engineers produced the die drawings, which incorporated features learned from many years of experience.

(2) These drawings were sent out to contract shops with the proviso that the tools be made exactly to print. If they did not work properly, Sobel's people were responsible for rework.

(3) Diemakers at Sobel were expected to handle the required alterations and any repairs. They also did development work for new product lines but they did not make the general run of tooling for the plant.

By following these practices, Sobel got what it wanted and did not have problems with die shop efficiency.

With the shift to plastics manufacture, tool procurement had to be handled differently. It became necessary to purchase outside skills for mold design as well as mold making. Therefore, for several years the services of Stokes-Trenton of Trenton, N.J., were used. Finally, late in 1968, the mold supplier became a division of Sobel Industries. Plans were laid to double the employment and output of the 45-man shop and to add moldmakers to the Easton establishment so that repairs and any necessary modifications could be undertaken on the spot.

Meanwhile, diemakers continue on the job to develop and service progressive die tooling for three Henry & Wright dieing machines still in service, several OBI presses, several wire forming machines, and any other metal-goods tooling that the management desires to have made.

In addition to supplying its own tooling needs, Sobel will design and build molds for others. In fact, this service will be extended to supplying an injection molding machine with mold (completely debugged) to new molders or to those manufacturers who are not equipped to set up new work economically.

AUTOMATIC MOLDS

One of the prime reasons for Sobel's productivity is the use of automatic molds for every job. That was not true in the early days, because at one time more than 60% of the molds in use were of the semi-automatic type, wherein the operator must open a door, reach in and remove the molded part.

With the automatic mold, the two halves close and are clamped, the plastic is injected, the mold opens and hydraulic core pulls and ejectors permit the part to fall free. After this occurs, the mold closes again and the cycle is repeated. With the semi-automatic mold, the operator paces the machine, whereas with the automatic mold, the machine paces the inspector or packer.

It is reported that the trade usually limits large automatic molds to four cavities. But this shop has one of the biggest six-cavity molds in the business. This mold makes a clear polystyrene plastic holder for 5-oz Dixie Cups. The mold itself weighs 4500 lb and consumes 2200 lb of plastic per day, making a part that requires 285 lb per 1000 pieces. Sobel says he won't be surprised if automatic molds with 8 to 12 cavities are soon made and put into production.

SIXTEEN WEEKS TO BUILD MOLD

As reported in *DME News*, published by the D-M-E Corp, Madison Heights, Mich, suppliers of mold bases, the Sobel six-cavity mold is 35½ in. long, 20¾ in. wide and 20⅞ in. high. Sixteen weeks were required to build the tool at Stokes-Trenton.

A hot runner mold was decided upon, in keeping with Sobel's preference. This construction permits better flow of plastic directly into the mold cavity and virtually eliminates the use of runners. Not only that, the molding cycle is shortened, because with a three-plate design extra time would have been needed to open the mold at the runner plate and then remove the runner.

In the six-cavity mold, on the other hand, the inline cavities are split to form the outside of the Dixie Cup holder and the inside is formed by retractable cores.

As the mold opens (see drawing on page 89) the rear half (A) of the split cavities moves away from the front half (B), and the cores (C) retract. Next, large plate cams (not shown) on the outside of the mold actuate a slide (D) which holds the mounted cores (C), partially stripping the molded parts from the cores. This action is possible without disturbing the parts because the dispensers are restrained by a flange, half of which is still embedded in the mold cavity.

As the mold continues to open, the plate cam trips latches (not shown) so that the gib plate (E) can be pulled away from the rear half of the mold. Two large guide pins insure alignment. Now the parts can fall freely and pass over tubes attached to the ends of the cores. These tubes guide the plastic parts into nests below the mold.

PART GUIDANCE IS IMPORTANT

Ordinary ejection would have resulted in breakage or scratching of the large crystal-clear polystyrene parts. (They are 3⅛ in. in diameter x 7¾ in. long and weigh 4½ oz.) Guidance of the ejected parts is the key to automatic molding in this case, to avoid contact with each other and the machine.

MOLD PRODUCTION

This six-cavity mold outperforms two four-cavity molds by 20%. At each cycle, the mold opens automatically and drops the styrene Dixie Cup holders into a cushion-lined box under the machine. Then, when the operator engages an air switch, the box is pulled out from under the machine so that she can pick out the workpieces, inspect them, remove a small runner and pack good pieces in a carton. Defectives are put into a nearby chopper and ground up for reuse.

This mold was built by Stokes-Trenton under the direction of Charles C. Davis, Jr., chief engineer, and is used in a 450-ton Reed-Prentice screw-type injection molding machine. In two years of continuous operation, except for a few repolishings, this mold has produced over 10,000,000 dispensers.

DESIGN PROBLEMS

With respect to design of hot-runner molds, Davis has this to say:

'The development of hot runner molds, both of the insulated and the heated runner types, has brought economies to the molding of some thermoplastic materials. When a hot runner mold is properly designed, substantial savings can be made in molding costs because of the faster operating cycles and the absence of regrinding costs and material wastage. Another benefit is the better quality of the moldings, resulting from filling the mold cavity with material at optimum temperature and consequent lower pressure, resulting in lower residual stresses.

PART SUITABILITY

'Not every part is suitable for production in hot runner molds. A part may be unsuitable because of the mold construction required, because of the type of material, because of thick sections, low production requirements, and the like.

'Hot runner molds have been built for most thermoplastics. There have been some satisfactory results on practically all these materials. However, some materials are critical in their molding characteristics and present hot runner designs do not adequately cope with them. Also, the cost of the rather elaborate designs required for some of these critical materials frequently makes them impractical.

'After a piece has been determined to be suitable for molding in a hot runner mold, the success of the molding depends upon the design of the runner block, sometimes called a manifold. There are several types of hot runner blocks, ranging from the insulated runner to the fully heated block, and many variations of design between these two. There are many complicating factors which must be taken into consideration in deciding which combination to use.

HEAT CONTROL IS VITAL

'Once the major design features of the runner block are set, then heat control becomes the major consideration. The objectives are to keep the heat where it is needed and away from those areas where it would be detrimental, and to maintain the heat previously put into the softened plastic while in the injection cylinder. To help us in accomplishing these things, we can select for specific uses any one of a group of metals which have heat conduction rates varying through a range of 25:1, from pure copper to highly alloyed stainless steel. We can also design in heat barriers through the use of air gaps, polished surfaces, metal discontinuities, the insulating property of the plastic itself, and combinations of these means.

'So far we believe that most of the molds constructed have had heat supplied by the use of electric resistance heaters. Control of these heaters has been mostly by powerstats, or voltage control, rather than thermostats. With the voltage control units, the heat supply can be modulated and evened out. This has helped to prevent hot spots in the runner block and also extends heater life. We foresee that heat supply may soon be accomplished by the use of hot fluids, particularly in hot runner blocks for such heat-sensitive materials as the acetals and the nylons.

'One of the disadvantages of hot runner molds is well on its way to being overcome. This is the problem of the gate projections they generally leave on the parts. The development of valves that positively shut off the gate is an answer to this problem. There are numerous molds running today with various types of these valves, but it is too soon to determine whether they have a suitable molding life.'

OTHER MOLDS, OTHER PRODUCTS

Here are details on other jobs now running at Sobel Industries:

For a smaller cup holder in ivory-colored plastic, the operator of a Natco machine checks the pieces as produced, removes any burr or flash and puts them on a conveyor belt. By this means, the holders are delivered to the operator of a supersonic welder. She inserts a spider into a circular recess in the bottom of the part and uses a supersonic welder to push the spider home and weld it in place. The assembly was formerly done by 14 girls, using glue, and working two shifts. Now one girl, working one shift, welds the parts and the assembly is cleaner and more reliable.

HIGH-SPEED MACHINE

A sixteen-cavity mold produces Delrin corset stays from 2 to 9 in. long in increments of ¼ in., without taking mold out of the machine. Sub-molds slide in and out of the master mold. Two end segments form the stay tips. Nine different top pieces and three center pieces accommodate the lengths. This work is done on a Natco No. 350 E injection molding machine with a very fast closing speed—1200 ipm. This machine has hydraulic ejection for closer control of the molding cycle. For thin-wall items the cycle can be as short as five seconds. Mold sweep aids ejection of parts. (See color cover.)

MOLD HEATING

To maintain desired mold temperatures, Sobel uses the auxiliary pyrometers mentioned and circulates water in the molds at controlled temperatures. The mold water may be heated to warm the cavity plate to get a good fill, or cooled if the temperature of the mold goes above the desired value, or cooled to shrink the piece onto a core when the mold opens in order to get proper stripping.

Cold water circulation is also used to shorten the cycle.

Water is circulated by small portable auxiliary pumps fitted with electric heating elements, and water chillers are also supplied near the machines, if needed.

MACHINE LAYOUT

Machines are spaced 12 ft apart with the tail end of one opposite the head end of another. This arrangement allows one operator to watch two machines. Adequate room is left for packing cartons.

CONSTANT METHODS IMPROVEMENT

The Playtex bag expander is an excellent example of how product improvements made by the supplier also affect his own shop procedure. This expander has two plastic end plates, seven stainless steel fingers, a spring and a stud. By making the fingers out of Delrin, Sobel realized a 17% cost saving, and by making the stud from plastic, an additional 11% saving will result.

It is necessary that one end of each metal finger be etched for gripping purposes. When the piece was made of stainless steel, tumbled, cleaned and sand etched, these parts were sand etched by hand at a cost of 3¢ per piece, and 14 people were needed 7 days a week. But then an ICM "Superblast" machine was installed, along with a chain conveyor fitted with fixtures to hold the fingers.

These fixtures conveyed the stainless steel items into the cabinet where jets of fine abrasive were directed onto controlled areas. This setup, operated for eight hours a week by two girls, kept up with assembly demands. Now even this time-saving setup is being retired because of the change from a metal finger to a plastic one. The finger will be etched in the mold.

TRAINING OF PERSONNEL

Many of the shop workers have been retrained from the former group of punch-press operators, and strenuous efforts are being made to hire dropouts and disadvantaged people. These people make good, loyal employees if properly trained by plant supervisors. And since fringe benefits exceed those paid by much larger concerns in the area, labor problems are at a minimum.

WOMAN FOR U.S. SUPREME COURT

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following telegram:

JULY 10, 1969.

Hon. RICHARD M. NIXON,
President of the United States,
The White House, Washington, D.C.:

It is a real pleasure and an honor to recommend for your serious consideration the appointment of U.S. Representative Charlotte Reid of Illinois to the United States Supreme Court.

Charlotte Reid is competent, experienced in government, active and energetic, and would certainly add to the balance of the Court.

With my high regard, as usual,
Congressman JIM FULTON,
Member of Congress, Pennsylvania.

THE CHANGING NATURE OF TITLE I

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 1969

Mr. PEPPER. Mr. Speaker, a dedicated and forceful American, Mr. Clifton E. Mitchell, the advisor for Federal Relations to the Dade County school system, has given some enlightening information on "The Changing Nature of 'Title I'" of the Education Act in the June, 1969, issue of Quest. Quest is a publication of the Dade County Public Schools. Mr. Mitchell has dedicated his adult life to the service of his country, both as an educator and as a member of our Armed Forces. He is an individual who can give all of us great inspiration. I would now like to share with you the article written by Mr. Mitchell:

> Both national and state commissioners of education have asked county superintendents to close ranks on the Title I effort throughout the nation.
>
> U.S. Commissioner of Education James E. Allen, Jr. has called for Title I projects "of such dimension as to give definite promise of substantial progress toward meeting the needs of educationally deprived children."
>
> Commissioner Allen adds that he is giving emphasis to the term *substantial progress.*
>
> Florida Commissioner Floyd T. Christian was even more emphatic when he said that in the past Title I has spread too thin to give the intensive service needed. He has called for a concentration of focus and intensity of effort.
>
> In Dade County, the Title I effort is well over three years old. School personnel and parents involved agree that it has been a good thing for the boys and girls. A lot of experience has been gained; and most of the people concerned feel that the Dade County schools are now in an excellent position to zero in for definite objectives and specific goals with a smaller number of boys and girls, progress which the evaluation teams can measure, sustain and publish.
>
> In the new plans, at the elementary level, the grade levels of the children involved will be different. Instead of including pupils in the poverty target areas from grades one through six, only first and second graders will benefit from the federally funded efforts.
>
> In the new concentrated plan, the old Title I components, PLATS and Visiting Teacher-Counselors, will no longer operate as separate programs, but elements will be meshed into a "Primary Language Arts Development Program" and directed by district planning, because of recommendation from teachers, services to grades 1–6 as before.
>
> The present planning for the grade one and two primary language development is a district level responsibility involving elementary principals, teachers, and, where requested, the different Task Forces.
>
> To understand the new elementary Title I program, it is important to note that the planning process provides an opportunity for schools to include those items that the instructional personnel feel may make a difference and which may not have been provided for fully in the past. This might include, for instance, educational field trips, staff development activities, and more home visitations.
>
> This planning is being effected with the clear understanding that no general aid to the school for *all* students at the school is possible, and that language development must be the focus within the first two grades.
>
> For example, if a visiting teacher-counselor is included, he must now work with identified first- and second-grade youngsters, and then only to see that each child's personal adjustment and better attendance are achieved, so that his language development can be enhanced. Any use of the funds for total school aid is not legal.
>
> In Dade County, a Primary Language Development Task Force has been organized. The members of this group were available to work with the districts, if requested, in the basic planning. The Primary Language Development Task Force consists of: Miss Helen M. Stolte (Chairman), Mrs. Mattie Blake, Mrs. Lillian Battle, Robert Anderson, Mrs. Marjorie McGranahan, Paul Joseph, Dr. Kay DiMeo and Leonard Frischman.
>
> At the district level, a project manager each for the South Central, North Central, and South districts primary language development project has been appointed. These managers also will be responsible for efforts in the Southwest and Northwest districts.
>
> District planning for primary language development and curriculum-guidance, called for Coordinator Tee S. Greer, Jr., of the Special Program Planning and Administration Office, be involved for budgetary coordination, it also called for Coordinator Horace Martin of the Evaluation unit be involved, so that evaluation would be built-in from the inception of the project.
>
> At the secondary level, the familiar multiple-project situation will be reduced to a single curriculum-guidance thrust identifying and involving some 2,000 children in 15 secondary schools.
>
> This project will focus instruction and guidance specialists on this smaller number of identified students and provide a concentrated thrust to help them, spending between $300–$400 per student.
>
> Thus such former programs as the Junior High Learning Labs and the Federal Guidance Projects will give way to the "curriculum guidance project" though elements of each will be retained in the restructuring. A county-level project manager will be appointed, with one individual at each target school responsible for leadership there.
>
> This school effort will have the cooperation of the principle and secondary director in order that it may operate successfully. Schedule changes will be necessary and these, of course, must have the complete support of the school principals.
>
> Since monies will be allocated at the district level, it is likely that a district-wide staff developmental team may be appointed, consisting of people from various disciplines, to work with the development learning specialists at the school level. This district level team might consist of a school psychologist, a reading clinician and a language arts consultant. Such a team may perform discrete district services for identified children when not involved in staff development school activities.
>
> It is planned that an evaluation specialist will be assigned to the three major districts for evaluation of district project efforts. This is highly important because of the necessity of evaluating to see if the instructional efforts are successful.
>
> Some 5,000 first and second graders will be involved in the public schools in the language arts effort. The goal is to spend a minimum of an additional half of the current ex-

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penditure per pupil on each of the students in the project.

At this time, the major emphasis is to identify the children carefully. This involves school personnel, including principals, teachers and, where feasible, parents. Pursuant to the Superintendent's continuing policy, school level thinking in terms of what it will take to get this changed job done is being encouraged.

In announcing the plans for the new concentrated Title I, Special Program Director Dr. Bert Kleiman paid tribute to Title I teachers: "It is felt that there are so many teachers who have performed satisfactory service in the different components of Title I in the years that it has been in progress, that these should be given first preference of job opportunities in the concentrated projects. Not to use their valuable experience would be unwise."

TELLING IT LIKE IT ISN'T

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. PELLY. Mr. Speaker, there has been considerable flap in the Nation's press regarding the near appointment of Dr. John H. Knowles as Assistant Health, Education, and Welfare Secretary for Health and Scientific Affairs.

But, Dr. Knowles' conduct over the past weekend and some of the quotes attributed to him have raised serious questions as to his selection. An excellent editorial reviews this matter, and it appeared in the July 8, 1969, edition of the Washington Star.

The editorial follows:

Telling It Like It Isn't

Dr. John H. Knowles, recently turned down by the President for the nation's top health post, says he "likes to speak out and tell it like it is."

He was talking in that context about Medicaid, which he called the "lousiest waste of taxpayers' money and the most ill-conceived program which ever came down the chute."

Being a medical man and a hospital administrator, Dr. Knowles may be qualified to pass judgment on Medicaid. But when he undertakes to diagnose the performance of the President, he not only fails to tell it like it is, he talks like a diagnostician who has never even seen a political medical school.

According to the Associated Press, Dr. Knowles told a Boston television audience on Sunday that the White House under President Nixon "is in the grip of the arch conservatives and progress is at a complete standstill." He went on to say that the influence of conservative pressure groups on the President is "absolutely catastrophic."

This doesn't sound like the pronouncement of a physician whose professional training should make him wary of hyperbole. Neither does it make any sense.

Let's take a look at the political record. Dr. Knowlers says he sees Mr. Nixon as a man "who's got his finger on the pulse of 51 or 52 percent of the people involved in a conservative backlash—a swing to the right."

Last November the Nixon winning margin was about 43.4 percent of the total vote. If the latest Gallup poll is accurate, however, 63 percent of the people today approve of the way the President is handling his job. Only 16 percent disapprove, the others being listed among the "no opinions."

This massive expression of approval is hardly what one would expect in the case of an administration which, in a little more than five months, turned in a performance which is "absolutely catastrophic." Nor do the extravagant comments by Dr. Knowles reflect any mature understanding of the fact that Nixon, in contrast to Hubert Humphrey, campaigned as a relatively conservative White House aspirant.

All of which leads us to something of a word-eating reflection: Politics aside, maybe the President was right in deciding that it was better to leave Dr. Knowles in charge of the Massachusetts General Hospital than to name him as Assistant HEW Secretary for Health and Scientific Affairs.

MILITARY WASTE MUST BE HALTED

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. EVINS of Tennessee. Mr. Speaker, all of us want a strong defense but, at the same time, I am sure we also want a defense that is not wasteful or spendthrift.

With appropriations for the Department of Defense consuming half the entire national budget and growing increasingly larger, it is incumbent upon the Congress to take an even closer look at further proposals for military spending and military projects.

In this connection I have been pleased to sponsor H.R. 11950, a bill which would provide for an examination of any contract that exceeds by 10-percent the original price agreement by the General Accounting Office with a report to the Congress.

In other words this bill would automatically trigger the necessary machinery to keep the Congress informed and advised when a contract is increased or when a completion date is not met.

Our defenses must be strong, Mr. Speaker, but our defenses also must be economic and efficient to get a dollar's worth for a dollar of the taxpayers' money spent on military projects as well as on domestic programs. Our defenses do not have to involve waste to assure strength.

A number of instances of military waste have been disclosed recently and in this connection I place in the RECORD a sampling of newspaper articles concerning this most important subject, because of the interest of my colleagues and the American people in this matter.

The articles follow:

[From the New York Times, May 18, 1969]

Drive Grows in Congress for Arms Spending Cut

(By Neil Sheehan)

WASHINGTON, May 17.—A growing segment of Congress, propelled by the antimilitary climate generated by the war in Vietnam, is searching for some effective way to slash steadily rising military expenditures.

These legislators are, in effect, seeking to bypass the traditional routes of the Armed Services and Appropriations Committees, which, they contend, protect the defense establishment's multimillion-dollar weapons programs from public scrutiny.

A number of major military projects have already been selected for attack by one unofficial House-Senate group in a fashion modeled on the debate over the $7.8-billion antiballistic missile system. They hope to provoke similar public wrangles over other military programs.

SEEK PERMANENT METHOD

Simultaneously, other influential Senators and House members, groping for some permanent mechanism to leash military spending, are considering such ideas as the establishment of an independent agency to provide Congress with a systematic analysis of military budget proposals in relation to such domestic needs as poverty, education, and pollution of the environment.

Another member of the group, Representative Henry S. Reuss of Wisconsin, will undertake a critical study of the so-called Sage system of radar defenses against Soviet bombers and the Air Force's plan to build a new advanced fighter called the F-15.

The Sage system is considered basically obsolete by many scientists and costs about $1.34-billion a year to maintain. The Air Force has not disclosed the estimated total cost of the F-15 program, but it is known that billions are involved.

Representative Richard D. McCarthy of New York will focus on the controversial chemical and biological warfare projects, now running at about $350-million a year.

Representative George E. Brown of California will look into the manned orbiting laboratory, a $3-billion Air Force project to explore the development of space weaponry and intelligence gathering.

Other members of the group—such as Representatives Bradford Morse of Massachusetts; Jeffery Cohelan of California, Gilbert Gude of Maryland and Senator Thomas F. Eagleton of Missouri—will concentrate on projects like the Army's trouble-ridden main battle tank program, on which $228-million has already been spent or budgeted for research and development alone, the Navy's $1-billion nuclear aircraft carrier construction project, military procurement practices in general and the deployment of multiple nuclear warheads, referred to as MIRV for multiple independent re-entry vehicle, in intercontinental ballistic missiles. A number of scientists and nuclear strategists maintain that deployment of MIRV will immensely escalate the nuclear arms race.

"We'll probably get clobbered on all of these amendments this year," one staff aide said, "but it's a beginning and next year we may get somewhere."

EXCHANGES OF IDEAS

Elsewhere in Congress, the reach for a means of attacking military spending and to balance it against civilian needs is much more informal. It consists mainly of exchanges of ideas between such Senators as John Sherman Cooper of Kentucky; the majority leader, Mike Mansfield; Edward F. Kennedy; and Philip A. Hart of Michigan * * *. There also are discussions between their staffs and informal consultations with outside sources of information like Mr. Schultze.

Although somewhat chaotic, the search appears to be steadily gaining impetus in the political climate of disillusionment with the military establishment created by the Vietnam war, of concern and unrest over the crisis in the cities and the ensuing inflation and higher taxes.

"What we'd like to be able to do," one staff aide said, "is not just to attack a military program on its own deficiencies, but to be able to say how many schools and hospitals the money would buy."

SMALL GROUP GROWS

One indication of the Congressional interest in such questions was the substantial sponsorship of a two-day conference here at the end of March to discuss military spending and domestic needs. The number of sponsors grew from a small group of Senators

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and Congressmen to 38 Representatives and 12 Senators.

A remark at the conference by the freshman Republican Senator from Ohio, William A. Saxbe, was another bit of litmus paper showing the kind of public pressures some new members of Congress feel.

"We come to the Senate with the attitude that Nixon was elected because of the war—that the war wrecked Johnson and that it will wreck Nixon unless he responds," he said * * * It is hopeful that we will beat the ABM and will go ahead with that foothold to attack the whole complex."

It was apparent from the context of his remarks that the complex he referred to is that which is popularly known as the military-industrial complex.

The conferees were 16 scientists, scholars, economists and former Government officials, such as Mr. Schultze, Prof. John Kenneth Galbraith of Harvard, Prof. George Kistiakowsky of Harvard, Prof. Hans Morgenthau of the University of Chicago and Dr. Marcus Raskin, co-director of the Institute for Policy Studies in Washington.

Mr. Schultze warned that unless military spending was curbed, currently approved and proposed weapons systems, unrelated to the Vietnam conflict, would, by fiscal 1974, consume whatever savings might result from an end to the war.

RECOMMENDATIONS AT CONFERENCE

The conference's recommendations ranged from establishing an independent agency to analyze military spending proposals for Congress to imposing a ceiling on the military budget, to a proposal by Dr. Raskin for a grass-roots campaign to dismantle the current structure of America society.

He described American society as "a national security state" controlled by an interlocking complex of defense industries, labor unions, military services, related civilian bureaucracies and their Congressional allies.

Theoretically, the Armed Services and Appropriations Committees in both Houses subject the military budget to meaningful scrutiny in their hearings before bringing the bills to the floor.

But those legislators who want to choke off the rise in military spending contend that these committees are dominated by Southern Democrats and Republican conservatives whose sense of national priorities has consistently nurtured the military and militated against funding for domestic social problems.

The committee hearings are almost always held in closed session, on the ground that military secrets must be protected. This has the effect, however, of shielding the details of weapons programs from public exposure.

The testimony is usually not published until a few days before the bills reach the floor. It then emerges in several heavily censored volumes. Last year's Senate defense appropriations hearings ran to five volumes of 2,809 pages.

The result, those opposed to heavy military spending argue, is that the middle group of Senators and Congressmen, who constitute the pivotal vote in both houses, normally do what the committee chairman wants because they know little about the bills and he tells them the national security or the lives of the troops in Vietnam are at stake.

"If George McGovern says the military budget ought to be cut by 10 per cent and Richard B. Russell says every cent's necessary for the survival of the country, who are you going to believe!" One Senator said asked rhetorically, "If you're ignorant about the bill, you believe Richard Russell."

Senator Russell of Georgia formerly headed the Armed Services Committee and now chairs the Appropriations Committee.

While the Congressional Committee often take the Pentagon's word on military needs, there recently has been developing a slightly more critical view, particularly in the Senate Appropriations Committee.

For example, Senator Russell last year cut out more than $300-million that had been requested for fast deployment logistics ships.

The Appropriations committees have traditionally issued their reports shortly before they are voted on. Some long familiar with Congress have expressed doubts about how successful any move to bypass this procedure could be.

But the ABM debate has, for the first time, breached the protective wall of the committee system and forced the defense establishment and its Congressional allies to defend a major weapons program under the spotlight.

The opposition has been able to marshal its own scientists and nuclear strategists and to challenge the proposal on the multiple grounds of technical feasibility, cost and the effect on the nuclear arms race.

"The ABM debate is a prototype of what we want to do in the future," a staff aide of one Senator prominent in the opposition forces said.

[From the Christian Science Monitor, May 19, 1969]

Military Spending Too High?

(By Joseph C. Harsch)

Washington.—The world scene continues to give evidence of the limits on the usefulness of military power. And this in turn is being reflected in the United States in a "taxpayers revolt" against spending so much for so little.

Does a similar revolt exist beneath the official surface of Russian life?

If Western statesmen knew the answer to that question about the Soviet Union they would be able to calculate more effectively the chances for success in the "Nixon round" of Soviet-American negotiations now getting under way.

The revolt in the United States is of course the most open, and for all the world to see.

It has taken the overt form of solid resistance in the Senate to President Nixon's plan for the limited deployment of antiballistic missiles. At the present moment it is still doubtful that the administration will be able to overcome the reluctance of several Republican senators to go along with the program.

The real argument of course is not over the technical merits of the ABM plan. That is merely the surface froth. Behind it lies a reluctance in Congress to spend more money on military power when lying all over the face of the earth today is continuing evidence of how ineffective it can be as an instrument of foreign-policy purpose.

Vietnam provides the case in point most painfully felt in Washington.

Except in the original American Revolution the United States has not before applied military power to a national purpose for so long.

And never has the United States applied as much military power.

But this effort, which is unusual in its length of effort and unprecedented in its weight, has failed to achieve the purpose. It was supposed to have forced Hanoi leaders to beg for mercy and come to the conference table in exhaustion. It was usually phrased as "bombing them to the conference table."

It did not work. They finally came to the conference table when, and only when, the effort to force them there by millitary pressure had been abandoned.

American military pressure still is being applied powerfully in South Vietnam against the Viet Cong forces. But over the last fortnight the Viet Cong has continued to lob shells and rockets more or less at will into any city of their choice throughout South Vietnam.

The rocketing and shelling is not an offensive. It is merely an advertisement of the fact that the Viet Cong still can operate around, and sting at, all cities in South Vietnam. Viet Cong troops have not been repressed or eliminated or annihilated. They are still a force in being and hence a factor which cannot be ignored in the Paris talks.

President Nixon recognized this in his speech on the war last week. He accepted the idea of the National Liberation Front being in a future South Vietnam government, even by name.

If American military power had been decisive in South Vietnam there would be no need ever to let the NLF into a future government. It probably will happen some day because all the power at the disposal of Gen. Creighton Abrams is not wiping out the Viet Cong even with the North Vietnam main units still in rest camps outside of South Vietnam.

SOVIETS IN SAME BOAT

In other words, over five years of use of American military power in Vietnam has done little more than underline the lesson of the Korean War. American land power is severely limited in its capacity to influence political events on the mainland of Asia.

If this is painful for Washington, recent events in other parts of the world provide an even more painful lesson for Moscow.

The Soviet Union is the world's second military power—and is moving toward effective parity with the United States. But the application of this power to Czechoslovakia still has not converted the Czechs into silent servants of Moscow's will.

Nor has the threat of use of that power caused Romania to return to Moscow discipline or humbled Marshal Tito of Yugoslavia. Nor has the existence of that Soviet Power awed or influenced the men of Peking.

They have gone their own way in defiance of Moscow, even when their own enormous army was almost wholly preoccupied with the "great cultural revolution" at home. Communist China's vast army has become the single remaining force for stability and central authority in China.

In terms of sheer efficiency Israel is today the world's first military power. Seldom in the history of warfare has lean and limited force been used with such decisive effect against far larger enemy forces.

The six-day war recalls such events as the victories small British armies won over huge Indian armies in India in the 18th century. Those victories were effective—for some 200 years.

But Israel's stunning victories have scarcely changed the state of affairs in the Middle East at all. On the contrary, Israel is in more danger now than before.

KREMLIN VIEWS WATCHED

The usefulness of military power in these times is severely limited. So what is to be done about it?

That question is the most debated of the day in Washington. It is out of White House control. Judged objectively, the Safeguard ABM system is modest and limited. But so general is the new questioning of the usefulness of even more military power that it may fail in the Senate.

Do the men of the Kremlin read the signs of the times the same way? If they do, which some Western Kremlinologists think is the case, then there is reason to think that Richard Nixon will preside over the first successful reconciliation between the West and the Soviet Union since the 1917 Revolution in that country.

Do they?

They certainly ought to know by now not only that their military power has limited use. They also should realize that communism is an even weaker instrument of their foreign purposes.

It is merely a fact that Moscow today enjoys easier and more profitable relations with non-Communist countries than with the Communist ones. Moscow is getting along quite happily now with Turkey, Iran, and Finland. But Moscow has had to redeploy strong military power against China

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while imposing a military lid on the Communist countries of Eastern Europe.

The export of communism has become a disadvantage to Moscow, not an advantage. The worst Soviet enemies are Communists now. Moscow's only sincere semifriends are non-Communist states.

"If the two lessons have been learned in the Kremlin, Mr. Nixon's "negotiations" have a promising future.

[From the Washington Post, June 11, 1969]

A $4 Billion Overrun on Missiles Cited

(By Bernard D. Nossiter)

A former Air Force management consultant yesterday estimated that costs have skyrocketed by nearly $4 billion on the Minuteman II missile.

The disclosure of the overrun, twice the size of that attributed to the C–5A, was made by C. Merton Tyrrell, vice president of Performance Technology Corp. His firm spent three and one-half years studying Minuteman contractors for the Air Force until it was taken off the job.

An Air Force spokesman last night indicated, however, that the overrun may have been $2 billion—or half of Tyrrell's figure.

Tyrrell's testimony before a Joint Economic Subcommittee highlighted a day in which Capitol Hill was the scene of other attacks on military spending practices.

Defense Secretary Melvin Laird asserted that the services and their suppliers were guilty of "chronic overoptimism" in estimating costs in order to sell their programs and get new business. He said he would soon name a "blue ribbon panel" of persons outside the Pentagon to review procurement and promised his own stance would be "realistic and sometimes pessimistic."

Sen. Ralph Yarborough (D. Tex.) charged the Budget Bureau with being "subservient" to the military and with reviewing Pentagon requests "hat in hand." Philip Hughes, the Bureau's deputy director, retorted that "it seems to me Congress has the last say" on how much the Pentagon spends.

Seventy-six liberal Democratic Congressmen announced they would attempt to put their Party on record in favor of a resolution urging, "an immediate and searching re-examination of all military commitments and expenditures." They said they were concerned about the evidence of "the waste of billions of tax dollars."

Rep. Bertram Podell (D-N.Y.) announced that 139 Congressmen, including 34 Republicans, had signed as co-sponsors of his bill requiring the General Accounting Office to report annually on every contract over $100,000 which ran 10 per cent above its agreed cost or was more than six months late.

Sen. William Proxmire (D-Wis.) agreed with Sen. Barry Goldwater (R.-Ariz.) and Sen. Len Jordan (R-Idaho) that former Defense Secretary Robert S. McNamara should again be invited before Proxmire's Joint Economic Subcommittee to testify about runaway costs during his regime. Proxmire said that he had already asked McNamara to come but that the World Bank President had declined.

The testimony about Minuteman II, an improved version of the solid-fuel intercontinental ballistic missile, came before Proxmire's subcommittee. It was delivered in a low-keyed monotone by Tyrrell, a 34-year old spade-bearded industrial engineer from Novato, Calif.

Six weeks ago, still another Congressional committee heard testimony that Tyrrell's Performance Technology Corp. had been broken by slow payments from the Air Force because the firm was embarrassing too many officials with its findings.

Tyrrell said that the Air Force, in the spring of 1962, calculated that 500 Minuteman II missiles would cost $3.268 billion. Today, he said, the service has lumped together the costs of its Minuteman II and Minuteman III missiles, the latter being a newer version that can be converted into a weapon firing several warheads at different targets.

Tyrrell said he has learned that the Defense Department now figures the bill for both varieties at $9 billion. He estimated that $7 billion of this should be attributed to Minuteman II, a gain in costs of $3.7 billion.

Tyrrell's firm was hired in July, 1963, to examine the management of four of the eight major contractors on the project, North American, Boeing, Aerojet and Sylvania.

Almost at once, he told the Proxmire group, his company found "a severe cost problem" for climbing overhead expenses, delayed delivery of components and too-rapid breakdown of key parts. His PTC, he said, made several recommendations, "including a definitive cost-reduction program." However, he went on, everything involving cost-cutting was "deleted" by the Air Force.

PTC, he said, continued its surveys, but Air Force officers and North American's Autonetics Division were holding back "necessary information."

By 1965, Tyrrell testified, the contrast between promise and performance led the Air Force to adopt PTC's cost-cutting program. However, he said, the program was not enforced.

Among other things, he recommended greater distance between military officers and their suppliers, punishment instead of promotion for officers who ignore costs and the withdrawal of business from wasteful contractors.

The Defense Department did not comment directly on Tyrrell's estimates. However, a spokesman for Laird noted that he had sliced this year's request for Minuteman by $160 million to about $1.04 billion. Laird testified on April that the cut was made to "minimize overruns" caused by producing missiles before completing the research.

The spokesman for the Air Force calculated that the total cost for Minuteman II was $5.2 billion, or $1.8 billion less than Tyrrell's figure. The Air Force could not supply a base from which a growth in costs could be measured.

Yesterday, Laird was before the Senate Defense Appropriations Subcommittee. There he said that both the services and the contractors have a vested interest in underestimating the costs of a new weapons system. As a result, this has "all too often resulted in gross failures to achieve performance, delivery and cost objectives."

[From the New York Times, June 11, 1969]

Pentagon Drops Air Force Plans for Orbiting Lab—Cancellation Is Called Major Step in Cutting the Budget for Military Spending—NASA Effort To Go On—Project for Manned Station Had Cost $1.3 Billion—Duplication Charged

(By John W. Finney)

Washington, June 10.—The Defense Department, after spending $1.3-billion on the project, canceled today the Air Force's manned orbiting laboratory program as "a major step" toward reducing the military budget.

In a statement read by Deputy Defense Secretary David Packard at a Pentagon news conference, the Defense Department said the principal reason for canceling the Air Force's manned space flight program was the "urgency of reducing Federal defense spending."

The cancellation was announced shortly before the House, by a 328-to-52 rollcall vote, approved legislation authorizing a $3.9-billion budget for the National Aeronautics and Space Administration in the coming fiscal year. About half of the money would go for manned space flight, including development of a manned orbiting laboratory similar to that being worked on independently by the Air Force.

AMENDMENT REJECTED

The bill authorizes $250.8-million more than was requested by the Nixon Administration, with most of the increase going for manned space flight and the development of the Apollo spacecraft into an orbiting laboratory.

With the cancellation of the project, the Air Force has lost the major part of its role in space and is relegated to the operation of unmanned and unpublicized satellites.

After a brief, routine debate, the House rejected by a voice vote an amendment by Representative Edward I. Koch, Democrat of Manhattan, that would have removed $205 million from NASA's manned space flight budget.

With no evident sympathy from the rest of the House, Mr. Koch argued that it was "at least unwise and at most outrageous" for Congress to be increasing spending for manned space flight "in the light of the urgent economic and social problems faced by people on earth."

Supporters of the Koch amendment noted regretfully that the House spent considerably more time and emotion considering and approving an amendment by Representative Richard L. Roudebush, Republican of Indiana, specifying that only the United States flag be placed on the moon by the Apollo astronauts.

The Air Force's manned orbiting laboratory program—or MOL, as it came to be called within the Pentagon—was designed to place a 15-ton, two-man spacecraft in earth orbit. The stated purpose was to test "the extent of man's utility in space for defense purposes," such as conducting reconnaissance of the earth or inspection of potentially hostile spacecraft.

DUPLICATION CHARGED

In recent years there have been rising complaints in Congress—and privately within some civilian space circles—that the MOL project duplicated and overlapped the space agency's manned space flight program.

Until now, these complaints have been rejected by the Pentagon and, at least publicly, by the space agency. Their basic rebuttal has been that the MOL program would carry out certain secret military projects that were not contemplated in the Apollo space program and the post-Apollo space station program now planned by the space agency.

As was tacitly admitted in the Pentagon announcement what brought the cancellation about was the rising pressure in Congress for a reduction in the Defense budget.

In explaining the cancellation, the Pentagon announcement said "we fully recognize" that the military budget was receiving "intense scrutiny" in Congress. One of the principal targets of the Congressional economizers in the Senate was the MOL project.

"In keeping with the spirit and intent of these reviews, the MOL cancellation will be a major step in reducing the budget," the announcement said.

The cancellation, however, may have the unintended reverse effect of strengthening a widespread Congressional belief that through lack of direction and foresight there is considerable waste in the Pentagon's weapons development programs.

The $1.3-billion spent on the MOL project will now be added to the $9.3-billion—according to Pentagon figures—that has been spent since 1951 on major weapons programs that were later abandoned. According to an estimate made by Senator Stuart Symington, Democrat of Missouri, in the Senate, the total comes closer to $23-billion.

One of the reasons given by the Pentagon for the cancellation of the program was the advances that have been made in recent years in automated, unmanned satellites for such purposes as navigation, communications and meteorology. Not mentioned by the Pentagon were the rapid strides that have

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been made in using satellites for detailed photographic reconnaissance.

First conceived of by the Air Force in the early nineteen-sixties, the MOL project was the consolation prize given the Air Force after the civilian space agency was created and given the primary responsibility for conducting the nation's manned space flight program.

Initially, as its competitor to the space agency's manned space flight programs, the Air Force had the DynaSoar project to develop a manned "space glider." When the DynaSoar project was terminated in 1963 after an expenditure of $405-million, Defense Secretary Robert S. McNamara gave the Air Force permission to proceed with the MOL.

The cancellation came as the project, after many delays, was approaching the flight test stage of unmanned components.

[From the Nashville Tennessean, June 12, 1969]

A 2,700 PERCENT HIKE CHARGED IN SUB RESCUE PROGRAM

WASHINGTON.—The Pentagon hardly had time yesterday to concede that the cost of its primary missile program had approximately doubled before being slapped with another charge—that a submarine rescue program is running about 2,700% above original price estimates.

Barry J. Shillito, assistant secretary of defense for installations and logistics, said Air Force figures tend to support the estimate that the Minuteman II intercontinental missile program has grown from $3.27 billion to about $7 billion.

Shillito testified before a House-Senate economic subcommittee holding hearings on the military budget and national priorities.

The subcommittee chairman, Sen. William Proxmire, D–Wis., confronted Shillito with evidence of new cost increases, this time in the Navy's Deep Submergible Rescue Vehicle (DSRV) program.

Proxmire said the cost estimate for each submarine rescue vehicle had increased from $3 million to $80 million.

He said the Navy originally planned to buy 12 of the deep-diving craft for $36.5 million but has settled for 6 at $480 million.

Shillito conceded the figures' accuracy, but said the program had been improved so much it is "almost totally different from the one we embarked on."

Earlier an Air Force efficiency expert said Defense Department employes are sometimes disciplined for trying to cut costs because the Pentagon wants to keep its contractors prosperous.

A. Ernest Fitzgerald told the subcommittee that employes who try to economize are subjected to undesirable transfers and other forms of retaliation.

He said in 20 or 30 of the biggest defense plants, the government permits prices to be higher than elsewhere.

"The government knowingly allows them to charge higher prices to keep their plants open," he said.

"This is done in the name of 'maintaining capability' which means to keep the contractor in business."

Later, talking to reporters, he said "sure" when asked if politics was a factor in such actions. Many defense plants are located in the home states of powerful congressmen who support big military budgets.

As a result of these policies, Pentagon employes learn not to question costs and "the most successful government project managers take a detached view of all financial matters once they make sure they have enough money to cover their contractors' requirements," Fitzgerald said.

He said contractors are permitted to keep unneeded engineers on some vague project just to have them on hand.

"It ought to be stopped," he said. "If you're going to keep them there, you should keep them doing something."

Fitzgerald's testimony was contradicted by Shillito, who said "all" Defense Department officers and employes are "dedicated to rooting out waste and inefficiency wherever and whenever they appear."

Under questioning, however, Shillito conceded that there was an "over-optimism problem" in which the estimates given Congress of the costs of new weapons often turn out to be understated.

But he said he disagreed entirely with Gordon W. Rule, the Navy's director of procurement control, who told the subcommittee Tuesday all three services "play games" with Congress in estimating the cost of new weapons.

In another military cost dispute, the General Accounting Office reported that congressional critics have been correct in saying the C5A superjet transport program will cost $5.2 billion, some $1.8 billion above original estimates and $2 billion above contract target prices.

The GAO, budgetary watchdog for Congress, also said in its report to the House Armed Services Committee that the Air Force could have predicted the large increases as early as December 1967.

Nevertheless the cost increases were not reflected in routine Air Force management reports six months later or revealed to Congress until last November, the GAO said.

Proxmire added further fuel to the debate over military expenditures, saying he has information that the Air Force's short range attack missile program has increased in cost during the past year from $300 million to $600 million.

The first indication of the $3.7 billion increase for Minuteman II came in testimony Tuesday from a former Air Force consultant, C. Merton Tyrrell.

Shillito conceded there's been "roughly that kind of growth." He blamed it on cost "overoptimism that is most awkward in this area."

THE CRISIS IN THE MIDDLE EAST

HON. ALLARD K. LOWENSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. LOWENSTEIN. Mr. Speaker, for the past 10 years, the Honorable SEYMOUR HALPERN of New York has provided one of those rare voices of conscience that the Congress needs so badly. His tenacious devotion to high principle and to the public interest have brought him the admiration and gratitude of colleagues in both parties.

Recently Congressman HALPERN spoke about the crisis in the Middle East at one of the biweekly forums that we hold in the Fifth Congressional District of New York. His remarks deserve special attention in view of the deteriorating situation in the Middle East.

It has never been more important than it is now for Americans to insist that their Government press for direct face-to-face negotiations between Israel and the Arab nations. There can be no peace in the Middle East without direct negotiations, and without peace there will be no opportunity to resolve the problems that have bedeviled the people of this troubled area for so long.

Under unanimous consent I submit the statement for inclusion in the CONGRESSIONAL RECORD, as follows:

STATEMENT OF THE HONORABLE SEYMOUR HALPERN, JUNE 15, 1969

Mr. Chairman, let us look at the Israel-Arab situation as liberals. Let us apply the criteria we would use in judging a confrontation within the United States.

If we're going to tell it like it is in the Middle East, let's start with the relevant facts.

The Arabs, it seems, represent the establishment. They speak and think in terms of racism, religious chauvinism, militarism; they oppose change; they reject the right of a minority nation to exist.

Israel was born in the aftermath of World War II—a brutal conflict in which six million Jews were murdered.

Israel's "thing" is not war. It is survival. The state of Israel is based on a messianic concept of social justice and human redemption.

The Kibbutz philosophy, the idea of social democracy and sharing, inspired the world. Israel personified the striving of humanity. Affluent Jews assisted the culturally and emotionally deprived. The Arabs residing in Israel were accorded political rights and human dignity although Jews were brutally persecuted in the surrounding Arab states.

The underprivileged Jews of Morocco arrived in Israel and were educated and assisted with "Head Start" programs long before anyone conceived the United States' "New Frontier." An Israeli peace corps operated in underdeveloped nations of Africa and Asia in the 1950's when the brothers Kennedy were yet to capture the popular imagination.

Before Martin Luther King called out for justice, Ben Gurion, Chaim Weizmann, and Theodore Herzl had their dream. They dreamed of Jews and Arabs sharing the lands of their origin and heritage. They dreamed of cooperation. They dreamed of a region in which Jew and Arab would co-exist in human dignity and brotherhood and where the desert would be made to blossom. They dreamed of social justice and self-determination. They would have rejected imperialism and exploitation as a nightmare.

Today we find that all the idealistic dreams of the Zionist visionaries have become nightmares. We find that the Arabs have adopted the "Jim Crow" discrimination of the American southern white racists. The Arabs seemingly cannot accept the Jews as human beings entitled to a place in the sun.

The Arab line today is as rigid as that of the racists of Alabama or Mississippi of many years ago. They simply will not accord to the Israelis the right of existence as a free and equal people.

Today the Arab line of anti-Jewish hatred is spurred by Moscow. The communists have discovered a gimmick. The name of the game is "Anti-Imperialism." The Jews are branded "Imperialists." The game is so contrived that only the communists and Arabs can win. According to the game, Israel has to lose.

Moscow is using the Arabs. And the Arabs are using Moscow. The governments involved are not concerned about people. They are after power and pressure.

The Israel issue is being exploited by both Arab Imperialism and Soviet Imperialism. That is why the massive Soviet arms shipments were poured in. That is why the Arabs formed a massive lynch mob against Israel in May and June of 1967 to wipe out Israel and to finish Hitler's job. That is why the Arabs will not to this very day accept the idea of entering into peace talks with Israel.

Yes, in the Middle East the Arabs are the reactionaries. The Jews are the radicals—in the best sense of the word. That is why Israel has made one very reasonable and very *non-negotiable* demand. It is the demand for a face-to-face peace conference involving the personal participation of the parties to the conflict.

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Israel cannot accept the imposition of a settlement by the obviously self-interested super-powers. All this amounts to is a bid by the big boys for Arab favor, one outbidding the other at Israel's expense. Israel will no more accept an American-Soviet decision on her fate than would American bankers accept a French-British decision on what the U.S. prime interest rate should be inside the United States.

With Israel, peace is more vital than interest rates or money or any material thing. The life of a nation is involved. Israel will live or perish as a result of her own conception of what nationhood involves.

Israel has made a non-negotiable demand in answer to the world's power structures. That demand is for peace and recognition of just and defensible boundaries as the pre-condition for withdrawal of troops from territories occupied as a result of the Six Day War.

The Six Day War has become a 666-Day War. But Israel will not be intimidated by bullies and bullets.

The El Fatah Racists, a sort of Ku Klux Klan or Minutemen of the Middle East, cannot deprive the Jews of a homeland. The victims of Arab terrorism are both Moslem and Jewish. I fail to see how anyone can renounce racism and terrorism in the United States and espouse the Arab terrorist cause abroad.

Soviet Foreign Minister Gromyko has just visited President Nasser in Egypt. The same old story. Reports of that meeting say the Arabs won't negotiate. Ironic isn't it—the parties to the war won't be the parties to the peace.

Israel is expected to make a unilateral and unconditional withdrawal from all territories. Then Israel will be set up like a patsy for the further onslaughts of the artillery and rockets, the bomb and the bullet of the terrorists as well as the regular Arab forces.

I am very pleased to observe that the administration in Washington has not given in to pressures for a so-called Big Four Peace settlement at Israel's expense. Indeed, it now appears that our government is standing firm. The Israelis are not under pressure from the top levels in Washington although the State Department policies often waiver from expediency to expediency.

It is my conviction that our administration has insisted to the Russians that peace must come only as a part of a package deal involving a real peace settlement between the Arabs and Jews—a settlement that Israel can accept.

Meanwhile, we have just witnessed the beginning of the third year in which Israel continues to occupy the cease-fire lines established in June, 1967. This is not an ideal arrangement. But, despite the bloodshed and unrelenting Arab pressures, life goes on.

Israel, if anything, is stronger. Israel is making the best of a bad situation. But as of now there is no alternative.

The United States is keeping its commitments to supply Israel with the necessary phantom jet fighter-bombers and certain other implements of defense. Hundreds of Israeli technicians and pilots have been trained in the United States and are training here.

For Israel there is no alternative to the current state of affairs. Nor is there a realistic choice for her friends. The task will not be easy. A tendency already exists for appeasement and surrender. Some well-intentioned persons say that "if only Israel will give in, if only Israel were less rigid, if only Israel were less arrogant, less belligerent, and so forth"—then, everything would be peaceful.

I am afraid, however, that it is not that simple. The "peace" that might emerge would be the "peace" one finds on a visit to the remains of the Dachau or Belsen concentration camps.

The Israelis are not ready to be liquidated because we are tired hearing about the shootings and the bombings.

Jews have survived only against all the odds of history. The Jews of Europe paid a terrible price. Israel is mindful, alert to the implications of racism and power politics. Israel is resolved not to become another Warsaw ghetto. If the Israelis can take it, her friends—if they really care—can do no less.

Israel remains a human cause of such merit that no true liberal can cop out.

George Washington spoke during the American Revolution of the summer soldiers and peacetime patriots. The going was tough and the fainthearted abandoned the cause. The cause of liberty, American or Israeli, is not yet out of date.

I do not think that a true liberal abandons a tough cause, at home or abroad. Justice for Israel is inseparable from justice in our cities and the universal quest for freedom.

SMUT PEDDLERS—PART III

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. DULSKI. Mr. Speaker, the fight against smut peddlers has wide support, but it is going to take even more vigorous effort on the local front. Public influence can be the greatest deterrent to the spread of pornography.

A former colleague in the House, the Honorable O. K. Armstrong, wrote an interesting article on smut peddlers for the February 1967 edition of Reader's Digest, as follows:

A Victory Over the Smut Peddlers

(By O. K. Armstrong)

Late in December 1965, while gathering information on obscene literature for a series of articles in The Reader's Digest, I interviewed publisher Ralph Ginzburg. He had been convicted by a federal court in Philadelphia on charges of selling *Eros*, a magazine which he described as "devoted to the subjects of love and sex," and two other publications that were also declared obscene by the court. He had been fined and sentenced to five years in prison. He had appealed the conviction to the U.S. Supreme Court.

From across his desk high in a New York office building, Ginzburg told me with emphatic self-assurance: "The Supreme Court will reverse my conviction! No one can define obscenity."

Ginzburg proudly admitted that his publications had proved very profitable. He told me that he had sent out about nine million pieces of advertising matter to promote Eros resulting in 150,000 subscriptions and three million dollars in gross revenues. When I reminded him that federal and state laws prohibit circulation of obscene materials, he exploded: "All such laws are unjust! The First Amendment to the Constitution guarantees complete freedom of speech and press, and that covers everything. In 20 years all laws against so-called obscenity will be wiped from the books!"

In decisions announced last March 21, the Supreme Court replied. In a five-to-four ruling, it affirmed Ginzburg's conviction and sentence. At the same time the conviction of Edward Mishkin, one of the country's more notorious distributors of pornography, was also upheld.

These two decisions greatly strengthen previous rulings. Heretofore, the test for obscenity had been based on the decision in *Roth v. U.S.* in 1957. The Supreme Court then held that material is obscene if "to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interest." In the Ginzburg decision, the Supreme Court went a step further, bringing into clear focus a principle long recognized by fighters for decency: *The material itself need not be the only consideration. How the material is advertised and promoted for sale to the public can be considered. If the obvious purpose of the publisher or seller is to appeal to lustful interest, he can be held accountable.* In effect, the court said, *motive* may determine legality.

In the ruling that confirmed Mishkin's conviction, Justice William J. Brennan took notice of the nature of the materials in this purveyor's magazines and books: fetishism, sex scenes between women, flagellation and other sadistic tortures to satisfy the perversions of sexually deviant groups. "The evidence fully establishes that these books were specifically conceived and marketed for such groups," he declared.

This decision clarified an important legal point: a pornographer can no longer plead that his offensive output was issued for a special group—such as artists, doctors or psychiatrists—if he offers his material to the general public.

The majority opinions in the Ginzburg and Mishkin cases were hailed by church leaders, public officials and news media alike. Francis Cardinal Spellman, Dr. Norman Vincent Peale and Rabbi Abraham B. Hecht, president of the Rabbinical Alliance of America, joined other religious spokesmen in a statement: "It is a matter of profound gratification to all God-loving people that the Court has served notice that panderers of filth for profit will no longer be given a free hand in contaminating our society."

The New York *Times* commented in an editorial: "Mr. Justice Brennan and his majority colleagues have shown wisdom and moral courage in the subtle and arduous task of upholding the law against obscenity while still protecting liberty of expression. . . . The Court inescapably concluded that Ginzburg had no scholarly, literary, or scientific interests; he was strictly an entrepreneur in a disreputable business who took his chances on the borderline of the law and lost. He is no different from Edward Mishkin . . . who was convicted for hiring hack writers to produce books deliberately aimed at an audience of sexual deviates. . . . The public clearly has the right through the enforcement of laws to curb this 'sordid business of pandering.' "

Charles H. Keating, Jr., chairman of Citizens for Decent Literature—a national organization with more than 300 chapters—says, "The Supreme Court decisions of last March 21 make it a different ball game. . . . Any area that decides to rid itself of obscenity can do so by competent enforcement and vigorous prosecution. There is no excuse for pornographers to be in business after the Court's decision."

"The decisions provide a powerful weapon in our drive to ban pornography from the mails," says Henry B. Montague, chief of inspection of the Post Office Department.

Throughout the nation, evidence is clear that the new rulings are having a profound effect on the legal war against filth. A survey of recent trial-court decisions reveals that, in the five months following the *Ginzburg* and *Mishkin* judgments, 40 convictions in obscenity cases were rendered across the country. During the same period, 11 appellate-court decisions either affirmed lower-court convictions or reversed dismissals.

Increasingly, judges have cited the new Supreme Court opinions in their decisions. In considering one book, a New York judge noted that the *Ginzburg* case had "introduced a new factor in deciding what is obscene. The court will now examine the method of advertising and exploiting the book. If the publisher or distributor sells his material as pornography . . . it will determine the result."

The judge also declared that "the *Mishkin* opinion has removed any doubt that the book in the instant case is obscene. The Supreme Court has now removed the outer limit that only 'hard-core pornography' will be barred. The rule is now more elastic."

Last July 14, the Kansas supreme court reversed the ruling of a lower court that had dismissed charges of obscenity in a case which involved 11 books filled with lurid sex stories. In its decision, the highest court of Kansas declared, "If the obscene nature of these books be deemed doubtful, that doubt would certainly have to be resolved against them when we consider their packaging in the light of the positive judgments in *Ginzburg* and *Mishkin*."

The Supreme Court decisions may provide guidelines for determining obscenity in entertainment media as well. Within six weeks of the new rulings, a dozen movies were found obscene in decisions given in California, Missouri, Louisiana, Connecticut, and Tennessee.

Last September 27 a U.S. District Court in California declared that certain "nudie" magazines and peep-show films sold or displayed by a Los Angeles defendant were "patently offensive and utterly without redeeming social importance," and continued with this statement: "The court concludes as a matter of law that the exhibits are clearly, unequivocally and incontrovertibly obscene . . . because they come within the reasonable purview and ambit of both of federal judicial definition of obscenity and hard-core pornography (*Roth v. U.S., Mishkin v. New York, Ginzburg v. U.S.*)."

Encouraged by these courtroom triumphs, prosecutors in numerous communities are drawing up new indictments against suspected pornography dealers and distributors. From April through July 1966, more than 25 complaints were filed in California alone—the state where much obscene literature originates—and scores of new charges have been filed in many other states.

Today, decent citizens can look forward to the time when the blight of pornography is swept from our newsstands, theaters and mail. As James J. Clancy of Los Angeles, chief counsel for Citizens for Decent Literature, declares, "The Supreme Court has charted the prosecutor's blueprint for success. The people's forum is the criminal court. The attack should be against those who willfully violate the community's standards of decency. In this fight, the people cannot lose."

THE BIAFRAN TRAGEDY

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. HALPERN. Mr. Speaker, this month marks the 3d year since the Biafran war in Africa started. In this period it is estimated some 1.5 million men, women, and especially children have died from hunger, pestilence, and the ravages of war.

The tragedy must end, and yet, we are now informed that the Nigerian Government has just instituted new regulations that will imperil the international relief operations that are airlifting food provisions for the secessionist state's 4 million surviving inhabitants.

These provisions are imperative, because reports indicate that without this food, Biafra's residents will not have anything to eat until the fall harvest.

If the airlifts do not continue, the consequences will be tragic. The president of the International Red Cross Committee, Marcel Naville, says:

> Within the next few days, hundreds of thousands of children in Biafra may die of starvation.

Today, a number of my colleagues joined in sponsoring with Americans for Biafran Relief a public appeal for President Nixon and the world community to intercede to end this human tragedy.

The text of the advertisement, sponsored by Americans for Biafran Relief, that appeared in the New York Times, July 10, 1969, reads as follows:

IF YOU HAVE TO KILL CHILDREN, IT'S NICER TO LET THEM STARVE THAN TO PUT THEM INTO A GAS OVEN

This is about the war on page 12 of your newspaper. Not Viet Nam. The war the world pretends doesn't exist. This is understandable.

The war in Biafra has brought out a "sophisticated" aspect of human nature that must make God sick. Horror, accompanied by good manners, is acceptable behavior.

To use the gas ovens or the H-Bomb to kill 1½ million women and children would be unthinkable. The word "Blockade" makes it all right. Starvation is approved military strategy—500,000 children under 5 years old died, before airlifts by the Joint Church Aid and the International Red Cross brought in food and medicine.

The planes flew in at night. They had just enough food (2 ounces per child, for 2 million children) to keep them alive until the next night.

On June 5th, Nigerian Migs started shooting the children's airlifts down.

To keep the children alive took 15 flights, every night. In the last 2 weeks of June, only 8 flights have made it in.

The arithmetic is right out of Dachau and Buchenwald.

That no one has called it "the final solution" and that the gas oven isn't needed has somehow made all this acceptable to the world.

And the airlift is not even the issue. The airlift is just a stopgap, the difference between starving and starving to death. The issue is that most of the people in the world have let some of the people in the world die.

Biafra is not in America's "sphere of influence." There is no political reason for America to interfere.

This noble war has killed more children than soldiers.

President Nixon is already trying to end one war. Asking that he do something about another may be asking the impossible. But he is the President of the most powerful country in the world. He is the only man there is to turn to.

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SOME TAX-FREE FOUNDATIONS REPORTED FUNDING EXTREMIST STUDENT GROUP ACTIVITIES

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. EVINS of Tennessee. Mr. Speaker, Director J. Edgar Hoover, of the Federal Bureau of Investigation, testified recently that some tax-free foundations are financing extremist student organizations, including the Students for a Democratic Society.

I am sure the Committee on Ways and Means will want to take cognizance of this type of activity as it prepares tax reform legislation.

I place herewith in the RECORD an article in the Nashville Tennessean concerning Director Hoover's testimony in this connection:

[From the Nashville Tennessean, July 8, 1969]

TAX-FREE FOUNDATIONS FUNDING SDS: HOOVER

WASHINGTON.—FBI Director J. Edgar Hoover says some wealthy individuals and tax-exempt foundations have made substantial financial contributions to "new left" groups such as Students for a Democratic Society. Hoover disclosed in testimony made public yesterday that the names of those giving large sums to SDS have been turned over to the Internal Revenue Service so that they cannot deduct the gifts from taxes as charitable contributions.

Testifying in private before the House Appropriations subcommittee on April 17, Hoover described the "new left" as "a firmly established subversive force dedicated to the complete destruction of our traditional democratic values and the principles of free government . . . a new spectre haunting the western world."

As for SDS, Hoover called it "a Communist-anarchist group."

Hoover added that "although the majority of gifts are in the $10 to $50 range, wealthy benefactors who have acquired their fortunes in the United States have contributed substantial amounts in support of the New Left movement and in support of the activities of the SDS in particular."

Without naming, he gave a rundown of such contributors.

"We referred to the internal revenue service all instances where foundations or individuals gave large sums of money to SDS," Hoover told the subcommittee.

Rep. Charles S. Joelson, D-N.J., told Hoover, "I remember at one time the Ku Klux Klan was soliciting contributions claiming them to be tax deductible. I wrote a letter to the Internal Revenue Service and that was stopped. I would imagine the same thing could be done if there are any deductions being asked for contributions to SDS."

In other areas, Hoover said:

"Many presidents of universities and colleges need 'more guts' to expel violent campus militants . . . There are far too many bleeding hearts among them whose palliative attitude has served only to magnify the problem by encouraging the escalation of demands and further disorders."

SPECIAL TAX MESSAGE TO CONSTITUENTS, 22D CONGRESSIONAL DISTRICT, BRONX, N.Y.

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. GILBERT. Mr. Speaker, I wish to insert in the RECORD for the attention of my colleagues a special tax message which I am mailing this week to my constituents of the 22d Congressional District of New York. I have always felt it my responsibility to the people I represent to keep them informed of my activities in Congress and my views and position on major legislation.

My message follows:

SPECIAL TAX MESSAGE

(By Congressman JACOB H. GILBERT)

GILBERT OPPOSED SURTAX EXTENSION

I voted against the extension of the 10 per cent surtax, both in Committee and on the House Floor. I opposed its enactment a year ago and I think its failure to abate the ills of the economy proves that I was right. I believe that its continuation simply prolongs an evil, while diverting us from attention to the economy's real problems. It was promised last year that the surtax would halt inflation. The inflationary spiral has been soaring ever since. It was promised last year that the surtax would hold down interest rates. They have been skyrocketing ever since. There is reason to believe that the surtax will continue to fuel inflation if it is extended. The record supports this conclusion.

The inflation we suffer is not consumer-created. There is no shortage of supplies. There is no consumer over-indulgence. It was created by our involvement in Vietnam and by the mismanagement of our fiscal affairs. Neither of these factors can be cleared up as long as we resort to the lazy economics of the surtax.

TAX REFORM: LOOPHOLES SHOULD BE CLOSED

What Congress must do to fight inflation is to give priority to plugging existing tax loopholes. Too many Americans now pay nothing or too little in taxes. We should have meaningful tax reform in the areas of oil depletion allowance, capital gains, tax-exempt bonds, accelerated depreciation, and charitable gifts. I have called for a fairer distribution of the tax burden along these lines, and I am hopeful my Committee will soon complete work on a just and equitable bill. Certainly tax reform is long overdue, and I favor the closing of the loopholes through which billions escape the U.S. Treasury each year.

WE MUST GIVE TAX RELIEF TO LOW AND MIDDLE INCOME WAGE EARNERS

As a member of the Ways and Means Committee, which is responsible for writing all of Congress' tax legislation, I have had a unique opportunity to study our taxing system. I have been shocked at the presence of special privilege in tax-paying. I have been appalled at how the hardest workers of our society—the low and middle income wage earners—carry proportionately more than their fair share of the tax burden.

During the extensive hearings of my Committee on overall tax reform, I have stressed the need to raise the personal income tax exemption from the present pitifully low $600 per person to at least $1000. The personal income tax exemption has not been revised since 1948, though the consumer price index has risen by almost fifty per cent since that time. I have also proposed legislation to exempt pensions and annuities of our senior citizens from income taxation, and I have called for the removal of the limitation on earnings of persons receiving Social Security benefits. These are some of the areas where tax relief is most needed.

It is clear to me from the mail I have received and from the talks I have had with the men and women I represent in my 22nd Congressional District that the financial squeeze is on—and that it has begun to hurt. Prices have been rising relentlessly, while wages have fallen significantly behind, and the people of low and moderate income are caught painfully in the middle. I intend to continue my fight in Congress for *tax relief* along with *tax reform*.

MIRV TESTING AND THE NUCLEAR WEAPONS TESTING MORATORIUM

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. BINGHAM. Mr. Speaker, the Foreign Affairs Committee's Subcommittee on National Security and Scientific Developments began hearings on July 8 on proposals to suspend testing of MIRV's. Those hearings, ably conducted by the gentleman from Wisconsin (Mr. ZABLOCKI) are of utmost importance. Over a hundred Members of the House and more than 40 Senators are convinced, as I am, that immediate suspension of MIRV testing is necessary if the proposed SALT talks are to have any chance of success.

In my testimony before the subcommittee, I stressed the fact that successful United States-Soviet arms control agreements have been preceded by periods of voluntary self-restraint by both sides. I gave as much historical evidence for that assertion as time would allow. I wish now to bolster the evidence by inserting into the RECORD an excellent research document, prepared by the staff of the U.S. Arms Control and Disarmament Agency. The document presents the history of nuclear testing moratoria between 1958 and 1963. It clearly indicates that negotiations for the Nuclear Test Ban Treaty of 1963 were facilitated by voluntary, independent cessation of nuclear testing by the United States and the Soviets. Once both sides proved their sincerity by stopping the objectionable activity, an agreement to formalize and perpetuate the moratorium was possible.

Because I think similar restraint is necessary if the SALT talks are to succeed, and so that my colleagues can study the model provided by the nuclear test moratorium, I include the attached document in the RECORD:

THE QUESTION OF A MORATORIUM ON NUCLEAR WEAPON TESTS, 1958–63

INTRODUCTION AND SUMMARY

As used in the test-ban negotiations, the term *moratorium* has two meanings: (1) informal undertakings by states to refrain from testing during treaty negotiations, and (2) a proposed arrangement to suspend subthreshold underground tests during a seismic research program.

In March 1958, immediately after an intensive series of nuclear weapon tests, the Soviet Union unilaterally suspended its testing and invited the United States and the United Kingdom to take similar action. They refused to do so and carried out previously planned tests. The Soviet Union then resumed testing and continued its new series until November 3, 1958, shortly after the Geneva Conference on the Discontinuance of Nuclear Weapon Tests began its deliberations.

Meanwhile, the United States and the United Kingdom had announced in August their willingness to suspend tests for one year, starting on October 31, when the Geneva Conference convened. President Eisenhower stated on November 7 that the Soviet tests of November 1 and 3 had freed the United States from its pledge, but he added, "However, we shall continue suspension of such tests for the time being, and we understand that the United Kingdom will do likewise. We hope that the Soviet Union will also do so." No further Soviet tests were announced until 1961, when the Soviet Union openly resumed testing.

In August 1959 the United States declared that it would not test during the remainder of the year, and the United Kingdom stated that it would not test as long as useful discussions continued at Geneva. The Soviet Government pledged that it would not test unless the Western powers resumed testing.

On December 29 President Eisenhower stated that the "voluntary moratorium" would be allowed to expire on December 31 but that the United States would give advance notice if it decided to resume testing. Even after the Eisenhower statement, Premier Khrushchev repeated the previous Soviet pledge not to be the first to resume tests.

The French were opposed to a test-ban agreement not linked with nuclear disarmament and began testing in 1960. By April 1961 they had made four tests. The Soviet Union critized the French tests and on May 15 the Soviet Government declared that the "continuance of nuclear weapon tests by France places the Soviet Union in a situation which may compel it to resume atomic and hydrogen bomb tests." There were no further French tests before the Soviet Union on August 30 announced that it was resuming testing.

This summary shows that the "moratorium" observed by the three negotiating nations during the period 1958–1961 was not a formal agreement but a *de facto* suspension of tests. It shows that the United States from the beginning of 1960 no longer considered itself bound by a pledge to refrain from testing but only by a promise to make an announcement if it decided to resume tests. It shows also that the Soviet Union was the first of the three negotiating nations actually to resume nuclear testing.

The subthreshold moratorium was proposed by the Soviet Union in March 1960, in response to an American proposal for a treaty covering underground tests only above a threshold of seismic magnitude 4.75. The United States and the United Kingdom accepted the moratorium in principle. They proposed, and the Soviet Union agreed, to initiate the moratorium by means of parallel declarations by the three governments. The declarations would not be part of the test-ban treaty itself, for the United States did not wish to make a treaty commitment not

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to test in an environment where verification was not considered to be effective.

Linked with the subthreshold moratorium was a research program that the United States had proposed in order to increase the seismic capabilities of the control system so that the threshold could eventually be lowered or abolished. By the time the Soviet Union resumed testing in 1961, the positions of the two sides on the moratorium were as follows: The United States wanted the moratorium to last for three years, starting when the treaty was signed. During this period the research program would be conducted and its results evaluated. The United States also proposed a plan for an international scientific review of the technical capabilities of the control system, so that the treaty could be readily amended to lower or eliminate the threshold if facts warranted. But the United States was not willing to commit itself to continue the moratorium or to eliminate the threshold until the results of the research program were known. The Soviet Union, on the other hand, insisted that the moratorium should last four or five years and not be allowed to expire at the end of that time.

The subthreshold moratorium was little discussed after the Soviet Union resumed testing. On November 28, 1961, the Soviets radically changed their entire position and submitted a proposal that completely eliminated the threshold. The United States was now able to carry out its own seismic research program, and the program produced new scientific findings that made it possible to do away with the threshold. The United States offered to eliminate the threshold in March 1962, and the Anglo-American comprehensive draft treaty of August 27, 1962, had no threshold. After that the subthreshold moratorium was no longer an issue.

There have been various moves since the Soviet resumption of tests to suspend testing during negotiations, and the United States has opposed them all. At the 16th General Assembly the majority put through an Indian resolution calling for test suspension during renewed treaty negotiations. All the nuclear powers opposed this resolution. The Soviet Union, however, after completing its test series, called for a new moratorium on November 28, 1961. The United States promptly rejected this proposal on the grounds that the previous moratorium had been a failure. It also turned down an Indian proposal of April 12, 1962, which the Soviet Union had accepted. This proposal, made shortly before the United States resumed atmospheric testing, was favored by the new members of the Eighteen Nation Disarmament Committee.

The question of test suspension took a different turn in August 1962, when the United States and the United Kingdom tabled their draft treaty for a test ban in the atmosphere, underwater, and in outer space. The Soviet Union refused to accept the treaty unless the West agreed to an additional understanding that no underground tests would be conducted until a permanent agreement was reached. The United States regarded this proposal as another call for an unpoliced moratorium and quickly rejected it.

A General Assembly resolution of November 6, 1962, contained two key paragraphs on the suspension of testing. One, resulting from a previous Mexican proposal, called for a halt to tests by January 1, 1963. This paragraph was supported by the Soviet Union, which used it as an excuse for another appeal for an indefinite and informal suspension of tests. It was opposed by the United States because it might be construed as a new moratorium. Another paragraph urged the powers to conclude an interim arrangement with adequate verification if definitive agreement proved impossible. The Soviet Union opposed this paragraph, but this provision won wide support from the Western powers and the eight new members of the Eighteen Nation Disarmament Committee. The Soviet Union rejected a Swedish proposal designed to implement this kind of interim arrangement, and the United States turned down a Soviet move for a new moratorium.

In an address of June 10, 1963, President Kennedy declared that the United States would not conduct nuclear tests in the atmosphere so long as other states did not engage in atmospheric tests. He added that the declaration was no substitute for a treaty, but hoped that it would facilitate conclusion of a treaty. The United States has for some time taken the position that existing methods of detection are adequate to monitor atmospheric testing.

DE FACTO SUSPENSION OF TESTS, 1958–61

The first state to suspend nuclear tests was the Soviet Union. On March 31, 1958, soon after the Soviet Union had carried out an intensive series of nuclear weapon tests, the Supreme Soviet passed a decree discontinuing tests and calling on other states to follow suit. The decree added, however, that the Soviet Government would "naturally be free to act" if the other nations did not take similar action.[1] Premier Khrushchev called the decree to the attention of President Eisenhower on April 4 and expressed hope that the United States would join in the Soviet initiative and make possible the permanent cessation of tests.[2] The President replied by proposing a technical experts meeting to study measures for test-ban control.[3] Both the United States and the United Kingdom continued to carry out previously planned testing programs.

In its report of August 21, the Geneva Conference of Experts recommended an agreed control system to monitor a test-ban agreement covering all environments except outer space.[4] On the next day President Eisenhower announced that the United States was prepared to negotiate an agreement on the basis of the experts' report and, unless the Soviet Union resumed testing, to suspend nuclear weapon tests for a period of one year from the beginning of negotiations.[5] The British Government also said that it was willing to refrain from tests for a period of one year after negotiations began, and it added that it would "refrain from nuclear tests thereafter for further successive periods of one year provided that the Soviet Union will do the same, and that satisfactory progress has been made toward the installation of an effective system of international control . . ." [6]

Interviewed by *Pravda* on August 29, Premier Khrushchev attacked the United States and the United Kingdom for refusing to agree to an immediate and permanent test ban and for linking the continuation of any test-ban agreement to progress on other disarmament measures. He also declared that continued American and British testing after the Soviet decree released the USSR from its unilateral obligations.[7]

The Soviet Union resumed testing in September and carried out an extensive series. On October 30, the day before the Conference on the Discontinuance of Nuclear Weapon Tests was scheduled to open in Geneva, the Soviet Government issued a statement defending its action and claiming a right to make still more tests if the Western powers refused to conclude an agreement on Soviet terms:

"The position of the Western Powers, which do not agree to an immediate unconditional termination of nuclear weapons tests and are carrying out atomic and hydrogen bomb explosions on an ever-increasing scale, has already compelled the Soviet Union to resume nuclear testing to ensure its security. The action of the Western Powers gives the Soviet Union a full right to continue test explosions in a one-to-one ratio to the number of explosions carried out by the United States and the United Kingdom together, until the number of explosions set off in the Soviet Union since the resumption of testing equals that of nuclear test explosions staged by these Powers since 31 March 1958." [8]

Soviet tests were detected on November 1 and 3, after the Geneva Conference began. On November 4 the General Assembly approved a resolution urging the parties involved in the negotiations not to test while the negotiations were in progress.[9] The President said on November 7 that the Soviet Union was continuing testing in face of the General Assembly resolution and that the Soviet action relieved the United States "from any obligation under its offer to suspend nuclear weapons tests." However, he continued, the United States would continue suspension "for the time being" and hoped that the Soviet Union would also suspend testing. If the Soviets did not do so, the United States would be "obliged to reconsider its position." [10] No further Soviet tests were announced until 1961, when the Soviet Union openly resumed testing.

The Department of State announced on August 26, 1959, one year after the President's first statement, that the United States would continue its unilateral suspension of tests for the remainder of 1959.[11] The British Foreign Office stated on August 27 that the United Kingdom would not test as long as useful discussions for a test ban continued at Geneva.[12] On August 28 the Soviet Government announced the following decision:

"The Council of Ministers of the USSR has resolved: Not to resume nuclear tests in the Soviet Union if the Western Powers do not resume the testing of atomic and hydrogen weapons. Only in case of resumption by them of nuclear weapons tests will the Soviet Union be free from this pledge. The Soviet Union will continue the struggle for the complete cessation of nuclear weapons tests, regarding this as an important step toward stopping the nuclear arms race and averting the threat to the life and heatlh of millions of people." [13]

The French were planning to test for the first time, and they refused to follow the example of the nuclear powers. Jules Moch, the French representative, told the First Committee of the General Assembly on October 20, 1958, that France would not abandon her nuclear program unless the powers possessing nuclear weapons ceased to increase and began to decrease their stockpiles.[14] Foreign Minister Couve de Murville took the same position in an address of September 30, 1959, to the General Assembly and added that the nuclear powers should also agree to a ban on possession and use of nuclear weapons.[15]

The French plans explain the positions adopted by the powers at the 14th General Assembly, where Morocco placed the question of French tests on the agenda.[16] Over American and British opposition, the General Assembly approved a resolution requesting France to refrain from conducting tests in the Sahara. The Soviet Union supported this resolution.[17] The United States, the United Kingdom, and the Soviet Union supported a resolution of November 21, 1959, urging the states concerned in the negotiations "to continue their present voluntary discontinuance of the testing of nuclear weapons," but the United States and the United Kingdom opposed an appeal to other states to desist from testing, endorsed in the second part of the same resolution.[18]

Meanwhile, the negotiations dragged on at Geneva, and the report of Technical Working Group II on seismic problems showed Western and Soviet experts sharply split on the problem of detecting and identifying underground tests.[19] President Eisenhower stated on December 29 that negotiations would continue even though the position of the "po-

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litically guided Soviet experts" made prospects for agreement dim. He also said that the "moratorium" would be allowed to expire:

"We will resume negotiations in a continuing spirit of seeking to reach a safeguarded agreement. In the meantime, the voluntary moratorium on testing will expire on December 31.

"Although we consider ourselves free to resume nuclear weapons testing, we shall not resume nuclear weapons tests without announcing our intention in advance of any resumption. During the period of voluntary suspension of nuclear weapons tests the United States will continue its active program of weapons research, development and laboratory-type experimentation." [20]

Premier Khrushchev told an Argentine journalist on the next day that the USSR would not resume testing unless the Western powers did so.[21] He was more explicit in an address of January 14, 1960, to the Supreme Soviet. After citing the recent General Assembly resolutions, he declared:

"I would like to reemphasize that the Soviet Government, with a view to safeguarding the most favorable conditions for the working out in the very near future of an agreement on the discontinuation of tests, will continue to abide by its pledge not to renew experimental nuclear explosions in the Soviet Union if the Western powers do not start testing atomic and hydrogen weapons." [22]

The Soviet Union from time to time warned about the French tests. On February 13, 1960, Tass deplored the first French test and warned:

"If nuclear explosions should continue, the Soviet Government naturally will not be able to overlook it nor fail to draw the proper conclusions for the sake of safeguarding its country's security." [23]

On December 19 Assistant Secretary of State Wilcox told the First Committee of the General Assembly that the President's 1959 statement still represented American policy and expressed concern that the moratorium might be considered a substitute for a treaty:

"My government is frankly concerned over the possibility that an indefinite extension of the voluntary suspension on nuclear testing may come to be regarded as an acceptable alternative to the achievement of a safeguarded agreement on nuclear testing. The United States does not wish to encourage any such belief . . ." [24]

On the next day the General Assembly, with the United States and France abstaining, approved two resolutions urging the states concerned in the Geneva negotiations to continue their voluntary suspension of tests. The second resolution also requested other states to refrain from testing. The Soviet Union and the United Kingdom supported both resolutions.[25]

So far the Soviet Union had not raised the question of French tests at Geneva. On March 21, 1961, Ambassador Tsarapkin attacked the French tests for the first time and warned that continuing French tests would make it "much more difficult to reach agreement." He accused the United States and the United Kingdom of dragging out the negotiations while France, as a NATO member, carried out "for other members of this military group—in other words on behalf of the United States and the United Kingdom—definite work in connection with the improvement of nuclear weapons and perhaps even the creation of new types of weapons." [26]

The French tested again on April 25. On May 15 Ambassador Tsarapkin read into the conference record a statement by the Soviet Government including the following warning:

"The continuance of nuclear weapon tests by France places the Soviet Union in a situation which may compel it to resume atomic and hydrogen bomb tests.

"The Soviet Government considers itself in duty bound to point out that if any member of the association of Western Powers continues in future to carry out nuclear weapon tests, agreement on the cessation of such tests will become impossible. It goes without saying that the responsibility for this will rest with the Western Powers." [27]

There were no further French tests before August 30, when the Soviet Union announced its decision to resume testing and brought the three-year moratorium to an abrupt end.[28]

PROPOSED MORATORIUM ON SUBTHRESHOLD UNDERGROUND TESTS 1960–62

The divided report of Technical Working Group II on seismic problems meant that there was radical disagreement between the two sides on the problem of controlling a ban on underground tests, the Soviet Union maintaining that the findings of the Geneva experts of 1958 were still valid, while the Western powers held that they required major revision in the light of new data and that much research was necessary on seismic control problems. In this situation, the United States initiated a phased treaty proposal. On February 11, 1960, Ambassador Wadsworth submitted the new proposal at Geneva. In the first phase, the treaty would cover the atmosphere, underwater, and outer space (to the "greatest height with respect to which agreement can be reached on the installation of effective controls"). The first phase would also cover underground tests above a threshold of seismic magnitude 4.75. Ambassador Wadsworth explained that the Geneva control post network and 20 on-site inspections a year in the Soviet Union would be adequate to monitor a ban on tests above the threshold. At the same time, he hoped that other nations would join the United States in a program of seismic research that would permit the progressive lowering of the threshold as improved techniques of detection and identification were found.[29]

On March 19 Ambassador Tsarapkin agreed to the phased-treaty approach and said that the Soviet Union would conclude a treaty stopping tests in the atmosphere, underwater, in outer space, and underground above the threshold. The Soviet Union was also willing to agree to a joint seismic research program, "on the understanding that all parties to the treaty assume at the same time the obligation not to carry out during that period any nuclear weapon tests producing seismic oscillations of magnitude 4.75 conventional units or below." [30]

What would happen to the moratorium on tests below the threshold if the joint research program did not succeed? Ambassador Tsarapkin was quick to say that parties would not be released from their obligations:

"We consider that, if for any reason it so happened that your specialists and our specialists, working together within the control organization or control system—we do not admit the possibility, but if we took as pessimistic a view of the matter as you do—failed after four or five years to work out together improved methods of detecting and identifying seismic events below the United States figure of threshold magnitude, that fact should not automatically release the parties to the treaty from their obligations regarding the moratorium and should not mean that the treaty would terminate or be liquidated. No. If such a situation ever did arise—and we consider it highly unlikely—then the Governments concerned would have to discuss the situation created and agree on further measures in connexion with it." [31]

In a joint communiqué of March 39, President Eisenhower and Prime Minister Macmillan announced that they would be ready, when the test-ban treaty was signed, "to institute a voluntary moratorium of agreed duration on nuclear weapons tests below that threshold, to be accomplished by unilateral declaration of each of the three powers." [32]

On May 3, the Soviet Union again stated that the moratorium should last for four or five years. It attached "exceptional importance" to reaching agreement on the duration of the moratorium and pressed its demand that "at the expiration of the moratorium the sides should not be automatically released from their obligations under it." The moratorium would, of course, lapse automatically if agreed control measures made it possible to eliminate the threshold and make the treaty comprehensive. Otherwise, the Soviet statement declared:

"But another situation may arise if, by the time of expiration of the agreed term of the moratorium, the joint research has not yet been terminated by an agreement on concerted measures for increasing the effectiveness of control over minor underground nuclear explosions. Should this happen the situation thus created would have to be considered by the interested States. The occurrence of such a situation must on no account lead to an automatic release from obligations under the moratorium and to a renewal of underground atomic weapons tests." [33]

After the U–2 incident the Soviet Union rescinded its previous offer to participate in a coordinated seismic research program, while the United States made it clear that it intended to carry out its own research even if the Soviet Union persisted in this attitude. The United States also indicated that it might begin its program before the treaty was signed. On September 27 Charles C. Stelle, the acting United States representative, proposed that the moratorium "should become effective, upon the signature of our treaty, for such period as then still remains of the two-year seismic research programme, plus a period of three months to review the results of that programme." He held that it was important to keep the moratorium short:

"A moratorium by its very nature, however, runs contrary to the principle we all claim to accept—namely, that there be no disarmament obligations without controls. Hence, it must be kept as short as possible, consistent with the time needed for the research purposes during which it will be in effect." [34]

Ambassador Tsarapkin attacked the United States for planning to start the research program before the treaty was signed and for shortening the length of the moratorium. He reiterated the previous Soviet position and added that four or five years would give time for the treaty control system to come into operation.[35] In reply, Ambassador Stelle stressed that the United States could not agree to automatic continuation of the moratorium and that governments must remain free to assess the results of the research program and to "decide on the basis of these results whether the moratorium should be changed or abolished after the review period." [36]

The United States changed its position on March 21, 1961, when Ambassador Dean offered to have the research program begin when the treaty was signed. The research program and the moratorium would be coterminous and last for three years, the last few months being used for consultations between governments.[37]

The Soviet position did not change. At their Vienna meeting, Premier Khrushchev handed President Kennedy an aide-memoire stating:

"It goes without saying that the agreement on a moratorium must be of such a nature that no nation could violate it arbitrarily and resume test explosions of nuclear bombs. In view of this the Soviet Government is firmly convinced that the expiration of the moratorium, an agreement on which would be reached by the parties concerned, should not absolve nations of their commitments not to hold underground explosions." [38]

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A note of June 17 from the American Embassy to the Soviet Foreign Ministry made the following reply:

"The United States is at a loss to understand the Soviet position on the moratorium on small underground tests. It has been clear that under the present state of scientific knowledge the type of control system contemplated in the treaty could not be relied upon for determining whether or not such tests had taken place . . ." [39]

The Soviet rejoinder struck a strident note:

"[The United States] is not interested in honest agreement on a treaty which would end nuclear tests for all time, but is looking for all sorts of loopholes to bypass the treaty and turn it into a scrap of paper. Is this not proved by the fact that the United States, trying to impose such a treaty, demands that the abstention from underground tests of low-yield atomic bombs—the so-called moratorium on these explosions—should be established only for three years? But what meaning would there be in a agreement on a moratorium such as that proposed by the United States? The result would in fact be that the territory of the USSR would be placed under control and in three years the United States would be able, on some artificial pretext, to resume nuclear weapon tests. It is clear to everyone that under these conditions control over the discontinuance of nuclear tests would turn completely into a collection of information by spying." [40]

The United States still endeavored to find ways of meeting Soviet objections on this score. On August 28 Ambassador Dean advanced two alternative proposals:

(1) *A proposal for reducing or eliminating the threshold at the end of the moratorium.* Six months before the moratorium expired, a panel of scientists from the 11 nations represented on the control commission would review the results of the research program. They would recommend improvements in the control system, give scientific estimates of the capabilities of the system, and make recommendations on the lowering or abolition of the threshold. The control commission could then recommend treaty amendments under the procedure provided in the Anglo-American draft treaty.

(2) *A proposal for immediately reducing or eliminating the threshold.* If the Soviet Union agreed to reexamine the Geneva system, ways might be found to improve its scientific capabilities at the outset and thus lower or remove the threshold.[41] The Soviet Union, without pausing to consider these proposals, announced resumption of testing two days later.

The United States went even farther when the Eighteen Nation Disarmament Committee negotiations began in Geneva. On March 15, 1962, Ambassador Dean gave Ambassador Tsarapkin an aide-memoire proposing certain changes in the Anglo-American draft treaty, including "provisions to make the treaty comprehensive from the outset," i.e., removal of the threshold.[42] There would be no need, of course, for a moratorium if a comprehensive treaty could be concluded. The Soviet Union refused to sign the draft treaty with or without amendments, and the United States did not introduce any formal treaty language embodying the new proposals. Threshold and moratorium were definitely dropped on August 27, 1962, when the United States and the United Kingdom tabled a new comprehensive draft treaty.[43]

PROPOSALS FOR THE INFORMAL SUSPENSION OF TESTS, 1961–63

After the Soviet resumption of testing, President Kennedy ordered resumption of underground tests.[44] He joined Prime Minister Macmillan in an appeal to Premier Khrushchev to conclude an agreement banning tests in the atmosphere.[45] This was apparently intended to be a formal agreement. In an interview of September 5, 1961, with Cyrus Sulzberger of the *New York Times,* Premier Khrushchev opposed the Kennedy-Macmillan offer and made this comment on Sulzberger's inquiry regarding a new moratorium:

"The chief danger now facing mankind is the danger of thermonuclear war, and it would not be lifted as the result of a moratorium to suspend tests. Moreover, I would say this would in some way be tantamount to lulling public opinion, lulling man's vigilance. People would think something had been done to prevent war, while in fact nothing was being done and, on the contrary, the military machine would go on working at full blast . . ." [46]

He formally rejected the offer on September 9.[47]

In spite of the Soviet resumption of testing and the collapse of the moratorium, India and many other countries strongly advocated a new General Assembly appeal to refrain from testing. The Indian proposal was opposed by both the United States and the Soviet Union, for different reasons. On October 19 Ambassador Stevenson said in the First Committee of the General Assembly:

"The world now knows from bitter experience that an uninspected moratorium will not secure the results which the sponsors of the resolution seek . . .

"And no doubt, when the present sequence of tests reaches its cataclysmic conclusion, the Soviet Union will piously join in the movement for an uninspected moratorium. Let us be absolutely clear what an uninspected moratorium means. A moratorium serves the cause neither of peace nor of international collaboration, nor of confidence among nations. We were all in this trap before. We cannot afford to enter it again. The United States will not do so." [48]

The Indian resolution was approved by the General Assembly on November 6, over the objections of the four nuclear nations. In its final form, it urged "the States concerned to refrain from further test explosions pending the conclusion of necessary internationally binding agreements in regard to tests." [49]

As Ambassador Stevenson had predicted, the Soviet Union did not wait long before proposing a new moratorium. When the Geneva Conference reconvened on November 28, the Western powers were confronted with a new Soviet proposal:

"It goes without saying that an agreement by all nuclear States not to conduct any kind of nuclear tests while the negotiations are going on would contribute to the success of the negotiations. The Soviet Government, although it has carried out considerably fewer nuclear weapon tests than the United States, the United Kingdom and France, is nevertheless prepared to give such an undertaking, if the other States do likewise.

"Obviously, if any of the Western Powers, including France, start to carry out nuclear tests, then the Soviet Union will again be confronted with the necessity of drawing the appropriate conclusions." [50]

The United States immediately rejected the proposed moratorium. Ambassador Dean said on November 28 that there was "naturally no chance whatsoever . . . of any pre-treaty commitment by the United States not to conduct any nuclear tests of any character in any environment which it deems essential for the national security of itself and its associates." [51]

At the same time, the Soviet Union submitted a short draft agreement calling for a ban on tests in the atmosphere, underwater, and in outer space—where the Soviets held national means of detection to be adequate—and an undertaking by the parties "not to conduct any underground tests of nuclear weapons until they have agreed together on a system of control over such tests as a constituent part of an international system of control over compliance with an agreement on general and complete disarmament." [52] This was a proposal for a formal agreement but it resembled a moratorium by imposing an immediate obligation and deferring controls to a later date. The United States and the United Kingdom turned down the proposal on January 16, 1962, on the ground that it did not provide adequate controls.[53] The sincerety of the Soviet allusion to deferred controls on underground testing appeared questionable, since by the time the Eighteen Nation Disarmament Committee met in March 1962 the USSR was taking the position that national means of detection were entirely adequate for monitoring a ban on underground tests.[54]

In an address of March 2, 1962, President Kennedy announced his decision to order the resumption of American atmospheric tests in April, if the Soviet Union continued to reject a test-ban treaty with effective controls. He reiterated American opposition to a new moratorium:

"We know enough now about broken negotiations, secret preparations, and the advantages gained from a long test series never to offer again an uninspected moratorium. Some may urge us to try it again, keeping our preparations to test in a constant state of readiness. But in actual practice, particularly in a society of free choice, we cannot keep topflight scientists concentrating on the preparation of an experiment which may or may not take place on an uncertain date in the future." [55]

The eight new members of the Eighteen Nation Disarmament Committee and Canada had supported the Indian resolution, and they still hoped that the nuclear powers might agree to refrain from testing during negotiations. On April 12 India appealed to the states concerned "not to resume tests during the pendency of this Conference" and was supported by Burma, Sweden, and the U.A.R. Sympathetic statements were also made by the representatives of Mexico, Brazil, Nigeria, and Canada.[56] Ambassador Zorin immediately renewed the Soviet offer of November 28, 1961, not to test while negotiations were going on.[57]

The Department of State called the Soviet statement "another unfortunate effort to substitute paper pledges for guaranteed agreements" and made it clear that the United States would not subscribe to another "unpoliced moratorium":

"The United States does not intend to place its security and the security of its allies at the mercy of Soviet on-again-off-again tactics. We are ready to conclude an effective test ban agreement now. But we cannot be led into another paper pledge which, far from guaranteeing a halt to nuclear testing, would only give rise to a false sense of security and provide yet another opportunity for the Soviet Union to prepare in secret for its own nuclear testing." [58]

On August 27, 1962, the United States and the United Kingdom tabled two alternative test-ban proposals. The first, a comprehensive draft treaty banning tests in all environments, provided for a simplified system of international control.[59] The second banned tests only in the atmosphere, underwater, and outer space and relied entirely on existing means of detection.[60]

The Soviet Union immediately rejected the comprehensive draft treaty as a revamped edition of the 1961 Anglo-American proposal, and it claimed that the partial treaty would give the United States a unilateral advantage since the Americans were ahead in underground testing. First Deputy Foreign Minister Kuznetsov suggested that the partial ban be supplemented with an undertaking not to test underground:

"We propose to the Western Powers that we reach agreement to put an end to all nuclear weapon tests in any environment. The Soviet Union is prepared to approach this question from the most constructive

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Footnotes at end of article.

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standpoint and to take into account all the useful considerations which have been put forward by various delegations in the course of the discussion. Accordingly, we are prepared to envisage distinctions in the nature of a solution which could be adopted immediately—in regard to the tests in the atmosphere, in outer space and underwater, on the one hand, and to tests in the bowels of the earth, on the other. It might be possible to reach agreement that all tests are to cease simultaneously . . . but in regard to nuclear tests in the atmosphere, in outer space and under water the solution would be of a definitive nature, whereas in regard to underground tests it would be in the nature of an understanding which would remain in force until it was replaced by a permanent solution. And in order to find such a permanent solution of the question of the cessation of underground nuclear tests we have a sound basis—the memorandum of the eight non-aligned States." [61]

Ambassador Stelle agreed that underground tests had real significance:

"But it is for that very reason that we cannot accept a comprehensive treaty including an obligation not to test underground without on-site inspection to see that the obligation is actually being observed. And it is for the same reason that we cannot in a partial treaty accept a moratorium in any guise on underground tests." [62]

First Deputy Foreign Minister Kuznetsov repeated his proposal on September 3 and defended Soviet actions in regard to the moratorium:

"There never was, unfortunately, any agreement between the nuclear Powers for a moratorium on underground or any other kind of nuclear weapon tests. The representatives of the United States and the United Kingdom know that quite well. Neither in 1961 nor earlier did the nuclear Powers conclude any international agreement binding them to refrain from conducting nuclear weapon tests. Consequently, there are no grounds for asserting that the Soviet Union allegedly violated some sort of agreement with the Western Powers for a moratorium on experimental nuclear explosions."

And he cited President Eisenhower's statement of December 27, 1959, to support his position.[63]

Other members of the Eighteen Nation Disarmament Committee also showed interest in some kind of undertaking to stop underground tests, although some of them tried to avoid the word "moratorium." The Burmese representative admitted on September 3 that an unconditional moratorium on underground tests was a "double-edged weapon" and probably would not last. At the same time, he proposed that the heads of government of the nuclear powers publicly assume responsibility for assuring that no underground tests were conducted and agree to the immediate establishment of an international scientific commission, as Sweden had previously proposed.[64] The Nigerian representative had already said that "only a moratorium" could keep other powers from testing, but he now denied that he had proposed an "uncontrolled, unpoliced and unmonitored moratorium." [65] The U.A.R. representative expressed interest in the Burmese suggestion.[66]

In the meantime, the Committee was discussing a possible deadline on nuclear testing. The idea was first suggested by Padilla Nervo, the Mexican representative, on May 9, when he said that it was increasingly urgent to set a date immediately when testing should cease. Otherwise, both sides would always be discovering "reasons of military balance" to justify renewed tests.[67] He later suggested that the date might be January 1963.[68]

On August 29 First Deputy Foreign Minister Kuznetsov said that the Mexican deadline was "worth considering."[69] President Kennedy immediately commented that January 1, 1963, was a reasonable target date and proposed accelerated negotiations to attain it. But this did not mean that the United States had changed its position on the moratorium:

"Gentlemen's agreements and moratoria do not provide the types of guarantees that are necessary. They do not give assurance against an abrupt renewal of testing by unilateral action. This is the lesson of the Soviet Government's tragic decision to renew testing just a year ago. Nor can such informal arrangements give any assurance against secret underground testing." [70]

The January 1, 1963, deadline was embodied in a 37-power draft resolution submitted to the First Committee of the General Assembly. The United States hoped, as the President had said, that a treaty could be concluded by that date. However, it opposed this provision of the 37-power resolution on the ground that it might encourage states to refuse to accept an effective verification system. On October 26 Ambassador Dean warned the First Committee that the United States would not agree to a moratorium:

"The United States opposes, and cannot accept, any unverified moratorium on nuclear tests.

"Specifically—

"One, the United States will not accept or negotiate about an uncontrolled moratorium on all nuclear weapon tests in all environments.

"Two, the United States will not accept or ngeotiate about an uncontrolled moratorium on underground nuclear weapon tests in connexion with an agreed ban on nuclear weapon tests in other environments.

"Third, the United States will stop all tests the day a treaty containing necessary verification arrangements . . . is signed. We sincerely hope this could be accomplished by 1 January 1963.

"Fourth, the United States will vote against any provision for an unverified, uncontrolled moratorium. Passage of such a provision could have only one effect: to postpone the day when all tests are ended forever."

He stated that the previous moratorium had not helped negotiations or ended tests and that Soviet resumption of testing "destroyed any chance whatsoever that a moratorium solution to the problem of nuclear testing would be acceptable to the United States." [71]

The paragraph on the deadline was adopted by a large majority, including the Soviet Union. The United States and the United Kingdom voted against this paragraph.[72]

Another key provision of the 37-power resolution was the sixth paragraph, which recommended:

"If, against all hope, the parties concerned do not reach agreement on the cessation of all tests by 1 January 1963, they should enter into an immediate agreement prohibiting nuclear weapon tests in the atmosphere, in outer space and under water, accompanied by an interim arrangement suspending all underground tests, taking as a basic the eight-nation memorandum and taking into consideration other proposals presented at the seventeenth session of the General Assembly, such interim agreement to include adequate assurances for effective detection and identification of seismic events by an international scientific commission." [73]

This paragraph was supported by the United States, the United Kingdom, and 7 of the 8 new members of the Eighteen Nation Disarmament Committee. It was opposed only by the Soviet bloc.[74] It was the first proposal for an interim arrangement with international verification. When the Eighteen Nation Disarmament Committee reconvened, a Swedish move to implement the proposal won wide support but was quickly rejected by the Soviet Union.[75]

The Soviet Union was unable to win support for a new moratorium. Ambassador Tsarapkin announced on December 7 that the Soviet Union was prepared to stop all tests on January 1 and asked whether the United States and the United Kingdom were willing to take similar action.[76] Ambassador Dean immediately replied that the United States would not accept "another uninspected, uncontrolled moratorium on underground tests . . . We have had a sad and unfortunate experience with such unilateral obligations in the past, even though undertaken by the highest authority in the Soviet Union, and we do not intend to repeat that sad experience." [77]

In January 1963, following an exchange of letters between President Kennedy and Premier Khrushchev, high-level diplomatic talks on the test-ban question took place with the Soviet Union. President Kennedy stated on January 26 that he had asked the Atomic Energy Commission to postpone underground tests during the talks, but added that the United States still opposed a moratorium:

"We are maintaining the capability and readiness to resume our test program at any time. We have no intention of again accepting an indefinite moratorium on testing, and if it is clear we cannot achieve a workable agreement we will act accordingly." [78]

In June 1963 the United States, the United Kingdom and the Soviet Union agreed to hold high-level test-ban discussions in Moscow. In an address of June 10 the President announced that the United States was indefinitely suspending atmospheric tests:

"To make clear our good faith and solemn convictions on the matter, I now declare that the United States does not propose to conduct nuclear tests in the atmosphere so long as other states do not do so. We will not be the first to resume. Such a declaration is no substitute for a formal binding treaty, but I hope it will help us achieve one." [79]

FOOTNOTES

[1] *Documents on Disarmament, 1945–1959* vol. II, pp. 978–980.

[2] *Ibid.*, pp. 980–982.

[3] *Ibid.*, pp. 983–985.

[4] *Ibid.*, pp. 1090–1111.

[5] *Ibid.*, pp. 1111–1112.

[6] *Ibid.*, pp. 1112–1113.

[7] *Ibid.*, pp. 1114–1120. The U.S. and U.K. dropped the "link" with disarmament in January 1959.

[8] *Ibid.*, pp. 1208–1213.

[9] *Ibid.*, p. 1215.

[10] *Ibid.*, p. 1221.

[11] *Ibid.*, pp. 1439–1440.

[12] See *New York Times*, Aug. 28, 1959, p. 9.

[13] *Documents on Disarmaments, 1945–1959*, vol. II, pp. 1440–1441.

[14] *Ibid.*, pp. 1188–1189.

[15] *Ibid.*, p. 1486.

[16] *Ibid.*, pp. 1487–1488.

[17] Cf. *ibid.*, pp. 1546–1547.

[18] *Ibid.*, pp. 1548–1549.

[19] *Ibid.*, pp. 1558–1587.

[20] *Ibid.*, pp. 1590–1591.

[21] *Ibid.*, p. 1590, vol. I.

[22] *Ibid.*, 1960, pp. 5–6.

[23] *Ibid.*, pp. 39–40.

[24] *Ibid.*, p. 370.

[25] *Ibid.*, p. 374–375.

[26] *Ibid.*, *1961*, pp. 53–54.

[27] *Ibid.*, pp. 147–148.

[28] *Ibid.*, pp. 337–348.

[29] *Ibid.*, *1960*, pp. 33–39.

[30] *Ibid.*, p. 75.

[31] *Ibid.*, pp. 76–77.

[32] *Ibid.*, pp. 77–78.

[33] *Ibid.*, pp. 84–85.

[34] *Ibid.*, pp. 251–253. The Soviet Union continued to insist that its scientists be permitted to participate in the U.S. program, since the U.S. was planning to conduct nuclear explosions for seismic research purposes.

[35] *Ibid.*, pp. 277ff.

[36] *Ibid.*, pp. 335–343.

[37] *Ibid., 1961*, pp. 57–58.
[38] *Ibid.*, pp. 162–163.
[39] *Ibid.*, pp. 193–194.
[40] *Ibid.*, p. 230.
[41] *Ibid.*, pp. 292–302.
[42] *International Negotiations on Ending Nuclear Weapon Tests, September 1961–September 1962*, p. 200.
[43] *Ibid.*, pp. 286–297.
[44] *Documents on Disarmament, 1961*, p. 355.
[45] *Ibid.*, p. 351.
[46] *Ibid.*, p. 356.
[47] *Ibid.*, pp. 384–391.
[48] *Ibid.*, pp. 539, 541.
[49] *Ibid.*, p. 568.
[50] *Ibid.*, p. 663.
[51] *Ibid.*, p. 666.
[52] *Ibid.*, p. 664.
[53] See GEN/DNT/PV. 350, pp. 3–9.
[54] See Premier Khrushchev's election speech of Mar. 16, 1962 (Moscow radio broadcast).
[55] *International Negotiations on Ending Nuclear Weapon Tests, September 1961–September 1962*, p. 199.
[56] See *ibid.*, p. 66.
[57] *Ibid.*, pp. 212–215.
[58] *Ibid.*, p. 216.
[59] *Ibid.*, pp. 286–297.
[60] *Ibid.*, pp. 297–300.
[61] ENDC/PV. 76, pp. 22–23.
[62] *Ibid.*, p. 48.
[63] ENDC/PV. 79, pp. 38–39.
[64] ENDC/PV. 78, pp. 7, 10.
[65] ENDC/PV. 76, p. 43; ENDC/PV. 78, p. 29.
[66] ENDC/PV. 81, p. 47.
[67] ENDC/PV. 34, pp. 16–17.
[68] ENDC/PV. 56, p. 51.
[69] ENDC/PV. 76, p. 23.
[70] *International Negotiations on Ending Nuclear Weapon Tests, September 1961–September 1962*, pp. 312–313.
[71] A/C. 1/PV. 1255, pp. 16–17.
[72] A/PV. 1165 (prov.), p. 55.
[73] A/RES/1762 (XVII), Nov. 7, 1962.
[74] A/PV. 1165 (prov.), pp. 59–60.
[75] See ENDC/PV. 84, pp. 11–23, and ENDC/PV. 86, pp. 25–35.
[76] ENDC/PV. 88, p. 42.
[77] ENDC/PV. 89, p. 9.
[78] *Department of State Bulletin*, Feb. 18, 1963, p. 238.
[79] *Washington Post*, June 11, 1963, p. A16.

OIL DEPLETION ALLOWANCE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. RARICK. Mr. Speaker, the urging of a reduction or the elimination of the oil depletion allowance as a possible reform to the tax program is frequently heard.

Seldom do we hear any rebuttal or explanation why the oil depletion allowance was written in the law. Nor are our colleagues reminded that if current oil production incentives are abolished the lower income group will suffer because of a resulting price increase in petroleum products.

Also, should this investment incentive be restricted, a phasing out of the current oil-exploration operations by the private sector can be expected.

I include the Petty Oil letter of June 28 following these remarks:

PETTY'S OIL LETTER,
WASHINGTON, D.C.,
June 28, 1969.

DEAR SIR: The clear conviction by a large majority of the Federal Power Commission that all current incentives are required by the petroleum industry to find and develop needed additional natural gas reserves is encouraging.

Four of the commissioners have warned Congress that if incentives are cut or eliminated, then consumers will either be forced to pay higher prices for gas, or if prices are held down by FPC, supplies will shrink.

This conviction by four of the five members of the commission (Chairman White, in effect, dissenting) has been sent to Congress by way of a letter in response to sought views of the commission in relationship to current incentives in the tax laws for the natural gas producer.

The four—Bagge, Carver, O'Connor and Brooke—said, in effect, that the 27.5 percent depletion provision and the intangible expensing option permitted now should not be cut or reduced, in view of the grave need to explore for gas to meet burgeoning requirements by consumers.

Since natural gas is produced, primarily, along with oil, their argument against reducing incentives can be applied to crude oil, as well.

But, more than a conviction on tax incentives is required by the members of the FPC if the threatening shortage of natural gas is to be reversed. When White leaves, incoming Chairman John Nassikas will be faced, almost immediately, with the serious question of what can, or should, be done to encourage more exploration—assuming he accepts the arguments, and the facts, which are being presented ever more forcefully on a shortage.

One of the most respected men in government, the director of the Interior's Bureau of Mines, John O'Leary, had flatly warned Congress—weeks ago—that a shortage of gas is threatening, might even become evident by next winter. What would be done? O'Leary at the time said he expected nothing—until consumer protests started to flood the White House.

But President Nixon stated his conviction last fall during the presidential campaign that there is no point in regulation, just for regulation's sake—and it might be wiser to relax some federal regulatory controls to let the free enterprise system work.

It is believed that Nassikas holds to the same view—but how far he can go in relaxing producer control remains to be seen. He is locked in by a Supreme Court decision of 1956 that producers selling gas across state lines come under FPC jurisdiction and the area-rate plan of control has been endorsed, in every particular, by the high court, as well.

The best approach still may be to encourage the industry to come into FPC with settlement proposals—on which all major segments could agree—for the higher price (perhaps only one-cent per mcf or so) that they believe would pave the way for the needed exploration and development. Such approaches have foundered before, but the increasingly serious gas situation might spur the commission to take a new look at this idea.

Very truly yours,
JAMES M. COLLINS.

THIS IS MARIO ANDRETTI WEEK IN NAZARETH, PA.

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, this is Mario Andretti Week in Nazareth, Pa. Mario Andretti, one of the Nation's outstanding race car drivers, achieved a longtime dream on Memorial Day, 1969, when he won the Indianapolis 500-mile race in record time. Nazareth is the Pennsylvania town where Italian-born Mario Andretti has established his home.

This week, the Borough Council of Nazareth renamed the street on which Mario lives "Victory Lane." It is just one of the community's gestures of appreciation for its outstanding citizen. A series of events throughout this week afford Nazareth citizens, as well as residents of neighboring communities, an opportunity to pay tribute to Mario and his family.

Mario and his wife, Dee Ann, are awaiting the imminent birth of their third child. They have two sons, Jeffrey, 5, and Michael, 6.

Tomorrow night, Mario will be feted at a dinner in the George Washington Motor Lodge in Allentown. Nearly a thousand tickets have been sold for the event.

Saturday, Nazareth will stage what probably will be the biggest parade in its history, with marching and musical units from scattered points along the eastern seaboard.

Saturday night, his hometown will have another opportunity to observe Mario Andretti's racing skill as he competes in the 100-mile USAC championship race on the Nazareth National Speedway Track.

Nazareth is proud of its citizen and champion, Mario Andretti, and I am proud to have him and his fine family as my constituents.

FEDERAL EMPLOYEES' HEALTH BENEFITS PROGRAM

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. KASTENMEIER. Mr. Speaker, last week, I introduced a bill, H.R. 12580, which would relieve employees and annuitants of the disproportionately large share of the premium charges under the Federal employees' health benefits program, by requiring that the Federal Government progressively increase its contribution until it eventually assumes the entire cost of the program. There are two overriding factors which have persuaded me of the urgency of this legislation, including the rising cost of medical care and the extent to which firms in the private-sector-fund plans insure their employees against the high costs of hospitalization, surgery, and other medical care.

When first enacted in 1959, the Federal health benefits law provided for a Government contribution which would be set by the Civil Service Commission within a specified range of not more than 50 percent of the least expensive low option offered by the two Government-wide plans. The Government contribution was thus geared to paying one-half the premium for a package of benefits which, while moderate in cost, would be adequate for the needs of most employees. The initial distribution of enrollments between self-only and family coverage, between high and low options, and among the various plans resulted in the Government's contributing approximately 38 percent or the aggregate premium for all enrollments, with employees and annuitants contributing the remainder. By 1966, the Government's share of the cost of health benefits had declined from 38 percent to less than 30 percent of the total premium. Public Law 89-504 had the effect of restoring the Government contribution to its initial level of 38 percent of the aggregate premium, but premium increases in 1967, 1968, and 1969, have again diminished the Government contribution to approximately 27 percent of the aggregate premium.

I feel that a Federal employee is paying an extremely disproportionate share of the cost of whatever health plan he may choose, at a time when the trend in private industry has definitely been toward the assumption by employers of the full cost of employees' health insurance programs. Many large employers—and the Federal Government is the largest of all—now carry the full cost and many small employers pay at least half of the cost of their employees' health benefits premiums. The Bureau of Labor Statistics, in its "Digest of 100 Selected Health Insurance Plans," surveyed the health and insurance plans provided for in the collective-bargaining contracts of a cross section of our industrial sector, including the major employers in the automobile, communications, oil, and steel industries. The BLS study, using data for the year 1966, listed 79 of 100 companies paying the full cost of life insurance, while 67 of the companies paid the full cost of both health and life insurance. The employees of those companies included in the summary which did not pay the full cost are required to pay relatively small amounts of money for their health insurance coverage.

In addition to this trend, all of us realize that medical expenses have increased tremendously during the past 10 years. In fact, experts say that there has been a 31.5 percent increase in medical expenses during this period, at a time when the overall rise in the cost-of-living has been about 25.4 percent. This, of course, has put a tremendous burden on Federal employees and the entire consumer public. Unless appropriate action is taken by Congress to relieve Federal employees of a substantial part of this burden, the problem will continue to accelerate, particularly for older employees and annuitants whose limited incomes make them particularly tragic victims of the high cost of medical goods and services.

It is time for the Federal Government to set the standard for employees' health benefits programs. A convincing case exists for the full payment of the costs of such a program by the Government, and there is more than ample justification for the enactment by Congress of such a provision now, and not at some future date. I do not subscribe to the argument that such expenditures are out of the question because of budgetary considerations. It is time that we stop subsidizing the arms race and the defense industry, and start directing our energies toward the solution of the human problems of our individual citizens, in this case, those of our Federal employees, who are usually the first to make the sacrifices perpetually required of our domestic sector.

I hope that my sponsorship of this important legislation, which was originally introduced by Congressman DANIELS of New Jersey, as H.R. 767, will be effective in urging the House Post Office and Civil Service Committee to institute action on the provisions included in this proposal.

U.S. JAYCEES RECEIVE FORD FOUNDATION GRANT

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, a significant announcement was made today by the Ford Foundation when they granted $250,000 to the U.S. Jaycees for Operation Opportunity.

This is the first grant ever made by the Ford Foundation to assist a major national voluntary organization. The volunteer work of the Jaycees because of this grant will be expanded and enhanced. I salute the Jaycees and would like to include at this point the text of the announcement for the information of my colleagues:

U.S. JAYCEES RECEIVE FORD FOUNDATION GRANT

The Ford Foundation today announced a $250,000 grant to be used by The United States Jaycees for "Operation Opportunity," a nationwide volunteer effort to deal with the problems of disadvantaged Americans.

The grant to The United States Jaycees Foundation will be used by the Jaycees to involve its members in programs to improve the lives of the poor, especially of minority groups, in rural and urban settings. Funds will support the training of local and national staff and thousands of volunteers to direct projects in education, housing, employment, job training and recreation. Manuals and handbooks describing how projects can be carried out will also be published.

"Operation Opportunity" has already enlisted over 5,000 Jaycee chapters in various cities in such activities as sponsorship of housing projects, job fairs, and organized campaigns for housing code enforcement. The Jaycees have also published an "Operation Opportunity" manual and distributed 70,000 copies to local chapters and project leaders.

Secretary of Housing and Urban Development, George Romney, has described "Operation Opportunity" as "most encouraging to those of us who have advocated private solutions to public problems."

The United States Jaycees was founded in 1920 as a small St. Louis social and cultural society. Since then, it has expanded into a national organization concerned with civic improvement and with developing the competitive and leadership qualities of its members. Currently, the Jaycees have a male membership of more than 300,000 between the ages of 21 and 35 organized into 6,400 chapters throughout the United States. National headquarters are located in Tulsa, Oklahoma.

"Operation Opportunity," introduced by The United States Jaycees in July, 1968, is the first national model program intended to demonstrate what the "civic service" volunteer in America can do to meet human problems.

Jaycee chapters, through the program, are encouraged to identify community need; identify available community resources; match resources to need; establish priorities and map a plan of attack.

The chapters are urged to look into such potential problem areas as housing, education, employment, recreation, personal development, health, and governmental services.

When the problems have been identified, a large part of the resource identification is encouraged from other private sector organizations and groups in the community. Where possible a wide-spread mobilization of "private sector" groups is attempted.

Through the program, and the concept of those with special talents and resources, helping individuals help themselves, The United States Jaycees hope to bring about attitude change at the community level—or at least create the environment for change.

The program is not intended as a substitute for governmental efforts to meet human needs, but rather as a supplement to such efforts.

AMERICAN OPTOMETRIC ASSOCIATION

HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. GREEN of Pennsylvania. Mr. Speaker, I would like to call to the attention of my colleagues the meeting of several thousand members of the American Optometric Association this week in my home city of Philadelphia, the birthplace of American optometry, for the 72d annual congress of their organization.

I believe this is an appropriate occasion to salute the 15,500 members of the American Optometric Association who have dedicated their lives to the professional vision care of all Americans. These men and women undergo a 6-year course of study to prepare themselves for their highly skilled specialty, and they play an increasingly important role in the health care of our citizens of all ages.

Because optometrists practice in cities and towns of all sizes in every State of the Union, their unique abilities are available to all individuals who need optometric care. Their geographic distribution, coupled with the awareness of the public need for optometric services, and the excellent education afforded by 10 schools and colleges of optometry, have earned the profession of optometry an enviable reputation as "America's first line of defense against blindness."

Optometrists are the first vision care professionals consulted by an overwhelming majority of Americans. They are, therefore, responsible for the early detection of diseases of the eye which could lead to blindness if not promptly detected and cared for.

Our great Commonwealth of Pennsylvania boasts a long and proud association with the profession of vision care. Philadelphia was the home of John Mc-

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Allister and his son, John, Jr., who developed the skills associated with detection and correction of refractive errors of the human eye. The McAllisters had the avid support and encouragement of an inventive contemporary, Benjamin Franklin, who is credited with invention of the bifocal lens.

Perhaps it was only natural, then, that Philadelphia was the logical site for the Pennsylvania College of Optometry when it was founded by Dr. Albert Fitch in 1919. This is the golden anniversary year of PCO, an event the AOA officially observes by holding its 72d annual meeting in Philadelphia this week.

The Pennsylvania College of Optometry is a fully accredited nonprofit institution partially supported by Commonwealth of Pennsylvania appropriations. This fine college has graduated 2,914 optometrists in its 50 years of service. And enrollment for the next academic year has already reached 421 students.

Always a leader in its field, Pennsylvania College of Optometry was first among institutions of its type to expand its curriculum to a full 6-year course of instruction, including 2 years of preoptometry and 4 years of graduate work.

People of my district and throughout Pennsylvania have every reason to take pride in the long and happy relationship between the Commonwealth of Pennsylvania and the profession of optometry which, through its practitioners, has made and continues to make such a valuable contribution to the general health and visual health of our citizens.

I hope each of my colleagues will join me in offering this body's sincere vote of thanks to the optometrists of America and our congratulations to the American Optometric Association on the occasion of its 72d annual congress in Philadelphia.

WASHINGTON'S WATER PROBLEM: AN EXAMPLE OF NEGLIGENT PLANNING

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. BLATNIK. Mr. Speaker, today's Washington Post carries a hard-hitting commentary by Drew Pearson which echoes strongly a theme I have urged for years—that adequate future water supplies for our vast and growing population can only come from present planning and funding. It is ironic that this Nation can expend planning, foresight, and money to land on the moon, but cannot expend the effort, ingenuity, and funds necessary to assure a lasting supply of that most precious commodity, clean water, to preserve the people on the planet earth.

On July 16, a prediction I made 8 years ago in 1957, will, unfortunately, come true: we will have landed men on the moon before we have solved our water pollution problems on earth. Our failure to make a significant breakthrough in the clean water crisis amounts to a national tragedy and I submit the following article in testimony to that unfortunate truth, in the hope that by drawing attention to our abilities for organized planning and funding, we may now exercise them in the direction of more effective water pollution control.

Drew Pearson's column follows:

DROUGHT PERIL IS RESULT OF NEGLECT

(By Drew Pearson)

Along the Atlantic seaboard right now are two illustrations of man's efficiency in achieving the thrills of life and man's inefficiency in not achieving the necessities of life.

At Cape Kennedy, the United States is about to launch the most carefully rehearsed, most expensive, most unnecessary project of this century by which man will reach a piece of drab, radioactive, lava-like real estate hitherto romantic because of distance—the moon.

The launching will succeed because a vast amount of money and the best scientific brains in America over a period of seven years have been lavished on this moon shot. Meanwhile, up the Atlantic coast, the Capital which voted the $20 billion to reach the moon is desperately short of the second essential to man's life—water—all because of lack of planning, lack of foresight, and lack of money—the same ingredients which have put the moon shot on the verge of success.

The Potomac River from which the Capitol of the United States draws its water, is gradually drying up. Its upper reaches are so shallow that rocks stick out of the stream bed like the bones of a starving old woman. Drained by communities and real estate developments along its banks, the upper Potomac is starving.

Below, as it flows through Washington, the once majestic river has become an open sewer. Two hundred and forty million gallons of human excrement, detergents, wash water and industrial waste are poured daily into the river.

Not even fish can live long in this poisonous water. The days when small boys splashed and cavorted off the piers of Alexandria are no more. The bacteria count is 100 times higher than the level considered safe for swimming.

UNNECESSARY DELAY

However, none of this had to happen. Twenty-five years ago, the Roosevelt Administration foresaw the fact that growing Washington would need more water, and the Army Engineers prepared a comprehensive plan for a far-flung system of dams and reservoirs on the Potomac and its tributaries.

Immediately there was an outcry from real estate interests and big farmers whose land would be inundated. The plan was shelved. It was revived under Mr. Kennedy, only to be shelved again. This time the conservationists joined the real estate interests.

There was talk of small dams instead of big ones—dams which would not spoil the river's natural beauty. But nothing was done. There was a lot of talk. A tri-state commission was appointed. Surveys were made. Commissions traveled up and down the river, inspecting the Virginia and Maryland tributaries. But nothing happened.

The plight of the Potomac is not confined to the Capital alone. It illustrates what is happening all over the United States, from New York City where drinking water is still not served in restaurants, to Chicago which is reaching farther and farther into Lake Michigan for its water.

Gradually at first, but now accelerating rapidly as the population grows, water is becoming a problem. Yet the same ingenuity used in reaching the moon would solve our water problems.

There is an illustration. Russia has reversed the direction of some of its great rivers which flow into the barren Artic where they freeze and are wasted. What a communistic nation can do, presumably a capitalistic nation can do—if it eschews politics.

For less money than it takes to reach the moon, the Missouri River could be diverted westward at around Omaha and made to flow through the parched plains of Nebraska, Kansas and Texas instead of adding its vast volume to the already brimful Mississippi.

What the Nation need, however, is a water pollution czar who can look ahead, make plans, spend money, as the moon-shooters have done. Until that time, the city of Washington will be periodically starved for water, as will other cities of this short-sighted nation.

DR. ROBERT D. CLARK

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. EDWARDS of California. Mr. Speaker, in recent days we have heard much about student unrest and we have heard a great deal of criticism, much of it unjustified, of college presidents and professors. I have been impressed by the sound and fury of the comment, but I have not been impressed by the quality of the discussion. In fact, it appears that most of those who have been talking are more interested in playing politics with the campus unrest than with solving the problems of our campuses.

I, for one, believe there are answers to college unrest, answers other than bayonets, shotguns, and tear gas.

In my own congressional district in California some of these answers have been implemented and they work. Dr. Robert D. Clark, president of San Jose State College, has faced and has dealt with the same kind of problems that wrecked the University of California at Berkeley and San Francisco State College. He did not play politics in an effort to advance his position, either as a State college president, or on the statewide political scene. Instead, he succeeded in grappling with those problems and in bringing peace to his campus. Sadly, Dr. Clark is leaving San Jose State College to become the president of the University of Oregon. His views of campus unrest are far more realistic and far more helpful than those I have heard elsewhere.

I recommend his views to my colleagues in this House and include them in this RECORD:

STATEMENT BY DR. ROBERT D. CLARK

I wish to share with you my very real concern about the effects of possible federal legislation in matter of campus unrest. The American tradition of local autonomy in education is more than a slogan—it is supported by the very real conviction that local programs and problems are best understood and more effectively resolved by local authority; I share this conviction.

I admit that during the past two years college and universities have been exposed by this activist generation as operating under archaic rules and regulations, which do not properly reflect the tenor of the times; and as being enmeshed in bureaucratic procedures which delay implementation of programs and constructive suggestions. History illustrates again and again that creative change is usually sponsored by a society's young and that such change as is accepted by that society is effected through guidance and modification of the middle-aged generation. As I see it, the responsibility for constructive channeling of student unrest with its surface manifestation of violence and demonstration rests squarely with the individual institutions. I offer the specifics of actions undertaken on this campus as an example that such responsibility is recognized and assumed by academic administration.

First the academic institution ought to take a position that recognizes the need for change.

For this College this has meant radical revisions of curriculum for interested students without jettisoning the curriculum which is satisfactory to the majority. Examples of the approach include the development of our Black Studies and Mexican-American Studies programs.

Second, the institution ought to include student participation in campus affairs.

This College has invited student participation in all Academic Council (faculty policy body) committees and special student liaison committees of the six College Schools. The College position has meant talking to and listening to students—permitting them to have some freedom of discussion on campus, to invite speakers of their choice, and to have an open forum on our Seventh Street Mall. We have attempted to minimize the bureaucracy restrictions on their activities, but nonetheless have strongly urged adherence to established regulations and the enforcement of these regulations through student government agencies.

Third, the institution ought to formulate a modern code of student conduct and responsibility.

San Jose State College has established a specific code of student conduct and students have a major role in enforcing it. Instances of unrest experienced here in 1967 and 1968 were more difficult to handle because of an archaic code of generalized "thou shalt nots" written into state legislation. One of the first steps to rectify this situation was the development of our code.

Fourth, the institution should establish on going relationships with local police.

We have developed a cooperative meaningful relationship with the local police department. By establishing a liaison committee the membership of which included two or three officers (at times the Chief himself) students, faculty and administrators, the College was able to determine the impact of planned activities and their relationship to campus and civil regulations. Our not having this kind of working relationship previously resulted in the November 1967 Dow Demonstration with squads of riot police and tear gas on campus. Unfortunate as the demonstration and police involvement was at the time, it resulted in the development of our Liaison Committee which has been an effective tool ever since.

Fifth, the administration of an institution should be willing to acknowledge and accommodate logical student requests while reserving the right to deny improper suggestions.

When we felt students were right, no matter how crudely or impolitely expressed, this administration has attempted to recognize and act positively on suggestions (called "demands" these days) outlined even if, on occasion, we might be considered to be in an embarrassing position. At the same time, when we thought the students were wrong we drew the line and said no to what they asked. In two instances this meant we posted considerable numbers of uniformed police in our stadium during publicly attended events. After such instances we have attempted to move forward with positive programs—and have had reasonable success.

Sixth, in recognition of human behavior patterns and role playing in unfamiliar or new situations, the institution should as clearly as possible define suggested courses of action and areas of responsibility for faculty and administration during instances of campus unrest.

At San Jose State College in January 1969 we invited legal counsel to present to members of our administrative staff the body of State, Board of Trustees and campus laws/policy which obtain during student unrest. In April a document on Campus Security Measures was distributed to faculty and staff.

URGENT ACTION NEEDED TO ALLEVIATE SUFFERING FROM JET NOISE

HON. ALLARD K. LOWENSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. LOWENSTEIN. Mr. Speaker, I want to remind the House today of the terrible problems resulting from jet noise in many communities across the Nation. The Congress passed legislation last year that was supposed to alleviate these problems. The Federal Aviation Administration has not acted to implement the spirit of the legislation. So summer is here again, and matters are worse than ever in hundreds of towns that border on airports.

The harassment of the people by jet aircraft must stop. The people have been patient—perhaps too patient—and it is impertinent to ask them to accept for yet another summer the undue burdens they have already borne for too long.

Social functions are impaired; meetings abandoned. Health is imperiled. Homes become noise tunnels. Sleep is disturbed. We approach the point where hearing itself will be damaged. It is impossible to tell residents of the Five Towns, Long Beach, and Atlantic Beach, in my district that they should stand idly by if the assault continues unabated, sometimes for five straight nights, or entire weekends.

The behavior of the Federal Aviation Administration in the face of this situation is incomprehensible.

It is not as if nothing can be done. What, in fact, makes the present state of affairs so totally unacceptable is precisely that there is no shortage of possible measures that could bring relief quickly. Yet nothing is done.

Last year the Congress gave the FAA the responsibility to set the jet noise standards. In the October FAA noise abatement newsletter, it was stated that hearings were to be held on the new proposed noise standards in February, so that they could be in effect by "this summer."

It is now "this summer," and now we are told that the FAA may not even hold hearings. When I inquired about the hearings, I was informed that a decision about when to hold them was to have been made June 25.

I wrote to the FAA explaining how unwise and unjust it would be to decide not to hold hearings or to delay them. Furthermore, I expressed an interest in testifying if hearings were held. Now I am informally advised that the decision about whether there will actually be hearings will not be made until mid-July.

Meanwhile the poundings of jet planes continue, and so does the indifference of the FAA to its mandate under the law, or its incapacity to function in the spirit of the law.

We shall, therefore, hold our own hearings on July 12. We shall examine at that time not merely the problems presented by the unabated continuation of the noise itself, but also the problems caused by the inaction of the FAA. Representatives of all levels of government with responsibility to this community are being invited, as well as spokesmen for all interested parties. Anyone with anything to contribute is welcome to take part. Above all, these hearings will consider what steps may properly be taken by the community and Congress to compel the airlines and the FAA to take steps immediately to ease the situation.

This is a national problem. Its implications are obvious for people all over America. Under our Constitution, individual rights do not cease when the transgressors are powerful corporations, especially powerful corporations vested in the public interest, and often subsidized by public funds. Many Members of the House and Senate are deeply concerned about the apparent failure of the FAA to act in the spirit of the law adopted last year.

They will be heard from if relief is not forthcoming here and in other distressed communities.

I hope we will be spared further protests that nothing can be done. If we can land a man on the moon this July, we can decrease the noise level of jet airplanes landing in Queens this July.

I include the following suggestions as a guideline for our appropriate officials to consider and implement:

First. The redistribution system between 22–R and 13–R—which has already been accepted in principle by the FAA—should be implemented immediately. To wait until after the summer to implement this proposal is a gross injustice to the people of the Five Towns.

Second. A schedule for a retrofit program should be drawn up and preparations for an implementation program should begin. A recent NASA report states:

> Available information indicates that inlet noise suppression of 10 PNdB . . . can be achieved with an acoustically treated inlet.

I see no reason such a program should be delayed any longer.

Third. Additional noise abatement operating procedures should be considered. It would be interesting to know why a two segment climb-out—which is sometimes used at national airports—should not be used at Kennedy Airport. The feasibility of using a four-degree approach glide angle should be considered.

Fourth. The proposed FAA noise limits of 103–108 PNdB for new aircraft should be adopted. The monitoring points should not be located where the FAA proposes, but should instead be on the extended runway center line 2,500 feet from the threshold. Moreover, "Beating the Box" with the help of an airline truck cannot be tolerated.

It should not require hearings, however, to initiate steps to halt a practice which seems designed to make a mockery of even the inadequate noise-control standards that now are supposed to be enforced at Kennedy Airport. I refer to the continuation of "Test Able" by Pan American Airways and several other airlines, a process unofficially known as "Beating the Box."

William E. Burrows, writing in the New York Times, reports that a man hired by Pan American sits in a radio truck near the New York Port Authority, and signals outgoing aircraft as they approach. In Mr. Burrows' words:

> When he (the truck operator) said "Mark," the airliner almost stopped climbing and settled at about 500 feet for 10 seconds. The pilot—had reduced his engine power and the noise. When the plane which Mr. Hall (the truck operator) had been directing passed the vicinity of the box and had begun flying directly over Inwood, the pilot added power and resumed his climb. Residents of the village might have said the noise was objectionable but the (Port Authority's monitoring) box did not.

A representative for Pan American has said that "Test Able" is a noise-monitoring procedure established by Pan American to make certain that Pan Am jets—and other airlines availing themselves of this service—"perform properly at take-off" and do not make a "low climb-out."

It is a procedure, he added, designed to measure jet noise "just at the threshold." And this spokesman for Pan Am told a member of my staff that "it may be" that the noise generated by the company's jets—and others—is in excess of port authority standards just beyond the monitoring point in Inwood. "Other people," he said, "are monitoring out there."

Under these circumstances, one wonders why an airplane cannot remain at the lower power setting until it passes over the noise-sensitive area. One wonders why some airlines seem less concerned about the noise emitted by their jets after they pass the monitoring point than they are about the noise emitted above the monitoring point. When concern decreases as noise levels rise, an airline must be suspected of committing a moral as well as a physical affront to the afflicted communities.

We would be delighted to discover that this inference is unfair, that "Test Able" is not really a euphemism for "Breaking the Box." In any event, I call upon Pan American Airways and the port authority to give such an explanation, to justify the continued use of "Test Able" or to discontinue its use forthwith. Surely it is not unreasonable to suggest that the airlines must at the least comply with existing regulations.

If the FAA is, in fact, not prepared to take immediate action consistent with previous legislative intent, I know that Congressmen from all over the country will join me in taking action this session to relieve the suffering from jet noise.

GUIDELINES FOR DeMOLAYS

HON. WM. J. RANDALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. RANDALL. Mr. Speaker, it was my privilege and honor to accompany the Secretary of the Navy, the Honorable John H. Chafee, to Kansas City on Tuesday, July 1, for his appearance at the International DeMolay Conference held in Municipal Stadium, Kansas City, Mo.

Secretary Chafee was one of several distinguished internationally known speakers who appeared before the conference, which commemorated the 50th anniversary of DeMolay.

It was a thrill to witness from the platform those young men from every State as well as representatives from other countries in this hemisphere listen with careful attention to the proceedings of the conference.

There is a growing appreciation of the good accomplished by this excellent youth fraternity, which on its 50th anniversary finds itself still young, healthy, and vigorous.

The order was founded by Jacques DeMolay who was the last Grand Master of the Knights Templar, a powerful medieval order of soldier monks who fought the Moslems for possession of the Holy Land.

Because he had allegedly departed from his vows of poverty and had amassed wealth, he was summoned to France by Pope Clement V to answer to charges. He was sentenced to death and burned at the stake. Because of these events, in the initiation of a DeMolay, the ritual symbolizes the trial and death of Jacques.

The seven cardinal virtues which by prescription must be listed in order are reverence, patriotism, courtesy, filial love, comradeship, cleanness—not cleanliness—and fidelity. This great order of youth was founded in Kansas City on March 18 in 1919 by the late Frank S. Land, along with nine teenage youths for the purpose of helping young men become better citizens and promote Freemasonry.

Today there are 2,500 active chapters in the United States, Mexico, Canada, and Western Germany. Some of the activities of the organization are to sponsor teenage safety contests, anticommunism programs and antinarcotics forums, and oratorical contests.

Along with his thousands of listeners I was impressed by the remarks of Secretary Chafee, who after commenting upon DeMolay's famous "seven cardinal virtues" offered five admonitions which he hoped would be useful to the membership of DeMolay. After being reminded of these five guidelines to conduct one's life, it was my prompt and easy conclusion that the Secretary's speech had application not only to members of DeMolay and youth in general, but to every one of us It is for that reason that I wanted to share his excellent speech with my fellow Members and with all who read the Congressional Record. Secretary Chafee's remarks follow:

Remarks by Honorable John H. Chafee, Secretary of the Navy, at International DeMolay Conference, Municipal Stadium, Kansas City, Mo., Tuesday, July 1, 1969

I'm delighted to be here to participate in this exciting 50th Anniversary and International Conference of DeMolay.

Terrific organization.

Such a rich heritage—ever since days of founding here in Kansas City by Frank Land 50 years ago with 9 boys.

Alumni roster reads like "Who's Who." Walt Disney, Alvin Dark, Bob Mathias and General McConnell—150 members of whom have served in Congress.

Just returned from Vietnam—Senior Marine General in charge of entire Northern Area near DMZ, General Herman Nickerson is a DeMolay man.

Everyone is interested in this organization, including President Nixon—whose shoes I'm filling—he regrets can't be here and extends personal best wishes. If he wasn't busy shepherding his legislation through Congress he'd be here.

You are growing up in the most exciting period in world's history—outstanding characteristic appears to be speed of change.

Things achieved never dreamed possible when you were born—going to the moon, crossing Atlantic in 3 hours, satellite communications, heart transplants, ending of segregation.

At the same time an unsettling period—old standards being swept away—seems so hard to tell what's right and what's wrong. Is it filth or is it art? What's legitimate protest and what's destructive violence? Why is it wrong to evict the Dean from the Administration Building, yet virtuous to have heaved stolen tea into the Boston Harbor? What is cheating—doesn't everyone do it on their Income Tax, Expense Account, or try to sneak things through Customs? Why's Marijuana illegal and liquor legal when either can render one incoherent? Does religion have a purpose?

It is difficult to know where to turn—where are the enduring standards? If this is so, why is it such a great time to live? How can I justify that claim, especially in a period when man has developed the capability to kill 100,000,000 fellow humans?

My reasoning is as follows. The very miracles that are being wrought in speed of transport, exploration of space, breakthroughs in medicine, development of rockets and nuclear weapons—all these give man as great a chance to improve the world as they do to wreck it. The tools are there to do either on a far grander scale than ever before.

Just as our scientists can develop a nerve gas to quickly and quietly kill thousands, so they are relentlessly tracking down that ruthless and non-selective killer cancer.

Certainly the Nuclear Age means possible instantaneous destruction—yet its very awe-inspiring finality may lead to a period of peace the length of which the world hasn't previously seen. Man makes the choice.

But the magnificent future before you is not solely because of scientific or technical achievements. It is also because man is demonstrating a willingness and has the resources to come to grips with age old injustices and waste that he never before was prepared to face. Here in this country we finally are determined as a nation to eliminate segregation. We've made it a national goal not just to have equality of opportunity regardless of color but equality of results.

At long last we're engaged in a concerted effort to improve our environment, end air and water pollution, and do something about the dreariness of our cities.

These are incredibly difficult challenges—ones that will call forth our very best. You

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should count yourselves lucky that you are alive at this period, living in this era that promises so many opportunities to improve this earth, man's relations with man, to really make it a better tomorrow, to literally reach the stars, touch the oceans depths and make this a green and pleasant land. How much you contribute, how well you do it, and how much you enjoy it, is up to you.

I would briefly like to offer five suggestions that might be helpful—some guidelines which, coupled with De Molay's famous "Seven Cardinal Virtues"—hopefully, you will find useful:

First, *don't be a cynic*—always attributing questionable motives to others, always thinking everyone is in something for what he can get out of it. Remember there are hundreds of thousands of devoted unselfish people in this land of ours who are striving to improve it and many of them are right in your organization—so be proud of them, of yourselves and of the Order of DeMolay.

Second, *have a sense of adventure and excitement in your life.* If the cause is honorable and appeals to you, hurl yourself into it. And don't spend all your time planning what is best for your future or your career, worrying that the venture might not succeed. Have that spirit best epitomized by Theodore Roosevelt when he said:

"Far better it is to dare mighty things, to win glorious triumphs, even though checkered by failure, than to take rank with those poor spirits who neither enjoy much nor suffer much, because they live in the gray twilight that knows not victory nor defeat."

Third, remember you'll get out of any job about what you put into it, so *don't settle for mediocrity.* Give your best and you'll always be glad. When and if you go into the military service, seek out responsibility and accept it, learn from it. Don't look on this as a lost period of your life, most of our great leaders have looked back on their time in the service as a magnificent training and experience: Winston Churchill, John F. Kennedy, and Mr. Nixon to cite but three.

Fourth, *care for your health.* It is the most precious asset you have. You have an obligation to keep yourselves fit.

Fifth, make up your minds now that you will *devote some portion of your life to public service,* to helping this old democracy of ours to function by either assisting in politics or hopefully running as a candidate yourself. Only if this nation has good men willing to come forward and serve in political office will we be able to attain the golden promise that the future holds out to us.

This was worded far better than I can say 2,400 years ago by Pericles of Greece when he said:

"We do not say that a man who takes no interest in politics minds his own business. We say he has no business here at all."

PLAN FOR PEACE

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. WOLFF. Mr. Speaker, we are all concerned with the war in Vietnam and efforts being made at the Paris peace talks to end it. Since our young citizens' futures are so closely linked to the appalling war and the struggle for peace, they are particularly concerned with the urgency of the matter.

In the June 26 issue of the Roslyn News, I came across an article which exemplifies how concerned many of our youth are that peace in Vietnam be forthcoming. Two Roslyn High School freshman have drawn up their own plan for peace in Vietnam. Douglas Morris, of 80 Willow Gate, Roslyn, and Steven Rosenwasser, of 138 Westwood Circle, Roslyn, both undertook individual projects—Morris taking the South Vietnamese side and Rosenwasser the opposing one—and drew up peace plans.

Since their proposals, after they combined them, exhibited intelligence and concern, under leave to extend my remarks I would like to include their proposals in the RECORD:

VIETNAM TREATY: TWO STUDENTS DRAW UP A PLAN FOR PEACE

The treaty follows:

1. All following points will be supervised by a Control Commission composed of equal representatives of the National Liberation Front, Saigon government, Hanoi government, Canada, North Korea, and Tanzania, or forces agreed upon by all sides, being half international and half Vietnamese. This commission must act by a vote of not less than 75 per cent.

2. Upon promulgation of this document, the North and South Vietnamese governments will arrange for a postal system, free visitation, and resumption of trade between the two areas.

3. Until a new Vietnamese government is installed a Vietnamese Commission will coordinate the economic rebuilding of this war-torn Vietnam.

4. (a) Within one year, all non-Vietnamese troops will be withdrawn from Vietnam and all non-Vietnamese bases will be liquidated.

(b) Within one year, all Vietnamese troops will disband within Vietnam.

(c) All members of the Army of the Republic of Vietnam or the Vietnamese People's Army will be paid their salary for two years. They will be paid by their former governments unless official reunification occurs before the end of two years. In that case, the new government will pay the remainder of the salaries.

(d) Arrangements will be made for the return of all prisoners within one year.

5. (a) Before reunification, the Control Commission will call in United Nations troops, when necessary to defend Vietnam against any foreign power.

(b) For the first five years after reunification the new government of a reunified Vietnam will call in United Nations troops, when necessary, to defend Vietnam against any foreign power.

(c) Five years after the establishment of a reunified Vietnam, and for each subsequent five years, the Vietnamese government will decide whether to maintain their country under the protection of United Nations forces, or to create a Vietnamese Army for the sole purpose of the defense of the country.

6. (a) Within a year of the promulgation of this document, democratic elections will be held to choose members of an assembly which will draw up a constitution of a reunified Vietnam. The constitution will be completed within 18 months of the promulgation of this treaty.

(b) Within two years of the promulgation of this document, elections will be held for a new government of a reunified Vietnam.

(c) Exact dates of these elections will be determined by the Control Commission.

(d) Details of elections will be announced six months in advance.

7. All people and groups will be granted amnesty from any accusation concerning any act prior to reunification so that all may begin life anew.

8. The reunified Vietnam will not join any military alliances and will not permit any foreign bases nor foreign forces on its soil.

The treaty stipulations were the students own, they said. Perhaps Paris needs two more at the peace table.

THE EFFECTS OF GROWING OVERSEAS AFFILIATES

HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. GREEN of Pennsylvania. Mr. Speaker, in mid-March, I urged an administration investigation of the pirating of jobs to the overseas operations of American companies. This is a repugnant practice that has grown out of a loophole in tariff regulations, which was created to encourage the use of American goods in foreign manufactures.

In recent years, a number of domestic firms have abused this loophole, section 807 TSUS, to establish plants in slave wage foreign countries as a means of avoiding the living wages paid American labor.

Because I felt that there was no sufficient evidence to call for repeal of section 807, I urged the administration to investigate its use. I was informed that consideration was given to a study by the Departments of State, Commerce, Labor, and the Tariff Commission. However, nc action has yet been sanctioned by the administration.

The issue raised here is both sensitive and many faceted. As an article in this morning's Wall Street Journal suggests, the growth of overseas affiliates affects not only the domestic job market, but it must be considered in the light of this country's dwindling trade surplus. Because of the importance of this issue, I include the following newspaper story in the RECORD:

U.S. AFFILIATES ABROAD CHALLENGE FIRMS HERE BY EXPANDING EXPORTS—RISING FOREIGN COMPETITION CUTS INTO TRADE SURPLUS, PROMPTING OFFICIAL CONCERN—LOST JOBS IN PHILADELPHIA

(By J. Russell Boner)

LONDON.—A worrisome new factor is emerging in the problem of America's dwindling trade surplus: The U.S.-owned foreign subsidiary that exports to third countries, including the U.S.

U.S. companies are forming more and more of these export-oriented subsidiaries to cash in on low foreign wages and on a provision of U.S. tariff regulations that cuts duties on products assembled abroad by American firms. An apparent increase in exports by the subsidiaries is undermining the U.S. trade surplus and thus aggravating the balance of payments problem.

Of course, American concerns have had subsidiaries abroad for decades, and the earnings of many bolstered the U.S. balance of payments in past years. But now there's growing concern that their net contribution is diminishing.

COMPETING FOR MARKETS

A major reason is that exports of the foreign subsidiaries are competing increasingly against American-made products in third countries and, more strikingly, in America itself. Today U.S. subsidiaries abroad ship home tires from Peru, autos from Germany, radios from Formosa and skis from Austria. Statistical measurements of this phenomenon are still sketchy, but the influx of imports seems to be growing.

Some indications:

Weyenberg Shoe Manufacturing Co., Milwaukee, is building a $4.8 million plant in Dundalk, Ireland. Weyenberg plans to export the plant's entire output of 750,000 pairs annually to the U.S.

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Rockwell Manufacturing Co., Pittsburgh, has greatly expanded a plant in Pinneberg, West Germany, to meet increasing demand for snowmobile engines. Rockwell says engines made by its West German subsidiary power 40% of the snowmobiles made by North American concerns that lack their own engine manufacturing capacity.

Cummins Engine Co., Columbus, Ind., says it has captured 25% of the U.S. diesel engine market for medium-duty commercial vehicles with engines made in Darlington, England.

For the four years from 1966 through 1969, it's estimated that investment in plant and equipment by U.S. companies' foreign affiliates will total $39 billion. That's up from about $23.1 billion in the preceding four-year period.

"PIRATING JOBS"

The trend has prompted William J. Green, a Democratic Congressman from Pennsylvania, to call for an investigation into "the pirating of jobs to overseas operations of American companies." He says his Philadelphia district has already lost jobs because of transfers of operations abroad.

Mr. Green criticizes a provision of U.S. tariff regulations that allows parts shipped out of the U.S. to be returned duty-free, except for the added foreign labor cost. This "loophole," he asserts, encourages American concerns to "establish assembly plants overseas to avoid the cost of American wages."

Thus far Mr. Green hasn't introduced legislation to plug this "loophole." However, he has introduced a bill that would require that U.S. brand-name radios and other kinds of appliances and equipment be "conspicuously marked" to show if they actually were made abroad.

Those concerned with the balance-of-payments implications of direct American investment abroad once focused on the problem of "export substitutions." That is, a new U.S. owned plant in West Germany, for example, would absorb sales there that previously had represented exports from the United States.

"THE FINAL STAGE"

But now many U.S. subsidiaries abroad have reached what John H. Dunning, a British economics professor and an authority on U.S. investment in Britain, calls "the final stage of this development . . . where the foreign subsidiaries themselves begin to export to third countries, and sometimes back to the United States itself."

The export punch of many of these subsidiaries is potent. Ford Motor Co. is Britain's biggest exporter. International Business Machines Corp. dominates France's computer and office equipment exports. Xerox Corp. sells office copiers abroad through a British concern that it owns jointly with Rank Organisation Ltd., London.

The effects of U.S. subsidiaries on foreign markets is difficult to measure statistically. But South Africa, for example, once imported U.S.-made automobiles; now it imports almost none. Instead, both Ford and General Motors Corp. maintain giant plants in that country, which produces for domestic sales and export. And those GM components that can't be produced in South Africa are more likely to come from the company's Adam Opel A.G. plant in West Germany or its Vauxhall Motors Ltd. plant in England than from the U.S.

All this comes at a time when the long-standing U.S. trade surplus is in danger or slipping into deficit. Last year the surplus declined to the lowest level since 1937—to $726 million from $4.1 billion in 1967. In the first five months of this year, the surplus slipped 69% below the 1968 pace, to a puny $125 million.

This decline is particularly disturbing because the trade surplus long has been the major plus factor in American's overall balance of payments. Because of a turnaround in capital flow, due in part to the French political-monetary crisis, the U.S. had a rare payment surplus last year. But Government analysts fear the capital inflow may diminish this year. Added to a continued deterioration of the trade surplus, this could produce a massive payments deficit—perhaps as high as a record $4 billion, some economists estimate. (The current record is a $3.9 billion deficit in 1960.) A deficit this large, of course, would threaten the stability of the dollar.

A good example of the mounting exports from U.S. affiliates abroad is provided by "captive" overseas automotive subsidiaries. This year these subsidiaries are expected to exceed the 118,000 cars they exported to the U.S. last year (1967 exports total 83,600). Rootes Motors Ltd., a British subsidiary of Chrysler Corp., hopes to ship 11,500 cars here in the first half, against only a few hundred in the 1968 half, when the company hadn't retooled to meet U.S. safety standards.

The U.S. is the largest customer of GM's Adam Opel subsidiary in West Germany. Last year Adam Opel sold 95,000 Open Kadetts here (a 50% increase over 1967), and sales this year are running well ahead of last year. Under a recent duty-free auto parts agreement with Canada, American concerns now are farming out work to subsidiaries in that country.

The rising tide of auto imports drew a blunt warning last year from the Treasury Department. John R. Petty, Assistant Secretary for International Affairs, asserted that either the auto industry or the Federal government soon must take "aggressive" steps to build "subcompact" cars here to help the U.S. balance of payments.

Some industry analysts believe GM's decision to bring out its subcompact XP–887 next summer was prompted by Government grumbling. It's also believed Washington concern was a factor in Ford's decision to scrap plans to introduce the British-made Ford Escort and bring out the Maverick this year instead.

But Government pressure to build at home hasn't been applied to all U.S. concerns. Cummins Engine says its Darlington, England, plant is the "world-wide manufacturing source" for the medium-duty diesel engines the company designs. Despite the fact that Cummins considers the U.S. the "largest potential market" for these engines, company officials say they have no plans to produce them in the U.S. and haven't been pressured to do so.

FREEDOM BECOMES ILLEGAL—IV

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. RARICK. Mr. Speaker, appointed Federal judges have now pronounced freedom of choice illegal because a free people did not choose a social order in accordance with a court's will.

What became of freedom when "freedom" was made a shibboleth? What fills the vacuum? Oppression and tyranny.

Federal appointees, sitting as judges, having abolished freedom would further mock justice, as they pervert their high trust by convicting every child and parent—without due process, not as individuals but as a collective—of exercising freedom.

Arbitrary rulings, enforced as laws, generate contempt for the law. Unwanted social goals can but undermine community relations and, in schools, can only make education secondary to integration.

Having applied coercive measures to impose a redistribution of the races, the question arises: How will a status quo then be maintained? For, in a short time, the school population can be expected to have voluntarily regrouped itself or at least the court assigned percentages will have changed drastically.

The unnatural status quo can only be maintained by force and forbidding parents to relocate their homes in order to evade an approved percentage of race-mixing.

Must we expect to see our schools barricaded by barbed wire? Guards with bayonets confining our youngsters? Machinegun emplacements at the schoolhouse door to prevent any from escaping? Must our schools become detention centers?

Must we behold the specter of a Third Reich, Czechoslovakia, Poland, another Little Rock, in America?

Kidnaping once included taking a child from its parent. Will the court reinterpret the kidnaping laws so they can be used to punish a parent seeking to recover his child from a Federal appointee?

If Federal appointees do not trust freedom to satisfy guidelines, we should not abolish freedom—we should remove the appointees and guidelines.

To do otherwise is tyranny.

A COMPREHENSIVE AND COORDINATED STUDY OF CONSUMER EXPLOITATION IN THE DISTRICT OF COLUMBIA

HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. ECKHARDT. Mr. Speaker, at a recent conference on consumer affairs, I learned of the extraordinary work of the Neighborhood Consumer Information Center. This "consumer strike force" has received complaints from ghetto residents, investigated the offending companies by interviews with both management and salesmen, and then attempted to correct the dispute by persuasion and, if necessary, legal action. This group was asked for its opinion of the problems and solutions of low-income consumers and in a frank, illuminating report, they draw some valuable conclusions based on actual experience. I am inserting this report in the RECORD because I think it deserves wide readership. This Congress has talked of protecting the consumer. This group has fulfilled those words every day. Their experience should be disseminated and used as a model for groups throughout the country.

The report follows along with the letters of transmittal:

NEIGHBORHOOD CONSUMER INFORMATION CENTER,
Washington, D.C., June 25, 1969.

MR. JULIUS GLICKMAN,
Legislative Assistant to Congressman Bob-Eckhardt, Longworth Building, Washington, D.C.

DEAR MR. ECKHARDT: Please find enclosed a copy of NCIC's final report to the Government of the District of Columbia. I believe that this report will clarify many of the problems that are confronting low-income consumers, and suggest a mechanism by which these problems may be solved. Section I. "Analysis of Available and Proposed Remedies" should be given careful consideration. It is our honest opinion that Congress has not provided adequate remedies or protective mechanisms for the low-income consumer. Most Federal legislature has been basically informative and of very little assistance.

I am hoping that you will take some affirmative steps to have this report placed in the Congressional Record. I would appreciate you notifying me if and when you are successful.

We have been providing all consumers with maximum feasible protection. However, since we are only funded by local foundations, we realize that we will not be able to provide our services much longer and would appreciate your office taking more initiative to see that legislature is passed.

You have our permission to use this report in any way that will be beneficial for the low-income consumer. However, if there are any publications as a result of your work with this report, we would appreciate copies.

Your kind consideration of this matter is greatly appreciated.

Sincerely,

JOSEPH F. SMITH,
Director.

NEIGHBORHOOD CONSUMER INFORMATION CENTER,
Washington, D.C., May 26, 1969.
MR. CARROLL B. HARVEY,
Acting Director of Community Renewal Program, Washington, D.C.

DEAR MR. HARVEY: Because of the extreme importance and significance of the enclosed report, we think it is necessary that a cover letter further indicating the gravity and severity of the problem with which we are faced accompany it.

Certainly your offices, as well as many other local and federal offices are cluttered with reports and recommendations concerning the problems with which our consumers are faced, and how they can best be resolved. The report that follows cannot hope to make the situation or the problem look any better. Furthermore, it, like its predecessors, has several recommendations which we feel are necessary if realistic and favorable changes are to come about.

All of this may simply be an academic exercise in futility, if something visible and practical is not done immediately. You have the power to effect change, and we have the vehicle through which it can be accomplished. The question then becomes one of time; how long will you wait until you decide to act realistically?

Our contact with your office has indeed been instructive. We express our gratitude to you for allowing us an opportunity to conduct this study. We look forward to working with you in the future.

Very truly yours,

JOSEPH F. SMITH,
Director.

A COMPREHENSIVE AND COORDINATED STUDY OF CONSUMER EXPLOITATION IN THE DISTRICT OF COLUMBIA

(Prepared for the District of Columbia's community renewal program)

NEIGHBORHOOD CONSUMER INFORMATION CENTER

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INTRODUCTION

The Neighborhood Consumer Information Center (NCIC) was asked by the Community Renewal Program of the District of Columbia to make a comprehensive and coordinated study of consumer problems and merchant exploitation in the District.

In undertaking the study NCIC was primarily concerned with problems which the low-income consumer encounters with commercial transactions and the remedies available to protect him from unscrupulous merchants.

NCIC also closely scrutinized the activities of local and federal consumer-oriented agencies in terms of the degree of protection they afford low-income consumers.

Besides presenting the findings as to the status of the consumer in the District of Columbia, this report makes a definitive statement of the steps which must be taken before unjust commercial dealing can be eliminated.

SECTION I—ANALYSIS OF AVAILABLE AND PROPOSED REMEDIES

I. Federal and Local Remedies

The status of the American consumer can be likened to that of the American Indian. Despite his indigenous background and significant contribution to the total development of this country—the consumer has been aborted, bilked, conned and duped by transitional American institutions. The evolution of concern for the consumer at the national level, particularly low-income consumers, began in 1962 when President John F. Kennedy established a White House Level Advisory Committee of Consumer Affairs.[1] This was the first time that concern has been expressed on a national level for the wide spectrum of problems facing the consumer. Early efforts to advance the cause of the consumer were frustrated largely because of opposition from business and financial interests.

Subsequently, the Johnson Administration, while retaining the Advisory Committee and a Special Assistant for Consumer Affairs, established the President's Committee on Consumer Interests by E.O. 11136.[2] This new committee was designed to complement the work of the existing White House Level Consumer Representatives. The powers of both the Special Assistant and advisory groups have been regrettably limited.

Real concern for low-income consumers was generated by civil disorders in major metropolitan areas in the mid-60's. Numerous scholarly articles as well as the *Report of the National Advisory Commission On Civil Disorders* document the fact that vandalism and looting of certain stores was done on a selective basis because of the commercial practices of local merchants.[3] One of the reactions to the mounting agitation and action by consumer interest groups and low-income consumers has been legislation to protect the consumer from predatory merchants. Former Senator Paul Douglas sought unsuccessfully for many years to have "Truth-In-Lending" legislation passed by the Congress. His idea came to fruition in the wake of the mushrooming concern for the consumer. While the legislation unquestionably aids the consumer in general, it provides the low-income consumer with little or no direct benefits that he did not have before the bill was passed.

Being largely unschooled in commercial practices and being forced to shop for credit, the low-income consumer finds himself at the mercy of the merchant. Through a continuing process of interaction, this consumer becomes familiar with the basic techniques that are employed by all high risk merchants. He may not understand the legal ramifications of the agreement but he knows the results of its consummation. Therefore, the "Truth-In-Lending" legislation in its application only dramatizes for the low-income consumer his lack of a choice in the marketplace.

A. "Truth-In-Lending" Legislation

In reality the "Truth-In-Lending" Legislation [4] can be classified as a legal protective mechanism for the high risk merchant. Such legislation must be weighed in light of the existing problem. To require full disclosure of all conditions of the contract informs the consumer of his commitment and gives him a choice to purchase articles or reject the condition. For a low-income consumer who has little or no credit and is shopping for credit, the acquisition of necessities is the basic consideration. If the consumer cannot get credit elsewhere, he will purchase the merchandise on whatever conditions are available.

To require that the conditions be disclosed does not protect him from cognovit clauses, open-end contracts with add-on clauses excessive interest markups, and misrepresentation in the disclosure or non-disclosure of the agreement. This legislation only maintains the high risk merchant's position by requiring him to disclose information that he heretofore has concealed. Such legislation perpetuates the merchant's status by requiring that he disclose certain information, without giving consideration to the fact that he maintains a monopoly over a clientele that is incapable of economic participation in the retail credit market. With such a clientele, the merchant is in a position to literally dictate the terms.

A typical example of such problems and the shortcomings of the "Truth-In-Lending" legislation is a case of Mrs. G. S. Mrs. G. S. is a mother of eight children, who, as a welfare recipient, receives some $270.00 per month. Among the least of her problems, was that she had contracted to purchase a black and white TV for $400.00 which turned out to be repossessed, second hand merchandise. She had made several other purchases from the same merchant over a period of time totaling in excess of $8,000.00. She is required to pay $70 per month to retire this debt and must balance this monthly payment with, not only her regular necessities of food, shelter, and clothing, but also squeeze in a monthly heating bill of $100.00. The majority of the $8,000 worth of merchandise was acquired on an open-ended contract with its "add-on" clause. Mrs. G. S. realizes the nature of her situation but she could not acquire credit at any other store. She is concerned about her financial position but she resigned herself to the position that her case is hopeless. She calls us every other

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month to mediate her monthly payments. Generally, the merchant is receptive to a reduction in her monthly payment. The deplorable aspect of this situation is that many high risk merchants make a very profitable living by employing this type of financing. Unfortunately, the "Truth-In-Lending" legislation does not address itself to these problems.

In Chapter III, the section covering credit advertising is the most direct and protective mechanism in the entire legislation in considering the problems of the low-income consumer. This charter under section 1420 requires the merchant to refrain from advertisement of credit arrangements different from those ordinarily extended by him. This requirement, if effective, will hopefully eliminate the "Bait and Switch" tactic. Any representation made in an advertisement must be true when the consumer reaches the store. If a merchant advertises a 3-piece Luxury Living Room Ensemble for $299.50, it must be a 3-piece Luxury Living Room Ensemble when the consumer arrives. However, this section raises some interesting questions in considering the elimination of the "Bait and Switch" process. First, what will happen if the merchant claims that he has sold out? Second, what if the plan includes adding the merchandise to the consumer's present open-ended contract with its add-on clauses, and finally, what protections, if any at all, does the consumer have once he has entered the premises against verbal misrepresentations.

The "Truth-In-Lending" legislation is further weakened by its failure to design a systematic mechanism by which all disclosures are to be made. To require that such disclosures be made without indicating a procedure that will prevail throughout the commercial world represents a weakness of enforcement, and creates mass confusion on behalf of the consumer. This is especially true in considering low-income clientele who may not understand what he is to expect when several merchants may disclose their commercial transactions in different forms. It is much easier for him to expect and understand the presentation of a form which incompasses his rights that comprehend a principle that varies in its presentation.

Failure to implement a mechanism of presentation creates another severe problem for low-income clientele. Before a consumer can adequately know whether the required disclosure has been made, he must know and understand what is required. Such awareness necessitates educating him to what is required. This requires an investment of time on behalf of some agency to insure that the consumer's rights are being protected. If this education process is not accompanied by the implementation of the legislation, its effectiveness will be negligible.

Without an education component and a required order for presentation, the "Truth-In-Lending" legislation with its limited attributes will be of little assistance to the low-income consumer. Consideration must be given to the fact that if this legislation is to be enforced it must be as a result of complaints received from aggrieved consumers. If the low-income consumer does not have sufficient knowledge to know what should be disclosed, he will not be able to determine whether such disclosures have been made. If he cannot determine whether these disclosures have been made. he will not be in a position to complain. His inability to determine whether proper disclosures have been made will weaken the enforcement of such legislation.

A requirement for full disclosure does not eliminate the merchant's deceptive practice nor does it eliminate the high risk merchant monopoly. In this respect, the "Truth-In-Lending" legislation will fail to be an effective remedy for the elimination of low-income consumer exploitation.

B. District of Columbia Consumer Protection Regulations

To strengthen the weakness in the "Truth-In-Lending" legislation, it is necessary for local governments to enact and enforce stronger consumer protection regulations. The government of the District of Columbia has responded to this need by passing the Consumer Affair Regulations in January, 1969.[5]

One of the major provisions in the regulations (Part II) is a requirement that all persons engaged in retail installment transactions in the District obtain a license. This provision will not only provide a record of businesses so engaged, but provide a ready means of monitoring and regulating their activities. In addition to proscribing the information required of the applicant, certain minimum qualifications for a prospective licensee are set forth (persons deemed unqualified, and persons who have their licenses revoked may appeal).

The procedures outlined above are supplemented by several substantive parts.

Part III concerns the contract governing the transaction. Its important requirements for low-income consumers are:

A prohibition against false advertising, discriminatory down payments, fraudulent or unconscionable conduct in the execution of the contract and collection of installments thereunder.

A prohibition against referral sales where the buyer is to receive a credit therefor.

Part IV Payments—Merchants are required to maintain records of accounts and a record of payments in accord with these minimum standards:

Give the buyer a written receipt to evidence individual payments.

Provide the buyer with a biennial statement of his account including payments made, delinquent payments due, late charges, refunds made, number of installments due (dollar amount), and the time period over which they are to be made.

Part V Repossession—Repossession is to be obtained only with the possessor's permission and without force, fraud, intimidation, undue influence or breach of peace. The buyer retains a right to redeem upon payment or tender of the amount due, plus payment of any repossession or storage fees. The seller must give the buyer notice (within five (5) days) of the repossession, indicating the amount owed, the location, and inform the buyer of his right to resale but his liability for a deficiency.

Part VI Miscellaneous Provisions Penalties—One who violates any provision of the regulations is subject to revocation of his license or punishment by a fine of $300 or 10 days imprisonment.

While the provisions of these regulations are adequate to the extent of their depth, they do have several shortcomings:

1. They fail to prescribe severe penalties (e.g. a double damage provision) for violations of the provisions in Parts III and IV;

2. They fail to prescribe a specific penalty for operating without a license under Part II (which we believe is a separate offense);

3. They lack comprehensiveness (which is probably due to lack of authority in the Council and not the intent of the authors of the legislation).

More specifically, in regard to point three, the regulations do not cover such issues as:

Rights of the buyer against a holder in due course (see *Calvert Credit Corporation* v. *Williams,* D.C. App. Nos. 4146–49 July 24, 1968).

Limitations on maximum credit charges (while this is covered in other statutes, comprehensiveness would require our reference for all consumer protection legislation).

Bait advertisements per se (see also section 3.110).

A part of this problem is due to a lack of legislative authority in the D.C. Council, where the power to protect D.C. Consumers should lie.

Although this legislation represents the most effective mechanism in the District of Columbia for the elimination of consumer exploitation serious questions are being raised in terms of its implementation and enforcement. The passing of the legislation represents the preliminary steps in its implementation. However, without affirmative steps on behalf of city officials to establish the Office of Consumer Affairs the legislation is fruitless.

Earlier promises of the establishment of the Office of Consumer Affairs has resulted in many assertions and vocalizations without implementation. On December 5, 1967, the Honorable Mayor Walter E. Washington testifying on Consumer Protection Legislation for the District of Columbia before the United States Senate Committee in the District of Columbia stated:

"I believe the consumer should be fully protected by law from contract provisions that have no place in fair dealing . . . I believe the consumer who enters into an agreement for goods or services is entitled to receive his half of the bargain and not be left out in the cold because of out-moded legal concepts . . . Consumer associations should be encouraged at the grassroots level of the city's neighborhoods, coordinated and organized into a communitywide and, indeed, a regionwide organization dedicated to the protection and interests of all consumers . . .

"Moreover, in my view, it is time that the city government must make a start in coming to grips with the problems of the consumer.

"I have, therefore, proposed today, in submitting to the District of Columbia Council my recommended fiscal 1969 budget for Council approval, a new District of Columbia Office of Consumer Affairs. I will do that later today. That budget will contain a request for a new District of Columbia Office of Consumer Affairs, and I would just like to stop for a moment and say, Mr. Chairman, that based on the rate received in 1968 in the budget, I would hope that I could find appropriate funds to establish such an office prior to the approval of the 1969 budget, and I certainly would like to call upon you to assist me in this regard because I certainly would like to see an Office of Consumer Affairs in our District Building."

In March 1968 the Government of the District of Columbia took constructive steps to secure funds from private foundations for the establishment of the Office of Consumer Affairs. These efforts resulted in three major foundations, Field, Carnegie, and Meyer expressing a genuine interest in funding such an office. Mr. George Loft of Field Foundation came to the District of Columbia in August 1968, to receive confirmation from Mayor Washington for the establishment of the Office and its necessary finances. After several unsuccessful attempts to see the Mayor, Mr. Loft returned to New York. In September 1968, we were informed by Mr. James Kunen, Executive Director of the Meyer Foundation, of their interest in funding, in conjunction with several other foundations the District of Columbia's Office of Consumer Affairs. The Meyer Foundation's interest in the establishment of a consumer-protection office was later manifested by its allocation of twenty thousand dollars ($20,000.00) to the Neighborhood Consumer Information Center.

In several attempts to discuss the implementation of the Office of Consumer Affairs with Mr. Julian Dugas, Director of License and Inspection, we were always referred to Mr. C. T. Nottingham, Director of the License Branch. Mr. Nottingham told us that no steps had been taken to secure a staff for the office. He did not know whether the housing

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inspector would be responsible for the inspection of the licensing provision. In essence, Mr. Nottingham could not advise us on any affirmative steps that had been taken. However, he did indicate that the regulations would go into effect on July 1, 1969, assuming that several legal questions could be settled with the Corporation Council's Office.

On May 2, 1969 Mr. Nottingham's statements were confirmed by Mr. Julian Green, Administrative Assistant of the License Branch. Mr. Green stated that the office would not be under the jurisdiction of License and Inspection, but would be an entirely separate division. However, when he was asked if any steps had been taken to establish the Office of Consumer Affairs, he said "none." He echoed the fact that the regulations were presently being scrutinized by the Corporation Council.

The prior inconsistencies of the Government of the District of Columbia has supplied us with sufficient evidence to question its genuine concern for the protection of the consumer. Such inconsistencies have raised several pertinent questions. First, realizing the problems of administrative implementation if affirmative steps have not been taken before July 1, 1969, will the Office of Consumer Affairs be effective before 1970. Secondly, when the office is established will it have sufficient personnel to enforce the license provision. Third, if it has sufficient personnel to enforce the license provision, what mechanism or guidelines will be used to determine whether a license should be granted or rescinded. Finally, if a mechanism has been designed to determine the grant and rescission of license will this information be common knowledge to all consumers.

The Office of Consumer Affairs could prove to be the consumers', especially the low-income consumer's, most effective remedy. However, its effective relief cannot be determined by its enactment, but must be measured by the amount of authority it exerts. Therefore, we can only consider this legislation as a step in the right direction; its effectiveness is subject to the exertion of authority by the city officials.[6]

Since the "Truth-In-Lending" and District of Columbia legislation are limited in effect, we found it necessary to scrutinize proposed federal legislation that would directly effect the low-income consumer. Senate Bill 1599 (90th Congress 1st Session) and the House of Representatives' Bill 7114 represents such legislation.

C. Senate Bill 1599 (90th Congress 1st Session)

The need for legislation to protect the consumer from door-to-door salesmen arose as a result of the flagrant abuses committed by "high-pressure" door-to-door salesmen who very often were negotiating in bad faith and who very often had no intent of delivering the goods or services contracted for or, misrepresented themselves or goods to unwary consumers. Often it was found that unscrupulous salesmen preyed upon ignorant, gullable and sometimes illiterate buyers and, after securing funds, disappeared.

Typical of this type of transaction were magazine offers and sales contracts which were never received, and encyclopedia sales by intimidating salesmen, misrepresenting themselves as school authorities.

It was found that there are some legal remedies which exist at the present time. However, the cost of litigation, the time involved, and the general lack of information regarding these forms of relief are not readily accessible to the average consumer. It was further found that the disproportionate number of door-to-door sales involving misleading or high-pressure sales tactics could probably be attributed to the especially vulnerable position of the consumer who is unexpectedly confronted with a sales "Pitch"; whereas an individual who solicits or enters into a place of business is of a psychologically different frame of mind. A buyer may feel intimidated into making a purchase in the home for he has nowhere to escape.

Federal legislation has the advantage of requiring only one statute to which national companies must comply and also prevents fraudulent operators from fleeing one state's jurisdiction to another as law enforcement officials catch up with them.

Senate Bill 1599 was designed to regulate the activities of door-to-door salesmen. It contains some significant provisions for coping with the problem attending door-to-door salesmanship.

One of the most important provisions of S. 1599 allows the consumer the option of rescinding or canceling a sale by a seller made at a place other than the usual place of business if notice of such intent is forwarded to the seller by certified mail or delivery within two business days from the signing of the contract. It also provides that a seller must provide at the time that the contract is signed, a receipt containing the seller's name and address, the details of the transaction and a prominent notice informing the buyer of his right to rescind.

The bill provides that a buyer may rescind any sale of goods, any contract to sell goods, or an unexecuted contract for sale of services for a purchase price in excess of $60, or for a purchase price in any amount if the sale or contract requires security. And if the sale or contract is entered into at a place other than the place of business of the seller ("other than the seller's usual place of business" is interpreted to mean beauty shops, homes of friends, etc.)

It should be noted that the provisions do not cover sales which are entered into over the telephone or through the mail. If a situation where the initial contact and contract is made over the phone, and followed by a home visit, the factors surrounding the buyer's understanding of the telephone contract and all other circumstances are considered. Where there is substantial doubt as to the buyer's understanding of the contract made over the phone and the agreement is followed by a home visit for the purpose of formalizing the contract, the act shall be construed to include this type of sale. The determinative factor to be considered is the overall purpose of protecting individuals from misleading or high-pressure sales pitches at locations and under conditions which would make them vulnerable.

While NCIC favors this legislation, it provides little protection for the consumer against the predatory, unscrupulous dealers who would not come under the statute because the required $60 sales value limitation was not reached. We would recommend that lower dollar requirement should be adopted. Likewise, the two day cooling off period may not be adequate but it is indeed of great help to the consumer who has yielded to a high-pressure sales pitch. Unfortunately, this does little to correct the situation in which the consumer has signed under a misapprehension or under the guise of a verbal misrepresentation.

D. Federal Department of Consumer Affairs

HR 7114, as introduced in the House of Representatives would establish a Federal department for consumer affairs; the object being to coordinate Federal consumer services by transferring present functions in three Federal departments and other agencies. Several important provisions of the bill as introduced should be discussed. The Neighborhood Consumer Information Center sees the advisability of a coordinated Federal approach to the problems facing low-income consumers.

Functions of the Department

A. It is the duty of the Department to protect and promote the interests of the people of the U.S. as consumers of goods and services made available to them through the trade and commerce of the U.S.

B. Functions to include:

1. Present the view point of consumers in formulation of policies.

2. To represent the interests of consumers in proceedings before courts and regulatory agencies.

3. To develop, receive, and disseminate information helpful to consumers.

4. To conduct annually a National Consumers' Conference for the purpose of obtaining information, recommendation, and suggestions necessary or desirable for the effective performance of other functions of the department.

Representation of consumers

A. The department may intervene in matters before regulatory agencies or courts in order to represent and protect the interest of the consumer.

Consumer complaints

A. It would be the duty of the Department to receive from consumers, and to evaluate complaints concerning commercial and trade practices.

B. Upon receipt of any complaint, the Department shall take action to secure relief for the complaint.

National Consumer Information Foundation: Info-tag system [7]

A. There would be within the Department a foundation to be headed by a board of directors and shall be independent of the secretary in the exercise of its functions, powers, and duties.

B. The Foundation would establish and operate a system under which it may grant authority to a person who manufactures for sale at retail a non-perishable manufactured consumer product to affix to such product a label to be called an info-tag.

C. Said info-tag should bear (1) the name, seal, or other distinctive mark of the Foundation and (2) such information with respect to performance, content, safety, durability, care and other characteristics as the foundation determines to be necessary or useful to permit a reasonably prudent consumer to evaluate a particular product for the purposes of purchase.

D. The Foundation would maintain constant surveillance over products to which info-tags are affixed to assure that such products conform to information on the info-tags; the Foundation may revoke or suspend authority to use info-tags for willful or repeated violations of rules issued by the Foundation in connection with the info-tag system.

Institute for consumer research

A. The Institute would:

1. Develop methods for testing materials, mechanisms, and structures used in consumer products;

2. Test articles used or intended for use by consumers and make tests requested by the Foundation;

3. Compile, analyze, and publish statistical data and other information and data of benefit and interest to consumers;

4. Make recommendations to other departments and agencies of the Federal Government as to information which could result from carrying out their functions which would be useful and beneficial to consumers.

All powers and duties of certain other enumerated agencies which deal directly and indirectly with the consumer shall be transferred to the Department of Consumer Affairs.

Economic surveys and investigations

A. It shall be the duty of the Department:

1. To conduct economic surveys and investigations with respect to;

(a) The productive capacity for, and the production of, goods affecting consumers.

(b) The systems and mechanisms in use

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for the distribution of such goods, and the effects thereof;

(c) The levels of prices for goods and services affecting consumers, the factors entering into their establishment, and their reasonableness;

(d) The quality and suitability of goods affecting consumers, and the factors influencing same;

(e) The degree to which the trade and commerce of the U.S. succeeds in satisfying consumer needs for goods and services.

2. And to analyze and disseminate to the public information obtained through such surveys.

NCIC believes that the Rosenthal Bill represents the most protective piece of legislation that is available for the low-income consumer. The bill provides a mechanism by which the consumer's point of view will be expressed and assures him of an agency that has the authority to intervene in matters before agencies or courts. Such an agency would coordinate and consolidate education publications to be distributed to local communities through a central clearing house for Federal, State, local and private consumer activities. Hopefully, this legislation, if and when it is adopted, will consolidate the Federal agencies that perform some form of service directly or indirectly related to consumer protection.

Presently, there is not even a semblance of central clearing house for Federal consumer services, until the creation of the President's Committee on Consumer Interests (see previous comments on its effectiveness). Because of the multiplicity of programs and far-flung Federal techniques and approaches, the President's Committee has produced a *Guide to Federal Consumer Services.*[8] However, each department continues to approach consumer affairs from its own vantage point. While attempts have been made to coordinate these activities, the lack of a central celaring house with full authority over all programs has hindered the efforts.

In recent years there has been a proliferation of consumer legislation designed to aid the consumer, both at the State and Federal levels. While some of the legislation has been properly motivated, it has not gone far enough to prevent business and financial institutions from earning a living from the poor. Existing laws need to be more rigorously enforced and fines and penalties should be increased to discourage violators.

E. Federal Trade Commission

The Federal Trade Commission was created by Act of Congress on September 26, 1914 (15 USC 41, 38 Stat. 717 (as amended)) to promote export trade and to prevent unfair methods of competition. The Commission regulates interstate commerce, i.e. commerce among the several states or with foreign nations, or in any Territory or in the District of Columbia, or between any such Territory and another, or between any such territory and another state or foreign nation, or between the District of Columbia and any State or Territory or foreign nation. The Commission's Regulatory authority is, therefore, limited by the enabling statute. While an expanded definition of "commerce" has permitted judicial regulation, for civil rights purpose, of hotels, motels, restaurants and other places of public accommodations (see *Katzenbach* v. *McClung* 379 US 294, 13 L Ed 2d 290, 85 SCT 377 (1964). *U.S.* v. *Heart of Atlanta Motel* 379 US 241, 13 L Ed 2d 258 85 SCT 348 (1964), the FTC has not seized this tool as an effective means of protecting individual consumers. The interstate nature of the transportation of goods to market for consumption, makes the merchants who offer them for sale susceptible to stringent regulation by the Commission.

It is evident by the continuing problem of consumer exploitation that unless the agencies exert their full authority in the protection of the consumer, legislation will be fruitless. The failure to exert such authority raises the pertinent question of whether or not the behavior of the merchants is being condoned by the failure of administrative enforcement. Frequently an agency may concur with certain practice by refraining from acting.

F. Other Federal Remedies

The Neighborhood Consumer Information Center has investigated these Federal programs in the hope of discovering those programs which would further our progress toward the goal of consumer awareness and self-protection. We have found very few programs geared toward the needs of the low-income consumer. Generally, the programs of the United States Department of Agriculture (U.S.D.A.) and the Food and Drug Administration (HEW), should be classed as public safety measures.

These programs are only in a very broad sense synonymous with consumer education and consumer self-protection.

The Office of Education of HEW administers through the various state education departments a grant-in-aid program sponsoring consumer education program which was authorized by the 1968 Vocational Educational Amendment. This program has the potential for future development provided local school boards are encouraged to adopt comprehensive curriculum of consumer education. Although funds are limited for this first year, there are indications that positive State and local responses will result in substantial expansion of the program.

Through the Cooperative Extension Services of the USDA home economics education is provided for homemakers and youth. Generally, the instruction centers on food and nutrition, home management, family economics, child development, and parent education. Local communities have not taken full advantage of this program because the local administrating agency is the local Cooperative Extension Service. This agency has not had sufficient staff, in the past, to fully operate the program.

Within HEW, the Social Security Administrations' Bureau of Federal Credit Union provides two kinds of services;

1. information on chartering and assistance in preparing a charter application for Federal Credit Unions,
2. training in credit unions and consumer action, through Projects Moneywise, which is a program designed for the low-income consumer. These services are provided for OEO Community Action Agencies, Model Cities Neighborhood residents, associations of 200 or more members, or employee groups of 100 or more members.

Unfortunately, the scope of this program has been limited because there is no local mechanism for the implementation of the programs. The Regional Offices of BFCU do not have the staff capacity to actually assist all the groups that are requesting technical assistance. Therefore, BFCU has had to rely on private organizations such as C.U.N.A.I. (Credit Union National Association, International) for the actual training of resident groups. CUNAI has done a very remarkable job. However, the demand still has not been met. It is truly unfortunate that the BFCU cannot increase its own capacity to give technical assistance.

Implicitly within this analysis is the realization that Federal efforts in the area of consumer affairs are presently limited and that the low-income consumer especially needs guidance at the local level. It should be noted here that there is a dire need for extension and consideration to be given to the income consumer problem on the federal level. Presently the consumer has been entirely excluded from any consideration by the Federal Government. We attribute this factor to the Federal Government's failure to understand the nature of the low-income consumer. However, if consumer exploitation is to ever be eliminated within the District of Columbia both the Federal and local government will have to give consideration to the problems.

II. Private remedies

A. Better Business Bureau

The Neighborhood Consumer Information Center reviewed the previous and on-going efforts and activities of other organizations carrying out consumer oriented programs in the District of Columbia.

Services available to the consumer in general and the low-income consumer in particular have been largely informational. Former Senator Paul Douglass went so far as to say that "(K)nowledge is the key to the consumer problem."[9] The fallacy of this statement is keyed to low-income consumers who are largely undereducated, unfamiliar with business practices, and have no understandable yardstick with which to measure the cost of credit. Even when they are common prey for merchants, the number of complaints to regulatory and public service organizations is negligible in comparison to those from middle income individuals. Several groups have traditionally sought to aid the consumer by means other than providing information. This analysis was done with a view toward possible referrals and expansion of such program impact on the low-income consumer in the District of Columbia.

The Better Business Bureau (BBB) is a nationwide organization of independent, nonprofit corporations organized in 1912 (1920 in D.C.). It is financed by memberships paid voluntarily by responsible business and professional firms in the community.[10] Local bureaus are affiliated through the Better Business International and each is governed by a board of directors. The Better Business Bureau is not a government agency, rather, it represents a means of self-regulation by businessmen.

Better Business Bureau procedure require aggrieved consumers to complain directly to the Bureau in writing to avail themselves of the Bureau's services. All complaints must be signed. The Washington bureau handled some 10,000 complaints in 1968. There is no data on the satisfaction of the consumer complaints with the resolution achieved by the Better Business Bureau.

Essentially it is an attempt by merchants and businessmen to regulate themselves. Businessmen have for years argued that competition is the best protector of the consumer's interests assuming that the market place offers sufficient alternatives and that the consumer knows how to select the products and services which best meet his needs.[11] In the case of low-income consumers a third assumption must be made. We would have to assume a certain amount of cash on hand for spending. Low-income consumers almost always "shop for credit." They do not spend their money in the same way, nor pay the same prices, nor receive the same quality of merchandise for similar amounts spent by middle income consumers, see generally Note, Consumer Legislation and the Poor, 76, Yale L.J. 745 (1967).[12] In recent years the number of consumer aid organizations has risen sharply. Although much attention has been directed to business and governmental organizations, businesses' performance has not been adequate.[13]

The increasing governmental interest in this area was precipitated by the failure of business to provide the kind of leadership that would have obviated the need for federal intervention. While the Bureau's name is well-known and is often mentioned by aggrieved ghetto shoppers,[14] it does not engage in litigation and generally is unable to offer much aid.[15] Despite the demonstrated ineffectiveness of the Bureau in dealing with

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dishonest merchants, the federal government continues to urge the consumer to go to the Bureau for relief, before seeking government help [16] (see generally *Fight Back: The Ungentle Art of Self-Defense* (undated)).

The success of the Better Business Bureau is necessarily limited by its nature and structure. The ethical businessmen become members, because of their concern about consumer protection. The crooks and "fly-by-night" operators are the non-member offenders who dupe their customers and vanish. The lack of enforcement procedure, i.e., no litigation procedure, economic sanction, etc., limit the chance of success against a fellow merchant who knows the Bureau's limited power.

The Better Business Bureau has proven to be an ineffective mechanism for the protection of the low-income consumer. This is attributed to several factors. First, the Better Business Bureau failure to understand the nature of the low-income consumer's problem. Secondly, the lack of high risk merchant membership within their organization. Third, its failure to take constructive efforts to include the low-income consumers within its clientele. Fourth, its failure to go behind the commercial transaction and determine what representation was used in consummating the agreement. Finally, the failure of its members to be concerned about assuring the low-income consumer equal representation within the economic system.

For many merchants the Better Business Bureau represents an escape mechanism. It is his appeasement to the consumer for his failure to behave justly. Merchants, when confronted by a complaint investigator, have informed him that he is a member of the Better Business Bureau and alleged that his reputation with such organization is favorable. They generally use this mechanism in hope of avoiding excess pressure on the complaint that we are pursuing. However, these criticisms should not be read as indicating non-feasance or non-production in its results.[17] The Bureau has been of invaluable assistance in protecting the middle-income consumer, but it has served as a protective shield which kept the supposedly ethical merchant from addressing himself to the problems of the low-income consumer.

B. Legal Services

Aggrieved consumers are turning more and more to the several legal aid societies for assistance. The Legal Aid Society and the Neighborhood Legal Service Program has played an important role in equalizing the inequalities of post sale legal conflicts between the merchant and consumer.

Generally speaking, outmoded laws have presented barriers to the low-income consumer vindicating his rights. Reform has been slow to come. The success of all manner of schemes and chicanery depend almost entirely on the swindler's assurance of easily collecting the debt through legal channels. Not surprisingly, the use of garnishment as a weapon to extort the poor has gained wide acceptance among predatory merchants. Examinations of court records in many cities indicate that both dealers and finance companies form "garnishment rings" which operate exclusively in the ghetto. An eyeglass merchant in the District of Columbia filed 411 garnishment cases between January 1, 1966 and February 8, 1967. The District's largest department store filed only 217 cases during the same period.

Where the low-income consumer is the potential plaintiff, it is most unlikely that suit will even be brought. Many low-income consumers are unaware of the existence of either legal aid or the small claims court and simply do not think in terms of invoking legal processes on their side.[18] Where the low-income consumer is sufficiently irate to take action, he is likely to stop payment as a form of pressure on or retaliation against the merchant—and usually just worsen his own position thereby.[19] For those few who do attempt to invoke legal processes the obstacles that must be overcome are substantial: (1) The merchant may have gone out of business (and re-entered under a new name).[20] (2) Legal aid societies may be reluctant to help because they do not in general take plaintiff cases. (3) Private attorneys' fees would often be so high as to eat up any possible gain.[21] (4) Alleged warranties may not have been in writing. (5) Frequently written documents will have been lost.[22]

When merchants of finance companies wish to sue, rather than invoke extra-legal pressures,[23] the situation is very different; for them the legal process is a broad and easy road to garnishment. Merchant-initiated suits virtually never come to trial; the overwhelming majority—97 per cent in the case of Harlem merchants [24]—end in default judgments because the defendant never answers the summons or complaint. In most cases—legal aid attorneys estimate 75 per cent [25]—this is because the defendant never received the summons. The common procedure has come to be known as "sewer service".[26]

The Neighborhood Legal Service Program has taken most constructive steps in the field of consumer problems. However, it is limited by a overburden case load and a lack of adequate personnel.

C. United Planning Organization

The United Planning Organization (U.P.O.) the umbrella-type anti-poverty agency has assumed administrative and coordinative responsibility for much of the consumer oriented work being done in the District. UPO has ten Neighborhood Development Centers providing the following consumer services:

1. Credit Unions. 2. Consumers Action and Education.

These centers have had their largest measure of success with establishing community-based credit in actual buying and lending experiences. Much more importantly, however, are the establishment of credit for the borrower, and the development of good credit habits in the borrower.

Several consumer cooperatives and buying clubs begun recently with the assistance of several organizations. The Central Cardozo Community Development and Services, Inc. presently operates two shopper coops owned by its members.[27] An Urban League sponsored coop grew up from a buying club. Other cooperatives have been assisted by local chain stores [28] and by Greenbelt Consumers Cooperatives.

UPO recently initiated a "limited credit" program with Kann's Department Store to facilitate credit purchasing by low-income persons. The program provides a practical education for the consumer as to the responsibilities of buying on credit. Other department stores plan to join the $50 credit club, when a group of Northeast residents complete a formal consumer education program. Field trips to supermarkets are also being utilized as a laboratory educational tool. These approaches cannot be evaluated as they are pilot programs in the Washington area.

SECTION II—A DEMONSTRATION IN CONSUMER PROTECTION

Low-income clientele are not receptive to visiting offices and explaining their problems unless an injury has occurred. In the low-income consumer market, consumer exploitation is not considered as a problem, but a way of life. Many of these people have resigned themselves to the position that they do not have good credit, they cannot obtain credit therefore, they must continue to secure their necessities from the high risk merchant.

A lack of positive alternatives and strict enforcement of the limited legislation that has been promulgated in the interest of protecting the consumers has reinforced the low-income consumers' frustration and disgust. Therefore, the first requirement of any consumer organization attempting to solve the low-income consumers' problem is to secure the faith and confidence of its clientele.

In the District of Columbia it is absolutely necessary to move fast. D. C. residents, until very recently, had no organizations, adequately designed to relieve their problems, and they could not rely on governmental promises. They were disenchanted with the inadequate remedies existing to redress the obvious wrongs and were, therefore, alienated from most groups offering services to them.

NCIC's initial thrust was based upon the establishment of rapport with the community. By establishing its offices within the neighborhood, by employing students who lived in and who were familiar with some of its problems, NCIC crossed the first barrier—lack of communication. However, NCIC felt that the only way it could ascertain information and protect the residents was by deploying its staff in the community on a day-to-day basis.

The first three months of operation were spent eliciting specific information through a series of questionnaires and pricing surveys. The residents were responsive to both technical and personal questions, but were disturbed at the fact that they were constantly being questioned but seldom helped.

The staff did encounter difficulties in entering the residents' premises. However, upon explaining the ramification of the questionnaires, the residents proved to be quite cooperative. Often the conversation led to the resident's personal problems. Upon eliciting such complaints the staff representative reported the incident to the office and an investigation was initiated. These negotiations opened lines of communication between the residents and NCIC.

The questonnaires proved to be an effective method of getting into the community and learning its problems, but as a statistical tool it was ineffective. This factor must be attributed to the continuing series of questionnaires and studies that have been taken in the northwest section of the District of Columbia. As one resident stated "I am beginning to feel like an overworked pig, but no one is helping me."

One of the most widespread revelations in this analysis was that residents knew well the methods which high risk merchants employ, but failed to react to them. This factor is better understood by looking at the origin and financial status of the low-income consumer. The majority of these individuals were welfare recipients, members of families with three or more children living on income of three hundred dollars ($300.00) or three hundred-fifty dollars ($350.00) a month, who had arrived on the urban scene from southern rural communities. As a result of their background, they are constantly faced with problems ranging from lack of income to a retail sales system designed to produce income at the expense of those who need it most but can least afford it.

Their need for the basic staples, food, clothing, and furniture has forced them into the only available market. With a poverty level income and little or no credit the low-income consumer must satisfy his needs from the high risk merchants. Generally, the resident knows that as a consumer he has the right to buy merchantable goods, or that his purchasing agreement is an open-ended contract that will result in the repossession of all items upon his default. Despite this knowledge they have no available market or remedies, so they must obtain their necessities from merchants who will extend them credit regardless of their financial status. Because this is their only source of credit,

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many residents protect them by refusing to prosecute them or complain.

It was obvious that a mechanism that would enforce consumer rights had to be constructed. NCIC, realizing these problems designed a mechanism to apply direct pressure to the unscrupulous merchants as a short-range remedy, and to pursue the establishment of a new market as an alternative or long-range remedy.

To accomplish the above objectives, the Neighborhood Consumer Information Center divided itself into three specialized departments: The Field Department, responsible for acquiring information and administering the remedy; the Research Department, responsible for evaluating the available remedies and discovering the solution to the problems; and the Public Relations Department, responsible for community awareness.

I. Field department

The Field Department found it impossible to operate without further division and specialization. As a result it established three subdivisions specializing in the acquisition of information for the administration of short-range and long range remedies. These divisions were the Complaint Division, which handles all consumer complaints from the community; the Store Investigation Division, which elicits first hand evidence on the merchants' practices, and the Education Division, which is responsible for the dissemination of information in consumer education classes.

A. Consumer Complaints Division

The Complaint Division is responsible for the administration of immediate relief. This division is composed of second and third year law school students who attempt to negotiate a remedy between buyer and seller. These complaints usually fall into four classifications: fraud, warranties, credit practices, and repairs. The fraud classification includes all transactions originating as a result of misrepresentation, unconscionable clauses, used or damaged goods (lack of consideration), and assignment of the purchase contracts to finance companies without apprising the consumer. Misrepresentation includes the majority of the sales approaches such as "bait and switch, referral schemes, and free offers."

Warranties usually involve a breach by the seller. In considering express warranties, emphasis is placed upon any positive affirmation or representation as to the character, quality, or condition of an item sold when understood and relied upon as such by the consumer. The major thrust is upon the implied warranties. With regard to implied warranties of title, the primary thrust is upon contracts with a supposed disclaimers. Generally, the implied warranty of merchantability is breached by merchants who do not sell items that are of "fair average" quality or fit for the ordinary purposes for which such goods are used. A majority of the high risk merchants sell commodities to the consumer knowing the purpose for which the commodity is purchased, but refusing to comply with the implied warranty of fitness for the purpose.

Credit complaints include such items as incorrect billing on accounts, unjustified rejection of credit requests, and consistent harassment by collection agencies. This classification also includes the practice of assessing "late charges" on a buyer who does not make his payments on time, usually resulting in great hardship for low-income consumer. When a purchase is made at a store or through a dealer, the consumer, in good faith, agrees to pay out the bill "on time." When financial trouble arises and the payments cannot be made on time, the practice of charging the consumer an amount in excess of the legal interest rate puts the consumer deeper into the hole. When a consumer's payment is late for one month, not only is an exorbitant late charge assessed against him, but unless he makes two payments the following month, his next payment is then automatically late every month for the entire period of the contract. Close scrutiny is given to repossession and garnishment practices under this classification.

Repairs and services comprise the final category. It includes an evaluation of all repair practices. Often the repairmen remove the appliance from the premises, clean the defective part and return it to the consumer. If they do not clean the defective part, they replace it with a used part and charge the consumer the price of the new part plus labor. Services include dry cleaners who take clothes on a bailment basis, misplace them, and refuse to compensate the consumer for loss of the items misplaced.

This process begins with a telephone call from a complainant. A secretary writes down basic information, e.g., name, address, and telephone number of the complainant. This information is placed in the new case file. That afternoon, the complainant is called by a screener, and initial facts are written down on a complainant data sheet. The screener informs the complainant of his rights, the legal ramifications of the transaction, the possibilities of success, and NCIC's limitations. The screener makes an appointment with the complainant, and twenty-four to thirty hours after a complaint is received a member of the complaint division visits the complainants' home or goes to his place of employment to evaluate evidence such as the item itself, the contract, a receipt, etc.

After eliciting information and evaluating the evidence, the investigator forwards to the merchant a letter with the alleged facts obtained from the complainant, the legal ramification, and recommendation for disposition of the problem. A carbon copy of this letter and all subsequent correspondence is forwarded to the complainant. A memoranda is also submitted to the Store Investigation division requesting an analysis of the merchants' practices.

Because NCIC is limited to negotiation and cannot litigate cases, it has established a mechanism referral of cases to Neighborhood Legal Services with questions on legal technicalities being researched by NCIC. After the investigator has exhausted all means of obtaining a remedy, the case is transferred to Neighborhood Legal Service Project. If the client is above the salary ceiling of the Neighborhood Legal Service Project, he is referred to a private attorney. NCIC has two investigators that are liaison between all nine NLSP Offices. In each NLSP office one lawyer is an NCIC contact. The investigator responsible for the transfers will reduce the case to a legal memorandum.

This memorandum accompanied by whatever evidence is available is submitted to the liaison in NLSP office. The second liaison investigator is primarily responsible for expediting resolution of the case. All cases that are transferred from NCIC are given to the one liaison in each NLSP branch office. As of this report we have had to refer only three cases out of two hundred and forty.

Many of the complaints that NCIC received are referrals from agencies and community organizations. Past complainants who were satisfied with NCIC services refer their friends and neighbors. As a result, the consumer complaint department has attempted to keep the disposition of any case within a one month period. Seventy percent of our cases have been closed on this time schedule. When the case is closed a letter is sent to the consumer expressing NCIC's gratitude for the opportunity to serve him, and recommending that should he need further assistance not to hesitate to call (See Appendix A).

Experience has demonstrated the importance of the investigator's visiting the consumer. This approach allows the investigator to determine the financial and domestic status of the complainant, and to reassure him of our concern for the resolution of his problem.

The complainant is generally not embarrassed to discuss his problem at home. He is reassured and does everything possible to be of assistance. It is generally advisable not to probe into the family background and salary. Consumers on the whole are especially suspicious of organizations purporting to help them if the organization attempts to classify them according to their social or financial status. However, when consumers call (on their own) this suspicion is usually minimized.

A personal letter has proven to be the most effective mechanism for the disposition of a complaint. The personal letter gives the merchant and the consumer the impression that the case is being handled personally by the investigator, who has taken the time to compose a letter appropriate for the given facts. The Investigator is not restricted to a set of chosen words. This approach has proven to be effective in increasing the resident's confidence.

When negotiating a complaint the merchant is never apprised that the investigator is a law student. This gives the investigator the advantage of being able to analyze the transaction in light of the law and to react to the merchant's allegation with a degree of sophistication that is respected. The legal background has also proven to be an asset in the drafting of letters.

B. Store Investigation Division

Pending the response of the merchant, a memorandum is submitted to the Store Investigation Division requesting an analysis of the merchant's practices. The primary objective of this division is to obtain data relating to sale, credit, financing, repossession, and garnishment practices, and any other practices that might be employed by the merchant. Store investigators acquire data by visiting stores as a customer and, perhaps, purchasing an item. Subsequent to his visit, the store investigator indicates his findings in a report and submits it to the division chairman.

From the moment the investigator enters the door he is concerned with the conditions of the premises. Is it dark, dim, or well lighted? Do all items have prices marked and in an obvious place or does this information have to be acquired from the salesman? Does the salesman apply excessive pressure or is he casual? Does the salesman introduce credit as a means of transacting the sale, and if so, what are the items? Will they allow a customer to scrutinize a contract before it is signed? Is the reaction to a white customer the same as to a black customer?

The findings collected by the investigators have proven to be inconsistent with those answers communicated by the store officials. For example, a Northwest clothing store salesman told a consumer investigator that one does have to have established credit in order to qualify for the store's general credit plan. Exactly two weeks later the sales manager of the store said one does not need established credit. He also stated that name-brand merchandise was sold at his store. This statement was contrary to the consumer-investigator findings. In a personal interview with the credit manager of another store the investigator was told that only name-brand merchandise was available at the store. The following day three investigators proved this statement to be invalid. Another store salesman told one investigator, who was posing as a consumer, that he would need at least three-fourths of the purchase price in order to get an item on credit. In a telephone interview a store official stated that there was no such requirement. At a number of stores, salesmen and store officials misrepresent the facts and make erroneous statements concerning the products they sell. They do this under the correct assumption that most of their customers are people of very limited education and means, and will therefore, accept at face value anything that is said.

Most of the white salesmen seem reluctant to talk with Black investigators. They exhibit complete indifference in making a sale. For instance, the consumer generally must ask questions about the items rather than being informed about the product, its features and so forth. This reluctance was explained by one merchant who stated that sales are made at consumer's home. This statement was reinforced by another merchant who had his premises locked and stated that his sales were made in the buyer's home. This store's lights were very dim and price tags were not visible. If you requested an item, the salesman would have to go to the back room before he could present it.

Black salesmen are more receptive than white; they show greater concern about selling an item. There are some Black salesmen who act totally indifferent about making a sale. Perhaps these salesmen are not on a commission basis.

In determining whether or not an item is overpriced, an investigator takes into consideration its quality and its price at other stores. This comparison is based upon similar stores within and outside a given location.

The store investigation division takes into consideration the fact that the responses given by the store official are naturally going to be slanted. However, there has been sufficient evidence to indicate that the majority of the merchants prefer not to contest the alleged invalidity of their own contracts. Generally, when the merchant is confronted with documented evidence of his own practices, he chooses to settle the matter in private.

C. Education Division

To eliminate these problems NCIC designed a comprehensive and familiar consumer education program. This program is administered by the Education Division. Its primary responsibility is the solicitation and instruction of consumer education classes within the community. Such responsibility includes apprising the consumer of the problems that exist within his community and proposing possible remedies or alternatives to these problems.

Pursuant to NCIC's philosophy this division also concentrates its efforts in the low-income community. This division's services are generally rendered through established community organizations. Here the emphasis is placed upon supplementing the services rendered by other organizations. However, where there is a collective group of four or more consumers that desire consumer education classes, an instructor is provided.

The Education Division is composed of law students whose previous experiences were in the field of education. The majority have had four to five years of teaching experience. Each member of this staff is required to read the "Consumer Protection" section of the "O.E.O. Poverty Law Reporter" and "Financial Counseling" by the Federal Bureau of Credit Unions. Members serve a two week tenure on the complaint staff. This process is necessary to insure that the instructor knows the status of consumer laws and the nature of the problem. Subsequent to the orientation, the instructor is assigned a section of the District of Columbia.

Originally, the Education Division had a two-pronged thrust. These were collective counseling and individual counseling. In the collective process the instructor is responsible for the solicitation and development of consumer education classes. These classes are recruited from community establishments, such as schools, churches, welfare organizations, block clubs, etc. The instructors are responsible for contacting the organizations, informing them of the advantages to be derived from the classes, and arranging time, place and curriculum.

Generally, the classes are on a continuing basis. However, if there is an organization that desires a specific course, the instructor will design a curriculum that will meet the community's needs.

The basic problem in the area of class solicitation is that many organizations employ such elaborate procedure to approve a program, that it takes between two and three weeks (a conservative estimate) to determine whether or not the program has been approved. Generally, such solicitation requires forwarding an initial proposal to the organization explaining who you are, what you desire to do, what assistance is needed from the organization, and the benefits to be derived. This memoranda is followed up by a personal interview to explain the ramifications of the program. The interviewee usually approves of the program but it is subject to ratification of a committee or, in case of a church, the congregation. If it is subject to the ratification of the congregation it may necessitate the instructor speaking at the church or polling the members to discover their interest. Subsequent to the endorsement of the congregation, instructors must arrange a time that is convenient for themselves and for the congregation. The negotiation involves the creation of a general curriculum that will satisfy the needs of the congregation. Sometimes the curriculum of these classes are geared to supplement a consumer education course that is already being taught. Such classes generally deal with home economics and budget planning as opposed to an overview of all consumer credit. These supplemental classes usually cover finance charge v. interest charges or the regulations governing garnishments and repossessions.

It must be noted, at this point, that contact work of this nature is necessarily time consuming. However, if consumer education classes are to be effective, it is necessary to secure the interest of the consumer. Often this means selling the program to the consumer. After you have sold the program, it is necessary to get the consumer, especially low-income consumers, involved. This initial involvement can only be secured if you have an active group or if you are aware of the class's specific interest. The instructor generally attempts to center the first two or three sessions around the class's expressed interest or the pertinent problems within that community. When the instructor secures classroom participation, the attendance in his class increases. Generally, in churches, and especially those attended by low-income consumers, your first class will consist of one or two consumers. The best remedy for this problem is to conduct a class on a common practice which may have effected them. When they begin to discuss the practices in terms of their personal knowledge, ask them for their solution. This technique insures increased attendance and the constant inquiry to the solution of consumer problems.

Two classes are taught at the People's Involvement Corporation, at Florida Avenue and Seventh Street, N.W. These classes have averaged thirty pupils per week. The pupils involved are community aides who spend their time visiting families in the Shaw area. Their duties include helping the residents define, express, and clarify their economic problems. Their "pupils" are, therefore, adults with a wide range of educational and employment experience. Interestingly enough, some of these adult community aides have personally experienced difficulty in obtaining credit, while others in this group have had problems in submitting a budget that would satisfy the Department of Welfare, for public assistance. Accordingly, the classes have been quite lively, and the aides have responded to the classes in a positive manner.

These classes have covered different aspects of credit, as it pertains to the consumer. Basic classifications covered included the question of why one should or should not buy on credit, how much does credit cost, how can one qualify for credit, and how can a person prevent a bad credit rating when he is unable to pay his debts on time. Subsequent classes covered such realistic situations as what to do when a company designates a person as a credit risk, when such person has, in fact, paid the company; what to do when a door-to-door salesman asks the person to sign a receipt, when such "receipt" is really a contract. What to do when a person owes a debt to a company, but the company subsequently goes out of business, and such person is confronted by a "strange" creditor for the amount of the debt, and what to do when a person thought he was purchasing a new item, but it subsequently develops that the merchandise was second hand.

The class discussions revolved around the importance of proper investigation before purchasing an item, and the importance of comparative shopping in the high risk market for both the item and credit. The instructors' evaluation of the classes is that all pupils are highly motivated, and that class participation is at a high level. The reason attributed to this pupil participation is that the pupils are strongly involved in community affairs and are interested in helping others in the Black community.

The vast majority of the class presentations has employed the lecture method, however, class participation is encouraged. Such encouragement has manifested itself in exchange of comments between the members of the class and the instructor. This dialogue usually comes at the end of the lecture, however, and has not always been in direct response to the lecture. The usual form of questions has been characterized in the form of what happened to some particular third person in a particular transaction. The instructors feel that even though the students asking the questions refer to a consumer in the third person, they are actually referring to themselves, or some person in an immediate relationship to them. In addition, it must be stated that even though these questions do not refer directly to the lecture, they frequently have a collateral connection to the lecture.

The lecture method has been justified, as opposed to other methods on the grounds that it is more expedient in giving essential information in short periods of time. However, films have been used on occasion to reinforce certain points that were brought out in prior lectures. In addition, certain students have expressed their preference of the lecture method as opposed to other methods of class presentations. They have felt more at ease with the lecture method in that they would not be "forced" to speak before the body when they did not wish to speak. As a result, the responses from the students have been more spontaneous and candid, than if they were "forced" to involuntarily contribute to the class presentation.

Experience has shown that a very few materials are necessary for an effective and meaningful program. The only materials used besides the lecture method were various films, and these were only used to supplement and reinforce the lecture. The real key to a meaningful program lies in having a flexible staff. We attribute this factor to the background of the instructors, not only their legal and undergraduate experiences, but their ability to live within the community and to experience or be familiar with its problems. Our research has proven that there is limited material available in the consumer area for the low-income purchaser. There are only two films to our knowledge that are presently worthy of presentation to the low-income consumer. They are the "Owl Who Gave a Hoot" and "The Poor Pay More."

"The Owl Who Gave a Hoot" is the most informative of the two. This film is short and descriptive. The descriptions are of transactions that affect the low-income consumer. However, it fails to develop the remedies and alternatives to the transaction. These alternatives must be considered in light of a consumer without another credit market.

The literature that is available in the consumer area is generally too sophisticated for thelow-income consumer. It usually consist of prolonged explanations of the consumer problems. The low-income consumer will dismiss the problem without discovering the solution. Any information that extends over two pages or requires excessive reading, regardless of its content, will not be read.

The most effective method of eliminating consumer exploitation is to give individual counseling as opposed to giving a lecture to twenty or thirty pupils. One of the major recommendations in the "Federal Trade Commission Economic Report on Installment Credit and Retail Sales Practices of District of Columbia Retailers" was to provide counseling services which will encourage customers to practice comparative shopping. This recommendation is quite valid but we have found that the Federal Trade Commission fails to realize the full extent of the problem. If counseling services on comparative shopping are to be given, it is necessary to limit such counseling to comparative shopping within the high-risk market. Alternative markets are not available to low-income consumers because, lacking the capital to make cash purchases, they are forced to "shop for credit." Also, the cost and inconvenience of travel for the average low-income consumer further limits his shopping prospects to the "high risk" market. He simply lacks the mobility to do conventional comparative shopping. If individual counseling is to be provided, it should run the gamut of over-pricing, unusually high interest rates, misrepresentations, high-pressure sales techniques, misinformation as to the law and even violations of the law.

NCIC realizing the significance of such an approach designed a network to provide the community with a continuing series of financial and credit counselors.

The Block Counselor phase of the Education program represents NCIC's individual counseling mechanism. The program was designed to allow members of the community to participate in educating residents on their own block or neighborhood to the techniques of consumer self-protection. We tried, at first, to solicit interested participants by explaining concepts while gathering information for the consumer questionnaires. There was a substantial number of residents who expressed an interest and stated that they would be willing to work in this capacity. However, when the time came to obtain firm commitments, we had little success with our volunteers.

Although the volunteers were committed to the concept of educating the members of their community to the techniques of consumer self-protection, they could not devote enough time after working hours toward accomplishing these goals. In case of unemployed volunteers, we found that they were discouraged because their work in the program would not lead to gainful employment.

We realized that without funds—for salaries, equipment, travel, materials, etc.—we could not effect more than a shallow representation of a program. Realizing the importance of individual counseling in the extension of credit to the low-income consumer, we constructed a Block Counselor Training Program which would encompass all of our objectives. The new program includes a budget breakdown and specific methods. This program is being negotiated with private foundations that are interested in the implementation of the Federal Trade Commission recommendations.

The Education Division serves as a repository for all factual data obtained by the complaint and store investigator, and the analysis and interpretation of legislature supplied by the Research Department. This information is synthesized and disseminated to the consumer.

The factual data supplied by the investigators illustrate the problems that must be resolved in a class. The Research Department analysis informs the educational divisions of the various remedies that are available. The instructor outlines these components to formulate a class presentation that will take the consumer from the problem through the remedies. This process insures the dissemination of the actual problems and the status of the law that affects the problem.

II. Public relations department

The Public Relations Department is NCIC's community awareness component. This department is composed of three commercial artists and two former newspaper reporters who are law school students. It is responsible for the dissemination of information dealing with exploitative practices that are discovered by the Field Department. This is accomplished through a strong advertising campaign that is conducted through the news media.

The Public Relations Department also publishes a unique news guide entitled "Buyer Beware." This newsletter is distributed weekly to five to ten thousand consumers in the Northwest section of the District of Columbia. Each copy is also published in the Washington Afro-American, the Capital Gazette, and The Pic-O-Gram. Copies are also forwarded to over three hundred and fifty churches that are on our mailing list.

This publication consists of a cartoon of a situation depicting an exploitative practice that NCIC has encountered within the community. Generally, there is a descriptive statement to advise the consumer of his rights. The Newsletter is simplified to insure immediate comprehension. When the first "Buyer Beware" was completed, and we did not receive any response from the community we discovered, upon questioning the residents who had received copies, that the newsletter contained too much writing. As a result the initial format was totally disregarded. The next copy was a cartoon with two or three simple sentences. Its distribution resulted in both favorable and unfavorable telephone calls. Many residents called to indict merchants that were using illustrated practices within the community or to raise questions about practices that they had experienced. We found that the simpler the materials, the greater the communication and response. (Appendix D)

Each week we submit public service announcements to radio stations, WOOK, WOL, and WUST apprising the low-income consumer of his rights in commercial transactions. This approach has proven to be successful for middle-income consumers, however, it has had little effect upon our low-income clientele. We attribute this factor to the time slots in which public service announcements are generally made, usually between 8 A.M. and 2 P.M. Subsequent to that period the announcements are commercial until Public Service messages return again at 9:30 P.M. The middle income clientele hears the announcements on their way to work but low-income consumers who generally travel by bus do not hear the announcements. As a result we found it necessary to purchase commercial time during the hours between the favored disk jockey shows. This procedure resulted in an exceptionally strong reaction from the low-income clientele. The message, delivered by the disk jockey usually receives a favorable response by consumers who telephone the station and tell of their own similar experiences. The number of calls received in response to the live recording by WOOK indicates that the low-income consumer responds more quickly to a live message than he would to one that has been taped.

The following are some typical examples of the announcements that we have found to be most effective:

1. Attention Consumer . . . don't be a victim of easy credit gimmicks. Sure it *sounds* great when people say, "Your credit is great with us . . . Just come in and sign on the dotted line . . . you don't even need a job . . . See us for easy credit." What the creditman *didn't* say was how much you would be paying . . . Many times, the final cost is twice as much as it should be. The Neighborhood Consumer Information Center cautions you to know *Exactly* what the credit terms are before you sign any contract. Get all the figures in writing, and don't guess on anything.

2. Allow me to give you a home demonstration of the Handy-Dandy Vacuum Cleaner right over here. (Fade out) Beware of home demonstrators, especially when they leave their product with you, you may be obligated to buy against your will. The Neighborhood Consumer Information Center warns you to avoid signing *anything* you're not sure of. Remember, *you are not alone!* Millions of people are misled, and deceived by tricky home demonstrators. Don't let it happen to you.

3. Congratulations, you've just bought a beautiful stereo and color TV combination. Just 18 payments and it's all yours . . . or is it? The Neighborhood Consumer Information Center warns you to know all the terms of your contract. *Don't* fall victim to repossession at the last moment and lose everything. *Don't* be cheated, mislead, or deceived when buying on time.

4. There's that phone again. This time the free gift could be a dictionary, a Bible, or a pearl necklace. And all you are obligated to do is subscribe to half a dozen magazines at only two dimes a day. Two dimes a day which may add up to more than seventy dollars a year with a contract which will run for four or five years. Is a pearl necklace worth that much?

From all indications, an intensified community awareness program is necessary to any consumer protection agency or organization. To maintain such awareness, it is necessary to secure the support of the news media. Although the radio announcement proved to be the most effective technique for insuring community awareness, many radio stations were hesitant in airing public service announcements. Generally, the commercial advertisement is given priority. We therefore, found it necessary to purchase time during the hours that were most appropriate for the listeners. However, for a public service organization this can prove to be quite expensive. In one month we spent twelve hundred dollars ($1200.00) for forty-eight commercial announcements and during the same period were given only thirty-seven public service announcements. When we indicated the need for increased public service announcements, we were advised that the manager did not have an opportunity to announce them.

The Public Relation Department was responsible for arranging several informational telecasts with WTTG, WFAN and WETA. However, the major television networks were not receptive. The television programs brought favorable response and extended our areas of assistance. We learned of problems that we had not confronted before. The majority of these problems concerned the middle-income clientele, but they revealed the similarity between the approaches used by the merchant in the low-income community and those used in the middle-income community. Generally, the high risk merchant commits the low-income consumer to a long-range contract. The middle-income consumer, too, is constantly confronted with

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contract commitments for home improvements, investment offers, or additional home furnishings.

Two thousand five hundred posters depicting exploitative practice were distributed throughout the District of Columbia. Four hundred and fifty were sent to churches and welfare organizations within the communities. Others were placed in service facilities such as pool rooms, barber shops, and beauty salons. We refrained from placing posters in a merchant's place of business because we did not want to appear as if we condoned any of his practices. These posters have brought many people into the office just for information or for advice on a particular problem. Frequently, they are interested in how we began, and the scope of our authority.

III. Research department

The Research Department represents NCIC's transitional mechanism. This department is responsible for: (1) the analysis, interpretation, and clarification of all available and proposed remedies; (2) the evaluation of the extent to which such remedies have been enforced or implemented; and (3) the development of alternative solutions. The evaluation of all available remedies are based upon the problems that the Field Department experiences in its day-to-day activities.

The major problem that the low-income consumer confronts in the process of consumer education is the problem of comprehension. Solutions that are available in publications are all too often too sophisticated for the low-income consumer. The research staff has found it necessary to simplify many of the government pamphlets, high school and college business texts, and general consumer education articles. Such simplification includes the extraction and translation of all pertinent materials into layman terms. This material is submitted to the consumer education articles. Such simplification includes the extraction and translation of all pertinent materials into layman terms. This material is submitted to the consumer education division for use in education classes.

The failure of publishers to print materials that can be easily understood by the low-income consumer has insured the high risk merchant's effectiveness. This weakness is extended further by the lack of sufficient information concerning the low-income market to compile such a publication. Without an adequate supply of consumer publications that are drafted in the language of the low-income consumer, those remedies or rights that may be at his disposal will not be used. A typical example of such a problem is the recently adopted D.C. Consumer Regulations. These regulations are written in the language of a professional draftsman or attorney. If such regulations are to be effectively applied by the low-income clientele, they must be translated into common language. The necessity for conversion of all legislation and consumer publications into laymen terms cannot be overemphasized if the low-income consumer is to participate in the American economy. We consider this conversion a major priority, since it represents the only mechanism by which the consumer can be apprised of his rights.

Many low-income consumers, realizing their plight, have established buying clubs. Buying clubs within the Metropolitan area are confronted with two major problems. First, they are limited to purchasing their supplies from Greenbelt Cooperative. Secondly, after two or three years of operation they outgrow their size. When they reach this stage they become interested in becoming a cooperative.

On several occasions the research staff's assistance has been needed to clarify the Cooperative By-Laws. Often the consumer does not understand the legal ramifications involved and requests our assistance in their implementation. As a result of such assistance, we have been able to witness the success and failure of many of the cooperative ventures.

Alternative efforts by low-income consumers to establish a cooperative market have proven, in most instances, to be fruitless. Failure is generally attributed to the low-income consumer's inability to raise the initial financing for equipment and supplies. It is evident that the present economy is not adapted to cooperative ventures within the inner city. Buying Clubs coud not acquire financing from the private foundation primarily because the consumers were not familiar with the process of negotiation. To alleviate this problem, it was necessary to train residents in the process of drafting proposals and continuing negotiation. This process often proved to be time consuming and unrewarding. The private foundations, Small Business Administration, and the government agencies were not receptive to cooperative venture. The only agency that supported such an effort was the Office of Economic Opportunity. However, it was unable to give any financial assistance.

In hopes of discovering an alternative market to consumer exploitation the Research staff investigated the feasibility of NCIC's entering the area of economic development. While the recent emphasis in government circles and the private sector has been on black capitalism, we cannot afford to omit the meters of black economic development, which presumes that the black businessman will put some amount of his total resources back into the black community to stimulate other enterprise. In short, black dollars must be earned and spent in the city, regardless of whether the dollar is carried out in a white hand or a black hand.

No merchant should be allowed to escape the debt which he owes in terms of fair dealing to the people who spend money with him. Exploitation by black merchants should not be tolerated for the sake of "brotherhood."

The phrase "but I'm a brother" is too often used as a sham for unbusinesslike conduct which equal and many times surpasses that of white merchants. This factor must be attributed to the successful indoctrination and profit-making practices of the present merchants. Black capitalism for many black merchants represents an opportunity to participate in the economic system. However, in reality it often results in the continuation of the economic exclusion and exploitation of the poor.

This practice establishes a person or group that is familiar only with the existing economic system. As a result the merchant's primary concern is the acquisition of profits and not the dissemination of benefits. Such a process in essence exchanges a black merchant for a white merchant and leaves the community without the benefit of the economic development.

In implementation, the concept of economic development is contrary to its theory. The basic theory of economic development is to give the community the maximum feasible participation in restructuring its economic society. This theory includes the acquisition of both of the economic and administrative benefits. However, in implementation it is the perpetuation of a social class that does not encompass the low income clientele.

In confronting some of the black merchants who are exploiting the low income consumer it was stated that the black merchant was having problems with their wholesalers. These problems included markups on wholesale merchandise, thereby, forcing the retailer to mark up his prices to reap a profit. Realizing the possible validity of these assertions, NCIC requested the names of wholesalers who were responsible for such practices. Unfortunately, as of this report we have not received the name of any wholesaler.

While NCIC concurs with the theory of economic development, if it is to be an effective alternative to the high risk merchant, it must be done by a process which will include the low income consumer in the profit making. The cooperative ventures are typical examples of such enterprises. By including the community representative in the enterprises, it is assured that the business will operate for the benefit of its clientele. Such a mechanism insures the low income consumer of the maximum benefits for his limited income. NCIC believes that it is necessary for us to concentrate on what the low income consumer needs rather than perpetrate a fraud by misrepresenting a concept of the economic development, Black Capitalism.

The research department in pursuit of an alternative market has attempted to have the general market encompass the low income clientele. Realizing that UPO and the National Welfare Rights Organization were taking affirmative steps to have individual stores in the Metropolitan area to include the low income consumer in their credit classification, NCIC attempted to have the Metropolitan Board of Trade adopt a policy of extending credit in member stores. NCIC, therefore, forwarded a letter to Mr. William H. Press, Executive Vice-President, explaining the status of the situation and requesting an opportunity to explain the economic advantage of including the low income clientele. This letter was sent on March 12, 1969. Several attempts to see Mr. Press have proved fruitless. As of this report we have not received a response from him. Section one represents examples of other analyses that are prepared by the Research Department.

SECTION III—SUMMARY OF FINDINGS

The Complaint and Store Investigation Divisions address themselves to the individual experiences of defrauded consumers and the schemes employed by unscrupulous merchants. Their investigations revealed the following practices within the District of Columbia.

I. *Misrepresentation:* represents the major problem of consumer exploitation. When considering misrepresentation, emphasis should be placed upon such matters as apply to credit agreements, prices, quality, or condition of an item sold. Frequently, the low-income consumer because of lack of fluid cash and little or no credit, shops for inexpensive merchandise, or easy credit agreements. As a result of this weakness, the merchant advertises through news media, radio, televisions, newspapers, etc., such phrases as "Easy Credit," "No Money Down," and "Low Monthly Payments." Subsequent statements as to the quality and character of the item are made by the salesman to the consumer prior to the consummation of the contract. These representations are generally a concealment of the truth.

Misrepresentations by the landlords has proven to be a potent example of this approach. Generally, the landlord makes representations concerning services that he will provide (i.e., heating, maintenance, and security) services that are never included in the lease agreement. In explaining the technical provisions of his lease, he often distorts the fact in the tenant's favor.

This tactic also includes "Bait and Switch." "Free Offer," "Referral Schemes," and "Pressure Salesmanship."

1. "Bait and Switch" is the advertisement of items through newspapers, radio and television at an exceptionally low price or as a "special." When the consumer arrives at the store, he attempts to buy the item advertised but he is informed that it is of poor quality or sold out. The salesman refers the consumer to a supposedly better quality item for a few dollars more.

This practice is commonly used in the sale of furniture and appliances. The merchant's advertisement generally appears in the daily paper with a picture of furniture and the

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following statement: "3-Piece Luxury Living Room Ensemble, Liberal Budget Terms. All 3 pieces Just $299.50" or "3 Complete Rooms of Brand Name Furniture for only $888.00. You Get 3 Complete Rooms all 20 Pieces and Save $220.00 now."

When the consumer arrives, the 3-Piece set or 3 rooms of furniture is found to be so delapidated that the consumer has no desire to purchase it. The salesman immediately recommends a better quality for a few dollars more.

2. "Free Offer" is an approach whereby the consumer is offered a gift which assures the salesman's admission into the home to promote other sales or to secure a consumer a contract by fraud. This technique is generally employed by door-to-door salesmen. It may begin with an unsuspecting consumer answering the telephone. He is informed that if he answers the question correctly, he will receive a gift. The question is always simple and the consumer is always right. Subsequently, the consumer is told that the gift will be delivered to his home. The gift is usually a Bible, a bracelet, or necklace. When the salesman arrives, he informs the consumer that he is delivering the gift and the salesman is invited in. Upon being admitted, the salesman either asks the consumer to sign a verification that the gift has been received or he proceeds to sell educational materials to the consumer at a supposedly reduced rate. The verification is often a contract for magazines or books for the next two or three years.

In other cases, the salesman offers a sample of his product for the consumer's inspection. Sometimes the consumer is supposedly selected as the demonstrator for the community. This is a common practice among home improvement firms. The consumer may be offered a freezer of food, if he will purchase a freezer, or two new tires if he will purchase a used car.

3. "Referral Schemes" are frequently used to increase a merchant's clientele. The consumer is generally promised a reduction in price, deferred payment, or free item in exchange for the names of five friends, who would be interested in the salesman's commodities. This often occurs when a salesman tells a consumer that he has been selected to demonstrate a home improvement item. The salesman always wants to know if the lady next door would be interested or if the buyer has friends in other neighborhoods that would be interested. Merchants who employ the "Bait and Switch" technique frequently elicit such information, or ask the consumer to bring in five or six more customers and he (the customer) will acquire his furniture or appliances for half price. These promises never materialize because the salesman is constantly forgetting his promise and does not recall when the original consumer came in.

Misrepresentation is a device that the merchant uses to entice the consumer's commitment. After inducement the merchant legalizes his security interest by the use of technical and complicated contracts.

II. *Fraudulent Contracts:* represent the merchant's guarantee of collection on any item sold regardless of its condition, the circumstances under which it was secured, and the oral commitments made to the consumer. For the low-income consumer this is the conversion stage of a commercial transaction. At this point what rights the consumer may have possessed are transferred to the merchant without an explanation of the contents and legal ramifications of the contract. Generally, the low-income consumer contracts are open-ended and include confession judgment and disclaimer clauses.

1. An open-end is a contract that exists over a period of years. It commences with the consumer's first purchase. All items purchased after that period are added to the original contract and the payments are apportioned according to the number of items under the contract. For the low-income consumer this method is especially receptive. Since he has little income and cannot acquire credit elsewhere, he generally purchases all his necessities under such a contract. In reality the method amounts to a terminable lease. The consumer is only leasing the furniture or appliances, etc., until he defaults in his payments. Subsequent to such default the merchant repossesses every item under the contract. The add-on clause in such a contract or sales agreement allows the merchant to secure the new contract obligations on goods other than those that were originally purchased.

2. Contracts frequently contain clauses or provisions that disclaim, modify, or alter terms of express and implied warranties made in connection with the sales agreement. The low-income consumer's lack of knowledge disarms him of the protection that is provided by law. Although this disclaimer may be broadly printed on the contract, it is often interpreted by the salesman who does not explain its legal consequences. Usually the disclaimer is not brought to the consumer's attention. He frequently signs the contract based on the representation made by the salesman and later discovers its ramifications upon fault or a request for repairs.

3. The salesman generally misrepresents credit or finance charges, or fails to clarify the terms of the agreement so that they can be readily understood by a layman.

4. Low-income consumers generally react to statements like "No Credit Necessary" or "We do our own Financing." However, in consummating the contract the salesman fails to disclose to the consumer his intention to negotiate or assign a contract or sales agreement to a finance company or other third parties. The transfer or assignment of the note frequently results in excessive expenses that the consumer does not understand. A typical example of such practices involved a consumer who purchased furniture from a dealer for $200.00. He later got a notice from a finance company stating his financial obligation as $387.84, including group life insurance for $5.57 a month. The terms of payment were $16.16 per month for 24 months. The consumer did not know his contract would be sold to a finance company.

5. The salesman fails to inform the consumer of the length of payment prior to the consummation of the agreement. The low-income consumer is normally interested in acquiring the item at the lowest possible rate; the fact that the salesman fails to mention the length of payments is completely overlooked. Example: Mr. R. R. purchased a color television set from Margo's priced at $349.00. The terms of the contract were $44.00 per month with no disclosure of the length of payments. After making payments for one year, Mr. R. R. still owed a balance of $212.00 on the television set.

6. In automobile purchases the consumer is often induced to sign a contract without having his attention drawn to the total price. The salesman generally emphasizes the quality and condition of the automobile and suggests that it will not be on the lot very long. The consumer impulsively commits himself.

7. A majority of the contracts contain clauses that call for confession of judgment before or after default by the consumer. This represents the merchant's built-in mechanism to secure the collection of his interest in the item. Regardless of the circumstances surrounding the default the merchant has automatically secured a judgment against the consumer as of the date in which the contract is signed.

8. On occasion sellers have induced the consumer to sign the contract before it is completely filled-in. The contract is later filled-in by the merchant and the items are entirely different from those for which the consumer signed. This practice generally occurs when a merchant is familiar with the consumer. The consumer relying upon his representation signs the contract in good faith. When the consumer discovers the alteration, he generally attempts to have the contract rescinded or refuses to make payments. The merchant threatens him with a suit or secures a judgment and the consumer is classified as a bad debt customer.

9. Most high risk merchants will not allow the consumer to carry a copy of his contract from the premises to be scrutinized by a third party. The merchant generally requires that the consumer sign the contract on the premises or leave a deposit for the item. If a deposit is retained and the consumer is not satisfied with the agreement, the deposit is never returned. In some stores the salesman develops such excuses as the contract has to be signed by his supervisor or sent to the main office. These excuses are made to keep from surrendering copies at the time the contract is signed.

10. Some merchants use contracts which generally contain provisions by which the consumer agrees not to assert against the merchant or assignee a claim or defense arising out of the sale. The disclaimers are stated in technical language that is not explained or understood by the average layman.

After legalizing his transaction, it is necessary for the merchants to secure their recognition by the enforcement agencies. One of the most notable facts uncovered in the "Federal Trade Commission's Report on Installment Credit and Retail Sales Practices of District of Columbia Retailers," released in March 1968, relates to the frequent use of the courts to enforce payment on the installment contracts. While general market retailers may take court action as a last resort against delinquent customers, some low-income market retailers depend on legal action as a normal order of business. Creditors can seek both repossession and payment of the deficiency should a consumer fall behind on his installment payments. The FTC further recommended equalizing the legal rights of buyers and creditors within installment credit.

Although the low-income consumer has the assistance of Neighborhood Legal Services and the Legal Aid Society, these facilities are insufficient to meet his needs. All too often these organizations are understaffed and overburdened by other domestic and criminal cases with which the low-income consumer is confronted. Realizing this inefficiency, the high risk merchant has continued to take advantage of the law for his own benefit. Although law enforcement, government, and private agencies are established to protect the consumer against the unscrupulous merchant, they are generally forced into giving him assistance in repossession, garnishment, and collections processing.

III. *Repossession, Judgment, Garnishment,* and *Collection.*

1. Low-income consumers are frequently the victims of repossessed items. Generally, the merchant waits until the payments are almost completed. When the consumer misses one payment, the item is repossessed. The repossessed item is sold or auctioned off and the profits are deducted from the balance of the contract. If the profits acquired from the sale do not cover the balance due on the contract, the consumer is held liable for the deficiency.

Normally the merchant is expected to give the consumer a fourteen day notice of their intention to repossess the item. In some instances the merchant fails to give the consumer notice and proceeds to repossess the item. This practice is often used to acquire items purchased under an open-ended contract. This frequently results in the repossession of the majority of the furniture within the consumer's home.

2. Serious questions have been raised concerning service of process under Rule Four

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of the Federal Rules of Civil Procedure. Under Rule Four the summons may be served upon the consumer in person or at his place of residence. A substantial number of low-income consumers have been denied such service. The majority state that they only become aware of the judgment as a result of their checking or savings account being attached. Because of the limitation on this investigation, we have not been able to verify these allegations.

3. The final procedure in this tactic is supplied by the courts. This experience is often an illustration of the court's expediency in prejudging the low-income consumer. Generally, the judgments are based on clauses calling for confession of judgment or evidence, i.e. contract or records of defaulted payments, submitted by the merchant. When the cases are called, the judge may or may not review the case. Subsequent to the review, if any, the judge will state "judgment."

If the consumer is present and without representation, any efforts that he may make to clarify the position of the transaction will prove fruitless.

4. Subsequent to the judgment and before the expiration of the statute of limitation (six years) the merchant reinstates his security interest by having the judgment extended for an additional twelve years. This generally occurs two or three years after the judgment is rendered. The merchant thereby acquires a maximum of eighteen years in which he may attach a lien to the personal property of the consumer. However, if the consumer pays the judgment two or three years later, no steps are taken by the merchant to have the consumer's status cleared with the Credit Bureaus.

5. Once the merchant's practice has been formalized, it becomes necessary for him to collect. Many of the high-risk merchants employ their own collection personnel who are responsible for exerting excess pressure on the consumer. Those that do not employ their own personnel, assign the consumer's account to a collecting agency that receives a percentage of the uncollected balance. This often results in the consumer being harassed by late night and early morning telephone calls, harassment of the consumer's employer by telephone, letter, and personal contact that results in embarrassment to both the consumer and his employer. Such procedures are often accompanied by threats that result in conflicts between the merchant and the consumer, or the consumer and the collecting agency.

Because of the government regulations governing garnishment, the merchant continually harasses the personnel office in an attempt to have the employee suspended. This procedure includes an abundance of monthly letters and weekly telephone calls concerning the consumer and the steps that are being taken. The merchants can never understand why such persons are retained and protected by the government.

The personnel office thereby becomes the collecting agency. Often they find that the employee has over extended himself, recently experienced some difficulties, or met with domestic obligations that require that his income be spent on his basic necessities. However, when the personnel official negotiates, a minimum payment is often negated.

6. The conclusive step in the proceeding is generally garnishment or attachment of the consumer's wages or checking account. This step generally results in the merchant acquiring the profit he desires.

In classifying the practices, consideration has been given to the general mechanism that the unscrupulous merchant uses in the exploitation of the low-income consumer. The practices may vary at different stores but the approaches in effect are the same. They always result in additional late charges, undue harassment, excessive mental anguish, and occasional loss of employment. Such treatment insures the high-risk merchant of a market in which he literally dictates the terms. Although his practices are deceptive and exploitative the low-income consumer would not be able to acquire his basic necessities without their existence.

In evaluating the exploitative practices in the District of Columbia, we find it necessary to classify the practices of supposedly ethical merchants or businessmen as unscrupulous and exploitative. It is one thing to be unscrupulous and admit it, but quite another to be exploitative and deny it. This classification includes such organizations as the Metropolitan Board of Trade, the major department stores, the downtown merchants, and any and all business organizations or businessmen that realize the problem but have failed to administer some form of relief.

IV. *Ethical Oppression:* Is a technique by which supposedly ethical merchants knowingly condone the exploitative practices of high risk merchants. This practice is generally exhibited in the merchant's failure to extend his market to a given clientele. By refusing to extend his market to such a clientele he is condoning the monopolization and colonization of low-income consumers. The economic withdrawal of the Metropolitan Board of Trade, Hecht, Sears, etc., by refusing to deal with low-income buyers, is one of the major factors contributing to low-income consumer exploitation.

1. *Lack of competition* is the primary reason for the high risk merchant maintaining his position in the economical structure. The failure of the ethical merchants to enter the market enable the high-risk merchants to continue their exploitative practices. The ethical merchant's failure to supply the low-income consumer with the best quality merchandise at the lowest possible prices will not entice the high risk merchant into securing quality merchandise. His failure to provide the low-income consumer with the best possible services will not enhance the services rendered by the high risk merchant. The economical approval or refrainment of ethical businessmen is the enslavement of the low-income consumer that results in the lack of his equal representation within the economic system.

2. *Failure to extend credit to low-income Clientele* compels them to shop for credit at exorbitant rates. Such credit is usually accompanied by a variety of deceptive practices. Despite this awareness, the ethical merchant has not adopted a mechanism by which the low-income consumer may receive credit and make low monthly payments (see, however, pilot program noted supra).

V. Nongovernmental enforcement

The last and most potent practice is the failure of the Federal and local government to maintain a protective agency that will insure the strict enforcement of all consumer regulations. In the exploitation of consumers, the failure of the government to restrain unscrupulous merchants from the use of deceptive practices represents a tacit approval of such practices. Furthermore, its failure to establish a mechanism whereby the low-income consumer may receive limited credit in the general marketplace is a condonation of the high risk monopolies.

Such economical exclusion represents a process of discrimination by which the low-income consumer, because of his financial status, is limited to a high oppressive economic market. The Federal and local governments' failure to act or respond to the need of this clientele illustrates a lack of genuine concern for the welfare of its people.

This economic exclusion cannot be rebutted by passing legislation that is often not enforced. This exclusion must be rectified by the implementation and strict enforcement of necessary regulations, and these regulations must have an enforceable value to the consumer if they are to be considered effective.

CONCLUSION AND RECOMMENDATIONS

The remedy for the District of Columbia's problems of consumer exploitation is four-pronged. First, there must be a consumer protection agency that has absolute authority to represent the interests of the consumer. Second, the general market must be extended to include the low-income consumer in its constituency. Third, the unscrupulous practices of the high risk merchants must be abated. Fourth, the low-income consumer must be educated to his rights and liabilities. Finally, a consumer self-protection organization should be established in each community.

Supposedly, the Office of Consumer Affairs will provide the District of Columbia with its first constructive remedy. However, if this office is to be successful it must act as a consumer watch dog service fully empowered to advocate the rights of the consumer. Such a service must include the initiation of affirmative, visible action to discover unconscionable, fraudulent, and exploitative practices, and criminal sanctions against such merchants. This includes surveillance of all enforcement agencies to insure that they are adequately enforcing the rights of the consumer. This office must take affirmative steps to outlaw the immoral open ended purchasing agreements with "add-on-clauses," or limit such agreements so that monthly payments will not exceed a certain portion of the consumer's income.

The Office of Consumer Affairs, if adequately staffed, should be responsible for the implementation of consumer programs, and the coordination of consumer organizations to provide effective meaningful technical assistance to the residents in the areas of training professional staffs, distribution of current consumer information, and assistance in curriculum development for the low-income consumer. Such a facility must not merely be a repository for published materials. It must coordinate research in the consumer field and be able to channel requests for analysts to creative technicians. It should be able to translate consumer legislation and other information into understandable laymen's terms.

This facility must be responsible for a continued program of community awareness. This technique necessitates the use of all radio and television stations to apprise the consumer of the deceptive practices that merchants are employing and the available relief. The use of this technique cannot be over emphasized as a means of communication with the low-income consumer. Such a program should include a systematic presentation of posters, leaflets and brochures in the schools, churches, and welfare organizations.

This office should have an educational and advisory service that will direct its programs to the consumer in a simple, easily understood, continuous manner on a neighborhood level. Such a service must apprise the consumer of the basic tenets of "consumer self-protection" (practical budgeting, an awareness of bait-and-switch and other fraudulent and deceptive advertising techniques, how to use comparative shopping methods, how to establish and maintain good credit, etc.) and afford free counseling service to the consumer before he enters into a binding agreement, or advise him that he should rescind such an agreement where there is a statutory "cooling off" period.

The fundamental aspect of consumer protection, especially low-income consumers, is the availability of fair credit agreements. For the low-income consumer, the Office of Consumer Affairs will supposedly be the agency policing the high risk merchant. However, there are no self-competitive standards that are imposed by the merchants themselves. Such standards can only be acquired by the extension of the general market to the low-income constituency.

The extension of credit to the low-income consumer should include a deduction in the monthly payments, and the institution of a credit system that will adequately reflect the credit risk of the consumer. The most feasible method would be the reduction of the monthly payments to a minimum amount per month and limiting the total purchases at the out-set. Such a program should be supplemented by an individual counseling program. Hopefully, this program will be sponsored by the Office of Consumer Affairs in conjunction with the Credit Union and existing consumer organizations.

A credit bureau should be established that will accurately measure and reflect the true credit rating of the low-income consumer. This bureau's primary source of data should be based on the consumer's ability to pay rent, utilities and telephone bill, insurance, and a car note. This data must be complemented by the credit that the consumer has established in the high risk market and his frequency of payment. Without such information, a true reflection of the low-income consumer's credit status cannot be ascertained.

Businesses must be provided that will be owned, operated or substantially controlled by the low-income consumer. Such businesses' functions would not be to maintain the status quo but to create competition for the existing merchants. However, this recommendation, if based upon entrepreneurship, will experience severe difficulties in capitalization and management. As a result it may adhere to the established principle of capitalism and create competition by increasing prices. This will inexplicably result in the exclusion of the consumer and the enrichment of the merchant.

We, therefore, recommend that such business enterprises be either corporations or cooperative ventures. The corporation would provide the consumer-shareholder with the benefits of quality merchandise, return on his investment, a new labor market, and an opportunity to participate in the development of the business. As a result, many low-income consumers, who lack managerial experience, would acquire such, while reaping the benefits of moderate priced commodities. The corporation would acquire a continuing source of capital, an established market, ample labor resources, and the possibility of increased expansion to similar low-income markets.

Many such businesses are established in the District of Columbia as non-profit corporations. This is done to avoid the regulations of the Security and Exchange Commission in issuing shares in a corporation or cooperative (since these businesses are established in a Federal enclave, they are not entitled to the exemption of a non-profit corporation, i.e. cooperative, under Title I Section three of the Security Exchange Commission Act of 1933). Instead of purchasing shares of stock in the business the consumer becomes a member by purchasing membership certificates. However, by incorporating as a non-profit corporation the business is excluded from acquiring loans from the Small Business Administration.

As a positive alternative to the high risk market, we would recommend that such organizations be aided by both Federal and local funds. These non-stock cooperatives or non-profit corporations insure maximum feasible community participation, increase competition by establishment of its membership, return the income of the community, and maintain its commodities at the lowest possible price. Such a program is designed to inexplicably eliminate the problem of consumer exploitation.

All too often the enforcement agencies have refrained from implementing constructive enforcement procedures to curtail the deceptive practices of the unscrupulous merchant. This abstention has enhanced the merchant's status and suppressed that of the consumer. If the problem of exploitation is to be eliminated, these agencies must broaden and exert their impact upon the merchant. We, therefore, recommend that a more subjective analysis be given to any contractual obligation that is questioned by a consumer. Emphasis should be placed upon verbal representation and possible means of enticement.

No remedy will be successful unless it is accompanied by intensified consumer education programs that are directed at the problems of the low-income consumer. Such a program should employ all established community facilities, all news media, and public relations techniques that are advisable. Emphasis should be placed on the simplicity of each course or community awareness technique.

The most effective remedy that the consumer has at his disposal is his own purchase power. We consider it a necessity that consumer organizations be formed in each community to establish a process of negotiation with unscrupulous merchants. Their authority must be based upon its ability to influence a large constituency and bring its needs and desires to the merchant.

For the low-income consumer this approach represents his only immediate remedy. Such factors must be attributed to the failure of the commercial regulation to encompass the problems that he is confronting, or the enforcement agencies to exert their authority in the protection of his rights.

FOOTNOTES

[1] Presidential Message on Consumer Legislation 5 (1962) reprinted in Hearings on S 1740 before a Subcommittee of the Senate Committee on Banking and Currency, 87th Congress, 2nd Session 206 (1962).

[2] In addition to the Executive Order, President Johnson sent several messages to the Congress on consumer legislation outlining his program. Messages were sent in 1965, 1966, 1967 and 1968 covering a wide-range of consumer issues.

[3] Report of National Advisory Committee on Civil Disorders at 139; see generally, *Consumer Legislation and the Ghetto,* 45 Journal of Urban Law 704 (1968), *Better Deal for Ghetto Shoppers,* Harvard Business Review, March–April (1968), *The Corporation and the Ghetto,* 45 Journal of Urban Law 674 (1968).

[4] Public Law 90–321, 82 Stat. 146, May 29, 1968. The purpose of the Consumer Credit Protection Act is to safeguard the consumer by requiring full disclosure of the terms and conditions of finance charges in credit transactions or in offers to extend credit; to restrict garnishment of wages; and by creating a Commission to study and make recommendations on the need to further regulate the consumer finance industry and for other purposes.

[5] For other regulations in D.C. affecting consumers, see generally Regulations governing the conduct of business of loaning money (promulgated September 6, 1949) and Regulations governing the conduct of the home improvement business (promulgated May 11, 1961).

[6] Mr. Egon Guttman, Professor of Law, Howard University, testifying on several pending bills dealing with consumers in the District, stated:

"2. A Department of Consumer Protection: The provisions of regulations by direct or delegated legislation (by Congress or the Council) requires the means to enforce such regulations. Most of the buyers affected by the types of sales transactions here involved are in the lower educational and economic bracket. They are, therefore, unaware and if aware cannot afford the cost of protection. S 2589 provides for such protection in the form of a District of Columbia Department of Consumer Protection."

Hearings on S 2589, S 316, S 2580, S 2592 before the Senate Committee on the District of Columbia 90th Congress, 2d Session at 55.

[7] The system proposed by the departmental legislation (Rosenthal Bill) was recently adopted in Great Britain. Britain's "Tritag" system includes testing of goods by an independent laboratory, and labeling of goods with test results, thereby, giving the buyer critical and necessary information on the product at the time of the sale; see generally, *Washington Post*, B–1, May 4, 1969.

[8] 111 Congress Record 15851, July 12, 1965.

[9] Letter and attachment from J. Von Baston (BBB) to Sylvia Gilford (NCIC), January 13, 1969.

[10] Boyd and Claychamp, Industrial Self-Regulation and the Public Interest, 64 Michigan Law Review 1239 (1966).

[11] Glicksman and Jones, *Consumer Legislation and the Ghetto,* 45 Journal of Urban Law 705 (1968).

[12] Boyd and Claychamp, Supra Note 10.

[13] Caplovitz, Consumer Problems, 23 Legal Aid Briefcase 143, 147 (1965). This conclusion was drawn after a study conducted among low-income families in New York City.

[14] *Consumer Frauds,* 114 U Pa Law Review 395, 404–06 (1966).

[15] See also footnote 47, *Consumer Legislation and the Poor,* 76 Yale Law Journal 753 (1967).

[16] See generally Magnuson, *The Dark Side of the Market Place,* pp. 22, 60, 78, 84. (1968).

[17] See generally, *The Poor Pay More,* 137, 171–175.

[18] Id. at 173; *Supra Note* 13 at 395, 400.

[19] Id. at 400.

[20] Id. at 395, 499.

[21] *The Poor Pay More,* 173–174.

[22] Id. at 23–25; H. Black, *Buy Now, Pay Later* 53–61 (1961).

[23] 2 Colum. J. L. and Soc. Prob. 9 (1966).

[24] Id. at 10 Ef. 12 West Res L. Rev. 747 (1961).

[25] Concerning the causes of sewer service, see supra. note 23 at 1, 9–10.

[26] Washington Post, B–10, Feb. 12, 1969.

[27] Safeway and Giant Food Stores provided training supervisors and food cases.

APPENDIX

CASE INVESTIGATION

Presenty in the consumer complaint department there are four categories of cases in which the department handles:

1. Fraud.
2. Warranty.
3. Credit.
4. Repairs and Service.

These categories were drawn up by the investigation staff subsequent to the additional members of the staff. Due to the increased volume of cases, it was necessary to drop landlord and tenant cases.

PROCEDURE

(a) Complaint:

1. Secretary writes down the name, address and telephone number of the complainant.

2. This information is placed in the new case folder (complaint investigation file).

3. Complainant is called by screener and initial facts written down on a complainant data sheet.

4. The case is recorded in a case log and assigned to one of the six members of the staff. Assignments are issued once a week on Wednesday.

5. Complainant is then interviewed personally by the investigator.

(b) Complaints:

1. The merchant involved is sent a letter with the alleged facts obtained from the complainant.

2. Pending the outcome of response from merchants, the investigator either (a) calls the merchant or (b) personally visits the merchant.

3. If results are unfavorable, the case is referred to a lawyer (if client is above the salary ceiling of the Neighborhood Legal Services) at the Neighborhood Legal Services.

4. If results are favorable then the case is closed out with a letter to the complainant.

XUM

CASES

1. There is no set criteria for servicing the consumer or complainant, and as a result information concerning the family background and salary is not pertinent unless a referral is necessary.

2. The length of time given for obtaining satisfactory results varies but usually falls in a one month period.

3. Seventy percent of the present cases (one hundred) are closed.

ASSISTANCE

There are three sources of legal assistance:

1. Maribeth Halloran, Esq., an attorney with the Neighborhood Legal Services.

2. Research staff at Neighborhood Consumer Information Center.

3. All members of the Board of Directors of NCIC.

PROGRAMS

I. Miss Maribeth Halloran along with two staff members of NCIC implemented the following:

(a) Smooth transition of cases to be referred to Neighborhood Legal Services which prior work was done by NCIC;

(b) Direct contact with one attorney from each branch of Neighborhood Legal Services.

II. Jeanus Parks, Esquire, Attorney-in-charge of Neighborhood Legal Services reiterated the program above with the added idea:

(a) Take a two week period to familiarize the two NCIC staff members with the Neighborhood Legal Service branches.

RECOMMENDATIONS

1. The staff of six investigators needs additional investigators since the case load runs from 10–12 cases per person.

2. Branches of NCIC should be established throughout the District of Columbia in order to effectively service all consumer problems.

I. Transferral procedure

1. The Investigator, after totally exhausting all means of obtaining a remedy, will have the case transferred.

2. Read over all communications received or sent out from this office.

3. Rewrite the facts including all the communications.

4. Assign the case to the contacts in the NCIC office.

5. The contacts will take the case to the proper branch of NLS, if complainant falls under the NLS salary ceiling. The contacts are responsible for obtaining the salary information from complainant.

II

1. All offices of NLS will be utilized in this program since NCIC caters to the entire metropolitan area.

2. The contacts of NCIC will set up the program with one person from each branch of NLS. All cases will be given to this assigned person of the NLS branch.

III

A form complaint has not been set up by Jeanus Parks, perhaps after the contacts are selected and the program implemented such a form will be discussed.

Jeanus Parks, Esq., and Maribeth Halloran, Esq. suggested that:

1. Two investigators assigned to the program.

2. Contacts made with all branches of NCIC.

IV. Personal letters vs. form letters

A. Personal Letters

1. A personal letter gives a merchant the idea that the case is being handled personally by the investigator, who has to take time to compose a letter appropriate for the facts given.

2. Investigator is not restricted to a form letter.

B. Form Letters

1. Investigator is restricted to words of the set form.

2. Merchant does not feel a personal involvement from a form letter.

V

Merchants are not aware of the investigators being law students; a law background is helpful in wording letters, and in discussions with merchants.

NEGOTIATION

A letter to the merchant has provided the best solution for closing cases. However, a telephone call and a personal interview, in some cases, has been sufficient.

INFORMATION

All information from consumers is obtained by telephone followed by a personal interview.

CONSUMER BEHAVIOR

Consumers on the whole are especially suspicious of organizations purporting to help if such an organization solicits. However, when consumers call (on their own) suspicion is usually deleted from their minds. In some cases, consumers are referred to NCIC by previous clients and other organizations.

A. REPORT OF CASES ON CONSUMER COMPLAINTS

1. Bezo, Catherine

Date: 12–20–68.

Nature: Non-delivery of a rug.

Action: 12–20–68. "A" bought a rug at Sears before Thanksgiving to be installed before Christmas. However, Sears failed to make delivery as promised.

1–6–69. Sears stated that delivery would take place 1–8–69.

1–8–69. "A" received the rug.

Closed: 1–8–69.

2. Black, Ann

Date: 1–30–69.

Nature: Fraud.

Action: 1–30–69. "A" purchased a color television from Ladds' and received a floor sample.

1–31–69. Drove to Mrs. Black's; conducted an interview and picked up the receipts and the sales contract.

1–31–69. Wrote a letter to Ladds' store manager.

1–18–69. Called the store's manager about the T.V. and was told by Mrs. Pinkham that complainant may come in and select a new T.V. Mrs. Pinkham wanted to know exactly when this would be done.

3–10–69. Complainant called and stated she would be going out to select the new T.V. tonight.

3. Calewell, Robert

Date: 10–1–68.

Nature: Guaranty (Warranty).

Action: 10–1–68. "A" purchased a 3-way combination set from Sound Incorporated under a one year warranty: The company failed to repair the set under the one year warranty.

11–5–68. "A" received a letter from Magnavox Company stating that set is still under warranty.

11–15–68. Sound Inc. removed the set Friday 10–8–68 and promised to return it Monday 11–11–68. "A" to date has not received the set. Re- the call Tuesday 11–19–68.

4. Davis, Jimmy (Mrs.)

Date: 1–31–68.

Nature: Fraud.

Action: 1–31–69. "A" purchased through the mail four (4) orders of wall plaques. She paid $17.00 and received the cancelled check back but never received the merchandise.

2–1–69. Efforts are being made to contact World Gift.

2–2–69. A letter was sent to World Gift followed by a call. The company stated that it was an oversight and mailed the plaques.

Closed: 3–10–69.

5. Dorsey, Martha

Date: 10–30–68.

Nature: Fraud.

Action: 11–5–68. Interviewed by telephone: "A" was called on the telephone by a representative of Franklin Readers' Company and was told she would receive books and several magazines if she signed to pay $14.95 a month for one year. However, after she signed the contract it was found that the $14.95 would be for a period of three years. "A" cannot locate a copy of the contract

11–14–68. Called and "A" had not received a copy of the contract from the company

(Previously told to request a copy of the contract from Franklin Readers Company).

12–2–68. "A" stated that she would not like for the letter to be sent to Franklin Readers due to the fact that she received a letter from the company stating that she would receive a surprise in a few days.

12–13–68. "A" received a lighted picture from the company and did not want to pursue the case any further.

Closed.

6. Fitch, Celestine

Date: 11–1–68.

Nature: 11–5–68. "A" placed a silk dress valued at twenty-nine dollars and ninety-nine cents ($29.99) for cleaning and altering. Inside the dress was a note from the manufacturer stating "Do not apply direct heat to this garment". This note was disregarded by the cleaners thus ruining the garment in question.

Action: 11–6–68. Spoke to Cleaners and Mrs. Fitch.

11–19–68. Spoke to Mrs. Burrell on the telephone and dress is now in excellent condition. "A" may pick up the dress.

1–27–69. Called but no response.

2–4–69. Letter sent to "A" to call this office.

2–10–69. Complainant stated that she still was not satisfied with the dress and left word for Mrs. Burrell to contact complainant.

3–24–69. Fitch sent additional cleaners ticket.

3–27–69. Investigator visited Burrell Cleaners to see the dress in question but was refused the privilege by Mrs. Burrell. Mrs. Burrell then stated that "She was not doing anymore with the dress."

3–27–69. Called complainant and explained that NCIC could not do any more legally, that a small claims against Mrs. Burrell would be necessary.

Closed: 3–27–69.

7. Gallman, Mrs.

Date: 1–30–69.

Nature: "A" visited the office and stated that she signed a contract to pay two hundred dollars ($200.00) down on a house. However, Samuel Reynolds, the realtor stated that he could not get a loan approved without five hundred dollars ($500.00) or three hundred dollars more ($300.00) from Mrs. Gallman. Now she is afraid if it is not approved by the Federal Housing Authority that she will not receive her money back ($500.00).

2–3–69. "A" told to get a receipt and a written guaranty of full refund.

8. Hughes, Jackson

Dated: 1–18–69.

Nature: "A" charge account at Sears was cancelled purportedly because he was late in his payments. He claimed the cancellation was a result of friction between one of the members of his family and a member of Sears' credit department, both being Sears employees.

Action: 2–1–69. An appointment was made to see Mr. Hughes at his home 2–3–69.

2–3–69. A letter sent to Sears explaining this situation.

2–24–69. Sears Roebuck was contacted by phone after no response to the above letter was received.

2–24–69. Sears Roebuck Credit Center in Bethesda, Maryland was contacted and an appointment to see Mr. Cohill of the credit department on Friday, February 28 was made.

2-25-69. Mr. Hughes was contacted by phone and apprised of the meeting arranged with Mr. Cohill and he promised to be in attendance on February 28th.

2-28-69. At a meeting at Sears Central Credit Bureau, attended by investigator, Mr. and Mrs. Hughes, and Mr. Haley of the Sears Credit Bureau, a close inspection of the credit statements of Mr. Hughes for the past two years revealed that a misinterpretation of those statements coupled with Mr. Hughes' failure to notify Sears to interpret a slowness of paying by Mr. Hughes. This misunderstanding was explained favorable on the consumer's part by investigator, and his credit with Sears was reinstated.

Closed: 2-28-69.

9. McDonald, James

Date: 11-7-68.

Nature: "A" alleged that Mobile T.V. Shop received a color T.V. set from him for repairing. A notice by the Shop was sent to him with repair cost of seventy-three dollars ($73.00). "A" could not pay the amount immediately and asked for a two week extension. ("A" paid a small amount to show good faith). This was granted and the T.V. placed in storage. Within the two week period "A" was told that the T.V. had been stolen from storage. Subsequently, nothing was done in spite of Complainant's repeated effort to acquire a similar one or the value thereof.

Action: 12-9-68. Not home.

12-13-68. Not home.

12-17-68. A letter was sent to Mobil T.V. Shop.

1-9-69. Not home.

1-24-69. Not home.

1-24-69. Letter sent for "A" to contact this office.

1-30-69. Investigator talked to manager of T.V. Shop and he agreed to replace the stolen T.V.

2-1-69. Merchant replaced the T.V.

Closed: 2-1-69.

10. Young, Calvin

Date: 1-27-69.

Nature: Recission of Contract. Complainant purchased an infant chair stroller at $484.00 under the instalment contract from Rex-Stroller-O-Chair after which, complainant received one free. A letter was sent to Rex-Stroller-O-Chair.

Action: Complainant was interviewed and a letter was sent to the merchant and a carbon copy to the complainant.

2-10-69. Merchant rescinded the contract and returned complainant's money.

Closed: 2-25-69.

11. Mack, Peter

Date: 1-18-69.

Nature: Cleaner's loss of trousers while in the custody of Burrell Cleaners.

Action: 1-24-69. Called complainant but there was no response.

1-26-69. Made an appointment with complainant and investigated the matter.

1-29-69. Sent a letter to Burrell Cleaners. In response to the letter, manager stated that complainant would be rebated in full.

2-1-69. Complainant received the check for the value of the trousers.

Closed: 2-12-69.

12. Barnes, Dennis

Date: 3-7-69.

Nature: Fraud-Complainant wanted to rescind the contract induced by fraud. The contract covered a five (5) year period with Reader's Service. Notice of Legal or Statutory action was mailed to complainant who now seeks the aid of this office.

Action: 3-13-69. Called complainant and arranged for an appointment.

3-15-69. Complainant came by the NCIC office where he was interviewed.

3-21-69. Consulted Neighborhood Legal Services Program and talked with Miss Meribeth Halloran, Esquire. In reference to the complainant, Attorney Holloran stated that the (FTC) Federal Trade Commission should be informed, and that a copy of the Notice of Legal or Statutory Action mailed by Atlantic Collection Co. to Complainant should be forwarded to Federal Trade Commission.

Pending.

13. Boyd, Mrs.

Date: 1-17-69.

Nature: Repairs—Complainant contacted this office with a complaint against the Washington Gas Light Co. Complainant alleged that for the month of December, 1968 she was charged an excessive amount for the amount of gas consumed.

Action: 1-29-69.. A letter to the Washington Gas Light Company.

2-3-69. Received a letter from the Washington Gas Co. in response in which the Customer Service representative indicated that if Mrs. Boyd could come down, some agreement could be made.

2-3-69. Called Mrs. Boyd, informed her of the news and she agreed to go.

Pending.

14. Coaston, Mrs.

Date: 3-7-69.

Nature: Fraud—Complainant purchased a portable T.V. from Giant T.V. Co. Complainant was given a bill totaling $185.00. When complainant went to make one of her monthly payments, she was told that she had to pay an additional $40.00. That complainant was being harassed at her job by Mr. Talton.

Action: 3-8-69. A letter was sent to Giant T.V.

3-25-69. A second letter was drafted and sent to Mr. Taylor explaining that he could not make such a charge this late—Mr. Taylor dropped the $40.00.

Closed: 3-27-69.

15. Hines

Date: 2-3-69.

Nature: Bill—Complainant claims that he was billed twice in one month. However, Mr. Hines prior to consulting this office had not discussed this matter with a representative from the Hecht Company.

Action: It was suggested that he first consult the Hecht Company in order to get their position after following my suggestion. The Hecht Company admitted a mistake and the matter was disposed of.

Closed: 2-10-69.

16. Donald, Sella

Date: 2-13-69.

Nature: Complainant purchased furniture from H & T Furniture on 14th Street and was taken to a Finance Company to be financed. Complainant after signing all the papers realized that the interest rate was very high and changed her mind when she got home.

Action: It was found that the interest rate is legal under the Maryland Law on small loans, however, a letter was sent to H & T's manager, Mr. Henderson asking that he allow complainant to return the furniture.

4-22-69. Letter sent to H & T.

4-25-69. Spoke to Mr. Henderson and he stated that nothing could be done that no wrong was done.

4-30-69. Spoke to Mrs. Donald and suggested that she obtain the loan from the credit union on her job to pay the finance company before interest accrues.

Closed: 4-30-69.

17. McDaniel, Michael

Date: 2-24-69.

Nature: Furniture repossession.

2-24-69. Complainant received a repossession notice from Marlo's Furniture Company for furniture.

2-25-69. Spoke with the manager at Marlo and he stated that Mr. McDaniel's furniture was financed through Liberty Loan and he has had the furniture one year without one payment.

2-26-69. Spoke to Mr. McDaniel and he stated he neglected to pay because of a payment book.

2-27-69. Liberty Loan states that their only interest was for Mr. McDaniel to start payments immediately ($27.00 a month).

2-28-69. McDaniel will start this month.

Closed: 2-30-69.

18. McKie, Mamie (Mrs.)

Date: 1-28-69.

Nature: Mrs. McKie consulted in reference to having a bill reduced or having her monthly payment reduced at Walker Thomas.

2-1-69. Contact was made at Walker Thomas with Mr. Sledge and discussed the possible solution. Mr. Sledge stated that he would be very happy to join in on any arrangement that would be helpful.

2-2-69. Contacted Mr. McKie and discussed a price which would be adequate ($20.00) a month.

2-7-69. Mr. Sledge stated that $20.00 a month would be OK.

Closed: 2-10-69.

19. Conley, Carrie

Date: 2-28-69.

Nature: Complainant and husband were given a list of books from Franklin Readers Company and signed a contract supposedly for 12 months at $14.75 and found out it is 26 months for $14.75. Complainant is only 20 years old and her husband is also 20 years old.

4-25-69. Spoke to Mr. Novak of Franklin Readers who stated that complainant will have to send the books back.

4-29-69. Complainant stated that she will send books back C.O.D. to the company.

Closed: 4-29-69.

20. Jackson, Whitsel

Date: 3-15-69.

Nature: Complainant ordered certain items from Speigel, Inc. in Philadelphia, Pennsylvania. He did not receive all the items ordered but was billed for all. He returned the items but still received statements each month.

4-7-69. Mr. Jackson called stating he received a notice from the credit bureau of Philadlephia, and a letter from Speigel stating the commencement of a complaint. Complainant spoke to Mrs. Sanders who stated that the matter was settled.

4-9-69. Called Speigel and spoke to Mrs. Miles who will contact Mrs. Sanders.

4-16-69. Spoke with Mrs. Sanders who rectified the account with a zero balance and although Mr. Jackson will receive another statement, it has been cleared for the May statements.

Closed: 4-16-69.

21. McManue, Vanus

Date: 3-24-69.

Nature: Complainant indicated in a telephone conversation that he delivered his T.V. to the Maurice T.V. Repair Center. After having the set for 2 weeks, it was not fixed and then refused to allow Mr. McManue to take it. When it was returned complainant was not allowed to see T.V. operate in the store.

4-9-69. Letter sent to Maurice.

4-14-69. I personally accompanied complainant to the Maurice Shop who promised delivery on 4-18-69.

4-18-69. Maurice began work on the T.V. and promised to deliver it 4-23-69 for $30.00.

4-19-69. Complainant picked up T.V. repaired and in satisfactory condition.

Closed: 4-29-69.

22. Fitch, Celestine

Date: 4-4-69.

Nature: Complainant reported that her T.V. turntable is being repaired for the third time. Payment was made by check, but

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when she discovered that the turntable was not working properly, she withdrew the check. The T.V. Company will not deliver the turntable unless cash payment is made.

2-4-69. Complainant stated that if T.V. turntable works properly she will pay the balance of $17.88 in cash.

2-4-69. Called the T.V. technician and spoke with the manager and he agreed to deliver the turntable with cash payment.

2-4-69. Called Mrs. Fitch back and indicated that Mr. Roades was willing to deliver the turntable as soon as possible.

2-7-69. Called Mrs. Fitch and was informed that technician had made the repair.

2-8-69. Talked with Mrs. Fitch and she reported that turntable was still acting up. Called the manager and he will send someone out to repair.

Pending.

23. Shuffrey, Mrs.

Date: 4-8-69.

Nature: Complainant contracted Cherry's Interior Home Decorators to do the carpeting but it was a very faulty job. That the installers had damaged properties within the home. That the company had been slow in rectifying the situation.

4-11-69. Left a message at Cherry's for Mr. Cherry to call.

4-17-69. Called Mr. Cherry and explained. He stated that he was unaware of the mistake of a faulty job and he would rectify the situation.

Pending.

B. EDUCATION COMMITTEE REPORT FOR THE PERIOD ENDING MARCH 31, 1969

As of March 31, 1969, the members of the Education Committee have averaged eleven classes per week, consisting of twenty-one class hours, and involving 230 pupils. This is not to say that the influence of our consumer education class is limited to a mere 230 individuals, however, because some of these "pupils" are community aides, who have the primary responsibility of going out into the community and distributing the information. In addition, all individuals not acting in this capacity still carry this information to their homes and their immediate neighborhood.

The Committee consists of five members. Mrs. Margaret Williams teaches four classes in two establishments. Mrs. Williams teaches two classes per week at the Israel Metropolitan Methodist Church, at Randolph and 7th Streets, N.W. Both of these classes have been averaging 34 pupils per week. Two other classes are taught at the Peoples Involvement Corporation, at Florida and 7th Streets, N.W. These classes have averaged thirty pupils per week. The pupils involved at the People's Involvement Corporation are community aides, who spend their time visiting families in the Shaw area. Their duties include helping the residents define, express and clarify their economic problems. These "pupils" are, therefore, adults with a wide range of educational and work experience. Interestingly enough, some of these adult community aides have personally experienced difficulty in obtaining credit, while others in this group have had problems in submitting a budget that would satisfy the Department of Welfare, for public assistance. Accordingly, the classes were quite lively, and the aides responded to the classes in a positive manner.

Mrs. Williams' classes have covered different aspects of credit, as it pertains to the consumer. Basic questions covered include why one should or should not buy on credit, how much credit costs, how one qualifies for credit, and how one can prevent a bad credit rating when he is unable to pay his debts on time. Subsequent classes covered such realistic situations as what to do when a company erroneously designates a person as a bad credit risk, what to do when a door-to-door salesman asks the person to sign a receipt which is a contract, what to do when a person owes a debt to a company which goes out of business leaving the debt in the hands of an assignee, and what to do when a person purchases a second-hand item believing it to be new.

The class discussions evolved around the importance of proper investigation prior to purchasing an item, and the importance of comparative shopping for the item and the credit. Mrs. Williams' evaluation of the classes is that all the pupils are highly motivated, and that class participation is at a high level. The reason attributed to this pupil participation is that the pupils are strongly involved in community affairs and are interested in helping others in the Black community.

Mrs. Williams has contributed four classes per week, and sixty-four pupils. Mrs. Williams has also made contact for future classes in contacting Miss Susan Pogash, of the O.E.O. and UPO Project Farmers Market. This organization provides training for unemployed women for a period of four weeks, with a new group coming in every four weeks. The classes range from twenty persons for each class, to one hundred and twenty persons for each instructional day. The plan was to have each of the members of this committee teach some portion of the day, from Monday to Friday. However, this plan proved to be difficult to implement, in that the class hours of the law school prevented an effective program. Thus, this program has been put under further consideration, in order that a meaningful consumer education program can be put into operation.

Mr. Edward Webb has been negotiating with Pride, Incorporated, to initiate consumer education classes. As of March 19, 1969, Mr. Newton, of Pride, Inc., contacted Mr. Webb and informed him that classes could proceed. The negotiations involved creation of a proposal that would satisfy the management of Pride, Inc.; and Mr. Newton and Mr. Webb achieved this on March 19th. However, it subsequently developed that Mr. Webb would not be able to teach the classes. Consequently, another member of the staff was given the teaching assignment.

Mr. Webb also made contact to establish more classes. Accordingly, Mr. Webb met the Clergyman's Association on March 3, 1969. This Clergyman's Association represents 112 churches in the northeast section of the city, however, there were only three members present at this meeting. Nevertheless, these three members have large congregations and expressed the desire to favorably introduce NCIC's program to their respective member churches. However, one of the members, a Reverend Davis, informed Mr. Webb that the entire Association would have to endorse the project, and suggested that the program also be introduced to the Baptist Ministerial Association. As of this date, the endorsement has not been received, and NCIC also has not received an additional required endorsement from the Baptist Ministerial Association.

Mr. Webb's meeting with Mrs. Northcutt and Mr. Crutchfield, of the Y.M.C.A. Consumer Affairs Sub-Committee, Adult Education Committee, met with considerably more success. This is to say that the Twelfth Street Y.M.C.A. is presently being taught by Mr. Webb, despite the fact that a proposal was requested and submitted. Mr. Webb is also teaching classes at the Parent-Child Center, U.P.O., 12th Street, N.W. However, the frequency of the classes has not been worked out with Mrs. Rucker of this organization. Nevertheless, this class is being taught two afternoons a week. In addition, Mr. Webb is teaching another class at the New Bethel Baptist Church on Saturday afternoons.

Mr. Albert Archibald has been conducting a series of classes at the Camille B. Hayes Training Center, on Mondays and Wednesdays for two hours per class. These classes have been averaging 25 pupils per class, with an age range of 16 to 25 years of age. The curriculum of these classes is geared to supplement and augment a consumer education course already being taught. However, the previous course dealt with home or budget planning, as opposed to Mr. Archibald's emphasis on all aspects of consumer credit. The main emphasis, however, has been Finance Charge v. Interest Charge and how to compute interest.

Mr. Archibald also actively sought the establishment of new classes in contacting Miss Susie Levy. Miss Levy is the Community Organizer for the Urban League, and she expressed an interest in having such a program in the Shaw Area. However, subsequent discussions between Miss Levy and the Chairman of the Education Committee revealed the impossibility of such a program at this time. It is hoped that these impossibilities can be overcome because of the aid offered NCIC by the Urban League Staff. This is particularly true in the case of Reverend Johnson and Reverend Griffin, who both act in the capacity of Education Specialists for the Urban League.

Mr. Edwin L. Haynes contacted four organizations during the week of March 3rd to March 18th. The first contact being a speaking engagement before the Ministerial Conference of Baptist Church, 1611 Benning Road, N. E. This organization is a substantially large number of ministers that meet to conduct church, and church related business. Mr. Haynes set up this meeting through Reverend Isadore D. Richards, of the Mount Olive Baptist Church, 1138 Sixth Street N. E. However, this organization as a body took the position that they approved of the concept of Consumer Education Class, but the body would have to officially approve the program. As of this date, official approval has not been received. Also during the week of March 3rd, Mr. Haynes set up a meeting with Reverend Robert Harrison, of the New Samaritan Baptist Church, 610 Maryland Avenue, N. E. The purpose of this meeting was to meet another Ministerial Association with the official acceptance delayed until approval by the body. It must be noted, however, that both these Ministerial Associations are highly structured in terms of organizational structure, in that both organizations employ the committee and subcommittee concept to transact their business. As such, final decisions on matters are necessarily slow. A meeting occurred also with Mr. Delano R. Royal, who is the Assistant Director of the Anacostia District of the Boy Scouts of America. However, it turned out that Mr. Haynes will need to have more meetings to touch up fine points of disagreement.

During the week of March 10 through March 15th, Mr. Haynes had occasion to have another meeting with both Ministerial Associations. This meeting was really the first meeting before the entire body, since his previous meeting was before a committee which has the discretionary power to decide whether or not Mr. Haynes' program was worthy of being presented to the Main body. The final result of all this procedure was that Reverend Lewis McComb, vice president, and Reverend Robert Harrison, president, and the body tentatively endorsed the program. Actual implementation was decided to be accomplished pursuant to a survey of church congregations to find out which churches were interested in the program. It is to be noted, however, that the President of the Association decided that the program could be more effectively implemented through the Association rather than through the respective churches' ministers.

It must be noted at this juncture, that contact work of this nature is time consuming and this is particularly disadvantageous with such a small committee, as the five members can only discharge their duties on a part-time basis. It can easily be seen that

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the procedure, as admirable as it might be, is a stumbling block to any establishment of classes with any degree of alacrity. Mr. Haynes has devoted more than four weeks of work to a project that promised to be a fertile ground for consumer classes, however, due to the employment of such procedure no classes have been established within this group as of this date.

Mr. Oran Page submitted materials on various complaints received by this organization to Mr. A. Perry, Jr., of Frederick Douglass United Community Center. Mr. Perry was to develop dramatic skits to be employed in a selected number of consumer education classes. However, Mr. Perry has not responded in submitting any dramatic materials in any way, and Mr. Page has not been able to contact Mr. Perry.

Mr. Page has also been giving instruction at the Change Inc., Youth Action Center, at 3120 Georgia Avenue. However, this center has been temporarily closed down in the face of a rising teenage drug addiction problem in the neighborhood. It was conveyed to Mr. Page, however, that the officers of this Center hoped to open this center in the near future. The classes to be held at the Tabor Presbyterian Church met the same fate, though classes were not held for another reason. The members of this church are all former residents of the neighborhood surrounding the church, but have subsequently moved to "better" neighborhoods as they acquired more affluence; the results being that the church is trying very hard to get more involved in the immediate neighborhood. Accordingly, the Men's Club of the church went from door-to-door to inform the people of the impending classes, but the neighborhood failed to respond. The final outcome of this attempted recruitment was a natural result of any first class and the Men's Club promised to return in preceding weeks.

Miss Garnita Selby contacted three block captains personally during the week of March 7th, Mr. Frey of 449 Luray Street, but she was informed that Mr. Frey was away on a business trip. Mrs. Mathews of 418 Kenyon Street, N.W. advised Miss Selby that she had been too busy to call a meeting. The only thing that Mrs. Mathews promised was to call Miss Selby at her convenience. Mrs. Williamson of 607 Lamont Street, N.W., informed Miss Selby that her members were not cooperating with her, in terms of scheduling a meeting. Miss Selby was not able to contact Mrs. Robinson of 515 Frintz Street, Mrs. Reed of 733 Irving Street, Mrs. Ellis of 765 Columbia Road, and Mr. James Smith of 3581 Warden Street. Thus, Miss Selby sent the above persons letters to inquire about when they would be able to have a meeting. The conclusion that the Chairman has reached in regards to Block Clubs is that they are totally inadequate for purposes of setting up classes. The reason being that Miss Selby was designated alone to establish classes in these block clubs, but has been unable to do such after much effort and a substantial long period of time. Miss Selby has concluded that these captains are not interested in NCIC's program for Block Clubs but they are willing to do volunteer office work.

The vast majority of the class presentations has employed the lecture method, however, class participation is encouraged. Such encouragement has manifested itself in exchange of comments between the members of the class and the instructor. This dialogue usually comes at the end of the lecture, however, and has not always been in direct response to the lecture. The usual form of questions has been characterized in the form of what happened to some particular third person in a particular credit transaction. It has been felt by the instructors that even the students asking the questions refer to the person in the third person, they are actually referring to themselves, or some person in immediate relationship to them. In addition, it must be stated that these questions refer directly to the lecture, but more frequently have only a collateral connection to the lecture.

The lecture method has been justified, on the ground that it is more expedient in giving essential information in a short period of time. However, films have been used on rare occasions to reinforce certain points that were brought out in prior lectures. In addition, certain students had expressed their preference of the lecture method as opposed to other methods of class presentation. The committee members felt more at ease with the lecture method, in that they would not be "forced" to speak before the body when they did not wish to speak. As a result, the response from the students has been more spontaneous and candid, than if they were "forced" to involuntarily contribute to the class presentation.

The question of the adequacy of the materials used in our program is interesting, in that the committee found that very few materials are necessary for an effective and meaningful program. The only materials used besides the lecture method were various films to supplement and reinforce the lectures. I would suggest that we would have to concentrate as hard as previously in the area of procurement of supplementary materials. The real key to meaningful program lies in having a larger staff than five members to teach these classes.

The program has experienced a limited degree of success in reaching sources for teaching classes, and going to the people to obtain these sources. Human nature being what it is, it is entirely true despite how valid the program is or how noble the program may appear. In fact, even though the committee has attempted to go to the program, it still has experienced only a limited degree of success. However, this committee was handicapped by such factors as apathy, part-time employment, hostility, and slowness on the part of various organizations in approving the program.

An ideal method of presenting classes would be to give individual counseling as opposed to giving a lecture to 15 to 20 pupils. However, this would necessitate an initial decision as to whether we would want to reach a small audience, or the largest audience possible within a certain time period. This method is further complicated by the fact that we only have five instructors working on a part-time basis of twelve hours per week. Looking at it realistically, it is easy to see that an instructor would only teach one or two people for a period of six hours per week when we consider such factors as travel time, and a possible missed class. However, in the planning for next year, this might be given more consideration.

The basic problem in the area of class solicitation is the fact that many organizations employ such elaborate procedure to approve a program, that it takes two or three weeks on a conservative basis to determine whether such organization has approved or disapproved the program. I just don't see how we can force an organization to adopt better procedure machinery in terms of reaching a faster decision. This was particularly disadvantageous to our program this year, however, we are working on a short period of time in setting up a specified number of classes. Even at the time of this report we are waiting for decisions, despite the fact that continuous follow-up has been employed. Nevertheless, it would seem to me that if the facts were made known to these organizations for next year's program, that these organizations might reach faster decisions.

PUBLIC PULSE

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. O'NEILL of Massachusetts. Mr. Speaker, we have heard many experts from the scientific, military, and technical fields give eloquent and impressive arguments both for and against the proposed anti-ballistic-missile system. We have heard many prominent men discuss cost effectiveness, second-strike capabilities and nuclear politics. I fear sometimes that the level of debate is so elevated that the basic questions are ignored or dismissed.

It seems to me that there are three fundamental questions that must be answered with regard to the ABM. Those are: First, what would and would not the system accomplish; second, is the ABM system what America needs; and third, would as much good be accomplished by employing the system as the harm that would result. I believe these are important questions and the evidence I have seen weighs heavily against the ABM system.

I would like to call the attention of my colleagues to a letter in the Virginia Gazette, of Williamsburg, Va. The writer of the letter, Dale F. Melnotte, is an ordinary citizen interested in his Government and concerned about the Nation. Mr. Melnotte raises as many questions about the ABM as he provides points of discussion. These are questions that must be answered and the answers must be honest, fair and instructive.

I have seen a great deal of literature and heard a great deal of testimony about the ABM system. The testimony from both sides has convinced me that the ABM is not feasible, is exorbitantly expensive and would lead to the tragic escalation of the nuclear arms race.

I submit Mr. Melnotte's letter for the consideration of my colleagues in the hopes they will take his questions to heart:

PUBLIC PULSE

Is the ABM system what America needs?

Is this system a protective measure or a costly ineffectual pipe dream of the Military-Industrial Complex?

Will it save America from unclear devastation, or simply step up the armament syndrome?

Will the population of this country fall under enemy attack or be bled to death, by taxes to pay for impractical deployment of systems sold to congress, by self interested Pentagon officials. This is the real test of the power of the Military-Industrial Complex, and by far its greatest.

The system, known as ABM, is estimated at costing six billion, six million dollars ($6.6), but could go as high as forty billion, or more. This much money could convert the slum sections in any twelve American cities, into decent living sections, with money left over. This much money, and we aren't even told for sure if it will work, in fact most scientists say it will not. And if it does work, will it still work, in five years, when it is completed, against the missiles available against it?

It protects only two missile bases, one in South Dakota, and the other in Montana, and it in itself represents only ten and no more than twenty per cent of our total deterrent capacity. Is this the best system? Will it protect our land, and our people or is it merely the prime example of men in high places becoming confused between what is good for the United States and what is best in their own interests?

Of course America needs a strong defense, which at the present time is our strategically placed missile bases, SAC and the seabased Polaris submarines, which incidentally cannot be wiped out by any one total surprise attack, according to the same military. The future will undoubtedly call for anti missile missiles, which apparently destroy, in the air, missiles launched by the enemy (who ever that is), against our missiles, but it is none the less folly to put all of America's eggs in one weapon basket, particularly, when the basket under consideration is of rather loose weave.

If we invest all this money, in one system, the American people have every right to know, first of all that it will work, and it is right and fitting, that President Nixon press for this assurance, from the military advisors. Our Congressional committees would do well to investigate, which corporations stand to profit the most from this system, and whether or not, a conflict of interest situation develops with Pentagon officials, once contracts are signed.

Many Americans are in one way or another, connected to the giant Military-Industrial Complex, and as the papers say, even the economy will benefit. The question now is, if this system doesn't work, will we be here to enjoy it? I think we owe it to the future generation to re-study this proposal and a letter to your Congressman or Senator, would be the first step, expressing your concern over this entire ABM program.

INTERSTATE TAXATION ACT

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. RODINO. Mr. Speaker, the Interstate Taxation Act, H.R. 7906, which was passed by the House of Representatives on June 25, 1969, has the strong support of the business community. Included among the large number of associations which have endorsed this measure is the National School Supply and Equipment Association. This half-century-old association represents more than 400 manufacturing and distributing companies within the school supply and equipment industry.

The association has recently adopted a resolution supporting the measure which I would like to include in the RECORD.

The resolution follows:

RESOLUTION SUPPORTING THE ENACTMENT OF INTERSTATE TAXATION ACT

Whereas many businesses engaged in interstate commerce have been seriously burdened by the necessity for compliance with the varied and changing tax laws of States where they maintain no place of business, and

Whereas the expanding reach of governmental units for more revenue from out-of-State companies has coincided with the increased scope of business activity in interstate commerce, thus seriously enlarging the multi-State tax burden, and

Whereas the United States House of Representatives has considered this problem in great depth and has passed corrective legislation known as the "Interstate Taxation Act": Now, therefore, be it

Resolved, That the National School Supply and Equipment Association applauds these efforts to bring order and equity to interstate taxation, and favors and supports the early enactment of the Interstate Taxation Act.

WHY A DOUBLE FEDERAL STANDARD FOR VOTER QUALIFICATIONS?

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. GRIFFIN. Mr. Speaker, during this period of American history, our Government has been noted for its attempts to provide a fair and just environment for all. Yet, I find it incredibly ironic many oppose a recent attempt to remove a discriminatory law from the statutes.

Attorney General John Mitchell has proposed a replacement to the Voting Rights Act of 1965, noting that the law in existence applies only to seven Southern States. Though couched in the language of national legislation, the 1965 act has been the most overtly regional legislation to tarnish our legislative history since the Civil War. Attorney General Mitchell's proposal would merely extend the provisions of the 1965 law to all States. His proposal is designed to assure fair voting practices nationwide. But this proposed change has incurred the wrath of many self-appointed guardians of public justice. Knowing these to be sincere, fair-minded men, I can only wonder as to why the possibility of this law being applied to their States agonizes them so.

Certainly the right to vote and the right to have one's vote counted honestly are worthy national goals.

If the Voting Rights Act is good for Mississippi—it is good for New York. Why a double standard?

Personally, I feel the Constitution empowers the States to set voter qualifications and not the Federal Government. Unfortunately, the Warren court has ruled otherwise. But if we are to have Federal laws on this subject, they should apply to all the 50 States uniformly—and not to just a few States in one section of the country.

I include editorials from the Wall Street Journal, Washington Star, and a column by David Lawrence on this subject:

[From the Wall Street Journal, July 1, 1969]

UNCERTAIN GROUND

Back in 1965 Congress passed a voting rights act outlawing literacy tests, requiring prior Federal approval of changes in local voting laws, and allowing the Attorney General to dispatch Federal examiners to replace state officials ruling on voting registration requirements where he found local laws were being used to exclude voters on the basis of race or color.

This applied only to jurisdictions that met a specified formula, carefully and cleverly calculated to apply only to a few Southern states. Some of us complained at the time that the law raised Constitutional questions, and even more to the point, that legislating a double standard was not the way to accomplish a high purpose. The act was heartily cheered, though, by liberals in general and civil rights leaders in particular.

Now the Nixon Administration proposes to extend the act, with two major changes. Prior approval of local voting law changes would no longer be required; instead the Attorney General would ask Federal courts for injunctions against those he considers unfair. And the law would apply everywhere in the nation. This, the liberals and civil rights leaders now tell us, is a contemptible sell-out to Southern segregationists.

The ostensible complaints are that any change in the law may delay its extension, and that nationwide application would dilute the effect in the South. Yet Rep. Celler, who is leading the complaints about the time factor, is the same man with the power to speed up the pertinent committee processes if he wants to.

Nor can we see that extending the law nationwide would necessarily dilute its enforcement in the South. Attorney General Mitchell denies that it would, and he's the one with the power to send voting examiners hither and yon. It seems to us any Attorney General will send the enforcers where the law is likely to be broken.

There is also a charge that Mr. Nixon is paying off political debts to the South, an allegation that puts a pretty cheap price on Southern votes. The Southern states will still have Federal voting examiners, since all they got was elimination of the double standard's insult. They were entitled to that not through politics but through justice; punitive legislation typically does more harm than good.

None of this, it seems to us, justifies the charge that this is a "sophisticated, calculated, incredible" effort to sabotage the law. Still less that it would lead to "cross burning and the slaying of the Negro who has no desire other than to vote." Such talk, we regret to say, comes not from the representative of the Black Panthers, but from that of the National Association for the Advancement of Colored People.

The moving assumption seems to be that because Mr. Nixon refused to anathematize the South during his political campaign, he must be a segregationist tool. Rather uncertain ground, we might venture, on which to lay the foundations of rhetorical overkill.

[From the Washington (D.C.) Evening Star, June 30, 1969]

VOTING RIGHTS

The 1965 Voting Rights Act is bad legislation in the sense that it seeks to remedy injustice by embracing inequity. If it were to lapse this year, at the end of its five-year statutory life, there would be no occasion for mourning.

The 1965 law moves along two main lines. It bans literacy tests in certain Southern states as a prerequisite to voting And it requires those states to come to Washington and obtain the O.K. of the attorney general or a federal judge before any change can be made in their voting laws.

Now there is no doubt that literacy tests had been misused in the South in some instances to discriminate against potential Negro voters. And this certainly should not be tolerated. But the impact of the 1965 law is not based on any claim or showing of voter discrimination. Instead, its authors merely decreed that the law would become effective in any state or county in which fewer than 50 percent of the people of voting age failed to vote or were not registered to vote in the 1964 election. If 50 percent voted, a state was in the clear. But not so if only 49.9 percent of the eligibles went to the polls.

It turned out, by coincidence if one likes to believe in fairy tales, that this formula covered Alabama, Mississippi, Georgia, Louisiana, South Carolina, Virginia and 39 of 100 counties in North Carolina. Literacy tests in 13 non-Southern states were not affected.

Condemning this as "regional" legislation, Attorney General Mitchell has opposed a simple renewal of the 1965 law. He prefers new legislation which would ban all literacy tests and which would drop the requirement that Southern states come hat-in-hand to Washington for approval of any change in their election laws. As an alternative, Mitchell advocated legislation empowering the Justice Department to obtain injunctions against any discriminatory state law affecting voting, and which would also authorize the Attorney General to send observers and examiners into any state to guard against discrimination or voting frauds.

It has not been our view that a simple literacy test, given without discrimination, is an evil thing. Illiteracy and an informed electorate hardly go hand in hand. This country needs more rather than fewer voters who can at least read and write their names.

Since Congress obviously will take some action, however, we think the Mitchell approach is much better than perpetuation of the existing law. By all means, discrimination whether in tests or state laws should be struck down. But this should not be done through a federal statute which is both disingenuous and singularly invidious in its own discriminatory application.

VOTE LITERACY TESTS: PRO AND CON

There's a peculiar irony in the statements made recently by persons inside and outside of Congress criticizing the South Vietnamese government for not having prevented corruption in elections.

For this malpractice unfortunately occurs right here in the United States, and it may increase in future years. There now is before Congress a proposal to end literacy tests throughout the country so that hereafter all persons who can neither read nor write will be permitted to vote. This opens up the way for bribery of voters and the commission of voting frauds.

The present dispute started when Congress passed the Voting Rights Act in 1965, declaring that literacy tests were to be suspended in those states which had such tests and where within the state or political division thereof less than 50 percent of the people of voting age had voted or were registered to vote in the 1964 election. This supposedly broad prohibition actually applied only to seven states in the South. Atty. Gen. Mitchell now has proposed that none of the 50 states or political subdivisions thereof "may require any person to pass a literacy test or other tests or devices as a condition for exercising the fundamental right to vote."

Many of the representatives from Northern states are objecting to this, but members of Congress from the South have long been saying that it is discrimination to single out the Southern states and that any laws of the land should apply everywhere.

As for voting frauds, just after President Nixon was nominated in 1968, a group consisting of 100,000 volunteers was organized by his associates to prevent some of the "irregularities" which occurred in the 1960 presidential election. Louis B. Nichols, a former assistant director of the FBI, was head of the organization, known as "operation integrity."

In an article in Reader's Digest this month, Nichols says that from time to time in the 1968 primaries in each state, poll-watchers were intimidated by opposition goons, ejected physically from the polls and even arrested on trumped-up charges." He declares that many "ghosts" were found to have registered—in one case, 21 from a single building that had been destroyed months before. The same kind of thing occurred in the registration processes in different states.

But the effect of having the poll-watchers was dramatic. In one ward in Chicago the total vote in 1960 had been 22,236, but when poll-watchers were stationed in 28 out of the 50 precincts, the vote fell to 16,049 in 1968. This, Nichols says, was "A fair measure of the illegal and ghost votes" previously cast.

Nichols points out that in the 1960 election, which Nixon lost, the latter trailed John F. Kennedy by only 122,702 votes out of the 69,000,000 cast, and that shifts of 23,117 votes in Texas and 4,430 in Illinois would have given Nixon 51 decisive electoral votes and made him president. Nichols says there was ample evidence of voting "irregularities" at that time in those areas.

John N. Mitchell, who now is Attorney General, was the man who acted on behalf of Nixon in 1968 in helping to set up, with the assistance of Nichols, the bipartisan army of 100,000 volunteers who worked to insure an honest election. Mitchell recommended to Congress last Thursday that the Attorney General be empowered to send federal examiners and election observers into any county "If he determines that their presence is necessary to protect the right of citizens to vote."

Mitchell proposed also that a presidential advisory commission be established "to study the effects which literacy tests have upon minority groups, to study the problem of election frauds, and to report to Congress its findings and recommendations for any new legislation protecting the right to vote." He declared that "responsible citizenship does not necessarily imply literacy" and that "responsible voting does not necessarily imply an education."

But the truth of the matter is that illiteracy makes it easy for election irregularities to occur. Unless the whole subject of literacy is re-examined impartially, it may turn out that the opportunities for fraud and the bribery of voters will be increased if all literacy tests are abandoned.

WE BELIEVE IN GOD, IN AMERICA, IN HONESTY

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. SCHADEBERG. Mr. Speaker, it is my privilege to call to the attention of my colleagues an advertising message which is being carried over radio stations in my district. This message is the result of the individual efforts of an outstanding American, Mr. Elmer M. Hanson of Williams Bay, Wis., in reminding his fellow citizens of how much we Americans have to be thankful for.

Through the use of this simple message, Mr. Hanson reminds us that we have been far too tolerant of organizations which seek to destroy our form of government; of groups of students whose only purpose in the university is to disrupt; and of those persons whose activities flaunt the rules and laws of our society.

Mr. Speaker, I am pleased to enclose this stirring message, as follows:

(Background music, "America the Beautiful")

We believe in God, in America, in honesty. Yes, these three attributes blended together will help produce a healthy, happy America.

We call upon parents, schools and churches to cultivate patriotism in our youngsters.

We call upon our national and local leaders to think American, act American, and be American, be American enough to condemn and destroy the foreign "isms" that are determined to destroy our wonderful way of life in the greatest country in the world, America.

THE TYRANNY OF OUR TECHNOLOGY

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. MOORHEAD. Mr. Speaker, Art Buchwald, in his column "MIRV's Just a Kid" in the Post, scored again with his wit and humor. However, the message is ominous and what is more I think he is right on target. We are indeed becoming slaves to our own technology as we forge ahead to the much-feared SASCHA.

For the consideration of my colleagues, I would like to juxtapose Mr. Buchwald's article with "The Vicious Acronyms" of Ralph E. Lapp, who is, of course, a well-known physicist, weapons expert, and author.

Mr. Lapp points out:

> Again we face a tyrannical ogre, a remorseless technology, a dictator compelling both us and the Soviets to bring forth whatever weapons systems can be made.

I do believe, however, that, if we can act and act immediately to stop our MIRV testing program that we have a unique opportunity to freeze the nuclear arms race in its tracks. Otherwise, I fear that Mr. Buchwald and Mr. Lapp are right—that we are to become slaves to this tyrannical ogre—our remorseless technology.

Mr. Speaker, I would like to include both these articles in the RECORD for the thoughtful consideration of my colleagues:

MIRV'S JUST A KID—MULTIPLICATION TABLE HAS ONLY STARTED IN NUCLEAR WEAPONRY

(By Art Buchwald)

I know he doesn't mean to do it intentionally, but every time Secretary of Defense Melvin Laird opens his mouth, he scares me. In order to get support for the antiballistic missile (ABM) program, Laird has thrown more Soviet missile threats at us than all the former Secretaries of Defense put together.

We're told that if we don't build an ABM system to protect our Minutemen, the Soviets will be able to wipe them out with their MIRVs (multiple re-entry vehicles), which they have developed as a first-strike weapons capability in answer to our MIRV—a multiple independently targeted re-entry vehicle. Our MIRV carries clusters of nuclear warheads as compared to the old-fashioned nuclear missiles, which could only be shot off one at a time.

You would think that MIRV would be the ultimate Doomsday weapon in our arsenal, but this is not the case. MIRV will open up a whole new generation of nuclear hardware, and we might as well be prepared for it.

I have a friend at the Pentagon who said:

"MIRV is nothing compared to what we've got on the drawing boards. You should see IRVING."

"What is IRVING?"

"IRVING is the intercontinental re-entry vehicle injector nuclear group. It not only has clusters of missiles, but each cluster reproduces a new generation of missiles while in flight."

"My God," I said "that should certainly give us more than parity with the Soviets."

"It would, except that we know they're working on IVAN."

"What is IVAN?"

"An independent vehicle anti-IRVING nuke, which has clusters of hydrogen warheads set in nitrogen bombs, which can explode within 200 miles of an IRVING."

"I'm sure we've got an answer to it."

"We have it in BERNIE."

"BERNIE?"

"BERNIE stands for ballistic engineered reentry nuclear evaporator. It has 10,000 rockets which, when ignited by a cluster of IRVINGS, can hit every major capital in the world."

"Good for BERNIE," I said. "I'm sure the Russians wouldn't start anything once they knew we had BERNIE."

"They know it, and we know that by 1987, their answer to it will be MISHA. As you know, MISHA stands for multiple intercontinental supersonic atomizer. It is fired down instead of up, and when it hits the earth's core, it explodes and blows up the entire world."

"Then they have the Doomsday machine?"

"They will have unless we immediately start work on MORTY."

"I know it stands for multiple something," I said.

"Wrong. It stands for megaton oscillating re-entry thick yield. You fire this weapon through a hidden garbage disposal unit and in 20 seconds it produces a mushroom cloud not only around the earth but over the entire universe."

"Oh," I cried, "If we can only develop MORTY in time."

"Even if we did," my friend said sadly, "we'd still have to go on. You see, while we're talking, the Soviets are doing their preliminary work on SASCHA. Would you like to know about SASCHA?"

"Could it wait until tomorrow?"

THE VICIOUS ACRONYMS

(By Ralph E. Lapp, author of "The Weapons Culture")

The Nixon Administration is struggling with defense decisions that involve a rather horrendous technology, symbolized by three and four letter acronyms like ABM, MIRV and AMSA.

ABM is now a household gambit and MIRV is a "word" that has found its way into the vocabulary of the Secretary of State. The multiple, independently targeted, reentry vehicle is a technological development that is symptomatic of modern research and development. It is a kind of "technological happening" which has emerged from the idea stage into the reality of defense hardware mostly because it was possible. Like the H-bomb, when it became technologically "sweet", it became ineluctable.

How did MIRV come about? It is generally assumed that MIRV was a development "hedge" against the possibility that someday the Soviets might deploy an ABM system. That is, each US missile such as Minuteman or Polaris could be fitted with multiple warheads in order to penetrate a ballistic-missile defense. But last summer Senator Mike Mansfield asked the Pentagon's research chief, John S. Foster, Jr., the following question:

Is it not true that the US response to the discovery that the Soviets had made an initial deployment of an ABM system around Moscow and possibly elsewhere was to develop the MIRV system for Minuteman and Polaris?

Answer: Not entirely. The MIRV concept was originally generated to increase our targeting capability rather than to penetrate ABM defenses. In 1961–62 planning for targeting the Minuteman force it was found that the total number of aim points exceeded the number of Minuteman missiles.

Buried on page 2310 of Part IV of the Senate hearings on defense appropriations, this response is a pure shaft of candor illuminating dimly lit rooms in the Pentagon. A Soviet planner would surely interpret this answer as meaning that the United States was beefing up its strategic deterrent so as to have a first-strike capability.

Minuteman III, currently under testing, will throw three 0.2 megaton warheads at individual targets in the Soviet Union. Accuracy of the MIRV system is claimed to exceed that for Minuteman II. If the Minuteman MIRV system is now meant to override Soviet defenses, why the obsession with accuracy? Hard-headed Soviet planners must make the worst possible assumption about MIRV, namely, that it is silo-targeted. Whatever the reasons that have directed the evolution of US strategic deterrent power, the fact remains that in the 1973–74 period the US can have a throw-capacity of 10,000 MIRV's. The bulk of the throwable warheads will be aboard Poseidon, the follow-on to Polaris.

Each underseas-launched Poseidon missile can accommodate up to 14 MIRV's. To be sure, they are not as potent as those aboard Minuteman III. Splitting up the payload into 14 separate packages, each equipped with a heat shield, results in a very small warhead. This limits the nuclear bang to something in the range of the Nagasaki bomb. So Poseidon is more understandably a second-strike weapon since the accuracy requirement to knock out a Soviet silo becomes extreme. But will the Soviets believe it?

It may well be that Soviet leaders are convinced that the United States is aiming for a first-strike capability. This may explain why the SS–9, the triple-warheaded ICBM so much dreaded by Defense Secretary Laird and Mr. Foster is still being deployed. If so, we are then caught up in an arms spiral whose architecture was made-in-America. In a real sense we are all sacrificed on the bloody altar of a tyrannical technology.

Mr. Nixon, in his advocacy of the Safeguard ABM system, has stressed its nonprovocative nature and has viewed with alarm the dangers of escalating the arms race. But Secretary of State Rogers in his press conference remarks of June 4th seemed unperturbed by the potential of MIRV tests for destabilizing the arms equilibrium. The upcoming strategic arms limitations talks (SALT) could turn to water if MIRV technology is a *fait accompli* before agreements can be reached. In its zeal to possess new weapons, is the Defense Department steam-rolling MIRV to completion before the talks begin?

The United States and the Soviet Union face an inspection problem far tougher than that involved in the Nuclear Test Ban Treaty if they wish to police an agreement on the limitation of deployed strategic warheads. Our orbital intelligence-gathering devices may be relied on to observe ICBM installations in the Soviet Union. But these satellite sensors simply look down on the earth's surface; they cannot see through a silo-cover. Only an on-site inspector with a screwdriver can count the number of MIRV's concealed in an SS–9. Furthermore, the MIRV inspector would have to keep his eye everlastingly fixed on the missile to be sure that a new nuclear Hyrda was not slipped into place.

Many experts on arms control regard the MIRV problem as a dead end in reaching any limitations on strategic armaments. Orbital devices can count missiles if each nation should agree on some limit to the ICBM's. But given Mr. Laird's jitters about the SS–9's capabilities how could the two major nuclear powers arrive at a balance of power? The diehards in the US Senate would argue until doomsday that we could not trust the Russians. They would argue that if we agreed on 600 Minutemen with triple warheads vs. 600 SS–9's with triple warheads, we would never know when the Soviets might refit the SS–9 with 10 warheads. Then they would have 6,000 throwable warheads and we would have only 1,800. And one could never be sure of what was happening to underseas nuclear firepower.

If we consider what Mr. Nixon and the Republican arms stalwarts were saying before election, it is unlikely that they will accept any disparity in nuclear weapon power. Just before election Mr. Nixon rejected nuclear parity because—in his words, "this parity concept means superiority for potential enemies." It's true that in his first press conference President Nixon referred to "nuclear sufficiency" but this rhetoric seemed to have little influence on the thinking of his defense secretary whose views on superiority are too well known to require recitation.

When Mr. Nixon sat down at his White House desk and took a look at the Pentagon's numbers on US vs. SU nuclear power he must have been struck by the fact that sometime before the deployment of Minuteman III and Poseidon multiplies the US striking power, the Soviets might equal or forge ahead of the United States in numbers of ICBM's. Coming in 1970 during the mid-term elections, this lack of superiority could be annoying. But it would be positively dangerous for this inequity to persist until Mr. Nixon's time of maximum political danger—1972. His detractors could argue that he had allowed the two decades of American nuclear superiority to slide away. His counter argument that US nuclear firepower would again top that of the Soviets in the future would be weak because it had been engineered by the Democrats while in power.

Sighting along this trajectory, it is easy to understand why Mr. Nixon opted for transforming Lyndon Johnson's Sentinel ABM program into a deterrent-protecting Safeguard system. He could point to his initiative in assuring the nation's security while self-righteously averring that he had not accelerated the arms race by being provocative. To be sure, Safeguard is a defensive system—so is the Soviet Galosh ring around Moscow, but this deployment of 67 missiles of questionable interceptory capability has certainly provoked the United States. In his June 3rd testimony before the Joint Economic Committee, former Budget Director Charles L. Schultze estimates the Minuteman III-Poseidon deployment as costing $10- to $11-billion. Incidentally, Schultze's analysis of US weapons systems is the most penetrating that I have come across.

If the Soviets react to Safeguard the way we responded to Galosh, the arms race will run at full throttle. Conceivably they have already set in motion defense measures based on Mr. McNamara's Sept. 18, 1967 announcement of the US decision to deploy a nationwide ABM system. This may account for the 1968 speedup in Soviet ICBM production—along the lines of Mr. McNamara's "action-reaction" dictum. Mr. Laird might argue that Phase I of Safeguard is confined to Minuteman defense in Montana and North Dakota and that this limited deployment of missiles and radars should not provoke any massive Soviet response. However, Phase II of Safeguard probably appears to the Soviets like a carbon copy of the 1967 Sentinel System—and as the first step toward a thick shield, i.e. a Nike-X defense to ward off the lash of a Soviet second strike. Pentagon officials have now openly admitted that the original Sentinel allowed such an interpretation.

As a matter of fact even the "action-reaction" concept is not really valid because reaction by deploying a weapons systems is impossible unless it is ready to be produced. In other words, the research and development has to be accomplished if reaction is to be demonstrated. Mr. Foster, the defense R&D chief, revealed his philosophy in this regard while testifying before Senator Stennis' Preparedness Investigating Subcommittee:

"Now most of the action the United States takes in the area of research and development have to do with one or two types of activities.

"Either we see from the field of science and technology some new possibilities which we think we ought to exploit, or we see threats on the horizon, possible threats, usu-

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ally not something the enemy has done but something we have thought ourselves that he might do, we must therefore be prepared for. These are the two forces that tend to drive our research and development activities."

Again we face a tyrannical ogre, a remorseless technology, a dictator compelling both us and the Soviets to bring forth whatever weapons systems *can* be made. Once a nation makes a multi-billion dollar investment in a weapons system, then as Senator Fulbright has expressed it—the system may "soon acquire its own powerful constituency." In the case of the ABM, R&D costs mounted to $4 billion—enough to buy quite a constituency.

Mr. Nixon cannot help but be aware of the ABM constituents, especially the aerospace contractors who will profit from the $10-billion first installment of what may mushroom into a $60-billion program stretching to the 1980's. Make no mistake about it, the aerospace industry is the hard core of the military-industrial complex. It accounts for well over half of all prime military contract awards. The care and feeding of the aerospace industry has become a federal responsibility.

When President Eisenhower warned of the dangers of the "military-industrial complex," aerospace sales amounted to $17 billion per year, of which $14 billion were to one customer, the US Government. John F. Kennedy campaigned for President on the basis of a "missile gap" at a time when General Dynamics inched toward the brink of bankruptcy. Kennedy's Apollo moon program gave aerospace a $5 billion annual sales boost and his arms policies sustained missile-aircraft production—and such firms as General Dynamics and Lockheed. Federal contracts were further boosted by the war in Vietnam so that as of last year aerospace sales totaled $30 billion. Needless to say the federal sales accounted for a lion's share.

Six companies—General Dynamics, Lockheed, North American-Rockwell, L–T–V, McDonnell Douglas and Boeing—racked up close to $9 billion in space-defense sales. Each $19,000 the government funds to this industry represents one worker-year and probably influences 4 or 5 votes. General Dynamics and Lockheed count on government orders for 85 percent of their business. Professor Galbraith has observed: "These firms are private only in the imagination." The geographic concentration of aerospace plants produces a political leverage that disrupts the normal checks and balances of a democracy. The geopolitics of defense is a triangulated process in which military, political and industrial components are tightly interlocked. Plants are located in states and districts of powerful congressional leaders, usually chairmen of appropriations and policy committees. Defense orders flow to these favored states and districts. Political leaders promote defense policy and programs that unleash a flood of funds to these contractors. It is not a conspiracy but it is sinistrous.

The significance of the great debate over ABM and Safeguard is that democracy is making a valiant attempt to bring the military-industrial-political complex under effective control.

Consider, for example, the stake of the aerospace industries whose economic fortunes are tied to ABM, MIRV, AMSA and the other acronyms. Their $30-billion sales last year were propped up by Vietnam and partly by Apollo. Slackening of military needs in Southeast Asia and a failure to fund a post-Apollo program will cause aerospace sales to dip. Aerospace companies are looking for $100 billion in new business for the 1970–1980 period. And they are looking to the Pentagon and Capitol Hill for the means to sell these programs. AMSA, the advanced manned strategic aircraft, is promoted by Laird and his associates as the essential follow-on to the B–52. The Pentagon attaches a bargain-basement price tag of $9 billion to developing and producing 200 of these bombers. While Mr. Laird professes to be scared stiff about the vulnerability of 1,000 Minutemen encased in concrete underground silos, he seems little concerned about 200 AMSA's each of which can be crumpled by a blast one-sixtieth that required to knock out a Minuteman.

The layman may well ask—can't the aerospace industry abandon its limpet adherence to the federal government and seek business elsewhere? A number of aerospace firms have reduced their dependence on federal dollars; for example, Boeing derives only a third of its income from the government. But when General Dynamics, for instance, attempts to cut loose it has to compete with Boeing for aircraft sales. Such commercial sales are not big enough to go around in the aerospace industry. When it comes to having these specialized aircraft-missile builders invade the non-aerospace commercial market, the prospects are not very bright. General Dynamics won't get very far making refrigerators in today's marketplace. The pull-and-tug of the free enterprise system could thoroughly wreck the economic fortunes of single-customer companies like General Dynamics.

Aerospace companies aspire to being classed as a growth industry and they therefore strive to get more federal business each year. The Dallas-based L-T-V (Ling-Temco-Vought) firm is a case in point. When LBJ was Vice President the company ranked 61st on the Pentagon's list of top contractors, having only $47 million in orders. L-T-V jumped to 8th place last year with $758 million in defense awards. Defense-based industry like L-T-V aspires to more of the defense dollar but when this short-changes its competitors, as a tightened Pentagon budget may dictate, the aerospace business will be in trouble.

A defeat on the ABM front would blight the fortunes of some of the Pentagon's largest contractors. Cutbacks in the F–111 program, the setback on the Cheyenne helicopter, the criticism of Lockheed's C–5A Galaxy super-cargo plane and an uncertain future for NASA are portentous. Accordingly, Wall Street has assigned record low price-to-earnings ratios for Lockheed and other aerospace stocks. The handwriting on the wall in this case happens to be quotations displayed on the board.

Defense industry, smarting, under accusations emanating from democracy's delayed take on the "military-industrial complex," has looked to its military-political patrons for help. Mr. Laird, the new man at the helm, appears to have thrown overboard not a life-preserver but an anchor. In the case of ABM, the Laird-Packard team could not leave well enough alone. Rather than doctor up the ailing Sentinel System, already funded under the previous Administration, they executed another swerve in policy on ballistic missile defense and invented Safeguard—a means of protecting the Minuteman silos. To backstop this new system, the Pentagon had to replace Mr. McNamara's "greater-than-expected threat" projections with what one defense critic called "greater-than-believable" threats. Stroke by stroke Mr. Laird painted himself (and Mr. Packard and Mr. Foster) into a corner. To make a case for the vulnerability of Minuteman, the Pentagon has to resort to stacking "worst possible assumption" on top of "maximum feasible threat."

The US Congress, which had obligingly appropriated over $80 billion for strategic forces in the past decade, was suddenly confronted with the contention that these were suddenly vulnerable to a first strike. Cold War scholars, hard-line defense intellectuals and a chorus of ex-generals and admirals chanted their concurrences. But the incantations failed to mesmerize the defense-skeptics on the Senate Foreign Relations Committee. Secretary Laird, seated at the console of the Pentagon's mighty organ, thumped out the regular notes of fear, but the ritual response was lacking. Vietnam, the *Pueblo*, the F–111, the Sentinel and urban chaos combined to create a new, questioning, mood.

No matter what the Senate vote on ABM, it must face up to the acronym's alter ego, MIRV. Mr. Laird's first-strike scare at least served to focus attention on nuclear policy and on the future of the arms race. It appears that the Senate Foreign Relations Committee was better briefed on MIRV than Secretary of State Rogers, who knew the meaning of the letters but not the significance of the weapons system. After his casual treatment of MIRV in his June 4th press conference, Mr. Rogers—to quote John W. Finney's report in *The New York Times* (June 6th)—"was given a quick course by the Senate Foreign Relations Committee today on the intricacies of nuclear disarmament." Emerging from Senator Fulbright's school of nuclear knowledge, the Secretary of State told reporters: "It might be that if MIRV tests are successful in the next few months, this will present new problems of inspection."

Students of decision-making might suggest that the State Department needs some high-level bridge across the Potomac to expedite communication on the strategic implications of arms developments. However, the mechanism for such dialog has been in existence for years in the form of the US Arms Control and Disarmament Agency. In fact, ACDA actually held a conference of experts on MIRV some years ago. Top men in the agency are fully aware of MIRV's meaning for arms control, but apparently they had not yet managed to conduct a teach-in at the State Department.

Meanwhile both nuclear giants proceed to lob multiple warheads at targets in the Pacific. It is as though the military on both sides want to perfect MIRV before their negotiators start talking. A little appreciated aspect of MIRV technology is that a first-strike system is more complex than a retaliatory system. In his analysis of a Soviet first-strike threat, John S. Foster, Jr., postulates a MIRV system capable of sensing if it directs a warhead off-course. In this case, the information is telemetered back to the launch sites and a back-up SS–9, with its 3 MIRV's targeted on silos left "uncovered" by MIRV malfunctions, is launched. This ultra-sophisticated MIRV system, self-sensing and automatically capable of rectifying its error, is one which the United States disavows. Neither the number of MIRV's aboard an SS–9 or a Minuteman or a Poseidon is ascertainable in silo or underseas—nor is the first-strike MIRV mechanism.

As in the case of underground nuclear tests, inspection proved to be an impenetrable barrier to agreement on a treaty, so it appears that the MIRV inspection problem is without technical solution. Nations of the world were able to agree on a limited or three-environment test ban, forbidding nuclear explosions in air, sea and space. A limited missile treaty does not appear to be very meaningful. Moreover, technology gives little hope of birthing a Hercules to slay the missile-Hydra. We are belatedly beginning to sense what Mr. McNamara had on his mind when he spoke of the "mad momentum intrinsic to the development of all new nuclear weaponry."

CRISIS IN THE MIDDLE EAST

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. REES. Mr. Speaker, I would like at this point in the RECORD to insert three memos concerning Middle East problems and some suggestions as to future U.S. foreign policy there. These memos were developed by the Honorable Leonard Horwin, attorney, former mayor of Beverly Hills, and former U.S. diplomat.

It is my belief that Mr. Horwin's thoughts will be of interest to many of us concerned with the rising tensions in the Middle East.

The memos follow:

The Facts Behind the Middle East Hate Propaganda

In the natural ardor of counsel to save the life of their client by establishing a political motive for assassination, the history of the Mideast is currently being rewritten to suit the purposes of a local courtroom.

Russia abetted by General de Gaulle has attempted the same re-write to condition the United States to accept Russia's "peace plan" for the Middle East. Basically this plan is to pressure Israel to return to the indefensible armistice borders of 1948–1967, without any prior negotiated agreement of political settlement between Israel and Russia's Arab clients.

The theme of the re-write is that Israel merits the hate of Russia's Arab clients. On this basis, acts of assassination or of murder and sabotage by Arab irregulars or of pressure by Russia to force Israel's return to indefensible borders, are justified as a means of appeasing the haters.

But is this Arab hate justified? Or is it instead ill founded, contrived and pressure tactics?

The principal charges of Russia and her Arab clients, and the facts, are as follows:

(1) Does Israel constitute a threat to these Arab states? No. Israel occupies about 8,000 square miles with 2,500,000 population contrasted with about 80,000,000 population and 1,200,000 square miles of territory including vastly richer area, available to Russia's Arab clients.

Israel offered and offers to cooperate with its Arab neighbors to their enormous mutual advantage including by the Eric Johnson plan for a unified Jordan waterway, the Eisenhower plan for joint development of water resources, the desalinated water program, free port project for Jordan at Haifa, and in numerous other ways. Thus far, Russia's Arab clients have rejected all overtures, preferring instead to destroy Israel.

(2) Did Israel poach on Arab preserves? No, about 70% of Israel was crown land of the Turkish sultanate and thereafter of the British mandatory government until 1948. Most of Palestine was wasteland until the Israelis reclaimed it from desert, swamp and barren slope. Most of those Arabs who claim present-day attachment to Palestine, came, or their parents came there, since World War I, attracted by the jobs, profits and opportunities created by Jewish reclamation.

(3) Has Israel displaced any existing Arab state? No. None of the Arab claimants to Israel territory including the frontiers as made by the cease fire of June 11, 1967, have any prior right. Israel has 3500 years of connection with its domain and letters patent written in holy writ which is the common heritage of much of the civilized, including Arab, world. On the other hand, Jordan was created by Britain, Syria by France, both after World War I, and Egypt has no entitlement whatever to any part of Palestine including the Gaza strip. No Arab state of Palestine or Israel ever existed.

(4) Has Israel driven Arabs from their homes in Israel? No. Those Arabs who left Israel in the war of 1948, did so at the call of fanatics, invited to return with the invading Jordanian and Egyptian troops to loot and kill the Israelis. That they thereby became refugees instead of victorious looters, does not entitle them to support in refugee camps largely at the expense of the United States while they continue to spurn offers of negotiation for indemnification, resettlement, reemployment, and peace, and plot instead for war, regular and irregular.

Nor did Israel drive Arabs from their homes in Palestine in the war of June 5, 1967. Those who left, did so notwithstanding the offer of the Israel Government that they remain.

(5) Has Israel mistreated its Arab citizens and residents? No. Israeli Arabs vote, are elected and appointed to office including as teachers, lawyers, judges, administrators, mayors and lawmakers (members of the Israeli Parliament called Knesset). They have equal access to the courts and social services, enjoy civil liberties including religious freedom, may and do employ Arabic as an official language, exercise the right of public education, are members of the official union (Histadrut), and generally enjoy a far higher standing of living than Arabs in surrounding countries.

Contrast the foregoing with the position of the many hundreds of thousands of Jews in Arab countries who were forced to flee their homes mostly to Israel since 1948, leaving their confiscated possessions behind. The lot of the remaining remnant in Arab lands is exemplified by the recent hideous executions in Iraq. This tragedy of Jews in Arab countries, has been the subject of numerous useless protests to the United Nations.

CONCLUSION

When asked by Russia or General de Gaulle to acquiesce in Russian plans for the Mideast out of sympathy for the supposed Arab victims of Israel, Americans will do well to consider the source and the facts, and judge accordingly.

The American Stake in the Mideast

The American stake in the Mideast is economic to assure access to the oil resources; strategic to assure openness of the land, sea and airways through this crossroads; political to deny control of the area to Russia.

The existence of a strong Israel in coexistence with her Arab neighbors is crucial to these objectives. Therefore, the United States has reason to be concerned over the security of Israel, for the sake of the United States, as well as that of Israel.

Russia was friendly to Israel, from Israel's war of independence in 1948 until Russia found out contrary to its expectations that despite Israel's labor sympathies, Israel is pro-American in any contest between Russian and American power in the Mideast. Thereupon, in 1955 Russia threw its lot in with the Arab League and cynically espoused their anti-Israel kick.

Russia sees correctly that the ignorance, fanaticism, and instability of the Arab peoples, economies and states, are suited to Russian propaganda, influence and eventual control, whereas Israel is knowledgeable, democratic, independent, stable—all characteristics unsuited to Russian exploitation.

A strong Israel in friendly co-existence with the Arab states would mean the eventual lifting of the aspirations, capacities, and viability of the Arab states, leading away from Russian control and to an independent Mideast.

Since the purposes of the United States in the Mideast coincide with such development and independence, a strong Israel in friendly co-existence with the Arab states is in the American interest.

Conversely, destruction of Israel would mean the triumph of ignorance, fanaticism and instability in the Mideast, lead to Russian control, the denial of oil resources to American exploitation, the threat of closure of the Mideast crossroads to American traffic, and the increasing dependence of Western Europe on Russian decisions.

The American purpose of a strong Israel in friendly co-existence with the Arab states, is disserved by any political settlement in the Mideast, which forces Israel to retire to insecure borders and depend upon an outside guarantee whether of the United Nations or of four powers. For such an outside guarantee, legalizes a Russian right of veto in the Mideast, just as it now exists in the Security Council of the United Nations.

On the other hand, the American purpose is served by encouraging a political settlement directly between Israel and her Arab neighbors.

The reason that this has not occurred, is because thus far the Arab states have counted successfully on outside power to gain their goals such as weak frontiers for Israel, acquiescence in the Arab boycott of Israel, etc. These goals are not available in a direct settlement between the Arab states and Israel.

If the Arab states become convinced that the United States is on to the fact that Russia will not intervene as long as the United States does not, and that the United States will not pressure Israel into a political settlement but leave such settlement to the parties who are Israel and the Arabs, the way will be open to a political settlement directly between Israel and the Arabs.

The current hate propaganda generated by Russia and Arab capitals will not be able to prevent that settlement. For it will then be clear both to Russia and the Arabs that hate-Israel propaganda is unproductive.

With political settlement directly between Israel and the Arabs, will come peace, cooperation, prosperity and independence for the Mideast—all in the interest of the United States, Israel and the Arabs.

What To Expect From Russia in the Mideast

Whatever the occasional mouthings of Arab leaders for strictly foreign consumption particularly from Egypt, their leaders are compelled by the forces of fanaticism which they have incited including among the Arab irregulars, to demand concessions from Israel which are way stations to Israel's destruction. Fundamentally, these concessions are withdrawals from territory which enable Israel to defend itself successfully.

The experience of the Vietnam negotiations, is that Russia is not likely to compel its clients to recede from demands for such concessions.

In the case of the Mideast, this means that the vital accommodations must come from those who are not Russia's clients, in this instance, Israel. This means that Israel will be pressed to give up territory vital to it in a likely resumption of hostilities, for words which Russia's clients can be pressed to concede such as "non-belligerence" or conceivably even "de jure" recognition of Israel, or words of promise of eventual access to waterways or eventual relief from boycott.

Since Israel may be expected to balk at such an exchange which may well endanger its existence, the question then arises, is Russia likely to intervene with actual force on behalf of its clients?

The key to the Mideast problem, is that neither Russia nor the United States is likely to intervene with actual force, unless the other does. For no vital interest of either Russia or the United States is threatened, unless the other intervenes in a shooting war on behalf of the actual parties, in this instance, Israel on the one hand, and Russia's Arab clients on the other.

Neither czarist nor communist Russia has ever undertaken a shooting war against a major power except where Russia's frontiers have been threatened. Russia's frontiers are not even remotely threatened either by the dispute or even a recurrence of shooting war between the actual parties to the dispute in the Mideast.

Russia can be expected to intervene in a shooting war in the Mideast if at all, only if the United States were to intervene. Conversely, Russia is unlikely to intervene as long as it is clear that her doing so, would require the United States to do so.

Since Russia's doing so would jeopardize vital supplies of oil for the United States and its European allies, Russia must continue to assume, that the United States cannot tolerate actual intervention by Russia.

It follows that the current rash of propaganda about the danger of Russian intervention is designed to condition the United States to put pressure on Israel to return to the vulnerable 1948 armistice lines which invited two prior Arab threats to her existence.

This would be a rerun of the cheap victory and enormous credit with her Arab clients won by Russia in 1956, when President Eisenhower forced Israel, Britain and France to retire from the Suez and the Sinai, while concurrently Russia stayed put in Hungary.

If repeating its 1956 mistake, the United States were to put pressure on Israel to withdraw to the vulnerable armistice lines of 1948, the probability this time is that Israel would not acquiesce. This would put the United States in the intolerable posture of pressing a friendly state to risk its own destruction, or even worse, inciting Russia to armed intervention on behalf of its clients out of belief that the United States would not oppose.

If refusing to repeat its 1956 mistake, the United States refuses to put pressure on either of the disputants, the consequence is that Israel and Russia's Arab clients must settle their dispute between themselves.

If Russia's clients refuse to do so as is likely for the moment to be the case, they can either continue to shore up diseased governments by this essentially false issue, or resort to a shooting war with Israel in which event they risk a re-run of three prior debacles, or take the lesser risk of continuing to encourage the Arab irregulars to cross cease fire lines into Israel.

In the latter event, the United States can serve international law and the peace by an even-handed policy of refusal to join in any condemnation of Israeli reprisals, as long as Russia continues to veto any condemnation of violation of cease fire lines by her clients.

NATIONAL MERIT SCHOLAR SENTENCED TO 5 YEARS

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. CLAY. Mr. Speaker, I am truly astonished at the inequities of our present judicial system. Day after day, I read in the newspaper of cases where a felon receives a light sentence—whereas a concerned youth protesting the injustices of our country receives a severe penalty. The priorities of our judicial system are as askew as those of our Government.

Take these incidents of which I am personally aware:

First. Two robbery suspects, caught redhanded by the police, were dismissed on a technicality—the two men had strong political connections.

Second. Two young men using Nazi-like tactics to terrorize, to damage, and to harass businesses to the point that one fine bookstore was forced out of business—one of the men received a light fine and a year's probation—charges against the other were dropped altogether.

Can these crimes possibly be compared to social, economic, or political protest? Are they not more injurious to society than peaceful protest or assembly? Law and order takes a peculiar turn when protesting peacefully the unresponsiveness of university administrators, staging a sitdown strike in a discriminatory restaurant, or reading the names of Vietnam war dead—become grave crimes against society.

Yet, Mr. Speaker, the punishment of these acts speaks for itself. Today, I bring to the attention of my colleagues one specific case which concerns me deeply. One young man, a junior at Harvard University, placed on the dean's list all 3 years and a national merit scholar—has received the maximum penalty for destroying his draft card. This student's protest was prompted by the feeling of futility and frustration which followed the Chicago Democratic Convention last August.

This case has come to my attention through a touching letter from Michael B. Weissman's parents. They write, not to request political string pulling—but as they put it:

> If you have any advice, we would be grateful for it, but we are not really asking anything of you. We do think you should know the sort of thing that is going on in St. Louis. It is perfectly clear that our son is not a criminal.

I suggest that any Congressman who had received a similar letter with a similar outline of such a tragic situation—would feel as strongly as I do that these people have reaped more than their share of injustice.

A $10,000 fine has been levied against this student and a 5-year penitentiary sentence. This, my friends, is how we are protecting society and rehabilitating criminal elements. If this were not enough in itself—I am more angered that upon the advice of his parents, the boy reapplied for a new draft card which was issued—and he was still prosecuted and subsequently convicted to the limit of the law.

Somehow, the authorities granted no consideration to this boy's previous record—his intent and action to reinstate himself under the draft—nor the obvious parental concern and guidance afforded him. The only thing the authorities did not do with this student—was name him to the Nation's 10 most dangerous criminals list.

There is no logic, no analysis, no compassion and no thought of individual or society's welfare in such a verdict. A boy like this—who asked for a chance—was totally ignored. Yet, time after time, deadly crimes committed by confessed criminals—are being rationalized and abated through the channels and rhetoric of law and order. It all depends upon the victim of crime.

If the crime is a threat to white society or a threat to a system perpetrated by white society frightened by change—no judgment is too strict. But against black, poor, Quakers, individual or group protesters—the limit of the law is sought and attained.

There is little doubt in my mind that the action taken against this student is the result of an attempt to stifle opposition to the war. The Government cannot afford to make examples out of a conscientious youth like this one who is concerned with the future of this Nation.

Senator FULBRIGHT has noted in his excellent book, "The Arrogance of Power," that it is extremely difficult for concerned Americans in the minority to protest the actions of the majority—even for a Senator—without having undue pressure brought to bear against them. He is right. I would take it a step further at this point in time, and say that majority protest against a minority who hold the strings of power is equally as difficult. Protest against the Vietnam war is such a protest.

The student in question broke the law—the law of this democracy which supposedly provides for "mitigating circumstances." In this body's case, the temper of the Nation after the Chicago convention, which was very disturbing to me, and the sincere efforts of the accused to mend his actions—should have overwhelmingly constituted "mitigating circumstances."

Inequities in punishments are not limited to Vietnam war protesters; they extend to the civil rights field as well. The St. Louis American reported on June 26, 1969, that a black man allied with a black militant organization received from an all-white jury an unprecedented 7-year prison sentence for beating another black man. The St. Louis American aptly called this punishment the stiffest sentence known in the history of black citizens of this community. One man remarked in a sadly humorous way that "They usually get only 30 days for killing each other." The black community of this country is used to the double standard of law and order—but it used to sit by and let such decisions pass as inevitable. Today, the black community will not sit by. They will act for principles in which they believe. In Watts, Detroit, Newark, and other cities, one can see that blacks no longer let pass the unjustice that has burdened them for so many years.

Black people want equal protection of the law. They want crimes against black people by black people given the same consideration as white against white, black against white, or white against black. They are tired of murder ignored in black ghettos—and tired of harassment if their activities search for a change in the system. What they want, then, is equality—the same thing which has been recited to white people for 200 years.

Our country was founded in the spirt of protest. The Constitution preserves that right. The most pressing problems of our time—Vietnam and civil rights—will be protested in spite of fear of unjust punishments and repression.

Mr. Speaker—I am tired of repression whereby the system makes an unfortunate "example" of one or a group of people—just to keep other would-be followings in line. There must be changes in the handling of these cases or the present turmoil over Vietnam and civil rights will explode into proportions of which I am assuredly afraid.

Now—for the benefit of my colleagues—I insert a summary of the inci-

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dent involving the youth whose case has prompted me to make this speech. I invite each of my colleagues to assess the crime and the penalty—and to console himself that this is a just nation seeking to protect the general welfare of society.

The summary follows:

CHRONOLOGY OF CASE AGAINST MICHAEL B. WEISSMAN

Michael B. Weissman was sentenced to 5 years in the penitentiary and $10,000 fine in U.S. District Court in St. Louis on June 13 for mutilation of his draft card. The chronology of the case is as follows:

August 30, 1968. Michael tore his draft classification and registration cards in two and handed them to a plain clothes policeman during a demonstration in St. Louis in protest of the Chicago convention. This was a time when people all over the country, particularly students, were in a highly emotional state.

September 1. Michael wrote to his draft board disclosing in full what had happened and asking for new cards. This letter was probably not mailed until the next day. It was received by his board on September 4.

September 11. Michael was granted new cards by the board.

October 30. The draft board declared Michael 1A delinquent. There is some ambiguity over the facts here. The prosecution brief states that Michael was declared delinquent on October 11, but no notice was sent to him until October 30. It was established at the trial that an entry stating that he had been granted a 2S deferment was erased from his draft record in this period.

November 19. Michael was indicted for mutilating his card. This was more than two months after asking for and receiving new cards.

February 19, 1969. He had a personal appearance before his board, asked for reinstatement of his 2S deferment.

March 7. Trial in U.S. District Court. The judge refused to allow the defense to present character witnesses, saying that the defendant was a first offender and his good character was not in question.

March 31. Michael was again classified 1A by his local board, by direction of the state director of selective service, although the local board had written to the state director that Michael met all requirements for a 2S deferment. Michael has appealed his draft classification to the Massachusetts state board.

May 28. Verdict of guilty.

June 13. Maximum sentence imposed. No reason was given. An appeal has been entered.

Michael is now (June, 1969) 19 years old and has completed his junior year at Harvard University. He is a National Merit Scholar majoring in mathematics and has been on the Dean's list all three years.

I also insert this commentary carried in the St. Louis Post-Dispatch July 5, 1969.

PROBATION IGNORED

From the standpoint of saving potentially useful citizens for the future, what is the best thing for a federal judge to do with draft law offenders? Throw the book at them, by way of maximum sentences and fines, or put them on probation?

The question arises from United States District Judge Regan's imposition of the maximum five-year prison sentence and $10,000 fine on a 19-year-old University City student, Michael B. Weissman, for mutilating his draft card. Young Weissman is a junior at Harvard on a National Merit Scholarship. He told Judge Regan after his conviction that he would advise his friends *not* to destroy their cards.

Judge Regan acted under provisions of a federal law permitting him to commit the defendant to a federal institution for a 90-day period of "evaluation," which is supposed to provide him with detailed information useful in determining the ultimate sentence. After the 90-day period, the judge with evaluation in hand can cut the sentence or even order the defendant paroled. But to obtain this useful flexibility of action under the particular statute he must in the first place set the tentative sentence at the maximum level.

This statute has its uses, but if a judge believes an offender may qualify for probation after 90 days in prison the question is why he does not grant probation at once on the basis of investigation by federal probation and parole authorities. Most draft law defendants are first-offenders. Are they not more likely to be saved for useful citizenship if they are given a chance to behave themselves under probation than if they are sent to prison first? Throwing the book at them may relieve a judge's feelings, and show how tough he is, but the main question is the future of the young man who violated a law for reasons of conscience.

Judge Regan's colleagues, Judges Harper and Meredith, generally do not go even as far as he in considering this question. They almost invariably hand out five-year sentences to draft law defendants pleading conscientious objection to military service, disdaining both the option of probation or a sentence based on use of the evaluation statute. Throw the book at them! That is a lot easier than trying to understand. * * *

TO BE REMEMBERED

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. GAYDOS. Mr. Speaker, when the House passed the 10-percent income surtax extension, it in effect told the American taxpayers that no meaningful tax reforms would emanate from the House. The low- and middle-class taxpayer, who bears the brunt of the tax burden, does not regard repeal of the 7-percent investment credit as anything but tokenism, nor will promise of protest. Only by plugging the notorious loopholes in our tax structure and relieving some of the pressure from the little man can we fulfill our promises and obligations.

A recent editorial by John Orr of the McKeesport Daily News points up the fact that the promises we make are not forgotten. I submit the editorial for the RECORD and the attention of my colleagues:

TO BE REMEMBERED

During the current Congressional proceedings over extension of the 10 per cent surtax the American citizen should keep in mind the fact that President Nixon once promised to allow the thing to die at its original termination date last Monday midnight.

Indeed, the President, during the heat of the 1968 campaign, was asked pointblank at a press conference his intentions about the Johnsonian levy and replied unequivocally that he would oppose its continuation beyond June 30.

Once elected, the President changed positions. He found that the tax was needed, he explained, to "fight" inflation. He then put pressure on a reluctant Congress, tuned into the tax revolt at home, and today seems to be getting his way. The House has approved the extension by a five-vote margin. It now is in the Senate.

Of course, the President made an amendment. He suggested the "new" formula by which the levy would go on at the 10 per cent rate for six months and then drop to five per cent for the next half year. But who now can believe anything he has to say on this particular subject?

No matter how hard the White House tries to rationalize the present Nixon stand, we still have in this issue the spectacle of a President who was not candid with the voting public. Rather, he could be accused of winning his "squeaker" election on this deception alone.

Why, it can be asked, did it take a victory at the polls for the President to see that the surtax had to be kept as an anti-inflation measure? Inflation was taking place before and during the campaign. President Johnson originally had demanded the added sacrifice from the people for that very purpose. And still Candidate Nixon promised that he would let it fade away when the time came.

This about face of the President cannot be passed off even in the excitement of Treasury Secretary Kennedy's warnings about the inflation menace because, first of all, it constitutes the most brazen of broken campaign promises and, secondly, President Nixon has alternatives to a tax extension. He could cut federal spending to achieve the same deflationary result and also he could have helped to stem the inflation by a personal example which he failed to give.

The President had the chance to dramatize the need of personal sacrifice by smashing at the outset of his administration the shameful Congressional money grab which had the effect of loosening upon the nation the wage and price boosting spree that remains unabated to this day. He bears a great responsibility for this spree inasmuch as he accepted a $100,000 salary raise for himself as part of the bargain with a venal Congressional majority. This will not be forgotten as the average American, beaten both by taxes and prices, continues to ante up to fight an inflation against which his supposed representatives in government so cleverly insulated themselves.

CONGRESSMAN DON EDWARDS' STATEMENT ON CRISIS FACING NURSES

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. EDWARDS of California. Mr. Speaker, a nationwide crisis today faces the nursing schools of the United States. Already many of the nursing schools have been forced to close their doors because of rising costs and inability to finance needed training. Today there is an estimated shortage of 141,000 nurses. By 1973 that shortage will grow to 186,000.

The Federal Government has promised to help, but like so many of the promises of this administration, this one, too, is being broken. It appears that we can only finance the Vietnam war and that we are unable to finance adequately any program needed to meet our civilian needs.

In the case of schools of nursing, the situation is particularly tragic.

Let me give you one specific example from my own congressional district in

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San Jose, the example of the San Jose School of Nursing.

The San Jose Hospital Foundation, Inc., which runs the school, a nonprofit voluntary organization, has been working desperately to increase its freshman enrollment to meet the critical need for nurses in the Santa Clara Valley. It has been successful, with the number of freshmen nurses growing from 18 in 1966, to 36 in 1967, 48 in 1968, and 70 in 1969.

Today, however, that program lies in ruins. It lies there because of the unkept promises of the Federal Government.

In order to meet its increasing enrollment the San Jose school, which serves many low income and minority students, has relied heavily on the Federal Government student loan programs.

This year the school applied for $188,820 in loans.

For 4 years it had received all that it had requested in the way of student loans.

I have been informed that instead of $188,820 the school may received as little as $15,100. It will not receive a great deal more.

Robert B. Kennedy, executive vice president of the San Jose Hospital Foundation, Inc., has outlined the situation facing the school in these words:

> We will have to go back to parents and students who made application for these loans and tell them that they are only going to get half the money they expected. (On the basis of incomplete information, Mr. Kennedy believed the funds would be cut only in half.) If they are going to continue school they will have to make up the difference. Most of our students are not going to be able to make up this difference, for that is why we went for the loan in the first place. They just didn't have the money.

The tragic predicament faced by this school is not a simple one. In the past adequate funds have been available for all who applied for student nursing funds.

First, these funds have been cut.

Second, the number of schools and students applying have increased sharply this year. Last year 694 schools applied; this year, because of new accreditation standards, 907 schools applied.

Instead of having enough funds, there were not enough.

The schools applied for $22,084,231 with only $12,281,000 available.

As a result, a statutory formula was applied, a formula which is vastly unfair to small schools such as the San Jose Nursing School.

The formula is complicated, but I will try to simplify it in an accurate way. I may not altogether succeed, but I hope you will bear with me.

All of the students in all of the schools applying, not just the students needing loans, are added together. Then, each school, counting all of the students again, has its total number of students divided into the total number of students from all schools. Thus, the ratio is established for obtaining funds.

As an example, if all of the schools had a grand total of 1,000 students and one school had 100 students, that school would be eligible to receive up to one-tenth of the funds available.

Obviously, the smaller the school, the less funds it will get.

I am told 85 percent of the schools applying for student loans will receive all of the funds they request. The remaining 15 percent, including San Jose, will be cut sharply—some of them butchered.

I also have been told some of the schools will be hurt even worse than San Jose.

Many of the schools so hurt are small struggling schools of nursing in poor areas, which need help far more than the larger schools.

We all know that many needed programs are being cut this year in every field, including health education.

But in this case a selective and permanently damaging harm is being done.

In this special case, I urgently urge that the appropriation of the student nursing funds be increased so that this long-range and valuable program can continue.

We will need more time to revise the formula to insure fairness, but we can at this point save the programs already underway.

The need is for $22,084,231 in the nursing student program, instead of $12,281,000. I would hope the appropriation will match the need.

For those who fear that our economy will be overburdened by such an increase, let me remind you of our recent actions. Just yesterday we approved a $38 million increase in expenditures for military operations in Southeast Asia.

I believe we also can appropriate the funds needed to provide us with nurses.

A YOUTHFUL LEADER SPEAKS OUT ON THE MEANING AND FUTURE OF AMERICA

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. BROCK. Mr. Speaker, on Friday, July 11, Jack McDonald, chairman of the half-million-strong Young Republican National Federation, will deliver a major address concerning America's future and the positive role which the decent majority of our young people will play in it.

Delivered in Chicago, at the national convention of the YRNF, it will set the tone for a rededication to basic American goals and values for all young Americans, regardless of party. Because of the importance of this excellent speech, and because it so eloquently speaks for the "silent majority" of our younger citizens, I include an advance copy of it in the RECORD:

REMARKS OF JACK MCDONALD, CHAIRMAN, YOUNG REPUBLICAN NATIONAL FEDERATION

(Delivered to the biennial convention of the Young Republican National Federation, Friday, July 11, 1969)

In recent years, newspaper, radio and television reports of today's America have become filled to overflowing with the sounds of anarchy and destruction; and the pictures of fists upraised in rebellion and guns carried by the bearded revolutionaries of the American Left. As I hear them cry out "Go left, young man, go left", I cannot help but recall a few months ago as I stood on a raised platform in West Berlin and looked across that dark grey Wall and came face to face with the stark horror that is the reality of Communism. I saw the barbed wire—the machine gun nests—the guards with bayonets fixed—and the dogs trained to attack anything that would attempt to escape from what they call the People's Paradise. Beside the Wall stands a simple cross placed there to memorialize the courage of a young man named Peter Fechter, who at age 18, made the dash for freedom, but was shot down in cold blood as he tried to tear himself loose from the barbed wire. As I think back to that moment, I can only wish that every young Leftist that cries out that "Communism is the only way for America" could stand at that wall and see for himself that total, complete and utter repudiation of Communism. For our part, let us stand tall and proud for America, and thank God for our freedom for which so many have died but which we take so much for granted.

A part of that freedom is to meet, debate, listen and vote as we do today.

Two years ago, I stood before you as your newly elected Chairman and issued a challenge, and sounded a battle cry to the hundreds of thousands of Young Republicans from across our nation represented there. At that time I asked you to join me in the political arena so we could together harness our sincerity, our dedication, and our conviction to change the leadership of this great nation.

And together we labored—with our hearts, our minds and our hands—We registered newcomers, found absentee voters, rang doorbells, manned phones, and transported voters to the polls on Election Day. And because you and I and millions of other little people became involved in that great Presidential election in 1968, America today is marching up the hill to responsible government.

We have seen changes in America in the last six months—some small and some large. I just came from Washington and even the air seems clearer there, maybe that's because the fog of the credibility gap has been lifted from that city. The tourists are back, and maybe that's because the American people feel more comfortable about visiting their nation's Capitol with Richard Nixon in the White House than they did while Johnson was there. Even the local ball club, the Washington Senators, seem to be playing better ball; and there is another group of Senators who will be playing a different kind of ball after the 1970 elections when some major changes will be made in that group.

But today, as I prepare to step down as your Chairman, I issue a different call than I did two years ago, and offer to you a new challenge. I ask more than simply that we take the lead in a narrow partisan battle. I ask rather that we take the lead in rebuilding the spirit, the faith and the dream that is America. Because today, our nation is suffering from a deep loss of faith. As we gave up our dependence on God and our dependence on our fellow man, and replaced it with a dependence on government in Washington; we also gave up some of our faith in God and our faith in our fellow man, and even some of our faith in ourselves; and we tried to replace that with a faith in government. But in recent years that faith in government has been deeply shaken because we have learned not only what government can do but also what it cannot do. Government can lead; government can encourage; but the true and lasting answers to most of the problems of our nation lie not with government; they lie rather in the "people power" of America.

For too long our nation has experimented with alien ideologies—there are those who have tried to tell us that man can live by bread alone; but America has come to know

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we must rebuild the deep faith and spirit of this nation. There are those who have tried to use American lives as the pawns in a no-win war; but we have learned that if we are going to go into a war, and if we are going to keep faith with those whose blood is to be bravely shed in that war, then our sacred honor demands that we use every ounce of strength our nation possesses to win the victory that can be ours. Our highest court has in effect made laws that coddle criminals, rioters and looters rather than protecting the innocent and law-abiding; but America has learned that when law and order ends, a civilization is on the brink of collapse. Power-seeking politicians have tempted us to taste the fruits of paternalistic government. For a few moments we have been thrilled by the sweetness of their promises; but we have left their table sick with the bitter after-taste of riots, crime and simmering revolution across our land.

In short, the shock of the last few years of American life has demanded a new direction for our nation. And if there is one thing we have learned from our ventures in social experimentation, it is that government alone cannot provide that new direction. The responsibility lies more than ever with us—you and me and the hundreds of thousands of young citizens we represent.

We are young people in a nation which declared its independence in a document written by Thomas Jefferson at the age of 34. The revolutionary soldiers who fought for that freedom averaged only 18 and the firebrand orator of that day was Patrick Henry who was 33. We live in a nation which has traditionally listened to its younger citizens. We are leaders in a land that cries out to be led into the greatness that can be tomorrow.

We are Americans in a world that still looks to America as the land where dreams come true. We stand at the threshold of greatness—leaders whose time is now and whose place is here.

For too long we have listened to those who would salve our consciences by sending every problem to Washington. These PHD ghetto watchers, these empire builders of government have proven time and again that their fuzzy theories are long on promises but woefully short on results. Let us instead harness the strengths that built this nation—our Civic Organizations, our Charitable Foundations, our Free Enterprise System, the "People Power" of America—and bring them to bear on solving our nation's problems. Let us, with our hands, our hearts, and our sweat lead the way to a new involvement by the *people* of America in solving the *problems* of America.

For too long we have allowed our government to permissively spend beyond its means—thereby creating inflation—under some weird and wondrous theory that we owe it to ourselves. The costly dreams of the politicians always become the expenses of the people either through increased taxation for all of us or through insidious inflation which inflicts its greatest pain on those who must live on social security. The time has come in America to play fair with our working man, our housewife, and our older citizens by making our commitment to a stable dollar a sacred pledge of honor.

For too long our welfare system has allowed and even encouraged able bodied men and women to nurse at the public trough; and we have created a system of welfare slavery that feeds a man's belly but destroys his soul. The time is here to massively overhaul our welfare system so that it works to build a man up rather than tear him down—so that it captures the spirit of the Chinese Proverb that says "Give a man a fish and you feed him for a day—teach a man how to fish and he can feed himself for a lifetime."

For too long we have seen our campuses torn apart by a few revolutionaries who put getting their pictures in the paper first and getting knowledge in their heads second. The best solution to America's college problem lies with those of you that are today in our colleges. Responsible leadership from you of the student majority can easily defeat the aims of the SDS minority. Humor can be a weapon, too, because there is nothing more humiliating to these throwbacks to Nazism than to be laughed off a campus. And if your university administration lacks the plain old fashioned guts to deal strongly with onrushing anarchy, then lend them some of your courage by getting a court order requiring them to provide you with the education you paid for—and any court knows that the first prerequisite of education is an atmosphere of learning rather than chaos.

For too long we have tolerated those who would sneer at patriotism and destroy the great religious heritage of this land. Let us be done with those who would burn their draft cards, our flag, or otherwise desecrate the very soul of America. Let us rekindle that deep love of country and honest faith in God that were our nation's guiding lights many years ago when our forefathers carved an empire out of a wilderness.

For too long, we have allowed crime and mob rule to be the order of the day in our nation. The time has come in America for majority rule rather than minority license—and I mean a majority of Blacks as well as Whites, because the real majority is made up of all Americans who know that no civilization can long endure when mob rule takes the place of law and order.

What I am really saying is that today millions of Young Americans are searching for a type of leadership that government alone cannot provide—searching for leadership that gives honest answers in response to their probing questions—leadership that gives bold new imaginative approaches to their desire to build a better world—leadership that gives an open door to their search for involvement—leadership that gives encouragement to their idealism.

This is our greatest challenge—not for ourselves or for our Party, but rather for our Nation. Let us so conduct ourselves that when the history of our times is written, it will record that WE were the people who had the courage to stand proudly and courageously before our nation and say "America, your future, your greatness, your dream, shall not be allowed to die."

MASS MAN IN A TECHNOLOGICAL SOCIETY

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. CULVER. Mr. Speaker, the distinguished columnist and Washington correspondent for the St. Louis Post-Dispatch, Marquis Childs, has made a useful contribution to a greater public understanding of the social issues which our increasingly technological society must face, particularly as they relate to young people.

I insert Mr. Childs' thoughtful remarks made at the recent University of Iowa commencement in the RECORD at this point:

MASS MAN IN A TECHNOLOGICAL SOCIETY

I hope you will forgive a personal reminiscence. Little more than half a century ago, in the span of the human species on this planet a mere eyewink, as a youngster growing up in Iowa through a mail order catalogue I got something called a crystal set. By tinkering with this device you received out of the ether faint signals in Morse code. It was wireless, a mystery that to a boy in that simple time had something of magic about it.

In the intervening half century, that eyewink on the immeasurable face of time, this primitive device has evolved into radio and television with instant communication around the globe. When the Pacific telstar is in place, we shall see events in Tokyo and Bangkok while they are happening, just as we now see events in Europe. The stone age Indian in the high Andes hears with his transistor radio the voice of Peking or Washington as it is uttered. In the same 50 years the jet plane has abolished the great oceans and the land masses with something that our forebears would have seemed like instant travel. The greatest transformation of all, still in its infancy, is being worked by nuclear fission. Whether for good or evil, creating a new earth or bring annihilation in the ultimate and final war, this new force is an agent of destiny.

But while the revolution in the environment, the greatest transformation in recorded history, has been going on, man's political and social institutions have changed scarcely at all. That failure, the failure to enlarge the political and social frame to try to encompass these astonishing new forces, is at the root of much of what is happening today. I believe it explains the worldwide phenomenon of the student revolt, the deep discontent and frustration that take so many different forms. There is a profound feeling, often intuitive, that the old institutions cannot contain these new and hitherto undreamed of forces. To try to confine them in the ancient mold is to do violence to the human spirit, to the individual's freedom of choice, to the very qualities that set him apart from the species bound by instinctive response.

What is the place of the young—your place—in a highly organized technological society? No one, it seems to me, has given a satisfying answer to that question or not, at any rate, an answer that many of the young, and among them the most brilliant and searching of their generation, will accept.

On a recent trip to the Far East, I had a glimpse from the periphery into the riddle that is Red China. Perhaps because of the curious irony of the motivation and the disastrous consequences, we have something to learn from the very wrongness of the Red Guards' revolution. As the old dictator, Mao Tse-Tung, unleashed the militant young, it had the look of a deliberate act of self-destruction. And in its consequences, approaching in many areas of that vast land open civil war, it seemed to be just that. But a glimpse through trained and experienced observers revealed what was a rationalization for inciting revolution. Obviously Mao wanted to stamp out what he saw as a revival of bourgeois materialism. But there was a further rationalization and that explains why, now that the revolution has been damped down, a massive forced movement of professors, intellectuals, bureaucrats, specialists of every kind from the cities to the countryside is taking place. Mao, the old revolutionary, the master of the Long March, dreams of a populist society. He dreams of the homogenized man who can be a specialist in, say, electronics, and can at the same time go out and work in the rice paddies. In a technological age, calling for the most highly developed specialization, it is a futile dream. Imposing it by force may make it impossible, on top of the disasters of the Great Leap Forward and the Red Guards revolution, for China, despite the formidable brain power of her people and their capacity for disciplined effort, to build a modern state.

If homogenized man is an impossible dream, how in advanced western technolog-

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ical society are we to come to terms with the demands of specialization that seem to condemn the individual to a slot in which he performs a more or less mindless function? Rarely, if ever before, and perhaps because of those forces of which I spoke earlier, have the differing societies which man has organized been subject to such intense critical examination. While this is partly veiled in the Communist world, where the rigidities of dogma and doctrine have sought to lop off the human figure to fit in to the arbitrary frame of Marxism, the critical examination, an upsurge of protest, is nonetheless real in Eastern Europe. We see it in its most valiant form in Czechoslovakia, where the brutal force of repression seeks to strangle a deep-seated movement for freedom of choice. The Czechs and the Slovaks have suffered much in two wars and the aftermath of those wars. It may be significant that Czech literature, in the novels of Franz Kafka and in the play, RUR—Rossom's Universal Robots, by Capek—which had wide popularity in the 1930's gave a pre-vision of the torture of a people subjected to authoritarian rule imposed by the advanced methods of a technological society.

In his nightmare of an automated world, the individual reduced to a submissive unit, George Orwell in "1984" struck a note drawing a wide response among the young everywhere. They are asking whether the conventional rewards have any meaning in a society dictating the narrow range of choice in which they must find a place. For some these rewards—security, a car, a family—may be enough. But we are seeing here at home how many of the young are voting no, in a variety of ways, by simply opting out, by eccentric dress, by drugs, by anarchic behavior certain to bring a strong reaction.

It is not 1984 either on the calendar or in our way of life. Yet among the sensitive and the concerned, the signs of an automated existence, with the arbitrary choices dictated by a small self-perpetuating elite, are all too evident: a handful of men in Washington shaping the pattern of research and development through the ever expanding power of the defense establishment; a handful of men in New York and Hollywood determining what we shall see on television and in motion pictures, a determination made with almost the single motive of profit. Here, I suggest, is one of the principal causes of rebellion. We shall not, say the rebels, be merely the submissive servants of this establishment.

If the only alternative is to try to break up this establishment by anarchic acts of violence and destruction, we are in for a very bad time indeed. A technological society cannot be dismantled by force and violence without consequences as disastrous as those that have brought China close to breakdown.

I believe there is another alternative. It lies in the realization that fragmented man living his own isolated life within the sterile frame of the motions that he must make to earn a living, is his own agent of self-destruction. The evidence accumulates. The vandalism of public buildings, particularly public schools, at a cost in millions, if not hundreds of millions, of dollars a year, is a symptom of a profound sickness. I scarcely need to speak of the constantly rising rate of crime, the delinquents, the dropouts. What happens in the ghettos may be cause and effect. What happens in the affluent suburbs is far more reason to inquire into the nature of our sickness. It is not enough in the current fashion to talk about permissiveness and the need to apply stern discipline. That may be part of the cure, but only a small part. The sources lie deeper.

I believe it is essential to add a new dimension to the life of the specialist in our highly specialized society. With ever-increasing leisure, and the four-day week is not too far off, gadgetry, more cars, more boats, more private planes, is not enough. The answer is relatedness. The man or woman who operates a computer, runs a switchboard, pilots a plane must contribute to the larger good. I wish I could tell you how this is to be done. But I believe a way can be found for the individual to relate to a larger life of which he now is either unaware or toward which he feels a hostility reflecting his ignorance.

At the start of the Kennedy administration in 1960, some imaginative and creative proposals were put forward. The Peace Corps, Vista Volunteers, the Teacher Corps, opened a way to serve the nation. "Ask not what your country can do for you—ask what you can do for your country." The response to these proposals was proof of the desire of many Americans to serve a larger cause than self-interest. But they called for an interruption in the normal course of life for varying periods of time. It should be possible to serve in a variety of ways as part of one's normal career without such an interruption.

Almost every foreigner examining the American way of life, beginning with Alexis de Tocqueville, has been impressed with the power of voluntarism. Having its origins in the cooperation enforced by the nature of pioneer life community, self-help has been codified in a thousand and one practices. In no other nation do so many volunteers serve in such a variety of ways. It is a phenomenon that still astonishes the foreign visitor and particularly the visitor from Asia and Latin America where by long tradition responsibility ends with the family circle. While partly this may be busyness, merely spinning the wheels, volunteer service, this manpower, and above all this womanpower, is a constructive force. Related to a larger end I believe it can help to provide the coherence so sadly lacking in our fragmented nation. It is a new dimension that we must discover.

President Nixon has just called for an expansion of this volunteer service to be coordinated in some as yet unexplained fashion with the functions of government. The announcement, related to a pledge Mr. Nixon made during his campaign last year, was ambiguous. It was rhetoric of an era that must seem in this time of turbulent change to have all but disappeared. Taken at face value as first unveiled, it resembled, in degree if not in kind, the unreality of Maoism.

The service of the volunteer, if it is to have any meaning today, if it is to provide a new dimension for those whose lives seem isolated and sterile in lonely anonymity, must be more than a palliative. Working with boys' clubs, serving as a hospital volunteer, is excellent. But it will not satisfy the need for participation in the larger process of determining how one's life is to be ordered. Volunteer service must evolve toward sharing in decision making.

It must be an adjunct of the political process. If only because that process has itself come to seem to many frozen so fast with a rigidity denying the potential of really significant movement, a new element, a new mode of being, is the urgent need. Let me say again that I cannot tell you how this is to be achieved. But it is not an impossible dream. A creative, imaginative union of government and the forces working for change can mean a peaceful revolution.

I hardly need to tell this audience that the center of the turmoil is in the universities and the colleges. Long pent-up discontents with the institutions of higher learning coincide with the deep divisiveness of the Vietnam war and its shattering effect on the young to make the university a focal point of disorder and disruption. Higher education is in a sense the victim of ills long at work in the body politic. This is not to say that the universities are blameless. A conspicuous failure has been in education in the liberal arts; a failure to give the young any broad understanding of the world in which they find themselves. Even in the liberal arts it has been education for narrow specialization. A distinguished educator, President Howard Bowen of your own university, expressed it very well in a recent searching and critical examination of the function of the university and the college.

"The university," he said, "has unwittingly become a handmaiden of the established order and finds its main purpose in training professionals to serve it and in carrying on research and service to support and perpetuate it. Vocationalism supersedes general education. The university's involvement with the established order robs it of its role and its contribution as disinterested critic of society and thereby reduces its capacity for liberal education."

I venture to say that this gets to the heart of the student revolt. I am emboldened to say that for all is calamitous aspects that the rebellion may have served a healthy purpose in alerting us to what is wrong with higher education and in the larger aspect with the society itself. I add that this is true only if the universities and colleges show that they can quickly put their own house in order while at the same time carrying out long needed reforms. I see signs that this is happening. At Stanford, the University of Chicago and elsewhere, faculty-student councils and even faculty-student-administration councils are sitting in judgment on the violent offenders and laying down guidelines to insure freedom of protest while barring destruction and intimidation.

Here are volunteers at work on an urgently needed function. They are sharing in decision-making, they are experiencing the burdens of shared responsibility. Is this not an example of the direction toward which a society of shared responsibility can move? Is it not possible that in a larger context these same councils may carry out the reforms in curriculums and administration so imperitive?

It is presumptuous of me to say these things to a university audience. But I speak out of concern over the growing evidence that extremists on a relatively few campuses have touched off a backlash, a counter-reaction. Forces that have long waited to bring the academic community to heel, forces with no comprehension of, nor consideration for academic freedom, are only too eager to swoop down and impose their narrow authority. The time is short But I am confident that an aroused and alert generation can show the way to a new and more generous order.

I come back to the youngster fiddling with the crystal set in that far-off day. The faint message in Morse code was unintelligible. So was the signal of what this strange new device was ultimately to mean. We can never again afford to misread those signals. They will utterly destroy the comfortable pattern of the past unless we enlarge the sphere of our lives to encompass the forces technology and science have unleashed.

THE INCREDIBLE DREAM: A WALK ON THE MOON—PART IV

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. MURPHY of New York. Mr. Speaker, while most earthlings will follow in awe the historic flight next week of Apollo 11, astronauts Neil Armstrong, Michael Collins, and Buzz Aldrin, they will have a select group of men on the ground who will virtually sweat out the moon trek with them. These are the un-

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sung men of earth control at the Manned Spacecraft Center in Houston. In his continuing series of articles preceding man's first moon walk, New York Daily News science editor Mark Bloom pays tribute to the men who serve by staying behind. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include his blastoff minus six report:

THEY ALSO GO WHO ONLY STAY AND SERVE

(By Mark Bloom)

When Columbus sailed westward across the Atlantic and Lindbergh made the return trip by air, they were on their own.

If Columbus' vessels had sunk, the world might have remained flat for at least another generation. If Lindbergh had gone down at sea no one would ever have known how it happened or what went wrong.

But for Apollo 11 astronauts Neil Armstrong, Michael Collins and Buzz Aldrin, it's a different story. A group of men in a three-story windowless building about 26 miles east of Houston will be virtually inside the spacecraft and on the moon with the astronauts.

At almost all times, these men will have at least as good a knowledge, if not better, than the astronauts will have of the performance of the Apollo 11 spacecraft.

These men will have better information on where the astronauts are in the chartless void of space than the astronauts themselves.

They will be able to chat with the astronauts any time they have anything to say.

They will be the men of earth control at the Manned Spacecraft Center.

Under the direction of the flight director in charge, these men in round-the-clock shifts will receive a continuous flow of data from Apollo 11 via a $500 million world-wide communications and tracking network.

When Apollo 11 is in earth orbit for check-out to make sure everything is "go" before heading moonward, the data and voice communications will be relayed by 14 ground stations, four ships and half a dozen jet aircraft. Key to this network are ten 30-foot diameter antennas spaced around the world.

At an altitude of about 10,000 miles, three 85-foot-diameter antennas—in Spain, Australia and California—take over the primary tracking and communication task. For television from the lunar surface, the giant 210-foot-diameter antenna at Goldstone, Calif., will be used.

All these receiving stations feed data into the $117 million earth control center where batteries of computers digest the flow, routing some of it "live" to flight controllers, and storing the rest for use later if needed.

Much of the data is on the condition of the spacecraft. Some of it is critical information on where Apollo 11 is at any given moment.

One entire battery of computers keeps up with the exact position of the spacecraft. Another battery of computers uses this information to grind out continuously updated information on such questions as what mid-course steering changes to make, or what kind of a steering rocket burst will be needed to fly into lunar orbit.

There is infomation, of course, on the physical condition of the crew, and this network also relays voice communications between Houston and space.

The nerve center of earth control is a buff-colored room on the second floor. It is dominated by huge displays on the front wall of the moon or the earth or Apollo 11's trajectory in space—or just about anything the flight director wants. There is also an enormous television screen.

The room is 60 feet long and 50 feet wide. It is filled with four tiers of consoles, a dozen in all, each with little TV screens for the specific information a given flight controller might want.

At the middle console in the second tier from the rear sits the flight director. At the console in front of him is the "capcom," an astronaut who does most of the actual talking with the men in space.

At other consoles sit space agency physicians, flight dynamics specialists, guidance officers, communications experts, public information officers, and other key controllers.

Backing up these men in specially equipped "side rooms" are teams of engineers who can carry out any special assignment which problems encountered in a mission might require.

In charge of operations at earth control is a man with the historically proper name of Christopher Columbus Kraft Jr.

Kraft, flight operations director at the Manned Spacecraft Center, has been in overall command of every manned space flight the United States has flown, a total of 21 including Apollo 11.

While he lets his junior flight directors run the show these days, Kraft is always in earth control when critical events take place in a mission.

Kraft was in the flight director's chair himself for all six one-man Mercury flights, and for the first six two-man Geminis.

When Kraft was flight director, it was earth running the mission. These days, some of the younger flight directors give the astronauts more leeway.

One Mercury astronaut is known to have so displeased Kraft in the way his mission was flown that after splashdown the flight director told the astronaut that his space-going days had just ended forever.

Kraft was also tough with his subordinate flight controllers—when necessary.

In one incident during Gemini, talking on a channel heard by newsmen, Kraft asked a flight controller at a tracking and communications station half way around the world for the "PQI" of the spacecraft passing overhead.

"PQI?" asked the flight controller.

"Propellant quantity indicated" said Kraft.

"Oh," said the flight controller.

"That's flight control talk," snapped Kraft.

But Kraft is also generous with praise for work well done, and during Gemini made a point of bringing lesser known flight controllers to daily press conferences so they could explain their jobs to newsmen who are not allowed inside earth control when a mission is in progress.

And despite the closed-door policy at earth control, Kraft is one of the few senior officials of Nasa who understands the value of public relations.

At 45, Kraft is the grand, old man of earth control where most of the flight controllers don't trust anyone over 30.

Kraft's ranking flight directors, the men who will run Apollo 11 in shifts, are Gene Kranz, 35; Clifford Charlesworth, 37; Milton Windler, 37, and Glynn Lunney, 32—all younger than all three Apollo 11 astronauts.

For Franz, it will be the 10th time he has been a flight director of a manned flight, dating back to Gemini 3 in 1965.

As the man who has been working for Kraft longest, Kranz is the most like his boss of the four. A crew-cut blond midwesterner with a flat voice that sounds something like Maxwell Smart of TV's "Get Smart," Kranz is an absolutely no-nonsense flight director.

When problems crop up, he demands immediate answers from his subordinate flight controllers. His toleration of inefficiency is minimal. Also, like Kraft, Kranz is on extremely good relations with newsmen.

Windler, whose first manned mission as a flight director was Apollo 10, is an expert on landing and recovery of Apollo spacecraft. He has been involved in manned space flight since 1959.

Lunney, who started working for the nation's manned space program at the age of 22, is another man who has learned how to handle a news conference, having had experience as a flight director in seven previous manned missions.

Lunney runs a more relaxed earth control than Kranz, but he seems to get the same results. He is known as an incurable optimist.

Charlesworth, a soft-spoken physicist who exudes infinite patience with a deep Mississippi drawl, was named "prime flight director" for Apollo 11, a largely honorary title for this flight. He was also prime flight director for Apollo 8, man's first trip into lunar orbit.

Charlesworth will be flight director when man takes his first steps on the moon. Kranz will be running the show when the lunar module sets down on the surface.

But no matter which member of the team is sitting in as flight director, there is no doubt about who is really in charge. "Everyone is aware that if anything really serious ever happened," a high space agency official conceded recently, "Chris Kraft would be the one making the decisions."

PRAYER DAY

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. MILLER of Ohio. Mr. Speaker, at a time when our country's deeply held religious traditions are under attack from many sides, it is highly appropriate that the Congress has designated a "Prayer Day" so that Members may record their feelings on this important matter.

Our great Nation was founded in prayer. The Mayflower Compact that bound the Pilgrims together as they ventured into the New World began with a prayer:

> In the name of God . . . we, do solemnly and mutually in the presence of God, and of one another, covenant and combine ourselves together into a civil body politic.

The Declaration of Independence acknowledges that the rights of free men are derived from the Deity:

> We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.

The great leaders of our country are known to have turned to God for spiritual sustenance. The kneeling figure of George Washington praying for divine strength and direction during the bitter winter in Valley Forge is a part of this country's religious heritage that will always be remembered. Abraham Lincoln once revealed:

> I have been driven to my knees many times, for I have had no place else to go.

Every Presidential inauguration begins with a prayer.

Recognition of our obligations to the Deity is established throughout our governmental institutions. Our coins and currency carry the inscription "In God We Trust." Both Houses of Congress begin their daily sessions with a prayer. Chaplains accompany our fighting men as they face death and danger in all parts of the world. Witnesses in court hearings pledge to God that they will tell the truth.

I call on every Member of Congress to heed the ground swell of public opinion

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opposed to Supreme Court antiprayer rulings. We must restore the rights of the vast majority of our citizens who do not want prayers denied to our schoolchildren. We must insure that the religious foundation of our moral strength is not undermined.

A NEW LOOK AT THINGS

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. WOLFF. Mr. Speaker, the ever-increasing number of student protests, violence on campus, drug abuse, and general student unrest has caused us to overlook the significant contributions that youth can make toward solving educational problems. We often have the tendency to ignore the capability of youth in preference to catchall phrases like "generation gap" and "irresponsibility of youth."

A case in point was recently brought to my attention in the June 19 issue of the Locust Valley Leader, published and edited by an exceptionally capable woman, Edith Wycoff, whom I have known for a number of years. Since it tells a significant story, regarding a bright and concerned young man, Tony Corbo, whom I have the pleasure of knowing. I would therefore like to include it in the RECORD:

A NEW LOOK AT THINGS

Tony Corbo came to see us the other day. He is the vice president of the Locust Valley high school student council and the young man who led the recent student march urging a yes vote for the budget of central school district 3. Tony, a bright, pleasant and self assured young man said that several points in last week's Leader story concerning the march "irritated" many of the students. The day before the march, over the high school public address system, Tony urged students to come out for the march to show "that woman on Birch Hill road how we feel about the budget." Even though the march was planned before the Leader's editor suggested a no vote as a protest against many wrongs within the system, Tony's comment on the school radio gave the impression to most students that the primary object of the June 7 march was to protest the Leader editorial. Nevertheless, said Tony, this interpretation "irritated" some of the students. Students also were "irritated" by the report that many of them left the march as it passed the elementary school fair. Tony said only four students left the march. The Leader was told that many more cut their walk short. It is probable that no one ever will know for sure which figure is accurate but these differences of interpretation of events surrounding the march are not nearly as important as the things Tony said after we began to understand each other better.

He has a few ideas for improving communications between students, the school board, faculty and community. His ideas are not radical, nor are they original. They are simple, practical and new to Locust Valley. They deserve consideration. Tony suggests the formation of a committee made up of three students, three members of the faculty and three residents of the school district. Unlike the many previous advisory committees, which for the most part have been inffective and short lived. Tony suggests that the new committees be appointed by the student body, the faculty and the community, not, as in the past, by the school board. The new committee would attend all school board meetings and work as closely with the board as the board would permit.

Such a committee properly formed and oriented is necessary if there is to be improvement in communications between the school board and those segments of the community with which it needs much greater rapport. For too long the school board has worked in a sanctimonious vacuum, certain that what it has done is right, rarely reacting to much well earned criticism. Reform is needed desperately in all areas of education. No reform will come without heavy and continual pressure from all of those concerned. The tax structure needs a complete overhauling. The defeat of nearly 50 Nassau budgets has moved Democratic legislators to request a special session of the legislature to consider additional state aid to education. If all Nassau districts had vetoed their school budgets the first time around then perhaps the Republicans might have joined the Democratic request and if every school district in the state had voted no the governor would have been forced to call the special session.

All school boards must insist that what the state mandates, the state finance. Education must be made more exciting and meaningful. Except in isolated cases this cannot be done until the stale air of total mediocrity is blasted out of the hierarchy that sets today's educational tone and standards. This will be the most difficult need of all to satisfy for the educational hierarchy is a smug self protective group that deplores new ideas. Ways must be found to control budget appropriations. Painful though this may be, there is no business, including schools, that cannot benefit from tighter budgeting. This does not mean that the district must become parsimonious, only that its expenditures must be better managed and controlled. Permissiveness has failed. It must be replaced by the kind of discipline that demands responsibility and inspires respect. Firm control must be kept on the sale and use of narcotics on school property. High standards of dress and behaviour must be worked out and once determined and agreed upon must be strictly enforced.

There is so much that needs doing it no longer can be done by part time school boards without multifaceted help from the community. The professional educators have done their jobs so badly all of us should be grateful that there are students, parents and teachers willing to help accomplish a job that desperately needs doing. We look to the Tony Corbos, the Ron Gidmans and their like to help guide us out of the expensive rut in which today's education is sinking deeper and deeper.

MANPOWER PLANNING IN A FREE SOCIETY

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, during a career which spans almost 30 years, Prof. Richard Lester, a staff member of the industrial relations section of Princeton University, has established himself as one of the Nation's leading labor economists. In a book entitled "Manpower Planning in a Free Society," Dr. Lester examined the manpower policies of several European countries and analyzed their relevance for manpower development and training in the United States. As we now attempt to move in the direction of a more systematic and comprehensive national manpower policy, many of the observations and recommendations in Dr. Lester's concluding chapter should receive our most careful consideration. I would therefore like to include this material as a part of my remarks at this time:

MANPOWER PLANNING IN A FREE SOCIETY

(By Richard Allen Lester)

CHAPTER 9—CONCLUSION

We live in a job economy. Less than 15 per cent of the nation's work force are self-employed. The rest are jobholders and job-seekers. Paid employment supplies most of their income and occupies most of their days. Hence, preparing for work, securing employment, and moving up occupational ladders are matters of crucial importance to the American people.

Manpower planning seeks to improve the human resources of the country and to enlarge their work effectiveness over the long run. Thus it aims to raise the productivity of the economy. It is part of the nation's overhead investment in a worthwhile and creative life for the gainfully employed population.

Democratic values and the large view

In a free and democratic society, manpower responsibilities are widely diffused. Labor mobility is not centrally controlled. Workers and managements freely make their own decisions about employment, and enjoy or suffer the consequences.

What society through government can and does do is to lend a helping hand. It offers intelligent guidance and facilities to aid in the achievement of proper mobility of labor between occupations, areas, firms, and industries. The government's help should include the best available job information and expert assistance and advice in the matching of individuals and jobs. Employment analysis and the spread of knowledge about jobs expands the horizons of workers along with their occupational opportunities. Through a properly functioning system of public employment exchanges the freedom of the individual is enlarged.

Thus a well-conceived manpower program promotes the well-being of the individual and the individual firm. It affords support to democratic values. By assisting workers in self-development, manpower planning and programs enhance the dignity of the individual, enlarging his opportunity to shape his own work destiny.[1]

The helping hand of government needs to be guided by a broad, long-range view of manpower problems and their solutions. This "large" view necessarily means central use of foresight and over-all planning. Some general oversight is necessary to see that the nation's human resources are used effectively in the national interest. The national interest must be considered along with the interests of individuals, individual firms, and the locality. For the most part, compatibility and mutual support exist among all those interests. It is the national government's responsibility to provide manpower information, perspective, and leadership in promoting the goals of a free and democratic society.

Reliance on persuasion to achieve manpower goals means that considerable attention must be devoted to the communication of the information and guidelines developed at the national level and to their application and administration at the local level. The balance between the central and local functions and responsibilities changes, of course, with developments in the economy and in our our understanding of manpower problems.

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[1] For an elaboration of this theme see Henry David, *Manpower Policies for a Democratic Society*, Columbia University Press, New York, 1965, especially pp. 9–14.

Under manpower planning in a free and democratic society, shifts in function and responsibility between national and local levels occur in both directions. Manpower policies, because they bear so directly on the lives of individuals, must always be applied locally, and the quality of local application largely determines the success of the whole program.

It is with such considerations in mind that the manpower programs in the United States, Great Britain, West Germany, and Sweden were examined. That examination has led to a number of recommendations designed to improve manpower operations in the United States in line with the spirit of our democratic institutions. Stress has been placed on specific proposals that seem practical and highly desirable at this time. They do not, of course, constitute a complete manpower program.

Summary of major proposals

At the ends of Chapters 3 through 7, major recommendations that grew out of the discussion in those chapters were summarized. Those eleven recommendations, restated somewhat differently, are as follows:

1. A program of vocational instruction for school youngsters should be instituted as part of the regular curriculum in the high schools, preferably spread over three years, the instruction being supplied by school "career counselors" whose training and pay would be shared by the Employment Service and the school authorities as in Sweden.

2. A national clearing center should be established and operated by the U.S. Employment Service for the purpose of providing job-exchange service for relatively scarce, high-talent manpower that has a nationwide market, such as high-level managerial personnel, professional-school graduates, and college and university graduates generally.

3. The Employment Service, particularly at the Federal and State levels, should have its own tripartite boards (representing employers, labor, and government) that would have an important, direct role in policy determination and would provide channels of communication between client groups and the top Federal and State managers of the Service.

4. Resident training centers should be established and operated jointly by the Federal Government and the States in each region for the additional training and broadening of high-level personnel in the Service, such as top staff in State headquarters, in the regional offices, and in city offices.

5. Companies should reexamine their hiring standards in the light of new knowledge and conditions; hopefully, some lengthening of the probationary period specified in collective agreements can be negotiated so that formal barriers may be lowered for certain groups of applicants who may have educational and other shortcomings that could be remedied.

6. The manpower program should include Federal support for sheltered workshops as a means of preparing seriously disadvantaged workers for commercial employment, and the manpower authorities should experiment with a program of job creation in the household services area.

7. The gap between employment (or demand) planning and manpower (or supply) planning in this country should be bridged more effectively at the Executive and Congressional levels, in part by giving the manpower authorities some role in demand creation.

8. The Federal Government should develop and use a set of mobility guidelines for operating purposes and to encourage informed movement of workers and discourage ill-advised moves, both geographically and occupationally.

9. The Federal-State program for education and training in preparation for work is currently too short run and parochial in its emphasis; the entire program should be reexamined from the point of view of national mobility requirements over the next decade.

10. The size of the nation's total manpower program and the role of each of the various functions should be reexamined in terms of current and prospective needs and in the light of benefit-cost analysis and other systematic approaches to budget-making.

11. The financing of the Federal-State Employment Service should be reviewed in the light of its new role as a manpower agency and on the basis of an analysis of the various benefits it provides to workers, employers, and the government.

In addition to these eleven specific recommendations this book has urged that more stress be placed on knowledge-generating research and on the distribution of useful information about manpower needs and opportunities. Research is the source of valid new information and is basic to conceptions for guiding the whole program. However, it is by extensive communication of information that the essence of research findings and analysis is brought to the local level where practical application of that knowledge must take place. In the manpower field, information is the connecting link between improved understanding and rational action.

This book has set forth a pattern of thought and a program of action. The two should be inseparable. With enlightenment plus communication plus willpower, the desired results can be accomplished.

PRAYER

HON. HARLEY O. STAGGERS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 9, 1969

Mr. STAGGERS. Mr. Speaker, to most of us, prayer is a human right. The exercise of that right goes far back into the past, far beyond the reach of history. Nobody knows how or why it started.

Almost the first act recorded regarding the original discoverers and settlers from Europe in the Western Hemisphere is that they knelt in prayer. This is as true of the French and Spanish and others as of the English. In all of America, we were praying people from the beginning.

When the framers of our Constitution met with apparently insoluble problems, no less a personage than Benjamin Franklin suggested prayer. Prayer became an integral part of public life from the beginning; to say nothing of private life. Prayer was almost universally taught to our children, even when we as parents neglected our right to acknowledge our dependence on Deity.

Consequently it came as a shock when the practice of all prayer in public schools was ruled as unconstitutional. Except for a small minority who profess to believe that there is no God, the Nation believes that the ruling is an abridgment of the freedom of religion guaranteed by the first amendment.

I should be most happy to support legislation that would return voluntary prayer to the public schools. If a constitutional amendment should be necessary to accomplish that purpose, I would support it also. In this position I am confident that I would have the active approval of my constituency, regardless of political faith, to an extent that I could never hope for in a political campaign.

TRIBUTE TO DR. Y. BARON GOTO—THE JOHNNY APPLESEED OF THE PACIFIC

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. MATSUNAGA. Mr. Speaker, special tribute is due a citizen from Hawaii who has been called the Johnny Appleseed of the Pacific. For nearly 41 years, Y. Baron Goto has traversed the Pacific basin and tried to improve the production and living conditions of farmers. Himself the son of an immigrant farmer, and a deeply patriotic man, Dr. Goto once remarked in speaking of the poor people who exist in such great numbers in the Orient:

> These people are me. They're what I would be, except for the chance America gave my father.

As a good will ambassador for our country, he has also tried to engender the warm spirit of aloha which he has known in Hawaii.

> We may be Filipinos, Japanese, Chinese, or Caucasians, but we all feel at home in Hawaii.

He has explained:

> I think we do because Hawaii has a unique atmosphere of tolerance to newcomers and to anything strange. This is the spirit I've tried to spread during my life.

For the past 7 years Baron Goto has been the vice chancellor of the Institute for Technical Interchange at the East-West Center, Honolulu, Hawaii. Here students from the Pacific Basin countries have been able to share ideas and methods for solving different problems. A most significant feature of the institute's work has been the tailoring of programs to the specific needs of the people involved—and not what Americans have thought to be good for them. With respect to the work of the East-West Center, Baron Goto has explained:

> We are not trying to sell America. We are not trying to impose American skills, American culture, or American knowledge on them (grantees). We are only trying to expose them to different methods and ideas and then letting them decide.

Last week Baron Goto finally retired from his position as vice chancellor after his retirement had twice been postponed by the board of regents, University of Hawaii. A man whose dedication has long commanded my personal respect, Baron Goto has agreed to continue as a consultant on food and agriculture. Although he regards the future of the East-West Center as "still bright," he has noted that its continued success will depend largely on the amount of funds appropriated by the Congress.

I am sure that my colleagues will want to join me in congratulating Baron Goto for his life's accomplishments and wishing him the best of everything in his well-earned retirement. Believing that my colleagues and other readers of the Record would also want to know more about Dr. Goto's work in the Pacific Basin area, I am submitting for inclusion in the Record a truly excellent article by Honolulu Advertiser staff writer, Anthony Chan, which appeared in the June 29, 1969, issue of the Sunday Star-Bulletin & Advertiser:

Baron Goto—"The Johnny Appleseed of the Pacific Basin"

(By Anthony Chan)

At Sogeri, 30 miles from Port Moresby in New Guinea, they remember Baron Goto. Once he spotted Hemilea leaf rust on the coffee trees there and quickly advised them:

"This is dangerous! You must start immediately spraying with copper fungicide."

They did as he told them and he saved their coffee crop. He remembered that in the 19th century the same leaf disease ruined the coffee industry on Ceylon. But he knew the cure and he knew it was 99 per cent effective.

All over the vast stretches of the Pacific Basin they know Baron Goto and his magic wand. All though the tropical countries of Asia. In Thailand, in Burma, in Laos, in Vietnam, in Indonesia.

"I wish we had a regiment of Baron Gotos," a high-ranking U.S. official once said.

Baron Goto has roamed the world and brought knowledge about farming to all the lands he visited. They know him in the barrios, in remote Papua, in Tonga. Something bloomed because he touched it.

Once in Vietnam the government flew him to the far north country and said, what shall we plant here? He surveyed the place and said, "Plant corn, peanuts, and fiber crops, such as ramie and jute."

Author Bill Lederer once called him "The Johnny Appleseed of the Pacific."

A 41-Year Career

For nearly 41 years, Y. Baron Goto, vice-chancellor of the Institute for Technical Interchange (ITI) at the East-West Center, has been trying to improve the production and the living conditions of farmers in Hawaii and the Pacific Basin. With a number of his goals accomplished, Goto, 67, will retire as vice-chancellor tomorrow.

His retirement, however, will not mean a complete end for him in agricultural extension work.

Although he said he would "not be doing anything special" after his retirement, he said at the same time, "I have been asked to be a consultant on food and agriculture for the East-West Center, and I have accepted that offer.

"I also hope to spend a few months preparing a report summarizing the work of the center from its beginning in 1962. We have handled over 9,500 people in that time, and most of them have been involved in pilot projects. Many of the pilot projects should, of course, be continued. Some of them, however, should not. The report could help in evaluating what has been done in order to plan for the future."

Born in Japan in 1902, Goto came to the United States with his parents when he was 7 months old.

His father, who realized very early that he would never get ahead working on a plantation, went into honey farming as soon as he had saved a few dollars.

Goto was brought up in a rural part of Kohala on the Big Island.

"It was a sugar cane growing area largely inhabited by Hawaiian people. I grew up in that happy, carefree atmosphere that Hawaiians are famous for," he said.

TO MID-PACIFIC

By the time he reached the fourth grade, he was sent to school in Kona. The principal selected Goto as one of four students to go to Mid-Pacific Institute in 1915 on a scholarship.

"It was at Mid-Pac that I had the first taste of milk in my life," he said. "It was also there that I had my first training in English. Before that, I had spoken Japanese as my mother tongue, and I had picked up pidgin English as my second language."

Goto recalled that at Mid-Pacific he lived for the first time under the same rules and the same conditions of life with people of many different ethnic groups.

"I lived the same type of life at Mid-Pac as did my Chinese, Hawaiian, Japanese, and American schoolmates and teachers. As I look back on it now, they were already beginning something like the East-West Center there," he said .

After graduating from Mid-Pacific in 1920, Goto entered the University of Hawaii, which then had an enrollment of 160.

He returned to Kohala to manage the Puako Ranch in 1924 after graduating from the University.

It was while he was managing the ranch that Goto was first aproached with the idea of going into agricultural extension work.

"President David L. Crawford of the University approached me about going into extension work. He told me that many Nisei were going into medicine and law but that because the majority of Japanese in Hawaii were still farmers, there was a real need for someone like me to go into agriculture extension work. He offered me a job with the University's extension service.

"Crawford convinced me that there was a need for someone to devote his life to this field. Farmers were being cheated left and right by merchants, and they needed scientific help and information. There was no effort by anyone to improve their living conditions, which were so poor in comparison to other fields.

"Small farmers lived in unpainted shacks. Mother had to cook in antiquated kitchens. Living conditions were so bad I knew also that young people would never continue to live on the farms. I was convinced that I had to devote m life to improving these conditions," Goto said.

Goto began his career in agricultural extension work in Kona as an assistant county agent in the Hawaii Agricultural Extension Service (HAES) of the University in 1928.

In 1935, he was transferred to Honolulu to be in charge of 4–H Club work.

After serving in the Army in World War II, Goto rejoined the HAES as county agent supervisor. He became assistant director in 1948. In 1950, he was promoted to the position of associate director.

In 1954, he was loaned by the HAES for a year to the Territorial government to develop the International Co-operation Center in the Governor's office. The center was started to provide technical training for people who came here from various parts of the world.

He returned to the HAES in 1955, as director and remained there until 1962, when he was appointed vice-chancellor of the ITI.

Goto has received two honorary doctorates: one conferred by the University of Oregon in 1959 and another by the University of Hankuk in Korea this year.

Goto's retirement was extended twice by the University's Board of Regents. The University requires all faculty members to retire when they reach 65. Goto's retirement was extended for a year in 1967, when he became 65, and then again in 1968.

During his years at the HAES, Goto was involved in what he called "a very practical way of adult education."

"We sent extension workers out as home economists and field advisers. They trained people with simple teaching methods to improve their lives as they wanted and needed their lives improved. We did this through radio, television, the newspapers, meetings, and actual demonstrations, whatever seemed appropriate for the situation," he said.

NEEDS OF PEOPLE

Goto said that the ITI has tried to follow this same philosophy.

"We have tried to base our programs on the needs of the people involved—not just what we think is good for them. In the Pacific Islands, we must take our work to the 'coconut root' level. In Asia, we must take things to the 'rice root' level," he said.

Goto described the work of the ITI as basically to upgrade the skills and the knowledge of the students who come to the ITI by allowing them to share ideas and methods for solving different problems.

"Our job is to organize intercultural groups to provide interchange and sharing of skills in the Pacific. We bring together different ethnic and cultural groups to allow them to interchange ideas and methods and then to select the ideas and methods which will be most applicable for them.

"We also act as a clearinghouse or clearing institution for knowledge among the people of the Pacific. In doing that, we are not trying to sell America. We are not trying to impose American skills, American culture, or American knowledge on them. We are only trying to expose them to different methods and ideas and then letting them decide.

"In doing this we have also moved far toward our goal of better understanding among the peoples of the Pacific. For instance, for the first time, we went to Hawaii's neighbors in the Pacific islands, and we developed a new feeling of friendship with the people there that had never been there before," Goto said.

He said that the future growth and development of the center will depend largely on the amount of funds that Congress will vote for it.

ALL ARE DEDICATED

"Nevertheless, the future of the institution is still bright. The staff here is made up of dedicated people, and with continued work, it could develop into one of the most important educational institutions in the Pacific area. It has been a great source in developing good will.

"Moreover, you can't help but have faith in this institution when you look at the jobs its graduates have done after going home," he said.

The only major problem that the center has had, he said, was in having five different chancellors and acting chancellors in its eight-year history. He said that the different chancellors often have had different interpretations of programs, and this has often caused a great deal of personal frustration.

Goto felt that one new direction that the center might take is one that has already been proposed by Chancellor Everett Kleinjans. It is to develop problem-oriented programs. In those programs, all of the work would be directed towards the study of a particular problem, such as population.

Goto said that the center will play an even more crucial role in the future in developing international understanding.

"The world is a small one, and it is getting smaller. We will have even more contact with one another, and unless we have an educational institution which will foster understanding, the contact could well produce more and more collisions," he said.

HAWAIIAN SPIRIT

Goto said that all of the work he has done has been geared to developing in the rest of the world the atmosphere which he has found in Hawaii.

"We may be Filipinos, Japanese, Chinese, or Caucasians, but we all feel at home in

Hawaii. I think we do because Hawaii has a unique atmosphere of tolerance to newcomers and to anything strange. This is the spirit I've tried to spread during my life.

"I seem to be able to get along well with all races in Hawaii because I forget that I'm of so and so descent. I respect and tolerate anyone's beliefs and practices even if I don't believe in them.

"I think this is what we should all do. This is what we all must do if we are ever to have peace in the world. This is what the East-West Center is trying to do because interchange is tolerance and respect of other people's cultures," he said.

Why has Goto devoted his entire life to helping the people of the Pacific Basin raise their standard of living?

"I'm grateful to Hawaii and the United States for giving me the opportunity to live in a community where a man, through hard work, can improve himself intellectually, economically and socially. I've always tried to repay this debt by working for a peaceful world for all of us to live in. Also, because Hawaii and the U.S. have been good to me, I've always been sympathetic to other people and tried to be helpful to others.

"I am only passing this way once in my life, and I've only wanted to do what I could as best as I could, with the help of staff members, government officials, and private citizens, to help make a better world."

AMERICAN FLAG LAWS

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. BOGGS. Mr. Speaker, on July 4, America celebrated its 193d year of independence. A loyal American and a fine citizen, Cmdr. Robert W. Collins, USNR, retired, has prepared an interesting and informative item entitled "Our Flag Laws—A Chronology."

Congress has enacted only two statutes regulating the design of our flag and ensign: the flag law of January 8, 1794, effective May 1, 1795, and our permanent flag law of April 4, 1818, effective July 4, 1818.

At this time, I think it very appropriate that we once again direct our attention to the laws which have shaped Old Glory, the symbol of our great Nation. Following is Commander Collins chronology of American flag laws:

OUR FLAG LAWS

(By Comdr. Robert W. Collins, U.S. Navy Reserve, retired)

THE STARS AND STRIPES

(Continental Congress, June 14, 1777)

Resolved, That the flag of the thirteen United States be thirteen stripes, alternate red and white; that the union be thirteen stars, white in a blue field, representing a new constellation.

THE STAR SPANGLED BANNER, MAY 1, 1795

(U.S. Flag Law, January 8, 1794)

Be it enacted, That from and after the 1st day of May, A.D. 1795, the flag of the United States be fifteen stripes, alternate red and white. That the Union be fifteen stars, white in a blue field.

OUR PERMANENT FLAG LAW, APRIL 4, 1818

Be it enacted, That from and after the 4th day of July next, the flag of the United States be thirteen horizontal stripes, alternate red and white; that the union have twenty stars, white in a blue field. That on the admission of every new State into the Union, one star be added to the union of the flag; and that such addition shall take effect on the 4th of July next succeeding such admission.

YOUTH'S ROLE IN OUR NATION'S FUTURE

HON. WM. J. RANDALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. RANDALL. Mr. Speaker, on Friday, July 4, our senior Senator from Missouri, the Honorable STUART SYMINGTON, appeared before the DeMolay International Conference in the Municipal Stadium in Kansas City, Mo.

The theme of his remarks was that sound economic policies are as important to American security as military preparedness.

He proceeded to point out that true national security rests upon a platform supported by political, economic, and military legs. He said that while any platform can stand upon three legs, it is difficult, if not impossible to stand upon two legs. He emphasized that if we are to have a really secure future we must be strong economically with sound diplomatic policies, as well as military preparedness.

Several years ago it was my privilege to discuss this same theme in a meeting of the Missouri delegation in the Congress while Senator SYMINGTON was present. At that time I concluded that it was his premise that it is of little advantage to spend heavily for preparedness if we bankrupt ourselves in the process. He has long been an advocate of the integrity of the dollar. Moreover, he has recently taken the stand that there can be substantial and realistic reductions in our defense expenditures without impairing our national security.

Senator SYMINGTON has some very excellent credentials as an expert on military preparedness. He is a former Secretary of the Air Force under President Truman and occupies the unique position in the Senate as both being a member of the Senate Armed Services Committee and Senate Foreign Relations Committee.

The remarks made by Senator SYMINGTON before the DeMolay International Conference should challenge the thinking of all of us. The Senator believes that we must have the capacity to destroy any aggressor if he dares to attack us. But, he also believes in a balanced defense. He recognizes there are unprecedented problems in the areas of education, urban unrest, decline in family farm income, the need for air and water pollution control, and the control of inflation.

He said by implication that the failure to solve these domestic problems inside our country would endanger our security just as much as would an outside attack from an aggressor.

Because of the timeliness as well as the appropriateness, in light of the current national debate over our defense posture, I decided that I should share with my colleagues in the House and Senate, as well as all who may read the CONGRESSIONAL RECORD, Senator SYMINGTON's speech:

YOUTH'S ROLE IN OUR NATION'S FUTURE

It is indeed a privilege to be with you this evening. Thank you for asking me.

Over the years, I have enjoyed thoroughly my association with the DeMolay movement. It is an organization which represents all that is best in our society, one that has aided many of our former youth in their progress towards outstanding citizenship in later years.

Here in Missouri we are very proud of the fact that DeMolay was founded by a member of this community. Frank Land was a truly great citizen of this State and Nation. We have special pride in that through his efforts, the Order of DeMolay was created right here in Kansas City.

Lord Disraeli once said "The youth of a nation are the trustees of posterity." It is clear to those of us who know of DeMolay, and what its membership stands for, that this nation has many superb young leaders. As a member of the Senate Foreign Relations Committee, where there is steady interest in improving the prospects for world peace and understanding, I am aware of, and proud of, the DeMolay chapters in many other countries.

Frank Land once said: "At a time when greed is menacing the entire world, nothing is more essential than the development of citizens and leaders dedicated to the eradication of such a motive. DeMolay's entire teachings are predicated on good neighborliness. The way to achieve world peace is to eliminate greed, and that is DeMolay's major goal."

How proud we can be of those words of our founder, a citizen whose entire life was dedicated to helping build a better nation and a more peaceful world.

I would like to urge each of you and the millions of other young Americans to join those who are striving to find sound and constructive answers to our growing national and international problems.

Nothing could be more important to the continuation of progress by this great nation during the second half of this Twentieth Century than the ideas, talents, and dedicated services of our young men and women.

If we have learned anything from history, it is that civilization, as exemplified by the rise to power by great states such as these United States, court downfall if they ignore the changes brought about by time and technology.

For these reasons we must be sure that the democracy we cherish is capable of relatively rapid response and to that end we should be ready, at all times, to reevaluate our national priorities, and to take a new look at what we consider paramount in the way of values.

We realize that the hour is late, that the task is great; so let us as one united country—young and old, black and white—join in mutual and united effort to achieve years of fruitful progress here at home, along with better understanding and mutual friendship with the other nations of the world.

Seven years from this day, when we celebrate the 200th Anniversary of the United States, we will take count, and be held to account, with respect to the strength and character of our Government and our people; so let us be responsive now to future examination by being wise and constructive in the handling of the challenges we face.

President Roosevelt once observed: "Too many who prate about saving democracy are really only interested in saving things as they were. Democracy should concern itself also with things as they ought to be."

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And I believe it is the youth of our nation who are especially concerned with things as they ought to be; for it is you here tonight who are re-thinking the true meaning of the American dream—its relevance to changed times and changed standards and changed needs. In doing so you are influencing the nation as no generation of youth has ever done before.

Your generation desires change; and much of what is desired is worthy and constructive, although it should always be expressed without violence and with respect for the law.

If our democratic system is to be as vital and as relevant at the end of this 20th Century as it was at the beginning, many of these wished-for changes must be realized; for surely the same institutions which serve 200 million Americans today are not either ready or equipped to serve the 300 million people who will be in this land within 30 years.

Change creates unrest and resistance. History has so taught us. But failure to achieve needed change can be far more damaging in the long run.

The question being asked today of all generations is whether, in spite of all the sickness and the unrest and the turmoil, do we of these United States nevertheless have the capacity as a nation to master our problems? If we do not, then our system and its institutions will fail.

But I believe in America; and so do you, and therefore working together, in such responsible organizations as the DeMolay, we can and will see to it that the right changes are put into effect, with confidence and without fear.

A great Missourian, Mark Twain, once said: "Courage is recognition of fear—mastery of fear; not absence of fear."

It would be tragic indeed if at a time when this nation is experiencing its greatest technological advances, we faltered in our efforts to overcome the political, social and economic problems being faced today.

Arnold Toynbee once observed: "Of the 21 notable civilizations, 19 perished not from external conquest but from evaporation of belief within."

There is sadness in both our cities and our rural areas, primarily because we have not yet achieved those basic living standards which are essential to what all men and women prize most highly—human dignity. But there is also hope, hope for a steadily better life for all citizens, hope for an America in which all citizens are relieved of the more grinding aspects of poverty.

As our resources dwindle in relation to the resources of other countries, as the danger of a domestic "credit" crunch in our financial markets becomes more interlaced with an international "currency" crunch abroad, we know that priorities for those increasingly limited resources must be established.

Another word for priorities is values.

H. G. Wells observed: "Civilization is a race between education and catastrophe." As just one illustration of current priorities, today our government is asking for over twice as much money for ammunition alone in Vietnam than the total amount being requested at the Federal level for all education, primary as well as secondary.

Some of you have heard me mention before my concept of our "platform" of national security and well being. One leg of that platform is political, one military, and the third economic; and whereas any platform can stand up with three legs, none can with two; and therefore the strength of all three legs is vital to our future security.

Which brings me to this question. What is a true definition of security?

Some people believe security lies in the building of an impregnable defense position, one so strong that we could never be defeated by an external aggressor. But in this nuclear space age of intercontinental ballistic missilery, we know that no wall is high enough to prevent a lethal attack; and therefore, we must be certain of our capacity to destroy any aggressor after he dares attack us. That is the true deterrence, the logical interpretation of what Mr. Churchill termed "Balance of Terror."

True security lies in paying equal attention to those other two legs: (1) political relationship with the rest of the world, (2) sound economic policies at home and abroad.

Above all, the future of our country depends upon faith on the part of the people that the policies and programs laid down by their Government are wise and right for the well-being of the nation.

Confidence in our leadership is at least as much a part of national security as the latest and most modern weapons system.

America today has unprecedented domestic problems, problems which pertain to education, to the unrest arising in the hard core of our cities, to steady decline in family farm income, to increasing dangers from water and air pollution, to poverty and to race and to the bruising effect on millions of our citizens as the result of the continuing deterioration in the value of the dollar.

These are problems that have been with us a long time. They will not stand still. They will either get better, or they will get worse.

If the latter, a basic questioning could arise inside this country which would endanger our security just as much as would an outside attack from an aggressor.

To those who would question that observation, let me remind them that but a little over 100 years ago a great war broke out among our people which nearly brought to an end these United States.

President Truman summed it all up well in 1950 with these words:

"As we move forward into the second half of the twentieth century, we must always bear in mind the central purpose of our national life . . . We work for a better life for all . . . The real strength of our country lies not in arms and weapons . . . but in the freedom of our citizens and their faith in a democratic society."

That is the word I would leave with you tonight—faith. Militarily we are stalemated in a sad and tragic war. Politically there is growing division at home as well as abroad. Economically we are facing the most dangerous type of recession—that created through inflation.

But we have the past history and the present will of a great people. Above all, we have faith in America.

What do we desire as a people? A quote from Ernest Renan perhaps best expresses my own thinking about that goal:

"A nation is a soul, a spiritual principle. To have a common glory in the past, a common will in the present, to have done great things together, to want to do them again—these are the conditions for the existence of a nation."

LEAD POISONING: A DIET OF DEATH

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. RYAN. Mr. Speaker, one of the persistent and widespread diseases among children in our major urban centers is lead poisoning. According to recent studies conducted in Cleveland, Chicago, Baltimore, this disease afflicts 5 to 10 percent of the children in our major cities. It has been estimated that 9,000 to 18,000 children are afflicted with lead poisoning in New York City alone.

The disease, which in its most extreme forms can be fatal, is most often caused in small children when they eat—as many do—bits of paint and plaster that peel and fall from the walls and ceiling in delapidated housing. Although the more recent coats of paint in such apartments are usually free of the lead-based paints that cause lead poisoning, the lead content from paint applied in past years frequently comes to the surface when outer coats of paint peel off interior surfaces.

While most cities outlaw the use of lead-based paints on interior surfaces of housing, little has been done to eliminate the traces of lead-based paint that can cause the disease in children. One of the principal reasons for this failure is the critical lack of funds in most cities for strict enforcement of housing codes and for rehabilitating housing and eliminating lead-based paints.

Earlier in this session, I introduced three bills which would provide Federal assistance to cities for the elimination of lead-based paint poisoning.

H.R. 9191 establishes a fund in the Department of Health, Education, and Welfare from which the Secretary could make grants to local governments to develop a program to identify and treat individuals afflicted by the disease.

H.R. 9192, is directed at the problem of slum housing itself and the need to eliminate the causes of lead poisoning—the peeling and chipping of lead-based paint. This bill authorizes the secretary of Housing and Urban Development to make grants to local governments to develop programs designed to detect the presence of lead-based paints and to require that owners and landlords remove it from interior surfaces.

The third bill, H.R. 11699, would require that a local government submit to the Secretary of Housing and Urban Development, and carry out, an effective plan for eliminating the causes of lead-based paint poisoning as a condition of receiving any Federal funds for housing code enforcement or rehabilitation.

The situation in our major cities today, particularly with respect to the lack of available funds to eliminate lead-based paint poisoning, requires that the Federal Government assist cities in their efforts to eliminate the causes of lead-based paint poisoning among children. The three bills I have introduced constitute a substantial and effective means of realizing that objective.

I urge that these bills be given prompt attention by the Congress. For as the recent death of still another child in New York City of lead poisoning and another in Newark, N.J., show the consequences of inaction will be tragic to the welfare of the children of our big cities.

Mr. Speaker, I include at this point in the RECORD an article from the June 22 New York Sunday News by Bert Shanas on lead poisoning among New York City children:

LEAD POISONING: A DIET OF DEATH

(By Bert Shanas)

The coming of summer and sunshine may mean joy and play to most youngsters under

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5, but to some it may mean disability and even death if they live in the city's slum areas. The danger is lead poisoning, principally caused by lead-based apartment paint. The toll of children is astonishing.

Last year there were 863 known cases of lead poisoning in New York, with Manhattan and Bronx accounting for about half. Yet, that figure is misleading, for Department of Health officials estimate there are 35,000 cases of lead poisoning in New York annually.

The number of known cases of lead poisoning so far this year is already more than twice what it was this time last year, with the crisis period just around the corner.

OLD PAINT EXPOSED

Lead poisoning should not even be a problem today. The lead-based paint that is responsible for it was outlawed 10 years ago. But in many slum areas, where maintenance and upkeep of apartments is poor, rooms remain without a fresh coat of paint for many years.

As bits of paint and plaster peel and fall from ceiling and walls, older paint coats are exposed. Soon these flaking chips fall also—into the hands and mouths of children.

"Doctors have found that from 3% to 10% of ghetto area children under 5 have elevated levels of lead in their blood," notes Dr. Felicia Oliver-Smith, who directs the lead poisoning investigation for the city's Department of Health.

"We know further that the number will increase within the next few months, but we're not sure why, although there are some good theories."

One possible reason for the increase in lead poisoning during the summer is that exposure to the sun may be directly related to the problem.

"We know that vitamin D from the sun has something to do with the absorption of calcium," says the doctor.

CALCIUM ACTION

"We suspect that the calcium may be competing with the lead a child has already taken into his body, displacing it from his bones and sending it into his bloodstream."

Another explanation is that children often play on their fire escapes during the summer and the paint used on fire escapes is outdoor paint, which does not fall into the outlawed type.

In its early stages, lead poisoning causes damage to the blood, kidneys and nervous system. In more advanced cases, the poisoning can be fatal or cause permanent mental damage, retardation, cerebral palsy and epilepsy.

Last year, the city reported five deaths that were known to have been caused by lead poisoning. So far this year, there has been one death that may have possibly been connected to lead poisoning, but officials are still studying the results of medical tests to determine if lead poisoning was the cause of death.

MAGPIE HABIT

The south Bronx, especially the Morrisania and Mott Haven sections, lead the borough in lead poisoning cases, just as the East and Central Harlem areas lead Manhattan.

A child's habit of eating non-food substances is called pica, a latin word meaning "magpie," a bird that will eat anything. Usually most children after the age of 1 can distinguish between food and non-food substances. But slum children maintain the pica habit for longer times and are not easily broken of it. A slum child sent home after hospitalization for lead poisoning often resumes eating paint chips.

CASH LACKING

The ultimate answer to the lead poisoning dilemma is better housing because there is no feasible method of removing old paint from walls and ceilings. Burning it off is a fire hazard and sanding it off would leave dangerous lead dust in the air.

What is needed right now is a massive testing program but that would mean massive amounts of cash—something the Health Department, like almost every other city agency, just doesn't have.

WASTE HEAT: A NEW THREAT TO WATER POLLUTION CONTROL

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. BLATNIK. Mr. Speaker, two thought-provoking comments in the Washington Post for July 10, 1969, deserve special attention by the Congress, because they come from authoritative sources, and because they are a warning to our water resources from a new front: thermal pollution.

Lee C. White, outgoing Chairman of the Federal Power Commission, has estimated that—

> By 1980 the power industry will require one-sixth of the total fresh-water flows from the entire land mass of the United States for cooling purposes.

Every 10 years, our demand for electric power doubles, and with each increase comes the resulting demand for new generating plants—all of which need fresh water to cool fossil-fueled generator and nuclear reactor components. This warmed water must be returned to the streams and lakes where it came from, necessarily raising the temperature of the receiving waters, and setting the stage for possible drastic ecological changes resulting from temperature variation.

These facts dramatize the urgent need for this Congress to accelerate the construction grant program and to fund in full the $1 billion authorized in the Clean Water Restoration Act of 1966, which passed this House by a unanimous vote.

More and better sewage treatment; more research into the effects and prevention of thermal pollution; more research into nuclear pollution; more effective action to abate pollution, are the objectives of the Water Quality Improvement Act of 1969, and these articles illustrate well how important it is that we pass this act. I submit this information to underscore the fact that our growing affluence demands increased vigilance if we are to preserve and pass on to our posterity those priceless natural resources which, once gone, can never be replaced.

The material referred to follows:

PLANT'S WASTE HEAT A MAJOR CONCERN

(By Hal Willard)

A new phrase is being injected into the language to describe a phenomenon scientists are beginning to regard as one of the most important problems in our environment.

The phrase is "waste heat," the residue from one of the greatest aids to man's progress, comfort and convenience: electricity.

It has become important because of the tremendous increase in recent years in the consumption of electricity and the consequent need for more and bigger generating plants.

"Waste heat" is replacing "thermal pollution" because the new term is more accurate and in some cases heat can be beneficial.

Waste heat and what to do about it is of particular concern to the Washington region, because nuclear power plants produce considerably more of it than do conventionally fueled plants. More than a dozen nuclear reactor units are either operating, under construction or planned in the Middle Atlantic area. That is more than in any other area of the country.

One of the installations is the two-reactor plant being built on the Bay at Calvert Cliffs. A safety and licensing board of the Atomic Energy Commission authorized issuance of a construction permit for the plant on June 30. The permit was issued Tuesday.

An immediate protest was filed with the AEC, Interior Secretary Walter J. Hickel and Maryland Gov. Marvin Mandel by Del. Werner Fornos (D-Anne Arundel).

Fornos said the permit, which the AEC can countermand if it acts within 45 days, "leaves me exasperated and shocked, and is totally contrary to the public interest."

He said he hoped the AEC would hold the "construction permit in abeyance until such time as all parties concerned are absolutely certain that irreparable harm will not be caused to the Chesapeake Bay."

Scientists and engineers alike admit that no one is "absolutely certain" at this point what effects the increasingly larger nuclear-powered generating plants will have on the environment.

One of the Nation's leading environmental scientists, Jerry Davis, on aquatic ecologist with the AEC, says "the accelerated growth of the electric power industry will result in so much hot water that the thermal loading of our lakes and streams must now be considered a major stress, whose impact on the environment is largely unknown."

Davis spoke recently in Pittsburgh at a conference of the Health Physics Society and illustrated the newness of the problem by saying that less than $1 million in public money is being spent this year to study it.

(The Baltimore Gas and Electric Co., building the Calvert Cliffs plant, has budgeted about $1 million for ecological research over a seven-year period that began in 1968.)

He said electric companies cause the problem, but the AEC supports most of what little research there is—even though waste heat from nuclear reactors being used now by power companies constitutes less than 1 per cent of the actual pollution problem.

The rest of the waste is heat disgorged into the air and water from fossil-fueled (coal or gas) generating plants. But the number of nuclear plants is on the upswing. Only 13 are operating now, but 46 are under construction. Many more are planned.

Lee C. White, outgoing chairman of the Federal Power Commission, said in a speech in Seattle last month "it has been estimated that by 1980 the power industry will require one-sixth of total freshwater flows from the entire land mass of the United States for cooling purposes."

The great quantities of water are needed to cool reactor components, but don't actually come in contact with radioactivity. In the case of the plant being constructed on the Chesapeake Bay, the water will be used to condense steam that operates turbines back into liquid so it can be recycled through the plant.

White said, "There is serious debate as to the extent of damage thermal pollution can cause with many in the utility industry pointing to the experience of existing atomic plants to show the lack of significant deleterious effects. However, with the great increase in use of nuclear generation . . . we cannot afford to wait until many more plants are built before action is taken to determine what impact heated cooling water will have, and how we can avoid undesirable effects."

Ecologist Davis points out that the experience of one plant in a body of water cannot be used to illustrate what will happen in another body of water.

"There are too many variables," he said. "Water temperature varies for one thing, and sometimes a degreee or two makes the difference."

He said in a paper for the AEC that "it is certain that the release of large quantities of heat to an environment will induce alteration, sometimes with profound changes in the local flora and fauna."

"Paleoecological studies indicate that vast plant and animal communities have developed, flourished and perished in the past in phase with, and probably in response to, small, persistent changes in temperature. Even the great glaciers of the past ages are believed to have been caused by climatic temperature shifts of but a few degrees.

"Under some conditions an increase of only a degree or two may cause profound changes in the species composition, with those species less tolerant of the higher temperature either reduced in number, or eliminated. . . . in aquatic environments, temperature changes trigger migration and spawning of both invertebrates and fishes. Temperature controls the hatching of all eggs, the emergence of aquatic insects, the continuance or cessation of parthenogenetic reproduction, the multiplication rates of plankton organisms and many other activities . . . aquatic organisms generally have narrower limits of tolerance to temperature extremes than most land forms."

In his Pittsburgh speech, Davis also pointed out that it is possible for benefits to be derived from temperature increases.

He said there are places where "warm water in effect is being used for irrigation in aquaculture." He cited an instance in Japanese waters in which oysters were not spawning because the water was too cold. The oyster beds were "irrigated" with warm water and went into production.

In his paper, he said "spawning of oysters and many other mollusks is triggered by no more than a one-degree change in temperature. Some fish and other animals, particularly in cold-water environments, are attracted to areas of warm water. Although this may benefit the angler, there are unanswered questions about the ultimate result of luring animals away from their normal habitat to live with a higher metabolic rate in restricted warmer sites."

Broadening the scope of his observations, Davis said "biological accumulation of radionuclides or poisonous industrial and agricultural wastes from a contaminated aquatic environment is strongly influenced by water temperature. In general, the rate of uptake increases with rising temperature.

"Warm water lessens the capacity of waters to assimilate organic wastes, since oxygen solubility decreases with increased water temperature. Some of the important diseases of marine and fresh-water fishes and of marine shellfishes appear to flourish at higher temperature."

Existing Maryland standards for the Calvert Cliffs area of the Chesapeake Bay stipulate that the water drawn out, used to cool and then discharged back into the Bay not exceed 90 degrees when it is returned—and it cannot be more than 10 degrees warmer than it was when it was taken out.

The Baltimore Gas and Electric Co., builder of the plant, is making its plans based on this standard.

The company admits that it has no idea what effect the plant operation will have on the Bay, but has hired Dr. Ruth Patrick, an ecologist with the Philadelphia Academy of Sciences, to conduct a continuing study of the situation.

Company spokesmen say that if Dr. Patrick discovers that anything harmful is happening to the Bay and its environs as a result of plant operations changes will be made. Opponents of the plant maintain that corrective measures could come too late.

The Bay's environs take in a lot of territory, in the view of Dr. Clifford Beck, the AEC's deputy director of regulation.

In addition to the two-unit plant being built at Calvert Cliffs, he cites a two-unit plant under construction at Surry on Hog Island, Va., in the James River, which empties into the Bay near its mouth on the Atlantic Ocean.

One plant is producing electricity at Peach Bottom, Pa., and two more are under construction. A plant also is under construction at Three Mile Island, Pa., and one is proposed at Susequehanna in Salem Township. All of these are on the Susquehanna River, which flows into the Chesapeake Bay at Havre de Grace.

Another plant is operating at Shippingport, Pa., and others are under construction and proposed in New Jersey, Beck pointed out.

The only other parts of the country where there are similar, but not as extensive, concentrations are in New York, Massachusetts, Connecticut, Vermont and Maine, Michigan and Northern Illinois.

No evidence has yet been produced of deleterious effects on the Bay but Del. Fornos, in his protest to the AEC about the construction permit for the Calvert Cliffs plant, cited troubles in Florida.

In a letter to the AEC chairman, Dr. Glenn T. Seaborg, Fornos said he had recently visited the Turkey Point generating plant of the Florida Power and Light Co. on Biscayne Bay and that "hot water" discharged from the plant "killed shellfish, algae and crabs in a 300-acre area . . ."

The existing plant there is fossil-fueled but the company has two nuclear plants under construction, which would produce much more heat than fossil plants.

Fornos told Dr. Seaborg: "I hope that you will see fit to call a special meeting of all agencies concerned to make sure that the public is protected before it is too late. We cannot afford, for temporary economic gain, to destroy this great body of water (Chesapeake Bay) on which so many of us depend."

NUCLEAR POWER PLANTS SEEN LOSING ADVANTAGE

(By Hal Willard)

Lee C. White, out-going chairman of the Federal Power Commission, believes "the economic advantage that nuclear generation (of electricity) once appeared to have is beginning to look like a mirage."

In a speech before the American Nuclear Society in Seattle last month, White said "wildly fluctuating and rapidly escalating costs could cause a fiscal frustration that could act as a breaking influence upon the increase of nuclear capacity, but, perhaps more important to the ultimate customer, will have to be soon recognized in utilities' rate structures.

The number of electric utility companies seeking nuclear power plants began a continuing upsurge a few years ago and consistently out-paced Atomic Energy Commission predictions of the demand. But in recent months, White said, "there has been a reversal" in the trend.

Robert W. Davies, chief mechanical engineer of the Baltimore Gas and Electric Co., which is building a nuclear plant on the Chesapeake Bay at Calvert Cliffs, said several weeks ago that strict standards on design, construction and safety required by the AEC were making it economically more difficult to construct nuclear plants.

The whole idea of nuclear plants, of course, is that electricity can be generated in greater quantity for less money with nuclear fuel as opposed to fossil fuel, such as gas and coal.

White went on to point out that "some nuclear plants have been cancelled, options for nuclear units have been dropped and, in many cases, utilities are ordering fossil-fueled plants as cushions against expected delays of nuclear plants that they have on order."

White said, however, that because the demand for electricity doubles every 10 years, it is "unlikely that the power industry is going to continue the trend . . . away from nuclear power unless the problems prove insurmountable."

He illustrated the financial problem utilities face by citing a nuclear unit under construction at Peach Bottom, Pa., whose cost was estimated in December, 1966, at $138,410,000. In April 1969, the figure had risen to $163,050,000.

A major factor in rising costs is delays in construction of nuclear units, White said.

Planning, design and construction of a nuclear plant takes several years to begin with and any delays along the line automatically are costly. White said "it has been estimated" that it costs nearly $1 million "for every month of delay" for a plant the size of the Calvert Cliffs one.

And White pointed out that "serious problems have arisen in the construction of nuclear units. Thus, minute cracks in castings and defects in welds have forced delays in units such as Oyster Creek (in New Jersey). These problems seem to have resulted from human error which could have been avoided with proper care. The matter of quality assurance is particularly critical at this point in time when a number of new and larger units are being constructed.

"Because of delays already experienced and because of demands for early completion, there may be a temptation to hurry a job along," White said.

He said "recent defects may well be what triggered the AEC's action in proposing quality assurance guidelines" to Congress.

White said the nuclear industry may just be experiencing "growing pains" but "we have the right and the duty to express alarm when a major manufacturer . . . revealed that it has been forced to seek sub-contractors to complete much delayed work . . ."

"The record of the nuclear industry with regard to safety is a commendable one which I trust will not be compromised in the haste to build newer and bigger units," he said.

White also spoke about the problem of "unavoidable emissions of radioactivity into the air and cooling water. I am not convinced that the industry has adequately responded to those critics who have charged that there is a long-term hazard from the cumulative effects of such emissions . . .

"We certainly cannot afford to wait until problems manifest themselves before corrective action is taken."

TAX SUPPORTED DISCRIMINATION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. RARICK. Mr. Speaker, now that the present administration has established a new Office of Minority Business Enterprise to funnel tax dollars only to Negro enterprises a serious question arises as to the legality of the operation since it can but perpetuate segregation. Further, the announced purpose of this Federal bureau is to pour out tax money in favor of one race at the expense of the other minorities.

This is a discriminatory operation being conducted by our Government which clearly is not in compliance with current decisions of the U.S. Supreme Court, the Civil Rights Act, and previous opinions of the Attorney General's office.

Mr. Speaker, I include news clippings on the Office of Minority Business Enterprises and the operation of the SBA in Washington, D.C. following these remarks:

[From the Evening Star, July 9, 1969]

FEDERAL GRANTS GIVEN TO SPUR MINORITY BUSINESS

The Nixon administration has announced the first efforts of its new Office of Minority Business Enterprise—grants from several agencies to stimulate new private credit and technical aid.

The one-year grants, announced yesterday by Commerce Secretary Maurice Stans, include $200,000 to Howard University for establishment of a National Institute for Minority Business Education.

Another $200,000 in what Stans called "administrative money" is being given to the National Bankers Association, a Negro group, for creation of a locally supported "credit pool."

And the Rev. Leon Sullivan of Philadelphia is getting $65,000—disclosed a few days ago—to help establish in 13 cities Negro-owned shopping centers like his successful Progress Plaza.

[From the Washington Post, July 7, 1969]

RIOT LEGACY: BLACK FIRMS—SBA LOANS ENABLE ENTERPRISES TO BLOOM IN SCARRED AREAS

(By Vincent Paka)

Many of the Washington ghetto business areas that lay torn and charred after the riots of April, 1968, are now budding with struggling businesses. In greater numbers than ever before, they are black owned and operated.

The crucial boost for many new black businessmen in these areas has been the technical and financial aid of the 16-year-old Small Business Administration. Most of these black men and women lacked the capital, and sometimes management expertise, to get started without assistance.

Many new black businessmen praise SBA, saying "there's no other way" for blacks with little capital to own businesses.

Some have criticized SBA policies and methods of lending capital and then making constant security checks on their borrowers.

John Waller, 43, a retired Navy Printing Office worker, opened Audrey's Soul Haven Record Shop on riot-scarred 14th Street nw. just before Christmas. He said he got an SBA loan after more than six months of applications and interviews.

Waller is one of 71 minority group businessmen, nearly all of whom are black, in Washington who have received loans from SBA totaling $1.55 million since October, 1968. The smaller was $4000, and the largest was $301,000 to the Pitts Motor Hotel, at 1451 Belmont st. nw.

"The first thing it takes is the desire to work for yourself," Waller said.

"Then you go to SBA—you decide to be successful and, that way, pay the money you borrow back," Waller said.

When a would-be businessman or woman comes to the local SBA office, at 1405 I st. nw., two of the SBA personnel he might meet are Edward C. Neal and Linda Tolbert. They are called minority enterprise representatives and specialize in helping persons like Waller get financing from SBA and local banks, to begin their businesses.

Neal said, "We basically need a business proposal and a financial and personal resume. We help them (financing applicants) compile the information. From this we can get a general idea about the chances for success of the business."

Neal said some applicants have trouble getting all the information needed, mainly because "they have not kept adequate records." He said this difficulty often delays financing decisions.

Waller said this had been one of his problems when he sought the loan for his record shop.

"We go steps farther in assistance," Neal said. "We've developed some fill-in-the-blanks forms to help the person develop the information. If a guy can't fill these in, you really wonder if he has the potential to operate a business."

Neal said once all the information is submitted, he and other SBA representatives review it for its "chance of success at the banks," and shape it into a formal application. He said many applications are refused here for reasons such as "too little capital and no business experience." The application then goes to management assistance office, which reviews it and interviews the applicant to determine "the applicant's business aptitude and knowledge," Neal said.

The Black Economic Development Council to SBA charged in May that the annual total number of loans to minorities at that time was down from 6500 to 3700 since the change in presidential administration.

"You just can't put everybody in business," according to Neal. He said his office looks for know-how in areas like pricing, marketing, inventory control, personnel and the individual's familiarity with his industry.

A decision is then made by the management assistance office about the applicant's potential ability to run a business. Neal said the chances of favorable action on an application are good once it has reached this point. Most, he said, are given a "reasonable likelihood of success" if the applicant is successfully enrolled in a management training program.

Waller said he took a course in management skills at Georgetown University for three hours a night, once or twice a week for six weeks when he was informed of this management office decision on his application.

"You get a lot of insight and bookstuff out of the course—but what you need is the practical experience," Waller said.

SBA gives up to a 90 per cent guarantee on loans made by banks to applicants it approves, Neal said.

SBA has been criticized for sending minority group applicants into the same banking system that frustrated their previous efforts to get loans.

But Neal said that, 24 of SBA's 71 loans to predominently black businesses in Washington involved guaranteed bank loans totaling more than $700,000 from seven Washington banks. He said banks were becoming "increasingly cooperative" and were involved in the vast majority of the financing done by SBA in recent months.

The present $335,000 per person SBA loan maximum was not set by Congress until last August, Neal said. Before then, $25,000 was the maximum.

The amount of capital required of the applicant has also changed from a $1 to $1 matching requirement in 1958 to "15 per cent or a reasonable amount" capital commitment now, Neal said. He said SBA found that businessmen with a "sizeable stake" in their business from their own money would make an extra effort to succeed.

"In a way you play the white man's game when you borrow money from him," John Waller said.

He said he felt a "great pressure" to get his loan repaid.

"It's like a leash around my neck," he said, "I wish I'd had my own money to start the business."

Neal said SBA has, within the last few months, begun to follow up loans with visits and monthly inspections of the books of the businesses of loan recipients. He said the visits and checks are aimed at "diagnosing problems" in the businesses before they become serious, and are proving successful.

"His first year he's (the new black businessman) subject to all the mistakes in the world in that business," John Walker said. "He should go ahead on and do his thing."

Waller said he initially hired too many employes at too high a salary, endangering the financial position of his business. Because of this, he said he was only able to take $49 a week from the business in profits the first few months and he used his retirement check to "make ends meet."

"I've made some mistakes, I'll admit it, but I've learned from them—now I want to get up off my knees," Waller said.

He said he sometimes feels harassed by the visits and checks made by SBA. Some of the other SBA-assisted black business owners in the area say that, except for a yearly check of their books, SBA has not visited them.

But Waller said, "I'm going to hang in here and make this work. It's beginning to go smoother now."

Waller said he built the shelves and panels in the shop, as well as the sound system and record demonstration booths. He admits that competing with the prices of downtown shops is "very hard."

Ruby Smith, 44, has owned and operated Ruby's Women's Apparel Shop up the street from Audrey's Soul Haven for the last eight months. Her SBA loan, like those of other "minority" group loan recipients recently, was made under the Economic Opportunity Act of 1964 and the Minority Entrepeneurship Act of 1968.

She said she got her business experience working in her mother's women's wear shop at 14th and U Streets nw. Children and women from the neighborhood stop by her compactly organized shop and talk about the schools, their problems, or just to sit for a while.

"They call it a neighborhood store and that's what I wanted," she said.

Reginald Hart, owner of Hart Shoes, said he's been working in the shoe industry "ever since I graduated from high school." Before he got an SBA loan more than three years ago, he worked for a large national shoe store chain as a store manager.

When he received his initial loan of $25,000—before the limit. was raised—he knew "it just wasn't enough." He said he was in financial trouble within a few months because of too little capital, and could find no other funds, even from SBA, since he had committed most of what he owned as collateral earlier.

"In a way a civil disorder saved me," Hart said.

His store at 14th and Irving Street nw. was destroyed in the riots. By the time he was ready to apply for refinancing the loan limits had been raised. He said he was able to get a loan of "several thousand" dollars more to reopen several hundred yards north on 14th Street.

Hart said he still had pre-riot bills to pay and, even with insurance, he was in debt at his second opening, seven months ago. But within six months, he said he got the store on an even keel, and is now expanding to Coral Hills, Md. in a partnership with several other business men.

BAYVILLE'S 50TH JUBILEE

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. WOLFF. Mr. Speaker, Bayville, N.Y., which I am privileged to represent

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here in Congress is in the midst of its jubilee program marking its 50th anniversary as a village. Since it has contributed a great deal to the development of Long Island and stands as a fine example of community cooperation and concern, I would like to bring to my colleagues attention this community, which like so many other communities, embodies our high national ideals.

Without our many small towns, America could not have grown and proven herself to be such a tower of ideals and opportunities. For villages like Bayville embody determination, concern, civic action and a wealth of other vitally important components which create an atmosphere conducive to the continuation of American prosperity.

Originally, Bayville was a resort town, a choice Long Island vacation spot for those who wished to escape the hustle and bustle of the city, 35 miles away. Gradually, as its exceptional reputation spread, the resort qualities of Bayville attracted increasing numbers of permanent residents. In effect, it was not too long before the village had a distinct community spirit.

Among the many persons who have helped to foster this strong sense of duty and civic concern, is Bayville's highly capable and resourceful mayor, Duncan Sterling, Jr. As a 32-year resident of the village, he has given a great deal toward the shaping of Bayville.

Elected in 1962, as the first independent candidate to win the mayoralty race, his years in office have been marked with many causes and many important achievements for Bayville. Mayor Sterling's tenacity, ability, and concern, I might add, also prompted his term from November 1966 to June 1968 as first president of the North Shore Joint Mayors Committee and his recent election as first vice president of the Village Officials Association of Nassau County. Evidently, both his colleagues and area residents realize the ability and dedication of Mayor Sterling.

His years in office have contained a myriad of efforts to maintain the unique qualities of Bayville. Of these battles, the most important one has been his fight to save the village from pending burial from the proposed bridge between Oyster Bay and Rye. In his fight to prevent this unjustified encroachment, he has been the highly articulate and conscientious spokesman for the village.

Although Bayville, once a sleepy community, has grown by leaps and bounds and now embraces every conceivable convenience for its residents, it has managed to maintain its charm. This charm, moreover, still attracts citizens from all over the island to its beaches.

Mayor Sterling has left his imprint on this fine community, and undeniably this community has left its imprint on the mind's eye of those persons fortunate enough to have spent time there. Prosperous, yet striving to do better, the village is a fine place to vacation, a fine place to raise children, and a fine place to exercise the ideals and dreams that one possesses.

Again, Mr. Speaker, I would like to express my congratulations and best wishes to all the residents of Bayville. I am quite sure that in the future this exceptional Long Island community will continue to shine with its strong bonds of community pride and its singular charm.

OAK RIDGE AND ATOMIC ENERGY COMMISSION DEVELOPING RESEARCH CENTER TO ASSIST IN SOLUTION OF URBAN PROBLEMS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. EVINS of Tennessee. Mr. Speaker, we are all aware of the vastly expanding peacetime uses of atomic energy with great emphasis on the production of electricity to serve our cities and rural areas.

In this connection Oak Ridge, Tenn., the atomic city, and the Atomic Energy Commission, through the Oak Ridge National Laboratory, are rapidly assuming major importance as a research center to assist in the solution of the problems of our cities.

While many think of atomic energy primarily as a means of destruction of cities, the fact is that much of the work at Oak Ridge today is devoted to saving our cities and to assisting mankind in many peacetime areas.

Great breakthroughs may be impending as scientists at Oak Ridge study the application of nuclear power and related technology to these problems.

In this connection and at my request I have been provided with a report by the Oak Ridge National Laboratory on the progress being made in various research projects.

This research points to the possibility of entire cities being heated by waste heat radiated by nuclear powerplants, to the disposal of refuse and trash through disintegration, and to the development of a robot machine which will dig tunnels, including automatic installation of hydraulic tunnel linings, among other projects.

In addition in cooperation with the University of Tennessee, the Atomic Energy Commission and Oak Ridge National Laboratory have initiated a project with Department of Housing and Urban Development assistance to analyze the outmigration from our smaller communities and the resulting intensification of problems in our big cities and metropolitan areas. The possibilities of decentralization of population and industry will also be studied.

In this connection I want to commend the Department of Housing and Urban Development, the Atomic Energy Commission, and the Oak Ridge National Laboratory for their partnership for progress in urban research.

The full progress report on these research projects is placed in the RECORD herewith because of the interest of my colleagues and the American people in the problems of our cities.

The report follows:

URBAN RESEARCH PROGRESS REPORT

URBAN USE OF WASTE HEAT

At the Oak Ridge National Laboratory of the Atomic Energy Commission, the Department of Housing and Urban Development is supporting the study of ways to reduce the pollution of our air and waters from electric generating plants. Much of the contamination in the air and most of the heat in our rivers and lakes are produced when coal and oil are burned for heating or for electrical production.

Nuclear fueled electrical plants do not contribute smoke or fumes and are therefore a partial solution to the dirty air problem. However, these plants, like coal and oil-fired power plants, produce large quantities of waste heat which is normally discharged to rivers or lakes. Unfortunately, most of the rivers and lakes in the United States are approaching the limit on the amount of heated water they can carry away, especially in warm weather, without damaging the plants, animals, and fish living in these waters.

The Oak Ridge National Laboratory is studying several ways to make use of the heat instead of throwing it away. As an example, if the power plant can be built in or close to the city, the waste heat can be piped throughout the city to provide a central heating and cooling system. It can be used for industrial process heating to replace the boilers in many factories, and it can be used to purify the sewage and waste water of the city.

During the past year ORNL has completed preliminary studies of central heating and cooling which indicate that large power plants designed for the dual purpose of producing electricity and heat can provide heating and cooling at large savings compared to the systems now operating in large cities. If these savings are used to pay for additional piping for distributing the heat, it appears that the pipelines could be extended to provide heating and cooling for the high density residential areas of cities instead of just the business districts, thus eliminating the thousands of individual fuel burning systems which contribute so much air pollution in the cities.

In a study of waste water purification for reuse, it was concluded that the evaporation of waste waters is likely to be economically competitive with other recycling processes and that experimental work should be initiated on several operational problems.

Such "energy centers" producing an abundance of low-cost electricity and heat can also be a valuable resource for new and developing cities because they can provide incentives for the location of a variety of industrial plants and also serve the residential and municipal needs. In coastal locations, where irrigated agriculture is practiced, the energy center of the city could also make very large quantities of fresh water; with the waste heat, and in cold regions heating for large-scale greenhouse agriculture could be provided.

These studies in progress at the Oak Ridge National Laboratory make use of technical capabilities developed by the AEC to help solve a nation's urban problems.

TECHNOLOGICAL IMPROVEMENT OF REFUSE

Collection and disposal of a city's solid waste is a problem that increases in magnitude and costs every year. It has been estimated that the current production of solid wastes in the United States is about 5 pounds per person per day. This figure is expected to rise to about 8 pounds per person per day in 1980. Thus the annual production of solid waste in 1980 would be 340 million tons for a population of 235 million people. These figures do not include 550 million tons per year of agricultural residues, 1.5 billion tons per year of animal wastes, or 1.1 billion tons per year of mining wastes. At the present time it is estimated that over 3.5 billion tons of

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solid waste are generated in the United States every year.

Currently over 4.5 billion dollars are spent each year for the collection and disposal of urban and industrial solid wastes (not including sanitary waste). Approximately 80 percent of this cost is for collection. In a recent survey, 166 cities reported that 12.4 million tons of solid waste were collected at a cost of 217 million dollars or nearly 18 dollars per ton. In general, the larger the city the larger the unit cost of collection (cities above 500,000, paid nearly $24 per ton for collection).

Not only does trash collection cost more in larger cities, there are the additional problems in densely populated areas of traffic congestion, litter, and noise. In New York City in 1966 there were 2700 private and 1800 municipal refuse trucks in operation. For the entire United States it is estimated that there are at least 150,000 trucks in use. If the volume of solid waste continues to increase and if handling methods do not improve, around 275,000 collection trucks would be operating on roads and streets in the United States in 1980, greatly increasing congestion and other difficulties.

One possible solution to the problem of refuse collection in high-density urban areas would be to move the waste collection system underground. This could be done by grinding and slurry transport in underground pipelines. A possible further refinement to this system would be to destroy the organic fraction of the waste which could simplify the pumping system and perhaps allow use of existing sanitary sewer systems. Such treatment could be achieved by use of a wet-oxidation process similar to that currently being used by several cities for sewage sludge. In this process combustible waste material is reduced to a sterile inorganic residue by oxidizing it at several hundred degrees and several hundred pounds per square inch in the presence of water and air or oxygen.

Studies are currently underway on this concept for the Department of Housing and Urban Development, by scientists at the USAEC's Oak Ridge National Laboratory. Previous studies at Oak Ridge have considered the application of wet-oxidation to the processing of nuclear reactor fuels. Thus nuclear technology may help solve some of the current U.S. urban problems.

SYSTEMS ANALYSIS OF TUNNELING

The Department of Housing and Urban Development has the mission of improving the quality of urban areas, to make our cities more attractive places in which to live. Some of the most urgent physical problems relate to the need for reducing surface congestion and eliminating pollution of our land, water, and air.

The present systems of service and utility lines within our cities are often designed without coordination. What public utilities are autonomous and have traditions of independence which reduce meaningful cooperation with other utilities. Buried service lines are normally installed singly from surface excavations. The entire system of utilities is generally an extremely complicated maze of overlapping and intertwining individual systems. Integration of these separate utilities in service tunnels, sized to allow all utilities to be assembled for ease of installation, maintenance, and replacement offers many advantages. It could reduce, or eliminate, interruptions of normal surface activities. It could result in safer and more economical utilities because of the opportunity for routine inspections and effective preventive maintenance.

In spite of these advantages, urban tunnels are expensive to design and build. The Atomic Energy Commission, through its Oak Ridge National Laboratory, is engaged, in an analysis for HUD of the problems of decreasing the cost of urban tunneling and reducing the time between conception and completion. Each of the various tunnel components are being examined to establish: (1) the most advanced methods and techniques which have been used and the prospects for improving these through research and development; (2) the present range of costs and times associated with each component to indicate where research and development efforts can provide the most improvement; (3) the research programs now in progress or being planned within universities, government agencies and private industry which may lead to significant advances; and (4) an evaluation of alternate methods and procedures which, while not now commercially competitive, have sufficient potential to warrant research and development. The specific objective of the total analysis is to determine what research and development efforts should be initiated, encouraged or supported by HUD is order to assure the attainment of specific urban goals within rapidly developing tunneling technology. Part of the problem is the need for an improved understanding of the specific problems of tunneling in the cities: the types of underground environment to be encountered (i.e. soil, clay, rock, water, etc.); the need for means of detecting unknown pipes and other sensitive obstructions; and the requirements for small diameter tunnels with rather sharp turns to follow city rights-of-way.

Preliminary work on this project indicates that it should be possible to develop an automatic, remotely controlled machine which can dig tunnels and line them in any kind of terrain. This concept is based on a new method of cutting rock using high pressure water jets. Results of experiments at ORNL on sandstone, limestone and granite suggests that any rock can be cut employing ordinary water. The pressure required for efficient operation depends upon the nature and properties of the rock being cut. In general this will range from about 5000 psi upward. After cutting the rock, the spent water could also be used to hydraulically transport the cuttings out of the tunnel. By incorporating the newer techniques of installing concrete linings hydraulically, operation could be made self contained and automatic.

Development of such a machine could provide a means of boring pipelines and digging utility tunnels of three feet or more in diameter three to ten times as fast as by present tunneling methods. This could reduce the cost of tunneling by as much as a factor of ten over present costs and make it as economical to dig sewers and other utility tunnels in cities by tunneling rather than by the most common cut-and-cover methods. Such a development could help improve the quality of life in our cities.

SENATE—*Friday, July 11, 1969*

The Senate met at 11 o'clock a.m. and was called to order by the President pro tempore.

The Reverend Charles L. Warren, D.D., executive director, Council of Churches of Greater Washington, Washington, D.C., offered the following prayer:

Eternal Spirit, who art life, light, and love, descend upon this body of legislators, who are the representatives of people across the life of our commonwealth, and make them conscious of the grave conditions facing our Nation and the nations of the world.

We are grateful for the opportunities afforded us in this land. Let us not accept them casually, but with the understanding that God makes all things possible. With these gifts are responsibilities to provide for the common good of every man.

Bless and strengthen the leadership of our Nation and the nations of the world. Men and women grope in darkness, searching for light. Little children struggle to live in the midst of poverty and blight—a nation of people longingly strive for the abundant life.

We beseech Thee to let justice run down like a mighty stream flowing through every valley and plain on the face of the earth.

Send us, O God, out of these uncertain days into the dawn of a new day of hope.

In the name of the one true God and Father. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, July 10, 1969, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 4284. An act to authorize appropriations to carry out the Standard Reference Data Act; and

H.R. 11702. An act to amend the Public Health Service Act to improve and extend the provisions relating to assistance to medical libraries and related instrumentalities, and for other purposes.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred, as indicated:

H.R. 4284. An act to authorize appropriations to carry out the Standard Reference Data Act; to the Committee on Commerce.

H.R. 11702. An act to amend the Public Health Service Act to improve and extend the provisions relating to assistance to medical libraries and related instrumentalities, and for other purposes; to the Committee on Labor and Public Welfare.

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the order previously entered, the Chair now recognizes the Senator from Idaho (Mr. Church) for 1 hour.

Mr. MANSFIELD. Mr. President, will the Senator from Idaho yield?

Mr. CHURCH. I yield.

The PRESIDENT pro tempore. With the understanding that the time is not to be charged to the time of the Senator from Idaho?

Mr. MANSFIELD. Yes, Mr. President.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 285 and 286.

The PRESIDENT pro tempore. Without objection, it is so ordered.

PROTECTING THE RIGHTS OF THE AMERICAN INDIAN

Mr. ERVIN. Mr. President, S. 2173 has been unanimously reported by the Committee on the Judiciary and is now on the calendar under the designation Order No. 285.

The bill clarifies the provision of the act sought to be amended relating to the prosecution rights of reservation Indians.

The distinguished Senators from New Mexico (Mr. Anderson and Mr. Montoya) are vitally interested in the bill. They have asked me to request unanimous consent that they be listed as cosponsors of the bill.

Mr. President, I ask unanimous consent that the Senators from New Mexico (Mr. Anderson and Mr. Montoya) be listed as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senate proceeded to consider the bill (S. 2173) to amend the act entitled "An act to prescribe penalties for certain acts of violence or intimidation, and for other purposes," approved April 11, 1968.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–294), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the bill is to amend titles II and III of the act entitled "An act to prescribe penalties for certain acts of violence or intimidation, and for other purposes," approved April 11, 1968 (25 U.S.C. 1302). This amendment is intended to make it plain that the provisions of title II of the 1968 act (25 U.S.C. 1302) shall not be construed to affect any tribal property rights secured by law or treaty or to dilute the sovereignty of the tribal governments except to the extent of the prohibitions set forth in the present section 202 of the 1968 act. The bill would also extend from July 1, 1968, until July 1, 1973, the deadline before which the Secretary of the Interior is required to complete the Model Code of Indian Offenses provided for in title III of the 1968 act, and would provide that such Model Code would apply only to those Indian tribes that have adopted such code through the action of the body exercising the legislative powers of the tribe.

STATEMENT

In 1961, the subcommittee began its preliminary investigation of the legal status of the Indian in America and the problems Indians encounter when asserting constitutional rights in their relations with State, Federal, and tribal governments. This research, the first such study ever undertaken by Congress, demonstrated a clear need for further congressional inquiry and legislation.

S. 961 through S. 968 and Senate Joint Resolution 40 of the 89th Congress were introduced in response to the findings of the subcommittee based on these hearings and investigations.

After minor revisions in the original measures, on May 23, 1967, Senator Ervin and others cosponsored S. 1843 through S. 1847 and Senate Joint Resolution 87. Because extensive hearings were held on similar measures in the 89th Congress, no further hearings were necessary.

These six separate proposals were consolidated into one omnibus Indian rights measure (S. 1843) and it received unanimous approval of the Senate on December 7, 1967, after which it was sent to the House of Representatives where no action was taken.

Titles II through VI of the Civil Rights Act of 1968 (Public Law 90–284) contain the provisions of S. 1843, the Indian rights bill. These titles were added as an amendment to H.R. 2516, the administration's civil rights bill of 1968, which was signed into Public Law on April 11, 1968.

Briefly, these titles provide the following protections for Indians in their relationships with Indian tribes:

TITLE II

Title II constitutes a bill of rights for American Indians. It provides that Indian tribes exercising powers of self-government shall be subject to many of the same limitations and restraints that are imposed on Federal, State, and local government by the Constitution of the United States. It thus assures adequate protection of the basic rights of individual Indians who are members of tribes whose tribal constitutions now permit governmental action that would be unconstitutional if undertaken by Federal, State, or local government.

TITLE III

Title III directs the Secretary of the Interior to prepare and recommend to the Congress a model code governing the administration of justice by courts of Indian offenses on Indian reservations.

TITLE IV

Title IV repeals section 7 of Public Law 83–280 which confers civil and criminal jurisdiction over Indian country to certain States and gives consent to all other States to assume jurisdiction at any time. Title IV repeals this section and permits States to assert civil and criminal jurisdiction in Indian country only after acquiring the consent of the tribes in the State.

TITLE V

Title V amends the Major Crimes Act of 1885 by adding the crime of "assault resulting in serious bodily injury," to the list of serious crimes (murder, manslaughter, rape, incest, assault with intent to kill, assault with a dangerous weapon, arson, burglary, robbery, embezzlement and larceny) which, under that act, can be prosecuted in Federal courts although committed by an Indian in Indian country.

TITLE VI

Title VI remedies the problems Indian tribes have had in securing Interior Department approval of contracts for legal assistance by providing that if an application made by a tribe for approval of contracts for the employment of legal counsel is neither approved nor denied by the Secretary or by the Commissioner of Indian Affairs within 90 days of the date of filing, approval is deemed to have been granted.

TITLE VII

Title VII authorizes and directs the Secretary of the Interior to revise and publish on a current annual basis Senate Document No. 319, 58th Congress, containing treaties, laws, Executive orders and regulations relating to Indian affairs, to compile and maintain on an annual basis the official opinions of the Solicitor of the Department of the Interior relating to Indian affairs, and to prepare a revised edition of the treatise entitled "Federal Indian Law."

NEED FOR LEGISLATION: S. 2173

The present bill deals only with titles II and III of the Civil Rights Act of 1968. Since its enactment, misapprehensions have arisen among individual Indians and Indian tribes that the two titles go beyond the language in which they are couched and affect rights of property of Indian tribes in tribal lands and abridge the powers of self-government of Indian tribes in a manner inconsistent with the language of titles.

S. 2173 makes it plain that title II does not affect the property rights of any Indian tribe in its tribal lands or abridge any of the rights of self-government of any Indian tribe except to the extent of the prohibitions upon governmental action expressly set forth in title II.

Also S. 2173 makes it clear that the model code enumerated in title III of the act will not become applicable to any tribe unless it is first adopted by the tribal council or other governing body of the tribe.

These amendments were introduced as a result of hearings conducted in Albuquerque, N. Mex., on April 11, 1969. At the request of Senators Anderson and Montoya of New Mexico, the subcommittee afforded the Pueblos of New Mexico and opportunity to voice their apprehensions over the provisions of titles II and III of the 1968 Civil Rights Act. The Pueblos and other Indians and Indian tribes testified that titles II and III affected purposes not intended by Congress and specifically that tribal sovereignty, property rights, and identity would be eroded by the implementation of the titles. These amendments are designed merely to obviate these misapprehensions of the Pueblos and other Indian tribes; as far as the committee is able to determine, there is no opposition to this measure.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2173

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 202 of title II of the Act entitled "An Act to prescribe penalties for certain acts of violence or intimidation, and for other purposes", approved April 11, 1968 (25 U.S.C. 1302), is amended by inserting "(a)" between "Sec. 202." and "No Indian tribe" and by adding after such section the following new subsection:

"(b) Subsection (a) shall not be construed—

"(1) to effect any rights in tribal lands secured to any Indian tribe by any law or treaty;

"(2) to abridge the powers of self-government of any Indian tribe except to the extent specified in the prohibitions set out in subsection (a);

"(3) to affect any tribal law or custom of any Indian tribe regulating the selection of the officers, bodies, or tribunals by or through which the powers of self-government of the tribe are executed;

"(4) to invalidate any tribal law or custom of any Indian tribe which is consistent with the prohibitions set out in subsection (a); or

"(5) to deprive any Indian court of the power to impose in any case within its jurisdiction any penalty or punishment sanctioned by tribal law or custom which does not constitute cruel and unusual punishment within the purview of paragraph 7 of subsection (a) or exceed the limits of punishment as therein specified."

SEC. 2. That section 301 of title III of the Act entitled "An Act to prescribe penalties for certain acts of violence or intimidation, and for other purposes", approved April 11, 1968 (25 U.S.C. 1311), is amended by substituting "July 1, 1973" for "July 1, 1968" and by adding at the end thereof the following new sentence: "Notwithstanding any provisions of this section, no model code recommended to the Congress by the Secretary of the Interior pursuant to this section shall be applicable with respect to any Indian tribe unless the body exercising the legislative powers of the tribe has first adopted such code."

AGE LIMITS IN CONNECTION WITH APPOINTMENTS TO THE U.S. PARK POLICE

The Senate proceeded to consider the bill (S. 1686) relating to age limits in connection with appointments to the U.S. Park Police, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, in line 3, after the word "That" insert "notwithstanding the provisions of Public Law 89–554 (80 Stat. 419, 5 U.S.C. 3307)"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of Public Law 89–554 (80 Stat. 419, 5 U.S.C. 3307) the Secretary of the Interior is hereby authorized to determine and fix the minimum and maximum limits of age within which original appointments to the United States Park Police may be made.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–295), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Members of the Park Police force are recruited under the laws applicable to civil service. This includes a provision which prohibits the establishement of a maximum age limit for entrance on civil service.

Police work is arduous work, carried on an around-the-clock basis in all kinds of weather. Older policemen use more sick leave than younger men. Those recruited at older ages retire after relatively short terms of service although there is a considerable investment in their training. Further, the liberal allowances for police sick benefits, hospital and clinical care, and early retirement make the recruitment of Park Police applicants without regard to their beginning age a heavy drain on the police budget.

It is intended, under the discretion granted the Secretary of the Interior in S. 1686, to fix a maximum age for entry into Park Police duty in the 29- to 31-year age range.

This is now the situation in regard to Metropolitan Police, under authority given the District to "fix the minimum limits of age within which original appointments to the Metropolitan Police and Fire Departments may be made."

The committee is convinced that it will be in the interest of economy and the good of the Park Police force to give the Secretary the authority proposed in S. 1686.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar, beginning with "New Reports."

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDENT pro tempore. The nominations on the Executive Calendar will be stated, beginning with "New Reports."

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

The assistant legislative clerk read the nomination of Dr. Roger O. Egeberg, of California, to be an Assistant Secretary of Health, Education, and Welfare.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

OFFICE OF SCIENCE AND TECHNOLOGY

The assistant legislative clerk read the nomination of Hubert B. Heffner, of California, to be Deputy Director of the Office of Science and Technology.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

NATIONAL SCIENCE FOUNDATION

The assistant legislative clerk read the nomination of William David McElroy, of Maryland, to be Director of the National Science Foundation for a term of 6 years.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

U.S. DISTRICT JUDGES

The assistant legislative clerk proceeded to read sundry nominations of U.S. district judges.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

DEPARTMENT OF JUSTICE

The assistant legislative clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

BOARD OF PAROLE

The assistant legislative clerk proceeded to read sundry nominations to the Board of Parole.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL MONDAY, JULY 14

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of business today, the Senate stand in adjournment until 12 o'clock noon on Monday next.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM MONDAY, JULY 14, UNTIL 11 A.M., JULY 15, 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the business on Monday, July 14, the Senate stand in adjournment until 11 a.m., Tuesday, July 15, 1969.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR MURPHY ON TUESDAY, JULY 15

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the reading of the Journal on Tuesday, July 15, the distinguished senior Senator from California (Mr. MURPHY) be recognized for not to exceed 1 hour.

The PRESIDENT pro tempore. Without objection, it is so ordered.

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Mr. MANSFIELD. I thank the distinguished Senator from Idaho for yielding.

The PRESIDENT pro tempore. The Senator from Idaho is now recognized for 1 hour.

(At this point Mr. YOUNG of Ohio assumed the chair.)

TWO SENTINELS OF THE STATUS QUO

Mr. CHURCH. Mr. President, for all the immense physical power, the two dominant nations in the world—the United States and the Soviet Union—suffer from a neurotic sense of insecurity, although neither regards itself as being in imminent danger of attack by the other. At tremendous cost, their nuclear armories keep them at bay and, even if each were foolishly to add a new inventory of ABM missiles to the awesome stockpile, the delicate equilibrium will hold, leaving the two rivals in a state of chronic but only low-grade anxiety over the danger of attack by the other. It is a costly and desperately dangerous way of keeping the peace, but it is all we have shown ourselves capable of thus far.

The immediate threat that each superpower perceives from the other is its ideological impact on third countries, most particularly those that it regards as its protective buffers. It is one of the supposed realities of international politics—a kind of higher law transcending such legal documents as the United Nations Charter—that great powers are allowed to have spheres of influence made up of "friendly" neighbors. In the case of maritime powers such as the United States, the neighborhood may extend to the fringes of distant continents; but, whether or not the buffer is contiguous, the principle is the same. In order to guard itself against even the most remote or hypothetical threat to its security, a great power is held entitled to intervene in the affairs of its small neighbors, even to the extent of making the basic decisions as to how they will organize and run their own societies.

This is where ideology comes in. Neither the Soviet Union nor the United States seems to regard itself as being in danger of direct ideological subversion by the other, although there have been times—the period of Stalinism in the Soviet Union and of McCarthyism in the United States—when they did. In more recent years, the focus of great-power apprehension has been on their small-power buffers. Over these, each great power displays frenzied determination to exert ideological control. Within its sphere, the Soviet Union insists on the maintenance of Communist governments, inaccurately described, for the most part, as socialist; the United States, on the other hand, insists on the maintenance of non-Communist governments that we, for the most part, incorrectly call free.

Starting with the assumption that ideology is an instrument of foreign policy through which the rival great power will establish its political domination over others, whenever and wherever the opportunity arises, each great power seems to look upon its own buffer states as peculiarly susceptible to ideological subversion by the other great power. It is further assumed that the ultimate aim of this subversion is to isolate and undermine the great power itself; that ideology, being contagious, is singularly suited to this purpose; and that, like a disease, it must therefore be isolated and destroyed before it can spread. These assumptions lead to the conclusion that it is no more than an act of self-defense for a great power to take such measures as it judges necessary to preserve the ideological purity of its sphere of influence.

Seen in this way, the various interventions of the United States and the Soviet Union are explained not only as legitimate defensive measures but as positive services. Thus, in the case of the intervention in the Dominican Republic in 1965, American policymakers were untroubled by the fact that the U.S. actions violated both the Rio Treaty and the Charter of the Organization of American States and that the revolution the United States suppressed was on behalf of a freely elected government that had been expelled by a coup. These were judged only superficial considerations when weighed against the need to defend America from the specter of a "second Cuba" while rescuing the Dominicans from their foolhardy flirtation with communism. Similarly, in the case of Vietnam, far from wishing to impose anything on anybody, the United States, in former Secretary of State Dean Rusk's view, seeks only to save the world from being "cut in two by Asian communism."[1]

It remained for the Russians to devise a doctrine of ideological justification for the policy of interventionism. In a document that has come to be known as the Brezhnev doctrine, the Soviet Government pointed out that, in invading Czechoslovakia, the Soviet Union and its proteges were doing no more than "discharging their internationalist duty toward the fraternal peoples of Czechoslovakia" and defending their own "Socialist gains" against "anti-Socialist forces" supported by "world imperialism" seeking to "export counterrevolution."[2] Turn this phraseology around, substitute "antidemocratic" for "anti-Socialist," "world communism" for "world imperialism," "revolution" for "counterrevolution," and the resultant rationale differs little from the official explanation of our own interventions in recent years.

Whether or not the Russians actually believed their excuse, I would not venture to guess. At any rate, I do not believe it; I believe that the Russians—even if they persuaded themselves otherwise—suppressed the liberal Government of Czechoslovakia because they feared the contagion of freedom for the rest of their empire and ultimately for the Soviet Union itself. Nor do I believe that, in suppressing revolutions in Latin America and in trying to suppress revolution in Vietnam, the United States is acting legitimately in its own self-defense. There are, God knows, profound differences between the internal orders of the United States and the Soviet Union—ours is a free society and theirs is a totalitarian society whose leaders have shown themselves to be terrified of freedom—but, in their foreign policies, the two superpowers have taken on a remarkable resemblance. Concerned primarily with the preservation of their own vast hegemonies, they have become, in their respective spheres, defenders of the status quo against the pressures of revolutionary upheaval in which each perceives little but the secret hand of the other.

THE IMPOTENCE OF POWER

Suppressing revolution in its own immediate vicinity is an easy if embarrassing task for a superpower. Suppressing it on a distant continent is more difficult; and, as we have learned in Vietnam, beating down a strongly motivated, capably led and well-organized indigenous force is a virtual impossibility. Confronted with rising nationalistic movements, the superpowers, to their own astonishment, sometimes find themselves musclebound. Their nuclear power, though colossal, is so colossal as to be unusable except for keeping each other terrified. But in dealing with the unruly "third world," as President adviser Henry Kissinger pointed out, "Power no longer translates automatically into influence."[3]

Nor, one might add, does influence translate readily into desirable or usable power. In Europe before World War I, there was a significant relationship between influence and power and between territory and power—though perhaps even then, the correlation was less than it seemed. Yet, by conquering territory or forming alliances, a nation could hope to gain material resources and political predominance. Accordingly, the balance of power was maintained—more or less—by isolating and denying opportunities for territorial expansion to the most powerful or ambitious nation. In our own time, the balance of power is determined far more by economic and technological developments within countries than by alliances and territorial acquisition. China, for example, has gained far greater power through the acquisition of nuclear weapons than if it had conquered all of Southeast Asia.

Nonetheless, the great powers struggle to establish their influence in neutral countries. Guided by a ritualized, anachronistic, 19th-century concept of the balance of power, they seek influence for its own sake, as if it were a concrete, negotiable asset. I am thinking not only of Vietnam but of India, where we worry about Soviet economic aid, and to whom the President once even cut off food supplies because the Indian prime minister had sent birthday greetings to Ho Chi Minh. I am thinking of Laos, where we are not only fighting a proxy war against the Communist Pathet Lao but are engaged in an agitated rivalry with the

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[1] Press Conference of October 12, 1967, *The New York Times*, October 13, 1967, p. 15.

[2] "Sovereignty and International Duties of Socialist Countries," *The New York Times*, September 27, 1967.

[3] Henry A. Kissinger, "Central Issues of American Foreign Policy," in *Agenda for the Nation* (Kermit Gordon, ed., Washington: The Brookings Institution, 1968), p. 589.

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French for the control of secondary education. And I am thinking of the global propaganda effort of the U.S. Information Agency, with its festivals and exhibits and libraries carefully pruned of books that seriously criticize America, all aimed at manufacturing a favorable image of the United States.

All this, we are told, is influence, and influence is power. But is it really power? Does it secure something valuable for either the other country or ourselves? If so, I have never heard a satisfactory explanation of what it is; and that, I strongly suspect, is because there is none. The real stake, I apprehend, is not power at all, but a shadow that calls itself power, nourishing an egotism that calls itself self-interest.

Vietnam, in this context, is a showcase of bankruptcy, a hopeless war fought for insubstantial stakes. As a war for high principle, Vietnam simply does not measure up: The Saigon government is neither a democracy warranting our support on ideological grounds nor a victim of international aggression warranting our support under the United Nations Charter. As an effort to contain Chinese power, the war in Vietnam is irrelevant as well as unsuccessful; even if a Communist Vietnam were to fall under Chinese control, as I do not think it would, the gains to China would be trivial compared with those accruing from her industrialization and acquisition of nuclear weapons.

The case on which Vietnam must stand or fall—if it has not already fallen—is the theory of an exemplary war, a war fought not so much on its own intrinsic merits as to demonstrate something to the world, such as that America will always live up to its alleged commitments or that "wars of national liberation" cannot succeed. The stake, then, is ultimately a psychological one—influence conceived as power.

Knocking down the case for an exemplary war is at this point very nearly belaboring the obvious. How we can demonstrate faithfulness to our commitments by honoring dubious promises to the Saigon generals while blatantly violating our treaty commitments in the Western Hemisphere—as we have done no fewer than three times since 1954[4]—is beyond my understanding. As to proving that wars of national liberation cannot succeed, all that we have proved in 4 years of bitter, inconclusive warfare is that, even with an Army of over 500,000 Americans, we cannot win a victory for an unpopular and incompetent regime against a disciplined, nationalist insurrectionary force. In the harsh but accurate summation of a British conservative who was once a supporter of the war:

> Instead of the Americans impressing the world with their strength and virtue, they are making themselves hated by some for what they are doing, and despised by the remainder for not doing it more efficaciously.[5]

At least two prominent members of the Nixon administration have explicitly recognized the bankruptcy of our Vietnam strategy. Henry Kissinger writes:

> Whatever the outcome of the war in Vietnam, it is clear that it has greatly diminished American willingness to become involved in this form of warfare elsewhere. Its utility as a precedent has therefore been importantly undermined.[6]

President Nixon's Ambassador to the United Nations, Mr. Charles Yost, has made the point as forcefully as possible:

> The most decisive lesson of Vietnam would seem to be that no matter how much force it may expend, the United States cannot ensure the security of a country whose government is unable to mobilize and maintain sufficient popular support to control domestic insurgency. . . . If indigenous dissidents, whether or not Communist, whether or not supported from outside, are able to mobilize and maintain more effective popular support than the government, they will eventually prevail.[7]

Vietnam is only one—albeit the most striking and costly—instance of a general, if not quite invariable, American policy of opposing revolution in the developing world. In some instances, this policy has been successful, at least for the short term. With our support, repressive governments in Brazil and Greece and a conservative government in the Dominican Republic, to cite but a few examples, have successfully held down popular aspirations for social and economic change. Through our support of reactionary governments in Latin America and elsewhere, we are preserving order in our sphere of influence and momentarily, at least, excluding revolution. But it is order purchased at the price of alining ourselves with corruption and reaction against aggrieved and indignant indigenous forces that by and large are more responsive to popular aspirations than those that we support.

This policy of preserving the status quo is an exceedingly shortsighted one. Sooner or later, there can be little doubt, the rising forces of popular discontent will break through the brittle lid of repression. So, at least, historical experience suggests. We did it ourselves in 1776 and much of the history of 19th-century Europe consists of the successful rebellion of nationalist movements—German, Italian, Belgian, Greek, and Slavic—against the powerful European order forged by the Congress of Vienna in 1815. In the 20th century, we have seen the great European empires—British, French, and Dutch—break up in the face of nationalist rebellion in hardly more than a decade after World War II.

Since then, the revolutionary tide has continued to swell across Asia, Africa, and Latin America, and it seems unlikely that even the immense resources of the United States will prove sufficient to contain the tide much longer. We have all but acknowledged our failure in Vietnam. What would we do if Souvanna Phouma's government in Laos should collapse, as it probably would if we terminated our counterinsurgency efforts and as it may, anyway? Or if a popular rebellion should break out against the military dictatorship in Brazil? Or if a Communist-Socialist government should come to power in Chile through a free election, as it could in 1970? Would we send armies to these large countries, as we did to South Vietnam and the small Dominican Republic? With aid and arms, we have helped delay the collapse of regimes whose very existence is an obstacle to social and political justice. Eventually, there seems little doubt, they will collapse, the more violently and with greater upheaval for having been perpetuated beyond their natural lifespan.

Thus far, I have been talking of the fragility and shortsightedness of our policy of repressing revolution. Something should be said about its morals as well. "Order" and "stability" are antiseptic words; they do not tell us anything about the way human beings live or the way they die. The diplomatic historians who invoke the model of Metternich's European order in the 19th century usually neglect to mention that it was an order purchased at the cost of condemning millions of people to live under the tyranny of the Russian czar, the Turkish sultan and other ignorant and reactionary monarchs. The absolute primacy of order over justice was neatly expressed by Metternich in his assertion that—

> Barbarous as it is, Turkey is a necessary evil.

In a similar vein—if not, let us hope, with equal callousness—when we speak of stability and order in the developing countries, we neglect to note that in more than a few instances, the order purchased by our aid and by our arms is one that binds millions of people to live under a feudalism that fosters ignorance, hunger, and disease. It means blighted lives, children with bellies bloated and brains stunted by malnutrition, their parents scavenging food in garbage heaps—a daily occurrence in the omnipresent slums of Asia and Latin America. Only the abstractions of diplomacy take form in high policy councils; to see its flesh and blood, one must go to a Brazilian slum or to a devastated village in Vietnam.

Besides being shortsighted and immoral, our policy of perpetuating the status quo has a third fatal defect—a defect that represents our best hope for formulating a new foreign policy: It goes against the American grain. That is the meaning of the dissent against Vietnam and of the deep alienation of so many of our youth. It is their belief in the values they were brought up to believe in—in the idea of their country as a model of decency and democracy—that has confounded the policymakers who only a few years ago were contending that we could fight a limited war for a decade or two without seriously disrupting the internal life of the United States. What they overlooked in their preoccupation with war games and escalation scenarios was the concern of millions of Americans not just with the cost but with the character of wars they fight and their consequent outrage against a war that—even at what the strategists would consider tolerable cost—has made a charnel house of a small and poor Asian country. In this moral sense, there is hope—hope that we will recognize at last that a foreign policy that goes against our national character is untenable.

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[4] The covert intervention against the Arbenz government in Guatemala in 1954, the Bay of Pigs in 1961, the intervention in the Dominican Republic in 1965.

[5] Peregrine Worsthorne, "Goodbye, Mr. Rusk," *The New Republic,* January 18, 1969, p. 8.

[6] "Central Issues of American Foreign Policy," in *Agenda for the Nation,* p. 591.

[7] Charles W. Yost, "World Order and American Responsibility," *Foreign Affairs,* October, 1968, pp. 9–10.

AN ACT OF FAITH

The question to which we come is whether order, in the sense in which we now conceive it, is, indeed, a vital interest of the United States, or whether, in this revolutionary age, we can accommodate ourselves to a great deal of disorder in the world. My answer, as I am sure will be clear by now, is that we must and can learn to live with widespread revolutionary turmoil. We must because it is not within our means to stem the tide; we can because social revolution is not nearly so menacing to us as we have supposed—or at least it need not be. If we can but liberate ourselves from ideological obsession—from the automatic association of social revolution with communism and of communism with Soviet or Chinese power—we may find it possible to discriminate among disorders in the world and to evaluate them with greater objectivity, which is to say, more on the basis of their own content and less on the basis of our own fears. We should find, I think, that some revolutionary movements—including even Communist ones—will affect us little, if at all; that others may affect us adversely but not grievously; and that some may even benefit us.

All of which is to say nothing about the right of other peoples to settle their own affairs without interference by the great powers. There is, after all, no moral or legal right of a great power to impose its will on a small country, even if the latter does things that affect it adversely. Americans were justly outraged by the Soviet invasion of Czechoslovakia, not primarily because we thought the Russians could have endured Czech democratization without loss to themselves but because we thought the Czechs had a right to reform their system, whether it suited the Russians or not. Ought not the same principle apply in our relations with Latin America and, indeed, with small countries all over the world?

I believe that it should. I would go even further and suggest that we rededicate ourselves to the good neighbor policy enunciated by President Franklin Roosevelt 30 years ago. There is, of course, nothing new about the principle of nonintervention; we have been preaching it for years. What I suggest as an innovation is that we now undertake to practice it—not only when we find it perfectly consistent with what we judge to be our interests but even when it does not suit our own national preferences. I suggest, therefore, as a guiding principle of American foreign policy, that we abstain hereafter from military intervention in the internal affairs of other countries under any circumstances short of a clear and certain danger to our national security—such as that posed by Castro's decision to make Cuba a Soviet missile base—and that we adhere to this principle whether others, including the Russians and the Chinese, do so or not.

Surely, it will be argued, we cannot be expected to refrain from interference while the Russians hold eastern Europe in thrall and the Chinese foster wars of national liberation in Asia and both seek opportunities to subvert non-Communist governments all over the world. Would this not throw open the floodgates to a torrent of revolutions leading to communism?

Setting aside for the moment the question of whether Communist rule elsewhere is invariably detrimental to the United States, experience suggests a policy of nonintervention would not throw open the floodgates to communism. Communist bids for power have failed more often than they have succeeded in countries beyond the direct reach of Soviet military power—Indonesia and Guinea, for example. Of all the scores of countries, old and new, in Asia, Africa, and Latin America, only four are Communist. There is, of course, no assurance that an American policy of nonintervention would guarantee against new Communist takeovers—obviously, our abstention from Cuba in 1959 was a factor in the success of Castro's revolution. But neither is there a guarantee that military intervention will defeat every Communist revolution—witness Vietnam. Neither abstention nor military intervention can be counted on to immunize against communism, for the simple reason that neither is of ultimate relevance to the conditions that militate for or against revolution within a country, in the first place.

We have, in fact, had positive benefits from pursuing a policy of nonintervention. There is no country in Latin America more friendly to the United States than Mexico, which expelled American oil interests 40 years ago, while seemingly enthralled with Marxist doctrines, and which even now pursues an independent foreign policy, including the maintenance of cordial relations with Cuba. The thought presents itself that a policy of nonintervention could now serve as well to liberate us from the embrace of incompetent and reactionary regimes, which ignore popular aspirations at home out of confidence that, if trouble develops, they can summon the American Marines, while holding us in line by the threat of their own collapse.

The critical factor is nationalism, which, far more than any ideology, has shown itself to be the engine of change in modern history. When an ideology is as strongly identified with nationalism as communism is in Cuba and Vietnam and as democracy is in Czechoslovakia, foreign military intervention must either fail outright or, as the Russians have learned in Czechoslovakia, succeed at such cost in world-wide moral opprobrium as to be self-defeating. My own personal feeling is that, in a free market of ideas, communism has no record of achievement to commend itself as a means toward rapid modernization in developing countries. But, be that as it may, it will ultimately succeed or fail for reasons having little to do with the preferences of the superpowers.

We could profitably take a leaf from the Chinese notebook in this respect. The Lin Piao doctrine of "wars of national liberation," often mistaken as a blueprint for world conquest, is, in fact, an explicit acknowledgement of the inability of a foreign power to sustain a revolution without indigenous support. This is what Lin Piao said:

> In order to make a revolution and to fight a people's war and be victorious, it is imperative to adhere to the policy of self-reliance, rely on the strength of the masses in one's own country and prepare to carry on the fight independently even when all material aid from outside is cut off. If one does not operate by one's own efforts, does not independently ponder and solve the problems of the revolution in one's own country and does not rely on the strength of the masses, but leans wholly on foreign aid—even though this be aid from socialist countries which persist in revolution (i.e., China)—no victory can be won, or be consolidated even if it is won.[8]

One hears in this the echo of President Kennedy, speaking of South Vietnam in 1963:

> In the final analysis, it is their war. They are the ones who have to win it or lose it.

Or, as Theodore Draper summed it up:

> The crisis in 1965 in South Vietnam was far more intimately related to South Vietnam disintegration than to North Vietnamese infiltration.[9]

Nationalism is not only the barrier to communism in countries that reject it; it is a modifier and neutralizer of communism in those few small countries that do possess it. As Tito has demonstrated in Europe and as Ho Chi Minh has demonstrated in Asia, a strongly nationalist regime will defend its independence regardless of common ideology; and it will do so with far greater effectiveness than a weak and unpopular regime, also regardless of ideology. It is beyond question that the Tito government has been a vastly more effective barrier to Soviet power in the Balkans than the old prewar monarchy ever could have been; and, as Edwin O. Reischauer has written:

> It seems highly probable that Ho's Communist-dominated regime, if it had been allowed by us to take over all Vietnam at the end of the war, would have moved to a position with relation to China not unlike that of Tito's Yugoslavia toward the Soviet Union.[10]

If freedom is the basic human drive we believe it to be, an act of faith seems warranted—not in its universal triumph, which experience gives us no particular reason to expect, but in its survival and continuing appeal. The root fact of ideology to which we come—perhaps the only tenet that can be called a fact—is that, at some basic level of being, every man and woman alive aspires to freedom and abhors compulsion. It does not follow from this—as, in the rhetorical excess of the cold war, it is so often said to follow—that communism is doomed to perish from the earth as a distortion of nature, or that democracy, as we know

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[8] Lin Piao, "Long Live the Victory of People's War!" *Peking Review*, No. 36, September 3, 1965, p. 22.

[9] Theodore Draper, "The American Crisis: Vietnam, Cuba and the Dominican Republic," *Commentary*, January 1967, p. 37.

[10] "What Choices Do We Have in Vietnam?" *Look Magazine*, September 19, 1967, p. 27.

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it in America, is predestined to triumph everywhere. Political forms that seem to offend human nature have existed throughout history, and others that have seemed attuned to human needs have been known to perish. All that can be said with confidence is that, whatever is done to suppress them, man's basic aspirations have a way of reasserting themselves and, insofar as our American political forms are attuned to these basic aspirations, they are a long leg ahead in the struggle for survival.

Faith in the viability of freedom will not, in itself, guarantee our national security. But it can and should help allay our extravagant fear of communism. It should enable us to compete with confidence in the market of ideas. It should free us from the fatal temptation to fight fire with fire by imitating the tactics of a rival who cannot be as sure of the viability of his ideas in an open contest. The Russians, when you come right down to it, have better reasons to fear freedom in Czechoslovakia than we have to fear communism in Vietnam. Appealing as it does to basic human aspirations, the contagion of Czech liberty very likely is a threat, at least in the long run, to the totalitarian system of the Soviet Union; by no stretch of the imagination can Ho Chi Minh's rule in Vietnam be said to pose a comparable threat to democracy in the United States.

The greatest danger to our democracy, I dare say, is not that the Communists will destroy it, but that they will betray it by the very means chosen to defend it. Foreign policy is not and cannot be permitted to become an end in itself. It is, rather, a means toward an end, which in our case is not only the safety of the United States but the preservation of her democratic values. A foreign policy of intervention must ultimately be subversive of that purpose. Requiring as it does the maintenance of a huge and costly Military Establishment, it must also entail the neglect of domestic needs, a burgeoning military-industrial-academic complex, chronic crises, and marathon wars—all anathema to a democratic society. Every time we suppress an indigenous revolution abroad, we subvert our own democratic principles at home. In no single instance is the self-inflicted injury likely to be fatal; but with each successive occurrence, the contradiction and hypocrisy become more apparent and more of our people become disillusioned, more become alienated or angry, while a few are simply corrupted.

Being gradual and cumulative, the malady went largely undetected for too long a time. Now, however, a hue and cry has been raised, and for that we may be grateful, because the great debate in which we are engaged can, if we wish, be corrective as well as cathartic, by laying the foundations for a new approach in our foreign relations.

The shape and content of a new foreign policy are still beyond our view. For the moment, all that comes clearly into focus are the contradictions of our present approach and a few basic inferences that can be drawn from recent experience, notably: That we need not rely on military intervention to give freedom a chance of surviving in the world; that, indeed, we cannot do so without compromising our own freedom; and that only by being true to our traditional values and our own best concept of ourselves can we hope to play a decent and constructive role in a revolutionary world.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. CHURCH. I am happy to yield.

Mr. GOLDWATER. I should like to ask the Senator a few questions, because he is a member of the Committee on Foreign Relations. I talked briefly with the chairman of that committee yesterday relative to these problems that I see arising, not particularly from opposition to the ABM, but from the overall opposition that might exist toward what I consider to be the proper arming of our country.

I am very much concerned about the treaty situation in which we find ourselves, and I should like to ask the Senator from Idaho his opinion as to how far our obligations go, for example, under the North Atlantic Treaty, which contains this language in article 5:

> The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all; and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defense recognized by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area.

I believe there are 15 parties to that treaty. Would it be the Senator's opinion that this treaty binds us to the use of armed forces in the event that any of the North Atlantic Treaty countries should be attacked?

Mr. CHURCH. I think the language makes that clear.

Mr. GOLDWATER. Not all of our treaties—I think there are a total of 44, or some such figure—have that language. I should like to ask the Senator another question, because I know that the Committee on Foreign Relations has held hearings on, or at least studied, the treaties and the effects of the treaties.

My point in discussing the matter with the Senator from Idaho and in discussing it with Senator FULBRIGHT yesterday was to express a very deep concern on my part as to the need for clarifying to the American people, through the Committee on Foreign Relations, the Senate, and the Presidency, what our commitments overseas really amount to, so that we can say, in effect, that we have commitments to 15 nations that require us to go to war if they are attacked, if that is the true situation.

I think the Senator can understand my concern, because here we are discussing a bill that will eventually amount to about $77 or $78 billion, and there is constant concern expressed about reducing this level of expenditures. I am just as much interested in that as anyone, but until we know what these commitments are, I do not think we can really draw a national policy that can allow us, in an intelligent way, to say what we need and what we do not.

Mr. CHURCH. I agree with the Senator. I think the size of the military budget of this country is inseparably linked with the foreign policy commitments of the country. We cannot expect the size of the military budget to shrink much as long as the commitments remain so swollen.

Mr. GOLDWATER. That is what I wanted the Senator to assume. I hope that the Committee on Foreign Relations will go into this in great depth and make the American people aware of what we face.

I know that as I have spoken in the last 4 years to—I do not know how many—hundreds of groups, I brought up the subject of our commitments and what they mean.

We cannot just say we will cut the military so much.

I do not think the American people are aware of how far we have committed ourselves—whether rightly or wrongly. Hindsight is always 20-20. I think I voted for some of the treaties. I do not know that I would do so today.

My other question deals with some other language. That language is contained in the treaty of mutual cooperation and security with Japan, the security treaty with Australia and New Zealand, the mutual defense treaty with the Republic of the Philippines, and the mutual defense treaty with the Republic of Korea.

The treaties that we have with these countries contain this language. I would like to have the Senator's opinion as to what it means.

Article IV of the treaty with Australia, which is typical, reads:

> *Article 4*
>
> Each Party recognizes that an armed attack in the Pacific Area of any of the Parties would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes.

In that language, I do not see much of a commitment.

Mr. CHURCH. I agree with the Senator. I think the language simply undertakes to state that we would look gravely upon an armed attack in the Pacific area and, through our own constitutional processes, we would then consider what action it would be appropriate for us to take.

The language is not really so specific or binding as that in the NATO treaty.

Mr. GOLDWATER. Mr. President, the other language, contained in the agreement between the United States of America and the Government of Liberia, in article I, states:

> *Article I*
>
> In the event of aggression or threat of aggression against Liberia, the Government of the United States of America and the Government of Liberia will immediately determine what action may be appropriate for the defense of Liberia.

We are not too deeply committed there.

Mr. CHURCH. Mr. President, again I agree with the Senator. There are definite gradations in the language of commitment in the various treaties to which

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the Senator has referred. However, I point out that we have treaties of one kind or another, relating to the defense of no less than 43 foreign countries.

I think that represents a commitment without precedent in the history of the world.

Mr. GOLDWATER. Mr. President, I would agree with the Senator.

In closing, I hope—and I told the chairman of the committee so yesterday—I hope that the Foreign Relations Committee, working with the Office of the President, and with the Senate, if necessary, can make some definite determination as to just what we are committed to. Until we have that knowledge, I do not think we can wisely appropriate money or even authorize money for weapons.

If we, for example, are fighting one war in Southeast Asia—which I am convinced we got into without any particular treaty, but we did it because of a promise of a President of the United States, which promise has been kept by three subsequent Presidents—or, let us say we suddenly find trouble occurring in a NATO country or in two NATO countries—we could find ourselves faced with three wars, 15 wars, or one world war at the same time that we are committed to the war in Southeast Asia.

I think it is wise to have our commitments known. We should let the American people know what they are faced with by the treaties we signed.

Mr. CHURCH. Mr. President, I concur fully with the Senator.

The Committee on Foreign Relations, at the present time, is not only undertaking a thorough review of the existing commitments, but is also reappraising the necessity for maintaining all of these commitments.

If, as it has been said, we are presently postulating our military needs upon the premise that we must be strong enough not only to defend our own country against any possible threat of attack, but also to conduct as many as three peripheral wars simultaneously in distant foreign lands, we cannot hope to cut the military budget in more than token amounts. I would hope that out of the present agony in Vietnam, we might learn that the cost to us in young blood and treasure, of what I would call compulsive interventionism has been out of all rational proportion to our true national interests. We need a basic change in foreign policy which, in turn, can open the way for appropriate reductions in the size and character of our huge Military Establishment.

Mr. GOLDWATER. Mr. President, I think we all hope that. However, in the meantime, the hard, cold facts are that we are committed to go to war in at least 15 treaties, and these 15 countries happen to be around the periphery of the only enemy or the major enemy we seem to recognize.

Russia has never been an aggressive nation. Russia will fight if another country bothers Russia.

My own personal feeling is that if we ever have a third world war, it will be our country fighting against Russia and Red China. I do not think that Red China will sit still. However, I will address myself to that question at another time.

I want to have an opportunity to ask the distinguished chairman of the committee these questions.

Mr. CHURCH. Mr. President, I thank the Senator.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the list of treaties to which I have referred, starting on page 2200 and going through page 2205 in part 2 of the hearings before the Committee on Armed Services of the Senate be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PARTIES TO DEFENSE TREATIES AND OTHER DEFENSE ARRANGEMENTS

Parties	Multilateral treaties				Bilateral treaties	Bilateral executive agreements or general treaty
	Rio	NATO	SEATO	Anzus		
Argentina	X					
Australia			X	X		
Belgium		X				
Bolivia	X					
Brazil	X					
Canada		X				X
Chile	X					
China					X	
Colombia	X					
Costa Rica	X					
Cuba[1]	X					
Denmark		X				X
Dominican Republic	X					
Ecuador	X					
El Salvador	X					
France		X	X			
Germany, Federal Republic of		X				
Greece		X				
Guatemala	X					
Haiti	X					
Honduras	X					
Iceland		X				X
Iran						X
Italy		X				
Japan					X	
Korea					X	
Liberia						X
Luxembourg		X				
Mexico	X					
Netherlands, The		X				
New Zealand			X	X		
Nicaragua	X					
Norway		X				
Pakistan			X			X
Panama	X					X
Paraguay	X					
Peru	X					
Philippines, The			X		X	
Portugal		X				
Spain						X
Thailand			X			
Trinidad and Tobago	X					
Turkey		X				X
United Kingdom		X	X			
Uruguay	X					
Venezuela	X					

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[1] Cuba was excluded from participation in the Inter-American System by Resolution VII, 8th meeting of Foreign Ministers, Punta del Este, 1962.

COMPILATION OF PROVISIONS RELATING TO CONSULTATION AND ACTION IN EVENT OF ARMED ATTACK

INTER-AMERICAN TREATY OF RECIPROCAL ASSISTANCE

Article 3

1. The High contracting Parties agree that an armed attack by any State against an American State shall be considered as an attack against all the American States and, consequently, each one of the said Contracting Parties undertakes to assist in meeting the attack in the exercise of the inherent right of individual or collective self-defense recognized by Article 51 of the Charter of the United Nations.

2. On the request of the State or States directly attacked and until the decision of the Organ of Consultation of the Inter-American System, each one of the Contracting Parties may determine the immediate measures which it may individually take in fulfillment of the obligation contained in the preceding paragraph and in accordance with the principle of continental solidarity. The Organ of Consultation shall meet without delay for the purpose of examining those measures and agreeing upon the measures of a collective character that should be taken.

Article 6

If the inviolability or the integrity of the territory or the sovereignty or political independence of any American State should be affected by an aggression which is not an armed attack or by an extra-continental or intra-continental conflict, or by any other fact, or situation that might endanger the peace of America, the Organ of Consultation shall meet immediately in order to agree on the measures which must be taken in case of aggression to assist the victim of the aggression or, in any case, the measures which should be taken for the common defense and for the maintenance of the peace and security of the Continent.

Article 8

For the purposes of this Treaty, the measures on which the Organ of Consultation may agree will comprise one or more of the following: recall of chiefs of diplomatic missions; breaking of diplomatic relations; breaking of consular relations; partial or complete interruption of economic relations or of rail, sea, air, postal, telegraphic, telephonic, and radiotelephonic or radiotelegraphic communications; and use of armed force.

Article 9

In addition to other acts which the Organ of Consultation may characterize as aggression, the following shall be considered as such:

(*a*) Unprovoked armed attack by a State against the territory, the people, or the land, sea, or air forces of another State;

(*b*) Invasion, by the armed forces of a State, of the territory of an American State, through the trespassing of boundaries demarcated in accordance with a treaty, judicial decision, or arbitral award, or, in the absence of frontiers thus demarcated, invasion affecting a region which is under the effective jurisdiction of another State.

Article 20

Decisions which require the application of the measures specified in Article 8 shall be binding upon all the Signatory States which have ratified this Treaty, with the sole exception that no State shall be required to use armed force without its consent.

NORTH ATLANTIC TREATY

Article 4

The Parties will consult together whenever, in the opinion of any of them the territorial integrity, political independence or security of any of the Parties is threatened.

Article 5

The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defense recognized by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area.

TREATY OF MUTUAL COOPERATION AND SECURITY WITH JAPAN

Article IV

The Parties will consult together from time to time regarding the implementation of this Treaty, and, at the request of either Party whenever the security of Japan or international peace and security in the Far East is threatened.

Article V

Each Party recognizes that an armed attack against either Party in the territories under the administration of Japan would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional provisions and processes.

SECURITY TREATY WITH AUSTRALIA AND NEW ZEALAND

Article 3

The Parties will consult together whenever in the opinion of any of them the territorial integrity, political independence or security of any of the Parties is threatened in the Pacific.

Article 4

Each Party recognizes that an armed attack in the Pacific Area on any of the Parties would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes.

MUTUAL DEFENSE TREATY WITH REPUBLIC OF THE PHILIPPINES

Article 3

The Parties, through their Foreign Ministers or their deputies, will consult together from time to time regarding the implementation of this Treaty and whenever in the opinion of either of them the territorial integrity, political independence or security of either of the Parties is threatened by external armed attack in the Pacific.

Article 4

Each Party recognizes that an armed attack in the Pacific Area on either of the Parties would be dangerous to its own peace and safety and declares that it would act to meet the common dangers in accordance with its constitutional processes.

MUTUAL DEFENSE TREATY WITH REPUBLIC OF KOREA

Article 2

The Parties will consult together whenever, in the opinion of either of them, the political independence or security of either of the Parties is threatened by external armed attack. Separately and jointly, by self-help and mutual aid, the Parties will maintain and develop appropriate means to deter armed attack and will take suitable measures in consultation and agreement to implement this Treaty and to further its purposes.

Article 3

Each Party recognizes that an armed attack in the Pacific area on either of the Parties in territories now under their respective administrative control, or hereafter recognized by one of the Parties as lawfully brought under the administrative control of the other, would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes.

SOUTHEAST ASIA COLLECTIVE DEFENSE TREATY

Article 4

1. Each Party recognizes that aggression by means of armed attack in the treaty area against any of the Parties or against any State or territory which the Parties by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes. Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations.

2. If, in the opinion of any of the Parties, the inviolability or the integrity of the territory or the sovereignty or political independence of any Party in the treaty area or of any other State or Territory to which the provisions of paragraph 1 of this article from time to time apply is threatened in any way other than by armed attack or is affected or threatened by any fact or situation which might endanger the peace of the area, the Parties shall consult immediately in order to agree on the measures which should be taken for the common defense.

3. It is understood that no action on the territory of any State designated by unanimous agreement under paragraph 1 of this Article or on any territory so designated shall be taken except at the invitation or with the consent of the government concerned.

Understanding of the United States of America: The United States of America in executing the present Treaty does so with the understanding that its recognition of the effect of aggression and armed attack and its agreement with reference thereto in Article 4, paragraph 1, apply only to communist aggression but affirms that in the event of other aggression or armed attack it will consult under the provisions of Article 4, paragraph 2.

MUTUAL DEFENSE TREATY WITH REPUBLIC OF CHINA

Article 4

The Parties, through their Foreign Ministers or their deputies, will consult together from time to time regarding the implementation of this Treaty.

Article 5

Each Party recognizes that an armed attack in the West Pacific Area directed against the territories of either of the parties would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes.

NORTH AMERICAN AIR DEFENSE COMMAND AGREEMENT EFFECTED BY AN EXCHANGE OF NOTES BETWEEN CANADA AND THE UNITED STATES OF AMERICA (MAY 12, 1958)

Studies made by representatives of our two Governments led to the conclusion that the problem of the air defence of our two countries could best be met by delegating to an integrated headquarters the task of exercising operational control over combat units of the national forces made available for the air defence of the two countries. * * * The agreed integration is intended to assist the two Governments to develop and maintain their individual and collective capacity to resist air attack on their territories in North America in mutual self-defence. * * *

My Government proposes that the following principles should govern the future organization and operations of the North American Air Defence Command.

1. * * *

2. The North American Air Defense Command will include such combat units and individuals as are specifically allocated to it by the two Governments. The jurisdiction of the Commander-in-Chief, NORAD, over those units and individuals is limited to operational control as hereinafter defined.

3. "Operational Control" is the power to direct, co-ordinate, and control the operational activities of forces assigned, attached or otherwise made available. * * *

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE KINGDOM OF DENMARK, PURSUANT TO THE NORTH ATLANTIC TREATY, CONCERNING THE DEFENSE OF GREENLAND (JUNE 8, 1951)

Article I

The Government of the United States of America and the Government of the Kingdom of Denmark, in order to promote stability and well-being in the North Atlantic Treaty area by uniting their efforts for collective defense and for the preservation of peace and security and for the development of their collective capacity to resist armed attack, will each take such measures as are necessary or appropriate to carry out expeditiously their respective and joint responsibilities in Greenland, in accordance with NATO plans.

DEFENSE AGREEMENT PURSUANT TO THE NORTH ATLANTIC TREATY BETWEEN THE UNITED STATES OF AMERICA AND ICELAND (MAY 5, 1951)

Preamble

Having regard to the fact that the people of Iceland cannot themselves adequately secure their own defenses, and whereas experience has shown that a country's lack of defenses greatly endangers its security and that of its peaceful neighbors, the North Atlantic Treaty Organization has requested, because of the unsettled state of world affairs, that the United States and Iceland in view of the collective efforts of the parties to the North Atlantic Treaty to preserve peace and security in the North Atlantic Treaty area, make arrangements for the use of facilities in Iceland in defense of Iceland, and thus also the North Atlantic Treaty area. In conformity with this proposal the following Agreement has been entered into.

Article I

The United States on behalf of the North Atlantic Treaty Organization and in accordance with its responsibilities under the North

Atlantic Treaty will make arrangements regarding the defense of Iceland subject to the conditions set forth in this Agreement. For this purpose and in view of the defense of the North Atlantic Treaty area, Iceland will provide such facilities in Iceland as are mutually agreed to be necessary.

AGREEMENT OF COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES AND THE IMPERIAL GOVERNMENT OF IRAN (MARCH 5, 1959)

Article I

The Imperial Government of Iran is determined to resist aggression. In case of aggression against Iran, the Government of the United States of America, in accordance with the Constitution of the United States of America, will take such appropriate action, including the use of armed forces, as may be mutually agreed upon and as is envisaged in the Joint Resolution to Promote Peace and Stability in the Middle East, in order to assist the Government of Iran at its request.

AGREEMENT OF COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF PAKISTAN (MARCH 5, 1959)

Article I

The Government of Pakistan is determined to resist aggression. In case of agression against Pakistan, the Government of the United States of America, in accordance with the Constitution of the United States of America, will take such appropriate action, including the use of armed forces, as may be mutually agreed upon and as is envisaged in the Joint Resolution to Promote Peace and Stability in the Middle East, in order to assist the Government of Pakistan at its request.

AGREEMENT OF COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES AND THE GOVERNMENT OF THE REPUBLIC OF TURKEY (MARCH 5, 1959)

Article I

The Government of Turkey is determined to resist aggression. In case of aggression against Turkey, the Government of the United States of America in accordance with the Constitution of the United States of America, will take such appropriate action, including the use of armed forces, as may be mutually agreed upon and as is envisaged in the Joint Resolution to Promote Peace and Stability in the Middle East, in order to assist the Government of Turkey at its request.

AGREEMENT OF COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES AND THE GOVERNMENT OF LIBERIA (JULY 8, 1969)

Article I

In the event of aggression or threat of aggression against Liberia, the Government of the United States of America and the Government of Liberia will immediately determine what action may be appropriate for the defense of Liberia.

GENERAL TREATY BETWEEN THE UNITED STATES AND PANAMA (MARCH 2, 1936)

Article X

In case of an international conflagration or the existence of any threat of aggression which would endanger the security of the Republic of Panama or the neutrality or security of the Panama Canal, the Governments of the United States of America and the Republic of Panama will take such measures of prevention and defense as they may consider necessary for the protection of their common interests. Any measures, in safeguarding such interests, which it shall appear essential to one Government to take, and which may affect the territory under the jurisdiction of the other Government, will be the subject of consultation between the two Governments.

JOINT DECLARATION BY SPAIN AND THE UNITED STATES OF AMERICA CONCERNING THE RENEWAL OF THE DEFENSE AGREEMENT OF SEPTEMBER 26, 1953 (SEPTEMBER 26, 1963)

In affirming the importance of their bilateral Defense Agreement [signed September 26, 1953, TIAS 2850], which will be applied in the new five year period of its validity in the spirit of this Declaration, they [the Governments of the United States of America and of Spain] consider it to be necessary and appropriate that the Agreement form a part of the security arrangements for the Atlantic and Mediterranean areas.

The United States Government reaffirms its recognition of the importance of Spain to the security, well-being and development of the Atlantic and Mediterranean areas. The two governments recognize that the security and integrity of both the United States and Spain are necessary for the common security. A threat to either country, and to the joint facilities that each provides for the common defense, would be a matter of common concern to both countries, and each country would take such action as it may consider appropriate within the framework of its constitutional processes.

Mr. GOLDWATER. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Idaho has approximately 8 minutes remaining.

Mr. GOLDWATER. I will not take that much time.

This has been a very interesting week. I think that next week and the week after will continue to be interesting. I had hoped that we could have gotten to the meat of this bill, the authorization of the military equipment, before we got to the ABM. However, we are now on the ABM, and to me, as a person who is backing the ABM, there have been some very interesting developments.

The first position of the opposition was total opposition. Then we saw coming into the picture an opposition to MIRV which, to me, was a step back from the very strong position they took.

Then we see the suggestion of compromise. The compromise would be the continuing of research and development funds but no application or installation of any actual Safeguard sites.

I do not know why we have this constant shifting on the part of the offense, if we want to call it that, unless it means that they realize they are on a lost cause and want to get back into a part of the pasture that might be more friendly to them, one from which they could defend the positions they will probably have to take.

It will be interesting to see next week the further developments along this line, because from my knowledge there will be no compromise.

The ABM system, in my opinion, must be installed. I do not agree that it will interfere in any particular way with our discussions with the Russians.

I would hope, along with all Members of the Senate, that these discussions can and will continue. And I would hope that we could get some agreement between this country and Russia that we will limit our armaments. However, I do not look forward to that. I think we only have to realize that Russia is still the biggest supplier of military equipment to the North Vietnamese to understand why some of us feel a little hesitant about being jubilant over the fact that an opportunity to talk with Russia will produce anything. If the Communists, whether they be in Russia or China or Vietnam, really want to demonstrate to the world that they mean they want peace, I would suggest they can do something at the peace talks in Paris. In other words, fish or cut bait. We have been at that place for over a year now, and nothing has happened. If these people, who represent our potential enemies, really want peace in the world, I can suggest that they start at the Paris peace talks.

I would suggest that the United States stop yielding and yielding and yielding. This country bends over backward to create peace in the world, and all we do is get into more and more trouble. I would suggest that the Communists, be they Red Chinese or Russian, stop sending supplies to North Vietnam. This to me is an act of war, and yet we allow it to go on; and we are willing to sit down and talk peace with people who, by their very actions all through history, have by covert methods—not overt, but covert methods—taken over country after country after country.

I will address myself to this later.

My great fear is that as we start to weaken ourselves, as we start to talk about cutting down armament when we need it, as we start talking about not having an ABM when we need an ABM, we are gradually working ourselves into a position of isolationism which we very richly and warmly enjoyed during the 1920's and the 1930's. I can remember those happy days, when all we had to worry about was a depression. It was not a very pleasant depression, but we did not have to worry about having to march off to war or worry about the high cost of armament. We listened to the same cries against the ROTC and the CMTC. I recall when I first went on duty with the infantry in the 1930's, as a Reserve officer, we were not allowed to wear our uniforms downtown because the town people did not like the military; and it took a war the size of World War II to convince the American people that being an officer in the military or wearing the uniform was something to be proud of. Now we hear the uniform being defiled as it was in the 1930's.

I fear that if we continue on this path, we are going to wind up a second-rate country in world politics. We will wind up a third-rate country in economics. I do not want to use economics in any of my argument, because that is material; nevertheless, we have to consider it.

I would hope that when victory finally comes, as it will, to those of us who support the ABM, the entire body will realize that what we are talking about is the future of the American people. I do not think we can negotiate with the safety of 200 million Americans. I think we are doing a wrong thing here in even attempting to deny the President something he wants, as Commander in Chief of our forces and the leader of this country.

Mr. President, I will have more to say on these subjects later.

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Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. GOLDWATER. I yield.

Mr. MURPHY. The Senator raised some very interesting points earlier in the colloquy with the Senator from Idaho (Mr. CHURCH). I wonder whether the Senator recalls the commitments in the lately arrived at so-called Nonproliferation Treaty.

Mr. GOLDWATER. Yes, I recall them.

Mr. MURPHY. In the Senator's opinion, does it commit the United States to go to war for the protection of any nonnuclear nation that is attacked by a nuclear nation nonsignatory to the treaty?

Mr. GOLDWATER. I recall that this subject was raised during the course of the debate on that treaty, and an attempt to answer it was made by the Committee on Foreign Relations. Many people feel that they did answer it to the satisfaction of the Senate. However, the language of that treaty, to me at least, indicates there is a possibility of our having to do this. It is still rather ambiguous language which has a lot to be desired if we are to know the real intent.

Mr. MURPHY. Actually, I think the language puts the decision in the usual practice at the time of the United Nations.

Mr. GOLDWATER. Well, that is true to some extent. I am more concerned about the language that requires any country to go to the defense of a nonnuclear country that is attacked by a nuclear power.

Mr. MURPHY. I would be pleased if my distinguished colleague would comment on another statement that was made, and I have heard it made continually. It is that we cannot win in Vietnam, we cannot win a victory. This has been a continuing statement which has appeared in many areas—in the press, on television, and on the floor of the Senate. I wonder whether the Senator from Arizona would comment on that.

Mr. GOLDWATER. I will comment briefly. There has crept into the American language the subject of limited warfare. There can be no limited warfare. There is no possibility. When you go to war, you make up your mind to win, or you do not go to war. That was the mistake we made in 1961, when 15,000 or 16,000 troops were sent to Southeast Asia and told to fire back. We were at war. And then we began inhibiting and restraining the military commanders in the exercise of their weaponry, in the exercise of their tactical and strategic judgment, to the point that we attempted——

The PRESIDING OFFICER (Mr. ALLEN in the chair). The 1 hour allotted to the Senator from Idaho has expired; and under the previous order, the Senator from New York (Mr. GOODELL) is to be recognized at this time.

Does the Senator from Arizona desire to ask for additional time?

Mr. GOLDWATER. I ask unanimous consent that I may have an additional 30 seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GOLDWATER. The limitation placed upon our commanders prohibited us from winning a war, as we think of war, in South Vietnam. I am convinced that we could have won that war 6 years ago, 5 years ago, at any time we wanted to, had we fought the war as wars should be fought. But when we try to fight a war halfway and we have an enemy that wants to fight it all the way, we cannot win.

Mr. MURPHY. I thank the Senator.

Mr. SYMINGTON. Mr. President, will the Senator from New York yield to me?

Mr. GOODELL. I yield.

Mr. SYMINGTON. I thank the able Senator from New York for yielding to me.

MISSOURI FARMERS HIT HARDEST BY SEVERE RAINS AND FLOODS

Mr. SYMINGTON. Mr. President, for the past 20 days Missouri has been blanketed by rain which has swollen rivers and inundated thousands of acres of prime cropland. Virtually every river valley in northern Missouri is flooded.

Missouri farmers have been hit the hardest. Crops stand dead ripe and cannot be harvested because the fields are liquid. In other areas corn and soybean plantings have been delayed or have been destroyed by floods and rain. One tract along the Salt River in northeast Missouri has been flooded 12 times this spring. If there is no relief from the weather within a few days, and none is expected, it will be too late to plant in many places and crops will be a total loss. Plantings have been delayed on over 1 million acres, I have been informed.

The Corps of Engineers stated this morning that the situation can only get worse since more rain is forecast for the rest of the week.

My colleague, Senator EAGLETON, and I have been in close touch with many Federal agencies in seeking assistance for the thousands of afflicted Missourians. However, this tragedy in Missouri, fast on the heels of disastrous floods earlier this spring, underlines once again the fact that we are providing too little too late for the farmers of this country.

As example, much of the flood damage that we are witnessing today would have been prevented had authorized flood control projects been completed. It is my belief, as I have said many times in the past, that water resources projects are our best protection against floods.

Yet year after year these vitally needed projects are put on the bottom of the list of national priorities; and this has produced a legacy of disaster in Missouri. According to the latest report furnished us by the Corps of Engineers, over the past 25 years Missouri has experienced 1,420 floods, and has sustained almost $1 billion in damages. Of this figure, $699,342,000 were losses borne by farmers and rural communities.

As an example of how out of proportion our priorities are, we are spending over $80 million a day in Vietnam, or about $18 a day for every man, woman, and child in Missouri. On the other hand, at the same time our State is wracked by disastrous floods, the budget for all Corps of Engineers projects in Missouri is only 53 percent of the Engineers' capability, or about 4 cents a day for every Missourian.

It is high time that we fund our flood control projects to full capability so that we protect the farms and communities in Missouri from annual disaster. Moreover, it is time we consider improvements in our farm programs to cope with emergency situations such as that that exists today in Missouri. Finally, we must devise new legislation to assist farmers in getting back on their feet when natural disaster strikes.

Mr. President, I ask unanimous consent to insert into the RECORD some of the correspondence which my office has received as well as other material regarding the serious situation that exists today in Missouri.

There being no objection, the material was ordered to be printed in the RECORD, as follows

MEXICO, MO., *June 25, 1969.*

Hon. STUART SYMINGTON,
Senator, U.S. Senate,
Washington, D.C.:

We, the undersigned farmers, farm leaders, and agribusiness people are sending this telegram to make you aware of a situation that exists in a large area of mid-Missouri affecting us in disaster proportions, and to ask for disaster aid of some nature to help us cope with the problem, which is:

Excess rainfall has made it impossible to get on the land to prepare it for planting the 1969 crop on all but a very few days since October of 1968. Much of the crop that was planted did not come up to stand, replantings look bad, and entire farm units have nothing growing today—this, the last week of June. The gamble involved going to further expense.

In the farming business looks extremely risky at this time, with the ground still visibly too wet to get on for at least ten more days, and more rain in all area forecasts. & the area affected involves a tremendous investment of land, equipment, labor and all farm resources. Our foreseeable income from crop production and all it entails is practically nil for 1969, at this time. & we ask you to come here if necessary to verify these facts and to see the need of help to our already risky industry which is vital to this section of Missouri.

Rose V. Dehart (Mrs. Lewis), agribusiness and farming, Mexico, Mo.; Orma E. Mackey, farmer and businessman; W. Jackson, Mexico, Mo.; Forrest T. Noel, business and chairman, 9th Congressional District Democratic Committee, Mexico, Mo.; Don Spencer, manager, Production Credit Association, Mexico, Mo.; James Botts, farmer and vice president, First National Bank, Mexico, Mo.; William Courtney, president, Mexico Savings Bank, Mexico, Mo.; Vessie Miller, president, Audrain County National Farmers Organization, Route 1, Centralia, Mo.; Earl Cook, president, Audrain County Farm Bureau, Route 3, Centralia, Mo.; Kermit Head, manager MFA division, soybean mill, Mexico, Mo.; Bob Bourn, Agribusiness Bourne Feed and Supply, Columbia, Mo.; George I. Neale, farmer and chairman of board, Mexico, Mo., MFA State Exchange, Route, Thompson, Mo.; Dan Proctor, sales representative, W. Grace Chemical Co., Route 1, Columbia, Mo.; James Worstell, farmer and farm manager, Route 3, Mexico, Mo.; Hadley Davenport, farmer, Benton City, Mo.; Gilbert Rhodes, director, Audrain County Extension Center, University of Missouri, Mexico, Mo.; Ronald R. Johnson, district conservationist, SCS, Mexico, Mo.; Jerry Isaacs, farm manager, Mexico, Mo.; Mary Bosler, office manager, ASCS office, Mexico, Mo.; Garnett Culwell, chairman, ASCS committee, Vandalia, Mo.;

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Robert Berry, ASCS committeeman, Mexico, Mo.; Glenwood Martin, ASCS committeeman, Centralia, Mo.

U.S. Department of Agriculture,
Soil Conservation Service,
Columbia, Mo., June 27, 1969.
Hon. Stuart Symington,
U.S. Senate,
Senate Office Building,
Washington, D.C.

Dear Senator Symington: Upon receipt of your telegram concerning the damage to farming operations in Audrain and other mid-Missouri counties, I requested a special report from my Area Conservationist who headquarters at Hannibal and has supervision of the staff members of our agency in the 18 northeast Missouri counties.

His report shows that in the west part of *Pike* County 50% of the crops are not planted, and in the section of some 6,000–7,000 acres cropland along the Salt River has been flooded twelve times, it is reported, this spring.

Shelby County is in better shape. They report 30% of the beans not planted, but all the corn appears to be in.

Macon County has 70% of the corn in, leaving 30% not planted and about 50% of the beans not planted. There are large areas of flat Putnam soil in Macon County in and around the vicinity of our mutual good friend, Preston Walker, that is real flat and drains slowly because of the soil type, and it will take some time to dry out.

Randolph County estimates 40% of the corn not in and 70% of the beans not in, so they will have a problem if it doesn't dry up fast.

Chariton County reports most of their corn in, 10–15% not in, and about 40% of the beans not in. There are some wet conditions in the middle branch along the Chariton River and the west branch. There is a watershed application in our Department on the Bee Branch Watershed, and there are some wet conditions in that area.

In *Linn* County, less than 50% of the corn and beans are planted, it is reported.

In the vicinity north of eastern Pike and Monroe, south Shelby, Macon, and parts of Linn County, according to our quick review, they are in trouble. It seems that the pattern of heaviest rainfall is in the flat area where the water doesn't drain and the soil is heavy. A general, quick estimate from folks who are familiar with it, including some of our agency representatives, indicates that there are approximately a million acres of land in the 18 counties of northeast Missouri that have delayed crop conditions.

If it should dry rapidly, I have seen fair crops develop at late planting, but much depends on the weather and, particularly, the area flood conditions. There, no doubt, will be some damage to small grain that is ripening, because the heavy rains and wind did flatten some of it, but with modern machinery, they are doing a better job of picking up flattened grain.

I am informed that the disaster committees are meeting and making their estimates through channels to the state disaster committee which, in turn will pass on their recommendations to the Governor, who then takes it on through channels, presumably through the delegation and the Departments. The State Disaster Committee is made up of the Chairman of the ASCS Committee, the Farmers Home Administration Director, and the Extension Service officials. We have been asked as consultants. The same counterpart agencies are on the county disaster committee, and they are meeting. I understand the Audrain County committee will meet today, and they did have a special meeting yesterday.

I do appreciate your wire and have been in touch with the Farmers Home Administration and the ASCS folks. We are counseling with our county offices to see just what we might develop in the way of a program. We have no funds for this type of emergency work unless it comes through the disaster program known as the F–4 program through the ASCS. Then we give technical assistance for practices that could be built, such as terraces, waterways, ponds, etc. The FHA indicated that they have some loaning possibilities, but I would hesitate to state the extent of it, but I am sure they are responding, since they had the same information in your telegram.

The Governor's office is alerted, because the Commissioner of Agriculture, Dexter Davis, has been in touch with the agencies. I assure you, Senator Symington, that we will be alert to this situation and will be counseling closely with the local leaders as to the best approach to take within the applicable authorities that are available. Working as a team among the agencies, I hope that we can develop some helpful activities.

We have had so much rain here and are much above normal right here in our own community. I am in touch with all sections of the state and, so far as I know, outside of a few isolated spots, Missouri is very, very wet. The weather report is pessimistic, reporting showers again. There have been tornado watches recently, and last Sunday, as you know, there was tornado damage around the lead mining area south of St. Louis. We will be very grateful when this weather clears and gives the farmers an opportunity to get their hay in and their small grain harvested and, late as it is, get their beans and early maturing corn planted. Much of it now is in the hands of the Lord to see what kind of weather we have in the next 90 to 100 days.

If there is further information that we can provide, please let us know.

Sincerely yours,
Howard C. Jackson,
State Conservationist.

Cooperative Extension Service,
Columbia, Mo., June 27, 1969.
Hon. Stuart Symington,
U.S. Senator,
Senate Office Building,
Washington, D.C.

Dear Senator Symington: This will acknowledge your telegram about the serious damage to farming operations in this part of the state. The situation is, indeed, serious and we will do whatever we can to help develop alternatives for the people. Thank you for bringing this to our attention.

Yours very truly,
C. B. Ratchford,
Vice-President of the University of Missouri for Extension.

Perry, Mo.,
July 1, 1969.
Hon. Stuart Symington,
Senate Office Building,
Washington, D.C.

Dear Sir: The farm operations in Ralls County, Missouri have been so hampered by adverse weather conditions and above average rainfall that we deem it expedient that the situation be directed to your attention.

The planting season is almost past for production of our two major crops of corn and beans. Seeding is behind schedule to such an extent that many farmer's income will be reduced to such an amount they will show big losses on their 1969 operations.

Knowing these facts and having access to other statistical information through your farm advisor may enable you to consider measures which you may take to alleviate some of the farmer's financial problems because of the lack of production prospects.

Release of pasture use through A.S.C.S. either for grazing or for hay production would aid some farmers.

Since some of the major problems arise from high interest rates now being charged it would materially benefit some farmers to make available funds through existing government agencies at low interest rates for the farmers to help themselves.

Either of these suggestions is based primarily on making available to the farmer a means of being self-supporting.

Being aware of the problem will no doubt enable you to also offer your help to these farmers for whom the government may provide some degree of aid.

Many have gone in debt for their machinery, their fertilizer, their seed and their labor—all of which are very high at the present time.

Some of the families in this area who have engaged in farming for two, three or even four generations are very discouraged by the bleak outlook as a result of poor production prospects and a general low return on farm operations. They feel they have never had a fair share of the prosperity of our country during this century.

Your office could provide material benefits through existing government agencies if you direct your attention to getting it done.

The farmers of Northeast Missouri will appreciate any action you can take to alleviate their problems and if you will use your influence in their behalf.

Respectfully,
Mrs. E. R (Bess) Caldwell.

Excelsior Springs, Mo.,
July 3, 1969.
Senator Stuart Symington,
Washington, D.C.:

Flash flooding from East and Dry Forks of Fishing River resulting in extensive damage to business and residential areas of city. More rain forecast. Your continued interest and support in our flood control project sincerely appreciated.

Earl McElwee,
Mayor, City of Excelsior Springs, Mo.
Clarence Snyder,
Chairman, Area Lakes Committee (Fishing River Project).

U.S. Department of Agriculture,
Federal Crop Insurance Corp.,
Sedalia, Mo., July 2, 1969.
Hon. Stuart Symington,
U.S. Senate,
Washington, D.C.

Dear Senator Symington: We in Federal Crop Insurance in Missouri are doing everything possible to alleviate the pitiful situation that we have here in Missouri, caused by extremely wet weather. Our problem is that we were unable to sell and insure only between 2% and 3% of the potential that could have been insured in the State of Missouri.

This general condition of wet weather over Missouri has existed since last October, and in my opinion, exceeds the damage of the 1951 flood, and compares very much to the year of 1935 when continuous wet weather prevented many spring crops from being planted, and also prevented the wheat crop in 1935 from being harvested. Fully one-half to two-thirds of the Missouri wheat crop (northern two-thirds of the State) is standing dead-ripe and cannot be harvested, and, as you know, wet weather soon brings the weeds up through the wheat and then harvest is prevented. This very bad year, together with high costs of money and machinery, will result in the loss of many of our farmers to the cities to find jobs this next winter, and probably thereafter.

I am not in dispute with the crop reporting service, but you know that many of the crops that have been reported planted have been lost from flood. Every stream from the Marais des Cygnes and Osage River on the West, to the Salt River on the East, has been

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flooded sometime during the past three weeks.

These are the conditions as I see them as of today.

Sincerely,

Wm. W. Marshall,
State Director, FCIC.

Excelsior Springs, Mo.,
July 3, 1969.

Hon. Stuart Symington,
U.S. Senate,
Washington, D.C.

Dear Stuart: Our town is flooding again and eighty percent chance of more rain. I know of the Vietnam war. Many of our boys, including my son, are in Vietnam. We may not have a town for them to return to. Our buildings are damaged from past floods and we can't build new ones, because of reoccurring floods. We need emergency aid now. Something must be done to stop this flooding.

Respectfully yours,

C. W. Risley.

Salisbury, Mo.,
July 8, 1969.

Hon. Stuart Symington,
U.S. Senate Office Building,
Washington, D.C.:

Twenty-six thousand acres of farm land now inundated by floods in Chariton County, Mo. Estimated losses at this time will exceed $2½ million in this county alone.

Marion Mahnken,
Chariton Basin Flood Control and Conservation Association.

Brunswick, Mo.,
July 7, 1969.

Senator Stuart Symington,
Senate Office Building,
Washington, D.C.:

Prolonged and excessive rains have caused heavy damage to conservation practices and structures in Missouri. Request your support for full 195 million for ASC conservation program.

W. B. Hibler, Jr.,
State Representative.

[From the Columbia (Mo.) Missourian, July 8, 1969]

Farmers May Get Assistance

According to E. S. Wilcox, office manager of the Boone County Agricultural Stabilization and Conservation Committee, less than 50 per cent of the normal planting in the region has been accomplished due to the near record rains during the month of June.

The weather bureau has reported that the slightly more than 10 inches of rain last month made June the second wettest June here since 1928, when a record of 14.86 inches fell. While nice for ducks, the rain has severely hindered the production of the area's farmers.

Wednesday the Boone County Disaster Committee recommended to the State Disaster Committee that the entire Boone County farm land be designated a disaster area because of crop damage from rain.

The state committee did not immediately accept the county committee's recommendation but said it was possible the area could be designated a disaster area if agricultural conditions in other counties are as bad as local conditions.

Since recent reports reveal that wheat harvesting has been slowed to 23 per cent compared with 41 per cent of the total crop in 1968, oat harvesting is down by half of what it was a year ago, and hay harvesting is only 19 per cent for 1969 compared with 29 per cent in 1968, the possibility still remains that regional farmers will get assistance from the available state and federal funds.

Most area farmers would be grateful for the assistance.

Cairo, Mo.,
July 9, 1969.

Senator Stuart Symington,
U.S. Senate Office Building,
Washington, D.C.:

Floods have inundated 10,000 acres of cropland along East Fork and tributaries of the Little Chariton River in Randolph County. Estimated loss in the county will exceed $1 million.

Respectfully,

Richard E. Cochran,
Director, Little Chariton Drainage District.

Triplett, Mo.,
July 8, 1969.

Senator Stuart Symington,
Senate Office Building,
Washington, D.C.

Dear Senator Symington: All too often our lawmakers hear from their constituents only when requesting action for one reason or another. In this period of heavy rain and floods I know that I speak for many in northwest Missouri when I say, "Thank you for your excellent statement before the Senate Appropriations Subcommittee on Public Works."

Certainly the residents of Pattonsburg are being subjected to conditions which seem grossly unfair. I'm sure all sources of funds for the prompt payment for their properties have been considered. However, when we read of various expenditures, something seems out of balance. Your statement of July 7 on wasteful spending for land adjacent to reservoirs may be one answer.

In the midst of another flood which will cost the residents in Grand River Basin millions of dollars, many of us find it difficult to understand why a relatively small amount of money cannot be appropriated as a permanent cure for these ills—not all at once but at least a reasonable start on this approved program.

In reading your various statements we are gratified that you continue to search for answers to these along with many other problems.

Again, thank you for your efforts for water control and development—particularly in the Grand River Basin. Hopefully your continued efforts will remove us from the orphan class before long.

Sincerely and respectfully yours,

William O. Gaines.

Partial list of estimated flood losses in the State of Missouri as reported by the Corps of Engineers, July 11, 1969

St. Louis District:	
St. Louis County	$195,000
Pike County	1,826,000
Lincoln County	1,604,000
St. Charles County	867,000
Jefferson County	62,000
Perry County	127,000
Cape Girardeau County	59,000
Scott County	318,000
Mississippi County	37,000
St. Genevieve County	101,000
Subtotal	5,196,000
Kansas City District:	
Chariton River Basin (25,000 acres flooded)	1,300,000
Grand River Basin (15,000 acres flooded)	1,200,000
Subtotal	2,500,000
Total	7,696,000

Mr. FULBRIGHT. Mr. President, will the Senator yield for a comment?

Mr. SYMINGTON. I yield.

Mr. FULBRIGHT. Mr. President, I wish to associate myself with the Senator's comments. Arkansas, being just below Missouri, gets a lot of runoff, especially in the northeast section of my State. We have a very serious problem in connection with the flood control situation. For several weeks the runoff from the State of Missouri has contributed a substantial amount of water, particularly around the area of Blytheville. I am inclined to agree with the Senator's views in connection with this matter.

Mr. SYMINGTON. I thank the Senator.

Mr. EAGLETON. Mr. President, heavy rains and a lack of appropriations for authorized flood control facilities have, once again, combined to wreak havoc on the farmers of Missouri.

For 3 straight weeks most of northern, western, and central Missouri have been hit by continuous torrential downpours. The result has been severe flooding along scores of rivers and streams, and the literal drowning of thousands and thousands of the State's best cropland.

Crops already planted have been lost through wind and storm damage or because the flooded fields prevent harvesting. Worse than that are the more than 1 million acres on which planting has been delayed—to the point that if the rains continue, as the weather forecasts predict, it will be too late to plant at all.

The damage, estimated in the millions of dollars, has affected thousands of Missourians. The senior Senator from Missouri (Mr. Symington) and I have been working to assist these victims. But the best assistance is the assistance provided before disaster strikes—although Congress should seek better ways to help farmers recover afterwards than are now available.

For many years my colleague (Mr. Symington) has been taking the Senate floor to ask for funding of flood control projects to full capability. Since I became a Member of this body, I have taken the floor several times to make the same request.

I requested it a week ago Wednesday, when Missouri had experienced 2 weeks of flooding. Today, I again request it.

As the thousands of farmers in Missouri who annually suffer the ravages of floods can attest, or as the millions of hungry people in this land of plenty can tell you, this Nation desperately needs a reordering of its priorities. This country needs much more attention paid to its domestic problems.

One of these is flood prevention and control. It is time for us to see that our priorities are radically shifted. In such a shift, I believe, water resource projects should go from near the bottom to near the top of the list.

ORDER OF BUSINESS

Mr. FULBRIGHT. Mr. President, will the Senator from New York yield to me briefly?

Mr. GOODELL. I had only 20 minutes and 7 minutes of that time has gone.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that 7 minutes be added to the Senator's time.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE KENNEDY CENTER

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the Record at the conclusion of my remarks an article entitled "A Rebuttal," written by Roger L. Stevens and published in the Washington Post several days ago. The article is in answer to an article by Nicholas Von Hoffman, relative to the Kennedy Center.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 1.)

Mr. FULBRIGHT. Mr. President, I also ask unanimous consent to have printed in the Record at the conclusion of my remarks an article entitled "House Votes Funds for Kennedy Center," published in the Evening Star of July 9, 1969.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 2.)

Mr. FULBRIGHT. I am very pleased that the House of Representatives has voted on the matter of the new appropriation for the Kennedy Center. When this bill comes to the Senate I will have more to say about it. At this time I wish to say that I think the charges made with regard to the architect of the Kennedy Center are not well founded and I wish to call attention to the fact that the General Services Administration has been employed at a very substantial fee to oversee and check upon the technical matters involved in the Center. If there has been any fault in the planning, construction, and cost of steel, it should be shared with the General Services Administration.

I regret the costs have gone higher than the original estimates, but I do not know of any activity of a public nature that has not also had this experience. The matter of the overrun in connection with the Kennedy Center is de minimus to overruns we read about daily in other areas of Government, especially in the Department of Defense.

In that connection, I ask unanimous consent to have printed in the Record an article entitled "Hill Panel Charges Army With Deceit on Tank Flaws," which was published in the Washington Post of July 10, 1969.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 3.)

Exhibit 1

[From the Washington (D.C.) Post]

A Rebuttal

(Note.—This article is in reply to Nicholas von Hoffman's column, "They and the People's Music," in the June 30 issue of The Washington Post. Mr. Stevens is chairman of the board of Trustees of the John F. Kennedy Center for the Performing Arts.)

(By Roger L. Stevens)

For those who may have been misled by Mr. von Hoffman's recent article in the Post, "They and the People's Music," and were therefore under the impression that he was the Kennedy Center's music adviser, programmer and chief dispenser of tickets, it might be useful to set the record straight.

Mr. von Hoffman has been given the opportunity, on more than one occasion, to familiarize himself with the Kennedy Center's programming plans. For reasons of his own, he has shown no interest in ascertaining what the facts are.

George London, artistic administrator of the Center, has explained on various public occasions—and recently on television—what the plans are for the Center and it's just possible that he knows more about the Center's programming than does Mr. von Hoffman.

Our music adviser, Julius Rudel, director of the New York City Center Opera, and famous for having brought opera to the people at bargain prices, has recommended that all types of music be brought to the Center.

Contrary to Mr. von Hoffman's assertion that the Center's Opera House will be used only for grand opera, no one has ever envisaged that there will be grand opera for more than a few weeks each year. We have been negotiating with the New York City Opera Company to appear each season at the Center, possibly in the fall and in the spring. But long ago the American Ballet Theatre was selected as the resident ballet company for the Center and Mr. London has spoken publicly of the Center's plans to invite, along with the Washington National Ballet Company, the country's outstanding modern dance groups, including such companies as Martha Graham, the Joffrey Ballet, Merce Cunningham, Harkness Ballet, Alvin Ailey, etc., to appear in the Opera House.

It hasn't occurred to Mr. von Hoffman that the Opera House could be given over to the runs of productions of muscal comedy—the great American lyric theater form—but it has to the Center's planners—as George London has pointed out on many occasions. We will have the very best musicals on their pre-or-post Broadway tours and we are currently discussing the possibility of bringing some productions of Edwin Lester's highly successful Civic Light Opera on the West Coast to the Center.

As Mr. London said just last week, and not for the first time, in the Concert Hall, with its 2700 seats, we are planning to bring the world's greatest classical artists—orchestras, instrumentalists, vocalists, etc. We also plan to involve the mainstreams of American music—and this will include everything from Bach to rock.

We plan to open the Concert Hall with a festival of the leading American orchestras—the Cleveland, the Boston, the New York, the Philadelphia, and we particularly hope to work out mutually satisfactory arrangements with the Washington National Symphony. But we also plan to do jazz festivals with all the leading soloists, ensembles, orchestras, etc., in the jazz world.

The Film Theater will be used for film festivals and we envisage many public service performances of films. This multi-purpose theater will also be adapted for children's programs and such concerts as chamber music when a smaller theatre is desirable.

The recently concluded and very successful American College Theatre Festival, sponsored in part by the Friends of the Kennedy Center, is the sort of project we envisage for the Center. The Festival brought the best of 180 college theater groups to Washington thus fulfilling a Center responsibility to search for and recognize new talent.

We are also developing an educational program which we hope will serve not only the children of this city, but the literally millions of children who pour into Washington from all over the country each year.

These are our plans and if they conflict with Mr. von Hoffman's prejudices and predilections, it is just possible that they conform to the expectations of those who want the Center to bring to Washington the best there is in the performing arts.

Exhibit 2

[From the Washington (D.C.) Evening Star, July 9, 1969]

House Votes Funds for Kennedy Center

(By Roberta Hornig)

The House voted yesterday to bail the John F. Kennedy Center for the Performing Arts out of its present money problems by giving it the $7.5 million it needs to get finished.

But it was a long, hard fight, taking some three and half hours of debate before the final vote of 210 to 162. The issue now must go to the Senate.

Rep. Kenneth Gray, D-Ill., chairman of a public works sub-committee who sponsored the money bill, pointed out that the cultural center on the shores of the Potomac is now 50 percent finished and added, "If this building is to be completed we must have this legislation. It's that simple."

STEVENS, EFFORT NOTED

Gray also argued that Roger Stevens, head of the center's board of trustees, has thus far raised $24 million in private funds, working without any compensation. "Wouldn't it be great, if all public buildings could get matching funds?" he asked.

But Rep. Frank Bow, R-Ohio, ranking GOP member of the House Appropriations Committee, called the Kennedy Center "a national disgrace" and a "beautiful morgue." A few minutes after the tirade, he collapsed on the House floor. He was treated by physicians before being taken away on a stretcher.

He was taken immediately to Bethesda Naval Hospital. A spokesman in Bow's office today said tests, including a cardiogram, disclosed no evidence of a heart attack, but that the legislator was expected to remain at the hospital for a day or two more.

Rep. H. R. Gross, R-Iowa, called the center a "white elephant" and said he was "surprised" that Aristotle Onassis, the new husband of Jacqueline Kennedy, widow of the slain president, isn't giving some of his money to the center.

Although he said he would vote for the appropriation, House Minority leader Gerald Ford, R-Mich., said the General Services Administration, which oversees all federal buildings, is investigating possible action against the center's architect, Edward Durrel Stone, who allegedly miscalculated how much the facility's structural steel would cost.

Ford said he also plans to have the General Accounting Office and the Justice Department "look into the matter" of what he calls a "$2.7 million unconscionable error on the part of Stone."

ARGUE ON ORIGINAL COST

Other congressmen argued that the center trustees had given their word the building would never cost the nation more than the original $15.5 million appropriation and claimed that President Kennedy already had enough monuments in his honor.

Center advocates argued that the building was being put in the same position as the Washington Monument which was left unfinished between 1854 and 1876 because Congress would not cough up the necessary money. They also argued that it would be a national disgrace if the Kennedy Center were left unfinished.

Besides increasing the congressional appropriation for the center by $7.5 million . . . from $15.5 to $23 million, the act also boosted the bonding authorization for the parking garage from the original $15.4 to $20.4 million.

The original cost of the center was to have been $46 million. The total cost is now estimated at $66.4 million.

Exhibit 3

[From the Washington (D.C.) Post, July 10, 1969]

Hill Panel Charges Army With Deceit on Tank Flaws

(By Richard Homan)

Top Army officials prepared misleading reports and gave false information to Congress in a successful effort to continue development of the Sheridan assault vehicle in the face of repeated testing failures, a House investigating subcommittee charged yesterday.

After 10 years of effort at a cost estimated at between $1.2 billion and $2.5 billion, the subcommittee said, the Army still has not produced a satisfactory version of the tank-like vehicle and "hundreds of defective Sheridans remain in storage."

Nevertheless, at each "milestone" of development, when progress was to be reviewed and decision for stepped up production made, Army agencies officially reported unsolved problems as solved in order to receive additional funds without drawing scrutiny by the Defense Department or Bureau of the Budget, the subcommittee said.

The Army said in a statement that the subcommittee report "does not give full weight to the combat performance of the Sheridan" in Vietnam. "It is the Army's view that the introduction of the Sheridan has significatnly increased the firepower, mobility and over-all combat capability of our armored cavalry forces in Vietnam," the statement said. It claimed the Sheridan "enjoys a high level of troop confidence."

"Misleading reports and unwarranted overconfidence of Army developers also influenced these decisions to produce these various articles," the committee said of the Sheridan, its Shillelagh anti-tank missile and associated vehicles.

"Despite continuing development failures, production decisions on almost every one of the items covered by this report were made so that an appearance of satisfactory progress would lessen the chance for searching and critical reviews by 'those who control funds' in the Office of the Secretary of Defense and the Bureau of the Budget."

"When the Army requested funds to procure additional missile trainers, Congress was informed (in 1967 budget hearings) that the trainers were satisfactory and were 'in the hands of the troops right now.' In actual fact, at that very point in time the trainers had proved entirely unsatisfactory and were about to be returned to the contractor for a major redesign effort."

The report was prepared by a four-member House Armed Services investigating subcommittee, headed by Rep. Samuel S. Stratton (D-N.Y.) after April hearings, most of them closed.

"We would like to have the heads of several people that have misled us," Rep. William L. Dickinson (R-Ala.), one of the subcommittee, said at a press conference. "But what can Congress do?"

The report named none of the individuals suspected of supplying misleading information.

It confirmed earlier reports that the Army sent 64 Sheridans, produced by General Motors, to Vietnam for combat use last January despite warnings from the project manager's office that they were hazardous and not ready for operational use.

Numerous problems cropped up with the vehicles there, making their use in combat unsatisfactory and dangerous, according to the report.

The Army refused to declassify testimony that "might further support our contentions," Stratton said.

For instance, it deleted from the final report as "classified information" a committee finding, obtained elsewhere, that "due to the unusual preproduction procedures employed, plus lack of any test data, the inescapable conclusion must be that the (Sheridan's) searchlight is of unproven dependability or possibly even unacceptable."

It also deleted the number of additional Sheridans—171—that the Army is shipping to Vietnam.

Lt. Gen. Austin W. Betts, chief of Army research and development since the early days of the Sheridan, maintained recently that the vehicles operated well in Vietnam and that difficulties encountered were the result of shoddy manufacture and incorrect use by the troops.

Stratton produced letters from Sheridan crewmen detailing the vehicle's combat shortcomings.

Despite the many problems, Sheridans continued to be mass produced and hundreds are now awaiting costly modifications before they can be used, the subcommittee said.

The PRESIDING OFFICER. Under the previous order, the Senator from New York is recognized.

NEW CHAPTER IN THE BIAFRAN TRAGEDY

Mr. GOODELL. Mr. President, 4 weeks from today, the specter of wholesale starvation may once again stalk Biafra.

Unless we act, we will once again be witness to the death of millions of innocent children.

We will once more confront a vast "conscience gap" between our humanitarian ideals and the grim realities of international politics.

The shadow of this human tragedy will fall not only upon the Biafrans but upon the entire world.

Last year, over a million Biafrans, mostly young children, died of hunger. Then, for a time, a great international relief effort, supported by governments and concerned private citizens the world over, staved off further tragedy. A tenuous lifeline of Red Cross and Joint Church Aid relief flights into Biafra supplied enough precious protein food to hold famine at bay.

Now, this lifeline has been cut.

The Nigerian military government has prohibited all international relief flights into the stricken enclave. Its Russian-built fighters have shot down an unarmed Red Cross plane, killing its crew. It has warned that other mercy flights will meet the same fate.

Because of this Nigerian blockade, Red Cross flights have stopped, and Joint Church Aid deliveries have slowed down to a mere trickle.

Life-sustaining protein foods are no longer reaching Biafra.

Dr. Jean Mayer—the internationally known Harvard nutritionist who accompanied me on my trip to Biafra and now has been chosen by the President to organize the White House Conference on Food, Nutrition, and Health—has estimated that wholesale deaths resulting from protein deficiency will start occurring within the next 3 or 4 weeks. Other experts overwhelmingly concur in this judgment.

The ones who will die first are the young children who need protein to grow.

The words and the actions of the Nigerian military government strongly suggest that it is now determined to use the starvation of millions of children to achieve the victory that has so far eluded it on the battlefield.

In a statement that will long be remembered for its cynicism, Brigadier Katsina, the Chief of Staff of the Nigerian Army, explained the real purpose of the Nigerian moves, saying:

> I will not feed somebody I am fighting.

I wonder if he considers that he is fighting the little children in Biafra. Similar assertions have been made by other high Nigerian officials, and indicate that the cruelest and most regressive elements are gaining a dominant voice in Nigerian Government circles.

These harsh words have been confirmed by much of the recent behavior of the Nigerian military government, such as the destruction of the Red Cross plane, the imposition of the blockade, and the arrest and expulsion of the Red Cross relief coordinator, Dr. Lindt.

Must we really accept from a nation to which we provide millions in economic aid the use of famine as an instrument of policy?

Are we, despite our great wealth and influence, powerless to bring the Nigerian military government to reason?

If we are determined—as we certainly must be—to avoid becoming involved in a military conflict in Africa, is there nothing we can do to induce the Nigerian authorities to honor their commitments to permit relief to pass?

Have we no influence among other African governments that would induce them to assert a more active role in reopening relief routes?

I cannot believe this is so.

It is not my intention to assert that the Biafran authorities have been blameless. They have often been needlessly dogmatic; for example, in their blanket refusal to accept any relief deliveries originating in Nigerian territory.

Again, I cannot believe we are impotent to induce the Biafrans to adopt a more flexible position, consistent with their security.

Responsibility for this tragedy does not lie solely with the Nigerians and the Biafrans.

Three great powers—Britain, Russia, and France—bear a grave responsibility.

They are the ones that have been the arms merchants for this bloody conflict.

They are the ones that have been treating this war as a battleground of their selfish interests.

Russia's sinister part in this tragedy is hardly surprising, as it has long been openly contemptuous of humanitarian considerations in its foreign policy.

The British, however, for centuries have had a great humanitarian tradition.

This makes the cynical role of the government of Prime Minister Harold Wilson so particularly distressing.

This makes it hard to comprehend that the man who holds the office of Gladstone and Churchill is seemingly more preoccupied with black oil under the ground than with black people suffering above it.

Britain has for years been the chief supplier of military and economic aid to Nigeria. The Wilson government has chosen to use this aid to arm and finance the war against Biafra.

Britain has for years had more diplomatic influence in Nigeria than any other nation. The Wilson government has chosen to utilize this influence to support the hard-line elements in Nigeria.

Britain has been our closest ally for over a century. Our two governments have for years cooperated in seeking just solutions to difficult world problems.

If we are serious in our desire to avert the imminent famine in Biafra, is there nothing we can do to persuade our British allies to do likewise?

Have we really exhausted the legitimate means available to us to secure a more humanitarian policy by an old and trusted ally?

I cannot believe this is so.

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The United Nations and its Secretary General also bear a responsibility. Despite a 1968 U.N. study report that 2 million Biafrans perished by hunger, the United Nations has done nothing of real significance regarding the famine conditions in Biafra.

In a statement that can at best be described as naive, Secretary General Thant has dismissed as an internal problem a conflict that has been encouraged, financed, and supplied by three of the major powers.

Is the United Nations so weak that it can do nothing to avert a famine in which millions may die?

Is our influence in this great international body so small that we cannot move it to action?

I cannot believe this is so.

And what of our own policies?

The United States, at least, has never involved itself in supplying armaments for the Nigerian civil war. The fact that we, alone of the great powers, have not had direct arms involvement gives us a unique opportunity to expedite relief.

The Johnson administration, however, failed to make use of this opportunity.

Its policy was largely dictated by the State Department's Africa Desk, which was so "hung up" on the doctrine of "one Nigeria" that it relegated aid for the starving to a subordinate role. Gullible State Department officials believed British and Nigerian claims that a "quick kill"—a fast victory by Federal troops—was the best way of reuniting the country and alleviating suffering. Growing popular sentiment for an expanded relief effort was resisted by the Africa Desk on the grounds that it would impede the prompt reunification of the country.

That Africa Desk at the working level remains largely the same today. That Africa Desk must be changed if we are to have an enlightened policy in Africa.

The Nixon administration has brought about some significant changes in the direction of American policy.

President Nixon, during the 1968 campaign, spoke out forcefully in favor of a major relief effort.

On my return from Biafra in February of this year, the administration gave me, and I announced, the assurance that:

> The United States Government will make available to relief agencies on a feasible and emergency basis such cargo planes, ships, maintenance personnel, and parts as are found to be necessary to perform the humanitarian mission of getting food and medical supplies to the starving people in Nigeria and Biafra.

Following this, the Nixon administration appointed a Special Coordinator for Relief, Prof. C. Clyde Ferguson of Rutgers University. He was charged "with assuring that the U.S. contribution to the international relief effort is responsive to increased needs to the maximum extent possible and that they are effectively utilized."

Professor Ferguson's appointment was significant not only because of his unquestioned ability, but also because he was not identified with the State Department Africa desk and its policies. He has gone to Biafra and Nigeria on repeated occasions to negotiate relief procedures. Before his appointment, no administration official had ever been inside Biafra.

Ambassador Ferguson has undertaken a major effort to secure a water route up the Cross River for delivering supplies. He arranged for the chartering of two 900-ton LSM landing ships to the Red Cross, which would proceed up the river from a point on the Nigerian coast to a point in Biafra. Each ship would be able to deliver three times the volume of the average nightly airlift deliveries before the blockade, and the plan has the further advantages of simplicity and reduced expense.

The Nigerian Government, after having agreed in principle to the use of the ships, has apparently retreated again into a position of intransigence. Thus, Mr. Ferguson's excellent plan remains to be implemented, and the ships are still anchored in Lagos.

Another hopeful sign is the July 2 statement of Secretary of State Rogers, deploring the Nigerian relief blockade, and proposing a plan for resuming the flow of relief supplies through use of the Cross River route, a temporary resumption of night relief flights, and the establishment of daytime flights.

Now, further steps are urgently needed to avert the imminent threat of mass starvation caused by the Nigerian blockade.

I urge the administration to take the strong measures needed to meet the present emergency.

These measures can alleviate the impending starvation without embroiling us in the military conflict in Nigeria.

Specifically, I recommend the following steps:

First. The administration should make it clear that it is concerned with humanitarian objectives, not with achieving any particular political solution of the Nigerian conflict. Whether Nigeria and Biafra are ultimately united in one nation or divided in two cannot be a matter for us to decide; it is a decision to be made by the people involved.

Second. The United States should warn the Nigerian military government in the clearest terms that it will not provide economic or other support to any regime that, by its words or, more importantly, by its actions, shows that it has undertaken to use starvation as a means of achieving military objectives.

Third. The United States should use the strongest forms of persuasion to induce the Nigerian military government to lift its blackade and permit the resumption of Red Cross, Joint Church Aid and other internationally sponsored relief flights. It should likewise act to induce the Federal military government to honor its commitments to allow relief supplies to move by ship up the Cross River.

In seeking this objective, the United States should make full use not only of its contacts with the two sides of the conflict, but also its influence with other individual African states, the great powers, the United Nations and the Organization of African Unity.

If other initiatives fail to break the stalemate, the United States should be prepared in appropriate circumstances to consider the withdrawal of all or a portion of its regular economic aid to Nigeria.

Meanwhile, the United States should continue to work with both sides toward the development of alternative relief techniques—such as daytime flights or air drops—having adequate inspection procedures and adequate guarantees to the security of both sides.

Fourth. The United States should insist that Britain, Russia, and France promptly terminate their arms shipments into Nigeria and Biafra.

None of these steps would entail our shipping arms or troops, or otherwise becoming directly embroiled in the conflict. Thus none of these steps entail the risk of an "African Vietnam."

In fact, these measures will decrease the danger of conflict, by reducing tensions in the area and helping to secure a disengagement of the great powers in Africa. In short, they will help take the cold war out of Africa.

Finally, these steps will help achieve the humanitarian objective for which the United States has stood for so long. They will close the "conscience gap" that has grown between our ideals and the policies we have in fact been pursuing in the past. They will help restore the confidence of the American people that our Government is determined and able to avert human suffering.

The dimensions of this impending human tragedy have been plainly laid before us. We can no longer plead ignorance. We can no longer turn our eyes to avoid it. We can no longer be satisfied with polite murmurings of distress. We must act.

I am convinced that men of good will in this war-torn century are wise enough and generous enough to prevent this imminent disaster.

Mr. MURPHY. Mr. President, will the Senator from New York yield?

Mr. GOODELL. I yield.

Mr. MURPHY. I should like to congratulate the Senator from New York on the excellent statement he has just made. I associate myself with his remarks.

I should like to ask the Senator this question; it arises from the circumstances in this Chamber during the past few days:

The ebb and flow of the tide of opinion is whether we should continue to try to make our influence felt as the strongest, most productive, and most progressive, leading nation in the world, or whether we should retract and come back into the position of isolationism which we practiced during the 1920's.

I have been thinking about this. It bothers me that the matter of Biafra has been permitted to continue over this long period of time, making absolutely no sense, no reason. This is an action which might have happened back in the dark ages, but it makes no sense that, in this enlightened time, it should be permitted.

I should like to ask my distinguished colleague if he knows—and I am sorry to say I do not at the moment—the amount of aid we send to the Nigerian Government.

Mr. GOODELL. Yes, I do. First, I thank the Senator from California for his comments and for his agreement with my statement. I think that is very important.

We are now sending to the Nigerian Federal Government aid in two broad

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categories. One is the general foreign aid program economic development in Nigeria, which amounts to about $15 million. The other is relief aid for the hungry in Nigeria, which amounts to about $60 million.

It has been our approach throughout this conflict that we want to aid starving people wherever they are. It was my approach, when I went to Nigeria and Biafra, to strive for better ways to help starving people within Nigeria controlled by the Federal military government, as well as to find ways to break the impasse and get food and medical supplies flowing to the Biafran enclave.

We have been generous with our aid. I think we should continue to be generous. But there comes a time when the political leadership of a government has declared, openly by its words, and more importantly by its actions, that it is deliberately using starvation as a weapon of war, when I think we must pause and consider whether our people will support such a government with economic development aid.

Mr. MURPHY. I congratulate the distinguished Senator. I should like to join him in any way that I can to make it absolutely clear, and immediately clear—not during the duration of long discussions by diplomats, but on a practical basis—possibly to urge that the President take action by sending an immediate emissary to explain that we cannot be party to these happenings any longer and with respect to any help going into that country, or in any other way short of military involvement or actual invasion, we will bring whatever proper legal pressures are at our disposal to see that this horrible condition is stopped. It has gone on far too long.

I would be more than pleased to join with my distinguished colleague in any action or in any ideas he has to find the method, whether it be through the United Nations or otherwise. Sometimes, I must say, I am saddened and shocked at the inability of what we thought was the last great hope of humanity. It seems to lack complete strength, power, and capability to get into an affair like this and be effective.

But I congratulate my colleague. I think the more is said about this particular unfortunate occurrence in the world, the sooner we may find answers to it and the cessation of that horrible condition.

Mr. GOODELL. I thank the Senator from California. I shall be glad to work with him in the future. I think the time is now for changes in policy and for action that can prevent the disaster. I believe the Organization of African Unity, the United Nations, Britain, the Soviet Union, France, but, most importantly, the United States can act now to bring about a solution to the problem of starvation in that country. I would like to reemphasize that I do not believe we can become involved in the internal conflict and dictate to them how this issue will be solved in Nigeria, Biafra, or wherever else. We can be available with our good offices and help with negotiations, if we reach that stage; but time is running out, and we must act now in a humanitarian endeavor.

ORDER OF BUSINESS

The **PRESIDING OFFICER.** What is the pleasure of the Senate?

Mr. STENNIS. Mr. President, I have some morning business.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

LIMITATION ON STATEMENTS DURING TRANSACTION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour, with a time limitation of 3 minutes on statements related to morning business.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, may I say I make this request just to get into the normal order of procedure. There may be one or two Senators who want to speak longer.

Mr. TOWER. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. TOWER. I believe there is a consent agreement that I be recognized immediately at the conclusion of the morning hour. Is that correct?

The **PRESIDING OFFICER.** At the conclusion of morning business; that is correct.

REDUCTION IN MILITARY PROCUREMENT AUTHORIZATIONS

Mr. STENNIS. Mr. President, I would like to insert into the Record some figures and statistics that I know will be of interest to Senators. They pertain to the bill which is now under debate in the Senate and, in a way, this statement is a summary of the effects of some of the reductions the committee made in the bill.

The Armed Services Committee has recommended a reduction in research and development, test, and engineering funds in this bill slightly over $1 billion. It will be of interest to the Senators to realize that a number of these reductons, while they involve relatively small sums in fiscal year 1970, are like the tip of an iceberg that shows above the water, and these modest reductions this year, by nipping certain programs in the bud at an early stage of development, will result in this Nation's not spending many billions of dollars for the deployment of these weapon systems in the future.

I should like to list a few of these systems with the fiscal year 1970 savings or deletions by the committee and show alongside these figures the sums which might have been spent in the future to deploy these weapon systems.

The first item on that list is the SAM–D surface-to-air missile. The deletion was $75 million in the present budget; but if the recommendations of the committee should stand the estimated total investment of research and development and production would be $2.5 billion.

That is an illustration of the actions we are taking with reference to future programs as they have been strung out over the years. The judgment of the committee was that the missile was not a proper item now. Of course, circumstances may change.

We had another item that is of great interest, the Army heavy-lift helicopter, a very important item, for which only $15 million was provided in the budget this year; but it involves an estimated expenditure for the future, should it be carried all the way out, of $1.5 billion.

As a part of the picture there, the Navy is also developing a heavy-lift helicopter that we did not strike out. It is continuing. We could see no reason why there could not be a unity of operations.

Here is another item that we took out for the time being. It was in the early stages of concept, and it could be revived later, depending upon circumstances—the undersea launch missile system. We took that item out. It was $20 million. As I say, it was merely a concept. It is a Polaris-size force—that is, a force comparable to what the Polaris force is now, and it could have run as high as $25 billion, or even much more.

There are others on the list also, Mr. President. I mention for special emphasis here the Cheyenne helicopter. The amount for that item that came out of the bill is $429 million. Before we finished on that, the Defense Department asked that it be reduced. That is a $1.5 billion program, as a minimum, should it be fully developed.

There will still remain a question of some greatly reduced sum of money for some contingent research on some phase of that helicopter, but as the matter stands now, these estimates are fairly firm, and I believe the action of the Senate will be what we have recommended.

I ask unanimous consent that the table to which I have referred in these comments be printed in the Record at this point.

There being no objection, the table was ordered to be printed in the Record, as follows:

	Fiscal year 1970 deletion	Estimated total investment of R. & D. and production
SAM–D—Surface-to-air missile	$75,000,000	$2,500,000,000.
Army heavy lift helicopter	15,000,000	$1,500,000,000.
E–2C—Carrier airborne early warning aircraft	66,000,000	$600,000,000.
MOL—Manned orbiting laboratory space vehicle	300,000,000	$3,000,000,000.
ULMS—Undersea launch missile system	20,000,000	This was merely a concept. Polaris-sized force might cost $25,000,000,000 to $35,000,000,000.
SABMIS—Sea antiballistic missile intercept system	3,000,000	Also a concept. Cost would depend on size of force deployed but would be more expensive than land-based ABM of same force size.
RF–111 reconnaissance aircraft	15,000,000	$821,000,000.
Light intratheater transport aircraft	1,000,000	$1,000,000,000 minimum (R. & D. estimate alone was $437,000,000).
AGM–X–3 air-to-ground missile	3,000,000	$500,000,000 minimum (R. & D. estimate alone was $200,000,000).
Cheyenne helicopter air-support gunship	429,000,000	$1,500,000,000 as a minimum.
Total	927,000,000	$46,421,000,000.

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Mr. CURTIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CURTIS. Are we under a time limitation?

The PRESIDING OFFICER. A limitation of 3 minutes.

Mr. CURTIS. Mr. President, I ask unanimous consent that, notwithstanding the time limitation, I be permitted to proceed for 15 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. JAVITS. Mr. President, I shall not, of course, object, but I ask the Senator if he will permit me to speak first for 5 minutes, because I have an executive session right now on coal mine safety, marking up a bill.

Mr. CURTIS. Mr. President, I ask unanimous consent that the distinguished Senator from New York be permitted to proceed for 5 minutes, without my losing my right to proceed for 15 minutes thereafter.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. JAVITS. I thank the Senator from Nebraska.

THE MIDEAST DANGER

Mr. JAVITS. Mr. President, international attention has again been focused on the incendiary situation in the Mideast by U.N. Secretary General U Thant's report of July 7 to the Security Council. In describing the situation along the Suez Canal cease-fire line as "a virtual state of active war, the Secretary General reports that "heavy weapons fire was initiated almost daily, especially from the west—Egyptian—side of the canal." The report goes on to state that the U.N. cease-fire observers have sent violation messages "almost daily to the authorities in the United Arab Republic, and occasionally, as necessary to Israel." And, "in the month of June alone there were 21 reported incidents of firing by United Arab Republic forces and five by Israel forces on United Nations personnel or installations," according to the reports of his own observers.

The Secretary General draws the conclusion that "open warfare has been resumed," and he warns that the present situation "could even be the overture to more general and intensive hostilities in the Middle East."

While his own report makes it unmistakably clear that Cairo is largely responsible for the sharp increase in cease-fire violations, the Secretary General proceeds to a passionate appeal "to all parties in the Middle East" to observe the cease-fire. He even says explicitly that he makes his appeal "without passing any judgment on any party, and without prejudice to the positions and policies of any one of them."

In my judgment, Secretary General U Thant's report would have been of much more value and would have carried more conviction if he had told it as it is, and reported to the world that the United Arab Republic—for reasons of its own—is initiating almost daily artillery barrages and also generally land and air hostilities up and down and across the Suez Canal cease-fire line. A report of this nature could have done something to restore confidence in the impartiality of the U.N. Security Council by counterbalancing to some extent the several quick and harsh Security Council "condemnations" of Israel's "survival" retaliatory measures in the past, which aroused great opposition in this country. Also, it would have given Israel some measure of confidence in the U.N.'s intentions, rather than to encourage Israel to rely for its security so heavily on its own arms.

It is well known that one aspect of United Arab Republic and Soviet tactics in the Middle East is to create a propaganda image of the imminent danger of open war and thereby try to get the United States to lend its support to some dictated peace. By constantly arousing such international fears, Cairo and the Kremlin hope that they can steamroller the great powers into "imposing" a peace which forces Israel to withdraw in return for a new arrangement of the type which proved so unreliable and culminated in the May-June 1967 hostilities .

I believe that the Secretary General could have shown more realism in framing his report and its conclusions and recommendations, and thereby not unwittingly contributing to this big-war scare tactic.

While it is certainly true that Cairo, in pursuance of its recent proclamations about repudiating the Suez cease-fire line and adopting an active defense posture, is engaging in live-ammunition war games with its new Soviet equipment against Israeli forces in Sinai—yet there does not seem to be any real danger of a renewal of "all-out" war in the near future. The United Arab Republic lacks the military capability and Israel lacks the motive.

It is especially important that the great powers keep their cool at tense moments like the present. There is certainly cause for concern. But in my judgment there ought to be more concern over the weakening of the peace negotiating channels and the deterioration of the already strained and limited cease-fire. The momentum seems to have been drained from the Jarring mission. And the Big Four and Big Two negotiations, which began with such fanfare, seem to be close to a dead end.

Certainly, one conclusion is clear: Notwithstanding the serious and dangerous shooting going on now—and the resultant terrorism and instability—it is still the time to insist on a permanent peace. This is the moment when the great powers, without seeking to dictate the terms—which could be fatal—can insist that there be no more complacency based on truces or cease-fires; and that the world must run the risks that are involved to insist that the next basic move—even if it takes months—must be a permanent peace.

My own skepticism concerning the Big Four and Big Two negotiations on Mideast peace is a matter of public record. However, I wish to reiterate that my criticisms of the Big Two approach concern the role and agenda which Moscow and Washington have adopted for themselves. It was a mistake, in my view, for the two superpowers to attempt to negotiate subjects which can only be negotiated in a meaningful way by the two parties themselves.

Nonetheless, I have long advocated U.S.-U.S.S.R.—or four-power negotiations concerning those problems in the Mideast which they can effectively deal with. Some key questions can be decided by them, and all of this can and should be accomplished without usurping the prerogatives of the local parties to the dispute. Moreover, if the Big Two could reach agreement on the matters which primarily concern them, this would transform the atmosphere and contribute in a major way to the prospects for a final and lasting settlement between the local parties themselves. In this spirit, the powers must insist that the next basic development must be a permanent negotiated peace.

In my judgment the following subjects should be taken up for consideration at the resumption of the United States-Soviet Mideast talks in Moscow next week.

First, this is the moment when the great powers, without seeking to dictate the terms by which it could be settled, can insist on a permanent peace. There can be no more complacency or wishful thinking based on hodgepodge truces and cease-fires; we must run the risk of insisting that the next basic move—even it takes months of danger and shooting like this—we must persist to get a permanent peace. If the Big Two could come to an agreement that only a genuine, permanent peace—which deals with causes and not just symptoms—can serve the cause of world peace, and their own interests, then we would be a good way further along on the road to that indispensable goal.

Second, international agreement on the limitation of arms shipments into the Middle East from outside sources. While Moscow may not be able to control the political decision in Cairo to escalate military action along the Suez, Moscow can help to control Egypt's military capability to put such policies into effect. Without Soviet equipment, guns, and ammunition—supplied in the worth of billions of dollars since June 1967—the Egyptians could not have created the image of, to use the words of U Thant's report, "a virtual state of active war." And it should be stressed that resupply is constant—while Israel is finding it very difficult to maintain arms balance, even considering its superior training and skill. The U.S.S.R. has a real interest, since its Arab clients could well lose another war if they recklessly undertook one.

Third, the Big Two can reach an understanding with respect to the mutual disposition of their respective, nuclear-armed naval forces in the eastern Mediterranean—especially as regards hypothetical circumstances in which hostilities between the radical Arab States and Israel might escalate further or the real military danger of the Mideast situation lies in the possibility of Arab irresponsibility getting the superpowers involved with each other. The various possible military developments and equations in the Mideast are fairly predictable, and it

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is only commonsense that the United States and U.S.S.R. work out now in the calm deliberation of diplomatic negotiations certain ground rules as to what each might or might not do without risking a confrontation. It is essential that this sort of arrangement not be left to the chances and confusions of hurried hotline negotiations in the heat of some precipitate Arab military escalation.

Fourth. The Arab refugee question is a matter of international concern and responsibility. A new effort must be made to seek a solution to this tragic humanitarian problem. The refugees must be freed from the manacles—of the political hostages—in which Arab leaders have kept them for 20 years. The UNRWA approach of the past suffered from the basic defect that it has kept the refugees in refugee status for 20 years and is now producing a second generation of refugees. A new international program should be of a self-terminating character designed to end the status of refugees as refugees by integrating and resettling them into proper, normal civilian circumstances. Even though the U.S.S.R. does not make contributions for the refugees—and the United States contributes the most—the U.S.S.R. has a vital interest, too, since the UNRWA is a U.N. relief agency.

Fifth. An additional proper subject for big-power negotiations concerns the rules for usage of the international waterways of the Mideast—especially the Suez, the Gulf of Aqaba, and the Straits of Tiran. These waterways have long been recognized and accepted as international passages. They do not belong to individual Arab States, and we cannot accept Arab claims to govern their use in any way they see fit. After all, the Soviet Union would never accept Turkish claims to control the Dardanelles in any way Turkey saw fit. Perhaps there is a real key to a Mideast settlement in an international determination to reopen the Suez Canal, and the other international waterways concerned, to world shipping on nondiscriminatory terms, under Big Four or U.N. Security Council leadership.

Sixth, and finally, I consider it to be an urgent priority for the United States and U.S.S.R. to consider jointly at next week's Moscow Mideast meeting ways in which the Jarring mission can be strengthened and revitalized. There is no doubt, in my judgment, but that this mandate to promote negotiations and an agreement between Israel and the Arab States, following the November 22, 1967, U.N. resolution, must be dramatically strengthened and reaffirmed in the Security Council, with unanimous big-power support. I once again urge consideration of the successful precedent of the Isle of Rhodes negotiations between the same parties of 1948–49. Also, the breach of the cease-fire initiated by the United Arab Republic, Jordan, and now Syria is the most direct breach of a U.N. resolution and should be promptly protested by the U.N. and also should be dealt with by Ambassador Jarring under a new and strengthened U.N. mandate.

I thank the Senator.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report Pursuant to the Federal Cigarette Labeling and Advertising Act

A letter from the Chairman, Federal Trade Commission, transmitting, pursuant to law, a report pursuant to the Federal Cigarette Labeling and Advertising Act, dated June 30, 1969 (with an accompanying report); to the Committee on Commerce.

Proposed District of Columbia Public Defender Act of 1969

A letter from the Attorney General of the United States, transmitting a draft of proposed legislation to expand and improve public defender services in the District of Columbia (with accompanying papers); to the Committee on the District of Columbia.

Proposed Reorganization of the Courts of the District of Columbia

A letter from the Attorney General of the United States, transmitting a draft of proposed legislation to reorganize the courts of the District of Columbia, and for other purposes (with accompanying papers); to the Committee on the District of Columbia.

Report of the Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the effectiveness and administration of the community action program administered by the Gila River Indian Community under title II of the Economic Opportunity Act of 1964, Gila River Indian Reservation, Arizona, Office of Economic Opportunity, dated July 11, 1969 (with an accompanying report); to the Committee on Government Operations.

Proposed Amendment of the Bail Reform Act of 1966

A letter from the Attorney General of the United States, transmitting a draft of proposed legislation to amend the Bail Reform Act of 1966 for the purpose of reducing crime committed by persons released on bail (with accompanying papers); to the Committee on the Judiciary.

ENROLLED BILL SIGNED

The PRESIDENT pro tempore announced that on today, July 11, 1969, he had signed the enrolled bill (H.R. 4153) to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard, which had previously been signed by the Speaker of the House of Representatives.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. ERVIN:

S. 2593. A bill to exclude officers and employees of Western Hemisphere businesses from being charged against the Western Hemisphere immigration quota; and

S. 2594. A bill to exclude officers and employees of Canadian businesses from being charged against the Western Hemisphere immigration quota; to the Committee on the Judiciary.

By Mr. NELSON:

S. 2595. A bill to amend the Agricultural Act of 1949 with regard to the use of dairy products, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. GURNEY:

S. 2596. A bill limiting the use of publicly owned or controlled property in the District of Columbia, requiring the posting of a bond for the use of such property, and for other purposes; to the Committee on the District of Columbia.

(The remarks of Mr. Gurney when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. PERCY:

S. 2597. A bill to authorize increases in the maximum principal amounts of certain mortgages insurable under the National Housing Act to correspond to increases in the cost of new single-family residences;

S. 2598. A bill to amend section 235 of the National Housing Act to remove present limitations on the making of assistance payments with respect to existing dwellings, or dwelling units in existing projects; and

S. 2599. A bill to amend section 237 of the National Housing Act to give preference to homeowners receiving assistance payments under section 235 relating to counseling services and mortgage insurance assistance; to the Committee on Banking and Currency.

(The remarks of Mr. Percy when he introduced the bills appear later in the Record under the appropriate heading.)

By Mr. HRUSKA (for himself, Mr. Dirksen, and Mr. Thurmond):

S. 2600. A bill to amend the Bail Reform Act of 1966 to authorize consideration of danger to the community in setting conditions of release, to provide for pretrial detention of dangerous persons, and for other purposes; to the Committee on the Judiciary.

(The remarks of Mr. Hruska when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. HRUSKA (for Mr. Tydings) (by request) (for himself, Mr. Hruska, Mr. Prouty, Mr. Dirksen, Mr. McClellan, Mr Goodell, Mr. Ervin, and Mr. Thurmond):

S. 2601. A bill to reorganize the courts of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

(The remarks of Mr. Hruska when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. DIRKSEN (for himself, Mr. Hruska, Mr. McClellan, Mr. Mathias, and Mr. Ervin):

S. 2602. A bill to be known as "The District of Columbia Public Defender Act of 1969"; to the Committee on the District of Columbia.

(The remarks of Mr. Dirksen when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. MATHIAS:

S.J. Res. 136. A joint resolution to authorize and request the President to proclaim July 21, 1969, as a national day of prayer and thanksgiving; to the Committee on the Judiciary.

S. 2596—INTRODUCTION OF A BILL LIMITING THE USE OF PUBLICLY OWNED OR CONTROLLED PROPERTY IN THE DISTRICT OF COLUMBIA

Mr. GURNEY. Mr. President, I introduce for appropriate reference a bill I introduced last year as a Member of the House of Representatives. Last year this legislation was provoked by the unfortunate events that occurred when an organized group moved into the District of Columbia and took over the use of the Mall by the establishment of the so-called Resurrection City.

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This bill would prohibit the issuance of any permit by a Federal or District of Columbia officer to use any real property within the District of Columbia for camping, sleeping, sitting in or any other overnight use, or for erecting any temporary buildings thereon. No governmental use or activity on the public property would be limited or restricted.

The bill also provides that in connection with permits for organized demonstrations that a reasonable bond must be posted for damage done to Government property.

The 1967 march on the Pentagon is proof positive that the bond provision in this bill is badly needed. The direct cost to Uncle Sam of cleaning up the destruction and mess of the marchers, the heavy outlay for police overtime, transportation and care of Federal troops brought in to protect the Pentagon has been estimated at over a million dollars.

In May of 1968, Congressman WILLIAM CRAMER and I introduced this legislation prior to the arrival of the Poor People's March here in Washington. The bill was reported favorably from the House Committee on Public Works, cleared the Rules Committee, and was reported to the House for consideration. However, the House leadership failed to call up the bill for a vote, because of the emotion and tension of that particular period.

However, now that tempers have cooled off, under Congressman CRAMER's leadership in the House of Representatives the bill introduced by him this year passed on June 11 by a very large margin. I am pleased to once again join in this effort with Congressman CRAMER to secure action this year and hope that the Senate will follow the lead of the House in passing this measure.

We are all familiar with the results of last year's experience with Resurrection City. Anyone seeing that disgraceful situation which developed in our Nation's Capital will certainly understand the need for this legislation. It cost the American taxpayer between $1 and $2 million to clean up the Mall after abandonment. We had here a city within a city, a situation where the Park Police could not go in, where the policy authority of the District of Columbia could not function.

Now is the time to reconsider this bill. We now have a climate in which the emotion that was present at that time does not exist. It cannot be said that the bill is discriminatory. It simply provides that no organization can use Federal property in the District of Columbia for camping or for a so-called city.

This bill does not infringe on the right of any American to petition his Government, to demonstrate in the District of Columbia or to peacefully protest as he sees fit. It is simply based on the premise that the national shrines and grounds in the District of Columbia belong to all Americans and should be preserved for the use of all Americans.

The public buildings and grounds of the United States are the property of all its citizens, and in no area of the country is this more true that within the District of Columbia. Washington, as the Capital, epitomizes what this Nation stands for. It is here that the people of the United States have placed the monuments, parks, and statues that identify our heritage and our purpose as a nation. It is here, too, that our Federal Government is housed and functions. These grounds and buildings belong to all the people, and they should at all times be available to all our citizens.

It has aways been the policy of the District of Columbia, as it was up until Resurrection City in 1968 and as it was understood up until that time, that there will be no permit granted for overnight occupancy; and there never was. The only exception was a specific Boy Scout jamboree in 1937, which was permitted by congressional action. Subsequent to that, there never was a camp-in permitted until Resurrection City came along.

Congressional action is essential to insure that we have no such future occurrences and that we preserve these national lands for the use of all the people.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2596) limiting the use of publicly owned or controlled property in the District of Columbia, requiring the posting of a bond for the use of such property, and for other purposes, introduced by Mr. GURNEY, was received, read twice by its title, and referred to the Committee on the District of Columbia.

S. 2597, S. 2598, AND S. 2599—INTRODUCTION OF BILLS RELATING TO AMENDMENTS OF THE HOMEOWNERSHIP PROGRAM

Mr. PERCY. Mr. President, in July of 1966, I began working on a plan to assure homeownership opportunities to lower income persons. Since that time, 3 years ago, I have every day become more convinced of the value of homeownership. The ideal of homeownership is deeply rooted in American life. It brings with it a sense of belonging, a feeling of self-esteem and dignity, and a new appreciation of good citizenship.

Ever since the creation of the Federal Housing Administration in 1934, it has been Government policy to encourage homeownership for upper and middle income families. But that policy has ignored the proposition that the lower income family, who will perhaps profit most from the psychological values of homeownership, should have a reasonable opportunity to move up to owning a home of its own. Now, however, with the passage of the section 235 homeownership program in the 1968 Housing and Urban Development Act, the time has finally come to make the prospect of homeownership a reality to the poor, but aspiring, family whether confined to an urban ghetto or living in a tenant shack in a rural area.

It was deeply gratifying to me that the housing bill of last year received broad support from both sides of the aisle and from conservatives and liberals alike. I look upon the large affirmative vote of last year as a congressional vote of confidence for this new program.

Therefore, I am happy to report that the new homeownership program is the most popular housing program ever instituted by the Department. The favorable response has been overwhelming. The success of the program is revealed by the long waiting line for new funds in most all FHA offices across the country. When President Johnson submitted on January 23 of this year the first annual report on national housing goals, he said:

> There are signs that the 235 Program may well be the most rapidly accepted program for low and moderate income families. There is tremendous interest in it on the part of the industry and the lenders. It seems to be responsive to the request from the poor for a housing program for them that will permit homeownership. The estimated level of production that will be achieved in 1970 is reflective of this interest, but it will only be achieved if the appropriations actions release adequate payment authority.

Now that we have finally found a program which is acceptable to the private sector as well as the poor themselves, it is my hope that we will refine the legislation and improve upon the program until we have a program that will begin to make a sizable contribution to fulfilling the housing goals established by the Congress last year. For this reason, I have attempted to watch developments of this program very carefully in order to determine whether changes in the statute enacted last year are necessary to achieve the desired goals. And accordingly, there are several areas which I believe need further consideration by the Congress.

PRIORITIES

My major disappointment with the homeownership program to date has been the fact that too many of the units have been placed in suburban areas and too few have been built or rehabilitated in the inner city and rural areas. One of the reasons that this has happened is that most projects in the inner city area are put together by nonprofit or limited dividend corporations which have a neighborhood orientation. Such community organizations often lack the staff and expertise needed to quickly and effectively put together such a housing project. Also, there are inadequate means to reach low-income people in rural areas and educate them as to their new housing opportunities under section 235. The National Homeownership Foundation which will be established in the near future will carry on a program of encouraging public and private organizations at the national, community, and neighborhood levels to provide increased homeownership and housing opportunities in rural and urban areas. I am certain that this foundation will go a long way in helping to locate needed housing units in the depressed rural and urban core areas.

However, at a time when there are limited funds available for this important housing program, I feel that the Congress should consider requiring that strict priorities are set on the funds that are available. Priorities should be set for projects which are located in areas of blight and high minority concentrations. Priority should be given to projects which involve rehabilitation. Also, priority must be given to projects which serve the lowest practicable income levels of families and include provisions for the delivery of counseling services to those families who need it.

HIGH COST OF HOUSES

The present legislation permits subsidies to be made available to homeowners who are carrying mortgages not in excess of $15,000—or $17,500 in certain high-cost areas. Large families may carry mortgages as high as $17,500—or $20,000 in high-cost areas.

Since the act was passed in August of 1968, the cost of construction has skyrocketed. Lumber costs are up, and labor costs are up. Thus, I feel that it is necessary to give added flexibility to the Secretary of the Department of Housing and Urban Development to raise the mortgage limit level as housing costs increase. Without such authority, the program cannot be used, as housing in many areas of the country cannot be built within the maximum level established.

Therefore, I am today introducing legislation which would amend the Housing and Urban Development Act of 1968 to give the Secretary of the Department of Housing and Urban Development the authority to increase—or decrease—the mortgage limits stated in the bill whenever the cost of housing increases—or decreases—by 3 percent or more. There is in existence at the present time a housing index entitled, "The Price Index For New One Family Houses Sold," published annually by the Bureau of the Census. This index, measures year to year changes in the sales prices of new houses with the same characteristics. That is, whereas changes in the average cost of all new houses sold also reflect changes in the characteristics of the houses which are built, this index does not reflect the increased amount of additional appointments and luxuries which are being added to American houses. Thus, in contrast to the 18-percent increase in the house price index from 1963 to 1968, the average of actual sales prices for all new one-family homes sold in this 5-year period increased about 37 percent, in consequence of the shift to larger houses with more equipment during these years.

This is an index of the total sales price of new one family houses built for sale and sold. The sales price includes the value of the site on which the house is built, which we all know is an important factor in the increasing price rise. Since this is an index of sales prices, it reflects not only changes in cost of labor, materials, land, and selling expenses, but also changes in productivity and profit margins in residential constructions.

While I realize that this aim would set a new precedent in housing legislation by giving this authority to the Secretary, I feel that it is vital to the success of the program that the mortgage limits be kept in tune with rising housing costs. Therefore, I feel strongly that the Secretary should be given this authority. It would be similiar to the authority that we gave to the Secretary last year to increase the FHA interest rates when general interest rates go up.

USE OF EXISTING HOUSING

The Housing and Urban Development Act of last year permitted the use of existing housing on a limited basis for the new program. Twenty-five percent of the units for the first year, 15 percent of the units for the second year, and 10 percent of the units for the third year could be of existing housing. Technically under the legislation this means that after the third year no existing housing units could be used for the subsidy program. What this means in operation is that a home which is built to be used by a subsidized family can be used by that family only once. That is, when the family moves out of the house, it then becomes "existing housing" and another subsidized family can not move in. I do not believe that this was the intention of the Congress nor do I believe that this makes good economic sense.

Therefore, I am introducing legislation today which would remove the present limitations on making assistance payments with respect to existing units. I believe that families should have the utmost flexibility in choosing the home in which they wish to live and should not necessarily be limited only to new construction. At the same time, it should be realized that some of the best housing "bargains" today exist in the purchase of existing or older homes. These units should not be removed from the lower income housing market by the prohibition against the subsidy payments.

COUNSELING SERVICES

Section 237 of the National Housing Act establishes a new program of special mortgage insurance assistance to those individuals who, for a variety of factors, are unable to meet the credit requirements of the FHA. The Congress set up this special program, which permitted the FHA to guarantee the mortgage loans of these families if special budget, debt management, and related counseling were offered. This was an important and sharp digression from the FHA practices of the past and was intended to permit many low income persons to qualify for a FHA mortgage who could not heretofore do so.

Unfortunately, the Congress has not funded this program so that HUD has very few dollars to devote to it. I was distressed to learn that many FHA offices are providing this counseling to families of middle and high income rather than the low-income persons who need the help the most. The law already states that public housing families should be given preference for the program. However, I feel that this is too narrow a group and am today introducing legislation which will make it clear that families eligible for the section 235 program should also be given preference for the counseling program if funds are scarce.

Mr. President, the Housing Subcommittee of the Senate Banking and Currency Committee begins hearings next week on the administration's housing recommendations. At that time the homeownership program will be given a thorough hearing and the committee will consider changes which should be made to perfect the program. I shall consider all these proposals very carefully in order that we can assure lower-income families the best possible opportunities for a better life through the incentives of homeownership.

I ask unanimous consent that the bills referred to in my statement be printed in the RECORD at this point.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the RECORD.

The bills, introduced by Mr. PERCY, were received, read twice by their titles, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2597

A bill to authorize increases in the maximum principal amounts of certain mortgages insurable under the National Housing Act to correspond to increases in the cost of new single-family residences

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title II of the National Housing Act is amended by adding at the end thereof a new section as follows:

"FLEXIBLE MORTGAGE AMOUNTS ON ONE-FAMILY DWELLINGS OR UNITS

"SEC. 243. (a) Notwithstanding any other provision of this Act, the maximum principal amounts of mortgages on one-family dwellings or units insurable under section 221(d)(2), 235(i), or 237 shall be increased as provided in this section.

"(b) As soon as possible after January 1 of each year, the Secretary shall determine the extent by which the price index in the preceding calendar year was higher than the price index in the base period. If the Secretary determines that the price index has risen by a percentage (of its level in the base period) equal to at least 3 per centum, the maximum principal amounts of mortgages on one-family dwellings or units insurable under any section referred to in subsection (a) shall be increased by the same percentage (adjusted to the nearest $100), effective upon the date of publication of the Secretary's determination in the Federal Register.

"(c) For purposes of this section—

"(1) the term 'price index' means the 'Price Index for New One-Family Houses Sold', published annually by the Bureau of the Census; and

"(2) the term 'base period' means the calendar year 1967.

"(d) The effective date of this section is January 1, 1969."

S. 2598

To amend section 235 of the National Housing Act to remove present limitations on the making of assistance payments with respect to existing dwellings, or dwelling units in existing projects

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 235 of the National Housing Act is amended—

(1) by striking out ", if the family qualifies as a displaced family as defined in section 221(f), or a family which includes five or more minor persons, or a family occupying low-rent public housing" in the second proviso of subsection (b)(2);

(2) by striking out paragraph (3) of subsection (h); and

(3) by striking out subparagraph (A) of paragraph (3) of subsection (i) and inserting in lieu thereof the following:

"(A) involve a single-family dwelling, or a two-family dwelling one of the units of which is to be occupied by the owner if the dwelling is purchased with the assistance of a nonprofit organization, or a dwelling or a family unit in a condominium project which meets such standards as the Secretary may prescribe, or a dwelling unit in a project covered by a mortgage insured under section 236 or in a project receiving the benefits of financial assistance under section 101 of the

Housing and Urban Development Act of 1965;".

S. 2599

A bill to amend section 237 of the National Housing Act to give preference to homeowners receiving assistance payments under section 235 relating to counseling services and mortgage insurance assistance

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 237(d) of the National Housing Act is amended by—

(1) inserting immediately after "applications" the following: "(including counseling services)"; and

(2) inserting immediately after "this section" the following: "(1) to homeowners receiving assistance payments under section 235, and (2)".

S. 2600—INTRODUCTION OF BAIL REFORM ACT AMENDMENTS TO ACHIEVE PUBLIC SAFETY WITH EQUAL JUSTICE

Mr. HRUSKA. Mr. President, I introduce, for appropriate reference, a bill to amend the Bail Reform Act of 1966 to authorize consideration of danger to the community in setting conditions of release, to provide for pretrial detention of dangerous persons, and for other purposes. This legislation has been sent to the Vice President by Attorney General Mitchell with a favorable administration recommendation.

ADMINISTRATION WAR ON CRIME

Mr. President, on the 11th day after his inauguration, President Nixon issued a statement on the District of Columbia which began with the words, "Responsibility begins at home."

That excellent message contained a 12-point section detailing a program to combat crime and improve the administration of justice in the District. The proposals ranged from strengthening the court system in the Nation's Capital to improving the Department of Corrections, from bail reform to citizen participation in the war against crime, from new measures to combat juvenile crime to improved courthouse facilities.

The message covered eight legal-sized pages and was a positive, constructive response to the public demand for a concerted and coordinated effort to reduce the skyrocketing rise of crime in Washington.

What is proposed is a complete and deep-rooted restructuring of the criminal justice system in the District of Columbia. The bill I introduce today is in partial response to the President's message. The bill introduced by the Senator from Maryland (Mr. TYDINGS) on court reorganization for the District of Columbia and the bill introduced by Senator DIRKSEN on public defender system for the District of Columbia are also responsive to that message.

There has, Mr. President, been some impatience expressed at the timelag between the issuance of the President's statement and legislative results. This impatience, I suggest, is not warranted.

The weeks that have passed since January 31 are, in fact, a short time when measured against the size, more than 300 typewritten pages, legal size, and complexity of the undertaking. What has been proposed for the District of Columbia in court reorganization, alone, is similar to a complete restructuring of a State's court system. Does anyone consider that 5 months is too long a time to accomplish such a task?

The time between the President's message and now has been well spent in refining and improving the administration's proposals. This will result in a saving of time and speedier availability to the Congress as it considers these bills.

The general thrust of the need for a complete overhaul of the criminal justice system in the District of Columbia can be found in the report of President Johnson's District of Columbia Crime Commission. That was delivered 2 years ago and was issued at a time of a greatly increasing crime rate in the District. Yet nothing was forthcoming in the way of substantial reform until much, much later.

Now, in the 5½ months since President Nixon first proposed his 12-point program, we have a good product for the consideration of the Congress. It is my hope that all Senators will join in the earnest consideration of this legislation and that the Senate will mark its approval.

This legislation being offered today is a redemption of the President's pledge to provide a well-considered and workable response to the growing threat of crime and to the improvement of the criminal justice system. Its importance will far surpass the headlines of tomorrow's papers which report on the introduction of the legislation. The results will be of permanent and lasting value to all citizens.

INCREASING CRIME IN THE NATION

Mr. President, the opening paragraph of the 1968 Preliminary Annual Uniform Crime Reporting Statistics reads as follows:

> During the calendar year 1968 crime nationally increased 17 percent over 1967. The violent crimes rose 19 percent with murder and forcible rape up 14 percent, robbery 29 percent and aggravated assault 12 percent. The property crimes, as a group, recorded a 17 percent rise with burglary up 13 percent, larceny $50 and over in value up 21 percent, and auto theft 18 percent. Crime in the large core cities with populations 250,000 and over increased 18 percent, suburban communities reported an 18 percent increase, and the rural area 12 percent

Crime is a national issue because crime is a national problem. People demand protection in their homes, their businesses, and in the streets. President Nixon campaigned hard on the issue of crime because he believes something could be done about it. People voted for him because they were receptive to his leadership.

President Nixon is a man of action, not given simply to making rhetorical promises. The Attorney General, too, is a man of action. Despite the fact that the administration has been in office less than 6 months, the steps taken in the fight against crime have been significant.

Organized crime has been a particular target on the national level. The administration forwarded S. 2022, the Illegal Gambling Control Act, which it was my privilege to introduce. A special antirackets force has been set up in New York City and permanent field offices are being organized around the country. The use of electronic surveillance against racketeers has been authorized.

Mr. President, the crime problem was a problem inherited by the Nixon administration. In 1965 crimes rose 5 percent, and in 1968 crime increased 17 percent. In the first 3 months of 1969 it increased 10 percent.

The best example of the seriousness of the crime problem is right here in the District of Columbia. From 1965 through 1968 robberies alone increased by 300 percent. In the first 3 months of 1969, they had increased by over 36 percent.

Since the President's statement of January 31, the administration has been working vigorously to carry out the program the President outlined. The District budget request was revised to reflect $13.8 million to implement the President's recommendations. Funds are included for additional personnel and for needed capital expenditures. Studies of the juvenile system have been instituted, the U.S. Attorney's office has been reorganized, and the Bureau of Narcotics and Dangerous Drugs has doubled its efforts.

ADMINISTRATION CRIME BILLS

Most importantly, today, less than 6 months after taking office, the Nixon administration has sent to the Senate three legislative measures aimed at significantly strengthening criminal justice in the District of Columbia. I am pleased to have joined as a cosponsor of two of the measures: the District of Columbia Court Reorganization Act, and the District of Columbia Public Defender Act in addition to introducing the third measure—Bail Reform Act.

1. COURT REORGANIZATION ACT

The District of Columbia Court Reorganization Act of 1969, introduced today on behalf of the Senator from Maryland, would consolidate and upgrade the present court of general sessions, juvenile court and District of Columbia Tax Court into a single superior court of expanded jurisdiction which would be the trial court for the District. The present court of appeals would continue to hear appeals from the local trial court and would become the highest appellate court for local matters in the District, equivalent to the highest court of a State. In gradual stages, the bill would substantially reorganize the jurisdiction of the courts in the District of Columbia. Ultimately, the Federal courts would have only Federal jurisdiction, with all local jurisdiction vested in the District of Columbia courts. The Federal and local court systems in the District would then be analogous to the systems existing in the States.

2. PUBLIC DEFENDER ACT FOR DISTRICT

The District of Columbia Public Defender Act will convert the Legal Aid Agency of the District of Columbia into a Public Defender Service, and will expand and improve public defender services for the indigent adult and juvenile defendants in the District. Up to 60 percent of the eligible persons who appear before the District courts will now be able to obtain the services of a full-time public defense counsel. The service will also be authorized to cooperate in the system of assigning private counsel to the other percentage of cases, and to provide assistance to all appointed private counsel.

Mr. President, this Public Defender Act closely parallels the proposal in S. 1461, the Criminal Justice Act Amendments of 1969, which I introduced this session. Full-time public defense counsel, in conjunction with assignment of private counsel in a substantial number of cases for defendants financially unable to obtain adequate representation, can best provide the experienced, efficient and dedicated criminal bar so necessary to a fair and effective system of criminal justice.

3. BAIL REFORM ACT

The third bill, which I introduce here, amends the Bail Reform Act of 1966. Although the bill is national in scope it is particularly important to the District of Columbia because of the Federal jurisdiction over all crimes. Over 40 percent of all Federal crimes are committed in the District.

In his special message to Congress on the District of Columbia in January of this year, President Nixon outlined his intentions to recommend legislation improving the Bail Reform Act, increasing the quality of defense counsel available to criminal defendants, and reorganizing the District court systems. His intentions have now been translated into concrete action. And I assure this body, Mr. President, that this is only the beginning.

Mr. President, the Bail Reform Act of 1966, which it was my privilege to cosponsor, was enacted by the Congress to assure that no person, rich or poor, would be needlessly—and I emphasize the word, "needlessly"—detained in the Federal law enforcement system pending trial. That act has been considered by many to have been a propitious step toward achieving the goal of equal justice.

By breaking through the unequal restraints of money bonds, the act required release of accused persons in noncapital cases on their own recognizance, or upon certain nonfinancial restrictions when release on personal recognizance was not sufficient to deter flight. Detention could only be ordered under the act in capital or appeal cases on grounds of danger of the defendant to the community. Pretrial release without money bond greatly aided the indigent and the poor who would otherwise remain in jail unable to post bond. Prior to the 1966 act, too many defendants unable to post bond languished in jail until tried, regardless of the strength or the seriousness of the charges against them and regardless of their risk of flight. Many, subsequently, were acquitted of the charges.

The statement of purpose contained in the 1966 act recognized the goal of equal justice in moving away from strictly money bail:

> Present federal bill practices are repugnant to the spirit of the Constitution and dilute the basic tenets that a person is presumed innocent until proven guilty by a court of law and that justice shall be equal and accessible to all.

The Constitutional Rights Subcommittee held investigative hearings on the Bail Reform Act in January of this year to survey, fully and intensively, the gains made, and the defects discovered in the operation of the present act. The hearings revealed the need for further legislative action, and the bill I introduce today seeks to correct important defects in the 1966 act. These defects concern the need to weigh public safety as well as equal justice in pretrial release proceedings.

During the January hearings, it was determined that it is still not uncommon for Federal judges to set high money bond for defendants rather than setting other nonfinancial conditions of release permitted under the act. This continued use of money bail has not usually been due to a high risk of flight from the jurisdiction posed by the defendants but rather because of the potential and sometimes substantial risk that the defendants would present to the community or to other persons. In many such cases, a strong presumption can be raised that no clear evidence of risk of flight existed. The present act does not, of course, authorize strict conditions of release, including money bond, without strong evidence of such risk. High bond has been used by judges, nevertheless, under a pretense of high risk of flight.

The proposed amendments in the bill I am introducing will permit a Federal judge to set strict conditions of release or to detain in noncapital cases because of the hard facts of danger, rather than the fiction of risk of flight. This honest recognition of the need to weigh public safety will enhance the original purposes of the 1966 act.

In particular, this bill would amend the Bail Reform Act by granting authority to consider danger to the community in setting nonfinancial pretrial release conditions, to detain certain defendants found to be dangerous, to revoke the release of those defendants who violate release conditions, and to punish those who commit crimes while released on bail with added penalties.

The proposal to permit danger to the community to be considered in setting nonfinancial conditions of release has been widely accepted and has been endorsed by the President's District of Columbia Crime Commission, the American Bar Association Pretrial Release Committee, the District of Columbia Judicial Conference Committee and others which have studied the operation of the Bail Reform Act. In order to halt any further reliance by judges upon money bail under the pretense of risk of flight where, in fact, the defendant appears to be dangerous, the proposal clearly states that financial conditions to assure public safety are prohibited.

Another amendment relating to public safety is the proposal to create the authority to deny pretrial release for a 60-day period for specific categories of defendants who are found to be dangerous after a hearing with appropriate procedural safeguards. President Nixon has stressed the need for such pretrial detention of persons charged with crimes "when their continued pretrial release presents a clear danger to the community."

With a crime rate that is increasing at an appalling rate, and with too many crimes being committed by criminals who are hard-core recidivists, crimes committed by persons while on pretrial release have become a serious problem. Widely varying percentages of defendants charged with serious crimes while on bail or release have been shown by different studies. Despite the differences, these studies reveal at the least that there is a sufficient percentage of defendants charged with serious crimes while on bail or release or who have records for previous serious offenses, to be cause for public and official concern.

Certain authorities consider the right to bail to be absolute under the eighth amendment. Others contend that serious due process problems under the fifth amendment will arise for any procedure that is devised for administering preventive detention. Some see an excessive burden on the court systems to hold detention hearings. Some even contend that if a defendant is subject to preventive detention, this will jeopardize his chances of a fair trial.

In reviewing the proposed amendment authorizing preventive detention, it is readily apparent how carefully the bill was drafted to consider and accommodate the reasonable objections to preventive detention.

Anyone who is detained will be able to effectively assist in the preparation of his case, and may even secure release for limited periods to secure evidence or find witnesses. If the person is ordered to be detained, it is provided that the person shall be entitled to an expedited trial and to release within 60 days unless the trial is in progress or the trial is being delayed at the person's request.

The proposal also answers the reasonable doubts which have been raised about the probability of predicting danger of a defendant to the community for purposes of detention. Three findings must be made by the judicial officer before he can order a defendant detained prior to trial. It must be found that no conditions of release will protect the public. It must be found that the defendant falls within one of the categories of criminal offender defined in the act. And, it must be found that there is substantial probability that the defendant committed the offense. A written decision with stated findings is required of the judge.

In brief, the amendments providing for preventive detention are a reasonable effort to meet a serious problem while assiduously protecting the due process rights of the defendant under the U.S. Constitution.

Next, authority for revocation of release whenever a person violates a condition of his release is granted in these amendments. In such case detention for up to 60 days can result if, after a hearing, it is determined that no other condition or combination of conditions of release will reasonably assure against flight or danger to the community and that the person has, in fact, violated a release condition. As an alternative, the bill permits contempt proceedings.

In order to deter unlawful conduct while on release the bill provides for a mandatory minimum additional penalty in such cases. The penalty is made to run consecutively to all other penalties.

Mandatory sentences have been viewed in the past with serious doubt by many persons, including this Senator, where the sentences are for specific criminal acts. It is believed that the sentencing judge should retain the discretion to set sentences because of the varied circumstances and equities between similar cases. However, where the defendant commits an additional offense while on pretrial release for a previous offense, the defendant would appear to have shown a flagrant disdain for our judicial and law enforcement systems. The proposal for additional mandatory sentences in such instances deserves to be fully considered by the Congress.

Mr. President, I ask unanimous consent that the letter of transmittal from the Attorney General to the Vice President on the Bail Reform Act, together with an analysis of the legislation and the text of the bill be printed in the Record.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the analysis, the letter, and the bill will be printed in the Record.

The bill (S. 2600) to amend the Bail Reform Act of 1966 to authorize consideration of danger to the community in setting conditions of release, to provide for pretrial detention of dangerous persons, and for other purposes introduced by Mr. Hruska (for himself, Mr. Dirksen, and Mr. Thurmond), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 2600

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3146 of title 18, United States Code, is amended as follows:

(a) by inserting in subsection (a) the words "or the safety of any other person or the community" (1) after "as required" in the first sentence and (2) after "for trial" in the second sentence.

(b) by adding the following sentence at the end of subsection (a): "No financial condition may be imposed to assure the safety of any other person or the community."

(c) by amending subsection (b) to read as follows:

"(b) In determining which conditions of release, if any, will reasonably assure the appearance of a person as required and the safety of any other person or the community, the judicial officer shall, on the basis of available information, take into account such matters as the nature and circumstances of the offense charged, the weight of the evidence against such person, his family ties, employment, financial resources, character and mental conditions, past conduct, length of residence in the community, record of convictions, and any record of appearance at court proceedings or of flight to avoid prosecution or failure to appear at court proceedings."

(d) by deleting the period at the end of subsection (c), and adding ", and shall warn such person of the penalties provided in section 3150A of this title."

(e) by adding a new subsection:

"(h) The following shall be applicable to any person detained pursuant to this chapter:

"(1) The person shall be confined, to the extent practicable, in facilities separate from convicted persons awaiting or serving sentences or being held in custody pending appeal.

"(2) The person shall be afforded reasonable opportunity for private consultation with counsel and, for good cause shown, shall be released upon order of the judicial officer in the custody of the United States Marshal or other appropriate person for limited periods of time to prepare defenses, or for other proper reasons."

Sec. 2. Chapter 207 of title 18, United States Code, is amended by adding after section 3146 the following new sections:

"§ 3146A. Pretrial detention in certain non-capital cases.

"(a) Whenever a judicial officer determines that no condition or combination of conditions of release will reasonably assure the safety of any other person or the community, he may, subject to the provisions of this section, order pretrial detention of a person charged with:

"(1) a dangerous crime as defined in section 3152(3) of this title;

"(2) a crime of violence, as defined in section 3152(4) of this title, allegedly committed while on bail or other release, or probation, parole or mandatory release pending completion of a sentence, if the prior charge is a crime of violence, or if the person has been convicted of a crime of violence within the ten year period immediately preceding the alleged commission of the present offense; or

"(3) an offense who, for the purpose of obstructing or attempting to obstruct justice, threatens, injures, intimidates, or attempts to threaten, injure or intimidate any prospective witness or juror.

"(b) No person described in subsection (a) of this section shall be ordered detained unless the judicial officer:

"(1) holds a pretrial detention hearing in accordance with the provisions of subsection (c) of this section;

"(2) finds that—

"(A) there is clear and convincing evidence that the person is a person described in subsection (a) of this section;

"(B) based on the factors set out in subsection (b) of section 3146 of this title, there is no condition or combination of conditions of release which will reasonably assure the safety of any other person or the community; and

"(C) except with respect to a person described in subparagraph (3) of subsection (a) of this section, on the basis of information presented to the judicial officer, there is a substantial probability that the person committed the offense for which he is present before the judicial officer; and

"(3) issues an order of detention accompanied by written findings of fact and the reasons for its entry.

"(c) The following procedures shall apply to pretrial detention hearings held pursuant to this section:

"(1) Whenever the person is before a judicial officer, the hearing may be initiated on oral motion of the United States Attorney.

"(2) Whenever the person has been released pursuant to section 3146 of this title and it subsequently appears that such person may be subject to pretrial detention, the United States Attorney may initiate a pretrial detention hearing by ex parte written motion. Upon such motion the judicial officer may issue a warrant for the arrest of the person and such person shall be brought before a judicial officer in the district where he is arrested. He shall then be transferred to the district in which his arrest was ordered for proceedings in accordance with this section.

"(3) The pretrial detention hearing shall be held immediately upon the person being brought before the judicial officer for such hearing unless the person or the United States Attorney moves for a continuance. A continuance granted on motion of the person shall not exceed five calendar days, in the absence of extenuating circumstances. A continuance on motion of the United States Attorney shall be granted upon good cause shown and shall not exceed three calendar days. The person may be detained pending the hearing.

"(4) The person shall be entitled to representation by counsel and shall be entitled to present information, to testify, and to present and cross-examine witnesses.

"(5) Information stated in, or offered in connection with, any order entered pursuant to this section need not conform to the rules pertaining to the admissibility of evidence in a court of law.

"(6) Testimony of the person given during the hearing shall not be admissible on the issue of guilt in any other judicial proceeding, but such testimony shall be admissible in proceedings pursuant to sections 3150, 3150A and 3150B of this title, in perjury proceedings, and as impeachment in any subsequent proceedings.

"(7) Appeals from orders of detention may be taken pursuant to section 3147 of this title.

"(d) The following shall be applicable to persons detained pursuant to this section:

"(1) To the extent practicable, the person shall be given an expedited trial.

"(2) Any person detained shall be treated in accordance with section 3146 of this title—

"(A) upon the expiration of sixty calendar days, unless the trial is in progress or the trial has been delayed at the request of the person; or

"(B) whenever a judicial officer finds that a subsequent event has eliminated the basis for such detention.

"(3) The person shall be deemed detained pursuant to section 3148 of this title if he is convicted.

"(e) The judicial officer may detain for a period not to exceed five calendar days a person who comes before him for a bail determination charged with any offense, if it appears that such person is presently on probation, parole or mandatory release pending completion of sentence for any offense under State or federal law and that such person may flee or pose a danger to any other person or the community if released. During the five day period, the United States Attorney or the Corporation Counsel for the District of Columbia shall notify the appropriate State or federal probation or parole officials. If such officials fail or decline to take the person into custody during such period, the person shall be treated in accordance with section 3146 of this title, unless he is subject to detention pursuant to this section. If the person is subsequently convicted of the offense charged, he shall receive credit towards service of sentence for the time he was detained pursuant to this subsection."

"§3146B. Pretrial detention for certain persons addicted to narcotics.

"(a) Whenever it appears that a person charged with a crime of violence, as defined in section 3152(4) of this title, may be an addict, as defined in section 3152(5) of this title, the judicial officer may, upon motion of the United States Attorney, order such person detained in custody for a period not to exceed three calendar days, under medical supervision, to determine whether the person is an addict.

"(b) Upon or before the expiration of three calendar days, the person shall be brought before a judicial officer and the results of the determination shall be presented to such judicial officer. The judicial officer thereupon (1) shall treat the person in accordance with section 3146 of this title, or (2) upon motion of the United States Attorney, may (A) hold a hearing pursuant to section 3146A of this title, or (B) hold a hearing pursuant to subsection (c) of this section.

"(c) A person who is an addict may be ordered detained in custody under medical supervision if the judicial officer:

"(1) holds a pretrial detention hearing in accordance with subsection (c) of section 3146A of this title;

"(2) finds that—

"(A) there is clear and convincing evidence that the person is an addict;

"(B) based on the factors set out in subsection (b) of section 3146 of this title, there is no condition or combination of conditions of release which will reasonably assure the safety of any other person or the community; and

(C) on the basis of information presented to the judicial officer, there is a substantial probability that the person committed the offense for which he is present before the judicial officer; and

"(3) issues an order of detention accompanied by written findings of fact and the reasons for its entry.

"(d) The Provisions of subsection (d) of section 3146A of this title shall apply to this section."

Sec. 3. Section 3147 of title 18, United States Code, is amended:

(a) by changing the title to read:

"§3147. Appeals from conditions of release or orders of pretrial detention."

(b) by adding after the phrase "the offense charged," in subsection (b) the phrase "or (3) a person is ordered detained or an order of detention has been permitted to stand by a judge of the court having original jurisdiction over the offense charged".

Sec. 4. Section 3148 of title 18, United States Code, is amended by striking out the last sentence and adding "The provisions of section 3147 shall apply to persons described in this section."

Sec. 5. Section 3150 of title 18, United States Code, is amended:

(a) by adding the letter "(a)" before the word "Whoever".

(b) by inserting the phrase "or prior to surrender to commence service of sentence" (1) after the word "chapter" and (2) after the word "certiorari".

(c) by deleting the phrase "or imprisoned not more than five years" and inserting in lieu thereof the phrase "and imprisoned not less than one year and not more than five years".

(d) by deleting the phrase "or imprisoned for not more than one year" and inserting in lieu thereof the phrase "and imprisoned not less than ninety days and not more than one year".

(e) by adding at the end thereof the following new subsections:

"(b) Any failure to appear after notice of the appearance date shall be prima facie evidence that such failure to appear is willful. Whether the person was warned when released of the penalties for failure to appear shall be a factor in determining whether such failure to appear was willful, but the giving of such warning shall not be a prerequisite to conviction under this section.

"(c) The trier of facts may convict under this section even if the defendant has not received actual notice of the appearance date if (1) reasonable efforts to notify the defendant have been made and (2) the defendant, by his own actions, has frustrated the receipt of actual notice.

"(d) Any term of imprisonment imposed pursuant to this section shall be consecutive to any other sentence of imprisonment."

Sec. 6. Chapter 207 of title 18, United States Code, is amended by adding after section 3150 the following new sections:

"§ 3150A. Added penalties for crimes committed while on release.

"Any person convicted of an offense committed while released pursuant to section 3146 of this title shall be subject to the following penalties in addition to any other applicable penalties:

"(1) a term of imprisonment of not less than one year and not more than five years if convicted of committing a felony while released; and

"(2) a term of imprisonment of not less than ninety days and not more than one year if convicted of committing a misdemeanor while released.

"The giving of a warning to the person when released of the penalties imposed by this section shall net be a prerequisite to conviction under this section.

"Any term of imprisonment imposed pursuant to this section shall be consecutive to any other sentence of imprisonment."

§ 3150B. Sanctions for violation of release conditions.

"(a) A person who has been conditionally released pursuant to section 3146 of this title and who has violated a condition of release shall be subject to revocation of release and an order of detention and to prosecution for contempt of court.

"(b) Proceedings for revocation of release may be initiated on motion of the United States Attorney. A warrant for the arrest of a person charged with violating a condition of release may be issued by a judicial officer and such person shall be brought before a judicial officer in the district where he is arrested. He shall then be transferred to the district in which his arrest was ordered for proceedings in accordance with this section. No order of revocation and detention shall be entered unless, after a hearing, the judicial officer finds that—

"(1) there is clear and convincing evidence that such person has violated a condition of his release; and

"(2) based on the factors set out in subsection (b) of section 3146 of this title there is no condition or combination of conditions of release which will reasonably assure that such person will not flee or pose a danger to any other person or the community.

The provision of subsections (c) and (d) of section 3146A of this title shall apply to this subsection.

"(c) Contempt sanctions may be imposed if, upon a hearing and in accordance with principles applicable to proceedings for criminal contempt, it is established that such person has intentionally violated a condition of his release. Such contempt proceedings shall be expedited and heard by the court without a jury. Any person found guilty of criminal contempt for violation of a condition of release shall be imprisoned for not more than six months, or fined not more than $1,000, or both.

"(d) Any warrant issued by a judge of the District of Columbia Court of General Sessions for violation of release conditions or for contempt of court, for failure to appear as required, or pursuant to subsection (c) (2) of section 3146A of this title, may be executed at any place within the jurisdiction of the United States. Such warrants shall be executed by a United States Marshall or by any other officer authorized by law."

Sec. 7. Section 3152 of title 18, United States Code, is amended by adding the following new paragraphs:

"(3) The term 'dangerous crime' means (1) taking or attempting to take property from another by force or threat of force, (2) unlawfully breaking and entering or attempting to break and enter any premises adapted for overnight accommodation of persons or for carrying on business with the intent to commit an offense therein, (3) arson or attempted arson of any premises adapted for overnight accommodation of persons or for carrying on business, (4) rape, carnal knowledge of a female under the age of sixteen, assault with intent to commit either of the foregoing offenses, or taking or attempting to take immoral, improper or indecent liberties with a child under the age of sixteen years, or (5) unlawful sale or distribution of a narcotic or depressant or stimulant drug, as defined by any Act of Congress and if the offense is punishable by imprisonment for more than one year.

"(4) The term 'crime of violence' means murder, rape, carnal knowledge of a female under the age of sixteen, taking or attempting to take immoral, improper, or indecent liberties with a child under the age of sixteen years, mayhem, kidnaping, robbery, burglary, voluntary manslaughter, extortion or blackmail accompanied by threats of violence, arson, assault with intent to commit any offense, assault with a dangerous weapon, or an attempt or conspiracy to commit any of the foregoing offenses, as defined by any Act of Congress or any State law, if the offense is punishable by imprisonment for more than one year.

"(5) The term 'addict' means any individual who habitually uses any narcotic drug as defined by section 4731 of the Internal Revenue Code of 1954, as amended, so as to endanger the public morals, health, safety, or welfare."

Sec. 8. Severability.

If a provision of this Act is held invalid, all valid provisions which are severable shall remain in effect. If a provision of this Act is held invalid in one or more of its applications, the provision shall remain in effect in all its valid applications.

The material presented by Mr. Hruska is as follows:

Office of the Attorney General,
Washington, D.C.

The Vice President,
U.S. Senate,
Washington, D.C.

Dear Mr. Vice President: Enclosed for your consideration and appropriate reference is a legislative proposal to amend the Bail Reform Act of 1936 for the purpose of reducing crime committed by persons released on bail.

The Bail Reform Act of 1966 was enacted to assure that all persons, regardless of their financial status, would not needlessly be detained. Almost three years of experience under the Act have exposed some further problems which need legislative resolution. In particular, there is need for legislative authorization to consider danger to the community in setting nonfinancial pretrial release conditions, to detain certain defendants found to be dangerous, to revoke the release of those defendants who violate release conditions, and to punish those who commit crimes while released on bail with added penalties.

The proposed statute would amend the present Bail Reform Act and authorize the judicial officer to consider danger to another person or to the community in setting nonfinancial pretrial release conditions. This proposal has been widely accepted and has been endorsed by the President's District of Columbia Crime Commission, the American Bar Association Pretrial Release Committee, the District of Columbia Judicial Conference Committee and others who have studied the operation of the Bail Reform Act.

Another key feature of the proposal is the creation of authority to deny pretrial release for a sixty day period for specific categories of defendants who are found to be dangerous after a hearing with appropriate procedural safeguards. The concept of such detention was recently endorsed by a majority of a committee of the Judicial Council of the District of Columbia which studied the operation of the Bail Reform Act. In his January 31 statement on crime in the District of Columbia, President Nixon stressed the need for pretrial detention of persons charged with crimes "when their continued pretrial release presents a clear danger to the community." The crisis we face from crime in our streets, as highlighted by recent studies in the District of Columbia, makes it imperative for action to be taken along these lines.

In broad outline the bill contemplates detention in four major categories. First, if a defendant is charged with what is designated a "dangerous crime" he may be subjected to a pretrial detention hearing based on this charge alone. A "dangerous crime" is restrictively defined to cover offenses with high risk of additional public danger if the defendant is released. These include bank robbery and the sale of a narcotic drug. The second category covers a group of repeat offenders who have been charged with at least two crimes of violence. The term "crime of violence" is defined more broadly than "dangerous crime" and runs the full range of violent offenses. In this category there must be at least two offenses, *e.g.*, the person was on bail or had a prior conviction for a crime of violence. The third category covers narcotic addicts who are charged with any crime of violence. Probably no more predictable person exists than the addict who must raise money to feed his habit. While the bill permits the addict to be held on the first charge, that charge must be a crime of violence. Thus the addict supporting a habit by petty larceny or prostitution is excluded. Only when the addict appears to have "graduated" to crimes of violence can he be subjected to pretrial detention. A final category covers those persons who, irrespective of the offense charged, obstruct justice by threatening witnesses or jurors.

No one falling within the specific categories can be ordered detained unless a detention hearing is held. At this hearing the judicial officer must find that the person falls within one of the above categories, that a substantial probability exists that the person committed the offense charged, and that no condition or combination of conditions of release will reasonably assure the safety of any other person or the community.

The bill also provides a number of strong procedural protections to safeguard the rights of defendants. For example, anyone who is detained will be able to effectively assist in the preparation of his case, and may even secure release for limited periods to obtain evidence or witnesses. Once ordered detained, the person will be entitled to an expedited trial and to release within sixty days unless the trial is in progress or the trial is being delayed at his request.

The proposal also contains authority for revocation of release whenever a person violates a condition of his release. In such case detention for up to sixty days can result if, after a hearing, it is determined that no other condition or combination of conditions of release will reasonably assure against flight or danger to the community and that the person has, in fact, violated a release condition. As an alternative to revocation a clear and specific contempt sanction is spelled out.

In order to deter unlawful conduct while on release the bill provides for a mandatory minimum additional penalty in such cases. The penalty is also made to run consecutively to all other penalties.

I urge early consideration and adoption of this proposed legislation.

The Bureau of the Budget has advised that enactment of this legislation is in accord with the Program of the President.

Sincerely,

Attorney General.

EXPLANATORY STATEMENT ON PROPOSED BAIL REFORM ACT AMENDMENTS

The attached bill would amend the Bail Reform Act of 1966 (18 U.S.C. 3146–3152) for the purpose of reducing crime committed by persons released on bail. The principal features of the bill are—

1. Authority to consider danger to the community in setting conditions of pretrial release;

2. Authority to deny pretrial release for a sixty-day period to specific categories of defendants who are found to be dangerous after an adversary hearing with appropriate procedural safeguards;

3. Authority to revoke pretrial release and detain defendants who violate release conditions; and

4. Provision for mandatory additional terms of imprisonment to be served consecutively by persons found guilty of bail jumping or of committing an offense while on pretrial release.

The purpose of this statment is to describe present law and the proposed revisions. Constitutional problems have not been dealt with, but will be discussed in detail in subsequent memoranda.

A. PRESENT LAW

Under present law, danger to the community may be considered in determining pretrial release in capital cases and release pending appeal. 18 U.S.C. 3148. The bill would not change present law in these situations.

With respect to pretrial release in noncapital cases, however, existing law does not permit consideration of dangerousness. In such cases the statute presently provides for release on recognizance and, in appropriate cases, for the imposition of release conditions, if the judicial officer determines that such conditions are necessary to assure the defendant's appearance at trial. Such conditions may include release to a third party custodian, restrictions on travel, and the like. When the judicial officer deems such conditions insufficient to assure the defendant's appearance, he may require posting of a money bond (essentially equivalent to the conventional bail system), or even a return to custody after designated hours ("daytime release"). 18 U.S.C. 3146(a). In setting conditions of release, the judicial officer is directed to consider a variety of factors, including the nature of the charge, the weight of the evidence, prior record, and community ties. 18 U.S.C. 3146(b).

Although pretrial release can be (and frequently is) denied by setting a high money bond, the purpose and effect of the 1966 statute is to create a strong presumption in favor of pretrial release in non-capital cases. This is underscored by the fact that the judicial officer is *not* statutorily authorized (1) to consider danger to the community in prescribing conditions of release (2) to deny release unconditionally, or (3) to revoke pretrial release for violation of a release condition.

Present law does not provide an additional penalty for committing an offense while on pretrial release.

B. PROPOSED CHANGES

Section 1. This section would amend 18 U.S.C. 3146 to authorize the judicial officer to consider danger to another person (*e.g.*, the victim of an assault) or to the community (e.g., armed robbery cases) in setting pretrial release conditions, other than financial conditions.

This proposal has been endorsed in virtually all quarters, including the Judicial Council Committee to Study the Operation of the Bail Reform Act in the District of Columbia ("Hart Committee"), and the Advisory Committee on Pretrial Proceedings of the American Bar Association Project on Minimum Standards in the Administration of Criminal Justice ("ABA Committee").

Section 2. This section would add two new sections, 3146A and 3146B, to the Bail Reform Act and authorize denial of pretrial release in certain limited circumstances, predicated on individual findings of dangerousness.

Each section and subsection will be described below, but in broad outline the bill contemplates detention in four major areas. First, if a defendant is charged with what is designated a "dangerous crime" he may be subject to a pretrial detention hearing based on this charge alone. A "dangerous crime" is restrictively defined to cover offenses with high risk of additional or repeated public danger if the defendant is released. These include crimes such as robbery by force or threat of force, or the sale of a narcotic drug. The second category covers a group of repeat offenders who have been charged with at least two crimes of violence. The term "crime of violence" is defined more broadly than "dangerous crime" and runs the full range of violent offenses. In this category there must be at least two offenses, *e.g.*, the person was on bail or had a prior conviction for a crime of violence. The third category covers narcotic addicts who are charged with any crime of violence. A final category covers those persons charged with any offense who threaten witnesses or jurors.

3146(a). Detention Categories. This subsection identifies three of the four categories of defendants who could be subject to pretrial detention. As noted above, the first category, "dangerous crime," stresses offenses that are the most serious, and those charged with these crimes are subject to pretrial detention procedures. Wherever possible the individual offenses in the "dangerous crime" category have been defined restrictively to stress the danger element. The definition covers these major offenses—robbery with attendant use of force (thus eliminating shoplifters and pickpockets), burglary of premises used for dwelling or business, rape and related dangerous sex offenses and arson of premises used as a dwelling or for business (thus eliminating arson of movable property, crops and the like). Unlike the second category to be discussed below, these four are not firmly tied to past conduct justifying a generalized inference of future dangerousness. There is, however, some evidence that the recidivism rate among robbers and perhaps burglars is markedly higher than in other categories of crimes. Moreover, the very nature of these crimes, as well as the crimes of rape, and arson, and the requirement of a finding that a substantial probability that the person committed the offense exists (see subsection (b) below) help to buttress the predicate of dangerousness present in these categories.

Included within the definition of a dangerous crime is sale of a narcotic or depressant or stimulant drug. While this crime is, in and of itself, nonviolent, the tie between narcotics and crime is widely recognized. Those persons involved in the sale of these drugs are often highly organized and can generally be considered dangerous criminals. Further, sale of depressant and stimulant drugs, particularly hallucinogens and methamphetamines, often prove highly dangerous to the buyer and this in combination with the type of individual engaged in such traffic requires the inclusion of this crime of illicit sale.

The second category stresses recidivism and relates it to crimes of violence. As noted above, a "crime of violence" is defined to include all the common violent offenses. The definition covers robbery, burglary, arson and rape as in category one, but drops the limiting language used in that category. Thus any robbery or any burglary qualifies as a crime of violence under this category. The range of crimes extends from murder and mayhem to kidnaping and assault with a dangerous weapon.

Under this category persons who are on bail or other release charged with a crime of violence in any State or federal jurisdiction may be subject to pretrial detention if they are now charged in a federal court with a second crime of violence. In essence the theory adopted is that this person has had his chance at pretrial release and failed in that probable cause now exists to believe that he has committed another crime of violence. The same result occurs if the person charged with a crime of violence is on parole or probation for a crime of violence or has

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been convicted of a crime of violence within the last ten years.

The last category in this section authorizes detention whenever a person charged with any offense has obstructed justice by threatening or intimidating any prospective witness. It is believed that this category merely codifies existing case authority to detain under such circumstances. *Carbo* v. *United States,* 82 S. Ct. 662 (Douglas, Ctr. Justice, 1962).

3146A(b). Findings. This subsection sets out the requirements that must be met before the judicial officer can detain anyone falling withtin the categories of subsection (a). As a threshold determination, the judicial officer, prior to ordering a detention hearing, must conclude that no condition or combination of conditions will reasonably assure the safety of any other person or the community. A hearing is then required where the judicial officer must make certain findings. He must find, first, that the person falls within one of the categories. Next, the officer must find that on the basis of the information presented there is substantial probability that the person committed the offense charged. This is an added protection for the defendant and should bar the possibility of detention in weak government cases. To parallel existing case law this finding is not required in the category that covers obstruction of justice by threats to witnesses and jurors. The judicial officer must then reiterate his finding that no condition or combination of conditions will reasonably assure the safety of any other person or the community. In essence this finding is the judicial officer's belief that, if released, the person will pose a danger to the community. Finally, the judicial officer is required to issue an order of detention accompanied by written findings of fact and reasons for its entry.

1346A(c). Procedures. This subsection sets out the procedures to be followed at the pretrial detention hearing. Among them is a requirement that the hearing be initiated on oral motion of the United States Attorney thus placing this responsibility clearly on the prosecutor who can be expected to have more information than the court. In addition, any time a defendant has been granted pretrial release and the United States Attorney subsequently learns that the defendant may be subject to pretrial detention, he may initiate such a hearing on written motion. The subsection permits an arrest warrant to issue and provides for the defendant's arrest in a distant district and his return to the original district.

The subsection also governs the time within which the hearing for a detention order is to be held. Ideally, such a hearing should be held within a few hours after arrest, and the statute contemplates this unless the defendant requests a continuance, but prosecutors may also seek a continuance. The bill would allow a five calendar day continuance to the defendant and a three calendar day continuance on motion of the United States Attorney. The defendant may be detained pending the hearing.

The defendant is entitled to be represented by counsel and to enjoy the right to testify and present and cross examine witnesses, and the subsection mandates relaxed evidentiary rules at the hearing. Whatever testimony the person gives is inadmissible in any other proceeding on the issue of guilt, except those for bail jumping, added penalties for crime committed on bail, revocation of release or contempt hearings, in perjury proceedings or as impeachment in any subsequent proceedings. Lastly, the appellate procedures of section 3147 are made applicable to persons ordered detained.

3146A(d). Limits on Detention. This subsection sets out the procedures that will apply to persons who are ordered detained. An expedited trial is required and the defendant is to be released at the end of sixty days, except where the trial is in progress or is being delayed at the defendant's request. Any time a subsequent event eliminates the basis for detention the person is to be released.

Other provisions are present in the bill which are designed to mitigate the rigors of detention and enable the defendant effectively to prepare his defenses. They are present in Sec. 1 of the bill as a new subsection 3146(h) which make these provisions applicable to any person detained irrespective of whether it is an order of detention or the failure to meet money bond that results in incarceration. These include separation, to the extent possible, from other prisoners and the right to release under supervision for limited periods of time to prepare defenses.

3146A(e). Parole and Probation Violators. This subsection would authorize the judicial officer to hold in custody for a maximum period of five calendar days State and federal probationers and parolees held to answer for federal offenses. The purpose of such temporary detention would be to keep putatively dangerous persons off the streets while the appropriate State or federal probation or parole authorities are acting to procure and execute arrest warrants looking toward revocation of probation or parole, if such revocation appears to be warranted in a particular case. The Bill Reform Act and the relevant probation and parole statutes (18 U.S.C. 3653, 4205–07) do not expressly authorize detention for this purpose, although the same result may be accomplished by setting a high money bond.

3146B. Pretrial detention for certain persons addicted to narcotics. This section permits the pretrial detention of a narcotic addict charged with a crime of violence. Probably no more predictable person exists than the addict who is driven to crime by his habit. While the section permits the addict to be held on the first charge, the charge must be for a crime of violence. Thus the addict supporting his or her habit by petty larceny or prostitution is excluded. Only when the addict appears to have "graduated" to crimes of violence can he be subjected to pretrial detention. The subsections of this section are described below.

3146B(a). Under this subsection any time it appears to the judicial officer that a person may be a narcotic addict, he may, on motion of the United States Attorney, order such person detained under medical supervision for three calendar days to determine if the person is, in fact, an addict.

3146B(b). This subsection requires the person to be brought back before the judicial officer on or before the end of the three day detention period. At such time the judicial officer is informed of the test results and can then do one of three things. He can set release conditions under the present statute, or, on motion of the United States Attorney, hold a detention hearing under section 3146A, if the person fits within one of that section's detention categories, or proceed with a separate detention hearing under this section.

3146B(c). Findings. The judicial officer can order pretrial detention under medical supervision for the addict charged with a crime of violence if he makes findings similar to those required under section 3146A. The various detention procedures and limitations applicable to section 3146A are made applicable to this section as well.

Detention under medical supervision contemplates jailhouse detention and not hospital confinement. Medical supervision is intended to provide appropriate testing methods to determine addiction and to assist the addict in overcoming the discomforts of withdrawal.

Section 3. This section amends present section 3147 concerning appeals by persons detained because of inability to meet release conditions set pursuant to section 3146. The new language extends the same appellate procedures to persons detained pursuant to proposed new sections 3146A (Pretrial detention in certain noncapital cases), 3146B (Pretrial detention for certain persons addicted to narcotics) and 3150B (Sanctions for violation of release conditions).

Section 4. This is a technical amendment permitting those held under present section 3148 (Release in capital cases or after conviction) to invoke the same appellate procedures available under section 3147, discussed above, and extending the section specifically to cover persons released prior to surrender to commence service of sentence.

Section 5. This section amends the present bail jumping statute (section 3150) to permit a prima facie finding of "willfulness" whenever the defendant fails to appear as required. "Willfulness" as a legal concept is extremely troublesome to establish and prosecutions for bail jumping have proven difficult. Under the amended section the requirements of notice of appearance date, another stumbling block in this area, will be met if the government has made all reasonable efforts to notify the defendant and the defendant has frustrated receipt by his own actions. As an added deterrent the penalties for failure to appear as required have also been made consecutive and mandatory minimum sentences have been added.

Section 6. As noted above, present law does not provide an additional penalty for committing an offense while on pretrial release. This section would add a new section 3150A to the Bail Reform Act to provide such a penalty. The additional sentence would be imposed by the court following conviction for the crime committed while on pretrial release. For deterrent effect imposition of the sentence would be mandatory and the sentence would be served consecutively. In the case of a felony, the additional sentence would be a minimum of one year and a maximum of five years. In the case of a misdemeanor, the additional sentence would be for not less than ninety days or more than one year. Added penalties for crimes committed on bail is a recommendation of both the Hart Committee and the report of the President's Commission on Crime in the District of Columbia.

This section would also add a new section 3150B to the Bail Reform Act to provide specific sanctions for violations of release conditions. As previously noted, present statutory law does not authorize revocation of pretrial release. Proposed Section 3150B would authorize such revocation, if, upon a hearing, the United States Attorney establishes by "clear and convincing evidence" that the defendant has violated a condition of his release, and if the court finds that no additional conditions of release will reasonably assure against flight or danger to the community. This sanction was also endorsed by the Hart Committee and the ABA Committee.

Alternatively, under section 3150B, the defendant could be tried for criminal contempt and sentenced to imprisonment for six months or fined where there has been an "intentional" violation of a release condition. The contempt sanction is probably available under present law, but it has not been extensively employed. See 18 U.S.C. 3151. Accordingly, it seems desirable to provide more specifically for this sanction and to spell out certain procedures and sentences, as the proposed section 3150B does.

Section 7. This section adds three new paragraphs to the definition section of the Bail Reform Act. Defined in this section are "dangerous crime", "crime of violence" and "addict". Both "dangerous crime" and "crime of violence" are restricted to offenses that carry punishment of at least one year in prison.

Section 8. This is a standard severability clause.

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S. 2601—INTRODUCTION OF BILL RELATING TO DISTRICT OF COLUMBIA COURT REORGANIZATION

Mr. HRUSKA. Mr. President, in the absence of my distinguished friend, the Senator from Maryland (Mr. Tydings), I am introducing on his behalf and that of other Senators the administration's bill to reorganize the courts of the District of Columbia. Senator Tydings, at the request of the administration, has agreed to be the principal sponsor of this legislation.

Senator Tydings himself, however, is unable to be in the Senate this afternoon because his duties as chairman of the Subcommittee on Improvements in Judicial Machinery of the Senate Judiciary Committee have taken him to the annual convention of the Maryland State Bar Association. Therefore, I am introducing the bill on his behalf this afternoon and on behalf of myself and Senators Prouty, Dirksen, McClellan, Goodell, Ervin, and Thurmond.

Mr. President, this is a lengthy bill. It has tremendous scope because it undertakes to revise and restructure the entire judicial machinery of the District of Columbia. The bill is not only long but it is also very complex. Speaking for myself and for the other cosponsors of the bill, as well as for its introducer, I wish to say that I am certainly not wedded to all the provisions of the bill.

There may be and undoubtedly will be some provisions of the bill which the cosponsors will wish to amend or change or perhaps delete. But the point is that the draft of the bill as here introduced today furnishes a good basis for the proceedings in the hearings that commence on next Tuesday. It is for this purpose that we now introduce the bill.

The Senator from Maryland (Mr. Tydings) has asked me to have printed in the Record a statement on his behalf regarding the bill, I ask unanimous consent that the statement by the Senator from Maryland (Mr. Tydings) be printed in the Record at the conclusion of my remarks. I also ask unanimous consent that certain documents be printed in the Record at the end of the statement by the Senator from Maryland, as well as a letter of transmittal from the Attorney General to the President of the Senate describing the bill, and a summary of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the material will be printed in the Record.

Statement by Mr. Tydings on the President's Bill on District of Columbia Court Reorganization

Mr. Tydings. Mr. President, I am introducing on the Administration's behalf a proposal for court reorganization in the District of Columbia. I am happy to respond to this request by the Administration in order to facilitate consideration of this legislation by the District of Columbia Committee. That committee will hold joint hearings on this legislation with the Subcommittee on Improvements in Judicial Machinery of the Senate Judiciary Committee next Tuesday through Thursday, July 15–17, in Room 6226 of the New Senate Office Building.

As it happens, I am chairman of both the District of Columbia Committee and the Improvements in Judiciary Machinery Subcommittee. This is a happy coincidence since the question of reorganization of the District of Columbia courts is a matter of importance to both the District of Columbia Committee and the Improvements in Judicial Machinery Subcommittee. The D.C. Committee will have jurisdiction of this bill on local court reorganization. The Improvements in Judicial Machinery Subcommittee, on the other hand, must decide the organization and number of judgeships for the federal District Court and Court of Appeals in the District of Columbia.

The questions of jurisdiction, number of judgeships and procedures of the local and federal courts in the District of Columbia are so interrelated that I think joint hearings by the District of Columbia Committee and the Improvements in Judicial Machinery Subcommittee are very appropriate in this case.

The District of Columbia Committee, alone, of course, must bear the responsibility for ultimately reporting the court reorganization legislation for the local District of Columbia courts, just as the Improvements in Judicial Machinery Subcommittee must consider legislation relating to the District Court and Court of Appeals here.

The bill I am introducing today at the request of the Administration is one of considerable length. I have not had an opportunity to examine its provisions in any detail or to make a personal judgment on any of them. Therefore, I must reserve judgment on the bill as a whole and on its provisions until we are able to examine them at our hearings next week. I look forward to those hearings.

As I have frequently said, court reorganization in the District is essential to meet the crime problem we face in the National Capital area. Never in my considerable association with questions of court organization and court reform have I encountered a more crying public need for immediate action to improve our method of disposing of criminal cases than exists here in the District today. The normal time lag in the prosecution of a major criminal case in the District now exceeds 10 months. Many cases are several years old and one criminal case has been pending for more than 5 years. This delay means that cases grow stale, witnesses disappear, memories grow hazy and many defendants have their cases unfairly dismissed and return to the streets to victimize society.

Our goal in considering this bill and several other bills on court reorganization pending before the District of Columbia Committee will be to reduce that backlog and to drastically reduce the time required to get a defendant to trial. We will try to provide an exemplary local court system in the District of Columbia.

I am honored that my distinguished colleague Senator Roman L. Hruska will be joining us for our hearings next week. He is the ranking minority member of my Subcommittee on Improvements in Judicial Machinery. It has been my extreme pleasure to work with Senator Hruska on that Subcommittee. I am sure that his contribution to our hearings will be as significant and enjoyable as my long association with him has been.

The letter from the Attorney General presented by Mr. Hruska is as follows:

Office of the Attorney General,
Washington, D.C., July 11, 1969.

The Vice President,
U.S. Senate,
Washington, D.C.

Dear Mr. Vice President: Enclosed for your consideration and appropriate reference is a legislative proposal to reorganize the court systems in the District of Columbia.

The proposal consists of six titles. Title I is a reenactment and revision of title 11 of the District of Columbia Code, "Organization and Jurisdiction of the Courts." In addition it contains certain interim provisions to protect the rights of persons affected by, and to effectuate the provisions of, the court reorganization. Title II consists of amendments to titles 12 through 17 of the D.C. Code, relating to judicial procedures. For the most part, these are technical amendments necessitated by the court reorganization. Title III consists of amendments to titles 18 through 21 of the D.C. Code, "Decedents Estates and Fiduciary Relations." These amendments also are primarily technical. Title IV contains several amendments to the D.C. penal laws and provides for the amendment, codification and enactment into positive law of title 23 of the D.C. Code, "Criminal Procedure." Title V consists of technical amendments to all other affected provisions of D.C. law. Title VI contains the usual separability provision, a provision that the Act shall become effective six months after enactment, and authority to fill additional judgeships on the D.C. courts prior to the effective date of the Act.

In view of the length and complexity of this proposed legislation, summaries of the various parts of the bill are attached. However, it is pertinent in this letter to call your attention to the most significant aspects of the bill.

The proposed revision of title 11 of the D.C. Code would establish a new Superior Court which would be the trial court of general local jurisdiction in the District of Columbia. In addition to the new jurisdiction conferred upon it, the Superior Court would absorb the jurisdiction presently exercised by the Court of General Sessions, Juvenile Court and D.C. Tax Court. This new Superior Court, together with an expanded District of Columbia Court of Appeals, would constitute the District of Columbia Court System.

It provides for the gradual transfer of all purely local jurisdiction to the District of Columbia Court System. The transfer would eventually raise the U.S. District Court to the status of a true federal court, unencumbered by the purely local jurisdiction which it alone, among all the federal courts in the country, now exercises. This is consistent with the President's directive of January 31, 1969 to draft "appropriate legislation providing for a reorganization and restructuring of our present court system toward the eventual goal of creating one local court of general, civil, criminal and juvenile jurisdiction for the District of Columbia."

In the revision of title 11, other changes have been incorporated to improve the administration of justice in the District. For example, the Superior Court would include a Family Division with broader powers to resolve intra family matters than can now be exercised by either the Juvenile Court or the Domestic Relations Branch of the Court of General Sessions. Specific provisions for the improvement of court management and new provisions substituting a modern Medical Examiner for the old coroner system have been included in the new title 11. Changes in other portions of title 11, such as the judicial retirement provision, have also been included.

The revisions in titles 12 through 17 of the D.C. Code presently contain no changes in subchapter I, chapter 23 of title 16 of the Code—Juvenile Proceedings. Not even technical changes have ben made in these provisions since the Department of Justice, in cooperation with the Department of Health, Education and Welfare and the District of Columbia Government, is currently revising the law governing juvenile procedures in the District. That revision will be submitted to you as soon as possible.

Section 402 of this bill is the codification of title 23, "Criminal Procedure." The creation of the new court system necessitated changes in existing law and required new procedures for the operation of the courts.

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It therefore seemed advantageous to codify the entire title.

I urge the prompt enactment of this legislation.

The Bureau of the Budget has advised that this legislation is in accord with the Program of the President.

Sincerely,

ATTORNEY GENERAL.

The summary presented by Mr. HRUSKA is as follows:

SUMMARY OF PROPOSED DISTRICT OF COLUMBIA COURT REORGANIZATION ACT OF 1969

The proposed District of Columbia Court Reorganization Act of 1969 is a comprehensive bill restructuring the District of Columbia Courts, transferring jurisdiction from the Federal courts in the District to the District of Columbia Courts, revising the District's code of criminal procedure, and making conforming changes throughout the District of Columbia Code. It consists of six titles, described in detail below.

TITLE I

The first title of the bill is comprised of a revision and reenactment of title 11 of the D.C. Code and certain transitional sections relating to the personnel and property of the present D.C. courts.

Section 101, the revision of title 11 of the D.C. Code, would substantially reorganize the court systems in the District of Columbia. It is designed to establish, in gradual stages, federal and local court systems which would be analogous to the systems existing in the States. Thus, the federal courts would ultimately have only federal jurisdiction, with all local jurisdiction vested in the District of Columbia courts. However, the U.S. Attorney and U.S. Marshal would continue to serve both federal and local courts.

The present Court of General Sessions, Juvenile Court and D.C. Tax Court would be consolidated and upgraded into a single Superior Court of expanded jurisdiction which would be the trial court for the District. The present Court of Appeals would continue to hear appeals from the local trial court and would become the highest appellate court for local matters in the District, equivalent to the highest court of a State.

Chapter 1 describes the federal and local courts in the District and equates the D.C. Court of Appeals with the highest court of a State.

Chapter 3 preserves the jurisdiction of the U.S. Court of Appeals for the District of Columbia Circuit over appeals from the D.C. Court of Appeals which are pending or may still be filed on the effective date of the Act or which involve federal misdemeanors tried in the D.C. court. It provides for the continued publication of the U.S. App. D.C. reports for so long as the court retains substantial local appellate jurisdiction.

Chapter 5 preserves the federal jurisdiction of the District Court. It gradually diminishes local civil jurisdiction, some being transferred to the Superior Court on the effective date of the Act, and the remainder in two subsequent stages. Local criminal jurisdiction is also transferred gradually, in two stages.

Provisions relating to employees of the District Court, except the auditor, have been omitted since they are covered by provisions applicable generally to federal courts.

Chapter 7 provides a nine-member D.C. Court of Appeals and continues the provisions for three-judge divisions and en banc hearings. The Court would hear all appeals from the Superior Court, appeals from administrative decisions as provided in the 1968 D.C. Administrative Procedure Act and all appeals from orders and decisions of the D.C. Public Service Commission. The Court would be authorized to hear interlocutory appeals from the Superior Court including orders to suppress evidence. Appeals would also be permitted from rulings on controlling issues of law, made during trial, in both civil and criminal cases.

Judges of the Court of Appeals could be assigned to Superior Court and Superior Court judges could be assigned to the Court of Appeals when necessary. The Chief Judge would be authorized to designate the judge who would act in his stead. Judicial salaries would be equated with level III of the Federal Executive scale—$2500 below judges of federal appellate courts.

The Court of Appeals could make its own rules of procedure, and would approve the general civil and criminal rules of the trial court.

Chapter 9 consolidates the District of Columbia Court of General Sessions, Juvenile Court and Tax Court into a single Superior Court. The Court would consist initially of 37 judges—an increase of 10 over the total number of judges of the three courts. The number of judges would subsequently be increased in stages to a total number tentatively proposed as fifty judges. The Superior Court would ultimately be divided into four divisions—civil, criminal, family and probate. Judicial salaries would be equated with level IV of the Federal Executive scale—equal to the U.S. Attorney and $2000 below federal trial judges.

The Chief Judge would be empowered to rotate judges among the divisions and would be authorized to designate the judge who acts in his stead.

The civil jurisdiction of the court would be increased on the effective date (six months after enactment) to cover all personal injury actions of a purely local nature and all other local civil and equity cases where the amount in controversy is $50,000 or less. Other transfers on the effective date include D.C. land condemnation, real property actions, quo warranto actions against D.C. officials and corporations, habeas corpus against all but federal officials, and commensurate equity jurisdiction. Additional jurisdiction would be transferred in two further stages. The second stage (eighteen months after the first, *i.e.* two years after enactment) includes probate jurisdiction, hospitalization of the mentally ill, and various actions relating to the property and estates of individuals. The third stage (two and one-half years after the first, *i.e.* three years after enactment) would vest all other non-federal jurisdiction.

Criminal jurisdiction would be transferred in two stages. The first stage (six months after enactment) includes all D.C. felonies except certain enumerated crimes punishable by 15 years or more imprisonment. The second stage (two years after enactment) includes all remaining D.C. felonies. The federal court would retain jurisdiction to try any D.C. felonies joined in the same indictment with federal felonies. The Superior Court would continue to hold preliminary hearings in federal criminal cases until the second stage of jurisdictional transfer. When all local jurisdiction is transferred to Superior Court, all federal jurisdiction would revert to the District Court.

Chapter 11 delineates the jurisdiction of the new Family Division. It would retain all the jurisdiction now vested in the Juvenile Court and the Domestic Relations Division of General Sessions. In addition it would have jurisdiction of civil proceedings involving intra-family offenses pursuant to a new chapter to be added to title 16, and of mental commitments (when jurisdiction over those proceedings is transferred to Superior Court).

The Division could be divided into separate branches or could sit as a unified "Family Court." The decision as to which is preferable would be left to the Superior Court.

This chapter contains certain basic provisions on juvenile procedure including new criteria for waiver of a juvenile for criminal trial. It provides that once a waiver decision has been made, the Family Division would lose jurisdiction over the particular child and any delinquent act he has committed or may commit would be tried in adult court. It utilizes terminology which will be defined and used throughout a proposed revision of chapter 23 of title 16, which will be submitted later.

New and detailed provisions for record confidentiality and the vacating of adjudications and sealing of records are included. Specific provisions on confidentiality of law enforcement records relating to juveniles have also been included.

Chapter 13 retains, with necessary modification, the existing provisions relating to the Small Claims and Conciliation Branch.

Chapter 15 contains the provisions for appointment, tenure and removal of judges and some amendments to the judicial retirement provisions.

Judges of the District of Columbia courts would be appointed by the President, by and with the advice and consent of the Senate, to serve during good behavior, subject to mandatory retirement at the age of 70 and to the removal provisions of chapter 15. Upon completion of the terms of the present incumbents, the Chief Judges of the two courts would be designated by the President to serve for four year terms.

Judges of the courts would be subject to removal, involuntary retirement, or suspension upon action of a seven member District of Columbia Commission on Judiciary Disabilities and Tenure. The Commission, to be appointed by the President, would consist of two local federal judges, two members of the private bar, and three residents, at least two of whom would not be members of the bar. No officer or employee of the District of Columbia government, Member or employee of Congress, or officer or employee of any of the twelve Executive Departments of the federal government would be eligible to serve on the Commission.

Removal of a judge would be automatic upon final conviction of a felony. Removal, after hearing by the Commission, could be ordered upon a determination of wilful misconduct in office, wilful and persistent failure to perform judicial duties, or other conduct prejudicial to the administration of justice or bringing the judicial office into disrepute. Involuntary retirement, after hearing, could be ordered for permanent mental or physical disability. Suspension would be automatic pending finality of a felony conviction or order of removal or retirement. Discretionary suspension, with pay, would be permitted during pendency of a hearing. Removal or retirement could be appealed to a special three-judge court consisting of local federal judges designated by the Chief Justice of the United States.

The revision of the retirement law involves a basic change in form and several changes in substance. For example, it would permit a widower to benefit equally with a widow under the survivor annuity plan. It would permit a college student to qualify as a dependent child. It would permit a judge to count other federal service in his retirement computation.

Chapter 17 is an entirely new chapter relating to court administration and nonjudicial personnel. It would establish a Joint Committee on Judicial Administration composed of two appellate and three trial judges which would have supervision of matters relating to the court system as a whole. The Chief Judges would retain supervisory authority in their respective courts.

There would be a single Executive Officer of the court system with responsibility for facilities, procurement, management of court operations and personnel. He would be appointed by the Joint Committee from nominees proposed by the Administrative Office of the U.S. Courts. The Executive Officer would also administer each of the courts, subject to the respective Chief Judges.

XUM

The Clerks of the Courts, the new Director of Social Services, and the new Fiscal Officer would be appointed by the Executive Officer with the approval of the Joint Committee. Except for the Register of Wills, all other non-judicial personnel would be appointed by the Executive Officer in accordance with general rules approved by the Joint Committee.

The Director of Social Services would absorb the probation offices of the Juvenile and General Sessions Courts and would be authorized to perform additional services at the direction of the Superior Court.

The Fiscal Officer would handle budget and accounting for the court system. The budget would become independent of the D.C. budget in the same manner that the budget of the Federal judiciary is independent of the executive budget.

Chapter 19 would retain the present single jury system in the District. Statutory changes reflect the new federal law and new selection practices in the District.

Chapter 21 would continue the office of Register of Wills. He would serve the District Court with respect to its jurisdiction. When the Superior Court assumes probate jurisdiction, he would serve that court and be appointed by it. His duties would remain the same as they are under existing law.

Chapter 23 would substitute a Medical Examiner for the old coroner system. The provisions are patterned after the Maryland and Virginia laws and specify purely medical functions in lieu of the quasi-judicial functions of the coroner.

Section 102 of the bill provides for the transfer of property, records and funds to the new Superior Court. Section 103 provides for the transfer of personnel, retaining the classified civil service status of the Juvenile Court personnel who have acquired that status prior to enactment of the bill. Section 104 grants the incumbent D.C. Tax Court judge the right to retain his present retirement benefits or to elect to come under the general retirement system for Superior Court judges.

TITLE II

The second title of the bill consists of amendments to the remaining titles of Part II of the District of Columbia Code—*i.e.* titles 12 through 17. These titles relate to judicial procedure and most of the amendments made by the bill are purely technical. Since these titles of the D.C. Code are positive law, references to the "Board of Commissioners" have been changed to "Commissioner" to reflect the reorganization plan. Some changes in substantive law have also been made and are discussed below where appropriate.

For ease in reference, the title and chapter of the D.C. Code which would be amended, rather than the section number of the bill, highlighted below.

Title 12 amendments are purely technical.

Title 13 would be amended by repealing the requirement that the Federal Rules apply to D.C. Courts (chapter 1). The local courts would be free to adopt either the Federal Rules or their own rules of procedure. The provisions on jury trial (chapter 7) would be repealed as inconsistent with the new federal law and unnecessary in light of proposed chapter *19* of title 11 relating to juries. Other amendments are technical.

Title 14 would be amended by authorizing the Superior Court to take depositions for use in the various States. Presently only the federal court does this. Section 14–104 would be amended to give the local court more flexibility in ordering depositions for its own use.

Section 14–305 would be amended to reverse existing law by guaranteeing that prior convictions reflecting on either honesty or veracity will be admissible to impeach witnesses without ad hoc judicial determination in each case, (see *Luck* v. *United States*, 348 F. 2d 763 (CADC 1965)) but limiting the impeachment to convictions reflecting on honesty or veracity.

The physician-patient privilege (sec. 14–307) would be amended by permitting psychiatric testimony in criminal cases regardless of who raises the insanity defense, and by expressly permitting such testimony in juvenile cases.

The remaining amendments are technical.

Title 15 amendments are purely technical except the express ban on payment of travel allowances to local witnesses (sec. 15–714).

Chapters 3, 5, 6, 15, 19, 25, 27, 29, 31, 33, 37, and 39 of *Title 16* would be amended in technical respects only.

Chapter 7 of title 16 would be amended to reflect the felony jurisdiction of the new Superior Court. Provisions on indictment and waiver of jury trial parallel the Federal Rules of Criminal Procedure. The right to jury trial as now stated in the D.C. Code would be preserved. However, since the penalty limit on contempt punishment by the D.C. Courts is eliminated in proposed title 11, a specific guarantee of jury trial for contempt punishable by more than six months imprisonment has been included. The U.S. Marshal would be authorized to execute arrest process for misdemeanors as well as felonies.

Chapter 9 of title 16 would be amended to permit the court to appoint independent counsel for a child in custody proceedings. This has been done by judicial decision in Wisconsin and has been recommended here by the D.C. Committee on the Administration of Justice.

A new *chapter 10* would be added to title 16 to provide non-criminal disposition of intra-family offenses. The U.S. Attorney would be authorized to refer such matters to the Family Division. On referral, or on request of an individual, the Corporation Counsel would be authorized to petition the Division for a civil protection order—an equitable mandate designed to prevent further offenses and resolve, insofar as possible, family problems relating to the offense. The Division could, ex parte, issue a temporary order pending disposition of the petition. Other family matters before the Division could be consolidated with the petition and other family members brought before the Division.

Chapter 13 of title 16 would be amended in form to differentiate U.S. and D.C. land condemnation but there is no real substantive change other than the jurisdictional transfer, effected in proposed title 11.

Chapter 23 of title 16 amendments are only partially completed. Not even technical changes have been included with respect to subchapter I (juvenile procedures) since a substantial revision of those procedures is underway and will subsequently be recommended to the Congress. The amendments to subchapter II (paternity proceedings) are merely technical. Subchapter III (miscellaneous provisions) would be repealed as unnecessary in light of the consolidation of the Juvenile Court into the Superior Court.

Chapter 25 of title 16 has been rewritten to differentiate federal and local quo warranto proceedings. There is no change in substance beyond the jurisdictional transfer.

No change has been made in other portions of title 16.

Title 17 would be amended to simplify the provisions for appeal to the U.S. Court of Appeals for the District of Columbia Circuit and to bring the provisions on the D.C. Court of Appeals into conformity with the 1968 D.C. Administrative Procedure Act. Other amendments are purely technical.

TITLE III

The third title of the bill consists of amendments to Part III of the District of Columbia Code—Decedents' Estates and Fiduciary Relations. Part III is comprised of three titles of the Code, all of which have been enacted into positive law. The amendments to these titles are primarily technical, although some substantive changes have been included. References below are to the title and chapter of the D.C. Code which would be amended.

Title 18 amendments reflect the Superior Court's authority to adopt its own rules of procedure and the transfer of probate jurisdiction.

Title 19 amendments are purely technical.

Title 20 amendments are purely technical.

Chapters 1, 3, 7, 9, 13 and 15 of *title 21* would be amended in technical respects only.

Chapter 5 of title 21 (hospitalization of the mentally ill) amendments would provide for the transfer of the Mental Health Commission to the Superior Court at the second stage of jurisdictional transfer. Section 21–512 would be amended to provide for the retention in the hospital of a voluntary patient who requests release, if a proceeding for involuntary commitment is initiated within 48 hours of the request. Section 21–521 would be amended to permit a physician who is not the "family physician" to initiate emergency hospitalization.

Section 21–541 would provide that commitment petitions be filed in the court and referred by the court to the Mental Health Commission. The court would be authorized to issue an attachment for the person subject to the petition if he is not already in custody for examination. Section 21–542 would be amended to establish a seven day limit on examination and hearing of a person in custody.

The sequence of the sections relating to release of committed persons has been changed. Former section 21–548 becomes section 21–546, without change in substance. Former section 21–546 becomes section 21–547. The only change in substance is the deletion of special hearing procedures if one of the doctors examining the patient dissents from the conclusion he should not be released. Section 21–548 is essentially new and provides for motion for release to the committing court after the "administrative remedies" within the hospital have failed to secure release. Habeas corpus would be barred unless other administrative and judicial remedies are inadequate.

The thrust of these amendments is to make the statutory procedure, rather than habeas corpus, the standard avenue for seeking release. Release is seen as the culmination of a single proceeding, which begins with the petition for commitment, and all of which takes place in the same court. Since the release procedures are intended to be as broad as habeas corpus, habeas would be eliminated as a practical matter and the possibility of one trial court upsetting the decision of another would be eliminated for practical purposes. This has not been a problem under present law only because the committing and habeas corpus courts were always the same.

A new section 21–592 has been added providing for the return of escaped patients. The remaining amendments are purely technical.

Chapter 11 of title 21 would be amended in technical respects. The use of the term "mentally retarded" is substituted throughout for the somewhat archaic "feebleminded." Section 21–1114 provides that if a child before the Family Division (juvenile court) is alleged to be retarded, the proceedings shall be adjourned for civil commitment. Consistent with chapter 11 of title 11, waiver proceedings in criminal cases would be excepted from this adjournment requirement. Other amendments to chapter 11 are purely technical.

TITLE IV

The fourth title of the bill amends the criminal law provisions of the District of Columbia code, particularly criminal procedure, to take into account the court reorganization. Some new provisions were required to replace the Federal Rules of Criminal Procedure presently governing local felony cases tried in the U.S. District Court and old provisions were revised to bring them up to date. Since this resulted in changes throughout the present title 23 of the Code, the title as a whole would be enacted into positive law.

Section 401 of the bill makes three changes in substantive criminal law.

Item (1) clarifies D.C. Code § 22–104, a 1901 provision for added punishment of persons who repeat the same offense. It defines "same offense" to include any previous crime, wherever committed, which could be prosecuted as the same offense in the District. It ends the "multiplication table" effect of present law (multiplying the maximum penalty one and one-half times each time a person commits the same offense), by making a third or subsequent conviction punishable by three times the maximum for a first offense.

Item (2) is new. It provides for lifetime supervision of repeating felony offenders. The sanction would apply only to persons who have engaged in a third separate course of felonious conduct, undeterred by two terms of probation or imprisonment, and only in the discretion of the sentencing judge.

Item (3) is new. It makes a conspiracy to commit a non-federal offense in the District an offense under the D.C. Code, and not merely a violation of 18 U.S.C. 371. This provision is necessary to permit prosecution of such conspiracies in the Superior Court. It is modeled on the New York provision, rather than federal law, because of the necessity of greater specificity in a statute applicable to a geographically limited area.

Section 402 is the codification of title 23 of the D.C. Code "Criminal Procedure". Most of the present uncodified title is merely repeated without substantial change, and many of the amendments would merely apply provisions of the Federal Rules to cases in the Superior Court.

In *Chapter 1,* the following provisions would alter prior statutory law:

Section 23–101 (d) and (e) provides for joining offenses prosecuted by the United States and the District of Columbia in a single indictment or information, or for trial.

Section 23–103, modeled on Federal Rule 32(a)(1), provides that both defendant and prosecutor shall be allowed to address the court on sentence before it is imposed.

Section 23–104 clarifies the present statute on appeals by the Government. Subsection (a) is prior law except for a provision, taken from Federal Rule 41(e), requiring motions to suppress evidence to be made before trial. Subsection (b) implements this requirement by allowing interlocutory Government appeal from the suppression of evidence during trial. Subsection (c) clarifies prior law on the Government's right to appeal from orders dismissing criminal charges. Subsection (d) allows the Government to appeal any other ruling made during a trial which involves a substantial and recurring question of law. The trial court may allow an interlocutory appeal, or the appeal may be taken after trial. This provision also seeks to clarify and to mandate the intent of Congress in present law, D.C. Code § 23–105, to allow Government appeals after acquittal of the defendant.

Section 23–105 adds provisions from the Federal Rules to present §§ 23–107 and 108 on challenges to jurors. It expressly provides for equal numbers of challenges for prosecution and defense, a principle implied in present law.

Section 23–106 substitutes Federal Rule 17(b) for present D.C. Code § 23–109, on defense witnesses, a change only in language.

Section 23–107 clarifies present D.C. Code § 23–110 on procedures for obtaining the testimony of jointly charged defendants either for each other or for the Government.

Section 23–108 changes present D.C. Code §§ 23–111 and 112 on depositions of defense witnesses by allowing the prosecutor to object to a deposition and by eliminating an archaic preference for depositions on written interrogatories.

Section 23–110 is new. Rather than relying on the inherent power of the Superior Court to review convictions, it applies statutory procedures for post-conviction challenges. It follows 28 U.S.C. 2255 with only the necessary technical changes.

Section 23–111 which is new, establishes uniform procedures for determining whether a person convicted of crime is subject to an increased penalty because of his prior convictions (*e.g.*, sections 401 (1) and (2), discussed above; D.C. Code §§ 22–3202, 3214, 33–423). The procedure is similar to that for repeated felony offenders in New York, with a hearing before the court, without jury, on any issue raised by the defendant's written response to an information filed by the prosecutor after conviction and before sentence. Like the New York statute, it specifies that a defendant who does not challenge a prior conviction as invalid before increased penalty is imposed in reliance on that conviction, waives the right to challenge it later. The prosecutor is also given a limited right to appeal from a determination which bars increased punishment, before sentence is imposed.

Chapter 3 makes no significant changes in prior law. All provisions are either present statutes or taken from the Federal Rules, with some minor clarifying changes of language.

Chapter 5 is almost entirely new, but much of it is based on present law.

Subchapter I sets forth definitions.

Subchapter II amends the present D.C. Code provisions on search warrants, §§ 23–301 through 305. Those provisions are excessively detailed in some respects and insufficiently comprehensive in others. Notable features of the new provisions are:

1. Sections 23–521(f) (5) and (6), and 23–522(c), and 524(a)(1), which provide for authorization, in a search warrant, for entry into premises to be searched without notice ("no knock"), and for nighttime searches, on a showing to the issuing magistrate that such authority is needed;

2. Sections 23–524(a) (2) and (3), which allows entry without notice either when entry is freely granted or when circumstances unknown when the warrant was obtained render such entry necessary to protect persons or to avoid destruction of the property sought;

3. Section 23–524(e) specifically authorizing an officer to seize items not named in the warrant but found during the search and subject to seizure, without the needless formality of getting a new warrant;

4. Section 23–524(g) authorizing officers searching houses or vehicles to search persons therein to the extent necessary to protect themselves or to find the property identified in the warrant. This provision is a corollary of the power to search incident to an arrest, and does not limit that power where the persons are also subject to arrest.

Subchapter II generally, but particularly in § 23–525, provides for searching officers to retain seized property in safekeeping rather than take it to court, a requirement of present law which is seldom followed.

Subchapter III would afford, for District of Columbia Code offenses, the wiretapping and electronic eavesdropping powers granted to state authorities under the Omnibus Crime Control and Safe Streets Act of 1968, 18 U.S.C. 2510–2520. The language is taken substantially verbatim from that Act, so that D.C. procedures would conform to the Federal as closely as possible, for both maximum authority and maximum safeguards against unwarranted electronic surveillance.

Subchapter IV codifies the law of arrest warrants, previously governed either by the Federal Rules or by dispersed sections of the D.C. Code.

Sections 23–561 and 23–562 essentially follow Federal Rules 4 and 5 on the form, issuance, contents and execution of arrest warrants and on the use of summonses in lieu of warrants. There are some minor changes reflecting specific practices in the District, for example, the requirement in section 23–561(d) that the prosecutor approve the application for a warrant, except for good cause shown.

Section 23–562(c)(2) is new. It requires that police procedures be performed before bringing an accused to court. This provision, dealing with routine procedures, does not affect the special provisions on interrogation in D.C. Code § 4–140a or 18 U.S.C. 3501, although, like those provisions, it also relates to police functions which do not constitute "unnecessary delay" in the initial appearance of an accused.

Section 23–563 establishes territorial limits for executing a warrant or summons issued by the Superior Court: anywhere in the United States in felony cases (unchanged from the federal-court standard now applicable), and anywhere within 25 miles in misdemeanor cases. It also places a one-year limit on the validity of misdemeanor warrants, and continues the use of federal interdistrict removal, rather than interstate extradition, for persons arrested outside the District of Columbia for crimes committed here. Subsection (d), which is new, provides for the issuance of "adult" warrants for juvenile offenders who flee from the District.

Subchapter V deals with arrests without warrants. Section 23–581 provides for arrest without warrant by a law enforcement officer. Basically it codifies prior law, but it also includes the power of the officer to arrest for misdemeanors committed in his presence, and additional power of fresh pursuit beyond the District for misdemeanors. Section 23–582 provides for arrest without warrant by a licensed special policeman and specific provisions on citizen arrest.

Chapter 7 reorganizes the provisions on extradition and fugitives. Certain substantive changes have been made as noted below.

Sections 23–701 and 23–702(a) reenact D.C. Code § 23–403, relating to warrants for and arrests of fugitives, without substantial change. Section 23–702(b) amends D.C. Code §§ 23–404 and 23–405 relating to bail for fugitives, by including a cross-reference to the Bail Reform Act and by adding a rebuttable presumption that a fugitive, once arrested, will flee again. Subsections (c) through (e) reenact the proceedings now set forth in D.C. Code §§ 23–406 through 23–408. Subsections (f) and (g), which are new, codify existing practice with respect to fugitives who waive extradition and add new filing procedures for extradition papers.

Section 23–703 is also new. It establishes a separate criminal penalty of up to five years' imprisonment and a $5000 fine for fugitives who "jump bond".

Section 23–704 amends present D.C. Code §§ 23–401 and 402. The principal changes are transfer of extradition authority from the Chief Judge of the United States District Court to the Chief Judge of the Superior Court, a provision for an expedited direct appeal of the Chief Judge's order of extradition in place of the present collateral proceeding by writ of habeas corpus, and an express prohibition on the release of an extradited person except on order of the court of the State seeking his extradition.

Sections 23–705 and 706 are changed in technical respects only from D.C. Code §§ 23–410 and 411.

Chapter 9, "Fresh Pursuit," is changed from former chapter 5 only in allowing arrests on fresh pursuit into the District for offenses other than felonies, and in technical respects.

Chapter 11, "Professional Bondsmen," is the same as former chapter 6 with only technical changes.

Chapter 13, "D.C. Bail Agency" incorporates in former chapter 9, the amendments previously submitted to the Congress, adding the necessary technical changes.

Chapter 15, "Out-of-State Witnesses" is the same as former chapter 8 except that witness fees and allowances would be equated to those authorized in Federal Courts throughout the country. Other changes are merely technical.

Chapter 17, "Death Penalty" repeats former chapter 7 with necessary technical changes and the addition of the provision formerly classified as D.C. Code § 23–114.

Subsection (b) of section 402 repeals those provisions superseded by the new title 23.

Section 403 of the bill amends D.C. Code § 24–301 relating to insanity. It provides mental examination prior to hearing for juveniles subject to a waiver motion and commitment of juveniles incapable of participating in waiver proceedings. It adds a new subsection (k) to establish a statutory remedy for persons confined to mental hospitals in criminal cases. The statutory release procedure would substitute for habeas corpus except where the statutory remedy is inadequate or ineffective.

Section 404 amends the penalty provision of the D.C. Narcotic Drug law, D.C. Code § 33–423. The penalties would remain the same, but the provision would specify that prior conviction under Federal or State law could be counted a "first offense" for purposes of invoking the second offense penalty after conviction in the District.

TITLE V

This title of the bill consists of the miscellaneous conforming amendments to the provisions of law found in titles 1 through 10, 22, and 24 through 49 of the District of Columbia Code.

Sections 501 through 531 reflect the changes in court names, the consolidation of courts and the transfers of jurisdiction.

Sections 532 through 536 reflect the jurisdictional transfer of condemnation proceedings, the revision of chapter 13 of title 16 of the Code, and the conforming changes in jury selection.

Sections 537 through 556 reflect the transfer of administrative review of all orders of the Public Service Commission and bring various provisions relating to administrative agences into conformity with the 1968 D.C. Administrative Procedure Act. That Act superseded in many respects the provisions amended here but conforming amendments were not made at the time. Changes are also included to provide subpoena enforcement by the Superior Court rather than the federal court.

Sections 557 through 580 contain other conforming amendments such as the deletion or substitution of cross-references to revised title 11 or revisions in titles 12 through 21, and revisions of references to the "coroner" so as to reflect the change to a medical examiner. Certain obsolete provisions, such as references to the old Board of Tax Appeals and its conversion to a Tax Court are repealed.

Of particular note are sections 573 and 574. Present law (D.C. Code § 47–204) requires that the District of Columbia pay 60% of certain expenses of the U.S. District Court. This would be amended to reflect declining percentages as jurisdiction transfers, retaining, however, continuing provision for payment of the local share of jury selection and grand jury expenses. Remaining obligation of the D.C. Government to pay part of the cost of the construction and maintenance of the U.S. Courthouse are cancelled but provision is made for sharing the cost of space used by the United States Attorney and United States Marshal.

TITLE VI

This title contains the effective date provision and separability clause. Section 603 provides for the appointment of three additional judges to the D.C. Court of Appeals and ten additional judges to the Court of General Sessions upon enactment of the bill so that these judges can be serving at the time new jurisdiction is transferred to the local courts. Provision is also made for advance appointment of the Executive Officer of the court system so that he will be in a position to assist in the transition.

Mr. HRUSKA. Mr. President, I invite attention to that portion of the statement by the Senator from Maryland (Mr. Tydings) which indicates that the questions of jurisdiction, the number of judgeships and the procedure of the local and Federal courts in the District of Columbia are so interrelated that joint hearings of the District of Columbia Committee and the Subcommittee on Improvements of Judicial Machinery would be very appropriate in this case. In his statement he requests that this bill be referred to the District of Columbia Committee inasmuch as the bulk of the bill concerns itself with matters that are restricted to the District itself.

With reference to the Federal courts, there will be supplemental jurisdiction of the Judiciary Committee proper and to that extent, of course, that committee would make its report to the District of Columbia Committee prior to reporting that bill to the Senate for action.

Mr. President, the bill to be introduced later this afternoon by the distinguished Senator from Illinois (Mr. Dirksen) on the public defender system for the District of Columbia is the third segment of this entire picture.

Some impatience has been expressed at the timelag between issuance of the President's statement and the legislative results we witness here today.

That impatience, I suggest, is not warranted. The weeks that have passed since January 31 are, in fact, a short time when measured against the size of 300 typewritten pages, legal size, and the complexity of undertaking court revision alone.

What has been proposed for the District of Columbia in these three bills is similar to a complete restructuring of a State court system together with ancillary proceedings such as those to be found in the public defender office and also in the bail reform procedure.

Certainly, 5 months is not too long a time to accomplish this task. The general thrust of the need for the complete overhauling of the criminal jurisdiction system of the District can be found in the report of President Johnson's District of Columbia Crime Commission which was delivered about 2½ years ago, and issued at a time of a greatly increasing crime rate in the District without interruption. Yet, during that 2½ years, nothing was forthcoming in the way of substantial reform that was indicated and recommended in the report—which is an excellent report.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2601) to reorganize the courts of the District of Columbia, and for other purposes, introduced by Mr. Hruska, for Mr. Tydings, by request (for himself, Mr. Hruska, Mr. Prouty, Mr. Dirksen, Mr. McClellan, Mr. Goodell, Mr. Ervin, and Mr. Thurmond), was received, read twice by its title, and referred to the Committee on the District of Columbia.

S. 2602—INTRODUCTION OF DISTRICT OF COLUMBIA PUBLIC DEFENDER ACT OF 1969

Mr. DIRKSEN. Mr. President, in his January 31, 1969, statement on crime in the District of Columbia, the President called for an expanded office of the public defender to help improve the administration of criminal justice. The President said:

> The Legal Aid Agency in the District is a pilot project which has given every indication of great success if properly supported. I believe the time has come to convert this project into a full fledged Public Defender Program. To make this project possible, I will support the Legal Aid Agency's 1970 budget request for $700,000 to allow an increase in its successful project in offender rehabilitation. This would allow it to become a full fledged Public Defender Office with the capacity to represent almost half of the indigent adult and juvenile defendants in the District.

The District of Columbia Public Defender Act of 1969 accomplishes this aspect of the President's program. It expands the Legal Aid Agency and permits it to represent up to 60 percent of the eligible persons who are before the courts of the District of Columbia. In addition the legislation provides that the public defender shall cooperate in the system for assigning counsel to represent those persons who are not served by the public defender.

Mr. President, I ask unanimous consent that the letter addressed to the Vice President by the Attorney General, the summary, and the bill itself be printed in the Record.

I introduce the bill for myself, the Senator from Nebraska (Mr. Hruska), the Senator from Arkansas (Mr. McClellan), the Senator from Maryland (Mr. Mathias), and the Senator from North Carolina (Mr. Ervin).

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, letter and summary will be printed in the Record.

The bill (S. 2602) to be known as the District of Columbia Public Defender Act of 1969, introduced by Mr. Dirksen (for himself and other Senators), was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the Record, as follows:

S. 2602

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The District of Columbia Public Defender Act of 1969."

Sec. 2. The Legal Aid Agency for the District of Columbia is redesignated the District of Columbia Public Defender Service (hereinafter called the Service.)

Sec. 3. (a) The Service is authorized to represent persons in the District of Columbia who are financially unable to obtain adequate representation in each of the following categories:

(1) persons charged with an offense punishable by imprisonment for a term of six months, or more;

(2) persons charged with violating a condition of probation or parole;

(3) persons subject to proceedings pursuant to chapter 5 of title 21 of the District of Columbia Code (Hospitalization of the Mentally Ill);

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(4) persons for whom civil commitment is sought pursuant to title III of the Narcotic Addict Rehabilitation Act of 1966, 80 Stat. 1444 (42 U.S.C. § 3411, et. seq.) or the provisions of the Hospital Treatment for Drug Addicts Act for the District of Columbia, 67 Stat. 77, as amended (D.C. Code, section 24–601, et. seq.);

(5) juveniles alleged to be delinquent or in need of supervision.

Representation may be furnished at any stage of a proceeding, including appellate, ancillary and collateral proceedings. Not more than 60 per centum of the persons annually determined to be financially unable to obtain adequate representation in the above categories may be represented by the Service, but the Service may furnish technical and other assistance to private attorneys appointed to represent persons described in the above-enumerated categories. The Service shall determine the best practicable allocation of its staff personnel to the courts where it furnishes representation.

(b) The Service is authorized to cooperate with the courts in establishing an effective and adequate system for appointment of private attorneys to represent persons specified in subsection (a), but the courts shall have final responsibility for the appointment system. The Service shall report to the courts at least quarterly on matters relating to the operation of the appointment system and shall consult with the courts on the need for modifications and improvements.

(c) Upon approval of its Board of Trustees, the Service may perform such other functions as are necessary and appropriate to the duties described above.

Sec. 4. (a) The Service shall be governed by a Board of Trustees composed of seven members. The Board of Trustees shall establish general policy for the Service but shall not direct the conduct of particular cases.

(b) Each trustee shall serve a three-year term of office. Upon the resignation or death of a trustee or the expiration of a term of office, the remaining trustees shall recommend to the Commissioner of the District of Columbia the names of persons qualified to fill the vacancy. Taking into consideration the recommendations of the trustees, the Commissioner shall appoint persons to fill vacancies on the Board. Any person appointed to fill an unexpired term shall serve for the balance of that term. The judges of the Federal courts in the District of Columbia and of the District of Columbia courts shall be ineligible to serve as trustees. No person shall serve more than two consecutive full three-year terms as a trustee.

(c) The trustees of the Legal Aid Agency for the District of Columbia in office on the effective date of this Act shall serve the unexpired portions of their terms as trustees of the District of Columbia Public Defender Service.

(d) For the purposes of any action brought against the trustees of the Service, the trustees are employees of the District of Columbia.

Sec. 5. The Board of Trustees shall appoint a Director and Deputy Director of the Service, each of whom shall serve at the pleasure of the Board. The Director shall be responsible for the supervision of the work of the Service and shall perform such other duties as the Board of Trustees may prescribe. The Deputy Director shall assist the Director and shall perform such duties as he may prescribe. The Director and Deputy Director shall be members of the bar of the District of Columbia. The Board of Trustees shall fix the compensation to be paid to the Director and the Deputy Director, without regard to chapter 51 and subchapter 3 of chapter 53 of title 5, United States Code, but compensation for the Director shall not exceed the maximum rate provided for GS–18 and for the Deputy Director the maximum rate provided for GS–17, in section 5332 of title 5, United States Code.

Sec. 6. The Director shall employ a staff of attorneys, clerical and other personnel necessary to provide adequate and effective defense services. The Director shall make assignments of the personnel of the Service. The salaries of all employees of the Service, other than the Director and the Deputy Director, shall be fixed by the Director, without regard to chapter 51 and subchapter 3 of chapter 53 of title 5 of the United States Code, but shall not exceed the salaries which may be paid to persons of similar qualifications and experience in the Office of the United States Attorney for the District of Columbia. All attorneys employed by the Service to represent persons shall be members of the bar of the District of Columbia.

Sec. 7. No attorney employed by the Service shall engage in the private practice of law or receive a fee for representing any person.

Sec. 8. (a) The Board of Trustees of the Service shall submit a fiscal year report of the Service's operations to the Congress of the United States, to the chief judges of the Federal courts in the District of Columbia and of the District of Columbia courts, and to the Commissioner of the District of Columbia. The report shall include a statement of the financial condition of the Service and a summary of services performed during the year.

(b) The Board of Trustees shall annually arrange for an independent audit to be prepared by a certified public accountant or by a designee of the Administrative Office of the United States Courts.

Sec. 9. For the purpose of carrying out the provisions of this chapter, there is authorized to be appropriated to the District of Columbia for each fiscal year, out of any moneys in the Treasury to the credit of the District of Columbia, such sums as may be necessary to implement the purposes of this chapter.

Sec. 10. All employees of the Legal Aid Agency for the District of Columbia on the effective date of this Act shall be deemed to be employees of the District of Columbia Public Defender Service and shall be entitled to the same compensation and benefits as they are entitled to as employees of the Legal Aid Agency for the District of Columbia.

Sec. 11. The Act of June 27, 1960, 74 Stat. 229 (D.C. Code, sec. 22–2201 to 22–2210) is hereby repealed.

The letter, presented by Mr. Dirksen, is as follows:

Office of the Attorney General,
Washington, D.C., July 11, 1969.

The Vice President,
U.S. Senate,
Washington, D.C.

Dear Mr. Vice President: Enclosed for your consideration and appropriate reference is a legislative proposal to expand and improve public defender services in the District of Columbia.

The proposal responds to President Nixon's call for "a full fledged Public Defender Office with the capacity to represent almost half of the indigent adult and juvenile defendants in the District." In accord with his message on crime in the District of Columbia on January 31, 1969, it converts the Legal Aid Agency of the District of Columbia into a Public Defender Service.

Although legislative history surrounding the creation of the Legal Aid Agency by Act of Congress in 1960 is sparse, it appears that the Agency was a pilot project. Its statutory authority and its appropriations indicated the construction of a small organization to represent only a limited portion of the indigent defendants. The bulk of representation was to be furnished by the private bar.

Since 1960, however, there have been several developments which point to the need for an expanded organization. First, the volume of criminal cases has risen dramatically in the last decade. Because there has been no expansion of the public defender service, the private bar has borne a greater burden. Second, recent developments in the criminal law have made it increasingly more difficult to handle criminal cases on an ad hoc basis. The growing complexity of the criminal law requires specialists who are regularly engaged in this field of law.

The proposed legislation recognizes these developments. However, it also takes cognizance of the desirability of a "mixed" system of representation. It therefore creates a new Public Defender Service which is limited to representation of a maximum of 60 percent of the persons who are financially unable to obtain adequate representation in five classes of cases. These are:

(1) Criminal cases punishable by at least six months' imprisonment.

(2) Cases in which violation of probation or parole is alleged.

(3) Cases where civil commitment is sought under title 21 of the D.C. Code.

(4) Cases where civil commitment of a narcotic addict is sought.

(5) Cases where juveniles are alleged to be delinquent or "in need of supervision."

In addition to providing representation for a greater proportion of eligible defendants, this proposal permits the Public Defender Service to assist the private bar and to aid the courts in establishing an adequate system for appointment of private counsel. Through this cooperation more effective and more efficient representation of defendants should be achieved.

The proposed law also removes the $16,000 salary limitation for the Director. In its discretion, the Board of Trustees may pay the Director up to the equivalent of a GS–18 level in the Federal government. This flexibility will permit the Service to attract and retain the type of lawyers who can lead an organization of more than 50 attorneys and supporting personnel.

Other provisions include (1) use of language identical to that of the Criminal Justice Act to define need for public counsel, to wit, "financially unable to obtain adequate representation," (2) provision to protect the trustees in event of suit, and (3) change of the due date on the annual report from June 1 to July 1. It should also be noted that the new statute has maintained the substance of many of the desiderable provisions of the District of Columbia Legal Aid Agency Act of 1960, e.g., appropriations procedures and prohibition on dual employment.

I urge early consideration and adoption of this proposed legislation.

The Bureau of the Budget has advised that enactment of this legislation is in accord with the Program of the President.

Sincerely,

John Mitchell,
Attorney General.

The summary, presented by Mr. Dirksen, is as follows:

Section-by-Section Analysis and Comment

Sec. 1—Enactment clauses.

Sec. 2—Name change: The name "District of Columbia Public Defender Service" would be substituted for the present "Legal Aid Agency for the District of Columbia," because the former more clearly describes the functions of the organization.

Sec. 3—Functions: This section defines the jurisdiction of the Public Defender Service and authorizes it to assist the courts in the District of Columbia in coordinating the assignment of cases to members of the private bar. The section also ensures continuation of a "mixed" defender system, by limiting the public defender to representation of a maximum of 60 percent of the eligible persons.

Subsection (a) specifies that the Public Defender Service may represent persons in five classes of cases, if these persons are "financially unable to obtain adequate representation." This test of eligibility conforms to the one currently required for appointment of counsel under the Criminal

Justice Act. The five classes of cases in which the Agency may furnish representation are as follows:

(1) Criminal cases punishable by at least six months imprisonment. Presently the Legal Aid Agency represents persons if the maximum penalty is imprisonment for at least a year. Moving the threshold back to six months would add relatively few cases but would guarantee public defender services on the same basis as they are now available under the Criminal Justice Act. At the same time, the Service would not be charged with the enormous burden of representing persons charged with such minor infractions as disorderly conduct, since these carry less than 6 months maxima.

(2) Cases in which a violation of probation or parole is charged. Since the *Mempa* v. *Rhay* decision extended the right to counsel to probation revocation proceedings, this proposed expansion of jurisdiction merely keeps pace with recent developments in the criminal law.

(3) Cases in which civil commitment is sought pursuant to Title 21 of the D.C. Code. This provision would allow the Service to represent persons subject to commitment on mental health grounds as well as those already committed who seek release.

(4) Cases in which civil commitment of a narcotic addict is sought. Title III of the Narcotic Addict Rehabilitation Act statutorily entitled suspected addicts to the assistance of counsel when civil commitment is sought. Authorizing the Service to provide counsel in which cases would implement the policy of that provision.

By the same token, counsel ought to be available to suspected addicts facing civil commitment under the analogous provision of the D.C. Code.

(5) Cases in which juvenile delinquency or "being a juvenile in need of supervision" is alleged. This will allow the Service to represent juveniles charged with law violations as well as those who, though not charged with a criminal act, face the possibility of a penal-type disposition.

The last sentence of subsection (a) defines the Service's role with respect to the private bar: at least 40 per cent of the cases would be handled by the private bar, and the Service would be authorized to provide technical and other assistance (such as investigators) to all appointed private attorneys.

Subsection (b) would establish machinery to coordinate the appointment of private attorneys and attorneys from the Public Defender Service. This section operates on the premise that the ultimate responsibility for appointment of counsel rests with the courts. At the same time, since the Service is concerned with providing up to 60% of the defense representation, its expertise should be solicited in the design and implementation of the appointment system. The actual plan for appointment of counsel could take a wide variety of forms depending on the availability of resources to administer the system and the desires of the courts and other concerned parties.

Sec. 4—Board of Trustees: The Service would be governed by a seven-member board of trustees, as is the Legal Aid Agency at present. However, the trustees of the Services would be appointed by the Commissioner of the District of Columbia in lieu of the machinery incorporated in the Legal Aid Agency statute requiring the selection of trustees by the chief judges of the District's several courts and the Commissioner. This system of appointment is more consistent with the A.B.A. recommendation that public defenders be entirely independent of the judiciary.

Sec. 5—Director and Deputy Director: Two executives would be provided for the Service, in keeping with the present operations of the Legal Aid Agency. The Board of Trustees would select both and each would serve at the pleasure of the board. The trustees would fix the salaries of both executives, up to the GS–18 level. This flexibility will allow the Service to attract and retain the first rate lawyers/administrators who are needed to run an organization which can be expected to employ more than 50 attorneys and additional supporting personnel.

Sec. 6—Staff: This section carries forward the present statutory scheme applicable to the Legal Aid Agency for the employment and compensation of staff. The only significant change is that the Director would be authorized to hire staff personnel without the approval of the Board of Trustees.

Sec. 7—Dual Employment Prohibition: The present prohibition against dual employment is carried forward in this section.

Sec. 8—Annual Reports: The only significant change compared with the Legal Aid Agency Act is that annual reports would be due at the end of the fiscal year instead of at June 1st. The benefit of this change is that statistics and budget figures would reflect the entire fiscal year's work and would conform to statistics prepared by other governmental agencies.

Sec. 9—Appropriations: There are no significant changes from the present provision governing the Legal Aid Agency.

Sec. 10—Continuity of Staff: This section simply provides for the transition from Legal Aid Agency to Public Defender Service.

Sec. 11—Repealer: The provision of the original Legal Aid Agency Act would be repealed.

ADDITIONAL COSPONSORS OF BILLS

S. 2065

Mr. HOLLAND. Mr. President, I ask unanimous consent that, at its next printing, the name of my colleague, the Senator from Florida (Mr. Gurney) be added as a consponsor of the bill (S. 2065) to clarify the liability of national banks for certain taxes.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2315

Mr. GOLDWATER. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Alaska (Mr. Stevens) be added as a cosponsor of the bill (S. 2315) to restore the golden eagle program to the Land and Water Conservation Fund Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2375

Mr. DIRKSEN. Mr. President, on behalf of the Senator from New Jersey (Mr. Case) I ask unanimous consent that, at its next printing, the names of the Senator from Maine (Mr. Muskie) and the Senator from Missouri (Mr. Eagleton) be added as cosponsors of the bill (S. 2375) to amend the Civil Rights Act of 1964 to authorize the Attorney General to initiate school desegregation suits based on his own finding that discrimination exists in a school district and eliminating the present requirement that a complaint be first filed with him.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT TO S. 2546 (NO. 68)—MILITARY PROCUREMENT AUTHORIZATIONS, 1970—ADDITIONAL COSPONSORS

Mr. HART. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from New Jersey (Mr. Case), the Senator from Missouri (Mr. Eagleton), the Senator from New York (Mr. Goodell), the Senator from Minnesota (Mr. McCarthy), the Senator from Utah (Mr. Moss), the Senator from Maine (Mr. Muskie), the Senator from Kansas (Mr. Pearson), the Senator from Rhode Island (Mr. Pell), the Senator from Wisconsin (Mr. Proxmire), the Senator from Connecticut (Mr. Ribicoff), the Senator from Ohio (Mr. Saxbe), and the Senator from Maryland (Mr. Tydings) be added as cosponsors of amendment No. 68 to the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each reserve component of the Armed Forces, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ANNOUNCEMENT OF HEARINGS ON MIGRANT AND SEASONAL FARMWORKERS EFFORTS TO ORGANIZE

Mr. MONDALE. Mr. President, the Senate Subcommittee on Migratory Labor, of which I am chairman, will hold hearings on the union and community organization efforts of migrant and seasonal farmworkers on the mornings of July 15, 16, and 17, 1969.

The purpose of this particular set of hearings is to take a candid look at the legal, political, and economic barriers that deny farmworkers an equal opportunity to improve their conditions.

The subcommittee will closely examine the impact that the Defense Department's purchase of table grapes has on the grape boycott and union organization efforts in California led by Cesar Chavez. We will also examine the ways in which public and private institutions in other States and localities may suppress farmworkers' attempts to organize.

Witnesses invited to the hearings include representatives of the United Farm Workers Organizing Committee in Delano, Calif.; Secretary of Defense Melvin Laird; William Kircher, director of organization, AFL–CIO; spokesmen from organizing efforts in Colorado, South Carolina, and Florida; the Reverend Ed Krueger from the Rio Grande Valley of Texas; and local officials, law enforcement personnel, and blueberry pickers from New Bern, N.C., site of a recent strike.

Hearings are scheduled for 9:30 a.m., room 4232, New Senate Office Building, next Tuesday, Wednesday, and Thursday. More details and a full witness list will be available from the subcommittee office.

TRIBUTE TO THE LATE REPRESENTATIVE WILLIAM H. BATES

Mr. STENNIS. Mr. President, I think it is especially fitting and proper as we consider the Defense authorization bill to pause and reflect on the untimely death of Representative William H. Bates of Massachusetts. Representative Bates, the ranking minority member of the House Armed Services Committee, was struck down by cancer at the age of 52. His passing will be particularly felt by those of us who are privileged, as he was, to confront almost daily problems affecting the Nation's defense.

It was my privilege on a number of occasions to serve with Bill Bates on conference committees and I have always been impressed by the warmth and gentle nature of this dedicated American. He was a veteran of 11 terms in the House of Representatives and before that he had served 10 years as a U.S. naval officer. So he brought to the deliberations on our national security a wealth of knowledge and experience and his wise counsel and skillful service will be sorely missed as the Congress considers some of the most critical and troublesome defense problems of our times.

In addition to his work on the Armed Services Committee of the House of Representatives, Representative Bates served with distinction on the Joint Committee on Atomic Energy where he was one of the senior minority members. His work on that Joint Committee was marked by his stalwart support of the development of both the peaceful and the military atom. He took second place to no one in his advocacy of developing the technology to maintain U.S. leadership in the harnessing of nuclear energy, particularly for peaceful purposes.

Mr. President, the late Representative Bates was no ordinary man. He had fine intelligence, a vigorous mind, a dedicated purpose, a strong will, and still a resiliency that served him well as an effective legislator. He and I never had a chance to become close friends; we were not thrown together sufficiently for that. Nevertheless, I mourn his passing because of the warmth of his nature and the great respect that I had for him, and the contribution that I know he made.

Mr. President, America needs such dedicated and responsible legislators as our late friend. We mark his passing with a sense of great loss to the country. He will be sorely missed.

I extend, for both Mrs. Stennis and myself, our heartfelt sympathy to Mrs. Bates and the surviving members of his family for their earthly loss, and I pray that God will sustain them in this hour and in the years ahead.

DEFENSE AND THE COMPUTER PEOPLE

Mr. KENNEDY. Mr. President, the April issue of the magazine Computers and Automation carries an editorial entitled "The Misdirection of Defense—and the Social Responsibilities of Computer People."

Mr. Edmund Berkeley, the editorial's author and the editor of the magazine, points out that computers are an essential element of our modern weapons systems, and that the men and women who man the computers have a unique responsibility for insuring the soundness of our defense programs.

Mr. President, I ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE MISDIRECTION OF DEFENSE—AND THE SOCIAL RESPONSIBILITIES OF COMPUTER PEOPLE

(By Edmund C. Berkeley, editor)

Few of the citizens of any nation would I believe disagree with this proposition: "The main objective of the Defense Department of any nation is to try to guarantee the successful defense of that nation against attack."

For there is no doubt that armed attacks by one nation against another do occur—one of the most recent examples being the military invasion of Czechoslovakia by the Soviet Union and four other nations in August 1968. In Czechoslovakia, the government chose not to resist the overwhelming force, but to try to adjust to the demands, i.e., surrender. This was also the choice made by the commanding officer of the U.S. electronic spy ship *Pueblo* when the ship was taken over by North Korean naval vessels either just inside or outside North Korean waters.

In the case of the Defense Department of the United States, there is now substantial evidence that its main objective has shifted—it is only secondarily "the successful defense of the United States against attack" and is mainly something else. In fact there is good evidence that the something else is the serving of the interests of what President Dwight D. Eisenhower identified in 1960 as the "military industrial complex" and warned Americans against.

What is the military industrial complex? Briefly, it is a portion or segment of the United States, consisting of industries, regions, lobbies, and people (of many kinds), who make a great deal of money (profits, income, salaries, wages, research and development grants, pensions, consulting fees, etc.) from the vast budget of the U.S. Department of Defense, some $80 billion a year. According to tables in a book *The Depleted Society* by Professor Seymour Malman, 73% of this budget has been paid to 100 companies.

From 1965 to 1967, the main reason the people of the United States put up with the enormous, rising costs of "defense" was the pair of arguments: "We have to fulfill our commitments to the government of South Vietnam" (no matter that it was the ninth dictatorship since Ngo Dinh Diem was shot), and "We can't let our boys down in Vietnam—we must give them all they want or need".

But in 1968 it became clear that the war in Vietnam was not being won. By 1969, over 32,000 Americans had been killed there; over 150,000 Americans, wounded; over 4000 planes and helicopters had been lost; over $100 billion, spent; more bombing tonnage had been dropped in Vietnam than the United States dropped in all the theaters of World War II; and still no substantial progress. What is the main trouble? Basically, we cannot tell the difference between Vietnamese on our side and Vietnamese on the other side, and so our fire power produces hatred for Americans on a large scale.

In 1965 it may have seemed true to many people in the United States that "defense of the United States" required winning a land war in Asia more than 9000 miles away from California.

But it looks now as if the people of the United States no longer believe that fighting such a war is necessary to our interests, and they want the war stopped. So the civilian government of the United States is saying to the Defense Department and the Saigon government, "No, with 500,000 American soldiers in Vietnam, you cannot have any more." And a president of the United States has been denied reelection to the presidency because of the war in Vietnam.

As a result, the theory and practice of the U.S. Defense Department and of the U.S. military industrial complex are being questioned by thousands of influential persons, including Senators and Congressmen. Even President Nixon in one of his campaign speeches promised to bring the war in Vietnam to a conclusion within six months of his inauguration.

The way in which the military industrial complex operates is particularly clear in the present pressure from the Defense Department and associated defense industries to obtain public approval for the proposed Sentinel, "thin" Anti-Ballistic Missile System. The proposed system has aroused a great deal of opposition in the U.S. Congress and in Boston, Chicago, and elsewhere in locations which are threatened by the proposed antimissile sites. Clearly these sites will increase the danger of those areas becoming priority targets in event of a nuclear war. In fact, as soon as the first antimissile has been fired against the first incoming missile, according to a statement by Senator Edward Kennedy, then radio location of the second incoming missile becomes impossible, because of the effects of radiation from the nuclear explosion in the high atmosphere! But does the Defense Department honestly and patriotically admit this flaw? It does not.

Instead, the Pentagon makes use of an Assistant Secretary of Defense for Public Affairs and a Chief of Information Office of the U.S. Army. Both these offices with a total budget of over $6 million a year have been "programmed" into the public affairs plan of Lt. Gen. A. D. Starbird for "promoting" the Sentinel Anti-Ballistic Missile system. He is to provide for "speaking engagements, information kits, exhibits, films, press releases," etc. In other words, the Pentagon is using the taxpayers' money to try to persuade the taxpayers to support a technically illogical project. For example, the Selectmen of Reading, Mass., are being invited by the Army on a sightseeing trip to anti-ballistic missile centers.

The military industrial complex (the MIC) by its very nature, evolution-wise. cannot be considered to be really interested in the defense of the United States. Since a large part of the MIC could not exist competitively in the civilian market, it must continue to seek large funds from the government, using good arguments if they exist, and any arguments at all if good arguments do not exist. What it is really interested in is making money from defense contracts. So the real preferences of the MIC are for billion dollar procurement programs, which sound meaningful and which can be escalated, even if technologically they are unsound, logically they are unreasonable, politically they increase the insecurity of the United States, and financially they threaten the solvency of the United States and the deepening neglect of our domestic needs.

Why should computer people be concerned with the interrelation between the defense of the United States and the military industrial complex?

Computers have been one of the scientific and technological miracles which have enabled the military industrial complex to spin its fascinating arguments of scientific and technological magic, and sell portions as proposals to the Defense Department. The computer industry has been one of the beneficiaries of the flow of funds from the Defense Department to the MIC and has been part of the MIC. In this field, the technological development has frankly been so marvelous that now more than eighty percent of the computer industry and its applications are civilian and not military. Here society as a whole has received back a major (though incidental) benefit from the operation of the military industrial complex.

Computer people, having been beneficiaries. should now seek to fulfill their social respon-

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sibilities. They should help reorient the Defense Department toward its primary objectives; they should help to increase the defense and security of the United States in rational, logical, and honest ways. Pandora's box of new scientific weapons (chemical, bacteriological, radiation, nuclear, missiles, nuclear-powered submarines, etc.), is now wide open; and we should help to close it. This will make the U.S. and the world more safe, not less safe.

One direction is the development of strong international agreements and controls (possibly computerized) over weapons systems, in the interests of all the people of the world. One such example is the Nuclear Nonproliferation Treaty. Many proposals of this nature have been made, and should be studied, talked about, and advocated, by computer people and other people. Illogical, unsound proposals should be opposed by computer people and by other people. Thus we help change the climate of public opinion away from the usual rubber-stamp "yes" for expensive proposals from the MIC.

The military industrial complex will then make less money. But the people of the United States and the world will then make more money, and they will live more instead of dying more. Even American boys, instead of dying in Vietnam, will stay alive in the United States.

TV STATEMENT BY SENATOR BYRD OF WEST VIRGINIA ON APPOINTMENT OF JUDGE BURGER TO BE CHIEF JUSTICE OF THE SUPREME COURT

Mr. BYRD of West Virginia. Mr. President, on June 3, 1969, I made a statement for television regarding the appointment of Judge Warren Burger to be Chief Justice of the United States Supreme Court.

I ask unanimous consent that the transcript of that statement be printed in the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

APPOINTMENT OF BURGER

I am glad that the President has nominated a capable jurist for Chief Justice of the United States. Too many nominees to the Court in recent years have had no previous experience on the Bench. Judge Burger will have my support because his record recommends him as a man who is a strict constructionist of the Constitution. I may not agree with him in every instance, but his judicial philosophy will be far different from that of Mr. Warren, whom he succeeds. Under Mr. Burger, the Supreme Court will do more judging, less lawmaking and be less an agency of reform. Both Mr. Warren's exit from the Court and Mr. Burger's accession to the Court will be good for the country. But Mr. Burger's appointment will not, by itself, make for a majority over the Court activists. To accomplish this, Mr. Nixon must appoint another constitutionalist—this time to fill the vacancy created by the resignation of Mr. Fortas, and I have contacted President Nixon and urged him to do this.

THE APOLLO PROJECT

Mr. McINTYRE. Mr. President, I ask to have placed in the RECORD the copy of a most thoughtful and moving advertisement.

I refer to North American Rockwell's full-page message in the Washington Evening Star of Thursday, July 10, a message that begins:

> America is about to put men on the moon. Please read this before they go.

Mr. President, I hope millions of Americans have an opportunity to read this message. Our unbroken string of space project successes have, I fear, left us all a little sanguine. We have come to expect success in the difficult. We are scarcely impressed with success in the seemingly impossible.

With man's first footfall on the moon only days away, it is time we became impressed again, impressed and deeply appreciative of the wise, resourceful, and eminently courageous men who will make this awesome conquest history.

The men of Apollo epitomize Sherman's definition of true courage—"a perfect sensibility of the measure of danger, and a mental willingness to endure it."

North American Rockwell's message is an eloquent appeal to the American public to come to a "perfect sensibility" of the magnificent dimensions of the Apollo project.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

AMERICA IS ABOUT TO PUT MEN ON THE MOON—PLEASE READ THIS BEFORE THEY GO

Perhaps the best way for anyone to try to understand the size of such an undertaking is not for us to list the thousands of problems that had to be overcome, but for you to simply go out in your backyard some night, look up, and try to imagine how you'd begin, if it were up to you.

But our reason here is not to talk about the technicalities of the Apollo project. Rather, it is simply to ask you to think, for at least one brief moment, about the men and women who have applied their heads and their hearts and their hands—and a good many years of their lives—to putting a man on the moon.

Many of these people have worked for less money than they could have made in other places, and it is safe to say they have worked through more nights and weekends and lunch and dinner hours than they would have anywhere else.

And the astronauts, the brave men who will fly again down that long, dark and dustless corridor of space, this time to set foot—to walk upon the surface of the moon—they know the price that's often paid in setting out for lands uncharted. They know the price their fathers' grandfathers paid just to walk across the wilderness of America for the first fifty years.

For a long time now, we have been involved with the people who are the thinkers and the designers and the builders and the pilots of America's man-to-the-moon dream, of America's man-to-the-moon determination. We have worked with them, eaten with them, lived with them.

Yet our appreciation and admiration for them continues to grow each day—for their energy, for their imagination, their confidence, for their patience, their resourcefulness, for their courage.

We ask you, in the days ahead as we wait for the big one to begin, to understand this fantastic feat for what it is and to put it in proper perspective, a triumph of man, of individuals, of truly great human beings. For our touchdown on the moon will not be the product of magic, but the gift of men.

In James A. Michener's novel, "The Bridges at Toko-Ri," an American admiral stands on the deck of his carrier early one morning and ponders the subject of his brave men. And thinking to himself, he asks a question of the wind which we believe all of us should ask as we think of the men who will finally make it to the moon and of the men who got them there: "Why is America lucky enough to have such men? . . . Where did we get such men?"

NORTH AMERICAN ROCKWELL.

[North American Rockwell is a prime contractor for the Apollo project.]

HIGH INTEREST RATES UNDERLINE NEED FOR PRIORITIES

Mr. SYMINGTON. Mr. President, in a thought-provoking column, Mr. L. B. Lundborg, chairman of the board of the Bank of America, has some interesting things to say with respect to the current unprecedentedly high rate of interest that the people of America are now paying for borrowed money.

Mr. Lundborg closes his comments with the following wise statement:

> On a long term basis, a more disciplined sense of priorities in our national life is needed. All foreign and domestic programs and policies need rethinking both in terms of their relevance to our situation today and our ability to pay for them.

I ask unanimous consent that excerpts from this excellent analysis be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

HOW DID INTEREST RATES GET SO HIGH?

During the depression years and through World War II, the citizens of the United States built up large amounts of deposits in banks. Borrowing demands of the time were not heavy, so these deposits remained in liquid bond accounts. After the war, there was a tremendous economic boom which continues to this day. A large part of the fuel for this economic growth came from loan expansion in excess of deposit growth. This was made possible by banks selling off those bonds they had purchased when loan demand was relatively light. By the early 1960's, this excess liquidity in the banking system had been largely used up. In order to meet the needs of long-term customers, banks increasingly sought other ways of attracting funds. In key centers throughout the world, money in various forms is bought and sold daily. The total of all these purchases and sales is called the money market. Essentially, it is a loosely knit but interrelated world-wide auction for funds. Funds purchased in this way are usually much more expensive to the banks than traditional deposits.

As our technology expanded in the 1960's, the demand for funds grew at a torrid pace. As a result, today there is an acute worldwide shortage of money to lend. At the same time, an insatiable demand exists for funds to finance the needs and desires of society.

For the past few years, banks have been feeling the pressure of a heavy demand for money and an inadequate supply to lend. In the last two years, still another factor has been added—the factor of inflation. The United States began experiencing serious inflation about three years ago. Even worse, the nation is now gripped with inflationary psychology. Many corporations and individuals are willing to borrow money regardless of price because they believe the price may be higher tomorrow. Obviously, such a psychology feeds on itself and has the attributes of a self-fulfilling prophecy.

Because of this intense demand for funds, banks have had to ration the money they have had available to lend. But rationing the funds has not been enough. In order to even partially accommodate good customers of long standing who need and want money, banks have had to bid to purchase an already short supply of available funds in the world's money markets. The price of these funds has soared. Immediately prior to the recent in-

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crease in the prime rate, the price of alternate sources of corporate funds (corporate bonds, commercial paper, etc.) rose so high that bank financing was becoming increasingly attractive to corporations. Had the prime rate of banks remained constant, the banking system would have been inundated by another tidal wave of credit demands. Consequently, in an attempt to discourage a new influx of borrowing and as a method of further rationing, banks had to increase their rates. If banks had not done this, they would have been unable to cope with borrowing demands in any orderly and fair way.

WHAT CAN BE DONE TO CURB HIGH INTEREST RATES?

The fundamental—indeed the only effective curb—for the upward spiral of interest rates is for the United States to contain inflation and put an end to inflationary psychology. This can be done effectively in only one way: the economy must be slowed down. Monetary authorities in Washington have already taken steps to do this. The Federal Reserve Board has tightened the money supply in order to make less money available for banks to lend. This action creates severe problems for banks and their customers but must be done in the interests of the economy as a whole. However, monetary policy is not enough. The fact is that our Federal programs at home and abroad need a drastic revision in order to conform more realistically to what we can afford to do. If inflation in this country is to be stopped in any meaningful and long range way, Federal policies must be revised in accordance with the resources on hand to sustain these policies. Rich and strong as the United States is—it cannot do everything at once. The administration has taken some first steps in the direction of recognizing these fundamental facts. The steps taken, together with the restrictive policy of the monetary authorities may be sufficient to brake the current inflationary spiral temporarily. On a long term basis, however, a more disciplined sense of priorities in our national life is needed. All foreign and domestic programs and policies need rethinking both in terms of their relevance to our situation today and our ability to pay for them.

INCREASE IN MINIMUM WAGE

Mr. JAVITS. Mr. President, I have joined the Senator from New Jersey, (Mr. WILLIAMS) the distinguished chairman of the Labor Subcommittee, on which I serve as the ranking minority member, in sponsoring S. 2070, the purpose of which is to raise the minimum wage from $1.60 to $2 per hour and to extend the minimum wage protection to millions of workers presently not covered by the law.

Mr. President, I believe this is a law basic to the welfare of American workers. The Fair Labor Standards Act during the past 30 years has assured millions of American workers of a floor of protection against exploitation. Also, during that period the minimum wage rate has been increased substantially and the act has been extended to cover millions of additional workers. I am pleased to have participated in these previous efforts to provide minimum decency in a standard of living for the workers of our Nation, and I think there can be little question, in the face of the dramatic increase in the cost of living in the past few years, that further improvements in the law are now necessary.

Under existing law the minimum is or will become $1.60 per hour for most workers covered by the act. One significant exception is agricultural workers, whose rate will not increase above $1.30 per hour unless existing law is amended. A worker earning the minimum wage of $1.60 per hour who works 40 hours per week for a full year earns $3,328. That is a wage which is actually below the poverty line for many families in the cities of America and in many cases is less than a family can receive from welfare payments.

Mr. President, there has been a lot of discussion in recent years about the problems of welfare and the need to reduce the spiraling costs of welfare payments. There has also been discussion of the need to insure that those who are actually able to work are not dissuaded from doing so by the prospect of actually losing income by moving off the welfare rolls into employment.

I strongly believe in the need to make drastic improvement in our welfare system and I recognize that this is a subject of deep controversy. Yet, I think there can be no disagreement over the fact that any effort to move people off the welfare rolls and into gainful employment is not going to succeed unless the compensation received from employment meets some minimum standard of decency and provides a reasonable incentive for those who are able to work to do so. A minimum wage of $2 per hour will provide a full-time worker with an income of $4,160 per year. While that figure is slightly above the poverty line in most areas of the country, it remains far below the figure of $9,076 which the Labor Department has recently characterized as providing a moderate standard of living for an urban family. A minimum wage of $2 per hour would, therefore, be but a small step toward raising some of those 16 million Americans whose income is still below the poverty line above it. It will certainly not provide luxuries—indeed, in many instances it will not even provide an income adequate to feed, clothe and shelter a family. It would provide a minimum standard of decency—no more.

S. 2070 would also expand coverage of the Fair Labor Standards Act to additional millions of workers not now covered. Since the Fair Labor Standards Act provides what I consider to be a minimum standard of decency for our workers, I feel strongly that coverage of the act should be extended, if possible to every American worker.

I do recognize that there may be arguments for excluding some limited categories of workers from coverage of some provisions of the Fair Labor Standards Act, we must be careful not to let our concern that workers receive minimum wage protection operate to their detriment by actually destroying their jobs. In the past, fears of unemployment caused by the minimum wage have generally proven to be greatly exaggerated; but we must still consider the problem carefully, in the light of experience that is what I intend to do when hearings are held on S. 2070.

With that understanding, I am pleased to join in cosponsoring S. 2070 and hope that the Subcommittee on Labor can soon begin hearings on it.

THE McGEE SENATE INTERNSHIP CONTEST

Mr. McGEE. Mr. President, each year it is my pleasure to conduct for high school students in my State of Wyoming the McGee Senate internship contest, which brings back to Washington one boy and one girl for a week of observing democracy in action—here in the Senate and in Washington. The contest is designed to stir up interest among high school students in national and international questions.

As a part of the contest each student was required to complete an essay on "Our President: How Should We Choose Him?" Frankly, it was a study of our electoral college system. This year, as I am each year, I was impressed with the depth of understanding and the dedication to our democratic principles displayed by these young people in their essays. This topic is one of vital interest today, and the essays reflect sound reasoning which should be of interest to us all.

Of course, it would be impossible for everyone to read all these essays, but I think some of the most outstanding ones selected by an impartial panel of three judges should receive wider circulation, and I ask unanimous consent that two of these essays, written by Robert Drazovich, of Rock Springs, Wyo., and Kristy Ann Vivion, of Rawlins, Wyo., which received honorable mention in the McGee Senate Internship contest, be printed in the RECORD.

There being no objection, the essays were ordered to be printed in the RECORD, as follows:

OUR PRESIDENT: HOW SHOULD WE CHOOSE HIM?

(By Robert Drazovich, Rock Springs High School, Rock Springs, Wyo.)

The President of the United States is not always the choice of the people! He can, in fact, be the second or third choice of the voting public. What is the cause of this undemocratic practice in a democratic society? The answer is simple: the electoral college. This problem is one which has faced our nation several times in its history, and one which we almost encountered in our recent election. The election of 1824 is an example of this problem. Four candidates shared the electoral vote with none of them gaining a majority. John Quincy Adams finally came out the winner even though Andrew Jackson had many more popular votes.

We can see that the electoral college is outdated and inefficient, but let's see what other problems have been caused. First, the college doesn't always reflect a majority opinion. This is the largest inequity, because in a democratic society, the majority of citizens should have the right to elect whomever they prefer. If this is taken away, democracy will collapse.

The second problem of the electoral college allows for bargaining. If there is not a clear majority for one candidate, there can be a trading of votes. They can make concessions, and as a result, aspiring politicans may support policies different from those expected of them when they were elected. This could very well have been the case in our last election, if George Wallace had gained a few more electoral votes. Again, the college is not allowing the majority to rule but is giving too much power to minority groups.

A third problem resulting from our electoral college is the bureaucracy. This includes the large amount of paper work, the increased cost, and the inconveniences of the system.

The method of choosing electors, printing ballots, and voting in the electoral college varies greatly from state to state. In some places the electors' name appears on the ballots with the candidates; in other states the candidates names appear, and in one state, Alabama, the electors' names are allowed on the ballot but the candidates' names are not even listed. This often leads to confusion.

Most of the states require that electors take a pledge to their candidate but this isn't true everywhere. In the majority of states the electors are voted for in a block, but in others, write-in votes and divided elector votes are allowed.

It seems pointless in our time for the electoral college to meet. The results of the election are already known, and nothing appears to be accomplished.

If the electoral college is so outdated and inflexible, why was it first set up by our forefathers? The problem of how to elect our President was one of the most debated and controversial issues of the entire Constitutional Convention. The choice finally decided upon was mainly one of convenience. In that era of primitive communication and travel, people were often not familiar with the candidates and their politics. The electoral system allowed them to select the man they felt could best choose the President that would serve their interests. However, this was outdated as soon as the electors became puppets of the various political parties.

The electoral college was also supported by the rich aristocratic class who felt the electors would be upper class citizens and would tend to favor the rich man's point of view.

As we look at the electoral college, at its inefficient and unfair system, and at its outdated practices, it seems impossible that Americans through two centuries could have failed to remove the thorn in the side of democracy. The solution is so simple, so practical, that it could solve most of the problems immediately. All the United States needs to do is place the election for President on direct popular vote.

The program which would be most satisfactory is one in which the electoral college is done away with completely. The votes for President would be tabulated at each individual voting site around a town or county. This tabulation would be done under strict governmental control. The tabulated vote will then be sent to a state voting center. Here the total state vote will be determined and doublechecked. When the House of Representatives meets on its first day of the following year for its regular meeting, determination of the President will be its first order of business. The state vote from each state shall be reported by the Governor (or representative of the Governor) to the United States House of Representatives. The House will then tabulate the vote and announce the President. In the unlikely event of a tie, the decision shall be made by the House of Representatives with each state allowed one vote. All disputes in local precincts will be settled by unbiased governmental commissions set up for that purpose.

The basic argument against direct popular vote for the President of the United States is really not an argument at all. Many people say that direct popular vote will lead to disputes and controversies when the election is close. However, it should be noted that this is not a problem today in elections for electors so would not be a major concern in a system with direct popular vote. There are close races, but the differences are resolved. More governmental control of election facilities would eliminate this problem.

Direct popular vote will give the United States a President who is a true choice of the people, not one who happened to carry a couple of large states. This system will take away any power the minority groups might have once and for all. The system of direct vote would also be much more convenient.

When a person thinks of democracy, his first thought is, "That's where they can elect their own leaders." If the United States is to stay democratic, to remain a country of the people, by the people, and for the people, it must change its outdated policy of electing a President.

OUR PRESIDENT: HOW SHOULD WE CHOOSE HIM?

(By Kristy Ann Vivion, Rawlins High School, Rawlins, Wyo.)

Clenched fists . . outraged faces . . shouted obscenities . . and bayonets in the streets . . all part of the protest scene outside the Conrad Hilton Hotel in Chicago last summer during one of the major political conventions. And the Miami Beach convention, though less publicized, had its share of dissenters.

Why? What was the cause of this violence in our country? Authorities say there was a message loud and clear to be heard, that this was a portion of the citizenry screaming for more of a voice in the selection of the Presidential nominee.

It seems obvious, then, that the time has come in these United States when we must take a hard look at the question "Our President: How Should We Choose Him?" Many things seem to require re-evaluation and the method of choosing our President as such seems to require many changes.

Change is not new to our country in this field, for in 1804 Congress and the several states adopted the 12th amendment to the United States Constitution in order to cure cerain defects—underscored by the election of 1800—in the electoral college method of choosing a President. Today, 165 years later, once again many reforms are in the spotlight.

The first change, however, should not be in the electoral college but in the nominating conventions of the respective political parties. This is not to say that these conventions should be eliminated altogether, for to propose, instead of the nominating convention, an open primary would be complete chaos; splinter groups of all degrees could erupt, there would be no discipline of organization, and the two-party system would be endangered. Party workers, officers, delegates to conventions, who are the backbone of a party organization, would have lost their ultimate effort—the thing that cements them most closely—that important function of nominating their party's choice for the Presidential race.

And yet, in all fairness, what of the people in both parties who are chronically dissatisfied with their party's choice for the top office in the land? What of the thousands who complain that they want a voice in nominating the candidate for President?

The most satisfactory solution may lie in a compromise. To assure the continued strength and existence of the party organizations, revisions could be made stipulating that national conventions must be held one month prior to primary elections in the several states and that the nominating convention put two (and only two) names in nomination to be placed on the primary ballot. The mandatory limitation to two names would be a necessity because with the nomination of three or more, the candidate chosen could not have been elected by a majority, and this could only lead to further party disintegration.

Through this proposed system of two names on a primary ballot, the parties would continue to serve in their important roles and yet the man on the street, the citizen who is neither a party chairman nor a delegate to convention could exercise his opinion by helping to select one of the nominees for the general election. The rank and file members of each party, as well as independents, would actually determine which of the two major contenders from each party should be a candidate.

Once the nominees were chosen for the general election, the system could be further improved by setting a reasonable limit on campaign expenditures and by limiting the length of the campaign to approximately four weeks. Recent campaigns have made obvious the real need for these two stipulations which go hand in hand.

After the general election ballots were cast, still another change could be instituted and this would be in the electoral college. To abolish this body completely as some now propose and resort to the direct election plan would be destructive of our federal form of government. Since by constitution we are a republic bound to a representative form of government, it seems logical to maintain the electoral college in some form, but certainly it should be subject to some revision. A possibility might be a new electoral college which would provide for each state to have two electoral votes cast for the state-wide winner and the remainder cast on the basis of the outcome in each congressional district. Under this plan, electoral votes would be achievable by both parties in any state having more than three votes.

In addition, adoption of this system would tend to diminish the role of the big states which are often characterized by one-party domination. All states would probably become two-party states, which would provide a strong reason for all candidates to seek electoral votes in all parts of the nation rather than to look for support primarily to the so-called pivotal states.

The strength of this proposal is that, like the proposed change for nomination, it is a compromise. It would preserve the constitutional concept of federalism and yet make the election of the President a more direct matter for the individual citizen through district representation in the electoral college.

The proposed change in the nominating system creating a Presidential primary would help achieve the same type of balance by preserving the existing parties and the strength of their orderly organization, but by making them subject to the final word of the common citizen.

Optimistically, these proposed changes could be a step toward solving the battle of unrest in our country, for the old would only be modified and the new would give each American citizen a greater voice in choosing the President of the greatest nation in the world.

HERBERT HOOVER, JR.

Mr. GOLDWATER. Mr. President, this week America lost one of its most outstanding citizens and, at the same time, a man who never sought publicity, consequently never received it but whose contributions to our way of life, in fact, contributions to the whole world are immeasurable.

Herbert Hoover, Jr., was, like his father, an outstanding, leading engineer in the general field of petroleum and mining. His greatest contributions, however, in my opinion, were made in the field of communications, particularly in radio. Mr. Hoover first became interested in amateur radio when he was a very young boy and he continued this interest throughout his life. Many of the earliest patents on air-to-ground communication were held by this man. He made one of the first transatlantic contacts in the middle 1920's when he successfully communicated with an amateur operator in Europe from Washington. He served for many years as president of the American Radio Relay League, and served with great distinction.

He was, like his father, a very kind, a very gentle, a very understanding, and wise man. He was generous with his time to all needed purposes and was generous with his time in his service to his country, serving in the State Department during the early years of the Eisenhower administration. One of the great privileges of my life has been my association with the Hoover family and this association has enabled me to observe all of its members in times of trouble, times of happiness, in time of failure and in times of success, and Herbert Hoover, Jr., exemplified all of the fine traditions of this family whose innumerable contributions to a better America have been kept hidden under a desire for obscurity, but whose accomplishments will be recorded in the pages of history as probably among the greatest ever made by one American family.

RADIO STATEMENT BY SENATOR BYRD OF WEST VIRGINIA ON THE FEDERAL ROLE IN SOLVING SOCIAL ILLS

Mr. BYRD of West Virginia. Mr. President, on June 25, 1969, I made a statement for radio regarding the role of the Federal Government in dealing with social ills.

I ask unanimous consent that the transcript of that statement be printed in the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

SOCIAL ILLS AND THE FEDERAL ROLE

In recent years, the federal government has taken a number of steps designed to help correct some of the real social ills plaguing our country. The problems of poverty, hunger, inadequate housing, unemployment, and so on are among the most pressing that touch the lives of every American. Still, with all the federal programs, representing a great chunk of tax money, only limited headway has been made toward eradicating many of these problems.

In some cases, government projects seem even to have complicated the problems which they were supposed to cure. One example is a welfare system that perpetuates poverty, fosters laziness, and subsidizes illegitimacy. The need for reform in this wasteful, and in many respects harmful, program is generally agreed to by everyone from the taxpayer down to the welfare recipient himself. This is not to say that there is not a need for some kind of welfare program. There is, because there are people who need the help and there always will be people who genuinely need help. I want to help those people.

In other cases, the government programs have simply not done the jobs they were supposed to do. An example is the Job Corps. Young men and women have often been trained for jobs that do not exist. Too frequently, the Jobs Corps Training Centers have proved to be anything but conducive to good citizenship and learning, and some of the enrollees lack the basic intelligence and drive to secure and hold a job.

And still other activities designed to benefit poor people—the various so-called "action programs"—are used to foment unrest, strife, and trouble at the local level, sometimes to the point of throwing whole communities into such turmoil and confusion that the local governing bodies have been unable to function effectively.

Plainly, some of these government programs need to be changed. Some need to be redirected. And some need to be dropped altogether. But because the Federal Establishment has grown so large, and in some areas so unwieldly, the changes are often slow in coming. I support efforts to return to the hands of state and local governments the responsibility for managing and overseeing programs which can be better handled at the local level. This includes many of the social programs where the human element is paramount, and where the best solutions may vary from one community to another. We have begun to find that in most cases the federal government cannot provide the cure for the ills of society. The cure must come from withing each community, itself.

On the other hand, there are problem areas in which federal assistance, properly directed, can be worthwhile and beneficial to a community; and in such cases, federal support and effort deserves encouragement. Two such programs, which I, most recently, have had the opportunity to promote as Chairman of a Senate appropriations subcommittee, are those dealing with housing for the nation's low income families and with Neighborhood Youth Corps. In the first instance, more of our low and moderate income citizens will be able to move to good, safe, decent housing; and in the second instance, the Neighborhood Youth Corps' summer program will be expanded to provide several thousand additional jobs for needy youngsters.

These are good programs. And there are other worthy federal programs, such as the Food Stamp program, which are designed to rectify social ills in our country, and I will continue to support these programs so long as they remain effective as the best available approach to these problems. But I cannot support Vista-type programs and some of the so-called community action programs which do nothing to really help the poor but do much to interfere with the work of local school boards and elected public officials, and to stir up trouble in the community. In all too many instances, the taxpayers' money is used to pay the salaries of persons whose chief interest is not helping the poor but, instead, in using the poorest to advance themselves.

By some of these so-called anti-poverty "action" type activities, the taxpayer's money is often used against the taxpayer himself. I have seen small businesses forced to close because of competition that is financed to a considerable extent through the federal government's anti-poverty program.

The sooner the federal government gets out of the business of subsidizing and supporting the radical, hippie, "direct-Action" groups, the better off our communities and our people will be, and the closer we will come to solving the inequities and the unrest within our society.

THE FORCED LABOR CONVENTION IS CONSISTENT WITH OUR LAWS GOVERNING STRIKE ACTIVITY

Mr. PROXMIRE. Mr. President, one of the as yet unratified human rights conventions now before the Senate Foreign Relations Committee calls for the abolition of forced labor. A major provision of this convention seeks to suppress any form of forced or compulsory labor as a "means of punishment for having participated in a strike." This provision has led some critics of the convention to question whether it should be ratified as it now stands.

Our system of legal sanctions does involve compulsory labor in some instances, and these sanctions are sometimes imposed as punishment for certain kinds of strike activity. Under the Taft-Hartley Act, for example, the President can enjoin strikes that threaten the national health or safety. The United States Code provides that no person may accept or hold office in the Government who participates in any strike. Violators of these restrictions are punished as are violators of any other statutes, and, therefore, may be subject to compulsory labor.

The strike provision of this convention, then, seems to contradict our way of doing things. Its ratification would seem to force us to change laws none of us want to change.

In fact, Mr. President, the seeming contradictions between our domestic practice and this convention are nonexistent. We punish only those strike activities defined as illegal under existing law. But the strike provision of this convention does not apply to these activities. This is apparent from the drafting history of the convention. In explaining this distinction to the Foreign Relations Committee, Ambassador Arthur J. Goldberg said:

> The convention was not intended to preclude the application of penal sanctions for certain kinds of labor activities. Thus, the convention would have no application to criminal sanctions for violations of court orders. Nor would it cast any doubt on punishments for illegal activities, for example. assaults, in connection with a strike. Nor, finally, would the convention apply to sanctions imposed for having participated in an illegal strike or for other illegal labor activities.

An interdepartmental commission of the interested departments of the Government has concluded:

> There is neither Federal nor state power validly to impose forced labor as a punishment for a legal strike, and that, with regard to illegal strike activities, any such punishment would only come about "as punishment for crime whereof the party shall have been duly convicted."

The convention does establish, in Ambassador Goldberg's words:

> Forced labor shall not be used as a punishment for those labor activities that are protected by our own Constitution and laws.

The convention is wholly consistent with our way of doing things, Mr. President, and therefore I urge once again its speedy ratification by the Senate.

THE PESTICIDE PERIL—XXIV

Mr. NELSON. Mr. President, the town of Grand Forks, N. Dak., suffered a tragic wildlife loss on the weekend of May 24–25, 1969. Some 400 to 500 migratory songbirds fell the victims of an insecticide sprayed from a helicopter along riverbanks near Grand Forks to control mosquitoes.

Large numbers of dead and dying songbirds—yellow warblers, chickadees, Tennessee warblers, thrushes, and finches—littered backyards and the riverbanks. The dead birds were shipped to a pesticide laboratory in Denver, Colo., where examination of their brains revealed the absence of a natural enzyme essential to the transmission of nerve impulses in brain tissues. The insecticide Baytex which was used in the aerial mosquito spraying is a known inhibitor of this nervous system enzyme called cholinesterase.

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This tragic loss need never have happened if more care had been taken to completely understand the insecticide and its effects on the total environment—not just on mosquitoes—before selecting it for use. The incident is another in a growing number of similar wildlife killings attributed to the use of persistent, toxic pesticides. The potential threat to our environment and possibly to human health from continued use of these pesticides should escape no one.

Mr. President, I would like to have inserted in the Record at this point a copy of a letter I received from Paul B. Kannowski, director of the Institute for Ecological Studies at the University of North Dakota in Grand Forks, relating the details of this unfortunate incident, and also the copies of the attached news clippings.

There being no objection, the material was ordered to be printed in the Record, as follows:

The University of North Dakota,
Grand Forks, June 29, 1969.

Hon. Gaylord Nelson,
Senate Office Building,
Washington, D.C.

Dear Senator Nelson: Your many efforts on behalf of the proper utilization and protection of natural environments are well known. Unfortunately, I seldom take the time to express my appreciation to those, like you, who are doing so much to make the public aware of the consequences of exploitation and disruption of our natural resources. The purpose of this letter is to express my appreciation and to make you aware of another misuse of insecticides.

Recently, the aerial spraying of the city of Grand Forks for mosquito control backfired. A large scale slaughter of small songbirds resulted. How many birds died will never be known. One man who lives in East Grand Forks, Minnesota, across the Red River from the area being sprayed, found 45 dead birds in his small yard.

Citizens from all walks of life complained about this unexpected byproduct of the mosquito control program. Spraying has been stopped until further investigation demonstrates a safe and proper method for control. However, the cost has been high. Grand Forks is poorer by many thousands of colorful and melodious songbirds that perished in this unfortunate experiment.

Because the performance of this experiment was unexpected, it was not possible to get controls (healthy birds of the same species before spraying) to aid in the evaluation of the cause of the deaths of these birds. Nevertheless, the total or near absence of cholinesterase activity in the brains of the birds examined is evidence of cholinesterase inhibition. Baytex, the insecticide used, is a cholinesterase-inhibitor. Thus, the evidence is overwhelming (but not certain) that the Baytex spray caused the death of these birds.

I have enclosed Xerox copies of newspaper articles on this event. These stories were carried by the AP and may also have appeared in other newspapers.

As a biologist whose research and teaching is in the area of entomology and as the Entomology Consultant to a large pest control company, I feel that some insecticides have served a valuable function in the control of some species. However, the non-specificity of most insecticides and the adverse effects upon non-insect species, and the persistence of some insecticides in the ecosystem are strong bases for caution in development and marketing and close regulation in application. We cannot afford to continually debase man's (and all other organisms') environment. We must act now if our children and grandchildren are to know and love nature in the future as we enjoy it today. It is imperative for the perpetuation of all species, including man, that insecticides be prohibited unless they are properly tested and then properly applied.

Sincerely yours,
Paul B. Kannowski,
Director.

[From the Grand Forks (N. Dak.) Herald, May 26, 1969]

Songbirds Die Here by Hundreds

(By Mike Carrigan)

City health officials and scientists at the University of North Dakota launched an investigation Monday to determine if there is any connection between the deaths of apparently hundreds of migratory songbirds near the Red River and aerial spraying for mosquitoes in the vicinity Friday morning.

Residents in various parts of Grand Forks and East Grand Forks were finding large numbers of dead or dying songbirds littering backyards and near the banks of the river.

More than 100 have been turned over to investigators at the UND biology department. The Herald Monday morning was receiving calls and inquiries from other residents who noticed the phenomenon. Among the dead birds found thus far were yellow warblers, chickadees, Tennessee warblers, thrushes, and finches.

Dr. T. H. Harwood, dean of the medical school at the University, said he could be quoted as saying the "scientific community is disturbed" over the deaths of the birds.

"I personally think anytime people broadcast deadly poisons, they ought to give some careful thought to just what they are doing. In trying to kill a few mosquitoes they could in the meanwhile be polluting the area."

Dr. Harwood and Dr. Robert W. Seabloom, associate professor of biology, requested anyone finding dead birds to bring them to the biology building. The birds will be frozen and shipped to one of the nation's two largest pesticide laboratories either in Denver, Colo., or Patuxent, Md. At the laboratory a determination will be made to see if the pesticide was responsible for the bird deaths.

"From initial reports, this is quite a dramatic thing," said Seabloom, a specialist in ecology, which deals with the mutual relations between organisms and their environment. "This is pretty much comparable to a Dutch Elm disease spraying incident in some towns in the East which completely depleted the areas of song birds."

Seabloom added, "I think personally that governments and local governments should be made aware that these (insect) control programs should not be initiated unless they know specifically what effect the program will have on our environment, including men and all animals around man."

Grand Forks Mayor Hugo Magnuson said for the time being he would recommend there be no more spraying until a study can be completed to determine precisely what caused the deaths of the birds. East Grand Forks Mayor Michael Jacobs just returned from an out-of-town trip and declined to make a statement until he could check on the problem. Both cities cooperated in engaging a Fargo firm to spray for mosquitoes along the river banks by helicopter.

Marvin Dehn, who is sanitarian for the Grank Forks Health Department, identified the specific chemical used as Baytex, which he said is a hydrocarbon compound that should deteriorate in a couple of weeks barring rain.

Harwood foresees no immediate danger of poisoning to humans, but added, "If I had a child I wouldn't let him get near the English Coulee or the Red River the next few weeks."

Seabloom said the songbirds nesting in and around Grand Forks are currently migrating to Canada. They are "insect eaters," he said.

Seabloom said he is concerned about the residual effect of pesticides which he said has been shown to be collecting in tissues of every form of animal life.

In the case of the songbirds, he indicated they could have picked up the pesticides in their body fats elsewhere along their migratory route. During migration they burn up body fats at a tremendous rate. Thus, he indicated, they could have been killed by pesticides ingested further south.

Raymond K. Larson, 469 18th Avenue N., East Grand Forks, was among the first to notice numbers of dead birds around a waterhole near the river. "We picked up three dozen and took them to the University all from a fairly small area barren of grass. There are more down there. There might be birds lying all over the grassy areas for all I know," he said.

Mr. W. J. Carney, 415 N. First St., East Grand Forks, found six dead finches. "One had its tongue hanging out," which led her to think it might have been asphyxiated.

Also finding a large number of dead birds was Mrs. John Quaday, 2511 Olson Drive, Grand Forks.

Dehn said the spraying was done along the riverbanks near Riverside and Lincoln Parks and along the English Coulee area. "We didn't go near animals. We had no idea it would kill that many birds if it did do that." Dehn thought the birds may have gotten directly under the helicopter and received a "direct dosage through their skin," although he said "usually they fly away" at the approach of an aircraft.

[From the Grand Forks (N. Dak.) Herald, May 27, 1969]

University Offers Aid on Pest Problems

(By Mike Carrigan)

A committee of scientists from the University of North Dakota may soon be established to advise Grand Forks City health officials on insect and pest problems requiring chemical control.

The suggestion was made by Dr. T. H. Harwood, dean of the UND medical school, after hundreds of songbirds, many migrating to Canada, were found dead. City health officials last Friday used a chemical spray from a helicopter to kill mosquitoes along the Red River and the English Coulee areas.

Harwood has dictated a letter to Dr. William Powers, city health officer, in which he made the suggestion. In the letter, Harwood points out that UND has on its staff specialists in various environmental studies areas, including experts on fresh water lakes and streams, biology, on chemicals and drugs, on insects and on birds.

Dr. Powers told the Herald, Tuesday, "I'm sure we would go along with that. We will cooperate with them in any way we can."

In other developments, Dr. Robert Seabloom, of the UND biology departments, reported that the total number of dead birds now turned in by the public has reached 300. They will be sent frozen to the U.S. Fish and Wildlife laboratory at Denver, Colo., in an attempt to determine if the aerial spraying of the insecticide Baytex figured in the deaths of the birds.

At this point, Dr. Powers concedes that the high kill of birds was probably due to the spraying operation. "I'll be awfully surprised if it isn't . . ." However, he added, that while the label on the containers of the chemicals warned against use around sealife "birds weren't mentioned."

Seabloom received a telephone call Tuesday morning from James B. Elder, a U.S. Fish and Wildlife specialist from Minneapolis. Elder told Seabloom that the magnitude of the songbird kill, would "strongly suggest an overdose of the chemical," based upon experience with Baytex elsewhere in the country.

Seabloom has also been in contact with scientists at the University of Wisconsin, who have experimented with the chemical using quail to find that its toxicity or poison-

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ous qualities for birds is far greater than DDT.

The lethal level for Baytex for birds is 50 milligrams of Baytex per kilogram of bird. That is if you have a bird weighing one kilogram, 50 milligrams of Baytex would kill it. DDT on the other hand has a toxicity ratio of 840 milligrams to one kilogram of bird.

However, Seabloom pointed out that DDT is a much more dangerous chemical in the long run because of its residual qualities—it doesn't break down chemically.

Seabloom said city officials ought not to be criticized too severely. "In the first place I think the city was trying to do the right thing. They used DDT last year and were advised against this because of the residual qualities, so they decided on a different chemical with less residual qualities."

Seabloom suggested that the public needs to decide between mosquitoes or birds. "If they would rather have birds and swat mosquitoes, I'm sure the city would be happy to oblige. The city only reflects what the city wants," he said.

[From the Grand Forks (N. Dak.) Herald, May 29, 1969]

Mosquito Spraying Suspended

The Grand Forks City Board of Health Wednesday adopted a resolution calling on Mayor Hugo Magnuson to halt any further spraying for mosquito control until a current investigation determines the cause of many bird deaths in the wake of last Friday's river and coulee spraying here.

Mayor Magnuson Monday had halted spraying after reports were received that hundreds of dead birds had been found in the river areas.

The mayor attended the board meeting at which the resolution was adopted.

MATERIAL CERTIFIED

A chemical compound called Baytex was used in the early Friday morning spraying here: The material is certified by the U.S. Department of Agriculture for mosquito spray work.

In view of the reports of hundreds of unexplained bird deaths afterward, however, the board determined to seek further advice before any more spraying is done.

The resolution adopted by the board referred to publicity and public concern following the deaths of numerous birds locally.

MEETING CALLED

The special board of health meeting was called by C. P. O'Neill, president, because of the possibility of "a connection between this unfortunate incident and the recent aerial spraying of low-lying areas of the two cities for mosquitos." It cited that "investigation and testimony revealed that the material used in the spraying, called Baytex, is a chemical compound certified for mosquito larvicide and adult control." Baytex has the same chemical content as "Entex" and has been used during the past four years in ground spraying and fogging by the City of Grand Forks.

"Because of recent investigative reports on the dangers of DDT because of its cumulative effects on body tissues," the report said, "Baytex was selected by the health department after consultation with reputable chemical firms in the area because of its short residual effects (3 weeks).

"Labeling on the container states that the material should not be used where valuable sea life is present, but no mention is made concerning danger to bird or other wildlife. The material has United States Department of Agriculture certification and licensure, and is approved for fogging, misting and ultra low volume spraying."

It was also brought out that the material is obtained in a ready-to-use solution which does not require mixing by the pilot of the plane doing the spraying.

Before any more spraying is done, the board of health said it "will seek advice from academic, professional and industrial sources.

"The board and mayor are very concerned about what happened."

The resolution advised the mayor to halt further spraying for mosquito control pending the results of the present investigation as to the cause of the bird deaths."

Attending the board meeting were Mayor H. R. Magnuson, William T. Powers, city health officer; Marvin W. Dehn, chief sanitarian; O'Neill, Leo Haley, Eugene Lavoy, F. C. Bundlie, of the city council; City Engineer Keith Johnson and Stanley Wick, health department.

450 SONGBIRDS SENT TO DENVER

Some 450 songbirds, which were among those which died here over the weekend, were picked up from the University of North Dakota biology department Thursday for shipment to the U.S. Fish and Wildlife laboratory at Denver, Colo.

Scientists at the laboratory will attempt to learn whether there is a connection between the deaths of the birds and aerial spraying with a mosquito control chemical called Baytex Friday morning.

The birds were received by Dr. Gary Pearson, who is with the Northern Prairie Wildlife Research Center at Jamestown. Pearson is making arrangements to have the birds shipped to the Denver laboratory.

They were frozen to prevent, as far as is possible, deterioration of the chemical. However, Dr. Robert Seabloom of the UND biology department, said Thursday it is possible laboratory testing will be unable to detect the chemical "because Baytex apparently breaks down very fast in animal tissue."

[From the Grand Forks (N. Dak.) Herald, May 25, 1969]

Spray Is Blamed in Bird Death

(By Mike Carrigan)

Results of laboratory tests conducted at Colorado State University have strongly implicated a mosquito control insecticide in the deaths of hundreds of migratory songbirds here in the weekend of May 24–25.

The tests found that a natural enzyme essential to the transmission of nerve impulses in brain tissues of a number of dead birds examined was either totally absent, or present in only minute quantities.

Dr. Paul Kannowski, professor and chairman of the Department of Biology at the University of North Dakota, in announcing results of the testing, explained that organophosphate insecticides such as Baytex used in aerial mosquito spraying here are known "inhibitors" of the nervous system enzyme called Cholinesterase.

STRONG EVIDENCE

"The only thing I can say is that it is pretty strong evidence to indicate the insecticide was the active agent in the deaths of these small birds." As director of the Institute of Ecological Studies at UND, Kannowski has been working closely with Dr. Robert Seabloom, associate professor of biology at UND, who has been coordinating the inquiry locally, into the bird deaths. Results of the tests were received here Tuesday.

More than 450 songbirds were collected from back yards and along the banks of the Red River in Grand Forks and East Grand Forks beginning Saturday, May 24, approximately 24 hours after a Fargo-based helicopter sprayed Baytex insecticide along the riverbank and on stretches of the English Coulee in Grand Forks.

SHORT CIRCUIT

With blocking of the "normal activity of the enzyme cholinesterase the nerve transmission becomes faulty—the organization is lost," Kannowski explained. Short circuiting of brain impulses to the heart, lung and other muscles of the body, resulted in deaths of the birds, he said.

Because of the expense involved in the brain-tissue examination, the testing was done on brains taken from 20 of the some 450 dead birds collected.

The results were that six birds, all of them warblers, had no cholinesterase activity at all. Fourteen had "extremely minute quantities" of the enzyme, the biologist reported. These 14 were warblers and thrushes, which according to Kannowski, feed primarily on the types of insects which would have been apt to be affected by the insecticide spraying.

Tests were also done on brains of two robins found ill, but still alive in Riverside Park. "These brains turned out to have a significantly higher cholinesterase activity. This suggests the robins either got lighter doses of the insecticide or they were sick and beginning to recover," Kannowski said.

Seabloom explained earlier that Baytex insecticide is known to break down chemically very quickly once ingested, although in large doses it can be extremely lethal to birds. Because it breaks down rapidly, leaving no residue in body tissues, as DDT does, investigators decided on the brain tissue examination, rather than other tests which would try to detect the presence of insecticide residues.

As a result of the large bird kill here, city officials have suspended mosquito spraying here. City Health Officer, Dr. William Powers, has also said, the health department would welcome the establishment of an advisory committee of scientists from the University to advise on insect and pest problems requiring chemical control.

Dr. T. H. Harwood, dean of the UND medical school, suggested establishment of the advisory committee. Although it has not yet been established, Harwood, said its members would be experts in such areas as fresh water lakes and streams, biology, on various chemicals and drugs, and life cycles of the various insects and birds.

[From the Minneapolis (Minn.) Morning Tribune, June 26, 1969]

Use Discontinued at Grand Forks—Bird Deaths Laid to Insecticide

Grand Forks, N.D.—City officials here have discontinued using a mosquito-control insecticide that laboratory tests indicated was the likely killer of hundreds of migratory songbirds the weekend of May 24–25.

Neary 500 dead birds were collected from areas near the Red River in Grand Forks and East Grand Forks, Minn., less than 24 hours after a helicopter sprayed an organophosphate insecticide along river banks and the English Coulee.

A number of the dead birds were sent to Colorado State University where tests found that a natural enzyme essential to the transmission of nerve impulses was either absent or present in only minute quantities.

Dr. Paul Kannowski, chairman of the Biology Department of the University of North Dakota, who announced the test results Tuesday, explained that the insecticide, Baytex, is a known inhibitor of the enzyme Cholinesterase.

He said the testing presented "strong evidence" that the insecticide was "the active agent in the deaths of these small birds."

Grand Forks Sanitation Officer Marvin Dehn, whose office is in charge of mosquito control, said the city has used organo-phosphate insecticides for nearly four years, but that this was the first time it had been sprayed from the air.

"We're not going to use it under these conditions again," Dehn explained. He said the decision whether to continue using the chemical from ground sprayers would be made by Grand Forks Mayor Hugo Magnuson.

"We didn't know," he said, "that these smaller songbirds would be migrating through here at that time. I wish we had."

Kannowski confirmed that the smaller songbirds—mostly warblers—are "more susceptible to the insecticide. Migrating birds are not in the best of health. They use a lot of energy that they're not able to replace."

He said, however, this particular insecticide was once tested, successfully, as an avicide (bird killer), and that "it should have been studied a little more carefully before it was used."

FREDERICK DOUGLASS HOME: WTOP ENDORSES S. 835

Mr. HART. Mr. President, the distinguished Senator from Pennsylvania (Mr. Scott), the distinguished Senator from New Jersey (Mr. Case), and the distinguished Senator from Minnesota (Mr. Mondale), have joined me in cosponsorship of S. 835, a bill which would authorize funds necessary to restore properly the Frederick Douglass home in Anacostia.

This home is an important historical site associated with the life of Frederick Douglass, the great Negro abolitionist who is acclaimed as the greatest black American of the 19th century. The house has been made by Congress a part of the Nation's Capital parks system, but insufficient funds were authorized to permit needed structural restoration, refurbishing, and public use of the house and grounds. S. 835 would amend this unfortunate situation and authorize the funds required.

Last week radio station WTOP here in Washington, D.C., gave this effort its editorial support. Speaking for WTOP, Mr. Norman Davis admirably set forth the need for this legislation and the completion of this significant project as a fitting tribute to Frederick Douglass. As the editorial pointed out:

> The Douglass home should have a distinctive place among America's shrines, and it's up to Congress to make that happen.

Our bill has been approved and endorsed by the Department of the Interior and by the Bureau of the Budget. It is an item of unfinished business which this Congress should move promptly to remedy, and I am hopeful that the Interior and Insular Affairs Committee will give it early consideration and favorable action.

I ask unanimous consent that the WTOP editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Frederick Douglass Home

(This editorial was broadcast July 4 and 5, 1969, over WTOP Radio and July 7, 1969, over WTOP Television)

This is a WTOP editorial.

The Frederick Douglass home is falling apart.

Most Americans don't know anything about the place, or they don't care, and that's unfortunate.

The Douglass home, in Washington's Anacostia section, was the long-time residence of a man who has been called the outstanding American Negro of the nineteenth century.

As it now stands, the property isn't much of a tribute to the man. Its wood is rotting, its floors creak, its walls are scarred and peeling. Termites and water have left their marks.

Between 1900 and 1964, a group of black citizens scraped together enough money to maintain the house reasonably well and keep it open to visitors. The National Park Service has been the custodian since 1964, but the house is now so delapidated it's sealed off from public view.

The Interior committees of both the House and the Senate have bills before them that would change all this. They call for a $450,000 appropriation for repairing and refurbishing the Douglass house so it can be re-opened as a national memorial. Congress shouldn't hesitate to produce the necessary money.

Frederick Douglass was a really remarkable black man. He rose from the degradations of slavery to become an articulate, courageous champion of freedom—not only for black men but for all men. His autobiography is an American classic.

By an Act of Congress in 1962, the nation formally recognized the achievements of this great man by agreeing to preserve his home for posterity. Without further action by Congress however, the building won't survive much longer.

The Douglass home should have a distinctive place among America's shrines, and it's up to Congress to make that happen.

This was a WTOP editorial . . . Norman Davis speaking for WTOP.

SELECTED HOUSING APPROPRIATIONS VITAL TO CITIES' CRISIS

Mr. JAVITS. Mr. President, the need for adequate funds to provide decent housing for all Americans is of vital concern to all of us in the Congress. The Congress has demonstrated that it recognizes the necessity to have broad and comprehensive housing programs. In particular, in the 1968 Housing Act, the Congress enacted new programs of interest rate subsidies for homeownership and rental assistance which seek to involve the private sector in meeting our national housing goals.

New housing is urgently needed for low- and moderate-income families. But for these programs to be effective, they must be provided with the funds necessary to insure their success. Unfortunately, serious cuts in the appropriations for housing and urban development programs for fiscal year 1970 have been adopted by the other body, and I have urged the Senate to restore these funds.

Mr. President, I testified this morning before the Senate Appropriations Subcommittee on Independent Offices on this subject, and I ask unanimous consent that this testimony be printed in the Record.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Statement by Senator Jacob K. Javits

Mr. Chairman, I appreciate this opportunity to appear before this subcommittee to testify on the appropriations for the Department of Housing and Urban Development for Fiscal Year 1970.

I hope very much that the Senate will see that the housing and urban development programs will be adequately funded in this fiscal year. The bill, as passed by the House of Representatives, appropriated almost $400,000,000 less for these programs than was requested by the Administration. In the face of the increasing decay of our cities, the rising costs of providing urban shelter and services, and, most importantly, the goals which we, ourselves, have set in meeting the crisis of the cities, we must do far more—not less—than we have in the past.

The House of Representatives made severe cuts in the funds available for various housing programs. I remind the members of the Committee that the Congress, in passing the Housing Act of 1968, set a national housing goal of 26,000,000 new or rehabilitated housing units in the next ten years, including 6,000,000 assisted units for persons of low or moderate income.

The key elements in meeting this goal for low and moderate income persons are the section 235 (home-ownership) and 236 (rental housing) programs. Both provide interest rate subsidies. Each program has an authorization of $100,000,000 for Fiscal Year 1970. The Nixon Administration, as the Johnson Administration before it, has urged "full funding" of both of these programs. Secretary of Housing and Urban Development George Romney, in a characteristically forceful and clear commitment to meeting our national housing needs, has been outspoken and explicit in urging the fully authorized appropriation for these programs.

Both the Section 235 and the Section 236 programs have been very popular. In a letter to me, dated June 5, 1969, Secretary Romney noted: "Appropriations at the level we are requesting are required to meet the substantial need for housing these programs can produce. In the section 235 home-ownership program, the original $25,000,000 in contract authority which was released in last year's final supplemental was rapidly exhausted. As of several weeks ago, we had a backlog of applications on hand and awaiting processing which will require additional authority of some $40,000,000. . . ." The Secretary continued that, since late January, section 236 applications had come to HUD in volume. "As of several weeks ago, the backlog on hand of section 236 projects had reached a level of nearly $100,000,000. . . ."

So popular are these programs that the Second Supplemental Appropriations bill, on which we have just acted, contained additional appropriations of $45,000,000 of new contract authority for both the 235 and 236 programs. Combined with the initial appropriation of $25,000,000 for each program—which, as Secretary Romney noted, was clearly inadequate in light of national housing needs and the popularity of the programs—the Congress provided $70,000,000 of the $75,000,000 of contract authority authorized for each program in Fiscal Year 1969. Certainly we can do no less for Fiscal Year 1970.

The House appropriated $80,000,000 for the home-ownership program and $70,000,000 for rental housing. In addition, the House of Representatives cut in half the $100,000,000 requested by both the Johnson and Nixon Administrations for rent-supplement contracts. In total, then, the House of Representatives cut by about one-third the amount requested by President Nixon for new contract authority in programs to provide housing for persons of low and moderate income.

In making these cuts, the Chairman of the House Appropriations Committee pointed out that the contract authority authorized for the section 235 and 236 programs in this fiscal year will obligate the Federal government for $5.2-billion in subsidies over the next 40 years. However, Mr. Chairman, it should be noted first, that the Congress was well-aware of the long-term commitments it was making when it enacted these programs; and, second, that these commitments add tangible resources to the nation in terms of housing and well being. This is not money spent for intangibles or consumer resources. Therefore, the Congress opted for this particular approach to meet the housing needs of persons of low and moderate income. Having made that commitment, we must now be prepared to make the necessary expenditures.

The House Report also contended that these cuts were made necessary because of the inflationary spiral of our economy. No one questions that we must meet the prob-

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lem of inflation, but the sensitive housing market for low income families must not be required to bear more than its fair share of this effort. Moreover, as interest rates increase, it is necessary that we be prepared to appropriate more funds—not less—to these interest-subsidy programs. The Housing Act of 1968 provided subsidies for persons who are now, for the first time, able to enjoy home ownership and decent housing. This Act was a true vindication of the theory that private enterprise, given suitable incentives, can effect major social progress, in areas like low-income housing, where the Government might otherwise have to work on its own. These programs should not now be cut in the name of fighting inflation. To do so would be to destroy an effective working partnership which has applicability to other fields of social improvement.

At a time when building costs and the costs of borrowing money are rapidly rising, it is not consistent with national policy to cut those funds which enable persons of low and moderate income to purchase and rent decent housing. As interest rates rise, low-income families cannot afford to take conventional loans to finance the purchase or construction of their own homes. As building costs rise, private developers cannot afford to build rental housing for such families without adequate governmental support.

Thus, ~~I~~ first urge the Senate Appropriations Committee to appropriate the fully-authorized amounts—$100,000,000 for each of these programs. I also urge an appropriation of new contract authority of at least $100,000,000 for the very important rent supplement program.

Second, I urge the Senate also to restore funds which the House of Representatives cut from other important housing and urban development programs. Only $500,000,000 was appropriated for the Model Cities Program, and the funds requested for urban renewal were cut by more than 50 per cent. In addition, the House omitted the funds requested for advance housing planning. This program makes possible the development planning and design so necessary in the housing field, for communities are able to know in advance how much will be available to them for new and existing housing programs.

The Model Cities program has increased local citizen involvement in meeting the problems of our urban areas in a comprehensive and coordinated manner. The $500,000,000 appropriated by the House is $175,000,000 less than was requested by this Administration. Certainly, this amount should be restored. Beyond that, the Senate should fund this program for Fiscal Year 1970 at a level commensurate with its $1-billion authorization. Only adequate funding of this program will make possible the achievement of its objectives—even in a limited number of cities.

In 1968, the Congress also enacted landmark legislation in the field of "open housing." Nonetheless, this bill does not contain adequate funds to carry out the promise of that act. The Senate should restore the $7,500,000 cut by the House and appropriate the full amount—$10,500,000—requested by the Administration to carry out the fair housing law.

Finally, this appropriations bill contains no funds for the National Home Ownership Foundation. This Foundation, established by the 1968 Housing Act, along with the section 235 home ownership program, due to the untiring efforts of Senator Percy, should be appropriated the $3,000,000 necessary to permit it to begin operations.

In conclusion, these programs, even at the fully-authorized levels, are but first steps toward meeting the massive challenge of restoring our decaying cities. The housing programs, in particular, are crucial and have shown themselves popular. The House Appropriations Committee itself noted that the programs of contract authorizations for home ownership and rental housing assistance were among the most promising HUD programs and ". . . should contribute substantially to alleviating housing problems . . ." for low-income persons.

The ambition to own a home is shared by virtually all Americans. It provides many low-income families with a tangible stake in society for the first time. Indeed, the present authorization for the home-ownership program is too low, and I believe that the Senate should consider increasing it to $200,000,000 for Fiscal Years 1970 and 1971. Certainly, given the promise of both this program and the rental housing assistance program, to slash their appropriations by $50,000,000 is counterproductive.

Time after time the nation and the Congress have been urged to face the necessity of providing adequate shelter for all Americans. The Congress itself has set a ten-year goal of 26,000,000 units—but it will not be possible to come close to that goal unless the Congress provides the funds authorized by the 1968 Housing Act. As Secretary Romney told the House Banking and Currency Committee earlier this year, "If the appropriations and contract authorizations we have requested are materially reduced, you may bank upon it that the result will be lost time, lost housing, and lost progress toward our national housing goal." Moreover, the cuts in the appropriations for the Department of Housing and Urban Development, as passed by the House of Representatives, are in direct opposition to the findings of a series of special commissions—the National Commission on Civil Disorders, the National Commission on Urban Problems (the so-called Douglas Commission), and the President's Committee on Urban Housing (the so-called Kaiser Commission). In all cases, these commissions recommended an expanded national housing effort. Moreover, they urged that the Model Cities and urban renewal programs be funded at levels which permit these programs to have a significant impact.

Poverty and poor housing are closely related. The poor and the disadvantaged live in substandard and overcrowded housing. Poor housing directly influences health, behavior and attitudes. There is little doubt but that there is a growing gap between the housing status of the poor and the rest of society. We can no longer delay our efforts to bridge that gap. We must begin this year to meet the promises implicit in the Housing legislation which the Congress has enacted over the past few years. That can only be done if the Senate restores the cuts in HUD appropriations adopted by the House and only if the Congress adequately funds these crucial programs.

THE DRAFT AND CAMPUS UNREST

Mr. COOK. Mr. President, many of my colleagues no doubt noticed in this morning's Washington Post, an article by Dr. George Wald, entitled "Role of the Draft in Campus Unrest." While I do not agree with many of his conclusions, I do concur that the two major sources of campus discontent are the Vietnam war and the draft. Dr. Wald, more than anyone else who has spoken out in recent months, seems to understand the student mood and frustration and has expressed it quite well. Regardless of whether we agree with all his views, Senators should be exposed to his great insight. It is for this reason that I now ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ROLE OF THE DRAFT IN CAMPUS UNREST

(By George Wald)

What is upsetting our campuses are the real and terrifyingly large and difficult problems besetting our whole society. One of these has a special impact on the campus. That is the draft.

Nothing now so poisons academic life in America as the draft. To draft about 400,000 men each year, we keep about 5 million young men between the ages of 19 and 26 continuously on tenderhooks. And don't think the young women aren't there, too! Our entire younger generation, students and even more nonstudents, is kept in a continuous state of insecurity and uncertainty, unable to plan their lives.

But that is just the beginning of it. Many of the students now in the colleges hardly know why they're there. Some should take a year or two off; some should go and stay away. One of my students said to me in a recent class discussion. "Your course is one of the best I have had in a dying breed." When I asked him what that meant, he said, "The trouble is that you tell us what *you* think and *you* know; whereas the important thing is for us to find out what *we* think and *we* know."

One wants to say to such a student, as to many others, "Fine! That's much better! But if you don't want to learn from us, why don't you go away and do it on your own?" Do you know the answer?—the draft.

Something more. I have now talked with several students at Harvard who tell me plainly that their primary aim is to close the university. As one of them put it: "We're going to close Harvard down; and when we get it the way we want it, we'll give it back to you."

This is a very small, though well organized and vocal group. If a student's main purpose is to close the university, we may have to get rid of him. Why not? I'll tell you: it's because General Hershey is watching, eager to draft just that person for just that reason, and send him to Vietnam. In expelling such a student the Harvard faculty must face the prospect of learning a few months later that we had condemned him to fight and perhaps die in a war that most of us reject. Just as worthy young men, perhaps much worthier, who are not students are exposed to those hazards all the time; but the Harvard faculty didn't put them there.

If Congress wants to do something quick and effective about campus disorders, that's easy. Repeal the draft.

A number of persons in and out of Congress and the Administration have lately voiced the thought that the student disorders are being fomented by a conspiracy.

I am afraid that there really is a conspiracy. It comes, not primarily from the Left, but from the Right, from the agencies of our own Government.

About two months ago there was a small GI demonstration against the Vietnam war at Fort Jackson, S.C. Nine men were imprisoned. Eight of them were held for court-martial; the ninth was immediately released, promoted in rank and commended. The Army had planted him in that GI organization, and as a plant he had promoted the demonstration.

A few weeks ago a junior at the University of Illinois revealed that about a year before he had been recruited by the FBI to join SDS. In time he came to regret his role as informer, and quit; then on the advice of his dean and a psychiatrist, he broke the entire story to the press.

This country is about as far from a revolution from the Left as can be. Left organizations have almost negligible memberships, and they tend to fight one another more bitterly than they fight rightwing organizations. Liberals worry about the John Birch Society and similar groups; but the SDS

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doesn't seem to be interested. It's too busy destroying the liberals.

But revolution from the Right? That's very well organized, and coming closer all the time. In our country, its present disguise is Law and Order.

It took centuries of blood, sweat and tears, first in Britain and then in our country too, to establish the safeguards of our institutions and our individual rights and freedoms that constitute law and order.

Not much more than a year ago a wave of black rioting in the cities had so outraged and frightened many people that considerable public support was rapidly building up for an authoritarian ("Law and Order") takeover of our country. We began to be told of the security troops, half a million of them, specially trained for riot duty in the cities; the tear gas and mace, the tanks, even the "detention"—not concentration—camps being prepared for occupancy. That message seems to have hit the black community all over the country just in time. We have not had a big black riot in over a year.

Now campus disorders are playing exactly the same role. The same forces are whooping it up for drastic repressive action. Actions and statements of radical student organizations are becoming increasingly the provocation for more and more drastic police and military responses, under emergency administration orders. Witness Governor Reagan's immediate declaration of an extreme emergency and curfew in Berkeley.

Watch out, my fellow Americans! Eyes right! The attack being mounted ostensibly against a few campus radicals is an attack upon you, and all that you hold dear. If the universities lose their freedom, so will you lose yours.

Mr. COOK. Mr. President, recent reports indicate that draft reform will not be considered until next year. I hope this is not the case. Many have expressed the opinion that campus unrest will be very great this coming fall unless efforts are made to improve conditions in Vietnam and strides are made to reform our archaic Selective Service System. The President is making a valiant effort to bring the conflict in Vietnam to a satisfactory conclusion, but this is not enough. Draft reform is, or at least should be, a top priority item also. I support the President's proposal for draft reform with the goal of moving to an all-volunteer Army as soon as we conclude the conflict in Vietnam. However, a good proposal is not enough. It must be enacted. I urge the Armed Services Committees in the House and Senate to begin hearings on this crucial matter as soon as possible. We must move with dispatch to reform and later terminate one of the most unjust and unpopular systems ever imposed upon our free society.

NIXON ADMINISTRATION NASA BUDGET REQUEST TOO LOW

Mr. YARBOROUGH. Mr. President it is ironic that as the United States is on the threshold of one of the greatest scientific achievements of mankind—the landing of a man on the moon—the administration wants to reduce the Federal Government's financial commitment to the National Aeronautics and Space Administration.

With this tremendous space venture coming up within days, with this opening up of the universe to man, we find the Bureau of the Budget in its April recommendations still further slashing funds from NASA while at the same time going all out to obtain funds for a vast expense of questionable value as the ABM system.

In the Johnson budget of January 1969, NASA funds were requested of $3,760,527,000. The Nixon administration cut this figure by $45 million. It asked for only $3,715,527,000 for NASA. The reduction by the Nixon budget requests pertain to some very vital NASA programs, such as the Apollo application program and the planetary explorers project. A $45 million cut in the NASA budget is a drastic cut when you consider its overall effect upon the entire program. Many fail to realize the full scientific value of our space exploration in fields such as bioscience, physics, astronomy, communications, weather analysis, and space medicine. The Nixon administration recommended a cut, for example, of $12 million from the bioscience activity, of $12 million for space technology, and $20 million for tracking and data acquisition activities.

We must question the priorities of the present administration. We must ask why we are called upon to spend more and more billions for ABM and more and more for a war in Vietnam while cutting back programs like NASA which advance not only the United States, but all mankind.

The United States will be the first nation of this world to land a man on the moon because we had a President, John F. Kennedy, who committed us to this goal. We then had the determination to meet this goal. We appropriated the necessary money.

But putting a man on the moon is not the end of our Nation's space program. We must push on to new frontiers in space. We must keep our programs of research and development going full force, preparing for the next step.

We cannot maintain our leadership in the exploration of space if we must cut back in our space programs to satisfy the demands of billions of our tax dollars for an ABM system, which many of the Nation's leading scientists question. I hope we in the Senate will authorize and appropriate at least as much money as requested in the Johnson budget, because any dollar cut from the space program can result in severely adverse effects upon its overall goods. I say this is the least, the bare minimum we can do. But to do what our world leadership demands of us, I urge that a larger sum be appropriated for NASA.

Our space program, our help for the elderly, the sick, the poor, the schoolchildren—all of these must not be sacrificed for unwise ventures on which the money would actually be squandered, such as the ABM system.

TV STATEMENT BY SENATOR BYRD OF WEST VIRGINIA ON REDUCTIONS IN THE FEDERAL BUDGET

Mr. BYRD of West Virginia. Mr. President, on June 13, 1969, I made a statement for television regarding proposed reductions in the Federal budget.

I ask unanimous consent that the transcript of that statement be printed in the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

REDUCTIONS IN THE FEDERAL BUDGET

Inflation, and the increasing cost of living, must be brought under control. Federal spending is a major cause of inflation. I have, therefore, offered a proposal to cut nearly $2 billion out of the Federal budget for the fiscal year beginning July 1. Such programs as social security, veterans' benefits, and other uncontrollable budgetary items would not be affected. But there are other costly programs which I believe to be unnecessary, and under my proposal Congress or the President would be required to make reductions in them. The squeeze is becoming unbearable. Action is necessary now to protect wage earners, businessmen, persons on fixed or limited incomes, and citizens in general. We cannot afford any further reduction in the purchasing power of the dollar.

DRAFT REFORM

Mr. KENNEDY. Mr. President, this week the Washington Post and the New York Times have both commented on the need to reform our selective service laws.

The Post says reforms should be "regarded as urgent business in both Houses of Congress."

The Times says we have a "moral obligation" to guarantee that the draft is fair and predictable.

With these sentiments I wholeheartedly agree, as I have pointed out many times before here in this Chamber. It is an easy matter to criticize the cynicism many young Americans reveal, just as it is to criticize the unrest on our campuses. But we must not forget that much of this cynicism and unrest is fostered by our draft law—which was designed 30 years ago and is today a patchwork of inequities.

We should act on draft reform soon, and I will continue to do what I can to see that we do.

I ask unanimous consent that the two editorials be printed at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, June 11, 1969]

A MORAL OBLIGATION

Two months ago in a special message, President Nixon told Congress the Government had "a moral obligation" to reform the draft law to spread the risk of induction more equably among the nearly two million young men who become eligible for military service each year.

As of today, there have been no hearings in either house on any draft legislation, although numerous proposals have been introduced. There are no hearings scheduled. The President has not yet sent details of his own plan to the House, nor is there any indication that he has even found a sponsor for a Nixon draft reform act in the Senate.

The President and many members of Congress have preached a lot lately about the obligations of youth to the nation. When are they going to fulfill their own moral obligation to the millions of young men who are being victimized by a grossly unpredictable and unfair Selective Service System?

[From the Washington (D.C.) Post, June 9, 1969]

LAGGING DRAFT REFORM

The foot-dragging on Capitol Hill in regard to draft reform and the Administration's seemingly lax attitude toward it are disap-

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pointing. When the President sent his draft proposals to Congress a few weeks ago, they were described as interim changes designed to make the Selective Service less onerous while long-range plans to replace the draft are being worked out. Now the supposed interim relief measures are being treated as if they were long-range reforms to be considered only in connection with renewal of the Selective Service Act in 1971.

We can see no excuse for such delay. The weaknesses of the present system are a substantial cause of unrest among young men of draft age. Many complain about the potential disruption of their lives by unforeseeable draft calls that may come at any time from age 19 to 26. These men would have a much better opportunity to plan their schooling, their careers and their private lives if the period of their maximum liability could be shortened to one year, as both President Nixon's and Senator Kennedy's plans recommend. There is no good reason to ask them to wait two years for such an obviously desirable change.

We think that random selection of draftees would also diminish the feeling that the draft operates unfairly. Since the armed forces need fewer men than would be exposed to the draft at age 19 (plus deferred students who would have a year of maximum exposure to the draft at the end of their college studies) selections from this group by lottery would keep favoritism and special privilege at a minimum. Here again the improvement ought not to be something for legislators to ponder for two years but to put into effect at the earliest possible date.

The Army too has an interest in prompt action on this bill because it would take younger men into the service at an age when they make better soldiers.

If any action is to be taken this year, however, the Administration will have to bestir itself far more than it has done to date. Some key legislators are complaining that they have not yet been supplied with information as to how the proposed lottery would work. The Administration's bill has not even been introduced in the Senate for want of a sponsor on the Armed Services Committee. This suggests a critical lack of follow-up work at the White House.

When these reforms were recommended a few weeks ago this newspaper said that they "ought to be regarded as urgent business in both houses of Congress." We still think so. But something more than wishful thinking at the White House and apparent disinterest on Capitol Hill will be necessary if anything is to be done before the present legislation expires.

BOYCOTT OF CALIFORNIA TABLE GRAPES

Mr. MURPHY. Mr. President, California State Senator John L. Harmer recently spoke before the Roanoke Valley Industrial Association and in his remarks discussed the boycott of California table grapes which has attracted so much national attention.

Senator Harmer is vice chairman of the California State Senate Committee on Labor and Social Welfare and in this capacity he has extensively researched the activities of those who are attempting to unionize the grape workers and the conditions of the workers in the fields.

I believe that his speech will be very beneficial in correcting some misconceptions and I ask unanimous consent that his remarks be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS BY CALIFORNIA STATE SENATOR JOHN L. HARMER

I appreciate this opportunity to review with you some of the facts as I know them to be regarding this great phenomena of the 1960's—a nationwide boycott of a basic product of our largest state. Since the 1930's, no single movement in the history of organized labor has so captured the interest and concern of the Nation as has the Grape Boycott.

Today in any number of cities from coast to coast, one will find students passing out leaflets in front of grocery stores in which it is alleged that the California farm worker is the helpless victim of exploitation by the all powerful growers. In those same cities on Sunday, ministers of various churches will call upon their congregations to join in a boycott of the California grape because of the "hideously low wages and inhuman working conditions" surrounding the California farm worker. Labor organizations from one part of the country to the other have called upon their members to boycott the California grape and any stores which sell the same because of the "oppressive way in which the growers have suppressed the strike of the California farm worker."

That is quite a combination of power: students, ministers and organized labor all working together to "save" the California farm worker from the "exploitation and oppression" of the growers.

The Boycott has included more than just the passing out of leaflets or the insertion in the local bulletin of a church an appeal to join the Boycott. The Boycott has taken on some very nasty aspects and some very violent ones. Several of the largest chain stores in the Nation have been the victims of extensive property damage, willful destruction of goods and produce within their stores, thinly veiled threats against their managers and employees, and the presence of numerous ill-informed individuals on their premises who fill shopping carts with extremely perishable items and then walk away to leave them in the middle of the store aisle.

In California's fields many workers and their families have been the victims of violence by the frustrated proponents of the so-called strike—frustrated because there has never been a strike by the actual farm workers.

To one who has been to the grape vineyards of California, who has talked with the workers, looked at the pay records of the growers, observed first hand the living conditions of the farm workers in their homes and at the grower's camps, it becomes even more phenomenal that such a fantastic degree of support could be given to a movement which is so completely founded in misrepresentation and falsehood.

The misrepresentations surrounding the Boycott originate with one man who has been carefully developed into a living myth. This man's name is Cesar Chavez. Chavez has been the carefully trained and disciplined student of the great master of revolutionary movements in America—Mr. Sol Alinsky, head of the Industrial Areas Foundation of Chicago. Mr. Alinsky according to his own words is a "doctrinaire Socialist" of the classical type. You have to mark him as one of the most powerful men in America today, a power that is seldom publicly recognized or acknowledged.

Some historical background is necessary. Cesar Chavez has never been a grape worker himself or even a farm worker for any extended period of time. He worked briefly in the citrus fields outside of San Jose, California, where he was "discovered" and brought under the influence of Alinsky by one Fred Ross, head of what is known as the Community Services Organization for the West Coast.

Ross recognized in Chavez a potentially effective and articulate organizer of the large Mexican-American population of California. According to Chavez, he first met Ross and went to work for him in 1952. For many years Chavez was carefully trained in all of the significant mechanics of leading a successful social revolution. He was taught how to mobilize large groups of people, how to propagandize effectively, how to use the mass media, and how to enlist the support of misguided and uninformed zealots who would blindly champion any cause by which they could convince themselves they were "doing good."

Thus it was after a decade of preparation that Chavez was placed in the Delano area to lead what was originally a social reform movement. Delano was chosen because it had a stable and non-migrant base of Mexican-American farm workers. Chavez assumed he would be able to form the core group of what was to be a Statewide organization of the Mexican-Americans.

I emphasize this point that originally Chavez was neither a labor leader nor seeking to benefit the poor itinerant farm worker. Chavez and his superiors were opportunists seeking for a group of people whom they could bring into a cohesive base of support from which they could launch a social revolution. That is why they chose Delano. It had a large group of stable non-migrant workers.

Early in Chavez' efforts, the pretense of a "strike" of the farm workers became necessary in the hope that it would provide a rallying point for the hopefully "dissatisfied, frustrated, and victimized" farm workers. To this day there has never been a strike by the workers in California.

Chavez called his organization the National Farm Workers Association—a rather imaginative title for the rag-tag group of non-farm worker roustabouts and troublemakers that he gathered to work with him. Eventually he united with a group called the Agricultural Workers Organizing Committee, primarily a Philipino-American organization. The two combined to become the United Farm Workers Organizing Committee. Chavez and his UFWOC organization became dominated by the AFL–CIO simply because of the massive amounts of financial assistance the AFL–CIO put into the organization.

Sol Alinsky, under whose tutelage Chavez was groomed, once wrote that the secret to any successful social reform movement (the phrase used to describe what the Socialists mean when they talk about the revolutionary socializing of the United States), would be to utilize the active support of America's churches and the power of organized labor. Alinsky noted that the combination of the dignity of the church and the financial and human resources of the labor movement would provide the base for a true revolution throughout the country.

Chavez has effectively applied the concepts taught him by Alinsky in the mobilization of church and labor in support of the boycott.

While Chavez and his original team of cohorts are kept functioning in the matter of providing propaganda for the boycott, the true organizational control of the Union itself and the boycott activity rests with a long-time lieutenant of Walter Reuther, Mr. William Kirshner. Bill Kirshner is a very brilliant technician in the field of labor organization and has for some time been directing the affairs of UFWOC.

The critical factors for our consideration, however, are not the internal operation or even the personalities of the boycott movement but rather the merits of the allegations being made concerning the farm workers, the conditions of their employment and the circumstances of their lives. Because of the vastly conflicting stories that were coming out of the farm area, I decided to personally visit the Delano-Bakersfield and San Joaquin Valley farm areas to see for myself what was really happening to the farm worker. Because Chavez had headquartered himself in Delano I chose to go there first.

I might add that I did not go in my capacity as a senator. I went to the area unannounced and spent several days talking with farm workers, growers and others who had reason to be involved.

Particularly revealing were the conversations with the workers themselves. Once their confidence had been won and they were willing to chat with me it became obvious that they despised Chavez. A review of the facts and the data that were obtained through these visits revealed the following:

1. The California farm worker is the highest paid agricultural worker in the United States and the world. His base wage is $1.70 an hour according to the United States Department of Agriculture's Bureau of Labor Statistics. Adding to that the incentive pay that he gets, it is not uncommon to find many workers averaging better than $3.50 to $4.00 an hour during three to five months of the year and $1.80 to $2.50 an hour during the non-harvest season.

2. The California farm worker is not an itinerant migrant. Over 90% of the workers employed on the farms in the Delano-Bakersfield area live within the immediate area in their own homes which they either own or rent. The best estimates available from authoritative sources indicate that less than 3% of the farm workers are truly migrants in the sense that they move from place to place following the crops.

3. The working conditions and the circumstances surrounding the employment of the workers were beyond reproach, and excelled in almost every way the living conditions and working circumstances of farm workers anywhere in the Nation.

4. The California farm worker is covered by more State legislation protecting him from exploitation, coercion and danger to his health and welfare than any other farm worker in the Nation. California has enacted nine of ten possible agricultural worker protection laws. No other state in the Nation comes close to that number.

Most interesting was the fact that the workers themselves revealed that there had never been a strike. Never once has a grower failed to be able to have an ample number of workers in his field ready to work and harvest. Never once have the workers who live in the area involved themselves in the strike or in support of Chavez. In fact, it is obvious that they despise Chavez, looking upon him as an opportunist who seeks to use them for his own goals.

One of the most poignant examples of this was a worker picnic which I attended in Delano. Over 2500 farm workers came to demonstrate their opposition to Chavez and their determination not to be forced into accepting his union. After the ceremonies were finished, I was surrounded by a number of these people, and as they were talking to me, one of them asked, "Why doesn't someone tell our side of the story? Why doesn't someone speak up for us and point out that Chavez is only trying to use us? He is destroying our jobs, forcing the growers to search for other crops, and before long, there will be no jobs. Why doesn't someone tell our story?"

"Chavez is the opportunist—Chavez is the oppressor—Chavez is the source of our troubles, not the growers," was the message that time and time again the workers gave to me.

One thing is certain. After numerous visits to the fields, it was obvious that indeed there had been no oppression, no exploitation, and that the allegations against the growers being repeated so widely by everyone from the mass media and the clergy to the misguided students had no foundation in fact.

Perhaps a vivid example of this is the mythical "poor Juanita." Who is poor Juanita? "Poor Juanita" is a little Mexican-American girl who sits plaintively on the side of an old bedstead and who becomes the symbol of Chavez and his propaganda ministry in illustrating the alleged exploitation of the workers. "Poor Juanita" supposedly is seven years old and is at home taking care of her little brother so that her mother and father can work in the fields for less than $1.00 an hour.

One of the "itinerant ministry" who has climbed aboard the Chavez band wagon was challenged to produce "Poor Juanita" and to produce her family and to show that they had ever worked for any grower anywhere in California. The challenge included an offer to give the family the challenger's salary for a year. Needless to say, he did not lose the year's salary, and no production was made.

There are obviously poor people in the rural areas of California. There are obviously people whose lives are less than they would like them to be, but the existence of these people has no demonstrable relationship to the growers and/or to the California agricultural industry. Those who work are the highest paid, the best housed, and the best fed farm workers in the world.

I might point out that one of the more absurd contradictions in the boycott propaganda is the constant reference that is made to the income of the California farm worker family. California's extremely liberal welfare laws and Medi-Cal program would provide a family with a basic standard of living well in excess of $3,000 a year. Medical care would be rendered for all members of the family covering their total health needs. Yet the assertion is constantly being made that many a worker family has an annual income of less than $2,000 in exchange for 12 to 15 hours a day of work in the fields by both parents and the children.

One need only drive past the vineyards where the workers are engaged in picking and see the late model cars that they have driven from their homes to the fields where they are working to realize the absurdity of many of the assertions made about their lives.

The question is then, "How can such a phenomena exist as the nationwide mania for boycotting the California grape because of the alleged oppression, and exploitation of the California farm worker?" The answer is really a complex story and one that we have already alluded to. Chavez was trained to lead a social movement, and the grape boycott is really a combination of a social-labor movement with a deep emotional appeal. It is a combination of Alinsky's methods for revolution and at the same time, the expertise and financial muscle of organized labor.

A combination of three factors has brought us to our present situation. First of all, you remember that there has never been a strike, and so the growers were never threatened in their fields with the loss of their crops. Workers have always been there and always been actively engaged in harvesting the crop. Until this year, the Boycott has not really noticeably damaged their marketing. However, it has now become apparent that the Boycott is, in fact, adversely affecting sales. So it was just recently that the grower really received the incentive to tell his side of the story. Until now he could complacently ignore the outlandish misrepresentations that were being made by the Boycott group—even though he could not comprehend how anybody could believe them.

Second, the mass media have aided and abetted the boycott situation by publishing the propaganda and allegations of Chavez without confirming the truthfulness or falsity of these claims. This willingness of the mass media to give broad publicity to the boycott group has been effectuated not only by Alinsky's methods but also by the fact that political opportunists have identified themselves with Chavez.

The third and final factor involved in the success of the boycott has been the willingness of organized labor and the churches of the country to give their muscle and their dignity to these misrepresentations without any concern about what the true facts may be. The net effect has been that a large segment of the population have been told by ordinarily respectable and authoritative sources a great deal of untruth which has made them willing to support the Boycott.

It has been interesting that a number of responsible government officials—including the Mayor of Vancouver, British Columbia, among others, have come and spent two and three days in the Delano-Bakersfield area attempting to learn the truth. The Mayor of Vancouver asserted after spending three days intensively looking at the situation that in his opinion, Chavez was a fraud, and the California farm workers' circumstances were nowhere near that which had been represented and certainly not such as would justify a support of the Boycott. This type of visit and statement has not been given the same coverage by the mass media as were the efforts of the Brothers Kennedy to use Chavez.

Perhaps an additional factor should be noted in the success of the Boycott. Chavez last year filed with the United States Department of Labor a report in which he noted the receipt of $684,000 in contributions for the support of the Boycott alone. When one has nearly $700,000 to sell a story nationwide, it is not that difficult to do a pretty effective job. The growers amassed nowhere near that sum of money to use in telling their side of the story, and, of course, the workers themselves—the most critical group here—have had only one lonely voice speaking for them—an individual named Jose Mendoza.

Mr. Mendoza headed an organization born out of the frustration of the workers in finding that no one was telling their side of the story. His group was called the Agricultural Workers' Freedom to Work Association. The farm workers demonstrated their overwhelming support of Mendoza whenever they were publicly able to do so. Mendoza did speak throughout the Country and received some amount of press coverage by what he said. However, no one of national reputation has sponsored Mendoza as the Kennedy's did Chavez. Mendoza has been a lonely voice in the wilderness.

Chavez' marches, which have been debacles of the worst type and a matter of great disdain by the legitimate farm worker, have received nationwide coverage. His alleged fast (which one of his closer associates said was completely phoney and that he often times received food during the period of the fast) was another matter of national intensive coverage.

All of these things have been calculated to arouse the idealistic crusading element in our society who have made themselves a part of this fraud upon the public and in such a way as to create grave concerns now for the future of the agricultural industry of California.

The fruits of Chavez' efforts have been lies, violence, deceit, and fraud, and the probable loss of thousands of jobs for innocent victims of his ambitions. Hardly the qualities of the "Saint" Chavez is portrayed to be by the adulating mass media.

The Boycott is well organized and financed. It has hurt the grower, the worker who is the innocent victim of Chavez' opportunism, and of course, finally, the consumer. Not only has the Boycott caused the price of grapes to increase, but of course the quality of grapes available has been substantially reduced as those stores which have fallen victims to the Boycott have sought out alternative and invariably inferior sources.

Paradoxically, the effect of the boycott has been to provide a market for grapes harvested by workers in South America, who do in fact, live under the conditions and work for wages alleged by the promoters of the boycott to be true in California. Apparently supporting "oppressive exploitation" in other countries does not bother the boycott advocates. There are some things that need to be done immediately. First of

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all, we need to obtain some legislative changes which will take the capacity to wage such a boycott out of the hands of anyone. Because of the provisions of the National Labor Relations Act excluding agricultural workers and products from its coverage, the Department of Labor and the NLRB have declined to assert any jurisdiction to prevent the use of the boycott—even though a boycott per se is unlawful under the Act.

Since agriculture is my State's number one industry, this, of course, portends a fantastic and very serious problem for the State of California.

Many states including my own need to enact anti secondary boycott statutes that will be both meaningful and effective. We have such a bill under consideration in the California Senate now.

Most importantly, we need to be more effective in getting the right type of information—the truth—to the people. To their great credit, a number of chain stores have not only refused to be intimidated by the Boycott but have on their own initiative undertaken advertising campaigns by which they inform the public of the true facts and circumstances surrounding the boycott. They did so not as advocates but simply to disclaim responsibility for the effects of the Boycott and to point out the patent unfairness of involving these stores in a situation for which they were not responsible.

Finally and most importantly, someone needs to speak for the workers. The mass media, without the artificial attraction of political opportunists, needs to assume the responsibility to give equal time and consideration to their side of the story.

If Chavez is allowed to succeed, if the Boycott achieves its purpose, ten thousand workers in the San Joaquin Valley and many other thousands in California will be brought under the power of a man and a union whom they despise, for whom they have complete contempt and with whom they want no association. They will be brought within the power of that union not because of anything they asked or did, but because the public was deluded by blatant propagandizing into forcing it upon them for "their own welfare and benefit".

It is this danger perhaps above all others that mandates that we move quickly and effectively to protect the workers and the consumers from this type of economic coercion and oppression.

I plead with you to use the offices of your Association and your own vast economic power to carry this message to all the people whom you serve, whom you employ, and with whom deal. What is being done to the growers of California can be done to your state, to your industry as well as to ours. The growing, shipping, processing and packaging of food is not limited to California, but all of it, theoretically, could be outside the purview of the National Labor Relations Act as it has been interpreted by the NLRB and the Department of Labor. The power to control the vital progress of food to our economy would be an economic power at the Nation's throat which would be unconscionable indeed.

We have nothing to be afraid of in terms of a confrontation with the proponents of the Boycott. Based entirely on facts, in each and every instance we can prevail. Our enemy is the ignorant, the well meaning, the misguided individual who on the basis of the misrepresentations and inflaming propaganda uses his time and means to coerce and oppress the worker into the acceptance of a union which seeks only to use him to dominate his life and to provide him with no real benefit.

I have every confidence that in the American system, the right will prevail. I have every assurance that given time for the growers and the workers to effectively tell their story, Chavez will be thoroughly repudiated and his movement will not succeed. I fervently hope and plead that you will join us in seeing that that is the end that will be written to this unbelievable story.

Thank you very much.

BIBLE TRANSLATION DAY

Mr. HATFIELD. Mr. President, yesterday the senior Senator from Oklahoma (Mr. HARRIS) introduced Senate Joint Resolution 135, a joint resolution to authorize the President to issue a proclamation designating September 30, 1969, as "Bible Translation Day."

Inadvertently, the list of cosponsors was omitted. He has asked me to announce that Senators CURTIS, ERVIN, and myself join him in cosponsorship of this resolution.

I have profound respect for the work being done by the Summer Institute of Linguistics and its related organization, the Wycliffe Bible Translators. Both groups have had enormous impact on developing nations, and the value of their work is of immeasurable benefits in the establishing of good relations with these countries. Recently an excellent article concerning the activities of these groups apeared in the New York Times. I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EXPERT LINGUIST SPREADS THE WORD WITH MISSIONARY ZEAL

(By Israel Shenker)

STANFORD, CALIF.—In "My Fair Lady," Prof. Henry Higgins taught a primitive Cockney named Eliza Doolittle to speak correctly. Prof. Kenneth L. Pike of the University of Michigan has taken the whole world of primitive tribes for his province, and he is trying to understand what they say.

He wants to give their languages a written form and printed materials—above all, the Bible.

An unusual amalgam of scholastic and divine, Professor Pike is an authority on linguistics and one of the most zealous of missionaries.

As he explained in an interview here at the Center for Advanced Study in the Behavorial Sciences, where he has been spending the last year, the linguistic-missionary work is carried on by two organizations with interlocking directorates: the Summer Institute of Linguistics, and the Wycliffe Bible Translators, Inc.

500 STUDENTS A SUMMER

Professor Pike is president of the 35-year-old institute—which holds courses each summer for a total of about 500 students at the Universities of Oklahoma, Washington and North Dakota, and in four foreign countries.

Graduates, who often continue as members of the Wycliffe group, constitute the corporation, based in Santa Ana, Calif. Their work is sustained by their personal funds and by donations from church groups and others.

Named to honor John Wycliffe, who first translated Old and New Testaments into that primitive language called English, the corporation began as a single man—William Cameron Townsend, a self-trained linguist who communicated his fervor to others.

"We recruit for motive," said Professor Pike, "and the first has to be religious motive.

"We're starting on the assumption that God is very much there, and very much running things in a way we don't understand. He's the boss, and He wants us to use our abilities. Among these abilities are intellectual pursuits, and among these intellectual pursuits is the study of language."

SOUNDS STUDIED

For the study of languages, in the beginning is not only the Word, but also the sound. As Professor Pike put it: "The sounds we speak are those we make by moving something above the thorax—lips, tongue, soft palate, vocal chords, and once in awhile something else in the back of the throat.

"In Asia, a belch—rattling the mouth of the esophagus—expresses appreciation, as for a good dinner. I included belches in my book of sounds, and I tried to learn belch talk.

"My 'Phonetics,' published in 1943, was an attempt to exhaust all sounds the human voice could make except whistles and trills, which my technique couldn't include." (Professor Pike has nothing against whistles—he has even whistled up a Cheyenne conversation with modulations on a sliding tube.)

"With sounds you can produce an infinite variety," he said. "Take 'eee.' Talk through your tongue and it doubles the number of sounds, double up your tongue and there are more, talk through your nose—still more. Eventually, repeating this procedure with other sounds, you get several million altogether."

In Mazatec, a Mexican tribal language, "father," "devil," and "Lord" sound wondrously alike; in Guatemala's Cakchiquel, "our Saviour" and "a deceiver" are hard to tell apart.

Mexico's Mixtec, one of many tongues which Professor Pike set out to scale, had pitfalls galore. The sound "chaa" had different meanings depending on its pitch: it could signify "come," "man," and "will you smoke a cigarette?" When the pitch was less than perfect, the result could be blasphemy, as in Matthew, VIII, 7: "And Jesus said unto him, I will come and heal him."

From the millions of sounds available, Professor Pike drew up a list of 300 to help train linguist-missionaries. In 25 years of practicing and preaching, he has found only about five sounds not included in his 300.

"One of them we encountered in Africa," he said. "You take the lower lip and flip it against the upper."

From simple sounds it is a hop, lip and jump to deeper knowledge. "After we've got the students aware of the kinds of sounds they may meet," said Professor Pike, "it's up to them to write these sounds down in a crude approximation. But then they don't know what's important and what's not important in what they've heard.

"Our problem is that we must train students for languages which they don't know, which no one else knows, and for which there are no teachers.

The linguist-missionaries must be capable of handling not only sounds and grammar, but also dramatic form. With the Baribas of Dahomey, the third person is used for introductions, the first person for action.

But the choice of person also depends on who is hero, who villain. Person-to-person niceties help in translating lines such as: "Jesus said, 'No one can come to the Father but through Me' " or (perhaps) "Jesus said that no one can go to the Father but through him."

ANTHROPOLOGY IMPORTANT

Bible translators have to appreciate anthropology as well. It is essential, for example, to know that the Mnong Rolom people of Vietnam, if they are still there, consider the ear not only a hearing instrument, but also the seat of memory and emotion.

The institutes give students two summers' work in linguistics, and then three months of training in primitive living at a jungle camp.

"When we turn our people loose in the jungle on a language," noted Professor Pike, "they often get started all right, and then run into problems. At this point I come into the picture. I often work on 20 languages at once, and think of it as code-cracking.

"Though we have 2,000 people for 440 languages, they aren't all Ph.D.'s in linguistics—there aren't that many in the world. Even if there were, they wouldn't want to live in the jungle for 20 years."

LANGUAGES ON 5 CONTINENTS

Wycliffe-Institute men have dealt with tribal languages in 18 countries on five continents. In the most recent institute bibliography of work by its members, subjects range from the parochial "Tonomechanics of Northern Tepehuan" to popular ("The snake that gives money: a Totonac myth") to pedagogic ("Tiipmayamoonawi naowa kapma gavat yiba vat"—"How the coconut tree and sago tree came to grow in different places").

Languages run the gamut, from such obscure families as Enga-Huli-Pole-Wiru to such little-exercised tongues as Amarakaeri, Dogrib, and Izi—which is not as simple as it sounds.

To help decipher this complex mix, Professor Pike leaves Michigan every third year to work abroad, where missionaries deal also with classic matters such as health, schools and preaching. He points out that primitive peoples who come into contact with modern civilizations often lose hope and—as he put it—"disintegrate morally."

"If we can get the Bible to them in their language," he insisted, "and get them to try to read it, and take it as a source of hope and courage, they may be able to survive the transition."

Wycliffe-Institute men have put out eight New Testaments in as many primitive languages, and at least a gospel in about 130 additional tongues. There are about 2,000 languages to go. Translating the New Testament into any one of them usually takes about 15 years. A gospel can be rushed into print after a mere five years of tribal living.

THE SENIOR AMERICANS

Mr. KENNEDY. Mr. President, in the United States today 19 million of our citizens are 65 or older. Of these, 40 percent are poor or near poor. Five million fall below the poverty line.

All our senior citizens, Mr. President, merit our strong interest and concern. We have an obligation to recognize and try to meet the needs of persons who have contributed most of a lifetime and are now in their later years. And we have an opportunity to benefit from their experience and dedication and talent and wisdom.

One of the important Federal programs for senior citizens is the Older Americans Act. It provides support to help strengthen State and local agencies for the elderly. It gives assistance to new and expanded programs to meet the needs of older citizens and utilize their abilities. It encourages further research on how most effectively to serve our senior citizens. And it supports training of professional personnel in special problems of the aging.

I am pleased that earlier today the Committee on Labor and Public Welfare unanimously voted to order reported H.R. 11235, to extend and expand the Older Americans Act. New provisions include a volunteer program to recruit and use the elderly for community projects, and transfer of the foster grandparents program to the Administration on Aging, in the Department of Health, Education, and Welfare. I hope that the full Senate will act favorably and soon.

Last Tuesday the Washington Post carried an editorial discussing the importance of the Older Americans Act and the need for adequate funding. I feel that the editorial captures well the importance of the act, and I am sure that it will be of interest to my colleagues who may not have seen it.

Mr. President, I ask unanimous consent that the editorial, entitled "The Senior Americans," which appeared in the Washington Post on July 8, 1969, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE SENIOR AMERICANS

In a country where youth, sex, speed and beauty are glorified almost to the point of liturgy, it is small wonder that 19 million older people are often kept out of sight and out of touch. A small wonder but a large disgrace.

The Older Americans Act of 1965, and its later amendments, was an attempt at meeting the rights and needs of the elderly, 40 per cent of whom are poor or near-poor. As far as they went, programs generated by the Act were effective: over 1000 community projects were funded through the Title III programs, serving over 660,000 older persons in such things as home health aide services to paid part-time jobs. Nevertheless, in FY 1969, only $1.10 was spent per senior citizen, with $1.41 the appropriation for this year.

In mid-June, the House, led by John Brademas and Ogden Reid, approved an authorization of $62 million for FY '70. Despite this, the Nixon Administration appears determined to stand firm with its niggardly $28.3 million budget request for the program's continuation. It is tempting for politicians to feel that they can get away with short-changing the old: many are too worn or weak to fight back; they have no lobby to speak of and less prospect of an opportunity for future political reprisal.

But the Nation needs the elderly. The Foster Grandparents program alone has used the talents and energy of 4000 older people who, on a small stipend, are matched on a personal basis of service with 8000 orphaned and disturbed children. If this simple idea of matching the leisure time of the old with the special needs of the very young has worked for 4000 old people why can't it be done with 40,000 or 400,000?

The answer, or at least the political answer, is lack of funds. Yet in recruiting the elderly for community projects, massive funds are not necessarily needed. For example, the House Education and Labor Committee adopted the Retired Senior Volunteer Program (called RSVP) which requires only $5 million—money that will be returned many times over in services rendered by the elderly.

The Senate Labor and Public Welfare Committee will shortly consider new amendments to the Older Americans Act, and will likely see the need for an authorization figure equal to the House's $62 million. It is not too late for the Administration to go beyond its $28.3 million sum and begin recognizing that 19 million older Americans have not just rights and needs to be met, but contributions of talent and wisdom to be made.

TV STATEMENT BY SENATOR BYRD OF WEST VIRGINIA ON THE BUREAU OF MINES BUDGET

Mr. BYRD of West Virginia. Mr. President, on June 9, 1969, I made a statement for television regarding the Bureau of Mines budget.

I ask unanimous consent that the transcript of that statement be printed in the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

BUREAU OF MINES BUDGET

Through the Appropriations Subcommittee, of which I am Chairman, I have been able to add three quarters of a million dollars to the Bureau of Mines budget for three items of utmost importance to West Virginia. One of these is a mine health and safety institute which could provide highly-specialized, long term training for mine inspectors, engineers, and laboratory research technicians. National attention has been focused on mine health and safety problems and I believe that the need for such an institute is very evident. The other two items which I have been able to place in the Bureau of Mines budget were money for the immediate hiring of additional federal mine inspectors, and money for a research program to develop effective methods for suppression and control of mine dust. I intend to do my utmost to see that these programs become a reality.

ORDER OF BUSINESS

The PRESIDING OFFICER. Before the Senator from Nebraska is recognized, the Chair informs the Senate that at the hour of 1 o'clock the unfinished business will be laid before the Senate. The Senator from Nebraska will then be recognized again, after which the Chair will recognize the Senator from Texas.

The Senator from Nebraska is recognized.

ILLEGAL ELECTRONIC EAVESDROPPING IN THE FEDERAL GOVERNMENT

Mr. CURTIS. Mr. President, today I am going to disclose, with proof, the existence of illegal electronic eavesdropping in at least one large Government agency. There is added evidence that this same electronic snooping is going on in other agencies of the Federal Government.

This malodorous practice started under the previous administration and was so widespread that it has been impossible to root out in the 6 months that the Nixon administration has been in office. I hope my disclosures today will speed the process.

I think it is a fair statement that a Federal agency cannot, without notifying either employee or caller, listen in on telephone conversations where national security is not involved. To do so, I believe, is a violation of law.

Seven States—California, Illinois, Maryland, Massachusetts, Nevada, New York, and Oregon—prohibit surreptitious eavesdropping by mechanical or electronic device.

Thirty-six States prohibit the specific type of eavesdropping known as wiretapping.

And Congress itself, in the enactment of title III of the Omnibus Crime Control and Safe Streets Act of 1968, outlawed all wiretapping and electronic eavesdropping other than that occurring within certain tightly drawn instances involving suspected organized criminal activity or the national security. In cases involving suspected syndicate crime, listening devices can be used only with court permission. Even in emergencies, court permission must be obtained within 48 hours or the listening device and its use are illegal.

Yet, I have here such a device, taken within the past few weeks from a telephone at a major Government agency. It was brought to my attention by a Government official whose own telephone was being monitored illegally. I have sworn affidavits from him recounting the whole story. But for his honest courage we would know nothing of this illegal activity.

The agency in question is the General Services Administration. I have already discussed this case with Administrator Robert Kunzig of GSA. He is entirely in agreement with me as to the illegality and impropriety of such electronic eavesdropping.

In fact, Mr. Kunzig, when he heard about the use of "snooper button" telephones and monitoring systems within GSA, was shocked. This was shortly after he became Administrator. He at once—on May 6—issued orders forbidding this practice which is both questionable as to ethics and illegal by law.

Someone in GSA apparently did not feel compelled to abide by the Administrator's orders.

I call attention to the fact that the actual discovery of the device I have here was made over a month after Mr. Kunzig's order prohibiting the use of what he termed "telephone monitoring." I further call attention to the fact that these devices were installed and in use prior to Mr. Kunzig's appointment as Administrator.

What I intend to do today is recount for you the shameful story in a straightforward and factual a manner as possible.

This Federal employee, a well-educated, responsible, professional person and, incidentally, highly knowledgeable in the field of electronics, states that many months ago—long before Mr. Kunzig took over under the Nixon administration—he became aware of "excessive electronic noise and a very slight decrease in power" on his telephone line.

Mr. President, I have no personal knowledge of what this sort of thing means.

However, I have consulted experts, and they tell me these are characteristics of a telephone where the distribution of sound and current serves more than two outlets being used by more than two parties in a telephone conversation.

In other words, these are the conditions that exist when a telephone conversation is being monitored by a third party.

On May 5, 1969, our Mr. X was informed by a fellow employee that there was "a listening post" on Mr. X's phone, and that it was then in operation. Another employee present at the time has sworn in an affidavit as to the truth of this conversation as reported.

The next day, May 6, 1969, a memorandum from Mr. X's superior was issued. It stated that the new Administrator, Mr. Kunzig, at a staff meeting on May 6, 1969, announced there was to be no more monitoring of phone calls.

This new policy, according to Mr. X, was transmitted to all offices in the agency. As Mr. X puts it:

> To my knowledge, the request to cease telephone monitoring constituted an attempt to stop the day-to-day practice of using the so-called "snooper button."

When asked to describe this "snooper button" system, a representative of the C. & P. Telephone Co. supplied, in writing, this summary:

> TRANSMITTER CUT-OFF
>
> As a key telephone system arrangement, the transmitter cut-off is a feature that enables the telephone user to cease transmission of sound into the telephone without losing the capability of listening to the other person's conversation. Because of its monitoring nature, the installation and use of it has been highly discouraged by the General Services Administration.

According to Mr. X, these snooper buttons have been used in his office to monitor calls of employees to other persons in Government as well as persons outside the Government, without the knowledge of participants in the telephone calls.

Mr. X took no action in May about the information concerning a "listening post" on his phone, since the policy announced by Mr. Kunzig could be expected to end such snooping.

One month later, despite the Administrator's order, there was evidence that in certain offices telephone snooping was continuing. And there was no evidence that such devices had been removed from various telephones.

At this point, Mr. X decided to collect information on the extent of these illegal eavesdropping operations within GSA.

His determination to do so was reinforced by information given him on June 3, 1969, by a secretary to a high official in GSA.

She informed him that she had monitored telephone conversations in Mr. X's division during 1968, and in the division in which she was presently working. The monitoring was through use of the "snooper button." It was done by order of her superior. Finally, and most important and despicable, it was done without the knowledge of those whose phones were being monitored.

The next day, June 4, 1969, Mr. X received even more disturbing information. Another secretary formerly employed in the office of his superior informed him that at that superior's instruction she monitored every telephone call that came into his office.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The PRESIDING OFFICER. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the selected reserve of each Reserve component of the Armed Forces, and for other purposes.

ILLEGAL ELECTRONIC EAVESDROPPING IN THE FEDERAL GOVERNMENT

The PRESIDING OFFICER. The Senator from Nebraska may resume.

Mr. CURTIS. I thank the distinguished Presiding Officer, and I ask unanimous consent that I may proceed until I have finished my prepared remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CURTIS. Mr. President, the point to keep in mind is that this secretary operated a telephone which served all of the lines of all of the employees in that office. All calls coming in and going out of the office, regardless of by whom or to whom they were made, were wired through telephone equipment located on and near her desk.

Thereafter, on the same day, Mr. X discovered that in his office "snooper buttons" remained operable. Mr. X tested them personally for effectiveness, and took photographs of these installations.

For the information of Senators, I have pictures of these infamous snooping devices in operation as of June 4, 1969.

Since then, Mr. X has talked with several employees in GSA and the Department of the Interior, who confirm the widespread, deliberate, systematic use of "snooper" devices over the past 2 years. In each case, employees were instructed by their superiors to monitor all calls, to take notes, and to make no disclosure of any kind that might make either party to the telephone conversation aware of such eavesdropping.

One more fact: I am sure it will be of interest to Senators to learn that this monitoring included calls from Members of Congress. In fact, one person charged with responsibility for taking notes on such telephone calls said she was specifically instructed to monitor calls from Representatives, Senators, Government officials, and others.

Again, let me point out to Senators that these telephone calls were being monitored without at least one participant, and in many cases both participants, knowing about it, and certainly without their permission.

As to the mechanics of setting up such snooper systems, the telephone company installed these devices at the request of GSA officials. I hope to find out who these officials were, whether they are still with GSA, and if not, what they are presently doing.

The General Services Administration is, after all, a quarter of a billion dollar agency, with almost 40,000 employees.

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It lets annual contracts amounting to millions of dollars for the provision of supplies to the Government, and for 1970 alone, the General Services Administration will spend on the order of $100 million for the acquisition of new facilities.

Thus, there could well be an economic motive for this high level eavesdropping.

The only other possible motive is political at best, and since the facts point to intra-agency use, it seems more likely to be of the cheap, bureaucratic, gutter-fighting variety.

Equally obnoxious is the use of such "snoopers" simply to spy on subordinates, to deny them the privacy to which they are entitled. We have had too many examples of how Federal employee rights are invaded by peeping tom superiors.

It seems to me that both the Senate Government Operations Committee and the Senate Judiciary Committee should find this information of great interest and worth pursuing further.

There is a collateral issue that must be faced. As I have said, the telephone company installs such snooper devices, technically styled "transmitter cutoffs," although it does not advertise the service in its available promotional brochures. The general justification of such devices is that they allow a secretary on a third phone to take notes of a phone conversation between two parties, without the office noise intruding through her phone mouthpiece into the conversation between the principals. I could accept this, I suppose, if I had definite assurance that such devices would be used only in such a situation and, of course, with the full knowledge and consent of the two principals.

Instead, here we have a clear example of how ridiculously easy it is to convert these devices into eavesdroppers, little spies for crooks or paranoids who hope to profit one way or another by denying the honorable right of privacy to others.

I am coming rapidly to the conclusion that such "transmitter cutoffs," as they are euphemistically called, are far too tempting to the crook or the paranoid.

Mr. President, this type of eavesdropping and electronic snooping—where there is not the slightest pretext that the national security is involved—must stop. It must stop now, without equivocation or exception. I am convinced that the new administration wishes to reverse this proliferation of illegal eavesdropping devices throughout Government. I compliment Administrator Kunzig for making this a first order of business within the GSA. I commend his action to other Government agency heads. I could only wish that Mr. Kunzig's subordinates—many of them holdovers from a previous administration—had taken his orders to heart and halted this nefarious practice.

It seems to me, however, that the telephone company should take a long, hard, and careful look at its practice of installing such devices, in light of the misuse that can be made of them. They offer too easy a temptation for the users to turn them into electronic eavesdroppers with unlimited scope. I sincerely request the cooperation of the telephone company in changing this practice.

In closing, Mr. President, let me restate my case.

We know that there has been and apparently still is large-scale electronic snooping going on in one major U.S. agency, the General Services Administration. This is happening not only here in Washington, but apparently in regional offices across the country as well.

There is evidence that it is going on in a major Government department—the Interior Department.

I ask, Mr. President, and I think all my colleagues are justified in asking the same question, how much further has this practice permeated our Government?

How many agencies and departments in which no national security is involved are in the habit of listening in on their employees' most private conversations?

I submit that this is a matter which the Justice Department should investigate—and at once. I submit further that our own Committees on Government Operations and the Judiciary should oversee such an inquiry by the Justice Department, to determine that this evil is brought to a complete and total halt.

Mr. President, to be specific, the General Services Administration let contracts, many of which, by the nature of them, cannot be competitive; they are negotiated. The individuals in places of power have been monitoring the conversations of their subordinates to find out what their subordinates know. Is that not an open invitation to corruption? It is a practice that should end.

Mr. President, I yield the floor.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The Senate resumed the consideration of the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The PRESIDING OFFICER (Mr. GRAVEL in the chair). Under the previous order, the Chair recognizes the Senator from Texas (Mr. TOWER).

Mr. TOWER. Mr. President, I am going to make some remarks on the compromise proposals or amendments that have been offered to the procurement bill, and I ask unanimous consent that those remarks appear at the conclusion of my main address on the military procurement bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMPROMISING THE SAFEGUARD ABM SYSTEM

Mr. TOWER. Mr. President, there has been considerable discussion in these last few days of debate about the possibility or advisability of compromising the Safeguard ABM system. To that end, two amendments have been offered for consideration by the Members of the Senate.

While I have the greatest respect for the authors of the amendments, I must oppose them because I am convinced that acceptance of either amendment would materially weaken our defense posture.

Let me discuss first the amendment offered by the distinguished Senator from Kentucky (Mr. COOPER) and the able Senator from Michigan (Mr. HART).

This amendment would prevent the use of funds appropriated with this year's act and earlier acts for other than research, development, testing, evaluation, and normal procurement incident thereto. It would specifically prevent their use for deployment or for acquisition of any site for deployment without further action by Congress. To all intents and purposes, then, the very large effort already underway in preparation for deployment would cease. The program would revert to a purely R. & D. status. The results of such an action would be profound. Let me mention a few of them.

If this amendment is accepted, the effort already underway would be almost a complete waste. Furthermore, it would cause a substantial delay in deployment, should we decide, at some future time, that deployment was in fact necessary. In fact, if we decided as early as the next session of Congress to proceed with deployment, it would not be possible to have the first site ready until some 2 years after the date presently planned. A first site then could not be available until early 1976, and a full deployment, such as that called for in phase II of the program would not be ready until 1978. This delay would result from the problems of personnel dislocation. If we destroy the reason for the existence of the present talented and trained personnel base, which is necessary for production, site engineering, construction, and the like, we cannot expect to be able to rebuild it overnight. I wonder whether the highly talented individuals involved in the program would return at all if once separated from the program.

There are serious implications to this kind of delay. It is within the U.S.S.R.'s capability to build an ICBM force which would seriously threaten our Minuteman by 1975 and, as well, pose a serious threat to our alert bombers. The United States could be left with a period of years in which we had no counter other than to increase greatly our offensive retaliatory forces. Additionally, the Chinese Communists could have an operational ICBM capability by the mid-1970's. And there would be no way of regaining that lost time in the installation of defensive deployment.

Second, of course, a very great loss of funds would be involved. As you know, Congress has already appropriated for deployment $1.744 billion. An estimated $500 million of these funds would be lost effort if we decided to cease deployment. Even if we again decided to deploy in the next Congress, the cost of a 12-site deployment would be over $250 million and possibly $500 million higher than if

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we continue our current effort. This cost includes the effect that comes about naturally from the discharge of some 5,000 trained personnel which we now have on preproduction and construction engineering efforts and the necessity to replace them later. The greater cost also comes through the termination of contracts with subcontractors throughout the country who have made commitments for undertaking parts of the program. It comes about from the necessity to build up and train again, to reestablish production lines and build a new construction engineering base.

A third point of great significance is the possible impact of such unilateral action by the United States on the strategic arms limitation negotiation. It has been our position that any such negotiation should apply to both offensive and defensive missiles—that the negotiation should effect overall strategic potential, not just consider separate parts in isolation. With such unilateral action, what can we expect in the way of bargaining power with the U.S.S.R. in the defensive weapon area? We would then be dealing with a U.S.S.R. which has already initiated deployment of a defensive system, has some sites operational, and is presently carrying on a most active test program on an advanced ballistic missile defense system. In brief, we will enter the negotiation having not only lost—but having publicly denied—a very great bargaining factor.

There are those who argue that delay in deployment will give time to determine whether the U.S.S.R. will undertake logical agreement. I would remind all of my colleagues that the whole history of negotiations with the U.S.S.R.—even on simple matters—has been one of long and careful debate and negotiation. It would seem questionable that any meaningful and effective agreement could be reached in a 1-year period. I hope that this will change, but there is little reason to believe that it will. In the meantime, however, I cannot advise that we adopt a policy which will delay deployment of Safeguard 2 or 3 years.

Part of the argument for delaying Safeguard lies in the assertions that if the Soviet threat develops we can always deploy additional Minuteman, and that this can be done in a very short time—say 1½ to 2 years. This does not say that from decision to deploy to operational status is 1½ to 2 years. To go through the entire budgetary, appropriation, procurement, and construction cycle would normally take 4 to 5 years, and even on an expedited basis 3 to 4 years. Consequently, if we heed those who favor delay, we may well face a much earlier decision to deploy offensive missiles than we now anticipate.

Even more importantly, those who are favoring delay are advocating—perhaps unknowingly a decision now that if the Soviet threat develops we will meet it by proliferation and not by defense. The option for defense might be lost, and, with it, the chance for stabilizing the relative postures of the two countries at a lower level of offensive weapons.

The proposed deployment is a phased one. It takes an initial limited step to minimize the time for deployment and to prove out the system. It does so at limited cost. It does so without committing us to the full phase II deployment while preserving the ability to respond flexibly to the threat as it evolves and to the possible results of the arms control negotiations.

For these reasons, then, I oppose the amendment offered by Senators Cooper and Hart. It simply eliminates any possibility that Safeguard will be a viable defense weapons system.

Mr. COOPER. Mr. President, will the Senator yield.

Mr. TOWER. I would be happy to yield to the Senator. I would prefer to finish my remarks which will require only 1 more minute. Then I shall yield to the Senator.

My colleague on the Armed Services Committee (Mr. McIntyre) has also offered an amendment to the bill before us. Another member of the committee, the distinguished Senator from Colorado (Mr. Dominick), effectively raised several significant objections to the amendment. Since they are preserved in yesterday's Record, I shall not repeat them. I do not think a more able rebuttal could be presented.

I would like to comment on the philosophy of the amendment, however. The amendment has been referred to as a "compromise." I respect the sincerity of those who so view it, but I must in good conscience point out that it is really no such thing. Any proposal which eliminates deployment from the Safeguard plan is not a compromise. The Safeguard plan is itself a compromise. It recognizes that there is considerable disagreement among intelligent, sincere men over the advisability of developing a significant anti-ballistic-missile system.

But, Mr. President, it is the minimum acceptable alternative. I cannot emphasize that point too much. I firmly believe, like President Nixon, that the Safeguard system represents the most limited defensive missile system that is consistent with the national defense of this country.

In light of a lot of rumor that seems to be flying around about possible compromise and a favorable climate at the White House for compromise by the administration, may I say emphatically that the administration is not now disposed to compromise. The administration opposes the two amendments offered; it believes it made a minimal proposal and it wants to see this provision passed intact. There is currently no intention on the part of the administration to participate in such compromise effort.

I am delighted to yield to the Senator from Kentucky.

Mr. COOPER. I wish to ask the Senator, since he spoke of delay in deployment, at what date, if the present plan is approved, could an integrated deployment of the first stage be completed?

Mr. TOWER. About 1975—1974.

Mr. COOPER. In 1974. If we should proceed on the deployment of the entire system, as I believe the testimony of Secretary Laird shows an intention to do, when would the full system be deployed?

Mr. TOWER. Around 1976 or 1977, I believe.

Mr. COOPER. Is there any component of this system that could be placed on one or two missile sites of phase I in the coming fiscal year?

Mr. TOWER. I am not sure I understand the Senator's question.

Mr. COOPER. What we are talking about primarily is whether or not the Senate should vote to deploy Safeguard, phase I. As I understand the word "deployed," it means the physical emplacement of the system on the two proposed sites at Grand Forks and Malmstrom.

Mr. TOWER. There is no provision for deployment in this fiscal year but we will face substantial delay in deployment if we proceed on the R. & D. route.

Mr. COOPER. Is it correct then that there is nothing in the bill which provides that any part of this system would be placed on these two sites in the coming fiscal year?

Mr. TOWER. It was. There is nothing to prevent it, but there is no provision for it. I do not think we would be ready to deploy by the end of this fiscal year, anyway.

Mr. COOPER. Is not the basic reason for the decision not to deploy in fiscal year 1970, the fact that none of the elements have been fully tested, approved for deployment?

Mr. TOWER. All the components have been tested, which lead us to believe that the system will work.

Mr. COOPER. Has PAR been tested?

Mr. TOWER. I will yield to the distinguished Senator from Arizona to answer that.

Mr. COOPER. Is it not correct that PAR has not even been built?

Mr. GOLDWATER. Will the Senator from Texas yield?

Mr. TOWER. I yield.

Mr. GOLDWATER. Both radars have been built in model form. The theory has been tested. There is no question about the radars. The MSR is merely a greatly enlarged radar with 5,000-some-odd sensing units, instead of the one we usually associate with the radars we see around the field.

One important thing, if I may interject here, concerning the delay, is that we are now talking about acquisition money for missiles. If this is delayed, what happens will be to put people out of employment in the plants building the components. I am not arguing for or against unemployment, but merely state that should we decide in another year or two to go ahead with it, we will have lost the expertise needed to make the missiles, and the factories will have been shut down, so that we cannot proceed even with testing. All the components of the system, with the exception of the actual radar, not only have been tested, but are being tested right now. They work.

In fact, the results with Sentinel are fantastic. I know that some opponents will say, "Yes, but it is something else to shoot at a target, whose position is known, than to shoot at a target whose position is not known."

However, I think I can say this, without violating confidential matters, that it does not take a great deal of genius to figure out where a missile from Russia will be coming from to hit any city in this country, that it would not be more than two or three degrees. So that the success we have achieved with Sentinel, and are now beginning to achieve with Sprint, so far as I am concerned, indicates that the system could be made operable as soon as the large radars are finished. They are being constructed now.

Mr. COOPER. What I am trying to elicit is the status of the components. I will take each component in turn. The testimony of Secretary Laird before the House Appropriations Subcommittee on May 22, testimony which he described as the latest situation analysis, was that PAR had not been constructed. Is that correct?

Mr. GOLDWATER. That is correct, but models have been constructed, and the models have worked.

Mr. COOPER. Where is the model?

Mr. GOLDWATER. At Bell Laboratories. They have charge of that.

Mr. COOPER. Just a model?

Mr. GOLDWATER. Well, it is just a model but it is a pretty good model. When we get through with the PAR, it will have an antenna with a diameter of 116 feet, which is a tremendous antenna.

Mr. COOPER. Yes; a tremendous antenna. What about the MSR? Is it not correct that it must be redesigned?

Mr. GOLDWATER. No; I do not think so——

Mr. COOPER. It must be redesigned to provide more faces and must be hardened, is it not correct?

Mr. GOLDWATER. There is discussion of redesigning it. It now has four faces, but the antenna diameter will be 13.5 feet, which is still a pretty large antenna. The redesigning they are interested in is more for hardening, to be able to have it withstand any close hits or direct hits. However, that is not really of great concern, because the detection ability of radars will take place, we hope, long before the missiles come close to the target. If they do not, then it does not do any good to have them, anyway.

Mr. COOPER. The point I am making—which my questions and the answers indicate—is that Safeguard is still in the research and development stage, PAR has never been built. MSR is being redesigned, according to the testimony of Secretary Laird, to provide more faces. Also, as the Senator from Arizona has said correctly, it is a soft component. Unless it is redesigned—hardened—it cannot withstand missile attack.

Mr. TOWER. The components of PAR are currently being used for space tracking. All we have to do is put them together and integrate the package. It works. All the components now work.

Mr. COOPER. At the space center it is used for its tracking purposes. Secretary Laird stated, using the base of that design, an appropriate PAR for missile-site defense could be designed and built; but the point I am making is that this has not been done and cannot be done in fiscal year 1970. It is correct, also, that to have an effective MSR it must have more faces, and if it is to be able to withstand an attack from incoming missiles, it must be hardened.

Mr. TOWER. We can put them together. The fact that we do not have it all put together now I do not believe is an argument against proceeding to do it.

Mr. COOPER. My purpose is to show that we can have nothing ready in the coming year and for some time after that. Sprint and Spartan, again according to the testimony of Secretary Laird—I want to give his testimony the best possible construction—the interceptor missiles have not been tested as to intercepts. They have been tested for firing.

Mr. GOLDWATER. No, that is not correct. I have seen motion pictures of them being used off Kwajalein—interceptor missiles sent from Vandenberg—and they have been used successfully. I think the correct interpretation of Mr. Laird's remarks would be that Sprint, at that time, had not actually been tested against a target, but that it has been tested as to firing. Sentinel had been fired, at that time, and I think they made some 10 shots and achieved about 70 percent, as a rough guess, success with it. Success, of course, is the diameter of the CEP. I would not want to talk about that here.

One point, though, that the Senator has not mentioned, where I think we will have more trouble, although it will be solved, is in the computers.

Mr. COOPER. I am coming to that. There were some intercepts under the Nike-Zeus system, but I cite the testimony of authority—that if Secretary Laird—that no actual intercepts had been made by Sprint or Spartan. They have only been flight-tested.

Mr. GOLDWATER. Well, we were shown motion pictures of Sentinel being fired. We saw no pictures of any hit, because, of course, that would be impossible; but Sprint, at that time, had only been tested in firing.

Mr. COOPER. It is correct, is it not, that Spartan is being modified?

Mr. GOLDWATER. It is being modified. As I have said very often, it would not surprise me to know that when we finally conclude that we have an ABM system, what we are talking about could well not be the weapon that we will use. I say that because just like Minuteman, we started out with Titans and then we got to the Minuteman and we are now up to a fourth stage of the Minuteman. We never quit developing weapons. We cannot do that.

Mr. COOPER. I understand. It is an evolutionary process. The Senator is absolutely correct. Has this system, as yet, been tested as an integrated unit?

Mr. GOLDWATER. No.

Mr. TOWER. No. It has not been.

Mr. COOPER. Is it finished?

Mr. TOWER. They do have it tested in the area of Kwajalein.

Mr. GOLDWATER. Yes.

Mr. COOPER. Suppose phase I of Safeguard were deployed in the United States as the administration wants, with the PAR designed and constructed, as well as the MSR, Sprints, and Spartans, and computer systems, could it be tested in the United States?

Mr. GOLDWATER. I do not think it would have to be tested in the United States. I think the testing would be confined to ranges we already have such as in Kwajalein and possibly on Johnson Island.

Mr. TOWER. In Eniwetok.

Mr. GOLDWATER. Yes. Eniwetok. I would say frankly, there is no feasible way of testing it in the present suggested sites because all of our in-continent, down-range sites are down into the White Sands region of New Mexico.

I think it would be ridiculously expensive to erect a test site there, to have something fired from Wyoming into New Mexico; so I would assume it would not be tested, any more than they tested the Minuteman in our country.

Mr. COOPER. Could the Spartans and Sprints be fired in the United States for tests, as they do in Arizona?

Mr. GOLDWATER. The landing area would certainly have to be somewhere where people did not live, because we would not use nuclear heads. We could not use them. We prohibited ourselves from using them under the Test Ban Treaty. So all we could do would be to see how close we could come to intercepting.

Mr. COOPER. Could a nonnuclear interceptor be used in the United States?

Mr. GOLDWATER. The Senator probably knows that a nonnuclear interceptor is in the process of research. In fact, there are two of them.

Mr. COOPER. But the Defense Department is preparing to test at Kwajalein. It has MSR. As I read the testimony, a radar to simulate PAR would be used. Missiles could be firing from the United States and the system could be tested in Kwajalein. Is that correct?

Mr. TOWER. A missile could be fired from the United States toward the Kwajalein range, yes; but we could not do anything that would require using the United States as a recovery area.

Mr. COOPER. I think the Senator has answered my inquiries. My questions were to establish that what is contemplated by the Department of Defense is a continuation of research and development in fiscal year 1970.

Mr. TOWER. That is it essentially, and preproduction procurement. This whole matter is going to be geared to deployment, of course. There will be some predeployment procurement.

Mr. COOPER. The amendment that the Senator from Michigan (Mr. HART) and I have offered, for ourselves and other Senators, provides the Defense Department with all the money it needs. It does confine the use of the funds to research and development, test and evaluation, and to procure all the elements necessary for the testing. If all that is going to be done in this coming year is to continue the testing, without physical deployment, why would not our proposal provide all the money needed, and without a timelag?

Mr. TOWER. Because they are already underway for deployment. Thousands of personnel are already engaged in that activity. Skilled technicians are employed. If we cut them off, we may never get them back.

Mr. COOPER. Where are they employed? What are they doing?

Mr. TOWER. They have been employed in connection with the Sentinel

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program. They are employed at present at existing sites. The fact of the matter is that there are nearly 5,000 persons involved in this program who would probably have to be discharged. It is something like what many people do not understand in the oil business. They say we do not have to encourage oil exploration in this country because we have all the oil we need in Arabia and all we have to do is turn the faucet on when we need it. But the people would not be there at the time we needed it.

If we cut off this program, the approximately 5,000 people who will be thrown out of jobs will be absorbed by industry or other elements of the Defense Establishment. So to that extent we would not have them there when we needed them. By disturbing this pipeline now, it would cost an additional half billion dollars in the future, plus about 2 years' delay.

Mr. COOPER. All the Department is, in fact, doing now is testing elements for later production of an ABM system. If this has hardly started yet, why would those people be discharged? I do not think the labor cost element is essential to this discussion. But what would be lost in time? What are they doing?

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. TOWER. I yield.

Mr. GOLDWATER. Actually, I may say to the Senator from Kentucky, what will be going on for the next 4 or 5 years is essentially what the Senator is suggesting in his amendment. That is what has me rather puzzled. We are not ready to deploy these ABM's yet. I am interested, for example, in how the Senator's amendment would affect the $345.5 million that is new obligational authority in this budget.

Mr. COOPER. It does not remove it. It does not strike any funds. Questions have been asked, why it does not strike funds asked for deployment. All that will be done during the year—as the Senator's answers have shown—is research and development. In fact, someone in the administration has described next year's work as a research and development program. If the money is available to carry on the program and these people are working on the program, I cannot see any timelag. One purpose in providing the money was to assure there would be no timelag if at some later date—next year or before—the threat as projected by the amendments became a reality and deployment became necessary.

Mr. GOLDWATER. Let me explore a little what the Senator's amendment really does. For example, by the Senator's amendment, he is not going to deny any money.

Mr. COOPER. That is correct.

Mr. GOLDWATER. Under the fiscal year 1970 procurement program, we do some other things. For example, we plan to procure a missile site radar at Grand Forks; a missile site radar data processor at Grand Forks; training equipment; advance procurement for a perimeter acquisition radar and a missile site radar and another missile site radar at Malmstrom; leadtime missile parts requiring $600,000.

We already have acquired some sites. The items to be procured with the fiscal 1968 and 1969 funds are one perimeter acquisition radar at Grand Forks; one perimeter acquisition radar data processor at Grand Forks; one of the same at Malmstrom; a data processor at BTL at Whippany, N.J.

Again, I know what the intent of the Senator's amendment is—it is to try to convince the Soviets that we are not going to install these weapons——

Mr. COOPER. Not at this time.

Mr. GOLDWATER. Not at this time; but, at the same time, I cannot understand the psychology, or the double shuffle, an old river term, if one wants to call it that, of fooling the Soviets. If we are going to buy radar sites and sites for radar data processors and leadtime for missile parts, the Soviets know we cannot develop the system until 1974, no matter how hard we work on it. So I do not see how the Senator's amendment is going to convince the Soviets that we have no intention of deploying an ABM system.

Mr. COOPER. Because the political decision will not have been made by the Congress to proceed with deployment of the ABM. The desire of the administration is this: Although the full system cannot be put on the ground until 1974, and could not put in components on the site in the coming year, yet, upon the basis of the projected threat—and extrapolations made by Secretary Laird—the administration and proponents of the system want Congress to decide this year to deploy the ABM system.

I believe the Senator knows of the doubts that have been raised about the reliability of the system. Does the Senator have any doubts about it?

Mr. GOLDWATER. I have no doubts about it. I may say to the Senator that I can remember, just before the onset of World War II, an electronic marvel called radar. People did not even know what it was. They called it a direction finder, which came into being in England. We doubted seriously that they would be practical devices, because they would require people with at least a doctor's degree to be able to operate them.

Yet we have progressed in radar until today a man who owns a small boat or a small airplane can, by spending $5,000 or $6,000, have a radar and operate it himself, even though he has never even seen the inside of his home television set.

I cannot think of a single weapon we have ever developed that was not approached with this same thought, that it could not work.

I remember, in the days of World War II, when, to fly a new fighter plane, for example the P–40, the P–31, or the P–38, you had to have a thousand hours of flying time behind you. This was the amount of experience they thought was required. Today we put kids in airplanes that you would not have been allowed to fly in the forties unless you had 10,000 hours.

So the argument by some of the scientists that it will not work is, to me, to use a popular term used yesterday by my friend from Illinois, "hogwash." Because it is working. We have radar that we know will work. The computer is not working now, but I cannot believe that the Bell Laboratories, plus all the scientific know-how in this country, cannot make a computer that will work under these situations.

We always approach these things with the idea they will not work. I am a little surprised that the scientific community would, for the first time in my memory, say they did not have the ability to make it work.

Mr. COOPER. Mr. President, I have never said we cannot build a system that will work. I believe, too, that the scientific and engineering people in this country can build one that will work. But the question is, How effective it will be?

Another purpose of our amendment opposing a decision to deploy is to keep open for the Department of Defense the opportunity to design a better system, before it is locked in with the modified Sentinel.

The Senator from Missouri (Mr. SYMINGTON), at some point in the debate, I hope next week, or whenever he wants to, will call for a closed session. I do not know whether I should be speaking for him, since he is in the Chamber. But he will show that though you may assemble the Safeguard system, with all its elements, it will still not provide a defense against an attack by the SS–9.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. TOWER. Probably an essential difference between us is that the Senator from Kentucky appears to believe that we should always wait and see what the Soviets do, and just react to what they do, rather than proceed on our own. The Soviets do not do that, as far as we are concerned. They have programed certain weapons systems for the future, and they are going to go ahead and build them, regardless of what we do, if history and experience are any guide.

If we are going to just sit down and react to the Soviets, wait and see what they do, see if they develop something sophisticated and then say we will develop something sophisticated, we are not going to find ourselves in a position of military parity with the Soviet Union in the mid-1970's; we are shortly going to find ourselves in a position of military inferiority.

I yield to the Senator from Arizona.

Mr. COOPER. Mr. President, the Senator from Texas is not drawing a correct distinction between those who support and those who oppose an ABM system at this point.

Mr. TOWER. The Senator keeps saying he wants to wait and see what the Russians do.

Mr. COOPER. With respect to negotiations—not because of any fear that the Soviets can overcome us. It amazes me that those who want to produce new systems of nuclear weapons, who know that today we have full retaliatory power—we can destroy the Soviet Union 48 times over—are so glum and think the Soviet Union can overcome us.

Mr. TOWER. It occurs to me that our deterrent would be far more credible if we have a better ability to defend it, than if we cannot defend it against a first strike.

We do not have a first-strike policy; the

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Soviets do. If the first blow is struck, the Soviets will strike it. We do not intend to initiate a war. We do not choose war as an instrument of national policy. We are not going to war unless somebody else starts one. We do not have a first-strike mentality.

Thus it seems more logically that we ought to be in a state of preparedness to defend ourselves against a first-strike mentality.

I yield to the Senator from Arizona.

Mr. COOPER. Let me make a short statement; then I think we will understand each other better.

Those who oppose deployment this year have great confidence in the retaliatory power of the United States, as I believe the Senator from Texas has. The President has said. The Secretary of Defense has said. The testimony is that our ability to inflict upon the Soviet Union full retaliation and assured destruction would not be threatened until at least the middle 1970's.

The United States has something like 4,200 warheads, capable of delivery upon the Soviet Union when only 200 or 300 are needed for its destruction. The Soviet Union has some 2,000 deliverable warheads when only 200 or 300 would destroy this country. Year after year we keep adding to this armament. I do not know whether the figure is accurate or not, but I have heard it stated that the nuclear weapons of the United States and the Soviet Union are equal in destructive power to something like 15 tons of TNT on every person on the earth.

The continuation of the arms race will choke the world with nuclear weapons, far beyond the number needed to destroy our two countries and without ultimate and true security.

We differ, and I must be clear in saying so, in our conception of security. It may be a false hope that the arms race can be halted. It may not be possible to come to any formal agreement with the Soviet Union in a year—and frankly, I do not think we could—but in the course of talks, each side knowing that it can destroy the other, that ABM and MIRV are in the offing and that each has the capacity to build up and match destructive power, this mutual danger and power might lead to an agreement, formal or tacit, that our countries will not go ahead with the nuclear arms race, and civilization may be saved. This is a year when negotiations are possible, and we should not deploy weapons we seek to control. This, I think, is the essential difference between those who oppose deployment of ABM and those who support it.

Mr. MANSFIELD. Mr. President, will the Senator yield to me?

Mr. TOWER. I promised to yield to the Senator from Arizona next.

I should like to respond by saying that to argue we have more bombs or more warheads than are required to destroy the enemy is like saying, in effect, that if there are a hundred enemy soldiers, you ought to make only a hundred rounds of ammunition; whereas sometimes you are going to use up a hundred rounds of ammunition on one enemy soldier.

The fact of the matter is that this is a long leadtime item. The President of the United States has determined that it is essential to the security of the United States. The fact of the matter is that negotiations with the Soviet Union traditionally drag out for a long time, so we could hamstring ourselves by being good guys, going to the bargaining table and negotiating with the Soviets, while all the time they are getting ahead of us, technically, because they are not observing that kind of restraint.

So they are getting ahead of us. Furthermore, as long as they think that we will hold back on technological development as long as they negotiate with us, they might negotiate for a long, long time, until they have the biggest arsenal in the world, until they have more weapons than they will ever need to assure their superiority over the United States.

I yield to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I want to assure the Senator from Kentucky that our basic desires in this matter are exactly the same. I would be the first to stand up and agree to disarmament talks, if they are multilateral. If we can be convinced that the Russians will do what they say, I think we should engage in these talks.

I will agree that they certainly have a first-strike capability. I disagree with the statement that we do. We do not. I think we have a retaliatory ability. However, the thing that bothers me relative to the amendment of the Senator is that we are doing precisely what he is seeking to do. So why have the amendment? An amendment to a bill this year providing that we may go ahead and do what we are doing can be changed in the next Congress.

Also, what disturbs me to some extent about the attitude of those people who oppose the ABM is that they see in this gesture a real possibility of getting together with the Russians.

I remind the Senate that we have been disarming in this country for about 8 years. The percentage of money we spend—and that includes $2.6 billion a month for the South Vietnamese war—is about the same percentage of the gross national product as we spent in the forties during World War II.

When the South Vietnamese war ends and we are able to bring men home, every 100,000 men we bring home out of the service will mean that we will save $1 billion. However, if we do not buy new weapons, we will be in a very disarmed position.

Having been through this, the Russians are not saying, "We like what you are doing. You are not building up your armament. Let us talk."

We were supposed to have 1,800 Minutemen. That figure was cut off at 1,000. Our submersive force is limited. The Russians are making eight "Y" class submarines a year and 15 attack submarines a year.

I cannot see any indication on the Russians' part that they want to disarm.

As I said earlier this morning, they have opportunities all over the world to show the world that they want peace and disarmament.

They ship 85 percent of the merchandise of war to our enemies in Vietnam. If they have any power in the Communist world—and I do not believe communism is a monolithic structure—and if they have any respect for themselves, certainly they can have some effect on the peace talks. We have been waddling around over there for a year or so and have gotten nowhere.

I am not even partially filled with a sense that we can reach a detente with the Russians if we are not building an ABM system or if we delay it.

I say this with all respect. I know exactly what the Senator has in his mind. His amendment would do precisely what we are doing.

Mr. COOPER. I think the Senator should vote for it.

Mr. GOLDWATER. No. I do not think you should vote for it. If the Senator votes for the bill, he will have his amendment included therein.

Mr. COOPER. Mr. President, I made the point a while ago that in one way the amendment will do exactly what they are doing in that it will continue research and development, which the Senator has admitted is all they are doing now. The answer to the question is the timelag.

The Senator says—and this is from a majority of the Armed Services Committee—that it would delay—and I speak honestly—the political decision to deploy until we determine whether the Soviets will actually go ahead with the threat which has been projected by Secretary Laird, or if it will be possible in this year to see if we can reach some agreement.

Would the Senator agree that if we could control the arms race or if it could be stopped, we would be better off than if we were to go ahead with the nuclear race?

Mr. GOLDWATER. I would not argue that for 5 seconds.

Mr. TOWER. Mr. President, we are the only ones who have acted with restraint, as the Senator from Arizona has pointed out. We have leveled off, and they have gone up. Since 1950 we have developed one superiority aircraft. How many have they developed?

Mr. THURMOND. Eighteen.

Mr. COOPER. Perhaps we do not care for them and they do not care for us. However, we might have a mutual interest. Both might want to save themselves from retaliatory destruction. To say that we have not armed ourselves is incorrect.

In 1959 or 1960, it was said a missile gap left the United States behind the Soviet Union. I have not served on the Armed Services Committee for some time, but I have tried to keep up with the state of our defenses and security.

The missile gap fiction came after the Soviets had launched sputnik. The Soviets had a launcher of great thrust and power and we did not have one.

Mr. GOLDWATER. Mr. President, I believe that was more of a political phrase than an actual phrase.

Mr. COOPER. We had bombers.

Mr. GOLDWATER. But we will not have them much beyond 1974, and we have no new bombers coming.

Mr. COOPER. In 1960 we had superiority. Neither force had strategic intercontinental missiles. However, we had more bombers. We were ahead.

After the missile gap scare came along, I might say that in 1961, after we had

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heard about the missile gap scare, I was going home to my State. I knew that I would be asked by people in my State about the missile gap.

I did not know about it myself. However, I knew that I could not talk to them honestly and say there was no missile gap if, in fact, there were.

I went to the Defense Department to see Mr. McNamara. I told him that I was going to my State and that I knew people would be asking about this question and that I had to speak to them honestly.

I said, "Is there a missile gap?"

He brought out a book—I will never forget the scene—about 12 inches long and about 6 inches wide. He opened up the book and showed me in that book every missile, bomber, everything we had that we could use against the Soviets. He showed me his understanding of what the Soviets had. Even then, we had superiority of at least 2 to 1.

He said, "You cannot use these numbers, but you can tell these people that there is no missile gap."

I said to him, "If this is correct, why do you not make a statement disclosing these figures to the people of the United States and to our enemies?"

I do not know whether I caused him to do it, but a month or two later he and Mr. Gilpatrick made speeches and told the world that we had superiority over the Soviets.

There never has been a day when we did not have it.

After that, we began to build intercontinental missiles. We built up to 1,054. At one point the Soviets had about 200 or 300.

Then we began to add another element to our retaliatory force—the Polaris. We built 41 with 656 nuclear missiles. We, of course, have over 7,000 tactical nuclear weapons in Europe and others elsewhere in the globe.

The Senator now says we are disarming and that the Soviets have been just moving up to us. They have not gotten close to us yet.

Then we began to develop the MIRV. Am I correct?

Mr. GOLDWATER. The Senator is a little mistaken on some of his figures.

Mr. COOPER. I might be mistaken on a figure or two, but I am not mistaken on our overall superiority.

Mr. GOLDWATER. I have heard it stated on the floor quite a few times that we hold a 5-to-1 superiority over the Soviets in nuclear strength. That is not so.

Our nuclear strength does not include the warhead we have buried some place. Placing a warhead on a missile is not done in 10 or 15 seconds, 10 or 15 minutes, or 10 or 15 hours.

We have now approximately the same number of ICBM's as the Russians. I think they have 1,078. And, if we count the Titans, we have about 1,054.

We are not building any more sites or doing anything but modernizing the Minuteman force.

They are able with their SS-9 to deliver 25 megatons if they want to do so. I think that is rather a large load with which to do any targeting job that is needed. However, they have developed, the footprint in the Pacific shows, a MIRV. We are testing a MIRV also.

However, one of the figures Secretary McNamara was always careful to leave out was—and I tried to have it shown to the public—the 1,100 intermediate-range missiles that the Russians have aimed at us and our allies in Europe.

If we have to go to war in Europe, we will have to depend upon the use of their strategic destructive force. And the transportation capability and the missiles could deny us that.

So it is just as important to the Russians to have Europe targeted as it is to have our country targeted.

We are heavy in submersible missiles, but they are building nuclear submarines, 80 of the conventional type and six attack submarines.

I do not want to get into a technical discussion of what an increased Soviet submarine force and Soviet Navy means. I will discuss that in a speech I shall give next week. But the point I am bringing out is that we are now behind the Soviet Union in deliverable weapons for a retaliatory attack. We are not up with them—unless we want to count what we can carry in the bomb bays of our B-52's. But we have modified most of those bomb bays, but not as to the Mark bomber—I will not quote the number—which is a gigantic thing, but is now laid up, designed for 500-pound bombs. We are using them in Vietnam. It would take quite a modification program to replenish the force. So we can depend on the B-52, and we would probably have the same percentage of them get through as got through in World War II. But even in spite of the size of the bombs, we could not do the damage we would have to do. We have not kept pace with the Russians. I doubt whether we would have, had not Vietnam come along.

Vietnam forced Secretary McNamara to do something in the weapons field. He had lagged. I think this debate, if it shows one thing, is showing that for 8 years we had a Secretary of Defense who did not do anything for the U.S. military forces. I hate, as an American, to admit that with this country's great technological ability and great academic ability we have not produced a modern fighter plane since 1955 or 1956. I think we built 13 of one model, and they are now in storage on a desert in sunny California. It is the mach 3 type. But that is beside the point.

I hope, when my time comes to speak on this subject, to show the Senate that we have gone through a period of almost disaster, so far as our military goes; and that had it not been for the unfortunate war in South Vietnam, which pointed up immediately our deficiencies, we would still be suffering.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, a table showing the national defense purchases as a percentage of gross national product from 1958 to 1970.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

NATIONAL DEFENSE PURCHASES AS PERCENT OF GNP, 1958–70 [1]

Year	Calendar year	Fiscal year
1958	10.3	10.2
1959	9.5	9.9
1960	8.9	8.9
1961	9.2	9.1
1962	9.2	9.2
1963	8.6	8.9
1964	7.9	8.3
1965	7.3	7.5
1966	8.1	7.5
1967	9.2	8.8
1968	9.2	9.2
1969	[2] 8.9	[3] 8.9
1970	[4] 8.5	[5] 8.8 [6] 8.6

[1] Federal Government purchases of goods and services for defense on national income accounts basis in current dollars as percent of GNP in current dollars.

[2] Assumes GNP growth of 6 percent over calendar year 1968 and Defense purchases of goods and services of $81,000,000,000.

[3] Uses BOB estimate of fiscal year 1969 GNP and of Defense purchases of goods and services on national income basis of $79,900,000,000.

[4] Assumes GNP growth of 5 percent over calendar year 1969 and Defense purchases of goods and services of $81,000,000,000.

[5] Assumes GNP growth of 5 percent over fiscal year 1969 and Defense purchases of goods and services on national income basis of $82,200,000,000 (Johnson budget).

[6] Assumes GNP growth of 5 percent over fiscal year 1969 and Defense purchases of goods and services of $81,100,000,000 (Laird budget).

Mr. GOLDWATER. Mr. President, I invite the attention of the Senator from Kentucky to the fact that in 1960 the percentage was 8.9; in 1970, it will be 8.8, and that includes the $2.6 billion a month that is spent for the war in South Vietnam.

To get back for a moment or two to the amendment, I cannot see any psychological advantage, in dealing with the Russians, merely to tell them we are going to do what we will have to do anyway. We cannot develop these weapons fast enough to complete them by 1971 or 1972, 1974 is the earliest date. They know that.

One night the Senate had a secret session, the only one I ever attended. Of course, it was about as secret as Sunday's funny paper. But it was secret, and the distinguished Senator from South Carolina (Mr. THURMOND) told us about the Russian ABM.

Mr. COOPER. I was present.

Mr. GOLDWATER. That was several years ago.

Mr. COOPER. It was 1963.

Mr. GOLDWATER. Only today the Russians seem to feel that they have a system they can deploy. This is their third phase.

If we are going to say to the Russians, "We are never going to deploy this missile," I do not think we will entice them to the bargaining table. I think that if we do what the President has asked us to do—and he is the Commander in Chief; we are not—we are going to show them that we are no longer going to lag.

We do not want an arms race. I would like to see disarmament just as much as the Senator from Kentucky or anyone else. But I do not think we can bargain the safety of the 200 million people of this country.

Mr. COOPER. Mr. President, will the Senator from Texas yield 1 minute to me?

Mr. TOWER. Mr. President, I have a

speech that I have been waiting 1 hour to deliver.

Mr. GOLDWATER. I thought the Senator had delivered his speech.

Mr. TOWER. I want to address myself to the amendment, so as to try to clear up some doubts that have been flying around, concerning the administration's position. I reiterate that the administration does not support either of the amendments and is not disposed to compromise its minimal proposal.

At this moment, I think it would be better if I presented my speech, because it covers many matters that we have already discussed, and others. Then I shall be glad to engage in a colloquy, and we can "colloquize" all night, if we wish.

Mr. GOLDWATER. I would not want to have this item go too far beyond the colloquy with the Senator from Kentucky, because it deals with PAR. It refers to the statement of Secretary Laird.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a paragraph, which I have marked, concerning the principal functions of PAR.

There being no objection, the paragraph was ordered to be printed in the RECORD, as follows:

> The principles, functions, power level, and frequency of the PAR are quite similar to existing operational space and air defense radars. Hence, there is no need to build a complete R. & D. PAR, and the first PAR can be assembled directly at an operational site. The status of the work on this radar is as follows: The equipment configuration has been chosen, the design and performance specifications have been prepared, a partial prototype test model has been started and is now 40 percent complete, the design for the PAR structure has been finished, and the PAR computer is 25 percent complete. In short, work on the PAR is well along and no major problems are anticipated.

The PRESIDING OFFICER. The Senator from Texas has the floor.

Mr. COOPER. Mr. President, in view of the last statement, would the Senator from Texas be kind enough to yield me 30 seconds?

Mr. TOWER. I yield 30 seconds to the distinguished Senator from Kentucky.

Mr. COOPER. I thank the Senator. He has been very generous.

I ask unanimous consent to have printed in the RECORD a statement concerning the PAR radar, of which no prototype has yet been built, furnished me by Mr. Foster, of the Department of Defense. It is from the unclassified portion of a letter written to me by Dr. Foster which supplies answers to various questions I asked about Safeguard.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

> There will be no prototype of the PAR constructed because the technology is well known. The PAR is similar to the FPS-85 which is now in full operation at Eglin Air Force Base. The first PAR will be the tactical radar constructed on site and it will be ready for testing in mid-1972.

Mr. TOWER. Mr. President, I hope that we can keep the audience in the Chamber. A number of Senators have left, and I intend to cover quite a number of items. I hope that Senators will remain in the Chamber.

First, I wish to commend the distinguished Senator from Mississippi on the excellent job he has done in explaining the military procurement bill. It would be superfluous for me to expound on the material he has so ably presented.

I also wish to commend the ranking minority member of the committee, the distinguished Senator from Maine (Mrs. SMITH), for her able presentation of this important subject and for the work she did when the committee considered the bill. My objective today is to give my general views on the bill and to ask the support of the Senate for it.

Our committee's examination of the military requirements under the directions of our able chairman (Mr. STENNIS) has been most critical and exhaustive. Wherever we have found room for reductions without exposing this Nation and its military forces to undue risks, we have trimmed the requests. In areas where there appeared to be unnecessary duplication of effort among the services—as in the case of air-to-surface missiles, for example—we have made reductions. Projects which we felt, however reluctantly, could safely be postponed have been deferred—such as fast deployment logistics ship, for example. Overall, the Committee on Armed Services reduced the military request for equipment by over $860 million. We reduced the request for research and development—an area in which I have always supported a strong effort—by even more: by $1,042 million. But however much we may have wished to make even greater reductions in military expenditures, it became very apparent during our deliberations that to do so without some concomitant reduction in our worldwide commitments would be folly.

Until our involvement in Vietnam ends, we must provide our fighting men there with the most effective weapons we can produce. As long as we maintain forces in Europe to deter and repel Communist aggression, we have an obligation to man and equip them properly. We cannot ask our military men to be first-rate soldiers, sailors, and airmen around the world if we give them second-rate support here in Washington.

I sense among Members of Congress and the public a temptation to try to alter our military commitments by manipulating the military budget. We must not succumb to this temptation. There are valid questions concerning our national goals and priorities which ought to be debated, but we cannot resolve these problems simply by the indiscriminate withholding of funds. It is the responsibility of this Congress to support adequately and properly those forces which are required—even while this country's role in international affairs is being decided.

To do this, a certain amount of modernization of equipment is essential. The bill before the Senate provides for only very modest progress in that. The same is true for research and development. We must not be lulled into a state of insecurity either by reassurances of good intentions from the Communist world or by the vocal dissent here at home. We cannot afford to err on the side of unacceptably lowered security under the guise of savings; any indiscriminate reductions could cost us dearly in the long run.

Furthermore, we must recognize that the expenditures which are authorized by the bill before the Senate fall generally into two catagories. First, we have those expenditures needed to insure that our Armed Forces are capable, up to a decade or more from now, to meet those requirements arising from threats to our national security. I see nothing in the world situation to make me believe that we can safely disregard these threats. Thus I see no justification for further cuts in our long-range programs.

The second major category of expenditures in this bill is to support our men in Vietnam. I will not predict what the judgment of history on our involvement in Vietnam will be. On the other hand, I will predict that no Senator wants to have on his conscience a single American death in Vietnam which results from an unwise reduction of funds to support them. There are some signs of relief from our heavy military commitments, however. Skeptics notwithstanding, we are making progress toward disengagement in Vietnam. The South Vietnamese forces are improving slowly but surely.

We are beginning an ever-increasing measure of stability to Vietnam, and loosening the hold of the North Vietnamese and Vietcong on the country. We must have the patience and resolve to see the struggle through to a satisfactory conclusion while at the same time, keeping our guard up elsewhere around the world. That is what the major portion of this year's authorization bill is designed to do.

While the funds allocated for the continued development and initial deployment on the Safeguard anti-ballistic missile system do not represent a high percentage of the money authorized in the military procurement bill, they have been the subject of greater discussion and debate than any other appropriation authorization in the bill. Many of my able colleagues on both sides of the aisle have spoken out on the issue, and I suspect that all will voice an opinion before the debate is through.

This is all well and good for the importance of the issue at hand justifies considerable discussion.

It has been interesting to note the various ways in which the issue before us has been phrased. Some seem to see it as a test of our determination to establish national priorities. Others see it as a measure of our determination to seek peace through disarmament. Still others say that the issue is to what extent this body will exert direct control over expenditures and recommended expenditures made by the Department of Defense. Indeed, it has been suggested that the ABM itself was not so very important, but that it was merely a vehicle to provide the Senate with an opportunity to demonstrate a "get-tough" policy with the Department of Defense and, presumably, the military-industrial complex—whatever that term may encompass.

While all of these issues, or all of these manners of stating the issue before us are important—and deserving of comment and analysis by this body—they do not go to the heart of the matter. What is before us for discussion is the authorization of funds for the Safeguard anti-ballistic-missile plan—a plan proposed by the President and approved by a majority of the full Senate Committee on Armed Services. Therefore, we should concentrate our efforts upon determining the merits and demerits of the Safeguard weapons system—and not get completely entangled in an attempt to correct all of our previous shortcomings in disarmament, legislative independence, and establishment of priorities. Granted, it is important that these issues be discussed in order to place the Safeguard ABM system in the proper context of past, present, and future events. However, we must not lose sight of the subject under discussion—we cannot allow the ABM to become a mere vehicle to be used to raise other issues. To do so, I fear, would open the doors of this Chamber to emotionalism at a time when reason is essential.

As I have said, what is before us is the military procurement bill, a part of which authorizes funds for the Safeguard ABM system. We must decide then, whether to authorize those funds as part of our overall defense plan. Therefore, the issue is this: Will the Safeguard ABM system make a great enough contribution to our national security to justify the expenditure of the $759.1 million authorized in the bill before us?

Because I am deeply committed to the approval of the Safeguard plan, my answer to this question is "yes"—and I shall share my reasons for favoring approval with Senators, who, in the final analysis, will resolve this issue.

It seems to me that there are two main considerations directly relevant to the issue as I have stated it. I do not mean to suggest that all other commentary is irrelevant. I simply wish to avoid all but the essential points. Those main considerations can be phrased best in the form of simple questions: Are the costs of the Safeguard ABM system acceptable? How well will the Safeguard system work? I think the answers to these simple questions demonstrate the need for approval of the initial implementation of the Safeguard system.

So many cost figures have been bandied about as authoritative that it is very difficult to separate fact from fictional estimates. I think it is absolutely essential that we remember the exact amount which we are talking about in this bill today. That amount is $759.1 million. We are not here to accept or reject a $20 or $100 billion weapons system as some would have us believe.

Those who claim that the costs of the system will reach the latter amount should remember that not one penny more than $759.1 million will be spent without further approval of this body. I, for one, will feel no obligation to approve a $100 billion request for a missile system next year simply because I voted "aye" to spend $759.1 million for it this year. To Senators who are concerned about cost overruns as I am, I say this: If the next request for the funding of this missile system is so great as to indicate that we are not getting a dollar's worth of national defense for each dollar spent, we can simply refuse to further fund the program.

For the present I would like to present reasons for accepting the initial phase costs of the Safeguard ABM system. The continued research and development, when coupled with minimal deployment, will do much to provide us with accurate estimates of the cost of missile defense. Probably the major reason for the proliferation of cost estimates on the ABM is that no actual construction and deployment of missile defense weaponry has been done. Instead, we have always concentrated on retaliatory missiles because we assumed that the "cost exchange ratio" between defense and offense was in the nature of 100 to 1. This meant that $1 spent on offensive weaponry would develop equipment sufficient to overcome $100 worth of defensive missile weaponry. There is reason to believe, however, that the cost exchange ratio is actually much lower. Our own difficulty in developing penetration aids designed to insure that our missiles pierce Russian defenses has shown that penetration is an expensive thing to insure. On the other hand, as we become knowledgeable about defensive weaponry, we are able to reduce the costs of developing it. Consequently, there is reason to believe that the cost exchange ratio may be approaching 1 to 1.

The initial phase of the Safeguard ABM system will greatly increase our ability to understand the cost exchange ratio. After minimal deployment we will have an actual example of defensive missile weaponry to serve as a basis from which to more accurately estimate the costs of defense vis-a-vis offense. If it turns out that the cost exchange ratio is still very high, we can opt for retaliatory weaponry. But, if it is 1 to 1 or less we can concentrate our efforts on defensive weaponry. Bear in mind that we do not have a first-strike mentality; that the only reason for this kind of weaponry is to defer offensive weaponry.

The point is this. Without some actual deployment, we will know no more about the cost exchange ratio than we do now. If we do not deploy, we will have abandoned the entire concept of defensive missile systems without ever realistically examining the cost of such weaponry. We will have said, "Because we are not sure that the system has an acceptable cost, we will not spend even a small amount to find out if it is acceptable." We will have made a decision on the basis of ignorance rather than on the basis of knowledge. This, I suggest, is not sound.

Before I leave the question of cost, I would again like to point out that a "yea" vote on the military procurement bill as it stands now would obligate us to spend only $759.1 million on the Safeguard ABM system. The expenditure of that money will greatly increase our ability to judge whether to proceed with defensive missile weaponry in the future. We will have the opportunity to make that judgment in the next military procurement bill in the next Congress.

EFFECTIVENESS OF THE SAFEGUARD

A great debate has raged over whether the Safeguard ABM System is technically effective. Scientists of every pedigree imaginable have come forward with statements, position papers, and books to show why the Safeguard system will or will not work. I am not a great scientist and can add little to the technical expertise which has been made available to all of us. I barely passed the minimum requirements in physics as a freshman in college.

However, I think it is important to stand back from the battle a moment and view the overall situation. The situation is this. On one side, we have a group of distinguished scientific minds who say that the Safeguard cannot work because it is too easily overpowered by the offense, which has many options for deception. In addition, they believe that Safeguard can never be brought up to and maintained at the peak of perfection required.

On the other side, we have an equally eminent group of scientists who say that the Safeguard system will work well enough to do the job. They argue that protection of missile sites does not require the great degree of freedom from technical breakdowns that a city defense would need to have.

In my opinion, we do not, at this time, have to irrevocably commit ourselves to one side or the other. Refusing to approve deployment of the Safeguard system would be equivalent to accepting the views of the "no" scientists and rejecting those of the "yes" scientists. Approving the Safeguard plan, however, would not amount to an acceptance of the "yes" scientists. It would simply be a decision to proceed to find out who is correct. It appears, then, that we have a choice between a course of action which stops the scientific search and one which continues it. When faced with a decision to close options or keep them open, I suggest that it is militarily sound to retain options.

Finally, I would like to say that I am impressed by the distinction between technical effectiveness and military effectiveness. The mere existence of the deployed ABM forces the enemy to reevaluate his military stance. Unless there is "assured destruction capability," an attacker cannot attack a target. The retaliatory risk is too great. Consequently, the mere existence of Safeguard would force a potential enemy to concentrate more missiles on the protected targets. This means that for other targets there will be fewer missiles. Perhaps there will be no missiles for some targets. So far as those targets are concerned, then, the Safeguard system has been militarily effective. They have not been destroyed because they have not been attacked. They have not been attacked because of the Safeguard.

In addition, inability to be sure of "assured destructive capability" might very well deter a potential attacker from becoming an actual one. This, of course, means that the Safeguard system, which will have created this doubt, will have been 100 percent effective.

Mr. President, I have studied this proposal as thoroughly as time has allowed. I know that the question is complex. But I believe that an analysis of the two factors, cost and effectiveness, which directly relate to the issue, dictate the conclusion that the Safeguard ABM plan should be approved.

The cost of the system is acceptable. Let me repeat: we are not being asked to commit ourselves to the expenditure of $10, $20, or $100 billion for a weapons system. If we will simply concentrate on the actual dollar amount requested in this bill, we find that we are talking about $759.1 million. That is all that is in the bill.

For this money, we get the initial phase of Safeguard. We get a knowledge of the effectiveness of defensive missile systems, and we get the groundwork for actual deployment of the missiles. This alone represents a satisfactory return on our investment. But, Mr. President, we may never know what else we have gotten. It may well be that the Safeguard ABM system will contribute to the prevention of a disastrous nuclear holocaust. It may then have saved the lives of countless American citizens and people around the world. But we will never know this. I will not be able to come into this Chamber and definitively prove that Safeguard contributed to the existence of peace. Neither I nor anyone else can show a war that did not happen.

On the other hand, we may find, a year from now, that missile defense systems do not represent the most effective deterrent to nuclear attack. We may find that we should abandon the ABM. But, let us not do so now. Not now, when there is every bit as much reason to believe that the Safeguard system will work as there is to indicate that it will not work. So, let us proceed. If we err, let us err by acquiring too much knowledge rather than by acting out of ignorance. If we err, let us err by having too much national defense. We certainly owe that much to the citizens of our country and to the people of the free world.

Mr. President, 2 days ago the distinguished Senator from Maine (Mrs. SMITH) delivered an extremely important message to the Senate. She expressed her great concern over the disparagement of our men in uniform for what some see as past mistakes. I, too, feel that such disparagement is completely unwarranted. We have a grand tradition in this Nation of civilian control of the military. Our military men wholeheartedly support this tradition. They have done what their civilian leaders have told them to do. They have done what they were told to do with the tools that their civilian leaders have made available to them. And, in some instances, they have done what they were told to do in the specific manner directed by their civilian leaders, although the military mind would have advised otherwise. To assign them the blame when events turn out not as all would desire is manifestly inconsistent and unfair. Our soldiers, sailors, marines, and airmen should be granted, instead, the Nation's praise. After viewing their efforts around the world, after seeing them in combat conditions, I can affirm the fact that they are the finest generation of fighting men this country has ever produced. I am proud of them and their accomplishments.

Mr. President, I am confident that the Senators here today will base their decisions on this authorization bill on a sober and rational evaluation of the facts, as our committee has done. Only in this way can we keep our country strong as we search for solutions to the many problems which face us. I urge the Senate to approve this bill. In my judgment, we cannot afford to do less.

Mr. PEARSON. Mr. President, will the Senator from Texas yield?

Mr. TOWER. I yield.

Mr. PEARSON. Mr. President, I want to commend the Senator from Texas for his most careful and excellent analysis of the position supporting his views. It has been my very great honor for 2 years to sit in the chair next to his as a member of the Armed Services Committee.

Earlier, the Senator from Texas made reference to the fact that if the so-called Cooper-Hart amendment were to be adopted, there may very well not only be a lapse of time but also a loss in the technical and scientific team which we have put together. Am I correct on that point?

Mr. TOWER. That is correct.

Mr. PEARSON. I do not have the opportunity to sit in the hearings as the Senator does, but I recall the excellent presentation made by Under Secretary of Defense Packard before the Republican Senate group, when he made a pretty good point in reference to those people who were opposed to the system on the basis of its cost. He said that in relation to phase I, if we go back merely to research and development, we will spend as much money as we will if we proceed with phase I deployment.

That, as I understand it, is the thrust of the amendment offered by the Senator from Kentucky and the Senator from Michigan. They do provide the full amount.

I also recall—and the Senator may correct my memory if it is faulty—that at the time of our discussion, he indicated we would be able to hold together the scientific and technical team to date, without deployment in view; also—if I am correct in my memory—that we could do so in the future without proceeding to deployment.

Does the Senator recall those conversations with Under Secretary of Defense Packard?

Mr. TOWER. I am not sure that I remember what it is the Senator is referring to.

Mr. PEARSON. In the question-and-answer period, I thought he made the statement that even if we continued with research and development, we would be able to maintain our scientific and technical team.

Mr. TOWER. I would say that we could, even though we made no plans for deployment; but I do not recall that.

Mr. MURPHY. Mr. President, will the Senator from Texas yield?

Mr. TOWER. I yield.

Mr. MURPHY. I think that I recall the conversation. I think the word "deployment" may be one that is creating a hangup here, because I think in the discussion his intention was as to construction. Deployment is a word which envisions many spreadings out of this thing, which is not in the present plan. The present appropriation bill calls for construction. Until there is a construction, we do not have the unit. I think he was talking about the figure, as the figure breaks down as to the cost of research and development.

I believe that pure research, without possible development, amounts to about $400 million. I think the construction asked for in the bill adds less than $400 million. It comes to about $380 million. So that the figures which we have been hearing, of $700-odd million, includes research, development, and construction as envisioned and requested by the President under the present bill. I think that is the thrust of what the Senator said.

Mr. PEARSON. I am grateful to the Senator from California. I merely wanted to clarify the point that the full amount is made available under this amendment for research and development and make reference to what I understood the Under Secretary of Defense to say in relation to maintaining this very excellent scientific and technical team.

On another point, I thought the Senator from Texas made reference to the fact that the ABM, as authorized under this proposal, was essential as a bargaining point for the President and for those who represent this Nation.

Mr. TOWER. I believe it is, and the President thinks it is.

Mr. PEARSON. I have some trouble in accepting that belief. Let me indicate to the Senator why I feel that way. We have a lot of figures offered here in the Senate, but with reference to the ABM, the Minuteman II, and the Titan, is it agreed that we can use the figure 1,054?

Mr. TOWER. It is 1,054.

Mr. PEARSON. The Senator said we had 1,078 ICBM's.

Mr. TOWER. The figure is 1,078.

Mr. PEARSON. So if we add our ICBM's and the Polaris together, and add their ICBM's and their Polaris-type missiles together, we really come, in round figures, to about 1,700 for the United States to 1,100 for the Soviet Union. Is that correct?

Mr. TOWER. The Soviet Union has missiles that can be launched from ships. I am not sure what the figures are. They do not have submersible missiles. They do not have any Polaris- or Poseidon-type missiles.

Mr. PEARSON. What is the Senator's recollection of their ICBM's?

Mr. TOWER. I am sorry; I cannot give that figure. I do not have it now.

Mr. PEARSON. In relation to bombers, the estimate is that we have about 650 to their 150. Is that correct?

Mr. TOWER. That is correct. To be sure, they have some other bombers, but those bombers do not have a long range.

Mr. PEARSON. I am talking about strategic bombers.

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Mr. TOWER. About 150. There are others they could use in Europe.

Mr. PEARSON. I understand; but we are talking about strategic forces.

Mr. TOWER. I would say they would be strategic forces for use in Europe.

Mr. PEARSON. I am talking about strategic forces as they relate to an ABM defense. There are many measurements for strategic force, but when we move to the ICBM's, the Polaris, the intercontinental bombers, and the number of warheads on each side, it is my understanding we have about 4,300 warheads on our side——

Mr. TOWER. I agree with all this. I see the Senator's point. We are currently superior to the Soviet Union in terms of strategic power. I think we are superior in most areas. However, I think in some areas they have superiority to us. But, overall, we do currently possess superiority.

Mr. PEARSON. Now I come to my point. I think terms like "superiority" and "parity" in relation to thermonuclear warfare are useless terms. I think the President's use of the term "sufficiency" is the correct one. But if we are superior in numbers of ICBM's, superior in numbers of bombers, superior in numbers of warheads——

Mr. TOWER. Superior overall.

Mr. PEARSON. Then I fail to see why we have to have an ABM as a bargaining point to go to the bargaining table, when we are superior in all these other fields.

Mr. TOWER. We are superior this year. At the present rate of military development in this country and the Soviet Union, we will be in a position of inferiority by the mid-1970's.

Mr. PEARSON. The Senator assumes, then——

Mr. TOWER. I assume that they are going to keep on doing what they are doing, and I think it is dangerous to proceed on any other assumption.

Mr. PEARSON. Will the Senator also assume that, having reached the level of 1,000 ICBM's—and that was the figure that was determined almost one decade ago—we are going to maintain that level in strategic weapons?

Mr. TOWER. Our present situation is good. The Russian's R. & D. is much better than ours. From the standpoint of submarine technology, they are very good. As a matter of fact, they are building at a greater rate than we are, and we cannot hope to think that one day they will not have Poseidon or Polaris type submarines. As far as air superiority is concerned, they are superior to us now.

Mr. PEARSON. In swept-wing aircraft and in numbers of submarines?

Mr. TOWER. They are superior in numbers of submarines. I do not think they are superior in quality right now, but they may be some day. The Senator from Maine (Mrs. SMITH) has some interest in that subject. I think she can enlighted the Senator at much length and has far more expertise in that subject than I have. But the fact is that we have lagged in development or in the level of research and development. We have not developed a superior research and development program. We have stabilized it, and the Russians keep going up and up. They keep devoting more and more of their resources to development. We cannot proceed on the assumption that they are going to have a sudden change of heart and do differently than they are now proceeding to do.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. TOWER. I yield to the Senator from North Carolina.

Mr. ERVIN. Is it not a fact that the United States has not been building big bombers capable of carrying a nuclear load to Russia during the last few years?

Mr. TOWER. We have not. The B-52 is an old weapon.

Mr. ERVIN. Is it not a fact that the Russians have in their bomber the finest bomber of any nation on the face of the earth?

Mr. TOWER. I do not know the relative performance figures. It does seem to be very good. They do not have it in the numbers we have, but they have a good one, and it is much newer than our B-52.

Mr. ERVIN. According to information by General Twining, he says it is the most dependable bomber in existence.

Has the Senator read a copy of the letter which Admiral Rickover wrote to the Senator from Rhode Island (Mr. PASTORE)?

Mr. TOWER. I do not recall it.

Mr. ERVIN. It was inserted in the CONGRESSIONAL RECORD. Admiral Rickover says that, with the exception of the Polaris submarine, Russia has a vast superiority in submarines over the United States. He also states in that letter that the Russians now have the capability of building Polaris submarines at such a rate that at present rates they will equal or overtake us in Polaris submarines by 1974.

Mr. TOWER. I was aware of that information.

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. TOWER. I yield to the Senator from Kansas.

Mr. PEARSON. Mr. President, I am grateful for the contribution made by the distinguished Senator from North Carolina, because he brings me to my next concern, and that is in relation to the cost of the ABM. I understood that the ABM, as first announced, was a system that would cost about $6.5 billion. Then research and development were added to it. Then the cost of warheads was added. Then the cost of possible sites in Alaska and in the Hawaiian Islands was added. So it is now, as I understand it, about a $10.4 billion system.

I make reference to the cost, not because I have so much concern with it; I have a concern, but it is not a commanding concern that this money should be pulled out and put into so many social welfare programs that many of us would like to promote. But the point was made, and made very well, that we are behind in submarines, we are behind in adequate manned bomber aircraft, and in conventional systems that we usually associate with the kind of warfare which is going to be essential if we are not going to be children of the concept of massive retaliation, which was so massive that it was useless.

We have great expenditures to make in relation to our naval fleet, in which some authorities say we are 20 years behind the Soviet Union. I did not see the letter written by Admiral Rickover, though I have the highest regard for him. For example, a Navy fighter to come after the F-111, with which we have not had very good luck——

Mr. TOWER. Mr. President, if the Senator will yield——

Mr. PEARSON. One can go on down the list. There are also other limitations.

Mr. TOWER. Those are in the bill. We have the F-15 and the F-14, the Air Force and Navy patrol planes. They are in the bill. If the Senator wishes to offer an amendment providing for additional submarines, additional shipbuilding, and additional airplanes, I will support him, provided he supports me on the ABM.

Mr. PEARSON. I do not think we can make that deal, Mr. President. But if the Senator will indulge me, I think the point I was trying to make is valid. Perhaps there are within this procurement bill adequate funds to build up our conventional forces. I accept the judgment of the committee on that. I simply wish to make the point and express the concern that as the cost noses upward, as the $6.5 billion becomes $10.3 billion in the space of 2 months, in the years ahead, when the cost of this program jumps more drastically, we may very well feel the pinch on some very necessary, conventional warfare items, a pinch similar to that felt in connection with the Vietnam war.

Mr. TOWER. Mr. President, I shall stand warmly at my friend's side any time the question comes up about development of weaponry. I think we need a full spectrum of tactical weapons, everything from improved rifles to the most sophisticated nuclear weapons. I believe, too, in a full spectrum of deterrents. You can deter nuclear war if you have nuclear weaponry to do it with.

I think basically the argument in behalf of this amendment is that we should not make a political decision to deploy the ABM now, because apparently it might rupture the good and wonderful relations we have with the Soviet Union, and the immediate prospect for negotiations for disarmament. They say we are basing our arguments on assumptions; but this is the most dangerous assumption I can think of to base an argument upon.

Mr. ERVIN. Mr. President, will the Senator yield, so that I may lay down a premise and then ask a question?

Mr. TOWER. I am happy to yield.

Mr. ERVIN. I saw former Secretary of State Dean Acheson testifying before what I call the Proxmire committee with respect to the cost of national defense, and he said, in reference to the cost of national defense, that we could overspend for national defense, or we could make the determination to underspend for national defense; and he said the difference between the mistake one way or the other would be this: If we overspend for national defense, and deploy some weapons the future shows are not

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needed, all we have done is lost some money, but if we underspend for national defense, we might run the risk of losing everything, including our liberty. Does not the Senator think that was a sound observation?

Mr. TOWER. I certainly concur with that statement; and I have always said we cannot have a great society, or an affluent society, or a free society, unless we first have a secure society. That is all we are trying to achieve here.

I would love to see the day when we can beat our swords into plowshares and our spears into pruning hooks. I detest war as much as anyone. But while there are nations in this world that choose war as an instrument of national policy, nations with aggressive designs on the rest of the world, we cannot afford to be ill prepared.

Mr. ERVIN. I should like to ask the Senator if it is not a teaching of Marxism, as adapted for Russia by Lenin, that there is an irreconcilable conflict between a nation with a free enterprise system of government, such as ours, and a nation with a Communist system of government, such as Russia; and if it has not been stated on many occasions by leaders and officials of the Communists that there will be a fight to the finish, either economically, politically, or militarily, between these two irreconcilable systems, until communism triumphs.

Mr. TOWER. This, of course, is part of the Marxian historical analogy, that ultimately this will come about, that ultimately we will have a Communist world; and, indeed, for communism to succeed at all, the whole world has to be Communist. Then, when that happy day occurs—happy in Marxian eyes, of course—all the trappings of government will be done away with, and we will live in an anarcho-syndicalist society. I do not believe the Russians believe that is ever going to happen, but the fact of the matter is that they do have have imperialistic designs on the rest of the world, and that is a certainty.

Mr. ERVIN. They have a combination of Russian imperialism and communism as modified to adapt it to Russia by such Communists as Lenin.

Mr. TOWER. Right.

Mr. ERVIN. Does the Senator from Texas understand, as does the Senator from North Carolina, that virtually ever since the end of the Second World War, the United States has been attempting to negotiate at lower than summit levels with the Russians to obtain an enforceable arms limitation agreement?

Mr. TOWER. We have certainly tried.

Mr. ERVIN. And does the Senator think that after all these years, from the end of the Second World War down to the present date, that we now have any additional reason for thinking that Russia is any more susceptible to being persuaded to enter into any such agreement than it was in years past?

Mr. TOWER. They do not seem to be any more susceptible, though some of my friends seem to think that if we cut the ABM out of this bill, the Russians will immediately become so friendly that they will want to sit down and negotiate with us at once.

Mr. ERVIN. Does the Senator from Texas recall, during the Eisenhower administration, that there was an agreement, not embodied in a treaty, between Russia and the United States, for a moratorium on testing nuclear weapons; that the United States kept that agreement and did not make any preparations to test nuclear weapons, and then Russia put an end to the agreement, and immediately thereafter exploded the biggest nuclear weapon ever exploded in the history of the world up to that time?

Mr. TOWER. That is correct.

Mr. ERVIN. Does the Senator feel that we can have any confidence in the benevolence of the politburo, as long as Russia maintains imprisoned behind the Iron Curtain the people of Poland, the people of Czechoslovakia, the people of East Germany, the people of Rumania, and the people of Bulgaria?

Mr. TOWER. I certainly am less than sanguine about them. I trust the Senator was here the other day, and heard the Senator from Washington (Mr. JACKSON) present his very fine paper, just going through the traits and personalities of the present Soviet hierarchy. They are Stalinist to the core.

Mr. ERVIN. Will the Senator from Texas accept my assurance that I have just finished reading a book by a French journalist who was for many years in Moscow, whose name was Michel Tatu, in which he states that the only reason Khrushchev took the missiles out of Cuba was because the United States possessed overwhelming superiority in intercontinental ballistic missiles?

Mr. TOWER. Yes, I accept the Senator's assurance.

Mr. ERVIN. I ask the Senator further if he will accept the assurance of the Senator from North Carolina that the Senator from North Carolina has just read a book dealing with Russia by a man with a Russian name, in which he says that the men who control Russia at this time are so secure in possession of the power of rule over that nation that there is no reasonable hope that Russia's attitude will be susceptible of being changed at any time in the foreseeable future, by either evolution or revolution within Russia.

Mr. TOWER. I do accept that assurance, and I concur.

Mr. ERVIN. I thank the Senator.

Mr. STENNIS. Mr. President, will the Senator yield to me?

Mr. TOWER. I yield to the Senator from Mississippi.

Mr. STENNIS. Mr. President, I very definitely thank the Senator. I know the Senator has made an outstanding contribution to this subject, which is quite involved.

The Senator made an outstanding contribution. I commend highly the reading of his speech, no matter which side of the subject a Senator may be.

It is a difficult matter, but the Senator has handled it splendidly, as he always does in a matter that he sets himself to give special attention to.

I shall wish later to make a few brief remarks about the provision and use of this money and how it might be applied to the amendment of the Senator from Kentucky, who has been called from the floor temporarily. I would rather bring the matter up when the Senator from Kentucky is present. However, for the time being, I refer Senators to page 25 of the committee report, where the money part of the ABM is set forth in great particularity. The supporting information came to the committee from the Department of the Army. And they are bound by it in a double way, because it is what they were justifying it on and what we included it in the bill on.

We have in round figures $400 million particularly for research and development. However, referring now to page 25, the committal for the $345.5 million is for one missile site radar at Grand Forks; one missile site radar data processor at Grand Forks; training equipment; advance procurement for one other perimeter acquisition radar and one other missile site radar at Malmstrom; and the relatively small sum of $600,000 for leadtime missile parts.

For the actual hardware, the actual missile, only $600,000 is included in the bill, and that is for a long leadtime item for the guidance system. That requires an unusual time.

I refer this now to the Senate for decision on the money. I will make some remarks later.

Again, I commend the distinguished Senator from Texas for a fine presentation.

Mrs. SMITH. Mr. President, will the Senator yield?

Mr. TOWER. I yield.

Mrs. SMITH. Mr. President, first I take this opportunity to thank the distinguished Senator from Texas for his very kind words to me as a member of the Armed Services Committee. The Senator has made a great contribution during the hearings in helping the committee bring to the Senate what I consider to be a good bill.

Mr. President, the Soviet Navy has in late years assumed new responsibilities far beyond its traditional ones of defending the seaward approaches to the U.S.S.R. and supporting the land forces. It has made great strides in developing forces to carry out these new missions. The impact of new roles and growing capabilities is demonstrated by the striking increase in naval operations beyond home waters and by the current expansion of the Russian submarine forces.

Past Soviet efforts to develop effective long-range seapower were deterred or deferred by economic conditions, purges, leadership changes, war and technological lag. In recent years, however, Soviet naval expansion has been relatively unencumbered by such problems. Today's Soviet naval programs bear witness to the capability and determination to create a significant sea-launched ballistic missile force and a formidable fleet to counter the U.S. Navy in peace and war anywhere in the world. Beyond this, the Soviets are building a modern navy with which to project a naval presence overseas in support of Soviet political objectives.

The Soviet submarine force consists of some 375 units, of which 65 are nuclear powered. The entire force, unlike

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that of the United States, is of post-World War II construction. It poses a triple-dimension threat, consisting of a rapidly expanding force of ballistic missile submarines, numerous torpedo attack boats, and significant numbers of submarines uniquely equipped with surface-to-surface cruise missiles. In the last 2 years a new class of ballistic missile submarine and several classes of attack submarines have become operational. The former is roughly comparable to our Polaris submarines, the latter represent improved general purpose designs.

Today, the Soviet surface navy consists of some 195 major combatants including a helicopter ship, nine guided missile cruisers, and 30 guided missile destroyers. The great majority of these ships are less than 15 years old.

Soviet warships are of excellent design and well armed. The highly publicized helicopter ship *Moskva* carries an imposing array of surface-to-air missiles, antisubmarine weapons, and new and sophisticated electronics, in addition to her ASW helicopters. A sister ship to the *Moskva*, the *Leningrad*, is expected to be operational soon. The new guided missile cruisers of the *Kresta* class carry an equally impressive combination of surface-to-surface and surface-to-air missiles as well as guns and antisubmarine weapons. A third example of advancing technology is the *Kashin*-class frigate. It boasts strong air defense and antisubmarine armament, and is the largest type of warship in the world powered solely by gas turbines, giving it a maximum speed of 35 knots.

The Soviet Navy is operating out of its home waters for longer periods, in greater numbers, and at greater distance than ever before. It is showing the flag in the Mediterranean, off both coasts of Africa, and elsewhere along the entire Indian Ocean littoral.

These developments are making the Soviet Navy a force of growing importance in our strategic calculations. Apart from the challenge it would pose in wartime, its growing capability to project Soviet power into distant areas is likely, if left uncountered, to have a profound effect on political developments in the emerging nations and uncommitted world.

Mr. President, during the hearings there was an exchange of letters between the Senator from Washington (Mr. JACKSON) and Admiral Rickover which helped to a better understanding of what happened with respect to the nuclear submarines.

I ask unanimous consent that these two letters be printed in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, D.C., June 5, 1969.

Vice Adm. H. G. RICKOVER,
Naval Ships Command, Department of the Navy, Washington, D.C.

DEAR ADMIRAL RICKOVER: I have read your April 25, 1969 letter to Senator Pastore with great interest. As usual, you have reduced a complicated issue to a few basic questions.

There is one subject vital to this issue in which I know the American people will respect your judgment—nuclear submarines, and in particular, our Polaris submarines.

I would appreciate your assessment of the effectiveness of our Polaris forces after 1972 in light of the remarkable advances recently made by the Soviet Union in their submarine and anti-submarine capability. I am particularly interested in your views concerning the ability of our deployed Polaris submarines to survive a planned attack by Soviet anti-submarine forces in the mid-70's time frame.

I would hope your response can be written in such a way that the American people can have the benefit of your views.

Sincerely yours,
HENRY M. JACKSON,
U.S. Senator.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., June 12, 1969.

Hon. HENRY M. JACKSON,
U.S. Senate
Washington, D.C.

DEAR SENATOR JACKSON: This is in response to your letter of June 5, 1969, asking for my views concerning the ability of our Polaris submarines to survive a planned attack by Soviet antisubmarine forces in the mid-1970's time frame.

Let me first say that based on the best evidence available, I believe that *today* our Polaris submarines are safe from a massive, neutralizing blow. Further, I am not aware of any valid information indicating that the Soviets possess a means to track and destroy our Palaris submarines while they are on station. However, there is no assurance that this situation will prevail for long.

There is, in fact, evidence that the Soviets are actively engaged in a determined effort to acquire the capability to neutralize or destroy our Polaris force. They have developed and they continue to develop faster and quieter submarines. They are experimenting in all phases of submarine and antisubmarine warfare—we are not. In fact, during the past year alone they have developed several new types of nuclear submarines; we have developed only one new type in ten years. It is clear that a major objective of their naval programs is to invalidate our own Polaris system.

Given the recent Soviet progress in undersea warfare and the sheer magnitude of their nuclear submarine program, the conclusion is inevitable that, unless we are willing to match their effort, they will surpass us in this field during the 1970's.

Of course, in the present era of rapid technological change accurate prediction of *future* military developments is difficult, if not impossible even for such a relatively short period as five to ten years. It is equally difficult to predict the outcome of future military engagements, since these are dependent on successful exploitation of the latest technological advancements. All we can do is learn what we can of the progress being made by other nations in the areas related to submarine and antisubmarine warfare and then to compare this with our own progress.

The Soviets now have by far the largest submarine force in the world—about 375 submarines, all built since World War II. We have 143, including 61 diesel submarines most of which are of World War II vintage. Thus, they have a net advantage of about 230 submarines. It is estimated that by the end of 1970 they will have a numerical lead even in nuclear submarines.

In the single year 1968, the Soviets put to sea a new type ballistic missile nuclear-powered submarine as well as several new types of nuclear attack submarines—a feat far exceeding anything we have ever done. It is estimated that by 1974 they will have added about 70 nuclear-powered submarines to their fleet, whereas we will add but 26—thus further increasing their numerical superiority. As for ballistic missile submarines, the Soviets have undertaken a vigorous building program to equal or surpass our Polaris fleet of 41. At least seven of their new Polaris-type submarines have been completed, and they now have the capability of turning out one a month. We have no Polaris submarines under construction or planned. We must assume that by the 1973–1974 time period they will be up to us.

To achieve this, the Soviets have greatly expanded and modernized their submarine building and repair facilities. Just one of their numerous submarine building yards has several times the area and facilities of all U.S. submarine yards combined. They use modern assembly line techniques under covered ways, permitting large-scale production, regardless of weather conditions.

The progress made by the Soviets over the past few years in nuclear submarine design, construction, and operation could only have been accomplished through the efforts of a large group of highly competent technical personnel. We must assume the talents and efforts of this group will continue to provide the Soviets with additional advances in nuclear submarines.

The superiority of a given weapon system is never static. The history of warfare is an ever-changing contest between weapon and counterweapon. Whenever man invents a new weapon, two things happen immediately. First, his potential adversaries start to develop a counterweapon. Second, improvements are made in the original weapon to make it even more effective. This was the case with the bow and arrow, gunpowder, battleships, airplanes, rockets, etc.

The battleship is a good example. In 1907 when the British *Dreadnought*, the world's first modern battleship put to sea it was hailed as "invincible." It had armor plate thick enough to stop any naval shell then in existence. Soon afterwards other countries built their own battleships with large guns and heavy armor. The British then developed the destroyer to protect the battleship by firing torpedoes against opposing battleships. The other side, of course, soon had its own destroyers. The battleship then was given the capability of carrying airplanes to increase its range of visibility; this added the new element of air power to the battleship.

Although it became evident during World War I to farseeing officers like General Billy Mitchell that aircraft constituted a new and formidable weapon against the battleship, it nevertheless took a long time for those who had faith in the battleship to accept this and prepare against the danger. Even as in 1907 it was impossible to predict how long the battleship would remain "invincible," so is it today impossible to predict how long the Polaris submarine will remain invulnerable.

As in the case of the battleship, the competition between the submarine and its foes has seesawed since the former proved its worth in World War I. As advances have been made in submarine design since World War I, progress has also been made in developing antisubmarine warfare.

Submarines have the protection of the ocean depths. When submerged they cannot be seen by the human eye or by radar. The only way we know at present to detect a submerged submarine is by the sound it makes. For years, groups of scientists and engineers have tried to make submarines quieter, while other groups have worked just as hard to develop more sensitive listening devices. This technological battle continues.

With the advent of nuclear propulsion, the submarine has been able to operate submerged at high speeds for long periods of time; this gave the nuclear submarine the edge. However, great strides are being made in the mobility of antisubmarine forces and in their capability to detect and destroy submarines. In fact, the nuclear attack submarine itself is now being used as an antisubmarine weapon.

We do not know, of course, how these developments will work under actual war conditions; nor do we know how effective our Polaris submarines would be in an encounter with an enemy antisubmarine force—be it air, surface, or subsurface—or how effective our own antisubmarine forces would be against the latest Soviet nuclear submarines.

The answer to your question concerning the survivability of our Polaris submarines in the mid-1970's depends on whether we can regain the advantage we had in the past. Will our progress in undersea warfare during the 1970's match that of the Soviet Union? Can we assume that our Polaris system will be the first weapon in history to remain invulnerable? The developments I have cited should caution us against making such an assumption.

As I pointed out in my April 25, 1969, letter to Senator Pastore (Page 10629 of the Congressional Record, April 29, 1969), the Soviet Union is embarked on a program which reveals a singular awareness of the importance of sea power and an unmistakable resolve to become the most powerful maritime force in the world. As a result of the Cuban missile crisis, the Soviet leadership resolved never again to be placed in a position where they would have to negotiate from weakness—in that case lack of strategic and naval superiority. They have publicly avowed their goal to become preeminent in sea power, and all evidence indicates they are proceeding with competent speed. This is especially true in their undersea warfare forces. They have openly stated that these are to be the major arm of their fleet.

To recapitulate: I believe that while *today* our Polaris fleet is safe from a planned attack by the Soviets, there is sufficient evidence concerning their progress in this field to cause doubt by the mid-1970's. We must increase our own efforts if we expect our Polaris fleet to remain the deterrent it now is.

Respectfully,

H. G. RICKOVER.

Mrs. SMITH. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD a letter from Admiral Rickover to Senator PASTORE under date of April 25, 1969.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APRIL 25, 1969.

DEAR SENATOR PASTORE: In your letter of April 15th, you asked me to give an estimate and an opinion as to where we are and where we are going and what needs to be done in a military way in these times of turmoil and peril. There is, as you point out, a division of opinion among the American people regarding the necessity of reinforcing our military strength.

The first point I would like to make is that in judging between conflicting views on this matter, the deciding factor must be their relevance to the world as it is, not as we would wish it to be. Granted the hideousness of modern war, can we deduce therefrom that mankind is now wise enough to forgo recourse to arms? A look at history should put us on guard against those who claim that humanity has now reached a state where the possibility of armed aggression can be safely disregarded in formulating national policy.

I am reminded of the intense opposition to the Navy's 15-cruiser bill in 1929. It was argued by many that with the signing of the Kellogg Peace Pact the year before, it was no longer necessary to build new warships. And this in light of the lessons of World War I which erupted despite the various Hague Peace Treaties! These ships were of inestimable value in helping us win World War II. The war itself was prolonged because Congress—heeding the "merchants of death" argument—in 1939 prohibited shipment of war materials to Britain and France.

Then, too, weight must be given to the credentials of those propounding opposite views. Are they public servants charged with the awesome responsibility to secure our country against foreign conquest, or are they private individuals not accountable for the consequences of their opinions, who feel free to express their personal abhorrence of war and to agitate for a reduction of the financial burden military preparedness imposes on the taxpayer? Would the majority of the electorate accept their arguments that given our unmet domestic needs, we cannot afford an effective defense position vis-a-vis our potential adversaries? Or that war is so horrible that it is better to suffer defeat than to fight?

As for the high cost of preparedness, it is in fact no greater proportional to total U.S. output than 10 years ago—8.8% of total U.S. goods and services. Omitting the costs of the Vietnam War and allowing for inflation, our armed forces have less buying power today than a decade ago. In the Soviet Union, on the other hand—according to the Annual Report of the Congressional Subcommittee on Foreign Economic Policy issued last June—resources have been diverted from the farm sector to defense, where outlays rose dramatically in 1966–67, after remaining static since 1962. The Report talks about their new preoccupation with national security. And you must bear in mind that actual war costs absorb but a small portion of their expenditures while we are spending some two and a half billion dollars a month in Vietnam.

If history teaches anything it is surely that weakness invites attack; that it takes but one aggressor to plunge the world into war against the wishes of dozens of peace-loving nations if the former is militarily strong and the latter are not. Yet there are those who deprecate the need to maintain military supremacy or at least parity with the communist empires, on the grounds that other nations have accepted a decline from first to second or third rank and that we ourselves for most of our history were militarily a second-rate power yet secure enough within our borders. They forget that we then profited from the *Pax Britannica*, even as the former great powers of Europe who have lost their defense capability enjoy political freedom today only because we are strong enough to defend them and ready to do so. What it means to be weak and without American protection should be evident to all as we observe the tragic drama of Czechoslovakia "negotiating" wtih Russia the continuing subjugation of her people.

As a lawyer, you are familiar with Blackstone's statement that security of the person is the first, and liberty of the individual the second "absolute right inherent in every Englishman." Just so, the first right of every American is to be protected against foreign attack, and the first duty of government is to keep our nation alive. Given the world situation, this calls for maintenance of a defense capability which is adequate to discourage potential aggressors. Said President Nixon, in discussing the Cuban missile crisis, "It is essential to avoid putting an American President, either this President or the next President, in the position where the United States would be second rather than first or at least equal to any potential enemy. . . . I do not want to see an American President in the future, in the event of any crisis, have his diplomatic credibility be so impaired because the United States was in a second-class or inferior position. We saw what it meant to the Soviets when they were second. I don't want that position to be the United States' in the event of a future diplomatic crisis."

There can surely be no doubt that the overwhelming majority of the American people are opposed to relinquishment of our deterrent capability, recognizing full well that there will then be no one left to prevent the takeover by communist power. Whether one takes the optimistic view that a permanent East-West detente can be negotiated, or the pessimistic view that ultimately we shall have to fight for our liberties, this nation has no future if it allows itself to be outmatched militarily.

To turn now to specific matters currently in dispute. There is the ABM system which is under heavy fire on grounds that it (a) will escalate the arms race and (b) will not work. It should be stressed that the Soviets have had their own version of the ABM for several years without inducing us to expand our military power. Just as the Soviet ABM version has not added to the Soviet threat, so our own ABM would not add to ours. The Russians have been singularly silent in this respect; the outcry has come mostly from those in this country who habitually apply a double standard when adjudging military developments in the U.S. and the U.S.S.R. One must ask how can our defensive capability be considered provocative, while theirs is not? Is there not something deeply disturbing when one observes scientists, formerly holding responsible positions in government, advocate policies directly contrary to those they supported when in office? It must not be forgotten that many of our most prestigious scientists were bitterly opposed to development of the H-bomb. Where would we be today had not the Congressional Joint Committee on Atomic Energy and President Truman—who had the responsibility for the safety of the U.S.—disregarded their advice?

As for the assertion that the ABM cannot be made to work, I must disagree. If there is one lesson I have learned in the many years I have devoted to the development of nuclear propulsion plants, it is that, given the soundness of a theoretical concept, it can, with drive and imaginative engineering be *made* to work.

Contrariwise, for a theoretical concept to be translated into reality, it must be *worked* on Research alone—no matter how prolonged—will not do it. The very act of developing the concept through detailed engineering work produces improvements in the original concept—improvements which would have been neither obvious nor possible without such actual engineering work.

The Soviets are just as adept in research and development as we are. They have amply proved this by their progress in space, in missiles, in aviation, in military equipment, in nuclear submarines. They know full well from their own experience that with research alone—without development engineering—our ABM system or any other system would not be meaningful and could be discounted. For this reason we must guard against those claiming that we can limit ourselves to research—that research alone will suffice.

You also ask me to comment on what needs to be done in these times of turmoil and peril. As I am more familiar with the threat posed by the Soviets to our naval power, I would like to confine myself to this area, and specifically to submarines. But what I say here is valid for our land, sea, and air power as well.

The Soviet Union is embarked on a program which reveals a singular awareness of the importance of sea power and an unmistakable resolve to become the most powerful maritime force in the world. They demonstrate a thorough understanding of the basic elements of sea power: knowledge of the seas, a strong modern merchant marine, and a powerful new Navy. They are surging forward with a naval and maritime program that is a technological marvel.

At the end of World War II, the Soviet Union had a fleet of 200 diesel-powered submarines. They then embarked on a massive building program, producing over 550 new submarines through 1968, at least 65 of

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which are nuclear-powered. During the same period, the United States built 99 submarines, 82 of them nuclear-powered. The Soviets have scrapped or given away all their World War II submarines as well as some built since. They now have a new submarine force of about 375; we have 143, which includes 61 diesel submarines most of which are of World War II vintage. Thus the Soviets have a net advantage of about 230 submarines. It is estimated that by the end of 1970 they will have a numerical lead in nuclear submarines.

To achieve this the Soviets greatly expanded and modernized their submarine building facilities. Just one of their numerous submarine building yards has several times the area and facilities of all U.S. submarine yards. They use modern assembly-line techniques under covered ways, permitting large-scale production regardless of weather conditions.

In the single year 1968, the Soviets put to sea a new type ballistic missile submarine as well as several new types of nuclear attack submarines—a feat far exceeding anything we have ever done. In looking to the future, it is estimated that by 1974 they will add about 70 nuclear-powered submarines to their fleet, whereas we will add but 26—further increasing their numerical superiority. In the case of the ballistic missile submarine the Soviets have undertaken a vigorous building program to surpass our Polaris fleet of 41. They have completed seven of the new Polaris-type submarines, and have the capability to turn out one a month. We have no Polaris submarines under construction or planned. We must assume that by the 1973–74 time period they will be up to us.

Numerical superiority, however, does not tell the whole story. Weapon systems, speed, depth, detection devices, quietness of operation, and crew performance all make a significant contribution to the effectiveness of a submarine force. From what we have been able to learn during the past year, the Soviets have attained equality in a number of these characteristics and a superiority in some.

In order to achieve the results so far attained in all areas of modern technology the Soviets had to develop their most important resource—technical and scientific personnel. The Soviet educational program enjoys highest national priority. The statistics on the total numbers of Soviet degree graduates are extremely impressive. The U.S. National Science Foundation data indicates that in 1966 alone, 168,000 engineers were graduated; the U.S., on the other hand, produced but 36,000. With specific application to the Navy, the Leningrad Shipbuilding Institute, just one naval institute of several, had over 7,000 students in 1966 studying naval architecture and marine engineering. I doubt we had over 400 enrolled in these subjects in all U.S. colleges.

While we cannot specifically count the number of Soviet scientists and engineers devoted to naval work, it is apparent that they have created a broad technological base. They have committed extensive resources to support development of their naval forces. The steady build-up of the Soviet submarine Navy from an ineffective coastal defense force at the end of World War II to the world's largest underseas navy today deserves admiration; also it should deeply worry every American. By the end of this year we face the prospect of losing the superiority in nuclear submarines we have held for many years. The threat posed by their submarine force—with their new ballistic and cruise missile launchers and new attack types, is formidable. If more sophisticated types are added in the near future, as is likely considering their large number of designers and their extensive facilities, the threat will rapidly increase.

The Soviets have frequently announced their intent to be the pre-eminent world power. Why do we not believe them? Hitler in Mein Kampf plainly announced his intent to dominate the world. We did not believe him either—until it was nearly too late. Admiral Gorshkov, Commander in Chief of the Soviet Navy, said recently: "The flag of the Soviet Navy now flies proudly over the oceans of the world. Sooner or later, the U.S. will have to understand that it no longer has mastery of the seas." And just a few days ago the Russians announced a projected 50% increase in the size of their merchant fleet. These facts should be weighed when assessing the judgment of those who argue for a reduction of American military power while the Soviet military power is rapidly expanding.

The bearer of bad news is always punished. In ancient times, he might be put to death. Today he becomes "controversial" and unpopular. But if there is one subject on which the American people must know the truth, however unpalatable, it is our military position vis-a-vis the Soviets. I believe no one can better inform them than members of the Congress—who have such close ties to their constituents.

I suggest that by keeping secret our knowledge of Soviet strength at this time we may lose more than by confiding the truth of the danger we face to the American people.

Respectfully,

H. G. RICKOVER.

Mrs. SMITH. Mr. President, whether one likes Admiral Rickover or not, in his assessment of our Navy during the years, he has never been found wrong.

Mr. TOWER. There is some information that has been prepared by the staff of the Armed Services Committee relevant to the deployment sites. I think it should go into the RECORD at this point.

Two sites do provide a more realistic test bed that we plan to provide at Kwajalein. Two major test objectives can be accomplished.

First, we can test the Phase 1 complex under realistic conditions of military operators and 24-hour per day operation. This will provide experience with the problems of installation and early operation that cannot be obtained in a research environment.

Second, we will be able to check the operation of a two-site, four-radar network with its inter-computer communications and its command and control ties to higher headquarters. We can verify proper operation of such important system features as control of PAR tracking load (one missile, or satellite, will usually be seen by more than one PAR), the ability of one PAR to look behind a simulated black-out region to assist an adjacent PAR, and the transfer of targets from a PAR at one site to an MSR at another site.

Phase 1 operation will provide invaluable experience and knowledge.

Mr. President, I think the arguments against the amendment offered by the Senator from Kentucky are overwhelming. As I see it, the only real argument is that we should delay a political decision to deploy. But this is not solely a political decision; it is a military decision, as well. It is said that we should delay in the hope that to do so might produce the right kind of climate in which we could sit down and have successful disarmament negotiations with the Soviets; in the hope that perhaps their attitude has changed.

Again, I think this is a dangerous assumption on which to base an argument. We have been accused of basing our argument on assumption—the assumption that the Soviets will develop and deploy an SS–9; that they are expanding their ABM system. But we assume these things on the basis of valid experience and the continuing intensification of technology, both military and strategic, by the Soviet Union. Therefore, I think they are on much more solid ground.

Mr. JAVITS. Mr. President, before the Senator yields the floor, will he yield to me?

Mr. TOWER. I yield to the Senator from New York.

Mr. JAVITS. I heard with great interest—I did not wish to interrupt him—the Senator's statement about "unilateral disarmament" and good faith, or at least some moral argument concerning the Russians. Does the Senator think that the result of any negotiations is necessarily limited to what the United States and the Russian negotiators may come in with, once they start with prepared briefs? Does he feel that that is what we have to be limited to? Or does the Senator feel that it may very well be possible to negotiate either much broader or perhaps much more limited agreements, depending on the practical situation in the world and how the negotiations develop?

May I give the Senator this example? Suppose we really had a completely effective ABM that could knock out as many Russian missiles as they sent over here. Would the Senator feel that there was any hope of any negotiations at all? Or would he think the U.S.S.R. would believe it must first catch up with us before they could negotiate?

Mr. TOWER. The Russians are already catching up with us and, I think, will eventually surpass us. As a matter of fact, they are ahead of us in many fields. I do not think that the Soviets arming themselves is a matter of a reaction to what the United States does. Remember that we demobilized after World War II, but the Soviet Union did not. I think the Russians know that we have no imperialistic designs on them; that we are not going to initiate a war against them.

After all, we could have fought a preemptive war against them and could have destroyed them in the late forties—and they know that—and we were sorely provoked at that time, but failed to do it.

So far as negotiations are concerned, I hope we can begin to negotiate, and negotiate in good faith. But I do not think we are going to be in a position to negotiate if they get into a position of military superiority. The President thinks this, and he has had as many confrontations with the Soviets as has anyone else.

I think it would be well to talk about a wide range of things, and the discussions would not have to be bilateral. Other countries might be brought in, countries which have nuclear potential or which actually have nuclear weapons.

I do not oppose the idea of negotiations.

Mr. JAVITS. We are not talking about opposition to negotiations. The Senator was talking about unilateral disarmament, a label which I find is used to throw up a big smokescreen in connection with this issue. Can the Senator tell

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me if he believes anyone speaking in support of the Cooper-Hart amendment, has indicated in his argument that he wants unilateral disarmament?

Mr. TOWER. I do not think any Member of the Senate believes there will be unilateral disarmament. The Senator from Colorado (Mr. DOMINICK) referred to his mail. I said:

> Yes, unfortunately there are people in this country who think we should disarm unilaterally, and that the rest of the world will bring moral suasion on the Soviet Union to do likewise.

But I do not think that any Member of the Senate, anyone who has the sophistication of a U.S. Senator, believes that. However, there are many people who do, and they write letters.

Mr. JAVITS. I have one other question. If we pursue the doctrine that the only time the United States can safely negotiate is when we have the edge—when we have nuclear "superiority," as he calls it—is it not logical to suppose that they think the same way about their security and that we simply cannot then come to an agreement? Both sides cannot enjoy "superiority." But, both sides can have nuclear "sufficiency," as President Nixon has so wisely suggested. Most objective strategic experts believe that both the United States and the U.S.S.R. do have a "sufficiency" of nuclear power to insure their security under present conditions. That is why the prevailing situation is such a logically compelling stopping point in the nuclear arms race.

Mr. TOWER. I am not prepared to think that the Soviets think the same about us that we think about them. I think they are a little smarter than that.

Mr. JAVITS. I respectfully submit that we certainly cannot assume in negotiations with the Russians that they have a fine, high-minded view of our motives, while our view of their motives is that they are trying to subvert the world, and prepare for a preemptive war attack capability on us.

Mr. TOWER. I do not believe the United States constitutes an obvious military threat to the Soviet Union. I believe that the Soviet Union believes the United States constitutes a threat to their expansionist opportunities or goals.

Mr. JAVITS. If that is the illusion under which our negotiators go to negotiate, believing that the Russians are going to accept a freezing into permanence of a U.S. military advantage or "superiority," because they trust our motives, and they know they should realize that we distrust theirs—I do not think that we are going to get anywhere.

Mr. TOWER. Maybe we would not get anywhere. I do not think we will get anywhere as long as the Soviets are bent on expanding their influence in the world. They are moving into the Mediterranean. Does the Senator believe we should take our 6th Fleet out of the Mediterranean?

Mr. JAVITS. I certainly do not. At the same time, I certainly must contemplate that if their system is better than ours, their people more productive, their handling more competitive, they will get more influence in the world.

Mr. TOWER. They are not better than us. They are a dictatorship, and they channel their resources into armaments, and more cheaply, too.

Mr. JAVITS. The more than 2 billion in the world are not going to take the word of the Senator from Texas on that. Maybe the 200 million Americans will, but the more than 2 billion people in the world will not. That is what we are engaged in—competitive demonstration of whose system works better. It is something which must be demonstrated and not just claimed.

Mr. TOWER. I do not think that is relevant to this discussion.

Mr. JAVITS. I think it is very relevant because people like me feel we are under some real compulsion to do things to produce a nuclear arms agreement without endangering our security.

I think people who are arguing the case as the Senator has—and he is a gifted and able man or I would not be discussing the matter with him—are laboring under the assumption that this really cannot happen; that really and basically we cannot come to any agreement with the Soviet Union at all. This is really at the nub of the argument and that is why I rose when the Senator brought me to my feet with his remarks about world trade and unilateral disarmament.

I think the essence of the consideration the Senator gives us is that we must always have a built-in military advantage or we might get taken. This means we can never make a deal since the Russians are not going to make a deal. They are not going to trust their security to some one else's high motives and good intentions—just as we would not accept that approach.

The most we can hope for is that there will be a time when we are roughly in balance so we can reach some kind of agreement. At this point we are roughly in balance; we both enjoy sufficiency and there is no sense in both sides spending billions to try to reach an empheral weapons advantage over the other—which neither side will accept.

Mr. TOWER. I argue for superiority because I believe we should have it. The Senator thinks we are more likely to have a settlement. One of the things I am concerned about is how we know when we have reached parity; or do we wake up some morning and find ourselves in an inferior position?

Mr. JAVITS. Mr. President, will the Senator yield for one further point?

Mr. TOWER. I yield.

Mr. JAVITS. I would like to have our argument presented. That is why we argue only for a delay in deployment. That is why we are not arguing for junking the ABM system, because we are aware of that uncertainty. But we believe, based on the case introduced at this moment, that given a little opportunity to use it in the negotiating process, in the eyes of the Russians and in our eyes we are resonably in balance with respect to second-strike, assured-destruction capability. What we are arguing against is moving to the next plateau until we have exhausted the opportunity now presented to negotiate a limitations agreement.

Mr. TOWER. The view of the experts is that we would lose valuable leadtime if we faced any delay toward deployment at this moment. Beyond that, it is a slap or would be interpreted as a slap at the administration, which asked for this authority. It is, in a way, trying to gut the ABM provision. I do not see why this is necessary to achieve the full R. & D. and testing and evaluation of this thing. According to the experts, we can do it better if we have these things deployed at the site.

Really, the basic argument is: Should we make the political decision to deploy? I do not entertain the same views that the Senator from New York does, and he does not entertain the same views that I do.

Mr. JAVITS. Mr. President, will the Senator yield to me briefly?

Mr. TOWER. I yield.

Mr. JAVITS. Speaking about the administration, is it not fair to say those of us who are on my side of the issue, if we are right and the administration can achieve an armaments limitation breakthrough, would have had a far more monumental success, a great historic success, unbelievable in its size, for President Nixon, than if he succeeds in getting Safeguard by two or three votes, as the Senator from Vermont said yesterday. Therefore I ask: Who is really trying to make this administration successful? Should we not test that before we say that the people on my side would harm the administration if we were successful. I respectfully submit that if I can be here in the Senate under a Republican President when he achieves an agreement which will freeze nuclear armaments where it is, that alone would make his place in history infinitely more hallowed than if he succeeds to get through this provision to deploy the Safeguard system in the two places mentioned.

Mr. TOWER. If that occurs, I will be the first one to congratulate the Senator and call him a prophet.

Mr. JAVITS. I thank the Senator.

Mr. TOWER. But I do not think it will happen.

Mr. JAVITS. We do not know until we try.

Mr. YOUNG of North Dakota. Mr. President, I commend the Senator from Texas for the excellent speech he has made on the ABM. There is a lot of good food for thought in his speech.

I note that the Senator mentioned that only $759 million of the amount contained in the bill is for the ABM program.

Only a year ago this same body approved more than twice as much money for an ABM program.

The world situation has worsened, I think, during this year's time. Certainly Russia has gained tremendously in military strength over what they were a year ago. On a parity basis, we have lost ground militarily to the Russians during the last year.

Mr. President, I am somewhat reluctant to speak in behalf of the ABM system as North Dakota would be one of the two States where the first ABM's would be deployed. I hesitate because some may think that I am speaking only because of some benefits that would accrue to North Dakota.

We do have some opposition to the deployment of an ABM installation in North Dakota, but I believe the vast majority of the people support President Nixon on this issue. There is practically no opposition among the people where this site would be located in North Dakota. Most of them are farmers and smalltown businessmen.

They are accepting the decision to locate the ABM site in North Dakota just as they did in the case of the Minuteman. North Dakota has 300 Minuteman missiles with their nuclear warheads—along with two SAC bases with their B–52's and their nuclear bombs.

Not all communities would accept such a huge number of powerful nuclear bombs and warheads to be located in their midst. Our people do feel now that they are entitled to some protection from a possible enemy attack against these Minuteman missiles and SAC airbases. They believe the ABM would give them at least some protection.

Most of our newspapers support the ABM. Mr. President, I ask unanimous consent to have editorials from our three largest newspapers on this subject printed in the RECORD as a part of my remarks—the Fargo Forum, the Minot Daily News, and the Grand Forks Herald. I concur in the position they take.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Minot (N. Dak.) Daily News, Mar. 31, 1969]

MISSILE DEFENSE IS NEEDED

A lot of dust is being kicked in the air in the nation about establishment of an anti-ballistic missile system, now known as Safeguard.

The Minot and Grand Forks areas have good reason to be interested in what is going on.

While the current proposal is to establish the missiles in the Grand Forks area, assurance is given they would provide protection for the Minot territory.

It has been of concern to us for a long time that the military complex in the Minot vicinity—Minot Air Force Base and the 150 Minutemen missiles—is without adequate missile defense.

It would seem to us that an enemy would think in terms of trying to knock out such retaliatory forces as now exist here.

Outside of fighter aircraft based at Minot Air Force Base, which would be effective against a bombing raid, we now are virtually armless so far as defense is concerned.

Everything in the book is being thrown by opponents at the ABM proposal. Scientists in large numbers, as well as shallow thinking do-gooders, have gotten into the act. Who are they to decide whether we're going to be clobbered?

Those of us old enough to remember can recall without great difficulty we had blabbermouths hopping around the country, prior to World War II, screaming against preparedness. The trouble with some people is they think they are experts on everything except what counts—treachery.

Until and unless, in good faith and demonstration, any potential enemy of this nation proves itself to be willing to slow down the arms race, it is good sense to protect ourselves.

[From the Fargo (N. Dak.) Forum, June 27, 1969]

NORTH DAKOTA HAS GOOD REASON TO BACK ABM SYSTEM

(By John D. Paulson)

Trying to pass judgment on whether the United States should proceed with the construction and deployment of an anti-ballistic missile system is no easy matter for an editor, a member of Congress, or an average citizen. This is particularly true in North Dakota, which has been selected as one of the states in which an ABM installation will be deployed in the first phase of President Richard M. Nixon's proposed Safeguard ABM system.

With 350 underground silos holding Minuteman Intercontinental Missiles tipped with nuclear warheads already located here, North Dakota wasn't particularly concerned when President Nixon proposed that one of the ABM installations go into this state. But since then the residents have been the target of an intensive propaganda campaign both pro and con. If a person tries to figure out his personal attitude on some basis other than whether he is for or against President Nixon, the answer doesn't come easily.

Shortly after President Nixon outlined his proposed Safeguard system, North Dakota gained nationwide notoriety. On a trip to Washington, to a gathering of newspaper editors, I was almost invariably asked what I thought or what North Dakotans thought about President Nixon trying to install a battery of nuclear-tipped missiles in our state to knock down enemy missiles from somewhere overseas.

When I replied that the state already had a full arsenal of nuclear-tipped ICBM's, and probably most residents were not averse to the fact that the nation was now going to try to put out of action any ICBMs aimed in our direction, the inquisitive all of a sudden stopped their joshing and started to ask questions about our familiarity with the nation's nuclear retaliatory armament.

Those who were opposed to the ABM system apparently started out with the idea that they were using scare tactics on the residents of a state slated for ABM installations, but they had nowhere to go when they realized that North Dakota had already accepted its role as the location of a large portion of the nation's nuclear armament.

Of course, probably a good many North Dakotans didn't and still don't realize the huge amount of explosive power that is kept under wraps in the 350 underground silos stretched across the northern half of the state from Minnesota to Montana.

At a banquet at the same newspaper convention, I had the opportunity of sitting at the same table with James Webb, who resigned early this year as director of the National Aeronautics and Space Administration. Most of his conversation, of course, was about the forthcoming Apollo trips to the moon and the moon landing. He was most enthusiastic about America's capability and performance in space exploration, and the unlimited challenges that lie ahead of us after the moon landing. I had a chance to ask him his views about President Nixon's ABM decision.

He declared he most certainly approved the construction and deployment of an ABM system, but not for the reasons the President stressed. This construction phase is simply a continuation of the research and development on what the nation has already spent $5 billion, not necessarily a needed defense against Russia. We would never be reaching for the moon if we hadn't started our space explorations one step at a time, with the Mercury and Gemini space flights, he explained. Completed research indicates, he said, that we have the potential to knock down an incoming ICBM, but "you won't know whether you can really do it in time of need until you put all the components together."

In considering the pros and cons of the ABM issue, you mentally have to put yourself into a world you can hardly believe exists. But the plain facts are that we are already in one of the strangest—and most dangerous—worlds ever conceived.

In Europe, U.S. travelers are surprised and shocked when they come to the border of an Iron Curtain country, such as Czechoslovakia, and are met by soldiers with drawn guns and bayonets, instead of a welcoming customs and immigration official.

We in America think we are far removed from such a military gunpoint at our heads every time we move from one state to another. Unfortunately, almost every American citizen goes about his every day tasks under the "gunpoint" of a Russian intercontinental missile. According to United States intelligence, Russia has—or will have—1,000 ICBMs aimed at every population center, every industrial center and every major military target in the United States. Now President Nixon suggests that instead of being aimed at the centers, they are being aimed at the ICBM retaliatory missiles planted in their silos in North Dakota, Montana and other areas which are within range of Russian territory. In return, the U.S. has a thousand missiles aimed at Russia in Minuteman silos and another 500–600 missiles at sea being carried by Polaris submarines ready to retaliate against any nuclear attack.

So the nuclear threat is with us each and every day, and the assumption is that neither nation would dare to push the button which would send an ICBM on its way for fear of the retaliation that the target nation could inflict by answering with its own ICBM forces.

The ABM, if it worked 100 per cent perfectly, presumably would stop any Russian missiles launched at us, whether a few or many. If the ABMs stopped a Russian attack, at least it would give this nation a choice of responses instead of the only single response now available—instant retaliation. And if the ABMs fail to work, then there would still be time to send off our Minuteman missiles on their message of total destruction.

Here is where the mind bogs down: No one can foresee the circumstances under which either nation will press the button that would start nuclear warfare. Certainly, it seems, Russians would be smart enough not to send missiles on a destructive mission towards the U.S. if they were readily identifiable as coming from Russia. We would be in a position to retaliate before being knocked to our knees.

But the day of ready availability of nuclear weapons is not far away. There could be the day when the Russians or Red China or North Vietnam or some dissident Arab nation would become convinced that the United States needed a lesson. Then it might find a way to launch a few ICBMs from a ship at sea, from an uninhabited island, from the direction of Cuba or South America. How would the United States use its ICBMs then? They are all aimed at Russia. If Washington or New York were hit by a missile coming from a ship at sea just the other side of Cuba, would we answer with an automatic reflex by pushing the button which sends a fleet of destructive missiles at Russia?

Would we be better off if we had an ABM system which would have a good chance of knocking these missiles out of the air, no matter which direction they came from?

We in North Dakota and nearby Minnesota have reason to believe that we are even more of a target than other areas in the United States. It seems that once we take a realistic look at the type of world in which we live, we would be much better off to proceed with the development of a system which could detect and stop an incoming nuclear-tipped missile.

When we can send Apollo spaceships to the moon and back, when we can contemplate landing men on the moon within the next month, and bringing about their safe return, there is no reason to doubt but what our scientists can devise a system which would provide protection against incoming ICBMs.

Until the time comes that we can convince Russia and any other nation which might have ICBMs that all such missiles should be scrapped, then it seems that we would be unwise not to proceed with the development of a defense that could protect us against accidental or intentional firing.

We all hope that the nuclear warfare never develops, but until there is a guarantee that no nation will launch such a missile, then the development of an ABM system seems a reasonable course for America to follow.

It is not an issue on which a member of Congress can vote "maybe." He has to say yes or no on the appropriations and the authority asked by President Nixon. We can't have continued research without deployment. If we are on the bullseye of a Russian ICBM target, that is all the more reason for North Dakotans to support the Safeguard system.

[From the Grand Forks (N. Dak.) Herald, June 28, 1969]

ABM HELD NEEDED

The Fargo Forum, which early in the Safeguard controversy seemed to be leaning toward a position against the deployment of an anti-ballistic missile system, now has come to the conclusion a start is needed on ABM deployment.

The Forum Friday devoted its entire editorial page to the subject. It gave space to the arguments of both proponents and opponents of Safeguard, including Sen. Milton R. Young and Rep. Mark Andrews who favor the Safeguard program and Sen. Quentin N. Burdick and Gov. William L. Guy who oppose it.

It concludes, however, that "After a thorough study into the claims and counterclaims about the anti-ballistic missile system, The Forum regretfully comes to the conclusion that work on the anti-ballistic missile system should continue, but always with a proviso that it will stop whenever an effective arms control treaty with other nuclear power nations—Russia, China, France or any new member of the power elite—becomes the law of the world, backed up by international inspection and control."

In this position, the Grand Forks Herald agrees. It has said repeatedly that conditions in the world today require that the United States provide whatever defensive weapons are available for the protection of this country. It would rather use defense than be in the constant position of having to rely on the threat of destroying the world to keep the peace.

As the Forum says, the question now before the Congress is simply this: "Shall the United States spend $800 million to $900 million in 1969–70 to continue development and start deployment of an anti-ballistic missile system intended to give us whatever protection is possible against the 1,000 missiles already in place in Russia and aimed at this nation, or shall we sit naked to an aggressive nuclear attack to which our only reply would be complete destruction of the offending nation with our own ICBMs?"

Mr. YOUNG of North Dakota. Mr. President, I concur in the position taken by these editorials.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. TOWER. I yield.

Mr. DOMINICK. Mr. President, the Senator from Texas has done a very fine job in trying further to delineate what we are trying to do in the committee report on the ABM.

In connection with what the distinguished Senator from North Dakota just finished saying, I think it might be of some interest to note that my State has recently conducted a poll among the people, an independent poll, in which three questions were asked.

The first question was:

Do you think it is possible to build a defensive system against enemy missiles?

The answer was:

55 percent, yes; 29.5 percent, no; and 15 percent, do not know.

The next question was:

Do you think the U.S. should have some sort of ABM defense?

The answer was:

Yes, 80.8 percent; no, 10.6 percent; and no opinion, 8.5 percent.

That is pretty low in view of the complexity of the issue, it seems to me. Nevertheless, this is the way it came out in an in-depth survey.

The third question was:

President Nixon has come out for a limited system called the Safeguard System, which is supposed to protect our ability to strike back at an attacker. Do you think Congress should approve this system?

The answer was:

Yes, 72; no, 12.5 percent; depends, 6.5 percent; and no opinion, 9 percent.

I bring out these figures because I think they are of interest in view of the fact that, in my State at least, of the letters coming to me, 10 to 1 are opposed to the ABM system. It would indicate to me that a relatively small group of people, compared to our population, are really pushing the anti-ABM idea.

I think, therefore, that the colloquy on this particular policy is of interest, indicating that perhaps there is far more popular support for the ABM system than anyone has any idea of.

I thank the Senator.

Mr. TOWER. Mr. President, a number of people in this country feel that if the United States will unilaterally disarm, the rest of the world will bring moral pressure on the Soviets to do likewise. I cannot recall any time in history when the Soviet Union has responded to moral pressure from anywhere.

I do not expect them to change their ways in the future.

Mr. President, I yield the floor.

THE SAFEGUARD SYSTEM

Mr. MANSFIELD. Mr. President, one of the country's finest newspapers, the Denver Post, wrote a very detailed analysis on June 15, 1969, of the Safeguard ABM system, listing the arguments both for and against. On the same day that this article presenting the case for and against appeared, there appeared a very penetrating editorial concluding that the Safeguard should be delayed and that we should press for arms control talks.

I ask unanimous consent that the article concerning the Safeguard ABM as well as the editorial that appeared in the Denver Post on June 15, 1969, be inserted in the RECORD at this point.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

GREAT DEBATE: IS "SAFEGUARD" ABM SYSTEM REQUIRED FOR UNITED STATES?

(By Leverett Chapin)

The big Antiballistic Missile debate of 1969 is nearing a climax. The Nixon administration, through such spokesmen as Secretary of Defense Melvin R. Laird, has jarred the country by contending that Russia for the first time is building a missile arsenal powerful enough to devastate the United States without fear of reprisal.

Laird and others believe the Russian buildup is intended to give that country a "first strike capability," meaning so much missile power that the Russians would no longer be deterred from making an attack on us for fear of the damage we could do them in return, even after being hit first.

This interpretation of Russian intentions, if correct, would mark a new dangerous period in Soviet-United States relations.

The administration sees this new threat as requiring a start by this country on a multibillion-dollar Antiballistic Missile (ABM) system, called "Safeguard," to protect our Minuteman missiles in silos and our big bomber bases from a Russian first strike.

It argues that to be sure that Russia doesn't decide some time in the future to try to destroy us it is necessary to preserve our deterrent—our "second strike" ability—by deploying an ABM system capable of knocking out incoming missiles before they reached their targets.

The administration sees the mid-1970s as the time when this new danger will develop and it wants to make a start on the ABM system now with an appropriation by the present Congress of approximately $800 million. It says that if we start now the first two Safeguard installations won't be completed until 1973.

With the debate near fever heat, the Defense Department just last Wednesday sought to cinch its case by releasing a "white paper" on the Russian nuclear building. It disclosed some previously classified information such as that the Soviets are testing an ABM missile which could loiter in the atmosphere where it would be in position to destroy an incoming missile.

It also disclosed that an effort to give greater protection to our own missiles by putting them in hard rock silos has encountered difficulties and is in an early stage of consideration.

OPPOSITION LINEUP

Arrayed against the administration are many senators—more than 40, according to most counts, most of them Democrats—and an impressive array of scientists and other "intellectual leaders."

They contend that:

Our nuclear missile force is superior to that of Russia now.

It will continue to be superior to that of the Russians in the mid-1970s or, at least, will be strong enough to provide an effective deterrent, even if we do not start an ABM system now.

Even without Safeguard we are not in danger of losing our deterrent unless Russia gains a 2 to 1 superiority in missiles over us, enough to be able to target two of their missiles for each one of our missile sites. Russia cannot gain such superiority within the foreseeable future.

An ABM system probably wouldn't work effectively.

To deploy an ABM system would escalate the arms race, further militarize a world already bristling with weapons, add to international tensions, use up money more urgently needed for domestic programs in our strife-torn country.

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A start on an ABM system would hurt the chances for an arms limitation agreement with the Russians because the Soviets would not negotiate if they thought they were any weaker in any phase of nuclear warfare than we are.

A golden opportunity for arms limitation talks now exists because the United States and Russia possess effective deterrents but an ABM system would upset the delicate balance of nuclear stability.

These are the main pros and cons of the big debate.

Adding heat to the controversy are the disillusionments many senators and others feel with efforts to reach military solutions for international problems—as in Vietnam.

With military expenditures in this country already at the $80 billion level, there is a widespread feeling that defense costs are out-of-hand, that the "military-industrial" complex really runs the country, that Congress has lost control of the budget because every time science devises a new weapon, no matter how expensive, an irresistible urge to go ahead and build it develops.

ISSUE OF WASTE

The disclosure of vast waste in defense expenditures has added to resistance to the launching of the ABM program.

Opponents of ABM see the present controversy as a crucial test of whether the country—and the world—will continue to build up vast armaments or whether a new era of negotiation between countries is possible.

Usually when the Defense Department asks for a new weapon, Congress grants the request with little question. ABM, however, has stirred the first full-scale debate on a new weapon in many years.

Tempers are short. When President Nixon, speaking at the U.S. Air Force Academy at Colorado Springs recently, warned about "new isolationists" who would have this country disarm unilaterally, many of the Senate opponents of ABM construed his remarks as referring to them and reacted strongly.

Senator J. W. Fulbright, D-Ark., who has been critical not only of the Vietnam war but of military expenditures in general, has accused the Defense Department of using "fear tactics" to "sell" the ABM to Congress.

He and others have said the claim that Russia will out-gun us by the mid-1970s is like the phony fears of a "bomber gap" in the 1950s and a "missile gap" in the early 1960s.

Secretary Laird sees a new Russian missile, the SS9, which, he say, is capable of carrying warehads of 25 megaton yields (equivalent to 25 million tons of TNT), as the tipoff to the intention of the Russians to develop an offensive force which could devastate this country without fear that we could retaliate effectively.

STRENGTH COMPARED

Experts on both sides are pretty well agreed that at this time the United States has 1,000 Minuteman missiles and about 50 Titan II missiles, all in hardened silos, while the Russians have 600 SS–11 missiles (similar to the Minuteman), about 230 of the new powerful and accurate SS9 missiles and a few earlier model missiles.

However, Laird claims the Russians are increasing their SS9 force so rapidly that by the end of this year the Russians will for the first time have more Intercontinental Ballistic Missiles (IBMs), either in place or being built, than the United States has.

In addition the United States has 656 missiles on 41 submarines although perhaps not more than 30 of the submarines would be in service at any one time, the others being in port for maintenance.

By contrast, Russia, according to testimony given before the Senate subcommittee on disarmament, may have about half a dozen nuclear submarines and has the capacity to build more at the rate of seven a year.

As far as intercontinental bombers are concerned, the United States has approximately 650, capable of carrying four nuclear weapons each, while Russia has about 150.

In the light of these comparable strengths, where does the new threat to our security arise?

Secretary Laird has declared that the great accuracy of the new Russian SS9, plus the fact that it can carry a large warhead, has forced him to conclude that the SS9 is intended primarily to destroy our ICBM missiles in their silos, thus making it impossible for us to reply with a devastating attack if the Russians should strike first.

PROTECTION ISSUE

Therefore, he wants the Safeguard ABM system, primarily for the protection of our missiles, or as he puts it, our "deterrent."

If our ICBMs were destroyed in their silos, our nuclear submarine fleet by itself would not constitute an adequate deterrent, Laird says.

His testimony on this point has been accompanied by vague hints that the Russians are working on antisubmarine warfare tactics which might render our missile fleet of little effective value.

Laird has refused to say, except in closed committee sessions, what these tactics involve although newspapers have reported the threat, or supposed threat, to our nuclear submarines is a so-called Russian SSN attack submarine, said to be very speedy.

Laird's hints have irritated a number of senators, including Sen. Stuart Symington, D-Mo., former secretary of the Air Force.

He and others claim that Laird's downgrading of our submarine deterrent is without foundation in solid evidence, that our nuclear submarines are the greatest potential weapons ever devised and that Laird has revealed such hitherto secret information, about the SSN and the Soviet loiter ABM missile, as would help the case for the Safeguard ABM system while continuing to keep under classification information which would show ABMs are unnecessary.

Senator Symington and others have suggested that a simple way to save our land-based missiles from destruction, without Safeguard, would be to fire them as soon as an enemy missile attack is detected by warning radar.

The Defense Department's answer is that a plan to make such an automatic response to an incoming missile sighting would resemble a "doomsday machine" defense system and would leave the President with no alternative to try to ride out a first attack by relying on Safeguard if it appeared best to him to do so.

RUSSIAN EXPERIMENT

Our nuclear bomber force, according to Laird and others, is threatened by the fact that Russia is experimenting with a Fractional Orbit Bombardment System (FOBS).

FOBS missiles would come in on low trajectories which would make it impossible to detect them until they were near their targets. Also, FOBS missiles could be sent around the world over the South Pole, a direction from which we have no warning system as yet.

The Safeguard ABM system, if fully developed as the Defense Department has conceived it, would provide some protection for seven U.S. bomber bases and for U.S. command headquarters in Washington as well as protection for our Minuteman and Titan II missiles.

Arguments over classified information have enlivened the debate from the first. Some senators have hinted that the Central Intelligence Agency (CIA) does not wholly agree with the appraisal of the Russian threat that Laird has made.

In one committee meeting, for example, there was a remark that the CIA does not believe the SS9 warhead is nearly as large as the 25 megaton figure provided by Laird. There have been hints of other disagreements on intelligence appraisals.

To Sen. Albert Gore, D-Tenn., it is inconceivable that Russia by the mid-1970s could hope to knock out our entire deterrent of ICBMs, submarine missiles and heavy bombers, mainly the B52s, in a single coordinated attack which would render this country helpless to retaliate effectively.

GORE CRITICAL

Gore was particularly critical because the early Laird-Defense Department estimates of future U.S. and Russian missile power did not take into account the fact that both countries might soon have Multiple Independently Targetable Reentry Vehicles (MIRVs).

MIRV is a scheme to fit each nuclear missile, whether fired from land or under the sea, with several warheads, each of which could be aimed at a different target. Apparently in response to Gore's criticism, the new Defense Department white paper says Russia now has the capability to put MIRVs on its missiles.

The Tennessee senator figures that by using MIRVs this country can have 8,766 warheads by 1974—5,120 of them on submarines, 3,000 on ICBMs and 646 on bombers—as compared with 5,150 MIRV warheads for Russia—500 of them on submarines, 4,500 on ICBMs and 150 on bombers.

Since only 250 warheads would have to be delivered by either side to devastate the 50 largest cities of the other side, Senate Gore sees no possibility that we will lose our deterrent even if the Safeguard ABM system is not built.

Of course, if the Defense Department is right and our submarines could be rendered helpless, Russia, even using Gore's figures, would have more warheads than the United States in the 1970s.

Whether it would have enough more to knock out all U.S. forces before this country could reply to a first strike by the Russians is the big issue upon which judgments differ.

"OVERKILL" CLAIM

Senator Gore contends we now have enough warheads to fire 48 at each of Russia's 50 largest cities, a vast "overkill" potential since even one missile would be enough to devastate a large population. He says Russia could now fire 22 missiles at each of the 50 largest U.S. cities, also an overkill potential.

What is Safeguard, how would it work and how did it come about?

Fourteen years ago, back in 1955, the Army let a contract to the Bell Telephone Laboratories to determine if it would be feasible to develop a missile system which would destroy enemy missiles before they reached their targets.

This first effort, known as Nike-Zeus, was likened to an effort to hit a bullet with a bullet to render it harmless.

Nike-Zeus developed into the Nike-X and research and development work continued year-by-year until the total cost of such work has now reached $4 billion.

Presidents Eisenhower and Kennedy both decided against the installation of an ABM system although some promising progress had been made. In 1966 Congress voted $167.9 million to begin acquiring an ABM system although the money had not been requested and was not spent by the administration of President Johnson, who was hopeful of getting an arms limitation agreement with the Russians.

In September 1967, Defense Secretary Robert S. McNamara announced a decision to install a "thin" ABM system, primarily to protect U.S. cities from the kind of light missile attack Red China might be able to make in the 1970s.

ADVANTAGES CITED

It would be hopeless to try to protect cities from the kind of massive attack the Soviet Union could make, McNamara said, but the thin ABM would provide some protection for our Minuteman missiles, even from a Russian assault.

Another advantage of the system, he said, was that it would provide protection from an accidental firing of one or a few missiles from the Russians.

McNamara expressed confidence that our ability to strike back would be the best protection against Russian action to start a nuclear war but he thought the Chinese might not act rationally and might, for the sake of making a first strike against this country, risk the kind of devastating retaliation we could throw back at them.

The kind of system McNamara wanted became known as "Sentinel."

Many persons were never convinced that the primary mission of Sentinel was to guard against a Chinese attack. They thought its main purpose was to give cities some protection, however light, from a possible Russian assault, and thus reduce casualties.

They believed the talk about a Chinese threat was intended to allay any fears that Russia might have that we could so protect our cities that we could, if we wished to do so, make a first strike against the Soviet Union at some time in the future.

Difficulties for Sentinel arose when residents of Boston, Seattle and other cities selected for the location of ABM missiles protested that the presence of the system would make them prime targets in the event of a nuclear war.

HURRIED REAPPRAISAL

When the Nixon administration came in, Secretary Laird, Deputy Secretary of Defense David Packard and others made a hurried reappraisal of the Sentinel system.

They changed its name to Safeguard. They decided the possible threat from China had not developed as rapidly as expected so protection of cities from a light attack was no longer the main need.

The primary need, they decided, was to protect our land based ICBMs from the new threat of the highly accurate Russian SS9, hence the ABM missiles themselves could be grouped around Minuteman silos and bomber bases, rather than around cities.

Such a configuration would still provide some protection for cities from a light Chinese attack, if necessary, and it could still protect against any accidental missile firings from either Russia or China.

Administration spokesmen said the Safeguard system would be less likely than the Johnson administration's Sentinel system to provoke the Russians into an effort to escalate the arms race.

They argued that a system designed to protect our missiles—our deterrent—would constitute no new threat to which the Russians would feel they should react. On the other hand, they insist, a Sentinel system, designed to give thin protection to cities from a small nuclear attack, would make the Kremlin think we intended to thicken the system later so that we could make a first strike against Russia without fear that our cities would be ravaged in retaliation.

Here the arguments get somewhat abstruse. Critics of Safeguard say it would provide some of the thin protection for cities that Sentinel was designed to provide so Safeguard would be just as likely as Sentinel to provoke the Russians to greater arms efforts.

SHIFT IN EMPHASIS

The shift in emphasis from protecting the cities to protecting missile sites looks to some critics of Safeguard like an effort to find some possible justification for installing an ABM system which is not needed.

They characterize the whole scheme as "an ABM system in search of a mission."

Secretary Laird insists, however, that the change in mission—from protecting cities to protecting missile sites—is fully justified by new developments, the failure of the Chinese to develop weapons as rapidly as expected and the speedup in the Russian deployment of SS9 missiles.

Safeguard and Sentinel, before it, have been described by scientists as the most complex weapons system ever undertaken any place.

Because of the complexity, the Nixon administration proposes to go ahead with Safeguard on a piecemeal basis, testing and possibly making changes as circumstances dictate.

As a starter, the administration wants to install Safeguard at only two sites, one at Malmstrom Air Force Base, Great Falls, Mont., and one at Grand Forks, N. Dak.

These two would be designed to protect about 300 of the 1,000 Minuteman missiles in the U.S. arsenal. The $800 million being sought from Congress in the new budget for Safeguard includes money to start on these two installations and also money to acquire sites for 10 additional installations in other parts of the country, including one at Warren Air Force Base, Wyo.

Each Safeguard installation would have two radar systems, two missile systems and a computer.

RADAR DETECTION

One of the radars, known as perimeter acquisition radar (PAR), would be able to detect high-flying incoming missiles at a distance of 1,000 miles or about 10 minutes before they reached their targets.

The components of PAR are now being tested and, according to Deputy Defense Secretary Packard, should have good ability to distinguish between missiles and other objects in space, although it could not distinguish between a dummy missile and one carrying a live warhead.

Information from PAR would be fed into a computer and also into a smaller radar, known as a missile site radar (MSR). The PAR installation would be large, requiring a building 200 feet square and 130 feet high.

The MSR would be smaller, requiring a building 100 feet square and 40 feet above ground, thus the MAR could be "hardened" for protection more readily than the PAR.

If it was decided to respond to a PAR warning that a missile was on the way, the MSR would guide a Spartan missile to intercept the incoming missile. Spartan would have a nuclear warhead which could destroy the enemy missile with Xrays if it exploded in the near vicinity of its target.

The interception would be made in space, outside the earth's atmosphere.

Spartan, according to Packard, would have a range of 300 or 400 miles so it could protect a wide area. Efforts to develop an even better Spartan are under way.

If Spartan failed to stop an incoming missile, Sprint missiles would be guided by computers and the MSR to destroy it in the atmosphere, nearer to earth.

SPRINT SPEEDY

Sprint has been described as a "very fast" weapon with a range of 20 to 30 miles. Its destructive force would consist of neutration radiation rather than Xrays.

Steven Weinberg, professor of physics at Massachusetts Institute of Technology and one of the scientists opposed to installing an ABM system at this time, estimates the average incoming missile from space would be within range of Sprint for only 6 seconds so hair-trigger response and highly accurate guidance would be necessary.

Under the Safeguard concept, Spartan would provide an area defense over most of the country against a light missile attack if all 12 installations are deployed.

The present administration agrees with previous estimates that an effective defense against a massive missile attack on cities is impossible.

Sprint would provide only what is known as a "terminal" defense for the missile sites or air bases where they would be located.

The number of Spartan and Sprint missiles planned for each site is classified information but experts outside of government have guessed each site might have 70 Spartan and 300 Sprints.

The radars, missiles and computers used for Safeguard would be generally the same as those planned by the Johnson administration for the Sentinel system, but the radars would be provided with more "faces" so they could detect missiles coming in from directions not covered by the earlier plan.

Secretary Laird has expressed confidence that Safeguard will perform the task assigned to it—the protection of enough missiles to leave this country with an adequate deterrent force even if we were attacked first by Russia.

CLASSIFIED ESTIMATES

The Defense Department earlier this year furnished senators classified estimates on how many of our missiles would survive such an attack if Safeguard were fully deployed.

Senator Symington claimed that the difference between the number of our missiles which would survive with and without Safeguard was so small that Safeguard would be voted down in Congress if the Defense Department estimates could be made public.

It may have been in response to Symington that the new Defense Department white paper includes a hitherto classified statement by Laird that if the Russians expand their SS–9 force to 420 missiles, each equipped with MIRV's, they could under optimum conditions destroy 95 per cent of our Minuteman missiles, leaving us with only 50.

Jerome B. Wiesner, provost of Massachusetts Institute of Technology and a member of the President's Science Advisory Committee, has made an estimate of his own on missile survival.

He believes that if the Russians attain an SS–9 force of 500 missiles (more than double their present force), each equipped with three warheads, and if they would fire them all at U.S. missiles and control centers, 270 of our missiles, a respectable retaliatory force, would survive even without a Safeguard system.

Under the same conditions, if we had Safeguard at two sites, one in Montana and the other in North Dakota, he estimates 350 missiles would survive, only 80 more than if we had no Safeguard.

He concludes Safeguard would accomplish little for the money spent.

Deputy Defense Secretary Packard has said the first two Safeguard installations would cost $2.1 billion, exclusive of the research cost that has already gone into ABM, exclusive of the cost of warheads for the Spartan and Sprint missiles, and exclusive of cost of manning and operating the two systems once they are installed.

COST FIGURES

If Safeguard is installed at 12 sites, the cost, exclusive of the items already mentioned, would be $6.6 billion and if extra installations were made in Hawaii and Alaska, bringing the total number to 14, the cost would be $7 billion, Packard testified in March.

The debate has been full of claims that weapons always cost far more than the Defense Department estimates and that once started Safeguard could run into many billions, perhaps $60 billion if it were decided later to thicken the system with more missiles and other equipment.

In its white paper, the Defense Department was more explicit on expected costs than it had been earlier. It said the cost of a full system, 12 sites in the continental United States and sites in Alaska and Hawaii, would be $11.8 billion, including warheads, research and testing.

Both Laird and Packard contend that while our defense expenditures are high we are spending only about one-fourth as much as Russia is spending when the rela-

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tive wealth of the two countries is considered.

They point out that Russia has an ABM system.

Several years ago Russia began installing what appeared to be a warning system, called Tallinn, across the northern part of the country. It now is believed that Tallinn has no ABM capabilities but an ABM system, known as Galosh, has been partially deployed around Moscow.

It was expected in Washington that Galosh eventually would have some 120 missiles but estimates now say work on Galosh has slowed with about 70 missiles in place. Some experts believe the slowdown may have resulted from a realization that Galosh would be obsolete in a short time.

The Defense Department white paper discloses that Russia is testing a loiter ABM missile could explain why work on Galosh has slowed pending the outcome of these tests.

A battle of books has developed during the ABM debate.

Sen. Edward M. Kennedy, D-Mass., one of the leading foes of deployment of Safeguard, although he would continue with ABM research to try to develop a better system, asked one group of scientific experts to prepare a book, just published, showing faults of the proposed system.

SCIENTISTS DIVIDED

Another publication, urging the approval of Safeguard, has appeared under the sponsorship of the American Security Council, which includes such noted scientists as Dr. Willard F. Libby, Nobel laureate of the University of California at Los Angeles; Dr. William J. Thaler of Georgetown University, and Dr. Edward Teller, "father" of the H-bomb.

Anti-Safeguard scientists have hit hard at its reliability. Among their claims are these:

Safeguard would be vulnerable because its radars would be "soft" targets, difficult to harden and protect.

The Russians are capable of developing sophisticated penetration aids which would render Safeguard ineffective.

These aids would include radar jamming, the use of "chaff" (multitudes of fine wires released in space) which would confuse defensive radars and enable live warheads to get through, the use of nuclear explosions to black out radar reception for as long as 10 minutes at a time and the use of a large number of other devices.

By adding more missiles with multiple warheads, the Russians could exhaust all our Spartans and Sprints and then launch their main attack, the cost of such tactics being less to them than the cost of Safeguard to us.

All the components of Safeguard cannot be tested under actual combat conditions until it will be too late to correct any "bugs" which may develop.

Each Safeguard computer would have to be very large—equivalent to 100 ordinary business-size computers—so the possibility of computer malfunctions would be considerable.

While the PAR radar system is supposed to be able to keep track of 100 incoming objects at a time, it would not be difficult for the Soviets to send in far more MIRVs than that.

For these and other reasons, Senator Kennedy has said Safeguard "may never work at all."

CHEAPER?

Some opponents of Safeguard contend it would be cheaper to add more missiles of our own, so more of them would survive in the event of a Soviet first strike, than it would be to install Safeguard.

Some take the position that any real defense against a nuclear attack is impossible because a country determined to do us great damage could sneak portable nuclear time bombs into our cities or could set off nuclear explosions near our shores to cause tidal waves which would wreck port cities.

The big hope of most anti-Safeguard senators is that refusal to vote the $800 million to make a start on the ABM system would prod the administration into seeking an arms limitation agreement with Russia.

President Johnson sought such negotiations with Moscow and the Kremlin reacted favorably. Immediately after that, however, Russian troops marched into Czechoslovakia and Johnson thought it would be inappropriate to open new talks just as the Russians were acting more aggressively.

In his Senate testimony, Secretary Laird indicated that because of Czechoslovakia we still cannot get into arms limitation negotiations at this time.

Senators who want arms limitations point out that Russia now seems more willing to get into such talks than at any time in the past.

They fear that if this opportunity is lost and Safeguard is launched the arms race will be off again on a new lap and the danger of a worldwide nuclear holocaust will be increased.

To which the Nixon administration replies:

Safeguard would be purely defensive. In spite of what critics say it would give a good measure of protection.

It would constitute no offensive danger to the Soviet Union and, therefore, would not provoke an extension of the arms race.

It is necessary to guard our missile deterrent from the new danger of the SS9 Soviet missile. Failure to provide Safeguard would constitute a gamble with national security.

Unless we provide such protection Russia for the first time will have a first strike capability against the United States by the mid-1970s. Russia is advancing more rapidly than previously supposed to attain such capability.

We can afford it because it would cost only about $1½ billion a year until completed.

So go the arguments. The nation listens and hopes Washington will have the wisdom to choose the right course.

OUR BEST JUDGMENT: DELAY SAFEGUARD, PRESS ARMS AGREEMENT EFFORTS

(*Issue: There are too many unanswered questions to warrant a quick start on proposed ABM system.*)

After considering pro and con arguments over the proposed Safeguard antiballistic missile system which the Nixon administration has asked Congress to approve, this newspaper has revised its thinking somewhat and now believes there should be a delay for more study and research.

(The arguments are explored by Associate Editor Leverett Chapin elsewhere in today's Perspective section.)

We keep recalling that less than two years ago the nation was told by the Johnson administration that we had to have a similar ABM system to protect our cities from the kind of "light" nuclear attack that Red China would be capable of making within a very few years.

Now we are told the danger from Red China is not developing as rapidly as previously expected—but that we still need an ABM system, not primarily to protect our cities but to protect our own missile sites because Russia is suddenly developing new and frightening potentials for nuclear warfare.

Secretary of Defense Laird has been busy spreading the word on Capitol Hill that Russia is becoming a nuclear colossus; that by the end of the year it will have more missiles in place or being built than we have; that Russia must be intending to develop a force so powerful that it could attack this country first without fear of retaliation because our missiles would be knocked out; that a new, highly accurate Russian weapon, the SS9 missile, is particularly dangerous; that Russia is testing an advanced ABM missile of its own, and that new developments in antisubmarine warfare may wipe out the big advantage this country now has in nuclear submarines.

All this is reminiscent of the "bomber gap" which we were told existed in the 1950s but later proved to be a myth and the "missile gap" which frightened the country in the early 1960s, unnecessarily.

It is the business of the Defense Department to take a gloomy view of our military strength as compared with that of the Soviet Union.

Past experience, however, has made us gun-shy of the kind of dire predictions and projections that Secretary Laird has been using.

If the need for ABM protection against the Red Chinese can fade into mist in less than two years, can we have any assurance that the awful prospects seen by Secretary Laird are any more substantial?

Must the country react with new defense projects costing billions of dollars every time intelligence estimates in the Department of Defense raise visions of new dangers?

The new administration had been in office only about seven weeks when President Nixon announced it had discovered the need for the Safeguard system to protect our missiles from the new Soviet menace.

That was fast work. Whether the need is real or imagined depends to some extent on the interpretation of data available to military intelligence of what Russia is doing.

The administration has interpreted the data one way just as the previous administration interpreted data on Red China to show the need for an ABM system.

Should billions be spent on the basis of quick judgments?

The Russians started an ABM system around Moscow, called Galosh, some time ago but now appear to have stopped, supposedly because it might be obsolete when finished in the light of new Russian ABM tests.

The administration wants to start deploying the Safeguard system even before tests on the component parts of the system have been completed to determine if they will work.

One part of the system would be a Spartan missile which could hopefully destroy an incoming missile with X rays above our atmosphere. The administration admits research is being carried forward on a "better" Spartan. In other words, it is not satisfied with a major part of the Safeguard system yet it wants to go ahead deploying the system.

After some prodding the administration has admitted Safeguard, as now contemplated, would cost about $11 billion. If past experiences on defense cost estimates show anything, they show the total bill could run much higher.

The system is described as a thin area defense system because all experts now agree there can be no really effective defense against a massive nuclear assault.

But we can foresee the probability that if a thin system is deployed there will be pressures to thicken it, at the cost of more billions, as time goes on. The arms race would be escalated, we anticipate.

At this time there are too many unanswered questions to warrant a quick start on Safeguard. For example:

Would Safeguard really protect our missiles? Is the system too complex to function? Could it be rendered ineffective by the use by the enemy of "chaff" and other penetration devices on their missiles?

Could Safeguard be overwhelmed if the enemy sent more missiles than Safeguard's radar could spot and track? Will the use of multiple warheads on enemy missiles, a likely development for the near future, make it relatively easy to thwart Safeguard? Will it be possible to protect our missiles by placing them in hard rock silos, a subject just now being explored?

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Would Safeguard merely spur the Russians to greater efforts to develop new nuclear threats? Would the development of fractional orbital missiles—missiles coming in on low trajectories—render Safeguard helpless? Will the supposed threat to our nuclear submarines actually develop or will we find countermeasures to assure our under-sea weapons from destruction?

The answers to these and many more questions are not known. More answers are necessary before a new mutibillion-dollar commitment for a Safeguard system is made.

Perhaps the President should submit the matter of nuclear defense to a "neutral" board of experts for re-evaluation while additional research is carried on to find out if Safeguard is feasible.

Secretary Laird has said that if we do not have Safeguard we will have to increase the number of our missiles to assure that more of them would survive if Russia should attack this country first and unexpectedly.

Some opponents of Safeguard claim it would be cheaper and better to have more missiles. That is a fitting subject for study.

Secretary Laird has said Safeguard must be approved now because it will be 1973 before we can install the first two Safeguard bases and the middle of the 1970s before the entire system could be deployed.

We doubt that the need for a quick start is as pressing as the secretary says. We now have 1,000 Minuteman missiles, 50 Titan II missiles, more than 600 missiles on submarines and we have a force of 500 B52 bombers capable of delivering nuclear weapons.

That is enough force to wipe out Russia several times over and it is inconceivable that it can be rendered harmless by any new devices the Soviets may be able to perfect and deploy in less than 10 years.

A delay in the authorization of Safeguard, we believe, would spur the administration to try to make an arms limitation agreement with Russia. In the long run the only hope for ending the arms race must lie in such negotiations.

If the nuclear arms race continues the world will be in increasing danger of incineration. That is why we believe a delay in the deployment of Safeguard—another nuclear weapon—is advisable and that all-out efforts be made to reach arms agreements, before it is too late.

SENATORS LIVE ALMOST 6 YEARS LESS THAN AVERAGE AMERICAN MALE

Mr. PELL. Mr. President, recently I read a study of the longevity of U.S. Senators and found it depressing, in that it showed our life expectancy as of the date we took office is 5.9 years less than that of the average American male of the same age.

There are other nuggets of information which I thought might be of interest to my colleagues and, accordingly, ask unanimous consent to have printed in the RECORD at this point, "Longevity of U.S. Senators" from the Statistical Bulletin, May 1969.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LONGEVITY OF U.S. SENATORS

Senate: literally a council of elders, from the Latin senex: elder. In this century United States Senators have indeed been more of a council of elders than those who served in the first 56 Congresses, but the life expectancy of those in office since 1930 has fallen significantly short of that for white males in the general population. During the 69 years that elapsed between the outbreak of the Civil War and 1930, the longevity of United States Senators closely approximated that of white males in the general population.

This conclusion is drawn from a study of the longevity of 1,619 men elected or appointed to the United States Senate from the time of the First Congress of the United States in 1789 through the First Session of the Ninetieth Congress to the end of 1966. During this 178-year period, 1,416 Senators died, 223 of them (about 16 percent) reportedly passed on while in office; four deaths were due to assassination, three resulted from duels, and one occurred in a Civil War battle. The nine women Senators who served during this period are not included in the study.

Expectations of life for the deceased Senators at the time of their first taking office were calculated on the basis of special cohort mortality tables for the white male population of the United States. Such tables, prepared in the Statistical Bureau of the Metropolitan Life Insurance Company, trace the changing longevity over the calendar years following each Senator's accession to office. For white men born prior to 1840, it was assumed that mortality rates in the United States conformed substantially to those shown in the Wigglesworth Table and English Life Table No. 2. From 1840 on the mortality rates assumed were those developed by P. H. Jacobson in his paper "Cohort Survival for Generations Since 1840" (*Milbank Memorial Fund Quarterly*, July 1964) but with modifications designed to reflect the fact that since about 1955 the death rates of white males in the United States have shown virtually no change.

LONGEVITY OF U.S. SENATORS, 1789-1966

Period of taking office	Number of Senators	Average age on first taking office	Number died before end of 1966	Average age at death	Differences in life expectation[1]
1789-1860....	571	45.4	571	68.5	−2.3
1861-1900....	392	49.9	392	71.5	.6
1901-30...	319	52.8	309	73.3	.3
1931-66...	337	52.0	144	69.0	−5.9
1789-1966....	1,619	49.3	1,416	70.4	−1.3

[1] This difference measures (a) the average number of years actually lived by Senators from date of taking office to date of death, and (b) the life expectancy of white males in the general population born in the same years as the Senators. The life expectancy in the general population for white men born prior to 1840 was approximated from available data, such as the Wigglesworth table and English life table No. 2. For men born since 1840, it was based on figures developed by P. H. Jacobson, in his paper "Cohort Survival for Generations Since 1840." Milbank Memorial Fund Quarterly, July 1964, pt. 1, 42: 36–53, with modifications to reflect the relative stability of white male mortality since 1955.

Over the entire period since 1789, the average duration of life of deceased Senators from the time they took office was 1.3 years less than might have been expected on the basis of contemporaneous mortality rates in the general population. The longevity of Senators in relation to that of white males in the general population has varied considerably over the years, as shown in the accompanying table. The 571 Senators who took office prior to the Civil War lived on the average 2.3 years less than did the white males in the general population during the same period. By way of contrast, the Presidents who served before Lincoln lived on the average about .3 of a year longer than white males in the general population.[1] The most favorable longevity record among Senators was achieved by the 392 men who took office between 1861 and 1900; they lived on the average .6 of a year longer than white males in the general population during the same period. The 309 Senators who took office between 1901 and 1930 and died before the end of 1966 also on the average outlives white males in the general population, but only by an average of .3 of a year.

The 144 Senators who took office after 1930 had the poorest longevity record; they fell short of the contemporaneous life expectancy of white males in the general population by 5.9 years. This record may reflect the increased pressures on and the more onerous duties of our legislators in the depression years, during World War II, and over the period when the United States assumed global responsibilities.

The mortality rates among Senators since 1930 are actually more unfavorable than appears from the comparisons made with white males in the general population, because in the recent past Senators have more often than not been drawn from the higher socioeconomic segments of the population, which have experienced a mortality rate below that of all white males in the United States—about 10 percent lower in 1950.[2] Even more pointedly, a recent followup study [3] of men in the 1950–51 edition of *Who's Who in America* indicates that prominent men have been subject to mortality rates as much as 30 percent below those for all white males in the general population; government officials (including Senators) within this group recorded death rates 20 percent lower than those of white males in the general population.

The average age at which Senators took office for the first time has increased over the years. Prior to the Civil War the average age of Senators was 45.4 years, rising to 49.9 years for the men who became Senators between 1861 and 1900. Since the turn of the century the average age of Senators has been about 52 years. Two octogenarians became Senators for the first time: Andrew Jackson Houston, of Texas, in 1941 at the age of 86, who died within two months, and John Wolcott Stewart, of Vermont, who assumed office in 1908 at the age of 82 and lived to be almost 90 years old. Senator Cornelius Cole of California, who was elected Senator in 1867 at age 44 and served one six-year term, lived to be 102 years old and thus holds the record as the longest-lived Senator.

THE NEED FOR AN AMBASSADOR TO SWEDEN

Mr. PELL. Mr. President, over the past few days, I have read articles in the press that comment on the fact the United States has no Ambassador to Sweden, and stressing the anti-American feelings of many Swedes.

If ever there was a time when we should send a topnotch diplomat to Stockholm, this is it. Here we are faced with a situation where a nation that immediately follows us as the most technologically advanced nation in the world is being ignored. All it takes is conversations with a Swedish man or woman, or a trip to Sweden, to make one realize that our two countries should be march-

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[1] Presidents and Their Survival. *Statistical Bulletin*. April 1969.

[2] Guralnick, L. *Mortality by Occupation and Industry Among Men 20 to 64 Years of Age: United States, 1950.* Vital Statistics-Special Reports. National Vital Statistics Division. Vol. 53, No. 2. September 1962.

[3] Quint, J. V. and B. R. Cody. *Preeminence and Mortality: Longevity of Prominent Men.* Given before the Annual Meeting of the American Public Health Association, November 13, 1968. A summary was also published in *Statistical Bulletin* of the Metropolitan Life Insurance Company. January 1968.

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ing hand in hand and not have our relations marred or aggravated.

If we want to express our annoyance with any actions of Sweden, let us do so openly and publicly through diplomatic notes. But, let us not cut off our noses to spite our face, by not sending an Ambassador to Sweden.

I also believe that a competent ambassador could do a great deal to dispel present anti-American feelings by explaining the predicament in which we find ourselves.

Our present action in ignoring the Swedes is, I think, an insult to a proud nation that has many of the same values as we have.

Mr. President, I ask unanimous consent to have printed in the RECORD an article from the Providence Journal of June 24, entitled "Sweden Lacks U.S. Envoy, Wonders Why," and an article from the Washington Post of July 5, 1969, entitled, "Swedes Vent Anti-U.S. Feelings, Admiration Dissolved With War."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Providence (R.I.) Journal, June 24, 1969]

SWEDEN LACKS U.S. ENVOY, WONDERS WHY

STOCKHOLM.—The arrival last weekend of new Chinese and North Vietnamese ambassadors has increased Swedish concern that, six months after the Nixon administration was installed, there is still no sign of a new American ambassador here.

What official impatience exists is carefully concealed in Foreign Ministry circles. But it has been heightened by reports from Peking that the Chinese want to shift the site of future official discussions with the United States from Warsaw to Stockholm.

Swedish officials refuse to confirm or deny the report. They admit they have received it from their embassy in Peking, but as a rumor without official confirmation.

No attempt has been made to clear it up. "We are careful not to interfere," a Foreign Ministry official said. But officials say China is not happy with the Warsaw site of past Chinese-American talks, because the Poles have sided with Moscow in the Chinese-Soviet confrontation.

Whether the Americans would be happier with Stockholm as a site for future talks is an open question. Swedish sentiment against the Vietnam war runs high, and the next scheduled demonstration is for July 4th, when a relay of speakers is to recite the names of all American war dead in the war. The marathon, in front of the U.S. Embassy here, is expected to last 22 hours.

Swedish officials profess not to know the reason for the delay in appointing a new American envoy. Some political and journalistic circles here have interpreted it as a sign of ire over Swedish neutrality and the recognition earlier this year of North Vietnam.

If there is anything to the report about shifting the site of the Warsaw talks, Swedish officials assume they will be getting a professional diplomat who is a skilled negotiator as the next American envoy. The last one, William W. Heath, was a political appointee and close friend of President Lyndon B. Johnson whose relations with the government here were anything but close.

The new Chinese ambassador is Want Ting, an experienced diplomat who has seen service in the Balkans. He replaces a man called home in the mass withdrawal of Chinese diplomats abroad during the Cultural Revolution and never heard from again.

The North Vietnamese is Nguyen Tho Chan, who is ambassador to the Soviet Union and lives in Moscow. Both will present their credentials next Friday.

[From the Washington (D.C.) Post, July 5, 1969]

SWEDES VENT ANTI-U.S. FEELINGS—ADMIRATION DISSOLVED WITH WAR

(By Roland Huntford)

STOCKHOLM, July 4.—A group of Swedes spent the Fourth of July reciting the names of the 22,000 Americans killed in Vietnam, as a protest against U.S. policy there.

The group was predominantly, but not exclusively, extreme left. One prominent young leftist refused to participate because, as he said in a newspaper interview, "I refuse to look at the war from the American point of view. I'm more concerned about the far larger number of Vietnamese killed."

Although the protestors represent only an articulate minority, it is symptomatic of widespread anti-Americanism among Swedes of all classes, ages and political opinions. Vietnam has been only a catalyst, not a cause in itself; it is attacking the Americans, not supporting the Vietnamese, that interests Swedes today.

Yet, Sweden is one of the world's most Americanized countries. American residents here say almost without exception that the Swedish way of life is exactly what they have been used to.

Like the United States, Sweden is basically a society which concentrates on technology and material prosperity, without, perhaps, the compensating idealism of Americans. Swedes look, act and even think American. Their clothes owe more to California than to Paris or London. Their language bursts with Yankee phrases.

A glance at any bookshop shows the deep influence of American intellectuals.

"What we Swedes will rarely admit," said a professional man in a moment of ingenuousness, "is that we have no culture of our own and we have to import it. Once it was from Germany, but that finished in 1943, around Stalingrad and Alamein. And then we turned to America instead."

But conscious liking for America began to evaporate in 1963 with the assassination of President John F. Kennedy. Building up a year or so later as it became clear that the United States would not get a quick victory in Vietnam.

Americans in Sweden, by no means supporters of the Johnson or Nixon administrations, are appalled or amused at the image of their country given to the population by the Swedish press. "You'd think we're nothing but murderers, student demonstrators, and Black Panthers," one said, "but it's really the Swedes I'm sorry for. What kind of picture are they getting of the world?"

The government has cashed in on the groundswell of anti-Americanism. Despite Swedish neutrality, Foreign Minister Torsten Nilsson has on several occasions made public statements in favor of North Vietnam and the Vietcong. Olof Palme, the Minister of Education (and strongly tipped as the next Prime Minister), made a widely publicized appearance last year at a pro-North Vietnam rally in Stockholm, together with delegates from Hanoi. American deserters in Sweden have been given a quasi-official status, including a special civil servant at the Ministry of Social Welfare detailed to look after them.

These acts need not be taken at face value. They were intended to profit from the currents of domestic opinion quite as much as making gestures against the United States.

There is little doubt that Palme's action swung younger voters over to the Social Democrats, helping them win the general election last year. In a local context, his appearance at a political demonstration was the psychological counterpart to nationalizing U.S. firms in Latin America.

In neighboring Norway and Denmark, which belong to the Atlantic Alliance, and in Finland, which is neutral, there is just as much disquiet over U.S. Vietnam policy as in Sweden. But, except for a few Communists, politicians have refused to exploit it. They feel that since the Americans are in trouble, it would be unkind to add to their difficulties.

And, too, Danes, Norwegians and Finns have preserved more of their own national culture, and are therefore not so vulnerable emotionally as the Swedes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR PROUTY ON MONDAY NEXT

Mr. DIRKSEN. Mr. President, I ask unanimous consent that on Monday, after the morning hour, the first order of business be an hour's time for the distinguished Senator from Vermont (Mr. PROUTY).

The PRESIDING OFFICER. Without objection, it is so ordered.

TRAVEL RESTRICTIONS TO CUBA

Mr. THURMOND. Mr. President, knowledgeable persons have reported to me that the lower policymaking levels in the State Department are seriously considering the removal of travel restrictions on U.S. citizens going to Cuba. I am sorry to hear these reports. I realize that the administration has had to face many pressing issues in its first few months and has probably not had time to give careful consideration to this question of the travel restrictions. However, I hope that before the question goes much further, a broader consideration of its possible consequences will stop any such action.

The rumors concerning the dropping of travel restrictions are all the more ominous in view of the fact that subversives in the New Left movement have just announced plans for massive visits to Cuba. The so-called revolutionary youth movement is seeking to organize an international brigade of 300 students to go to Cuba late this autumn on the pretext that they are volunteers to cut sugarcane for Castro. Actually, this is a thinly disguised pretext for these students to receive ideological indoctrination and guerrilla warfare training in the hope of formenting revolution in the streets of American cities.

The object of this visit is to make the American students "one division of the international liberation army." The literature of the New Left is filled with references to plans for violent and massive revolutionary struggle. In the context of today's social situation, these are plans which have to be taken seriously.

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Too few people today realize the importance of movements such as this proposed international brigade. Too few memories go back to the period of the 1930's when brigades were a recruiting ground for agents and workers for the Communist cause. The most famous of these brigades was the Abraham Lincoln Brigade which fought for the Communists in Spain. The technique is part of a campaign called the United Front Against Fascism, in which fascism is identified with everything which opposes communism in any respect.

Mr. President, the recruiting for the Cuban visits and the history of this movement have been admirably set forth in a forthcoming report published by the Osth Information Service of Berryville, Va. Mrs. Osth has a well-deserved reputation for careful reporting and keen understanding of the deeper meaning of the New Left movement in its varied and shifting forms. I recommend Mrs. Osth's report on the international brigade to my colleagues and to those in the State Department who are considering the Cuban travel restrictions, and I ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. THURMOND. Mr. President, too few people today understand the real nature of the Communist movement and its true purposes. These purposes were summed up Tuesday in a fine column by David Lawrence which appeared in the Washington Evening Star.

An understanding of the definitions put forth by Mr. Lawrence would help us assess the danger presented by such operations as the International Brigade. I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the article entitled "A Definition of Communism Offered," written by David Lawrence and published in the Washington Evening Star of July 8, 1969.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

[From the OSTH Information Service, Berryville, Va., July 20–27, 1969]

TODAY'S COMMUNIST INTERNATIONAL BRIGADE—TO OVERTHROW THE U.S. GOVERNMENT BY FORCE AND VIOLENCE—PART I

Red history is repeating itself, but this time Communist leaders do not intend to make mistakes of the thirties during the "united front" period established at that time. The new Revolutionary Youth Movement and the forthcoming Conference organized by Black Panthers from the West Coast to establish the "United Front Against Fascism in America," evidently will be the modern version of the old International Brigades.

A little background about the old Brigades may help bring into clear focus the intent of today's radicals. In 1936, the world Communist movement was and had been for some years organized as the Communist Internationale under the hegemony of the Soviet Union and had as integral, disciplined sections, national Communist parties in countries throughout the world, including the Communist parties of the United States and Spain.

Due to certain events in Spain, various political parties of the popular front, including the Communist Party Spain, organized field armies from among their adherents. The clearly revealed Communist plan in Spain was, through the united or popular front technique, to become the dominant force and upon the re-institution of the assailed Republican government, to dominate and control it and, ultimately to align Spain in the camp of the Soviet Union. That is why the Communist Parties of the U.S.A., the Soviet Union and of Spain among others, fought in Spain, and the United States arm of that action was called the Abraham Lincoln Brigade, or Battalion. It still exists today and holds reunions reported regularly in the Communist press.

International Communists used an international anti-fascist united front technique in those days so that various countries' Communist Parties furnished troops to fight in Spain and these were organized into five International Brigades. The Communist Party of the U.S.A. of course operated as a part of that international movement, but, being a front, drew a few members who were not Communist Party adherents.

The above information, with minor changes in condensing it by this Information Service was taken from a Report by the Subversive Activities Control Board in 1955. The Abraham Lincoln Brigade was cited as Communist by both Attorney General Tom Clark and the Special Committee on Un-American Activities. It is easy to see why the Communists and those under Communist discipline as well as duped liberals and others continue to attack the SACB and other investigating committees today. They hit the nail on the head.

By studying those International Brigades of the thirties it becomes clear why the Communist Party's *Daily World* gave a whole page in its Magazine Section of July 5, 1969, to "Panthers Project: United Front." Communist writer Margrit Pittman reported that West Coast Black Panthers came into the Communist Party's New York office to discuss eagerly the "United Front against Fascism in America," and its Oakland California conference scheduled for July 18–21 with its main projected action seeking "community control of the police."

Margrit Pittman stated all six who came to New York are "leading members of the Black Panther Party, who devote their full time to 'the revolution.'" She claims recent police attacks on Panthers have caused their need for alliances with other groups which "will unite all radical and liberal elements."

The article calls attention to the fact that the Panthers, in their effort to organize this new Front, are studying Georgi Dimitrov's essays and speeches on the United Front against Fascism prepared in the 1930's, and they quote them liberally to make their points.

At the same time *Guardian* writer Stanley Aronowitz is running a series of columns explaining to leftists just what "fascism" really means from the Red viewpoint, and tells step by step what Dimitrov really meant in his United Front writings and how mistakes Communists made, for example in Germany, must not be repeated in the new effort. He carefully cited the Dimitrov speech of 1935 as being the signal for the end of previous Communist policy which had consisted of attacks on left tendencies deviating from established Communist Party beliefs, and said the idea now was to join all "workers' organizations in a front against the corporate bourgeosie's efforts to establish a terrorist dictatorship."

Today the Panthers, SDS and others including the SDS's Revolutionary Youth Movement, a part of the Revolutionary Youth Union, insist they must fight against "Fascism" here, and unite to do so. It is certain that the Black Panthers did not dig out of the archives the books and speeches by the very important old Bulgarian Bolshevik Georgi Dimitrov, without at least a small suggestion by the Communist hierarchy. Let us not be naive about that.

Margrit Pittman's *Daily World* article stated, "The original conference call had only a few non-Panther sponsors, among them Tom Hayden, formerly of SDS; Dr. Philip Shapiro, a Bay Area white psychiatrist and prominent member of the Medical Committee to Defend Human Rights; Dr. Carlton Goodlett, publisher of the Sun Reporter, the Bay Area's most important black weekly, and attorneys Charles R. Garry and William Kunstler. The latter two have long been active in the defense of frame-up victims. Garry is the attorney for Huey Newton."

By mid-June the Panthers had already mailed out 2,000 invitations to various organizations and obtained support from the Young Lords of Chicago consisting of Young Puerto Ricans, Los Siesta de la Raza, Latinos from San Francisco's Mission District, Young Patriots, Chicago white working-class people composed mostly of refugees from "Appalachia," and the W. E. B. DuBois Clubs of America, according to the *Daily World*.

Black Panther Chief of Staff Dave Hilliard said they were working to get unions and unionists, wanting "all the workers and peasants to be there."

The *Daily World* article concluded with what amounted to a directive to Communists to attend and become involved with the new United Front against Fascism in America. "This is an important national initiative for the all-black Panther organization who originally stuck to community self-help activities in the ghettos.

"The Panthers hope that the July conference will result in another, larger gathering later this year so that, in the words of one of our visitors, it can unite 'all forces that are anti-fascist but not anti-communist.'"

Probably to help put the message across to Communist Party members that they must "put down" anti-Communists with renewed vigor, the same issue of the *Daily World* printed a column datelined San Diego which quoted the identified Communist Party member Harry Bridges of the International Longshoremen's & Warehousemen's Union. The quotation was a direct smear and attack upon Dr. Fred Schwarz. The same article attacked San Diego's Richard Barnes and others. There is also a long two-page article consisting of a vicious attack upon the Church League of America, Edgar Bundy, Herbert Philbrick, George Washington Robnett, and many deceased effective anti-Communists like Bella Dodd, Senator Joseph McCarthy, J. B. Matthews, and a number of Congressional investigating bodies. In the same edition is a 2-page article praising the late Ernest Hemingway, citing his work in Spain. But the interesting point is that the author of the article is none other than Milton Wolff who commanded the Abraham Lincoln Battalion (also known as Brigade) during the Spanish Civil war. So these, and other articles in that issue of *Daily World* are obviously part of an "operation," designed to provide the "line" to cadres. At the same time columns and editorials in the liberal press have gone into high gear with vicious attacks upon good United States citizens. Drew Pearson who writes just enough truth to sell unsuspecting readers his falsehoods, has attacked Otto Otepka for months, trying to associate him in the minds of his readers with all manner of neo-Nazis with whom, actually, Mr. Otepka has nothing to do. The *New York Times* and *Washington Post* not only have attacked Otepka, but also the Subversive Activities Control Board, investigating committees and Mr. J. Edgar Hoover.

Meantime, the June 28, 1969 issue of Liberation News Service published an interview with Black Panther Bobby Seale about The National Conference for a United Front

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Against Fascism. Bobby Seale makes it crystal clear what the new front means, clearer even than the *Daily World* or the *Guardian*.

Seale says the Conference is held to bring in "all strata of society . . . people and representatives of organizations across the country, all progressives and progressive type organizations, all churches and church representatives of all different faiths and religions, all workers especially . . . be they liberal, semi-liberal . . . even black policemen's associations—if they stand firmly with the united front against fascism."

The Conference is not be a debating society but to have concrete action. Seale told about a branch of the National Committee to Combat Fascism in New York, and others in Los Angeles and Chicago. (The *Daily World* last June 11 gave publicity to pro-Communist action by The American Association to Combat Fascism, Racism and Anti-Semitism, which possibly is one organization Seale had in mind.) Seale expects these committees to "combat fascism scattered throughout their local areas."

Seale stated objectives precisely: having community control of police groups with people working for community control of police in their own areas; deal with all political prisoners in the country, not only Huey P. Newton and the Connecticut Panther leadership and the New York 21, etc., but all of them; talk about how to take a stand against law-and-order politicians in the nation who are demagogues and liars; set up something constructive to understand the court system and how it relates to the "fascicization" of the country; deal with black and white workers versus fascism, with religion versus fascism, students, education, teachers, professionals, etc. versus fascism. From these objectives Seale anticipates many committees to be established throughout the nation to combat fascism in their local areas and "to relate to a national united front."

A possible result of the above effort may be an "American Liberation Front," Seale said. While that is not necessarily the objective of the Panthers, those present at the Conference might want to develop some kind of political party or apparatus called the American Liberation Front.

Working with churches is one of the aims, said Seale. When we says "religion vs. fascism," he means the churches are going to "*have*" to really begin to tell the people exactly what is happening and exactly what is going to "*have*" to happen. For example, he explained "They can't wait until the last moment when all of a sudden the churches themselves are attacked by the fascist regime like Franklin's church was attacked in Detroit . . . And even Father Neil's church here in Oakland was attacked when the cops stormed into the church supposedly to arrest someone."

Apparently priority will go toward eliminating effective police forces, however. The plan is set out: "Community control of police itself is in fact directed to the ballot. The community control of police concept is related to a petition that is to be circulated in every city. You get a percentage of the voters in that city to sign the petition, thereby it automatically goes on the ballot where the masses of the people themselves can in fact vote to decentralize all police departments."

In their view, "both police and politicians are financed and managed by the 'avaricious businessman' working through the state and federal governments. To wreck established order, they make it clear that the United Front Against Fascism is not intended as a front group for the Panthers, but a working organization for many interested people. The United Front represents to some extent, a new tactic, Seale noted.

Liberation News Service has access to tape recordings made by Eldridge Cleaver, Minister of Information of the Black Panther Party, who is now in Red Cuba. Words on a tape published in the same issue quote Cleaver as saying, "We are revolutionaries, and as revolutionaries our goal is the transformation of the American social order. In order to transform the American social order, we have to destroy the present structure of power in the United States, *we have to overthrow the government*." (Emphasis added. EHO)

Cleaver elaborated: Revolutionaries must "have their minds centered on destruction. We're out to destroy the present machinery of the ruling class, that is our task and that's what we must be about. And we say that we will do this by any means necessary." He said the only means possible "is the violent overthrow of the machinery of the oppressive ruling class. That means that we will not allow the ruling class to use brutality and force upon us without using the same force and brutality upon them."

Moreover, said Cleaver, "We must destroy their institutions from which they derive their power . . . We must not get into a bag of thinking that we're involved in a game. A revolution is not a game, it's a war. We're involved in a war—a people's war against those who oppress the people, and this is the war in the clearest sense of the word . . ."

Meantime, at the recent SDS convention in Chicago where Progressive Labor Party members were expelled, it was the words of Chaka, Illinois Minister of Information for the Black Panthers, that brought the festering boil within SDS to a head, bringing about the expulsion. Chaka told SDS leaders, "If you can't relate to Huey P. Newton then you can close up your red book." He asserted the Panthers are the vanguard and had earned that title with their blood.

Now the new leadership of SDS, including the 11-man "national collective" which set out the strategy and ideological outline for the Revolutionary Youth Movement, defines itself clearly within Marxist-Leninist revolutionary traditions and they hope their new line will lead to a new Marxist-Leninist party. That information was duly reported in the June 26, 1969 Liberation News Service.

What more proof do we need other than what is provided in these homegrown Reds' own literature that they mean to overthrow this government by force and violence? They openly publish their plans, their names and their ideas. We ignored Hitler's *Mein Kampf* and writings of Lenin, Stalin and Marx. We ignore today's communists here and abroad only if we wish to be enslaved or murdered.

[From Liberation News Service, June 26, 1969]

FOR A UNITED FRONT AGAINST FASCISM

(Excerpts from speech delivered at the seventh world congress of the Communist International, July 25th,-August 20th, 1935—by Georgi Dimitroff. Book; entitled "United Front Against Fascism")

Incipient American fascism is endeavoring to direct the dillusionment and discontent of those masses into reactionary fascist channels. It is a peculiarity of the development of American fascism that at the present stage it appears principally in the guise of an opposition to fascism, which it accuses of being an "un-American" tendency imported from abroad. In contradistinction to German fascism, which acts under anti-constitutional slogans, American fascism tries to portray itself as the custodian of the constitution and "American democracy." It does not yet represent a directly menacing force. But if it succeeds in pentrating to the broad masses who have become disillusioned with the old bourgeois parties, it may become a serious menace in the *very near future*.

And what would the success of fascism in the United States entail? For the toiling masses it would, of course, entail the unrestrained strengthening of the regime of exploitation and the destruction of the working class movement.

Under these circumstances, can the American proletariat content itself with the organization of only its class conscious vanguard, which is prepared to follow the revolutionary path? No.

It is perfectly obvious that the interests of the American proletariat demand that all its forces disassociate themselves from the capitalist parties without delay. It must at the proper time find ways and suitable forms of preventing fascism from winning over the broad discontented masses of the toilers. And here it must be said that under American conditions the creation of a mass party of toilers, a *"Workers' and Farmers' Party,"* ("*Poor Black and Oppressed Peoples' Party*".) might serve as such a suitable form. Such a party would be a specific form of the mass people's front in America that should be set up in opposition to the parties of the trusts and the banks, and likewise to growing fascism. Such a party, of course, will be neither Socialist nor Communist. But it must be an *anti-fascist* party and must not be an anti-Communist party. The program of this party must be directed against the banks, trusts and monopolies, against the principal enemies of the people who are gambling on its misfortunes. Such a party will be equal to its task only if it defends the urgent demands of the working class, only if it fights for land for the white and black sharecroppers and for their liberation from the burden of debt; only if it works for the cancellation of the farmers' indebtedness, only if it fights for the equal status of the Negroes, only if it fights for the demands of the war veterans, and for the interests of the members of the liberal professions, the small businessmen, the artisans. And so on.

It goes without saying that such a party will fight for the election of its own candidates to local offices, to the state legislatures, to the House of Representatives and the Senate.

Our comrades in the United States acted rightly in taking the initiative for the creation of such a party. But they still have to take effective measures in order to make the creation of such a party the cause of the masses themselves. The question of forming a "Workers' and Farmers' Party", and its program, should be discussed at mass meetings of the people. We should develop the most widespread movement for the creation of such a party, and take the lead in it. In no case must the initiative of organizing the party be allowed to pass to elements desirous of utilizing the discontent of the masses which have become disillusioned in both the bourgeois parties, Democratic and Republican, in order to create a "third party" in the United States, as an anti-Communist party, a party directed against the revolutionary movement.

[From OSTH Information Service, Berryville, Va., July 20–27, 1969]

REVOLUTIONARY YOUTH MOVEMENT—NEW INTERNATIONAL BRIGADE—PART II

We are in for civil war if legal authority is not permitted to put an immediate stop to the new Revolutionary Youth Movement.

The "new left" as it had been known before the recent Chicago SDS convention, is now replaced by Marxism-Leninism and has set the tone for "revolutionary politics" in the U.S. for the decade of the 1970's. So stated a recent editorial published by the independent radical weekly, *Guardian*, powerful voice for all leftist tendencies. The Communist Party's *Daily World* on July 1, carried the Statement of SDS's Revoluntionary Youth Movement, and that organ promises Communist Party and W. E. B. DuBois Club criticisms concerning RYM will be published later.

The June 18 and June 25 issues of SDS's

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New Left Notes clarify its position, and a resolution to be put in effect, submitted by such past and present officers as Mark Rudd, Bill Ayers, Jeff Jones, Bernadine Dohrn and others, accepted by the membership, stated flatly that, *"The goal is the destruction of US imperialism and the achievement of a classless world: world communism."* Moreover, it contended, "Winning state power in the US will occur as a result of the military forces of the US overextending themselves around the world and being defeated piecemeal; struggle within the US will be a vital part of this process, but when the revolution triumphs in the US it will have been made by the people of the whole world."

By now it is well-known that there was a split during the SDS convention when the "regulars" purged their membership of persons affiliated with the Progressive Labor Party, thus making the "regulars" much stronger in new unity. New SDS officers, Rudd, Ayers and Jones, in an article headed, "Victorious Struggle," openly state actions at the recent SDS convention must be considered a critical turning point in the development of SDS as a "mass revolutionary organization." Their article closes with the slogan, "All Power to the People! Long live the victory of People's War!"

A resolution passed by the National Convention, submitted by self-confessed communist Mike Klonsky, the Bay Area Revolutionary government there which has a probirth of the American revolutionary movement" which has been "closely linked with the heroic struggles of the Vietnamese people fighting against US imperialism for national liberation." They state the "rebellions in Detroit, Watts, etc. have been the vanguard actions against US imperialism in Vietnam by bringing the war home," and boast that the necessity of having sent two divisions of troops to Detroit "to put down urban insurrections" instead of to Vietnam was commendable. They announce that there shall be a "revival of the mass movement against the war, elevated to a higher level of militancy" which will be powerful because of a "working class base and leadership." They explain the communist meaning of "internationalism" as the recent formation by the Vietnamese of the new revolutionary government there which has a program of support for the "struggles of oppressed peoples in Africa, Asia, Latin America and black people in the US." They insist SDS response must be to win "masses of Americans to support of the struggles of the oppressed nations for self-determination," which is the "primary way in which we can break the chains that tie them to capitalism."

Their tactics include "attacks on white supremacy," which will "connect the war in Vietnam to the war in the black colony in the minds of the people." Therefore, their program for summer and fall will include a call for a mass action against the war for September 26–28 in Chicago in the following demands:

"Immediate withdrawal of all U.S. occupation troops from Vietnam, the black and brown communities and the schools, and all foreign countries.

"Support for black liberation.

"Free Huey Newton and all political prisoners.

"No more surtax.

"Independence for Puerto Rico.

"Solidarity with conspiracy.

"Support for GI's rights and GI rebellions."

In building a summer program toward the above action, they still (regardless of all the publicity by Chambers of Commerce, etc. in opposition) intend to take the "issues" to the working people through a program of work in factories and in working class communities. They expect to build "revolutionary collectives" wherever they work that can "study revolutionary theory, apply it to practice and do criticism and self-criticism while developing a program in a collective way." They add that this is also an important step to "building a part of the proletariat, which is necessary if victory against imperialism is to be achieved." They foresee building toward "work stoppages and mobilizations of workers who are won to the fight." They intend to promote a student strike for the week of demonstrations, and conclude their lengthy statement headed, "Take the War to the People," with the following quotation from Mao:

"All reactionaries attempt to stamp out revolution by mass murder, and they think that the more people they massacre, the weaker the revolution will become. But contrary to this wishful thinking of reaction, the facts are that the more people the reactionaries massacre, the greater the strength of the revolution becomes, the nearer the reactionaries are to their doom. This is an irresistable law."

Photographically reprinted on the same page is a telegram dated June 24 sent by Hanoi to the SDS Convention, calling for "immediate measures" to demand the U.S. Government stop 'encroachments' on their security." A footnote written by *New Left Notes* editor called attention to that wire and stated it "underscores the need for national action." So SDS takes its orders, in part, from Hanoi! There is the proof in black and white.

Now, the section of *New Left Notes* detailing strategy for the Revolutionary Youth Movement, written by Rudd, Dohren, Jeff Jones and others, is 6 full pages long. The article is replete with flattering photographs of Marx, Lenin, Mao, and silhouettes of guerrilla fighters carrying guns. It takes hours to read and is extremely difficult to comprehend fully. It is impossible to believe these young revolutionaries wrote this piece without a great deal of assistance from seasoned communists. The Revolutionary Youth Movement is often known also as "Weatherman," that term taken from a song sung by Bobby Dylan, one of SDS's long-haired idols.

They refer to the United States as their "Mother Country" and state, "We are within the heartland of a world-wide monster, a country so rich from its world-wide plunder that even the crumbs doled out to the enslaved masses within its borders provide for material existence very much above the conditions of the masses of people of the world."

They quote Black Panther Huey P. Newton who was one of those finally imprisoned, who said, "In order to be a revolutionary nationalist, you would of necessity have to be a socialist." They explain that "black self-determination" in this country cannot be won except as a "victory for the international revolution as a whole." It is impossible, they conclude, for black militants to carve a black nation out of a portion of the United States, therefore, "the black liberation movement, as a revolutionary nationalist movement for self-determination, is automatically in and of itself an inseparable part of the whole revolutionary struggle against US imperialism and for international socialism." So the "Weatherman," Revolutionary Youth Movement program, consists in part of building a white movement which will support the blacks in moving as fast as they must and can, yet the whites should "keep up with that black movement enough so that white revolutionaries share the cost and the blacks don't have to do the whole thing alone." They state any person who does not take that position and still calls himself a revolutionary, is "objectively racist."

It is interesting to note that while all left-wing tendencies call for U.S. removal from Vietnam, at the same time SDS international strategy calls for what Che Guevara called "creating two, three, many Vietnams," meaning mobilizing "the struggle so sharply in so many places that the imperialists cannot possibly deal with it all. Since it is essential to their interests, they will try to deal with it all, and will be defeated and destroyed in the process."

In other words, though they demonstrate against U.S. involvement in the war in Vietnam, at the same time they want our troops and financial resources used there as part of the strategy to overextend ourselves. Obviously, should we pull completely out of Vietnam, the communists will see to it that we become bogged down in "wars of national liberation" in other areas of the globe as well as in the "Mother country."

The Revolutionary Youth Movement expects to reach young people wherever they are, in shops, schools, the army and in the streets, to recruit them "to fight on the side of the oppressed peoples of the world," and to make them "part of the International Liberation Army." They explain that the issues used in various militant actions are not at all necessarily the real issues, but only a means to bring others into the movement. They openly state, "At Columbia (University) it was not the gym, in particular, which was important in the struggle, but the way in which the gym represented to the people of Harlem and Columbia, Columbia's imperialist invasion of the black colony. Or at Berkeley, though people no doubt needed a park . . . , what made the struggle so important was that people, at all levels of militancy, consciously saw themselves attacking private property. And the Richmond Oil Strike was exciting because the militant fight for improvement of material conditions was part and parcel of an attack on international monopoly capital. The numbers and militancy of people mobilized for these struggles has consistently surprised the left, and pointed to the potential power of a class-conscious mass movement."

They spoke of the Black Panther Party Breakfast for Children Program as important because it is "socialism in practice" by revolutionaries with the "practice" of armed self-defense and a "line" which stresses the necessity of overthrowing imperialism and seizing state power.

Describing organizing in high schools and colleges at this time, they state their intent to put forth a mass line to close down the schools, rather than to reform them so that they can serve the people. They expect to send cadres to stick more closely to high school activists, saying they are important, and are already far beyond the need for elementary tactics of "reform," and are obviously prepared "for the full scope of militant struggle" as they already demonstrate a "consciousness of imperialism." It would not "raise the level of (high school activists') struggle to its highest possible point" to tell them about reform.

Rudd and company make a great point of the fact that agitational demands for impossible, but reasonable, reforms are a good way to make a revolutionary point, thus while they do not really desire "reform" in schools, it helps bring others to movement activism. So their line on schools in terms of "pushing any good reforms" should be "open them up and shut them down!"

These "white Mother country radicals," as they refer to themselves time and again, cite their "Position on the Cuban Revolution" in part as follows:

"As participates in an anti-capitalist, anti-imperialist movement, we fully support the Cuban revolution on the basis of the following:

"1. The Cuban socialist revolution has brought about a re-distribution of wealth and created an economic policy aimed at creating the economic basis (abundance) for a communist society.

XUM

"2. Cuba is among the vanguard of an effort to revitalize socialism and create a new socialist man . . ."

In support of a "North American Brigade to Cut Cane in the 1970 Sugar Harvest" in Cuba, the Revolutionary Youth Movement calls for a "brigade of 300 Americans (called the Venceremos brigade)" to organize to go to Cuba and cut cane. The brigade will be divided into two sections, one to leave in late November, the other in late January, each group staying in Cuba for a 2-month period. Members of the brigade will be recruited from activists in the revolutionary movement here, and will include "blacks, Latinos, white working class youth, students and dropout GI's." They believe the work will result in furthering their education in "imperialism and about the international revolution against imperialism," as there will be a "well-developed education and propaganda program" while in Cuba. They are also expected to "gain a practical understanding of the creative application of communist principles on a day-to-day basis." Quite openly they state that the New Left in capitalist countries have been ten years clearly identified themselves "within the tradition of socialist and communist struggle," even though the "American mass media and educational system have made the word communism into anathema." Their experience in Cuba is expected to help them "develop ways of combatting anti-communism."

Deviating a moment from the *New Left Notes* article, let us glance at Liberation News Service for June 28, 1969, which provides more information on the Cuban venture. It states the brigade was first conceived by several Americans who subsequently discussed it in Havana with representatives of the Cuban government whose Cuban officials indicated brigade members would be welcome. They urge no one to apply unless he is in good health because the work is hard. A spokesman for the executive committee planning the brigade contends no one need worry about financial need for "local fund raising efforts by groups and individuals, as well as a national fund, will be organized."

LNS boasts that although "unauthorized" travel to Cuba is officially banned, the U.S. government has no way of enforcing current State Department regulations, and in the past few years hundreds of Americans have traveled to Cuba. Members of the national executive committee include the following leftists:

Arlene Eisen Bergman of The Movement; Karen Ashley and Julie Michamin of SDS; Allen Young of Liberation News Service; Jerry Long of Chicago Newsreel; John McAuliff of the Committee of Returned Volunteers; Al Martinet of La Raza; Dave Dellinger of Liberation Magazine. Also representatives from the National Organizing Committee, the New York High School Student Union, the Black Panther Party and the Revolutionary Union Movement. Further information and application forms are available at Brigade, P.O. Box 643, Cathedral Station, New York, N.Y. 10025.

Returning now to *New Left Notes*, RYM discussed building a "movement oriented toward power," noting "Revolution is a power struggle." A major focus, in their view, must be the war against police whom they consistently call "pigs," and reiterate that emphasis must be placed on the fact that police are their "real enemy," which must be realized if they "fight that struggle to win." Their job as they see it is to prepare to meet police power and defeat police, the army, and at the same time stress self-defense, building defense groups around karate classes, learning how to move on the street and around neighborhoods, get medical training, move toward armed self-defense, and honor the principle that "political power comes out of the barrel of a gun." These "self-defense groups" look toward initiating "pig surveillance patrols, visits to the pig station and courts when someone is busted."

RYM anticipates establishing active conscious participating mass bases in neighborhoods, communities, cities and states in order to operate not only locally in given situations, but also to achieve "maximum active participation" when needed on large scales. It expects this to lead to such effective organization that a real revolutionary war will come about. Therefore, they state requirements as follows:

"This will require a cadre organization, effective secrecy, self-reliance among the cadres, and an integrated relationship with the active mass-based movement. To win a war with an enemy as highly organized and centralized as the imperialists will require a (clandestine) organization of revolutionaries, having also a unified 'general staff'; that is, combined at some point with discipline under one centralized leadership. Because war is political, political tasks—the international communist revolution—must guide it. Therefore the centralized organization of revolutionaries must be a political organization as well as military, what is generally called a 'Marxist-Leninist' party."

Next the RYM detail what is needed to accomplish the building of such an organization, explaining the time is not yet ripe except among the blacks, for success here in such an undertaking. However, they anticipate creating a unified centralized organization to have a "common revolutionary theory" to explain generally the nature of their revolutionary tasks and how to accomplish them. They require the existence of "revolutionary leadership tested in practice." They also need the revolutionary mass base which they described in lavish detail.

They see the need to establish "revolutionary collectives within the movement" to test their ideas and plans because "The development of revolutionary Marxist-Leninist-Maoist collective formations" will undertake this "concrete evaluation and application of the lessons of our work" which is not only the task of specialists but also of every revolutionary.

They see as their most important task in "making the revolution" the creation of a mass revolutionary movement without which a "clandestine revolutionary party will be impossible." This revolutionary mass movement should be different from the "traditional revisionist mass base of 'sympathizers.'" Rather, it should be akin to the Red Guard of China, based on the full participation and involvement of masses of people in the practice of making revolution; a movement with a full willingness to participate in the violent and illegal struggle. It is a movement diametrically opposed to the elitist idea that only leaders are smart enough or interested enough to accept full revolutionary conclusions. It is a movement built on the basis of faith in the masses of people."

It is intended through the above strategy that the Revolutionary Youth Movement in the United States will become "one division of the International Liberation Army," and "its battlefields are added to the many Vietnams which will dismember and dispose of U.S. imperialism."

Finally, the last words of the long difficult analysis: "Long Live the Victory of People's War!"

If established authority is not permitted to stem this newly-accelerated Red Tide, Americans will take the law into their own hands. Civil war and anarchy will result, and nothing could make the world Marxist-Leninist movement happier. As a first step, at least Congress should legislate in such a way that the cane-cutting brigade planning to go help Castro should be forced to remain in Red China, losing their United States citizenship.

EXHIBIT 2

A DEFINITION OF COMMUNISM OFFERED

(By David Lawrence)

Almost every week people read in the news dispatches something about "communism" and its relationship to activities in the United States. But rarely has a comprehensive definition of the word been given based upon an official inquiry authorized by Congress.

Such investigations have been occurring for many years. Most of the witnesses testify voluntarily and represent all walks of life—priests, ministers, college professors, schoolteachers, state and city officials, industrialists, farmers, officials of big labor unions, and representatives of various industries, and patriotic societies and other organizations, including the American Civil Liberties Union and the American Legion.

It is not generally realized that one of the practices of the Communists is secretly to advise and inform the members of different types of organizations how to plan for demonstrations on public issues.

Year after year, as the House Committee on Internal Security and the Senate Internal Security subcommittee have carried on their investigations, evidence relating to Communist activities has been revealed.

One of the earliest explanations of what is meant by communism was issued by a House committee in an official report, and is worded just as if it were written today. It says:

"The following is a definition of communism, a worldwide political organization advocating:

"(1) Hatred of God and all forms of religion;

"(2) Destruction of private property, and inheritance;

"(3) Absolute social and racial equality; promotion of class hatred;

"(4) Revolutionary propaganda through the Communist International, stirring up Communist activities in foreign countries in order to cause strikes, riots, sabotage, bloodshed, and civil war;

"(5) Destruction of all forms of representative or democratic governments, including civil liberties, such as freedom of speech, of the press, or assembly, and trial by jury;

"(6) The ultimate and final objective is by means of world revolution to establish the dictatorship of the so-called proletariat into one world Union of Soviet Socialist Republics with the capital at Moscow.

"Communism has also been defined as an organized effort to overthrow organized governments which operate contrary to the Communist plan now in effect in Russia. It aims at the socialization of government, private property, industry, labor, the home, education, and religion. Its objectives are the abolition of other governments, private ownership of property, inheritance, religion, and family relations."

The customary method of carrying on Communist activities is through infiltration of large organizations by a relatively few persons. They have available manuals of guidance and instruction which they give privately influential leaders to help them organize demonstrations. Communism, of course, is never mentioned. The FBI has discovered many instances of this kind, including donations of funds by some wealthy

Americans who are sympathetic to socialistic ideas.

The same techniques are apparent in Latin American countries. When an occasion like the visit of Gov. Nelson Rockefeller to South America arises, the Communist agents get busy and help to organize the demonstrations which will get publicity and arouse antagonism to the United States. Many of the agents are working for Red China or Cuba and are individuals of Spanish background or Europeans who speak Spanish.

In the United States, also, the conspirators are often not foreigners but Americans who are trained abroad or students in this country who have been converted to communism by agents of the Soviet or other Communist governments.

The general assumption has been that such plotters cannot be prosecuted unless it can be proved that they are being financed by a foreign government. The Constitution, however, does provide Congress with power to punish treason or efforts to overthrow the government of the United States by force.

When the average American reads about "communism," he still does not learn much about the techniques of treason and espionage that are being used to damage the American system of government and the established institutions of the country—including colleges, churches, labor organizations and other groups which play a conspicuous part in domestic controversies.

Mr. **MANSFIELD**. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. **STENNIS**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The Senate resumed the consideration of the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

Mr. **STENNIS**. Mr. President, on Tuesday, July 8, 1969, during the course of the debate on S. 2546, the distinguished Senator from Florida (Mr. HOLLAND) asked for certain information with respect to cost overruns on the programs covered by the authorization bill and also for information about recoveries under the renegotiation process. The full information was not available at that moment, but I promised to furnish it for the RECORD. I now have that information and ask unanimous consent that it be placed in the RECORD at the conclusion of my remarks.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 1.)

Mr. **STENNIS**. Mr. President, I would emphasize that the attached information points out that there is no direct relationship between the cost overrun problem and the matter of renegotiations of Defense contracts because of excess profits.

The cost increases represent obligations for which the Government is liable. It is unlikely that these overruns will result in there being an excess profit although this is something to be determined later.

The matter of renegotiation of excess profits is not a matter within the jurisdiction of the Department of Defense but is administered by the Renegotiation Board which is a separate statutory agency.

I hope that this additional information will be helpful in explaining this problem.

I ask unanimous consent that a statement and tabulation to which I have referred be printed in the RECORD at the conclusion of my remarks.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

FUNDING DEFICIENCIES RELATED TO COST INCREASES ON PROGRAMS APPROVED FOR FINANCING THROUGH FISCAL YEAR 1970

In connection with review of FY 1969 and FY 1970 programs which was directed by the Secretary of Defense on January 28, 1969, extensive cost overruns were detected in the shipbuilding program.

On March 3, 1969 a survey was ordered to identify all unbudgeted funding deficiencies which might exist on approved programs due to cost overruns. This survey surfaced a total of between $1.6 and $1.8 billion in funding deficiencies, of which about $874 million to $1.0 billion was expected to mature by June 30, 1970 and another $768 million after Jnue 30, 1970.

Appropriate revisions were made in the FY 1970 budget to cover the deficiencies identified through June 30, 1970.

On May 14, 1969 a review was requested of the Military Departments to revise the estimate of cost overruns to reflect the latest information available. The new total funding deficiency is $1.6 billion of which $710 million is estimated to mature by June 30, 1970. Of the several adjustments which caused the net reduction, the largest was the cancellation of the Cheyenne production contract which reduced the total deficiency by $120 to $252 million.

Attached is a summary of the revised estimates of funding deficiencies.

MANAGEMENT OF COST OVERRUNS

A series of significant actions have been taken to improve management detection and control of cost overruns of major weapons systems:

The selected acquisition reports coverage has been expanded and tightened to provide a better basis to top management for early identification of potential cost overruns. These are special reports covering cost and production status of major weapons systems accounting for a significant dollar value of defense programs.

A standard definition of the elements of costs to be included in stating weapon systems costs has been issued to assure a consistent basis for reporting, analysis and the issuance of cost data in internal and public use.

Military service secretaries have been charged with personal review and evaluation of major weapons systems progress and costs to provide for early identification and management attention and action where cost overruns appear to be developing.

Management attention throughout the Department is being focused on the need for early decision as to future action concerning weapons systems where significant cost overruns have or are projected to occur. These reviews will address the relative costs of the systems versus the urgency of need, and will lead to more timely decisions to proceed with, cancel, or modify major weapons systems programs.

FUNDING DEFICIENCIES RELATED TO COST INCREASES IN PROGRAMS APPROVED FOR FINANCING THROUGH FISCAL YEAR 1970

[In millions]

Program	Total funding deficiencies	Year in which obligational authority required				
		Prior years	Fiscal year 1969	Fiscal year 1970	Fiscal year 1971	Later years
Army						
Air Force	($624.6)					
C-5	424.1				$220.5	$204.1
F-111 A/E/D	200.5				200.5	
Navy	(937.0)					
Shipbuilding	559.0		$183.0	$271.0	115.0	100.0
Aircraft	86.8	$9.3	45.3	32.2		
Missiles	20.5		8.2	12.3		
Ships support equipment	21.9	7.5	4.0	10.4		
Communications and electronics equipment	26.8	18.1		8.7		
Aviation support equipment	84.9	84.9				
R.D.T. & E., N	27.1		1.8	12.4	12.9	
Total funding deficiencies	1,561.6	119.8	242.3	347.0	548.4	304.1
To be financed by reprograming	709.1	119.8	242.3	347.0		
Remaining deficiency	852.5				548.4	304.1

EXHIBIT 2

RENEGOTIATION REFUNDS

While a large proportion of Defense contracts are subject to the Renegotiation Act, Defense does not administer the Act. That is a responsibility of the Renegotiation Board.

Renegotiation refunds of excessive profits are not returned to Defense appropriations, but are deposited in the Treasury. In addition any attempt to relate such refunds to particular contract overruns is not possible for the following reasons:

1. Renegotiation considers profits on all

renegotiable business of a contractor on a fiscal year basis—not on a contract-by-contract basis.

2. A contractor's renegotiable business includes sales to certain agencies other than Defense such as NASA, GSA, and AEC.

3. Due to the time lag in contractor reporting and Board processing, refund data for any Government fiscal year may involve various business years for different contractors.

However, to give a general idea of the order of magnitude of such refunds, data for Fiscal Years 1965 through 1968, are as follows:

[In millions]

	1965	1966	1967	1968
Gross determination of excessive profits	$16.1	$24.5	$16.0	$23.1
Voluntary refunds	16.4	23.2	30.3	15.6
Gross recoveries (to be reduced by applicable tax refunds)	32.5	47.7	46.3	38.7

Mr. STENNIS. Mr. President, as I understood, the Senator from Kentucky (Mr. Cooper) in debate this afternoon indicated that his amendment would not affect any of the funds in the pending bill. The Senator has been called from the floor and cannot be present now. However, I think I should place a short statement in the Record emphasizing what these funds in the bill propose to be eligible for, and what they propose to do with them.

This is a highly important issue, and I think it should clarified. I will submit the question, and the Senator from Kentucky can comment on it later as to whether his amendment would affect and how it would affect these funds.

The amendment of the Senator from Kentucky reads as follows:

> Funds authorized to be appropriated by this Act or any other Act for the acquisition of an antiballistic missile system may be used only for research, development, testing, evaluation and normal procurement incident thereto, and may not be used for the deployment of an antiballistic missile system or any part or component thereof or for the acquisition of any site or preparation of any site for the deployment of any such system.

As the Senator may know, beginning on page 25 of the report the money elements are outlined totaling $759.1 million, consisting of the following:

(a) $400.9 million for research for Safeguard

(b) $12.7 million for the construction of test facilities for Kwajalein for Safeguard

(c) $345.5 million which would authorize the procurement of elements in the Safeguard system.

On page 25 also the use of the fiscal year 1970 procurement funds is outlined as to their principal purpose, listing the five major elements as follows:

(1) One Missile Site Radar (Grand Forks).

(2) One Missile Site Radar Data Processor (Grand Forks).

(3) Training equipment.

(4) Advance procurement for one other Perimeter Acquisition Radar (PAR) and one other Missile Site Radar (MSR) (Malmstrom).

(5) Leadtime missile parts ($600,000).

On page 27 there is a detailed outline of how the $345.5 million would be spent; $249 million of this consists of costs relating to the radar, data processing, and ground equipment incidental thereto. There is only $600,000 relating to hardware for operational missiles and these are long leadtime parts for Spartan and Sprint. That is a leadtime item regarding the long time guidance system elements. Only $600,000 out of the overall total of $759.1 million is to be devoted to that. There is over $100 million which will go for preproduction costs, that is, factories, engineering, and all the various elements relating to preproduction expenses for the Spartan and Sprint missiles. These funds, however, are preproduction and go for preproduction expenses.

Mr. President, I want to emphasize the following points:

First. Except for the $600,000 there are no funds in this bill for operational missiles. Therefore, none can be deployed because none is to be built with these funds and none have been built.

Second. The $249 million for the radar parts and components will be deployed because these are the radar elements for the two sites in phase I.

In order that we have a clear understanding, Mr. President, I think I respectfully ask the Senator from Kentucky how he thinks his amendment would affect the authorization in this bill as I have outlined:

First, the $400.9 million for R. & D.

Second, the $345.5 million for procurement.

Third, the $12.7 million for test facilities at Kwajalein.

If it is not intended that the amendment affect any of these items, what we will then have is a situation where we are building the radar components for the Phase I sites but with no authority to place them on the sites.

SITE MONEY

With respect to that part of the amendment relating to site acquisition. I would like to ask the Senator is it clear that the Senator intends that no moneys of any kind can be used to acquire sites even in phase I. I would like to add that this bill does not contain any funds for sites. However, there is about $196 million in unobligated funds previously appropriated from military construction which could be used for this purpose.

Mr. President, I think that statement fully sets forth the uses for which this money could be used and makes a differentiation and points out about the sites.

I very respectfully submit this matter now and will advise the Senator from Kentucky (Mr. Cooper) about it. He will have a chance to respond to these questions next week.

I think it will be quite helpful to the membership to nail down these figures on these purposes.

Mr. McINTYRE. Mr. President, as appears on page 18903 of the Record for July 9, 1969, the Senator from California (Mr. Cranston) asked:

> I wonder whether the Senator from New Hampshire could advise Senators, before consideration of this measure is complete, a bit more about the area of studies of men under danger—not stress so much as personal danger.

A number of studies undertaken by the Department of Defense and the services fall in the general category raised by the Senator from California. It is difficult to be specific in all cases since the line between personal danger and stress is often very close in the studies done.

However, I ask unanimous consent that the brief descriptions of 10 such research studies be printed at this point in the Record.

There being no objection, the descriptions were ordered to be printed in the Record, as follows:

SUMMARIES OF VARIOUS STUDIES CONDUCTED BY DEPARTMENT OF DEFENSE

Service: Air Force (AFOSR).

Title: "Research on Special Personnel Utilization Problems of the USAF."

Principal investigator: James Monroe, Preston and Associates, Inc., 1050 Thirty-first Street, N.W., Washington, D.C.

Funds: $69,870 (12 months—1 May 68–30 April 69).

Abstract: The objective of this proposed effort is to develop methods for analyzing behavior and performance of Air Force personnel engaged in difficult or stressful military activities, such as combat, captivity by a hostile power, assignment to unusual tasks, threatening physical environments, and service with foreign nationals. The proposer and his staff have military experience, familiarity with related work in this area, and resources in the academic and nonacademic community. The contractor will work closely with the technical monitor and Air Staff in selecting problems, orienting research tasks, and reporting results of his studies in a form that will be readily applicable in policy studies, decision-making, or in military education and training programs.

Air Force relevance: The proposed research will provide methods of analysis and finding to Hq USAF and SAF policy and operational planning staffs on such critical functions as selection and testing, evaluating performance, training, and preparing personnel for special overseas assignments and coping with possible detention in enemy control. The results should be of interest to DCS/P–PTR; AFNIN–Deputy for Collection, and Chief, E&E Branch; AFXPD–Special Warfare Division; SAF General Counsel and Personnel Counsel.

Status: Completed.

Service: Air Force (AFOSR).

Title: "Effects of Physical and Symbolic Stressors on Perceptual Mechanisms."

Principal investigator: Dr. Ross A. McFarland, Harvard University, Boston, Massachusetts.

Funds: FY–68 $52,650 (24 months: 1 Apr. 68–31 Mar 1970).

Abstract: This research seeks to develop ways of increasing man's ability to perform complex tasks under unusual environmental conditions and in the presence of fear producing events. It will test the theory that at extreme stress levels, degradation in performance will be associated with a loss in the ability to maintain a narrow focus of attention. The research will also test the proposition that stressful warning signals presented a highly aroused, but adequately performing individual will result in an early loss of the ability to maintain necessary concentration.

Air Force relevance: Wartime and many peacetime Air Force operations are performed under extremely stressful conditions. This research effort will contribute to our understanding of the effects of stress on performance and the means of controlling such reactions. Methods will be provided for countering the bad effects of stress on performance and predicting the type of performance most likely to be impaired by high levels of stress.

Status: Proceeding.

Title: Human Factors in Tactical Nuclear Combat (TAS).

Service and sponsor: US Army, US Army Combat Developments Command, OCRD.

Purpose: To forecast from existing literature the probably human factors in nuclear combat.

Abstract: A summary of what is known about man's behavior under extreme stress was made from existing literature. Charts were developed for estimating the extent of psychological casualties to be expected in tactical nuclear combat. Implications were drawn for special training to prepare the soldier to fight and survive in nuclear combat.

Status, completion date: Completed in 1965.

Cost: Estimated cost, $21,000.

Title: Correlational Analysis of Aviator Performance (PREDICT).

Service and sponsor: US Army; US Continental Army Command; Deputy Chief of Staff for Personnel.

Purpose: To develop a system for continuous prediction of aviator performance in training and combat.

Abstract: Based on the tests now in use in the Army for initial selection of Warrant Officer candidates for flight training and on results of previous research on predicting successful performance under stress, a system is being developed for making updated predictions of an aviation student's success as he progresses through flight training. The major utility of the system will be earlier detection of probably failures in this costly training sequence. Also, the system will improve the accuracy of advanced training assignments and may reduce aircraft accidents.

Status, completion date: fiscal year 71.

Cost: $239,324.

Title: Curriculm Engineering to Enhance the Soldier's Resistance to Stress in Combat and Hazardous Job Situations (SKILLCON).

Service and sponsor: US Army; US Continental Army Command.

Abstract: Aspects of basic combat training involving some psychological stress such as rifle firing and grenade throwing, have been recast in light of new knowledge of stress and evaluated. Results suggest the approach should help to increase the trainee's effectiveness in stress situations. Guidelines for modifying other hazardous duty situations will be developed.

Status, completion date: Ongoing research.

Cost: $68,755.

BEHAVIORAL SCIENCE RESEARCH IN THE MILITARY

Title: Performance of Young Commanders under Stress. Subtitle: Lieutenants being interrogated by the enemy (simulated).

Service: Army.

Sponsor: Chief of Staff, Deputy Chief of Staff for Personnel, Chief of Research and Development, other General Staff Agencies.

Purpose: To develop effective performance of young commanders who may become subject to hostile interrogation, and to evaluate performance under stress.

Abstract: As part of a stressful three-day leadership simulation designed by behavioral scientists using the subject-matter knowledge of several hundred combat officers to simulate guerrilla combat, lieutenants were sent individually on a three-hour jeep-mounted reconnaissance patrol during which each lieutenant was captured, interrogated, and ultimately released. Scientifically controlled realism was built in throughout. In addition to the mounting stresses of confusion, harassment, hunger, and fatigue (though without fear of death), those stresses normally employed in military training for resistance to interrogation were introduced in connection with the simulated interrogation. A number of behavioral factors influencing resistance to interrogation were identified. Favorable influences were previous disposal of all personal papers, preference for a combat-type assignment by the lieutenant, his measured level of motivation and his willing effort (self-reported). Unfavorable behavioral influences were a tendency by the lieutenant for falsifying information, his pretending of illness, a show of belligerence by the lieutenant; and self-reported drowsiness, apprehension over possible dangers, being bothered by long periods of solitude, being stressed by the patrol mission, and being bothered by the capture and interrogation events themselves. Such research results provide a basis for aiding young commanders to perform more effectively under stress.

Completion date: December 1969.

Estimated cost: $150,000.

Title: "A Conceptual Model of Behavior Under Stress, With Implications for Combat Training."

Service and sponsor: U.S. Army; U.S. Continental Army Command.

Purpose: To identify and measure factors related to effectiveness and ineffectiveness of individuals in combat.

Abstract: On the basis of reported observations of the behavior of individuals under various prolonged physical harm conditions, a sequential pattern of behavioral reactions is described, reflecting the behavioral manifestations of a stress process. This sequential pattern of behavior would be expected, over time, to apply to any individual in any severe physical harm threat. The rate of development of this behavioral pattern under a given set of environmental stressor conditions represents the individual's stress resistance. A conceptual model was developed to describe the mode of operation of key attitudinal variables and environmental stressor variables in producing this behavioral pattern as well as the individual differences in stress resistance. Design of training to increase stress resistance in combat or other hazardous jobs is discussed from the basis of this conceptual framework.

Status, completion date: June 1966.

Cost: $28,000.

Title: "Aviator Performance Under Stress."

Service and sponsor: U.S. Army; USA Combat Developments Command.

Purpose: The general objectives of the research are to provide the Army with readily usable information on variables affecting aviator performance of Army aviation missions, and to provide for the integration of this information into a dynamic system of performance prediction. The immediate principal concern is with the decrements in performance resulting from the various stresses associated with combat missions.

Abstract: What has emerged is an Army whose equipment has grown more complex and whose environment has taken on much greater variability. The human operator in this system is the Army aviator. In combat, he is required to perform for extended periods, involving many missions within a single day. What happens to his performance as a function of factors such as fatigue, monotony, enemy fire, turbulence, low-level flight, and operation at night? We may safely predict that factors such as these generally result in a decrement in performance; the critical question as to amount of decrement has not been answered for most of these factors. In the course of this effort HumRRO surveyed some 10,000 abstracts of psychological and physiological articles and books relevant to human performance under stress. From these HumRRO has compiled a stress reference library consisting of approximately 2,000 scientific and military articles that are most pertinent to the Army aviation situation. They summarized this information and categorized it in terms meaningful to lay military audiences so that it can be used on a day-to-day basis as inputs for planning. The categories being used are generally related to ranges of effective human performance. Especially important in this context are tolerance limits related to ancillary stresses encountered in the combat environment—such as extreme temperatures, or chronic and acute sleep loss—and their interactive effects on perceptual, motor, and cognitive functions.

Status, completion date: April 1967 (Report is in HumRRO Professional Paper 27-67 titled "Human Factors Research in Support of Army Aviation").

Cost: $43,000.

Title: "Performance, Recovery, and Man-Machine Effectiveness."

Service and sponsor: US Army, with technical monitorship assigned to: US Army Human Engineering Laboratories, Aberdeen Proving Ground, Maryland.

Purpose: To identify and measure the major parameters of long-term performance, and of recovery of the ability to perform.

Abstract: Army tactical units and their commanders are required to accomplish their missions under the stresses of noise, vibration, unfavorable climatic conditions, overload of job demands, and hazard of injury and death. Improved battle area surveillance and other tactical hardware will shortly enable a doctrine of continuous operations. The doctrine's primary limitation is expected to be man's ability to perform effectively for long periods of time and to recover quickly for renewed efforts. Knowledge and indicators of performance limits, and means of speeding recovery, are of utmost importance.

Experimentation will measure, and identify valid indicators of, the limits of effective endurance of individuals and organized groups in the performance of arduous, stressful, and responsible duties; and seek more effective techniques for speedy recovery and return to duty.

Experiments are being designed to take differential account of: organizational and motivational emphasis; congruity and ambiguity of instruction and training; personality and dietary habits; vigilance and cognitive processes; conditions of vibration, physical loading, ionization, and temperature and humidity.

Status, completion date: Year 1 (Sept. 1968–Sept. 1969): design of experiments, installation and test of instrumentation, pilot orientation and calibration studies in progress. Sept. 1973.

Cost: $467,500, Initial contract amount; $234,000, Annual level of effort; $702,000, Total 3-year effort.

Mr. McINTYRE. Mr. President, on July 9, during a colloquy with the Senator from Arkansas (Mr. FULBRIGHT), I was asked about AWOL and desertions from the Armed Forces during the fiscal year 1969.

With reference to Department of Defense statistics concerning absentees contained on page 24 of Senate Re-

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port No. 91–93 dated March 11, 1969, the following are similar statistics reported for the first three quarters—July–March—of fiscal year 1969:

Number of unauthorized absentees (AWOL) for less than 30 days

Army	113, 330
Navy	6, 766
Marine Corps	([1])
Air Force	2, 546
Total (less Marine Corps)	122, 642

[1] Not available.

Number of unauthorized absentees over 30 days, administratively classified as deserters and dropped from their unit rolls

Army	43, 223
Navy	3, 756
Marine Corps	8, 092
Air Force	387
Total	55, 458

As appears on page 18904 of the RECORD for July 9, 1969, the Senator from Washington (Mr. JACKSON) asked:

> Will the Senator (MCINTYRE) supply for the RECORD the amount of money supplied the Massachusetts Institute of Technology by the Department of Defense?

The Defense Department states that in 1968, the last year for which firm figures are available, the MIT and its divisions received the following:

[In millions]

From DOD (prime contracts):	
Instrumentation Lab	$30. 7
Lincoln Lab	63. 2
MIT	25. 3
Total	119. 2
From other Federal agencies (NASA, AEC, FAA)	28. 8
Grand total	147. 0

As appears on page 18904 of the RECORD for July 9, 1969, the Senator from Maryland (Mr. TYDINGS), asked:

> How much did the Hudson Institute receive directly or indirectly from the Department of Defense or the Pentagon in 1967, 1968, 1969, and how much is it going to receive in 1970? I think it might be helpful if the Senator could provide any information with relation to the amount of the cost of the book "Why ABM?" authored largely by members of the Hudson Institute, of Croton-on-Hudson, N.Y., and the relationship between that book and the funds received by the Hudson Institute from the Pentagon.

I am informed by the Department of Defense that the following facts cover the situation regarding the Hudson Institute. I ask unanimous consent that the statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE HUDSON INSTITUTE

Hudson Institute was formed by a group of former Rand scientists, headed by Herman Kahn. It was never, in the truest sense of the word, a Government-sponsored FCRC, and it has always competed for work outside the Government. Nevertheless, it has consistently drawn most of its funds from Department of Defense contracts and, until FY 1969, it was reported to the Congress as an "FCRC." In FY 1968, 69%, or $950,000, of Hudson Institute's $1.36 million operating budget came from DOD-funded contracts.

Twenty-seven percent came from non-Government sources, and 3% from Federal agencies other than the Department of Defense. DOD does not have firm figures for FY 1969 but estimates that the funding and the sources of same are approximately the same as FY 1968.

The criteria which distinguish an FCRC are principally the following:

1. Virtually complete dependence on DOD as the source of funding;

2. An understanding that it will devote its capabilities exclusively to DOD projects as required; and

3. The absence of the necessity to compete for DOD contracts.

Because it no longer meets these criteria, Hudson Institute was "delisted" by the Defense Department and for FY 1969 was not reported to the Congress as an FCRC. Since that time it has been required to compete for DOD contracts on the same basis as a profit-making, private corporation or university center. Because it must compete for FY 1970 funds with other organizations having like capabilities, it is not possible to predict the FY 1970 projects which DOD will award to Hudson Institute.

On the question of the book, "Why ABM?", the following information has been furnished by DOD, which presumably obtained this information from the Hudson Institute:

The book cost between $15,000 and $20,000 to publish. It was written by fellows and associate fellows of the Hudson Institute and is financed with the Hudson Institute funds. Our information is that the contributors were not paid for their essays which make up the book and that Hudson Institute hopes to recoup its publishing expenses from sales. We are assured that no defense funds were used for the book.

ADJOURNMENT TO MONDAY

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate adjourn until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 4 o'clock and 5 minutes p.m.) the Senate adjourned until Monday, July 14, 1969, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate July 11, 1969:

JUDGE, DISTRICT COURT, VIRGIN ISLANDS

Almeric L. Christian, of the Virgin Islands, to be judge of the district court of the Virgin Islands for a term of 8 years, vice Walter A. Gordon resigned.

U.S. ATTORNEYS

Nathan G. Graham, of Oklahoma, to be U.S. attorney for the northern district of Oklahoma for the term of 4 years, vice Lawrence A. McSoud.

C. Nelson Day, of Utah, to be U.S. attorney for the district of Utah for the term of 4 years, vice William T. Thurman.

Robert T. Lawley, of Illinois, to be U.S. attorney for the southern district of Illinois for the term of 4 years, vice Richard E. Eagleton.

Douglas B. Baily, of Alaska, to be U.S. attorney for the district of Alaska for the term of 4 years, vice Richard L. McVeigh, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 11, 1969:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Dr. Roger O. Egeberg, of California, to be an Assistant Secretary of Health, Education, and Welfare.

OFFICE OF SCIENCE AND TECHNOLOGY

Hubert B. Heffner, of California, to be Deputy Director of the Office of Science and Technology.

NATIONAL SCIENCE FOUNDATION

William David McElroy, of Maryland, to be Director of the National Science Foundation for a term of 6 years.

U.S. DISTRICT JUDGES

Gerald S. Levin, of California, to be U.S. district judge for the northern district of California.

H. Emory Widener, Jr., of Virginia, to be U.S. district judge for the western district of Virginia.

U.S. ATTORNEYS

Charles S. White-Spunner, Jr., of Mobile, Ala., to be U.S. attorney for the southern district of Alabama for the term of 4 years.

R. Jackson B. Smith, Jr., of Georgia, to be U.S. attorney for the southern district of Georgia for the term of 4 years.

Charles H. Anderson, of Tennessee, to be U.S. attorney for the middle district of Tennessee for the term of 4 years.

Wade H. Ballard III, of West Virginia, to be U.S. attorney for the southern district of West Virginia for the term of 4 years.

James M. Sullivan, Jr., of New York, to be U.S. attorney for the northern district of New York for the term of 4 years.

Leigh B. Hanes, Jr., of Virginia, to be U.S. attorney for the western district of Virginia for the term of 4 years.

Henry A. Schwarz, of Illinois, to be U.S. attorney for the eastern district of Illinois for the term of 4 years.

Evan LeRoy Hultman, of Iowa, to be U.S. attorney for the northern district of Iowa for the term of 4 years.

Robert J. Roth, of Kansas, to be U.S. attorney for the district of Kansas for the term of 4 years.

Donald E. Walter, of Louisiana, to be U.S. attorney for the western district of Louisiana for the term of 4 years.

U.S. MARSHALS

James E. Williams, of South Carolina, to be U.S. marshal for the district of South Carolina for the term of 4 years.

Isaac George Hylton, of Virginia, to be U.S. marshal for the eastern district of Virginia for the term of 4 years.

Frank M. Dulan, of New York, to be U.S. marshal for the northern district of New York for the term of 4 years.

George E. Tobin, of California, to be U.S. marshal for the northern district of California for the term of 4 years.

Charles R. Wilcox, of Wyoming, to be U.S. marshal for the district of Wyoming for the term of 4 years.

Melvin A. Hove, of Iowa, to be U.S. marshal for the northern district of Iowa for the term of 4 years.

Robert G. Wagner, of Ohio, to be U.S. marshal for the northern district of Ohio for the term of 4 years.

BOARD OF PAROLE

William F. Howland, Jr., of Virginia, to be a member of the Board of Parole for the term expiring September 30, 1972.

William E. Amos, of Maryland, to be a member of the Board of Parole for the term expiring September 30, 1974.

XUM

EXTENSIONS OF REMARKS

PROPOSED EXPERIMENTAL CITY IN MINNESOTA

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Friday, July 11, 1969

Mr. JAVITS. Mr. President, the crisis of our cities is both complex and challenging, and many proposals have been offered to improve urban life. I wish to bring to the attention of my colleagues in the Senate a new and exciting approach to solving the ills of urban America.

A group of distinguished Americans, including university, city, and industry officials, have begun to plan the construction of an experimental city in Minnesota to commemorate the 200th birthday of the United States in 1976. I can think of few better ways to celebrate this historic occasion than by designing the city of tomorrow to serve the citizens of today.

The public and private sectors should cooperate in designing and building a city which will demonstrate to all Americans that our cities can, and will, be as viable a part of our Nation's future as they have been throughout our country's first 200 years.

Mr. President, I ask unanimous consent that a speech by Otto A. Silha, chairman of the steering committee of the experimental city project, and executive vice president and publisher of the Minneapolis Star and Tribune, be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

HOW A CREATIVE PARTNERSHIP OF THE PRIVATE AND PUBLIC SECTORS CAN COMBINE TO CONSTRUCT AN EXPERIMENTAL CITY IN MINNESOTA BY 1976 TO COMMEMORATE THE 200TH BIRTHDAY OF THE UNITED STATES

(Address by Mr. Otto A. Silha)

I'm delighted today to discuss a project which is completing its first stage at the University of Minnesota.

In the beginning, some people considered it "far out."

Now, many consider it one of the most significant, far-reaching undertakings ever launched in America.

I'm speaking about an Experimental City for the United States.

In order to focus this project clearly in your mind I would like to review briefly the 1968 nomenclature of "the cities."

You are familiar with the *Model City program*. Formerly called the Demonstration City program, the Model City plan, as it was passed by the last Congress, is basically much-needed extension of what we have come to know as Urban Renewal, a super coordination effort involving the many departments of government which deal with the problems of the city. Minneapolis has a model city program.

Let me emphasize that the Model Cities program basically involves tearing out slum areas, replacing them with new construction, and attempting to deal at the same time with the "people problems" which are overwhelming in these areas of dense urban population.

A second designation for urban development which has come into the vocabulary in the past three or four years is the New Town. There are now in construction or on drawing boards, more than 250 "New Towns" in the United States. The two with which you are probably most familiar are Reston and Columbia, both of them in the greater Washington, D.C., area. Jonathan in Carver County is the nearest thing we have in this part of the country.

Actually, in oversimplified terms, the New Town is a real estate development. They are all primarily in the private sector and many of them are spearheaded by large corporations. In each case, the project usually begins with the acquisition or optioning of large acreage, ranging from 200 to 17,000 acres, and proceeds from there.

Interestingly enough, almost all of these planned "New Towns" are located around the "rims" of the United States. You can trace the concentration starting from the Boston area in New England down along the East Coast into Florida, across the Gulf Coast into Texas, through Arizona and then up the West Coast of California. Very few of them are mapped out for the Midwest.

I want to make the distinction now between the Model Cities, the New Cities and the subject to which I address myself today—the Experimental City. The key phrase which I prefer to use in describing the Experimental City is that it will comprise an *overleap* in research and in seeking more alternatives in dealing with the problems of the city.

This experimental overleap would offer an opportunity, in some degree, to start anew rather than to have to deal with the entangling restrictions of every sort—in power, transportation, sewer lines, to name a few—which are present when we attack the established city or even the environs of the established metropolitan area.

You might be interested in a brief résumé of the genesis of the Experimental City.

First and foremost, of course, is Dr. Athelstan Spilhaus, our former University of Minnesota Institute of Technology dean, who is now president of Franklin Institute, Philadelphia. Dr. Spilhaus first proposed *an* Experimental City formally in a 1966 report made to the White House by the American Academy of Sciences Committee on Pollution, of which he was chairman. That report indicated it was almost impossible to find the best solutions to urban pollution problems because the pollutants cannot be manipulated or controlled in a manner which would diminish them substantially or combine them for positive results.

The second generating spark for the city project came through Dr. John Clegg, president of North Star Research and Development Institute. Several years ago he suggested that North Star might do some research in the private sector on the subject of enclosure, dealing with an area as large as 200 acres. Investigations proved this commercially infeasible.

The third impetus came from California when Wayne Thompson resigned as city manager of Oakland to come to Dayton as a vice president. He had been working with the Tempo Advanced Research Division of General Electric on a New City concept for the Oakland area and the Tempo group in Santa Barbara had done considerble work on the enclosure idea and in the transportation field.

In brief, it was possible for me to bring all of these forces together here in Minnesota. The University's proposal for the first phase of research was presented to the Departments of Housing and Urban Development (HUD), Health, Education and Welfare (HEW), and Commerce in June, 1966, with the strong support of Vice President Humphrey, the entire Minnesota Congressional delegation and, of course, from Governor LaVander.

The proposal called for preparation of a plan for a systems engineering analysis and design of the Experimental City;

Investigation of the social implications—dealing with the grave "people problems";

Exploration of the possible techniques for implementing the whole plan.

As a starting point for concept discussion, we have talked in terms of a city population of 250,000 and a location 100 to 150 miles from the Twin Cities.

Phase I of the work is almost completed at the University. The objective has been to achieve a comprehensive definition of the project through a survey of the literature and experience and through delineation of the problem areas by convening a series of conferences and workshops, bringing together the top experts, the best brains in the world for each area of investigation.

You will be interested in the succeeding phases as outlined:

Phase II would evaluate untried concepts and systems in laboratory environment, experimentation with small scale models, and investigation of anticipated problems. (Guestimate on cost: $4 million.)

Phase III would include construction of pilot model.

Phase IV: design for the actual city.

Phase V: construction and occupation—conceivably 10 years from the beginning of research.

Phase VI: continuing evaluation, modification and development.

Who are the 22 members of the steering committee.

The University of Minnesota principals are:

President Malcolm Moos;

Walter Vivrett, Professor of Architecture and Planning, who is serving as Project Director;

Dr. Walter Heller, professor of Economics;

Dr. Gaylord Anderson, professor of Public Health.

You will also recognize many of the rest of the names:

Walter M. Beattie, Jr., School of Social Work, Syracuse University, top ranking sociologist;

Harrison Brown, the Cal Tech geo-chemist;

Dr. James C. Cain of the Mayo Clinic;

R. Buckminster Fuller, Engineer, Southern Illinois University; Max L. Feldman, General Electric TEMPO (Center for Advanced Studies); T. Keith Glennan, Vice Chairman of the Urban Coalition; Dr. Martin Marty, University of Chicago School of Divinity and Associate Editor of Christian Century;

Joseph A. Pechman, Director of Economic Studies, Brookings Institution;

Harvey S. Perloff, Resources for the Future, Washington;

Roger Revelle, Head, Center for Population Studies, Harvard;

Bernard Schriever, General, U.S. Air Force (retired);

Athelstan F. Spilhaus, President, The Franklin Institute, Philadelphia;

William L. C. Wheaton, Director of the Institute of Urban and Regional Development, University of California;

Paul N. Ylvisaker, Commissioner, Department of Community Affairs, State of New Jersey (formerly Director of Public Affairs, Ford Foundation);

O. Meredith Wilson, Director, Center for the Advanced Study of the Behavioral Sciences, Palo Alto;

Whitney Young, Executive Director of the Urban League;

Finally, Wayne Thompson and your speaker as chairman.

Fifteen workshops have been held in Minneapolis, each with attendance ranging from 10 to 18 leading national experts in the various fields of inquiry. Here are the subjects for the workshops:

City Building Technology;

Enclosure at City and Community Scale;

Waste Management Systems and Pollution Control;

Transportation of People and Goods;

Communications-Information;

Planning, Developing and Marketing;

Human Institutions: Living Patterns and Residential Structure;

Health, Medical and Rehabilitation Services; Environmental Health;

Energy and Energy Transmission;

Manpower, Immigration and Motivation;

Policy Considerations—Governmental and Political;

Governmental Organization for MXC;

Economic Development; and

Area Linkages and Economic Development.

I have met with or attended all but four of the workshops and I can testify that the participation has been arduous and enthusiastic.

The steering committee for the Experimental City project has held five meetings in Washington, Minneapolis, New York and Princeton, New Jersey.

Dr. Kenneth Clark, social psychologist and Executive Director of Metro Applied Research Center, New York, met with the steering committee in January at Princeton and commented at some length on the relationship between the urban ghetto problems and the Experimental City. Prior to that conversation with Dr. Clark, the steering committee toured the Central Ward of Newark and received full-scale briefing through the excellent arrangements made by Paul Ylvisaker.

Needless to say, all of these deliberations have produced some exciting concepts and possibilities for intensive investigation. The problem of the Phase I final report will be to select some 100 to 150 of these major areas for massive Phase II research and/or development:

Here, then, are some of the ideas which have thus far been generated:

The concept, for the first time in the history of man, of building a city from an ecological base.

Can free public mass transportation be built into The City the way an elevator is built into a building?

The possibility exists for co-ordinated testing and experimentation with MXC ideas in the near-term future. We find an emerging interest in conducting experiments wherever possible in existing communities, including our central cities. For example, certain experimental ideas may be suggested for the Model City area of Minneapolis. We may be able to begin some experimental work in the para-medical field at Rochester, Minn., before the end of this year. Certain ideas may be planned in connection with the new town of Jonathan near the southwest edge of Minneapolis. The Ford Foundation has funded a "micro-city" study involving Professor Edward Henry of St. John's University. Certain experimental ideas designed ultimately for the Experimental City may be tried in smaller communities such as St. Cloud. The campuses of the University of Minnesota conceivably might serve as experimental areas.

This concept will make it possible for the Experimental City to begin producing worthwhile solutions for certain urban problems in 1969. The ultimate experiment, of course, is to put all of these ideas together in one great urban community—the Experimental City.

The whole concept of research on "the new" and people's capacity to absorb new ideas and new things. The "marketing" aspects of new ideas constitute a whole new field for concentrated research.

A "situation room" or an "information transfer" room may be constructed for use in the planning and design stages of The City, but also as an experiment for early application in existing cities.

Development of the first air world transportation center for the U.S.

The educational possibilities of the project itself. Can a new kind of university "without walls" be built into the project as it unfolds? We believe so.

What new horizons can be explored in supplying food to a city?

Members of the President's Bi-Centennial Commission have shown considerable interest in the Experimental City project as one possible national activity for 1976 when the United States will celebrate its 200th birthday.

Again, these are only some of the interesting thoughts which have developed in the first planning stage of MXC. Many more will be discussed in the formal project report soon to be released.

I might say a word about enclosure because this is a subject which intrigues most people.

Enclosure will be a part but only one portion of the experiment. It could be, however, an important part of the experiment.

One possibility would be to enclose a medical complex to secure maximum health administration benefits from a controlled climate.

In such a complex might be contained a general hospital, a specialized hospital like the Variety Club Heart Hospital, a so-called secondary care hospital, nursing homes, a motel-like structure with private housekeeping facilities, but some nursing care, and finally, individual homes for people who should live for a period near a major medical complex.

It is now technologically possible to enclose a diameter of two miles, more than 2,000 acres. This would be the Houston Astrodome multiplied by a factor of more than one hundred.

Such a procedure, would make it possible to create "Arizona" in Minnesota. And if you wished you could live in a structure which would have its front door in "Arizona" (or "Hawaii") and your back door in Minnesota so that you could ice skate or ski in the back and play golf in the front. This emphasizes that enclosure would be experimentally desirable for a recreation area.

There are many facets of current research which will be conducted throughout the country by businesses as well as by educational and scientific institutions which need a place for testing in actual use.

Transportation will, of course, be an important phase of the experiment. Possibly there will be no automobiles in the central city itself. My Upper Midwest friends here today may have seen a recent proposal to link the St. Paul and Minneapolis campuses of the University by a small-car automatic transport system. This would be an electrically powered continuous series of four-passenger vehicles which would move people in an orderly manner between the campuses and between various parts of the campuses.

One of the reasons it will be extremely difficult to proceed promptly with this plan here in the Twin Cities is that there are a multitude of restrictions and hurdles which must be jumped in order to secure the right-of-way and all of the other approvals necessary, wholly apart from the expense factors involved. If such a system were operating in an Experimental City it would be much simpler to demonstrate to people the convenience and economic desirability of such a plan.

We desperately need an Experimental City to demonstrate the advantages of progress so we can enjoy those advantages, which are technically feasible and fiscally desirable in our lifetime.

As you can see from this brief overview, the private sector of the economy—the business community—has already played an extremely important role in the conception and development of this project. Each of the three Federal agencies involved has provided a grant of $80,000. To this $240,000, private industry added $120,000.

Major Minnesota companies have joined the University in providing the additional funds needed for the first phase. The following have each contributed $10,000 toward the initial research:

The Dayton Company, The H. B. Fuller Company, Honeywell, Inc., IBM, Minneapolis Banks' Clearing House Association, Minneapolis Star and Tribune, Northern Natural Gas Company, Northern States Power Company, Northwestern Bell Telephone Company, Polaroid Corporation, Boise Cascade, and Control Data.

Ultimately, in the final stages involving construction of the Experimental City, major investments will have to be made by business leadership. Why will these investments be worthwhile?

In the first place, many American industrial firms are in the same position as our urban centers—research and the technology are far ahead of the ability of management to transform that research into reality through the construction of a new kind of plant or facility. In the same way that our cities face all of the impediments on the road to change, so, too, the industrial firm is confronted with regulations and restrictions and codes and customs and practices which make it almost impossible to try anything new, to break with the past, to really experiment with a new technique that might produce a breakthrough for a whole industry.

The Experimental City would offer the ideal location for such a new plant or facility where the "fresh start" could be preplanned in concert with the surrounding other plants and service facilities so as to maximize the possibility of success.

What will be the ultimate cost of the Experimental City? All one can say today is that it will surely be a multi-billion dollar program and that much of the expense will be borne by American business and industry.

To put any numbers into context, it is well to remind ourselves that the supersonic transport, if it proceeds, will cost about $4 billion.

Thus far our nation has spent about $30 billion in our program aimed toward landing a man on the moon. The space program expenditures have been at the rate of about $5 billion a year.

It would seem sound and logical for business and labor to join with the Federal government and the citizens of the United States in an Experimental City project designed to produce a laboratory for urban living which might help us solve so many of the knotty problems we face right now in everyday life.

I would like now to point out the similarity between the Experimental City project and the development of taconite, the low-grade ore which now is being utilized by the steel industry. More than 40 years ago on the campus of the University of Minnesota experiments began in the minds of men and in the laboratories which later developed into the iron ore processing procedure which has made taconite an important part of the world's economy.

The taconite research had Federal support and state legislative support and University support, but in the final stages of its evolvement into its place in the economy, it required massive investment from the private sector along with a spirit of understanding and co-operation demonstrated by officials of government, members of the legislature and ultimately the people of Minnesota.

In order for the Experimental City project to proceed to its final objective—construction of the city—much the same process will have to take place. Ultimately, American business and industry will finance major investment in the Experimental City.

I'm sure that 40 years ago most people would not have guessed that taconite would develop into a vital industrial process on both American continents and other places in the world. The Experimental City is approximately in that position today and the need for the successful conclusion of the experiment, in many ways, is much greater.

I will quote one member of the project steering committee anonymously. He has dealt with major problems of our nation and around the world. His statement was this: "Next to national security, this has to be the most important and challenging problem facing the country."

Incidentally, the city itself will probably be built by a new type of corporation, perhaps patterned after Communications Satellite Corporation but with surprising innovations.

I might add at this point that we have had considerable encouragement from many quarters on the project—members of the House and Senate have demonstrated their interest. Other Cabinet departments—Department of Defense, Interior, Transportation, Agriculture—will be briefed. The Edison Institute, American Gas Association and Bell Labs have all met with us and are preparing plans for Phase II. Major corporations and institutions like Chase Manhattan Bank, Westinghouse and Daniel, Mann, Johnson and Mendenhall are studying the project.

It is important to point out that members of the Legislature are working with us and the Governor's office and the Attorney General's office on the legal and governmental aspects of organization, including the monumental problem of land acquisition.

Obviously we are now seeking the financing of Phase II which will begin January 1, 1969, extending through June, 1970. Although all the proposals are not yet completed, we feel that about $4 million will be needed to finance the necessary research. About $2 million of this will probably come from the private sector, including foundations.

The prospect is bright for substantial project support from the private sector. Major corporations who helped finance Phase I have indicated continuing interest. The American Gas Association has pledged manpower and money; specific projects are in planning. Similar meetings are in progress with Edison Electric Institute. General Electric has proposed a large-scale communications experiment at the University.

The University of Minnesota will again be the prime contractor for Phase II, along with North Star Research and Development Institute. Planning for the ultimate corporate entity has also begun.

In conclusion let me quote an editorial in the Washington Post:

"The move toward planning and construction of an entirely new city in the open spaces of Minnesota is one of the most exciting ideas of the year. The project is, of course, highly experimental. But it is an experiment that may have a profound influence on the future of this and other countries.

"The opportunity of beginning a new city from scratch, free from all the handicaps of congestion, blight, obsolescence, and so forth, should itself be an extraordinary stimulus. The appeal to new industry, business, workers and residents will be very substantial.

"Our new frontier may well be the open space of today where new cities will rise in the decades ahead."

Barbara Ward, writing in The Economist, stated the case for the Experimental City most eloquently:

"There are new insights into urban planning. There are new technologies available to give the plans a solid base in fact and extrapolation. There are a myriad inventions—in power, in traffic control, in automation—waiting to be applied to urban problems. And there are the resources which will in any case be spent. What is lacking so far is the unifying vision of the whole urban order as a proper field of coordinated inquiry and action. Until it is achieved, men may well remain more visionary about their outer space than their inner space and give themselves a rougher landing in the city than on the moon."

As the final Phase I report nears completion, it is clear to me that the Experimental City project is well on its way toward ultimate construction of The City. With the kind of support and enthusiasm we have seen demonstrated over these past months, it is abundantly clear that a project of this magnitude and of this importance to the United States and to the other countries of the world cannot fail to reach its goal.

RAILROAD'S INDIFFERENCE TO TRAVELING PUBLIC

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. HASTINGS. Mr. Speaker, on June 4, the Erie-Lackawanna Railroad announced that it was discontinuing passenger service on trains No. 5 and 6, traveling between Hoboken and Chicago. The trains, one eastbound and the other westbound, constitute for most of the cities throughout the southern tier of New York State, the only passenger service available.

We may wax sentimental about the disappearance of the passenger train and the romance associated with an earlier era when a ride on the train was one of life's thrilling experiences. But I can assure you that the rapid demise of passenger train service to these communities is no subject for deep nostalgic reminiscence. It is a subject of supreme concern. The Erie-Lackawanna says it is discontinuing its services because of lack of passengers and that by doing so it will be able to save yearly some $1.7 million which it says it can apply to improved freight service. I suggest that this is the source of the railroad industry's plight with its passenger service. I can sympathize with their plea of financial distress because people are not riding the trains any more but I wonder if the railroads are not pointing the accusing finger in the wrong direction.

Railroading is a $10.2 billion a year business and 90 percent of that comes from freight. I cannot help speculating how those figures might be changed if the railroads had, over the past years, paid more attention to its passengers.

Recently, I, along with several of my colleagues, introduced a bill which would establish tougher tests in determining if a railroad was justified in discontinuing passenger service to a community, especially when that service was the only one available. I am more convinced now than ever of the merits of that proposal. Railroads, instead of giving up on passenger service, must launch a program catering to the public.

For one thing, they could clean up the unkempt coaches, and another, get to their destinations on time. Reporter Kevin Doran, of the Hornell Evening Tribune, who conducts a column called Kevin's Korner, recently wrote an article for that newspaper, which we think, briefly but pointedly, underscores the railroad's indifference to the public. Under unanimous consent I include it in the RECORD:

END OF PASSENGER SERVICE LAMENTED

(By Kevin Doran)

So the Erie-Lackawanna wants to make it official—no more passenger service. It seems that the railroad has been trying for years to discourage people from using its "services" and now, it has succeeded to the extent that officials feel they can approach the Interstate Commerce Commission with "proof" that not enough people use their passenger service to make it worthwhile.

What a shame! It's too late now but there was a time when the railroad might have made passenger travel so attractive that people would have been lining up for railway tickets.

Ever ride on a train west of the Mississippi? What a difference!

Their conductors are polite—as are the ticket sellers. When you call for information they are something like the airlines—pleasant, courteous and, they even make you feel like they want your business.

There is a real effort to arrive and depart on time and the coaches are modern, attractive and clean. If only the Erie-Lackawanna would have tried to imitate some of the western railways.

A couple of years back—when there was still train service from Buffalo to Hornell—I tried to take the E-L home. I called the Buffalo office and the conversation went something like this.

"Do you have a train leaving for Hornell today?"

"Yes, but I don't think you'd like to travel it."

"Why not?"

"It has no diner—no drinking coach—and it takes a long time."

"I'll eat before I get on—I don't want a drink and I haven't any car."

"Well, if you really want to."

Maybe the girl was trying to do me a favor but I had the distinct impression that she didn't want to sell me a ticket.

GEN. DWIGHT DAVID EISENHOWER

HON. THOMAS J. MESKILL

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. MESKILL. Mr. Speaker, the death of Gen. Dwight David Eisenhower on March 28, 1969, brought sadness to the entire Nation. The general was undoubtedly a great soldier, a true humanitarian, and a distinguished President.

General Eisenhower will long be remembered in history for his outstanding leadership of the Allied Forces in Europe in World War II. He demonstrated that he was a man of great courage and wisdom. Every serviceman who had the privilege of serving under his command will testify to his leadership and genius.

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But it was Dwight David Eisenhower's humanitarian concern which brought him back to the United States to serve as the President of one of this Nation's most distinguished universities. His service to Columbia University and to the role of education in our society tells us much about the depth of this man's personality.

As President of the United States for two terms, General Eisenhower made some of his most outstanding contributions to the world community. He was a true statesman who was fully dedicated to bringing peace and stability to the conduct of affairs between Nations. President Eisenhower was a peacemaker first, last, and always. He set the tone for his administration by concluding the Korean war and followed through by maintaining peace in a troubled world.

All Americans owe a debt of gratitude to this man who, throughout his life, served as an example of everything that we strive for in America.

SMUT PEDDLERS—PART IV

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. DULSKI. Mr. Speaker, California can claim many firsts, including the lead in State population—much to the chagrin of we New Yorkers who have led the States for years.

There is one first of which California rightfully is not proud. That is the conclusion by many that California is the pornography capital of the United States.

Californians, as well as others of us, are trying to do something about the flow of smut through the mails. It is not an easy task simply because of the difficulty in acting without infringing upon the right of we Americans to certain privacy.

So the battle against the smut kings is not an easy one. It requires the cooperation of everyone and we cannot rely on legislation. There are things which we can do and they have been spelled out by Max Rafferty, a Californian, in an article in the November 1968 issue of Reader's Digest.

Mr. Rafferty served as a public school teacher, principal, and superintendent in California for 22 years before being elected in 1963 as the State's superintendent of public instruction.

Following is his article:

CRACK DOWN ON THE SMUT KINGS

(By Max Rafferty)

I'm a Californian. I've lived in the Golden State nearly all my life, and I'm proud of her. She has so many "firsts" in such fields as industry, agriculture, education and entertainment that it's not easy to find another state to compare her with.

But one of those "firsts" I'm *not* proud of: California is the pornography capital of the United States. On my desk as I write are stacks of books, magazines, movies, tapes, photographs and picture postcards. All of them portray, in meticulous detail and in living color, acts of sodomy, bestiality, lesbianism, sadism and masochism that turn the stomach—and pander to the rottenness that all of us have a little of. All of them were made, processed and distributed in California.

Before me is a pocket book with the title *Memoirs of Josephine M.* It's purportedly the diary of a prostitute, and it chronicles 192 pages of alleged sexual activities from the time the authoress was five. Over and over she mouths the same Anglo-Saxon words, does the same things with a succession of carboncopy males, and experiences the same highly unlikely marathon ecstasies. There are only a relatively *few* ways in which the sex act can be performed, and after you've read about them or seen them pictured once, a constant succession of unreasonable facsimiles loses its allure, except for the mentally defective and the childish. Any adult with an I.Q. above 65 must find *Memoirs of Josephine M.* as boring as an endless recital of identical corned-beef-hash recipes. It was sold by an outdoor bookstore in a sunny San Fernando Valley suburb.

On another corner of my desk is a reel of color film which portrays a so-called Hollywood sex orgy. All the actors and actresses are nude (which gets to be pretty depressing in itself); all of them are apparently sexual athletes; and all of them take turns doing the same thing to each other. The photography is good. The lighting is excellent. The plot leaves something to be desired. This film came from a downtown Los Angeles smut store.

Then there are the slides and the picture postcards from San Francisco. These show men and women all tumbled about in postures which would challenge a contortionist, and all wearing nothing but interchangeable leers.

The production of pornography is a $19-million annual business in my state. Nationwide, the production and sale of pornography is perhaps a $500-million industry. I estimate that more than 50,000 Californians participate in some way in the filth racket. Out of our state's school population of almost six million children, half a million have been mailed, sold, handed or shown the kind of sordidness I have been describing.

Here are some sad facts about my home state:

Los Angeles is the home of the undisputed top publisher of "girlie" and "nudie" magazines. Each month, more than 700,000 copies of sex-oriented magazines are printed here, and pour out across the land.

California's eight major publishers of dirty paperbacks turn out 1,500,000 books a month.

In 1967, four of the nation's six major publishers in the bondage-flagellation-fetish field were located in Los Angeles and San Diego.

The sale of mechanical sex devices is centered in Los Angeles, with more than 100 firms engaged in the mail-order business.

Obscene photos and films bring a million-dollar profit to California each year. The still photos sell at $2 a six-pack, usually in "twilight" bookstores, sex-oriented theaters, and arcades. The movies—ordinarily 200 feet of 8-mm. film with a running time of 12 minutes—wholesale for $2 and retail at around $10 each. Female participants are usually prostitutes, who get paid $50 per film; the male participants don't get paid.

Made as a sideline by cameramen, technicians and processors already employed in the vast motion-picture industry, the films and stills bear the unmistakable hallmark of Hollywood know-how—the gloss, the technical excellence which have made the California label a byword for quality around the planet. It's as though the hard-won research findings and marketing techniques of top pharmaceutical companies were suddenly put to use in packaging deadly poison for distribution among the children of the nation.

For the pornographer victimizes juveniles especially. Juveniles are his natural prey. They're curious, they're naive, they want to pose as adults, they have plenty of money. Often the slime salesman uses youthful pushers to do his dirty business of merchandising the stuff; sometimes it's sold in the classroom, almost under the nose of the teacher. What helps the smut seller most is the pervasive climate of parental permissiveness and downright indifference to what young sons are doing.

If I read the future aright, the most damnable after-effects of the Sick Sixties may be the young lives that have been wrecked and shattered by the refusal of mothers and fathers to direct their children's lives and to supervise their daily activities. Parents today should take considerably more interest in where Jimmy is and what he is doing in his spare time. It's a disheartening thing to have to say, but it's true: Jimmy just isn't *safe* anymore on the loose.

Venereal disease among our California youth has more than doubled in five years. Premarital pregnancies are running off the top of the graphs. Sex crimes, especially against children, are proliferating in such ghastly profusion that many California parents are afraid to send their youngsters to the grocery store. Law-enforcement officers in my state tell me that they find stacks of printed nastiness in the possession of almost every juvenile sex offender they pick up. If you doubt this, I suggest that you ask your own police chief.

No, I can't prove definitely that pornography *causes* such tragedies, any more than I can prove beyond peradventure that fleas cause a dog to scratch. But the evidence is overwhelming. For almost 30 years I've been an educator and worked among the young, and never have I seen a direr, dirtier danger to our youth than this avalanche of obscenity that is now burying us. In its own way, this material is as dangerous for them as a diet of strychnine.

Besides showing more concern as parents, what can we do to dethrone the smut kings?

First, encourage judges to hand down more severe penalties for producing and peddling commercial pornography. As it is now, the fines are so light and the jail sentences so nearly non-existent that the smut salesman has almost no roadblocks.

Second, elect a President of the United States who will appoint Justices of the Supreme Court who recognize pornography as such when they see it. (Happily, the Court recently upheld a decision that stricter standards can be applied in determining what is and is not salable to minors.)

Third, pick city and county prosecutors who will put the obscenity racket high on their target lists, and who will track down the sex racketeers through bush, brake and mire.

Fourth, support such national organizations as Citizens for Decent Literature (5670 Wilshire Blvd., Los Angeles, Calif. 90036). CDL wars ceaselessly on the dirt mongers.

Finally, lead neighborhood boycotts of stores and newsstands that sell this vileness. Placard them, agitate, protest.

And don't get sidetracked by sneers that you are showing an "unhealthy interest" in pornography, that you are interfering with "freedom of artistic expression," or that a "new morality" abroad in the land has outmoded your own repressed Puritanism. Horsefeathers! Money is the only god the pornographer has, the only thing he has ever been interested in. He couldn't care less about avant-garde literature, artistic expression, or morality of any kind, new or old.

The stakes are too high to be lost sight of in a cloud of semantics. The issue is more than a temporary loosening of our moral fiber. The issue is our children. And our grandchildren. They are *our* responsibility, nobody else's. They are worth fighting for, worth saving. And nobody can do the fighting but you.

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DR. JOHN STOKES MARTIN

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. GRIFFIN. Mr. Speaker, last week, Dr. John Stokes Martin took the oath of office as superintendent of the Jackson Municipal Separate School District. The State of Mississippi welcomes this distinguished educator to her capital city. Dr. Martin, who began his career in education in 1951, comes to Jackson from his post as assistant superintendent for the Atlanta public schools.

Jackson has one of the most progressive school systems in the South. I am confident Dr. Martin will continue its development.

At this point, I include in the RECORD the remarks of Mr. C. H. King, president of the board of trustees, in presenting Dr. Martin at the installation ceremonies on July 1:

PRESENTATION OF DR. JOHN S. MARTIN
(By C. H. King)

Ladies and Gentlemen: We are here this morning at the beginning of another fiscal year, on this first day of July, 1969, to install Dr. John S. Martin as superintendent of schools for the Jackson Municipal Separate School District.

Dr. Martin, your entrance upon your duties comes at a propitious time in the history of this school system. As we view it you are the right man in the right place at the right time! We entrust to your capable hands a cooperative, competent administrative staff that has brought this school system to this good hour. We also tender you a cadre of some 1700 professionals and another thousand individuals in supportive roles. This collective team stands ready to respond to your leaderhip as you assume office.

You and your associates should know that business of this school board will be transacted in open meeting with you present, and that these trustees will consider all school business at announced meetings of the board. Further, we want you to know that we shall avoid commitments through personal interviews that might tend to hamper or embarrass the board or prejudice decisions when matters come before it for action.

Specific powers and duties of the board of trustees are defined in the school laws of this state. The board is empowered to prescribe and enforce rules and to set up the administrative machinery whereby policies and regulations are enforced in the administration of the school program. This board has properly exercised its prerogative by employing you as superintendent of schools and assigning to you the responsibility of administering the schools in this system in conformity with the state laws and the policies adopted by this board. The board has created the unit-executive type of organization which means that the board delegates completely the executive activity to you and that you will be held fully responsible for the execution of all school policies.

Let us emphasize that your duties are to:

(a) Facilitate the instructional process by maintaining the adopted educational policies of our state and of the board of trustees;

(b) Appraise these policies in accordance with existing needs;

(c) Supply the board with the means for informing the people of conditions in the schools;

(d) Furnish creative leadership to the teaching staff; and

(e) Act as professional adviser to the board of trustees.

To assist you in the proper discharge of your duties, a central administrative office has been established by the board and a staff of assistants to the superintendent has been employed whose responsibilities are to carry out administrative, consultative, and supervisory functions as delegated by you. These officers are directly responsible to you, and you in turn are responsible to the board, not only for your actions but for the actions of all school employees.

These comments may sound somewhat formal and austere, but they are made for the purpose of making clear to you the scope and magnitude of your assignment, and reiterate to trustees and staff the stated position of this school board as to the administration of this excellent school system. These written policies will be found in the *Administrative Services Handbook*—sometimes referred to by your associates as The Gold-lettered Book.

This community has an unbroken record of enthusiastic support for its public schools. There has been measured progress and improvement in educational services to youth and adults and we are fully confident that you and your staff will give further impetus and acceleration to the improvement of this school system.

You have the goodwill and best wishes of your staff and of all citizens of this school district as you begin your work with us.

We call upon you now to execute the *Oath of Office.*

COMMONSENSE

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. GAYDOS. Mr. Speaker, in recent years gun control legislation has been the subject of much controversy and heated debate. Sportsmen's clubs across the country quickly rose opposing legislation which would restrict their right to own and use firearms. And rightfully so. They should not be penalized for the actions of those who use firearms for breaking the law.

A recent editorial from the McKeesport Daily News states the case very clearly. I submit it for the RECORD at this time:

COMMONSENSE

The traditional right of individual American citizens to own firearms has become a controversial issue as a result of the acts of berserk assassins and the rise of violence.

So far, law-abiding citizens have not become the victims of the extremists who would like to outlaw ownership of guns and subject the citizen to something approaching police state surveillance.

In our deep concern over lawlessness, it would be easy to fall prey to needless and futile repression—futile since curbing the liberty of law-abiding citizens has little bearing on the acts of law violators.

Fortunately, evidence is growing that common sense is beginning to enter the picture of firearms control. Rather than saddle the law-abiding citizen with onerous restrictions, a number of states have enacted or have pending measures which would impose mandatory penalties for the misuse of firearms in a crime.

Many groups such as veterans' organizations and sportsmen's clubs are adopting resolutions urging our lawmakers and courts to provide for stiffer sentences for crimes with firearms instead of forcing those who obey the law into some kind of federally controlled firearms registration and licensing program.

These are constructive steps and they are encouraging because they contrast so sharply with the kind of extremist approach which holds that the cure for almost any problem lies in granting the federal government increased police powers over the affairs of nonlawbreakers.

The American people have never taken kindly to this kind of oppression. So far as most of them are concerned, that kind of police state approach went out with the American Revolution.

CLEANING UP A RIVER

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. O'HARA. Mr. Speaker, I want to report today on a massive volunteer effort being organized in the city of Sterling Heights, Mich.

The citizens of this young city, incorporated only last year, are preparing to mobilize 5,000 volunteers in August to clean up the Clinton River, which flows through Sterling Heights.

The Sterling Height project is a sequel to a "Clean Up the Clinton" campaign earlier this year in an area downstream, near the city of Mount Clemens.

Mr. Speaker, the organizing committee and its chairman, Sterling Heights Councilman Al Martin, are to be commended for their work in planning the project.

I know that the people of the city will respond to the call for volunteers, and that the "Sterling Heights, Clinton River Cleanup" will be a success.

Mr. Speaker, I hope that Americans everywhere will hear of this project—a truly community effort to clean up a badly polluted waterway—and use it as a guide for similar campaigns in their own areas.

An outline of the project and news reports concerning the Sterling Heights Clinton River cleanup follow:

STERLING HEIGHTS CLINTON RIVER CLEAN-UP COMMITTEE

GENTLEMEN: This is to inform you that a Sterling Heights Rotary Club Spearhead Committee for the Clinton River Clean-Up was formed May 22nd, 1969, with Councilman Al Martin as Chairman.

The purpose of the Spearhead Committee was the formation of a community wide Sterling Heights Clinton River Clean-Up Committee. This large committee is composed of representatives from all local service clubs, civic organizations, governmental agencies, and interested individuals. One representative from each organization and Co-Chairmen of the twelve committees make up the "Sterling Committee" which is the policy making body for the Clean-Up project.

The task will be monumental, requiring 5000 volunteers from this community as well as the surrounding communities. The venture will be promoted as a citizens or community wide project with the people and organizations setting out to accomplish an extremely worthwhile project for the City, County and State. It is a united effort project whereby citizens and members of many

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organizations will rub shoulders when working together to do something worthwhile for the community instead of waiting to see what the community can do for them.

The Sterling Heights Clinton River Clean-Up Committee will have several purposes or goals to accomplish and they are as follows:

1. To make the river a cleaner river by removing debris and encouraging strict pollution control.

2. To be instrumental in making the river an adequate water channel to drain the area.

3. To encourage development of badly needed recreational facilities. (a) Land use could include picnic areas, hiking, biking trails and parks. (b) Water use could include canoeing, boating, fishing and wildlife.

4. To encourage and assist in similar river clean up projects up and down stream from Sterling Heights—observers from throughout the nation will be invited to attend the clean-up and take back ideas and information to their organizations.

5. To encourage appropriate legislation and pollution controls in the recreational and natural resource areas.

6. To encourage the naming and funding of a governmental agency to control, develop and maintain the Clinton River.

Sterling Heights Clinton River Clean-Up Committee was formally organized on June 4, 1969, at Stevenson High School at which time there were about 100 officials from County and various civic organizations, including Mr. Tom Welsh, Macomb County Drain Commissioner, who supported the project and stated all facilities at his office were at the committees disposal. Other officials from the U.A.W., Teamsters Union, Department of Natural Resources, the Huron Clinton Metropolitan Authority, the Rochester-Utica Recreational Area, Dodge Park #8, the Detroit Sportsmen's Congress, the lower Michigan Paddling Council and many others also publicly stated their full support of this project.

Mr. Martin remained Chairman of the newly created Committee and created 12 subcommittees and appointed Co-Chairmen to these respective committees. The list of the Committees are as follows:

Public relations.
Equipment.
Right of way and access.
Communications.
Work coordinating.
Refuse disposal.
Food and comfort.
First aid.
Volunteer recruitment.
Finance.
Survey and photography.
Secretarial.

Mr. Michael David Schwartz has volunteered to be Mr. Martin's legal counsel.

A survey trip of the river by canoe will have been undertaken by June 14th, at which time the concentration of debris will be noted on maps and designated as working areas. Also, during this trip photographs and movie film footage will be shot for the express purpose of developing slide and movie presentations for making presentations to any interested organization who may wish further information regarding the clean-up project. The volunteer clean-up committee will give these presentations and you may call at this office for this service.

The target dates for the clean-up have been set for the weekend of August 16th and 17th and it is hoped that Governor Milliken will be the project kickoff speaker at Dodge Park #8 on the 16th of August.

In order to raise funds for the projects operational expenses, a "Send a Dollar" program will be instituted immediately. A slogan such as the following will be instituted—"Get in the action—now's the time to fight pollution. For a better recreational solution tomorrow—send your dollar to the Clinton River Clean-up today." All other funds that are received over and above the operational expenses will be specially ear-marked to develop a Canoe Livery and for the development of water and land recreational facilities along the Clinton River. Also on schedule for August 30th is an Awards and Recognition picnic to be held at Stoney Creek Metropolitan Park at which time another well-known dignitary will speak and he will be assisting in making awards to those that have participated or contributed to this clean-up project. Sports figures and other celebrities will also be invited to attend.

At this function two newspaper tabs will be awarded to the participants. The tabs will contain the complete story of the Clinton River Clean-Up project from May 22nd thru the actual completion of the Clean-Up. It will carry action pictures, names of all participants and contributors, and pictures of all working crews will also be included. Our intent is to recognize all organizations and individuals who have donated their time, equipment and funds to make this a successful project.

With all the above goals in mind, the full support and assistance of your organization is respectfully requested and any contribution of manpower, equipment, or monetary donations will be greatly appreciated. In case of monetary donations, please make check payable to: "The Sterling Heights Clinton River Clean-Up Committee" and send to Al Martin, 12159 Fairview Drive, Sterling Heights, Michigan.

It is urged that businesses and other organizations consider making a definite pledge as to whatever donation of manpower, equipment and/or funds that they may consider donating to the success of the project.

Best regards and thank you in advance for your cooperation, support and assistance that you may consider for this united community effort.

Very sincerely,

AL MARTIN,
Chairman, Sterling Heights Clinton River Clean-Up Committee.

[From the Clinton (Mich.) Sentinel, June 17, 1969]

CLINTON CLEAN-UP COMMITTEE INCORPORATES; MARTIN PREXY

(By Bob McCormick)

Incorporation of the Sterling Heights Clinton River Clean-Up Committee and the residents who will serve as officers was announced by Councilman Al Martin during a meeting of the group Monday night. Martin said the incorporation is necessary for insurance purposes and local attorney Michael D. Schwartz has volunteered to serve as the committee's legal counsel for this and other legal work.

Martin will be president of the corporation, Schwartz vice-president, and James Boehmer will serve as treasurer, Ernest Belcher as secretary, and Richard Mancini, Ugo Padovini and Thomas Chaplow will complete the board of directors.

Martin also announced the Oakbrook Homeowners Association has pledged 25 men to help in the clean-up operation on Aug. 16 and 17 and that the Macomb Action Program will send 25 boys from the Neighborhood Youth Corps, and three staff members to supervise them, to aid in the project. Frank Bouchar, director of the group, attended Monday's meeting.

Chuck Hoffman, president of the National Campers and Hikers Association, and several representatives of the organization also attended the meeting and pledged their help in the massive clean-up program.

Martin said that financial contributions have been received from the Sterling Heights Rotary Club, Michael Schwartz, Phillip Runkel, Judge Gordon Havey, Ugo Padovini, Raymond Larson, John Sikos, Don Fox and Charles B. Mark.

Residents or businessmen wishing to make contributions to the clean-up program may do so by sending a check to the Sterling Heights Clinton River Clean-Up Committee in care of Al Martin, 12154 Fairview, Sterling Heights 48077.

A "send-a-buck" campaign has also been started by the committee and Martin said they have already received many contributions from residents. The first donor to send a dollar was Charles Mark, who also volunteered other assistance for the project.

Attorney William Donovan, co-chairman of the Right of Way and Access Committee, reported good progress in receiving licenses and sees no problem in having all the necessary clearance by July.

Tom Chaplow, co-chairman of the Volunteer Recruitment Committee, said anyone interested in providing "muscle power" for the program may call him at 731–3300 for further details.

Martin said there is also a need for secretarial help and any volunteers for this kind of work may call Naida Ayadi at 731–1000 or 264–2651.

He reminded residents that the clean-up committee now has a headquarters trailer set up at the Sterling Shopping Center, Van Dyke and 17 Mile, and the phone number there is 268–1070.

SURVEY CREWS FIND ENORMOUS CLEAN-UP NEEDED ON CLINTON

(By Bob McCormick)

Old tires, baby carriages, washing machines, junked cars, oil drums, pop and beer bottles and tons of all kinds of rubbish and garbage from the suburban "civilization" surrounding the once-beautiful Clinton River greeted members of the Sterling Heights Clinton River Clean-Up Committee as they took a survey canoe trip on Saturday to look at the massive problem up close.

Twelve canoes and 25 people took part in the four-hour trip organized by Councilman Al Martin, chairman of the clean-up committee, and the Sterling Heights Rotary Club who activated the campaign last month. Ray Filipchuk, president of the Rotary Club, and members of the Rotary spearhead committee also participated in the ten-mile journey down the swift-moving and swollen river.

A police rowboat, with Lt. Eugene Lane, Sgt. Elijah Boffa and Officer Harry Morgan, followed the canoeists down the river in case of any accidents or other problems.

"This was my fisrt trip down the Clinton and I was amazed by its beauty," said Councilman Martin. "Even in its clogged condition it compares favorably with the Au Sable and has great potential for future recreation programs," he added.

Martin said he anticipated the need for special roads to be constructed to go into the area so heavy objects like dead trees and other debris could be moved out to the trucks that will carry it to the dumping sites.

A meeting of the clean-up steering committee will be held at 8 p.m. tonight at Stevenson High School and all interested citizens, and members of service clubs and other organizations wishing to participate in the project, scheduled for mid-August, are urged to attend, Martin added.

Donations and pledges of equipment and labor continue to come in as the campaign picks up steam. Donald Clark, a long-time Sterling Heights resident of 40815 Utica Road, contributed $20 to Martin while the canoe group paused at Dodge Park No. 8 for lunch and also promised his help in getting right-of-way permission from residents in his area.

Charles Mark, another Sterling Heights resident, became the first citizen to contribute a dollar in the "send-a-buck" campaign started by Martin last Friday.

Canoes for Saturday's trip were furnished by Herman Gentry, of Clinton River Canoe Rentals, Mt. Clemens, and the Lower Michigan Paddling Association who had also

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cleaned up parts of the river in May to make way for a trip by its members.

Anyone interested in complete information about the project to clean up the Clinton River may stop at the committee's trailer in the Sterling Shopping Center or call 268-1070.

Members of the survey party also saw many drains pouring polluted water into the river and the main outlet from the Sterling Sewage Plant on Clinton River Road. In some areas the river was so clogged with green scum, garbage and rubbish that the water was barely moving although the main current was rather fast.

It was obvious that many Sterling Heights residents considered the river as their own personal dumping ground and didn't hesitate to use it for getting rid of garbage, construction debris, grass cuttings, old car parts and the residue from picnics and backyard barbecues.

Although some of the main obstructions, mostly submerged tree trunks and newly fallen trees, had been cleared away last month, there were still many places where the survey group had a rough time getting through. Recent storms had blown down many trees and moved submerged objects to the surface of the river.

HOUSE OF REPRESENTATIVES—*Monday, July 14, 1969*

The House met at 12 o'clock noon.

Rev. Jack P. Lowndes, Memorial Baptist Church, Arlington, Va., offered the following prayer:

We do not lose heart because we look not to the things that are seen, but to the things that are unseen; for the things that are seen are transient, but the things that are unseen are eternal.—II Corinthians 4: 16, 18 (RSV).

For our Nation and all she stands for, we give Thee thanks, our Father. Looking about us, we can see that we have been blessed beyond measure.

For our form of government and this body of our Government, the U.S. House of Representatives, and the dedicated men and women who serve here, we are grateful.

In the midst of our material blessings, help us not to forget the unseen spiritual values that have helped to make us great.

Let those who make decisions here, as well as all of us, be inspired to new heart and hope, remembering that love cannot be defeated by hate, nor truth by error, nor life by death. In the name of the Prince of Peace, we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, July 10, 1969, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On July 8, 1969:

H.R. 265. An act to amend section 502 of the Merchant Marine Act, 1936, relating to construction-differential subsidies; and

H.R. 4297. An act to amend the act of November 8, 1966.

On July 9, 1969:

H.R. 8644. An act to make permanent the existing temporary suspension of duty on crude chicory roots.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 6508. An act to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, and high waters.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1075. An act to establish a national policy for the environment; to authorize studies, surveys, and research relating to ecological systems, natural resources, and the quality of the human environment; and to establish a Board of Environmental Quality Advisers.

S. 1686. An act relating to age limits in connection with appointments to the U.S. Park Police; and

S. 2173. An act to amend an act entitled "An act to prescribe penalties for certain acts of violence or intimidation, and for other purposes," approved April 11, 1968.

DISTRICT OF COLUMBIA INTEREST RATE BILL, H.R. 255

(Mr. PATMAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. PATMAN. Mr. Speaker, at one time in these United States, there was a money lender who sought to achieve the distinction—and he considered it an honor—of being the richest man in the cemetery. He soon achieved his "distinction" and the good citizens got together and agreed upon an epitaph for his monument.

It was as follows:

Here lies old Sixteen Percent,
The more he got, the more he lent,
The more he made, the less he spent,
He's gone. We don't know which way he went,
But if to heaven his soul has went
He'll own the place and charge them rent.

Mr. Speaker, I note that the calendar lists H.R. 255 as a bill to "deduct interest in advance on installment loans."

Mr. Speaker, we would be more accurate if we retitled this legislation the "Usury Act of 1969" or the "Bankers Poverty Act of 1969" and referred it to the Office of Economic Opportunity for special attention.

These District of Columbia bankers are coming in here asking for 16 percent interest on installment loans obviously because they feel they are suffering—apparently in grave danger of being another statistic in our poverty program.

Only last week, Mr. Speaker, I noted that one of these banks—Riggs National—had a profit increase of 23 percent for the first half of 1969—23 percent more than they made in the first half of 1968.

After paying taxes and stock dividends, the bank had $4,586,000 in profits for the first 6 months.

And another one of these banks—American Security & Trust Co.—reported an increase in net earnings of 12 percent in the first 6 months of 1969—12 percent more than they made in the same period of 1968.

This bank's take-home pay—profit—was a cool $4,214,118 in the first 6 months.

It is my understanding, Mr. Speaker, that all of these District of Columbia banks that are poor-mouthing it here today are enjoying similar profits—way up from their 1968 net earnings.

So, unless we are setting some new and fantastic figure on poverty levels, I think it is obvious that these banks do not need this special legislation to protect their earnings. They are raking in a bonanza in profits as it is now without this Congress giving them any more help.

BILL AFFECTS INTEREST RATES NATIONWIDE

Mr. Speaker, I realize that this bill—H.R. 255—affects only a handful of the Nation's 13,000 banks and only a small percentage of the total population. But, Mr. Speaker, what we do here today concerning the interest rates charged in the District of Columbia will affect every citizen in every congressional district across the land.

We cannot stand here today and endorse 16 percent bank interest in the District of Columbia and then tell our constituents that we are for low interest rates.

The banks and the legislatures across the land will interpret our actions here today as a new mandate—a new standard on usury—on interest rates. Passage of H.R. 255—with its 16 percent interest rates—will hamstring any action this Congress might want to take later to control interest rates across the country.

Mr. Speaker, many Members of this House have spoken in strong terms against the commercial banks' latest increases in the prime interest rates. Others have spoken to me privately and expressed deep concern about the prime rate and I have seen many of the letters that Members have written to their constituents pledging a fight for lower interest rates.

Today is an opportunity for the House of Representatives to go on record against high interest—against 16-percent rates for bank loans. It is our first opportunity since the banks raised their rates on June 9.

Mr. Speaker, it is foolish for this Congress to stand up and talk against a national prime interest rate of 8½ percent and at the same time vote for a 16-percent rate under the guise of a District of Columbia bill.

XUM

AN ATTACK ON TRUTH IN LENDING

Mr. Speaker, there are many other things that worry me greatly about H.R. 255. In addition to giving congressional sanction to a 16 percent bank interest rate, it is an obvious attempt to gain legal approval of a questionable loan practice. I refer specifically to the so-called discount or add-on method of calculating loan charges to the consumer. These have been the devices used to fool the public—to keep them in the dark about bank charges.

Much is made of the fact that these add ons and discounting are allowed in many jurisdictions. But this is no excuse for the Congress to give national recognition or approval to these practices—practices which are designed only to deceive the public.

Mr. Speaker, the Congress passed the Truth in Lending Act last year and it went into effect only 2 weeks ago—July 1. The House of Representatives approved that act by an overwhelming margin and one of the primary purposes of the legislation was to reveal—and eventually to stop—such practices as add ons and discounting in the figuring of finance charges.

H.R. 255 seeks to reverse the Truth in Lending Act and give sanction—congressional sanction—to the practice of discounting and add ons. Again, I repeat, these devices are nothing but gimmicks to hide true charges from the public and they cannot survive under the revelations that are required in the Truth in Lending Act.

VIOLATIONS OF THE DISTRICT OF COLUMBIA CODE

Mr. Speaker, subsection (c), appearing at the top of page 4 of the bill, appears to be a simple provision which permits the lending institutions to state the interest rates as add on, discount, or otherwise as long as the true rate of interest does not exceed the limit set in the bill. However, the committee report, on which the ink is still wet, states in the last paragraph on page 5 that:

> The Committee considers the interest rates prescribed to be nothing more than a reflection of the true interest rates presently charged on small installment Loans.

Mr. Speaker, the District of Columbia Committee may have made a sensational finding. If I interpret this report language correctly, the committee is stating that the banks in the District of Columbia have been charging more than the legal maximum of 8 percent on installment loans.

Mr. Speaker, the District of Columbia Code has provided for more than 50 years that any interest charged above 8 percent is usurious. Now the District of Columbia Committee says, according to this report, that the banks have been charging 12, 14, and 16 percent interest—in violation of the District of Columbia Code.

Mr. Speaker, I hope that the U.S. attorney's office in the District of Columbia will take due note of this report. Also, it would appear that many consumers in the District and the suburbs would have a course of legal action against these banks if they have been charged more than the District of Columbia Code allows.

H.R. 255, I fear, would give some sort of retroactive sanction to these illegal and usurious charges and possibly destroy the rights of thousands of consumers. I am sure that the District of Columbia Committee did not want to give any such sanction and I am certain that the House would be against approving such lawbreaking by the banks. If these banks have been fixing installment interest rates in violation of the District of Columbia Code, then it is obvious that legal investigations should be launched immediately. Law and order ought to begin right in the banking community. Law and order applies to the big boys as well as the average citizen of the District of Columbia.

H.R. 255 LEAVES TOO MANY UNANSWERED QUESTIONS

Mr. Speaker, there are too many unanswered questions about H.R. 255. And frankly, there are too many unanswered questions about interest rates and the banking community nationwide for this Congress to act intelligently at this time on such legislation.

If I understand the language of this bill correctly it would apply only to the interest rates charged by the so-called regulated financial institutions—that is, banks and savings and loan associations. The bill does not touch revolving credit—department store credit—and it makes no mention of the finance and small loan companies. The language of the bill does not appear to affect the tremendous amounts of credit that are extended by dealers and their subsidiaries in the purchase of new and used cars.

And what about credit cards where so much of the credit is extended today? In fact, the District's biggest credit card operation—Central Charge—is a wholly owned subsidiary of Riggs National Bank and is it to escape regulation in this bill?

In short, Mr. Speaker, H.R. 255 is piecemeal legislation that attempts to set charges in only one area of the District's huge credit industry. Mr. Speaker, it would seem much more reasonable and much fairer to look at the entire question of finance charges in the District rather than rushing through this special legislation for the banks.

SECRECY AND BANKING LEGISLATION

Mr. Speaker, the District of Columbia banks that are seeking these favors here today are quite timid institutions—reluctant to speak out publicly in open session and defend their demands. It is my understanding that they sought a closed session to present their case when the legislation was before the District Committee.

This is typical of the banks—they prefer to operate in secret and as far away from the public spotlight as possible.

On February 6, I wrote Mr. Robert C. Baker, chairman of the District of Columbia Clearing House Association—of which all the major District of Columbia banks are members—and asked a series of questions about the loan policies of the banks operating in this area.

The questions I raised in that letter have a direct bearing on what the House is discussing here today. Yet—6 months later—I have not received a reply to these questions.

In June, I sought other answers—concerning the prime rate increase—from Riggs National Bank of Washington, the largest beneficiary of the bill before us today. Riggs had been among the first to raise the prime rate to 8½ percent and I had sought to have its chief executive officer, Mr. L. A. Jennings, appear before the Banking and Currency Committee in an investigation of the prime rate increase.

But, Mr. Jennings informed me he was going to Europe—apparently to the American Bankers Association convention in Copenhagen—and would be unavailable as requested by the committee.

Mr. Speaker, it is foolish for Congress to rewrite these banking laws and grant special favors when the banks refuse to meet legitimate requests by Congress for basic information.

Mr. Speaker, if the banks cannot defend their position in open session, then Congress has no business trying to pass this legislation.

INVESTIGATIONS UNDERWAY

Mr. Speaker, there is much concern about the banking industry nationwide. Many questions are being asked about excessive profits stemming from high interest rates. The Banking and Currency Committee has an investigation underway concerning the prime rate increase of June 9 and the Justice Department is conducting a full-scale investigation of possible antitrust violations by the banks in the June 9 increase. On the Senate side, there has been much talk of new legislation to control interest rates and there is much pressure on the administration to do something to hold back the banks' demand for more and more profits and higher and higher interest rates.

Mr. Speaker, I hope that no action is taken on H.R. 255 until we have more information about the District of Columbia banks and until such time as these pending investigations are completed.

Again, Mr. Speaker, a vote for H.R. 255 would be highly destructive to efforts to bring down interest rates on a national basis. A vote for H.R. 255 is a vote for higher interest rates. It should be rejected.

INTEREST RATES IN THE DISTRICT OF COLUMBIA

(Mr. McMILLAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. McMILLAN. Mr. Speaker, just to set the record straight, I would like to advise the House that the bill which my friend, the gentleman from Texas (Mr. PATMAN), has just mentioned has been misrepresented more than any other bill that has ever been considered by the committee.

Mr. Speaker, everyone knows that we are not asking the House to change the interest rates in the District of Columbia. We are only asking to make legal what the banks have been doing for 61 years.

XUM

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. McMILLAN. I yield to the gentleman from Texas.

Mr. PATMAN. The gentleman will admit that he is proposing the doubling of the interest rates? They are 8 percent now and you propose to make them legal at 16 percent. That represents a 100-percent increase.

Mr. McMILLAN. The banks have been charging the proposed interest rate asked for in this bill on small short-term loans for 61 years.

Mr. PATMAN. If the gentleman will yield further, Congress has not approved it and I hope Congress will never approve it.

Mr. McMILLAN. I will state to the gentleman that Woodward & Lothrop and Sears & Roebuck have an 18-percent interest rate on short-term purchases. The reason for this request is the fact that we passed the truth-in-lending bill whereby all lending agencies must state exactly what they are charging. They want to prevent a number of lawsuits on small loans that may come up in the District of Columbia.

Mr. Speaker, the banks actually do not want these small loans—and are performing a courtesy to the people who want a short-term small loan. The only two banks which I know that will be affected if this bill is not passed are owned and operated by colored people in the District of Columbia. Those two banks are the Industrial Bank of Washington and the United Community National Bank. They make the majority of these small loans. The president and vice president of these banks are colored, and operate two of the finest banks in Washington. I do not believe that banks such as the Riggs National Bank, the American Trust Bank and many other banks, representatives of which testified on this legislation, particularly care to handle these small loans. I am sure that they will cut off such loans of this type unless this bill is passed. In other words, they are not anxious to take a chance on making small loans where they make very little profit, and take a chance of being sued.

THE SINCERITY OF SOVIET "FRIENDSHIP"

(Mr. RIVERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RIVERS. Mr. Speaker, in 1967, the commander in chief of the Soviet Navy, Admiral Gorshkov, said:

> How would Americans like it if rocket launching Russian ships maneuvered in the Gulf of Mexico, 80 miles from New Orleans?

Well, Mr. Speaker, I will ask that question now of those who feel that we should stop developing our MIRV, not build the Safeguard ABM, and cease our research into lethal gases and bacteriological warfare.

The maneuvering in American waters by Soviet naval vessels is not an act of friendship. Let there be no doubt about that.

At this very moment there are seven Russian ships in the Gulf of Mexico: one guided missile light cruiser, one guided missile frigate, two submarines, one submarine tender, and two tankers.

In addition, Mr. Speaker, I think the House should know that the Soviets are sending newer model Soviet Mig's to Cuba, another obvious "friendly" gesture on the part of the Soviet Union.

And there are those who would once again put their heads in the sand and say, "We can trust the Russians. Let us reduce our defense spending."

And finally, Mr. Speaker, I was interested to read excerpts from the Communist Party Journal of the Soviet Armed Forces, which is once again stirring up hatred against the United States. This Soviet journal said that it was mandatory for young recruits to be "taught hatred for the enemy" and that the leading enemy, so far as the Soviet Union is concerned, is the United States.

Once again, the Soviets are demonstrating their great fondness for America and our way of life. And once again, I would remind the House of that famous expression of George Santayana:

> Those who do not learn from history are doomed to repeat it.

CONGRESS SHOULD REFUSE TO INCREASE INTEREST RATES IN THE DISTRICT OF COLUMBIA

(Mr. PODELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PODELL. Mr. Speaker, I notice on this morning's calendar that there is a bill by the gentleman from South Carolina (Mr. McMILLAN) for the purpose of substantially increasing interest rates in the District of Columbia. The Congress of the United States is now requested to put its stamp of approval on this proposal.

Mr. Speaker, what this bill does is to seek to accomplish indirectly what cannot be done directly. For example, it allows deduction of interest in advance on loaned money. If an individual wishes to borrow $5,000, and interest is deducted in advance, he then receives that $5,000, less the deducted sum of money. Interest, therefore, is compounded all the more. We have usury rather than lending.

I certainly believe this is a grossly unfair act to perpetrate upon individual borrowers.

This is back-door chicanery. If they wish to increase interest rates, let them seek to do so directly, without attempting to permit such actions indirectly by congressional sanction. Lower and middle income taxpayers would be directly harmed.

Mr. Speaker, I believe the last thing this Congress ought to do is to put any stamp of approval on such legislation.

SOVIET NAVAL VESSELS IN THE GULF OF MEXICO

(Mr. JACOBS asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. JACOBS. Mr. Speaker, I listened with interest to the remarks made by the chairman of the House Committee on Armed Services to the effect that the Russian vessels, which are at present in the Gulf of Mexico, necessitate development of ABM and MIRV weapons systems.

I am just wondering if the conventional torpedo system might not be adequate to the job of sinking these surface vessels in case they did menace this country.

Mr. RIVERS. Mr. Speaker, will the gentleman yield?

Mr. JACOBS. I yield to the gentleman from South Carolina.

Mr. RIVERS. I do not believe it requires anything like that. It just requires a lot of guts.

Mr. JACOBS. But probably in addition to the guts, it would require some kind of weapon, if they did menace us. And I just wondered if we need a multiple-headed rocket to do this, because we were destroying ships during World War II, and we got them with torpedoes.

Has that situation changed?

Mr. RIVERS. I would say it was just like an overcoat. I would rather have one than want one.

Mr. JACOBS. Why does the gentleman want one if you can do the job for less, say, $30 or $40 billion less?

I just asked that on behalf of the taxpayers of the United States.

The SPEAKER. The time of the gentleman has expired.

JOHN RICHARD RARICK III

(Mr. RARICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RARICK. Mr. Speaker, Mrs. Rarick and I are proud to report the birth of our first grandchild—John Richard Rarick III.

John III, was born Friday, July 11 at 1:07 a.m. in Baton Rouge, La., at Our Lady of the Lake Hospital.

It is truly gratifying to watch our young people, reared in the ideals and principles cherished by free men, bring forth another generation to continue their heritage of liberty and independent thinking.

One of the most priceless rewards of a happy and enduring marriage is the realization that one's lineage has been continued and his name perpetuated.

INFLATION

(Mr. HANNA asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. HANNA. Mr. Speaker, there has been an understandable continuum of concern over inflation in this country. There have been many nostrums and more medicines introduced designed to cure inflation.

Some of these medicines are going to leave us in the position somewhat like the little country boy who was asked, after he was taken ill, how he was getting along.

He said:

> Well, considering all the medicine I am taking, I think I am going to be sick a long time after I get well.

XUM

There is understandable concern about many things we are trying to do to fight inflation, but I think there is one thing we have not done. And that is the application of Regulation W, which would require larger down payments on all purchases made on credit. I think this is a far better way to approach our problem than increasing interest rates. Creditors would select buyers based upon their willingness to put more equity into a purchase. This approach would slow down the accumulation of debt-building in this country, and has the added advantage of less risk for the person who is writing the debt or carrying the credit.

It would seem to me that if we adopted this posture that interest rates would move to a lower scale because one of the reasons you establish an interest rate is to buy the risk, and if a person is willing to put in a greater equity, there is lesser reason for interest rates to be so high.

I think in America it is time for us to take a sober look at ourselves and say: There are some things we can do without until we are in a position to establish greater equity and put more of our present earnings into our present buying, rather than to extend far into the future the credit accumulations.

This in itself would slow down the economy in a pattern that I think far better suits the illness we are now in than some of the medicines we have been taking.

FARM PRICES

(Mr. KYL asked and was given permission to address the House for 1 minute.)

Mr. KYL. Mr. Speaker, a moment ago the gentleman from Texas, who so ably heads the Agriculture Committee, was speaking about cattle prices and the necessity for new agricultural legislation. I am certainly not speaking in controversy with the gentleman.

The reason we are short in our supply of beef is that for a long time it has been unprofitable for the farmer to raise or feed cattle. Now, as he tries to increase his herd, he keeps on the farm heifers which normally would have gone to market, thus further reducing the animals for slaughter.

But there are a couple of other lessons here, too: First, that the law of supply and demand does operate in the field of agriculture when it is permitted to do so. Second, we must recognize that here is one instance in the entire agricultural field where the price has now reached a point relatively consistent with the rest of the economy of the country. Other farm prices remain in an extremely depressed condition.

The agriculture of the Nation is still in deep trouble, and we must do some things to help bring it up to its rightful place.

HAPPY BIRTHDAY, MR. GERALD R. FORD

(Mr. ARENDS asked and was given permission to address the House for 1 minute.)

Mr. ARENDS. Mr. Speaker, I take pleasure in announcing to the House that our minority leader, Mr. GERALD R. FORD, is celebrating a birthday this day. If I recall correctly, it is now his 56th birthday. GERRY has had a most interesting career in the past. He has enjoyed the best of health, and I am sure he has many more enjoyable and interesting days before him. All of us who have the privilege of serving with him and being closely associated with him wish him the very best.

I trust that in the immediate years ahead he continues to enjoy wonderful health, and may continue to serve his country in such an outstanding way. We all wish him the very best in the years ahead.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the distinguished majority leader, the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, I join with the distinguished gentleman in wishing a happy birthday to our great minority leader. I hope he will have many more years of useful service, useful life, and particularly many more years as our distinguished minority leader.

Mr. RHODES. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Arizona.

Mr. RHODES. Mr. Speaker, I thank my good friend from Illinois for yielding for the purpose of enabling me to extend my congratulations to our distinguished minority leader on reaching his 56th birthday. I cannot help but remark about the fact that this is also Bastille Day in France, and there are those who I think would be so unfeeling as to say that the Honorable GERALD R. FORD was born on Bastille Day. But I would prefer to say that the French people showed great foresight some years ago in storming the Bastille on that great day which would be the birthday of the Honorable GERALD R. FORD. May he have many more anniversaries of this day.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Speaker, I, too, would like to join with my friend from Illinois (Mr. ARENDS) in extending congratulations and felicitations to our distinguished minority leader, the gentleman from Michigan (Mr. GERALD R. FORD), on this, his birthday, and to express with the gentleman the hope that Mr. FORD will continue to provide for many years to come the distinguished service he has always given us.

I cannot quite agree with the gentleman from Oklahoma that the service always ought to be in the capacity of minority leader. I have other and higher hopes for the gentleman from Michigan than that, but we would hope he would continue to serve in this body for many years to come.

INVITATION TO SIOUX CITY RIVER-CADE

(Mr. MAYNE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MAYNE. Mr. Speaker, one of the great rivers in this hemisphere is the Missouri, originating in Montana, flowing through the Dakotas, forming Iowa's border with Nebraska, and touching Kansas before heading eastward through Missouri toward its confluence with the Mississippi near St. Louis.

This great heartland water course, which proved so essential to the opening of the West, continues to play a vital role in further developing the transportation, industry, and recreational facilities of the area.

I am happy to report to the House that the port of Sioux City will again pay tribute to the unique importance of the Missouri by staging its 1969 edition of the famous Sioux City River-Cade from July 30 through August 3. A full program of events and festivities will be highlighted by parades on both land and water.

The purpose of the River-Cade celebration is to bring together the many people of the Siouxland area to demonstrate and reaffirm the tremendous potential of the mighty Missouri and what continued development of the river's resources will mean to the entire region.

Mr. Speaker, it is my sincere pleasure to extend a cordial invitation to attend this year's River-Cade to all Members of this House, and through this notice in the CONGRESSIONAL RECORD to all Members of the other body. I commend Commodore H. W. Bud Jones and his staff and wish them well in their efforts to make this the most successful of all Sioux City River-Cades.

LEGISLATIVE PROGRAM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to proceed for 1 minute in order that the distinguished chairman of the Committee on the District of Columbia might announce to the House certain bills which have been removed from the calendar today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I yield to the gentleman from South Carolina for that purpose.

Mr. McMILLAN. Mr. Speaker, since so many Members of Congress are absent today on account of elections in Virginia tomorrow and for other reasons, I have decided to carry over several bills which may have some controversial elements. We will be carrying over several bills to the next District day. One of them is the bill which has to do with interest rates. I regret there has been so much misinformation sent out on this bill that it could not pass today.

Mr. ALBERT. Mr. Speaker, may I ask the gentleman, is it also true the gentleman has taken off these bills: H.R. 9551 regarding the Metropolitan Police Band; H.R. 1783, to incorporate Paralyzed Veterans of America; H.R. 6947, to amend grandfather clause regarding chancery locations; H.R. 9553, to amend District of Columbia Minimum Wage Act for hospital employees; and the bill the gentleman just mentioned, H.R. 255, to deduct interest in advance on installment loans;

XUM

H.R. 8868, regarding interstate compact on juveniles; H.R. 5967, providing for two auto tags per Member; and H.R. 12671, to permit employment of minors 14 to 16 years old.

Mr. Speaker, I ask the gentleman from South Carolina, is that correct?

Mr. McMILLAN. Yes, Mr. Speaker, those bills will be carried over until the next District day.

Mr. O'HARA. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Michigan.

Mr. O'HARA. Mr. Speaker, may I inquire with respect to the status of the minimum wage bill, is that the bill having to do with picketing?

Mr. ALBERT. Mr. Speaker, I yield to the gentleman from South Carolina if he desires to answer that inquiry at this time.

Mr. McMILLAN. Mr. Speaker, the minimum wage bill will go over to the next District day, but the picketing bill is still on the calendar for today.

THE DRUG PROBLEM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-138)

The **SPEAKER** laid before the House the following message from the President of the United States; which was read and referred to the Committee of the Whole House on the State of the Union and ordered to be printed:

To the Congress of the United States:

Within the last decade, the abuse of drugs has grown from essentially a local police problem into a serious national threat to the personal health and safety of millions of Americans.

A national awareness of the gravity of the situation is needed; a new urgency and concerted national policy are needed at the Federal level to begin to cope with this growing menace to the general welfare of the United States.

Between the years 1960 and 1967, juvenile arrests involving the use of drugs rose by almost 800 percent; half of those now being arrested for the illicit use of narcotics are under 21 years of age. New York City alone has records of some 40,000 heroin addicts, and the number rises between 7,000 and 9,000 a year. These official statistics are only the tip of an iceberg whose dimensions we can only surmise.

The number of narcotics addicts across the United States is now estimated to be in the hundreds of thousands. Another estimate is that several million American college students have at least experimented with marihuana, hashish, LSD, amphetamines, or barbiturates. It is doubtful that an American parent can send a son or daughter to college today without exposing the young man or woman to drug abuse. Parents must also be concerned about the availability and use of such drugs in our high schools and junior high schools.

The habit of the narcotics addict is not only a danger to himself, but a threat to the community where he lives. Narcotics have been cited as a primary cause of the enormous increase in street crimes over the last decade.

As the addict's tolerance for drugs increases, his demand for drugs rises, and the cost of his habit grows. It can easily reach hundreds of dollars a day. Since an underworld "fence" will give him only a fraction of the value of goods he steals, an addict can be forced to commit two or three burglaries a day to maintain his habit. Street robberies, prostitution, even the enticing of others into addiction to drugs—an addict will reduce himself to any offense, any degradation in order to acquire the drugs he craves.

However far the addict himself may fall, his offenses against himself and society do not compare with the inhumanity of those who make a living exploiting the weakness and desperation of their fellow men. Society has few judgments too severe, few penalties too harsh for the men who make their livelihood in the narcotic traffic.

It has been a common oversimplification to consider narcotics addiction, or drug abuse, to be a law enforcement problem alone. Effective control of illicit drugs requires the cooperation of many agencies of the Federal and local and State governments; it is beyond the province of any one of them alone. At the Federal level, the burden of the national effort must be carried by the Departments of Justice, Health, Education, and Welfare, and the Treasury. I am proposing ten specific steps as this Administration's initial counter-moves against this growing national problem.

I. FEDERAL LEGISLATION

To more effectively meet the narcotic and dangerous drug problems at the Federal level, the Attorney General is forwarding to the Congress a comprehensive legislative proposal to control these drugs. This measure will place in a single statute, a revised and modern plan for control. Current laws in this field are inadequate and outdated.

I consider the legislative proposal a fair, rational and necessary approach to the total drug problem. It will tighten the regulatory controls and protect the public against illicit diversion of many of these drugs from legitimate channels. It will insure greater accountability and better recordkeeping. It will give law enforcement stronger and better tools that are sorely needed so that those charged with enforcing these laws can do so more effectively. Further, this proposal creates a more flexible mechanism which will allow quicker control of new dangerous drugs before their misuse and abuse reach epidemic proportions. I urge the Congress to take favorable action on this bill.

In mid-May the Supreme Court struck down segments of the marihuana laws and called into question some of the basic foundations for the other existing drug statutes. I have also asked the Attorney General to submit an interim measure to correct the constitutional deficiencies of the Marihuana Tax Act as pointed out in the Supreme Court's recent decision. I urge Congress to act swiftly and favorably on the proposal to close the gap now existing in the Federal law and thereby give the Congress time to carefully examine the comprehensive drug control proposal.

II. STATE LEGISLATION

The Department of Justice is developing a model State Narcotics and Dangerous Drugs Act. This model law will be made available to the fifty State governments. This legislation is designed to improve State laws in dealing with this serious problem and to complement the comprehensive drug legislation being proposed to Congress at the national level. Together these proposals will provide an interlocking trellis of laws which will enable government at all levels to more effectively control the problem.

III. INTERNATIONAL COOPERATION

Most of the illicit narcotics and high-potency marihuana consumed in the United States is produced abroad and clandestinely imported. I have directed the Secretary of State and the Attorney General to explore new avenues of cooperation with foreign governments to stop the projection of this contraband at its source. The United States will cooperate with foreign governments working to eradicate the production of illicit drugs within their own frontiers. I have further authorized these Cabinet officers to formulate plans that will lead to meetings at the law enforcement level between the United States and foreign countries now involved in the drug traffic either as originators or avenues of transit.

IV. SUPPRESSION OF ILLEGAL IMPORTATION

Our efforts to eliminate these drugs at their point of origin will be coupled with new efforts to intercept them at their point of illegal entry into the United States. The Department of the Treasury, through the Bureau of Customs, is charged with enforcing the Nation's smuggling laws. I have directed the Secretary of the Treasury to initiate a major new effort to guard the Nation's borders and ports against the growing volume of narcotics from abroad. There is a recognized need for more men and facilities in the Bureau of Customs to carry out this directive. At my request, the Secretary of the Treasury has submitted a substantial program for increased manpower and facilities in the Bureau of Customs for this purpose which is under intensive review.

In the early days of this Administration, I requested that the Attorney General form an interdepartmental Task Force to conduct a comprehensive study of the problem of unlawful trafficking in narcotics and dangerous drugs. One purpose of the Task Force has been to examine the existing programs of law enforcement agencies concerned with the problem in an effort to improve their coordination and efficiency. I now want to report that this Task Force has completed its study and has a recommended plan of action, for immediate and long-term implementation, designed to substantially reduce the illicit trafficking in narcotics, marihuana and dangerous drugs across the United States borders. To implement the recommended plan, I have directed the Attorney General to organize and place into immediate operation an "action task force" to undertake a frontal attack on the problem. There are high profits in the illicit market for those who smuggle narcotics and drugs into the United States; we intend to raise the risks and cost of engaging in this wretched traffic.

V. SUPPRESSION OF NATIONAL TRAFFICKING

Successful prosecution of an increased national effort against illicit drug trafficking will require not only new resources and men, but also a redeployment of existing personnel within the Department of Justice.

I have directed the Attorney General to create, within the Bureau of Narcotics and Dangerous Drugs, a number of special investigative units. These special forces will have the capacity to move quickly into any area in which intelligence indicates major criminal enterprises are engaged in the narcotics traffic. To carry out this directive, there will be a need for additional manpower within the Bureau of Narcotics and Dangerous Drugs. The budgetary request for FY 1970 now pending before the Congress will initiate this program. Additional funds will be requested in FY 1971 to fully deploy the necessary special investigative units.

VI. EDUCATION

Proper evaluation and solution of the drug problem in this country has been severely handicapped by a dearth of scientific information on the subject—and the prevalence of ignorance and misinformation. Different "experts" deliver solemn judgments which are poles apart. As a result of these conflicting judgments, Americans seem to have divided themselves on the issue, along generational lines.

There are reasons for this lack of knowledge. First, widespread drug use is a comparatively recent phenomenon in the United States. Second, it frequently involves chemical formulations which are novel, or age-old drugs little used in this country until very recently. The volume of definitive medical data remains small—and what exists has not been broadly disseminated. This vacuum of knowledge—as was predictable—has been filled by rumors and rash judgments, often formed with a minimal experience with a particular drug, sometimes formed with no experience or knowledge at all.

The possible danger to the health or well-being of even a casual user of drugs is too serious to allow ignorance to prevail or for this information gap to remain open. The American people need to know what dangers and what risks are inherent in the use of the various kinds of drugs readily available in illegal markets today. I have therefore directed the Secretary of Health, Education, and Welfare, assisted by the Attorney General through the Bureau of Narcotics and Dangerous Drugs, to gather all authoritative information on the subject and to compile a balanced and objective educational program to bring the facts to every American—especially our young people.

With this information in hand, the overwhelming majority of students and young people can be trusted to make a prudent judgment as to their personal course of conduct.

VII. RESEARCH

In addition to gathering existing data, it is essential that we acquire new knowledge in the field. We must know more about both the short- and long-range effects of the use of drugs being taken in such quantities by so many of our people. We need more study as well as to find the key to releasing men from the bonds of dependency forged by any continued drug abuse.

The National Institute of Mental Health has primary responsibility in this area, and I am further directing the Secretary of Health, Education, and Welfare to expand existing efforts to acquire new knowledge and a broader understanding in this entire area.

VIII. REHABILITATION

Considering the risks involved, including those of arrest and prosecution, the casual experimenter with drugs of any kind, must be considered at the very least, rash and foolish. But the psychologically dependent regular users and the physically addicted are genuinely sick people. While this sickness cannot excuse the crimes they commit, it does help to explain them. Society has an obligation both to itself and to these people to help them break the chains of their dependency.

Currently, a number of federal, state and private programs of rehabilitation are being operated. These programs utilize separately and together, psychiatry, psychology and "substitute drug" therapy. At this time, however, we are without adequate data to evaluate their full benefit. We need more experience with them and more knowledge. Therefore, I am directing the Secretary of Health, Education, and Welfare to provide every assistance to those pioneering in the field, and to sponsor and conduct research on the Federal level. This Department will act as a clearinghouse for the collection and dissemination of drug abuse data and experience in the area of rehabilitation.

I have further instructed the Attorney General to insure that all Federal prisoners, who have been identified as dependent upon drugs, be afforded the most up-to-date treatment available.

IX. TRAINING PROGRAM

The enforcement of narcotics laws requires considerable expertise, and hence considerable training. The Bureau of Narcotics and Dangerous Drugs provides the bulk of this training in the Federal government. Its programs are extended to include not only its own personnel, but State and local police officers, forensic chemists, foreign nationals, college deans, campus security officers, and members of industry engaged in the legal distribution of drugs.

Last year special training in the field of narcotics and dangerous drug enforcement was provided for 2,700 State and local law enforcement officials. In fiscal year 1969 we expanded the program an estimated 300 percent in order to train some 11,000 persons. During the current fiscal year we plan to redouble again that effort—to provide training to 22,000 State and local officers. The training of these experts must keep pace with the rise in the abuse of drugs, if we are ever to control it.

X. LOCAL LAW ENFORCEMENT CONFERENCES

The Attorney General intends to begin a series of conferences with law enforcement executives from the various States and concerned Federal officials. The purposes of these conferences will be several: First, to obtain firsthand information, more accurate data, on the scope of the drug problem at that level; second, to discuss the specific areas where Federal assistance and aid can best be most useful; third, to exchange ideas and evaluate mutual policies. The end result we hope will be a more coordinated effort that will bring us visible progress for the first time in an alarming decade.

These then are the first ten steps in the national effort against narcotic marihuana and other dangerous drug abuse. Many steps are already underway. Many will depend upon the support of the Congress. I am asking, with this message, that you act swiftly and favorably on the legislative proposals that will soon be forthcoming, along with the budgetary requests required if our efforts are to be successful. I am confident that Congress shares with me the grave concern over this critical problem, and that Congress will do all that is necessary to mount and continue a new and effective Federal program aimed at eradicating this rising sickness in our land.

RICHARD NIXON.

THE WHITE HOUSE, *July 14, 1969.*

PRESIDENT'S MESSAGE ON DRUG ABUSE

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, the American people are greatly alarmed, and justifiably, over the growing traffic in narcotics and the increasing use of drugs by our youth.

If there is any problem area in which the people want speedy and effective action, it is in the area of narcotics peddling and drug addiction.

I believe the American people are well aware that offenses committed by drug addicts who need money to support their habit account in some areas for a majority of the major crimes occurring there. They recognize too, that this is but one reason why Federal, State, and local resources should be marshaled in a coordinated attack on the narcotics problem.

President Nixon, in the message he has sent Congress today, is pointing the way toward a sorely needed comprehensive action program which must be carried out nationwide and with the greatest possible cooperation at all government levels if the narcotics problem is to be brought under control.

The President's proposals for dealing with the narcotics problem constitute a broad, carefully planned program which should produce the maximum possible results if it receives the greatest possible support—support it so well deserves.

I urge that the Congress act quickly on President Nixon's legislative proposals as soon as circumstances permit—the revision and consolidation of the Federal narcotics statutes into a single and more effective act, and the funding of administrative actions being taken to step up the fight against narcotics abuse.

Meantime, I wish to take this opportunity to commend the President for the administrative initiatives he has taken to deal more effectively with narcotics trafficking and drug abuse.

I would note that only through the sweeping approach adopted by President Nixon—the strengthening of efforts to halt the production and sale of illegal narcotics, the improving of rehabilitation programs for drug addicts, and the educating of all Americans to the dangers of drug abuse—can we begin to cope effectively with this most complex problem of drug addiction and its rise and spread.

Mr. ANDERSON of Illinois. Mr. Speaker, today President Nixon has sent to Congress a most important message on a serious national problem, the problem of drug abuse.

The statistics presented in the President's message are appalling to say the least. Between 1960 and 1967, juvenile arrests involving the use of drugs has risen by nearly 800 percent. Half of those arrested for the illict use of narcotics are under 21 years of age. And we are told that in New York City alone there are some 40,000 heroin addicts, and that that number increases by 7,000 to 9,000 addicts a year. But even these figures are deceptive since they reflect only the number of addicts on record. Or, as the President puts it, they represent "only the tip of an iceberg whose dimensions we can only surmise." It is estimated that hundreds of thousands of Americans are narcotic addicts.

This problem poses a threat not only to the individual user, but to the community at large. The very moral fiber of our society is threatened by the increasing reliance on dangerous drugs. As the President has stated, the time has come to put an end to this growing national problem. Our present laws are obviously inadequate and outdated and in response to this the Attorney General is forwarding to the Congress a comprehensive legislative proposal to control these drugs. New laws are needed to tighten regulatory controls on the use and trafficking of drugs. Greater emphasis must also be placed on education, research and rehabilitation since enforcement alone will not solve this complex problem.

We in the Congress should lend our full support to the administration's efforts to launch a program which will effectively eradicate what the President has referred to as, "this rising sickness in our land."

Mr. RHODES. Mr. Speaker, the problem of narcotics is not only one for the Federal Government. It is a problem that reaches across all areas of responsibility: local, State, national, and international.

I am pleased to see that President Nixon, in his message on narcotics and dangerous drugs, has taken a broad approach that would bring to bear the forces of all these levels of authority.

He has called for a new, comprehensive program of Federal legislation to control these drugs; he is proposing a model State Narcotics and Dangerous Drugs Act that will be made available to all 50 State governments; he has called for the exploration of new avenues of cooperation with foreign governments to stop the production of drugs. To use the President's words:

> Together these proposals will provide an interlocking trellis of laws which will enable government at all levels to more effectively control the problem.

This is what we need if the terrible and tragic problem of narcotics is to be met as it must be met. I applaud the President for the broad scope of his proposals and I trust that the Congress will see the issue with an equally wide-ranging lens.

Mr. STEIGER of Wisconsin. Mr. Speaker, President Nixon has sent the Congress a most perceptive, comprehensive, and constructive package of proposals for curbing the growing national scandal of the abuse of drugs.

Drug abuse is a particular threat to the youth of America. Juvenile arrests have skyrocketed. Addiction has spiraled. The time is long past where we can treat this problem indulgently.

The President has drawn attention to the fallacy of thinking of drug abuse as simply a problem of law enforcement. Federal, State, and international cooperation are required, along with education, research, and rehabilitation. There is an urgent and obvious need to establish scientifically the long-term effects of such drugs as narcotic marihuana, LSD, and other so-called soft drugs. It is essential to acquire new knowledge in this field.

The President has proposed powerful new strictures on the traffickers and the pushers. At the same time, he has placed strong emphasis on the need for compassionate treatment of the victims of drugs.

This is the kind of balanced, total view that is so necessary to make the proper attack on this growing national scandal. I commend the President for his wise proposals and I urge the Congress to give priority consideration to these proposals.

GENERAL LEAVE

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the President's message on drug abuse.

The **SPEAKER.** Is there objection to the request of the gentleman from Michigan?

There was no objection.

THE VOYAGE OF THE "BEN FRANKLIN"

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. ROGERS of Florida. Mr. Speaker, the eyes of the world are becoming focused on the State of Florida as the countdown for the launching of Apollo 11 reaches zero at 9:32 a.m., eastern daylight time on Wednesday, July 16.

But, as we look toward space and the fantastic feats that three Americans will accomplish on that forthcoming voyage, I wish to call the attention of my colleagues to another voyage which will begin later today off the coast of West Palm Beach, Fla.

The deep submersible vessel *Ben Franklin* will today begin a historic trek, that will carry it beneath the surface of the Atlantic down to depths of 2,000 feet for approximately 1 month without surfacing as it drifts with the Gulf Stream, to a position off the coast of Newfoundland.

The internationally renowned oceanographer Dr. Jacques Piccard and a crew of five will accumulate data on the movements of the Gulf Stream, the types, and extent of marine life within the Gulf Stream at various depths and geological characteristics of the Continental Shelf from Florida to Cape Hatteras.

Mr. Speaker, the Gulf Stream is literally a "river in the ocean" and a phenomenon about which we know very little. I am convinced that at the conclusion of this historic voyage, our knowledge of the sea will be greatly enhanced, and I congratulate Dr. Piccard his associates and his crew for undertaking this daring and scientific voyage.

DISTRICT OF COLUMBIA BUSINESS

The **SPEAKER.** This is District of Columbia day. The Chair recognizes the gentleman from South Carolina (Mr. McMILLAN).

LEAVE TO EXTEND

Mr. McMILLAN. Mr. Speaker, I yield to the gentleman from Texas (Mr. DOWDY).

Mr. DOWDY. Mr. Speaker, I ask unanimous consent that at the conclusion of each bill the chairman of the subcommittee and I be permitted to extend our remarks in explanation of each bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

Mr. O'HARA. Mr. Speaker, I reserve the right to object.

The **SPEAKER.** The gentleman from Michigan reserves the right to object.

Mr. O'HARA. Mr. Speaker, I would like to ask the gentleman from Texas when the committee reports on the legislation before the House became available in the document room of the House of Representatives?

Mr. DOWDY. Mr. Speaker, I would say to the gentleman from Michigan that I do not know.

Mr. O'HARA. Mr. Speaker, further reserving the right to object, these reports were not available in the document room until this morning. Before I withdraw my reservation of objection I wish to express to the gentleman from South Carolina and to the gentleman from Texas my concern over the practice of

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making reports on District of Columbia bills available at the last minute. The gentlemen did not originate it, but they have fallen into this practice.

Here we had originally scheduled 16 bills from the Committee on the District of Columbia with no reports available for perusal of the Members of the House. I must compliment the distinguished chairman on his action withdrawing a number of these bills in order that Members may have time to study them.

What concerns me, though, is the custom which gave rise to this 11-hour withdrawal. This is only the second day this year that we have transacted business on District day, the other being April 28. In view of this, I find it difficult to understand why reports from the Committee on the District of Columbia cannot be made in a more timely fashion. I do not mean to imply criticism of the distinguished chairman of the Committee on the District of Columbia, nor do I presume to suggest how that committee's business should be conducted. But I would be remiss if I did not point out to the gentleman from South Carolina that the custom of considering bills on District day within a few hours after the reports became available, however unintentional, is vexatious to members and is not conducive to the enactment of carefully considered legislation.

Mr. Speaker, I withdraw my reservation of objection.

Mr. DOWDY. Mr. Speaker, I might mention with reference to the reports on these bills, I am advised that they were filed Thursday and Friday last week by the committee.

The SPEAKER. Is there objection to the request of the gentleman from Texas (Mr. DOWDY)?

There was no objection.

PROHIBITING PICKETING IN THE DISTRICT OF COLUMBIA WITHIN 500 FEET OF ANY CHURCH

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 257) to prohibit the intimidation, coercion, or annoyance of a person officiating at or attending a religious service or ceremony in a church in the District of Columbia.

The Clerk read the title of the bill.

The Clerk read the bill, as follows:

H.R. 257

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whoever, during any religious service or ceremony which is conducted in a building in the District of Columbia used as a church or other place of worship or which is conducted on the surrounding grounds of such building, or during the two-hour period immediately preceding such service or ceremony or the two-hour period immediately following such service or ceremony—

(1) displays within 500 feet of such grounds any sign, placard, banner, or device designed or adapted to annoy, embarrass, intimidate, coerce, or bring into public odium or disrepute any person officiating at or attending such religious service or ceremony, and refuses to cease such display when so ordered by police authorities of the District of Columbia; or

(2) congregates with others within 500 feet of such grounds for the purpose of (A) displaying any such sign, placard, banner, or device, or (B) annoying, embarrassing, intimidating, coercing, or bringing into public odium or disrepute any such person, and refuses to disperse when so ordered by police authorities of the District of Columbia;

shall be fined not more than $300 or imprisoned for not more than 60 days, or both.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. DOWDY. Mr. Speaker, the purpose of H.R. 257 is to prohibit the intimidation, coercion, or annoyance of a person officiating at or attending a religious service or ceremony in a church or other place of worship in the District of Columbia.

The bill provides that it shall be unlawful for any person, during a period beginning 2 hours before any religious service or ceremony or within the 2-hour period immediately following the end of such religious service or ceremony, and within 500 feet of the grounds of a church or other place of worship, to display any sign, placard, banner, or device which is designed for the purpose of annoying, embarrassing, intimidating, coercing, or of bringing into public odium or disrepute any person officiating at or attending such religious service or ceremony.

Any person who engages in the activities prohibited, and who refuses to discontinue such display when ordered by the police, shall be subject to a fine of not more than $300 or imprisonment of not more than 60 days, or both.

The bill similarly applies to those who congregate within the distance and during the time period specified for such purposes and who refuse to disperse when so ordered by the police, and provides that they shall be subject to similar penalties.

In considering the proposed legislation, your committee carefully considered existing laws of the District of Columbia providing for the protection of the peace and quiet within the community and for freedom from insult coercion, or intimidation. Laws relating to unlawful assembly provide such protection to the community from verbal assaults and abusive language. Existing law provides protection to officials of foreign governments and the buildings occupied by such governments and from demonstrations and the use of posters, signs, banners, and other devices designed to ridicule and insult such nations or their representatives. Our committee found nothing, however, in existing law providing similar protection for those attending or participating in religious services or ceremonies during the time of their arrival or departure. Our committee feels that the freedom of citizens to participate in such occasions free from interferences and insults is needed, is reasonable, and proper in the exercise of basic rights guaranteed by the Constitution of the United States.

In the course of the study of the legislation, the committee consulted wtih law enforcement officials of the District of Columbia in the review of existing law, and the need for, and desirability of such legislation. Cases involving the enforcement of existing laws of the District of Columbia were reviewed. Our committee is not aware of any court decision at any level dealing with laws prescribing the acts mentioned in the bill which would indicate any limitation upon the propriety and the power of Congress to enact such legislation with full anticipation that its provisions would be sustained in the courts.

This bill is identical to H.R. 16340 of the 89th Congress, which was approved by the House on August 22, 1966—House Report No. 1786—by a rollcall vote of 249 to 44.

Mr. KOCH. Mr. Speaker, I rise to oppose this bill which seems to be designed in response to an isolated incident, the picketing by antiwar demonstrators at the wedding of Luci Nugent, nee Johnson. While such picketing is in bad taste, a law abridging the first amendment should not be passed to deal with such an isolated incident.

There already exists in the District of Columbia laws which control disorderly conduct and rightly so. This bill goes even further and in my judgment, if enacted, would ultimately be found unconstitutional since it is intended not simply to affect disorderly conduct but to prevent the exercise of free speech guaranteed by the first amendment. The bill before us creates a new definition of what would constitute disorderly conduct when outside a church. No longer does disorderly conduct mean what one would ordinarily consider it to cover. Now in these situations, it is enlarged to include conduct which annoys and embarrasses. It also makes unlawful the simple carrying of placards and banners which annoy or embarrass. I repeat that I think such legislation must be struck down by the courts of this country if indeed it is passed by the other body.

The implication of what is intended here becomes more evident when one looks at these restrictions which apply 2 hours before any religious service or ceremony and 2 hours following such religious service or ceremony. If a group of priests or parishioners of a church wish to peacefully assemble and demonstrate in front of their own church in opposition to the policies of that church if that were their pleasure, they could be hauled off and jailed.

This kind of legislation for the District of Columbia points up once again that Congress should turn over to the people of the District the right to control legislation in their District. Instead, some Members of this Congress are using the District of Columbia as a laboratory in which to try out repressive legislation. For these reasons, I will vote against the bill.

PENSIONS FOR WIDOWS OF RETIRED DISTRICT OF COLUMBIA POLICEMEN AND FIREMEN

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 4183) to provide that the widow of a retired officer or member of the Metropolitan Police Department or the Fire Department of the District of Columbia who married such officer or member after his retirement may qualify for survivor benefits, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 4183

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (a)(3) of the Policemen and Firemen's Retirement and Disability Act (D.C. Code, sec. 4–521(3)) is amended to read as follows:

"(3) The term 'widow' means the surviving wife of a member or former member if—

"(A) she was married to such member or former member (i) while he was a member, or (ii) for at least two years immediately preceding his death, or

"(B) she is the mother of issue by such marriage."

(b) The amendment made by this Act shall apply with respect to any surviving wife of a "member" (as that term is defined in subsection (a)(1) of the Policemen and Firemen's Retirement and Disability Act) or former member irrespective of whether such wife became a "widow" (as that term is defined in such amendment) prior to, or after the date of the enactment of this Act, except that no annuity shall be paid by reason of the amendment made by this Act for any period prior to the first day of the first pay period beginning on or after July 1, 1967.

With the following committee amendment:

On page 2, line 14, strike out "1967" and insert in lieu thereof "1969".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. DOWDY. Mr. Speaker, the purpose of H.R. 4183 is to provide that the widow of a retired officer or member of the Metropolitan Police Department or the Fire Department of the District of Columbia who married such an officer or member after his retirement may qualify for survivor benefits under the Policemen's and Firemen's Retirement and Disability Act.

REASONS FOR LEGISLATION

Under existing law, if a retired officer or member of the Metropolitan Police Department or the Fire Department of the District of Columbia marries subsequent to his retirement, upon his death his widow is not entitled to any pension whatever. Your committee is of the opinion that this is an injustice and should be corrected.

Accordingly, H.R. 4183 provides that in the event that a retired such officer or member marries after his retirement, his widow will be entitled to the same full benefits as provided in subsection (a)(3) of the Policemen and Firemen's Retirement and Disability Act to which she would be entitled had she married the officer or member during his active service. It is specified, however, that in order to qualify for such pension the widow must have been married to such officer or member for at least 2 years prior to his death, or that she be the mother of issue by the marriage.

HISTORY OF LEGISLATION

This bill is identical to H.R. 2824 of the 90th Congress, which was approved by the House on April 24, 1967—House Report No. 200. It is identical also to a provision in title II of H.R. 15857 of the 89th Congress, a bill which amended the District of Columbia Policemen and Firemen's Salary Act—Public Law 89–810—as approved by the House on June 27, 1966. However, that provision was subsequently deleted by House and Senate conferees.

The reason for this deletion was that it came to the attention of the conferees that a similar provision in law at that time pertaining to widows of retired veterans contained a 5-year minimum for the length of such marriage before the widow could qualify for a pension. This created some doubt as to the propriety of the 2-year minimum which this provision in H.R. 15857 would have imposed in the case of widows of retired District of Columbia policemen and firemen. However, since that time subsequent legislation has reduced the minimum period of marriage for widows of retired veterans, who married after the veterans' retirement, from 5 years to 1 year. Hence, the 2-year minimum period for marriages of District of Columbia policemen and firemen contracted subsequent to their retirement, as proposed in H.R. 4183, is now well within comparable limits of similar legislation.

Our committee feels that this proposed legislation will correct an inequity of long standing, and commends it to this body for favorable action.

EQUALIZE RETIREMENT BENEFITS FOR TOTALLY DISABLED DISTRICT OF COLUMBIA POLICEMEN AND FIREMEN

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 4184) to equalize the retirement benefits for officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia who are retired for permanent total disability, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 4184

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) each officer or member of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, the White House Police force, or the United States Secret Service who has been retired during the period beginning before October 1, 1956, and continuing through July 1, 1967—

(1) under the provisions of the fourth paragraph of section 12 of the Act of September 1, 1916 (39 Stat. 718), as in effect prior to October 1, 1956, and

(2) on the basis of a disability which was rated at 100 per centum at the time of his retirement.

shall, on and after the first pay period which begins after July 1, 1967 have his retirement benefits computed and paid in accordance with the provisions of subsection (g)(1) of the Policemen and Firemen's Retirement and Disability Act (D.C. Code, sec. 4–527(1)).

(b) Nothing in this Act shall be deemed to reduce the relief or retirement compensation any person receives or is entitled to receive, from the District of Columbia on the date of enactment of this Act.

With the following committee amendments:

Page 1, line 8, strike out "1967" and insert in lieu thereof "1969".

Page 2, line 7, strike out "1967" and insert in lieu thereof "1969".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. DOWDY. Mr. Speaker, the purpose of H.R. 4184 is to provide that former members of the Metropolitan Police force, the U.S. Park Police force, the White House Police force, the U.S. Secret Service, and the District of Columbia Fire Department who were retired prior to October 1, 1956, for disability which was rated at 100 percent at the time of their retirement, shall have their annuities computed on the same basis as are those for members who retired for disability subsequent to that date.

BACKGROUND

From 1916, when the Policemen's and Firemen's Relief Fund was first established by act of Congress, until 1957, there was never any disparity in the pensions paid to retired members of the Fire Department and the several police forces in the District of Columbia, or to their widows and dependent orphaned children. All who retired at the same rank and with the same length of service received equal amounts, regardless of changes in contribution rates.

In 1957, however, this long-established policy was abandoned by the enactment of Public Law 85–157, which amended the Policemen's and Firemen's Disability Act to provide substantial increases in the annuities for those members retiring after October 1, 1956, and for their widows and orphaned children, but provided no increases whatever for annuitants who had retired prior to that date, nor for their surviving dependents.

PROVISIONS OF THE BILL

For these reasons, your committee urges favorable action on H.R. 4184, which provides simply that members of the various police forces and the District of Columbia Fire Department who retired prior to October 1, 1956, for disability incurred in line of duty and which was rated at 100 percent under the Veterans Manual at the time of their retirement, shall have their annuities computed on the basis of the formula provided by the 1957 amendments to the Policemen's and Firemen's Disability Act which have been in effect since October 1, 1956. This provision is to be effective on and after the first pay period which begins after July 1, 1969.

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This would increase the pension rate of such a retiree from the present figure of 50 percent of his last annual salary to a minimum of $66\frac{2}{3}$ percent and a maximum of 70 percent, depending on his length of service.

A survey of the personnel files 2 years ago revealed that at that time, there were some 200 former members of these police forces and the District of Columbia Fire Department who had retired prior to October 1, 1956, for disability incurred in line of duty and which was rated at 100 percent under the Veterans Manual at the time of retirement. Today, however, only 177 such annuitants survive, and hence this is the number who will be affected by the enactment of this proposed legislation. It is estimated that the cost involved for the first full fiscal year will be approximately $248,000. This cost will of course diminish each year thereafter, and eventually will disappear entirely.

AMENDING THE ACT REGULATING THE PRACTICE OF PODIATRY IN THE DISTRICT OF COLUMBIA

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 9549) to amend the act entitled "An act to regulate the practice of podiatry in the District of Columbia," approved May 23, 1918, as amended, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 9549

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act entitled "An Act to regulate the practice of podiatry in the District of Columbia", approved May 23, 1918 (40 Stat. 560), as amended (sec. 2–705, D.C. Code, 1961 edition), is amended by designating the first paragraph as subsection (a), by redesignating the second and third paragraphs as subsections (b) and (c), respectively, and by adding at the end of the second paragraph, redesignated herein as subsection (b), the following: "The Board of Podiatry Examiners may, in its discretion, waive both the written and oral tests or either such test and accept in lieu thereof the satisfactory completion by an applicant of an examination given by the National Board of Podiatry Examiners: *Provided,* That such applicant shall pass a practical examination given by the Board of Podiatry Examiners: *Provided further,* That in exercising its discretion to waive the written and oral tests or either such test the Board of Podiatry Examiners shall satisfy itself that the examination given by the National Board of Podiatry Examiners was as comprehensive as that required in the District of Columbia. Notwithstanding the foregoing provisions of this subsection, the Board of Podiatry Examiners may, in its discretion, require an applicant to satisfactorily complete an examination which supplements the examination given by the National Board of Podiatry Examiners."

With the following committee amendment:

On page 2, after line 18, add the following:

"Sec. 2. The amendments made by this Act shall not be considered as affecting the functions of the Commissioner of the District of Columbia and the District of Columbia Council under such Act of May 23, 1918."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. DOWDY. Mr. Speaker, the purpose of this bill is to provide the District of Columbia Board of Podiatry Examiners with the discretionary authority to accept the written theoretical examination given by the National Board of Podiatry Examiners to virtually all graduates of the recognized podiatry colleges, in lieu of the local board's own theoretical examinations for licensing of podiatrists in the District. However, a satisfactory performance on a practical demonstration test administered by the District of Columbia board will continue to be required of all applicants for such license.

The National Board of Podiatry Examiners consists of 12 members, representing such nationally recognized professional organizations as the Federation of Podiatry Boards, the American Podiatry Association, and the American Association of Colleges of Podiatry. In addition, 13 groups of prominent educational testing specialists assist the national board in the development of its testing program, which is presently recognized and accepted in 19 States and by the Army and the Navy.

Your committee is advised that the District of Columbia Board of Podiatry Examiners favors the adoption of the national board theoretical examinations as the standard for licensing of podiatrists in the District because this examination, by reason of its national scope and character, offers a uniform and consistent measure of academic professional qualification. Also, the resources available to the national board make possible a rapid processing of these tests, and the early reporting of the results to the applicants. Further all expenses incident to the preparation and administration of these tests are sustained by the National Board of Podiatry Examiners.

We are advised that the examination given by the national board is at least as comprehensive and as difficult as that conducted by the District of Columbia Board. However, this bill charges the District of Columbia Board with the responsibility of satisfying itself that this continues to be the case; and the Board is empowered, in its discretion, to require any applicant to supplement his national board examination with whatever further theoretical test or tests the Board may deem advisable.

PRECEDENT

H.R. 6350, which was passed by the House on July 23, 1963, and which was approved on August 19, 1964—Public Law 88–460—extended an identical discretionary authority to the District of Columbia Board of Dental Examiners, enabling them to accept a national board examination in connection with the licensing of dental hygienists in the District of Columbia.

Your committee is of the opinion that this same authority should be granted with regard to the licensing of podiatrists in the District of Columbia, for the same reasons; namely, the elimination of a needed duplication of theoretical testing with a consequent saving of time and expense on the part of the District of Columbia Board, and also the alleviation of needless hardship on the part of applicants who may have been out of school for some years and yet can demonstrate professional competence by satisfactory performance on the practical demonstration test, which would still be required of all applicants.

Proposed legislation identical to H.R. 9549 has been approved by the House in each of the past three Congresses, only to fail of action in the Senate. These bills were H.R. 9962 of the 88th Congress, approved by the House on March 9, 1964—House Report No. 1223; H.R. 1699 of the 89th Congress passed by the House on February 8, 1965—House Report No. 22; and H.R. 3370 of the 90th Congress, approved by the House on April 24, 1967—House Report No. 98.

AMEND STATUTE OF LIMITATIONS IN CERTAIN CIVIL ACTIONS

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 4181) to amend title 12, District of Columbia Code, to provide a limitation of actions for actions arising out of death or injury caused by a defective or unsafe improvement to real property.

The Clerk read the bill, as follows:

H.R. 4181

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. (a) Chapter 3 of title 12 of the District of Columbia Code (relating to limitation of actions) is amended by adding at the end the following new section:

"§ 12–310. Actions arising out of death or injury caused by defective or unsafe improvements to real property

"(a) (1) Except as provided in subsection (b), any action—

"(A) to recover damages for—

"(i) personal injury,

"(ii) injury to real or personal property, or

"(iii) wrongful death,

resulting from the defective or unsafe condition of an improvement to real property, and

"(B) for contribution or indemnity which is brought as a result of such injury or death,

shall be barred unless in the case where injury is the basis of such action, such injury occurs within the five-year period beginning on the date the improvement was substantially completed, or in the case where death is the basis of such action, either such death or the injury resulting in such death

"(2) For purposes of this subsection, an improvement to real property shall be considered substantially completed when—

"(A) it is first used, or

"(B) it is first available for use after having been completed in accordance with the contract or agreement covering the improvement, including any agreed changes to the contract or agreement,

whichever occurs first.

"(b) The limitation of actions prescribed in subsection (a) shall not apply to—

"(1) any action based on a contract, express or implied, or

"(2) any action brought against the person who, at the time the defective or unsafe condition of the improvement to real property caused injury or death, was the owner of or in actual possession or control of such real property."

(b) The table of sections for such chapter 3 is amended by adding at the end the following new item:

"§ 12-310. Actions arising out of death or injury caused by defective or unsafe improvements to real property."

SEC. 2. The amendments made by section 1 of this Act shall apply only with respect to actions brought after the date of enactment of this Act.

Mr. DOWDY. Mr. Speaker, the purpose of H.R. 4181 is to provide a limitation on the period of time during which an action may be brought to recover damages, contribution, or indemnity against architects, designers, engineers, or contractors on the ground of a defective or unsafe condition of an improvement to real property. At the present time in the District of Columbia there is no limitation as to the period of liability of an architect, engineer, or contractor for a defective or unsafe condition in an improvement to real property. Thus, such parties may become defendants in a suit brought by a person who sustains a personal injury in a building which was built 25 or even 50 years ago. The only limitation applying in such case under District of Columbia law is that such an action must be brought within 3 years after the date of the cause of action accrues.

The bill, H.R. 4181 reported by your committee, would require that such an action would be barred unless it is brought within 5 years from the date the improvement to real property was substantially completed.

NEED FOR THE LEGISLATION

In recent years there has been a substantial increase in the number of actions for the recovery of damages, contribution, or indemnity, for injury to property or persons or wrongful death against architects, engineers, and contractors, based upon a defective or unsafe condition of an improvement to real property.

The District of Columbia, as was the case in the States, has no statute of limitations relating to such actions. Architects who design buildings or improvements to real property, engineers who design and install equipment, or contractors, who build the improvements under rigid inspection and conformity with building codes, may find themselves named as defendants in such damage suits many years after the improvement was completed and occupied.

Comparatively, modern architecture, engineering, and construction, with the new techniques, technology, and methods, may give the appearance of defective or unsafe conditions to older structures which conditions may be used as a basis for such damage suits. In such cases, the architectural plans used may have been discarded, copies of building codes in force at the time of design or construction may no longer be in existence, and the persons who were individually involved may have deceased or may not be located. The purpose of the law is to provide a reasonable time and opportunity for a person who has suffered injury or damages to bring an action. To permit the bringing of such actions without any limitation as to time places the defendant in an unreasonable position if not imposing the impossibility of asserting a reasonable defense.

Our committee believes that as a matter of good law, in fairness and equity to the architect, designer, engineer and builder, it is proper to enact legislation such as H.R. 4181 to establish a reasonable time limit within which suits for damages, alleging defective or unsafe conditions, attributable to their actions, can be brought.

STATE ENACTMENTS

The problem which this legislation is designed to remedy has been recognized throughout the United States. Since 1960, 30 States have enacted statutes of limitation similar to that proposed in this bill. In addition, the legislatures in 10 other States are considering such legislation. Our committee finds that the provisions of the bill are reasonable comparable to legislation enacted in the States.

Mr. HUNGATE. Mr. Speaker, I move to strike the last word.

The SPEAKER. The gentleman from Missouri is recognized.

Mr. HUNGATE. Mr. Speaker, H.R. 4181 is a bill to amend the code to provide a limitation on actions arising out of death or injury caused by defective or unsafe improvements to real property. The bill would establish a statute of limitations of 5 years, after which suit could not be brought against the architects who designed the building, designers, engineers, or contractors, who did the work on the ground of defective or unsafe condition of the improvement to the real estate, even if they were negligent.

In short, if you should inherit real property in the District of Columbia that had been constructed or improved more than 5 years before, and if due to negligence in design or construction the ceiling should fall in on the inhabitants of that building or if a wall should fall out on someone, perhaps even before you knew you had inherited the property, as the owner of the property you would be liable and subject to suit, but under this bill, if such an accident should occur more than 5 years after the construction of the building or the improvement was completed, the architect who designed it, the engineers, and the construction people who built it even if negligent could escape liability. I oppose the bill for these reasons.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXEMPTIONS FROM ATTACHMENT AND CERTAIN OTHER PROCESS IN THE CASE OF PERSONS NOT RESIDING IN THE DISTRICT OF COLUMBIA

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 9548) to amend section 15-503 of the District of Columbia Code with respect to exemptions from attachment and certain other process in the case of persons not residing in the District of Columbia, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 9548

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 15-503 of the District of Columbia Code is amended by redesignating subsection (c) as subsection (d) and by inserting immediately after subsection (b) the following new subsection (c):

"(c) Notwithstanding any other provision of law, the wages (as defined in section 16-571 of the District of Columbia Code) of any person not residing in the District of Columbia who does not earn the major portion of such wages in the District of Columbia shall, in any case arising out of a contract or transaction entered into outside of the District of Columbia, be exempt from attachment, levy, or seizure, by any process or proceeding of any court, judge, or officer of the District of Columbia in the same amount and to the same extent as is provided by law of the State in which such person resides for persons residing therein. Whenever any claim is made for an exemption from attachment pursuant to this subsection, the burden shall be upon the plaintiff to prove that the contract or transaction involved in the case was entered into within the District of Columbia."

Mr. DOWDY. Mr. Speaker, the purpose of this bill is to stop a practice which has developed in relation to the use of garnishment laws in a way which enables a creditor to do indirectly what he is not permitted to do directly in his own jurisdiction.

This practice involves the filing in the District of Columbia of an action for garnishment against an employer who also has a business in Maryland, or Virginia, so as to secure payment by attachment of wages from an employee who is not a resident of the District. The object of such practice is to escape the limitations in States outside the District, regarding exemptions from garnishment in favor of employees. This bill is designed to assure that where an action in such a case is brought in the District of Columbia, the nonresident defendant involved will be entitled to the same exemptions as are provided by law in the State in which the said defendant may reside.

Maryland law, for example, provides for an exemption from attachment of wages and salaries in the amount of $100 for each pay period. In a month, or 4⅓ weeks, this exemption would aggregate $433. Your committee has been informed that some persons in the debt collection business have found that the District of Columbia garnishment law provides a lower exemption; namely, 90 percent of the first $200 per month of wages, 80 percent of the next $300 per month, and 50 percent of all above $500 per month. In the case of a worker earning a wage of $100 per week, or $433 per month, therefore, an employee's entire salary

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would be exempt from attachment in Maryland, but in the District of Columbia only $366.40 per month would be exempt, leaving $66.60 per month subject to garnishment.

Accordingly, your committee was advised that Baltimore creditors, with claims against employees living and working in Baltimore, have in several instances determined that the employers also have places of business in the District of Columbia and hence are subject to service of garnishment or attachment process in the District, and accordingly have brought their claims to Washington and filed suits here, laying an attachment against the wages of the employee debtor in the hands of the employer, thus escaping the exemption from attachment provided by Maryland laws.

This same procedure could conceivably be adopted by collection agencies from any State if the employer maintains a place of business in the District, so that he would be subject to the service of garnishment process here.

This committee is of the opinion that it was never intended that District of Columbia law should serve as a collection medium against employees who live elsewhere, work elsewhere, and may even never have been in the District of Columbia. This bill is intended to so amend the District of Columbia law as to terminate this practice by granting to nonresidents of the District the exemptions from garnishment and attachment of wages afford by their local State laws.

Except for technical amendments, this bill is identical to H.R. 7882 of the 88th Congress, which passed the House on October 14, 1963—House Report No. 836; and also to H.R. 1007 of the 89th Congress, which was approved by the House on February 8, 1965—House Report No. 25. It is identical also to H.R. 836 of the 90th Congress, approved by the House on March 13, 1967—House Report No. 89.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. DOWDY. Mr. Speaker, I ask unanimous consent that all Members may be permitted to insert their remarks concerning any of the bills called by the District Committee today.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

LEASE OF DISTRICT PROPERTY TO THE JEWISH HISTORICAL SOCIETY OF GREATER WASHINGTON

Mr. DIGGS. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 12677) to authorize the Commissioner of the District of Columbia to lease to the Jewish Historical Society of Greater Washington the former synagogue of the Adas Israel Congregation and real property of the District of Columbia for the purpose of establishing a Jewish Historical Museum.

The Clerk read the bill, as follows:

H.R. 12677

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose of this Act to enable the Jewish Historical Society of Greater Washington, a nonprofit corporation organized in the District of Columbia, to place on real property of the District of Columbia the structure which served as the synagogue of Adas Israel Congregation (located in the District of Columbia on the southeast corner of Sixth and G Streets, Northwest) and to improve and restore such structure for the purpose of establishing and maintaining it as a Jewish Historical Museum or for other appropriate purposes.

SEC. 2. To carry out the purpose of this Act, the Commissioner may—

(1) acquire the structure described in the first section and lease it to the Jewish Historical Society of Greater Washington, and

(2) lease to such Society real property of the District of Columbia which he determines is not then required for the needs of the District of Columbia.

Any lease made under this Act shall be subject to such terms and conditions as the Commissioner may deem necessary to carry out the purposes of this Act and in the discretion of the Commissioner, may be made with or without monetary consideration.

Mr. DIGGS. Mr. Speaker, the purpose of H.R. 12677 is to authorize the Commissioner of the District of Columbia to acquire the city's oldest synagogue building, the synagogue of Adas Israel Congregation, and to lease it and real property of the District of Columbia to the Jewish Historical Society of Greater Washington.

NEED FOR THE LEGISLATION

The Commissioner of the District of Columbia does not have authority under existing law to enter into agreements for the preservation of historic buildings such as Adas Israel Synagogue. The authority to be granted by H.R. 12677 is sought because of vital Government interest in the property: the Washington Metropolitan Area Transit Authority owns the building; and the District of Columbia has highway property which is a suitable site for its location.

The Jewish Historical Society of Greater Washington desires to obtain a lease of the building and property on which it may be relocated, to move the synagogue and to restore it for use as a museum and as headquarters for the society. It has pledged itself to raising the required funds to match Federal grants for this purpose.

Our committee recommends passage of this bill. It will provide for the preservation of this outstanding landmark in the District of Columbia, enabling the Adas Israel Synagogue to remain in its original environment, a witness to Jewish beginnings in the inner city.

Mr. HALL. Mr. Speaker, I move to strike the last word.

The SPEAKER. The gentleman from Missouri is recognized.

Mr. HALL. Mr. Speaker, I notice that this bill, H.R. 12677, is primarily to authorize the District of Columbia to acquire the city's oldest synagogue building and then lease it back to the Jewish Historical Society, and it apparently is necessary that we, by this act, declare it an item of historical interest, or at least such a declaration would give weight to and support to it.

I certainly have no objection to this procedure, but I would like to ask the gentleman from Michigan, who is sponsoring the bill and handling it on the floor, if there would be a cost to the U.S. taxpayer involved in so declaring this an item of historical interest, or any cost in any of the transfers between the Federal Government and the District of Columbia or the Jewish Historical Society, and particularly the Washington Metropolitan Area Transit Authority which now owns the land and building?

Mr. DIGGS. Mr. Speaker, I will defer to the gentleman from Arizona (Mr. STEIGER) for some enlightenment on this.

Mr. STEIGER of Arizona. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, the gentleman from Missouri has explained the purpose of the bill almost completely correctly, with one exception, and that is that the building is already owned by the Washington Metropolitan Area Transit Authority. It was acquired as a result of the acquisition of certain rights-of-way for the Transit Authority. As the result of this ownership, the purpose of this bill is to permit the removal of this building and its lease to the Jewish Historical Society. If this bill is not passed, this building will simply be destroyed.

So, there is no cost to either the District of Columbia, the Federal Government—not at all—nor the Transit Authority itself, since it already has acquired the property.

Mr. Speaker, I think in fairness to the gentleman I should point out the Jewish Historical Society is planning to apply to HUD for a grant, but this bill in no way requires acceptance of that grant or implies that HUD would make the grant.

The Jewish Historical Society is responsible for the complete restoration of the building, and they have indicated they will do so whether or not they are successful in obtaining the grant.

To answer the gentleman's question more briefly, there is no cost involved to the Federal Government in this transfer.

Mr. HALL. Mr. Speaker, I appreciate the response of the gentleman, and I appreciate the yielding by the gentleman who is handling the bill so I could have this response.

Mr. Speaker, I think my question has been answered. I presume the Jewish Historical Society could provide services in kind to match the $60,500 they expect to get from HUD if it is granted, but the gentleman has reassured us that does not imply or put a lien on HUD that such a grant will be made, and there is no way that the Washington Metropolitan Area Transit Authority in its dealing on this with the Jewish Historical Society or the District of Columbia or HUD could reap any unusual benefits above the fair market value for this piece of property. Is that a correct statement?

Mr. STEIGER of Arizona. That is correct.

Mr. HALL. Mr. Speaker, I thank the gentleman.

Mr. HOGAN. Mr. Speaker, H.R. 12677 is a bill worthy of note as it pays tribute to our Jewish brethren who came to the District of Columbia mainly from Germany after the revolution of 1848. They settled here and established their house of worship. It is this historical building which the bill before us would lease to the Jewish Historical Society. It will be used as a historical museum.

When Congregation Adas Israel dedicated its building in 1876, President Ulysses S. Grant and his Cabinet attended the ceremonies. It is interesting to note that the brother of the first president of the congregation, B. J. Behrend, was the first Jewish graduate of my alma mater, Georgetown University, in 1867.

The District of Columbia has been enriched by the presence of this early colony of Jewish people and Adas Israel has made an important contribution, through its membership, to the culture, business, and professional life of this community. I urge that this bill be voted upon favorably.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEY DISTRICT PROPERTY TO THE WASHINGTON INTERNATIONAL SCHOOL, INC.

Mr. DIGGS. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 12720) to provide for the conveyance of certain real property of the District of Columbia to the Washington International School, Inc.

The Clerk read the bill, as follows:

H.R. 12720

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Commissioner of the District of Columbia (hereafter in this Act referred to as the "Commissioner") shall convey to the Washington International School, Incorporated (hereafter in this Act referred to as the "Corporation"), a nonprofit corporation in the District of Columbia, all the right, title, and interest of the District of Columbia in and to the real property in the District of Columbia described as lot 806 of square 1215 and known as the Phillips School, upon payment to the District of Columbia by or on behalf of the Corporation of the sum of $500,000.

(b) The conveyance under subsection (a) of this section shall be subject to the condition that the Corporation shall use such real property for educational purposes during the five-year period beginning on the date of such conveyance, and that in the event that at any time during such period it ceases to use such real property for such purposes, it shall notify the Commissioner in writing of such fact and all right, title, and interest in and to such real property shall, at the option of the Commissioner, revert to the District of Columbia, but only upon payment to the Corporation of $500,000 or, if greater, the fair market value of such real property (but not to exceed $600,000), determined as of the date the Corporation notifies the Commissioner that the Corporation has ceased to use such real property for such purposes. The Commissioner may exercise such option only during the one-year period beginning on the date such notice is received by the Commissioner.

(c) During the five-year period beginning on the date of the conveyance under subsection (a) of this section, or, if shorter, during such period as the Corporation holds title to the real property conveyed under such subsection, the District of Columbia may, under its power of eminent domain, acquire such real property from the Corporation only upon payment to the Corporation of $500,000 or, if greater, the fair market value of such real property (but not to exceed $600,000), determined as of the date of acquisition by the District of Columbia.

Mr. DIGGS. Mr. Speaker, the purpose of H.R. 12720 is to provide that the Commissioner of the District of Columbia shall convey to the Washington International School, Inc., certain land and improvements owned by the District of Columbia and known as the Phillips School, which is located in Georgetown in Northwest Washington. The bill provides that the conveyance of the property shall be subject to certain conditions and that the International School pay to the District the sum of $500,000.

THE PHILLIPS SCHOOL PROPERTY

The Phillips School is an elementary school structure which has not been used for 15 years for instruction purposes and has been surplus to any use for public education purposes for some time. The District of Columbia Subcommittee of the Committee on Appropriations directed the District of Columbia government to secure an appraisal on the Phillips School and to dispose of it for its reasonable market value. An appraisal study at the direction of the District of Columbia government set the value of the Phillips School property at $475,000.

THE WASHINGTON INTERNATIONAL SCHOOL

The Washington International School is a private, nonprofit corporation and has been given tax-exempt status by the Internal Revenue Service. The school was established in January 1966. In May of that year the school was incorporated in the District of Columbia as a nonprofit educational institution. The school has been in operation for 3 years and the enrollment in October 1968 was 130 children. The school in testimony before the committee advised that it expects to increase its enrollment in elementary-level schoolwork to something in excess of 200 students.

Bilingual instruction is provided for children from more than 40 countries. The school is open to children desiring the type of curriculum offered and who are able to pay the tuition of approximately $825 for the full day sessions for the school year.

At the present time the school is staffed with 27 teachers from 10 countries and the school has been able to maintain a ratio of about one teacher for each seven children. Eighty percent of the families whose children attend the school live within the District of Columbia.

HEARINGS

Committee hearings were held July 8, 1969, on H.R. 11971 and H.R. 12092, identical bills, which are similar in purpose to the clean bill, H.R. 12720, which is favorably reported by your committee.

Your committee received testimony from the sponsors of the legislation from the associate director and the counsel for the Washington International School, Inc., and from the Assistant Corporation Counsel representing the government of the District of Columbia. No opposition to the bill was expressed.

Mr. GROSS. Mr. Speaker, I move to strike the last word.

Mr. Speaker, may I assume this bill requires no outlay on the part of the Federal Government—or does it?

Mr. DIGGS. Mr. Speaker, I will defer to the gentleman from Massachusetts, who sponsored this bill, for a reply.

Mr. MORSE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I can give the gentleman the assurance that not only does it not involve any outlay, but it involves the receipt by the District Government of $500,000.

Mr. GROSS. Mr. Speaker, I thank the gentleman.

Mr. NELSEN. Mr. Speaker, I wish to commend to my colleagues the bill H.R. 12720. I introduced a companion bill to this proposed legislation in its original form, and am pleased indeed to endorse the measure.

The purpose of this bill is to authorize the Commissioner of the District of Columbia to convey the old Phillips School property, located at 2735 Olive Street in Georgetown, to the Washington International School, Inc., a private educational institution. The consideration for this sale is to be $500,000, which is some $25,000 higher than the appraised fair market value of the property. The bill provides also for a 5-year period during which the school, after acquiring the property, must use it for educational purposes. Should the International School terminate this use within the 5-year period, the District of Columbia will then be authorized to reacquire title to the property, for a consideration of at least $500,000 or, if greater, the fair market value of the property at that time, not to exceed $600,000.

The Washington International School was founded in the District of Columbia in 1966, as a nonprofit corporation. The school is organized in the same tradition as the International School which was established in Geneva, Switzerland, in 1924, and also the United Nations School which was founded in New York City in 1947. The school offers a unique system of bilingual education for all students, with its regular academic curriculum being taught half the day in English and half in either French or Spanish. The faculty includes instructors from many different countries, with a pupil-teacher ratio of less than 10 to 1.

In the past school year, only the third year of its existence, the Washington International School had a total enrollment of some 135 children from all social, economic, religious, and national backgrounds. Approximately one-half of the students are American, and the rest come from more than 30 different countries. Many, of course, are children of embassy officials and international civil servants. These students presently range from 3 to 12 years of age, but the school plans to expand its curriculum eventually to include instruction from the preschool to the university entrance level.

In addition to offering the advantages of its unique curriculum to the children of diplomats and other citizens of foreign nations living in the District of Columbia, the Washington International School is seeking also to enrich the educational and cultural backgrounds of underprivileged youngsters who reside in the District. To this end, the school has established a program of scholarships for inner-city children. They were able to offer two such scholarships during the past school year, and plan to increase this number to 10 by next September. Ultimately, the school plans to offer as many as 60 scholarships per year to these District of Columbia children. As a matter of fact, a Ford Foundation grant to the school stipulates that a certain percentage of its students be children from the inner city, on a scholarship basis.

During its first 3 years of existence, this school has enjoyed a ready acceptance in the Nation's capital. At a public hearing on March 19 of this year, in connection with the school's application for a special zoning exception to enable them to use the Phillips School property for their purpose, residents of the neighborhood volunteered testimony in support of the school's program and plans. The Georgetown Citizens Association, for example, unanimously voted their approval of the application. Also, the school has succeeded in obtaining substantial sums of money in the form of grants from private foundations, in recognition of the school's outstanding educational program; and in fact this is the source from which they will obtain the necessary funds for the purchase of the Phillips School property.

The main problem presently facing this fine institution is a dire need for adequate space and facilities in which the school may expand and fulfill its proper role. At present, classes are being held in the basement Sunday school rooms in three different churches.

The Phillips Elementary School building was used by the city for classroom purposes until 1955. For some years thereafter, it was used by the school system for administrative offices. Since the D.C. school administration has now been consolidated in a single new office building, however, the Phillips School has not been used at all, and hence has become excess to the city's needs. The District of Columbia revenue proposals last year included a plan to sell this property, and to use the $500,000 sale price as a part of the city's revenues for the coming fiscal year.

This property, however, appears to be ideal as a location for the Washington International School. In addition to the classroom facilities, which the school plans to improve, the property includes about an acre of land which will afford sufficient space for playgrounds and parking facilities. The District of Columbia Department of Licenses and Inspections has inspected the property and will approve its use by the school with no major repairs. And on June 5 of this year, the District Public Improvements Committee of the National Capital Planning Commission recommended the sale of the Phillips School property—noting in its recommendation that its use by the International School would be appropriate and compatible with the surrounding neighborhood.

The authorization which this bill will provide for the conveyance of this property is vitally important, since without such legislative authority the District would be required to ask bids on the property, and hence would not be able to assure its future use as an educational institution by conveying it to the International School. The financial benefits which would accrue to the District through this sale, in addition to assuring the continued existence of a very fine and unique school which will be an asset to the city in many ways, are twofold. First, the $500,000 sale price, somewhat higher than the appraised fair market value of the property, will be a welcome addition to the city's revenue. Second, inasmuch as it costs the District of Columbia about $1,000 per year to educate each child in the public school system, each local pupil enrolled in the International School will represent a saving of $1,000 to the city for that school year. Hence, an annual saving of nearly $300,000 will result.

I feel strongly that the International School, offering its broad range of students a bilingual education of the finest quality, is filling a very important need in the Washington community. Certainly the Nation's Capital, by reason of its strong international flavor, offers outstanding opportunities for such bilingual education. Further, it is my opinion that with the advantages which the Phillips School property will afford, this school will provide an invaluable opportunity for the residents of the District of Columbia to participate in an enriching educational experience with the international community. The great public interest shown in this school, and its rapid growth during its brief period of existence, is eloquent testimony to the need for and acceptance of an educational institution of this character in the District of Columbia.

For these reasons, I feel that the bill H.R. 12720 represents an opportunity for the Congress to perform a very real service to the District of Columbia, and I urge its passage.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. McMILLAN. Mr. Speaker, this concludes the work of our committee for District day.

The SPEAKER. This concludes the business for District day.

HOOVER'S RUNDOWN ON REVOLUTIONISTS IMPRESSIVE

(Mr. DAVIS of Georgia asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. DAVIS of Georgia. Mr. Speaker, it is with pleasure that I invite the attention of the Members of the House to the following article from the Washington Evening Star, of July 11, 1969:

HOOVER'S RUNDOWN ON REVOLUTIONISTS IMPRESSIVE

(By Richard Wilson)

J. Edgar Hoover said so much in recent testimony before Congress, and so little of it was reported, that reviewing the scope of it in capsule form gives a bewildering picture of a nation in dangerous turmoil.

The average person sees, hears or reads of only that part of the turmoil currently in the news. Hoover is keeping track of a staggering array of revolutionists, of both the right and the left—incendiaries, spies, provocateurs, and other militants who increase in numbers by the thousands years by year.

How is one to judge these darkening shadows of violence and disruption? Not, surely, from the paranoic's view of an encircling conspiracy. Yet the totality and diversity of the appeal to violence can cause the skeptical reader of Hoover's report to Congress to wonder where the limits of tolerating insurrection lie.

Few of Hoover's critics would deny he is a pretty good investigator. Too good, some think. In any event, he is increasingly busy with the appeal to violence.

Here, in capsule form, are a few of his findings:

Students for a Democratic Society, and the New Left have openly turned to violent plans and tactics. These range from all manner of violent demonstrations to the use of bombs and incendiary devices with the aim of creating an era of chaos which will destroy the present form of government.

Funds to finance the New Left activities come from wealthy benefactors, several foundations, an organization of college professors, small donors in the $10-to-$50 range, those identified as either past or present members or sympathizers with the Communist party, student organizations, fund-raising drives. A "very prominent foundation" in New York City, Hoover reported, contributed more than $250,000. Other New Left donors included a Cleveland industrialist "who has long been a Soviet apologist," a wealthy New York lecturer and writer, the wife of a millionaire attorney in Chicago, a New England heiress.

Five black power organizations advocate or practice various forms of insurrection: the Black Panther party, the Republic of New Africa, the Nation of Islam, the Revolutionary Action Movement and the Student Nonviolent Coordinating Committee, the latter having developed recently into "a full-blown all-Negro revolutionary movement." The past year, Hoover reported, has seen a proliferation of such organizations concerned with guerrilla warfare and terrorism.

Hoover expresses suspicion without offering very convincing evidence of foreign influences, some arising from Cuba. Contrary to the general supposition that Castro's Cuba has lost its revolutionary drive, Hoover reports the revolutionary movement there is going strong and is sparing no effort to expand the Communist takeover to the rest of Latin America. Castro, says Hoover, is supplying men, materiel and logistical support to help overthrow existing regimes in Latin American countries.

As for internal U.S. espionage and subversion, there is no letup on the part of Communist countries in their efforts to penetrate our national defense interests. Hoover reports that a defector has disclosed to him that 70 percent to 80 percent of all personnel assigned to Soviet diplomatic establishments work in the intelligence field.

The Chinese, Hoover claims, are becoming a problem. He suggests that some of the 300,000 Chinese residing here are susceptible to recruitment for espionage and propaganda work. He is bothered by 40,000 Hong Kong-based Chinese seamen, at least a few of whom

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are believed to be serving as couriers. Thousands of them enter U.S. cities each year, and Hoover notes that over 700 jumped ship in U.S. ports in 1968 to vanish into the nation's Chinese communities.

By contrast, Hoover finds the rightist appeal to violence rather puny. The Minutemen are down to about 500. Fourteen Klan-type organizations have about 8,500 members, with thousands of sympathizers. The Nazi party is beset by internal strife. It is evident that the effort to break up these groups is having some effect. Hoover is continuing to infiltrate the Klan at all levels.

One wonders why, if the violent right can be so suppressed the violent left cannot be suppressed. The answer is not too hard to find. A vague, but real, social sanction protects the violent left. People who find the Klan vulgar and repugnant beyond words can find moral, social and intellectual justification for causes of the bloody left. Thus the contributing college professors, heiresses, foundations, and the enthralled youth.

But there should be no confusion on where the danger lies. It lies with the more numerous, better organized, more zealous, stronger-motivated violent left with its techniques of guerrilla warfare and terrorism, its neo-Marxist doctrines, and its heroes, Che and Mao. Even discounting Hoover's alarming prospectus the problem is real and not much is being done about it except by Hoover.

THE PRESIDENT URGED TO STATE HIS POSITION ON TAX LOOPHOLES

(Mr. REUSS asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. REUSS. Mr. Speaker, last Friday 82 Democratic Congressmen joined in a letter to President Nixon urging him to state his position on plugging such loopholes as the oil depletion allowance, tax-exempt State and local bonds, capital gains, special treatment for stock options, accelerated depreciation on speculative real estate, and payment of estate taxes by redemption of Government bonds at par. I include the text of the letter and the names of the signers in the Record at this point:

Congress of the United States,
House of Representatives,
Washington, D.C., July 11, 1969.

Hon. Richard M. Nixon,
President of the United States,
The White House,
Washington, D.C.

Dear Mr. President: Your June 30 letter to Rep. Gerald Ford, read on the House floor during debate on the surtax bill, committed the Administration to "prompt and meaningful tax reform." In our view, "meaningful tax reform" means plugging such loopholes as the oil depletion allowance, tax-exempt state and local bonds, capital gains, special treatment for stock options, accelerated depreciation on speculative real estate, and the provision permitting payment of estate taxes by redempion of government bonds at par.

The tax reform package you submitted to Congress on April 21 does not attempt to plug these loopholes. Nor are they dealt with in the reform package tentatively approved on May 27 by the Ways and Means Committee.

Many Members voted against extending the surtax June 30 because they feared chances for meaningful, revenue-raising tax reform would fade rapidly with passage of the surtax extension. The extension bill, as a result, narrowly survived its first test in the House. Senate consideration is just beginning and there will, of course, be another vote in the House.

We urge you, therefore, to state your views and recommendations on the specific revenue-raising, loophole-plugging reforms listed above and all others that would correct abuses in our tax system. This kind of statement would make it clear to the international financial community that our country is serious about fighting inflation. Fully as important, it would let the average taxpayer know that the era of tax loopholes for the wealthy is drawing to a close and that the tax burden in the future will be shared fully by all.

Sincerely,

William A. Barrett, James Hanley, Patsy Mink, Julia B. Hansen, B. F. Sisk, John Conyers, John Blatnik, Richard McCarthy, Joseph Karth, Edward Roybal, Fernand St Germain, Richard Hanna, Charles Vanik, Thomas O'Neill, Cornelius Gallagher, Peter Kyros, Abner Mikva, Jeffery Cohelan, Hugh Carey, Andrew Jacobs. Jr.

Richard Fulton, Floyd Hicks, Joseph Minish, Clement Zablocki, John Culver, Torbert Macdonald, Joseph Gaydos, Roman Pucinski, Frank Thompson, William St. Onge, Joseph Vigorito, Gus Yatron, Don Edwards, Robert Leggett, William Ryan, Henry Helstoski, Ken Hechler, Edward Koch, Richard Ottinger, Arnold Olsen, Henry S. Reuss.

Ray Madden, David Obey, Benjamin Rosenthal, James O'Hara, William Moorhead, Frank Evans, Dominick Daniels, Clarence Long, James Scheuer, Shirley Chisholm, Lester Wolff, Charles Wilson, Leonard Farbstein, Edward Boland, Samuel Friedel, William Ford, Thomas Rees, Lloyd Meeds, Thaddeus Dulski, John McFall.

Lee Hamilton, John Moss, Bertram Podell, James Howard, Lionel Van Deerlin, Peter Rodino, Jerome Waldie, Jonathan Bingham, Allard Lowenstein, Mario Biaggi, George E. Brown, Robert Tiernan, Lucien Nedzi, Robert Nix, Brock Adams, William Hathaway, Donald M. Fraser, Sam Gibbons, Morris Udall, John Brademas, Emilio Daddario.

RETAIL MEAT PRICES REFLECT SUPPLY AND DEMAND SITUATION

(Mr. POAGE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. POAGE. Mr. Speaker, many of our citizens are very noticeably and understandably disturbed over the rapidly rising price of beef in our markets and grocery stores. Certainly I make no claim to any unique knowledge on this subject, but feeling that I might have some little factual information on this subject which is not generally available to all of our citizens, I felt that I should try to analyze this phenomenon.

Today's higher beef prices are the natural consequence of consumer demand. interacting with a fixed, limited supply of cattle available for slaughter.

The American public today is consuming record quantities of beef—both total and per capita consumption—at record prices. The primary reasons for this are general inflation and alltime record consumer buying power.

As the House Committee on Agriculture begins hearings on general farm and food stamp legislation tomorrow, the question of assuring abundant meat supplies for all Americans is of especial concern to those of us on the committee.

In the long run only if we have a farm program which moves unneeded cultivated acres from crop production into grass or forage, can we be very hopeful of any considerable increase in beef production.

It has been estimated that we need to expand our cow herd by about a million per year, so long as our present buying capacity continues to increase at the present rate. Whether this can be done depends in a very large part on whether or not we have a farm program which will move substantial acreage from field crops to grass and forage, regardless of whether this shift is achieved by a soil bank or by a crop adjustment program.

The beef industry is unique in that biological factors require producers to have nearly 3 years' leadtime in which to adjust their production. The gestation period for cattle is 9 months. After a calf is born it must be fed for nearly 2 years before it is mature enough for slaughter. In other words, the number of cattle which are available for consumption today was irrevocably fixed nearly 3 years ago.

While it is true that the number of cattle available for slaughter today was determined 3 years ago, the beef producer does have some leeway as to how large he will permit an individual animal to grow before it is sold for slaughter. The usual market weight for a steer is around 1,050 pounds, but this figure can run as high as 1,200 pounds or more. Years ago it was common to slaughter 4-year-old steers.

If the price of cattle is high and a producer feels confident it will remain high, he may elect to hold his livestock back from slaughter for a short while and market it later at higher weights. But since the producer's marginal cost of gain goes up tremendously as the animal grows heavier, his confidence in continued high prices is critical to his decision to increase beef production in this manner.

Barring a sudden decline in wages and employment, consumer demand for meat likely will continue to be very strong, but meat production can be only moderately larger than a year ago. This situation is likely since unemployment rates are expected to remain relatively low, consumer incomes are expected to rise further, and population will continue upward. Consumer demand for meat, however, may be tempered somewhat in the fall if the measures recently undertaken to dampen the general rise in prices are effective in reducing inflationary pressures. But even then, a sharp decline in consumers' willingness and ability to buy meat does not seem likely, unless housewives should get the idea that producers were charging them unfair prices. So long as producers are getting less than they were 18 years ago, which is the case, it seems that no such charge could be made unless the facts are misrepresented or suppressed.

Any such consumers' revolt would be most disastrous to both producers and consumers, because it would utterly destroy the confidence which cattle breeders must have in a profitable future mar-

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ket if they are to make the investment and take the risks incident to enlarging our present inadequate breeding herds.

On the supply side, the recent reduction in meat production compared with a year ago likely will be reversed later on. There are more cattle on feed than last year. Thus, beef production in coming months likely will run moderately larger than in the same months of 1968. All of the increase in beef production is expected to be high quality fed beef, and production of lower quality cow beef and other nonfed beef likely will be smaller than last summer and fall. In the long run, increases in meat production probably will outpace increases in population, only if we increase the Nation's cow herd, and as explained, this cannot be very effective for at least 3 years.

Indeed, as we divert heifers from slaughter to breeding, we will tend, at least temporarily, to reduce the amount of beef coming on the market.

In general, retail prices of most goods and services have been rising for many years. Retail food prices rose during the early 1960's but lagged behind prices of nonfood items while the farm price of many farm products actually dropped. Meat prices, however, changed very little from 1958 to 1964. During this period, meat prices, both live and dressed, lagged far behind prices of other foods as well as prices of nonfoods. Since 1964, however, meat prices have also risen.

Increases in food prices, including meat prices, however, have not kept pace with rises in consumer incomes. For example, per capita disposable income in 1968 was about 59 percent higher than in 1957–59. Food prices during this period were up only about 19 percent; meat prices in 1968 averaged only about 16 percent higher. The price of dressed meat like most food costs is more a reflection of the cost of marketing than the cost of the food itself. The marketing cost of getting a choice steer from the ranch to the consumer is up 15 percent in the last 8 years. Labor costs alone in the food processing and distributing industries have increased more than 45 percent when compared to the 1957–59 averages.

Prices of food, at this time amounting to only 17 percent of the take-home wages, have run far below the increased cost of all items and services as measured by the consumer price index. The following table indicates that the increase in the cost of rents, homes, medical care, entertainment, transportation and other items has increased more than twice as fast as retail food prices:

RETAIL PRICES, APRIL 1969 WITH COMPARISONS

Item	Consumer Price Index (1957–59=100)[1]				April 1969 change from—		
	April 1969	April 1968	April 1966	1947–49 average	April 1968 percent	April 1966 percent	1947–49 average percent
Consumer prices: All items	126.4	119.9	112.5	81.5	+5	+12	+55
Food at home	119.3	115.1	112.7	86.1	+4	+6	+39
Cereals and bakery products	121.3	118.3	114.1	75.4	+3	+6	+61
Meats, poultry, and fish	118.4	112.7	115.6	90.7	+5	+2	+31
Dairy products	122.9	118.8	108.9	88.3	+3	+13	+39
Fruits and vegetables	127.9	128.3	119.8	80.9	(²)	+7	+58
Other foods	109.0	103.0	103.6	90.5	+6	+5	+20
Food away from home	142.2	134.4	121.6	(³)	+6	+17	---------
Housing	125.3	117.5	110.3	78.3	+7	+14	+60
Rent	117.8	114.4	110.1	72.8	+3	+7	+62
Home ownership	137.1	124.0	114.3	(³)	+11	+20	---------
Fuel, oil, and coal	117.4	114.0	108.5	73.4	+3	+8	+60
Gas and electricity	111.2	109.5	108.3	85.8	+2	+3	+30
Furnishings and operations	116.9	112.2	104.4	(³)	+4	+12	---------
Apparel and upkeep:							
Men's and boys'	127.3	119.2	109.6	92.0	+7	+16	+38
Women's and girls'	121.0	114.5	104.2	101.0	+6	+16	+20
Footwear	138.4	130.4	118.1	76.3	+6	+17	+81
Transportation:							
Private	121.9	116.8	110.5	76.7	+4	+10	+59
Public	148.0	137.2	122.1	53.7	+8	+21	+176
Health and recreation:							
Medical care	153.6	143.5	125.8	69.2	+7	+22	+122
Personal care	125.5	119.0	111.6	78.1	+5	+12	+61
Reading and recreation	129.6	124.9	116.8	86.4	+4	+11	+50
Other goods and services	126.6	122.5	114.3	78.5	+3	+11	+61
U.S. average retail meat prices, cents per pound:							
Round steak	123.7	111.8	114.6	83.8	+11	+8	+48
Rib roast	104.5	97.8	94.7	67.8	+7	+10	+54
Chuck roast	68.6	63.8	65.3	57.1	+8	+5	+20
Hamburger	59.7	55.4	55.4	50.4	+8	+8	+18
Veal cutlets	189.9	175.0	155.3	93.2	+9	+22	+104
Pork chops	105.6	101.4	104.4	74.6	+4	+1	+42
Ham, whole	67.3	68.3	74.6	66.3	−1	−10	+2
Bacon, sliced	82.9	80.7	93.6	73.7	+3	−11	+12
Frankfurters	73.0	71.2	73.3	(³)	+3	(²)	---------
Chicken, fryers	42.2	40.6	43.6	(³)	+4	−3	---------
Consumer incomes:							
Weekly wage rates	$126.86	$118.21	$111.24	$52.06	+7	+14	+144
Per capita disposable income	[4] $3,006	[4] $2,866	[4] $2,537	$1,244	+5	+18	+142

[1] Consumer Price Index.

[2] Small.

[3] Not available.

[4] 1st quarter.

A smaller portion of the family budget is spent for food in the United States than at any time in history or in any major country of the world. Just 10 years ago, 20.9 percent of the disposable personal income was spent for food. In 1968, food took only 17.2 percent of take-home pay. And in spite of rising prices, the percentage of disposable personal income spent for food has continued at this low level so far in 1969.

Retail meat prices have, it is true, risen sharply. Dressed beef prices are the highest on record. The price rise is, as has been pointed out, basically due to unusually strong consumer demand for meat and inflationary pressures on the general economy that have more than offset moderate increases in supplies of red meats. So far this year, meat production has increased enough to a little more than offset population increases, so per capita supplies of meat have been slightly larger than the record supplies last year. The average consumer, therefore, has been eating as much meat as last year even though prices are up.

The consumer is getting a much better beef product today than in years past. Over two-thirds of today's beef has spent time in a feedlot, compared to only 40 percent a few short years ago. This results in increased tenderness, flavor and desirability. Even the cutting and merchandising techniques give today's modern housewife more meat for the table. With new trimming and packaging changes, there is less waste and more actual edible meat per pound purchased than ever before. This, of course, adds to the cost. Of such cuts of beef, 6.50 percent of the carcass is used for porterhouse steak, 6.75 percent for sirloin steak, 6.40 percent for rib roast, 7.20 percent for chuck steak, 3.35 percent for top round, and 4.50 percent for ground meat, leaving just about two-thirds of relatively low value.

Livestock and meat prices have risen even though the quantity of meat available for consumption has been slightly larger than a year ago. Red meat output was up 3 percent during January to April, including 2 percent more beef, 4 percent more pork, but considerably less veal and lamb. In addition, poultry production was up 6 percent during the first 4 months of this year, and imports of red meat have been larger than a year ago. The meat supply situation changed somewhat during May, however, when both beef and pork production supplies were smaller than in May 1968. As supplies this spring began to run below year-earlier levels and demand continued unusually strong, livestock and meat prices rose sharply. The demand has been extremely strong in recent months because of unusually low unemployment rates and rapid increases in consumer incomes.

Recently the United Press International made a nationwide report on meat prices. Because of the comprehensive aspect of this survey, it is made a part of this statement for it indicates the diverse impact of conditions on local prices.

The article, published in the New York Times, June 15, 1969, follows:

MEAT PRICES RISE ACROSS COUNTRY—BUT SAMPLE SHOWS GAINS HAVE NOT BEEN UNIFORM

CHICAGO, June 14.—Meat prices are rising all across the country. But in some cities they are markedly higher than in others.

A United Press International spot check of supermarkets in 13 cities on June 5 showed that the price of sirloin steak (bone in) ranged from $1.08 a pound in Albuquerque, N.M., to $1.59 a pound in Detroit and Birmingham, Ala.

The survey came at a time when the Department of Agriculture said the meat bill for the first quarter of 1969 had risen by 3.7 per cent from a year earlier. And department economists declined to say when, or whether, prices would start to come down.

A sampling of 16 stores checked coast to coast revealed that sirloin averaged roughly $1.45 a pound at meat counters, which chuck averages 87 cents a pound, leg of lamb $1.13, pork chops $1.24, lamb chops $1.82 and rib roast, $1.22.

LOW IN ALBUQUERQUE

The Albuquerque Safeway charged, per pound, 68 cents for ground chuck, 98 cents for oven-ready leg of lamb, $1.04 for pork chops, $1.49 for lamb shops and 98 cents for rib roast.

In Birmingham ground chuck was priced at 95 cents a pound, leg of lamb $1.29, pork chops, $1.19, lamb chops, $2.29 and rib roast, $1.29.

First National Stores in Portland, Me., charged $1.48 for sirloin, 89 cents for ground chuck, 99 cents for leg of lamb, $1.19 for pork chops, $1.89 for lamb chops and $1.29 for rib roast.

Supermarkets in Dallas came closest to the national average with their meat prices. Dallas stores were charging $1.44 for sirloin, 83 cents for ground chuck, $1.19 for leg of lamb, $1.22 for pork chops, $1.64 for lamb chops and $1.09 for rib roast.

On the average, shoppers in Los Angeles paid less for beef products than did those in San Francisco. San Francisco housewives got a break, however, on lamb prices.

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A sampling of six Middle Western area stores showed that shoppers in Des Moines, Iowa, paid about the same for meat products as the shoppers in Detroit.

* * * * *

At First National Stores in Providence, R.I., rib roast was $1.46 while other prices were comparable to the national average.

* * * * *

Following is a comparison of retail prices in 13 major cities reported as of Thursday, June 5:

City	Sirloin steak	Ground chuck	Leg lamb	Pork chops	Lamb chops	Rib roast
San Francisco	$1.59	$0.91	$1.13	$1.34	$1.69	$1.31
Los Angeles	1.29	.79	1.49	1.29	1.89	1.39
Albuquerque	1.08	.68	.98	1.04	1.49	.98
Dallas	1.44	.83	1.19	1.22	1.64	1.09
Des Moines	1.55	.89		1.29		1.19
Detroit	1.59	1.29	1.25	1.60	2.10	1.25
Memphis	1.45	.89		1.09	1.59	1.09
Miami	1.49	.89	1.19	1.29	2.19	1.29
Birmingham	1.59	.95	1.29	1.19	2.29	1.29
Providence	1.49	.98	.95	1.29	1.35	1.46
Portland, Maine	1.48	.89	.99	1.19	1.89	1.29
New York City	1.39	.85	.99	1.19	1.89	1.19

U.S. IMPORTS OF MEAT AND MEATS SUBJECT TO U.S. IMPORT QUOTA RESTRICTIONS

[Thousands of pounds]

Item	Average, 1965-67		1968		1969	
	January–April	Year	January–April	Year	January–April	Year
Meat (carcass weight equivalent):						
Beef and veal	313,138	1,157,896	433,604	1,518,030	476,314	
Pork	128,064	368,952	141,947	416,099	133,479	
Lamb	4,447	13,224	4,364	22,896	13,027	
Total red meat	474,530	1,636,643	630,671	2,081,034	651,852	
Imports under quota [1]	214,931	777,500	295,836	1,000,550	318,425	[2] 1,035,000

[1] Includes fresh and frozen beef, veal, mutton and goat on a product weight basis.

[2] USDA estimate.

CHOICE STEERS AT CHICAGO AND COMPOSITE RETAIL PRICE OF BEEF

Year	Choice steers (cents per pound) [1]	Beef, retail (cents per pound)
1951	35.96	88.2
1952	33.18	86.6
1953	24.14	69.1
1954	24.66	68.5
1955	23.16	67.5
1956	22.30	66.0
1957	23.83	70.6
1958	27.42	81.0
1959	27.83	82.8
1960	26.24	81.0
1961	24.65	79.2
1962	27.67	82.4
1963	23.96	81.0
1964	23.12	77.8
1965	26.19	81.4
1966	26.29	84.3
1967	26.04	84.1
1968	27.74	87.3
1969:		
January	29.23	90.1
February	29.11	90.0
March	30.19	89.9
April	30.98	92.7
May	33.85	

[1] Live weight. Average beef animal dresses out at approximately 62 percent of live weight. U.S. Department of Agriculture.

Cattle prices in early January were around $29 per 100 pounds—choice grade steers at Chicago. Since then, cattle prices have risen and in recent weeks have been averaging $34 to $35 per 100 pounds, about $7 higher than a year earlier. Hog prices are currently about $5 higher than they were at the turn of the year and a year earlier. In 1951 the price of choice live steers was 35.96 cents per pound—liveweight—in Chicago. This was 2.11 cents per pound higher than it was in May 1969. On the other hand the retail price of beef in the same market was 92.7 cents per pound, or 4½ cents higher this year than in 1951. That is in 18 years the price of live animals had gone down and the price of the commodity in the retail store had gone up. In this respect the price of beef but reflects a number of farm commodities.

Beef production reached an alltime high of 20.9 billion pounds in 1968, and pork production also increased. Imports of beef and veal totaled 1,518 million pounds and were equal to 7 percent of U.S. beef and veal production. Pork imports also were larger. These increases more than offset moderate reductions in U.S. lamb and veal production and provided in record large volume of meat for consumption, both in total and per capita.

Imports of red meat early this year were down sharply because of the dock strike in most eastern and gulf ports. However, in March and April imports were again considerably larger than a year earlier. On balance, red meat imports were 3 percent larger than a year earlier during the first 4 months of 1969—beef and veal imports were nearly 10 percent larger, but pork imports were down 6 percent. Imports of meat subject to quota have been up about 8 percent so far this year.

MINERAL DEPLETION ALLOWANCES

(Mr. ROBERTS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ROBERTS. Mr. Speaker, much has been said about a reduction in mineral depletion allowances, particularly oil. I believe someone should say something about the reason for depletion allowances.

In recent months the petroleum industry in the United States has been in the political spotlight to an excessive degree. Emotion is running high and this important industry has become a "symbol" beyond sober reason or equitable balance.

For the RECORD the following facts should be carefully weighed by each Member of this Congress.

During the past decade the mandatory oil import control program has been administered so that imports of foreign oil, other than residual fuel oil to be used as fuel, has remained at, or below, 12.2 percent of the estimated average daily oil production from domestic reserves located in districts I to IV.

The effective restriction on the importation of foreign oil has helped accomplish the national security result intended by proclamation No. 3279, as amended.

The domestic petroleum industry and the petroleum self-sufficiency of the United States have benefited meaningfully from the oil import control program.

In spite of the national security benefit given by the program, however, the petroleum industry in the United States has experienced progressive deterioration in its ability to find and develop new domestic oil reserves to replace those being consumed at greater and greater rates.

The domestic reserves to production ratio for natural gas has declined to about 15 to 1 at the end of 1968. The first consumer evidence of the rapidly declining availability of natural gas will be felt this coming winter by industrial gas consumers on the east coast. The following winter, and the winters after, will experience progressively tighter natural gas supply conditions.

The number of years of supply of all oils in the United States from domestic reserves has decreased to 8.4 years at the start of 1969.

Petroleum now supplies almost three-fourths of the Nation's energy requirements. The demand for energy from all sources is insatiable and is increasing dramatically. If this Nation is to remain independent, it must be self-sufficient in its energy supplies.

All energy sources—coal, uranium, shale oil, tar sands, as well as petroleum—should receive increased attention by Government and by industry. Unbiased concern should be evidenced for the present and future availability of energy reserves by producers, processors, transporters and consumers alike.

Competent authority reveals that the U.S. reserves of uranium ore available at today's price and technology are about one-fourth of the requirements for facilities in use, under construction, or planned to be installed by 1980.

U.S. reserves of shale oil in the Western States have been said to total 2 trillion barrels or more, however, under existing economic and operating conditions not one barrel of shale oil is available to any consumer in the United States.

Mineable reserves of coal in the United States have been stated as being over 800 billion tons, or sufficient for several hundred years at today's rates of consumption. Actually, the "commercial" quantities of coal available under existing economic and operating conditions are only 2 to 3 percent of the total quantity available if economics is ignored.

It is, therefore, apparent that our available domestic energy supplies from all sources has reached a dangerously low level. Of all of our sources, petroleum, shale oil, uranium, and coal, petroleum is the most abundant due, I feel, to the tax laws under which this industry has operated for so many years.

Much has been said and written about tax reform that would include reducing the depletion allowance and modifying other tax laws that now apply to petroleum.

In my judgment, this country cannot afford the luxury of embarking upon a program of "tax reform for the sake of reform," particularly one that will result in our early dependence upon the Middle East and North Africa for our petroleum supplies.

Fortunately, petroleum is only one of several sources of energy for the people of this Nation. I, therefore, urge that the investigation of the oil import control program being conducted by the Cabinet task force under the chairmanship of the Secretary of Labor, George P. Shultz, be enlarged to include all other sources of energy such as coal, shale oil, uranium, and tar sands.

The President of the United States, and Presidents before President Nixon, have consistently and stanchly defended the fundamental assumption and central theme that a worldwide American presence is necessary for global stability, and peace flows not from weakness but from strength—this theme has been basic to the U.S. foreign and military policy for decades.

Energy is strength. This Nation can, this Nation must, remain completely self-sufficient in its energy supplies.

I, therefore, urge the governments of the States and the Federal Government to conduct a critical assessment of the Nation's present and future energy needs, and availability from all sources and to effect laws and regulations that will stimulate the exploration for and the development of energy supplies adequate to insure the continued energy self-sufficiency of the United States.

PAYMENT LIMIT POSES QUESTION OF LEGALITY

(Mr. FINDLEY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FINDLEY. Mr. Speaker, until the appropriation bill disagreement between the House and Senate over the $20,000 limit on individual payments to farmer is resolved, the Secretary of Agriculture cannot legally spend funds to formulate 1970 crop programs unless they provide a $20,000 limit.

This has special importance because the 1970 wheat program already is about a month behind schedule.

So far, conferees on the appropriation bill have not been named.

Last Friday I sent the following telegram to Agriculture Secretary Hardin, explaining the problem:

> The provisions of H.J. Res. 790. passed by the House of Representatives on June 30 and subsequently by the Senate and signed by the President, provides authority for departments and agencies of government to continue operations pending final approval of appropriation bills. Careful reading of Section 101 raises serious questions to the legality of any expenditures being made at this time by the Department of Agriculture or the Commodity Credit Corporation for the formulation of programs for the 1970 crop year which fail to establish a $20,000 ceiling on aggregate payments under wheat, cotton and feed grains programs to any individual farmer. I call this to your attention with special urgency, because your staff may well be in the process of formulating the 1970 wheat program, and perhaps the 1970 programs for cotton and feed grains as well.
>
> The section clearly requires that the House version of the agriculture appropriation act for fiscal 1970 be followed. It further directs that, as between House and Senate versions the more restrictive authority be followed.
>
> The language of Section 101–a–4 would not set aside this requirement, because the $20,000 limitation derives from a single appropriation, a single fund and a single authority.
>
> Until disagreements between the House and Senate versions of the money bill are resolved, it would therefore seem illegal to spend funds during fiscal 1970 to formulate these programs unless subject to the $20,000 limit.

THE STANDARD METROPOLITAN STATISTICAL AREA THREE FORGOTTEN STATES

(Mr. WOLD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WOLD. Mr. Speaker, there are only three States in the Union which have not a single standard metropolitan statistical area within their boundaries. My own State of Wyoming is one—the others are Alaska and Vermont.

I today introduce a resolution which would declare it to be the sense of the House of Representatives that the Bureau of the Budget establish at least one SMSA in any State which at present has none.

This matter was also submitted in the last Congress.

One of the major purposes of the SMSA concept is to promote commerce among the several States, to facilitate the movement of people, goods, and industries from one part of the Nation to another.

In the words of the Bureau of the Budget:

> Standard Metropolitan Statistical Areas definitions are used in presenting data from the censuses of business, manufacturers, and mineral industries; the census of population and housing; and the census of governments; in presenting current economic and social data; and in analysis of local area problems. And, the data are used in many market analyses.

The utility of the SMSA figures is readily apparent. Industries which are relocating look first to reliable standardized statistics in their quest for the right spot. At a time when the urban centers of the country have become so crowded with people and their arteries of traffic that to live there is neither pleasant nor easy, it behooves us to encourage the development of outlying portions of this vast country. While the industries concentrated in the great metropolitan complexes overload the air and water of those areas with pollutants, it makes little sense to continue policies which have the practical effect of channeling yet more factories into the same places.

The Bureau of the Budget feels that to make exceptions to the criteria which they have arbitrarily established for the purpose of defining SMSA's would jeopardize the entire system. The Bureau states that the uniformity and consistency of the data would be lost were Wyoming, Vermont, and Alaska to be included. This resolution does not ask for the reduction of standards across the board; it only requests equal treatment for all of the States.

Although the minimum requirement for SMSA is a population of 50,000, there appears to be no upper limit. Thus a State which has only a few SMSA's can easily have data available for the vast majority of the State's population. Where there is no SMSA, the entire State is bypassed. Small communities near a vast metropolis can be included, but an entire State whose cities fall below the 50,000 mark by however small a margin must be excluded. Among the regions in this plight is the largest State in the Union.

Each of the three States ignored by the Bureau of the Budget contains a city of which the population was at least 40,000 in 1960 and is certainly substantially greater some 9 years later. We are not dealing with areas consisting solely of villages and farms, but having substantial commerce and, what is more, the potential for vast increases in that commerce—increases which are in part constrained by the lack of information made available to the Nation's industries.

In Wyoming alone there are two strong candidates for centers of SMSA's. Casper is centrally located and is known as the "oil capital of the Rockies." Cheyenne is the capital city and, although it does not have Casper's central location, is a vital area for commerce, business, industry, and, of course, the government of the Equality State. Casper had an estimated population of 42,500 in 1965 and Cheyenne had reached 50,000. It seems that the Bureau need have little concern for the effect on their guidelines and since some of the SMSA's have populations of more than double the 50,000 figure, it appears that uniformity was not too serious a consideration in any event.

I am hopeful that Congress will act quickly and affirmatively on this resolution in order that the advantages of having a standard metropolitan statistical area within State boundaries might no longer be denied to Wyoming, Vermont, and Alaska.

FOOD PROGRAM REORGANIZATION

(Mr. ANDERSON of Illinois asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ANDERSON of Illinois. Mr. Speaker, I want to take this opportunity to commend the Secretary of Agriculture, Mr. Hardin, on announcing today the formation of the Food and Nutrition Service in USDA. This new agency is being established in accordance with a directive from President Nixon. The Food and Nutrition Service will be charged with the responsibility of administering Federal food programs. In his May 6 message to Congress on Hunger, President Nixon said:

> Presently the food programs are operated in conjunction with numerous other unrelated programs. The creation of a new agency will permit greater specialization and concentration on the effective administration of the food programs.

Mr. Speaker, there is considerable evidence that our present food programs are woefully inadequate. We are currently reaching about 7 million Americans either through the commodity distribution program or the food stamp program. The meager statistical information which we do have indicates that there are about 15 million Americans in need of food assistance. We also know that those who are being reached are not being properly served. Many have testified before various congressional investigative committees that the needy often have to travel for miles to purchase food stamps, that they have to wait in line for hours to be certified, and that the eligibility requirements are unrealistic in terms of their needs. We have learned to our dismay that in this land of plenty there is still plenty of hunger and malnutrition.

All of these facts prompted the administration to take a hard look at this problem with a view to completely overhauling our Federal food assistance programs. This is precisely what President Nixon called for in his May 6 message to Congress. In the President's words:

> That hunger and malnutrition should persist in a land such as ours is embarrassing and intolerable.

He went on to say that more is at stake than the welfare of millions of Americans who need food assistance; in his words:

> Something very like the honor of American democracy is at issue.

In discussing the administration's new food program, the July issue of the Atlantic Monthly editorialized as follows:

> Nixon officials are quite justified in their claims that the proposals—$270 million more for food stamps in the fiscal year ending next June 30, growing to a full $1 billion more in the following year—represent the most comprehensive program for providing food assistance that has ever been put forward by a President.

The President deserves our praise and support in his commitment to the problem of hunger in America. I am hopeful that this Congress will speedily implement the administration's proposals for expanding and improving our Federal food assistance efforts.

Secretary Hardin's announcement today of the creation of the Food and Nutrition Service under Executive reorganization authority is an important first step in putting these programs on the right track and in eradicating the awful blemish of hunger and malnutrition from the face of America.

OUR FOREFATHERS WERE DEEPLY RELIGIOUS

(Mr. CARTER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. CARTER. Mr. Speaker, in our Fourth of July celebration we should have thanked God that our forefathers were so deeply religious. Some of them could have made a name for themselves in the pulpit as well as in affairs of state.

For example, Washington wrote:

> I am sure that there was never a people who had more reason to acknowledge a divine interposition in their affairs than those of the United States.

John Adams wrote:

> I have been a churchgoing animal for 76 years, from the cradle.

Franklin wrote:

> I believe in one God, Creator of the universe.

And it was he who moved "that henceforth prayers imploring the assistance of Heaven be held in this Assembly every morning."

Congress continues the practice to this day. Jefferson, during his trying days as President, began a writing, "The Life and Morals of Jesus of Nazareth." It was later translated into three languages. Alexander Hamilton, just before his duel with Aaron Burr, wrote his wife:

> The consolation of religion, my beloved, can alone support you; and these you have a right to enjoy. Fly to the bosom of God and be comforted.

This sort of man founded our Nation with faith. They differed in their religious beliefs but they all agreed the religion of every man must be left to the conviction and conscience of every man. This is our heritage. Let us give thanks for the "Faith of Our Fathers, Living Still."

Since our forefathers, who founded this Nation believed so strongly in God, and since this Congress starts every session with prayer, it seems entirely fitting that prayers should be offered in the schools of our country. A step in this direction has been made by those of us who have introduced a resolution for a constitutional amendment which would permit nondenominational prayers in our schools.

I know the majority of this House supports such a resolution. I am confident the people of the United States support such a resolution and a constitutional amendment. At last we are on the right track, and if we persist, stanchly and steadfastly, prayers will again be heard in our schools throughout the land.

UNEMPLOYMENT INCREASE

(Mr. HANNA asked and was given permission to address the House for 1 minute.)

Mr. HANNA. Mr. Speaker, we are presently witnessing a gradual but, nonetheless, disturbing increase in the rate of unemployment. I would be less than candid were I to fail to point out that the medicine I prescribe today for our economy may serve to give a degree of stimulus to this trend. It seems fair to say that both the administration for their inaction and the Congress—should it follow the course of action which I posit—would be purchasing disinflation at the price of increased unemployment in the private sector. Note that I add the caveat, "the private" sector. I do this because I wish to draw attention to the fact that where employment declines in the private sector as a consequence of steps to ameliorate inflation there must be a proportionate response in the public sector to compensate for the reduction in private employment. By this I mean to suggest that the Federal Government must be prepared to assume an increasing responsibility as a residual employer in our economy. In the weeks to come I shall introduce legislation which would initiate a program of Federal conservation to be implemented through the employment of presently unemployed youths in addition to this program, it is my intention to continue to encourage Federal efforts in the field of manpower development and training to the end that each individual shall be given an opportunity to play a full productive role in the American economic life.

HERBLOCK DENIED RUSSIAN VISA

(Mr. RIEGLE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. RIEGLE. Mr. Speaker, I notice in the morning paper today the Russians have seen fit to deny a travel visa to political cartoonist Herblock who is a cartoonist for the Washington Post.

Mr. Speaker, I think it is significant that this action has been taken because the Russians like to posture themselves as a society that has a degree of open-

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ness and a degree of freedom, when, in fact, the people who represent our press establishment in this country are being denied visas to travel in that country.

I think this is disturbing and distressing.

I would hope that those Russians who are stationed in this country and who read our CONGRESSIONAL RECORD will know that I, for one, am concerned about this and distressed by it and that I hope they will rethink this policy of preventing American citizens from traveling freely in that country.

If relations between the United States and the U.S.S.R. are to improve, a useful step would be to allow the unrestricted exchange of members of press establishments of both countries.

One can only conclude that the denial of Mr. Herblock's visa is a form of political punishment—and if such punishment is meted out to foreign journalists, one must worry about the enormous pressure thoughtful members of Soviet press must endure.

Mr. Block has written a letter to Mr. Brezhnev which I believe ought to be included in the RECORD. The text follows:

A LETTER FROM HERBLOCK TO BREZHNEV

DEAR MR. BREZHNEV: Earlier this year I signed up for a guided group tour which included travel to Russia, and filled out applications for the necessary visas. Some time later the tour agent said that everything was in order for everyone, except for my Russian visa, and that this was under consideration in Moscow.

Well, I hadn't realized that I was regarded as such a hot item over there. It was a little flattering to think of your government sitting around for five weeks or so debating whether it could take the risk of admitting me. But as the time narrowed down to little over a week before departure, I got to thinking about packing and all.

I have some trouble figuring what to toss into a bag just for an overnight trip to New York, where nobody tells you that you ought to take along things like soap and toilet paper and a sink stopper.

So I was interested and even somewhat relieved to learn before take-off time that your government had finally reached a decision on the matter of my impending trip, and had cabled that my application for a visa was denied.

I couldn't help wondering, though, why the Soviet Government should have such qualms about the prospect of a visit by me. True, your government has complained about some of my cartoons on your regime, and this was cited by an embassy official when a friend in Congress had called to inquire about the status of my visa application.

But I really hadn't been planning to draw, print and distribute cartoons in Russia. You wouldn't believe it but it takes me a day to do a cartoon right here at home. And on an Intourist schedule designed to keep the visitor fully occupied, there would hardly have been time for anything but an occasional rest period and a spoonful of paregoric.

One cartoon that your government had particularly objected to had to do with the pains you took in keeping Russian writers and artists under control—a kind of domestic trouble spot, as I saw it. So perhaps your officials feared that I was going to foregather with some of your most talented and outspoken creative people. But if your aides had only looked at the agency's travel schedule, they would have found that Siberia wasn't included in my tour at all.

I thought I'd just stick with the group plan, which included some museums, the tomb of Lenin and some approved recent Russian art, which seems to be equally safe and well-preserved. Little did I realize that your government would regard my scheduled week and a half in Russia as Ten Days That Shook the Kremlin.

I'm kind of sorry to have been the cause of so much concern. At a time when the news from Russia tells of border conflicts with China, which has nuclear weapons, I didn't feel right about the Russian government having to do all that worrying about one American cartoonist armed with nothing but a pencil, a notebook and a tour schedule.

You fellows already have problems enough with other people—like Russians.

Well, your decision against my taking part in that museum tour ought to ease your burdens a little. I noticed that as soon as the Soviet Government resolved its problem about me, Mr. Gromyko got right to work with a speech on improving American relations, which I've long hoped you'd get around to. He even suggested considering the exchange of official delegations of The Supreme Soviet and the United States Congress. He didn't mention anything about Soviet writers and artists, who I used to enjoy meeting when they came here, but never mind. Travel is educational. I think you should get around more, and without being preceded by tanks.

Without even going to your country I found my brief experience with your government pretty educational in itself. And I'm sure there's a lot for you to learn about us.

I hope you'll think about coming here. I'm not worried about our government surviving a visit by you, and I really think your government might have survived me. If you see President Nixon, he can explain to you that I don't exactly have total control over events, even here in the U.S.

Anytime you're in the neighborhood, don't hesitate to get in touch with me; and you can let me know exactly how you feel about those cartoons. After all, it's a free country.

Sincerely,

HERB BLOCK.

TELEVISION VIOLENCE

(Mr. TIERNAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. TIERNAN. Mr. Speaker, much attention has recently been focused on the impact of violence on television. This was the subject of a recent research study conducted by the Annenberg School of Communications at the University of Pennsylvania.

In yesterday's edition of the New York Times, Jack Gould commented on this recent report and tried to put the entire problem into perspective.

I feel Mr. Gould's incisive article would be of interest to my colleagues. It follows:

[From the New York Times, July 13, 1969]

OF SCAPEGOATS AND HEADLINES

(By Jack Gould)

In connection with the issue of violence on television the most pressing problem is research into violence on television. The latest example of the dilemma came last week in a "preliminary" study by a research team of the Annenberg School of Communications at the University of Pennsylvania, headed by Dr. George Gerbner, dean and chief investigator for the study.

Once again the study took the familiar form of monitoring two sample weeks—in early October of 1967 and 1968—and counting up the number of dead or injured in television dramas, motion pictures and cartoons. It concluded that there were five casualties for every program containing violence. (The announcement of the preliminary study said that the monitoring hours ran from 4 to 10 p.m. This left out the final prime evening hour of 10 to 11 in which mayhem, according to the Annenberg criteria, is sufficiently prevalent to make the study's figures slightly suspect, unless the University of Pennsylvania conducted its research in the central time zone.)

In the headlining tradition introduced years ago by the National Association for Better Broadcasting, the Annenberg preliminary study in the course of its two sample weeks found that 791 persons had been killed or injured on the picture tube.

Without benefit of supporting statistics in its publicity handouts, the Pennsylvania group found that in 1968 the Columbia Broadcasting System generally featured less simulated bloodshed than in 1967. The American Broadcasting Company was deemed "the most violent in many respects" in the two-year comparison, but, according to the study, did reduce the proportion of violence's significance to the plots and the frequency of such violence. Violence on the National Broadcasting Company was reported to have "receded slightly" in 1968.

The Annenberg study was prepared for the National Commission on the Causes and the Prevention of Violence, which emphasized that the University of Pennsylvania's handout was only a working paper for part of a report on violence in the mass media. The commission hopes to release the report late next month. Louis Harris, the public opinion analyst, is making his own survey on violence and the mass media which will be taken into account by the commission.

The weakness of the Annenberg study, at least to the extent it was issued in fragmentary form, was that it did not list which specific shows were monitored or by whom, or whether it was talking about the same shows in 1968. Nor did it spell out in anything like coherent terms how it defined "violence."

The Annenberg School is not alone in a distressing trend in TV analysis. If data are to be released at all, then the complete working papers should be simultaneously and voluntarily unfolded for independent perusal. A study that reaches conclusions without a wealth of supporting statistic is not really research at all.

In addition to the efforts of the national commission, the subject of violence is scheduled to be explored for at least a year by the office of the United States Surgeon General. This move was made at the prodding of the Senate Commerce Committee.

That there has been a plethora of violence on the home screen in past years goes without saying. At least some of it has come in the Saturday programing for children, which the Annenberg School inexplicably failed to take into account. Violence is an easy way to avoid the more exacting development of characterization, and any number of supposedly responsible citizens—including the Federal Bureau of Investigation—exploit shooting on the air for its box-office appeal. A writer and director may yearn for quality; the producer, network or sponsor are the ones demanding "action."

But the Annenberg School's approach in many ways typifies the superficiality of the standard concern over violence, a concern that does not get to real issues and treats all aspects of violence in the same way. On the latter score, for instance, a wholesale purge of all Westerns—which is practically in the offing for the coming season—seems rather silly. The Western is staple fare going back to the earliest movie days, its setting is clearly not contemporary and it is a form of accepted visual fiction that will not succumb to any self-appointed Senate clean-up

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squads. Where sadistic cruelty is injected into a Western, then in simple common-sense the networks and Hollywood producers should exercise restraint; the task is not that hard.

But the overwhelming need of research into violence and television is to turn up at least a scintilla of persuasive evidence that there is a direct causal relationship between what is shown on the home screen and the subsequent behavior of those who watch TV. Staggering volumes of literature are completely inconclusive on the social question that really counts, and contrary arguments abound. Definitive research in this area would take years and millions of dollars.

To isolate entertainment TV, just because it is so simple to monitor and is such an inviting scapegoat rich in productive headlines, does not reflect other factors. TV may be ridden with sins but it certainly cannot be blamed for the Vietnam war. The spread of narcotics addiction which, police will readily attest, so often lies at the root of robberies and muggings, is not electronic in origin. And Congress itself collapsed under the pressure of the gun lobby.

Because television does enjoy such awesome popularity with the young it would be foolhardy not to support any effort to bring the proportion of violent themes into sensible perspective. The broadcaster who dishes out an evening's diet of violence as an end in itself and not as an integral part of legitimate theatrical characterization is guilty of failing to make his contribution to softening the accent on violence that plagues the nation.

But picking on TV alone is a national copout for the failure of adults to do what they can to set an example. Children of today are years ahead of their parents in an awareness of the deep and perplexing international and domestic crises which so often find expression in violent forms, and about which their elders vacillate in irresolute and self-serving expediency. A TV screen that presented nothing but "The Sound of Music" and "Mickey Mouse" would be a sociological escape hatch for those who bring a profundity to effects and display a comforting disinterest in causes.

LEGISLATION TO CURB UNSOLICITED OBSCENE ADVERTISEMENTS DELIVERED THROUGH THE U.S. MAIL

(Mr. BROOKS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BROOKS. Mr. Speaker, today I am introducing an amendment to title 39 of the United States Code that would define in specific terms certain types of illustrations that would not be permitted to appear in unsolicited advertisements flowing through the mails.

In recent months, the Nation has been subjected to an increasing flow of degenerate advertisements for obscene literature through the Post Office. On July 8, the Government Activities Subcommittee, which I serve as chairman, held a hearing on this problem with the Postmaster General as our principal witness. At that time, it was recommended to him that the Post Office Department promulgate a regulation pursuant to the authority of the statutes Congress has previously enacted relating to the mailing of obscene matter to prohibit certain types of illustrations in unsolicited advertisements. This proposed regulation was specific and dealt directly with what presently constitutes the heart of the problem to most people—that is, illustrations in unsolicited advertisements that are being sent into the homes and into the offices of millions of Americans to be opened by children, by wives, and by secretaries. In recent months, the depravity and degeneracy of the illustrations appearing in some of these unsolicited advertisements have become so extreme as to defy description.

Unfortunately, the Postmaster General refused to consider the implementation of this proposed regulation. Although constitutional and administrative grounds were cited, the bases of these objections would not stand up under examination. This regulation, in fact, is of a very limited nature. It would not extend, for example, to any written material or to matter that is solicited by the person receiving it. In addition, the regulation would, for the first time, clearly define in prospective terms certain areas of obscenity that would constitute a general guide to those who would exploit the public through the sale of this material. This proposed regulation does not contain any subjective tests which in the past have been such a difficult stumbling block to our courts in upholding convictions under our obscenity laws.

Also, the regulation contains no criminal sanctions. The idea behind this concept is that we wish to stop the flow of obscene material coming within the specific limitations enunciated in the regulation. As the Post Office would have the power not to deliver material coming within this definition, the success of the effort would not necessarily require criminal prosecutions of individual mailers.

Unfortunately, the defeatist attitude of top Post Office officials has jeopardized efforts to halt the flow of obscene advertisements through the mail at this time. Under present statutes, the Postmaster General has the power—in fact, he has the responsibility—to issue appropriate regulations implementing the directives Congress has enacted. If such terms as "obscene" in themselves are too broad and too subjective to constitute an effective standard to deny access of the mailers to objectionable material, then the Postmaster General should, through regulation, clearly define under the authority of present statutes the nature of material he believes comes within this category and is, therefore, not subject to delivery through the Post Office.

The overwhelming majority of American people object to this sordid and filthy material flowing unsolicited into their homes. We want effective action taken. We want the Post Office Department to exploit every reasonable approach permitted under present statutory authority that is consistent with the first amendment to the Constitution. Unfortunately, instead of vigor, enthusiasm, and eagerness to try new approaches, we find the Department deeply imbedded in old concepts, overwhelmed by past defeats, and too timid to try anything new.

It was disappointing to learn that key officials in the Department were more concerned in determining what was wrong with this proposed regulation than suggesting modifications that might have made it acceptable from their point of view. Interestingly enough, some of the Department's objections to this proposed regulation would seem to apply with even greater force to the proposals for new legislation they have recommended to the Congress.

As a result, the Post Office Department's testimony before the subcommittee constitutes a veritable primer of why we cannot do anything ever so slight and reasonable to curb the flow of this objectionable material into the homes of the American people. With this defeatist attitude prevailing in the Department, I have redrafted the regulation and have introduced it as an amendment to title 39 of the United States Code. I have taken this action because I believe the basic approach reflected in this proposal constitutes an effective solution to a major segment of the obscene literature problem. At the same time, I believe that its concise and limited nature offers no meaningful compromise to the rights of free speech and the broader concept of freedom of expression which we all agree must remain inviolate.

In the ultimate sense, if the Postmaster General refuses to implement specific regulations stating in prospective terms the nature of material that cannot be delivered through the mails, then Congress must perform this task for him.

If there is no meaningful basis to limit the use of the mails to those who would exploit the public through the sale of obscene literature and other material, then the time has come for this fact to be established. On the other hand, if some effective action can be taken consistent with the Constitution, then it is high time that we get on with it.

Thank you.

The bill follows:

H.R. 12788

A bill to prohibit the mailing of certain obscene matter

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4001 of title 39, United States Code, is amended by adding at the end thereof the following new subsection:

"(d) Matter otherwise legally acceptable in the mails which—

"(1) is unsolicited,

"(2) offers for sale, rent, or loan any photograph, drawing, picture of any kind, or any material containing any illustration which depicts in whole or in part the genitals of the human body, or any act of sodomy, masturbation, homosexuality, sexual intercourse, sadism, or masochism, and

"(3) illustrates in any way the nature or the contents of the items offered for sale, rent, or loan is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postmaster General directs."

REFORM OF THE BAIL REFORM ACT OF 1966

The SPEAKER. Under a previous order of the House, the gentleman from Virginia (Mr. POFF) is recognized for 20 minutes.

Mr. POFF. Mr. Speaker, I am pleased to cosponsor the Nixon administration's legislation to reform the Bail Reform Act of 1966. This bill is a perfection and refinement of the approach outlined in two other bills on this subject, the first of which I introduced on January 3, 1969.

The most succinct explanation of the perfected bill is found in the words of a memorandum prepared by Attorney General John N. Mitchell:

Explanation of the Bill

The proposed amendments, like the Bail Reform Act itself, will be applicable in the District of Columbia and in Federal courts throughout the country. The principal features of the bill are:

1. Authority for the courts to consider danger to the community in setting nonfinancial conditions of release on bail.
2. Pretrial detention for up to 60 days for defendants who are within certain crime categories and who are found to be dangerous after full hearing.
3. Sanctions for violations of conditions of release either by revocation of release and detention or by contempt proceedings.
4. Added penalties for bail jumping and committing offenses while on bail.

Background Information: The Bail Reform Act of 1966 was directed toward the serious abuses of the money bail system throughout the United States. Its sole purpose was to "revise the practice relating to bail to assure that all persons, regardless of their financial status, shall not be needlessly detained pending their appearance to answer charges . . ."

The Bail Reform Act did not deal with the question of defendants who are released on bail and who endanger the community by committing additional crime. It did not resolve issues of preventive detention. Congress specifically put these matters to one side.

Since 1966, the problems of crime committed by persons released on bail have become acute. Newspapers have contained daily reports of crime committed by persons on bail; statistical studies have been made and the problem is acknowledged as a serious one. The available data includes the Judicial Council Bail Committee study which concluded that about 10% of the persons indicted in the United States District Court had allegedly committed these crimes while released on bail, in another felony case and a study by the United States Attorney for the District of Columbia who found a rearrest rate of 60–70% among persons charged with robbery and released on bail.

Several prestigious groups have undertaken further study of bail problems. The District of Columbia Crime Commission studied the situation and a majority recommended legislative authority to permit preventive detention of certain dangerous persons. The American Bar Association Committee on Minimum Standards has prepared recommendations on bail and believes that a judge should have authority to consider dangerousness in setting nonfinancial conditions. The District of Columbia Judicial Conference has approved consideration of dangerousness in setting release conditions and a majority of its Committee headed by Judge George L. Hart of the United States District Court favors preventive detention.

At the present time, Congress has before it literally dozens of bills which provide various methods of controlling crime committed by persons released on bail. Few, however, contain the same criteria and procedures as the Administration bill.

Consideration of Dangerousness: Section 1 of the Administration bill authorizes judges to consider dangerousness in setting conditions of release on bail. It specifically says that the judge may consider "the safety of any other person or the community" in setting bail. A judge may not, however, impose money bond or financial conditions to assure safety.

This provision is endorsed by virtually all informed persons.

Pretrial Detention: Pretrial detention is already authorized for persons charged in capital cases. Section 2 of this bill would authorize pretrial detention of certain persons charged in a limited number of non-capital violence related cases.

The *categories of persons* who may be detained after certain findings and procedures are:

1. Persons charged with a "dangerous crime".[1]
2. Persons who are repeat offenders and who have been charged with at least two crimes of violence,[2] i.e. persons charged with a crime of violence while on bail and persons convicted of a crime of violence in the preceding 10 years.
3. Narcotics addicts who are charged with crimes of violence.
4. Persons who are charged with any offense and who threaten witnesses or jurors.

These categories were selected after analysis of the available data showing recidivism and after careful consideration of judicial experience in these matters. A preliminary survey indicates that about 10% of the persons arrested in the District of Columbia will fall within these categories:

The judicial findings which must be made in writing before pretrial detention are these:

1. Clear and convincing evidence that the person is a person described in one of the categories;
2. A determination that no condition of release will reasonably assure the safety of the community and
3. Substantial probability that the person committed the offense with which he is charged.

Under these standards, it is plain that only those few defendants who meet all the tests will be temporarily detained pretrial.

In addition to safeguard individual liberties special procedures must be followed before detention may be ordered. Specifically,

1. There must be a hearing;
2. The defendant is entitled to present information, testify and present and cross-examine witnesses;
3. The judicial officer must enter a written order with finding and reasons; and
4. There are rights of appeal,

Persons who are believed to be addicts also spend three days under medical supervision for a determination of addiction.

Finally there are limits on detention and added protections for detained persons. These include:

1. An expedited trial which must take place within 60 days unless delay is caused by the defendant;
2. Confinement where possible in facilities separate from convicted persons; and
3. Opportunity to prepare defenses including release in custody of appropriate persons to aid the preparation.

Sanctions for Violating Conditions: The Bail Reform Act did not provide specific sanctions for violating conditions of release. Section 6 of this bill provides two types of sanctions.

First, release may be revoked and the defendant detained if upon hearing the United States Attorney establishes "clear and convincing evidence" of violations and the Court finds that no additional conditions of release will protect the community or prevent flight. This sanction is endorsed by the ABA Committee on Minimum Standards and the Judicial Conference of the District of Columbia.

Alternatively the defendant may be tried for criminal contempt and sentenced up to 6 months. While the contempt procedure is probably available under present law, it seemed desirable to clarify the law. See 18 U.S.C. 3151.

Added Penalties: The proposed bill creates added penalties for persons who jump bail and persons who commit crimes while on bail.

Bail jumpers will be subject to sentences of not less than one year and not more than 5 years if charged with a felony and not less than 90 days and not more than 1 year if charged with a misdemeanor. These sentences are to be consecutive to any other sentence. In addition failure to appear after notice will be prima facie evidence of willful bail jumping.

Persons convicted of offenses committed on bail are also subject to mandatory added penalties of not less than 1 year nor more than 5 years if convicted of committing a felony while released and not less than 90 days nor more than 1 year if convicted of a misdemeanor. These sentences are to be consecutive.

Mr. Speaker, this proposal represents the best thinking of the best minds in the field of criminal justice. It is addressed to the problem which is approaching crisis dimensions. The safety and security of the people and property of the American community are at stake. Congress should give the matter priority attention.

VIETNAM: EVENTUALLY; WHY NOT NOW?

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. Reuss) is recognized for 60 minutes.

Mr. REUSS. Mr. Speaker, in just 2 days, this Nation and the world will be caught up by a spectacular journey into space. We marvel at the technology that has made the Apollo missions possible, at the courage of the men who man our space craft, at the boldness of vision and the sure execution of a program that have led us to a moon landing in the decade. Our Naiton will be proud.

Standing in sharp contrast to our feats in space will be our disastrous entanglement in Vietnam. Here, we have pitted our advanced technology against the will of stubborn adversaries and have wrought only vast destruction. Here, we have asked brave men to fight and die while we helped a regime repugnant to many cling to power, and while the wisdom and justice of our cause were increasingly doubted at home and abroad. Our vision has been faulty, our decision to change course tragically long in coming.

Mr. Speaker, President Nixon took office in January committed to bring the Vietnam war to an end. He brought with him a new team for the task. He had the opportunity which comes at the beginning of a new administration to make some bold new departures.

Like others, Mr. Speaker, I have restrained my impatience and withheld my comments so that the President might have as much leeway as possible for devising a peace strategy, and for whatever secret exchanges might be underway. But

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[1] "Dangerous crime" is defined to cover only offenses with high risk of additional repeated public danger, e.g., robbery and sale of narcotics. (Sec. 7.)

[2] "Crime of violence" is defined more broadly and covers the whole range of violent crimes. (Sec. 7.)

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the war continues, the casualties mount daily, and the talks in Paris remain on dead center. Last year we had the seige of Khe-Sanh. This year we have had Hamburger Hill and Benhet. And next year?

The President himself has now tipped his hand and his hopes for troop withdrawal to the world and Hanoi. I think those of us who have grave reservations about our present policy need not hesitate to make them known.

The President has announced withdrawal of 25,000 U.S. troops, which is now in progress. He has said that he hopes to better the withdrawal schedule proposed by former Defense Secretary Clark Clifford, which is 100,000 combat troops by the end of this year and the remaining combat troops—some 150,000—by the end of 1970. Moreover, there is a new rumor every day that announcements of further withdrawals will soon be forthcoming.

My message, Mr. Speaker, is this: "If eventually, why not now, and why not a definite expression of intent to that effect?" Mr. Clifford and others have pointed the way. We should start removing our troops in important numbers now.

And why not, at the same time, an announcement of a decision to scale down our military activities in South Vietnam? The policy of maintaining unceasing pressure on the enemy appears to be the last redoubt of those who believe that superior arms, when allied to the cause we have espoused, must somehow prevail. The bombing of North Vietnam was defended in much the same terms as the policy of maximum military pressure in South Vietnam. But the dogma that our troops would be greatly endangered by a cessation of the bombing has now fallen. Surely, we can take the risk of substantially halting offensive military operations for a trial period, while we seek an agreement for a standstill cease-fire from all parties.

And why not also, at the same time, step up pressure on the Thieu-Ky government to broaden its membership, to release some of its critics from prisons, to bring back some exiles from abroad? When neutrality for South Vietnam can be labeled acceptable by the President of the United States, it is scandalous that advocates of this posture in Saigon still risk reprisal.

Given the present array of forces in South Vietnam, it seems improbable that the Thieu-Ky regime would survive in its present form if elections were held in which all major groups, including the NLF, were permitted to compete on equal terms. Our policy should reflect that improbability. A broadened Saigon regime under present leadership may be no more acceptable to the NLF as a negotiating partner than the present regime. But it is a vital step toward the transitional arrangements that must be part of any political settlement. If Thieu and Ky cannot take this step, then there is all the more reason to question the present policy which assigns to them the major responsibility for working out a political settlement with the NLF.

Mr. Speaker, I do not question the genuineness of President Nixon's search for peace in Vietnam. But I believe his approach needs to be broadened. If we continue to follow a low-risk, hedge-every-bet, carrot-and-stick, one-step-at-a-time, strategy in Vietnam, I think we are headed straight for the shoals on which the policies of previous years have foundered. The conflict will continue simply because we ourselves have arranged it so that we can find no acceptable way out.

If we continue to pace our troop withdrawals as President Nixon has said we should, to hypothetical improvements in Saigon's military performance, or to progress in Paris, or to reductions in military activity on the part of the enemy—while we continue on the offensive—we will lose the opportunity to find out what the response would be to a bolder initiative. A piecemeal and conditional troop withdrawal strategy seems unlikely either to keep the impatience of the American public long within bounds or to truly test Hanoi. And where is Saigon's incentive to improve its military performance, if they know that foot-dragging can lead us to stay around in force?

Similarly, if we continue to dismiss every lull in enemy military efforts as merely a prelude to a new offensive; if while we withdraw troops, we never let up our military pressure, we are in effect seeking peace with one hand tied behind our back.

The main point of a scaled-down military effort and a probe for a cease-fire is to put a stop to the fighting and killing. The fact that Hanoi and the NLF have insisted on an end to our offensive military operations should be no bar to our initiative.

The longer the administration follows its present strategy, the harder it will be to change it. As the weeks go by and the rhetroic of policy justification accumulates—"we must negotiate from strength"; "the enemy is in trouble"; "we must not renege on our solemn pledges"; "we must preserve our diplomatic credibility"—the President will find his options reduced by his own record and by the interests that have gathered about his policy.

Indeed, the words of the Vice President on July 1 had the ominous ring of an administration settling into the last administration's war with all the attendant policy assumptions. He warned:

> Our progress and success depend on the staying power of the American people. The Vietcong remains intransigent because of the slender hope that the voices of dissent at home will force us to alter—perhaps even abdicate—our policy of proving that confrontation with the United States is costly.

Mr. Speaker, after 8 years and over 36,000 American men killed, the American people have more than proved their staying power. They have, moreover, at great sacrifice, prepared the way for South Vietnam to prove its staying power.

Above all, it is the voices of dissent at home that have given to President Nixon the opportunity to bring the ghastly Vietnam war to an end.

That opportunity will slip by unless he acts on his mandate with boldness, confidence and imagination—and soon. Our achievements in space will be as naught if the havoc continues in Vietnam and if at home our society continues to be torn apart.

WE ALL LIVE DOWNSTREAM FROM SOMEWHERE AND SOMEONE

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, we have reached a point where pollution of the Nation's waters is reaching an intolerable point. We have arrived at a juncture where from sea to shining sea the waters of America, finite in supply, are being choked with effluent, raw sewage, chemical wastes, pulp plant residues, packing plant garbage, animal entrails, and a complete range of all the filth that mankind, in his ignorance, chooses to pollute the water he must draw life and sustenance from.

I find that this situation strains credulity. Only a short while ago, the Cuyahoga River running through the city of Cleveland, actually caught fire because of chemical and oil wastes in it. Before that conflagration was extinguished, extensive property damage was done.

Industrial sewers are all that remain of most of the rivers flowing through almost all American cities with significant amounts of industry. Because pollution of any substance as basic as water knows no boundaries, pollution of one body of water inevitably leads to that of another, and another, until a complete water chain serving an entire area of our Nation is choked with filth and waste. Garbage, effluent, and residues dumped in one area end up in some form in your water downstream. And we all live downstream from somewhere. To me, relative inactivity on the part of Government and society in general in the face of such a menace is nothing short of political insanity. Are we waiting for national epidemics? In most major cities, the water we drink has already passed through several people and is literally loaded with chlorine.

Daily this situation grows worse. Yet one of the greatest tools America has for combating water pollution lies idle as far as such work is concerned. Further, it is now being utilized to further an old task which is cumulatively harming America as much as it once aided it. The Army Corps of Engineers has served the Nation long and honorably. Its primary work consists of dam building. Yet we have almost totally run out of major dam sites in the United States. So the corps, in order to continue fufilling its mission, continues to propose smaller dam projects, such as the series of dams along the Potomac. If I may be so bold as to say so, our rivers, particularly the Potomac, require cleansing far more than they need damming.

This Nation requires a major, ongoing antipollution program, with a major government arm utilizing all skills, complete with 100-percent Federal financing to bring into being sewage and waste-dis-

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posal systems to clean up the filth presently polluting our environment. No better agency with a wider variety of skills and experience exists in our Nation for this task than the Army Corps of Engineers.

My distinguished colleague, Mr. REUSS of Wisconsin, has pioneered in introducing a measure which would accomplish this eminently laudable task. I take pleasure in joining him in advocating this approach, which would terminate a once beneficial policy which has turned stale, stagnant and nationally self-defeating. The bill would then turn this excellent agency into a modern, up-to-date operation in the very forefront of a battle against what may perhaps be our worst environmental problem.

It does little good to scoop up filth clogging our industrial sewers, only to dump it into another body of water. This is being done now. It does less than good to disturb ecology in the name of public works, which is also transpiring as a result of present corps activity.

Mr. Speaker, I have the highest respect for the corps. I simply feel that their mission must alter direction to adapt to the times. The measure I am introducing now would accomplish that in the name of clean water and a balanced environment.

It provides for the corps to include in its civil works program projects for research, development and construction to take care of pollution caused by storm sewer dumping, sanitary sewage, industrial and other liquid wastes. Priority of programs would be determined by amount of benefit toward environmental cleanup as compared to costs.

THE AVERAGE TAXPAYER PAYS MORE—THE AVERAGE OIL COMPANY PAYS LESS

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, the proof of oil industry evasion of legitimate Federal taxes grows steadily more damning and conclusive. Their own tax figures, submitted to and verified by the SEC, damn them out of their own account books.

While the tax rates of almost every average, lower- or middle-income taxpayer in America went steadily up, oil industry rates, as a whole, went down significantly. How does America like them apples? As almost all Americans, the few privileged ones excepted, counted their pennies and dollars, the oil industry not only piled up unprecedented profits, but paid lower taxes as an industry.

Last week I inserted in the RECORD a chart showing the 1967 and 1968 Federal taxes paid by a selected group of the Nation's largest oil and refining companies. In 1967, these companies paid $491,235,000 tax on net income before tax on net income of $6,653,617,000, which comes to a tax rate of 7.4 percent. In 1968, these same companies paid $500,090,000 in Federal tax on net income of $7,354,346,000. This is a tax rate of 6.8 percent. Compare this with what the average lower- and middle-income taxpayer has to disgorge as his share of our unfair tax burden.

Is this sense? Is this fairness? Is this justice? If so, then Khrushchev is really a secret director of General Motors. No outrage upon solvency and tax justice is more inexcusable than the facts revealed here. As John Randolph of Roanoke once said:

> Like a mackerel by moonlight, it shines and stinks.

I am including the 1968 and 1967 comparison of figures again, so this House and the American people may take a close look at how their solvency is being cured.

A glance at the figures for Gulf, Sinclair, and Atlantic-Richfield is designed to raise national blood pressure. These people are almost carting their loot away in dumptrucks. Gee whiz, fellows.

The oil industry regards its privileges as a birthright. Their tears move me not. Lady tax reform waits in the wings, for the Congress, her director, to cue her so she may perform for the delight of her audience, the taxpayers.

The figures referred to follow:

TAXES PAID BY A SELECTED GROUP OF THE NATION'S LARGEST REFINING COMPANIES, 1967 AND 1968

[Dollar amounts in thousands]

	Net income before tax	Federal tax	Percent	Foreign, some States' tax	Percent	Profit after tax
Standard Oil (New Jersey):						
1967	$2,098,283	$166,000	7.9	$700,000	33.0	$1,232,283
1968	2,303,587	223,999	9.7	802,907	34.8	1,276,681
Gulf:						
1967	955,968	74,142	7.8	303,539	31.8	578,287
1968	977,321	8,005	.81	342,997	35.1	626,319
Texaco:						
1967	892,986	17,500	1.9	121,100	13.5	754,386
1968	1,019,930	23,800	2.4	160,600	15.8	835,530
Mobil:						
1967	594,593	26,900	4.5	182,300	30.7	385,393
1968	673,739	22,000	3.3	223,500	33.2	428,239
Standard Oil (California):						
1967	513,067	6,000	1.2	85,400	16.6	421,667
1968	569,431	16,700	2.9	100,900	17.0	451,831
Standard Oil (Indiana):						
1967	366,847	74,021	20.2	10,576		282,250
1968	395,064	74,678	18.8	10,892	2.7	309,494
Shell:						
1967	342,022	44,940	13.1	12,233	3.6	284,849
1968	387,767	63,378	16.3	12,298	3.2	312,091
Cities Service:						
1967	165,289	32,347	19.6	5,105	3.1	127,837
1968	138,613	12,683	9.2	4,594	3.3	121,336
Union:						
1967	163,820	10,400	6.3	8,457	5.2	144,963
1968	164,232	5,955	3.6	7,045	4.3	151,232
Sun:						
1967	146,946	24,700	16.8	13,670	9.3	108,576
1968	227,790	44,290	19.4	19,070	8.4	164,430
Atlantic-Richfield:						
1967	145,259	....	0	15,254	10.5	130,005
1968	240,272	2,999	1.2	37,713	15.7	199,560
Marathon:						
1967	138,520	3,700	2.7	60,962	44.0	73,858
1968	155,335	4,350	2.8	67,659	43.6	83,326
Sinclair:						
1967	130,017	10,585	8.1	24,060	18.5	95,372
1968	101,265	−2,747	0	27,429	27.0	76,583

SOUTHERN ILLINOIS UNIVERSITY ESTABLISHES CENTER FOR VIETNAMESE STUDIES

(Mr. PRICE of Illinois asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PRICE of Illinois. Mr. Speaker, I wish to call to the attention of my House colleagues the establishment of the Center for Vietnamese Studies and Programs at Southern Illinois University.

Located at the Carbondale Campus of the university the center will provide students and faculty with opportunities to study Vietnam and to participate in programs of assistance for the Nation's economic and social development and postwar recovery. Of particular interest is the fact that special attention will be given to returning veterans who will have the opportunity to contribute as technicians and professionals—to the postwar reconstruction in that area.

U.S. interest and involvement in Southeast Asia has expanded dramatically over the past 20 years. The center reflects another dimension of our interest and concern with that area of the world that has been referred to as the "arc of crisis."

Southern Illinois University is to be commended for developing a facility dedicated to advancing our knowledge and understanding through an institutionalized program of Vietnamese studies. I congratulate the university for its foresight in recognizing the need for this type of program. I also commend the Agency for International Development for assisting the university in the development of the center.

LITTLE LEAGUE WEEK

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, last week our Nation celebrated Little League Week, honoring those thousands of men, women, and children who have done so much to make sportsmanship a living reality on the American scene. Throughout the summer months from one end of the country to the other, hundreds of Little League teams meet on the diamond, organizing and participating in what has come to be known as the national pastime.

I think it is important, Mr. Speaker, that we commemorate the establishment of the Little League system and for a number of reasons. We hear a great deal about the generation gap in our country, but there is no generation gap between a team of youngsters and their coach. Nor is there a generation gap between an enthusiastic parent and a son who pitches a no-hitter or belts a home run. Athletic participation is one of the great cohesive forces at work in our society. It binds not only the young and the old; it brings together in fair competition all the divergent elements of our society. A young man, properly guided, who learns to play by the rules on the ballfield is readily capable of carrying that discipline into the rest of his activities, and this in itself is important, for, aside from the potential of developing athletic prowess, that young man is provided an opportunity to develop a sense of responsibility to others around him.

Like most of my colleagues, I have a number of Little League teams in my congressional district. I am proud of them all and I am proud also of the tremendous parents who make this program work. They deserve our heartfelt appreciation and gratitude.

DEDICATED PERSONNEL IN POST OFFICE DEPARTMENT

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, in recognition of the national attention currently being focused on postal reform, and the fact that in the not too distant future Congress will be called upon to make a determination which will have great impact on our Nation's postal system, some weeks ago here in the House I delivered a speech reflecting upon the great asset inherent in our system, and that is its dedicated personnel.

I believe it important that all of us take advantage of whatever available material related to the postal system and its procedures, and so, hopefully, when the time comes be in a position to make educated judgment with respect to the matter on which we vote.

Several days ago I received some interesting material related to the role of the post office clerk, authored by the executive vice president of the United Federation of Postal Clerks, Mr. Don E. Dunn. I would like to share it with my colleagues, as follows:

Post Office Clerk Image Being Challenged

(By Don E. Dunn)

(Because of the many changes which have taken place in recent years in Post Office Department personnel policies, practices and working conditions, and in the postal employes' working environment, mostly in response to the mail "explosion" and all creating new pressures and problems, it appears that the always-proud image of the postal clerk may have become somewhat obscured. The clerk in his responsible and conscientious performance of duties is again being taken for granted. The true reflection of the postal clerk, working in the face of adversity represented by salary restraint, impaired working conditions, and onerous personnel policies, must be restored and elevated to its proper level. The article below may provide some encouragement to locals as we continue our efforts to restore the traditional image of the loyal conscientious, dedicated, sacrificing, career-minded post office clerk.)

We, of the United Federation of Postal Clerks, are proud of our organization and its reputation down through all its 62 years.

We are proud that in the very beginning our Federation was the first group of Federal employes ever to receive a charter from the American Federation of Labor. And, it was the Federation which many years ago recognized that the best interest of fellow postal employes would be best protected and promoted by an organization of their own. In 1917 the organization surrendered jurisdiction over letter carriers and the postal transport employes so these groups could obtain separate charters from the American Federation of Labor.

There are 24,974 first-, second-, and third-class post offices in which there are career postal clerks, and in over 19,000 of these post offices the United Federation of Postal Clerks is represented by 175,000 clerks who are members of the United Federation of Postal Clerks.

We believe there is no other organization in the United States that covers as extensively each of the 50 states as does the United Federation of Postal Clerks.

No other organization reaches so deeply into the far-flung grass roots of our country as does the Federation. Even the two great political parties, Democrat and Republican, do not have near the continuous contact with every American citizen. This fact alone gives us the very basic foundation of our prestige.

Close and continuous contact with the public places postal clerks in a unique position in which they are in effect working directly for every American citizen. This gives them a sense of responsibility in performing their duties and a sense of pride in doing a good job. We think this concept of a two-way street has been satisfying to both parties.

THE ROLE OF THE CLERK

There is another reason for all of us being proud of being post office clerks; that is, the responsible part that all post office clerks play, not only in making a good Postal Service, but also in the growth and advancement of the economy of our great country. Post office clerks have been justly characterized as the unsung heroes in the Postal Service.

We would like to use an example, and in so doing, we want it fully understood that we mean no reflection upon any other group of employees in the Postal Service and the important part they play. We only want to use this example as a means of pointing up the importance of the responsibilities and skills of a post office clerk.

Have you ever paused to consider that we could do away temporarily with the Post Office Department officials—we could do away with the Regional Officers—we could do away with postmasters—supervisors—mailhandlers—custodial employes—letter carriers. Yes, we could do away with them for a short period of time only and still maintain some degree of postal service.

However, one could not dare to attempt to eliminate even for a very short period of time the post office clerks, the real technicians. Take them away from the letter cases, in the originating offices, in the mail cars, the highway post offices, and the delivery offices—these post office technicians, who on their own time have spent many hours, and will continue to do so for as long as they are in the Postal Service, to become and stay qualified on intricate and complicated schemes of distribution—not only on mail going to the little town a few miles down the road, but going to the small town or the big metropolitan city across the country—perhaps by train, perhaps by other surface means, or by air, and to be able at a flicker—at an instant—to distribute a piece of mail addressed to a particular house, business or apartment to some abstract number on a distribution case. And, each of those little pigeon holes may cover an area of one square block to perhaps a good many square blocks. If post office clerks with their knowledge and developed skills were eliminated, the entire mail service would come to a complete halt.

Several years ago, the Bureau of Standards stated that a post office clerk was required to have more than 11,000 items of knowledge at his finger tips. This vast span of knowledge, plus knowing how to properly apply it, qualifies the clerk as a highly-skilled technician.

One can bring someone in from the outside to maintain a modified type of mail service temporarily, but there is no substitute for having skilled and trained technicians for the distribution of all classes of mail, whether by manual, machine or other new methods.

So far, we have emphasized only one area of the skills and responsibilities of these post office technicians—the complicated distribution of mail. The post office clerk must also be the actual policeman and guardian of every penny and dollar of revenue received by the Post Office Department. These post office technicians must know the classifications, rates, and regulations, domestic and foreign, that affect mail costs to assure that the Post Office Department receives full revenue as required by the Congress.

Window clerks must work under the uncomfortable threat of a fixed credit policy which holds them liable for any shortages, counterfeits or forgeries which may arise in their fixed credit. It is reasonable to assume, supported by statistical probability theory, that shortages will sometimes exceed overages, and that an initial shortage (perhaps a large one) will sometimes occur before a counterbalancing overage exists. To even use his overage to counterbalance, nevertheless, requires that the clerk specifically document the instant case in which the shortage, forgery or receipt of counterfeit occurred. Seasonal and random pressures of working at a window, along with window consolidation of various and diverse kinds of financial transactions, make it more likely that errors will occur, and at the same time compound the fear psychology which is felt by different clerks in varying degrees.

All these duties are performed under constant eight-hour-a-day supervision. In addition, these tedious duties are continuously performed under measurements and quotas previously established for each respective area of work. This means tremendous pressure on the clerk every minute of the day.

If this skilled post office technician were taken away, the entire mail service would crumble immediately. Yes, the post office clerk is like the heart in the human body. The human body may lose a leg, arm or an eye, be handicapped through deafness or crippled, and yet, that body can keep going just as long as the heart functions. But if the heart is stopped, the body is lost completely.

Such is the role of the post office clerk. He is not only the very heart, the very nerve center and the very backbone, not only of good postal service, but of operation of the entire national economy.

It is hard to realize what would happen if the movement of mail through those complicated distribution cases were ever stopped the window clerks were not available, the smooth and expeditious flow of letters of agreement, transmission of funds, the writ-

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ten word, and the lines of written communications were ever interrupted.

We feel that by these few minutes of reflection, all will realize the value and importance of the skilled post office technician. It is not merely a matter of his obtaining the skill once; he must continuously study (on his own time) to maintain that skill during his entire career in the Postal Service. This is vitally necessary due to the constant changing of policies, modes of transportation, expansion and growth in the local communities, and changes in postal rates by the Congress. This training and skill cannot be applied in any job except that of a post office clerk.

This was the sound and basic reasoning which motivated the Federation's National Officers when appearing before the House Post Office and Civil Service Committee to testify and support position reclassification—to recognize these additional skills and responsibilities not required of any other group of employes, and to propose an amendment to place these post office technicians, upon the basis of their difficult and unusual skills, in a higher Postal Field Service salary level.

The United Federation of Postal Clerks believes that it is imperative that the Post Office Department take immediate action to assure that the work jurisdiction of Post Office clerks shall not be segmented and that such additional new positions as may be needed and which do not include managerial or supervisory responsibilities are promptly established and designated in the clerk craft to be filled by the "senior qualified bidder," and we firmly believe we should vigorously assert our rights as post office clerks and technicians and request the Congress of the United States to assure that our jobs are compensated commensurate with our required skills and responsibilities.

PRESIDENT'S PROPOSALS TO IMPROVE ADMINISTRATION OF CRIMINAL JUSTICE REQUIRE IMMEDIATE BIPARTISAN CONSIDERATION AND APPROVAL

(Mr. DEVINE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DEVINE. Mr. Speaker, I support the President's criminal justice proposal which I have introduced today along with a number of my colleagues.

All of us, on both sides of the aisle, know that our constituents are almost as concerned about law and order as they are about the Vietnam conflict. My mail reflects this concern; and on my weekly visitations to my home district I am constantly faced with the query about why the Congress has not done something about reversing this ever-increasing utter disregard for law and order, by certain elements of our society, both young and old.

One of the principal reasons for my support of President Nixon was my firm conviction that he would really do something constructive and effective to stop the hardened criminal, and to deter others that outwardly and unashamedly flout the laws of our communities and of our country.

Well, President Nixon has done something. On January 31—11 days after he assumed office—he told the American people he was preparing to make "a meaningful assault on crime on many fronts."

Since then, his judicial appointments have been men of experience in the law who will interpret the law as written by Congress; and will not in effect write laws. Our Federal courts, district court of appeals, and U.S. Supreme Court in the past few years have seemed to be in almost fanatical competition to see which can be most concerned about the rights of criminals and less concerned about the rights of society.

I am confident that President Nixon's judicial appointments will reverse this trend; and that their decisions will show some clear evidence of concern about rights of all of our citizens to feel safe in their homes, and on our streets.

Now the President, through his distinguished Attorney General, has sent Congress proposed legislation which is the epitome of careful, thoughtful consideration of the rights of all of our citizens—good and bad—and, if enacted, will assure prompt, efficient justice; but, at the same time, assure those charged with crime of a fair trial, with effective representation of competent counsel at every step of the accused's conflict with the law—from the time of apprehension to final appellate court action.

As a former FBI agent and prosecuting attorney, and after more than 10 years in Congress, I think the proposed legislation just might be giving the criminal more justice than he really deserves, but because of the fully apparent deliberation, painstaking process, which the people who prepared this legislation must have gone through, I am prepared to accept these recommendations, so that the people of my district and throughout the country will know Congress is discharging its heavy responsibility for doing something about law and order. Congress must not shirk from this responsibility. We must meet it head on. And the President and the Attorney General have presented us with the vehicle with which to act responsibly and quickly.

I intend to urge all of my friends on both sides of the aisle, to peruse the memorandum from the Department of Justice which has been sent to each of us, describing the proposed legislation; and, in turn, to urge our colleagues on the Judiciary and District of Columbia committees to act expeditiously and favorably on this most worthwhile and needed legislation. As the Attorney General has stated, this legislation, if enacted, should serve as a model for other major metropolitan areas struggling to solve their own crucial crime and administration of criminal justice problems.

ABM: OUR ACE IN DEALING WITH RUSSIA

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, as Secretary of State in the Truman administration, Dean Acheson learned that the United States should enter into negotiations with the Soviet Union only from the strongest possible position. The Russians, he says, do not actually negotiate. They do not make concessions. They enter into an agreement only when they believe it is to their advantage to do so. For the Russians, Acheson says, negotiations are a form of war. The Congress would do well to draw upon Acheson's great fund of experience as we debate and vote on the ABM deployment issue and prepare ourselves for arms control talks with the Soviet Union. Because of his knowledge of Soviet negotiating tactics, Acheson declares that deployment of the Safeguard ABM system is absolutely vital from the standpoint of strengthening our bargaining position in arms control talks.

Dean Acheson has set forth his viewpoints on the ABM and negotiations with the Russians in clear and convincing form in an article which appeared July 6 in the Detroit News. Because I believe all of my colleagues would benefit from reading the article by Dean Acheson, I insert it at this point in the RECORD:

ABM: OUR ACE IN DEALING WITH THE RUSSIANS

(By Hon. Dean Acheson)

The Congress and the people of the United States are periodically distracted by red herrings, witch hunts, and waves of cliches. Over the more than 70 years during which I have been dimly conscious of the world around me, I have seen us preoccupied with a succession of witches.

In my early years in Middletown, Conn., I was thrilled to observe the crusade against the demon rum, which culminated in Prohibition, one of the least gifted experiments in statesmanship we have ever engaged in. (I would still maintain that the song of those days, "The Brewer's Big Horses Won't Run Over Me," is just as good as "We Shall Overcome.") Then in foreign affairs we had a witch hunt in fear of the yellow peril, and wasted a good deal of effort worrying about that.

When we got to the '20s and '30s we changed our worries. Our two witches then were the bankers and the munitions makers. The bankers were placed under control when someone managed to put a midget in J. P. Morgan's lap at a congressional hearing, and Senator Nye took care of the munitions makers so well that it was almost impossible to help our allies in the early part of World War II.

After this war we had the contribution of the first Senator McCarthy, who made me very prominent in the press as the well-known Communist who was at the head of a group of Communists at the State Department.

In 1969, the witch has changed. We hear today about the menace of the military-industrial complex, and this is surely the strangest witch-hunt of all. In 1940 President Roosevelt referred proudly to our munitions industry as the "arsenal of democracy." I simply cannot imagine how anybody could take seriously the thought that the great soldiers who have so bravely and skillfully defended our country would be engaged in a conspiracy to waste the resources of the United States. I should hope that responsible citizens will think about this seriously, and that this particular foolish cliche will be dropped for good.

What I decry is the effort to portray marginal problems as centrally important. It was probably a good idea to regulate the munitions industry in the '30s. It was folly to try to put American strategy into a straitjacket in the Neutrality Acts. Tighter security regulations were in order in the '50s. What was reprehensible was the attempt to exploit the situation as a lever for overthrowing due process and subverting our pattern of constitutional authority.

Intensified rigor in congressional review of defense appropriations may well be appropriate now. What I wish to warn against—and I do so with all the emphasis at my command—is any effort to use the attendant issues as an excuse for tampering with defense and foreign policies which rise from external existence.

A most pernicious effect of such cliches is that they lead us to disregard the lessons about the outside world which we have paid a heavy price in the past to learn.

A pertinent case in 1969 is the problem of negotiating with the Russians. We hear a lot of arguments that going ahead with military programs such as the ABM will minimize the chance of a successful negotiation with the Soviet Union. The fact is that all of our experience indicates that this is just not so. The Russians have a different conception of what negotiations mean.

I might remark that on this matter I speak from personal experience—far too much personal experience. I shall be the last to object to new negotiations between us and the Russians, but only if I personally may be excused.

As a Connecticut Yankee my conception of negotiation is a David Harum type of negotiation and deal. You have a horse and I want to buy it. We are both trying to accomplish a common result. You wish to get as much out of me as you can. I wish to pay as little as possible. Somewhere between those two desires we have a negotiation and make a deal and perhaps I get the horse. This is what I think most Americans think of when the word negotiation arises.

That is not the Russian conception of negotiation at all. The Russians look upon negotiation as a variety of war. It is the converse of Clausewitz who talked of war as diplomacy carried out by other means—the Russians see negotiation as war carried out with words.

So the Russians don't engage in give and take at the bargaining table. They are completely unresponsive to argument or to persuasion. A Russian diplomat, like a soldier already committed to battle, is only interested in the calculation of opposing forces. They will make a deal only when their calculations lead them to believe that it is more advantageous to make a deal than not.

Sir William Hayter has said that negotiating with the Russians is like putting a penny in an old-fashioned slot machine. Sometimes you got what you wanted, but usually not. Sometimes you got nothing at all. It helped from time to time to shake the machine and sometimes to kick it, but it never helped to argue with it.

Now, of course, the Russian calculation of forces is based upon their own set of priorities. The Soviet Union is always going to do what they believe is best for them, and so when I was at the State Department we used to devote a great deal of effort to working out what the Soviet intentions were. We concluded that the Russians have a number of intentions with different priorities, and that these priorities are pretty consistent.

The central overriding intention—the heart of all Russian policy—is to protect the regime in every way. That never changes, and they will never compromise on that.

It affects many things that they do—for example, I think that they have seen the grave inroads which any contact with the free world, free speech, free diplomacy, or a free economy has upon their satellites and their own people, and they are determined to prevent this from happening. If they have to invade all the satellites to protect their regimes, they will do so. If they have to take more serious action, they will do that.

Beyond this central purpose, there is a second one which has been in existence since the very beginning of the Communist organization, and that is probing weaknesses on the outside.

Wherever they believe they see a weakness, they probe. They try never to get in so deep that they might be trapped in some irremediable trouble, and so they stop when they meet sufficient resistance. But if the probing encounters a weak spot, they keep pushing until the weakness ends. We found examples of this in Cuba and in Indonesia.

This is a trend which has been presented in the Muscovite state since the 12th century and I cannot see any possibility of popular pressure or revolt in the Soviet Union changing it.

This means that we will never make any progress in negotiating with the Russians by trying to persuade them of our intentions or by trying to alter theirs. What we can do to get results is to change the balance of forces as they would calculate it.

A very good example of this is the way the Russians began and ended the Berlin blockade. Their intentions were the same for both steps—they were trying to frustrate our attempts to reconstruct Europe and create a government which could govern Germany effectively without menacing its neighbors.

The Russians decided that they would rather keep Germany divided, and started a series of actions in opposition to our German policy culminating in the blockade of Berlin. At this point we still had a monopoly of nuclear weapons and so some people suggested that we should threaten to use them and frighten the Russians into giving up.

What we did instead was to create a counterblockade which isolated East Germany from the West, and which turned out to hurt the Russians a great deal more than their blockade hurt us. This was all the more true after our airlift turned out to be such a success. So the Russians realized that their calculation of forces had been mistaken, and eventually they took the initiative to propose that they would call off the blockade if we would call off the counterblockade.

The Russians conducted these negotiations with us in great secrecy—for a period of time only four Americans knew they were going on—but there was nothing subtle or complicated about the negotiations themselves. They offered to call off the blockade if we would call off the creation of a West German state, and we refused. So because of their calculation of forces, they agreed to call off the blockade anyway.

All of this has a bearing on the prospects for successful negotiations with the Russians this summer. I myself am convinced that these negotiations won't get very far.

The point is that if we go ahead with the ABM program (Safeguard antiballistic missile system) it won't make these negotiations any more difficult. They are just as difficult as they can be to start with. The Russians already have an ABM and MIRV program (multiple, independently targetable reentry vehicle system) of their own, and if they want to reach a reasonable agreement we will get an agreement. If they don't, which I think likely, they will probe to see if they can find an American weakness, but we need not worry about that as long as we take care that there are no American weaknesses for them to exploit.

The Russians are not children, and they are not easily frightened. They will come to the negotiating table, and they will calculate the forces as they see them, and they will do what seems most advantageous for them.

I would suggest that this is one case where we should do the same. A responsible Congress ought to obtain the best information it can from the men who are responsible for knowing the facts, and it should make a decision about ABM on the basis of a prudent defense of the United States in what continues to be a very dangerous world.

We are in a situation today, as we have often been in the past, in which the experts disagree about whether a particular policy is necessary for our security. I consider that a responsible legislator does not pretend that he is himself a technical expert, but instead obtains the best advice he can.

On the issue of the ABM, it is necessary to choose between opposing experts, and we must face up to the fact that the experts we choose just might be wrong. This means that to some extent the United States must take a chance, and the question is what would be the most prudent gamble.

Now the public debate on this question has been obscured by our national bad habits of hunting witches and of supposing that the Russians are really just like Americans in their diplomacy.

I hope that I have made it clear that the current cliche about a "military-industrial complex" is irrelevant nonsense, and that in fact the Russians have a very distinctive negotiating style which we should have learned to expect by now.

Once these red herrings are removed, I find the answer to the ABM debate very clear. We are being asked to gamble with a program involving some billions spread over five years, which is not such a very large sum when the defense of the entire country is at stake.

If the experts of our government are correct, then the protection the ABM will provide for this sum of money is a bargain. But if we disregard their advice and abandon the Safeguard program, and it turns out in five years that the administration was right, the consequences will be extremely serious, perhaps catastrophic.

On the other hand, it may be that the opposition is right and the ABM is unnecessary. If we build it anyway, would we have lost $9 billion?

Not at all, for we would in the process have built up a very considerable fund of technical knowledge. Knowledge which we know the Russians will have since they are going ahead with their own program. So even in the worst case the American effort will not have been wasted.

We live in a far more dangerous world than did our fathers and grandfathers. When we were unprepared in 1917 and in 1941, we had very strong allies and the width of the Atlantic Ocean, to shield us from the consequences of our folly. This is no longer true.

To build an ABM system is a course with a possibility of great gains and only small losses. To refrain could bring a relatively small saving at best, and catastrophe at worst. I find that what wisdom I have indicates that once the red herrings and cliches are abandoned, a prudent Congress will follow the advice of the President and his advisors.

THE 10TH ANNUAL OBSERVANCE OF CAPTIVE NATIONS WEEK

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, this week we mark the 10th anniversary of a testament to freedom first proclaimed by the late President Dwight D. Eisenhower. This is the 10th annual observance of Captive Nations Week, authorized by congressional resolution in 1959. That resolution empowered American Presidents to proclaim Captive Nations Week each year until "such time as freedom and independence shall have been achieved for all captive nations of the world."

This 10th anniversary of the observance of Captive Nations Week takes on special significance. It comes while the

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Soviet-led invasion of Czechoslovakia is fresh in our minds. It is a most fitting time to look at the original captive nations resolution and to ask ourselves some searching questions about the meaning and purpose of Captive Nations Week.

The original resolution told it like it is. It said:

> The imperialistic policies of Communist Russia have led through direct and indirect aggression to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukrainia, Czechoslovakia, Latvia.

And so forth. In all, 22 nations were listed as having lost their independence because of Communist aggression. Then last on the list was North Vietnam.

Today we are fighting Communist aggression in South Vietnam and maneuvering against Soviet domination of the Mideast while probing the possibility of a peaceful settlement in Vietnam and a general arms control agreement with the Soviet Union.

But whatever is involved in the intricacies of current diplomacy, we still must tell it like it is.

We still weep for the Polish workers of Poznan so brutally suppressed when they rose in revolt 13 years ago against their Communist puppet rulers. We still are outraged over the bloodbath 13 years ago in Hungary when security forces fired upon the people and the Communist puppet rulers there called in Soviet troops to put down the uprising. Our hearts go out to the people of Czechoslovakia, invaded by the Soviet Union and four other Warsaw Pact nations last August 20 in a move to stamp out the freedoms being enjoyed by the Czechs and Slovaks.

What tremendous courage has been shown by the Poles of Poznan, the freedom fighters of Hungary, and the Czechoslovakians resisting the Soviet occupation and the reimposition of tyranny and censorship in their country.

It is this that points up the significance of Captive Nations Week and the dedication of Americans to the nurturing of freedom throughout the world.

There is a truth that no arms and no occupation can kill. The truth is that within the hearts of the enslaved peoples there burns a love of liberty which is a constant threat to their rulers—a yearning for freedom which will ultimately prevail. And this truth gives meaning to our Captive Nations Week observance.

Communism as an ideology has proven itself a myth. The form of government we see in the Soviet Union, Communist China, and the Red satellite nations is simply statism—tyrannical rule by an oligarchy and a single political party. Statism is dictatorship, whatever the name given to it—communism, nazism, or fascism.

Only the government which governs with the consent of the governed is worthy of allegiance from its people.

This, too, is a truth that must be trumpeted during Captive Nations Week. And it is a truth which evokes fear and anger within Communist ruling circles when Americans speak of it during Captive Nations Week or any other time.

Mr. Speaker, I believe the United States should seek enforceable agreements with the Soviet Union aimed at avoiding a third world war.

But it would be the greatest hypocrisy to close our eyes to the wrongs that the Soviet Union has done to millions of human beings deprived of individual freedoms and national independence.

There are some Americans who think that Captive Nations Week should be soft-pedaled or forgotten. I strongly disagree.

Americans must continue to make known their deep concern about the people of the captive nations and convey this message to the captive world.

Americans should continue to make known their refusal to accept the regimes imposed upon these unfortunate victims of tyranny.

Americans should continue to promote the basic human rights and fundamental freedoms which are the God-given rights of all people—and not talk of them only when it may be expedient to do so.

Americans must never accept the view that freedom is foreclosed for the now-enslaved peoples of the world. Consistent with our own national interests, America should constantly explore all avenues that might lead to a lessening of their plight.

Let us continue to inform the captive peoples of our full and uncompromising support for their unquenchable goal of national and individual freedom. Let them ever know that Americans are dedicated to the furtherance of freedom throughout the world.

Let us keep faith with the people of the captive nations.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. WOLFF (at the request of Mr. GILBERT), for today through Thursday, July 17, 1969, on account of illness.

To Mr. HARSHA (at the request of Mr. GERALD R. FORD), for today and the balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PICKLE, for 30 minutes, on June 16, and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. LUKENS), to revise and extend their remarks and include extraneous matter:)

Mr. CONTE, for 30 minutes, today.

Mr. POFF, for 20 minutes, today.

The following Members (at the request of Mr. MOSS), to revise and extend their remarks and include extraneous matter:)

Mr. REUSS, for 60 minutes, today.

Mr. SIKES, for 30 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. NELSEN to extend his remarks following those of Mr. MORSE today on the International School.

(The following Members (at the request of Mr. LUKENS) and to include extraneous matter:)

Mr. MORTON.

Mr. PETTIS.

Mrs. HECKLER of Massachusetts.

Mr. BROOMFIELD.

Mr. FULTON of Pennsylvania in five instances.

Mr. MATHIAS.

Mr. CARTER in two instances.

Mr. BROYHILL of Virginia in five instances.

Mr. McDADE.

Mr. DEL CLAWSON.

Mr. BROCK.

Mr. HOSMER in two instances.

(The following Members (at the request of Mr. MOSS) and to include extraneous matter:)

Mrs. CHISHOLM.

Mr. GIAIMO.

Mr. HANNA.

Mr. CORMAN.

Mr. MURPHY of New York in four instances.

Mr. OTTINGER.

Mr. EILBERG.

Mr. BINGHAM in two instances.

Mr. RARICK in three instances.

Mr. OBEY in six instances.

Mrs. HANSEN of Washington in two instances.

Mr. HOWARD.

Mr. WOLFF in three instances.

Mr. MILLER of California in five instances.

Mr. ASHLEY.

Mr. STEPHENS in two instances.

Mr. FUQUA.

Mr. GIBBONS in two instances.

Mr. PURCELL.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1686. An act relating to age limits in connection with the appointments to the U.S. Park Police; to the Committee on Interior and Insular Affairs.

S. 2173. An act to amend an act entitled "An act to prescribe penalties for certain acts of violence or intimidation, and for other purposes," approved April 11, 1968; to the Committee on Interior and Insular Affairs.

ENROLLED BILL SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 11400. An act making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on the following days present to the President, for his ap-

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proval, bills of the House of the following titles:

On July 10, 1969:

H.R. 3689. An act to cede to the State of Montana concurrent jurisdiction with the United States over the real property comprising the Veterans' Administration Center, Fort Harrison, Mont.

On July 11, 1969:

H.R. 4153. An act to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishment for the Coast Guard.

ADJOURNMENT

Mr. MOSS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 8 minutes p.m.), the House adjourned until tomorrow, Tuesday, July 15, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

948. A letter from the Secretary of Commerce, transmitting the 87th quarterly report on export control, covering the first quarter of 1969, pursuant to the provisions of the Export Control Act of 1949; to the Committee on Banking and Currency.

949. A letter from the Attorney General, transmitting a draft of proposed legislation to amend the District of Columbia Bail Agency Act to increase the effectiveness of the Bail Agency, and for other purposes; to the Committee on the District of Columbia.

950. A letter from the Attorney General, transmitting a draft of proposed legislation to expand and improve public defender services in the District of Columbia; to the Committee on the District of Columbia.

951. A letter from the Attorney General, transmitting a draft of proposed legislation to reorganize the courts of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

952. A letter from the Comptroller General of the United States, transmitting a report on the effectiveness and administration of the community action program administered by the Gila River Indian community under title II of the Economic Opportunity Act of 1964, Gila River Indian Reservation, Ariz.; to the Committee on Education and Labor.

953. A letter from the Comptroller General of the United States, transmitting a report on the effectiveness and administrative efficiency of the Department of Labor's Neighborhood Youth Corps program in Carroll, Chariton, Lafayette, Ray, and Saline Counties, Mo., under title I–B of the Economic Opportunity Act of 1964; to the Committee on Education and Labor.

954. A letter from the Secretary of Health, Education, and Welfare, transmitting a report on schoolbus safety, pursuant to the provisions of title VI of the Elementary and Secondary Education Amendments of 1967; to the Committee on Education and Labor.

955. A letter from the Comptroller General of the United States, transmitting a report on an evaluation of two proposed methods for enhancing competition in weapons systems procurement, Department of Defense; to the Committee on Government Operations.

956. A letter from the Chairman, Federal Trade Commission, transmitting a report concerning the effectiveness of cigarette labeling, current practices and methods of cigarette advertising and promotion, and recommendations for legislation which are deemed appropriate, pursuant to the provisions of section 5(d)(2) of the Federal Cigarette Labeling and Advertising Act; to the Committee on Interstate and Foreign Commerce.

957. A letter from the Attorney General, transmitting a draft of proposed legislation to amend the act of February 11, 1903, commonly known as the Expediting Act, and for other purposes; to the Committee on the Judiciary.

958. A letter from the Attorney General, transmitting a draft of proposed legislation to amend the Bail Reform Act of 1966 to authorize consideration of danger to the community in setting conditions of release, to provide for pretrial detention of dangerous persons, and for other purposes; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of July 10, 1969, the following bills were reported on July 11, 1969:

Mr. McMILLAN: Committee on the District of Columbia. H.R. 5967. A bill to amend the District of Columbia Traffic Act, 1925, to provide for the issuance of an additional congressional tag to Senators and Representatives (Rept. No. 91–372). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 8868. A bill to authorize the District of Columbia to enter into the interstate compact on juveniles (Rept. No. 91–373). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 12677. A bill to authorize the Commissioner of the District of Columbia to lease to the Jewish Historical Society of Greater Washington the former synagogue of the Adas Israel Congregation and real property of the District of Columbia for the purposes of establishing a Jewish Historical Museum (Rept. No. 91–374). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 255. A bill to authorize banks, savings and loan associations, and other regulated lenders in the District of Columbia to charge or deduct interest in advance on loans to be repaid in installments; with amendment (Rept. No. 91–375). Referred to the House Calendar.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 12671. A bill to amend the act of May 29, 1928, to facilitate and encourage the employment of minors in the District of Columbia between the ages of 14 and 16 during the summer and other school vacation periods, and for other purposes (Rept. No. 91–376). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 12720. A bill to provide for the conveyance of certain real property of the District of Columbia to the Washington International School, Inc. (Rept. No. 91–377). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries: H.R. 12549. A bill to amend the Fish and Wildlife Coordination Act to provide for the establishment of a Council on Environmental Quality, and for other purposes; with amendment (Rept. No. 91–378). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted July 14, 1969*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PERKINS: Committee on Education and Labor. H.R. 11651. A bill to amend the National School Lunch Act, as amended, to provide funds and authorities to the Department of Agriculture for the purpose of providing free or reduced-price meals to needy children not now being reached (Rept. No. 91–379). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL:

H.R. 12785. A bill to declare that the United States holds in trust for the Southern Ute Tribe approximately 213.37 acres of land; to the Committee on Interior and Insular Affairs.

By Mr. BERRY:

H.R. 12786. A bill to amend title 37 of the United States Code to provide a dependents' allowance for certain persons in the Reserves and National Guard ordered to active duty for training for a period of more than 30 days; to the Committee on Armed Services.

H.R. 12787. A bill to amend section 5723(b) of title 5, United States Code, relating to length of service required by teachers in Bureau of Indian Affairs schools when travel and transportation expenses are paid to first post of duty; to the Committee on Government Operations.

By Mr. BROOKS:

H.R. 12788. A bill to prohibit the mailing of certain obscene matter; to the Committee on Post Office and Civil Service.

By Mr. CARTER:

H.R. 12789. A bill to provide for computation of disability retirement pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. CELLER:

H.R. 12790. A bill to amend the act of February 11, 1903, commonly known as the Expediting Act, and for other purposes; to the Committee on the Judiciary.

By Mr. CLANCY:

H.R. 12791. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. CORMAN (for himself, Mr. Hanna, Mr. Leggett, Mr. Roybal, Mr. Pucinski, Mr. Sisk, Mr. Charles H. Wilson, and Mr. Utt):

H.R. 12792. A bill to permit State agreements for coverage under the hospital insurance program for the aged; to the Committee on Ways and Means.

By Mr. DIGGS:

H.R. 12793. A bill to amend title 18, United States Code, to prohibit the establishment of emergency detention camps and to provide that no citizen of the United States shall be committed for detention or imprisonment in any facility of the U.S. Government except in conformity with the provisions of title 18; to the Committee on the Judiciary.

By Mr. DOWNING:

H.R. 12794. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income, for purposes of the individual income tax, certain monetary awards made by Federal agencies; to the Committee on Ways and Means.

By Mr. FALLON (for himself, Mr. Gray, and Mr. Cramer) (by request):

H.R. 12795. A bill to amend the act entitled "An act to provide better facilities for the enforcement of the customs and immigration laws," to increase the amount authorized to be expended, and for other purposes; to the Committee on Public Works.

By Mr. FARBSTEIN:

H.R. 12796. A bill to amend title 18, United States Code, to prohibit the establishment of emergency detention camps and to provide that no citizen of the United States shall be committed for detention or imprisonment in any facility of the U.S. Government except in conformity with the provisions of title 18; to the Committee on the Judiciary.

H.R. 12797. A bill to amend title XVIII of the Social Security Act to authorize payment under the program of health insurance for the aged for services furnished an individual by a home maintenance worker (in such individual's home) as part of a home health services plan; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 12798. A bill to create a Department of Youth Affairs; to the Committee on Government Operations.

H.R. 12799. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work, and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled; to the Committee on Ways and Means.

By Mr. GUDE (for himself and Mr. Hogan):

H.R. 12800. A bill to authorize the construction of a low diversion structure or dam on the Potomac River, Md.; to the Committee on Public Works.

By Mr. HOGAN:

H.R. 12801: A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 12802. A bill to establish a national policy and program with respect to wild predatory mammals, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 12803. A bill to provide for the issuance of a commemorative postage stamp in honor of Gen. Douglas MacArthur; to the Committee on Post Office and Civil Service.

By Mr. HORTON (for himself, Mr. Biester, and Mr. Charles H. Wilson):

H.R. 12804. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

By Mr. HOSMER:

H.R. 12805. A bill to amend title XVIII of the Social Security Act to authorize payment under the program of health insurance for the aged for services furnished an individual by a home maintenance worker (in such individual's home) as part of a home health services plan; to the Committee on Ways and Means.

By Mr. McCULLOCH (for himself, Mr. Gerald R. Ford, Mr. Anderson of Illinois, Mr. Poff, Mr. Cahill, Mr. MacGregor, Mr. Hutchinson, Mr. McClory, Mr. Smith of New York, Mr. Meskill, Mr. Sandman, Mr. Railsback, Mr. Biester, Mr. Wiggins, Mr. Fish, Mr. Nelsen, Mr. Taft, Mr. Conable, Mr. Cramer, Mr. Devine, Mr. Erlenborn, Mr. King, Mr. Wylie, Mr. Wyman, and Mr. Roth):

H.R. 12806. A bill to amend the Bail Reform Act of 1966 to authorize consideration of danger to the community in setting conditions of release, to provide for pretrial detention of dangerous persons, and for other purposes; to the Committee on the Judiciary.

By Mr. McCULLOCH (for himself, Mr. Gerald R. Ford, Mr. Anderson of Illinois, Mr. MacGregor, Mr. Hutchinson, Mr. McClory, Mr. Smith of New York, Mr. Meskill, Mr. Sandman, Mr. Railsback, Mr. Biester, Mr. Wiggins, Mr. Dennis, Mr. Fish, Mr. Taft, and Mr. Wylie):

H.R. 12807. A bill to amend the act of February 11, 1903, commonly known as the Expediting Act, and for other purposes; to the Committee on the Judiciary.

By Mr. MIKVA (for himself, Mr. Jacobs, and Mr. Ryan):

H.R. 12808. A bill to bring into immediate operation the National Commission for the Review of Federal and State Laws Relating to Wiretapping and Electronic Surveillance, and for other purposes; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 12809. A bill to extend to every person classified or processed under the Selective Service Act the right to legal counsel to the end that the rights and privileges afforded under law may be known and secured; to the Committee on Armed Services.

H.R. 12810. A bill to encourage the flow of credit to urban and rural poverty areas in order to stimulate the rate of economic growth and employment in those areas, and to provide the residents thereof with greater access to consumer, business, and mortgage credit at reasonable rates; to the Committee on Banking and Currency.

H.R. 12811. A bill to authorize and direct the Corps of Engineers to engage in public works for waste water purification and reuse; to the Committee on Public Works.

H.R. 12812. A bill to provide additional protection for the rights of participants in employee pension and profit-sharing retirement plans, to establish minimum standards for pension and profit-sharing retirement plan vesting and funding, to establish a pension plan reinsurance program, to provide for portability of pension credits, to provide for regulation of the administration of pension and other employee benefit plans, to establish a U.S. Pension and Employee Benefit Plan Commission, and for other purposes; to the Committee on Ways and Means.

H.R. 12813. A bill to promote the foreign policy and security of the United States by providing authority to negotiate commercial agreements with Communist countries, and for other purposes; to the Committee on Ways and Means.

By Mr. PUCINSKI (for himself and Mr. Perkins, Mr. Ashbrook, Mr. Dent, Mr. Bell of California, Mr. Daniels of New Jersey, Mr. Hawkins, and Mr. Powell):

H.R. 12814. A bill to provide for educational assistance for gifted and talented children; to the Committee on Education and Labor.

By Mr. RHODES:

H.R. 12815. A bill to provide that chief judges of circuits and chief judges of district courts shall cease to serve as such upon reaching the age of 66; to the Committee on the Judiciary.

H.R. 12816. A bill to amend title 18 of the United States Code to make it unlawful to assault or kill any member of the armed services engaged in the performance of his official duties while on duty under orders of the President under chapter 15 of title 10 of the United States Code or paragraphs (2) and (3) of section 3500 of title 10 of the United States Code; to the Committee on the Judiciary.

H.R. 12817. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

H.R. 12818. A bill to amend the Internal Revenue Code of 1954 to allow employers to deduct an additional amount as compensation for the duties required of them in connection with the withholding of taxes and the performance of other administrative and clerical duties under such code; to the Committee on Ways and Means.

By Mr. ROONEY of Pennsylvania:

H.R. 12819. A bill to amend section 312 of the Housing Act of 1964 to eliminate the provision which presently limits eligibility for residential rehabilitation loans thereunder to persons whose income is within the limits prescribed for below-market-interest-rate mortgages insured under section 221 (d)(3) of the National Housing Act; to the Committee on Banking and Currency.

By Mr. THOMPSON of Georgia:

H.R. 12820. A bill to require that persons displaced from their dwellings by real property condemnations in Federal or federally assisted programs be provided equivalent replacement housing; to the Committee on Public Works.

By Mr. THOMSON of Wisconsin:

H.R. 12821. A bill to require certain vessels operating on the navigable waters of the United States to conform to standards of waste disposal; to the Committee on Merchant Marine and Fisheries.

H.R. 12822. A bill to amend the act of March 3, 1905, relating to the dumping of certain materials into the navigable waters of the United States; to the Committee on Public Works.

By Mr. UDALL (for himself, Mr. Corbett, Mr. Olsen, Mr. Waldie, Mr. William D. Ford, Mr. Hamilton, Mr. Button, Mr. Johnson of Pennsylvania, and Mr. Hogan):

H.R. 12823. A bill to implement the Federal employee pay comparability system, to establish a Federal Employee Salary Commission and a Board of Arbitration, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CHARLES H. WILSON:

H.R. 12824. A bill to provide for the expansion and improvement of the Nation's airport and airway system, for the imposition of airport and airway user charges, for earmarking funds for noise abatement, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CHARLES H. WILSON (for himself, Mr. Purcell, Mr. Tiernan, Mr. Waldie, Mr. White, Mr. Derwinski, and Mr. Meskill):

H.R. 12825. A bill to amend title 13, United States Code, to assure confidentiality of information furnished in response to questionnaires, inquiries, and other requests of the Bureau of the Census, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CHARLES H. WILSON (for himself, Mr. Purcell, Mr. Waldie, Mr. White, Mr. Derwinski, and Mr. Meskill):

H.R. 12826. A bill to amend title 13, United States Code, to provide for a mid-decade census of population in the year 1975 and every 10 years thereafter; to the Committee on Post Office and Civil Service.

By Mr. HOGAN:

H.J. Res. 814. Joint resolution authorizing the President to proclaim the week of September 28, 1969, through October 4, 1969, as "National Adult-Youth Communications Week"; to the Committee on the Judiciary.

By Mr. CLARK:

H. Res. 479. Resolution urging all Americans to display the flag of the United States in honor of the Apollo 11 mission; to the Committee on the Judiciary.

By Mr. RHODES:

H. Res. 480. Resolution creating a select committee to conduct a study of fiscal organization and procedures of the Congress; to the Committee on Rules.

H. Res. 481. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. WOLD:

H. Res. 482. Resolution expressing the sense of the House of Representatives with respect to the establishment of at least one standard metropolitan statistical area in each State; to the Committee on Government Operations.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

239. By the SPEAKER: a Memorial of the House of Representatives of the State of Illinois, relative to withdrawing its petition to the Congress of the United States to call a Constitutional Convention; to the Committee on the Judiciary.

240. Also; a memorial of the Governor of the State of Ohio, relative to the Ohio-West Virginia interstate air pollution control compacts; to the Committee on the Judiciary.

241. Also, a memorial of the Legislature of the State of Alabama, relative to veterans' benefits; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By. Mr. BIAGGI:

H.R. 12827. A bill for the relief of Giuseppe, Giuseppa, and Mario Iacona; to the Committee on the Judiciary.

By Mr. SMITH of California:

H.R. 12828. A bill for the relief of Catherine Reinhart; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

175. By the SPEAKER: Petition of Vincente Gatica Startti, Huntsville, Tex., relative to impeachment proceedings; to the Committee on the Judiciary.

176. Also, petition of Henry Stoner, York, Pa., relative to procedures of the House of Representatives; to the Committee on the Judiciary.

177. Also, petition of the City Council, Belvedere, Calif., relative to taxation of State and local government securities; to the Committee on Ways and Means.

SENATE—*Monday, July 14, 1969*

The Senate met at 12 o'clock noon and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, before whose presence the generations rise and pass away, our fathers in their pilgrimage trusted in Thee and found that of Thy faithfulness there is no end. Still to us their children be the "cloud by day and the pillar of fire by night" to guide us lest we lose our way. Put Thy royal law of love within us that our affections may be set upon things above, so that amid our solemn duties and awesome responsibilities we may have Thy guiding light and know Thy peace and joy. Grant to all who serve Thee in this place the assurance of Thy pervading presence, and to the people of this Nation the faith that Thy divine providence overrules our human weakness. So fit us for Thy service and use us for Thy kingdom's sake. Not of our worthiness but of Thy mercy, hear our prayer. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, July 11, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, were communicated to the Senate by Mr. Geisler, one of his secretaries.

THE DRUG PROBLEM—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91-138)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States:

To the Congress of the United States:

Within the last decade, the abuse of drugs has grown from essentially a local police problem into a serious national threat to the personal health and safety of millions of Americans.

A national awareness of the gravity of the situation is needed; a new urgency and concerted national policy are needed at the Federal level to begin to cope with this growing menace to the general welfare of the United States.

Between the years of 1960 and 1967, juvenile arrests involving the use of drugs rose by almost 800 percent; half of those now being arrested for the illicit use of narcotics are under 21 years of age. New York City alone has records of some 40,000 heroin addicts, and the number rises between 7,000 and 9,000 a year. These official statistics are only the tip of an iceberg whose dimensions we can only surmise.

The number of narcotics addicts across the United States is now estimated to be in the hundreds of thousands. Another estimate is that several million American college students have at least experimented with marihuana, hashish, LSD, amphetamines, or barbiturates. It is doubtful that an American parent can send a son or daughter to college today without exposing the young man or woman to drug abuse. Parents must also be concerned about the availability and use of such drugs in our high schools and junior high schools.

The habit of the narcotics addict is not only a danger to himself, but a threat to the community where he lives. Narcotics have been cited as a primary cause of the enormous increase in street crimes over the last decade.

As the addict's tolerance for drugs increases, his demand for drugs rises, and the cost of his habit grows. It can easily reach hundreds of dollars a day. Since an underworld "fence" will give him only a fraction of the value of goods he steals, an addict can be forced to commit two or three burglaries a day to maintain his habit. Street robberies, prostitution, even the enticing of others into addiction to drugs—an addict will reduce himself to any offense, any degradation in order to acquire the drugs he craves.

However far the addict himself may fall, his offenses against himself and society do not compare with the inhumanity of those who make a living exploiting the weakness and desperation of their fellow men. Society has few judgments too severe, few penalties too harsh for the men who make their livelihood in the narcotics traffic.

It has been a common oversimplification to consider narcotics addiction, or drug abuse, to be a law enforcement problem alone. Effective control of illicit drugs requires the cooperation of many agencies of the Federal and local and State governments; it is beyond the province of any one of them alone. At the Federal level, the burden of the national effort must be carried by the Departments of Justice, Health, Education, and Welfare, and the Treasury. I am proposing ten specific steps as this Administration's initial counter-moves against this growing national problem.

I. FEDERAL LEGISLATION

To more effectively meet the narcotic and dangerous drug problems at the Federal level, the Attorney General is forwarding to the Congress a comprehensive legislative proposal to control these drugs. This measure will place in a single statute, a revised and modern plan for control. Current laws in this field are inadequate and outdated.

I consider the legislative proposal a fair, rational and necessary approach to the total drug problem. It will tighten the regulatory controls and protect the public against illicit diversion of many of these drugs from legitimate channels. It will insure greater accountability and better recordkeeping. It will give law enforcement stronger and better tools that are sorely needed so that those charged with enforcing these laws can do so more effectively. Further, this proposal creates a more flexible mechanism which will allow quicker control of new dangerous drugs before their misuse and abuse reach epidemic proportions. I urge the Congress to take favorable action on this bill.

In mid-May the Supreme Court struck down segments of the marihuana laws and called into question some of the basic foundations for the other existing drug statutes. I have also asked the Attorney General to submit an interim measure to correct the constitutional deficiencies of the Marihuana Tax Act as

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pointed out in the Supreme Court's recent decision. I urge Congress to act swiftly and favorably on the proposal to close the gap now existing in the Federal law and thereby give the Congress time to carefully examine the comprehensive drug control proposal.

II. STATE LEGISLATION

The Department of Justice is developing a model State Narcotics and Dangerous Drugs Act. This model law will be made available to the fifty State governments. This legislation is designed to improve State laws in dealing with this serious problem and to complement the comprehensive drug legislation being proposed to Congress at the national level. Together these proposals will provide an interlocking trellis of laws which will enable government at all levels to more effectively control the problem.

III. INTERNATIONAL COOPERATION

Most of the illicit narcotics and high-potency marihuana consumed in the United States is produced abroad and clandestinely imported. I have directed the Secretary of State and the Attorney General to explore new avenues of cooperation with foreign governments to stop the projection of this contraband at its source. The United States will cooperate with foreign governments working to eradicate the production of illicit drugs within their own frontiers. I have further authorized these Cabinet officers to formulate plans that will lead to meetings at the law enforcement level between the United States and foreign countries now involved in the drug traffic either as originators or avenues of transit.

IV. SUPPRESSION OF ILLEGAL IMPORTATION

Our efforts to eliminate these drugs at their point of origin will be coupled with new efforts to intercept them at their point of illegal entry into the United States. The Department of the Treasury, through the Bureau of Customs, is charged with enforcing the nation's smuggling laws. I have directed the Secretary of the Treasury to initiate a major new effort to guard the nation's borders and ports against the growing volume of narcotics from abroad. There is a recognized need for more men and facilities in the Bureau of Customs to carry out this directive. At my request, the Secretary of the Treasury has submitted a substantial program for increased manpower and facilities in the Bureau of Customs for this purpose which is under intensive review.

In the early days of this Administration, I requested that the Attorney General form an inter-departmental Task Force to conduct a comprehensive study of the problem of unlawful trafficking in narcotics and dangerous drugs. One purpose of the Task Force has been to examine the existing programs of law enforcement agencies concerned with the problem in an effort to improve their coordination and efficiency. I now want to report that this Task Force has completed its study and has a recommended plan of action, for immediate and long-term implementation, designed to substantially reduce the illicit trafficking in narcotics, marihuana and dangerous drugs across United States borders. To implement the recommended plan, I have directed the Attorney General to organize and place into immediate operation an "action task force" to undertake a frontal attack on the problem. There are high profits in the illicit market for those who smuggle narcotics and drugs into the United States; we intend to raise the risks and cost of engaging in this wretched traffic.

V. SUPPRESSION OF NATIONAL TRAFFICKING

Successful prosecution of an increased national effort against illicit drug trafficking will require not only new resources and men, but also a redeployment of existing personnel within the Department of Justice.

I have directed the Attorney General to create, within the Bureau of Narcotics and Dangerous Drugs, a number of special investigative units. These special forces will have the capacity to move quickly into any area in which intelligence indicates major criminal enterprises are engaged in the narcotics traffic. To carry out this directive, there will be a need for additional manpower within the Bureau of Narcotics and Dangerous Drugs. The budgetary request for FY 1970 now pending before the Congress will initiate this program. Additional funds will be requested in FY 1971 to fully deploy the necessary special investigative units.

VI. EDUCATION

Proper evaluation and solution of the drug problem in this country has been severely handicapped by a dearth of scientific information on the subject—and the prevalance of ignorance and misinformation. Different "experts" deliver solemn judgments which are poles apart. As a result of these conflicting judgments, Americans seem to have divided themselves on the issue, along generational lines.

There are reasons for this lack of knowledge. First, widespread drug use is a comparatively recent phenomenon in the United States. Second, it frequently involves chemical formulations which are novel, or age-old drugs little used in this country until very recently. The volume of definitive medical data remains small—and what exists has not been broadly disseminated. This vacuum of knowledge—as was predictable—has been filled by rumors and rash judgments, often formed with a minimal experience with a particular drug, sometimes formed with no experience or knowledge at all.

The possible danger to the health or well-being of even a casual user of drugs is too serious to allow ignorance to prevail or for this information gap to remain open. The American people need to know what dangers and what risks are inherent in the use of the various kinds of drugs readily available in illegal markets today. I have therefore directed the Secretary of Health, Education, and Welfare, assisted by the Attorney General through the Bureau of Narcotics and Dangerous Drugs, to gather all authoritative information on the subject and to compile a balanced and objective educational program to bring the facts to every American—especially our young people

With this information in hand, the overwhelming majority of students and young people can be trusted to make a prudent judgment as to their personal course of conduct.

VII. RESEARCH

In addition to gathering existing data, it is essential that we acquire new knowledge in the field. We must know more about both the short- and long-range effects of the use of drugs being taken in such quantities by so many of our people. We need more study as well to find the key to releasing men from the bonds of dependency forged by any continued drug abuse.

The National Institute of Mental Health has primary responsibility in this area, and I am further directing the Secretary of Health, Education, and Welfare to expand existing efforts to acquire new knowledge and a broader understanding of this entire area.

VIII. REHABILITATION

Considering the risks involved, including those of arrest and prosecution, the casual experimenter with drugs of any kind must be considered, at the very least, rash and foolish. But the psychologically dependent regular users and the physically addicted are genuinely sick people. While this sickness cannot excuse the crimes they commit, it does help to explain them. Society has an obligation both to itself and to these people to help them break the chains of their dependency.

Currently, a number of Federal, State, and private programs of rehabilitation are being operated. These programs utilize, separately and together, psychiatry, psychology, and "substitute drug" therapy. At this time, however, we are without adequate data to evaluate their full benefit. We need more experience with them and more knowledge. Therefore, I am directing the Secretary of Health, Education, and Welfare to provide every assistance to those pioneering in the field, and to sponsor and conduct research on the Federal level. This Department will act as a clearinghouse for the collection and dissemination of drug abuse data and experience in the area of rehabilitation.

I have further instructed the Attorney General to insure that all Federal prisoners who have been identified as dependent upon drugs be afforded the most up-to-date treatment available.

IX. TRAINING PROGRAM

The enforcement of narcotics laws requires considerable expertise, and hence considerable training. The Bureau of Narcotics and Dangerous Drugs provides the bulk of this training in the Federal government. Its programs are extended to include not only its own personnel, but State and local police officers, forensic chemists, foreign nationals, college deans, campus security officers, and members of industry engaged in the legal distribution of drugs.

Last year special training in the field of narcotics and dangerous drug enforcement was provided for 2700 State and local law enforcement officials. In fiscal

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year 1969 we expanded the program an estimated 300 percent in order to train some 11,000 persons. During the current fiscal year we plan to redouble again that effort—to provide training to 22,000 State and local officers. The training of these experts must keep pace with the rise in the abuse of drugs, if we are ever to control it.

X. LOCAL LAW ENFORCEMENT CONFERENCES

The Attorney General intends to begin a series of conferences with law enforcement executives from the various States and concerned Federal officials. The purposes of these conferences will be several: first, to obtain firsthand information, more accurate data, on the scope of the drug problem at that level; second, to discuss the specific areas where Federal assistance and aid can best be most useful; third, to exchange ideas and evaluate mutual policies. The end result we hope will be more coordinated effort that will bring us visible progress for the first time in an alarming decade.

These then are the first ten steps in the national effort against narcotic marihuana and other dangerous drug abuse. Many steps are already underway. Many will depend upon the support of the Congress. I am asking, with this message, that you act swiftly and favorably on the legislative proposals that will soon be forthcoming, along with the budgetary requests required if our efforts are to be successful. I am confident that Congress shares with me the grave concern over this critical problem, and that Congress will do all that is necessary to mount and continue a new and effective federal program aimed at eradicating this rising sickness in our land.

THE WHITE HOUSE, *July 14, 1969.*

RICHARD NIXON.

REFERRAL OF PRESIDENT'S MESSAGE ON DRUGS TO THE COMMITTEE ON FINANCE AND THE COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. PROXMIRE subsequently said: Mr. President, I ask unanimous consent that the President's message on drugs be referred to the Committee on Finance and the Committee on Labor and Public Welfare.

The PRESIDING OFFICER (Mr. ALLEN in the chair). Without objection, it is so ordered.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Vice President laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Commerce.

(For nominations this day received, see the end of Senate proceedings.)

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the calendar, beginning with Calendar No. 289.

The VICE PRESIDENT. Without objection, it is so ordered.

LT. COL. SAMUEL J. COLE, USA (RETIRED)

The bill (S. 267) for the relief of Lt. Col. Samuel J. Cole, U.S. Army (retired), was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, Lieutenant Colonel Samuel J. Cole, United States Army (retired), is hereby relieved of all liability for repayment to the United States of the sum of $10,322.59, representing the amount of overpayments of retired pay received by the said Lieutenant Colonel Samuel J. Cole, for the period from August 15, 1947, through September 30, 1964, as a result of administrative error in the computation of his creditable service for pay purposes less the amount due under the Act of April 14, 1966 (80 Stat. 120). In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Lieutenant Colonel Samuel J. Cole, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

(b) No part of the amount appropriated in this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–298) explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to relieve the claimant of all liability for repayment to the United States of the sum of $10,322.59, representing the amount of overpayments of retired pay received by the said Lt. Col. Samuel J. Cole (retired), for the period from August 15, 1947, through September 30, 1964, as a result of administrative error in the computation of his creditable service for pay purposes. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this act.

STATEMENT

This bill (S. 267) in the 91st Congress is similar to S. 2147 in the 89th Congress and S. 1206 in the 90th Congress. Both previous bills were passed by the Senate but the House took no action. The Department of the Air Force has no objection to the enactment of this legislation. The facts of the case, as contained in Senate Report No. 1843 of the 89th Congress on the similar bill, S. 2147, and as quoted verbatim in Senate Report No. 1305 of the 90th Congress on the similar bill, S. 1206, are as follows:

"Lt. Col. Samuel J. Cole was born on May 2, 1891. He served on active duty in the U.S. Army from August 15, 1917, to May 15, 1920, when he was retired from the Regular Army as a first lieutenant by reason of disability from wounds received in battle. He returned to active duty on January 15, 1942, and while on active duty received promotions in the Army of the United States to captain on February 1, 1942, to major on August 26, 1942, and to lieutenant colonel on July 1, 1946. Because of demobilization Lieutenant Colonel Cole reverted to his retired status of a first lieutenant effective October 15, 1946. On the day preceding reversion to retired status he was entitled under the Pay Readjustment Act of 1942 (56 Stat. 359 (1942)), to the pay, while on active duty, of a lieutenant colonel of the fifth pay period, with longevity pay for over 27 years' commissioned service. In his retired status, however, he received 75 percent of the active duty pay of a first lieutenant, second pay period, with longevity pay for over 27 years' commissioned service. Subsequently, under the provisions of section 203(a) of title II of the act of June 29, 1948 (62 Stat. 1085 (1948)), he was advanced to the grade of major, the highest grade served satisfactorily for not less than 6 months in time of war, and began receiving 75 percent of the pay of a major, with over 6 and less than 9 years' service. This section specifically excluded credit for retired service in computing retired pay. Following enactment of the Career Compensation Act of 1949 (63 Stat. 802 (1949)), he elected under the "saved pay" provisions of section 411 to continue receiving retired pay based on law in effect before October 1, 1949.

"On June 27, 1957, Lieutenant Colonel Cole commenced an action in the Court of Claims to recover the difference between the retired pay he had received for the period commencing June 1, 1951, a date selected because of the 6-year statute of limitations for an action in the Court of Claims, and 75 percent of the active duty pay of a lieutenant colonel as computed by one of two methods set forth in his complaint. This action was based on the provisions, among others, of the last paragraph of section 15 of the Pay Readjustment Act of 1942, supra. This paragraph authorized retired pay of 75 percent of active duty pay at time of retirement for an officer with service before November 12, 1918, thereafter retired, unless entitled to retired pay

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of a higher grade. On July 29, 1957, Lieutenant Colonel Cole filed a similar claim with the General Accounting Office for the period within the 10-year statute of limitations applicable to claims filed there. Guided by the decisions in *Gordon* v. *United States* (134 Ct. Cl. 840 (1956)), and *Frizzell* v. *United States* (123 Ct. Cl. 337 (1952)), involving substantially similar claims, the General Accounting Office certified payment to Lieutenant Colonel Cole on May 1, 1959, of $26,199.88. This computation was based on credit for 75 percent of the active duty pay of a lieutenant colonel, fifth pay period, with longevity credit for 27 years' service, for the period July 29, 1947, to August 14, 1947, and credit for 75 percent of the active duty pay of a lieutenant colonel, sixth pay period, with longevity credit of 30 years, for the period August 15, 1947, to October 31, 1958. The Army Finance Center adjusted Lieutenant Colonel Cole's retired pay, effective November 1, 1958, to 75 percent of that of a lieutenant colonel, sixth pay period, with longevity credit for over 30 years' service without questioning at that time the basis for payment in the sixth pay period (lieutenant colonel with 30 years' creditable service) as certified by the General Accounting Office instead of payment in the fifth pay period (lieutenant colonel without 30 years' creditable service). Relying on decisions of the Comptroller General (13 Comp. Gen. 29 (1933); 22 Comp. Gen. 175 (1942), and computations approved in the *Frizzell* case, supra, the Army Finance Center notified Lieutenant Colonel Cole in a letter dated October 9, 1964, that his service in an inactive retired status was not creditable to advance him from one pay period to another even though it was allowable for longevity credit. The act of March 2, 1903 (32 Stat. 932 (1903)), authorized an officer retired for wounds received in battle to count service on the retired list solely for longevity pay purposes. The Army Finance Center reduced his retired pay, effective October 1, 1964, to that of the fifth pay period with longevity credit of over 30 years, and informed him that he was indebted to the United States for $4,313.87 for retired pay for the period November 1, 1958, through September 30, 1964, representing the difference between pay in the sixth pay period and the fifth pay period. The General Accounting Office informed Lieutenant Colonel Cole, in a letter dated December 22, 1964, Z–1844460, that the settlement made by that office on May 1, 1959, was inadvertently computed on the basis of active duty pay in the sixth pay period for the period from August 15, 1947, through October 31, 1958, resulting in an overpayment of $7,252.73. In a decision dated April 1, 1965, B–132487, the Comptroller General reviewed the entire matter and confirmed overpayments totaling $11,566.60. The Finance Center has collected $1,484 from Lieutenant Colonel Cole's retired pay during the period November 1, 1964, through March 1966. He is currently liquidating his debt at the rate of $100 per month. The Department of the Army requested from Lieutenant Colonel Cole a statement of his present financial status, but he, through his attorney, stated he did not desire to provide any information.

"The overpayments received by Lieutenant Colonel Cole resulted from administrative error by two Government agencies. The payments were received in good faith and were undetected for more than 5 years. Public Law 89–395, approved by the President on April 14, 1966, waives the 10-year statute of limitations contained in the act of October 9, 1940 (54 Stat. 1061, 31 U.S.C. 71a (1964)), and allows certain retired officers, including Lieutenant Colonel Cole, to file claims with the General Accounting Office for increased retired pay. Lieutenant Colonel Cole is entitled to claim $1,244.01 under the new legislation. In view of this consideration, the Department of the Army has no objection to the bill if amended by striking '$11,566.60' from line 5 and inserting '$10,322.59', and by striking the period from line 10, and inserting ', less the amount due under Public Law 89–395'.

"The cost of this bill, if enacted as introduced, will be $11,566.60. If enacted with the amendment as suggested in this report, the cost will be $10,322.59."

The committee has in the past approved relieving bills of this nature where the error was on the part of the Government, the claimant acted in good faith, and hardship would result in repayment.

In agreement with the views of the Army, the committee recommends favorable enactment of the bill as amended.

In agreement with the previous action in the 89th Congress, the committee recommends the bill favorably.

In agreement with the previous action in both the 89th and 90th Congresses, the committee recommends the bill favorably.

AMERICAN REVOLUTION BICENTENNIAL COMMISSION

The bill (S. 2462) to amend the joint resolution establishing the American Revolution Bicentennial Commission was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2462

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution entitled "Joint Resolution To Establish the American Revolution Bicentennial Commission, and for other purposes", approved July 4, 1966 (80 Stat. 259), as amended by the Act of December 12, 1967 (81 Stat. 567), is further amended—

(1) by striking out "July 4, 1969" in section 3(d), and inserting in lieu thereof "July 4, 1970"; and

(2) by striking out fiscal year "1969" in section 7(a), and inserting in lieu thereof "fiscal year 1970".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–299), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to amend the original resolution establishing the American Revolution Bicentennial Commission so as to extend the first reporting date of the Commission from July 4, 1969, to July 4, 1970, and to extend the authorization for appropriations from fiscal year 1969 to fiscal year 1970.

STATEMENT

The American Revolution Bicentennial Commission was approved by the Congress on July 4, 1966. The Commission, itself, was not officially named by the President until approximately a year later. The Commission's first meeting was held in February 1967, at which time it was discovered that there was no provision for funds for staff support. Thereafter, the Commission sought an amendment providing for Federal appropriations, which took approximately 18 months to clear the Congress. The Bicentennial Commission had its second meeting in October 1968, at which time it appointed an executive director. Due to personnel delays, the staff, including the executive director, were not officially appointed to the Commission until January of this year. There are presently two professionals, the executive director, one assistant, and two secretaries that comprise the entire staff of the Commission. The Bureau of the Budget has allocated four staff positions, all of which are filled.

The Commission's public members, who were appointed under President Johnson, had decided during their October meeting that they should submit their pro forma resignations to the new President, whomever that might be, in order that the incoming President may work with his own Commission in bicentennial matters. As of this date the White House has not, as yet, announced any changes in the public members of the Commission.

For these reasons, the Commission was not able to meet its original reporting date of July 4, 1969, and this bill, therefore, would amend the joint resolution creating the Commission so as to extend the reporting date 1 year to July 4, 1970, and to extend the authorization for the appropriations for the expenses of the Commission from fiscal year 1969 to fiscal year 1970.

Despite its limited formal activities, the Commission membership has been able to reach some tentative conclusions concerning the nature of the bicentennial celebration. These are:

In contrast to previous commemorations (i.e., the 1876 Centennial Exposition, the 1965 Civil War Centennial), the bicentennial celebration should be *national* in scope.

The focal year for the celebration should be 1976 and the key date should be July 4 of that year.

The commemoration should attempt to communicate the *ideas* of the Revolution and demonstrate their continued validity in the development of the Nation and the world in which we live.

In addition, the Commission has taken certain administrative and procedural actions. These include:

Appointment of an executive director, Richard W. Barrett, and a small clerical staff.

Establishment of temporary headquarters and initiation of negotiations for a permanent headquarters in a reconstructed building on Lafayette Square.

Endorsement of the U.S. Olympic Committee's bid to secure the 1976 Olympic Games for Denver (winter) and Los Angeles (summer).

Preliminary efforts toward developing a thermatic statement for the national celebration.

Review of a position paper prepared by the Exhibitions Staff of the Department of Commerce with respect to the conditions surrounding an international exposition in 1976.

Organization of an executive committee and supporting subcommittees to enable the Commission to deal more effectively with its responsibilities.

The outline of an overall plan for the bicentennial. When completed, the plan will detail those segments of the society that should be involved in the celebration, appropriate penetration points, and a set of roles for each segment.

The construction and implementation of a systematic contact program to reach those elements of the society that either (*a*) appear relevant to the celebration, or (*b*) have indicated a desire to participate.

Preparation of an information pamphlet on the Commission and its plans for 1976.

Design of a master calendar for 1976 and a time line of major national and international events, celebrations, holidays, and commemorations occurring between 1970 and 1976.

The committee is of the opinion that this bill has a meritorious purpose and, accordingly, recommends favorable consideration of S. 2462 without amendment.

NATIONAL ADVISORY WEEK

The joint resolution (S.J. Res. 85) to provide for the designation of the peri-

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od from August 26, 1969, through September 1, 1969, as "National Archery Week" was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. Res. 85

Whereas in recent years archery as a competitive sport and recreation activity has grown in popularity and recognition; and

Whereas the increased stature of archery is evident in the fact that in 1972 this sport will become a gold medal event at the summer Olympic games; and

Whereas the extent of the widespread interest in archery is indicated by its establishment as a major intercollegiate sport throughout the United States; and

Whereas the National Field Archery Association, with some forty thousand members and more than two thousand affiliated clubs in each of the fifty States, has become the leader in promoting the advancement of competitive archery in this country; and

Whereas this organization is engaged in many outstanding civic projects, such as wildlife conservation activities and a youth scholarship program, and

Whereas this association is sponsoring a National Archery Week program of ceremonies and activities during the last week of August in this year; and

Whereas the year 1969 marks the thirtieth anniversary of the founding of the National Field Archery Association; and

Whereas the world archery championship events will be held in the United States during the summer of 1969; and

Whereas, in view of these facts, it is fitting and proper that the Congress should give official recognition in this year to the development of archery as a major sport and to the national interest in the program to be conducted by the National Field Archery Association: Now, therefore, be it

***Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is authorized and requested to issue a proclamation designating the seven-day period beginning August 26, 1969, and ending September 1, 1969, as "National Archery Week", and inviting the Governors and mayors of State and local governments of the United States to issue similar proclamations.**

DR. DIEGO AGUILAR ARANDA

The bill (S. 571) for the relief of Dr. Diego Aguilar Aranda was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 571

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Diego Aguilar Aranda shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 12, 1957.

JAMES F. WEGENER

The bill (H.R. 1828) to confer U.S. citizenship posthumously upon James F. Wegener was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91-303), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to confer U.S. citizenship posthumously upon James F. Wegener.

DUG FOO WONG

The bill (S. 2019) for the relief of Dug Foo Wong was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2019

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 203(a)(1) and 204 of the Immigration and Nationality Act, Dug Foo Wong shall be held and considered to be the natural-born alien son of Mr. and Mrs. Chun P. Chin, citizens of the United States: *Provided,* That the parents, brothers, or sisters of the said Dug Foo Wong shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

WU HIP

The bill (S. 1963) for the relief of Wu Hip was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, section 204(c), relating to the number of petitions which may be approved in behalf of orphans, shall be inapplicable in the case of petition filed in behalf of Wu Hip by Mr. and Mrs. Ralph A. Kelley, citizens of the United States.

DR. YAVUZ AYKENT

The bill (S. 1798) for the relief of Dr. Yavuz Aykent was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1798

***Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Yavuz Aykent shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 26, 1957, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.**

ANDREW CHU YANG

The bill (S. 1645) for the relief of Andrew Chu Yang was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1645

***Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, Andrew Chu Yang may be classified as a child within the meaning of section 101(b)(1)(F) of such Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Shiang Ping Yang, citizens of the United States, pursuant to section 204 of such Act: *Provided,* That no brothers or sisters of the said Andrew Chu Yang shall hereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.**

DR. YILMAZ BILSEL

The bill (S. 1527) for the relief of Dr. Yilmaz Bilsel was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1527

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Yilmaz Bilsel shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 24, 1958, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91-307), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. ZILIHA BILSEL

The bill (S. 1526) for the relief of Dr. Ziliha Bilsel was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1526

***Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Doctor Zeliha Bilsel shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 27, 1957, and the periods of time she has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.**

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91-308), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

RUEBEN ROSEN

The bill (H.R. 2890) for the relief of Rueben Rosen was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No.

91–309), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Rueben Rosen. The bill does not provide for a quota deduction, inasmuch as the beneficiary is entitled to immediate relative status.

FRANCESCA ADRIANA MILLONZI

The bill (H.R. 2536) for the relief of Francesca Adriana Millonzi was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–310), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in an immediate relative status of the minor child adopted by citizens of the United States.

FRANKLIN JACINTO ANTONIO

The bill (H.R. 2224) for the relief of Franklin Jacinto Antonio was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–311), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in an immediate relative status of the child adopted by citizens of the United States.

PFC. JOSEPH ANTHONY SNITKO

The bill (H.R. 1948) to confer U.S. citizenship posthumously upon Pfc. Joseph Anthony Snitko was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–312), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to confer U.S. citizenship posthumously upon Pfc. Joseph Anthony Snitko.

ALEKSANDAR ZAMBELI

The bill (H.R. 3166) for the relief of Aleksandar Zambeli was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–313), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable Aleksandar Zambeli to file a petition for naturalization notwithstanding the provisions of section 313 of the Immigration and Nationality Act relating to one who was formerly a member of a proscribed organization.

RYSZARD STANISLAW OBACZ

The bill (H.R. 3167) for the relief of Ryszard Stanislaw Obacz was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–314), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable Ryszard Stanislaw Obacz to file a petition for naturalization notwithstanding the provisions of section 313 of the Immigration and Nationality Act relating to one who was formerly a member of a proscribed organization.

YOLANDA FULGENCIO HUNTER

The bill (H.R. 3172) for the relief of Yolanda Fulgencio Hunter was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–315), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in an immediate relative status of the alien child adopted by a U.S. citizen.

MARIA DA CONCEICAO EVARISTO

The bill (H.R. 3376) for the relief of Maria da Conceicao Evaristo was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–316), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provisions of existing law relating to one who is illiterate in behalf of Maria da Conceicao Evaristo. The bill provides for the posting of a bond as surety that the beneficiary will not become a public charge.

L. CPL. PETER M. NEE

The bill (H.R. 10060) for the relief of L. Cpl. Peter M. Nee (2435662) was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–317), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to confer U.S. citizenship posthumously upon Lance Cpl. Peter M. Nee.

NIKOLAS GEORGE POLIZOS

The Senate proceeded to consider the bill (S. 1110) for the relief of Nikolas George Polizos, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 6, after "June 16," strike out "1957, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper officer to deduct one number from the total number of immigrant visas and conditional entries which are made available to natives of the country of the alien's birth under paragraph (1) through (8) of section 203(a) of the Immigration and Nationality Act.", and insert "1957."; so as to make the bill read:

S. 1110

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Nickolas George Polizos shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 16, 1957.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–318), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization.

ORDER FOR RECOGNITION OF SENATOR YOUNG OF OHIO

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished senior Senator from Ohio (Mr. YOUNG) may proceed for not to exceed 30 minutes at the conclusion of the remarks of the distinguished junior Senator from Vermont (Mr. PROUTY).

The VICE PRESIDENT. Without objection, it is so ordered.

THE DEATH OF HERBERT HOOVER, JR.

Mr. MANSFIELD. Mr. President, it was with sorrow and regret that I noted in the newspaper last week the passing of Herbert Hoover, Jr.

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Mr. Hoover served as an Under Secretary of State during the Eisenhower administration. I found him to be a very kind, a very gentle, and a very understanding man. I had many contacts with him, and my relations with him were exceedingly good. He was never one to flash his own light. He was a man of extreme modesty and performed his duties with efficiency and with dedication.

I express my deep regret on the Nation's loss of this outstanding American and extend to his wife my condolences.

Mr. DIRKSEN. Mr. President, will the majority leader yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. Mr. President, I do not know how I missed the news with respect to Herbert Hoover, Jr. I came to know him quite well and had high esteem and great affection for him. He contributed much to the country and was indeed one of our solid citizens.

Together with others, I share the message of condolence to the family.

THE SAFEGUARD ABM SYSTEM—THE NEED FOR A CLOSED SESSION

Mr. SYMINGTON. Mr. President, for reasons that have never been clear, and even though the House has not yet started on its Army and Navy authorization hearings, it was apparently considered necessary to rush through the authorization and markup for the deployment of this Safeguard ABM system without any check at the Kwajalein Testing Range by the Senate as to whether the system was ready for deployment; and statements made on this floor in the debate last Friday demonstrated conclusively how unfortunate was all this haste from the standpoint of our future security and well-being.

One never buys a house or a car without first looking, and that is especially true if some people one respects assert that the house or car in question is not right for purchase; and it was with that in mind that I had planned to visit the Kwajalein Atoll week before last. Kwajalein is where one can obtain by far the most solid information as to the degree of completion and testing of four of the five major components of the Safeguard system; and also much information with respect to the status of the fifth.

When we were told, however, that the markup of the overall Defense authorization, including Safeguard, could not be held up for even a few days, it became necessary for me to cancel this Kwajalein trip; but I did send a staff assistant. He has now returned, and his classified report on the results of his trip, checked against some of the sweeping and at times inaccurate assertions made in the debate last Friday, once again nails down the absurdity of the Senate proceeding to approve what all agree is the most complicated system conceived to date by man without adequate investigation.

One could well ask, why are some in the Senate so casual about spending billions of dollars of other people's money without giving the matter even a semblance of the attention they would give to a personal transaction.

For these reasons, plus one other, I would hope that we would postpone approval of this deployment until we had more facts. The other is my belief that a good many statements made in debate last Friday by those opposing the Cooper-Hart amendment were either inaccurate in implication or inaccurate in fact.

This proposed ABM system is a difficult matter to discuss in open session; but that does not mean, prior to decision, we should refrain from doing everything possible to obtain the facts.

Accordingly, Mr. President, in effort to that end, I am requesting the leadership that after the morning hour on Thursday, July 17, the Senate go into closed session.

THE PROPOSED EXTENSION OF THE SURTAX

Mr. CURTIS. Mr. President, it is my firm belief that the tax bill which extends the surtax and repeals the investment credit should be passed and passed very quickly.

There is no reason why the taxpayers of the country should be misled. The bill is a necessity. The issue should be settled now so that our economy can make its appropriate adjustment. To delay this bill with weeks of speeches would produce nothing but an unsettling effect on our economy.

I do not like taxes. I do not like high taxes. I am supporting this bill because it is necessary. I firmly believe that the best political course is always that course which is honest and sound and improves the fiscal position of our Government. The American people are intelligent and it is a mistake to underrate them.

There should be another bill dealing with tax reform. We need to direct our attention to tax reform constantly. The object of tax reform is to promote justice and fairness as between all individuals and all segments of our economy. Those provisions of our tax law needing reform have been in the tax program for one or two or three score of years. None of them are of recent making. They pose difficult problems. Some of them are controversial. Adequate hearings and a skillful approach will bring about needed reforms. Oratory that jeopardizes our fiscal position and fires the flames of inflation are not in the public interest.

A vote for the bill which was sent to us by the House of Representatives is a vote for a course of action that will make tax reform a reality. It is a vote for fiscal responsibility. To oppose or delay this bill will bring neither reform nor fiscal responsibility.

Mr. MANSFIELD. Mr. President, I have listened with interest to what the distinguished Senator from Nebraska has just said. I would point out to him that the course which he advocates could well bring about unconsidered, ill considered, and poorly considered tax reforms if we take up the surtax extension at this time.

The fact that we have agreed to an extension of the withholding levels in no way undermines the efficacy of the situation as it exists. If another extension is needed it will be forthcoming. If we were to bring out the surtax measure at this time, however, without the assurance of a tax reform bill following some time in the immediate future, in my opinion it would mean that the surtax bill, as such, would itself be jeopardized. It would be amended by tax reforms on the floor of the Senate to such an extent, I would think, that it would become what has been called, slightingly, in previous times, a Christmas tree bill.

I am interested in the passage of a surtax bill somewhat on the order of the bill reported by the House committee and passed by the House of Representatives. But I would call the attention of the Senate to the fact that the distinguished chairman of the Ways and Means Committee, Mr. MILLS, did promise that there would be a tax reform bill reported by his committee about the first part of next month. During the debate on the surtax the President sent a letter to Chairman MILLS advocating tax reform.

Furthermore, I would point out that the distinguished chairman of the Committee on Finance has indicated that beginning on a date certain he would be prepared to hear proponents in this body on various matters of tax reform.

It would be my hope that on the basis of these hearings there would be reported a surtax bill in just about the same form as the bill passed by the House of Represenatives, where the vote was 210 to 205, as I recall, and that the reforms in which all of us are interested to some degree would be placed on a tax reform bill which would be reported shortly after the surtax bill. In that way, I think a procedure would be provided that would assure the Senate, fairly and reasonably, that the surtax bill would be considered and passed, hopefully, without any added tax reforms. Those in this Chamber who, in my opinion, if the surtax bill came out by itself, would try to add tax reforms to it, could be told we have the bill on which hearings have been held justifying it, and it is on the second bill that these major reforms could be attached.

In my opinion, this procedure which has been outlined is in the interest of the economy and in the interest of the administration because in this way hopefully we can keep major tax reforms from being placed on the surtax bill and keep them for reforms in the later bill which will be reported.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that we may proceed for 2 additional minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. CURTIS. Do I understand that the distinguished majority leader, then, favors a bill extending the surtax and dealing with investment credit which will be considered separately when it is considered on the floor of the Senate?

Mr. MANSFIELD. Yes, indeed.

Mr. CURTIS. Does the distinguished majority leader have any reservations or feeling that the able chairman of the Committee on Ways and Means of the

House of Representatives will be unable to reach his announced objective in sending us a tax reform bill?

Mr. MANSFIELD. I would hope not. I would hope that the chairman of the Committee on Finance and the membership, both Republican and Democrat, would put their shoulders to the wheel to do what they can to bring out a major tax reform bill—the country is crying for one—and to begin the initiation of such a procedure next week or later this week when hearings on tax reform will start. It would then be my hope that when the tax reform bill from the House arrives in the Senate, tax reforms agreed to in the committee could be put on the bill as it is prepared for Senate consideration. A commitment has been made by the chairman of the Committee on Ways and Means that such a bill will be sent over some time around the first of August.

Mr. CURTIS. I commend the distinguished majority leader. I understand he believes that the surtax bill should be voted upon as a separate measure by the Senate and not merged with the tax reform bill.

Mr. MANSFIELD. Yes, indeed. I would hope that when the surtax bill is taken up and disposed of, the next order of business, or one shortly thereafter, would be the tax reform bill.

Mr. METCALF. Mr. President, I concur completely with my colleague from Montana. Extension of the surtax and the bill that came from the House should be considered separately and apart from Federal tax reform, but there should be some assurance in Congress this year, that there will be some tax reform before we pass a 10 percent, or a 5 percent surtax, thereby compounding and magnifying the inequities in our present tax system.

Mr. President, I served on the Ways and Means Committee of the House and I know of my own knowledge that the very distinguished chairman of that committee is dedicated to tax reform. However, I believe that we should follow the procedure outlined by the policy committee and go forward with extensions of the surtax, maybe from time to time, and then pass a tax reform bill and extensions of the surtax at the same time.

It was with a great deal of misgiving that I read in the newspaper yesterday that the distinguished Senator from Louisiana (Mr. LONG), chairman of the Finance Committee, who is now in the Chamber, stated that no one had come forward with a tax proposal.

I introduced S. 500, and it was referred to the Finance Committee. I realize that such legislation must first clear the House, but I introduced it because I wanted it before the Finance Committee. I thought that, as the policy committee had made a statement that the bills would be considered together, I would not have to do anything further to get the Senator from Louisiana to give me a hearing and have consideration of this legislation.

After reading the statement yesterday in the newspaper, I find that in order not to default in this situation, I will have to introduce a bill to the surtax amendment. I regretfully do this because I feel that the bills should be brought up separately and apart, that my amendment for tax reform should be considered with other amendments for tax reform; but, nevertheless, in order to protect my interests, I have had to introduce this bill today.

Mr. President, S. 500 is cosponsored by 26 Senators. It is an important and vital part of tax reform. I testified before the Ways and Means Committee on it. The administration has sent down a similar proposal on this legislation. I do not intend to default. I do not intend, if this bill is going to be brought up as part of the surtax, to be considered in default. Thus, today, I am introducing an amendment to the surtax bill.

Mr. LONG. Mr. President, will the Senator from Montana yield?

Mr. METCALF. If I have any time remaining, I am glad to yield to the Senator from Louisiana.

The PRESIDING OFFICER. How much additional time does the Senator from Montana request?

Mr. METCALF. One minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. Mr. President, if the Senator from Montana would be so kind as to remain in the Chamber until such time as I have been able to gain recognition, I think I can satisfy him about this matter. If not, why I would be glad to discuss it with him now.

Mr. METCALF. Of course. I shall be delighted to remain here.

DR. BENJAMIN SPOCK

Mr. YOUNG of Ohio. Mr. President, liberty-loving Americans have every reason to rejoice. The First U.S. Court of Appeals reversed the verdict and judgment of guilty rendered in the court of U.S. District Judge Francis J. W. Ford, and this higher court in a landmark decision unanimously acquitted Dr. Benjamin Spock, who had previously been convicted by a hand-picked, all-male jury. Then on top of that, the cards had been stacked against him in that the trial was assigned to U.S. District Judge Francis J. W. Ford. I suspect this was arranged by the assignment commissioner at the behest of the district attorney. Judge Francis J. W. Ford, 86 years of age, was, I understand, nominated by President Herbert Hoover to be U.S. district judge.

Mr. President, at the same time I express my delight over the fact that Dr. Benjamin Spock has been judged not guilty. I denounce the merciless severity of the actions throughout the trial of Judge Ford.

Mr. President, I know something personally about the facts. I spent a day in Boston, testifying as a character witness on behalf of Dr. Spock and Judge Ford tried to give me a hard time as a witness. He did give me a hard time, but I did not crawl under the witness chair.

What I observed, brought to mind what I have read in English history of the judicial misconduct of Justice George Jeffreys in the latter part of the 17th century. As Chief Justice in the reign of King James II at the Winchester "assizes" in his so-called Star Chamber sessions, history narrates that he condemned hundreds of defendants to death in alleged trials which were a mockery of justice.

It happens that Dr. Benjamin Spock is my good friend. I have known him over the years. He was a most highly respected resident of the community where I live. I knew Dr. Spock personally during the years when he lived in Cleveland Heights. I knew that he had served as a lieutenant commander in the U.S. Navy in World War II. I knew him as a member of the American Legion. I knew him as one of the most famous and highly respected pediatricians in our entire country. I was happy to testify before Judge Ford and this so-called blue ribbon jury of 12 stern-faced men that Dr. Spock was and is a man of the highest moral character; that his reputation in the community where he and I lived is excellent; that he is a peaceable, law-abiding, and peace-loving citizen.

Mr. President, in the past I served for some years as chief criminal prosecuting attorney of Cuyahoga County. I believe that certain punishment, like a shadow, should follow the commission of crime. I knew that Dr. Benjamin Spock had not committed any crime; had not conspired to commit any crime; that he was a man of such noble character he could not possibly engage in any conspiracy to commit a crime. As a prosecuting attorney and as a trial lawyer, I have met up with and had the misfortune to appear before tyrannical judges, but Federal Judge Ford in his actions, words, and attitude which I had observed, and the hard time he tried to give me as a witness in his court, takes a rating in my considered judgment as a tyrannical judge determined he would supplement the prosecution of the district attorney that the jury find the defendant guilty. In a landmark decision, the judges of the First U.S. Circuit Court of Appeals not only determined and judged that Dr. Benjamin Spock was not guilty but also determined that Trial Judge Ford went far beyond the routine conspiracy instruction to a jury and arbitrarily called for special findings by the all-male jury panel which were highly prejudicial to Dr. Spock.

Mr. President, it makes me happy to observe that sanity has returned; that this good man has been vindicated and acquitted; that the judges of the First Circuit Court of Appeals have spoken out loud and clear; that the very first amendment of the Constitution of the United States is as meaningful today as it was in 1791. It should be remembered by all of us that when the Constitution as drafted was first announced, there was an uproar from every liberty loving patriot, who had fought and won the war for independence. The conservatives of that time were compelled to accept those first 10 amendments which we affectionately term the Bill of Rights, else the Constitution as drafted would not have been ratified by the Thirteen Original States.

This landmark decision reaffirms and

breathes renewed breath of life into the first amendment to our Constitution, which provides:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

PRIVATE INDUSTRY AND NUTRITION

Mr. McGOVERN. Mr. President, the Select Committee on Nutrition and Human Needs, of which I am chairman, has been devoting itself these past 6 months to documenting the extent of hunger and malnutrition among the poorest of our citizens across this country. Our field hearings—held in Florida, Washington, D.C., California, and East St. Louis—as well as our hearings here in the Capitol, have investigated in detail the unhappy relationship between the conditions of hunger and the ineffectiveness of our federally funded food assistance programs such as food stamps, commodity distribution, school lunch, school breakfast, and supplemental food plans. We have found these programs failing because of inadequate funding and haphazard or deliberately restrictive administration. These findings have aroused a sense of outrage among the American people that the administration and congressional committees have responded to by recommending increased funding and administrative reforms in these programs. As I have said before, I do not believe that these efforts had gone far enough, and I shall continue to fight for more money and more reforms; but I commend the administration, and my colleagues in both Houses, for their recognition of hunger and malnutrition as a national disgrace that must be wiped out.

An area of inquiry of great importance, fully equal in importance to the inquiry into the operation of our Government programs, is the so-called private sector. To date, our select committee has given only minimal attention to the private sector. Looking a little into the future when the commodity distribution program will be completely replaced by food stamps—or food stamps replaced by some sort of minimum income program—we can see that all of our citizens will be purchasing their food from the private marketplace. The quality of that food, its nutritional value, is, therefore, a matter of legitimate concern.

It has been said often, Mr. President, that our people have never been so well off, never so well fed. Of all our technological feats, our agricultural feats have been the greatest of all. Our farmers and agricultural businesses produce more and more food every year. It is for this reason that the plight of millions of our poor who do not have enough to eat has so struck the Nation's conscience. It is a paradox that is difficult to understand, it is a situation that is clearly unacceptable and clearly preventable.

It appears, Mr. President, that we may have yet another paradox to deal with, one that affects not just our poor citizens but also our vast middle class and even the richest among us. There is some evidence that, despite our abundant production, our technological marvels of food processing and our magnificent marketing systems, our population as a whole may be falling prey to disturbing dietary deficiencies. The national nutrition survey, while examining census tracts with average income levels in the lowest quartile, has included families cutting across all income levels. The dietary deficiencies it has found, while afflicting the poor most frequently, have also struck at the well off. The evidence being gathered by the national survey is supported by an analysis of a 1965 survey recently released by the Department of Agriculture.

The Agriculture Department, comparing its 1965 survey with a similar survey conducted in 1955, concluded that in some specific nutrients—iron, vitamin A, ascorbic acid—the dietary status of the Nation as a whole appeared to have deteriorated.

This conclusion, incredible as it may sound, calling into question all our assumptions about the technological progress we seem to have accomplished, requires some critical examination. I believe that it calls for a serious inquiry into the general nutritional quality of foodstuffs now being marketed, the performance and nutritional standards of our industry, the performance of our Government agencies charged with monitoring industry and maintaining nutritional standards, as well as the role of the scientific and medical community in setting and maintaining these standards.

We live in a nation constantly changing, never faster and never with more difficulty than it is today. We are more mobile and more mechanized than ever before. The habits of a generation ago are almost anachronisms today. This is as true of eating habits as of any habits. This generation has been called the Coca-Cola and hot dog generation. To those two food items, we could add innumerable other soft drinks and luncheon meats, countless cookies and crackers, an endless variety of TV dinners and other foods ready to pop into the pot or the oven and serve in minutes or seconds. Some analysts of our eating habits foresee the day when breakfast and lunch, as we know them today, will practically disappear, the only family meal remaining will be dinner, Nutritionists foresee the time when orthodox nutrition education—a little of this, and of that, and of this—will be as obsolete as home-baked bread. Certainly, any competition between traditional nutrition education and the effects of mass media advertising of convenience foods will be a no-contest affair.

There are really two sides to the question of foods currently being marketed—quality and safety. More and more, I hear people questioning the nutritional quality of the items they purchase in the supermarket. They wonder how much beef is in the can of stew and what grade of beef. They wonder how much vitamin C is in the can of concentrated orange juice that they choose from the refrigerated compartment. They wonder how much lamb is in a jar of mixed vegetable and lamb baby food and how much real fruit there is in a jar of mixed strained pears and pineapple. They wonder how much vitamin C is left in the mashed potatoes that come with the turkey TV dinner. They count the cherries in the picture on the cover of a cherry pie, then count the cherries in the pie itself and find far fewer than the picture would lead one to believe was there. They buy all-beef frankfurters or all-beef bologna and are stunned when they learn that the all-beef item consists of more than 30-percent fat, 60-percent water, and only 10-percent beef.

They carefully select a nondairy coffee creamer to cut down on cholesterol then learn the creamer contains highly saturated fat coconut oil.

Sometimes, directly tied to the question of deteriorating quality is the question of safety. More and more companies are computerizing production. The job of the computer is to regulate cost so that the company's profit margin is maintained. As the cost of ingredients vary, the composition of the product varies. As the composition varies, it is sometimes necessary to include some additives or other constituents to maintain the product's texture and flavor. Some of these additives and constituents may be as common and seemingly harmless as salt, sugar, monosodium glutamate, or starch. They have been used by humans for years with no apparent ill result. They are on the GRAS—generally regarded as safe—list of the FDA. But for years, people have known how much they were using because they were adding these things themselves in their own homes. Now they are being added for them in a myriad of processed foods. They do not know how much is being added to how many items. They have no way of knowing exactly how much they are consuming in a total way. And there has been no systematic research on the possible effects of those changes.

Two agencies of the Federal Government—the Food and Drug Administration and the Department of Agriculture—are primarily responsible for monitoring our food supply. Unfortunately, their responsibilities, while many and varied, do not specifically include the maintenance of quality and nutritional levels. Both are more concerned with the safety—the potential harmfulness—of marketed foods than with their nutritional value. The rule of thumb that the FDA is now applying to drugs—that they must do positive good, not just be harmless—is not yet being applied to our foods. I believe, given the indications that we now have of dangers to health from malnutrition, that the time has come to be as concerned about the positive nutritional values of our foods as well as their potential ill effects. The Department of Agriculture has, for years, assisted our farmers and agribusinesses in producing more and more food. Yet, the Department has taken much less interest in what happens to that food from farmer to processor to consumer. Its food standard setting procedure has accommodated industry practice more than nutritional needs. The recent hearings

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on hot dogs are a clear indication of that. The Department admitted that its recommendation on the fat, and indirectly the protein, content of hot dogs was based primarily on the prevailing practice of the industry. It also admitted that it had not consulted with any recognized nutritional authorities, in Government or out, as to what would be the ideal standard from a nutritional point of view. The standard for hamburger was set so long ago—the fat limit in hamburger, by the way, is 30 percent—and in such an apparently informal way, that nobody in the Department is quite sure how it came about or on what grounds that limit was chosen. It is highly likely that neither nutritional nor consumer representatives were consulted.

The problem of outdated, perhaps irrevelant standards, is most acute, however, with the Food and Drug Administration. Most of our important standards for fortification were the product of a national need to maximize nutrition in the population during World War II. The standards for the fortification of bread, for instance, was set during that period and is unchanged today. The fact that it has remained unchanged immediately calls into question its relevance. Bread is no longer as widely consumed or in as much quantity. It is being cut out of diets by a weight-conscious population or replaced by a variety of other baked items, few, if any of which are fortified. Even if the consumption of bread was not unchanged, the kind of fortification in it would still be outdated. The National Research Council's Food and Nutrition Board has published minimum requirements for a number of nutrients which were undiscussed during the period of World War II. These new nutrients have yet been translated by the FDA into standards for foods now being marketed. FDA knows that many of its standards are badly outdated from a nutritional point of view. It knows that it should review all standards that have been set since the postwar period. Yet it has not done so because of manpower shortage. It is just this kind of manpower shortage that turns problems—in this case, nutrition problems—into crises and, occasionally, into disasters.

Perhaps the major change that has taken place in the food industry in the last generation has been in marketing. An emphasis on product differentiation and attention-getting packaging has produced a bewildering array of items on the supermarket shelves. I am reminded of a story I was told recently by a fellow who visited a plant of a major cold cereal manufacturer. "It is a paper factory," he said as he explained that 90 percent of the plant space was devoted to producing fancy packages and 10 percent to the cereal. The vast array of items on the grocery shelf makes it increasingly difficult for the average housewife to know whether she is purchasing a balanced diet for her family. Unfortunately, she is helped very little by reading the labels on most packages. Many products, so-called "standardized" products, do not list their ingredients. Nonstandardized products do list their ingredients, but not on a percentage basis. The law requires that they be listed in descending order of quantity in the product, but I doubt if 1 percent of the Nation's customers are aware of that fact. No products are required to list the amount of protein or fat or essential vitamins and minerals, making it impossible for a consumer to compute the relative nutritional cost of comparable products—impossible, that is, unless he or she is buying animal feed or pet food. These products carry the most complete list of ingredients imaginable, the amount of protein, fat, and carbohydrate, every conceivable vitamin and mineral. It has been said that people pay more attention to what they feed their animals than what they feed themselves and their children. Certainly, for the housewife buying food for her family and food for the family dog, there is little choice. She can tell what she is getting for Fido just by reading the back of the box. The only way she could really tell what she is geting for the family is by writing to the manufacturer or by taking the food to the nearest laboratory for a composite analysis.

Another curious aspect, Mr. President, of our nutritional situation is the fact that many of our largest food corporations, encouraged by the Government, are using their technological expertise to develop and market new nutritious low-cost foods for the so-called less developed countries. I spoke earlier in the year of one of these products—CSM—but there are others I did not mention: Nutritious as well as refreshing soft drinks; nutritious as well as filling pancake mixtures; nutritious as well as appetizing crackers and cookies. The question that immediately comes to mind, of course, is why we cannot do for ourselves what we are doing for others. I understand that the Office of Economic Opportunity is conducting a pilot program patterned after our overseas program. I hope the select committee will have an opportunity to investigate that program to see what its potential might be for attacking our domestic nutritional problems. I personally believe that the potential is considerable. I believe these companies have a wealth of experience that can be applied to our problems here at home, and I am sure that, if they are given the encouragement and the freedom they need, they will jump at the opportunity to move ahead here.

These are some of the subjects, Mr. President, which the select committee will begin to inquire into during its initial hearings beginning on July 15 and extending through this month. Some of the areas we will be inquiring into are food fortification, development of new foods, foods for children, Government food regulations, our overseas experience in the food-for-peace program and nutrition education. Our first witness, on the 15th, will be consumer advocate Ralph Nader. We will also hear witnesses from a variety of Government agencies—FDA, USDA, AID—experts from the medical and nutritional communities, leaders from some of our major food corporations, and individual private citizens with special competence in these areas. We cannot expect, in these initial hearings, to do more than begin to scratch the surface of this extremely complex but challenging area. But I do hope that even this initial inquiry will be both informative and productive, will raise extremely important questions, and begin to point toward possible remedies.

TAX LEGISLATION

Mr. LONG. Mr. President, discussions in the Democratic policy committee, like discussions in the Republican policy meetings, are generally regarded as confidential. They are not usually matters of public record. I see no point in making a matter of public record what was confidential at the time it was discussed.

The rule we have pursued for many years in the Finance Committee is that one should be privileged to state his own view, what he said, and how he voted, in executive session, but he would not have the right to say how other Senators had voted, unless those Senators decided that should be the case.

I think perhaps some of the confusion in the press about our procedure on the revenue bill and the extension of the surtax results from the fact that the press was not privy to conversations among Senators which were more or less of an executive nature or confidential at the time those conversations occurred.

Let me state what my point of view is as to the procedure on the tax bill. As far as I am concerned, so other Senators may be informed, I am making it a matter of record as to what the procedure is to be. As stated in the letter of the majority leader, it was the view of the policy committee that when the surtax bill was before the Senate, it would be appropriate to consider measures relating to tax reform. The majority leader's letter to me makes that clear. In the discussions with the policy committee, I personally made it clear to Senators that, in the judgment of the Senator from Louisiana, it would be impossible for us to bring before the Senate over a period of 30 or 90 days all of the tax reform proposals that the Finance Committee possibly could generate. If one is talking about a comprehensive, overall reform of the tax structure, to consider every businessman's situation and to try to bring his tax situation in line with everyone else would require a great deal of time. In former years, such reforms have taken as much as 1 year of study in the executive department and then 2 years of study in the legislative branch.

My thought was that it would be satisfactory to have meaningful tax reform in connection with the revenue bill before the Senate. That bill has some urgency about it. One might not buy President Nixon's argument that the bill is necessary to stabilize the economy, to prevent runaway prices in face of the rapid degree of inflation presently existing, to protect the value of the dollar as a monetary item throughout the world, to balance the budget, or for any such purpose at all. But if one buys even a part of President Nixon's argument for the extension of the surtax—and he is contending the same thing President

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Johnson contended before he left office—then there is something urgent about the matter, because there is a termination date with respect to it. The Senate extended the withholding rates under the surtax for 31 days, on the recommendation of the House of Representatives.

It was the view of the policy committee that the Senate Committee on Finance should have 90 days, if it wanted that time, to consider the matter and to bring before the Senate a bill which we hoped would be enacted before that period of time expired.

I want to make it clear that the view of the Senator from Louisiana, every step of the way, has been that we would be willing to consider and vote on any amendment any Senator chose to propose, whether we liked his amendment or not. It is already within the power of every Senator to have his amendment considered and voted upon on the floor, if not in the committee.

Our view was that it would not be possible to consider all the suggestions that might be generated within the field of tax reform as a part of the surtax extension, even though, if a Senator wanted to offer his amendment, it would be considered.

So the Senator from Louisiana made a statement on July 8, 1969, which appears in the Congressional Record beginning on page 18562, indicating how he proposed to proceed in the committee. Basically, it was that we would hope public witnesses would, as expeditiously as possible, testify on the House-passed bill. Thereafter, we would invite Senators to testify before the committee with regard to their suggestions for amendments, hoping to get consideration of the bill to a conclusion and to have the bill acted on within the expiration date of July 31.

I then explained my position in a speech I made on the floor. If a Senator wanted his amendment considered by the committee, he should have it printed so we could look at it. I suggested the Senator should have it printed by the 18th of this month, by next Friday, so it could be part of the committee's consideration.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG. Mr. President, I ask unanimous consent that I be permitted to continue for such time as I may require.

The PRESIDING OFFICER. Is there objection?

Mr. MANSFIELD. I object. Could the Senator make it a definite time? Ten minutes?

Mr. LONG. Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. So, Mr. President, the Senator from Louisiana felt that if we were to bring this matter to some sort of conclusion, we should not be conducting hearings on loose concepts and ideas; we should be talking about concrete legislative proposals. The suggestion of the junior Senator from Montana (Mr. Metcalf) is exactly the kind of thing I was talking about. We would urge the Senator to submit his amendment. Then we will schedule a time to hear the Senator and we will be glad to hear him on his amendment.

Mr. METCALF. I have done that.

Mr. LONG. Yes. Please understand that the chairman of the committee cannot bind the committee, nor can he bind the Democratic Policy Committee, nor can he bind the Senate, with regard to the rights of Senators. If a Senator does not wish to submit his amendment, if he wants to just wait and offer it, as a complete surprise to us, on the floor of the Senate, that is his privilege. No rule can bar him from doing that. He can offer it and insist that it be voted on. I am sure that the Senator from Montana, as one who has served on both the House Committee on Ways and Means and the Senate Committee on Finance, knows that if he wants support for his amendment, he has a better chance to persuade the members of the committee if he gives them a chance to see what he proposes and question him about it.

Mr. METCALF. If the Senator will yield, that was my purpose in submitting the amendment. I have a bill, S. 500, before the committee today, but I have modified S. 500 so that it complies in all respects as an amendment to the surtax.

Mr. LONG. Yes. I thank the Senator.

Mr. President, as far as I am concerned, the Senator need not have modified his amendment, if he had just come before us and said, "Here it is—S. 500." Whether it is offered as a Senate bill or as an amendment to the House bill, it is all right with me. But we would like to have a Senator testify for something that is in print, that we can look at. We would like to know whether he proposes to offer it, so we can incorporate it into our committee print, and also assure ourselves that it does what the Senator says it will do, and we can proceed on that basis.

Mr. President, we have been able to do some things that the House of Representatives was unable to do, because of the difference in our procedure. For one thing, the House was not able to offer to public witnesses the opportunity to testify on the investment tax credit. The House did study tax reform, and after a while they brought forward a bill, and it included the repeal of the investment tax credit. Our staff, and also witnesses before the committee, have uncovered a number of inequities that clearly exist in the House bill. Those should be corrected, and we want to do that, if we can, to the best of our ability.

In addition, we have heard from public witnesses testifying on the provisions of the House bill. Tomorrow we will conclude that phase of the hearings. We have turned no one down, and I shall submit for the Record a list of the witnesses. (See exhibit A.) I believe everyone will agree that each one of those witnesses had a right to be heard and should have been heard. Fortunately, we did not have a great avalanche of witnesses, because most people are familiar with the fact that when the Committee on Finance is burdened with more testimony than it can hear, it asks witnesses to consolidate their testimony. We request that everyone in the paper manufacturing business should consolidate behind a spokesman for their industry, or everyone in the steel industry should consolidate behind a spokesman; and that type of thing has been done. Witnesses are familiar with those procedures, and they do that even without our request, and identify themselves behind one spokesman, rather than insisting on our hearing a proliferation of witnesses to explain the same point.

As I have stated, tomorrow we shall conclude the list of public witnesses on the House bill, and, starting on next Monday, we propose to hear Senators testify on their suggestions. We will then proceed, having heard them, to hold executive sessions and vote to report a bill with such amendments as the committee thinks appropriate.

I think, in fairness, that Senators will find that they are going to have more than one opportunity to vote on tax reform proposals. We will have many revenue bills. It is true that we have had very few up to now, but the Committee on Finance has found it desirable to respect the constitutional provision that revenue bills must originate in the House of Representatives. On many occasions, we have been requested by the House committee not to proceed with hearings until they had reached decisions, on the theory that some of their people would think it presumptuous for us to assume that the House was going to pass a certain bill, and therefore might proceed to vote against it just because the Members of the House of Representatives felt their prerogatives were being ignored and cast aside.

So I ask unanimous consent that an excerpt from the Record of July 8 on this subject (exhibit B), my unrevised colloquy in the committee with the Senator from Illinois (Mr. Dirksen) (exhibit C) and the statement of July 12 which I made subsequent to that (exhibit D) be printed in the Record. All of these matters are consistent, and explain, as I see it, the point that we have been proceeding to consider anyone's tax suggestions, and are now ready to hear whatever suggestions Senators want to make. After having done that, we will try to report a bill. After the Senate acts on that bill, we expect to have other tax reform proposals, whether the House sends them or does not send them, and whether they amount to something someone might call reform in one case, or a desirable tax reduction in another.

There being no objection, the items were ordered to be printed in the Record, as follows:

Exhibit A

Senate Committee on Finance

PUBLIC HEARINGS ON H.R. 12290, EXTENSION OF THE SURTAX, REPEAL OF THE INVESTMENT CREDIT, AND OTHER MATTERS

Tuesday, July 8, 1969

Witness

The Honorable David M. Kennedy, Secretary of the Treasury, accompanied by The Honorable Robert P. Mayo, Director of the Bureau of the Budget.

Wednesday, July 9, 1969

Witness List

1. William Graham Claytor, President, Southern Railroad.

2. Paul D. Seghers, President, Institute on U.S. Taxation of Foreign Income, Inc.

3. Thomas J. Ryan, Chairman of Tax Committee, National Constructors Association, accompanied by Gerald S. Ostrowski.

4. J. R. Gulan, Legislative Director, National Federation of Independent Business.

5. Brice O'Brien, General Counsel, National Coal Association.

6. Marvin L. McLain, Legislative Director, American Farm Bureau Federation.

7. Angus McDonald, Director of Research, National Farmers Union.

Friday, July 11, 1969

Witness List

The Honorable Charles A. Vanik, Representative from Ohio.

The Honorable Bob Eckhardt, Representative from Texas.

Eugene A. Gulledge, President, National Association of Home Builders.

Thomas M. Goodfellow, President, Association of American Railroads, accompanied by AAR Tax Counsel Frank McDermott.

Frank Barnett, Chairman of the Board, Union Pacific Railroad.

Andrew J. Biemiller, Director, Department of Legislation, AFL–CIO.

Charles I. Derr, Senior Vice President, Machinery and Allied Products Institute.

Peter Nevitt, Senior Vice President of GATX-Armco-Boothe, and Boothe Computer Corporation.

Roscoe L. Egger, Jr., Member, Taxation Committee of the Chamber of Commerce of the United States, accompanied by Rother R. Statham, Taxation and Finance Manager, and Dr. Carl Madden, Chief Economist.

Monday, July 14, 1969

Witness List

The Honorable George McGovern, Senator from South Dakota.

The Honorable Henry S. Reuss, Representative from Wisconsin.

W. P. Gullander, President, National Association of Manufacturers.

Joseph V. Ferguson, Air Products and Chemicals, Inc., accompanied by Leon C. Holt, Jr., Vice President and General Counsel, and Neal Powell.

Edwin A. Locke, Jr., President, American Paper Institute.

Albert Lannon, Washington Representative, International Longshoremen's and Warehousemen's Union.

Tuesday, July 15, 1969

The Honorable John Sparkman, Senator from Alabama.

Don Magdanz, Executive Secretary, National Livestock Feeders Association, accompanied by G. L. Hadley, President.

The Reverend William T. Hogan, Professor of Economics, Fordham University.

Herbert B. Cohn, American Electric Power Service Corporation, and Edison Electric Institute.

Harry A. Poth, Jr., Minnesota Power and Light Company.

John M. Randolph, Chairman of the Board, Randolph Computer Corporation in behalf of Computer Lessors Association, Inc.

John W. Scott, Master, National Grange.

John Huffaker, Chairman, Committee on Transition Rules Upon Repeal of Investment Credit of the Philadelphia Bar Association.

E. A. Trigg, President, Alcan Aluminum Corporation.

George W. James, Vice President of Economics and Finance, Air Transport Association.

J. W. Henderson, Jr., Chairman, Railway Progress Institute.

Richard Owen, Baker Industries.

Exhibit B

Tax Legislation

Mr. Long. Mr. President, with regard to the proposed extension of the surtax and the issue of tax reform, I ask unanimous consent that statement which I made at the opening session of the Committee on Finance be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

"Tax Reform and the Surtax

"This is the first of a two-part hearing with respect to H.R. 12290, a bill passed by the House of Representatives to extend the income tax surcharge and to repeal the 7 percent investment tax credit. The bill also continues for another one-year period the present 10 percent excise tax on telephone service and the 7 percent tax on passenger automobiles. In addition, it provides a special low income allowance which relieves millions of poverty-level wage-earners from the tax rolls. Finally, it allows air and water pollution control devices to be amortized over a 5-year period.

"During this first portion, the Committee will receive testimony from the Secretary of the Treasury and the Director of the Bureau of the Budget with respect to the need for the legislation. We will also hear public witnesses with respect to the provisions in the House bill. If the Secretary concludes his testimony today, we will begin hearing public witnesses tomorrow.

"In the second phase of the hearing, the Committee will take testimony with respect to tax reform.

"There will be no tax hearing on Thursday, July 10, because of a prior commitment to the Subcommittee on Veterans' Affairs which will be inquiring into several matters relating to the Veterans' statutes.

"Before recognizing the Secretary of the Treasury, let me make an announcement with respect to the Committee's schedule for considering tax reform.

"TAX REFORM HEARINGS

"In our Committee on Finance it has been the practice to hold hearings on specific bills and amendments that Senators are interested in. This procedure differs from that followed by the Committee on Ways and Means where hearings often precede the introduction of a bill.

"In keeping with this practice of the Committee, I plan to announce to the Senate that our tax reform hearings are going to be just as broad and comprehensive as the Senators want them to be. All we ask is that the Senators draft and indicate to us all of the tax reform proposals they desire to offer to H.R. 12290 so that we can conduct hearings on them before we take the bill up in executive session.

"I know most Senators will agree with me that we should not take taxpayers by surprise and take up amendments which may affect them without giving them an opportunity to state their side of the question. That's what the hearings process is all about.

"Similarly, a Senator should be entitled to state to the Senate that his tax reform suggestions have been through the hearing process in the Committee on Finance and thus prevent that procedural argument from being used as a device to build up opposition to his amendment. He should be entitled to get a vote on the merits of his tax reform suggestions.

"IDENTIFICATION OF TAX REFORM PROPOSALS

"So to be fair to them and to the Senators who want to propose tax reform amendments to the surtax bill, I urge that Senators who have introduced bills in the Senate identify to the Committee on Finance those which they intend to call up as amendments during Senate consideration of H.R. 12290.

"If Senators have tax reform suggestions in mind that they intend to propose but which have not yet been introduced, I urge that they introduce them and identify them as matters they would like to have considered during discussion of H.R. 12290.

"If Senators will cooperate with the Committee on Finance in this way, we can publish all these tax reform suggestions in a Committee print and make them the basis for the tax reform phase of our hearings.

"No Senator will be deprived of the right to a hearing on his tax reform ideas. But in order to advance these hearings in an orderly manner, it is necessary that we know within a specified time exactly what the Senators want to propose in the way of tax reform.

"Therefore, I urge Senators to let us know by Friday of next week—July 18, 1969—what they plan to offer in the way of tax reform. Then we can schedule our tax reform hearings to begin promptly the following week—the week of the 21st.

"I believe this procedure recognizes the right of every Senator to offer whatever tax reform amendment his conscience dictates, and at the same time, enables the Committee on Finance to carry out its responsibility to the Senate.

"SENATE DEMOCRATIC POLICY COMMITTEE POSITION

"I might add that in my opinion this procedure also fully conforms to the announcement made on June 25 by the distinguished Majority Leader that the Democratic Policy Committee had voted unanimously:

" 'That any proposals to extend the income tax surcharge be considered simultaneously with recommendations on meaningful tax reform.' and

" 'That the present income tax withholding rates be continued after June 30, 1969 for a period of one quarter to permit full consideration and disposition of the reform and extension of the surtax.'

"The Majority Leader elaborated on the Policy Committee resolution in a letter to me dated July 1. In his letter he emphasized that the debate on the Floor prior to passage of the 31-day extension of the surtax withholding rates 'clearly specifies that additional extensions will be forthcoming if necessary to afford the ordinary processing of intended tax reform through the Senate Finance Committee.'

"It is my purpose today to implement the Majority Leader's announcements by again urging that Senators identify their tax reform proposals to us by July 18 so that the Committee on Finance can proceed with the ordinary processing of intended tax reform."

Mr. Long. Mr. President, I also ask unanimous consent that the letter of the majority leader addressed to the chairman of the committee, dated July 1, 1969, be incorporated in the Record at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

"U.S. Senate,
"Office of the Majority Leader,
"Washington, D.C., July 1, 1969.

"Hon. Russell B. Long,
"U.S. Senate,
"Washington, D.C.

"Dear Russell: At the meeting of the Democratic Policy Committee on Tuesday, June 24, 1969, the following resolution was unanimously adopted:

" 'Whereas, the Senate Majority Policy Committee, having met and considered the matter of the extension of the income tax surcharge, hereby resolves:

" 'That meaningful tax reforms should be adopted as a means of achieving an equitable national income tax policy, and further resolves,

" 'That any proposal to extend the income tax surcharge be considered simultaneously with recommendations on meaningful tax reform and further resolves,

" 'That the present income tax withholding rates be continued after June 30, 1969 for a period of one quarter to permit full con-

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sideration and disposition of the reform and extension of the surtax.'

"It was my intention of course to inform the full Democratic membership of the Policy Committee's recommendation before incorporating that action into any deliberations on the Senate floor. You will recall, however, that during the Senate's consideration of the temporary extension of the tax withholding rates last Wednesday, I publicly announced the Policy Committee's unanimous position that meaningful tax reform should be considered simultaneously with any fixed extension of the surcharge.

"The announcement was required at that time simply because Senate action was needed. The House had planned originally to consider the surcharge question on Wednesday. It was unable to do so, in fact the House leadership announced a postponement of two weeks. That event required the Senate's Finance Committee to proceed immediately with an interim 31-day withholding rate extension to preserve the status quo until House disposition of the surcharge. The short extension of the tax withholding rates was necessary to permit House action; it was undertaken at the request of the House leadership. So it was because of this impending action that I felt it was imperative to publicize the Policy Committee's position. In going on record at that time, I was hoping to assure against any misinterpretations of any subsequent extensions of the withholding tax rates to permit additional time for Senate action. The debate on the floor prior to passage of the 31-day extension of *withholding rates* clearly specifies that additional extensions will be forthcoming if necessary to afford the orderly processing of intended tax reform through the Senate Finance Committee.

"I should mention that during its deliberations on this question, the Policy Committee was well apprised of the inequities of the tax structure and the growing public awareness of this fact. To vote simply to extend the surtax would have compounded these inequities. Coupling the reform of the tax structure with any extension of the surtax thus appeared eminently fair. Indeed, for the taxpayer, it should come as a welcomed message.

"So it was for these reasons that the Committee felt that no permanent extension of the surcharge should be voted, unless and until tax reform is passed. And it should be added that Senator Russell Long, Chairman of the Finance Committee, participated fully in these deliberations and in the unanimous vote of the Policy Committee.

"I hope you will be understanding of these events that prohibited a more orderly communication of this action. I hope also you will consider favorably the position adopted on this proposal.

"Sincerely,

"Mike Mansfield."

Mr. Long. Mr. President, it is the intention of the Committee on Finance to move as rapidly as we can, in good legislative procedure, with the surtax extension and the other amendments voted by the House.

It is also our intention to consider amendments proposed by Senators in the nature of tax reform, be they those to reduce someone's tax or those which raise someone's tax. Many Senators have ideas on this subject which they would like to have considered.

It is our hope that Senators who have amendments to be considered will have them drafted by July 18 and that they and other witnesses will be prepared to testify starting on July 21 with regard to them.

The Secretary of the Treasury testified on the bill this morning. He will be back before the committee this afternoon. It is expected that he and the Director of the Budget will conclude their testimony today. It is our hope to consider the testimony of public witnesses starting tomorrow.

I hope Senators will realize that it is important that amendments to this important legislation be considered by the committee, so it can vote those suggestions up or down, improve them if we can, before they are offered on the floor. I think most Senators will agree that it is appropriate that the committee have an opportunity to study their suggestions before they are offered on the floor to a big revenue bill.

Therefore, we hope to commence hearing those matters the week beginning Monday, July 21, and perhaps concluding on Friday; proceed immediately into executive session; and report the bill the first week of August. If that can be done, perhaps the bill will be voted on before the Senate takes its recess in August. If we cannot do it, we will have to ask for another extension of the surtax withholding rate.

When we asked that the bill be voted extending for 31 days the withholding tax rates, we did so at the request of the House. That was not a proposal initiated in the Senate. It was because of a problem confronting the House Members that we asked for the 31-day extension of the withholding tax rates. We will perhaps find it necessary to ask for an extension in our own right, and we think the House will be considerate of us, just as we were considerate of the House when they asked us for a 31-day extension. We hope we will not have to do it, but it may be necessary.

If the Senator from Illinois (Mr. Dirksen) wishes me to clarify the record further, I will be glad to try to do so.

Mr. Dirksen. Mr. President, I explored this matter with the Secretary of the Treasury and the distinguished chairman of the Senate Finance Committee in open committee session this morning. I tried to point out that if we waited until the 18th of July to get in all the tax reform proposals, we would then have to set hearings, hear Senators first, and then Government witnesses, and then outside witnesses. Then, after a time, we get around to the marking up of the bill. After the markup the staff has to prepare the report. Then the bill goes to the Senate Calendar. Always, right ahead of us, is the 13th of August date, because that is when the late recess begins. That is immutable and cannot be changed. So if no bill is passed, then nothing more can be done until after Labor Day. Meanwhile, we have to go to conference. We cannot go to conference unless a bill has been passed in some form or other. So it goes to the third house. The custom is for the third house to wrestle with it for a long, long time.

So one can well apprehend that, unless these delays are not met, we are not going to get a tax bill until late in the year. Obviously, the inflationary fever is going to be eating away at the economy. I would not like to undertake that kind of responsibility if there is a way to somehow accelerate this matter and get quicker action on it.

Obviously, if possible, we could bring in a bill relating to low-income people, the so-called top credit, and the surtax bill—those three items—put them in a package and let the other reform items come in a later package. I know there is an indisposition to go along with that idea. On the other hand, haste is essential, because it is vital that we find a cure and a solution for inflation.

Mr. Long. Mr. President, I think I should state that it was the view of the Democratic Policy Committee that tax reform should accompany this tax bill. I certainly agreed with that procedure. I did not feel that I was according anyone any right that was not his anyway, because we have no closed rule in the Senate. Any Senator can offer any amendment he wants to on a revenue bill. He can offer any amendment he wants to on a revenue bill, except a constitutional amendment, and remain entirely within the rules.

Senators who have their favorite amendments will offer them in any event. We cannot deny them that right. That being the case, it seemed to me we might as well go ahead and agree that we would be willing to hold a hearing on amendments Senators might offer.

Perhaps we can work out some way to expedite this matter. As far as I am concerned, I am willing to help. At the moment, I would like to continue doing what we are doing. But I must say the House somehow resents the Senate's undertaking to initiate big revenue measures.

The Vice President. Under the previous agreement, all time having expired, the question is on the motion to concur in the House amendment.

Mr. Long. Mr. President, I ask unanimous consent that I may proceed for 1 minute.

The Vice President. Is there objection? Without objection, it is so ordered.

Mr. Long. Mr. President, as I said, at the moment I am satisfied we are doing what we should be doing. We are moving as rapidly as we can. We have heard the Secretary of the Treasury. We hope to conclude his testimony and that of the Director of the Budget. Tomorrow we expect to hear public witnesses. Starting on July 21, we expect to hear Senators and other witnesses testify on their pet proposals or such amendments as they may want to propose, which they feel will make for equitable tax reform, whether on the up side or on the down side, as may suit Members of this body.

Perhaps we might be able to prevail on the Senate to follow the approach suggested by the Senator from Illinois, but that is not before us at this time. In the meantime, we will go ahead as we are.

Exhibit C

Excerpt From the Hearing on H.R. 12290 Before the Committee on Finance, U.S. Senate, Tuesday, July 8, 1969

Senator Dirksen. Mr. Chairman, I would like to have you listen very carefully, because the timetable begins to not only intrigue me but it begins to concern me some. The old preacher in Ecclesiastics said there was a time for every purpose and a season for everything.

Now I note, Mr. Chairman, in your statement this morning that you expressed the hope that those who had tax reform proposals should submit them by the 18th of July, so they could become part of the committee print, and then it would be your purpose to hold the hearings on the committee print, so that all Senators and I presume all others who might be interested would have a free and open chance to testify. Is that substantially what you have in mind?

The Chairman. Yes.

Senator Dirksen. Now of course it is difficult to say how many witnesses there will be and how long it will take, but when the witnesses have completed their testimony, it then becomes necessary to sort of finalize everything and put it in form for the committee, and then prepare for a markup of the bill. That is the usual custom. Now that may take a little time, because comment has a way of getting chewed up here in legislative laws.

What I am thinking about, Mr. Chairman, is that the official late summer recess, which the leadership agreed on in January, will begin at the end of business on August 13. There will be that period from August 13 to September 3 which the Senate will not be in session, so that regardless of what committees may do, they can sit if they like and they can take testimony, but there will be no Senate action of any kind until the day after Labor Day. That will be the third of September.

Mr. Secretary, that is taking us pretty deep into the year 1969, and I am thinking in terms of urgency here. I fully appreciate the problem which confronts the Chairman of

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the committee, and I know also that he has to be properly responsive to the hopes and the desires of the Policy Committee on his side of the aisle, so I just wanted to get a reading here as to when we are likely to get a tax bill, and how deep this is going to go into this fiscal year. We are in a new fiscal year now.

The Chairman. I think the question was directed as much to the Chairman as it was to the witness.

Senator Dirksen. It was.

The Chairman. So I will try to answer it. It seems to me that we should keep in mind, and I personally favor it, that this is a reform bill as well as a revenue bill to begin with. There are two kinds of reform. One is giving some tax relief to someone whom we think is paying too much taxes. Now the Administration sent its own tax reform package in on the relief side recommending relief to low-income taxpayers. It also had a form that some of us thought was justified in the current circumstances to repeal the investment tax credit. Now that is a reform in terms of making someone pay more taxes. So those would be probably the two big items. Whether we embellish them or modify them dollarwise I think they are likely to be two of the biggest items in the reform package anyway.

Now this committee and this Senate does not operate under a closed rule as does the House. Any Senator can offer his proposals. The Senator from Indiana, for example, has informed us that he is going to offer his version of what the Social Security laws ought to be as an amendment to this bill and we had better be ready to vote on it because he is going to insist on a vote and we have no power to prevent a Senator from offering his amendments, so we agreed that we would vote on tax reform in connection with this bill and he was simply conceding the right that every Senator has to offer his proposal.

Senator Harris over there has a proposal for a minimum income tax on favored taxpayers. He thinks they ought to pay something. It has been drafted. He has a proposal he proposes to offer. We may change it around a bit between now and then but I suspect we will vote on it. Notwithstanding that, it will be my hope that we could report this bill before the first of August from this committee. Maybe we cannot, and if we cannot, then we will just report it as soon as we can, by the first week in October, and hope to pass it with a week of debate, but if it is possible I would hope we can report this bill by the first of August or some time within the first week in August.

Senator Dirksen. Mr. Chairman, I would utter the hope that it might be reported before that time, and considered by the Senate before that time. But when you have a committee bill obviously the sky is the limit as to the number of amendments and proposals that will be offered, and so we will be confronted with the old story that we are coming forth with a Christmas tree, all the good things are on it, and of course, that is going to take time. You cannot dispose of those just overnight or in a summary fashion either in the committee or on the Senate floor, but August 13 is our deadline that has been fixed, and it is rather immutable and we either get in under the wire or we go over until after the third of September.

Now then, you still have another problem. There are not only two Houses around here, there are three. The Conference Committee is the third House. Obviously there are differences, and then it must go to conference, and I know from past experience that it has required time to work a bill out of the Conference Committee and get it back to the House and Senate floors for final approval.

So, Mr. Secretary, we will be later and later here. Meanwhile the inflationary fever continues to strike its fitful flames into the economy.

Secretary Kennedy. I think it is urgent, Senator, and we must move. As the Chairman indicated, he would move aggressively on this as we must move.

Senator Dirksen. I felt that the timetable ought to be explored a little, and if anybody else wants to put in on this discussion he may do so. But we owe it to the country, we owe it to business and industry and we owe it to the committee to at least charter our course a little and see about where we expect this, and all of this is of no avail unless it gets on the books, and book law and forceful law.

Secretary Kennedy. There is great uncertainty in the public mind.

Senator Dirksen. I would gather so.

The Chairman. I will be happy to discuss the procedure with the Minority Leader of the Senate, the Senator from Illinois. He certainly has a heavy responsibility and I realize the problem.

Now as far as this Chairman is concerned, he will seek to cooperate in trying to move as rapidly as we can.

Senator Dirksen. May I say the Chairman always has cooperated.

The Chairman. I am satisfied that we are doing what we ought to be doing today, and maybe we might want to change our proposed schedule, and I will be glad to consider any suggestions that someone might offer. It was my hope, however in the statement that I made, that it would help us to expedite procedure because we were hopeful to avoid coming and testifying to something that they just take off the tops of their heads. We would like to see something in writing that they would like to see done in terms of an actual amendment drafted, not someone just testifying vaguely on his general theory of taxation and things of that sort. The whole purpose here was to try to expedite these proceedings, so I would hope that we can report this bill this month, and if we cannot do it, then I would hope that we would move as rapidly as we can.

Now at the same time that is something that the committee will have to decide. The Chairman cannot do it for the committee. It is a matter for every Senator to think about and see what we can do.

If we cannot report prior to the end of August, prior to the end of July, then certainly we will have to ask for another thirty days at a minimum, but I would imagine the House would cooperate in passing another extender if need be to continue the withholding rates until such time as we can act on this bill.

Recognizing how the House insists on its prerogatives to initiate revenue bills, and recognizing also that some people object to a Christmas tree bill—not that I do particularly—I always thought a Christmas tree bill is a bill that would pick up amendments, this would not be that definition, this would be a big bill picking up amendments, so it would be something that it is a big enough horse to carry almost any rider I would think, and if the Senators wanted to they could offer anything except a Constitutional amendment on this bill.

Exhibit D

Senate Consideration of the Surtax

The Honorable Russell B. Long, Chairman of the Senate Committee on Finance, today made the following statement with respect to the Senate consideration of H.R. 12290, the bill to extend the ten percent surtax and to repeal the seven percent investment tax credit:

"There has been enough misunderstanding of the position of the Senate Committee on Finance and its members with regard to the extension of the surtax that I believe an explanatory statement is in order. Here is my position:

"First, the Senate Finance Committee should correct such inequities as witnesses before the Committee and members of the Committee staff have uncovered to assure tax uniformity and fairness in the repeal of the tax credit.

"Second, the bill should be passed as promptly as possible consistent with sound and constructive legislative procedure. This means that the bill should be passed before the end of July if possible and no later than the August recess in any event. The hearing schedule of the Committee has been set with this goal in mind.

"Third, the efforts to achieve tax reform should not be so sweeping or comprehensive as to obscure the need to balance the budget and stabilize the economy. In other words, the bill should not be so mired down in endless controversy that it fails to pass before the August recess. As of today I can report that no Senator has come forward with any tax reform proposal which he insists be considered as part of this surtax bill.

"This is not to say that the bill should not have a considerable amount of tax reform in it. The bill in fact already contains several meaningful tax reforms. This does suggest that the idea of a full and comprehensive overhaul of the Internal Revenue Code should await the many months of study that such a task requires if it is to be done in a thorough and thoughtful fashion.

"In years when the Executive Branch is controlled by one party and the Legislative Branch is controlled by another, it is more important than ever that members on both sides of the aisle should be responsible in providing the President with the revenue he needs to sustain the government and the support he needs to defend the nation.

"The struggle to control inflation and rising interest costs is not something that the President can do by himself."

Several Senators addressed the Chair.

Mr. LONG. I yield to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, I thank the Senator from Louisiana for this very helpful explanation of what, to me, was a very confusing situation. He will recall that a few days ago, on the floor of the Senate, I informed the distinguished chairman of the Committee on Finance that I would offer an amendment, taking him up on his offer, to reduce the oil depletion allowance.

In the meantime, my staff and I have been in touch with the staff of the Committee on Finance; they told us when we could testify, and when they wanted the amendment introduced.

Therefore, I was shocked to see it reported in a newspaper that no Senator had stated that he favored any specific amendment to the surtax bill along the lines of tax reform, because I thought I had made my position sufficiently clear.

I have offered my amendment today on the floor, and it will be printed, and therefore I hope it will be considered by the committee in due course.

Mr. LONG. The Senator will be heard. If the Senator will read the two statements which I hand him together, he will see what the proposed procedure was.

I was well aware of the fact that Senators were going to offer these amendments, but I was hoping to restrict the hearings so that we would not be asking people to come before the committee and testify merely on their general views on

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taxation. That could go on forever. It was my hope that Senators would have their amendments drafted and offered.

The depletion amendment the Senator proposes could be drafted very simply. He could provide to strike out where it says "27½ percent" in the Internal Revenue Code and insert "0" or "15 percent" or "8 percent"—anything that appealed to him. But we would like to have a specific legislative proposal, as the Senator would do if he were calling the amendment up on the Senate floor.

If we all knew what Senators want to offer, it occurs to me we would be able to move expeditiously and efficiently than if we simply invited everyone to express his general views on taxation.

Last year, I went before the platform committee at the Democratic National Convention, and said, "Some people pay too much and some too little; we ought to have a minimum tax on the fellow who makes a lot of money, but pays virtually no tax. In such cases, we ought to tax on a different basis."

My proposal has not been drafted, but it is being worked on, and in due course it will be drafted. Senator HARRIS read that proposal in the Democratic platform, and he said, "Something ought to be done about this; here is a platform commitment. We ought to do something about it."

He is working on a draft also, but neither of us can yet qualify as a Senator who has put his amendment in as a proposed amendment to the surtax extension bill. We have not done it.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. MILLER. Mr. President, first of all, I am comforted by the realization that the leadership intends to bring out the surcharge bill in a relatively short time.

Mr. MANSFIELD. Oh, no; the Senator is mistaken. I said it would be considered separately.

Mr. MILLER. Well, separately. Although I am not sure now what the word "separately" means, if it could be that there will be amendments tacked on to it in the Senate Finance Committee. In any event, if it is brought out separately, that should be in a relatively short period of time.

I do not subscribe to the thought expressed by some Senators that all we need to do is continue the withholding, and that will tone down inflation even if there is delay in passing the bill; because, in addition to the need to keep money out of the economy through the withholding, we have inflation psychology, and there are some people in this country who are betting that the surcharge will not be continued.

The only way to lay that speculation to rest is to take action on it.

I must say to the Senator from Louisiana that I am a little bit concerned about the extent to which amendments are going to be considered in connection with the surcharge measure. The junior Senator from Montana has now filed an amendment relating to tax loss writeoffs from farming operations.

I have a bill which I have introduced. That bill is in the same general area as the one of the Senator from Montana (Mr. METCALF). However, I am not so sure that either one of these will be the approach. There is another approach presented, and that is the limited tax preference approach which some think to be the best one. However, that is not even before our committee. That measure is before the Ways and Means Committee.

I am not sure that the Finance Committee, much less the Senate, could reach a sound conclusion about either the Metcalf bill or the Miller bill until we had the limited tax preferences proposal before us so that we could study all three and determine which is the way to go.

Similarly, with respect to the amendment the Senator from Wisconsin indicates he will submit, I have an amendment which I would like to have considered in the general area of oil and gas. However, here again we are running into the limited tax preference approach, which is not before the committee. I can understand that it will be before the committee when we have a major tax reform package come from the Committee on Ways and Means. However, as of now we do not have it.

I am concerned about how far we can go in really intelligently pursuing each of the amendments, important as they may be in connection with the surtax measure, if we are going to act appropriately, since the Senator from Louisiana properly says we should have a complete picture on anything we will operate on in the Finance Committee.

It seems to me that, unless we wait for the amendments of the Senator from Montana (Mr. METCALF), the Senator from Wisconsin (Mr. PROXMIRE) and my own amendment to be considered in connection with a House-passed tax reform package, I do not think we can give the consideration to these that is due them.

Finally, a lot of concern is expressed on that side of the aisle about the need for tax reform and the need for assurances that there will be a tax reform package in addition to the surcharge measure.

I suggest that the policy committee on that side of the aisle is in control of the situation. We want to join with many on the other side of the aisle on much of this, but we do not have control of the Senate. The other side has control of the Senate.

If the other side wants to assure people that there will be a tax reform package, they can give that assurance. I think most of them have already done that.

I cannot understand the fuss over whether we will have a tax reform package. That has been made eminently clear. It has been made clear on the Democratic side of the House too, and by the administration too.

I know the chairman of the committee, the Senator from Louisiana, has given that assurance. I think we are beating a dead horse when we talk about tax reform in addition to the surtax measure.

Mr. LONG. Mr. President, the Senator has testified himself. Any other Senator may do so. I have announced how I expect to conduct the hearings. That is what I have done. If someone wants to vote for an amendment, he will not be able to vote for it if we do not get a bill before the Senate. And if one wants to vote for a measure, we should first set some ground rules by which we will conduct the hearings. If we do not conclude the hearings, we will not have a bill.

Mr. MUSKIE. Mr. President, partially in response to the observation of the Senator and partially for my information, I want to read a proposal in pursuance of the responsibility with which the Senator is cognizant and ask the Senator from Louisiana for his comment.

The language reads:

> Whereas, the Senate Majority Policy Committee, having met and considered the matter of the extension of the income tax surcharge, hereby resolves:
>
> That meaningful tax reforms should be adopted as a means of achieving an equitable national income tax policy, and further resolves,
>
> That any proposal to extend the income tax surcharge be considered simultaneously with recommendations on meaningful tax reform and further resolves,
>
> That the present income tax withholding rates be continued after June 30, 1969 for a period of one quarter to permit full consideration and disposition of the reform and extension of the surtax.

I ask the Senator from Louisiana whether the plans he has presented to the Senate are consistent with the program in the resolution, "That any proposal to extend the income tax surcharge be considered simultaneously with recommendation on meaningful tax reform and further resolves."

The Senator from Montana, the distinguished majority leader, has indicated this morning that in his judgment that language would be implemented if we took into consideration the tax surcharge extension and the reform as separate pieces of legislation, provided they are on the calendar at the same time, subject to action by the Senate within a reasonably close time.

I ask the Senator from Louisiana whether his objective, as he has described it, is consistent with that language of the resolution adopted by the Democratic policy committee.

Mr. LONG. Mr. President, does the Senator mean am I being consistent or is the majority leader being inconsistent? I am trying to get this thing straight in my mind.

Mr. MUSKIE. As I understand it, the majority leader this morning stated the objective in different terms than I had previously understood. However, as I reviewed the language of the policy committee resolution, it did not eliminate the possibility of separate pieces of legislation to deal with the two objectives. So, I assume that the majority leader had in mind pursuing the objectives stated in the resolution, but doing it through the medium of two pieces of legislation simultaneously before the Senate. That is, as I understand it, the majority leader's position.

I ask the Senator from Louisiana whether what he intends to do in both of these fields could be considered the simultaneous consideration of meaningful tax reform and the surcharge.

Mr. LONG. Mr. President, as the chairman of the committee, I have been proceeding on the assumption that we were going to bring a bill to the Senate and that the committee was going to make its suggestions as to the amendments it felt should be added to the bill. Thereafter, any Senator who was not satisfied with the committee bill could proceed to offer any amendment he wanted to offer to the bill.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG. Mr. President, I ask unanimous consent that I may be permitted to continue for an additional 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. Mr. President, I was aware of the fact that the House was going to subsequently send us some recommendations which would not have been suggested by anyone in the Senate.

That is why I do not want to agree to a suggestion that we have a complete overhaul of the Internal Revenue Code as a so-called reform amendment. I thought that the Senate should vote on suggestions that Senators might want to make, and then vote on other suggestions that night be made thereafter.

It has been my feeling that tax reform is a continuing process. Most people think they pay too much in taxes while somebody else is getting away with something and is paying too little.

Generally speaking, the average person thinks that tax reform means that he is going to get a tax cut and that somebody else, who he thinks is not paying enough, will pay more. Most Americans today think that they ought to have a tax reduction.

Mr. MUSKIE. I understand that Senators individually can initiate amendments to the tax law. I understand also that the House Committee on Ways and Means is considering tax reform and presumably will report a bill dealing with that subject, in the accepted meaning of the phrase, before this session is over.

Mr. LONG. Yes.

Mr. MUSKIE. I understand also that the tax committees of Congress can really address themselves to what anyone looking at the agenda would describe as meaningful tax reform.

What is troubling people in this country is that our income tax policy is no longer an equitable national income tax policy. If it is not, then the correction of that policy ought to involve something more than the consideration of hit-or-miss amendments offered by individual Senators or individual Members of the House. The consideration of the equity of our national income tax policy ought to originate in the committees, and out of that consideration ought to come, not necessarily every reform that could be conceived of by the mind of man, but a substantial modification of our national income tax policy, which will move it from what it now is to something that is more equitable in the minds of the income tax payers.

Now this, I am sure, is the concept that the policy committee had in mind when it adopted this resolution. So I think, as a member of the policy committee, that I had in mind that, at the right time, at some point within the first quarter of this fiscal year, we would have before us in the Senate simultaneously an extension of the surcharge and a meaningful reform proposal, which is the product of this kind of consideration.

All I am asking, because I am confused by what has been said and written over the weekend, is whether or not the distinguished chairman of the Committee on Finance has in mind moving in that direction, has in mind putting before the Senate in two pieces of legislation, possibly—but at one time—the extension of the surcharge and a meaningful tax reform proposal.

Mr. LONG. I do not have in mind putting anything before the Senate except what the committee reports.

Mr. MUSKIE. I understand that chairmen of committees have objectives in mind. I do not think the chairman of any committee I have been associated with has allowed the committee just to ramble down the road, hit or miss.

Mr. LONG. Meet one. Meet this one. So far as I am concerned, I am convinced that I cannot speak for those Democrats, unless they authorize me to, just as I cannot speak for the Republicans.

Mr. MUSKIE. But the Senator intends to influence them and try to influence them.

Mr. LONG. I have learned what little influence I have, too.

May I say to the Senator that if he will read my colloquy in the committee with the distinguished minority leader, who was not representing the policy committee, and the colloquy on the floor with the minority leader on the same subject, both of which I made part of the RECORD, he will see what my reaction was. It was that we must move this bill and must move it as expeditiously as we can.

I am aware of what the Democratic policy committee wants to do; and I say let us conduct hearings and hear those who want to testify for their amendments, so that we will have the amendments before us. If the Senator has an amendment to offer, I would suggest that he have it printed in time and offer it before the committee. Of course, he can also offer it on the floor.

Mr. MUSKIE. I do not have within my staff resources, my office resources, or my personal resources what it takes to write a meaningful tax reform bill which will achieve a more equitable national income tax policy. Yes, I have ideas in mind. I will submit them. The Senator is in a position to disagree with the policy committee. I am not challenging his right to do so. I am simply trying to understand, out of the confusion generated by this weekend's news stories and out of the colloquies on the Senate floor this morning, whether or not the Senator supports the resolution of the policy committee with respect to presenting to the Senate simultaneously proposals for meaningful tax reform as well as extension of the surcharge. I simply want to know where we are headed.

Mr. LONG. I think I supported that resolution when I tried to schedule these hearings and to get Senators to bring in their suggestions. If the Senator is aware of what I said at the policy committee meeting—and I was invited to be its guest, and I am glad that I was invited to be its guest. If the committee is going to tell us what to do, it should invite someone from the Finance Committee to be there. When they asked me my thoughts about the matter, the Senator will recall that my reaction was that this bill should be voted on.

As I stated for the record, one of the biggest reforms of all is the repeal of the investment tax credit. Under existing circumstances, I do not think it can be justified, and I advocated that it be repealed as a part of this bill. That is a $3-billion item, and it is added to a big tax bill. It is not my amendment, but I was one of those who spoke out and said that before the Democratic study group in the House, even before Chairman MILLS was known to be in favor of it. I thought that should be done.

So here it is. We will consider refinements and improvements and things that should be done in connection with that, and then we will consider, so far as I am concerned, anybody else's amendment. The Senator from Montana (Mr. METCALF) introduced his amendment, and it will be considered. We will vote on it. And if he is not satisfied, he can offer it on the floor.

The Senator from Wisconsin (Mr. PROXMIRE) wants to do something about the oil depletion allowance. I do not agree with him, and I have made speeches to that effect. He has a right to have it voted on, and we will vote on it in the committee.

May I say to the Senator that his resources are limited, and so are ours. We have only six professionals on the committee staff, thanks to people like the Senator who voted for us to have six. We had only one before that time. Insofar as we can, we will give the Senator some help, and the legislative counsel are available to the Senator, just as they are available to me. The Senator from Maine has equal access to the legislative counsel. They can help him draft whatever suggestions he wants to make.

So far as finding suggestions for tax reform are concerned, I would think that if the Senator went back to the old Treasury recommendations he would find hundreds of them—where the Treasury suggested somebody should pay more taxes and somebody else should pay less. In most cases on the down side, it is easy to buy, but on the up side it is difficult to buy. If too many tax reform amendments are included which would increase somebody's taxes, you usually cannot pass the bill, even though there is something popular in the bill seeking to give somebody a tax reduction.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MUSKIE. I ask unanimous consent that I may be allowed to continue for 30 seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUSKIE. May I say to the distinguished chairman that I think what

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he has said this morning is still subject to the difference of view that is represented by the Senator from Iowa and myself with respect to the Senator's objectives.

I hope that what the Senator has said is consistent with the policy committee resolution, not because I think it should bind him. I think the Senator is aware that the policy committee takes the position that it has no right and has no intention of usurping the jurisdiction of legislative committees. I express the hope that what we have ahead of us is consistent with the Democratic policy committee resolution.

Mr. LONG. I think I am being consistent with it, in everything I have said.

I suspect that one statement I made in opening the hearings could be misconstrued—perhaps in two instances. On one occasion, I made the statement that "these hearings would be just as broad as Senators wanted them to be." That was construed by some persons in the press to mean that I was going to delay this bill indefinitely in the committee. That was not correct. At the time I made the statement, I had just read a printed statement, which I put in the RECORD, saying that I was inviting Senators to have their amendments printed, and be prepared to testify—that they should have them printed by the 18th and be prepared to testify starting on July 21, which is next Monday. My invitation to Senators was to limit our hearing to the amendments they want to offer, and thus keep the hearing from getting mired down in ceaseless discussion of general tax policy.

But we would like to have a printed amendment. In that way we will have a more limited hearing.

Mr. ELLENDER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG. Mr. President, I ask unanimous consent that we may proceed for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. I yield to my senior colleague from Louisiana.

Mr. ELLENDER. Did I understand my colleague to state that aside from the public witnesses, the only other witnesses to be heard would be Senators?

Mr. LONG. That is how I would hope to proceed. I would hope we could bring the hearings to a conclusion.

Mr. ELLENDER. I hope so also, because if every Senator introduced one of these meaningful tax reforms we would be here until Christmas. I hope the Senator takes up the bill before him. Let us get rid of it and later on take time to look at the matter thoroughly. Then there could be outside witnesses to help accomplish that.

Mr. LONG. That is what I had in mind. We have had public witnesses on the House bill. If 10 people desired to testify over here in opposition to every amendment proposed by a Senator, and we took the time to hear all of those public witnesses, we would never get the bill to the floor of the Senate. We would prefer to have amendments submitted in writing. Then I would prefer that we limit ourselves to hearing Senators testify in favor of their own amendments. That way we can finish the hearings before August. I think we are on sound ground in asking Senators to have amendments printed before they come in to testify.

It may mean that somebody does not get a chance to testify against a particular amendment but that is the way it was done in the other body on the investment credit repeal.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, I wish to join the chairman of the committee in expressing the hope that we can expedite consideration of the surtax bill. I can state, and the record will prove, that I have been just as determined as any other Senator to have consideration by this Congress and our committee of meaningful tax reforms.

I think that to do otherwise Senators on both sides of the aisle would be negligent in their responsibility and would fail in their duty to the American taxpayer. We must give consideration to meaningful tax recommendations to correct certain inequities in our law.

I am as determined as anyone else to correct some of these inequities. I think it would be a mistake, however, to withhold our action on the surtax bill until after we have been able to complete hearings and report a meaningful tax reform proposal. There is already too much uncertainty in the financial community as to whether Congress will or will not extend the surcharge, and there is uncertainty as to whether or not Congress will repeal the investment credit. I think the continued uncertainty will create more confusion and more problems in our economic system. For that reason it is important that we dispose of this matter as soon as possible. In urging prompt action on the surtax bill, I join with the distinguished majority leader and others who suggest that the Senate needs to be assured that we will have an opportunity to vote on meaningful tax reforms.

I wish to point out one of the problems with which we are confronted in handling tax reform problems without adequate hearings, and I do not mean filibustered hearings—I mean proper hearings. When one speaks of minimum taxes on everyone he is, in effect, proposing to repeal a part of the present tax-exempt status of State and municipal bonds. When that is seriously proposed—and it is possible our committee will be confronted with that suggestion—we are going to have requests from nearly every Governor of every State and nearly every mayor of every city. They will want to present their views because their borrowing rates on State and municipal bonds will be affected. They have a right to be heard. The Finance Committee could not turn down a request for a hearing from the Governor of a State.

I cite this one example to illustrate that we could not possibly complete the hearings and have the tax reform bill reported in time to get action before Congress recesses in August. I think it would be most unfortunate to defer action on the question of extending the surtax or repealing the investment credit until after Labor Day.

I think there is a way we can proceed. The chairmen and the ranking members of the Committee on Ways and Means and the Senate Finance Committee can give assurance that committee hearings will be held promptly. We would then be ready to report the tax reform bill promptly after the House passes the bill, which is expected around the first of August. In this way we can get a tax reform bill. We can proceed now to vote on the surcharge extension knowing for certain we will have a chance to vote on the various reform proposals.

I say this as one who has rather fixed ideas as to some of these needed reforms. I see the Senator from Wisconsin (Mr. PROXMIRE) is in the Chamber. We both feel we should revise the law with reference to oil depletions. That matter will be debated, and we will do our best to get a vote on it at the most strategic time.

If we were to take certain of the so-called lesser controversial reform measures and put them on the surtax bill I would be afraid that we would never get any real tax reform measure. For that reason I would rather separate them in their entirety than to put some of them in each proposal. I do not think we could possibly include them in one bill and complete action by September. It would be a tragic mistake to make a decision to delay all action until fall.

Why delay this decision on the question of extending the surtax or repealing the investment credit. Let us vote now.

I think there is a way these two proposals can be separated and both sides still achieve the objective they seek. But whatever we do let us tell the taxpayer back home the rules under which he is to be taxed.

Mr. PERCY. Mr. President, I would like to say at this time that the distinguished Senator who is the chairman of the Committee on Finance, Senator LONG of Louisiana, acted in what I consider to be the finest tradition of the Senate.

We worked very hard to reduce expenses last year. No lawmaker likes to increase taxes or sustain them, but we are facing a serious economic threat in our Nation today. It is a threat that not only bankers and businessmen are aware of but a threat which every American family is aware of. It is the threat that inflation will grow worse in the months ahead if the surtax is not extended. I do not know of any better way to protect American families from inflation and to preserve the integrity of our whole fiscal policy, than for us to match our revenue with our expenses and continue and extend the surtax by law—now. I would like to commend the distinguished Senator from Louisiana, the chairman of the Finance Committee, for his statesmanlike attitude on this question. Those of us who worked hard to carry out a responsible fiscal policy under a Democratic administration, deeply appreciate those Senators on the other side of the aisle who now share this same attitude under a Republican administration.

We all want tax reform. We all want a more equitable tax system. However, it cannot be done overnight.

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We know that if we hesitate now on the extension of this necessary tax, we will lose the momentum we are beginning to gain to hold down inflation. It could be that if we wait 30, 60, or 90 days, it will set us off once again into an inflationary spiral. Once we start the momentum downward on otherwise spiraling costs, we must keep the pressure on, to fight the worst economic enemy we have in America today—inflation.

We must do first things first. Work on tax reform, which certainly the Senator from Delaware (Mr. WILLIAMS) knows better than I, must go forward. The administration is dedicated to finding a way to making a more equitable tax system for this country. I am certain we will all have the opportunity to vote on a reform tax bill in the very near future.

Knowing the majority leader as I do, I feel confident that he will do everything within his power to help the administration develop a fiscally sound economic policy.

I thank the distinguished majority leader for yielding.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may be allowed to proceed for 15 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. HART. Mr. President, will the Senator from Montana yield to me briefly?

Mr. MANSFIELD. I yield.

Mr. HART. To use the phrase the Senator from Illinois just used, it has been "a very long night."

It has been a very long night. Some of us have been here for many years, anticipating the delivery of a basic tax reform bill out of the appropriate committee from the day we arrived.

I am not sure what the majority leader, the Senator from Louisiana and the Senator from Maine resolved. I got in late, and it was not clarified in my own mind. Perhaps that would not be true if I had been here throughout the discussion. But one point must be made which may not have been made; namely, that those who feel the importance of the extension of the surtax at this time because of the economics involved, must understand that there will be many of us who will be persuaded there are principles involved which are noneconomic but equally critical, and they are labeled "fairness." If there is not presented to us a proposal to extend the surtax on a fair tax base, then many of us will not be with you.

I am not sure that if we omit this opportunity to attach real tax reform to the extension of the surtax. We may be another 11 years listening to explanations that it is "complicated," and, "be patient," and, "it will be along some day."

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana that he be allowed to proceed for 15 minutes? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, first, let me say to my good friend, the distinguished Senator from Illinois, that I am not at all certain he was commending the right Senator when he referred to me.

Second, I invite the attention of the distinguished chairman of the Committee on Finance to a statement he made, incorrectly referring to the fact that the policy committee was "telling the Finance Committee" what to do in recommending to the Senate tax reform.

The policy committee had no intention whatsoever of so doing. The policy committee did not do that. As a matter of courtesy, it invited the distinguished Senator to the policy meeting, not once but twice, so that the members could have the benefit of his advice. I believe that is good policy. It will be pursued in the future. Nothing will be done under the table. No committee chairman—and, for that matter, no Senator—will be told what to do by the policy committee. The policy committee, however, maintains its prerogatives, as the leadership's advisory group on the timing and scheduling of legislation reported to the Senate Calendar. That is its responsibility. So far as other committees are concerned, it is subordinate to them in making initial recommendations on the merits of legislation assigned to the standing committees under the rules of the Senate.

When the policy committee invites the chairman, or requests the chairman, to attend, it does so not only as a courtesy but also to seek the advice of those who have a greater experience about a particular subject under discussion.

Now, Mr. President, the distinguished Senator from Maine read the resolution unanimously adopted by the Democratic policy committee on Tuesday, June 24, 1969.

For the purpose of keeping my remarks in sequence, I should like to repeat it at this time, so that its intention will be made clear, and its meaning will be understood without doubt.

That is contained in a letter which went to every Democratic Senator, and which it is my intention to read in full at this time:

> Whereas, the Senate Majority Policy Committee, having met and considered the matter of the the extension of the income tax surcharge, hereby resolves:
>
> That meaningful tax reforms should be adopted as a means of achieving an equitable national income tax policy, and further resolves,
>
> That any proposal to extend the income tax surcharge be considered simultaneously—

I repeat that word "simultaneously"—

> with recommendations on meaningful tax reform and further resolves,
>
> That the present income tax withholding rates be continued after June 30, 1969 for a period of one quarter to permit full consideration and disposition of the reform and extension of the surtax.

Over the weekend, I was called by the press to give my reaction to the statement issued by the distinguished Senator from Louisiana (Mr. LONG), chairman of the Committee on Finance. In general, I approved of what he had said, but I did indicate that it would be no more than a hope that the measure would be reported by the beginning of the recess and that the Senate would act on it by that time.

I also declined to support the statement of the Senator from Louisiana that a comprehensive tax overhaul would require "many months of study," because I had in mind the dictum laid down unanimously by the policy committee and the agreement, that we would consider first, a surtax extension bill, and second, a tax reform bill. In other words, they would both be on the calendar at the same time.

In response to further questions by the reporter, I made the following statement:

First, that Senate hearings on the surtax itself, which includes repeal of the 7-percent investment credit and a few other reforms, would continue during the coming week.

Second, beginning on July 21, using the surtax bill as a vehicle so as not to challenge the House authority to initiate tax legislation, the Senate committee would begin its reform hearings.

That was predicated on the statement referred to by the Senator from Louisiana, which he made on Tuesday last, that all Senators would be invited, around July 18, to present their reform proposals to the Finance Committee.

Third, at the same time the House Ways and Means Committee would be holding hearings and working on a tax reform measure promised by Representative WILBUR D. MILLS, the committee chairman. This pledge by Mr. MILLS to Members of the other body had been instrumental in obtaining House approval of the surtax extension by a 210 to 205 vote on June 30.

Fourth, I stated that I thought Senator LONG's committee would be expected, in a week or two, to send a surtax extension bill to the floor. In that event, the policy committee had unanimously recommended, with my full approval, that it should be held until a tax reform bill followed it. And I stated that I would not call up the surtax measure for action by the Senate as a whole until a tax reform bill was placed on the Senate Calendar. This will require not only passage by the House of a tax reform bill, but follow-up approval by the Senate Finance Committee.

I stated also that I had good reasons—at least, I thought I had good reasons—for insisting that both a surtax extension and a tax reform bill be placed on the Senate Calendar. Without the prospect of early action on a reform measure, I explained that there would be intense pressure to turn the relatively simple surtax bill into a Christmas tree bill, and that it was my intention that each of these measures be considered in sequence, but separately.

So much for that.

To make my position a little clearer, I had a memorandum drawn up this morning, which will be repetitive in part of what I have already said, but which I think should be made a part of the RECORD at this time.

Mr. President, if I am running out of time, I ask unanimous consent to have 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, on June 24, 1969, the majority policy committee unanimously adopted a resolution calling for the simultaneous consideration of an extension of the surtax and meaningful tax reform. Senator RUSSELL LONG participated in the policy committee deliberations and joined in the unanimous vote.

The policy committee also resolved unanimously that the 1968–69 withholding tax rates should be continued at least until September 30, 1969, to permit the consideration of the surtax extension and tax reform and at the same time continue the economic slowdown the surtax is designed to effect.

This determination was based on the following considerations:

First, a deep awareness that the present tax structure is inequitable—the very rich pay relatively little—the middle and lower income groups pay disproportionately high taxes. Tax reform to remove these inequities was considered of the utmost urgency. Extending the surtax without removing the inequities would in effect compound these inequities.

Second, the only impact the extension of the surtax has on spiraling inflation is the slowdown effected by removing an added 10 percent of revenue from the private sector. In this regard it was felt that an extension of the 1968–69 withholding rates with the proviso that the surtax extension will be retroactive to July 1, 1969, has the same effect on the economy as immediate passage. Continuation of the withholding rates until ultimate passage is fully intended by the leadership.

Third, the growing mood in the Senate against a simple extension of the surtax. The House action earlier this month signified that rejection of a simple extension of the surtax is not improbable. The surtax bill will undoubtedly be used in the Senate as a vehicle for adding numerous tax amendments—not all of which will remove present inequities. If the surtax is called up prior to reform legislation reaching the Senate Calendar, then the Senate will not gain the wisdom of the recommendations of the Senate Finance Committee.

Fourth, the fact that there is no chance to consider and dispose of a tax bill containing an extension of the surtax with the attendant amendments prior to July 31 or for that matter prior to August 13—the last day before the summer recess. The present military authorization will use up most if not all of that period.

Fifth, the House Ways and Means Committee is presently considering a tax reform package. It has been promised for House action prior to August 13. In view of the inability to schedule any tax bill with the debate it will entail, extensive hearings on reform in the Senate Finance Committee at this time would give the Senate the benefit of its recommendations when the surtax is called up.

Sixth, having both the 10-percent surtax extension and tax reform on the Senate Calendar when the surtax is called up, will provide for a more orderly debate on the bill. Waiting for the House reform bill to reach the Senate Calendar prior to calling up the surtax merely gives the Senate Finance Committee a chance to consider the reform bill prior to its being offered on the Senate floor as an amendment to the surtax.

We would prefer to have a recommendation of its Finance Committee on Senate reforms prior to voting on them on the Senate floor. Thus, in view of previous scheduling commitments, that will take the rest of this month at least, it will not be possible to bring the surtax extension up prior to July 31. In the interim, I believe that the continuation of the surtax withholding rates will provide every anti-inflationary economic effect intended. Importantly, the Senate will be able to proceed on both tax measures in an orderly and efficient legislative fashion.

Mr. President, the text of the letter amplifying the resolution was modified, and the corrected text is as follows:

U.S. SENATE,
DEMOCRATIC POLICY COMMITTEE,
June 30, 1969.

At the meeting of the Democratic Policy Committee on Tuesday, June 24, 1969, the following resolution was unanimously adopted:

"Whereas, the Senate Majority Policy Committee, having met and considered the matter of the extension of the income tax surcharge, hereby resolves:

"That meaningful tax reforms should be adopted as a means of achieving an equitable national income tax policy, and further resolves,

"That any proposal to extend the income tax surcharge be considered simultaneously with recommendations on meaningful tax reform and further resolves,

"That the present income tax withholding rates be continued after June 30, 1969 for a period of one quarter to permit full consideration and disposition of the reform and extension of the surtax."

It was my intention of course to inform the full Democratic membership of the Policy Committee's recommendation before incorporating that action into any deliberations on the Senate floor. You will recall, however, that during the Senate's consideration of the temporary extension of the tax withholding rates last Wednesday, I publicly announced the Policy Committee's unanimous position that meaningful tax reform should be considered simultaneously with any fixed extension of the surcharge.

The announcement was required at that time simply because Senate action was needed. The House had planned originally to consider the surtax question on Wednesday. It was unable to do so; in fact the House leadership announced a postponement of two weeks. That event required the Senate's Finance Committee to proceed immediately with an interim 31-day withholding rate extension to preserve the status quo until House disposition of the surcharge. The short extension of the tax withholding rates was necessary to permit House action; it was undertaken at the request of the House leadership. So it was because of this impending action that I felt it was imperative to publicize the Policy Committee's position. In going on record at that time, I was hoping to assure against any misinterpretations of any subsequent extensions of the withholding tax rates to permit additional time for Senate action. The debate on the floor prior to passage of the 31-day extension of withholding rates clearly specifies that additional extensions will be forthcoming if necessary to afford the orderly processing of intended tax reform through the Senate Finance Committee.

I should mention that during its deliberations on this question, the Policy Committee was well apprised of the inequities of the tax structure and the growing public awareness of this fact. To vote simply to extend the surtax would have compounded these inequities. Coupling the reform of the tax structure with any extension of the surtax thus appeared eminently fair. Indeed, for the taxpayer, it should come as a welcomed message.

So it was for these reasons that the Committee felt that no permanent extension of the surcharge should be voted, unless and until tax reform is passed out of Committee. And it should be added that Senator Russell Long, Chairman of the Finance Committee, participated fully in these deliberations and in the unanimous vote of the Policy Committee.

I hope you will be understanding of these events that prohibited a more orderly communication of this action. I hope also you will consider favorably the position adopted on this proposal.

Sincerely,

MIKE MANSFIELD.

Mr. President, I hope this now explains the questions that have arisen not only over the past weekend but over the past several weeks. The Democratic policy committee has made its recommendation unanimously. Insofar as it is possible, the majority leader will adhere to that recommendation, because he feels the only way to bring about good legislation, in an orderly manner, is on the basis of the recommendations laid down by the policy committee.

As I said, it is the intention of the majority leader to call up the surtax bill first, and that will be followed—right after or very, very shortly, thereafter, I would hope—by a tax reform bill.

In that way, I feel that we strengthen consideration of the surtax, because if it were to come out here on its own, it is my very strong belief that it would be weighted down, as I have already stated, with Christmas tree ornaments—and not all of them would be considered as true reform items—and that the end result could be no surtax bill and no reform bill at all.

So, with that explanation, I rest the case. I hope my colleagues understand what the position of the Democratic policy committee and the majority leader is. I yield to the distinguished senior Senator from Delaware, the ranking minority member on the Finance Committee.

Mr. WILLIAMS of Delaware. Mr. President, I have listened with interest to the views of the majority leader, and I realize he is speaking for the policy committee of the Democratic Party.

However, I think it only proper to point out that we are dealing with a revenue-producing proposal, which is not necessarily a Democratic decision alone; it is a decision to be made by the U.S. Senate as a whole, including the Republican Members of Congress, the minority.

I say that as one who last year, as the majority leader knows, cosponsored this tax bill as a bipartisan measure with the then Senator from Florida, and I was hoping, and hope still, that we can reach bipartisan agreement again this year, whereby the views of both parties will be considered, the minority as well as those of the majority. There are those of us who feel very strongly that before any decision should be made as to procedure, we should at least have the opportunity of expressing our own views.

I certainly agree with the majority leader that major tax reform proposals are in order, and I can assure him that

I am just as determined as he is that they be put before us. I should like to see a tax reform bill reported, if at all possible, before the August recess. I would join the chairman if he wished in a promise that our committee would promptly act on the reform bill which is coming over from the House in early August.

But, as I pointed out earlier, when we speak of reforms, we must remember that we are going to have a lot of Governors and mayors wanting to testify, including the Governor of my State and I am sure the Governor of Montana also, on any proposal to change the present tax-exempt status of State and municipal bonds. Our committee will have to extend them that courtesy. But we cannot afford to wait until September or October before acting on the surcharge.

But I wish to emphasize again that it is very important to the economy of this country, that we make the decision at the earliest possible date as to whether or not we are going to extend the surcharge and if so at what rate, and also whether we are going to repeal the investment tax credit and if so the effective date and on what terms.

I was hoping, and I still hope, that the Senate can arrive at a decision to vote on this at an early date and then proceed in an orderly manner where both the majority and the minority views can be brought into accord, where we can report a bill out and then consider it. If we do not have an opportunity to consider the second bill embracing major reforms until after we come back after Labor Day it will not make too much difference.

But I think it would be a strategic mistake if the decision on the surcharge were postponed until after this is realized.

I say again, I hope that before the Democratic policy committee reaches an irrevocable decision they will consider the views of some of us on this side of the aisle who have the same interests at heart as do they on that side.

Mr. MANSFIELD. Mr. President, I appreciate the remarks just made by the distinguished Senator from Delaware. I know of his great work in the Committee on Finance in the field of taxation, and of the many contributions which he has made to bettering the economic situation of this Nation, and its financial condition.

If I conveyed the impression that I was speaking for the Senate as a whole, or for Republicans, I should like to correct that right now, because I was speaking only for the Democratic policy committee and, I believe, a majority of the Members on this side of the aisle. Even that, for me, is covering a great deal of territory, because I have enough trouble speaking just for myself, most of the time.

Mr. WILLIAMS of Delaware. I was not criticizing the majority leader; I am sure he understands that.

Mr. MANSFIELD. I understand.

Mr. WILLIAMS of Delaware. What I wanted to ask was that before they make an irrevocable decision I hoped the members of the Democratic policy committee, or representatives of it, would please sit down with some of us on this side of the aisle who have an equal interest in these problems and see if we cannot work out, by mutual agreement, a time table which will satisfy all of us.

That is all I am asking, that we get a chance at least to express our views as to why we think prompt action is so important, before the final decision is made. I realize that as a Republican I am not going to attain membership on the Democratic policy committee. I do not expect that. But I do think there should be a liaison between the two parties comparable to what we had, as the majority leader knows, last year at the time this surtax was passed under a Democratic administration. I took the position then that prompt action was needed. I am taking the same position now.

All I am saying is that maybe we can achieve the objectives of an early vote on the tax bill and still let Members be assured without any question but that they will have a chance to vote on tax reform at an early date.

That is important. I am just as desirous of enacting some reforms in our tax laws as is the majority leader or anyone on his side of the aisle, and I think we are closer today to getting meaningful tax reforms than ever before; I do not want to miss this opportunity by taking hasty or harum-skarum action.

Mr. MANSFIELD. I assure the distinguished Senator that his views will be made known to the Democratic policy committee.

Mr. LONG. Mr. President, as a point of clarification of the legislative discussion about the tax reform problem, I should like to make it clear that some of the confusion arises from the fact that there is no meeting of the minds among Senators as to just exactly what tax reform is. Some Senators think tax reform means one thing, and other Senators think it means something else.

It has been my experience on revenue bills that if a Senator has his way, if he offers his amendments and the Senate agrees with what he proposes, when the bill passes, he thinks it is a good bill; and if he wants to call it a reform bill, he thinks it is a very good reform bill.

If, on the other hand, he is not successful in persuading the Senate to see the matter his way, and his amendments are voted down, he usually concludes that it is a very bad bill, and that the Senate was unwise and failed to legislate in the public interest.

That is just par for the course. When one talks of reform, the first thing that occurs to me, if the committee is supposed to initiate the reform, is to go back and look at all the old amendments I have proposed, to go back and get all those Long amendments I have offered down through the years, and bring them back before the committee and see if the committee will not reconsider the votes by which it rejected some of my particular amendments which I thought were very good ones.

I would hate to burden the committee with voting on all of my suggestions. I know what the result would be in some instances even before bringing the matter up. I hope that there will be consideration of some measures that have some chance of being agreed upon. Even so, there is a great variety of opinion with regard to what some Senators look on as tax reform.

The only way we would know whether a measure is sound and would be in the public interest or tax reform would be to have a Senator present the matter in draft form.

That being the case, my thought was in the beginning, and is now, that we should vote on such tax reform suggestions as Senators insist on having considered when the surtax bill comes before us. Next, we would proceed to consider the House suggestions when the House sends us their tax reform bill.

Meanwhile, of course, the Nixon administration, like the Johnson administration and the Kennedy administration before it, should be studying revenue proposals and initiating its own tax reform proposals.

When Mr. Cohen, who replaced Stanley Surrey as Assistant Secretary of the Treasury, first called at my office, I asked him what he thought about Mr. Surrey's tax reform proposals. Mr. Cohen's reaction was that he would like to study them.

I wanted to know if he was prepared to endorse them. His reaction was that he would want to study Surrey's suggestions and other suggestions and then recommend what the Nixon administration thought would be a good tax reform package on behalf of the Nixon administration.

The point I have in mind is that I would not arrogate to myself the right to know what the Senate was going to regard as a proper tax reform package at this point or what the Senate Committee on Finance would regard as an appropriate reform package.

As far as I am concerned, I find that the best way to proceed in this situation is to be flexible about the matter, consider everyone's suggestion, do as we have been doing in the past and vote for those things that people think are right and vote against those things with which people disagree.

ORDER FOR RECOGNITION OF SENATOR FANNIN

Mr. DIRKSEN. Mr. President, after the special orders for the distinguished Senator from Vermont (Mr. PROUTY) and the distinguished Senator from Ohio (Mr. YOUNG), I ask unanimous consent that the distinguished Senator from Arizona (Mr. FANNIN) be permitted to proceed for 15 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

NEW ENGLAND ASSEMBLY ON THE USES OF THE SEAS

Mr. PELL. Mr. President, from May 22 to 25 of this year, the New England Assembly on the Uses of the Seas met at the famed Woods Hole Oceanographic Institution in Massachusetts. The breadth and intensity of the assembly's work is readily apparent from its final report—which is a succinct, well-articulated, and properly balanced statement of this country's national goals and objectives in the field of oceanology. At the conclusion of my remarks, I ask unanimous consent that this report be inserted in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PELL. Mr. President, in seeking to place this country's interests in their proper perspective, the assembly's report notes at the outset:

> Although the seas have been used by nations and peoples for centuries as a source of food, revenue, security, commerce, communication, and recreation, the planning of future activities in the oceans is particularly difficult because it involves national sensitivities and private interests. The historical-legal international framework is inadequate to accommodate many technologically feasible, scientifically interesting, or economically profitable ventures.
>
> Only to the extent that there is public articulation of concerns that transcend narrow private or national interest can man direct his future ocean activities in accord with his enlightened self-interests.

In clarifying these points further, the report states:

> The ambiguous status of the sea-bed beyond the limits of national jurisdiction (and even of those limits) places work in this field in the international political arena, where a large number of issues must be resolved.

Additional clarification of some of these issues points up the inherent dangers of the present situation:

> There is presently no mechanism for registering claims on the sea-bed beyond the limits of the national jurisdiction. Rights for resource recovery from the deep sea-bed can now only be established by the technical ability to start operations and the military ability to defend it against intruders.

This section of the assembly's report then concludes with the rather disturbing comment that—

> The United States has not yet clarified its position on several of these critically important international issues.

Mr. President, as the leading nation in the field of applied marine technology we, of all the nations of the world, should be the first to recognize the fact that man has earnestly begun a systematic probe of the world ocean, the earth's last frontier. As science and technology conquer greater and greater segments of the marine environment, major political issues—as the report of the New England Assembly makes clear—will loom larger and larger on the international horizon; and man will have to decide to what political ends his scentific and technological achievements shall carry him.

With respect to how President Nixon's administration views the political issues of the ocean space question, Vice President Agnew stated last month at the fifth annual conference of the Marine Technology Society that one of the areas selected by the administration for immediate attention was "Leadership in defining a legal regime for the deep ocean floor." However, later on in the same speech, the Vice President clearly emphasized the need for more scientific and technical information by noting:

> Knowledge—more knowledge—remains the overriding factor in our conquest of this planet's last frontier. We must press forward in both science and technology.

While few would doubt the need for greater knowledge of the marine environment, I think it is quite clear that even fewer would doubt the crying need for an internationally agreed-to legal and political framework which would permit orderly scientific investigation and research. Without such an internationally agreed framework the scientific community, as well as the business community, will become increasingly frustrated in their efforts to explore and exploit the ocean space environment. In large measure this is the message of the New England Assembly's final report on the Uses of the Seas, and I certainly commend this report to the administration and particularly to Vice President AGNEW in his capacity as Chairman of the Marine Sciences Council.

Mr. President, in offering these observations with a view to the future development of ocean space, I think it is important to make the point that knowledge cannot be substituted for the will to develop this frontier region in an orderly and peaceful manner, one which will take account of the responsibilities, the needs, the aspirations, and the limitations of all the nations of the world. Accordingly, as we ponder the vast potential of this last frontier, we would do well to remind ourselves that, unless our will is commensurate with our knowledge, international cooperation, and understanding in this field of endeavor shall continue to be burdened with suspicion and mistrust.

Such suspicion and mistrust are sure to be fostered if the international community permits individual nations to extend unilaterally their jurisdiction offshore. And yet, within our own country, there are those who, to further their own private interests and privileged status, are demanding that the United States take this kind of unilateral action.

Moreover, some of the developing countries—and most noticeably those of Southeast Asia and Africa—have begun to issue a rash of offshore exploration licenses which, of course, act to establish de facto jurisdiction, unless such action is contested by the other members of the international community.

So, far, the U.S. Government has not registered a protest with any of the countries which have issued these licenses, even though such action clearly violates both the letter and the spirit of the 1958 Geneva Convention on the Continental Shelf. Acceptance of these claims by the United States naturally tends to encourage other nations to follow suit, and this is precisely the wish of those in our own Nation who advocate similar unilateral action. If they cannot persuade the administration to accept their position, they hope to create a de facto acceptance of it internationally. The fact that the Department of State has not lodged protests with those states which have acted unilaterally to extend their jurisdiction offshore is, I think, an ominous sign; and I would remind the Department of State, as well as the Department of Defense, that, if unilateral claims to the seabed are permitted to stand, there is nothing in international law to forbid the extension of that jurisdiction to the superjacent waters.

I do not wish to belabor this point, but it seems rather strange to me that the United States has gone to such lengths to protest the 200-mile exclusive fisheries claims on the part of several Latin American countries as being in violation of the Geneva Convention on the High Seas, and yet, when similar extensive claims are made to the seabed in violation of the Continental Shelf Convention, the United States remains silent. The only common denominator for such ambivalent responses is that private, as versus national interests, are being served in both instances. However, I think all of us should be aware that important political objectives are being shunted aside and the case for international law is being dangerously weakened.

Mr. President, the Subcommittee on Ocean Space of the Foreign Relations Committee has tentatively scheduled hearings to begin July 24; and as chairman of that subcommittee, I intend to go into all of these issues. Of primary importance during these hearings will be the subcommittee's attempt to expose the fallacy that political options in the international arena can be kept open when other nations are freely exercising theirs. Accordingly, I would once again remind the administration that the longer it delays in facing up to the difficult political issues involved in the ocean space issue, the more options will be closed to us. If President Nixon's administration is intent upon providing leadership in terms of fashioning a new international legal and political framework for the ocean space environment, it cannot afford to delay any longer.

EXHIBIT 1

PREFACE TO REPORT OF NEW ENGLAND ASSEMBLY ON USES OF THE SEAS

On May 22–25, 1969, 81 persons from the worlds of science and engineering, business, law, government, communications and other pursuits met at the Woods Hole Oceanographic Institution at a Regional Assembly on the Uses of the Seas sponsored by the American Assembly.

For three days the Assembly participants, in small discussion groups, considered various aspects of the United States involvement in the science and engineering of marine resources, the law of the sea, the developments in the United Nations and the recommendations of the Commission on Marine Science, Engineering and Resources.

On Thursday evening Dr. John P. Craven, Chief Scientist, Strategic Systems Project Office, Department of the Navy, addressed the Assembly on "*Res Nullius De Facto* and the Implications for Science and Technology." On Friday evening, Dr. Arthur E. Maxwell, Director of Research, Woods Hole Oceanographic Institution, addressed the Assembly on the Joint Oceanographic Institutions Deep Earth Sampling (JOIDES) Program.

At the final plenary session participants reviewed and approved the statement which follows on these pages. Opinions contained herein are those of participants in their individual capacities.

PAUL M. FYE,
Director, Woods Hole Oceanographic Institution.

CARROLL L. WILSON,
Chairman, New England Assembly on Uses of the Seas.

FINAL REPORT OF THE NEW ENGLAND ASSEMBLY ON USES OF THE SEAS

At the close of their discussions the participants in the New England Assembly on

Uses of the Seas, at the Woods Hole Oceanographic Institution, Woods Hole, Massachusetts, on May 22–25, 1969, reviewed as a group the following statement. The statement represents general agreement; however no one was asked to sign it, and it should not be assumed that every participant subscribes to every recommendation.

CHANGING INTEREST AND EXPECTATIONS

New developments in technology which are rapidly opening up possibilities for increased exploration and exploitation of the seas, the sea-bed, and the resources of the oceans have created an urgent need for public attention to the policies which should govern future activities in the marine environment. Issues ranging from concern over rights of passage and exploration to international redistribution of the resources now require widespread discussion and debate.

Man is looking to the oceans to help solve some of the problems which he is and will be facing in the not too distant future. Two areas of critical importance are food for a growing population and fuel for expanding industrial development. Ocean resources can be tapped and used more effectively but both the short- and long-term consequences of these efforts will depend on the resolution of a number of complex technical, political, and social policy issues.

Although the seas have been used by nations and peoples for centuries as a source of food, revenue, security, commerce, communication, and recreation, the planning of future activities in the oceans is particularly difficult because it involves national sensitivities and private interests. The historical-legal international framework is inadequate to accommodate many technologically feasible, scientifically interesting, or economically profitable ventures.

Only to the extent that there is public articulation of concerns that transcend narrow private or national interests can man direct his future ocean activities in accord with his enlightened self-interests.

RESOURCES AND CONFLICTS—A LOOK AHEAD

The ocean offers exciting new opportunities. In addition to providing fossil fuels and fish, the oceans will become an increasingly important source of numerous mineral resources, fresh water, sand and gravel, dissolved chemicals, and nutrients. Knowledge of the ocean environment may make possible new activities in transportation, commerce, communications, defense, and environmental prediction and modification.

At this time, however, there is not enough knowledge to predict the true potentials or implications of ocean exploitation without more scientific research and technological development. Since this work will be costly and involve diverse and conflicting interests, a Federal program will be required which will contribute to the harmonious development of a total national program. This fact coupled with the ambiguous status of the sea-bed beyond the limits of national jurisdiction (and even of those limits) places work in this field in the international political arena, where a large number of issues must be resolved.

With respect to future resource exploitation, there are at least three considerations which should be paramount in policy discussions. One is that the exploitation be managed so that the resources are not depleted wastefully and that practices are consistent with the renewable or non-renewable nature of the resources. Another is that one use should not interfere unduly with other uses. The final consideration is the control of pollution, with particular emphasis on those potential pollutants which might cause irreversible damage to the marine environment. By their very nature many of these activities will required local, state, Federal, and international controls.

A basis for public discussion of many of these issues is the report recently prepared by the Commission on Marine Science, Engineering and Resources. This group, chaired by Dr. J. A. Stratton, made a number of explicit recommendations after considering national action in the framework of seven panels: basic science; environmental monitoring and management and development of the coastal zone; manpower, education, and training; industry and private investment; marine engineering and technology; marine resources; and international issues.

INTERNATIONAL CONSIDERATIONS

The potential for ecônomic return from the exploitation of the sea-bed, the inability of countries lacking technology or access to the oceans to take part in such activities, and widespread concern as to the economic and environmental implications of increased exploitation of the sea-bed beyond national control have led to discussions at the United Nations by many states, developed and developing, as to how future exploration and exploitation should be conducted. Nations seeking international economic assistance have come to view such exploitation as a possible source of aid. These factors have led to proposals to internationalize the ownership and regulation of the sea-bed beyond the limits of national jurisdiction, and to use some of the proceeds from such exploitation to aid the developing countries.

Another concern of great importance is that of present and future military uses of the sea-bed outside the limits of national jurisdiction. It is imperative to prevent an arms race in this new domain. The problem is particularly complicated by the traditional role of navies and the necessity of ensuring national security. The distinction between peaceful, non-peaceful, and military uses of the sea-bed is not clear but should be resolved to facilitate international agreements.

The exploration of the ocean requires extensive cooperation among coastal nations. The ability to obtain a meaningful and comprehensive understanding of fish migration, marine ecology, ocean-atmosphere interactions, and other areas of scientific and ultimately social interest require access by researchers to waters over the continental shelf and to the shelf itself, and the free dissemination of knowledge gained from such studies. Future work in these fields will require a large degree of mutual trust and agreement among nations as well as increased scientific capabilities in many coastal states.

There is presently no mechanism for registering claims on the sea-bed beyond the limits of national jurisdiction. Rights for resource recovery from the deep sea-bed can now only be established by the technical ability to start operations and the military ability to defend it against intruders. Concern over this has been a motivating force in efforts to establish some form of international regime for the ocean floor or some administrative device for registering operations, establishing operating procedures to insure resource conservation and prevent pollution, and use some of the profits for all the benefit of all mankind.

The United Nations has been active for the past few years in studying ways in which these various international problems might be approached. A permanent Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor Beyond the Limits of National Jurisdiction was recently established; problems of pollution are being studied; a study of appropriate international machinery is being conducted; the International Decade of Ocean Exploration will be conducted within the United Nations framework; and the Intergovernmental Oceanographic Commission has intensified its activities in the sceintific field.

The United States has not not yet clarified its positions on several of these critically important international issues.

U.S. POLICY AND PROGRAMS PROPOSALS BY THE ASSEMBLY

Intensive discussion of the range of issues made urgent by the impact of accelerating technological change and the realization that the oceans are an area of primary national interest has led the members of the Assembly to formulate proposals in relation to the policies and programs of the United States on Uses of the Seas. These proposals are as follows:

1. The Report and Recommendations of the Commission on Marine Science, Engineering and Resources should be the subject of wide discussion in many public forums and should result in an action program by the Executive Branch and the Congress.

2. A new Federal agency, together with a national advisory body, is needed to provide a national focus of responsibility and authority and to exercise national leadership in ocean science, engineering, education, and resource development. It must necessarily bring together a sufficiently inclusive combination of new and existing activities to permit it to exercise the functions necessary to build increasing national competence in the oceans. One acceptable form is the National Oceanic and Atmospheric Agency recommended by the Commission.

3. There should be a single committee in each house of the Congress or a joint committee of both Houses to match or anticipate the comprehensive functions of the new agency.

4. A rising level of funding of the general magnitude recommended by the Commission is needed to support an expanding program of ocean activities to insure United States leadership in ocean affairs. It is important to state explicitly the goals for proposed programs so that priorities of oceanic effort can be set.

5. The concept of the International Decade of Ocean Exploration illustrates the kind of initiative which may lead to a wide-range program of cooperative activities among developed and developing countries. Specific United States program proposals should be developed and funded.

6. Future support and funding should preserve and strengthen the role of the universities, and Federal, state, and other laboratories in relation to basic and applied research and in education of the high level manpower needed for the exploration and exploitation of the oceans and the management of the environment.

7. In order to protect and enhance the marine environment much more action is needed along the following lines:

(a) Conducting research and development better to understand the effects and to permit control of pollution.

(b) Establishing appropriate legal restraints and rules of liability.

(c) Strengthening national capabilities to understand, monitor and regulate pollution, and establishing criteria and guidelines for pollution control by Federal, state, and local authorities.

(d) Placing special emphasis on the coastal zone because of its acute focus for multiple ocean use—recreation, fishing, disposal, transport, etc.

(e) Encouraging regional arrangements for pollution control of coastal waters.

(f) Creating new institutional mechanisms to represent the public interest more effectively in resource use conflicts such as those which threaten to degrade the environment.

(g) Strengthening existing international arrangements and creating new mechanisms for combating those pollution problems which can only be dealt with in an international framework.

(h) Encouraging active programs of pollution prevention and control by users.

8. The states and regional areas should provide leadership and incentives to encourage resource development, and should exercise leadership in the management of the

many activities in the coastal zone and estuaries. The Federal Government should help the states develop the required capabilities.

9. The United States should take the initiative to negotiate an explicit definition of the geographical limit of coastal state jurisdiction over the natural resources of the ocean floor. Rapidly developing technology requires that the definition contained on the 1958 Convention be clarified, and undue delay in arriving at a more precise geographical definition will make the task more difficult.

10. There will be need for a body or bodies enjoying wide international support and participation by many nations to exercise in relation to the seabed beyond clearly defined limits of national jurisdiction such functions as the following:

Registration of claims.

Arbitration of disputes.

Promulgation of standards on conservation, pollution and uses.

Inspection of operations.

Collection of fees and royalties.

The United States should take the initiative to propose the form and functions of such a body or bodies and to begin the necessarily protracted negotiations involved in their creation.

11. The catastrophic consequences of overfishing and other forms of interference with fishing stocks are so clear that the United States should devote increased efforts to the development and operation of more effective fisheries agreements in various regions of the world and should support much more ecological, biological and economic research on important species to develop the information on which intelligent action can be based.

12. The United States should aid developing countries in generating national capabilities for dealing with oceanic affairs. It is in the best interests of the United States to support and take a leading part in international cooperative programs of scientific exploration and to encourage full sharing of the results obtained by all nations. Carrying out a decade of Exploration and strengthening the International Oceanographic Commission represents an immediate opportunity. Funding of such programs should be in addition to the support of other ocean activities.

13. Although new international procedures to insure freedom for marine research are needed, an immediate possibility is to develop bilateral or multilateral arrangements under which oceanographic exploration may continue to be carried on subject to the "consent clause" which permits each nation to determine the conditions governing permission to explore certain coastal zones.

14. There is increased need for a reconsideration of international procedures by which areas of the oceans are pre-empted by the world's military services.

15. As a step towards dealing with the changing potential for military uses of the sea-bed, and in order to promote the maintenance of strategic stability, the United States proposal to the Eighteen Nation Disarmament Conference banning placement of weapons of mass destruction on the ocean floor should be supported. In addition, all active weapon system installations on the ocean floor (not including detection and surveillance means) should be prohibited beyond fixed distance from coastal shores.

16. There is an urgent need for formulating and carrying out programs such as the following in order to remedy the precarious position of the United States maritime industry, including fishing, shipping, and ship building, which received inadequate emphasis in the Marne Science Commission Report:

(a) Supporting and enabling technology must be developed at a substantially accelerated pace through increased levels of effort in pertinent oceanographic research, naval architecture, marine engineering, and harbor systems development.

(b) Systematic improvements should be made in the economics of these industries, and their economic environment rationalized in accordance with a clear understanding and definition of the United States national interests in this vital field.

17. The ocean floor beyond the limits of national jurisdiction should be exploited in the interest of all mankind, while taking into account such considerations as the need for protection of investment. This is consistent with present United States position in the United Nations.

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Leo Goodman, United Auto Workers, Washington, D.C.

Howard R. Gould, research scientist, Esso Production Research Co., Box 2189, Houston, Tex.

Frank Grice, director, Marine Fisheries Commonwealth of Massachusetts, Boston, Mass.

Gordon R. S. Hawkins, executive director, Canadian Institute of International Affairs, 31 Wellesley St., East, Toronto 284, Canada.

J. B. Hersey, deputy assistant oceanographer, (Ocean Science) code 102_OS, Office of Naval Research, Department of the Navy, Washington, D.C.

Townsend Hornor, 20 Broad St., New York, N.Y., president, Associates of the Woods Hole Oceanographic Institution.

Arthur T. Ippen, Ford professor of engineering, department of civil engineering, Massachusetts Institute of Technology, Cambridge, Mass.

J. R. Ja.ckson, Jr., manager, exploration department, Eastern Marine Division, Offshore Frontier District, Humble Oil and Refining Co., Houston, Tex.

Howard C. Johnson, Jr., President, World Bank Corporation, Post Office Box 100, Nassau, British West Indies.

Bostwick H. Ketchum, head, ecology and systematic biology section, National Science Foundation, Washington, D.C.

John A. Knauss, dean, Graduate School of Oceanography, University of Rhode Island, Kingston, R.I.

William A. W. Krebs, Vice President, Arthur D. Little, Inc., 25 Acorn Park, Cambridge, Mass.

Rev. Daniel Linehan, S.J., Director, Weston Observatory, Weston, Mass.

Ralph H. Lutts, Education Department, The Museum of Science, Science Park, Boston, Mass.

Frederick E. Mangelsdorf, Assistant Director, Woods Hole Oceanographic Institution, Woods Hole, Mass.

Edward A. Mason, Department of Nuclear Engineering, Massachusetts Institute of Technology, Cambridge, Mass.

William H. Matthews, Department of Political Science, Massachusetts Institute of Technology, Cambridge, Mass.[2]

Arthur E. Maxwell, Director of Research, Woods Hole Oceanographic Institution, Woods Hole, Mass.[1]

Vincent E. McKelvey, U.S. Geological Survey, Washington, D.C.

Donald L. McKernan, Special Assistant for Fisheries and Wildlife to the Secretary of State, Department of State, Washington, D.C.

Maxwell S. McKnight, Assistant Secretary Treasurer, National Petroleum Council, Washington, D.C.

Frederick A. Meier, President, Salem State College, Salem, Mass.

Richard M. Millard, Chancellor, Board of High Education (Mass.) 182 Tremont Street, Boston, Mass.

A. R. Miller, Woods Hole Oceanographic Institution, Woods Hole, Mass.

John H. Morison, President, Hitchiner Manufacturing Co., Milford, N.H.

Robert Cushman Murphy, The American Museum of Natural History, Central Park West at 79th Street, New York, N.Y.

Charles B. Officer, 26 Occum Ridge Road, Hanover, N.H.

Norman J. Padelford, Department of Political Science, Massachusetts Institute of Technology, Cambridge, Mass.

Kenneth G. Picha, School of Engineering, University of Massachusetts, Amherst, Mass.

Francis T. P. Plimpton, Debevoise, Plimpton, Lyons and Gates, 320 Park Avenue, New York, N.Y.

Giulio Pontecorvo, Graduate School of Business, Columbia University, New York, N.Y.

William O. Rainnie, Jr., Woods Hole Oceanographic Institution, Woods Hole, Mass.

Niels Rorholm, Department of Food and Resource Economics, University of Rhode Island, Kingston, R.I.

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[1] Delivered formal address.

[2] Rapporteur.

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Lyman S. Rowell, President, University of Vermont, Burlington, Vt.

David T. Schneider, International Scientific and Technological Affairs, Department of State, Washington, D.C.

Donald E. Schwinn, Assistant General Counsel, Kennecott Copper Corporation, 161 East 42nd Street, New York, N.Y.

Sally Swing Shelley, Chief Information Officer, UNESCO, New York, N.Y.

David A. Shepard, Executive Vice President (Ret.), Standard Oil Co. (N.J.), One Rockefeller Plaza, New York, N.Y.

Marshall D. Shulman, Director, Russian Institute, Columbia University, 622 West 113th Street, New York, N.Y.[1]

Irwin W. Sizer, Dean, Graduate School, Massachusetts Institute of Technology, Cambridge, Mass.

O. R. Smeder, Rear Admiral, U.S. Coast Guard, Washington, D.C.

Thomas C. Smith, Consulting Engineer, 20 Kingwood Park, Poughkeepsie, N.Y.

Louis B. Sohn, Center for International Studies, New York University, New York, N.Y.

H. B. Steinbach, Dean of Graduate Studies, Woods Hole Oceanographic Institution, Woods Hole, Mass.

E. C. Stephan, Ocean Systems, Inc., 11440 Isaac Newton Industrial Sq. North, Reston, Va.

Gerard Swope, Blinn Road, Box 345, Croton-on-Hudson, N.Y.

H. J. Szold, One William Street, New York, N.Y.

Peter S. Thacher, U.S. Mission to the United Nations, New York, N.Y.

Joshua I. Tracey, Jr., U.S. Geological Survey, Washington, D.C.

T. K. Treadwell, Commander, U.S. Naval Oceanographic Office, Washington, D.C.

Allyn C. Vine, Woods Hole Oceanographic Institution, Woods, Hole, Mass.

Dana E. Wallace, Assistant Marine Research Director, Sea & Shore Fisheries Dept., State House, Augusta, Me.

I. Eugene Wallen, Head, Office of Oceanography and Limnology, Smithsonian Institution, Washington, D.C.

D. Reid Weedon, Jr., Senior Vice President, Arthur D. Little, Inc., 25 Acorn Park, Cambridge, Mass.[1]

F. Joachim Weyl, Dean, Science and Mathematics, Hunter College of the City University of New York, 695 Park Avenue, New York, N.Y.[1]

Carroll L. Wilson, Alfred P. Sloan School of Management, Massachusetts Institute of Technology, Cambridge, Mass.

Richard Young, Attorney at Law, Van Hornesville, N.Y.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (H.R. 11400) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes, and it was signed by the Vice President.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Proposed Housing and Urban Development Amendments of 1969

A letter from the Under Secretary of Housing and Urban Development, transmitting a draft of proposed legislation to amend and extend laws relating to housing and urban development, and for other purposes (with accompanying papers); to the Committee on Banking and Currency.

Reports of the Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the evaluation of two proposed methods for enhancing competition in weapons systems procurement, Department of Defense, dated July 14, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the effectiveness and administrative efficiency of the Neighborhood Youth Corps program under title IB of the Economic Opportunity Act of 1964, Carroll, Chariton, Lafayette, Ray, and Saline Counties, Mo., Department of Labor, dated July 11, 1969 (with an accompanying report); to the Committee on Government Operations.

Proposed Amendment of the Expediting Act

A letter from the Attorney General of the United States, transmitting a draft of proposed legislation to amend the Expediting Act, 32 Stat. 823, as amended, 15 U.S.C. 28 and 29, 49 U.S.C. 44 and 45 (with an accompanying paper); to the Committee on the Judiciary.

Report on Schoolbus Safety

A letter from the Secretary of Health, Education, and Welfare, transmitting a report on schoolbus safety conducted by the Maryland State Department of Education, dated May 29, 1969 (with an accompanying paper); to the Committee on Labor and Public Welfare.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. SPARKMAN, from the Committee on Banking and Currency, without amendment:

H.R. 7215. An act to provide for the striking of medals in commemoration of the 50th anniversary of the U.S. Diplomatic Courier Service (Rept. No. 91–319).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session, the following favorable reports of nominations were submitted:

By Mr. McCLELLAN, from the Committee on the Judiciary;

Bethel B. Larey, of Arkansas, to be U.S. attorney for the western district of Arkansas.

By Mr. SPARKMAN, from the Committee on Banking and Currency:

Nicholas Costanzo, of New York, to be superintendent of the U.S. Assay Office at New York, N.Y.

By Mr. BYRD of West Virginia (for Mr. RANDOLPH), from the Committee on Public Works:

David W. Oberlin, of Minnesota, to be Administrator of the St. Lawrence Seaway Development Corporation; and

Jacob L. Bernheim, of Wisconsin, Foster S. Brown, of New York, William W. Knight, Jr., of Ohio, Miles F. McKee, of Michigan, and Joseph N. Thomas, of Indiana, to be members of the Advisory Board of the St. Lawrence Seaway Development Corporation.

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

Mr. BYRD of West Virginia. Mr. President, as in executive session, on behalf of my distinguished colleague from West Virginia, Senator RANDOLPH, I ask unanimous consent that the nomination of Mr. David W. Oberlin, to be Administrator of the St. Lawrence Seaway Development Corporation, and the nomination of five other individuals to be members of the Advisory Board, all of which were referred to the Committee on Public Works, be re-referred to the Committee on Commerce.

I understand that this matter has been cleared with the minority members as well as the other majority members of that committee.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that Senator RANDOLPH's statement on this matter be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Statement of Senator Randolph

For some time I have been of the opinion that legislative matters relating to this corporation properly come within the jurisdiction of the Commerce Committee. That Committee, as you know, is directly concerned with matters relating to foreign and domestic commerce and, of course, the Seaway Authority is an important link in this country's foreign and domestic trade. Also, the Commerce Committee recently established a special subcommittee to study transportation on the Great Lakes-St. Lawrence Seaway which will be directly involved with the activities of the Seaway Corporation.

For the information of the members of the Senate, the St. Lawrence Seaway Development Corporation is a wholly owned Government corporation which was authorized and directed by the act of May 13, 1954 (33 U.S.C. 981), to construct, operate, and maintain deep-water navigation works in the International Rapids section of the Saint Lawrence River together with the necessary dredging in the Thousand Island section. The Act also directed the Corporation to coordinate its construction and maintenance activities with the Saint Lawrence Seaway Authority of Canada. Management of the Corporation is vested in an administrator and a deputy administrator appointed by the President by and with the advice of the Senate. In addition, the Act established an Advisory Board to review the general policies of the Corporation, including its policies in connection with design and construction of facilities and the establishment of rules of measurement for vessels and cargoes, and rates of charges or tolls, and is required to advise the Administrator with respect to these matters. The Board is composed of five members also appointed by the President, by and with the advice of the Senate.

In the past, legislation relating to the St. Lawrence Seaway has been handled by three Senate Committees: Commerce, Foreign Affairs, and Public Works. The Committee on Public Works first considered Seaway legislation in July of 1957, when a bill to designate the "Wiley-Dondero Lock" was referred to the Committee for consideration. Subsequent Seaway legislation has also been referred to the Public Works Committee. However, for the reasons previously stated, I recommend that the pending nominations and future legislation affecting the St. Lawrence Seaway Development Corporation again be referred to the Committee on Commerce for appropriate attention.

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[1] Discussion Leader.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. SPARKMAN:

S. 2603. A bill to amend the Internal Revenue Code of 1954 to permit ministers to be treated as self-employed individuals for pension plan purposes; to the Committee on Finance.

S. 2604. A bill for the relief of Aaron Bailey; and

S. 2605. A bill for the relief of Cecil A. Donaldson and Liselotte Donaldson; to the Committee on the Judiciary.

S. 2606. A bill to amend title 5, United States Code, so as to authorize the crediting of certain National Guard technician service for civil service retirement purposes, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. EAGLETON:

S. 2607. A bill for the relief of Henry D. Espy, James A. Espy, Naomi A. Espy, Jean E. Logan, executor of the estate of Rosella E. Rhoades, and Theodore R. Espy; to the Committee on the Judiciary.

By Mr. YARBOROUGH (for himself, Mr. Hughes, Mr. Burdick, Mr. Cranston, Mr. Eagleton, Mr. Hart, Mr. Kennedy, Mr. Mondale, Mr. Moss, Mr. Nelson, Mr. Pastore, Mr. Pell, Mr. Randolph, and Mr. Williams of New Jersey):

S. 2608. A bill to provide for the comprehensive control of narcotic addiction and drug abuse, and for other purposes; to the Committee on Labor and Public Welfare.

(The remarks of Mr. Yarborough when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. BAYH:

S. 2609. A bill to increase the participation of small business concerns in the construction industry by providing for a Federal guarantee of certain construction bonds and authorizing the acceptance of certifications of competency in lieu of bonding in connection with certain Federal projects, and for other purposes; and

S. 2610. A bill to amend section 3 of the Housing and Urban Development Act of 1968; to the Committee on Banking and Currency.

S. 2611. A bill to amend the act of August 24, 1935 (commonly referred to as the "Miller Act") to exempt construction contracts not exceeding $20,000 in amount from the bonding requirements of such act, and for other purposes; to the Committee on the Judiciary.

(The remarks of Mr. Bayh when he introduced the bills appear later in the Record under the appropriate heading.)

By Mr. DIRKSEN:

S. 2612. A bill to amend the act of February 11, 1903, commonly known as the Expediting Act, and for other purposes; to the Committee on the Judiciary.

(The remarks of Mr. Dirksen when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. YOUNG of North Dakota (for himself and Mr. Jackson):

S. 2613. A bill to authorize the Secretary of the Interior to acquire certain property adjacent to the Ford's Theatre in the District of Columbia, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. NELSON:

S. 2614. A bill for the relief of Miguel Arteaga;

S. 2615. A bill for the relief of Louis Arteaga-Haro; and

S. 2616. A bill for the relief of Raul Artiaga-Haro; to the Committee on the Judiciary.

By Mr. HOLLAND:

S. 2617. A bill for the relief of Mrs. Iris O. Hicks; to the Committee on the Judiciary.

By Mr. HANSEN:

S. 2618. A bill for the relief of John Michael Leyes; to the Committee on the Judiciary.

By Mr. JACKSON (by request):

S. 2619. A bill to amend section 5723(b) of title 5, United States Code, relating to length of service required by teachers in Bureau of Indian Affairs schools when travel and transportation expenses are paid to first post of duty; to the Committee on Interior and Insular Affairs.

(The remarks of Mr. Jackson when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. SPARKMAN (for himself, Mr. Bennett, and Mr. Tower):

S. 2620. A bill to amend and extend laws relating to housing and urban development, and for other purposes; to the Committee on Banking and Currency.

(The remarks of Mr. Sparkman when he introduced the bill appear later in the Record under the appropriate hearing.)

By Mr. PROXMIRE:

S. 2621. A bill for the relief of Nourolhoda Ronaghi; to the Committee on the Judiciary.

By Mr. MOSS (for himself, Mr. Bennett, Mr. Bible, Mr. Church, Mr. Cranston, Mr. Jordan of Idaho, Mr. McGovern and Mr. Yarborough):

S. 2622. A bill to amend the Small Reclamation Projects Act of 1956, as amended; to the Committee on Interior and Insular Affairs.

(The remarks of Mr. Moss when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. CRANSTON:

S. 2623. A bill to amend title 38 of the United States Code to authorize the Administrator of Veterans' Affairs to appoint certain persons in the nursing service in the Department of Medicine and Surgery of the Veterans' Administration, and to enter into agreements with hospitals, medical schools, or medical installations for the central administration of a program of training for interns or residents, and for other purposes; to the Committee on Labor and Public Welfare.

(The remarks of Mr. Cranston when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. HRUSKA (for himself and Mr. Tydings):

S. 2624. A bill to improve the judicial machinery in customs courts by amending the statutory provisions relating to judicial actions and administrative proceedings in customs matters, and for other purposes; to the Committee on the Judiciary.

(The remarks of Mr. Hruska when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. NELSON:

S.J. Res. 137. A joint resolution to provide for the appointment of a commission to study and investigate the hazards to the public health and to the environment which may exist as a result of chemical and biological warfare field testing conducted at any testing site used by the U.S. Government; to the Committee on Armed Services.

(The remarks of Mr. Nelson when he introduced the joint resolution appear later in the Record under the appropriate heading.)

S. 2608—INTRODUCTION OF COMPREHENSIVE NARCOTIC ADDICTION AND DRUG ABUSE CARE AND CONTROL ACT OF 1969

Mr. YARBOROUGH. Mr. President, narcotic addiction and drug abuse are no longer confined to any isolated sector of our population. The rich and the poor, the urban and suburban, the young and the middle aged, of both sexes, are involved.

We live in a drug-taking society, where a host of different drugs are used for a variety of purposes: To restore health, reduce pain, induce calm, increase energy, create euphoria, induce sleep or alertness. Many substances are today available to swallow, drink, or inhale in order to alter mood or state of consciousness.

Unfortunately, a good number of substances which have a legitimate use are also subject to abuse; and there is a long list of drugs and chemicals with no known medical use but with potent capacity to alter behavior.

We face a complex and difficult dilemma for which there is no simple overall solution. Health, legal, moral, and social factors all intervene in a way that defies pat answers.

Especially disturbing is the fact that sizable numbers of our youth are choosing the drug trip as an alternative to authentic life experience.

The danger is signaled in the mounting statistics on the use of drugs in recent years.

Whereas for many years the number of narcotic addicts was stable at around 60,000, it is widely estimated today that more than 100,000 Americans are addicted to narcotic drugs. Further, the problem, long a major blight of our urban ghettos, is spreading to the suburbs.

The use of hallucinogenic drugs is rapidly increasing. A conservative estimate of persons, both juvenile and adult, who have used marihuana one or more times is at least 5 million, and may be many millions more. Between 20 and 40 percent of our college students are estimated to have experimented with this drug and perhaps 5 percent with the more powerful LSD. It is estimated that as many as 10 percent of young people who have tried marihuana can be considered chronic users who devote large portions of their time to obtaining and using the drug.

Dr. Stanley Yolles, Director of the National Institute of Mental Health, estimates that between 200,000 and 400,000 persons abuse amphetamines and barbiturates as well as other sedatives and tranquilizers.

Because of the complexity of the problem, it is essential that our most thoughtful judgment and wisdom be brought to bear on the selection of programs to which we commit our support.

During recent months, the Health Subcommittee, of which I am chairman, has heard testimony from many of our Nation's outstanding experts on drug dependence and abuse, and we have given intensive study to the factors to be considered in developing an effective pattern for a national program of drug abuse control.

Because of the grave seriousness of this problem, which I more fully realized during hearings in Washington, San Antonio, and Fort Worth, I established the Subcommittee on Alcoholism and Narcotics, which is chaired by Senator Hughes of Iowa.

It is imperative that we accelerate our efforts simultaneously in the development of treatment and rehabilitation facilities, research, education, and infor-

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mation programs, and the training of specialized personnel.

We are well aware of the need for coordinated activities among the several governmental agencies with responsibilities in the drug area. At the same time, we must recognize that there must be a clear indication by the Congress that those agencies most expert in any particular aspect of the problem be strengthened, rather than have wasteful duplication and squandering of scarce resources.

It is important that the major responsibility for health and scientific aspects of a drug prevention and control program be placed within the agency whose jurisdiction most properly embraces them. Research, education, training, prevention, and treatment efforts properly should be assigned to the agency charged with administration of matters of health, education, and social welfare.

The Department of Health, Education, and Welfare is thus clearly the appropriate agency to be charged with responsibilities for the conduct of research, education, and treatment activities. The Department of Justice, on the other hand, should properly be charged with responsibilities for law enforcement and control.

Health concerns are clearly not within the jurisdiction of the Attorney General, and every care should be taken to assure that they remain within the jurisdiction of the Department long since designated by the Congress as responsible for these activities.

In view of the urgency and significance of the narcotic addiction and drug abuse problem, I am today introducing a bill entitled the "Comprehensive Narcotic Addiction and Drug Abuse Care and Control Act of 1969."

This bill for the first time provides for a comprehensive and coordinated attack on the narcotic addiction and drug abuse problem. Its scope is necessarily broad.

The bill includes authorities for, first, a great expansion in research to improve our knowledge about the causes and cure of the problem; second, increased training to relieve the serious shortage of manpower to work in this critical area; third, a program of incentive grants to enable communities to launch critically needed and long-delayed treatment and rehabilitation programs for drug-dependent persons; fourth, a major prevention and education effort designed to reach a wide audience, particularly those youngsters who are most prone to use drugs; fifth, a new approach to the problem of control of substances liable to abuse, which clearly places responsibility for the health and scientific aspects on the Secretary of Health, Education, and Welfare; and sixth, the establishment of an Advisory Committee on Narcotics and Dangerous Drugs to advise the Secretary regarding the designation of drugs considered to be liable to abuse.

For the above purposes, a total of $380 million is authorized over a 5-year period. In just one city alone, the city of San Antonio, Father Dermot Brosnan of the Patrician Movement has made the conservative estimate that the addiction problem is costing $87 million a year, or $435 million over 5 years. Nationwide, it is costing billions of dollars.

There is also a very important provision which removes marihuana from the Internal Revenue Code and adds it to the definitions of depressant or stimulant drugs in the Food, Drug, and Cosmetic Act, making it subject to the penalties and controls imposed on such substances rather than those provided for narcotic drugs in the Internal Revenue Code.

Mr. President, I ask unanimous consent that text of this bill and a section-by-section analysis be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis will be printed in the RECORD.

The bill (S. 2608) to provide for the comprehensive control of narcotic addiction and drug abuse, and for other purposes, introduced by Mr. YARBOROUGH (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2608

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Comprehensive Narcotic Addiction and Drug Abuse Care and Control Act of 1969".

DECLARATION OF FINDINGS AND PURPOSES

SEC. 2. (a) The Congress finds that—

(1) Narcotic addiction and drug abuse are major health and social problems afflicting a significant proportion of the public, and much more needs to be done by public and private agencies to develop effective prevention and control.

(2) Narcotic addiction and drug abuse treatment and control programs should whenever possible: (A) be community based, (B) provide a comprehensive range of services, including emergency treatment, under proper medical auspices on a coordinated basis, and (C) be integrated with and involve the active participation of a wide range of public and non-governmental agencies.

(3) There is an urgent need to educate young people and the public in general on the abuse of drugs and that insufficient manpower currently are available to undertake such educational programs.

(4) There is a serious shortage of professional and other personnel trained to work more effectively in relation to the prevention and treatment of narcotic addiction and drug abuse.

(5) Current knowledge regarding the causes, prevention, and treatment of narcotic addiction and drug abuse are inadequate.

(b) In order to preserve and protect the health and welfare of the American people in meeting these needs, it is the purpose of this Act to authorize the Secretary of Health, Education, and Welfare to establish a program of grants and contracts for the construction, staffing, operation, and maintenance of facilities for the prevention and treatment of narcotic addiction and drug abuse, for the development of narcotic addiction and drug abuse education programs, for the training of professional and other personnel, for the conduct of appropriate study, research, and experimentation, and for the creation of appropriate demonstration projects relating to narcotic addiction and drug abuse.

TITLE I—CONSTRUCTION, STAFFING, AND OPERATION OF TREATMENT FACILITIES

SEC. 101. (a) Section 251(a) of the Community Mental Health Centers Act is amended by striking out "of compensation of professional and technical personnel for the initial operation" and inserting in lieu thereof "of operation, staffing, and maintenance."

(b) Section 251(b) of the Community Mental Health Centers Act is amended by striking out "in excess of 66⅔ per centum" and inserting in lieu thereof "in excess of 90 per centum".

(c) Section 251(c) of the Community Mental Health Centers Act is deleted and the following is inserted in lieu thereof:

"(c) Grants under subsection (a) for the costs of operation, staffing, and maintenance of a facility may be made only for the first eight years that such facility is in operation and the amount of any such grant shall not exceed 90 per centum of such costs for the first two years of the grant and 75 per centum of such costs for each of the next six years."

(d) Section 261(a) of the Community Mental Health Centers Act is amended to read as follow:

"(a) There are authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1970; $20,000,000 for the fiscal year ending June 30, 1971; $40,000,000 for the fiscal year ending June 30, 1972, $50,000,000 for the fiscal year ending June 30, 1973; and $75,000,000 for the fiscal year ending June 30, 1974; for construction, operating, staffing, and maintenance grants under parts C or D. Sums so appropriated for any fiscal year shall remain available for obligation until the close of the next fiscal year."

(e) Section 261(b) of the Community Mental Health Centers Act is amended to read as follows:

"(b) There are also authorized to be appropriated for the fiscal year ending June 30, 1971, and each of the next eleven fiscal years such sums as may be necessary to continue to make grants for staffing with respect to any project under part C or D for which a staffing, operation, and maintenance grant was made from appropriations under subsection (a) of this section for the fiscal years ending June 30, 1970, through 1975.

"(c) For purposes of parts C and D, the term 'staffing' means salaries, fringe benefits, and travel allowances for professional, technical, and support personnel needed to provide services to administer, evaluate, operate, and maintain the facilities and program of a treatment center.

"(d) For purposes of parts C and D, the term 'operation and maintenance' means upkeep and repairs, supplies, utilities, rent, equipment cleaning, food and drugs, and similar items of cost incurred by a treatment facility."

TITLE II—TRAINING AND EVALUATION, AND DRUG ABUSE EDUCATION

SEC. 201. (a) Section 252 of the Community Mental Health Centers Act is amended to read as follows:

"TRAINING AND EVALUATION

"SEC. 252. (a) For the purpose of assisting in overcoming the critical shortage of scientific and professional personnel trained to deal with drug abuse and addiction, the Secretary is authorized to make grants to States and political subdivisions thereof and to public or nonprofit private agencies and organizations, and to enter into contracts with other private agencies and organizations, for—

"(1) the development of specialized training programs or materials relating to the provision of health services for the prevention and treatment of drug abuse;

"(2) the development of inservice or short-term refresher courses with respect to the provision of such services;

"(3) training personnel to operate, supervise, and administer such services;

"(4) the conduct of a program of research and study relating to (A) personnel practices and current and projected personnel needs in the field of drug abuse (including prevention, control, treatment, and rehabilitation), (B) the availability and adequacy of the educational and training resources of individuals in, or preparing to enter, such field, and (C) the availability and adequacy of specialized training for persons such as physicians and other health professionals who have occasion to deal with drug addicts, including the extent to which such persons make the best use of their professional qualifications when dealing with such persons; and

"(5) the conduct of surveys and field trials to evaluate the adequacy of the programs for the prevention and treatment of narcotic addiction within the several States with a view to determining ways and means of improving, extending, and expanding such programs.

"(b) Training grants under this section may be made only upon recommendation of the National Advisory Mental Health Council. Such grants may be paid in advance or by way of reimbursement as may be determined by the Secretary, and shall be made on such conditions as the Secretary finds necessary.

"(c) As used in this section, the term 'professional persons' shall include but not be limited to persons in the fields of medicine, psychiatry, nursing, social work, psychology, education, and vocational rehabilitation.

"(d) There are hereby authorized to be appropriated for carrying out the provisions of this section $2,000,000 for the fiscal year ending June 30, 1970; $3,000,000 for the fiscal year ending June 30, 1971; $5,000,000 for the fiscal year ending June 30, 1972; $6,000,000 for the fiscal year ending June 30, 1973; and $6,000,000 for the fiscal year ending June 30, 1974."

SEC. 202. The Community Mental Health Centers Act is amended by redesignating sections 253 and 254 as sections 255 and 256 respective, and by inserting after section 252 the following new sections:

"FELLOWSHIP GRANTS

"SEC. 253. (a) The Secretary is authorized to make fellowship grants (including such stipends and allowances (including travel and subsistence expenses) as the Secretary may deem necessary) to professional personnel for training in relation to drug addiction and other drug-abuse-related problems Each applicant for a fellowship shall present a plan for his training which includes appropriate information regarding the participation of the institutions or agencies who will be providing the training.

"(b) Training grants under this section may be made only upon recommendation of the National Advisory Mental Health Council. Such grants may be paid in advance or by way of reimbursement as may be determined by the Secretary, and shall be made on such conditions as the Secretary finds necessary.

"(c) As used in this section, the term 'professional persons' shall include, but not be limited to persons in the fields of medicine, psychiatry, nursing, social work, psychology, education, and vocational rehabilitation.

"(d) The term 'fellowship' shall include such stipends and allowances (including travel and subsistence expenses) as the Secretary may deem necessary.

"(e) Training and fellowship awards under this title shall be made at such levels as may be required to facilitate the recruitment of the necessary professional manpower to this high priority area.

"(f) There are hereby authorized to be appropriated for carrying out the purpose of this section $400,000 for the fiscal year ending June 30, 1970; $600,000 for the fiscal year ending June 30, 1971; and $1,000,000 for each of the next three fiscal years.

"DRUG ABUSE EDUCATION

"SEC. 254. (a) The Secretary is authorized to make grants to States and political subdivisions thereof and to public or nonprofit private agencies and organizations, and to enter into contracts with other private agencies and organizations, for—

"(1) the collection, preparation, and dissemination of educational materials dealing with the use and abuse of drugs and the prevention of drug abuse, and

"(2) the development and evaluation of programs of drug abuse educations directed at the general public, school-age children, and special high-risk groups.

"(b) The Secretary, acting through the National Institute of Mental Health, shall (1) serve as a focal point for the collection and dissemination of information related to drug abuse; (2) collect, prepare, and disseminate materials (including films and other educational devices) dealing with the abuse of drugs and the prevention of drug abuse; (3) provide for the preparation, production, and conduct of programs of public education (including those using films and other educational devices); (4) train professional and other persons to organize and participate in programs of public education in relation to drug abuse; (5) coordinate activities carried on by such departments, agencies, and instrumentalities of the Federal Government as he shall designate with respect to health education aspects of drug abuse; (6) provide technical assistance to State and local health and educational agencies with respect to the establishment and implementation of programs and procedures for public education on drug abuse; and (7) undertake other activities essential to a national program for drug abuse education.

"(c) The Secretary, acting through the National Institute of Mental Health, is authorized to develop and conduct workshops, institutes, and other activities for the training of professional and other personnel to work in the area of drug abuse education.

"(d) All grants made under this section can be made only upon recommendation of the National Advisory Mental Health Council.

"(e) There are hereby authorized to be appropriated for carrying out the purposes of this section $2,000,000 for the fiscal year ending June 30, 1970; $4,000,000 for the fiscal year ending June 30, 1971; $6,000,000 for the fiscal year ending June 30, 1972; and $8,000,000 for each of the next two fiscal years."

TITLE III—AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT FOR RESEARCH AND STUDIES RELATING TO DRUG USE, ABUSE, AND ADDICTION

SEC. 301. (a) Section 302(a) of the Public Health Service Act (42 U.S.C. 242(a)) is amended—

(1) by inserting "depressant or stimulant drugs and" before "narcotics" in the first sentence;

(2) by striking out "the use and misuse of narcotic drugs," in the first sentence and inserting in lieu thereof "(1) the use and misuse of depressant or stimulant drugs and naroctic drugs, and (2)"; and

(3) by striking out "at his discretion" in the second sentence.

(b) Section 302 of the Public Health Service Act is further amended by adding a new subsection (c) at the end thereof to read as follows:

"(c) The Secretary is authorized to establish a program of grants to be administered by the National Institute of Mental Health to—

"(1) support and conduct programs of research into all phases of drug use and abuse, including the origins, causes, incidence, and prevention of drug use and abuse, the abuse potential of drugs, and the therapeutic and rehabilitation agents and techniques;

"(2) make grants to State or local agencies and other public or nonprofit agencies and institutions, and to enter into contracts with any other agencies or institutions, for the conduct of investigations, experiments, demonstrations, studies, and research projects with respect to the development of improved methods of diagnosing drug addiction and abuse and of care, treatment, and rehabilitation of drug addicts and drug abusers;

"(3) make grants to State agencies responsible for administration of State institutions for care, or care and treatment, of drug addicts or abusers for developing and establishing improved methods of operation and administration of such institutions;

"(4) conduct surveys evaluating the adeqaucy of programs for the prevention and treatment of drug abuse and for necessary planning studies;

"(5) develop field trials and demonstration programs for the prevention and treatment of drug abuse;

"(6) establish a National Registry of Narcotic Addicts to facilitate research in drug addiction; and

"(7) make project grants to State or local agencies and other public or nonprofit agencies or institutions for the establishment, construction, staffing, operation, and maintenance of regional centers for research in drug abuse and related problems, one of which centers shall be established as a National Addiction and Drug Abuse Research Center as part of the National Institute of Mental Health, and shall be located in close proximity to the central research facilities of such Institute so as to avoid duplication of basic science laboratories and to allow for exchange of scientific information in collaboration between researchers in these closely related areas.

Any information contained in the National Registry of Narcotic Addicts, established under paragraph (6), shall be used only for statistical and research purposes and no name or identifying characteristics of any person who is listed in the Registry shall be divulged without the approval of the Secretary and the consent of the person concerned except to personnel who operate the Registry. The Secretary may authorize persons engaged in research under this subsection on the use and effect of drugs to protect the privacy of individuals who are the subject of such research by withholding from all persons not connected with the conduct of such research the names or other identifying characteristics of such individuals. Persons so authorized to protect the privacy of such individuals may not be compelled in any Federal, State, civil, criminal, administrative, legislative, or other proceeding to identify such individuals.

"(d) The following amounts are hereby authorized to be appropriated:

"(1) For carrying out the purposes of section 302(c)(1) through (6), $3,000,000 for the fiscal year ending June 30, 1971; $10,000,000 for the fiscal year ending June 30, 1972; $10,000,000 for the fiscal year ending June 30, 1973; and $10,000,000 for the fiscal year ending June 30, 1974.

"(2) For carrying out the purposes of section 302(c)(7), $3,000,000 for the fiscal year ending June 30, 1970; $10,000,000 for the fiscal year ending June 30, 1971; $25,000,000 for the fiscal year ending June 30, 1972; $20,000,000 for the fiscal year ending June 30, 1973; $20,000,000 for the fiscal year ending June 30, 1974; and $15,000,000 for the establishment of the National Addiction and Drug Abuse Research Center, to remain available until expended."

TITLE IV—CONTROL OF DANGEROUS SUBSTANCES

SEC. 401. (a) The Congress finds and declares that the importation, manufacture, distribution, possession, and use of narcotic drugs and depressant and stimultant drugs for nonmedical and nonscientific purposes have a substantial and detrimental effect on the health and general welfare of the American people, that the medical and scientific use of such drugs are important elements of the practice of medicine and of scientific research, and that adequate provision must be made to insure the availability of controlled drugs for such legitimate purposes.

(b) The Congress further finds that there is a need for a single comprehensive code which makes the necessary distinctions among narcotic drugs and depressant and stimulant drugs with respect to the degree of control required and between their medical and scientific use as against their abuse for nonmedical and nonscientific purposes. It is therefore the purpose of this title to provide for the establishment of such a code, by utilizing the medical and scientific expertise of the Secretary of Health, Education, and Welfare, and the particular competence and expertise of persons versed in the fields of mental health and pharmacology.

SEC. 402. (a) In order to aid the States and communities, the medical and scientific professions, law enforcement authorities and other concerned groups and individuals in coping with the problems of drug abuse, while at the same time encouraging ready access to certain substances for scientific, therapeutic, industrial, or other legitimate purposes, the Secretary shall—

(1) carry out the studies and investigations pertaining to narcotics and depressant and stimulant drugs as directed by section 302(a) of the Public Health Service Act;

(2) determine which substances should be subject to control because of their ability to produce physical or psychological dependence which could lead to abuse;

(3) place these substances in such classes and categories as he shall find necessary, ranked according to the extent of their ability to produce physical or psychological dependence and their relative capabilities for abuse;

(4) promulgate a list of all such substances classified or categorized as directed by paragraph (3); and

(5) amend such list from time to time by adding, deleting, or changing the classification or categorization of a substance as he shall find necessary in the light of new scientific knowledge.

(b) No substance may be included on such list unless it is a narcotic drug (as defined in section 4731 of the Internal Revenue Code) or is a depressant or stimulant drug determined under section 201 of the Federal Food, Drug, and Cosmetic Act and not exempted under section 511(f) of that Act.

(c) The initial list promulgated by the Secretary shall not take effect until after such list has been published in the Federal Register, and not less than thirty days shall have passed thereafter. If within such thirty-day period any person adversely affected by such listing shall require opportunity for a hearing, the Secretary shall provide for such hearing, in conformity with the procedures prescribed in section 701 of the Federal Food, Drug, and Cosmetic Act, with judicial review available in conformity with such section. After such list shall have become final, any change in the category of any substance may be carried out by the Secretary only after similar notice, opportunity for a hearing, and opportunity for judicial review in conformity with such section 701.

SEC. 403. Before making any of the determinations required by section 402, the Secretary shall consider the advice of the Advisory Committee on Narcotics and Dangerous Drugs, established by section 503 of this Act, and shall consult with the Attorney General.

CONTROL OF ILLEGAL TRANSACTIONS IN MARIHUANA

SEC. 404. (a) Section 201(v)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(v)(3)) is amended (1) by striking out "and any other" and inserting in lieu thereof, "marihuana, and any"; and (2) by striking out ", and marihuana as defined in section 4761, of the Internal Revenue Code of 1954 (26 U.S.C. 4731, 4761)" and inserting in lieu thereof "of the Internal Revenue Code of 1954".

(b) Section 201 of such Act is amended by adding at the end thereof the following new paragraph:

"(y) The term 'marihuana' means all parts of the plant Cannabis sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant; its seeds, or resin; but shall not include the mature stalks of such plant, fiber produced from such stalks, oil, or cake made from the seeds of such plant any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination."

REGISTRATION OF RESEARCH ESTABLISHMENTS

SEC. 405. Title V of the Public Health Service Act is amended by adding at the end thereof the following new section:

"REGISTRATION OF RESEARCH ESTABLISHMENTS

"SEC. 513. (a) No person may conduct any research project with any narcotic drug (as defined in section 4731 of the Internal Revenue Code of 1954) or with marihuana (as defined in section 201(y) of the Federal Food, Drug, and Cosmetic Act) unless such research is conducted by an establishment currently registered by the Secretary under this section. Registration under this section shall be for one-year periods, and shall be renewable for like periods.

"(b)(1) No establishment may be registered under this section except pursuant to application which shall set forth—

"(A) the name of the applicant;

"(B) his principal place of business;

"(C) the number or other identification of any applicable Federal, State, or local license or registration, relating to narcotic drugs or marihuana, currently held by the applicant including the number or other identification of any such Federal license or registration previously held by the applicant;

"(D) procedures for accountability for drugs used in research projects of the applicant and the methods to be used and the safeguards to be instituted against diversion of the drugs used in such projects to nonmedical or nonscientific uses; and

"(E) any other information required by the Secretary by regulations.

The Secretary may not register an establishment under this section unless he determines that the applicant has established adequate procedures to provide for accountability for drugs used in research projects of the applicant and adequate methods to safeguard against diversions of such drugs to nonmedical or nonscientific uses, in accordance with regulations issued by the Secretary, with the concurrence of the Attorney General. Such regulations shall permit the conduct of double-blind studies.

"(2) Each applicant registered under this section shall, before any drugs are administered to human beings under a research project of the applicant, submit to the Secretary, in such form and containing such information as the Secretary may require, a research protocol, describing the research to be conducted, listing the investigators (each of whom must be registered under section 4722 or 4753 of the Internal Revenue Code, as applicable) and their qualifications to engage in such research, and otherwise conforming to the requirements of section 505(i) of the Federal Food, Drug, and Cosmetic Act. No such research protocol may provide for the dispensing or administration of drugs to human beings except by persons licensed to dispense or administer such drugs under applicable State laws.

"(c)(1) The Secretary may revoke or suspend the registration of any establishment granted under this section if he finds (A) that the application for such registration contains any untrue statement of material fact, (B) that research projects in such establishment are not being conducted in accordance with approved procedures or methods relating to accountability for drugs or safeguards against diversion of drugs used in such project to nonmedical or nonscientific uses, or (C) research projects involving the dispensing or administration of drugs to human being are being conducted by persons not licensed under applicable State law to dispense or administer drugs.

"(2) Regulations of the Secretary shall provide for notice and opportunity for a hearing before revocation or suspension of registration under this section, except that, upon a finding of imminent hazard to the public health, such registration may be suspended or revoked prior to such hearing, but opportunity for a hearing shall be granted immediately in such cases."

AMENDMENTS RELATING TO DRUG RESEARCH IN REGULATED ESTABLISHMENTS

SEC. 406. (a) Section 4704(b) of the Internal Revenue Code of 1954 is amended by striking out the period at the end thereof and inserting in lieu thereof "; or", and by inserting immediately below paragraph (2) the following new paragraph:

"(3) RESEARCH.—To the dispensing or administration of narcotic drugs in the course of a research project conducted by an establishment currently registered under section 513 of the Public Health Service Act, if records of the drugs so dispensed or administered are kept as required by this subpart."

(b) Section 4705(c) of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following:

"(5) RESEARCH.—To the dispensing or administration of narcotic drugs to any person in the course of a research project conducted by an establishment currently registered issued under section 513 of the Public Health Service Act. Such registrant shall keep a record of all such drugs dispensed or administered, showing the amount dispensed or administered, the date, and the name and address of the person to whom such drugs are dispensed or administered, except such as may be dispensed or administered to a patient upon whom a physician, dentist, veterinary surgeon, or other practitioner shall personally attend; and such record shall be kept for a period of two years from the date of dispensing or administering such drugs, subject to inspection, as provided in section 4773."

(c) Section 4721(5) of the Internal Revenue Code of 1954 is amended by striking out "research, instruction, or analysis" and inserting in lieu thereof "instruction or analysis, or for the purpose of research by an establishment currently registered under section 513 of the Public Health Service Act,".

(d) Section 4742(b) of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following:

"(6) RESEARCH PROJECTS.—To a transfer of marihuana to or by a person in the conduct of a research project conducted by an establishment currently registered under section 513 of the Public Health Service Act. Such registrant shall keep a record of all such marihuana used in such project, showing the amount used and the name and address of the person using such marihuana, and such record shall be kept for a period of two years from the date of such use, and be subject to inspection as provided in section 4773."

(e) Section 4751(4) of the Internal Revenue Code of 1954 is amended by striking out "research, instruction, or analysis" and inserting in lieu thereof "instruction or analysis, or for the purpose of research by

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an establishment currently registered under section 513 of the Public Health Service Act,".

TITLE V—MISCELLANEOUS

TRANSFERS OF AUTHORITY

SEC. 501. The functions, powers and duties of the Attorney General under Reorganization Plan Number 1 of 1968 to designate a drug as a depressant or stimulant drug under section 201(V) of the Federal Food, Drug, and Cosmetic Act, and to make a finding that a drug or other substance is an opiate under section 4731 of the Internal Revenue Code of 1954, to determine the medical, scientific, and other legitimate needs of the United States for the purpose of establishing manufacturing quotas for narcotic drugs under section 509 of the Narcotics Manufacturing Act of 1960, and the amounts of narcotic drugs that should be imported or exported under sections 173 and 182 of title 21 of the United States Code, are transferred to the Secretary.

AMENDMENTS RELATING TO TRANSFERS OF AUTHORITY

SEC. 502. (a) The Internal Revenue Code of 1954 is amended as follows:

(1) Section 4702(a)(1) is amended by striking out "The Secretary or his delegate" where it appears after subparagraph (B) and inserting in lieu thereof "The Secretary of, Health, Education, and Welfare, after consultation with the Attorney General".

(2) Sections 4702(a)(3) and 4702(a)(5) are each amended by striking out "The Secretary or his delegate" where it appears in those sections and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(3) Section 4705(c)(2)(C) is amended by striking out "The Secretary or his delegate" and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(4) Sections 4731(g)(1) and 4731(g)(2) are each amended by striking out "The Secretary or his delegate (after considering the technical advice of the Secretary of Health, Education, and Welfare or his delegate, on the subject)" and inserting in lieu thereof in each such section "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(b) Section 2(b) of the Narcotic Drugs Import and Export Act is amended by striking out "the board" and inserting in lieu thereof "the Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(c) Section 10(a) of the Opium Poppy Control Act of 1942 (21 U.S.C. 188) is amended by striking out "The Secretary of the Treasury" and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(d) The Narcotics Manufacturing Act of 1960 is amended as follows:

(1) The second sentence of section 5(b) (21 U.S.C. 503) is amended by striking out "The Secretary or his delegate" and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(2) The second sentence of section 5(d) is amended by striking out "The Secretary or his delegate" and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General."

(2) Section 6 (21 U.S.C. 504) is amended by striking out "The Secretary or his delegate" the first and third time it appears and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(4) Section 7(b) (21 U.S.C. 505(b)) is amended by striking out "if the Secretary or his delegate" and inserting in lieu thereof "if the Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(5) Paragraph (1) of Section 8(a) (21 U.S.C. 506(a)) is amended by striking out "which will produce" and inserting in lieu thereof "which the Secretary of Health, Education, and Welfare, after consultation with the Attorney General, determines will produce".

(6) Section 11(a) (21 U.S.C. 509) is amended by striking out "the Secretary or his delegate" and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(7) Section 11(b) is amended by striking out "the Secretary or his delegate" the first time it appears in that section and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

ADVISORY COMMITTEE

SEC. 503. The Secretary of Health, Education, and Welfare shall appoint a committee of experts to advise him with respect to any of the determinations pertaining to drugs which he is required to make under amendments made by this Act. This committee shall be known as the Advisory Committee on Narcotics and Dangerous Drugs. It shall be composed of not less than twelve persons of diverse professional backgrounds, including the fields of pharmacology, psychiatry, psychology and other behavioral sciences, manufacturing, and distribution, who, in the opinion of the Secretary, qualify as experts on the subject of narcotic drugs or depressant or stimulant drugs.

The section-by-section analysis, presented by Mr. YARBOROUGH, is as follows:

COMPREHENSIVE NARCOTIC ADDICTION AND DRUG ABUSE CARE AND CONTROL ACT OF 1969, SECTION-BY-SECTION ANALYSIS

SECTION II—FINDINGS AND PURPOSES

The Congress finds that narcotic addiction and drug abuse are major health and social problems afflicting large numbers of persons and that much more needs to be done in relation to prevention and control; that programs should be community-based, comprehensive and coordinated with other services under medical auspices; that current knowledge about causes, prevention and treatment of narcotic addiction and drug abuse is inadequate and that public education is urgently needed on this subject; and finally, that there is a serious shortage of trained personnel to work in this area. The purpose of the Act is to help prevent and control narcotic addiction and drug abuse through authorization of Federal aid in the construction, staffing, operation and maintenance of facilities for the prevention and treatment of narcotic addiction and drug abuse, in the development of drug abuse education programs, in the training of professional and other personnel, in the support of appropriate demonstration projects relating to narcotic addiction and drug abuse and in the conduct of needed research, study and experimentation.

Title I—Construction staffing and operation of treatment facilities

The Community Mental Health Centers Act would be amended to:

1. Make operation and maintenance costs, as well as all staffing costs, eligible for Federal funding. "Staffing costs" would be further defined to include fringe benefits and travel allowances for all personnel, including support personnel, as well as salaries. Operation and maintenance would include costs of upkeep and repairs, supplies, utilities, rent, equipment cleaning, food and drugs, and similar items of cost. At present, only construction and staffing costs are eligible, and the latter are limited to salaries of professional and technical personnel only.

2. Increase the maximum Federal participation in the costs of construction of treatment and rehabilitation facilities from 66⅔% to 90%.

3. Increase the maximum percentage and duration of Federal participation in operation, staffing and maintenance costs to 90% for the first two years and 75% of such costs for the next six years. At present, such support is limited to 75% of the costs of salaries for professional and technical personnel for the first 15 months of the grant, 60% for the next year, 45% for the next year, and 30% for the final year of the grant.

Authorized appropriations for construction, staffing, operation and maintenance grants under the alcoholism and the narcotic addiction sections of the Act are as follows: $15 million for the fiscal year ending June 30, 1970; $20,000,000 for the fiscal year ending June 30, 1971; $40,000,000 for the fiscal year ending June 30, 1972; $50,000,000 for the fiscal year ending June 30, 1973; and $75,000,000 for the fiscal year ending June 30, 1974. "Such sums as may be necessary" are authorized for continuation grants covering FY 1971 and each of the next 11 fiscal years.

Title II—Training and evaluation, and drug abuse education

SEC. 201—The Secretary is authorized to make grants to States and political subdivisions and to public or nonprofit private agencies or to contract with other private agencies or organizations for a number of special purposes: (1) for the development of specialized training programs or materials for the prevention and treatment of drug abuse and for the training of personnel to administer such programs and services.

(2) for research and study relating to current and projected personnel needs in the field of drug abuse (such a study to include research on the adequacy of educational and training resources in the drug abuse field, and to examine the availability of specialized training for persons such as physicians and other health professionals who have occasion to deal with narcotic addicts and drug abusers), and

(3) for the planning and conduct of surveys and field trials to evaluate the adequacy of State programs for the prevention and treatment of narcotic addiction and drug abuse. The training grants can be made only upon recommendation of the National Advisory Mental Health Council.

The following appropriations would be authorized: $2,000,000 for the fiscal year ending June 30, 1970; $3,000,000 for the fiscal year ending June 30, 1971; $5,000,000 for the fiscal year ending June 30, 1972; $6,000,000 for the fiscal year ending June 30, 1973; and $6,000,000 for the fiscal year ending June 30, 1974.

Sec. 202—The Secretary would also be authorized to make fellowship grants to professional personnel for training in relation to drug addiction and other drug abuse related problems. These grants again would require the approval of the National Advisory Mental Health Council. In both these sections, "professional personnel" is defined to include, but not be limited to, persons in the fields of medicine, psychiatry, nursing, social work, psychology, education and vocational rehabilitation.

The following appropriations are authorized for carrying out this fellowship program: $400,000 for the fiscal year ending June 30, 1970; $600,000 for the fiscal year ending June 30, 1971; and $1,000,000 for each of the next three fiscal years.

Drug abuse education

A new section would be added to the Centers Act to authorize the Secretary to make grants to States and political subdivisions and to public or nonprofit private agencies, or to contract with other private agencies or organizations for the collection, preparation and dissemination of educational materials, and for the development and evaluation of programs of drug abuse education

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directed to the general public, school age children and other high risk groups.

The Secretary, acting through the National Institute of Mental Health, is designated as the focal point for 1) the collection and dissemination of information and materials, including films and other educational devices, dealing with drug abuse and its prevention; 2) the conduct of drug abuse public education programs and the training of persons to organize and carry out such programs; 3) the coordination of Federal activities, with respect to the health education aspects of drug abuse; 4) the provision of technical assistance to State and local health and educational agencies; and 5) the development and conduct of workshops and other institutes or activities for the training of personnel to work in the area of drug abuse education. All such grants are to be awarded only after approval by the National Advisory Mental Health Council.

The following appropriations would be authorized: $2 million for the fiscal year ending June 30, 1970; $4 million for the fiscal year ending June 30, 1971; $6 million for the fiscal year ending June 30, 1972; and $8 million for each of the next two fiscal years.

Title III—Amendments to the PHS act for research and studies relating to drug use, abuse, and addiction

Section 302(a) of the Public Health Service Act would be amended by authorizing studies of depressant or stimulant drugs as well as studies of narcotics and by requiring the Secretary of the Treasury to use the results of the Surgeon General's studies of the country's medical and scientific requirements for crude opium and other narcotics in determining the amounts of crude opium and coca leaves to be imported. (The Secretary of the Treasury's authority under this section is presently vested in the Attorney General by virtue of Reorganization Plan No. 1 of 1968. The Surgeon General's authority under this section is presently vested in the Secretary pursuant to Reorganization Plan No. 3 of 1966).

A new subsection (c) would be added to Section 302 to authorize the Secretary to establish a program of grants, to be administered by the National Institute of Mental Health, to State or local agencies and to public or nonprofit private agencies, and to contract with other agencies or institutions for:

1. The conduct of a broad program of research into all phases of drug use and abuse, including origins, causes, incidence and prevention, and abuse potential of drugs, and therapeutic and rehabilitation agents and techniques;
2. The investigation and study of improved diagnostic and treatment techniques;
3. The development of improved methods of operation and administration of State institutions caring for and treating drug addicts or abusers;
4. The conduct of surveys to evaluate the adequacy of treatment and prevention programs;
5. The development of field trials and demonstration programs for prevention and treatment of drug abuse;
6. The establishment of a National Registry of Narcotic Addicts; and
7. Support of the construction, staffing, operation and maintenance of regional centers for research in drug abuse and related problems. The bill specifies that one of the regional research centers is to be established as a National Addiction and Drug Abuse Research Center and made a part of the NIMH, to be located in close proximity, to the NIMH's central research facilities.

There is also a provision forbidding the divulgence of names of persons listed on the National Registry of Narcotic Addicts, except for statistical and research purposes and then only with approval of the Secretary and the consent of persons involved. The Secretary may also authorize researchers to protect the privacy of their subjects by refusing to give identifying characteristics to anyone not connected with the research.

The following appropriations are authorized for the establishment of the regional research centers: $3 million for FY 1970; $10 million for FY 1971; $25 million for FY 1972; $20 million for FY 1973; and $20 million for FY 1974. An additional $15 million is earmarked for the establishment of the NIMH National Addiction and Drug Abuse Research Center.

For all the other grants authorized by this section, the appropriations authorized are: $3 million for FY 1971; and $10 million each year for Fiscal Years 1972, 1973, and 1974.

Title IV—Control of Dangerous Substances

Section 401—Findings and Declaration

The Congress finds and declares that the importation, manufacture, distribution, possession or use of narcotic or depressant and stimulant drugs for non-medical and non-scientific purposes is seriously detrimental to the health and welfare of the American people, but that it is vitally important that such drugs be readily available and in adequate supply for use in the practice of medicine and for scientific research. The purpose of the title is stated to be the provision of a single comprehensive code which will establish a method for identifying substances which should be Federally controlled, distinguish among them with respect to the degree of control required and between their medical and scientific use as against their abuse for non-medical or non-scientific purposes. The Congress expresses its intent to rely on the medical and scientific expertise of the Secretary of the Department of Health, Education, and Welfare, particularly that of his staff versed in the fields of mental health and pharmacology, in making all these determinations.

Section 402—This section authorizes the Secretary to establish and promulgate by regulation classes of narcotics and depressant or stimulant drugs which in his opinion require Federal control because of their ability to produce physical or psychological dependence. Such substances are to be ranked according to their ability to produce physical or psychological dependence and their relative capabilities for abuse.

The Secretary would also be authorized to add, delete, or change a substance from one classification to another, or to reorganize the classification system entirely at any time, and to promulgate the changes through amended regulations.

Only substances fitting the definition of "narcotic drug" as set forth in the Internal Revenue Code or of "depressant or stimulant drugs" as set forth in the Federal Food, Drug, and Cosmetic Act, and which are not exempted under provisions of that Act, may be included.

Section 403—All designations under this section are to be made by the Secretary only after consulting with and upon the advice of an Advisory Committee established by Section 503 of the Act, and after consultation with the Attorney General.

Section 404—Control of illegal transactions in marihuana

This section would remove marihuana from the Internal Revenue Code and add it to the definitions of depressant or stimulant drugs in the Food, Drug, and Cosmetic Act, making it subject to the controls imposed on such substances rather than those provided for narcotic drugs in the Internal Revenue Code.

Section 405—Registration of Research Establishments

A new section 513 would be added to the Public Health Service Act to require all persons wishing to conduct research with any narcotic drug or with marihuana to register with the Secretary. Registration is pursuant to an application to the Secretary containing such information as the Secretary may require, and which satisfies him that adequate safeguards against diversion of the drugs to be used to non-medical or non-scientific uses will be provided. Before any drugs are administered to human beings, a research protocol describing the research, the investigators and their qualifications must be submitted to the Secretary. Provisions for revocation or suspension of the registration under certain circumstances are also included.

Section 406—Drug Research Amendments

This section exempts research in establishments registered under the new section 513, above, from various provisions of the Internal Revenue Code concerning narcotics and marihuana, and makes certain other conforming amendments.

Title V—Miscellaneous

Section 501—Transfer of Authorities

The authorities of the Attorney General which were transferred to him from the Secretary of HEW or the Secretary of the Treasury, by virtue of Reorganization Plan No. 1 of 1968, to designate a substance as a depressant or stimulant drug, or to make a finding that a substance is an opiate, or to determine the medical, scientific, and other legitimate needs of the United States for the purpose of setting manufacture or export or import quotas, would be transferred to the Secreary of HEW by this section.

Section 502—Amendments relating to transfers of authorities

Various provisions of the Internal Revenue Code of 1954, the Narcotic Drugs Import and Export Act, the Opium Poppy Control Act of 1942 and the Narcotic Manufacturing Act of 1960 are amended to transfer decisionmaking authority with respect to the abuse potential of or scientific requirements for narcotics or dangerous drugs in conformance with the transfer authorized by section 501. In each instance, prior consultation with the Attorney General is required.

Section 503—Advisory Committee

This section establishes an Advisory Committee on Narcotics and Dangerous Drugs which is to assist the Secretary in making any of the determinations for which he is responsible under the act. The Committee is to be comprised of 12 members of diverse professional backgrounds, including the fields of pharmacology, psychiatry, psychology and other behavioral sciences, and those engaged in the manufacturing and distribution of drugs, to be selected by the Secretary for their expertise in the area of narcotic or depressant or stimulant drugs.

S. 2609, S. 2610, AND S. 2611—INTRODUCTION OF BILLS TO BROADEN MINORITY PARTICIPATION IN THE CONSTRUCTION INDUSTRY

Mr. BAYH. Mr. President, I am introducing, for appropriate reference, three bills which in my opinion are essential to increasing the participation of small contractors, especally small minority contractors, in the mainstream of the construction industry. Entry in the past has been hampered by a narrow scope of performance, inadequate capitalization, weak credit, lack of access to management and technical assistance and limited access to bid and performance bonds. These factors have seriously affected the efforts of minority contractors to participate fully in construction enterprises.

The problems and constraints faced by the average small contractor are often magnified by considerations of race and color. In view of the generally difficult nature of the construction business, small

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contractors can ill afford such arbitrary limitations. However, beyond such limitations are very real financial, administrative, and technical restraints which must be removed.

The gigantic task of meeting the present and future construction needs of our Nation demand that we maximize our construction capability. This cannot be accomplished unless our technological and manpower resources are utilized to the fullest measure. A survey conducted by the National Business League revealed that—

> Only one-third of all Negro contractors were successful in securing performance bonds at any time and all of these had experienced "undue difficulty" in securing them. Seventy percent reported they had lost contracts because of inability to secure bonding.

The Small Business Administration estimates that among the half million more visible firms in the contract construction industry, the number owned by nonwhite persons does not exceed 8,000; 90 percent of these nonwhites are black.

In comments before the Senate on the bonding problems of black contractors, on February 24 of this year, I pointed out that millions of public dollars and increasingly large amounts of private capital are being committed to urban renewal and redevelopment. Concurrent programs of manpower development and skilled apprenticeship training are being conducted by several Federal agencies and private organizations. Yet very little of the money has found its way into the pockets of workers who live in minority communities.

During the past few months, my staff and I have given a great deal of thought to this problem with a view toward recommending a legislative remedy. I am still very much of the opinion that it is grossly inconsistent to express the pat phrases and rhetoric of "black capitalism" and not offer concrete proposals as part of the essential need for overall economic development of the minority communities of this country.

Our research indicates that legislation in this area is of significant interest to the organizations responsible for technical competence, labor and material, financing, and surety bonding. The Associated General Contractors, the National Association of Credit Management, the American Insurance Association, and the Building Trades Unions, have at some point indicated their interest in and willingness to participate in programs whose goal is the revitalization of our Nation's cities. All of us interested in revitalizing those decayed portions of America welcome the interest of these organizations and look forward to their continued participation in this effort.

Let me outline briefly the major policy objectives of these bills. The first bill would increase the participation of small business concerns in the construction industry by: First, providing for a Federal guarantee of certain construction bonds; second, authorizing the acceptance of certifications of competency in lieu of bonding in connection with certain Federal projects; and third, establishing a national construction task force staffed to provide technical instruction and counseling with respect to the managing, financing, and operation of small construction concerns, the techniques needed for successful bidding on construction contracts, and the correlation and dissemination of information concerning opportunities for small business enterprises to participate as prime contractors or subcontractors on construction projects.

Surety industry officials have stated their belief that surety companies have substantially more at stake than, for example, banks which have various security arrangements protective of their interests, such as governmental mortgage and loan guarantees not presently available to sureties. My bill would provide for a 90-percent guarantee to the surety against losses incurred as the result of default by a contractor.

The relationship between a surety company and the sponsor of a given construction project is very much a function of performance on time. The surety industry has stated:

> No surety company can reasonably be expected, unilaterally and in disregard of the long known desires of owners, to adopt a radical concept of underwriting premised on the needs *of the bond applicant* rather than on the needs *of the owner*.

Consequently, the bill would provide a vehicle for judicious evaluation of a contractor's performance potential and a means of protecting the sureties against 90 percent of any losses incurred. This should result in much greater participation by minority contractors who have the capability but not the needed bonding capacity.

The certificate of competency is presently used in the performance of government service and supply contracts. It is important to extend, as the bill would do, such application to Government contracts involving construction and to give minority contractors who have been unable to obtain bid and performance bonding the opportunity for reevaluation by the Small Business Administration. If the SBA determines that the contractor possessed qualifications considered normally sufficient by the surety industry, a certificate of competency would be issued to the contractor in lieu of a bid and/or performance bond. If the certified contractor should be the low bidder, his performance would be bonded by the Government as a self-insurer and he would in turn pay to the Government a premium commensurate with the going rate in the surety industry.

The guarantee and certification of competency programs are specifically geared to assist those contractors who are able and ready to perform but unable to obtain bonding. The proposed national construction task force would provide critically needed technical, financial, and managerial assistance to those minority contractors asipring to a position of competitive capacity. Knowledge of new materials alone can mean the difference between a successful and unsuccessful bidder. It is difficult to assess the number of minority contractors who are in need of such assistance. However, it is fair to assume that a large percentage of the estimated 8,000 would benefit greatly from such a program.

The second bill would amend section 3 of the Housing and Urban Development Act of 1968, entitled Jobs in Housing; Employment Opportunities for Lower Income Persons in Connection With Assisted Projects.

As presently constituted, this section calls for maximum feasible utilization of individuals and business concerns located in, or owned by persons who reside in areas of projects assisted by sections 235 and 236, section 271(d)(3) of the National Housing Act, and the low-rent housing program under the Housing Act of 1937. Section 3 is limited in its provisions of new opportunities for jobs and business contracts to projects involving federally assisted housing only.

In my opinion, the provisions and spirit of section 3 should be extended to include federally assisted programs of urban planning, development, redevelopment, or renewal; public or community facilities; and new community development. State and local planning agencies engaged in federally assisted projects spend millions of dollars annually to purchase the skills of firms offering urban planning and consultation services. This extension would greatly broaden the scope of employment and business opportunity for lower income persons and aspiring minority entrepreneurs.

The third bill would amend the Miller Act of 1935, which now requires that all Federal contracts for construction in excess of $2,000 must be bonded, to increase the exemption from $2,000 to $20,000. This would reduce the constraint of Federal bonding requirements which are presently an important additional factor in any comprehensive consideration of the bonding problems of minority contractors.

A committee on Federal construction contracts and programs of the Department of Housing and Urban Development reported in November of 1968:

> Emerging minority contractors need an opportunity to compete on small to medium contracts without the restraints of bonding procedures in order to develop necessary construction experience.

The committee also pointed out that, to a certain extent, "the Federal Government can be a self-insurer in these cases." The committee also stated its opinion that there should be further study before legislative change is requested, pointing out that—

> The protections of the Miller Act may be as or more important than any barrier it represents to disadvantaged contractors.

The Boekh Index of Construction is supportive of the need to adjust the requirements of the Miller Act upward. The recommended $20,000 figure reflects the difference between 1935 and 1969 costs and provides also for liberalization of Federal bonding requirements to eliminate the barriers to the "entry" level for Federal contracts.

The General Services Administration reports that in 1968, 20,000 contracts in the category of $2,000 or less were awarded for a total of $7 million.

In the category of $2,000 to $20,000, 1,114 contracts were let for an additional $7,401,284. It is clear that the recommended increase in value of contracts not requiring a payment and performance bond would double the dollar flow

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to contractors limited presently by both bonding constraints and the small size of contracts that do not require bonding.

Mr. President, I firmly believe that the passage of these three bills would inject the substance of purpose and commitment into the rhetoric of those who speak energetically about minority economic development but offer so little toward its attainment.

I ask unanimous consent that the complete text of the three bills be printed in the Record at the conclusion of my remarks.

The **PRESIDING OFFICER**. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the Record.

The bills, introduced by Mr. Bayh, were received, read twice by their titles, referred as indicated, and ordered to be printed in the Record, as follows:

S. 2609

A bill to increase the participation of small business concerns in the construction industry by providing for a Federal guarantee of certain construction bonds and authorizing the acceptance of certifications of competency in lieu of bonding in connection with certain Federal projects, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose of this Act to advance the national policy set forth in section 2 of the Small Business Act by authorizing assistance to small business enterprises wishing to enter the construction business with special reference to those persons and concerns which, as a result of discrimination or otherwise, have not been able to participate fully or fairly in a vital and expanding industry.

CONSTRUCTION BOND GUARANTEES

Sec. 2. Title IV of the Small Business Investment Act of 1958 is amended—

(1) by striking out the title heading and inserting in lieu thereof the following:

"TITLE IV—GUARANTEES

"PART I—LEASE GUARANTEES";

(2) by striking out "this title", wherever it appears in sections 402 and 403, and inserting in lieu thereof "this part"; and

(3) by adding at the end thereof the following:

"PART II—CONSTRUCTION BOND GUARANTEES

"DEFINITIONS

"Sec. 410. As used in this part—

"(1) The term 'bid bond' means a bond conditioned upon the bidder on a contract for the performance of a construction project entering into the contract, if he receives the award thereof, and furnishing the prescribed payment bond and performance bond.

"(2) The term 'payment bond' means a bond conditioned upon the payment by the principal of money, received from the obligee, to subcontractors, mechanics, laborers, and other persons entitled to receive the same.

"(3) The term 'performance bond' means a bond conditioned upon the completion by the principal of a construction project in accordance with the terms of the contract under which the project is performed.

"(4) The term 'surety' means the person who (A) under the terms of a bid bond undertakes to pay a sum of money to the obligee in the event the principal breaches the conditions of the bond, or (B) under the terms of a payment bond or performance bond undertakes to incur the cost of fulfilling the terms of a construction contract in the event the principal breaches the conditions of the contract.

"(5) The term 'obligee' means (A) in the case of a payment bond or performance bond, the person who has contracted with a principal for the completion of a construction project and to whom the obligation of the surety runs in the event of a breach by the principal of the conditions of a payment bond or performance bond, or (B) in the case of a bid bond, the person requesting bids for the performance of a construction project. An obligee may be the owner or lessee of real property upon which a construction project is to be performed, or a prime contractor or subcontractor.

"(6) The term 'principal' means (A) the person primarily liable to complete a construction project for the obligee, or to make payments to other persons with money provided by the obligee in respect of such project, and for whose performance of his obligation the surety is bound under the terms of a payment or performance bond, or (B) in the case of a bid bond, a person bidding for the award of a contract to perform a construction project. A principal may be a prime contractor or a subcontractor.

"(7) The term 'prime contractor' means the person with whom the owner or lessee of real property upon which a construction project is to be performed has contracted to perform the project.

"(8) The term 'subcontractor' mean a person who has contracted with a prime contractor or with another subcontractor to perform a construction project.

"(9) The term 'construction project' means a project involving work on or improvements to real property; a construction project to be performed by a prime contractor may involve one or more lesser construction projects to be performed by subcontractors.

"AUTHORITY OF THE ADMINISTRATION

"Sec. 411. (a) The Administration may, upon such terms and conditions as it may prescribe, guarantee and enter into commitments to guarantee any surety against loss as the result of the breach of the terms of a bid bond, payment bond, or performance bond by a principal, subject to the following conditions:

"(1) The person who would be the principal of the bond is a small business concern.

"(2) The bond is required in order for such person to bid on a construction contract, or to serve as a prime contractor or subcontractor on a construction project.

"(3) Such person is not able to obtain such bond on terms and conditions which generally prevail in the industry without a guarantee under this section.

"(4) The Administration determines that there exists a reasonable expectation that such person will perform the covenants and conditions of the contract with respect to which the bond is required.

"(5) The contract and the construction project meet requirements established by the Administration for feasibility of successful completion and reasonableness of cost.

"(b) Any contract of guarantee under this section shall obligate the Administration to pay to the surety a sum not to exceed 90 per centum of the cost incurred by the surety in fulfilling the terms of his contract with an obligee as the result of the breach by the principal of the terms of a bid bond, performance bond, or payment bond.

"(c) The Administration shall fix a uniform annual fee for any guarantee under this section which shall be payable at such time as may be determined by the Administration. To the extent practicable, having due regard for the purposes of this section, the amount of any such fee shall be determined in accordance with sound actuarial practices and procedures. Any fee so established shall be subject to periodic review in order that the lowest fee that experience under the program shows to be justified will be placed into effect. The Administration may also fix such uniform fees for the processing of applications for guarantees under this section as it determines are reasonable and necessary to pay administrative expenses incurred in connection therewith.

"(d) The provisions of section 402 shall apply in the administration of this section.

"FUND

"Sec. 412. (a) There is established a revolving fund for use by the Administration in carrying out this part. Initial capital for such fund shall consist of not to exceed, $5,000,000 transferred from the fund established under section 4(c)(1)(B) of the Small Business Act, but paragraph (6) of such section shall not apply to any amounts so transferred.

"(b) There shall be deposited into the fund established by this section all receipts from the guarantee program authorized by this part. Money in such fund not needed for the payment of current operating expenses or for the payment of claims arising under such programs shall be invested in bonds or other obligations of, or guaranteed by, the United States; except that money provided as initial capital for such fund shall be returned to the fund established by section 4(c)(1)(B) of the Small Business Act, in such amounts and at such times as the Administration determines to be appropriate, whenever the level of the fund established by this section permits the return of such money without endangering the solvency of the program under this part."

CERTIFICATIONS OF COMPETENCY TO PERFORM FEDERAL CONSTRUCTION PROJECTS

Sec. 3. Paragraph (7) of section 8(b) of the Small Business Act is amended by inserting "(A)" after "(7)" and adding at the end thereof the following:

"(B)(i) to certify to any department or agency of the Government, within 15 days after application therefor is made by a small business concern, concerning the competency, capacity, and credit of such concern to bid upon and to carry out a contract for a construction project to be financed by such department or agency in accordance with the terms thereof, and to meet all obligations arising thereunder, and any such certification shall, notwithstanding any other provision of law, be accepted by such department or agency in lieu of requiring that such concern provide a bid bond, payment bond, or performance bond; subject to the following conditions:

"(aa) the small business concern is not able to obtain from private sources the bonding which, except for the provisions of this paragraph (B), would be required in order to be awarded such contract;

"(bb) the Administration determines that such concern possesses qualifications which would normally be considered sufficient by the surety industry to obtain such bonding:

"(cc) the amount of any payment bond or performance bond which, except for the provisions of this paragraph (B), would be required of such concern does not exceed $500,000; and

"(ii) to charge and receive from any small business concern which is awarded a contract for a construction project by a department or agency of the Government, pursuant to a certification made under this paragraph (B), a fee or fees in an aggregate amount which is not more than the premium or premiums which such concern would have otherwise been required to pay, under sound actuarial practices and procedures, to a private surety to obtain a payment bond and a performance bond in order to qualify for such contract; such fee or fees to be paid at such time or times as the Administration shall by regulation prescribe."

NATIONAL CONSTRUCTION TASK FORCE

Sec. 4. Section 8 of the Small Business Act is amended by adding at the end thereof a new subsection as follows:

"(f) (1) The Administrator shall establish

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a National Construction Task Force (hereinafter referred to as the 'Task Force') to consist of fifteen persons to be appointed by the Administrator. Members of the Task Force shall be broadly representative of Government, business, labor, and the public, but in selecting such members the Administrator shall seek to obtain the services of persons who, by experience, training, or interest, are knowledgeable concerning the construction industry and the problems of the small contractor. Members of the Task Force shall elect a Chairman and shall meet on the call of the Chairman which shall be not less often than once each quarter. Each member of the Task Force from private life shall receive compensation at a rate of $75 for each day he is engaged in the actual performance of duties vested in the Task Force, and shall be reimbursed for travel expenses, including per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently. The Administration shall provide the Task Force with such office facilities, materials, and staff as may be necessary or appropriate to enable it to carry out its functions.

"(2) The Task Force shall, after consultation with representatives of the Department of Labor and the Department of Housing and Urban Development, develop programs and policies to be carried out, with the approval of the Administrator, for broadening the participation of small business enterprise in the construction industry. Such programs shall include (A) the provision of technical instruction and counselling with respect to the managing, financing, and operation of small construction concerns, and the techniques of successful bidding on construction contracts, and (B) the correlation and dissemination of information concerning opportunities for small business enterprises to participate as prime contractors or subcontractors on construction projects.

"(3) Approved programs and policies developed by the Task Force shall be carried out by the Administration on a local basis having regard for varying conditions prevailing in the construction industry in different areas of the country. Whenever necessary in furtherance of such programs and policies, the Administration may obtain the temporary or intermittent services of experts or consultants, or an organization thereof, in accordance with section 3109 of title 5, United States Code, but at rates for individuals not to exceed $100 per diem.

"(4) The authority conferred by this subsection shall terminate upon the expiration of 10 years after the date of its enactment."

S. 2610

A bill to amend section 3 of the Housing and Urban Development Act of 1968

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Housing and Urban Development Act of 1968 is amended to read as follows:

"EMPLOYMENT OPPORTUNITIES FOR LOWER INCOME PERSONS IN CONNECTION WITH ASSISTED PROJECTS

"SEC. 3. In the administration by the Secretary of Housing and Urban Development of programs providing financial assistance in aid of housing; urban planning, development, redevelopment, or renewal; public or community facilities; and new community development; the Secretary shall—

"(1) require, in consultation with the Secretary of Labor, that to the greatest extent feasible opportunities for training and employment arising in connection with the planning and carrying out of any project assisted under any such program be given to lower income persons residing in the area of such project; and

"(2) require, in consultation with the Administrator of the Small Business Administration and the Secretary of Labor, that to the greatest extent feasible contracts for work to be performed in connection with any such project be awarded to business concerns, including but not limited to individuals or firms doing business in the field of planning, consulting, design, architecture, building construction, rehabilitation, maintenance, or repair, which are located in or owned in substantial part by persons residing in the area of such project."

S. 2611

A bill to amend the Act of August 24, 1935 (commonly referred to as the "Miller Act") to exempt construction contracts not exceeding $20,000 in amount from the bonding requirements of such Act, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (a) of the first section of the Act of August 24, 1935, as amended (40 U.S.C. 270a(a)), is amended by striking out "$2,000" and inserting in lieu thereof "$20,000".

(b) Section 2 of such Act (40 U.S.C. 270b) is amended—

(1) by inserting "(1)" after "Sec. 2. (a)";

(2) by striking out "section" in subsection (b) and inserting in lieu thereof "subsection";

(3) by redesignating subsection (b) as paragraph (2); and

(4) by adding at the end thereof a new subsection as follows:

"(b) Any person who—

"(1) has furnished labor or material in connection with any contract with respect to which a payment bond was not provided but would have been required under section 1 if the amount thereof had exceeded $20,000; and

"(2) has not been paid in full for such labor or material upon the expiration of a period of 90 days after the day on which the last of the labor was performed or the material furnished by him;

may present in writing a claim to the head of the department or agency of the Government which awarded such contract for the amount owing to him for such labor or material which remained unpaid at the time of filing the claim. The head of such department or agency, or his designee, acting on behalf of the United States, shall consider, ascertain, determine, and settle any such claim as promptly as possible after the receipt thereof. Upon payment of any such claim, the United States shall be subrogated to the extent of such payment to all the rights of the claimant against the person for whom the labor or material was supplied. The acceptance by the claimant of any such payment shall be final and conclusive on the claimant, and shall constitute a complete release of any claim against the United States by reason of the same subject matter."

S. 2612—INTRODUCTION OF A BILL TO MODERNIZE JUDICIAL PROCEDURES IN CIVIL ANTITRUST CASES

Mr. DIRKSEN. Mr. President, I introduce for appropriate reference, a bill to modernize judicial procedures in civil antitrust cases brought by the Government by revising the Expediting Act of 1903. (15 U.S.C. 28, 29; 49 U.S.C. 44, 45.)

Section 1 of the Expediting Act provides for the convening of a three-judge district court to hear and determine, on an expedited basis, civil actions filed by the United States under the Sherman and Clayton Acts and under certain sections of the Interstate Commerce Act and Federal Communications Act, when the Attorney General files with the district court a certificate that in his opinion "the case is of general public importance." Section 2 of that act provides for direct appeal to the Supreme Court from a final judgment of a district court in any civil action brought by the United States under any of the acts covered by section 1. It is very doubtful whether the grant or denial of interlocutory injunctions in cases covered by the Expediting Act can be appealed under existing law.

On a number of occasions in the recent past, justices of the Supreme Court, both in opinions and in out-of-court statements, have called for amendment of the Expediting Act to provide that appeals in civil antitrust cases brought by the Government should ordinarily go in the first instance to the courts of appeals. Under present law the Supreme Court is called upon to review district court decisions in all Government antitrust cases in which an appeal is taken without regard to the general significance of the issues raised by the appeal. Moreover, the Court must review such cases—which often involve lengthy records and complex economic issues—without the benefit of the careful sifting of the facts and narrowing of the issues which a court of appeals review affords. And because Expediting Act appeals are matters of right, and are the only appeal which either party has available, the Court is often forced by the requirements of its docket to dispose of cases summarily in cryptic per curiam orders. In addition, the three-judge court procedure, which has been only rarely invoked, imposes a substantial and unnecessary burden on our limited judicial resources.

The bill I am introducing today on behalf of the administration would remedy these problems. It is similar to legislation I introduced in the last Congress (S. 2721, 90th Cong.), which was passed by this Chamber on October 11, 1968, and which I reintroduced in this Congress on March 17, 1969 (S. 1566). I believe that the legislation which I am introducing today is an improvement over my earlier measure.

Now let me state, in a nutshell, what this bill does. First, it eliminates the archaic three-judge procedure in the district courts. Second, it provides that in the ordinary course, appeals in the Government's civil antitrust cases will be taken to the courts of appeals, subject to discretionary review by the Supreme Court, on petition for a writ of certiorari. Third, it provides for direct appeal to the Supreme Court, without intermediate review by the court of appeals, in cases which the Attorney General, as the officer responsible for antitrust enforcement of the antitrust laws, or the district court in which the case was heard, determines to be of general public importance in the administration of justice. Fourth, it provides that the courts of appeals may review the grant or denial of interlocutory injunctions—a very important remedy for both sides in merger cases. Finally, it eliminates the almost never used provisions for direct review of certain enforcement proceedings under the Interstate Commerce and Federal Communications Acts.

This bill is the distillation of the thought of many judges, lawyers and scholars. It contains the substance of proposals which the section on antitrust law of the American Bar Association has been discussing in recent years with officials of the Department of Justice and also reflects the recommendations of the Judicial Conference of the United States. It is a long needed reform. The Attorney General, the Solicitor General, and the Assistant Attorney General in charge of the Antitrust Division, like their distinguished predecessors, are convinced that this bill will enhance effective antitrust enforcement by streamlining its review procedures and providing for appellate review of interlocutory injunctions.

Mr. President, an analysis of the entire problem and of this bill, which will correct it, is set forth in the Attorney General's letter requesting that the bill be introduced. I ask unanimous consent that both the Attorney General's letter and the text of the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 2612) to amend the act of February 11, 1903, commonly known as the Expediting Act, and for other purposes, introduced by Mr. DIRKSEN, was received, read twice by its title, and referred to the Committee on the Judiciary, as follows:

S. 2612

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of February 11, 1903 (32 Stat. 823, as amended, 15 U.S.C. 28, 49 U.S.C. 44), commonly known as the Expediting Act, is amended to read as follows:

"SEC. 1. In any civil action brought in any district court of the United States under the Act entitled 'An Act to protect trade and commerce against unlawful restraints and monopolies,' approved July 2, 1890, or any other Acts having like purpose that have been or hereafter may be enacted, wherein the United States is plaintiff and equitable relief is sought, the Attorney General may file with the court, prior to the entry of final judgment, a certificate that, in his opinion, the case is of general public importance. Upon filing of such certificate, it shall be the duty of the judge designated to hear and determine the case, or the chief judge of the district court if no judge has as yet been designated, to assign the case for hearing at the earliest practicable date and to cause the case to be in every way expedited."

SEC. 2. Section 2 of that Act (15 U.S.C. 29, 49 U.S.C. 45) is amended to read as follows:

"(a) Except as otherwise expressly provided by this section, in every civil action brought in any district court of the United States under the Act entitled 'An Act to protect trade and commerce against unlawful restraints and monopolies,' approved July 2, 1890, or any other Acts having like purpose that have been or hereafter may be enacted, in which the United States is the complainant and equitable relief is sought, any appeal from a final judgment entered in any such action shall be taken to the court of appeals pursuant to sections 1291 and 2107 of title 28 of the United States Code. Any appeal from an interlocutory order entered in any such action shall be taken to the court of appeals pursuant to sections 1292(a)(1) and 2107 of title 28 of the United States Code but not otherwise. Any judgment entered by the court of appeals in any such action shall be subject to review by the Supreme Court upon a writ of certiorari as provided in section 1254(1) of title 28 of the United States Code.

"(b) An appeal from a final judgment pursuant to subsection (a) shall lie directly to the Supreme Court if:

(1) upon application of a party filed within five days of the filing of a notice of appeal, the district judge who adjudicated the case enters an order stating that immediate consideration of the appeal by the Supreme Court is of general public importance in the administration of justice; or

(2) the Attorney General files in the District Court a certificate stating that immediate consideration of the appeal by the Supreme Court is of general public importance in the administration of justice.

A court order pursuant to (1) or a certificate pursuant to (2) must be filed within fifteen days after the filing of a notice of appeal. When such an order or certificate is filed, the appeal and any cross-appeal shall be docketed in the time and manner prescribed by the rules of the Supreme Court. That Court shall thereupon either (1) dispose of the appeal and any cross-appeal in the same manner as any other direct appeal authorized by law, or (2) in its discretion, deny the direct appeal and remand the case to the court of appeals, which shall then have jurisdiction to hear and determine the same as if the appeal and any cross-appeal therein had been docketed in the court of appeals in the first instance pursuant to subsection (a)."

SEC. 3. (a) Section 401(d) of the Communications Act of 1934 (47 U.S.C. § 401(d)) is repealed.

(b) The proviso in section 3 of the Act of February 9, 1903, as amended (32 Stat. 848, 849; 49 U.S.C. 43), is repealed and the colon preceding it is changed to a period.

SEC. 4. The amendment made by section 2 shall not apply to an action in which a notice of appeal to the Supreme Court has been filed on or before the fifteenth day following the date of enactment of this Act. Appeal in any such action shall be taken pursuant to the provisions of section 2 of the Act of February 11, 1903 (32 Stat. 823, as amended, 15 U.S.C. 29, 49 U.S.C. 45) which were in effect on the day preceding the date of enactment of this Act.

The letter presented by Mr. DIRKSEN is as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C.

The VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: There is enclosed a proposed bill to amend the Expediting Act, 32 Stat. 823, as amended, 15 U.S.C. 28 and 29, 49 U.S.C. 44 and 45.

The bill would streamline judicial procedure in antitrust litigation and institute procedure for appellate review of interlocutory orders on injunctions.

The bill would amend Section 1 of the Expediting Act (15 U.S.C. 28, 49 U.S.C. 44) which provides for a three-judge district court in civil actions where the United States is a plaintiff under the Sherman or Clayton Antitrust Acts or certain sections of the Interstate Commerce Act, when the Attorney General files with the district court a certificate that the case is of general public importance. The section also provides that the hearing and determination of such cases shall be expedited. The amendment would eliminate the provision that a three-judge court be impaneled when the Attorney General files his expediting certificate, but would retain the expediting procedure in single judge district courts.

The bill would amend Section 2 of the Act (15 U.S.C. 29, 49 U.S.C. 45), which provides that appeal from a final judgment of a district court in any civil action brought by the United States under any of the acts covered by Section 1 of the Expediting Act will lie only in the Supreme Court. The amendment would eliminate direct appeal to the Supreme Court in such actions for all but cases of general public importance, substituting normal appellate review through the courts of appeals with discretionary review by the Supreme Court. The amendment provides that any appeal from a final judgment in a Government civil case under the antitrust laws, or other statutes of like purpose, and not certificated by the Attorney General or the district court as requiring immediate Supreme Court review, will be taken to the court of appeals pursuant to Sections 1291 and 2107 of title 28 of the United States Code. Any appeal from an interlocutory order entered in any such action shall be taken to the court of appeals pursuant to Section 1292(a)(1) and 2107 of title 28 of the United States Code, but not otherwise. Any judgments entered by the courts of appeals in such actions shall be subject to review by the Supreme Court upon a writ of certiorari.

The amendment also provides that an appeal and any cross-appeal from a final judgment in such proceedings will lie directly in the Supreme Court if, not later than fifteen days after the filing of a notice of appeal, (1) upon application of a party, the district judge who decided the case enters an order stating that immediate consideration of the appeal by the Supreme Court is of general public importance in the administration of justice, or (2) the Attorney General files in the district court a certificate containing the same statement. Upon filing of such an order or certificate, the Supreme Court shall either dispose of the appeal and any cross-appeal in the same manner as any other direct appeal authorized by law or deny the direct appeal and remand the case to the court of appeals. Review in that court could then go forward without further delay. This is similar to the procedure of the Criminal Appeals Act (18 U.S.C. 3731).

The bill would also narrow the scope of the Expediting Act by eliminating the reference in existing law to civil cases brought by the United States under the original Interstate Commerce Act and subsequent statutes of like purpose. This change, however, would not alter the breadth of the Expediting Act insofar as the Government's injunctive antitrust cases are concerned.

In the early days of the Sherman Act it was desirable that, when the Attorney General believed an antitrust case brought by the Government would be of general public importance, he could have the case heard on an expedited basis by a specially designated court providing the advantage, in a relatively new area of law, of the wisdom and experience of three judges. Accordingly, the three-judge court provision in the Expediting Act was adopted in 1903, when trial judges and practitioners were encountering emerging legal and economic issues of novel complexity. However, the bench and bar's familiarity today with the antitrust laws obviates the need for three-judge courts. In nearly 30 years now the Department has resorted to the three-judge court procedure in antitrust cases but seven times, and only once during the last decade. Three-judge courts represent a substantial burden on our judicial resources and we see no adequate justification for continuation of the three-judge court provision in the law.

We believe that it is desirable to eliminate direct appeal to the Supreme Court for all but cases of general public importance and to substitute normal appellate review

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through the courts of appeals, with discretionary review by the Supreme Court. However, we also believe that upon the Attorney General's certification that an antitrust case, prior to final judgment, is of general public importance, the district court should expedite it, and if so certificated by the trial judge or the Attorney General within 15 days after any party has noted an appeal, the case should be routed directly to the Supreme Court.

On several recent occasions the Supreme Court has called attention to the unsatisfactory nature of the present procedure. See, e.g., *United States* v. *Singer Mfg. Co.*, 374 U.S. 174, 175, n. 1; *Brown Shoe Co.* v. *United States*, 370 U.S. 294, 355, 363–364 (Opinions of Clark and Harlan, JJ.); *United States* v. *duPont & Co.*, 366 U.S. 316, 324; cf. *Kennecott Copper Co.* v. *United States*, 381 U.S. 414 (Harlan and Goldberg, JJ., dissenting); but see *United States* v. *Singer Mfg. Co., supra*, at 197 (Opinion of White, J.). Under present law the Supreme Court is called upon to review district court decisions in all Government antitrust cases in which an appeal is taken, without regard to the general significance of the issues raised by the appeal. The Government can sometimes ameliorate this situation without undue sacrifice of enforcement aims by not appealing cases which it would be willing to carry to a court of appeals; but a defendant, of course, has a private interest which can be asserted only in the particular case and hence only by an appeal to the Supreme Court in the event that the district court rules against him. In most instances appeals by both defendants and the Government can initially be considered more effectively by the courts of appeals. Indeed, the availability of review by the courts of appeals would greatly ease the burden on the Supreme Court, which at present must often examine immense evidentiary records. The courts, defendants and the Government, therefore, will be better served by making review in the courts of appeals the normal rule.

It is desirable, however, that the possibility of immediate review by the Supreme Court be preserved for cases of general public importance in the administration of justice. Such cases will usually involve novel legal questions pertaining to the interpretation or enforcement of the antitrust laws or may have serious legal or economic consequences going beyond the mere private interests of the individual litigants.

The determination of whether a case should be certified directly to the Supreme Court can best be made by the Attorney General or the trial judge who decided the case. It is the public interest in effective antitrust enforcement which primarily dictates the need for any direct appeals, and it is the Attorney General—the chief law officer of the United States—who is in the best position to determine what the total enforcement picture is with respect to a particular case. Though defendants' private interests, which may be of substantial private importance, would not afford a basis for direct appeal to the Supreme Court, the trial judge who heard and decided the case can best evaluate a defendant's claim that immediate Supreme Court review is of general public importance in the administration of justice.

The bill's provision requiring the Attorney General or the district judge to file the certificate within 15 days after either party has filed its notice of appeal will assure that the opposing party is promptly notified that a direct appeal is involved. And the routing of both appeals and cross-appeals to the Supreme Court by the filing of the certificate will eliminate the delay and confusion of piecemeal appeals.

There is presently considerable uncertainty as to whether the interlocutory appeal statute, 28 U.S.C. 1292(a), is available in cases falling within the Expediting Act. The circuits of the courts of appeals are split on this question (compare *United States* v. *Ingersoll Rand*, 320 F. 2d 509 (3d Cir. 1963), with *United States* v. *F.M.C. Corp.*, 321 F. 2d, 534 (9th Cir.), application for temporary injunction denied, 84 S. Ct. 4 (1963) (Goldberg, J., in chambers), and *United States* v. *Cities Service Co.*, No. 7216 (1st Cir., May 8, 1969)), and we think it appropriate to resolve this question with clarifying legislation.

We strongly believe in the desirability of appellate review of district court orders granting, modifying, or denying preliminary injunctions. Such review is generally limited to the outset of a case and would not cause undue delay or disruption. The district court's discretion on injunctions can be reviewed, in substantial part, separately from a determination of the ultimate merits of the case and court of appeals review is not, therefore, inconsistent with subsequent direct Supreme Court review of the final judgment in the event of certification. Moreover, the immediate impact of injunctive orders, whether the injunction is granted or denied, calls for appellate review as a matter of fairness. The public interest that possibly unlawful mergers not be consummated until their validity is adjudicated, in addition to the obvious desire of private business to avoid a costly and complicated unscrambling, would, in our view, benefit from making the provisions of 28 U.S.C. 1292(a)(1) available in Expediting Act cases.

These considerations do not apply to appeals of interlocutory orders not relating to injunctions pursuant to 28 U.S.C. 1292(b). That section permits interlocutory appeal of any order made at any time during the district court proceedings, to which that court appends the statutory findings (although the court of appeals may, in its discretion, decline to allow the appeal). One reason against applicability of Section 1292(b) is the desire to avoid undue delay and disruption. Antitrust cases are often lengthy and complex, containing sufficient obstacles to expeditious conclusion without increasing the possibilities of interruption for interlocutory appeals. A second reason is the inappropriateness of review of controlling questions of law by a court which later may never get review of the final judgment. The theory of 1292(b) is that the appellate court should have an opportunity to rule early, before getting the final judgment, on questions that may be decisive. It would be anomalous for the courts of appeals to undertake interlocutory resolution of such issues when, at the end of trial, if a certificate is filed, the final judgment would go directly to the Supreme Court.

Finally, we think no useful purpose is served by retaining enforcement proceedings under the Interstate Commerce Act or the Communications Act within the scope of the Expediting Act. The Interstate Commerce Act is expressly included in Section 1 of the Expediting Act, while Section 401(d) of the Communications Act (47 U.S.C. 401(d)) makes the Expediting Act applicable to cases brought by the United States under Sections 201–222 of the Communications Act. We see no need for direct appeal in such cases—indeed, these provisions have rarely been invoked. Therefore we propose that references to the Interstate Commerce Act be stricken from the Expediting Act and that Section 401(d) of Title 27 be repealed.

The Bureau of the Budget advises that there is no objection to the presentation of this proposed bill from the standpoint of the Administration's program.

Sincerely,

Attorney General.

S. 2619—INTRODUCTION OF A BILL TO AMEND SECTION 5723(b) OF TITLE 5, UNITED STATES CODE

Mr. JACKSON. Mr. President, I introduce, for appropriate reference, a bill to amend section 5723(b) of title 5, United States Code, relating to length of service required by teachers in Bureau of Indian Affairs schools when travel and transportation expenses are paid to first post of duty.

This proposed legislation was submitted by Executive communication, dated July 2, 1969, from the Department of the Interior. I ask unanimous consent that the letter from Acting Secretary Russell E. Train explaining the background and purpose of the bill be inserted in the Record following my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 2619) to amend Section 5723(b) of Title 5, United States Code, relating to length of service required by teachers in Bureau of Indian Affairs schools when travel and transportation expenses are paid to first post of duty, introduced by Mr. Jackson, by request, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter, presented by Mr. Jackson, is as follows:

U.S. Department of the Interior,
Office of the Secretary,
Washington, D.C., July 2, 1969.

Hon. Spiro T. Agnew,
President of the Senate,
Washington, D.C.

Dear Mr. President: Enclosed is a draft of a proposed bill "To amend Section 5723(b) of Title 5, United States Code, relating to length of service required by teachers in Bureau of Indian Affairs schools when travel and transportation expenses are paid to first post of duty."

We recommend that the proposed bill be referred to the appropriate committee for consideration and that it be enacted.

The proposed bill would amend subsection 5723(b) of Title 5, United States Code to prescribe a minimum period of one school year, rather than 12 months, which a teacher in Bureau of Indian Affairs schools, must agree to serve in order to have travel and transportation expenses paid to first post of duty as a shortage category type position. The services of the majority of such teachers are required only for the duration of the school year which approximates that of the public schools, i.e., from late August or early September through May or the first part of June. A large number of new teachers (between 400 and 500) are hired for the start of each school year. Many of these, for one reason or another, leave Bureau service at the end of one school year of service. However, because of the present requirement to remain in Government service for a minimum period of 12 months from date of appointment, in order not to be liable for repayment of moneys spent by the Bureau for their travel and transportation expenses at time of appointment, most will delay submitting their resignations until the end of this 12-month period.

This creates many problems. If a teacher is not going to continue his employment for another school year, it is to the Government's interest and advantage to know this by the end of the school year in order to assure that a replacement is recruited and on duty by the start of the next school year. Severe administrative problems occur when an employee resigns after the beginning of the school year, the severity being further compounded when an employee waits until the completion of his 12 months of service to submit his resignation. Enactment of the proposed bill would alleviate this situation by relieving teachers who complete a school year of service of any obligation to repay travel expenses to the Government, regardless of the reason for their resignation. Some slight savings in salary costs would also accrue to the Government as many of these teachers are now kept in a pay status through the summer months in order to attend workshops, work on curriculum development, or take educational and annual leave. Resignation of teachers at the close of the school year would also be advantageous to the Bureau in that summertime efforts to improve the quality of teaching could be directed only at those remaining for another school year.

The Bureau of the Budget has advised that there is no objection to the presentation of this proposed legislation from the standpoint of the Administration's program.

Sincerely yours,

RUSSELL E. TRAIN,
Acting Secretary of the Interior.

S. 2620—INTRODUCTION OF A BILL TO AMEND AND EXTEND LAWS RELATING TO HOUSING AND URBAN DEVELOPMENT

Mr. SPARKMAN. Mr. President, I introduce, for appropriate reference, the administration's housing bill for 1969, entitled "The Housing and Urban Development Amendments for 1969." Cosponsors of the bill are the Senator from Utah (Mr. BENNETT), ranking minority member of the Banking and Currency Committee, and the Senator from Texas (Mr. TOWER), ranking minority member of the Subcommittee on Housing and Urban Affairs.

I ask unanimous consent that the bill and the section-by-section analysis of the bill be printed in full in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis will be printed in the RECORD.

The bill (S. 2620) to amend and extend laws relating to housing and urban development, and for other purposes, introduced by Mr. SPARKMAN (for himself, Mr. BENNETT, and Mr. TOWER), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2620

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Housing and Urban Development Amendments of 1969".

TITLE I—AMENDMENTS TO THE NATIONAL HOUSING ACT

EXTENSION OF FHA INSURANCE AUTHORITIES

SEC. 101. (a) Section 2(a) of the National Housing Act is amended by striking "1969" in the first sentence and inserting in lieu thereof "1971".

(b) Section 217 of such Act is amended by—

(1) striking "or title X" and inserting in lieu thereof "title X or title XI"; and

(2) striking "1969" and inserting in lieu thereof "1971".

(c) Section 221(f) of such Act is amended by striking "1969" in the fifth sentence and inserting in lieu thereof "1971".

(d) Section 809(f) of such Act is amended by striking "1969" in the second sentence and inserting in lieu thereof "1971".

(e) Section 810(k) of such Act is amended by striking "1969" in the second sentence and inserting in lieu thereof "1971".

(f) Section 1002(a) of such Act is amended by striking "1969" in the second sentence and inserting in lieu thereof "1971".

(g) Section 1101(a) of such Act is amended by striking "1969" in the second sentence and inserting in lieu thereof "1971".

(h) Section 401(b) of the Demonstration Cities and Metropolitan Development Act of 1966 is hereby repealed.

EXPIRATION OF FHA RENTAL HOUSING PROGRAM FOR THE ELDERLY

SEC. 102. Section 231 of the National Housing Act is amended by inserting at the end thereof the following new subsection:

"(g) No mortgage shall be insured under this section after December 31, 1969, except pursuant to a commitment to insure issued on or before that date."

MORTGAGE LIMITS FOR MOBILE HOME COURTS

SEC. 103. Section 207 of the National Housing Act is amended by—

(1) striking "trailer coach mobile dwellings" in paragraph numbered (1) of subsection 207(a) and inserting in lieu thereof "mobile homes";

(2) striking "trailer court or park" in paragraph numbered (6) of subsection 207(a) and inserting in lieu thereof "mobile home court or park";

(3) striking "trailer coach mobile dwellings" in paragraph numbered (6) of subsection 207(a) and inserting in lieu thereof "mobile homes"; and

(4) striking "$1,800 per space or $500,000 per mortgage for trailer courts or parks" in the first sentence of subsection 207(c)(3) and inserting in lieu thereof "$2,500 per space or $1,000,000 per mortgage for mobile home courts or parks".

MORTGAGE INSURANCE ON CONDOMINIUM UNITS FOR SERVICEMEN

SEC. 104. Section 222(b)(1) of the National Housing Act is amended by inserting "or 234(c)," immediately before the word "except".

HOMEOWNERSHIP FOR LOWER INCOME FAMILIES

SEC. 105. The second sentence of section 235(h)(1) of the National Housing Act is amended—

(1) by striking "and" the second time it appears; and

(2) by inserting before the period at the end thereof ", and by such sums as may be necessary thereafter".

RENTAL AND COOPERATIVE HOUSING FOR LOWER INCOME FAMILIES

SEC. 106. The second sentence of section 236(i)(1) of the National Housing Act is amended—

(1) by striking "and" the second time it appears; and

(2) by inserting before the period at the end thereof ", and by such sums as may be necessary thereafter".

INCREASE IN GNMA PURCHASE AUTHORITY

SEC. 107. Section 302(b) of the National Housing Act is amended by—

(1) striking "exceeds or exceeded $17,500" in clause (3) of the proviso to the first sentence and inserting in lieu thereof "exceeds or exceeded $20,000";

(2) striking "that exceeds $17,500" in the second sentence and inserting in lieu thereof "that exceeds the otherwise applicable maximum amount"; and

(3) striking "did not exceed $17,500" in the second sentence and inserting in lieu thereof "did not exceed the otherwise applicable maximum amount".

RECISSION OF SPECIAL ASSISTANCE AUTHORIZATION

SEC. 108. Section 305(c) of the National Housing Act is amended by striking ", and by $500,000,000 on July 1, 1969".

TITLE II—RENEWAL AND HOUSING ASSISTANCE

INCREASED AUTHORIZATION FOR URBAN RENEWAL

SEC. 201. The first sentence of section 103(b) of the Housing Act of 1949 is amended by inserting before the period at the end thereof ", and by such sums as may be necessary thereafter; *Provided,* That, the Secretary shall not in any year contract to make grants in an aggregate amount greater than is authorized in appropriation acts".

EXTENSION OF URBAN RENEWAL ASSISTANCE TO INDIAN TRIBES

SEC. 202. (a) Section 110(h) of the Housing Act of 1949 is amended by striking the second sentence and inserting in lieu thereof a new sentence as follows: "The term 'State' includes the several States, the District of Columbia, the Commonwealth of Puerto Rico, the territories, possessions, and Indian tribes, bands, groups, and nations, including Alaska Indians, Aleuts, and Eskimos, of the United States".

(b) The first sentence of section 116 of such Act is amended by striking "and counties" and inserting in lieu thereof "counties, and Indian tribes, bands, groups, and nations, including Alaska Indians, Aleuts, and Eskimos, of the United States".

(c) The first sentence of section 117 of such Act is amended by striking "and counties" and inserting in lieu thereof "counties, and Indian tribes, bands, groups, and nations, including Alaska Indians, Aleuts, and Eskimos, of the United States".

(d) The first sentence of section 118 of such Act is amended by striking "and counties" and inserting in lieu thereof "counties, and Indian tribes, bands, groups, and nations, including Alaska Indians, Aleuts, and Eskimos, of the United States".

LOANS FOR PUBLIC HOUSING PROJECTS

SEC. 203. Section 9 of the United States Housing Act of 1937 is amended by striking the third sentence.

PUBLIC HOUSING ANNUAL CONTRIBUTIONS

SEC. 204. The proviso to section 10(b) of the United States Housing Act of 1937 is amended by inserting immediately after "any contract" the following: ", although not limited to debt service requirements,".

ROOM COSTS IN HIGH-COST AREA

SEC. 205. The proviso to the first sentence of section 15(5) of the United States Housing Act of 1937 is amended by striking "$750 per room" and inserting "45 per centum" in lieu thereof.

MANAGEMENT AND SERVICES IN PUBLIC HOUSING PROJECTS

SEC. 206. The last sentence of section 15(10) of the United States Housing Act of 1937 is amended by striking "July 1, 1970" and inserting "July 1, 1971" in lieu thereof.

ADDITIONAL AUTHORIZATION FOR COLLEGE HOUSING DEBT SERVICE GRANTS

SEC. 207. Section 401(f)(2) of the Housing Act of 1950 is amended by inserting before the period at the end thereof ", and by such sums as may be necessary thereafter".

TITLE III—METROPOLITAN DEVELOPMENT

COMPREHENSIVE PLANNING ASSISTANCE

SEC. 301. (a) Section 701(a) of the Housing Act of 1954 is amended by—

(1) striking "and" at the end of paragraph numbered (10);

(2) striking the period at the end of paragraph numbered (11) and inserting in lieu thereof "; and"; and

(3) adding a new paragraph after paragraph numbered (11) as follows:

"(12) States, including statewide agencies or instrumentalities of a State or its political subdivisions which are designated by the Governor of the State and acceptable to the Secretary, for programs focused upon the needs of communities having populations less than one hundred thousand which provide information and data on urban needs and urban assistance programs and activities and technical assistance to such communities with respect to the solution of local problems."

(b) Title IX of the Demonstration Cities and Metropolitan Development Act of 1966 is hereby repealed.

AUTHORIZATION FOR COMPREHENSIVE PLANNING

Sec. 302. The fifth sentence of section 701(b) of the Housing Act of 1954 is amended by striking "and" and inserting before the period at the end thereof ", and such sums as may be necessary thereafter".

AUTHORIZATION FOR NEW COMMUNITY ASSISTANCE GRANTS

Sec. 303. Section 412(d) of the Housing and Urban Development Act of 1968 is amended by striking "July 1, 1970" and inserting in lieu thereof "July 1, 1971".

AUTHORIZATION FOR OPEN SPACE LAND PROGRAMS

Sec. 304. The first sentence of section 702(b) of the Housing Act of 1961 is amended by striking "and" and inserting before the period at the end thereof", and by such sums as may be necessary thereafter".

AUTHORIZATION FOR WATER AND SEWER FACILITIES, NEIGHBORHOOD FACILITIES, AND ADVANCE ACQUISITION OF LAND PROGRAMS

Sec. 305. Section 708(b) of the Housing and Urban Development Act of 1965 is amended by striking "July 1, 1970" and inserting in lieu thereof "July 1, 1971".

TRAINING AND FELLOWSHIP PROGRAMS

Sec. 306. Title VIII of the Housing Act of 1964 is amended to read as follows:

"TITLE VIII—TRAINING AND FELLOWSHIP PROGRAMS

"FINDINGS AND PURPOSE

"Sec. 801. (a) The Congress finds that the rapid expansion of the Nation's urban areas and urban population has caused severe problems in urban and suburban development and created a national need to (1) provide special training in skills needed for economic and efficient community development and (2) support research in new or improved methods of dealing with community development problems.

"(b) It is the purpose of this title to provide fellowships for the graduate training of professional city planning and urban and housing technicians and specialists and to assist and encourage the States, in cooperation with public or private universities and colleges and urban centers, and with business firms and associates, labor unions, and other interested associations and organizations to (1) organize, initiate, develop, and expand programs which will provide special training in skills needed for economic and efficient community development to those technical, professional, and other persons with the capacity to master and employ such skills, who are, or are training to be, employed by a governmental or public body which has responsibility for community development, or by a private nonprofit organization which is conducting or has responsibility for housing and community development programs; and (2) support State and local research that is needed in connection with housing programs and needs, public improvement programing, code problems, efficient land use, urban transportation, and similar community development problems.

"FELLOWSHIPS FOR CITY PLANNING AND URBAN STUDIES

"Sec. 802. (a) The Secretary is authorized to provide fellowships for the graduate training of professional city planning and urban and housing technicians and specialists as herein provided. Persons shall be selected for such fellowships solely on the basis of ability and upon the recommendation of the Urban Studies Fellowship Advisory Board established pursuant to subsection (b). Fellowships shall be solely for training in public and private nonprofit institutions of higher education having programs of graduate study in the field of city planning or in related fields (including architecture, civil engineering, economics, municipal finance, public administration, and sociology), which programs are oriented to training for careers in city and regional planning, housing, urban renewal, and community development.

"(b) There is hereby established the Urban Studies Fellowship Advisory Board (hereinafter referred to as the "Board"), which shall consist of nine members to be appointed by the Secretary of Housing and Urban Development as follows: Three from public institutions of higher learning, and three from private nonprofit institutions of higher education, who are the heads of departments which provide academic courses appropriately related to the field referred to in subsection (a), and three from national organizations which are directly concerned with problems relating to urban, regional and community development. The Board shall meet upon request of the Secretary and shall make recommendations to him with respect to persons to be selected for fellowships under this section. Members of the Board shall be entitled to receive transportation expenses and a per diem in lieu of subsistence as authorized for members of advisory committees created pursuant to section 601 of the Housing Act of 1949.

"MATCHING GRANTS TO STATES

"Sec. 803. (a) Subject to the provisions of this title and in accordance with regulations prescribed by him, the Secretary may make matching grants to States to assist in—

"(1) organizing, initiating, developing, or expanding programs to provide special training in skills needed for economic and efficient community development to those technical, professional, and other persons with the capacity to master and employ such skills who are, or are training to be, employed by a governmental or public body which has responsibilities for community development, or by a private nonprofit organization which is conducting or has responsibility for housing and community development programs; and

"(2) supporting State and local research that is needed in connection with housing programs and needs, public improvement programing, code problems, efficient land use, urban transportation, and similar community development problems, and collecting, collating and publishing statistics and information relating to such research.

"(b) No grants may be made to a State under this section unless the Secretary has approved a plan for the State which—

"(1) sets forth the proposed use of the funds and the objectives to be accomplished;

"(2) explains the method by which the required amounts from non-Federal sources will be obtained;

"(3) provides such fiscal control and fund accounting procedures as may be reasonably necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State under this section.

"(4) designates an officer or agency of the State government who has responsibility and authority for the administration of a statewide research and training program as the officer or agency with responsibility and authority for the execution of the State's program under this section; and

"(5) provides that such officer or agency will make such reports tq the Secretary, in such form, and containing such information, as may be reasonably necessary to enable the Secretary to perform his duties under this section.

"(c) No grant may be made under this section for any use unless an amount at least equal to such grant is made available from non-Federal sources for the same purpose and for concurrent use.

"STATE LIMIT

"Sec. 804. Not more than 10 per centum of the total amount appropriated for the purposes of this title may be used for making grants to any one State.

"TECHNICAL ASSISTANCE, STUDIES, AND PUBLICATION OF INFORMATION

"Sec. 805. In order to carry out the purpose of this title, the Secretary is authorized to provide technical assistance to State and local governmental or public bodies and to undertake such studies and publish and distribute such information, either directly or by contract, as he shall determine to be desirable. Nothing contained in this title shall limit any authority of the Secretary under any other provision of law.

"APPROPRIATIONS

"Sec. 806. There is authorized to be appropriated for the purpose of making grants and providing fellowships under this title, without fiscal year limitation, not to exceed $30,000,000. Any amounts appropriated under this section shall remain available until expended.

"MISCELLANEOUS

"Sec. 807. (a) As used in this title the term 'State' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands; and the term 'Secretary' means the Secretary of Housing and Urban Development.

"(b) There are authorized to be appropriated such sums as may be necessary for administrative and other expenses in carrying out this title."

TITLE IV—MISCELLANEOUS

INCREASED AUTHORIZATION FOR MODEL CITIES

Sec. 401. (a) Section 111(b) of the Demonstration Cities and Metropolitan Development Act of 1966 is amended—

(1) by striking "and" the third time it appears; and

(2) by inserting before the period at the end thereof ", and by such sums as may be necessary thereafter".

(b) Section 111(c) of such Act is amended by striking everything after "available" and inserting in lieu thereof "until expended.".

FLEXIBLE INTEREST RATE AUTHORITY

Sec. 402. Section 3(a) of the Act entitled "An Act to amend chapter 37 of title 38 of the United States Code with respect to the veteran's home loan program, to amend the National Housing Act with respect to interest rates on insured mortgages, and for other purposes", approved May 7, 1968, is amended by striking ", until October 1, 1969,", and inserting in lieu thereof ", until October 1, 1971,".

ANNUAL HOUSING REPORT

Sec. 403. Section 1603 of the Housing and Urban Development Act of 1968 is amended by striking "January" and inserting in lieu thereof "February".

URBAN PROPERTY PROTECTION AND REINSURANCE—ENTRY INTO REINSURANCE CONTRACTS

Sec. 404. Section 1222(d) of the National Housing Act is amended by striking all that follows "thereafter" the first time that word appears and inserting in lieu thereof a period.

URBAN PROPERTY PROTECTION AND REINSURANCE—STATE SHARE OF REINSURED LOSSES

Sec. 405. Section 1223(a) of the National Housing Act is amended by amending paragraph numbered (1) to read as follows:

"(1) in any State which has not, after the close of the second full regular session of the appropriate State legislative body fol-

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lowing the date of the enactment of this title, adopted appropriate legislation, retroactive to the date of the enactment of this title, under which the State, its political subdivisions, or a governmental corporation or fund established pursuant to State law, will reimburse the Secretary for any reinsured losses in that State in any reinsurance contract year, in an amount up to 5 per centum of the aggregate property insurance premiums earned in that State during the calendar year immediately preceding the end of the reinsurance contract year on those lines of insurance reinsured by the Secretary in that State during the contract year, to the extent that reinsured losses paid by the Secretary for such year exceed the total of (A) reinsurance premiums earned in that State during that reinsurance contract year plus (B) the excess of (i) the total premiums earned by the Secretary for reinsurance in that State during a preceding period measured from the end of the most recent reinsurance contract year with respect to which the Secretary was reimbursed for losses under this title over (ii) any amounts paid by the Secretary for reinsured losses that were incurred during such period;"

STUDY OF REINSURANCE AND OTHER PROGRAMS

SEC. 406. Section 1235(b) of the National Housing Act is amended by striking "one year following the date of the enactment of this title" and inserting in lieu thereof "June 30, 1970".

NATIONAL FLOOD INSURANCE PROGRAM—ADOPTION OF LOCAL FLOOD CONTROL MEASURES

SEC. 407. (a) Paragraph numbered (2) of section 1305(c) of the National Flood Insurance Act of 1968 is amended by striking "June 30, 1970, permanent" and inserting in lieu thereof "December 31, 1971, adequate".

(b) Section 1315 of such Act is amended by—

(1) striking "June 30, 1970" and inserting in lieu thereof "December 31, 1971"; and

(2) striking "permanent" and inserting in lieu thereof "adequate".

(c) Section 1361(c) of such Act is amended by striking "permanent" and inserting in lieu thereof "adequate".

The analysis, presented by Mr. SPARKMAN is as follows:

SECTION-BY-SECTION SUMMARY OF HOUSING AND URBAN DEVELOPMENTS OF 1969

TITLE I—AMENDMENTS TO THE NATIONAL HOUSING ACT

Sec. 101. Extension of FHA insurance authorities

This section would extend, until October 1, 1971, the Federal Housing Administration's authority under the National Housing Act to insure housing and other types of mortgage loans and to insure Title I property improvement loans. Without this extension the FHA's basic insuring authorities will (with minor exceptions) expire on October 1 of this year.

Subsection (a) extends the authority of FHA to insure property improvement loans under its Title I program. Subsection (b) extends authority to insure housing loans and mortgages under all FHA programs except those with independent termination dates. Subsection (c) extends the section 221 program of mortgage insurance for housing for low and moderate income families and subsections (d) and (e) extends the authority to insure mortgages under the section 809 and 810 programs providing housing for the military, NASA and the AEC. Subsections (f) and (g) extend the programs of mortgage insurance for land development and for group medical facilities. Subsection (h) revokes FHA's special authority to insure mortgages for new communities under the Title X program until October 1, 1972. As in other FHA programs, such authority would be provided only through October 1, 1971.

Sec. 102. Expiration of FHA Section 231 rental housing program for the elderly

This section would amend section 231 of the National Housing Act so as to provide that no mortgage shall be insured covering a Housing for the Elderly Project under that section except pursuant to a commitment to insure issued on or before December 31, 1969.

Sec. 103. Increase in mortgage limits for mobile home courts or parks

This section would increase the maximum amount of a mortgage which may be insured per space in a mobile home court from $1,800 to $2,500 and increase the maximum mortgage amount per mobile home court project from $500,000 to $1,000,000. The section would also amend section 207 of the National Housing Act to redesignate, for greater accuracy, the mortgage insurance program for "trailer courts or parks" as a program for "mobile home courts or parks." This change in nomenclature would not have a substantive effect on the program.

Sec. 104. Mortgage insurance on condominum units for servicemen

This section would amend section 222 of the National Housing Act to permit the initial insurance under that section of mortgages covering a one family unit in a condominium. Under existing provisions servicemen who purchase condominium units can obtain the benefits of section 222—payment of mortgage insurance on their behalf by the Secretary of Defense or Secretary of Transportation—only when they assume an existing FHA insured mortgage covering the unit. Section 301 of the Housing and Urban Development Act of 1968 authorized the transfer of such assumed mortgages to section 222 but failed to also authorize the initial insurance under section 222 of mortgages covering condominium units.

Sec. 105. Homeownership for low-income families

This section would amend section 235 of the National Housing Act to increase the aggregate amount of contracts, which may be entered into after July 1, 1970, to make periodic assistance payments on behalf of eligible homeowners and cooperative members, by such sums as may be necessary.

Sec. 106. Rental and cooperative housing for lower-income families

This section would amend section 236 of the National Housing Act to increase the aggregate amount of contracts, which may be entered into after July 1, 1970, to make periodic interest reduction payments on behalf of the owner of a rental housing project designed for occupancy by lower income families, by such sums as may be necessary.

Sec. 107. Increase in GNMA purchase authority

This section would increase to $20,000 the present $17,500 per dwelling unit limitation generally applicable to mortgages purchased by the Government National Mortgage Association under its special assistance functions. The section would also make clear that the $2500 increase in the per unit limitations authorized with respect to units having 4 or more bedrooms is applicable to 4 bedroom units which receive the benefit of tax abatement.

Sec. 108. Special assistance authorization

This section would amend section 305(c) of the Federal National Mortgage Association Charter Act to rescind the $500 million in special assistance authority which would otherwise become available on July 1, 1969.

TITLE II—RENEWAL AND HOUSING ASSISTANCE

Sec. 201. Increased authorization for urban renewal

This section would amend section 103(b) of the Housing Act of 1949 to increase the aggregate amount of capital grants which may be made under the urban renewal program after July 1, 1970, by such sums as may be necessary. The Secretary could not, however, in any year contract to make capital grants in an aggregate amount greater than authorized in appropriation acts.

Sec. 202. Extension of urban renewal assistance to Indian tribes

This section would amend the relevant sections of Ttitle I of the Housing Act of 1949 to make Indian tribes, bands, groups, and nations, including Alaska Indians, Aleuts, and Eskimos, of the United States eligible for urban renewal loans and grants and for the Rehabilitation, Demolition, Code Enforcement, and Interim Assistance grants authorized by that title.

Sec. 203. Loans for public housing projects

This section would amend section 9 of the U.S. Housing Act of 1937 to increase from 90 to 100 percent the maximum amount of Federal loans or loan commitments there authorized for financing the acquisition or development of a low rent housing project with respect to which annual contributions are to be made. Section 9 is used primarily to enable local housing authorities to obtain temporary financing for the acquisition or construction of a property by the sale of short term notes backed by a Federal loan commitment. With a loan commitment for 100 percent of a project's acquisition or development cost a local housing authority would be able to schedule the issuance of long term bonds for permanent financing when most advantageous to itself and the Federal Government rather than just prior to acquisition or when development costs reach the 90 percent level.

Sec. 204. Public housing annual contributions

This section would amend section 10(b) of the U.S. Housing Act of 1937 to clarify existing authority to fix the amount of the annual contributions to public housing projects at an amount in excess of the debt service requirements of the project so long as the fixed contribution does not exceed the maximum annual contribution authorized in that section.

Sec. 205. Room costs in high-cost areas

This section would amend section 15(5) of the U.S. Housing Act of 1937 to permit existing statutory room cost limits (which presently may be increased by $750 a room in high cost areas) to be increased by 45 per centum of the statutory room cost limits in such areas.

Sec. 206. Management and services in public housing projects

This section would amend section 15(10) of the U.S. Housing Act of 1937 to authorize appropriations for upgrading management and services in public housing projects to be made through fiscal year 1971. At present such appropriations are authorized to be made only through fiscal year 1970.

Sec. 207. Additional authorization for college housing debt service grants

This section would amend section 401 (f)(2) of the Housing Act of 1950 to increase the aggregate amount of contracts, which may be entered into after July 1, 1970, to make annual debt service grants to help finance college housing facilities, by such sums as may be necessary.

TITLE III—METROPOLITAN DEVELOPMENT

Sec. 301. Comprehensive planning assistance

This section would amend section 701(a) of the Housing Act of 1954 to provide, under the authority of that section, those Urban Information and Technical Assistance Services now authorized to be provided under Title IX of the Demonstration Cities and Metropolitan Development Act of 1966. The effect of the amendment would be to consolidate under one statutory authority assistance provided by the Department of Housing and Urban Development for State technical advisory and information services to local communities.

Title IX of the Demonstration Cities and Metropolitan Development Act of 1966 would be repealed.

Sec. 302. Authorization for comprehensive planning

This section would amend section 701(b) of the Housing Act of 1954 to increase the total amount authorized to be appropriated for comprehensive planning assistance after July 1, 1970, by such sums as may be necessary.

Sec. 303. Authorization for new community assistance grants

This section would amend section 412(d) of the Housing and Urban Development Act of 1968 to authorize appropriations for new community assistance grants through fiscal year 1971.

Sec. 304. Authorization for open space land programs

This section would amend section 702 of the Housing Act of 1961 to increase the total amount authorized to be appropriated for Open Space, Urban Beautification, and Historic Preservation Programs after July 1, 1970, by such sums as may be necessary.

Sec. 305. Authorization for water and sewer facilities, neighborhood facilities and advance acquisition of land programs

This section would amend section 708(b) of the Housing and Urban Development Act of 1965 to authorize appropirations for grants for basic water and sewer facilities, neighborhood facilities, and advance acquisition of land through fiscal year 1971. At present appropriations are authorized to be made only through fiscal year 1970.

Sec. 306. Training and fellowship program

This section would re-write Title VIII of the Housing Act of 1964 to consolidate, under one authorization, that title's program of Fellowships for City Planning and Urban Studies and the Community Development Training Program. Specifically, the title would:

(1) Consolidate the title by striking the headings which divide it into two separate parts;

(2) Amend section 801(b) by including, as a purpose of the title, the provision of "fellowships for the graduate training of professional city planning and urban and housing technicians and specialists";

(3) Amend section 810 by striking the first sentence (which authorizes appropriations for urban fellowships) and substituting a general authority for the Secretary to provide such fellowships. The section would also be renumbered as section 802 and the remaining sections in the title renumbered accordingly;

(4) Amend section 802 (Matching Grants to States) by striking subsection (d) which authorizes appropriations for Community Development Training Programs;

(5) Add a new section numbered 806 authorizing appropriations, without fiscal year limitation, of up to $30 million for Title VIII programs; and

(6) Amend various sections of the title to strike inapplicable references to its several "parts" and substitute appropriate references to the "title" or to the various "sections" thereof.

Consolidation of the programs contained in Title VIII under one authorization would be a step toward this Department's general objective of simplified grant administration. Given the similar purposes of the Community Development Training Program and the Program of Fellowships for City Planning and Urban Studies (and the fact that the programs should supplement each other) there seems little justification for continuing to administer and fund them separately.

TITLE IV—MISCELLANEOUS

Sec. 401. Increased authorization for model cities

This section would amend section 111(b) of the Demonstration Cities and Metropolitan Development Act of 1966 to authorize, after June 30, 1970, appropriations for supplementary grants for the model cities program of such sums as may be necessary.

Sec. 402. Flexible interest rate authority

This section would amend section 3(a) of the Act of May 7, 1968 (Public Law 90–301) to extend for 2 years the authority of the Secretary of Housing and Urban Development to set the maximum interest rates for FHA mortgage insurance programs at an amount he finds necessary to meet the mortgage market. At present this authority will expire on October 1, 1969.

Sec. 403. Annual housing report

This section would amend section 1603 of the Housing and Urban Development Act of 1968 to extend the date on which the President shall submit annual reports on National Housing Goals to the Congress from January 15 to February 15.

Sec. 404. Entry into reinsurance contracts

This section would amend section 1222(d) of the National Housing Act to permit reinsurance contracts to be entered into during the course of the entire reinsurance contract year. At present, only companies which are newly authorized to write insurance may enter into reinsurance contracts after the insurance contract year begins.

Sec. 405. Urban property protection and reinsurance—State share of reinsured losses

This section would amend section 1223(a)(1) of the National Housing Act to extend, to the close of the second full regular session of the State legislature following August 1, 1968, the time within which State legislation providing for reimbursement to the Secretary of a share of the reinsured property losses he has paid must be enacted. Without such legislation reinsurance of losses from riots or civil disorders will be unavailable for policies subsequently written in the State. At present, State legislation is required by August 1, 1969 or, if the State legislature has not met in regular session before that date, by close of its next regular session. The section would also amend relevant provisions in section 1223(a)(1) to provide for computation of the amount of State reimbursement required using the "reinsurance contract year" rather than the calendar year as a basis.

Sec. 406. Study of reinsurance and other programs

This section would amend section 1235(b) of the National Housing Act to extend, from August 1, 1969 to June 30, 1970, the date on which the Secretary must report on reinsurance and other means to help assure the availability, in urban areas, of (a) burglary and theft insurance, and (b) surety bonds for construction contractors.

Sec. 407. National flood insurance program—adoption of local flood control measures

This section would amend sections 1305(c)(2) and 1361(c) of the National Flood Insurance Act of 1968 to authorize the Secretary to make federally assisted flood insurance available in areas where the appropriate public body gives satisfactory assurance that by December 31, 1971 "adequate" land use and control measures will be adopted. Under existing provisions the appropriate public body must give assurance that "permanent" land use and control measures will be adopted by June 30, 1970.

S. 2622—INTRODUCTION OF THE SMALL RECLAMATION PROJECTS ACT AMENDMENT

Mr. MOSS. Mr. President, I introduce for myself and for Senators BENNETT, BIBLE, CHURCH, CRANSTON, JORDAN of Idaho, MCGOVERN, and YARBOROUGH, a bill to amend the Small Reclamation Projects Act of 1956, which authorizes loans to construct works for irrigation and other purposes.

My bill deletes from the Small Projects Act the requirement that the Secretary of the Interior review applications for loans to determine "whether the proposed project is primarily for irrigation." However, my bill does make clear that irrigation must be one of the purposes of the project.

This bill is identical to my bill, S. 1609 of the 90th Congress. The provisions of S. 1609 were incorporated into S. 862, an administration bill which sought to modify the Small Projects Act as regards legislative oversight. The Senate passed S. 862, including the provisions of the bill I now introduce. Further, the House Committee on Interior and Insular Affairs reported the bill favorably and received a rule.

However, the legislative oversight provisions of S. 862 were then controversial in the House; for that and other reasons, S. 862 was not brought to the floor there.

As you know, the Nixon administration has now resolved the oversight issue by administrative action, and I suggest that it is timely for this body to make clear its intentions with regard to irrigation as one of the purposes of the Small Reclamation Projects Act.

The present law, in its requirement that the Secretary consider "whether a project is primarily for irrigation," has been interpreted by Interior to require that the irrigation use exceed the sum of all other purposes; these other purposes may include flood control, municipal, industrial, power, recreational, and enhancement of fish and wildlife. Department of Interior further restricts the act by excluding from "irrigation" the use of water to raise fruit and vegetables on plots two acres or less in size.

Thus, loans have been refused for irrigation projects like the one in Roy, Utah, which I describe briefly. Irrigation ditches in Roy are open; this is hazardous to children and wasteful of water through seepage, evaporation, and the growth of weeds.

A system of closed conduits would correct all those faults. But because small tracts are now excluded from the definition of irrigation, water for the latter use—irrigation—would not exceed the sum of all other uses—as required by Interior. My bill would permit the granting of loans to public entities like Roy, to modernize old irrigation systems, and otherwise carry out the purposes specified in the act. I note that irrigators of plots of two acres or less in size would pay interest on their share of the loans throughout the amortization period.

In the State of Utah, along the 100 miles of the Wasatch Front, are many small irrigation districts. I am informed that some of these would like to convert

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their dangerous and wasteful ditches to closed systems for irrigation, stock watering, domestic, and other uses presently served. My bill would facilitate loans under the Small Reclamation Projects Act for such desirable modernization.

I am informed that public entities in the States of Idaho, Colorado, Oregon, Arizona, and California also have need for small project loans, but are hampered by the interpretations given to the word "primary" in the existing law.

More information about the needs of these States can be developed in public hearings. Meanwhile, I am delighted that seven of my colleagues have joined with me in cosponsoring this bill, and I shall ask for early consideration by the Senate Interior Committee.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2622) to amend the Small Reclamation Projects Act of 1956, as amended, introduced by Mr. Moss (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 2623—INTRODUCTION OF A BILL TO PROVIDE GREATER ADMINISTRATIVE FLEXIBILITY IN VETERANS' ADMINISTRATION HOSPITAL AND MEDICAL CARE PROGRAM

Mr. CRANSTON. Mr. President, I am today introducing, on behalf of the Veterans' Administration, a bill to provide greater administrative flexibility in the Veterans' Administration hospital and medical care program by amending several provisions of title 38, United States Code. The modifications this bill would make would generally provide the Administrator of Veterans' Affairs with greater administrative discretion in the appointment of nurses, particularly in recruiting career nurses; in the VA internship and residency program by authorizing agreements for the central administration of the administrative and personnel aspects of the programs of those interns and residents serving part-time in VA hospitals and part-time in other non-Federal hospitals; and in the appointment of dentists of high academic and research standing on a temporary full-time or part-time basis. Enactment of this bill would result in no net additional cost to the Government.

Mr. President, I ask unanimous consent that the bill be printed in full at the conclusion of my remarks, together with a statement of the Veterans' Administration embodying an explanation and analysis of the provisions of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and statement will be printed in the RECORD.

The bill (S. 2623) to amend title 38 of the United States Code to authorize the Administrator of Veterans' Affairs to appoint certain persons in the nursing service in the Department of Medicine and Surgery of the Veterans' Administration, and to enter into agreements with hospitals, medical schools, or medical installations for the central administration of a program of training for interns or residents, and for other purposes, introduced by Mr. CRANSTON, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2623

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4114 of title 38, United States Code, is amended by inserting in subsection (a)(3)(A) immediately after the first sentence thereof the following: Temporary full-time appointments of persons who have successfully completed a full course of nursing in a recognized school of nursing, approved by the Administrator, and are pending registration as a graduate nurse in a State, shall not exceed one year.

SEC. 2. Section 4114 of title 38, United States Code, is amended by deleting "(b)" at the beginning of subsection (b) and inserting in lieu thereof "(b)(1)" and by adding the following new paragraph:

"(2) In order to more efficiently carry out the provisions of paragraph (1) of this subsection, the Administrator may contract with one or more hospitals, medical schools, or medical installations having hospital facilities and participating with the Veterans Administration in the training of interns or residents to provide for the central administration of stipend payments, provision of fringe benefits, and maintenance of records for such interns and residents by the designation of one such institution to serve as an agency for this purpose. The Administrator may pay to such designated central administrative agency, without regard to any other law or regulation governing the expenditure of Government moneys either in advance or in arrears, an amount to cover the cost for the period such intern or resident serves in a Veterans Administration hospital of (A) such stipends as fixed by the Administrator pursuant to paragraph (1) of this subsection, (B) hospitalization, medical care, and life insurance, and any other employee benefits as are agreed upon by the participating institutions for the period that such intern or resident serves in a Veterans Administration hospital, (C) tax on employers pursuant to chapter 21 of the Internal Revenue Code of 1954, where applicable, and in addition, (D) an amount to cover a pro rata share of the cost of expense of such central administrative agency. Any amounts paid by the Administrator to such fund to cover the cost of hospitalization, medical care, or life insurance or other employee benefits shall be in lieu of any benefits of like nature to which such intern or resident may be entitled under the provisions of title 5 of the United States Code, and the acceptance of stipends and employee benefits from the designated central administrative agency shall constitute a waiver by the recipient of any claim he might have to any payment of stipends or employee benefits to which he may be entitled under this title or title 5 of the United States Code. Notwithstanding the foregoing, any period of service of any such intern or resident in a Veterans Administration hospital shall be deemed creditable service for the purposes of section 8332 of title 5 of the United States Code. The agreement may further provide that the designated central administrative agency shall make all appropriate deductions from the stipend of each intern and resident for local, State, and Federal taxes, maintain all records pertinent thereto and make proper deposits thereof, and shall maintain all records pertinent to the leave accrued by each intern and resident for the period during which he serves in a participating hospital, including a Veterans Administration hospital. Such leave may be pooled, and the intern or resident may be afforded leave by the hospital in which he is serving at the time the leave is to be used to the extent of his total accumulated leave, whether or not earned at the hospital in which he is serving at the time the leave is to be afforded."

SEC. 3. Section 4114 of title 38, United States Code, is amended by inserting in subsection (d)(1) immediately after the word "physician" the following: "or dentist".

The statement, presented by Mr. CRANSTON, is as follows:

Section 1 of the draft bill provides for the amendment of section 4114(a)(3)(A) for the temporary fulltime appointments of persons who have completed a full course of nursing in a recognized school of nursing and are awaiting registration, for a period not to exceed one year.

Nursing school graduates who are awaiting registration in a State are recruited for the purpose of ultimate career appointment as nurses in the Veterans Administration upon such registration. The ability of the Veterans Administration to offer employment to them immediately upon graduation provides an invaluable source for recruiting career nurses. While most of these employees are registered and converted to career nurse appointments within ninety days of their employment, circumstances are such that this is not always possible. This can result from such reasons as: State delay in processing registration application, examination scheduling practices, and the inability of a candidate (e.g., illness) to be available on the scheduled date of an examination. In these situations, it is necessary that these employees be kept in an employment status if they are to be retained until they can become career nurses.

This legislative change would be of further assistance in meeting nursing service needs of the medical program.

Section 2 of the draft bill would amend section 4114(b) of title 38, United States Code, to authorize the Administrator to enter into agreements for the central administration of interns and residency training and would allow him to expend appropriated funds for the purpose of paying to the central administrative body the costs involved for the periods during which the trainee serves with the Veterans Administration.

Under our present Veterans Administration programs, there are three types of residents and interns: (1) those whose residency program is established and directed by a Veterans Administration hospital and who, although they may serve a portion of their residency in other hospitals, receive the entire amount of their stipends, fringe benefits and leave privileges under Veterans Administration regulations; (2) those whose residency program is established and directed by other than a Veterans Administration hospital but who serve a portion of their residency in a Veterans Administration hospital, receiving their stipends, fringe benefits, and leave privileges under Veterans Administration regulations only for the periods they are serving in a Veterans Administration hospital; and (3) those whose residency program is established and directed jointly by a Veterans Administration hospital and one or more participating institutions and who serve on a rotating basis in the participating institutions, receiving their stipends, fringe benefits, and leave privileges under Veterans Administration regulations only for the periods they are serving in a Veterans Administration hospital. It is in the latter two types that administrative problems arise.

The movement of Veterans Administration residency and internship programs towards professional unification with the programs of medical school hospitals is ever increasing.

The Advisory Subcommittee on Programs for Exchange of Medical Information, a subcommittee of the Special Medical Advisory Group, authorized by section 5055 of title 38, United States Code, recently passed the following resolution:

"The Subcommittee is conscious of the fact that the geometric advances of medical science are moving beyond the capacity of the single hospital to provide all that is required to produce the best educated resident. Thus, with increasing frequency, the residency is becoming an educational endeavor shared by a group of hospitals. Each participating hospital must be convinced that the individual resident 'belongs' to all and not just to the hospital in which he is physically present at the moment. For this reason, the Veterans Administration is urged to do all in its power to create mechanisms which will provide the utmost flexibility in the scheduling and movement of residents between VA hospital and non-VA hospital. There should be no limitations of movement based upon distinctions of being on duty at the VA hospital or away from the VA hospital. Similarly every effort should be made to minimize differences in pay scales and in fringe benefits among hospitals grouped for residency training, to assure a total income to the resident commensurate with his education and provision of valuable service as a by-product of his training as a resident. It is recommended, therefore, that in each VA hospital-non-VA hospital(s) combination, local VA hospital management be permitted the utmost discretion and capability to establish pay rates and to make scheduling arrangements appropriate for the local situation. This local adaptability will produce many individual variations in patterns of operation throughout the nation, but this diversity will undoubtedly serve to 'graduate' the type of residents which the Veterans Administration and the nation needs critically."

To accomplish intern and residency training within the concept now growing more prevalent, the Veterans Administration feels that it must more and more resort to the integrated type of training wherein the trainee will serve a portion of his time in a Veterans Administration facility and may receive training in several other nongovernmental hospitals. This creates tremendous problems in that the pay, fringe benefits, and leave policies differ in the various institutions involved. Thus, when a trainee moves from one institution to another, it results in a great deal of confusion as to his entitlement to fringe benefits and leave. Moreover, it involves different rates of pay and there are routine delays, particularly while serving with the Veterans Administration, as would be the case in any Federal agency, in receiving his pay as a result of pay administration procedures. This situation can be remedied insofar as the nongovernmental hospitals are concerned and, in the past few years, the Veterans Administration has been presented with more than 20 proposals for some type of accommodation which would permit us to participate in an intern or residency operation administered from a central point.

The Veterans Administration feels that to do so would greatly enhance its ability to participate in this important area of medical personnel training. Moreover, it would be less costly in that Veterans Administration payments would be limited to those periods when the trainee is serving in the VA facility and the Veterans Administration is receiving his service.

Section 3 of the draft bill would amend section 4114(d)(1) of title 38 in order to permit the appointment of dentists of high academic and research standing on a temporary full-time or part-time basis without regard to the licensure requirements of section 4105(a) of title 38, United States Code.

Public Law 89–785 authorized the Chief Medical Director to waive the licensure requirements of section 4105(a) of title 38 for a physician who is to be used on a research or an academic post or where there is no direct responsibility for the care of patients. There are times when it is also deemed desirable to obtain the services of dentists of high academic and research standings who either hold a foreign license or, in rare instances, who hold no license.

The enactment of these proposals would result in no net additional cost to the Government.

The Veterans Administration has been advised by the Bureau of the Budget that there is no objection from the standpoint of the Administration's program to the submission of this draft legislation to the Congress.

Benefits enuring to interns and residents:

1. In many instances where interns and residents are serving in more than one institution, their periods of service in the Veterans Administration facility at any one time is not of sufficient duration for them to qualify for hospitalization insurance and life insurance under Government programs. Moreover, while serving with the VA, they may not be eligible to participate in such programs at the other medical installations in which they serve. The fact that the interns and residents must cancel and renew insurance policies often is to their detriment, in that such policies, particularly those for hospitalization and medical care, require waiting periods before benefits can be paid. Under the draft bill, they could avail themselves of such fringe benefits as hospitalization and medical care insurance, as well as life insurance, under a single plan which would remain in effect wherever they happen to be serving at a given time, including a Veterans Administration facility.

2. Presently, while an intern or resident is serving in a VA facility, he earns leave under the VA program. When his employment in VA terminates, he must either use this leave or take the cash equivalent. On the other hand, he may not, while serving in a VA facility, utilize leave that he earned in another medical installation. Consequently, an intern or resident serving in a situation where he is rotating between hospitals, cannot accrue a period of leave sufficient to give him a meaningful vacation. Under the draft bill, he would earn leave while serving in any of the several institutions involved, accumulate such leave and have it available for a vacation period regardless of which institution in which he was serving at the time he took such vacation.

3. Since the pay systems and pay periods at the several institutions in which an intern or resident may be serving may differ, the intern or resident is faced with adjusting to a different financial situation each time he moves from institution to institution. The draft bill would permit him to be paid at a constant rate of pay and for regular pay periods regardless of the institution in which he is serving.

4. Although under the draft bill the intern or resident would waive other Government fringe benefits while participating in this program, it would preserve his right to acquire tenure in service for retirement purposes duing the period he serves in the Veterans Administration hospital.

5. As a result of eliminating the problems involved in numerous transfers between institutions, the draft bill would enable more elasticity in such transfers enabling the intern or resident to receive improved training.

Benefits enuring to the Government:

1. By making residency and internship more attractive, the draft bill would enable the Veterans Administration to attract a higher quality applicant in the residency and internship programs.

2. It would simplify the clerical duties incident to residencies and internship within the VA.

3. It would improve administrative relationships with medical schools, university hospitals, and other medical installations participating in rotating residencies and internships.

4. The Veterans Administration, and the medical community as a whole, would benefit by the improved training which would result from the greater elasticity in the transfer of interns and residents from institution to institution.

5. With respect to the three types of residents and interns; in VA hospitals, set forth above, it is the latter two types of cases that the draft bill would affect and which are considered most desirable. The draft bill would make these two types of internship and residency more attractive and ultimately result in the dimunition of the first type, where the VA bears the full cost, but receives only a portion of the services, thus, resulting in a situation where the VA would be expending funds in internship and residency programs, only for the period of time during which they were serving in a VA hospital.

SENATE JOINT RESOLUTION 137—INTRODUCTION OF A JOINT RESOLUTION RELATING TO HAZARDS RESULTING FROM CHEMICAL AND BIOLOGICAL WARFARE FIELD TESTING

Mr. NELSON. Mr. President, I introduce, for appropriate reference, a joint resolution to immediately halt all open-air testing of chemical and biological warfare weapons pending a full investigation of the public health and environmental effects of such testing.

The joint resolution would establish a special commission composed of 10 scientists—appointed by the President—who are experts in the field of the life sciences. No person employed by the Department of Defense or any institution or agency which works in close cooperation with the Defense Department in the field of chemical and biological sciences shall be eligible for membership on the commission.

Briefly, the task of this commission will be to determine:

The environmental effects of field testing toxic chemical and biological munitions.

Whether biological field testing has resulted in the establishment of new foci of animal infections.

Whether the safety precautions presently employed during field tests are sufficient to protect all forms of life from any harmful consequences.

The commission would report back to the President and the Congress in 2 years. In keeping with my conviction that the American people are entitled to access to information of this nature, the resolution provides that the results of this study will be made available to the public at large.

The disclosure by the Army last Friday that extensive testing of deadly chemicals, including nerve gas, is currently being done at Edgewood Arsenal in Maryland and at Fort McClellan in Alabama lends new urgency to the need for an immediate freeze on all field testing of CBW agents.

It is unbelievable that the Army, with the experience of the death of 6,400 sheep from an errant field test of nerve gas at Dugway Proving Ground in Utah in March 1968 behind it, would even con-

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sider testing these deadly gases in an area as densely populated as the central portion of Maryland around Edgewood. The potential for disaster is enormous.

A brief review of the Dugway incident will point up these serious dangers.

In March 1968, a high-speed jet conducting tests of nerve gas VX at the Dugway Proving Grounds in the Utah desert experienced a tank malfunction and the nerve gas went soaring in the air above the planned altitude.

The gas fell on some 6,000 sheep grazing at a spot 47 miles east of the testing area. Within hours, the sheep began to die.

The Army denied any connection between CBW testing and the sheep deaths for over a year. In the meantime, in November 1968, they issued a report on "A Review of Testing Safety at Dugway Proving Ground."

The report concluded:

> Current procedures and practices are sound and adequate for field testing certain classes of chemical agents and munitions. However, additional steps must be taken to insure the adequacy of these procedures and practices when field testing other specific classes of chemical agents and munitions.

This report, and its recommendations, came under heavy fire in May when the Army was asked to testify before Congressman HENRY REUSS' Subcommittee on Conservation of the Government Operations Committee that was looking into the ecological effects of CBW field testing.

Numerous nonmilitary witnesses criticized as totally inadequate the improved safety precautions recommended by the report. The witnesses said:

The report's recommendations did not effectively impair the Army's ability to test lethal chemicals at Dugway.

Human beings could be endangered by the field testing, even if the recommendations were in full force.

There is no way to prevent high winds from sweeping up nerve gas particles hours after a test and depositing them as much as 100 miles downwind.

Most nonmilitary scientists testifying before the Reuss subcommittee agreed that human beings could have been killed in the Dugway sheep incident if the gas had fallen on them.

According to a June 7 New Republic article, an Army officer gave the following description of the effect of nerve gas on human beings:

> The gas from a single bomb the size of a quart fruit jar could kill every living thing within a cubic mile, depending on the wind and weather conditions. . . . A tiny drop of the gas in its liquid form on the back of a man's hand will paralyze his nerve instantly and deaden his brain in a few seconds. Death will follow in 30 seconds.

In summary, the sheep killed near Dugway were 47 miles from the testing target. Baltimore, Md.—a city of 912,000 people—is only 25 miles from Edgewood where similar testing is being carried out.

As an Edgewood resident told a Washington Post reporter yesterday:

> It's frightening when your life depends on which way the wind is blowing each day.

The Army's testing program of biologicals is an even more closely guarded secret than its chemical testing program, and more frightening—because it is potentially even more dangerous and destructive.

In response to an inquiry from my office, Gen. James Hebbeler, Director of CBR and Nuclear Operations for the Army, admitted that the Army is field testing biological agents. His letter said:

> A number of . . . biological organism and toxic products have been field tested outside the laboratory at Dugway Proving Ground and at other sites, but only under conditions where preliminary studies indicated there would be no danger of creating new foci of animal infection.

The fact is that the epidemiology of disease organism is far from adequately understood. There are too many unknowns in ecology, epidemiology, and meteorology to enable anyone to have great confidence in the results of "preliminary studies." There are no completely accurate and foolproof predictions that can be made about the results of a biological warfare field test.

The dangers involved in continuing to conduct these tests in spite of our ignorance are obvious. Biological warfare organisms are being released into the atmosphere only 80 or so miles from Salt Lake City and other densely populated areas.

Although the Army refused to provide an unclassified listing of the agents being tested in the biological warfare program, it is not difficult to get a good idea of what has been done at Dugway from other sources.

Recently, the commander of the proving ground at Dugway acknowledged that a teacup full of anthrax germs had been deposited in the soil at Dugway 15 years ago. The result is that the area has been prematurely contaminated and will likely remain so for many years to come.

The Army argues that a fence around the infected area to keep larger animals clear of the contaminated plot is sufficient protection. But this fence is no protection against the wind and dust storms which pass over the proving ground regularly. Certainly the fence is not an absolute guarantee that the winds will not lift the organisms out of the soil and carry them long distances in any direction. Salt Lake City is well within the range of the winds from Dugway.

Pulmonary anthrax is a disease which can be nearly 100 percent fatal if it is not diagnosed and treated within 24 hours after infection. A dosage of 20,000 organisms is fatal to a human being. The "teacup" released by the Army could contain billions, if not trillions of these organisms—more than enough to sicken or kill many thousands of people.

Although the Army has admitted field testing only anthrax, there is good reason to believe that their testing program has involved many other agents of biological warfare.

Scientists from the Ecology and Epidemiology Research Center at the University of Utah routinely survey the areas, around Dugway for evidence of such diseases as Rocky Mountain spotted fever, Q fever, tularemia, anthrax, plague, and a fungal disease called coccidiomycosis. All of these diseases are of primary importance as probable biological warfare agents. Special surveys have been frequently done for other more exotic pathogens. One such survey involved the organism which causes psittacosis, another likely candidate for biological warfare.

Since the Research Center is largely supported by funds from Dugway Proving Ground, it is reasonable to assure that the surveys are being conducted in connection with the biological field testing program at that installation.

These scientists turned up an epizootic—an animal epidemic—of Q fever around Dugway in 1959 and 1960. While Q fever is endemic to the area, it is strange to find that the foci of the epizootic were located 10 to 20 miles southwest of Dugway and in sectors adjacent to proving ground along the Utah-Nevada border. Although many animals were sampled at several locations, all of the isolations of the disease-producing organism were made from animals taken in these two areas.

In this light, there is some reason to believe that the field testing of Q fever, prior to its inclusion in our biological warfare arsenal, was responsible for this sudden epizootic.

It is a telling indictment of our system of legislative authorization that such abhorrent weapons of war could be so extensively developed and tested with no public understanding or debate. Certainly in a free society activity involving such grave moral and policy considerations must be subject to broad public scrutiny.

The urgent need for this commission is clear. It will be too late for regrets if another nerve gas accident occurs. It will be too late for new safety regulations if a lethal biological organism leaks from a field test. It will be too late if we discover that our extensive use of chemical defoliants in Vietnam has so upset the ecological balance as to destroy the productivity of their farmland.

The time has come for Congress to act vigorously and wisely. The country is needlessly courting disaster if it fails to take steps to discover what have been the consequences of its chemical and biological warfare testing program.

I ask unanimous consent that the joint resolution be printed in the RECORD at this point.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 137) to provide for the appointment of a commission to study and investigate the hazards to the public health and to the environment which may exist as a result of chemical and biological warfare field testing conducted at any testing site used by the U.S. Government, introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

S.J. Res. 137

Whereas chemical and biological field tests have been conducted outside of the Army laboratories at Dugway Proving Ground, Utah; Edgewood Arsenal, Maryland; Fort McClellan, Alabama; and at other sites, and;

Whereas field tests of chemicals containing persistent nerve agents have resulted in the death of approximately six thousand four hundred sheep near Dugway Proving Ground in March, 1968; and

Whereas there is strong evidence to indicate that the Venezuelan equine encephalitis virus has escaped from the Dugway Proving Ground and that deadly anthrax germs have been released in the soil at Dugway Proving Ground; and

Whereas there is great and imminent danger to human beings and other animal life if any chemical or biological warfare agents have escaped into the environment in the vicinity of any test site as a result of errant field tests or inadequate laboratory precautions: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a commission to be known as the Field Testing Investigation Commission (hereinafter referred to as the "Commission") which shall be composed of ten members to be appointed by the President. Members of the Commission shall be persons who are experts in the field of life sciences. No person shall be eligible for appointment to the Commission who is (1) an officer or employee of the Department of Defense or a military department thereof, (2) a member of the Armed Forces, or (3) a person employed by any institution or agency which performs tests or research for or in cooperation with the Department of Defense or a military department thereof in the field of chemical or biological science.

(b) A vacancy in the Commission shall not affect its powers.

(c) the President shall designate a member to serve as Chairman and a member to serve as Vice Chairman of the Commission.

(d) Six members of the Commission shall constitute a quorum.

SEC. 2. (a) The Commission shall conduct a comprehensive study and investigation to determine what, if any, hazards to the public health and to the environment exist as a result of the chemical and biological warfare field testing which has been conducted at all CBW testing sites. In carrying out such study and investigation the Commission shall, among other things, attempt to determine (1) whether such field testing has resulted in new foci of animal infections; (2) whether there have been any environmental effects of field testing persistent toxic chemical munitions; (3) whether the safety precautions employed during field tests of chemical and biological agents are sufficient to protect animal and plant life from any harmful consequences; and (4) what may be the disease and environmental implications of chemical and biological warfare.

(b) The Commission shall submit a written report of the results of its study and investigation to the President and the Congress not later than two years after the date of enactment of this joint resolution. Such report shall also be made available to the public.

SEC. 3. Field tests of lethal chemical munitions or of pathogenic microorganisms shall not be conducted until such time as the Commission submits its written report to the President and to the Congress.

SEC. 3. (a) The Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this joint resolution, hold such hearings, take such testimony, and sit and act at such times and places as the Commission, subcommittee, or member deems advisable. Any member authorized by the Commisison may administer oaths or affirmations to witnesses appearing before the Commission, or any subcommittee or member thereof.

(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this joint resolution.

(c) Subject to such rules and regulations as may be adopted by the Commission, the Chairman, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, shall have the power—

(1) to appoint and fix the compensation of such staff personnel as he deems necessary, including an executive director who may be compensated at a rate not in excess of that provided for level V of the Executive Schedule in title 5, United States Code, and

(2) to procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code.

SEC. 5. (a) Any member of the Commission who is appointed from the Federal Government shall serve without compensation in addition to that received in his regular employment, but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by him in the performance of duties vested in the Commission.

(b) Members of the Commission, other than those referred to in subsection (a), shall receive compensation at the rate of $100 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission.

SEC. 6. There are authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out this joint resolution.

SEC. 7. The Commission shall cease to exist sixty days after the submission of its final report.

ADDITIONAL COSPONSORS OF BILLS

S. 2079 AND S. 2190

Mr. SPARKMAN. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Texas (Mr. YARBOROUGH) be added as a cosponsor of S. 2079, the Cattle Industry Trade Conference Act; and also that, at the next printing, the name of the Senator from Texas (Mr. YARBOROUGH) be added as a cosponsor of S. 2190, the Agricultural Trade Statistics Reporting Act of 1969.

The VICE PRESIDENT. Without objection, it is so ordered.

S. 2518

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Montana (Mr. MANSFIELD) be added as a cosponsor of S. 2518, to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2548

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Georgia (Mr. TALMADGE), I ask unanimous consent that, at the next printing, the names of the Senator from Michigan (Mr. HART), the Senator from South Carolina (Mr. HOLLINGS), and the Senator from Utah (Mr. MOSS) be added as cosponsors of S. 2548, to amend the National School Lunch Act and the Child Nutrition Act of 1966 to strengthen and improve the food service programs provided for children under such acts.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONTINUANCE OF INCOME TAX SURCHARGE—AMENDMENTS

AMENDMENT NO. 70

Mr. METCALF. Mr. President, I submit an amendment, intended to be proposed by me to the bill (H.R. 12290) to continue the income tax surcharge and the excise taxes on automobiles and communication services for temporary periods, to terminate the investment credit, to provide a low-income allowance for individuals, and for other purposes. This amendment would provide for a limitation on deductions attributable to farming.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment was referred to the Committee on Finance.

AMENDMENT NO. 71

Mr. SPARKMAN. Mr. President, I submit an amendment I wish to propose to the bill (H.R. 12290), designated as the bill "to continue the income tax surcharge and the excise taxes on automobiles and communication services for temporary periods, to terminate the investment credit, to provide a low-income allowance for individuals, and for other purposes." I ask that the amendment be appropriately referred.

Basically, my amendment provides that the tax credit would be continued for small firms, individual businesses, and farmers up to a level of $150,000.

There would be a limitation that the credit could be claimed only once by a group of affiliated corporations. There is also an allowance for companies defined as small business to acquire, beyond the $150,000 level, certifiable air and water pollution control equipment, crime control facilities, and requirements of complying with sanitary standards under Federal deadline statutes.

Mr. President, the repeal of the investment tax has been proposed as an anti-inflation measure. The economic facts show, I believe, that small business in this country has not been the cause of this inflation, but its victim. It seems to me unfair to penalize the overwhelming majority of smaller firms for consequences caused by a relatively few large corporations.

I intend to submit a statement to the Committee on Finance, spelling out this and other reasons which I believe justify adoption of my amendment. I am glad to note that Senator BIBLE, Senator Mc-

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GOVERN, and other Members of this body have offered similar proposals at the $25,000 level of investment. I commend these Senators.

It is my hope that the Finance Committee, in the exercise of its independent judgment, will be able to reconcile the several small business amendments, and thereby take the initiative toward the enactment of such legislation, which, I feel, is of fundamental significance not only to individual small businesses, and farmers, but to economic justice in our economy and the U.S. balance-of-payments position.

The PRESIDING OFFICER. The amendments will be received, printed, and appropriately referred.

The amendments were referred to the Committee on Finance.

AMENDMENT NO. 72

Mr. MUNDT submitted amendments, intended to be proposed by him, to House bill 12290, supra, which were referred to the Committee on Finance and ordered to be printed.

AMENDMENT NO. 73

Mr. PROXMIRE. Mr. President, I submit amendments intended to be proposed by me to the tax bill and ask that it be printed.

The PRESIDING OFFICER. The amendment will be received and printed, and will be appropriately referred.

The amendment was referred to the Committee on Finance.

Mr. PROXMIRE. The amendment would provide for reductions in the oil depletion allowances in two categories.

The amendment would provide that companies with a gross of less than $1 million a year would continue to have the 27.5-percent depletion allowance; companies between $1 and $5 million would have their depletion allowance reduced to 21 percent; companies with more than $5 million would have their depletion allowance reduced to 15 percent.

In addition, the amendment would provide for the elimination of percentage depletion on foreign oil production, although the oil companies would still get a cost depletion allowance.

In addition, the amendment would eliminate the so-called mineral production payment which has been the most rapidly growing new gimmick in the oil industry for holding down or eliminating Federal income taxes.

The amendment would eliminate the so-called golden gimmick, the right the oil companies now have to treat their royalty payments to foreign countries as a tax credit and would require the oil companies to treat such payments as an ordinary business deduction.

ANNOUNCEMENT OF HEARING ON THE FEDERAL ROLE IN ENCOURAGING PRERETIREMENT TRAINING AND NEW WORK-LIFETIME PATTERNS

Mr. MONDALE. Mr. President, as chairman of the Subcommittee on Retirement and the Individual, Special Committee on Aging, I wish to announce a hearing by the subcommittee on "The Federal Role in Encouraging Preretirement Training and New Work-Lifetime Patterns" at 10 a.m. on July 25 in room 3110, New Senate Office Building.

Our overall purpose is to explore the need and possibilities for assistance to Federal employees in planning and preparing for retirement. We will also discuss phased retirement, trial retirement, sabbaticals in mid-career or near retirement, part-time work in later life as an alternative to total retirement, and other innovations intended to adjust traditional career patterns to individual needs and desires.

ANNOUNCEMENT OF ADDITIONAL BILL TO BE CONSIDERED AT VETERANS' HOSPITAL AND MEDICAL CARE HEARINGS BY SENATOR ALAN CRANSTON

Mr. CRANSTON. Mr. President, for the information of Senators, I wish to add to my July 7 announcement on this subject that at its hearings on July 17 the Subcommittee on Veterans' Affairs will also consider S. 2623, a bill which I introduced today on behalf of the Veterans' Administration, to amend title 38 of the United States Code to authorize the Administrator of Veterans' Affairs to appoint certain persons in the nursing service in the Department of Medicine and Surgery of the Veterans' Administration, and to enter into agreements with hospitals, medical schools, or medical installations for the central administration of a program of training for interns or residents, and for other purposes.

NOTICE CONCERNING NOMINATION BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. McCLELLAN. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Albert A. Gammal, Jr., of Massachusetts, for appointment as U.S. Marshal for the District of Massachusetts for the term of 4 years, vice Robert F. Morey.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the Committee, in writing, on or before Monday, July 21, 1969, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

VICE PRESIDENT HUMPHREY'S SPEECH TO AMERICAN LIBRARY ASSOCIATION

Mr. MUSKIE. Mr. President, on June 26, 1969, former Vice President Humphrey spoke to the annual convention of the American Library Association in Atlantic City, N.J. His comments, which were devoted to what he termed "the unconscionable cuts in the revised budget for education and libraries and most especially about the elimination of title II—School Libraries—of the Elementary and Secondary Education Act of 1965," are words which should be reviewed with care by all concerned citizens. I know they can be most helpful to many of us as we prepare ourselves to consider the Labor-HEW bill for fiscal 1970.

In his comments, the former Vice President was concerned, as many of us are, about the priorities we shall set in the appropriations measures affecting education.

In my judgment, Mr. Humphrey's comments reflect the aspirations of most Americans. He is concerned, as we are concerned, about efforts being made in the name of economy to close the doors and deny expectations which have been generated in the minds of many of our citizens.

In his address, he suggested that we might well wish to earmark a portion of our Nation's vast resources to assure excellence in education through the establishment of a national educational trust fund which would be the counterpart of our trust funds for highways and our trust fund under the social security program.

Because Hubert Humphrey is a man of action as well as a man of thought and a dedicated public servant, he has, I think, by his suggestions pointed a way for us to follow. I commend him for his statement, and I commend the American Library Association for providing him with a major forum in which to discuss an issue which affects each of us as well as the future of the Republic.

I ask unanimous consent that Mr. Humphrey's remarks be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS BY THE HONORABLE HUBERT H. HUMPHREY, AMERICAN LIBRARY ASSOCIATION, ATLANTIC CITY, N.J., JUNE 26, 1969

We all remember the old rhyme which goes, "for the want of a nail, the shoe was lost; for the want of a shoe, the horse was lost; for the want of a horse, the rider was lost; for the want of a rider, the battle was lost; for the want of the battle, the war was lost—all for the want of a horseshoe nail."

Well, for the want of a book, the war—against illiteracy, ignorance, poverty and prejudice—the only war America wants—can be lost, all for the want of about as much as we spend per day on the war in Vietnam.

I am speaking, of course, about the unconscionable cuts in the revised Federal budget for education and libraries, and most especially about the elimination of all funds—for Title II—school libraries—of the Elementary and Secondary Act.

As a former Vice President and as a United States Senator for sixteen years, I know how hard it is for an administration to develop the Federal budget, and I have taken part in many a Congressional struggle over appropriations.

I know the tremendous pressures which are generated by interest groups—inside and outside the government—in behalf of projects close to them.

This morning, as a private citizen, a teacher, and certainly as a constant reader, all my life—I say to librarians, trustees, and all friends of libraries: Our response to the proposed budget cuts must be forceful and effective.

We *must* do a better job speaking out for the educational and library needs of this country. You need to dramatize what great and valuable strides have been made with the effective use of public funds—how students and teachers have been helped—and show persuasively what budget cuts for libraries will mean in human terms.

We must speak out, too, for new programs to achieve the *total* access to information that all Americans deserve.

Some members of the administration seem to wonder why school libraries need to buy more books. They already have books (Or maybe I should say, "they already *have* the Encyclopaedia Britannica).

They don't understand that if outreach programs to serve the urban poor are curtailed, the consequent resentment adds fuel to the fires of ghetto protest—one more example of false promises by the "Establishment", one more reason for distrust.

They say, "These programs have 'low-priority'." I ask, low-priority for whom?

Not for educational leaders; leaders who know that particularly the disadvantaged child needs to be able to match his learning abilities with printed and audiovisual resources that meet his needs exactly; not for teachers who have had the chance to find in rich media resources the key to unprecedented instructional flexibility; and—not low-priority for aware parents, middle class and deprived, urban, suburban, or rural, white or black who want their children to have the opportunity to learn to use their minds as *tools* instead of storehouses, and who have begun to see this happen, largely through Title II funds.

Further, I ask: Who sets the priorities for education, and who is listening to those who have the best right—or think they do—to set the priorities?

When we say that three "I's" must dominate learning—Inquiry, Independence, and the Individual—are we just talking "educator talk"?

When we talk about instruction that will help pupils learn how to seek alternatives, adapt to change, and choose the tools that are best suited to the solving of the programs at hand, are we being "ivory towerish"? The answer is surely "no".

The administration has placed a low priority on education and libraries because it does not understand the crucial importance of education in a democratic society—the ability, opportunity, and, indeed, the *necessity* to learn and earn, to read and succeed. It is up to Congress to engage in some adult education and correct the mistake.

Education was at the top of the *national* agenda for the first time during the Johnson-Humphrey Administration. More public funds were allocated to schools and libraries than ever before in our history. During those years 3,600 new school libraries were created.

Now we have an opportunity to do more than preserve what has been created in the past, a chance to extend the frontiers of education. We are entering a post-industrial society in which Americans need *total* access to the books and other media provided by libraries in order to compete effectively, from the pre-school years onward.

To achieve this concept of total access—of total service—a variety of new approaches should be tried. For example, libraries and schools should be able to give *books* to children and young people who can't afford to buy them—elementary, secondary, and community college students. Every young person deserves books of his own to insure his reading skill, to help him in school, to help him in life.

Libraries should also be able to give books to newly-literate adults that will help them retain their new skill, help them get jobs, and protect them from exploitation.

Total access also requires a network of hundreds if not thousands of urban and rural neighborhood centers, vest-pocket cultural centers, where all the arts may be sampled for greater renewal and refreshment of the human spirit. These centers should, of course, be linked to larger service systems within the city or state.

I even venture to urge that, in those towns and smaller cities where there are no bookstores, public libraries be encouraged to sell books—another way to give our citizens total access to the riches of reading.

We cannot afford to sidetrack, derail or delay other innovations already instituted.

The proposed budget cuts will close to many who are already deprived the doors to the better lives they so desperately need and want. To sustain the cuts would not be just false economy, but heartlessly inhuman. What can be done?

First, we can help educate the Congress.

When his proposals for public education were defeated in the Virginia legislature, Thomas Jefferson said: "Legislators do not generally possess enough information to perceive the important truth, that knowledge is power, that knowledge is safety, and that knowledge is happiness."

We now know that Legislators *must* possess that information.

Remember that if a bond issue for new library construction is rejected by the home-town voters, it is taken as a clear sign by state legislators how the local citizens assess their priorities.

In Washington, Congressmen consider the states' priorities in making their decisions on Federal assistance to education and libraries. Clearly, then, the place to begin is at home. As you discovered in Newark and in the City of New York, articulate public outcry caused funds for the libraries' budgets to be restored and the closings averted.

Let us organize within the library profession, within districts, within the cities and towns, and in states. We must reach out to inform the public through newspapers, magazines, radio and television, what these cuts will mean especially to children. We can set up speakers bureaus, as do farmers, businessmen and public officials. Let us grasp every public forum to get your and our message to the people.

The National Citizens Committee to Save Education and Library Funds under the Chairmanship of Dr. Detlevy Bronk, President Emeritus of Rockefeller University, has formed to fight the specific cuts in educational and informational services under the Elementary and Secondary Education Act and the National Defense Education Act and to fight for restoration of the funds. Its purpose is to inform the public of the present crisis in educational funding. I most strongly urge all of you to support the work of this national organization.

And this is important; do not think that getting out and plugging for library budgets undermines the status of the librarian. You have the best of all possible products to present and promote, and you are making a valuable social contribution by doing so. Remember, however, that it is your responsibility to generate light as well as heat.

We all know that urban budgets and the tax base that supports them are strained almost to the breaking point, so that local taxation is not the whole answer to support for education and libraries.

It is also important to remember that the direct benefits to business and industry of an educated citizenry are immeasurable. Those who benefit should be reminded of the benefit.

We can draw on the resources of the private sector. Out of a Gross National Product of about $900 billion per year, Federal, state and local government handle less than a third through tax collection and public expenditures. In other words, $600 billion dollars can be spent each year—but there are many demands for a piece of this action.

Educators must speak up.

Business and labor leaders should have their "memo a day" asking: "What have you done for education today?"

Let us therefore, earmark a portion of our Nation's vast resources to insure excellence in education and library service, since an educated, literate, informed public is a priceless national resource. Here is one way that it can be done. It is time to start a National Educational Trust Fund.

We have a National Highway Trust Fund and a National Social Security Program.

The Highway Trust Fund is, as I am sure you know, based on a users' tax. You pay as you drive from fuel taxes. It is difficult to see how this can be applied to libraries and schools and adult literacy classes and educational TV and all the other means to create an informed citizenry.

Yet it is only right that our Nation's vast physical resources should be used to develop our most priceless resource an economically and intellectually effective public.

How about a fund deriving its income from exploitation of federally-owned oil shale deposits?

Is this not the time to direct this new revenue to a National Educational Trust Fund?

On the model of Social Security legislation, a small contribution from employees and employers could provide a permanent and substantial cash flow to a National Fund.

Such a system of collection would have an important additional benefits in that, as national income increased, fiscal support for the Fund would automatically rise.

As a member of President Johnson's Cabinet and from past and present employment as a teacher, I draw the inescapable conclusion that education in all its aspects—from teaching basic literacy to the use of great computers in sorting and evaluating highly sophisticated data—education deserves its full voice in the highest executive body of our nation. The Office of Education should be elevated to a Cabinet Level Department. I feel most strongly that when budgets for Federal investments in libraries and other educational tasks are being worked out, the Secretary of Education should be present to state the case for supporting the Nation's most important work.

A National Educational Trust Fund and a Cabinet level Department of Education would end the *ad hoc, ex post facto* efforts that have always provided too little and too late to meet our educational needs.

In the meantime, Congress must increase, not decrease the funds for education and libraries; it must not permit a starvation diet when there are so many hungry minds to be fed. For people *are* book hungry. You and I know how much they have meant to us. Around the world, students would rather go without food than without books. In underdeveloped countries there is even a blackmarket in textbooks; in Indonesia, for example, book-legging is commonplace.

Keeping open these channels of communication—preserving and *expanding* library service—is the key to a larger purpose; a new age of Reason, Reconciliation and Renewal, before polarization takes command and we are frozen in an ice age of fear, distrust, confrontation, and violent reaction.

Let us not go down in history as the generation that opened the doors to outer space, but closed the doors of the libraries.

THE NECESSITY OF STRENGTHENING OUR MANPOWER PROGRAMS TO BETTER TRAIN OUR NATION'S YOUTH

Mr. BYRD of West Virginia. On July 1, 1969, 59 Job Corps centers throughout the Nation began closing their doors. The purpose of the Job Corps had been to provide disadvantaged youngsters

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with job skills coupled with basic education. The failure of this program has been documented in many sources, the most recent of these being the Comptroller General's report of OEO programs. Among its deficiencies it was noted that the Job Corps demonstrated an inability to provide adequate vocational training and assurances that jobs would be available in the occupations for which the enrollees were trained. In many instances, enrollees gained little from the program, as was reflected in their employment experiences.

The youth unemployment rate for this Nation has remained high over the 5-year period in which the Job Corps has been in operation. The 1968 Manpower Report of the President revealed that while the unemployment rate for all workers has been nearly cut in half since 1961, the teenage rate has declined very little. In 1968, the jobless rate for young workers exceeded 12 percent. The unemployment rate for Negro youth has been the worst unemployment category in this country for a decade. Nonwhite youths, age 16 through 21, in 1968 experienced unemployment at the rate of 20.4 percent. During the course of the year, almost a third of a million Negro youths in this age group were out of school and out of work.

Most of us agree that the purposes of the Job Corps were important and are worthy of further exploration. What has been challenged are the Job Corps methods, which have proven costly and ineffectual. If we are to realize the greatest benefits from our job training efforts, we must improve the framework in which these programs operate and increase our support for job training efforts which have been demonstrated to be effective and successful.

We must begin by making greater attempts to convince the young men and women who swelled the Job Corps ranks that a high school education is essential to their future well-being. Greater stress must be placed upon programs of cooperative education, whereby students in school can learn about the world of work firsthand and combine school with work experience. The private sector of the economy should be encouraged to devote more of its energies to the classroom, where young people can be enlightened regarding the demands of the marketplace, and the skills they must possess, if they are to compete successfully in an increasingly sophisticated and complex economy. Toward this end we must expand our support for programs of vocational education to insure that students who now find no relevance in an academic curriculum may be made aware of the many occupational choices which will be offered to those who have completed a course of vocational study.

It is also imperative that we strengthen the U.S. Employment Service, which operates throughout the country to assure jobs to those seeking work. Computerized job matching and the use of job banks must be more widely employed to relate skill training to existing job vacancies. In an age in which modern communication and transportation networks link vast areas of the Nation, it is unthinkable that we have no means of rapidly learning what opportunities are available in the next State. Computers can expeditiously determine whether an individual's job skills meet the requirements of an employer's specifications. A list of job openings throughout the Nation should be made available each day to placement counselors. With the proper use of automated equipment, we could greatly enhance the utilization of human resources and bring to an end the economic waste produced by vacant jobs and idle workers. Young people, being especially adaptable, could readily acquire the specialized knowledge necessary to qualify for employment in those areas of the economy where additional manpower is sorely needed.

Several manpower programs already in operation to combat unemployment have shown good results, and deserve to be expanded to include greater numbers of disadvantaged young people.

One such effort is the JOBS program, initiated in 1968, which involves the private sector and Federal Government in a partnership to hire and to train the hard-core unemployed. This program represents the first major involvement of the business community in manpower programs designed to aid disadvantaged individuals. The success of the program demonstrates that the private sector can make a valuable contribution. When the program began in January 1968, its goal was to place 100,000 men and women on the job by June 1969. The National Alliance of Businessmen, who are in charge of the program's operation, reported that they reached their first-year's goal in January of 1969, 6 months ahead of schedule. Hiring of the hard core is progressing at the rate of 20,000 placements per month. Seventy-three percent of those whom the JOBS program has been helping are men, and 78 percent are Negroes. Of the enrollees, 70 percent are between the ages of 20 and 40, and 17 percent are under 20. The majority of participants have completed an average of the 10th grade in school. Last year, most of them had been unemployed an average of 25 weeks, and their family incomes averaged $2,773. After they were hired through the JOBS program, 65 percent made more than $1.75 an hour, 33 percent made more than $2 an hour, and 4 percent made more than $3 per hour. Of the 145,900 disadvantaged men and women who have been hired, more than 80,000 are still on the job.

The success of companies, large and small, clearly demonstrates that the private sector can motivate and train individuals previously considered to be unemployable. This May, the Secretary of Labor announced that JOBS is to be expanded to an additional 75 cities, or to a total of 125 municipalities. Hopefully, expansion of the JOBS program will permit a greater emphasis in finding work for young jobseekers, providing them with meaningful opportunities in the areas of the economy that are growing and experiencing skill shortages.

Programs initiated under the Manpower Development and Training Act have proven invaluable in developing our Nation's manpower resources. Since the passage of the act in 1962, more than 1.2 million training opportunities have been authorized. As of June 1968, 76 percent of those completing institutional training, and 89 percent of those completing on-the-job training were employed when last contacted. Of these placements, 78 percent of the trainees from institutional programs and 93 percent from on-the-job training were employed in training related jobs. A recent study of MDTA graduates revealed that after training their median earnings were $1.73 per hour compared with $1.44 before training—an increase of 20 percent in the average earnings level. The MDTA skill center provides in one facility training for as many as 20 different occupations, and those supportive services which the trainee may find necessary. The programs authorized under the MDTA have made a significant contribution in training this Nation's labor force, and should be fully supported to allow for greater allocation of resources to the training of our young men and women.

Mr. President, the Nation has not fully taken the steps needed to help unemployed young people to help themselves. We owe it to our youth, and the economic well-being of the Nation in general, to develop better means for training the young, and transforming them into responsible, productive citizens. It seems a most sensible approach to apply those programs which have had the most success to the group for whom the Job Corps was originally designed. By making a greater attempt to reach and train young workers, we can promote the kind of self-fulfillment which, in turn, will mean a stronger economy, a less divided society, and a better America for us all.

EVERGLADES

Mr. NELSON. Mr. President, the threats to Everglades National Park from federally assisted development such as a proposed super jetport nearby present a real test of whether or not this Nation is committed to a policy of protecting the quality of our environment for now and for future generations. An article last Saturday in the New York Times, by Mr. Paul Brooks, publisher and conservationist, is an excellent presentation of the dangers and the issues involved.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Topics: Everglades Jetport—A Blueprint for Disaster

(By Paul Brooks)

"Human history," wrote H. G. Wells, "more and more becomes a race between education and catastrophe." A precise illustration of his thesis, in terms of land use, is the 39-square-mile jetport about to be built (unless someone stops it) in the heart of the Florida Everglades.

Promoted by the Dade County (Miami) Port Authority, backed by four major airlines, by the Federal Aviation Agency, by local boosters and land speculators, it threatens the very existence of that unique subtropical wildlife paradise, Everglades National Park. The land has been condemned and work already begun on the intended location only six miles north of the Park boundary. The first stage, the training field, will be in operation this fall.

"A new city is going to rise up in the middle of Florida," says Alan C. Stewart, Director of the Port Authority; "you are going to have one whether you like it or not." If he is right, the impact on the surrounding country will be devastating. Local speculators will get rich; but Everglades Park, which belongs to all the people, will be doomed.

Pressures on land and particularly on water in Southern Florida are already at a maximum; zoning for their protection at a minimum. Yet the physical environment is extraordinarily fragile, and vulnerable to misuse. The Everglades—which, with the great cypress swamp, covers most of the interior—consists of a vast, shallow, slow-moving river. Fresh water during the wet season moves from the region of Lake Okeechobee southward through the state water conservation areas and (when unimpeded) on through the Park, to empty eventually into the Gulf of Mexico. On this seasonal flow of pure water the life of the Park depends.

ALGAE, ALLIGATORS MENACED

In recent drought years, excessive diversion and wastage of water by the Army Engineers has all but caused the Park to dry up. Now the whole chain of life, from algae to alligators, is threatened by the future water needs, and by the inevitable pollution from an airport and city rising literally out of a swamp; the domestic and industrial effluent, the pesticides and herbicides and fertilizers, the unburned jet fuel discharged into the air. Noise from takeoffs and landings, estimated eventually at two per minute, will be intolerable.

The Port Authority has the nerve to designate the Park a "sound barrier" or buffer zone; F.A.A.'s Miami manager cracks, "Nobody will be close enough to complain—except, possibly, alligators." Except, possibly the million annual visitors to the Park, whose chance for a wilderness experience will be gone forever.

The jetport project is an abortive offspring of the unholy wedlock of the booster and the engineer. It represents the same blind permissiveness that allows industry to pollute air and water to the brink of disaster (and beyond, as witness Lake Erie), agriculture to use poisons like DDT long after the fatal results are known, the Army Engineers to dam rivers and dig canals with little concern for the total environment.

Ask the Port Authority if it knows specifically what it is doing to the Everglades and you get a litany of evasion: the matter in question is always "under study." Meanwhile disaster becomes daily more imminent. The "studies" will soon be post-mortems.

Fortunately, Everglades is a *national* park. Early in June Senator Jackson conducted hearings before the Committee on Interior and Insular Affairs, to review what he termed a "classic case history" of the impact of technology on the enviromnent. There emerged a shocking pattern of confusion and conflict between Federal, state and local authorities.

IF ENOUGH PEOPLE CARE

The Bureau of Transportation admits that transportation programs are on a collision course with environmental management. The Interior Department promises to "do everything within its power" to stop the jetport if it will mean destruction of the Park. The Corps of Engineers, however, refuses to guarantee water for the Park "until the situation gets tight."

Other and less damaging sites exist, including state-owned land near Lake Okeechobee. "Either we stop the jetport at the present site," said Senator Nelson (co-sponsor with Senator Jackson of a bill for a national environmental policy) "or we publicly admit that we are going to destroy the Park." To stop it now "will cause a hell of an uproar, but it can be done."

It can. And if enough people care, it will.

TWO SENTINELS OF THE STATUS QUO

Mr. PELL. Mr. President, while I was unable to be in the Senate Chamber when the senior Senator from Idaho gave his speech entitled "Two Sentinels of the Status Quo," I had a chance to read it in depth over the weekend.

I was particularly struck by the wisdom, scholarship, and originality of Senator CHURCH's speech, and I take this opportunity not only to praise him for having given it, but also to say that I find myself in agreement with its conclusions.

There is certainly no doubt in my mind, or I am sure in the minds of many of us that we and the Soviet Union are indeed becoming sentinels of the status quo.

THE UNITED STATES MUST MAINTAIN THE FORCE OF ITS EXAMPLE BY RATIFYING THE HUMAN RIGHTS CONVENTIONS

Mr. PROXMIRE. Mr. President, a major trend since World War II has been the rapid emergence of independent states from the ruins of the colonial empires. Because of the resources and sheer numbers of people they represent, the path these nations follow will have far-reaching implications for the course of world events. Thus we must view with concern the development of their political systems.

We must realize—particularly in the light of Vietnam—that it is foolish and even dangerous to expect that all these emerging nations can or should develop exactly as we have. But it is not improper to hope that they will resume certain fundamental characteristics that we and other nations value highly.

Ambassador Arthur J. Goldberg said before the Senate Foreign Relations Committee that—

> When our Declaration of Independence was written, we proclaimed certain unalienable rights, and the drafters of that great document proclaimed them not just for Americans, but for all men. . . . President Lincoln said there was something in the Declaration giving liberty "not alone to the people of this country but the hope for the world for all future time."

It is these fundamental guarantees of liberty—by no means unique to our country, but which we have long held dear—that we must hope emerging nations will see fit to emulate.

Yet we continually refuse to reaffirm these basic tenets through the ratification of the international conventions on forced labor, the equal rights of women, and genocide now before the Senate. If indeed we hope that the best of our system will be transmitted to other nations through the force of our example, then we cannot hesitate to assert our support of these things to the rest of the world. Ambassador Goldberg said that—

> In the conduct of our foreign policy it is highly important that where we can we ought to be faithful to these great traditions, and our being faithful to these great traditions, being an exponent of the ideals of liberty and equality in the international arena, is not an insubstantial factor in world affairs.

And while we delay, Mr. President, these conventions are ratified by many of the very nations to whom we are supposedly offering an example. The list is embarassingly long—over 70 nations, many of which were barely colonial entities when the Declaration of Independence was signed.

At this most critical of times, said President Kennedy:

> The United States cannot afford to renounce responsibility for support of the very fundamentals which distinguish our concept of government from all forms of tyranny.

If we are to exert a constructive influence in the third world, Mr. President, if we are not to lose our traditional leadership in the field of human rights, we must act to ratify these conventions now.

PRESIDENT THIEU'S OFFER

Mr. McGEE. Mr. President, last week President Thieu, of South Vietnam, made his awaited offer—an offer which would have permitted the Vietcong to participate in national elections following a cease-fire. This is, of course, a considerable concession on the part of the South Vietnamese, since it opens the doors to Communist participation in their government—something now denied by the South Vietnamese Constitution. In short, the Chief Executive of South Vietnam was offering a constitutional amendment and a major concession in one package. No small matter.

It was, not surprisingly, rejected out of hand by the NLF and the government in Hanoi—at least publicly. But what is more disturbing to me is that, even before this move by President Thieu, it had been persistently denigrated in this country by people who I would have thought would welcome any move, however realistic, toward peace.

While there are things wrong with the Thieu proposal, at least as it stands, still unnegotiated, it represents a very significant change in stance on the part of the South Vietnamese Government. It certainly cannot, with any honesty, be called a step backward.

Mr. President, in the wake of this latest offer and refusal, we can look back over the past year and a half of negotiations and find a long string of proposals offered, tried, tested, and put forth by the Governments of the United States and South Vietnam in order to encourage the other side to sit down and seriously talk peace.

As we look back over the past year and a half of peace negotiations, we find a long string of things we have been offering—trying out, testing, in order to encourage the other side to sit down and talk more seriously.

It began with halting of bombing of North Vietnam and was followed by policies of great restraint on our side even while the other side was hitting the major cities of South Vietnam last fall and winter with rockets. Thieu has offered to sit down with the NLF for private talks without preconditions. And our own Government now has begun a limited troop withdrawal as a bona fide effort in this testing operation.

Whatever our critics in our own country think personally about Thieu is their own business. But surely we can see that the whole thrust of the effort to find a base for peace or peace talks has been largely a one-way operation; namely, from our side. I think the record ought to make our stance a little clearer than the headlines suggest. We are pursuing every reasonable path to an honorable settlement.

With all that the Thieu offer does not say—and we all admit this is a tough one to implement—it is a positive step. Despite the NLF's immediate rejection of the offer, surely it is now incumbent upon Thieu's critics to deal with Thieu's offer as it is or else to propose a better solution to the election impasse. Along the same line, if the NLF is genuine in its hope for peace, let it also show some sign that it is.

SUPPORT OF THE ARTS

Mr. MONDALE. Mr. President, an editorial written by Joseph James Akston and published in the May 1969 issue of Arts magazine discussed the situation of the arts in America. In his editorial, Mr. Akston called for the administration to elevate the position of Chairman of the National Council on the Arts to Cabinet level, and recommended higher appropriations for the support of the arts.

In a hectic and hurried world where mass production, planned obsolescence, and modern technology proliferate, the creativity and lasting value of the arts is often overlooked. But the contribution that the arts make to the quality of American life cannot be denied. In this context, I commend Mr. Akston's editorial to the Senate because I believe it is worthy of our thought and consideration. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SUPPORT OF THE ARTS

President Nixon's acceptance of Roger L. Stevens' resignation as Chairman of the National Council on the Arts could be more than simply a quadrennial rite of political partnership. It would be more, that is, if the president used the necessity to appoint a successor as an opportunity to declare a national policy of serious moral and material commitment to the arts.

President Nixon could accomplish this with a stroke of the pen or a verbal announcement that would have raised Mr. Stevens' successor to cabinet-level rank. We would then have in name at least, a counterpart of André Malraux, France's Minister of Arts. Even though we did not immediately attain the images of the Gallic heritage of veneration for matters of culture, a formal Department of Cultural Affairs might, in time, engender intent which, eventually, might produce substance. In any instance, the gesture would be beneficial.

One suspects, however, that this thought must remain a wistful one. President Nixon has not given us reason to believe that his imagination is equal to such a gesture. The reality undoubtedly is that when the Chief Executive gets around to it, he will fill the gap with somebody of the proper political persuasion and bureaucratic faith. For, with all due respect to Mr. Stevens' conscientiousness and considerable ability as an administrator, no postulant for the National Council's top job can vouchsafe earth-shaking results, nor can he even fashion national policy on the arts so long as the administration limits the scope of its functions. And, unfortunately, that is what the previous Administration saw fit to make of its arts council appointee: a functionary, albeit a relatively prestigious one, but forced to function within the narrow confines imposed by the parent agency and a congressional committee. Only cabinet or cabinet-level designation, a move clearly within the President's traditional executive power, will permit the boss of our federal arts agency to transcend the functionary's role.

The chasm that divides hoped-for developments and the reality in arts funding grows deeper and wider. At this writing the reality is appallingly apocalyptic. Mr. Stevens' departure from the scene is accompanied by dire reports of virtual bankruptcy on all governmental funding levels, along with feeble heartbeats that attest the moribundity of corporate and private fund-raising efforts. One can only assume that Mr. Stevens' farewell was given with a feeling of relief to have narrowly avoided the final demise. Here, in the cryptic, dry, but eloquent language of the balance sheet is the handwriting on the wall.

In 1968 federal support for all the arts was a smaller item in the national budget than economic aid to Costa Rica, smaller than a single minor grant made by the National Science Foundation to the Polytechnic Institute of Brooklyn. It amounted to four cents of every thousand dollars of government expenditure!

The prospect for the current year is bleaker. The 1969 federal budget cuts support for the arts to less than three cents per thousand dollar outlay. Although Congress has *authorized* 15 million for the arts—a paltry sum, indeed—it has *allocated* only 7.5 million for the current fiscal year. And this sum stands an excellent chance of being drastically reduced by the Capitol Hill politicians.

The miniscule scale of funding forced upon the National Endowment for the Arts by the parsimony of Congress and the previous Administration is pitifully evident in the fact that the Endowment has already spent its entire visual arts grant allocations for 1969: the total sum of $295,000. The Endowment must now wait for a definite appropriation for fiscal 1970 before it can make any plans for the future. This tiny federal agency, created to assist the arts in this country, is in fact an instrument of euthanasia in the arts.

The message on the wall is clear for all to read: the arts in America are in imminent danger of starving to death. There are those who do not, apparently, choose to take that message quite as seriously as we believe it deserves to be taken.

Among those taking a more optimistic view of the immediate future of the arts in America there stands, paradoxically enough, Mr. Roger Stevens. The ex-Chairman of the National Arts Council is still chairman of Washington's John F. Kennedy Center for the Performing Arts. This fact, plus President Nixon's failure to name a successor to the national arts agency, gives Mr. Stevens an ex-officio status, a sort of elder-stateman role in the current arts scene.

Mr. Stevens is on record with the following comment, made after the chain-reaction cutbacks sparked in Washington:

"I'm not as pessimistic as most people think we should be. Some 95 percent of those on the board of trustees of arts organizations are Republicans. They're going to see to it that money is available to make up the huge gap."

We envy Mr. Stevens his sanguineousness. While doing so, we should like to point out the following aspect of the grim reality confronting the arts. It may have been overshadowed by Mr. Stevens' sunny, bright outlook.

When the ex-chairman of the federal arts program pins his hopes on the "boards of trustees," etc., he is, knowingly, we assume, betting that the so-called private sector of the economy will take up the funding slack. For, however he words it, he is looking to the corporations, to Big Business for action, perhaps salvation, this time. Though we share the hope that it will be forthcoming in the worsening financial crisis, we cannot share Mr. Steven's calm confidence that help shall be forthcoming.

Government, by its control of national wealth through taxation and expenditure, has the power to withhold public support of the arts. U.S. corporations, by definition and function "public" institutions, control an even bigger portion of the public wealth. Government and corporate enterprise, therefore, share the responsibility and power for what has been termed "public funding of culture and the arts." In reality, "government funding" and "private corporate funding," so-called, are, in effect, public funding. The terms have been made to carry a distinction but it is a distinction without a difference.

The outlook, then, is gloomy, we think. But we shall endeavor to nurture in ourselves a little of the faith that seems to animate Mr. Stevens during this dark time for the life of the arts in America.

BILINGUAL EDUCATION

Mr. MUSKIE. Mr. President, 2 years ago the Elementary and Secondary Education Act of 1965 was amended by the enactment of title VII, the Bilingual Education Act of 1967, which authorized a nationwide study of methods to promote bilingualism for children who come from environments where the dominant language is other than English.

In northern Maine, 26,058 U.S. citizens reside in the St. John Valley. Ninety-five percent of the children learn English as a second language. If a bilingual center funded under title VII could be established in the valley, it would affect approximately 20 percent of all elementary and secondary students in Maine who are handicapped because of their bilingual background. Unfortunately, the present administration allows only $125,000 for a northern New England bilingual education program for French-speaking school children.

Because of the severe limitation of funds, none of the funds appropriated for title VII have been available for French-speaking school children of the St. John Valley in my own State of Maine. Instead the valley schools have operated a bilingual program under title III of the Elementary and Secondary Education Act, which provides 3-year programs of grants for supplementary educational centers and services to elementary and secondary schools.

I invite the attention of Senators to an article entitled "A Bilingual Culture," published in the May issue of the Maine Teacher, which describes the successful ways in which the St. John Valley schools, operating under title III, have made youngsters more adept in English through the medium of their native French language. I ask unanimous con-

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sent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A BILINGUAL CULTURE

(By Glen Wilcox)

(NOTE.—Glen Wilcox is co-director of the Franco American Bicultural Research Innovations Center, a Title III, PACE project at Frenchville and St. Agatha.)

Something exciting is happening in the schools of School Administrative District 33 which comprises the towns of St. Agatha and Frenchville. These towns are located in the northernmost tip of Maine's Aroostook County in the Valley of the St. John River—the so-called Franco-American belt.

The school population of these two towns is housed in three schools—Bailey and Montfort Elementary Schools and Wisdom High School, and 90 percent of the pupils in these schools entered as monolingual French-speakers.

For many years these French-speaking youngsters have been the unwitting victims of an educational system and school curriculum that failed to take into account their cultural and linguistic background. Their language is suppressed in subtle and not-so-subtle ways. State law demands that subject matter other than languages be taught in English. A campaign has been waged for years by teachers and administrators to eradicate the speaking of French in school classrooms, corridors, and playgrounds, in the well intentioned but mistaken notion that this would automatically lead to the improvement of English skills. Many schools had a variety of rules and regulations to enforce this principle. Punishment for speaking French ranged from loss of lunch tickets to extra English assignments after school.

The results of this uncomprehending policy have been tragic. Deprived of their cultural heritage and suppressed in their language and culture, many children rebel against the system that forces these unreal demands upon them. The French-speaking child, required to attend school taught in a strange and unfamiliar language, passes through a period of intellectual and emotional confusion that may handicap him for life. He loses three to four years in the struggle to acquire enough academic English to compete in the system. Large numbers, discouraged by the struggle, drop out as soon as possible. As they have rarely mastered the basic grammatical concepts of French before they are forced to deal with English, they seldom learn either language well. Often these students leave school functionally illiterate in two languages. The linguistic confusion imposed on these youngsters is a grave handicap in their search for adequate employment. Some, despite their linguistic confusion, succeed. Others seem to reject one language or the other, some refusing to speak English except when absolutely necessary and reverting to French when at all possible, while some reject French entirely, even refusing to speak French to their parents at home. Achievement tests from towns in the St. John Valley reveal that, on the average, test results in reading by pupils from French-speaking homes are three years below national norms.

This was the situation in SAD 33 when the district received an $86,000 grant from the U.S. Government under Title III of the Elementary and Secondary Education Act to undertake a research project in bilingual education.

PACE, as the project was first called, began with a six-week in-service summer session for 30 teachers and administrators. The session began with two weeks of sensitivity training under the auspices of professional trainers affiliated with the National Training Laboratory. Sensitivity training leads to an awareness by the individual of the impact he makes upon others, and, thereby, allows him to make needed changes to take advantage of his full potential. So many hang-ups became apparent during the course of the two weeks that we feel without this training our project would have been in deep water from the beginning. It soon became evident that bilingualism, per se, was not a handicap. Indeed, bilingualism is viewed as a distinct asset by modern educational standards and Title VII of the ESEA has allocated $7.5 million to the nationwide study of methods to promote bilingualism. It was instead the attitudes and feelings, the social and emotional connotations, the rigid and often irrational educational philosophy in regard to the treatment and teaching of bilinguals that were at the crux of the problem.

Our original goal, prior to sensitivity training, had been to improve the quality of English instruction. We now began to realize that to improve the quality of the finished product of our schools would require much more than this. Attitudes had to be changed. A sense of intrinsic value in French culture and language had to be instilled.

OUT THE WINDOW

We started by tossing out the window the rules that downgraded and suppressed French. Communication and instruction in French are necessary if one is to realize the worth of the language. Our children bring to school with them years of valuable language acquisition skills, skills which are viewed as a handicap, under traditional curricula, rather than the tremendous and valuable resource that they actually are. By using modern linguistic techniques, these French language skills can be the bridge to successful functioning in English. Learnings in one language reinforce learnings in the other. Most linguists agree that the child learns to read that which he speaks and understands. In the case of the majority of our pupils, that which he speaks is French. This is the language in which we propose to teach reading. A variety of bilingual schools throughout this country and Europe have successfully proved that bilingualism is a definite possibility, given at correct population and favorable attitudes and incentive.

At the present time several pilot projects in various aspects of bilingual teaching are in operation in SAD 33 schools.

A kindergarten class is conducting reading-readiness activities in both French and English, using graphic illustrations prepared by a local teacher-artist. Numerous scenes, such as the local firehouse, potato harvesting, the shopping center in a nearby town, a barbecue scene on the shores of Long Lake, a town snowplow at work, are illustrated. The initial reading vocabulary will be selected for maximum transferal value in both French and English.

These illustrations, with the accompanying French vocabulary, will next year be incorporated into a professionally printed textbook to be used as a kindergarten primer.

Team teaching, whereby a French-speaking teacher conducts classes in French while the teacher she replaces carries on in English in her class, is being tried with exceptionally good results.

The changes wrought in the students are remarkable. The "jail atmosphere" is gone. A feeling of esprit de corps prevails throughout and morale is higher among teachers than ever before. "We're bilingual," exclaims a bulletin board on one end of a hallway. At PTA meetings children exhibit examples of bicultural historical sites and artifacts and proudly flash green PACE buttons proclaiming their Franco-American heritage.

The first year of operation was, according to the addendum to the original PACE proposal, to be one of research and investigation. At the end of the summer, a team of three co-directors was chosen to spearhead the operation. The "Troika," as the three directors are called, is aided by seven committees. Every faculty member is a member of one or more of these committees. They meet on a regular weekly basis to formulate plans and collect data. The entire faculty attend bimonthly meetings and so far two workshops have been held as part of in-service training—a two-day affair in January and a three-day institute in February.

The Troika has established the Franco-American Bilingual Research Innovations Center (FABRIC) and plans are being formulated for the implementation of the new bilingual curriculum.

Projected plans for the PACE/FABRIC project tentatively call for a fully functioning bilingual curriculum in grades K to three for school year 1969–70, with other grades being added in succeeding years. Eleven classes will be involved in next year's program—two kindergarten and three classes each in grades one, two, three.

TEAM PROCEDURES

The kindergarten classes and one class in each of the other grades will probably be taught by bilingual teachers. The other six classes will employ team teaching procedures wherein an English-speaking teacher will handle the English content and a French-speaking teacher will present the French material. In this way we hope to be able to determine which particular method will best suit our needs. The actual amount of time devoted to each language will be determined by the makeup of the individual groups, but generally, French-speaking groups will receive about 75 percent of their instruction in French with the opposite being true for English-speaking classes. By the end of grade three all groups should be receiving about equal time in all subjects in both languages.

The curriculum materials and techniques will be developed this summer in a six-week practicum to be held in St. Agatha. Videotape and other multimedia approaches will be emphasized during the practicum. Eleven college level courses are being offered in addition to the practicum for all teachers and administrators of SAD 33.

Statistical analysis of other bilingual programs throughout the country has shown the value of teaching children in their native tongue. Children more readily become adept and facile in English when the approach is through the medium of their spoken language and, best of all, the bilingual child has all the advantages that multilingualism offers—enhanced problem-solving ability, cross-cultural appreciation, reading, writing, and speech skills in two languages.

Recent studies of ten-year-olds in Montreal show that in large samples that take into account socioeconomic factors and environmental controls, bilingual students placed higher on standardized achievement and intelligence tests and were more advanced in grade placement than either monolingual French or English speakers.

We hope, here in the St. John Valley, to be able to provide our children with the opportunity to become balanced bilinguals, equally adept in reading, writing, and speaking two languages, at ease in two supporting and complementary cultures, and capable of making use of the myriad advantages two cultures have to offer.

DELPHIAN CLUB OF PORT ARTHUR, TEX., ENDORSES 100,000-ACRE BIG THICKET NATIONAL PARK

Mr. YARBOROUGH. Mr. President, the Delphian Club of Port Arthur, Tex.,

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adopted a resolution on May 27, 1969, urging the establishment of a 100,000-acre Big Thicket National Park in southeast Texas. They recognize the threat posed by the bulldozer and chain saw to this unique ecological phenomenon.

In addition to its unmatched beauty and the richness and diversity of its plant and animal life, the Big Thicket is steeped with history. Sam Houston had planned to hide his army here if his attack on the Mexican Army had failed. Runaway slaves and bandits found safety in its dense tangles. Draft dodgers and conscientious objectors hid out in the thicket successfully during the Civil War and as recently as World War I and II.

The Big Thicket is a part of America's heritage. We must not through neglect or lack of concern let this area and others like it to disappear forever from the face of the earth. We must act now if we are to save the Big Thicket.

Mr. President, I ask unanimous consent that the resolution and the name of its signer be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

MAY 27, 1969.

Whereas the Big Thicket of Texas is a meeting place for eastern, western and northern ecological elements; and

Whereas, this is the last stand in Texas of the nearly extinct Ivory-billed Woodpecker; and

Whereas, this beautiful and unique area is rapidly being destroyed by bulldozer and chain saw; therefore be it

Resolved, That the Delphian Club of Port Arthur, Texas, urges the preservation of at least 100,000 acres containing the most unique areas of the Big Thicket, these areas to be connected by environmental corridors; and be it further

Resolved, That the Interior and Insular Affairs Committee of the Senate of the United States be requested to set immediate hearings on S4 which would create a Big Thicket National Area.

MRS. H. A. SWANEY, Sr.,
Delphian Club President.

THE PESTICIDE PERIL—XXV

Mr. NELSON. Mr. President, last week Home Garden magazine announced a ban on advertisements for products containing DDT and certain other insecticides which could have harmful effects on man and his environment.

According to Mortimer Berkowitz, publisher and president of Home Garden magazine, Home Garden is the first national consumer publication to place such a ban on DDT advertisements. The action was taken after a thorough study by the magazine's editorial staff on the harmful effects of certain insecticides. Mr. Berkowitz stated:

> It is Home Garden's belief that the use of DDT should be avoided in all areas, including home gardens.

The ban will go into effect with the September issue, and the October issue will feature the "DDT Story"—including warnings on the effects of certain chlorinated hydrocarbon insecticides, consumer recommendations for effective substitute materials, and a plea for Federal legislation to control the use of these insecticides.

A leading national horticultural magazine for consumers, Home Garden advises the amateur home gardener as well as the professional. Its action is timely, and further endorses the concern of scientists, conservationists, and public officials of the threat to our environment and to human health by the continued use of persistent, toxic pesticides.

I ask unanimous consent that the press release issued by Home Garden magazine and the article published in last week's New York Times relating to this matter be printed in the RECORD.

There being no objection, the release and article were ordered to be printed in the RECORD, as follows:

HOME GARDEN MAGAZINE BECOMES FIRST NATIONAL CONSUMER PUBLICATION TO BAN DDT ADVERTISING

NEW YORK, July 10, 1969.—Home Garden Magazine, the leading national horticultural magazine for consumers, will not accept, effective with the September issue, any advertising for products containing DDT and certain other insecticides which could have harmful effect on man and his environment.

Home Garden Magazine is the first national consumer publication to place such a ban on DDT advertisements, according to Mortimer Berkowitz, publisher and president of Flower Grower Publishing, a subsidiary of Universal Publishing and Distributing Corp., who announced the ban today.

Mr. Berkowitz, said that the subject of certain insecticides' harmful effect has been studied thoroughly by the magazine's editorial staff. After prolonged consultation with industry and governmental authorities, the decision to reject DDT advertising was made. "It is Home Garden's belief that the use of DDT should be avoided in all areas, including home gardens", he stated.

Editorially in the October issue, Home Garden will urge its more than 425,000 subscribers not to use DDT and certain other chlorinated hydrocarbon insecticides such as aldin, endrin, DDD, dieldrin and toxaphene which decompose slowly and accumulate causing contamination of soil, water, wildlife and even man himself.

The editorial will also call for federal legislation to control use of these insecticides.

Beside the full report on the "DDT Story" in the October issue, Home Garden will give consumers recommendations for substitute material that they can use just as effectively as DDT and other chlorinated hydrocarbons.

Universal Publishing and Distributing Corporation is an international publisher of "special interest" magazines, books and educational materials for the consumer and industrial markets. UPD shares are traded in the over-the-counter market.

[From the New York Times, July 11, 1969]

HOME GARDEN REFUSES ADS FOR DDT PRODUCTS

A ban on ads for products containing DDT was announced yesterday by Home Garden Magazine.

It goes into effect with the September issue and will also include "certain other chlorinated hydrocarbon insecticides," which "could have a harmful effect on man and his environment."

The publication of Flower Grower Publishing, a subsidiary of Universal Publishing and Distributing, will also urge in its October issue that its 425,000 subscribers not use these kinds of pest killers

A NEW FEDERAL LAND-BUYING POLICY MIGHT HELP FLOOD PROJECT JAM

Mr. SYMINGTON. Mr. President, a thoughtful and constructive editorial published in the Kansas City Times of Wednesday, July 9, has to do with flowage easements on flood protection projects—the method in force a few years ago—instead of outright purchase; and in that the Federal Government is now so heavily in need of tax money, in the interest of the taxpayer I would hope that this suggestion will be carefully considered.

I ask unanimous consent that the editorial, entitled "A New Federal Land-Buying Policy Might Help Flood Project Jam," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A NEW FEDERAL LAND-BUYING POLICY MIGHT HELP FLOOD PROJECT JAM

Missouri's severe slowdown on flood protection projects could be eased by a proposed change in federal land acquisition policy which would reduce project costs. As Sen. Stuart Symington pointed out in his Senate speech Monday, the government now is taking outright title to reservoir land which might be flooded only every 20 to 100 years. A flowage easement—a one-time payment for the right to flood as needed—would cost on the average only about half as much as taking title. And it would leave the property on the local tax rolls.

The Symington suggestion would amount to a return to the land-buying policy used by the Corps of Engineers and the Interior department between 1953–62, in which flowage easements were taken on most reservoir land above the level expected to flood less frequently than every five years. Fee title still was taken to land needed for public use or access to the project.

In 1962, however, in the expanding economy of the Kennedy administration, a new policy was adopted of buying outright all but a few remote reservoir tracts where easements still would be used.

But now, with the federal public works program crippled by the Vietnam war outlay and inflation—including higher land costs—would be a good time to re-examine government land acquisition policy once more. In Missouri, Kaysinger Bluff, the 213-million-dollar giant of all area flood projects, is being built at a crawling pace and Pattonsburg, keystone of the Grand river system of dams, can't even be started.

Unlike the relatively deep Ozark valleys where most existing Missouri dams have been built, these flatland projects require big acreages—266,000 at Kaysinger, for example, for a permanent pool of only 55,600 acres. The engineers there are dealing with nearly 8,000 ownerships.

Any new land policy still should provide for government ownership of the shoreline area to guarantee full public access to these taxpayer-built lakes and guard against private, junky development which would damage natural beauty. But within the flood pool, greater use of flowage easements might effect sufficient cost savings to get moving on projects now stalled by high costs.

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RISE IN U.S. VIOLENCE—WHAT ABOUT THE VICTIMS? BILL NEEDED TO AID INNOCENT VICTIMS OF CRIME

Mr. YARBOROUGH. Mr. President, the Commission on the Causes and Prevention of Violence recently issued a report entitled "Violence in America: Historical and Comparative Perspectives." This report contained a sobering account of how violent our society has become.

This development concerns me. It is frightening to behold the degree to which violence has become a part of life in this Nation—particularly violent crime. All of us in Congress are concerned about how to control the commission of acts of violence. But, I feel that we should also be concerned with what we can do to help the victims of this violence.

My bill, S. 9, suggests what can be done. I propose to create a Federal commission to compensate victims of crime. Although it would be authorized to operate only in the District of Columbia and certain other federally administered areas, I think it would be at least a step in the right direction. I might add that five States, the Virgin Islands, and two foreign nations have similar provisions in their laws. I hope that Congress sees fit to follow these examples.

Mr. President, I ask unanimous consent that the article entitled "Study Sees Rise in U.S. Violence," written by Jean M. White, and published in the Washington Post of June 6, 1969, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 6, 1969]

STUDY SEES RISE IN U.S. VIOLENCE

(By Jean M. White)

The 1960s have exploded into one of the most turbulent eras of violence in the history of the violence-prone American people, a Presidential Commission task force reported yesterday.

The 350,000-word research study—as long as seven or eight novels—exhaustively surveys, "Violence in America: Historical and Comparative Perspectives."

The authors underscore that Americans always have been a violent and even "rather bloody-minded" people, almost echoing in scholarly observations the "violence-is-as-American as-cherry-pie" phrase of Negro militant H. Rap Brown.

But they also point out that recent violence has appeared in several forms "unprecedented" in American history—political assassinations, university unrests, and antiwar protest. The study also notes the recent spiral in the rates of violence crime and the turn toward black aggression in the long conflict between the races.

The research report was released yesterday on the first anniversary of the assassination of Sen. Robert F. Kennedy. It was that act that led to the appointment of the National Commission on the Causes and Prevention of Violence.

The historical and comparative analysis of American violence is one of seven task force studies that will form the basis for the final Commission report, scheduled this fall.

The others are expected to be released in a flurry over the next few weeks. One reason was to get a year's worth of research work into public hands before the summer months come to the Nation's troubled cities.

Other task forces have been studying group violence, individual violence, assassination, firearms, crime and law enforcement, and mass media.

In the five years before mid-1968, the report released yesterday says, 220 Americans died in violent civil strife. Yet this comes out to a rate of only 1.1 per million population—less than half of the European average of 2.4 per million and "infinitesimal" when compared with the average of 238 deaths per million for all nations.

And although acts of collective violence by private citizens have been "extraordinarily numerous" in the last two decades in the United States, the report emphasizes there has been little disruption in the Nation's life.

One reason given as that most demonstrators and rioters have been protesting rather than rebelling. This has freed America of the terrorism and revolutionary threat plaguing some countries.

PARADOX CITED

"Paradoxically, we have both a tumultuous people and a relatively stable republic," the task force co-directors write in their summary.

The co-directors are Hugh Davis Graham, associate professor of history at Johns Hopkins University, and Ted Robert Gurr, an assistant professor of political science at Princeton University.

Graham and Gurr wrote the 2500-word summary of the bulky, two-volume report that brings together 22 chapters by various scholars.

In the summary, the task force co-directors emphasize that the American past has often been as violent or more violent than today. The most violent urban riot, they point out, was the New York draft Riot in 1863, and proportionately more people died in racial lynchings and labor strife around the turn of the century than from today's collective violence.

"But Americans have been given to a kind of historical amnesia that masks much of their turbulent past," the co-directors observe.

GRIEVANCES INTENSIFIED

One reason that violence persists in the United States, the report says, is that some grievances have not only gone unresolved but even intensified. They also say that the "melting pot" myth has obscured the fact that the United States is one of the most culturally and ethnically pluralistic nations in the world.

And, finally, the co-directors emphasize, violence in the pursuit of what is considered a good cause has always been celebrated in American history, from gaining independence to settling the frontier to restoring the Union.

"The grievances and satisfactions of violence have so reinforced one another that we have become a rather bloody-minded people in both action and reaction," the report concludes. "We are likely to remain so as long as so many of us think violence is an ultimate solution to social problems."

CITIZEN ACTION FOR CLEAN AIR

Mr. MUSKIE. Mr. President, on June 19, 1969, Mrs. Carter F. Henderson, honorary trustee and former chairman of New York City's Citizens for Clean Air, Inc., spoke at a Citizens Workshop on Air Quality at the University of Massachusetts, Waltham, Mass. Mrs. Henderson has made a major impact on the air pollution control program in New York with her dynamic and articulate leadership. Her speech at Waltham was an example of her insight, her grasp of the air pollution problem and her sense of how the need for citizen action on air pollution relates to the broader question of democratic government in a technologically complex and crowded society. I commend Mrs. Henderson's remarks to the Senate and ask unanimous consent that her speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

CITIZEN ACTION FOR CLEAN AIR

(Remarks by Hazel Henderson)

Why must citizens participate in the fight for clean air? Or to take the larger view, why must citizens participate in social decision-making in a democratic society?

Well, we all know from our history that the notion that an informed citizenry should participate in every phase of national decision-making is the central premise of the great social experiment that is America. Our founding fathers modeled many of their ideas on those of the Greeks, and the key phrase in all of these formuli was "informed citizen." Not just citizen, you will note, but *informed* citizen.

I think that this central premise that an informed citizenry is capable of self-government is just as valid as ever. But in a mass, technologically advanced society like ours, with 200 million citizens, it needs re-inventing. And the machinery to channel participation efficiently needs over-hauling. The big problem for the citizen today is that the hand-tools available to him, the ballot box and the letter, have not kept pace with the increasingly automated decision-making now used in other sectors of the economy, whether private industry, the military, space, the multi-versity, big labor unions and all the other highly organized bureaucracies which now characterize our economy. Haven't you all experienced the standard put-down whenever you, as laymen, try to evaluate an issue and make your point? Some expert whether from city government, or a corporation or from whatever bureaucracy you are trying to get an answer, will tell you that you can't possibly judge because you don't know the facts. Then he will wave a printout from his computer to settle the argument. The point is that the citizen seems to be the only guy left who doesn't have a computer! Being an informed citizen gets harder all the time, as we valiantly struggle to dig up facts for ourselves; when our little, under-financed civic organizations can't afford enough researchers, lobbyists, public-relations men, advertising budgets and all the other panoply available to the big boys.

And yet, we may have reached a point where participation by laymen in our increasingly specialized, fragmented society is not only more vital than ever, but could be the only means left to save our society from becoming fossilized and eventually decaying. Because layman and ordinary citizens provide what in computer terminology (yes, the computer boys have brainwashed me!) they call "feedback." Without feedback to correct errors, a computer system goes haywire. Feedback serves the function of regulation, like a thermostat. In our vast, pulsating, computerized America of today, we have thousands of so-called "experts", each with an understanding only of his own narrow discipline, or what is often called "tunnel vision". They are all making momentous decisions on deploying technology in hundreds of new ways, without any real understanding of the big picture. A famous sociologist once studied these people, and called them "technological idiots." You know them too, I'm sure. They are the highway planners who build roads by destroying neighborhoods and

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scenic values; the economists who understand fiscal policy but not social values; the computer analysts who only know how to feed their computers with facts and figures that can be quantified, and then wonder why their plans do not work in the real world of people.

This is where "citizen feedback thermostats" are so vital, and because things are happening so fast today that managing change has become almost impossible; we need the "inputs" of non-specialized laymen more now than at any other time in our history. The Conservation Foundation has wisely understood this need, and that is why we are all here today. For laymen tend to judge the nation's allocation of resources by broad, humanistic standards. They tend to ask those two vital questions "What will this program do for *people* and how will it affect the quality of *life?*" And since these two yardsticks are really the basic legitimation for all forms of government, we need to hear them asked today on a massive scale. Millions of citizens from all walks of life raising these two old-fashioned questions are the best countervailing force possible to all the more powerful faster-on-their-feet organizations who constantly plead special interests with all the weapons at their command. For instance, we are told by the aviation "experts" with vested interests (whether economic or intellectual) that the supersonic transport plane will be good for our balance of payments position; good for our national image; good for the aviation industry; that it will provide jobs. Almost everything *except* whether it will be good for the majority of our *people* and whether it will enhance the quality of their *lives*.

In the problems of environmental pollution it is the same. Specifically, when I and my colleagues first started Citizens for Clean Air, we were barraged with "experts" who confronted us with figures and formuli calculated to intimidate and confuse us. We soon caught on to these cheap tricks and went right on with the job of educating the engineers, lawyers, businessmen, and even doctors to our broader interpretation of their facts. We found that one had to get these experts off their territory and on to ours. When they quoted chemical formuli, we quoted Pericles, Edmund Burke and Thomas Jefferson; when they quoted Adam Smith and the "invisible hand" of the marketplace we quoted the higher authority of the Almighty. So when you next stand up at a company's annual meeting to ask whether the new product they are going to market might pollute the environment or be hazardous in some way to the consumer; announce proudly that you are a layman, a generalist and a humanist. For as the country becomes more and more specialized, the generalist, who sees the total system becomes the key man. He is the man who asks when a new plant is thinking of locating in the area, "Yes, I know it will provide employment and tax revenues, but will they be offset by pollution which could lower property values and be costly for the town to clean up?"

When we of Citizens for Clean Air began asking these sort of questions concerning air pollution in New York, it was surprising how many experts from various affected industries would volunteer to teach us what we as citizens could do about it. "The citizens responsibility" they said, "was to refrain from burning leaves and to keep their car well serviced to minimize pollution, and to support their local control officials"—and that was about it. We soon realized that as long as our local power company generated power in the same old way, and the oil industry continued selling the same high-sulphur fuel oil and leaded gasoline, and the real estate developers kept building apartments with the same old fashioned incinerators and Detroit kept producing the same old poisonous cars—our little individual efforts at controlling our own contributions to the overall pollution, although necessary, were not going to make much difference.

We realize that the targets for change must be the biggest polluters—not the smallest. The convoluted logic of the big polluters became transparent and clearly self-serving. Typical of the sort of red-herring arguments they would try to foist on the public, was that of the auto industry. They insisted that the *individual citizen* was responsible for automobile pollution, merely because he had bought the car and then turned the ignition key to drive it. No mention was made of the manufacturer's responsibility not to sell a product that was a health and safety hazard. I'm happy to say that since then, they have become slightly less negative about their own responsibility for the some 60% of America's air pollution problems. If they would stop spending millions trying to doctor up the out-moded internal combustion engine, it has been estimated by a Senate Committee that they could have developed a pollution-free external combustine engine twenty years ago!

Similarly the power companies, if criticized, would simply buy full-page ads to refute charges, and play down their contribution to pollution. But we had no money to buy full pages in the papers to set the record straight. Another shocking example of this sort of thing was the so-called public service ad run recently by a major oil company. The double-page spread claimed that "by 1978 auto pollution would be less of a problem than it was in 1928." This is a subtle form of deception, but enough to prompt Senator Warren Magnuson to protect the public from such self serving propaganda by filing a complaint with the F.T.C.

We finally realized that the only way to get equal time in the court of public opinion was to use the same tools of advertising and public relations that the companies were using—but we would have to get help as a free public service. This was the genesis of the trail-blazing Citizens for Clean Air all-media advertising campaign, which almost single-handedly ushered in the age of "social-protest advertising" now so common on issues like race relations, urban problems and the anti-cigarette crusade. We found a generous, concerned agency, Carl Ally Inc. of New York, willing to *donate* the campaign to us, and *they* found us a public relations firm also willing to handle us as a charity account. Our little group, which began in 1965 with half a dozen people putting a few dollars in the kitty at our meetings, suddenly blossomed into the public's awareness with full pages in *Time, Life, Look, Newsweek, Reader's Digest,* as well as a battery of radio and television commercials. In all, we were given at least $350,000 worth of space and time.

So a good rule of thumb for any new citizens group is to start by finding out what the biggest sources of pollution are in your area. Then investigate what air pollution laws you already have on the books and how they are enforced. You will often find, as we did, that administration and legal procedures can render the laws useless. Sometimes it is lack of sufficient inspectors; sometimes it is the log jam of court cases; sometimes it is judges who don't take air pollutions offenses seriously and only give token, wrist-slapping fines. And sometimes, as is currently happening in New York City, a whole industry, (in our case the real esate industry) will openly defy a newly-passed law, and even take the Air Pollution Commissioner to court!

This is why citizens have to be able to pinpoint who the big polluters are in their community and in the nation. Because in this way they can be a public watchdog to make sure that large powerful groups do not try to obtain special dispensations from the enforcement agency. Constant vigilance is needed to prevent organized interests from actually rolling back new laws on the books. In New York state, local town officials from upstate districts actually pressured a bill through the state legislature to re-establish open burning of leaves and garbage, because it was to much of a problem for them to find other disposal methods!

So the role of the citizens group, as I see it, is to be polite and firm, and not to get too friendly or understanding with anyone. Once you become too friendly with that nice public relations man from the XYZ company or even sometimes, with your own control officials, you will become so symptahetic to their problems that you lose sight of the larger, public interest. This is not to say that you shouldn't have a research group constantly obtaining the best information from all sources, but remember that your safest ground is to speak as humanists and generalists; to advocate the public interest and to ask the right questions. Best of all, if your group is able to point the finger at a recalcitrant polluter or group of polluters in the community, you will greatly strengthen the hand of your control official.

Now let's look at the politicians to whom we delegate the job of implementing our collective will on these national and local decisions. They are supposed to hear all sides of the issue and then determine a compromise. In a mass, highly-organized society, here again, they hear the opinions of all those groups who are well enough organized to press their views. But the countervailing voice of the public as a whole must be heard too if the right decision is to be reached. A simple, but wise man once defined how a statesman differed from a mere politician. "A statesman," he said, "is an upstanding man, who stands upright due to equal pressure on all sides." This isn't cynicism, its pragmatism, and this is why the citizens voice must be heard as effectively as other organizations who have special interests to plead. And the larger and more organized the special interest groups become, with their national advertising campaigns and expensive Washington lawyers, the more citizens are needed to countervail this power with their own numbers. The citizen, under-capitalized and non-automated, still forced to use the tools our forefathers devised for the small, folksy agrarian democracy they knew must shoulder an ever larger burden of involvement to redress the balance.

This massive involvement of ordinary citizens is the best hope we have for overhauling the creaking machinery of government, making it more responsive and flexible, so that it may evolve and survive.

This evolving form of democracy will be based on the rapid and undistorted flow of information. Information is what is lacking when decision-makers make the wrong decisions. It isn't malice; it's last of all the facts. Not only the facts bearing on the current issue, but those facts projected into a picture of how the situation will look in the future under various anticipated conditions. Here again, public decision-making needs the computer. In computerese, they call this projecting into the future, simulation. Here again, the voter is at a loss. Scarcely any of our large bureaucracies, whether government agencies, corporations, labor unions, make any important decisions without the use of computer simulation techniques. But nobody has thought of computerizing *citizen* feedback so it arrives as fast as all the other information on the issue. Too often it arrives too late to be factored into the decision. This data is collected just as it was 200 years ago, through voting at periodic elections and by letters penned laboriously by harried citizens to their elected representatives. This leisurely pace cannot hope to keep up with all the other information from our computerized society, which is collected and processed at electronic speeds. So until we start tackling the problem of increasing the citizen's voice by applying our technology equally to speed *his* views, the citizen will have to be more involved than ever before just to keep up.

How can we develop methods to speed the vital citizen input of data, which the computer people would call "random access feedback"? Well, first we must wake up to the urgent need for it. We must realize that our decision makers must have access to it *simultaneously* with all the other data bearing on the issue they are trying to resolve. Otherwise, we will be stuck with our current problem of having the citizen feedback arriving too late: *after* the decision has been made; *after* the law has been passed.

At the same time we also re-examine how the citizen gets *his* information, so that he can make *his* decision meaningfully. Here again, the little man is on the short end of the deal. The amount of information he must absorb in order to use his vote wisely is doubling every ten years, and the decisions he must make are based on understanding more and more complicated, often technological data. In the old days, word of mouth, the town meeting, handbills tacked up on the barn door worked pretty well. Now the voter must rely on the mass media and their inevitable editorial biases and selection of what news to present, to try and glean some understanding of what's going on. Here again, an organization with sufficient money can buy time and space in the mass media to get its message across; but the citizen must rely on the mimeograph machine and word of mouth, or attending small meetings. And this is not to mention, his problems in sorting out the facts from the propaganda!

So we have to find more efficient ways of communicating, of opening up more channels of communication in our mass media, so that they will pay as much attention to a citizen's organization as to the government press release or the corporation press handout. We at Citizens for Clean Air besieged our local newspapers, magazines, radio and television stations, not to cover *our* activities, but to help uncover the local problem and pinpoint the sources of pollution. We helped provide local news media with sources of medical information and what the current technology offered by way of solutions. In some cases, we almost bullied publications and broadcasters into covering the air pollution problem. We must develop ways to speed two-way communication between voters and their representatives, citizens and business, alienated young people and their teachers and parents, blacks and whites, urban and suburban dwellers. I have tried to elaborate on these problems of mass-communication in the current issue of the *Columbia Journalism Review*. After all communicating is what we are all doing here today. We are trying to compromise our views by exchanging data and providing diverse information inputs to determine what criteria should emerge for the quality of Boston's air. But see how few of us there are!

We are here developing decisions which will affect the lives of millions of residents of Massachusetts and their children. They cannot be here, but *you* are speaking for them. This is the great responsibility you bear. Do you really know what they want? How best can you advocate their interest, their health and well-being; which is entrusted into your care in developing standards for the air they must breathe? This is the burden, and if humbly and faithfully executed, the glory of citizenship. The task is to set your sights above the meanness of petty self-interest, to broaden your perspective from the narrow view of one facet of the problem; to climb high enough to see the whole panorama, the actual reality of the big picture. What is best for the whole, metropolitan region surrounding Boston and the millions of real, flesh and blood human beings who know little of what is in the air they breathe, and must rely on you and your high-mindedness and decency to protect their interests and those of their children. Until we discover new technological tools to help re-enfranchise all those fellow human beings out there, we must accept the responsibility. We must inform our decisions not only with hard facts and figures, but with human concern for our dis-enfranchised brothers, with love for the land and desire to conserve its precious resources for our children. This is mature citizenship, the noblest responsibility in a democracy. Not the easiest, but the most demanding role—at least until our think tanks and scientists develop the tools we need to make its functioning more effective.

As we look into the future, we can take heart. Because scientists are at last beginning to harness technology to the problem of perfecting the democratic process itself, as a form of government. As luck would have it, the collecting, storing and analyzing of individual viewpoints is an almost perfect computer application.

For instance, one day, I hope, a computer system could be applied to the job of determining Boston's Air Quality Criteria. The computer could store all the relevant information even vaguely bearing on the issue. For instance how much additional tax money would be needed to upgrade municipal incinerators; haul compacted garbage by rail to sanitary landfills; how much would property values increase if pollution were cut 25%, 50% or more; how much money is currently being spent to clean up the effects of pollution and how much would be saved if particulates were reduced by 10% or 50% or whatever the figure. At the flick of the button the terminal could display any combination of this information for each citizen to evaluate for himself, with the help of a trained programmer who would serve the same sort of function as a lawyer does in interpreting statutes. Then on the basis of the information, the citizen might punch in his choice of the available options to be tabulated by the computer and fed back into the program.

Is all this pie-in-the-sky? I hope not. Maybe one day, we shall even see *every* issue of local or national importance handled in similar ways, like a speeded-up, vastly more efficient and feasible kind of electronic referendum. Why have we been so slow in harnessing this kind of computer technology to the service of the voter? Is it that we are afraid of getting too close to a real working democracy? Are some of our current decision-makers afraid that if the citizen gets too much undistorted information, he may start making too many informed, intelligent decisions which might result in all kinds of disconcerting changes in how we allocate our national resources? Or is it the legitimate fear shared by our founding fathers that our citizens might not be sufficiently sophisticated to cast an educated vote?

Democracy certainly is a dangerous experiment. But it seems that we are committed to it, and that the alternative is in ever-increasing alienation, apathy and powerlessness that our citizens feel and which is tearing our country apart. I believe that we must not draw back from enhancing democratic participation, by computer, mass-media, or any other way. Instead we must make sure that the *citizen is better informed*. And here, the mass-media have the greatest responsibility. Already, our children by the time they are sixteen have spent more hours in front of the television sets than in the classroom. Over 50% of our citizens now receive their news from TV rather than from newspapers. We must persuade our broadcasters, who are licensed to use the public airwaves only as long as they serve "the public interest, convenience and necessity," to devote much more time to cover the national and community issues of the day; to initiate TV town meetings like those pioneered by WGBH–TV here in Boston, where citizens get a chance to talk back through community TV "listening posts," which deliver instantaneous citizen feedback on the issues covered in the program. We must insist that stations devote more children viewing hours to "Headstart"-type programming and shows exploring the world of nature and science, rather than the endless bang-bang-you're-dead cartoons. That they emulate the pioneer work of radio stations like WMCA and RVR in New York in developing open-mike "Talk-in" shows and serve the function of civic ombudsman like the new Action-Line programs are beginning to do.

In short, we must re-involve citizens in running this country. If we don't, the whole concept of democracy will have been a failure. Winston Churchill once remarked that democracy was a terrible form of government—until you tried everything else! We must succeed with the democratic experiment because apathetic, alienated citizens too easily become bored and irresponsible. The alternative can only be a retrogression to rule by the few—an authoritarian, centralized government; even bigger, more remote corporations and unions, all slipping quietly out of the control of the many who are governed.

The increasingly alienated "little man" will become in his powerless frustration, an "anti-citizen"; one of those who says plaintively, "I only work here," or "I was only obeying orders." This sort of non-citizenship can only lead to a police state. So I urge you all to get involved in the fight for clean air for Boston. I hope that during the discussion, I can answer specific questions and try to share some of our experiences; some of our mistakes, which may be relevant to your situation here in Boston.

It won't be easy, I promise, but it won't be boring either. If you involve your friends, and neighbors; recruit the energy and enthusiasm of your sons and daughters (remember even 5 year olds are great stamp-lickers) you will find that you are not just setting a good example of civic leadership—but that you might also find yourselves having fun as well!

Good luck to you.

NEIL A. ARMSTRONG

Mr. SAXBE. Mr. President, if someone were to ask me why an Ohioan should be the first man on the moon—as Wapakoneta's own Neil A. Armstrong is scheduled to be in a few days—my answer would be, Why not?

In my State we are extremely proud of a long list of aviation firsts. Neil Armstrong's epic voyage, together with his astronaut colleagues Michael Collins and Edwin E. Aldrin, Jr., will surely be the

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finest hour for a space program still in its infancy. The hearts of men everywhere will ride the Apollo 11 as it probes the hostile environment of outer space. The eyes of the world will be on Astronaut Armstrong as he descends the ladder on the lunar module and steps for the first time in history onto soil other than our own.

Ohioans are particularly proud that a native son will be in the vanguard of the first manned lunar landing. In a way, however, it is natural.

The subject of Ohio "aviation firsts" was treated in an outstanding manner recently in an Associated Press dispatch written by Alfred C. Hall. Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Canton (Ohio) Repository, July 9, 1969]

BUCKEYE STATE PROUD OF LONG LIST OF AVIATION FIRSTS—NATURALLY, OHIOAN WILL BECOME FIRST MAN ON MOON

(By Alfred C. Hall)

COLUMBUS, OHIO.—When Neil Armstrong, a Wapakoneta, Ohio, native, becomes the first man on the moon, there will be many in this proud Buckeye State who may say "Well, naturally."

Presumptuous? Not for Ohioans, at least.

STARTED IN DAYTON

After all, powered flight came from a little shop operated by Orville and Wilbur Wright in Dayton.

It was an Ohioan, Col. John Glenn of New Concord, Muskingum County, who became the first American to orbit the earth.

The first government-sponsored air research facilities were in Dayton, at old McCook Field.

The list of firsts in Ohio flight pioneering and pioneers is long. That, in itself, has led some to ask: Why Ohio, particularly?

Certainly, natives from other states and other nations have contributed to the major advances in the development of flight. But perhaps not so many as Ohio in the prime categories and all the related technology of aviation, civilian and military.

ANSWERS TRACE TO DAYTON

Many of the answers trace to Dayton and to the little bicycle shop where the Wright brothers conducted their experiments with the world's first successful airplane.

The first successful flight in a powered plane was made by the brothers at Kitty Hawk, N.C., on Dec. 17, 1903.

Proud Daytonians say that but for weather, terrain and wind conditions the flight might have been made in Ohio.

The Kitty Hawk flight and its significance dawned slowly on the world, but in their home town, and Ohio as well, the Wright brothers became the small boys' heroes, sparking their interest in flight and all things mechanical.

As later events proved, the abiding interest in aircraft grew with the boys into manhood, was passed on to their sons and grandsons—astronauts Glenn, Armstrong and Donn F. Eisele of Columbus for examples—and another, Capt. Eddie Rickenbacker of Columbus, America's ace of aces in World War I.

RESEARCH PLAYED ROLE

Government research at old McCook Field and the Wright brothers themselves—as well as industrial facilities and "know-how"—were as beacon lights. All played a big part in the air development process in Ohio. These same advances had been backed up by some other Ohio pioneers in fields that were to become related to the airplane.

These included engineering firsts of Dayton's Charles F. Kettering, who developed the first automobile self-starter, Akron's rubber industry and countless other small inventions which helped push aviation toward supersonic speed and space.

But beyond the Wright brothers, Glenn, Armstrong, Eisele, Rickenbacker and the later's World War II and Korean War counterparts, Maj. Don Gentile of Piqua, Maj. Dean Hess of Marietta and Gen. Curtis LeMay, Columbus native, look at the record of Ohio "firsts":

First live free-type parachute jump, Dayton, April 28, 1919.

First American-designed bomber airplane, by Glenn Martin of Cleveland.

First airmail flight, Cleveland to Chicago, May 14, 1919.

First Shock-absorbing landing gear (pneumatic) invented by E. W. (Pop) Cleveland, in Cleveland, 1926.

First controllable pitch propeller for aircraft, invented by Harold Smith of Cleveland, about 1928.

First Airport radio landing traffic control system, by Maj. Jack Berry and Claude King of Cleveland, 1934.

First airway traffic control for in-flight airlines, Berry and King of Cleveland, 1934.

First automatic pilot, used in Cleveland, 1929.

First airplane race of importance in which both men and women were contestants, National Air Races, 1931, Los Angeles to Cleveland.

First wind tunnel in the world built by the Wright Brothers in Dayton, 1901.

World's largest supersonic wind tunnel, part of the Lewis Flight Propulsion Laboratory, Cleveland.

First plane commissioned by the U.S. Army, built by the Wright Brothers, 1910.

First air cargo, a bolt of silk flown from Dayton to Columbia, 1910.

First man to fly over the main range of the Rocky Mountains, Crowell Dixon of Columbus, Sept. 30, 1911.

First woman to win the first All-Women's Air Races in 1934, Arlene Davis of Lakewood.

First woman to receive U.S. multi-engine rating and become the only woman licensed to teach instrument flying to military pilots during World War II, Arlene Davis.

First man to fly across the U.S. at supersonic speed, Col. John Glenn, later to become the first American to orbit the earth.

First woman to fly solo around the world and first woman to fly a single-engine airplane west to east across the Pacific Ocean, March 19–April 17, 1964—Mrs. Russell (Jerrie) Mock, Columbus.

First Army airplane pilot, Brig. Gen. Frank P. Lahm of Mansfield.

The first airship to land on the roof of a building was the A4, a 160-foot dirigible which on May 23, 1919, landed on the roof of the Statler Hotel in Cleveland.

OHIO FLAG ON MOON?

For Ohioans, one thing may be lacking—an Ohio flag on the moon. Since Apollo II is a nationwide effort, it's extremely doubtful that will be the case.

But who could deny, that, in view of the record, that the familiar red dot in a triangle of blue with white stars in the pennant-shaped red and white stripes, wouldn't look fine just below the stars and stripes?

Mr. SAXBE. Mr. President, Astronaut Neil Armstrong embodies the ideals we all look for in our national heroes.

Born in Wapakoneta, Ohio, on August 5, 1930, he displayed an interest in aviation even before he entered his teens. A naval aviator from 1949 to 1952, Neil Armstrong flew combat missions during the Korean war. He enrolled in Purdue University after Korea and was graduated in 1955 with a bachelor of science degree in aeronautical engineering.

After graduation, Armstrong joined the NASA Lewis Flight Propulsion Laboratory, and later transferred to NASA's High Speed Flight Station at Edwards Air Force Base, Calif. Even then this outstanding young man was busy exploring the fringes of space. As an aeronautical research pilot, he flew the X–15 aircraft in test work at an altitude of over 200,000 feet, and at a speed of 4,000 miles per hour. In September 1962, Armstrong was one of the nine astronauts selected by NASA. He was command pilot for the Gemini VIII mission flown March 16, 1966, and backup command pilot for the Gemini V and XI missions. Neil Armstrong is married to the former Janet Shearon of Evanston, Ill., and has two sons, Eric, 12, and Mark, 6.

Mr. President, these three brave men—Neil Armstrong, Michael Collins, and Edwin E. Aldrin—will really not be alone as they brave the perils of this grand adventure. For they go forth on their voyage with prayers for a safe trip not only from their countrymen, but from the world. Indeed, Mr. President, let us all pray not only for a magnificent landing on the Moon; but more importantly, for a safe return to Earth by three brave men.

SENIOR AIDES FILL A NEED IN SAN ANTONIO

Mr. YARBOROUGH. Mr. President, about a year ago the Department of Labor funded two promising pilot projects to demonstrate that there is a real need for the services of older Americans; and that these men and women, living on inadequate incomes and in dreary loneliness would welcome an opportunity to serve, to become involved, and to be an active member of society.

These projects are administered by the National Council of Senior Citizens and the National Council on the Aging. The participants who are age 55 and over are called senior aides. They work for public agencies and nonprofit private organizations, and are meeting needs for services which had not been met or had been inadequately met.

The program amply confirms the prognosis of former Secretary of Labor W. Willard Wirtz, who in 1967 said:

> There is the crying need in people's lives for continuing "social opportunity" and for the need to be useful as well as to be secure.

In an article published in the Bergen Record, of Hackensack, N.J., on Wednesday, June 18, 1969, Associated Press columnist Martin E. Segal furnished an excellent summary of the many different and very useful tasks that are being performed by the senior aides under the NCOA project.

In San Antonio, Tex., for example,

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senior aides are being successfully used in a suicide prevention center to save potential suicides who in desperation call the center. The senior aide who answers the phone must have a thorough knowleldge of antidotes and the ability to make quick decisions in a tense situation. Other senior aides in San Antonio work in the juvenile detention center where they have demonstrated unusual insight and skill in helping youths who have gotten into trouble.

I ask unanimous consent that Mr. Segal's article, entitled "Senior Aides Fill a Need," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SECURITY FOR YOU: SENIOR AIDES FILL A NEED

(By Martin E. Segal)

Given a chance to do meaningful work, older persons can come up with outstanding performances. That's been the experience in the Senior Community Service Program of the National Council on the Aging. This program, not yet a year old, has enabled older persons to join the fight against social and health problems in communities.

The program, which is funded through a $1 million contract from the U.S. Department of Labor, has provided jobs for 400 older poor people in 10 communities throughout the nation. The Senior Community Service Aides receive wages at or above the federal minimum scale of $1.60 per hour for 20 hours of work a week. Here's a look at some of the older folk's contributions:

After six weeks of training, Senior Service Aides are chalking up results in a Suicide Prevention Center in San Antonio, Tex. Here potential suicides can dial a number in an attempt to talk it out. Senior Aides have learned to respond in crisis situations. They man the phones at this Center and have to make quick decisions affecting life. For example, they have learned the antidotes for sleeping pill overdoses and various poisons.

ADVISE ELDERLY

Another part of their duties in San Antonio is working at the juvenile detention center. Here they have shown remarkable skills in dealing with troubled youths. For example, a former beautician teaches personal care and a retired army sergeant helps through personal counseling.

In San Francisco, in the emergency ward of the hospital, Senior Aides offer personalized attention to older people as they come in. They orient the patient on what's going to happen. Also in San Francisco, they go out to visit the isolated older person in low cost hotels. They tell these people of their rights, such as explaining welfare and Social Security. They also refer people to Legal Aid whenever necessary.

In the Watts district of Los Angeles, the Senior Aides are working with older persons who have had to be relocated and must adjust to a new way of life. Some are also working as recreational aides in this city.

There are 11 scattered work sites in Portland, Ore. Older persons are working in hospitals, with the welfare department, and as homemaker aides.

Going from one coast to the other, we find Senior Aides working on food distribution in hunger areas in Maine. If it were not for these older persons, surplus food would not be going to where it is needed, says the project director for this operation.

After three weeks of training, Senior Aides were put to work in Vermont on a survey of rural consumers' needs in an attempt to prevent their exploitation from frauds.

SOLVE PROBLEMS

In Trenton, N.J., one can find the older worker busy at the job of checking death records to see that those eligible received either a death benefit or Social Security survivor's benefits. And in this city, too, older folks are employed in hospitals.

The Senior Aides employed in the Bronx N.Y., program work at a housing project interviewing older people, uncovering their problems, and referring them to proper agencies for help. Others work at a senior citizens activity center and on job development programs.

In Huntington, W. Va., some Senior Aides are working at a day care center for mentally retarded persons. Others are working with the Board of Health on projects such as rat control.

Rehabilitation of houses for the older poor is the task for Senior Aides in a six-county region of Eastern Kentucky. Their carpentry skills are being applied to remedy below standard living conditions.

Although the Senior Community Service Aides project is limited at present, it is unlimited in demonstrating that America's older citizens are an overlooked economic potential. Their life experiences have prepared them for many assignments in which there are personnel shortages or community needs.

LT. GEN. SAMUEL C. PHILLIPS, DIRECTOR OF APOLLO PROGRAM

Mr. McGEE. Mr. President, today's Washington Daily News contains an article about a man who is deserving of great recognition. He is Lt. Gen. Samuel C. Phillips, director of the Apollo program. The story may or may not be correct in saying that General Phillips, after Apollo 11, will seek to return to regular Air Force duties. Whether that is so or not, he has done a magnificent job in spearheading the Apollo program, soon to reach a climax with the first moon landing of human beings. It is typical of Sam Phillips that, given a job to do, he has done it in superb manner.

We in Wyoming are proud of Sam Phillips, who grew up in Cheyenne and began his military career after taking a bachelor degree from the University of Wyoming Engineering College. It is quite true that, as the Scripps-Howard story says:

> General Phillips has borne a heavy burden with such quiet efficiency that few Americans know his name.

That efficiency is the reason why they should know his name. So, as a means of saluting this exemplary officer I ask unanimous consent that the Daily News article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LITTLE-KNOWN APOLLO BOSS TO FADE QUIETLY

Lt. Gen. Samuel C. Phillips, the man who directs the Apollo program, probably will transfer back to the Air Force after Apollo 11 returns from the moon.

It's a good bet Gen. Phillips will try to slip quietly out of his National Aeronautics and Space Administration (NASA) office here without a lot of fuss and fanfare and leave the glory and the headlines to the astronauts.

But it's doubtful President Nixon and NASA will let Gen. Phillips fade out quietly without some massive recognition of the job this ramrod-straight, taciturn official has done over the last five years directing the 400,000 Americans who made the moon journey possible.

Gen. Phillips has borne a heavy burden with such quiet efficiency that few Americans know his name.

He decided how and when Apollo spaceships would fly; directed the efforts of the 20,000 firms that designed and built Apollo's rockets and spaceships, and kept all the pieces moving smoothly from one end of the nation to the other so that the 1969 deadline for the moon landing could be met.

TOP BOSS

Specifically, Gen. Phillips is the boss of Apollo. He knows more than anybody about the U.S. effort to land astronauts on the moon and made all the crucial decisions.

Gen. Phillips, 48, had a meteoric rise in the Air Force thru his ability to direct massive military hardware production programs without waste or cost overruns.

A lean six-footer, Gen. Phillips speaks with the measured voice of the Far West (he was born in Arizona but grew up in Cheyenne, Wyo.), and is one of the few top U.S. military leaders who was not graduated from one of the service academies.

He joined the Army in 1942 after receiving a bachelor of science degree in electrical engineering from the University of Wyoming. A skilled fighter pilot, he collected the Distinguished Flying Cross, Air Medal and Croix de Guerre during a number of combat tours with the Eighth Air Force in Europe during World War II.

His career really started to zoom, however, after he won a master's degree from the University of Michigan in 1950 and was handed a number of tough management assignments by the Air Force in the 1950's and early 1960's.

Gen. Phillips played a major role in the development of the B–52 bomber and Minuteman Intercontinental Ballistic Missile (ICBM), and showed the Air Force he was able to get the most out of industrial contractors and military personnel.

"BORROWED" BY NASA

NASA "borrowed" Gen. Phillips for the Apollo program in 1964 when the space agency was looking for a man who would make sure the U.S. landed on the moon by 1969.

After a brief stint as assistant Apollo director, Gen. Phillips was moved up to Apollo's top spot in late 1964. He pushed, encouraged, prodded and goaded the scientists, engineers, technicians, white collar workers and astronauts whose job it was to land an American spaceship on the moon.

After the disastrous Apollo fire that killed three astronauts in early 1967, Gen. Phillips staged a wholesale housecleaning of those responsible for the deficiencies. He instituted thoro engineering changes in the spaceship to prevent similar tragedies.

He hasn't worn his general's uniform for years.

EXTENSION OF VOTING RIGHTS ACT OF 1965

Mr. SCOTT. Mr. President, I ask unanimous consent to have printed in the RECORD the remarks of my colleague from Pennsylvania (Mr. SCHWEIKER), which was submitted to the Subcommittee on Constitutional Amendments of the Committee on the Judiciary.

He feels, as I do, that the extension of the Voting Rights Act of 1965 is important and that it should take first priority over other activities in this area.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Statement by Senator Richard S. Schweiker on the "Voting Rights Act of 1965"

Mr. Chairman, and members of the Committee: The issue of whether to extend the Voting Rights Act of 1965 in its entirety for another 5 years, or whether to let it expire, has become a particularly crucial one for the Congress, and is extremely important for our nation. I want to relate to you my strong support for extending the Act and urge prompt approval.

I am a co-sponsor of S. 2029, the Omnibus Civil Rights Act, because of my belief that comprehensive legislation in a number of areas is necessary to continue bringing equal rights to our people in fact, and not just in theory. This bill includes a title to extend the Voting Rights Act.

I am also a co-sponsor of S. 2456, one of the bills now before you for consideration, which deals only with the Voting Rights Act issue, because I believe that extension of the 1965 Act has paramount priority, for practical and symbolic reasons.

Practically, the Voting Rights Act has worked. Attorney General Mitchell testified recently that more than 800,000 Negro voters have been registered in the seven States included in the Act since it was passed in 1965. What better proof is there that the bill should be extended than this significant rise in voting registration. We all know of many bills, which while impressive in theory, have not worked in practice, and I have consistently opposed retention of such ineffective legislation.

But when an Act such as Voting Rights Act has been dramatically effective, then we should not waste time with theoretical debates about substituting improvements. Rather we should immediately extend it, and then consider whether any additional amendments or improvements can be added, such as extending the provisions to cover every State.

Symbolically, the fact that voter registration has increased under this Act has given a measure of confidence to the black people of our country that we in Congress are concerned with their progress in achieving equal rights.

I fear strongly, however, that if we do not extend this Act, the black people of America will believe that Congress is turning its back on them. Whether in fact we are slowing down the pace in civil rights becomes a moot point so long as the impression throughout the country is that we are. Simple extension of the Voting Rights Act will prevent outright the negative effects that a failure to extend it could bring.

What is equally important to consider is that we are not talking about a complicated civil rights issue. We are debating the most elementary right of a democracy—the right to vote.

Discussions of replacing the Voting Rights Act of 1965 with broader plans only deal with theoretical abstractions which serve to dull the progress which in fact has been made because of this Act.

Mr. Chairman, the points I have been making concerning the symbolic importance of extending the Voting Rights Act are even more important at this particular time. Recent discussions of civil rights issues, including the Voting Rights Act, and desegregation guidelines, have become widely publicized, and the public impression is that the Administration and the Congress are slowing down civil rights progress.

I can only speak for myself, and the Congress, but I think it extremely important that we make the record very clear that we are not forgetting civil rights but on the contrary are deeply concerned with bringing about more progress.

Extension of the Voting Rights Act is a perfect vehicle for demonstration of our commitment to equal rights for all Americans, because it has been an effective act which deserves retention on the merits alone.

But we can not ignore the symbolic issue, which is so important at the present time. Our country can not afford the disillusionment and loss of faith in its leaders that would result from failure to extend the Act.

I lend my fullest support to its extension for another five years.

TEXAS LEGISLATURE URGES CHANGE IN ANNOUNCED POLICY OF ADMINISTRATION AGAINST AIDING FUTURE FARMERS OF AMERICA

Mr. YARBOROUGH. Mr. President, it is always encouraging to me to see examples of close cooperation between Federal agencies and the people they are supposed to be helping. One such example has been the close relationship which the Office of Education maintained with groups such as the Future Farmers, the Distributive Education Clubs of America, and similar organizations. Unfortunately, the Office of Education has recently moved to loosen these ties by changing its policy of giving office space and advisory assistance to these organizations.

On May 27, the Texas Legislature passed a resolution introduced by State Senator Charles Herring, memoralizing the President, the Congress, and the Department of Health, Education, and Welfare not to implement this policy until Congress has had time to make its views on this matter known. I endorse this resolution and commend it to my colleagues' attention.

Mr. President, I ask unanimous consent that Senate Concurrent Resolution 68 of the Texas Legislature, dated May 27, 1969, together with its authentication by Gov. Preston Smith, Lt. Gov. Ben Barnes, and speaker of the Texas House, Gus Mutcher be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Senate Concurrent Resolution 68

Whereas, Historically the United States Office of Education has cooperated and assisted in the promotion of vocational youth organizations; and

Whereas, The Future Farmers of America, the Future Homemakers of America, the Distributive Education Clubs of America and the Vocational Industrial Clubs of America were organized with encouragement and assistance from the staff of the United States Office of Education; and

Whereas, These youth organizations have become an integral part of vocational education programs in secondary schools through the influence of the United States Office of Education staff members who serve as advisors; and

Whereas, Through these organizations youth in rural, suburban, and urban areas have had an opportunity to become members of constructive organized groups; and

Whereas, These organizations have helped youth to identify with the world of work and to develop as civic and community leaders; and

Whereas, Membership in these organizations is open to all students in vocational education regardless of race, creed or national origin; and

Whereas, A recent policy statement issued by the United States Office of Education concerning the relationship between the Office of Education and student organizations prohibits its staff from directing the activities of student organizations or participating in the administrative decision making of student organizations as officers; and

Whereas, This policy will, in effect, greatly reduce assistance to vocational youth organizations; and

Whereas, In the case of one youth organization, the Future Farmers of America, this policy is in direct conflict with Public Law 740, Chapter 823, Section 18, which specifically authorizes the United States Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare to make available personnel, services and facilities of the Office of Education; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that the Legislature of the State of Texas respectfully memorializes the President, the Congress of the United States, and the United States Department of Health, Education, and Welfare not to implement its policy until there has been sufficient time to permit full congressional review and hearings to determine whether or not this administration order carries out the intent of the law; and, be it further

Resolved, That the Legislature of the State of Texas encourages the United States Office of Education to take immediate action to strengthen these youth organizations that have become such an integral part of the vocational education program in the United States; and, be it further

Resolved, That the Governor of the State of Texas transmit copies of this Resolution to the President and Vice-President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from Texas in the Congress of the United States, and to the United States Department of Health, Education, and Welfare.

McGEE SENATE INTERNSHIP PROGRAM

Mr. McGEE. Mr. President, each year it is my pleasure to conduct for high school students in my State of Wyoming the McGee Senate Internship contest, which brings back to Washington one boy and one girl for a week of observing democracy in action—here in the Senate and in Washington. The contest is designed to stir up interest among high school students in national and international questions.

As a part of the contest each student was required to complete an essay on "Our President: How Should We Choose Him?" Frankly, it was a study of our electoral college system. This year, as I am each year, I was impressed with the depth of understanding and the dedication to our democratic principles displayed by these young people in their essays. This topic is one of vital interest today, and the essays reflect sound reasoning which should be of interest to us all.

Of course, it would be impossible for everyone to read all these essays, but I think some of the most outstanding ones selected by an impartial panel of three judges should receive wider circulation, and I ask unanimous consent that two of these essays, written by Ross Hilman of Sheridan, Wyo., and Joyce M. Grisham of Midwest, Wyo., which received honorable mention in the McGee Senate Internship contest, be printed in the Record.

There being no objection, the essays were ordered to be printed in the Record, as follows:

Our President: How Should We Choose Him?

(By Ross Hilman)

The United States was jolted to its democratic foundation by certain factors pertaining to the 1968 presidential election. The fact that there were three strong presidential candidates and the fact that the candidate who was elected did not receive a majority of popular votes made many people in the United States dissatisfied with the present electoral system.

To fully understand these startling events, we must go back to the dawn of the United States' history. In 1620 a small group of men anxiously crowded into the cabin of a small ship. There, after much deliberation, they wrote and signed what we now call the Mayflower Compact. In this compact they promised "all due submission and obedience to the laws that they themselves would pass," thereby producing an important step in American democracy. Even before the Mayflower had reached America, the House of Burgesses had been formed in Jamestown. The House of Burgesses was a lawmaking body and represented the men who owned land in the colony. This marked the very first step toward representative government in the New World.

Then, many new colonies were founded, with varying amounts of freedom. Rhode Island was particularly tolerant. There everyone had the right to worship as he pleased; and the government was based upon the consent of the governed.

However, many other colonies had strict voting laws which limited voting only to males that owned a specified amount of property and were of a certain religion. The voting privileges could be revoked by the king at any time. The American Revolution had to be fought and won before the Colonists gained the right to rule themselves.

After the Revolutionary War and failure of the Articles of Confederation, the need for a strong central government became apparent. The Congress of the Confederation drafted a new Constitution and George Washington was unanimously elected the first President of the United States of America.

The method of choosing the President was specified in the Constitution: "Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the state may be entitled in the Congress. The electors shall meet in their respective states and vote by ballot for two persons. The results shall be sealed and sent to the President of the Senate. The President of the Senate shall open the certificates and the votes shall be counted in the presence of the Senate and House of Representatives. The person having the greatest number of votes shall be the President if he receives a majority of the number of electors appointed."

The electoral system of voting in the United States was successfully advocated by Alexander Hamilton who had very little faith in the common man's voting ability. He believed that the many uneducated of that time could not make a competent choice. Therefore, he proposed the electoral system, hoping that the elector, having been chosen by the state legislature, would be better educated.

Although no laws to the contrary have been passed, Hamilton's proposal has been somewhat changed as it has become customary for the electors to cast their ballots for the candidate receiving the most popular votes. However, there is no written law binding an elector to vote for the people's choice. He can vote for whichever candidate he chooses.

After the Civil War, women became interested in politics, and under the leadership of Susan B. Anthony, a movement was started to gain women the right to vote. In 1869, Wyoming became the first state to grant women suffrage. Later Wyoming was nearly denied the right to become a state because of it. However, stubbornly refusing to give up women suffrage in its constitution, Wyoming joined the union in 1890.

In 1870, the 15th amendment gave Negroes the right to vote. But many more years passed before women won their battle. Finally, in 1920, the 19th amendment gave women the right to vote.

This, then, is the evolution of voting practices in the United States, showing the gradual increase in democracy. But blots remain on this proud record:

An example is the national nominating convention. At these conventions, the fate of a state's entire bloc of votes often rests on the decision of that state's political leader. A potential candidate can influence the leader and receive all of that state's votes. This is not democratic procedure and has unsettled many American voters. Presidential candidates should be chosen in a nationwide primary election. Although this method is more expensive, it is the only way to choose the candidates.

Another unfortunate illustration is the fixing of voter qualifications, a power granted to the individual states. Voter qualifications vary considerably from state to state. Many states require a year's residency before a person can vote. Some require more than a year and some demand that the voter live in the same county for at least six months. Others set aside only a few days for registration and anyone out of town during that time is out of luck. Eighteen-year-olds are allowed to vote in some states, while others do not allow anyone to vote who is under twenty-one years of age.

There again we must make reforms. Voter qualifications should become standardized throughout the United States and the minimum voting age should be the same in all states.

And does the Electoral College reflect this trend toward social equality? It was adequate in the past as the country was being settled. Now that it has become a world power in rapidly changing times, the Electoral College is outdated.

That the present system of election will change there can be little doubt, but in what shape and to what extent no one yet knows. The voters in the United States are now generally well educated and well informed, so there is little need for waiting weeks after the election for the Electoral College to meet.

Then, it is possible that no candidate will receive the needed majority of electoral votes and the United States could be without a President for weeks. This has happened twice before, but was not as critical as it would be in today's power-hungry world. It is also possible for a third party candidate to use his influence to the benefit of one of the remaining candidates. By doing this, a candidate that does not have the majority of popular votes may obtain enough electoral votes to become President. There is also the problem of a third presidential candidate using his electoral votes as a bargaining power forcing the other presidential candidates to make dangerous concessions.

The Electoral College should definitely be abolished and replaced with a "majority rules" concept. The popular votes should be counted. and the candidate receiving the greatest number of votes should become President.

Changes must and will be made. We can't afford to be without a President, even for a short time, or have a President who doesn't have the support of the majority, for he may well be one of the most important human beings in our troubled world.

"Our President: How Should We Choose Him?"

(By Joyce M. Grisham)

At the Philadelphia Convention in 1787, the patriots who gathered there directed their attention almost entirely to devising a suitable and flawless method of selecting their nation's chief magistrate. Their settlement was the birth of the Electoral College: it was the device which formally elected the President and the Vice-President. This portion of the Constitution has been in practice for about 148 years with only five amendments pertaining to elections, inauguration, term of office, or line of succession of the President. Oliver Wendell Holmes, a well-known literary figure of the Founding Fathers time, is quoted to have remarked, "Human law is not a sacred set of principles, never to be changed; but a social instrument that must be adapted to changing needs."[1] Isn't it about time we update legislation?

At present, the electoral vote amounts to 538 electors, the sum of Senators and Representatives of which each state is apportioned in the Congress. Wyoming, for instance, has one Senator and two Representatives; therefore, the electoral vote totals three. Each elector is nominated previous to the Presidential election and is elected by voters in the General Election in November. The question of voter disfranchisement has become widely disputed. Electors pledged to candidates *may* or *may not* honor their pledge. This is not a rare situation: it occurred in 1796 when an elector refused to vote for Federalist Adams, but voted for Republican Jefferson instead; in 1948 when a Tennessee elector voted for Senator Thurmond instead of President Truman as he was pledged to do; again in 1956 in Alabama when a pledged elector voted for a local judge; and as recently as 1960 in Oklahoma when unpledged electors voted for Senator Byrd instead of Republican Nixon. The entire practice of electors is corrupt and there is absolutely nothing in the Constitution which legally binds electors to bloc-cast their votes for the candidate who carries each state. The Supreme Court rules that each state has the right to establish guidelines for electors and can require that each one take a pledge, but it neglected to rule whether or not states can enforce pledges. Constitutional authorities are pessimistic concerning the pledge rule enforcement. This is a minute portion of the corruption of the Electoral College system, but it is this and the many other fundamental flaws which urge Electoral College reform. It is after much research and study of the defective presidential election system, that I originated a totally new road of Electoral College reform, or—feasible, yet subject to modern alteration and application. It is as follows:

Retain the Electoral College; abolish electors entirely as the popular vote representa-

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[1] Bragdon-McCutchen, "History of a Free People" (New York City: The Macmillan Company, 1964), page 528.

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tives, and instead transfer equal electoral votes as is determined by the cast of popular votes.

There are four general regions which demand expansion:

1. Voter qualification; 2. Cessation of voter disfranchisement and ratio of electoral votes; 3. How to automatically transfer popular vote and to whom; 4. The amendment process.

Corrupt and illegal voting practices have become so extensive that it has resulted in mild legislation to outlaw the abuses. These corrupt practices include the age-old ballot-stuffing; false counting of ballots; nullification of ballots by altering or defacing them; bribery; physical threats; concealed pressures; a practice of "personification" where voters give the name of a deceased person acquired from aged tombstones; also the practice of "repeating" used during elections when one voter will cast possibly four different ballots by means of costume changes. There is no perfect approach to alter or prevent such illegal practices. However, I do feel that each citizen of the United States should cast one vote, using their own name, for the candidate of their choice. The solution I suggest, is the use of a persons Social Security card as registered with the State and Federal offices by number only. This card is mandatory in most *all* phases of modern-day life—for job application, disability insurance and military duty. Each citizen would be registered by: 1. Number; 2. Possibly in the future, personal photos can be included on Social Security cards, as is characteristic of present-day driver's license.

Under the proposed plan, the states' electoral votes would not be credited to the candidate winning the popular vote majority in that state. Instead the state would be divided into the ratio of electors. For instance, Wyoming has three electoral votes, and if ⅓ of the population voted Republican and ⅔ Democrat, one electoral vote would be given to the Republican candidate and two for the Democratic candidate. The same rule would be applied in all 50 states.

The exactness of relaying popular votes to the President of the Senate would be handled either by computers or by each voting machine. Such devices would have to be uniform and distribution accepted by Congress before being applied to elections. The votes would still have to be certified for verification as before, by computerized lists disposed to the six respective authorities: one to the President of the Senate; two to the United States Administrator of General Services; two to the Secretary of State; and the last one to the judge of the Federal judiciary district to which the votes were transferred.

The proper manner of creating such legislation as I have advocated would be for ⅔ of the 50 states to call a convention for proposing amendments. Then after ⅔ of both Houses ratified the proposed amendment, it would be passed to each state for ratification, and after ¾ of the states approved it, it would become a law.

Interest in the crusade of revising our present route of selecting a President accelerates and then subsides. But under the 1969 administration, I feel that operative reform legislation will evolve and possibly be employed before our next general election.

NONJUDICIAL ACTIVITIES BY FEDERAL JUDGES

Mr. GRIFFIN. Mr. President, the Subcommittee on Separation of Powers, of which the distinguished Senator from North Carolina (Mr. ERVIN) is chairman, began hearings today on the problem of nonjudicial activities by Federal judges.

I ask unanimous consent that a statement which I was privileged to present to the subcommittee be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF U.S. SENATOR ROBERT P. GRIFFIN, JULY 14, 1969

Mr. Chairman, over 300 years ago, when one of the great figures of Anglo-American law, Sir Matthew Hale, became Chief Baron of the Exchequer, he laid down a precept "to be continually had in remembrance." He said:

"I be wholly intent upon the business I am about, remitting all other cares and thoughts as unseasonable, and interruptions."

As we know, federal judges, who are not answerable to the electorate, seem to be free, as a practical matter, to engage in all sorts of non-judicial undertakings—including even the activities of the executive and legislative branches of our government.

And, of course, federal judges make no public report or disclosure concerning their outside activities or financial affairs while serving on the bench.

To some, the question of what non-judicial roles, if any, a judge should play may seem a bit afield from the question of what public disclosure, if any, should be required of a federal judge. But, in effect, these are companion issues involving closely related considerations.

Public disclosure, after all, would be only a vehicle by which a judge's non-judicial activities could be evaluated. Therefore, in my view, a threshold question before the Subcommittee is whether limitations of any kind should be placed on a judge's non-judicial activities.

In 1924, the American Bar Association, in recognition of the need for a statement of principles governing judicial behavior, adopted its canons of ethics for judges.

These canons, as slightly modified over the years, have become accepted guidelines for judicial conduct. Like "Caesar's wife," the canons require a judge to be above suspicion.

Illustratively, Canon 4 provides:

"A judge's official conduct should be free from impropriety and the appearance of impropriety; he should avoid infractions of law; and his personal behavior, not only upon the Bench and in the performance of judicial duties, but also in his everyday life, should be beyond reproach."

The canons also admonish a judge to avoid circumstances which give rise even to the suspicion that he is utilizing the power or prestige of his office for personal gain. Accordingly, Canon 25 provides in part:

"A judge should not enter into any business relation, which, in the normal course of events reasonably to be expected, might bring his personal interest into conflict with the impartial performance of his official duties."

Canon 26 provides:

"A judge should abstain from making personal investments in enterprises which are apt to be involved in litigation in the Court; and, after his accession to the bench, he should not retain such investments previously made, longer than a period sufficient to enable him to dispose of them without serious loss. It is desirable that he should, so far as reasonably possible, refrain from all relations which would normally tend to arouse the suspicion that such relations warp or bias his judgment, or prevent his impartial attitude of mind in the administration of his judicial duties."

The Canons of Judicial Ethics are—and have been—available to remind judges what the public has a right to expect from them. But the canons are not specific guidelines, and they do not cover every situation.

To a degree, this lack of specificity has probably contributed to the involvement in some cases of judges in non-judicial matters.

Almost from the dawn of the Republic, the practice of judges involving themselves in inconsistent non-judicial roles has been condemned as against the best interests of the judiciary.

Commenting on the appointment of Chief Justice Jay as Ambassador to Great Britain in the year 1794, Joseph Hamilton Daveiss, a prominent Federalist, stated:

"This was breaking in on a fundamental principle, that is, that you ought to insulate and cut off a judge from all extraneous inducements and expectations; never present him the jora of promotion; for no influence is more powerful in the human mind than hope—it will in time cause some judges to lay themselves out for presidential favor, and when questions of state occur, this will greatly affect public confidence in them."

And, Mr. Chairman, as you know, in 1947 the Senate Judiciary Committee strongly declared "the practice of using federal judges for non-judicial activities is undesirable" and "holds a great danger of working a diminution of the prestige of the judiciary."

It might be argued that distinctions can—and should—be drawn between public and private non-judicial undertakings. The Canons of Judicial Ethics permit a judge to act

"as arbitrator or lecture upon or instruct in law, or write upon the subject and accept compensation therefor, if such course does not interfere with the due performance of his judicial duties, and is not forbidden by some positive provision of law." (Canon No. 31)

Indeed, it is probably desirable from time to time for judges to speak in public, or to write for publication concerning the Court's work. They may—and should—promote understanding of the work of the Court.

But as one *Washington Post* article recently put it:

"Let them do it without compensation—for the simple satisfaction of doing it. Nobody should be able to hire a Supreme Court Justice save the American people, who have recruited him for life in their service." (Alan Barth, June 18, 1969)

Perhaps Chief Justice Harlan Stone put it best. Asked by President Franklin Roosevelt to chair a commission to study rubber production, he replied strongly that:

"It is highly undesirable for a judge to engage actively in public or private undertakings other than the performance of his judicial functions."

And he added:

"A judge and especially the Chief Justice, cannot engage in political debate or make public defense of his acts. When his action is judicial he may always rely upon the support of the defined record upon which his action is based and of the opinion in which he and his associates united as stating the ground of decision. But when he participates in the action of the executive or legislative departments of government he is without those supports. He exposes himself to attack and indeed invites it, which because of his peculiar situation inevitably impairs his value as a judge and the appropriate influence of his office."

Mr. Chairman, obviously there is a compelling need for further definition of the non-judicial activities in which a judge may appropriately engage. Clearer and more specific delineation is long overdue.

Although I am encouraged by the resolution recently adopted by the Judicial Conference of the United States forbidding federal judges to accept compensation for services off bench, this action did not go far enough. Certainly the role of Congress in this field could be a limited one if the Judicial Conference were to adopt meaningful rules regarding outside conduct and financial disclosure, and if all members of the federal judiciary were bound by them.

In 1963, the Conference did see fit to adopt a resolution providing that:

"No justice or judge appointed under the authority of the United States shall serve in the capacity of an officer, director, or employee of a corporation organized for profit."

Perhaps it should be noted that this resolution was adopted after legislation along these lines had been introduced in the Congress.

Mr. Chairman, when a man takes his seat on the federal bench, his relationship to society is irrevocably altered. As Justice Frankfurter once replied to the question: "Does a man become any different when he puts on a gown?

"If he's any good, he does."

If the federal judiciary in general and the Supreme Court in particular are to remain secure against tyrannies of all persuasions, they must retain the public's trust and confidence; they must not be scarred even by suspicions concerning the financial or other dealings of its members.

Accordingly, I favor the adoption of meaningful guidelines on permissible non-judicial conduct of federal judges. Viewed realistically, meaningful financial disclosure for federal judges—including Justices of the Supreme Court—must accompany these measures. In my opinion, restrictions on non-judicial activities are not in and of themselves sufficient to assure the adherence to such standards.

The imposition of standards of conduct and public financial disclosure upon the judiciary is a delicate problem. Few would quarrel with the importance of maintaining the independence of the federal judiciary.

But I believe Congressional enactment of such provisions would enhance rather than diminish the Court's independence. Confident that members of the judiciary were above suspicion, the public would have renewed faith in the Court and its role.

It is clearly the responsibility of the Congress, as one of the co-equal branches of our government, to seek to establish and maintain the independence of each branch—particularly the judicial.

In fact, the Supreme Court indicated in a decision arising out of the conviction of a member of Congress for receiving compensation from a private party for services before a government agency, that Congress has broad powers in this field. The Court stated:

"In order to promote the efficiency of the public service and enforce integrity in the conduct of such public affairs as are committed to the several departments, Congress, having a choice of means may prescribe such regulations to those ends as its wisdom may suggest . . ." (*Burton* v. *United States,* 202 U.S. 344)

Although the *Burton* decision dealt specifically with the conduct of a member of the legislative branch, the Court's reasoning would apply with no less force to measures concerning the conduct of members of the other branches of government. Congress has in the past enacted legislation which has sought to delineate unacceptable conduct on the part of the judiciary. For example, 28 U.S.C. Section 454 provides that:

"Any justice or judge appointed under the authority of the United States who engages in the practice of law is guilty of a high misdemeanor."

Similarly, 18 U.S.C. Section 203 provides that:

"Whoever . . . directly or indirectly receives . . . any compensation for any services rendered or to be rendered either by himself or another . . . at a time when he is an officer of the United States in the . . . judicial branch . . . in relation to any proceeding, application, request for ruling or other determination, contract, claim, controversy, charge, arrest or other particular matter in which the United States is a party . . . shall be fined not more than $10,000 or imprisoned for not more than two years, or both; and shall be incapable of holding any office of honor, trust or profit under the United States."

As these provisions demonstrate, Congress has not hesitated to enact legislation affecting the judiciary. Lacking, however, has been a clear understanding of how the various statutes affecting the judiciary relate to the Constitution's impeachment provision.

The Constitution provides in Article II, Section 4, that

"The President, Vice President and all civil officers of the United States, (which includes members of the federal judiciary) shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors."

Impeachment stands as the only method of removing an unfit judge. Admittedly, it is a cumbersome remedy. As James Bryce, a noted British historian and legal scholar, observed:

"Impeachment . . . is the heaviest piece of artillery in the congressional arsenal, but because it is so heavy it is unfit for ordinary use. It is like a hundred-ton gun which needs complex machinery to bring it into position, an enormous charge of powder to fire it, and a large mark to aim at."

Commenting on the acquittal of Justice Samuel Chase, the only member of the Supreme Court ever impeached, President Jefferson referred to impeachment as a "bungling way of removing judges—an impractical thing—a mere scarecrow."

Thus, it is not surprising that impeachment has been resorted to in only nine instances involving members of the federal judiciary. And in only three of those cases were judges subsequently removed from office.

In a real sense, the failure of the impeachment provision of the Constitution to operate as a meaningful deterrent to judicial impropriety is in large measure due to the failure of Congress. Congress has fallen short in its responsibilities to adequately define the causes for which a judge may be removed under the Constitution.

The problem is complicated somewhat by the fact that while the impeachment provision of the Constitution applies to all branches of the government, members of the federal judiciary are also governed supposedly by another provision to the effect that they shall serve only "during good Behaviour" (Article III, Section 1).

Accordingly, in addition to being subject to impeachment for "Treason, Bribery or other high Crimes and Misdemeanors," it is arguable that a judge may also be impeached for a lack of good behavior.

Precedent does exist for this construction of the Constitution. One legal scholar has observed that in the removal from office of Judge Archibald in 1913, the Senate "approved the doctrine that the constitutional provision that judges shall hold their offices during good behavior is attended with the corollary that they may be removed by impeachment for behavior which is not good." (TenBrock, Minnesota Law Review, January, 1939).

Professor Burke Shartel has commented that:

"If Congress has power under the Constitution to confer jurisdiction to remove federal judges for misbehavior, it seems clear . . . that Congress might in so doing define misbehavior so as to include any form of conduct or neglect which, according to modern notions, tends to corruption or inefficiency in the judicial service. And similarly if Congress were simply to provide for the removal of judges for 'misbehavior' the Supreme Court could be confidently expected to read this expression in the light of the need for honest and efficient administration of judicial affairs, and to give it a like meaning of interpretation." (Michigan Law Review, February, 1930).

Difficult questions remain, however, as to what constitutes a lack of good behavior; or, alternatively, what constitutes a high misdemeanor actionable by impeachment under the Constitution.

Mr. Chairman, I believe it is not only the responsibility but the obligation of the Congress to take the necessary steps to answer these questions. Your bill (S. 1097) provides an excellent point of departure for the discussion of which non-judicial activities should be prohibited.

Needless to say, this will not be an easy task. Notions of proper judicial behavior change with the times. It is obvious that the good behavior clause must be read with a view to the changing times.

Historians have affirmed that in the early days of our highest court practically every member was financially interested in some case coming up for final decision. Justice Story, for example, during many of the years that he sat on the bench, was president of a bank.

This, of course, would be unthinkable conduct today. But I believe this illustrates the difficult nature of the problem. The emphasis has changed but the nuances remain.

Should a justice permit himself to be interviewed while serving on the bench? Should a justice champion social or political causes whatever they might be? Should a justice speak out on questions of public policy, aspects of which may ultimately reach the Court?

These are some of the questions which must be faced. I commend you, Mr. Chairman, and your Subcommittee for addressing yourselves to this challenging task.

Legislation is before the Subcommittee which would require financial disclosure by members of the federal judiciary. I believe this bill (S. 2109), which 20 colleagues have joined me in co-sponsoring, should provide a useful vehicle for discussion.

The legislation would require all federal judges, including Justices of the Supreme Court, to file reports concerning any gifts received over $50, honorariums received over $300, and any fees or compensation received for services of any kind from any party other than the United States. Such reports would be filed annually with the Judicial Conference of the United States and would be available for public examination.

In addition to such public disclosures, this legislation would require a federal judge to file, on a confidential basis, with the Comptroller General of the United States, a copy of his income taxes return, a report of any business and foundation connections, as well as liabilities in excess of $5,000 and his interests in real or personal property in excess of $10,000.

These reports would be held in confidence by the Comptroller General and would be available for examination by the Senate or House Judiciary Committees only by a recorded majority vote of either full committee.

Mr. Chairman, ours must be a government of law, and judges form the foundation of our system. It is a matter of deep concern to me and to many members of this body that public confidence in this foundation is less than it should be. Unfortunately, it is all too apparent that legislation such as that before this Committee is needed—and that the time for enactment is at hand.

Thank you.

THE URBAN-RURAL BALANCE

Mr. INOUYE. Mr. President, early this month, Dr. Shelly M. Mark, director of the State of Hawaii's Department of Planning and Economic Development,

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spoke to the National Association of Farm Broadcasters on maintaining the rural-urban balance. Drawing on Hawaii's experience of attempting to maintain a balance between its urban and rural centers, Dr. Mark discussed the problem with understanding and vision. As we deal with the problems in our urban and rural areas, I think Senators may find Dr. Mark's remarks of interest.

I ask unanimous consent that Dr. Mark's address to the NAFB be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

MAINTAINING THE RURAL-URBAN BALANCE—ADDRESS BEFORE FAREWELL BANQUET, NATIONAL ASSOCIATION OF FARM BROADCASTERS, REGENCY ROOM, ROYAL HAWAIIAN HOTEL, JULY 2, 1969

(By Shelley M. Mark)

There are some important concerns facing our Islands and our nation today which call for the most serious attention and study. These are indicated as a new national administration seeks to establish new directions and new priorities amidst a set of age-old problems. We have seen its persistent attempts to extricate this nation from the Vietnam conflict in the face of military, political, and diplomatic realities. We are witnessing attempts to head off inflation in the face of a brewing taxpayers' revolt, interest rates at an all-time high, and the danger of recession in the offing. We have seen attempts to face up to our urban crisis falter in the face of determined political opposition to some who possess the wherewithal for coping with it. And we are witnessing the continued rise of consumer prices with a continued decline in the farmer's share.

It is not my purpose this evening to dwell on all these concerns. We can only wish the President and his advisors well in their valiant efforts. In fact, it may be presumptuous, in these beautiful suroundings before such a joyous occasion, to speak of problems that may seem thousands of miles and eons of time away.

But from our island community, the newest of the 50 states, located in the midst of the Pacific Ocean, with the inter-action of many races and cultures, seeking to attain common goals and solve common problems—I think there is much to be learned, much that is applicable to our broader national concerns. Then too, because we are new, small, and relatively isolated, we in Hawaii are dependent on the nation's strength, prosperity, and well being. With your kind indulgence this evening, I would propose to initiate some dialogue on a matter of some common concern—the problem of maintaining what Secretary Freeman and others have called the rural-urban balance.

I'm sure you have seen, during your brief visit and on your various field trips, much of our agriculture. As you know, it is primarily sugar and pineapple production. These have been our basic agricultural crops for many years. They represent two of the most scientifically produced and processed crops in the nation. In recent years, sugar and pineapple production records have been set, and profits have been high. At the same time, Hawaii's agricultural workers are the highest paid in the United States. We have, through years of experience, found that when an enlightened agribusiness management provides to its unionized employees, through honest and realistic collective bargaining, fair wages, excellent fringe benefits, good working hours and conditions and a variety of incentives, the entire industry and the State's economy prosper. Hawaii—like California—has had her farm labor troubles, and we learned the hard way—through violence and death in the early years of agricultural and unionization—that unless employees have decent working conditions and some hope of sharing in the affluence of others around them, there can be no peace in the fields. We hope this lesson is not lost on those in California and other States where farm unionization is a relatively new problem.

And yet our agricultural situation is not without paradox. Here in Hawaii we have two of the most vibrant and progressive agricultural industries anywhere today. Our sugar accounts for 12 per cent of the U.S. market, and our pineapple still takes 40 per cent of the world market. We lead in research and development and productivity increase, our workers are the highest paid, and our technology is sought after and emulated everywhere. Yet the most many hope for in sugar and pineapple is the status quo! And the worst that some expect is that their days are numbered.

Here in Hawaii we have year-around crop-raising potentials, fertile soils, generations of agricultural skills, advanced research and methods.

Last year the value of marketings of our diversified crops was more than $13 million, and of our livestock products, more than $37 million. We sold more than $6 million worth of vegetables and melons, more than $1.5 million in coffee parchment, about $3 million in fruits, and half a million dollars worth of taro, which is the root from which poi is made

We have witnessed some breakthrough in such specialty areas as papaya, macadamia nuts, and floral products. But we are nowhere near the massive breakthrough in diversified agriculture that will establish us as world leaders in specialty crop production or enable us to meet a larger percentage of our domestic consumption requirements. Instead our farmers are beset with problems familiar to all of you of uncertain land tenure, limited credit availability, increasing competition for workers, and most importantly perhaps—lack of clear guidelines for future goals, objectives, plans and programs.

Here in Hawaii we have the spectre of large land-owners marking time—waiting for agricultural leases to expire so that the lands can be put to what they consider their "highest and best use". We have corporate management torn between traditional experience with productive agriculture enterprise and the new gold that glitters from potential resort development and suburban subdivisions. We have labor unions, whose strength has been derived from organizing plantation workers, now jockeying to organize expected hordes of hotel and resort workers. I daresay these are not uncommon occurrences throughout the rural communities of our nation. Yet paradoxically, all over the world, there seems to be a resurgence and the new message of our times is the same: Agriculture and aqua-culture can feed the world, and the essential dignity of man, hidden under the grime and dust of poverty, can shine forth as agricultural science is developed and expanded and improved in all parts of the globe.

Recently a study of future land use in Hawaii was prepared for a group of local land owners and developers. The press reports told everyone that in land-hungry Hawaii, some 35,000 additional acres will be needed for urban expansion, and that these acres must come from existing prime agricultural land, since agriculture is on its way out anyway.

If, indeed, agriculture is on its way out, it is only because we have shoved it out the door by bowing to the "inexorable laws of economics" and the relentless pressures to grab agricultural land from productive farmers. By yielding to the prophets of gloom and doom, we may be contributing to maximum economic returns, but at the same time upsetting irretrievably the delicate urban-rural balance necessary for our total well-being in the long-term.

Once the urban-rural balance is upset—once our green farms, long rows of crops, orchards, pastures, and forests are given over to the men who want fast profit now, when there are other lands available for urbanization—once the green dollar replaces the green field, then we can look only to a dismal future indeed.

Indeed, common sense tells us that once our environment of beauty—of agricultural activities properly balanced with commercial and industrial enterprises—is destroyed, then our tourism industry will be destroyed, and the whole economic structure will decay and collapse. We cannot live just for today.

Certainly you members of the Farm Broadcasters Association of America keenly understand this principle of urban-rural balance. You know it is a vast problem; it is a problem which defies rational solution, yet upon its solution may depend the very life of our land in the next generation or two.

You have seen that for many decades, Americans by the millions have been moving from rural regions to urban and metropolitan areas, causing, on the one hand, a great waste of valuable natural and human resources, and on the other hand, a steadily increasing pressure of congestion, unemployment, and poverty in the cities.

Former Secretary Orville Freeman has described the problem in rather dramatic fashion (and I quote): "In the short period since World War II, our population has grown by 55 million—37 per cent. The value of goods and services we produce each year has increased from $280 billion to more than $800 billion. Three million farms have disappeared in a technological revolution that is still sweeping through agriculture. More than 20 million persons have abandoned the farms and small towns for the city. One-third of the population has left the city for the suburbs."

Our nation has consistently measured "progress" in gross national product and by the indices of economics. It has not yet developed an annual "social report" which measures the heartaches resulting from—or at least coinciding with—material affluence. Mr. Freeman reminds us that "many Americans fear we may have lost our way. The fact that 20 million Americans live in poverty stares us in the face . . . modern communications media drum it into our senses . . . The crisis of our environment also burdens our conscience . . . Our pangs of conscience as a nation bite deep because we know it need not have happened this way . . ."

Thus, we seem to have a crisis of human frustrations—our productive efficiency and technological progress permit us to have all the material affluence we desire; our social conscience persistently asks: why and for what purpose?

I suggest there is still another related type of balance which is upset when cities grow to giant proportions and our agricultural and rural areas become deserted. It is the balance between man and his environment, the so-called ecological balance . . . the mysterious and often hidden balance which keeps life-forces operating in a relationship which the Creator established and which Nature governs. The eminent microbiologist Rene Dubos says that "Human beings can become adapted to almost anything—polluted air, treeless avenues, the rat-race of over-competitive societies. But in one way or another, we have to pay later for the adjustments we make to undesirable conditions."

It is becoming more and more obvious that the food, energy, resources, and technology which are required for the nourishment of our bodies and the operation of our industries, are not all that matters. Just as important is an *environment* in which it is possible to satisfy the longing for quiet, privacy, initiative and open space. In Dubos' words:

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"These are not frills or luxuries, but constitute real biological necessities."

It follows, therefore, that there can be no basis for orderly growth in human society without a fundamental knowledge of man and his environment. This knowledge must be profound if we are to progress. We must understand the principles of heredity and biology as well as economics and engineering. You must remember—like it or not—that the Cro-Magnon man, who lived more than 25,000 years ago, was essentially the same as modern man, mentally as well as biologically. In theory, we could take a Cro-Magnon baby and with a modern foster-mother, a diaper, a crib, an elementary school and a college of general studies, fit the Cro-Magnon man into this gathering today as a farm broadcaster and no one would be the wiser.

Certainly we can expect that as we transform green fields and hillsides into concrete highways and subdivisions, as we convert open areas into high-rise apartments, and as we infest the atmosphere with man-made pollutants, the carefully-nurtured natural balance between man and his environment will be upset. And with this growing imbalance, his ability to deal effectively in all aspects of his worldly relationship will deteriorate.

Ecological balance, like urban-rural balance, is essential to man. It answers his spiritual needs as well as serving his biological and sociological well-being. And to understand it, we need to study the nature of man.

My purpose and certainly my competence is not to try to solve these intricate problems of balance this evening, but mainly to point up their significance and suggest how we in Hawaii have regarded them. From our vantage point, it is heartening and refreshing to observe that the spirit of the nation always seems to improve once a nagging, serious problem is defined and clarified, and its dimensions made known. "Time to go to work," we then say. And I believe our nation is now at a point where it begins to see the dimensions of the rural-urban imbalance problem clearly, and is ready to go to work to solve it.

Again I exhort you to carry this message nation-wide. Perhaps your Silver Anniversary Convention visit to Hawaii will give you the special *"Handle"* or "angle" you need to spark additional discussions and conferences on this problem. Tell the folks at home that we in Hawaii are joined in spirit and action with all who love the rural life, the green and fresh environment, the environment of beauty and cleanliness which refreshes body and spirit.

Hawaii is a new State. We have had the privilege of studying the histories of our older Sisters in the East and our not-so-old Sisters in the West, and learning much from them. We have had for many years a much smaller, yet parallel, rural-urban problem, and we have been able to do something about it through law and through administrative methods which we believe are both advanced and feasible.

You have seen Waikiki. You may have been a bit disappointed that it is so crowded with high-rise buildings. But have you seen our Neighbor Islands? They are relatively unspoiled.

For many years, our Neighbor Islands lost population because agriculture became more mechanized, the technological and social revolutions following World War II enticed our young people away from the rural areas, and there was little on the Neighbor Islands on which a young family could plan for a decent and dependable future. Today, due to this migration and to a great influx from the Mainland, our capital city of Honolulu is suffering from too-fast growing pains.

With a keen appreciation of the over-all problem, our State Legislatures and the State administration have, in the first Decade of our Statehood, put into effect a unique State Land Use Law. One of its chief purposes is the preservation of rural, conservation and agricultural lands against the pressures of uncontrolled urban growth. We saw long ago that if Hawaii permitted its towns and cities and suburban housing areas to grow willy-nilly into rural and agricultural areas, the best farm lands and agricultural districts would soon disappear. The beautiful Hawaii we knew would have been ruined. We therefore passed the State Land Use Law—the only such State zoning law in the nation—to prevent this imbalance from occurring. This year we are reviewing the first five years of that law, seeking to profit from our past mistakes and strengthen our capabilities for planning into the future. We have not preserved all of our prime agricultural lands in the process, but have provided a rational basis for orderly urban growth.

By another mans—the judicious use of the State's Capital Improvements Program, we attempted to halt this trend—which had continued for many past decades—of population movement from the Neighbor Islands to Honolulu. We have encouraged the development of well-planned tourism and other facilities on the Neighbor Islands, and have backed up private enterprise with Government-financed roads, sewers, water systems, airports, harbors, and other basic facilities.

I believe the key to our future urban-rural balance must be good long-range planning. It is worthwhile here to note again Secretary Freeman's comments in the Minnesota Law Review. He wrote: "We have failed to plan for change—to develop public and private institutions and attitudes that would shape and control the technological revolution to serve the needs of society. The result has been a national crisis of environment . . ."

Hawaii saw its own problems in this light and has tried, through its planning processes, to do precisely what Mr. Freeman says the nation has failed to do. We have sought to encourage citizen participation in our planning process. We have had citizen groups on every Island, from every community, meeting regularly to develop and refine the State's planning goals. These have now been published as part of our official planning documents.

And it is noteworthy that our citizens regard the preservation and enhancement of a beautiful environment as one of the fundamentals on which our orderly growth and prosperous development depend. Our citizens have also clearly stated that they want Hawaii's natural resources preserved; they want a stronger agricultural economy; and they want agricultural lands preserved from urban encroachment.

Trends are not destinies. The essence of planning is the changing of bad trends to good trends. If the trend toward chipping away at and chopping up our agricultural lands is clearly evident, then it deserves to be changed. And through our State planning efforts, we try to do just that.

In scores of ways—by legislation, by a very close cooperation of government and private sector, by State Administration action, by the remarkably sophisticated efforts of a great number of private agencies and institutions—Hawaii is seeking to head off its own urban-rural crisis now. We hope to joyously celebrate our Silver Jubilee of Statehood in 1984, rather than gloomily exist in George Orwell's "Big Brother" society. We hope to have a State with agriculture and other industries well balanced on all Islands, a State with clean air, pure waters and a lot less noise, a State where cultural pursuits are found closely related to family farm and small business activities; a State which is a model of racial and economic harmony, visited by millions from East and West; a State where the Aloha Spirit remains as the guide for our relationships with these visitors; a State where poverty is outlawed; where crime is diminished by the environment of good will and prosperity, and where a cheerful, happy citizenry find delight in fruitful work on farms, at home, in clean industrial plants and on scientific campuses from seashore to the snow-covered peak of Mauna Kea.

May I suggest that you plan your next summer convention here in George Orwell's 1984—if not sooner. We can then sit down in comfortable chairs and see how our younger generation is doing with the foundation blocks we prepared for them.

I thank you.

MORMON TABERNACLE CHOIR ON AIR 40 YEARS

Mr. BENNETT. Mr. President, on Sunday the world renowned Mormon Tabernacle Choir completed its 40th year of continuous radio broadcasting.

Millions of lovers of great music throughout the world have thrilled to the music of this great choir, whose weekly broadcasts represent the oldest continuous program on radio. And, those of us in Congress will be especially mindful of the tremendous contribution of the choir during the last two Presidential Inaugurations.

Wherever the choir has journeyed throughout the world, it has left behind faithful friends, and has helped to bridge the gaps of understanding sometimes existing between this Nation and those visited. The Mormon Tabernacle Choir has shown conclusively that music is a medium of communication understood and loved universally.

In addition to the great music of the choir, the "Spoken Word" by Elder Richard L. Evans, an official in the Church of Jesus Christ of Latter-day Saints (Mormon), has given new hope and comfort to millions of listeners for many years.

As the choir enters its fifth decade of broadcasting, we can hope for no more than that its great vitality and inspiration continues as it has for the past 40 years to enrich the lives of all who are fortunate to hear it perform.

I ask unanimous consent to have printed in the Record anniversary telegrams sent to David O. McKay, president of the Church of Jesus Christ of Latter-day Saints and to Isaac Stewart, president of the Mormon Tabernacle Choir, by the President, Vice President Agnew, and Secretaries Kennedy and Romney and from myself.

There being no objection, the communications were ordered to be printed in the Record, as follows:

The White House,
Washington, D.C., July 11, 1969.

Mr. David O. McKay,
President, Church of Jesus Christ of the Latter-day Saints, 47 E. S. Temple, Salt Lake City, Utah:

Few choral groups have enriched the American musical heritage more or extolled our highest aspirations with greater fervor than the Mormon Tabernacle Choir.

As you begin your fifth decade of consecutive broadcasting, the warm good wishes of a grateful nation go out to you. We share the satisfaction you must derive from the inspiration that you bring to so many people.

Please accept my warm congratulations on this meaningful milestone.

Richard Nixon.

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July 9, 1969.

Mr. David O. McKay,
President, Church of Jesus Christ of the Latter-day Saints, 47 E. S. Temple, Salt Lake City, Utah:

The following message was sent today to Mr. Ike Stewart, president, Mormon Tabernacle, 19 West South Temple Street, Salt Lake City, Utah:

Please extend to the members of the choir my congratulations on reaching the milestone of forty continuous years of broadcasting. I have listened to the choir many times on the radio, and it was my privilege to see them, in person, during the inaugural weekend. The choir is an outstanding musical group and has my enthusiastic best wishes for the future.

Spiro T. Agnew.

July 9, 1969.

President David O. McKay,
Church of Jesus Christ of Latter-day Saints, 47 East South Temple Street, Salt Lake City, Utah:

Please accept my congratulations and deep appreciation for forty consecutive years of beautiful choral broadcasts and "spoken word" by the Mormon Tabernacle Choir. May this blessed anniversary be followed by many more years of these inspirational broadcasts.

David M. Kennedy,
Secretary of the Treasury.

President David O. McKay,
Church of Jesus Christ of Latter-day Saints, 47 East South Temple, Salt Lake City, Utah:

Next Sunday marks 40 years of continuous broadcasting of the Mormon Tabernacle Choir and the "Spoken Word." They have become a major American institution. Wherever I travel people tell me how regularly they listen and how inspired they are. At a time of national, spiritual crisis, the spiritual character of the music and message are needed more than ever. Millions are indebted to you for your leadership role and to all those who have freely given their services as choir members and narrators.

Warmest personal regards.

George Romney.

President David O. McKay,
Church Office Building, 47 East South Temple, Salt Lake City, Utah:

Congratulations to you and the wonderful Tabernacle Choir on reaching another major milestone in its long and illustrious career. The 40th year of continuous Choir and Spoken Word broadcasts certainly make the Choir the envy of all broadcasting. All of us from Utah are, of course, proud of the international fame the Choir has brought us, and this latest achievement is merely another in a long and ever-growing list. Please convey my congratulations and best wishes to all of the members, and may the Lord's blessings be with them always.

Wallace F. Bennett,
United States Senator.

CIGARETTE ADVERTISING

Mr. MOSS. Mr. President, last week when the Television Review Board of the National Association of Broadcasters announced it would recommend phasing out cigarette commercials over the next 4 years I was naturally delighted, since this is the thing I have been fighting for since 1963. But I felt I had to temper my congratulations to the board by asking: "Why wait 4 years?"

On July 12, the Washington Post carried an editorial which echoed my sentiments, and pointed out that although the monetary loss to the broadcasting industry would be considerable, "the prime consideration must be the impact of the new policy on the public health." This is also a point I have tried to make.

Mr. President, I congratulate the Washington Post on its fine statement of the issues in this case, and ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Why Wait 4 Years?

The broadcast industry has at least gotten off dead center in regard to cigarette advertising. In principle the proposal of the Television Code Review Board of the National Association of Broadcasters, that cigarette commercials be phased out in four years, is a significant landmark in the battle against lung cancer. In contrast to the NAB's bland disregard of the problem in the past, the Review Board now acknowledges that something must be done and that the industry must ultimately face up to its responsibility.

The critical weakness in the proposed new controls lies in the timing. Sen. Frank E. Moss quite appropriately asked: "Why must we wait four years?" Presumably the purpose of the delay is to cushion the shock to the broadcasting industry. Since revenue from cigarette ads on television and radio amounted to nearly $240 million in 1968, the shock from loss of it may be severe, although other sponsors will doubtless be found for most of the programs now supported by the tobacco industry. Whatever the monetary loss, however, the prime consideration must be the impact of the new policy on the public health.

The United States Public Health Service has estimated that 300,000 Americans die prematurely each year because of smoking cigarettes. This means about 1,200,000 premature deaths in four years. Of course, it cannot be assumed that cigarette consumption would cease with the elimination of television and radio advertising, but consumption is known to be enormously influenced by such commercials. The shocking toll of 50,000 deaths from cigarette cancer each year is alone sufficient to indicate that the stakes on the public health side are high.

In the face of this situation it is difficult to see how the Government regulatory agencies which are concerned with the problem could give their blessing to four more years of TV and radio allurement toward premature death. Perhaps the lengthy phase-out recommended by the Review Board is largely a bargaining ploy. But this is not an area where bargaining is the usual or proper procedure. Both the Federal Trade Commission and the Federal Communications Commission must act in accord with their concepts of the public interest. If the broadcast industry had moved to phase out cigarette commercials within a year, the FCC might have found it feasible to stay its hand in the interest of giving voluntary regulation a trial. But the public will be thinking more about the 300,000 shortened lives each year than about broadcasters' profits, and any Government agency worth its salt will do the same thing.

HEALTH NEEDS OF OUR RURAL POOR

Mr. PERCY. Mr. President, in recent years there has been a great deal of talk about the need to provide health services for the poor. Unfortunately, most of the discussion has centered around the health needs of the urban poor, while to a large extent the needs of the rural poor have been ignored. This is not only unfortunate, but it is also unwise due to the fact that there are larger numbers of medically indigent individuals in our rural areas and the health facilities in these areas are even more scarce than in the large urban areas.

Senator Barry Goldwater has recently made a statement before the Senate Subcommittee on Health of the Labor and Public Welfare Committee. In this statement he outlines many of the health needs of our rural population and supports the provisions of S. 2037, the Neighborhood Health Center Act. In order that this excellent statement may be brought to the attention of all my colleagues and to the public at large, I ask unanimous consent that the statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Barry Goldwater of Arizona to the Senate Subcommittee on Health, June 24, 1969

Mr. Chairman and Members of the Subcommittee, thank you for the opportunity to present these remarks in support of S. 2037, the Neighborhood Health Center Act, which I have sponsored with Senator Percy. I am most hopeful that this proposal will be adopted, either as a separate Act or as a part of omnibus legislation to amend the Public Health Service Act.

In short, our bill is designed to offer a new departure in meeting the health needs of all citizens, whatever their income and wherever they live. To do this, in a sound and effective way, our measure goes right to the heart of the most pressing, current problem—the fact that comprehensive health services are simply not available or assessible to all our people at the local level. In order to meet this challenge squarely, our bill seeks to improve the system through which health care is provided by giving to local communities and local groups the funding they need to construct or modernize comprehensive health care centers in the neighborhoods and areas where physician accessibility is lowest.

It is this approach—toward a program of community health centers in the areas where people live—that holds the best promise of providing the connecting fibers to bind together a new coordinated and personalized medical service system.

There are several advantages to the type of program we are recommending, and for the sake of conciseness I would like to itemize the major benefits as I see them.

1. Comprehensive neighborhood health clinics, staffed by physicians who can treat a wide range of diseases, can provide residents of low-income areas and rural communities with the primary care that is now unavailable to them.

2. This concept will provide a continuity of services by the same doctors to the same individuals in their own neighborhood—a situation that rarely exists at present for those who live in our rural and low-income areas.

3. Our plan will concentrate the responsibility for the treatment of a wide range of illnesses at the same facility and by the same personnel, thus overcoming the present tendency for fragmentation of care among specialized clinics. We would hope to reverse the situation, which now occurs too often, in which a person who is sick is refused care because he has the wrong disease.

4. The provision of comprehensive outpatient care at neighborhood centers will result in a dramatic reduction of hospital utilization. Through immunizations, early diagnosis, and preventive medicine, many diseases will be prevented outright or diag-

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nosed before the need for hospitalization arises. In addition, hospital admissions for diagnostic purposes will be avoided since such services will be given at the clinic.

5. The possibility for increasing comprehensive facilities as part of a coordinated county or urban delivery system will enable hospitals to reduce costs by eliminating the duplication of expensive equipment which can be present close at hand.

6. The establishment of neighborhood clinics on a large scale will certainly encourage and make it possible for insurance carriers to offer low-cost health programs because so many kinds of medical services can then be provided in lower-cost areas, with the accompanying factor of a decrease in the number of hospital days per number of covered persons.

7. The development of comprehensive health care clinics will help county and city governments get the most from their health dollar. It is more economical by far to contract for care to be handled by clinics than by hospitals. This point is especially pertinent to our situation in Arizona where almost all of the counties lack a public county hospital and are required to contract for the provision of services with existing private hospitals.

8. The program of neighborhood health centers promoted by our legislation is sound. It has been proven to be effective where tested in the form of pilot projects and is probably the least costly Federal approach to bringing more and better health services to people in every walk of life. And, I would like to emphasize that our proposal does not require any added specific authorization of Federal funds. The measure would achieve its ends by eliminating the earmarking of existing authorizations for specific programs and moving to a block grant system. Thus, the plan will not add to the pressures on the Federal budget.

9. The bill incorporates built-in safeguards to assure that projects for which funds are granted will be operated in the most efficient manner possible. Unless the applicant can show that its project is or can be the most efficient and effective project in the neighborhood, the measure requires that the application shall be denied. As a further step to avoid wasteful funding, the applicant must also show that any other health facilities which are operated by it are likewise efficient and effective.

10. The bill increases the ability of the States to control the resources used for their health needs. The States can certainly adapt their powers and programs far more quickly and wisely to meet the varied needs of their people than it is possible for some administrator to do who sits in Washington, D.C. It is particularly significant to me that our legislation takes account of this fact by permitting the States to determine for themselves their own needs and priorities as to the type of projects to be funded under their allotments for Hill-Burton purposes.

Mr. Chairman, this completes my presentation of the general reasons why I am so strongly convinced that the approach set out in this proposal is worthwhile. But before closing, I would like to add a few thoughts concerning the intent of the sponsors of the legislation so that a clear history will be made to answer possible questions that may arise in the day-to-day operations under this law.

First, I want the record to be entirely clear that the benefits of the bill are equally intended for our rural areas and small towns as well as for the low-income urban communities. The State of Arizona is interested in this measure from both standpoints as are several other States.

As I see it, the Act will definitely be useful in Arizona by helping to bring health services closer to the indigent senior citizen, or Mexican-American, or American-Indian, or black citizen who resides in one of our urban centers. But it also will be of immense assistance to the citizens of Arizona because it will make comprehensive health care available in the sparsely built-up areas of the State which are remote from any major medical facilities. I would like to remind Members of the Subcommittee that several counties in Arizona are larger in territorial size than many entire States and yet have a population too small to support more than one public hospital—if that.

In my State, trips of 25 and 30 miles to reach high-quality health centers are common. And it is not unusual to find the situation where even longer journeys are needed. For example, there is Mohave County which has one major facility located in Kingman, the county seat. Now this means that citizens of Wikieup in the same county must travel a distance of more than 50 road miles before they reach a hospital. Or, take the case of Yuma County where residents of Mohawk live over 40 miles from the closest hospital. And, in the norhern half of this county, we have another typical situation in that the people of Hope have to go 50 miles in one direction to an Indian hospital at Parker or 50 miles in the other direction to get to the community hospital at Blythe, California.

Mr. Chairman, I could fill the record with similar instances but these are sufficient to make the point. Our legislation must be and is intended to be interpreted broadly to enable the establishment under the Act of neighborhood centers far from the hospital with which they are associated. And, by "far," I want the record to show that I am talking about distances of 50 and 60, or even more, road miles. If this measure is to fulfull the purpose which we want, it is absolutely essential that an expanded construction be given its provisions in the manner which I am describing.

Next, Mr. Chairman, I want to indicate some other areas where the bill must be interpreted so as to give the broadest meaning to its terms. I hope the explanations set forth about the definition of "comprehensive ambulatory care center" establish that (a) a center can qualify for construction grants even if it is to be staffed by only two or three physicians, so long as these individuals alone or together can treat a wide range of diseases, (b) a center need not be capable of caring for all or almost all the diseases to which individuals are susceptible in an area, but should merely be able to show that in fact it truly is not a specialty clinic restricted to one or a very few types of illnesses, and (c) the clinic is not expected to provide formal health education, but rather is intended only to attempt to offer preventive-type education, such as health hints given at community gatherings or food-preparation advice stated in pamphlets distributed in the area.

And, of course, I have already discussed the requirement that the clinic be associated with an accredited hospital by stating that it is our purpose to allow the establishment of neighborhood clinics in communities which are up to 60 miles or so away from the associated hospitals. This feature is not so unusual as it sounds at first hearing, which I hope I have demonstrated by the previous examples; and I would like to add for your consideration the fact that several locations in Arizona are already serviced by helicopters in medical emergencies, which makes it entirely practical for these centers to be constructed at great distances from the affiliate hospital. Also, such a broad interpretation will help existing hospitals to develop a network of clinics which will expand the existing good services to areas that lack it but need it. This will contribute to expanded and better services both in counties where towns are remote, and in places such as Pinal County where the present hospitals are small and might well wish to supplement their facilities by contracting with associated clinics that will relieve the demands on the hospitals.

And, in this connection, I wish to make certain that the guidelines which are set up under the statute are not so strict that most Arizona hospitals will be found ineligible to participate in the new program. I refer to the fact that almost one-half of the hospitals in Arizona have been adjudged to be non-conforming by the Arizona State Department of Health on the basis of their physical structures. I want it plainly understood, however, that this survey evaluation specifically was not based upon the quality of the services being rendered at the non-conforming facilities. These hospitals are still providing adequate care and services and should be considered eligible to participate in projects under our bill to the same full extent as the other hospitals. And, as the final point I wish to raise concerning the hospitals which may participate in the program, the record should show that the term "hospital center" when used in section 625 (m) is not intended to signify anything more than what is ordinarily understood to be a hospital. The language "hospital *center*" merely conforms to normal parlance used in the medical profession in describing what we laymen refer to simply as a "hospital".

In summary, Mr. Chairman, I urge that any report on the proposal endorsed in our bill make it unmistakable that Arizona and the several other States with similar situations are to not be written out of the bill by administrative decision. The guidelines which are promulgated under the law must be aimed at fostering and encouraging the creation of these vitality needed health care centers. It must never be overlooked that the preeminent purpose of our measure is to provide the delivery of high quality health services to all citizens regardless of what they earn or where they live. In my opinion, the approach presented by the measure represents a real opportunity for the nation to deal with one of the most deeply-felt human needs—the good health of all our citizens. This goal is certainly basic to the enjoyment of each individual's personal freedom and I respectfully request that the Subcommittee act favorably on the measure or incorporate the concept and approach recommended by us into any general legislation that it approves in this field.

PROGRESS ON THE POTOMAC—REPORT FROM WESTVACO, LUKE, MD.

Mr. MATHIAS. Mr. President, the polluted state of the Potomac River is an obvious fact and a serious challenge to the entire basin and all of its residents.

Industries are so often cited as major polluters of various waterways that it is most encouraging to know that many firms in the Potomac Basin are taking real initiatives to help clean up the waters which they use.

One such industry is the Fine Papers Division of Westvaco, formerly the West Virginia Pulp & Paper Co., located at Luke, Md., on the North Branch of the Potomac. This major western Maryland industry relies on the river so heavily that, at periods of low flow, its water must be circulated, purified and recirculated to meet the mill's needs.

A recent company newsletter detailed the great effort which Westvaco has made at Luke to curb both water and air pollution. As an editorial in the Hagerstown Daily Mail observed, the

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company's investment of some $14 million in antipollution equipment exceeds the financial commitment of any other basin entity except the Washington metropolitan area.

As both the company and the Daily Mail noted, much remains to be done. Acid mine drainage, for example, is a serious problem on the North Branch, and will become even more troublesome when the Bloomington Dam has been completed.

Because the problems of the Potomac have been so often discussed, I believe that progress should receive wide recognition as well. I therefore ask unanimous consent to include in the Record at this point the editorial from the Hagerstown Daily Mail of May 14, 1969, and "Progress on the Potomac," from a recent Westvaco newsletter.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Hagerstown (Md.) Daily Mail, May 14, 1969]

Cleaning Up the Potomac

For decades the pulp and paper mill at Luke, Md., in Allegany County has been a symbol of air and water pollution on the Potomac River.

Now it is becoming a symbol of what can be done to alleviate pollution.

The Luke mill, according to a release from Westvaco, has spent more money than any operation on the Potomac River, except the District of Columbia government, to clean up the river.

The $14,000,000 invested in antipollution equipment is about one-tenth of the total company investment at Luke.

The Citizens Council for a Clean Potomac, located in Washington, D.C., has cited the Luke mill for its excellent work in cleaning up the river.

The Keyser Jaycess presented a plaque for the mill's efforts in air and stream pollution abatement.

One of the big milestones in water pollution abatement was the waste treatment plant at Westernport. It was built and operated by the Upper Potomac River Commission and serves three towns, but Westvaco underwrote the bonds necessary for construction and the company pays 96 percent of all costs, including amortization of the bonds and operating expenses.

It must be doing a good job, because the most recent Potomac Basin conference included a railroad excursion through the Potomac Valley with lunch at the Westernport treatment plant. That shows a lot of confidence in a treatment plant. Hagerstown has done good work in improving its treatment plant, but we're not quite ready to invite anybody there for lunch yet.

The company is careful not to claim that it has solved all pollution and odor problems, but it does say there won't be foam covering the river from bank to bank again and the once-barren hill behind the plant gets greener every year.

There are also some ironies in the situation.

The Potomac River above the mill intake looks clean and sparkling. Actually it is so polluted with acid mines drainage that the mill must use stainless steel piping at the water intake and provide expensive treatment to make it good enough to use in pulp and papermaking.

And the better job the Luke mill does in water pollution abatement, the more acid the river becomes.

Before installation of the new lime kiln, the Luke mill's alkaline effluence neutralized the acid Potomac. Now the acid water is going further and further downstream.

Acid water is going to become an even more serious problem when the Bloomington Dam is built. The dam will back up acid water into Garrett County, then release it in large quantities in time of drought. Recent authorization of the much-needed dam makes it even more urgent to do something about pollution from acid mine drainage.

The other major area of pollution on the Potomac River is metropolitan Washington and the estuary, and the worst offenders are the federal agencies themselves, by the federal government's own admission.

Since the federal government is demanding that everybody else clean up his own pollution, there is no excuse for the government itself to pollute the river.

It's not impossible.

Ask Westvaco.

Progress on the Potomac

Pollution is like the weather. "Everyone talks about it but no one does anything about it."

Yes, that's the impression many of us get today when we hear and read about the pollution that seems to be sweeping the nation. Pollution sources are many and varied. The whole of society adds to the problem in one way or another.

It's true that there are many pollution problems throughout the nation today. We can't speak for other areas. But we certainly do know what is happening right here at home. Someone is really doing something about it!

Let's look at the record! Some fifteen years ago at Luke, foam on the river from bank to bank was not uncommon. There were 128 openings in the river wall of one kind or another. Ashes, bark, lime mud, condensate, etc., went into the river.

Over thirty years ago the hill behind the Luke mill became barren, the result of effluent from an acid sulphite process, production of raw material for activated carbon and effluent from less efficient power boilers.

The typical odor of a kraft pulp mill had been a source of anquished remarks from many visitors for years.

WHAT'S HAPPENING NOW?

Today, the Luke mill has spent more money than any operation on the Potomac River, except the District of Columbia, to take the lead in working toward a cleaner Potomac.

The Citizen's Council For a Clean Potomac, located in Washington, D.C., has cited the Luke mill for its excellent work in cleaning up the river. The Keyser Jaycees presented a plague for the Mill's efforts in air and stream pollution abatement. One of the major milestones in water pollution abatement was the waste treatment plant at Westernport. Built and operated by the Upper Potomac River Commission. Westvaco underwrote the bonds necessary for construction and the company pays over 96% of all costs, including amortization of the bonds and operating expenses.

Today, those 128 river openings have been reduced to a bare minimum with flood pumps and cooling water discharges comprising the bulk of the few remaining outlets.

Today, the Luke mill has installed and in operation electrostatic precipitators on three of the four major stacks. Precipitators are the most efficient air pollution abatement devices available to reduce particulate matter. Design engineering work is already underway for a precipitator on the fourth major stack. The present cost for each of these units would be about $600,000.

There are five wet scrubbers in operation at strategic points, as well as bag filters and mechanical dust collectors.

Today, the hill behind the mill gets greener every year (ask any long-time resident). This is the result of a change to the sulphate process as well as increasing use of stack cleaning devices.

Today, the Luke mill has in operation a black liquor oxidation unit to help reduce odor. Installed during the summer of 1967, the unit cost $250,000 to reduce the odorous gases about 30%.

This unit will not eliminate all odor (we were careful to make this point when it started up), but it is one major step in a long-range program to drastically reduce the boundaries of the "odor threshold".

Today, the Luke mill have about $14,000,000 invested in facilities, of one kind or another that aid pollution abatement. That is 10% of the total company investment of $140,000,000 here at Luke—a lot of money any way you cut it.

Even with this effort, the mill has not achieved perfection in its pollution abatement activities.

The point is that giant strides have been taken in a very short time. The mill has become one of the real leaders in the pollution abatement effort. Let's give credit where credit is due!

All this progress and activity in improvement of air quality has taken place voluntarily. The Luke mill had quietly been installing air pollution control equipment long before it became the popular "cause" that it is now.

ALL IS NOT GOLD THAT GLITTERS

Two important points must be kept in mind when discussing the Luke mill.

The large volume of "white smoke" seen rising from the mill is mostly water vapor, and not smoke. As most employees know, this is steam which is released during the production of pulp and paper. Do not confuse air pollution with the large amounts of water vapor you see.

The Potomac River above the mill intake looks clear and sparkling. Actually, it is so heavily polluted with acid mine drainage that the mill must use stainless steel piping at the water intake and provide expensive treatment to make it good enough to use in the pulp and papermaking process.

One paradox in this situation is that the better job the Luke mill does in water pollution abatement, the more acid the river becomes.

Before installation of the No. 3 lime kiln, the Luke mill's alkaline effluent neutralized the acid Potomac. Now the acid Potomac water is going further and further downstream since there is less and less alkaline effluent. Ironic, isn't it?

WHERE DO WE GO FROM HERE?

A multi-million dollar program is now being designed that will move the Luke mill even further ahead in air and water pollution abatement.

This "Blueprint for Progress", when completed, will give the Luke mill additional efficient facilities for pollution abatement to further improve the quality of both air and water.

The Luke mill is not perfect. There has been no attempt to say that there is no room for improvements. But a steady, continuing pollution abatement effort indicates a sincere desire to continue as a good neighbor and to remain among the leaders in pollution abatement.

What is "in the works" for future pollution abatement facilities? Right now it would be difficult to give a month-by-month startup time for new equipment, but here is what is happening.

A shroud has been authorized for the lime kiln. This is an expenditure of some $112,000 to further reduce the possibility of residual lime dust escaping to the air. Some of this equipment is already installed and more work will be done in the immediate future.

An expenditure of over $225,000 has been authorized to reuse the pulp mill combined condensate. Engineering is under way now. When completed, this will mean a reduction in the BOD (biochemical oxygen demand) of the river.

A computerized model of the Potomac River has been authorized. This will enable Luke mill and Division technical people to undertake extremely detailed studies of the river and the mill's effect upon it and to determine what additional steps are needed to improve water quality.

Studies, engineering or authorization requests are in various degrees of completion for such varied items as demister mesh pads for smelter vents (to control odor and particulate matter), scrubbers (air), condenser rebuilds (odor), a precipitator (air), surface condenser (water), etc.

The Luke mill for many years has been sincerely interested in maintaining a far-reaching program of pollution abatement activities and it will continue to do so.

HERE'S WHAT WE ARE DOING AT LUKE FOR POLLUTION ABATEMENT

Equipment	Date installed	Purpose	Cost
Shroud	[1] 1969	Prevent residual lime dust from escaping at cooling units of limekiln.	$112,000
Reuse combined condensate	[2] 1969	Eliminate 1 effluent point to reduce biochemical oxygen demand on the river.	225,000
Computerized model of river	[1] 1969	Make possible extremely detailed studies of the river to determine future requirements to improve water quality.	
Upper mill sanitary sewer	[3] 1969	Eliminate sanitary sewer discharge to river	40,000
Demister No. 2 recovery	[4] 1969	Stop chemical pollution of air from smelter tank	24,000
Electrostatic precipitator	1968	Remove chemicals and particulate matter from flue gases of No. 25 power boiler.	600,000
3 wet scrubbers	1968	Prevent particles of clay and starch from escaping in the unloading area. Stops particles as small as 1 micron (0.00004 of an inch).	50,000
Electronic interlock	1968	Shut down lime kiln if air pollution abatement equipment fails	
Black liquor oxidation unit	1967	Reduce mill ordor 30 percent by preventing hydrogen sulfide from escaping.	250,000
No. 3 lime kiln	1966	Recover chemicals used in the pulping process. A major secondary benefit is elimination of lime mud escaping to river.	4,705,000
Wet scrubber	1966	Prevent escape of lime dust at kiln dry end (99 percent effective).	40,000
Wet scrubber	1966	Prevent escape of lime dust at kiln wet end (99 percent effective).	[5] 40,000
Pulpmill sewer extension	1966	Tie in numerous mill outfalls with the waste treatment plant	30,000
Covered conveyors	1966	Prevent the escape of lime dust and limestone dust while moving lime to storage. Located at wet and dry ends of lime kiln.	(5)
Concrete moats	1966	Placed around all tanks at lime kiln to contain liquid and prevent water pollution in event of tank overflow.	(5)
Dust collector	1965	Retain sawdust in chipper house	22,400
Bag filters	1964	Reduce escaping dust in clay and starch unloading area	20,000
Electrostatic precipitator	1963	Remove chemicals and particulate matter from flue gases of No. 1 recovery boiler.	330,000
Upper Potomac River Commission activated sludge plant for waste treatment.	1960	Treat wastes from Luke mill as well as 3 local towns	[6] 4,000,000
Electrostatic precipitator	1959	Remove chemicals and particulate matter from flue gases of No. 2 recovery boiler.	300,000
Clarifier unit	1958	Treat wastes from papermill. (Emergency standby at present.)	515,000
Ash lagoon	1957	Prevent boiler ash from reaching the river	115,000

[1] Early.
[2] Late.
[3] Spring.
[4] Mid.
[5] Designed and built as part of the $4,700,000 No. 3 lime kiln.
[6] Bond issue underwritten by company. Luke mill pays 96 percent of current operating costs.

Note: Savealls or fiber recovery facilities are on all 9 paper machines.

CUTTING THROUGH THE OIL FOG

Mr. PROXMIRE. Mr President, U.S. Oil Week has done its usual fine job cutting through all the verbiage being spewed out by the oil companies as they try to defend all their special privileges.

I ask unanimous consent that U.S. Oil Week's analysis of the oil tax arguments as well as a table of the Federal taxes of the largest refiners be printed in the Record at the conclusion of my remarks.

Mr. President, as we near the vote on the surtax extension, I think it is very important to realize that the oil companies with their high and increasing profits are shifting their fair share of the tax burden to the shoulders of the average taxpayer who does not have all the special tax privileges enjoyed by the oil industry.

In 1968 the major oil companies paid only 7.7 percent of their net income in Federal income taxes, down from 8.3 percent in 1967. The lowest tax bracket for individuals is 14 percent.

Now, we have the surtax which falls most heavily upon the individuals who are already overtaxed. Yet we are told that we must pass the surtax extension without any major tax reforms because the country needs the surtax.

Mr. President, one thing the country does not need is the continuation of the heavy tax burden on the average family which has to live on earnings from wages or a salary while the oil barons continue to rake in record high profits without paying any significant Federal income taxes.

There being no objection, the analysis was ordered to be printed in the Record, as follows:

Cutting Through the Fog—Handy Guide to Oil Tax Arguments

As the oil tax debate heats up in the U.S. Senate proponents of special favors for large refiners are circulating their arguments to the public and Congress.

Below are the most commonly heard arguments and *U.S. Oil Week's* views of them.

OIL PAYS MORE TAXES THAN MOST BUSINESS

This gem—voiced by API President Frank Ikard and others—was "'documented" recently by the oil producer who heads the Senate's tax writing committee, Russell Long (D., La.).

Long said the top 19 oil companies pay 42.9% of their net income in taxes.

A staff study done for Long by committee staff shows the low federal taxes reported originally by *U.S. Oil Week* (Aug. 5, 1968).

The Long figure shows 8.8% of net income was paid as federal income tax.

But then Long adds in all kinds of local taxes on production, severance taxes and property taxes.

Some defenders of tax avoidance even add in excise taxes.

But if you add to the average man's federal income tax burden all other taxes he pays the figure would be well above the typical 18% to 20%.

Sen. Wm. Proxmire (D., Wis.) countered Long's claim by noting that some oil companies—even with all of the local taxes thrown in—pay less "than most industries pay in federal income tax alone."

Proxmire chose Atlantic Richfield as a horrible example noting that in 1967 it paid no federal income tax (on its $138.5 million profit), 8.6% as state and foreign taxes and 18.5% as severance, production and property taxes.

"Compare this 27% with the 40% borne by the average manufacturing company," Proxmire said.

As for excises, the public pays the tax on gasoline, not the refiner.

Refiners only collect the taxes.

An even more preposterous figure was put together by Price Waterhouse & Co., the accounting firm, showing 21 oil companies in 1967 paid 6.4% of their "adjusted" gross income in direct taxes.

The "study" was made for the Mid-Continent Oil & Gas Assn. and given to the House Ways & Means Committee to help it decide about oil taxes.

The industry generated more than $17 billion in taxes here and abroad, the accountants tabulated, including $7.5 billion in motor fuel and other excises.

Price Waterhouse took tax information from the top 21 companies.

To beef up the tax percentage, the accountants threw in not only severance, property and production but even payroll taxes, customs duties and ad valorem taxes.

Then majors can say:

"We pay 64% of our income in direct taxes."

A letter from Midco to Congress urges tax writers to dismiss earlier tax figures put in the Congressional Record (from U.S. Oil Week) as misleading.

The trick word was "adjusted" income.

By adjusting the income, federal taxes rose to 19% from the 8.8% in Sen. Long's study.

Midco noted that a federal tax credit is only allowed for the income taxes on profits made abroad.

Foreign income taxes—allegedly omitting all royalties—came to $1.6 billion in 1967.

But what's a tax and what's a royalty is often debatable.

Out-and-out royalties to foreign governments exceeded $500 million, Midco said.

The foreign taxes are offset against federal income tax payments as a credit.

The investment tax credit lowered federal income tax of the 21 firms by only $141 million compared with $1.6 billion for foreign tax credits.

THE INDUSTRY STANDS FIRM AGAINST CHANGE

Independence producers, with their own grievances against major companies, have been moving away from defense of depletion allowance for exploration abroad.

The battle broke wide open in June at the Independent Petroleum Assn. of America's convention.

Earlier the Texas independents (TIPRO) approved a committee report noting that the attack on foreign depletion and foreign tax credits was the major companies' headache.

TIPRO took no stand on tax incentives for overseas and tried to win IPAA to that stand, but failed.

Wallace Wilson, a leading Chicago banker, told IPAA a cut in depletion isn't the worst thing that could happen.

Ending the right to write off the intangible costs of drilling would be a hard blow to independent producers, he added.

OIL TAX FAVORS HELP FIND MORE OIL

This argument, originally the strongest argument for lower taxes on oil has weakened in recent years.

"The industry isn't drilling as hard as its resources, equipment and know-how permit," cautioned the *Oil & Gas Journal*.

"As a result, it is not finding the oil and gas needed to meet skyrocketing demand . . . Unless the petroleum industry steps up its exploration effort and has some new reserves to show, its defenders may be clobbered in their future battles with critics," the *Journal* added.

If U.S. producers are favored with tax incentives and protection from market competition by the imports wall and state controls, why aren't they looking?

In 1968 there were 26,500 fewer wells drilled than in 1956.

The tax system actually encourages exploration abroad by granting the depletion allowance for searching overseas.

If China allowed foreign oil firms to explore, a company could get depletion for adding to China's oil supplies.

Foreign royalties may be treated as tax credits.

That really draws oil money abroad.

All of the easy-to-find oil has been located in the continental U.S.

Drillers have to look deeper and it costs a lot more to drill at home especially when you have to go deeper down.

That oil tax benefits haven't worked was shown in a Treasury Department study that showed that additional marginal production brought on by domestic oil tax provisions have produced about $150 million a year more oil at a loss to the Treasury of $1.6 billion in revenue.

"In effect," Sen. Proxmire said, "we're paying $10 for every $1 in additional oil reserves."

If the depletion allowance were completely eliminated our 12 year supply would probably be cut to an 11-year level, Treasury forecast.

OIL IS A WASTING ASSET

Every time a barrel is pumped out of the ground the producers capital is depleted.

Every year a man works his working life is cut by a year, Rep. Richard Fulton (D., Tenn.) told the House.

By that reasoning we should all get a depletion allowance.

Actually the wasting asset argument can support a claim for cost depletion, the amount actually taken out of the ground.

But allowing producers a fixed percentage rate of 27.5% allows depleting the same asset 19 times over, according to an Internal Revenue Service study.

MARKETERS SHOULD HELP DEFEND THE PRODUCTION TAX FAVORS

Since the goodies are in production rather than marketing, profits are pushed back to the propped up crude oil price.

Equitable taxation—on a par with other industries and small businessmen—would encourage constructive marketing practices, many marketers believe.

Other marketers—who have substantial stock holdings in major companies—favor the refiner's viewpoint.

But did they get the stock in return for the sale of their company?

Incentives are needed *to draw the vast capital needed to find new reserves.*

This argument is advanced by banks specializing in loans to oil companies such as New York's Chase Manhattan.

But where is all the investment going today?

If present tax policy is drawing exploration money abroad leaving the system untouched won't help gather a lot of capital.

Some economists argue that the industry is actually overcapitalized now because of the attraction of the tax gimmicks.

Without the gimmicks investment would decline and return on investment before taxes would be improved.

NATIONAL SECURITY WOULD SUFFER

How does it help the nation's security for the biggest taxpayers to skip taxes or pay practically nothing?

Federal tax figures show tax advantages are given mostly to the big internationals, Texaco, California and Jersey Standard, Gulf, Mobil and smaller internationals, Marathon and Getty.

Much higher taxes are paid by domestic firms, Phillips, Ohio Standard, Sunray, Ashland, Indiana Standard.

HIKING OIL TAXES WILL RAISE GASOLINE AND FUEL OIL PRICES

Indiana Standard makes a bigger profit than Shell, but Standard pays 20% federal income tax and Shell paid 13%.

They often sell for the same price to their stations where they compete.

Texaco paid 1.9% of its net income in 1967 while Ashland Oil & Refining paid 32.8% yet they both sell at about the same price and make money.

In fact Sen. Proxmire has accused Texaco of hiking prices in February because of the tax situation so it can pay itself a higher price for crude oil and lower its federal taxes.

Prices are determined by competition or the lack of it, not taxes.

The reserve supply of saturated fat collecting in some of the larger firms shows a vast source to fall back on.

As Rep. Charles Vanik (D., O.) pointed out to the House that Atlantic reported income before taxes of $377,942,000 in 1965–67 yet paid no federal income taxes at all.

California Standard earned a half billion in 1967 but only paid 1.2% as federal income tax.

That's a lot of fat.

Of course refiners could use a tax increase as an excuse to hike product prices.

They wisely avoided that point when the surtax was imposed (except for Ohio Standard which pays a higher tax than competitors).

Of course a 10% surtax on little or no taxes isn't much to complain about.

PERCENTAGE DEPLETION HAS BEEN ON THE BOOKS FOR 43 YEARS

That's no argument.

Sin's been around even longer than that.

NEW TAX BOOM FOR MAJORS

The Internal Revenue Service last month ruled that the social security tax paid by U.S. companies under the Venezuelan retirement program *is an income tax.* Thus U.S. firms can deduct the amount from its U.S. federal tax payment. If IRS had ruled the other way, the majors operating there would have to treat the social security payments as a cost of doing business.

FEDERAL TAXES OF LARGEST REFINERS

	Net income before tax	Federal tax	Percent	Foreign, some States' tax	Percent	Profit after tax
STANDARD (NEW JERSEY)						
1962	$1,271,903,000	$8,000,000	0.6	$423,000,000	33	$840,903,000
1963	1,584,469,000	69,000,000	4.3	496,000,000	31	1,019,469,000
1964	1,628,555,000	29,000,000	1.7	549,000,000	33	1,050,555,000
1965	1,679,675,000	82,000,000	4.9	562,000,000	33	1,035,675,000
1966	1,830,944,000	116,000,000	6.3	624,000,000	34	1,090,944,000
1967	2,061,000,000	166,000,000	8.1	700,000,000	34	1,195,028,000
1968	2,313,587,000	233,999,000	10.1	802,907,000	34	1,276,681,000
TEXACO						
1962	$546,371,000	$13,000,000	2.3	$51,700,000	9	$481,671,000
1963	615,768,000	10,250,000	1.6	58,850,000	12	545,668,000
1964	660,761,000	5,500,000	.8	77,900,000	11	577,361,000
1965	726,198,000	10,000,000	1.3	79,500,000	11	636,698,000
1966	845,466,000	32,500,000	3.8	103,100,000	12	709,866,000
1967	892,986,000	17,500,000	1.9	121,100,000	13.5	754,386,000
1968	1,019,930,000	23,800,000	2.3	160,600,000	15.7	835,530,000
GULF						
1962	$488,351,000	$19,389,000	3.9	$128,871,000	26	$340,091,000
1963	540,065,000	30,870,000	5.7	137,842,000	25	371,353,000
1964	607,343,000	52,443,000	8.6	159,782,000	26	395,118,000
1965	655,727,000	53,559,000	8.1	174,935,000	26	427,233,000
1966	813,868,000	90,008,000	11.0	219,098,000	26.9	504,762,000
1967	955,968,000	74,142,000	7.8	303,539,000	31.8	578,287,000
1968	977,321,000	8,005,000	.81	342,997,000	35.1	626,319,000
MOBIL						
1962	$379,339,000	$8,300,000	2.1	$128,700,000	33	$242,339,000
1963	437,352,000	23,000,000	5.2	142,500,000	32	271,852,000
1964	464,660,000	27,700,000	5.9	142,800,000	30	294,160,000
1965	508,016,000	33,900,000	6.6	154,000,000	30	320,116,000
1966	555,412,000	23,200,000	4.4	176,100,000	31.7	356,112,000
1967	594,593,000	26,900,000	4.5	182,300,000	30.7	385,393,000
1968	673,739,000	22,000,000	3.3	223,500,000	33.2	428,239,000
STANDARD (CALIFORNIA)						
1962	$348,181,000	$5,800,000	1.6	$28,600,000	8.0	$313,781,000
1963	356,568,000	2,900,000	.8	31,600,000	8.0	322,068,000
1964	448,053,000	14,100,000	3.1	125,837,000	28.1	308,116,000
1965	507,341,000	12,500,000	2.5	142,941,000	28.2	351,900,000
1966	564,256,000	27,300,000	4.8	151,019,000	26.8	385,937,000
1967	791,962,000	12,900,000	1.6	369,669,000	46.7	409,393,000
1968	569,431,000	16,700,000	2.9	100,900,000	17.7	451,831,000
STANDARD (INDIANA)						
1962	$168,843,000	$3,105,000	1.8	$3,381,000	2.0	$162,420,000
1963	208,022,000	22,182,000	10.6	2,748,000	1.0	183,092,000
1964	204,817,000	8,486,000	4.1	1,480,000	.7	194,851,000
1965	263,098,000	39,578,000	15.0	4,248,050	2.0	219,272,000
1966	300,531,000	--------	--------	49,672,000	--------	255,869,000
1967	366,847,000	74,021,000	20.2	10,576,000	2.9	282,250,000
1968	395,064,000	74,678,000	18.9	10,892,000	2.8	309,499,000

FEDERAL TAXES OF LARGEST REFINERS—Continued

	Net income before tax	Federal tax	Percent	Foreign, some States' tax	Percent	Profit after tax
SHELL						
1962	$173,555,000	$7,200,000	4.1	$8,680,000	5	$157,675,000
1963	211,575,000	19,100,000	9.0	12,623,000	5	179,852,000
1964	213,575,000	2,800,000	1.3	12,585,000	5	198,190,000
1965	274,507,000	26,600,000	9.6	13,876,000	5	234,031,000
1966	313,085,000	46,100,000	14.7	11,785,000	3.7	255,200,000
1967	342,022,000	44,940,000	13.1	12,233,000	3.6	284,849,000
1968	387,767,000	63,378,000	16.3	12,298,000	3.2	312,091,000
CONOCO [1]						
1962	$73,477,000	$1,065,000	1.4	$3,335,000	5	$69,077,000
1963	99,665,000	9,143,000	9.3	9,157,000	3	87,365,000
1964	204,184,000	235,000	.1	103,840,000	50.9	100,109,000
1965	201,914,000	4,670,000	2.3	101,093,000	50.1	96,151,000
1966	290,924,000	11,669,000	4.0	122,339,000	42.1	156,916,000
1967	280,584,000	7,649,000	2.7	123,973,000	44.2	148,962,000
1968	290,357,000	9,721,000	3.3	130,594,000	45.0	150,042,000
ATLANTIC						
1962	$61,110,000	0	0	$14,844,000	24	$46,266,000
1963	56,747,000	0	0	12,734,000	22	44,013,000
1964	61,081,000	0	0	14,005,000	22	47,076,000
1965	105,299,000	0	0	15,188,000	14	90,111,000
1966	127,384,000			13,900,000	12.7	113,484,000
1967	145,259,000			15,254,000	10.5	130,005,000
1968	240,272,000	$2,999,000	1.2	37,713,000	15.7	199,560,000
SUN						
1962	$66,395,000	[2] $200,000	0	$13,400,000	20	$53,195,000
1963	79,976,000	1,300,000	1.9	17,460,000	22	61,216,000
1964	88,577,000	2,400,000	2.7	17,670,000	20	68,507,000
1965	113,405,000	10,300,000	9.0	18,220,000	16	84,835,000
1966	131,544,000	16,600,000	12.6	14,370,000	10.9	100,574,000
1967	146,946,000	24,700,000	16.8	13,670,000	9.3	108,576,000
1968	227,790,000	44,290,000	19.4	19,070,000	8.4	164,430,000
PHILLIPS						
1962	$158,320,000	$48,000,000	30.3	$3,365,000	2	$106,955,000
1963	160,954,000	52,000,000	26.2	3,491,000	2	105,463,000
1964	152,197,000	32,229,000	22.2	4,950,000	3	115,018,000
1965	165,876,000	31,745,000	19.1	6,415,000	4	127,716,000
1966	218,382,000	59,163,000	27.0	7,595,000	3.4	151,624,000
1967	227,766,000	52,255,000	22.9	11,496,000	5.0	164,015,000
1968	184,560,000	32,584,000	17.7	15,174,000	8.2	136,802,000
UNION						
1962	$59,421,000	$8,000,000	13.5	$5,500,000	9	$45,921,000
1963	73,028,000	13,100,000	17.7	6,000,000	8	53,928,000
1964	87,564,000	13,300,000	15.2	7,200,000	8	67,064,000
1965	119,214,000	15,604,000	13.2	8,840,000	7	94,770,000
1966	170,782,000	18,398,000	10.7	10,144,000	5.9	142,240,000
1967	163,820,000	10,400,000	6.3	8,457,000	5.2	144,963,000
1968	164,232,000	5,955,000	3.6	7,045,000	4.3	151,232,000
MARATHON						
1962	$36,064,000	[2] $2,200,000	0	$205,000	.5	$37,889,000
1963	50,058,000	(3)	0	933,000	2	49,125,000
1964	63,220,000	(3)	0	2,844,000	4	60,376,000
1965	97,416,000	(3)	0	37,345,000	38	60,071,000
1966	130,927,000	2,400,000	1.8	59,700,000	45.9	68,826,000
1967	138,520,000	3,700,000	2.7	60,962,000	44.0	73,858,000
1968	155,335,000	4,350,000	2.8	67,659,000	43.6	83,326,000
CITIES SERVICE						
1962	$84,143,000	$20,773,000	24.7	$3,185,000	3	$60,185,000
1963	101,976,000	20,188,000	21.4	4,283,000	4	77,505,000
1964	105,299,000	19,819,000	18.9	967,000	.9	84,513,000
1965	137,068,000	31,973,000	23.3	977,000	.7	104,118,000
1966	194,456,000	51,760,000	26.7	902,000	.4	141,794,000
1967	165,289,000	32,347,000	19.6	5,105,000	3.1	127,837,000
1968	138,613,000	12,683,000	9.1	4,594,000	3.3	121,336,000
STANDARD (OHIO)						
1962	$37,235,000	$9,275,000	25.0	$3,738,000	10	$24,222,000
1963	54,008,000	15,225,000	28.1	4,896,000	9	33,887,000
1964	70,252,000	21,150,000	30.2	5,334,000	7	43,768,000
1965	82,848,000	26,300,000	31.7	6,386,000	8.3	49,712,000
1966	84,481,000	21,200,000	25.0	6,345,000	7.5	56,936,000
1967	101,496,000	29,200,000	28.8	8,412,000	8.3	63,884,000
1968	113,571,000	38,100,000	33.5	5,394,000	4.7	70,077,000
GETTY [4]						
1967	$132,762,000	$3,687,000	2.8	$10,909,000	8.2	$118,166,000
1968	112,798,000	6,712,000	6.0	7,836,000	6.9	98,250,000
SINCLAIR						
1962	$57,936,000			$10,586,000	18	$47,350,000
1963	85,731,000	[2] $1,200,000	0	10,201,000	12	75,230,000
1964	66,444,000	[2] 3,119,000	0	10,827,000	15	58,736,000
1965	96,072,000	4,100,000	4.4	15,299,000	15.9	76,673,000
1966	123,232,000	13,996,000	11.3	14,892,000	12	94,344,000
1967	130,017,000	10,585,000	8.1	24,060,000	18.5	95,372,000
1968	101,265,000	[2] 2,747,000	0	27,429,000	27.1	76,583,000
TIDEWATER						
1962	$35,191,000	$228,000	0.6	$2,387,000	6	$32,576,000
1963	42,795,000	63,000	0	3,384,000	8	39,474,000
1964	40,508,000	377,000	13.7	4,426,000	11	35,705,000
1965	60,397,000	58,000	.9	3,783,000	6	56,556,000
1966	80,542,000	3,350,000	4.1	5,301,000	6.5	71,891,000
ASHLAND						
1962	$24,324,000	$6,201,000	25.8	$2,799,000	11	$15,324,000
1963	28,769,000	10,556,000	37.7	104,000	.3	18,109,000
1964	36,385,000	9,672,000	26.8	2,977,000	8	23,735,000
1965	50,594,000	15,500,000	30.6	2,440,000	5	31,594,000
1966	69,324,000	20,830,000	30.0	5,570,000	8	42,924,000
1967	72,212,000	23,718,000	32.8	3,952,000	5.5	44,542,000
1968	79,115,000	26,251,000	33.2	4,524,000	5.7	48,340,000
SUNRAY DX						
1962	$41,203,000	$3,850,000	9.3	$1,152,000	3	$36,201,000
1963	48,223,000	4,321,000	8.9	1,374,000	2.9	42,528,000
1964	34,716,000	[2] 2,407,000	0	1,330,000	3.9	35,793,000
1965	41,445,000	980,000	2.3	1,597,000	3.9	38,868,000
1966	57,372,000	10,025,000	14.9	1,754,000	3.0	45,593,000
1967	74,526,000	17,672,000	23.7	2,390,000	3.2	54,464,000
SKELLY						
1962	$22,674,000	$1,260,000	5.7	$250,000	1	$21,164,000
1963	27,479,000	3,025,000	7.7	275,000	4	24,179,000
1964	26,601,000	785,000	1.2	275,000	2	25,551,000
1965	39,995,000	5,625,000	14.0	375,000	.9	33,995,000
1966	42,762,000	5,300,000	12.3	[5] 500,000	1.1	36,962,000
PURE						
1962	$27,680,000	[2] $2,546,000	0	$1,276,000	4	$28,950,000
1963	28,582,000	[2] 1,212,000	0	27,000	.01	29,767,000
1964	32,282,000	[2] 600,000	0	164,000	.5	31,518,000
RICHFIELD						
1962	$36,615,000	$6,000,000	16.6	0	0	$30,615,000
1963	29,767,000	1,300,000	4.4	$773,000	3	27,894,000
1964	26,255,000	[2] 629,000	0	5,249,000	21	21,455,000
TOTAL						
1962	$4,198,331,000	$169,492,000	4.0	$838,954,000	19.9	$3,194,770,000
1963	4,921,577,000	304,985,000	6.2	951,255,000	19.3	3,663,037,000
1964	5,322,329,000	233,241,000	4.4	1,251,442,000	23.5	3,837,646,000
1965	5,926,105,000	404,992,000	6.8	1,349,458,000	22.8	4,171,655,000
1966	6,945,674,000	569,799,000	8.2	1,598,086,000	23.0	4,777,789,000
1967	7,543,997,000	622,393,000	8.3	1,926,907,000	25.5	5,617,090,000
1968	8,144,747,000	623,458,000	7.7	1,981,126,000	24.3	5,540,163,000

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[1] Conoco's Federal income tax figure includes a reduction due to benefits arising from consolidation. Foreign and State taxes include Federal and State gasoline and oil excise taxes because the firm's financial statement gave no clear-cut breakdown.

[2] Credit.

[3] Marathon Oil's 10K filing with the SEC doesn't reveal how much Federal income tax Marathon paid in years prior to 1966.

[4] Getty income for 1967 includes companies previously listed as Tidewater and Skelly.

[5] State income tax.

FARM PRICE SUPPORT CEILING

Mr. BYRD of West Virginia. Mr. President, I voted against restricting maximum farm price support payments to $200,000 for the following reasons:

Politically, a vote for a ceiling on farm price support payments would have been the popular vote, because it does not sound good to say that a farmer gets $100,000 or $200,000 or more in payments. However, it must not be forgotten that he surrendered that much acreage. It is not a one-way street.

The adoption of a limitation on farm price support payments would have triggered the snapback provision of the Agriculture Act of 1949 regarding cotton, which would require the Government to purchase all surplus cotton at not less than 65 percent, and up to 90 percent, of parity. Therefore, instead of saving the taxpayers money, the price support payments limitation, according to the Secretary of Agriculture, Mr. Hardin, would cost the Government $160 million more than the existing program and would rebuild the large surpluses in Government warehouses which, in recent years, have been diminishing. Moreover, there would be additional costs to the Government for transportation, handling, and storage of these large surplus inventories of cotton.

Furthermore, the imposition of a limitation without basic legislative changes would not only cost the Government more, but it would also wreck the existing farm program in that it would throw the production from the larger farms onto the open market and further depress the very farm prices we are attempting to stabilize. In short, I voted against the limitation in order to save the taxpayers of West Virginia and the other States a minimum of $160 million and to protect the investment the U.S. Government already has made in its attempt to stabilize the prices which farmers receive for their products.

Even though I personally favor limiting these large payments, to vote for an amendment which would not accomplish the desired results and which would be vastly more expensive than the existing programs would be a serious mistake. I do not believe that the agriculture appropriations bill was the proper place for an amendment such as the payments limitation. This provision would have substantive ramifications and should properly be considered in connection with basic farm legislation which has received the thorough consideration of the Senate and House Committees on Agriculture. The proper time to accomplish this objective of limiting price support payments will be when the farm price support bill comes up for renewal in the next session of Congress. At that time, legislative changes can be written into the basic law to limit the large payments without destroying the remaining markets the farmer has for his products.

Secretary Hardin has assured Congress that he "believes it is possible to design a sound farm program that limits the number of dollars that can be paid to any one farmer for programs following the 1970 crop year." Incidentally, former Secretary of Agriculture Orville Freeman was also opposed to the price support limitation.

Finally, Mr. President, the proposed $20,000 ceiling on price support payments would not affect a single West Virginia farmer. I am advised that no farmer in my State receives even half this amount by way of support payments. But I am advised that such a ceiling would eventuate in higher prices to the consumers. In this sense, the ceiling would hurt West Virginians, farmers included.

For all of these reasons, I voted against the effort to place a restriction on farm price support payments. Again I say, however, I do personally favor the execution of feasible and workable steps to place a limitation on these large payments, and I hope that such a limitation will be included by the administration and by the Senate and House Agriculture Committees for enactment next year when the farm price support program comes up for renewal.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each reserve component of the Armed Forces, and for other purposes.

The PRESIDING OFFICER. Under the order previously entered, the Chair recognizes the Senator from Vermont.

Mr. STENNIS. Mr. President, may we have order before the Senator commences? If those who are visiting in the Chamber would be seated and remain seated, it would be quite helpful.

The PRESIDING OFFICER. The Senate will be in order.

Mr. DIRKSEN. Mr. President, will the Senator from Vermont yield?

Mr. PROUTY. I yield.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum. It will be a short quorum call.

The PRESIDING OFFICER. Does the Senator from Vermont yield for that purpose?

Mr. PROUTY. Yes; I yield.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CRANSTON in the chair). Without objection, it is so ordered.

Mr. PROUTY. Mr. President, since March 14, when President Nixon recommended the development and phased deployment of the Safeguard anti-ballistic-missile system, I have followed a course of quiet consultations and silent deliberations. Until recently, I remained undecided on this question. In avoiding an earlier commitment, my course, in the words of Vermont's immortal poet, Robert Frost, was "the one less traveled by." And it "has made all the difference" to me.

As this debate drew closer, various polls showed the ranks of my "undecided" colleagues to be ever diminishing and the prospects for a close vote to be increasing.

Consequently, the burden of my decision grew heavier. As I weighed evidence in support of and in opposition to Safeguard, I recalled an admonition—I believe President Eisenhower's—that "we can make of this world a barren desert or a flowering paradise."

President Eisenhower's alternatives became increasingly vivid as I deliberated in the macabre vocabulary of nuclear weaponry. Such terms as "assured destruction, acceptable losses, and megadeaths" conjure up the late President's vision of a barren desert, yet neither the vocabulary nor the realities can be wished away. Instead my decision must be made in the gruesome context of a "mutual deterrent."

Several weeks ago in Vermont, I remarked to some friends that if on that day I were to vote on the Safeguard authorization, I would vote against any funds for deploying the system. I reminded these friends of three votes last year in which I joined with a minority of Senators to defer deployment of the Sentinel system.

As this debate approached, I continued to avoid commitment and reviewed my position in the absence of any pressure other than that of my conscience. I conferred with Senators holding different opinions on Safeguard. I learned as much as I could of the views of scientists and defense experts and weighed the immense volumes of evidence gathered in extensive committee hearings.

POINTS CONSIDERED

In my deliberations and consultations, there were six major considerations.

First, in view of my votes on Sentinel, how does Safeguard differ from this earlier anti-ballistic-missile proposal?

Second, what range of options should be available to the President in the event of a nuclear ultimatum or an irrational or accidental missile attack?

Third, and perhaps most important, what effect would proceeding with Safeguard have on the prospects for strategic arms talks?

A fourth point I considered is: Would proceeding with Safeguard be interpreted as an escalation of the arms race?

As I am not a scientist, I found the fifth point of my deliberation extremely difficult. The point is: Will Safeguard work?

A corollary to point five is the sixth point: What are the estimated and potential costs of developing a workable Safeguard system?

SAFEGUARD VERSUS SENTINEL

In comparing Safeguard with Sentinel, I found that President Nixon's proposal overcomes several of my objections to Sentinel. Unlike Sentinel, the Safeguard system in defending our deterrent can be considered only as a defensive system whereas Sentinel in defending cities could be seen as a U.S. bid for a first-strike capability. Safeguard makes it clear that the United States wishes to deter a general war, not start one or provoke one.

The doubts I had about the effectiveness of Sentinel remains to some extent with the Safeguard; however, in the defense of cities, anything less than a complete "intercept capability" appears nearly worthless, while in defending missile sites, less than a complete "intercept capability" is tolerable.

President Nixon clearly stated on March 14 what Safeguard cannot do. One of my principal objections to Sentinel was the possibility our Nation might somehow delude itself into thinking the system provided our cities an invulnerability against attack.

Comparing the two anti-ballistic-missile systems, I concluded that Safeguard, unlike Sentinel, is in keeping with our nuclear strategy, which was expressed by President Kennedy in his March 28, 1961, message to Congress:

> Our strategic arms and defenses must be adequate to deter any deliberate nuclear attack on the United States or our allies. . . . Moreover we will not strike first in any conflict. But what we have and must continue to have is the ability to survive the first blow and respond with devastating power. This deterrent power depends not only on the number of our missiles and bombers, but on their state of readiness, their ability to survive attack and the flexibility and sureness with which we can control them to achieve our national purpose and strategic objectives.

OPTIONS AVAILABLE TO THE PRESIDENT

President Kennedy's use of the term "flexibility" reminds me of his phrase "the grim choice between humiliation and holocaust." In the instance of a nuclear ultimatum, an irrational or accidental missile attack, should the President have only one response—massive retaliation? Or are the interests of peace and survival better served if the Chief Executive has two buttons instead of one to push?

I pondered this question at great length. I envisioned a President faced with the knowledge that enemy missiles were heading toward the United States. I inquired as to what options are now available to him in response to such attack. I discovered there are now two grim alternatives—do nothing or push the button that unleashes our devastating nuclear fury.

If it were determined that the incoming missiles were part of an all-out nuclear attack on our Nation, the Chief Executive would probably be forced to push that one button.

However, these enemy missiles might be limited in number and their launching the result of an accident or the irrational design of a madman. What could the President do then? He is still caught with only two choices.

But if there was another button available, a button to trigger our missiles designed to intercept and destroy these incoming weapons, the President could push it and halt the attack without immense loss of lives at home or the catastrophic consequences of full retaliation.

I have concluded that it is in the interest of all mankind to increase the options available to the President. Safeguard provides an additional alternative, an extra button.

EFFECT OF SAFEGUARD ON ARMS TALKS

In March of this year prior to voting to ratify the Treaty on the Nonproliferation of Nuclear Weapons, I urged prompt adherence to the course set by article VI of the treaty, to negotiate in good faith to end the nuclear arms race and to effectuate nuclear and general disarmament. I renew these urgings today and stress that I could not with a clear conscience advocate any course that would be counterproductive to strategic arms talks.

On June 24, 1968, I, together with 33 other Senators, voted in favor of an amendment to defer funds for the deployment of Sentinel until July 1, 1969. This amendment, offered by the distinguished Senators from Kentucky (Mr. COOPER) and Michigan (Mr. HART), was rejected by a vote of 52 to 34.

Three days later, Soviet Foreign Minister Andrei Gromyko announced that the U.S.S.R. was "ready for an exchange of opinion" on "mutual restrictions and subsequent restriction of strategic vehicles for the delivery of nuclear weapons—offensive and defensive including antimissiles."

On February 9 of this year, Premier Kosygin was asked about ABM defenses at a press conference in London; he replied in part:

> I believe that defensive systems, which prevent attack are not the cause of the arms race, but constitute a factor preventing the death of people. Some argue this: What is cheaper, to have offensive weapons which can destroy towns and whole states or to have defensive weapons which can prevent this destruction? At present the theory is current somewhere that the system which is cheaper should be developed. Such so-called theoreticians argue as to the cost of killing a man $500,000 or $100,000. Maybe an antimissile system is more expensive than an offensive system, but it is designed not to kill people but to preserve human lives.

In view of the Soviet response to last June's authorization vote and the fact they insist their already deployed ABM system is purely defensive and not inimical to arms control negotiations, I contend that proceeding with the measured deployment of Safeguard should be considered as an incentive to meaningful arms limitation talks.

First, as I have previously stated, Safeguard clearly indicates that we want to deter general nuclear warfare, that we only want to protect our deterrent forces; and we do not seek to destroy the Soviet deterrent capability.

Second, it tells any potential enemy that we do not intend to have our deterrent forces downgraded through their continued production of offensive weapons.

In effect we are saying we will thwart enough even of a Soviet sneak attack to make their plans futile. The Soviet's only logical conclusion, then, will be not to waste time and money escalating their offensive missile arsenal, but rather to pursue serious arms limitation negotiations.

Last, the Safeguard system is a better incentive to meaningful arms limitation talks because it is a phased reactive-type system. The plans call for starting with two ABM sites—one in Montana and one in North Dakota—to protect enough of our deterrent force against attack. If the talks progress and guarantees are reached, the sites can be closed down. If the talks bog down or drag out and our best intelligence evaluation shows a Soviet first-strike threat, the sites can be maintained fully operational. An increased threat could lead to an expansion of Safeguard sites. What is important to me is that we will be taking our lead from the Soviets. If they seriously want arms limitations, Safeguard can be abandoned; if they want to keep the pressure on or increase the pressure, Safeguard can be maintained or expanded.

IS THE SAFEGUARD AN ESCALATION OF THE ARMS RACE

In discussing the implications of Safeguard on arms talks I made it clear that the measured deployment of Safeguard would allow us to take our lead from the Soviets. I think it is important to remember that it is not the United States which has in recent years been escalating the arms race. The Soviets acted first to test fire an ABM against an incoming nuclear-armed missile and they are the only nation to have done so; they are also the only nation to test and develop a bomb of the magnitude of 60 megatons. The Soviets have also acted first to develop and deploy a fractional orbital bombardment system—FOBS—and have already developed, deployed, and refined a partial ABM system. While they have taken the escalatory lead, the charge of escalation is raised against the United States when we seek to follow the Soviets in a measured-deployment of an ABM system. But who raises these charges? The Soviet Union cannot credibly attack our ABM system as provocative after insisting that their ABM system is nonprovocative. The charges of escalation come from domestic opponents of the ABM. I do not question their motives or their sincerity, but considering the record of escalation, I do challenge their contention.

In the historical context of the arms race, I contend that Safeguard cannot be considered an escalation on our part, but rather a cautious, measured response to the Soviet deployment of an ABM system. I would consider the suggested alternatives to Safeguard to be more escalatory.

Many opponents of the ABM contend that our funds would be better spent by increasing the number of our sea- and land-based missiles and bombers. In this regard I concur with the President who said after weighing this alternative:

> I have ruled out this course because it provides only marginal improvement of our

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> deterrent, while it could be misinterpreted by the Soviets as an attempt to threaten their deterrent. It would therefore stimulate an arms race.

Equally subject to miscalculation would be our failure to proceed with Safeguard. A potential enemy might interpret such a move as an unwillingness on our part to provide for an adequate defense. Such a misinterpretation of our motives might be highly provocative and lead to disaster.

WILL SAFEGUARD WORK?

Opponents of Safeguard have cast much doubt on the eventual effectiveness of this antimissile system. Of all the testimony offered by the scientific community in regard to Safeguard, I was most impressed by the candor of Dr. Edward Teller in his testimony before the Senate Subcommittee on International Organization and Disarmament Affairs.

As to a reliable estimate of Safeguard's effectiveness, Dr. Teller said this:

> There is a group of people which probably has reliable estimates. They are the Russian experts, who have practiced the deployment of defense for many years. Our own experts have widely different opinions as to the effectiveness of the Russian ABM system, and as to whether it will be extended beyond Moscow.

Dr. Teller went on to say:

> The important question is whether defense or offense is cheaper and more effective. At this present stage we must give the answer that we do not know. This state of ignorance must be ended. Some important answers will be forthcoming in the near future if we begin deployment as recommended by President Nixon.

In his testimony Dr. Teller contended that in the absence of U.S. expertise on defensive missile weaponry, our Nation might be at a disadvantage in arms limitation talks with the Soviets, who have gained much experience in ABM systems.

Dr. Teller's testimony reminded me of his essential role in the development of the hydrogen bomb and the division of scientific opinion preceding the bomb's development. Some scientists believed that the hydrogen atom could be split and that a hydrogen weapon could be produced. Other scientists insisted this was impossible.

In November 1952, we tested a thermonuclear device. Less than a year later the Russians announced—then tested—a fully developed hydrogen bomb. It was not until March 1954 that we produced a hydrogen bomb.

I remember there was a similar division of scientific opinion concerning the development of the Polaris missile delivery system. Fortunately in neither instance was the division of scientific opinion allowed to thwart our initiative. In a way, I see history repeating itself as regards Safeguard, but with an added factor—the widespread disillusionment with our Defense Establishment.

There are those who wish to follow a course limited to research and development of Safeguard. These opponents of deployment rest their case on the legitimate differences of opinion which have been raised about the system's ultimate effectiveness.

At this point, I am convinced that under the phased-deployment plan recommended by the President, phase I of this deployment is essentially a pilot or experimental step.

This phase is limited to the location of Safeguard components at two Minutemen wings. It should provide an opportunity to "shake down" the system to expose technical and operational flaws that might not appear in a research and development program without limited deployment.

My study of Safeguard convinces me that the system's ultimate effectiveness is based not on a single technological development but rather on the coordination of Safeguard's intricate components. This coordination is at present an unknown, which can be tested only in a deployed system. Consequently, I consider phase I of this deployment essentially an extension of our research and development efforts.

In the twisted logic of strategic warfare, there is also the ironic case to be made that if deployed, the Soviets must assume that Safeguard works and therefore the ABM system would act as a deterrent to a first strike.

WHAT WILL SAFEGUARD COST?

Senators are aware of my sense of priorities. I joined with a majority of Senators to continue the exemption of education programs from the budget ceiling. Subsequent to that successful vote, I joined a minority who favored extending this exemption to health programs. I have continually pressed for adequate funding in these and other fields responsive to our pressing domestic demands.

The cost overruns, waste, and miscalculations which have marred our Defense Establishment in recent years disturb me greatly. I have often thought aloud, what benefits could have been obtained if the funds spent in the C5-A cost overrun alone had been applied to education, health, housing, or economic development programs.

An intensification of congressional oversight has been a positive byproduct of these defense miscalculations. Congress has been further reminded of its budgetary and investigatory powers. To me this reassertion of congressional powers is long overdue.

I am well aware that Safeguard now contains many unknowns, which will be discovered as research, development, and initial deployment proceed. I cannot at this point discount the possibility that subsequent developments may lead to a markup of Safeguard's price tag. We may discover at some point in the future that offense is cheaper and more effective than defense.

But what is important to me is this: as we vote on this initial authorization we are only making a first step. The appropriations process follows and in each year of Safeguard's development, Congress will have the opportunity to review the program and the responsibility to authorize and appropriate or not to authorize and appropriate funds for the continuation of Safeguard. I believe that whatever the outcome of this pending vote it will not signify an end to the ABM debate. The debate will continue. On March 14 the President said:

> Each phase of the deployment will be reviewed to insure that we are doing as much as necessary but no more than that required by the threat existing at that time.

Similarly, Congress will follow Safeguard each step of the way utilizing our budgetary and investigatory powers to insure that we proceed in the best interests of the Nation and peace.

CONCLUSION

Mr. President, I have shared with other Senators the major considerations in my lengthy deliberations. By this time my conclusion should be apparent. I shall vote in favor of the fiscal year 1970 authorization for Safeguard.

However, I do not consider my support for Safeguard to be open ended. At some time in the future I may have sufficient doubts as to the effectiveness or potential costs of the system to oppose further expenditures for deployment of the system. But most important, there may come a time when I conclude that curtailment of Safeguard deployment might be in the best interest of pursuing meaningful arms limitations talks. I consider the reverse to be true at this point and time, but that may not remain so. If circumstances change and I consider a cessation of Safeguard deployment a requisite to meaningful arms talks, I would strongly urge the President to cease deployment of the ABM system.

As I do not consider my pending vote in favor of this authorization to "lock me in to Safeguard," neither do I consider my vote an endorsement of our military policy past or present. However, I consider this vote too important to use as a vehicle for displaying my wrath against certain inept defense policies and procedures.

It is in the interest of peace that I shall cast my vote in favor of this authorization for Safeguard. I believe that proceeding with this measured system will stimulate—not retard—moves toward strategic arms talks.

I hope and pray that these talks will soon begin and prove productive. If by some chance they drag on unproductively, are temporarily suspended, or ultimately fail, I want the President to have a sufficient flexibility in his response to a nuclear ultimatum, an irrational or accidental missile attack. I want the President to have a second button next to the one that might properly be labelled "holocaust."

Mr. President, in essence, I have reached this decision because I have concluded that this would not accelerate the arms race because it is a strictly defense oriented program. Certainly, it is much more likely to bring about meaningful arms control talks than exclusive concentration on the production of offensive weapons.

For if potential enemies know that we are capable of defending ourselves against attack and at the same time insure the survival of our own retaliatory forces, they may well reach the conclusion that little purpose would be served

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by increasing their stockpile of offensive weapons.

Though I believe at this point that proceeding with Safeguard enhances the prospects for peace, it does so only in the twisted logic of a "mutual deterrent." For truly neither Safeguard nor any weapons system will insure peace. The answer lies elsewhere and Adlai Stevenson pointed in the right direction toward the end of his first presidential campaign. He said:

> If the pursuit of peace is both old and new it is also both complicated and simple. It is complicated, for it has to do with people and nothing in this universe baffles man as much as man himself.

In other words, the answer lies in understanding our fellow man; the final safeguard lies within each of us.

Mr. DIRKSEN. Mr. President, this statement by the distinguished junior Senator from Vermont is in the greatest tradition of the Senate. It is in the greatest tradition of a great original State.

The Senator from Vermont has done what absolutely all of us have done. We have wrestled with what we thought was something of a crisis in our history.

John Ruskin, great author, commentator, and philosopher that he was, experienced crises like that. Some of the finest things that were committed to paper were those that came from those moments of crisis.

The Senator from Vermont has somehow confessed his sense of crisis as he sought to go forward and seek the truth. Little by little he has worn away the friable stones of error and has finally come to the hard truth which has committed him, at this point in time, to a support of the Safeguard system.

I think one of the greatest statements in his whole text is the very last sentence, because he says:

> In other words, the answer lies in understanding our fellow man; the final safeguard lies within each of us.

WIN PROUTY, that is a great speech. I congratulate you.

Mr. PROUTY. I thank the Senator.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. STENNIS. Mr. President, to one who has been working on this subject and is familiar with many aspects of it, it is stimulating to have a fine, clean, clearcut, analytical discussion here, as the Senator has given us.

I want to point out three matters that I think are so helpful in the debate. One is that the entire Safeguard program is under continuous review by the President of the United States. Two, it is also, of necessity, under yearly review by the Congress of the United States, which is the only power, under our system, that can vote the money. This is not merely a casual survey, but an actual review, on which there will be a minimum of four rollcall votes on this subject each year, one on authorizations and one on appropriations in the Senate, and the like situation in the other body. That is the minimum expression from the legislative branch. There can be more.

Another factor pointed out, which is so clear to me, is that it is purely a defense weapon, and clearly not an offensive weapon in any way. It is unthinkable that any logical person who might be an adversary would look upon Safeguard as anything except a defensive weapon which is designed to protect our arsenal.

Last, Safeguard does stimulate a genuine approach to arms limitation. Arms limitation is what we are all hopeful for and what we all want to bring about. That is what the President of the United States has in mind as his special mission during the forthcoming months. The speech of the Senator has taken into consideration the conditions the President is faced with and the safety of the Nation.

I thank the Senator for his speech which was both worthy and eloquent, as well as sound from a practical viewpoint.

Mr. PROUTY. I thank the Senator from Illinois. I appreciate his comments.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. SCOTT. I congratulate the distinguished Senator from Vermont for an excellent declaration of conscience and of conviction; for a statement which reasons a way to a conclusion which seems to him, and I may add to me, to be inescapable.

I am glad the Senator made reference to scientific judgments. I think all of us are aware that in every decision reached with regard to the defense of the United States, the scientists have been divided, and often down the middle.

The Senator will recall that at the time of the decision to "march" to the moon, the then scientific adviser to the President of the United States advised against it, on the ground that it could not possibly be done, and it would cost too much money, anyway.

Mr. PROUTY. I thank the Senator.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. JACKSON. Mr. President, I congratulate and compliment the able Senator from Vermont for a well reasoned speech. I was particularly impressed with his delineation of the alternatives open to the President of the United States. We live on the knife edge of history. A false move can lead to total catastrophe. If there ever was a need for the President to have additional options, it is in connection with the management of our nuclear strategic forces.

The Senator from Vermont has forcefully pointed out the need for this third option, to make it possible for the President to take whatever action is appropriate to stop an incoming missile, if the situation were such that that was the right course. Certainly, we ought to give the President the tools to have the kind of flexibility which, in the event of an irrational, accidental or very limited missile attack, could avoid a total nuclear exchange.

Mr. President, I think another point is of immediate significance. It relates to negotiations. I do not think one needs to be an expert in the field of diplomacy or of strategic weapons to appreciate the problems that a country must face sitting down at a negotiating table with the Soviets to work out a limitation or reduction of strategic offense and defense weapons. I can only put it this way: Does it make any sense that the Soviets would want to agree to dismantle or eliminate their ABM's already deployed when we do not have an ABM and have voted not to go ahead with one?

Mr. PROUTY. I could not agree more with the Senator.

Mr. JACKSON. I want to further point out, carrying out the thoughtful remarks of the able Senator from Vermont, that I think it is a definite possibility—as definite as anything can be—that the Soviets are going to be very reluctant at this point in history to dismantle their ABM's as long as they are confronted with the problem that they now face from Red China. I do think, however, Mr. President, as the reasoning of the able Senator from Vermont suggests, that we perhaps can get a mutual limitation on the number of ABM's on each side; if we, for our part, do not now unilaterally abandon deployment of our ABM system. I think such an agreement on a mutual limitation on ABM's would be in the mutual interests of the United States and the Soviet Union, in light of the situation which exists today.

I merely wanted to pay my highest compliments for the well thought out, well reasoned remarks of the Senator from Vermont in the presentation he has made today with reference to a decision on the ABM.

Mr. PROUTY. I thank the Senator.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. COTTON. Mr. President, I thank the Senator for yielding to me because as his friend and neighbor, I want to express my admiration for the stand he has taken and the speech he has delivered this day. I have lived all my life in sight of the State which he so ably represents. I knew WINSTON PROUTY before he ever came to Congress. I was a Member of the House of Representatives when he became a Member of that body and have had the privilege of serving with him there and for many years here in the Senate.

I have known Senator PROUTY over the years as one who is utterly fearless, utterly sincere, and as one who makes up his own mind and makes it up only after the most careful consideration and analysis. The speech he has just delivered is one of the most thoughtful and analytical speeches I have heard in many years in the Senate.

Last year when I voted for the Sentinel System—to which the Senator referred in his speech—I did so after wrestling with my conscience and with some doubts. I was reluctant to commit the Nation to such an extensive system—untested and untried. I have had no doubt about casting my vote for the carefully limited and revocable Safeguard System. And that is not because the President of one party advocated the Sentinel System and the President of another advocated the Safeguard.

As I listened to the words of the distinguished Senator from Vermont, I had constantly in mind the closing words of

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President Nixon's statement to the country when he said:

> I have weighed all these factors. I am deeply sympathetic to the concerns of private citizens and Members of Congress that we do only that which is necessary for national security. This is why I am recommending a minimum program essentially for security. It is my duty as President to make certain we do no less.

The statement of the distinguished Senator from Vermont is thoroughly in keeping with those words, and it is only one more evidence of the fact that he is and always has been, in my opinion, a real statesman.

Mr. PROUTY. I am deeply grateful to the distinguished Senator from New Hampshire.

I yield to the Senator from Texas.

Mr. TOWER. Mr. President, I wish to express my profound thanks to the Senator from Vermont. I have always been proud of the fact that my great grandfather was born in Vermont, but never more proud than I am today. I think the distinguished Senator has reflected great credit upon himself and upon his State. I think this is absolutely the most closely reasoned and most rational argument that I have heard throughout the course of the debate of the doctrine for the authorization of the ABM. I think it is a tremendous contribution to the debate. As a matter of fact, I kept saying to myself during this course of the Senator's remarks, "Why didn't I think of that?"

This was really a splendid argument. So many good arguments were advanced by the Senator from Vermont that it is difficult to single out any single one to comment upon, but one important contribution which I think the Senator added to the debate of last Friday on deployment was when he said:

> My study of Safeguard convinces me that the system's ultimate effectiveness is based not on a single technological development but rather on the coordination of Safeguard's intricate components. This coordination is at present an unknown, which can only be tested in a deployable system. Consequently, I consider Phase I of this deployment essentially an extension of our research and development efforts.

This is a point extremely well made. Again I thank the Senator for his monumental contribution.

Mr. PROUTY. I thank the Senator very much.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. PROUTY. I yield to the Senator from Nebraska.

Mr. CURTIS. I compliment the Senator on his very convincing and courageous statement.

I rise as one who claims no expertise, scientifically or from a military standpoint. However, I do feel that on these very important questions, we have to trust someone. Upon the President of the United States falls the awesome responsibility of guiding our foreign policy and acting as Commander in Chief of our Armed Forces. Any human being placed in that responsibility is going to get the best guidance he can. It will be conflicting. But once he has made his decision, I believe we can more safely rely upon the position of such a man, who carries such a heavy responsibility, than on any other source; and I commend the distinguished Senator for the position he has taken and the clarity with which he has made it known.

Mr. PROUTY. I thank the Senator from Nebraska.

I yield to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I merely wish to commend and comment briefly on my colleague's stand. I have served with him in the Senate for a number of years.

I was asked outside the Chamber a moment ago by two reporters if I was surprised by his remarks. I replied, "No, not surprised in the way that you think of surprise, because I have always known Senator Prouty to be a man who made up his own mind after meticulous thinking."

I frankly am envious of patience in coming to the decisions that he reaches. On this one, of course, we are in agreement. I think the Senator from Vermont rightly recognized the point that I think too many of the Members of this body overlook, that this has been the recommendation of our Commander in Chief, not as the President of the United States, but as the man charged with the responsibility of protecting the freedom of America, the dignity of America, and the body of America.

I do not believe that you can bargain with the safety of 200 million Americans. I think the President's decision as Commander in Chief was one that he came by in a hard way; but we have to remember also that the last three Presidents believed in this, the last three Secretaries of Defense have believed in and advocated it, all the Joint Chiefs of Staff in the same period of time have believed in it—in other words, the people responsible for the defense of the United States have all been for the deployment of something like the Safeguard.

I thank my good friend from Vermont for his typical courage. It did not surprise me a bit. In fact, the only day I shall ever be surprised and shocked by anything my friend from Vermont says is the day when a statement by him might seem to have been pressured on him, or not to have come as a result of his thinking.

I am very proud to serve in a body that has Members like Senator Prouty.

Mr. PROUTY. I am very grateful to my friend from Arizona. I yield to the Senator from California.

Mr. MURPHY. Mr. President, I, too, join with my colleagues in congratulating the Senator from Vermont for a most forthright, careful dissertation on a matter that has taken up most of the time of this body for the past week, and will take further time—a matter of such great complexity and importance that it once again proves the necessity for what seems to be, at times, the slow action of this body. Sometimes there are so many ramifications that need careful study and careful thought that decisions cannot be arrived at quickly or easily, or off the top of one's head.

I join in the remarks that have been made here in admiration of the careful analysis that the Senator has made of this problem. I believe that he pointed out all the values that must be considered, and that he has made it clear that in this matter of decision in this body, if there are any doubts in the minds of any Senators, those doubts must be resolved in favor of the future security and welfare of the United States of America.

I think that the point that the Senator made that at the present time, without question, we need a system, everybody agrees we need a system, the testimony has shown that this is the only system at the present time; was well taken. Then he pointed out clearly the matter of constant review. It may be that 6 months from now, if the arms talks are successful, it can be canceled, or a year from now, if they are successful, it can be canceled. If they are not, there may be new systems, and the review will provide for an updating, so that there will be no unnecessary waste, but the protection and the well-being of this country will be the uppermost consideration at all times.

Another point of great importance, which has been touched on by my distinguished colleague from Arizona, is that the President of the United States has the obligation, by a vote of the people, to make these decisions. He, as the distinguished Senator from Arizona has pointed out, is the Commander in Chief. He is the man who must, in the final analysis, listen to all the discussion and react to all of the ideas and thoughts; that he, finally, is the one who must take the responsibility for the decision.

He has done that, and he has said to us most thoughtfully and sincerely that he needs his. Who is better to judge what condition he should be in when he goes to meet with the Russians, in the hope of finding some solution to the matter of final and lasting disarmament, who better than the President out of his experience from the long availability of information that has come day by day and is coming currently?

I am so pleased that I have had the privilege of serving with the distinguished junior Senator from Vermont for the 5 years that I have been a Member of the Senate. There is no other Senator for whom I have more respect. His judgment and determination and courage determines his votes, and his wisdom in matters of concern for the welfare of the country have been outstanding.

I feel sorry for only one thing—that the Chamber was not filled with all Members of the Senate to hear the fine analysis and careful dissertation and clear thinking of the final sound conclusion arrived at by the distinguished Senator from Vermont.

I congratulate him and consider it a great honor to serve in the Senate and on Senate committees with him.

Mr. President, I ask unanimous consent to have printed in the Record an editorial entitled "Senate Should Vote 'Yes' On ABM," which was published in the Los Angeles Times on July 10, 1969. The editorial deals with the matter of the ABM, and it asks two very important questions and makes two very important points with regard to the decision.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SENATE SHOULD VOTE "YES" ON ABM

Issue: Now that the ABM debate has finally begun in the U.S. Senate, what are the basic questions confronting our lawmakers?

Millions of words have already been uttered in the long and tiresome debate over the proposed Safeguard ABM system and thousands more will be uttered before the U.S. Senate gets around to voting "yes" or "no" later this month.

Strip away all the verbiage, however, and it turns out that the senators fundamentally are facing two related questions:

Are they willing or unwilling to give the President of the United States the bargaining strength which he believes that he needs in order to negotiate an arms limitation agreement with the Soviet Union?

Keeping in mind that the arms control talks may fail, do they or do they not think it is worth investing less than 1% of our total defense budget to keep open the option of building a system of defense against the kind of missile threat which the Soviet Union may pose during the 1970s?

Members of the Senate should think very carefully before giving negative answers to these questions.

Although the fact has tended to become obscured in the heat and complexity of the propaganda battle over the ABM. Congress is not being asked to commit itself now to the entire $10.8 billion Safeguard system. It is being asked to approve a $759 million first installment for construction of two prototype installations.

Additional congressional approval will be necessary for work to proceed beyond these first two installations. And, as the Nixon Administration has made quite clear, the entire system need never be built if Washington and Moscow can agree to freeze or limit deployment of offensive and defensive missiles.

If the polls are any indication, a majority of those Americans who have made up their minds on the ABM are in favor of it.

Critics of Safeguard have mounted a massive, well-financed campaign to create the impression that the scientific community is overwhelmingly against the ABM.

The fact is that disagreement among scientists is as widespread as it is among laymen. Those who favor Safeguard include Dr. Lee DuBridge, former president of Caltech, and Dr. Frederick Seitz, president of the National Academy of Sciences. Equally prominent scientists are to be found among the opponents.

The Times suggests that members of Congress should resolve any doubts in their own minds in favor of the national security and a strong American negotiating posture.

Mr. PROUTY. Mr. President, I thank the Senator from California.

Mr. President, I yield now to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. DOMINICK. Mr. President, I have had the honor of serving with the distinguished junior Senator from Vermont on three committees since I have been a Member of the Senate. Invariably, the Senator makes a very careful and detailed analysis of the problem, whether it be on the Committee on Labor and Public Welfare, the Committee on Commerce, or the Committee on the District of Columbia.

The Senator has done a very fine job here today.

One of the things that I believe cannot be overemphasized is the other button concept which he produced in his speech. It is a matter which I have spoken on both in speeches and on the radio and television.

That concerns the awful, awesome dilemma that any President would be in in the event of an unauthorized, accidental launching of a nuclear missile targeted on our country, where the President, whomever he may be, did not have an antinuclear capability.

The President would be in an impossible situation, a situation in which we should never put any President, in my opinion, the situation in which he must determine in his own mind whether he was going to let the thing hit and explode and annihilate millions of Americans without doing a single thing, or whether he was going to automatically empty our silo in the general area from which the missiles had come.

We remember in reading Neville Shute's "On The Beach," that the accidental launching was done in one of the Middle Eastern countries. We had no other alternative but to fire at the Soviet Union. They started, and then the Chinese got going. The result was a holocaust before we got through.

This is the type situation in which we could put a President of the United States unless we give him another alternative in the decision he would have to make.

It is my hope that we can start taking steps to give him the other button, as the distinguished Senator from Vermont so wisely and aptly put it in his speech.

I congratulate the Senator. I am delighted that he came to this conclusion. I hope that his conclusion gets the maximum exposure as stated in his speech.

Mr. DOLE. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. DOLE. Mr. President, as a junior Member of the Senate, I commend the Senator from Vermont.

I have wrestled with this complex problem this year as a Senator and last year as a Member of the other body. I supported President Johnson's Sentinel system then because I felt he made the right decision considering all the circumstances.

The importance of the Senator's momentous speech today is not that his decision may tip the scales in favor of any point of view in the Senate, or for any President of the United States, but that his decision could well mean added security in the very highest and proper sense for all free people of the world.

The speech today by the Senator from Vermont, and the speech last week by the Senator from Washington (Mr. JACKSON), have been two of the highlights of this interesting, informative, and controversial debate.

After all the rhetoric, however, the issue is relatively simple. Either the President gets the tools he feels necessary to defend this Nation or he does not. Either this Nation will proceed to build a Safeguard system of missile defense or it will not. Either this Nation, ourselves included, has confidence in the judgment of the President of the United States or it does not.

There are arguments for and arguments against. No argument, no matter how noble in motive, no matter how inspiring, nor how impassioned the delivery may have been, means much when compared with the paramount question involved. This question is, again, whether or not we have confidence in the judgment of the President of the United States. The Senator from Vermont has expressed this confidence and again, I express my appreciation for his outstanding statement of position.

Mr. BAKER. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. BAKER. Mr. President, I express my gratitude to the Senator from Vermont for an exquisitely constructed and excellent speech on what is obviously one of the most important subjects that has confronted the Senate for some years.

Most, if not all, of the points made by the distinguished Senator have been touched directly or obliquely in debates so far. Obviously, I believe no other Senator has pulled together all the pieces as rationally, as fully, or as logically as has the Senator.

I commend him.

There is one inference I draw from the remarks of the Senator, one that I believe has not been touched upon frequently in the debate, but is inevitably present in his remarks today. That is the moral role the United States of America with respect to its overall defense posture.

The United States prides itself on being the most moral and most concerned nation on earth. I think it is. We have concern for the future destiny of mankind.

It falls our lot on occasion to put ourselves in the place of the Russian and to think of how we might react to an attack by the United States. In that respect, I grew concerned when I heard debate to the effect that there is no need for a defensive system such as the Safeguard because the sufficient and extravagant deployment of intercontinental missiles such as the Minuteman and of the Polaris gives us such a degree of overkill than any other system is ill-advised and unnecessary and an economic waste.

It is not fitting that the moral nation on earth should assume an ICBM mentality and put all of its eggs in one offensive basket to assure its own capacity to annihilate Moscow and Russia and all of its citizenry.

If I were a citizen of the U.S.S.R. and of the city of Moscow and saw the United States reject the defensive button in favor of continuing to depend entirely on an offensive capability, I would be pretty upset about it, too.

I believe that putting ourselves in the Moscovite position and seeing a determination by the United States to assume a defense of its own continental facilities, a defense of its own credible deterrent, we can feel far surer of the prospects for ultimate offensive arms limitation and the postponing or elimination of the prospect of nuclear holocaust than we can by rejecting Safeguard and relying on offensive capability pointed directly at the heartland of the Soviet Union.

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The moral aspect of the matter is important. I believe it is significant and significant far beyond the costs or comparative costs of any weapons system.

I associate myself with the very fine presentation made by the Senator from Vermont and commend him for the manner in which it was done.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. HANSEN. Mr. President, I am sure I am not the first to observe that during the days we have been debating the Safeguard system, we have certainly heard some very learned and knowledgeable people explore all the facets and ramifications of this very complicated issue.

I have no further knowledge to bring to the Chamber. However, I must say that as I reflect upon the role of our country in the context of all the nations of the world, it seems to me that we have a twofold objective—one, to assure the continuation of freedom in this country, and the other to do all we possibly can do to insure greater world peace.

I think the distinguished Senator from Vermont this afternoon has made a very worthwhile contribution in analyzing the statistics that have been before us and in exploring further in the context of those statistics the motives of not only this country, but the other nations of the world as well. These are difficult assignments. It is hard to say what someone else may do if we do something. We know that the distinguished Senator from Washington gave a very erudite presentation insofar as the motives of the Soviet Union are concerned. These are difficult problems to mull over. How does one determine what another man or another nation may think? It takes a great deal of thoughtful, sober consideration and reflection.

I am certain that the distinguished Senator from Vermont has made a very worthwhile contribution in helping all of us analyze these complex and difficult problems and in trying to arrive at a reasoned, sustainable position and conclusion. It seems to me that the dispassionate manner in which the distinguished Senator from Vermont has gone about this task will serve us all well. I suspect that the decision at which he has arrived will serve as a useful guide to many who yet may not have fully made up their minds in seeing how we may best serve the purposes of America, in protecting the freedom we have and assuring that there shall be reasonable expectation on the part of other peoples in other nations of the world to anticipate sometimes a fuller sense of freedom than they now have; and, secondly, to look to the security of America, because today more than ever I believe all nations of the world look to America for guidance on how they may implement a national course of action which will result in achievement nationally of the goals that we have insofar as their own countries are concerned.

With that in mind, I pay my respects to the very worthwhile contribution that has been made by the distinguished Senator from Vermont.

Mr. PROUTY. I am very grateful to the Senator.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. HRUSKA. Mr. President, today's presentation of the junior Senator from Vermont was not necessary to bring to the Members of this body the awareness that the Senator is a man of independence in his thought, of thoroughness in his analysis, and of great courage to speak out at proper and strategic times. Certainly, on many other occasions we have had the benefit of the sensible thoughts of the Senator. Today's presentation is simply a reaffirmation of what we have come to expect.

The presentation is very thorough. It is dispassionate, and it is logical. It certainly is in keeping with the proposition that President Nixon has often emphasized, and I quote: "I believe it is essential for the national security, and it is essential to avoid putting an American President, either this President or the next President, in the position where the United States would be second rather than first or at least equal to any potential enemy."

Certainly, the decision to deploy a limited ABM system was made advisedly and deliberately by the Commander in Chief of our military forces.

While the Senator has carefully covered several reasons for supporting the President, there is one of particular good sense and appeal that has not been stressed enough. That is his statement that his vote on the immediate issue will not be considered by him, and should not be considered by anyone else, to lock him irrevocably in a position of support for the ABM and its continued deployment. He wants to keep his options open. That is the position of many of us. I believe it is a sound position.

As was pointed out by the Senator from Texas in debate last week, those who would follow the "no" scientists on this issue would be locked in their position because there would be nothing upon which future options could be based. Those of us who would follow the "yes" scientists, those that say Safeguard can be made to do the job, would be holding our options open. If there were problems in the development of this weapons system or if there were favorable results in negotiating armament limitations or restrictions, then the decision that we make on this issue can be modified accordingly.

This is not the first time that this body or the United States has been called upon to make a choice between "no" scientists and "yes" scientists. That choice was debated very thoroughly in regard to development and production of the A-bomb. At that time, thank goodness, America had the good commonsense to follow those who said: "Yes; let's develop it, and let's hold it as an additional deterrent to those who would do us irreparable damage."

So, I commend the Senator for so constructively adding to this debate. It is my hope that the position he so ably advocated will prevail, when the votes on this issue are recorded.

Mr. PROUTY. I thank the Senator.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. THURMOND. Mr. President, I commend the able Senator for the magnificent address he has delivered today in favor of the Safeguard ABM system.

I wish to read one sentence from "Military Strategy," by V. D. Sokolovsky, Marshal of the Soviet Union. This is the third edition, for 1968:

> In our country the problem of eliminating rockets in flight has been successfully solved by Soviet science and technology. Thus the task of warding off strikes of enemy missiles has become quite possible.

It is clear, Mr. President, that the Russians feel they have solved the ABM system. They have built a system. They built one in 1962. They have been working on it since; they have improved it. They now have two systems in their country. We have one. They are at least 5 years ahead of us.

I shall probably speak more in detail about General Sokolovsky's book tomorrow. But it is clear from this book that the Russians have plans now for a first strike. They also expect to have the capability soon. So it is urgent that we go forward and build the ABM and not delay a single day.

Again, I compliment the distinguished Senator from Vermont.

Mr. PROUTY. I thank the Senator.

Mr. ALLOTT. Mr. President, will the Senator yield to me for just a moment? I know he is under the press of time.

Mr. PROUTY. I yield to the Senator from Colorado.

Mr. ALLOTT. I join my colleagues in praising the remarks of the Senator from Vermont today in support of the Safeguard system. Of course, I think it is characteristic that the distinguished Senator from Vermont would take his time and deliberate and listen to all the arguments, both for and against before taking a position on as important a matter as this.

Although I was not able to be present, I have read his speech. I feel that the points he has made and the reasoned logic he has used to support these points in his speech constitute one of the high marks of this debate. It is a speech which appeals to my own sense of reason in this matter, and one which I believe will appeal to many Members of the Senate. I think the Senator is to be complimented very greatly.

Mr. PROUTY. I am grateful to the Senator from Colorado.

I yield the floor.

The **PRESIDING OFFICER** (Mr. DOLE in the chair). Under the previous order, the Senator from Ohio (Mr. YOUNG) is recognized.

THE SAFEGUARD ABM SYSTEM

Mr. YOUNG of Ohio. Mr. President, the administration's decision to proceed with the deployment of an ABM system is one of the most crucial matters with the most far-reaching implications to come before Congress in this decade. The Safeguard ABM supposedly to protect our offensive missile silos will start the Nation down a multibillion-dollar road, the end of which is not in sight. This could well compromise the future security and well-being of the Nation, indeed of world peace.

I was one of seven Senators to vote against this proposed boondoggle in the Armed Services Committee. I am proud to have joined with my colleagues, the distinguished senior Senator from Missouri (Mr. SYMINGTON) and the distinguished junior Senator from Hawaii (Mr. INOUYE), in the minority report on the Safeguard ABM system.

Throughout the committee hearings, witnesses who testified for deployment of the system devoted most of their time to emphasizing their fears of the Soviet Union. Secretary of Defense Laird at first tried to frighten the country into believing that the Soviets "are going for a first-strike capability." He was compelled to revise his remarks in subsequent testimony.

"First-strike capability" in any language means the ability of one nation to destroy another's offensive missiles so completely that the second nation would be unable to retaliate. Secretary Laird's implication was that without the Safeguard system our ability to retaliate could be wiped out in a first strike.

This argument always was and still is unsupportable. It is incredible to assert that the Soviet Union or any other nuclear power could with one blow destroy all our Minuteman missiles, all our SAC bombers, all our Polaris and Poseidon submarines, all our intermediate missiles based in Europe. That is unthinkable, unsupportable, and impossible.

Furthermore, for years Defense Department officials have assured Americans that if the Russians should strike first we possess a second-strike capability with our Minuteman missiles in underground sites that would inflict unacceptable damage upon the Soviet Union. We were assured that the hardened sites were adequate and that we would not need additional protection for our intercontinental ballistic missiles.

Were we being misled then, or now? The argument that we need more protection of our land-based ICBM's completely ignores the fact that we have at this time 41 Polaris submarines with more than 656 ICBM's which cannot be destroyed by a first strike because they are underwater and moving all the time. These missiles have a maximum range of 2,875 miles and no area in the vast land mass of the Soviet Union or Communist China is safe from devastation from missiles fired from these submarines.

Secretary Laird hinted that the Polaris fleet might be neutralized in the future, but he was unable to support that veiled assertion with evidence. Furthermore, our own intelligence apparatus declines to support his scary talk of all our nuclear power being simultaneously in jeopardy at some future date.

The Poseidon program will soon increase our offensive power to 4,000 nuclear warheads capable of being fired from mobile bases under the oceans and seas of the world, as well as on the surface. If such a second-strike capacity will not deter an attack, nothing will. Placing the Safeguard ABM around a small share of our land-based missiles will certainly not add one iota of credibility to our deterrent capacity.

During the past decade we have built up the strength of our strategic forces so that each individual component alone—our ICBM's, SAC bombers, and the Polaris and Poseidon fleets—could deliver on target more than the minimum retaliatory destruction required for deterrence. Our combined strategic bombers and land-based missile forces by themselves assure survival of one or the other from attack, not to mention our missiles on submarines throughout the oceans and seas of the world.

Our only real defense against the threat of a nuclear attack is the deterrence of our overwhelming offensive forces. Our tremendous potential offense is our best defense and has been all along. We must keep our offensive power so far ahead of the Russian and Chinese defenses that it will remain perfectly clear and obvious to the Soviet and Chinese leadership that a first strike against us will trigger an unbearable response.

At the present time, we have an overwhelming offensive capacity, superior to that of the Soviet Union. For its part, Communist China has only the crudest capacity and is not able to deliver any missiles on target in this country at this time, nor will it be able to do so before 1976 or 1978 at the earliest.

Now, Secretary Laird is saying that by first-strike capability he means only the power to attack our Minuteman missiles, and Safeguard, he says, is necessary to prevent that. As the minority report points out, Dr. Wolfgang Panofsky, one of the universally respected experts in this field, in an address last month stated:

> If the threat to Minuteman grows at the rate projected by the Defense Department, and if Minuteman became vulnerable at a certain time several years hence, then if the Safeguard system were installed and if it functioned perfectly, then the Minuteman would be just as vulnerable as before only a few months later.

In other words, the Soviets could offset any protection offered by Safeguard simply with a few additional months' production of offensive missiles.

Mr. President, there is also the serious question as to the actual capability of the proposed ABM. In his testimony before the Armed Services Committee, Dr. Herbert F. York, whom Senators will recall was Director of Defense Research and Engineering in the Office of the Secretary of Defense from 1958 to 1961, and one of the Nation's foremost experts on defense weaponry stated:

> I continue to have the gravest doubts as to the capability of any ABM system I have heard of, whether or not the problem has been defined into being 'easy' and whether or not it 'works' on a test range. I stress that I am not just talking about some percentage failure inherent in the mathematical distribution of miss distances, nor statistically predictable failures in system components, but rather about possible catastrophic failure in which at the moment of truth either the system doesn't fire at all, or all interceptions fail for some unforeseen reason.

The fact is that more than $23 billion of taxpayers' money has been spent since World War II on missile systems that either were never finished or were out of service on completion because of obsolescence. More than $5 billion was spent on the Nike-Ajax missile system, the Nike-Zeus, and following that the Nike-X. This was taxpayers' money down the drain, utterly wasted. There are missile sites around my home city of Cleveland, and elsewhere in this country, which are utterly useless. The men servicing them are merely sitting around waiting for the bomb to drop. Experience keeps a dear school, but, as Benjamin Franklin said, "Fools learn no other way." It is high time we profit by our mistakes of the past and not perpetrate further boondoggles such as proceeding with the Safeguard ABM system. Patrick Henry on an historic occasion said:

> There is but one lamp by which my feet are guided, and that is the lamp of experience. I know of no way to judge the future but by the past.

Furthermore, Safeguard was originally designed for the "thin" defense of cities against Red China. It was originally called Sentinel. However, an outcry followed President Nixon's proposal of the Sentinel, an outcry that came not only from Illinois and California, but also from the two Senators from Hawaii, the two Senators from the State of Washington, and, of course, an outcry from Massachusetts. Thus, the name Sentinel was changed. Some clever public relations man in the Pentagon changed the name to Safeguard. Its components are basically the same. The anti-Chinese rationale has been abandoned by no less an authority in the administration than the President himself. The argument that Safeguard ABM's around two of our ICBM sites would protect us from a Soviet nuclear attack is only slightly less ridiculous. The fact is—and the Russians know it—that if we were attacked by the Soviet Union, we could destroy the Soviet Union some 50 times over.

Our ICBM's can hit their targets. I remember hearing the distinguished Senator from Arizona (Mr. GOLDWATER) state the if the target of one of our ICBM's was the men's room in the Kremlin—whoosh, and there would be no more men's room. That illustrates the power and the accuracy of our offensive capability. No one can take that away from this great Nation.

Mr. President, perhaps the worst implication of the ABM is the fact that it will help to continue the deception that there is a technical solution to the dilemma of the nuclear age. This false hope could be extremely dangerous if it diverted us from efforts to find a solution in the only place where it may be found—in a political and diplomatic search for peace combined with arms limitation and disarmament measures.

Should we proceed to build this ABM system, the leaders of the Soviet Union are almost certain to respond with increases in offensive strength which would negate any advantage from ABM deployment. By plunging ahead with an ABM system, we Americans run the risk of escalating the arms race to a fantastically high and unbelievably costly plateau. This upward spiral of the arms race would leave both sides with no more real security than each has now.

After both sides have anti-ballistic-missile systems, we may rest assured that the race will then start all over again to produce new, more expensive, and more sophisticated missiles that can penetrate the antimissile systems. After another costly race is over, there is then every reason to believe that the balance of power will settle at the same point where it now rests.

Mr. President, the appropriation provided for in the bill under consideration would be the first step in a boondoggle that would cost the taxpayers at least $12 billion and perhaps as much as $100 billion or more. The Pentagon estimates the cost of the Safeguard ABM at $7 billion. This, just to protect two ICBM sites near Malmstrom, Mont., and Grand Forks, N. Dak. Experience of the past 20 years has taught us that weapons systems consistently cost 300 to 700 percent more than their original estimates. Once we permit this outrageous expenditure, we may rest assured that in short order Pentagon officials will be asking for money for a so-called thick system.

It is unconscionable to squander taxpayers' money on this enormous boondoggle. The days of unquestioning approval of money for pet projects of the Pentagon are behind us.

Have the generals of the Joint Chiefs of Staff and other proponents of the ABM never heard of the cost-effectiveness ratio of the Maginot Line or the Great Wall of China? Giving the generals whatever they want is a luxury we simply can no longer afford. The deployment of an ABM system, like our involvement in the ugly civil war in South Vietnam, will lead to ever-increasing expenditures that will further distort our priorities, cause more inflation, higher taxes, and deterioration of our economy.

There are extremely heavy demands on our limited resources. Problems which have been set aside for too many years require immediate solutions—poverty, health, education, food for hungry children, law enforcement, and protection of our environment, to name a few.

It is clear that deployment of the ABM will result in a squandering of national resources and treasure and will actually subtract from our national security rather than strengthen it.

The appropriation of billions of dollars for deployment of ABM missiles, first termed "Sentinel" and then renamed "Safeguard" when there was an outcry against deployment of ABM in Hawaii, Seattle, Los Angeles, Boston, and elsewhere, would be a decision that would haunt the Nation for decades to come.

Mr. President, it was more than a coincidence that Washington, D.C., which has no Senators and Representatives in Congress to voice strong protests, as was done by every Representative in the Congress from areas previously selected, was chosen as the one city in the east for ABM deployment.

That public relations pipsqueak who conceived the name Safeguard to replace Sentinel did not refer to Washington, D.C., by name. His Pentagonese phrase is "National Command Authority," a new euphemism for the District of Columbia.

As the city selected for the ABM, it was contemplated that 250 acres of land would be purchased in Washington, D.C., for its deployment. When the Sentinel was proposed, there was talk of about 250 acres of land close to Los Angeles. It was ascertained that the cheapest land there would cost from $100,000 to $250,000 an acre.

This proposal contemplates a reckless expenditure of public funds to spend billions of dollars in construction and deployment of the ABM in various places in our country. We should first seek to negotiate a treaty with leaders of the Soviet Union limiting or banning altogether the deployment of ABM's. It is very evident that our tremendous and superior offensive power is our best defense against any aggression from the Soviet Union. Leaders of the Kremlin are well aware of our superiority. They certainly know that as matters stand, no matter how powerful or unexpected an attempted nuclear Pearl Harbor might be, we have the capacity with our Polaris submarines, to say nothing of our Strategic Air Force and Minuteman missiles, to obliterate every military base and every city in the Soviet Union in a matter of but a few hours.

Very definitely, I maintain that the leaders of the Kremlin know it is to their advantage to negotiate with us at this time to either freeze or reduce ABM deployment.

We should give top priority to seeking nuclear arms control and reduction by mutual agreement.

To those few rightwing extremists in our country, members of splinter groups, lunatic rightwing groups, such as the John Birch Society and the so-called Liberty Lobby, who claim that the Communists have never kept their agreements, we present the fact that the Limited Nuclear Test Ban Treaty achieved by Ambassador Averell Harriman and the late, great President John F. Kennedy has been scrupulously complied with by both the Soviet Union and our Nation. In fact, since that treaty was entered into, only a small number of underground tests have been undertaken by both parties. Very definitely an arms control agreement should be sought by us and it is the best means of achieving meaningful security at this time. Furthermore, we do know that if any threat to our Nation should become more serious a few years from now, we can readily give top priority to increasing offensive weapons to meet such threat.

We should be considering arms cutbacks, not increases; encouraging disarmament negotiations, not a new and accelerated arms race. The authorization of the Safeguard system would be a tragedy of enormous proportions.

It is of the utmost importance that the President give topmost priority to seeking and achieving a nuclear missile limitation agreement with the leaders of the Soviet Union.

The Foreign Minister of the Soviet Union, Andrei Gromyko, late last week made a strong bid for closer and more friendly relations between his nation and the United States. He stated that his government was ready for strategic arms limitations negotiations with Washington and he even suggested the desirability of a summit meeting with President Nixon seeking to achieve a treaty limiting nuclear missiles.

President Nixon should withdraw his ABM proposal to deploy Safeguard missiles and seek talks relating to limiting nuclear missiles. Foreign Minister Gromyko stated:

> We have noticed President Nixon's statement that after a period of confrontation, the era of negotiations has arrived.

In view of the fact he explicitly stated:

> We favor the good development of relations with the United States.

Our official and immediate response should be to seek a meeting between representatives of our two countries, the only two great nuclear powers, to confer together on the details of a treaty regarding nuclear missile limitation.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. YOUNG of Ohio. I ask unanimous consent to proceed for 10 additional minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. YOUNG of Ohio. If the ABM proposal of President Nixon is not withdrawn then, very definitely, it should be defeated by a vote in the Senate. I am opposed to any compromise. It is fearful to contemplate what the situation may be a year hence if we proceed with the deployment of the so-called Safeguard missile as proposed despite the opportunity now before us for friendly talks with leaders of the Soviet Union who were our wartime allies in World War II.

We know that historically Russians have always been our friends. We know that more than a hundred years ago—in 1862 to be exact—when our Nation was torn by the Civil War, and when in the darkest period for the Union in 1862 at a time France and Great Britain were about to recognize the Confederacy that the Government of Russia sent two of its naval squadrons on the long voyage to our shores as a gesture of friendship to to the Union, and a squadron of Russian warships entered San Francisco Bay, and a second squadron came up the Potomac to Washington. Great Britain and France backed down, largely and probably entirely because of this gesture of friendship from the Russians at that time, and the talk of recognizing the Confederacy no longer existed.

In a few years, fortunately, that terrible War Between the States was over, and at that time, in 1867, Secretary Seward proposed the purchase of Alaska. It was considered that Alaska was an ice house, of no use nor value whatever to the United States. The czarist Russian Government had spent $7.2 million during the Civil War in sending their fleet here, and to reimburse the Russians for that expenditure, students of American history know that Secretary Seward entered into what at that time was termed "Seward's folly," and that figure of $7.2 million was arrived at to repay the Rus-

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sian Government for the expense incurred in sending its two war fleets overseas to our shores to demonstrate its support of the Union and as a warning that any armed intervention by France and Great Britain would lead to a conflict with Russia.

Until recent years the Russian leaders have always demonstrated friendship to the United States. Historically, over hundreds of years Russia has not been an aggressor nation. Now the opportunity seems at hand to achieve an understanding with the leaders of the Kremlin for a nuclear arms limitation. We should grasp it.

A defeat of the ABM proposal by the Senate will be helpful to attain the end and advance the hope of a treaty to limit deployment of nuclear weapons. Despite what we have heard earlier today, I predict we in the Senate will defeat President Nixon's ABM proposal. However, if he should win by a margin of one, two, or even five, which is improbable, it would be a pyrrhic "victory" for the administration, and would not be helpful.

Pending achievement of an agreement for talks which might lead to a nuclear limitation treaty it should be unthinkable for us to even consider deployment of a Safeguard system at bases in Montana and North Dakota.

If, however, such deployment is undertaken for any reason let it be at Kwajalein Island instead of within the borders of the United States close to Canada.

I am confident that if there should be a vote this week or next week or 4 weeks from now on the ABM proposal, the Senate would demonstrate its wisdom by defeating the proposal.

Mr. President, I yield the floor.

ABM-NONTHINK

Mr. FANNIN. Mr. President, I have listened and participated in the debate that has gone on sporadically for some time now concerning the deployment of the anti-ballistic-missile system.

This issue, as I have said before, transcends party loyalties and pivots on the more basic issue of the necessity to defend the Nation. Obviously good men can have honest differences of opinion over the best way to accomplish the goal. My difficulty comes when there is either deliberate or unconscious obscuring of the goals.

We have heard it parroted over and over that the money we save on the ABM we can then put to use in the cities, or put to work solving more pressing domestic needs.

One side says that if we do not defend the country there is little need to worry about the cities for they will not then be worth spending money to preserve.

The other side says if we do not solve the problems of the cities there will be little need to defend the country.

I find myself more sympathetic to the first viewpoint, because of the better chance for survival in that direction. The President himself has pointed out that if we make a mistake in favor of the ABM we lose some money; if we make a mistake against the ABM we lose the country.

This argument, I realize, is apparently not a very persuasive one in the eyes of ABM opponents. I understand their opposition to the ABM centers around the idea that we are safer by negotiating an arms freeze, and presumably an arms freeze would, in their estimation, be more difficult to negotiate if we had an effective ABM. The principal weakness of this reasoning is that it speculates on the possibility of Russian willingness to negotiate and abide by agreements in good faith, and ignores the evidence that the Soviets abide by agreements only when it continues to suit their national purpose to do so. I am aware that some members of the Foreign Relations Committee do not agree with my assessment of their probable behavior. Several colleagues on that committee seem to regard foreign relations as some kind of mystical realm into which the privileged few may tread. A noted Senator has been most generous in his criticism of the Vice President whom he considers to have neither the "background nor experience" to speak on foreign policy.

It is my intention as the debate goes along within a day or two to inject some material regarding the Soviets that indicates their present intentions along the foreign policy line, and perhaps then the Senator from Arkansas can give us his highly valued opinion.

For today, however, I would like to examine recurring phenomena which I call the ABM-nonthink.

This affliction is not limited to politicians or scientists or jurists. It seems to strike each profession with equanimity. I first noted it when I received three copies of the same anti-ABM speech from different sources.

The speech to which I refer is one delivered, apparently extemporaneously, to a group of scientists and students at the Massachusetts Institute of Technology by Dr. George Wald, on March 4, 1969.

In one instance the speech was entitled "A Generation in Search of a Future." In another reprint it was called, with rather understated modesty, "the most important speech of my lifetime." That remark was reportedly uttered by two staffers of the Boston Globe who returned to the office after covering the meeting, and independently each told an editor, "I think I've just listened to the most important speech of my lifetime."

Certainly this is an amazing instance of clairvoyance and worthy of further investigation in its own right.

So what was pronounced in this amazingly important speech? I believe it, along with a couple other examples which I shall cite, is one of the prime instances of the ABM-nonthink—a condition brought on by approaching the subject with a completely closed mind, which causes the person afflicted to seize upon the opposition's key argument and use it upon himself.

First, note Dr. Wald's restrained and dispassionate style as he talks of one of the most esteemed Members of the Senate:

> A few months ago Senator Richard Russell of Georgia ended a speech in the Senate with the words: "If we have to start over again with another Adam and Eve, I want them to be Americans; and I want them on this continent and not in Europe."

Continuing to quote Dr. Wald—

> Now that was a United States Senator holding a patriotic speech. Well, here is a Nobel Laureate who thinks that those words are criminally insane.

The reprint notes there was prolonged applause at this point.

I should like to point out that the distinguished Senator from Georgia, who served the Nation outstandingly as chairman of the Armed Services Committee and continues to serve as chairman of the Appropriations Committee, has differed greatly from Dr. Wald in that he has always been a model of restraint. Far from questioning the Senator's sanity, I am sure the great majority of Americans would be absolutely appalled at Dr. Wald's unbecoming immodesty.

Another point from this "most important speech" in these Boston Globe writers' lifetimes concerns the statistical probability of a nuclear war. Dr. Wald, it should be noted, is a doctor of biology. That becomes rather abundantly clear when he ventures into the field of statistics.

The doctor quotes another nonstatistician friend of his—a professor of government at Harvard—on the probability of a nuclear war. His friend is reported to have replied that given the present situation the odds for an all-out nuclear war are around 2 percent per year.

The good biological doctor seizes upon this and says:

> Anybody can do the simple calculation that shows that 2 percent per year means that the chance of having that full-scale nuclear war by 1990 is about one in three, and by 2000 it is about 50–50.

Perhaps anybody can do the simple calculation, which I presume is multiplying 2 percent by the number of years, but that does not give Dr. Wald a probability figure. It seems to escape the academician that the nuclear odds, under a given fixed assumed situation, remain at 2 percent per year, just as the odds on any given flip of the coin are always 50–50 heads or tails.

But the real nonthink comes near the end of this work in which the doctor contradicts himself in the space of exactly two sentences. He opines that all nuclear weapons everywhere must be got rid of and says:

> The only use for an atom bomb is to keep somebody else from using one.

And immediately following that statement says:

> It can give us no protection . . .

Mr. President, I admit to being unable to understand all the labyrinthine ways of academics, but I do think I am able to understand plain English. It seems to me that "keeping somebody else from using one"—a nuclear weapon—is some degree of "protection."

The doctor goes on to state that—

> Nuclear weapons offer us nothing but a balance of terror; and a balance of terror is still terror.

That is all quite true, I suppose, but what is the alternative that Dr. Wald would have us experience? A balance of terror is a balance of terror, but it is not destruction or enslavement. I admit to being unable to follow the doctor's argument.

So there will be no chance of my misquoting Dr. Wald, I ask unanimous consent to have his speech printed in the RECORD at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. **FANNIN**. Mr. President, the next nonthink example comes from a former Vice President and one of our colleagues here in the Senate. I refer to a prolog to "The ABM: Yes or No?" written by Hubert H. Humphrey and published by the Center for the Study of Democratic Institutions in Santa Barbara, Calif.

I have referred to this organization before in connection with Supreme Court Justice William O. Douglas, who serves as chairman of the board of the parent organization for this group and has also written an epilog to this book.

Former Vice President Humphrey, who wrote the prolog from Waverly, Minn., in January of this year said this about our missile defenses:

> The only proof of effectiveness that can be offered in defense of the missile standoff is that we have survived the 20 years of international tensions without precipitating world war III.

Mr. President, it seems to me that Mr. Humphrey makes precisely the point that so many of us who support the President have been trying so long and hard to make. Since we have managed to survive the last 20 years by a missile standoff, shall we not try to continue to refrain from precipitating world war III by making ourselves so weak as to invite attack?

The third and last example of the ABM-nonthink, Mr. President, which I shall cite at this time, occurred in this Chamber last Wednesday, July 9.

A Senator professed amazement at the alleged shifting position of the Senator from Washington (Mr. JACKSON) and the Senator from Mississippi (Mr. STENNIS). Quoting from the RECORD of July 9 at page 18923:

> Right now I can classify such logic, most respectfully, as pure hogwash.

Mr. President, the Senators from Washington and Mississippi took the floor immediately in their own behalf and ably defended their positions—so that is neither necessary now nor is it my present purpose. I question how it is possible to be very respectful about "hogwash." It may be the Senator has more experience in that field, and so I will defer to him.

What I do think is noteworthy, Mr. President, is a remark which is on the immediately following page, 18924, by the same Senator in which he states:

> We are going to settle this issue with reason, not emotion.

Putting these two remarks together, Mr. President, I can only conclude that the Senator deals in respectful but unemotional "hogwash."

This is a serious question, Mr. President. The fate of the Nation does hang in the balance. Perhaps, as that Senator has suggested, "the Nation is watching us." I would not attempt to be humorous or facetious at a time like this, Mr. President, except if by calling attention to these continuing examples of "nonthink," we may all stop worrying about our posture before the watching Nation and look at this problem with a clear eye and with minds open to reason and perspective. If we do, I am sure the Nation will be far better served.

EXHIBIT 1

"I THINK I'VE JUST LISTENED TO THE MOST IMPORTANT SPEECH OF MY LIFETIME"—IT MAY WELL BE JUST THAT

The crowd of 1200 at M.I.T.'s Kresge Auditorium March 4th was shifting and restless when Harvard biologist George Wald rose to speak.

Students and professors there as a part of the "March 4 movement" protesting the misuse of science were disturbed at the lack of focus in the day's numerous panel discussions and speeches.

The 1967 Nobel prize winner in physiology and medicine provided a focus.

As in his popular lectures at Harvard, Wald talked extemporaneously, his head back, his eyes almost closed. His words had an electric effect.

A hush fell over the audience, broken just once by sustained applause midway in the speech, and climaxed by a prolonged standing ovation at its conclusion.

Two Boston Globe staffers, reporter Crocker Snow Jr. and editorial writer James G. Crowley, covered the M.I.T. meeting, returned to the office independently of each other and each told an editor, "I think I've just listened to the most important speech of my lifetime."

All of you know that in the last couple of years there has been student unrest breaking at times into violence in many parts of the world: in England, Germany, Italy, Spain, Mexico and needless to say, in many parts of this country. There as been a great deal of discussion as to what it all means. Perfectly clearly it means something different in Mexico from what it does in France, and something different in France from what is does in Tokyo, and something different in Tokyo from what it does in this country. Yet unless we are to assume that students have gone crazy all over the world, or that they have just decided that it's the thing to do, there must be some common meaning.

I don't need to go so far afield to look for that meaning. I am a teacher, and at Harvard, I have a class of about 350 students—men and women—most of them freshmen and sophomores. Over these past few years I have felt increasingly that something is terribly wrong—and this year ever so much more than last. Something has gone sour, in teaching and in learning. It's almost as though there were a widespread feeling that education has become irrelevant.

A lecture is much more of a dialogue than many of you probably appreciate. As you lecture, you keep watching the faces; and information keeps coming back to you all the time. I began to feel, particularly this year, that I was missing much of what was coming back. I tried asking the students, but they didn't or couldn't help me very much.

But I think I know what's the matter, even a little better than they do. I think that this whole generation of students is beset with a profound uneasiness. I don't think that they have yet quite defined its source. I think I understand the reasons for their uneasiness even better than they do. What is more, I share their uneasiness.

What's bothering those students? Some of them tell you it's the Vietnam War. I think the Vietnam War is the most shameful episode in the whole of American history. The concept of War Crimes is an American invention. We've committed many War Crimes in Vietnam; but I'll tell you something interesting about that. We were committing War Crimes in World War II, even before the Nuremberg trials were held and the principle of war crimes stated. The saturation bombing of German cities was a War Crime. Dropping atom bombs on Hiroshima and Nagasaki was a War Crime. If we had lost the war, some of our leaders might have had to answer for those actions.

I've gone through all of that history lately, and I find that there's a gimmick in it. It isn't written out, but I think we established it by precedent. That gimmick is that if one can allege that one is repelling or retaliating for an aggression—after that everything goes. And you see we are living in a world in which all wars are wars of defense. All War Departments are now Defense Departments. This is all part of the double talk of our time. The aggressor is always on the other side. And I suppose this is why our ex-Secretary of State, Dean Rusk—a man in whom repetition takes the place of reason, and stubbornness takes the place of character—went to such pains to insist, as he still insists, that in Vietnam we are repelling an aggression. And if that's what we are doing—so runs the doctrine—anything goes. If the concept of war crimes is ever to mean anything, they will have to be defined as categories of acts, regardless of alleged provocation. But that isn't so now.

I think we've lost that war, as a lot of other people think, too. The Vietnamese have a secret weapon. It's their willingness to die, beyond our willness to kill. In effect they've been saying, you can kill us, but you'll have to kill a lot of us, you may have to kill all of us. And thank heavens, we are not yet ready to do that.

Yet we have come a long way—far enough to sicken many Americans, far enough even to sicken our fighting men. Far enough so that our national symbols have gone sour. How many of you can sing about "the rockets' red glare, bombs bursting in air" without thinking, those are *our* bombs and *our* rockets bursting over South Vietnamese villages? When those words were written, we were a people struggling for freedom against oppression. Now we are supporting real or thinly disguised military dictatorships all over the world, helping them to control and repress peoples struggling for their freedom.

But that Vietnam War, shameful and terrible as it is, seems to me only an immediate incident in a much larger and more stubborn situation.

Part of my trouble with students is that almost all the students I teach were born since World War II. Just after World War II, a series of new and abnormal procedures came into American life. We regarded them at the time as temporary aberrations. We thought we would get back to normal American life some day. But those procedures have stayed with us now for more than 20 years, and those students of mine have never known anything else. They think those things are normal. Students think we've always had a Pentagon, that we have always had a big army, and that we always had a draft. But those are all new things in American life; and I think that they are incompatible with what America meant before.

How many of you realize that just before World War II the entire American army including the Air Force numbered 139,000 men? Then World War II started, but we weren't yet in it; and seeing that there was great trouble in the world, we doubled this army to 268,000 men. Then in World War II it got to be 8 million. And then World War II came to an end, and we prepared to go back to a peacetime army somewhat as the American army had always been before. And indeed in 1950—you think about 1950, our international commitments, the Cold War, the Truman Doctrine, and all the rest of it—in 1950 we got down to 600,000 men.

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Now we have 3.5 million men under arms: about 600,000 in Vietnam, about 300,000 more in "support areas" elsewhere in the Pacific, about 250,000 in Germany. And there are a lot at home. Some months ago we were told that 300,000 National Guardsmen and 200,000 reservists—so half a million men—had been specially trained for riot duty in the cities.

I say the Vietnam War is just an immediate incident, because so long as we keep that big an army, it will always find things to do. If the Vietnam War stopped tomorrow, with that big a military establishment, the chances are that we would be in another such adventure abroad or at home before you knew it.

As for the draft: Don't reform the draft—get rid of it.

A peacetime draft is the most un-American thing I know. All the time I was growing up I was told about oppressive Central European countries and Russia, where young men were forced into the army; and I was told what they did about it. They chopped off a finger, or shot off a couple of toes; or better still, if they could manage it, they came to this country. And we understood that, and sympathized, and were glad to welcome them.

Now by present estimates four to six thousand Americans of draft age have left this country for Canada, another two or three thousand have gone to Europe, and its looks as though many more are preparing to emigrate.

A few months ago I received a letter from the Harvard Alumni Bulletin posing a series of questions that students might ask a professor involving what to do about the draft. I was asked to write what I would tell those students. All I had to say to those students was this: if any of them had decided to evade the draft and asked my help, I would help in any way I could. I would feel as I suppose members of the underground railway felt in pre-Civil War days, helping runaway slaves to get to Canada. It wasn't altogether a popular position then; but what do you think of it now?

A bill to stop the draft was recently introduced in the Senate (S. 503), sponsored by a group of senators that ran the gamut from McGovern and Hatfield to Barry Goldwater. I hope it goes through; but any time I find that Barry Goldwater and I are in agreement, that makes me take another look.

And indeed there are choices in getting rid of the draft. I think that when we get rid of the draft, we must also cut back the size of the armed forces. It seems to me that in peacetime a total of one million men is surely enough. If there is an argument for American military forces of more than one million men in peacetime, I should like to hear that argument debated.

There is another thing being said closely connected with this: that to keep an adequate volunteer army, one would have to raise the pay considerably. That's said so positively and often that people believe it. I don't think it is true.

The great bulk of our present armed forces are genuine volunteers. Among first-term enlistments, 49 percent are true volunteers. Another 30 percent are so-called "reluctant volunteers," persons who volunteer under pressure of the draft. Only 21 percent are draftees. All re-enlistments, of course are true volunteers.

So the great majority of our present armed forces are true volunteers. Whole services are composed entirely of volunteers: the Air Force for example, the Navy, almost all the Marines. That seems like proof to me that present pay rates are adequate. One must add that an Act of Congress in 1967 raised the base pay throughout the services in three installments, the third installment still to come, on April 1, 1969. So it is hard to understand why we are being told that to maintain adequate armed services on a volunteer basis will require large increases in pay; that they will cost an extra $17 billion per year. It seems plain to me that we can get all the armed forces we need as volunteers, and at present rates of pay.

But there is something ever so much bigger and more important than the draft. That bigger thing, of course, is the militarization of our country. Ex-President Eisenhower warned us of what he called the military-industrial complex. I am sad to say that we must begin to think of it now as the military-industrial-labor union complex. What happened under the plea of the Cold War was not alone that we built up the first big peace time army in our history, but we institutionalized it. We built, I suppose, the biggest government building in our history to run it, and we institutionalized it.

I don't think we can live with the present military establishment and its $80-$100 billion a year budget, and keep America anything like we have known it in the past. It is corrupting the life of the whole country. It is buying up everything in sight: industries, banks, investors, universities; and lately it seems also to have bought up the labor unions.

The Defense Department is always broke; but some of the things they do with that $80 billion a year would make Buck Rogers envious. For example: the Rocky Mountain Arsenal on the outskirts of Denver was manufacturing a deadly nerve poison on such a scale that there was a problem of waste disposal. Nothing daunted, they dug a tunnel two miles deep under Denver, into which they have injected so much poisoned water that beginning a couple of years ago Denver began to experience a series of earth tremors of increasing severity. Now there is a grave feat of a major earthquake. An interesting debate is in progress as to whether Denver will be safer if that lake of poisoned water is removed or left in place. (N.Y. Times, July 4, 1968; Science, Sept. 27, 1968).

Perhaps you have read also of those 6000 sheep that suddenly died in Skull Valley, Utah, killed by another nerve poison—a strange and, I believe, still unexplained accident, since the nearest testing seems to have been 30 miles away.

As for Vietnam, the expenditure of fire power has been frightening. Some of you may still remember Khe Sanh, a hamlet just south of the Demilitarized zone, where a force of U.S. Marines was beleaguered for a time. During that period we dropped on the perimeter of Khe Sanh more explosives than fell on Japan throughout World War II, and more than fell on the whole of Europe during the years 1942 and 1943.

One of the officers there was quoted as having said afterward, "It looks like the world caught smallpox and died." (N.Y. Times, Mar. 28, 1968.)

The only point of government is to safeguard and foster life. Our government has become preoccupied with death, with the business of killing and being killed. So-called Defense now absorbs 60 percent of the national budget, and about 12 percent of the Gross National Product.

A lively debate is beginning again on whether or not we should deploy antiballistic missiles, the ABM. I don't have to talk about them, everyone else here is doing that. But I should like to mention a curious circumstance. In September, 1967, or about 1½ years ago, we had a meeting of M.I.T. and Harvard people, including experts on these matters, to talk about whether anything could be done to block the Sentinel system, the deployment of ABM's. Everyone present thought them undesirable; but a few of the most knowledgeable persons took what seemed to be the practical view, "Why fight about a dead issue? It has been decided, the funds have been appropriated. Let's go on from there."

Well, fortunately, it's not a dead issue.

An ABM is a nuclear weapon. It takes a nuclear weapon to stop a nuclear weapon. And our concern must be with the whole issue of nuclear weapons.

There is an entire semantics ready to deal with the sort of thing I am about to say. It involves such phrases as "those are the facts of life." No—they are the facts of death. I don't accept them, and I advise you not to accept them. We are under repeated pressure to accept things that are presented to us as settled—decisions that have been made. Always there is the thought: let's go on from there! But this time we don't see how to go on. We will have to stick with those issues.

We are told that the United States and Russia between them have by now stockpiled in nuclear weapons approximately the explosive power of 15 tons of TNT for every man, woman and child on earth. And now it is suggested that we must make more. All very regrettable, of course; but those are "the facts of life," We really would like to disarm; but our new Secretary of Defense has made the ingenious proposal that now is the time to greatly increase our nuclear armaments so that we can disarm from a position of strength.

I think all of you know there is no adequate defense against massive nuclear attack. It is both easier and cheaper to circumvent any known nuclear defense system than to provide it. It's all pretty crazy. At the very moment we talk of deploying ABM's, we are also building the MIRV, the weapon to circumvent ABM's.

So far as I know, the most conservative estimates of Americans killed in a major nuclear attack, with everything working as well as can be hoped and all foreseeable precautions taken, run to about 50 millions. We have become callous to gruesome statistics, and this seems at first to be only another gruesome statistic. You think, Bang!—and next morning, if you're still there, you read in the newspapers that 50 million people were killed.

But that isn't the way it happens. When we killed close to 200,000 people with those first little, old-fashioned uranium bombs that we dropped on Hiroshima and Nagasaki, about the same number of persons was maimed, blinded, burned, poisoned and otherwise doomed. A lot of them took a long time to die.

That's the way it would be. Not a bang, and a certain number of corpses to bury; but a nation filled with millions of helpless, maimed, tortured and doomed persons, and the survivors of a nuclear holocaust will be huddled with their families in shelters, with guns ready to fight off their neighbors, trying to get some uncontaminated food and water.

A few months ago Sen. Richard Russell of Georgia ended a speech in the Senate with the words: "If we have to start over again with another Adam and Eve, I want them to be Americans; and I want them on this continent and not in Europe." That was a United States senator holding a patriotic speech. Well, here is a Nobel Laureate who thinks that those words are criminally insane. (Prolonged applause.)

How real is the threat of full scale nuclear war? I have my own very inexpert idea, but realizing how little I know and fearful that I may be a little paranoid on this subject, I take every opportunity to ask reputed experts. I asked that question of a very distinguished professor of government at Harvard about a month ago. I asked him what sort of odds he would lay on the possibility of full-scale nuclear war within the foreseeable future. "Oh," he said comfortably, "I think I can give you a pretty good answer to that question. I estimate the probability of full-scale nuclear war, provided that the situation remains about as it is now, at 2 percent per year." Anybody can do the simple calculation that shows that 2 percent per year means that the chance of having that

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full-scale nuclear war by 1990 is about one in three, and by 2000 it is about 50–50.

I think I know what is bothering the students. I think that what we are up against is a generation that is by no means sure that it has a future.

I am growing old, and my future so to speak is already behind me. But there are those students of mine who are in my mind always; and there are my children, two of them now 7 and 9, whose future is infinitely more precious to me than my own. So it isn't just their generation; it's mine too. We're all in it together.

Are we to have a chance to live? We don't ask for prosperity, or security; only for a reasonable chance to live, to work out our destiny in peace and decency. Not to go down in history as the apocalyptic generation.

And it isn't only nuclear war. Another overwhelming threat is the population explosion. That has not yet even begun to come under control. There is every indication that the world population will double before the year 2000; and there is a widespread expectation of famine on an unprecedented scale in many parts of the world. The experts tend to differ only in the estimates of when those famines will begin. Some think by 1980, others think they can be staved off until 1990, very few expect that they will not occur by the year 2000.

That is the problem. Unless we can be surer than we now are that this generation has a future, nothing else matters. It's not good enough to give it tender loving care, to supply it with breakfast foods, to buy it expensive educations. Those things don't mean anything unless this generation has a future. And we're not sure that it does.

I don't think that there are problems of youth, or student problems. All the real problems I know are grown-up problems.

Perhaps you will think me altogether absurd, or "academic," or hopelessly innocent—that is, until you think of the alternatives—if I say as I do to you now: we have to get rid of those nuclear weapons. There is nothing worth having that can be obtained by nuclear war: nothing material or ideological, no tradition that it can defend. It is utterly self-defeating. *Those atom bombs represent an unusable weapon. The only use for an atom bomb is to keep somebody else from using one. It can give us no protection, but only the doubtful satisfaction of retaliation.* Nuclear weapons offer us nothing but a balance of terror; and a balance of terror is still terror.

We have to get rid of those atomic weapons, here and everywhere. We cannot live with them.

I think we've reached a point of great decision, not just for our nation, not only for all humanity, but for life upon the Earth. I tell my students, with a feeling of pride that I hope they will share, that the carbon, nitrogen and oxygen that make up 99 percent of our living substance, were cooked in the deep interiors of earlier generations of dying stars. Gathered up from the ends of the universe, over billions of years, eventually they came to form in part the substance of our sun, its planets and ourselves. Three billion years ago life arose upon the Earth. It seems to be the only life in the solar system. Many a star has since been born and died.

About two million years ago, man appeared. He has become the dominant species on the Earth. All other living things, animal and plant, live by his sufferance. He is the custodian of life on Earth. It's a big responsibility.

The thought that we're in competion with Russians or with Chinese is all a mistake, and trivial. Only mutual destruction lies that way. We are one species, with a world to win. There's life all over this universe, but in all the universe we are the only men.

Our business is with life, not death. Our challenge is to give what account we can of what becomes of life in the solar system, this corner of the universe that is our home and, most of all, what becomes of men—all men of all nations, colors and creeds. It has become one world, a world for all men. It is only such a world that now can offer us life and the chance to go on.

Mr. HANSEN. Mr. President, I compliment the distinguished senior Senator from Arizona for the very informative and dispassionate and reasoned statement he has just made.

I know that a great many Senators have already made up their minds as to what their positions shall be. For those who may not have yet arrived at their position, I am sure they will find useful the remarks of the distinguished Senator, who has the capacity to take a cool and analytical approach to any problem and to weigh the merits and demerits of a proposal and then determine what will best serve this country.

The Senator has once again demonstrated his ability to apply logic, reason, and good judgment to a very difficult problem.

I compliment the Senator very sincerely.

Mr. FANNIN. Mr. President, I thank the Senator. I know that he has given a great deal of thought to the matter. I have heard him express his position on the subject eloquently.

I am pleased that the Senator has come to the conclusion, as I have, that we must support our President and that as the Commander in Chief of our Armed Forces he is entitled to this support. I am very proud that we have seen fit to get behind him on this issue as well as on other issues.

I expressed my deep thanks to the distinguished Senator from Wyoming.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. FANNIN. I yield.

Mr. STENNIS. Mr. President, undoubtedly the Senator from Arizona has made a contribution in this matter. He has pitched it not only a high plane, but also on the one solid foundation upon which all this question rests: What is necessary for the defense of our Nation? What is necessary to defend our people? That is what it really comes down to. This is merely a protection for our arsenal.

I recall seeing pictures in history books of Indians putting up their barricades, and the colonists would have their barricades. I do not think either blamed the other, or ever did, for putting up a barricade to protect themselves against attack. That is what the ABM boils down to, and it will be a successful barricade.

Mr. FANNIN. Mr. President, I am highly honored that the distinguished Senator from Mississippi has seen fit to make his remarks. He is widely recognized as one of the most informed men in our Nation on the subject of the protection of our country. As chairman of the Committee on Armed Services, the country owes him a debt of gratitude. I have had the privilege many times of discussing a number of these problems with him. I know well his knowledge, his sincerity of purpose, and the tremendous amount of time he devotes to this subject.

I express my thanks to the distinguished Senator.

Mr. STENNIS. I thank the Senator.

SUMMING UP ON SAFEGUARD

Mr. SYMINGTON. Mr. President, with respect to the debate that is now going on incident to the Safeguard ABM, I ask unanimous consent that a thoughtful editorial published in the St. Louis Post-Dispatch of July 8 be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Summing Up on Safeguard

As Senate debate opens on deployment of the Safeguard antiballistic missile system, the country has before it a good summary of the argument in the majority and minority reports of the Armed Services Committee.

The majority calls ABM "essential for the nation's security." The minority, headed by Senator Symington of Missouri, believes the system would not contribute to our security "in any substantial fashion."

Without ABM, says the majority, Soviet weaponry may place in doubt the second-strike capability of "a large proportion" of our strategic deterrent forces. Pointing to the enormous surplus of nuclear power we already possess, the minority holds that even after an attack by Russia we would have enough forces left to "destroy the Soviet Union 50 times over."

The minority questions the technical feasibility of the ABM system, noting that the highly complex radar and computer components have not even been tested singly, and that in combination there is even greater doubt that they would function successfully under conditions of a nuclear attack. The majority rests its case on blind faith that technology can surmont any obstacles.

We think the minority has much the better of the argument. Perhaps its strongest point is one to which the majority offers no rebuttal at all—namely, that whatever protection might be afforded to our Minuteman missiles by the expenditure of billions of dollars on Safeguard could be completely overcome by just a few months' added production of Soviet offensive missiles. In other words, the "security" to be purchased with Safeguard is a costly illusion. It would not actually protect our land-based missiles if the Soviets were determined to knock them out; yet even if these were knocked out, we would still have far more than enough sea-based missiles, European-based missiles and bombers to deliver a crushing retaliatory blow.

The majority falls backs on the contention that a decision to deploy Safeguard will strengthen our negotiating position in arms talks with the Soviets. But the tactics of escalation to gain negotiating leverage have never worked in 20 long years of arms talks, and there is no reason to suppose they would work now. The whole history of the arms race is one of escalation on one side inducing escalation on the other. The way to break the cycle is for one side to refrain from an act of escalation which can be forgone without impairing its strategic position.

Such is the case with ABM. When Senator Symington and his colleagues, all of whom have had the same access to secret information as the committee majority, tell us that our security would not be impaired by postponing deployment of the ABM, they deserve to believed.

A Senate vote against deployment would in our opinion strengthen Mr. Nixon's hand in the arms talks. It would express in the strongest possible way the readiness of the American people, if not of the military-industrial complex, to call a recess in the nuclear arms race which for so many years has bled our economy and militarized our foreign policy. It would mark a historic turning point, a signal that the American people have decided to break the pattern of 20 years, during which everything the military establishment asked was freely granted with little debate and little question. It would tell the Soviets, and the world, that the military-industrial complex which has been able to escalate the arms race at will and plunge the nation into unsanctioned military adventures no longer exercises exclusive control over American policy.

For these reasons, and for the sake of a more sensible allocation of resources as between weaponry and social progress, the Senate should say "No" to Safeguard.

THE ABM—FIRST-STRIKE CAPABILITIES

Mr. TOWER. Mr. President, the American Enterprise Institute has, in my opinion, put out the best objective study concerning the merit and lack of merit of the proposed anti-ballistic-missile system. Entitled "The Safeguard ABM System," this special analysis is one of many reports issued by this nonpartisan research organization.

I, like all other Senators, have attempted to do as much research as possible on the ABM. Perhaps the most informative and controversial section of this analysis is the chapter dealing with first-strike capabilities. Whether or not the Soviet Union is gearing itself for a first-strike nuclear attack is a related question to the entire debate on the Safeguard system. If our information leads us to answer in the positive the deployment of the Safeguard system, protecting a portion of our ICBM and Minutemen forces is a mandatory step we must take to insure the safety of enough of our deterrent force so that we will be able to launch a second-strike retaliatory attack.

Particularly enlightening to me was the section within this chapter written by Department of Defense Research Chief John S. Foster, Jr. Mr. Foster stated that the Soviet SS–9 and the FOBS, the fractional orbital bombardment system, are offensive weapons not conducive to retaliatory attack. Furthermore, Mr. Foster and others writing in this same chapter take note of the complicated and advanced Soviet civil defense system, which is geared to evacuate city residents to rural areas. Such an evacuation procedure can only be taken as a Soviet belief and fear of a retaliatory attack.

These arguments and many others are discussed back and forth in this penetrating and informative analysis. As I stated before, the first-strike question has great relevance to the debate over the military procurement bill, as well as to the debate over the Safeguard ABM system. For these reasons I ask unanimous consent that the above-mentioned section of the American Enterprise Institute's analysis of the Safeguard system be printed in the Record.

There being no objection, the section was ordered to be printed in the Record, as follows:

The Safeguard ABM System

FIRST STRIKE

Along with its traditional renunciation of aggression, the United States carries among its prime articles of strategic doctrine a firm policy against employing a nuclear first strike against any adversary. First strike in the nuclear age has come to mean a surprise nuclear attack sufficient to destroy enough of the enemy's retaliatory force to render it virtually impotent.

As the May, 1969, study of the American Security Council pointed out in referring to the United States' nuclear forces:

"Not only do we have no *objective* which requires our initiating an attack against the Soviet Union, but we have carefully tailored our nuclear arsenal to exclude all weapons *designed* to initiate such an attack, or with which we could even credibly threaten such an attack. We have no hundreds of missiles with 25 megaton warheads. We have no orbital or fractional orbital nuclear bombardment systems whose utility is solely to deprive defensive forces of sufficient warning time to survive a surprise attack. We have neither the *capability* nor the *intent* of initiating nuclear war against the Soviets."

The Nixon decision on Safeguard, as the President has pointed out, was a further indication of no-first-strike intent. No preparations were made to protect major American cities even from a "broken-back" attack by Soviet forces that might be crippled in an American first strike.

Experts disagree about Soviet intentions to develop a first-strike capability.

Defense Secretary McNamara in his statement of September 19, 1967, generally discounted the possibility of a Soviet first strike:

"It would not be sensible for either side to launch a maximum effort to achieve a first-strike capability. It would not be sensible because the intelligence-gathering capability of each side being what it is, and the realities of lead-time from technological breakthrough to operational readiness being what they are, neither of us would be able to acquire a first-strike capability in secret."

Defense Secretary Laird, however, regarded the possibility that the Soviet Union was developing a first-strike capability as a real danger for the mid-1970s:

"I do not believe that the Soviet Union would be foolish enough, in this year 1969, or 1970, to go with the first strike, and I want to make that very clear. But, as Secretary of Defense, I must consider why they are going forward with the deployment of an SS–9 with such a large massive warhead. If they are developing a retaliatory strike, they don't need that kind of a warhead to hit our cities. They don't need that kind of missile system.

"It only leads me to believe that they are developing a capability to go after our missile bases and to knock out our deterrent force. It is important for us to have a creditable deterrent. What I am interested in doing is preserving the peace and protecting our people and preventing nuclear war. We have been successful thus far. We have to keep our guard up, and this is what I have been talking about before the committees the last two days." [1]

Senator Henry M. Jackson of Washington, in a speech on March 17, 1969, spoke in similar terms of the gravity of the Soviet first-strike threat:

"Moreover, the Soviets are moving fast toward parity with us in terms of nuclear missiles. By the end of this year Moscow will have deployed as many—or more—land-based ICBM's than we will have, and with a substantially greater megatonnage. The Soviets are deploying the Fractional Orbital Bombardment System (FOBS)—which is a first-strike oriented weapons system. The Soviets are producing Polaris-type nuclear submarines on a series, assembly-line basis, each with 16 ballistic missiles. Meanwhile, we are witnessing a far-ranging expansion of other Soviet naval activity, and the Soviet navy is quite evidently in the Mediterranean to stay." [2]

America's long-time disarmament chief, William C. Foster, acknowledged the possibility the Soviet Union might be seeking a first-strike capability in several of its weapons. In the April, 1969, *Foreign Affairs* he outlined steps that could lead to a first strike:

"Several of the weapons systems now being contemplated for deployment in the next few years could increase the risk of war by enhancing the temptation to strike first during a crisis situation.

"The Soviets, for example, have been testing a Fractional Orbital Bombardment Systed (FOBS). This weapon differs from a 'normal' ICBM chiefly in that it travels at a lower altitude and can take a longer and supposedly less detectable route to its target, via the Southern Hemisphere. . . . Its main purpose would appear to be for use in a surprise first strike against soft targets, such as strategic bomber airfields. Thus, a large-scale FOBS deployment would clearly be in violation of a fundamental 'rule,' which has been tacitly observed in recent years, against the development of weapons which might appear to increase directly the incentive to strike first.

"Another weapons system that would be inconsistent with that fundamental rule is a large-scale Ballastic Missile Defense system (BMD). A BMD system, if presumed to be effective by its possessor, might incline him to calculate that he could launch a massive counter-force strike against enemy land-based strategic forces and then defend himself against unacceptable losses from the enemy's retaliatory attack.

"Thus a large-scale BMD, by permitting its possessor to perceive an enhanced potential for a first strike, could increase his incentive to strike first in a crisis situation. At the same time a power confronting an adversary with a large-scale BMD might in a crisis situation feel impelled to strike first because a sudden, massive first strike with unimpaired offensive forces would have a better chance of penetrating missile defenses than would a retaliatory strike with a partially destroyed offensive force.

"The MIRV or Multiple Individually-Targeted Re-Entry Vehicle, which makes it possible for a missile to deliver separate warheads to several widely separated targets, is another complicating development in nuclear technology. If, in addition to possessing large-scale BMD systems, both sides also possessed large-scale MIRV systems—such as the United States and presumably the Soviets have been developing—there could be an additional incentive to strike first in a crisis situation. The rationale for this is simple enough. Suppose, for example, that a large portion of each side's ICBM force had, let us say, 5 MIRV warheads in each missile. Then the side which strikes first could hope, at least in theory, to destroy up to 25 enemy warheads (in 5 enemy missiles) with each of its attacking missiles. Clearly, this could be viewed as a reason for wishing to strike first."

Challenges to these interpretations of Soviet intentions and capabilities have been made by many critics of the ABM. Most of the arguments made against the first-strike hypotheses are incorporated in the following two excerpts:

"Jeremy J. Stone: A large-scale Soviet attack against American cities is plainly and simply not rational, since the American response is primed to destroy the Soviet Union in return. The Soviet leadership is aware of this. That nuclear war is mutual suicide has attained the status of a cliché with both super-powers. Wide-scale nuclear attacks on American forces are so unlikely to succeed, and so dangerous in any case, that it is very hard to imagine a Soviet leader, cr Soviet committee, attempting them.

Footnotes at end of article.

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"One can talk of war occurring through escalation. But it still requires, at some stage, that one major power launch nuclear weapons against the other. This will be, and can be expected to be perceived as, a self-destructive act. For the foreseeable future, war calculations will not seem promising; moreover, leaders are unlikely to believe them if they do seem so. And there is ample evidence in the three decades since World II of great-power caution in treating events that might risk general nuclear war.

"For these reasons, among others, nuclear war between the United States and the Soviet Union has become a low-probability event—possible and well worth worrying about because of its enormous consequences, but still unlikely. Because it has this character, concern with 'getting through the next few years' has gradually been transmuted into concern with maintaining nuclear peace and national security over the next decades. In short, the world situation now warrants paying attention to the medium- and long-term problems attendant upon proposed policies relating to nuclear year." [3]

"Senator Joseph Tydings: A Soviet missile attack on the United States would be 'irrational' because it would be suicidal. Regardless of the destruction wreaked on the United States, the U.S.S.R. would also be obliterated in the process. However, to assume that such a Soviet attack might also be 'irrational' enough to be less than 'all-out' defies reason. Why should any Soviet leader send only a few missiles over when he knows the United States will retaliate with its full second strike force? Even men as mad as Hitler were never guilty of such thoughtless accommodation to their enemies. If the Soviets did attack, it would certainly be with full force, which by the Pentagon's own reckoning would render the proposed Safeguard system useless.

"As for accidental attack, I assume it would consist of one or two missiles that unintentially 'got away.' Since all missiles are programmed to specific destinations, it is clear that such a missile would either be directed toward a large city or toward a missile site.

"If the former were the case, the Safeguard system would only protect Minneapolis theoretically and might even prove inadequate here owing to the fact that this city is beyond the range of our Sprints. If this enemy missile were targeted at a missile site, at most we would simply lose a few of our 1000 ICBM's, and few lives would be lost. It is hardly worth the vast expense of an ABM system to insure against the loss of a few drastically less expensive ICBM's

"The final justification offered by the Pentagon in support of the Safeguard is the most serious. It is based on the claim that our second-strike capability is being threatened by the Soviets and that measures must be taken to protect portions of our second strike force.

"If in fact our retaliatory capability is in question, we must act immediately to restore it. The Soviets must never doubt our ability to inflict unacceptable damage to their society in response to a preemptive attack. This is the very substance of our deterrent strategy. If our retaliatory capability is in question, additions to our offensive forces, not dubious defensive missiles, ought to be our strategy.

"However, there is no evidence that our second-strike capability is being threatened or that Moscow doubts its effectiveness.

"Last month, before the Senate Foreign Relations subcommittee on Disarmament, Secretary of Defense Laird declared that the Russians "are going for a first strike capability—there is no question about that." This came as a shock to those of us in Congress who are acutely interested in this Nation's defense posture. Only 2 months before, outgoing Defense Secretary, Clark Clifford, had announced: The U.S. 'shall continue to have, as far into the future as we can now discern, a very substantial qualitative lead and distinct superiority in numbers . . . and overall combat effectiveness of our strategic forces.'

"He added that the 'most pessimistic' military estimates credit the U.S. with the ability to destroy 40 percent of the Soviet population and 75 percent of their industry even after an all-out attack by the 'highest expected threat' the Soviets could launch in the future. And presumably by 'future,' he meant more than the 8 weeks between the time of his leaving and Mr. Laird's testimony before Congress.

"The National Intelligence Estimate—the consensus view of the Defense Intelligence Agency, the State Department, and the Central Intelligence Agency—denies the existence of any first-strike plans on the part of the Kremlin or any signs that such plans are in the making. In addition, the Secretary of State of this administration, Mr. Rogers, reconfirmed this view in a recent press conference, declaring that he was not aware of any Soviet intentions to develop a first-strike capability.

"The arithmetic of the situation casts further doubts on Mr. Laird's contention. Both we and the Soviets each have slightly in excess of 1,000 operational ICBM's. Let us suppose that Moscow initiated a preemptive strike against the United States and destroyed every one of our Minutemen in their hardened and dispersed sites—a virtual impossibility given what we know about the launch probabilities, megatonnage and accuracy of Soviet missiles. This hypothetical exercise also requires the further doubtful assumption that we chose not to launch our ICBM's in retaliation during the grace period after our radars detected this massive Soviet assault and before the enemy missiles actually struck.

"Our retaliatory forces would still contain 656 submarine-launched Polaris missiles that are invulnerable to enemy attack and 480 B-52 bombers each carrying four nuclear bombs and a nuclear-tipped Hound Dog missile with a range of 700 miles once it is launched from the parent plane. This is a total of more than 3,000 nuclear warheads. According to former Secretary of Defense McNamara's estimates, it would take no more than 400—not 3,000—nuclear warheads to damage the Soviet Union beyond recognition and repair.

"Mr. Laird bases his claims about Soviet intentions to develop a first-strike capability on the deployment of 200 Russian SS9 missiles. We have known about these missiles with large warheads for several years, and our intelligence evaluations have considered them part of the Soviet second-strike force designed to destroy our cities in a retaliatory attack. Suddenly, without explanation the Secretary of Defense has decreed that they are now first-strike weapons.

"Even accepting this questionable turnabout, the SS9 provides no reason for deploying an anti-ballistic-missile system in this country. Assuming these missiles possess the accuracy and launch probability estimated for our own Minutemen missiles, all 200 SS9's with huge multi-megaton warheads would destroy only 90 of our 1,000 land-based ICBM's. The Soviets would require more than 2,000 of these SS9's armed with 20 megaton warheads to destroy our entire Minutemen force—and this would still leave us with 656 submarine-launched missiles and our intercontinental bombers with their 2,400 nuclear warheads with which to retaliate.

"Finally, the credibility of Mr. Laird's contention that Moscow has first-strike designs is undermined by his recommended response. He is calling for a limited ABM system that will not "provoke" the Soviets. If, in fact, the Soviets are intent on developing the capability to destroy us and our ability to retaliate, and if the ABM is a workable system, a workable defense, should we not proceed immediately with a "heavy system" to protect our people and all our missiles? Why are we worried about provoking a nation which supposedly already has decided to go all out to annihilate the United States? How can they be further provoked?

"In addition, spokesmen for the administration have indicated U.S. readiness to abandon the Safeguard if the Russians will give up their limited ABM deployment around Moscow. Secretary of State Rogers informed the Foreign Relations Committee only several weeks ago:

" 'Suppose we started our talks in a few months and the first thing that's said by the Soviet Union is, "Let's do away with defensive missiles." We'd have no problem. We'd be delighted.'

"These are Secretary of State Rogers' words:

" 'If we truly believed the Soviets were forging ahead with the development of a first-strike capability, such a concession would be suicidal. We would be playing directly into Moscow's hands. One is forced to conclude that Mr. Laird does not take his own cries of "wolf" as seriously as he would have us receive them.'

"In summary, the Pentagon's claim that the Safeguard is necessary to preserve our second-strike capability is unconvincing." [4]

Dr. William G. McMillan, a nuclear weapons expert at the University of California, Los Angeles, responded to some of these criticisms in his testimony before the Senate Preparedness Subcommittee:

"For some years I have followed closely the growth of the Soviet ABM systems. By my reckoning there have been three systems involved: the first, partially deployed around Leningrad and then apparently abandoned; the second, deployed around Moscow and now approaching operational status; and the third or Tallinn system, very extensively deployed throughout the Soviet Union, and which appears to me likely to have a considerable ABM potential.

"I find very unpersuasive the argument that the Soviets are building in the Tallinn development yet another SAM antiaircraft system to the neglect of a defensive system aimed at what they must surely regard as the more current threat of ICBM's and SLBM's.

"By the counterforce effort I refer to the current Soviet development of multiple warheads for their SS–9 missile. To me the evidence as I understand it points very strongly, if not unequivocally, towards a MIRV—i.e., a multiple independently targeted reentry vehicle-system designed against the U.S. land-based Minuteman system.

"To impart some feeling for the strength of my own conviction on these two intelligence issues, I would strongly support spending a substantial fraction of our Defense budget to assure that neither of these Soviet developments be allowed to degrade our strategic deterrent.

"Put differently, I am most certainly not willing to gamble the survival of our Minuteman force that such an interpretation is wrong.

"In addition to the question of capability, Intelligence must concern itself with the question of intent. Here the writing of such high-level Soviet military planners as Marshal Sokolovsky abound with references to the need for a preemptive strategic first-strike capability. They tell themselves they must develop it, and now we see that development in progress. How much more notification do we need?

"In this focusing on the survivability of Minuteman one often encounters the rebut-

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Footnotes at end of article.

tal—'Well, there is always Polaris.' This seems to me a hazardous position. The whole point of the mix of strategic weapons systems—Minuteman, Polaris, Poseidon, B52 Bombers—is to have such diversification that our deterrent could never be totally negated. I am sure that if we are willing to write off Minuteman as a component of our deterrent forces, we would not have any difficulty inducing the Soviets then to focus their full counter-force genius against our submarine and bomber forces. In fact, I fully expect there has already been long established a Soviet group charged with developing specific means of countering such elements of our deterrent. To them, Polaris may not look like 600 missiles, or 6,000 warheads if given a ten-fold MIRV multiplication, but rather as only 41 boats to be neutralized. Certainly we know the Soviets are engaged in large-scale ASW developments. And our 600 B–52 bombers may be viewed as a much smaller number of airfields to be attacked—for which they may think their Fractional Orbital Bombardment System (FOBS) is well suited" [5]

What first-strike force would be necessary to neutralize the United States' deterrent? The Chayes-Wiesner report released by Senator Kennedy in May claimed it would have to be substantially larger than the force the Pentagon estimated. The Chayes-Wiesner book said:

"With our Minutemen in hardened silos, it would take at least two attacking ICBM's to be reasonably sure of destroying one Minuteman."

Defense Department Research Chief John S. Foster, Jr., however, called on recent United States experience to reach the judgment that Moscow would need many fewer attacking missiles to succeed in a first strike:

"An ICBM with three independently aimed warheads can attack three silos. The U.S. has designed, but not deployed, a system which allows a missile to signal the launch-control point if it has launched its re-entry vehicle properly. With this system, the control point could reprogram another missile to make up for failures. For example, a missile system having a 20% failure rate and carrying 3 re-entry vehicles per missile, would require only 420 missiles to attack 1000 silos. If the yield of each re-entry vehicle was a reasonable 5 MT and the accuracy a reasonable ¼ of a mile, about 95% of the silos could be destroyed. This would mean 50 of the 1000 Minutemen survive. It would be foolish to attack half of the silos twice as the book advised, rather than all of them at once."

Those who hold that the possibility of a planned Soviet first strike must not be lightly dismissed make the following arguments in support of their position:

1. The importance of surprise in nuclear warfare—that is, a first strike—figures repeatedly in Soviet doctrinal writings. One example frequently quoted is an article by Marshal A. A. Grechko, now the defense minister, published in *Red Star*, February 23, 1961. This article emphasized the following points:

"(a) Suddenness (or surprise) is crucial to success in modern war.

"(b) Technological surprise may be equally crucial.

"(c) The initial phase of the war will be of decisive importance.

"(d) Soviet forces will employ nuclear weapons as their main armament."

Several other quotations from Soviet military writings relating to the question of the first strike appear in the section on doctrine.

2. The SS–9 and fractional orbital missiles simply make no sense as retaliatory weapons. The suborbital missile is clearly structured for surprise attack. The SS–9 combines a much more powerful missile and more powerful warhead than is required for destroying even the largest cities. For purposes of simple retaliation, the SS–9 would be irrationally expensive. As counterforce weapons, however, directed against United States strategic air bases and ICBM complexes, they do make sense.

3. The Soviet Union places heavy emphasis on civil defense, including the evacuation of Soviet cities, which could be taken as a signal of expectation of a retaliatory nuclear blow.

Joanne Levey, a specialist in Soviet civil defense, wrote in the March–April, 1969, issue of *Survive*, an American journal of civil defense:

"Unclassified Soviet military literature abounds in articles on all areas of civil defense; thus, to read a fair amount of this material is one way of getting at least a layman's sense of the Soviet civil defense program—it's scope, its quality, and its emphasis. Such a reading, admittedly, does not reveal the exact number of Soviet shelters or their effectiveness. Yet even in areas such as these, certain clear-cut inferences may be drawn. For example, the abundance and extent of shelters is inferred when numerous articles instruct people to go to the nearest shelter on receipt of the "Air Alert" signal and indicate further that such shelters exist everywhere that people live and work so that when they hear the signal, they may take cover quickly.

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"Civil defense training in the Soviet Union is compulsory and universal. Everyone is exposed to it—school children in grades five through nine, both in classrooms and in summer camps, pre-draft-age men in military-sport camps and in educational institutions, industrial workers at their places of employment, and members of collective farms. There is multiple exposure in that civil defense is publicized at movies, on radio and television, and in magazines, newspapers, and factory publications. Civil defense courses are tailored to the needs and ability of the trainees. Farm children, for instance, are taught how to protect cattle, forage, food and water supplies as well as themselves. Factory employees learn rescue and reclamation operations and ways of reducing the vulnerability of their shops. All Russians are trained to identify and make the appropriate response to the seven warning signals (Air Alert, All Clear from Air Alert, Threat of Radioactive Contamination, Radioactive Contamination, Chemical Attack, Bacteriological Contamination, and Threat of Flooding). They are also instructed on how to respond to surprise attack and to the preattack government order to evacuate their cities. Instructions are specific and concrete. For example, if at home when the "Air Alert" is given, citizens are told to get together individual protective equipment (gas mask or dust mask, raincoat, and rubber boots), close the windows, turn off heat, gas, stoves, and lights; take the previously prepared supply of food, water, and personal documents, and head quickly for the nearest shelter, warning their neighbors (who may not have heard the signal) on the way out.

"Soviet civil defense training for male youth and adults puts emphasis on going into disaster areas almost immediately after attack to perform rescue and reclamation operations. They are taught to use cranes, bulldozers, and other heavy equipment to dig people out of caved-in shelters, to extinguish fires, to administer first aid, and to evacuate the injured. Training exercises for these complicated operations are realistic with actual protective clothing and heavy equipment being used. Realism extends in other program areas to the simulation of chemical warfare agents from inexpensive materials available in any drugstore and to the practice evacuation of the mothers and newly delivered babies of a maternity home to a kindergarten 37 kilometers away.

* * * * *

"Preattack evacuation of large segments of the urban population to rural areas under certain conditions of crisis escalation is an important plank in the Soviet civil defense platform. Industrial workers in cities are to remain on the job and take refuge in special shelters at or near their place of work; but non essential workers, school and preschool children, and retired people are to be transported to the country. Upon arrival, the evacuees are to assist their rural hosts in constructing hasty fallout shelters on sites that have already been surveyed for this purpose. Plans for evacuation are detailed, including, for example, time schedules for departure to collecting points; the presence of a doctor or nurse on each evacuation train (or with every convoy of trucks); instructions on what each family should bring (depending on climate and season); and special evacuation passes with a stub and a detachable slip for each person."

4. Possession of a first-strike capability does not necessarily mean that the Soviet Union would engage in a first strike. The capability would put the Soviet Union in a position to play the game of political blackmail more effectively than it did at the time of the Berlin ultimatum or the Cuban missile crisis.

Several critics of the ABM, while holding that a first strike is highly improbable, have nevertheless conceded that under certain circumstances the Soviet Union might be tempted or impelled to launch a first strike.

Dr. George W. Rathjens suggests:

"It is conceivable that one of the superpowers with an ABM system might develop MIRVs to the point where it could use them to destroy the bulk of its adversary's ICBM force in a preemptive attack. Its air and ABM defenses would then have to deal with a much degraded retaliatory blow consisting of the sea-launched forces and any ICBMs and aircraft that might have survived the preemptive attack.

"The problems of defense in such a contingency would remain formidable. They would be significantly less difficult, however, than if the adversary's ICBM force had not been seriously depleted. In fact, the defense problem would be relatively simple if a large fraction of the adversary's retaliatory capability were, as is true for the United States and to a far greater degree for the U.S.S.R. in its land-based ICBM's, most of which would presumably have been destroyed.

"It may seem unlikely that either superpower would initiate such a preemptive attack in view of the great uncertainties in effectiveness (particularly with respect to defenses) and the disastrous consequences if even a comparatively small fraction of the adversary's retaliatory force should get through. With both MIRVs and an ABM system, however, such a preemptive attack would not seem as unlikely as it does now." [6]

Dr. Franklin A. Long, former science adviser in the Arms Control and Disarmament Agency, has warned that an effective ABM might tempt its possessor to believe in his own invulnerability and thus might become an encouragement to adventurism:

"A different and more perturbing possible consequence is that a strong BMD system may lead its possessor to contemplate a first strike with his nuclear missile forces. (Against this is the argument that a conservative posture will lead a nation to derogate its own BMD capabilities and hence be very hesitant to carry out programs which, for success, postulate a fully effective BMD)." [7]

Conflicting estimates of the effectiveness of anti-missile defense have sometimes appeared in the Soviet press.

Soviet General Pavel A. Kurochkin, head of the Frunze Military Academy, had electrified the Western defense community on Feb. 20, 1967, when he announced at a Moscow press conference that "detecting missiles in time and destroying them in flight is no

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Footnotes at end of article.

problem."[7] If this were true, the Soviet Union might have been approaching the point about which Dr. Long later was to warn, the point at which a first strike against the United States might be ordered because the Soviet BMD was judged strong enough to ward off the American counterblow.

Two days later, however, the Soviet Union's civil defense chief, Marshal Vasily I. Chuikov, indicated that no guarantee for Soviet cities' protection against nuclear missile attack was available. The Soviet armed forces had "first class military equipment and perfect rocket nuclear weapons able to destroy any aggressor," he said in a television address on the eve of the 49th anniversary of the Soviet Army and Navy. "But unfortunately there are no means yet which would guarantee the complete security of our cities and most important objects from the blows of enemy weapons of mass destruction."

"In practice it is impossible to intercept completely all modern planes and, even more so, rockets launched through space. A certain number of them may reach the target."[8]

On the same evening *Izvestia* carried an article by the then First Deputy Minister of Defense, Andrei A. Grechko, saying that "the modern means of anti-aircraft defense may be relied upon to hit any plane and many types of rockets."[10] This carried the strong hint that Moscow defenses could not destroy *all* types of rockets.

An official Soviet commentary on the nature and effectiveness of Soviet civil defense measures appeared in the January, 1969, issue of *Science and Life*. Written by the same Marshal Chuikov, head of the Soviet civil defense establishment, the article said:

"In our country, everything possible is being done to build reliable means enabling us to protect lives in a possible war. It is well known that the task of defense of the population can be accomplished by two methods—by evacuation and dispersal of the population out of the regions which would probably be struck by the enemy, or by sheltering them in special defense installations. There are no other possibilities, but even these two give us a huge advantage over other countries, especially those of Western Europe. Our country has lots of space and a developed transportation network, our cities are surrounded by ample green belts. All this enables us, on short notice, to take people out of the cities and regions which are probable targets for the enemy into rural locations and thus sharply reduce possible losses.

"Take for example city 'A'. If today the average density of population in this city is 7,000 people per square kilometer, after the execution of dispersal and evacuation it would be lowered, on the average, to 700 to 800 people per square kilometer. In other words, the average would be lowered by eight to ten times. This means that after dispersal and evacuation, a nuclear explosion of the same magnitude would cause losses eight to ten times lower than before the implementation of these measures."

In his testimony before the Gore Subcommittee on May 21, 1969, Dr. Eugene Wigner, nuclear physicist at Princeton University, stressed the potential of city evacuation for nuclear blackmail in crisis situations. Here are some excerpts from his statement.

"The tactic I am most afraid of is not an actual attack. It is, rather, the threat of an attack, preceded by the evacuation of cities. If the USSR and U.S. armaments developed in the way the present trends indicate, I greatly fear that we would have to accede to whatever demands accompany the threat.

"If the civil defense plans of the USSR, in particular its evacuation program, are carried out—and I cannot see what might prevent this—our deterrent power will be gravely degraded and may become insufficient.

"The particular form of civil defense which plays a prime role in the USSR planning, the evacuation of the cities, was found objectionable to those participating in a civil defense study. I am referring to the Little Harbor Study, the participants in which, including myself, expressed opposition to evacuation plans because they felt such plans are 'provocative.' The time needed for the actual evacuation is long, of the order of a day at least. Hence, evacuation can be carried out in time only if the time of the confrontation is known well ahead of time. Since this is the case only for the party which initiates the confrontation, evacuation is most useful as a measure supporting aggression.

"The evacuation of the cities could decrease the fatalities which an opponent can inflict by a very considerable factor. I calculated that, assuming evacuation of the cities of the USSR into circles with 50-mile radii, our present missile power, including that on submarines, could cause a fatality level of about 9½ million if (a) all our missiles were used against the population, none against the military targets, (b) if the ballistic missile defense of the USSR were completely ineffective, (c) if we suffer no losses whatever from a first strike and (d) if all our submarines are on station. Naturally, though only a fraction of the numbers often quoted, 9½ million is an extremely high level of fatalities. It is based, however, on extreme assumptions and, of course, we do not know the lives of how many people a possible bellicose leadership of an opponent may be willing to sacrifice in order to assure permanent freedom from 'imperialist war plotters'."

FOOTNOTES

[1] Meet the Press, March 23, 1969.

[2] Senator Henry M. Jackson, *op. cit.*

[3] Adelphi Papers, Institute for Strategic Studies, 1968.

[4] *Congressional Record*, April 25, 1969, pp. 10411–10412.

[5] *Congressional Record*, April 29, 1969, p. 10654.

[6] George W. Rathjens, "An ABM Doesn't Turn Off Easily," *The Washington Post*, March 30, 1969.

[7] Dr. Franklin A. Long, Cornell University, "Strategic Balance and the ABM," *Bulletin of the Atomic Scientists*, December, 1968.

[8] Associated Press dispatch from Moscow, February 20, 1967.

[9] Stephen E. Nordlinger, *Baltimore Sun* correspondent, February 23, 1967.

[10] *Ibid.*

CORRECTION OF STATEMENT

Mr. GOLDWATER. Mr. President, in reading the CONGRESSIONAL RECORD relative to the debate on the floor of the Senate on July 11, 1969, in which I participated, I notice that on page 19289 I indicated we have had tested intercepts with the Sprint and the Spartan. Actually, these intercepts were made with our Nike-Zeus in 1962 and 1963. No nuclear warheads were used.

I just wanted to correct the RECORD because it was a mistake on my part to mention the Sprint or the Spartan as having been tested. The Sprint has been tested, but not against any reentry vehicles. These tests are planned to commence in 1970 at the Pacific test site.

The PRESIDING OFFICER. The correction will be made.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Illinois.

Mr. PERCY. Mr. President, I would just like to commend the distinguished Senator from Arizona for correcting the RECORD. I was concerned about some of this material because I know it was not possible.

ORDER FOR RECOGNITION OF SENATOR PROXMIRE TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the speech by the distinguished senior Senator from California (Mr. MURPHY) tomorrow, the distinguished senior Senator from Wisconsin (Mr. PROXMIRE) be recognized for not to exceed 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR CURTIS TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that tomorrow, following the speech of the distinguished Senator from Wisconsin (Mr. PROXMIRE), the Senator from Nebraska (Mr. CURTIS) be recognized for not to exceed 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR DOMINICK TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, as close to the hour of 2 o'clock tomorrow as possible, the distinguished Senator from Colorado (Mr. DOMINICK) be recognized for not to exceed 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

GREAT LAKES-ST. LAWRENCE SEAWAY MILITARY CARGO TEST PROGRAM IS PROVING SUCCESSFUL

Mr. PROXMIRE. Mr. President, on July 8, 1969, a number of eastern Senators wrote to the Secretary of Defense protesting the continuance of a test program of shipping military cargo via the Great Lakes and the St. Lawrence Seaway.

The letter suggests that the test program is diverting cargo from more efficient routes and that the result is higher shipping costs. Nothing, Mr. President, could be further from the truth. The traditional method of routing military cargo, whereby products manufactured in the Midwest are carted to the east coast for shipment, has diverted cargo; the present program is designed to redress this situation.

Officials at the Defense Department estimate that $100,000 in shipping costs will be saved this year. This estimate is based on the experimental quantity of 80,000 to 90,000 tons of cargo; as the program moves into normal operational status, with Midwest-manufactured military cargo carried via the St. Lawrence Seaway on a regular basis, this should result in savings of hundreds of thousands of dollars annually.

Before turning to the specifics of the letter written by my east coast colleagues, it will be useful to briefly review the history of our efforts to get this program underway. The Great Lakes have consistently received short shrift when it has come to military cargo. For years, cargo that was manufactured in the

Midwest, and which could have been placed on ships in immediately adjacent Great Lakes ports for carriage out the seaway, has been transported across more than 1,000 miles of land by truck or rail to be placed on ocean-going vessels in east coast ports.

It does not take a Ph. D. in economics to see that using the rail-plus-ship routing instead of a single mode of transportation is bad business. But it has been done this way because the lines servicing the Great Lakes have been mostly foreign-flag carriers, and the Pentagon has not been able to place military cargo on foreign-flag vessels because of the Cargo Preference Act.

Why have not the American-flag carriers sought out military cargo business in the Great Lakes? Simply because it is easier and more convenient for them to pick up cargo at east coast ports. As long as the Pentagon has been willing to transport cargo cross country to the east coast, there has not been any incentive for American-flag lines to send ships into the Great Lakes to get the business.

The only loser in this travesty has been the American taxpayer. He has been footing the bill for all the unnecessary costs of bringing Midwest-manufactured cargo to distant east coast ports for ocean carriage.

In 1962, the Defense Department studied this problem and concluded that significant cost savings could be achieved by shipping cargo out of Great Lakes ports. American-flag shipping was encouraged to go after this cargo. The 1962 report also concluded that if private shipping did not seek out this business then the military should use its own ships to carry cargo via the Great Lakes route.

This report sat on the table for 6 years, and nothing was done to implement it. Then, in 1968, the Defense Department sought the advice of the U.S. Comptroller General on how to take advantage of the cost savings that could result from seaway routings. The Comptroller General noted that the Cargo Preference Act prohibited the Pentagon from using foreign-flag ships for military cargo, and urged that an effort be made to get American-flag ships to come into the lakes for military cargo. Failing this, the Comptroller General advised the Pentagon to use its own control ships to pick up military cargo at Great Lakes ports.

It was precisely to take advantage of these cost savings—savings which both the Pentagon and the Government's chief financial watchdog were confident could be achieved—that the present test program was instituted. After years of waste, and years of diverting cargo, we now have an opportunity to redress this imbalance.

In light of this background, I am amazed that my colleagues from the east coast would attack this test program so presumptuously and so vigorously. Their letter to Secretary Laird charges that cargo is being diverted from the east coast to Great Lakes ports in order to make the test program work. Coming from those who have for so long benefitted from just this type of diversion in reverse, this is a surprising charge.

Mr. President, I ask unanimous consent to have the letter printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON COMMERCE,
Washington, D.C., July 8, 1969.

Hon. MELVIN R. LAIRD,
Secretary, Department of Defense,
Washington, D.C.

DEAR MR. SECRETARY: At a time when nonessential defense expenditures must be kept at a minimum, it is disturbing to read that the Defense Department is operating a shipping service to the Great Lakes ports contrary to economic good sense.

Reports indicate that the Great Lakes area simply can not provide the Military Sea Transport Service vessels with sufficient cargo. The first ship sailed only two-thirds full and it is likely that the other vessels involved will do so also. We have been advised that in order to find sufficient cargo military traffic has been artificially routed through the St. Lawrence Seaway from points as far away as Georgia and Maryland. Moreover, these ships may well return empty because retrograde cargo returning to the U.S. is not moved inland.

Since the Seaway was first opened in 1958, efforts have been made to route military cargo through ports on the Great Lakes. These efforts have not been a commercial success. Three civilian lines attempted to provide U.S. flag service into the Lakes area and were unable to do so because the amount of cargo generated simply did not pay for the extremely high costs incurred by the ships being tied up for so long in the Seaway.

We believe that MSTS can benefit from the experience of these shipping lines. We believe further that our Atlantic coast ports can provide MSTS with excellent, economic all-year service.

While the shipping service to the Great Lakes ports may be described as a test program, surely economic feasibility studies were available to indicate what the actual results would in fact be.

We urge you to review the situation personally and discontinue this MSTS operation.

Best wishes.

Sincerely,
JOSEPH D. TYDINGS, U.S. Senator; EDWARD W. BROOKE, U.S. Senator; CLIFFORD P. CASE, U.S. Senator; CHARLES McC. MATHIAS, U.S. Senator; ABRAHAM RIBICOFF, U.S. Senator; WILLIAM B. SPONG, Jr., U.S. Senator; J. CALEB BOGGS, U.S. Senator; HARRY F. BYRD, U.S. Senator; THOMAS J. DODD, U.S. Senator; CLAIBORNE PELL, U.S. Senator; MARGARET CHASE SMITH, U.S. Senator; HARRISON A. WILLIAMS, U.S. Senator.

Mr. PROXMIRE. Mr. President, the letter to Secretary Laird opens with the declaration that nonessential defense expenditures should be kept at a minimum. I wholeheartedly agree. Beyond this simple truism, however, I find that virtually every other statement that is made in the letter is either completely untrue, or a distortion of existing facts.

First, the letter states that the Great Lakes cannot provide MSTS—the shipping arm of the Defense Department—with sufficient cargo. It states that the first ship in the test program sailed only two-thirds full, and that others probably will do so, also.

The fact is that the first ship in the program left the Great Lakes with 6,539 measurement tons—MT—which was its full capacity. The second ship had 6,722 MT on board, and the third ship had 7,767 MT, both figures representing full capacity. On each occasion, the Pentagon had to leave behind some 1,000 extra MT that could not be taken because the ship was fully loaded.

Second, the letter states that in order to find sufficient cargo, traffic has been artificially routed through the St. Lawrence Seaway from points as far away as Georgia and Maryland.

The fact is that although one shipment of cargo was routed from Maryland to the Great Lakes during the first week of the test program, over three-fourths of the cargo on the first shipload originated in Great Lakes States, and that proportion has increased steadily. On the fourth shipload—the most recent to leave for abroad—every item of cargo on the ship came either from Great Lakes States or points westward, and this will continue to be the case for all future shiploads.

Third, the letter states that ships participating in the test program may well return empty because retrograde cargo returning to the United States is not moved inland.

The fact is that although the first ship had no retrograde on its return ship, the second ship returned with 1929 MT of retrograde cargo, and the third ship returned with 730 MT of retrograde. Since the normal rate of retrograde for all oversea Pentagon shipments is only 10 percent—this includes the east coast—the Midwest is more than holding its own, with 2,659 MT of retrograde for 21,028 MT shipped overseas thus far—a rate of better than 12½ percent.

Fourth, the letter states that since the seaway opened, efforts have been made to route military cargo through ports on the Great Lakes, and these efforts have not been a commercial success.

The fact is that this is the first sustained test to compare costs between Great Lakes Seaway shipping and line-haul plus ocean-shipping embarking at the east coast. The only previous experience was 2 years ago, when DOD shipped 170,000 tons of prefabricated housing overseas which had been manufactured in the Midwest. The material was shipped via the lakes-seaway route precisely because it was cost favorable.

Fifth, the letter states that while the shipping service to the Great Lakes ports may be described as a test program, surely economic studies were available to indicate what the actual results would in fact be.

The fact is that such a study was made by the Pentagon in 1962, and concluded that significant cost savings could be achieved by shipping cargo out of Great Lakes ports and encouraging American-flag shipping to go after it. As I mentioned earlier, the 1962 report also concluded that if private shipping did not seek out this cargo then the military should use its own ships for Great Lakes-seaway carriage. In addition, the 1968 Comptroller General's report, which I also referred to earlier, advised that in the absence of private shipping the Pentagon ought to use its own control ships to pick up military cargo at Great Lakes ports.

The present test program is designed precisely to test out—and take advantage of—these economic forecasts.

Finally, the letter states that the Defense Department is operating a shipping service to the Great Lakes ports contrary to economic good sense, and urges DOD to review the situation and discontinue this MSTS operation.

The fact is that although some money was lost on the first shipment, due to the inevitable costs of initiating any new program, estimates show that $5,000 in costs was saved on the second shipment, and as the program hits its stride, about $10,000 should be saved on each shipload. Overall, in its first year, it is estimated that the test program will save the taxpayer more than $100,000 in shipping costs.

Mr. President, the point-by-point rebuttal outlined above forms the substance of a letter which Senator HART and I wrote to Secretary Laird last Friday. The letter was written in order to set the RECORD straight on this very worthwhile program, so that something which promises to save the taxpayer hundreds of thousands of dollars in coming years would not be nipped in the bud without having a chance to prove itself.

Mr. President, this test program for military cargo shows every sign of becoming a resounding success. In the words of my east coast friends, "at a time when nonessential defense expenditures should be kept at a minimum," this program represents a significant step in the right direction. The Pentagon at last is showing an awareness of the need to trim its costs—in this area, at least—and a firm resolve to do something about it.

This program was borne of that resolve. It deserves the support of every Member of the Senate.

VIETNAM

Mr. DIRKSEN. Mr. President, on July 11, President Thieu of South Vietnam made a speech in which he outlined certain considerations as a basis for negotiations. The President of the United States commented on the speech and indicated that they certainly deserved support, and deserved accent and emphasis from time to time.

The emphasis in these proposals are varied. The first one was that there was a bombing halt and that we kept our word; that we agreed to sit down and confer, and that included not only Hanoi but the National Liberation Front.

Surely on that kind of reasonable basis some negotiations ought to be managed and, in fact, should prove fruitful as guidelines for those meetings in Paris at the present time.

I point out, secondly, that we did not permit frustration or disappointment to take us away from the conference table in Paris. We have remained right there, and along with it we have refrained from resuming bombing, even when there was very substantial demand for it, and despite the fact that there was very considerable provocation under which we could have been goaded into a resumption of the bombing.

President Thieu also offered to meet the National Liberation Front for private talks without any preconditions as to a political settlement. In other words, "Come and sit down at the table. We impose no preconditions of any kind. Let us rationalize this situation and let us see whether we can come to some kind of conclusion."

Still another item that he managed to advance was that the focal point of all agreements was simply in this question of self-determination, which could be undertaken by means of free elections very freely conducted.

The President of the United States has commented at length upon these proposals by President Thieu. But the point of emphasis I want to make is simply this. There is and there must be an end to concession. At some point of time there has to be some action. I think the word has to be gotten to Hanoi and the National Liberation Front that concessions will run out and that they cannot expect that if they repudiate and rebuff first one concession after another that this will willy-nilly continue forever, because it will not.

I think that should be made plain to the authorities in Hanoi, to the Hanoi representatives in Paris, and to the representatives of the National Liberation Front as well. But, over and over, I think we must now emphasize that, despite frustration, we are going to insist on some kind of action and maybe, at long last, they will give attention to and pay some heed to the affirmative attitude which is developing in this country.

U.S. PEACE SEARCH IS SINCERE

Mr. BENNETT. Mr. President, I applaud the efforts of the distinguished minority leader to place the current status of the Vietnam peace negotiations in proper prospective. The advocates of a total unilateral American withdrawal have done a disservice to the cause of peace by failing to support the efforts of President Nixon and President Johnson before him, both of whom have sought, to make political adjustments in order to bring about meaningful and successful peace negotiations in Paris.

The United States and South Vietnam, by their actions, have convinced all right-thinking people that they are sincere in their quest for peace. When these two nations involved in a conflict against a third withhold their most powerful weapon in the form of air attacks on North Vietnamese warmaking capabilities, they have, I think, made a major effort toward peace.

Now the President of the United States based in large measure upon the improvement in South Vietnamese forces and the relative allied position, has begun a carefully planned and phased withdrawal of American troops. Both President Nixon and President Thieu of South Vietnam have publicly advocated and endorsed an internationally supervised free election in South Vietnam, and both leaders have declared their willingness to accept the outcome of that free election. At the same time, we have had no clear indication that North Vietnam, which initiated and has controlled this war from the beginning, has made any comparable concession. Hopefully, they may be in the process of preparing to do so. But, Mr. President, if there is to be a successful negotiated settlement in Paris, North Vietnam must realize that it will take a responsible effort by both sides.

Speaking of responsibility, I think it is time, here in the United States, that the major critics of the war realize that Saigon and Washington have already gone the extra mile. I think it is high time that they stopped demanding total capitulation and unilateral withdrawal, and openly admit that the United States has made a sincere effort for peace. I think it is time they stopped misleading Hanoi into believing that if the North Vietnamese just hang on long enough, a certain minority segment of American public opinion can force a humiliating defeat upon the allied free nations.

It is past the time when opponents and critics of the war should rally behind the administration, and play a responsible role in convincing Hanoi that Washington and Saigon have made significant peace efforts, and that the American people are united in their determination to withhold any further concessions until there is a reciprocal move by North Vietnam. If, in light of these past moves by the United States, these critics cannot support the President, I think the least they can do at this critical stage is to remain silent.

Mr. SCOTT. Mr. President, I should like to address by comments also to the need for a common front in the United States. We have spoken of, and we have read about popular fronts, of unifying Vietnam, and of unifying other countries. I should like to see the time come when we could approach the position of unifying the voice of the United States.

Throughout the past years, particularly 1966, 1967, and 1968, many suggestions were made, in the utmost good faith, by critics of the war as to what should be done.

In this body, we have the highest respect for those who might be denominated outside of it as hawks or doves or whatever. But what is difficult to accept in our efforts to proceed toward peaceful solutions, are these people—I have no reference to any in this body—who cannot be defined as either hawks or doves but rather as parrots, those who would parrot the demands of the aggressor, those who would parrot the threats of the opposition, those who would parrot the claims of Hanoi and who then come along and say, because Hanoi wants it, that it is a good and just thing and we in America should do it.

I cannot buy that.

The critics have made many points—and many of them are good points—over the years as to what is wrong with the war in Vietnam.

Of course, what is most wrong, in my opinion, is that we are still there. I think that American public opinion accepts that.

But the critics have been saying that certain things must be done. They say that we should renounce reliance on a military solution.

On May 12 the President did that.

They say that we should offer to withdraw our American forces—and I was one of those who said it.

We have done that. There will be more

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to be withdrawn in an orderly phased program if met with a reciprocal attitude on the part of the other side.

They say that we should offer to withdraw United States and allied forces in 12 months under international guarantees and emphasize only our desire to secure the right of the people of Vietnam to determine their own future without outside interference.

On May 14, with the support of President Thieu, the President of the United States said that.

The critics say that South Vietnam and the United States should be ready to accept any political outcome arrived at through free elections.

We have agreed to do that.

The critics say that free elections should be either internationally supervised or internally supervised.

We have agreed to do that.

Accordingly one wonders why some people in this country seem to feel an obligation to get on the far outside of whatever it is the Government of the United States is doing and shout at the top of their lungs that we should be doing more.

We are moving further and faster and better and more effectively and more truly in the interests of peace than anyone has done in this war up to date.

Now the critics say, "Do more." But if we were to do more, we would run the white flag of total surrender up the mast, and we would parrot what Hanoi says.

It seems to me that in doing all that we can, and doing it humanely, reasonably, and in keeping with the few suggestions of the most vocal critics themselves, we have indeed moved farther toward the end of the road, toward the place where peace abides than has ever seemed to be possible before.

Therefore, in conclusion, my appeal is, as the President has pointed out, that the various elements in the United States have an obligation to endorse the proposals of the United States.

I say to those critics: "It will not hurt you, it will not wound you, it will not destroy you to say that the United States is doing its level best, that the United States wants to get out of the war. It wants an honorable solution. Now, what is wrong with an honorable solution? It wants to achieve these things. It has made specific, concrete proposals, which, in the eye of public opinion, are surely reasonable and just and proper and timely."

Therefore, it seems to me that none of us in this country ought at any point from now on out to put ourselves in the posture of the parrot; and none of us ought to take any position which would encourage Hanoi to believe that it can further manipulate U.S. opinion—as the Romans said, "cui bono?"

I say there is an obligation. We have reached a point in this country in our debate where criticism has to be responsive to be respected. Criticism will be respected as long as it is responsive. But to be a parrot is to be an outcast in the aviary of opinion. Let us be hawks, let us be doves, let us be eagles, let us be owls; but let us say to the parrots, "No encouragement to Hanoi other than our advocacy that you believe we are making very honest, open, decent, and indeed formidable, overtures to bring an end to this dreadful war."

FREE AND FAIR ELECTIONS IN SOUTH VIETNAM—THE REASONABLE ROAD TO PEACE

Mr. HRUSKA. Mr. President, I wish to join the distinguished minority leader (Mr. DIRKSEN) in his compeling and convincing statement on the peace proposals made by President Nixon and South Vietnamese President Thieu.

The war in South Vietnam is being fought by the United States for reasons of high principle as well as for purposes for honoring national commitments and protecting national security. Those who would call our involvement immoral would choose to ignore the consequences for millions of South Vietnamese people if the United States unilaterally withdrew from that ravaged land. Those who would call the Government of South Vietnam militaristic and undemocratic would choose to ignore the elections that were held and the Constitution that was adopted. They must consider as well the type of totalitarian control that would be imposed by a complete Vietcong victory. Those who would call our commitment irrelevant to the future of Southeast Asia would ignore the designs of Peking and Hanoi to expand communism in that area of the world. The attempted coup in Indonesia is a clear example of that design. The terrorist guerrilla warfare of increasing savagery in Laos, Thailand, and the Philippines are other examples of that design. Only the firm resolve by the United States has prevented a tragic and irreversible chaos of Communist terrior in Southeast Asia.

This is not to say that there is not room for honest debate about how the United States became involved in the war, and the manner in which the war was conducted. These questions, however, are questions of means, and not questions of ends.

The American commitment has unquestionably become a burden. Inflation is a serious challenge to the health of our economy. The loss of over 30,000 American lives in South Vietnam makes that war the third largest in American history. Domestic needs have reached crisis proportions in our cities, in our environment, in our educational system, in housing, in jobs, in health, and in hunger.

The question then becomes, as President Nixon said in his May 14 address to the Nation, "What do we do now?" In my opinion, President Nixon and President Thieu have put forth peace proposals which are eminently reasonable and could be the basis for a lasting peace in Southeast Asia. Significant concessions have been made. Our President and our allies have realistically accepted the fact that our full objective cannot be attained, and that certain conditions of peace must be negotiated. Our President and our allies are willing to accept greater risks in achieving our ends.

President Nixon has stated in good faith and with firm resolve his priority objective of ending the Vietnam war. He set forth on May 14 an eight-point plan for peace which includes the renouncement of a military solution, the offer of withdrawal of United States and allied forces within 12 months under international guarantees, and emphasis on the central goal of guaranteeing the people of South Vietnam the right to freely determine their own future.

These are reasonable goals which deserve the support and commendation of all people who share the worthy ends for which the United States became involved in this prolonged conflict.

The comprehensive proposal of President Thieu on July 11 delineates a reasonable program by which free elections can be held and the will of the South Vietnamese people determined. This is the heart of our objectives, and if obtained, would be a vindication of the American troops who have fought and died for the principle of freedom.

Now the time has come when thoughtful men should pause and listen for Hanoi to respond in kind. If the United States and South Vietnam will take increased risks for their ends, then Hanoi can do no less if the peace of the South Vietnamese people means as much to them as to us.

I call on all American citizens to pause and listen—those who seek a lasting peace, and not short-sighted retreat; those who seek meaningful procedures for the South Vietnamese people to express their will, and not an imposition of terroristic control; and those who seek for the ends obtained to come as close as possible to the ends sought and for which American troops died. It would be well for all these to pause and listen. The proposals of President Nixon and President Thieu deserve that much, at the least.

Mr. TOWER. Mr. President, I would like to associate myself with the remarks that have been made in the Senate by the Senator from Illinois (Mr. DIRKSEN). I think that the administration has bent over backwards in an attempt to reach a negotiated settlement on the Vietnam war. The Hanoi regime has steadfastly rejected every reasonable overture we have made toward peace.

It should be apparent to everybody that Hanoi is convinced that impatience on the part of the American people will force us to capitulate in our efforts to defend self determination in Southeast Asia. I fear Hanoi believes that if they remain adamant and unreasonable, they will gain complete victory without any need for compromise on their part.

The Nixon administration has given, in my opinion, all that America can afford to give in behalf of peace for South Vietnam. We can, in my opinion, give no further. As I see it, it is now solely up to Hanoi to negotiate sincerely and honestly in behalf of peace.

I call upon all Americans who desire peace to make it clear to Hanoi that the American people are in support of our Government's efforts to attain peace and that the burden of peace now lies soley with the Hanoi regime.

This Nation has taken many steps toward peace in Southeast Asia.

Last October 31, 8½ months ago, we halted all bombing of North Vietnam. Before we took such action, we had reason to believe the North Vietnamese would take a step of its own toward peace if we halted the bombing. They did not do so.

Meanwhile we have remained at the negotiating table in Paris and we have refrained from resuming the bombing of North Vietnam. But the North Vietnamese have continued to violate the demilitarized zone and have continued to shell South Vietnamese cities.

Since the bombing halt, North Vietnam has reconstructed its railroads and bridges, repaired its supply lines, rebuilt its marshalling yards, been able to resume its logistical operations all over the country, and dispersed them, and has, of course, built up a considerable logistic capability with which to supply its fighting forces in South Vietnam. The North Vietnamese have opened up new lines. They have opened up new lines of communications through Laos and Cambodia.

Last May 14, President Nixon set forth a very generous and rational offer for a negotiated peace. With eloquent clarity, he stated our minimum objective in South Vietnam. He stated that our only desire is to insure that the people of South Vietnam have the opportunity to determine their own political future.

Although President Nixon, in that speech, made it eminently clear that we will stay in South Vietnam until this minimum objective is achieved, the Hanoi regime appears to me to have taken the attitude that even this minimum objective is negotiable.

Mr. President, I want to tell President Nixon and tell all Americans that I am one Senator who believes that single minimum objective is not negotiable.

I believe it is time the Hanoi regime realized that it has extracted from the United States all the concessions that can be obtained from us, and that now it is their turn to settle down to serious and meaningful negotiations.

We are now beginning to withdraw some of our troops from South Vietnam. We have told Hanoi—we have told the whole world—that it is our every hope to withdraw more troops.

At the recent Midway conference, President Thieu and President Nixon stated clearly that this side was ready to accept any, and I emphasize the word any, political outcome which is arrived upon through free elections among the South Vietnamese people.

President Thieu has now offered a program by which free elections can take place. If Hanoi wants peace, we ought to be able to expect to hear from them at least another program for free elections so that negotiations can move forward.

Frankly, I have come to believe that the Hanoi regime desires no peace which does not result from our complete unilateral and unconditional withdrawal from South Vietnam.

I want the American people to tell Hanoi that that opportunity simply does not exist. When Hanoi truly believes that we will not, in the end, simply capitulate, I believe North Vietnam will then, and only then, begin to seriously talk peace.

I believe that the majority of the American people do not want their Nation to capitulate to all the demands of North Vietnam. I also believe that the majority of the American people desire peace at the earliest possible date.

The only reconciliation for these two majority views, is for all of us to show a united stand for our single, nonnegotiable objective: self-determination for the people of South Vietnam.

When Hanoi becomes convinced that we have conceded all we are going to concede, knowing themselves that they cannot achieve a military victory in the face of American determination, I believe they will then seriously negotiate, and that peace in Vietnam will then—and not until then—be in sight.

Mr. PERCY. Mr. President, will the Senator yield for a question?

Mr. TOWER. I yield to the Senator from Illinois.

Mr. PERCY. I ask the distinguished Senator from Texas whether or not he knows of a single instance of a Senator who has called publicly for unilateral withdrawal of American forces from Vietnam?

Mr. TOWER. There may have been some. I cannot name one offhand.

Mr. PERCY. I could not name a single one, either; and I wonder whether or not Hanoi has misread the signals from the Senate Chamber and whether, when Senators have criticized our policy in Vietnam for one reason or another, Hanoi has not interpreted that as a desire just simply to pull up and get out.

Mr. TOWER. There are, of course, a lot of people who advocate just pulling up and bugging out. As I say, I do not know of any in the Senate; perhaps some Senator has advocated it. I cannot name anyone.

The point is that Hanoi could certainly get that impression from some statements that have been made in the Senate; and I would hope that every individual Senator would take the opportunity to declare himself in opposition to unilateral withdrawal. I think that would go a long way toward convincing Hanoi that while we are rational, reasonable men, willing to make concessions, at the same time we mean business, and we are not just going to pick up and bug out.

Mr. PERCY. I should like to say that I have been critical of certain of our policies in Vietnam in past years, but if anyone thought that I would tolerate or be a party to America just up and getting out, he certainly would be misreading my criticism of the past; and I really do not know of any Senator—and I have talked to many of them—who has been critical of policy in Vietnam, who would himself say that he would be for just pulling up and getting out of Vietnam at this stage.

I know that many Senators called for negotiations, and I joined in that call for negotiations, but I anticipated that there would be negotiating, that there would be discussion of the problem by all parties to the conflict, and that we would not just have Hanoi and the NLF sit there and not even respond in any intelligent manner. That is not negotiation.

Mr. TOWER. I think it would be a very salubrious thing if other Senators who have been critical of the conduct of the war, or of our participation in it—and may I say I have been critical of aspects of it myself; I think possibly all of us, even those of us who support the basic policy, have been critical at one time or another of some aspect of it—but if every other Senator would avail himself of the opportunity the distinguished and able Senator from Illinois has, and make it clear, make it plain to friend and foe alike, that there is not widespread sentiment for unilateral withdrawal in this country, it would be very helpful.

Mr. MURPHY. Mr. President, will the Senator yield at that point?

Mr. PERCY. I would be happy to yield, but the floor is held by the Senator from Texas.

Mr. TOWER. I yield to the Senator from California.

Mr. MURPHY. I should like to point out in response to the fine statement made by the Senator from Texas, that 2 years ago, when I was in Vietnam, while I cannot make reference exactly to any statement of any particular Member of this body who directly said "Let us pull out and leave," I know there were many statements that clearly indicated the possibility, and that such statements, taken out of context, were being used as propaganda by Hanoi. The statements were being taken off of North Vietnam's drifters, and there was not any question but that statements made in this Chamber had been taken out of context, without getting the full meaning, and used by Hanoi; and at that time I spoke to one of my fellow Senators and told him, on my return, that his statement, along with others, had been so used. He had been very critical of the administration policy.

I think that I can make the same statement that the Senator from Illinois has just made, because it was evident and obvious, and well known to intelligent people at that time, that Hanoi knew they had no possible chance of winning a military victory, and they had said some time previous to that that their hope was not to win South Vietnam but to win in Washington. They hoped that, through propaganda and through sometimes unfortunate reporting of the true conditions out there, they would split and so divide the feelings of the American people that we would get tired of the war, and Lord knows we have every right to be tired. It should have been over long ago.

I have heard it said here, just within the last few days, that we could not win a military victory in Vietnam. That was simply not the fact. We could have won a military victory on many occasions. We were not permitted to win a military victory by some of the civilians who were giving the orders to our military people. That has dragged it out and created an unfortunate situation.

But those in the Hanoi Government, since then, have worked on the basis that they hoped to divide and weaken the determination of the American people, and thereby win the only victory they can win.

I recall when, not too many years ago, we saw almost the same technique in Laos. The Senator from Texas will recall, I am sure, when we almost forced the Laotian Government to take in

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members of the Communist Party, and thereby destroyed the determination of that government at that time. This is not a new condition; it is an old condition. It is what has been known as the troika system, that has been employed by the Russians for a great many years, even before they had a Communist government. It was a system of getting three people to sit down at a table; you control two of the three, and pretty soon you control the whole play.

I merely interject these remarks because it was so evident at the time I visited there that this was a tactic and that remarks made in the Senate had been taken out of context and twisted into propaganda by the Hanoi Government to convince their people at one time that if they would hang on long enough the American people would be divided and give in and that they would finally at long last obtain the objective with which they started out.

I thank the Senator.

Mr. TOWER. Mr. President, actually we did make mistakes in Laos relating to the troika. And there are apparently Communists there who hold portfolios in the Government. They are in the hills and leading the aggression against the Government. Actually, it is a nucleus government, in effect, legally and technically advising the Government. And the Pathet Lao could not hold 10 square miles in Laos if it were not for the presence of the North Vietnamese troops there.

Mr. MURPHY. Mr. President, if we look at the matter in retrospect, as we maintain the fidelity of the original Laotian Government, this situation could not have been forced upon them. But for the unfortunate, mistaken decision by some of our foreign policy managers, we would not now be faced with the unfortunate condition of the sanctuary which pertains and which has now caused great embarrassment to us. We find that the North Vietnamese at times of stress run to Laos to resupply, refurbish, rest, come back, and kill more American and allied troops.

These mistakes snowball. Over the years we have learned we must learn from the past, and it is the only way I know by which to make decisions in the future.

This is the reason I am so pleased that the Senator from Illinois has been so implicit in stating the fact that they should not be misled.

Mr. TOWER. Mr. President, I do not know of any Senator—although some Senator may have said it—that advocated an immiment pullout. Some of the action has been of the type that would convince Hanoi that this is ultimately what would happen, because this kind of opposition, if it continues in this country, will mean that eventually public sentiment would mount against the administration to the exent that that would be the policy.

There is no question that they have misunderstood some things that have been said by opponents of the war and people who have been critical of the war. And they do in their propaganda broadcasts quote comments made by public officeholders in this country. They do it in Paris, where they get a lot of publicity.

As a matter of fact, Ambassador Lodge told me they quoted extensively from the comments of one gentleman who held office here last year. They did so until the Ambassador reminded them that the gentleman had been defeated. They then changed their tactics.

They do use statements, if not to convince the rest of the world, to convince their own people that they should not tire of the war because the Americans will tire of the war and will get out if they are patient.

Mr. MILLER. Mr. President, apropos of the statement by the Senator from Illinois—and I do appreciate it—I think there is a point to be made that it is not just a simple case of any single Member of the Senate or the House of Representatives saying for all to hear, "I am for unilateral withdrawal."

I do not know of anyone who would make that statement. However, there are subtleties in what is said which can, as the Senator from Texas pointed out, lead to reflex action by the enemy in the belief that is what is being advocated.

For example, the President of the United States recently ordered a withdrawal of 25,000 combat troops from Vietnam. What happened? Immediately some Members of Congress came out and criticized this call as tokenism and said it was too few. They indicated that if they had anything to do with it, it might have been 50,000 or 100,000.

The words of former Secretary of Defense Clifford to the effect that if he had anything to do with it, he would take all combat troops out by the end of 1970 had a bad effect.

The people who make such remarks never say, "I am for unilateral withdrawal." They always say, "I am for an honorable end of the war." They would not be caught short on that point.

What they suggest causes a reaction on the part of the other side, which is the very thing that the Senator from Illinois says we should avoid.

Those who talk about some kind of a withdrawal and who depreciate the President's decision to withdraw 25,000, while they never say anything about being against an honorable settlement of the war and never say they are for unilateral withdrawal, never seem to say anything about what will happen to the troops remaining behind.

I am quite sure that the combat troops who might come out of Vietnam according to the Clifford statement would be very happy. However, I am not so sure that the troops remaining behind would be happy if they were to stand greater risk of casualties and a prolongation of the war.

The worst failure is the failure on the part of people like Clifford to say anything about the prisoners of war in North Vietnam. I do not know why they fail to say anything about it.

Mr. TOWER. Hanoi will not even give us the names. We have only asked them to give us the names.

Mr. MILLER. The Senator is correct. Some of the people sounding off do not talk about the prisoners. They talk about pulling out the combat troops and they forget about the prisoners of war in North Vietnam.

I do not think we should forget about them. We have some from my State who are prisoners of war. They fail to mention them. They say, "We are for taking out some of our troops." However, they forget about our prisoners of war in North Vietnam.

It is that fear that leads to a certain reaction on the part of the North Vietnamese that there is in fact a unilateral withdrawal in mind.

It may be false, but it is being used, and I think that is what the Senator from Texas is getting at.

I thought it well to bring out this point.

No Senator will stand on the floor and say, "I am for a dishonorable withdrawal or unilateral withdrawal." I do not think it will happen that way.

Mr. TOWER. Mr. President, I think the Senator from Illinois is one who has provided a service by underscoring the point that Hanoi sometimes misinterprets criticism. I am hopeful that the distinction will be drawn by other people.

Mr. PERCY. Mr. President, will the Senator yield for a comment and a question?

Mr. TOWER. Mr. President, I yield.

Mr. PERCY. Mr. President, I would not be surprised if Hanoi did not read the American people correctly.

I think at this particular point we ought to make it eminently clear that when we called for negotiations, we meant negotiations. This means that something has to be put on the table by them, and something has to be put on the table by us. Then we will discuss it and try to resolve it. Neither side is going to get everything it wants.

We thought that when the representatives of Hanoi showed up in Paris, they had as their objective to find a political settlement rather than a military settlement, because they knew that they could not win a military settlement. We knew that, and we emphasized it time and time again to them. But we have been willing to say that we were not going to seek a military solution of this conflict, because the cost is far too great in humanity—loss of life—and in loss of treasure. Let us find a political settlement.

I think that every Senator has an obligation to clarify what he means by calling for negotiations, and that none of us means, by negotiations, to withdraw or pull out unilaterally, or precipitately, as Hanoi apparently believes we may mean.

The distinguished Senator from Texas has said that some people—I am not exactly certain of his words—would have us pull up and get out without regard to any responsibilities or aftermath as a result of such a decision.

The distinguished Senator, more than all other Senators on our side of the aisle, has spent a good deal of time on college campuses. College campuses are known to have been critical of our policy in Vietnam, so I should like to ask the Senator, who has talked with college students, Does any more than a small minority of college students today believe we should unilaterally, precipitately, pull up and get out without any regard for what may follow?

Mr. TOWER. It is my belief that they

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are a minority—a highly vocal minority—and I think they get an inordinate amount of publicity. I imagine that many of the representatives of the media feel that they give a balanced presentation when they report what the unilateral withdrawal advocates say, on the one hand, and then report what people who feel otherwise say. I do not think there is any more advocacy of unilateral withdrawal among younger people than there is among older people. Actually, probably more advocates of unilateral withdrawal will be found among middle-aged people who have teenaged sons than will be found on college campuses.

But the college groups are a highly vocal group, many of them using Vietnam as the rallying cry for resorting to vandalism and violence, destruction and disruption. It is, of course, a highly dramatic way to underscore their point, but Hanoi reads it as meaning that the American people are about ready to take to the streets and take to the barricades and believes that civil war is about to begin in this country. Perhaps that is going to a little ridiculous length. I do not believe they think that, but they could conceivably get the impression that there is that much disruption.

Mr. PERCY. All of us go to college campuses, and I have been to a great many. In answering questions from students about Vietnam, I took a position very strongly against unilateral withdrawal regardless of consequences. I said that we cannot simply do a thing like that. I want negotiations, but we are not going to say we are going to negotiate and then precipitately pull out. We do not intend to do that. I do not think the President intends to do that. He does not intend to. I was not booed.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. PERCY. I yield.

Mr. TOWER. I hope the Senator will accompany me the next time I make a speech at the University of California at Berkeley. I might be better received than I was the last time I was there.

Mr. PERCY. I spoke on Sproul Steps.

Mr. TOWER. I did, too.

Mr. PERCY. I had 7,000 students there. There were a few scattered comments when I made an answer similar to the one I have just given. But, overwhelmingly, I think even that campus would not have called for it.

I have gone to a great many campuses. I finished, a month ago, a tour of 10 campuses in Illinois alone. At each campus I asked for a show of hands on how they stood on the choice of escalating the war to try to win a military victory; unilaterally withdrawing; or gradually drawing down our forces, but working always with the confidence that by so doing there would be a response on the other side in Vietnam and we would make progress in Paris with negotiations. A very small number wanted to try to win a military victory. I would say an equally small number were for unilateral withdrawal. That was on 10 campuses in Illinois within the last 60 days. Overwhelmingly the students of Illinois supported the present policy of this administration to negotiate in good faith, with sensible, reasonable, flexible terms, making presentations, presenting ideas and thoughts for discussion, and planning for drawing down and lessening the conflict, but waiting for that response and also waiting for decent negotiation by the other side that will recognize that this must be a negotiated political settlement; because both have said "let us try to find a way to end it over the conference table."

I think Hanoi has misread completely the attitude of the American public, whether it be U.S. Senators or college students, and I think that this colloquy this afternoon has been helpful.

Mr. TOWER. I am convinced they have misread it, and I wish there were some way we could get the message to them.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. TOWER. I yield.

Mr. MURPHY. One point of confusion has been brought about by some organizations that are extremely busy—they seem to be well financed, get widespread publicity, and there are several of them—which have for many years said that they thought we should withdraw, that we should get out, that the whole thing is immoral, that there is no basis for it, that we should not have been there in the first place. I think the publicity that some of these organizations have been able to achieve perhaps has helped Hanoi get the impression that there is great division in this country. There is not any great division in this country. I think the division in this matter is as the distinguished Senator from Texas and the distinguished Senator from Illinois have said. It is on about the same basis as the troublemakers versus the good students in the universities.

The time has come when the proportions of this division should be clearly and definitely pointed out. It should be pointed out clearly and definitely that the great majority of the American citizens are completely in favor of the plans laid down by our President and that they have confidence in his ability, his knowledge, his determination, and his courage. If the colloquy this afternoon is as clearly reported and spread as wide as some of the reports from this floor, I think it will have a great effect on bringing the North Vietnamese and the Communists to the negotiating table much quicker and make the day come much quicker when they will start reducing their troops so that we can reduce ours with some degree of safety.

Mr. STEVENS addressed the Chair.

Mr. TOWER. Is the Senator seeking the floor in his own right?

Mr. STEVENS. Yes.

Mr. TOWER. Then, let me yield to the Senator from Tennessee.

Mr. BAKER. I thank the Senator for yielding.

Mr. President, I have been impressed by the colloquy this afternoon as much as or more than I have been impressed by any debate or colloquy or speech on the floor of the Senate relating to foreign affairs since I became a Senator.

I believe that the distinguished junior Senator from Illinois and the distinguished junior Senator from Texas and all the others who have participated in this colloquy have done a great service not only to the United States of America but to the other people of this world and the prospects for peace that are interrelated with the hopes and aspirations of all people of good will. If ever there was an opportunity to use the Senate of the United States as a forum to convey to Hanoi the reasonable and limited objectives of this Nation's policy, to underscore the fact that we do in good conscience and in good faith want to negotiate a settlement, that we do not seek a military victory in that troubled area of the world, that we will go only so far, and that they had better take us seriously and reciprocate, the Senate has served as that forum today.

I believe that in the days to come there is a real opportunity—and in my mind an obligation—for other Senators to underscore the determination of the United States to negotiate in good faith. But good faith entails negotiations by both parties to this conflict.

If the Senator will permit me, I should like to make this final remark: A summary of what has gone previously might be useful. Not only have we halted the bombing; not only have we gone to the conference table and remained at the conference table despite extraordinary measures by the North Vietnamese and the Vietcong to shell civilian Vietnamese population centers, to rehabilitate their supply lines and whatnot; not only has President Thieu offered private talks with the other side looking to a political settlement; not only has the President of the United States proposed a cogent and intelligent peace plan; not only have we withdrawn 10 percent of our combat forces unilaterally from Vietnam; not only have President Nixon and President Thieu offered to accept any government which might come from free elections by all the people of South Vietnam; but also, the President of the United States, in a televised press conference, has given the world substantial reason to believe that if there is some reciprocity on the part of Hanoi and the Vietcong, substantially greater unilateral troop withdrawals will be undertaken.

Notwithstanding all these things, we have not had a single response from Hanoi or the Vietcong, with the single exception of appearing in Paris ostensibly to negotiate a peace settlement.

In summary, I hope that this colloquy indicates that it takes two to negotiate. Having taken all these steps, we can and we should receive some response from Hanoi and the Vietcong if we are to continue in our efforts to bring peace by political means rather than military means.

I thank the Senator for yielding.

Mr. MUNDT. Mr. President, I congratulate the Senator from Texas and the Senator from Illinois on the very fine, constructive approach they have enunciated on this very difficult problem of what to do about the war in Vietnam.

It seems to me that Congress, in a sense, has to share the responsibility for the failure to bring the enemy to the conference table because politicians sometimes engage in the art of hyperbole and in enthusiasm for some particular point of view we are likely to make some statements that probably would not be made if we were going to write them to our constituents or to make a sober and well-reasoned report of a position we are supporting.

I think it would be helpful if each Senator and each Member of the House of Representatives made a resolution in his own mind that before speaking out in connection with the war in Vietnam and before suggesting how to bring this war to an enduring end without capitulation, would carefully examine every paragraph and every sentence of his manuscript to be sure that not a single sentence or paragraph could be lifted from context and quoted in the Communist press as indicative of the fact that the will to survive has disappeared in this country and that the United States is ready to accept a devastating defeat and call it quits.

I make a habit of reading some of the comments in the Communist press. As the author of the Smith-Mundt Act and in connection with our overseas information programs I suppose I spend more time than the average Senator reading foreign press reports that come back to the United States. I have been shocked at the number of times men whom I know to be patriotic Senators and Representatives are quoted by the press overseas in the exact language they have used, but lifted from context to give the clear implication that if that Congressman or that Senator had his way he would call back all the troops, capitulate, and deliver South Vietnam entirely over to the enemy. Those who get themselves so quoted, must, of course, accept responsibility for the results.

I think we might do another thing. It might be a good idea if we had some substitute or followup to the Gulf of Tonkin resolution, perhaps some round-robin letter to be signed by all Senators and Representatives would be sufficient. Such a round-robin letter or sense-of-the-Congress resolution should simply make it clear that all Senators and Congressmen supporting it continue to oppose a unilateral pullout in Vietnam under conditions associating such a pullout with an abject defeat of our military efforts. I dare say that such a pronouncement would have the support of 90 percent of the Senators and Representatives.

The statement would simply be to the effect that we are not in favor of unilateral withdrawal, that we would like to bring the war to an enduring conclusion and enter into negotiations on a flexible basis; but that we are not going to unilaterally pull out or cut off funds for the boys who continue fighting.

I think Congress does have a responsibility to back up the determination of the vast majority of people in this country and the President, the Secretary of State, and the Secretary of Defense, to make it crystal clear that we are not capitulationists, that we are not going to cut and run, that we are not going to pull out our troops summarily and leave those who are still there under the American flag to be decimated by the enemy and we are not going to turn the country over to the successful Communist victor from Hanoi.

There are things we could do. There are things we should do to make clear statements, because there is no question that sometimes statements made by certain Members of this body are lifted out of context and help prolong the stalemate in Paris and give false hope to the men in Hanoi.

This country has repeatedly been drawn into foreign wars by miscalculation on the part of the enemy. The Kaiser miscalculated the attitude of the United States in defending its own citizens going overseas in a flag ship of its own nationality. Finally came the catastrophe involving the *Lusitania*. Because of this miscalulation by the enemy we were soon involved in war.

The same thing happened in connection with World War II. The Japanese entirely miscalculated the will and attitude of this country to maintain itself and its position and finally attacked us deliberately at Pearl Harbor. Again a miscalculation by the enemy soon had us in a war.

I think miscalculation on the part of the enemy in Hanoi is now prolonging this war. They know they cannot win. I shuddered when I read that former Secretary of Defense Clark Clifford had said we cannot win the war militarily. He does not know because we have never tried. I have discussed this matter with many competent military authorities in this administration and the previous administration. They think we could win the war if we decided to spend the money and to make the sacrifices, but we have not tried.

If I were running the propaganda mills of Hanoi what more could I ask than to have a former Secretary of Defense tell the world we cannot win militarily. We should be careful about statements of this type. Former Secretary of Defense Clifford is a fine and patriotic man. He did a fine job when he was in the Pentagon, and he has a right to counsel his successor about mistakes he thinks he made as Defense Secretary along with recommendations against repeating them. But to tell the world that this country could not defeat, if we tried to do so, 18 million people in one-half a country—in that one-half of a country which does not have a single production complex, which cannot build a tank, which cannot build a plane, which cannot produce big ammunition, which cannot build modern electronic equipment, that has to rely entirely on handouts from Communist allies to continue the war—and for him to pronounce that we cannot win a war against such an enemy it seems to me is to run up a white flag in advance to every potential enemy because if we do not have the stuff to win against one-half of Vietnam how can we defend ourselves against Russia or China? Or, perhaps on some unfortunate future date, against them both?

Mr. President, when we make these statements they are lifted out of context by the men in Hanoi and used to fortify our enemy to continue fighting in Vietnam and to continue stalling in Paris.

Dr. Walter Judd, who was formerly in the House of Representatives, used to say, "You cannot hurry the East. The one thing they have in surplus is patience." They see television and they see banners unfold indicating 5,000 students are saying, "Get out of Vietnam now." That is pleasing material to someone in Hanoi; it provides the fuel needed for their propaganda machinery.

Therefore, if all of us in public life resolved that not one syllable, not one word, not one sentence, not one paragraph is going to be uttered by any of us that might give aid and comfort to the enemy, that would very definitely help shorten the war.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. TOWER. We could win merely with the resources we have there now. It should be demonstrated to the world that the United States is acting with restraint, which is precisely what we have been doing, and with increasing restraint; and now we have said we were willing to seek free elections with the National Liberation Front, the North Vietnamese, and the Vietcong, or whatever, participating. Now it is time for the world to stop criticizing the President. This is all we have asked.

Mr. MUNDT. Mr. President, the Senator is correct. In many committees in which I have sat, and in the Pentagon, I do not know of anybody who has said we could not win the war except Mr. Clifford, and he said it only after he got out of his position of authority. We elected not to spend the Treasury and the lives, or make the sacrifices required to win the war because there is nothing over there we want. We do not want to assume the responsibility for that entire area of the world. We just want to retain for the South Vietnamese the right of self-determination.

If we make it crystal clear by a round robin letter, by a sort of revision of a Gulf of Tonkin sense of the House and the Senate resolution that we are not going to pull out we would find out just how many would vote against that. There would not be very many who would vote against such a proposal, perhaps none. We could also advance meaningful negotiations in Paris which have been stalemated primarily by those who are on the homefront in America, not the military front in Vietnam. I think it is time to disabuse the minds of those in Hanoi from prolonging the war on the basis of their miscalculations. We have suffered enough loss of life and treasury in our country's history by miscalculation of the people of other countries.

Mr. TOWER. I thank the Senator, and I yield the floor.

Mr. MILLER. Mr. President, I am deeply concerned over the drift of the debate on the war in Vietnam. It seems that whenever the United States or South Vietnam advances a proposal, for settlement of this conflict, it is immediately denounced—not so much by Hanoi—that is to be expected up to a point—as by some people in our own country.

How far are we to go in our conces-

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sions to Hanoi without receiving something in return? To hear some of the critics, we should be the ones to make all the concessions and the other side none. If the war is to be settled honorably, the North Vietnamese must get rid of the idea that if they reject all proposals by the allies, we will always come forward with still more concessions, and the critics should understand this.

The political settlement offered by President Thieu is a case in point. "A fraud," cries Hanoi, and the cry is parrotted by some in this country. It seems to be forgotten that we in the United States have an obligation to support reasonable proposals—and Thieu's proposal is one. And those who criticize the proposal without giving it the benefit of a careful study only add to Hanoi's mistaken belief that it can manipulate U.S. public opinion to suit its purpose.

President Nixon, on July 11, said President Thieu's proposal "deserves the support of all who seek peace." I agree. And I believe all objective observers agree too.

Is it not about time that those who have a reflex impulse to denounce us at every turn realize that we have made many important concessions and are still awaiting concessions from the other side?

Is it not about time that the other side puts forward a fair and reasonable position, one that provides a basis on which negotiations could proceed?

The President, in his statement of July 11, said:

> If the other side genuinely wants peace, it now has a comprehensive set of offers which permit a fair and reasonable settlement. If it approaches us in this spirit, it will find us reasonable. Hanoi has nothing to gain by waiting.

Perhaps now is the time to enumerate again the concessions we have extended to the other side. On July 11, President Nixon set them out clearly, so that there would be no mistake.

First. We halted the bombing of North Vietnam last October, and we have agreed to sit down at the conference table with the NLF, as well as the governments of Hanoi and Saigon.

Second. We remained at the table and refrained from resumption of the bombing, despite Hanoi's shelling of South Vietnamese major cities, its violation of the DMZ, and its refusal to deal with the Saigon government.

Third. President Thieu, on March 25, offered to meet with the NLF for private talks without preconditions on a political settlement.

Fourth. With President Thieu's support, President Nixon on May 14, put forward an eight-point plan for peace. Those points are worth repeating:

As soon as agreement can be reached, all non-South Vietnamese forces would begin withdrawals from South Vietnam.

Over a period of 12 months, by agreed-upon stages, the major portions of all United States, allied, and other non-South Vietnamese forces would be withdrawn. At the end of this 12-month period, the remaining United States, allied, and other non-South Vietnamese forces would move into designated base areas and would not engage in combat operations.

The remaining United States and allied forces would move to complete their withdrawals as the remaining North Vietnamese forces were withdrawn and returned to North Vietnam.

An international supervisory body, acceptable to both sides, would be created for the purpose of verifying withdrawals and for any other purposes agreed upon between the two sides.

This international body would begin operating in accordance with an agreed timetable and would participate in arranging supervised cease-fire.

As soon as possible after the international body was functioning, elections would be held under agreed procedures and under the supervision of the international body.

Arrangements would be made for the earliest possible release of prisoners of war on both sides.

All parties would agree to observe the Geneva accords of 1954 regarding Vietnam and Cambodia, and the Laos accords of 1962.

Continuing with the concessions we have made:

Fifth. The President, on June 8, announced the withdrawal of 25,000 U.S. combat troops, a withdrawal now taking place.

Sixth. Both President Nixon and President Thieu, at Midway, declared their readiness to accept any political outcome arrived at through free elections.

Seventh. And now, President Thieu has offered a concrete program by which free elections can be held and the will of the South Vietnamese people can be determined.

And what has Hanoi offered in return to indicate a willingness to negotiate a settlement.

Nothing. Let me repeat, Nothing.

If those, both here at home and elsewhere who are so quick to condemn us, apply their voices to a condemnation of Hanoi for doing nothing to bring peace, the war they say they want to end would end sooner.

Mr. MUNDT. Mr. President, will the Senator from Iowa yield?

Mr. MILLER. I am happy to yield to the Senator from South Dakota.

Mr. MUNDT. Mr. President, the Senator has just mentioned the seven specific steps which we have taken in this country, steps of good faith and good intention, whereby we are willing to open up negotiations on a flexible basis and consider any alternative terms the enemy might want to bring up.

We have failed as a country to convince the presidium in Hanoi, and the leaders of communism, that they cannot sit back with the crapshooter's hopeful formula of "seven come eleven," anticipating an eighth concession, or a ninth concession.

Perhaps the time has come to make clear that we have run out of concessions to make, that there is not much more that we can offer, that we cannot offer them anything more than the seven combined steps—unless, of course, we say we offer to accept defeat or offer to pay reparations to Hanoi as a victor.

Someplace, we have to come to the point that we say, "This is the package" and to keep repeating it until every schoolboy around the world knows what we have offered. Then put the "bee" on the other side and say, "What have you got to offer? What are you willing to do?" As long as they can, hopefully, expect an eighth, a ninth, a tenth, or an eleventh concession, they would have to be members of a knucklehead club in Hanoi not to sit there patiently twiddling their long-nailed fingers, expecting that we will finally run out on our obligations over there, throw in the sponge, pull out unilaterally, and accept, for the first time in American history, a perilous military defeat.

Accordingly, I say again, that we in Congress, the President, and the State Department, should assume some responsibility in presenting a united front to convince Hanoi that "This is it. We want peace. We want to negotiate. But it is time for you now either to come in with your negotiating alternatives or come in with any criticisms or amendments to ours, or stand before the world committed to the fact that you want war to the end and a complete military victory."

So far as the United States is concerned, let us say to them with one mighty American voice, "You are not going to get it."

Mr. MILLER. Mr. President, I thank my colleague for those comments. The Senator is correct. The problem is, however, that certain people in Government have at previous times indicated that a concession was being made, and that that was about the end of the road. As the Senator from South Dakota has pointed out, those up north in Vietnam just sat back, patiently waited, and kept saying, "No." Then came along another concession.

The President of the United States made it quite clear when he set forth those eight points as the basis for negotiation, that that was "it."

He also indicated that the withdrawal of 25,000 troops was a substantial gesture to see what the other side would be willing to reciprocate with as to a withdrawal of their forces.

At the same time, the President made it very clear that a U.S. withdrawal would not jeopardize our own forces who remained behind.

I can understand how, after conferring with General Abrams and our other field commanders, he could draw that conclusion, because the South Vietnamese undoubtedly have increased their power, their firepower, and their training; and so the withdrawal of 25,000 American troops has been accompanied by an improvement in the South Vietnamese forces and would not cause any more jeopardy.

But, as I said earlier, there are some critics in this country who disdain President Nixon's withdrawal of 25,000 troops by saying, "It should have been 50,000. It should have been 100,000." The other side will be waiting now, hoping that, if they wait long enough, it will be followed by another 25,000 or 50,000.

I am sure it is distressing to the President, and I am sure it is very distressing to our negotiators, because the people on the other side of the conference table are smiling and saying, "There is no hurry. All we have to do is wait a little longer and there will be another concession."

It is going to take more than statements like that of the Senator from South Dakota and that of the Senator from Iowa and those of other Members of the Congress that "this is it" to persuade North Vietnam that it is really it.

I think one of the best things that could happen would be for the critics to stop criticizing the United States; to praise the United States for coming forward with the concessions it has already made; and then really let a blast go at the other side for not making any concessions and not coming forward to give any indication of a willingness to negotiate a peaceful settlement.

If the critics would transfer from the United States to North Vietnam their unhappiness, if the critics would stop criticizing the United States and start criticizing North Vietnam for the fact that its North Vietnamese troops are in South Vietnam—the South Vietnamese troops are not in North Vietnam—and criticize the leaders in North Vietnam for doing nothing at all, as I pointed out in my statement, that is really meaningful by way of reaching a peaceful settlement, I think the war would end much sooner than it would otherwise. Those critics are the very ones who say they want the war to end, but, because of the way they are handling their misplaced criticism, are only prolonging the war.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. MUNDT. I think the Senator has made a very good point. It should be emphasized.

People both in and out of the Government criticize the South Vietnamese for the election they held. They held that election because the western world urged them to do so. The election was monitored by Members of the Senate and by the American committee of monitors. They reported that there were more protections against dishonest elections in Saigon than are provided in any big city in the United States.

The thing that always disturbs me is that the same people who criticize the election machinery in South Vietnam never mention the fact that they do not have any elections at all in North Vietnam. They do not know the meaning of the word. These carping critics seem to think that a dictatorship there is sweet and holy and good, but even when we have a democratic process in South Vietnam, they criticize the South Vietnamese for the way they conducted the election.

Mr. MILLER. It is the double standard.

Mr. MUNDT. It is indeed the double standard.

I would like to reinforce what the Senator said; that it is important that somewhere along the line we make up our minds that we are out of concessions: "This is it, Mr. Hanoi, now what are you going to do about it?"

We used to have an old expression in the horse trading country. Two farmers are trading horses. They sit down on a work bench in the shade. They are horse trading. They start whittling on sticks. They used to say that the farmer who quits whittling first gets the worse horse.

It is about time we stopped making concessions. We ought to ask what the other people are going to do. It is about time we got across to the world the seven steps that the Senator has talked about, which are honest. They are concessions, but they are concessions which a strong country like the United States can make. We are not concerned with saving face. We believe, as Americans, that we can win; that we can, if we must, get a military victory; but what we want is an honest, enduring peace without any further bloodletting. What we want is a peace which is enduring and fair to both sides and one which protects the integrity of South Vietnam. We have, somehow or other, failed to tell our story.

I can well understand, as one who comes from horse-trading country, that if the other fellow says, "Now, start trading horses," and then he says after a short session of whittling on his stick, "I will throw in a saddle, I will throw in a bridle, I will throw in spurs, I will give you a wagon, I will give you a blanket for your horse, I will also throw in an extra $10." I ask you would not the other fellow be pretty silly if he started trading before he finished talking. With everything coming his way, he would want to find what the last offer actually was.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. MILLER. That is a very excellent example. In addition to that, we have the problem of one of the whittlers, one of our so-called friends there, who keeps making signs and giving indications to the whittler, that if he will keep whittling, the other whittler will keep making concessions. That is going to encourage the other whittler to keep going.

So we have people in our own country, not to mention people on the other side of the water, who keep criticizing the United States, never saying anything about the other side, pulling the double standard, and at the same time saying they want an end to the war. They are just prolonging the war they assert they want to stop.

Mr. MUNDT. I think if we made clear to the world that this is the package, that this is it, that we are not going to make another concession every Monday at noon, so they know that it is not a case of all they have to do is wait until next Monday noon to get an additional concession. We would be surprised how fast Hanoi would change its stubborn attitude and start meaningful negotiations in Paris.

I read an editorial recently in the Economist, a pro-British publication, which for the first time took the American side on this issue. It said that the Americans have made concession after concession after concession and that it is now time for world opinion to turn on Hanoi and say, "When are you going to make your offer? What is your proposal? What is youi basis for ending the war, or are you looking for a bloody war of extermination?"

I thank the Senator for yielding.

Mr. MILLER. I thank the Senator.

Mr. DOLE. Mr. President, will the Senator yield?

Mr. MILLER. I yield to the Senator from Kansas.

Mr. DOLE. Mr. President, I join the Senator from Iowa and other Senators who have spoken. I agree with the Senator from Iowa, who has clearly stated that we have made many reasonable concessions. They started with an end of the bombing and continue the recent offer made by President Thieu. I feel, however, we must share some of the blame and responsibility for those who feel we cannot continue to go the extra mile every time. The critics are much more vocal in their statements on the Senate floor and the floor of the House of Representatives and elsewhere. Some of us have failed to use our best efforts to combat unwarranted criticism. This may be the reason the critics receive undue attention from the media. There may be another reason for this.

I would guess that if the people could watch television in North Vietnam every night—which, of course, the people in North Vietnam cannot do, because the news is suppressed—if our people could see the slaughter and inhuman treatment and what happens to their prisoners and to South Vietnamese civilians and generally learn more about the atrocities committed by the enemy, then perhaps the American people would give more support to our President.

This colloquy has been most helpful to me as a junior Member of the Senate. I would hope that it might be reported as widely as much of the criticism has been reported, because my impression today was that, of whatever persuasion, Senators have stated there should be no unilateral withdrawal and that we should not surrender in Vietnam. I share that view. I doubt that many Americans, regardless of their age, color, or persuasion, or politics, would want us to surrender in Vietnam just to get out.

It has been described—and I have described it myself—as the most tragic war in American history. But we are there. The war was escalated by President Kennedy and again by President Johnson. Now, for the first time in the history of that war, President Nixon is bringing Americans back alive, but the war and the suffering continues. Perhaps it is only 25,000. Some feel it should have been 50,000. Some believe it should have been 100,000.

The point is, as has been repeated here, it is time for the American people to unite. Certainly Members of the Senate and the House of Representatives should be in the forefront and let Hanoi know that, to a man in this Chamber, we are not about to unilaterally withdraw, or make more unilateral concessions, and that we are concerned, as we were when we first entered Vietnam, in wanting to preserve the right of the South Vietnamese to self-determination.

That has been our only aim in South

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Vietnam. We are not the aggressor. But to read some of the editorials and to hear some of the critics, one would think it was our war, that we were the aggressors, that we were the real enemy.

There are some in this Chamber who know a little about war. We know some of the tragedies of war. We know some of the consequences of war. We despise it as much as anyone.

But if we intend to leave Vietnam with honor, then I think it is our obligation, our duty, and our responsibility as Americans first to support the President of the United States.

Mr. MILLER. I thank my colleague for that excellent statement. I think he has a very good point, that somewhere along the line the constructive people, those who are not being critical for the sake of being critical, those who recognize the problem and are trying to face up to it constructively, have, perhaps, been a little too silent.

For a number of years, I was highly critical on this very point, because, as I stated, there is only one person in the United States who can command the prestige and the national audience that the President can command. For a long time, I exhorted former President Johnson to get on national television and take the American people into his confidence, and tell them what the situation was and what we were trying to do. It never happened.

But I am thankful that we now have a President who did appear on national television, and laid out the cards on the table for all Americans to see what we were advocating, and what we were advancing by way of a negotiated settlement, so there would be no doubt in the minds of the people.

Now, I think it is up to us to support the President and to speak out. I think it is up to the critics to exercise a little restraint, and perhaps to transfer some of their criticism to North Vietnam, where it really belongs now. If they do, I am satisfied that the other side will get away from the idea that all they have to do is wait and keep whittling, as the Senator from South Dakota stated, and they will end up with the prize.

Mr. President, I yield the floor.

Mr. SCHWEIKER. Mr. President, I am pleased to join the minority leader and others in expressing the view that important, positive steps have been taken by this administration as a matter of policy and by President Nixon on a personal basis to bring about peace in Vietnam.

As early as May 1967, I advocated a plan to achieve negotiations that would bring about an end to the war. Basically, it involved a gradual deescalation on several fronts by both sides and covered a wide range from a graduated bombing halt to the negotiations in Paris. The administration, I feel, is moving toward that deescalation.

The President's eight point plan for peace, presented with the support of President Thieu, followed by the announcement to withdraw 25,000 combat forces and the program by which free elections can be held in South Vietnam, are distinct, positive moves.

They represent, in my opinion, genuine, reasonable moves on our part that are clear and proper.

I have long advocated a de-Americanization of the fighting in South Vietnam and have backed substantial withdrawal of American troops and a gradual turning over of responsibilities. I, therefore, am pleased to see this administration begin to move toward that end.

Mr. STEVENS. Mr. President, I am pleased to be able to join with the minority leader and our able colleagues to support the action taken by President Nixon in his endorsement of the position of Vietnamese President Thieu in his call for free elections in South Vietnam.

From June 29 until July 4 of this year, I was in Vietnam with my good friend Senator HENRY BELLMON of Oklahoma. It was our privilege to be able to visit with our American forces in every area of South Vietnam as well as the forces of the South Vietnamese.

Mr. President, the impact of our visit on me was that the results of the pacification program in South Vietnam have not been fully appreciated here at home. For instance, 76.4 percent of the rural population of South Vietnam—10,783,300—now lives in areas under control of the Thieu government; another 11.8 percent of the rural population are in areas occupied by, but not completely controlled by, the Thieu government; and only 11.8 percent of their rural population are now in areas not controlled by the government. If all urban and rural areas are considered together, 84.2 percent of the total population—17,219,100—now live in pacified areas under complete South Vietnamese Government control while 8 percent live in areas occupied by, but not completely pacified by, the Thieu government and only 7.8 percent of the total population does not live in pacified areas.

The most significant reason that the Thieu government now has the control of the vast populated areas of South Vietnam is that there has been organized the Peoples' Self-Defense Force. By the end of May of 1969 1,360,272 individual South Vietnamese pledged their support of the Thieu government and agreed to become a member of this "home guard." Of that number 863,208 of these people have been trained and over 300,000 of them have been armed—mostly with automatic weapons.

Mr. President, as one of the young South Vietnamese colonels told me:

> A nation which does not have the support of its people does not arm its people; particularly it does not arm its people with automatic weapons.

The results of the total pacification program are shown in the election results in South Vietnam for 1969. I ask unanimous consent that these results be printed at the end of my statement, and I point out that 145 villages and 11,009 hamlets conducted free elections in June of 1969. In this year alone 794 villages and 4,461 hamlets have held free elections.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. STEVENS. It is obvious from these statistics why the North Vietnamese want to insist on a coalition government rather than await the outcome of free elections to determine to what extent Communist elements in South Vietnam should have membership in a new post free election government.

It is my feeling that it is only a matter of time—and a very short time at that—before the South Vietnamese will be able to completely defend themselves. When that time comes all of our troops will be able to come back home, and this, I feel, emphasizes the position taken by President Nixon. If there is to be peace in Vietnam, it will be because the North Vietnamese realize that they cannot win the war and that this Nation is united behind our President and his policies which are designed to bring our boys home alive while at the same time preserving the right of self-determination to the people of South Vietnam.

EXHIBIT 1

ELECTION RESULTS, JUNE 1969

	Village		Hamlet	
	Planned	Conducted	Planned	Conducted
I CTZ	38	68	125	190
II CTZ	23	18	328	300
III CTZ	12	13	135	137
IV CTZ	42	46	474	482
Total	115	145	1,062	1,109

OFF THE CUFF COMMENTS

(By Senator TED STEVENS)

Soon after becoming a member of the Senate it was apparent to me that almost every returning member of the Senate had visited Vietnam to see first hand the total effort there. Regardless of whether these members supported or opposed the war, each said a Vietnam trip was necessary to understand the country, the war, the pacification efforts, and particularly the work of the Agency for International Development (AID). (This Agency has made remarkable strides through measures to prevent inflation in Vietnam and to assist the civilian community—both in providing health care to injured civilians and assistance for economic growth.)

After discussing the subject with our good friend Senator Henry Jackson, from our neighbor State of Washington, and with the Department of Defense, Senator Henry Bellmon and I were authorized to travel to Vietnam and the Pacific Trust Territories for the Interior and Insular Affairs Committee, of which Senator Jackson is Chairman.

Before leaving Washington we were briefed by the staff of the Joint Chiefs of Staff (J.C.S.) on the Vietnam war situation—including troop locations, mission, casualties, enemy strength, and the South Vietnam capability. Also, we were briefed by A.I.D. Unfortunately, one absolute requirement was that we renew the shots we had received in World War II. I found that Senator Bellmon had been a 1st Lt. in the Marines in the Pacific—while I had served as a 1st Lt. in the Air Force in China. We had sore arms and rear ends for about a week prior to leaving because of those shots.

An Air Force C–141 took me from Dover Air Force Base in Delaware to Elmendorf in Anchorage, where Senator Bellmon, arriving from Oklahoma, joined me. We were greeted in Anchorage by Brig. Gen. F. J. Roberts, and Col. R. S. Culet, and after a brief meeting with my Anchorage secretary Barbara and her husband, Don Andrews, we left for Yakota, Japan.

It was 11:30 p.m. when we arrived in

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Yakota—and we had lost a day going across the date line. Having two hours to wait for the C–141 to proceed to Phu Cat in Vietnam, Senator Bellmon and I wandered about the PX—which is open 24 hours a day.

We left Japan for Vietnam, scheduled to arrive at 6 A.M. Monday morning—and our plan is to go to Saigon for a briefing from General Creighton W. Abrams, Commander in Vietnam before noon in Saigon. We will be in the Mekong Delta with the units of the IV Corps by Monday afternoon.

OFF THE CUFF COMMENTS

(By Senator TED STEVENS)

SOUTH VIETNAM, 2D DAY

After visiting with Col. Harry Trimble and his men of the 37th Tactical Fighter Wing at Phu Cat, and inspecting the new version of the F–4, we left for Tan Son Nhut, Saigon's military airport. Escorting Senator Henry Bellmon and me from Phu Cat through the balance of our Vietnam trip was Lt. Col. George A. Custer, III.

George, who long ago became steeled against comments about his "last stand" and shed his hair to escape being called "Yellow Hair" was able to get us in and out of each installation we visited with a minimum of difficulty.

In Saigon, we moved into the "White House"—a white compound for transients. We hurried immediately to a briefing being given for General Creighton W. Abrams, Commander of the Military Assistance Command, Vietnam (MACV). He is referred to as COMUSMACV. General Abrams, a man obviously dedicated to his job, emphasized that he believed the South Vietnamese had "turned the corner" and were able now to assume a greater role in the defense of their country. It was, however, my conclusion that the burdens and tensions of command in this conflict were really taking their toll from General Abrams.

Senator Bellmon and I were also briefed by the Commanding Officer of our Naval Forces in Vietnam (COMNAFORV), Admiral Zumwalt, and at lunch we were joined by his Deputy Admiral Flanigan. Strangely, the delta area of Vietnam has given rise to a new form of naval activity—the Riverine Force. Admiral Flanigan explained for us the network of rivers and canals which are the traditional "highways" of South Vietnam. And, we immediately left for Ben Luc—a base for Game Warden, the code name for the River Patrol Force. Traveling in a UH–1 helicopter (a "Huey") to the Tien River, my first feeling was we were over the Kuskokwim Delta in the summertime—but this flat delta area was cultivated and filled with green rice paddies. At Ben Luc we saw the "Monitor"—an armored steel small river patrol boat with a turret that obviously reminds you of its famous predecessor.

Next the "Huey" took us to the U.S. Benewah, anchored in the MeKong river. The Benewah is an APB which is the command post for the River Assault Flotilla—comprised mainly of fast PBR's (River Patrol Boats) which escort the ACT's (Armed Troop Carriers).

Here at the Benewah we met units of the VNN—the Vietnamese Navy—units trained this year, which were replacing American naval units in the Riverine Force.

And, to prove to us the capability of the PBR's the VNN took us out on the river for a short trip. In the quick briefing given us at the river, VNN and U.S.N. personnel pointed out that it was only a matter of time before South Vietnamese forces could perform not only the patrol activity but also maintain the maintenance and repair functions.

Our next stop was Binn Thuy where we visited the 74th VNAF (Vietnamese Air Force) Wing, commanded by an aggressive young Colonel Anh. This wing is now equipped with Cessna A–37 jets and O–1 twin engine prop observation planes. Colonel Anh proudly told us his unit was up to 100% strength and was flying almost 170% of the sorties programmed for his wing. The A–37, a small twin jet, carries a tremendous load—yet it is so small I could stand on the ground and look into the cockpit. This plane, I predict, will find its way into Alaskan civilian flying—mainly because it can cruise in excess of 300 knots on one engine—and uses two engines only on take off, climb and when landing.

One thing at Binn Thuy struck me—the maintenance and repair of every single vehicle, whether it was a jeep, T–37, crane or fork lift—showed this was an on the ball outfit. I remembered my days as a pilot in World War II in China—maintenance and repair at an advance base is tough for anyone. This VNAF operation was so good that the 74th Wing had just received a U.S. Presidential citation for their performance.

We left Col. Anh and flew in our "Huey" to Soccer Field, at Can Tho, where we spent the night with General Wetherill and the IV Corps headquarters staff. It had been a long day—this was Monday night and I had last been in bed on Friday, the night before I left Washington, D.C. (having lost Sunday going across the dateline).

The day had left me with many impressions—the strongest of which was that I had not known how capable and well trained the South Vietnamese were. And, I now understood President Nixon's comments when he announced the withdrawal of 25,000 troops. These troops were being replaced by Vietnamese, trained by U.S. forces, and equally capable of defending this troubled country. I went to bed with the feeling that the U.S. is not involved in fighting an interminable war—and that it really is only a matter of time before Vietnamese forces will replace all our fighting men.

OFF THE CUFF COMMENTS

(By Senator Ted Stevens)

VIETNAM, 3D DAY

On Tuesday morning, Senator Bellmon and I joined the General Staff of IV Corps for its morning briefing. Significantly, the bulk of this briefing concerned pacification efforts—the formation of peoples forces (P.F.) and regional forces (R.F.) and the reopening of hamlets and villages previously abandoned by friendly South Vietnamese. No significant incidents were reported except the movement of a North Vietnamese regiment to a position opposite IV Corps just across the border in Cambodia.

Our first stop Tuesday was My Tho—the headquarters of the 7th ARVN Division. We were met by General Nguyen Thanh Hoang. On the way we flew over a portion of the contested area of the Mekong Delta. General Hoang and his Senior American Advisor Col. Tansey, seemed confident that the build up of local political organizations—hamlet and village councils—provided the deterrent necessary to prevent the Viet Cong or the North Vietnamese from taking the initiative in this area.

Through this 7th Division we learned of the arming of the people of this area. Not only carbines, which are semiautomatic, but also our M–16 automatic rifles had been issued to over 101,000 men. This represents the Peoples Self Defense Force (PSDF)—and in and of itself demonstrates the increasing confidence of the Thieu government in the people and vice versa, for these guns have been issued to Catholic, Buddist and Cao Dai alike. The PSDF is the South Vietnamese "home guard"—an almost limitless source of reserve strength.

We had lunch that day with the NCO's of the U.S. Advisory team assigned to the 7th ARVN Division. Apparently, a Newsweek article had been written about this area—because several of the sergeants asked me what I thought about it. Unfortunately, neither Henry nor I had read the article, issued last week, but it demonstrated to each of us that the men of the U.S. forces here were informed—very current in their exposure to public opinion at home. These NCO's were as Senator Bellmon put it "evangelists for the U.S. effort in South Vietnam". Only one expressed any reservation about the ability of the 7th ARVN Division to defend this area of South Vietnam—the area from which the 9th U.S. Infantry Division is being withdrawn in accordance with President Nixon's decision to commence withdrawal of troops.

Our "Huey" helicopter lifted us from My Tho to Cu Chi where we discussed the withdrawal with Col. Homer Long. Significantly again, our conversation was about the success of the pacification effort: The 25th U.S. Infantry is being reassigned because its job is done and it has been done well. The South Vietnamese have reformed their Provincial government, organized and trained its army, and organized and armed its home guard.

Major General Ellis Williamson joined us in Cu Chi and went with us as we traveled by "Huey" again to Duc Hoa, where we were briefed by Major General Nguyen Xuan Thinh, Commander of the 25th ARVN Division. This Division, which patrols the Cambodian border, faces the greatest threat today. We were shown aerial photographs of North Vietnamese troops just across the Cambodian border. And, for the first time, our briefings included reference to substantial enemy and ARVN loses due to engagements in the past few days. General Thinh, however, has confidence in his ability to meet North Vietnamese invasion, and his opinion was shared by Col. George Robbins, his senior advisor.

We met with the Chief of the local province, Col. Hanh, in Bao Trai, and the Province Senior Advisor, Lt. Col. Bremer. Despite the continuing military engagements in the area, pacification, primarily due to the PF, RF, and PSDF programs, was proceeding at a rapid pace, we went to Rung Tre where U.S. Captain Dewese of the 27th Infantry and the 494th R.F. Company had established protection for an area formerly occupied by NVA. This small group—one U.S. rifle company and one Vietnamese RF company had, in the past three weeks, "pacified" the area. What they had done sounds simple—traveling at night, they had searched out the North Vietnamese in the area and had cleared their district of enemy troops. Then they had repaired the homes in the hamlets, and encouraged the villagers to return. In pouring rain, this young U.C. Captain spoke to us of "his" hamlets, his district—and as we walked through these hamelts his accomplishments were obvious. School was full, the elders—and they really were ancient men—were planning new public buildings to replace those destroyed in the war, and most important, the rice fields were in the process of being restored and replanted.

From Rung Tre we went, again by "Huey" to Fire Support Base (FSB) Jackson. It was hard to realize that we were only 8 to 10 miles from Cambodia—and that the area in between was almost a no-man's land. In this Boa Trai Province we visited another hamlet, spoke with the District Chief Major Ai and inspected the 1st ARVN Armored Cavalry, commanded by Lt. Col. Ty. Without doubt, these were first rate, well trained troops. And all of the U.S. advisors were outspoken about the effectiveness of this ARVN force if properly equipped and supplied.

Our "Huey" lifted us away from these front line troops and deposited us on the heliport of the American Embassy in Saigon. There we met Ambassador Ellsworth Bunker—a silver haired, soft spoken man who spoke of peace and the hope for the future of Vietnam. Senator Bellmon and I found Ambassador Bunker to be a man of inspiration—a man with an insight brought about a vast knowledge of the history of this Southeastern Asian area and the potential of the people once peace is restored.

We completed the day by having dinner wtih General Abrams, his son Captain Abrams, Ambassador Bunker and members of the General's staff. Our frank, personal exchange with these men set the stage for our visit on July 2 with the U.S. Marines who have the prime responsibility for I Corps—the area just South of the DMZ in South Vietnam.

Off the Cuff Comments

(By Senator Ted Stevens)

VIETNAM, 4TH DAY

DaNang, in Quang Nam Province, lies in the center of a small peninsula on the coast of the South China Sea. We had left Saigon's Tan Son Nhut airfield at 6:30 a.m. in a small plane—and were greeted at DaNang by Lt. Gen. H. Nicherson, Jr., commander of I Corps. General Nicherson is a marine, and his staff was one of the best I've ever met. We joined the morning briefing at 8:15 a.m. and found there was sporadic activity the night before just south of DaNang.

Most importantly, this briefing dealt with the increasing effectiveness of the VNAF (South Vietnamese Air Force) and the expanding Combined Action Program. The VNAF, in the I Corps area, under the command of Lt. General Lam, has made the transition to A–37 jets and has accelerated its training program to the point that it provides substantial support for ground troops and reconnaissance activities for I Corps.

The Combined Action Program (CAP) is designed to utilize the facilities of both U.S. and South Vietnamese forces—and effectively combines a unit of each so that the Vietnamese are being trained while performing their mission. General Nicherson explained to Senator Bellmon and me that the CAP mission was primarily defensive—a CAP team works with the local forces (RF or PF companies) to establish defenses for each village. Pacification in this area just south of the DMZ has been most difficult because the North Vietnamese have had easy access to it through infiltration. And most of the village people had fled from their homes in the TET offensive of 1968.

But, with CAP activity almost 70 percent of these villages had been re-established.

After visiting General Lam's office we flew by helicopter to Hill 37, about 40 miles south of DaNang. There we were told of the activities of the 1st Marine Division which operates in the river valley from Hoi An to the Laotian Border. This valley, a fertile agriculture area, had almost been abandoned because of enemy activities. However, working with the Corps of Engineers, and using the CAP approach, the 1st Marine Division had reopened the roads, re-established villages in the area, and was finishing up the task of pushing a North Vietnamese element out of the valley. While we were on Hill 37 an "arclight" mission—6 B52's—bombed the hills about 8 miles away, an area where the North Vietnamese unit was holed up.

Hill 37 is one of three artillery positions which command the Thee Bon valley. The area is now protected by the 51st ARVN regiment—another combat ready organization commanded by Colonel Throng Tan Thuc. Despite the continuing fighting in this area, a "county fair" to stimulate interest in new varieties of rice and vegetables available for planting was being held just four miles from the area of the B–52 strike.

One of the most interesting demonstrations we witnessed was the LSA operation—the logistic support area—at Hill 55. Here, through the use of "palletized" cargo, supplies were prepared for shipment to troops in the field by helicopter flying cranes and chinook helicopters. These supplies included water and fuel in huge plastic bags, and even ice cold beer and coke which an enterprising NCO had packed in the styrefoam containers that had been packed around artillery ammunition for shipment to Vietnam.

We witnessed another interesting demonstration when the 7th Marines showed us how a "Lob Bomb" works. This bomb was devised by enemy guerrilla forces—and is just what the name describes, an explosive device which is "lobbed" into our sites by a small detonation, the effect of which is similar to a football player making a place kick. The first detonation lifts the bomb and lobs it into its target.

At lunch I met four young Alaskans stationed at or near Hill 55. These young marines, two from Fairbanks, one from Bethel and one from Anchorage, were alerted by a notice on their bulletin boards of our visit—and were interested in the North Slope oil boom, the attitude of Congress towards the Vietnam war, and what was happening at the University of Alaska.

From Hill 55 we flew by "Huey" to CAM LO, and I was surprised to meet April Johnson, a friend of Larry Fanning, Publisher of the Anchorage Daily News. She asked me what Senator Bellmon and I thought we could gain by such a short visit to Vietnam. I told her five days didn't seem short to me. When Wally Hickel and I inspected the coal mines in Pennsylvania we were at the mines about six hours, and I thought we learned more in those six hours than we could have learned through hours of testimony in a hearing. And, I still feel that this is true—in five days we visited all four Corps areas of Vietnam, talked with GI's, Generals, South Vietnamese elements of every type and description, saw the navy riverine forces being turned over to the VNN, inspected the new A–37 jets, and, most important, we saw the people of the country from North to South, coast to border, on the ground and from the air, in hamlet, village, air base, on rivers and in cities. And, if we are to know what is involved as the issues of defense appropriations and the AID program come up in the Senate, this five days was well spent, in my opinion.

From Cam Lo we went to Gia Dang, a new fishing village, formed by residents of several destroyed areas. North of Gia Dang we could see the Cruiser *Boston*, patrolling the waters south of the DMZ. Residents of this area told us, through interpreters, that they had lived in caves and hidden along the beach until the pacification program brought defense to the area. Now, some 80 boats, manned by small weathered men, with big smiles, and the look of the sea, go to fish daily. A new road, built to the Province Capital at Quang Tri has opened a vast new market to these people. They had pride in their new hondas, new outboard motors, new fish nets, and their new homes with aluminum roofs—and well they might because this village was self supporting and their income was close to $200 (U.S.) per month per family—a tidy sum in Vietnam.

Senator Henry Bellmon was fascinated by a liquid produced here—Nuoc Mam. This is made from the juice of fermented salted fish, and although it is reported to contain enormous protein and vitamin values, it is slightly less sweet smelling than decayed limburger cheese. Henry's fascination led to a present of a full bottle of Nuoc Mam, given to him by General Lam—I hope he keeps it in Oklahoma.

Hue' is the capitol of Thua Thien province. Located on the railbelt, which used to join Saigon with Hanoi, Hue' is making a comeback from the Tet offensive of 1968. In fact, my impression was that the reaction of all South Vietnamese, regardless of religious, ethnic or regional differences of the past, to the bloody battles of that 1968 offensive was probably the most significant cause of solidarity behind the national government of President Thieu.

Hue is surrounded by level plains—full now of rice paddies under cultivation—solidly protected by the armed home guard (PSDF) assisted by Marine and Vietnamese Ranger Combined Action Teams. And, in Hue the Chinese ancestry of the Vietnamese people is apparent. Ancient sunken gardens, and the ruins of a walled fortress, containing a citadel of the ancient capital, made me think of Peking and the Summer Palace there as I saw it in 1945 just before leaving China. We flew over this area—and wondered how soon it would be before tourists from all the free world would be lured here and to the endless miles of white sandy beaches along the coast line as we returned to DaNang.

General Nicherson's quick mind put a sparkle in his eye as he prodded Senator Bellmon and I to discuss inflation, the problems of our separate states, and our impressions of Vietnam. He had stayed with us all day—and had given us the good news that at Ben Het the ARVN had routed the North Vietnamese.

Henry, as an ex-marine, had obviously enjoyed the day. And as I went to bed it seemed to me that anyone who believes we should abandon South Vietnam before the South Vietnamese are ready to defend themselves should talk to the villagers of Gia Dang or the marines at Hill 37. They have seen this war at its worst—and now their hope for peace depends entirely upon the ability of the ARVN to deter renewed aggression from the North.

Off the Cuff Comments

(By Senator Ted Stevens)

SOUTH VIETNAM, 5TH DAY

Having visited the other three corps areas, we left DaNang early Thursday morning for Plei Ku. This is the headquarters of II Corps—it is the largest corps area in South Vietnam, borders on both Cambodia and Laos on the west and has almost one half the South Vietnam coastline for its eastern border.

Senator Henry Bellmon and I were interested in this area because it was the area where intense fighting had taken place in the past three weeks—and Ben Het, the forward artillery post which had been beseiged by the North Vietnamese had been released only two days ago.

In PleiKu, we were briefed on the situation in the whole corps area. North Vietnamese enter this area from several directions—from the Ho Chi Minh trail and from the Cambodian sanctuary recently established by the North Vietnamese. Yet, once again the briefing concerned, mainly, the pacification program. This II Corps area embraces 12 provinces of South Vietnam—and only 5 of them, those on the western borders, were concerned primarily with military operations. The Commanding General of II Corps explained to us the problems encountered by his South Vietnamese troops—they have, he said, been shelled by North Vietnamese artillery firing from Cambodia.

But, he was extremely proud of the 42nd ARVN Regiment, which had defeated the 16th Regiment of the North Vietnamese army in a decisive encounter around Ben Het. Senator Bellmon and I had not realized the background of this encounter.

In 1967 and again in 1968, there had been substantial fighting in the Ben Het area. In late 1968, responsibility for ground troops in this area had been assigned to the 42nd ARVN Regiment. When the 1969 battle commenced, the North Vietnamese commander in Cambodia, we were told, had written to the ARVN Regimental Commander and demanded his surrender. This North Vietnamese had stated that the American had abandoned the ARVN, that they were outnumbered and would be overrun.

It was a battle of the Bulge type of demand. And, the ARVN responded to it by dig-

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ging in around Ben Het, and bringing up reserves. No U.S. ground forces were used in this battle.

So we could talk to the men directly involved, Senator Bellmon and I ask to be flown to Ben Het—it was no longer under fire, although several small engagements had been reported that morning about 8 miles from Ben Het.

This outpost is the last on the South Vietnamese road #14 which goes through the Montagnard area of South Vietnam. Proud, small mountain people, the Montagnards had been brought into the war by Special Forces personnel who sought their help to stop the flow of supplies from North Vietnam over the Trail. And, as we flew from PleiKu to Ben Het in another "Huey" helicopter we saw the Montagnard villages—newly established—along the road. Stationed about every mile on this road were parked tanks, half tracks, or personnel carriers of the ARVN regiment. They were taking no chances that remnants of the North Vietnamese Regiment could break through to either Kantum, which is at the junction of the South Vietnamese main roads—#14 and #58, or to PleiKu.

The Ben Het fortifications were located on three hills—and had two batteries of 155 howitzers which also had one 175 mm gun. It was the monsoon season and the mud came up over our boots. We were met in a tracked vehicle by two young U.S. Captains. One had been there just 18 days—he had come in in the middle of the battle, and was still very much keyed up. The artillery captain told us how the post had been defended—at times, we were told, the artillery pieces were fired at point blank range into the North Vietnamese who tried to take the position. Both Captains warmly praised the ARVN ground troops which had protected the post—three perimeters had been set up, the farthest out being manned by ARVN, the next by ARVN and the inner by the artillery and camp support forces.

The shelling of this post, we were told, was fantastic—and the damage caused was evident. Every vehicle had flat tires, shattered windshields, and evidence of the air drops abounded everywhere.

During the battle, it was discovered that the North Vietnamese had tunneled under the post—and it was necessary for the defenders to sweep away the enemy from the tunnel so that it could be destroyed.

An indication of the intensity of the fighting was demonstrated by the B–52 air strikes which delivered bombs within a mile of the outer perimeter of Ben Het.

The significance of Ben Het was that South Vietnamese troops met and defeated a well supplied North Vietnamese force. And, the command decisions were made by South Vietnamese. As we left Ben Het, we were told that intelligence reports indicated that the enemy had withdrawn to Cambodia and the front line ARVN troops were being relieved.

At Kontum Senator Bellmon and I had a chance to visit with lads from our respective states who are serving with the 2nd Brigade of the 4th Infantry Division. This was at "Mary Lou"—a Fire Support Base near Kontum. (Each of these FBS areas is named by the commanding officer with his wife's first name).

The "Highlander" Division gave each of us an HK–47—the Chinese made automatic rifle used by the North Vietnamese in this area. And, we were shown the most amazing array of weapons taken from the enemy—mortars, machine guns, anti-aircraft rifles, and automatic rifles and pistols of every size and description. Each of these showed—through markings and serial numbers—their origin. I can't read Russian, Czechoslovakian or Chinese, but I can recognize Chinese characters, and the Russian letters—and no doubt rests in my mind that the information given us of the origin of those weapons was correct.

We flew from the Kontum area to Cheo Reo in Phu Ban Province next. This province has no U.S. ground troops—and has only a small advisory team of U.S. people working on pacification projects. We were shown the new water system, a new hospital, a new housing area, experimental fruit tree farms and so many projects it's hard to remember all of them. Obviously, the war was almost over here in Phi Bar Province.

A U 21 flew us to Nha Trang where we spent our last night in South Vietnam with Lt. Gen. Corcoran. At dinner that night Henry Bellmon and I talked with General Corcoran about the future of South Vietnam, the readiness of its forces, and the stability of its government.

This war has been a tough war for all Americans—it has been brutal on our men here in Vietnam, and most of our conversations with these men, regardless of rank, involved their questioning of us about attitudes at home.

Barring an immediate new offensive from the North, this war is about over. We have not won the war—but we have given the South Vietnamese time to train and arm themselves to resist further attack.

We have returned home with confidence that President Nixon's withdrawal policy is sound—and with the conviction that even if there is dissension at home, the American forces in South Vietnam know why they are there. One thing surprised me—that was the number of men serving a second assignment to South Vietnam. Almost half the men I talked with, personally, had been there before and had volunteered to return.

I earnestly hope that the next time I go back it will be when peace has come to Vietnam—when our troops have all returned home—and the beautiful, proud people of South Vietnam are once again restored their fertile, productive land into farms of every size and description.

S. 2624—INTRODUCTION OF THE CUSTOMS COURT ACT AND CUSTOMS ADMINISTRATIVE ACT OF 1969

Mr. HRUSKA. Mr. President, on behalf of myself and the senior Senator from Maryland (Mr. TYDINGS), chairman of the Subcommittee on Improvement of Judicial Machinery, I introduce a bill to improve the judicial machinery in the Customs Courts by modernizing the present court procedures and by updating the related administrative processes in the Bureau of Customs. Passage of the bill will help the U.S. Customs Court to cope more effectively with the sharp increase that has occurred in its workload in the past few years.

The rise in the number of cases received by the Customs Court can be attributed to a number of factors. These include: First, a significant increase in imports into the United States during each of the past few years; second, a new set of tariff schedules; and third, a more aggressive attitude by the American importers and manufacturers in challenging customs decisions. Each of these has undoubtedly increased the work of the Bureau of Customs and eventually, of the Customs Court.

However, a major contributor to the court's mounting caseload are the present laws which reqnire the Bureau of Customs and the Customs Court to follow procedures that have long since become outmoded and wasteful. These provisions, some of which date back to 1890, hamper the court in making maximum use of its resources of judicial manpower, compel the court to perform unnecessary tasks and prevent the Bureau of Customs from disposing administratively of many matters that do not require judicial determination.

A few pertinent statistics provide a vivid picture of the problems which beset the U.S. Customs Court. In fiscal year 1963, the court received about 35,000 new cases. By fiscal year 1968, it was receiving over 108,000 cases. In this same period, the court increased its rate of termination of cases from an annual average of 32,000 during the period between fiscal year 1963 and fiscal year 1966 to more than 43,000 in fiscal year 1968.

Thus, despite the substantial rise in its case termination rate, the court has been faced with a growing accumulation of pending cases. In fiscal year 1963 these amounted to 186,452; in fiscal year 1964 to 199,650; in fiscal 1965 to 218,926; in fiscal year 1966 to 245,123; in fiscal year 1967 to 343,065; and in fiscal year 1968 to 404,932.

By December 31, 1968, the number of pending cases had risen to 431,348. By March 31, 1969, there were 439,278 cases pending.

Among the major defects in presently required statutory procedures are the following:

First. When a single entry of merchandise presents both appraisement and classification questions, neither the Bureau of Customs nor the court can review both issues in a single proceeding. The appraisement issue must first be pursued. The classification issue can be disposed of only after the appraisement issue has been finally determined.

Second. The Bureau of Customs lacks authority to correct administratively any errors of appraisement. Filing an appeal for reappraisement by the importer automatically divests the Bureau of jurisdiction and places the matter before the Customs Court. Thereafter, any modification of appraised values can only be remedied in a judicial proceeding before the court.

Third. The importer has unrealistically short periods of 30 days in appraisement matters and 60 days in classification matters in which to decide whether to litigate the Bureau of Customs decision by appealing the appraisement or protesting the classification. In many cases, importers file appeals or protests as protective measures.

Fourth. The Bureau of Customs must automatically refer appeals for reappraisement and denials of protests to the Customs Court for disposition without regard to whether or not the importer intends to litigate.

Fifth. The court lacks statutory authority to charge a filing fee for commencing actions. The absence of a filing fee eliminates one restraining factor that might otherwise deter importers from bringing unnecessary and unwarranted cases into court.

Sixth. Protest cases, which constitute about 60 percent of all customs cases, must be decided by a three-judge division of the court, even though appraisement cases, which present no greater difficulties, are decided by a single judge.

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Seventh. Single-judge decisions of appraisement cases are subject to review by a three-judge division of the court.

Eighth. All decisions in the court must be in writing and must contain a statement of the reasons for the decision, and the facts on which it is based.

Ninth. Single judges trying classification cases in ports outside of New York, have no power to decide, but must return the hearing record to New York for decision by a three-judge division which may sometimes not even include the judge who heard the case.

The proposed bill will modernize procedures in the Bureau of Customs and the Customs Court by changing these statutory provisions in the following respects:

First, the Bureau of Customs in liquidating an entry, will decide at one time all issues relating to the dutiability of the merchandise, including appraisement and classification.

Second, the importer will have 90 days to decide whether he wishes to protest the Bureau of Customs decision and get further administrative review. This will give the importer enough time to consider his case fully and decide whether it would be in his interest to seek administrative review. This should reduce the number of protests filed, under the pressure of time, as a protective measure by the importer.

Third, the Bureau of Customs will have 90 days from the date of liquidation to reliquidate the entry on its own initiative. This authority provides additional time in which the Bureau of Customs can correct errors in classification and provides new authority to correct errors in appraisement. Use of this new authority may obviate the need for an importer to litigate for this purpose.

Fourth, if the Bureau of Customs denies the protest in whole or in part, the importer will have 180 days in which to decide whether or not to have the administrative decision reviewed by the court. This should be sufficient time for the importer to reach a fully considered decision on whether or not to litigate. It should eliminate many cases that now go on the court's dockets as protective appeals or protests because the present 30 or 60 days' provisions are too short to permit the importer to make informed judgments.

Fifth, the importer will be able to obtain accelerated disposition of his protest by filing a written request with the Bureau of Customs at any time after 90 days have elapsed from the date of protest. If the Bureau of Customs does not allow or deny his protest in whole or in part within 30 days thereafter, it will be deemed denied on the 30th day following receipt of request. The importer will then have the right to commence an action in the court.

Sixth, any protest which has not been allowed or denied by the Bureau of Customs or which has not been deemed denied after a request has been received for accelerated disposition, will be deemed denied after 2 years have elapsed from the date the protest was filed. The importer will then have a right to commence an action in court.

Seventh, automatic referral of all appeals for reappraisement and all denials of protest to the Customs Court will be eliminated.

Eighth, an importer wishing to obtain judicial review of decisions of the Bureau of Customs will be required to commence an action by filing a summons in the Customs Court.

Ninth, there will be a single judicial proceeding in the court in which all issues, including both appraisement and classification, will be taken up. The importer will be able to include in one cause of action all his entries of merchandise which present common issues. The court, however, will have authority to order actions consolidated or severed, as circumstances warrant.

Tenth, the court will have authority to fix a filing fee for commencing an action but the amount may not exceed that in the U.S. district court. Whether a fee is to be charged, and the amount thereof, will lie in the court's discretion. The imposition of a fee, however, could induce potential litigants to consider carefully whether they wished to bring suit. Litigants could also minimize the impact of the fee by consolidating numerous importations involving the same issues into a single cause of action. The effect of a filing fee, therefore, could be to reduce substantially the number of cases brought in the Customs Court each year.

Eleventh, all cases in the Customs Court will normally be tried by a single judge, thereby increasing the judicial manpower available for hearing and deciding cases.

Twelfth, the chief judge will have the authority, on application or on his own initiative, to designate three-judge trials when there is a cause of action that either raises a constitutional question, or, has broad or significant implications in the administration or interpretation of the customs laws. The use of a three-judge trial will provide a means for obtaining carefully considered decisions in landmark or other important issues.

Thirteenth, in contested cases, the judge will be able to support his decision by either a statement of findings of fact and conclusions of law or by an opinion stating the reasons and the facts upon which his decision is based. This option will modify the present requirement that in every case the judge must write a decision with a statement of the reasons therefore and the facts on which the decision was based.

Fourteenth, cases in ports outside of New York will be tried in the same manner as cases in New York and the trial judge will have full authority to hear and decide the case.

Fifteenth, appeals from all cases will go directly to the Court of Customs and Patent Appeals. This will relieve the Customs Court of its present burden of having to set up three-judge divisions to hear appeals from single-judge decisions in appraisement cases.

It is my hope that this bill will be promptly and favorably considered by the Congress and enacted into law so as to permit speedy and effective adjudication of customs disputes.

Mr. President, I ask unanimous consent that a section-by-section analysis of the bill prepared by staff, together with the transmittal letter to the Vice President from the Department of Justice, and the text of the bill itself, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the section-by-section analysis, the transmittal letter, and the text of the bill will be printed in the RECORD, in accordance with the Senator's request.

The bill (S. 2624) to improve the judicial machinery in customs courts by amending the statutory provisions relating to judicial actions and administrative proceedings in customs matters, and for other purposes, introduced by Mr. HRUSKA (for himself and Mr. TYDINGS), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 2624

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—JUDICIAL ACTIONS IN CUSTOMS CASES

SHORT TITLE

SEC. 101. This title may be cited as "The Customs Courts Act of 1969".

APPEALS FROM CUSTOMS COURT DECISIONS—JURISDICTION

SEC. 102. Section 1541 to title 28 of the United States Code is amended to read as follows:

"§ 1541. Appeals from Customs Court decisions.

"(a) The Court of Customs and Patent Appeals has jurisdiction of appeals from all final judgments or orders of the United States Customs Court.

"(b) When a judge in the Customs Court, in issuing an interlocutory order, includes in the order a statement that a controlling question of law is involved as to which there is substantial ground for difference of opinion and that an immediate appeal from its order may materially advance the ultimate termination of the litigation, the Court of Customs and Patent Appeals may, in its discretion, permit an appeal to be taken from such order, if application is made to it within ten days after the entry of the order: *Provided, however,* That neither the application for nor the granting of an appeal hereunder stays proceedings in the Customs Court unless a stay is ordered by a judge of the Customs Court or by the Court of Customs and Patent Appeals or a judge of that court."

APPEALS FROM CUSTOMS COURT DECISIONS—PROCEDURE

SEC. 103. Section 2601 of title 28 of the United States Code is amended to read as follows:

"§ 2601. Appeals from Customs Court decisions.

"(a) A party may appeal to the Court of Customs and Patent Appeals from a final judgment or order of the Customs Court within sixty days after entry of the judgment or order.

"(b) An appeal is made by filing in the office of the clerk of the Court of Customs and Patent Appeals a notice of appeal which shall include a concise statement of the errors complained of. A copy of the notice shall be served on the adverse parties. When the United States is an adverse party, service shall be made on the Attorney General and the Secretary of the Treasury or their designees. Thereupon, the Court of Customs and Patent Appeals shall order the Customs Court to transmit the record and evidence taken, together with either the findings of fact and conclusions of law or the opinion, as the case may be.

"(c) The Court of Customs and Patent Appeals may affirm, modify, vacate, set aside, or reverse any judgment or order of the Customs Court lawfully brought before it for review, and may remand the cause and direct the entry of an appropriate judgment or order, or require such further proceedings as may be just under the circumstances. The judgment or order of the Court of Customs and Patent Appeals shall be final and conclusive unless modified, vacated, set aside, reversed, or remanded by the Supreme Court under section 2106 of this title."

PRECEDENCE OF AMERICAN MANUFACTURER, PRODUCER OR WHOLESALER CASES

SEC. 104. Section 2602 of title 28 of the United States Code is amended to read as follows:

"§ 2602. Precedence of American manufacturer, producer or wholesaler cases.

"(a) Every proceeding in the Court of Customs and Patent Appeals arising under section 516 of the Tariff Act of 1930, as amended, shall be given precedence over other cases on the docket of such court, except as provided for in paragraph (b) of this section, and shall be assigned for hearing at the earliest practicable date and expedited in every way.

"(b) Appeals from findings by the Secretary of Commerce provided for in headnote 6 to schedule 8, part 4, of the Tariff Schedules of the United States (19 U.S.C. 1202) shall receive a preference over all other matters."

DUTIES OF CHIEF JUDGE; PRECEDENCE OF JUDGES

SEC. 105. Section 253 of title 28 of the United States Code is amended to read as follows:

"§ 253. Duties of chief judge; precedence of judges.

"(a) The chief judge of the Customs Court, with the approval of the court, shall supervise the fiscal affairs and clerical force of the court.

"(b) The chief judge shall promulgate dockets.

"(c) The chief judge, under rules of the court, may designate any judge or judges of the court to try any case and, when the circumstances so warrant, reassign the case to another judge or judges.

"(d) Whenever the chief judge is unable to perform the duties of his office or the office is vacant, his powers and duties shall devolve upon the judge next in precedence who is able to act, until such disability is removed or another chief judge is appointed and duly qualified.

"(e) The chief judge shall have precedence and shall preside at any session which he attends. Other judges shall have precedence and shall preside according to the seniority of their commissions. Judges whose commissions bear the same date shall have precedence according to seniority in age."

SINGLE-JUDGE TRIALS

SEC. 106. Section 254 of title 28 of the United States Code is amended to read as follows:

"§ 254. Single-judge trials.

"Except as otherwise provided in section 255 of this title, the judicial power of the Customs Court with respect to any action, suit or proceeding shall be exercised by a single judge, who may preside alone and hold a regular or special session of court at the same time other sessions are held by other judges."

PUBLICATION OF DECISIONS

SEC. 107. Section 255 of title 28 of the United States Code is redesignated as section 257 and is amended to read as follows:

"§ 257. Publication of decisions.

"All decisions of the Customs Court shall be preserved and open to inspection. The court shall forward copies of each decision to the Secretary of the Treasury or his designee and to the appropriate customs officer for the district in which the case arose. The Secretary shall publish weekly such decisions as he or the court may designate and abstracts of all other decisions."

THREE-JUDGE TRIALS

SEC. 108. There shall be a new section 255 of title 28 of the United States Code as follows:

"§ 255. Three-judge trials.

"(a) Upon application of any party to a cause of action, or upon his own initiative, the chief judge of the Customs Court shall designate any three judges of the court to hear and determine any cause of action which the chief judge finds: (1) raises an issue of the constitutionality of an Act of Congress, a proclamation of the President or an Executive Order; or (2) has broad or significant implications in the administration or interpretation of the customs laws.

"(b) A majority of the three judges designated may hear and determine the cause of action and all questions pending therein."

TRIALS AT PORTS OTHER THAN NEW YORK

SEC. 109. There shall be a new section 256 of title 28 of the United States Code as follows:

"§ 256. Trials at ports other than New York.

"(a) The chief judge may designate any judge or judges of the court to proceed, together with necessary assistants, to any port or to any place within the jurisdiction of the United States to preside at a trial or hearing at the port or place.

"(b) Upon application of a party and for good cause shown, or upon his own initiative, the chief judge may authorize a judge of the court to preside at a trial or hearing in a foreign country."

JURISDICTION OF THE CUSTOMS COURT

SEC. 110. Section 1582 of title 28 of the United States Code is amended to read as follows:

"§ 1582. Jurisdiction of the Customs Court.

"(a) The Customs Court shall have exclusive jurisdiction of civil actions instituted by any person whose protest pursuant to the Tariff Act of 1930, as amended, has been denied, in whole or in part, by the appropriate customs officer, where the decision, including the legality of all orders and findings entering into the same, involves: (1) the appraised value of merchandise; (2) the classification and rate and amount of duties chargeable; (3) all charges or exactions of whatever character within the jurisdiction of the Secretary of the Treasury; (4) the exclusion of merchandise from entry or delivery under any provisions of the customs laws: (5) the liquidation or reliquidation of an entry, or a modification thereof; (6) the refusal to pay a claim for drawback; and (7) the refusal to reliquidate an entry under section 520(c) of the Tariff Act of 1930, as amended.

"(b) The Customs Court shall have exclusive jurisdiction of civil actions brought by American manufacturers, producers or wholesalers pursuant to section 516 of the Tariff Act of 1930, as amended.

"(c) The Customs Court shall not have jurisdiction of an action unless (1) either a protest has been filed, as prescribed by section 514 of the Tariff Act of 1930, as amended, and denied in accordance with the provisions of section 515 of the Tariff Act of 1930, as amended, or if the action relates to a decision under section 516 of the Tariff Act of 1930, as amended, all remedies prescribed therein have been exhausted, and (2) except in the case of an action relating to a decision under section 516 of the Tariff Act of 1930, as amended, all liquidated duties, charges or exactions have been paid at the time the action is filed.

"(d) Only one civil action may be brought in the Customs Court to contest the denial of a single protest. However, any number of entries of merchandise involving common issues may be included in a single civil action. Actions may be consolidated by order of the court or by request of the parties, with approval of the court, if there are common issues."

REPEAL OF SECTION 1583—REVIEW OF DECISIONS ON PROTESTS

SEC. 111. Section 1583 of title 28 of the United States Code is repealed.

TIME FOR COMMENCEMENT OF ACTION

SEC. 112. Section 2631 of title 28 of the United States Code is amended to read as follows:

"§ 2631. *Time for commencement of action.*

"(a) An action over which the court has jurisdiction under section 1582(a) of this title is barred unless commenced within one hundred and eighty days after:

"(1) the date of mailing of notice of denial in whole or in part, of a protest pursuant to the provisions of section 515(a) of the Tariff Act of 1930, as amended; or

"(2) the date of denial of a protest by operation of law pursuant to the provisions of sections 515(b) or 515(c) of the Tariff Act of 1930, as amended.

"(b) An action over which the court has jurisdiction under section 1582(b) of this title is barred unless commenced within thirty days after the date of mailing of a notice sent pursuant to section 516(c) of the Tariff Act of 1930, as amended."

CUSTOMS COURT PROCEDURE AND FEES

SEC. 113. Section 2632 of title 28 of the United States Code is amended to read as follows:

"§ 2632. Customs Court procedure and fees.

"(a) A party may contest denial of a protest under section 515 of the Tariff Act of 1930, as amended, or the decision of the Secretary of the Treasury made under section 516 of the Tariff Act of 1930, as amended, by bringing a civil action in the Customs Court. A civil action shall be commenced by filing a summons in the form, manner and style and with the content prescribed in rules adopted by the court.

"(b) There may be a filing fee payable upon commencing an action. The amount of the fee shall be fixed by the Customs Court but shall not exceed the filing fee for commencing a civil action in a United States district court. The Customs Court may fix all other fees to be charged by the clerk of the court.

"(c) The Customs Court shall provide by rule for pleadings and other papers, for their amendment, service, and filing, for consolidations, severances and suspensions of cases, and for other procedural matters.

"(d) The Customs Court, by rule, may consider any new ground in support of a civil action if the new ground: (1) applies to the same merchandise that was the subject of the protest; and (2) is related to the same administrative decision contested in the protest.

"(e) All pleadings and other papers filed in the Customs Court shall be served on all the adverse parties in accordance with the rules of the court. When the United States is an adverse party, service of the summons shall be made on the Attorney General and the Secretary of the Treasury or their designees.

"(f) Upon service of the summons on the Secretary of the Treasury or his designee, the appropriate customs officer shall forthwith transmit the following documents to the United States Customs Court as an official record of the civil action: (1) consumption or other entry; (2) commercial invoice; (3) special Customs invoice; (4) copy of protest; and (5) copy of denial of protest, in whole or in part, if any denial has been issued."

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PRECEDENCE OF AMERICAN MANUFACTURER, PRODUCER OR WHOLESALER CASES

Sec. 114. Section 2633 of title 28 of the United States Code is amended to read as follows:

"§ 2633. Precedence of American manufacturer, producer or wholesaler cases.

"Every proceeding in the Customs Court arising under section 516 of the Tariff Act of 1930, as amended, shall be given precedence over other cases on the docket of the court, and shall be assigned for hearing and trial at the earliest practicable date and expedited in every way."

NOTICE

Sec. 115. Section 2634 of title 28 of the United States Code is amended to read as follows:

"§ 2634. Notice.

"Reasonable notice of the time and place of trial before a judge of the Customs Court shall be given to all parties to any proceeding, under rules prescribed by the court."

BURDEN OF PROOF; EVIDENCE OF VALUE

Sec. 116. Section 2635 of title 28 of the United States Code is amended to read as follows:

"§ 2635. Burden of proof; evidence of value.

"In any matter in the Customs Court:

"(a) The decision of the Secretary of the Treasury, or his delegate, is presumed to be correct. The burden to prove otherwise shall rest upon the party challenging a decision.

"(b) Where the value of merchandise is in issue:

"(1) Reports or depositions of consuls, customs officers, and other officers of the United States and depositions and affidavits of other persons whose attendance cannot reasonably be had, may be admitted in evidence when served upon the opposing party in accordance with the rules of the court.

"(2) Price lists and catalogs may be admitted in evidence when duly authenticated, relevant, and material.

"(c) The value of merchandise shall be determined from the evidence in the record and that adduced at the trial whether or not the merchandise or samples thereof are available for examination."

ANALYSIS OF IMPORTED MERCHANDISE

Sec. 117. Section 2636 of title 28 of the United States Code is amended to read as follows:

"§ 2636. Analysis of imported merchandise.

"A judge of the Customs Court may order an analysis of imported merchandise and reports thereon by laboratories or agencies of the United States."

WITNESSES; INSPECTION OF DOCUMENTS

Sec. 118. Section 2637 of title 28 of the United States Code is amended to read as follows:

"§ 2637. Witnesses; inspection of documents.

"(a) In any proceeding in the Customs Court, under rules prescribed by the court, the parties and their attorneys shall have an opportunity to introduce evidence, to hear and cross-examine the witnesses of the other party and to inspect all samples and all papers admitted or offered as evidence, except as provided in subsection (b) of this section.

"(b) In an action instituted by an American manufacturer, producer or wholesaler, the plaintiff may not inspect any documents or papers of a consignee or importer disclosing any information which the Customs Court deems unnecessary or improper to be disclosed."

DECISIONS; FINDINGS OF FACT AND CONCLUSIONS OF LAW; EFFECT OF OPINIONS

Sec. 119. Section 2638 of title 28 of the United States Code is amended to read as follows:

"§ 2638. Decisions; findings of fact and conclusions of law; effect of opinions.

"(a) A decision of the judge in a contested case shall be supported by either (1) a statement of findings of fact and conclusions of law or (2) an opinion stating the reasons and facts upon which the decision is based.

"(b) The decision of the judge is final and conclusive, unless a retrial or rehearing is granted pursuant to section 2639 of this title or an appeal is made to the Court of Customs and Patent Appeals within the time and in the manner provided in section 2601 of this title."

RETRIAL OR REHEARING

Sec. 120. Section 2639 of title 28 of the United State Code is amend to read as follows:

"§ 2639. Retrial or rehearing.

"The judge who has rendered a judgment or order may, upon motion of a party or upon his own motion, grant a retrial or a rehearing, as the case may be. A party's motion must be made, or the judge's action on his motion must be taken, not later than thirty days after entry of the judgment or order."

REPEAL OF SECTIONS 2640, 2641, 2642—REHEARING OR RETRIAL; FRIVOLOUS PROTEST OR APPEAL; AMENDMENT OF PROTESTS, APPEALS, AND PLEADINGS

Sec. 121. Sections 2640, 2641 and 2642 of title 28 of the United States Code are repealed.

EFFECTIVE DATE

Sec. 122. (a) This title shall become effective on January 1, 1970 and shall thereafter apply to all actions and proceedings in the Customs Court and the Court of Customs and Patent Appeals except those involving merchandise entered before the effective date for which trial has commenced by such effective date.

(b) An appeal for reappraisement timely filed with the Bureau of Customs before the effective date, but as to which trial has not commenced by such date, shall be deemed to have had a summons timely and properly filed under this title. When the judgment or order of the United States Customs Court has become final in this appeal, the papers shall be returned to the appropriate customs officer to decide any remaining matters relating to the entry in accordance with section 500 of the Tariff Act of 1930, as amended. A protest or summons filed after final decision on an appeal for reappraisement shall not include issues which were raised or could have been raised on the appeal for reappraisement.

(c) A protest timely filed with the Bureau of Customs before the effective date of enactment of this Act and which is disallowed, as to which trial has not commenced by such date, shall be deemed to have had a summons timely and properly filed under this title.

(d) All other provisions of this Act shall apply to appeals and disallowed protests deemed to have had summonses timely and properly filed under this section.

MISCELLANEOUS AMENDMENTS

Sec. 123. (a) The analysis of chapter 11 of title 28 of the United States Code, immediately preceding section 251 of such title, is amended by striking the caption of section 254 and substituting therefor the caption, "Single-judge trails.", by striking the caption of section 255 and substituting therefor the caption "Three-judge trials." and by adding the following captions at the end of the analysis of that chapter:

"256. Trials at ports other than New York.
"257. Publication of decisions."

(b) The analysis of chapter 93 of title 28 of the United States Code, immediately preceding section 1541 of such title is amended by striking the caption of section 1541 and substituting the caption "Appeals from Customs Court decisions."

(c) The analysis of chapter 95 of title 28 of the United States Code, immediately preceding section 1581 of such title, is amended to read as follows:

"Sec.
"1581. Powers generally.
"1582. Jurisdiction of the Customs Court."

(d) The analysis of chapter 167 of title 28 of the United States Code, immediately preceding section 2601, is amended to read as follows:

"Sec.
"2601. Appeals from Customs Court decisions.
"2602. Precedence of American manufacturer, producer or wholesaler cases."

(e) The analysis of chapter 169 of title 28 of the United States Code, immediately preceding section 2631 of such title, is amended to read as follows:

"Sec.
"2631. Time for commencement of action.
"2632. Customs Court procedure and fees.
"2633. Precedence of American manufacturer, producer or wholesaler cases.
"2634. Notice.
"2635. Burden of proof; evidence of value.
"2636. Analysis of imported merchandise.
"2637. Witnesses inspection of documents.
"2638. Decisions; findings of fact and conclusions of law; effect of opinions.
"2639. Retrial or rehearing."

TITLE II—ADMINISTRATIVE PROCEEDINGS IN CUSTOMS MATTERS

SHORT TITLE

Sec. 201. Titles II and III of this Act may be cited as "The Customs Administrative Act of 1969."

AMENDMENT OF SECTIONS

Sec. 202. Unless otherwise provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or provision of the Tariff Act, the reference shall be considered to be made to a section or provision of the Tariff Act of 1930, as amended (19 U.S.C. 1202 et seq.).

EFFECTIVE DATE

Sec. 203. Titles II and III of this Act shall take effect with respect to articles entered, or withdrawn from warehouse for consumption, on or after January 1, 1970, and such other articles entered or withdrawn from warehouse for consumption prior to such date, the appraisement of which has not become final before the date of enactment and for which an appeal for reappraisement has not been timely filed with the Bureau of Customs before January 1, 1970.

APPRAISEMENT, CLASSIFICATION AND LIQUIDATION PROCEDURES; COLLECTIONS AND REFUNDS; LIMITATIONS

Sec. 204. (a) Section 500 of the Tariff Act (19 U.S.C. 1500) is hereby amended to read as follows:

"Sec. 500. Appraisement, Classification and Liquidation Procedures.

"The appropriate customs officer shall, under rules and regulations prescribed by the Secretary—

"(a) appraise merchandise in the unit of quantity in which the merchandise is usually bought and sold by ascertaining or estimating the value thereof by all reasonable ways and means in his power, any statement of cost or costs of production in any invoice, affidavit, declaration, or other document to the contrary notwithstanding;

"(a) ascertain the classification and rate of duty applicable to such merchandise;

"(c) fix the amount of duty to be paid on such merchandise and determine any increased or additional duties due or any excess of duties deposited;

"(d) liquidate the entry of such merchandise; and

"(e) give notice of such liquidation to the importer, his consignee, or agent in such form and manner as the Secretary shall prescribe in such regulations."

(b) Section 488 of the Tariff Act (19 U.S.C. 1488) is repealed.

(c) Section 505 of the Tariff Act (19 U.S.C. 1505) is amended to read as follows:

SEC. 505. PAYMENT OF DUTIES.

"(a) DEPOSIT OF ESTIMATED DUTIES.—Unless merchandise is entered for warehouse or transportation, or under bond, the consignee shall deposit with the appropriate customs officer at the time of making entry the amount of duties estimated by such customs officer to be payable thereon.

"(b) COLLECTION OR REFUND.—The appropriate customs officer shall collect any increased or additional duties due or refund any excess of duties deposited as determined on a liquidation or reliquidation."

REPEAL OF SEPARATE APPRAISEMENT PROCEDURE; VOLUNTARY RELIQUIDATIONS

SEC. 205. Section 501 of the Tariff Act (19 U.S.C. 1501) is amended to read as follows:

"SEC. 501. VOLUNTARY RELIQUIDATIONS.

"A liquidation made in accordance with section 500 or any reliquidation thereof made in accordance with this section may be reliquidated in any respect by the appropriate customs officer on his own initiative, notwithstanding the filing of a protest, within 90 days from the date on which notice of the original liquidation is given to the importer, his consignee or agent. Notice of such reliquidation shall be given in the manner prescribed with respect to original liquidations under section 500(e)."

DUTIABLE VALUE

SEC. 206. Section 503 of the Tariff Act (19 U.S.C. 1503) is amended to read as follows:

"SEC. 503. DUTIABLE VALUE.

"Except as provided in section 520(c) (relating to reliquidations on the basis of authorized corrections of errors) or section 562 (relating to withdrawal from manipulating warehouses) of this Act, the basis for the assessment of duties on imported merchandise subject to ad valorem rates of duty or rates based upon or regulated in any manner by the value of the merchandise, shall be the appraised value determined upon liquidation, in accordance with section 500 or any adjustment thereof made pursuant to section 501 of the Tariff Act: *Provided, however,* That if reliquidation is required pursuant to a final judgment or order of the United States Customs Court which includes a reappraisement of imported merchandise, the basis for such assessment shall be the final appraised value determined by such court."

PROTESTS

SEC. 207. Section 514 of the Tariff Act (19 U.S.C. 1514) is amended to read as follows:

"SEC. 514. FINALITY OF DECISIONS; PROTESTS.

"(a) FINALITY OF DECISIONS.—Except as provided in section 501 (relating to voluntary reliquidations), section 516 (relating to petitions by American manufacturers, producers, and wholesalers), section 520 (relating to refunds and errors), and section 521 (relating to reliquidations on account of fraud) of this Act, decisions of the appropriate customs officer, including the legality of all orders and findings entering into the same, as to—

"(1) the appraised value of merchandise;

"(2) the classification and rate and amount of duties chargeable;

"(3) all charges or exactions of whatever character within the jurisdiction of the Secretary of the Treasury;

"(4) the exclusion of merchandise from entry or delivery under any provision of the customs laws;

"(5) the liquidation or reliquidation of an entry, or any modification thereof:

"(6) the refusal to pay a claim for drawback; and

"(7) the refusal to reliquidate an entry under section 520(c) of this Act,

shall be final and conclusive upon all persons (including the United States and any officer thereof) unless a protest is filed in accordance with this section, or unless a civil action contesting the denial of a protest, in whole or in part, is commenced in the United States Customs Court in accordance with section 2632 of title 28 of the United States Code within the time prescribed by section 2631 of that title. When a judgment or order of the United States Customs Court has become final, the papers transmitted shall be returned together with a copy of the judgment or order to the appropriate customs officer, who shall take action accordingly.

"PROTESTS

"(b)(1) IN GENERAL.—A protest of a decision under subsection (a) shall be filed in writing with the appropriate customs officer designated in regulations prescribed by the Secretary, setting forth distinctly and specifically each decision described in subsection (a) as to which protest is made; each category of merchandise affected by each such decision as to which protest is made; and the nature of each objection and reasons therefor. Only one protest may be filed for each entry of merchandise, except that where the entry covers merchandise of different categories, separate protests may be filed for each category. In addition, separate claims with respect to any one category of merchandise that is the subject of a protest are deemed to be part of a single protest. A protest may be amended under regulations prescribed by the Secretary any time prior to the expiration of the ninety day period in which the protest could have been filed under section 514 of this Act. Except as otherwise provided in section 557(b) of this Act, protests may be filed by the importer, consignee, or any authorized agent of the person paying any charge or exaction, or filing any claim for drawback, or seeking entry or delivery, with respect to merchandise which is the subject of a decision in subsection (a).

"(2) TIME FOR FILING.—A protest of a decision, order, or finding described in subsection (a) shall be filed with such customs officer within ninety days after but not before—

"(A) notice of liquidation or reliquidation, or

"(B) in circumstances where subparagraph (A) is inapplicable, the date of the decision as to which protest is made.

"(c) LIMITATION ON PROTEST OF RELIQUIDATION.—The reliquidation of an entry shall not open such entry so that a protest may be filed against the decision of the customs officer upon any question not involved in such reliquidation."

REVIEW OF PROTESTS

SEC. 208. Section 515 of the Tariff Act (19 U.S.C. 1515) is amended to read as follows:

"SEC. 515. REVIEW OF PROTESTS.

"(a) ADMINISTRATIVE REVIEW AND MODIFICATION OF DECISIONS.—The appropriate customs officer shall review a protest filed in accordance with section 514 of this Act and may allow or deny such protest in whole or in part. Thereafter, he shall remit or refund any duties, charge, or exaction found to have been assessed or collected in excess, or pay any drawback found due. Notice of the denial of any protest shall be mailed in the form and manner prescribed by the Secretary of the Treasury.

"(b) REQUEST FOR ACCELERATED DISPOSITION OF PROTEST.—A request for accelerated disposition of a protest filed in accordance with section 514 of this Act may be filed in writing with the appropriate customs officer any time after ninety days following the filing of such protest. For purposes of section 1582 of title 28 of the United States Code, a protest which has not been allowed or denied in whole or in part within thirty days following receipt of a request for accelerated disposition shall be deemed denied on the thirtieth day following receipt of such request."

"(c) CONSTRUCTIVE DENIAL OF PROTEST.—Any protest which has not been allowed or denied in whole or in part in accordance with paragraph (a) of this section and which is not deemed to be denied in accordance with paragraph (b) of this section, shall be deemed denied after two years have elapsed from the date the protest was filed in accordance with section 514 of this Act."

PETITIONS BY AMERICAN MANUFACTURERS, PRODUCERS OR WHOLESALERS

SEC. 209. Section 516 of the Tariff Act (19 U.S.C. 1516) is amended to read as follows:

"SEC. 516. PETITIONS BY AMERICAN MANUFACTURERS, PRODUCERS, OR WHOLESALERS—VALUE AND CLASSIFICATION.

"(a) The Secretary shall, upon written request by an American manufacturer, producer or wholesaler, furnish the classification, and the rate of duty, if any, imposed upon designated imported merchandise of a class or kind manufactured, produced, or sold at wholesale by him. If such manufacturer, producer or wholesaler believes that the appraised value is too low, that the classification is not correct, or that the proper rate of duty is not being assessed, he may file a petition with the Secretary setting forth (1) a description of the merchandise, (2) the appraised value, the classification, or the rate or rates of duty that he believes proper, and (3) the reasons for his belief.

"(b) If, after receipt and consideration of a petition filed by an American manufacturer, producer or wholesaler, the Secretary decides that the appraised value of the merchandise is too low, or that the classification of the article or rate of duty assessed thereon is not correct, he shall determine the proper appraised value or classification or rate of duty, and notify the petitioner of his determination. All such merchandise entered for consumption or withdrawn from warehouse for consumption more than thirty days after the date such notice to the petitioner is published in the weekly Customs Bulletin shall be appraised or classified or assessed as to rate of duty in accordance with the Secretary's determination.

"(c) If the Secretary decides that the appraised value or classification of the articles or the rate of duty with respect to which a petition was filed pursuant to subsection (a) is correct, he shall so inform the petitioner. If dissatisfied with the decision of the Secretary, the petitioner may file with the Secretary, not later than thirty days after the date of the decision, notice that he desires to contest the appraised value or classification of, or rate or duty assessed upon, the merchandise. Upon receipt of notice from the petitioner, the Secretary shall cause publication to be made of his decision as to the proper appraised value or classification or rate of duty and of the petitioner's desire to contest, and shall thereafter furnish the petitioner with such information as to the entries and consignees of such merchandise, entered after the publication of the decision of the Secretary at such ports of entry designated by the petitioner in his notice of desire to contest, as will enable the petitioner to contest the appraised value or classification of, or rate of duty imposed upon, such merchandise in the liquidation of one such entry at such port. The Secretary shall direct the appropriate customs officer at such ports to notify the petitioner by mail immediately when the first of such entries is liquidated.

"(d) Notwithstanding the filing of an action pursuant to section 2632 of title 28 of the United States Code, merchandise of the character covered by the published decision of the Secretary (when entered for consumption or withdrawn from warehouse for consumption on or before the date of publication of a decision of the United States Customs Court or of the United States Court of

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Customs and Patent Appeals, not in harmony with the published decision of the Secretary) shall be appraised or classified, or both, and the entries liquidated, in accordance with the decision of the Secretary and, except as otherwise provided in this chapter, the final liquidations of these entries shall be conclusive upon all parties.

"(e) The consignee or his agent shall have the right to appear and to be heard as a party in interest before the United States Customs Court.

"(f) If the cause of action is sustained in whole or in part by a decision of the United States Customs Court or of the United States Court of Customs and Patent Appeals, merchandise of the character covered by the published decision of the Secretary, which is entered for consumption or withdrawn from warehouse for consumption after the date of publication of the court decision, shall be subject to appraisement, classification, and assessment of duty in accordance with the final judicial decision in the action, and the liquidation of entries covering the merchandise so entered or withdrawn shall be suspended until final disposition is made of the action, whereupon the entries shall be liquidated, or if necessary, reliquidated in accordance with the final decision.

"(g) Regulations shall be prescribed by the Secretary to implement the procedures required under this section."

REFUNDS AND ERRORS

SEC. 210. Section 520(c) of the Tariff Act (19 U.S.C. 1520(c)) is amended by—

(a) striking the words "the Secretary of the Treasury may authorize a collector to" and substituting the words "the appropriate customs officer may, in accordance with regulations prescribed by the Secretary,";

(b) striking the word "appraisement," wherever it appears in paragraph (1); and

(c) deleting "sixty" and substituting "ninety" and deleting "ten" and substituting "nine" in paragraph (1).

TITLE III—MISCELLANEOUS AMENDMENTS

TECHNICAL AND CONFORMING AMENDMENTS

SEC. 301. The Tariff Act of 1930, as amended (19 U.S.C. ch. 4), is further amended as follows:

(a) Section 305 (19 U.S.C. 1305) is amended by—

(1) striking the word "collector" in the first paragraph and inserting in lieu thereof "appropriate customs officers"; and

(2) striking the term "the collector" where it first appears in the second paragraph and inserting in lieu thereof "the appropriate customs officer" and by striking the term "the collector" wherever it thereafter appears in the paragraph and inserting in lieu thereof "such customs officer."

(b) Sections 311, 315, 432, 434, 438, 441, 443–447, 449–450, 452–455, 457, 485, 490, 492, 496, 521, 555, 562, 584, 586, 609, 613, and 614 (19 U.S.C. 1311, 1315, 1432, 1434, 1438, 1441, 1443–1447, 1449–1450, 1452–1455, 1457, 1485, 1490, 1492, 1496, 1521, 1555, 1562, 1584, 1586, 1609, 1613, and 1614) are amended by striking the word "collector" wherever it appears in the sections and inserting in lieu thereof "appropriate customs officer".

(c) Section 401 (19 U.S.C. 1401) is amended by—

(1) striking subsections (h), (i) and (j);

(2) redesignating subsections (k), (l), (m) and (n) as subsections (h), (i), (j) and (k), respectively, and amending redesignated subsection (i) to read as follows:

"(i) OFFICER OF THE CUSTOMS: CUSTOMS OFFICER.—The terms 'officer of the customs' and 'customs officer' mean any officer of the Bureau of Customs of the Treasury Department (also hereinafter referred to as the 'Customs Service') or any commissioned, warrant, or petty officer of the Coast Guard, or any agent or other person authorized by law or designated by the Secretary of the Treasury to perform any duties of an officer of the Customs Service."

(3) adding a new subsection (l) to read as follows:

"(l) SECRETARY.—The term 'Secretary' means the Secretary of the Treasury or his delegate."

(d) Section 402a (19 U.S.C. 1402) is amended by—

(1) striking the word "appraiser" wherever it appears in the section and inserting in lieu thereof "appropriate customs officer"; and

(2) striking the word "APPRAISER'S" in the heading of subsection (b) and inserting in lieu thereof "CUSTOMS OFFICER'S".

(3) striking the words "subject to review in reappraisement proceedings under section 501" and inserting in lieu thereof "subject to protest in accordance with section 514".

(e) Sections 448, 493 and 608 (19 U.S.C. 1448, 1493, and 1608) are amended by striking the term "the collector" where it first appears in each section and inserting in lieu thereof "the appropriate customs officer" and by striking the term "the collector" wherever it thereafter appears in each section and inserting in lieu thereof "such customs officer".

(f) Section 451 (19 U.S.C. 1451) is amended by—

(1) striking the word "collector" where it appears the first time in the section and inserting in lieu thereof "appropriate customs officer";

(2) striking out the word "collector" where it appears the second time in the section and inserting in lieu thereof "such customs officer"; and

(3) striking the word "collector" where it appears the third time in the section and inserting in lieu thereof "appropriate customs officer".

(g) Section 467 (19 U.S.C. 1467) is amended by striking the words "collector of customs" and inserting in lieu thereof "appropriate customs officer".

(h) Section 482 (19 U.S.C. 1482) is amended as follows—

(1) Subsection (e) is amended by striking the term "collector of customs" and inserting in lieu thereof "appropriate customs officer"; and

(2) Subsection (f) is amended by striking "collector of customs or the person acting as such, or by his deputy" and inserting in lieu thereof "appropriate customs officer".

(i) Section 484 (19 U.S.C. 1484) is amended as follows—

(1) Subsection (a) is amended by striking the word "collector" and inserting in lieu thereof "appropriate customs officer";

(2) Paragraph (1) of subsection (c) is amended by striking the term "the collector" where it first appears in the paragraph and inserting in lieu thereof "the appropriate customs officer" and by striking the term "the collector" where it thereafter appears in the paragraph and inserting in lieu thereof "such customs officer";

(3) Paragraph (2) of subsection (c) is amended by striking the term "The collector" and inserting in lieu thereof "The appropriate customs officer" and by striking the term "the collector" wherever it appears in the paragraph and inserting in lieu thereof "such customs officer";

(4) Subsection (g) is amended by striking the term "collector or the appraiser" and inserting in lieu thereof "appropriate customs officer";

(5) The second and third sentences of subsection (j) are amended by striking the word "collector" and inserting in lieu thereof "customs officer"; and

(6) The fourth sentence of subsection (j) is amended by striking the term "a collector" and inserting in lieu thereof "a customs officer" and by striking the terms "the collector" and "such collector" and inserting in lieu thereof "such customs officer".

(j) Section 491 (19 U.S.C. 1491) is amended by striking the words "by the appraiser of merchandise and sold by the collector" and inserting in lieu thereof "and sold by the appropriate customs officer".

(k) Section 499 (19 U.S.C. 1499) is amended as follows—

(1) The first sentence is amended by striking the word "appraiser" and inserting in lieu thereof "appropriate customs officer";

(2) The second sentence is amended by striking the term "The collector" and inserting in lieu thereof "Such officer";

(3) The fifth sentence is amended to read: "Such officer may require such additional packages or quantities as he may deem necessary.";

(4) The sixth sentence is amended to read: "If any package contains any article not specified in the invoice and, in the opinion of the appropriate customs officer, such article was omitted from the invoice with fraudulent intent on the part of the seller, shipper, owner, or agent, the contents of the entire package in which such article is found shall be subject to seizure, but if no such fraudulent intent is apparent, then the value of said article shall be added to the entry and the duties thereon paid accordingly.";

(5) The seventh sentence is amended by striking the word "collector" and inserting in lieu thereof "appropriate customs officer"; and

(6) The last sentence is amended by striking the words "appraiser's return of value" and inserting in lieu thereof "appraisement" and by striking the words "value returned by the appraiser" and inserting in lieu thereof "appraisement".

(l) Section 502 (19 U.S.C. 1502) is amended by striking the words "appraiser, deputy appraiser, assistant appraiser, or examiner of merchandise" and inserting in lieu thereof "customs officer".

(m) Section 506 (19 U.S.C. 1506) is amended as follows:

(1) Paragraph (1) is amended by striking the term "the collector" where it first appears in the paragraph and inserting in lieu thereof "the appropriate customs officer" and by striking the term "the collector" where it thereafter appears in the paragraph and inserting in lieu thereof "such customs officer"; and

(2) Paragraph (2) is amended by striking the word "collector" and inserting in lieu thereof "appropriate customs officer".

(n) Section 509 (19 U.S.C. 1509) is amended by striking the term "Collectors and appraisers" and inserting in lieu thereof "Customs officers".

(o) Section 510 (19 U.S.C. 1510) is amended by—

(1) striking the words "or a division of such court," the first time they appear;

(2) striking "or an appraiser, or a collector" and inserting in lieu thereof "or a customs officer";

(3) striking "an appraiser" and inserting in lieu thereof "a customs officer, or";

(4) striking the words "or a division of such court," the second and third times they appear; and

(5) striking "or appraiser or collector" and inserting in lieu thereof "or customs officer".

(p) Section 511 (19 U.S.C. 1511) is amended by—

(1) striking the words "or an appraiser, or person acting as appraiser, or a collector" and inserting in lieu thereof "or an appropriate customs officer";

(2) striking the term "the collectors" and inserting in lieu thereof "customs officers"; and

(3) striking the term "the collector" and inserting in lieu thereof "the appropriate customs officer".

(q) Section 512 (19 U.S.C. 1512) is amended by—

(1) striking the word "collector" and inserting in lieu thereof "customs officer"; and

(2) striking the word "collectors" and inserting in lieu thereof "customs officers".

(r) Section 513 (19 U.S.C. 1513) is amended by striking the word "COLLECTOR'S in the heading thereof and inserting in lieu thereof "CUSTOMS OFFICER'S" and by striking the words "collector or other" wherever they appear in the section.

(s) Sections 523 (19 U.S.C. 1523) is amended by striking the word "collectors'" and inserting in lieu thereof "customs officers'".

(t) The fifth sentence of section 557(b) (19 U.S.C. 1557(b)) is amended by striking the words "an appeal for reappraisement under section 501" and inserting in lieu thereof "a protest contesting an appraisement decision in accordance with section 514".

(u) Section 560 (19 U.S.C. 1560) is amend-by striking the words "collector or other".

(v) Section 563 (19 U.S.C. 1563) is amended by—

(1) striking the term "collectors of customs" and inserting in lieu thereof "appropriate customs officers"; and

(2) striking the word "collector" and inserting in lieu thereof "customs officer".

(w) Section 564 (19 U.S.C. 1564) is amended by striking the term "collector of customs" and inserting in lieu thereof "customs officer".

(x) Section 565 (19 U.S.C. 1565) is amended by—

(1) striking the term "collector of customs" and inserting in lieu thereof "appropriate customs officer"; and

(2) striking the word "collector" wherever it thereafter appears in the section and inserting in lieu thereof "customs officer".

(y) Section 595 (19 U.S.C. 1595) is amended by striking the words "collector of customs or other".

(z) Section 602 (19 U.S.C. 1602) is amended by—

(1) striking the word "COLLECTOR" in the heading and inserting in lieu thereof "CUSTOMS OFFICER"; and

(2) striking the word "collector" where it first appears in the section and inserting in lieu thereof "appropriate customs officer" and by striking the word "collector" wherever it thereafter appears in the section and inserting in lieu thereof "customs officer".

(aa) Section 603 (19 U.S.C. 1603) is amended by—

(1) striking the word "COLLECTOR'S" in the heading thereof and inserting in lieu thereof "CUSTOMS OFFICER'S"; and

(2) striking the words "collector or the principal local officer of the Customs Agency Service" and inserting in lieu thereof "appropriate customs officer".

(b) Section 604 (19 U.S.C. 1604) is amended by striking the word "collectors" and inserting in lieu thereof "customs officers".

(cc) Section 605 (19 U.S.C. 1605) is amended by—

(1) striking the word "collector" and inserting in lieu thereof "appropriate customs officer"; and

(2) striking the word "collector's" and inserting in lieu thereof "customs officer's".

(dd) Section 606 (19 U.S.C. 1606) is amended by striking the words "collector shall require the appraiser to" and inserting in lieu thereof "appropriate customs officer shall".

(ee) Sections 607 and 610 (19 U.S.C. 1607 and 1610) are amended by—

(1) striking the words "returned by the appraiser"; and

(2) striking the word "collector" and inserting in lieu thereof "appropriate customs officer".

(ff) Section 612 (19 U.S.C. 1612) is amended as follows:

(1) The first sentence is amended by striking the term "the collector" where it first appears and inserting in lieu thereof "the appropriate customs officer"; by striking the words "by the appraiser"; by striking the term "the collector" where it thereafter appears and inserting in lieu thereof "such officer"; and by striking the words "within twenty-four hours after receipt by him of the appraiser's return";

(2) The second sentence is amended by striking the term "the collector" and inserting in lieu thereof "such officer"; and

(3) The third sentence is amended by striking the word "collector" and inserting in lieu thereof "customs officer".

(gg) Section 617 (19 U.S.C. 1617) is amended by striking the word "collector" and inserting in lieu thereof "customs officer" and by striking the words "or customs agent".

(hh) Section 618 (19 U.S.C. 1618) is amended by striking the words "customs agent, collector, judge of the United States Customs Court, or United States commissioner," and inserting in lieu thereof "customs officer".

(ii) Section 623 (19 U.S.C. 1623) is amended by striking the term "collectors of customs" and inserting in lieu thereof "customs officers".

(jj) Section 641 (19 U.S.C. 1641) is amended by striking the words "collector or chief" wherever they appear and substituting therefor "appropriate".

(kk) Section 648 (19 U.S.C. 1648) is amended by striking the term "Collectors of customs" and inserting in lieu thereof "Customs officers".

Sec. 302. The last paragraph of so much of section 1 of the Act of August 1, 1914, as relates to the Customs Service, as amended (38 Stat. 623, 19 U.S.C. 2), is amended to read as follows:

"The President is authorized from time to time, as the exigencies of the service may require, to rearrange, by consolidation or otherwise, the several customs-collection districts and to discontinue ports of entry by abolishing the same or establishing others in their stead. The President is authorized from time to time to change the location of the headquarters in any customs-collection district as the needs of the service may require."

Sec. 303. Section 2 of the Act of March 4, 1923, as amended (19 U.S.C. 6), is amended by—

(a) striking the first and second sentences and inserting in lieu thereof the following:

"Any officer of the customs service designated by the Secretary of the Treasury for foreign service, shall, through the Department of State, be regularly and officially attached to the diplomatic missions of the United States in the countries in which they are to be stationed, and when such officers are assigned to countries in which there are no diplomatic missions of the United States, appropriate recognition and standing with full facilities, for discharging their official duties shall be arranged by the Department of State."; and

(b) striking the words "and employees" in the last sentence of the section.

Sec. 304. Section 2619 of the Revised statutes, as amended (19 U.S.C. 31), is amended to read as follows:

"A bond to the United States may be required of any customs officer for the true and faithful discharge of the duties of his office according to law."

Sec. 305. Section 2620 of the Revised Statutes, as amended (19 U.S.C. 32), is amended to read as follows:

"The amounts, conditions for filing, and procedures for the approval of bonds required of customs officers shall be set forth in regulations prescribed by the Secretary of the Treasury."

Sec. 306. Section 8 of the Act of August 24, 1912, as amended (19 U.S.C. 50), is amended by striking the term "Collectors of customs" and inserting in lieu thereof "Customs officers".

Sec. 307. Section 2654 of the Revised Statutes, as amended (19 U.S.C. 58), is amended by striking the word "Collectors" and inserting in lieu thereof "Customs officers".

Sec. 308. Section 251 of the Revised Statutes (19 U.S.C. 66) is amended by striking the word "collectors" and inserting in lieu thereof "customs officers".

Sec. 309. Section 3 of the Act of June 18, 1934, as amended (19 U.S.C. 81c) is amended by—

(a) striking the term "collector of customs" and inserting in lieu thereof "appropriate customs officer"; and

(b) striking the word "collector" and inserting in lieu thereof "appropriate customs officer".

Sec. 310. The Act of June 28, 1916 (19 U.S.C. 151) is amended by striking the term "collector of customs" and inserting in lieu thereof "appropriate customs officer".

Sec. 311. Section 202(a) of the Act of May 27, 1921 (19 U.S.C. 161(a)) is amended by striking the word "report".

Sec. 312. Section 208 of the Act of May 27, 1921 (19 U.S.C. 167) is amended by striking the term "the collector" where it first appears in the section and inserting in lieu thereof "appropriate customs officer" and by striking the term "the collector" wherever it thereafter appears in the section and inserting in lieu thereof "such customs officer".

Sec. 313. Section 209 of the Act of May 27, 1921, as amended (19 U.S.C. 168, is amended by—

(a) striking the words "appraiser or person acting as appraiser" where they first appear in the section and inserting in lieu thereof "appropriate customs officer";

(b) striking the words "report to the collector" where they first appear in the section;

(c) striking the words "each appraiser or person acting as appraiser" and inserting in lieu thereof "such customs officer"; and

(d) striking the words "and report to the collector".

Sec. 314. Section 210 of the Act of May 27, 1921, as amended (19 U.S.C. 169), is amended by—

(a) striking the words "appraiser or person acting as appraiser" and inserting in lieu thereof "appropriate customs officer";

(b) striking the term "the collector" and inserting in lieu thereof "such customs officer"; and

(c) striking the words "appeal and" and "appeals and".

Sec. 315. Section 5 of the Act of February 13, 1911, as amended (19 U.S.C. 26), is amended by striking ", and any customs officer who may be designated for that purpose by the collector of customs,".

Sec. 316. Section 5 of the Act of February 13, 1911, as amended (19 U.S.C. 267), is amended by—

(a) striking the words "inspectors, storekeepers, weighers, and other"; and

(b) striking the term "collector of customs" wherever it appears in the section and inserting in lieu thereof "appropriate customs officer".

Sec. 317. Section 3111 of the Revised Statutes (19 U.S.C. 282) is amended by striking the words "other or" and by striking the words "a collector or other" and inserting in lieu thereof "an".

Sec. 318. Section 3126 of the Revised Statutes (19 U.S.C. 293) is amended by striking out "collectors" and inserting in lieu thereof "appropriate customs officers".

Sec. 319. Sections 2863 and 3087 of the Revised Statutes, as amended (19 U.S.C. 341 and 528), are amended by striking the word "collector" and inserting in lieu thereof "appropriate customs officer".

Sec. 320. The Act of June 16, 1937 (19 U.S.C. 1435b) is amended by—

(a) striking the words "collector of customs, or any deputy collector of customs designated by him" and inserting in lieu thereof "appropriate customs officer"; and

(b) striking the words "jointly by the Secretary of Commerce and".

REPEALS

SEC. 321. The following laws are hereby repealed:

(a) Section 2613 of the Revised Statutes, as amended (19 U.S.C. 5);

(b) The last paragraph of so much of section 1 of the Act of July 5, 1932, as relates to the Bureau of Customs (47 Stat. 584, 19 U.S.C. 5a);

(c) Section 3 of the Act of March 4, 1923 (19 U.S.C. 7);

(d) Section 2629 of the Revised Statutes, as amended (19 U.S.C. 8);

(e) Section 2625 of the Revised Statutes, as amended (19 U.S.C. 9);

(f) Section 2630 of the Revised Statutes, as amended (19 U.S.C. 10);

(g) Section 2632 of the Revised Statutes, as amended (19 U.S.C. 11);

(h) The Act of February 6, 1907, as amended (19 U.S.C. 36);

(i) Section 2633 of the Revised Statutes (19 U.S.C. 37);

(j) Section 7 of the Act of March 4, 1923 (19 U.S.C. 51); and

(k) Sections 1 and 2 of the Act of August 28, 1890 (19 U.S.C. 63).

The material presented by Mr. HRUSKA follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., July 9, 1969.

The VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: There is attached for your consideration and appropriate reference a draft bill "To improve the judicial machinery in customs courts by amending the statutory provisions relating to judicial actions and administrative proceedings in customs matters, and for other purposes."

The bill represents the joint efforts of the Department of Justice and the Department of the Treasury. The Secretary of the Treasury joins with me in urging passage of the proposed legislation as promptly as possible.

In its preparation, these departments have consulted with and given careful consideration to the views and comments of members of the United States Customs Court and the Court of Customs and Patent Appeals and of representatives of the Federal Judicial Center, various importer groups, the Association of the Customs Bar, the Customs Committee of the Section on Administrative Law of the American Bar Association, and a considerable number of individuals concerned with customs procedures in the courts and in the Bureau of Customs. The bill has also been coordinated with and cleared by all executive branch agencies concerned.

Notable contributions to the proposed legislation have come from Mr. Justice Tom C. Clark, the Director of the Federal Judicial Center, and the Honorable Paul P. Rao, Chief Judge, United States Customs Court. They worked diligently to promote the widespread discussions which eventually led to acceptance by all parties of a set of general principles of procedural reforms in the customs courts and Bureau of Customs. These principles were developed by the Justice and Treasury Departments into a working draft which formed the basis of this proposal.

The attached draft legislation is a final refinement of all these efforts. It is designed to remove the statutory obstacles to effective judicial and administrative procedures in customs matters and thereby to improve the judicial machinery in the customs courts.

The section-by-section analysis of the draft bill, also attached, explains in detail the proposed changes.

The early introduction and consideration of this important legislation is requested.

The Bureau of the Budget has advised that there is no objection to the submission of this legislation from the standpoint of the Administration's program.

Sincerely,

JOHN MITCHELL,
Attorney General.

SECTION-BY-SECTION ANALYSIS OF THE DRAFT BILL

INTRODUCTION

The proposed bill contains three titles. Its purpose is to improve the judicial machinery of the customs courts by modernizing the practices and procedures of the customs courts and the Bureau of Customs of the Department of the Treasury. The bill constitutes the first major restructuring of administrative and judicial review of initial Bureau of Customs decisions since the establishment of the Board of General Appraisers in 1890.

Title I sets forth various amendments to title 28 of the United States Code, relating to the jurisdiction and procedures of the Customs Court and the Court of Customs and Patent Appeals. Title II contains related amendments to the Tariff Act of 1930, as amended, which are designed to effect the purposes of Reorganization Plan No. 1 of 1965 in the administration of the customs laws and to dovetail Bureau of Customs procedures with the customs courts reforms set forth in title I. Title III contains miscellaneous technical and conforming amendments and repealers to the Tariff Act of 1930, as amended, and various related statutes.

In the Customs Court there are basically two types of cases: appeals for reappraisement of merchandise and protests against the classification of merchandise. These cases arise out of appeals and disallowed protests filed with the Bureau of Customs which are forwarded by the Bureau to the Customs Court for final disposition without any formal action or request for judicial review by the parties.

As of June 30, 1968, there were 176,539 pending reappraisement cases, and 228,393 protest cases, or a total of 404,932. This is more than double the number of cases pending on June 30, 1962. By December 31, 1968, the pending reappraisement cases had risen to 180,011 and the pending protest cases to 251,337, or a total of 431,348. By March 31, 1969, the total number of pending cases in the Customs Court had risen to 439,278. At the present rate of increase it is anticipated that the Customs Court will have nearly 475,000 cases on its docket by December 31, 1969 unless remedial legislative action is taken.

The enormous caseload of the Customs Court is primarily caused by the following requirements in existing law:

(1) All appeals for reappraisement and all denials of protests are automatically referred by the Bureau of Customs to the Customs Court for disposition, without regard to the intention of the importer to pursue litigation;

(2) If questions of appraisement and classification are both presented in a particular entry of merchandise, the importer cannot have all issues resolved in a single proceeding; he must first contest the appraisement issue and after this has been finally determined, if he is also dissatisfied with the classification, he must then contest that issue;

(3) The Bureau has no authority to correct its own errors of appraisements; these can only be remedied by the Customs Court;

(4) The importer is only given an unrealistically short period of time (30 and 60 days) to file an appeal to an appraisement or to protest a classification if he wishes to litigate the Bureau's decision. This causes a large number of protective appeals or protests to be filed by importers; and

(5) All protest cases, which constitute about 60% of all customs cases, must be decided by a three-judge division of the court. This is an uneconomical employment of judicial manpower.

Under the proposed bill, the Treasury Department will have authority to accomplish the following significant changes in operating procedures at the Bureau of Customs:

(1) Require one protest to be filed for each entry of merchandise, except that where the entry covers merchandise of different categories, a separate protest may be filed for each category;

(2) Permit administrative correction of errors by a reviewing customs officer under regulations prescribed by the Secretary, so as to obviate unnecessary recourse to the Customs Court;

(3) Extend the time for filing a protest from 60 to 90 days so as to reduce the number of protests filed as a protective measure to afford the importer the opportunity to study the situation while preserving his right to litigate;

(4) Mail notice of denial of protest to the importer;

(5) Make the denial of a protest by Customs final and conclusive unless a timely civil action is commenced in the Customs Court, thereby eliminating the automatic referral of all such matters to the Customs Court;

(6) Permit a party to obtain accelerated disposition of his protest, at any time after 90 days have elapsed from the date of filing the protest, by requesting the Bureau of Customs, in writing, to act on the protest within 30 days, and by deeming failure of Customs to act within that time a denial of the protest for purposes of enabling the party to seek judicial review;

(7) Provide that any protest, which has not been allowed or denied by the appropriate customs officer and which has not been deemed denied under a request for accelerated disposition, shall be deemed denied after two years have elapsed from the date the protest was filed. This will require the Bureau of Customs to take final action on the protest within the two year period or else automatically lose jurisdiction. The importer will be able to seek judicial review within 180 days thereafter.

These changes will help to modernize the administration of customs matters in the Bureau of Customs. However, a number of related changes in the laws applicable to the organization, jurisdiction and procedure of the Customs Court and the Court of Customs and Patent Appeals must also be made for an effective and comprehensive solution to the customs backlog problem. The enactment of title I of the proposed bill will accomplish these essential changes. Its principal features fall into the following categories:

(1) Commencing an action in the Customs Court

(a) A party dissatisfied with the administrative action of the Bureau of Customs will be able to obtain judicial review at any time within 180 days after the date of denial of his protest by filing a summons in the Customs Court. The 180 day period provides ample time for the importer to consider all aspects of his claim and to reach an informed decision on whether or not to seek judicial relief. This should keep off the court's dockets many cases that, under the present statutory time limit of 60 days, are filed simply as protective measures.

(b) All issues relating to the same category of merchandise in an entry will be raised in the same cause of action instead of litigating separately the issues of appraisement and classification. Entries involving common issues may be included in a single cause of action.

(c) The court will have authority to require the payment of a filing fee upon commencing an action and to fix its amount, so long as it does not exceed the amount of the fee for commencing an action in the United States district court. If the court should establish a fee system, importers seeking to minimize costs will have a pecuniary inducement to consolidate all entries that raise a common issue into a single cause of action. This should reduce the number of cases filed in the court each year.

(2) Single-judge trial procedure.

(a) All customs cases, regardless of issues, will normally be tried by a single judge. The chief judge, on application or on his own initiative, will have authority to designate three-judge trials when he finds that a cause of action either: (i) raises an issue of the constitutionality of a federal statute, Executive Order or Presidential proclamation; or (ii) has broad or significant implications in the administration or interpretation of the customs laws. The use of the three-judge court, therefore, will be limited to landmark or other important cases. Since protest cases, which constitute about 60% of the court's business, are now tried by three-judge divisions, this new provision will enhance substantially the efficient utilization of the judicial manpower of the Customs Court.

(b) Appeals from all cases in the Customs Court will go directly to the Court of Customs and Patent Appeals. This will relieve the Customs Court of its present burden of setting up three-judge divisions to hear appeals from single-judge decisions in appraisement cases. This change in appellate procedure will not substantially increase the present workload of the Court of Customs and Patent Appeals.

Title II of the bill amends the Tariff Act to coordinate Bureau of Customs procedures with the proposed judicial reforms set forth in title I. Title III contains technical and conforming amendments and repealers.

TITLE I—JUDICIAL ACTIONS IN CUSTOMS CASES

Short title

Title I of the proposed bill is given the short title of "The Customs Courts Act of 1969" by section 101.

Appeals from custom court decisions—Jurisdiction

Section 102 amends section 1541 of title 28 of the United States Code, relating to the jurisdiction of the Court of Customs and Patent Appeals. The Court of Customs and Patent Appeals presently has authority to review legal questions in all protests and appeals for reappraisement cases, and fact questions in classification cases.

Section 1541(a) gives the Court of Customs and Patent Appeals appellate jurisdiction in customs cases patterned after the appellate jurisdiction of the Courts of Appeals. The Court of Customs and Patent Appeals will have authority to review all final judgments or orders of the Customs Court.

In addition, section 1541(b) gives the Court of Customs and Patent Appeals a new authority to hear appeals from interlocutory orders of the Customs Court. In its discretion, the Court of Customs and Patent Appeals may review interlocutory orders of the Customs Court when a judge of that court includes in the order a statement that a controlling question of law is involved, the determination of which may expedite the termination of the litigation.

Section 102 is patterned after sections 1291 and 1292 of title 28 of the United States Code, which is concerned with the jurisdiction of the Courts of Appeals.

Appeals from Customs Court Decisions—Procedure

Section 103 amends section 2601 of title 28 of the United States Code, which establishes the appellate procedure in the Court of Customs and Patent Appeals. The revision is more a matter of form than substance.

Section 2601(a) provides a sixty day period after entry of the judgment or order in which a party may appeal. The special 90 day period for appeals in cases arising in the Territories and Possessions has been deleted since, with modern means of communication, it is no longer needed.

Section 2601(b) provides for service of the notice of appeal on adverse parties. When the United States is the adverse party, service shall be made on the Attorney General and the Secretary of the Treasury, or their designees, rather than on the collector, the latter office having been abolished by Reorganization Plan No. 1 of 1965.

Section 2601(c) elaborates on the power of the court to affirm, modify, vacate, set aside or reverse any judgment or order of the Customs Court and to remand the cause or require such further proceedings as may be just under the circumstances. The provision for finality of the court's judgment or order remains substantially unchanged.

The requirement in the present law that all evidence taken by and before the Customs Court shall be competent evidence before the Court of Customs and Patent Appeals has been omitted as unnecessary. The Court of Customs and Patent Appeals has power and authority similar to other federal appellate courts; its decisions will be based upon the the record made before the lower court.

Precedence of American manufacturer, producer or wholesaler cases

Section 104 amends section 2602 of title 28 of the United States Code relating to the precedence of American manufacturer, producer or wholesaler cases in the Court of Customs and Patent Appeals. These are appeals arising under section 516 of the Tariff Act of 1930, as amended (19 U.S.C. 1516), and appeals from findings by the Secretary of Commerce provided for in headnote 6 to schedule 8, part 4, of the Tariff Schedules of the United States (19 U.S.C. 1202). The changes are a matter of form rather than substance.

Section 2602(a) requires the court to give precedence to cases arising under section 516 of the Tariff Act of 1930, as amended, over all other cases except those provided for in paragraph (b) of section 2602.

Section 2602(b) implements the provisions of headnote 6 to schedule 8, part 4, of the Tariff Schedules of the United States (19 U.S.C. 1202). It requires that appeals from findings by the Secretary of Commerce relating to the entry of instruments and apparatus by an institution shall receive a preference over all other matters before the court.

Duties of chief judge; precedence of judges

Section 105 amends section 253 of title 28 of the United States Code relating to the duties of the chief judge and the precedence of judges. The revision is more a matter of form than substance.

Section 253(a) gives the chief judge, with the approval of the court, the authority to supervise the fiscal affairs and clerical force of the court. This represents no change from the provision in the present law.

Section 253(b) gives the chief judge authority to promulgate dockets.

Section 253(c) authorizes the chief judge, under rules of the court, to designate any judge or judges of the court to try any case and, when the circumstances so warrant, to reassign the case to another judge or judges.

Sections 253(d) and 253(e) contain the substance but not the form of the old provisions governing the precedence of the chief judge and other judges.

Single-judge trials

Section 106 amends section 254 of title 28 of the United States Code by deleting all provisions for appellate decisions of three judges in the Customs Court. All appeals from divisions of the Customs Court will, under the provisions of proposed section 1541 of title 28 of the United States Code, go directly to the Court of Customs and Patent Appeals.

Proposed section 254, title 28, states that, except as provided by section 255 of title 28 of the United States Code, all cases filed in the Customs Court shall be tried by a single judge.

Publication of decisions

Section 107 redesignates section 255 of title 28 of the United States Code as section 257 and amends the section to conform with changes made in the Tariff Act of 1930 as amended.

Three-judge trials

Section 108 adds a new section 255 to title 28 of the United States Code relating to three-judge trials. The substance of this provision is entirely new.

Section 255(a) authorizes the chief judge, upon application by any party to a cause of action, or upon his own initiative, to designate any three judges of the court to hear and determine any case when the chief judge finds that (1) it raises an issue of the constitutionality of an Act of Congress, a Presidential proclamation or an Executive Order; or (2) it has broad or significant implications in the administration or interpretation of the customs laws. The purpose of this provision is to permit broader representation of the court in deciding landmark or other important cases.

Section 255(b) states that, in any three-judge court, a majority of the judges designated may hear and determine the action and all questions pending therein.

Trials at ports other than New York

Section 109 adds section 256 to title 28 of the United States Code. It is partially a restatement of the third paragraph of existing section 254 of that title.

Section 256(a) authorizes the chief judge to designate a judge or judges to proceed to any port or to any place within the jurisdiction of the United States to preside at a trial or hearing at the port or place.

Section 256(b) allows the chief judge, upon application of a party and for good cause shown, or upon his own initiative, to authorize a judge to preside at a trial or a hearing in a foreign country. The parties on occasion have been seriously handicapped in the presentation of their cases because no provision presently exists for the conduct of a hearing in a foreign country. In important cases it would be useful for the court to have the evidence adduced through live witnesses rather than through affidavits, depositions, and interrogatories.

Jurisdiction of the customs court

Section 110 amends section 1582 of title 28 of the United States Code and restates the jurisdiction of the Customs Court as it presently appears in 28 U.S.C. 1582 and 1583. The language is essentially new.

Section 1582(a) gives recognition to the changes effected by Reorganization Plan No. 1 of 1965, and the clarifying language proposed in the revision of section 514 of the Tariff Act of 1930, as amended, as set out in section 207 of title II of the proposed bill.

Section 1582(b) gives the court jurisdiction over actions brought by American manufacturers, producers or wholesalers pursuant to section 516 of the Tariff Act of 1930, as amended.

Section 1582(c) provides that the Customs Court does not have jurisdiction of a case unless: (1) a protest has been filed and denied in accordance with sections 514 and 515 of the Tariff Act of 1930, as amended, or, if the decision relates to actions brought by American manufacturers, producers or wholesalers, pursuant to section 516 of the Tariff Act of 1930, as amended, all remedies prescribed therein have been exhausted; and (2) all liquidated duties were paid prior to the filing of the complaint. The provision for payment of liquidated duties does not apply to cases brought under section 516 of the Tariff Act, which provides for protests by

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American manufacturers, producers, or wholesalers who challenge the classification or value of imported merchandise.

Section 1582(d) provides that only one civil action may be brought to contest the denial of a single protest. However, any number of entries of merchandise involving common issues may be included in a single action. Actions may be consolidated, if there are common issues, by order of the court or by request of the parties, with the court's approval.

Repeal of section 1583—Review of decisions on protests

Section 111 repeals section 1583 of title 28 of the United States Code which provides for the Customs Court's jurisdiction. The substance of section 1583 now appears in section 1582.

Time for commencement of action

Section 112 completely revises section 2631 of title 28 of the United States Code. If formerly set forth the procedures for appeal to the Customs Court in reappraisement disputes. The new section establishes the time for commencing an action in the Customs Court.

Section 2631(a) requires that a suit on a protest denied pursuant to section 515(a) of the Tariff Act of 1930, as amended, be brought within 180 days after the date of mailing of notice of its denial, in whole or in part, or within 180 days after the date of denial of a protest by operation of law pursuant to the provisions of sections 515(b) or 515(c) of the Tariff Act of 1930, as amended.

Section 2631(b) requires that actions by American manufacturers, producers or wholesalers pursuant to section 516 of the Tariff Act of 1930, as amended, be brought within 30 days after the date of mailing of a notice pursuant to section 516(c) of the Tariff Act of 1930, as amended.

CUSTOM COURT PROCEDURE AND FEES

Section 113 completely revises section 2632 of title 28 of the United States Code by establishing the procedure and fees in the Customs Court. The automatic referral of cases from the Bureau of Customs to the Customs Court is abolished.

Section 2632(a) provides that a party may contest a denial of a protest under section 515 of the Tariff Act of 1930, as amended, or a decision of the Secretary of the Treasury under section 516 of the same Act, by bringing a civil action in the court. The action is commenced by filing a summons in the form, manner and style and with the content prescribed by rules of the court.

Section 2632(b) authorizes the court to fix a filing fee, payable upon commencing an action, provided it does not exceed the amount of the filing fee charged in a United States district court. Whether a filing fee shall be charged and, if so, the amount thereof, is discretionary with the court. The court is also granted discretionary authority to fix all other fees to be charged by the clerk of the court.

Section 2632(c) gives the court authority to adopt rules for pleadings and other papers, for their amendment, service and filing, for consolidations, severances and suspension of cases, and other procedural matters.

Section 2632(d) retains the present authority of the court to provide by rule for consideration of any new ground in support of an action before the court if: (1) it applies to the same merchandise that was the subject of the protest; and (2) it is related to the same administrative decision contested in the protest.

Section 2632(e) requires all pleadings and other papers filed in the court to be served on all the adverse parties in accordance with the rules of the court. Where the United States is the adverse party, service of the summons is to be made on the Attorney General and the Secretary of the Treasury, or their designees.

Section 2632(f) is a new provision requiring the Secretary of the Treasury, or his designee, when served with a summons, to transmit forthwith to the court the following documents as an official record of the civil action: (1) consumption or other entry; (2) commercial invoice; (3) special Customs invoice; (4) copy of protest; and (5) copy of denial of the protest, in whole or in part, if any denial has been issued.

Precedence of American manufacturer, producer or wholesaler cases

Section 114 completely revises section 2633 of title 28 of the United States Code by providing for precedence in American manufacturer, producer or wholesaler cases arising under section 516 of the Tariff Act of 1930, as amended. Section 2633 is essentially the same as present section 2638 of title 28.

Notice

Section 115 completely revises section 2634 of title 28 of the United States Code by providing for reasonable notice of the time and place of trial before a judge of the Customs Court to be given to all parties, under rules of the court. This provision is essentially the same as section 2632 in the present title 28.

Burden of proof; evidence of value

Section 116 completely revises section 2635 of title 28 of the United States Code and sets forth the rules concerning burden of proof and evidence of value.

Section 2635(a) provides that the decision of the Secretary of the Treasury or his delegate is presumed to be correct and the burden to prove otherwise shall rest upon the party challenging the decision. This is a change in form rather than substance from the provision which appears in the present section 2633 of title 28.

Section 2635(b) provides that reports or depositions of consuls, customs officers, and other officers of the United States and depositions and affidavits of other persons whose attendance cannot reasonably be had, may be admitted in evidence when served upon the opposing party in accordance with the rules of the court, and that price lists and catalogs may be admitted in evidence when duly authenticated, relevant and material. The requirements for service of reports, depositions and affidavits on the opposing party, and for authenticity, relevancy and materiality of price lists and catalogs are new. The remainder of section 2635 (b) does not differ substantially from the provisions that appear in the present section 2633 of title 28.

Section 2635(c), requiring the value of merchandise to be determined from the evidence in the record and at the trial, whether or not the merchandise or samples thereof are available for examination, is substantially the same as the provision that appears in the present section 2631 of title 28.

Analysis of imported merchandise

Section 117, providing for analysis of imported merchandise, completely revises section 2636 of title 28 of the United States Code. It is essentially the same as the provision that appears in the present section 2639 of title 28.

Witnesses; inspection of documents

Section 118, providing for witnesses and inspection of documents, completely revises section 2637 of title 28 of the United States Code. It is substantially the same as the provisions that appear in the present section 2634 of title 28.

Decisions; findings of fact and conclusions of law; effect of opinions

Section 119 completely revises section 2638 of title 28 of the United States Code.

Section 2638(a) gives the judge in a contested case the option of supporting his decision by a statement of findings of fact and conclusions of law instead of requiring a written opinion stating the reasons and facts upon which a decision is based. This is a substantial change from the provision in the present section 2635 of title 28.

Section 2638(b) provides for the finality of the judges decision, absent rehearing or appeal. It differs from the existing section 2636(a) in that the new section relates to both classification and reappraisement cases, whereas the existing section refers only to reappraisement cases.

Retrial or rehearing

Section 120 completely revises section 2639 of title 28 of the United States Code. It contains substantially the same provision as appears in the present section 2640 of title 28 relating to retrial or rehearing. A thirty day period from the date of entry of the judgment or order is granted in which a party may move, or the judge may act on his own motion, for a retrial or rehearing.

Repeal of sections 2640, 2641, 2642—Rehearing or retrial; frivolous protest or appeal; amendments of protests, appeals and pleadings

Section 121 repeals sections 2640, 2641 and 2642 of title 28 of the United States Code.

The provisions of section 2640, relating to retrial or rehearing, are now found in section 121 of the bill, amending section 2639 of title 28.

The provisions of section 2641, relating to frivolous appeals and the imposition of fines in connection therewith, are no longer needed since protests are no longer automatically referred to the court. All actions in the court will now be commenced by a summons. The court's general powers over attorneys practicing before it should be sufficient for it to cope with frivolous actions.

Section 2642, relating to amendment of protests, appeals and pleadings, is unnecessary in view of the general rulemaking power given to the Customs Court by section 114 of this bill, amending section 2632 of title 28.

Effective date

Section 122 is a new provision and provides that title I becomes effective on January 1, 1970. A number of transitional provisions are included to cover importations prior to the effective date. Adequate time to institute the changes in procedures will be required. If consideration and passage of the bill takes longer than is presently anticipated, an appropriate change in the effective date will be necessary to allow for the time neded to implement the provisions of the bill.

Section 122(a) makes title I applicable to all actions and proceedings in the Customs Court and the Court of Customs and Patent Apepals except for those involving importations occurring before the effective date for which trial has commenced by the effective date. All such cases will be governed by the law in effect prior to January 1, 1970.

Section 122(b) deals with an appeal for reappraisement timely filed wtih the Bureau of Customs before the effective date but as to which trial has not yet commenced by such date. Since such an appeal is, under existing law, before the Customs Court, there will be no necessity for the party to file a summons as required by this title; instead a summons will be deemed to have been filed. After the decision of the Customs Court has become final in the reappraisement case, the papers will be returned to the appropriate customs officer to decide any remaining matters relating to the entry in accordance with section 500 of the Tariff Act of 1930, as amended. However, no protest or summons filed after such final decision can include issues which were raised or could have been raised on the appeal for reappraisement.

Section 122(c) deals with a protest timely filed with the Bureau of Customs before January 1, 1970 which is disallowed at any time but as to which trial has not com-

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menced prior to the effective date. There will be no necessity for a summons to be filed in order to bring this case before the Customs Court. Instead, a summons will be deemed to have been timely and properly filed under title I.

Section 122(d) makes all provisions of title I other than those relating to filing of summonses applicable to cases covered by sections 122(b) and 122(c).

Miscellaneous amendments

Section 123 amends the analyses at the beginning of chapters, 11, 93, 95, 167 and 169 of title 28 of the United States Code to conform with the changes made in the various section headings contained in these chapters.

TITLE II—ADMINISTRATIVE PROCEEDINGS IN CUSTOMS MATTERS

Short title

Section 201 of this title provides that titles I and III may be cited as "The Customs Administrative Act of 1969."

Amendment of sections

Section 202 indicates that references to sections of the Tariff Act are deemed to refer to sections or provisions of the Tariff Act of 1930, as amended (19 U.S.C. 1202 et seq.), unless otherwise provided.

Effective date

Section 203 provides that the amendments made by titles II and III shall take effect with respect to articles entered, or withdrawn from warehouse, on or after January 1, 1970. This conforms with the January 1, 1970 effective date for title I.

Appraisement, classification and liquidation procedures; collections and refunds; limitations

Section 204 amends sections 500, 488 and 505 of the Tariff Act.

Section 204(a) of this title amends section 500 of the Tariff Act by (1) deleting the allocation of specific customs functions to appraisers, assistant and deputy appraisers and examiners, most of which were set forth in the present provisions because of the separation of the offices of appraiser and collector before the reorganization of the Customs field service prescribed in Treasury Department Order No. 165–17 (T.D. 56464, 30 F.R. 10913), dated August 10, 1965, and (2) substituting an enumeration of the general customs functions of appraisal, classification, liquidation, and notice to be performed by "the appropriate customs officer" designated by the Secretary or his delegate. Under the proposed amendment, such customs officer is required, in accordance with regulations to be issued by the Treasury Department, to (a) appraise the value of merchandise in the unit in which such merchandise may be bought or sold; (b) ascertain the classification and rate of duty applicable to such merchandise; (c) fix the amount of duty payable or refundable; (d) liquidate the entry; and (e) give notice of such liquidation to the importer, consignee or agent in the form and manner prescribed by the Secretary in such regulations.

Under existing law the liquidation of an entry, which is the final administrative determination of duties due, must await a final appraisement. A separate notice of appraisement is given and the appraisement may be challenged by an appeal for a reappraisement to the United States Customs Court. An appraisement becomes final if no appeal is filed within 30 days after notice, or, if an appeal is filed, when the court decision on the appeal becomes final.

Under proposed new section 500 and 501 and amended section 503 of the Tariff Act, customs officers will make a final liquidation of duties due, on the basis of their administrative determination of the appraised value, the applicable rate of duty, and the final amount of duty payable. However, the determination of the appraised value will no longer be subject to a preliminary adjudication prior to liquidation.

Under the proposed amendments the importer will continue to be advised of administrative changes in appraised value which are reflected in the notice of final liquidation, and his right to challenge the appraised value determination will be preserved. It will, however, be consolidated in a single procedure for protesting all decisions on which the liquidation is based under amendments proposed to be made to section 514 of the Tariff Act. These amendments are discussed more fully below. This change will implement consolidated customs procedures in effect under Reorganization Plan No. 1 of 1965 and permit the Bureau of Customs to make these procedures fully effective.

Except for the deletion of the requirement under existing law for the issuance of a separate formal notice of appraisement described in the preceding paragraph, the amendment of section 500 of the Tariff Act is not intended to eliminate any requirement imposed by existing law. For example, it is anticipated that the Secretary's regulations will make clear that the performance of the statutory appraisal function under amended section 500 will continue to entail, where appropriate, the ascertaining of "the number of yards, parcels or quantities of merchandise ordered or designated for examination" as well as "whether the merchandise has been truly and correctly invoiced", as is required of the appraiser under section 500 of existing law.

Such ministerial functions as these were set forth in the present provisions to designate the officers who are to perform them, and not as a statutory requirement for their performance. With the abolition of the separate officers of appraiser of merchandise and collector of customs, there is no longer any need for such administrative detail to appear in the statute. If the proposed amendment of section 500 is adopted, these substantive functions will still have to be performed to the extent required by other provisions of law.

Section 204(b) of this title repeals section 488 of the Tariff Act, which directs a collector to cause the appraisal of entered merchandise. This function will become the direct responsibility of the customs officer designated under the proposed amendment set forth in section 204(a) of this title.

Section 204(c) of this title amends section 505 of the Tariff Act by deleting reference to (1) receipt by a collector of various reports which will no longer be prepared and (2) the performance of certain functions in connection with the liquidation of an entry. The remaining text is reworded without substantive change. The deleted provisions have been more appropriately incorporated in the general description of functions set forth in section 204(a) of title II.

Repeal of separate appraisement procedure; voluntary reliquidations

Section 205 of this title amends section 501 of the Tariff Act, which describes the separate notice of appraisement procedure and appeals for reappraisement (by either the consignee or the collector) to the United States Customs Court applicable under existing law prior to classification of the merchandise and final liquidation of the entry. The existing provision is inconsistent with the consolidated customs procedures governing appraisement and classification contemplated under Reorganization Plan No. 1 of 1965 and Customs Delegation Order No. 22 (T.D. 56470).

This section proposes that section 501 of the Tariff Act be amended to provide that a liquidation made by the appropriate customs officer in accordance with section 500 of the Tariff Act, as amended by section 204(a) of title II, may be reliquidated voluntarily by a reviewing customs officer in any respect within 90 days from the date on which notice or the original liquidation is given to the importer, consignee or agent. For example, this provision would authorize a reliquidation during the specified period on the basis of the determination of an increase or decrease in the original appraised value of the merchandise, or a determination that the classification assigned to merchandise on its first liquidation was in error. Proposed new section 501 of the Tariff Act further provides that notice of such reliquidation shall be given in accordance with the rules governing notice of original liquidations.

The major change encompassed by this amendment is that it allows customs officers to correct erroneous appraisements (within the time limit allowed) whether the error is discovered by the officer himself or brought to his attention by an interested party. To the extent that this provision authorizes adjustment of rates of duty or other matters embraced by a liquidation under existing law, it is merely declaratory of existing law. Under existing law, final appraisement decisions must be appealed to the United States Customs Court by the collector as well as the importer, and may not be revised by the Bureau of Customs. Adoption of this provision will avoid cluttering the court with appraisement matters which do not involve controversy but where the court has been involved merely because the Bureau of Customs has lacked the authority to correct its own recognized errors in appraisement. Another change is permitting more than one voluntary reliquidation. No adjustments under this section may be made more than 90 days after notice of the original liquidation has been given, however.

Dutiable value

Section 206 of this title revises section 503 of the Tariff Act further to reflect consolidated procedures applicable to voluntary modification or protest and judicial review of customs decisions covering both appraisement and classification. The proposed amendment is intended to make clear that except as provided in section 520(c) of the Tariff Act (relating to reliquidations authorized to correct certain errors manifest from the record) or in section 562 of the Tariff Act (relating to withdrawal from manipulating warehouses), the basis for assessment of duties on imported merchandise subject to ad valorem rates of duty, including rates which are dependent in any manner on the value of the merchandise, shall be the latest determination of value upon which a final assessment of duties is based. Thus, if a liquidation under section 500 of the Tariff Act (as proposed to be amended by this bill) by the appropriate customs officer become final, without modification by such officer, the original appraised value shall be the basis for assessment of duties.

However, if the customs officer should modify, pursuant to section 501 of the Tariff Act (as proposed to be amended by this bill), his prior determination of value and reliquidate the entry accordingly, the revised appraisement would constitute the basis for assessment of duties. Similarly, if a final determination of the United States Customs Court should require modification of an appraisement, the final appraised value as determined in accordance with the decision of the Customs Court would constitute the basis for assessment of duties.

Protests

Section 207 of this title substantially modifies section 514 of the Tariff Act. It extends the time for filing protests against decisions of customs officers and extends the scope of any such protest to cover decisions as to the appraised value of merchandise.

Section 514(a) has been reorganized in its form of presentation in order to clarify the

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categories of decisions and findings (including appraisement) by the appropriate customs officer which, in the absence of a proper protest, shall become final 90 days after the giving of notice. The revised presentation of categories is without substantive effect.

Section 514(a) also provides that administrative decisions set forth in section 514(a) shall be final and conclusive on all persons, including the United States and any officer thereof, unless a protest is filed in accordance with this section and, in the event that such a protest is denied in whole or in part, unless a civil action contesting such denial is commenced in the United States Customs Court in accordance with section 2632 of title 28 of the United States Code within the time prescribed by section 2631 of that title.

The provision for independent judicial procedures departs from existing law, under which protests denied in whole or in part are referred automatically to the Customs Court. In so doing, it brings customs procedures more closely into line with the administrative procedures of other agencies whose final decisions are usually subject to redetermination only in circumstances when the party adversely affected initiates an independent, judicial action for that purpose.

Section 514(b)(1) is amended to specify what shall be contained in the protests required to be filed in writing with the appropriate customs officer, how many are to be filed and how they may be amended. Although only one protest may be filed for each entry of merchandise, if the entry covers merchandise of different categories, separate protests may be filed for each category. In addition, if separate claims are filed with respect to any one category of merchandise that is the subject of a protest, they shall all be deemed to be part of a single protest. A protest may be amended, under regulations prescribed by the Secretary, at any time within the 90 day period in which the protest could have been filed under this section.

Section 514(b)(2) extends the time for filing protests against decisions of customs officers from 60 days to 90 days after notice of decision is given.

Section 514(c) precludes the filing of a protest against the decision of a customs officer on a reliquidation of an entry upon any question not involved in the reliquidation.

Review of protests

Section 208 of the title modifies section 515 of the Tariff Act, which sets forth procedures for administrative and judicial review of protests against a collector's decision with respect to the classification of merchandise.

Section 515(a), which would apply to the appraisement as well as the classification aspects of a decision by a customs officer, requires a review of a protest by the appropriate customs officer. Under existing law, review by the collector is required within 90 days after the date on which a protest is actually filed. This time limit is no longer imposed in view of the new provision in section 515(b) for obtaining accelerated disposition of a protest.

The proposed bill eliminates the provision in existing law for automatic referral to the United States Customs Court, together with accompanying documents or exhibits, of all protests reviewed by the Bureau of Customs which are denied. As previously indicated, under section 112 and 113 of title I, amending sections 2631 and 2632 of title 28 of the United States Code, importers who desire judicial reconsideration of a protested administrative decision, to the extent that it has been upheld by reviewing customs officers, will be required to initiate proceedings in the Customs Court within 180 days of such denial by filing a summons.

The requirement of filing a summons will eliminate the sending to court of cases in which judicial review is really not sought but protests are entered at the administrative level to preserve the importer's rights while he studies the situation. At present there are thousands of such cases annually. Their elimination will be a great service to the Customs Bureau and the Customs Court and will not prejudice importers who will still be free to go to the court if they so desire.

Section 515(b) of the Tariff Act permits a protesting party to request prompt disposition of his protest at any time after 90 days following the filing of such protest. If no final action is taken by the Bureau of Customs within 30 days following such a request, the protest is deemed to be denied, and the protesting party will be free to file a summons in the Customs Court with respect to the protested issues.

Section 515(c) of the Tariff Act provides that any protest not disposed of under sections 515(a) or 515(b) shall be deemed denied after two years have elapsed from the date the protest was filed. This provision will require the reviewing customs officer to take final action on the merits of a protest within two years following the date on which it is filed without regard to whether an importer has requested its accelerated disposition. If such action is not taken within this maximum two year period, the Bureau of Customs will be divested of jurisdiction to take any further action on the protest and it would automatically be deemed denied at the end of this period. The importer, of course, will retain his right to seek consideration of his claims on the merits through action in the Custom Court.

Petitions by American manufacturers, producers or wholesalers

Section 209 of the title revises section 516 of the Tariff Act (dealing with appeal or protest by American producers, manufacturers or wholesalers) to reflect the consolidation of appraisal and classification procedures within the Bureau of Customs, but is not designed to have substantive effect on the rights of the parties under the existing law. A procedure for commencing a civil action by filing a summons directly in the Customs Court replaces the provision under existing law for the submission of a protest against an adverse decision by the Secretary, since at present such protests must be referred automatically to the Customs Court without administrative review. This provision has no application to procedures established under P.L. 89–651 for appeals by American manufacturers from certain decisions of the Secretary of Commerce.

Refunds and errors

Section 210 of this title amends section 520(c) of the Tariff Act (dealing with refunds and errors) by substituting "the appropriate customs officer" for "a collector" and by extending to 90 days (from 60 days under existing law) the period of time following a liquidation or exaction, when the liquidation or exaction is made more than 9 months (instead of 10 months) after the date of appraisement, entry or other customs transaction, during which a customs officer may be authorized to correct a clerical error or error in fact (or other inadvertence not amounting to an error in the construction of a law) adverse to the importer and manifest from the record, notwithstanding the failure of the importer to file a valid protest. Such extension of time is required by the greater volume of imports which must be processed in our ports and the greater complexity of individual transactions which now undergo a consolidated administrative procedure, in the course of which an obvious clerical error or mistake of fact might not be detected prior to a final post-liquidation review of the entire record.

TITLE III—MISCELLANEOUS AMENDMENTS—TECHNICAL AND CONFORMING AMENDMENTS

Section 301 of this title eliminates all specific references to appraisers and collectors and their assistants and to other customs officers bearing specific titles wherever such references appear in the Tariff Act (other than references which are revised in connection with other substantive changes proposed in separate amendments in title II), and substitutes a reference to "appropriate customs officer" or "officer of the customs". This provision, in effect, implements the authority granted to the Secretary of the Treasury under Reorganization Plans No. 1 (1965) and No. 26 (1950), which allow the Secretary to delegate and redelegate performance and responsibility for any of the functions of the Customs Service. This change will assure that the statute remains consistent with whatever delegations pattern may from time to time be adopted for the most efficient employment of customs officers.

Sections 302 to 320, inclusive, amend provisions of existing law other than the Tariff Act to the extent that they have been rendered obsolete by current or past administrative reorganizations of the Bureau of Customs.

Section 302 amends the Act of August 1, 1914, c. 223, § 1, 38 Stat. 623, as amended by Act of May 29, 1928, c. 901, § 1(19), 45 Stat. 987 (19 U.S.C. 2), to strike any reference to the office of the collector of customs. The Act, as amended, will continue to provide for the designation of customs-collection districts, ports of entry, and headquarters for such customs-collection districts.

Section 303 amends the Act of March 4, 1923, c. 251, § 2, 42 Stat. 1453, as amended by Acts of January 13, 1925, c. 76, 43 Stat. 748; May 28, 1926, c. 411, § 1, 44 Stat. 669; June 17, 1930, c. 497, title IV, §§ 518, 649, 46 Stat. 737, 762; and June 25, 1948, c. 646, § 39, 62 Stat. 992 (19 U.S.C. 6), to strike any reference to specific officers of the customs. The section, as proposed to be amended, will continue to provide authority for the designation of customs officers for foreign service. The Secretary of State will continue to have authority to reject the name of any officer so designated.

Section 304 amends Rev. Stat. § 2619, as amended by Acts of February 27, 1877, c. 69, § 1, 19 Stat. 245; July 31, 1894, c. 174, § 4, 28 Stat. 205; March 2, 1895, c. 177, § 5, 28 Stat. 807; Aug. 24, 1912, c. 355, § 1, 37 Stat. 434; and June 17, 1930, c. 497, title IV, § 523, 46 Stat. 740 (19 U.S.C. 31), to strike any reference to specific customs officers and specific forms and amounts of bonds. The Act of March 2, 1895, 28 Stat. 807, which amended this provision and the provision discussed in section 305, superseded by inference and necessity the requirement of a specific bond form, but the statutory language regarding the forms and amounts of these bonds has not been specifically repealed heretofore. The section, as amended, will continue to provide that a bond to the United States may be required of any customs officer for the true and faithful discharge of his duties.

Section 305 amends Rev. Stat. § 2620, as amended by Acts of July 31, 1894, c. 174, § 4, 28 Stat. 205; March 2, 1895, c. 177, § 5, 28 Stat. 807; and June 17, 1930, c. 497, title IV, § 523, 46 Stat. 740 (19 U.S.C. 32), to strike any reference to specific officers of the customs. The section, as proposed to be amended, will continue to provide that the Secretary of the Treasury shall set forth in regulations conditions for the filing of bonds under section 31 of title 19 of the United States Code, appropriate amounts, and procedures for their approval.

Section 306 amends the Act of August 24, 1912, c. 355, § 8, 37 Stat. 487, as amended by Act of June 6, 1939, c. 185, 53 Stat. 810 (19 U.S.C. 50), which provides that postmasters and collectors of customs and certain other

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government officials may administer certain oaths to expense accounts. The amendment will strike any reference to collectors of customs.

Sections 307–319, inclusive, eliminate all specific references to appraisers and collectors and their assistants and to other customs officers bearing specific titles wherever such references appear in existing legislation other than the Tariff Act and substitute a reference to "appropriate customs officer" or "officer of the customs". These provisions, in effect, implement the authority granted to the Secretary of the Treasury under Reorganization Plan No. 1 of 1965 and No. 26 of 1950, which allow for the Secretary to delegate and redelegate performance and responsibility for any of the functions of the Customs Service. These changes will assure that these statutes remain consistent with whatever delegation pattern may, from time to time, be adopted for the most efficient employment of customs officers.

Section 320 amends the Act of June 16, 1938, c. 362, 50 Stat. 303, 1946 Reorg. Plan No. 3 §§ 101–104, 60 Stat. 1097 (19 U.S.C. 1435b), which provides that, in certain circumstances, in order to expedite the dispatch of vessels operating on regular schedules, the collector may receive reports of arrival and entry and give clearance for such vessels under regulations prescribed jointly by the Secretary of Commerce and by the Secretary of the Treasury. The proposed amendment will strike reference to joint issuance of regulations by the Secretary of Commerce, inasmuch as Reorganization Plan No. 3 of 1946 transferred the duties assigned to the Secretary of Commerce by this statute to the Commissioner of Customs.

Repeals

Section 321 enumerates specific provisions which are repealed. These provisions deal with the tenure, powers and duties of named Customs officials whose positions or functions have been abolished or reconstituted by the Secretary of the Treasury or his delegate pursuant to Reorganization Plans No. 1 of 1965 and No. 26 of 1950.

Reorganization Plan No. 1 of 1965 and Treasury Department Order No. 165–17, issued pursuant thereto, abolished all field offices of the Bureau of Customs to which appointments are required to be made by the President and transferred to the Secretary of the Treasury all functions vested by statute in Bureau of Customs personnel since the effective date of the last similar transfer of such functions, authorized under Reorganization Plan No. 26 of 1950. These reorganization plans are vested in the Secretary of the Treasury, with the authority to redelegate the performance of any customs functions. Measures taken pursuant to these plans have consolidated the responsibility for operations at the various ports of entry in district directors acting under the supervision of a regional commissioner. In addition, these measures have rendered obsolete the following statutory provisions, which are repealed by section 321:

(a) Rev. Stat. § 2613 as amended by Act of September 21, 1922, c. 356, title IV, § 523, 42 Stat. 974 (19 U.S.C. 5), provides that collectors, comptrollers, and surveyors shall be appointed for a term of four years.

(b) Act of July 5, 1932, c. 430, title I, § 1, 47 Stat. 584 (19 U.S.C. 5a) abolished, except at the Port of New York, the offices of surveyor and appraiser, together with those of their assistants and deputies, and transferred the duties of such officers to such persons as the Secretary of the Treasury shall designate.

(c) Act of March 4. 1923, c. 251, § 3, 42 Stat. 1453 (19 U.S.C. 7) authorized collectors, comptrollers, surveyors, and appraisers to appoint assistants, subject to the approval of the Secretary of the Treasury, and also authorized the collector at New York, subject to the approval of the Secretary, to appoint a solicitor to the collector.

(d) Rev. Stat. § 2629, as amended by Acts of March 3, 1905, c. 1413, § 1, 33 Stat. 983, and March 4, 1923, c. 251 § 4, 42 Stat. 1453 (19 U.S.C. 8), provides that in case of a vacancy in the office of the collector, comptroller, surveyor, or appraiser the principal assistant to such officer shall give bond when required, act as such officer, and receive the compensation of such office until the vacancy is filled, and also provides that vacancies in the office of such principal assistants and solicitor shall be filled by the promotion or transfer of a trained and qualified customs officer.

(e) Rev. Stat. § 2625, as amended by Act of March 4, 1923, c. 251, § 3, 42 Stat. 1453 (19 U.S.C. 9), provides that in the case of the disability of a collector, the duties vested in him shall devolve on his assistant or, if there be no assistant, upon the comptroller of the same district, or if there be no comptroller, they shall devolve upon the surveyor at the port designated as the district headquarters, if any there be.

(f) Rev. Stat. § 2630, as amended by Acts of March 4, 1923, c. 251, §§ 2, 3, 42 Stat. 1453, and January 13, 1925, c. 76, 43 Stat. 748 (19 U.S.C. 10), provides that in case of occasional and necessary absence, or sickness, any collector may exercise his powers and perform his duties by deputy.

(g) Rev. Stat. §2632, as amended by Act of June 17, 1930, c. 497, title IV, §523, 46 Stat. 740 (19 U.S.C. 11), provides that in case of occasional or necessary absence, or sickness, and not otherwise, comptrollers and surveyors may respectively exercise and perform their functions, powers, and duties through a deputy.

(h) Act of February 6, 1907, c. 471, 34 Stat. 880, as amended by Acts of March 4, 1923, c. 251, §2, 42 Stat. 1453, and January 13, 1925, c. 76, 43 Stat. 748 (19 U.S.C. 36), provides that deputy collectors shall have authority to receive entries, collect duties and to perform any or all functions prescribed by law for collectors.

(i) Rev. Stat. §2633 (18 U.S.C. 37) provides that the Secretary of the Treasury may clothe any deputy collector at a port other than the district headquarters with all the powers of his principal appertaining to official acts.

(j) Act of March 4, 1923, c. 251 § 7, 42 Stat. 1454 (19 U.S.C. 51) provides that, except in the case of laborers, no compensation fixed under provisions of that Act shall be greater than 30 per centum in excess of the existing law. Compensation of such employee is now provided for in Part III of title 5, United States Code.

(k) Act of August 28, 1890, c. 812, §§1, 2, 26 Stat. 362 (19 U.S.C. 63) provides that customs employees paid on a per diem basis shall have the leave of absence privileges provided by the Act of March 3, 1883, 22 Stat. 564. Leave privileges of such employees are now provided for in Part III of title 5, United States Code.

Mr. HRUSKA. Mr. President, I also ask unanimous consent to have printed in the Record at this point a statement by the Senator from Maryland in connection with the introduction of the bill, together with certain accompanying material.

There being no objection, the statement and accompanying material were ordered to be printed in the Record, as follows:

Statement of Senator Joseph D. Tydings

Mr. Tydings. Mr. President, I am pleased to join with the senior senator from Nebraska, my colleague on the Improvements in Judicial Machinery Subcommittee in sponsoring this bill to change the outmoded procedural provisions in the law that now hamper the courts in dealing effectively with the rising volume of customs cases. These reforms in judicial administration in the Customs Court and the Court of Customs and Patent Appeals are long overdue.

The Customs Court is an Article III court of record consisting of nine judges, with offices located at the port of New York. It was established in 1926 as the successor to the Board of General Appraisers. The Board was an administrative tribunal created in 1890 and it exercised quasi-judicial functions in reviewing appeals from decisions in the Bureau of Customs.

Unfortunately, when the Customs Court was created in 1926, Congress was content to change the name from Board of General Appraisers to Customs Court, without essentially changing its powers, procedures or duties. As a result, the Customs Court continues to function in many respects as though it were an administrative tribunal reviewing the actions of the Bureau of Customs. This anomalous situation accounts in great part for the court's difficulties in keeping up with its current workload.

The principal weaknesses in the organization, functions and procedures of the Customs Court are:

1. Automatic referral of all cases from the Bureau of Customs;
2. Absence of any requirement that the litigant take some specific action to invoke the jurisdiction of the court;
3. Lack of express authority to impose a filing fee for commencing an action;
4. Existence of two separate and distinct procedures for trial of reappraisement and protest cases;
5. Use of three-judge tribunal to decide protest cases;
6. Use of three-judge tribunal to review single-judge decisions in appraisement cases;
7. Need to prepare written opinion in all cases, with a statement of reasons and the facts on which the decision is based;
8. Lack of power of single judges hearing classification cases in ports outside of New York to decide the case.

This bill will change these outdated provisions of law and will provide the Customs Court with judicial powers and procedures exercised by other federal courts.

The bill will make comparable changes in procedures in the Bureau of Customs to conform with these revised judicial processes. The overall result should be a faster and more effective determination of customs disputes.

Briefly, there will no longer be any automatic referral of cases to the court. A litigant will be required to commence an action by filing a summons and by paying a filing fee, if the court, in its discretion, has so determined. There will be no distinction between appraisement and classification cases. All cases will be tried by a single judge unless a constitutional question or an issue involving broad and significant implications in customs law or procedures is raised. If the chief judge finds either of these conditions are present, he will have authority to designate a three-judge panel to hear the case. In contested cases, the judge will have the option of supporting his decision by either a statement of findings of fact and conclusions of law or by an opinion stating the reasons and facts upon which his decision is based. All appeals will go directly to the Court of Customs and Patent Appeals.

A legislative proposal to modernize the procedures in the Customs Court and the Bureau of Customs was first introduced as S. 4194 in the 90th Congress. Thereafter, widespread consultations and discussions took place between the Government and the

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bench, bar and importing industry under the sagacious guidance and encouragement of Mr. Justice Tom C. Clark, the Director of the Federal Judicial Center and the Honorable Paul P. Rao, Chief Judge of the United States Customs Court.

Among those who were consulted and who presented views and comments were: the members of the United States Customs Court and the Court of Customs and Patent Appeals; the Department of Justice and the Department of the Treasury; various importer groups; the Association of the Customs Bar; the Customs Committee of the Section on Administrative Law of the American Bar Association; and a considerable number of individuals concerned with customs procedures in the courts and in the Bureau of Customs.

The bill introduced today is a final refinement of all these collaborative efforts. Its passage will result in a substantial improvement in the judicial procedures in the customs courts and will provide the importers and the Government with more effective machinery for disposing of customs disputes.

COMPARISON OF PROVISIONS IN REVISED BILL, 91ST CONGRESS AND S. 4194, 90TH CONGRESS

REVISED BILL, 91ST CONGRESS	S. 4194, 90TH CONGRESS
Title I	*Title I*
Sec. 101. Date Changed to 1969.	Sec. 1.
Sec. 102. Substantially unchanged.	Sec. 2.
Sec. 103. Substantially unchanged.	Sec. 3.
	Sec. 4. Omitted.
Sec. 104. Clarifies provision.	Not in S. 4194.
Sec. 105. Clarifies power of chief Judge.	Not in S. 4194.
Sec. 106. New language for single judge trial.	Sec. 5.
Sec. 107. Language change only.	Sec. 6.
Sec. 108. New provision for three-judge trials.	Not in S. 4194.
Sec. 109. Language changes only.	Sec. 8.
Sec. 110. Language changes only except for clarification in Sec. 1582(d).	Sec. 9.
Sec. 111. Repeals section on appellate jurisdiction.	Sec. 10.
Sec. 112. Language changes only.	Sec. 20.
Sec. 113. Substantive changes: (a) summons instead of complaints, (b) Discretionary power to impose filing fee; (c) Power to order consolidations, severances, suspensions and other procedural matters; (d) Power to consider new grounds in support of an action; (e) Service on adverse parties; and (f) Requirement for Secretary of the Treasury to transmit to court an official record.	Sec. 11.
Sec. 114. Restatement of Sec. 2638.	Not in S. 4194.
Sec. 115. Restatement—no change.	Sec. 12.
Sec. 116. Changed to provide for service on opposing party. Reference to admission of copies of official documents deleted as unnecessary because of a court's power to so provide by rules.	Sec. 13.
Sec. 117. No change in substance.	Sec. 18.
Sec. 118. No substantive change.	Sec. 14.
Sec. 119. No substantive change.	Sec. 15.
Sec. 120. No substantive change.	Sec. 19.
Sec. 121. Sec. 2640—covered by Sec. 120; Sec. 2641—unnecessary, can be dealt with by court under its rules; Sec. 2642, now part of Sec. 113, amending Sec. 2632(d).	Sec. 21.
	Sec. 16. Omitted—Related to appellate term.
	Sec. 17. Omitted—Related to appellate term.
Sec. 122.—Unchanged except for effective date.	Sec. 22.
Sec. 123.—Reflect changes in section headings.	Sec. 23.
Title II	
Sec. 201. Unchanged except for date.	Sec. 1.
Sec. 202. Unchanged.	Sec. 2.
Sec. 203. Unchanged except for date.	Sec. 3.
Sec. 204. Sec. 500(b) and Sec. 505(b) clarified.	Sec. 5.
Sec. 205. Unchanged except for minor clarification in first sentence of Sec. 501.	Sec. 6.
Sec. 206. Unchanged.	Sec. 7.
Sec. 207. Minor changes clarifying Sec. 514(a)(2), Sec. 514(a)(3), last two sentences in Sec. 514(a), Sec. 514(b)(1) and Sec. 514(c).	Sec. 8.
Sec. 208. Substantive changes: (1) Eliminate 90-day review requirement; (2) Provide for mailed notice of denial of protest; and (3) Provide for constructive denial of protest after two years.	Sec. 9.
Sec. 209. Minor changes in Sec. 516(d) and (e).	Sec. 10.
Sec. 210. Unchanged.	Sec. 11.

COMPARISON OF PROVISIONS IN REVISED BILL,

REVISED BILL, 91ST CONGRESS—Continued

Title III

Sec. 301(a). Correction.
Sec. 301(b). Correction.
Sec. 301(c). Correction.
Sec. 301(d). Correction.
Sec. 301(e). Correction.
Sec. 301(f). Correction.
Sec. 301(g). Correction.
Sec. 301(h). Correction.
Sec. 301(i). Correction.
Sec. 301(j). Correction.
Sec. 301(k). Correction.
Sec. 301(l). Correction.
Sec. 301(m). Correction.
Sec. 301(n). Correction
Sec. 301(o). Correction.
Sec. 301(p). Correction.
Sec. 301(q). Correction.
Sec. 301(r). Correction.
Sec. 301(s). Correction.
Sec. 301(t). Revises wording in new section.
Sec. 301(u). Correction.
Sec. 301(v). Correction.
Sec. 301(w). Revises wording in new section.
Sec. 301(x). Revises wording in new section.
Sec. 301(y). Correction.
Sec. 301(z). Correction.
Sec. 301(aa). Correction
Sec. 301(bb). Correction.
Sec. 301(cc). Correction.
Sec. 301(dd). Correction.
Sec. 301(ee). Correction.
Sec. 301(ff). Correction.
Sec. 301(gg). Correction.
Sec. 301(hh). Correction.
Sec. 301(ii). Correction.
Sec. 301(jj). Correction.
Sec. 301(kk). Correction.
Sec. 302. Correction.
Sec. 303. Correction.
Sec. 304. Correction.
Sec. 305. Correction.
Sec. 306. Correction.
Sec. 307. Correction.
Sec. 308. Correction.
Sec. 309. Correction.
Sec. 310. Correction.
Sec. 311.
Sec. 312. Correction.
Sec. 313. Correction.
Sec. 314. Correction.
Sec. 315. Correction.
Sec. 316. Correction.
Sec. 317. Correction.
Sec. 318. Correction.
Sec. 319.
Sec. 320. Correction.
Sec. 321. Correction.

THE NEED TO MODERNIZE CUSTOMS PROCEEDINGS PROBLEM

Over the past few years, the United States Customs Court has been faced with a sharp increase in its workload. In FY 1963, it received about 35,000 new cases. By FY 1968, over 108,000 new cases were received. In this same period the court has increased its rate of termination of cases from an annual average of 32,000 during the FY 1963–FY 1966 period to more than 43,000 in FY 1968.

Despite the substantial rise in its case termination rate, the court has been faced with a growing accumulation of pending cases. In FY 1963 these amounted to 186,452; in FY 1964, to 199,650; in FY 1965, to 218,926; in FY 1966, to 245,123; in FY 1967, to 343,065; and in FY 1968, to 404,932. By December 31, 1968 the number of pending cases had risen to 431,348. By March 31, 1969, 439,278 cases were pending.

CAUSES

Among the primary contributing factors for the court's rising workload are the outmoded statutory provisions which govern the

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91st Congress and S. 4194, 90th Congress—Continued

S. 4194, 90th congress—Continued

Sec. 4(b), Title II.
Sec. 4(b), Title II
Sec. 4(a), Title II.
Sec. 4(b), Title II.
Sec. 4(b), Title II.
Sec. 4(b), Title II.
Sec. 4(b), Title II.
Sec. 4(b), Title II.
Sec. 4(b), Title II.
Sec. 4(d), Title II.
Sec. 4(e), Title II.
Sec. 4(b), Title II.
Sec. 4(b), Title II.
Sec. 4(b), Title II.
Sec. 4(b), Title II.
Sec. 4(b), Title II.
Sec. 4(b), Title II.
Sec. 4(f), Title II.
Sec. 4(b), Title II.
Sec. 4(g), Title II.
Sec. 4(g), Title II.
Sec. 4(b), Title II.

Sec. 4(h), Title III.
Sec. 4(b), Title III.
Sec. 4(i), Title III.
Sec. 4(b), Title III.
Sec. 4(b), Title II.
Sec. 4(j), Title II.
Sec. 4(k) and 4(l), Title II.
Sec. 4(m), Title II.
Sec. 4(n), Title II.
Sec. 4(b), Title II.
Sec. 4(b), Title II.
Sec. 4(o), Title II.
Sec. 4(b), Title II.
Sec. 2(a), Title III.
Sec. 2(b), Title III.
Sec. 2(c), Title III.
Sec. 2(d), Title III.
Sec. 2(l), Title III.
Sec. 2(e), Title III.
Sec. 2(e), Title III.
Sec. 2(e), Title III.
Sec. 2(e).

Sec. 2(e), Title III.
Sec. 2(f), Title III.
Sec. 2(g), Title III.
Sec. 2(h), Title III.
Sec. 2(e) and 2(i), Title III.
Sec. 2(j), Title III.
Sec.
Sec. 2(e), Title III.
Sec. 2(k), Title III.
Sec. 1, Title III.

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procedures for deciding customs cases at both the administrative and the judicial levels. These archaic procedures compel the Bureau of Customs and the Customs Court to engage in time consuming, inefficient and unnecessary practices.

The Customs Court is an Article III court of record consisting of nine judges, with offices located at the Port of New York. It exercises exclusive jurisdiction over the appeals for reappraisement and the protests of all other decisions of the Bureau of Customs.

The Customs Court was established in 1926 as the successor to the Board of General Appraisers, an administrative tribunal created in 1890 to review appeals from decisions in the Bureau of Customs. Unfortunately, Congress for the most part was content merely to change the name without any essential change in the court's functions, powers or duties. As a result, the Customs Court continues to function, in many respects, as though it were an administrative tribunal reviewing the actions of the Bureau of Customs. This anomalous situation accounts, in great part, for its difficulties of judicial administration.

Among the major defects in the laws governing customs determinations in the Bureau of Customs and the Customs Court are the following:

1. Appeals for reappraisement and denials of protests must be automatically referred by the Bureau of Customs to the Customs Court for disposition, regardless of whether the importer has any intention to litigate the case.

2. When a single entry of merchandise presents both appraisement and classification questions, neither the Bureau nor the court can review both issues in a single proceeding. The appraisement issue must first be pursued. Only after it has been finally determined, can the classification issue be disposed of.

3. The Bureau of Customs lacks authority to correct administratively any errors of appraisement. The filing of an appeal for reappraisement by the importer automatically divests the Bureau of jurisdiction and places the matter before the Customs Court. Any correction of errors therefore can only be remedied in a judicial proceeding before the court.

4. The importer has an unrealistically short period of time (30 and 60 days) in which to decide whether to litigate the Bureau's decision by filing an appeal to an appraisement or protesting a classification. This causes a large number of protective appeals or protests to be filed by importers.

5. There is no provision authorizing the Customs Court to charge a filing fee for commencing an action. No pecuniary restraint is exercised on importers to deter them from bringing unwarranted and unnecessary cases into court.

6. Protest cases, which constitute about 60% of all customs cases, must be decided by a three-judge division of the court, even though these cases are no more difficult than the appraisement cases which are decided by a single judge. The result is an uneconomical employment of judicial manpower.

SOLUTIONS

The proposed bill will modernize the procedures in the Bureau of Customs and in the Customs Court so as to permit efficient and speedy disposition of customs matters. The key features of the bill are the following:

1. The Bureau of Customs will liquidate an entry (deciding at that time all issues relating to the entry, including appraisement and classification), and will give notice of the liquidation by mail to the importer.

2. The importer will have 90 days in which to decide whether he wishes to protest the decision and secure administrative review. This lengthier time limit should provide sufficient opportunity for the importer to review the matter and decide whether any useful purpose would be served by obtaining administrative review. It should thus obviate the need to file a protest as a protective measure.

3. The Bureau of Customs will have 90 days from the date of liquidation to reliquidate the entry on its own initiative. This will relieve the importer, in many cases, of the need to go to Customs Court to correct administrative errors or to require the Bureau of Customs to conform administrative actions to decisions reached in cases subsequently decided by the Customs Court.

4. If the Bureau of Customs denies the protest, in whole or in part, the importer will have 180 days in which to decide whether or not to go to court. This should be sufficient time for the importer to reach a considered decision on whether or not to litigate. It would eliminate many cases that are now on the court's docket simply because the present 60-day provision has caused the importer to file a protective appeal or protest.

5. The importer will be able to obtain an accelerated disposition of his protest by filing a written request with the Bureau of Customs at any time after 90 days have elapsed from the date of filing the protest. If the Bureau of Customs does not allow or deny his protest, in whole or in part, within the next 30 days, it will be deemed denied on the thirtieth day following receipt of the request. The importer will then have the right to commence an action in the Customs Court at any time within the next 180 days.

6. Any protest which has not been allowed or denied by the Bureau of Customs, or which has not been deemed denied following a request for accelerated disposition, will be deemed denied after two years have elapsed from the date the protest was filed. The importer will then have the right to commence an action in the Customs Court within the next 180 days.

7. Automatic reference of all appeals for reappraisement and all denials of protest to the Customs Court will be eliminated. If an importer wishes to obtain judicial review he will be required to file a summons in the Customs Court.

8. There will be a single judicial proceeding in which all issues, including both appraisement and classification, will be taken up. The importer will be able to include in one cause of action all entries of merchandise presenting common issues. The court, however, will have authority to order actions consolidated or severed as circumstances warrant.

9. The court will have authority to fix a filing fee for commencing an action but the amount may not exceed the filing fee for commencing a civil action in the United States district court. The charging of a fee and the amount thereof will be within the court's discretion. However, a fee would induce litigants to consider more carefully whether they wished to bring suit and would help to persuade litigants to consolidate numerous importations involving the same issues into one cause of action. A fee for commencing an action would reduce substantially the number of cases brought before the Customs Court each year.

10. All cases in the Customs Court will normally be tried by a single judge. This will increase the judicial manpower available for hearing and decided cases, since approximately 60 per cent of all cases in the Customs Court are now heard by a three judge trial division.

11. The chief judge will have the authority, on application or on his own initiative to designate three-judge trials when he finds that a cause of action either (1) raises a constitutional question or (2) has broad or significant implications in the administration or interpretation of the customs laws. The use of a three-judge court will provide a means for obtaining carefully considered decisions in landmark or other important cases.

12. In contested cases the judge will be able to support his decision by either a statement of findings of fact and conclusions of law or by an opinion stating the reasons and facts upon which his decision is based. This will eliminate the present requirement that in every case, the judge must write a decision with a statement of the reasons therefor and the facts on which the decision is based.

13. Outport cases will be tried in the same manner as other cases and the judge will have full authority to hear and decide the case.

14. Appeals from all cases will go directly to the Court of Customs and Patent Appeals. This will relieve the Customs Court of its present burden of having to set up three-judge divisions to hear appeals from single-judge decisions in appraisement cases.

ADJOURNMENT UNTIL 11 A.M.

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order of July 11, 1969, that the Senate stand in adjournment until 11 a.m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 46 minutes p.m.) the Senate adjourned until Tuesday, July 15, 1969, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate July 14, 1969:

ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

The following for permanent appointment to the grades indicated in the Environmental Science Services Administration:

TO BE LIEUTENANTS

David M. Wilson
John C. Albright
Bruce L. Keck

TO BE ENSIGNS

Michael L. Adams
Pressley L. Campbell
John P. Campton
Garry W. Elliott
David J. Goehler
Lowell R. Goodman
Tom Gryniewicz
Gerald B. Mills
Joseph J. Morley
Larry A. New
Albert E. Theberge, Jr.
John E. Thomasson

IN THE COAST GUARD

The following-named temporary officers to be permanent commissioned officers of the Coast Guard in the grade of lieutenant (junior grade):

George A. Blann
David A. Carter
Harry W. Clarke
Armand L. Chapeau
Michael J. Blaschum
Bruce T. Collings, Jr.
David A. Bailey
Kermit Johnson
Freddie R. Lewis
Frederick K. Patterson
Paul L. Hooper, Jr.
Jack L. Conerly
Joseph F. Gall
James V. Sorce, Jr.
Billy R. Warren
Gary L. Hutchens
Richard J. Burke
Gary R. Wilkins
Charles A. Vedder
Charles H. Lancaster
Marvin L. Beaty
Dwight C. Broga III
William L. Engleson, Sr.
William E. Jones
Gerald T. Victor
Donald W. Troutt
Dewain D. Clark
Joseph J. Kennedy
Warren W. Johns
Kenneth L. Norton
George F. Cole
Charles M. Montanese, Jr.
Walter D. Eddowes III
Dixon C. Elder
Jon J. McNutt
Jay D. Crouthers
Robert J. Opezio
Ray C. Gregory
Robert P. Reichersamer
Peter L. Ehrman
Nevin A. Pealer
Kenneth G. Coder
Daniel K. Mazurowski
William G. Bradford III
Richard G. Heudrickson
John G. Carroll, Jr.
Barry E. Chambers
Edward M. Goodwin III
Joseph T. Oskolski
James L. Middleton
Keith E. Nichols
Oscar F. Poppe, Jr.
Michael F. Keating
Henry C. Post
Edwin A. Coolbaugh
Dillard J. Tucker

The following-named Reserve officers to be permanent commissioned officers in the Coast Guard in the grade of lieutenant commander:

Domenic A. Calicchio
Howard E. Snow

The following-named Reserve officers to be permanent commissioned officers in the Coast Guard in the grade of lieutenant:

William R. Arnet, Jr.
Patrick A. Wendt
Milton C. Richards, Jr.

The following-named officer to be a permanent commissioned warrant officer in the Coast Guard in the grade of chief warrant officer, W-4.

Herman J. Lentz

The following-named officers of the Coast Guard for promotion to the grade of lieutenant:

George A. Blann
Gary E. Johnson
Larry A. Cochrun
Gerald J. Kane
David A. Carter
Harry W. Clarke
Armand L. Chapeau
Michael J. Blaschum
Bruce T. Collings, Jr.
David A. Bailey
Kermit Johnson
Freddie R. Lewis
Frederick K. Patterson
Paul L. Hooper, Jr.
Jack L. Conerly
Joseph F. Gall
James V. Sorce, Jr.
Billy R. Warren
Gary L. Hutchens
Richard J. Burke
James B. Ellis II
Charles W. Gower
Gerald D. Sickafoose
Stephen L. Anthony
John H. Hanna III
Robert J. Faucher
Harold E. Millan, Jr.
John C. Maxham
John F. Milbrand
Steven L. Benson
Dennis J. Shaw
Michael C. Grace
Thomas G. Deville
Richard E. Peyser
Thomas M. Dunn
Joseph R. Hoosty
Robert S. Duncan, Jr.
Philip J. Grossweiler
John C. Carney, Jr.
Thomas R. Dickey
Kenneth E. Williams
Edward A. Hemstreet
William K. May
Harry H. Dudley
Jose E. Rodrigues
Gary B. Johnson
Nesbit C. Lofton
Robert W. Mueller
Jerald H. Heinz
Donnie D. Polk
Jonathan Collom
William E. Fox, Jr.
Harry W. Tiffany
William H. Stockton II
Benjamin M. Chiswell III
Peter A. Gabele
Kenneth J. Allington
John G. Busavage
Robert C. Byrd
Donald H. Van Liew
Paul A. Flood
John E. Lord
Paul B. Withstandley II
Charles O. Laughary, Jr.
Anthony C. Alejandro
John E. Shkor
Joseph O. Bernard
Stanley Winslow
Leslie M. Meekins
Eric J. Stuat
Dennis R. Freezer
Dougles W. Crowell
John R. Felton
Douglas F. Gehring
Gary L. Cousins
Donald B. Wittschiebe
Donald F. Murphy
Edward J. Barrett
Roswell W. Ard, Jr.
Ronald J. Marafioti
Richard P. Oswitt
Michael T. Bohlman
John E. Byrnes, Jr.
John L. Parker
John D. Bannan
Raymond E. Beyler, Jr.
Alphons A. Melis III
Walter L. John
Thomas H. Robinson
Gerald L. Underwood
Adrian W. Longacre
Vernon C. Hipkiss
David A. Jones
Patrick V. Kauffold
Jeffery J. Hamilton
William A. Kucharski, Jr.
Earl A. Blanton
Raymond A. Ross
Robert J. Philpott
Richard W. Wright
Philip J. Cardaci
Ronald C. Mers
William H. Hawley III
Stephen A. Kull
Michael W. Taylor
William A. Lehmann
Raymond B. Freeman
Jack S. Webb
Paul E. Busick
Furman S. Baldwin, Jr.
Anthony R. Carbone
Kenneth C. Hollemon
Robert G. Keary
Robert L. Barnes
Allan P. Fulton
Leo A. Morehouse, Jr.
Harvey G. Knuth, III
Imanis J. Leskinovitch
Edwin M. Cox
Harold F. Hoppe
Warren E. Miller, Jr.
Donald A. Winchester
Theodore B. Kichline
James T. Read
Merle J. Smith, Jr.
Dennis W. Parker
Gary R. Wilkins
Charles A. Vedder
Charles H. Lancaster
Marvin L. Beaty
Dwight C. Broga, III
William L. Engleson, Sr.
William E. Jones
Gerald T. Victor
Donald W. Troutt
Dewain D. Clark
Joseph J. Kennedy
Warren W. Johns
Kenneth L. Norton
George F. Cole
Charles M. Montanese, Jr.
Walter D. Eddowes III
Dixon C. Elder
Jon J. McNutt
Jay D. Crouthers
Robert J. Opezio
Ray C. Gregory
Robert P. Reichersamer
Peter L. Ehrman
Nevin A. Pealer
Ronald D. Blendu
Kenneth G. Coder
Daniel K. Mazurowski
William G. Bradford, III
Richard G. Hendrickson
John G. Carroll, Jr.
Clifford E. Clayton, Jr.
Barry E. Chambers
Edward M. Goodwin III
Joseph T. Oskolski
James L. Middleton
Keith E. Nichols
Oscar F. Poppe, Jr.
Michael F. Keating
Henry C. Post
Edwin A. Coolbaugh
Dillard J. Tucker
Marcus L. Lowe

EXTENSIONS OF REMARKS

A EULOGY TO DWIGHT DAVID EISENHOWER

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mrs. HECKLER of Massachusetts. Mr. Speaker, the passing away of President Dwight David Eisenhower has been mourned by millions all over the world. Old and young alike, people of every race, have experienced a deep sense of personal loss. Eisenhower knew no boundaries in his love for mankind; he sought not just the peace of a nation but the peace of the world. For a few moments in time the world rests in peace as all men join together to grieve the death of this great man. Perhaps this is the highest tribute that can be paid to Eisenhower. Although his career was military in character, his life was devoted in actuality to his hope for peace among men.

I welcome the opportunity to express, as others have, my own love and deep admiration of Dwight David Eisenhower. I speak for many Americans whose unspoken thoughts are easily read in their sad faces as they recall their memory of this wonderful man.

Our beloved Ike played an important role in my own life—he was a significant influence on my personal direction. While I was a student in college, I followed every step of his distinguished career. I quickly grew to love that warm smile and reassuring tone of voice which drew people to him wherever he went. His art of leadership was unique. Every national or international problem was attacked by him as if it were his own personal problem. His patience was boundless, and his high degree of perseverance to solve the Nation's problems was exemplary. Eisenhower made me proud of America. He inspired me with his contagious zeal to serve America.

The accomplishments of Eisenhower are countless. The diversity of these contributions seem truly remarkable. The world can ill afford to loose such a brilliant soldier and statesman as he was. The Republican Party is proud to have had this giant of a man lead us for so

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many years. Eisenhower may have been "no politician" as he so often claimed, but he commanded the respect and affection of the people in a way that far surpassed the skills of politicians of any era.

Eisenhower's true greatness lies in the unspoken compliments that dwell in the hearts of the people he served and to whom he devoted his life. Eisenhower has not really died; he has not even faded away. For as long as the spirit of liberty lives in the minds of men, so long will the memory of Dwight David Eisenhower remain with the American people—Forever.

THE FAITH OF ASTRONAUT EDWARD H. WHITE II

HON. GRAHAM PURCELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. PURCELL. Mr. Speaker, in preparation for the unprecedented experience of the Apollo 11 moonshot, I would like to call the attention of my colleagues to a most important factor of this entire project: The faith of the men involved, of their families, of this Nation, and of people throughout the world.

A strong faith, not just in the project itself and its successful outcome, but, individual, personal, faith in God, gives strength and purpose to our lives and to our tasks. Astronaut Edward H. White II, our first man to walk in space, had such faith. As his father said recently:

> When you step out of the hatch of a spacecraft in space, you're stepping out on faith . . . faith in your equipmnt, faith in the knowledge and skill of hundreds of other men, faith in your own endurance and training and, above all, faith in God into whose hands you commit yourself whether things go well or badly.

Abraham Lincoln once said:

> I have been driven many times to my knees by the overwhelming conviction that I had nowhere else to go. My own wisdom, and that of all about me, seemed insufficient for that day.

It is this kind of strength that we are seeking, and, that I suggest we all need to find.

Today let us exhibit this faith by committing ourselves to more effectively learn to pray together, not only for our astronauts, but for all the people, the programs, and the purposes of this Nation.

Astronaut White's father is a close personal friend of mine, and of many others here on Capitol Hill. He has written a letter to his grandson, Eddie, Astronaut White's son, describing Ed's faith. We can identify ourselves with the thoughts expressed.

Under unanimous consent I include the letter in the RECORD at this point, both for its own message on faith and in anticipation of the Apollo 11 launching this week.

The letter follows:

A KEEPSAKE LETTER FROM MAJ. GEN. EDWARD H. WHITE, U.S. AIR FORCE, RETIRED

DEAR EDDIE: This is one of those evenings when I've been thinking a lot about you. These past weeks have been hard for all of us; it takes a lot of love and courage to get through a time like this. I know you and your mother and your sister have plenty of both. But I think it helps if all of us keep in close touch, exchanging thoughts and feelings and memories. I know it helps me.

Earlier your grandmother and I were looking at a scrapbook of clippings about your father's career. Some of them dealt with incidents long before his famous spacewalk, long before the accident at Cape Kennedy took him from us. I kept wondering if you knew all those stories—there was one in particular that I wished I could talk to you about. But you're in Texas and I'm in Florida. So for the moment we'll have to do our talking by letter.

You know, Eddie, as I leafed through that scrapbook your father's characteristics seemed to jump at me from every page. Confidence, for example: I never knew anyone who had more of it than he did. Once when he was 12 or 13, just about your age, I took him up in an old T–6, an Air Force trainer, and let him take over the controls for a few minutes. I was amazed. No nervousness. No tension. He seemed to know, instinctively, that a good pilot doesn't strap himself into a plane; he straps the plane onto himself. He really flew it.

That confidence stayed with him always. I heard someone ask him once if he hadn't been surprised when he was chosen out of so many applicants for our space program. He smiled, shook his head, said he had worked so hard and prepared so carefully that he didn't see how he could *not* be chosen!

I think that calm self-assurance was based on several key things, Eddie. One was determination. When your father was a youngster, we always told him, if he wanted something, go after it. We'd back him up, but he'd have to provide the drive and the energy. And he always did. I remember once when he was on the track team at West Point he told me that he expected Army to win the mile relay unless the other runner—slower, with little chance to win—tried the tactic of cutting in front and slowing down Army.

"What'll you do if that happens to you?" I asked him.

"I'll run right up his back!" your father said, And that's exactly what did happen. Both runners went sprawling, but your father was on his feet first and Army won the race.

Another thing he had mastered was discipline. They'll teach you some day at the Point, Eddie, that nothing worthwhile is ever achieved without it—and they're right. Part of it is self-discipline—doing the things that nobody else can make you do. But part of it is also acceptance of the fact that orders must be obeyed as well as given.

During the flight of Gemini IV, when your father made his walk in space some reports made it sound as if he was having such a good time outside the capsule that he refused at first to come back in. That was not so. He *was* having a marvelous time, but he came in as soon as the command reached him. I heard your grandmother telling a very high-ranking general in the Air Force that this was the case. "I already know that," the general said. "But how do you know?" she asked, astonished. "Because I know Ed," the general said quietly.

Integrity . . . perhaps that was the main source of your father's self-confidence. A man who really has it has no reason to distrust himself. Duty, Honor, Country . . . that's the West Point code that he lived by. Someone asked him once what he was risking his life *for*. Was it the Air Force? Was it NASA? He shook his head. "For my country," he said.

Your father would want you to remember this. He'd want you to remember, too, that other men have died and are dying, obscurely, in far-off places, men whose names will never be known as his is known, but who gave the same full measure that he did.

Another characteristic that your father had to a marked degree was optimism. He felt sure that before very long, in this rapidly shrinking world, nations will have to learn to live together as good neighbors. He believed that ultimately the exploration of space may become a moral substitute for war, a contest in which nations will compete without bloodshed for knowledge and honor. He believed that in most men the good far outweighs the bad. He believed that if a man succeeds in doing what he wants with his life, and does it well, then that life, be it long or short, is fulfilled.

Your father had tremendous persistence too. He believed that the exploration of the universe must and will go on, that it is our destiny as children of God to keep seeking new challenges, asking new questions, finding new answers. He knew that the farther we go, the more mysteries we encounter. But this only proved to him the infinite power and majesty of God.

I know I don't have to remind you, Eddie, of the depth of your father's faith. No one knows better than an astronaut just how important faith is. When you step out of the hatch of a spacecraft in space, you're stepping out on faith . . . faith in your equipment, faith in the knowledge and skill of hundreds of other men, faith in your own endurance and training and, above all, faith in God into Whose hands you commit yourself whether things go well or badly. The world was surprised to learn, after the Gemini IV flight, that your father had taken into space with him three small medals representing the Catholic, Protestant and Jewish faiths. But we who knew him weren't surprised, were we? If the Apollo launch had been carried out as ordered, he had planned to carry with him some mustard seed, each tiny grain representing the power of faith to move mountains. But in the end those orders were changed by a Higher Command.

I think the main thing to remember about all this, Eddie, is that a good man's life is never quite ended; something of it always remains to touch and illuminate other lives. On weekdays at West Point, for instance, there is a little informal devotional service early in the morning. Cadets are not required to attend, but your father used to find time to go. Someone told me that before the accident at Cape Kennedy, the average attendance was four or five cadets. After the accident, it was 175. The track team came in a body, every single man. Your father would have liked that, I'm sure.

And on the day of the funeral at West Point, when the people attending were asked to join in the Lord's Prayer, do you remember that response? Not a murmur or a scattered whisper. No, the sound of a thousand voices, resonant and strong, went rolling out across that noble river and those lordly hills. Your father would have liked that too.

The scrapbook clipping I mentioned at the beginning of this letter also involved a prayer, a strangely prophetic one. Back in 1952, when your father tried out for the Olympic track team, he didn't make the team, but he was in the finals at Los Angeles. A sports columnist, Bill Corum, introduced some of the athletes on a television program. Your father was one of them. Afterward, Bill Corum couldn't remember his name. But something about your father impressed him so that he wrote about him anyway, not knowing who he was. Those were the days when the Korean War was going badly for us. This, in part, is what Bill Corum wrote:

"He was the last boy that I introduced of the two score and more athletes, old and young, that appeared on the program. He was from West Point and he stood that way and

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talked that way. He had no speech to make. Memory fails me as to just what he did say. Something about it having been a surprise when his coach told him that he was going to get a chance to try for an Olympic team. That he was thrilled. That he was going to try.

"Really nothing, however, that he said or did. Just that, standing there before the microphone, he looked so clean and fine. So good and sound.

"Truly I can't tell you what it was. Yet I know you'll understand. For suddenly, there beside the young man, there was the hot feeling of tears in my eyes, and I was thinking of all the others who had walked the hills around West Point before this shavetail lieutenant . . . Eisenhower and MacArthur, U. S. Grant and Robert E. Lee, down the long, long roll-call of heroes to the last of our soldiers or sailors to die. . . ."

And then, Eddie, Bill Corum added something that was quite extraordinary, when you think of the years that had to pass before your father would soar in space over the oceans and continents. Bill Corum wrote that when he went back to his room and lay down and said his nightly prayer, he added this one:

"Young soldier, may your children and those after them look out as you did last night, unafraid, across the Sierra Madre, the Rockies, on to the Hudson, North and South and across the oceans, as free men in this land of glory. . . ."

All this is part of your heritage, Eddie. It's a great one. Live it and pass it on.

Love to all three of you,

Granddad

DR. JOHN W. ROBINSON, GARRISON, N. DAK.

HON. MILTON R. YOUNG

OF NORTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Monday, July 14, 1969

Mr. YOUNG of North Dakota. Mr. President, Dr. John W. Robinson, a pioneer pharmacist and veterinarian at Garrison, N. Dak., recently celebrated his 90th birthday. Dr. Robinson's achievements in nearly a century of rich and full life are the kind of thing that deserve wide recognition. Pioneers of his nature deserve every tribute that is paid to them. Dr. Robinson is truly a remarkable man.

An article about Dr. Robinson was published in the Minot, N. Dak., Daily News, and reprinted in his hometown newspaper, the McLean County Independent. I ask unanimous consent that the article be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DR. JOHN W. ROBINSON TO MARK 90TH BIRTHDAY AT DRUGSTORE

(By Leonard Lund)

GARRISON.—Prescriptions will be filled as usual, as they have for more than 60 years, by Dr. John W. Robinson, pioneer pharmacist and veterinarian in Garrison, when on Wednesday he marks his 90th birthday.

Dr. Robinson, who comes to work daily at the Robinson Drug Store in Garrison, says he will try to forget about this milestone in a long and productive life during which he has achieved much, and has distinguished himself in many ways.

"I'm getting to the point where I don't like to have birthdays," Dr. Robinson said.

Dr. Robinson, who has always been in good health, has no plans to retire but wants "to work as long as I'm able."

While he has retired from active veterinary practice, Dr. Robinson does advise farmers and ranchers on livestock problems and he furnishes them with supplies.

Critical of the value of retirement, Dr. Robinson serves as his own best testimony to the belief that "the secret for staying young is to keep occupied and in contact with people."

Dr. Robinson had a few anxious days recently during the time his wife, Elsie, who was 89 Feb. 13, was in the Garrison Hospital. She was released about 10 days ago and is now convalescing at home.

They probably have set some kind of a record for residence in McLean County. Since their marriage in St. Louis Sept. 1, 1909, they have lived in the same house in Garrison.

Dr. Robinson built the house prior to their marriage. He met his wife, the former Elsie M. Boeck, during his Christmas vacation in 1902 from the Chicago Veterinary College. He had gone to St. Louis to visit relatives.

They have two sons, John Paul, a partner in Robinson Drug, and Dr. Donald Wade Robinson, obstetrician and gynecologist in Spokane. There are five grandsons, three in Spokane, one in Garrison High School, and John, who travels as a district representative for the Wyeth Co. out of Winnipeg.

In 1903 Dr. Robinson helped organize the North Dakota Veterinary Medical Association. He is a life member of that organization, of the American Veterinary Medical Association, and of the North Dakota Pharmaceutical Association, and an honorary member of the North Dakota Stockmen's Association.

On Aug. 1, 1960, Dr. Robinson retired as the only living original member of the North Dakota Livestock Sanitary Board, which was organized in 1907. Except for one three-year period, Dr. Robinson served continuously on that board, and recalls that he missed only one meeting when, about 1920, heavy snow kept him from leaving Garrison.

Five years old when he left St. Louis, Mo., with his parents, brother, George M., and four sisters, Dr. Robinson can still visualize the house at 3654 Gravois Road where he was born. Sold to a helper, the house remained on that location for many years until torn down to provide parking space for the South Side National Bank of St. Louis.

Dr. Robinson reports that it was the "great boom" in the Red River Valley that induced his father and his uncle, George L., both butchers, to leave St. Louis in 1883 to look for land.

Both brothers wanted to get away from St. Louis and see the "great booming country" in the eastern Red River Valley.

With two loads of mules, they took a train to Grand Forks where they sold their animals to pay expenses.

Discovering that all of the good land in the Grand Forks area had been taken, they were influenced by Mr. Letts, Northern Pacific Railroad promoter, to go west and help start a new town, which with a railroad and irrigation, was expected to become "the Great Metropolis of the Northwest."

John J. Robinson, father of Dr. Robinson, brought his family by train from St. Louis to Bismark in September, 1884. They traveled by horse-drawn vehicle from Bismark for 60 miles north to the new village of Victoria, which later was to be called Coal Harbor, from its location near the Missouri River.

Mail for the new town came daily from Bismark on the stage line mail route which Army Engineers had laid out to make connections with nearby Fort Stevenson and with Fort Buford, southwest of Williston.

Dr. Robinson remembers that Fort Stevenson was intact when he arrived with his family, but the military post was abandoned later that year, and was turned over to Fort Berthold Indians for use as a school.

Fire destroyed some of the fort buildings about 10 years later and the federal government subsequently auctioned off the remaining ones, which were moved away, except for some of the permanent officers' quarters. These, constructed of adobe, were eventually wrecked and torn down.

Dr. Robinson can still direct interested persons to the site of Fort Stevenson, now covered by 100 feet of water in Lake Sakakwea. He has become something of an authority on Fort Stevenson history.

His father, who died in the fall of 1902, was always enthusiastic about his adopted land.

"He always thought it was the greatest country in the world for poor people, who could get along better in this area than anywhere," Dr. Robinson remarks.

Acquiring one quarter of land through homesteading, his father later purchased several adjacent quarters from homesteaders when they left the area.

Two grandsons of John J. Robinson, Clark and Dave Robinson, sons of the late George M. Robinson, still live on the homestead, which is about 2½ miles southeast of Riverdale. They have retained the name, Coal Harbor Stock Farm, which was adopted by their grandfather. Their father died in 1951.

Dr. Robinson's uncle, George L. Robinson, was a general merchant and postmaster at Coal Harbor, which was founded about a mile northeast of Riverdale.

When the Soo Line Railroad came through in 1905, George moved his post office and store to Coleharbor, which he named in honor of his close friend, W. A. Cole, a traveling Soo Line agent.

Dr. Robinson was raised on his father's homestead. When 12 or 14 years old, he remembers shooting from pits over decoys at geese which came to feed on area grain fields.

Like his father, Dr. Robinson, until recent years, has always enjoyed hunting ducks and geese. Since it was a hunter's paradise, Dr. Robinson said his father always liked the Coleharbor area.

Dr. Robinson grew up riding horses and following a herd of western broncs on the range. They never saw a barn—winter or summer.

"I wanted to go West to become a cowboy, but there was no bridge across the river," Dr. Robinson reminisces.

When his father switched from broncos to Percherons for the farm, Dr. Robinson decided he would train as a veterinarian, since the heavier draft animals needed more care and attention.

His previous education had been in the grade school at Coleharbor and Washburn, high school at Bismarck and at the University of North Dakota in Grand Forks from 1896 to 1899.

In 1900 Dr. Robinson was off to the Chicago Veterinary College, where he graduated in 1903.

He then returned to the Coleharbor Stock Farm, from where he practiced veterinary medicine for two years.

In the early fall of 1905 Dr. Robinson opened a drug store at the new town of Coleharbor and later that fall started the Robinson Drug Co., at Garrison in partnership with Dr. R. H. Ray, Garrison's first physician. They met while attending UND.

In those days, Dr. Robinson also practiced veterinary medicine from Coleharbor and Garrison with a horse and buggy.

Dr. Robinson, who still drives a car, a 1966 Buick, in 1907 was the first person in McLean County to own a car. It was a 10-horsepower single cylinder Cadillac with which he covered half of Ward and all of McLean, Mercer and Oliver counties.

In early 1907 he started another drug store at Max. He registered as a pharmacist Feb. 13, 1908.

Dr. Robinson, in 1956, was elected to the Saddle and Sirloin Club's Hall of Fame at North Dakota State University in Fargo.

He also is past master of Garrison Masonic Lodge No. 90, past grand master of the North Dakota Masonic Grand Lodge, an honorary member of Garrison Jaycees, and past president of the Garrison Civic Club.

Of those members of the Robinson family who came to North Dakota in territorial days, Dr. Robinson and a sister, Mrs. Ingvald Rovig of Seattle, are the only survivors. They were the youngest of six children.

Robinson Drug, which started with Garrison, has always been in approximately the same location on the west side of Main Street, except that the store was moved in 1960 into an adjoining new building. Former store quarters were remodeled for use by the Robinson Sport Shop.

STAND UP FOR FREEDOM

HON. DEL CLAWSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. DEL CLAWSON. Mr. Speaker, Mr. Harold M. Heimbaugh, president of Kiwanis International, delivered a stirring message at the 54th annual convention of Kiwanis International held in Miami, Fla., on June 30 this year. Under leave to extend my remarks in the RECORD, I would like to include this report by my esteemed fellow Californian and fellow Kiwanian, Harold Heimbaugh. It will be of particular interest to the over 30 percent of the membership of this Congress who are also members of Kiwanis. The speech follows:

STAND UP FOR FREEDOM

(By Harold M. Heimbaugh)

One year ago at Toronto you gave me an opportunity, a privilege and a responsibility. For this I thank each of you. Particularly, I give my thanks to the Board of Trustees of Kiwanis International, the District Governors, the International Committee Chairmen, the Past Presidents of Kiwanis International, our International Staff, and in fact all District as well as all Club Leaders for the fine support that you have given in making this a period of accomplishment and progress. And last, but not least, I owe my thanks to each Kiwanian wherever he may be for enthusiastically assuming his individual responsibility. For indeed, these have been days of enthusiasm, filled with a sense of purpose.

Since August 1st, Jo and I have seen you in the founding countries of Kiwanis International—the districts of the United States and Canada. We have found each of you truly friendly. We have found you proud of your Kiwanis heritage, eager to do your part in fulfilling our theme and objectives. We have discovered in you a pride in our international extension to thirty countries in the free world.

Too, we have seen the banner of Kiwanis flying and we have met with the friendly peoples of Mexico, the Philippines, Nationalist China, Korea, and Argentina, and just two weeks ago we met with the Kiwanians of Europe in Reykjavik, Iceland in their first convention since their constitutional meeting.

We have seen Kiwanis in action from Minneapolis to Monterey, from Chicago to Chinju, from Seoul to Saskatoon, from Topeka to Taipei, from Quebec to Manila, from Providence to El Paso, and from Boston to Buenos Aires. Wherever we have been privileged to visit on behalf of Kiwanis International we have found concerned Kiwanians, speaking various languages, but all dedicated to the objects of Kiwanis and our motto, "We Build". Each of these Kiwanians is anxious, in his own way, to fulfill the doctrine of the golden rule and to give primacy to human and spiritual values in their relationship with their fellow man. And, as peoples of free countries, they are searching for life, liberty and the pursuit of happiness, not for themselves alone, but for all mankind. As men of the highest ideals, they are truly tied by the enduring bonds of friendship. Yes, all this they are—just as you and I.

As we look at the record today, we see 275,000 Kiwanians in approximately 5600 clubs in these thirty lands. What a far cry from that hot August afternoon in 1914 in the tailor shop in Detroit when the first application for what was to be Kiwanis was signed by Joe Prance.

Early problems and frustrations were solved and we have emerged as a leader among the service clubs in the United States and Canada and gradually are taking that position in the field of service in the free world. As we move, we are proud that our record has always been one of accomplishment and that we have built on noble purposes from the beginning. For this, we can thank men of faith.

Today Kiwanis serves in the space age, yes, in the speed and luxury of the jet age. Yet, as we enjoy this age of speed and comfort, we must pause occasionally to admire the hardiness of those pioneers who made this age possible. The history of civilization of this continent has been one of sacrifice, pride and faith.

I have flown and driven many times over the broad expanses of the great west, those areas west of Omaha, Kansas City and Abilene, or Saskatoon. I have looked down at the towering Rockies, the sun-baked Panamints, the Funeral Range, the rugged Wasatches, the Cascades and the Sierras and the broad expanses of the prairies and Death Valley, with its barren wastes. On these trips, I could not help but think of the many hardships and dangers that those sturdy pioneers of more than a century ago encountered in making those trails to the great west. These men had the spirit of adventure. They possessed heroism and dedication for the betterment of their families. It was a continuation of the story of men standing up for freedom.

Men like these were truly men to match the mountains and were the type that Sam Walter Foos was thinking of when he wrote the following:

"Bring me men to match my mountains,
Bring me men to match my plains,
Men with empires in their purpose
And new eras in their brains.
Bring me men to match my prairies,
Men to match my inland seas,
Men whose thoughts shall pave a highway
Up to ampler destinies,
Pioneers to cleanse thought's marshlands,
And to cleanse old error's fen;
Bring me men to match my mountains—
Bring me Men!"

Those men who traveled the Santa Fe and the Oregon Trails, who pioneered the Chisholm Trail, who forged over and around the Rockies, and who sang "O, Susanna" on the way to the gold fields of California and the Yukon, who fought savages in far flung places on the Western Plains, all contributed to a better way of life for those who followed. These men were engaged in the pursuit of happiness for themselves and their progeny, all in furtherance of those inalienable rights of life and liberty. Today, if we have looked down we have seen modern highways, instead of trails, or if we have looked up we have seen the contrails of the jets that have made the modern crossing a matter of hours instead of months.

On looking at the arid prairies, the blazing desert and the towering mountains, I could not help thinking back through the years and some of the events that have made ours the best way of life.

What are those principles that made our forefathers come to this country, and what are those things for which pioneers fought and which have been preserved through several bloody wars since? In short, they are to have faith and to worship as that faith dictates, to have the right to work and to enjoy the fruits of their labor, to pursue happiness, and to be a part of a government which comes from the people and is based on the rule of law, and not the dictates of the whims of men.

In such a land Kiwanis was born in 1915. Yes, Kiwanis was born destined to be a service club that was to be mindful of the communities it was to serve and of the people. Destiny decreed we were to be made up of members dedicated to the preservation of freedom and the heritage that thousands had fought for before the birth of Kiwanis.

Our Kiwanis heritage was filled with early problems, trails to be forged and obstacles to be overcome. We survived early problems of personalities, two world wars and a depression because the motto of Kiwanis, "We Build", and our six constitutional Objects, adopted in 1924 and never changed, were taken seriously by men of dedication. These men saw in the common goals of Kiwanis an opportunity for service and help to their fellow man, their communities, and their nation to preserve liberty and to stand up for freedom.

The ideal of service as we originally developed it through Kiwanis is just as necessary today and just as needed as it was yesterday. Our right to pursue happiness as guaranteed by written document and as preserved by generations is perhaps as much as any single right the basis for our Kiwanis success.

There are some who would say that the day of the service club is ending and that the need is no longer here. With this we heartily disagree, and say that the need is here for more and concentrated service than ever before, not only on the part of Kiwanians, but of all who would serve. We must involve ourselves more deeply in the problems of today to insure the preservations of freedom.

Our world has leaped forward in science and in technology, but the problems of mankind have multiplied apace with our achievements. With these problems come dangers of our freedom. As we look around, we see sudden changes on the American and Canadian scene and, to no less degree, on the international scene. We are impressed with the need for a constant appraisal of programs and activities to keep them vital to the basic needs of today. Unsolved problems could mean loss of freedom.

Many service-minded people, working in their own established groups, have long ago ceased to concern themselves entirely with ladies' nights, parades down main street and Christmas turkeys for the poor. We have not forgotten these things, nor will we, but we must try to gear our Kiwanis service to the crying, often unanswerable needs of the times in which we live.

More than 100,000 international, national and local voluntary agencies are attempting to serve the special needs of individuals and groups in today's society in America. Other needs are being met by government—municipal, county, state and federal agencies. Some might think that more paternalistic government and more humane societies and associations would render service-minded organizations less vital than formerly. Nothing is further from the truth.

Former Secretary of Labor Wirtz certainly expressed this point of view when making a major policy statement before a conference of the Methodist Church. Let me quote from the Secretary's comments:

"Government operates inevitably and necessarily on the philosophy of the 'greatest good to the greatest number'. But that philosophy only seems to be right because the alternative seems to be (and was once) the greatest good to the lesser number.

"It is through the private agencies that we can act on the firmer philosophy that 'inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me'.

"Yet it may prove, in the long run, that the largest difference between the role of public and private agencies in the 'social relations' field is of an entirely different nature.

"It is not clear that the need *for* help in this country is any greater than the need *to* help.

"There are already signs of the emergence of a new concept of 'service'. The Peace Corps has dramatized it, and attested its validity. So has Operation Head Start and Vista. Yet it is the private agencies that have the superior opportunity to develop the potential dual value of 'social relations' programs—the value of them not only to those we think of as their beneficiaries, but to those was well who participate in them as contributors.

"I suggest that what we are seeking is more than the elimination of other people's poverty, and more than guaranteeing equal opportunity for everyone to get an education for twenty years and to earn a living for the next forty.

"What we seek lies, I think, in giving the ideal of *service*, as an end in itself, as much validity as we attributed to the ideal of work." Thus ends the statement by Willard Wirtz.

President Nixon, too, feels that the day of the service club is far from over, and that real voluntary action is necessary more than ever today. He stated the need for voluntary action in his inaugural address, and has organized a volunteer action program which is headed by former Governor George Romney, now Secretary of Housing and Urban Development.

I quote in part from a message received from Secretary Romney addressed to this Convention:

"The accomplishment and activities of your great organization are well-known to me, and I feel sure you will continue your steady march forward. The success of Kiwanis is a great American institution as a fine example of the type of participation needed for President Nixon's Voluntary Action Program. The President and I earnestly seek exactly such citizen participation in attacking the many social and economic problems now facing America."

I had the personal honor and privilege of meeting with President Nixon at his office in the White House in May. At that time President Nixon, who was a former active member of the La Habra, California Kiwanis Club, reaffirmed to me personally his definite faith in the voluntary action program and his confirmation of what Secretary Romney is doing. The President realized that government cannot carry all the load, but that the voluntary and private sector of society is necessary for the well-being of the United States.

The opportunities for service are unlimited, but let me name just a few as vital examples:

First, youth work in all of its aspects. The young people of our free world have never faced more problems and challenges, nor has there ever been a group of young people who were more eager to accept those challenges. They seek your guidance, direction and counsel. In some cases, and I would hope that it is only a fraction of that large group, they must be reminded of the things that made our system of government the greatest.

Unfortunately, there are a few, too, who must be taught to respect the law, and that it is not for them to decide that a law is bad and therefore should not be obeyed. Others of our people, in this age of increasing government benefits, must be reminded of the benefits of work, a respect for their fellow man, and an appreciation of our heritage of freedom.

I have concern in talking about our heritage of freedom. What is it? Well, the "Heritage" part is easy; this simply means that it is something which has been passed on to us by a preceding generation or generations. But what is "Freedom"?

I suppose if we had to communicate its meaning, we would probably avoid a one-sentence definition and try to express it rather in terms of certain non-restricted actions which the individual born in this country can participate in.

Freedoms Foundation, in its famous freedom's code, expresses these idealistically in terms of certain political and economic rights which each of us has. Here are a few which I think to a great degree crystallize what we are talking about when we talk about maintaining our heritage of freedom:

The right to worship God in one's own way.

The right to free speech and press.

The right to own private property.

The right to free elections and personal secret ballot.

The right to work in callings and localities of our choice.

The right to go into business, compete and make a profit.

The right to bargain for goods and services in a free market.

The right to freedom from arbitrary government regulation and control.

I have no doubt that you give consent to these as elements in our heritage of freedom, although we could easily add more, so perhaps the semantic problem isn't really as great as it looks at first. Perhaps, the bigger and more difficult question is: How does this relate to any obligation I have?

Let me tell you of several of the obligations I think I have:

I have an obligation to use whatever influence I may possess, whether professionally or as an ordinary citizen, to see that the people of my generation are acquainted with this heritage of freedom, understand it, and want it perpetuated. My first obligation is to my family, but I will not be satisfied if the members of my family are the only ones in the community who become convinced, so I will also try to influence other citizens of my community, the press, and other individuals and institutions to use the influence they have to this end.

I have an obligation to involve myself in the processes of government to the extent necessary for assuring that my government is determined to protect these rights, whether this obligation involves support of candidates who are also determined, or by holding public office myself.

I have an obligation to demonstrate as I can in my private life that the free enterprise system is far superior to any other economic system known to man, that I can pursue private enterprise with justice and integrity, and that I will not fall prey to the temptation to exchange freedom for personal benefit in my business or profession.

I could surely list other obligations, but these three are cardinal to me: Communication with my fellow man, participation in political processes, and personal integrity in demonstrating that I really want freedom in my personal life and am willing to accept the risks inherent in freedom.

This is a big order for me, but I am convinced beyond the shadow of a doubt that the heritage of freedom cannot be preserved unless you and I identify our obligations to preserve it, and that any obligations we identify which do not command our personal involvement in the affairs of our day are meaningless.

If we really believe that freedom needs to be defended, preserved, and passed on intact to succeeding generations, there is no place for simple attitudinizing or neutrality. We must somewhere along the way leave our offices, our banquet tables and our television sets, or the cause may be lost in our time.

Today, nationalism is strong. This is as it should be. As an American, one cannot help but thrill at the words of "The Star-Spangled Banner": "Then conquer we must, when our cause it is just, and this be our Motto: 'In God Is Our Trust!' And the Star-Spangled Banner in triumph doth wave, o'er the land of the free, and the home of the brave!"

Likewise, I am sure that Canadians thrill equally at the words of that beautiful song "O Canada!" I like to hear them sing: "O Canada! Our Home and Native Land! True patriot love in all thy sons command. With glowing hearts we see thee rise the true north strong and free; and stand on guard, O Canada, we stand on guard for thee."

And though I am not as familiar with the words of the National Anthem of our friendly neighbor to the south, Mexico, they too thrill with national pride as they sing of their great country and all that it stands for. I am sure this would be equally true of every free nation on earth. The late General Eisenhower said that when the freedom of one nation is taken away, it proportionately takes away some of the freedoms of those free nations which survive.

To help stand up for freedom, we of Kiwanis International are working closely with our two sponsored youth organizations—Key Club International in many of our high schools, and Circle K International on many of our college campuses. We find challenging opportunities too in assisting the Boy Scouts, Boys Clubs, 4-H, Girl Scouts, Camp Fire Girls and other worthy organizations. Galileo said, "You cannot teach a man anything; you can only help him to find it within himself." This is our task with today's youth.

Citizenship development which goes hand in hand with the characteristic of service is vitally important. Whether these citizens are young or old, they must be alerted to the necessity of assuming individual responsibility to be good and active citizens, to become involved in the problems of their community, their state and their nation. Such patriotic involvement will help preserve freedom.

As we stand up for freedom, we must not overlook or fail to emphasize the concept of reward. The implications of this term, as used here, are not related to monetary or other tangible evidence. The reward I speak of is that sense of personal satisfaction which is only recognizable by the individual himself. This is what makes life worth living and it is also the factor which literally drives the individual to continue and to expand his service contribution. General Omar Bradley, who fought for freedom, remarked to the effect that the true assets of a nation were not to be found in its treasury statements, but rather in the willingness of its people to share their talents for the service of their fellow citizens.

Men are hungry for service opportunities. They will be eternally grateful for those experiences—originally generated outside of themselves—but later developed and expanded by their own personal drives—which result in that warmth of the heart and undescribable personal satisfaction which comes to one who serves. Through the years Kiwanians have experienced this satisfaction.

The opportunities are unlimited. The demands are clearly defined. The results can

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be beyond measure. Our challenge is to develop and effectively put into operation those plans which will assure even greater success than has been achieved in the past. Freedom's survival depends on the fulfillment of our challenge.

We, as thinking Kiwanians, must make every major effort to awaken some of the citizens to the immediate necessity of restoring a respect for law. Freedom itself is based on the rule of law. Freedom is predicated on obedience to authority. No country or nation can long endure where the rule of the mob becomes superior to the rule of law. No nation can long survive where there is a disdain of the law. Anarchy would soon be the result.

J. G. Holland said, "Laws are the very bulwarks of liberty: They define every man's rights and defend the individual liberties of all men." Yes, liberty itself demands the obedience of the laws that have been enacted in a free society. MacDonald has said, "Free will is not the liberty to do whatever one likes, but the power of doing whatever one sees ought to be done, even in the very face of otherwise overwhelming impulse. There lies freedom indeed." Monesqueu said, "Liberty is the right to do what the law allows, and if a citizen could do what they forbid, it would be no longer liberty because others would have the same powers."

Kiwanians are concerned about the maintenance of respect for law and order throughout our communities, state or province, and nations. With these concerns paramount in our thinking and because of the rise in crime and the growing lack of respect for constituted authority. Operation Law and Order was born as a major Kiwanis project. Operation Law and Order recommends four major areas in which a Kiwanis club can help its members get involved in this program. They are:

1. Demand respect for law and order from officials responsible for law enforcement.
2. Work to inculcate into all citizens, especially youth, an attitude of respect for law and order.
3. Demonstrate support for law enforcement personnel who act responsibly.
4. Help alleviate the causes of unrest.

We must continue to activate Operation Law and Order more intensely than ever now. Can anyone who loves his country deny the importance of this program.

So, with our theme "Stand Up For Freedom", let us all be mindful of our duty and responsibility to protect and preserve our heritage of freedom from every challenge. Those pilgrim fathers of 1620, those brave men who fought through many wars to preserve freedom, would not have it taken away.

Some anonymous person has written that the history of a people shows that they go from bondage to great spiritual faith, from great spiritual faith to courage, from courage to liberty, from liberty to abundance, from abundance to selfishness, from selfishness to complacency, from complacency to apathy, from apathy to indifference, and from indifference back to bondage. Today many of our people are apathetic to the challenge of our way of life. They are living in abundance and are filled with indifference. Kiwanians must not be apathetic but active if freedom is to survive.

Ours is an old-fashioned heritage that was created, won and protected through the centuries. It must not be forfeited by failing to stand up for it. It is the heritage that men dreamed of and dared to make that dream come true.

And so I conclude with some verses of my own which I have called "Freedom", in which lines I have tried to distill my own ideas of our greatest blessing—Freedom:

FREEDOM

Someone said, "Stand up for freedom",
It's been good to you and me;
As we heard the voice we wondered,
Just what might this Freedom be.
It's something that our fathers won
For us on hallowed ground.
Now I'd like to tell the whole wide world
Just where this Freedom's found.

You'll find it in the Bill of Rights,
It's written in our laws;
You'll find it on the battlefield
Where men fight for a cause.
It's found in every moral gift
The good Lord gave to me—
It's hope, it's love, it's sacrifice
For freedom is not free.

It's found in the smile of children
On a Sunday afternoon;
It's cruising down the river
Underneath an August moon;
It's basketball and baseball
Or a smashing football team;
It's a nightingale a'warbling
By a rushing mountain stream.

It's a polling place election day
As you freely cast your vote;
You can find it on the ocean waves
While sailing in your boat;
It's a trial by jury of your peers
A right to fair appeal;
It's speaking out on issues clear
To tell folks how you feel.

Freedom's found 'cause men have struggled
So that others might enjoy
The good things that it brings us—
Man or woman, girl or boy.
Let its holy light shine on us,
Love it more than man can tell—
With every right a duty
To preserve it—keep it well.

Just as god himself bestowed it
Brave men fought to keep it live;
But for countless deeds of valor,
Freedom won would not survive.
So we ask "Stand up for Freedom"
That tomorrow we may say
There's the holy light of Freedom
We stood up for yesterday.

ISRAEL MAGAZINE

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Monday, July 14, 1969

Mr. SCOTT. Mr. President, a handsome new publication in America is entitled Israel magazine, which I am proud to report is published in Philadelphia.

It is made available through the talented efforts of Richard Wexler, a man whose ability I have long admired. The magazine has many full color photographs and others in black and white. It attempts to put onto paper some of the gallantry and pioneering spirit that is so traditional with the State of Israel.

I was very much impressed with its recent special issue entitled "Picture Album," especially with a section devoted to children. There it showed the new generation of people who are building on the foundations of their pioneer parents and who so very much would like to live in a world of peace.

I commend Israel magazine to the attention of the Senate, and I am pleased that its headquarters is in my Commonwealth of Pennsylvania.

TRUTH IN LENDING

HON. ROBERT G. STEPHENS, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. STEPHENS. Mr. Speaker, on July 1 the truth-in-lending law went into effect, and I have had numerous communications from various people who have had to deal with this law. There seems to be some misunderstanding as to where I stood when this was before the House Banking and Currency Committee and on the floor of the House. I was opposed to this bill because of its invasion of the rights of the States and the individual, perhaps more so than any legislation in recent years. It supersedes State laws on advertising by financial institutions; it changes State laws on garnishment as a means of collecting debts; and in effect approves a national interest rate of 18 percent. I am not opposed to a borrower knowing the truth but each State ought to do it. When the bill was being debated on January 31, 1968, I offered an amendment to the Truth-in-Lending Act which would have extended the effective date of the act for 1 year. The rules needed more study. My amendment failed. When speaking on my amendment I pointed out the following:

Let me point out now that we do not have a compromise bill. I have heard it said several times that we have a compromise bill. We do not have a compromise bill, because when we passed the bill out of the committee the banks, the institutions that use installment credit such as the furniture stores that use installment credit, all said that what we voted out was relatively unfair to them because they were put at a disadvantage in that they could not put their rates on a monthly basis.

On the other hand, when we changed that just a little while ago by rejecting the committee amendment, we are in the position of requiring those who are using revolving credit to tell a lie.

We have not compromised those two divergent ideas in any proposals that have been made. As a result, I have not been convinced by anyone that I should vote for either side of the matter, since we have failed actually to compromise this and to bring forth a bill that will not require someone to tell a lie or will not put someone on the other side at an unfair disadvantage.

If we could get those two together, then we could have a truth-in-lending bill.

How can I go home to brag about passing any kind of truth-in-lending bill if it requires people to tell something that is not true? How can I support legislation that gives a competitive disadvantage in the field of credit or in lending money, on the other side of the picture?

I cannot brag about either one.

However, to get back to my amendment, if we are going to have a bill, then let us give the people who are going to draft the rules and regulations enough time to do so. Let us do that ourselves, since this is a very complicated matter.

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If there is the purpose in this legislation of educating the public, I am not so sure that we have educated the public by it. From the debate we have had, we have not even educated each other here yet.

If we are going to educate the public, we can educate the public by having a bill that is not as controversial as this bill has been.

I repeat, I cannot support a bill that, considering both sides, is one which does not require truth in lending or requires disclosures that are an unfair competitive disadvantage on the other side.

On February 1, 1968, the vote was taken on this legislation. It was passed by the House by a vote of 382 to 4. *I was one of the four Members of the House to vote against the truth-in-lending legislation.* Now a number of my colleagues say they wish they had followed my vote.

EXCESSIVE USE OF ALCOHOL—RESOLUTION ADOPTED BY THE BOARD OF DEACONS OF THE MULLINS FIRST BAPTIST CHURCH

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Monday, July 14, 1969

Mr. THURMOND. Mr. President, there is no longer any question that there are manifold dangers inherent in the excessive use of alcohol. Individuals who have subjected their will and reason to the numbing influence of alcohol present a threat not only to their own health through brain damage and cirrhosis, but also to numerous innocent bystanders who are subject to the behavior of one so influenced.

Mr. President, a fine group of civic-minded South Carolinians have recently adopted a resolution which endorses action on a national level to mitigate the possibility of continued tragedy resulting from the intemperate use of alcohol.

Mr. President, I ask unanimous consent that the resolution adopted by the board of Beacons of the Mullins First Baptist Church in Mullins, S.C., be included in the Extensions of Remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas, during the year 1965, $13,200,000,000 was spent by Americans on alcoholic beverages, and

Whereas, the only way an individual can contact the disease termed "Alcoholism" is by the consumption of alcohol, and

Whereas, Medical Science has determined without question that alcohol causes cirrhosis of the liver as well as other diseases, and

Whereas, many individuals commit crimes while under the influence of alcohol,

Now, therefore, be it resolved by The Board of Deacons of Mullins First Baptist Church that the Federal Trade Commission require the following wording to be placed upon all alcoholic beverages: Caution: "This alcoholic beverage will cause alcoholism, cirrhosis of the liver, and is extremely dangerous to your health".

Resolved further, that the Surgeon General of the United States empanel a group of experts to inquire into the dangerous effects of alcoholic beverages.

Adopted by the Board of Deacons of Mullins First Baptist Church, Mullins, South Carolina the 2nd day of July, 1969.

RAYMOND PRIDGEN,
Chairman.
CARL TRULUCK,
Secretary.

THE POVERTY PROGRAM

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. CARTER. Mr. Speaker, I think it worthwhile to include an editorial by Gordon B. Crump of the Glasgow Times, Glasgow, Ky.

Many of us have worked to help the poor people of southeastern Kentucky. However, it is evident that the poverty program has not accomplished the ends for which it was intended. Provision of worthwhile jobs for the able-bodied unemployed should be the purpose of the program.

Poor people so employed should work as all other people do, 8 hours a day for a 5-day week. Then they could receive their pay and retain their self-respect.

Projects initiated by neophytes in business fail in the majority of instances. The initiation of business enterprises should be promoted and executed by men skilled and trained in this field. Otherwise, the programs will fail just as the one mentioned in this area did, with such disastrous effects to the original owner, to the Office of Economic Opportunity, and to the people of the county.

The editorial follows:

CRUMPLED COMMENTS

(By Gordon B. Crump)

Here is a story well worth passing along, vouched for by the Mount Sterling Advocate:

In neighboring Elliott County, the federal government has given the people of Sandy Hook a real lesson in "business management."

In 1953, Blackie Conley opened a cabinet-making shop in Sandy Hook. Nine years later, he had 45 employees on the payroll and $40,000 in the bank account of the business.

Then, Elliott County was declared to be a "depressed area" and the "poverty fighters" moved in, full of expert advice on how to solve all of the problems of the area. Conley was urged to expand his business to help solve poverty, and to sell 4,000 shares of his business to his "poverty-stricken" neighbors.

To help the cabinet-making business boom, the federal government made a $356,000 grant to the company, which now was a community enterprise. With the $356,000 grant, however, came rules and regulations about employment and accounting procedures. Bureaucrats even started signing the checks on Conley's company account. The business started losing money.

The federal government lost the taxes that Conley's business had been paying, plus the taxes the 45 employees had been paying. To add insult to injury, these taxes were helping to pay the salaries of the "poverty experts" who came to Sandy Hook and "managed" the cabinet firm right into bankruptcy.

The OEO decided, at this point, that Conley needed a salesman—at $15,000 per year—and an accountant—at $10,000 per year. The company lost more money. A professional management firm was hired and got Conley a big contract. The company lost $40,000 on the deal.

Conley was bankrupt and he closed the business. The government sold his machinery to an out-of-state firm. The 45 employees lost their jobs. The neighbors lost the $40,000 they had paid for Conley's stock. Conley, in addition to losing the business that he had worked nine years to build, also lost the $40,000 cash reserve he had in the bank. The taxpayers lost the $356,000 given to the company as a "grant" to help expand the business.

This was one of the "great successes" of the war on poverty, and typical of the "sound management principles" applied government pencil-pushers who have answers for everything. But, the public hears little about such costly debacles as this. Instead, the public bears the "poor-mouthing" in behalf of the "poor people" that the bureaucrats will lift from poverty, if a few more million in taxes will be put into the program so that the staff of "experts" can be increased.

The Office of Economic Opportunity said, in the beginning, that Elliott County was a "poverty area." OEO employees helped to make it a reality.

PHYSICAL FITNESS

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. WOLFF. Mr. Speaker, physical fitness and American youth are often a topic for discussion. Critical observers tend to feel that the onset of the industrial age actually marked the beginning of the end for "the sound body." In effect, they would lead one to believe that we are so pushbutton oriented that our younger generation totally personifies flabbiness and indolence.

Mr. Speaker, I believe this is a gross exaggeration. Moreover, I am convinced that America should be proud of many of its youth, not only for their spiritual and ideological pursuits but for their physical fitness as well.

Recently, the Marine Corps youth physical fitness championship was held in the District Armory. Those who participated undeniably exemplified the fine qualities of many of our youth—sportsmanship, concentration, and stamina. I am particularly pleased, Mr. Speaker, inasmuch as the winner, for the fourth consecutive year, was Carle Place High School, from the Third District of New York, which I represent. The team won with the impressive score of 2,286 points out of a possible 2,500.

Outstanding participants included last year's all-around champion, Rich Morrison, 19, with a score of 488, and Bob Kiel, 17, and Bob Avey, 16, with scores of 474 and 461, respectively.

Mr. Speaker, I would like to take this opportunity to congratulate Carle Place High School, its outstanding team, and Marine Maj. Tom Redden who coached them. I am proud that the Third District has such fine examples of America's physically spent youth.

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CAPTIVE NATIONS WEEK

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. MURPHY of New York. Mr. Speaker, two organizations, the Assembly of Captive European Nations, and the American Friends of the Captive Nations, yearly sponsor Captive Nations Week as a vivid demonstration of the solidarity of the American people with their captive brethren in East and Central Europe. Nationwide observances, preceded by Captive Nations Week proclamations by the President and by Governors and mayors of many States and cities, offer the American people an opportunity to manifest their continued concern for the plight of the 100 million East and Central Europeans living under Communist rule. Under leave to extend my remarks in the RECORD I include the Captive Nations Week Manifesto 1969:

CAPTIVE NATIONS WEEK MANIFESTO 1969

The undersigned organizations, dedicated to the restoration of freedom in the captive nations, call attention to Public Law 86–90, unanimously adopted in 1959 by the Congress of the United States, by which the third week of July each year was designated as Captive Nations Week.

The Soviet invasion of Czechoslovakia in August 1968 and the subsequent enunciation of the so-called Brezhnev Doctrine have once again brought to the surface the entire issue of self-determination and fundamental freedoms for the one hundred million people of East-Central Europe. The tragedy of Czechoslovakia dramatizes the built-in instability of contemporary Europe rooted in the still unresolved problems bequeathed by the Second World War. The Brezhnev Doctrine brings into focus the sad fact of the perpetuation in power of unpopular Communist regimes—imposed by a foreign power—that are not responsive to the will of the peoples over whom they rule.

The record of over two decades of Communist rule shows that the legitimate aspirations of the captive European nations have long been thwarted by Soviet hegemony over the area. Now, with the advent of the Brezhnev Doctrine, the USSR has in fact tried to make this arbitrary arrangement accepted on a permanent basis.

In the light of this doctrine, which is a justification for aggressive imperialism, the Soviet Union has in effect placed its own interests over the inherent right to national sovereignty and fundamental human rights of the peoples living in the Communist orbit.

This doctrine can have a far-reaching impact on the future of not only the captive European nations, but also of the free world. If the doctrine remains unchallenged, it may turn the United Nations Charter into a shambles. As a result of this doctrine, all Communist parties are expected to follow automatically the dictates of the Kremlin. The acceptance by the Communist governments in East-Central Europe of the new Soviet doctrine is tantamount to complete abdication of the sovereign rights of these nations.

The Brezhnev Doctrine is against the vital interest of all captive European nations, the Charter of the United Nations, international law and the accepted norms of civilized nations. It is therefore deemed essential that the free world oppose the newly enunciated Soviet policy of aggressive imperialism and defend the traditional principles and norms of international law, in order to maintain world peace, security and freedom for all nations.

For the peoples of East-Central Europe, it is important to learn of the continued determination of the free governments of the world to lend their moral and political support to the rightful aspirations of their captive East-Central European brethren.

While commemorating this year's Captive Nations Week:

We stress that the Soviet Union has demonstrably violated its solemn promises of freedom and independence to the nine nations made captive during and after World War II—Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland and Rumania;

We also stress that the Communist regimes in the East-Central European nations continue to be unresponsive to the will of the people by denying them the right to periodic and genuinely free elections.

We appeal to the free governments of the nations of the world:

1. To declare, in accordance with the principles of the Atlantic Charter, the Universal Declaration of Human Rights and the Declaration on the Granting of Independence to Colonial Countries, adopted by the United Nations on October 14, 1960, their support of the right to self-determination of all peoples held captive by the Communists and, consequently, to make this issue the permanent concern of the United Nations;

2. To repudiate the intent and objectives of the Brezhnev Doctrine, including its implied recognition of the spheres of influence and of the status quo in East and Central Europe;

3. To bring to world attention the urgent need for a responsible attitude by the free nations of the world designed to help bolster the morale of the East-Central European peoples and thus create a climate favorable to their quest for full national independence and individual freedom.

4. As part of this effort, we call on the United States Government and on other members of the Atlantic Alliance to maintain, and where possible strengthen, NATO's defense forces. This alone will help counter any temptation of further Communist aggression—by force or threat of force.

We appeal to the People of the United States of America to manifest during Captive Nations Week, July 20–26, 1969, their awareness of the importance of freedom for 100 million peoples in the Communist-dominated lands to the establishment of a valid European settlement and world peace.

CHRISTOPHER EMMET,
Chairman, American Friends of the Captive Nations.
JOZEF LETTRICH,
Chairman, Assembly of Captive European Nations.

SMOKE OUT

HON. ROBERT B. (BOB) MATHIAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. MATHIAS. Mr. Speaker, I would like to call to the attention of the Members of this House a project that originated in Bakersfield, Calif., and has attracted national and worldwide attention.

At a time when there is much debate over the relationship between smoking and a number of dreaded diseases, many Americans are deciding whether to stop smoking or to continue. There is a group of junior and senior high school students in my congressional district who have made that decision and are doing something to convince their peers that they should either stop smoking or not start smoking at all.

On February 1, 1968, the Kern County Inter-Agency Council on Smoking and Health was awarded a $52,000 U.S. Public Health Service grant to do a 2-year pilot study on "Peer Group Influence Among Junior and Senior High School Students on Changing Attitudes and Behavior on Smoking." This was an attempt to test the theory that the way to get the message through to teenagers is to send it via teenagers. The campaign is called, appropriately enough, "Smoke Out."

According to the terms of the grant, 20 students from each of the two high schools—East Bakersfield High School and Foothill High School—and a junior high—Beardsley Junior High School—were to be chosen by their peers to participate in the project.

After extensive research into conventional methods currently used by schools and health agencies to teach students the hazards of cigarette smoking, Project Coordinator Gloria Zigner formulated the idea of having the 60 students simulate an advertising agency to plan, create, and implement a campaign, utilizing the very techniques which Madison Avenue uses to make smoking so attractive, but in this case making it unattractive, unappealing, and "out."

A "logo contest" was held among the staff members to design the smoke out trademark which was included in all campaign material. The winning design was submitted by a seventh-grade boy.

Following a successful student-run press conference, the multimedia campaign kicked off on March 1, 1969, without a hitch. Commercials which had been prepared well in advance were carried as public service announcements by all local radio and television stations. Outdoor boards, space for which was provided as a public service, were unveiled carrying the same message as the six-color psychedelic bumber strips; "Smoke—Choke—Croak." The 60 smoke out staff members began distributing the bumper strips and logo stickers, and the demand was so great the original printing of 10,000 was increased to 25,000 bumper strips and 50,000 logo stickers. Smoke out stickers covered binders, bumpers, windshields, clothing, and were very much the topic of conversation all over Bakersfield.

The Associated Press carried the story on its "A Wire" and news of the campaign spread throughout the entire country. Television crews came to Bakersfield from CBS and NBC affiliates to film the Smoke Out staff in action. Articles about the unique concept appeared in Time, 'Teen, Sales Management, Advertising Age, the San Francisco Chronicle, Mac/Western Advertising, and PG&E Progress. An educational television station in San Francisco, KQED, filmed a program featuring

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the project coordinator and three of the staff members.

As a result of the publication of a letter written to Ann Landers by the project coordinator, the Smoke Out headquarters was deluged with over 4,000 letters from teenagers and adults in every State in the Nation, as well as Mexico, Canada, Puerto Rico, Germany, Ireland, and Vietnam, requesting information on how to start Smoke Out satellites in their own communities.

Mr. John Ebell, coordinator of Guidance and Testing Services, Kern County schools office, stated in the May, 1969 issue of the Kern County Guidance News that:

> As a result of this Smoke Out campaign, I definitely feel that it has succeeded in making smoking an out-thing rather than an in-thing. This does not suggest that no one will smoke anymore at these schools, but I feel that there will be a sizable percentage of people who will not smoke as a result of this program.

National enthusiasm and interest shown in the project by the students involved has been tremendous. They have eagerly responded to this challenge "to do their own thing" with the very real goal of helping to solve one of the largest health problems facing not only teenagers but the entire population, and perhaps suggesting a new way to communicate through the "generation gap." Smoke Out is educational, stimulating, exciting, and fun. Add 60 teenagers to a combination like that and the results had to be spectacular.

CAPTIVE NATIONS WEEK

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. GIAIMO. Mr. Speaker, as we pause during Captive Nations Week to recognize the plight of those trapped behind the Iron Curtain, it would do us well to reflect about the state of the world in this era of chaos.

This is a time of confusion, Mr. Speaker, when the voices of the naive and disenchanted drown out the cries of real anguish from those to whom freedom is but a dream. It is a time when leaders of the free world are vilified as warmongers by their own countrymen, while Ho Chi Minh, Fidel Castro, Mao Tse-tung, and others who arbitrarily deprive millions of people of sovereignty, individual freedom and dignity are sanctified by those who do not see or who do not care to see the truth.

For a brief time last summer, this din ceased. The entire world looked on in horror as the Soviet Union reverted to Stalinist tactics and showed what "imperialist aggression" and "colonialism" really mean. Now, however, the confused and bitter voices have risen again to condemn democracy and condone communism.

It is because of this that the observance of Captive Nations Week must serve a twofold purpose. While proving to those who desire independence that they have not been forgotten, we must also prove to those who castigate our system that, while it is not perfect, it is moving faster toward the goal of a great society than is any other system. We must also remind our own people that freedom and independence cannot be taken for granted. Recent events in Czechoslovakia are proof of this.

In short, we must continue to do all we can to obtain freedom, equality and dignity for every citizen of the world, for to do otherwise would be to neglect our responsibility to humanity.

URGE HEW SECRETARY RESCIND FFA ACTION

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. FUQUA. Mr. Speaker, the Future Farmers of America has been, without question, one of the finest tools for development of character and leadership among the Nation's youth organizations.

It is somewhat mystifying that the former Secretary of Health, Education, and Welfare issued a policy statement shortly before leaving office that the U.S. Office of Education will not provide office space, supplies, and services or pay salaries of student organization staff.

This directive will prove to be extremely damaging to the FFA and the work which it has carried forth.

The Southern Association of State Departments of Agriculture has passed a resolution which I insert herewith urging that this policy be rescinded by Secretary Finch. I join in that request, for it was shortsighted, and feel that the new Secretary can serve America's youth most effectively by such reconsideration. The resolution follows:

Resolution No. IX

Whereas, the Future Farmers of America or "FFA" as it is commonly called has since 1928 been an integral part of the program of vocational education in agriculture in the public school system of America; and

Whereas, FFA has served to motivate and vitalize the systematic instruction offered to students of vocational agriculture, providing further training in agriculture, leadership, cooperation and citizenship; and

Whereas, FFA has been the key force in developing character, sportsmanship, thrift, scholarship and patriotism in the lives of millions of young men; and

Whereas, among many other things, FFA has enabled its members to learn through actual doing; how to conduct and take part in public meetings; to speak in public; to buy and sell cooperatively; to solve their own problems; to finance themselves; and to assume civic responsibility with confidence and enthusiasm; and

Whereas, FFA constitutes one of the most efficient agricultural teaching devices ever developed and is 100 percent American in its ideals and outlooks; and

Whereas, documentation, filling countless volumes could be written proving that more successful and more responsible citizens have emerged as a result of their experience in FFA; and

Whereas, many men teaching in high places of leadership attribute their success to their FFA training and learn by doing experiences; and

Whereas, FFA has been one of the greatest deterrents of juvenile delinquency, and

Whereas, if every American youth could be exposed to FFA ideals and influences, our Nation's delinquency and crime problems would be strikingly less, and

Whereas, our government has spent billions in youth camps, job corps and numerous other vocational training programs at phenomenal costs per trainee, many of which have been admitted as totally unsuccessful; and

Whereas, none of these programs have even remotely approached the success of FFA which is a nonprofit, nonpolitical and nonsectarian youth development program; and

Whereas, the world hunger problem, further compounded by the population explosion, demands more agriculturist at a time when they are still moving to the urban areas, further complicating the overcrowded cities; and

Whereas, FFA is one of the most effective means of encouraging young men to enter agriculture at a time when the need is critical and becoming more so each day; and

Whereas, former Secretary of Health, Education and Welfare, Wilbur J. Cohen, in a policy statement shortly before his departure from his post stated, "The Office of Education will not provide permanent office space, supplies and services or pay the salaries of student organization staff," and

Whereas, this action will result in a damaging blow right at the National heartbeat of the FFA organization previously described in this resolution; and

Whereas, this policy strikes at an organization which has documented proof of its success and contributions to America; and

Whereas, it hits at one of the few youth organizations that teaches its members not only how to make a living, but also how to make a life; and

Whereas, this policy de-emphasizes a program that should be emphasized and expanded more—not less; and

Whereas, the money saved by this action is minute compared to the millions wasted in the many unsuccessful youth programs of the recent past.

Now, therefore, be it resolved, that the Southern Association of State Departments of Agriculture do hereby urge the Honorable Robert Finch, Secretary of Health, Education and Welfare to rescind this policy that adversely affects Future Farmers of America and other Vocational Youth Organizations.

GEN. LYMAN LEMNITZER

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. McDADE. Mr. Speaker, last Friday at 10 o'clock in the morning President Nixon pinned the U.S. Army Distinguished Service Medal, the U.S. Navy Distinguished Service Medal, and the U.S. Air Force Distinguished Service Medal on the uniform of Gen. Lyman L. Lemnitzer. It was the first time in history any man had received these three medals simultaneously. And what a distinguished man Gen. Lyman Lemnitzer is.

For 51 years, from the day he first entered West Point, General Lemnitzer has given this Nation his life. He has risen from the rank of second lieutenant to become the highest ranking officer in the U.S. Army today. He has received awards and decorations not only from his own beloved country but from a veritable host of foreign nations.

Now he has come to his time of retirement and I know that this Congress, and indeed this whole Nation, say to him, "well done." I am proud that this outstanding gentleman and soldier is a native of Honesdale in my own congressional district.

I wish General Lemnitzer happiness in his many years of retirement. I know no man who deserves it more.

With your permission, Mr. Speaker, I append the entire text of the presentation at the White House last Friday. It was a moving moment in my life and I know it is a moment General Lemnitzer will also never forget.

The presentation follows:

PRESENTATION OF THE U.S. ARMY DISTINGUISHED SERVICE MEDAL (THIRD OAK LEAF CLUSTER), THE U.S. NAVY DISTINGUISHED SERVICE MEDAL, AND THE U.S. AIR FORCE DISTINGUISHED SERVICE MEDAL TO GEN. LYMAN L. LEMNITZER, U.S. ARMY, AT THE WHITE HOUSE, WASHINGTON, D.C., ON FRIDAY, JULY 11, 1969, AT 1000 HOURS

General Lyman L. Lemnitzer distinguished himself by exceptionally meritorious service to the United States Government and to the North Atlantic Treaty Organization (NATO) in positions of great responsibility as Supreme Allied Commander Europe (SACEUR) from 1 January 1963 to 1 July 1969, and as Commander in Chief, United States European Command (CINCEUR) from 1 November 1962 to 5 May 1969.

Evidencing an unshakable faith in the principles and objectives upon which NATO was founded, General Lemnitzer sacrificed the privileges and freedom of retirement which he had long since merited in order that he might further serve the Alliance by assuming the duties of SACEUR/CINCEUR. Remaining in uniform for an additional six and one-half years, he tirelessly and selflessly contributed to the cause of NATO and thereby to the security interests of the United States and the Free World. Among his notable contributions during that period were his persuasive efforts to encourage the member nations of Allied Command Europe to produce and maintain the forces necessary to make their deterrent credible and their capability to defend Europe unquestionable; his translation of strategic guidance from the North Atlantic Council into realistic defensive plans for the Alliance; his direction and guidance of the required relocation from France of some 100,000 personnel and more than one million tons of supplies and equipment; the development of a new $35 million headquarters complex to accommodate SHAPE in Belgium.

These singularly distinctive accomplishments clearly establish General Lemnitzer as a truly outstanding officer of international status and culminated more than 50 years of continuous uniformed service with more than 27 years service as a general officer. A grateful nation recognizes that General Lemnitzer's long and distinguished career continues the finest traditions of the military service and reflects the highest credit upon himself, the Armed Forces of the United States, and the United States of America.

GEN. LYMAN L. LEMNITZER

Lyman L. Lemnitzer was born in Honesdale, Pennsylvania on August 29, 1899. He graduated from Honesdale High School in June 1917. The following year he entered the US Military Academy, graduating in 1920. His assignments from that time until the outbreak of World War II alternated between duty with troops and service as student and instructor at Army schools. As a member of the Coast Guard Artillery Rifle Team, he became known as one of the Army's outstanding rifle marksmen, winning the National Team Gold Medal, the First Place Gold Medal in the Philippine Department, and the Distinguished Marksman's Badge. He completed two tours at Fort Mills, Corregidor, Philippine Islands; he was twice assigned to the US Military Academy as an instructor in the Department of Natural and Experimental Philosophy; and following his graduation from the Command and General Staff School in 1936, served 3 years as an instructor of tactics at the Coast Artillery School, Fort Monroe, Virginia.

As a member of the last pre-war class at the Army War College, he began establishing a firm reputation as a thorough and imaginative planner. When the expansion of the US Army began in 1941, he was recalled from duty with an antiaircraft artillery brigade at Camp Stewart, Georgia, to an assignment with the War Plans Division of the War Department General Staff. In this position and during succeeding months with General Headquarters, US Army and Headquarters, Army Ground Forces, he participated in planning for mobilization and training of the huge wartime Army and for the projected landings in North Africa, known as Operation TORCH.

August 1942 found him in England as the Commanding General of the 34th Antiaircraft Artillery Brigade. His intimate familiarity with the plans for the forthcoming North African operation promptly led to his assignment to General Eisenhower's Allied Force Headquarters. Here, although retaining command of his brigade, he was designated Assistant Chief of Staff for Plans and Operations and charged with directing the final, detailed preparations for the landings and the operations in North Africa. In this capacity, he accompanied General Mark W. Clark as second in command of the secret submarine mission to contact friendly French officials 3 weeks prior to the landings to smooth the way for Allied invasion forces. For participation in this mission, he was awarded the Legion of Merit (Degree of Officer).

After a brief return to England, General Lemnitzer moved to North Africa as a member of General Eisenhower's staff. In January 1943, he was assigned as Deputy Chief of Staff to General Mark W. Clark in Morocco during the early phases of the organization of Fifth Army. Resuming active command of his brigade in late February 1943, he led it through the Tunisian Campaign and the early landing phase of the Sicilian Campaign.

General Lemnitzer's service during the remainder of the war was as US Deputy Chief of Staff and Chief of Staff to General (later Field Marshall) Sir Harold Alexander, who was first the Commander in Chief of the 15th Army Group and later the Supreme Allied Commander, Mediterranean. In addition, General Lemnitzer served as Chief of Staff to the Commanding General of the US Mediterranean Theater of Operations. Under Sir Harold Alexander, General Lemnitzer took part in the negotiations with Marshall Badoglio which led to the capitulation of Italy and in discussions with Marshall Tito and Soviet Marshall Tolbukhin for coordination of final Yugoslav and Russian military operations against the German armies in Southern Europe. In March 1945, General Lemnitzer entered Switzerland in civilian clothes to manage discussions with German representatives that resulted in the unconditional surrender of the German armed forces in Italy and Southern Austria. In discharging these responsible and important functions, he earned a reputation as an able negotiator and military diplomat.

General Lemnitzer's skill as a planner was used following the war when he was designated as the Senior Army Member of the Joint Strategic Survey Committee of the Joint Chiefs of Staff. He next became Deputy Commandant of the National War College, playing a key part in the establishment of that agency as the highest level of joint military education. At this time, he also served as head of the U.S. Delegation to the Military Committee of the Five (Brussels Pact) Powers in London, helping to pave the way for the establishment of the North Atlantic Treaty Organization. He assisted in the presentation of the NATO Treaty to the Senate for ratification.

On the strength of his experience as a military diplomat, he was next named the first Director of the Office of Military Assistance under Secretary of Defense James Forrestal. In this capacity, he played a key role in establishing the Military Assistance Program, which has provided a major element of the Free World's mutual security activities.

Returning to duty with troops in 1950, General Lemnitzer qualified as a parachutist at the age of 51 years and assumed command of the 11th Airborne Division at Fort Campbell, Kentucky. A year later he went to Korea, commanding the 7th Infantry Division in the battles of Heartbreak Ridge, the Punch Bowl, and Mundung-ni Valley, and in the fighting in the Chorwon Valley, winning the Silver Star for conspicuous gallantry.

In 1952, he was named the Army's Deputy Chief of Staff for Plans and Research. During this period, he was the Army's associate member of the Kelly Committee to study the defense of North America against atomic attack and a member of the Secretary of the Army's Advisory Committee on Army organization.

General Lemnitzer returned to the Far East in March 1955, assuming command of US Army Forces, Far East and the Eighth US Army. Shortly thereafter, General Lemnitzer was named Commander in Chief of the United Nations and Far East Commands and Governor of the Ryukyu Islands. In this position, he maintained the defensive strength of United Nations forces against any resumption of hostilities in Korea, directed the build-up of the Republic of Korea Armed Forces and the Japanese Self-Defense Forces, and encouraged improvement of economic and military stability throughout that area of the world.

In July 1957, he assumed duties as Vice Chief of Staff, US Army. Among his activities of special note during this period were his influential role in the final decision regarding the relationship between the National Aeronautics and Space Agency and the space research facilities of the Army, and his participation as US Military Representative at the meetings in London and Karachi of the Military Committee of the Baghdad Pact Organization.

In March 1959, General Lemnitzer was named to succeed General Maxwell D. Taylor as Chief of Staff, US Army, and assumed his duties in July 1959. He became Chairman of the Joint Chiefs of Staff in October 1960 and served in that position until October 1962.

In January 1963, he became Commander in Chief, United States European Command and Supreme Allied Commander, Europe. In this position of great importance to the Free World, General Lemnitzer provided able leadership for over 6 years to the military forces of the North Atlantic Treaty Organization. After more than 50 years of military service, he leaves the active ranks.

AWARDS AND DECORATIONS

United States

Distinguished Service Medal (2d Oak Leaf Cluster).

Silver Star.

Legion of Merit (Degree of Officer).

Legion of Merit.

Foreign

Honorary Companion of the Most Honorable of the Bath (Great Britain).

Honorary Commander of the Most Excellent Order of the British Empire (Great Britain).

Cavalier of the Great Cross, Royal Crown of Italy (Italy).

Medalha de Guerra (Brazil).

Grand Star of Military Merit (Chile).

Gold Cross of Merit with Sword (Poland).

Legion of Honor, Degree of Officer (France).

Croix de Guerre, with Palm (France).

Royal Order of the White Eagle, Class II (Yugoslavia).

Medal for Military Merit, 1st Class (Czechoslovakia).

Order of Melnik (Ethiopia).

Grand Cordon of the Order of the Rising Sun (Japan).

Order of Military Merit Taeguk (Korea).

Order of Military Merit Taeguk with Gold Star (Korea).

Grand Officer of the Order of Boyaca (Colombia).

Most Exalted Order of the White Elephant (Thailand).

Military Order of Merit (Italy).

BACKGROUND TO UNITED STATES-VATICAN RELATIONS

HON. ROGERS C. B. MORTON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. MORTON. Mr. Speaker, the following article on United States-Vatican diplomacy is both relevant and vital. At this point I insert the article, which appeared in the June 1969 edition of the Catholic World:

BACKGROUND TO UNITED STATES-VATICAN RELATIONS

(By Thomas Patrick Melady)

(Dr. Melady, Professor of Asian Studies, Seton Hall University, is an author and consultant on international affairs. He is a frequent participant in international conferences.)

President Richard Nixon's visit to the Vatican followed an established procedure among American Chief Executives. Presidents Eisenhow and President Kennedy paid courtesy calls on the Pontiff during their visits to Italy. Pope Paul VI saw President Johnson during his visit to the United Nations, and later President Johnson made an almost impromptu call on Pope Paul during the Christmas season of 1967.

At that meeting there was a great deal of irritation on both sides due to the varying viewpoints on the bombing of North Vietnam. President Johnson was especially annoyed at Pope Paul's increased public criticism of United States handling of the war in Vietnam. Furthermore, Vatican officials were disturbed by the lack of courtesy on the part of President Johnson who requested a meeting with the Pope at such short notice during one of the Pontiff's busiest periods.

Aware of the somewhat strained relationship between the United States and the Vatican, President Nixon took extra pains in preparing his meeting with the Holy Father. So as not to interrupt a week-long Lenten retreat of Pope Paul, President Nixon met in Rome with Italian government officials and then returned to Rome a second time on March 2, 1969 to meet with the Holy Father and Vatican officials at the very last part of his busy eight-day European tour.

This special trip to Vatican City made crystal-clear the importance Nixon was giving to his meeting wtih Pope Paul. All reports indicate that the meeting was cordial, frank and fruitfull. Before departing President Nixon said, "What the world needs today is the spiritual and moral leadership which Your Holiness has stood for, stood for here in the Vatican and in your arduous travels to other nations in the world."

It is precisely the changing world situation and the role of the Pontiff in relation to "other nations of the world" which has influenced the nature of the United States relationship with the Holy See.

For about twenty years or so before the seizure of the Papal States by the Italian nationalists in 1870, the United States had an official Minister to the Holy See. Then after temporal power was restored to the Holy See by the Lateran Treaty in 1929, when the State of Vatican City came into being, the United States did not see any need for establishing official diplomatic relations. Most of the business of their relationship was handled through a third secretary of the American Embassy to the Italian government.

This was annoying to Vatican officials, who were preoccupied with the statehood of Vatican City and sought means to dramatize and underline their independence and sovereignty.

In 1936 Cardinal Secretary of State Eugenio Pacelli—who would be the future Pope Pius XII—was received at Hyde Park by President Franklin D. Roosevelt. Although there are no official reports on this meeting, some diplomatic correspondents reported in the European press that President Roosevelt had dismissed a suggestion for the etablishment of diplomatic relations. He was reported to say that the Vatican State was an "honorable fiction."

A few years later, President Roosevelt had changed his mind. On Christmas Eve 1939, he announced the appointment of Myron C. Taylor to be his personal representative to Pope Pius XII with the rank of ambassador. The United States was in the midst of a war, and this action was considered a vital war measure.

The Jesuit Father Robert A. Graham, author of *Vatican Diplomacy*, maintains that it was a "political necessity." "That it was such a necessity is not due to the willfulness of the Pope or the President. It springs from the nature of things and the scope of U.S. foreign policy. The problem is, first to recognize the extent of this necessity, and then to determine by what means such a necessity can be adjusted to the general pattern of Church-State relations obtaining in the country."

Myron Taylor did not reside in Vatican City, but made periodic trips to Rome. However, his special assistant, Harold Tittmann, remained in the territory of the Vatican State with diplomatic status from December 1941 to 1944. In December of 1941, Sumner Welles had written a memorandum to President Roosevelt in which he stated that the Italian government might raise strong objection to the continued residence of Mr. Tittmann in Vatican City unless he received some official diplomatic status. Since it was of "very great importance" that Tittmann remain, he recommended that Tittmann be designated chargé d'affaires. The President then authorized the appointment. Consequently the Vatican maintained that this appointment had constituted official diplomatic relations with the U.S. and furthermore these relations had never been officially terminated.

Myron Taylor's position was continued under President Truman, who expanded Mr. Taylor's mission by sending him to the leading Christian church leaders to discuss the possibilities for cooperation of religious forces of the world in resisting Communism.

Finally in 1950 Mr. Taylor resigned his commission. In 1951, President Truman sent to the Senate General Mark Clark's appointment as first U.S. Ambassador to the Vatican. Opposition was so vocal that General Clark withdrew his name and the matter was dropped. Although there have been countless speculations, no further aciton was apparently taken on a representative, as an ambassador, under Presidents Eisenhower, Kennedy and Johnson. Now, once again, there is speculation on the possibility of formal or informal U.S.-Vatican diplomatic relations.

The situation has changed since the Roosevelt-Truman era. Pope John XXIII left his mark upon the papacy, breaking down barriers, and forcing many to re-evaluate their positions toward the Vatican. During John's reign, the Holy See took some of its greatest ecumenical steps; some even toward the atheistic world. These gestures toward conversation with the Soviets shocked many, including the State Department which had safely tucked away Vatican policy in the "against Communism" slot on the Cold War balance sheet.

Re-evaluation by United States policymakers of Vatican views began while President Kennedy was in office. Although Kennedy did pay a courtesy visit to Pope Paul, he carefully avoided the development of any warm relationship.

The position of the Catholic Church and its papacy changed rapidly during Pope John's reign, as did the world situation. In the early 1960's independence swept through the African continent. On the Asian continent Communist China became a nuclear power, adding new dimensions of importance to the nations surrounding this great giant.

While the world was undergoing political transformation Pope John was carefully leading the Catholic Church toward its renewal. Vatican Council II, which Pope John initiated, dramatically enhanced the position of the Holy See throughout the world, particularly in the African and Asian countries. Now, most leaders of the Third World are anxious to visit the Vatican and to establish formal relations with the Holy See. In early 1967 twenty-three Afro-Asian states were represented at the Holy See; twenty-two, by heads of the Diplomatic Missions and one, by a Minister. In most of these countries Catholics represent only a small minority of the total population. Therefore, there is no religious basis for an exchange of diplomatic relations. The primary reason for these diplomatic relationships is a coincidence of moral interests between the two parties.

For example, the leaders of the Third World—Christian, Moslem and others—have noted the unique position of the Holy See during the latter part of the colonial period.

They saw in it a source of support unimpeachable in its credentials both to the metropolitan governments and to the centers of power on which they relied. A most significant example is that of Archbishop Leon-Étienne Duval of Algiers. Boldly, fearlessly, he advocated in 1955, scarcely a year after the outbreak of the bitter Algerian war of independence, a "just and progressive political freedom for all Algerians." For the time, this statement openly defined and challenged French hegemony. With France annoyed but with the Vatican approving, Duval stood his ground and became a thorn in the side of the status quo supporters, even when his life was threatened. Vatican approval of his stand can be implied from his being made cardinal in February, 1965.

Pope John, with his almost intuitive (or perhaps inspired) sense of history, kept pace with the rising African and Asian nationalism by appointing bishops, archbishops and cardinals from the indigenous populations.

A few years ago, this work of the Vatican received a backhanded compliment from the

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Communists. From their point of view, they rightly saw that they would lose whatever power of attraction they had as champions of liberation for the oppressed. The *World Marxist Review* of April, 1961, belittled the new Cardinal Rugambwa as a member of a "family that has given to the country several kings and queens." The Marxist aim here was to attract the "masses," by proving the aristocratic class character of the new Catholic clergy. The attempt failed because the leadership of the mass nationalist movement praised this Vatican appointment. Elsewhere, other nationalists reacted similarly to appointments of African bishops.

Pope John's appointments had visible impact when Vatican Council II opened its deliberations. On an almost daily basis, Afro-Asians heard radio reports and read newspaper accounts of the assembly of 2,500 prelates discussing issues of importance to all. Through the drama of the Council, the international nature of the Church, its size, age and *mystique* were etched in the minds of the Third World influentials observing the proceedings.

Moreover, Afro-Asians were participating in the Council. A non-Catholic head of state mentioned to the writer of this article with obvious pride the leading role played by a bishop from his country in the discussions of several major issues. "Where else," the leader asked, "could a poor black man from my country have a position of importance in a worldwide organization deciding fundamental issues that would affect Europeans and Americans?"

During the time of Vatican Council II, the significance of the transfer of power to Afro-Asian bishops from European missionary bishops became obvious. Yellow, brown and black bishops demonstrated a partnership and a sharing of power with the white bishops from the larger Western countries.

Similarly the official declarations of the Catholic Church have supported many of the pressing issues of the Afro-Asian world. Pope John XXIII's encyclical *Mater et Magistra* pointed out that it was natural for the new nations to incorporate socialization into the socioeconomic way of life. Both Popes John XXIII and Paul VI continually called for an end to racism, Pope Paul VI's visits to India and the Holy Land dramatized the Vatican's concern for brotherhood. Finally, when Pope Paul VI arrived at the United Nations on October 4, 1965, the leadership of the world saw and heard a worldwide moral force free from cold war involvements rallying the world to peace and international social justice.

This newly exerted non-aligned role of the Vatican drew many varied reactions. The Africans and Asians hailed this policy. The Soviets were interested. The European reaction was mixed: the progressive and centrist forces were generally pleased, while the more conservative were disturbed. The pattern of American reaction was similar to the European.

In his attempts to carry out this independence from "the competitions of this world" Pope Paul VI has pursued an active role in some of the most difficult problems involving the largest competitors of the world. The encyclical, *The Development of Peoples*, representing the Holy Father's concerns for the victims of the unholy trinity of poverty, illiteracy and disease, criticizes the excesses of capitalism and urges that wealth be equitably distributed in the world.

The imbalance of rich and poor nations, the existence of poverty, and the need for meaningful material development are repeated themes in the Holy Father's messages to the world. In this regard the Holy See is considered a major source of current thinking on these and other major international social questions.

Perhaps the most outstanding example of the Vatican's position as an independent moral force is the forthright stand exhibited by Pope Paul VI on Vietnam. In his call for peace he has unceasingly pursued an end to the conflict, suggesting certain steps, sending forth envoys to the parties involved, and even offering his services as a possible mediator. In May 1967 Pope Paul spoke to a group of Vietnamese pilgrims saying that "It is necessary that the bombing should cease at the same time as the infiltration of arms and war materials into the South." The Holy Father's close working relations with the United Nations Secretary-General U Thant on the Vietnam question was especially evident in his message to the Secretary-General September 22, 1967. "The Holy Father wishes to assure the Secretary-General of the United Nations that he, as always, encourages wholeheartedly the efforts of men of good will for peace, and, very willingly, he is disposed to offer whatever collaboration on his part might be considered helpful." The Holy Father has unceasingly worked for a peaceful settlement of the Vietnamese war in his private talks and messages to government leaders.

At the December meeting with President Johnson in Vatican City, Pope Paul asked why the U.S. could not prolong the 24-hour Christmas truce and indefinitely suspend the bombing. President Johnson defended his actions unsuccessfully and criticized the Vatican's interference with the United States peace initiatives.

Because of the interest of the Catholic Church in Vietnam, the Vatican has maintained its connections with both Vietnams. When criticized by certain Americans for refugee and relief assistance given to the North Vietnamese, the Vatican made clear that it was perfectly natural and understandable that they would help their Catholic brethren in war-torn areas of North as well as South Vietnam. The Catholic Church is present in North Vietnam, and the Vatican has responsibilities toward the North Vietnamese bishops, priests and laymen who have remained faithful to the Church.

The recognition by the Vatican that a faithful Catholic constituency and a Communist government were not incompatible is a relatively recent development. Pope John XXIII opened conversation with the Communist countries and Pope Paul VI carried on these conversations and strengthened his machinery to pursue these contacts. A significant number of Catholics in Poland, Czechoslovakia, Hungary and some parts of the U.S.S.R. have remained faithful to Catholicism despite the difficulties.

Ties between the Vatican and the faithful in these Communist countries have existed not only through the traditional hierarchical means but also through Catholic organizations. Catholic societies and magazines still exist in Poland, and recently a Polish national received his government's permission to reside in Switzerland where he assumed the post of Secretary-General of the Intellectual and Professional branch of Pax Romana.

Similarly, the Vatican has been pursuing contacts with the Orthodox Church, including those which are present within the Communist areas. Given all the complexities of the Orthodox Church and the pressures of Russian, Rumanian and other nationals having fled Communism and now living in Western Europe and the United States, this has been a complicated and difficult task for the Vatican officials.

Lastly, to fulfill its ecumenical mission, the Vatican has carefuly initiated a dialogue between the non-believing Communist intellectuals and their believing counterparts in the Western world. These developments clearly indicate that the Vatican is searching for a way to break down barriers between the East and West. On January 6, 1967, a group of diplomats from Formosa who had expected a ceremonial visit with the Holy Father, were stunned when the Pope suggested that contacts with Communist China be resumed. The Vatican, which was considered profoundly "anti-Communist" because of its opposition to atheistic Communism during World War II and the postwar era, is now a leading force in terms of a more humane and realistic posture toward the Communist world. The meetings of President Nixon and his staff with Pope Paul and his advisors clearly indicate the importance of Vatican activity in this domain.

Archbishop Agostino Casaroli, secretary of the Council for the Public Affairs of the Church and the top Vatican authority on the Communist countries, was the only advisor present during the private meeting of Pope Paul and President Nixon. Some Rome experts speculate that the Holy Father may have had some specific suggestions to make on the possibility of direct negotiations with Moscow. Whatever was actually discussed, White House aides expressed their pleasure with the success of the visit and indicated that it was valuable and informative for the United States.

Another facet of Vatican activities that may be of interest to the United States government at this moment in history is the contacts of the Holy See in the Middle East. The Vatican maintains respectful and cordial relations with the Arab countries, in which Catholics exist and practice their Catholicism. The Pope's visit to the Holy Land, his continual interest and conversation with the leaders of the Arab world may take on special importance due to the present Arab-Israel struggle which gives no sign of ending.

When President Truman asked the Senate to confirm his appointment of an Ambassador to the Vatican, he was met with strong opposition. At that time the Vatican was still a strange and foreign institution to most Protestant and Jewish leaders. Now, many religious leaders of the Protestant and Jewish faiths are in contact with the Holy See. They are partners working on many matters of common concern.

They are in conversation on questions of worship, and they are frequent visitors to Rome where they lobby for their various points of view and seek assistance from the Holy See on certain questions of mutual interest. An example of such common action is the joint working group of the World Council of Churches and the Vatican's Secretariat for Social Justice and Peace who just recently cooperated in a Biafran relief operation.

Even the secular world of the United States sends its leaders to the Holy See to discuss problems, and to seek guidance and assistance from the Holy Father. Whitney M. Young, of the National Urban League, and the late Martin Luther King journeyed to the Vatican and discussed the racial situation in the United States in their audiences with the Pope. In June, 1967, Theodore W. Kheel, prominent labor mediator, brought a group of industrial and labor leaders to Vatican City to discuss the problems of automation with the Holy Father. A panorama of people, their interests and problems pass before the Holy Father and command the attention of his immediate advisors.

The 19th century contacts between the United States and the Holy See reflected the nature of that era. We should assume that, as we approach the last quarter of the 20th century, the United States and the Holy See would have a new convergence of interests—that is, the well-being of the family of man. The end of time and distance has made all of us in the world next door neighbors. This new physical closeness comes at a time when the separations caused by racial, standard-of-living and cultural differences seem to be growing.

Destiny has given the Holy See and the United States major roles to play in reduc-

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ing the separations and alienations in the family of man. Let us hope that the warm dialogue that took place between Pope Paul VI and President Nixon last March 2nd in Rome is the beginning of a new fruitful era in the Holy See-United States contacts.

OUR FLAG

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. CARTER. Mr. Speaker, we can be thankful that most of the citizens of the United States consider it an honor to pledge allegiance to the flag of our country. Perhaps many of us do not know the pledge well enough, do not repeat it often enough, but when we think of the attacks made on our flag by the citizens of many foreign countries, the love of country and a feeling for its symbol are accentuated.

I include an article by a patriotic county extension agent, Mr. Faye Atherton of Barren County, Ky., taken from the Glasgow Daily Times, Glasgow, Ky.:

He is an American—a good man—and as he walked out of the club house of his country club and stopped a few yards from the flag pole, he looked up, his eyes searching for the sparkle of the stars and the glow of the colors, and he realized that it had been a long time since he had paid any attention to the flag. It was dirty, frayed, and faded.

He whispered, "Say, what's happened to you, Old Glory? Where's the sparkle in your stars, the beauty of your colors, and the proud way you used to wave in the wind?"

The flag fluttered slightly in the night air, and it seemed that echos from the ghosts of a thousand patriots answered him, "Times have changed since World War II."

"Oh, I don't know," Joe shrugged, "I've lost some hair, but I'm just as proud of you as the day we landed in Normandy. Boy! Wasn't that a day! We sure showed the enemy a thing or two."

"When was the last time you did the Pledge of Allegiance to Old Glory?" the echos asked.

"Now, wait a minute. I've been busy. I've got a living to make, a family to raise, and I've done a pretty good job of it too, if I do say so myself."

"Have you taught them the Pledge of Allegiance?" the echoes asked.

"Now, wait a minute! That's the teacher's job. That's what we pay them for," Joe answered.

"When was the last time you did the Pledge of Allegiance?" the echos persisted.

"Now how can you expect me to remember? People just don't go around spouting the pledge at the drop of a hat. Besides, they think you are a square nowadays if you get sentimental about things like God, and country, and all."

"Would you do the pledge for Old Glory?" the echos asked.

"What! Right here in the open? They'd think I had flipped my lid, or something."

As Joe talked, he noticed the flag flap against the pole and go limp. The night hissed about him. Joe looked up and said, "All right, I guess it won't hurt anybody to say it. Boy! It sure has been a long time. Anyway, here goes—" He placed his hand over his heart, looked up at old Glory and said, fervently, "I pledge allegiance to the flag of the United States of America, and to the nation for which it stands, one—one—one" he stammered. "One nation—" the struggle continued, and he finally gave up. "Well, what do you know? I guess I forgot."

"We thought so," the echoes seemed to mourn.

"Say, what's with you, anyway," Joe asked. "Has somebody been giving you a hard time?"

"I guess you could say that."

"They have? Who?" He asked.

"Well, for starters," the echoes began, "how about those students in Sweden who painted the swastika over the stars and paraded the flag in front of the American Embassy."

"But, why would they do that?"

"Because of the Vietnam war," chimed the echoes, "and in England they climbed the flag pole, tore down Old Glory, and threw it in the sewer."

"But wait a minute!" Joe exclaimed. "They are supposed to be our friends!"

"We thought so, too," the echoes agreed, "and that's not all. DeGaulle has thrown us out of France."

"DeGaulle has thrown us out of France!" Joe exploded. "Has he forgotten so soon how we hit the beaches of Omaha, caused the breakthrough at St. Lo, crushed the Krauts in the hedge rows over all of France, and lit up the streets of Paris with your beautiful colors?"

"He has forgotten," the echoes mourned.

"Well, that's over there, Old Glory. You're over here now. We love you over here."

"You would think so," echoes droned, "but on Veteran's Day in New York they called the police and asked to have the veterans and Old Glory off the streets because they were blocking traffic."

"But—but--but," Joe stammered.

"And that hotel in Minneapolis," the echoes continued, "refused to serve our wheel chair buddies because it might embarrass the guests."

"Yeh! I remember that," Joe said.

"And how about those parades in San Francisco and New York where draft cards were wrapped in Old Glory and set aflame; and then a great, young athlete, a world heavyweight champion who made millions of dollars fighting with his fists, refused to lift a hand in defense of his country."

The echoes grew silent, Joe stared at Old Glory and shivered; and as he turned and walked toward his car it seemed he heard the echoes again as they cried, "I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under god, indivisible, with liberty and justice for all."

GOLDEN EAGLE PASSPORT

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. ULLMAN. Mr. Speaker, this week hearings begin before the Senate Interior and Insular Affairs Committee on a bill to reauthorize the Golden Eagle Passport that allows thousands of Americans each year to enjoy their national parks at reasonable cost. The House Interior Committee is expected to begin study of a companion proposal soon.

I have received numerous letters from my home district urging that this system be continued. The passport, a $7 annual blanket permit, now allows a U.S. citizen to visit all of his national parks and use certain facilities of the National Forest Service and the Bureau of Land Management. Under an amendment to the Land and Water Conservation Fund Act last year, the permit will go out of existence next year. Charges would be applied at each visit.

Among the many individuals and groups expressing support for the Golden Eagle are retired citizens, who find the parks one of their greatest pleasures as they travel across the United States, and the permit one of the last real bargains remaining in these inflationary times. They fear substantially higher charges at these parks if the permit is eliminated.

In studying the pending legislation, the value of enjoyment that these great parks give to all our citizens should be our prime consideration. But it is of more than passing interest to note the benefit that the use of these parks under the present system means to the national economy. A recent press report from the Klamath Falls, Oreg., Herald and News provides a summary of this return from just one of these parks, the Crater Lake National Park, in my home district. I commend it to the attention of the Congress:

CRATER LAKE'S ECONOMIC IMPACT FIGURED AT $8.9 MILLION ANNUALLY

CRATER LAKE.—Visitors to Crater Lake National Park contributed an estimated $8.9 million in gross expenditures to the surrounding economy in 1968, the National Park Service has reported.

This outpouring of travel money also had the following beneficial effects, the report said:

—Produced $6.7 million in personal income.

—Yielded $1.3 million in federal taxes.

Western Regional Director William L. Bowen said from his office in San Francisco the figures are based on research techniques used by Dr. Ernst W. Swanson, North Carolina State University economist. Dr. Swanson recently completed a "Study of the Impact of National Park System Travel on the National Economy in 1967."

Comparing the 1968 National Park System expenditure of $588.3 thousand for Crater Lake National Park with the $6.7 million in personal income realized from visitor spending, Bowen noted there was an estimated $11.39 to 1 return on the dollar.

In Dr. Swanson's national parks, the economist said, "personal income resulting from national park spending is quite sizable as a matter of gain to the nation from assets being preserved for posterity. Unlike the mining or the oil industries which give up nonrenewable resources, the National Park System yields its contribution with little or no dimunition of its resource values."

While the enjoyment and enrichment of a National Park System experience cannot be evaluated in monetary terms, Dr. Swanson said "dollar signs can be placed on the values to the nation of the travel outlays and expenditures arising from visits to these assets."

The gross expenditures figure is obtained by multiplying the average visitor's daily expenditure by the average number of days per visit (four), and this result by the adjusted number of visitors. The average daily expenditure is an estimate derived from the park, state and regional studies.

The number of days per visit is obtained from a 1967 marketing study prepared for the Bureau of Outdoor Recreation by Arthur D. Little, Inc. Number of visits is an adjusted automobile license count made from June through August, 1968. To adjust for day visitors, transients and double counting, only 70 per cent of the total visitation is used.

The personal income figure is based on Bureau of Labor Statistics estimates that direct personal income runs about 30 per cent of gross outlay. To account also for indirect personal income, Dr. Swanson applied, after extensive research, a factor of 2.5 to direct personal income. The result is total personal income. The Treasury Department estimates that roughly 20 per cent of total personal incomes goes into federal taxes.

AS SPACEMEN LOOK BEYOND THE MOON

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. TEAGUE of Texas. Mr. Speaker, in a recent interview with Dr. Thomas O. Paine, Administrator of the National Aeronautics and Space Administration, the editors of U.S. News & World Report asked a number of searching questions as to the future of our national space effort. Because of its significance, I am including excerpts of this interview in the RECORD:

AS SPACEMEN LOOK BEYOND THE MOON

TEN TRIPS TO THE MOON

Q. As a practical matter, do you have a program laid out for further landings on the moon, and possibly setting up a colony there?

A. We now plan to make a total of 10 trips to the moon—counting the Apollo 11 if that's successful—with the equipment that's already coming down the production lines.

As for when we could first colonize the moon, I think "colonize" is perhaps too grand a word: It would initially involve only a small base for scientists like the first small bases in the Antarctic. In any case, I would guess that wouldn't come until the end of the 1970s.

Q. Dr. Paine, leaving the idea of a race aside, where do you think the U.S. leads in space now, and where does Russia lead? Can you make a comparison?

A. From the standpoint of "firsts," of course, the Soviet Union had a long string of them, most of which go back to the earlier 1960s.

The United States now has the capability to operate in space and to carry out almost any operation which the Soviets can carry out today, except that we still haven't soft-landed packages of instruments on the planets.

The Soviets have, on two separate occasions landed instruments down through the atmosphere of Venus—not all the way to the surface, but down through most of the atmosphere.

On the other hand, in our planetary fly-bys, we've been able to obtain very sophisticated electronic information and transmit it back to earth—particularly TV photographs of Mars. Right now we have two new TV probes approaching Mars. So I think in the electronic-sensing end we have a slight lead; in the ability to soft-land, perhaps they do.

In manned space flight, we've moved out in front. I think our Apollo system is substantially ahead of current Soviet capability, particularly when you take "Snoopy" into account—our flight-proven lunar-landing device.

At the same time, when it comes to the ability to put very large payloads in orbit, to rendezvous and dock, the Soviets have demonstrated nearly the same kind of capability that we have. We have the lead in space applications—weather, communications, navigation, and geodetic satellites.

Q. What do you see ahead—a pretty close match?

A. A lot depends on the national wills. Both of us have the technology and resources to make rapid progress in space. We've both put together the teams and we have the equipment; we have the institutions and facilities that will allow us, if we choose, to make substantial progress in the 1970s and 1980s. The question is one of national imagination, national daring, national will.

The Soviet Union has placed great stress on progress in space as being an externally visible demonstration of their socialist society's progress. It must be a very difficult thing for them to witness us proceeding out to the moon to establish a "first" there. It is an achievement they would very much like to have accomplished first.

I believe the Russians will continue to put great stress on space and will move ahead steadily. For our part, there's always the danger that we may feel that we can relax now—having attained the lunar goal—and perhaps slack off. If that were the case and if we were not to start new programs now, I think the situation might well reverse and the Soviets might once again develop superior technological capabilities in space.

Q. What has happened to your budget in the last two or three years?

A. We have in the past four years substantially reduced the American space budget. Partly this has been because of the completion of the mighty installations at the Mississippi Test Facility, at Cape Kennedy, at our Manned Spacecraft Center in Houston and at our Goddard Center in Maryland. Partly, also, we have been forced to reduce our effort in space because of the many other competing national demands. From a peak work force of 420,000 Americans, we will be down to only 190,000 by year-end.

At the present time, we've leveled out at a budget level of just under 4 billion dollars a year. As we go into the 1971–72 period, we are developing within the new Nixon Administration budget levels that we feel will, first of all, keep America moving ahead in space and, second, will be consistent with all of the other competing demands within our society.

SPACE-STATION PLANS

Q. How big will the first near-earth station be?

A. It will be a pretty big interior to float around in. We're using the upper stage of a Saturn V rocket—the so-called S IV–B third stage. It's about 21 feet in diameter and about 58 feet long, so there is plenty of room for men to float around inside and to try living and working within and around a container in space.

Q. What practical value do you see in the near-earth program—better weather forecasting, or maybe a new method of crop control?

A. Both of those and a good many more. The space station is really an artificial moon, but instead of being 240,000 miles away, it's a very convenient, small artificial moon that we can put just a couple of hundred miles away.

It's a place from which we can look outward into the farthest reaches of the universe without the earth's obscuring atmosphere. It's a place in which we can experiment with weightlessness and with a very high, hard vacuum. It's a place where physicists can study particles with energies many thousand times higher than in the largest particle accelerators down on earth.

It's also a place from which we can look down onto the entire globe. We can study weather phenomena like tornadoes from up above. We can study all of the world's oceans from a platform which continuously passes above them. We can study the world's forests, the world's agriculture, the world's mineral resources, the world's water supplies. We can study the geology of the continents on a global scale. These data from space can be analyzed in comprehensive computer models that will give man new efficiencies in resource utilization and new capabilities to combat air and water pollution.

It is this ability to completely cover the earth and all of its changing activities, looking inward from space, that brings us the real new capability.

Q. Do you mean there is more practical value to this near-earth exploration than there is to landing on the moon and eventually setting up small stations there?

A. That's true only in a short-range sense. If you go back to the 1930s, I'm sure it was much more practical to work on reciprocating engines or gunpowder than it was to work on jet engines or nuclear energy. It is certainly true that in the near-earth area at the present time there is more practical, immediate economic payoff. But I think history teaches us that, in the long run, the exploration of completely new territory—the opening up of new transportation systems that take us places where men have never been before—has always had immense long-range benefits to mankind.

Columbus, of course, was motivated by the quest for pearls, for spices, for silver and gold. The Spaniards came in great galleons to extract immediate wealth from the New World. In the short range, gold and silver were indeed the values which drove them.

In the long range, of course, the large amounts of gold taken out of North and South America proved infinitesimal compared with the great value represented by the new society which was erected here—a society which revolutionized the world and is now opening the way to other new worlds.

Q. Pictures brought back from the moon show no evidence of any real mineral wealth—any gold. What do you expect to find?

A. I don't think the pictures we've brought back so far tell us anything at all about mineral wealth—gold, uranium, diamonds, water—or whatever else may be there. It's just too early to say what we're going to find, in what conditions the materials that we find will be, whether they will lend themselves to extraction and use on the moon or earth, and whether there will be any economic benefits in that sense.

Q. Are there scientists who think that there might be some surprises on the moon?

A. I think there are very few scientists who don't expect major surprises in store for us there. Man has never set foot in such a place before.

PUBLIC RELATIONS AND MOON LAUNCH

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. EDWARDS of California. Mr. Speaker, a genuine adventure of man, his first effort to walk on the moon, has been turned into a Roman circus. Each Member of Congress has been invited to the launch with the privilege of taking a guest. Hundreds of diplomats have been invited. Hundreds of others also will have their way paid to witness this spectacle.

Let there be no mistake. This launch and the adventure it begins can be one of man's great accomplishments. All of our prayers will go with the astronauts. I am not attacking the effort, I am attacking the fact that public relations men have cheapened it by the use of Madison Avenue techniques, when no such techiques are needed.

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Even sadder is the waste of money on these public relations gimmicks when funds are being cut back for desperately needed programs of education, pollution control, health, and food. Our people do not need spectaculars of this sort, they need concrete programs to meet their needs. I have been unable to find out the cost of the public relations trappings of this space launch, but as an example I believe that cost would fund a badly needed program in my district which has been destroyed by lack of funds. A nursing school, serving many poor and minority students, asked for $188,000 in loan funds this year. It may receive as little as $15,100. I would suggest the money spent on Congressmen and their guests at the launch be turned over to those students nurses. The Congressmen can watch the launch on television. The nursing students cannot learn their profession on television.

We have made a basic mistake when we turn what we all hope will be triumph for all mankind into a cheap show. The landing on the moon has a meaning for all of us. It does not need these public relations tricks.

THE NEED FOR PASSAGE OF THE CHILDREN WITH LEARNING DISABILITIES ACT

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. EILBERG. Mr. Speaker, last week the Subcommittee on Special Education of the House Education and Labor Committee conducted hearings on the Children With Learning Disabilities Act. As a sponsor of this bill, I am well aware of the tremendous studies we have made in identifying handicapped children and helping them. However, the children who would be helped by enactment of the Children With Learning Disabilities Act are not now being helped. The reason for this is because our current definition of the term "handicapped" is not accurate. To provide information to my colleagues on the purpose of the bill, I would like to insert in the RECORD at this point the testimony which I gave before the committee on July 9:

STATEMENT OF HON. JOSHUA EILBERG

Mr. EILBERG. Mr. Chairman and Members of the Subcommittee, it is a pleasure for me to appear before you today to testify on the Children With Learning Disabilities Act. I believe all of us have known despair. But the agony and despair of the parent who has a handicapped child is something which we can never truly grasp in its fullest unless we have experienced the phenomenon ourselves. Unless we have experienced the situation where the child reaches out for help and we are powerless to assist we cannot appreciate what it really means to be the parent of a handicapped child. I believe that, despite the growing sophistication of our culture and our civilization, the handicapped child too often remains in the backwaters of our concern. Parents and teachers turn for help only to find the help that is offered is inadequate.

In recent years, we all know that there has been a growing awareness on the part of the Congress and the nation of the plight of the physically and mentally handicapped child. Programs in some instances now exist both in the public and private sector which are designed to assist these children in leading as normal lives as possible.

Given this fact, we also realize only too well that America is statistically oriented and those children who have identifiable physical and mental handicaps can be found, categorized and sometimes helped. It is because of this situation that the Children With Learning Disabilities Act is so necessary. The programs which this legislation would authorize to aid the child who appears normal in every way both physically and mentally, but who has some special learning problems which prevent him from fully grasping the learning process, are essential if we are ever to stop classifying these children as stubborn or lazy. A child who cannot recognize and understand written information presented to him but who can understand the same information when it is presented to him orally is not slow or stubborn. He has a learning disability.

One of the major reasons why I sponsored the Children With Learning Disabilities Act is because the definition of "handicapped" which we have been using is not accurate. This definition speaks only of medically determinable handicaps, but says nothing of the psychological and educational handicaps that a child might have while to all medical appearances he is normal.

The children who will be helped by enactment of the Children With Learning Disabilities Act are those whose parents and teachers have become frustrated in their attempts to teach them because the child's problem either was not diagnosed or was misdiagnosed. This failure to identify the child's handicap in educational or psychological terms has led to these children developing greater and greater problems in learning, in emotional adjudgment, and it even has affected their later vocational placement.

The programs which this bill would authorize are not designed only to serve children in the poverty areas of the nation. The assistance which this bill will make possible will be available not on the basis of the average annual income in a given area but on where the problems are. I do not want to be misunderstood. I have supported programs which are designed to help our disadvantaged citizens. I have sponsored legislation in their behalf and I will continue to do so. But, I really do believe that too many of our educational programs have been overly directed to reaching the poor per se rather than reaching out to solve problems where they exist regardless of the economic condition of the persons in the area affected.

The programs which would be supported by the Children With Learning Disabilities Act will place the emphasis of helping these youngsters with learning disabilities where it belongs—not on fancy diagnostic labels, but on an analysis of the learning task and on the developments of special teaching methods and techniques as well as materials which can be used to find the learning disabilities of the child, employ them and work around specific barriers to learning that he might have.

Coming to terms with these children in designing educational programs is going to help us learn more about education for every child. It is going to help us realize that children have individual learning styles and characteristics, and that we are going to have to pay more then lipservice to these individual differences. Educators should be able, and will be able through the assistance provided in this bill, to design special, individualized approaches to the learning tasks which face children.

We can make this possible by providing support for carrying out a program of support for research and related activities in the area of education of children with learning disabilities. We must use this research as the basis for programs of professional advanced training for people who are preparing to teach these children, and we must develop model centers for the evaluation and education of our children. These centers will in turn assist our state and local educational agencies in making more programs available to children with learning disabilities.

Mr. Chairman, I support all the activities which we have undertaken to help handicapped children. The Children With Learning Disabilities Act will enable us to help those children who have special handicaps which are not medically discernible but which nonetheless are at the same time serious. You and the other Members of the Subcommittee may ask how many children this bill will help. I only wish I could give you a concrete answer. But, I cannot. As stated in the first annual report of the National Advisory Committee on Handicapped Children, "The total number of children involved cannot be accurately determined until more adequate diagnostic procedures and criteria have been developed." This is what the Children With Learning Disabilities Act will do. Through enactment of this bill we can help to open the doors of educational achievement for at least 500,000 and perhaps 1½ million school children whose special learning disabilities have gone largely uncorrected because they have not been diagnosed. I appreciate the opportunity to have appeared before you today and expressed my views on this bill. I hope the Subcommittee will agree with me and act favorably on this legislation.

THE SENIOR AMERICANS

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. BRADEMAS. Mr. Speaker, the House took significant action on behalf of our 19 million older Americans on June 16 when it passed H.R. 11235, the Older Americans Act Amendments of 1969. I am pleased to report that on July 11, the Senate Committee on Labor and Public Welfare unanimously voted to order reported H.R. 11235.

Prompt action on this legislation is most essential in order to authorize appropriations for the grant programs of the Older Americans Act for the fiscal year which has just begun. These grant programs—for community projects, research and development, and training—have many solid accomplishments to their credit. Each is contributing to making possible a better life for older people. Clearly, extension of the programs by new funding authorizations is warranted.

In addition to continuing the programs already begun under the Older Americans Act, these amendments contain important provisions for strengthening of State agencies on aging and for establishing a national older Americans volunteer program.

Under H.R. 11235, the State agencies on aging would be strengthened by establishing new State plan requirements for statewide planning, coordination and evaluation and by providing additional resources to carry out these activities. Hopefully, the additional resources pro-

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vided by the amendments will enable the State agencies to provide leadership in the analysis of existing programs serving older persons; identify gaps and weaknesses in services; develop plans to link existing services and fill gaps in service so as to achieve coordinated, comprehensive services throughout the State; and persuade public and private agencies to cooperate in implementation of the plans.

The national older Americans volunteer program authorized by this legislation consists of two parts—a retired senior volunteer program and the foster grandparent program.

The new retired senior volunteer program will provide opportunities for many healthy, energetic older persons to perform volunteer services in areas of public service needs, with reimbursement for out-of-pocket expenses. It offers a major opportunity for the Nation to gain from the talented services which older people can perform.

The foster grandparent component of H.R. 11235 establishes on a permanent basis under the Older Americans Act a program which the Administration on Aging has been operating in cooperation with the Office of Economic Opportunity. Through the foster grandparent program, low-income older persons provide personal relationships to emotionally deprived children. This program satisfies the need of retired older persons for meaningful activities, provides badly needed social services, and supplements the income of low-income older persons.

On July 8, the Washington Post highlighted the importance of these amendments in an editorial on "The Senior Americans" which I include in the RECORD:

THE SENIOR AMERICANS

In a country where youth, sex, speed and beauty are glorified almost to the point of liturgy, it is small wonder that 19 million older people are often kept out of sight and out of touch. A small wonder but a large disgrace.

The Older Americans Act of 1965, and its later amendments, was an attempt at meeting the rights and needs of the elderly, 40 per cent of whom are poor or near-poor. As far as they went, programs generated by the Act were effective: over 1000 community projects were funded through the Title III programs, serving over 660,000 older persons in such things as home health aide services to paid part-time jobs. Nevertheless, in FY 1969, only $1.10 was spent per senior citizen, with $1.41 the appropriation for this year.

In mid-June, the House, led by John Brademas and Ogden Reid, approved an authorization of $62 million for FY '70. Despite this, the Nixon Administration appears determined to stand firm with its niggardly $28.3 million budget request for the program's continuation. It is tempting for politicians to feel that they can get away with short-changing the old: many are too worn or weak to fight back; they have no lobby to speak of and less prospect of an opportunity for future political reprisal.

But the Nation needs the elderly. The Foster Grandparents program alone has used the talents and energy of 4000 older people who, on a small stipend, are matched on a personal basis of service with 8000 orphaned and disturbed children. If this simple idea of matching the leisure time of the old with the special needs of the very young has worked for 4000 old people why can't it be done with 40,000 or 400,000?

The answer, or at least the political answer, is lack of funds. Yet in recruiting the elderly for community projects, massive funds are not necessarily needed. For example, the House Education and Labor Committee adopted the Retired Senior Volunteer Program (called RSVP) which requires only $5 million—money that will be returned many times over in services rendered by the elderly.

The Senate Labor and Public Welfare Committee will shortly consider new amendments to the Older Americans Act, and will likely see the need for an authorization figure equal to the House's $62 million. It is not too late for the Administration to go beyond its $28.3 million sum and begin recognizing that 19 million older Americans have not just rights and needs to be met, but contributions of talent and wisdom to be made.

DANGER OF DDT USE HELD UNDETERMINED

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. OBEY. Mr. Speaker, many of us who are concerned about the use of persistent pesticides and their effects on our environment were gratified last week when the Department of Agriculture suspended for 30 days the use of DDT and eight other persistent pesticides.

When announcing the 30-day suspension the Department quoted a National Academy of Sciences-National Research Council report which recommended, "that further and more effective steps be taken to reduce the needless or inadvertent release of persistent pesticides into the environment."

My pleasure over the Department's action was certainly eroded when I read in this morning's New York Times that an official of the U.S. Department of Agriculture has said there is no evidence that DDT is unsafe, even though it has been temporarily banned by his agency.

I believe there is ample evidence that DDT is unsafe to birds, fish, and wildlife, and there are increasing signs that it is unsafe to human life as well.

Senator GAYLORD NELSON and several other Members of the House and Senate have placed articles in the CONGRESSIONAL RECORD almost daily which show that the use of DDT is very harmful to our environment. Unfortunately, these studies have evidently escaped the notice of the Department of Agriculture.

The protection of our environment is a matter which is of major concern to many Congressmen, and the continued use of DDT is an important question which affects that environment. For this reason, I include the following article in the RECORD:

DANGER OF DDT USE HELD UNDETERMINED

WASHINGTON.—The Department of Agriculture says it has no evidence that DDT is unsafe even though the department has temporarily banned the use of the pesticide in its own operations.

Senator Gaylord Nelson, Democrat of Wisconsin, charged earlier this week that the department was unwilling to end all use of the chemical permanently because "the Department of Agriculture is locked in with the agricultural interests who use DDT."

But Dr. George W. Irving, administrator of the Agricultural Research Service, says the department has found nothing to warrant canceling the registration of DDT for interstate shipment under current regulations.

"To do that, we would have to find that DDT is either ineffective or unsafe," Dr. Irving said in an interview. "We have no evidence that it is either."

FEDERAL AID TO MUSIC: DISPENSING SEED MONEY

HON. JULIA BUTLER HANSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mrs. HANSEN of Washington. Mr. Speaker, Congress can be proud of many of its programs. In the Sunday, July 13, 1969, edition of the Washington Star, the success and impact of the National Endowment for the Arts is reported. The writer was Walter F. Anderson, recently named director of music programs for the endowment and professor of music at Antioch College. The newspaper pointed out that final approval of grants rests with the 26 members of the National Council on the Arts and that last year's music grants exceeded $1.1 million in funds appropriated largely by Congress.

Dr. Anderson's report on the impact of this spending follows:

FEDERAL AID TO MUSIC: DISPENSING "SEED" MONEY

(By Walter F. Anderson)

The record of National Endowment for the Arts support of music reveals a great variety of activity throughout the country. Its early awards have been termed seeding grants partly because they usually have been small in the number of dollars awarded but have been sufficient to get worthy programs started on the assumption that the initiators of them would find means of continuing into the future. Roughly, these fall into seven categories:

1. Assistance to the individual performing artist. The Endowment has taken a special interest in young artists, in the recognition that beyond formal training, in order to pass successfully through the necessary steps before the performer can emerge as an established artist, the young artist must be given the opportunity to perform. Consequently the Endowment has supported ventures like Affiliated Artists, an enterprise which enables the young artist to have limited periods, up to a total of eight weeks during the school year, for performances and related professional activity in residence on the campus of a college or university.

Unlike the usual resident arrangement, this program removes the artist from the teaching of regular courses and other routine assignments which often in the past have saddled him with tasks that reduced the opportunity to perform.

Similarly, through assistance to groups like Jeunesses Musicales and Young Artists Overseas, the Endowment is able to extend the young artist's exposure from a regional to an international level.

2. Assistance to the composer. In some instances, the Endowment's Advisory Music Panel has introduced new programs. For example, 63 individual composers received up to $2,000 to enable them to have their scores copied, while 44 orchestras similarly received grants on a matching basis to permit them

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to commission new works and to prepare them for performance.

At other times the Endowment has responded to the needs of established programs considered to be deserving of assistance. The Bennington Composers' Conference, with aid from the Endowment, has been able to maintain an expanded program in which works of young composers are rehearsed, taped and discussed. Those of particular merit may be performed. Aid to the Southeast Composers' Forum at the University of Alabama, on the other hand, has enabled this project to hire additional professional performers in a program that has presented over 300 works by 100 composers in the southeastern states.

3. Assistance to performing organizations. Awards of greater magnitude have been made to large performing organizations, such as opera companies and symphony orchestras. Although major grants have been made to several of the country's leading opera-producing organizations, both the Panel and the National Council on the Arts agree that, pending the appropriation of sufficient funds, far greater assistance in the future must be given to the ranking regional opera companies and some means devised whereby symphony orchestras will be able to surmount threatening, spiraling deficits if these organizations are to survive.

The Council has authorized, as a pilot effort, awards up to $50,000 each to the five major orchestras submitting the best proposals for innovative activity that would have long-range effect in stabilizing and improving their operations and enhancing their future. Within the next few weeks announcement will be forthcoming on the selection of winning organizations.

Nine opera organizations have had large-size grants from the Endowment. The awards have assisted them in various ways. Some have used their governmental support for the apprentice training of young opera singers while others have devoted their grants to setting up tours of regions where there is no opportunity to attend live opera performances. Although the Endowment does not engage in capital support, a large grant went toward aiding one company to build new facilities following destruction of the original building by fire.

4. Audience development programs. Especially successful have been the Audience Development Projects. Basic support up to $1,000 has been granted to all organizations which have received aid for audience development. These awards enable the local manager to schedule new programs by artists who are well qualified, but not necessarily well known or good box office attractions. Such support is available only for concerts and beyond those which normally would have institutional sponsorship and support; these particular awards may be used only to pay artist fees on a matching basis.

At the present time there are four categories in which Audience Development Grants are awarded: Colleges and Universities, Museums, Chamber Music Societies and Contemporary Music Performing Societies. Approximately 100 Audience Development awards will be made during 1969–70.

5. Education. The range of assistance provided for a variety of educational projects has resulted in significant professional aid and development to a large number of choral and orchestral conductors, instrument makers, and music education scholars.

Special educational programs have been conducted by the American Choral Foundation, the American Symphony Orchestra League, the National Guild of Community Music Schools and individual institutions.

A year's study in Hungary to investigate the Kodaly method of music education has just been completed by 10 scholars, who in the coming year will be supported by the Office of Education for a year of orientation and service in selected schools throughout the country to try out the Kodaly method with the use of American folk materials.

An interesting audience building research program has been initiated at the Meadowbrook Festival by Oakland University. The experimental group consists of four separate panels of 200 couples each selected from different social, economic and educational backgrounds.

One of the more productive programs has been the organization of new community music schools around the country under the sponsorship of the National Guild of Community Music Schools. A basic aim is to bring the public school music teacher into cooperative plans and programs with professional musicians from the community acting as teacher aids.

6. The dissemination of information. One of the Endowment's most unique and successful programs is the publication of the American Musical Digest by the Music Critics Association under contract to the Endowment. For the first time there is a thoroughly professional magazine devoted to the abstraction, review, reprint and digest of articles and programs devoted to works by American composers and performances by American artists. The coverage is worldwide, and there has been exceptional and immediate response to a pre-publication issue published last April in the form of subscriptions and favorable criticism throughout the country. The first issue of the magazine is scheduled to appear around October 1.

7. International education and exchange. For the first time groups in this country which are a part of international music organizations have been able to have governmental support. For example, the National Music Camp at Interlochen with assistance from the Endowment was able to host in the U.S., for the first time, the conference of the International Society for Music Education. The National Music Council, similarly assisted, was host for the 6th International Music Council meeting in the U.S. for the first time. Also, for the first time, the U.S. National Committee of the International Folk Music Council, an organization of ethnomusicologists, will, like all other national committees, have assistance from its own government.

In one sense, it is easy to view these programs with pride, not only in terms of the balance presented, but in view of the magnitude of support realized for so many projects as measured against the amount of support allocated for the Endowment.

Looking ahead, one might ponder whether the Endowment should continue to support them, especially since they must be reconsidered in relation to the staggering number of pleas for aid which come in daily from all parts of the country. Recognizing that the views of the Endowment Music Staff are subject to the recommendations of the Music Advisory Panel, the National Council on the Arts, and the Chairman of the Endowment and the Council, let me dare to go on record in certain respects.

First, the increasing flow of letters seeking urgent support of various musical enterprises threatened in many parts of the country by financial crises serves as a grim reminder that the survival of many performing artists and music-sponsoring organizations is in serious question and that, notwithstanding their plight, the function of grants-in-aid should not be diverted from the seeding of creative, innovative projects to the deficit financing of programs established in the past. For many programs, uncertainty of survival may mercifully lead to realistic assessment of the worth of their continuance. It cannot be expected that the National Endowment will be able to respond to the expressed needs of many individuals and organizations for important reasons not associated with the need for financial support.

Second, it was a wise first move on the part of the Endowment to create a broad ferment of activity in fostering positive attitudes throughout the country toward the enjoyment and support of music, and some of these program concepts should be retained, particularly those which engage the earnest concern of an expanding lay public of consumers. But the Endowment must not be satisfied to increase audiences for music; its ideal goal in this regard should be the creation of a generation of informed listeners.

Third, while the Endowment should continue to "seed" new proposals considered to be of merit, I personally would favor the establishment of a series of "sprouting" grants in order to encourage the growth of truly distinguished programs to the point where their survival will not be in question.

Fourth, in the interest of good balance, I would urge the development of intelligent amateur interest. Equally important, I feel, is the development of techniques whereby the child from the earliest ages would become excited about participating in music-making.

Fifth, it is my strong view that the Endowment, as a governmental agency, in whatever it does should never be in a position of control where music or any of the other arts is concerned. Rather it should provide a catalytic function in stimulating growth of the art. While its judgments should be selective, particularly in the grave responsibility of expending dollars provided by taxation, the Endowment should strive to respond to the needs of music through the serious consideration of all requests that come to its attention and by the appointment of artistically qualified and responsible agencies to supervise and carry out its programs.

Since the needs are so great and the funds available so limited, I hope that alternate formulas of assistance, in which private, corporate and governmental patronage would be combined in cooperative patterns of support, might be developed particularly to assist major performing programs to flourish. We need our symphony orchestras. We need them badly.

Although for various reasons audiences may increase or decrease at a given time, the more significant fact to remember in our troubled times is that concerts uniquely provide the setting in which people are able to transcend their dissensions and become united in heart and mind. Consequently, irrespective of all the pressing needs of the present, I hope, and pray, that support of the arts will become a high priority in our time and that, in turn, a resounding impact of aesthetic values will evolve at the heart of our society.

LETTER TO A CONCERNED SCIENTIST

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. HOSMER. Mr. Speaker, this morning I received a copy of a letter from a scientist knocking the Safeguard ABM system. I responded as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 14, 1969.

Dr. JOEL YELLIN,
Theoretical Physics Group,
Lawrence Radiation Laboratory,
Berkeley, Calif.

DEAR DR. YELLIN: Thank you for your courtesy of sending me a copy of your letter of July 10 to Senator Stephen Young regarding the ABM system.

I believe it is relatively immaterial what you and others believe the reliability of the Safeguard system will be in this respect. There are obvious differences in its quality between initial installation and later development. However, the important thing is the degree of effectiveness which is assigned to it by the Soviet Union. If this is sufficient, any possibility of a first strike will be deterred. Who knows who will be running the Soviet Union in the 1970's and how much they will need to be deterred?

Obviously, they will have to assign the system some effectiveness and it would be safe to assign it a relatively high effectiveness, since they are confident enough in ABM techniques to spend a considerable amount of rubles on it and also know that Americans are fairly good weapons makers. This system seems to me a necessary element of our defense in the 1970's.

Frankly, I am somewhat out of patience with experts of various parts and pieces of military knowhow sounding off unless they are also experts in overall nuclear strategy.

Very truly yours,

CRAIG HOSMER,
Member of Congress.

OUTSIDE THE LAW

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. DINGELL. Mr. Speaker, pursuant to permission granted I insert into the CONGRESSIONAL RECORD a particularly frightening article appearing on the editorial page of the Washington, D.C., Post entitled "Outside the Law" chronicling what appears to be in clear conflict between the law and the behavior of the Department of Justice with regard to wiretapping.

If a free nation is to remain free, all of its governmental agencies must respect and obey the law. There is no room in our society for a different kind of behavior for anyone.

The excellent editorial follows:

OUTSIDE THE LAW

The Department of Justice has come forward with an appalling paradox: entrusted with enforcement of the Federal laws, it holds itself to lie outside the ambit of those laws; committed to the championship of the United States Constitution, it holds itself to be free from the restraints of that fundamental charter. Expressly, the Department declared on Friday that it possesses legal power—despite a clause of the Constitution and an Act of Congress to the contrary, and without bothering to obtain judicial authorization in advance—to carry on electronic surveillance of any members of organizations who, in its opinion, may be seeking to "attack and subvert the Government by unlawful means."

No more pernicious notion has ever been propounded by an agency of the United States Government. What this comes down to is a bald assertion that the Department can take the law into its own hands whenever it thinks the national security is threatened—from within or from without. Last week, in a Federal District Court in Chicago, the Department disclosed that it had employed wiretapping or bugging devices to monitor conversations of the antiwar activists who were indicted for inciting riots at the Democratic National Convention last August. What is the Department's justification? "Any President who takes seriously his oath to 'preserve, protect and defend the Constitution,'" the Department asserts, "will no doubt determine that it is not 'unreasonable' to utilize electronic surveillance to gather intelligence information concerning those organizations which are committed to the use of illegal methods to bring about changes in our form of government and which may be seeking to foment violent disorders."

Of course, the Constitution which any President has taken an oath to "preserve" specifically forbids unwarranted searches. And the Supreme Court has plainly said that electronic surveillance constitutes a search permissible under the Fourth Amendment only when properly circumscribed and authorized in advance by a judge. Congress only last year, wishing to regularize and control electronic eavesdropping, stipulated precisely in the Crime Control Act the conditions under which bugging and wiretapping could be authorized.

Yet the Department of Justice appears to be saying that both the Constitution and the Crime Control Act can be ignored whenever the President thinks that certain groups are "committed to the use of illegal methods to bring about changes in our form of government." What could better illustrate the absurdity of this standard than its application in regard to the tatterdemalion crew of New Leftists who stirred up disorder in the streets of Chicago. If the President or the Department of Justice can see a threat to the Nation's security in that tawdry, loose-lipped cabal, it can see a threat in anything.

And if a supposed threat to national security can justify setting aside the Constitution and the law respecting electronic eavesdropping, why can it not be used to justify setting them aside for any other purpose the President and the Department of Justice may deem expedient or convenient in the protection of national security? Will they some day think it not "unreasonable" to set aside the prohibitions against arbitrary arrest or against random physical searches of citizens' homes or against imprisonment without trial or against suppression of speech deemed dangerous? What the Department of Justice has so blandly enunciated is the rationale of dictatorship. It is the justification of every despot from Caligula to Adolf Hitler.

It has been disclosed recently that the Federal Bureau of Investigation systematically, over a period of years, tapped telephones in flagrant violation of the law and in cases having nothing whatever to do with national security. It bugged and tapped the homes and hotel rooms of the Rev. Dr. Martin Luther King and of Elijah Muhammed, the Black Muslim leader, for example. It is beside the point if, as the FBI now asserts, the Attorney General, at that time Robert F. Kennedy, authorized the eavesdropping; no Attorney General had any authority to do so. The FBI also bugged and tapped numerous persons alleged to be part of that undefined group called the "Mafia." This eavesdropping was done in violation of the Constitution, in violation of the law, in violation of a presidential order and in violation of repeated assurances by the Director of the FBI that it was not being done. J. Edgar Hoover has forfeited the confidence of the American people. He ought to resign or be removed from office.

A Federal Bureau of Investigation which eavesdrops on citizens is a peril to privacy and a menace to freedom in any circumstances. But a Federal Bureau of Investigation which does this in direct defiance of Congress is intolerable. Congress, in its wisdom, decreed last year that bugging and tapping could be done under court order. For the Department of Justice to assert now that it may bug and tap at its own discretion is to undermine the whole concept of a government of laws.

JEWISH AGENCY QUITS OVER BLACK MANIFESTO

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. ASHBROOK. Mr. Speaker, on May 13 I placed in the RECORD two articles from the Chicago Tribune and New York Times regarding the questionable use of church funds by the Interreligious Foundation for Community Organization—IFCO. This organization, founded in 1967, sponsored a National Black Economic Development Conference—NBEDC—in Detroit in April of this year. It was at this conference that James Forman, the director of international affairs of the Student Nonviolent Coordinating Committee—SNCC—delivered to the conference the "Black Manifesto," which demands from the white Christian churches and Jewish synagogues a sum of $500 million as reparations for the injustices done to Negroes in the past. SNCC, according to FBI Director J. Edgar Hoover in his latest testimony before a House Appropriations Subcommittee, "has developed into a full-blown all-Negro revolutionary organization."

In the recent past religious services of various denominations have been disrupted by black militants seeking to secure from churches reparations money. In May, Forman interrupted services at Riverside Church in New York City and read the Black Manifesto. A week later Forman returned to Riverside Church, attended services, and held a press conference on the church steps after services had ended. According to the New York Times article of May 12, Rev. Lucius Walker, executive director of IFCO, appeared at the press conference with Forman and later confirmed Forman's statement that NBEDC had the support of IFCO.

The May 12 Times article reported that two of the Riverside Church's officials described the reparations demands as "blackmail" and "a plain holdup."

A later development in the issue was reported by the Washington Post of July 12 under the title, "Jewish Agency Quits Over Black Manifesto." Rabbi Marc Tanenbaum, an official of the American Jewish Committee, stated that the committee was withdrawing from IFCO, and the "critical factor" in the withdrawal was the refusal by IFCO "to take a clear stand as to where IFCO stood on the matter of the ideology of the Black Manifesto with its call to guerrilla warfare and resort to arms to bring down the Government."

It will be interesting to see how many other religious organizations which sponsor IFCO will object to the blackmail tactics and revolutionary ideology of Forman and his Black Manifesto. The other members of IFCO are the American Baptist Home Mission Society, Board of Homeland Ministries of the Church of Christ, Board of Missions of the Methodist Church, Board of National Missions of the United Presbyterian Church, General Board of Christian Social Concerns of the Methodist Church, Catholic Committee for Urban Ministry, National Catholic Conference for Interracial Justice, and the Foundation for Voluntary Service.

As I have observed before, an added burden which our churches can do without is the possible alienation of members of its congregations due to the use of church funds for questionable causes. Surely there are better and more responsible channels for aiding the poor than through vehicles such as IFCO.

I include in the RECORD at this point the above-mentioned article from the Washington Post of July 12:

JEWISH AGENCY QUITS OVER BLACK MANIFESTO

NEW YORK.—The American Jewish Committee has become the first group to withdraw from membership in the Interreligious Foundation for Community Organization.

Rabbi Marc Tanenbaum said the "critical factor" in AJC's pulling out was IFCO's "refusal to take a clear stand as to where IFCO stood on the matter of the ideology of the Black Manifesto with its call to guerrilla warfare and resort to arms to bring down the government."

IFCO officials termed this a "poor excuse" for withdrawal, stating that IFCO does not accept or reject groups on "the basis of ideology."

The official letter of withdrawal, signed by Bertram H. Gold, executive vice president of the American Jewish Committee, and dated June 18, stated that another reason for the withdrawal arose from the fact that the committee "is the only national Jewish agency" which has been a member of IFCO.

"While we have been appreciative of the opportunity to help develop this interfaith, interracial coalition," Gold wrote, "this has created a number of problems whose resolution we can no longer afford to postpone."

Pointing out that Rabbi Tanenbaum had tried unsuccessfully to get other national Jewish groups with inner-city problems to join IFCO, Gold said the committee "cannot continue to give the impression that it represents the entire Jewish community in the work of IFCO."

The American Jewish Committee was one of the 10 founding members of IFCO when it was begun two years ago as an agency through which Protestant, Catholic and Jewish groups could fund community based projects, particularly in poor areas.

Rabbi Tanenbaum, national director of the committee's inter-religious affairs department, was president of IFCO during the past year.

IFCO sponsored the National Black Economic Development Conference meeting in Detroit in April which approved James Forman's Black Manifesto, which seeks $500 million in reparations from the nation's white churches and synagogues.

Louis J. Gothard, associate director of IFCO, said the American Jewish Committee's opposition to Forman's "rhetoric" in the introduction to the Manifesto was a "poor excuse for their action."

"We have never rejected any group on the basis of ideology," said Gothard. "And AJC never complained before."

He said he regretted that the Jewish agency had left IFCO and also regretted that the organization had been "unable to generate resources comparable to those of other members." The Committee gave $3000 to IFCO while it was a member, Gothard said.

Asked how IFCO viewed the "rhetoric" in the introduction of the Black Manifesto, Gothard said "I think we've seen it as the rhetoric of an individual (Forman) and that has little bearing on the programs he proposes, which are mild and reformist."

The Black Manifesto proposes a black land bank in the Southeast, a "Black University," black communications centers, and other education and economic development programs.

Rabbi Tanenbaum described the American Jewish Committee's exit from IFCO as "taking two steps backward while trying to take one step forward."

The "one giant step forward," he explained, is a plan for an all-Jewish organization that would bring together the combined financial and leadership resources of 23 national religious, communal, philanthropic, social welfare and women's organizations.

He said the contemplated organization, like IFCO, would be committed to the economic development of the poor.

Rabbi Tanenbaum said there is a "possibility" that the organization he hopes will be formed will "fund through IFCO but not be a member of IFCO."

"We made it very clear" said the rabbi, "that there was a great admiration and respect for the achievement of IFCO in such a short time."

Since September, 1967, when it was founded, IFCO has provided $1.5 million for community projects. The projects are all independent of IFCO, but some of the projects are represented on the IFCO board of directors.

BISHOP LEONARD VOWS "COMMUNITY EFFORTS"

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to insert in the CONGRESSIONAL RECORD the article from the Pittsburgh Press, Wednesday, July 2, 1969, on the installation of Bishop Vincent Leonard as prelate of the Pittsburgh Catholic Diocese, which took place at St. Paul's Catholic Cathedral on that date. Bishop Leonard is an outstanding religious and civic leader of Pittsburgh and Western Pennsylvania, and highly respected by all nationalities and faiths.

The article follows:

AT COLORFUL INSTALLATION HERE—BISHOP LEONARD VOWS "COMMUNITY EFFORTS"

(By Robert Schwartz)

The traditional luster of the Roman Catholic Church ritual blended with a pledge to continue the ecumenical efforts of the community today in the installation of Bishop Vincent M. Leonard.

The prelate of Pittsburgh's Catholic Diocese was enthroned in a simple yet colorful installation ceremony before an overflow audience shortly before noon today at St. Paul's Catholic Cathedral, Oakland.

It was a native Pittsburgher who at 60 years of age became the diocese's ninth bishop and successor to John Cardinal Wright, now serving on the curia in Vatican City as prefect of the Congregation for the Clergy.

High church officials, including archbishops and bishops, government representatives and men from the judiciary joined with the citizens of Western Pennsylvania to pay tribute to a native son.

Archbishop Luigi Raimondi, apostolic delegate to the U.S., came here from Washington, D.C., to lead in the installation ceremony and to join with other bishops and priests in a concelebrated mass.

The actual installation of Bishop Leonard, who had been auxiliary bishop of the diocese, took place as Archbishop Raimondi led him to the episcopal chair—symbol of his new responsibility and authority.

Msgr. Anthony G. Bosco, diocesan chancellor, read the apostolic letter appointing Bishop Leonard as the Pittsburgh prelate. The letter had been presented to Archbishop Raimondi.

Opening with a colorful processional of the hierarchy, priests and religious, the installation ceremony was brief but impressive.

From the first notes of the great cathedral organ and trumpets in the opening of Jacques Lemmens' processional, "Marche Pontificale," to the concluding prayer was a blending of pagentry and spiritual petition.

Bishop Leonard, in his sermon, renewed his pledge to co-operate "in all things that serve the good" of Southwestern Pennsylvania.

Paying tribute to his predecessors and particularly to Cardinal Wright, Bishop Leonard noted that Cardinal Wright had steered the diocese "in an ecumenical spirit toward collaboration with other faiths in meeting the ills that face our community."

"To the continuation of these ecumenical endeavors," Bishop Leonard said, "I have already pledged myself to the official representatives of those faiths, many of whom are present with us in the sanctuary of this cathedral."

CAN'T NEGLECT PRINCIPLES

Touching the church's relation to the world community and its social problems, Bishop Leonard said "it must be made clear that we cannot neglect principles nor subscribe to half truths."

"We must not only desire peace," Bishop Leonard told his congregation, "but we must work for peace. Yet we cannot belittle nor despise true patriotism.

"We have to redress injustices, yet not violate the essential human liberty of others. We must work for the relief of human misery at home and abroad without disregarding law, human or divine.

"We shall always seem to be at a disadvantage with those who can see only one set of principles at a time. Yet we must play our part even to a greater degree in trying to make this temporary world a better place in which to live."

The sermon was delivered during the concelebrated mass which followed the installation.

OTHERS ASSIST

Concelebrants were Archbishop Raimondi; Bishop Leonard; Auxiliary Bishop John B. McDowell; Msgr. Ladislaus Rokosz, pastor of St. Adalbert Church, South Side, representing diocesan consultors; Msgr. Michael A. Dravecky, pastor of Holy Trinity Parish, Duquesne, representing deans of the diocese.

Father Elroy I. Grundler, pastor of St. Peter's Church, Butler, representing the Clergy Council and diocesan priests; Father Wilbert A. Farina, pastor of Madonna del Castello, Swissvale, representing jubilee priests; Msgr. Thomas M. Janeck, minister provincial of St. Francis Friary, representing religious orders, and Father Edward J. Kunco, assistant pastor of St. Benedict Parish, Peters Twp., representing newly-ordained priests.

Protestant clergymen attending the installation included Bishop Robert B. Appleyard of Pittsburgh Episcopal Diocese; the Rev. Dr. William Ruschhaupt, chief executive officer of Pittsburgh Presbyterian; the Rev. W. Lee Hicks, executive director of the Council of Churches, and the Rev. Howard M. Ravenstahl of St. Matthew's Lutheran Church, Crafton.

SOLEMN COMMITMENT

Archbishop Raimondi reminded the installation audience that the work of bishop also is the responsibility of everyone assigned to his care.

"All will, therefore, willingly and generously renew their solemn commitment to collaborate with him in this joint enterprise of Christ and His church."

Msgr. Paul J. Simko, pastor of St. Patrick's

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Church, Canonsburg, led in prayer for the bishop.

And during the chanting of the Psalm of Thanksgiving—Psalm 104—representatives of segments of the diocese approached Bishop Leonard to give their reverential act of obedience and loyalty.

A luncheon for invited guests followed this afternoon at the Webster Hall Hotel.

STATE SENATE LAUDS BISHOP LEONARD

HARRISBURG.—The Senate has adopted a resolution extending its best wishes to Bishop Vincent M. Leonard, who was installed today as bishop of the Pittsburgh Catholic Diocese.

Signed by all Republican and Democratic senators from the Pittsburgh district, the resolution commends the bishop for his years of service, his concern for the poor and the aged and his "warmth, humility and friendliness."

NOISE POLLUTION

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. OTTINGER. Mr. Speaker, we are properly concerned with water pollution and with air pollution these days—we are concerned with other offenses against our environment as well.

At the same time, we tend to ignore one of the most pervasive and perhaps destructive forms of annoyance—noise. Anyone who feels that he is immune to the anger and frustration associated with the incursion of unnecessary noise is invited to go to the Shakespeare Summer Festival on the grounds of the Washington Monument, to hear what he can of the plays produced under the stars and the flight pattern. If his inclination is musical, the Watergate concerts offer the same entertainment—assuming of course, that a descending or ascending jet is music to the ears.

Evidence is accruing that the problems associated with the noise are more than psychological—that indeed our health is threatened by the increasing sound levels to which we are constantly and involuntarily exposed. Medical World News has published an excellent article in its June 13 issue, entitled "How Today's Noise Hurts Body and Mind," and I recommend it to my colleagues. The article quotes one highly respected scientist:

> Noise, like smog, is a slow agent of death * * *. If it continues to increase for the next 30 years as it has for the past 30, it could become lethal.

The article goes on to quote others to the effect that, although Congress is the best and most likely source of proper legislation on the subject, it has shown little inclination to act as yet. Various agencies have shown interest in the problem—HEW and DOT have put cautious toes into the water, but this is clearly not enough and the water level is rising.

I urge that the Congress familiarize itself with this problem and that it begin to address itself to the serious consequences of its inaction.

The article follows:

HOW TODAY'S NOISE HURTS BODY AND MIND

The white-haired, tanned man on this week's cover was not at all uncomfortable as he pulled up a stool to join a discothêque rock musical group. As the young musicians cranked up their amplifiers and tuned their electric guitars, he set a rectangular box down in front of him and then quickly slipped on a pair of large yellow ear protectors, similar to those worn by airport ground personnel.

The musicians cut loose to do their thing, and Dr. Samuel Rosen calmly did his—adjusting several knobs on his audiometer to measure the amount of noise generated in the typical discothêque.

After recording a decibel level of 114—"much too much and definitely dangerous to a person's hearing"—the New York otologist asked the leader of the group how often they played.

"Oh, at least 12 hours a week."

"And how's your hearing?" Dr. Rosen inquired.

"I went deaf in my right ear for a few weeks, but it's okay right now."

"How about the rest of you?" Dr. Rosen asked the other members of the group.

"Huh?"

"What did he say?"

"Can't hear you, Doc!" they called out with wry grins.

Dr. Rosen, who is well known for his pioneering innovations of stapes surgery to restore hearing to victims of otosclerosis—a technique which he perfected in 1952 and which is now performed more than 150,000 times each year in the U.S.—visited the discothêque as a demonstration of the dangers of excessive noise to the hearing and physical health of modern man.

Physicians and acoustical physicists are increasingly alarmed at the continuous exposure of humans to levels of everyday noise which not only destroy the cilia of the inner ear, resulting in neurosensory hearing loss, but also cause measurable physiological harm as well as suspected psychological and emotional damage. They measure sound in decibels. In general, a decible represents the smallest difference of loudness that the human ear can ordinarily detect between the loudness of two sounds. Noise specialists rate decibles according to the A scale, which is weighted against low-frequency sounds to reflect the fact that high-frequency sounds are more unpleasant, and apparently more harmful, than low-frequency sounds of the same loudness.

Conversation in a relatively quiet setting ranges around 60 decibles, and the roar of traffic or sounds of factory machinery are typically at about 80 decibles. Anything above 80 is likely to be uncomfortable. At 90 or above, the experts start worrying about effects on health.

One common household appliance, the food blender, emits 93 decibels, and a subway train screeching around a curved track goes up to 95. The motorcyclist revving up his bike generates 110 decibels, and a jet plane taking off will assault unprotected ears with 150. Some other decibel levels of everyday noisemakers include: garbage disposal units, 80; riveting guns, 110; textile looms, 106; power lawnmover, 96; farm tractor, 98; and a newspaper printing press, 97.

The lowest audible sound is defined as one decibel. Louder sounds are measured on a logarithmic scale according to the power with which the sound assaults—or tickles—the ear. Thus, a 20-decibel sound is ten times as loud as one of 10 decibels, and 80 decibels is a million times louder than 20. Surprisingly, a dropped pin, the proverbial softest sound, actually can reach several decibels, especially when it lands on a library floor. Zero decibels has been defined by some acoustical engineers as "the push of a healthy mosquito."

Is modern urban living becoming noisier? Acoustical engineer Ray Donley compared background noise levels in residential communities in 1967 with a similar measure made in 1954. The 13-year rise in the average levels of sound—that is, nonannoying sounds—ranged from 4 db to 9 db.

But in peak levels—intrusive, obnoxious noises—1967 showed an increase of 16 db over 1954.

"Noise is sexy—it's the newest pollutant, and everyone is hot to denounce it," says one federal official. There is no question that noise is the "in" pollutant this year. Last month the AMA followed the lead of the federal government and local agencies by calling together a Congress on Environmental Health to consider the threats posed to man's health by the noisy fruits of his technological progress.

"The noises of our daily life have been blamed variously for the high divorce rate, social conflict, indigestion and other organic disabilities, nervous breakdown, high blood pressure, heart failure, and even insanity," reports Dr. Leo L. Beranek of Cambridge, Mass., one of the country's most outspoken acoustical experts. Most of these suggestions result, he believes, from overvivid imaginations, but "one cannot rule out the possibility that some people are particularly sensitive to noise just as others are allergic to nuts, eggs, or dust."

In the city that many experts rate as the noisiest city in the world—Caracas, Venezuela—several university professors undertook a study of what appeared to be the inordinate grumpiness of the town's citizenry. "It's the terrible noise that has turned citizens from happy, friendly people into grouchy people who generally also suffer from poor hearing," they reported. They blame the high noise level on the fact that Caracas, surrounded by high mountains has 1.5 million residents and 200,000 automobiles—all with loud horns.

Like air and water pollution, noise has crept up insidiously and is only now gaining appropriate recognition. Modern man is floundering in his inability to control the noise around him just as in trying to check the amount of filth pumped into his atmosphere and the chemical wastes which have turned his rivers and lakes into cesspools.

After years of complacence and rugged adaptation to his environment—"Oh, you don't mind the racket once you get used to it!"—urban man has finally come to realize that incessant exposure to jackhammers, rattling garbage cans, diesel trucks, alarm clocks, jukeboxes, and blaring transistor radios may well be a serious hazard to his physical and mental health.

To the clinician, noise pollution is as much a threat to certain patients as air pollution is to asthmatics or patients with emphysema. Studies have shown that prolonged exposure to noise or sudden, sharp noise produces involuntary responses by the vascular, digestive, and nervous systems. The danger to hearing is obvious, but the more subtle physiologic and emotional responses to noise place the physician in the position of having to advise his patient too remove himself to a quieter environment.

Speaking at the AMA Congress on Environmental Health, Dr. Gerald Dorman, AMA President-elect, outlined the role of the physician: "He can serve as liaison between his patients and the engineers and other specialists who can provide the sound environment conducive to good health. He can help his patients adjust to those conditions that cannot be changed. And he can become better informed on the physiological and psychological effects of noise."

The short-term physiologic effects of sudden noise are relatively easy to study. "Epinephrine is shot in to the blood, as during stress and anxiety," says Dr. Rosen. "The heart beats rapidly, the blood vessels constrict, the pupils dilate, the head turns, the skin pales, and the stomach, esophagus, and intestines are seized by spasms. When the noise is prolonged, there are heart flutters that eventually subside when the noise diminishes." A three-year study of university students by investigators at Germany's Max

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Planck Institute showed that 70 db of noise consistently caused vascular constriction—particularly dangerous if the coronary arteries already are narrowed by atherosclerosis.

Noise can also have long-term physiologic effects. In animal experiments, for example, rabbits subjected to eight weeks of high noise showed elevated cholesterol levels as well as increased atherosclerosis in their aortas.

Does excessive noise produce the same results in humans? Few investigators are willing to say so publicly, though many of them suspect that it does. There just is not enough scientifically convincing information. Dr. Aram Glorig, director of the Callier Hearing and Speech Center in Dallas, suggests that "much more unemotional research must be pursued before any valid conclusions can be reached."

Common household noise is particularly likely to be the unsuspected culprit in ailments that have a psychosomatic component, claims Dr. Lee E. Farr of the University of Texas School of Public Health in Houston. He suggests that the wife who runs a loud vacuum cleaner in the evening may be contributing to her husband's allergies and ulcers as well as to frayed nerves.

The one danger of noise on which all investigators agree is damage to hearing. Extensive studies in animals as well as humans have established that prolonged exposure to extreme noise will result in definite hearing loss, just as living in a large city gradually will deprive a man of some of his hearing. Dr. Rosen has conducted extensive epidemiologic studies in several relatively quiet populations, ranging from the Mabaan tribe in the Sudan to the Lapps in northern Finland. He has found that Mabaans in their mid-seventies had just as good hearing as 15-year-old boys in the tribe. Of course, he points out, noise is not the only element lacking from Mabaan life; the tribe enjoys a low-fat diet and freedom from high blood pressure and heart disease.

The intensity and duration of industrial noise pose an obvious threat. The man who operates a jackhammer each day runs the same risk of losing some (or most) of his hearing as the airport employee who refuses to wear ear protectors. The Public Health Service has found that industrial workers who are regularly exposed to high levels of noise tend to have poorer hearing than persons of the same age and sex whose noise exposure is considerably less.

The workers studied include those involved in dam-, canal-, and road-building activities that require the constant racket of large bulldozers, scraper-loaders, compactors, and other heavy earth-moving equipment. Also checked were workers at a paper bag manufacturing plant, as well as airport personnel who spend time daily in outdoor airport ramp areas.

The PHS conclusions were presented to the AMA noise congress by Dr. Alexander Cohen, an experimental psychologist who is chief of the PHS National Noise Study, the only government project concerned exclusively with the effects of noise on people and work performance. "The level and duration of steady-state noise exposures in mechanized industry are very likely to cause hearing loss," Dr. Cohen told the participants. He defines a steady-state noise as "one essentially free of noticeable transients or sound bursts."

But some experts point to everyday noise—from mass transportation, household appliances, power tools, hobbies, and recreational activities (motorboating or drag racing)—as more insidious than the obvious industrial racket. Dr. Cohen suggests that such "sociocusis" (which is different from the hearing changes due to advancing age, or presbycusis) presents a major problem in defining "normal hearing."

Sociocusis can also embrace a host of individual-generated noises, such as blaring transistor radios, outdoor loudspeakers (particularly during election campaigns), braying jukeboxes, and the deafening discothêque. This last source of high-volume sound has caused many physicians to fear irreversible hearing damage in young people.

"The recreational environment is glutted with hazardous sound-generating devices that justify study and control," Dr. David M. Lipscomb of the University of Tennessee warns. "Ear protection should be encouraged and made attractive to young people." Dr. Lipscomb is a professor in the department of audiology and speech pathology.

Lest Dr. Lipscomb be accused of being a square, he backs up his condemnation of rock 'n' roll music with the results of experiments he has conducted with a guinea pig. He recorded a "hard rock" session at a Knoxville discothêque, then played it for the guinea pig at the same decibel level he had measured in the discothêque. The listening sessions were spread out over three months at intervals comparable to the listening habits of the discothêque habitué. That is, the guinea pig would be exposed to as much as four hours of rock at a time, while other days, none was played.

For the first 25 hours, both ears were exposed. Then the animal's left ear was plugged. After more than 88 hours of this, the animal was put out of its misery and its cochlea cells examined. The cells in the left ear were normal, but many cells in the exposed right ear were destroyed.

"The alarming feature of this report is that considerable permanent damage was found in the delicate cells responsible for providing the sensation of hearing," Dr. Lipscomb says.

The rock 'n' roll musician who told Dr. Rosen that he had temporarily lost his hearing in one ear may have been one of those people who suffer a rather marked threshold shift of 40 db or 50 db after exposure to extremely loud noise. This is different, however, from the popular misconception that an eardrum can be "blown" by loud noise. Military physicians are familiar with the ruptured eardrum, an acoustical trauma that can result from a sudden, intense sound wave pressure from field artillery or a nearby explosion. If there is no disruption of the bones of the middle ear, and if the eardrum heals, hearing generally returns to the damaged ear.

Mental and emotional damage is harder to measure. "Nobody has any answers about this yet, but we need them—very badly," an investigator at the National Institute of Mental Health warns.

In Washington, nearly everyone seems excited about the noise problem, but hardly anyone is willing to talk except off the record. This reticence appears to be caused by the fact that nothing is happening legislatively right now. There is no specific anti-noise measure in the Nixon Administration's legislative program, although this does not mean a total lack of concern.

Charles C. Johnson Jr., administrator of HEW's Consumer Protection and Environmental Health Service, concedes that "urban noise levels can certainly lower what has been vaguely referred to as the 'quality of life,' and by contributing to reactions of general fatigue and annoyance, they pose a health effect of unknown dimensions." He believes it is likely that the noise problem "is more serious than available data might suggest," particularly if one considers the psychological stress as well as the direct hearing loss associated with it.

Surprisingly, the Department of Transportation may be slightly ahead of HEW. Late last month, Secretary John A. Volpe signed a contract giving an Arlington, Va., firm called Serendipity, Inc., slightly less than half a million dollars to study noise and its cures. "Transportation noise is a form of environmental deterioration of major concern to this Administration," Volpe declared.

There's very little medical or phychological research going on in this area right now, but various NIMH officials privately are hoping that the federal government will underwrite a series of projects to gather information about the nonphysiologic effects of noise on people.

In one "ideal study" currently being discussed by NIMH personnel and grantees, a housewife would be equipped with sensors that would telemeter her body changes during her everyday exposure to noise. Also, she would be encouraged to dictate into a tape recorder or jot down any unusual feelings or pressures.

One sociologically timely theory that the NIMH investigators would like to check suggests that "startle" sounds—that is, sudden noises loud enough to produce visible physical effects—may have different psychological consequences in urban slum areas than in the suburbs. Studies on both animals and humans have shown that in a quiet situation, a noise in excess of 100 db will produce the startle effect. But in an environment of 70 db of "white noise," the same startle sound of 100 db or more will touch off a much more violent reaction. That is, the noisier the environment, the more dramatic will be the effect of any startle sound.

Some psychiatrists and psychologists believe that in the unusually high noise level—traffic, sirens, police whistles, noisy children, blaring television sets, and transistor radios—in the slums, just one extra startle sound may often trigger violence. Even in quiet suburbia, the man who comes home after a tense, stressful day in a noisy environment may say nothing when he discovers the kids camped in front of an inordinately loud television set. He may not even react consciously to his daughter's phonograph. Then a child will accidentally drop a toy, or the telephone will ring, or his wife will yell suddenly at a child—and he flares up wrathfully.

One NIMH official says it is "very likely" that a startle sound could propel the excitable, neurotic, or prepsychotic person over the border of rational behavior.

Men who are exposed to prolonged loud noise usually show a greater sensitivity to their environment, Dr. Rosen believes, "They are more inclined to argue, fight, or fly off the handle suddenly."

On the issue of long-term physiologic and mental damage, Dr. Cohen has not yet chosen sides. "My jury is still out," he says, though he feels that the view that noise causes no long-term ill effects is difficult to accept.

The problem, he feels, is that American noise experts have done little actual physiologic research on the extra-auditory effects of noise on the human body. "The American investigator is afraid to invest ten years in a detailed comparative study with the prospects of ending up with nothing. But this is precisely the sort of study that is needed."

One suggestion for protecting the hearing from everyday noise is the use of earplugs or ear protectors. "These can reduce the intensity of noise to some degree, but not enough to really protect the individual," Dr. Rosen says. And otologists generally agree with this point of view.

What then can be done?

Some experts are distinctly pessimistic. "Noise, like smog, is a slow agent of death" is the opinion of UCLA chancellor emeritus Vern O. Knudsen. "If it continues to increase for the next 30 years as it has for the past 30, it could become lethal." An acoustical physicist who has served as consultant for design and construction of more than 500 auditoriums, including the Los Angeles Music Center and New York's Philharmonic Hall, Dr. Knudsen is an advocate of muffling noise that cannot be eliminated. He suggests that spending perhaps 5% to 10% more on construction costs can effectively soundproof buildings and reduce noise by as much as 50 db.

Many physicians are organizing and joining civic action groups, such as the Citizens

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for a Quieter City, which has achieved some success in New York. This group and others have worked closely with the city government, city departments, and private industry to develop codes with which industry can live and which the city can enforce. So far, these cooperative activities have resulted in getting one manufacturer to install silencers on all new jackhammers. A manufacturer of compressors has agreed to develop a quieter model, and an automotive manufacturer is working on a quieter garbage truck which the city has agreed to purchase.

That last step should please the irate (and perhaps apocryphal) Manhattan resident who was routed from his sleep one summer morning by a symphony of clattering garbage cans and roaring sanitation department trucks. Running outdoors, he grabbed the nearest performer of this morning serenade and turned him upside down. Shouting, "I'll make this bloody city whisper," he stuffed the man into a large trash barrel. Came the Bronx-accented voice from inside: "All right, Mac, not so loud."

Legislation to control noise has not gotten very far in many local governments or in Congress because, as one legislator put it, "there just isn't enough public pressure for strong antinoise laws."

Indeed, some people seem to like noise. "In many cases, a quiet piece of equipment won't sell," says Ray Donley, chief engineer of Hearing Conservation, Inc. Detroit spends thousands of dollars to create just the right sound for slamming car doors. And, says Donley, "a nearly silent vacuum cleaner—which is technically feasible—is not likely to sell very well. Unless it sounds powerful, today's woman won't believe it is really cleaning."

The only federal attempt so far to define acceptable levels deals with noise in industrial setting. The Walsh-Healey Act, passed in the closing days of the Johnson Administration, establishes a maximum decibel level of 90 as a standard for all contractors doing business with the government.

But while 90 db is not the gentlest on the ears ("At this level, you'd have to shout to be heard," Dr. Cohen points out), many federal officials are pleased that at least a start has been made toward federal noise control. "Of course, these standards are only as tough as the manpower we have to enforce them," one official explained.

The case of the supersonic transport (SST) is an example of how repeated warnings by antinoise forces have not yet been strong enough to move Congress to do anything to prevent the development of a source of noise that many fear will be a formidable danger. Of course, some insist that if the SST is permitted to exceed the speed of sound only over oceans, its noise level over land will be no worse than that of conventional jets.

Such progress as there is, is being made on the local level. Memphis has made itself on of the quietest cities in the U.S., winning 16 national noise abatement awards in a row. But New York's efforts, while considerable, are infinitesimal beside the daily racket of the city. And while some suburban communities near large airports have passed stringent laws governing the decibel levels permitted for planes flying over their boundaries, these are hard to enforce unless a town sets up its own pursuit-plane police force. And the airlines complain that it is unreasonable to expect them to conform to dozens of widely differing local ordinances.

New York State has attempted to cut down the roar of traffic by limiting trucks that use tollways and state highways to a maximum of 88 db. State troopers have been stationed near tollbooths along the Thomas E. Dewey Thruway at Larchmont with hand-held decibel meters to enforce the law.

Describing local attempts to contain noise pollution in all its aspects, a federal official recently shook his head sadly. "The federal government is doing precisely nothing about noise, but Congress is the only hope for realistic legislation. The local governments are passing laws and denouncing noise, but they're doing it without expertise. They're really just enthusiastic amateurs. In this particular situation, I think it is only the federal government that can come up with any kind of workable solution. So much noise is generated by interstate activities that, given strong public support, Congress could really raise hell with the noisemakers and force them to reduce their reckless assault on the senses of the people. Look what happened with auto safety."

UCLA's Dr. Knudsen, who routinely inserts earplugs when he steps out of his noise-free office into Los Angeles traffic, sums up modern man's predicament in the face of the continuing assault on his ears: "The elephant has ear flaps to live in his jungle, but man has no flaps for his."

ADVISORY COMMITTEE IN ACTION: A NEW APPROACH TO COMMUNITY INVOLVEMENT

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. PODELL, Mr. Speaker, I founded our congressional district's advisory committee to obtain deeper involvement by my constituents in the governmental process as well as to constantly be aware of issues and ideas of most concern to them. On a regular basis, these members of our community have given of their time, informing me of opinions held on issues affecting all of us. This activity has ranged from international positions and national programs to local desires and evolving thoughts throughout the 13th Congressional District. I have learned much from these dedicated, committee people. Recently, we have taken another forward step in the area of community involvement and participation.

On Sunday, April 20, the first annual meeting of the advisory committee was held at William E. Grady Vocational High School. I deem this venture a significant success. Citizens from all over our congressional district joined me in a series of probing discussions on housing, city planning, urban development, crime, education, business, taxation, labor, health, hospitals, welfare, community relations, science, research, and technology. Views were aired, problems delved into and positions taken. I gleaned much in the way of district opinion from this gathering.

Presence and participation of local officials and prominent members of the community insured meaningful airing of views and pertinent presentation of opinion.

The panel on housing, city planning, and urban development was chaired by Robert Salman of the advisory committee. Present as guest panelists were: Hon. Vito Batista, assemblyman; Hon. Kenneth Knigin, councilman; and Hon. Steve Solarz, assemblyman.

CRIME

Moderator: Sheldon Walker, Esq.

Present as guest panelists were: Hon. Sidney Lichtman, assemblyman; Inspector Thomas Read, who represented Police Commissioner Howard R. Leary; Hon. Elliot Golden, chief, assistant in the district attorney's office, Kings County; Capt. Joseph Meseall, police department; Patrolman Irving Fisher, of the public relations office of the police department.

EDUCATION

Moderator: Dr. Harvey Bien.

Present as guest panelists were: Dean Lester Singer, of New York Community College; Hon. Albert B. Lewis, State senator.

BUSINESS, TAXATION, AND LABOR

Moderator: Mr. Martin Antelis.

Present as guest panelists: Hon. Louis J. Lefkowitz, attorney general of the State of New York; Hon. Solomon Z. Ferziger, regional director of the Small Business Administration: and Julius Venner, Esq., counsel to State Senator Samuel Greenberg.

HEALTH, HOSPITAL, AND WELFARE

Moderator: Mr. Ronald Hoffman. Present as guest panelists were: Dr. Lowell E. Beilin, executive director of medicaid; Hon. Robert A. Low, councilman.

COMMUNITY RELATIONS

Moderator: Howard Rhine, Esq. Present as guest panelists were: Hon. Simeon Golar, chairman of the Human Rights Commission of the City of New York; Hon. Leonard Silverman, assemblyman; Hon. Howard Golden, State committeeman; Rabbi Abraham Hecht, Rabbi Sidney Z. Lieberman, Rabbi Max Schreier.

SCIENCE, RESEARCH, AND TECHNOLOGY

Moderator: William C. Schneider, Director of Apollo Applications for NASA, formerly Mission Assistant, Gemini project. Present as guest panelists were: Prof. John Boardman, Physics Department of Brooklyn College; Mr. E. Z. Gray, assistant to president of Grumman's Aircraft for Space, formerly Director of Advanced Manned Mission and NASA.

We were also honored by the presence of Hon. James Scheuer, Congressman; Hon. John M. Murphy, Congressman; Hon. Hugh Carey, Congressman; and Hon. Eugene Gold, district attorney, Kings County. I then had the pleasure of introducing my guest speaker, Mr. Theodore Sorenson, who inspired the plenary with a delightful discourse on the new politics.

During the course of the day, vigorous debate was common. Benefits accruing to our society through space research, housing problems, human rights, civil liberties, aid to education, city planning and drug problems ranked high in interest and discussion. Tax rates and labor problems provoked intense exchanges as the community, through the advisory council, came face to face with appropriate officials.

It was the closest I have ever been to the classic New England town meeting, and I intend to continue and extend this form of on-the-spot democracy. This venture into active community participation and dialog on society's problems affecting us all directly proved the worth of the advisory committee. It is, in my eyes, a novel, excellent approach to my main goal—to effect a continuing exchange between our community and its elected officials. The people have a right to expect this, and as a Congressman, I

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can do no less. Because we have a high percentage of dedicated, committed and involved citizens, it can be made into a reality.

I wish to thank the members of the advisory committee, our distinguished visitors, and those who attended as concerned citizens for their active participation. I fervently hope their involvement in the future will increase, and that others will be drawn in. This is participatory democracy at its finest, and I am most responsive to it. Further programs revolving around the advisory committee will follow in the future.

At this time I wish to extend my special thanks to Mr. Ronald Fischetti, Mr. Gerald Wygoda, and my Youth Action Corps, which has involved itself in so many key areas within our district and community at my request. It operates my mobile office, working on traffic problems, veterans' affairs and a tutorial and big brother program. They are a glowing example of how mature and effective young people can be.

Finally, it is important to add that the advisory committee is constantly active in the most productive sense. An active consumer protection committee is already informing the district on consumer frauds. Drug addiction and further aid to education in the district are being probed. Rent gouging in decontrolled apartments as well as the welfare system and high hospital costs. New ideas and further involvement deepen and proliferate daily, and this type of ferment is all I hoped for.

I hope all concerned citizens will consider this an open, warm invitation to participate in the work of our advisory committee. I invite all young people to join my Youth Action Corps. If you are interested, please drop me a note at our Brooklyn congressional office, 1507 Avenue M, Brooklyn, N.Y. 11230. Phone: 336-7575.

DEFENDING PROGRESS IN KOREA

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. HANNA. Mr. Speaker, 16 years after the Korean war armistice, the Republic of Korea remains a victim of aggression from the north. A United Nations command report on North Korean armistice violations in 1968 lists 542 significant incidents in the demilitarized zone immediately south of the armistice line in addition to 219 incidents in the interior of the Republic of Korea itself. This high level of North Korean activity has continued during 1969. In one of the most recent incidents, South Korean forces captured a 75-ton North Korean vessel that was attempting to land commandoes and pick up an agent on Huksando Island 120 miles south of Seoul.

Unification of Korea under Communist control has always been the primary foreign policy goal of North Korea's Premier Kim Il-sung. After the Korean war, however, he stressed the reconstruction of North Korea and talked in terms of peaceful measures leading to gradual reunification. In 1962 North Korea began strengthening its armed forces and adopting a more militant tone. Since 1965 the North Koreans have increasingly accompanied their words with actions and the number of significant incidents of aggression in the demilitarized zone and in the interior of South Korea has risen from 59 in 1965 to 761 in 1968.

Paradoxically, the increased North Korean militancy has accompanied the growing success of the Republic of Korea. During the 1950's the Communists apparently hoped that South Korea, heavily dependent on U.S. financial support, might one day simply fall into their hands. Since the early 1960's the progress of South Korea has made it clear that this will not happen. Under President Park Chung Hee who achieved power in a military coup in 1961 and was constitutionally reelected in 1963 and 1967, the Republic of Korea has had a high degree of political stability. More importantly, it has had an amazingly successful economy. The rate of growth of GNP has gone from 4.2 percent in 1961 to 13.1 percent in 1968. During 1967 wages rose an average of 30 percent overcoming an 11 percent price inflation. The economy should be on the verge of self-sustaining growth by 1971.

Nevertheless there remain problems. Korea is still basically a rather poor country. Most economic progress has been in manufacturing and mining. Agriculture, which still employs most of the population has made much less progress and could act as an economic bottleneck. Population pressure is also a problem.

The Republic of Korea is moving to meet these and other problems. More resources are being put into agriculture and the birth control program is cutting the rate of population growth. In fact the next few years could probably be considered as a time of transition which will determine whether the successes of the past decade will be consummated. There is a somewhat similar situation in the political sphere for the elections coming in 1971 will be an important test of South Korean progress toward democracy. It is in the context of this transition period that recent North Korean aggression must be viewed.

Some South Koreans feel that current North Korean activity presages a new full-scale invasion across the armistice line. Currently this appears unlikely if only because of the deterrent value of the commitment indicated by the two U.S. combat divisions who join the large and effective Republic of Korea Army in guarding the border.

North Korea's stated strategy is to establish an indigenous Communist base in South Korea. From this base a Vietnam-like revolutionary war would be fought with support from the north. North Korean infiltrators are instructed to indoctrinate and recruit South Korean villagers and Kim Il-sung's government maintains the fiction that the violent actions of its infiltrators were carried out by indigenous forces.

So far the Communists have failed to establish a revolutionary base. The northern occupation of most of South Korea early in the Korean war left a legacy of anticommunism and the South Korean Government has received good cooperation from villagers in tracking down and capturing guerrillas from the north. Even student dissidents and other groups dissatisfied with the present government appear to be strongly anti-Communist and patriotic to the point of chauvinism.

North Korean raiders do, however, pose a number of threats to the Republic of Korea during the present period of political and economic transition. In the political sphere they may attempt to interfere with the 1971 elections or to provoke a stringent application of anti-Communist laws that could cause dissatisfaction with the South Korean Government on the part of some liberal groups.

In the economic sphere, South Korea's rapid growth has left her with a shortage of capital as is indicated by a prime interest rate of 26 percent in early 1968. Investment from abroad is thus vital to continued progress. Foreign investment depends on an expectation of continued stability and order. If the North Koreans were able to undermine this expectation they could hurt South Korea's economic growth. In addition, suppression of guerrillas is expensive and continued northern aggression could cause the Republic of Korea to divert valuable resources from development to defense.

So far the North Korean raids have failed to seriously hamper the Republic of Korea's political or economic development. That this is so is due largely to the efficiency of the forces defending South Korea. With the help of the populace they have been able to quickly round up northern infiltrators.

Defending the armistice line are the troops of the United Nations command under the leadership of Gen. Charles Bonesteel. These forces include the entire 570,000-man army of the Republic of Korea, two U.S. divisions, and a small number of men from other countries. They bear the brunt of almost daily border incidents and over 900 United Nations command personnel have been killed or wounded either along the border or inside South Korea since 1965. General Bonesteel describes his mission as, "maintaining the peace—not winning some war. . . ." Faced with an unpredictable enemy in a situation fraught with the danger of war by accident or miscalculation, General Bonesteel's leadership has been vital in preserving the peace that is necessary for South Korean development.

Within South Korea, the regular army is supplemented by civilian forces including the police and local militia organizations. Among the forces that have been most important in anti-infiltration operations is the Republic of Korea Central Intelligence Agency under the leadership of Kim Hyung Wook.

Under men like Bonesteel and Kim, South Korea's defense forces have provided an effective shield behind which the country can deal with its internal challenges. Continued vigilance should permit the Republic of Korea to go from the successes of the past decade to even greater successes in the next.

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THE INCREDIBLE DREAM: A WALK ON THE MOON—PART V

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. MURPHY of New York. Mr. Speaker, fear, anticipation, hope, great joy, and pride That is the countdown of human emotions as we prepare to launch man across the vast oceans of space to another planet and a new era. In his revealing series of articles prior to blast off Wednesday, New York Daily News Science Editor Mark Bloom gives us the lowdown on efforts to make sure nothing "bugs" the Appollo 11 astronauts—and that includes the President who had to cancel dinner plans. Mr. Speaker, under leave to extend my remarks in the RECORD, I include Mr. Bloom's informative "Blast-Off Minus 5" article:

APOLLO 11—BLASTOFF MINUS 5—LOOK WHO ISN'T COMING TO DINNER

(By Mark Bloom)

When President Nixon wants to have dinner with someone and can't, there has to be a pretty good reason. In the case of Nixon's cancelled dinner plans with the Apollo 11 astronauts, the reason was germs. Not the astronauts' germs, but the President's.

And the background behind spoiling Nixon's plan to have dinner with astronauts Neil Armstrong, Michael Collins and Buzz Aldrin on the eve of their blastoff is an elaborate operation designed:

To see if there is any bacterial, viral or other microscopic life on the moon.

To protect the world against a possible epidemic caused by moon germs, on the highly unlikely chance they exist, which might prove too much for human, animal or plant defensive systems and earth medicine, also unlikely.

Space agency physicians have catalogued the natural bacteria of the three astronauts and will know if they pick up any last-minute viruses.

However, they do not know what natural bacteria the President carries (yes, even President's have germs) and they were worried about the prospect of Nixon transmitting some new strains to the astronauts at the last minute.

The space doctors want to know exactly what germs travel to the surface of the moon so they can check after splashdown to make sure that the same ones, and only the same ones, have returned with the astronauts.

So when the Apollo 11 astronauts return from the moon, it won't be just another splashdown.

The recovery operations in the Pacific 1,200 miles southwest of Hawaii have been rehearsed and rerehearsed to ensure every possible precaution is taken against the possibility the astronauts, and the lunar rocks and soil they carry with them, might contaminate the earth.

It will not, however, be possible to keep a perfect quarantine from the moment the Apollo 11 spacecraft enters the earth's atmosphere.

During the final 50,000 feet of the descent to earth, venting valves in the spacecraft will have to be opened to allow pressure inside to build up from the 5.5 pounds per square inch to 14.7 pounds per square inch at sea level.

And the spacecraft hatch has to be opened briefly after Apollo 11 hits the water to allow a frogman to stuff three "biological isolation garments" in side for the astronauts.

If there are any "dread lunar germs" floating around inside the spacecraft, they could escape into the atmosphere during the venting and when the hatch is opened. However, the bulk of the scientific community and space agency doctors do not appear concerned by these brief breaches of quarantine.

Concern about the possibility of non-terrestrial organisms invading the earth was first expressed in articles in scientific journals as long ago as 1958, shortly after Sputnik 1 launched the space age.

In 1965, the space science board of the National Academy of Sciences recommended to Nasa that anything which was brought back from the moon—astronauts, equipment, rocks and soil—should be quarantined for a specific period which would start the moment the returning spacecraft left the moon.

It suggested that a laboratory with a biological barrier be built to house the returning astronauts and rocks.

The scientists had more than just quarantine on minds when they made these recommendations, which were adopted.

In addition to serious concern about lunar rocks contaminating the earth, there was concern about the earth contaminating the lunar rocks.

If studies were to be made to see if the rocks and soil bore microscopic life originating on the moon, they had to be kept free of being exposed to the earth's atmosphere.

In addition, other scientific rock studies could not wait 21 days (the period of quarantine later deemed to be sufficient) or they would be ruined. They included studies of low-level, short-lived radiation characteristics and gas analysis.

So in addition to building a laboratory for quarantine, the scientists wanted a facility where scientific studies could be begun without endangering the human race.

This laboratory became the Lunar Receiving Laboratory at the Manned Spacecraft Center in Houston, an $8.5 million building with $7 million worth of equipment inside.

The philosophy of Nasa regarding quarantine in the lab is that it would rather have the earth contaminate the rocks than the rocks contaminate the earth. Therefore, the air pressure is slightly lower inside the lab than it is outside. In this, any leak would result in air flowing inside, not outside.

As a result of the 1965 recommendations, the Interagency Committee on Back Contamination was formed in 1966 to assist and advise Nasa on ways to combat the one-in-a-billion chance there might be lunar germs.

The committee had the legal authority to review and approve all plans and procedures. In other words, if the committee had not approved the set-up from splashdown to the Lunar Receiving Laboratory, Apollo 11 could not have been launched.

The committee is headed by the Communicable Disease Center, a facility in Atlanta of the Health, Education and Welfare Department. Other agencies represented on the committee are Nasa, the Interior Department and the Agriculture Department.

The contamination operations actually begin on the moon when Armstrong and Aldrin place lunar rocks and soil in vacuum containers.

This has the double benefit of keeping the rocks in the same environment as they were on the moon when they are returned to earth and also keeping any germs on them from escaping into the earth's atmosphere.

When Apollo 11 splashes down in the Pacific, the astronauts will wait until a flotation collar is attached and the "recovery technician" frogman knocks on the spacecraft window.

Looking like a moon creature, this frogman will be wearing a biological isolation garment, a cloth suit with a helmet and gas mask-like breathing apparatus. His suit will filter against incoming air.

After the hatch opens a crack and the technician stuffs three more of these garments inside, the hatch will close again while the astronauts take about 10 minutes to don them. Their suits will filter against outgoing air.

Once the astronauts pile out into a raft, they will be sprayed by the technician from head to toe with a potent disinfectant called Betadine, turning their garments from an olive drab to a golden brown.

After the astronauts are picked up by a chopper, the technician will sink the germ-exposed raft.

The chopper, with a crew wearing filtration masks will fly the astronauts over to the carrier Hornet where the Mobile Quarantine Facility awaits.

President Nixon will also be on board, but he will have no physical contact with the astronauts. Nevertheless, there is some concern in the space agency that if anything goes wrong in the transfer of the astronauts from the chopper to the quarantine facility through a plastic tunnel, the whole ship might have to be quarantined for 21 days—including Nixon.

The Mobile Quarantine Facility is a space-age house trailer which is air and water tight. It is divided into three areas—lounge, galley and bedroom/bathroom. There, isolated from all but a Nasa doctor, technician and a telephone, the astronauts will remain for the next 67 hours.

The trailer travels by ship to Hawaii, by truck to an air force base, by plane to another air force base near the space center, and then by truck to the Lunar Receiving Laboratory, where the astronauts will stay, kept from contaminating the world until Aug. 11.

The Apollo spacecraft, picked up by the Hornet, will be wrapped in a biological isolation cover, and also flown to the lab.

The first objects from the moon to reach the lab, however, will be the lunar rocks and soil, anywhere from 50 to 130 pounds worth.

Flown by special Air Force jet, the rocks should arrive about 24 hours after splashdown.

Immediately, the science works begins, starting with the first visual examination by 15 scientists known as the preliminary evaluation team.

After about 13 hours, a "sterile" chunk of the lunar surface will be taken over by biologists and exposed to mice who have been kept in a germ-free environment since they were born by Caesarian section.

Later, the rocks will be exposed to fish, shrimp, oysters, more mice, flies, moths, cockroaches and other forms of life to see what develops.

In addition, the rocks themselves will undergo detailed biological examination.

Almost everyone believes all these tests will show up negative. But there is always that last lingering doubt, and until the tests are completed, and no exotic diseases are encountered by men or mice, the world will have to hold its breath—just a little.

For one thing the world does not need, with all the problem man creates right here on earth, is trouble from the moon.

SAN LEANDRO MATRON GETS POST OFFICE PROMOTION

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. MILLER of California. Mr. Speaker, Postmaster John F. Bushell of Oakland, Calif., himself a career employee of the Post Office Department, has appointed Mrs. Ophelia Robinson, a Mexican American, to a high supervisory level in the Oakland Post Office.

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Postmaster Bushell is conscious of the problems confronting us today with respect to the minorities and has in his own way quietly given recognition to the minorities.

I congratulate him and I wish that there were more like him in the postal service.

An article from the July 4, 1969, California Voice, Oakland, Calif., follows:

SAN LEANDRO MATRON GETS P.O. PROMOTION

Postmaster Bushell announced the promotion of Mrs. Ophelia Robinson to the position of foreman of mails. Mrs. Robinson is one of six female employees being elevated to the position. Her appointment is unique in that she is the first female Mexican-American ever appointed to that supervisory level in California, Nevada and Hawaii.

Mrs. Robinson, 28, was born in Bard, California. She was for two years a Wave in the U.S. Navy and was at the time of her discharge at Treasure Island a petty officer with the rate of Storekeeper, Third Class.

Six years ago Mrs. Robinson came into the Oakland post office as a substitute clerk and has since progressed through the various clerical categories to become the twelfth female supervisor in the Oakland post office.

Mrs. Robinson is married and resides with her husband, Clifford, and two young sons at 13940 Santiago Road, San Leandro. Besides being a career postal supervisor, Mrs. Robinson finds time to be a career wife and mother and study interior decorating.

In addition to the six female employees being elevated to foremen of mails, 36 male employees are being simultaneously and similarly promoted. This is the largest number of supervisors ever appointed at one time in the Oakland post office and places the total number of supervisors employed in this office at a record high of 230. Of the 230 supervisors, 12 are females and 218 are males.

SOVIET MISSILES OFF CAPE KENNEDY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. RARICK. Mr. Speaker, a fleet of Russian warships comprised of a cruiser, and two destroyers, armed with deadly stingers—guided missiles—and two torpedo attack submarines brazenly cruise in the Atlantic just 30 nautical miles from Cape Kennedy.

The Soviet fleet commander comes prepared to effectively deter any such fate as that suffered by the U.S.S. *Pueblo* or EC–121 reconnaissance plane. For the Soviet warships, armed with defensive weapons, also carry guided missiles—the potential for immediate and devastating retaliation against our civilian population centers.

Soviet warships displaying this preparedness for any eventuality, clearly indicates the orders and reckless stance of the Kremlin. This being so, we can conclude, once again, that the Soviets have no regard for our sensibilities, and will readily jeopardize the world community opinion for peace.

Many apparently would prefer to shut out this unpleasant reality. Our leaders talk of peaceful coexistence, disarmament, and Soviet friendship. Yet, the Communists continue arming the North Vietnamese, instigated capture of U.S. vessels on the high seas, are curiously informed on the sinking of U.S. submarines, and now militantly sail alongside our coast.

It becomes increasingly difficult to reconcile the propaganda of a mellowing Russian hierarchy with this present hardening of Kremlin tactics.

There has been no official U.S. comment. Apparently, we citizens are expected to ignore this Bolshevik encroachment. Possibly because to acknowledge even their presence would be an admission of Soviet destructive capability and shatter the fantasy of Soviet willingness to cooperate in deescalating East-West tensions.

I insert the following news items:

[From the Washington (D.C.) Post July 12, 1969]

SOVIETS CRUISE OFF CAPE KENNEDY

(By Richard Homan)

JACKSONVILLE, FLA., July 11.—Six Russian warships, closely watched by American units, maneuvered off the Florida coast today, apparently hoping to have bleacher seats for the Wednesday moon shot.

Officially, the Russian fleet—including two late-model submarines—is on its way to Havanna for a July 26 visit commemorating the Cuban revolution.

But for the past three days it has stayed in an area about 250 miles off the coast, east and slightly south of Cape Kennedy—an ideal location to monitor the Apollo 11 launch.

Today, however, it was the Russians who were monitored—by the U.S. destroyer escort Gary, a variety of reconnaissance planes from the carrier Independence and a lumbering C–54 filled with reporters and photographers.

To draw maximum publicity from the rare Soviet naval approach to American shores, the U.S. Navy staged an hour-long photo-reconnaissance happening, with planes making repeated passes in photogenic formations over the Russians.

There was no apparent Russian reaction to the flights, which stayed a cautious 1,000 feet above the quiet sea and several hundred yards from the ships. No messages have been exchanged between U.S. and Russian forces, the Navy said.

The official Defense Department view of the Russian maneuvers was that they are "illustrative of growing Soviet capabilities."

But when pressed to say when Russia had not had the capability to send six vessels to the Western Atlantic, the Pentagon spokesman said, "Please don't drag me any further into this."

The Russian fleet consists of a cruiser and two destroyers, all armed with guided missiles, two non-nuclear submarines and a submarine tender. Two oilers are also with the fleet.

The submarines are from the Russian Northern Fleet and the other vessels are from the Black Sea, where two U.S. destroyers made a "show-the-flag" cruise last month without incident.

The submarines are described by the U.S. Navy as "the latest Soviet long-range diesel-powered torpedo attack submarines." They are not armed with missiles.

The fleet cruised in an umbrella-shaped formation toward the southwest today, with the missile ships leading and the submarines following on the surface. No deck activity was noticeable and crewmen gave no indication they were aware of the U.S. flights.

[From the Washington (D.C.) Evening Star, July 12, 1969]

SLOW BOAT TO CUBA: SIX RUSSIAN WARSHIPS LINGER IN APOLLO AREA

Soviet warships, ostensibly on their way to keep a date in Cuba eight days from now, loitered today just over a day's sailing time from Havana but within close range of Cape Kennedy.

They are being closely watched from U.S. Navy planes and surface vessels by official account, and possibly also by American submarines. Early today, they were 30 nautical miles east of Cape Kennedy, officials reported.

The timetable suggested that the six modern naval vessels were using the Cuban visit as an excuse to watch next Wednesday's Apollo 11 moonshot from international waters off the Cape.

Soviet "fishing boats" loaded with electronic equipment have monitored previous rocket launches from offshore and reports from the cape indicated some were there again. This left it unclear why Soviet warships should also be hanging around.

The Defense Department refused to discuss what the warships might do between now and their announced arrival date at Havana, a week from tomorrow.

"To the best of our knowledge, they are moving slowly toward Cuba," a spokesman said. He declined to speculate on why the ships had sailed to within a day of Havana so far ahead of the official visit.

Pentagon sources conceded unofficially that it was all very curious. The best suggestion they could come up with involved Apollo 11, but they had no idea why warships should supplement the electronic trawlers.

The naval squadron consists of a guided missile cruiser, two guided missile destroyers, two submarines and a sub tender. They are accompanied by the tanker Karl Marx.

SALARY COMMISSION

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. DULSKI. Mr. Speaker, I want to commend highly my colleague, the gentleman from Arizona (Mr. UDALL) upon his introduction today of a comprehensive measure "to implement the Federal employee pay comparability system; to establish a Federal Employee Salary Commission and a Board of Arbitration, and for other purposes."

As usual, he has exhibited great diligence and devoted effort in dealing with the current pressure for adjustment of postal pay. He is the chairman of our Subcommittee on Compensation, which will resume hearings tomorrow on this important issue as well as the related and equally vital need for establishing a systematic plan for the future.

The bill which Mr. UDALL has introduced today is an excellent starting point. I am very much in sympathy with its provisions. This is a very controversial subject and I am certain that all of the ramifications will be explored during his hearings on which he has a full schedule this week.

I feel strongly that we should establish a regular system for reviewing Federal classified and postal pay schedules. His plan for a Federal Salary Commission and a Board of Arbitration is a realistic approach and I support it.

As for the pay increase recommendation in his bill, they certainly are well thought out and may well be the approach we should take. I look forward with intense interest to the remaining

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subcommittee hearings and executive deliberations which will precede a recommendation to our full committee.

TAX REFORM: A CHALLENGE TO THE CONGRESS

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mrs. CHISHOLM. Mr. Speaker, we have heard enough pious rhetoric in this representative body and in the administration about the crisis in our cities. We have heard expressions of noble sentiments of commitment to equal opportunity, to quality education, to human dignity now absent in urban centers.

And while we stop to catch our breath between outpourings of such idealism, we step out a side door to buy another lock for our doors, or another gun to protect ourselves in the urban jungle. We do so because we live in what is becoming a garrison state, in cities being destroyed by the savage brutality which they themselves have spawned.

I do not propose, here and now, to discuss the panoply of radical changes needed to heal our urban diseases. Let me invite you, rather, to look hard and practically with me at certain aspects of our present tax structure to determine its disastrous effects on American cities. It is such hard-headed thinking and honest questioning of bread-and-butter issues that must replace our empty ejaculations of good will coupled with actions of planned impotence.

If one stands at the top of a very tall building in almost any American city, one sees the image of an urbanized garbage pit. A walk through the poorer sections confirms this impression of inhuman density, unspeakable living conditions, pervasive filth. A major cause of such horror is our property tax system, in which land speculation has been encouraged for many years—unimproved land, held for a killing at some future date, is taxed minimally; and housing improvements discouraged—taxes go up in proportion to assessed value.

We must also reexamine the exemptions granted to foundations and churches. Right now, about one-third of property evaluation goes untaxed in New York City because of such exemptions. I recognize their validity in some degree. But for both practical and ethical reasons, I think the benefits to foundations should be substantially reduced, and exemptions to churches specifically regarding their commercial activities revoked. Cities cannot afford such generosity.

Finally, and probably most basically, the American tax structure as a whole is unjust. People who earn an income below poverty level pay Government taxes while millionaires play on Florida islands. Workers sacrifice essential goods so that Lockheed can continue to receive a 7-percent investment credit. Other middle class people tighten their belts as the Government pays obeisance to the oil companies in the form of the depletion allowance. The choked fury of the people over such injustice is now venting itself in rebellion expressed as personal violence, as political extremism, as silent hatred, and alienation.

It takes little sight and insight to grasp the physical, emotional, and psychological wreckage that characterizes the great American urban centers. I have tried to show you how our tax structure has significantly contributed to such disasters. I have tried to convince you of the need for enacting far-reaching reforms to replace the mouthing of platitudinous truisms. I plead for swift action. There is little time left.

A BLOW TO RACIAL AMITY

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. WOLFF. Mr. Speaker, the administration's decision to accept expiration of the Voter Registration Act has raised considerable and justifiable consternation among many including myself. I am firmly convinced that such action will be a significant blow to efforts to foster greater and firmly rooted racial justice in America.

A June 28 editorial, in the fine Long Island Press has adequately expressed my views and the views of many other concerned persons. Therefore, under leave to extend my remarks, I include this editorial in the RECORD:

A BLOW TO RACIAL AMITY

The Nixon administration's plan for new voting rights legislation—presented to the House Thursday by Attorney General John N. Mitchell—does a disservice to the cause of racial amity.

There can be no quarrel with the recommendation to ban literacy tests and eliminate state residency requirements for presidential elections. But anyone sincerely interested in furthering racial peace and justice must be dismayed by a bill that would eliminate the provisions of the Voting Act of 1965, which has done so much to bring the vote to disfranchished Negroes in the South.

The bill would take the heat off the very states that have done the most to deprive Negroes of their votes.

As Chairman Emanuel Celler of the Judiciary Committee pointed out, "The 1965 act was drawn to reach the problem of voter discrimination where it existed. To have a nationwide law to protect Negro voters is like trying to stop a flood in Mississippi by building a dam in Idaho . . ."

At a time when the 1965 act is only beginning to bring true democracy to the South, Mr. Mitchell incredibly tells Congress that while it "may have had sufficient justification to pass regional legislation in the 1965 act, I do not believe that this justification exists any longer."

On the contrary, it was never more justified. It has provided great hope—as evidenced in the victory of Charles Evers in Mississippi—that sane, moderate forces can prevail. To remove that hope is to cut the ground out from under the very people who reject violence and place their faith in the American system.

Even if Congress rejects the administration's proposal—as it most assuredly should—great mischief has already been done. By just advancing a proposal to eliminate the 1965 voting act, the administration has attacked the most important tool and symbol for those Americans, black and white, who are dedicated to a non-violent advancement of civil rights. This is damaging enough, but it is made more so by the mistrust it will engender toward Washington. Is the White House more interested in paying off political debts to southern supporters than ending the destructive divisiveness at the root of our nation's troubles.

THE INCREDIBLE DREAM: A WALK ON THE MOON—PART VI

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. MURPHY of New York. Mr. Speaker, the object of Apollo 11 is to land two Americans on the moon. This historic achievement will mark day 1, year 1 of a new era. Was there ever any form of life on the moon? Is there some form of life—no matter how insignificant—there now? These and other questions are posed by Mr. Bloom in his excellent series leading to the blastoff of Apollo 11. Under leave to extend my remarks in the RECORD, I include his article on the beginning of a new era:

DAY 1, YEAR 1 OF THE NEW AGE: A WALK BY THE DAWN'S EARLY LIGHT, SOME PICK AND SHOVEL WORK, COUNTDOWN FOR THE LONG JOURNEY HOME

(By Mark Bloom)

The objective of Apollo 11 is to land two Americans on the moon. Its mission: to return 50 pounds of the Sea of Tranquility to the earth. Its purpose: to increase mankind's understanding of the universe, in which our planet is but a pinpoint.

When Neil Armstrong and Edwin (Buzz) Aldrin stride across 100 feet or so of the moon, it will be the first time in the billions of years that the moon and earth have existed that human life will disturb the lunar surface.

But how many billions of years *have* the earth and moon existed? Are they the same age? Are they made of the same stuff? Do they have the same origins? Were they once a single body? Was there ever water on the moon?

How were the lunar highlands formed? How did the "seas" take shape? What are the origins of the craters? Are they the result of bubbling volcanoes? Meteorite impacts? Why are most of the craters perfectly round? Is there volcanic activity on the moon today or is it cold and inert?

Was there ever any form of life on the moon? Is there some form of life—no matter how insignificant—there now?

These are the questions scientists on earth will attempt to begin answering with the help of the rocks brought back from the moon, together with some robot experiments left on the moon by the Apollo 11 astronauts.

How can the moon answer questions about the origin of the earth and the universe which cannot be answered by geologic studies of the earth? Why are questions about the moon important?

Nobel Prize-winning chemist Harold C. Urey believes that right on the surface of the moon is evidence of the early days of the solar system—evidence long destroyed on the earth by erosion.

"Since we know the age of the meteorites (on the earth) to be about 4½ billion years,

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this intense bombardment (on the moon) very likely took place right at the beginning of the solar system—may indeed be a record of the accumulation of the earth and moon from solid objects moving about the sun," said Urey in a recent article.

But can Apollo 11 explain the fact that the moon's rotation on its own axis takes precisely the same length of time as one trip by the moon around the earth, resulting in the same side of the moon always facing the earth?

And can it explain the fact that the moon's disk, a quarter of a million miles from earth, eclipes perfectly the sun's disk—93 million miles from earth?

Perhaps. There is no way to predict the results of fundamental science of the kind Apollo 11 is searching out.

Since the moon has no effective atmosphere, it has no wind or rain or clouds. It is this lack of weather—which would limit erosion to meteorite hits, radiation and the wash of volcanic lava—that has scientists so excited about finding a virtually untouched record of the origin of the solar system.

On the moon, gravity is only one-sixth as strong as it is on the earth. This means that a 180-pound astronaut on the earth weighs a mere 30 pounds on the moon. If he can high jump six feet on the earth, he can make 36 feet up there.

But he won't at least not on Apollo 11.

Every movement of man's first venture to the moon's surface has been meticulously planned to be slow, deliberate and methodical—with no experiments in high jumping or anything of the kind.

The most important activity will be rock-gathering.

The first attempt to land on the moon will begin 100 hours and 18 minutes after a Saturn 5 booster hurls Armstrong, Aldrin and Michael Collins away from the earth.

Leaving Collins in a 70-mile-high circular orbit in the Apollo command module, Armstrong and Aldrin head down in the squat, four-legged lunar module.

Touchdown is planned for 102 hours and 51 minutes after launch from Cape Kennedy, a gentle plunk on a smooth patch of the Sea of Tranquility just a little to the east-northeast of dead center of the moon as you see it from earth.

For the next 21 hours and 27 minutes, the moon will be populated.

But the first 10 of these momentous hours, assuming everything goes well, will be almost as prosaic as a weekend in Philadelphia.

"Immediately following the landing, the first thing we do is get ready to go back again," said Aldrin at a recent news conference.

"The way the trajectory of the two vehicles (the lunar module and the orbiting command module) turns out, there is a very favorable opportunity to launch two minutes after touchdown."

Eight minutes later, there is another chance to launch from the moon.

Assuming this emergency launch is not necessary, the astronauts continue a full-scale checkout to make ready for another launch two hours after touchdown.

And if everything *still* looks good, Armstrong and Aldrin will finally settle down for a long, lunar day, which began shortly before and will last two weeks.

The first step is to eat a meal, which is planned to take 35 minutes.

The second step is to rest, actually sleep if possible for four hours.

The third step is to have another meal, scheduled for one hour.

And finally they start getting ready for the step the world has been waiting for—when man actually places his foot upon the moon.

Almost 10 hours after landing, Armstrong pops open the forward hatch of the lunar module and slithers out backwards onto the "porch"—a landing at the top of the nine-step ladder leading down to the surface.

In the official NASA "Apollo 11 Lunar Surface Operation Plan," a document which employs frequent use of the word "methodical," Armstrong moves through the hatch, and then checks "ingress procedure." In other words, he makes sure he can get back inside the lunar module.

Aldrin's job at this point is to play out the lunar equipment conveyor, a 60-foot-long, one-inch-wide continuous loop strap. This will be used to lower a Hasselblad still camera to the surface, and later, to raise the two critical containers filled with rocks.

Sixteen minutes after backing out of the hatch, Armstrong starts down the ladder. But he only descends three steps before he stops to reach out and pull a highly important lanyard.

By pulling this lanyard, Armstrong opens an equipment compartment at the base of the lunar module, exposing the lens of a black-and-white television camera. At the same time, Aldrin flips a switch inside the cabin to turn on the TV.

After 1.3 seconds—the time it takes light to reach the earth from the moon—hundreds of millions of people around the world will join the mission of Apollo 11. The first thing they see will be Armstrong's size 11½ C boots descending the final six steps. His boots are 13½ inches long, and five inches across at the widest point.

About 17 minutes after moving through the hatch, Armstrong reaches the base of the ladder. But he still isn't on the moon, only standing inside a 37-inch-wide bowl shaped aluminum footpad.

Two minutes later, after a final check to make sure he can easily climb back to the first rung of the ladder, Armstrong steps backward out of the footpad onto the moon.

Armstrong's first assignment is to rest a minute. As he does so, he reports his oxygen and suit pressure, and tells earth control at Houston about the problems he may or may not have had in moving in and out of the hatch.

Then he checks his balance in the strange one-sixth gravity, leaning forward, backward and to one side. He reaches downward. He tests the movement of his arms.

He begins to walk, checks his balance, tries to determine a good pace, looks to see how deeply his boots penetrate the lunar soil, tests his traction, kicks the ground to see how the soil scatters and how much sticks to his boot. He reports on his general comfort, how much difficulty he is having—if any. He rests again.

About six minutes after stepping onto the moon, Armstrong removes a "contingency sample container" from his pocket. He immediately begins to collect about two pounds of lunar rock and soil—to make sure that if the walk on the surface has to be cut short, Apollo 11 will have something to show for the trip.

He extends the container handle—in much the same way a portable radio antenna is pulled out—opens the sterile bag and scoops up some of the moon. Then he detaches the bag from the handle, tosses the handle away, seals the bag, and puts it back in his pocket.

By this time Armstrong will have been outside for 30 minutes.

Next he extends the conveyor line to its full 60-foot length. Aldrin then passes the camera down to the surface, and Armstrong attaches it to his suit.

Now it is Aldrin's turn to move through the hatch and climb down the ladder.

Just after Aldrin reaches the surface, Armstrong returns to the storage bay, removes the TV camera, and sets it up on a tripod 40 feet away, allowing full TV coverage of the rest of the excursion.

Now, with both men on the surface, the serious scientific business begins.

Carrying out carefully practiced routines, Armstrong and Aldrin set out two experiments which will remain on the moon after they leave.

The experiments, known as the Early Apollo Scientific Experiment Package (pronounced E-Sap by the astronauts), consist of a laser reflector and a seismometer.

The seismometer, which will send readings by radio signal back to earth for a year, may settle the argument as to whether the moon is internally active, and could also monitor meteorite impacts. It is so sensitive it may actually measure footsteps taken by the astronauts.

By beaming laser light off the reflector, scientists hope to learn more about irregularities in the rotation of both the earth and the moon, and to determine the distance from the earth to the moon down to less than a foot.

A third experiment, called a solar wind detector, will be placed on the surface while the astronauts are there and then brought back with them for analysis.

The idea is an attempt to trap rare gases—such as helium, neon, argon, xenon and krypton—in their form as emissions from the sun in the so-called solar wind.

The device consists of a thin roll of aluminum foil which will be unrolled like a window shade, placed in direct sunlight for at least an hour, rolled back up and returned to earth. This experiment has the lowest priority of the three.

Once the "contingency sample" is tucked into Armstrong's pocket, the crew uncases two larger, specially designed boxes, designed to bring some of the moon back to earth in a near vacuum, germ-free environment.

One of the containers will be filled with at least 24 pounds of loose lunar material—soil and rocks—in a relatively haphazard style. As the bag is filled, a spring scale weighs what is going in.

The idea for this "bulk sample" is primarily to grab as much of the moon as early as possible in case the walk has to be cut short. Seventy minutes after Armstrong first emerges from the hatch, the "bulk sample" is scheduled to have been packed and attacked to the conveyor belt.

If everything is still going well, the astronauts will then begin getting ready for the "documented sample"—about 24 pounds of carefully selected rocks and soil.

Unlike the bulk sample, where everything is shoved into one bag before being placed in the vacuum container, the "documented sample" collection involves picking an interesting rock, describing it, photographing it and then placing it in an individually numbered bag.

The schedule calls for the astronauts to complete this methodical, tedious process about two hours and 10 minutes after Armstrong first emerged.

At this point, man's first excursion on the lunar surface will be drawing to a close, and Aldrin climbs back up into the lunar module.

Armstrong passes the bulk sample container up to Aldrin, followed by the documented sample container. Then, 2 hours and 35 minutes after emerging, Armstrong climbs the ladder and reenters the lunar module cabin. Five minutes later, the cabin is snapped shut.

But the visit of Apollo 11 to the moon's surface is not yet over. For the next hour, the crew checks the lunar module to make sure all is still functioning well. Then they have another meal, followed by about five hours of rest. Then another meal, and prelaunch checks.

Finally, after more than 21 hours on the moon, they blast off toward rendezvous and linkup with the lunar orbiting mothercraft—the only way home.

Just over 135 hours after leaving Cape Kennedy, the Apollo 11 astronauts, half of their

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lunar module left on the moon and the other half discarded after linkup with the command module, head back to earth. Carrying the most valuable rocks man has ever possessed, the astronauts are due to splash down in the Pacific southwest of Hawaii after a mission of eight days, three hours and 17 minutes.

But in the Pacific, a new double-barrelled phase of Apollo 11 begins: the first to make sure the mission does not boomerang, the second to make sure it pays off with every possible scrap of scientific information.

On the extremely unlikely chance that the lunar terrain supports some microscopic life which has somehow thrived despite its bleak surroundings, extreme quarantine measures will be taken to protect the world against an invading germ for which we have no defense.

The astronauts don "germ-free" garments, smear themselves with iodine solution, ride rope baskets to a helicopter (whose pilot rides in special "germ-protective" section) and zip over to the recovery carrier. There, a huge isolation trailer, called a Mobile Quarantine Facility, awaits them.

By ship, truck, plane and truck, the astronauts never leave this specially fitted-out trailer, a combination living quarter-hospital, until they reach the $8.5 million Lunar Receiving Laboratory at the Manned Spacecraft Center in Houston.

There they will remain for three weeks from the moment they left the moon—unless, of course, they show signs of disease, or unusual organisms are found in the rocks. Then there's no telling how long they'll be there.

From the moment they enter the mobile trailer, any person who comes in contact with the astronauts must also go into quarantine. The same is true for any person who touches a rock.

At the receiving lab, which has almost as many laboratories as there are sciences, the astronauts will take flight controllers through a moment-by-moment account of the journey. At the same time, physicians will run the crew through exhaustive tests.

To avoid any possibility of biological leakage to the outside world, all isolation areas of the receiving lab will be at a slightly lower air pressure than outside. Thus, nothing can leak out, only in.

In short, the space agency would rather have the world contaminate the rocks than the rocks contaminate the world.

The rocks themselves, the *raison d'etre* of the Apollo project, get their first examination from a team of 15 leading scientists, called the preliminary evaluation team. They include three physicists, two organic chemists, four mineralogists, two geochemists, one geophysicist, a biologist, a microbiologist and a bacteriologist.

Shielded by windows from actual contact with the rocks as they work, the preliminary team will make the first basic studies of the rocks, and decide which rocks go to which primary investigators.

After 60 days of study and isolation, the rocks will be distributed to 146 teams of primary investigators across the United States and in nine foreign countries.

At this point, the receiving lab will get set for another influx of samples. Apollo 12, man's second landing on the moon, is set for December.

ARCHBISHOP FUREY APPOINTED TO SUCCEED ARCHBISHOP LUCEY

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. PETTIS. Mr. Speaker, an eminent church leader, Archbishop Francis J. Furey has been appointed to succeed Archbishop Robert E. Lucey as head of the archdiocese of San Antonio. Archbishop Furey has been spiritual leader of the Catholic church in San Bernardino County and the diocese of San Diego since 1963.

During his administration Archbishop Furey was responsible for the implementation of the church and school facilities in San Barnardino County and the diocese of San Diego. He has consistently promoted Christian charity to all in San Bernardino County through the development of Catholic social services.

Archbishop Furey was among the first bishops in the United States to organize and encourage a senate of diocesan priests to advise him in his duties.

Archbishop Furey has already been recognized for his efforts to promote cooperation and good will among people of all faiths and races. I am proud to offer this additional tribute to Archbishop Furey for the contributions he has made to the lives of the people of San Bernardino County.

RHODESIAN CARGO—A STORY IN ADVENTURE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. RARICK. Mr. Speaker, the London Observer carries the romantic story of ships loaded with fabulous merchandise from Rhodesia being pursued all over the seas.

At the same time missile-loaded Soviet warships cruise off the U.S. coast—with no one in pursuit.

But then, UNO reasoning can only find a threat to world peace from the merchant ships. Perhaps because the Rhodesian ships are unarmed.

The cargoes of Rhodesian tobacco and ferrochrome are marketable and in demand. The UNO and Britain praise international free trade and free waterways, yet they impose warlike blockades merely because of the origin of the cargo.

Again the world community beholds the UNO—not Rhodesia—overreacting to become the threat to world peace.

Mr. Speaker, I include the column from the London Observer:

SHIP WITH RHODESIA CARGO SLIPS OUT OF POLAND

(By Colin Legum)

LONDON, July 12.—The Polish government has allowed a sanction-busting cargo ship to slip through its fingers, thus denying the U.N. Sanctions Committee a major coup in the international embargo against Rhodesian goods.

The Goodwill, a Cyprus-registered ship, is thought to be carrying $700,000 worth of Rhodesian tobacco with probably falsified papers about the origin of its cargo, which was reportedly not unloaded in Poland.

Her destination was originally slated to be Rostock in East Germany. Last Tuesday she sailed into Stettin, Poland, and the Sanctions Committee asked the Poles to act under a Security Council resolution that bars U.N. members from receiving most goods from Rhodesia, in an attempt to bring to its knees the British colony which declared its independence in 1965.

But even without this information the Poles should have been alerted from widely publicized news about the ship's cargo.

MOVING TO ROTTERDAM

She spent two days in the Polish port, and left yesterday for Rotterdam, to where the pursuit has now been switched.

The fact that an attempt was made to carry Rhodesian tobacco to East European countries indicated the probable existence of willing buyers of embargoed Rhodesian goods there.

Meanwhile, pursuit continued in Indian Ocean ports of two ships—the Archon and the Massimoeme—suspected of trying to unload 4000 tons of Rhodesian ferro-chrome originally loaded on board the Blue Sky, flying the Liberian flag, last February.

This cargo, also worth about $700,000, has now been pursued half-way round the world. At present some of it has succeeded only in getting back to its original starting point—Lourenco-Marques in Mozambique. The likelihood is that this is merely a transit stop preparatory to a new effort to break the sanctions cordon—possibly by shipping it to Japan.

Ferro-chrome is one of the embargoed items. It is an important Rhodesian export and is worth betwen $180 and $187 a ton.

Immediately after the U.N. Sanctions Committee was informed about the movements of the Blue Sky; it sought the cooperation of Greece, Yugoslavia, Liberia, Italy, Portugal, France and Spain to prevent her from unloading the cargo, or to confiscate it under the terms laid down by the Security Council.

BLUE SKY DODGES

For six weeks the Blue Sky found herself under close observation as she dodged from port to port. Unable to break out of the cordon of intelligence, she finally unloaded her valuable cargo in Lisbon in Mid-March.

The Portuguese and the South Africans are the only two members of the United Nations who do not cooperate in enforcing mandatory economic sanctions.

In April, British agents learned that 1000 tons of the ferro-chrome offloaded by the Blue Sky in Lisbon had been picked up by an Italian ship, the Hierax, which was headed for Yugoslavia. The balance of the cargo remained stored in Lisbon.

Through the cooperation of Yugosalvia, Italy, France and Spain, the Hierax was prevented from discharging her cargo, which finally went into storage in Barcelona.

There, for the time being, the pursuit of the Blue Sky's ferro-chrome ended. But, by then, the profit of the sanctions-busting deal had long since been spent in chartering ships and dodging in and out of European ports.

NEW STRATEGY

The sanctions-busters spent the next two months trying to devise new stratagems for beating the sanctions cordon. Their task has been made even more difficult because the ferro-chrome had become too "hot" to handle in the European market, largely due to cooperation between U.N. members.

It is now known that on June 12 the ferro-chrome was picked up by two separate ships. The Archon, registered in Greece, loaded the 3000 tons left in Lisbon and sailed for South Africa. Once at sea, she changed her name to the Nikolas-L.

CAPTIVE NATIONS WEEK

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. BROOMFIELD. This year marks the 11th anniversary of the Captive

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Nations Week. Since 1958 the Captive Nations Resolution has been passed unanimously by both Houses of Congress.

The fate of the people in the captive nations is a sad commentary in the history of nations. More than 100 million people in central, eastern, and southern Europe have been swallowed up in the jaws of communism. The independent nations of the Baltic—Estonia, Latvia, and Lithuania—in the early forties were taken behind the Iron Curtain. Despite the loss of freedom, the Soviets have been unsuccessful in their efforts to delete and destroy the culture and love of freedom inherent in the hearts of these Baltic peoples.

We should be continuously reminded of the great sacrifices these people in the captive nations have had to endure and to pledge a rededication to those ideals of freedom upon which this country was founded. Together with other free countries we must seek to guarantee that such violations must not happen again.

To those who need to establish their faith in our Nation today and where we stand for peace and justice, may well remember the fate of the captive nations. Therefore, let us share with the people behind the Iron Curtain their aspirations for the recovery of their freedom and independence.

TRIBUTE TO CLARENCE MITCHELL

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 1969

Mr. CORMAN. Mr. Speaker, rarely have I approached a tribute to a fellow American with more pleasure and personal gratification than I do today in expressing congratulations to my good friend, Clarence Mitchell, on receiving the coveted Spingarn Medal Award from the National Association for the Advancement of Colored People.

This fine gentleman's continued faith in his country and the democratic process has engendered the respect of most Americans. In the many years that I have had the privilege of knowing Clarence Mitchell, I have developed a degree of admiration for him that will never subside. Now that he has achieved the highest honor that the NAACP may bestow, I can only but ask myself how this man can be further rewarded for additional contributions. But I am sure that he will be, and they will be deserving.

Clarence Mitchell has been a member of the NAACP for 23 years and the director of the Washington office for the past 19 years. His selfless dedication to the end of racial injustice in this country has evidenced itself in the landmark legislation he helped to enact: the Civil Rights Act of 1964, the Voters Rights Act of 1965, the fair housing legislation, and others. We are all indebted to Clarence Mitchell for the service he has rendered to this country in bringing about crucial gains in the field of civil rights and for his untiring efforts to work patiently and effectively under the democratic process to bring to bear upon every American the full meaning of the Constitution's Bill of Rights.

In his many years of service he has been one of the leading activists to make Government more responsive to the needs of the black, poor, and oppressed citizens. His record of success is truly remarkable, but then he is a remarkable man.

PUBLIC CLAMOR IS GROWING FOR ACTION ON POLLUTION

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. HOWARD. Mr. Speaker, I would like to commend for my colleagues perusal and consideration, an article from the Asbury Park Sunday Press, of July 6, 1969. One of the most critical problems facing our Nation today is the wasting away of our water supply through pollution. The correction of that problem is the point of this article.

This article, written by Miss Jacqueline Alban, I believe points up the very vital nature of legislation to assist our States in combating this problem—and points a finger at the conscience of the Congress, which has been, to say the least, lax in its efforts to assist the States and communities which are desperately trying to fight the effects of decades of pollution and waste on today's society.

I think it is not only necessary, it is imperative, that we of the 91st Congress recognize this problem in its true perspective. It is imperative that we appropriate sufficient funds to really be of assistance to the people of this country, by helping them keep our water supply clean and usable—for drinking, cooking, and recreation.

I include Miss Alban's article in the RECORD at this point:

PUBLIC CLAMOR IS GROWING FOR ACTION ON POLLUTION

(By Jacqueline Alban)

People are swimming in their own wastes. Septic tanks are overflowing into streams, rivers and bays. Last summer's Red Tide looms as a recurring threat. Globs of sticky, black tar pockmar beaches, bodies, surf boards, and bathing suits. And hardly a day passes that some form of garbage, litter, dunnage or building rubble (even red bricks) does not wash ashore on the rise and fall of the daily tides.

This is how things are at the Jersey Shore—just as they were this time last year—a microcosm of the pollution ills plaguing nearly every major waterway in the country today. And unless the public clamor gaining momentum throughout the land is heard and heeded in Washington, clean water will be no closer to reality than it was two decades ago when the first warnings were sounded by conservationists.

Today, an aroused, educated, enraged public is unleasing a barrage of criticism. The major targets of the attack are the Nixon administration and Congress, who are being accused of a credibility gap on the vital issue of water pollution control.

The most recent broadside was hurled by the powerful National Wildlife Federation in a recent issue of "Conservation News." The conservation organization cited the program of federal grants to municipalities for new waste treatment plant construction as the place where "the credibility gap began and is widening."

When the water pollution control program was started by Congress in 1956, with modest appropriations, it was so successful in stimulating urgently needed sewage treatment facilities that appropriations were increased in 1961, 1965, and again in 1966, the newsletter points out. Evidence of the success is the fact that as of March, 1969, the program had aided construction of 9,151 waste treatment projects costing about $5.7 billion, with the federal investment of only $1.3 billion. The projects upgraded some 74,000 miles of water serving an estimated 73.8 million people.

In 1966, when the Congress increased its authorizations for additional appropriations, it was generally accepted that the move represented a federal obligation to those cities and states that had adopted strict water quality standards and laws to enforce them as a means of forcing municipalities and industries to clean up their own sources of pollution.

The federation notes that the alleged obligation was seen as the keystone for over-all water pollution control. And acting in good faith a number of states launched excessive bond issues on the assurance of federal matching funds. New Jersey has joined the roster by placing a $242 million water pollution bond issue on the November ballot.

"But here is where the credibility gap comes in," the federation report asserts. "Although Congress authorized appropriations of $450 million for fiscal 1968; $700 million for fiscal 1969; $1 billion for 1970; and $1.2 billion for 1971, in actuality it has reneged on its commitment by appropriating only $203 million; $214 million; and the Nixon administration has joined its predecessor in asking only $214 million in 1970, despite a $600 million recommendation by U.S. Interior Secretary Walter J. Hickel." The Congress, in 1971, must decide whether to extend or abandon the program.

"Now is the time for Congress to either quit talking about cleaning up the nation's waters and admit that open sewers will be maintained throughout the land, or grant the amount of money that has been authorized," the conservation group declares.

Shore residents have made their sentiments for a $1 billion 1970 water pollution appropriation known in letters to members of the House and Senate Appropriations committees. And early last month, a coalition of leading national conservation organizations, labor leaders, city, state, and county officials from all parts of the country, scientists, professional societies, and consumer groups launched a crusade for clean water in Washington, D.C.

At a two-day conference held last month in New York by the Department of Interior and the Federal Water Pollution Control Administration to discuss pollution in the metropolitan area, a number of officials representing New York and the Garden State charged that while the federal government is prodding state and local authorities to clean up their polluted waters, it is failing to provide funds promised for the job. Further, federal authorities were accused of allowing pollution from federal sources and military installations to continue unchecked.

Carl L. Klein, assistant secretary of the interior in charge of water quality standards, who presided at the conference, declined to comment on the charges. And when asked whether the $214 million requested by President Nixon is enough to do the job required to clean up the nation's dirty waters, said, "no comment."

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"We can't do everything," he added, when pressed, "Not when the government is facing a period of inflation."

But the Wildlife Federation says there are projects of lesser merit "sticking out all over the landscape," that could be scrapped in favor of cleaning up the nation's waterways and insuring future public drinking supplies.

Cited as examples were some navigational projects such as bringing ocean-going vessels to Catoosa, Okla., paring some funds from the outer space program to improve living conditions for millions of people on this planet, and construction of new jetports and additional super highways.

Earlier this year, the wildlife federation commissioned a Gallup survey which revealed that three-fourths of the people in this country are concerned about contamination of the environment and are ready to pay to do something about it.

Commenting on the results of the poll, the federation says: "It is difficult to fathom why officials in the legislative and executive branches of government do not recognize this demand on the part of the people. The American public should make its views known to elected officials and others who are in policy making positions."

J. FRANK COAKLEY RETIRES

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. MILLER of California. Mr. Speaker, Mr. J. Frank Coakley has retired as district attorney of Alameda County, Calif., a position which he occupied with honor for some 22 years.

Frank Coakley first entered the office of the district attorney when the former Chief Justice of the Supreme Court, Earl Warren, was district attorney and there was always a very warm relationship between the two.

It has been my privilege to know Frank Coakley for many years and I appreciate the great job that he has done in our county.

I include as part of these remarks a guest editorial which appeared in the San Leandro, Calif. Morning News on June 27, 1969:

J. F. COAKLEY, DISTRICT ATTORNEY

(By Richard J. Moore)

On the occasion of the retirement of a giant among men, such as District Attorney J. Frank Coakley, it is most difficult to write anything in praise of him because anything that might be said is an understatement.

I worked under Frank Coakley for many years and know him—well the man, his dedication and his ability. I know him to be a very warm, gracious and understanding person who never stinted in the time he gave his staff when they needed help or advice on any problem—office or otherwise. Many times Frank Coakley took the rap publicly for the errors or omissions of others. He could have taken the easy way out and could truthfully have declined any knowledge of the incident for which he was being blasted, but if it was his responsibility, he accepted it and never shifted the blame to others.

During his 46 years of public service, Frank Coakley was tirelessly devoted to his work and the public he served, and I know of no other individual who is more dedicated than he. The County of Alameda and its citizens have been particularly blessed in this, because the work of the District Attorney is an essential public service, a basic and necessary function in the structure of the government. During his time in office as Chief Trial Assistant in charge of criminal work, Chief Assistant and District Attorney, many thousands of cases were in his trust which touched the lives in one way or another, of countless numbers of persons. He constantly sought a better society, a better government and a better quality of justice, and received a great deal of personal satisfaction in establishing new frontiers in these fields. He met the challenges over the years like a champion.

His leadership has brought to him, and his office, both recognition and honor. In 1965, he was the recipient of the National District Attorneys Association award as "Outstanding United States Prosecutor." For 22 years, when he occupied the position of District Attorney, he was the chairman of the Law and Legislative Committees of the District Attorneys Association and the California Peace Officers Association of this State.

It is impossible to indicate all that he has done for his community, his country and his profession, and it staggers the imagination to believe that one man could have done so much in one lifetime for so many persons.

His ability to train and inspire young lawyers to achieve the highest levels of performance in the practice of law has contributed in a substantial way to the excellence of the Alameda County Bar, the judiciary and public office in general. The alumni of his office have continued on to many high positions in public service—innumerable municipal and superior court judges, five secretaries of Governors of the State, three U.S. attorneys, several District Attorneys in other counties, Federal judges and Commissioners.

Alameda County, under his jurisdiction, has always been a "clean" county, due to his unyielding and uncompromising integrity. As a public prosecutor, he was always fair and honest, and anyone asking him to "look the other way" in any instance, might just as well have asked the Pacific Ocean to dry up!

He would never brook any attempt to thwart the prosecution of the guilty and he would never allow any purely personal consideration to sway his conviction of fair and equitable treatment to all.

For many years, the civil work of the County, its schools and special districts, the work which I now do, was his responsibility. Here, too, he maintained similar high levels of performance and was always alert to the innovation of progressive techniques of government. My fellow alumni of the office and I have been deeply privileged and highly honored by our years of association with District Attorney J. Frank Coakley. They "threw away the mold" when they made this man. We shall not see his like again.

SMUT PEDDLERS—PART V

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. DULSKI. Mr. Speaker, dealing with the problem of pornography is always difficult because of the varying legal interpretations.

But there is one area where we must move forward. We must make the legislative effort to keep smut and obscene materials from reaching our young people through the mails.

I have introduced legislation to prohibit the mailing of such material to a household in which a minor resides. My bill would prohibit not only a mailing to the minor as an individual, but also to anyone in the household in which a minor resides.

My bill is very specific on what is considered to be obscene, spelling out exactly what material is to be banned. The ban applies to solicitation, sale, delivery or distribution of such material to a minor through the mails.

Present law permits a householder to request through his postmaster that his name be removed from a mailing list after he has received an objectionable mailing. This is one way and the best we have so far, but it comes after the fact—the first mailing; what we want to prohibit is that first mailing into a home where a minor resides.

Several months ago, a distinguished American author, who is constitutionally opposed to censorship, had some strong words to say about distribution of smut to minors. Following is the article from the December 1968 issue of Reader's Digest:

THE WEAPONS WE NEED TO FIGHT PORNOGRAPHY

(By James A. Michener)

Recently a friend of mine found his 13-year-old son secretly reading a sex book. The father assumed that it was the typical erotic nonsense that teen-agers have surreptitiously read for the last 200 years with awe, and usually with no bad aftermath.

But he was wrong. When he inspected the book he found to his horror that it was not primarily a sex yarn. It was a savage blend of sadism, masochism and violence made attractive and exciting by an intermixture of sex. Even the sex was perverted and hideously brutal.

Let's be specific. This is a problem that many American families are facing right now and we all need some kind of guidance.

The book was sadistic in that the men tortured the women. It was masochistic in that the men asked the women to beat them with whips. It was violent in that the men killed one of the women. And it was perverted in that normal sexual relations between men and women were never referred to, whereas various abnormal practices were paraded as natural.

In disgust, and in defense of his children, my friend began to ask why the sale of such books was permitted in his city. He discovered that last April the Supreme Court upheld a state statute banning the dissemination of indecent material to juveniles. But he also found, to his astonishment, that recent Supreme Court decisions have made it difficult, if not impossible, for local communities or states to know what standards to apply in obscenity cases, especially in dealing with books.

"In any case, such material will continue to get into the hands of teen-agers as long as it is printed," my friend complained to me. And he asked me what I thought ought to be done. Here is what I think.

ESTABLISHING THE GUIDELINES

I am enthusiastically in favor of sex. It is one of the finest of all human experiences, the somewhat mystical means whereby our race perpetuates itself. And it is also the source of enormous human pleasure. I have found sex to be ennobling, hilarious, tender, ribald and creative, and I would never agree to anything which diminished its free exercise.

As a writer I am professionally interested in sex, since it provides the artist with a large portion of his best material. In my novels dealing with the great conflicts that engulf men and women in love, I have written about some fairly robust situations and have never held back from using four-letter words to describe the actions of my characters when such words were germane to the situation. The older I grow, the more impressed I am with the marvelous force of sex in art, from Shakespeare's stunning tragedy of *Romeo and Juliet* through Verdi's *Aïda* and on to the powerful novels and plays being offered today. I would deplore any act of my society which deprived artists of this greatest of subject matters. I am constitutionally opposed to censorship.

Nevertheless, today's traffic among our teen-agers in books of perverted sex and violence should be stopped. If present laws are unable to handle this problem, new ones should be passed. And if present constitutional or judicial interpretations make more difficult the enforcement of such laws, then changes must be made in either the Constitution or the judicial interpretation, or both.

If you ask, "Are you then recommending censorship?" I will have to reply, "Yes." But I want to make one point very clear.

I am against this flood of sex-sadism for one specific reason, a reason so solid that I cannot imagine opposition to it.

It is wrong, and terribly dangerous, to put into the hands of young people—who are in the process of establishing the guidelines for their sexual behavior—books and pictures which would pervert or prevent the development of satisfactory habits. I do not want young boys seduced into homosexual relations before they have even had a chance to discover for themselves how satisfactory heterosexual relations can be. I do not want girls to be taught that whips and chains are normal concomitants of sex before they find out for themselves that they are not.

I realize, of course, that chances are small that permanent damage will result from just a passing exposure to pornography. That's not my point. My point is that such material has absolutely no place in the lives of children.

UNFETTERED SQUALOR

Children under certain ages cannot buy cigarettes or whiskey. They are forbidden to drive cars, can't have guns, contract bills or get married. Yet in this most difficult of areas, our nation has failed to set clear and enforceable standards to prevent the sale of sexually destructive material to minors.

Take three startling cases.

In Fresno, Calif., Sanford E. Aday conducted a flourishing business publishing lurid paperback books; in one five-month period, he distributed 826,840 volumes. One well-known book was *Sex Life of a Cop*, in which two policemen in a prowl car engage in sadism and in a series of rapid and bizarre conquests featuring virgins, prostitutes, the wife of the mayor, a policewoman and waitresses, not to mention each other's wives. How *Sex Life of a Cop* could circulate under the protection of the First Amendment, which guarantees freedom of the press, is impossible for an average citizen to explain, but the book is still available in hot-item newsstands across the country.

In New York City's Times Square, Sidney Friedman ran a bookstore featuring "bondage" books and magazines. Two of the books' titles will indicate their emphasis on flagellation and other sexual deviations: *Bondage Boarding School* and *Travelling Saleslady Gets Spanked*. I cannot see how the average reader could find any literary merit whatever in them, nor how young children could fail to get from them a perverted attitude toward sex.

In Los Angeles, Calif., Harry Schackman and associates operated a nudie film arcade in which they exhibited 16-millimeter films which are known by curious titles such as *O-7 O-12* and *D-15*. *O-12* showed a buxom model, almost fully exposed above the waist and wearing transparent panties, through which the viewer could see her complete anatomy, which she twitched and twisted through a series of provocative poses. The camera kept returning to the model's pelvic area, and wandered to her face so that the viewer could see her lips move as she clearly spoke inviting vulgarisms.

Many even worse books and films are being distributed freely in our nation today. Has there been no public attempt to halt this wretched flow?

SUPREME COURT VS. THE LOWER COURTS

As a matter of fact, society has made a rather strong effort to stamp out the worst of this material. Citizen's committees, watchful district attorneys, police forces and ordinary mothers and fathers have vigorously advocated enforcement of obscenity laws or have brought suit in local, state and federal courts. And they have won some striking successes.

Let's follow the three cases described previously.

Aday and his associate were brought to trial in Grand Rapids, Mich., where a federal jury found *Sex Life of a Cop* to be unredeemed pornography. When this verdict was appealed by the publisher and his associate, the Court of Appeals, Sixth Circuit, confirmed the judgment.

In the case of the Times Square "bondage" books and magazines, a three-judge lower court ruled the books to be hard-core pornography. Then a three-judge intermediate court approved the findings.

And a Los Angeles jury found Schackman's nudie films to be obscene, a judgment which the Appellate Department of the Los Angeles Superior Court affirmed. A federal district judge held the films to be obscene.

Similar cases were being similarly decided in other states, and it looked as if at last our country had found a proper balance between permitting true freedom of the press, even on sexual material, and protecting itself against hard-core pornography wedded to violence.

Then something went wrong! Something went badly wrong, and America found that *Sex Life of a Cop* and a flood of things infinitely worse were again free to circulate openly.

In the October 1966 term, appeals were considered by the Supreme Court against convictions in the three cases we have been talking about, plus 23 others. The nine Justices conducted extended private debates among themselves, trying to decide what pornography was. In May and June 1967 the Supreme Court handed down a series of startling decisions on the 26 cases. Schackman's nudie films, Friedman's "bondage" books and magazines and *Sex Life of a Cop*, among others, must be allowed to circulate freely.

With these decisions the Supreme Court destroyed the attempts of 13 separate states to control the dissemination of salacious material, and reversed eight juries which had held that insofar as *their* communities were concerned, the books and films in question were offensive to public taste.

A LANDMARK DECISION

Observe that the Court did not pass on the *legal* correctness of the cases, but rather upon the question of whether a book like *Sex Life of a Cop* is protected by the First Amendment to the Constitution, that is, was it indeed pornography. By this switch the nine Justices passed over from being conservators of legal tradition to being censors of individual books and films. This is a most unfortunate conversion, and if the Justices persist, they will outrage their society, waste their time and tarnish their effectiveness as judges of legal matters.

How did our Supreme Court stumble into this mess?

When I was a boy, American communities made damned fools of themselves by censoring everything. Boston banned perfectly good books. Police sergeants in small cities decided what movies could be screened. Postal inspectors decided on their own as to what printed matter one could receive through the mails.

Then famous trials were held on acknowledged works of art like D. H. Lawrence's *Lady Chatterley's Lover* and James Joyce's *Ulysses*, and the courts, striking down narrow mindedness, decided that such books ought to be allowed to circulate.

So things progressed in what I would consider normal patterns through June 1957, when the Court handed down its extremely wise decision in the Roth Case: "Implicit in the history of the First Amendment is the rejection of obscenity as utterly without redeeming social importance. We hold that obscenity is not within the area of constitutionally protected speech or press." The test was to be "whether to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interest."

Thus, if anyone wanted to censor my novels, or anyone else's, he must judge "the dominant theme of the material taken as a whole." He could not pick out a sentence here and a sentence there to prove that I had used a couple of dirty words. I thought this a sterling decision and one that I could live under.

What went wrong?

FROM JURISTS TO CENSORS

In subsequent cases the Supreme Court began to entrap itself by handing down judgments on individual works. Justice Hugo Black had warned against this very pitfall: "My belief is that this Court is about the most inappropriate supreme board of censors that could be found. So far as I know, judges possess no special expertise providing exceptional competency to set standards and to supervise the private morals of the nation. In addition, the Justices of this Court seem especially unsuited to make the kind of value judgments . . . as to what movies are good or bad for local communities."

The trouble with recent decisions is that any sane man can look at the filth thus protected and say, "No matter what anyone says, this stuff has got to be pornographic, and I don't want my kids reading it." When an average citizen finds a governmental decision ridiculous on the face of it, government is in trouble.

I believe that a three-point program will provide the way out of this mess.

(1) The Supreme Court should refuse to review individual works to determine whether or not they are pornographic.

(2) Congress should pass a law empowering the highest courts of the 50 states, or subsidiary courts nominated by the states, to serve as courts of last appeal as to whether a work is pornographic. The U.S. Supreme Court would continue, of course, to review the legal proceedings of such courts to ensure protection under the law, but it would no longer be allowed to go behind the lower court's findings of fact.

(3) Each state would thus return to the principle enumerated in Roth of "applying contemporary community standards" in judging pornography. Trials would be by a jury of citizens, who would be presumed to know what the standards of their community were. If they ran hogwild and turned in arbitrary or illegal verdicts, a higher state court would redress the balance.

Judge Samuel Hofstadter, of New York's Supreme Court, has spoken wisely on the problem: "Essentially the problem of obscenity is one of municipal order. It is not intrinsically a constitutional question. Hence it cannot be decided properly at the summit but must be disposed of at the base."

One final word. Although most recent Supreme Court decisions have made it easier for smut peddlers to hawk their wares, local communities must not give up in this field. An arrest based on a proper warrant, a trial which observes the fine points of law, a district attorney well prepared to present his case, a fair judge and an intelligent jury can combine to convict such people. Says Arlen Specter, the hardworking district attorney in Philadelphia, "I intend to keep fighting these cases. While adults may decide for themselves what to read, the Supreme Court says that juveniles require protection during their tender years. We have followed up on that new ruling by bringing prosecutions."

We must remember what we are fighting against. Not sexy or bawdy stories. But works in which perversion, sadism and brutality are paraded. The other day, to check on what is now being peddled publicly, I picked up a magazine which showed two nude young men committing multiple perversions upon each other. The picture revolted me, but so far as I know it didn't harm me. But to a 12-year-old boy trying to find out what sex is all about, it might be tragically harmful.

CAPTIVE NATIONS WEEK

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. WOLFF. Mr. Speaker, nearly 2 weeks ago we celebrated Independence Day, our national holiday, which commemorates the Declaration of Independence and the birth of our democracy. With nearly two centuries of this freedom behind us, it is often very easy for us to fail to realize that much of the world still does not possess the rights of life, liberty, and the pursuit of happiness.

Keeping this in mind, I wish to note that this week is Captive Nations Week—a week set aside during the administration of late President Dwight D. Eisenhower to reaffirm U.S. efforts to return national independence and restore individual liberties to those nations forced to live under Soviet domination. In effect, the week of July 13–19 represents a goal in which each and every one of us has a vested interest. It signifies our mission to convince the Communist leaders that we will not settle for less than full and final freedom for Albania, Bulgaria, Czechoslavakia, Estonia, Hungary, Latvia, Lithuania, Poland, Rumania, the Ukraine, and other nations left wounded and debilitated by the mark of Communist aggression.

The urgency of this matter certainly cannot be overlooked. Surely the memories of the pillage and blatant domination of Czechoslovakia in recent months, is ample proof that no nation under domination can ever hope to control its own destiny.

I feel it is important to realize that the Soviet Union is in reality a multinational state. The Russian population of the Soviet Union constitutes less than 50 percent, with the rest being those countries which it has absorbed.

All of the captive peoples of the Soviet Union are denied self-determination. Each citizen, subsequently, is totally deprived of the natural rights to which our Nation has always been so dedicated.

I would like to point out however, that concern for the future of the captive nations is not held by us alone. Virtually every nation where citizens have been blessed with concepts of liberty and freedom of being has come to embrace and honor this week. It is heartening to know that observance of Captive Nation's Week literally spans the globe. In 17 nations from Korea to Australia, India to Turkey, and West Germany to Argentina, the week is recognized. This I feel is a positive sign that free people across the globe have dedicated themselves to restoring the precious gift of freedom to their brothers who can only dream of liberty instead of experiencing it.

Mr. Speaker, at this point I would like to emphasize the importance of honoring this week, but I do not feel that recognition of these 7 days should be an end in itself. Instead, I strongly feel that it should also spur on our efforts to support the cause of liberty for all men.

If we recognize the need for dialog, the need for constructive action and continuation of our peace efforts, I believe we can look forward to the time when we no longer need to celebrate Captive Nation's Week.

Mr. Speaker, in conclusion, I would like to extend my remarks and include an editorial from the ACEN News which concerns this week:

THE PRICE OF FREEDOM

In an age that prides itself on sophistry, a clarion call for freedom may often be muted by a barrage of pat phrases and self-serving slogans. The art of semantics has seemingly gained ascendency over man's natural need to communicate simply and forthrightly, his ideas and aspirations to his fellow men.

With the advent of communism, the meaning of the words "freedom," "democracy," "peace" and "justice" has been distorted in true Orwellian tradition. "Freedom" has become slavery or captivity; "democracy" is a label for dictatorship of a self-perpetuating elite; "peace" is a term to rationalize intervention and aggression; and "justice" has served as a handmaiden of oppressive regimes against the voices of change and humanist protest.

Men today face an awesome dilemma. The price of freedom has gone up. It no longer suffices to advocate, no matter how articulately, our inherent right to liberty and the pursuit of happiness. The right itself may not be challenged, but we are getting increasingly involved in heated debates on what liberty is and what constitutes a legitimate pursuit of happiness. A person calling for freedom for others must therefore first define, to the satisfaction of his audience, the type of freedom he has in mind. Under these circumstances, he starts from being on the defensive, since he is basically required to prove his own good faith rather than the intrinsic merit of his cause.

There is little wonder that many a freedom fighter often grows weary and discouraged. He points out, with understandable bitterness, that even after five decades of subterfuge and broken promises the Communists are still listened to, and their proposals are given due consideration. He understands this; it is a fact of life that the opposing sides must maintain at least a modicum of communication in a world rent by tensions and violence. But why should *he* not be accorded equal attention? After all, he has been neither devious nor unreliable; he has been steadfast in his action and beliefs; he has only advocated what all men proclaim to be their inalienable right—freedom and personal dignity. Does this simplistic approach make him an anachronism in a world apparently more interested in phraseology than substance?

Hardly. Once one scrapes off some of the world's current patina, one finds that a great majority of people still care for and support the values that have motivated and shaped man's history.

Ten years ago, the late President Dwight D. Eisenhower proclaimed the first Captive Nations Week. This year, July 13–19, Americans and East-Central Europeans will again be asked to observe the Week and thus demonstrate their solidarity with their captive brethren. The price that those who actively support freedom must occasionally pay may be higher today than in 1959. But men know they can be truly free only if freedom—this most precious of commodities—rings as loud and clear in all parts of the world as it may in their own village or town.

INFLATION AND HOMEOWNERSHIP

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 1969

Mr. RARICK. Mr. Speaker, inflation, produced by unjustifiable governmental misuse of tax dollars and unbridled spending by tax-free foundations, has all but precluded homeownership for the middle-income families.

As interest rates soar, construction in the private sector correspondingly diminishes. Yet, public housing funding with interest-free tax dollars increases.

Will not the elimination of private homeownership and corresponding market loss to real estate result in the elimination of all "speculation in parcels of land?"

I include two newsclippings:

[From the Washington (D.C.) Evening Star, July 11, 1969]

HOME INDUSTRY IS THREATENED

The nation's troubled housing industry will be crippled drastically if the prime lending rate is raised again, according to Sanford R. Goodkin, a leading real estate research consultant.

Housing starts will plunge to an annual rate of about 800,000 in 1969, he predicted, if the prime rate charged by banks is increased from its current 8½ percent level.

Goodkin's observation came in the wake of recent comments in banking circles that still another rise in the historically high prime rate—possibly to as much as 10 percent—may be necessary to curb inflation.

"It is clear that if the prime rate hits 10 percent, followed shortly by new hikes in FHA and VA rates, then an 800,000 starts rate is sure to follow," said Goodkin. "What started out to be a good year in terms of housing starts has already turned into a reprise of 1966."

He noted that in 1966 a disastrous credit crunch saw a severe drying up of mortgage credit and a reduction of housing starts to 1.2 million from 1.6 million in the preceding year.

The prime rate now has gone through four recent increases, culminating with the June 9 jump to a record 8½ percent. Housing starts have correspondingly declined in every month in 1969 and are sure to fall more steeply following the most recent rate increase. Prior to the last increase, they already had declined by 17 percent from January.

Barring another rise in the prime rate, housing starts could still come close to the 1968 rate of 1.55 million, said Goodkin. This

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is down from earlier, rosier predictions of a 3 percent increase over the 1968 production.

But with inflation still unabated, he said, some bankers have indicated that another prime rate rise is in the offing. Goodkin predicted that if this happens, it probably will be done before September.

"The Nixon Administration will be reluctant to go into the 1970 elections with an unsettled and soft economy," he said. "So it is going to push hard on its anti-inflation fight through this September, then let up in an effort to demonstrate economic recovery by the fall of 1970."

September is a cut-off period to give the economy enough lead time to recover by 1970, he said, because economic patterns indicate that monetary policies don't have their maximum impact until some eight months after they are implemented.

In the 1966 credit crunch, for example, industrial production didn't hit bottom until May 1967, eight months after the greatest panic.

Goodkin said tougher times are ahead for housing, even with the current prime rate prevailing. But another prime rate hike, if put into effect, would have to be withdrawn before September is over in order for the economy to be in decent condition for the 1970 elections.

"It seems to us that high interest rates turn off only those who are too poor to buy at any interest rate—with the possible exception of home buyers, who are more aware of interest rates than any other consumers," said Goodkin. "It also seems that someone somewhere has decided that the prime lending rate will have to rise to some magic margin like 10 percent before all the sophisticates are turned off."

"But," he said, "the fact is that inflation is being fed by thoughtless finger-pointing of unions to management, management to labor, private to public, consumer to anyone. The entire economy may be doomed to repeat some very unfortunate moments in its history because we insist on ignoring history."

[From the Washington (D.C.) Post, July 12, 1969]

INFLATION AFFECTING U.S. LAND VALUES

Investor efforts to avoid inflation will intensify buyer interest in land. However, negative influences—rising taxes, mortgage rates and credit availability—will counterbalance this pressure to a degree, George A. Simon, Miami, said.

President of the National Institute of Farm and Land Brokers, he reported on the annual spring mortgage market survey of the department of research of the National Association of Real Estate Boards.

Inflation of land values and negative factors vary widely.

"Their influence will differ as between corporations and individuals, depending on attitude toward the pace of price advance in relation to the buyer's schedule for use or development and the rate of growth in the economic area," Simon added.

Sites appropriate for immediate or near future development in and around urban centers will continue to increase in value due to the expansion of the economy.

Remote areas are also sharing in the expanding demand and rising prices, reflecting the growing interest in recreational properties for both large-scale development and individual ownership, he said.

"Despite the volume of acreage being added to the accessible inventory through the vast network of highways and throughways, demand for land for non-agricultural use is out-pacing supply in most areas," Simon observed.

Currently, residential subdivision land is enjoying a greater demand than during 1968 in over half of the communities surveyed. It is relatively unchanged in close to a third, and down in 16 percent.

"In recent years," Simon continued, "the shorter work week, longer vacation period, and the ability of the average consumer to finance leisure time activities has made recreation a major industry, with the result that potential land buyers are showing intense interest in sites for recreational use."

Specifically, the 110 Realtors taking part in the survey reported demand for this type of land to be greater in about half of the country.

Demand for land for speculative holding is above the level of last year in 42 per cent of the areas, lower in 16 per cent, and similar in the remainder, "reflecting the fact that land is a favored investment as a hedge against inflation, despite the fact that it is costly in terms of taxes and the loss of income that might be realized from an alternative."

Continuing the investment land discussion, Simon said that demand for agricultural land for part-time occupancy exceeds, somewhat, last year's level in contrast to demand for land for farm expansion, which, on the average, has declined.

Part-time occupancy land demand parallels that of 1968 in 47 per cent of the country. Farm expansion property is in greater demand in only 22 per cent of the areas.

"Whether destined for farm or non-farm use or as a long-range holding, transactions today are at prices generally above those of last year. For residential subdivisions, prices are higher in two-thirds of the nation, while they have dropped in only 6 per cent. Where prices have risen, the average increase is 14 per cent, while for the few areas showing price decline, it averages 5 per cent," Simon said.

"Although prices for land acquired for speculative holding for future growth have risen in a majority of the areas, the rise is less prevalent than for properties destined for current use. While they are up in over half the country and down in 8 per cent, they are the same in 39 per cent."

Agricultural land, Simon concluded, whether for full or part-time use, has also increased in value over the past year. In 56 per cent of the country, the prices for farms, plantations, and ranches are higher. They have dropped in only 12 per cent.

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